

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 16, 2021**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of June 16, 2021, was called to order by Mayor Pro Tempore Chandler at 6:00 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>.

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

Absent: Mayor Nakanishi

Also Present: City Manager Schwabauer, 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 International Brotherhood of Electrical Workers, Pursuant to Government Code §54957.6 (CM)

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Pro Tempore Chandler called the Closed Session to order to discuss the above matters. The Closed Session adjourned at 7:06 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:08 p.m., Mayor Pro Tempore Chandler called the City Council meeting to order, and City Attorney Magdich disclosed the following actions.

In regard to Item C-2a), Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding International Brotherhood of Electrical Workers, Pursuant to Government Code §54957.6, this item was for discussion only and no action was taken.

A. Call to Order / Roll Call

The Regular City Council meeting of June 16, 2021, was called to order by Mayor Pro Tempore Chandler at 7:08 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 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>.

B. Presentations

B-1 Parks Make Life Better Month Proclamation (PRCS)

Mayor Pro Tempore Chandler presented a proclamation proclaiming July 2021 as Parks Make Life Better Month in the City of Lodi to Christina Jaromay, Parks, Recreation and Cultural Services Director.

- 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.

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

Noes: None

Absent: Mayor Nakanishi

ROLL CALL VOTE

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

- C-1 Receive Register of Claims for May 14, 2021 through May 27, 2021 in the Amount of \$6,702,589.26 (FIN)

Claims were approved in the amount of \$6,702,589.26.

- C-2 Approve Minutes (CLK)

The minutes of May 25, 2021 (Shirtsleeve Session) and June 1, 2021 (Shirtsleeve Session) were approved as written.

- C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Old City Hall Tower Demolition Project; and Adopt Resolution Authorizing City Manager to Award Contract to Lowest Responsive Bidder (\$50,000), Execute Change Orders (\$8,000), and Appropriating Funds (\$70,000) (PW)

Approved plans and specifications and authorized advertisement for bids for Old City Hall Tower Demolition Project; and adopted Resolution No. 2021-165 authorizing the City Manager to award a contract to the lowest responsive bidder in an amount not to exceed \$50,000, execute change orders in an amount not to exceed \$8,000, and appropriating funds in the amount of \$70,000.

- C-4 Approve Specifications and Authorize Advertisement for Bids for Well 6R Granular Activated Carbon Replacement; and Adopt Resolution Authorizing City Manager to Award Contract to Lowest Responsive Bidder (\$130,000), Execute Change Orders (\$13,000), and Appropriating Funds (\$143,000) (PW)

Approved specifications and authorized advertisement for bids for Well 6R Granular Activated Carbon Replacement; and adopted Resolution No. 2021-166 authorizing the City Manager to award a contract to the lowest responsive bidder in an amount not to exceed \$130,000, execute change orders in an amount not to exceed \$13,000, and appropriating funds in the amount of \$143,000.

- C-5 Approve Specifications and Authorize Advertisement for Bids for 2021 Pavement Fog Sealing Program; and Adopt Resolution Authorizing City Manager to Award Contract to Lowest Responsive Bidder (\$69,000), Execute Change Orders (\$7,000), and Appropriating Funds (\$36,000) (PW)

Approved specifications and authorized advertisement for bids for 2021 Pavement Fog Sealing Program; and adopted Resolution No. 2021-167 authorizing the City Manager to award a contract to the lowest responsive bidder in an amount not to exceed \$69,000, execute change orders in an amount not to exceed \$7,000, and appropriating funds in the amount of \$36,000.

