

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 5, 2019**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of June 5, 2019, was called to order by Mayor Chandler at 6:03 p.m.

Present: Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Kuehne, and Mayor Chandler

Absent: Council Member Nakanishi

Also Present: City Manager Schwabauer, City Attorney Magdich, and City Clerk Ferraiolo

NOTE: Council Member Johnson participated in the meeting via teleconference.

C-2 Announcement of Closed Session

- a) Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding Lodi City Mid-Management Association, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, Lodi Professional Firefighters, Lodi Fire Mid-Management, and International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6 (CM)
- b) Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Government Code Sections 54956.9(d)(2) and 54956.9(e)(1); One Case; Shall Not be Disclosed Due to Facts and Circumstances Not Yet Known to Potential Plaintiffs (CA)

C-3 Adjourn to Closed Session

At 6:03 p.m., Mayor Chandler adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 7:03 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:10 p.m., Mayor Chandler reconvened the City Council meeting, and City Attorney Magdich disclosed the following actions.

Item C-2a) was discussion and direction given with no reportable action.

Item C-2b) was not discussed.

A. Call to Order / Roll Call

Present: Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Kuehne, and Mayor Chandler

Absent: Council Member Nakanishi

Also Present: City Manager Schwabauer, City Attorney Magdich, and City Clerk Ferraiolo

NOTE: Council Member Johnson participated in the meeting via teleconference.

B. Presentations

B-1 National Dump the Pump Day Proclamation (PW)

Mayor Chandler presented a proclamation to MV Transportation General Manager Julius LaRosa proclaiming June 20, 2019, as National Dump the Pump Day in Lodi. Mr. LaRosa announced that GrapeLine will be offering free rides on the fixed-route service on June 24, MV Transportation is donating 10 ten-ride passes on the fixed-route system as a raffle prize, and that GrapeLine is offering extended hours on Thursdays during the Farmers' Market. Anyone interested in participating in the raffle was encouraged to submit a raffle card at the Transit Office, City Hall, Finance Department, Parks Office, or the Library.

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

Council Member Mounce made a motion, second by Mayor Pro Tempore Kuehne, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

The City Council held a ROLL CALL vote (all voiced their votes).

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Kuehne, and Mayor Chandler

Noes: None

Absent: Council Member Nakanishi

C-1 Receive Register of Claims for April 26, 2019 through May 9, 2019 in the Amount of \$2,682,572.99 (FIN)

Claims were approved in the amount of \$2,682,572.99.

C-2 Approve Minutes (CLK)

The minutes of May 1, 2019 (Regular Meeting), May 7, 2019 (Shirtsleeve Session), May 14, 2019 (Shirtsleeve Session), May 15, 2019 (Regular Meeting), May 21, 2019 (Shirtsleeve Session), and May 28, 2019 (Shirtsleeve Session) were approved as written.

C-3 Adopt Resolution Authorizing City Manager to Waive Bid Process and Approve Purchase of Radios, Portable In-Car Computers, and Fire Station Alerting Systems from Various Vendors (\$931,132.08) and Appropriate Fiscal Year 2018/19 Funds (\$677,388.42) (CM)

Adopted Resolution No. 2019-85 authorizing the City Manager to waive the bid process and approve purchase of radios, portable in-car computers, and fire station alerting systems from various vendors, in the amount of \$931,132.08 and appropriating Fiscal Year 2018/19 funds in the amount of \$677,388.42.

C-4 Adopt Resolution Authorizing City Manager to Purchase Commvault HyperScale Appliance from SHI, Inc., of Somerset, New Jersey, to Upgrade City's Data Backup Services (\$222,505.74) (CM)

Adopted Resolution No. 2019-86 authorizing the City Manager to purchase Commvault HyperScale Appliance from SHI, Inc., of Somerset, New Jersey, to upgrade City's data backup services, in the amount of \$222,505.74.

