



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: February 7, 2007

Time: Closed Session 5:15 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 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) Review of Council Appointees – City Manager, City Attorney, and City Clerk – pursuant to Government Code §54957
- e) Actual Litigation: Government Code §54956.9(a); One Case; Catherine Conrado v. City of Lodi, Bozant Katzakian, et al. and related cross-action, Bozant Katzakian v. City of Lodi, AM Stephens Construction, et al., San Joaquin County Superior Court Case No. CV027055
- f) Prospective Acquisition of Real Property Located at 200 North Beckman Road, Lodi, CA (APN 049-050-31), for Office, Public Safety Purposes; the Negotiating Parties are the Mosquito Abatement District and City of Lodi; Government Code §54956.8
- g) Prospective Acquisition of Real Property Located at 212 West Pine Street, Lodi, CA (APN 043-032-03), for Office Purposes; the Negotiating Parties are the Beckman Capitol Corporation and City of Lodi; Government Code §54956.8

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 – Barbara Taylor representing the Lodi Police Chaplains

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 \$3,820,687.64 (FIN)
- E-2 Approve Minutes (CLK)
 - a) January 16, 2007 (Shirtsleeve Session)
 - b) January 17, 2007 (Regular Meeting)
 - c) January 23, 2007 (Shirtsleeve Session)
 - d) January 23, 2007 (Special Meeting)
 - e) January 30, 2007 (Shirtsleeve Session)
- Res. E-3 Adopt Resolution Authorizing the City Manager to Purchase Solid-State Meters from Itron, Inc., of Spokane, WA (\$33,000) (EUD)
- Res. E-4 Adopt Resolution Authorizing the City Manager to Execute Change Order for the Bus Shelter and Amenities Project for Ten Additional Bus Shelters and Benches with LNI Custom Manufacturing (\$60,000) (PW)
- E-5 Accept Improvements under Contract for Municipal Service Center Additional Compressed Natural Gas Installation Project (PW)
- Res. E-6 Adopt Resolution Authorizing the City Manager to Execute a Contract for Professional Services to Municipal Compliance Consultants, of Woodland, for Code Enforcement Services (CD)
- Res. E-7 Adopt Resolution Authorizing the City Manager to Execute a Contract for Professional Services to Pacific Municipal Consultants for Community Development Block Grant Program Administration Services (CD)
- E-8 Authorize City Attorney to Issue "Comfort Letter" to Rivergate Partners, L.P. in Connection with the Potential Sale of the Former Cottage Bakery Restaurant Located at 203 South School Street (CA)
- Res. E-9 Adopt Resolution Amending Fire Mid-Management Statement of Benefits (CM)
- E-10 Appoint Janet Hamilton, Management Analyst, as Alternate for California Transit Insurance Pool (PW)
- E-11 Authorize Hourly Billing Rate Increases for Legal Services Provided under Agreement with Folger, Levin & Kahn, LLP, to be Effective January 1, 2007 (CA)
- Res. E-12 Adopt Resolution Increasing the Assessment Rates by 20% for the Downtown Lodi Business Partnership (CM)
- Res. E-13 Adopt Resolution Revising the Current Abatement Fee Schedule (CD)
- E-14 Appointment of Two Firms (Lamont Services, Inc. and Fieldman Rolapp and Co.) to Provide Various Financial Advisory Services Related to the Issuance of Debt and Other Financial Activities for the City of Lodi (CM)
- Res. E-15 Repeal and Reenact Resolution Authorizing the City Manager to Execute a Termination of the 2003 Swap Agreements at the Time Market Conditions are Deemed Favorable at a Cost not to Exceed \$150,000 (CM)
- E-16 Set Public Hearing for February 21, 2007, for 2006-07 Federal Program of Transit Projects Lodi Urbanized Area (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

- Res. I-1 Public Hearing to Consider Adopting Resolution to Amend the Electric Utility Department Rules and Regulations No. 15 to Assess a Transmission and Substation System Charge on New Developments Outside Existing City Limits as of August 1, 2006 (EUD)
- Res. I-2 Public Hearing to Consider Adopting a Resolution Amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees (CD)

J. Communications

- J-1 Claims Filed Against the City of Lodi – None
- J-2 Appointments
- a) Appointments to the Greater Lodi Area Youth Commission (Adult Advisors), Library Board of Trustees, Lodi Senior Citizens Commission, and the San Joaquin Valley Unified Air Pollution Control District Citizens Advisory Committee (CLK)
 - b) Post for Expiring Terms on the Lodi Improvement Committee (CLK)
- J-3 Miscellaneous – None

K. Regular Calendar

- Res. K-1 Mid-Year Budget Review and Adopt Resolution Revising 2006-07 Budget Appropriations (FIN)
- Res. K-2 Adopt Resolution Reducing the Electric Utility Fund Payment In-Lieu of Taxes Amount as Previously Established at 12% to an Amount Established by Formula (CM)
- K-3 Select Two Council Members to Participate in Community Center Director Interviews (CM)
- K-4 Direct Staff to Seek Real Estate Appraisals for Certain Parcels as Listed in *Project Opportunity – A Review of City-Owned Property*, and Direct Staff to Secure Bids for Sale of 9.09 Acres at 500 South Guild Avenue and Negotiate the Sale of Conservation Easements for Undetermined White Slough Property (CM / FD)
- K-5 Designate a Council Member Liaison for 2007 City Services Survey via the National Citizen Survey Program (CM)
- K-6 Solicit Nominations from the City Council for Persons to Serve on the Loan Advisory Committee for the City of Lodi Revolving Loan Fund Program (CD)
- K-7 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$388,439.83) (CA)

L. Ordinances

- Ord. L-1 Adopt Ordinance No. 1792 entitled, "An Ordinance of the Lodi City Council Repealing and (Adopt) Reenacting Chapter 5.32 of the Lodi Municipal Code Pertaining to Massage Establishments" (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.

Randi Johl
City Clerk