

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 2, 2011**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of February 2, 2011, was called to order by Mayor Johnson at 6:00 p.m.

Present: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, Mayor Pro Tempore Mounce, and Mayor Johnson

Absent: None

Also Present: City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl

C-2 Announcement of Closed Session

- a) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, International Brotherhood of Electrical Workers, Fire Mid-Managers, and Lodi Professional Firefighters Pursuant to Government Code §54957.6

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Johnson adjourned the meeting to a Closed Session to discuss the above matter. The Closed Session adjourned at 6:30 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:03 p.m., Mayor Johnson reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following action.

Item C-2 (a) was discussion only with no reportable action.

A. Call to Order / Roll call

The Regular City Council meeting of February 2, 2011, was called to order by Mayor Johnson at 7:03 p.m.

Present: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, Mayor Pro Tempore Mounce, and Mayor Johnson

Absent: None

Also Present: City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl

B. Presentations

B-1 Learning Link Week Proclamation

Mayor Johnson presented a proclamation to Cyndi Carter, Learning Link Coordinator with the Lodi News-Sentinel, proclaiming the week of January 30 - February 5, 2011, as "Learning Link Week" in the City of Lodi.

B-2 Breakthrough Project Certificate of Recognition

Mayor Johnson presented a Certificate of Recognition to Linda Hammons and Reverend Helen Mansfield, representing the Breakthrough Project, a non-profit organization created 13 years ago to provide aid and support to victims of hate crimes, coordinate efforts with local law enforcement agencies, and provide educational and cultural awareness programs in the community.

C. Consent Calendar (Reading; Comments by the Public; Council Action)

Mayor Johnson made a motion, second by Mayor Pro Tempore Mounce, 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 Hansen, Council Member Katzakian, Council Member Nakanishi, Mayor Pro Tempore Mounce, and Mayor Johnson

Noes: None

Absent: None

C-1 Receive Register of Claims in the Amount of \$8,953,463.64 (FIN)

Claims were approved in the amount of \$8,953,463.64.

C-2 Approve Minutes (CLK)

The minutes of January 18, 2011 (Shirtsleeve Session), January 19, 2011 (Regular Meeting), and January 25, 2011 (Shirtsleeve Session) were approved as written.

C-3 Receive Report of Sale of Surplus Equipment (PW)

Received the report of sale of surplus equipment.

C-4 Approve Request for Proposals and Authorize Advertisement for the Inspection, Adjustments, and Maintenance Tests of Two Power Transformers at Henning Substation (\$65,000) (EUD)

This item was pulled for further discussion by Ed Miller, a member of the public.

In response to Ed Miller, Mr. Bartlam stated the proposed item is to obtain proposals only at this time, the \$65,000 is an estimate, and staff is in the process of reviewing the maintenance needs for all substations and will be bringing that information back to the City Council for consideration.

Mayor Pro Tempore Mounce made a motion, second by Mayor Johnson, to approve request for proposals and authorize advertisement for the inspection, adjustments, and maintenance tests of two power transformers at Henning Substation.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, Mayor Pro Tempore Mounce, and Mayor Johnson

Noes: None

Absent: None

C-5 Adopt Resolution Accepting Improvements Under Contract for Water Main Replacement Program, Project No. 3, and Appropriating Funds (\$110,000) (PW)

Adopted Resolution No. 2011-12 accepting the improvements under contract for Water Main Replacement Program, Project No. 3, and appropriating funds in the amount of \$110,000.

C-6 Adopt Resolution Approving Improvement Deferral Agreement for 217 East Lockeford Street (PW)

Adopted Resolution No. 2011-13 approving Improvement Deferral Agreement for 217 East Lockeford Street.

C-7 Adopt Resolution Authorizing the City Manager to Execute Consignment Agreement for San Joaquin Regional Transit District Ticket Sales at Lodi Transit Station (PW)

This item was pulled for further discussion by Mayor Pro Tempore Mounce and Robin Rushing, a member of the public.

Robin Rushing spoke of his concerns regarding the City obtaining a commission and the decline in ridership service for City of Lodi residents in comparison to others in the County.

