

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 17, 2013**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of April 17, 2013, was called to order by Mayor Pro Tempore Katakian at 6:35 p.m.

Present: Council Member Hansen, Council Member Johnson, and Mayor Pro Tempore Katakian

Absent: Council Member Mounce, and Mayor Nakanishi

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

C-2 Announcement of Closed Session

- a) Prospective Sale of Current Fire Station No. 2 Property Located at 705 East Lodi Avenue, Lodi, CA; the Negotiating Parties are Wayne Craig for J-C General Engineering, Inc. and Rad Bartlam for the City of Lodi; Price and Terms of the Sale Are Under Negotiation; Government Code §54956.8

C-3 Adjourn to Closed Session

At 6:35 p.m., Mayor Pro Tempore Katakian adjourned the meeting to a Closed Session to discuss the above matter. The Closed Session adjourned at 6:45 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Pro Tempore Katakian reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following action.

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

A. Call to Order / Roll Call

The Regular City Council meeting of April 17, 2013, was called to order by Mayor Pro Tempore Katakian at 7:00 p.m.

Present: Council Member Hansen, Council Member Johnson, and Mayor Pro Tempore Katakian

Absent: Council Member Mounce, and Mayor Nakanishi

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

B. Presentations

B-1 National Volunteers Week Proclamation (PD)

Mayor Pro Tempore Katakian presented proclamation to Chet Somera, Supervisor of the Lodi Police Partners, and Yvette Herrera, representing the Lodi Public Library, proclaiming the week of April 21-27, 2013, as "National Volunteers Week" in the City of Lodi.

B-2 Presentation of Certificate of Recognition to Lodi Area Crime Stoppers for Funding Replacement Radar Trailer Computers (PD)

Mayor Pro Tempore Katzakian presented Certificate of Recognition to Brad Clark, President of Lodi Area Crime Stoppers, for funding replacement radar trailer computers.

B-3 Update for the Lodi Senior Citizens Commission (PRCS)

Susie Klusman, Chairperson of the Lodi Senior Citizens Commission, provided Council with an update on the Commission's activities and accomplishments.

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

Council Member 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 Johnson, and Mayor Pro Tempore Katzakian

Noes: None

Absent: Council Member Mounce, and Mayor Nakanishi

C-1 Receive Register of Claims in the Amount of \$2,380,234.06 (FIN)

Claims were approved in the amount of \$2,380,234.06.

C-2 Approve Minutes (CLK)

The minutes of March 26, 2013 (Shirtsleeve Session), April 2, 2013 (Shirtsleeve Session), April 3, 2013 (Regular Meeting), April 3, 2013 (Special Meeting), and April 9, 2013 (Shirtsleeve Session) were approved as written.

C-3 Approve Specifications and Authorize Advertisement for Bids for 2013-2015 Sidewalk Grinding Program (PW)

Approved the specifications and authorized advertisement for bids for 2013-2015 Sidewalk Grinding Program.

C-4 Approve Specifications and Authorize Advertisement for Bids for 2013-2015 Tree Maintenance (PW)

Approved the specifications and authorized advertisement for bids for 2013-2015 Tree Maintenance.

C-5 Approve Specifications and Authorize Advertisement for Bids for 2013-2015 Sidewalk Repair Program and Miscellaneous Concrete Work (PW)

Approved the specifications and authorized advertisement for bids for 2013-2015 Sidewalk Repair Program and Miscellaneous Concrete Work.

C-6 Approve Specifications and Authorize Advertisement for Bids for 2013-2015 Traffic Signal Preventive Maintenance and Repair Program (PW)

Approved the specifications and authorized advertisement for bids for 2013-2015 Traffic Signal Preventive Maintenance and Repair Program.

- C-7 Approve Specifications and Authorize Advertisement for Bids for 2013-2015 Standby Generator Maintenance and Repair Contract (PW)

This item was pulled and continued to a future meeting pending additional information regarding the need to contract for the service in lieu of performing the service in-house.

- C-8 Approve Specifications and Authorize Advertisement for Bids for 2013/14 Asphalt Materials (PW)

Approved the specifications and authorized advertisement for bids for 2013/14 asphalt materials.

- C-9 Approve Specifications and Authorize Advertisement for Bids for 2013/14 Landscape Maintenance of Miscellaneous Areas and Lodi Consolidated Landscape Assessment District No. 2003-1 (PW)

Approved the specifications and authorized advertisement for bids for 2013/14 landscape maintenance of miscellaneous areas and Lodi Consolidated Landscape Assessment District No. 2003-1.

- C-10 Approve Specifications and Authorize Advertisement for Bids for 2013 Crack Sealing, Various City Streets (PW)

Approved the specifications and authorized advertisement for bids for 2013 Crack Sealing, Various City Streets.

- C-11 Approve Specifications and Authorize Advertisement for Bids for 2013 Extruded Thermoplastic Traffic Stripes, Various City Streets (PW)

Approved the specifications and authorized advertisement for bids for 2013 Extruded Thermoplastic Traffic Stripes, Various City Streets.