C-5 Adopt Resolution Awarding Contract for Janitorial Services for City Facilities to ABM Industry Groups, LLC, of San Francisco (\$424,094), and Authorizing City Manager to Execute Change Orders (\$40,000) (PW)

Adopted Resolution No. 2019-87 awarding the contract for janitorial services for City facilities to ABM Industry Groups, LLC, of San Francisco, in the amount of \$424,094, and authorizing the City Manager to execute change orders, in the amount of \$40,000.

C-6 Adopt Resolution Awarding Contract for 2019-2021 Traffic Signal Preventive Maintenance and Repair Program to St. Francis Electric, LLC, of San Leandro (\$47,790) (PW)

Adopted Resolution No. 2019-88 awarding the contract for 2019-2021 Traffic Signal Preventive Maintenance and Repair Program to St. Francis Electric, LLC, of San Leandro, in the amount of \$47,790.

C-7 Accept Improvements Under Contract for 2019 Downtown Concrete Cleaning (PW)

Accepted improvements under contract for 2019 Downtown Concrete Cleaning.

C-8 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Valley Outdoor Advertising, of Lodi, for Water Conservation Advertising (\$46,800) (PW)

Adopted Resolution No. 2019-89 authorizing the City Manager to execute a Professional Services Agreement with Valley Outdoor Advertising, of Lodi, for water conservation advertising, in the amount of \$46,800.

C-9 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Diede Construction, Inc., of Woodbridge, for Operations and Maintenance Services of Central Plume PCE/TCE Remedial Sites (\$257,155), and Appropriating Funds (\$257,155) (PW)

Adopted Resolution No. 2019-90 authorizing the City Manager to execute a Professional Services Agreement with Diede Construction, Inc., of Woodbridge, for operations and maintenance services of Central Plume PCE/TCE remedial sites, in the amount of \$257,155, and appropriating funds in the amount of \$257,155.

C-10 Adopt Resolution Authorizing City Manager to Execute Amendment No. 2 for Task Order No. 40 with West Yost Associates, of Davis, for White Slough Water Pollution Control Facility Supervisory Control and Data Acquisition System Upgrade, Arc Flash Investigating and Training, and Preliminary Design of Odor Control, Electrical Building, and Ultraviolet Disinfection System Communication Improvements (\$110,000) (PW)

Adopted Resolution No. 2019-91 authorizing the City Manager to execute Amendment No. 2 for Task Order No. 40 with West Yost Associates, of Davis, for White Slough Water Pollution Control Facility Supervisory Control and Data Acquisition System Upgrade, Arc Flash Investigating and Training, and Preliminary Design of Odor Control, Electrical Building, and Ultraviolet Disinfection System Communication Improvements, in the amount of \$110,000.

C-11 Adopt Resolution Authorizing City Manager to Execute Improvement Agreement for Public Improvements for Lodi Bowling Alley Project (PW)

Adopted Resolution No. 2019-92 authorizing the City Manager to execute Improvement Agreement for Public Improvements for Lodi Bowling Alley Project.

C-12 Adopt Resolution Accepting City of Lodi Short Range Transit Plan Update (PW)

This item was removed from the Consent Calendar at the request of Council Member Mounce for discussion purposes.

Council Member Mounce stated she appreciates that additional funding was set aside to help the poorest children in the community who walk miles to school through rough neighborhoods and that the Public Works Department found a way to fund bus rides for these school children at an

extremely reduced rate; however, she is disappointed that the Plan Update lists this modification as a "demonstration" project and, thereby, exempt from meeting performance objectives. She understands that Public Works will continue to make this work in the future, but at this time she cannot support the Plan Update.

Both Mayor Pro Tempore Kuehne and Mayor Chandler expressed agreement with Council Member Mounce's comment, but added this effort is a step forward and is an improvement over the current status.

Mayor Pro Tempore Kuehne made a motion, second by Council Member Johnson, to adopt Resolution No. 2019-94 accepting City of Lodi Short Range Transit Plan Update.

ROLL CALL VOTE

The City Council held a ROLL CALL vote (all voiced their votes).

