

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 1, 2021**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of September 1, 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 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) Conference with Legal Counsel – Exposure to Litigation – Significant Exposure to Litigation Pursuant to Government Code §54956.9(e)(1); Shall Not Be Disclosed Due to Facts and Circumstances Not Yet Known to Potential Plaintiffs (CA)

C-3 Adjourn to Closed Session

At 6:01 p.m., Mayor Nakanishi called the Closed Session to order to discuss the above matters. The Closed Session adjourned at 6:57 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., 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, direction was provided to staff by Council. There is no further action to report.

In regard to Item C-2b), Conference with Legal Counsel - Exposure to Litigation - Significant Exposure to Litigation Pursuant to Government Code §54956.9(e)(1); Shall Not Be Disclosed Due to Facts and Circumstances Not Yet Known to Potential Plaintiffs, direction was provided to staff by Council. There is no further action to report.

A. Call to Order / Roll Call

The Regular City Council meeting of September 1, 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 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 Kuehne made a motion, second by Mayor Pro Tempore Chandler, 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 30, 2021 through August 12, 2021 in the Total Amount of \$15,912,714.16 (FIN)

Claims were approved in the amount of \$15,912,714.16.

C-2 Approve Minutes (CLK)

The minutes of August 10, 2021 (Shirtsleeve Session), August 17, 2021 (Shirtsleeve Session), August 18, 2021 (Regular Meeting), and August 18, 2021 (Special Meeting) were approved as written.

C-3 Accept Quarterly Report of Purchases between \$10,000 and \$20,000 (FIN)

Accepted the Quarterly Report of Purchases between \$10,000 and \$20,000.

C-4 Accept the Quarterly Investment Report as Required by the City of Lodi Investment Policy (FIN)

Accepted the Quarterly Investment Report as required by the City of Lodi Investment Policy.

C-5 Adopt Resolution Approving Purchase of Dell Network Switches from Kovarus, of San Ramon (\$87,810) (IT)

Adopted Resolution No. 2021-241 approving the purchase of Dell network switches from Kovarus, of San Ramon, in the amount of \$87,810.

C-6 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Infinity Technologies, of Elk Grove, for Geographical Information System Support Services (\$30,000) (PW)

Adopted Resolution No. 2021-242 authorizing the City Manager to execute a Professional Services Agreement with Infinity Technologies, of Elk Grove, for geographical information system support services, in the amount of \$30,000.

C-7 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Magellan Advisors, LLC, of Denver, Colorado, for Turnkey Fiber Design, Project and Construction Management Services in Support of City of Lodi Broadband Infrastructure Project (\$299,000) (PW)

Adopted Resolution No. 2021-243 authorizing the City Manager to execute a Professional Services Agreement with Magellan Advisors, LLC, of Denver, Colorado, for turnkey fiber design, project and construction management services in support of City of Lodi Broadband Infrastructure Project, in the amount of \$299,000.

C-8 Adopt Resolution Authorizing City Manager to Execute Amendment No.1 to Professional Services Agreement with Carollo Engineers, Inc., of Walnut Creek, for Progressive Design Build Construction Documents for White Slough Water Pollution Control Facility Solids Handling Equipment Procurement and Installation Project (\$110,922), and Appropriating Funds (\$110,922) (PW)

Adopted Resolution No. 2021-244 authorizing the City Manager to execute Amendment No.1 to the Professional Services Agreement with Carollo Engineers, Inc., of Walnut Creek, for progressive design build construction documents for White Slough Water Pollution Control Facility Solids Handling Equipment Procurement and Installation Project, in the amount of \$110,922, and appropriating funds in the amount of \$110,922.

C-9 Adopt Resolution Approving Final Map and Authorizing City Manager to Execute Improvement Agreement for Tienda Square Subdivision, Tract No. 4003 (PW)

Adopted Resolution No. 2021-245 approving the final map and authorizing the City Manager to execute an Improvement Agreement for Tienda Square Subdivision, Tract No. 4003.

C-10 Adopt Resolution Authorizing City Manager to Execute Improvement Deferral Agreement for 820 South Cherokee Lane (PW)

Adopted Resolution No. 2021-246 authorizing the City Manager to execute an Improvement Deferral Agreement for 820 South Cherokee Lane.

C-11 Adopt Resolution Authorizing Lodi Police Department to Participate in Selective Traffic Enforcement Program Grant Funded by Office of Traffic Safety and Authorize City Manager to Execute Grant Documents on Behalf of City of Lodi (\$95,000) (PD)

Adopted Resolution No. 2021-247 authorizing the Lodi Police Department to participate in Selective Traffic Enforcement Program Grant funded by the Office of Traffic Safety and authorizing the City Manager to execute grant documents on behalf of the City of Lodi, in the amount of \$95,000.

C-12 Adopt Resolution Approving City of Lodi Capital Asset Policy (FIN)

Adopted Resolution No. 2021-248 approving the City of Lodi Capital Asset Policy.

