LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

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AGENDA – Regular Meeting
Date: September 16, 2020
Time: Closed Session 6:30 p.m.
Regular Meeting 7:00 p.m.

SPECIAL NOTICE

Effective immediately and while social distancing measures are imposed, Council chambers will be closed to the public during meetings of the Lodi City Council.

The following alternatives are available to members of the public to watch Council meetings and provide comments on agenda and non-agenda items before and during the meetings.

Viewing:

Members of the public may view and listen to the open session of the meeting by clicking the below links or pasting the link into a browsers

https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWIsZFFNSlN6Zz09
Password: 678902
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Public Comment:

Members of the public may provide public comment via Zoom video conferencing at the following link: https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWIsZFFNSlN6Zz09 Public Comments are limited to five minutes per person.

Members of the public may submit written comment prior to or during the meeting. Comments should be submitted to councilcomments@lodi.gov (or via mail sent to: City Clerk's Office, P.O. Box 3006, Lodi, CA 95241). Written comments received two hours prior to the start of the meeting will be provided to the City Council and posted on the City website as part of the official record of the meeting. Five minutes of each written comment, received before the Mayor or Chair announces that the time for public comment is closed will be read into the record. IMPORTANT: Identify the Agenda Item Number in the subject line of your email. Example: Public Comment for Agenda Item Number C-17.

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)).

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.

For information regarding this Agenda please contact:
Jennifer Cusmir
City Clerk
Telephone: (209) 333-6702

6:55 p.m. Invocation/Call to Civic Responsibility. Invocations/Calls may be offered by any of the various religious and non-religious organizations within and around the City of Lodi. These are voluntary offerings of private citizens, to and for the benefit of the Council. The views or beliefs expressed by the Speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the beliefs or views of any speaker.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

a) Prospective Sale of Real Property Located at 17 East Elm Street (APN 043-08-204) and 114 Main Street (APN 043-08-411) and Adjacent Public Alleyway, Lodi, CA; the Negotiating Parties are Stephen Schwabauer for the City of Lodi and Dr. Omid Pourzanjiani for San Joaquin Delta College; Price and Terms of Sale are Under Negotiation. Government Code §54956.8

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. Presentations

B-1 National Night Out Proclamation (PD)

B-2 Fire Prevention Week Proclamation (FD)

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

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, refer to the Special Teleconference Notice at the beginning of this agenda.

C-1 Receive Register of Claims for August 14, 2020 through August 27, 2020 in the Amount of $2,803,751.81 (FIN)

C-2 Approve Minutes (CLK)
a) August 25, September 1, and September 8, 2020 (Shirtsleeve Sessions)
a) September 2, 2020 (Regular Meeting)

Res. C-3 Adopt Resolution Ratifying the Transfer of Pending Legal Matters from Kronick, Moskovitz, Tiedemann and Girard to Loranzo Smith and Authorize City Attorney to Execute Agreement for Legal Services with Loranzo Smith (CA)

Res. C-4 Adopt Resolution Reaffirming the Ratification of the City Manager's Proclamation Finding the Continued Existence of a Local Emergency and Rendering Certain Emergency Orders, Including an Increase Related to the Local Emergency in the City Manager's Contracting Authority for Services and Goods to a Maximum Amount of $250,000 for the Duration of the Local Emergency (CA)

Res C-5 Adopt Resolution Authorizing the City Manager to Roll Forward the Remaining Appropriation to Fiscal Year 2021 for the Unspent Portion of the Electric Vehicle Grant from San Joaquin Valley Air Pollution Control District Grant ($5,926.31) (FD)

Res. C-6 Adopt Resolution Authorizing Submission of the 2020 Emergency Solutions Grant - Covid-19 (ESG-CV) Application and Authorizing the City Manager to Enter into Agreements with the San Joaquin Community Development Department for a Navigation Center Project (Approximately $400,000) (CD)

Res. C-7 Adopt Resolution Authorizing Submission of Coronavirus Aid, Relief and Economic Security Act Grant Application and Authorizing the City Manager to Enter into Agreements with the San Joaquin County Human Services Agency for a Meal Delivery Program ($24,949) (CD)

Res. C-8 Adopt Resolution Authorizing City Manager to Waive the Bid Process and Execute Professional Services Agreement with Garland/DBS, Inc., of Cleveland, Ohio, for White Slough Water Pollution Control Facility Electrical Room and Digester Building Roof Replacement Project ($140,593), Utilizing U.S. Communities Contract No. PW1925, and Appropriating Funds ($48,593) (PW)

Res. C-9 Adopt Resolution Authorizing City Manager to Waive Bid Process and Purchase Library Database and Subscription Services from EBSCO, Inc., of Birmingham, Alabama (LIB)

D. 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.

Public comment may only be made on matters within the Lodi City Council's jurisdiction (Government Code Section 54954.3, Lodi City Council Protocol Manual Section 6.3l). The Council cannot take action or deliberate on items that are not on this agenda unless there is an emergency and the need to take action on that emergency arose after this agenda was posted (Government Code Section 54954.2(b)(2)). All other items may only be referred for review to staff or placement on a future Council agenda.

If you wish to address the Council, please refer to the Special Teleconference Notice at the beginning of this agenda. Individuals are limited to one appearance during this section of the Agenda.

E. Comments by the City Council Members on Non-Agenda Items

F. Comments by the City Manager on Non-Agenda Items

G. Public Hearings

G-1 Continue Public Hearing to October 7, 2020 to Consider Introducing an Ordinance Approving Planning Commission's Recommendation to Repeal and Reenact the Following Lodi Municipal Code Chapters and Section: Chapter 15.60 – Flood Damage Prevention; Section 17.14.040 – General Performance Standards; and Chapter 17.28 – Overlay Zoning Districts; and Amend the Lodi Zoning Map to Establish the Flood Hazard (-F) -200 Overlay District to Implement the Provisions of Senate Bill (SB) 5 and SB 1278 Related to 200-Year Flood Protection (CD)

G-2 Continue Public Hearing to October 7, 2020 to Consider Adopting a Resolution Approving the Planning Commission's Recommendation to Amend the General Plan Safety Element to Implement the Provisions of Senate Bill (SB) 5 and SB 1278 Related to 200-Year Flood Protection (CD)

G-3 Public Hearing to Consider the Appeal of JAS Real Properties Development Lodi LLC (JAS) Regarding the Planning Commission's Approved Conditions of Approval for the Reynolds Ranch Tentative Tract Map (Bennett) (CD)

NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31.

Res. G-4 Public Hearing to Consider Adopting a Resolution Approving Planning Commission's Recommendation to Authorize 39 Low-Density and 111 Medium-Density 2020 Residential Growth Management Allocations and Approve Planned Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map (Bennett) (CD)

NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31.

Res. G-5 Public Hearing to Consider Adopting a Resolution Approving the 2019-20 Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CD)

H. Regular Calendar

H-1 Provide Status Update and Presentation and Receive Council Direction on Zupo Field (PRCS)

I. Ordinances – None

J. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

_____
Jennifer Cusmir
City Clerk

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 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 Jennifer Cusmir at (209) 333-6702. 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 Jennifer Cusmir (209) 333-6702.

Meetings of the Lodi City Council are telecast on SJTV, Channel 26. The City of Lodi provides live and archived webcasts of regular City Council meetings. The webcasts can be found on the City's website at www.lodi.gov by clicking the meeting webcasts link.

Members of the public may view and listen to the open session of this teleconference meeting at www.facebook.com/CityofLodi/ or https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWIsZFFNSIN6Zz09.

AGENDA ITEM B-01

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Presentation of Proclamation Proclaiming Tuesday, October 6, 2020, as "National Night Out"

MEETING DATE: September 16, 2020

PREPARED BY: Chief of Police

RECOMMENDED ACTION: Presentation of proclamation proclaiming Tuesday, October 6, 2020, as "National Night Out."

BACKGROUND INFORMATION: The City of Lodi Police Department established the Neighborhood Watch Program in 1985. Police officers were specially trained to conduct Neighborhood Watch Meetings to provide crime prevention information and develop partnerships within the community. This year we celebrate 35 years of Lodi Neighborhood Watch with approximately 100 active and organized neighborhoods.

In 1988, Lodi joined the National Association of Town Watch and began taking part in National Night Out. Thousands of communities and hundreds of thousands of citizens participate in National Night Out each year. Neighborhood Watch is a critical component in our ability to succeed in addressing crime issues within our local community. It is important that the citizens of Lodi are aware of the impact their individual and group participation has on reducing crime in Lodi.

Unfortunately, this year in order to stop the spread of Coronavirus City staff will not be visiting Neighborhood Watch groups and is encouraging groups not to meet in person. The Lodi Police Department and our Crime Prevention volunteers would like to reinforce the importance of Neighborhood Watch. We encourage the community to get creative with their National Night Out networking and consider a virtual gathering or an email campaign to disseminate Neighborhood Watch information. The Lodi Police Department is pleased to make a virtual appearance and/or help with any electronic meeting setup. Please contact Chuck Fromm at (209) 333-6864 or email cfromm@lodi.gov to set up an appointment.

Staff anticipates and truly looks forward to next year when our community can come together and observe National Night Out in person.

FISCAL IMPACT: None.

FUNDING AVAILABLE: Not applicable.

_____
Sierra Brucia
Chief of Police

APPROVED: _____
Stephen Schwabauer, City Manager

AGENDA ITEM B-02

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Fire Prevention Week Proclamation

MEETING DATE: September 16, 2020

PREPARED BY: Fire Chief

RECOMMENDED ACTION: Mayor Kuehne to present a proclamation proclaiming the week of October 4-10, 2020 as "Fire Prevention Week" in the City of Lodi.

BACKGROUND INFORMATION: The Mayor has been requested to present a proclamation proclaiming the week of October 4-10, 2020 as "Fire Prevention Week" in the City of Lodi. "Serve Up Safety in The Kitchen" is the official theme for this year's Fire Prevention Week campaign.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

_____
Gene Stoddart, Fire Chief

APPROVED: _____
Stephen Schwabauer, City Manager

AGENDA ITEM C-01

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Receive Register of Claims for August 14, 2020 through August 27, 2020 in the Total Amount of $2,803,751.81

MEETING DATE: September 16, 2020

PREPARED BY: Internal Services Director

RECOMMENDED ACTION: Receive the attached Register of Claims for $2,803,751.81

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of $2,803,751.81 for August 14, 2020 through August 27, 2020. Also attached is Payroll in the amount of $1,513,458.74 through August 23, 2020.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: As per attached report.

Andrew Keys
Internal Services Director

APPROVED: _____
Stephen Schwabauer, City Manager

Council Report
City of Lodi - v11.3.20 Live
8/14/2020 through 8/27/2020

Fund	Fund Title	Amount
100	General Fund	$1,617,424.84
120	Library Fund	$936.47
140	Expendable Trust	$2,544.26
200	Parks Rec & Cultural Services	$6,516.63
205	State Grants	$17,413.28
270	Comm Dev Special Rev Fund	$42,331.50
301	Gas Tax-2105 2106 2107	$27,343.72
350	H U D	$35,417.93
500	Electric Utility Fund	$154,599.61
504	Public Benefits Fund	$66,297.76
530	Waste Water Utility Fund	$92,936.17
531	Waste Wtr Util-Capital Outlay	$500.00
560	Water Utility Fund	$52,545.77
561	Water Utility-Capital Outlay	$4,096.35
590	Central Plume	$38.29
600	Dial-a-Ride/Transportation	$95,320.22
601	Transit Capital	$11,395.38
641	Equipment replacement	$6,000.00
650	Internal Service/Equip Maint	$23,673.96
655	Employee Benefits	$142,387.06
660	General Liabilities	$392,029.20
665	Worker's Comp Insurance	$12,003.41
Total		**$2,803,751.81**

9/2/2020 7:27:16 AM

Council Report: Payroll
City of Lodi - v11.3.20 Live
Pay Period 8/23/2020

Fund	Description	Amount
100	General Fund	796,479.85
103	Measure L	115,684.42
120	Library Fund	15,843.06
200	Parks Rec & Cultural Services	88,841.70
270	Comm Dev Special Rev Fund	28,944.15
301	Gas Tax-2105 2106 2107	35,477.44
500	Electric Utility Fund	218,152.35
501	Utility Outlay Reserve Fund	22,114.68
530	Waste Water Utility Fund	137,888.65
560	Water Utility Fund	22,938.30
600	Dial-a-Ride/Transportation	10,446.80
650	Internal Service/Equip Maint	20,647.34
Report Total		**1,513,458.74**

AGENDA ITEM C-02

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Approve Minutes
a) August 25, 2020 (Shirtsleeve Session)
b) September 1, 2020 (Shirtsleeve Session
c) September 2, 2020 (Regular Meeting)
d) September 8, 2020 (Shirtsleeve Session)

MEETING DATE: September 16, 2020

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve the following minutes as prepared:
a) August 25, 2020 (Shirtsleeve Session)
b) September 1, 2020 (Shirtsleeve Session
c) September 2, 2020 (Regular Meeting)
d) September 8, 2020 (Shirtsleeve Session)

BACKGROUND INFORMATION: Attached are copies of the subject minutes marked Exhibit A through D, respectively.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

Jennifer Cusmir
City Clerk

Attachments

APPROVED: _____
Stephen Schwabauer, City Manager

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LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, AUGUST 25, 2020

The August 25, 2020, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Jennifer Cusmir
City Clerk

LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, SEPTEMBER 1, 2020

The September 1, 2020, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Jennifer Cusmir
City Clerk

LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 2, 2020

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of September 2, 2020, was called to order by Mayor Kuehne at 6:38 p.m.

Present: Council Member Chandler, Council Member Mounce, and Mayor Kuehne
Absent: Mayor Pro Tempore Nakanishi
Also Present: City Manager Schwabauer, City Attorney Magdich, and City Clerk Cusmir

C-2 Announcement of Closed Session

a) Pending Litigation: Government Code §54956.9(a); one case; Cross Culture Christian Center, a California Non-Profit Corporation; Pastor Jonathan Duncan, an individual v. Gavin Newsom, in his official capacity as Governor of California, et al., United States District Court, Eastern District of California Case No. 2:20-cv-00832-JAM-CKD

b) Pending Litigation: Government Code §54956.9(a); one case; Best Supplement Guide, LLC; Sean Covell, an individual, vs. Gavin Newsom, in his official capacity as the Governor of California, et al., United States District Court, Eastern District of California Case No. 2:20-cv-00965-JAM-CKD

C-3 Adjourn to Closed Session

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

C-4 Return to Open Session / Disclosure of Action

At 7:11, Mayor Kuehne called the City Council meeting to order, and City Attorney Magdich disclosed the following actions, which were discussed in Closed Session.

Item C-2a) was pending Litigation: Government Code §54956.9(a); one case; Cross Culture Christian Center, a California Non-Profit Corporation; Pastor Jonathan Duncan, an individual v. Gavin Newsom, in his official capacity as Governor of California, et al., United States District Court, Eastern District of California Case No. 2:20-cv-00832-JAM-CKD.

No action was taken.

Item C-2b) was pending Litigation: Government Code §54956.9(a); one case; Best Supplement Guide, LLC; Sean Covell, an individual, vs. Gavin Newsom, in his official capacity as the Governor of California, et al., United States District Court, Eastern District of California Case No. 2:20-cv-00965-JAM-CKD.

No action was taken.

A. Call to Order / Roll Call

The Regular City Council meeting of September 2, 2020, was called to order by Mayor Kuehne at 7:11 p.m.

Due to the COVID-19 pandemic and pursuant to Executive Order N-29-20, all Council Members participated in the meeting via teleconference and the meeting was available for viewing by the public

via livestream at https://www.facebook.com/CityofLodi/ and https://zoom.us/j/96856740300?pwd=S20zNGwyUGpjdDNISUFjeGtzT2dyUT09; the opportunity for public comment was available through councilcomments@lodi.gov and https://zoom.us/j/96856740300?pwd=S20zNGwyUGpjdDNISUFjeGtzT2dyUT09.

Present: Council Member Chandler, Council Member Mounce, Mayor Pro Tempore Nakanishi, and Mayor Kuehne
Absent: None
Also Present: City Manager Schwabauer, City Attorney Magdich, and City Clerk Cusmir

B. Presentations – None

C. Consent Calendar (Reading; Comments by the Public; Council Action) All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, refer to the Special Teleconference Notice at the beginning of this agenda.

Council Member Chandler made a motion, second by Mayor Kuehne, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:
The above motion carried by the following vote:
Ayes: Council Member Chandler, Council Member Mounce, Mayor Pro Tempore Nakanishi, and Mayor Kuehne
Noes: None
Absent: None

ROLL CALL VOTE
The City Council held a ROLL CALL vote (all voiced their votes).

C-1 Receive Register of Claims for July 31, 2020 through August 13, 2020 in the Amount of $3,616,375.43 (FIN)

Claims were approved in the amount of $3,616,375.43.

C-2 Approve Minutes (CLK)

The minutes of July 28, 2020 (Shirtsleeve Session), July 28, 2020 (Special Meeting), August 4, 2020 (Shirtsleeve Session), August 5, 2020 (Regular Meeting), August 5, 2020 (Special Meeting), August 11, 2020 (Shirtsleeve Session), August 18, 2020 (Shirtsleeve Session), and August 19, 2020 (Regular Meeting) were approved as written.

C-3 Accept Quarterly Investment Report as Required by City of Lodi Investment Policy (FIN)

Accepted Quarterly Investment Report as required by City of Lodi Investment Policy.

C-4 Accept Quarterly Report of Purchases between $10,000 and $20,000 (FIN)

Accepted Quarterly Report of Purchases between $10,000 and $20,000.

C-5 Adopt Resolution Rejecting All Initial Bids and Awarding Bids for Purchase of Pad Mount and Pole Mount Transformers to Anixter, Inc., of Benicia, under Long-Term (2-Year with 1-Year Extension) Purchase in Amount Not to Exceed $3 Million Over Three Years (EU)

Adopted Resolution No. 2020-190 rejecting all initial bids and awarding bids for purchase of pad mount and pole mount transformers to Anixter, Inc., of Benicia, under long-term (2-year with 1-year extension) purchase, in amount not to exceed $3 million over three years.

C-6 Adopt Resolution Rescinding the Portion of Resolution No. 2020-51 Pertaining to Mobile Modular Management Corporation, and Authorizing City Manager to Execute Professional Services Agreement with Mobile Modular Management Corporation, of Livermore, for Temporary Office Space for Lodi Electric Utility Facility Renovation Project ($181,422) (PW)

Adopted Resolution No. 2020-191 rescinding the portion of Resolution No. 2020-51 pertaining to Mobile Modular Management Corporation, and authorizing the City Manager to execute a Professional Services Agreement with Mobile Modular Management Corporation, of Livermore, for temporary office space for Lodi Electric Utility Facility Renovation Project, in the amount of $181,422.

C-7 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Woodard and Curran, Inc., of Sacramento, for Consulting Services to Prepare Water Utility Risk and Resilience Assessment and Emergency Response Plan ($88,600) (PW)

Adopted Resolution No. 2020-192 authorizing the City Manager to execute a Professional Services Agreement with Woodard and Curran, Inc., of Sacramento, for consulting services to prepare Water Utility Risk and Resilience Assessment and Emergency Response Plan, in the amount of $88,600.

C-8 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Terracon Consultants, Inc., of Lodi, for Construction Materials Testing and Inspection Services ($150,000) (PW)

Adopted Resolution No. 2020-193 authorizing the City Manager to execute a Professional Services Agreement with Terracon Consultants, Inc., of Lodi, for construction materials testing and inspection services, in the amount of $150,000.

C-9 Accept Improvements Under Contract for 2020 Downtown Concrete Cleaning (PW)

Accepted improvements under contract for 2020 Downtown Concrete Cleaning.

C-10 Accept Improvements Under Contract for Well 3R Rehabilitation Project (PW)

Accepted improvements under contract for Well 3R Rehabilitation Project.

C-11 Adopt Resolution Authorizing Lodi Police Department to Participate in Selective Traffic Enforcement Program Grant Funded by Office of Traffic Safety; Further Authorizing City Manager to Execute Grant Documents on Behalf of City of Lodi; and Appropriate Funds ($112,500) (PD)

Adopted Resolution No. 2020-194 authorizing Lodi Police Department to participate in Selective Traffic Enforcement Program Grant funded by Office of Traffic Safety; further authorizing the City Manager to execute grant documents on behalf of City of Lodi; and appropriating funds, in the amount of $112,500.

C-12 Adopt Resolution Authorizing City Manager to Submit Two Homeless, Housing Assistance, Prevention Program (HHAP) Grant Applications and to Enter into Agreements with San Joaquin Continuum of Care and San Joaquin County for HHAP Grants (Approximately $2,500,000) (CD)

This item was pulled from the Consent Calendar at the request of Council Member Mounce for discussion.

Council Member Mounce asked about the intended use of the grant funds and voiced concerns about applying for grants before having a project fully developed and planned.

Community Development Director John Della Monica explained that the grant funding would be used to build a reserve to move forward with the plan to build a navigation center somewhere in the City of Lodi. Director Della Monica stated that the long-term plan would probably take between three and five years to develop so staff is looking for supportive grants in order to move the planning forward. Director Della Monica noted that the project is not related to the Tiny Homes project.

Council Member Mounce stated that she does not believe applying for a grant at this time, considering public opinion, would be wise.

Mayor Kuehne spoke about the importance of applying for grants to address the homeless issue when the federal funds are available and clarified that this grant is not related to the Tiny Homes Project.

Mayor Pro Tempore Nakanishi stated that this grant is an opportunity and noted that the City does not currently have funding available to address the homelessness issue and to not try to get any available funding would not be a wise decision.

Mayor Kuehne made a motion, second by Mayor Pro Tempore Nakanishi, to adopt Resolution No. 2020-195 authorizing the City Manager to submit two Homeless, Housing Assistance, Prevention Program (HHAP) grant applications and to enter into agreements with San Joaquin Continuum of Care and San Joaquin County for HHAP Grants (approximately $2,500,000).

VOTE:
The above motion carried by the following vote:
Ayes: Council Member Chandler, Mayor Pro Tempore Nakanishi, and Mayor Kuehne
Noes: Council Member Mounce
Absent: None

ROLL CALL VOTE
The City Council held a ROLL CALL vote (all voiced their votes).

C-13 Authorize the Mayor, on Behalf of the City Council, to Send a Letter of Support for the Coalition to Support Local Recovery and the League of California Cities (LOCC) COVID-19 Recovery Efforts (CLK)

Authorized the Mayor, on behalf of the City Council, to send a letter of support for the Coalition to Support Local Recovery and the League of California Cities (LOCC) COVID-19 recovery efforts.

C-14 Authorize the Mayor, on Behalf of the City Council, to Send a Letter Urging Congress to Support $500 Billion in Direct Flexible Federal Assistance to Local Governments to Sustain Core Services for Residents and Support Public Health and Economic Recovery (CLK)

Authorized the Mayor, on behalf of the City Council, to send a letter urging Congress to support $500 billion in direct flexible federal assistance to local governments to sustain core services for residents and support public health and economic recovery.

C-15 Adopt Resolution Authorizing City Manager to Roll Forward the Remaining Appropriation to Fiscal Year 2021 for Outfitting of Engine 2034 ($40,000) (FD)

Adopted Resolution No. 2020-196 authorizing the City Manager to roll forward the remaining appropriation to Fiscal Year 2021 for outfitting of Engine 2034, in the amount of $40,000.

C-16 Appoint Jennifer Phillips-Lorentzen as Adult Advisor on Greater Lodi Area Youth Commission; Rayleen Salgado, Matthew Gobel, Morgan Orlando, Kyle Armknecht, Talia Duran, Benjamin Gobel, Ahmad Kahn, and Parker Orlando as Students Members on Greater Lodi Area Youth Commission; Manjit Singh to the Planning Commission; and Magdalena Saldana to the Lodi

Improvement Committee; and Re-Post for One Vacancy on Greater Lodi Area Youth Commission (Adult Advisor) (CLK)

Made the following appointments and directed the City Clerk to post for the following vacancy:

APPOINTMENTS:
Greater Lodi Area Youth Commission (Adult Advisors)
Jennifer Phillips-Lorentzen Term to expire May 31, 2023

Greater Lodi Area Youth Commission (Student Members)
Rayleen Salgado Term to expire May 31, 2022
Matthew Gobel Term to expire May 31, 2022
Morgan Orlando Term to expire May 31, 2022
Kyle Armknecht Term to expire May 31, 2022
Talia Duran Term to expire May 31, 2022
Benjamin Gobel Term to expire May 31, 2021
Ahmad Khan Term to expire May 31, 2021
Parker Orlando Term to expire May 31, 2021

Planning Commission
Manjit Singh Term to expire June 30, 2021

Lodi Improvement Committee
Magdalena Saldana Term to expire March 1, 2021

POSTINGS:
Greater Lodi Area Youth Commission (Adult Advisor)
Jean Powell Term to expire May 31, 2023

C-17 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Northern Consulting Actuaries, of Minneapolis, MN, for OPEB Valuation Study Services for a Total Not to Exceed Amount of $20,000 (CM)

Adopted Resolution No. 2020-197 authorizing the City Manager to execute a Professional Services Agreement with Northern Consulting Actuaries, of Minneapolis, MN, for OPEB valuation study services for a total not-to-exceed amount of $20,000

C-18 Set Public Hearing for September 16, 2020 to Consider Introducing an Ordinance Approving the Planning Commission's Recommendation to Repeal and Reenact the Following Lodi Municipal Code Chapters and Section: Chapter 15.60 – Flood Damage Prevention; Section 17.14.040 – General Performance Standards; and Chapter 17.28 – Overlay Zoning Districts; and Amend the Lodi Zoning Map to Establish the F-200 Overlay District to Implement the Provisions of Senate Bill (SB) 5 and SB 1278 Related to 200-Year Flood Protection (CD)

Set public hearing for September 16, 2020 to consider introducing an ordinance approving the Planning Commission's recommendation to repeal and reenact the following Lodi Municipal Code chapters and section: Chapter 15.60 - Flood Damage Prevention; Section 17.14.040 - General Performance Standards; and Chapter 17.28 - Overlay Zoning Districts; and amend the Lodi Zoning Map to establish the F-200 Overlay District to implement the provisions of Senate Bill (SB) 5 and SB 1278 related to 200-year flood protection.

C-19 Set Public Hearing for September 16, 2020 to Consider Adopting a Resolution Approving the Planning Commission Recommendation to Amend the General Plan Safety Element to Implement the Provisions of Senate Bill (SB) 5 and SB 1278 Related to 200-Year Flood Protection (CD)

Set public hearing for September 16, 2020 to consider adopting a resolution approving the Planning Commission's recommendation to amend the General Plan Safety Element to implement the provisions of Senate Bill (SB) 5 and SB 1278 related to 200-year flood protection.

C-20 Set Public Hearing for September 16, 2020, to Consider Appeal of JAS Real Properties Development Lodi LLC (JAS) Regarding the Planning Commission's Approved Conditions of Approval for Reynolds Ranch Tentative Tract Map (CD)

Set public hearing for September 16, 2020, to consider appeal of JAS Real Properties Development Lodi LLC (JAS) regarding the Planning Commission's approved conditions of approval for Reynolds Ranch Tentative Tract Map.

C-21 Re-Set Public Hearing from September 2, 2020 to September 16, 2020 to Consider Adopting Resolution Approving Planning Commission's Recommendation to Authorize 39 Low-Density and 111 Medium-Density 2020 Residential Growth Management Allocations and Approve Planned Development Standards and Guidelines for Reynolds Ranch Tentative Tract Map (CD)

Re-set public hearing from September 2, 2020 to September 16, 2020 to consider adopting resolution approving Planning Commission's recommendation to authorize 39 low-density and 111 medium-density 2020 Residential Growth Management Allocations and approve Planned Development Standards and Guidelines for Reynolds Ranch Tentative Tract Map.

D. 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.

A person, no name given, provided comment live via Zoom regarding the need for a police presence at the protests scheduled for Saturday, September 5, 2020.

Bonnie Reingerber [sic] provided comment live via Zoom stating her opposition to the location selected for the Tiny Homes Project.

Natalie Bowman provided comment live via Zoom stating her position in support of the location selected for the Tiny Homes Project.

Norm, no last name given, provided comment live via Zoom regarding concerns the community has about safety and the protests planned for Saturday, September 5, 2020.

Ankia Hauschult [sic] provided comment live via Zoom stating her opposition to the location selected for the Tiny Homes Project.

Ramon Yepez provided comment live via Zoom stating his opposition to the location selected for the Tiny Homes Project.

A person, no name given, provided comment live via Zoom stating his opposition to the location selected for the Tiny Home Project.

City Clerk Cusmir read 22 comments submitted via email and mail (filed) into the record regarding the public's concerns about a protest scheduled for Saturday, September 5, 2020 and in opposition of defunding the Lodi Police Department.

City Clerk Cusmir read 84 comments submitted via email and mail (filed) into the record in opposition to the location selected for the Tiny Homes Project and in opposition to using the Armory as a location for a project to address homelessness.

City Clerk Cusmir read 13 comments submitted via email and mail (filed) into the record in support of the location selected for the Tiny Homes Project and the overall project.

E. Comments by the City Council Members on Non-Agenda Items

Mayor Kuehne addressed comments about the Tiny Homes Project, explaining that the Tiny Homes are designated for graduates of specific local programs and these individuals were in the process of moving forward with their lives. Mayor Kuehne stated that he is confident that the Police Department is prepared for any protests.

Council Member Mounce addressed comments about the Tiny Home Project, stating the public understands the nature of the project and that the issues about the project arose when the location for the project was selected.

In response to a public comments, Council Member Mounce explained the location for the Tiny Homes Project being proposed is a baseball diamond and identified other locations where the project could be located.

Mayor Pro Tempore Nakanishi thanked everyone for submitting public comment and stated that defunding the police department has never been discussed by the Council. Mayor Pro Tempore Nakanishi stated an alternative location for the Tiny Homes Project should be presented to the Council.

Council Member Chandler agreed that an alternative location for the Tiny Homes Project should be presented to the Council.

Council Member Mounce voiced concerns about making important decisions about the City, such as the use of Chapman Field for the Tiny Homes Project, via Zoom.

Councilor Member Chandler spoke about the concerning comments made about the Tiny Homes Project at the Parks, Recreation, and Cultural Services Commission, and encouraged the public to trust that the Police Department is prepared to address the protests scheduled for Saturday, September 5, 2020.

Council Member Mounce spoke about the benefit of community policing and bridging the communications gap between the Police Department and the public.

Mayor Pro Tempore Nakanishi made a motion, second by Mayor Kuehne, to continue the meeting past 11:00 p.m.

VOTE:
The above motion failed by the following vote:
Ayes: Mayor Pro Tempore Nakanishi, and Mayor Kuehne
Noes: Council Member Mounce
Absent: Council Member Chandler

Due to a technical difficulty, Council Member Chandler was unable to vote and the motion died due to lack of a majority vote.

Mayor Pro Tempore Nakanishi made a motion, second by Council Member Chandler, to continue the meeting past 11:00 p.m.

VOTE:
The above motion carried by the following vote:
Ayes: Council Member Chandler, Mayor Pro Tempore Nakanishi, and Mayor Kuehne
Noes: Council Member Mounce
Absent: None

ROLL CALL VOTE

The City Council held a ROLL CALL vote (all voiced their votes).

F. Comments by the City Manager on Non-Agenda Items

City Manager Schwabauer and Chief of Police Brucia addressed public comments regarding the Lodi Police Department's preparedness for the protests that are scheduled for Saturday, September 5, 2020.

G. Public Hearings – None

H. Regular Calendar

H-1 Receive Presentation on the San Joaquin Community Response to Homelessness – 2020 San Joaquin Strategic Plan and Adopt Resolution Supporting Plan (CD)

Jon Mendelson, Chair of the San Joaquin Continuum of Care, provided a PowerPoint presentation regarding the San Joaquin Community Response to Homelessness - 2020 San Joaquin Strategic Plan. Specific topics of discussion included a brief overview of the San Joaquin Community Response to Homelessness 2020 San Joaquin County Strategic Plan, an outline of the goals of the plan and measures of success, and the plan to implement actionable solutions to homelessness. Mr. Mendelson also discussed the collaborative approach outline in the plan for best addressing homelessness, noting the plan's flexibility for individual cities. Mr. Mendelson, on behalf of the Continuum of Care, asked that the City of Lodi become the next municipality to agree to the plan's basic strategies, goals, and action steps.

Mr. Mendelson addressed questions, asked by Council Member Mounce, about the success of the evidence-based principles and strategies of the plan.

Council Member Mounce spoke about the importance of allowing development of diverse types of housing to meet affordable housing goals. Mr. Mendelson spoke about the benefit of providing permanent supportive housing in response to questions asked by Council Member Mounce.

Mayor Pro Tempore Nakanishi asked what the City would be obligated to do if the Council approved the Resolution to support the plan. Mr. Mendelson explained that the City would be supporting the plan, including the goals and the strategic actions that can be taken to address homelessness. The plan provides a guide and goals that the Community should be striving toward and identifies where investments should be made.

Council Member Mounce explained that she did not want to take action without public input and Mayor Pro Tempore Nakanishi agreed.

Mayor Pro Tempore Nakanishi made a motion, second by Council Member Mounce, to table item H-1 and continue additional discussion on the San Joaquin Community Response to Homelessness – 2020 San Joaquin Strategic Plan and adoption of a resolution supporting the plan to a meeting at a later date.

VOTE:
The above motion carried by the following vote:
Ayes: Council Member Chandler, Council Member Mounce, Mayor Pro Tempore Nakanishi, and Mayor Kuehne
Noes: None
Absent: None

ROLL CALL VOTE
The City Council held a Roll Call vote (all voiced their votes).

H-2 Adopt Resolution Approving Final Location for Tiny Homes Project (CD)

Due to a technical problem at the previous night's Parks, Recreation, and Cultural Services Commission meeting, this item was pulled from the agenda and will be discussed at a future Council meeting, date to be determined.

