

**MINUTES
CITY OF LINCOLN
CITY COUNCIL, PUBLIC FINANCE AUTHORITY
and REDEVELOPMENT SUCCESSOR AGENCY
REGULAR MEETING 12/10/2019**

INVOCATION led by Pastor Gresford Thomas, Amazing Grace Seventh Day Adventist Church.

1. **CALL TO ORDER** by Mayor Joiner at 6:00PM
2. **ROLL CALL Present:** Councilmember Andreatta, Councilmember Gilbert, Councilmember Karleskint, Councilmember Silhi and Mayor Joiner.

Various Staff and Members of the public were also present.

3. **REPORT FROM CLOSED SESSION:** None
4. **PLEDGE OF ALLEGIANCE:** Public Safety Chief, Doug Lee
5. **AGENDA MODIFICATIONS:** None
6. **PRESENTATIONS:** Deputy City Clerk administered *Oath of Office* to In-Coming Mayor Dan Karleskint and Vice Mayor Peter Gilbert.

7. PUBLIC COMMENT ON NON-AGENDA ITEMS

- a) Stan Nader of Lincoln spoke in support of the Lincoln Theatre Company.
- b) Peggy Schechter of Lincoln presented the Annual Report from the Lincoln Theater Company.
- c) Paul Schechter of Lincoln spoke in support of the Lincoln Theatre Company.
- d) Albert Scheiber of Lincoln inquired as to the status of the Tax Sharing negotiations with Placer County and asked why the City was concerned about the Sunset Project recently approved by the Placer County Board of Supervisors. His questions were briefly answered.
- e) Dawn Maurer of Citrus Heights spoke in support of the Lincoln Theatre Company.

8. CONSENT

ITEMS PULLED FROM CONSENT: 8G, 8Q, 8R and 8T.

Motioned by Councilmember Gilbert and Seconded by Councilmember Joiner to approve the balance of the Consent Agenda. ***By the following Vote (Approved): Gilbert– Aye, Karleskint – Aye, Andreatta – Aye, Silhi- Aye and Joiner – Aye - the balance of the consent agenda. Those items approved were:***

8.A. **Approval of Minutes** of the November 5, 2019 Strategic Retreat and November 12, 2019 Regular City Council meetings.

8.B. **Receive and file Contract Report**, identifying contracts, task order and purchase orders executed by the City Manager and filed in the Office of the City Clerk by November 18, 2019.

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- 8.C. **Receive and file Financial Statements** for the period ending September 20, 2019.
- 8.D. **Receive and File Budget to Actual Summary Report** by Fund for 1st Quarter 2019/2020.
- 8.E. **Receive and file Treasurer's Report** for the period ending September, 30, 2019.
- 8.F. Adopt **RESOLUTION 2019-267** accepting the Warrants of November 7, 14 and 27, 2019 to be placed on file with the City Clerk and available for audit.
- 8.H. Adopt **RESOLUTION 2019-269** accepting the Water Distribution Rehabilitation Project – Glen Edwards Middle School as complete and authorize the City Clerk to file the Notice of Completion with the Placer County Recorder.
- 8.I. Adopt **RESOLUTION 2019-270** accepting the Lincoln Crosswalk Enhancements at Various Locations Project as complete and authorize the City Clerk to file the Notice of Completion with the Placer County Recorder.
- 8.J. Adopt **RESOLUTION 2019-271** accepting the Nicolaus Road Street Lighting Project as complete and authorize the City Clerk to file the Notice of Completion with the Placer County Recorder.
- 8.K. Adopt **RESOLUTION 2019-272** accepting the Solid Waste Meeting Room Addition, CIP 277, as complete and authorize the City Clerk to file the Notice of Completion with the Placer County Recorder.
- 8.L. Adopt **RESOLUTION 2019-273** approving the plans and technical specifications and authorizing the Engineering Division to proceed with the bidding process for the construction of the Lincoln Boulevard Project, CIP 333.
- 8.M. Adopt **RESOLUTION 2019-274** approving the improvement plans and technical specifications and authorizing the Engineering Division to proceed with the bidding process for the construction of the East Avenue Waterline Replacement Project, in East Avenue, A Street, 5th and 7th Streets, CIP 455.
- 8.N. Adopt **RESOLUTION 2019-275** authorizing the City Manager to execute Contract Amendment No. 1 to the Closed Lincoln Landfill Ongoing Monitoring and Maintenance Project Professional Services Agreement with ATC Group Services to purchase and install four remote telemetry stations for the Closed Lincoln Landfill for an additional contract amount of \$10,600.
- 8.O. Adopt **RESOLUTION 2019-276** approving a budget augmentation from the unencumbered balance of Fund 720: Wastewater Entitlement Fund in the amount of \$24,525 and adopt a resolution authorizing the City Manager to execute a Task Order with Coastland Civil Engineering in the amount of \$24,525 for General Sewer Operation Support Services.
- 8.P. Adopt **RESOLUTION 2019-277** authorizing the City Manager to execute Amendment No.2 extending the contract term to December 31, 2021 to the Professional Services Agreement with Mark Thomas & Company, for engineering, environmental documentation and bid support services for the Lincoln Boulevard Phase 3 Improvements Project. No fiscal impact.
- 8.S. Adopt **RESOLUTION 2019-280** authorizing the City Manager to approve the First Amendment to the Site Lease Agreement with Lincoln Solar Star, LLC as a part of the Power Purchase Agreement (PPA) for providing solar powered energy for the City of Lincoln Wastewater Treatment and Reclamation Facility (WWTRF).

