



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: December 5, 2007

Time: 7:00 p.m.

For information regarding this Agenda please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702

***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 – N/A**
- C-2 Announcement of Closed Session – N/A**
- C-3 Adjourn to Closed Session – N/A**

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

- C-4 Return to Open Session / Disclosure of Action – N/A**
 - A. Call to Order / Roll call**
 - B. Invocation – Pastor Scott Hubbard, Crossroads Community Church**
 - C. Pledge of Allegiance**
 - D. Presentations**
 - D-1 Awards
 - a) Presentation of Mayor's Community Service Awards
 - D-2 Proclamations – None
 - D-3 Presentations
 - a) Presentation by the Lodi Public Library Foundation Regarding the \$109.90 Centennial Campaign (LIB)
 - E. Consent Calendar (Reading; Comments by the Public; Council Action)**
 - E-1 Receive Register of Claims in the Amount of \$5,396,329.76 (FIN)
 - E-2 Approve Minutes (CLK)
 - a) November 20, 2007 (Shirtsleeve Session)
 - b) November 21, 2007 (Regular Meeting)
 - c) November 27, 2007 (Shirtsleeve Session)
 - Res. E-3 Adopt Resolution Rejecting Sole Bid for Wastewater Main Replacement Program, Project No. 4, in the Vicinity of Kettleman Lane, Stockton Street, Central Avenue, and Mission Street (PW)
 - Res. E-4 Adopt Resolution Awarding the Purchase of 14 Units of Lodi-48 Primary Vaults with Covers to Jensen Precast of Sacramento, CA (\$89,923.63) (EUD)
 - Res. E-5 Adopt Resolution Awarding the Purchase of 25,000 Feet of 1,100 kcmil 15kV Underground Cable to The Okonite Company, of San Ramon, CA (\$154,675.12) (EUD)
 - E-6 Accept Improvements under Contract for the Citywide School Safety Signage Project (PW)

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) Appointments to the Lodi Animal Advisory Commission (CLK)

J-3 Miscellaneous – None

K. Regular Calendar – None

L. Ordinances – None

M. Reorganization of the City Council

M-1 Presentation to outgoing Mayor by City Manager King

M-2 Reorganization of the Lodi City Council

Res. a) Election of Mayor

Res. b) Election of Mayor Pro Tempore

N. 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



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Presentation of Mayor's Community Service Awards

MEETING DATE: December 5, 2007

PREPARED BY: City Clerk

RECOMMENDED ACTION: Mayor Johnson to present the Mayor's Community Service Awards to Tracy Williams and Kathy Grant.

BACKGROUND INFORMATION: Mayor Johnson has selected the following recipients to receive the prestigious Mayor's Community Service Award for 2007:

- Tracy Williams for her continued dedication and efforts in working with the LOEL Center and the seniors of this community; and
- Kathy Grant for her hard work and efforts in working with the Storm Drain Detectives and Lodi Lake Docents.

FUNDING: None required.

Randi Johl
City Clerk

RJ/JMP

APPROVED: _____
Blair King, City Manager



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Presentation by the Lodi Public Library Foundation Regarding the \$109.90 Centennial Campaign

MEETING DATE: December 5, 2007

PREPARED BY: Library Services Director

RECOMMENDED ACTION: None required

BACKGROUND INFORMATION: Representatives from the Lodi Public Library Foundation Board and Library Services Director Nancy Martinez will present information on the \$109.90 Centennial Campaign to raise funds for the renovation of the library facility.

In 1907, the citizens of Lodi pledged to fund the operations and maintenance of the library until a tax could be levied. Trustee Grant reported at the December meeting of the City Council that the amount was \$109.90. Today, we are asking the residents of Lodi to step forward as their ancestors did.

FISCAL IMPACT: N/A

FUNDING AVAILABLE: N/A

Nancy Martinez
Library Services Director

NM/jmp

APPROVED: _____
Blair King, City Manager



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Register of Claims Dated November 8, and November 15, 2007 in the Total Amount of \$5,396,329.76

MEETING DATE: December 5, 2007

PREPARED BY: Financial Services Manager

RECOMMENDED ACTION: Receive the attached Register of Claims for \$5,396,329.76.

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of \$5,396,329.76 dated 11/8/07, and 11/15/07. Also attached is Payroll in the amount of \$1,348,287.94.

FISCAL IMPACT: n/a

FUNDING AVAILABLE: As per attached report.

Ruby R. Paiste, Financial Services Manager

RRP/rp

Attachments

APPROVED: _____
Blair King, City Manager

Accounts Payable
Council Report

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As of Thursday	Fund	Name	Amount
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11/08/07	00100	General Fund	533,115.27
	00123	Info Systems Replacement Fund	14,896.47
	00160	Electric Utility Fund	2,958,725.37
	00164	Public Benefits Fund	513.47
	00170	Waste Water Utility Fund	24,762.80
	00172	Waste Water Capital Reserve	48,983.48
	00180	Water Utility Fund	969.78
	00182	IMF Water Facilities	2,306.40
	00210	Library Fund	4,125.57
	00260	Internal Service/Equip Maint	13,445.41
	00270	Employee Benefits	396,903.73
	00310	Worker's Comp Insurance	20,374.40
	00320	Street Fund	25,728.83
	00321	Gas Tax	8,821.85
	00325	Measure K Funds	1,296.54
	00329	TDA - Streets	13,331.98
	00335	State-Streets	42,800.00
	00340	Comm Dev Special Rev Fund	9,975.26
	01211	Capital Outlay/General Fund	9,591.25
	01212	Parks & Rec Capital	859.25
	01218	IMF General Facilities-Adm	13,679.36
	01241	LTF-Pedestrian/Bike	8,384.20
	01250	Dial-a-Ride/Transportation	9,815.38
	01410	Expendable Trust	30,388.93
			<hr style="border-top: 1px dashed black;"/>
Sum			4,193,794.98
	00184	Water PCE-TCE-Settlements	1,523.69
	00190	Central Plume	39,649.26
			<hr style="border-top: 1px dashed black;"/>
Sum			41,172.95
			<hr style="border-top: 1px dashed black;"/>
Total for Week			
Sum			4,234,967.93

