



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Approve Minutes
a) March 5, 2008 (Regular Meeting)
b) March 19, 2008 (Regular Meeting)

MEETING DATE: April 2, 2008

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve the following minutes as prepared:
a) March 5, 2008 (Regular Meeting)
b) March 19, 2008 (Regular Meeting)

BACKGROUND INFORMATION: Attached are copies of the subject minutes, marked Exhibits A through B.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

RJ/JMP

Attachments

APPROVED: _____
Blair King, City Manager

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 5, 2008**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of March 5, 2008, was called to order by Mayor Mounce at 5:45 p.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

C-2 ANNOUNCEMENT OF CLOSED SESSION

a) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Cross-Claim by Lima Dairy Against City of Lodi Based on Alleged Nitrate Contamination at White Slough; Coldani v. Lima Dairy, US District Court, ED Cal Case No. 2:07-CV-00660-RRB-EFB

b) Conference with Dean Gualco, Human Resources Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), Regarding Association of Lodi City Employees Regarding General Services Pursuant to Government Code §54957.6

c) Prospective Sale of Real Property Located at 500 S. Guild Avenue, Lodi, CA (APN 049-250-61); the Negotiating Parties are City of Lodi and GG Land Group LLC.; Government Code §54956.8

C-3 ADJOURN TO CLOSED SESSION

At 5:45 p.m., Mayor Mounce adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:57 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:02 p.m., Mayor Mounce reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

Item C-2 (a) was discussion only, and Item C-2 (b) was not discussed.

In regard to Item C-2 (c), settlement direction was given to present a counteroffer.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of March 5, 2008, was called to order by Mayor Mounce at 7:02 p.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. INVOCATION

The invocation was given by Pastor Kevin Suess, Vinewood Community Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mounce.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 (a) Mayor Mounce presented a proclamation to George Bradley and Steve Dutra proclaiming Friday, April 4, 2008, as “Arbor Day” in the City of Lodi.

D-3 (a) Mayor Mounce presented the San Joaquin Council of Governments’ Regional Excellence Award to representatives of the Cellar Door wineries.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Hansen, Katzakian second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- E-1 Claims were approved in the amount of \$11,989,577.86.
- E-2 The minutes of February 19, 2008 (Shirtsleeve Session), February 20, 2008 (Regular Meeting), and February 26, 2008 (Shirtsleeve Session) were approved as written.
- E-3 "Approve Scope of Work for Transit Operations Contract and Authorize Advertisement for Request for Proposals (GrapeLine, VineLine, and Dial-A-Ride)" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
- E-4 Approved the specifications and authorized advertisement for bids for 25,000 feet of #4/0 AWG, 15kV, EPR insulated, jacketed concentric neutral underground cable.
- E-5 Approved the specifications and authorized advertisement for bids for maintenance of the Lodi Consolidated Landscape Assessment District 2003-1, fiscal year 2008-09.
- E-6 Adopted Resolution No. 2008-31 authorizing the sole source procurement of remote terminal units and accessories from Geo Honn Company, Inc., of Vacaville, CA, for Henning and Industrial Substations in an amount not to exceed \$60,000.
- E-7 "Adopt Resolution Awarding the Professional Services Contract to Auriga Corporation, of Milpitas, California, to Perform Siting Work for the West 60kV Transmission Project and Appropriate Funds (Not to Exceed \$34,000)" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
- E-8 Adopted Resolution No. 2008-32 approving a one-year extension of the tree trimming 2007 contract with West Coast Arborists, Inc., of Stockton, in the amount of \$53,000.
- E-9 Adopted Resolution No. 2008-33 approving professional services agreement with Rolfes Engineering, Inc., of Stockton, for engineering design services and construction administration for Library heating, ventilation, and air conditioning in the amount of \$42,640 and authorizing the City Manager and City Clerk to execute the agreement.
- E-10 Adopted Resolution No. 2008-34 authorizing the City Manager to execute reimbursement agreement with North San Joaquin Water Conservation District for City administrative services provided to the District.
- E-11 "Authorize City Manager to Execute Agreement with InfoSend, Inc., of Fullerton, CA, for Online Payment Services (Est. \$35,000/Year)" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
- E-12 Accepted the memorial bench, tree, and plaque donation from friends of Jeannie Matsumoto in honor of her daughter, Suzanne Matsumoto.

ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- E-3 "Approve Scope of Work for Transit Operations Contract and Authorize Advertisement for Request for Proposals (GrapeLine, VineLine, and Dial-A-Ride)"

This item was pulled by Council Member Hitchcock for further discussion.

In response to Council Member Hitchcock, Public Works Director Richard Prima stated that, with respect to the 30-day time period, the proposal and evaluation process takes some time, they would like to stay on schedule, and the 30-day period was previously sufficient; although, 45 days would be fine also.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously approved the scope of work for transit operations contract and authorized advertisement for request for proposals (GrapeLine, VineLine, and Dial-A-Ride), with a 45-day response time rather than 30 days.

- E-7 “Adopt Resolution Awarding the Professional Services Contract to Auriga Corporation, of Milpitas, California, to Perform Siting Work for the West 60kV Transmission Project and Appropriate Funds (Not to Exceed \$34,000)”

This item was pulled by Council Member Johnson for further discussion.

Electric Utility Director George Morrow provided an overview of the previous presentation regarding the transmission project and specifically discussed the current electric utility supply, the need for a second source of electricity coming in from the west, preferred alternatives, and a meeting with the stakeholders.

Council Member Johnson stated he does not support Alternative 7 as the preferred route because there may be other routes that affect fewer residents.

In response to Mayor Mounce, Mr. King stated the matter could be tabled; although, he believed it was too early to determine a preferred route. He stated there was a need for some flexibility in the proposals to be brought back for Council consideration with respect to negotiating right of ways.

