

**LODI CITY COUNCIL
REGULAR MEETING
CARNEGIE FORUM
305 WEST PINE STREET, LODI
WEDNESDAY, FEBRUARY 7, 2024 – 6:30 P.M.**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of February 7, 2024, was called to order by Mayor Craig at 6:35 p.m.

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

Absent: Council Member Hothi

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

NOTE: Council Member Hothi arrived at 6:47 p.m.

C-2 Announcement of Closed Session

- a) Public Employment – Regarding One Position – Conference with Human Resources Manager Adele Post Regarding Recruitment of City Manager Pursuant to Government Code §54957 (CA)
- b) Conference with Legal Counsel - Threatened Litigation pursuant to Gov. Code § 54956.9(d)(2). One case. Claim by Aline Galeno, Reyna Galeno, Anna Marques, and Birgilio Galeno based on the death of their dog known as Enzo (CA)
- c) Conference with Legal Counsel – Anticipated Litigation pursuant to Gov. Code § 54956.9(d)(2): (Employee Line of Duty Death - Benjamin Gloff, Workers' Compensation Claim No. COL240005) (CA)

C-3 Adjourn to Closed Session

At 6:36 p.m., Mayor Craig adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 7:11 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:11 p.m., Mayor Craig reconvened the City Council meeting, and City Attorney Lucchesi disclosed that there was no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of February 7, 2024, was called to order by Mayor Craig at 7:11 p.m.

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

Absent: None

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

B. Presentations

B.1 Helping One Woman Certificate of Recognition (CLK)

At the request of staff, this item was pulled from the agenda and moved to the agenda of February 21, 2024.

B.2 Black History Month Proclamation (CLK)

Mayor Craig and Nancy Mellor, of the Lodi Arts Commission, presented Literacy and Programs Manager Yvette Herrera with a proclamation proclaiming February 2024 as Black History Month in the City of Lodi and recognizing the Lodi Public Library for hosting educational events in honor of Black History Month, particularly the artwork of Alma Thomas, a prominent African American artist and high school art teacher.

B.3 Exemplary Cooperative Spirit in Public Safety Certificates of Recognition (CLK)

Mayor Craig presented Exemplary Cooperative Spirit in Public Safety Certificates of Recognition to Chief Ricardo Garcia, representing the Lodi Police Department; Chief Ken Johnson, representing the Lodi Fire Department; and Electric Utility Director Jeff Berkheimer, representing the Electric Utility Department.

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

A motion was made by Mayor Pro Tempore Bregman, seconded by Council Member Nakanishi, 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 Nakanishi, Council Member Yopez, Mayor Pro Tempore Bregman, and Mayor Craig

Noes: None

Absent: None

C.1 Receive Register of Claims for December 29, 2023 through January 18, 2024 in the Total Amount of \$6,739,131.33 (FIN)

Claims were approved in the amount of \$6,739,131.33.

C.2 Accept Quarterly Report of Purchases between \$30,000 and \$60,000 (FIN)

Accepted the Quarterly Report of Purchases between \$30,000 and \$60,000.

C.3 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.4 Adopt a Resolution Authorizing Interim City Manager to Execute Amendment No. 2 to Professional Service Agreement with A1 Protective Services, LLC, of Rancho Cordova, Adding Liquidated Damages And Additional Funds (\$2,456,000) (FIN)

This item was pulled at the request of Council Member Yepez. In response to Council Member Yepez, Interim City Manager Keys provided information on the scope of services and outreach in the area of the Access Center.

Mayor Pro Tempore Bregman stated his support of the Ambassador Program and concurred that distribution of flyers in the Access Center area would be beneficial.

In response to Council Member Nakanishi, Interim City Manager Keys provided information on the services provided by the Ambassador Program.

Mayor Craig clarified that payment for the Ambassador Program is included in the General Fund budget and does not utilize grant funds.

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

Adopted Resolution No. 2024-10 authorizing the Interim City Manager to execute Amendment No. 2 to the Professional Service Agreement with A1 Protective Services, LLC, of Rancho Cordova, adding liquidated damages and additional funds, in the amount of \$2,456,000.

C.5 Fourth Quarter Fiscal Year 2023/24 City Council's Strategic Vision Priorities and Milestone Updates (CM)

Received the Fourth Quarter Fiscal Year 2023/24 City Council's Strategic Vision Priorities and Milestone updates.