Accounts Payable
Council Report

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As of Thursday	Fund	Name	Amount
11/15/07	00100	General Fund	705,420.56
	00123	Info Systems Replacement Fund	2,909.25
	00130	Redevelopment Agency	4,988.26
	00160	Electric Utility Fund	60,955.23
	00161	Utility Outlay Reserve Fund	18,855.80
	00164	Public Benefits Fund	10,781.68
	00170	Waste Water Utility Fund	41,576.55
	00172	Waste Water Capital Reserve	49,675.53
	00180	Water Utility Fund	2,384.57
	00182	IMF Water Facilities	29,295.16
	00210	Library Fund	5,066.14
	00234	Local Law Enforce Block Grant	179.50
	00235	LPD-Public Safety Prog AB 1913	6,505.41
	00260	Internal Service/Equip Maint	30,617.81
	00270	Employee Benefits	22,741.04
	00301	Other Insurance	5,425.00
	00320	Street Fund	1,924.12
	00321	Gas Tax	5,934.02
	00325	Measure K Funds	14,151.13
	00329	TDA - Streets	428.09
	00340	Comm Dev Special Rev Fund	4,024.09
	01212	Parks & Rec Capital	1,029.17
	01241	LTF-Pedestrian/Bike	428.09
	01250	Dial-a-Ride/Transportation	19,281.00
	01410	Expendable Trust	6,996.75
Sum			1,051,573.95
	00184	Water PCE-TCE-Settlements	109,787.88
Sum			109,787.88
Total for Week			
Sum			1,161,361.83

Council Report for Payroll

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Gross
Pay

Payroll	Pay Per Date	Co	Name	
Regular	11/04/07	00100	General Fund	966,376.21
		00160	Electric Utility Fund	142,159.99
		00164	Public Benefits Fund	5,208.75
		00170	Waste Water Utility Fund	82,663.09
		00180	Water Utility Fund	1,605.93
		00183	Water PCE-TCE	140.00
		00210	Library Fund	35,378.76
		00235	LPD-Public Safety Prog AB 1913	3,827.04
		00260	Internal Service/Equip Maint	19,152.01
		00321	Gas Tax	55,900.96
		00340	Comm Dev Special Rev Fund	32,760.64
		01250	Dial-a-Ride/Transportation	3,114.56
Pay Period Total:				
Sum				1,348,287.94



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Minutes
a) November 20, 2007 (Shirtsleeve Session)
b) November 21, 2007 (Regular Meeting)
c) November 27, 2007 (Shirtsleeve Session)

MEETING DATE: December 5, 2007

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve the following minutes as prepared:
a) November 20, 2007 (Shirtsleeve Session)
b) November 21, 2007 (Regular Meeting)
c) November 27, 2007 (Shirtsleeve Session)

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

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

RJ/JMP

Attachments

APPROVED: _____
Blair King, City Manager

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, NOVEMBER 20, 2007**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, November 20, 2007, commencing at 7:01 a.m.

A. ROLL CALL

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

Absent: Council Members – None

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

B. TOPIC(S)

B-1 "Receive Report on Litigation Status and Groundwater Cleanup Model"

City Manager King provided a brief introduction to the subject matter of the litigation status and groundwater cleanup model.

City Attorney Schwabauer gave a PowerPoint presentation regarding the PCE litigation update. Specific topics of discussion included executive summary, M & P settlements, Central Plume status, Busy Bee Plume status, Southern Plume status, Northern Plume status, Southwestern Plume status, insurance settlements, other settlements, cleanup estimates, net City cost of \$46.5 million, legal expenses, Folger Levin & Kahn contingency, and cost summary.

In response to Council Member Hitchcock, Mr. Schwabauer confirmed the Æ Capital settlement is \$30,000, which was based on a nuisance-type exposure rather than actual liability.

In response to Council Member Hansen, Mr. Schwabauer stated the Service Laundry is accounted for in the Northern Plume settlement.

In response to Council Member Hansen, Mr. Schwabauer stated that, with respect to the Holz deal, there is a lien on the subject property, whereby the City must be notified when the property is sold. He stated the title company does not have the ability to transfer title on the property without transferring the appropriate amount to the lien holder to release the lien.

Council Member Hitchcock requested a copy of the PowerPoint presentation. In response to Council Member Hitchcock, Mr. Schwabauer stated the cleanup is going to run at least 30 years and the City has enough money to install the remedy while operations and maintenance and replacement costs will remain unknown and continue to run for some time. Mr. Schwabauer stated the currently unknown amount may become clearer in the next year or so during the course of the remediation and as the Board considers the remedy plan.

In response to Mayor Johnson, Mr. Schwabauer stated the Lehman \$30 million cost for cleanup and the Lehman \$24 million settlement was listed separately due to the extensive litigation process involved with this particular party, including matters regarding the original loan and obligation to pursue the suit. He stated, as a way of clarifying the accounting, the difference of \$6 million alone could be listed. Council Members Hitchcock and Hansen concurred.

City Manager King stated it is also important to replenish the infrastructure replacement account and other funds that were affected by the litigation with the appropriate monies. He stated that topic will be brought back to Council as a separate item.

Public Works Director Prima stated the exact amount of the cleanup costs is still unknown. He stated that, while some settlements are still pending final approval, the City does have enough money to install the remedy while operations and maintenance costs will be ongoing. Mr. Prima also stated that most people are providing access to their respective properties and meetings pertaining to remediation with the Regional Board are continuing.

Consultant Phil Smith provided a PowerPoint presentation regarding the status of the groundwater contamination. Specific topics of discussion included work to be completed, an overview of the dual phased extraction system, Central Plume update, Central Plume groundwater model, groundwater flow and transport model uses, Lodi groundwater contamination plumes, model domain, and examples of remedial alternatives in the Central & South Central/Western Plumes.

In response to Council Member Hitchcock, Mr. Smith stated the simulations were created from a commercially available computer program combined with City specific data and a geological model based on the City statistics and facts. Mr. Smith and Mr. Prima discussed the thousands of cells that are broken down under the ground and the structural engineering process, whereby mass is broken up into pieces and measurements are taken from the corners and centers of the pieces and configured accordingly. Mr. Smith stated the goal is to utilize the wells in a manner so as to maximize the containment and remediation of source sites in the most economical fashion.

In response to Mayor Johnson, Mr. Smith stated the efforts in the high source red area on the simulation are working very well. A brief discussion ensued between Mr. Smith and Mayor Johnson regarding the process of first containing a highly contaminated source area and then focusing on removal so as to obtain the most benefit of the treatment.

In response to Council Member Hitchcock, Mr. Smith stated the number of wells needed for cleaning up particular source areas will depend upon the final remediation plan that is approved by the Board.

In response to Council Member Katzakian, Mr. Smith stated the Regional Board staff that is working on the City's case are practical people who are trying to obtain the right remedy over a reasonable period of time. He stated the Board is the lead regulatory agency and writes compliance requirements for all plumes. Mr. Prima stated the Board is appointed by the Governor's office and governs the entire Central Valley area.

In response to Council Member Hansen, Mr. Smith stated he has a high level of confidence that the containment and remediation efforts being discussed will protect the City's groundwater on a long-term basis.

In response to Council Member Hansen, Mr. Smith stated all communities that had or currently have dry cleaner businesses in their cities are dealing with this issue in some form or another.

B-2 "Discussion Regarding Electric Utility's Power Needs for Fiscal Year 2009 through 2011"

City Manager King provided a brief introduction of the subject matter of purchasing additional power supply.