- C-6 Adopt Resolution Authorizing City Manager to Execute Contracts for Fiscal Year 2021/22 with United Cerebral Palsy of San Joaquin, Amador, and Calaveras Counties, of Stockton, for Downtown Cleaning (\$82,921), Transit Facility Cleaning (\$62,664), and Hutchins Street Square Landscape Maintenance (\$21,353) (PW)

Adopted Resolution No. 2021-168 authorizing the City Manager to execute contracts for Fiscal Year 2021/22 with United Cerebral Palsy of San Joaquin, Amador, and Calaveras Counties, of Stockton, for Downtown cleaning in the amount of \$82,921, Transit Facility cleaning in the amount of \$62,664, and Hutchins Street Square landscape maintenance in the amount of \$21,353.

- C-7 Rescind Resolution No. 2021-96 and Adopt Resolution Authorizing City Manager to Award Contract for 2021-2023 Landscape Maintenance of Miscellaneous Areas and Lodi Consolidated Landscape District No. 2003-1 to Lowest Responsive Bidder (\$1,100,000) and Execute Change Orders (\$80,000) (PW)

This item was pulled at the request of staff.

- C-8 Adopt Resolution Authorizing City Manager to Execute Additional Change Orders to 2018-2020 Landscape Maintenance of Miscellaneous Areas and Lodi Consolidated Landscape Assessment District No. 2003-1 (\$100,000) (PW)

Adopted Resolution No. 2021-169 authorizing the City Manager to execute additional change orders to 2018-2020 Landscape Maintenance of Miscellaneous Areas and Lodi Consolidated Landscape Assessment District No. 2003-1 in an amount not to exceed \$100,000.

- C-9 Accept Improvements Under Contract for 2020 Crack Sealing Project (PW)

Accepted improvements under contract for 2020 Crack Sealing Project.

- C-10 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Tablet Command, Inc. (Not to Exceed \$24,000) (FD)

Adopted Resolution No. 2021-170 authorizing the City Manager to execute a Professional Services Agreement with Tablet Command, Inc., in an amount not to exceed \$24,000.

- C-11 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement

with United Site Services, Inc., of California for the Delivery, Removal and Weekly Service of Portable Restrooms at Various City Parks (\$43,052) (PRCS)

Adopted Resolution No. 2021-171 authorizing the City Manager to execute a Professional Services Agreement with United Site Services, Inc., of California for the delivery, removal and weekly service of portable restrooms at various City parks in the amount of \$43,052.

C-12 Adopt Resolution Authorizing City Manager to Execute Amendment No. 2 to Professional Services Agreement with KONE, Inc., of Sacramento, for Monthly Inspection and Maintenance Services of Elevators in City Facilities (\$35,000) (PW)

Adopted Resolution No. 2021-172 authorizing the City Manager to execute Amendment No. 2 to the Professional Services Agreement with KONE, Inc., of Sacramento, for monthly inspection and maintenance services of elevators in City facilities in the amount of \$35,000.

C-13 Adopt Resolution Authorizing City Manager to Execute User License Agreement for Racial and Identity Profiling Act (RIPA) Data Collection Application Software Allowing Lodi Police Department to Comply with State of California's AB953 Expanded Pedestrian or Traffic Stop Reporting Requirements with True Blue Solutions, LLC, dba RIPALog, LLC, of San Jose (\$17,200) (PD)

This item was pulled for discussion.

Council Member Khan asked for more information about the software. City Manager Schwabauer explained that State law requires, at every traffic stop, that officers document their assessment as to the racial, gender, or sexual identity of the person they stopped. The State requires that the data be collected.

Council Member Hothi made a motion, second by Council Member Kuehne, to adopt Resolution No. 2021-173 authorizing the City Manager to execute user license agreement for Racial and Identity Profiling Act (RIPA) data collection application software allowing Lodi Police Department to comply with State of California's AB953 expanded pedestrian or traffic stop reporting requirements with True Blue Solutions, LLC, dba RIPALog, LLC, of San Jose, in the amount of \$17,200.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Nakanishi

ROLL CALL VOTE

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

C-14 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with First Alarm Wellness (Not to Exceed \$27,800) (FD)

Adopted Resolution No. 2021-174 authorizing the City Manager to execute a Professional Services Agreement with First Alarm Wellness in an amount not to exceed \$27,800.

