

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 5, 2008**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of March 5, 2008, was called to order by Mayor Mounce at 5:45 p.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Cross-Claim by Lima Dairy Against City of Lodi Based on Alleged Nitrate Contamination at White Slough; Coldani v. Lima Dairy, US District Court, ED Cal Case No. 2:07-CV-00660-RRB-EFB
- b) Conference with Dean Gualco, Human Resources Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), Regarding Association of Lodi City Employees Regarding General Services Pursuant to Government Code §54957.6
- c) Prospective Sale of Real Property Located at 500 S. Guild Avenue, Lodi, CA (APN 049-250-61); the Negotiating Parties are City of Lodi and GG Land Group LLC.; Government Code §54956.8

C-3 ADJOURN TO CLOSED SESSION

At 5:45 p.m., Mayor Mounce adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:57 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:02 p.m., Mayor Mounce reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

Item C-2 (a) was discussion only, and Item C-2 (b) was not discussed.

In regard to Item C-2 (c), settlement direction was given to present a counteroffer.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of March 5, 2008, was called to order by Mayor Mounce at 7:02 p.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. INVOCATION

The invocation was given by Pastor Kevin Suess, Vinewood Community Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mounce.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 (a) Mayor Mounce presented a proclamation to George Bradley and Steve Dutra proclaiming Friday, April 4, 2008, as "Arbor Day" in the City of Lodi.

D-3 (a) Mayor Mounce presented the San Joaquin Council of Governments' Regional Excellence Award to representatives of the Cellar Door wineries.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Hansen, Katzakian second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- E-1 Claims were approved in the amount of \$11,989,577.86.
- E-2 The minutes of February 19, 2008 (Shirtsleeve Session), February 20, 2008 (Regular Meeting), and February 26, 2008 (Shirtsleeve Session) were approved as written.
- E-3 "Approve Scope of Work for Transit Operations Contract and Authorize Advertisement for Request for Proposals (GrapeLine, VineLine, and Dial-A-Ride)" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
- E-4 Approved the specifications and authorized advertisement for bids for 25,000 feet of #4/0 AWG, 15kV, EPR insulated, jacketed concentric neutral underground cable.
- E-5 Approved the specifications and authorized advertisement for bids for maintenance of the Lodi Consolidated Landscape Assessment District 2003-1, fiscal year 2008-09.
- E-6 Adopted Resolution No. 2008-31 authorizing the sole source procurement of remote terminal units and accessories from Geo Honn Company, Inc., of Vacaville, CA, for Henning and Industrial Substations in an amount not to exceed \$60,000.
- E-7 "Adopt Resolution Awarding the Professional Services Contract to Auriga Corporation, of Milpitas, California, to Perform Siting Work for the West 60kV Transmission Project and Appropriate Funds (Not to Exceed \$34,000)" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
- E-8 Adopted Resolution No. 2008-32 approving a one-year extension of the tree trimming 2007 contract with West Coast Arborists, Inc., of Stockton, in the amount of \$53,000.
- E-9 Adopted Resolution No. 2008-33 approving professional services agreement with Rolfes Engineering, Inc., of Stockton, for engineering design services and construction administration for Library heating, ventilation, and air conditioning in the amount of \$42,640 and authorizing the City Manager and City Clerk to execute the agreement.
- E-10 Adopted Resolution No. 2008-34 authorizing the City Manager to execute reimbursement agreement with North San Joaquin Water Conservation District for City administrative services provided to the District.
- E-11 "Authorize City Manager to Execute Agreement with InfoSend, Inc., of Fullerton, CA, for Online Payment Services (Est. \$35,000/Year)" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
- E-12 Accepted the memorial bench, tree, and plaque donation from friends of Jeannie Matsumoto in honor of her daughter, Suzanne Matsumoto.

ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- E-3 "Approve Scope of Work for Transit Operations Contract and Authorize Advertisement for Request for Proposals (GrapeLine, VineLine, and Dial-A-Ride)"

This item was pulled by Council Member Hitchcock for further discussion.