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8.U. Adopt **RESOLUTION 2019-282** approving changes to the salary schedules for unrepresented classifications, seasonal classifications and the Classified, Local 39 employee group. Changes for the unrepresented classifications and Classified, Local 39 employee group are administrative updates and have no fiscal impact; changes for the seasonal classifications are a result of mandated increases to the California Minimum Wage as given in Senate Bill 3 (SB 3) and have an estimated fiscal impact of \$16,700.

8.V. Adopt **RESOLUTION 2019-283** approving the Side Letters to add Martin Luther King Jr. Day as a City paid holiday. The Side Letters are between the City of Lincoln and the Mid-Management/Confidential and the Professional/Administrative, Local 39 employee groups. The fiscal impact is estimated to be less than \$5,000. Any associated cost will be absorbed by individual department budgets.

8.W. Adopt **RESOLUTION 2019-284**: (1) Approving a budget augmentation of \$22,000 to the CIP T012 – Integrated Library System Migration budget from the unencumbered balance of Fund 244 – Library PFE; and (2) Authorizing the City Manager or designee to execute a five-year contract with Innovative Interfaces, Inc. for the Polaris hosted integrated library system, not to exceed \$141,383.

8.X. Adopt **RESOLUTION 2019-285** authorizing the City Manager to approve a joint purchase fuel contract with Ramos Oil Co., Inc. under an agreement created by the Sacramento Area Council of Governments (SACOG).

8.Y. Adopt **RESOLUTION 2019-286** authorizing the City Manager to execute a Task Order Amendment Bennett Engineering Services for additional design services in the amount of \$29,996 and to execute a Task Order Amendment with Coastland Engineering for project management services in the amount of \$42,000 for the Tank #3 at Verdera North Project CIP 377.

8.Z. Adopt **RESOLUTION 2019-287** authorizing: (1) the addition of one position (Assistant Engineer I) to the Community Development Department; and (2) the amendment of the Annual Budget for Fiscal Year 2019/2020 to increase the approved budget for Fund 248 Development Services in the amount of in the amount of \$35,000, to be paid for from the unencumbered balance of Fund 248. The unencumbered balance of Fund 248 is projected to be \$2,632,776, and the costs associated with this position are cost recoverable through direct billing of staff time and overhead charges.

8.AA. (1) Review and approve the application for public fireworks display; and (2) Adopt a **RESOLUTION 2019-288** authorizing the Public Safety Chief to issue a permit to Sun City Lincoln Hills for a public fireworks display on December 31, 2019 in accordance with Lincoln Municipal Code 8.32.220.

8.AB. Adopt **RESOLUTION 2019-289** authorizing the revision of the classification of one of the approved Account Clerk positions within the Finance Department to the classification of Accountant.

ITEMS PULLED FROM CONSENT:

8.G. Committee Appointments

Item was pulled from Consent by Councilmember Silhi to increase public awareness of the shift in some Regional Committee assignments. Byron Chapman of Lincoln expressed concern that there was a long term vacancy on the City's Accessibility Advisory Committee and that meetings had not been occurring on a regular basis. Motioned by Councilman Gilbert and Seconded by Councilmember

Joiner to adopt the resolution as presented. Item approved unanimously. Councilmember Karleskint motioned approval of the first resolution associated with this item and the motion was seconded by

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Councilmember Gilbert. **By the following Vote (Approved):** Gilbert – Aye, Joiner – Aye, Andreatta- Aye, Silhi – Aye and Karleskint – Aye - **RESOLUTION 2019-268** approving the appointments to the City of Lincoln committees, commission and boards and the external joint power agencies, regional boards, and committees.

