Measure L Citizens' Oversight Committee

Teleconference Meeting
Streaming Link:
www.facebook.com/CityofLodi/

AGENDA – Quarterly Meeting
Date: May 18, 2020
Time: Quarterly Meeting 5:00 p.m.

SPECIAL TELECONFERENCE NOTICE

Pursuant to Executive Order N-29-20:

The Brown Act, Government Code Section 54953, contains special requirements that apply when members of a legislative body participate in a public meeting by telephone. Certain of these requirements have been suspended by Paragraph 3 of Executive Order N-29-20, executed by the Governor of California on March 17, 2020, to mitigate the spread of Coronavirus (COVID-19). In particular, the Executive Order suspends that provision of the Brown Act that requires noticing, posting of agendas, and public access to each location where a member will be participating telephonically, as well as provisions that require physical presence of members of the legislative body or the public for purposes of a quorum or to hold a meeting. Executive Order N-29-20 allows an agency to conduct a teleconference meeting that provides members of the public telephonic or other electronic participation in place of making a physical location for the public to observe the meeting and provide public comment, consistent with other provisions of the Brown Act.

The following members of the City of Lodi Measure L Citizen's Oversight Committee (the "Committee") are listed to permit them to appear telephonically at the Committee Meeting on May 18, 2020 at 5 pm: Chair Phil Pennino, Vice Chair Terrence Spring, Committeemember Gary Woehl, Committeemember Spencer Rhoads, Committeemember Mikey Hothi.

Public Comment:

Members of the public can send written comments to the Committee prior to the meeting by emailing MeasureLComments@lodi.gov. These emails will be provided to the members of the Committee and will become part of the official record of the meeting.

Members of the public who wish to verbally address the Committee during the meeting should email those comments to MeasureLComments@lodi.gov. Comments must be received before the Chair announces that the time for public comment is closed. The Deputy City Manager will read three minutes of each email into the public record. IMPORTANT: Identify the Agenda Item Number or Oral Communications in the subject line of your email. Example: Public Comment for Agenda Item Number 1.

Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment in this meeting, please contact the Office of the City Clerk at (209) 333-6702 or cityclerk@lodi.gov at least 48 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. If you need special assistance in this meeting for purposes other than providing public comment, please contact the Office of the City Clerk at (209) 333-6702 or cityclerk@lodi.gov at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.160 (b) (1)).

Viewing:

Members of the public may view and listen to the open session of the meeting at www.facebook.com/CityofLodi/.

Agenda

MEASURE L CITIZENS' OVERSIGHT COMMITTEE

Meeting Date: **Monday, May 18, 2020**
Time: **5:00 p.m.**
Location: www.facebook.com/CityofLodi/

For information regarding this Agenda please contact:
Andrew Keys, Deputy City Manager
Telephone: (209) 333-6700

A. Call to Order / Roll Call

B. Approve Minutes of the January 13, 2020 Measure L Citizens' Oversight Committee

C. Adopt Resolution Recommending the Draft Fiscal Year 2018/19 Measure L Annual Accountability Report for City Council Approval

D. 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.

_____
Andrew Keys
Deputy City Manager

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 Manager's Office as soon as possible and at least 72 hours prior to the meeting date. Language interpreter requests must be received at least 72 hours in advance of the meeting to help ensure availability. Contact Andrew Keys at (209) 333-6700. Solicitudes de interpretación de idiomas deben ser recibidas por lo menos con 72 horas de anticipación a la reunión para ayudar a asegurar la disponibilidad. Llame a Andrew Keys (209) 333-6702.

AGENDA ITEM B

CITY OF LODI
MEASURE L CITIZENS' OVERSIGHT COMMITTEE COMMUNICATION

AGENDA TITLE: Approve Minutes of the January 13, 2020 Measure L Citizens' Oversight Committee

MEETING DATE: May 18, 2020

PREPARED BY: Deputy City Manager

RECOMMENDED ACTION: Approve minutes of the January 13, 2020 Measure L Citizens' Oversight Committee.

BACKGROUND INFORMATION: Attached are copies of the subject minutes marked Exhibit A.

