



LODI CITY COUNCIL
Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: November 5, 2008

Time: Closed Session 5:45 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, located at 221 W. Pine Street, Lodi, 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) Prospective Acquisition of Real Property Located at 232 North Washington Street (APN #043-087-17), 242 Rush Street (APN #043-090-13), and 420 East Lockeford Street (APN #043-202-29), Lodi, California; the Negotiating Parties are City of Lodi and Union Pacific Railroad Company; Government Code §54956.8
- b) Actual Litigation: Government Code §54956.9(a); One Case; Pacific Bell Telephone Company, a California Corporation Doing Business as AT&T California, v. City of Lodi et al., San Joaquin County Superior Court, Case No. CV028523
- c) Conference with Blair King, City Manager (Labor Negotiator), Regarding Unrepresented Executive Management – Deputy City Manager/Internal Services Director – Pursuant to Government Code §54957.6
- d) Review of Council Appointee – City Clerk (Government Code §54957)

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 Mark Price, St. Paul Lutheran Church

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 \$11,040,754.30 (FIN)

E-2 Approve Minutes (CLK)

- a) October 1, 2008 (Regular Meeting)
- b) October 6, 2008 (Special Meeting)
- c) October 7, 2008 (Shirtsleeve Session)
- d) October 14, 2008 (Shirtsleeve Session)
- e) October 15, 2008 (Regular Meeting)
- f) October 21, 2008 (Shirtsleeve Session)
- g) October 28, 2008 (Shirtsleeve Session)

- E-3 Accept Quarterly Investment Report as Required by Senate Bill 564 (CM)
- Res. E-4 Adopt Resolution Awarding Contract for Architectural Services for Grape Bowl Phase I Renovation to 360 – CA Schrock Architects, of San Francisco (\$117,500) (PW)
- Res. E-5 Adopt Resolution Awarding Construction Contract for Library Phase 1 Remodel Project to World Tech, dba Geigle Electric, of Stockton (\$243,879), and Appropriating \$105,000 (Total Project \$360,000) (PW)
- Res. E-6 Adopt Resolution Awarding Contract for Computerized Maintenance Management System Software Purchase and Installation to CarteGraph Systems, Inc., of Dubuque, Iowa (\$28,441) (PW)
- Res. E-7 Adopt Resolution Approving Improvement Deferral Agreement for 1313 South Stockton Street (PW)
- Res. E-8 Adopt Resolution Amending the 2007-2011 Memorandum of Understanding between the City of Lodi and the Lodi Police Mid-Management Organization Relating to Opt-Out Provision for Medical Benefits and Approving Said Provision for Confidential Employees (CM)
- Res. E-9 Adopt Resolution Approving Year 2008 Amendments to Conflict of Interest Code (Government Code §87306.5) (CA)
- E-10 Set Public Hearing for November 19, 2008, to Consider Unmet Transit Needs in Lodi (PW)
- E-11 Set Public Hearing for December 17, 2008, to Consider Resolution Approving Reimbursement Agreement No. RA-08-01 for Public Improvements Constructed with the Vintner's Square Shopping Center (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 Adoption of a Resolution Amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2009 (CD)

J. Communications

- J-1 Claims Filed Against the City of Lodi – None
- J-2 Appointments – None
- J-3 Miscellaneous – None

K. Regular Calendar

- K-1 Uphold City Manager's Decision to Not Remove City Tree at 431 West Elm Street (PW)

K-2 Receive Information and Take Action(s) Relating to Pigs Lake:

a) Report on Mokelumne River Erosion near Pigs Lake (PR)

Res. b) Adopt Resolutions Approving Applications for California River Parkways and Urban
Streams Restoration Grant Funds for the Lodi Lake Park Nature Area Protection Project
Res. (CM)

K-3 Set Public Hearing to Consider the Appeals of Browman Development Company and Wal-Mart Stores, Inc. Regarding the Decision of the Planning Commission to Not Certify the Lodi Shopping Center Environmental Impact Report (CLK)

Res. K-4 Adopt Resolution Approving Amendment No. 1 to the Second Phase Agreement for Funding the Planning and Development Activities of the Lodi Energy Center (EUD)

Pulled K-5 Consider Offer by North San Joaquin Water Conservation District to Purchase 500 Acre-Feet of Woodbridge Irrigation District Water for \$25,000 (PW)

K-6 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$93,162.91) (CA)

L. Ordinances – None

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