8.Q. **McBean Stadium Netting**

Item was pulled by Byron Chapman of Lincoln who expressed concern that the Stadium was not yet fully ADA compliant. Staff assured Mr. Chapman and Council that the Stadium is included in long range plans for accessibility upgrades. Motioned by Councilmember Gilbert and Seconded by Councilmember Silhi to approve the item. Item approved unanimously. **By the following Vote (Approved):** Gilbert – Aye, Silhi – Aye, Andreatta- Aye, Joiner – Aye and Karleskint – Aye - **RESOLUTION 2019-278** : (1) accepting a donation in the amount of \$42,348 and from a combined sponsorship of Friends of McBean Stadium, Lincoln Potters and Taylor Home Builders and augmenting CIP 446 McBean Stadium Renovation Project Phase 1 in the amount of \$42,348 for the Phase 1 improvements; (2) approving the plans and specifications for the McBean Stadium Bleacher Shade, VIP Shade and VIP Area Netting Project; (3) authorizing the City Manager to execute a contract for construction with West Coast Netting Construction Services in the amount of \$194,998; and (4) authorizing the City Engineer to approve change orders not to exceed \$10,000 for the McBean Stadium Bleacher Shade, VIP Shade and VIP Area Netting Project.

8.R. **Bullet Resistant Windows for City Hall.**

Pulled by Councilmember Andreatta who requested a brief explanation as to why this was being constructed. City Attorney response was increased number of angry people coming to front counters on first floor. Motioned by Councilmember Gilbert and Seconded by Councilmember Joiner to approve the item. **By the following Vote (Approved):** Gilbert – Aye, Joiner – Aye, Andreatta- Aye, Silhi – Aye and Karleskint – Aye - **RESOLUTION 2019-279**: (1) creating a capital improvement project CIP 460 - Bullet Resistant Windows for Utility Billing and City Manager Front Counters; (2) approving a transfer of \$65,000 from the unencumbered balance of Fund 600 General Administrative Costs Fund to Fund 620 Facility Maintenance Fund; (3) authorizing a budget augmentation in the amount of \$65,000 from the unencumbered balance of Fund 620 to CIP 460; and (4) authorizing the City Manager to approve the contract for construction for Bullet Guard bullet resistant windows for Utility Billing and City Manager customer service counters in the amount of \$57,342 and authorizing the City Engineer to approve change orders not to exceed \$6,000.

8.T. **WWTRF Conservation Easement.**

Pulled by Councilmember Gilbert who noted that there was an unfinished sentence in the Staff Report. Response by City Attorney was merely a typo and did not affect the action proposed. Motioned by Councilmember Gilbert and Seconded by Councilmember Andreatta to approve the item. Item approved unanimously. **By the following Vote (Approved):** Gilbert – Aye, Andreatta- Aye, Joiner – Aye, Silhi – Aye and Karleskint – Aye - **RESOLUTION 2019-281** authorizing the City Manager to execute an second extension of the Agreement for the Purchase and Assignment of Conservation Easement by and between the City of Lincoln (Seller) and Lincoln Land Holdings, LLC (Buyer); regarding 162± acres of City-owned land located north of the Wastewater Treatment and Reclamation Facility (WWTRF) for the development of a mitigation resource area pursuant to a conservation easement.

9. PUBLIC HEARINGS

9.A. Conduct a public hearing to receive public testimony regarding the proposed relinquishment of that portion of State Route 193 within the Village 1 specific plan area.

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El personal recomienda que el Ayuntamiento abra una audiencia pública para recibir testimonios públicos sobre la renuncia propuesta de esa parte de la Ruta Estatal 193 dentro del área del plan específico de la Aldea 1.

City Engineer/Public Works Director Ray Leftwich provided the staff report, explaining that relinquishment would enable the Development of this section of road to be developed into an arterial for the Village 1 area. Mayor Karleskint opened the public hearing at 7:00PM. Mike Motroni with Wood Rodgers, thanked Council and Staff on behalf of Elliott Homes. Public hearing was closed at 7:01PM.