C.6 Adopt a Resolution Authorizing Interim City Manager to Execute Agreement with Clifford Moss, LLC, of Oakland, for Public Communications and Election Feasibility for Possible 2024 Revenue Measure (\$65,000) (CM)

This item was pulled at the request of Interim City Manager Keys to provide an opportunity for Council discussion.

In response to City Council questions, Interim City Manager Keys and City Attorney Lucchesi provided information regarding funding for this item, the need for the measure due to loss of business license tax revenue, the scope of services included in the agreement, the Transient Occupancy Tax (TOT) process, the Lodi TOT in comparison to other local communities, the lack of a TOT increase since inception, budget shortfall details, and the possibility of adding other taxes.

Mayor Pro Tempore Bregman stated that while he is in opposition to further taxation of citizens, he is supportive of the TOT increase.

Council Member Yepez stated a TOT increase could discourage the use of the hotels in Lodi.

Mayor Craig spoke in opposition to pursuing a TOT increase at this time.

Council Member Hothi spoke in support of polling the community regarding interest in a TOT increase to meet the budget shortfall.

Mayor Pro Tempore Bregman spoke in favor of pursuing the TOT enhancement.

Council Member Hothi made a motion, second by Mayor Pro Tempore Bregman, to adopt a resolution authorizing the Interim City Manager to execute an agreement with Clifford Moss, LLC, of Oakland, for public communications and election feasibility for possible 2024

revenue measure, in the amount of \$65,000.

VOTE:

The above motion failed by the following vote:

Ayes: Council Member Hothi and Mayor Pro Tempore Bregman
Noes: Council Member Nakanishi, Council Member Yepez, and Mayor Craig
Absent: None

C.7 Adopt a Resolution Approving City of Lodi Pay Schedule Dated February 7, 2024 (HR)

Adopted Resolution No. 2024-11 approving the City of Lodi Pay Schedule dated February 7, 2024.

C.8 Adopt a Resolution Approving Renewal of Chiropractic Benefit Administration Agreement with Landmark Healthplan of California, and Authorizing the Interim City Manager to Execute Agreement (HR)

Adopted Resolution No. 2024-12 approving the renewal of Chiropractic Benefit Administration Agreement with Landmark Healthplan of California, and authorizing the Interim City Manager to execute the agreement.

C.9 Adopt a Resolution Authorizing Change Order to Purchase of One Bucket Truck Mounted on 2022 Ford F-550 Chassis from Altec Industries, Inc. of Dixon (\$11,000) (EU)

Adopted Resolution No. 2024-13 authorizing a change order to purchase one bucket truck mounted on a 2022 Ford F-550 chassis from Altec Industries, Inc., of Dixon, in the amount of \$11,000.

C.10 Adopt a Resolution Authorizing Interim City Manager to Execute Amendment No. 1 to Professional Services Agreement with Power Engineers, Incorporated of Hailey, ID for Utility Network Implementation Services (\$125,000) and a Total Contract Not to Exceed (\$350,000) (EU)

Adopted Resolution No. 2024-14 authorizing the Interim City Manager to execute Amendment No. 1 to the Professional Services Agreement with Power Engineers, Incorporated, of Hailey, Idaho, for utility network implementation services, in the amount of \$125,000, and a total contract not to exceed \$350,000.

C.11 Adopt a Resolution Authorizing the Interim City Manager to Accept a Donation from the Lodi Fire Foundation for an iSimulate Monitor in the Amount of \$10,385 (FD)

Adopted Resolution No. 2024-15 authorizing the Interim City Manager to accept a donation from the Lodi Fire Foundation for an iSimulate monitor in the amount of \$10,385.

C.12 Adopt a Resolution Accepting City of Lodi GrapeLine Fixed Route Service Levels and General Public Dial-A-Ride/ADA Paratransit Policy Changes (PW)

Adopted Resolution No. 2024-16 accepting the City of Lodi GrapeLine Fixed Route service levels and General Public Dial-A-Ride/ADA Paratransit policy changes.

C.13 Adopt a Resolution Appropriating Funds for Replacement of Gasoline and Diesel Fuel Dispenser (\$35,000) (PW)

Adopted Resolution No. 2024-17 appropriating funds for the replacement of the gasoline and diesel fuel dispenser, in the amount of \$35,000.

