

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, AUGUST 3, 2011**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of August 3, 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) Actual Litigation: Government Code §54956.9; One Application; Curtis Gokey v. City of Lodi; WCAB Case No. ADJ4360240 -12/31/05
- b) Conference with Stephen Schwabauer, City Attorney (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 matters. The Closed Session adjourned at 6:55 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Johnson reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

Item C-2 (a) was discussion and direction only.

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

A. Call to Order / Roll Call

The Regular City Council meeting of August 3, 2011, was called to order by Mayor Johnson at 7:00 p.m.

Present: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, and Mayor Johnson

Absent: Mayor Pro Tempore Mounce

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

B. Presentations

- B-1 Presentation of Lodi Video Contest Award to Misael Garibay (CM)

Mayor Johnson presented a Certificate of Recognition to Misael Garibay, winner of the Lodi Video Contest, after which the winning video was shown.

B-2 Presentation of Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting (CM)

Mayor Johnson presented the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting to Jordan Ayers, Deputy City Manager, and members of his staff.

B-3 Presentation Regarding German Exchange Students (CM)

Mayor Johnson introduced German Exchange students who are visiting Lodi and presented each with a City of Lodi pin.

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

Mayor Johnson made a motion, second by Council Member Hansen, 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, and Mayor Johnson

Noes: None

Absent: Mayor Pro Tempore Mounce

C-1 Receive Register of Claims in the Amount of \$4,353,967.11 (FIN)

Claims were approved in the amount of \$4,353,967.11.

C-2 Approve Minutes (CLK)

The minutes of July 19, 2011 (Shirtsleeve Session), July 20, 2011 (Regular Meeting), July 26, 2011 (Shirtsleeve Session), and July 26, 2011 (Special Meeting) were approved as written.

C-3 Accept the Quarterly Investment Report as Required by Government Code Section 53646 and the City of Lodi Investment Policy (CM)

Accepted the quarterly investment report as required by Government Code Section 53646 and the City of Lodi Investment Policy.

C-4 Accept Quarterly Report of Purchases Between \$5,000 and \$20,000 (CM)

Accepted the quarterly report of purchases between \$5,000 and \$20,000.

C-5 Adopt Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Mike Keller Consulting, LLC for Transmission and Distribution Services with Administration by the Electric Utility Director (\$79,400) (EUD)

Adopted Resolution No. 2011-121 authorizing the City Manager to execute a Professional Services Agreement with Mike Keller Consulting, LLC for transmission and distribution services

with administration by the Electric Utility Director in the amount of \$79,400.

- C-6 Adopt Resolution Approving the Northern California Power Agency Market Purchase Program Agreement, Authorizing Execution by the City Manager with Administration by the Electric Utility Director, and Appointing the City Manager and Electric Utility Director as the Designated Representatives for Lodi (EUD)

Adopted Resolution No. 2011-122 approving the Northern California Power Agency Market Purchase Program Agreement, authorizing execution by the City Manager with administration by the Electric Utility Director, and appointing the City Manager and Electric Utility Director as the designated representatives for Lodi.

- C-7 Adopt Resolution Accepting Improvements under Contract for Harney Lane Widening Project, Amending Improvement Agreement, Appropriating Funds (\$56,919.86), and Approving No-Parking Zones on South Side of Harney Lane from Reynolds Ranch Parkway to Cherokee Lane (PW)

Adopted Resolution No. 2011-123 accepting improvements under contract for Harney Lane Widening Project, amending improvement agreement, appropriating funds in the amount of \$56,919.86, and approving no-parking zones on south side of Harney Lane from Reynolds Ranch Parkway to Cherokee Lane.

- C-8 Adopt Resolution Approving Revisions to the Functional Classification System Map (PW)

Adopted Resolution No. 2011-124 approving revisions to the Functional Classification System Map.

- C-9 Adopt Resolution Authorizing the City Manager to Execute and Submit Necessary Paperwork and Claim Forms for Projects Funded by Measure K Bicycle Projects (PW)

Adopted Resolution No. 2011-125 authorizing the City Manager to execute and submit necessary paperwork and claim forms for projects funded by Measure K bicycle projects.

- C-10 Adopt Resolution Approving Renewal of Dental Claims Administration and Amendment to Business Associates Agreement with Stanislaus Foundation for Medical and Dental Care (CM)

Adopted Resolution No. 2011-126 approving renewal of Dental Claims Administration and Amendment to Business Associates Agreement with Stanislaus Foundation for medical and dental care.

