



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: April 6, 2011

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

6:55 p.m. Invocation/Call to Civic Responsibility. Invocations/Calls may be offered by any of the various religious and non-religious organizations within and around the City of Lodi. These are voluntary offerings of private citizens, to and for the benefit of the Council. The views or beliefs expressed by the 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
- b) Actual Litigation: Government Code §54956.9; Three Applications – Elizabeth Barney v. City of Lodi, ADJ7110885 – 7/09/09, Unassigned Cases – 11/06/09 and 09/10/10; One Application – William Broderick v. City of Lodi, ADJ7619600 – 01/23/10; One Application – Virginia Elder v. City of Lodi, ADJ895653 – 12/12/07; One Application – Bonnie Garcia v. City of Lodi, Unassigned Case – 03/21/08; One Application – Curtis Gokey v. City of Lodi, ADJ4360240 – 12/31/05; One Application – Gregory Hayden v. City of Lodi, STK214337 – 03/10/08; One Application – Kari Locaso v. City of Lodi, ADJ7194880 – 07/18/08; One Application – Shana Lopez v. City of Lodi, Unassigned Case – 07/27/04; One Application – Sherry Moroz v. City of Lodi, STK0201965 – 10/20/05; One Application – Alonzo Powell v. City of Lodi, STK0201699 – 11/22/02; Six Applications – Reba Ridino v. City of Lodi, STK0214846 – 09/01/94; STK0214844 – 08/24/98, STK0214843 – 12/20/05, STK0214853 – 03/26/06, Unassigned Case – 12/03/06, STK0214842 – 05/29/07; Seven Applications – Vicky Whetstone v. City of Lodi, STK0187121 – 06/01/00, STK0187122 – 06/18/02, STK0187125 – 03/13/03, STK0187124 – 11/20/03, STK0187123 – 12/03/03, Unassigned Case – 02/28/07, STK0210955 – 06/26/07
- c) Pending Litigation: Government Code §54956.9(a); One Case; Dean Newhall v. City of Lodi, U.S. District Court, Eastern District of California, Case No. 2:11-CV-00579-GEB-KJN

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. Presentations

- B-1 Sexual Assault Awareness Month Proclamation
- B-2 Keep Lodi Beautiful Month Proclamation (CD)
- B-3 National Library Week Proclamation (LIB)
- B-4 Presentation of the Library Volunteer of the Year Award (LIB)

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

- C-1 Receive Register of Claims in the Amount of \$3,851,323.34 (FIN)
- C-2 Approve Minutes (CLK)
 - a) March 15, 2011 (Shirtsleeve Session)
 - b) March 15, 2011 (Special Meeting)
 - c) March 16, 2011 (Special Meeting)
 - d) March 22, 2011 (Shirtsleeve Session)
 - e) March 29, 2011 (Shirtsleeve Session)
- C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Van Buskirk Park Playground Replacement, 600 North Pleasant Avenue (PW)
- C-4 Approve Specifications and Authorize Advertisement for Bids for Extruded Thermoplastic Lane Line Marking for Various City Streets (PW)
- C-5 Approve Specifications and Authorize Advertisement for Bids to Procure Polemount and Padmount Transformers (EUD)
- Res. C-6 Adopt Resolution Rejecting Non-Responsive Bid from Advanced Striping and Equipment, of Douglasville, Georgia, and Authorizing Purchase of Thermoplastic Equipment Trailer with Pre-Melting Kettles from Mark Rite Lines Equipment Company, of Billings, Montana (\$58,052.92) (PW)
- Res. C-7 Adopt Resolution Authorizing the City Manager to Execute Contract for 2011 Streets Crack Sealing Project with American Asphalt Repair and Resurfacing Company, of Hayward (\$42,788.13) (PW)
- Res. C-8 Adopt Resolution Authorizing the City Manager to Execute Agreement with Calgon Carbon Corporation, of Pittsburgh, for Change Out of Granular Activated Carbon (\$204,780.50) and Appropriating Funds (\$20,000) (PW)
- Res. C-9 Adopt Resolution Authorizing the City Manager to Execute Contract for Municipal Service Center Parking Lot Improvement Project with A.M. Stephens Construction Company, Inc., of Lodi (\$183,456.85), and Appropriating Funds (\$91,000) (PW)
- Res. C-10 Adopt Resolution Rejecting Protest, Authorizing the City Manager to Execute Contract for G-Basin (DeBenedetti Park) Stormwater Pumping Station Project with F & H Construction, of Stockton (\$1,746,000), and to Negotiate a Professional Services Agreement with Neil O. Anderson & Associates, of Lodi, to Provide Construction Testing and Inspection Services for G-Basin Storm Drain Related Projects (Not to Exceed \$35,000) and Appropriating Funds (\$2,100,000) (PW)
- Res. C-11 Adopt Resolution Approving the Agreement Between the City of Lodi and Spare Time, Inc., dba Twin Arbors Athletic Club, for the Summer Swim League Program (PR)
- Res. C-12 Adopt Resolution Approving and Agreeing to Abide by the California Disaster and Civil Defense Master Mutual Aid Agreement (FD)
- Res. C-13 Adopt Resolution Approving Annual Renewal and Authorizing Payment of Shared Automation Fee Structure for the Agreement Between City of Stockton and City of Lodi for Use of the Stockton San Joaquin County Public Library–Sirsi, Corp., Integrated Library System (\$35,256.46) (LIB)