- C-12 Adopt Resolution Awarding Contract for Fire Station No. 2 Site Improvement Project to Stat-X General Engineering, of Salida (\$28,290), and Appropriating Funds (\$9,000) (PW)

Adopted Resolution No. 2013-55 awarding contract for Fire Station No. 2 Site Improvement Project to Stat-X General Engineering, of Salida, in the amount of \$28,290, and appropriating funds in the amount of \$9,000.

- C-13 Adopt Resolution Awarding Contract for Hale Park Sports Court Resurfacing Project, 209 East Locust Street, to First Serve Productions, Inc., of Danville (\$32,788.91) (PW)

Adopted Resolution No. 2013-56 awarding contract for Hale Park Sports Court Resurfacing Project, 209 East Locust Street, to First Serve Productions, Inc., of Danville, in the amount of \$32,788.91.

- C-14 Adopt Resolution Awarding Contract for DeBenedetti Park Americans with Disabilities Act Access Improvement Project to A. M. Stephens Construction Company, Inc., of Lodi (\$126,736.50), and Appropriating Funds (\$158,000) (PW)

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

In response to Council Member Johnson, Public Works Director Wally Sandelin provided a brief overview of the project schedule.

Council Member Johnson made a motion, second by Council Member Hansen, to adopt Resolution No. 2013-65 awarding contract for DeBenedetti Park Americans with Disabilities Act Access Improvement Project to A. M. Stephens Construction Company, Inc., of Lodi, in the amount of \$126,736.50, and appropriating funds in the amount of \$158,000.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Mounce, and Mayor Nakanishi

C-15 Adopt Resolution Awarding Contract for Americans with Disabilities Act Improvement Project - Phase 2, Lodi Softball Complex and Salas Park, to A. M. Stephens Construction Company, Inc., of Lodi (\$84,312.60) (PW)

Adopted Resolution No. 2013-57 awarding contract for Americans with Disabilities Act Improvement Project - Phase 2, Lodi Softball Complex and Salas Park, to A. M. Stephens Construction Company, Inc., of Lodi, in the amount of \$84,312.60.

C-16 Adopt Resolution Awarding Contract for Municipal Service Center Transit Vehicle Maintenance Facility Security Wall and Solar Power Phase 2 and Lodi Station Lighting Improvement Projects to Diede Construction, Inc., of Woodbridge (\$307,357.44) (PW)

Adopted Resolution No. 2013-58 awarding contract for Municipal Service Center Transit Vehicle Maintenance Facility Security Wall and Solar Power Phase 2 and Lodi Station Lighting Improvement Projects to Diede Construction, Inc., of Woodbridge, in the amount of \$307,357.44.

C-17 Adopt Resolution Awarding Contract for Reynolds Ranch Parkway Median Improvements Project to Anchor Concrete Construction, Inc., of Antioch (\$29,846), and Appropriating Funds (\$37,000) (PW)

Adopted Resolution No. 2013-59 awarding contract for Reynolds Ranch Parkway Median Improvements Project to Anchor Concrete Construction, Inc., of Antioch, in the amount of \$29,846, and appropriating funds in the amount of \$37,000.

C-18 Accept Improvements Under Contract for Zupo Field Outfield Wall Renovation Project (PW)

Accepted the improvements under contract for Zupo Field Outfield Wall Renovation Project.

C-19 Adopt Resolution Awarding Professional Services Agreement for Ground Water Monitoring/Reporting Services to Stantec Consulting Corporation, of Rancho Cordova (\$157,770); Authorizing the City Manager to Execute Contract Extension; and Appropriating Funds (\$170,000) (PW)

Adopted Resolution No. 2013-60 awarding professional services agreement for ground water monitoring/reporting services to Stantec Consulting Corporation, of Rancho Cordova, in the amount of \$157,770; authorizing the City Manager to execute contract extension; and appropriating funds in the amount of \$170,000.

C-20 Adopt Resolution Authorizing the City Manager to Enter into Fifth Amendment to World of Wonders Science Museum Lease (PW)

This item was pulled for comment by WOW Museum Executive Director Sally Snyder who spoke in support of the amendment and the overall benefit of the museum to the Lodi community.

Council Member Hansen made a motion, second by Council Member Johnson, to adopt Resolution No. 2013-66 authorizing the City Manager to enter into fifth amendment to World of Wonders Science Museum lease.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Mounce, and Mayor Nakanishi

C-21 Adopt Resolution Authorizing the City Manager to Execute Consent to Assignment of Professional Services Agreement with Cooper Compliance Corporation, Inc., of El Dorado Hills (EUD)

Adopted Resolution No. 2013-61 authorizing the City Manager to execute Consent to Assignment of professional services agreement with Cooper Compliance Corporation, Inc., of El Dorado Hills.

C-22 Adopt Resolution Amending Traffic Resolution No. 97-148 by Approving a 30 Miles-Per-Hour Speed Limit on Church Street from Lockeford Street to Turner Road (PW)

Adopted Resolution No. 2013-62 amending Traffic Resolution No. 97-148 by approving a 30 miles-per-hour speed limit on Church Street from Lockeford Street to Turner Road.