I. Ordinances – None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 12:02 a.m.

Present: Council Member Chandler, Council Member Mounce, and Mayor Kuehne
Absent: Mayor Pro Tempore Nakanishi
Also Present: City Manager Schwabauer, City Attorney Magdich, and City Clerk Cusmir

ATTEST:

Jennifer Cusmir
City Clerk

LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, SEPTEMBER 8, 2020

The September 8, 2020, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Jennifer Cusmir
City Clerk

AGENDA ITEM **C-03**

CITY OF LODI
COUNCIL COMMUNICATION
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AGENDA TITLE: Adopt a Resolution Ratifying the Transfer of Pending Legal Matters from Kronick, Moskovitz, Tiedemann and Girard to Lozano Smith and Authorize City Attorney to Execute an Agreement for Legal Services with Lozano Smith

MEETING DATE: September 16, 2020

PREPARED BY: City Attorney

RECOMMENDED ACTION: Adopt a Resolution ratifying the transfer of pending legal matters from Kronick, Moskovitz, Tiedemann and Girard to Lozano Smith and Authorize City Attorney to Execute Agreement for Legal Services with Lozano Smith.

BACKGROUND INFORMATION: Kronick, Moskovitz, Tiedemann and Girard (Kronick) has handled the City's legal work regarding the formation of Community Facilities Districts since 2007. The legal work was handled primarily by attorney Constantine Baranoff. Mr. Baranoff left the Kronick firm effective September 1, 2020 to become a partner in the Sacramento office of Lozano Smith. To maintain continuity of legal services, staff requests that the City Council ratify the decision of the City Attorney, with concurrence of the Public Works Director, to transfer the following legal matters to Lozano Smith:

CFD No. 2007-1 (Public Services) (Formation);
CFD No. 2007-1 (2014 CFD);
CFD No. 2007-1 (2015 Services CFD Tax Zone Amendment);
CFD No. 2007-1 (Public Services) Annexation No. 2;
CFD No. 2007-1 (Public Services) Annexation No. 3;
CFD No. 2007-1 (Public Services) Annexation No. 4;
CFD No. 2007-1 (Public Services) Annexation No. 5;
CFD No. 2007-1 (Public Services) Annexation No. 6;
CFD No. 2007-1 (Public Services) Annexation No. 7;
CFD No. 2007-1 (Public Services) Annexation No. 8;
CFD No. 2007-1 (Public Services) Annexation No. 9;
CFD No. 2007-1 (Public Services) Annexation No. 10; and
CFD No. 2007-1 (Public Services) Annexation No. 11.

Mr. Baranoff will continue as the lead attorney on behalf of the City. Hourly rates for Mr. Baranoff and his paralegal will remain comparable to those charged by Kronick. Staff also requests Council authorize the City Attorney to execute an agreement for legal services with Lozano Smith on behalf of the City.

FISCAL IMPACT: Not Applicable

FUNDING: Not applicable

Charlie Swimley
Public Works Director

Janice D. Magdich
City Attorney

APPROVED: _____
Stephen Schwabauer, City Manager

RESOLUTION NO. 2020-____

A RESOLUTION OF THE LODI CITY COUNCIL RATIFYING THE TRANSFER OF PENDING LEGAL MATTERS FROM KRONICK, MOSKOVITZ, TIEDEMANN AND GIRARD TO LOZANO SMITH; AND FURTHR AUTHORIZING THE CITY ATTORNEY TO EXECUTE AN AGREEMENT FOR LEGAL SERVICES WITH LOZANO SMITH

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WHEREAS, Kronick, Moskovitz, Tiedemann and Girard (Kronick) has handled the City's legal work regarding the formation of Community Facilities Districts since 2007; and

WHEREAS, the legal work was handled primarily by attorney Constantine Baranoff, who has left the Kronick firm effective September 1, 2020 to become a partner in the Sacramento office of Lozano Smith; and

WHEREAS, to maintain continuity of legal services, staff requests that the City Council ratify the decision of the City Attorney, with concurrence of the Public Works Director, to transfer the following legal matters from Kronick, Moskovitz, Tiedemann and Girard to Lozano Smith:

CFD No. 2007-1 (Public Services) (Formation);
CFD No. 2007-1 (2014 CFD);
CFD No. 2007-1 (2015 Services CFD Tax Zone Amendment);
CFD No. 2007-1 (Public Services) Annexation No. 2;
CFD No. 2007-1 (Public Services) Annexation No. 3;
CFD No. 2007-1 (Public Services) Annexation No. 4;
CFD No. 2007-1 (Public Services) Annexation No. 5;
CFD No. 2007-1 (Public Services) Annexation No. 6;
CFD No. 2007-1 (Public Services) Annexation No. 7;
CFD No. 2007-1 (Public Services) Annexation No. 8;
CFD No. 2007-1 (Public Services) Annexation No. 9;
CFD No. 2007-1 (Public Services) Annexation No. 10;
CFD No. 2007-1 (Public Services) Annexation No. 11; and

WHEREAS, Mr. Baranoff will continue as the lead attorney on behalf of the City, with hourly rates remaining comparable to those charged by Kronick; and

WHEREAS, staff recommends that the City Council authorize the City Attorney to execute an agreement for legal services with Lozano Smith on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the transfer of the above-referenced legal matters from Kronick, Moskovitz, Tiedemann and Girard to Lozano Smith in the care of attorney Constantine Baranoff; and

BE IT FURTHER RESOLVED, that the City Council further authorizes the City Attorney to execute an agreement for legal services with Lozano Smith on behalf of the City.

Dated: September 16, 2020

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I hereby certify that Resolution No. 2020-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

AGENDA ITEM **C-04**

CITY OF LODI
COUNCIL COMMUNICATION

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AGENDA TITLE: Adopt a Resolution Reaffirming the Ratification of the City Manager's Proclamation Finding the Continued Existence of a Local Emergency and Rendering Certain Emergency Orders, Including an Increase Related to the Local Emergency in the City Manager's Contracting Authority for Services and Goods to a Maximum Amount of $250,000 for the Duration of the Local Emergency

MEETING DATE: September 16, 2020

PREPARED BY: City Attorney

RECOMMENDED ACTION: Staff recommends that the City Council adopt a resolution reaffirming the ratification of the City Manager's proclamation finding the continued existence of a local emergency and rendering certain emergency orders, including an increase related to the local emergency in the City Manager's contracting authority for services and goods to a maximum amount of $250,000 for the duration of the local emergency.

BACKGROUND INFORMATION: At 8:00 a.m. on March 16, 2020, the City Manager declared a Local Emergency pursuant to his authority under Lodi Municipal Code section 2.32.060(A)(1). The declaration was confirmed by the City Council on March 18, 2020 (Gov. Code §8630). Action was taken in response to an outbreak of Novel Coronavirus Disease (COVID-19) in San Joaquin County.

An outbreak of Novel Coronavirus Disease (COVID-19) has spread throughout numerous countries and across the United States. As of August 31, 2020, there are a total of 17,497 confirmed cases of COVID-19 in San Joaquin County (almost double the number of cases reported on since July 23rd); the rolling 14-day total number of cases is 2,331. There are currently 330 COVID-19 fatalities; confirmed COVID positive hospitalizations are 104 as of August 31st, with 34 of those patients currently in ICU representing 33% of all ICU occupancies, a significant decrease from late July. County wide, total ICU occupancy including both COVID-19 and non-COVID-19 patients is 104% of capacity, down from 138% as of July 22. Adventist Health Lodi Memorial Hospital (LMH) currently has 16 COVID-19 positive patients and 2 of its 8 ICU patients are COVID-19 positive. Because of the high number of COVID-19 related cases and the overburdened ICU's in the County, in July the state and federal government sent a special team to assist at LMH and also at Dameron Hospital in Stockton. There is continued evidence of community spread, currently there are 152 identified outbreaks within the County (up from 91 on July 22). However, County Public Health Services is hopeful that with continued social distancing, the wearing of face coverings, and frequent handwashing the number of confirmed cases and hospitalizations will continue to decrease.

APPROVED: _____

Stephen Schwabauer, City Manager

On August 28, 2020, Governor Newsom announced *California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe* (Blueprint). The Blueprint consists of four color-coded tiers, Widespread – Tier 1 (purple), Substantial – Tier 2 (red), Moderate – Tier 3 (orange), and Minimal – Tier 4 (yellow). San Joaquin County is in the framework's Tier 1 (purple). Counties must stay in an assigned tier for a minimum of 21-days before movement to the next tier. In order for the County to advance to Tier 2 (red), the County will need to sustain the following metrics for at least 2-weeks: no more than 4-7 COVID-19 cases per 100,000 population and a positivity rate of 5-8%. As of August 31 the County has 16.6 cases per 100,000 and a positivity rate of 11.3%.

COVID-19 is an infectious disease that causes respiratory illness and in some cases can result in lung lesions and pneumonia. Experts believe that a large majority of those infected will have mild cases that often resemble the flu; however, some will have more serious symptoms requiring hospitalization, particularly individuals who are over 65 years of age or have underlying chronic health conditions or immunodeficiency.

It is imperative for the City to continue responding to suspected or confirmed cases of COVID-19 and to implement measures to mitigate the spread of COVID-19 within our community, and continue preparations to respond to an increasing number of persons requiring medical care or hospitalization.

On March 4, 2020, the Governor of the State of California proclaimed a State of Emergency in California after making a determination that:

1. The conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

2. Local authority is inadequate to cope with the threat posed by COVID-19.

On March 11, 2020, the World Health Organization declared Novel Coronavirus Disease (COVID-19) a "public health emergency of international concern" and referenced the event as a pandemic.

On March 12, 2020, San Joaquin County Public Health Services (PHS) declared a local health emergency pursuant to Health & Safety Code Section 101080.

At 10:00 a.m. on March 12, 2020, the City of Lodi opened its Emergency Operations Center (EOC).

On March 13, 2020, the President of the United States of America declared a National State of Emergency in response to the spread of COVID-19 within the United States.

On March 16, 2020, the City Manager declared a Local Emergency pursuant to his authority under Lodi Municipal Code section 2.32.060(A)(1) in response to an outbreak of Novel Coronavirus Disease (COVID-19) in San Joaquin County, the declaration of a local health emergency by PHS, and the President's declared National State of Emergency. On March 18, 2020, the City Council ratified the proclamation of local emergency pursuant to Government Code Section 8630. Council reaffirmed the ratification of the proclamation on April 15, 2020, May 6, 2020, June 3, 2020, June 30, 2020, July 28, 2020, and August 19, 2020 as required by the Government Code.

On March 20, 2020, the Public Health Officer of San Joaquin County issued a Stay-At-Home order. The order was superseded by subsequent orders dated March 21, 2020, March 26, 2020, April 14, 2020, an amendment to the April 14 order issued on April 24, 2020. The April 14, 2020 order remains in effect until such time as it is rescinded by the County's Public Health Officer, subject to subsequent orders allowing for the opening of various sectors of the economy, referenced under the State's Pandemic Roadmap to Recovery Plan as Phases 1, 2, and 3. San Joaquin County was in mid-Phase 3 of the State's Pandemic Roadmap; however the significant increase in COVID-19 cases and hospitalizations has resulted in the issuance of a new County order to reclose certain industries and activities unless they can be modified to operate outside or by pick-up. The City is continuing to work with local businesses to facilitate outside operations. County Public Health continues to caution that the rate of infections and

deaths in San Joaquin County necessitate a firm and carefully planned and managed response and as a consequence the reopening of the economy has been modified.

On August 31, 2020, San Joaquin County Public Health issued a new order in conformance with the Blueprint. Of note, salons and barbershops can now operate indoors under the Blueprint's Tier 1 (purple) criteria, so long as the State's guidance for business operations applicable to salons and barbershops is followed. In addition, the County also issued a corrected order applicable to bars, pubs, brewpubs, and breweries. The order states that those businesses must abide by the State's order issued on August 28. Because the County is currently in Tier 1, brewpubs, bars, breweries and pubs are permitted to continue outdoor service of alcohol only when it is served with a "sit-down dine-in meal," meaning the alcohol is an accompaniment to the meal.

As part of the City's response to the current emergency, the City is participating in the State's Great Plates Delivered program. The program currently supports over 400 qualified adults 65 years and older and adults 60-64 who are at high-risk from COVID-19, in staying home and receiving the delivery of three meals each day. The program also provides economic stimulus to the participating local businesses (currently 4 restaurants) and their workers.

Staff recommends that the City Council reaffirm its ratification of the City Manager's declaration of a local emergency and continue the City Manager's authority to contract for services and goods related to COVID-19, up to a maximum of $250,000 from the current maximum of $20,000, for the duration of the local emergency.

FUNDING: The reaffirmation of the ratification of the City Manager's declaration of Local Emergency allows the City to continue to access federal, state and county resources, including financial reimbursements.

_____
Janice D. Magdich
City Attorney

Attachment:

1) Order of the San Joaquin County Public Health Officer Implementing the August 28, 2020, Directives of the Governor of California and the California State Public Health Officer, issued August 31, 2020

2) Corrected Order of the San Joaquin County Public Health Officer Implementing the August 28, 2020, Directives of the California State Public Health Officer regarding Brewpubs, Bars, Breweries, and Pubs

3) Resolution Reaffirming the Ratification of the Proclamation of the Director of Emergency Services for the City of Lodi Concerning the Existence of a Local Emergency and Extending the Contract Authority of the City Manager for Services and Goods related to the Emergency to $250,000

Order of the San Joaquin County Public Health Officer Implementing the August 28, 2020 Directives of the Governor of California and the California State Public Health Officer

Issued August 31, 2020

SAN JOAQUIN
COUNTY
Greatness grows here.

ORDER OF THE SAN JOAQUIN COUNTY PUBLIC HEALTH OFFICER IMPLEMENTING THE AUGUST 28, 2020, DIRECTIVES OF THE GOVERNOR OF CALIFORNIA AND THE CALIFORNIA STATE PUBLIC HEALTH OFFICER

DATE OF ORDER: August 31, 2020

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101470, 101475, 101085, 120175, 120200, 120210 AND 120215, THE HEALTH OFFICER OF THE COUNTY OF SAN JOAQUIN ("HEALTH OFFICER") ORDERS:

1. On August 28, 2020, the State Public Health Officer introduced *California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe,* hereinafter called the "**Blueprint.**" The Blueprint is a four-tiered strategy to address the COVID-19 pandemic in California.

2. Pursuant to the State's Department of Public Health, the Blueprint "outlines an updated framework for a safe progression of opening more businesses and activities in light of the pandemic. The framework for this guidance is informed by increased knowledge of disease transmission vulnerabilities and risk factors and is driven by the following goals:

    a) To progress in phases based on risk levels, with appropriate time between each phase, in each county, so the impacts of any given change can be fully evaluated.

    b) To aggressively reduce case transmission to as low a rate as possible across the state so the potential burden of flu and COVID-19 in the late fall and winter does not challenge our healthcare delivery system's ability to surge with space, supplies and staff. Also, with winter weather pushing more activities indoors, low levels of transmission in the community will make large outbreaks in these riskier settings less likely.

    c) To simplify the framework and lay out clear disease transmission goals for counties to work towards."

3. The Blueprint's four-tiered strategy replaces the State's current County Data Monitoring metrics. By assigning a tier and corresponding color to each County, this strategy lays out the measures that each county must meet, based on indicators that capture disease burden, testing, and health equity. This framework also notes signals of concern, including impacted healthcare capacity that may lead towards a dimming intervention.

SAN JOAQUIN COUNTY
Greatness grows here.

	Higher Risk → Lower Risk of Community Disease Transmission			
	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Measures*				
New cases/100,000 population per day (7 day average; 7 day lag)**	>7	4-7	1-3.9	<1
Testing % Positivity (7 day average; 7 day lag)	> 8%	5-8%	2-4.9%	<2%

4. Under the Blueprint, the State has identified San Joaquin County, hereinafter called only "County", as being in "Tier 1", identified with the color purple. Counties in Tier 1 have more than seven new cases per 100,000 residents per day and have a testing positivity rate of over 8%, which indicates that COVID-19 is widespread in the county. Tier 1 is the most restrictive, meaning many non-essential indoor business operations are closed. As of August 28, 2020, San Joaquin County was experiencing 16.6 new cases per 100,000 residents per day and has a testing positivity rate of 11.3%.

5. For a county to move from a more restrictive tier to a less restrictive tier, a county must:

    a) Have been in the current tier for a minimum of three weeks;

    b) Meet criteria for both measures for the next tier, for two consecutive weeks.

    c) Meet health equity measures on activities such as data collection, testing access, contact tracing, supportive isolation, and outreach, that demonstrate a county's ability to address the most impacted communities within a county, as well as additional measures that the State is developing.

6. A county will be moved from a less restrictive tier back to a more restrictive tier if a county:

    a) Meets the higher risk tier level case rate and/or positivity rate for two consecutive weeks;

    b) If state and county public health officials jointly determine such targeted interventions or countywide modifications are necessary.

7. The County is hereby adopting and incorporating into this Order the Blueprint and associated documents listed below. The County Orders as follows:

    a) All individuals and businesses within the County are ordered to comply with this Order and, therefore, the following Blueprint documents, unless otherwise directed in this Order. All individuals are encouraged to monitor the County's Tier status to remain aware of changes imposed by the State.

i. Statewide Public Health Order, August 28, 2020 (Attachment 1): https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/8-28-20_Order-Plan-Reducing-COVID19-Adjusting-Permitted-Sectors-Signed.pdf

ii. Blueprint Overview (Attachment 2): https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19CountyMonitoringOverview.aspx

iii. Blueprint Activities and Business Tiers (Also known as the "Dimmer Framework, August 28, 2020") (Attachment 3): https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Dimmer-Framework-August_2020.pdf

iv. County Status: https://covid19.ca.gov/safer-economy/

v. State Industry Guidance: https://covid19.ca.gov/industry-guidance/

b) All individuals currently living within the County are ordered to stay at home or place of residence. Individuals may leave their homes or places of residence only for employment purposes, recreational purposes, and to engage with businesses or activities permitted to operate in the County.

c) Any individual outside of their home or place of residence for any of the allowed purposes must at all times comply with these Social Distancing Requirements:

i. Maintaining at least six-foot distance from other individuals not from their household;

ii. Wearing a face-covering when indoors (except inside individual's own home or residence) or when social distance cannot be maintained;

iii. Washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer; and

iv. Covering coughs or sneezes (into the sleeve or elbow, not hands).

d) No public or private gatherings with individuals outside your own household or living unit are allowed, except for the limited purpose of engaging in activities permitted by this Order, including the Blueprint, or as authorized in any subsequent Local Health Order. Nothing in this Order prohibits the gathering of members of a household or living unit outside of their residence.

e) The violation of any provision of this Order constitutes an imminent threat to public health, and contributes to the continued closure of schools and

businesses in the County. Pursuant to Government Code sections 26602 and 41601, and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. Compliance with and effective enforcement of this order is a necessary predicate to opening the schools and more fully opening the economy.

f) The following County Orders remain in effect until superseded by a County order, or determined by the issuing authority to be impermissibly inconsistent with a State Order:

   i. Order of July 29, 2020, regarding schools.

   ii. Order of August 5, 2020, to the extent it addresses Youth Sports.

g) The following County Orders are rescinded: June 2, 2020, June 11, 2020, June 18, 2020, July 2, 2020, July 13, 2020, and July 16, 2020.

h) There continue to be infections and death rates in the County that necessitate a carefully planned and managed response as the California and County economy is reopened. San Joaquin County has experienced **16,913** cases to date with nearly **5,990** new cases in the past 30 days, and **307** deaths since the appearance of the virus in San Joaquin County, with **174** deaths in the past 30 days.

i) This Order is issued in accordance with the March 4, 2020, Proclamation of a State of Emergency issued by Governor Gavin Newsom, and Executive Orders N-25-20, N- 33-20, and N-60-20; the Public Health Orders of the State Public Health Officer of March 19, 2020, May 7, 2020, and July 13, 2020; the Declaration of Local Health Emergency issued by the Health Officer on March 12, 2020, and the March 17, 2020, Resolution of the Board of Supervisors of the County of San Joaquin Ratifying the Declaration of Local Health Emergency.

j) This Order shall become effective immediately and will continue to be in effect until it is rescinded in writing by the Health Officer.

k) Copies of this Order shall promptly be:

   i. Made available at the County Administration Building at 44 N. San Joaquin, Stockton 95202, First Floor; and

   ii. Posted on the San Joaquin County Home page (sjgov.org) and at https://www.sjready.org/events/covid19.html; and

   iii. Provided to any member of the public that requests a copy of this Order.

l) If any provision of this Order or the application thereof to any person or

circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

Maggie Park

Maggie Park, M.D.
San Joaquin County
Public Health Officer

Dated: August 31, 2020

State of California—Health and Human Services Agency
California Department of Public Health

SANDRA SHEWRY, MPH, MSW
Acting Director

GAVIN NEWSOM
Governor

Statewide Public Health Officer Order,
August 28, 2020

On March 19, 2020, the State Public Health Officer issued an order directing all individuals living in the State of California to stay at home except as needed to facilitate authorized activities or to maintain the continuity of operations of critical infrastructure sectors. (See March 19, 2020 Order.) The scope of activities authorized under this order was subsequently modified in additional state public health directives. Then, consistent with Executive Order N-60-20, the State Public Health Officer set out California's path forward from this "Stay-at-Home" Order in California's Pandemic Resilience Roadmap. That Roadmap identified four stages of the pandemic: safety and preparation (Stage 1), reopening of lower-risk workplaces and other spaces (Stage 2), reopening of higher-risk workplaces and other spaces (Stage 3), and finally an easing of final restrictions leading to the end of the stay-at-home order (Stage 4). On July 13, 2020, in response to a significant increase in the spread of COVID-19, the State Public Health Officer ordered the statewide closure of operations in certain high-risk sectors. (See July 13, 2020 Order.) Counties on the County Monitoring List for three consecutive days were also required to close additional indoor operations for certain sectors in order to further slow community transmission.

Community spread of infection remains a significant concern across the state. In addition to the impact on the general population, community spread increases the likelihood of expanded transmission of COVID-19 in congregate settings such as nursing homes, homeless shelters, jails and prisons. Infection of vulnerable populations in these settings can be catastrophic. Higher levels of community spread also increase the likelihood of infection among individuals at higher risk of serious outcomes from COVID-19, including the elderly and those with underlying health conditions who might live or otherwise interact with an infected individual. COVID-19 infection is also disproportionately impacting our essential workforce. The anticipated influenza season is likely to impose additional burdens on the healthcare delivery system, increasing demand for space, supplies, and personnel.

The COVID-19 pandemic continues to evolve, and CDPH is continually monitoring new scientific evidence and improving its understanding of the disease. Based on the current state of the pandemic in California and current scientific understanding of transmission, it is my judgment that it is appropriate to further refine the approach in order to gradually reopen businesses and activities while reducing the risk of increased community spread. A targeted system for sector reopenings which considers both current epidemiological conditions and the latest understanding of transmission risk in certain

sectors will allow CDPH to monitor both counties and sectors for evidence of increased epidemiological risk and will reduce risk as California continues to reopen its economy and protect public health. California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe sets forth in detail the basis for the new Framework.

NOW, THEREFORE, I, as Acting State Public Health Officer of the State of California, order all of the following:

1. The updated framework for reopening, which shall be known as California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe, will rely on a set of Tiers corresponding to specific epidemiological profiles based on indicators of disease burden including case rates per capita and percent of positive covid-19 tests and proportion of testing and other covid-19 response efforts addressing the most impacted populations within a county. For each progressive Tier, this framework will permit a broader range of reopening guided by risk-based criteria pertinent to each sector. I may modify the epidemiological criteria for each Tier as well as the sectors, businesses, establishments, or activities within the Tiers as necessary based on the latest available public health information and research to protect public health and safety. The up-to-date Tier profiles and those sectors, businesses, establishments, or activities that are permitted to open in each Tier will be posted (along with necessary modifications), at https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19CountyMonitoringOverview.aspx.

2. Pursuant to this framework, all local health jurisdictions in the state may reopen specified sectors according to their respective county's Tier. However, a local health jurisdiction that moves to a Tier permitting further reopening must pause for 21 days, or a different period that I identify, before reopening additional sectors.

3. Conversely, a local health jurisdiction must also close sectors according to their respective county's Tier consistent with the timeline and procedures set forth in California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe.

4. A local health jurisdiction may continue to implement or maintain more restrictive public health measures if the jurisdiction's Local Health Officer determines that health conditions in that jurisdiction warrant such measures.

Terms of Orders

5. This order shall go into effect August 31, 2020 and shall supersede the July 13, 2020 State Public Health Officer Order.

6. This order shall remain in effect until I determine it is appropriate to modify the order based on public health conditions.

7. I will continue to monitor the epidemiological data and will modify California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe as required by the evolving public health conditions. If I determine that it is necessary to change what will reopen or close, or otherwise modify the Plan, these modifications will be posted at California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe.

8. Except to the extent this order or other state public health directives expressly provide otherwise, all CDPH guidance continues to apply statewide.

9. All references in CDPH or other State guidance to the County Monitoring List or the County Data Monitoring List shall refer to those counties falling within Tier 1 of California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe.

10. This order is issued pursuant to Health and Safety Code sections 120125, 120130(c), 120135, 120140, 120145, 120150, 120175,120195 and 131080; EO N-60-20, N-25-20, and other authority provided for under the Emergency Services Act; and other applicable law.

Erica S. Pan, MD, MPH
Acting State Public Health Officer
California Department of Public Health

COVID-19

Blueprint for a Safer Economy

California has a new blueprint for reducing COVID-19 in the state with revised criteria for loosening and tightening restrictions on activities. Find out how businesses and activities can open in counties statewide beginning on August 31. See the activities and business tiers.

TO: All Californians

SUBJECT: Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe

This guidance outlines an updated framework for a safe progression of opening more businesses and activities in light of the pandemic. The framework for this guidance is informed by increased knowledge of disease transmission vulnerabilities and risk factors and is driven by the following goals:

1) To progress in phases based on risk levels with appropriate time between each phase in each county so impacts of any given change can be fully evaluated.

2) To aggressively reduce case transmission to as low a rate as possible across the state so the potential burden of flu and COVID-19 in the late fall and winter does not challenge our healthcare delivery system's ability to surge with space, supplies and staff. Also, with winter weather pushing more activities indoors, low levels of transmission in the community will make large outbreaks in these riskier settings less likely.

3) To simplify the framework and lay out clear disease transmission goals for counties to work towards.

Tier Framework

This framework lays out the measures that each county must meet, based on indicators that capture disease burden, testing, and health equity. A county may be more restrictive than this framework. This framework also notes signals of concern, including impacted healthcare capacity that may lead towards a dimming intervention. This framework replaces the current County Data Monitoring metrics. As the COVID-19 pandemic continues to be an evolving situation and new evidence and understanding emerges, the California Department of Public Health (CDPH) will continue to reassess metric thresholds.

See chart below for the framework metrics as set according to tiers based on risk of community disease transmission.

	Higher Risk → Lower Risk of Community Disease Transmission			
	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Measures*				
New cases**/100,000 population per day (7 day average; 7 day lag)	>7	4-7	1-3.9	<1
Testing % Positivity (7 day average; 7 day lag)	> 8%	5-8%	2-4.9%	<2%

*To advance to the next tier, a county must also meet health equity measures as described below.

**Case rate will be determined using confirmed (by PCR) cases, and will not include state and federal inmate cases. Case rates include an adjustment factor for counties that are testing above the state average. The incidence is adjusted downwards in a graduated fashion, with a maximum adjustment at twice the State average testing rate.

Moving through the Tiers

Rules of the framework:

1. CDPH will assess indicators weekly. The first weekly assessment will be released on September 8, 2020.
2. A county will remain in a tier for a minimum of three weeks before being able to advance to a later tier.
3. A county can only move forward one tier at a time, even if metrics qualify for a more advanced tier.
4. If a county's case rate and test positivity measure fall into two different tiers, the county will be assigned to the more restrictive tier.
5. City local health jurisdiction (LHJ) data will be included in overall metrics, and city LHJs will be assigned the same tier as the surrounding county.

Initial step applied on August 28, 2020:

1. Each county is assigned to a tier based on an adjusted case rate and test positivity from the prior two reporting periods. If a county's case rate and test positivity measure fall into two different tiers, the county will be assigned the more restrictive tier.
2. This tier status will be effective on Monday, August 31, 2020.
3. If a county is initially assigned to Purple Tier 1 and has met the criteria for a less restrictive tier the prior week, the county only needs to meet the criteria for a less restrictive tier for one more week to move to the Red Tier 2. (For the September 8, 2020 assignment, a county does not need to remain in the Purple Tier 1 for three weeks. For all subsequent assessments, a county must remain in a tier for three weeks and meet the criteria to advance as described below.)

To advance:

1. A county must have been in the current tier for a minimum of three weeks, except as described in the "Initial step applied on August 28, 2020" section above.
2. A county must meet criteria for the next tier for both measures for the prior two consecutive weeks in order to progress to the next tier.
3. In addition, the state will establish health equity measures on activities such as data collection, testing access, contact tracing, supportive isolation, and outreach that demonstrate a county's ability to address the most impacted communities within a county. Additional measures addressing health outcomes such as case rates, hospitalizations and deaths, will also be developed and tracked for improvement.

To move back:

1. During the weekly assessment, if a county's adjusted case rate and/or test positivity has been within a more restrictive tier for two consecutive weekly periods, the county must revert to the more restrictive tier.
2. At any time, state and county public health officials may work together to determine targeted interventions or county wide modifications necessary to address impacted hospital capacity and drivers of disease transmission, as needed.
3. Counties will have three days to implement any sector changes or closures unless extreme circumstances merit immediate action.

Risk Criteria

Activities and sectors will begin to open at a specific tier based on risk-based criteria, as outlined below. Lower risk activities or sectors are permitted sooner and higher risk activities or sectors are not permitted until later phases. Many activities or sectors may increase the level of operations and capacity as a county reduces its level of transmission.

Criteria used to determine low/medium/high risk sectors

- Ability to accommodate face covering wearing at all times (e.g. eating and drinking would require removal of face covering)
- Ability to physically distance between individuals from different households
- Ability to limit the number of people per square foot
- Ability to limit duration of exposure
- Ability to limit amount of mixing of people from differing households and communities
- Ability to limit amount of physical interactions of visitors/patrons
- Ability to optimize ventilation (e.g. indoor vs outdoor, air exchange and filtration)
- Ability to limit activities that are known to cause increased spread (e.g. singing, shouting, heavy breathing; loud environs will cause people to raise voice)

Schools

Schools may reopen–for in-person instruction based on equivalent criteria to the July 17th School Re-opening Framework previously announced. That framework remains in effect except that Tier 1 is substituted for the previous County Data Monitoring List (which has equivalent criteria to Tier 1). Schools in counties within Tier 1 are not permitted to reopen for in-person instruction, with an exception for waivers granted by local health departments for TK-6 grades. Schools that are not authorized to reopen, including TK-6 schools that have not received a waiver, may provide structured, in-person supervision and services to students under the Guidance for Small Cohorts/Groups of Children and Youth.

Schools are eligible for reopening fully for in-person instruction following California School Sector Specific Guidelines once the county is off Tier 1 for 14 days, which is similar to being off the County Data Monitoring List for at least 14 days.

Potential re-closure should follow the July 17th School Re-opening Framework.

County Data Adjudication Process

If a county finds that there is discrepancy between the county's and state's calculated data for the above defined measures, the county shall notify the County Data Monitoring Regional Coordinator. The county may request a meeting to discuss with local and state epidemiology leads to compare data. In addition, CDPH will work with

California Conference of Local Health Officers and County Health Executives Association of California to develop other methodologies to assess qualitative and contextual information impacting these metrics and the most appropriate interventions.

Once a discrepancy is adjudicated by CDPH, any updated tier status will be determined by CDPH and the tier status will be reflected on the public website within 48 hours, as appropriate.

Page Last Updated : August 28, 2020

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Critical Infrastructure	Open with modifications	Open with modifications	Open with modifications	Open with modifications
Limited Services	Open with modifications	Open with modifications	Open with modifications	Open with modifications
Hair Salons & Barbershops	Open Indoors with modifications	Open indoors with modifications	Open indoors with modifications	Open indoors with modifications
All Retail (including critical infrastructure, except standalone grocers)	Open Indoors with modifications • Max 25% capacity	Open Indoors with modifications • Max 50% capacity	Open Indoors with modifications	Open Indoors with modifications

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Shopping Centers (Malls, Destination Centers, Swap Meets)	Open Indoors with modifications • Max 25% capacity • Closed common areas • Closed food courts	Open indoors with modifications • Max 50% capacity • Closed common areas • Reduced capacity food courts (see restaurants)	Open indoors with modifications • Closed common areas • Reduced capacity food courts (see restaurants)	Open Indoors with modifications • Reduced capacity food courts (see restaurants)
Personal Care Services	Outdoor Only with modifications	Open indoors with modifications	Open indoors with modifications	Open indoors with modifications
Museums, Zoos, and aquariums	Outdoor Only with modifications	Open indoors with modifications • Indoor activities max 25% capacity	Open indoors with modifications • Indoor activities max 50% capacity	Open indoors with modifications

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Places of Worship	Outdoor Only with modifications	Open indoors with modifications • Max 25% capacity or 100 people, whichever is fewer	Open indoors with modifications • Max 50% capacity or 200 people, whichever is fewer	Open indoors with modifications • Max 50% capacity
Movie theaters	Outdoor Only with modifications	Open Indoors with modifications • Max 25% capacity or 100 people, whichever is fewer	Open indoors with modifications • Max 50% capacity or 200 people, whichever is fewer	Open indoors with modifications • Max 50% capacity
Hotels and lodging	Open with modifications	Open with modifications • +Fitness centers (+10%)	Open with modifications • +Fitness centers (+25%) • +Indoor pools	Open with modifications: • +Fitness Centers (50%) • +Spa facilities etc
Gyms and Fitness Centers	Outdoor Only with modifications	Open indoors with modifications • Max 10% capacity	Open indoors with modifications • Max 25% capacity • +indoor pools	Open indoors with modifications • +Saunas • +Spas • +Steam rooms • Max 50% capacity

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Restaurants	Outdoor Only with modifications	Open indoors with modifications • Max 25% capacity or 100 people, whichever is fewer	Open indoors with modifications • Max 50% capacity or 200 people, whichever is fewer	Open indoors with modifications • Max 50% capacity
Wineries	Outdoor Only with modifications	Outdoor Only with modifications	Open indoors with modifications • Max 25% capacity indoors, or 100 people, whichever is fewer	Open indoors with modifications • Max 50% capacity or 200 people indoors, whichever is fewer
Bars, Breweries, and Distilleries **(where no meal provided)** **(follow restaurants where meal is provided)**	Closed	Closed	Open Outdoors with modifications	Open indoors with modifications • Max 50% capacity
Family Entertainment Centers	Outdoor Only with modifications e.g. • Kart Racing • Mini Golf • Batting Cages	Outdoor Only with modifications e.g. • Kart Racing • Mini Golf • Batting Cages	Open Indoors for naturally distanced activities with modifications • Max 25% capacity • Bowling Alleys • Climbing Walls	Open indoors for activities with increased risk of proximity and mixing with modifications • Max 50% capacity • Arcade Games • Ice and roller skating • Indoor playgrounds

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Cardrooms, Satellite Wagering	Outdoor Only with modifications	Outdoor Only with modifications	Open indoors with modifications • Max 25% capacity	Open indoors with modifications • Max 50% capacity
Offices	Remote	Remote	Open indoors with modifications • Encourage telework	Open indoors with modifications • Encourage telework
Professional sports	Open • Without live audiences • With modifications	Open • Without live audiences • With modifications	Open • Without live audiences • With modifications	Open • Without live audiences • With modifications

Corrected Order of the San Joaquin County Public Health Officer Implementing the August 28, 2020 Directives of the California State Public Health Officer Regarding Brewpubs, Bars, Breweries, and Pubs

ORDER OF THE SAN JOAQUIN COUNTY PUBLIC HEALTH OFFICER IMPLEMENTING THE AUGUST 28, 2020, DIRECTIVES OF THE CALIFORNIA STATE PUBLIC HEALTH OFFICER REGARDING BREWPUBS, BARS, BREWERIES, AND PUBS

DATE OF ORDER: AUGUST 31, 2020

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101470, 101475, 101085, 120175, 120200, 120210 AND 120215, THE HEALTH OFFICER OF THE COUNTY OF SAN JOAQUIN ("HEALTH OFFICER") ORDERS:

1. On August 28, 2020 the State Public Health Officer issued an order entitled *California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Health and Safe,* hereinafter "**Blueprint**", a new four-tiered strategy to address the COVID-19 pandemic in California, which repealed the State Public Health Order of July 13, 2020.