In response to Mayor Pro Tempore Mounce, Public Works Director Wally Sandelin stated the City receives \$100 to \$400 in commission after \$6,000 in sales are achieved, currently the City sells approximately \$8,000 in tickets, the City has had the current service for 11 years, there is not much of a staff burden for those already selling other tickets at the modal station, and there is a different commission structure for Amtrak and Greyhound without a minimum.

In response to Mayor Johnson, Mr. Sandelin stated MV is not providing additional staff or charging the City more for selling San Joaquin Regional Transit District (SJRTD) tickets, which is incidental to the sale of other tickets at the modal station.

Mayor Johnson requested that additional information regarding the SJRTD agreement be provided at a future Shirtsleeve Session and a representative of SJRTD be invited as well.

Mayor Pro Tempore Mounce made a motion, second by Mayor Johnson, to adopt Resolution No. 2011-14 authorizing the City Manager to execute Consignment Agreement for San Joaquin Regional Transit District ticket sales at Lodi Transit Station.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, Mayor Pro Tempore Mounce, and Mayor Johnson

Noes: None

Absent: None

C-8 Set Public Hearing for February 16, 2011, to Consider the Approval of an Amendment of the 2010/11 Action Plan and Reallocation of Available Community Development Block Grant Program Funds (CD)

This item was pulled for further discussion by Council Member Nakanishi.

In response to Council Member Nakanishi, Mr. Bartlam stated the current item on the agenda is to set the public hearing only and specific information regarding the reallocation of Community Development Block Grant funds as it relates to water meters will be provided at the hearing.

Mayor Johnson made a motion, second by Mayor Pro Tempore Mounce, to set public hearing for February 16, 2011, to consider the approval of an amendment of the 2010/11 Action Plan and reallocation of available Community Development Block Grant Program funds.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, Mayor Pro Tempore Mounce, and Mayor Johnson

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. The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

Robin Rushing spoke regarding his concerns about the regulation and availability of K2, a marijuana-like narcotic, to the youth of the City.

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

Council Member Nakanishi stated that the pool at Hutchins Street Square is not closing permanently as some reports have indicated, although it may be closed temporarily for some repairs.

Mayor Pro Tempore Mounce asked that the City make available to citizens a smoothing out program for utilities, similar to that provided by PG&E.

Council Member Hansen reported on his attendance at the Northern California Power Agency Strategic Planning Session and the San Joaquin Council of Governments meeting where specific topics of discussion included the issuance of \$225 million in bonds for various projects, including the Port of Stockton maritime project.

Mayor Johnson commended the City Manager for his efforts associated with the Budget Strategy meetings to be held on the 1st and 3rd Tuesdays of the month and discussed joint ventures with cities and the County to better utilize resources.

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

City Manager Bartlam stated the City does currently have a smoothing out program for utilities based on averages and will conduct more outreach to advertise the program.

G. Public Hearings - None

H. Communications - None

I. Regular Calendar

I-1 Consider the Process Regarding Appointments to Various City Boards, Committees, and Commissions (CLK)

City Clerk Randi Johl provided a brief introduction into the subject matter of the appointment process for boards, committees, and commissions as set forth in the staff report.

In response to Mayor Pro Tempore Mounce, Ms. Johl stated the City's appointment process is similar to other jurisdictions and the Mayor typically conducts some interview process of the applicants, whether by telephone or personally.

In response to Council Member Hansen, Ms. Johl stated the City currently has staggered terms and a notification and thank-you process, although it is not specifically set forth in the policy.

Ed Miller spoke in regard to his ability to understand what the actual problem is that warrants the pending discussion regarding the appointment process.

Laurie Lanie spoke in favor of a more formalized interview process to ensure fairness and consideration of every application.

Mayor Pro Tempore Mounce made a motion, second by Council Member Nakanishi, to revise the boards, committees, and commissions appointment policy to include the specific follow-up process and indicate that the applicants shall be interviewed by the Mayor.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, and Mayor Pro Tempore Mounce

Noes: Mayor Johnson

Absent: None

J. Ordinances - None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:22 p.m., in memory of Robert Holm, former City of Lodi Finance Director who passed away on January 30, 2011.

ATTEST:

Randi Johl
City Clerk