In response to Council Member Hitchcock, Public Works Director Richard Prima stated that, with respect to the 30-day time period, the proposal and evaluation process takes some time, they would like to stay on schedule, and the 30-day period was previously sufficient; although, 45 days would be fine also.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously approved the scope of work for transit operations contract and authorized advertisement for request for proposals (GrapeLine, VineLine, and Dial-A-Ride), with a 45-day response time rather than 30 days.

- E-7 “Adopt Resolution Awarding the Professional Services Contract to Auriga Corporation, of Milpitas, California, to Perform Siting Work for the West 60kV Transmission Project and Appropriate Funds (Not to Exceed \$34,000)”

This item was pulled by Council Member Johnson for further discussion.

Electric Utility Director George Morrow provided an overview of the previous presentation regarding the transmission project and specifically discussed the current electric utility supply, the need for a second source of electricity coming in from the west, preferred alternatives, and a meeting with the stakeholders.

Council Member Johnson stated he does not support Alternative 7 as the preferred route because there may be other routes that affect fewer residents.

In response to Mayor Mounce, Mr. King stated the matter could be tabled; although, he believed it was too early to determine a preferred route. He stated there was a need for some flexibility in the proposals to be brought back for Council consideration with respect to negotiating right of ways.

In response to Council Member Hitchcock, Mr. King clarified that the action before the Council at the present time is all inclusive and does not specifically select a route; although, the consultant did identify No. 7 as a preferred alternative because it is economically feasible.

A brief discussion ensued between Mayor Pro Tempore Hansen and Council Member Johnson regarding the value of moving forward on the item versus tabling the matter, the economics of all viable options and alternatives, and specific factors such as discussions with property owners and the flow of energy.

In response to Council Member Hitchcock, Mr. Morrow stated the most economical alternative for the City is generally based on the consultant's early conceptual designs and the ability to get from Point A to Point B in the most effective and efficient way.

In response to Council Member Johnson and Mayor Pro Tempore Hansen, Mr. Morrow stated staff and the consultant can look at a variety of alternatives, including the one suggested to him by Council Member Johnson. He also stated staff will provide the supplemental information regarding the alternatives to the Council as requested.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously adopted Resolution No. 2008-35 awarding the professional services contract to Auriga Corporation, of Milpitas, California, to perform siting work for the West 60kV Transmission Project and appropriating funds in an amount not to exceed \$34,000.

- E-11 "Authorize City Manager to Execute Agreement with InfoSend, Inc., of Fullerton, CA, for Online Payment Services (Est. \$35,000/Year)"

This item was pulled by Council Member Hitchcock for further discussion.

City Manager King provided a brief overview of the item, stating that, while the recommended action does not provide the actual ability to make online payments at the current time, it does provide the City with assurance that it will be held harmless and indemnified in the event of patent-related litigation arising from online payment services, which was a concern of the City Attorney's office.

In response to Council Member Hitchcock, Information Services Manager Steve Mann stated the ability to make online payments will likely be available in the next few months after the initial set up work is completed and a contract is executed.

Ann Cerney stated she would like additional information regarding the litigation possibilities from the patent use. Mr. Schwabauer stated Infosend, Inc. is a reputable company based out of Fullerton, California, and has as its client base several municipalities. He stated the trial courts are slowly starting to come down on the side of municipalities in several cases, reasoning that the patent does not apply to municipalities.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously authorized the City Manager to execute agreement with InfoSend, Inc., of Fullerton, CA, for online payment services in the estimated amount of \$35,000 per year.