In response to Council Member Hitchcock, Mr. King clarified that the action before the Council at the present time is all inclusive and does not specifically select a route; although, the consultant did identify No. 7 as a preferred alternative because it is economically feasible.

A brief discussion ensued between Mayor Pro Tempore Hansen and Council Member Johnson regarding the value of moving forward on the item versus tabling the matter, the economics of all viable options and alternatives, and specific factors such as discussions with property owners and the flow of energy.

In response to Council Member Hitchcock, Mr. Morrow stated the most economical alternative for the City is generally based on the consultant's early conceptual designs and the ability to get from Point A to Point B in the most effective and efficient way.

In response to Council Member Johnson and Mayor Pro Tempore Hansen, Mr. Morrow stated staff and the consultant can look at a variety of alternatives, including the one suggested to him by Council Member Johnson. He also stated staff will provide the supplemental information regarding the alternatives to the Council as requested.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously adopted Resolution No. 2008-35 awarding the professional services contract to Auriga Corporation, of Milpitas, California, to perform siting work for the West 60kV Transmission Project and appropriating funds in an amount not to exceed \$34,000.

- E-11 "Authorize City Manager to Execute Agreement with InfoSend, Inc., of Fullerton, CA, for Online Payment Services (Est. \$35,000/Year)"

This item was pulled by Council Member Hitchcock for further discussion.

City Manager King provided a brief overview of the item, stating that, while the recommended action does not provide the actual ability to make online payments at the current time, it does provide the City with assurance that it will be held harmless and indemnified in the event of patent-related litigation arising from online payment services, which was a concern of the City Attorney's office.

In response to Council Member Hitchcock, Information Services Manager Steve Mann stated the ability to make online payments will likely be available in the next few months after the initial set up work is completed and a contract is executed.

Ann Cerney stated she would like additional information regarding the litigation possibilities from the patent use. Mr. Schwabauer stated Infosend, Inc. is a reputable company based out of Fullerton, California, and has as its client base several municipalities. He stated the trial courts are slowly starting to come down on the side of municipalities in several cases, reasoning that the patent does not apply to municipalities.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously authorized the City Manager to execute agreement with InfoSend, Inc., of Fullerton, CA, for online payment services in the estimated amount of \$35,000 per year.

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Stephen Qualls of the League of California Cities introduced himself as the new Central Valley Regional Representative. Mr. Qualls provided a brief legislative update and status of the Governor's recommendations. In response to Council Member Hansen, Mr. Qualls stated Proposition 172 funding may be in jeopardy based on the information provided by the Legislative Analyst's office. Mr. King stated Proposition 172 was a State proposition from early 1990s and recommendation is to give up some parolee monitoring on the lower levels to the County and the City would lose some funds as a result.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Mayor Pro Tempore Hansen reported on his attendance at the American Public Power Association conference in Washington D.C. He specifically discussed passing costs related to the security of dams to local electric regulators and encouraging the passage of legislation to control local costs on electric power for citizens. Mr. Hansen also commended those involved with the Salvation Army annual dinner and the display of the AIDS exhibit by First Baptist Church.
- Mayor Mounce stated that, in response to a letter to the editor, she would like to clarify that she supports bringing in good businesses to the City to help its economic condition.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

None.

I. PUBLIC HEARINGS

- I-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mounce called for the public hearing to consider and approve community input and proposals for uses of the City's 2008-09 Federal allocation of Community Development Block Grant and HOME Program funds and the reallocation of available funds from previous program years.

City Manager King briefly introduced the subject matter of the City's 2008-09 Federal allocation of Community Development Block Grant (CDBG) and HOME Program funds and the reallocation of available funds from previous program years.

Community Improvement Manager Joseph Wood provided a PowerPoint presentation regarding the proposed CDBG and HOME program allocations. Specific topics of discussion included program overview, eligibility, local funding policies, proposed allocations, community-based organization applications, application review process, capital project summary, service request summary, project funding recommendations, requests not recommended for funding, City project funding recommendations, and HOME allocations.

In response to Council Member Hitchcock, Mr. King stated the Council can call for new projects for the \$147,000 unallocated amount or can allocate that amount to City projects. He confirmed that staff may be able to start on the alley drainage improvement project identified to cost \$225,000, which was moved to next year, with the \$147,000.

Mayor Pro Tempore Hansen suggested leaving the \$147,000 available for the Family Resource Center, as it explores its options to build a new site or occupy an existing building.

In response to Council Member Johnson, Mr. Wood stated \$100,000 was previously allocated to the Family Resource Center for design services, but that amount has not been encumbered due to the change from building a center to occupying an existing store front.

In response to Council Member Johnson, Mr. Wood stated the Family Resource Center could be given a total allocation of \$247,000, but additional clarification would be needed to determine where the funding would go and how it would be used. Mayor Pro Tempore Hansen stated that, while he believes the City has a reasonable obligation to assist and he would like to see the \$100,000 allocated to the Family Resource Center, he is also not sure if the \$100,000 should remain outstanding if there is another worthy project pending.

Mayor Mounce commended staff for addressing the property located at 17 East Elm Street.

Mr. Wood stated he would like to clarify that the total allocation amount was \$342,000 instead of \$253,000 as originally listed.

Hearing Opened to the Public

- Francisco Trujillo, representing the Family Resource Center, provided an overview of how the Center got started, its purpose, the expansion project into a new building or existing building, and fundraising hardships and the requirement for matching funds. Based on these factors, Mr. Trujillo requested continued CDBG funding.
- Juan Villareal, representing the Library Board of Trustees, requested the unallocated \$147,000 be provided to the Library for necessary Americans with Disabilities Act (ADA) improvements.
- Dan Williams, representing the Salvation Army, in response to Mayor Mounce, stated the County is also providing funding for the organizations' projects.