2. The County had previously incorporated the State's July 13, 2020, Order in its directive to County Brewpubs, Bars, Breweries, and Pubs. **To avoid any conflict arising from the State's repeal of the July 13, 2020 order, the County Public Health Officer hereby orders as follows:**

    a) **Bars, Pubs, Brewpubs, and Breweries operating in San Joaquin County must abide by the State's order issued August 28, 2020.**

    b) **Because the County is presently in Tier 1 of the Blueprint, Bars, Pubs, Brewpubs, and Breweries are permitted to continue outdoor service of alcohol only when it is served with a "sit-down dine-in meal," meaning that alcohol is an accompaniment to the meal. The following, non-exclusive list of food items DO NOT constitute a "dine-in meal":**

        - **Snacks such as pretzels, nuts, popcorn, pickles, and chips**
        - **Food ordinarily served as appetizers or first courses such as cheese sticks, fried calamari, chicken wings, pizza bites (as opposed to a pizza), egg rolls, pot stickers, flautas, cups of soup, and any small portion of a dish that may constitute a main course when it is not served in a full portion or when it is intended for sharing in small portions**
        - **Side dishes such as bread, rolls, French fries, onion rings, small salads (green, potato, macaroni, fruit), rice, mashed potatoes, and small portions of vegetables**
        - **Reheated refrigerated or frozen entrees**
        - **Desserts**

c) **Bars, brewpubs, breweries and pubs shall adhere to the State's applicable Industry Guidance for Restaurants, Bars, and Wineries, which can be found at:** https://files.covid19.ca.gov/pdf/guidance-restaurants-bars-wineries--en.pdf

d) **Bars, brewpubs, breweries and pubs shall also adhere to the guidance published by California Department of Alcoholic Beverage Control, which can be found at https://www.abc.ca.gov/public-health-orders-regarding-licensed-premises-closures.**

3. There continue to be infections and death rates in San Joaquin County that necessitate a carefully planned and managed response as the California economy is reopened. Notwithstanding prior efforts to slow the spread of COVID-19, the number of hospitalizations in San Joaquin County is escalating rapidly. San Joaquin County has experienced **16,913** cases with nearly **5,990** new cases in the past 30 days, and **307** deaths since the appearance of the virus in San Joaquin County, with **174** deaths in the past 30 days.

4. This Order is issued in accordance with the March 4, 2020, Proclamation of a State of Emergency issued by Governor Gavin Newsom and Executive Orders N-25-20, N-33-20, and N-60-20; the Public Health Orders of the State Public Health Officer of March 19, 2020, May 7, 2020, July 13, 2020, and August 28, 2020; the Declaration of Local Health Emergency issued by the Health Officer on March 12, 2020, and the March 17, 2020, Resolution of the Board of Supervisors of the County of San Joaquin Ratifying the Declaration of Local Health Emergency; and the order of the County Public Health Officer of August 31, 2020.

5. This Order shall become effective immediately and will continue to be in effect until the County's Health Officer rescinds it in writing.

6. Copies of this Order shall promptly be:

   a) Made available at the County Administration Building at 44 N. San Joaquin, Stockton 95202, First Floor;

   b) Posted on the San Joaquin County Home page (sjgov.org) and https://www.sjready.org/events/covid19.html; and

   c) Provided to any member of the public that requests a copy.

7. If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not

SAN JOAQUIN
COUNTY
Greatness grows here.

be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

Maggie Park

Maggie Park, M.D.
San Joaquin County
Public Health Officer

Dated: August 31, 2020

Resolution Reaffirming the Ratification of the Proclamation of the Director of Emergency Services for the City of Lodi Concerning the Existence of a Local Emergency and Extending the Contract Authority of the City Manager for Services and Goods Related to the Emergency to $250,000

RESOLUTION NO. 2020-____

A RESOLUTION OF THE LODI CITY COUNCIL
REAFFIRMING THE RATIFICATION OF THE PROCLAMATION OF THE
DIRECTOR OF EMERGENCY SERVICES FOR THE CITY OF LODI
CONCERNING THE CONTINUED EXISTENCE OF A LOCAL
EMERGENCY AND EXTENDING THE CONTRACT AUTHORITY OF THE
CITY MANAGER FOR SERVICES AND GOODS RELATED TO THE
LOCAL EMERGENCY TO $250,000

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WHEREAS, Government Code Section 8630 and Lodi Municipal Code Section 2.32.060 authorizes the City Manager as the Director of Emergency Services to proclaim a local emergency under certain circumstances if the City Council is not in session, and provides that the City Council shall ratify the proclamation within seven (7) days thereafter; and

WHEREAS, an outbreak of Novel Coronavirus Disease (COVID-19) has spread throughout numerous countries and across the United States; and

WHEREAS, COVID-19 is an infectious disease that causes respiratory illness, and in some cases can result in lung lesions and pneumonia. Experts believe that a large majority of those infected will have mild cases that often resemble the flu; however, some will have more serious symptoms requiring hospitalization, particularly individuals who are elderly or have underlying chronic health conditions or immunodeficiency; and

WHEREAS, it is imperative for the City to continue to prepare for and be in a position to respond to suspected or confirmed cases of COVID-19 to implement measures to mitigate the spread of COVID-19 within our community, and prepare to respond to an increasing number of persons requiring medical care or hospitalization; and

WHEREAS, on January 23, 2020, the federal Centers for Disease Control and Prevention (CDC) activated its emergency response system to provide ongoing support for the response to COVID-19 in the United States; and

WHEREAS, on January 31, 2020, the Secretary of the federal Department of Health and Human Services declared a public health emergency in the United States of America to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency in California after making a determination that:

1. The conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and
2. Local authority is inadequate to cope with the threat posed by COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared Novel Coronavirus Disease (COVID-19) a "public health emergency of international concern" and referenced the event as a pandemic; and

WHEREAS, on March 12, 2020, San Joaquin County Public Health Services (PHS) declared a local health emergency pursuant to Health & Safety Code Section 101080; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a National State of Emergency in response to the spread of COVID-19 within the United States; and

WHEREAS, Lodi Municipal Code Section 2.32.050 designates the City Manager as the Director of Emergency Services for the City of Lodi; and

WHEREAS, Lodi Municipal Code Section 2.32.060(A)(1) authorizes the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency in the event the City Council is not in session; and

WHEREAS, Lodi Municipal Code section 2.32.020 defines an emergency to mean:

"[T]he actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of this city, requiring the combined forces of other political subdivisions to combat. It shall not include nor does any provision of this chapter apply to any condition relating to a labor controversy." and

WHEREAS, on March 18, 2020, the Lodi City Council ratified the Proclamation of the existence of a local emergency issued by the City Manager in his role as the City's Director of Emergency Services on March 16, 2020 at 8:00 a.m.; and

WHEREAS, on April 15, 2020, May 6, 2020, June 3, 2020, June 30, 2020, July 28, 2020, and August 19, 2020, the City Council reaffirmed the ratification of the proclamation as required by the Government Code; and

WHEREAS, as of August 31, 2020, there are a total of 17,497 confirmed cases of COVID-19 in San Joaquin County; with the rolling 14-day total number of cases at 2,331. There are currently 330 COVID-19 fatalities (the number of fatalities reported on August 13 was 245); confirmed COVID positive hospitalizations are at 104 as of August 31, with 34 of those patients in ICU representing 33% of all ICU occupancies. Countywide, total ICU occupancy including both COVID-19 and non COVID-19 patients is 104% of capacity as of August 31. Adventist Health Lodi Memorial Hospital (LMH) currently has 16 COVID-19 positive patients and 2 of its 8 ICU patients are COVID-19 positive. Because of the high number of COVID-19 related cases and the overburdened ICU's in the County, in July the state and federal government sent a special team to assist at LMH and also Dameron Hospital in Stockton. There is continued evidence of significant community spread, currently there are 152 identified outbreaks within the County, and County Public Health Services maintains that the community needs to continue wearing masks, social distancing, and minimizing mixing outside of the immediate household in order to slow the spread of COVID-19 in the community; and

WHEREAS, on March 20, 2020, the Public Health Officer of San Joaquin County issued a Stay-At-Home order. The order was superseded by subsequent orders dated March 21, 2020, March 26, 2020, April 14, 2020, an amendment to the April 14 order issued on April 24, 2020. The April 14, 2020 order remains in effect until such time as it is rescinded by the County's Public Health Officer, subject to subsequent orders allowing for the opening of various sectors of the economy, referenced under the State's Pandemic Roadmap to Recovery Plan as Phases 1, 2, and 3. San Joaquin County was in mid-Phase 3 of the State's Pandemic Roadmap; however the significant increase in COVID-19 cases and hospitalizations resulted in the issuance of new County orders on July 2, 2020 and July 13, 2020 to reclose certain industries and activities unless they can be modified to operate outside or by pick-up. The City is continuing to work with local businesses to facilitate outside operations; and

WHEREAS, on August 28, 2020, Governor Newsom announced *California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe* (Blueprint). The Blueprint consists of four color-coded tiers, Widespread – Tier 1 (purple), Substantial – Tier 2 (red), Moderate – Tier 3 (orange), and Minimal – Tier 4 (yellow). San Joaquin County is in the framework's Tier 1 (purple). Counties must stay in an assigned tier for a minimum of 21-days before movement to the next tier. In order for the County to advance to the Tier 2, the County will need to sustain the following metrics for at least 2 weeks: no more than 4-7 cases of COVID-19 per 100,000 population and a positivity rate of 5-8%. As of August 31 the County has 16.6 cases per 100,000 and a positivity rate of 11.3%; and

WHEREAS, on August 31, 2020, San Joaquin County Public Health issued a new order in conformance with the Blueprint and a corrected order applicable to brewpubs, bars, breweries and pubs also in conformance with Tier 1 (purple) of the Blueprint and the August 28, 2020 order of the state public health officer; and

WHEREAS, County Public Health continues to caution that the rate of infections and deaths in San Joaquin County necessitate a firm and carefully planned and managed response and as a consequence the reopening of the economy has been modified; and

WHEREAS, the Lodi City Council does hereby find that the aforesaid conditions of extreme peril warrant and necessitate the continued existence of a local emergency.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby reaffirm the ratification of the City Manager's Proclamation of the existence of a local emergency issued in his role as the City's Director of Emergency Services on March 16, 2020 at 8:00 a.m., attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED by the Lodi City Council that, until the local emergency is terminated, the powers, functions, and duties of the City Manager/Director of Emergency Services and the emergency organization of the City of Lodi shall be those as prescribed by State law and the ordinances, resolutions, and approved emergency services plan of the City of Lodi as determined by the City Manager/Director of Emergency Services within the National Incident Management System; and

BE IT FURTHER RESOLVED that the Lodi City Council does hereby reaffirm the approval of an increase in the City Manager's contracting authority for services and goods related to the City's response to the local emergency resulting from the COVID-19 pandemic, to a maximum amount of $250,000 from the current maximum of $20,000, for the duration of the local emergency; and

BE IT FURTHER RESOLVED that the Purchasing System set forth in Lodi Municipal Code Chapter 3.20 is suspended for the duration of the local emergency as to the purchase of goods and services related to the City's response to the local emergency resulting from the COVID-19 pandemic; and

BE IT FURTHER RESOLVED that disclosure of the purchase of goods and services in an amount over $10,000, and related to the City's response to the local emergency resulting from the COVID-19 pandemic, will be submitted to the City Council concurrent with the Council's reaffirmation of the ratification of the Proclamation declaring the existence of a local emergency. State law requires that the City Council ratify the Proclamation every thirty (30) days hereafter until the local emergency is terminated.

Dated: September 16, 2020

==========

I hereby certify that Resolution No. 2020-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

Approved as to Form:

JANICE D. MAGDICH
City Attorney

Proclamation of the Director of Emergency Services for the City of Lodi Finding the Existence of a Local Emergency (COVID-19)

AMENDED TO CORRECT DATE OF ISSUANCE

==========

WHEREAS, an outbreak of Novel Coronavirus Disease (COVID-19) has spread throughout numerous countries and across the United States of America; and

WHEREAS, COVID-19 is an infectious disease that causes respiratory illness, and in some cases can result in lung lesions and pneumonia. Experts believe that a large majority of those infected will have mild cases that often resemble the flu; however, some will have more serious symptoms requiring hospitalization, particularly individuals who are elderly or have underlying chronic health conditions or immunodeficiency; and

WHEREAS, it is imperative for the City to prepare for and be in a position to respond to suspected or confirmed cases of COVID-19 to implement measures to mitigate the spread of COVID-19 within our community, and prepare to respond to an increasing number of persons requiring medical care or hospitalization; and

WHEREAS, on January 23, 2020, the federal Centers for Disease Control and Prevention (CDC) activated its emergency response system to provide ongoing support for the response to COVID-19 in the United States; and

WHEREAS, on January 31, 2020, the Secretary of the federal Department of Health and Human Services declared a public health emergency in the United States of America to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency in California after making a determination that:

1. The conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

2. Local authority is inadequate to cope with the threat posed by COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared Novel Coronavirus Disease (COVID-19) a "public health emergency of international concern" and referenced the event as a pandemic; and

WHEREAS, on March 12, 2020, San Joaquin County Public Health Services (PHS) declared a local health emergency pursuant to Health & Safety Code Section 101080; and

WHEREAS, the City of Lodi activated its Emergency Operations Center (EOC) effective 9:00 a.m. on March 12, 2020; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a National state of emergency in response to the spread of COVID-19 within the United States; and

WHEREAS, as of March 13, 2020, there are eight (8) confirmed cases of COVID-19 in San Joaquin County and some evidence of community spread; and

WHEREAS, Lodi Municipal Code Section 2.32.050 designates the City Manager as the Director of Emergency Services for the City of Lodi; and

WHEREAS, Lodi Municipal Code Section 2.32.060(A)(1) authorizes the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency in the event the City Council is not in session; and

WHEREAS, Lodi Municipal Code section 2.32.020 defines an emergency to mean:

"[T]he actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of this city, requiring the combined forces of other political subdivisions to combat. It shall not include nor does any provision of this chapter apply to any condition relating to a labor controversy."

NOW, THEREFORE, THE UNDERSIGNED HEREBY FINDS, DETERMINES AND DECLARES that:

1. The federal Centers for Disease Control and Prevention (CDC) announced on February 25, 2020, that community spread of COVID-19 is likely to occur in the United States; and

2. San Joaquin County Public Health Services (PHS) declared a local health emergency pursuant to Health & Safety Code Section 101080 on March 12, 2020; and

3. PHS's declaration finds that there is an ongoing risk and likelihood of additional COVID-19 patients being identified in San Joaquin County; and

4. As of March 13, 2020, PHS confirmed eight (8) cases of COVID-19 in San Joaquin County and found we are now seeing some evidence of community spread; and

5. The City of Lodi City Council is not now in session.

NOW, THEREFORE, BASED ON THE FINDINGS AND DETERMINATIONS ABOVE, THE UNDERSIGNED HEREBY PROCLAIMS as of 8:00 a.m. March 16, 2020, that a local emergency now exists throughout the City of Lodi caused by an outbreak and community spread of COVID-19 in San Joaquin County.

BE IT FURTHER PROCLAIMED AND ORDERED that during the existence of such local emergency, the powers, functions and duties of the emergency organization of the City of Lodi shall be those prescribed by state law and local ordinances, resolutions, and approved plans of the City of Lodi.

Dated: March 16, 2020

Stephen Schwabauer
Director of Emergency Services

This proclamation is subject to ratification by the City Council within seven (7) days and is subject to reaffirmation every 30 days thereafter until such local emergency is terminated.

Approved as to Form:

Janice D. Magdich
City Attorney

AGENDA ITEM **C-05**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Authorizing the City Manager to Roll Forward the Remaining Appropriation to Fiscal Year 2021 for the Unspent Portion of the Electric Vehicle Grant from San Joaquin Valley Air Pollution Control District Grant ($5,926.31)

MEETING DATE: September 16, 2020

PREPARED BY: Fire Chief

RECOMMENDED ACTION: Adopt resolution authorizing the City Manager to roll forward the remaining appropriation to fiscal year 2021 for the unspent portion of the electric vehicle grant from San Joaquin Valley Air Pollution Control District Grant (5,926.31)

BACKGROUND INFORMATION: On December 4, 2019, City Council adopted a resolution to authorize the City Manager to execute a contract with San Joaquin Valley Air Pollution Control District for the acceptance of a grant to purchase a new alternative fuel vehicle and appropriate funds in an amount not to exceed $19,589 (Exhibit A).

Due to limited stock of Hisun brand electric vehicles, the vendor could no longer procure one. As a result, San Joaquin Valley Air Pollution Control District approved the purchase of a Polaris Ranger electric vehicle (Exhibit B). This change postponed the ordering of the vehicle resulting in a delay in the process to outfit the Polaris Ranger electric vehicle. The unspent balance of the appropriation for the outfitting of the electric vehicle is $5,926.31.

Staff recommends authorizing the City Manager to roll forward the remaining appropriation in the amount of $5,926.31 into fiscal year 2021 to complete the outfitting of the Polaris Ranger Electric Vehicle.

FISCAL IMPACT: Roll remaining $5,926.31 appropriation to FY 2021

FUNDING AVAILABLE: Fund 205-ST Grants

_____
Andrew Keys, Deputy City Manager/Internal Services Director

_____
Gene Stoddart, Fire Chief

Attachments

APPROVED: _____
Stephen Schwabauer, City Manager

Exhibit A

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING

October 24, 2019

Steve Schwabauer
City of Lodi
210 W. Elm St.
Lodi, CA 95240

RE: **Project Status: Executed Agreement**
Public Benefit Program Alternative Fuel Component - Project Number: **G-72400-A1**

Dear Steve Schwabauer:

Thank you for your participation in the San Joaquin Valley Air Pollution Control District (SJVAPCD) Incentive Programs. Your agreement with the SJVAPCD is now executed.

The following documents are enclosed:

1. A copy of your executed agreement
2. Public Benefit Grant Program, New Alternative Fuel Vehicle Purchase Component Payment Procedures

Please keep the copy of your executed agreement for your records as it contains important information regarding the project implementation life, required reporting and record keeping, and other important agreement obligations. The Payment Procedures document contains the necessary form and instructions for successful completion of a Claim for Payment Packet to be reimbursed. Please review the Payment Procedures document in its entirety for instructions on reimbursement.

If you have any questions, please call (559) 230-5800 or email grants@valleyair.org and the Incentive Programs staff will be happy to assist you. Please be sure to reference your Project Number **G-72400-A1**.

Sincerely,

Public Benefit Program Staff
Incentive Programs

Enclosures (2)

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyairliving.com

Agreement No. **G-72400-A1**

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

PUBLIC BENEFIT GRANTS PROGRAM

FUNDING AGREEMENT

(New Alternative Fuel Vehicle Purchase)

This Agreement is made and entered into this 24th day of October, 2019, by and between the SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT, a unified air pollution control district formed pursuant to California Health and Safety Code section 40150 et seq. (District), and **City of Lodi** (Participant).

WITNESSETH:

WHEREAS, the California Clean Air Act (CCAA) requires local air pollution control districts to reduce emissions from motor vehicles;

WHEREAS, AB 2766, AB 923, SB 709, and AB 2522 authorize districts to impose fees upon certain registered motor vehicles within the district, and the governing board of the District has imposed said fees;

WHEREAS, said legislation requires District to use said funds for activities related to reduce air pollution from motor vehicles and for related planning, monitoring, enforcement, and technical studies necessary for the implementation of the California Clean Air Act of 1988; and

WHEREAS, the District has developed other funding mechanisms in order to provide grant monies for its incentive programs; and

WHEREAS, on August 11, 2011, the District began accepting applications to approve for funding those projects deemed to be most suitable for vehicle license fees and other funding; and

WHEREAS, Participant has proposed a project that meets the eligibility criteria of the Public Benefit Grants Program, New Alternative Fuel Vehicle Purchase Component and has been approved by the District for funding; and

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Fresno, CA 93726
(559) 230-6000

WHEREAS, Participant represents that it is willing and able to perform the activities set forth herein.

NOW, THEREFORE, based on their mutual promises, covenants, and conditions, the parties hereby agree as follows:

1. PROJECT

The Participant agrees to purchase and place into service the type and number of new alternative fuel vehicle(s) as set forth in the application attached hereto and incorporated herein as Exhibit A. Participant agrees, that at the date of execution of this Agreement, Participant has not yet purchased, taken possession, or ordered said vehicle(s) and agrees to furnish all labor, materials, equipment, licenses, permits, fees, and other incidentals necessary to perform and complete, per schedule, in a professional manner, the requirements described herein. Participant agrees and represents that purchase of the specified vehicle(s) subject of this Agreement is/are not required by or to be used for compliance with any local, state, or federal rule or regulation, settlement agreement, mitigation agreement, memorandum of understanding (MOU), memorandum of agreement (MOA), or other legal mandate currently in effect. Participant waives all rights to any emission reduction credits that may accrue as a result of purchase of the specified vehicle(s).

In the event of any conflict between or among the terms and conditions of this Agreement and the exhibit incorporated herein, such conflict shall be resolved by giving precedence in the following order of priority:

1. To the text of this Agreement
2. Exhibit to this Agreement

2. TIMETABLE/PERIOD OF PERFORMANCE

Participant shall purchase and place the new alternative fuel vehicle(s) into service, and submit all final claims as outlined in Paragraph 3, **no later than one (1) year from the execution date of this Agreement.** If the Participant cannot meet the project timetable as set forth herein, the Participant must notify the District in writing

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and request to amend the Agreement to provide the Participant additional time to meet all performance requirements under the Agreement. Such request is subject to review and approval by the District. Participant agrees to amend the Agreement as necessary, if requested by the District, to ensure the project is completed within the timetable approved by the District.

A. **Agreement Period**: The Participant shall own and operate the new alternative fuel vehicle(s) purchased under this Agreement according to the terms of this Agreement for no less than three (3) years from the date in which the vehicle(s) is/are first placed into service.

3. COMPENSATION

The total obligation of the District under this Agreement shall not exceed **Nineteen Thousand Five Hundred Eighty-Nine And 67/100 dollars ($19,589.67)** for the purchase of the new alternative fuel vehicle(s) identified in Exhibit A. The maximum funding provided per vehicle is limited to the corresponding Eligible Amount identified in Exhibit A.

Participant shall obtain through other sources sufficient additional monies to fund the total cost of the vehicle(s) as outlined in Exhibit A. In the event funding from other sources for the total cost of the vehicle(s) is not received by Participant, District reserves the right to terminate or re-negotiate this Agreement.

A. **Payments:** Advance payments shall not be permitted. The District shall issue payment to Participant upon receipt of a properly supported and verified claim for payment as specified in the Public Benefit Grants Program, New Alternative Fuel Vehicle Purchase Component payment procedures document. The payment procedures document shall be provided to Participant by the District. Payment is for reimbursement to the Participant for the purchase of new alternative fuel vehicle(s) and funding shall only be allowed toward the purchase of the specific vehicle(s) described in Exhibit A. The District reserves the right to reduce the funding paid to the Participant if it is determined that the actual invoiced costs paid by the Participant for the purchase

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of the new vehicle(s) is/are less than the Total Eligible Amount specified in Exhibit A. The District also reserves the right to reduce the funding if the Participant receives or will receive co-funding from a third party that, in addition to the District's funding, exceeds the total invoiced cost(s) of the new alternative fuel vehicle(s) purchased under this Agreement. Participant is required to disclose all such information to the District prior to the execution date of this Agreement. The Participant will not be reimbursed by the District for the purchase of the new alternative fuel vehicle(s) if the Participant has purchased, taken possession, or ordered the said new vehicle(s) prior to the execution date of this Agreement.

Concurrently with the submission of any claim for payment, Participant shall certify (through copies of invoices issued, checks, receipts, and the like) that complete payment has been made or invoiced. Participant understands that any payment received from the District to fund the vehicle(s) in this Agreement may be subject to taxation and the District will issue a form 1099 to the Participant. Any tax liability on the funds provided by the District shall be the sole responsibility of the Participant.

B. **Surplus Funds:** Any compensation, which is not expended by Participant pursuant to the terms and conditions of this Agreement by the project completion date, shall automatically revert to District. Only expenditures incurred by Participant in the direct performance of this Agreement will be reimbursed by District.

4. NON-ALLOCATION OF FUNDS

The terms of this Agreement are contingent on the approval and receipt of funds by the appropriating government agency. Should sufficient funds not be allocated, the services provided may be modified or this Agreement terminated at any time by giving Participant thirty (30) days' prior written notice.

5. ANNUAL REPORTING

Participant shall submit annual reports on the vehicle(s) that include the following information:

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1. Participant contact information;
2. Proof of current California registration for the new alternative fuel vehicle(s);
3. Proof of insurance as required by paragraph 11.
4. Annual miles or hours traveled (including mileage/activity or hour/activity logs for documentation);
5. Summary of maintenance performed;
6. Any other pertinent information requested by the District on a form to be provided to the Participant by the District.

Annual reporting will be required for three (3) subsequent years following the purchase of the new alternative fuel vehicle(s). The first year annual report is due on the anniversary date of when the new alternative fuel vehicle(s) was/were first placed into service and for each ensuing year thereafter. Noncompliance with the reporting requirements shall result in on-site monitoring by District personnel and will impact the Participant's ability to receive funding from the District for future projects. Participants with annual reports more than six (6) months late will not be granted any additional grant funds from the District until all reports are satisfactorily submitted.

The District or representative designated by the District reserves the right to monitor the vehicle(s), enforce the terms of this Agreement at any time during the Agreement Period specified in subparagraph 2.A, and pursue repayment of funds for non-compliance within the terms and conditions of this Agreement or applicable state laws or regulations.

6. TERMINATION

A. **Breach of Agreement:** District may immediately suspend or terminate this Agreement, in whole or in part, where in the determination of District there is:

1. An illegal or improper use of funds;
2. A failure to comply with any term of this Agreement;

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3. A substantially incorrect or incomplete annual report submitted to the District;

In no event shall any payment by District constitute a waiver by District of any breach of this Agreement or any default, which may then exist on the part of Participant. Neither shall such payment impair or prejudice any remedy available to the District with respect to the breach or default. District shall have the right to demand of Participant the repayment to the District of any funds disbursed to Participant under this Agreement which in the judgment of District were not expended in accordance with the terms of this Agreement. Participant shall promptly refund any such funds upon demand.

In addition to immediate suspension or termination, District may impose any other remedies available at law, in equity, or otherwise specified in this Agreement. The District may prohibit Participant from participating in all other District and State grant programs in the future.

B. **Without Cause:** Either party may terminate this Agreement at any time upon giving the other party at least thirty (30) days' advance written notice of intention to terminate. The District shall have the right to demand prompt repayment of a portion or all monies expended under this Agreement as provided in paragraph 3 if the Participant does not meet all obligations under this Agreement upon such termination.

7. MODIFICATION

Any matters of this Agreement may be modified from time to time by the written consent of all the parties without in any way affecting the remainder.

8. INDEPENDENT CONTRACTOR

In performance of the work, duties, and obligations assumed by Participant (also referred to in this section as 'Contractor') under this Agreement, it is mutually understood and agreed that Contractor, including any and all of Contractor's officers, agents, and employees, will at all times be acting and performing as an

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independent contractor and shall act in an independent capacity and not as an officer, agent, servant, employee, joint venture, partner, or associate of District or ARB. Furthermore, District shall have no right to control or supervise or direct the manner or method by which Contractor shall perform its work and function. However, District shall retain the right to administer this Agreement so as to verify that Contractor is performing its obligations in accordance to the terms and conditions thereof. Contractor and District shall comply with all applicable provisions of law and the rules and regulations, if any, of governmental authorities having jurisdiction over matters the subject thereof.

Because of its status as an independent contractor, Contractor shall have absolutely no right to employment rights and benefits available to District employees. Contractor shall be solely liable and responsible for providing to, or on behalf of, itself all legally required employee benefits. In addition, Contractor shall be solely responsible and save District harmless from all matters relating to payment of Contractor's employees, including compliance with social security, withholding, and all other regulations governing such matters. It is acknowledged that during the term of this Agreement, Contractor may be providing services to others unrelated to District or to this Agreement.

9. NON-ASSIGNMENT

Participant may not assign, sell, transfer, license, or subcontract any rights or obligations to a third party within or outside of the District's boundaries without the express prior consent of the District for the duration of the Agreement Period specified in subparagraph 2.A. If the Participant sells or transfers ownership of the vehicle(s) or any portion thereof for any reason, or is required to replace the vehicle(s) with cleaner vehicle(s) prior to the end of the Agreement Period, the Participant must request and receive written consent from the District prior to selling or transferring ownership of the vehicle(s) or any portion thereof.

Prior to completing the transaction, the Participant understands that it is responsible to inform the party purchasing the vehicle(s) of the Agreement provisions

and disclose the remaining Agreement term. The Participant shall be responsible for establishing an agreement between the new owner and District in order to facilitate the transfer of the Agreement provisions and terms. The Participant shall provide the prospective new owner with valid contact information for the District so the new owner can assume legal responsibility under the original Agreement or enter into a new Agreement with the District, for the remainder of the Agreement Period. Participant understands that they shall not be relieved of their legal obligation to fulfill the conditions of this Agreement unless the new owner has assumed responsibility through an executed agreement with the District.

10. INDEMNIFICATION

Participant agrees to indemnify, save, hold harmless, and at District's request, defend the District, its boards, committees, representatives, officers, agents, and employees from and against any and all costs and expenses (including reasonable attorneys' fees and litigation costs), damages, liabilities, claims, and losses (whether in contract, tort, or strict liability, including, but not limited to, personal injury, death, and property damage) which arise or are alleged to arise directly or indirectly from any act or omission of Participant, its officers, agents, sub participants, or employees in their performance of this Agreement, or out of the operations of the Participant.

11. INSURANCE AND VEHICLE WARRANTY

Participant is responsible for securing warranty and maintaining replacement value insurance on the new alternative fuel vehicle(s) for the duration of the Agreement Period specified in subparagraph 2.A. The new alternative fuel vehicle(s) purchased through this Agreement must not be tampered with or modified in any such manner than would void the warranty of the vehicle(s). Insurance coverage must be sufficient to repay the District's investment in case major damage to the new alternative fuel vehicle(s) occurs during the Agreement Period. A copy of the current insurance for each vehicle purchased under this Agreement is required to be submitted annually with the Participant's annual report.

In the event that the new alternative fuel vehicle(s) purchased under this Agreement is/are in an accident, stolen, destroyed, or otherwise rendered temporarily or permanently inoperable, the Participant must immediately inform the District of such damage(s) and repair or replace the vehicles(s) within three (3) months from the date of the occurrence at the Participant's expense and to the standards which meet all program requirements for the remainder of the Participant's obligation under this Agreement.

If the Participant repairs a vehicle rendered temporarily inoperable, said repairs shall include any and all repairs necessary to restore the vehicle and any optional equipment purchased under this Agreement to a reasonable condition. If the Participant replaces a vehicle rendered permanently inoperable; said replacement shall include an equivalent vehicle(s) that, at a minimum, meets all program eligibility requirements, including emission level, Gross Vehicle Weight Rating (GVWR), etcetera. As the replacement of a vehicle may require an amendment to the existing Agreement, the Participant must receive prior authorization from the District in advance of any purchases, and must provide any and all replacement vehicle information to the District.

In the event the Participant does not repair or replace vehicle(s) that become inoperable to fulfill the Agreement Period specified in subparagraph 2.A, the District may undertake actions pursuant to this Agreement, including recouping a portion or all incentive funds provided for the vehicle(s) in question.

12. RECORD KEEPING

Participant shall maintain records sufficient to provide, on an annual basis, information regarding annual mileage, fuel usage, invoices, general maintenance details, correspondence associated with the application, award, agreement, monitoring, enforcement, and reporting requirements and any other available information that may be deemed pertinent to the evaluation of the program for at least two (2) years after the equipment project term or three (3) years after final payment, whichever is later. Records shall be readily available and accessible to the District, or District designated

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representative, upon request for the purposes of ongoing evaluations or auditing.