Electric Utility Manager Ken Weisel provided a brief PowerPoint presentation regarding the Electric Utility's power needs. He specifically discussed the overview of the fiscal year 2009 to 2011 open position and corresponding numbers. Mr. Weisel also discussed laddering guidelines and provided staff's recommendation of having the authority to purchase up to \$10 million if the opportunities to do so arise.

Continued November 20, 2007

A brief discussion ensued between Council Member Hansen and Mr. Weisel regarding the opportunities to purchase power over the next few months if the area has a particularly wet winter, which is also predicted by the Northern California Power Agency.

City Manager King stated any power purchases will be consistent with the new Lodi Project, which is getting ready to move into Phase 2. Mr. Weisel confirmed that the project is almost fully subscribed and will likely come online at the end of the 2012 fiscal year after the gas is purchased.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:21 a.m.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, NOVEMBER 21, 2007**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of November 21, 2007, was called to order by Mayor Johnson at 5:15 p.m.

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

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 Suit by Margaret Stewart against City of Lodi Based on Personal Injury
- b) Actual Litigation: Government Code §54956.9(a); One Case; *County of San Joaquin v. City of Stockton et al.*, San Joaquin County Superior Court, Case No. CV029651
- c) Actual Litigation: Government Code §54956.9; Three Applications; *Steve Raddigan v. City of Lodi*; WCAB Case Numbers STK 206493 – Date Filed 12/23/02; STK 209237 – Date Filed 12/23/02; STK 209475 – Date Filed 12/23/02
- d) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), Regarding Lodi Police Officers Association Pursuant to Government Code §54957.6
- e) Review of Council Appointee – City Clerk (Government Code §54957)

C-3 ADJOURN TO CLOSED SESSION

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

The Closed Session adjourned at 6:55 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

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

In regard to Items C-2 (a), C-2 (b), and C-2 (c), settlement direction was given.

Item C-2 (d) was not discussed, and Item C-2 (e) was discussed under Regular Calendar Item K-4.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of November 21, 2007, was called to order by Mayor Johnson at 7:02 p.m.

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

Absent: Council Members – None

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

B. INVOCATION

The invocation was given by Reverend David S. Hill, Grace Presbyterian Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Johnson.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 Proclamations – None

D-3 (a) Dennis Lewis, President of Lodi Adopt-A-Child, gave a presentation regarding the Lodi Adopt-A-Child annual Christmas program.

D-3 (b) Carey Vanderkar, Events Planner and Public Relations Developer for Hospice of San Joaquin, gave a presentation regarding the 2007 Hospice Tree Lighting in the City of Lodi.

E. CONSENT CALENDAR

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

E-1 Claims were approved in the amount of \$2,668,938.24.

E-2 The minutes of November 6, 2007 (Shirtsleeve Session), November 7, 2007 (Regular Meeting), and November 13, 2007 (Shirtsleeve Session) were approved as written.

E-3 “Approve Request for Proposals and Authorize Advertisement for Design Services for the Harney Lane Widening Project, Stockton Street to Western City Limits” was **pulled from the agenda**.

E-4 Adopted Resolution No. 2007-221 approving the purchase of heavy-duty equipment lift from Municipal Maintenance Equipment, Inc., of Sacramento, in the amount of \$83,174.60; and appropriating funds in the amount of \$3,170 in accordance with staff recommendation.

E-5 Adopted Resolution No. 2007-222 authorizing the City Manager to purchase 384 solid-state meters with Interval Data Module R300 from Itron, Inc., of Spokane, WA, in the amount of \$93,000.

E-6 Adopted Resolution No. 2007-223 awarding the contract for City of Lodi Public Library Lighting Retrofit to Quantum Energy Solutions, of Rancho Murieta, in the amount of \$36,967.

E-7 Adopted Resolution No. 2007-224 awarding the contract for City-Funded Maintenance of Landscape Areas for 2008, January 1, 2008 through June 30, 2008, to Odyssey Landscaping Company, Inc., of Stockton, in the amount of \$148,560.

E-8 Accepted improvements under the “Elm Street Overlay 2007 Project” contract.

E-9 Accepted improvements under the “Asphalt Rubber Cape Seal, Various Streets, 2007 Project” contract.

E-10 Adopted Resolution No. 2007-225 approving the Improvement Agreement for Public Improvements for 3021 South Cherokee Lane (Blue Shield) and authorizing the City Manager and City Clerk to execute the agreement on behalf of the City.

E-11 Adopted Resolution No. 2007-226 approving the Improvement Agreement for Public Improvements at 955 North Guild Avenue and authorizing the City Manager and City Clerk to execute the agreement on behalf of the City.

- E-12 Adopted Resolution No. 2007-227 approving the Improvement Agreement for Public Improvements for 2126 Tienda Drive and authorizing the City Manager and City Clerk to execute the agreement on behalf of the City.
- E-13 “Adopt Resolution Approving Time Extension for Pixley Park Agreements with G-REM, Inc.” was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**
- E-14 Adopted Resolution No. 2007-228 amending the Statement of Benefits for Fire Mid-Management employees to adjust wages by 3.5%, effective July 1, 2007.
- E-15 “Adopt Resolution Establishing the Base Year Assessment for the Lodi Community Improvement Project and Authorizing the Transmittal of a Map and Boundary Description as Required by Law and Pay Required Filing Fees to the State Board of Equalization” was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**
- E-16 “Adopt Resolutions Authorizing the City Manager to Execute an Amended and Restated Cooperative Agreement with the Redevelopment Agency of the City of Lodi; Authorizing the Executive Director to Execute an Amended and Restated Cooperative Agreement with the City of Lodi; and Joint Direction to Staff to Exclude the Power of Eminent Domain from the Redevelopment Plan” was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**
- E-17 Received information regarding the new meeting time and day for the Lodi Library Board of Trustees to the second Monday of the month at 5:30 p.m., effective January 2008.
- E-18 Approved the response to the San Joaquin County Grand Jury regarding its investigation of the request for proposal process used by San Joaquin County Emergency Medical Services.
- E-19 Adopted Resolution No. 2007-229 approving the existing Building Code Fees, Schedule 1A, along with the existing fees for building, mechanical, plumbing, and electrical permits.
- E-20 Set public hearing for December 19, 2007, to adopt resolution approving paratransit service policy and procedures and implementing proposed changes to existing Dial-A-Ride services.

ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- E-13 “Adopt Resolution Approving Time Extension for Pixley Park Agreements with G-REM, Inc.”

This item was pulled by Council Member Hitchcock for a brief presentation.

City Manager King stated it was his understanding that the contractor was unable to meet the provisions of the contract due to a lack of performance by his subcontractor and is recommending that the timeline be extended in exchange for additional slope protection work worth approximately \$300,000 being performed at no additional cost to the City.

