

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 17, 2021**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of March 17, 2021, was called to order by Mayor Nakanishi at 7:00 p.m.

Due to the COVID-19 pandemic and pursuant to Executive Order N-29-20, all Council Members participated in the meeting via teleconference and the public portion of the meeting was available for viewing by the public via livestream at <https://www.facebook.com/CityofLodi/> and <https://zoom.us/s/98343457003?pwd=Vm14anRKUm9PWURFb0JnbThSWDFOdz09>; the opportunity for public comment was available through councilcomments@lodi.gov and <https://zoom.us/s/98343457003?pwd=Vm14anRKUm9PWURFb0JnbThSWDFOdz09>.

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

Absent: None

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

C-2 Announcement of Closed Session

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

C-3 Adjourn to Closed Session

At 6:30 p.m., Mayor Nakanishi called to order the Closed Session to discuss the above matters. The Closed Session adjourned at 6:54 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Nakanishi called the City Council meeting to order, and City Attorney Magdich disclosed the following actions.

In regard to Item C-2a), a conference with Adele Post, Human Resource Manager, and Andrew Keys, Deputy City manager, regarding labor negotiations and Lodi Professional Firefighters, the item was discussion only and no action was taken. This item will be presented to Council at a future Council Meeting on the regular agenda for action.

A. Call to Order / Roll Call

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

Absent: None

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

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 Special Teleconference Notice at the beginning of this agenda.

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

Noes: None

Absent: None

ROLL CALL VOTE

The City Council held a ROLL CALL vote (all voiced their votes).

C-1 Receive Register of Claims for February 12, 2021 through February 25, 2021 in the Amount of \$3,186,345.37 (FIN)

Claims were approved in the amount of \$3,186,345.37.

C-2 Approve Minutes (CLK)

The minutes of February 23, 2021 (Shirtsleeve Session), March 2, 2021 (Shirtsleeve Session), and March 3, 2021 (Regular Meeting) were approved as written.

C-3 Adopt Resolution Authorizing Purchase of Ammunition from San Diego Equipment Company, Inc., of San Diego, for Use by Police Department (\$53,388.03) (PD)

Adopted Resolution No. 2021-62 authorizing the purchase of ammunition from San Diego Equipment Company, Inc., of San Diego, for use by the Police Department, in the amount of \$53,388.03.

C-4 Approve Specifications and Authorize Advertisement for Bids for Downtown Sidewalk Paver Maintenance Project; Adopt Resolution Authorizing City Manager to Award Contract to Lowest Responsive Bidder (\$50,000), or Reject All Bids, Execute Change Orders (\$10,000), and Appropriating Funds (\$30,000) (PW)

Approved the specifications and authorized advertisement for bids for the Downtown Sidewalk Paver Maintenance Project; adopted Resolution No. 2021-63 authorizing the City Manager to

award the contract to the lowest responsive bidder, in an amount not to exceed \$50,000, or reject all bids; execute change orders in an amount not to exceed \$10,000; and appropriating funds in the amount of \$30,000.

- C-5 Adopt Resolution Awarding Contract for 2020 Grape Bowl Handrail Improvement Project to Soracco, Inc., of Lodi (\$63,630) and Authorizing City Manager to Execute Change Orders (\$10,000) (PW)

Adopted Resolution No. 2021-64 awarding the contract for the 2020 Grape Bowl Handrail Improvement Project to Soracco, Inc., of Lodi, in the amount of \$63,630, and authorizing the City Manager to execute change orders in an amount not to exceed \$10,000.

- C-6 Adopt Resolution Authorizing City Manager to Execute Change Orders to 2016-2018 Tree Maintenance Contract with West Coast Arborists, Inc., of Anaheim (\$100,000) (PW)

Adopted Resolution No. 2021-65 authorizing the City Manager to execute change orders to the 2016-2018 tree maintenance contract with West Coast Arborists, Inc., of Anaheim, in the amount of \$100,000.

- C-7 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with VMI, Inc., to Upgrade Audio, Visual, and Broadcast System in City Council Chambers (\$618,210), Authorizing City Manager to Execute Change Orders (\$61,821), and Appropriate Funds from DIVCA Account (\$680,031) and Appropriate Funds from General Fund for Room Renovations (\$5,000) (IT)

Adopted Resolution No. 2021-66 authorizing the City Manager to execute a Professional Services Agreement with VMI, Inc., to upgrade audio, visual, and broadcast system in City Council Chambers, in the amount of \$618,210; authorizing the City Manager to execute change orders in an amount not to exceed \$61,821; appropriating funds from DIVCA account in the amount of \$680,031; and appropriating funds from the General Fund for room renovations in the amount of \$5,000.

