

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 4, 2013**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of September 4, 2013, was called to order by Mayor Nakanishi at 6:30 p.m.

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

Absent: None

Also Present: City Manager Bartlam, City Attorney Schwabauer, 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

C-3 Adjourn to Closed Session

At 6:30 p.m., Mayor Nakanishi adjourned the meeting to a Closed Session to discuss the above matter. The Closed Session adjourned at 7:00 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Nakanishi 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 September 4, 2013, was called to order by Mayor Nakanishi at 7:00 p.m.

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

Absent: None

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

B. Presentations

B-1 National Coaches Day Proclamation (CLK)

Mayor Nakanishi presented proclamation to coach Cindy Griffin in support of re-establishing October 6 as National Coaches Day, after which the Mayor presented a certificate to Madeline Woznick for bringing awareness to coaches and all they do for communities.

B-2 California Coastal Cleanup Day / National Pollution Prevention Week (PW)

Mayor Nakanishi presented proclamation to Kathy Grant, Watershed Education Coordinator, proclaiming September 21, 2013, as "California Coastal Cleanup Day" and September 16 - 21, 2013, as "National Pollution Prevention Week" in the City of Lodi.

B-3 Quarterly Update from the Greater Lodi Area Youth Commission (PRCS)

Josh Baumbach and Andrew Moton, members of the Greater Lodi Area Youth Commission, provided an update to Council on the activities and accomplishments of the Commission.

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

Council Member Johnson made a motion, second by Council Member Mounce, to approve the following items hereinafter set forth 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, Council Member Mounce, Mayor Pro Tempore Katzakian, and Mayor Nakanishi

Noes: None

Absent: None

C-1 Receive Register of Claims in the Amount of \$2,802,206.67 (FIN)

Received Register of Claims in the amount of \$2,802,206.67.

C-2 Approve Minutes (CLK)

The minutes of August 20, 2013 (Shirtsleeve Session), August 21, 2013 (Regular Meeting), and August 27, 2013 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for DeBenedetti Park Masonry Wall Landscaping, 2160 West Century Boulevard (PW)

Approved the plans and specifications and authorized advertisement for bids for DeBenedetti Park Masonry Wall Landscaping, 2160 West Century Boulevard.

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Kofu Park Parking Lot Improvements, 1145 South Ham Lane (PW)

Approved the plans and specifications and authorized advertisement for bids for Kofu Park Parking Lot Improvements, 1145 South Ham Lane.

C-5 Adopt Resolution Awarding Contract for Stockton Street Improvements to A. M. Stephens Construction Company, Inc., of Lodi (\$178,162.40), and Appropriating Funds (\$205,000) (PW)

Adopted Resolution No. 2013-159 awarding contract for Stockton Street Improvements to A. M. Stephens Construction Company, Inc., of Lodi, in the amount of \$178,162.40, and appropriating funds in the amount of \$205,000.

- C-6 Adopt Resolution Accepting Improvements Under Contract for Reynolds Ranch Parkway Median Improvements Project and Appropriating Funds (\$29,846) (PW)

Adopted Resolution No. 2013-160 accepting improvements under contract for Reynolds Ranch Parkway Median Improvements Project and appropriating funds in the amount of \$29,846.

- C-7 Accept Improvements Under Contract for Lodi Transit Station Concrete Pavement Project, 28 South Sacramento Street (PW)

Accepted the improvements under contract for Lodi Transit Station Concrete Pavement Project, 28 South Sacramento Street.

- C-8 Accept Improvements Under Contract for Mills Avenue Overlay Project (PW)

Accepted the improvements under contract for Mills Avenue Overlay Project.

- C-9 Accept Improvements Under Contract for DeBenedetti Park Americans with Disabilities Act Access Improvement Project, 2150 South Lower Sacramento Road (PW)

Accepted the improvements under contract for DeBenedetti Park Americans with Disabilities Act Access Improvement Project, 2150 South Lower Sacramento Road.

- C-10 Accept Improvements Under Contract for 2013 Extruded Thermoplastic Traffic Stripes (PW)

Accepted the improvements under contract for 2013 Extruded Thermoplastic Traffic Stripes.

- C-11 Adopt Resolution Approving Task Order No. 4 with The Reed Group, Inc., of Sacramento, for Wastewater Utility Financial Planning and Rate Setting Services (\$25,000) and Appropriating Funds (\$35,000) (PW)

Adopted Resolution No. 2013-161 approving Task Order No. 4 with The Reed Group, Inc., of Sacramento, for wastewater utility financial planning and rate setting services in the amount of \$25,000 and appropriating funds in the amount of \$35,000.

- C-12 Adopt Resolution Authorizing the City Manager to Negotiate and Approve the Sole Source Purchase of a Fire Truck from the City of Lincoln, California, Including the Appropriation of Funds (FD)

Adopted Resolution No. 2013-162 authorizing the City Manager to negotiate and approve the sole source purchase of a fire truck from the City of Lincoln, California, including the appropriation of funds.

- C-13 Receive Report Regarding Communication Pertaining to Senate Bill 594 (Hill) (CLK)

Received report regarding communication pertaining to Senate Bill 594 (Hill).

- C-14 Set Public Hearing for October 2, 2013, to Consider and Approve an Amendment of the 2013/14 Action Plan to Accommodate the Allocation of Previously Unallocated Funds Received in 2013/14 and the Reallocation of Unused Community Development Block Grant Funds from Previous Years (CD)

Set public hearing for October 2, 2013, to consider and approve an amendment of the 2013/14 Action Plan to accommodate the allocation of previously unallocated funds received in 2013/14

and the reallocation of unused Community Development Block Grant funds from previous years.