- C-11 Adopt Resolution Authorizing the City Manager to Submit a Joint Application with Eden Housing Inc. to the State of California Department of Housing and Community Development for HOME Investment Partnerships Program Funding; and if Selected, the Execution of a Standard Agreement, any Amendments Thereto, and of any Related Documents Necessary to Participate in the HOME Investment Partnerships Program (CD)

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

In response to Council Member Nakanishi, Mr. Bartlam stated this is the second year of applying for this competitive grant for the Eden affordable senior housing project, which the City approved approximately a year ago. Mr. Bartlam stated the City is in better shape to compete this year because the General Plan and Housing Element are complete. He stated the first-time home buyers program was also achieved with competitive State grant funds.

Council Member Nakanishi made a motion, second by Mayor Johnson, to adopt Resolution No. 2011-127 authorizing the City Manager to submit a joint application with Eden Housing Inc. to the State of California Department of Housing and Community Development for HOME Investment Partnerships Program Funding; and if selected, the execution of a standard agreement, any amendments thereto, and any related documents necessary to participate in the HOME Investment Partnerships Program.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, and Mayor Johnson

Noes: None

Absent: Mayor Pro Tempore Mounce

C-12 Set Public Hearing for August 17, 2011, to Introduce Ordinance Amending Chapter 13.20 - Electrical Service - Section 175 Titled, "Schedule ECA - Energy Cost Adjustment" (EUD)

Set public hearing for August 17, 2011, to introduce ordinance amending Chapter 13.20 - Electrical Service - Section 175 Titled, "Schedule ECA - Energy Cost Adjustment."

C-13 Set Public Hearing for August 17, 2011, to Introduce Ordinance Amending Chapter 13.20 - Electrical Service - Section 200 Titled, "Schedule ED - Residential Share Program Service" (EUD)

Set public hearing for August 17, 2011, to introduce ordinance amending Chapter 13.20 - Electrical Service - Section 200 Titled, "Schedule ED - Residential Share Program Service."

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.

Otis Gladney spoke in support of the implementation of a funeral ordinance in the City to assist with funeral processions. Mr. Gladney submitted a proposed ordinance for consideration, which was made a part of the record.

Robin Rushing spoke in regard to his concerns about the inconsistent number of days billed in an electric utility cycle and the related cost to the customer.

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

Council Member Nakanishi reported on the University of Pacific forecast report regarding unemployment, job growth, and housing statistics.

Council Member Hansen reported on the Northern California Power Agency and San Joaquin Council of Governments Commission meetings and specifically discussed approval of a study for the combustion turbine site, Measure K Renewal Strategic Plan for 2011, approved transportation projects for the next ten years including Highway 12, and funding and construction of various

grade separators.

Mayor Johnson reported that the City of Lodi had received an upgraded AA rating from Fitch with a stable outlook.

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

City Manager Bartlam welcomed and introduced Mark Helms, the new Chief of Police.

G. Public Hearings

G-1 Public Hearing to Consider Resolution Adopting 2010 Urban Water Management Plan Update (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 Johnson called for the public hearing to consider resolution adopting 2010 Urban Water Management Plan Update.

City Manager Bartlam briefly introduced the subject matter of the 2010 Urban Water Management Plan.

Samantha Salvia of RMC Water and Environment provided a PowerPoint presentation regarding the 2010 Urban Water Management Plan. Specific topics of discussion included the mandatory five-year update and review, water supply reliability, State's 20x2020 goal with water reduction, and the recommendation to adopt the plan as submitted.

In response to Council Member Nakanishi, Ms. Salvia stated she will provide additional information to the Council regarding sanctions for noncompliance with 20x2020 goal as requested.

In response to Council Member Hansen, Ms. Salvia stated the new water treatment plant was factored into supply consideration over the next 25 years when determining an adequate water supply for the future.

In response to Mayor Johnson, Ms. Salvia stated the water conservation program will continue regardless of water meter installations.

Mayor Johnson opened the public hearing and receiving no comment closed the hearing.

Mayor Johnson made a motion, second by Council Member Hansen, to adopt Resolution No. 2011-128 adopting the 2010 Urban Water Management Plan Update.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, and Mayor Johnson

Noes: None

Absent: Mayor Pro Tempore Mounce

H. Communications

H-1 Re-Post for Vacancies on the Lodi Improvement Committee (CLK)

Council Member Hansen made a motion, second by Mayor Johnson, to direct the City Clerk to re-

post for the following vacancies:

Lodi Improvement Committee

Reyes Jaramillo, term to expire March 1, 2014

James Finch, term to expire March 1, 2014

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Katzakian, Council Member Nakanishi, and Mayor Johnson

Noes: None

Absent: Mayor Pro Tempore Mounce

I. Regular Calendar - None

J. Ordinances - None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:50 p.m.

ATTEST:

Randi Johl  
City Clerk