Public Portion of Hearing Closed

Council Member Hitchcock commended Community Improvement Manager Wood on his efforts with the CDBG program and requested a copy of the PowerPoint presentation be provided to the City Council.

Council Member Hitchcock suggested the \$147,000 unallocated amount be voted on by the Council separately from the remainder of the recommended action.

MOTION #1:

A motion by Council Member Hitchcock to allocate the \$147,000 toward the Library ADA improvements **died** for a lack of a second.

Discussion ensued between Mayor Pro Tempore Hansen, Council Member Johnson, and Mr. Wood regarding the Center's ability to obtain additional funding without the \$147,000 allocation to get into a store front property instead of building a new center, the alternative to keep the funds unallocated and review the status of the Center at a later date, the new Center in Stockton, and the Cal-Foundation as a funding source.

In response to Council Member Hitchcock, Mr. Wood stated the new Center in the city of Stockton was built by the City with redevelopment funds.

Mayor Pro Tempore Hansen suggested the Council consider allocation of the \$147,000 in six months in order to provide the Family Resource Center time to explore its options with occupying an existing store front property.

MOTION #2 / VOTE:

The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously adopted Resolution No. 2008-36 approving the projected use of funds for the 2008-09 Federal allocation of Community Development Block Grant and HOME Program funds and reallocating available funds from previous program years, with the exception of the \$147,000 non-allocated amount.

MOTION #3 / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Hitchcock second, unanimously determined that Council would revisit the \$147,000 in non-allocated funds in six months to consider the allocation.

RECESS

At 9:00 p.m., Mayor Mounce called for a recess, and the City Council meeting reconvened at 9:09 p.m.

I. PUBLIC HEARINGS (Continued)

I-2 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mounce called for the public hearing to consider adopting the Federal Fiscal Year 2008 Program of Transit Projects.

City Manager King briefly introduced the subject matter of the Federal Fiscal Year 2008 Program of Transit Projects.

Public Works Director Richard Prima provided a brief overview of the funding source and process involved with obtaining the federal funding for transit projects in the City.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated the federal formula allocates the City's portion of funding for ongoing operations and it does take additional funds to run the entire operation.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously adopted Resolution No. 2008-37 approving the Federal Fiscal Year 2008 Program of Transit Projects.

J. COMMUNICATIONS

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

J-2 The following postings/appointments were made:

a) The City Council, on motion of Mayor Pro Tempore Hansen, Johnson second, unanimously made the following appointments:

Lodi Arts Commission

Thorstien W. Himle II Term to expire July 1, 2011

Karen Mattei Term to expire July 1, 2011

J-3 Miscellaneous – None

K. REGULAR CALENDAR

K-1 “Presentation of Proposed Art in Public Places Art Piece on the Northwest Corner of Lodi Avenue and Washington Street by Artist Jerrod Mays”

City Manager King briefly introduced the subject matter.

Planning Manager Peter Pirnejad provided a brief overview of the process associated with introducing the proposed art piece to the various bodies. Artist Jerrod Mays reviewed the various drawings of the actual art piece submitted in the staff report.

In response to Mayor Pro Tempore Hansen, Mr. Mays stated that the maximum cost was \$100,000 and he was able to cut it down to \$80,000.

In response to Mayor Pro Tempore Hansen, Mr. Pirnejad stated all the proposals came in at \$100,000 or less and Mr. Mays was the least expensive of the proposals.

In response to Council Member Johnson, Mr. Mays stated the proposal was very specific as to the requirement of little or no maintenance for the art piece itself.

In response to Council Member Johnson, Mr. Pirnejad stated some of the other proposals included a statue related to Mickie Grove and a mural with bench seating. He stated the proposed piece stays within the guidelines of E-Map by enhancing the pedestrian experience for those walking or driving by while providing seating for rest purposes. Mr. Pirnejad confirmed there are no bus stops on the block.

In response to Council Member Hitchcock, Mr. Mays provided an overview of the actual piece including design features, weather resistance, materials, and rust considerations.

In response to Mayor Mounce, Mr. Pirnejad stated staff will review the possibility of removing the nearby bus shelter since it is not being used as a bus stop.

Mayor Pro Tempore Hansen stated he wanted to clarify that the funding for the art piece is coming from developers for the art in public places piece, there will be a need to review contingencies with the Arts Commission before it comes back to the City Council, and removal of the bus stop if it doesn't serve a purpose may be appropriate.

Discussion ensued between Council Member Hitchcock, Mayor Pro Tempore Hansen, and Mayor Mounce regarding ensuring that the proposed art piece does not serve as a bus stop and an actual bus stop is placed in the vicinity as needed. Mr. Prima stated staff will explore the options for bus shelters in the area.

Dave Hedrick spoke in opposition to the proposed art piece based on his concerns regarding the cost of the proposed art piece, the possibilities of theft and vandalism, and homelessness. Mr. Pirnejad and Mr. Mays stated the piece will be riveted to protect against vandalism; although, there is nothing that can prevent vandalism in its entirety.

Ann Cerney spoke in favor of the proposed art piece, stating it will be a good addition to the area.

City Manager King stated the item will be brought back to the City Council for formal action at an upcoming Council meeting.

MOTION/ VOTE:

There was no Council action taken on this matter.

K-2 "Receive Progress Report on the City of Lodi General Plan Update"

City Manager King briefly introduced the subject matter of the progress report on the General Plan update.

Consultant Rad Bartlam provided a status report of the City's General Plan update. He specifically discussed the joint December meeting, development of the three alternatives, ongoing efforts by staff and consultants, completion of the alternatives in approximately two weeks, technical review and fiscal viability of the alternatives, likelihood of success for economic development, residential targets for quantity and quality, the lack of a specific recommended approach in order to stimulate discussion on all alternatives, further consideration by the Planning Commission and City Council around June, budget considerations, and engaging the public, service clubs, community organizations, and property owners.