C-15 Set Public Hearing for October 2, 2013, to Receive Comments on and Consider Accepting City of Lodi's Report on Water Quality Relative to Public Health Goals (PW)

Set public hearing for October 2, 2013, to receive comments on and consider accepting City of Lodi's Report on Water Quality Relative to Public Health Goals.

C-16 Set Public Hearing for October 16, 2013, to Consider Resolution Approving Storm Drainage and Parks Impact Mitigation Fee Program Schedule of Fees (PW)

Set public hearing for October 16, 2013, to consider resolution approving storm drainage and parks Impact Mitigation Fee Program schedule of fees.

- 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.

None.

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

Council Member Johnson asked staff to research options associated with a trial, grant-funded program introduced in the City of Stockton whereby certain calls are responded to with two fire personnel in a SUV versus with a full fire engine roll out and the related cost savings.

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

City Manager Bartlam stated staff is looking into the program referred to by Council Member Johnson in his comments. Mr. Bartlam also wished Mayor Pro Tempore Katzakian a Happy Birthday on behalf of staff.

G. Public Hearings

G-1 Public Hearing to Consider Adopting a Resolution Approving the 2012/13 Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CD)

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 a resolution approving the 2012/13 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER).

Neighborhood Services Manager Joseph Wood provided a PowerPoint presentation regarding the CDBG CAPER as set forth in the staff report.

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

Council Member Mounce made a motion, second by Council Member Johnson, to adopt

Resolution No. 2013-163 approving the 2012/13 Community Development Block Grant Consolidated Annual Performance and Evaluation Report.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

H. Communications - None

I. Regular Calendar

I-1 Adopt Resolution Accepting City of Lodi Short-Range Transit Plan Update (PW)

Public Works Consultant Gordon Shaw provided a PowerPoint presentation regarding the Short Range Transit Plan. Specific topics of discussion included existing conditions of service, public outreach results, service plan recommendations, capital plan recommendations, and performance measures.

In response to Council Member Johnson, Mr. Shaw stated the technology costs are spread out over an extended time period through 2022 as existing vehicles are replaced and each proposed cost item requires Council approval in the future prior to purchase and implementation.

In response to Mayor Nakanishi, Mr. Bartlam stated the transit system is funded by federal transit dollars directly, through the State and through the San Joaquin Council of Governments. Mr. Bartlam stated General Fund money is not expended on the transit system.

In response to Council Member Mounce, Mr. Shaw stated expansion and security enhancements, such as locks and gates, of the current transit station would occur with additional federal funds.

Clifford Weaver spoke about his concerns regarding paying additional costs for the Dial-A-Ride personal attendant service, stating regular bus usage is preferred.

Cindy McDonald spoke in support of extending service hours and adding more bus shelters in the future.

Jean Schmidt spoke in support of extending service hours.

Joanna Nightengale spoke in support of extending bus service to Micke Grove Park.

In response to Council Member Mounce, Traffic Engineer Paula Fernandez stated bus service is available with extended hours for certain special events. Ms. Fernandez stated Micke Grove is outside of the City's jurisdiction for service but she will forward the service request comments to the Regional Transit District.

In response to Council Member Mounce, City Attorney Schwabauer stated in response to Mr. Weaver's comments he has spoken directly with the Federal Transit Administration and it has reassured him that the City can charge for the personal attendant service on paratransit but not regular transit. Ms. Fernandez indicated staff will review options for running regular transit versus paratransit, neighboring transit practices, and the costs associated with the same.

Council Member Mounce made a motion, second by Mayor Pro Tempore Katzakian, to adopt

Resolution No. 2013-164 accepting City of Lodi Short-Range Transit Plan Update.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

J. Ordinances

- J-1 Adopt Ordinance No. 1882 Entitled, "An Uncodified Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 16.24 - Improvements - by Repealing Section 16.24.040, 'Streets,' in Its Entirety; and Further Amending Chapter 16.40 - Reimbursements for Construction - by Repealing Sections 16.40.010, 'Findings and Purpose,' and 16.40.020, 'Improvements to be Reimbursed'" (CLK)

Council Member Mounce made a motion, second by Mayor Nakanishi, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1882 entitled, "An Uncodified Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 16.24 - Improvements - by Repealing Section 16.24.040, 'Streets,' in Its Entirety; and Further Amending Chapter 16.40 - Reimbursements for Construction - by Repealing Sections 16.40.010, 'Findings and Purpose,' and 16.40.020, 'Improvements to be Reimbursed,'" which was introduced at a regular meeting of the Lodi City Council held August 21, 2013.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

- J-2 Adopt Ordinance No. 1883 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 17 - Zoning - by Repealing and Reenacting Section 17.50.030 E-3, 'Reimbursement for Excess Street Width,' in Its Entirety; Repealing and Reenacting Sections 17.62.010, 'Findings and Purpose,' and 17.62.020, 'Improvements to be Reimbursed,' in Their Entirety" (CLK)

Council Member Mounce made a motion, second by Mayor Nakanishi, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1883 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 17 - Zoning - by Repealing and Reenacting Section 17.50.030 E-3, 'Reimbursement for Excess Street Width,' in Its Entirety; Repealing and Reenacting Sections 17.62.010, 'Findings and Purpose,' and 17.62.020, 'Improvements to be Reimbursed,' in Their Entirety," which was introduced at a regular meeting of the Lodi City Council held August 21, 2013.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

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