C-13 Post for Vacancy on Lodi Arts Commission (CLK)

Directed the City Clerk to post for the following vacancy:

Lodi Arts Commission
Paige Prince - Term to expire July 1, 2022

C-14 Adopt Resolution Appropriating Balance of California Department of Housing and Community Development 2019 Local Early Action Planning Grant Funds for Fiscal Year 2022 (\$260,101.68) (CD)

Adopted Resolution No. 2021-249 appropriating the balance of the California Department of Housing and Community Development 2019 Local Early Action Planning Grant funds for Fiscal Year 2022, in the amount of \$260,101.68.

C-15 Adopt Resolution Accepting and Attesting to Veracity of 2020 Lodi Electric Utility Power Source Disclosure and Power Content Label Reports and Authorizing Electric Utility Director to Submit Required Reports to California Energy Commission (EU)

Adopted Resolution No. 2021-250 accepting and attesting to veracity of the 2020 Lodi Electric Utility Power Source Disclosure and Power Content Label Reports and authorizing the Electric Utility Director to submit required reports to the California Energy Commission.

C-16 Set Public Hearing for September 15, 2021 to Consider Adopting Resolution Approving 2020-21 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report and Amendment No. 2 to Citizen Participation Plan (CD)

Set a public hearing for September 15, 2021 to consider adopting a resolution approving the 2020-21 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report and Amendment No. 2 to the Citizen Participation Plan.

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.

Malinda De La Rosa, a resident, provided public comment regarding a neighbor's property.

Hector Madrigal, a resident, provided public comment regarding redistricting and holding direct elections for the position of Mayor.

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

Mayor Pro Tempore Chandler announced that September is California Wine Month. Mr. Chandler also encouraged the public to attend the Community Meeting on September 2 regarding the ACCESS Center Project.

Council Member Khan thanked everyone who attended the check presentation with Assemblymember Cooper at Zupo Field. Mr. Khan said that he would like as many citizens at the September 2 Community Meeting as possible and highlighted the need for the ACCESS Center. Mr. Khan asked about the project on the corner of Tokay Street and Central Avenue.

City Manager Schwabauer explained that there has been an application submitted to the City by a builder that is interested in building an affordable housing project. The project is not a homeless shelter or rehabilitation center. Mr. Schwabauer said the project is private, not City-subsidized, and the developer has the right to have the project reviewed and if the project is consistent with the zoning and design standards of the City, the City cannot prevent the development from moving forward. There will be public meetings regarding the project that will be noticed at which the public may provide comment and interested individuals should contact the Community Development Department.

Mayor Nakanishi read an email from a resident regarding the B.O.B.S. program funding and asked how the City is assisting B.O.B.S.

City Manager Schwabauer discussed the support the City currently provides B.O.B.S. and the

negotiations that the Parks, Recreation, and Cultural Services Department are in with the organization currently. The City does not fund the B.O.B.S. program but does currently provide program support and facilities.

Council Member Kuehne encouraged the public to attend the Community Meeting on September 2 at Hutchins Street Square.

Council Member Hothi expressed his condolences to the friends and family of Officer Grewal, of the Galt Police Department.

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

None.

G. Public Hearings – None

H. Regular Calendar

H-1 Adopt Resolution Approving Salary Adjustments for Engineering Classifications (HR)

Deputy City Manager Andrew Keys addressed this item regarding the salary adjustments for Engineering classifications. Specific topics of discussion included the difficulty the Public Works Department is experiencing attracting qualified engineering applicants, the research staff conducted on the current market, how the vacant positions may impact project completion and grant funding, and a recommendation that Council approve the salary adjustments for engineering classifications.

Mayor Pro Tempore Chandler made a motion, second by Council Member Kuehne, to adopt Resolution No. 2021-251 approving salary adjustments for Engineering classifications.

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 Adopt Resolution Approving Exception to 180-Day Waiting Period for Appointing Retired Annuitant to Conduct Background Investigations in Police Department (HR)

Deputy City Manager Andrew Keys addressed this item regarding the appointment of a retired annuitant to conduct background investigations in the Police Department. Specific topics of discussion included the Police Department's need to conduct background investigation on approximately 10-12 new employees and the standards those investigations need to meet according to the Peace Officer Standards and Training (POST) guidelines, the benefit of having a retired annuitant to assist, and the fiscal impact to the City.

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to adopt Resolution No. 2021-252 approving the exception to the 180-day waiting period for appointing a retired annuitant to conduct background investigations in the Police Department.

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

- I-1 Adopt Ordinance No. 1983 Entitled, "An Uncodified Ordinance of the City Council of the City of Lodi Authorizing an Amendment to the Contract between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System" (CLK)

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1983 entitled, "An Uncodified Ordinance of the City Council of the City of Lodi Authorizing an Amendment to the Contract between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System," which was introduced at a regular meeting of the Lodi City Council held August 4, 2021.

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).

J. Adjournment

There being no other business, Council Member Hothi adjourned the meeting in memory of Galt Police Officer Harminder Gerwal, at 7:48 p.m.

ATTEST:

Jennifer Cusmir
City Clerk