



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: March 16, 2005

Time: Closed Session 6.00 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; Lodi Professional Firefighters v. City of Lodi, California (PERB Case No. SA-CE-293-M)
- b) Threatened litigation: Government Code §54956.9(b); one case; potential suit by Tim Thalken relating to disability discrimination
- c) Prospective acquisition of a portion of real property located at 720 East Lodi Avenue (APN #047-450-13), Lodi, California; the negotiating parties are the City of Lodi and John and Evangelia Zarefakis; Government Code Section 54956.8 (PW)
- d) Conference with legal counsel – Initiation of litigation regarding 2019 Kenway Court, Lodi, CA (APN 029-160-36); one potential case; pursuant to Government Code §54956.9(c)

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 Frank J. Palmer, Missionary Baptist Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation of Police awards (PD)
- b) Presentation of monetary gift by Hutchins Street Square Foundation as payment toward Hutchins Street Square Performing Arts Center (COM)
- c) Presentation regarding the March 21st Lodi Energy Smart Workshop (EUD)

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

E-1 Receive Register of Claims in the amount of \$2,559,046.48 (FIN)

- E-2 Approve minutes (CLK)
 - a) February 22, 2005 (Shirtsleeve Session)
 - b) February 22, 2005 (Special Meeting)
 - c) March 1, 2005 (Shirtsleeve Session)
 - d) March 1, 2005 (Special Meeting)
 - e) March 2, 2005 (Regular Meeting)

- Res. E-3 Adopt resolution approving plans and specifications and authorizing advertisement for bids for Lodi Avenue Overlay (Lower Sacramento Road to Ham Lane) / Pacific Avenue Extension (Walnut Street to Lodi Avenue) Project; authorizing the City Manager to execute all necessary agreements to implement the project and to award or reject contract up to \$815,000; and appropriating funds (PW)
- Res. E-4 Adopt resolution approving specifications, authorizing advertisement for bids as required, and further authorizing the City Manager to award purchases of \$25,000 or less for 600V insulated electrical cable through fiscal year 2005-06 (EUD)
- Res. E-5 Adopt resolution authorizing the purchase of fire panels to equip the Lodi Police Department patrol fleet of 25 vehicles from F.I.R.E. Panel LLC, of Scottsdale, AZ (State COPS Grant \$9,600) (PD)
- Res. E-6 Adopt resolution awarding contract for Lower Sacramento Road Widening Project (Kettleman Lane to Harney Lane) to George Reed Construction, Inc., of Lodi (\$2,623,300), authorizing City Manager to execute multiple contracts, and appropriating funds (\$3,022,600) (PW)
- E-7 Approve task order to Schlumberger Master Agreement for preparation of Water Supply Assessment Report for the Westside Annexation and Southwest Gateway Annexation projects (PW)
- Res. E-8 Adopt resolution authorizing City Manager to execute a professional services agreement with San Joaquin County Resource Conservation District for a State Water Resources Control Board Proposition 13 Watershed Protection Grant (PW)
- E-9 Authorize professional services agreement Amendment #2 with PMC Consultants for the preparation of the environmental impact report for the commercial development at the southwest corner of Lower Sacramento Road and Kettleman Lane (\$36,882) (CD)
- Res. E-10 Adopt resolution approving the application to apply for re-certification grant funds to operate the Lodi LOOK after school programs at Heritage, Lawrence, and Needham elementary schools for a three-year period (July 1, 2005 to June 30, 2008) under the After School Education and Safety Program through the California Department of Education (PR)
- E-11 Authorize City Manager to approve a Memorandum of Understanding between San Joaquin County law enforcement agencies for the purpose of establishing a data sharing network referred to as the Justice Data Link (PD)
- Pulled** Res. E-12 Adopt "Open Session Resolution" approving Guild settlement (CA)
- Res. E-13 Adopt resolution appropriating funds to the San Joaquin County Registrar of Voters for costs associated with verification of each signature on the Fire and Facilities Sales Tax Initiative petition (up to \$5,550) (CLK)
- E-14 Set public hearing for April 6, 2005, to introduce ordinance to repeal and re-enact Chapter 15.20 (Fire Code) of the Lodi Municipal Code and to adopt a resolution establishing a master fee schedule for cost recovery for services provided by the Lodi Fire Department (CA / FD)
- E-15 Set public hearing for April 20, 2005, to consider resolution adopting water rate increase (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. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings

- Ord. I-1 Public hearing to consider amending Ordinance No. 1753, which establishes the Lodi Tourism
(Introduce) Business Improvement District (LTBID) and method of levying and collecting assessments
within the LTBID boundaries (FIN)
- Ord. I-2 Public hearing to consider the Planning Commission's recommendation to amend various
(Introduce) sections of the Lodi Zoning Ordinance that deal with the appeal process for planning decisions
Res. (proposed amendment will establish a standard time period to file all planning appeals and will
also add language to clarify the appeal process) (CD)
- Ord. I-3 Public hearing to consider approving the Countywide Master Annexation Agreement with
(Introduce) San Joaquin County and adoption of the County Facility Fee Program (CD)
Res.

J. Communications

- J-1 Claims filed against the City of Lodi
a) Robert A. Haro, date of loss 8/20/04
- J-2 Appointments
a) Post for vacancy on the Lodi Arts Commission (CLK)
- J-3 Miscellaneous
a) Monthly Protocol Account Report (CLK)

K. Regular Calendar

- K-1 Economic Development "Team Lodi" Report (CM)
- Res. K-2 Adopt resolution authorizing the City Manager to allocate Public Benefit Program funds in the
amount of \$31,340 for the Lodi Helping Hands Project II; and authorizing the City Manager to
execute a contract with the Rising Sun Energy Center to assist in the coordination and
implementation of this project (EUD)
- Res. K-3 Adopt resolution approving operation and maintenance agreement for water main abandonment at
104 East Turner Road (PW)
- Res. K-4 Adopt resolution requesting Congress to preserve the existing Community Development Block
Grant program (CM)

L. Ordinances

- Ord. L-1 Ordinance No. 1755 entitled, "An Ordinance of the City Council of the City of Lodi Repealing
(Adopt) Lodi Municipal Code Title 8 Health & Safety Chapter 8.24 in its Entirety Relating to
Comprehensive Municipal Environmental Response and Liability (MERLO)" (CLK)

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