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Stephen Qualls of the League of California Cities introduced himself as the new Central Valley Regional Representative. Mr. Qualls provided a brief legislative update and status of the Governor's recommendations. In response to Council Member Hansen, Mr. Qualls stated Proposition 172 funding may be in jeopardy based on the information provided by the Legislative Analyst's office. Mr. King stated Proposition 172 was a State proposition from early 1990s and recommendation is to give up some parolee monitoring on the lower levels to the County and the City would lose some funds as a result.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Mayor Pro Tempore Hansen reported on his attendance at the American Public Power Association conference in Washington D.C. He specifically discussed passing costs related to the security of dams to local electric regulators and encouraging the passage of legislation to control local costs on electric power for citizens. Mr. Hansen also commended those involved with the Salvation Army annual dinner and the display of the AIDS exhibit by First Baptist Church.
- Mayor Mounce stated that, in response to a letter to the editor, she would like to clarify that she supports bringing in good businesses to the City to help its economic condition.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

None.

I. PUBLIC HEARINGS

- I-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mounce called for the public hearing to consider and approve community input and proposals for uses of the City's 2008-09 Federal allocation of Community Development Block Grant and HOME Program funds and the reallocation of available funds from previous program years.

City Manager King briefly introduced the subject matter of the City's 2008-09 Federal allocation of Community Development Block Grant (CDBG) and HOME Program funds and the reallocation of available funds from previous program years.

Community Improvement Manager Joseph Wood provided a PowerPoint presentation regarding the proposed CDBG and HOME program allocations. Specific topics of discussion included program overview, eligibility, local funding policies, proposed allocations, community-based organization applications, application review process, capital project summary, service request summary, project funding recommendations, requests not recommended for funding, City project funding recommendations, and HOME allocations.

In response to Council Member Hitchcock, Mr. King stated the Council can call for new projects for the \$147,000 unallocated amount or can allocate that amount to City projects. He confirmed that staff may be able to start on the alley drainage improvement project identified to cost \$225,000, which was moved to next year, with the \$147,000.

Mayor Pro Tempore Hansen suggested leaving the \$147,000 available for the Family Resource Center, as it explores its options to build a new site or occupy an existing building.

In response to Council Member Johnson, Mr. Wood stated \$100,000 was previously allocated to the Family Resource Center for design services, but that amount has not been encumbered due to the change from building a center to occupying an existing store front.

In response to Council Member Johnson, Mr. Wood stated the Family Resource Center could be given a total allocation of \$247,000, but additional clarification would be needed to determine where the funding would go and how it would be used. Mayor Pro Tempore Hansen stated that, while he believes the City has a reasonable obligation to assist and he would like to see the \$100,000 allocated to the Family Resource Center, he is also not sure if the \$100,000 should remain outstanding if there is another worthy project pending.

Mayor Mounce commended staff for addressing the property located at 17 East Elm Street.

Mr. Wood stated he would like to clarify that the total allocation amount was \$342,000 instead of \$253,000 as originally listed.

Hearing Opened to the Public

- Francisco Trujillo, representing the Family Resource Center, provided an overview of how the Center got started, its purpose, the expansion project into a new building or existing building, and fundraising hardships and the requirement for matching funds. Based on these factors, Mr. Trujillo requested continued CDBG funding.
- Juan Villareal, representing the Library Board of Trustees, requested the unallocated \$147,000 be provided to the Library for necessary Americans with Disabilities Act (ADA) improvements.
- Dan Williams, representing the Salvation Army, in response to Mayor Mounce, stated the County is also providing funding for the organizations' projects.

Public Portion of Hearing Closed

Council Member Hitchcock commended Community Improvement Manager Wood on his efforts with the CDBG program and requested a copy of the PowerPoint presentation be provided to the City Council.

Council Member Hitchcock suggested the \$147,000 unallocated amount be voted on by the Council separately from the remainder of the recommended action.

MOTION #1:

A motion by Council Member Hitchcock to allocate the \$147,000 toward the Library ADA improvements **died** for a lack of a second.

Discussion ensued between Mayor Pro Tempore Hansen, Council Member Johnson, and Mr. Wood regarding the Center's ability to obtain additional funding without the \$147,000 allocation to get into a store front property instead of building a new center, the alternative to keep the funds unallocated and review the status of the Center at a later date, the new Center in Stockton, and the Cal-Foundation as a funding source.

