



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: September 19, 2012
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

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) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Gregory Guy Tarvin Against City of Lodi Based on Personal Injury
- b) Actual Litigation: Government Code §54956.9; One Application; *Mark Verbitsky v. City of Lodi*; WCAB Case No. ADJ17785253 – 03/25/11

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 Presentation of Certificate of Appreciation to Roman Mangrich for His Efforts in Helping Keep the Sidewalks of Lodi Clean
- B-2 Firefighter Muscular Dystrophy Association Fill the Boot Fundraiser Proclamation (FD)
- B-3 Introduction of New Salvation Army Captains Martin and Tory Ross

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

- C-1 Receive Register of Claims in the Amount of \$12,309,433.41 (FIN)
- C-2 Approve Minutes (CLK)
 - a) August 14, 21, and 28 and September 4 and 11, 2012 (Shirtsleeve Sessions)
 - b) August 15 and September 5, 2012 (Regular Meetings)
 - c) August 21, 2012 (Special Meeting)
- C-3 Accept Improvements Under Contract for 2011 GrapeLine Bus Stop Improvements Project (PW)
- C-4 Authorize the City Manager to Execute Amendment Extending Term of the Northeastern San Joaquin County Groundwater Banking Authority Joint Powers Agreement (PW)

- Res. C-5 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement and Extensions with WGR Southwest, Inc., of Lodi, for Storm Drainage Permit Compliance Services (\$39,855) (PW)
- Res. C-6 Adopt Resolution Authorizing the City Manager to Execute Agreement with Lodi Unified School District for Purchase of Compressed Natural Gas at Municipal Service Center Fueling Station (PW)
- Res. C-7 Adopt Resolution Authorizing the City Manager to Extend the Term of the Contract with Mike Keller Consulting, LLC for Transmission and Distribution Services and Appropriating Funds (\$35,500) (EUD)
- Res. C-8 Adopt Resolution Authorizing the City Manager to Execute Agreement and Approve Proposed Expenditure Program for Lodi's Share of the 2012 Edward Byrne Memorial Justice Assistance Grant (\$19,483) (PD)
- C-9 Authorize the City Manager to Amend the Rental Agreement Between the City of Lodi and P & K Fitness for Use of 125 North Stockton Street (CM)
- Res. C-10 Adopt Resolution Approving Art in Public Places Funding for Traffic Control Box Art Project and Appropriating Funds (\$500) (PRCS)
- Res. C-11 Adopt Resolution to Grant Designated Period for Two Years Additional Service Credit (CM)
- C-12 Receive Report Regarding League of California Cities Communications Pertaining to Various Requests for Signature and Veto of Legislation (CLK)
- C-13 Set Public Hearing for October 3, 2012, to Consider Adopting a Resolution Approving the Planning Commission's Recommendation for 2012 Growth Management Allocations to Permit and Construct 12 Residential Units at 2110 Tienda Drive (CD)
- C-14 Set Public Hearing for October 3, 2012, to Consider Introducing Ordinance Terminating Reynolds Ranch Development Agreement with San Joaquin Valley Land Company, LLC (CM)

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

- Res. G-1 Public Hearing to Consider Adopting Resolution Approving the 2011/12 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report; an Amendment of the 2012/13 Action Plan to Accommodate the Reallocation of Unused CDBG Funds; and Appropriating Funds (\$360,967.66) (CD)
- Ord. G-2 Public Hearing to Consider and Approve the Recommendation of the Planning Commission to Rezone Property Located at 515 South Lower Sacramento Road from R-1, C-S, and R-C-P to Planned Development (PD)-35 (CD)
(Introduce)
- NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31**

- Res. G-3 Public Hearing to Consider Adoption of Resolution Levying Annual (2013) Assessment for Downtown Lodi Business Improvement Area No. 1 and Confirming the Downtown Lodi Business Partnership 2012 Annual Report as Approved by Council on August 15, 2012 (CM)

H. Communications

- H-1 Monthly Protocol Account Report (CLK)

I. Regular Calendar

- Ord. I-1 Introduce Ordinance Amending Lodi Municipal Code Title 5 – Permits and Regulations –
(Introduce) Chapter 5.12 – Cardrooms – by Repealing and Reenacting Section 5.12.140, “Rules and Regulations,” and Further Repealing and Reenacting Section 5.12.170, “Gross Revenue Permit Fees” (CA)

J. Ordinances

- Ord. J-1 Adopt Ordinance No. 1861 Entitled, “An Ordinance of the City Council of the City of Lodi
(Adopt) Rescinding Development Agreement Pertaining to the Development of 257.76 Acres Located on the West Side of Lower Sacramento Road Between Highway 12-Kettleman Lane and Harney Lane (Southwest Gateway) (Development Agreement GM-05-001)” (CLK)
- Ord. J-2 Adopt Ordinance No. 1862 Entitled, “An Ordinance of the City Council of the City of Lodi
(Adopt) Rescinding Development Agreement Pertaining to the Development of 151 Acres Located on the West Side of Lower Sacramento Road Between the Woodbridge Irrigation District Canal and Vine Street (Westside Project) (Development Agreement GM-05-002)” (CLK)

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