



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: November 18, 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
Telephone: (209) 333-6702

6:55 p.m. Invocation/Call to Civic Responsibility. Invocations may be offered by any of the various religious and non-religious organizations within and around the City of Lodi. Invocations are voluntary offerings of private citizens, to and for the benefit of the Council. The views or beliefs expressed by the Invocation Speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the beliefs or views of any speaker.

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) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, International Brotherhood of Electrical Workers, Fire Mid-Managers, and Lodi Professional Firefighters Pursuant to Government Code §54957.6

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. Pledge of Allegiance

C. Presentations

- C-1 Awards – None
- C-2 Proclamations – None
- C-3 Presentations – None

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

- D-1 Receive Register of Claims in the Amount of \$1,283,722.37 (FIN)
- D-2 Approve Minutes (CLK)
 - a) October 21, 2009 (Regular Meeting)
 - b) October 27, 2009 (Shirtsleeve Session)
 - c) November 3, 2009 (Shirtsleeve Session)
 - d) November 10, 2009 (Shirtsleeve Session)

Res. D-3 Adopt Resolution Approving City of Lodi Annual Investment Policy and Internal Control Guidelines (CM)

- Res. D-4 Adopt Resolution Approving Purchase of Sign-Making Equipment from Denco Sales Company, of Concord (\$25,208), and Appropriating Funds (\$30,000) (PW)
- Res. D-5 Adopt Resolution Awarding the Contract for Hale Park, 209 East Locust Street, and Blakely Park, 1050 South Stockton Street, Playground Surfacing Improvements to Diede Construction, of Woodbridge (\$73,442), and Appropriating Funds (\$88,000) (PR)
- Res. D-6 Adopt Resolution Approving Contract Change Order to West Coast Arborist Contract for Tree Trimming Services (\$20,265) and Appropriating Funds (\$22,300) (PW)
- D-7 Accept Improvements under Contract for Wastewater Infrastructure Replacement Program (Project No. 4) Project (PW)
- Res. D-8 Adopt Resolution Accepting Cable Rejuvenation under Contract with Novinium, Inc. for Royal Crest Subdivision (EUD)
- D-9 Accept Five Machettes of "Celebrate the Harvest" Sculpture by Artist, Rowland Cheney (COM)
- Res. D-10 Adopt Resolution Opposing the "New Two-Thirds Vote Requirement for Public Electricity Providers" Initiative (EUD)
- Res. D-11 Adopt Resolution in Support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010 (CM)

E. 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.

F. Comments by the City Council Members on Non-Agenda Items

G. Comments by the City Manager on Non-Agenda Items

H. Public Hearings

- H-1 Public Hearing to Consider Unmet Transit Needs in Lodi (PW)
- Ord. H-2 Receive Preliminary Report and Open and Continue Public Hearing to Introduce Ordinance (Introduce) Amending Chapter 13.20, "Electrical Service," Sections 225 and 227 Titled, "Schedule NEM – Net Energy Metering" and "Schedule CEM – Co-Energy Metering Rider" (EUD)

I. Communications

- I-1 Claims Filed Against the City of Lodi – None
- I-2 Appointments
- a) Appointment to the Lodi Budget/Finance Committee: *Bud Mullanix* (CLK)
- I-3 Miscellaneous – None

J. Regular Calendar

- Ord. J-1 Introduce Ordinance Amending Lodi Municipal Code Title 9 – Public Peace, Morals, and (Introduce) Welfare – by Repealing and Reenacting Chapter 9.18, "Vending on Streets, Sidewalks, and Private Property," in its Entirety (CA)
- Res. J-2 Adopt Resolution Setting Forth the City of Lodi's Commitment to Obesity Prevention as Outlined in the Healthy Eating Active Living (HEAL) Campaign (CM)

- J-3 Report on October 16, 2009, Downtown Summit (CM)
- Res. J-4 Adopt Resolution Approving Side Letter Amending the 2008-2010 Memorandum of Understanding between the City of Lodi and the AFSCME Council 57 Local 146-AFL-CIO Maintenance and Operations Unit (CM)
- J-5 Consider Holding a Special City Council Meeting to Discuss the Possibility of Developing a New Proposed Redevelopment Project/Tax Increment Plan (CM)
- J-6 Approve the "Holiday at the Lake" Event for December 11 – 12, 2009 (COM)
- J-7 Approve Legal Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$3,672.99) (CA)

K. Ordinances

- Ord. K-1 Adopt Ordinance No. 1826 Entitled, "An Ordinance of the City Council of the City of Lodi (Adopt) Amending Lodi Municipal Code Title 5 – Permits and Regulations – by Adding Chapter 5.17, "State Video Franchises" (CLK)

L. 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