



LODI CITY COUNCIL
Carnegie Forum
305 West Pine Street, Lodi

AGENDA - REGULAR MEETING

Date: February 18, 2004

Time: Closed Session 5:30 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) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases

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 Fred Chacon, Loving Hymn Ministries

C. Pledge of Allegiance – Boy Scout Troop 199

D. Presentations

D-1 Awards – None

D-2 Proclamations

- a) Prevent a Litter Month / Spay Day USA 2004

D-3 Presentations

- a) Presentation by the Greater Lodi Area Youth Commission regarding Honoring Teens Program (COM)
- b) Presentation of Certificates of Recognition to Boy Scouts Jonathan David Gilbert and William Joseph Glissman for obtaining the rank of Eagle Scout (CC)
- c) Presentation of monetary gift by Hutchins Street Square Foundation as voluntary debt retirement toward Hutchins Street Square Performing Arts and Conference Center (COM)
- d) Presentation regarding Su Salud's Tour of Life scheduled to be held March 7 in Lodi (CM)

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

E-1 Receive Register of Claims in the amount of \$2,148,783.31 (FIN)

- E-2 Approve minutes (CLK)
 - a) January 20, 2004 (Shirtsleeve Session)
 - b) January 21, 2004 (Regular Meeting)
 - c) January 27, 2004 (Shirtsleeve Session)
 - d) February 3, 2004 (Shirtsleeve Session)
- Res. E-3 Adopt resolution awarding contract for Security Services at the Lodi Station/Lodi Station Parking Structure to Securitas, of Stockton (\$113,710) (PW)
- E-4 Accept improvements under contract for Lodi Avenue Asphalt Concrete Resurfacing, Ham Lane to Union Pacific Railroad (PW)
- E-5 Accept improvements under contract for Kettleman Lane Median Improvements, Hutchins Street to School Street (PW)
- E-6 Accept improvements under contract for Lockeford Street Storm Drainage Improvements, Mills Avenue to 300 feet east of Loma Drive (PW)
- Res. E-7 Adopt resolution awarding the bid and authorizing the City Manager to execute a contract for the City of Lodi/Lodi Unified School District Compressed Natural Gas Fueling Station Equipment with Allsup Corporation, of Upland (\$308,280) and appropriate funds upon receipt of written funding commitment from Lodi Unified School District (PW)
- Res. E-8 Adopt resolution awarding the bid and authorizing the City Manager to execute a contract for the City of Lodi/Lodi Unified School District Compressed Natural Gas Fueling Station Construction with Performance Mechanical, Inc., of Sacramento (\$315,310) and appropriate funds upon receipt of written funding commitment from Lodi Unified School District (PW)
- E-9 Authorize the City Manager to amend the professional service agreement with PMC Consultants for the preparation of the environmental impact report for the proposed commercial development at the southwest corner of Lower Sacramento Road and Kettleman Lane (CD)
- Res. E-10 Adopt resolution approving Lodi's submittal of Reasonably Available Control Measures for the San Joaquin Valley Air Pollution Control District's 2010 Ozone Attainment Plan (PW)
- Res. E-11 Adopt resolution authorizing submittals of Safe Routes to School grants to the California Department of Transportation (PW)
- Res. E-12 Adopt resolution amending Traffic Resolution 97-148 authorizing the City Manager to establish special reserved parking and angled parking on portions of Elm Street west of Church Street (PW)
- Res. E-13 Adopt resolution directing the City Clerk to prepare ordinance summaries for publication pursuant to California Government Code §36933 (CLK)
- E-14 Set public hearing for March 3, 2004, to consider and approve community input and proposals for uses of the City's 2004-05 Federal allocation of Community Development Block Grant and HOME Program funds and the reallocation of available funds from previous program years (CD)
- E-15 Set public hearing for March 17, 2004, to consider redesign concept for C-Basin (Pixley Park) and the exchange of properties with GREM, Inc., to allow the relocation of C-Basin and refer the matter to the Planning Commission (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 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)

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) Appointments to the Lodi Arts Commission (CLK)
b) Post for vacancy on the East Side Improvement Committee (CLK)
H-4 Miscellaneous – None

I. Regular Calendar

- I-1 Updates from Mayor Larry Hansen regarding the following issues: (CC)
• Barger & Wolen audit of Envision Law Group's billings
• progress on Request for Proposals for special counsel to represent the City of Lodi in its Environmental Abatement Program litigation
• legal proceedings relative to the Environmental Abatement Program litigation

I-2 Discussion and direction regarding adjusting water and wastewater rates (PW)

Pulled Ord. (I-3) Introduce ordinance repealing and reenacting Lodi Municipal Code §13.04.130 establishing low-income discounts for water, sewer, and refuse services (PW)
(Introduce)

I-4 Discussion of City Attorney recruitment (HR)

- Res. I-5 Adopt resolution authorizing the City Attorney's Office to hire a contract docket clerk to assist with the Environmental Abatement Program litigation and appropriate funds for this expense (\$5,000) (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