C-23 Adopt Resolution Approving the Revised Boundaries of the Targeted Employment Area for the San Joaquin County Enterprise Zone (CM)

Adopted Resolution No. 2013-63 approving the revised boundaries of the Targeted Employment Area for the San Joaquin County Enterprise Zone.

C-24 Adopt Resolution Setting \$50 Fee for Lodi Lake Park Annual Vehicle Pass, a \$30 Partial-Year Fee, and Eliminating Punch Pass Discount Card (PRCS)

Adopted Resolution No. 2013-64 setting \$50 fee for Lodi Lake Park annual vehicle pass, a \$30 partial-year fee, and eliminating punch pass discount card.

C-25 Receive Report on Resolution of Public Works Emergency Requiring the Immediate Repair of Blakely Pool Circulation System (PRCS)

This item was pulled and continued to the next City Council meeting at which there is a 4/5 vote ability.

C-26 Set Public Hearing for May 1, 2013, to Consider the Lodi Industrial Equipment Pilot Charging Rate (EUD)

Set public hearing for May 1, 2013, to consider the Lodi Industrial Equipment Pilot Charging Rate.

C-27 Set Public Hearing for May 1, 2013, to Approve the Final 2013/14 Annual Action Plan for the Community Development Block Grant Program (CD)

Set public hearing for May 1, 2013, to approve the Final 2013/14 Annual Action Plan for the Community Development Block Grant Program.

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. Public comment may only be made on matters within the Lodi City Council's jurisdiction (Government Code Section 54954.3, Lodi City Council Protocol Manual Section 6.3I). The Council cannot take action or deliberate on items that are not on this agenda unless there is an emergency and the need to take action on that emergency arose after this agenda was posted (Government Code Section 54954.2(b)(2)). All other items may only be referred for review to staff or placement on a future Council agenda.

Vincent Sayles spoke in regard to the benefit of prayer at the City Council meetings.

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

Council Member Hansen commended the efforts of staff operating the computer lab and the Lodi Library and maintaining the nature area at Lodi Lake.

Council Member Johnson commended Parks, Recreation and Cultural Services Director Jeff Hood and Library Services Director Dean Gualco for taking on additional duties as Department Heads that were out of their areas of expertise and excelling at them.

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

None.

G. Public Hearings

G-1 Public Hearing to Consider Introducing an Ordinance Amending Lodi Municipal Code Chapter 12.06 by Rescinding Ordinance No. 1654 in its Entirety to Disestablish the Downtown Lodi Business Improvement Area No. 1, Thereby Discontinuing the Levy of Special Business Tax Therein (CA)

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 introducing an ordinance amending Lodi Municipal Code Chapter 12.06 by rescinding Ordinance No. 1654 in its entirety to disestablish the Downtown Lodi Business Improvement Area No. 1, thereby discontinuing the levy of special business tax therein.

City Attorney Schwabauer provided a brief overview of the proposed ordinance disestablishing the Downtown Lodi Business Partnership (DLBP) as set forth in the Council Communication.

In response to Council Member Johnson, Mr. Schwabauer stated the DLBP is a private entity, it is not a part of the City, the dissolution process for DLBP is similar to any other corporation, and the City Attorney would not be the responding party for any liability inquiries.

In response to Council Member Hansen, Mr. Schwabauer stated he and the Finance Director will need to review the balance sheet provided by the DLBP earlier in the afternoon to verify the numbers.

In response to Council Member Hansen, Mr. Schwabauer confirmed the City has in hand \$720, which will be held for one year and distributed to the businesses if no additional liabilities are received.

Mayor Pro Tempore Katzakian opened the public hearing to receive public comment.

June Aaker spoke in regard to her concern about paying the assessment in advance and receiving services for only one quarter of the full year.

Mayor Pro Tempore Katzakian closed the public hearing after receiving no additional public comment.

Council Member Hansen made a motion, second by Council Member Johnson, to introduce Ordinance No. 1875 amending Lodi Municipal Code Chapter 12.06 by rescinding Ordinance No. 1654 in its entirety to disestablish the Downtown Lodi Business Improvement Area No. 1, thereby discontinuing the levy of special business tax therein.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Mounce, and Mayor Nakanishi

H. Communications

H-1 Appointments to the Library Board of Trustees, Lodi Arts Commission, and Lodi Improvement Committee (CLK)

Council Member Johnson made a motion, second by Council Member Hansen, to make the following appointments:

Library Board of Trustees

Charlene Martin, term to expire June 30, 2014

Lodi Arts Commission

Sara Mellor, term to expire July 1, 2014

Patricia Stump, term to expire July 1, 2016

Lodi Improvement Committee

Sunil Yadav, term to expire March 1, 2016

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Mounce, and Mayor Nakanishi

H-2 Monthly Protocol Account Report (CLK)

Council Member Johnson made a motion, second by Council Member Hansen, to approve the cumulative Monthly Protocol Account Report through March 31, 2013.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Mounce, and Mayor Nakanishi

- 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 7:58 p.m.

ATTEST:

Randi Johl
City Clerk