



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: October 4, 2006

Time: Closed Session 5:00 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Jennifer M. Perrin

Interim City Clerk

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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 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 Blair King, City Manager, and George Morrow, Electric Utility Director (Acting Negotiators), regarding offers by the city of Roseville and the Turlock Irrigation District to acquire a portion of the City's entitlement, by purchase or lease, in the CT1 Project, pursuant to Government Code section 54956.8
- 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) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- d) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

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. Invocation – Father Rick Matters, St. John the Baptist Episcopal Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations

- a) National Arts & Humanities Month (COM)
- b) Domestic Violence Awareness Month

D-3 Presentations

- a) Presentation of Certificate of Recognition to Lodi Improvement Committee member, Joseph Spinelli
- b) Update on Centennial activities (CLK)

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$5,092,868.57 (FIN)
- E-2 Approve minutes (CLK)
 - a) August 2, 2006 (Regular Meeting)
 - b) September 26, 2006 (Shirtsleeve Session)
- Res. E-3 Approve plans and specifications and authorize advertisement for bids for the Lodi Avenue at Stockton Street and Elm Street and Ham Lane Traffic Signal and Striping Modification Project; and adopt resolution approving installation of no-parking zones for left-turn lanes on Lodi Avenue at Stockton Street (PW)
- Res. E-4 Adopt resolution awarding the purchase of polemount and padmount transformers to ERMCO, Inc., of Dyersburg, Tennessee (\$83,851.06) (EUD)
- E-5 Accept improvements under contract for White Slough Water Pollution Control Facility Year 2004 Improvements Project and receive notification of Contract Change Order (PW)
- Res. E-6 Adopt resolution authorizing the City Manager to execute Communications Equipment and Property Joint Use Agreement with San Joaquin County (ISD)
- Res. E-7 Adopt Resolution of Intention to Vacate a 16-foot easement at 1029 South Sacramento Street and an 11-foot easement at 1028 South School Street; refer the matter to the Planning Commission; and set public hearing for November 15, 2006 (PW)
- E-8 Authorize the Treasurer to enter into agreement with Farmers and Merchants Bank of Central California for the issuance of a City credit card for City Clerk, Randi Johl (FIN)
- E-9 Receive and file recommended design guidelines for the Eastside Mobility and Access Plan (CD)

F. 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.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings – None

J. Communications

- J-1 Claims filed against the City of Lodi – None
- J-2 Appointments
 - a) Post for vacancy on the Lodi Animal Shelter Task Force (CLK)
- J-3 Miscellaneous – None

K. Regular Calendar

- K-1 Acceptance of donations from citizens, businesses, and service clubs to be used for various park amenities and improvements to Lodi Lake Park and other locations in honor of Lodi's Centennial celebration (PR)
- K-2 Presentation by Northern California Power Agency titled "The Strength of Joint Action: Charting a Course for a Reliable and Clean Energy Future" (EUD)

- K-3 Consider Jean Pagola's appeal of staff's decision to not remove two City trees behind 1823 Blackbird Court at City expense (PW)
- Res. K-4 Approve Downtown Lodi Business Partnership 2006-07 Annual Report, adopt Resolution of Intention to levy annual assessment, and set public hearing for October 18, 2006 (CM)
- K-5 Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation (\$228,552.62) (CA)

L. Ordinances

- Ord. L-1 Ordinance No. 1786 entitled, "An Ordinance of the City Council of the City of Lodi Amending (Adopt) Title 13, Chapter 13.20, 'Electrical Service,' by Repealing and Reenacting Section 13.20.225 Schedule NEM – Net Energy Metering Rider; and Adding Section 13.20.227 Schedule CEM – Co-Energy Metering Rider" (CLK)

M. 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.

Jennifer M. Perrin
Interim City Clerk