

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 19, 2023**

A. Call to Order / Roll Call

The Regular City Council meeting of April 19, 2023, was called to order by Mayor Pro Tempore Craig at 7:04 p.m.

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

Absent: Mayor Hothi

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

NOTE: The scheduled Closed Session was cancelled prior to the start of the meeting.

B. Presentations

B-1 National Volunteers Week Proclamation (PD)

Mayor Pro Tempore Craig presented proclamations proclaiming April 16 to 22, 2023, as National Volunteers Week in the City of Lodi. Parks, Recreation and Cultural Services Director Christina Jaromay accepted on behalf of her department and acknowledged the following volunteers who were present: Dr. Ron Oye, Michiko Oye, and Kenny Okamura representing the Lodi Sister City Committee; Steve Dutra, George Dutra, Bill Matt, and Nancy Melhoff representing Tree Lodi; Nancy Ahlberg-Mellor, Kelli Perrault, and Bailey Caswell representing the Lodi Arts Commission; and Elisabeth Vikulova representing the Lodi Arts Foundation. Ron Russell accepted the proclamation on behalf of the Library. Watershed Program Coordinator Kathy Grant accepted on behalf of the Public Works Department. Partners Coordinator Chet Somera accepted the proclamation on behalf of the Police Department and acknowledged Chaplain Amber Leonardini and Partners Art Olmos, Ron Johnstad, Darlene MacDonald, and Lynn Benbrook.

B-2 National Public Safety Telecommunicators Week Proclamation (PD)

Mayor Pro Tempore Craig presented a proclamation to Lead Dispatcher Jennifer Root, Dispatcher Perla Aguilar, and Captain Eric Versteeg proclaiming April 9 to 15, 2023, as National Public Safety Telecommunicators Week in the City of Lodi.

B-3 National Animal Control Officer Appreciation Week Proclamation (PD)

Mayor Pro Tempore Craig presented a proclamation to Animal Services Supervisor Jennifer Bender proclaiming April 9 to 15, 2023, as National Animal Control Officer Appreciation Week in the City of Lodi.

B-4 Earth Day Proclamation Recognizing of Lodi Unified School District Educators in 2022/23 "Salmon in the Classroom Program" (PW)

Mayor Pro Tempore Craig presented a proclamation to Watershed Program Coordinator Kathy Grant proclaiming April 22, 2023 as Earth Day in the City of Lodi. Ms. Grant recognized the contributions of Sandy Starr, Beth Fox, Andrea Aimes, Lauren Schwabauer, and Rafael Ceha, of Lodi Unified School District, and shared a video about the Salmon in the Classroom Program.

B-5 Love Lodi Proclamation (CLK)

Mayor Pro Tempore Craig presented a proclamation to Timothy and Tara Stewart, incoming Love Lodi presidents, proclaiming April 29, 2023 as Love Lodi Day in the City of Lodi. Mr. Stewart spoke about the upcoming Lodi Lodi event and acknowledged the contributions of Pastor Glen Barnes.

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

Noes: None

Absent: Mayor Hothi

C-1 Receive Register of Claims for March 10, 2023 through March 30, 2023 in the Total Amount of \$6,445,507.03 (FIN)

Claims were approved in the amount of \$6,445,507.03.

C-2 Approve Minutes (CLK)

The minutes of March 28, 2023 (Special Meeting) and April 11, 2023 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Lower Sacramento Road Resurfacing Project (PW)

Approved the plans and specifications and authorized advertisement for bids for the Lower Sacramento Road Resurfacing Project.

C-4 Adopt Resolution Authorizing City Manager to Execute Agreements with the Following Entities for White Slough Water Pollution Control Facility Electrical Building Associated Improvements Project (\$14,400,000) and Appropriate Funds (\$6,400,000): a) Amendment No. 2 to Task Order No. 48 with West Yost Associates, Inc., of Davis, for Engineering Services (\$841,683); b) C. Overaa & Co., of Richmond, for Construction (\$11,408,000) and Authorize City Manager to Execute Change Orders (Not to Exceed \$1,326,000); and c) Amendment No. 1 to Professional Services Agreement with Terracon Consultants, Inc., of Lodi, for Construction Testing and Inspection Services (\$100,000) (PW)

Adopted Resolution No. 2023-70 authorizing the City Manager to execute agreements with the following entities for the White Slough Water Pollution Control Facility Electrical Building Associated Improvements Project in the amount of \$14,400,000 and appropriating funds in the amount of \$6,400,000: a) Amendment No. 2 to Task Order No. 48 with West Yost Associates, Inc., of Davis, for engineering services in the amount of \$841,683; b) C. Overaa & Co., of Richmond, for construction in the amount of \$11,408,000 and authorize the City Manager to execute change orders in an amount not to exceed \$1,326,000; and c) Amendment No. 1 to the Professional Services Agreement with Terracon Consultants, Inc., of Lodi, for construction testing and inspection services in the amount of \$100,000.

C-5 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Diede Construction, Inc., of Woodbridge, for Operations and Maintenance Services of Central Plume PCE/TCE Remedial Sites (\$185,100), and Appropriating Funds (\$185,100) (PW)

Adopted Resolution No. 2023-71 authorizing the City Manager to execute a Professional Services Agreement with Diede Construction, Inc., of Woodbridge, for operations and maintenance services of the Central Plume PCE/TCE Remedial Sites in the amount of \$185,100, and appropriating funds in the amount of \$185,100.