Mayor Pro Tempore Hansen commended Rad Bartlam for his efforts on the General Plan update.

Council Member Hitchcock stated she appreciated the status report and public outreach through community newsletters, summaries, utility billing insertions, and other visual materials. Mr. King stated community events, such as those put on by the City of Hillsborough, may be a good opportunity to get the word out as well.

MOTION / VOTE:

There was no Council action taken on this matter.

K-3 "Adopt Revised Fleet Policy"

City Manager King briefly introduced the subject matter of the proposed fleet policy.

Public Works Director Richard Prima provided a PowerPoint presentation regarding the proposed fleet vehicle policy. Specific topics of discussion included background, policy objectives, safety, utilization, administration, policy guidelines, replacement and utilization guidelines, notes, service life, replacement funding, policy implications, fleet age, theoretical replacement costs, potential lease rates, and a summary and recommendation regarding the same.

In response to Council Member Hitchcock, Mr. Prima stated the blue line on the chart represents all City vehicles, including transit and electric utility, while the pink line represents general fund vehicles including Police, Fire, City Hall, Finance, and Parks and Recreation. Mr. King briefly discussed the actual workings of a fleet replacement policy, departmental lease payments, costs of service to departments, and allocations of the same.

Discussion ensued between Council Member Hitchcock, Mr. Prima, and Mr. King regarding the red line representing a flat contribution for general fund vehicles, similar approach for other vehicles except transit which receives outside funding, charges to the enterprise account for vehicles, and the goal of absorbing costs over an extended period of time rather than having to absorb large one-time costs.

In response to Council Member Hitchcock, Mr. King confirmed that the goal is to set aside a reasonable amount for the vehicles that have to be replaced.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated he did not believe anyone was receiving a vehicle allowance. Mr. King confirmed that the intent of the policy is not to allow for vehicle allowances and staff will come back to Council if that is the direction.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated Table One is the old policy and Table A is the newly proposed policy and the primary difference is the actual concept.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated the yellow zone is intended to look at the vehicles and assess whether they should be kept, repaired, and/or replaced for longest use possible.

Discussion ensued between Council Member Hitchcock, Mr. Prima, and Mr. King regarding what vehicles are taken home, the approval process for take home vehicles, on-call vehicles, justifications for taking vehicles home, and removing the take home vehicle piece from the proposed policy.

In response to Council Member Johnson, Mr. Prima and Mr. Callahan stated there are 24 to 25 total police vehicles active on patrol.

In response to Council Member Johnson, Mr. Prima stated maintenance efforts for vehicles have improved because there is better staffing levels. He stated he is comfortable that the individuals making the assessments on vehicles are doing a good job so long as there is staff to do what needs to be done and the funding to do it.

Discussion ensued between Mayor Pro Tempore Hansen, Mr. Prima, and Mr. King regarding consideration of a take home vehicle policy, speaking with individuals affected by the same, school resource vehicles, unmarked police vehicles, and bringing back a policy regarding the same for Council consideration.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, unanimously adopted the revised Fleet Policy as recommended, with the exception of the policy guidelines relating to take home vehicles and vehicle allowance, which are to be brought back separately for Council consideration in the future.

K-4 “Adopt Resolution Amending Memorandum of Understanding Between the City of Lodi and the Lodi City Mid-Management Association for the Period of January 1, 2008 through December 31, 2009”

City Manager King provided a brief introduction of the subject matter.

Human Resources Manager Dean Gualco provided a brief overview of the proposed terms of the Memorandum of Understanding.

In response to Council Member Hitchcock, Mr. Gualco confirmed these are the same positions that were previously discussed.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Mounce second, unanimously adopted Resolution No. 2008-38 amending the Memorandum of Understanding between the City of Lodi and the Lodi City Mid-Management Association for the period of January 1, 2008 through December 31, 2009.

K-5 "Adopt Resolution Approving Compensation Adjustment for Unrepresented Mid-Managers"

In response to Mayor Mounce, Mr. King stated the Human Resources Manager would be eligible for an adjustment.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Hitchcock second, unanimously adopted Resolution No. 2008-39 approving compensation adjustment for unrepresented mid-managers.

K-6 "Adopt Resolution Approving City's Internet Website Policy"

Communications Specialist Jeff Hood provided a PowerPoint presentation regarding the proposed website policy. Specific topics of discussion included what the website policy is, samples of links to be prohibited, .gov domain names, federal General Services Administration rules, proposed link policy, possible revenue source, and future of website.

Mayor Mounce commended Mr. Hood for clarifying that the domain url affected the revenue generation ability of the City's website.

Discussion ensued between Council Member Johnson, Mr. King, and Mr. Hood regarding organizations that do not receive funding from the City such as the Chamber of Commerce, acting agents in promotions such as the Visitor's Bureau, and the need for a clear and simple policy that provides some guidance without allowing all links to allow for easy page navigation.

Mayor Mounce and Council Member Hitchcock indicated they did not wish to see cluttering of the website.

In response to Mayor Pro Tempore Hansen, Mr. Hood stated providing relevant information instead of an actual link may be a possibility.

In response to Council Member Katzakian, Mr. Hood stated an index to various website addresses could be provided without the actual links.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously adopted Resolution No. 2008-40 approving the City's Internet Website Policy.

VOTE TO CONTINUE WITH THE REMAINDER OF THE MEETING

The City Council, on motion of Council Member Johnson, Hansen second, unanimously voted to continue with the remainder of the meeting following the 11:00 p.m. hour.

K. REGULAR CALENDAR (Continued)

K-7 "City Council Participation in Review of Applicants for Police Chief and Public Works Director"

City Manager King requested the City Council appoint two members to work with him on the Police Chief recruitment and one member for the Public Works Director recruitment.