FISCAL IMPACT: N/A

FUNDING AVAILABLE: N/A

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Andrew Keys
Deputy City Manager/Internal Services Director

Attachments:
Exhibit A – Minutes of the January 13, 2020 Measure L Citizens' Oversight Committee

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APPROVED: _____
Stephen Schwabauer, City Manager

Exhibit A

MEASURE L CITIZENS' OVERSIGHT COMMITTEE MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
MONDAY, January 13, 2020

A. CALL TO ORDER / ROLL CALL

The Measure L Citizens' Oversight Committee meeting of January 13, 2020, was called to order by Deputy City Manager Andrew Keys at 6:00 p.m.

Present: Committee Members – Hothi, Pennino, Rhoads, Spring, and Woehl

Absent: Committee Members – None

Also Present: Deputy City Manager Keys

B. CONSIDER RESOLUTION ELECTING A MEASURE L CITIZENS' OVERSIGHT COMMITTEE CHAIR AND VICE CHAIR FOR FISCAL YEAR 2018/19

Staff Liaison and Deputy City Manager (DCM) Andrew Keys provided a brief presentation on the process for electing a Chair and Vice Chair for the Committee noting that the process would be the same as that currently in place for electing Lodi's Mayor.

Committee Member Woehl, seconded by Committee Member Spring nominated Committee Member Pennino to serve as Chair.

Committee Member Woehl, seconded by Committee Member Rhoads nominated Committee Member Spring to serve as Vice Chair.

VOTE:
Resolution 2020-1 nominating Committee Member Pennino to serve as Committee Chair and Spring to serve as Committee Vice-Chair carried by the following vote:
Ayes: Committee Members – Hothi, Pennino, Rhoads, Spring, and Woehl
Noes: Committee Members – None
Absent: Committee Members – None

C. Approve the Minutes of the July 15, 2019 Meeting of the Measure L Citizens' Oversight Committee

Committee Member Hothi made a motion, seconded by Committee Member Spring to approve the minutes of the July 15, 2019 meeting.

VOTE:
The above motion carried by the following vote:
Ayes: Committee Members – Hothi, Pennino, Rhoads, Spring, and Woehl
Noes: Committee Members – None
Absent: Committee Members – None

D. Receive Draft Fiscal Year 2018/19 Measure L Annual Accountability Report

DCM Keys gave a presentation on the Draft Fiscal Year 2018/19 Measure L Annual Accountability Report highlighting the types and amounts of various expenditures, the unique three month report in the first Fiscal Year of Measure L, the importance of including future Council approved plans for context within the report, and discussing various challenges with ramping up staffing and expenditures using Measure L funds.

Vice Chair Spring asked for clarification on whether the fund balance from Fiscal Year 2018/19 caused by higher than anticipated revenues will actually get Measure L to its 16% fund balance target faster than three years. DCM Keys explained that the three year policy adopted by Council considered there to be no fund balance at the end of Fiscal Year 2018/19 leaving a decision for City Council in the coming budget on how to treat that balance.

Committee Member Hothi asked if the City had an outreach strategy and suggested something public similar to Measure K or Senate Bill 1 signs seen near road projects completed using those funding sources. Committee Member Rhoads suggested something near Candy Cane Park.

DCM Keys commented that the City did not have a formal strategy other than disseminating the draft and final versions of the report via web and social media resources.

Chair Pennino requested that the Committee consider including a recommendation to City Council to develop the report into a mailer or print ad, noting that it is important to show voters that the City is doing what was promised with the new revenue. Chair Pennino further clarified that the expenditure of funds on any Measure L outreach is at the Council's discretion. Parks and Recreation and the three month duration for the Fiscal Year 2018/19 report should show up on page one of the report and the picture on the last page should be updated. Committee Member Rhoads suggested this picture be replaced with a park picture and a library picture, along with library discussion to highlight the planned use of Measure L funds in those areas in addition to safety.

Vice Chair Spring suggested the Committee have a clear message to communicate the benefits of Measure L related to the new positions funded. Table 3 in the draft report shows new positions as well as positions transferred to and from Measure L. Chair Pennino and Vice Chair Spring agreed that for a talking point, stating Measure L has funded 11 new position is the simplest and clearest explanation.

Committee Member Woehl asked for clarification on whether the City is funding both the current and unfunded liability pension costs for Measure L positions. DCM Keys confirmed the City is paying the full bill for both normal (current) costs and Unfunded Accrued Liability (UAL) costs for all positions, including Measure L. DCM Keys further clarified that Measure L is not paying any UAL costs and any UAL costs attributed to employees funded by Measure L will be borne by the City's General Fund.