13. NOTICES

The persons and their addresses having authority to give and receive notices under this Agreement are as follows:

PARTICIPANT	DISTRICT
Steve Schwabauer **City Manager** **210 W. Elm St.** **Lodi, CA 95240**	**Samir Sheikh** **Executive Director/APCO** **1990 East Gettysburg Ave.** **Fresno, CA 93726**

Any and all notices between District and Participant provided for or permitted under this Agreement or by law shall be in writing and shall be deemed duly served when personally delivered to one of the parties, or in lieu of such personal service, when deposited in the United States mail, postage prepared, addressed to such party.

14. AUDITS AND INSPECTIONS

In addition to enforcement by the District or designated representative(s) of the District, the District reserves the right to perform audits of vehicle(s) and documentation and enforce the terms of this Agreement at any time during the Agreement term.

If, after audit, the District makes a determination that funds provided to the Participant pursuant to this Agreement were not spent in conformance with this Agreement or any other applicable provisions of law, the Participant agrees to immediately reimburse District all funds determined to have been expended not in conformance with said provisions.

15. POLITICAL ACTIVITY PROHIBITED

None of the funds, materials, property, or services provided under this Agreement shall be used for any political activity, or to further the election or defeat of any candidate for public office contrary to federal or state laws, statutes, regulations,

rules, or guidelines.

16. LOBBYING PROHIBITED

None of the funds provided under this Agreement shall be used for publicity, lobbying, or propaganda purposes designed to support or defeat legislation before the Congress of the United States of America or the Legislature of the State of California.

17. CONFLICT OF INTEREST

No officer, employee, or agent of District who exercises any function or responsibility for planning and carrying out the services provided under this Agreement shall have any direct or indirect personal financial interest in this Agreement. Participant shall comply with all federal and state conflict of interest laws, statutes, and regulations, which shall be applicable to all parties and beneficiaries under this Agreement and any officer, agent, or employee of District.

18. GOVERNING LAW

This Agreement shall be governed in all respects by the laws of the State of California. Venue for any action arising out of this Agreement shall only be in Fresno County, California.

19. COMPLIANCE WITH LAWS

The Participant shall comply will all federal and state laws, statutes, regulations, rules, and guidelines which apply to its performance under this Agreement, including California driving eligibility and financial liability laws.

20. BINDING ON SUCCESSORS

This Agreement, including all covenants and conditions contained herein, shall be binding upon and inure to the benefit of the parties, including their respective successors-in-interest, assigns, and legal representatives.

21. TIME IS OF THE ESSENCE

It is understood that for Participant's performance under this Agreement, time is of the essence. The parties reasonably anticipate that Participant will, to the

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reasonable satisfaction of District, complete all activities provided herein within the time schedule outlined in this Agreement, provided that Participant is not caused unreasonable delay in such performance.

22. DATA OWNERSHIP

Upon termination or expiration of this Agreement, all data which is received, collected, produced, or developed by Participant under this Agreement shall become the exclusive property of District, provided, however, Participant shall be allowed to retain a copy of any non-confidential data received, collected, produced, or developed by Participant under this Agreement subject to District's exclusive ownership rights stated herein. Accordingly, Participant shall, if requested, surrender to District all such data which is in its possession (including its sub participants or agents), without any reservation of right or title, not otherwise enumerated herein.

District shall have the right at reasonable times during the term of this Agreement to inspect and reproduce any data received, collected, produced, or developed by Participant under this Agreement. No reports, professional papers, information, inventions, improvements, discoveries, or data obtained, prepared, assembled, or developed by Participant, pursuant to this Agreement, shall be released or made available (except to District) without prior, express written approval of District while this Agreement is in force, and except as otherwise required under the California Public Records Act.

23. NO THIRD-PARTY BENEFICIARIES

Notwithstanding anything else stated to the contrary herein, it is understood that Participant's services and activities under this Agreement are being rendered only for the benefit of District, and no other person, firm, corporation, or entity shall be deemed an intended third-party beneficiary of this Agreement.

24. SEVERABILITY

In the event that any one or more of the provisions contained in this Agreement shall for any reason be held to be unenforceable in any respect by a court

of competent jurisdiction, such holding shall not affect any other provisions of this Agreement, and the Agreement shall then be construed as if such unenforceable provisions are not a part hereof.

25. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between Participant and District with respect to the subject matter hereof and supersedes all previous negotiations, proposals, commitments, writings, advertisements, publications, and understandings of any nature whatsoever unless expressly included in this Agreement.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first hereinabove written.

PARTICIPANT

City of Lodi

Steve Schwabauer

DISTRICT

San Joaquin Valley Air Pollution Control District

for Samir Sheikh
Executive Director/APCO

Approved as to legal form:
San Joaquin Valley Unified Air Pollution Control District

by Annette A. Ballatore
District Counsel

Approved as to accounting form:
San Joaquin Valley Unified Air Pollution Control District

Mehri Barati, C.P.A.
Director of Administrative Services

For accounting use only:
Program: #282

Account No.:

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Fresno, CA
93726
(559) 230-6000

SJVAPCD Disclosure of Funds

Identification of Potential Co-Funding

Public Benefit Program Alternative Fuel Component
Project Number: **G-72400-A1**

To be eligible to receive incentive funding from the San Joaquin Valley Air Pollution Control District (SJVAPCD), you **must** indicate below if you have applied for or received funding from any other sources for this project. You must also indicate if you intend to apply for additional funding from other sources in the future for this project. Examples of additional funding sources include, but are not limited to, the USDA EQIP, California Air Resources Board, and private sources. Additionally, you are required to disclose the value of any current financial incentive that directly reduces the project cost; including tax credits or deductions, grants, or other public financial assistance; of the new alternative fuel vehicle(s) in this project.

Information provided on this form may be shared as required by federal, state, and local laws. Any owner, designee, or other third party who is found to have submitted multiple applications or signed multiple contracts for this same specific project without proper disclosure shall be disqualified from funding for that project from all sources within the control of the SJVAPCD, other air districts, or ARB.

NOTE: Applying for or receiving funding from other sources for this project does not necessarily preclude you from applying for or receiving funding from the SJVAPCD.

Applicant certifies (please check one):

☐ Yes, I **HAVE** applied for funding from other sources. List applicable Source, Program and Project/Reference Number(s).

_____

_____

_____

Indicate Funding amount $_____

☒ No, I **HAVE NOT** applied and **WILL NOT** apply for funding from other sources.

Please list here any current financial incentive(s) you have received which directly reduces the project cost:

_____

_____

_____

Steve Schwabauer
Contract Signing Authority

Contract Signing Authority Signature

10.14.19
Date
(**Date required on this document, do not date the contract.)

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Public Benefit Grants Program

New Alternative Fuel Vehicle Purchase Component

Application Number: G-72400

Vehicle Make: Hisun

Vehicle Model: Sector E1

Vehicle Model Year: 2017

Vehicle Type: Battery-Electric

Maximum Eligible Amount: $19,589.67

Exhibit A

DocuSign Envelope ID: E766E29C-229D-4D4F-8972-00BE15CEF670

Exhibit B

AMENDMENT NO. 1 TO AGREEMENT No. G-72400-A1

BETWEEN

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

AND

City of Lodi

This Amendment is made and entered into this 3rd day of August, 2020, by and between the SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT, a unified air pollution control district formed pursuant to California Health and Safety Code section 40150 et seq. (District), and City of Lodi (Participant).

WHEREAS, on October 24, 2019 the parties entered into Agreement No. G-72400-A1 for the purchase of **one (1)** new alternative fuel vehicle.

WHEREAS, the parties wish to amend said Agreement.

NOW, THEREFORE, in consideration of their mutual promises, the parties agree to amend said Agreement as follows:

1. The conditions of the contract shall change as referenced in Exhibit A attached hereto and referenced herein.

2. All remaining terms, provisions, covenants, conditions, and promises contained in Agreement No. G-72400-A1 shall remain in full force and effect.

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SJVUAPCD
1990 E.
Gettysburg
Fresno, CA
93726
(559) 230-6000

DocuSign Envelope ID: E766E29C-229D-4D4F-8972-00BE15CEF670

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the day and year first hereinabove written.

PARTICIPANT

City of Lodi

By _____
Steve Schwabauer

Approved as to Form:

_____
JANICE D. MAGDICH
City Attorney

DISTRICT

San Joaquin Valley Unified Air Pollution Control District

DocuSigned by:
By Sheran Gill for
Samir Sheikh
E8F920DCDF8F4EF...
Executive Director/APCO

Approved as to legal form:
San Joaquin Valley Unified Air Pollution Control District

DocuSigned by:
By Pesrin E-Ilkiro
Annette A. Ballatore
District Counsel

Approved as to accounting form:
San Joaquin Valley Unified Air Pollution Control District

DocuSigned by:
By Mehri Barati
Mehri Barati, C.P.A.
Director of Administrative Services

For accounting use only:

Program: 282
Acct. No.: _____

SJVUAPCD
1990 E. Gettysburg
Fresno, CA 93726
(559) 230-6000

DocuSign Envelope ID: E766E29C-229D-4D4F-8972-00BE15CEF670

City of Lodi

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Public Benefit Grants Program

New Alternative Fuel Vehicle Purchase Component

Application Number: G-72400

Vehicle Make: Polaris

Vehicle Model: Ranger EV

Vehicle Model Year: 2020

Vehicle Type: Battery-Electric

Maximum Eligible Amount: $19,589.67

Exhibit A

RESOLUTION NO. 2020-____

ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO ROLL FORWARD THE REMAINING APPROPRIATION TO FISCAL YEAR 2021 FOR THE UNSPENT PORTION OF THE ELECTRIC VEHICLE GRANT FROM SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GRANT

==========

WHEREAS, the City of Lodi is a public agency located in the County of San Joaquin, State of California; and

WHEREAS, on December 4, 2019, City Council adopted a resolution to authorize the City Manager to execute a contract with San Joaquin Valley Air Pollution Control District for the acceptance of a grant to purchase a new alternative fuel vehicle and appropriate funds in an amount not to exceed $19,589; and

WHEREAS, due to limited stock of Hisun brand electric vehicles, the vendor could no longer procure one; and

WHEREAS, as a result, San Joaquin Valley Air Pollution Control District approved the purchase of a Polaris Ranger electric vehicle. This change postponed the ordering of the vehicle resulting in a delay in the process to outfit the Polaris Ranger electric vehicle; and

WHEREAS, the unspent balance of the appropriation for the outfitting of the electric vehicle is $5,926.31.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to roll forward the remaining appropriation in the amount of $5,926.31 into Fiscal Year 2021 to complete the outfitting of the Polaris Ranger Electric Vehicle; and

BE IT FURTHER RESOLVED, pursuant to Section 6.3q of the City Council Protocol Manual (Res. No. 2019-223), the City Attorney is hereby authorized to make minor revisions to the above-referenced document(s) that do not alter the compensation or term, and to make clerical corrections as necessary.

Dated: September 16, 2020

==========

I hereby certify that Resolution No. 2020-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020 by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

AGENDA ITEM C-6

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt a Resolution Authorizing Submission of the 2020 Emergency Solutions Grant - Covid-19 (ESG-CV) Application and Authorizing the City Manager to Enter into Agreements with the San Joaquin Community Development Department for a Navigation Center Project (Approximately $400,000)

MEETING DATE: September 16, 2020

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Adopt a resolution authorizing submission of the 2020 Emergency Solutions Grant - Covid-19 (ESG-CV) application and authorizing the City Manager to enter into agreements with the San Joaquin Community Development Department for a Navigation Center Project (approximately $400,000).

BACKGROUND INFORMATION: San Joaquin County Community Development Department released a Notice of Funding Availability (NOFA) on June 1, 2020 for the Coronavirus Aid, Relief and Economic Security (CARES) Emergency Solutions Grant (ESG-CV).

This grant program provides funds to local governments to provide temporary emergency shelters to prevent, prepare for, and respond to coronavirus. Staff became aware of the grant application in mid-June and the application was submitted to San Joaquin County on July 10, 2020, the deadline for application. Due to the brief application period and the urgent nature of the grant, the schedule of City Council meetings did not allow for review and approval of the grant application prior to submittal.

Persons experiencing homelessness are particularly vulnerable to COVID-19 due to the inability to shelter-in-place, a lack of access to hygiene, and a higher chance of having comorbidities, such as mental illness. Moreover, those living and working in congregate settings are particularly at higher risk. According to the 2019 Point-in-Time Count, 139 unsheltered homeless persons reside in the City of Lodi. Additionally, the Lodi Committee on Homelessness, in collaboration with several local and regional stakeholders, has determined that a housing first model which provides temporary low barrier shelter with transformative supportive services is critical to assisting the city's unsheltered homeless population to achieve better health and well-being.

Considering the above, City staff intends to pursue ESG-CV grant funding in the amount of approximately $400,000 with a navigation center including transformative services and non-congregate temporary housing (such as small cabins) for those experiencing homelessness and who are higher risk of contracting COVID-19. The proposed project aims to avoid the spread or contraction of COVID-19 from or to the homeless community. The project would provide best-practices support systems, including but not limited to: case management; mental health services; transportation assistance; storage; pet care, and more. Additionally, job training and housing referrals would be provided which will help move occupants from this temporary housing into their own homes, where they can shelter-in-place and be safe from COVID-19. On-site security around the clock would also be provided. The project would also include the distribution of hygiene kits to those still living outside

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APPROVED: Steve Schwabauer (Sep 9, 2020 14:38 PDT)

Stephen Schwabauer, City Manager

center and unsheltered, which would allow unsheltered persons and families to maintain hygiene to prevent the spread or contraction of COVID-19.

The City of Lodi has also applied for funding from the Local Early Action Planning (LEAP) grant program for the planning phase of this navigation center and non-congregate temporary housing, including 1) identifying appropriate sites, 2) conceptual designs, and 3) preliminary environment studies, and 4) creating a business and operational plan. Lodi's LEAP grant application was submitted to HCD on July 1, 2020.

In addition, the City of Lodi applied for the Permanent Local Housing Allocation (PLHA) Grant Program for the maximum amount of $2,017,590, which includes the first allocation of $336,265 for Fiscal Year 2019-2020, for predevelopment, infrastructure and site improvements for a permanent facility. Lodi's PLHA grant application was submitted to HCD on July 30, 2020

Furthermore, the City of Lodi intends to apply for Homeless, Housing Assistance, and Prevention Program (HHAP) funding in the amount of approximately $2,500,000 from for two projects. (1) One project will focus on the construction and operations of the Tiny Homes Project in the amount of approximately $777,000, and the second (2) grant will focus on the construction and operational costs of a navigation center and non-congregate housing in the amount of approximately $1,700,000. The HHAP grant applications will be submitted to the San Joaquin Continuum of Care (SJCOC), City of Stockton, and San Joaquin County on September 10, 2020.

Staff is requesting that the City Council approve the submittal of the grant application.

FISCAL IMPACT: This item has not fiscal impact as there is no City match for this grant program.

FUNDING AVAILABLE: Not applicable.

Andrew Keys

Andrew Keys, Deputy City Manager/Internal Services Director

John R. Della Monica, Jr.
Community Development Director

RESOLUTION NO. 2020-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING SUBMISSION OF THE 2020 EMERGENCY SOLUTIONS GRANT - COVID-19 (ESG-CV) APPLICATION AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE SAN JOAQUIN COMMUNITY DEVELOPMENT DEPARTMENT FOR A NAVIGATION CENTER PROJECT

==========

WHEREAS, the San Joaquin County Community Development Department (Department) has made available approximately $750,000 in State of California Emergency Solutions Grant (ESG-CV) funding; and

WHEREAS, the Department issued a Notice of Funding Availability ("NOFA") dated June 1, 2020 for the ESG-CV program; and

WHEREAS, the City of Lodi ("Applicant") is an eligible applicant applying for the program to administer one or more eligible activities; and

WHEREAS, the Department may approve funding allocations for the ESG-CV Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, Standard Agreement and other contracts between the Department and ESG-CV grant recipients; and

WHEREAS, if awarded, the City will enter into agreements with the San Joaquin County Community Development Department for implementation of its ESG-CV grant project for approximately $400,000.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council does hereby approve the submission of the ESG-CV application to the Department.

2. If the Applicant receives a grant of ESG-CV funds from the Department pursuant to the above-referenced ESG-CV NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations and laws, including without limitation all rules and laws regarding the ESG-CV Program, as well as any and all contracts the Applicant may have with the Department.

3. The Applicant is hereby authorized and directed to receive an ESG-CV grant, for approximately $400,000 in accordance with all applicable rules and laws.

4. The Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the ESG-CV Program Guidelines and any other applicable regulations published by the Department.

5. Stephen Schwabauer, City Manager, is authorized to execute the ESG-CV Program Application, the ESG-CV Standard Agreement and subsequent amendments or modifications thereto, as well as documents related to the Program or the ESG-CV grant awarded that are consistent with the executed standard agreement.

Dated: September 16, 2020

==========

I hereby certify that Resolution No. 2020-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

AGENDA ITEM C-7

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt a Resolution Authorizing Submission of Coronavirus Aid, Relief and Economic Security Act Grant Application and Authorizing the City Manager to Enter into Agreements with the San Joaquin County Human Services Agency for a Meal Delivery Program ($24,949)

MEETING DATE: September 16, 2020

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Adopt a resolution authorizing submission of Coronavirus Aid, Relief and Economic Security Act Grant application and authorizing the City Manager to enter into agreements with the San Joaquin County Human Services Agency for a Meal Delivery Program ($24,949)

BACKGROUND INFORMATION: The San Joaquin County Human Services Agency released a Coronavirus Aid, Relief and Economic Security Act (CARES) Grant Application for Funding in August 2020. This grant program provides funds to local governments to address prevention of, preparation for or response to the COVID-19 pandemic among older adults (60 years and over). The application deadline was September 4, 2020. At the time of writing this staff report, City Staff is preparing the grant application to be submitted on September 4, 2020. The application deadline did not allow City Staff to seek City Council approval before submission, but City Council may review the application and approve the City Manager to enter into agreements with the San Joaquin County Human Services Agency.

City Staff applied for CARES funds in the amount of $24,949. These funds are intended to support the LOEL Senior Center's delivery of meals to 32 additional older adults for one year.

Staff is requesting that the City Council adopt a resolution approving submittal of the CARES Act Grant Application and authorizing the City Manager to enter into agreements with the San Joaquin County Human Services Agency.

FISCAL IMPACT: This item has not fiscal impact as there is no City match for this grant program.

FUNDING AVAILABLE: Not applicable.

Andrew Keys

Andrew Keys, Deputy City Manager/Internal Services Director

John R. Della Monica Jr.
Community Development Director

Attachments:
A. CARES Act Grant Application

APPROVED: Steve Schwabauer (Sep 9, 2020 14:37 PDT)

Stephen Schwabauer, City Manager

HUMAN SERVICES AGENCY

Coronavirus Aid, Relief and Economic Security Act (CARES)

GRANT APPLICATION FOR FUNDING

RFP Meeting

10am, Tuesday, August 11, 2020

Conference call:
Call: 888-278-0296 or 214-765-0479
Access code: 50 47 666

APPLICATIONS ARE DUE BY

4:00pm, Friday, September 4, 2020

Submit to:
SAN JOAQUIN COUNTY
AGING AND COMMUNITY SERVICES HUMAN SERVICES AGENCY
aginginfo@sjgov.org

BACKGROUND INFORMATION

Funding

Under the Coronavirus Aid, Relief, and Economic Security (CARES) Act enacted March 27, 2020, the California Department of Aging (CDA) is pleased to announce the availability of approximately $83.5 million in federal funds allocated throughout California's 33 Area Agencies on Aging. San Joaquin County anticipates receiving $1.6 million for which a total of $650,000 is available for San Joaquin 7 cities (Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy) to apply. Funding is to address the prevention, preparation or response to the COVID-19 pandemic for older adults (60 years and over).

Please refer to the CARES Act for regulations pertaining to the funding:
https://www.govinfo.gov/content/pkg/BILLS-116hr748enr/pdf/BILLS-116hr748enr.pdf

Payment

Projects will be reimbursed by units of service rendered.

Project Types

Services covered by California Department of Aging Service Categories and Data Dictionary for Titles III-B, III-E, or home delivered nutrition (see III-B material aid). Note: emergency cash assistance may not be provided.
https://www.aging.ca.gov/download.ashx?lE0rcNUV0zYVluwocgk52g%3D%3D

If one of the services is home delivered nutrition, this may be a useful resource:
https://nutritionandaging.org/wp-content/uploads/2020/04/Step-By-Step-Guide-Working-with-Restaurants-and-Grocery-Stores-For-Meals-Final-4.17.20.pdf

If one project requires several services, submit one project proposal showing how each service is interrelated to support the project's objective and provide separate budget templates per service to determine the unit cost per service as well as requested funding per service.

Target Population

Individuals sixty (60) years of age or older, with emphasis on those in greatest economic and social need with particular attention to low-income minority older individuals, older individuals with Limited English Proficiency (LEP), and older individuals residing in rural areas. [OAA § 305 (a)(2)(E); 22 CCR 7119, 7125, 7127, 7130, 7135 and 7638.7

An adult family member, or another individual, who is an informal provider of in-home and community care to an older individual (60 years and older) or to an individual with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction. [OAA § 302(3)] An older relative caregiver who –

1. Is age 55 or older; and
2. lives with, is the informal provider of in-home and community care to, and is the primary caregiver for, a child or an individual with a disability;
3. In the case of a caregiver for a child –
    a. is the grandparent, step grandparent, or other relative (other than the parent) by blood, marriage, or adoption, of the child;
    b. is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregivers of the child; and
    c. has a legal relationship to the child, such as legal custody, adoption, or guardianship, or is raising the child informally

Aging and Community Services uses outreach efforts to identify individuals eligible for assistance with a special emphasis on the following groups. Older individuals:

1. Low income minority older individuals.
2. Older individuals with greatest economic need. The term "greatest economic need" means the need resulting from an income level at or below the poverty line.
3. Older individuals with greatest social need. The term "greatest social need" means the need caused by non-economic factors which include:
   a. Physical and mental barriers;
   b. Language barriers; and/or
   c. Cultural, social, or geographical isolation, including isolation caused by racial or ethnic status that restricts the ability of an individual to perform normal daily tasks, or threatens the capacity of the individual to live independently.
4. Older Native Americans.
5. Isolated, abused, neglected and/or exploited older individuals.
6. Frail older individuals and their caregivers.
7. Older individuals residing in rural areas.
8. Older individuals with Alzheimer's disease or related disorders with neurological and organic brain dysfunction, and their caretakers.
9. Older individuals with caretaker responsibilities for developmentally disabled children.

Scoring Criteria

The Scoring Criteria for this application will be as follows:

Scoring Criteria	**Points**
Needs assessment regarding preparation, prevention, and/or response to COVID-19	20
Internal Performance Measurement	20
Project Description and Schedule	20
Funding Request and Project Budget	15
TOTAL	**75**

HUMAN SERVICES AGENCY

City	Lodi, CA
Federal ID Number	
Lead Department	Community Development Department
Agency Address **City and zip code**	221 W Pine Street Lodi, CA 95240
Mailing Address if Different	P.O. Box 3006 Lodi, CA 95241
Contact Person **Title**	Patrice Clemons, CDBG Specialist
Phone	(209) 333-6800 x3404
Fax	(209) 333-6842
E-mail	pclemons@lodi.gov
Names of Collaborative Partners (list all):	LOEL Senior Center 105 S. Washington Street Lodi, CA 95240 (209) 369-1591
Type of Service **Unit of Service** **Number of Units** **Cost per Unit** **Total Grant Funding for Service**	Home Delivered Meals 1 Meal 5,760 $3.91 $22,550
Federal Funding Requested 10/1/2020 – 6/30/21	$24,949.00
Program Overall Budget (Federal Funding + Other funding)	$24,949.00
Title of Proposed Project:	LOEL Meals on Wheels 3rd Route
Project Site Location(s):	LOEL Senior Center, 105 S. Washington Street Lodi, CA 95240
Brief summary of project	Provide a hot nutritious meal to an additional 32 homebound seniors a day, in the greater Lodi Area.

A. PROJECT NARRATIVE

1. Project Description. Provide a concise description of the proposed project. As these funds are directly related to the CARES Act, the applicant must provide how the proposed program/project will directly prevent, prepare for and/or respond to the corona virus pandemic (work to be performed; project to be undertaken or services to be provided).

   The LOEL Meals on Wheels Program provides a hot nutritious meal 5 days a week to homebound seniors. The proposed project would add an additional route to the existing Meals on Wheels Program and would serve an additional 32 homebound seniors per day. The proposed project would ensure that one of the City's most vulnerable populations, homebound seniors, are able to stay in their homes during the COVID-19 pandemic. The delivery of daily meals also performs as a check on participants health and safety during this time.

2. Needs Statement. Identify and document the deficiency to be addressed by the proposed project.

   LOEL's Meals on Wheels waiting list pre-COVID-19 was approximately 30 to 40 seniors, and post COVID-19, the waiting list has grown to over 70 seniors. Additionally, there are approximately 500 seniors receiving daily meals through the State of California Great Plates program in Lodi. This program is ending on September 9, 2020 and LOEL is expecting a large portion these participants to be added to their waitlist.

3. Objective. State the objective and identify how the proposed project will resolve the deficiency(s) identified in the needs statement.

   The proposed project would provide an additional route to LOEL's Meals on Wheels Program, which would be able to serve hot meals to 32 homebound seniors Monday through Friday. This will reduce LOEL's waitlist for services that was increased due to the COVID-19 pandemic.

4. Internal Performance Measurement. Describe the monitoring system that will be utilized for the project and provide outcomes and indicators in quantifiable terms that lead to the objective along with the supporting documentation that will be used for tracking the units of service.

   Project performance will be monitored throughout the Program Year by the City of Lodi. LOEL will submit quarterly reports to the City indicating the number of meals served and the number of unique individuals receiving services funded by the grant. The quarterly reports will include demographic information, such as age and household income of participants.

   The project outcome will be measured by the number of unique individuals and meals served compared to the number proposed to be served throughout the Program Year. For example, when LOEL actually serves the number of number of meals and unique individuals proposed, the project would be completely successful.

5. Activities & Methodology. Specify tasks/activities to be undertaken to accomplish the project and explain how the activities will be implemented. Narrative should address only those activities necessary to implement the proposed project in this application and should establish a clear correlation to prevent, prepare for and/or respond to the corona virus pandemic for older adults.

   The LOEL Meals on Wheels Program has existing kitchen capacity and staff to prepare an additional 32 meals per day. LOEL has seniors on an existing waitlist that would able to be served by the proposed project.

   CARES Act funding would reduce LOEL's waitlist that has been increased by the COVID-19 pandemic.

6. Schedule. Provide a realistic time frame for each identified activity with estimated completion dates.

   LOEL would be able to start delivering meals to participants within one month of an executed agreement for funding. LOEL would serve 32 seniors per day Monday through Friday continuously until the end of the grant term.

B. BENEFICIARY INFORMATION

1. The project must address how the needs of California's diverse and underserved communities are being addressed with the CARES funding. Please describe the population that your project will target and rationale for that targeted group.

   The LOEL Meals on Wheels Program delivers meals to homebound seniors who are 64 years of age or older. Additionally, participants of LOEL's Meals on Wheels Program typically have a low- to moderate-household income. It is vital to ensure that the needs of homebound seniors are met during this unprecedented time. The proposed project not only provides daily nutrition, but socialization as well. LOEL volunteers are often the only people that participants see each day. Additionally, the delivery of daily meals also performs as a welfare check on participants.

   The proposed project would ensure that one of Lodi's most vulnerable populations, homebound seniors, are safe at home during the COVID-19 pandemic and that they are able to quarantine safely.

2. Provide the number of unique people that will directly benefit from each service and overall by your program.

   The proposed project will serve an additional 32 homebound seniors through an additional Meals on Wheels route per day. Weekly – 160 seniors, monthly – 640, yearly – 7,680.

   Seniors may choose to stop receiving delivered meals throughout the year, so the unique number of seniors served may be more than 32.

3. Describe the method used to gather demographic and other statistics for reporting purposes.

   LOEL interviews potential participants over the phone to determine eligibility. LOEL's Meal Coordinator interviews and documents all needed information from each participant. (birthdate, race, income, marital status, and all other qualifying questions).

   LOEL is a City of Lodi Community Development Block Grant (CDBG) sub-recipient and is familiar with reporting requirements for federal funding.

SECTION V. FINANCIAL INFORMATION

1. For applicants, provide a proposed line-item budget for this project indicating the sources and uses of funds. ***Please use the provided budget template per service.***

2. Provide a copy of your organization's financial statement for the most recent completed fiscal year. Include a balance sheet and income and expenditure statement.

3. Provide a copy of letter or audit indicating review of most recent financial statement from certified and/or public accountant.

4. Provide a copy of your Fiscal Procedures Manual.

SECTION VI. AUTHORIZED SIGNATORY

6. Schedule. Provide a realistic time frame for each identified activity with estimated completion dates.

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3. Provide a copy of letter or audit indicating review of most recent financial statement from certified and/or public accountant.

4. Provide a copy of your Fiscal Procedures Manual.

SECTION VI. AUTHORIZED SIGNATORY

I hereby certify that I have read this application and the exhibits thereto, and know the contents thereof, and that the statement therein are true, and that I have been authorized by the governing board to submit this application.

Authorized Representative Signature

9/4/2020
Date

JOHN R DELLA MONICA JR.
Printed Name and Title

COMMUNITY DEVELOPMENT DIRECTOR

BUDGET REQUEST FORM

Contracto LOEL Senior Center
Program: LOEL Meals on Wheels 3rd Route **Period:** 10/1/20 - 6/30/21

I. PERSONNEL

A	B / Position Title	C # of Positions	D Annual Hours per Person	E Hourly Wage	F Annual Salary per Person	G Total Salaries (annual x # of emps)	H % to County Program	I Salary $ to County Program	J Amt Requested	K Amt Provided by Other Sources	L
A.	Community Development Administrative Assistant (or Consultant)	1	2,080.00	$ 50.36	$104,749	$104,749	2.3%	$2,409	$2,409	$0	Note: City Staff Position for Administration. *Hourly Wage includes wage AND hourly cost of benefits
B.					$0	$0		$0		$0	
C.					$0	$0		$0		$0	
D.					$0	$0		$0		$0	
E.					$0	$0		$0		$0	
F.					$0	$0		$0		$0	
G.					$0	$0		$0		$0	
H.					$0	$0		$0		$0	
	Total Personnel Excluding Benefits							$2,409.00	$2,409.00	$0.00	

Benefits	Participating Positions	Count of Participating Positions	Rate based on %	Per Person Pro-rated Annual Benefit	Benefits $ to County Program	Amt Requested	Amt Provided by Other Sources
Social Security (6.2%)	All	1.00	7.65%		$184		$184
Medicare 1.45%	All	1.00	1.45%		$35		$35
Unemployment	All	1.00	3.00%		$72		$72
Health Insurance					$0		$0
Dental Insurance					$0		$0
Vision Insurance					$0		$0
Life Insurance					$0		$0
Other:					$0		$0
Other:					$0		$0
Total Benefits					$291	$0	$291
Total Personnel (Salary + Benefits)					***$2,700***	***$2,409***	***$291***

II. OPERATING EXPENSES

		Total	Amt Requested	Amt Provided by Other Sources
CATEGORY A				
A.	Communications/Phones	$0	$0	$0
B.	Office Expenses	$0	$0	$0
C.	Travel	$0	$0	$0
D.	Training	$0	$0	$0
E.	Consultants/Subcontractors (if any)	$0	$0	$0
F.	Program Costs (describe)	$0	$0	$0
	Food Costs ($2.67 per meal @ 5,760 meals)	$15,380	$15,380	$0
	Food Packaging	$4,080	$4,080	$0
	Gas (Average $35 weekly)	$1,260	$1,260	$0
	Van Maintenance	$436	$436	$0
	Van Insurance (9 months of coverage)	$1,394	$1,394	$0
	Total Category A	***$22,550***	***$22,550***	***$0***
CATEGORY B				
C	Rent and Utilities	$0	$0	$0
D.	Equipment Lease	$0	$0	$0
E.	Equipment Purchase	$0	$0	$0
I.	Other, please describe	$0	$0	$0
				$0
	Total Category B	***$0***	***$0***	***$0***
	Total Operating Expenses	***$22,550***	***$22,550***	***$0***
	Total Personnel Including Benefits and Total Operating Expenses	***$25,250***	***$24,959***	***$291***
III.	INDIRECT EXPENSES			
	General Printing & Duplicating	$0	$0	$0
	General Postage	$0	$0	$0
	Other (describe)	$0	$0	$0
	Total Indirect Expense	***$0***	***$0***	***$0***
	% to Personnel + Category A	0.00%	0.00%	0.00%
IV.	**TOTAL REQUEST**		**$24,959.00**	

RESOLUTION NO. 2020-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING SUBMISSION OF CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT GRANT APPLICATION; AND FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE SAN JOAQUIN COUNTY HUMAN SERVICES AGENCY FOR A MEAL DELIVERY PROGRAM

==========

WHEREAS, the State of California Department of Aging has made available approximately $83.5 million in CARES Act funding to address prevention of, preparation for or response to the COVID-19 pandemic among older adults (60 years and over); and

WHEREAS, the San Joaquin County Human Services Agency (Agency) anticipates receiving approximately $1.6 million of these funds for which $650,000 is available for seven (7) cities in San Joaquin County, including the City of Lodi; and

WHERAS, the Agency has issued a funding application in August 2020 under the CARES Act program for older adults; and

WHEREAS, the City of Lodi ("Applicant") is an eligible Local government applying for the program to administer one or more eligible activities; and

WHEREAS, the Agency may approve funding allocations for the CARES Act Program, subject to the terms and conditions of the Guidelines, Program requirements, the Standard Agreement and other contracts between the Agency and CARES Act grant recipients.

WHEREAS, if awarded, the City will enter into agreements with Agency for implementation of this project in the amount of $24,949.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council does hereby approve this application for submission to the Agency.

2. If the Applicant receives a grant of CARES Act funds from the Agency pursuant to the above-referenced CARES Act application, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations and laws, including without limitation all rules and laws regarding the CARES Act Program, as well as any and all contracts the Applicant may have with the Agency.