- C-14 Authorize City Attorney to Enter Retainer Agreement with Mark Berry of Mayall, Hurley, Knutsen, Smith & Green, of Stockton, California, for Legal Services for Individually-Named Officers in Newhall v City of Lodi (CA)
- C-15 Accept Improvements Under Contract for Municipal Service Center PBX Replacement Project (PW)
- C-16 Accept Improvements Under Contract for Lodi Avenue Reconstruction Project, Union Pacific Railroad to Cherokee Lane (PW)
- C-17 Approve Summer Transit Pass Reduced Fare (PW)
- Res. C-18 Adopt Resolution Approving Proposition 1B Funding for 2011 Cape Seal Project (\$889,600) (PW)
- C-19 Receive Report Regarding Final Costs for the November 2, 2010, General Municipal Election (CLK)
- C-20 Authorize the Mayor, on Behalf of the City Council, to Send a Letter of Opposition to HR 1002 – Wireless Tax Fairness Act of 2011 (CLK)
- Res. C-21 Adopt Resolution Rescinding Resolution Nos. 3312 and 3344 and Adopting and Implementing Procedures for Administration of Employer-Employee Relations (CM)
- C-22 Set Public Hearing for April 20, 2011, to Approve the Final 2011/12 Action Plan for the Community Development Block Grant Program (CD)
- C-23 Set Public Hearing for April 20, 2011, to Consider Approval of the Following Items: (CD)
 - a) Certify the South Hutchins Annexation Mitigated Negative Declaration as Adequate Environmental Documentation for the Proposed South Hutchins Annexation Project;
 - b) Approve the South Hutchins Annexation Project, which Includes an Annexation and Pre-Zoning
- C-24 Set Public Hearing for May 18, 2011, to Consider Adopting Resolution Setting Wastewater Rates for Residential, Commercial, and Industrial Customers (PW)
- C-25 Set Public Hearing for May 18, 2011, to Introduce an Ordinance on Economic Incentive Rate Discounts (EUD)

D. 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.

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

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

G. Public Hearings – None

H. Communications

- H-1 Post for One Vacancy on the Lodi Arts Commission (CLK)
- H-2 Appointments to the Library Board of Trustees and Lodi Animal Advisory Commission (CLK)

I. Regular Calendar

- Ord. I-1 Introduce Ordinance Repealing and Re-enacting Lodi Municipal Code Chapter 9.12, "Fires, Firearms, and Fireworks," in its Entirety; Adding Chapter 9.13, "Sale of Fireworks"; and Further Amending Chapter 17.78, "Certificates of Occupancy," by Adding Section 17.78.050, "Temporary Event Permits" (CA)
(Introduce)
- Res. I-2 Adopt Resolution Ratifying Employment Agreement Entered into Between the City of Lodi and James M. Rodems (CM)

J. Ordinances – None

K. 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