In response to Council Member Hitchcock, Mr. Wood stated the new Center in the city of Stockton was built by the City with redevelopment funds.

Mayor Pro Tempore Hansen suggested the Council consider allocation of the \$147,000 in six months in order to provide the Family Resource Center time to explore its options with occupying an existing store front property.

MOTION #2 / VOTE:

The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously adopted Resolution No. 2008-36 approving the projected use of funds for the 2008-09 Federal allocation of Community Development Block Grant and HOME Program funds and reallocating available funds from previous program years, with the exception of the \$147,000 non-allocated amount.

MOTION #3 / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Hitchcock second, unanimously determined that Council would revisit the \$147,000 in non-allocated funds in six months to consider the allocation.

RECESS

At 9:00 p.m., Mayor Mounce called for a recess, and the City Council meeting reconvened at 9:09 p.m.

I. PUBLIC HEARINGS (Continued)

I-2 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mounce called for the public hearing to consider adopting the Federal Fiscal Year 2008 Program of Transit Projects.

City Manager King briefly introduced the subject matter of the Federal Fiscal Year 2008 Program of Transit Projects.

Public Works Director Richard Prima provided a brief overview of the funding source and process involved with obtaining the federal funding for transit projects in the City.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated the federal formula allocates the City's portion of funding for ongoing operations and it does take additional funds to run the entire operation.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously adopted Resolution No. 2008-37 approving the Federal Fiscal Year 2008 Program of Transit Projects.

J. COMMUNICATIONS

J-1 Claims Filed Against the City of Lodi – None

J-2 The following postings/appointments were made:

a) The City Council, on motion of Mayor Pro Tempore Hansen, Johnson second, unanimously made the following appointments:

Lodi Arts Commission

Thorstien W. Himle II Term to expire July 1, 2011

Karen Mattei Term to expire July 1, 2011

J-3 Miscellaneous – None

K. REGULAR CALENDAR

K-1 “Presentation of Proposed Art in Public Places Art Piece on the Northwest Corner of Lodi Avenue and Washington Street by Artist Jerrod Mays”

City Manager King briefly introduced the subject matter.

Planning Manager Peter Pirnejad provided a brief overview of the process associated with introducing the proposed art piece to the various bodies. Artist Jerrod Mays reviewed the various drawings of the actual art piece submitted in the staff report.

In response to Mayor Pro Tempore Hansen, Mr. Mays stated that the maximum cost was \$100,000 and he was able to cut it down to \$80,000.

In response to Mayor Pro Tempore Hansen, Mr. Pirnejad stated all the proposals came in at \$100,000 or less and Mr. Mays was the least expensive of the proposals.

In response to Council Member Johnson, Mr. Mays stated the proposal was very specific as to the requirement of little or no maintenance for the art piece itself.

In response to Council Member Johnson, Mr. Pirnejad stated some of the other proposals included a statue related to Mickie Grove and a mural with bench seating. He stated the proposed piece stays within the guidelines of E-Map by enhancing the pedestrian experience for those walking or driving by while providing seating for rest purposes. Mr. Pirnejad confirmed there are no bus stops on the block.

In response to Council Member Hitchcock, Mr. Mays provided an overview of the actual piece including design features, weather resistance, materials, and rust considerations.

In response to Mayor Mounce, Mr. Pirnejad stated staff will review the possibility of removing the nearby bus shelter since it is not being used as a bus stop.

Mayor Pro Tempore Hansen stated he wanted to clarify that the funding for the art piece is coming from developers for the art in public places piece, there will be a need to review contingencies with the Arts Commission before it comes back to the City Council, and removal of the bus stop if it doesn't serve a purpose may be appropriate.

Discussion ensued between Council Member Hitchcock, Mayor Pro Tempore Hansen, and Mayor Mounce regarding ensuring that the proposed art piece does not serve as a bus stop and an actual bus stop is placed in the vicinity as needed. Mr. Prima stated staff will explore the options for bus shelters in the area.