C-6 Adopt Resolution Authorizing City Manager to Execute Amendment No. 1 to Professional Services Agreement with ICR Refrigeration, Inc., of Lodi, for On-Call Heating, Ventilation, and Air Conditioning Services (\$250,000) (PW)

Adopted Resolution No. 2023-72 authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with ICR Refrigeration, Inc., of Lodi, for on-call heating, ventilation, and air conditioning services in the amount of \$250,000.

C-7 Adopt Resolution Authorizing City Manager to Execute Amendment No. 2 to Professional Services Agreement with NJ Associates, Inc., of Lodi, and Extending Term to December 31, 2024, for Access Center, Training Center, and Entire Site Design Development, Civil Engineering, Construction Documents, Bid Documents, and Construction Administration (Not to Exceed \$225,185) (CD)

This item was pulled at the request of Mayor Pro Tempore Craig. Mayor Pro Tempore Craig stated that NJ Associates has been employed by her family's business in the past and recused herself from the vote on this item. She turned the meeting over to City Attorney Magdich and left the Council Chambers while the item was under discussion.

Council Member Nakanishi made a motion, second by Council Member Bregman, to adopt Resolution No. 2023-73 authorizing the City Manager to execute Amendment No. 2 to the Professional Services Agreement with NJ Associates, Inc., of Lodi, and extending the term to December 31, 2024, for the Access Center, Training Center, and entire site design development, civil engineering, construction documents, bid documents, and construction administration, in an amount not to exceed \$225,185.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Bregman, Council Member Nakanishi, and Council Member Yopez

Noes: None

Recusals: Mayor Pro Tempore Craig

Absent: Mayor Hothi

C-8 Adopt Resolution Approving City of Lodi Pay Schedule Dated April 19, 2023 (ISD)

Adopted Resolution No. 2023-74 approving the City of Lodi Pay schedule dated April 19, 2023.

C-9 Accept Monthly Protocol Account Report through March 31, 2023 (CLK)

Accepted the Monthly Protocol Account Report through March 31, 2023.

C-10 Adopt Resolution Authorizing Destruction of Certain Citywide Records in Accordance with the Government Code and the City's Records Management Policy (CLK)

Adopted Resolution No. 2023-75 authorizing the destruction of certain Citywide records in accordance with the Government Code and the City's Records Management Policy.

C-11 Adopt Resolution Authorizing City Manager to Implement Citywide Cash Handling Policy (ISD)

Adopted Resolution No. 2023-76 authorizing the City Manager to implement a Citywide Cash Handling Policy.

C-12 Post for Vacancy for Greater Lodi Area Youth Commission Adult Advisor (CLK)

Directed the City Clerk to post for the following vacancy:

Greater Lodi Area Youth Commission Adult Advisor

Hector Soto - Term to expire May 31, 2026

C-13 Set Public Hearing for May 3, 2023, to Consider Adopting Resolution Approving 2023-24 Annual Action Plan (CD)

Set a public hearing for May 3, 2023, to consider adopting a resolution approving 2023-24 Annual Action Plan.

C-14 Set Public Hearing for May 3, 2023, to Consider Resolution Adopting Pre-Approved, Proposition 218 Consumer Price Index-Based Annual Adjustment to Rates for Solid Waste Collection (PW)

Set a public hearing for May 3, 2023, to consider a resolution adopting pre-approved Proposition 218 Consumer Price Index-based annual adjustment to rates for solid waste collection.

C-15 Set Public Hearing for May 17, 2023 to Consider Introducing Ordinance Amending Lodi Municipal Code Chapter 13.20, "Electrical Service," by Repealing and Reenacting Article III, "Rates," in Its Entirety (EU)

Set a public hearing for May 17, 2023 to consider introducing an ordinance amending Lodi Municipal Code Chapter 13.20, "Electrical Service," by repealing and reenacting Article III, "Rates," in its entirety.

D. Comments by the Public on Non-Agenda Items

John Slaughterback, a member of the public, spoke about possible solutions to the food waste issue and provided a handout to Council (filed).

Susan Heberle, a member of the public, enquired about the status and location of the new fire station and how to contact the Measure L Citizens Oversight Committee.

Discussion ensued with Mayor Pro Tempore Craig and Deputy City Manager Keys regarding the Measure L Citizens Oversight Committee, the schedule of the meetings, and the Committee's retroactive review of expenditures.

Mark Wilcox, a member of the public, spoke about garbage collection and overfill averages.

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

Council Member Nakanishi stated that Council is hearing the public's comments regarding the food waste and garbage collection issues and that the recent Council planning session placed public safety as a high priority.

Mayor Pro Tempore Craig recapped her recent attendance at the CalCities Leadership Conference and the Council's strategic planning meeting.

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

Deputy City Manager Keys stated that at their last meeting, the San Joaquin Delta College Board of Trustees directed their staff to work with City staff to move forward with the planned public safety training facility to be located at White Slough Water Pollution Control Facility.

G. Public Hearings – None

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 8:16 p.m.

ATTEST:

Olivia Nashed
City Clerk