

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JANUARY 20, 2021**

A. Call to Order / Roll Call

The Regular City Council meeting of January 20, 2021, was called to order by Mayor Nakanishi at 7:00 p.m.

Due to the COVID-19 pandemic and pursuant to Executive Order N-29-20, all Council Members participated in the meeting via teleconference and the meeting was available for viewing by the public via livestream at <https://www.facebook.com/CityofLodi/> and <https://zoom.us/s/98343457003?pwd=Vm14anRKUm9PWURFb0JnbThSWDFOdz09>; the opportunity for public comment was available through [councilcomments@lodi.gov](mailto:councilcomments@lodi.gov) and <https://zoom.us/s/98343457003?pwd=Vm14anRKUm9PWURFb0JnbThSWDFOdz09>.

Present: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Absent: None

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

B. Presentations - None

B-1 Public Unveiling and Presentation to City Council of the Funds Raised by LodiHeros.org Heroes Behind the Badge during their Adopt a Lodi Law Enforcement Officer Fundraiser (CLK)

June Aaker, Co-Chair, LodiHeros.org, Heroes Behind the Badge, provided background information about the Adopt a Law Enforcement fundraiser.

Gregg Arends, Vice-Chair, Lodi Police Foundation, announced that \$4,785.00 had been raised during the fundraiser.

C. Consent Calendar (Reading; Comments by the Public; Council Action) All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, refer to the Special Teleconference Notice at the beginning of this agenda.

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, 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 Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

C-1 Receive Register of Claims for December 18, 2020 through December 31, 2020 in the Total Amount of \$3,868,781.28 (FIN)

Claims were approved in the amount of \$3,868,781.28.

C-2 Approve Minutes (CLK)

The minutes of December 29, 2020 (Shirtsleeve Session), January 5, 2021 (Shirtsleeve Session), January 6, 2021 (Regular Meeting), and January 6, 2021 (Special Meeting) were approved as written.

C-3 Adopt Resolution Authorizing City Manager to Execute Amendment No. 2 to Professional Services Agreement with W.F. Bambas Appraisal Company, of Stockton, for Appraisal Services (\$6,000) (CM)

Adopted Resolution No. 2021-15 authorizing the City Manager to execute Amendment No. 2 to the Professional Services Agreement with W.F. Bambas Appraisal Company, of Stockton, for appraisal services, in the amount of \$6,000.

C-4 Adopt Resolution Reaffirming the Ratification of the City Manager's Proclamation Finding the Continued Existence of a Local Emergency and Rendering Certain Emergency Orders, Including an Increase Related to the Local Emergency in the City Manager's Contracting Authority for Services and Goods to a Maximum Amount of \$250,000 for the Duration of the Local Emergency (CA)

Adopted Resolution No. 2021-16 reaffirming the ratification of the City Manager's proclamation finding the continued existence of a local emergency and rendering certain emergency orders, including an increase related to the local emergency in the City Manager's contracting authority for services and goods to a maximum amount of \$250,000 for the duration of the local emergency.

C-5 Adopt Resolution Waiving Bid Process and Authorizing City Manager to Execute General Services Agreement with Osmose Utilities Services, Inc., of Peachtree City, Georgia, for Wood Pole Test and Treat, Inspection, Wood Pole Restoration, and Engineering Services (\$750,000) (EU)

Adopted Resolution No. 2021-17 waiving the bid process and authorizing the City Manager to execute General Services Agreement with Osmose Utilities Services, Inc., of Peachtree City, Georgia, for wood pole test and treat, inspection, wood pole restoration, and engineering services, in the amount of \$750,000.

C-6 Rescind Resolution No. 2019-240 and Adopt Resolution Authorizing Issuance of Procurement Cards to Specified Positions (FIN)

Rescinded Resolution No. 2019-240 and adopted Resolution No. 2021-18 authorizing issuance of procurement cards to specified positions.

C-7 Accept Improvements Under Contract for Citywide Bicycle Facilities Detection Improvement Project (PW)

This item was pulled from the Consent Agenda for further discussion at the request of Council Member Kuehne.

City Manager Schwabauer provided information regarding the bicycle detection devices which are attached to the City's traffic signals for the benefit of the new Council Members.

Council Member Kuehne made a motion, second by Mayor Nakanishi, to accept improvements under the contract for Citywide Bicycle Facilities Detection Improvement Project.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

C-8 Accept Monthly Protocol Account Report Through December 31, 2020 (CLK)

Accepted Monthly Protocol Account Report through December 31, 2020.