In response to Council Member Hitchcock, John Farris with G-REM stated the subcontractor needs additional time to remove the dirt from the basin.

In response to Council Member Hitchcock, Mr. King stated the area was planned for a softball complex and there is not enough money to do a park now. Mr. Farris stated the time period for performance may be shorter than the requested two years. Mr. King stated the park is an ancillary use to the storm drain and would not address the current soccer field discussion.

In response to Council Member Hitchcock, Mr. Farris stated the design services, which are the responsibility of the City, may be reimbursable by storm or park impact fees.

In response to Council Member Hitchcock, Mr. Farris stated that the decision to handle the design through the Consultant for an additional cost instead of in-house was a decision that was made by the previous administration.

In response to Council Member Hitchcock, Mr. Farris stated that the reason for the extension is the subcontractor failed to perform. He stated the request is for two years because the dirt is being extracted from an active storm drain area and excavation cannot occur in the winter months. He stated they anticipate that the project will be completed in the summer of 2008.

MOTION / VOTE:

The City Council, on motion of Mayor Johnson, Katzakian second, adopted Resolution No. 2007-230 approving the Supplemental Agreement to the Pixley Park Property Exchange Agreement with G-REM, Inc., providing for a time extension for the Pixley Park Land Exchange Agreement and the Improvement Agreement for the Public Improvements of Pixley Park Site Grading and authorizing the City Manager and City Clerk to execute the agreement on behalf of the City. The motion carried by the following vote:

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

Noes: Council Members – Hitchcock

Absent: Council Members – None

- E-15 “Adopt Resolution Establishing the Base Year Assessment for the Lodi Community Improvement Project and Authorizing the Transmittal of a Map and Boundary Description as Required by Law and Pay Required Filing Fees to the State Board of Equalization” **NOTE: Joint action of the Lodi City Council and Redevelopment Agency.**

NOTE: Due to a potential conflict of interest stemming from her interest in properties located in the project area, Council Member Hitchcock abstained from discussion and voting on this matter.

This item was pulled from the agenda by Mayor Pro Tempore Mounce for further discussion.

City Attorney Schwabauer briefly clarified the reasoning for disqualifications based on conflicts of interest.

MOTION / VOTE (joint action of the City Council and Redevelopment Agency):

The Redevelopment Agency, on motion of Chairperson Johnson, Hansen second, adopted Resolution No. RDA2007-03 establishing the base year assessment for the Lodi Community Improvement Project and authorizing the transmittal of a map and boundary description as required by law and pay required filing fees to the State Board of Equalization. The motion carried by the following vote:

Ayes: Members – Hansen, Katzakian, and Chairperson Johnson

Noes: Members – Mounce

Absent: Members – None

Abstain: Members – Hitchcock

- E-16 “Adopt Resolutions Authorizing the City Manager to Execute an Amended and Restated Cooperative Agreement with the Redevelopment Agency of the City of Lodi; Authorizing the Executive Director to Execute an Amended and Restated Cooperative Agreement with the City of Lodi; and Joint Direction to Staff to Exclude the Power of Eminent Domain from the Redevelopment Plan” **NOTE: Joint action of the Lodi City Council and Redevelopment Agency.**

This item was pulled from the agenda by Mayor Pro Tempore Mounce for further discussion together with the previous item.

MOTION / VOTE (joint action of the City Council and Redevelopment Agency):

The City Council and Redevelopment Agency, on motion of Mayor/Chairperson Johnson, Hansen second, adopted Resolution No. 2007-231 authorizing the City Manager to execute an Amended and Restated Cooperative Agreement with the Redevelopment Agency of the City of Lodi; adopted Resolution No. RDA2007-04 authorizing the Executive Director to execute an Amended and Restated Cooperative Agreement with the City of Lodi; and further directed staff to exclude the power of eminent domain from the Redevelopment Plan. The motion carried by the following vote:

Ayes: Council Members/Members – Hansen, Hitchcock, Katzakian, and
Mayor/Chairperson Johnson

Noes: Council Members/Members – Mounce

Absent: Council Members/Members – None

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Ken Owen provided a brief overview of the annual "Keep Christ in Christmas" campaign and urged participation.

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

- Council Member Hansen wished everyone a Happy Thanksgiving and requested staff look into the soccer field matter and provide a response accordingly.
- Mayor Pro Tempore Mounce reported on her attendance at the National League of Cities conference and briefly discussed the affordable housing and historical preservation for mixed-use housing workshops. She also welcomed her Uncle Rodney to the Council meeting.
- Council Member Hitchcock requested a brief presentation of the new online system of recording citizen concerns. Mr. King provided an overview of the same, stating the system was now available on the City's homepage.

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

- City Manager King reported on the successful pricing and closing of the wastewater financing, the anticipated meeting in the upcoming week to discuss the soccer field matter and related private Grape Festival ground usage, and a possible park solution for the upcoming year. A brief discussion ensued between Mr. King, Council Member Hansen, Mayor Johnson, and Council Member Katzakian regarding the same.

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 Johnson called for the public hearing to consider the adoption of a resolution establishing a fee schedule for the permit to operate for mobile food vendors.

Community Improvement Manager Joseph Wood provided an overview of the mobile food vendor permit process and the history of Council consideration associated with the same.

In response to Council Member Hansen, Mr. Wood stated the special event permit application is a catchall for all vendors that are not acting in connection with some other already permitted event.

In response to Council Member Hansen, Mr. Wood stated there is a separate process for a band application or similar activity.

In response to Mayor Pro Tempore Mounce, Mr. Wood stated there is a separate and general prohibition against the display of open merchandise for sale for vendors who set up a display on private property.

In response to Mayor Pro Tempore Mounce, Mr. Wood stated they will likely be receiving more than 15 applications as the estimated number was for mobile food vendors only and does not include push cart vendors. He also stated that the enforcement procedure involves an administrative citation and a legal process if needed.

In response to Council Member Hitchcock, Mr. Wood stated a special event permit may be needed for a parade if it was not already covered by some other permit for a larger related event.

In response to Council Member Hitchcock, Mr. Wood stated the ancillary review of existing fees within the City is for comparison purposes only.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Mounce second, unanimously adopted Resolution No. 2007-232 establishing a fee schedule for the permit to operate for mobile food vendors.

RECESS

At 8:19 p.m., Mayor Johnson called for a recess, and the City Council meeting reconvened at 8:30 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 Johnson called for the public hearing to consider adoption of a resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2008.

Community Development Director Randy Hatch provided a brief presentation regarding the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2008. He specifically discussed the decrease in fees due to a decrease in land value, the payment of fees by only relevant land owners, and the recommendation of the San Joaquin Council of Governments (SJCOG) Board regarding the same.

In response to Council Member Hitchcock, Steve Dial with SJCOG, stated the formula method is designed to keep current with the markets, fees are broken into categories, and the fees decreased for the cost per acre category, but went up in other categories.