3. The Applicant is hereby authorized and directed to receive a CARES Act grant, for $24,949 in accordance with all applicable rules and laws.

4. The Applicant hereby agrees to use the CARES Act funds for eligible activities as approved by the Agency and in accordance with all Program requirements, Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Agency.

5. The Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the CARES Act Program Guidelines and any other applicable regulations published by the Agency.

6. John Della Monica, Community Development Director, is authorized to execute the CARES Act Program Application and Stephen Schwabauer, City Manager, is authorized to execute the CARES Act Standard Agreement and any subsequent amendments or modifications thereto, as well as other documents related to the Program or the CARES Act grant awarded to the Applicant that are consistent with the executed standard agreement.

Dated: September 16, 2020
==========

I hereby certify that Resolution No. 2020-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

AGENDA ITEM C-08

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Waive the Bid Process and Execute Professional Services Agreement with Garland/DBS, Inc., of Cleveland, Ohio, for White Slough Water Pollution Control Facility Electrical Room and Digester Building Roof Replacement Project ($140,593), Utilizing U.S. Communities Contract No. PW1925, and Appropriating Funds ($48,593)

MEETING DATE: September 16, 2020

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution authorizing City Manager to waive the bid process and execute Professional Services Agreement with Garland/DBS, Inc., of Cleveland, Ohio, for White Slough Water Pollution Control Facility Electrical Room and Digester Building Roof Replacement Project, in the amount of $140,593, utilizing U.S. Communities Contract No. PW1925, and appropriating funds in the amount of $48,593.

BACKGROUND INFORMATION: The electrical room and digester building at White Slough Water Pollution Control Facility contain equipment critical for wastewater treatment operations. The existing roofs have reached their useful life, potentially exposing the equipment inside the building to damage.

This project will replace the existing roofing materials with a multi-ply membrane system; and also replace the failing metal flashing. The restoration material is manufactured by Garland/DBS, Inc. The final product will carry a three-year labor warranty and 30-year watertight warranty. Garland/DBS, Inc. will also perform an annual roof inspection for the duration of the 30-year watertight warranty period.

Garland/DBS, Inc. was the successful bidder for U.S. Communities Contract No. PW1925 for competitively-bid roofing services. Using the U.S. Communities line item cost, the bid price of $134,808 is the maximum price an agency would be charged for the restoration services. To compare the U. S. Communities price with local roof restoration prices, Garland/DBS, Inc., requested a quote from Waterproofing Associates, Inc., of Lodi, a company that has successfully performed roof restoration services on other City facilities.

For this project, the DBS/Garland, Inc. will subcontract roof restoration services to Waterproofing Associates, Inc., of Lodi. The local price is $127,812, which is lower than the U.S. Communities maximum price. A 10-percent project contingency of $12,781 is requested to cover any unforeseen conditions in the field. This brings the total not-to-exceed contract price to $140,593.

By using the U.S. Communities contract, the formal bidding process has already been performed, allowing staff to more efficiently procure labor and materials for specialty type work (such as roofing) while maintaining compliance with purchasing requirements. The Professional Services Agreement includes all insurance and bonding requirements included in City construction contracts.

APPROVED: _____
Stephen Schwabauer, City Manager

Per Lodi Municipal Code Section 3.20.045, State and Local Agency Contracts, the bidding process may be waived when it is advantageous for the City, with appropriate approval by City Manager and City Council, to use contracts that have been awarded by other California public agencies, provided that their award was in compliance with their formally-adopted bidding or negotiation procedures.

The Electrical Room Roofing project is in the Fiscal Year 2020/21 capital improvement project budget, in the amount of $92,000. The quote for replacing the roofs on the electrical room and digester building exceeds the budgeted amount, requiring the additional appropriation.

Staff recommends authorizing City Manager to waive the bid process and execute Professional Services Agreement with Garland/DBS, Inc., of Cleveland, Ohio, for White Slough Water Pollution Control Facility Electrical Room and Digester Building Roof Replacement Project, in the amount of $140,593, utilizing U.S. Communities Contract No. PW1925, and appropriating funds in the amount of $48,593.

FISCAL IMPACT: Restoring the roof will reduce repair costs for the interior space and equipment damaged by water. This project will not impact the General Fund.

FUNDING AVAILABLE: Fiscal Year 2020/21 Budget:

Wastewater Capital (53199000.77020):	$ 92,000
Requested Appropriation:	
Wastewater Capital (53199000.77020):	$ 48,593
TOTAL:	$140,593

Andrew Keys
Deputy City Manager/Internal Services Director

Charles E. Swimley, Jr.
Public Works Director

Prepared by Lyman Chang, Deputy Public Works Director/City Engineer
CES/LC/tdb
Attachment

cc: Utility Manager
Wastewater Plant Superintendent
Public Works Management Analyst
Garland /DBS, Inc.
Facilities Superintendent

AGREEMENT FOR PROFESSIONAL SERVICES

ARTICLE 1
PARTIES AND PURPOSE

Section 1.1 Parties

THIS AGREEMENT is entered into on _____, 2020, by and between the CITY OF LODI, a municipal corporation (hereinafter "CITY"), and Garland/DBS, INC., a Delaware corporation, qualified to do business in California (hereinafter "CONTRACTOR").

Section 1.2 Purpose

CITY selected the CONTRACTOR to provide the services required in accordance with attached Scope of Services, Exhibit A, attached and incorporated by this reference.

CITY wishes to enter into an agreement with CONTRACTOR for WSWPCF Roof Repairs (hereinafter "Project") as set forth in the Scope of Services attached here as Exhibit A. CONTRACTOR acknowledges that it is qualified to provide such services to CITY.

ARTICLE 2
SCOPE OF SERVICES

Section 2.1 Scope of Services

CONTRACTOR, for the benefit and at the direction of CITY, shall perform the Scope of Services as set forth in Exhibit A.

Section 2.2 Time For Commencement and Completion of Work

CONTRACTOR shall commence work pursuant to this Agreement, upon receipt of a written notice to proceed from CITY or on the date set forth in Section 2.6, whichever occurs first, and shall perform all services diligently and complete work under this Agreement based on a mutually agreed upon timeline or as otherwise designated in the Scope of Services.

CONTRACTOR shall submit to CITY such reports, diagrams, drawings and other work products as may be designated in the Scope of Services.

CONTRACTOR shall not be responsible for delays caused by the failure of CITY staff to provide required data or review documents within the appropriate time frames. The review time by CITY and any other agencies involved in the project shall not be counted against CONTRACTOR's contract performance period. Also, any delays due to weather, vandalism, acts of God, etc., shall not be counted. CONTRACTOR shall

remain in contact with reviewing agencies and make all efforts to review and return all comments.

Section 2.3 Meetings

CONTRACTOR shall attend meetings as may be set forth in the Scope of Services.

Section 2.4 Staffing

CONTRACTOR acknowledges that CITY has relied on CONTRACTOR's capabilities and on the qualifications of CONTRACTOR's principals and staff as identified in its proposal to CITY. The Scope of Services shall be performed by CONTRACTOR, unless agreed to otherwise by CITY in writing. CITY shall be notified by CONTRACTOR of any change of Project Manager and CITY is granted the right of approval of all original, additional and replacement personnel at CITY's sole discretion and shall be notified by CONTRACTOR of any changes of CONTRACTOR's project staff prior to any change.

CONTRACTOR represents it is prepared to and can perform all services within the Scope of Services (Exhibit A) and is prepared to and can perform all services specified therein. CONTRACTOR represents that it has, or will have at the time this Agreement is executed, all licenses, permits, qualifications, insurance and approvals of whatsoever nature are legally required for CONTRACTOR to practice its profession, and that CONTRACTOR shall, at its own cost and expense, keep in effect during the life of this Agreement all such licenses, permits, qualifications, insurance and approvals, and shall indemnify, defend and hold harmless CITY against any costs associated with such licenses, permits, qualifications, insurance and approvals which may be imposed against CITY under this Agreement.

Section 2.5 Subcontracts

Unless prior written approval of CITY is obtained, CONTRACTOR shall not enter into any subcontract with any other party for purposes of providing any work or services covered by this Agreement.

Section 2.6 Term

The term of this Agreement commences on October 1, 2020 and terminates upon the completion of the Scope of Services or on September 30, 2021, whichever occurs first.

ARTICLE 3
COMPENSATION

Section 3.1 Compensation

CONTRACTOR's compensation for all work under this Agreement shall conform to the provisions of the Fee Proposal, attached hereto as Exhibit B and incorporated by this reference.

CONTRACTOR shall not undertake any work beyond the scope of this Agreement unless such additional work is approved in advance and in writing by CITY.

Section 3.2 Prevailing Wage

The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

Section 3.3 Contractor Registration – Labor Code §1725.5

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

Section 3.4 Contract Bonds

CONTRACTOR shall furnish two good and sufficient bonds:

1. A faithful performance bond in the amount of one hundred percent (100%) of the contract price; and
2. A labor and materials bond in the amount of one hundred percent (100%) of the contract price.

These bonds will be required at the time the signed contract is returned to the City.

Section 3.5 (AB 626) Public Contract Code Section 9204 – Public Works Project Contract Dispute Resolution Procedure

Section 9204 of the California Public Contract Code (the "Code") provides a claim resolution process for "Public Works Project" contracts, as defined, which is hereby incorporated by this reference, and summarized in the following:

Definitions:

"Claim" means a separate demand by a contractor sent by registered mail or certified mail with return receipt requested, for one or more of the following:

(A) A time extension, including, without limitation, for relief from damages or penalties for delay assessed by the City under a contract for a Public Works Project.

(B) Payment of money or damages arising from work done by, or on behalf of, a contractor pursuant to a contract for a Public Works Project and payment for which is not otherwise expressly provided or to which a claimant is not otherwise entitled.

(C) Payment of an amount that is disputed by the City.

"Public Works Project" means the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.

Claim Resolution Process:

(1) All Claims must be properly submitted pursuant to the Code and include reasonable documentation supporting the Claim. Upon receipt of a Claim, the City will conduct a reasonable review, and within a period not to exceed 45 days, will provide the claimant a written statement identifying the disputed and undisputed portions of the Claim. The City and contractor may, by mutual agreement, extend the time periods in which to review and respond to a Claim. If the City fails to issue a written statement, paragraph (3) applies.

Any payment due on a portion of the Claim deemed not in dispute by the City will be processed and made within 60 days after the City issues its written statement.

(2) If the claimant disputes the City's response, or if the City fails to respond to a Claim within the time prescribed in the Code, the claimant may demand in writing, by registered mail or certified mail, return receipt requested, an informal conference to meet and confer for settlement of the issues in dispute, which will be conducted within 30 days of receipt.

If the Claim or any portion thereof remains in dispute after the meet and confer conference, the City will provide the claimant a written statement, within 10 business days, identifying the remaining disputed and undisputed portions of the Claim. Any payment due on an undisputed portion of the Claim will be processed and made within 60 days after the City issues its written statement. Any disputed portion of the Claim, as identified by the contractor in writing, shall be submitted to nonbinding mediation, as set forth in the Code, unless mutually waived and agreed, in writing, to proceed directly to a civil action or binding arbitration, as applicable.

(3) A Claim that is not responded to within the time requirements set forth in the Code is deemed rejected in its entirety. A Claim that is denied by reason of such

failure does not constitute an adverse finding with regard to the merits of the Claim or the responsibility or qualifications of the claimant.

(4) Amounts not paid in a timely manner as required by the Code will bear interest at 7 percent per annum.

(5) Subcontractors or lower tier subcontractors that lack legal standing or privity of contract to assert a Claim directly against the City, may request in writing, on their behalf or the behalf of a lower tier subcontractor, that the contractor present a Claim to the City for work performed by the subcontractor or lower tier subcontractor. The request shall be accompanied by reasonable documentation to support the Claim. Within 45 days of receipt of such written request, the contractor shall notify the subcontractor in writing as to whether the contractor presented the Claim to the City and, if the original contractor did not present the Claim, provide the subcontractor with a statement of the reasons for not having done so.

The Claim resolution procedures and timelines set forth in the Code are in addition to any other change order, claim, and dispute resolution procedures and requirements set forth in the City contract documents, to the extent that they are not in conflict with the timeframes and procedures the Code.

Section 3.6 Method of Payment

CONTRACTOR shall submit invoices for completed work on a monthly basis, or as otherwise agreed, providing, without limitation, details as to amount of hours, individual performing said work, hourly rate, and indicating to what aspect of the Scope of Services said work is attributable. CONTRACTOR's compensation for all work under this Agreement shall not exceed the amount of the Fee Proposal.

Section 3.7 Costs

The Fee Proposal shall include all reimbursable costs required for the performance of the Scope of Services. Payment of additional reimbursable costs considered to be over and above those inherent in the original Scope of Services shall be approved in advanced and in writing, by CITY.

Section 3.8 Auditing

CITY reserves the right to periodically audit all charges made by CONTRACTOR to CITY for services under this Agreement. Upon request, CONTRACTOR agrees to furnish CITY, or a designated representative, with necessary information and assistance needed to conduct such an audit.

CONTRACTOR agrees that CITY or its delegate will have the right to review, obtain and copy all records pertaining to performance of this Agreement. CONTRACTOR agrees to provide CITY or its delegate with any relevant information

requested and shall permit CITY or its delegate access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with this requirement. CONTRACTOR further agrees to maintain such records for a period of three (3) years after final payment under this Agreement.

ARTICLE 4
MISCELLANEOUS PROVISIONS

Section 4.1 Nondiscrimination

In performing services under this Agreement, CONTRACTOR shall not discriminate in the employment of its employees or in the engagement of any sub CONTRACTOR on the basis of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, age, or any other criteria prohibited by law.

Section 4.2 ADA Compliance

In performing services under this Agreement, CONTRACTOR shall comply with the Americans with Disabilities Act (ADA) of 1990, and all amendments thereto, as well as all applicable regulations and guidelines issued pursuant to the ADA.

Section 4.3 Indemnification and Responsibility for Damage

CONTRACTOR to the fullest extent permitted by law, shall indemnify and hold harmless CITY, its elected and appointed officials, directors, officers, employees and volunteers from and against any claims, damages, losses, and expenses (including reasonable attorney's fees and costs), arising out of performance of the services to be performed under this Agreement, provided that any such claim, damage, loss, or expense is caused by the negligent acts, errors or omissions of CONTRACTOR, any subcontractor employed directly by CONTRACTOR, anyone directly or indirectly employed by any of them, or anyone for whose acts they may be liable, except those injuries or damages arising out of the active negligence, sole negligence, or sole willful misconduct of the City of Lodi, its elected and appointed officials, directors, officers, employees and volunteers. CITY may, at its election, conduct the defense or participate in the defense of any claim related in any way to this indemnification. If CITY chooses at its own election to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification, CONTRACTOR shall pay all of the costs related thereto, including without limitation reasonable attorney fees and costs. The defense and indemnification obligations

required by this Agreement are undertaken in addition to, and shall not in any way be limited by the insurance obligations set forth herein.

Section 4.4 **No Personal Liability**

Neither the City Council, nor any other officer or authorized assistant or agent or City employee shall be personally responsible for any liability arising under this Agreement.

Section 4.5 **Responsibility of CITY**

CITY shall not be held responsible for the care or protection of any material or parts of the work described in the Scope of Services prior to final acceptance by CITY, except as expressly provided herein.

Section 4.6 **Insurance Requirements for CONTRACTOR**

CONTRACTOR shall take out and maintain during the life of this Agreement, insurance coverage as set forth in Exhibit C attached hereto and incorporated by this reference.

Section 4.7 **Successors and Assigns**

CITY and CONTRACTOR each bind themselves, their partners, successors, assigns, and legal representatives to this Agreement without the written consent of the others. CONTRACTOR shall not assign or transfer any interest in this Agreement without the prior written consent of CITY. Consent to any such transfer shall be at the sole discretion of CITY.

Section 4.8 **Notices**

Any notice required to be given by the terms of this Agreement shall be in writing signed by an authorized representative of the sender and shall be deemed to have been given when the same is personally served or upon receipt by express or overnight delivery, postage prepaid, or three (3) days from the time of mailing if sent by first class or certified mail, postage prepaid, addressed to the respective parties as follows:

To CITY: City of Lodi
221 West Pine Street
P.O. Box 3006
Lodi, CA 95241-1910
Attn: Lyman Chang

To CONTRACTOR: Garland DBS, Inc.
3800 East 91st Street
Cleveland, OH 44105
Attn: Matt Egan

Section 4.9 **Cooperation of CITY**

CITY shall cooperate fully and in a timely manner in providing relevant information it has at its disposal relevant to the Scope of Services.

Section 4.10 CONTRACTOR is Not an Employee of CITY

CONTRACTOR agrees that in undertaking the duties to be performed under this Agreement, it shall act as an independent contractor for and on behalf of CITY and not an employee of CITY. CITY shall not direct the work and means for accomplishment of the services and work to be performed hereunder. CITY, however, retains the right to require that work performed by CONTRACTOR meet specific standards without regard to the manner and means of accomplishment thereof.

Section 4.11 Termination

CITY may terminate this Agreement, with or without cause, by giving CONTRACTOR at least ten (10) days written notice. Where phases are anticipated within the Scope of Services, at which an intermediate decision is required concerning whether to proceed further, CITY may terminate at the conclusion of any such phase. Upon termination, CONTRACTOR shall be entitled to payment as set forth in the attached Exhibit B to the extent that the work has been performed. Upon termination, CONTRACTOR shall immediately suspend all work on the Project and deliver any documents or work in progress to CITY. However, CITY shall assume no liability for costs, expenses or lost profits resulting from services not completed or for contracts entered into by CONTRACTOR with third parties in reliance upon this Agreement.

Section 4.12 Confidentiality

CONTRACTOR agrees to maintain confidentiality of all work and work products produced under this Agreement, except to the extent otherwise required by law or permitted in writing by CITY. CITY agrees to maintain confidentiality of any documents owned by CONTRACTOR and clearly marked by CONTRACTOR as "Confidential" or "Proprietary", except to the extent otherwise required by law or permitted in writing by CONTRACTOR. CONTRACTOR acknowledges that CITY is subject to the California Public Records Act.

Section 4.13 Applicable Law, Jurisdiction, Severability, and Attorney's Fees

This Agreement shall be governed by the laws of the State of California. Jurisdiction of litigation arising from this Agreement shall be venued with the San Joaquin County Superior Court. If any part of this Agreement is found to conflict with applicable laws, such part shall be inoperative, null, and void insofar as it is in conflict with said laws, but the remainder of this Agreement shall be in force and effect. In the event any dispute between the parties arises under or regarding this Agreement, the prevailing party in any litigation of the dispute shall be entitled to reasonable attorney's fees from the party who does not prevail as determined by the San Joaquin County Superior Court.

Section 4.14 City Business License Requirement

CONTRACTOR acknowledges that Lodi Municipal Code Section 3.01.020 requires CONTRACTOR to have a city business license and CONTRACTOR agrees to secure such license and pay the appropriate fees prior to performing any work hereunder.

Section 4.15 Captions

The captions of the sections and subsections of this Agreement are for convenience only and shall not be deemed to be relevant in resolving any question or interpretation or intent hereunder.

Section 4.16 Integration and Modification

This Agreement represents the entire understanding of CITY and CONTRACTOR as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing, signed by both parties.

Section 4.17 Contract Terms Prevail

All exhibits and this Agreement are intended to be construed as a single document. Should any inconsistency occur between the specific terms of this Agreement and the attached exhibits, the terms of this Agreement shall prevail.

Section 4.18 Severability

The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

Section 4.19 Ownership of Documents

All documents, photographs, reports, analyses, audits, computer media, or other material documents or data, and working papers, whether or not in final form, which have been obtained or prepared under this Agreement, shall be deemed the property of CITY. Upon CITY's request, CONTRACTOR shall allow CITY to inspect all such documents during CONTRACTOR's regular business hours. Upon termination or completion of services under this Agreement, all information collected, work product and documents shall be delivered by CONTRACTOR to CITY within ten (10) calendar days.

CITY agrees to indemnify, defend and hold CONTRACTOR harmless from any liability resulting from CITY's use of such documents for any purpose other than the purpose for which they were intended.

Section 4.20 Authority

The undersigned hereby represent and warrant that they are authorized by the parties to execute this Agreement.

Section 4.21 Federal Transit Funding Conditions

☐ If the box at left is checked, the Federal Transit Funding conditions attached as Exhibit D apply to this Agreement. In the event of a conflict between the terms of this Agreement or any of its other exhibits, and the Federal Transit Funding Conditions, the Federal Transit Funding Conditions will control.

IN WITNESS WHEREOF, CITY and CONTRACTOR have executed this Agreement as of the date first above written.

CITY OF LODI, a municipal corporation

ATTEST:

JENNIFER CUSMIR
City Clerk

STEPHEN SCHWABAUER
City Manager

APPROVED AS TO FORM:
JANICE D. MAGDICH, City Attorney

By: _____
jdm

GARLAND/DBS, INC., a Delaware corporation

By: _____
Name: FRANK A. PERCACIANTE
Title: Controller

Attachments:
Exhibit A – Scope of Services
Exhibit B – Fee Proposal
Exhibit C – Insurance Requirements
Exhibit D – Federal Transit Funding Conditions (if applicable)

Funding Source: _____
(Business Unit & Account No.)

Doc ID:K:\WP\PROJECTS\PSA's\2020\Garland WSWPCF PSA.doc

CA:Rev.02.2017

Exhibit A/B

Garland/DBS, Inc.
3800 East 91st Street
Cleveland, OH 44105
Phone: (800) 762-8225
Fax: (216) 883-2055

ROOFING MATERIAL AND SERVICES PROPOSAL

White Slough Water Pollution Control Facility
City of Lodi
221 W Pine Street
Lodi, CA 95240

Date Submitted: 08/07/2020
Proposal #: 25-CA-200659
MICPA # PW1925
California General Contractor License #: 949380

Purchase orders to be made out to: Garland/DBS, Inc.

Please Note: The following budget/estimate is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Racine County, WI and OMNIA Partners, Public Sector (U.S. Communities). The line item pricing breakdown from Attachment C: Bid Form should be viewed as the maximum price an agency will be charged under the agreement. Garland/DBS, Inc. administered an informal competitive process for obtaining quotes for the project with the hopes of providing a lower market-adjusted price whenever possible.

Scope of Work: BUR Roofing - Electrical Building

1. Remove and dispose of existing roofing down to the concrete deck. (Any ACM removal is not included.)
2. Install ½" Dens Deck Prime roof board. (adhered in insulation adhesive)
3. Install SA Primer at a rate of ½ gallon per square.
4. Install one layer of HPR SA FR Base.
5. Install one layer of Stressply Plus SA FR Cap Sheet.
6. Install new drain flashings and scuppers.
7. Install new wood nailer and coping cap metal on top of the walls.
8. Install new counterflashing metal as needed.
9. Install White Star at a rate of 2 gallons per square and immediately broadcast White Rock over the top at a rate of 225 lbs. per square.
10. Install four new skylights.

Attachment C: Bid Form - Line Item Pricing Breakdown

Item #	Item Description	Unit Price	Quantity	Unit	Extended Price
2.04	Tear-off & Dispose of Debris: SYSTEM TYPE BUR W/ Insulation and Gravel Surfacing - Concrete Deck	$ 2.26	2,900	SF	$ 6,554
6.15.02	Roof Deck and Insulation Option: CONCRETE ROOF DECK - TORCH APPLIED / SELF-ADHERING APPLICATION INSULATION OPTION: Without Insulation - Must Adhere 1/2" Treated Gypsum Insulation Board with Glass-Mat (e.g. DensDeck / Securock / Equal) in Insulation Adhesive In Compliance FM 1-90 Requirements	$ 1.83	2,900	SF	$ 5,307
12.04.01	2-PLY ROOF SYSTEMS - COMBINATIONS OF A BASE PLY & A CAP SHEET (TOP PLY) PLEASE NOTE: BASE PLY & CAP SHEET COMBINATIONS MUST BE APPROVED BY THE MANUFACTURER: ROOF CONFIGURATION 1 Ply of Self-Adhering Base Installed Using Self-Adhering Backing: BASE PLY OPTION: SBS Modified Asphalt-Based, Polyester OR Fiberglass/Polyester OR Fiberglass Reinforced Self-Adhering Base Sheet - Minimum of 50 lbf/in tensile	$ 2.72	2,900	SF	$ 7,888
12.13.01	2-PLY ROOF SYSTEMS - COMBINATIONS OF A BASE PLY & A CAP SHEET (TOP PLY) PLEASE NOTE: BASE PLY & CAP SHEET COMBINATIONS MUST BE APPROVED BY THE MANUFACTURER: ROOF CONFIGURATION 1 Ply of Mineral Surfaced, Self-Adhering Cap Sheet Installed Using Self-Adhering Backing: ROOF CONFIGURATION OPTION: ASTM D 6161 (Polyester) OR 6162 (Fiberglass/Polyester) OR 6163 (Fiberglass) Self-Adhering Reinforced Modified Bituminous Sheet Material Type III - Minimum of 130 lbf/in tensile	$ 4.47	2,900	SF	$ 12,963
5.09	Coat New Roofing With Elastomeric Coating: ROOF SYSTEM TYPE Apply a single-component, aliphatic, polyurea liquid adhesive per Specifications (apply base coat at 1.0 gallon per Square / broadcast mineral at 35 lbs. per Square or white gravel at 200 lbs. per Square / wait 24 hours and apply top coat at 1.0 gallon per Square - Smooth-Surfaced Modified	$ 6.32	2,900	SF	$ 18,328
	Sub Total Prior to Multipliers				**$ 51,040**

	Use Tax - Lodi, CA 6.75%				$ 1,724
22.18	MULTIPLIER - ROOF SIZE IS GREATER THAN 2,000 SF, BUT LESS THAN 3,000 SF Multiplier is applied when Roof Size is greater than 2,000 SF, but less than 3,000 SF. Situation creates the fixed costs: equipment, mobilization, demobilization, disposal, & set-up labor to be allocated across a very small roof area resulting in fixed costs having a significant impact on the overall job costs	30	$ 51,040	%	$ 15,312
22.06	MULTIPLIER - ROOF OR WALLS HAVE LARGE AMOUNT OF PENETRATIONS / ROOF TOP OBSTRUCTIONS Multiplier is applied when labor production is effected a large number of roof penetrations, a limited amount of open roof areas or low overhead clearance requiring more hand work. Situations include, but are not limited to rooftop penetrations like: soil stacks, sky lights, roof drains, exhaust vents, HVAC equipment, etc. or rooftop obstructions such as: pipes, duct work, electrical wires, hoses or raised equipment, etc.	30	$ 51,040	%	$ 15,312
22.01	MULTIPLIER - DIFFICULT ROOF OR BUILDING ACCESS Multiplier is applied when labor production is effected by roof or building access. Situations that can cause roof access to be more difficult include, but are not limited to: no access for lifts or cranes, access is dependent upon road closure, access point requires the closure of a building entrance, roof level is not accessible from the ground, roof area is interior to adjacent roofs or roof materials and materials and equipment must be loaded to one roof area and carried to another roof area, roof materials and equipment must be carried to the roof through an interior building access point, no or limited staging areas on the ground, etc.	24	$ 51,040	%	$ 12,250
	Total After Multipliers				**$ 95,638**

Base Bid Total Maximum Price of Line Items under the MICPA:	**$ 95,638**
Proposal Price Based Upon Market Experience: Waterproofing Assoociates	**$ 93,532**
ADD 10% Project Contingency:	**$ 9,353**
Total Proposed Price Based Upon Market Experience:	**$ 102,885**

Potential issues that could arise during the construction phase of the project will be addressed via unit pricing for additional work beyond the scope of the specifications. This could range anywhere from wet insulation, to the replacement of deteriorated wood nailers. Proposal pricing valid 60 days from proposal date listed above.

Clarifications/Exclusions:

1. Sales and use taxes are included. Please issue a Tax Exempt Certificate.
2. Permits are excluded.
3. Bonds are included.
4. Plumbing, Mechanical, Electrical work is excluded.
5. Masonry work is excluded.
6. Interior Temporary protection is excluded.
7. Any work not exclusively described in the above proposal scope of work is excluded.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

Steve Rojek

Steve Rojek
Garland/DBS, Inc.
(216) 430-3613

Garland/DBS, Inc.
3800 East 91st Street
Cleveland, OH 44105
Phone: (800) 762-8225
Fax: (216) 883-2055

ROOFING MATERIAL AND SERVICES PROPOSAL

White Slough Water Pollution Control Facility
City of Lodi
221 W Pine Street
Lodi, CA 95240

Date Submitted: 08/07/2020
Proposal #: 25-CA-200660
MICPA # PW1925
California General Contractor License #: 949380

Purchase orders to be made out to: Garland/DBS, Inc.

Please Note: The following budget/estimate is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Racine County, WI and OMNIA Partners, Public Sector (U.S. Communities). The line item pricing breakdown from Attachment C: Bid Form should be viewed as the maximum price an agency will be charged under the agreement. Garland/DBS, Inc. administered an informal competitive process for obtaining quotes for the project with the hopes of providing a lower market-adjusted price whenever possible.

Scope of Work: BUR Roofing - Digester Building

1. Remove and dispose of existing roofing down to the concrete deck. (Any ACM removal is
2. Install ½" Dens Deck Prime roof board. (adhered in insulation adhesive)
3. Install SA Primer at a rate of ½ gallon per square.
4. Install one layer of HPR SA FR Base.
5. Install one layer of Stressply Plus SA FR Cap Sheet.
6. Install new scuppers.
7. Install new wood nailer and coping cap metal on top of the walls.
8. Install new counterflashing metal as needed.
9. Install White Star at a rate of 2 gallons per square and immediately broadcast White Rock over the top at a rate of 225 lbs. per square.
10. Install four new skylights.

Attachment C: Bid Form - Line Item Pricing Breakdown

Item #	Item Description	Unit Price	Quantity	Unit	Extended Price
2.04	Tear-off & Dispose of Debris: SYSTEM TYPE BUR W/ Insulation and Gravel Surfacing - Concrete Deck	$ 2.26	900	SF	$ 2,034
6.15.02	Roof Deck and Insulation Option: CONCRETE ROOF DECK - TORCH APPLIED / SELF-ADHERING APPLICATION INSULATION OPTION: Without Insulation - Must Adhere 1/2" Treated Gypsum Insulation Board with Glass-Mat (e.g. DensDeck / Securock / Equal) in Insulation Adhesive In Compliance FM 1-90 Requirements	$ 1.83	900	SF	$ 1,647
12.04.01	2-PLY ROOF SYSTEMS - COMBINATIONS OF A BASE PLY & A CAP SHEET (TOP PLY) PLEASE NOTE: BASE PLY & CAP SHEET COMBINATIONS MUST BE APPROVED BY THE MANUFACTURER: ROOF CONFIGURATION 1 Ply of Self-Adhering Base Installed Using Self-Adhering Backing: BASE PLY OPTION: SBS Modified Asphalt-Based, Polyester OR Fiberglass/Polyester OR Fiberglass Reinforced Self-Adhering Base Sheet - Minimum of 50 lbf/in tensile	$ 2.72	900	SF	$ 2,448
12.13.01	2-PLY ROOF SYSTEMS - COMBINATIONS OF A BASE PLY & A CAP SHEET (TOP PLY) PLEASE NOTE: BASE PLY & CAP SHEET COMBINATIONS MUST BE APPROVED BY THE MANUFACTURER: ROOF CONFIGURATION 1 Ply of Mineral Surfaced, Self-Adhering Cap Sheet Installed Using Self-Adhering Backing: ROOF CONFIGURATION OPTION: ASTM D 6161 (Polyester) OR 6162 (Fiberglass/Polyester) OR 6163 (Fiberglass) Self-Adhering Reinforced Modified Bituminous Sheet Material Type III - Minimum of 130 lbf/in tensile	$ 4.47	900	SF	$ 4,023
5.09	Coat New Roofing With Elastomeric Coating: ROOF SYSTEM TYPE Apply a single-component, aliphatic, polyurea liquid adhesive per Specifications (apply base coat at 1.0 gallon per Square / broadcast mineral at 35 lbs. per Square or white gravel at 200 lbs. per Square / wait 24 hours and apply top coat at 1.0 gallon per Square - Smooth-Surfaced Modified	$ 6.32	900	SF	$ 5,688
	Sub Total Prior to Multipliers				**$ 15,840**
	Use Tax - Lodi, CA 6.75%				$ 520

22.16	MULTIPLIER - ROOF SIZE IS GREATER THAN 500 SF, BUT LESS THAN 1,000 SF Multiplier is applied when Roof Size is greater than 500 SF, but less than 1,000 SF. Situation creates the fixed costs: equipment, mobilization, demobilization, disposal, & set-up labor to be allocated across a very small roof area resulting in fixed costs having a significant impact on the overall job costs	90	$ 15,840	%	$ 14,256
22.06	MULTIPLIER - ROOF OR WALLS HAVE LARGE AMOUNT OF PENETRATIONS / ROOF TOP OBSTRUCTIONS Multiplier is applied when labor production is effected a large number of roof penetrations, a limited amount of open roof areas or low overhead clearance requiring more hand work. Situations include, but are not limited to rooftop penetrations like: soil stacks, sky lights, roof drains, exhaust vents, HVAC equipment, etc. or rooftop obstructions such as: pipes, duct work, electrical wires, hoses or raised equipment, etc.	30	$ 15,840	%	$ 4,752
22.01	MULTIPLIER - DIFFICULT ROOF OR BUILDING ACCESS Multiplier is applied when labor production is effected by roof or building access. Situations that can cause roof access to be more difficult include, but are not limited to: no access for lifts or cranes, access is dependent upon road closure, access point requires the closure of a building entrance, roof level is not accessible from the ground, roof area is interior to adjacent roofs or roof materials and materials and equipment must be loaded to one roof area and carried to another roof area, roof materials and equipment must be carried to the roof through an interior building access point, no or limited staging areas on the ground, etc.	24	$ 15,840	%	$ 3,802
	Total After Multipliers				**$ 39,170**

Base Bid Total Maximum Price of Line Items under the MICPA:	**$**	**39,170**
Proposal Price Based Upon Market Experience: Waterproofing Assoociates	**$**	**34,280**
ADD 10% Project Contingency:	**$**	**3,428**
Total Proposed Price Based Upon Market Experience:	**$**	**37,708**

Potential issues that could arise during the construction phase of the project will be addressed via unit pricing for additional work beyond the scope of the specifications. This could range anywhere from wet insulation, to the replacement of deteriorated wood nailers. Proposal pricing valid 60 days from proposal date listed above.