- C-8 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Pacific Storage, of Stockton, to Provide Department Shred Consoles for Bi-Weekly Shred Pickup and Cell Phones and Hard Drive Destruction Services (\$25,000) (FIN)

Adopted Resolution No. 2021-67 authorizing the City Manager to execute a Professional Services Agreement with Pacific Storage, of Stockton, to provide department shred consoles for bi-weekly shred pickup and cell phones and hard drive destruction services, in the amount of \$25,000.

- C-9 Adopt Resolution Authorizing City Manager to Execute Amendment No. 2 to the Professional Services Agreement with Fieldman, Rolapp & Associates, of Irvine, for Municipal Advisory Services, Adding Continuing Disclosure Consulting Services for All City Debt Issuances for a Total Not-to-Exceed Amount of \$13,500 for the Added Services (FIN)

Adopted Resolution No. 2021-68 authorizing the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Fieldman, Rolapp & Associates, of Irvine, for municipal advisory services, adding continuing disclosure consulting services for all City debt issuances for a total not-to-exceed amount of \$13,500 for the added services.

- C-10 Adopt Resolution Rescinding Resolution No. 2021-36 and Authorizing City Manager to Execute Professional Services Agreement with Bell Burnett & Associates, of Plymouth, to Perform Capital Assets Accounting Services and Appropriating Funds (\$50,000) (FIN)

Adopted Resolution No. 2021-69 rescinding Resolution No. 2021-36 and authorizing the City Manager to execute a Professional Services Agreement with Bell Burnett & Associates, of Plymouth, to perform capital assets accounting services and appropriating funds in the amount of \$50,000.

C-11 Adopt Resolution Rescinding Resolution No. 2020-284 and Authorizing City Manager to Execute Professional Services Agreement with Cummins, Inc., of West Sacramento, for Repairs to Cummins Engines in City Vehicles (\$30,000) (PW)

Adopted Resolution No. 2021-70 rescinding Resolution No. 2020-284 and authorizing the City Manager to execute a Professional Services Agreement with Cummins, Inc., of West Sacramento, for repairs to Cummins engines in City vehicles, in the amount of \$30,000.

C-12 Post for Expiring Terms and Vacancies on Library Board of Trustees, Lodi Arts Commission, Measure L Citizens' Oversight Committee, Parks and Recreation Commission, Planning Commission, Greater Lodi Area Youth Commission (Student Members and Adult Advisors), and San Joaquin County Commission on Aging (CLK)

Directed the City Clerk to post for the following expiring terms and vacancies:

Library Board of Trustees

Frankie Kooger Term to expire June 30, 2021

Caitlin Casey Term to expire June 30, 2021

Lodi Arts Commission

Noona Joseph Term to expire July 1, 2021

Nancy Ahlberg Mellor Term to expire July 1, 2021

Measure L Citizens' Oversight Committee

Phil Pennino Term to expire June 30, 2021

Parks and Recreation Commission

Aaron VanNortwick Term to expire June 30, 2021

Larry Long Term to expire June 30, 2021

Planning Commission

Mitch Slater Term to expire June 30, 2021

Debbie Olson Term to expire June 30, 2021

Greater Lodi Area Youth Commission - Student Members

Benjamin Gobel Term to expire May 31, 2021

Benjamin Plath Term to expire May 31, 2021

Ahmad Khan Term to expire May 31, 2021

Parker Orlando Term to expire May 31, 2021

Morgan Orlando Term to expire May 31, 2022

Rayleen Salgado Term to expire May 31, 2022

Greater Lodi Area Youth Commission - Adult Advisors

Elizabeth Mazzeo Term to expire May 31, 2021

Andrew Manies Term to expire May 31, 2021

Jessica Ramirez Term to expire May 31, 2021

San Joaquin County Commission on Aging
Terri Whitmire Term to expire June 30, 2021

C-13 Accept Monthly Protocol Account Report Through February 28, 2021 (CLK)

Accepted Monthly Protocol Account Report through February 28, 2021.

C-14 Adopt Resolution Reviewing and Maintaining Current Electric Utility Reserve Policy (EU)

Adopted Resolution No. 2021-71 reviewing and maintaining current Electric Utility Reserve Policy.

