



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: January 3, 2007

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Randi Johl

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) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), regarding Lodi City Mid-Management Association, Maintenance and Operators and General Services Groups, Police Officers Association, Professional Firefighters, and Fire Mid-Managers pursuant to Government Code §54957.6
- 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) 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) Prospective Acquisition of Real Property for Street Easement Deed Dedications from Certain Property Owners Located within the Lockeford Street Widening Project Limits, Lodi, California, for Right-of-Way; the Negotiating Parties are Michael Guddal (APN #041-230-35); Cuong Van and Nhai Le (APN #041-230-42); Douglas A. and Susan Larsson (APN #041-230-08); Dale and Susan Werner, Jr. (APN #041-230-34), and City of Lodi; Government Code §54956.8 (PW)
- e) Prospective Acquisition of Real Property for Street Easement Deed Dedications from Certain Property Owners Located within the Turner Road/Lower Sacramento Road Project Limits, Lodi, California, for Right-of-Way; the Negotiating Parties are General Mills (APN #s 015-230-31 and 015-230-40), Lodi Unified School District (APN # 015-170-10), and City of Lodi; Government Code §54956.8 (PW)

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** – Ken Owen, Christian Community Concerns
- C. Pledge of Allegiance**
- D. Presentations**
 - D-1 Awards – None
 - D-2 Proclamations – None
 - D-3 Presentations – None

E. Consent Calendar (Reading; Comments by the Public; Council Action)

- E-1 Receive Register of Claims in the Amount of \$2,489,108.25 (FIN)
- E-2 Approve Minutes (CLK)
 - a) October 3, 2006 (Shirtsleeve Session)
 - b) October 10, 2006 (Shirtsleeve Session)
 - c) December 19, 2006 (Shirtsleeve Session)
 - d) December 20, 2006 (Regular Meeting)
 - e) December 26, 2006 (Shirtsleeve Session)
- E-3 Accept the Quarterly Investment Reports as Required by Law (Senate Bill 564) (FIN)
- Res. E-4 Adopt Resolution Awarding the Contract for Roof Replacement Improvements at Legion Park, 835 South Hutchins Street, and Kofu Park, 1145 S. Ham Lane, to Diede Construction, of Woodbridge, CA (\$121,128.66) (PR)
- Res. E-5 Adopt Resolution Accepting Improvements under Contract for Blakely Park Playground at 1050 South Stockton Street (\$210,357.80) (PR)
- Res. E-6 Adopt Resolution Approving Six-Month Extension of Lease of Maple Square, 2 East Lodi Avenue (for the Period of January 1, 2007 to June 30, 2007) (PW)
- Res. E-7 Adopt Resolution Authorizing the Destruction of Certain Records Retained by the City Attorney's Office (CA)
- E-8 Set Public Hearing for February 7, 2007, to Consider Implementation of a New Substation and Transmission System Charge to be Assessed as a Development Impact Fee upon Future Electric Utility Customers Outside Existing City Boundaries and Making Corresponding Amendments to the Applicable Electric Utility Department Rules and Regulations (EUD)

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 of City Council Members to Fill Vacancies on Various Boards, Commissions, and Committees (CLK)
 - b) Re-Post for Expiring Terms on the Recreation Commission and the Site Plan and Architectural Review Committee (CLK)
- J-3 Miscellaneous – None

K. Regular Calendar

- K-1 Receive and File the City's Comprehensive Annual Financial Report (Fiscal Year 2005-06) by Macias, Gini & O'Connell, LLP (FIN)
- K-2 Discuss and Select Project Nominations for San Joaquin Council of Governments' One Voice Trip (PW)
- K-3 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$378,517.20) (CA)

L. Ordinances

- Ord. L-1 Introduce Ordinance Amending Title 12 – Streets, Sidewalks, and Public Places – Chapter (Introduce) 12.06, "Downtown Lodi Business Improvement Area No. 1," by Repealing and Reenacting Section 12.06.050, "Establishment of Benefit Fee" (CA)
- Ord. L-2 Introduce Ordinance Amending Lodi Municipal Code, Title 9 – Public Peace, Morals, and (Introduce) Welfare – Chapter 9.08, "Offenses Against Property," by Repealing and Reenacting Section 9.08.080, "Definitions," Adding Section 9.08.115, "Loitering in Certain Public Places Prohibited," and Deleting Section 9.08.160, "Violation – Infraction" (CA / PD)
- Ord. L-3 Introduce Ordinance Amending Lodi Municipal Code, Title 9 – Public Peace, Morals, and (Introduce) Welfare – to Add Chapter 9.15, "Prohibition Against Certain Forms of Aggressive Solicitation" (CA / PD)
- Ord. L-4 Introduce Ordinance Repealing and Reenacting Chapter 5.32 of the Lodi Municipal Code (Introduce) Pertaining to Massage Establishments (CA / PD)

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.

Randi Johl
City Clerk