Dave Hedrick spoke in opposition to the proposed art piece based on his concerns regarding the cost of the proposed art piece, the possibilities of theft and vandalism, and homelessness. Mr. Pirnejad and Mr. Mays stated the piece will be riveted to protect against vandalism; although, there is nothing that can prevent vandalism in its entirety.

Ann Cerney spoke in favor of the proposed art piece, stating it will be a good addition to the area.

City Manager King stated the item will be brought back to the City Council for formal action at an upcoming Council meeting.

MOTION/ VOTE:

There was no Council action taken on this matter.

K-2 "Receive Progress Report on the City of Lodi General Plan Update"

City Manager King briefly introduced the subject matter of the progress report on the General Plan update.

Consultant Rad Bartlam provided a status report of the City's General Plan update. He specifically discussed the joint December meeting, development of the three alternatives, ongoing efforts by staff and consultants, completion of the alternatives in approximately two weeks, technical review and fiscal viability of the alternatives, likelihood of success for economic development, residential targets for quantity and quality, the lack of a specific recommended approach in order to stimulate discussion on all alternatives, further consideration by the Planning Commission and City Council around June, budget considerations, and engaging the public, service clubs, community organizations, and property owners.

Mayor Pro Tempore Hansen commended Rad Bartlam for his efforts on the General Plan update.

Council Member Hitchcock stated she appreciated the status report and public outreach through community newsletters, summaries, utility billing insertions, and other visual materials. Mr. King stated community events, such as those put on by the City of Hillsborough, may be a good opportunity to get the word out as well.

MOTION / VOTE:

There was no Council action taken on this matter.

K-3 "Adopt Revised Fleet Policy"

City Manager King briefly introduced the subject matter of the proposed fleet policy.

Public Works Director Richard Prima provided a PowerPoint presentation regarding the proposed fleet vehicle policy. Specific topics of discussion included background, policy objectives, safety, utilization, administration, policy guidelines, replacement and utilization guidelines, notes, service life, replacement funding, policy implications, fleet age, theoretical replacement costs, potential lease rates, and a summary and recommendation regarding the same.

In response to Council Member Hitchcock, Mr. Prima stated the blue line on the chart represents all City vehicles, including transit and electric utility, while the pink line represents general fund vehicles including Police, Fire, City Hall, Finance, and Parks and Recreation. Mr. King briefly discussed the actual workings of a fleet replacement policy, departmental lease payments, costs of service to departments, and allocations of the same.

Discussion ensued between Council Member Hitchcock, Mr. Prima, and Mr. King regarding the red line representing a flat contribution for general fund vehicles, similar approach for other vehicles except transit which receives outside funding, charges to the enterprise account for vehicles, and the goal of absorbing costs over an extended period of time rather than having to absorb large one-time costs.

In response to Council Member Hitchcock, Mr. King confirmed that the goal is to set aside a reasonable amount for the vehicles that have to be replaced.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated he did not believe anyone was receiving a vehicle allowance. Mr. King confirmed that the intent of the policy is not to allow for vehicle allowances and staff will come back to Council if that is the direction.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated Table One is the old policy and Table A is the newly proposed policy and the primary difference is the actual concept.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated the yellow zone is intended to look at the vehicles and assess whether they should be kept, repaired, and/or replaced for longest use possible.

Discussion ensued between Council Member Hitchcock, Mr. Prima, and Mr. King regarding what vehicles are taken home, the approval process for take home vehicles, on-call vehicles, justifications for taking vehicles home, and removing the take home vehicle piece from the proposed policy.

In response to Council Member Johnson, Mr. Prima and Mr. Callahan stated there are 24 to 25 total police vehicles active on patrol.

In response to Council Member Johnson, Mr. Prima stated maintenance efforts for vehicles have improved because there is better staffing levels. He stated he is comfortable that the individuals making the assessments on vehicles are doing a good job so long as there is staff to do what needs to be done and the funding to do it.

