



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: April 4, 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) Review of Council Appointees – City Manager and City Attorney – pursuant to Government Code §54957
- b) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Norma Carson against City of Lodi Based on Personal Injury
- c) Actual Litigation: Government Code §54956.9(a); Two Consolidated Cases; Ana Perez v. Allen Aadland, City of Lodi, et al. and Allstate Insurance Company v. City of Lodi, Allen B. Aadland, Lodi Electric Utility, et al., San Joaquin County Superior Court Case No. CV 028324
- d) 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
- e) 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
- f) 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 Francisco Superior Court, Case No. CGC-05-441976

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 – Bill Sherrill, Lodi Police Chaplains

C. Pledge of Allegiance

D. Presentations

D-1 Awards

- a) Presentation of the Library Volunteer of the Year Award (LIB)

D-2 Proclamations

- a) Keep Lodi Beautiful Month (CD)

D-3 Presentations

- a) Quarterly Update by the Greater Lodi Area Youth Commission (COM)

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

- E-1 Receive Register of Claims in the Amount of \$3,524,504.92 (FIN)
- E-2 Approve Minutes (CLK)
 - a) March 20, 2007 (Shirtsleeve Session)
 - b) March 21, 2007 (Regular Meeting)
 - c) March 27, 2007 (Shirtsleeve Session)
- E-3 Approve Specifications and Authorize Advertisement for Bids for Landscape Maintenance for the Lodi Consolidated Landscape Assessment District 2003-1, Fiscal Year 2007-08 (PW)
- E-4 Approve Specifications and Authorize Advertisement for Bids for 3,000 Tons of Asphalt Materials for Fiscal Year 2007-08 (PW)
- E-5 Approve Specifications and Authorize Advertisement for Request for Proposals for Various Photocopiers in Several City Departments (CM)
- Res. E-6 Adopt Resolution Awarding the Contract to HDR, Inc., of Folsom, for Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation for Water Supply and Transmission System (\$400,000) and Authorizing the City Manager to Execute the Contract (PW)
- Res. E-7 Adopt Resolution Authorizing the City Manager to Enter Reimbursement Agreements for Staff and Contract Costs Incurred in Processing Development Applications and Approved Developments (CA)
- Res. E-8 Approve New Development Code Update Plan and Adopt a Resolution Authorizing the City Manager to Enter into a Contract with Jacobson & Wack in the Amount of up to \$55,000 for Contract Services Related to the Completion of the Development Code Update (CD)
- Res. E-9 Adopt Resolution Ratifying Memorandums of Understanding with the Lodi City Employees General Services and Maintenance and Operators Units (July 1, 2006 through June 30, 2008) (CM)
- E-10 Receive Report Regarding Final Costs for the November 7, 2006, General Municipal Election (CLK)
- E-11 Set Public Hearing for April 18, 2007, to Consider an Appeal to the Planning Commission's Approval of a Conditional Use Permit for Wine Country Casino and Restaurant Located at 1800 South Cherokee Lane (Wine Country Casino and Restaurant, applicant; Kenneth R. Owen, appellant) (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

- Res. I-1 Public Hearing to Receive Public Input and to Consider Adoption of a Resolution to Act to Form the Community Facilities District No. 2007-1 (Public Services) and Set an Election Date for April 11, 2007 (PW)

- Res. I-2 Public Hearing to Consider Resolution Adopting Engineer's Report, Confirming Assessments, Overruling Protests, and Declaring Assessment Ballot Results and Annexing Territory into the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 and Forming Guild Avenue Industrial Zone 13 (PW)
- I-3 Public Hearing to Consider Approval of the Following Items: (CD)
- a) Approve the Following Negative Declarations:
- Res. > Negative Declaration 06-03 for the General Plan Amendment and Change in Zoning for the Gini Project (Expansion of Auto-Related Businesses)
- Res. > Negative Declaration 06-04 for the General Plan Amendment and Change in Zoning for the Lodi Memorial Hospital Project (New South Wing Addition and Other Related Facilities)
- Res. b) Amend the General Plan Designation for 1333 and 1325 South Central Avenue from Eastside Residential to General Commercial (Gini Project) and for 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from Low Density Residential to Office (Lodi Memorial Hospital Project)
- Ord. (Introduce) c) Rezone 1333 and 1325 South Central Avenue from RE-1, Single Family Residential Eastside, to C-2, General Commercial
- Ord. (Introduce) d) Rezone 975, 999, and 1031 South Fairmont Avenue; 1200 West Vine Street; and
Res. 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from RCP, Residential-Commercial-Professional Office, and R-2, Residence District, to PD, Planned Development, and Approve Development Plan

J. Communications

- J-1 Claims Filed Against the City of Lodi – None
- J-2 Appointments
- a) Post for Expiring Terms and Vacancies on the Greater Lodi Area Youth Commission (Student Appointees), Library Board of Trustees, Planning Commission, and Lodi Arts Commission (CLK)
- J-3 Miscellaneous – None

K. Regular Calendar

- Res. K-1 Adopt Resolution Authorizing the City Manager to Execute a Memorandum of Understanding with San Joaquin County for Provision of Domestic Wastewater Treatment Services for County Service Area 31 (Flag City) (PW)
- Pulled** (K-2) Review Groundwater Charge for City Wells Proposed by the North San Joaquin Water Conservation District and Direct Staff as Appropriate (PW)
- Res. K-3 Adopt Resolution Approving Contract with Boom Boom Productions, of Hayfork, CA, for 2007 Fourth of July Fireworks Display and Approve Proposed Venue Location (PR)
- Pulled** Res. (K-4) Adopt Resolution Certifying Negative Declaration and Authorizing the City Manager to Execute Contracts for Construction, Testing and Inspection, and Construction Administration for White Slough Water Pollution Control Facility Phase 3 Improvements Project (\$17,543,774) and to Adjust Existing Appropriations (PW)
- Pulled** (K-5) Consideration of Adjustments to the City Manager and City Attorney Employment Agreements (CM)

L. Ordinances

- Ord. L-1 Ordinance No. 1793 entitled, "An Ordinance of the City Council of the City of Lodi Approving the
(Adopt) Request of Tom Doucette, Frontier Community Builders, for Pre-Zoning to PD (Planned Development) on 151 Acres (Westside Project)" (CLK)

Ord. L-2 Ordinance No. 1794 entitled, "An Ordinance of the City Council of the City of Lodi Adopting a
(Adopt) Development Agreement Pertaining to the Development of 151 Acres Located on the West Side
of Lower Sacramento Road between the Woodbridge Irrigation District Canal and Vine Street
(Westside Project) (Development Agreement GM-05-002)" (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