9.B. **(1)** Conduct a Public Hearing to receive public testimony; and **(2)** Adopt **RESOLUTION 2019-290** approving changes to the Master Fee Schedule for User and Regulatory Fee Update.

Mr. Leftwich and Terry Madsen with Clearsource Consultants summarized the background and findings in the staff report. Brief Council discussion ensued. Public Hearing opened and closed at 7:35PM with no comments. Motioned by Councilmember Gilbert and Seconded by Councilmember Andreatta to approve the item. **By the following Vote (Approved):** Gilbert - Aye, Andreatta - Aye, Silhi - Aye, Joiner - Aye, Karleskint – Aye - **RESOLUTION 2019-290** approving changes to the Master Fee Schedule for User and Regulatory Fee Update.

9.C. **Conduct Public Hearing 2** - a hearing to receive and consider input concerning transitioning to by-district elections. The City Council is also requested to receive a presentation from National Demographics, Inc. who will provide information and criteria for the future creation of by-district maps.

City Attorney Kristine Mollenkopf and Consultant Jeff Tilton presented the staff report during which Councilmen Joiner left the room at 7:43PM and returned at 7:45PM. Staff is seeking Council direction on whether to create preliminary maps using the 5 District with Mayoral Rotation model or 4 Districts with a Mayor elected At Large.

Public Hearing was opened at 7:47PM.

- a) Bill Villanueva of Lincoln had concerns with the chosen Demographer and cited some cases in which their testimony had been stricken from the record.
- b) Lena Labowsky of Lincoln spoke in support of the 5 District model.
- c) Byron Chapman of Lincoln commented that the Mayor being the focal point of the meetings.
- d) Paul Schechter of Lincoln asked about the cost of moving to a 4 District model.

Public Hearing closed at 7:54PM. Lengthy Council discussion ensued. Mayor Karleskint left the room at 8:30PM and returned at 8:35PM. Direction was given to create preliminary maps using the 5 District model.

9.D. Waive full reading and introduce, by title only, **ORDINANCE 1002B** of the City of Lincoln amending Sections 13.04.220, 13.04.240, 13.04.242, 13.04.245, 13.04.250, and 13.04.257 to the Lincoln Municipal Code regarding shutoff of residential water service for nonpayment.

Mr. Leftwich presented the staff report, explaining that the changes were necessary due to recent changes to State laws (SB998 Water Shutoff Protection Act).

Public Hearing was opened at 8:59PM

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a) Donna Hodgson of Lincoln requested language changes to reflect other Federal Assistance programs.

Public Hearing closed at 9:01PM. Motioned by Councilman Gilbert and Seconded by Councilmember Joiner to waive reading and introduce the Ordinance. **By the following Vote (Approved):** Gilbert: Aye, Joiner: Aye, Silhi: Aye, Andreatta: Aye, Karleskint: Aye - **ORDINANCE 1002B** of the City of Lincoln amending Sections 13.04.220, 13.04.240, 13.04.242, 13.04.245, 13.04.250, and 13.04.257 to the Lincoln Municipal Code regarding shutoff of residential water service for nonpayment.

9.E. Waive full reading and introduce, by title only, **ORDINANCE 1003B** of the City of Lincoln amending Sections 13.04.160 and 13.04.360 to the Lincoln Municipal Code establishing source water connection charges.

Mr. Leftwich presented the staff report, explaining that the proposed changes were a reasonable and necessary use of excess fees collected and would be a benefit to all ratepayers. Following brief council discussion the public hearing was opened at 9:17PM.

a) Theresa Brea of Lincoln stated that refunds should be issued to those who paid any excess fees.

b) Donna Hodgson of Lincoln stated that the LIFT Group had been asking for two year for refunds of the excess fees collected.

Public hearing was closed at 9:22PM. Motioned by Councilmember Andreatta and Seconded by Councilmember Gilbert ***to continue the item to a date certain of January 14, 2020 – unanimously approved.*** Direction was given to Staff to seek an official opinion from the JLAC Audit team on the proposed action.

10. **GENERAL BUSINESS - None**

11. **COUNCIL INITIATED BUSINESS**

Councilmember Joiner announced that the Sacramento Metro Chamber had announced a window of savings for anyone interested in attending the 2020 annual Cap to Cap event.

12. **INFORMATION ITEMS - None**

13. **ADJOURNMENT**

Mayor Karleskint **ADJOURNED** the regular meeting at 9:42PM.