This item was a discussion with direction given as summarized. No action was taken by the Committee on this item.

E. ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 6:35 p.m.

ATTEST:

Andrew Keys
Deputy City Manager

AGENDA ITEM C

CITY OF LODI
MEASURE L CITIZENS' OVERSIGHT COMMITTEE COMMUNICATION

AGENDA TITLE: Adopt Resolution Recommending the Draft Fiscal Year 2018/19 Measure Annual Accountability Report for City Council Approval

MEETING DATE: May 18, 2020

PREPARED BY: Deputy City Manager

RECOMMENDED ACTION: Adopt Resolution recommending the Draft fiscal year 2018/19 Measure L Annual Accountability Report for City Council approval.

BACKGROUND INFORMATION: Lodi Municipal Code Section 3.30.140 requires the City Council to cause preparation of an Annual Accountability report for expenditures of Measure L tax revenues received. The report is required to include the following:

a. The amount of revenue collected;
b. The amount and general purpose of expenditures made from this revenue by category

LMC Section 3.30.150 (A) establishes the Measure L Citizens' Oversight Committee and charges the Committee to "have the duty and responsibility to review the annual accountability report and report its findings to the City Council and the citizens of the City."

The initial draft of the attached report was presented to the Committee at its meeting on January 13, 2020. City staff has made revisions to the report based upon the Committee's initial review, discussion and direction. The Committee will be asked to take formal action at tonight's meeting to recommend the report to the City Council for the Council's acceptance at a future meeting.

FISCAL IMPACT: N/A

FUNDING AVAILABLE: N/A

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Andrew Keys
Deputy City Manager/Internal Services Director

Attachments:
Draft Fiscal Year 2018/19 Measure L Annual Accountability Report

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APPROVED: _____
Stephen Schwabauer, City Manager

Attachment 1

City of Lodi

Measure L

FISCAL YEAR 2018/19

ANNUAL ACCOUNTABILITY REPORT

Measure L Citizen's Oversight Committee Members

District 1 - Gary Woehl
District 2 - Terence Spring
District 3 - Phil Pennino
District 4 - Spencer Rhoads
District 5 - Mikey Hothi

Measure L was passed by the voter's in Lodi in November of 2018. Collection for the general purpose retail transactions and use tax began on April 1, 2019. The Ordinance requires the City Council to cause the preparation of an Annual Accountability Report (the "Report") to be reviewed by the Measure L Citizen's Oversight Committee. The Committee is responsible to review the Report and report its findings to the City Council. The text printed on the ballot for Measure L is as follows. For the full text of the ordinance, please review the full text of Lodi Ordinance No. 1953. Expenditures for the period include those for fire and police services. City Council has expanded authorizations to use funds for Parks and Library Services in Fiscal Year 2019/20.

To make neighborhoods safer, maintain/improve essential City of Lodi services including: reducing crime; maintaining neighborhood police patrols/gang violence intervention/prevention; fixing potholes/city streets; maintaining neighborhood fire stations; enhancing rapid police/fire response times by restoring firefighter and adding police positions; maintaining recreation facilities/programs; and other general fund purposes; shall the City of Lodi measure enacting an ongoing half cent local sales tax, providing $5,400,000 annually, with independent citizen oversight, and funds spent locally, be adopted?

Fiscal Year 2018/19 Measure L Revenue

Initial estimates called for approximately $1.2 million in revenue for the 3 month period from April 1, 2019 through June 30, 2019. Actual receipts were $1,453,364. Additional un-programmed revenue remains in the Measure L fund balance for future programming. Given that Measure L is a new revenue source with a 3 year 16% fund balance, this will likely help the fund reach its reserve target more quickly than initially anticipated as the fund balance policy assumed no fund balance at the end of Fiscal Year 2018/19.

Fiscal Year 2018/19 Measure L Expenditures

In February 2019, City Council authorized $980,720 worth of expenditures from Measure L funds. This included the following:

- 6 new Peace Officers
- 3 Part Time Community Services Officers
- 3 new Firefighters
- 1 restored Battalion Chief (was eliminated in FY 2018/19 budget)
- Overtime to fully staff Engine 2031 for the first time in nearly 10 years
- 4 vehicle purchases, including one motorcycle to serve the new police positions
- Equipment and training related to all new positions

Due to challenges in ramping up to full staff within the police and fire departments, most of these positions went unfilled for Fiscal Year 2018/19. By June 30, 2019, only the 6 full time police officer positions were full. Table 1 shows Measure L expenditures for FY 2018/19 by expense category.

