



# LODI CITY COUNCIL

**Carnegie Forum**  
305 West Pine Street, Lodi

## \*\* A G E N D A \*\*

**REGULAR MEETING – Lodi City Council**  
**SPECIAL MEETING – Redevelopment Agency**

**Date: February 4, 2009**

**Time: Closed Session 6:00 p.m.**  
**Regular Meeting 7:00 p.m.**

For information regarding this agenda please contact:  
**Randi Johl, City Clerk, (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) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Jose Nava against City of Lodi Based on Personal Injury
- b) 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 –** Pastor Steve Newman, First Baptist Church

**C. Pledge of Allegiance**

**D. Presentations**

- D-1 Awards – None
- D-2 Proclamations – None
- 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 \$4,664,095.15 (FIN)

- E-2 Approve Minutes (CLK)
- a) January 20, 2009 (Shirtsleeve Session)
  - b) January 21, 2009 (Regular Meeting)
  - c) January 27, 2009 (Shirtsleeve Session)

Res. E-3 Adopt Resolution Approving Purchase of John Deere Backhoe/Loader from Pape Machinery, of French Camp, for Replacement of Vehicle No. 04-128 and Appropriating Funds (\$100,000) (PW)

E-4 Accept Improvements under Contract for the Asphalt Rubber Cape Seal, Various Streets, 2008 Project (PW)

- Res. E-5 Adopt Resolution Awarding Contract for the Blakely Park North Pool Deck Improvements, 1050 South Stockton Street, to Greg Carpenter Concrete, Inc., of Lodi (\$44,917.50) (PR)
- E-6 Report on Contract Change Order No. 2 for Lodi Lake Boathouse/Discovery Center Improvements, 1101 West Turner Road (PR)
- Res. E-7 Adopt Resolution Appointing New Representatives to the Lodi Tourism Business Improvement District Advisory Board (CLK)
- Pulled** E-8 Set Public Hearing for February 18, 2009, to Review and Approve Both the Joint-Application for Neighborhood Stabilization Program Funding through the California Department of Housing and Community Development and the Memorandum of Understanding for all Participating Jurisdictions (CD)
- E-9 Receive and Accept Quarterly Report of Purchases Between \$5,000 and \$20,000 (FIN)

**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**

- I-1 Public Hearing to Consider the Community Development Block Grant Program Consolidated Plan and Action Plan Development Process and to Receive Input Regarding Community Needs and Funding Priorities (CD)

**J. Communications**

- J-1 Claims Filed Against the City of Lodi – None
- J-2 Appointments
- a) Post for Three Expiring Terms on the Lodi Improvement Committee (CLK)
- J-3 Miscellaneous – None

**K. Regular Calendar**

- K-1 Review and Endorse Economic Development/Owner Participation Policies and Conceptual Three-Year Program Budget for the Lodi Community Improvement Project (CM)  
**NOTE: This item is carried over from the meeting of 1/21/09**  
**NOTE: Joint action of the Lodi City Council and Redevelopment Agency**
- Res. K-2 Adopt Resolution Rescinding Certification of the Final Revised Environmental Impact Report (EIR) for the Lodi Shopping Center Project Located at 2640 West Kettleman Lane and Reset Public Hearing for March 11, 2009, at 6:30 p.m. to Consider the Appeals of Browman Development Company and Wal-Mart Stores, Inc. Regarding the Decision of the Planning Commission to Not Certify the Final Revised EIR (CA)
- Res. K-3 Adopt Resolution Authorizing the City Manager to Enter into a Second Amendment to World of Wonders Science Museum Lease (CM)

- Ord. K-4 Introduce Ordinance Amending Lodi Municipal Code Title 13 – Public Services – by Repealing  
(Introduce) and Reenacting Chapter 13.12, “Sewer Service,” in its Entirety (CA)
- K-5 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental  
Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel  
(\$161,948.01) (CA)

**L. Ordinances**

- Ord. L-1 Adopt Ordinance No. 1818 Entitled, “An Ordinance of the City Council of the City of Lodi  
(Adopt) Amending Lodi Municipal Code Title 12 – Streets, Sidewalks, and Public Places – by Repealing  
and Reenacting Chapter 12.07 Relating to the Lodi Tourism Business Improvement District  
(LTBID)” (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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Randi Johl  
City Clerk