Clarifications/Exclusions:

1. Sales and use taxes are included. Please issue a Tax Exempt Certificate.
2. Permits are excluded.

3. Bonds are included.
4. Plumbing, Mechanical, Electrical work is excluded.
5. Masonry work is excluded.
6. Interior Temporary protection is excluded.
7. Any work not exclusively described in the above proposal scope of work is excluded.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

Steve Rojek

Steve Rojek
Garland/DBS, Inc.
(216) 430-3613

EXHIBIT C

NOTE: The City of Lodi is now using the online insurance program PINS Advantage. Once you have been awarded a contract you will receive an email from the City's online insurance program requesting you to forward the email to your insurance provider(s) to submit the required insurance documentation electronically

Insurance Requirements for Construction Contracts

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor, his agents, representatives, employees or subcontractors.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability** (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than **$2,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** ISO Form Number CA 00 01 covering any auto or if Contractor has no owned autos, then hired, and non-owned autos with limit no less than **$2,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation:** as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **$1,000,000** per accident for bodily injury or disease.
4. **Builder's Risk** (Course of Construction) insurance utilizing an "All Risk" (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions.
5. **Professional Liability** (if Design/Build), with limits no less than **$2,000,000** per occurrence or claim.

Other Insurance Provisions:

(a) Additional Named Insured Status
The City of Lodi, its elected and appointed boards, commissions, officers, agents, employees, and volunteers are to be covered as additional insureds on the CGL and auto policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of **both** CG 20 10, CG 20 26, CG 20 33, or CG 20 38; **and** CG 20 37 if a later edition is used

(b) Primary and Non-Contributory Insurance Endorsement
The limits of insurance coverage required may be satisfied by a combination of primary and umbrella or excess insurance. For any claims related to this contract, the Contractor's insurance coverage shall be primary coverage **at least as broad** as ISO CG 20 01 04 13 as respects the Entity, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the Entity, its officers, officials, employees, or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

(c) Waiver of Subrogation Contractor hereby grants to City of Lodi a waiver of any right to subrogation which any insurer of said Contractor may acquire against the City of Lodi by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City of Lodi has received a waiver of subrogation endorsement from the insurer

NOTE: (1) The street address of the **CITY OF LODI** must be shown along with (a) and (b) and (c) above: 221 West Pine Street, Lodi, California, 95240; (2) The insurance certificate must state, on its face or as an endorsement, a description of the project that it is insuring.

(d) Severability of Interest Clause
The term "insured" is used severally and not collectively, but the inclusion herein of more than one insured shall not operate to increase the limit of the company's liability under the Contractors commercial general liability and automobile liability policies.

(e) Notice of Cancellation or Change in Coverage Endorsement

This policy may not be canceled nor the coverage reduced by the company without 30 days' prior written notice of such cancellation or reduction in coverage to the Risk Manager, City of Lodi, 221 West Pine St., Lodi, CA 95240.

(f) Continuity of Coverage

All policies shall be in effect on or before the first day of the Term of this Agreement. At least thirty (30) days prior to the expiration of each insurance policy, Contractor shall furnish a certificate(s) showing that a new or extended policy has been obtained which meets the minimum requirements of this Agreement. Contractor shall provide proof of continuing insurance on at least an annual basis during the Term. If Contractor's insurance lapses or is discontinued for any reason, Contractor shall immediately notify the City and immediately obtain replacement insurance. Contractor agrees and stipulates that any insurance coverage provided to the City of Lodi shall provide for a claims period following termination of coverage which is at least consistent with the claims period or statutes of limitations found in the California Tort Claims Act (California Government Code Section 810 et seq.).

(g) Failure to Comply

If Contractor fails or refuses to obtain and maintain the required insurance, or fails to provide proof of coverage, the City may obtain the insurance. Contractor shall reimburse the City for premiums paid, with interest on the premium paid by the City at the maximum allowable legal rate then in effect in California. The City shall notify Contractor of such payment of premiums within thirty (30) days of payment stating the amount paid, the name(s) of the insurer(s), and rate of interest. Contractor shall pay such reimbursement and interest on the first (1st) day of the month following the City's notice. Notwithstanding any other provision of this Agreement, if Contractor fails or refuses to obtain or maintain insurance as required by this agreement, or fails to provide proof of insurance, the City may terminate this Agreement upon such breach. Upon such termination, Contractor shall immediately cease use of the Site or facilities and commence and diligently pursue the removal of any and all of its personal property from the site or facilities.

(h) Verification of Coverage

Consultant shall furnish the City with a copy of the policy declaration and endorsement page(s), original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time. **Failure to exercise this right shall not constitute a waiver of the City's right to exercise after the effective date.**

(i) Self-Insured Retentions

Self-insured retentions must be declared to and approved by the City. The City may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or City.

(j) Insurance Limits

The limits of insurance described herein shall not limit the liability of the Contractor and Contractor's officers, employees, agents, representatives or subcontractors. Contractor's obligation to defend, indemnify and hold the City and its officers, officials, employees, agents and volunteers harmless under the provisions of this paragraph is not limited to or restricted by any requirement in the Agreement for Contractor to procure and maintain a policy of insurance.

(k) Builder's Risk (Course of Construction) Insurance

Contractor may submit evidence of Builder's Risk insurance in the form of Course of Construction coverage. Such coverage shall name the City as a loss payee as their interest may appear.

If the project does not involve new or major reconstruction, at the option of the City, an Installation Floater may be acceptable. For such projects, a Property Installation Floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, machinery or equipment damaged, impaired, broken, or destroyed during the performance of the Work, including during transit, installation, and testing at the City's site.

(l) Subcontractors

Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Consultant shall ensure that City is an additional insured on insurance required from subcontractors

(m) Qualified Insurer(s)

All insurance required by the terms of this Agreement must be provided by insurers licensed to do business in the State of California which are rated at least "A-, VI" by the AM Best Ratings Guide, and which are acceptable to the City. Non-admitted surplus lines carriers may be accepted provided they are included on the most recent list of California eligible surplus lines insurers (LESLI list) and otherwise meet City requirements.

Capital Improvement Plan

Project Title:	WSWPCF South Elec Rm Reroof Project								Munis Project Code:	PWWS-21003	#151
Section I	Description								Project Length		Priority
Repair the roof at the White Slough south electrical room.											
Justification/factor driving project											
The roof is in poor shape and in need of repair to protect the equipment inside the building.											
Additional Information											
Section II	Estimated Project Costs										
Expenditure	Prior Years	FY 19/20 Estimate	FY 20/21 Budget	FY 21/22	FY 22/23	FY 23/24	FY 24/25	Future Yrs	Total		
Contracts	$ -		$ 136,593						$ 136,593		
Internal Staff	$ -		$ 4,000						$ 4,000		
Total Capital Costs	$ -	$ -	$ 140,593	$ -	$ -	$ -	$ -	$ -	$ 140,593		
Section III	Funding Sources/Methods of Financing										
Funding Source(s)	Prior Years	FY 19/20 Estimate	FY 20/21 Budget	FY 21/22	FY 22/23	FY 23/24	FY 24/25	Future Yrs	Total		
531 - Wastewater Capital Ou	$ -		$ 140,593						$ 140,593		
Total Project Financing	$ -	$ -	$ 140,593	$ -	$ -	$ -	$ -	$ -	$ 140,593		
Section IV	Operating Budget Impact										
Operating Cost or (savings)	Prior Years	FY 19/20 Estimate	FY 20/21 Budget	FY 21/22	FY 22/23	FY 23/24	FY 24/25	Future Yrs	Total		
Personnel	$ -								$ -		
Other Operating Costs	$ -								$ -		
Total Operating Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		

RESOLUTION NO. 2020-____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO WAIVE THE BID PROCESS AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GARLAND/DBS, INC., OF CLEVELAND, OHIO, FOR WHITE SLOUGH WATER POLLUTION CONTROL FACILITY ELECTRICAL ROOM AND DIGESTER BUILDING ROOF REPLACEMENT PROJECT, UTILIZING U.S. COMMUNITIES CONTRACT NO. PW1925, AND TO CARRY FORWARD UNSPENT BUDGET AUTHORITY FOR THIS PROJECT, UP TO $48,593, UNTIL PROJECT COMPLETION; AND FURTHER APPROPRIATING FUNDS

==========

WHEREAS, the electrical room and digester building at White Slough Water Pollution Control Facility contain equipment critical for wastewater treatment operations; and

WHEREAS, the existing roofs have reached their useful life, potentially exposing the equipment inside the building to damage; and

WHEREAS, this project will replace the existing roofing materials with a multi-ply membrane system, as well as replace the failing metal flashing; and

WHEREAS, per Lodi Municipal Code Section §3.20.045, State and Local Agency Contracts, the bidding process may be waived when it is advantageous for the City, with appropriate approval by the City Manager and City Council, to use contracts that have been awarded by other California public agencies, provided that their award was in compliance with their formally-adopted bidding or negotiation procedures; and

WHEREAS, staff recommends authorizing the City Manager to waive the bid process and execute a Professional Services Agreement with Garland/DBS, Inc., of Cleveland, Ohio, for White Slough Water Pollution Control Facility Electrical Room and Digester Building Roof Replacement Project, in the amount of $140,593, utilizing U.S. Communities Contract No. PW1925, and to carry forward unspent budget authority for this project, up to $140,593, until project completion; AND

WHEREAS staff also recommends that the City Council appropriate funds in the amount of $48,593, from the fund balance of Wastewater Capital (53199000.77020) for Fiscal Year 2020/21.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to waive the formal bidding process and execute a Professional Services Agreement with Garland/DBS, Inc., of Cleveland, Ohio, for White Slough Water Pollution Control Facility Electrical Room and Digester Building Roof Replacement Project, in the amount of $140,593, utilizing U.S. Communities Contract No. PW1925; and

BE IT FURTHER RESOLVED that Lodi City Council does hereby authorize the City Manager to carry forward unspent budget authority for this project, up to $140,593, until project completion; and

BE IT FURTHER RESOLVED that funds in the amount of $48,593 be appropriated as set forth above; and

BE IT FURTHER RESOLVED pursuant to Section 6.3q of the City Council Protocol Manual (Res. No. 2019-223), the City Attorney is hereby authorized to make minor revisions to the above-referenced document(s) that do not alter the compensation or term, and to make clerical corrections as necessary.

Dated: September 16, 2020

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I hereby certify that Resolution No. 2020-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020 by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

AGENDA ITEM C-09

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Waive Bid Process and Purchase Library Database and Subscription Services from EBSCO, Inc., of Birmingham, Alabama.

MEETING DATE: September 16,2020

PREPARED BY: Library Director

RECOMMENDED ACTION: Adopt resolution authorizing City Manager to waive bid process and purchase library database and subscription services from EBSCO, Inc., of Birmingham, Alabama.

BACKGROUND INFORMATION: The Lodi Public Library subscribes to a large number of online databases and subscriptions to serve its patrons. These services come from various vendors. As subscriptions to these services expire, staff has explored cost-effective ways not only to renew those that maintain high use, but to review ways to make them more accessible to library card holders 24 hours a day.

EBSCO is one of the country's leading providers of research databases, e-journals, magazine subscriptions and e-books to libraries of all kinds, and has worked with libraries for more than 70 years. EBSCO is offering the Lodi Public Library cost-saving services that will broaden access to information. Some of the new databases include the self-help legal publisher Nolo Press and AutoMate, which provides automotive repair information for the do-it-yourselfer as well as anyone who uses a mechanic. Databases being discontinued are either little-used or available only by visiting the library.

Purchasing the various publications and database services through EBSCO will save approximately $5,000 a year compared to purchasing them separately. Library staff has been unable to find another vendor who can provide the same number of services and print subscriptions through a single source (see attached sole source letter from EBSCO).

Lodi Municipal Code Section 3.20.070 – Bidding – allows the City Council to waive bid procedures when determined to be in the best interest of the City. Staff requests the City Council make that determination and authorize the City Manager to execute the purchase with EBSCO, Inc., in an amount not to exceed $20,854.

Adopt Resolution Authorizing City Manager to Waive Bid Process and Purchase Library Database and Subscription Services from EBSCO, Inc., of Birmingham, Alabama.

APPROVED: _____

Stephen Schwabauer, City Manager

FISCAL IMPACT: Purchasing these databases and subscriptions through EBSCO will save approximately $5,200 a year compared to buying them separately.

FUNDING AVAILABLE: 12090000.72308

—

_____
Andrew Keys
Deputy City Manager/Internal Services Manager

_____
Anwan Baker
Library Director

EBSCO
Information Services

Tim Collins
President
EBSCO Founders' Club

August 5, 2020

Lodi Public Library
Yvette Herrera
201 W Locust St.
Lodi, CA 95240-2013

RE: Sole Source Statement

Dear Yvette,

Please accept this letter as formal notice that EBSCO Information Services is the sole source provider of the following products via the EBSCO*host*® proprietary search platform:

EBSCO Databases - $8,889.00
- Auto Repair Source
- Legal Information Reference Center
- Read It!
- Novelist Plus
- Novelist K-8 Plus
- MasterFILE Premier (Consumer Reports)
- MAS FullTexT Ultra School Edition

LearningExpress Library - $2,774.00

Flipster Digital Magazines (Time, Fortune, Entertainment Weekly, etc.) - $3,960.60

Newspapers and magazines – No invoice as of this statement, not to exceed $3,500.

Should you have any questions or require further assistance, please do not hesitate to contact me at your convenience.

Sincerely,

Donna Liss
Regional Sales Manager
EBSCO Information Services
dliss@ebsco.com

10 Estes Street, P.O. Box 682 Ipswich, MA 01938 USA
Tel: (978) 356-6500 (800) 653-2726 **Fax:** (978) 356-6565 **Email:** information@ebsco.com
Web: www.ebsco.com

EBSCO Founders' Club
David Walker
President & CEO

RESOLUTION NO. 2020-____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO WAIVE BID PROCESS AND PURCHASE LIBRARY DATABASE AND SUBSCRIPTION SERVICES FROM EBSCO, INC., OF BIRMINGHAM, ALABAMA

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WHEREAS, the Lodi Public Library strives to provide a wide range of relevant information sources to the Lodi community, to obtain a variety of print and electronic subscriptions, and to provide online databases to its patrons in a cost-effective manner; and

WHEREAS, EBSCO, Inc., of Birmingham, Alabama, has been providing services to libraries throughout the United States for 70 years and is offering the Lodi Public Library a wide range of database services and periodicals at a price that is lower than the Library can obtain through multiple other sources; and

WHEREAS, EBSCO is the sole-source provider of a number of online databases and services that will meet Library patrons' needs; and

WHEREAS, Lodi Municipal Code 3.20.070, Bidding, allows the City Council to waive bid procedures when determined to be in the best interest of the City; and

WHEREAS, funding for this type of services was not expended in Fiscal Year 2020/21 and is available in the balance of the Library Fund, Account 120.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby determine that waiving the bid process is in the best interest of the City as allowed under Lodi Municipal Code Section 3.20.070; and

BE IT FURTHER RESOLVED that the Lodi City Council does hereby authorize the City Manager to waive the bid process and purchase library database and subscription services from EBSCO, Inc., of Birmingham, Alabama, in an amount not to exceed $20,854; and

BE IT FURTHER RESOLVED pursuant to Section 6.3q of the City Council Protocol Manual (Res. No. 2019-223), the City Attorney is hereby authorized to make minor revisions to the above-referenced document(s) that do not alter the compensation or term, and to make clerical corrections as necessary.

Date: September 16, 2020

==========

I hereby certify that Resolution No. 2020-____ was passed and adopted by the Lodi City Council in a regular meeting held September 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

AGENDA ITEM G-1

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Continue Public Hearing to October 7, 2020 to Consider Introducing an Ordinance Approving the Planning Commission's Recommendation to Repeal and Reenact the Following Lodi Municipal Code Chapters and Section: Chapter 15.60 – Flood Damage Prevention; Section 17.14.040 – General Performance Standards; and, Chapter 17.28 – Overlay Zoning Districts; and, Amend the Lodi Zoning Map to Establish the Flood Hazard (-F) - 200 Overlay District to Implement the Provisions of Senate Bill (SB) 5 and SB 1278 Related to 200-Year Flood Protection

MEETING DATE: September 16, 2020

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Continue public hearing to October 7, 2020 to consider introducing an ordinance approving the Planning Commission's recommendation to repeal and reenact the following Lodi Municipal Code Chapters and Section: Chapter 15.60 – Flood Damage Prevention; Section 17.14.040 – General Performance Standards; and, Chapter 17.28 – Overlay Zoning Districts; and, amend the Lodi Zoning Map to establish the Flood Hazard (-F) - 200 Overlay District to implement the provisions of Senate Bill (SB) 5 and SB 1278 related to 200-Year Flood Protection.

BACKGROUND INFORMATION: SB 5 and SB 1278 require that cities and counties in the Sacramento-San Joaquin Valley adopt flood protection measures that address a storm that has a 1-in-200 chance of occurring in any given year (200-year storm).

Under SB 5, cities and counties in the Sacramento-San Joaquin Valley must take actions to minimize property damage associated with the 200-year flood. Various chapters and sections of the Lodi Municipal Code establish regulations that reduce the potential for damage associated with the 100-year storm and the 100-year floodplain. These provisions will remain in effect and will not be affected by the currently proposed amendments.

Various Municipal Code sections would be amended to establish limitations on construction in areas subject to flooding in the 200-year storm. Areas in Lodi subject to flooding during the 200-year storm are relatively limited and are mostly developed. Proposed regulations would restrict new construction in the 200-year floodplain but would not restrict improvements to existing homes or reconstruction of existing homes in the event of catastrophic damage. The 200-year flood designation does not affect flood insurance requirements.

Staff recommends that the City Council Continue the public hearing to October 7, 2020 to allow staff additional time to clean up the language being proposed.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

John R. Della Monica Jr.
Community Development Director

APPROVED: _____
Stephen Schwabauer, City Manager

Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: **4 PLANNING COMMISSION HEARING NOTICES**

PUBLISH DATE: **SATURDAY, SEPTEMBER 5, 2020**

LEGAL AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO:
LNS ACCT. #0510052

JENNIFER CUSMIR, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, SEPTEMBER 3, 2020

ORDERED BY: JENNIFER CUSMIR
CITY CLERK

PAMELA M. FARRIS
DEPUTY CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Emailed to the Sentinel at dianer@lodinews.com at _____(time) on _____(date) _____(pages)
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DECLARATION OF POSTING

NOTICE OF PUBLIC HEARING TO CONSIDER INTRODUCTION OF AN ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION TO REPEAL AND REENACT THE FOLLOWING LODI MUNICIPAL CODE CHAPTERS AND SECTION: CHAPTER 15.60 – FLOOD DAMAGE PROTECTION; SECTION 17.14.040 – GENERAL PERFORMANCE STANDARDS; AND CHAPTER 17.28 – OVERLAY ZONING DISTRICTS; AND AMEND THE LODI ZONING MAP TO ESTABLISH F-200 OVERLAY DISTRICT TO IMPLEMENT THE PROVISIONS OF SENATE BILL (SB) 5 AND SB 1278 RELATED TO 200-YEAR FLOOD PROTECTION.

On Thursday, September 3, 2020, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider adopting a resolution approving the Planning Commission's recommendation to authorize 39 low-density and 111 medium-density Residential Growth Management Allocations and approve Planned Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map (Bennett) (attached and marked as Exhibit A) was posted at the following locations:

Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum
WorkNet Office

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 3, 2020, at Lodi, California.

ORDERED BY:

JENNIFER CUSMIR
CITY CLERK

PAMELA M. FARRIS
ASSISTANT CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: September 16, 2020

Time: 7:00 p.m.

For information regarding this notice please contact:
Jennifer Cusmir
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, September 16, 2020**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following item:

a) **Introduction of an ordinance approving the Planning Commission's recommendation to repeal and reenact the following Lodi Municipal Code Chapters and Section: Chapter 15.60 – Flood Damage Prevention; Section 17.14.040 – General Performance Standards; and Chapter 17.28 – Overlay Zoning Districts; and amend the Lodi Zoning Map to establish F-200 Overlay District to implement the provisions of Senate Bill (SB) 5 and SB 1278 related to 200-year flood protection.**

While social distancing measures are imposed due to COVID-19, Council chambers are closed to the public during meetings of the City Council. Members of the public may view and listen to the open session of the meeting at www.facebook.com/CityofLodi/ or https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWlsZFFNSIN6Zz09.

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk by emailing councilcomments@lodi.gov. All comments received prior to the close of the public hearing will be read into the record. Oral comments may be made at: https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWlsZFFNSIN6Zz09.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Jennifer Cusmir
City Clerk

Dated: September 2, 2020

Approved as to form:

Janice D. Magdich
City Attorney

AVISO: Para obtener ayuda interpretativa con esta noticia, por favor llame a la oficina de la Secretaria Municipal, a las (209) 333-6702.

AGENDA ITEM G-2

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Continue Public Hearing to October 7, 2020 to Consider Adopting a Resolution Approving the Planning Commission's Recommendation to Amend the General Plan Safety Element to Implement the Provisions of Senate Bill (SB) 5 and SB 1278 related to 200-Year Flood Protection

MEETING DATE: September 16, 2020

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Continue public hearing to October 7, 2020 to consider adopting a resolution approving the Planning Commission's recommendation to amend the General Plan Safety Element to implement the provisions of Senate Bill (SB) 5 and SB 1278 related to 200-Year Flood Protection.

BACKGROUND INFORMATION: SB 5 and SB 1278 require that cities and counties in the Sacramento-San Joaquin Valley (including the City of Lodi) adopt measures to reduce the potential for damage resulting from a storm that has a 1-in-200 chance of occurring in any given year (200-year storm).

The Safety Element of the General Plan addresses a range of potential threats, including flooding, and must be updated to meet the requirements of SB 5. Additionally, various changes to the State of California General Plan Guidelines have been adopted by the Office of Planning and Research since the 2010 adoption of the City of Lodi General Plan Safety Element. The City Council hearing will consider the following amendments to the Safety Element:

- Discussion of 100-year and 200-year floodplains
- Addition of 200-year floodplain map
- Summary of KSN study that defined the 200-year floodplain
- Discussion of Agency's Responsible for Flood Protection
- Statement on Slope Instability/Liquefaction potential
- Discussion of hazards related to Climate Change
- Updated summary of Emergency Management

Staff recommends that the City Council Continue the public hearing to October 7, 2020 to allow staff additional time to clean up the language being proposed.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

John R. Della Monica Jr.
Community Development Director

APPROVED: _____
Stephen Schwabauer, City Manager

Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: **4 PLANNING COMMISSION HEARING NOTICES**

PUBLISH DATE: **SATURDAY, SEPTEMBER 5, 2020**

LEGAL AD

TEAR SHEETS WANTED: **One (1) please**

SEND AFFIDAVIT AND BILL TO:
LNS ACCT. #0510052

JENNIFER CUSMIR, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, SEPTEMBER 3, 2020

ORDERED BY: JENNIFER CUSMIR
CITY CLERK

PAMELA M. FARRIS
DEPUTY CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

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Phoned to confirm receipt of all pages at _____(time) ____KC ____PMF (initials)

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DECLARATION OF POSTING

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTION APPROVING PLANNING COMMISSION'S RECOMMENDATION TO AMEND GENERAL PLAN SAFETY ELEMENT TO IMPLEMENT PROVISIONS OF SENATE BILL (SB) 5 AND SB 1278 RELATED TO 200-YEAR FLOOD PROTECTION

On Thursday, September 3, 2020, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider adopting resolution approving Planning Commission's recommendation to amend General Plan Safety Element to implement provisions of Senate Bill (SB) 5 and SB 1278 related to 200-year flood protection (attached and marked as Exhibit A) was posted at the following locations:

Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum
WorkNet Office

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 3, 2020, at Lodi, California.

ORDERED BY:

JENNIFER CUSMIR
CITY CLERK

PAMELA M. FARRIS
ASSISTANT CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING
Date: September 16, 2020
Time: 7:00 p.m.

For information regarding this notice please contact:
Jennifer Cusmir
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, September 16, 2020**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following item:

a) **Adopting a resolution approving the Planning Commission's recommendation to amend the General Plan Safety Element to implement the provisions of Senate Bill (SB) 5 and SB 1278 related to 200-year flood protection.**

While social distancing measures are imposed due to COVID-19, Council chambers are closed to the public during meetings of the City Council. Members of the public may view and listen to the open session of the meeting at www.facebook.com/CityofLodi/ or https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWlsZFFNSlN6Zz09.

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk by emailing councilcomments@lodi.gov. All comments received prior to the close of the public hearing will be read into the record. Oral comments may be made at: https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWlsZFFNSlN6Zz09.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Jennifer Cusmir
City Clerk

Dated: September 2, 2020

Approved as to form:

Janice D. Magdich
City Attorney

AVISO: Para obtener ayuda interpretativa con esta noticia, por favor llame a la oficina de la Secretaria Municipal, a las (209) 333-6702.

AGENDA ITEM **G-03**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Public Hearing to Consider the Appeal of JAS Real Properties Development Lodi LLC (JAS) Regarding the Planning Commission's Approved Conditions of Approval for the Reynolds Ranch Tentative Tract Map (Bennett)

MEETING DATE: September 16, 2020

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Public Hearing to consider the appeal of JAS Properties Development Lodi LLC (JAS) regarding the Planning Commission's approved conditions of approval for the Reynolds Ranch Tentative Tract Map (Bennett)

BACKGROUND INFORMATION: On August 12, 2020, the Planning Commission approved the Reynolds Ranch Tentative Tract, a map to subdivide 28.2 acres to create 150 lots for single family homes. The Commission's approval included conditions of approval. Following the Commission's approval, an appeal was filed by Chris Robles, who requested changes to several of the conditions prepared by the Planning and Public Works departments.

On August 12, 2020, the Planning Commission voted 6-0 to recommend the City Council approve the proposed Reynolds Ranch Tentative Tract Map, including imposing conditions of approval affecting the tract map and development within the subdivision. The approved conditions of approval are included in the attachments to this staff report.

In his appeal and subsequent correspondence with Planning and Public Works, the appellant requested changes to specific conditions.

Planning and Public Works staff have met with the applicant on a number of occasions to discuss his requested changes.

PROPOSED CHANGES TO CONDITIONS OF APPROVAL

Planning Department

Following discussion with the applicant and review of additional information submitted by the appellant, the Planning Department agreed that some of the changes to the conditions of approval proposed by the applicant were acceptable. Staff's conclusion was that some conditions had either been satisfied as part of prior development in the Reynolds Ranch Planned Development, or that the conditions did not apply or were duplicative and could be deleted.

In some cases, Planning disagreed with the changes. A "track changes" version of the approved Planning Department conditions with staff's recommended changes is attached to this report.

APPROVED: _____
Stephen Schwabauer, City Manager

The appellant has responded that he concurs with Planning's suggested changes.

Public Works Department

Based on discussions involving the applicant, Planning, and Public Works, the conditions of approval for the subdivision have been revised as shown in the attachments. The recommended conditions are recommended to the City Council by Public Works.

The appellant has indicated that he concurs with the Public Works conditions as revised.

CONCLUSION

The City Council has the following options:

1. Affirm the Planning Commission's action and adopt the conditions of approval as approved by the Commission. This action would **deny** the appeal.

2. Accept staff's recommendation and adopt revised conditions of approval. This action would **uphold** or **uphold in part** the appeal, depending on whether the Council agrees with all of the applicant's proposed revisions to the conditions of approval.

3. Make additional changes to the conditions of approval. This action would **uphold** or **uphold in part** the appeal, depending on the extent of the changes to the conditions of approval.

4. **Postpone** action to allow additional time for staff and the appellant to discuss the conditions of approval and either agree on changes or confirm where disagreement exists

Based on staff's determination that some, but not all, of the Planning Department conditions can be changed, staff has prepared a Resolution to **uphold in part** the appeal. Should the City Council wish to deny or entirely uphold the appeal, action on this item may need to be postponed to allow staff time prepare a revised Resolution.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

_____
John Della Monica
Community Development Director

Attachments:
1. Planning Commission Staff Report (including Conditions of Approval Approved by Planning Commission)
2. Appellant's Submittal
3. Revised Planning Conditions of Approval
4. Revised Public Works Conditions of Approval
5. Draft Resolution

CITY OF LODI
PLANNING COMMISSION
Staff Report

MEETING DATE:	August 12, 2020
APPLICATION NO:	Tentative Tract Map: PL2020-016
REQUEST:	Request for: 1) Planning Commission approval of a Tentative Tract Map to divide three parcels into 150 single family lots in the northwest quadrant of the Reynolds Ranch Planned Development (south of Harney Lane and west of S Stockton Street); 2) Recommendation to the City Council to approve a 2020 growth allocation of 39 low density and 111 medium density units and approve a set of Development Standards and Guidelines to regulate development and design in the proposed subdivision. Applicant: Bennett Homes Inc., P.O. Box 1597, Lodi CA 95241; CEQA Determination: Impacts have been addressed by the Final Environmental Impact Report for the Reynolds Ranch Project (CEQA Section 15162)
LOCATION:	Southeast quadrant of Harney Lane and S Stockton Street APN 058-130-21, -22 and -25
APPLICANT:	Bennett Homes, Inc. P.O. Box 1597 Lodi, CA 95241
PROPERTY OWNERS:	David and Linda Seeman Revocable Trust (APN 058-130-21) 2299 Greenbriar Ct, Yuba City, CA 95993 Pucinelli Revocable Trust (APN 058-130-22) 2719 S Stockton St, Lodi, CA 95240 Gary and Joyce Tsutumi 2011 Trust (APN 058-130-25) 3725 E Armstrong Rd, Lodi, CA 95240

RECOMMENDATION

Staff recommends the Planning Commission approve a Tentative Subdivision Map to subdivide three parcels into 150 single family lots, subject to conditions of approval.

Staff also recommends that the Planning Commission recommend approval by the City Council of the proposed Development Standards and Guidelines and the requested Growth Allocation.

TOPICS IN THIS REPORT

This report addresses the following major topics:

- Project Site and Vicinity Description Page 2
- Background/Existing Setting Page 5
- Proposed Tentative Tract Map Page 11
- Tentative Tract Analysis Page 13
- Tentative Tract Map Findings Page 15
- Development Standards and Guidelines Page 17
- Growth Allocation Page 19
- Environmental Assessment Page 26
- Recommended Motion Page 28

PROJECT SITE AND VICINITY DESCRIPTION

General Plan Designation: Medium Density and Low Density Residential
Zoning Designation: PD 39 (Reynolds Ranch)
Property Size: 28.2 acres

ADJACENT ZONING DESIGNATIONS AND LAND USES			
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
Project Site	Medium Density Residential Low Density Residential	PD 39* (Reynolds Ranch)	Vineyard
North	Industrial	M (Industrial)	Vacant and Light Industrial (north of Harney Lane)
South	Medium Density Residential	Low Density Residential	Single Family Homes
East	Low Density Residential Commercial	Low Density Residential	Reynolds Ranch Retail Center
West	Industrial	Low Density Residential	Vacant, Railroad

* - See additional detail below

General Plan and Zoning maps for the project site and vicinity are shown below. As shown in Figure 1, portions of the site are designated for Low and Medium density residential development; approximately 19.3 acres are designated Medium, with the remaining 8.7 acres designated as Low.