Table 1. FY 2018/19 Measure L Expenditures by Category

Revenue	**1,453,364**
Salary and Benefits	441,221
Equipment	164,406
Training	21,509
Vehicles	23,085
Total Expenditures	**650,221**
Revenue Less Expenditures	***803,143***
Funds Encumbered but Not Spent	
Police Vehicles	111,165
Radio Equipment	398,000
Total Encumbrances	**509,165**
Fund Balance at June 30, 2019	***293,979***

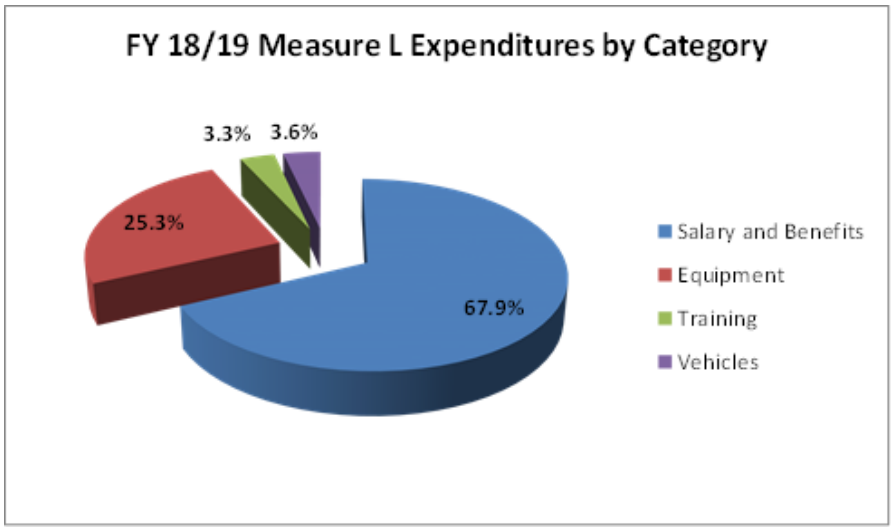

Table 1. FY 2018/19 Measure L Expenditures by Category

Police	283,519
Fire	366,702
Total	***650,221***

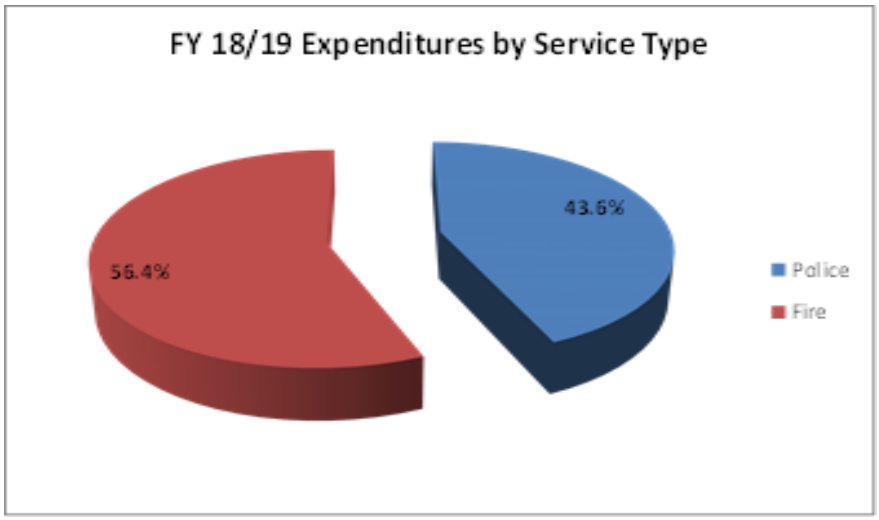

Table 2 shows Measure L FY 2018/19 expenditures by service type. In FY 2018/19 43.6% of expenditures were for police and 56.4% were for fire services. Fire services were expanded immediately on April 1 using overtime labor from existing resources. The police department was not able to use overtime labor from existing officers due to previously existing staffing shortages. The six new officers were hired by April 1, however part time Community Services Officers were not hired and equipment purchases were delayed beyond June 30, 2019. For Fiscal Year 2019/20, library and parks services have also been authorized.