Council Member Hitchcock expressed her interest in participating in the Community Development Director recruitment in the future.

MOTION / VOTE:

The City Council selected Mayor JoAnne Mounce and Mayor Pro Tempore Larry Hansen to participate in the review of applicants for Police Chief and further selected Council Member Johnson to participate in the review of applicants for Public Works Director.

K-8 "Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$183,932.95)"

MOTION / VOTE:

The City Council, on motion of Mayor Mounce, Hitchcock second, unanimously approved the expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation in the amount of \$183,632.95, as revised and detailed below:

Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8003	106887	01/31/08	Hartford v. City of Lodi	\$ 460.41
			Less deduction by City Attorney	(300.00)
8008	106888	01/31/08	City of Lodi v. Envision	\$169,525.29
	133276	12/31/07	Hemming Morse, Inc.	\$ 4,888.75
	133465	01/31/08	Hemming Morse, Inc.	\$ 9,058.50
Total				\$183,632.95

L. ORDINANCES

None.

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 11:11 p.m.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 19, 2008**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of March 19, 2008, was called to order by Mayor Mounce at 5:15 p.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Katzakian [except C-2 (b)], and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) Actual Litigation: Government Code §54956.9(a); One Case; Guptil v. City of Lodi, et al., and Related Cross-Complaint, Darlene Heil v. City of Lodi, San Joaquin County Superior Court, Case No. CV029725
- b) Actual Litigation: Government Code §54956.9(a); One Case; City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Francisco Superior Court, Case No. CGC-05-441976
- c) Prospective Sale of Real Property Located at 500 S. Guild Avenue, Lodi, CA (APN 049-250-61); the Negotiating Parties are City of Lodi and GG Land Group LLC.; Government Code §54956.8
- d) Conference with Dean Gualco, Human Resources Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), Regarding Lodi City Mid-Management Association Pursuant to Government Code §54957.6
- e) Actual Litigation: Government Code §54956.9(a); One Case; City of Lodi, et al. v. EBMUD, State Water Resources Control Board, Application No. 13156

C-3 ADJOURN TO CLOSED SESSION

At 5:15 p.m., Mayor Mounce adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:25 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:01 p.m., Mayor Mounce reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

In regard to Item C-2 (a), settlement was unanimously approved for \$7,500, one half of a \$15,000 collective settlement, for a trip and fall occurrence.

In regard to Item C-2 (b), discussion was had and direction was given.

In regard to Item C-2 (c), negotiating direction was given for the sale of the land. A contract will be brought back for Council consideration at the next regularly scheduled Council meeting.

In regard to Items C-2 (d) and C-2 (e), discussion was had and direction was given.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of March 19, 2008, was called to order by Mayor Mounce at 7:01 p.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. INVOCATION

The invocation was given by Barbara Taylor, Lodi Police Chaplain.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mounce.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 (a) Following introductory comments by Community Improvement Manager Joseph Wood, Mayor Mounce presented the Community Improvement Award to Crystal Kirst, developer of the properties at 501 Maple, 503 Maple, and 740 S. Garfield, for her accomplishment in improving that neighborhood.

D-2 (a) Following introductory comments by Community Improvement Manager Joseph Wood, Mayor Mounce presented a proclamation to Jennelle Bechtold with Waste Management proclaiming the month of April 2008 as "Keep Lodi Beautiful Month" in the City of Lodi. In addition, Ms. Bechtold presented the Mayor with a Great American Cleanup Showcase Award on behalf of Keep California Beautiful, Inc. and Waste Management in the amount of \$5,000 in recognition of the City's clean up activities.

D-3 (a) Mayor Mounce accepted a ceremonial check in the amount of \$264,000 from Congressman McNerney for community projects.

D-3 (b) Following introductory comments by Interim Parks and Recreation Director Steve Dutra, Mayor Mounce presented the Outstanding Parks and Recreation Special Honorary Award from California Association of Commissioners and Board Members to Kathy Grant.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Johnson, Hitchcock second, unanimously approved the following items hereinafter set forth:

E-1 Claims were approved in the amount of \$6,360,425.15.

E-2 The minutes of March 4, 2008 (Shirtsleeve Session), March 11, 2008 (Shirtsleeve Session), and March 11, 2008 (Special Meeting) were approved as written.

E-3 Approved the plans and specifications and authorized advertisement for bids for site improvements at Lodi Lake Park, 1101 West Turner Road.

E-4 Approved the specifications and authorized advertisement for bids to procure polemount and padmount transformers for the Electric Utility Department.

E-5 Approved the specifications and authorized advertisement for bids for a 55' material handling bucket truck (replacement) and appropriated funds in the amount of \$190,000.

E-6 Approved the specifications and authorized advertisement for bids for curb, gutter, and sidewalk replacement annual contract for fiscal year 2008-09.

E-7 Adopted Resolution No. 2008-42 approving the Fee Payment Agreement for 1343 East Kettleman Lane (Tuscany Comfort Suites) and authorizing the City Manager to execute the agreement on behalf of the City.

