

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

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of July 17, 2013, was called to order by Mayor Pro Tempore Katzakian at 6:00 p.m.

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

Absent: Council Member Hansen, and Mayor Nakanishi

Also Present: City Manager Bartlam, Deputy City Attorney Magdich, and City Clerk Johl-Olson

C-2 Announcement of Closed Session

- a) Conference with Stephen Schwabauer, City Attorney, and Jordan Ayers, Deputy City Manager (Labor Negotiators), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Fire Mid-Managers, and Lodi Professional Firefighters; Conference with Stephen Schwabauer, City Attorney, and Dean Gualco, Human Resources Manager (Labor Negotiators), Regarding International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6
- b) Prospective Option to Lease City Property (20± Acres Adjacent to White Slough Water Pollution Control Facility, Located at 12745 North Thornton Road, Lodi, CA); the Negotiating Parties are PG&E and the City of Lodi; Price and Terms of the Lease are Under Negotiation; Government Code §54956.8

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Pro Tempore Katzakian adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:50 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Nakanishi reconvened the City Council meeting, and Deputy City Attorney Magdich disclosed the following actions.

Items C-2 (a) and C-2 (b) were discussion and direction only with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of July 17, 2013, was called to order by Mayor Nakanishi at 7:00 p.m.

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

Absent: Council Member Hansen

Also Present: City Manager Bartlam, Deputy City Attorney Magdich, and City Clerk Johl-Olson

B. Presentations

B-1 National Night Out Proclamation (PD)

Mayor Nakanishi presented proclamation to Traffic Enforcement Officer Aleisa Nunes proclaiming Tuesday, August 6, 2013, as "National Night Out" in Lodi.

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

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

Noes: None

Absent: Council Member Hansen

C-1 Receive Register of Claims in the Amount of \$16,249,754.73 (FIN)

Claims were approved in the amount of \$16,249,754.73.

C-2 Approve Minutes (CLK)

The minutes of June 18, 2013 (Shirtsleeve Session), June 19, 2013 (Regular Meeting), June 25, 2013 (Shirtsleeve Session), July 2, 2013 (Shirtsleeve Session), July 3, 2013 (Regular Meeting), and July 9, 2013 (Shirtsleeve Session) were approved as written.

C-3 Adopt Resolution Rejecting All Bids and Authorizing Re-Advertisement for Bids for the Purchase of Underground Cable (EUD)

Adopted Resolution No. 2013-128 rejecting all bids and authorizing re-advertisement for bids for the purchase of underground cable.

C-4 Adopt Resolution Approving Purchase of Aluminum Chlorohydrate for Surface Water Treatment Facility for Fiscal Year 2013/14 from Sole Source CalChem Company, of Modesto (\$60,000) (PW)

Adopted Resolution No. 2013-129 approving purchase of aluminum chlorohydrate for Surface Water Treatment Facility for fiscal year 2013/14 from sole source CalChem Company, of Modesto, in the amount of \$60,000.

C-5 Adopt Resolution Authorizing Purchase of Redundant Network Equipment from Various Vendors (\$56,798) (PW)

Adopted Resolution No. 2013-130 authorizing purchase of redundant network equipment from various vendors in the amount of \$56,798.

C-6 Adopt Resolution Awarding Contract for 2013-2015 Standby Generator Maintenance and Repair Contract to Holt of California, of West Sacramento (\$118,521), and Authorizing Public Works Director to Execute Extensions (PW)

John Slaughterback spoke in regard to his concerns about the cost of outsourcing the proposed service versus handling it in-house with existing staff. Public Works Director Wally Sandelin

provided a brief overview of the proposed action and type of service needed, indicating that the City does not currently have staff with the relevant skill set to handle the service in a cost effective manner when compared to Holt providing the service through a single individual.

In response to Council Member Mounce, Mr. Sandelin stated Holt has one individual with the relevant skill set required to perform the service.

In response to Council Member Mounce and Council Member Johnson, Mr. Sandelin reviewed the City bid advertising process, stating while he is not sure of how many bid packages were picked up, only one bid was returned.

In response to Mayor Nakanishi, Mr. Bartlam stated based on the current price it is more cost effective to handle the service through a contractor versus in-house.

Council Member Johnson made a motion, second by Mayor Pro Tempore Katzakian, to adopt Resolution No. 2013-137 awarding contract for 2013-2015 Standby Generator Maintenance and Repair Contract to Holt of California, of West Sacramento, in the amount of \$118,521, and authorizing Public Works Director to execute extensions.

