



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: June 17, 2009

Time: Closed Session 6:30 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, 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 James Gribaudo against City of Lodi Based on Personal Injury
- b) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Sean Angoco against City of Lodi Based on Personal Injury

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 Bill Cummins, Bear Creek Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation of Certificate of Recognition to A&W Restaurants Inc. for its 90th Anniversary
- b) Presentation of Resolution of Appreciation to Retiring Fire Chief Mike Pretz
- c) Recognition of the City of Lodi for Being Awarded Employer of the Year ~ Large Company by the San Joaquin Mayors' Committee for Employment of People with Disabilities

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

E-1 Receive Register of Claims in the Amount of \$5,117,873.48 (FIN)

E-2 Approve Minutes (CLK)

- a) May 20, 2009 (Regular Meeting)
- b) June 2, 2009 (Shirtsleeve Session)
- c) June 2, 2009 (Special Meeting)
- d) June 3, 2009 (Regular Meeting)
- e) June 9, 2009 (Shirtsleeve Session)
- f) June 10, 2009 (Special Meeting)

E-3 Report of Sale of Surplus Equipment (PW)

- Res. E-4 Adopt Resolution Awarding the Purchase of Troubleman Bucket Truck to Altec Industries Inc., of Dixon, California (\$84,715) (EUD)
- Res. E-5 Adopt Resolution Awarding Annual Contract for Curb, Gutter, and Sidewalk Replacement to Jeff Case Construction, of Galt (\$46,570) (PW)
- Res. E-6 Adopt Resolution Approving the Master Lease Agreement with the Lodi Grape Festival and National Wine Show Association for Use of Various Festival Ground Facilities (\$21,000) (PR)
- Res. E-7 Adopt Resolution Authorizing the City Manager to Execute an Agreement with the Boosters of Boys/Girls Sports Organization for Concession Operations (PR)
- Res. E-8 Adopt Resolution Approving a Second One-Year Extension of Tree Trimming 2007 Contract with West Coast Arborists, Inc., of Stockton (\$40,000) (PW)
- Res. E-9 Adopt Resolution Approving Contracts for Fiscal Year 2009-10 with United Cerebral Palsy of San Joaquin, Amador, and Calaveras Counties, of Stockton, for Downtown Cleaning (\$46,872) and Transit Facility Cleaning (\$38,456) (PW)
- Res. E-10 Adopt Resolution Authorizing the City Manager to Execute Task Order No. 2 for Wastewater Utility Financial Planning, Rate Setting, and Capacity Charge Study with The Reed Group, Inc., of Sacramento (\$48,100), and Appropriating Funds (\$60,000) (PW)
- Res. E-11 Adopt Resolution Authorizing the City Manager to Execute Master Professional Services Agreement and Task Order No. 1 of the City of Lodi Soil and Groundwater Remediation Projects with Stantec Consulting Corporation, fo Rancho Cordova (\$70,981) and Appropriating Funds (\$100,000) (PW)
- E-12 Approve Amendment Extending the Term of the Northeastern San Joaquin County Groundwater Banking Authority Joint Powers Agreement (PW)
- Res. E-13 Adopt Resolution Authorizing the City Manager to Execute a Master Confirmation Agreement with J.P. Morgan Ventures Energy Corporation (EUD)
- Res. E-14 Adopt Resolution Authorizing the City Manager to File Claim for the 2008-09 Transportation Development Act Funds in the Amount of \$2,839,686 from the Local Transportation Fund and \$82,648 from State Transit Assistance (PW)
- Pulled** Res. **E-15** Adopt Resolution Amending the City of Lodi Drug and Alcohol Testing Policy and Drug and Alcohol Testing Procedure in Accordance with the Federal Transit Administration Drug and Alcohol Program Requirements (CM)
- Res. E-16 Adopt Resolution Nominating Representative from the City of Stockton to the Special City Selection Committee for Appointment to the San Joaquin Valley Air Pollution Control District Governing Board (CLK)

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 Resolution Adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2009-10, and Ordering the Levy and Collection of Assessments (PW)

J. Communications

J-1 Claims Filed Against the City of Lodi – None

J-2 Appointments

- a) Appointments to the Library Board of Trustees: *Caitlin Casey*; Lodi Arts Commission: *Ben Burgess, Nancy Carey, Jennifer Walth*; Lodi Budget/Finance Committee: *Bill Russell, Louis Ponick, Steven Reeves*; Planning Commission: *Bill Cummins, Debbie Olson*; and San Joaquin County Commission on Aging: *Terri Whitmire*; and Direction to Post for Remaining Vacancies on the Library Board of Trustees and the Lodi Budget/Finance Committee (CLK)
- b) Post for One Vacancy on the Lodi Animal Advisory Commission (CLK)

J-3 Miscellaneous – None

K. Regular Calendar

Res. K-1 Adopt Resolution Authorizing the Harney Lane Alternative to Measure K Railroad Grade Separation Project (CD)

Res. K-2 Adopt Resolution Authorizing the City Manager to Allocate a Combined \$169,800 in Public Benefit Program Funds for Five Programs and Authorize the City Manager to Execute Contracts with Five Different Entities to Assist in Managing Programs (EUD)

Res. K-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Lodi Avenue Reconstruction Project and Adopt Resolution Approving Mitigated Negative Declaration 09-01 (PW)

K-4 Approve Legal Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$1,999.58) (CA)

K-5 Cancel July 1, 2009, Regular City Council Meeting (CLK)

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