Figure 1: General Plan Land Use Map

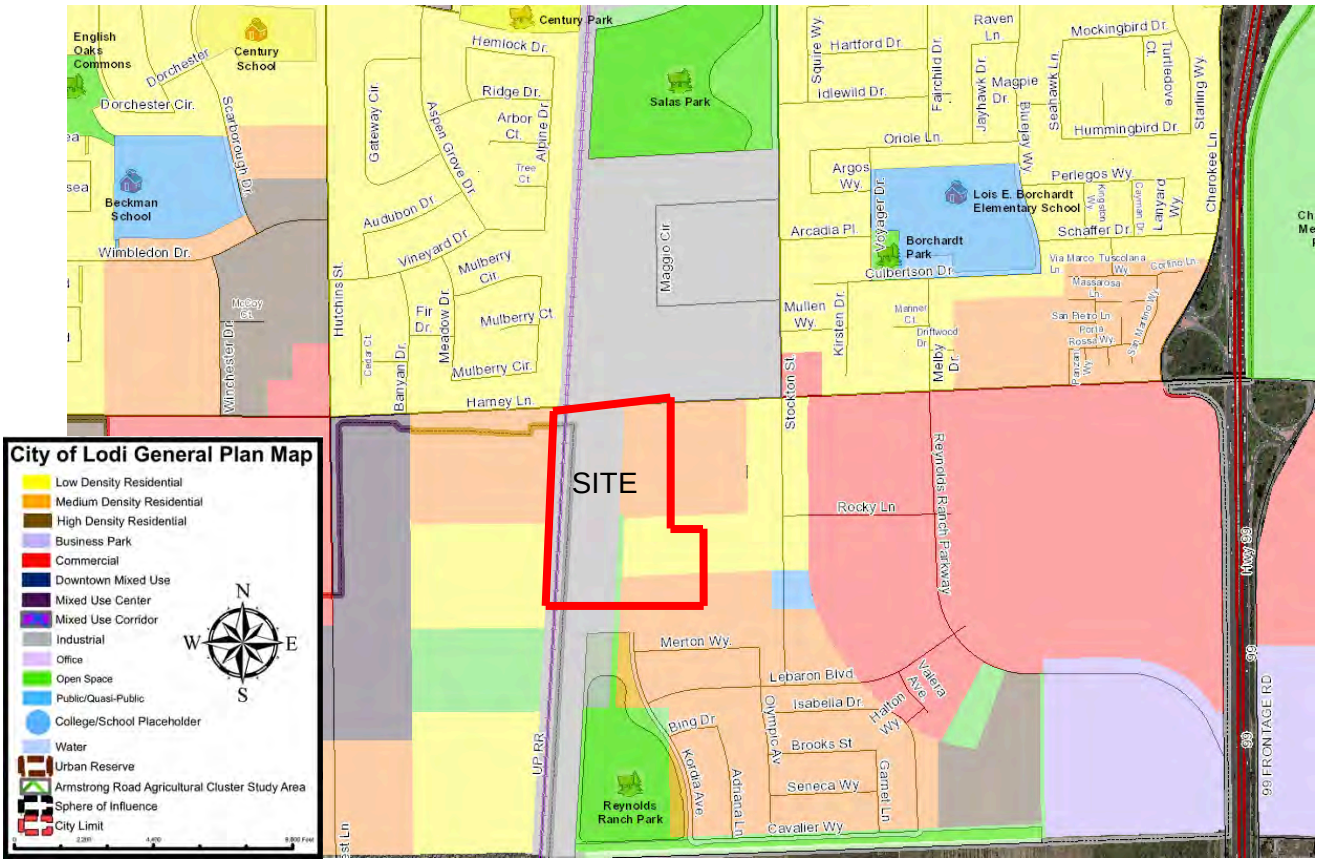


Figure 2: Zoning Map

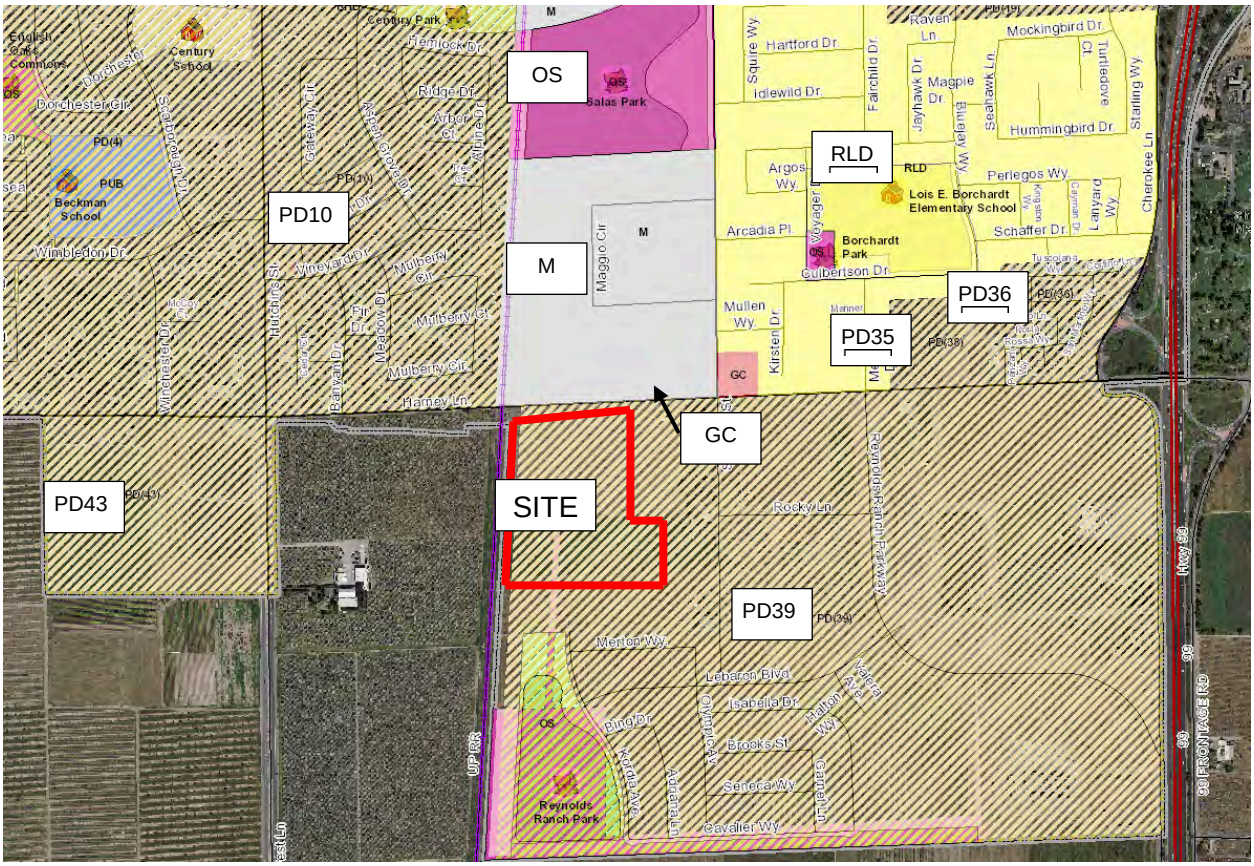
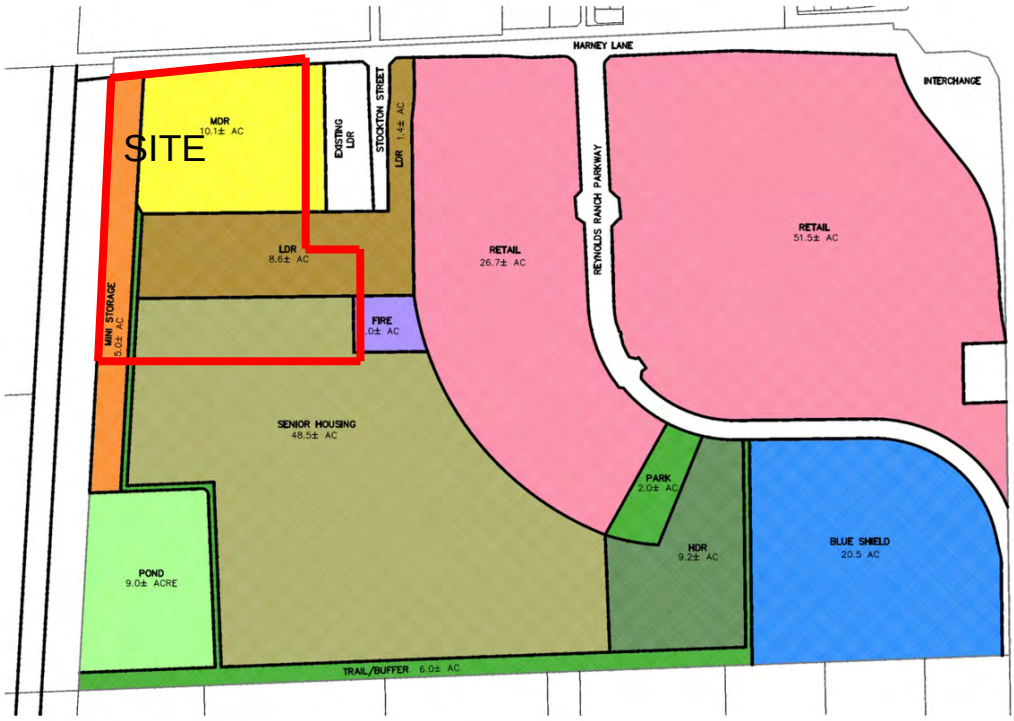


Figure 3: PD 39 Land Use Diagram



The Reynolds Ranch Planned Development (PD 39) as adopted in 2006 and amended in 2008 did not include development standards for the residential area. These standards were required as a condition of approval of the original approval of PD 39 to be submitted with a request for a tentative map and growth allocation.

At the moment, therefore, there are no development standards for the area of the proposed tentative map. The applicant is proposing standards as part of a set of Planned Development Standards and Guidelines submitted with the map (see the discussion later in this report).

BACKGROUND/EXISTING SETTING

The proposed subdivision is located in the northeast portion of the Reynolds Ranch Planned Development (PD 39), a mixed-use residential/commercial/office project originally approved and annexed to the city in 2006.

The project site is designated in PD 39 for medium density and low density development, as shown in Figure #, above.

To date, much of the Reynolds Ranch project has been developed, including:

- Blue Shield office complex
- Costco, Home Depot and related retail
- Sprouts Farmers Market and related retail
- Fairfield Inn and Suites (under construction)
- Single family homes
- Rubicon apartments
- Oakmont Senior Living
- Orchard Lane Park

A recent (2019) aerial photo of the Reynolds Ranch area is shown below.

Figure 4: Reynolds Ranch Aerial Photo

Photos of the project site are provided below.

Figure 5: Project Site Aerial Photo

Figure 6: Project Site Photos

View of the site looking northeast toward Harney Lane

View of the site looking east toward Stockton Street

Existing vineyards

As shown in the photos above, the project site is mostly vacant. Portions of the site are planted with vineyards.

West of the project site is an active rail line (shown below). Potential noise from this rail line is discussed in more detail in the Analysis section of this report.

Figure 7: Existing Rail Line

Also located within the project site are several existing homes on the west side of Stockton Street. These homes, which would be removed prior to development of the proposed subdivision, are shown below.

Figure 8: Photos of Existing Homes

Aerial view of existing homes (to be removed)

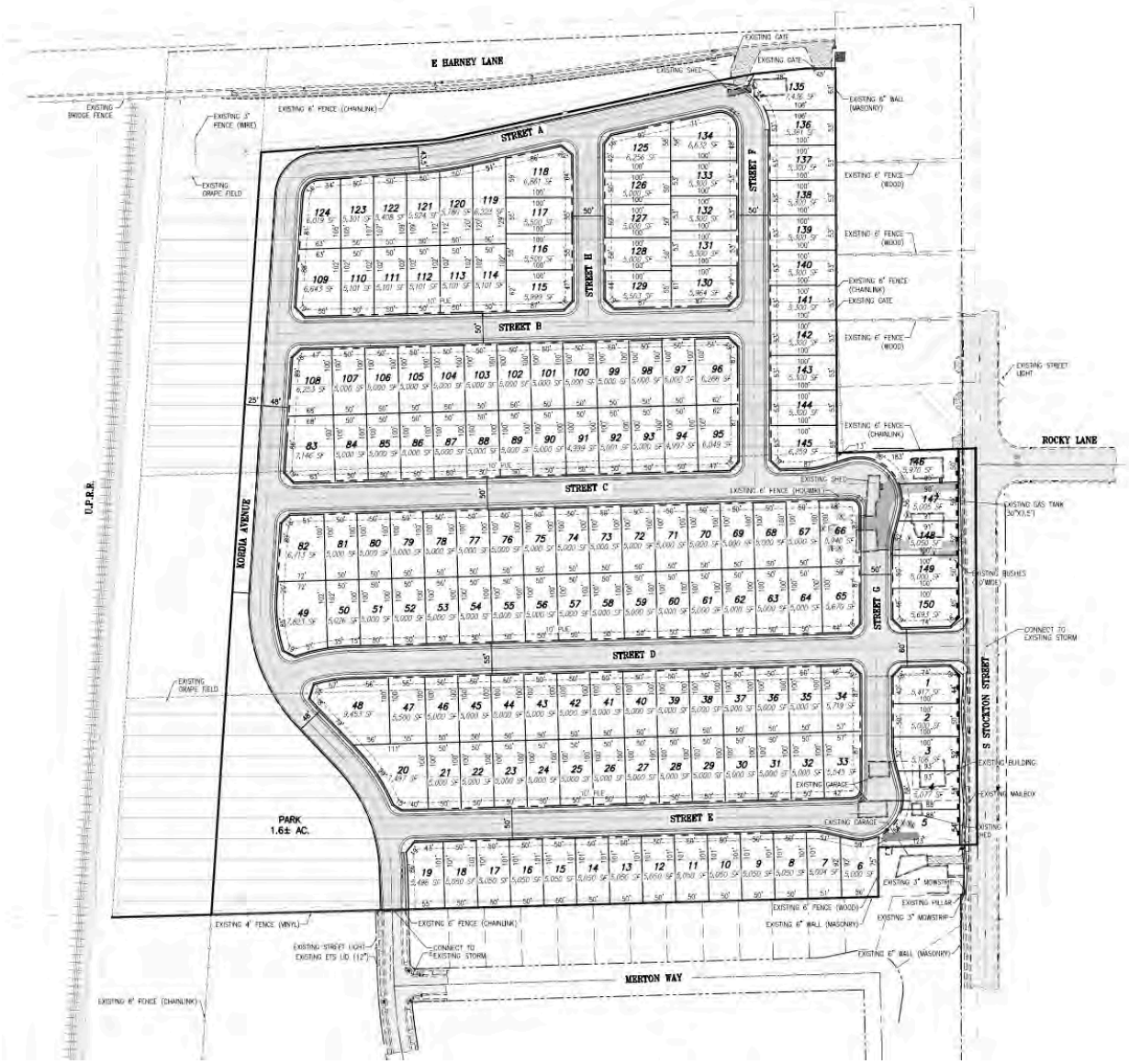
View of existing homes (to be removed) from Stockton Street

PROPOSED TENTATIVE TRACT MAP

The proposed subdivision is shown in Figure 9, below. A more detailed version of the Tentative Tract Map is included in the attachments to this report.

The applicant is proposing a standard tentative subdivision map (not a Vesting Map).

Figure 9: Proposed Tentative Map



The proposed subdivision would create 150 lots for single family homes, plus lots for landscaping, trails and an on-site park.

Most of the proposed lots are 5,000 square feet in size (generally 50x100 feet; some lots are smaller, some are larger). Lot sizes would be similar than in the existing subdivision to the south.

The average of all lots in the subdivision is 5,314 square feet. The largest lot is 9,453 square feet. A summary of the sizes and dimensions of all lots in the subdivision is included in the attachments to this report.

All of the proposed lots meet the size and dimension standards proposed by the applicant for this tract:

Dimension	Minimum
Lot Size	5,000 square feet
Lot Width	50 feet
Lot Width, Corner Lots	35 feet
Lot Frontage Cul-de-Sac Lots	35 feet

TENTATIVE TRACT MAP ANALYSIS

The properties are currently zoned Low Density Residence (LDR) and designated Low Density Residential (1-8 units per acre) in the General Plan. As proposed, the lots will exceed minimum lot size and width and comply with land use density standards.

General Plan Conformance

The subject property is currently designated Low Density Residential (2-8 DU/ acre) and Medium Density Residential (8-20 DU/acre) on the Land Use Map of the General Plan. The following General Plan Land Use and Community Design and Livability (CDL) goals and policies are applicable to the proposed subdivision:

The overall net density of the project, excluding areas set aside for roadways and the flood detention basin[1], is 8.2 dwelling units per acre, which substantially complies with the density ranges of the Low Density Residential (2-8 DU/acre) and Medium Density Residential (8-20 DU/acre) General Plan land use categories.

The General Plan requires that residential developments be at least as dense as the minimum for each land use category:

> *LU-P3 Do not allow development at less than the minimum density prescribed by each residential land use category, without rebalancing the overall plan to comply with the "no net loss provisions of state housing law."*

As discussed above, the proposed project meets the density requirements for the Low- and Medium Density Residential land use categories, consistent with Policy LU-P3.

[1] Per the General Plan: "Residential density is expressed as housing units per net acre (excluding existing and proposed public streets and other rights of way)." [General Plan, page 2-7]

Zoning Compliance

All of the proposed lots meet the development standards proposed for the project, which are:

Dimension	Minimum	Complies?
Size	5,000 square feet	Yes
Frontage	50 feet	Yes
Depth	No standard	N/A

Design

The Lodi Zoning Code provides basic guidelines for the design of residential subdivisions:

> *"The guidelines provided here are intended to assist project designers and property owners in understanding and implementing the city's goals for attaining high quality residential development. They are also intended to help preserve the traditional character of the city's older neighborhoods."*
>
> *These guidelines are intended to encourage well designed residential neighborhoods that people enjoy living in, which: reduce the visual dominance of the automobile; promote pedestrian activity; create variety and interest in the appearance of residential streets; provide community open space; and protect significant features of the natural environment.* [Zoning Code 17.18.050.A]

The guidelines in the Zoning Code address two basic topics: 1) Street Layout and 2) Open Space and Natural Features. The suggested guidelines, and staff's analysis of each, are shown below.

Street Layout

i. Pedestrian orientation. Subdivision design should emphasize pedestrian connectivity within each project, to adjacent neighborhoods, nearby schools and parks, and to transit stops within one-quarter-mile of planned residential areas. All streets and walkways should be designed to provide safe and pleasant conditions for pedestrians, including the disabled, and cyclists.

Staff's Analysis**:** The proposed subidivision provides direct pedestrian access to the nearby retail area to the east and to the public park to the south. All of the streets in the subdivision have sidewalks on both sides (except the streets and the north and west edges of the tract, which are have homes and sidewalks only on one side).

ii. Block Length. The length of block faces between intersecting streets should be as short as possible, ideally no more than four hundred feet, to provide pedestrian connectivity.

Staff's Analysis**:** The longest block faces are 750-900 feet long, which exceeds the recommended length. However, these blocks are oriented in the direction in which most pedestrians will want to travel (east toward the nearby retail center). Direct pedestrian access is provided to the public park south of the project. Staff feels that the design provides sufficient pedestrian access.

iii. Street Width and Design Speed. Streets within neighborhoods should be no wider than needed to accommodate parking and two low-speed travel lanes. Streets in new

subdivisions should be designed to accommodate traffic speeds of twenty-five miles per hour or less, with most streets in a subdivision designed for lower speeds.

Staff's Analysis**:** The streets in the proposed subdivision comply with City of Lodi standards for local public streets.

iv. *Parkway/Planting Strips. Sidewalks should be separated from curbs by parkway strips of at least five feet in width. The parkways should be planted with canopy trees at a twenty-foot interval, or as appropriate to the species of the selected street tree, to produce a continuously shaded sidewalk. The parkways should also be planted with ground covers and other plant materials that will withstand pedestrian traffic.*

Staff's Analysis: The

v. *Access to Open Areas. Single-loaded streets (those with residential development on one side and open space on the other) should be used to provide public access to, and visibility of natural open spaces, public parks, and neighborhood schools, as well as a means for buffering homes from parks and schools.*

Staff's Analysis: None of the situations noted apply to this project.

Open Space

i. *Natural amenities (such as views, mature trees, creeks, riparian corridors, and similar features) should be preserved and incorporated into proposed development to the greatest extent feasible.*

Staff's Analysis: None of the situations noted apply to this project.

ii. *Development adjacent to parks or other public open spaces should be designed to provide maximum visibility of these areas.*

Staff's Analysis: The project is adjacent to an existing park (Orchard Lane Park) and proposes an approximately 1.6-acre addition to that park as part of this project. The existing and expanded park are visible from Kordia Lane, satisfying this requirement.

Noise from Harney Lane and Nearby Rail Line

Two potential sources of noise—Harney Lane and an active rail line—are located near the project site. Potential impacts to homes created by noise from Harney Lane and the railway were identified in the environmental impact report (EIR) for the Reynolds Ranch Planned Development. Because the roadway and railway were identified to have the potential to create unacceptable levels of noise, the following mitigation measures were included in the Reynolds Ranch EIR:

Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) to allow for window closure, in compliance with the City of Lodi Compatibility Standards. (Final EIR Mitigation Measure 3.8.3)

Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.4)

New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.5)

Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall, landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. This attenuation may be achieved by the design of the min storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks. (Final EIR Mitigation Measure 3.8.6)

All of these mitigation measures would apply to the project, for the following reasons:

- Homes are within 245 feet of the Harney Lane centerline. This generally affects lots 117-126 and 133-137.
- Rear yards of some homes (defined as "outdoor recreational space") are within 145 feet the Harney Lane centerline. This affects lots 118, 125, 134, and 135.
- Homes are proposed near the train tracks.

All of these mitigation measures are included in the proposed conditions of approval.

TENTATIVE TRACT MAP FINDINGS

In order to approve the proposed tentative tract map, the proposed subdivision must be found consistent with the General Plan, Zoning Code, and the Subdivision Map Act[2].

The following are the required findings for approval of a subdivision, and staff's analysis for each. If any of the findings can be made, the map cannot be approved; staff's recommendation is that the map ***can*** be approved.

1. *The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable Specific Plan.*

   Staff's Analysis**:** The overall density of the project, excluding areas set aside for roadways and the flood detention basin, is 8.2 dwelling units per acre, which substantially complies with the density ranges of the Low Density Residential (2-8 DU/acre) and Medium Density Residential (8-20 DU/acre) General Plan land use categories. The proposed map is consistent with the General Plan density requirements. The project is not located in a Specific Plan.

2. *The site is not physically suitable for the type or proposed density of development.*

   Staff's Analysis**:** No unusual topographic features are present onsite that would prohibit development of the proposed subdivision. The site is generally flat, with no regulated

[2] Lodi Zoning Code Section 17.52.070

sensitive areas or other limiting topographic features. The subdivision would create lots with adequate land area to support 150 detached single-family lots that meet the size and width standards of the Zoning Code.

3. *The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat.*
   Staff's Analysis: The project site is not located in a sensitive environment. The entire site has been cleared of native vegetation or planted with a vineyard. No wildlife habitat will be affected. To ensure that protected species are not affected, the proposed conditions of approval require pre-grading surveys for a variety of protected bird species. No fish habitat is present on-site.

4. *The design of the subdivision or type of improvements is likely to cause serious public health or safety problems.*

   Staff's Analysis: The proposed subdivision has been reviewed by the Public Works Department and meets all applicable design and improvement standards. The lots being created will comply with all applicable single-family sanitary sewer service and stormwater runoff treatment requirements, as well as other similar environmental and life safety regulations and standards.

5. *The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the Commission finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision.*

   Staff's Analysis: There are no public easements that currently encumber the properties to be subdivided, and all modifications made to the existing public improvements fronting the project site will be required to be reconstructed to current City standards.

6. *The discharge of wastewater from the proposed subdivision into the community wastewater system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.*

   Staff's Analysis: The site will be served by the City of Lodi wastewater system. No discharges of wastewater will occur that could result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

7. *Information available to the City indicates adverse soil or geological conditions and the subdivider has failed to provide sufficient information to the satisfaction of the Public Works Director or the Commission that the conditions can be corrected in the plan for the development.*

   Staff's Analysis: No information has been found to indicate the project site is considered contaminated, or may contain contaminant particles. A condition of approval requires the completion of detailed studies of on-site soils to ensure that no contamination is present before grading permits are issued.

8. *The proposed subdivision is not consistent with all applicable provisions of this Title, any other applicable provision of the Municipal Code, and the Subdivision Map Act*.

   Comment: The procedural requirements of the Map Act are being followed. The proposed lots will comply with the applicable engineering and zoning standards pertaining to grading, drainage, utility connections, lot size (as proposed by the applicant) and density.

Based on the analysis above, staff recommends approval of the Tentative Parcel Map subject to the findings and conditions of approval contained in the staff report.

PROPOSED DEVELOPMENT STANDARDS AND GUIDELINES

To provide development standards for the area covered by the proposed subdivision and regulate the design of homes and other improvements (street signs, landscaping, etc.), the applicant has submitted a set of proposed "Development Standards and Guidelines," (DSG) included in the attachments to this report.

The DSG document includes the following sections:

1. Introduction – Including how the DSG document will be implemented and its relationship to the Lodi Zoning Code
2. Land Use – Land uses and development standards
3. Architecture – Architectural standards and guidelines
4. Circulation – Roadway cross-sections and designs
5. Community – Designs for community features and items in the public realm (street lights, benches, etc.)

The proposed DSG document provides several key items:

- **Development standards**, including lot size and dimension standards and setbacks (with minor exceptions the same as the City's RMD single family zoning district). A comparison of proposed development standards in the DSG and in the RMD zoning district is shown below:

Lot Configuration	Reynolds Ranch DSG Document	**Lodi Zoning Code RMD**
Minimum Lot Area (square feet)	5,000	**5,000**
Maximum Lot Coverage	50%	**50%**
Minimum Lot Width, Interior Lots	50'	**50'**
Minimum Lot Width, Corner Lots	55'	**N/A**
Minimum Lot Frontage along Public Streets on cul-de-sacs	35'	**N/A**
Setbacks	Reynolds Ranch DSG Document	**Lodi Zoning Code RMD**
Minimum Front Setback to Garage	20'	**20'**
Minimum Front Setback to Living Area	15'	**15'**

Minimum Front Setback to Porch or Entry	15’	**N/A**
Minimum Side Setback to Public Street (corner lot)	10’	**10’**
Minimum Side Setback to Lot Line (adjacent Lot)	5’	**5’**
Minimum Rear Setback to Living Area	10’	**10’**
Minimum Rear Setback to Covered Patio	10’	**N/A**
Maximum Building Height	35’	**35’**

N/A – No standard in the RMD zoning district

As shown, the proposed DSG provides standards not included in the Lodi Zoning Code for front porch setbacks, rear yard patios, and lots on cul-de-sacs. All other standards are the same as the RMD zoning district. Permitted land uses, project processing procedures, variances and deviations from setbacks, etc., will all be per the Lodi Zoning Code and the RMD zoning district.

- **Architectural guidelines** which establish both both standards and guidelines to establish a level of quality for the design of homes (which will be reviewed by the Site Plan and Architectural Committee):

  - *Standards* are mandatory regulations which must be complied with, and generally include words such as “shall” or “must”

  - *Guidelines* are recommendations that are not required to be complied with, and generally include words such as “should” or “encourage”

  The DSG document makes extensive use of photographs to show the level of quality which will be expected in the proposed designs for homes in the subdivision:

3.2.2 – Architectural Forms and Overall Character

Homes within Reynolds Ranch – Site A shall provide for a variety of materials and colors to compliment the overall style and character of the Reynolds Ranch community. The following photos are examples of style and character – they are not intended to be specific direction, but to offer inspiration for design and development. Creativity in form, colors, and materials are encouraged with the goal of creating a warm and inviting community that is cohesive with the existing residential community to the south and creates a natural progression of the overall design style of Reynolds Ranch.

The above and preceding pages represent an example as to the variety of design styles of homes and is not intended to show exact home designs and materials. Designs shall compliment the overall Reynolds Ranch style and the existing homes to the south.

Staff feels that the text and illustrations will give staff and the SPARC sufficient grounds to ensure that homes built in the subdivision will meet the City's expectations for quality.

- **Roadway cross-sections** which define how the roads will be built and landscaped
- **Streetscape, open space, and park designs** showing how these features will be constructed and landscapes. The DSG document also includes designs for fences, walls, street signs, etc., which mirror the designs already in place in the adjacent subdivision to the south.

The DSG document, which will be sent to the City Council for review and approval, will form the "zoning" for the site except for any issues not specifically included in the DSG, in which case the Lodi Zoning Code will apply.

GROWTH ALLOCATION

The applicant is requesting a 2020 allocation of 111 Medium Density units and 39 Low Density units. The following sections provide background on the Growth Allocation process, the current status of allocations granted by the City and available for 2020 projects, and staff's analysis of the applicant's request.

Background and History of Growth Allocation

The following is provided for context and to update the Planning Commission on recent action by the City Council related to the Growth Allocation process.

In the late 1980s and early 1990s, there was widespread concern about growth in Lodi, sparked in part growth in San Joaquin County, which at the time was one of the fastest-growing regions in the United States. The City feared "[r]apid uncontrolled growth" that would be "… a direct cause of serious adverse environmental and economic effects." [City of Lodi Ordinance No. 1521, adopted 1991]

In response, the City Council adopted a "Growth Management Plan"[3] to give the Council more control over the timing, location, and quality of future residential development.

The City's growth allocation process was intended to,

> *"… provide a growth management system to regulate the character, location, amount and timing of future development so as to achieve the policies stated in the Lodi General Plan. It is further the purpose of this Chapter to provide for increased housing opportunities for all segments of society and to promote and protect the public health, safety and welfare be regulating the future use and development of land in the City of Lodi."* [Lodi Ordinance No. 1521]

The growth management system was intended to ensure that Lodi's population did not grow more than 2% per year.

Via a separate Resolution, the City Council in 1991 (City Council Resolution No. 91-170) established a "point system" to be used to review proposed residential projects. The point system measured each project's performance in a variety of areas, including:

- Agriculture Land Conflicts
- On-Site Agricultural Land Mitigation
- General Location (with regard to "Priority Areas" to be established by the City Council)
- Relation to Public Services (water, sewer, drainage, etc.)
- Traffic
- Housing
- Schools
- Fire Protection

Finally, the City Council in 1991 also adopted Resolution No. 1991-171, which established the requirements for a "Development Plan" that was required by Ordinance No. 1521 to be submitted with proposed tentative parcel maps and tentative tract maps. The Development Plan was to include a schedule which estimated the time period over which the project would be developed, so that growth allocations could be apportioned over several years.

Resolution 1991-171 also established a once-a-year schedule for considering the allocation of growth by the City Council, which was to occur each year in November. If a project did not receive an allocation in November of any given year, it would have to wait until the following year to reapply.

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[3] Some readers may be aware that the state Housing Crisis Act of 2019 has invalidated some growth control/management programs, and now makes it illegal for cities to enact new growth control/ management plans. Lodi's plan, due to its adoption date in 1991, is exempt from these restrictions and can remain in force. If the City wished to enact a new growth control/management plan today, state law would prevent it from doing so.

In addition to these three foundational actions to establish and implement the Growth Management Program, the City Council took various actions to adjust the Program:

- Resolution No. 2006-141 (adopted July 19, 2006) made a one-year adjustment to the timing for submittal of Growth Allocation applications.
- Ordinance No. 1877 (adopted June 5, 2013) expired unused allocations and suspended the provisions of Resolution No. 91-171 from 2013 through December 31, 2019. This effectively eliminated the requirement for the submittal of a development plan. It also eliminated the once-a-year schedule for considering growth allocations.

The result of these latest actions was that projects could file for a growth allocation at any time, and the City Council could approve an allocation at any time during the year.

With the expiration of Ordinance No. 1877 at the end of 2019, the once-a-year allocation schedule returned, as did the requirement to submit a development plan. This had the effect of making it more difficult to submit tentative subdivision maps, since the next scheduled allocation of units would not occur until November 2020.

At the City Council meeting of June 3, 2020, the Council reinstated the provisions of Ordinance No. 1877 that had expired on December 31, 2019. This allows the processing of the proposed Reynolds Ranch tentative map prior to receiving a growth allocation, and allows the City Council to approve a growth allocation for the map at any time during the year.

Analysis

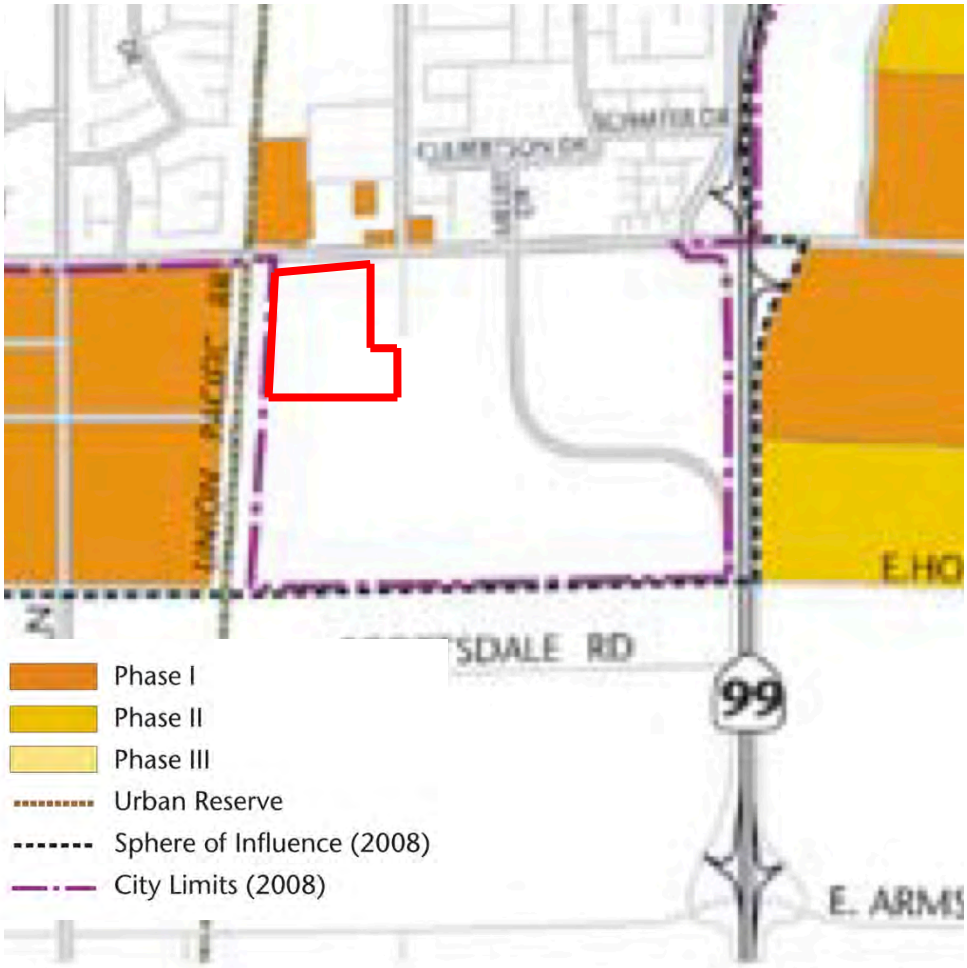
The following analysis examines several factors:

- Relationship of the project to the Priority Areas defined by the City Council
- Relationship of the project to the amount of growth allowed by the Growth Allocation process
- Growth Allocation Points System

<u>Priority Areas</u>

The Lodi General Plan includes a map (General Plan Figure 3-1, excerpted below) which identifies Phase I, II and III areas for growth.

Figure #: General Plan "Development Phases" Map (excerpt)



While the project site is not specifically shown as being in a particular Development Phase, the City has historically defined Phase I as including "infill development," a category which includes sites such as the proposed Reynolds Ranch tentative map, which is surrounded on all sides by existing development. From the General Plan:

> "*Phase I development includes: …*
>
> *2. Infill development and redevelopment downtown, along the city's major corridors, and in the eastern industrial areas."* [General Plan Chapter 3, page 3-5]

<u>Relationship to Projected Growth</u>

When the City initiated the Growth Allocation process, a major component was to limit population growth in the city to 2 percent per year. From Ordinance 1521:

"The number of residential units approved by the City shall reflect a two percent (2%) yearly limitation on growth based on population, to be compounded annually. Calculations for residential building approval shall be based on a population figure of 50,900 as of September 1, 1989, and assuming an average number of persons per residential unit as determined annually by the State [of California] Department of Finance."

Had the City received and approved applications to grow at 2% per year every year since adoption of the Growth Allocation process, applying a compounded two percent annual growth rate to the starting figure of 50,900, the population of Lodi as of 2020 would be significantly higher than the current population could have been achieved.