- E-8 Adopted Resolution No. 2008-43 approving the Improvement Agreement for Public Improvements of 1337 East Kettleman Lane (APN 049-250-87) (Plummer) and authorizing the City Manager to execute the agreement on behalf of the City.
 - E-9 Authorized the City Manager to renew revised Memorandum of Understanding with People Assisting the Lodi Shelter and to retain the temporary building moved to the Lodi Animal Shelter.
 - E-10 Adopted Resolution No. 2008-44 authorizing destruction of certain Citywide records in accordance with the Government Code and the City's Records Management Policy.
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F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Dave Hinchman spoke in opposition to redevelopment based on concerns regarding debt obligations, the lack of an official endorsement by the Lodi Unified School District, the need for additional public outreach meetings, Planning Commission and Budget Committee involvement, and the lack of City Council meetings on the subject matter.
- Cynthia Neely spoke in opposition to the Iraq War and requested that the City Council support a resolution opposing the same based on concerns regarding the loss of life and economic costs. Ms. Neely also submitted several speaker cards in favor of her position of individuals who were in support of the resolution, but chose not to speak.
- Ann Cerney spoke in opposition to the Iraq War and read the resolution opposing the same.
- Eileen St. Yves spoke in favor of and encouraged citizen participation in the U.S. Census dress rehearsal for San Joaquin County.
- Wayne Knauf spoke in opposition to redevelopment based on concerns regarding the size of the project area.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Johnson requested that staff compile a list of meetings, newsletters, and/or articles where redevelopment was discussed.
- Mayor Pro Tempore Hansen requested that the City Council meeting be adjourned in memory of Jim Areida. He also reported on his attendance at the San Joaquin Council of Governments executive meeting and specifically discussed Proposition 1B funding, funding recommendation for vehicles, funding requests for the Lodi Unified School District, traffic corridor funding for the Stockton Port for approximately \$17.5 million, Measure K funds making up the difference at \$35 million, and the possible affect on other projects as a result.
- Mayor Mounce stated she received some citizen concerns regarding mistletoe in trees, thanked staff for addressing concerns regarding the Animal Shelter at the Shirtsleeve Session, and expressed concerns regarding redevelopment meeting attendance and public outreach.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager King stated redevelopment does not have a bond issuance obligation and the Council to date has not considered a related bond issuance. Mr. King also stated that a majority of municipalities do have redevelopment agencies, the school district has not officially endorsed redevelopment although there have been preliminary discussion regarding the same, and public meetings are an ongoing effort with a willingness to do the best job possible in reaching as many people as possible.

I. PUBLIC HEARINGS

- I-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mounce called for the public hearing to consider resolution approving new rates for solid waste collection.

City Manager King briefly introduced the subject matter of new rates for solid waste collection.

Public Works Director Prima provided an overview of the existing franchise agreement, proposed rate adjustment based on Consumer Price Index and increases in land fill and fuel costs, the proposed 3.5% increase, and the need for the increase to help maintain current service levels.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

Mayor Mounce, Mayor Pro Tempore Hansen, and Council Member Hitchcock stated they were all in favor of the reasonable smaller increases over time in lieu of a larger one-time increase.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously adopted Resolution No. 2008-45 approving new rates for solid waste collection.

J. COMMUNICATIONS

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

- J-2 The following postings/appointments were made:

- a) The City Council discussed and provided direction regarding the recommended appointments to the Greater Lodi Area Youth Commission (Adult Advisor), Lodi Budget/Finance Committee, Lodi Improvement Committee, and Senior Citizens Commission as shown below.

MOTION #1 / VOTE:

The City Council, on motion of Council Member Johnson, Hansen second, unanimously made the following appointment:

Greater Lodi Area Youth Commission

Adult Advisor:

Richard Jones, LUSD rep. Term to expire May 31, 2011

In regard to the Lodi Budget/Finance Committee, Council Member Johnson expressed concerns regarding the qualifications of the applicant, the lack of applications received for the position, the experience of non-selected applicants, and the need to repost for the vacancy.

Mayor Mounce expressed support for the applicant, stating it takes a wide variety of people from different backgrounds to contribute to the Committee.

Council Member Hitchcock concurred with the concerns expressed by Mr. Johnson regarding qualifications; however, she stated she would support the nomination because no other applications were received.

Mayor Pro Tempore Hansen thanked Frank Alegre for his service on the Committee, stated he will not support the appointment, and requested the position be re-posted.

John Johnson stated he is neither supporting nor opposing the appointment of the applicant to the Committee. He stated the Committee does not delve into numbers to the extent where an applicant needs to be experienced in budget and finance matters. He stated the Committee previously made general recommendations, which do not include specific numbers.

MOTION #2 / VOTE:

Mayor Mounce made a motion, Hitchcock second, to appoint Jane Lea to the Lodi Budget/Finance Committee. The motion **failed** by the following vote:

Ayes: Council Members – Hitchcock and Mayor Mounce
Noes: Council Members – Hansen, Johnson, and Katzakian
Absent: Council Members – None

The City Council further provided direction to re-post for the one vacancy on the Lodi Budget/Finance Committee, which term is due to expire June 30, 2009.

MOTION #3 / VOTE:

The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously made the following appointments:

Lodi Improvement Committee

Reyes Jaramillo	Term to expire March 1, 2011
Rosie Ortiz	Term to expire March 1, 2011
Virginia Snyder	Term to expire March 1, 2011

MOTION #4 / VOTE:

The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously made the following appointment:

Senior Citizens Commission

Suzanne Schultz	Term to expire December 31, 2012
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J-3 Miscellaneous – None

K. REGULAR CALENDAR

K-1 “Direct the City Manager to Prepare and Send Letter to the San Joaquin Council of Governments on the Draft Methodology for the Regional Housing Needs Allocation Process”

City Manager King and Community Development Director Randy Hatch provided a brief introduction of the subject matter of the Regional Housing Needs Allocation (RHNA).

Community Improvement Manager Joseph Wood provided a PowerPoint presentation regarding the RHNA process. Specific topics of discussion included follow-up to the Shirtsleeve Session, purpose and process, statutory objectives, RHNA Development Committee, controversial nature of process, mandated schedule, County RHNA, draft methodology, miscellaneous RHNA factors, incentives for housing element compliance, preliminary numbers from draft methodology, next steps in process, responses, and final comments to recommendations.

