



LODI CITY COUNCIL
Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: May 7, 2008

Time: Closed Session 5:45 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702

***NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.*

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual Litigation: Government Code §54956.9; Three Applications; John Walker v. City of Lodi; WCAB Case Numbers STK 0156990 – 411/2000; STK 0156991 – 1/31/00; and STK 171305 – 4/11/00
- b) Actual Litigation: Government Code §54956.9(a); One Case; Sciarini v. City of Lodi, et al., San Joaquin County Superior Court, Case No. CV034596
- c) Actual Litigation: Government Code §54956.9; Calvin Wadlow v. City of Lodi; WCAB Case Number STK0189440– 1/30/2003 and 4/18/2003
- d) Prospective Acquisition of Real Property Located at 232 North Washington Street (APN #043-087-17); 242 Rush Street (APN #043-090-13); and 420 E. Lockeford Street (APN #043-202-29), Lodi, California; the Negotiating Parties are City of Lodi and Union Pacific Railroad Company; Government Code §54956.8
- e) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Association of Lodi City Employees Regarding General Services and Maintenance & Operators Pursuant to Government Code §54957.6
- f) Actual Litigation: Government Code §54956.9(a); One Case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Bill McVay, Fairmont Seventh Day Adventist Church

C. Pledge of Allegiance – Girl Scout Troop #528

D. Presentations

D-1 Awards

- a) Presentation of Police Citizens Service Awards (PD)

- D-2 Proclamations
 - a) Peace Officer Memorial Month (PD)
 - b) National Public Works Week (PW)
 - c) National Tourism Week
 - d) National Municipal Clerks Week (CLK)

D-3 Presentations – None

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

- E-1 Receive Register of Claims in the Amount of \$6,206,220.35 (FIN)
- E-2 Approve Minutes (CLK)
 - a) April 8, 2008 (Shirtsleeve Session)
 - b) April 15, 2008 (Shirtsleeve Session)
 - c) April 22, 2008 (Shirtsleeve Session)
 - d) April 29, 2008 (Shirtsleeve Session)
- E-3 Approve Specifications and Authorize Advertisement for Bids for a Hydraulic Underground Cable Puller (Replacement) (EUD)
- Res. E-4 Adopt Resolution Awarding the Purchase of a 55' Material Handling Bucket Truck to Altec Industries Inc., of Dixon, California (\$197,452.95) (EUD)
- Res. E-5 Adopt Resolution Approving Purchase of Bronze "Celebration of the Harvest" Sculpture by Rowland Cheney to be Located on the Corner of School and Oak Streets in Downtown Lodi (\$153,000) (COM)
- Res. E-6 Adopt Resolution Approving Purchase of Pergola Art Piece Titled "Better Days" by Jarrod Mays to be Located on the Corner of Lodi Avenue and Washington Street (\$86,000) (COM)
- Res. E-7 Adopt Resolution Awarding Contract for Lower Sacramento Road West Frontage Road Wastewater Pipe Improvement (Bayberry Drive to Tejon Street) to Granite Construction Company, of Watsonville (\$83,677), and Appropriating Funds (\$100,400) (PW)
- E-8 Accept Improvements under Contract for the Henry Glaves Park and Beckman Park Restroom Replacement, 2206 Oxford Way and 1426 West Century Boulevard (PR)
- Res. E-9 Adopt Resolution Approving Addendum to Improvement Agreement for Interlake Square, Tract No. 3532, to Provide One-Year Time Extension (PW)
- E-10 Approve Lodi-Woodbridge Winegrape Commission Informational Signage (PW)
- Res. E-11 Adopt Resolution Approving Submittal of Grant Documents to Office of Homeland Security for Proposition 1B Transit Security Funds and Authorizing Transportation Manager to Submit All Necessary Paperwork and Reimbursement Requests (PW)
- Res. E-12 Adopt Resolutions Amending the City of Lodi Drug Free Workplace Policy, Drug Free Workplace Procedure, Drug and Alcohol Testing Policy, and Drug and Alcohol Testing Procedure in Accordance with the Federal Transit Administration Drug and Alcohol Program Audit (CM)
- Res. E-13 Adopt Resolution Approving Salary Adjustment for Certain Classifications in the Public Works – Water Services Division (CM)
- E-14 Authorize City Attorney to Issue "Comfort Letter" to Bank of the West in Connection with the Lease of Property at 229 South School Street (CA)

F. 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.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

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

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

I. Public Hearings

- Res. I-1 Public Hearing to Consider Resolution Adopting Engineer's Report, Confirming Assessments, Overruling Protests, and Declaring Assessment Ballot Results and Annexing Territory into the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 and Forming Luca Place Zone 14, Guild Avenue Industrial Zone 15, and West Kettleman Lane Commercial Zone 16 (PW)
NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31

J. Communications

- J-1 Claims Filed Against the City of Lodi – None
J-2 Appointments
a) Appointment to the Lodi Budget/Finance Committee: *Keith Vargem* (CLK)
J-3 Miscellaneous – None

K. Regular Calendar

- Res. K-1 Adopt Resolution Approving the Loan Request of Walker-Roderick Properties LLC, Pat Walker and Jack Roderick, Guarantors, Through the Community Development Block Grant Funded Revolving Loan Fund Program as Recommended by the City Manager (CD)
K-2 Approve Business Points for Solid Waste Franchise Renewal (PW)
K-3 City Council Participation in Review of Applicants for Community Development Director (CM)
K-4 Review of the 2008-09 Draft Budget (CM)
K-5 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$114,453.58) (CA)

L. Ordinances

- Ord. (Adopt) L-1 Ordinance No. 1811 entitled, "An Uncodified Ordinance of the City Council of the City of Lodi Repealing and Reenacting Ordinance 964 in its Entirety Setting Forth a Specific Plan for South Hutchins Street between West Kettleman Lane and West Harney Lane" (CLK)

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Randi Johl, City Clerk