



## LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

## AGENDA – REGULAR MEETING

Date: December 6, 2006

Time: Closed Session – 5:30 p.m.

Regular - 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 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) Actual Litigation: Government Code §54956.9(a). One case. Peter Rose, et al. v. City of Lodi, United States District Court, Eastern District, Case No. 2:05-CV-2232 GEB/PAN and Consolidated Cases.
- b) 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) 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) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), regarding Lodi City Mid-Management Association, Maintenance and Operators and General Services Groups, Police Officers Association, and Professional Firefighters pursuant to Government Code §54957.6

### **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** – Pastor Alan Kimber, First United Methodist 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 of the Lodi Fire Department Centennial Badge (FD)
- b) Presentation of the Lodi Public Library Centennial Card (LIB)
- c) Presentation by Hospice of San Joaquin Regarding 2006 Tree of Lights (CM)

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

- E-1 Receive Register Of Claims In The Amount Of \$3,253,949.43 (FIN)
- E-2 Approve Minutes (CLK)
  - a) August 30, 2006 (Special Meeting)
  - b) November 14, 2006 (Shirtsleeve Session)
  - c) November 15, 2006 (Regular Meeting)
  - d) November 21, 2006 (Shirtsleeve Session)
- Res. E-3 Adopt Resolution Rejecting All Bids For Lodi Avenue At Stockton Street, Elm Street, And Ham Lane Traffic Signal And Striping Modifications (PW)
- Res. E-4 Adopt Resolution Approving Purchase Of Two Police Canines For The Lodi Police Department K-9 Unit With The Use Of Asset Seizure Funds (PD)
- Res. E-5 Adopt Resolution Awarding Contract For Water And Wastewater Main Replacement Program, Project No. 3, To J. F. Pacific Liners, Inc., Of Vacaville (\$825,575) (PW)
- Res. E-6 Adopt Resolution Accepting Improvements In Winchester Woods, Tract No. 3564 (PW)
- E-7 Approve Improvement Agreement For Public Improvements For 555 North Guild Avenue (PW)
- Res. E-8 Adopt Resolution Approving An Extension Of The Existing Contract For Maintenance Of Landscape Areas For Groups A, B, And C With Odyssey Landscape Company, Inc. In The Amount Of \$185,586 (PW)
- E-9 Authorize The City Manager To Enter Into Contracts With Five Consultants For Plans Examining And Building Inspection Services (CD)
- E-10 Authorize The City Manager To Execute A Termination Of The 2003 Swap Agreements At The Time Market Conditions Are Deemed Most Favorable (CM)

**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 – None
- J-3 Miscellaneous – None

**K. Regular Calendar – None**

**L. Ordinances for Adoption**

- Ord. L-1 Ordinance No. 1787 Entitled, "An Ordinance Of The City Council Of The City Of Lodi Approving The Request Of Tom Doucette, Frontier Community Builders, For Pre-Zoning To PD (Planned Development) Of 257.76 Acres (Southwest Gateway Project) And Two Parcels On Harney Lane (565 And 603 East Harney Lane) And Pre-Zoning To R-MD (Medium Density Multifamily Residence) On 47.79 Acres (Other Areas To Be Annexed)" (CLK)

Ord. L-2 Ordinance No. 1788 Entitled, "An Ordinance Of The City Council Of The City Of Lodi Adopting A Development Agreement Pertaining To The Development Of 257.76 Acres Located On The West Side Of Lower Sacramento Road Between Highway 12-Kettleman Lane And Harney Lane (Southwest Gateway) (Development Agreement GM-05-001)" (CLK)

**M. Reorganization of the City Council**

- Res. M-1 Resolution Certifying The Election Results Of The November 7, 2006, General Municipal Election
  - M-2 Presentations To Outgoing Council Members And Mayor
  - M-3 City Clerk To Administer The Oath Of Office To Lodi City Council Members Elect And Present Certificates Of Election
  - M-4 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.

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Randi Johl  
City Clerk