VOTE:

The above motion carried by the following vote:

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

Noes: Council Member Mounce

Absent: Council Member Hansen

C-7 Accept Improvements Under Contract for Lodi Transit Station and Parking Structure Security and Safety System Project (PW)

Accepted improvements under contract for Lodi Transit Station and Parking Structure Security and Safety System Project.

C-8 Accept Improvements Under Contract for Ham Lane and Harney Lane Traffic Signal and Lighting Project (PW)

Accepted improvements under contract for Ham Lane and Harney Lane Traffic Signal and Lighting Project.

C-9 Adopt Resolution Authorizing the City Manager to Execute Storm Drain Impact Mitigation Fee One-Time Reimbursement Agreement with Temple Baptist Church, of Lodi, and Appropriating Funds (\$122,282.82) (PW)

Adopted Resolution No. 2013-131 authorizing the City Manager to execute Storm Drain Impact Mitigation Fee One-Time Reimbursement Agreement with Temple Baptist Church, of Lodi, and appropriating funds in the amount of \$122,282.82.

C-10 Adopt Resolution Authorizing the City Manager to Execute Agreement for Pipeline Engineering and Inspection at Lodi Transit Station with SFPP, L.P. (Santa Fe Pacific Pipelines), of Orange, and Appropriating Funds (\$20,000) (PW)

Adopted Resolution No. 2013-132 authorizing the City Manager to execute agreement for pipeline engineering and inspection at Lodi Transit Station with SFPP, L.P. (Santa Fe Pacific Pipelines), of Orange, and appropriating funds in the amount of \$20,000.

C-11 Adopt Resolution Authorizing the City Manager to Execute an Electric Standby Service

Agreement with General Mills, Inc. (EUD)

Adopted Resolution No. 2013-133 authorizing the City Manager to execute an Electric Standby Service Agreement with General Mills, Inc.

C-12 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreements with Apogee Interactive and Blue Earth Energy (\$63,800) (EUD)

Adopted Resolution No. 2013-134 authorizing the City Manager to execute Professional Services Agreements with Apogee Interactive and Blue Earth Energy in the amount of \$63,800.

C-13 Adopt Resolution Authorizing the City Manager to Renew Annual Radio Support Contract with Delta Wireless, of Stockton (\$43,128) (CM)

Adopted Resolution No. 2013-135 authorizing the City Manager to renew annual radio support contract with Delta Wireless, of Stockton, in the amount of \$43,128.

C-14 Adopt Resolution Approving Renewal of Dental Claims Administration Agreement with Stanislaus Foundation for Medical Care (CM)

Adopted Resolution No. 2013-136 approving renewal of dental claims administration agreement with Stanislaus Foundation for Medical Care.

C-15 Adopt Resolution Authorizing the City Manager to Execute Agreement with Tyler Technologies, Inc. for Software Installation, Implementation, Hosting, and Licensing (CM)

This item was pulled off the agenda by City Manager Bartlam for consideration at a future City Council meeting.

C-16 Approve the City of Lodi's Arts Grants Submitted for the 2013/2014 Fiscal Year (PRCS)

Approved the City of Lodi's Arts Grants submitted for the 2013/2014 fiscal year.

C-17 Receive Information Regarding New Meeting Time for the Lodi Arts Commission (PRCS)

Received information regarding new meeting time for the Lodi Arts Commission.

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 6.3l). 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.

John Slaughterback spoke in regard to his concerns about developer impact fees as it relates to a recent Stockton article pertaining to Valley Springs and rate increases.

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

Council Member Johnson asked that staff research and prepare a policy for the sale and purchase of land in and around White Slough and include a list of the types of uses that could be

considered for the area.

Council Member Mounce inquired about the status of the pool repairs at Hutchins Street Square, asked staff to provide litter bags at the dog parks to encourage responsible pet owners to pick up after their pets, reported on a recent interview regarding GASB, and suggested a policy be researched and prepared to retain the old time feel of downtown. Ms. Mounce also reported on her attendance at a League of California Cities Board meeting and congratulated Stockton Council Member Kathy Miller on her selection as 2nd Vice-President of the League.

Mayor Nakanishi asked that the issue of providing litter bags at dog parks be forwarded to the Recreation Commission and information regarding a policy for the sale and purchase of land near White Slough be provided at a future Shirtsleeve Session.

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

City Manager Bartlam provided a brief status report regarding the pool leak and repair at Hutchins Street Square and congratulated the City Clerk on her recent marriage.