In response to Council Member Hitchcock, San Joaquin Council of Governments (SJCOG) Senior Regional Planner Mike Swearingen stated that, in light of the comments received by the City previously, they were able to move in a positive direction by creating a method to individualize jobs and population ratios. Mr. Swearingen then reviewed the revised numbers set forth in the methodology chart. Mr. King stated the numbers are yet to be approved by the SJCOG Board, it is better to weight numbers towards population and housing for better compliance with RHNA numbers, considerations must also be given for State funding and land application to the General Plan, and staff is recommending that these general comments be provided to staff at SJCOG.

In response to Mayor Pro Tempore Hansen, Mr. Swearingen stated the new numbers will be presented to the Steering Committee and the new data is more accurate than the previous numbers because the information is from 2006 rather than 1999.

In response to Council Member Hitchcock, Mr. Hatch stated the numbers are somewhat unreasonable because even if the City made all of its future development based on the 2% growth affordable, it would still not be sufficient to comply with the RHNA numbers, a situation which is common to other communities as well. He also stated the very low numbers are 50% of the area median of \$60,000, as translated to rental and purchase prices.

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Katzakian second, unanimously directed the City Manager to prepare and send a letter to the San Joaquin Council of Governments on the draft methodology for the RHNA process.

RECESS

At 8:55 p.m., Mayor Mounce called for a recess, and the City Council meeting reconvened at 9:08 p.m.

K. REGULAR CALENDAR (Continued)

K-2 "Adopt Resolution Requesting San Joaquin County Board of Supervisors Establish a Five Mile Per Hour Speed Limit on the Mokelumne River from the Woodbridge Dam to Guild Avenue"

City Manager King provided a brief overview of the history and current status of Pig's Lake, related erosion, and the proposed speed limit restrictions as set forth in the staff report.

Mayor Pro Tempore Hansen suggested staff look into partnering efforts with the Army Corps of Engineers with respect to erosion efforts. Mayor Mounce suggested partnering with the County for enforcement and maintenance efforts of the Lake. Council Member Hitchcock suggested immediate action because the erosion may continue to become worse while the City awaits relief from other agencies.

Dale Taylor spoke in opposition to the five mile per hour (mph) proposed speed limit based on his concerns that the restriction is not limited but instead for an indefinite period of time.

Tony Alegre spoke in opposition to the five mph proposed speed limit based on his concerns that the heavy flood seasons create the majority of the erosion and the proposed speed limit will have a minor effect on the same.

Dean Shibler spoke in opposition to the five mph proposed speed limit based on his concerns regarding the water condition of the Lake and needed bank restorations. He also suggested working with the Woodbridge Irrigation District (WID) and the Department of Fish and Game. In response to Mayor Pro Tempore Hansen, Mr. Shibler stated high winds impact erosion and that properly placed vegetation, instead of speed restrictions, will help with the wave action.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated the WID obtained a permit from the State last year and the real test for moderating water levels will be next year.

Dana Smith spoke in opposition to the five mph proposed speed limit based on her concerns that the slow speed will cause greater waves and the matter pertaining to Knight's Lake should be revisited.

Mark Newfield spoke in opposition to the five mph proposed speed limit based on his concerns as indicated by previous speakers and the lack of enforcement efforts by the Sheriff's Department and County.

Robert Raingruber spoke in opposition to the five mph proposed speed limit based on his concerns regarding ongoing erosion and natural habitats. In response to Mayor Mounce, Mr. Raingruber confirmed that he resided in the area.

Alan MacIsaac spoke in opposition to the five mph proposed speed limit based on his concerns regarding the resulting wave action.

Dave Vaccarezza spoke in opposition to the five mph proposed speed limit based on his concerns regarding WID water levels and urged working together with other agencies to save the Lake.

Pat Stockar spoke in opposition to the five mph proposed speed limit based on his concerns regarding the need to work together with relevant agencies to invest money into the problem for a long-term solution.

Mary Dils spoke in support of the five mph proposed speed limit, stating it is needed for safety reasons.

Frank Alegre spoke in opposition to the five mph proposed speed limit based on his concerns regarding notification of the meeting, the lack of boats in the area, and the need for a traffic study. He suggested shoring the Lake with rip rap to prevent erosion.

Discussion ensued between Council Member Johnson, Council Member Hitchcock, Mr. Alegre, and Mr. Stockar regarding the possibility of reinforcing the riverbank with rip rap, rocks, or concrete, the costs associated with each, and the availability of assistance from other agencies through grants and emergency permits.

In response to Mayor Pro Tempore Hansen, Mr. Prima confirmed there are examples of differing sizes of rip rap along the river by the Rio Vista Bridge when traveling east.

George Fink spoke in opposition to the five mph proposed speed limit based on his concerns regarding the need for additional public hearing and outreach, and the wind action and weight of boats being a minor consideration in the report.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated staff will look into his suggestions regarding partnering with the County, Bureau of Reclamation, Congress representatives, and other agencies.

Dean Shibler suggested staff look into the 2005 emergency permits that were granted to the City to see if the permit scope applies to making possible improvements at the Lake and to see if the permits can be extended.

Council Member Johnson stated that, if a letter is sent to the County, it should reference enforcement efforts.

Discussion ensued between Council Member Hitchcock and Mr. King regarding the ability to take action quickly, 1601 permits from the Fish and Game Department, alteration requirements, California Environmental Quality Act review, the lack of sympathy to natural erosion, tension between agencies on how to handle alterations, and the inability to predict costs until the consultants submit their findings in the final report.

Council Member Katzakian suggested making rip rap repairs as was done at the Woodbridge Country Club.

In response to Council Member Hitchcock, Mr. Prima stated he is not sure if regulating the speed limit to five mph in a specific area will help because the findings in the report are not quantified.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated staff is meeting with the consultant next week, the site has already been walked, and the work will commence the following week. He stated they will continue to work on obtaining input and assistance from the community, Department of Fish and Game, Army Corps of Engineers, and other agencies.