In response to Council Member Hitchcock, Mr. Dial stated that a minimum of 10 comparables are required and in the instant case he believed approximately 15 comparables were used.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Mounce second, adopted Resolution No. 2007-233 amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2008. The motion carried by the following vote:

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

Noes: Council Members – Hitchcock

Absent: Council Members – None

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 Council Member Hansen, Mounce second, unanimously made the following appointments to be effective December 1, 2007:

Lodi Planning Commission

Debbie Olson Term to expire June 30, 2009

Library Board of Trustees

Eve Melton Term to expire June 30, 2009

J-3 Miscellaneous

a) The City Council, on motion of Council Member Hansen, Mounce second, unanimously accepted the cumulative Monthly Protocol Account Report through October 31, 2007.

K. REGULAR CALENDAR

K-1 “Adopt Resolution Authorizing the City Manager and Electric Utility Director to Procure up to \$10 Million Per Year of Energy and Capacity for Fiscal Year 2009 through 2011”

Electric Utility Manager Ken Weisel provided a PowerPoint presentation regarding the procurement of up to \$10 million of energy and capacity for fiscal years 2009 through 2011. He specifically discussed the overview of the fiscal year 2009 to 2011 open position and corresponding numbers. Mr. Weisel also discussed laddering guidelines and provided staff’s recommendation of having the authority to purchase up to \$10 million if the opportunities to do so arise.

In response to Council Member Hansen, Mr. Weisel stated the long-term objective is to close any gap in the open position. City Manager King clarified that the energy still must be bought on the open market.

In response to Council Member Hansen, Mr. Weisel stated that, after the purchase, he anticipates that the 2009 and 2010 open position will be closed, but the 2011 position will remain open. He stated, since they cannot guarantee when the best time to purchase is, it is better to not buy all at once. Mr. Hansen suggested a chart showing open positions be included in future presentations.

In response to Council Member Hitchcock, Mr. Weisel stated the earliest that the Lodi Project will be available is 2012 and it does not affect the said energy purchase. He stated there is a need to secure gas for the new plant as well.

In response to Council Member Hitchcock, Mr. Weisel stated approximately 20% of the 2/3 open position will remain left to be purchased after the Lodi Project comes online. Mr. Hansen confirmed that the Lodi Project’s subscription is for 30 megawatts, which is the current base load and greatly reduces the need to procure electricity on the open market.

In response to Council Member Hitchcock, Mr. Weisel stated the requested amount does account for fluctuations in the market and staff will return for purchases for the 2011 and 2012 years.

MOTION/ VOTE:

The City Council, on motion of Mayor Johnson, Mounce second, unanimously adopted Resolution No. 2007-234 authorizing the City Manager and/or Electric Utility Director to procure electricity and/or natural gas to reduce the Electric Utility Department's open position (energy and capacity not fully procured on an advanced basis) for fiscal years 2008-09 through 2010-11 in accordance with the City of Lodi Energy Risk Management Policies at a total cost not to exceed \$10 million for each year.

K-2 "Adopt Resolution Accepting the Municipal Services Review for the City of Lodi"

Community Development Director Randy Hatch provided a PowerPoint presentation regarding the Municipal Services Review. Specific topics of discussion included state law, San Joaquin Local Agency Formation Commission (LAFCO), sphere of influence plan, municipal services review, services reviewed, and key determinations.

In response to Council Member Hitchcock, Mr. Hatch stated that the review needs to be done on a five-year schedule and LAFCO is looking to adopt the various cities' reviews in January.

In response to Council Member Hitchcock, Mr. Hatch stated the review does not affect the current General Plan process as it is only looking at the existing sphere of influence. He stated any amendments to the same would be subject to a future review. Mr. Hatch also stated that the 1.5% used based on a historical analysis will allow for flexibility to expand the sphere of influence and General Plan if so desired.

In response to Council Member Hitchcock, Mr. Hatch stated the 2% was not used because it is difficult to justify since that number has never been met. He stated the Interim LAFCO Director also agreed with the position. Mr. Hatch stated he is not aware of the specifics of the Stockton review.

In response to Mayor Pro Tempore Mounce, Mr. Hatch stated the consultant cost for the review was less than \$20,000.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Mounce second, unanimously adopted Resolution No. 2007-235 accepting the Municipal Services Review for the City of Lodi and forwarding the document to the San Joaquin Local Agency Formation Commission for adoption.

K-3 "Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$104,651.49)"

MOTION / VOTE:

The City Council, on motion of Council Member 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 \$104,651.49, as detailed below:

Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8001	105040	Oct. 2007	General Advice	\$ 496.82
8003	105041	Oct. 2007	Hartford v. City of Lodi	\$ 3,826.63
8008	105077	Oct. 2007	City of Lodi v. Envision	\$ 93,848.50
Total				\$ 98,171.95

Kronick Moskowitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	100351.7323	Water Acct.
11233.026	235371	10/25/07	Lodi First v. City of Lodi	\$ 619.71	
11233.027	235371	10/25/07	Citizens for Open Government v. City of Lodi	\$ 1,016.25	
11233.028	235371	10/25/07	Personnel and Employment	\$ 1,275.35	
11233.029	235371	10/25/07	AT&T v. City of Lodi	\$ 1,702.87	
11233.030	235371	10/25/07	Water Supply Issues- Not PCE-Related		\$ 70.50
Total				\$ 4,614.18	\$ 70.50

MISCELLANEOUS

Invoice No.	Date	Description	Water Acct. Amount
1362530-110	Oct. 2007	JAMS Mediation Services	\$ 772.95
61008	Oct. 2007	Mason Investigative Group	\$ 1,021.91
			\$ 1,794.86

K-4 "Consideration of Adjustment to City Clerk Employment Agreement"

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously adopted Resolution No. 2007-236 approving salary adjustment of 11.6% for the City Clerk.

L. ORDINANCES

L-1 thru 5 Following reading of the titles of the ordinances listed below, having been introduced at a L-regular meeting of the Lodi City Council held November 7, 2007, the City Council, on motion of Mayor Pro Tempore Mounce, Hansen second, waived reading of the ordinances in full and adopted and ordered them to print by the following vote:

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

- Ordinance No. 1804 entitled, "An Ordinance of the Lodi City Council Adopting the '2007 California Building Code,' Volumes 1 and 2; Thereby, Repealing and Re-Enacting Lodi Municipal Code Chapter 15.04 in its Entirety";
- Ordinance No. 1805 entitled, "An Ordinance of the Lodi City Council Adopting the '2007 California Mechanical Code'; Thereby, Repealing and Re-Enacting Lodi Municipal Code Chapter 15.08 in its Entirety";
- Ordinance No. 1806 entitled, "An Ordinance of the Lodi City Council Adopting the '2007 California Electrical Code'; Thereby, Repealing and Re-Enacting Lodi Municipal Code Chapter 15.16 in its Entirety";
- Ordinance No. 1807 entitled, "An Ordinance of the Lodi City Council Adopting the '2007 California Plumbing Code'; Thereby, Repealing and Reenacting Lodi Municipal Code Chapter 15.12 in its Entirety"; and

Continued November 21, 2007

- Ordinance No. 1808 entitled, "An Ordinance Repealing and Reenacting Chapter 15.20 of Title 15 of the City of Lodi Municipal Code Regulating and Governing Fire Prevention and Adopting by Reference a Certain Code Known as the 'California Fire Code, Title 24, California Code of Regulations, Part 9,' Incorporating the 2006 Edition of the International Fire Code and the 2006 Edition of the International Fire Code Standards, as Adopted and Compiled by the International Code Council."