C-9 Post for Vacancy on Lodi Arts Commission (CLK)

Directed the City Clerk to post for the following vacancy:

Lodi Arts Commission

Georgia Owens Term to expire July 1, 2021

C-10 Adopt Resolution Approving City of Lodi Pay Schedule Dated January 11, 2021 (HR)

Adopted Resolution No. 2021-19 approving City of Lodi Pay Schedule dated January 11, 2021.

C-11 Adopt Resolution Authorizing City Manager to Waive Bid Process, Utilize Houston-Galveston Area Council Contract No. HGAC FS 12-19, Award Purchase Order to Golden State Fire Apparatus, Inc., of Sacramento, for Purchase of Pierce Enforcer Engine, and Appropriate Funds (\$670,000) (FD)

Adopted Resolution No. 2021-20 authorizing the City Manager to waive the bid process, utilize Houston-Galveston Area Council Contract No. HGAC FS 12-19, award a purchase order to Golden State Fire Apparatus, Inc., of Sacramento, for purchase of Pierce Enforcer Engine, and appropriate funds in the amount of \$670,000.

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.

David Claxton, President, Downtown Business Alliance, read a prepared comment regarding the current condition of the downtown business corridor and the impact of the homeless on downtown businesses. Mr. Claxton's prepared comment will be included with the approved minutes of the meeting.

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

Mayor Nakanishi recommended the City host a Town Hall Meeting focused on downtown businesses and improving conditions in the downtown business corridor.

Council Member Kuehne spoke about a League of California Cities webinar which both he and Mayor Pro Tempore Chandler attended regarding Smart Cities and increasing broadband access.

Mayor Pro Tempore Chandler noted that the City's Business Development Manager, Astrida Trupovnieks, also attended the webinar and the prospects for expanding the City's broadband fiber, increasing access, look strong.

Council Member Hothi supported holding a Town Hall Meeting to address downtown business concerns.

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

City Manager Schwabauer stated that the City will look into what options are available to increase work Lodi Police Department is already doing in the downtown business area and spoke about the City resources currently being used to address the homelessness issue.

G. Public Hearings

G-1 Public Hearing to Consider Adopting a Resolution Amending the Requirements and Procedures for Review of Growth Allocation Applications (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 amending the requirements and procedures for review of Growth Allocation applications.

Community Development Department Contract Planner Paul Junker provided a PowerPoint presentation regarding the Growth Management Allocation Program. Specific topics of discussion included history of Lodi Growth Allocation program; features of program; how process serves the City; recent process changes; June 30 Council consideration of process; October 20 Council discussion; December 9 Planning Commission review; features to be retained; proposed amendments which were reviewed by the City Council at the January 5 Shirtsleeve Session; consolidation of procedures into one resolution, timing of applications; Development Plan requirements; Site Plan and Architectural Review Committee review of Development Plan; and carry over/expiration of unused allocations.

Staff recommended the City Council adopt a resolution updating the City's Growth Allocation procedures.

Mayor Nakanishi explained that this is the second time the Council has reviewed the recommended updates.

Community Development Director John Della Monica stated the City currently has an inventory of 2,756 unused allocations across all three density types, in response to a question asked by Council Member Hothi.

Council Member Hothi asked about coordination with the Lodi Unified School District (LUSD) and City Manager Schwabauer explained the City notifies LUSD when applications for annexation and development are received. LUSD is given the opportunity to require the payment of school impact fees. City Manager Schwabauer stated that LUSD has reported to the City that they are

experiencing a decline in enrollment. Community Development Director Della Monica explained the notification procedure.

City Manager Schwabauer explained that the Growth Management Allocation process acts as a limitation as to how fast the City of Lodi can grow, which was intended by the City Council to limit how fast the City expands into farmland and wine growing regions, in response to a question asked by Council Member Khan.

City Manager Schwabauer explained how the City has worked to incentivize job growth in the City and discussed some of the potential future employment growth, in response to a question asked by Council Member Khan.

Community Development Director Della Monica stated that the growth allocations only apply to development within the City limits.

Mayor Pro Tempore Chandler pointed out that the City is not increasing the number of growth allocations, but rather improving the process.

Mayor Nakanishi noted that the City's growth is less than 2%.

Council Member Kuehne provided some background information regarding the City's multi-family residential development.

Mayor Nakanishi opened the public hearing for public comment, retroactively following the reading of the public comments.

Eunice Friederich, a citizen, submitted public comment via email, against the adoption of Resolution No. 2021-21.

Chris Nicco, a citizen, submitted public comment via email, against the adoption of Resolution No. 2021-21.

Jacklyn Lauchland Shaw, a citizen, submitted public comment via email, against the adoption of Resolution No. 2021-21.

City Clerk Cusmir read the three public comments, submitted via email, into the record. The emails will be included with the approved minutes as part of the public record.