The City Council designated Mayor Pro Tempore Hansen and Council Member Johnson to work with the County to combine resources and strategies regarding this matter. Mr. King confirmed that a letter will not be sent and staff will continue to work with staff from other agencies on the matter.

MOTION / VOTE:

There was no Council action taken on this matter.

- K-3 “Introduce Ordinance Repealing Ordinance No. 847 an Ordinance Adopting a Specific Plan for Lower Sacramento Road from West Lodi Avenue to West Turner Road to Allow a New Driveway”

City Manager King provided a brief introduction of the request from F&M Bank pertaining to the proposed ordinance.

Public Works Director Prima provided an overview of the ordinance adopting the specific plan for Lower Sacramento Road from West Lodi Avenue to West Turner Road to allow a new driveway and specifically discussed the property layout and need for access.

In response to Council Member Hitchcock, Mr. Prima stated that, if built with one road, there would be a long single roadway for both egress and ingress out of the complex and emergency access may or may not prove to be challenging.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated the speed conditions near the intersection will remain the same.

In response to Council Member Johnson, Mr. Prima stated the telephone company will continue as it is currently.

In response to Council Member Johnson, Mr. Prima stated the distance to Elm Street is fairly reasonable. He stated the original plan was designed to provide well-designed access that is limited and properly spaced.

Steve Haley, Chief Financial Officer of F&M Bank, stated the property is zoned with some flexibility, is best suited for residential use, and per the architects' needs has two access points for safety and traffic flow reasons.

Discussion ensued between Mr. Haley and Mayor Pro Tempore Hansen regarding the property being located in the flood zone according to the new County maps, the likelihood that the property will be removed from said flood plain, and looking at alternatives such as raised foundations in the event that is not removed.

Council Member Hitchcock stated she will not support the recommendation because the original plan was done well and there does not appear to be a reason to change it.

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Mounce second, introduced Ordinance No. 1809 repealing Ordinance No. 847 an ordinance adopting a Specific Plan for Lower Sacramento Road from West Lodi Avenue to West Turner Road to allow an additional access point between Turner Road and Tejon Street to allow a new driveway on the west side of Lower Sacramento Road, approximately 450 feet south of Turner Road. The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – Hitchcock

Absent: Council Members – None

- K-4 “Adopt Resolution Amending Memorandum of Understanding between the City of Lodi and the Lodi City Mid-Management Association for the Period of January 1, 2008 through December 31, 2009”

City Manager King provided a brief overview of the provisions of the amended Memorandum of Understanding. He specifically discussed clarifying language with reference to the general fund and the term, stating that upon expiration of the agreement there will be no changes in benefits until a successor agreement becomes effective.

Council Member Hitchcock requested a grid or similar document outlining the different labor groups and when and what happens with respect to salary increases as stated in the terms of the various agreements.

In response to Council Member Hitchcock, Deputy City Manager Krueger stated the term of the proposed agreement is January 2008 through December 2009.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Katzakian second, unanimously adopted Resolution No. 2008-46 amending Memorandum of Understanding between the City of Lodi and the Lodi City Mid-Management Association for the period of January 1, 2008 through December 31, 2009.

- K-5 “Consideration of Council Member Salaries as Requested by Council Member Johnson”

Council Member Johnson provided an overview of the time commitment and dedication that is needed for the City Council to attend Shirtsleeve Sessions, City Council meetings, other agency meetings, and meeting and speaking with citizens to address matters pertaining to the City. Mr. Johnson proposed a \$360 salary adjustment based on the Consumer Price Index for a new monthly salary of \$860.

Council Member Hitchcock stated she would support the matter based on the comments made by Council Member Johnson and suggested that expenses be covered in light of the number of functions that require attendance. She stated the entire increase for the City Council amounts to less than \$10,000 per year.

Mayor Pro Tempore Hansen stated he will support the matter, there is an obligation to be with the public, and a slightly higher salary may encourage others to get involved.

Mayor Mounce stated she will not support the recommendation because the salary appears to be comparable to other communities.

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Hansen second, increased the City Council salary from \$500 per month to \$860 per month, not to become effective until the next general municipal election of November 2008, as set forth in the Government Code. The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Hansen, Johnson, and Katzakian
 Noes: Council Members – Mounce
 Absent: Council Members – None

VOTE TO CONTINUE WITH THE REMAINDER OF THE MEETING

The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously voted to continue with the remainder of the meeting following the 11:00 p.m. hour.

K. REGULAR CALENDAR (Continued)

K-6 “Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$27,829.87)”

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Mounce second, unanimously approved the expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel in the amount of \$27,829.87, as detailed below:

Folger Levin & Kahn – Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8002	106968	01/31/08	People v. M & P Investments	\$ 2,636.97

Kronick Moskovitz Tiedemann & Girard – Invoices Distribution

Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	237517	02/25/08	Lodi First v. City of Lodi	\$ 15,358.75
11233.029	237517	02/25/08	AT&T v. City of Lodi	\$ 67.50
Total				\$ 15,426.25

MISCELLANEOUS

Invoice No.	Date	Description	Water Acct. Amount
20076116	1/11/2008	Legalink, Inc.	\$ 1,287.00
20075677	1/25/2008	Legalink, Inc.	\$ 1,370.00
20075350	1/25/2008	Legalink, Inc.	\$ 2,394.80
20075753	1/30/2008	Legalink, Inc.	\$ 1,455.00
20076264	1/30/2008	Legalink, Inc.	\$ 1,742.35
20076208	2/12/2008	Legalink, Inc.	\$ 1,517.50
Total			\$ 9,766.65

L. ORDINANCES

None

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 11:16 p.m., in memory of Jim Areida.

ATTEST:

Randi Johl
 City Clerk