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 9:10 p.m.

ATTEST:

Randi Johl
City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, NOVEMBER 27, 2007**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, November 27, 2007, commencing at 7:00 a.m.

A. ROLL CALL

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

Absent: Council Members – Hansen and Mounce

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

B. TOPIC(S)

B-1 "Review and Comment on the Annual Community Development Block Grant and HOME Program Allocation Process"

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

Community Improvement Manager Joseph Wood provided a presentation regarding the annual Community Development Block Grant (CDBG) and HOME Program allocation process. Specific topics of discussion included a funding breakdown from 1999 to 2007, predetermination of allocation toward City projects, and a sample two-tiered system for the allocation process.

In response to Mayor Johnson, Mr. Wood stated there does not appear to be other local cities with a similar set-aside program, but the County does have a set-aside practice.

In response to Mayor Johnson, Mr. King stated the CDBG program originated from the Department of Housing and Urban Development (HUD) and was designed to benefit low-income individuals. He stated currently the City tries to avoid providing funding to ongoing capital projects and concentrates on basic brick and mortar needs. Mr. King stated the suggestion is to segregate two pots of money: one for community-based organizations and the other for City-based capital improvement projects. He stated the more consistent allocation will assist with capital improvement based projects because the funding will be available in the future and allow for better planning.

In response to Council Member Hitchcock, Mr. King stated the funding would be available to not only Americans with Disabilities Act type of projects, but also to other CDBG eligible projects to address the responsibility associated with maintaining the City's assets.

In response to Mayor Johnson, Mr. Wood confirmed that the Library and Lodi Lake projects take up a majority of the funding for the City's current project list. He stated all projects have to meet the same criteria, which includes approximately 12 to 15 activities and a national objective, such as serving low-moderate income and eliminating blight. Mr. King provided an example of Lodi Lake being used for affordable recreation for low and moderate income and the necessity of showing that relationship to receive the benefit.

In response to Mayor Johnson, Mr. Wood stated that the survey is already done and it will be up to HUD to accept the results.

In response to Mayor Johnson, Mr. Wood stated park-related projects must also qualify as serving the needs of the required population. He stated throughout the years several park improvements were made with CDBG allocations.

A brief discussion ensued between Council Member Hitchcock and City Manager King regarding the ability to look at both City and community organization based projects so that they compete with one another to ensure that the most important projects receive the funding and the flexibility associated with the same.

In response to Mayor Johnson, Mr. King stated that there is a much greater backlog of capital improvement types of projects, but only a portion of those needs are listed due to the assumption that application can only be made for a limited amount.

City Manager King stated that, aside from the fact that he anticipates receipt of large requests from community based organizations in the future, he believes the City should make a predetermination based on a percentage of what will be spent on both types of projects as a matter of doing business.

In response to Mayor Johnson, Mr. King stated the matter will be brought back to Council for consideration prior to the call out for availability of allocations. Mr. Wood stated the timeline includes the annual application process from December to January, the application reviews from January to February, and the public hearing in March.

Mayor Johnson requested that information be provided regarding how other communities are handling similar requests. He also requested that the listing of City projects be inclusive to show the entire backlog.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 7:34 a.m.

ATTEST:

Randi Johl
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Rejecting Sole Bid for Wastewater Main Replacement Program, Project No. 4, in the Vicinity of Kettleman Lane, Stockton Street, Central Avenue, and Mission Street

MEETING DATE: December 5, 2007

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution rejecting the sole bid for the Wastewater Main Replacement Program, Project No. 4, in the vicinity of Kettleman Lane, Stockton Street, Central Avenue and Mission Street.

BACKGROUND INFORMATION: The Water and Wastewater Improvement Program is intended to systematically replace and, where needed, upgrade existing water and wastewater infrastructure. The older wastewater pipelines are mostly constructed of terracotta or concrete pipe and the waterlines are largely constructed of small diameter, cast iron or steel pipe. The majority of these pipes are in need of rehabilitation and/or replacement. Project No. 4 is the fourth major project scheduled in the pipeline portion of this program. This project area is bounded by Kettleman Lane, Stockton Street, Central Avenue, and Mission Street, as shown on the attached map.

Plans and specifications for this project were approved on September 5, 2007. The City received the following single bid for this project on October 10, 2007.

Bidder	Location	Bid
Engineer's Estimate		\$ 458,067.00
J.F. Pacific Liners, Inc.	Vacaville	\$ 582,895.50

The one bid received is significantly higher than anticipated, and staff feels it would be more economical to repackage this work with other projects to achieve an economy of scale associated with a larger project. This type of rehabilitation work is done by relatively few specialized contractors and mobilization costs can be significant.

FISCAL IMPACT: Completing this project will reduce future maintenance costs and increase the performance and reliability of the wastewater system.

FUNDING AVAILABLE: When this work is included with other projects, funding will come from the Wastewater Fund.

Richard C. Prima, Jr.
Public Works Director

Prepared by Mark Lindseth, Associate Civil Engineer
RCP/MJL/pmf

cc: Streets and Drainage Manager
Assistant Streets and Drainage Manager

Senior Civil Engineer Fujitani
Water Services Manager

City Engineer
Senior Traffic Engineer

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2007-_____

A RESOLUTION OF THE LODI CITY COUNCIL REJECTING THE
SOLE BID FOR THE WASTEWATER MAIN REPLACEMENT
PROGRAM, PROJECT NO. 4

=====

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, a single sealed bid was received and publicly opened on October 10, 2007, at 11:00 a.m. for the Wastewater Main Replacement Program, Project No. 4, described in the specifications therefore approved by the City Council on September 5, 2007; and

WHEREAS, said sole bid has been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Location	Bid
Engineer's Estimate		
J.F. Pacific Liners, Inc.	Vacaville	\$ 582,895.50

WHEREAS, staff recommends rejecting the sole bid received from J.F. Pacific Liners, Inc., and repackaging this work with other projects to achieve economy of scale.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby rejects the sole bid for the Wastewater Main Replacement Program, Project No. 4.

