



**LODI CITY COUNCIL**  
**Carnegie Forum**  
305 West Pine Street, Lodi

**AGENDA - REGULAR MEETING**

**Date: May 5, 2004**

**Time: Closed Session 5:15 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; Sanchez v. City of Lodi, et al., San Joaquin County Superior Court, Case No. CV 022301 (HR)
- b) Conference with Human Resources Director, Joanne Narloch, regarding Fire Mid-Management (unrepresented) pursuant to Government Code §54956.6
- c) 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
- d) 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
- e) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- f) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- g) Actual Litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM

**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 – Pastor Steve Newman, First Baptist Church**
- C. Pledge of Allegiance**

**D. Presentations**

- D-1 Awards – None
- D-2 Proclamations
  - a) Veteran Appreciation Month
  - b) Lodi Family Health and Safety Fair
  - c) National Public Works Week (PW)
  - d) Peace Officer Memorial Month (PD)
- D-3 Presentations
  - a) Presentation regarding Celebration on Central (CM)

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

- E-1 Receive Register of Claims in the amount of \$2,544,593.25 (FIN)
- E-2 Approve minutes (CLK)
  - a) March 17, 2004 (Special Meeting)
  - b) March 17, 2004 (Regular Meeting)
  - c) April 7, 2004 (Regular Meeting)
  - d) April 19, 2004 (Special Joint meeting with the Lodi Arts Commission)
- Res. E-3 Adopt resolution authorizing the purchase of replacement photocopier for Community Development Department (\$7,298.99) (CD)
- Res. E-4 Adopt resolution awarding the purchase of steel streetlight standards (\$41,137.93) (EUD)
- Res. E-5 Adopt resolution awarding the purchase of polemount and padmount transformers (\$75,819.37) (EUD)
- Res. E-6 Adopt resolution awarding the purchase of wood utility poles (\$12,382.63) (EUD)
- Res. E-7 Adopt resolution authorizing donation of used police equipment to San Joaquin Delta College Peace Officer Standards and Training Academy (PD)
- Res. E-8 Adopt resolution approving improvement agreement for the public improvements of 2111 West Kettleman Lane (APN 027-410-21) (PW)
- Res. E-9 Adopt resolution authorizing City Manager to execute a professional services agreement with Padilla & Associates, Inc., for Disadvantaged Business Enterprise Program Consulting Services (\$6,300) (PW)
- Res. E-10 Adopt resolution approving Memorandum of Understanding between City of Lodi and Lodi Professional Firefighters (HR)
- Res. E-11 Adopt resolution approving destruction of certain Finance Department records (FIN)
- E-12 Authorize transportation service to Micke Grove Park for the Head Start Program on May 12, 2004, upon approval from the San Joaquin Regional Transit District (PW)
- Ord. (Introduce) E-13 Re-introduce ordinance amending Lodi Municipal Code Title 13 – Public Services – by adding Chapter 13.14, “Stormwater Management and Discharge Control,” relating to Stormwater (CA)

**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 adopting engineer's report, confirming assessments, overruling protests and declaring assessment ballot results, and annexing territory to a maintenance assessment district and forming Zone 3 and Zone 4 (Millsbridge II Zone 3 and Almond North Zone 4 Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1) (PW)

**H. Communications**

- H-1 Claims filed against the City of Lodi  
a) Farr Associates, date of loss 09/03 to current  
b) Envision Law Group, LLP, date of loss unstated
- H-2 Reports: Boards/Commissions/Task Forces/Committees – None
- H-3 Appointments  
a) Post for expiring terms and vacancies on the Greater Lodi Area Youth Commission (CLK)
- H-4 Miscellaneous – None

**I. Regular Calendar**

- Res. I-1 Adopt resolution authorizing the City Manager to execute electric utility rate contracts for three commercial/industrial customers—Kubota Tractor Corporation, Larry Methvin Installation, and Lodi Memorial Hospital (EUD)
- I-2 Approve plans and specifications and authorize advertisement for bids for installation of streetlights on Phase IV of the Streetlight Completion Project and authorize the transfer of funds for the project (\$980,000) (EUD)
- Res. I-3 Adopt resolution approving traffic safety improvements for Stockton Street from 300 feet south of Almond Drive to Kettleman Lane and appropriate funds (\$8,000) (PW)
- Res. I-4 Adopt resolution approving City participation in the Ham Lane fence construction (Cardinal Street to 1,100 feet south of Cardinal Street) and appropriating funds (\$1,000) (PW)
- Res. I-5 Adopt resolution approving specifications and authorizing advertisement for bids for compressed natural gas street sweeper for the Street Division and authorizing the City Manager to accept or reject bids, award the contract, and appropriate funds (\$200,000) (PW)
- I-6 Updates from Mayor Larry Hansen regarding the following issues: (CC)
  - Barger & Wolen audit of Envision Law Group's billings
  - status of recruitment process for new City Attorney
  - progress on Request for Proposals for special counsel to represent the City of Lodi in its Environmental Abatement Program litigation

**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.

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Susan J. Blackston  
City Clerk