C-15 Adopt Resolution Authorizing City Manager to Execute Extension to Professional Services Agreement with Flynn Resource Consultants, Inc., of Discovery Bay, for Transmission Grid

Intertie Support Services (EU)

Adopted Resolution No. 2021-175 authorizing the City Manager to execute extension to the Professional Services Agreement with Flynn Resource Consultants, Inc., of Discovery Bay, for transmission grid intertie support services.

- C-16 Adopt Resolution Authorizing Lodi Police Department to Participate in Cannabis Tax Fund Grant Program Funded by California Highway Patrol, Further Ratifying Execution of Grant Documents by the Chief of Police on Behalf of the City of Lodi, and Appropriate Funds (\$123,690) (PD)

Adopted Resolution No. 2021-176 authorizing the Lodi Police Department to participate in Cannabis Tax Fund Grant Program funded by the California Highway Patrol, further ratifying execution of the grant documents by the Chief of Police on behalf of the City of Lodi, and appropriate funds in the amount of \$123,690.

- C-17 Adopt Resolution Approving Firefighter Memorial Project, Accepting Donation from Lodi Fire Foundation, and Further Appropriating Funds (\$40,000) (FD)

Adopted Resolution No. 2021-177 approving Firefighter Memorial Project, accepting donation from Lodi Fire Foundation, and further appropriating funds in the amount of \$40,000.

- C-18 Adopt Resolution Adopting Eastern San Joaquin Integrated Regional Water Management Plan 2020 Addendum (PW)

Adopted Resolution No. 2021-178 adopting Eastern San Joaquin Integrated Regional Water Management Plan 2020 Addendum.

- C-19 Adopt Resolution Adopting Lodi Electric Utility's 2021 Physical Security Plan (EU)

Adopted Resolution No. 2021-179 adopting Lodi Electric Utility's 2021 Physical Security Plan.

- C-20 Adopt Resolution Formalizing Process for Appointments to Measure L Citizens' Oversight Committee (CLK)

Adopted Resolution No. 2021-180 formalizing process for appointments to the Measure L Citizens' Oversight Committee.

- C-21 Appoint Mitchell Slater and Steven Hennecke to Planning Commission and Frankie Kooger and Caitlin Casey to Library Board of Trustees (CLK)

Made the following appointments:

Planning Commission

Mitchell Slater - Term to expire June 30, 2025

Steven Hennecke - Term to expire June 30, 2025

Library Board of Trustees

Frankie Kooger - Term to expire June 30, 2024

Caitlin Casey - Term to expire June 30, 2024

- C-22 Adopt Resolution Confirming Fire Executive Management Agreement to the Three Percent Cost-Sharing Pursuant to Government Code Section 20516 (Employees Sharing

Additional Cost) (HR)

Adopted Resolution No. 2021-181 confirming Fire Executive Management Agreement to the three percent cost-sharing pursuant to Government Code Section 20516 (Employees Sharing Additional Cost).

C-23 Adopt Resolution Confirming a Separate Police Executive Management Agreement with an Additional Nine Percent Employee Cost-Sharing Pursuant to Government Code Section 20516 (Employees Sharing Additional Cost) for a Total Employee Cost-Sharing of Eighteen Percent (HR)

Adopted Resolution No. 2021-182 confirming a separate Police Executive Management Agreement with an additional nine percent employee cost-sharing pursuant to Government Code Section 20516 (Employees Sharing Additional Cost) for a total employee cost-sharing of eighteen percent.

C-24 Continue Public Hearing for July 21, 2021, to Consider Adopting Resolution Adopting 2020 Urban Water Management Plan Update (PW)

Continued public hearing for July 21, 2021, to consider adopting resolution adopting 2020 Urban Water Management Plan update.

