

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, AUGUST 4, 2021**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of August 4, 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 public portion of 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

C-2 Announcement of Closed Session

- a) Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding International Brotherhood of Electrical Workers, Pursuant to Government Code §54957.6 (CM)
- b) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Cathi Johnson against City of Lodi Based on Employment (CA)

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Nakanishi called the Closed Session meeting to order to discuss the above matters. The Closed Session adjourned at 6:56 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 pm., Mayor Nakanishi called the City Council meeting to order, and City Attorney Magdich disclosed the following actions.

In regard to Item C-2a), Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding International Brotherhood of Electrical Workers, Pursuant to Government Code §54957.6. This item was for discussion only and no further action was taken.

In regard to Item C-2b), Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Cathi Johnson against City of Lodi Based on Employment. This item was for discussion only and no further action was taken.

A. Call to Order / Roll Call

The Regular City Council meeting of August 4, 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>.

B. Presentations – None

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 Hothi made a motion, second by Council Member Kuehne, 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 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 July 2, 2021 through July 15, 2021 in the Total Amount of \$4,413,021.00 (FIN)

Claims were approved in the amount of \$4,413,021.

C-2 Approve Minutes (CLK)

The minutes of July 13, 2021 (Shirtsleeve Session), July 20, 2021 (Shirtsleeve Session), and July 21, 2021 (Regular Meeting) were approved as written.

C-3 Adopt Resolution Approving Purchase of New Computers and Operating System Upgrade at Lodi Public Library for Public Use from CDWG (\$37,138) (IT)

Adopted Resolution No. 2021-215 approving the purchase of new computers and operating system upgrade at the Lodi Public Library for public use from CDWG, in the amount of \$37,138.

C-4 Adopt Resolution for Purchase of a Three-Year Subscription with Siteimprove for Quality Assurance and Accessibility Services, Content Monitoring for ADA Compliance in City's Website (Not to Exceed \$30,690) (IT)

Adopted Resolution No. 2021-216 for the purchase of a three-year subscription with Siteimprove for quality assurance and accessibility services, content monitoring for ADA compliance in City's website, in an amount not to exceed \$30,690.

C-5 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Durst Contract Interiors, of Stockton, for Citywide Purchase and Installation of Office Systems Furniture (\$60,000) PW

Adopted Resolution No. 2021-217 authorizing the City Manager to execute a Professional Services Agreement with Durst Contract Interiors, of Stockton, for Citywide purchase and installation of office systems furniture, in the amount of \$60,000.

C-6 Adopt Resolution Authorizing City Manager to Execute Amendment No. 5 to Professional Services Agreement with Quest Media & Supplies, Inc., of Roseville, for Purchase and Installation of Surveillance Cameras including System Support and Maintenance Plan (\$17,000) (IT)

Adopted Resolution No. 2021-218 authorizing the City Manager to execute Amendment No. 5 to the Professional Services Agreement with Quest Media & Supplies, Inc., of Roseville, for the purchase and installation of surveillance cameras, including system support and maintenance plan, in the amount of \$17,000.

C-7 Adopt Resolution Ratifying San Joaquin Council of Governments' Annual Financial Plan for Fiscal Year 2021/22 (PW)

Adopted Resolution No. 2021-219 ratifying the San Joaquin Council of Governments' Annual Financial Plan for Fiscal Year 2021/22.

C-8 Post for Vacancy on Lodi Senior Citizens Commission (CLK)

Directed the City Clerk to post for the following vacancy:

Lodi Senior Citizens Commission

Tracy Williams - Term to expire December 31, 2023

C-9 Set Public Hearing for August 18, 2021, to Receive Report on Redistricting to Receive Public Input on Communities within the Council Districts (CLK)

Set a public hearing for August 18, 2021, to receive report on redistricting to receive public input on communities within the Council Districts.

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.

None.

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

Council Member Kuehne spoke about fireworks and the groups that fundraised selling them this year. Mr. Kuehne also spoke about Police enforcement and the Police Department addressing the discharge of illegal fireworks in the months of June and July. Council Member Kuehne spoke about the attendance at the fireworks display at Lodi Lake and the tradition of celebrating the nation's independence.

Council Member Khan reported on National Night Out. Mr. Khan asked for an update on the installation of a stop sign at the intersection of Poplar and Stockton streets and the Ready to Work program.

Mayor Pro Tempore Chandler spoke about the success of National Night Out and spending time with Fire Chief Ken Johnson.

Council Member Kuehne spoke about National Night Out, which happens the second Tuesday in August every year, and his support of Fire Chief Johnson.

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

City Manager Schwabauer explained the engineering and historical analysis that takes place before traffic control measures are installed. Mr. Schwabauer stated that the Public Works Department is reviewing the intersection at Poplar and Stockton streets.

G. Public Hearings

G-1 Public Hearing to Consider Adopting Resolution Adopting 2015 Urban Water Management Plan Update (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 a resolution adopting the 2015 Urban Water Management Plan update.

Water Plant Superintendent Travis Kahrs provided a PowerPoint presentation regarding the 2015 Urban Water Management Plan (UWMP) update. Specific topics of discussion included the statement on Delta reliance.

Mr. Kahrs explained the City's water conservation efforts at the request of Mayor Nakanishi.

Mr. Kahrs spoke about how the City is addressing increases in demands for water in the community in response to questions asked by Mayor Nakanishi.

Public Works Director Charlie Swimley noted that Lodi has adequate water supply through the year 2045 and discussed the planning efforts undertaken by the City Council in regards to water supply.