G. Public Hearings

G-1 Public Hearing to Consider Introducing an Ordinance Amending Lodi Municipal Code Chapter 13.20 - Electrical Service - by Repealing and Reenacting Section 13.20.300, "Schedule SS - Standby Service Rate," in Its Entirety (EUD)

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 13.20 - Electrical Service - by repealing and reenacting Section 13.20.300, "Schedule SS - Standby Service Rate," in its entirety.

Electric Utility Director Elizabeth Kirkley provided a brief overview of the proposed action as set forth in the staff report.

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

Council Member Mounce made a motion, second by Council Member Johnson, to introduce Ordinance No. 1880 amending Lodi Municipal Code Chapter 13.20 - Electrical Service - by repealing and reenacting Section 13.20.300, "Schedule SS - Standby Service Rate," in its entirety.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Hansen

G-2 Public Hearing to Consider Adopting Resolution Vacating Right-of-Way for Roadway Purposes Located at 2223 West Kettleman Lane (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 Nakanishi called for the public hearing to consider adopting resolution vacating right-of-way for roadway purposes located at 2223 West Kettleman Lane.

Public Works Director Wally Sandelin provided a brief overview of the proposed action as set forth in the staff report.

In response to Council Member Mounce, Mr. Sandelin reviewed the specific location of the proposed right-of-way vacation.

In response to Mayor Nakanishi, Deputy City Attorney Magdich stated the easement can only be used for access purposes and therefore the land has no value in and of itself.

In response to Council Member Mounce, Ms. Magdich confirmed that no concerns had been received by the public regarding the proposed vacation.

Mayor Nakanishi opened the public hearing.

A representative of the nearby church spoke in favor of the proposed right-of-way vacation.

Mayor Nakanishi closed the public hearing after receiving no additional public comment.

Council Member Johnson made a motion, second by Mayor Pro Tempore Katzakian, to adopt Resolution No. 2013-138 vacating right-of-way for roadway purposes located at 2223 West Kettleman Lane.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Hansen

G-3 Public Hearing to Consider Resolution Adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2013/14, and Ordering the Levy and Collection of Assessments (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 Nakanishi called for the public hearing to consider resolution adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2013/14, and ordering the levy and collection of assessments.

Public Works Director Wally Sandelin provided a brief overview of the proposed action as set forth in the staff report.

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

Council Member Mounce made a motion, second by Council Member Johnson, to adopt Resolution No. 2013-139 adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2013/14, and ordering the levy and collection of assessments.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Hansen

H. Communications

H-1 Post for Vacancy on Site Plan and Architectural Review Committee (CLK)

Council Member Johnson made a motion, second by Mayor Pro Tempore Katzakian, to direct the City Clerk to post for the following vacancy:

Site Plan and Architectural Review Committee

Mitchell Slater, term to expire January 1, 2014

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Hansen

I. Regular Calendar

I-1 Introduce Ordinance Amending Lodi Municipal Code Chapter 10.44 - Stopping, Standing, and Parking - by Adding Section 10.44.125, "Electric Vehicle Charging Stalls" (CA)

Customer Services and Programs Manager Rob Lechner provided a brief overview of the proposed action as set forth in the staff report.

In response to Council Member Mounce, Mr. Lechner stated the future charge for charging at the electric stations is consistent with not providing a gift of public funds as the initial six-month period was an incentive period to encourage usage. Mr. Lechner stated he is currently seeing usage and it takes approximately four hours to fully charge a tank.

In response to Mayor Nakanishi, Mr. Lechner provided a brief overview of the efforts in the County and State to encourage electric vehicle usage and charging.

In response to Council Member Johnson, Mr. Lechner stated the charging heads cost approximately \$2,000 but were obtained through a grant and the charging piece itself is approximately \$650 per unit.

Council Member Johnson made a motion, second by Council Member Mounce, to introduce Ordinance No. 1881 amending Lodi Municipal Code Chapter 10.44 - Stopping, Standing, and Parking - by adding Section 10.44.125, "Electric Vehicle Charging Stalls."

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Hansen

J. Ordinances

J-1 Adopt Ordinance No. 1879 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 12.12 - Parks - by Adding Section 12.12.305, ?Lodi Lake Park -

Vehicle Entry Restrictions" (CLK)

Council Member Johnson made a motion, second by Council Member Mounce, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1879 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 12.12 - Parks - by Adding Section 12.12.305, 'Lodi Lake Park - Vehicle Entry Restrictions,'" which was introduced at a regular meeting of the Lodi City Council held June 19, 2013.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Hansen

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:00 p.m.

ATTEST:

Randi Johl-Olson
City Clerk