

**LODI CITY COUNCIL
REGULAR MEETING
CARNEGIE FORUM
305 WEST PINE STREET, LODI
WEDNESDAY, DECEMBER 6, 2023 – 5:30 P.M.**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of December 6, 2023, was called to order by Mayor Hothi at 5:33 p.m.

Present: Council Member Bregman, Council Member Nakanishi, Council Member Yezpe, Mayor Pro Tempore Craig, and Mayor Hothi

Absent: None

Also Present: Interim City Manager Keys, City Attorney Lucchesi, and City Clerk Nashed

C-2 Announcement of Closed Session

- a) Prospective sale of real property located at: 219 S. School Street (APN 043-04-411); negotiating parties are City of Lodi and the successful bidder F&M Bank in the Notice of Intent to Sell dated August 30, 2023, per Government Code § 54956.8.(CM)
- b) Prospective sale of real property located at: 18021 N. Kennison Lane (APN 049-130-02), and 17700 N. Guild Avenue (APN 049-130-47). Negotiating parties are City of Lodi and adjacent property owners per Government Code § 54956.8 (CM)
- c) Prospective sale of real property located immediately north of 2057 Lower Sacramento Road (APN 058-030-38). Negotiating parties are City of Lodi and adjacent property owner Harpreet S. Chaudhary Trust et. al. per Government Code § 54956.8 (CM)
- d) Public Employee Performance Evaluation: Three Appointed Positions (Government Code § 54957) - Conference with Human Resources Manager Adele Post regarding annual evaluation procedures for the City Clerk, City Attorney, and Interim City Manager (HR)
- e) Conference with Legal Counsel – Anticipated Litigation - Significant Exposure to Litigation Pursuant to Gov't Code § 54956.9(d)(2): (1 Potential Case) (CA)

C-3 Adjourn to Closed Session

At 5:35 p.m., Mayor Hothi adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:55 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:01 p.m., Mayor Hothi reconvened the City Council meeting, and City Attorney Lucchesi disclosed there were no reportable actions.

A. Call to Order / Roll Call

The Regular City Council meeting of December 6, 2023, was called to order by Mayor Hothi at 7:01 p.m.

Present: Council Member Bregman, Council Member Nakanishi, Council Member Yepez, Mayor Pro Tempore Craig, and Mayor Hothi

Absent: None

Also Present: Interim City Manager Keys, City Attorney Lucchesi, and City Clerk Nashed

B. Presentations

B.1 Presentation of Mayor's Community Service Award (CLK)

Mayor Hothi presented a key to the City to Steve Schwabauer, former City of Lodi City Manager, and to Dave Phillips, of Michael David Winery.

B.2 Presentation to Retiring Members of Boards, Committees, Commissions, and Task Forces (CLK)

Mayor Hothi acknowledged retiring members of Boards, Committees, Commissions, and Task Forces in appreciation for their service: Lodi Arts Commission - Jateen Bhakta and Jesse Hanes; Parks and Recreation Commission - William Mitchell; Greater Lodi Area Youth Commission - Matthew Gobel and Reed Waters; and Lodi Improvement Committee - Ian Scott. Mayor Hothi presented a proclamation to Jack Fiori in honor of his 37 years of service on the San Joaquin County Mosquito and Vector Control District.

B.3 Presentation of Proclamation Honoring Lodi Police Department's Partners Program for 30 Years of Service to the Community (PD)

Mayor Hothi presented a proclamation to members of the Lodi Police Department's Partners in recognition of the program's thirty years of service to the Lodi community.

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

Council Member Nakanishi made a motion, second by Council Member Bregman, 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 Bregman, Council Member Nakanishi, Council Member Yepez, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

C.1 Receive Register of Claims for October 27, 2023 through November 16, 2023 in the Total Amount of \$6,454,348.10 (FIN)

Claims were approved in the amount of \$6,454,348.10.

C.2 Approve Minutes

a) September 6, 2023 (Regular Meeting)

b) September 26, 2023 (Special Meeting)

- c) October 3, 2023 (Shirtsleeve Session)
- d) October 10, 2023 (Shirtsleeve Session)
- e) November 14, 2023 (Shirtsleeve Session)

The minutes of September 6, 2023 (Regular Meeting), September 26, 2023 (Special Meeting), October 3, 2023 (Shirtsleeve Session), October 10, 2023 (Shirtsleeve Session), November 14, 2023 (Shirtsleeve Session), November 21, 2023 (Shirtsleeve Session), and November 28, 2023 (Shirtsleeve Session) were approved as written.

C.3 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement with Renne Public Management Group to Facilitate a Council Workshop (\$17,250) (CM)

Adopted Resolution No. 2023-261 authorizing the City Manager to execute a Professional Services Agreement with Renne Public Management Group to facilitate a Council workshop, in the amount of \$17,250.