Discussion ensued between Mayor Pro Tempore Hansen, Mr. Prima, and Mr. King regarding consideration of a take home vehicle policy, speaking with individuals affected by the same, school resource vehicles, unmarked police vehicles, and bringing back a policy regarding the same for Council consideration.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, unanimously adopted the revised Fleet Policy as recommended, with the exception of the policy guidelines relating to take home vehicles and vehicle allowance, which are to be brought back separately for Council consideration in the future.

K-4 “Adopt Resolution Amending Memorandum of Understanding Between the City of Lodi and the Lodi City Mid-Management Association for the Period of January 1, 2008 through December 31, 2009”

City Manager King provided a brief introduction of the subject matter.

Human Resources Manager Dean Gualco provided a brief overview of the proposed terms of the Memorandum of Understanding.

In response to Council Member Hitchcock, Mr. Gualco confirmed these are the same positions that were previously discussed.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Mounce second, unanimously adopted Resolution No. 2008-38 amending the Memorandum of Understanding between the City of Lodi and the Lodi City Mid-Management Association for the period of January 1, 2008 through December 31, 2009.

K-5 "Adopt Resolution Approving Compensation Adjustment for Unrepresented Mid-Managers"

In response to Mayor Mounce, Mr. King stated the Human Resources Manager would be eligible for an adjustment.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Hitchcock second, unanimously adopted Resolution No. 2008-39 approving compensation adjustment for unrepresented mid-managers.

K-6 "Adopt Resolution Approving City's Internet Website Policy"

Communications Specialist Jeff Hood provided a PowerPoint presentation regarding the proposed website policy. Specific topics of discussion included what the website policy is, samples of links to be prohibited, .gov domain names, federal General Services Administration rules, proposed link policy, possible revenue source, and future of website.

Mayor Mounce commended Mr. Hood for clarifying that the domain url affected the revenue generation ability of the City's website.

Discussion ensued between Council Member Johnson, Mr. King, and Mr. Hood regarding organizations that do not receive funding from the City such as the Chamber of Commerce, acting agents in promotions such as the Visitor's Bureau, and the need for a clear and simple policy that provides some guidance without allowing all links to allow for easy page navigation.

Mayor Mounce and Council Member Hitchcock indicated they did not wish to see cluttering of the website.

In response to Mayor Pro Tempore Hansen, Mr. Hood stated providing relevant information instead of an actual link may be a possibility.

In response to Council Member Katzakian, Mr. Hood stated an index to various website addresses could be provided without the actual links.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously adopted Resolution No. 2008-40 approving the City's Internet Website Policy.

VOTE TO CONTINUE WITH THE REMAINDER OF THE MEETING

The City Council, on motion of Council Member Johnson, Hansen second, unanimously voted to continue with the remainder of the meeting following the 11:00 p.m. hour.

K. REGULAR CALENDAR (Continued)

K-7 "City Council Participation in Review of Applicants for Police Chief and Public Works Director"

City Manager King requested the City Council appoint two members to work with him on the Police Chief recruitment and one member for the Public Works Director recruitment.

Council Member Hitchcock expressed her interest in participating in the Community Development Director recruitment in the future.

MOTION / VOTE:

The City Council selected Mayor JoAnne Mounce and Mayor Pro Tempore Larry Hansen to participate in the review of applicants for Police Chief and further selected Council Member Johnson to participate in the review of applicants for Public Works Director.

K-8 "Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$183,932.95)"

MOTION / VOTE:

The City Council, on motion of Mayor Mounce, Hitchcock second, unanimously approved the expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation in the amount of \$183,632.95, as revised and detailed below:

Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8003	106887	01/31/08	Hartford v. City of Lodi	\$ 460.41
			Less deduction by City Attorney	(300.00)
8008	106888	01/31/08	City of Lodi v. Envision	\$169,525.29
	133276	12/31/07	Hemming Morse, Inc.	\$ 4,888.75
	133465	01/31/08	Hemming Morse, Inc.	\$ 9,058.50
Total				\$183,632.95

L. ORDINANCES

None.

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 11:11 p.m.

ATTEST:

Randi Johl
City Clerk