



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

**AGENDA – REGULAR MEETING**

**Date: July 6, 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; four applications; Steve Morrison v. City of Lodi; WCAB case numbers STK 0164758 1/31/99, STK 0164758 12/4/00, STK 0164757 12/24/00, and STK 0182425 1/15/01
- b) Conference with Blair King, City Manager, regarding Mid-Management Employees pursuant to Government Code §54957.6
- c) Actual Litigation: Government Code §54956.9(a); one case; Citizens for Open Government v. City of Lodi et al., San Joaquin County Superior Court, Case No. CV026002
- d) Actual Litigation: Government Code §54956.9(a); one case; Lodi First, a California non-profit unincorporated association v. City of Lodi Community, by and through the City Council et al., San Joaquin County Superior Court, Case No. CV025999
- e) 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
- f) 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
- g) 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
- h) Actual litigation: Government Code §54956.9(a); one case; Fireman's Fund Insurance Company v. City of Lodi, et al., United States District Court, Eastern District of California Case No. CIV-S-98-1489 FCD JFM
- i) Actual litigation: Government Code §54956.9(a); one case; City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Joaquin County Superior Court, Case No. CV025569

**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** – Associate Pastor Jon Terry, Fairmont Seventh Day Adventist Church
- C. Pledge of Allegiance**

**D. Presentations**

- D-1 Awards – None
- D-2 Proclamations
  - a) Parks and Recreation Month (PR)
- D-3 Presentations
  - a) Presentation of the “Firefighter of the Year 2004” plaque to Fire Captain Ken Mackey (FD)
  - b) Presentation of Resolution of Appreciation to Deputy City Manager Keeter for her outstanding service to the City of Lodi community

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

- E-1 Receive Register of Claims in the amount of \$6,316,113.92 (FIN)
- E-2 Approve minutes (CLK)
  - a) May 4, 2005 (Regular Meeting)
  - b) May 17, 2005 (Shirtsleeve Session)
  - c) June 14, 2005 (Shirtsleeve Session)
  - d) June 21, 2005 (Shirtsleeve Session)
- E-3 Approve plans and specifications and authorize advertisement for bids for Lower Sacramento Road Median Landscaping and Irrigation, Kettleman Lane to Harney Lane (PW)
- Res. E-4 Adopt resolution approving specifications and authorizing advertisement for bids for Various Street Maintenance Activities, Fiscal Year 2005-06, and authorizing the City Manager to award or reject informal bids (up to \$60,000) (PW)
- E-5 Approve specifications and authorize advertisement for bids for 20,000 feet of #1/0 15kV underground cable (EUD)
- E-6 Authorize the City Manager to solicit Requests for Proposals for Workers’ Compensation third party administration services (HR)
- Res. E-7 Adopt resolution rejecting the two low bids and awarding purchase of 8,000 feet of 600-volt insulated electrical cable to Western States Electric, of Portland, OR (\$12,895.52) (EUD)
- Res. E-8 Adopt resolution rejecting the three lowest bids and awarding the purchase of one digital micro-ohmmeter to Megger Corporation, of Dallas, TX, and appropriate funding (\$5,425.21) (EUD)
- Res. E-9 Adopt resolution awarding the purchase of 17 padmount transformers to Western States Electric, of Portland, OR (\$110,777.78) (EUD)
- Res. E-10 Adopt resolution awarding the annual contract for curb, gutter, and sidewalk replacement to Jeff Case Construction, of Lodi (\$69,050) (PW)
- Res. E-11 Adopt resolution accepting improvements in Mills Avenue Single Family Homes, Tract No. 3441 (PW)
- E-12 Authorize the City Manager to execute City-County Cooperative Agreement for Lower Sacramento Road – Harney Curve Project and appropriate funds (\$400,000) (PW)
- E-13 Authorize Public Works staff to solicit Statements of Qualification from engineering consultants for preparation of 2005 Urban Water Management Plan, Integrated Water Management Plan, Reclaimed Water Master Plan, and Water Master Plan for the General Plan update (PW)
- Res. E-14 Adopt resolution supporting renewal of the San Joaquin County Recycling Market Development Zone (PW)
- Res. E-15 Adopt resolution authorizing the City Manager to execute a one-year service agreement at Hutchins Street Square with Livewire Media, Inc. (aka Ticket Fusion), of Port Chester, NY (COM)
- Res. E-16 Adopt resolution approving a modification to the City's professional services agreement with LSA Associates, Inc. for processing Frontiers Community Builders Development Land Use Applications and related annexations to include the preparation of an Environmental Impact Report and authorize the City Manager to sign a contract amendment to increase the contract by the amount of \$216,505 plus an additional 10 percent (\$21,651) contingency which could be authorized by the City Manager for unanticipated out of scope work (CM)