C.4 Approve Lodi Tourism Business Improvement District (LTBID) 2023 Annual Report (FIN)

This item was pulled at the request of Mayor Pro Tempore Craig.

Mayor Pro Tempore Craig thanked Nancy Beckman and Visit Lodi! for their work in producing the report and acknowledged their work throughout the year.

This item was included in the vote for the Consent Calendar.

Approved the Lodi Tourism Business Improvement District (LTBID) 2023 Annual Report.

C.5 Adopt Resolution Authorizing City Manager to Execute a Five-Year Professional Services Agreement with Ray Klein, Inc., dba Professional Credit, of Springfield, Oregon, to Provide Debt Collections Services (Not to Exceed \$1,500,000) (FIN)

This item was pulled at the request of Council Member Bregman.

In response to Council Member Bregman, Interim City Manager Keys provided information on the scope of service provided in the Professional Services Agreement with Ray Klein, Inc.

This item was included in the vote for the Consent Calendar.

Adopted Resolution No. 2023-262 authorizing the City Manager to execute a five-year Professional Services Agreement with Ray Klein, Inc., dba Professional Credit, of Springfield, Oregon, to provide debt collections services, in an amount not to exceed \$1,500,000.

C.6 Adopt Resolution Authorizing City Manager to Execute Amendment No. 4 to Professional Services Agreement with Pre-Sort Center of Stockton, Inc., for Print, Fold, Insert, and Postage (\$160,000) (FIN)

This item was pulled at the request of Mayor Pro Tempore Craig.

Mayor Pro Tempore Craig asked for information to be distributed to City Council regarding the use of local businesses for City contracts.

This item was included in the vote for the Consent Calendar.

Adopted Resolution No. 2023-263 authorizing the City Manager to execute Amendment No. 4 to the Professional Services Agreement with Pre-Sort Center of Stockton, Inc., for print, fold, insert, and postage, in the amount of \$160,000.

- C.7** Adopt Resolution Approving Purchase of Dell Computer Equipment for Annual Computer Refresh Project from Dell Technologies, Inc., of Round Rock, Texas, Utilizing National Association of State Procurement Officials Contract MNWNC 7-15-70-34-003 (not to exceed \$90,000) (ISD - IT)

Adopted Resolution No. 2023-264 approving the purchase of Dell computer equipment for the annual computer refresh project from Dell Technologies, Inc., of Round Rock, Texas, utilizing the National Association of State Procurement Officials Contract MNWNC 7-15-70-34-003, in an amount not to exceed \$90,000.

- C.8** 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 the City of Lodi and Appropriating Funds (\$113,000) (PD)

Adopted Resolution No. 2023-265 authorizing the Lodi Police Department to participate in the Selective Traffic Enforcement Program Grant funded by the Office of Traffic Safety, authorizing the City Manager to execute grant documents on behalf of the City of Lodi, and appropriating funds in the amount of \$113,000.

- C.9** Adopt Resolution Authorizing City Manager to Accept Donation from Lodi Fire Foundation for Purchase of Two Extractors (\$21,000) (FD)

Adopted Resolution No. 2023-266 authorizing the City Manager to accept a donation from Lodi Fire Foundation for the purchase of two extractors, in the amount of \$21,000.

- C.10** Adopt Resolution Authorizing City Manager to Execute Three-Year Professional Services Agreement with Evergreen Job and Safety, Incorporated, of Roseville, for Lodi Electric Utility Safety Training Services (Not To Exceed \$100,000) (EU)

Adopted Resolution No. 2023-267 authorizing the City Manager to execute a three-year Professional Services Agreement with Evergreen Job and Safety, Incorporated, of Roseville, for Lodi Electric Utility safety training services, in an amount not to exceed \$100,000.

- C.11** Adopt Resolution Ratifying Expenditures and Amendment No. 1 to Professional Services Agreement with Clean Power Research, LLC of Napa for Annual Renewal of PowerClerk Software Program Application and Subscription (\$40,300) (EU)

Adopted Resolution No. 2023-268 ratifying expenditures and Amendment No. 1 to the Professional Services Agreement with Clean Power Research, LLC, of Napa, for the annual renewal of the PowerClerk Software Program application and subscription, in the amount of \$40,300.