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Mayor Pro Tempore Kuehne, and Mayor Chandler

Noes: Council Member Mounce

Absent: Council Member Nakanishi

C-13 Adopt Resolution Supporting the Reducing Crime and Keeping California Safe Act of 2020 (CLK)

Adopted Resolution No. 2019-93 supporting the Reducing Crime and Keeping California Safe Act of 2020.

C-14 Receive Report Regarding Communication Pertaining to SB 772 (Bradford) Long Duration Bulk Energy Storage: Procurement (CLK)

Received report regarding communication pertaining to Senate Bill 772 (Bradford) Long Duration Bulk Energy Storage: Procurement.

C-15 Set Public Hearing for June 19, 2019, to Consider Adopting Resolution Approving Planning Commission's Recommendation to Authorize 25 Low-Density Residential Growth Management Allocations for the Bennett – Interlaken Drive Subdivision (CD)

Set public hearing for June 19, 2019, to consider adopting resolution approving Planning Commission's recommendation to authorize 25 Low-Density Residential Growth Management Allocations for the Bennett - Interlaken Drive Subdivision.

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.

None.

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

In response to Council Member Mounce, Police Chief Tod Patterson provided a brief report regarding Assembly Bill (AB) 516, which would make it difficult for local law enforcement agencies to police individuals living in motorhomes, remove vehicles parked over 72 hours or vehicles with expired tags, or confiscate licenses of those failing at DUI checkpoints. He stated

this Bill concerns him greatly because it will hinder the Police Department's ability to address the issues that neighborhoods are currently experiencing, which will add to the blight and increase the damage being done to residential and commercial areas. Council Member Mounce stated this Bill would take control out of local hands and into the State's hands. She urged residents to contact their legislator today to request this Bill not be supported. Further, Council Member Mounce stated she heard there was some public concern about utilizing Measure L funds to pay for the increased costs associated with the temporary fencing at Lodi Lake for the Fourth of July event. She stated resident Amanda Lee came up with a great suggestion of renting fence space to the public for advertising purposes to off-set the increased costs. Parks, Recreation, and Cultural Services (PRCS) Director Jeff Hood provided a brief report on the matter, stating a press release will be forthcoming about the concept, which will allow a 4 foot by 6 foot vinyl or fabric banner to be displayed for one day, during the Fourth, for \$50. Signs can promote a business or non-profit organization or can share a celebratory message. The contracted fencing company has no issues with posting signs on the chain-link fence, and PRCS staff will remove banners the next day. All proceeds will go toward off-setting the cost of the fencing. Council Member Mounce thanked resident Amanda Lee for coming up with the suggestion and PRCS for putting it into motion.

Mayor Chandler reported that he, along with Northern California Power Agency (NCPA), worked diligently to oppose Senate Bill 772, which was a procurement effort on behalf of the State on power purchases. All NCPA resources were called in to contact legislators, and the Bill ended up dying for now. Further, he reported that he joined the celebration last Saturday at Thornton House, during which the Historical Society erected a plaque for the building's historical status and its key roll in downtown Lodi's development. He also attended the ribbon cutting of a new Lodi business, Luu's Chicken Bowl, as well as the World of Wonders Science Museum's breakfast in support of its \$24 million expansion project.

Council Member Mounce added that it appears AB516 is still in Committee and again urged citizens to contact Senator Galgiani to request her opposition to this Bill. Further, she attended the ribbon cutting for the Kashida Family's new storage facility, Store Rite Self Storage, on Ackerman Drive.

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

None.

G. Public Hearings – None

H. Regular Calendar

H-1 Adopt Resolution Approving Fiscal Year 2019/20 Financial Plan and Budget and Approving Fiscal Year 2019/20 Appropriation Spending Limit (CM)

City Manager Schwabauer introduced the item regarding Fiscal Year 2019/20 budget adoption, stating a lot of work went into balancing the City budget, staff from the budget division put together almost the entirety of the budget and did a phenomenal job, and that Council held several Shirtsleeve Sessions in preparation for the budget adoption.