- Res. E-17 Adopt resolution authorizing the City Manager to enter into a professional services agreement with Avery Associates for the recruitment of a Deputy City Manager in the amount of \$10,000 (CM)
- E-18 Ratify Interim Deputy City Manager employment agreement executed by the City Manager with Jere Kersnar (CM)
- E-19 Set public hearing for July 20, 2005, to consider the appeal from Yousef Haddad regarding the Planning Commission's decision of April 13, 2005, to deny his request for a Use Permit to replace seven existing condemned apartment units and a single-family house with seven new units located at 501 East Maple Street (CD)

**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 – None**

**J. Communications**

J-1 Claims filed against the City of Lodi – None

J-2 Appointments

- a) Appointments to the Lodi Budget/Finance Committee and the Community Separator/Greenbelt Task Force (CLK)
- b) Post for vacancy on the Lodi Animal Shelter Task Force and expiring terms on the Greater Lodi Area Youth Commission (Adult Advisors) (CLK)

J-3 Miscellaneous – None

**K. Regular Calendar**

K-1 Adopt four resolutions authorizing the City Manager to allocate Public Benefit Program funds and/or execute contracts with professional service organizations to assist in coordinating designated Public Benefit-funded programs as identified below (EUD):

- Res. a) Recommend approval of the Lodi Solar Education Outreach Project (\$75,000)
- Res. b) Recommend approval of the Lodi Electronic Waste Clean-Up Day event (\$22,000)
- Res. c) Recommend continuation of the Lodi Refrigerator/Freezer Recycling Program (\$35,000)
- Res. d) Recommend continuation of the Lodi Energy Efficient Home Improvement Rebate Program and the Lodi Appliance Rebate Program (\$200,000)

K-2 Consider request from Dale Gillespie to amend a Development Agreement between the City of Lodi and GFLIP III, L.P. by allowing the location of an electronic display sign to be changed to 930 South Beckman Road (CD)

Res. K-3 Adopt resolution authorizing the City Manager to execute contracts with Greyhound Bus Lines, Inc. and MV Public Transportation, Inc. to operate Greyhound Bus Services at Lodi Station (PW)

K-4 Presentation of information related to applications submitted pursuant to the City of Lodi's Growth Management Plan for residential development for 2005 (CM)

- K-5 Authorize the City Manager to execute a contract with the San Joaquin County Sheriff's Office for the Alternative Work Program for general maintenance within the City parks and recreation facilities for the period of September 2005 to June 30, 2006 (PR)
- Res. K-6 Adopt resolution creating job specifications for Information Systems Analyst (ISD), Energy Specialist (EUD), and Literacy Coordinator (LIB), amending job specifications for Electrical Technician (EUD), and amending job specifications and title for Police Volunteer Supervisor (PD) (CM)

**L. Ordinances**

- Ord. L-1 Ordinance No. 1762 entitled, "An Ordinance of the City Council of the City of Lodi Amending (Adopt) Title 2, 'Administration and Personnel,' of the Lodi Municipal Code by Adding Chapter 2.13 and 2.14 Relating to the City Clerk and City Attorney" (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.

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Susan J. Blackston  
City Clerk