- C.12** Adopt Resolution Approving Participation and Allocation of Funding for Regional Early Action Planning (REAP) 2.0 Grant Funds Awarded to San Joaquin Council of Governments (SJCOG) on Behalf of San Joaquin Valley Regional Early Action Planning Committee Member Agencies, Authorizing Community Development Department to Submit Application to Accept REAP 2.0 Grant Funds Allocated to City of Lodi to Support Production of Housing and Increase Opportunities for Very-Low Income Households, Authorizing City Manager to Execute Subrecipient Agreement in a Form Acceptable by City Attorney, Accepting and Appropriating REAP 2.0 Allocation (\$506,170), and Authorizing City Manager to Execute Agreements up to Award Amount (\$506,170) (CD)

Adopted Resolution No. 2023-269 approving the participation and allocation of funding for

Regional Early Action Planning (REAP) 2.0 grant funds awarded to the San Joaquin Council of Governments (SJCOG) on behalf of the San Joaquin Valley Regional Early Action Planning Committee member agencies, authorizing the Community Development Department to submit an application to accept REAP 2.0 grant funds allocated to the City of Lodi to support production of housing and increase opportunities for very-low income households, authorizing the City Manager to execute the Subrecipient Agreement in a form acceptable by the City Attorney, accepting and appropriating REAP 2.0 allocation, in the amount of \$506,170, and authorizing the City Manager to execute the agreements up to an award amount of \$506,170.

C.13 Adopt Resolution Appropriating Funds for Vehicle Purchase for Facilities (\$35,000) (PW)

Adopted Resolution No. 2023-270 appropriating funds for a vehicle purchase for the Facilities Division, in the amount of \$35,000.

C.14 Adopt Resolution Authorizing \$355,000 of Additional City Manager Change Order Authority to 2021-2023 Tree Maintenance Contract with West Coast Arborists, Inc., of Anaheim, and Appropriating Funds (\$30,000) (PW)

Adopted Resolution No. 2023-271 authorizing \$355,000 of additional City Manager change order authority to the 2021-2023 Tree Maintenance contract with West Coast Arborists, Inc., of Anaheim, and appropriating funds, in the amount of \$30,000.

C.15 Accept Improvements Under Contract for 2023 Pavement Resurfacing Project (PW)

This item was pulled by staff.

C.16 Approve Plans and Specifications and Authorize Advertisement for Bids for Phase 2 of the Lodi Indoor Gun Range Remodel Project (PW)

Approved plans and specifications and authorized advertisement for bids for Phase 2 of the Lodi Indoor Gun Range Remodel Project.

C.17 Appoint Donald Bradford to the Parks and Recreation Commission and Andrew Crete to the Lodi Arts Commission and Post for One Vacancy on the Lodi Improvement Committee and One Vacancy on the San Joaquin County Mosquito and Vector Control District (CLK)

Directed the City Clerk to make the following appointments and post for the following vacancies.

APPOINTMENTS:

Parks and Recreation Commission

Donald Bradford – Term to expire June 30, 2027

Lodi Arts Commission

Andrew Crete - Term to expire July 1, 2026

POSTINGS:

Lodi Improvement Committee

Ian Scott - Term to expire March 31, 2025

San Joaquin County Mosquito and Vector Control District

Jack Fiori - Term to expire December 31, 2025

- C.18** Set Public Hearing for December 20, 2023, to Consider Resolution Amending General Plan Map from Industrial to Mixed Use Corridor, and Consider Introducing Ordinance Amending Zoning Map from Industrial (M) to Mixed Use Corridor (MCO) for Approximately 1.01 Acres at 700 East Pine Street, Lodi, CA, APN: 043-230-25 (Applicant: Dave Lagorio (PL2023-033 and PL2023-034); CEQA Determination: Exempt per California Environmental Quality Act ("CEQA") Guidelines Section 15301(e)(2) - Existing Facilities) (CD)

Set a public hearing for December 20, 2023, to consider a resolution amending the General Plan Map from Industrial to Mixed Use Corridor, and consider introducing an ordinance amending the Zoning Map from Industrial (M) to Mixed Use Corridor (MCO) for approximately 1.01 acres at 700 East Pine Street, Lodi, CA, APN: 043-230-25 (Applicant: Dave Lagorio (PL2023-033 and PL2023-034).

D. Comments by the Public on Non-Agenda Items

Ryan Ranchhod, of American Hospitality Services, spoke regarding the Transient Occupancy Tax.

Nancy Beckman, CEO of Visit Lodi! Conference and Visitors Center, spoke regarding the Transient Occupancy Tax.

Russ Munson, of Wine and Roses, provided supplemental documents and spoke regarding the Transient Occupancy Tax.

J.P. Doucette, President of the Lodi Chamber of Commerce, spoke regarding the Transient Occupancy Tax, Downtown holiday decorations, and the City's use of local businesses for purchases.

John Slaughterback, a local resident, spoke regarding missing video for the November 15, 2023, City Council meeting, difficulty reaching City staff, and lack of safety for employees working in the roadway.

J.D., a local resident, spoke regarding ideas for the recognition of the Japanese community in the area of Main Street.

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

Mayor Pro Tempore Craig spoke regarding attendance at the San Joaquin Council of Governments meeting where the hydrogen hub project was chosen as the One Voice project. She thanked Interim City Manager Keys and Electric Utility Director Jeff Berkheimer for their attendance at the San Joaquin Regional Rail Commission meeting concerning the hydrogen hub project.