Dated: December 5, 2007

=====

I hereby certify that Resolution No. 2007-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 5, 2007, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES: COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Awarding the Purchase of 14 Units of Lodi-48 Primary Vaults with Covers to Jensen Precast of Sacramento, CA (\$89,823.63) (EUD)

MEETING DATE: December 5, 2007

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: Adopt a resolution awarding the purchase of 14 units of Lodi-48 primary vaults with covers to Jensen Precast (Jensen) of Sacramento, California (\$89,823.63).

BACKGROUND INFORMATION: On October 3, 2007, the City Council authorized the advertisement for bids to procure 14 units of Lodi-48 primary vaults with covers. These vaults are concrete, precast structures for underground installations in pedestrian and vehicular traffic areas. Seven covers will be concrete and the other seven will be galvanized steel. Presently, the Electric Utility Department (EUD) has only one vault in stock, which is scheduled for an earlier project. Vaults are being purchased on an 'as needed' basis.

The bid documents were advertised on October 31, 2007 and November 3, 2007 respectively. Two manufacturers (Jensen Precast and Utility Vault Company) of concrete vaults, which have been approved by EUD in the past, requested bid documents. On November 20, 2007, staff received bid proposals as follows:

Jensen Precast, Sacramento, CA	\$89,823.63
Utility Vault Company, Pleasanton, CA	No Bid

The proposal of Jensen was determined by Staff to be consistent with the bid documents and specifications. Jensen did not submit any exceptions to specifications and quoted a delivery time of 4-6 weeks from receipt of order from EUD. The last procurement of similar concrete vault specifications was made in March 2003 when Jensen quoted unit prices of \$1,010 and \$2,100 for the vault and the galvanized steel cover respectively. Compared to today's bid costs of \$1,967 for the vault and \$3,270 for galvanized steel cover, Staff believes the bid price is reasonable given the significant escalation in the price of raw materials over the last few years. Bid Item 3, which is EUD's standard concrete cover rated as Heavy Full Traffic, will have its first application in the Reynolds Ranch Development Project.

Seven concrete vaults with galvanized steel covers will be used for the Killelea Substation Rehabilitation Project and seven vaults with the heavy-full traffic, concrete covers will be installed in the Reynolds Ranch Development Project. Both projects are currently in the construction process and the proposed four-week delivery is just in time for project installation.

Due to the criticality of this equipment, Staff therefore recommends City Council approval of a resolution to award the purchase of 14 units of Lodi-48 primary vaults with covers to Jensen Precast of Sacramento, California.

FISCAL IMPACT: Approximately \$65,200.00 will be charged to the Reynolds Ranch Development Project, which is covered by the 100% Cost Recovery rule for new construction. The remaining cost will be charged to the Killelea Substation Rehabilitation Project, which is funded by available bond proceeds.

APPROVED: _____
Blair King, City Manager

FUNDING: Account No. 161677 - Killelea Substation
Account No. 160651.7730 - Reynolds Ranch

Kirk Evans, Budget Manager

George F. Morrow
Electric Utility Director

PREPARED BY: Demy Bucaneg, Jr., P.E., Manager, Engineering & Operations

GFM/DB/lst

RESOLUTION NO. 2007-_____

A RESOLUTION OF THE LODI CITY COUNCIL
AWARDING THE PURCHASE OF 14 UNITS OF LODI-48
PRIMARY VAULTS WITH COVERS

=====

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on November 20, 2007 at 11:00 a.m., for the purchase of 14 units of Lodi-48 primary vaults with covers, described in the specifications therefore approved by the City Council on October 3, 2007; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

Jensen Precast, Sacramento, CA	\$89,823.63
Utility Vault Company, Pleasanton, CA	No Bid

NOW, THEREFORE BE IT RESOLVED that the City Council hereby authorizes the purchase of 14 units of Lodi-48 primary vaults with covers from Jensen Precast of Sacramento, CA, in the total amount of \$89,823.63.

Dated: December 5, 2007

=====

I hereby certify that Resolution No. 2007-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 5, 2007, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES: COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2007-_____



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Awarding the Purchase of 25,000 Feet of 1100 kcmil 15kV Underground Cable to The Okonite Company of San Ramon, CA (\$154,675.12) (EUD)

MEETING DATE: December 5, 2007

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: Adopt a resolution awarding the purchase of 25,000 feet of 1100 kcmil 15kV underground cable to The Okonite Company (Okonite) of San Ramon, California (\$154,675.12).

BACKGROUND INFORMATION: On October 3, 2007, the City Council authorized the advertisement for bids to procure approximately 25,000 feet of 1100 kcmil 15kV, ethylene-propylene rubber (EPR) insulated with concentric neutral underground cable. It is being purchased on an 'as-needed' basis.

The Electric Utility Department (EUD) advertised bid documents on October 30, 2007 and November 3, 2007 respectively. Four medium voltage cable manufacturers and suppliers requested bid documents. On November 14, 2007, staff received bid proposals with the following results:

The Okonite Company, San Ramon, CA	\$154,675.12
HD Supply (Western States Electric), Portland, OR	\$204,078.50
The Kerite Company, Seymour, CT	No Bid
Pirelli Power Cables, Lexington, SC	No Bid

Staff reviewed the proposal of The Okonite Company to be compliant with the bid documents. Okonite had supplied EUD's 15kV EPR underground cables since 2003. The last procurement from Okonite was made on April 2007. Cable will be used for the Killelea Substation Rehabilitation and Reynolds Ranch Development Projects. Both projects are currently in the construction phase and the proposed four-week delivery is just in time for project installation. Staff therefore recommends City Council approval of the award to purchase the 25,000 feet of 1100 kcmil EPR insulated with concentric neutral underground cable from The Okonite Company of San Ramon, CA.

FISCAL IMPACT: Approximately \$93,000 will be charged to the Reynolds Ranch Development Project, which is covered by the 100% Cost Recovery rule for new construction. The remaining cost will be charged to the Killelea Substation Rehabilitation Project, which is funded by available bond proceeds.

FUNDING: Account No. 161677 - Killelea Substation
Account No. 160651.7730 - Reynolds Ranch

Kirk Evans, Budget Manager

George F. Morrow
Electric Utility Director

PREPARED BY: Demy Bucaneg, Jr., P.E., Manager, Engineering & Operations

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2007-____

A RESOLUTION OF THE LODI CITY COUNCIL
AWARDING THE PURCHASE OF 25,000 FEET OF 1100
kcmil 15Kv ETHYLENE PROPYLENE RUBBER
INSULATED UNDERGROUND CONDUCTOR

=====

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on November 14, 2007 at 11:00 a.m., for the purchase of 25,000 feet of 1100 kcmil 15Kv ethylene propylene rubber insulated underground cable, described in the specifications therefore approved by the City Council on October 3, 2007; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

The Okonite Company, San Ramon, CA	\$154,675.12
HD Supply (Western States Electric), Portland, OR	\$204,078.50
The Kerite Company, Seymour, CT	No Bid
Pirelli Power Cables, Lexington, SC	No Bid

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby authorizes the purchase of 25,000 feet of 1100 kcmil 15kV ethylene propylene rubber insulated underground conductor from The Okonite Company, of San Ramon, CA, in the total amount of \$154,675.12.