C-15 First and Second Quarters Fiscal Year 2020/21 Water, Wastewater, and Electric Utility Department Financial Reports (CM)

Received First and Second Quarters Fiscal Year 2020/21 Water, Wastewater, and Electric Utility Department financial reports.

Mike Lusk, citizen, asked that this item be pulled from the Consent Agenda for further discussion. Mr. Lusk asked about Development Impact Fees for new electrical service and the builder impact fees to pay for the water treatment plant debt.

Deputy City Manager Keys explained that the Development Impact Fees are not included in this specific report but will be detailed in future capital project funding reports and budgets. The funding for debt issuance related to water is also not included in the quarterly financial reports but will be included in the project's budget.

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to approve First and Second Quarters Fiscal Year 2020/21 Water, Wastewater, and Electric Utility Department Financial Reports.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

ROLL CALL VOTE

The City Council held a ROLL CALL vote (all voiced their votes).

C-16 Adopt Resolution Reaffirming the Ratification of the City Manager's Proclamation Finding the Continued Existence of a Local Emergency and Rendering Certain Emergency Orders, Including an Increase Related to the Local Emergency in the City Manager's Contracting Authority for Services and Goods to a Maximum Amount of \$250,000 for the Duration of the Local Emergency (CA)

Adopted Resolution No. 2021-72 reaffirming the ratification of the City Manager's proclamation finding the continued existence of a local emergency and rendering certain emergency orders, including an increase related to the local emergency in the City Manager's contracting authority for services and goods to a maximum amount of \$250,000 for the duration of the local emergency.

C-17 Set Public Hearing for April 7, 2021, to Consider Adopting Ordinance Amending PD 39 (Reynolds Ranch) to Include Development Standards for Retail Uses in General and Hotels Specifically (CD)

Set a public hearing for April 7, 2021, to consider adopting an ordinance amending PD 39 (Reynolds Ranch) to include Development Standards for retail uses in general and hotels specifically.

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.

Mike Lusk, citizen, spoke about builder impact fees and asked that impact fees be considered to help fund low-income housing and water facilities. Mr. Lusk also spoke about impact fees being transferred to pay for the debt related to the building of Fire House No. 4.

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

Council Member Kuehne stated Development Impact Fees are going to be discussed at a Shirtsleeve Session in the near future. Council Member Kuehne also noted that staff and Council have been discussing the sale of City property and the associated Fire House debt.

Council Member Kuehne acknowledge that is it St. Patrick's Day.

Council Member Kuehne spoke about the audio/visual updates that are being made to the Council Chambers, how they are not being financed through the General Fund, and the benefit the upgrades will be to the community.

Council Member Kuehne thanked Deputy City Manager Keys for filling in for City Manager Schwabauer.

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

Deputy City Manager Keys reported that San Joaquin County unfortunately did not move into the COVID-19 red tier this week by a small margin. Deputy City Manager Keys spoke about the importance of testing and vaccinations and explained the metrics the State uses to adjust the tiers.

G. Public Hearings

G-1 Public Hearing to Consider Resolution Adopting Pre-Approved Proposition 218 Consumer Price Index-Based Annual Adjustment to Rates for Solid Waste Collection (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 Nakanishi called for the public hearing to consider a resolution adopting pre-approved Proposition 218 Consumer Price Index-based annual adjustment to rates for solid waste collection.

Public Works Director Charlie Swimley introduced Management Analyst Rebecca Areida-Yadav and she provided a PowerPoint presentation regarding solid waste rates. Specific topics of discussion included contract, CPI rate adjustment factor, County gate fees, example rate changes, six-year summary, and recommended action.

Mayor Nakanishi opened the public hearing for public comment.

Mayor Nakanishi stated that the City has an agreement with Waste Management and the increases presented are within the terms of the agreement based on the Consumer Price Index (CPI).

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

Mayor Pro Tempore Chandler made a motion, second by Council Member Kuehne, to adopt Resolution No. 2021-73 adopting pre-approved Proposition 218 Consumer Price Index-based annual adjustment to rates for solid waste collection.

VOTE:

The above motion carried by the following vote:

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

Noes: Council Member Khan

Absent: None

ROLL CALL VOTE

The City Council held a ROLL CALL vote (all voiced their votes).

H. Regular Calendar – None

I. Ordinances – None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:28 p.m.

ATTEST:

Jennifer Cusmir
City Clerk