Mayor Nakanishi reiterated that the City has been focused on water conservation for a long time and has an adequate supply of water.

Mayor Nakanishi opened the public hearing for public comment.

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

Mr. Kahrs stated that residents with even number address may water their yards on Tuesdays, Thursdays, and Saturdays and residents with odd number addresses may water on Wednesdays, Fridays, and Sundays, in response to a question asked by Council Member Khan. Mr. Kahrs noted that watering is not allowed between the hours of 10 a.m. and 6 p.m.

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to adopt Resolution No. 2021-220 adopting the 2015 Urban Water Management Plan update.

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).

#### G-2 Public Hearing to Consider Adopting Resolution Adopting 2020 Urban Water Management Plan Update (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 a resolution adopting the 2020 Urban Water Management Plan update.

Water Plant Superintendent Travis Kahrs provided a PowerPoint presentation regarding the 2020 Urban Water Management Plan (UWMP) update. Specific topics of discussion included definition of UWMP; public notification; primary components of 2020 UWMP; population, demand and supply analysis; GPCD calculation and SB X7-7 compliance; drought risk assessment; Water Shortage Contingency Plan; demand management measures; climate change vulnerability assessment; additional analysis; and summary.

Mr. Kahrs answered questions asked by Mayor Pro Tempore Chandler regarding pulling water from the water bank and the ability to utilize additional water from the river if needed.

Public Works Director Charlie Swimley spoke about the terms of the Woodbridge Irrigation District agreement in response to a question asked by Mayor Nakanishi.

Council Member Kuehne asked about the phases of the water meter program. Mr. Kahrs stated the single-family home phase was completed prior to the State's due date and the multi-family home phase still needs to be completed. Public Works Director Swimley said the City needs to reach out to multi-family property owners and bring a presentation to the Council before moving forward with the multi-family homes.

Public Works Director Swimley spoke about funding for projects and the 10-year financial plan, in response to a question asked by Mayor Pro Tempore Chandler.

There was discussion regarding the treatment of wastewater for consumption, in response to a question asked by Mayor Nakanishi. Mr. Kahrs stated the City captures and uses treated wastewater for irrigation of agricultural land near the treatment plant and for cooling energy production towers at the NCPA plant adjacent to the treatment plant.

City Attorney Magdich spoke about the penalties of not adopting the water conservation plan.

Mayor Nakanishi opened the public hearing for public comment.

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

Council Member Hothi made a motion, second by Mayor Pro Tempore Chandler, to adopt Resolution No. 2021-221 adopting the 2020 Urban Water Management Plan update.

#### 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).

#### G-3 Public Hearing to Consider Adopting Resolution Adopting 2020 Water Shortage Contingency Plan Update (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 a resolution adopting the 2020 Water Shortage Contingency Plan update.

Water Plant Superintendent Travis Kahrs provided a PowerPoint presentation regarding the 2020 Water Shortage Contingency Plan (WSCP) update. Specific topics of discussion included purpose and contents; water supply reliability analysis; annual water supply and demand assessment procedures; WSCP stages; communications protocol; compliance and enforcement; and monitoring and WSCP refinement.

Mayor Nakanishi opened the public hearing for public comment.

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

Mayor Pro Tempore Chandler made a motion, second by Council Member Khan, to adopt Resolution No. 2021-222 adopting the 2020 Water Shortage Contingency Plan update.

#### 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).

#### H. Regular Calendar

#### H-1 Adopt Resolution of Intention Approving Amendment to Contract Between Board of Administration of California Public Employees' Retirement System (PERS) and City of Lodi and Introduce Ordinance Amending Contract Between PERS and City of Lodi with Regard to Providing Government Code Section 20516 (Employees Sharing Additional Cost) of 9 Percent for Local Police Members in Unrepresented Police Executive Management Group and 3 Percent for Local Fire Members in Unrepresented Fire Executive Management Group (HR)

Deputy City Manager Andrew Keys provided a presentation regarding the amendment to the contract with the Board of Administration of California Public Employees' Retirement System (PERS). Deputy City Manager Keys explained that there is no financial impact to the City or to the pay of affected employees. This action will allow employees to take credit for the contribution they make on the City's behalf.

Council Member Kuehne made a motion, second by Council Member Hothi, to adopt Resolution No. 2021-223 of Intention approving amendment to contract between the Board of Administration of California Public Employees' Retirement System (PERS) and the City of Lodi and to introduce

Ordinance No. 1983 amending the contract between PERS and the City of Lodi with regard to providing Government Code Section 20516 (Employees Sharing Additional Cost) of 9 percent for local Police members in the unrepresented Police Executive Management Group and 3 percent for local Fire members in the unrepresented Fire Executive Management Group.

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).

H-2 Receive Presentation on Lodi Access Center and Adopt Resolution Authorizing City Manager to Enter into Purchase Agreement in a Form Acceptable to City Attorney to Purchase Real Property from Laque Family, LLC, a California Limited Liability Company, Property Owner, of 710 North Sacramento Street to Develop Lodi Access Center (\$2,100,000) and Accept and Appropriate \$2,800,000 from San Joaquin County (CD)

This item was pulled from the agenda at the request of staff.

H-3 Appointment to Measure L Citizens' Oversight Committee (CLK)

City Clerk Jennifer Cusmir introduced the item. Council Member Khan spoke about the qualifications of his proposed appointee, Waqas Dad.

Council Member Hothi made a motion, second by Council Member Khan, to appoint Waqas Dad to the Measure L Citizens' 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).

I. Ordinances – None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:18 p.m.

ATTEST:

Jennifer Cusmir  
City Clerk