Daisy Dickens, a citizen, provided public comment regarding the impact residential development has on the school district.

City Manager Schwabauer spoke about the jurisdiction of the school district versus that of the City Council.

Council Member Hothi stated that he would be interested in meeting with the school district regarding residents' concerns.

Mayor Pro Tempore Chandler addressed some of the concerns brought forward by Ms. Lauchland Shaw.

There being no further public comments, Mayor Nakanishi closed the public hearing.

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to adopt

Resolution No. 2021-21 amending the requirements and procedures for review of Growth Allocation Applications.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: Council Member Khan

Absent: None

ROLL CALL VOTE

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

H. Regular Calendar

H-1 Assign and Confirm Annual Appointments of City Council Members on Various Boards, Committees, and Commissions (CLK)

City Manager Schwabauer introduced the item and the City Council determined who would represent the City on various boards, commissions and committees as follows:

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to approve appointment of Mayor Pro Tempore Chandler as Delegate and Council Member Kuehne as Alternate on the City of Lodi Risk Oversight Committee.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

Mayor Nakanishi made a motion, second by Council Member Kuehne, to approve appointment of Mayor Nakanishi as Delegate on the Delta Protection Commission.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to approve appointment of Mayor Nakanishi as Delegate and Council Member Kuehne as Alternate on the Eastern San Joaquin Groundwater Joint Powers Authority.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

**ROLL CALL VOTE**

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

Mayor Nakanishi made a motion, second by Mayor Pro Tempore Chandler, to approve appointment of Council Member Hothi on the League of California Cities Central Valley Division Executive Committee.

**VOTE:**

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

**ROLL CALL VOTE**

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

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to approve appointment of Mayor Nakanishi as Delegate and Water Plant Superintendent Travis Kahrs as Alternate on the Northeastern San Joaquin County Groundwater Banking Authority.

**VOTE:**

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

**ROLL CALL VOTE**

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

Council Member Hothi made a motion, second by Mayor Nakanishi, to approve appointment of Mayor Pro Tempore Chandler as Delegate and Council Member Kuehne, Electric Utility Director Jeff Berkheimer, and Rates & Resources Manager Melissa Price as Alternates on the Northern California Power Agency (NCPA).

**VOTE:**

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

**ROLL CALL VOTE**

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

Council Member Kuehne made a motion, second by Mayor Nakanishi, to approve appointment

of Council Member Khan as Delegate on the San Joaquin County Abandoned Vehicle Abatement Services Authority.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

Mayor Nakanishi made a motion, second by Council Member Hothi, to approve appointment of Council Member Kuehne as Delegate and Council Member Khan as Alternate on the San Joaquin Council of Government (SJCOG).

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

Mayor Pro Tempore Chandler made a motion, second by Council Member Kuehne, to approve appointment of Public Works Director Charlie Swimley as Delegate and Water Plant Superintendent Travis Kahrs as Alternate on the San Joaquin County Flood Control and Water Conservation District - Water Advisory Commission.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

Mayor Nakanishi made a motion, second by Council Member Kuehne, to approve appointment of Public Works Director Charlie Swimley as Delegate on the San Joaquin County Solid Waste Management Task Force.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None



ROLL CALL VOTE

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

The City Council concurred that Council Member Hothi be assigned as Delegate to the San Joaquin Joint Powers Authority. No motion action was required.

Mayor Nakanishi made a motion, second by Council Member Khan, to approve appointment of Mayor Pro Tempore Chandler as Delegate on the Eastern San Joaquin Partnership.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

The City Council concurred that Council Member Hothi be assigned as Delegate to the San Joaquin Regional Rail Commission. No motion action was required.

The City Council concurred to appoint Mayor Nakanishi as Delegate and Mayor Pro Tempore Chandler as Alternate to the San Joaquin Valley Special City Selection Committee, as is the City Council's practice. No motion action was required.

Council Member Kuehne made a motion, second by Council Member Khan, to approve appointment of Electric Utility Director Jeff Berkheimer as Delegate and Rates & Resources Manager as Alternate on the Transmission Agency of Northern California (TANC).

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

Mayor Nakanishi made a motion, second by Council Member Kuehne, to approve appointment of Council Member Hothi and Mayor Pro Tempore Chandler as Delegates on the City of Lodi 2X2 Committee with the Lodi Unified School District.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hothi, Council Member Khan, Council Member Kuehne, Mayor Pro Tempore Chandler, and Mayor Nakanishi

Noes: None

Absent: None

ROLL CALL VOTE

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

I. Ordinances – None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:36 p.m.

ATTEST:

Jennifer Cusmir  
City Clerk