



LODI CITY COUNCIL
Carnegie Forum
305 West Pine Street, Lodi

AGENDA - REGULAR MEETING

Date: January 21, 2004
Time: Closed Session 5:45 p.m.
Regular Meeting 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

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) Pending Litigation – Eminent Domain acquisition of 15 West Elm Street, Lodi, CA; the negotiating parties are City of Lodi and Frank Hall, Owner; Government Code §54956.8

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 – Reverend Michael Voytek, Providence Reformed Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation by the Greater Lodi Area Youth Commission regarding Honoring Teens Program (COM)

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

E-1 Receive Register of Claims in the amount of \$3,710,451.30 (FIN)

E-2 Approve minutes (CLK)

- a) December 16, 2003 (Shirtsleeve Session)
- b) January 6, 2004 (Shirtsleeve Session)
- c) January 6, 2004 (Special Meeting)
- d) January 13, 2004 (Shirtsleeve Session)
- e) January 13, 2004 (Special Meeting, 7:00 a.m.)
- f) January 13, 2004 (Special Meeting, 5:30 p.m.)
- g) January 13, 2004 (Adjourned Special Meeting, 5:30 p.m.)

- E-3 Set public hearing for February 18, 2004, to consider Reimbursement Agreement RA-03-04 establishing an area of benefit and reimbursable costs for developer-funded public improvements for the Harney Lane sanitary sewer lift station and sanitary sewer trunk line (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 authorizing the reallocation of \$50,000 of unobligated Community Development Block Grant funds to the Salvation Army (CD)
- Res. G-2 Public hearing to consider resolution adopting Engineer's Report, confirming the assessments, overruling protests and declaring assessment ballot results and annexing territory to a maintenance assessment district and forming zone 2 (Century Meadows One Zone 2 Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1) (PW)

H. Communications

- H-1 Claims filed against the City of Lodi – None
- H-2 Reports: Boards/Commissions/Task Forces/Committees – None
- H-3 Appointments
- a) Post for vacancies on the Lodi Arts Commission and Parks and Recreation Commission (CLK)
- H-4 Miscellaneous
- a) Monthly Protocol Account Report (CLK)

I. Regular Calendar

- Res. I-1 Adopt resolution approving the use of Lodi Lake by BoardStock Promotions, Inc. (PR)
- I-2 Update from Mayor Larry Hansen regarding audit (agreed-upon procedures) of Envision Law Group's billings
- I-3 Discussion and possible action regarding the positions of Interim City Attorney and City Attorney and the retention of special counsel to advise and assist the City Attorney's Office as assigned (CC)
- Pulled** I-4 Discussion and action regarding Phase II budget adjustment options (CM)
- Res. I-5 Adopt resolution authorizing the City Manager to provide a Public Benefits Program grant to fund Lodi's 2nd annual *Get Green Weekend* event (not to exceed \$25,000) (EUD)

J. Ordinances

- Ord. J-1 Ordinance No. 1741 entitled, "An Ordinance of the City Council of the City of Lodi Repealing and Reenacting Lodi Municipal Code Sections 12.06.070 'Exclusions from Benefit Fees,' 12.06.090 'Collection of Benefit Fee,' and 3.01.460 'Enforcement' Relating to Exclusions, Collection, and Enforcement of Various Fees"
- Ord. J-2 Ordinance No. 1742 entitled, "An Ordinance of the City Council of the City of Lodi Amending Title 9 – Public Peace, Morals and Welfare, Chapter 9.08 'Offenses Against Property' by Repealing and Reenacting Section 9.08.150 of the Lodi Municipal Code Relating To Vehicles"

- 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