



LODI CITY COUNCIL
Carnegie Forum
305 West Pine Street, Lodi

AGENDA - REGULAR MEETING

Date: March 3, 2004
Time: Closed Session 5:00 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston
City Clerk
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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
- d) Conference with Labor Negotiator, Human Resources Director Joanne Narloch, regarding Association of Lodi City Employees concerning Maintenance and Operators pursuant to Government Code §54957.6

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 Kevin Suess, Lodi Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards

- a) Police Awards presentation (PD)

D-2 Proclamations

- a) Learning Link Week

D-3 Presentations

- a) Presentation to Scott Davis for his 2003 Parks and Recreation Commission Chairmanship (PR)
- b) Presentation to Victor Schuh for his service on the Parks and Recreation Commission (PR)

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

- E-1 Receive Register of Claims in the amount of \$5,608,732.00 (FIN)

- E-2 Approve minutes (CLK)
 - a) February 4, 2004 (Regular Meeting)
 - b) February 10, 2004 (Shirtsleeve Session)
 - c) February 10, 2004 (Special Meeting)
 - d) February 17, 2004 (Shirtsleeve Session)
 - e) February 17, 2004 (Special Meeting)
- Res. E-3 Adopt resolution approving the plans and specifications and authorizing advertisement for bids for the Cochran Road Street Improvements from Peach Street to Willow Avenue and authorizing the City Manager to award the contract (up to \$50,000) (PW)
- E-4 Approve plans and specifications and authorize advertisement for bids for White Slough Water Pollution Control Facility Year 2004 Improvement Project and authorize the City Manager to purchase construction trailer (\$21,000) (PW)
- Res. E-5 Adopt resolution approving the specifications and authorizing advertisement for bids for White Slough Water Pollution Control Facility purchase of fiberglass effluent troughs and authorizing the City Manager to approve the purchase (\$15,000) (PW)
- Res. E-6 Adopt resolution awarding the purchase of 384 wathour meters to the low bidder, Sensus Metering Systems, c/o Young & Company, of Oakland (\$22,963.68) (EUD)
- Res. E-7 Adopt resolution awarding the purchase of three Digger/Derrick line trucks to Altec Industries, Inc., of Dixon, through its contract with the California Multiple Award Schedule (\$609,000) (EUD)
- E-8 Accept improvements under contract for Fire Station 1 HVAC Design/Build Project, 210 West Elm Street (PW)
- Pulled** Res. **E-9** Adopt resolution accepting a portion of the improvements in Almondwood Estates, Tract No. 3273 (PW)
- Res. E-10 Adopt resolution authorizing the City Manager to execute a master professional services agreement for engineering support services with DJH Engineering, of Placerville, for the irrigation system at White Slough Water Pollution Control Facility and appropriate funds (\$25,000) (PW)
- E-11 Set public hearing for March 17, 2004, to consider the Planning Commission's recommendation of approval to the City Council for a Prezoning for 5952 E. Pine Street; the Prezoning is from San Joaquin County A-U, Agricultural Urban Reserve to M-2, Heavy Industrial; the request also includes a recommendation that the City Council certify Negative Declaration ND-03-13 as adequate environmental documentation for the project and initiate annexation of the property into the City (CD)
- E-12 Set public hearing for March 17, 2004, to consider the Planning Commission's recommendation of approval to the City Council to adopt a Zoning Ordinance amendment adding Chapter 17.58 regarding design standards for large retail establishments (CD)
- E-13 Set public hearing for April 7, 2004, to consider adopting resolution adjusting water/wastewater and refuse rates (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 community input and proposals and adopt resolution 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)

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 Site Plan and Architectural Review 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 Receive report from the Boosters of Boys/Girls Sports Review Committee
- I-3 Report to the City Council – Financial Audit for Fiscal Year 2002-03
Receive: 1) The Combined Annual Financial and Single Audit Report and 2) Report on Applying Agreed-upon Procedures (FIN)
- Ord. I-4 Introduce ordinance repealing and reenacting Lodi Municipal Code §16.40.050 establishing
(Introduce) subdivision reimbursement agreements for construction (PW)
- Ord. I-5 Introduce ordinance amending Title 9 – Public Peace, Morals and Welfare, Chapter 9.08,
(Introduce) "Offenses Against Property," by repealing and reenacting Section 9.08.150 of the Lodi Municipal Code relating to vehicles (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