- C.14** Adopt a Resolution Authorizing Interim City Manager to Execute a Three-Year Professional Services Agreement with O'Dell Engineering, Inc. of Modesto, for On-call Landscape Architecture Services (Not-to-Exceed \$100,000) (PW)

Adopted Resolution No. 2024-18 authorizing the Interim City Manager to execute a three-year Professional Services Agreement with O'Dell Engineering, Inc., of Modesto, for on-call landscape architecture services, in an amount not to exceed \$100,000.

- C.15** Approve Specifications and Authorize Advertisement for Bids for 2024 Downtown Concrete Cleaning and Adopt a Resolution Authorizing City Manager to Award Contract to Lowest Responsive Bidder (\$30,000), Execute Change Orders (\$3,000), and Appropriating Funds (\$3,000) (PW)

Approved the specifications and authorized advertisement for bids for the 2024 Downtown Concrete Cleaning and adopted Resolution No. 2024-19 authorizing the City Manager to award the contract to the lowest responsive bidder, in an amount not to exceed \$30,000, execute change orders in an amount not to exceed \$3,000, and appropriating funds in the amount of \$3,000.

- C.16** Accept Improvements Under Contract for Blakely Park - Enze Pool Shallow End Adjustment (PW)

Accepted improvements under the contract for the Blakely Park - Enze Pool Shallow End Adjustment.

- C.17** Quarterly Update from the Community Improvement Division of the Community Development Department (CD)

Received the Quarterly Update from the Community Improvement Division of the Community Development Department.

- C.18** Set a Public Hearing for February 21, 2024, to Consider Introducing Ordinance Amending Lodi Municipal Code Title 3 (Revenue and Finance), Chapter 3.01 (Business Tax Certification) (FIN)

Set a public hearing for February 21, 2024, to consider introducing an ordinance amending Lodi Municipal Code Title 3 (Revenue and Finance), Chapter 3.01 (Business Tax Certification).

D. Comments by the Public on Non-Agenda Items

Former Congressman Jerry McNerney announced his candidacy for State Senate.

Lyndsy Davis, a member of the public, spoke regarding traffic issues on South Central Avenue.

Donna Ramacciotti, a member of the public, spoke regarding the homeless encampment on Cherokee Lane.

Robby Van Arsdale, a member of the public, provided supplemental documents and spoke regarding pedestrian alleyways and traffic issues on South Central Avenue.

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

Mayor Craig spoke regarding attendance at the Mayor and Council Member Academy.

Mayor Pro Tempore Bregman noted that he and Council Member Hothi lobbied on behalf of the NCPA for the hydrogen hub.

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

Interim City Manager Keys provided the Standing Citywide Initiatives Report and thanked Business Development Manager Astrida Trupovnieks for her work on the Hometown Microloan Project, the Lodi Professional Firefighters Association for inviting him to their recent training exercise, and Human Resources Analyst Nancy Ramirez for her exceptional service.

G. Public Hearings - None

H. Regular Calendar

H.1 Consider Adopting a Resolution Establishing an Economic Development Ad Hoc Committee, Setting Committee Objectives, Establishing Guidelines for Appointment and Authorizing the City Clerk to Advertise for Vacancies on the Committee (CM)

Interim City Manager Keys provided a presentation regarding the establishment of an Economic Development Ad Hoc Committee. Specific topics of discussion included background, Committee objectives and term, Committee make up, recommended action, and next steps.

In response to Council Member Yepez, Interim City Manager Keys confirmed that a Council Member may appoint a committee member who lives outside of the Council Member's district.

Mayor Craig spoke in favor of the two Council Members serving on the Committee being non-voting ex-officio members, which would leave those Council Members free to appoint Committee members from the community.

City Attorney Lucchesi verified that Mayor Craig was in favor of a nine-member Committee, with two being non-voting ex-officio members.

Council Member Nakanishi and Council Member Yepez voiced their support.

A motion was made by Council Member Nakanishi, seconded by Mayor Pro Tempore Bregman, to adopt Resolution No. 2024-20 establishing an Economic Development Ad Hoc Committee, setting Committee objectives, establishing guidelines for appointment including the Mayor's amendment, authorizing the City Clerk to advertise for vacancies on the Committee, and authorizing the City Attorney to make clarifying corrections to the draft resolution.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

I. Ordinances - None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:42 p.m.

ATTEST:

Olivia Nashed
City Clerk

DRAFT