Deputy City Manager Andrew Keys provided a PowerPoint presentation regarding Fiscal Year 2019/20 Budget. Specific topics of discussion included overview; availability of budget online; new budget document; Budget at a Glance; Financial Organizational Chart; fund structure; section information; Capital Improvement Program; changes since Shirtsleeve presentation; revenues; revenue trends; expenses; key inputs; Measure L; Vehicle Replacement Fund; five-year forecast summary, assumptions, revenue, expenses, fund balance, Pension Stabilization Fund; Electric Utility overview, revenues, expenses, capital projects, and reserves; Water Utility overview, revenues, expenses, Capital Projects, and reserves; Wastewater Utility overview, revenues, expenses, Capital Projects, and reserves; Transit overview, revenue, expenditures, and Capital expenditures; Streets overview, revenue, expenditures, and Capital projects; Community Development overview, revenue, and expenditures; Parks, Recreation and Cultural

Services overview, revenue, and expenditures; and Library overview, revenue, and expenditures. Mr. Keys additionally thanked budget staff for putting together a balanced budget that is more approachable and readable for the public, as well as Department Heads and their staff for being frugal and fiscally responsible.

Council Member Mounce expressed concern that the Blue Sheet item lists the HEAP grant funding for the tiny houses project in the Community Development Block Grant (CDBG) fund. Budget Manager Susan Bjork responded that, for the sake of time, the funding was put into the CDBG fund versus setting up a new fund; however, that can be corrected. Council Member Mounce stated the HEAP funding should be in a separate fund because it is not one-time money as the City may receive additional grant funding in the future; it should have a special account.

In response to Council Member Mounce, Management Analyst Jennelle Baker estimated that roughly \$15,000 was budgeted for the low-cost spay and neuter program; however, she will verify the exact dollar amount and respond back to Council.

In response to Mayor Chandler, Mr. Schwabauer stated the City previously had an in-house Neighborhood Services Manager; however, when the individual retired, the City opted to fill the position with a contracted individual in order to save money on rising pension costs. The contract service costs roughly the same amount as a full-time employee, but the contractor works only three and a half days instead of full time and there may be less buy-in with the groups that this individual interacts with, such as Lodi Improvement Committee and neighborhood groups. Filling the position with a contracted individual was an experiment that he hoped would work, but his recommendation now is to go back to fulfilling the duties with a full-time employee.

In response to Council Member Mounce, Mr. Schwabauer stated the Neighborhood Services Manager works on the CDBG grant process that comes with a significant amount of accountability and compliance for the grant money; supervises the Gang Reduction and Intervention Program; supervises the Lodi Improvement Committee; works with non-profit organizations to assist in performing neighborhood services, such as Celebration on Central and the Asset Based Community Development program; performs Title VI program and federal compliance; and manages the Americans with Disabilities Act (ADA) program and compliance and addresses ADA complaints. He further responded that the City will perform an external recruitment process for the position, for which both internal and external candidates can apply, and he will hire the best candidate for the job. Council Member Mounce stressed that this individual be bilingual because he or she will work closely with the east side, which is a multi-cultural part of town, and will be a crucial element in reaching out to this community.

Council Member Mounce made a motion, second by Mayor Pro Tempore Kuehne, to adopt Resolution No. 2019-95 approving Fiscal Year 2019/20 Financial Plan and Budget and approving Fiscal Year 2019/20 appropriation spending limit, as presented in the Blue Sheet item.

ROLL CALL VOTE

The City Council held a ROLL CALL vote (all voiced their votes).

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Kuehne, and Mayor Chandler

Noes: None

Absent: Council Member Nakanishi

I. Ordinances – None

K. Adjournment

Council Member Mounce shared that Elvera Melby, who was a counselor, physical education teacher at Lodi High School, volunteer in the City Clerk's Office, and avid golfer, passed away today at the age of 96. Council Member Mounce expressed her grief, stating Ms. Melby was

loved by many and will be greatly missed.

There being no further business to come before the City Council, the meeting was adjourned at 8:20 p.m., in memory of Elvera Melby who passed away on June 5, 2019.

ATTEST:

Jennifer M. Ferraiolo
City Clerk