



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: December 21, 2011
Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

*and via conference call:
1311 Midvale Road
Lodi, CA

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 Stephen Schwabauer, City Attorney, and Dean Gualco, Human Resources Manager (Labor Negotiators), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, International Brotherhood of Electrical Workers, Fire Mid-Managers, and Lodi Professional Firefighters Pursuant to Government Code §54957.6
- b) Conference with Stephen Schwabauer, City Attorney (Labor Negotiator), Regarding Police Mid-Managers, Lodi Police Officers Association, and Lodi Police Dispatchers Association Pursuant to Government Code §54957.6
- c) Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code §54956.9; Two Cases; Pursuant to Government Code §54956.9(b)(3)(A) Facts, Due to Not Being Known to Potential Plaintiffs, Shall Not Be Disclosed

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 Recognition to Lodi Lake Nature Area Docents – 25 Years On The Trail (PRCS)
- B-2 Quarterly Update by the Greater Lodi Area Youth Commission (PRCS)

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

- C-1 Receive Register of Claims in the Amount of \$9,579,246.19 (FIN)
- C-2 Approve Minutes (CLK)
 - a) December 6 and 13, 2011 (Shirtsleeve Sessions)
 - b) December 7, 2011 (Special Meeting)
 - c) December 7, 2011 (Regular Meeting)

- C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Water Meter Program Phase 2 (PW)
- C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Roget Park Improvements, 2229 Tienda Drive (PW)
- C-5 Approve and Authorize Advertisement for Bids to Sell Surplus Electric Supplies, Conduits, and Related Accessories (EUD)
- Res. C-6 Adopt Resolution Awarding Contract for the Development Code Update to Raney Planning and Management, Inc., of Sacramento, and Appropriating Funds (\$52,000) (CD)
- Res. C-7 Adopt Resolution Authorizing the City Manager to Execute Contract for 2011 GrapeLine Bus Stop Improvements with A. M. Stephens Construction Company, Inc., of Lodi (\$53,059), and Appropriating Funds (\$25,000) (PW)
- Res. C-8 Adopt Resolution Authorizing the City Manager to Execute Contract for Wastewater Main Rehabilitation Program, Project No. 5, with Michels Pipeline Construction, of Salem, Oregon (\$859,428.25) (PW)
- Res. C-9 Adopt Resolution Authorizing the City Manager to Execute Contract with Berndt Tree Service, of Lodi, for Removal of 41 Modesto Ash Trees (\$22,000) and Appropriating Funds (\$15,000) (PW)
- Res. C-10 Accept Improvements Under Contract for Water Meter Program Phase 1 and Adopt Resolution Authorizing the City Manager to Execute Amendment No. 1 to Task Order No. 2 with RMC Water and Environment (\$61,855) (PW)
- C-11 Accept Improvements Under Contract for Elm Street Asphalt Concrete Overlay Project, Hutchins Street to Church Street (PW)
- Res. C-12 Adopt Resolution Approving Amended Joint Powers Agreement Forming the California Transit Systems Joint Powers Authority and Authorizing the City Manager to Execute Amended Agreement (PW)
- Res. C-13 Adopt Resolution Authorizing the City Manager to Negotiate and Execute Cooperative Agreement with San Joaquin Council of Governments for GrapeLine Operating Services (Fiscal Year 2011/12 through 2013/14) (PW)
- Res. C-14 Adopt Resolutions Approving Revised Deferred Compensation Plan Documents for Nationwide Retirement Solutions and The Hartford (CM)
- Res. C-15 Adopt Resolution to Grant Designated Period for Two Years Additional Service Credit (CM)
- Res. C-16 Adopt Resolution Adopting a Program for Enforcement of the Renewable Portfolio Standards Program (EUD)
- C-17 Authorize the Mayor, on Behalf of the City Council, to Send a Letter in Support of H.R. 1746, the "Community Access Preservation Act" (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 Continued Public Hearing to Consider Adopting Resolution Approving Harney Lane Specific Plan and Certifying Negative Declaration as Adequate Environmental Documentation for the Harney Lane Specific Plan (PW)
- Res. G-2 Public Hearing to Consider Adopting Resolution Setting Pre-Approved Engineering News Record Adjustment Index for Usage-Based and Flat Water Rates (PW)

H. Communications

- H-1 Monthly Protocol Account Report (CLK)

I. Regular Calendar

- Res. I-1 Adopt Resolution Supporting the Joint Resolution of Cities, County, and Other San Joaquin County Stakeholders Regarding Land Use, Water, and Other Delta Related Issues (CLK)
- I-2 Review of City's Annual Financial Report (Fiscal Year 2010/11) by Macias, Gini & O'Connell, LLP (CM)

J. Ordinances

- Ord. J-1 Adopt Ordinance No. 1855 Entitled, "An Ordinance of the Lodi City Council Amending Lodi (Adopt) Municipal Code Chapter 13.20 – Electrical Service – by Adding Section 13.20.020, 'Energy Theft Diversion/Field Services Fee Recovery Schedule'" (CLK)

K. Reorganization of the Following Agency Meetings:

- Res. K-1 Lodi Public Improvement Corporation
- Res. K-2 Industrial Development Authority
- Res. K-3 Lodi Financing Corporation
- Res. K-4 City of Lodi Redevelopment Agency
- Res. K-5 Lodi Public Financing Authority

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



DECLARATION OF POSTING

On Thursday, December 15, 2011, in the City of Lodi, San Joaquin County, California, a copy of the December 21, 2011, Regular Meeting agenda (attached and marked as Exhibit A) was posted at 1311 Midvale Road, Lodi.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 15, 2011, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**

Posted by:



**MARIA BECERRA
ADMINISTRATIVE CLERK**