Subsequent to the close of the fiscal year, City Council approved unallocated FY 2018/19 Measure L funds for purchase of radio infrastructure to serve both the police and fire department needs. This large capital expenditure will replace aging infrastructure that is past its useful life and set the City up to have newer, more reliable and flexible technology to adapt to future enhancements. Without Measure L funds, this project would not have been possible without significant cuts to other vital equipment purchases or services within the City.

Fiscal Year 2019/20 Budget

The FY 2018/19 Measure L Annual Accountability Report is focused on expenditures that have already occurred. Lodi Municipal Code Section 3.30 (the "Ordinance") specifically limits the Citizens' Oversight Committee's role to review of expenditures at the close of each fiscal year. The Committee has no role in budgeting or planning. However, in this first Annual Accountability Report, it is important to note the benefit of the Measure L to maintaining existing service levels within the City. Table 3 below shows the positions funded by Measure L in FY 2019/20. As can be seen in the Table, the City is hiring a full time Librarian for the first time since 2015. Also programmed in Fiscal Year 2019/20 is over 850,000 in parks playground replacements that would not be possible without Measure L.

Table 3. Measure L Funded Positions Fiscal Year 2019/20

Measure L Funded Positions	Approved Mid Year 18/19	Approved for FY 19/20	Moved from GF in FY 19/20	Moved to GF FY 19/20	Total for FY 19/20	Budget Cost	
Police Officers	6	0	4	0	10	$	1,296,360
Firefighters	3	0	5	0	8	$	840,000
Fire Battalion Chief	1	0	0	1	0	$	-
Librarian	0	1	0	0	1	$	98,080
Total	**10**	**1**	**9**	**1**	**19**	**$**	**2,234,440**

Table 3 shows that a total of 11 new positions were approved using Measure L funds in the columns "Approved Mid Year 18/19" and "Approved for FY 19/20". Nine positions were moved from the General Fund into Measure L due to rising cost pressures in the General Fund, while one position was moved from Measure L back to the General Fund to prioritize boots on the ground positions in Measure L. This nets to eight positions that would have had to be cut from the City's budget had Measure L not been passed in November 2018. All told, 19 positions are funded by Measure L in the FY 2019/20 budget.

RESOLUTION NO. 2020-____

A RESOLUTION OF THE LODI MEASURE L CITIZENS' OVERSIGHT COMMITTEE RECOMMENDING THE DRAFT FISCAL YEAR 2018/19 MEASURE L ANNUAL ACCOUNTABILITY REPORT FOR CITY COUNCIL APPROVAL

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WHEREAS, Lodi Municipal Code Section 3.30.140 requires the City to prepare an Annual Accountability report (the "Report") for expenditures of Measure L tax revenues received; and

WHEREAS, the Report needs to show the amount of revenue collected and the amount and general purpose of expenditures made; and

WHEREAS, Lodi Municipal Code Section 3.30.150 (A) establishes the Measure L Citizens' Oversight Committee (the "Committee") and charges the committee with review the report and present its findings to the City and the City Council; and

WHEREAS, the first draft of the Report was presented to the Committee on January 13, 2020; and

WHEREAS, the Committee reviewed, discussed and provided to direction to staff on modifications to the report; and

WEHREAS, the Committee finds this revised report to be sufficient to meet the obligations outlined in Lodi Municipal Code Section 3.30.140.

NOW, THEREFORE, BE IT RESOLVED by the Lodi Measure L Citizens' Oversight Committee that:

1.) Resolution 2020-___ is hereby adopted recommending that the City Council of the City of Lodi approve the Fiscal Year 2018/19 Measure L Annual Accountability Report; and
2.) It is recommended that the City Council consider preparation of a one page flyer or bill insert to communicate to the citizens of Lodi the successes of Measure L outlined in this report.

Dated: May 18, 2020

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I hereby certify that Resolution No. 2020-____ was passed and adopted by the Measure L Citizens' Oversight Committee of the City of Lodi in a regular meeting held May 18, 2020 by the following vote:

AYES: COMMITTEE MEMBERS –

NOES: COMMITTEE MEMBERS –

ABSENT: COMMITTEE MEMBERS –

ABSTAIN: COMMITTEE MEMBERS –

ANDREW KEYS
Deputy City Manager