



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

** A G E N D A **

REGULAR MEETING – Lodi City Council
SPECIAL MEETING – Lodi Public Imp. Corp.
SPECIAL MEETING – Redevelopment Agency

Date: November 7, 2007

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this agenda please contact:
Randi Johl, City Clerk, (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(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
- b) Actual Litigation: Government Code §54956.9(a); One Case; City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Francisco Superior Court, Case No. CGC-05-441976
- c) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), Regarding Lodi Professional Firefighters, Lodi Police Officers Association, and Fire Mid-Managers Pursuant to Government Code §54957.6
- d) Review of Council Appointee – City Clerk (Government Code §54957)

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 – Dr. Clifford Donaldson, Lodi Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation of Certificate of Appreciation for Veterans Day

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

E-1 Receive Register of Claims in the Amount of \$5,938,013.59 (FIN)

E-2 Approve Minutes (CLK)

- a) October 16, 2007 (Shirtsleeve Session)
- b) October 17, 2007 (Regular Meeting)
- c) October 23, 2007 (Shirtsleeve Session)
- d) October 30, 2007 (Shirtsleeve Session)

- E-3 Accept the Quarterly Investment Reports as Required by Law (Senate Bill 564) (FIN)
- E-4 Accept the Quarterly Report of Purchases between \$5,000 and \$20,000 (FIN)
- E-5 Report of Sale of Surplus Equipment (PW)
- E-6 Approve a Request for Proposals to Replace and Upgrade the Existing Utility Supervisory Control and Data Acquisition (SCADA) System (EUD)
- Res. E-7 Adopt Resolution Awarding Design and Construction Contract for Municipal Service Center Transit Vehicle Maintenance Facility Project to Diede Construction, of Woodbridge, and Appropriating \$400,000 in Additional Funds (Total Project \$3,000,000) (PW)
- Res. E-8 Adopt Resolution Authorizing the City Manager to Execute Memorandum of Understanding between City of Lodi and General Mills Cereals Properties, Inc., for Dedication of Easements for Widening of Lower Sacramento Road (Turner Road to Union Pacific Railroad) (PW)
- Res. E-9 Adopt Resolution Authorizing Submittal of a Safe Route to School Grant Application to California Department of Transportation (PW)
- Res. E-10 Adopt Resolution Approving Application for Grant Funds from State Resources Agency Environmental Enhancement and Mitigation Grant Program for Tree Purchase (\$15,000) (PW)
- Res. E-11 Adopt Resolution Authorizing the City Manager to Execute an Amended and Restated Northern California Power Agency Joint Powers Agreement (EUD)
- E-12 Authorize the City Manager to Approve Change Orders for Construction of the Killelea Substation Rehabilitation Project in a Cumulative Amount not to Exceed \$250,000 (EUD)
- Res. E-13 Adopt Resolution Approving the Impact Mitigation Fee Program Annual Report for Fiscal Year 2006-07 (PW)
- E-14 Approve Waiver of Conflict of Interest for Folger Levin & Kahn in Representation of the State of California Department of Water Resources (CA)
- Res. E-15 Approve Various Actions Needed to Participate in San Joaquin County Enterprise Zone (\$8,972) (CM)
- Res. E-16 Adopt Resolution Approving the 2007 Annual Review of the Reynolds Ranch Development Agreement (CD)
- Res. E-17 Adopt Resolution Approving Work Plan and Schedule for the City of Lodi's Sewer System Management Plan (PW)
- E-18 Set Public Hearing for November 21, 2007, to Consider Adoption of a Resolution Amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2008 (CD)
- E-19 Set Public Hearing for November 21, 2007, to Consider the Adoption of a Resolution Establishing a Fee Schedule for the Permit to Operate for Mobile Food Vendors (CD)

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 Public Hearing to Consider Report for Sidewalk Repairs and to Confirm the Report as Submitted by the Public Works Department (PW)
NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31
- 4 Ords. I-2 Continued Public Hearing to Consider Adoption of the 2007 California Building Code, Mechanical Code, Electrical Code, and Plumbing Code with Local Amendments and Re-Adopt (Introduce) the Existing Building Permit Fee Schedule 1A for Building, Mechanical, Plumbing, and Electrical Permits (CD)
- Ord. I-3 Continued Public Hearing to Introduce Ordinance Repealing and Reenacting Chapter 20 of (Introduce) Title 15 of the Lodi Municipal Code Regulating and Governing Fire Prevention and Adopting by Reference Code Known as the "California Fire Code, Title 24, California Code of Regulations, Part 9" and the 2006 Edition of the International Fire Code Standards, Effective January 1, 2008 (FD)
- Res. I-4 Public Hearing to Consider and Approve the Reallocation of Available Community Development Block Grant (CDBG) and HOME Program Income for an Affordable Housing Project (CD)

J. Communications

- J-1 Claims Filed Against the City of Lodi – None
- J-2 Appointments
a) Re-Post for Three Vacancies on the Lodi Arts Commission (CLK)
- J-3 Miscellaneous – None

K. Regular Calendar

- Res. K-1 Adopt Resolution Approving Issuance of up to \$35 Million of Wastewater Revenue Certificates of Participation Secured by Net Revenues of the City's Wastewater Enterprise to Finance Improvements to the Wastewater Collection, Treatment, and Disposal System and to Refund the Outstanding 1991 Certificates of Participation (CM)
Res. (LPIC) **NOTE: Joint action of the Lodi City Council and the Lodi Public Improvement Corporation**
- Res. K-2 Adopt Resolution Designating a Redevelopment Survey Area for Study Purposes and Directing that the Planning Commission Select a Redevelopment Project Area from All or Part of the Survey Area (CM)
NOTE: Joint action of the Lodi City Council and Redevelopment Agency
- K-3 Receive Progress Report on the City of Lodi General Plan Update (CM)
- K-4 Status of San Joaquin County's Consideration of an Armstrong Road Agricultural/Cluster Zoning Classification and Possible Staff Direction (CD)
- K-5 Authorize Contingency Fee Payment to Folger, Levin & Kahn, LLP, for the Hartford Litigation (CA)
- K-6 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$110,154.21) (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.

Randi Johl, City Clerk