



## LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

## AGENDA – REGULAR MEETING

Date: May 21, 2008

Time: Closed Session 6:00 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) 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
- b) 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 Mark Price, St. Paul Lutheran Church

#### **C. Pledge of Allegiance**

#### **D. Presentations**

- D-1 Awards – None
- D-2 Proclamations – None
- D-3 Presentations
  - a) Quarterly Update by the Greater Lodi Area Youth Commission (COM)

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

- E-1 Receive Register of Claims in the Amount of \$3,951,054.21 (FIN)
- E-2 Approve Minutes (CLK)
  - a) April 30, 2008 (Special Meeting)
  - b) May 6, 2008 (Shirtsleeve Session)
  - c) May 6, 2008 (Public Forum, hosted by Lodi District Chamber of Commerce)
  - d) May 10, 2008 (Open House)
  - e) May 13, 2008 (Shirtsleeve Session)
  - f) May 13, 2008 (Special Meeting)
  - g) May 13, 2008 (Special Joint Meeting w/Lodi Arts Commission)

- E-3 Approve Plans and Specifications and Authorize Notice for Bids for Asphalt Rubber Cape Seal, Various Streets 2008 Project (PW)
- Res. E-4 Adopt Resolution Authorizing the City Manager to Proceed with Installation of Security Improvements at Municipal Service Center, 1331 South Ham Lane (\$83,990), and Appropriating Additional Funds (\$21,000) (PW)
- Res. E-5 Adopt Resolution Authorizing the City Manager to Approve Repair of Granulated Activated Carbon Treatment Vessels for DBCP Treatment at Well No. 4R by Gold Star Painting, of Turlock (\$22,170) (PW)
- E-6 Accept Improvements under Contract for City of Lodi Public Library Lighting Retrofit Project (PW)
- Res. E-7 Adopt Resolution Approving Final Map and Improvement Agreement for the Public Improvements for 416, 500, and 540 South Sacramento Street (PW)
- Res. E-8 Adopt Resolution Approving the Agreement between the City of Lodi and Spare Time, Inc., dba Twin Arbor Athletic Club, for Use of Pools at Twin Arbor Athletic Club Facilities that Will Serve the Summer Swim League Program, Which Will Run for the Period June 2, 2008 to July 20, 2008 (PR)
- Res. E-9 Adopt Resolution Authorizing the City Manager to Execute an Amendment to the Seattle City Light Third Phase Agreement Related to Transfer of Rights by Certain Project Participants (EUD)
- Res. E-10 Adopt Resolution Approving the Injury and Illness Prevention Program for the City of Lodi (CM)
- E-11 Adopt the Following Resolutions Pertaining to the November 4, 2008, General Municipal Election (CLK):
  - Res. a) Resolution Calling and Giving Notice of the Holding of a General Municipal Election
  - Res. b) Resolution Approving Entering into a Contract with the County of San Joaquin for the County Registrar of Voters to Provide Certain Services
  - Res. c) Resolution Regarding Impartial Analyses, Arguments, and Rebuttal Arguments for Any Measure(s) that May Qualify to be Placed on the Ballot
  - Res. d) Resolution Adopting Regulations Pertaining to the Candidates' Statements
- E-12 Authorize Letters of Support for Assembly Bill 38 (Nava) with Respect to Department of Emergency Services and Homeland Security and Assembly Bill 2278 (Caballero) with Respect to Public-Private Partnerships for Local Infrastructure Development (CLK)

**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**

I-1 Actions Relating to Lodi Consolidated Landscape Maintenance Assessment District 2003-1:

- Res. a) Continued Public Hearing to Rescind Resolution 2008-81 and Consider Resolution Adopting  
Res. 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)
- Res. b) Adopt Resolution Initiating Proceedings for the Levy and Collection of Assessments,  
Res. Resolution Approving the Annual Report, and Resolution Declaring Intention to Levy and  
Res. Collect Assessments for the Lodi Consolidated Landscape Maintenance Assessment  
District No. 2003-1 for Fiscal Year 2008-09; and Set Public Hearing for June 18, 2008 (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

- a) Application for Leave to Present Late Claim for Michael L. Ryall, Date of Loss 4/22/06 (CLK)

J-2 Appointments

- a) Post for One Vacancy on the Lodi Arts Commission and Re-Post for Seven Vacancies on the Greater Lodi Area Youth Commission (Student Appointees) (CLK)
- b) Appointments to the Greater Lodi Area Youth Commission (Adult Advisor), Library Board of Trustees, Lodi Arts Commission, Lodi Budget/Finance Committee, and Planning Commission (CLK)

J-3 Miscellaneous

- a) Monthly Protocol Account Report (CLK)

**K. Regular Calendar**

- Res. K-1 Provide Direction Regarding the Fixed Rate Refinancing for the Electric Utility 2002 Variable Rate Demand Obligations and Authorize the City Manager to Effectuate the Financing Plan for the 2008 Electric Utility Fixed Rate Project (CM)
- Res. K-2 Continue to Receive Budget Presentation, Invite Public Comments, and Adopt Resolutions  
Res. Approving the City of Lodi Fiscal Year 2008-09 Financial Plan and Budget, the Appropriations Spending Limit, and Allocating \$15,000 of Community Development Block Grant Funds for an Eligible Spay and Neuter Program (CM)
- K-3 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases Being Handled by Outside Counsel (\$151,666.02) (CA)

**L. Ordinances – None**

**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.

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Randi Johl  
City Clerk