C-25 Set Public Hearing for July 21, 2021, to Receive Report on Redistricting Process and Permissible Criteria to be Considered to Redraw City Council Election Boundaries and to Receive Public Input (CLK)

Set public hearing for July 21, 2021, to receive report on redistricting process and permissible criteria to be considered to redraw City Council election boundaries and to receive public input.

C-26 Set Public Hearing for July 21, 2021, to Consider the Following Actions: (PW) A. Adopt Resolution Adopting Amendment to 2012 Wastewater Master Plan to Include 2018 Amendment to South Wastewater Trunk Line Master Plan B. Adopt Resolution Approving 2021 Impact Mitigation Fee Program Final Report and Schedule of Fees

This item was pulled for discussion.

Mike Lusk, a resident, asked about the fee reimbursement on a water valve on Harney Lane, why builder impact fees for wastewater and water are being reduced, and about electric line improvements and electric utility savings generated by the improvements.

City Manager Schwabauer explained that the improvements to the electric utility infrastructure is not going to be funded by rate payer payments because it is going to be repaid through savings that result from improved electric transmission. City Manager Schwabauer stated that the City is unable to charge new development past uncollected impact fees, in response to questions asked by Mr. Lusk.

Deputy Public Works Director/City Engineer Lyman Chang and Electric Utility Director Jeff Berkheimer provided Mr. Lusk with additional information pertaining to his questions.

Council Member Kuehne made a motion, second by Council Member Hothi, to set public hearing for July 21, 2021, to consider the following actions: Adopt resolution adopting amendment to 2012 Wastewater Master Plan to include 2018 amendment to South Wastewater Trunk Line Master Plan; and adopt resolution approving 2021 Impact Mitigation Fee Program Final Report and

Schedule of Fees.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Nakanishi

ROLL CALL VOTE

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

- 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.

There were no public comments.

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

Council Member Khan spoke about a need for a stop sign or traffic calming device at Poplar Street and Stockton Street. City Manager Schwabauer stated that he would have the Public Works staff look at the intersection.

Mayor Pro Tempore Chandler spoke about the Food Maxx grand opening.

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

None.

- G. Public Hearings – None

- H. Regular Calendar

- H-1 Redistricting Project Schedule and Public Outreach Presentation (CLK)

City Clerk Jennifer Cusmir provided a presentation on the redistricting project schedule and public outreach. Specific topics of discussion included Public Hearing schedule for redistricting and an outline of steps the City will take to encourage public engagement.

The City Council voiced their support for the public outreach recommendations.

- H-2 Adopt Resolution Authorizing City Manager to Extend Temporarily Modified Customer Assistance & Relief Energy (CARE) Package Program Term to September 30, 2021, and Execute Third Amendments to Term of Professional Services Agreements with Efficiency Services Group, LLC, Salvation Army, and Community Partnership for Families of San Joaquin to September 30, 2021; and Further Authorize FY 21 Appropriations and Expenditures to Carry Over into FY 22 (EU)

Business Development Manager Astrida Trupovnieks provided a presentation regarding the extension of the temporarily-modified Customer Assistance & Relief Energy (CARE) Package Program. Specific topic of discussion included a description of the work supported by the program.

Mayor Pro Tempore Chandler voiced his support for the program extension.

Council Member Kuehne made a motion, second by Council Member Hothi, to adopt Resolution No. 2021-183 authorizing the City Manager to extend the temporarily-modified Customer Assistance & Relief Energy (CARE) Package Program term to September 30, 2021, and execute Third Amendments to term of Professional Services Agreements with Efficiency Services Group, LLC, Salvation Army, and Community Partnership for Families of San Joaquin to September 30, 2021; and further authorize Fiscal Year 21 appropriations and expenditures to carry over into Fiscal Year 22.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Nakanishi

ROLL CALL VOTE

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

I. Ordinances – None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:51 p.m.

ATTEST:

Jennifer Cusmir
City Clerk