Dated: December 5, 2007

=====

I hereby certify that Resolution No. 2007- ____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 5, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2007-____



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Accept Improvements Under Contract for the Citywide School Safety Signage Project
MEETING DATE: December 5, 2007
PREPARED BY: Public Works Director

RECOMMENDED ACTION: Accept the improvements under the Citywide School Safety Signage Project contract.

BACKGROUND INFORMATION: The project was awarded at the August 1, 2007 Council meeting to Farwest Safety, Inc., of Lodi, in the amount of \$81,918.50.

In June 2005, City Council authorized staff to submit Safe Route to School grant applications to the California Department of Transportation (Caltrans). In June 2006, Caltrans approved the Citywide School Signage grant and funds became available. The intent of the grant is to comply with recently-adopted guidelines for Federal and State mandated school pedestrian warning signs. The new school signs include School Advance Warning signs in advance of the existing school signs and School Crosswalk Warning signs at school crosswalks. These signs provide additional warning for motorists entering a school zone and approaching school crosswalks. In addition to these signs, existing signs and marking were relocated or removed to be brought into compliance with Federal and State guidelines.

The final contract price was \$81,920.92. The difference between the contract amount and the final contract price was due to minor adjustments in the square footage of the pavement markings.

Following acceptance by the City Council, as required by law, the City Engineer will file a Notice of Completion with the County Recorder's office. The notice serves to notify vendors and subcontractors that the project is complete and begins their 30-day period to file a stop notice requiring the City to withhold payments from the prime contractor in the event of a payment dispute.

FISCAL IMPACT: Using some grant funds will eliminate the need to use all Street Maintenance funds for installation of these improvements by the compliance deadline. However, replacements costs will be needed in eight to ten years.

FUNDING AVAILABLE:	<u>Funding Source</u>	<u>Amount</u>
	Safe Route to School	\$42,800.00
	TDA Ped & Bike	\$ 5,200.00
	Street Maintenance Account	<u>\$33,920.92</u>
	Total	<u>\$81,920.92</u>

Richard C. Prima, Jr.
Public Works Director

Prepared by Wesley Fujitani, Senior Civil Engineer
RCP/WKF/pmf

cc: Budget Manager
Senior Traffic Engineer

Streets and Drainage Manager
Transportation Manager

Management Analyst Areida

APPROVED: _____
Blair King, City Manager

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.

Comments by the City Council Members on non-agenda items



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Appointments to the Lodi Animal Advisory Commission

MEETING DATE: December 5, 2007

PREPARED BY: City Clerk

RECOMMENDED ACTION: Concur with the Mayor's recommended appointments to the Lodi Animal Advisory Commission.

BACKGROUND INFORMATION: On August 1, 2007, the City Clerk's Office was directed to post for the seven open positions on the newly created Lodi Animal Advisory Commission. On October 17, 2007, Council further directed the City Clerk to re-post for the vacancies, due to the fact that an insufficient number of applications was received. The Mayor has reviewed the applications and has made his selection. It is, therefore, recommended that the City Council concur with the following appointments.

Lodi Animal Advisory Commission

Linda Castelanelli	Term to expire December 31, 2008
Shara Guerrette	Term to expire December 31, 2008
Rose Hilliard	Term to expire December 31, 2009
Phillip Laughlin	Term to expire December 31, 2009
Gina Mendes	Term to expire December 31, 2010
Christy Morgan	Term to expire December 31, 2010
Julia Priest	Term to expire December 31, 2010

NOTE: Seven applicants (seven new applications); published in LNS 8/4/07 and 10/20/07; application deadline 11/19/07

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

RJ/JMP

APPROVED: _____
Blair King, City Manager



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Presentation to Outgoing Mayor by City Manager King and Reorganization of the Lodi City Council

MEETING DATE: December 5, 2007

PREPARED BY: City Clerk

RECOMMENDED ACTION: That, following presentation to the outgoing Mayor by City Manager King, the City Council adopt resolutions electing a Mayor and a Mayor Pro Tempore to serve the Lodi City Council.

BACKGROUND INFORMATION: Pursuant to Lodi Municipal Code §2.04.070, it is necessary that the City Council reorganize by electing a Mayor and Mayor Pro Tempore.

The reorganization of the City Council will take place as follows:

Item M Reorganization of the Lodi City Council

- Presentation to the Mayor by the City Manager.
- Comments by the Mayor.
- City Clerk will conduct the election for the office of Mayor.
- Following the election, the City Clerk will hand the gavel to the newly-elected Mayor, who will then conduct the election for the office of Mayor Pro Tempore.
- The newly-elected Mayor will then adjourn the meeting.

FISCAL IMPACT: N/A

FUNDING AVAILABLE: N/A

Randi Johl
City Clerk

RJ/JMP

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2007-_____

A RESOLUTION OF THE LODI CITY
COUNCIL CONFIRMING THE ELECTION
OF THE MAYOR

WHEREAS, reorganization of the City Council takes place at the first regular meeting in December each year; and

WHEREAS, during the reorganization, an election is held by the Council as a whole by nomination and vote for the positions of Mayor and Mayor Pro Tempore; and

WHEREAS, at its meeting held December 5, 2007, _____ was elected to serve as Mayor for a one-year period.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that Resolution No. 2007-_____ is hereby adopted confirming the election of _____ as Mayor of the City of Lodi for a one-year period; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage.

DATED: December 5, 2007

I hereby certify that Resolution No. 2007-_____ was passed and adopted by the Lodi City Council in a regular meeting held December 5, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2007-_____

RESOLUTION NO. 2007-_____

A RESOLUTION OF THE LODI CITY
COUNCIL CONFIRMING THE ELECTION OF
THE MAYOR PRO TEMPORE

WHEREAS, reorganization of the City Council takes place at the first regular meeting in December each year; and

WHEREAS, during the reorganization, an election is held by the Council as a whole by nomination and vote for the positions of Mayor and Mayor Pro Tempore; and

WHEREAS, at its meeting held December 5, 2007, _____ was elected to serve as Mayor Pro Tempore for a one-year period.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that Resolution No. 2007-_____ is hereby adopted confirming the election of _____ as Mayor Pro Tempore of the City of Lodi for a one-year period; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage.

DATED: December 5, 2007

I hereby certify that Resolution No. 2007-_____ was passed and adopted by the Lodi City Council in a regular meeting held December 5, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2007-_____