In response to Council Member Yopez, Interim City Manager Keys spoke regarding tracking and responding to incoming calls to City departments.

Council Member Nakanishi spoke regarding the ribbon cutting for the Turner Road and Highway 99 interchange.

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

Interim City Manager Keys spoke regarding Council Strategic Vision update, DeBenedetti Park update, Public Safety's new community service reference guide, Lodi Youth Commission's recent Pigskin Fall Ball, and recognition of Assistant City Clerk Pam Farris for her retirement after 30 years of service to the City of Lodi.

G. Public Hearings

G.1 Public Hearing to Consider Adopting Resolution Setting San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2024 (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 Hothi called for the public hearing to consider adopting a resolution setting San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2024.

Community Development Deputy Director Cynthia Marsh provided a PowerPoint presentation regarding the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees. Specific topics of discussion included background, San Joaquin Council of Governments Board approval of fee schedule, the decrease in per acre fees due to the decline in land acquisition values, and recommended action.

Mayor Hothi opened the public hearing at 8:02 p.m.

There being no public comments, Mayor Hothi closed the public hearing at 8:03 p.m.

A motion was made by Council Member Nakanishi, seconded by Council Member Bregman, to adopt Resolution No. 2023-272 setting San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2024.

H. Regular Calendar

H.1 Mayor Pro Tempore Lisa Craig's Request to Consider Adopting Resolution Directing the City Manager to Temporarily Increase the Time Limit from 90-Minute to 4-Hour Parking Without Penalty for the 2023 Winter Holiday at Posted Parking Spaces in Downtown Lodi to Encourage Residents and Visitors to Visit and Buy from Local Retailers and Downtown Businesses

Mayor Pro Tempore Craig provided information regarding the temporarily increase in the time limit from 90-minute to 4-hour parking for the 2023 winter holiday at posted parking spaces in Downtown Lodi. She stated the item was brought forth due to concerns raised by Downtown retailers and that the temporary increase in the time limit was supported by shoppers and business owners with whom she had spoken.

Council Member Nakanishi expressed support for the proposal.

David Claxton, President of the Downtown Business Alliance (DBA), spoke on behalf of the DBA, expressing appreciation for the City's support. Mr. Claxton then spoke as a private citizen, expressing his support of the proposal.

JP Doucette, President of the Lodi Chamber of Commerce, spoke in favor of the proposal.

Interim City Manager Keys spoke regarding the availability of free extended parking at the Downtown parking structure.

Nancy Beckman, CEO of Visit Lodi! Conference and Visitors Center, spoke in favor of the proposal.

Mayor Hothi expressed his support of the proposal.

Mayor Pro Tempore Craig spoke regarding the parking information being added to the Downtown Specific Plan.

A motion was made by Council Member Nakanishi, seconded by Council Member Bregman, to adopt Resolution No. 23-273 directing the City Manager to temporarily increase the time limit from 90-minute to 4-hour parking without penalty for the 2023 winter holiday at posted parking spaces in Downtown Lodi to encourage residents and visitors to visit and buy from local retailers and Downtown businesses.

I. Ordinances - None

J. Reorganization

J.1 Presentation to Outgoing Mayor and Reorganization of the Lodi City Council (CLK)

Interim City Manager Keys presented outgoing Mayor Hothi with a plaque in appreciation of his dedicated service to the community.

City Clerk Nashed, serving as Chair, conducted the election for the office of Mayor as follows:

NOMINATION(S) FOR MAYOR / VOTE

Mayor Hothi, seconded by Council Member Bregman, nominated Mayor Pro Tempore Craig for the office of Mayor.

There being no further nominations for the office of Mayor, the nominations were closed.

Resolution No. 2023-274 electing Mayor Pro Tempore Craig for the position of Mayor carried by the following vote:

Ayes: Council Member Bregman, Council Member Nakanishi, Council Member Yepez, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

ROLL CALL VOTE

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

City Clerk Nashed turned over the gavel to newly-elected Mayor Craig who then conducted the election for the office of Mayor Pro Tempore.

NOMINATION(S) FOR MAYOR PRO TEMPORE / VOTE:

Mayor Craig, seconded by Council Member Hothi, nominated Council Member Bregman for the office of Mayor Pro Tempore.

There being no further nominations for the office of Mayor Pro Tempore, the nominations were closed.

Resolution No. 2023-275 electing Council Member Bregman for the office of Mayor Pro Tempore carried by the following vote:

Ayes: Council Member Hothi, Council Member Bregman, Council Member Nakanishi, Council Member Yepez, and Mayor Craig

Noes: None

Absent: None

ROLL CALL VOTE

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

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:03 p.m.

ATTEST:

Olivia Nashed
City Clerk

DRAFT