



# LODI CITY COUNCIL

Carnegie Forum  
305 West Pine Street, Lodi

## AGENDA - REGULAR MEETING

Date: November 19, 2003

Time: 7:00 p.m.

For information regarding this Agenda please contact:

**Susan J. Blackston**

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 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 – N/A
- C-2 Announcement of Closed Session – None
- C-3 Adjourn to Closed Session – N/A

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

- C-4 Return to Open Session / Disclosure of Action – N/A

**A. Call to Order / Roll call**

**B. Invocation –** Pastor Bill Sherrill, Lodi Police Chaplains

**C. Pledge of Allegiance**

**D. Presentations**

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation of Certificate of Recognition to First Church of Christ Scientist, which was dedicated as an historical site by the Lodi Historical Society
- b) Presentation of Resolution of Appreciation to Fran Forkas, retiring Water/Wastewater Superintendent (PW)
- c) Presentation by Dennis Lewis regarding Lodi Adopt-A-Child Christmas Program

**E. Consent Calendar (Reading; comments by the public; Council action)**

E-1 Receive Register of Claims in the amount of \$5,434,397.23 (FIN)

E-2 Approve minutes (CLK)

- a) October 15, 2003 (Regular Meeting)
- b) October 28, 2003 (Shirtsleeve Session)
- c) November 4, 2003 (Shirtsleeve Session)
- d) November 4, 2003 (Special Meeting)
- e) November 11, 2003 (Shirtsleeve Session)

E-3 Accept the quarterly investment account report as required by law SB564 (FIN)

Res. E-4 Adopt resolution awarding the contract for the English Oaks Common Park Shade Structure, 2184 Newbury Circle, to Diede Construction, of Woodbridge (\$32,281.23), and appropriate \$35,000 (PR)

Res. E-5 Adopt resolution approving the final map and Improvement Agreement for Legacy Estates Unit 1, Tract No. 3260; and appropriate funds for the required reimbursements (\$14,000) (PW)

- Res. E-6 Adopt resolution accepting a portion of the improvements in Century Meadows Three, Unit No. 4, Tract No. 2769 (PW)
- Res. E-7 Adopt resolution accepting a portion of the improvements for the Harney Lane Sanitary Sewer Lift Station (PW)
- Res. E-8 Adopt resolution authorizing a two-year contract extension to Out of Play Concessions for concession operations at Chapman Field/Armory Park and Softball Complex (PR)
- Res. E-9 Accept funds from the State Citizens Option for Public Safety (COPS) Grant and adopt resolution accepting State Supplemental Law Enforcement Services funds of \$100,000 (PD)
- Res. E-10 Adopt resolution approving Statement of Benefits between City of Lodi and Fire Mid-Management (unrepresented) (HR)
- E-11 Set public hearing for December 17, 2003, to consider unmet transit needs in Lodi (PW)

**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. Public Hearings**

- Res. G-1 Public hearing to consider resolution confirming the 2003-04 Annual Report and levy of assessment for Downtown Lodi Business Improvement Area 1 (CM)

**H. Communications**

- H-1 Claims filed against the City of Lodi – None
- H-2 Reports: Boards/Commissions/Task Forces/Committees – None
- H-3 Appointments – None
- H-4 Miscellaneous
  - a) Monthly Protocol Account Report (CLK)

**I. Regular Calendar**

- I-1 Discussion regarding proposed audit (agreed-upon procedures) of Envision Law Group's billings (CM)
- I-2 Presentations of proposals by Bill Mathis of Mathis and Associates and Dale Edwards of Century Assembly Church and selection of facilitator for team-building sessions with Council Members (CM)
- Res. I-3 Direct City Manager regarding Finance Department office space and authorize City Manager to execute or reject necessary contracts and agreements (PW)

Ord. I-4 Introduce ordinance amending Title 5, Permits and Regulations, Chapter 5.40, Adult Oriented Businesses, repealing and reenacting Sections 5.40.300, 5.40.305, 5.40.400, and 5.40.405 of the Lodi Municipal Code relating to adult-oriented businesses (CA)

**pulled**

Ord. I-5 Introduce ordinance repealing and reenacting Lodi Municipal Code Chapter 12.06, Downtown Lodi Business Improvement Area No. 1, Section 12.06.090, "Collection of Benefit Fee," and Chapter 3.01, Business Tax Certification, Section 3.01.460, "Enforcement," relating to collection and enforcement of various fees (CA)

**pulled**

Ord. I-6 Introduce ordinance amending Title 8, Health and Safety, Chapter 8.24, Comprehensive Municipal Environmental Response and Liability, by repealing and reenacting Section 8.24.010, "Definitions," Subsection 2, and Section 8.24.040, "Liability," Subsection F, to the Lodi Municipal Code relating to abatement action costs and recovery issues (CA)

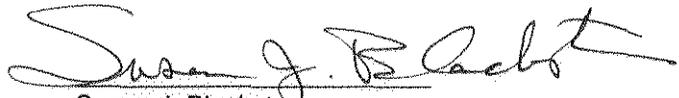
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Ord. **(I-7)**  
(Introduce)

Introduce ordinance amending Title 8, Health and Safety, Chapter 8.24, Comprehensive Municipal Environmental Response and Liability, by repealing and reenacting Section 8.24.090, "Miscellaneous Provisions," Subsections D and E, and adding Subsection F to the Lodi Municipal Code relating to the availability of contribution (CA)

- J. **Ordinances – None**
- K. **Comments by the City Council Members on non-agenda items**
- L. **Comments by the City Manager on non-agenda items**
- 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.



Susan J. Blackston  
City Clerk