However, annual applications have historically lagged behind the maximum permitted annual growth. The City Council has also on several occasions "expired" unused allocations, effectively re-setting and lowering the maximum size of the city.

As of January 1, 2020, the California Department of Finance estimated the population of Lodi at 67,930[4]. A summary of the city's population growth over the past ten years is shown below.

Year	Dept. of Finance Revised Population Estimate	Growth Rate Percentage, Year to Year
2010	62,134	
2011	63,317	1.9%
2012	63,447	0.21%
2013	63,788	0.54%
2014	63,975	0.29%
2015	64,415	0.69%
2016	64,920	0.78%
2017	65,911	1.53%
2018	67,121	1.84%
2019	67,430	0.46%
2020	**67,930**	**0.74%**

The average annual growth for the period from 2010 to 2020 has been 0.89%, well below the maximum 2% annual growth allowed by the Growth Allocation process.

Growth Allocations issued to projects from 2013 to 2019 are summarized below.

[4] State of California, Department of Finance, E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2019 and 2020. Sacramento, California, May 2020

ISSUED GROWTH ALLOCATIONS 2013-2019				
Project	**Low (0.1-7)**	**Medium (7.1-20)**	**High (20.1-30)**	**TOTAL**
Bennett Interlaken Dr.	25			
Camper - Sac		28		28
Garfield	6			6
Gateway North	107	98	329	534
Gateway South	560	0	0	560
Gianoni / Baker		18		18
Harvest Crossing		42		42
Iris Drive	9			9
Luca Place	17			17
Miller Property		65		65
Reynolds Ranch		227	330	557
Rose Gate	232			232
Rose Gate II	250	95	180	525
Sunwest Cottages			12	
Tienda Square		8		8
Twin Arbors	27			
Van Ruiten Ranch	145	55	88	288
Villa Fiore (VRR)	67			67
Vineyard Terrace		235		235
Vintner Square	57			57
TOTAL	**1,520**	**871**	**939**	**3,330**
Average Per Year:	**253**	**145**	**156**	**555**

As of the end of 2019, considering the expiring of unused allocations from prior years and the granting of allocations for 2019, the City had an available balance of **2,685** allocations available, in the following categories:

- Low density (Up to 7 DU/acre): 1,257 Units
- Medium density (7.1 to 20 DU/acre): 634 Unit
- High density (20.1 to 30 DU/acre): 794 Units

To calculate available allocations for 2020, these 2,685 available units are added to the 477 units which can be issued in 2020 based on limiting growth to 2% from 2019-2020. Growth from 2019 to 2020 is calculated as follows:

1. Two percent of the City's current population: 67,930 x 2% = 1,359

2. Divide 1,359 by the average number of persons per household 1,359/2.85 = 477

3. Divide the 477 (477 du) units into the three housing types:

44 percent low density = 210 units

28 percent medium density = 134 units

28 percent high density = 134 units

Finally, Growth Allocations already issued for 2020 in prior years for the Gateway South (186 low density units), Bennett/Iris Drive (9 low density units) and Vineyard (75 medium density units) projects are deducted.

The resulting total number of Growth Allocations available for 2020 are:

Category	**Unused Allocations[1]**	**Add 2020 Allocations**	**Deduct 2020 Allocations Already Granted**	**Total Available Allocations for 2020**
Low Density (Up to 7 DU/Acre)	1,257	210	<186>	1,281
Medium Density (7.1 – 20 DU/Acre)	634	134	<75>	693
High Density (20.1 – 30 DU/Acre)	794	134	0	928
Totals:	2,685	478	<261>	2,902

Growth Allocation Points System

Ordinance 1521 called for the establishment of a “points system/criteria schedule to be established by Council resolution.” The points system was to be used only if more allocations were requested than could be issued in any given year.

Because the City is not approaching the maximum number of applications for growth allocation (the Reynolds Ranch project is the only current application), the points system does not apply and is not analyzed.

Growth Allocation Analysis

Based on staff’s review of the applicable portions of the Growth Allocation process (as revised by the City Council in May 2020), staff recommends that the Planning Commission recommend allocation of 150 units of growth by the City Council, including 111 Medium Density units and 39 Low Density units. Staff’s reasoning is as follows:

- The Reynolds Ranch site is in a Priority Area as an “infill” project.

- The requested allocation of 111 Medium Density units and 39 Low Density Units is less than the amount of allocations available for issuance in 2020 (693 Medium Density and 1,281 Low Density).

- Review of Growth Allocation points is not necessary, because the number of allocations requested does not exceed the number of available allocations for 2020.

ENVIRONMENTAL ASSESSMENT

An environmental impact report (EIR) was prepared for the Reynolds Ranch Planned Development in 2006. In 2008, an addendum to the original EIR was prepared when the Planned Development was amended.

The California Environmental Quality Act (Section 15162) allows the use of a prior EIR so long as none of the following findings can be made. Staff's analysis follows each potential finding.

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

Staff's Analysis: The proposed tentative subdivision map is consistent with the land use designations shown in the Reynolds Ranch Planned Development, and which was considered in the 2006 Final Environmental Impact Report and the 2008 Addendum. Because the land use and density of development proposed (single family homes at Low and Medium densities) are the same as the project examined in those documents, there is no evidence that any of the impacts identified would be substantially increased or made more severe.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

Staff's Analysis: The setting in which the project is proposed—the southeastern portion of Lodi and the City in general—have not changed substantially since the certification of the 2006 Final EIR and the approval of 2008 Addendum. At that time, development north of Harney Lane had already taken place (see photos below from 2006 and 2018) while the Reynolds Ranch Planned Development was vacant.

September 2006	August 2018

Image source: Google Earth

Development which has occurred since 2006 is consistent with the assumptions included in the Final EIR and Addendum, including development within the Reynolds Ranch Specific Plan. No major changes in land use which would have resulted in changes in traffic, noise, or other impacts have taken place. Cumulative growth assumptions made in the 2006 Final EIR and 2008 Addendum remain valid.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

Staff's Analysis: Because the project is consistent with the Reynolds Ranch Planned Development (low- and medium-density residential) is consistent with the project examined in the 2006 Final EIR and 2008 Addendum, it is not expected that any impacts would result that were not examined in the prior environmental analyses.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

Staff's Analysis: Because the project is consistent with the Reynolds Ranch Planned Development (low- and medium-density residential) is consistent with the project examined in the 2006 Final EIR and 2008 Addendum, it is not expected that any impacts would result which are more severe than those examined in the prior environmental analyses.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

Staff's Analysis: None of the mitigation measures in the 2006 Final EIR have been found to be infeasible. All of the mitigation measures from the 2006 Final EIR which apply to the proposed project are included in the conditions of approval for the Reynolds Ranch tentative map.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the

environment, but the project proponents decline to adopt the mitigation measure or alternative.

Staff's Analysis: None of the mitigation measures included in the 2006 Final EIR have been determined to be infeasible or ineffective. Impacts have been consistent with those examined in the 2006 Final EIR and the 2008 Addendum, and the City has not needed to identify either new mitigation measures or project alternatives to reduce impacts further.

Based on the analyses above, none of the findings in CEQA section 15162 can be made, and the 2006 Final EIR and 2008 Addendum can be relied upon to be a complete and adequate environmental analysis for the proposed Reynolds Ranch tentative tract map.

PUBLIC HEARING NOTICE

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, August 1, 2020. Sixty (60) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff's recommendation, the following motions are suggested:

"I move that the Planning Commission adopt a Resolution: 1) finding that the impacts of the proposed are fully addressed by the 2006 Final Environmental Impact Report for the Reynolds Ranch Planned Development and the 2008 Addendum to the 2006 Final Environmental Impact Report project per CEQA section 15162, 2) approving the Reynolds Ranch Tentative Parcel Map to subdivide three parcels into 150 lots for single family homes and two parcels for drainage and other purposes, subject to the conditions outlined in the draft resolution, 3) recommending that the City Council approve the Development Standards and Guidelines for Reynolds Ranch Site A; and 4) recommending that the City Council approve a Growth Allocation of 111 Medium Density units and 39 Low Density units."

ALTERNATIVE PLANNING COMMISSION ACTIONS:

Tentative Map

- Approve the proposed tentative map
- Approved the proposed tentative map with revised conditions of approval
- Deny the proposed tentative map
- Direct staff and/or the applicant to provide additional information and/or changes in the project and continue the item to a future meeting.

Design Standards and Guidelines

- Recommend approval by the City Council
- Recommend approval with revisions
- Recommend denial by the City Council
- Direct staff and/or the applicant to provide additional information and/or changes and continue the item to a future meeting

Growth Allocation

- Recommend approval by the City Council
- Recommend approval of a different level of Growth Allocation
- Recommend denial by the City Council

Respectfully Submitted,

Eric Norris
Contract Planner

Concur,

John Della Monica
Community Development Director

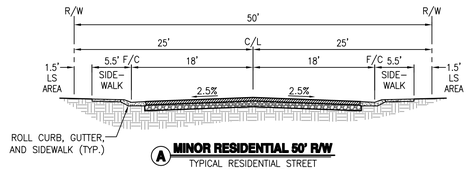
ATTACHMENTS:

A. Tentative Map
B. Development Standards and Guidelines
C. Lot Summary
D. Public Comment Letters
E. Draft Resolution and Conditions of Approval

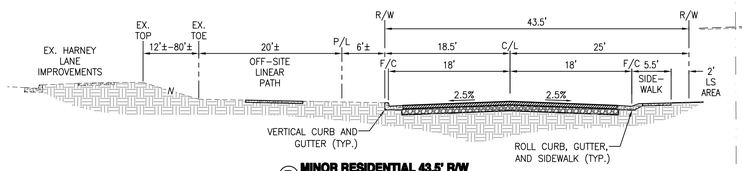
REYNOLDS RANCH RESIDENTIAL SUBDIVISION

TENTATIVE SUBDIVISION MAP

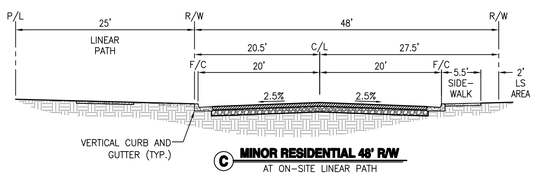
LODI, CALIFORNIA



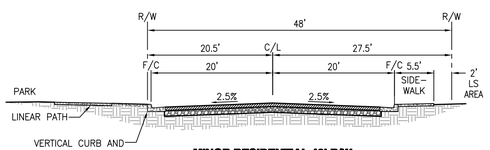
A MINOR RESIDENTIAL 50' R/W
TYPICAL RESIDENTIAL STREET
NOT TO SCALE



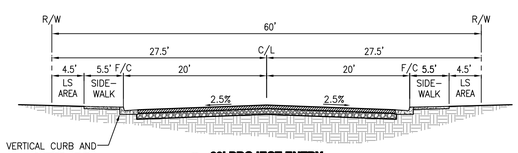
B MINOR RESIDENTIAL 43.5' R/W
AT OFF-SITE LINEAR PATH
NOT TO SCALE



C MINOR RESIDENTIAL 48' R/W
AT ON-SITE LINEAR PATH
NOT TO SCALE



D MINOR RESIDENTIAL 48' R/W
AT ON-SITE PARK/BASIN
NOT TO SCALE



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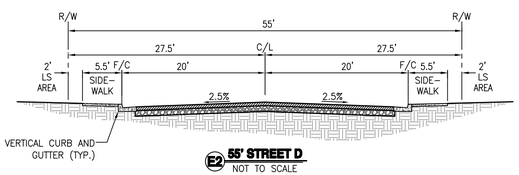

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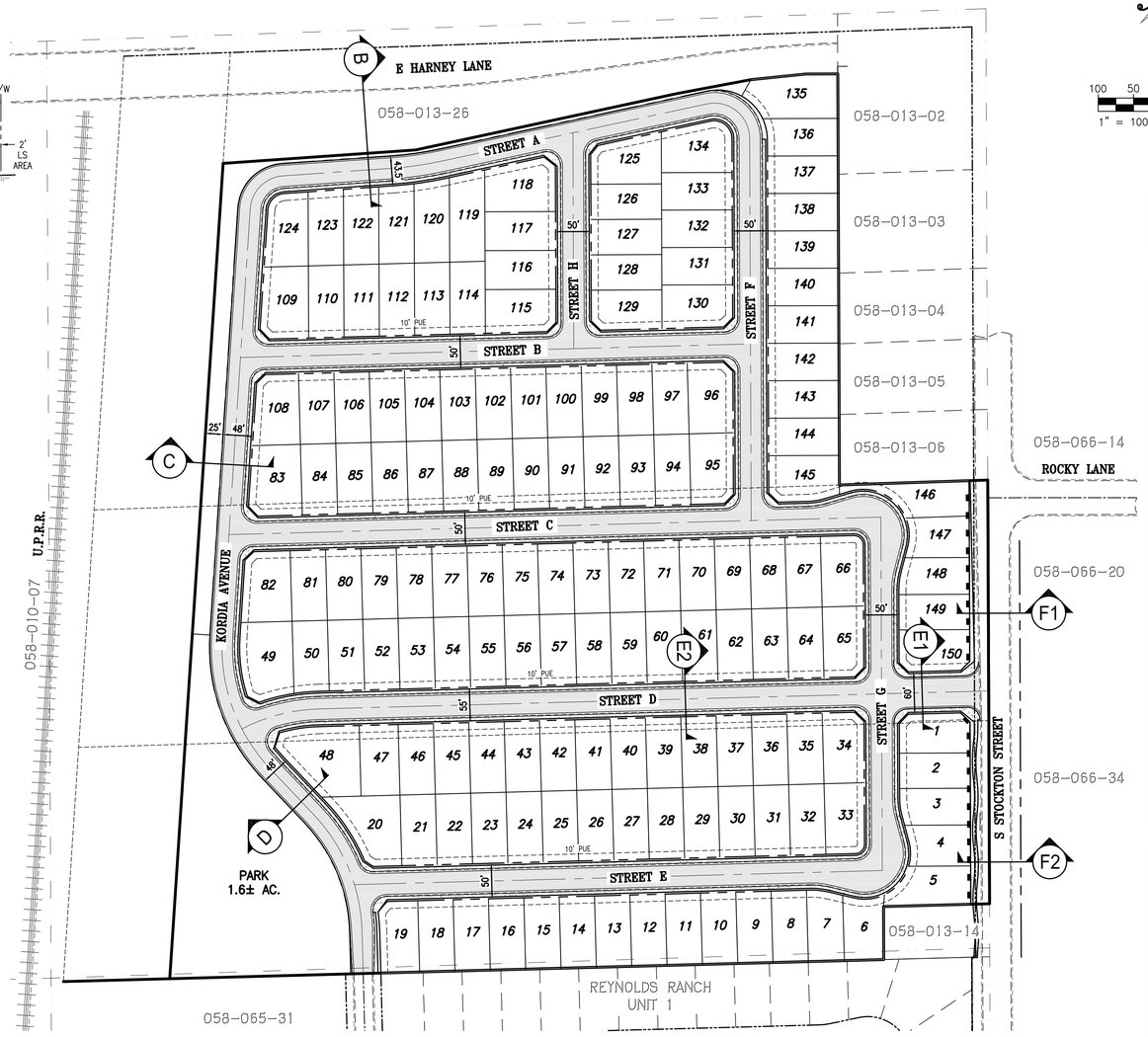

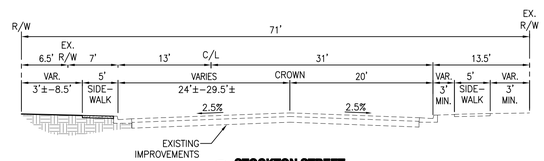

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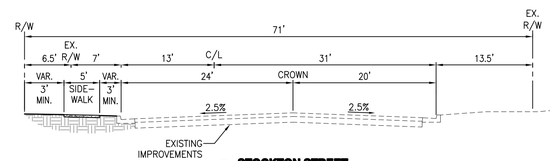
NOT TO SCALE



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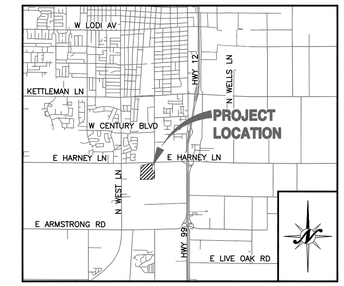

VICINITY MAP
NOT TO SCALE

100 50 0 100
1" = 100'

SHEET INDEX

1. TM1.1 COVER AND CROSS SECTIONS SHEET
2. TM2.1 DIMENSION AND TOPOGRAPHIC PLAN
3. TM2.2 GRADING AND DRAINAGE PLAN
3. TM2.3 UTILITY PLAN

PROJECT INFORMATION

A. REGULATORY AGENCY:	CITY OF LODI 221 W. PINE STREET LODI, CA 95240 T: (209) 333-6700 CONTACT: PLANNING DEPARTMENT
B. APPLICANT:	BENNETT HOMES, INC. 1209 W TOKAY STREET #8 LODI, CA 95242 T: (209) 334-6385 CONTACT: DENNIS BENNETT
C. ENGINEER:	NORTHSTAR ENGINEERING GROUP, INC 620 12th STREET MODESTO CA, 95354 T: (209) 524-3525 CONTACT: TONY DE MELO, P.E.
D. ASSESSOR'S PARCEL NUMBERS:	058-130-21, 22, and 25
E. CURRENT SITE USE:	AGRICULTURAL
F. PROPOSED SITE USE:	SINGLE FAMILY HOMES
G. EXISTING GP DESIGNATION:	MDR & LDR (MEDIUM & LOW DENSITY RESIDENTIAL)
H. PROPOSED GP DESIGNATION:	NO CHANGE
I. EXISTING ZONING:	PLANNED DEVELOPMENT
J. PROPOSED ZONING:	NO CHANGE
K. TOTAL PROJECT SIZE:	28.2± ACRES
L. TOTAL NUMBER OF LOTS:	150
M. GROSS DENSITY:	5.4 UPA
N. CONTOURS:	1.0-FOOT INTERVALS
O. RETURNS:	PER CITY OF LODI STANDARDS
P. UTILITIES:	WATER SYSTEM – CITY OF LODI SANITARY SEWER – CITY OF LODI STORM DRAINAGE – CITY OF LODI GAS – PG&E ELECTRIC – LODI ELECTRIC UTILITY TELEPHONE – AT&T SCHOOL DISTRICT – LODI UNIFIED SCHOOL DISTRICT

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF LODI STANDARD PLANS AND SPECIFICATIONS EXCEPT AS NOTED.
2. STORM DRAINAGE TO BE CONVEYED TO ON-SITE STORM DRAINAGE RETENTION SYSTEM WHICH WILL DISCHARGE TO THE CITY OF LODI STORM DRAINAGE SYSTEM. ALL IMPROVEMENTS TO BE CONSTRUCTED TO THE CITY OF LODI STANDARDS.
3. ALL STORM DRAINAGE IMPROVEMENTS AS PART OF FUTURE IMPROVEMENTS PLANS AND STUDIES SHALL CONFORM TO THE REQUIREMENTS SET FORTH IN NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT 2013-0001-DWQ AND THE MULTI-AGENCY POST-CONSTRUCTION STORMWATER STANDARDS MANUAL APPROVED OR ADOPTED PRIOR TO THE TIME OF THIS TENTATIVE MAP APPLICATION BEING DEEMED COMPLETE.
4. SANITARY SEWER TO BE CONSTRUCTED TO THE CITY OF LODI STANDARDS AND SPECIFICATIONS.
5. WATER SYSTEM TO BE CONSTRUCTED TO THE CITY OF LODI STANDARDS AND SPECIFICATIONS.
6. STREET LIGHTING SHALL BE INSTALLED PER CITY OF LODI STANDARD SPECIFICATIONS.
7. PUBLIC UTILITIES ARE TO BE INSTALLED UNDER GROUND IN EASEMENTS.
8. THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE "MULTIPLE SUBDIVISION MAPS" AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 66456.1., AND FILE PARCEL MAPS FOR REASON OF SALE. ALL PARCEL LINES SHALL CONFORM TO THIS TENTATIVE MAP.
9. PUBLIC UTILITY EASEMENTS WILL BE PROVIDED ALONG ALL STREET IN-TRACT FRONTAGES.
10. ALL EXISTING STRUCTURES AND TREES ARE TO BE REMOVED. SEPTIC TANKS, LEACH FIELDS, AND WELLS ON SITE WILL BE REMOVED OR ABANDONED AS PER CITY OF LODI REQUIREMENTS.
11. ALL LOT SETBACK REQUIREMENTS ARE TO BE IN ACCORDANCE WITH CITY OF LODI REQUIREMENTS.

CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVIEWED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE CITY OF LODI MUNICIPAL CODE AND THE SUBDIVISION MAP ACT AS TO FORM AND CONTENT

CITY ENGINEER DATE

LEGAL DESCRIPTION

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN, CITY OF LODI, AND IS DESCRIBED AS FOLLOWS: A PROTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN.

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CALL BEFORE YOU DIG 800-227-2600

REGISTERED PROFESSIONAL ENGINEER ANTHONY P. DE MELO 93354 STATE OF CALIFORNIA
PRELIMINARY NOT FOR CONSTRUCTION

REVISIONS			
NO.	DESCRIPTIONS	DATE	APPROVED

COVER SHEET
TENTATIVE SUBDIVISION MAP
REYNOLDS RANCH SUBDIVISION
LODI, CALIFORNIA

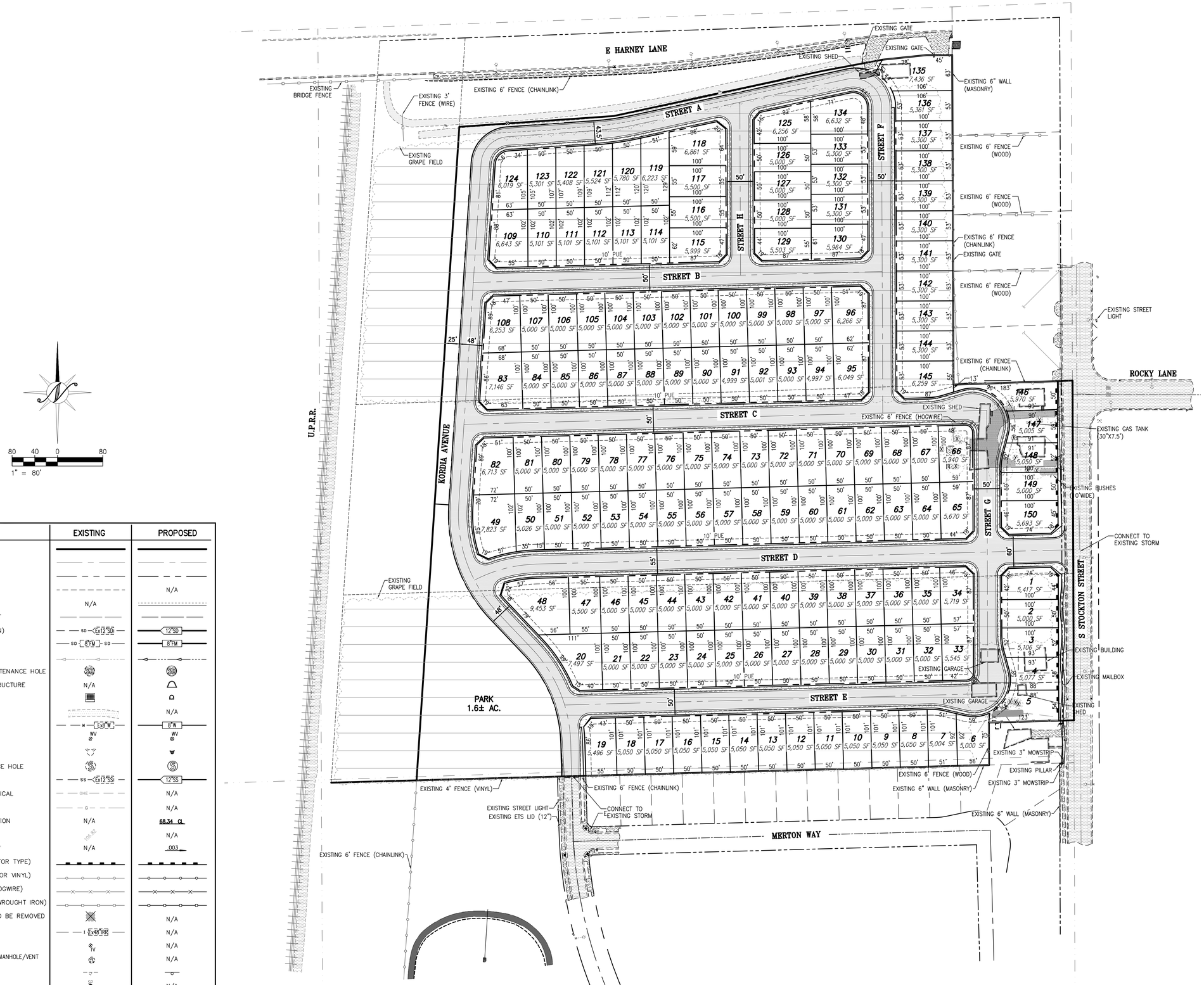
NorthStar Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
620 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB #:	20-2521
DATE:	07/22/2020
SCALE:	
DRAWN:	PMH
DESIGN:	PMH/KM
CHK'D:	TPD

SHEET NUMBER

TM 1.1

PLOTTED: 07/22/2020 13:18 PLOTTED BY: Phuphan
DWGNAME: F:\20-2521 Reynolds Ranch Subdivision\Planning\TM\TM 1.1.dwg



80 40 0 80
1" = 80'

LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE		
CENTERLINE		
RIGHT-OF-WAY		
PARCEL LINE		N/A
CURB AND GUTTER	N/A	
EDGE OF PAVEMENT		
STORM DRAIN (MAIN)	SD Ex12"SD	12"SD
FORCE MAIN	SD 8"FM SD	8"FM
DRAINAGE SWALE		
STORM DRAIN MAINTENANCE HOLE	SD	SD
BASIN OUTFALL STRUCTURE	N/A	
CURB INLET		
DIRT ROAD		N/A
WATER (MAIN)	W Ex8"W	8"W
WATER VALVE	WV	WV
FIRE HYDRANT		
SEWER MAINTENANCE HOLE	S	S
SEWER (MAIN)	SS Ex12"SS	12"SS
OVER HEAD ELECTRICAL	OHE	N/A
GAS LINE	G	N/A
CENTERLINE ELEVATION	N/A	68.34 CL
ORIGINAL GROUND	109.92	N/A
DIRECTION OF FLOW	N/A	.003
WALL (SEE LABEL FOR TYPE)		
FENCE (CHAINLINK OR VINYL)		
FENCE (WIRE OR HOGWIRE)		
FENCE (WOOD OR WROUGHT IRON)		
TREE OR SHRUB/TO BE REMOVED		N/A
IRRIGATION LINE	Ex48"IRR	N/A
IRRIGATION VALVE	IV	N/A
IRRIGATION PRESSURE MANHOLE/VENT		N/A
SIGN		
SERVICE POLE	SP	N/A

PLOTTED: 07/22/2020 13:22 PLOTTED BY: Phyphan
DWGNAME: F:\20-2521 Reynolds Ranch Subdivision\Planning\TM\TM 2.1.dwg

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CALL BEFORE YOU DIG 811 800-227-2600

REGISTERED PROFESSIONAL ENGINEER STEVEN P. DEVITT 61313 CIVIL STATE OF CALIFORNIA

PRELIMINARY: NOT FOR CONSTRUCTION

REVISIONS			
NO.	DESCRIPTIONS	DATE	APPROVED

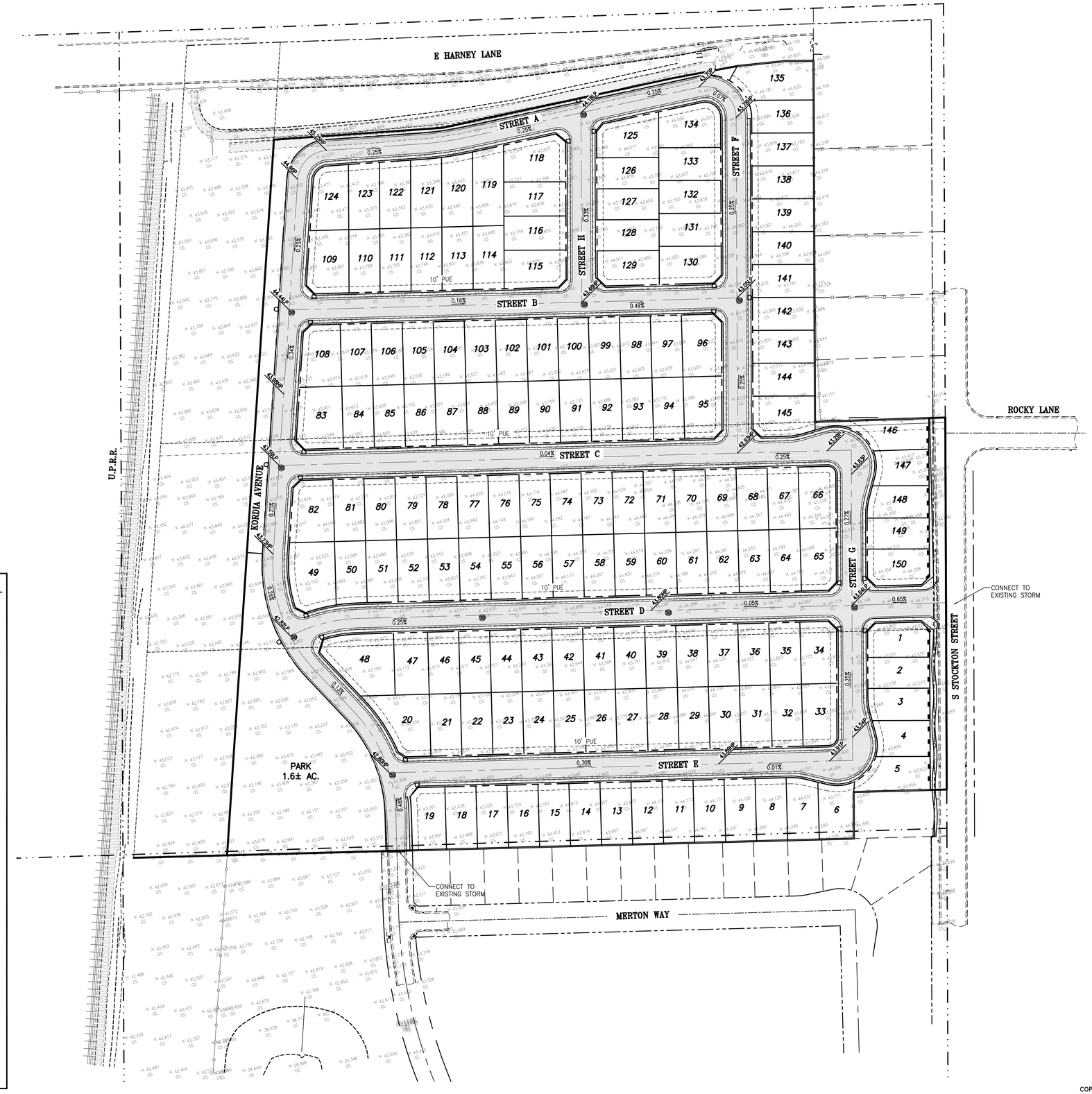
DIMENSION AND TOPOGRAPHY PLAN
TENTATIVE SUBDIVISION MAP
REYNOLDS RANCH SUBDIVISION
LODI, CALIFORNIA

NorthStar Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
820 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB #:	20-2521
DATE:	07/22/2020
SCALE:	
DRAWN:	PMH
DESIGN:	PMH/KM
CHK'D:	TPD

SHEET NUMBER

TM 2.1



80 40 0 80

1" = 80'

LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE		
CENTERLINE		
RIGHT-OF-WAY		
PARCEL LINE		N/A
CURB AND GUTTER	N/A	
EDGE OF PAVEMENT		
STORM DRAIN (MAIN)	SD — Ex12"SD	12"SD
FORCE MAIN	SD 8"FM SD	8"FM
DRAINAGE SWALE		
STORM DRAIN MAINTENANCE HOLE	SD	SD
BASIN OUTFALL STRUCTURE	N/A	
CURB INLET		
DIRT ROAD		N/A
WATER (MAIN)	W — Ex8"W	8"W
WATER VALVE	WV	WV
FIRE HYDRANT		
SEWER MAINTENANCE HOLE	S	S
SEWER (MAIN)	SS — Ex12"SS	12"SS
OVER HEAD ELECTRICAL	OHE	N/A
GAS LINE	G	N/A
CENTERLINE ELEVATION	N/A	68.34 CL
ORIGINAL GROUND	108.82	N/A
DIRECTION OF FLOW	N/A	.003
WALL (SEE LABEL FOR TYPE)		
FENCE (CHAINLINK OR VINYL)		
FENCE (WIRE OR HOGWIRE)		
FENCE (WOOD OR WROUGHT IRON)		
TREE OR SHRUB/TO BE REMOVED		N/A
IRRIGATION LINE	I Ex48"IRR	N/A
IRRIGATION VALVE	IV	N/A
IRRIGATION PRESSURE MANHOLE/VENT		N/A
SIGN	S	
SERVICE POLE	SP	N/A

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PLOTTED: 07/22/2020 13:24 PLOTTED BY: Phuthon
DWGNAME: F:\20-2521 Reynolds Ranch Subdivision\Planning\TM\TM 2.2.dwg

CALL BEFORE YOU DIG 800-227-2600

REGISTERED PROFESSIONAL ENGINEER — PRELIMINARY: NOT FOR CONSTRUCTION — STEVEN P. TEDESCO — CIVIL — STATE OF CALIFORNIA

REVISIONS

NO.	DESCRIPTIONS	DATE	APPROVED

GRADING AND DRAINAGE PLAN
TENTATIVE SUBDIVISION MAP
REYNOLDS RANCH SUBDIVISION
LODI, CALIFORNIA

NorthStar Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
620 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB #:	20-2521
DATE:	07/22/2020
SCALE:	
DRAWN:	PMH
DESIGN:	PMH/KM
CHK'D:	TPD

SHEET NUMBER

TM 2.2

80 40 0 80

1" = 80'

LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE		
CENTERLINE		
RIGHT-OF-WAY		
PARCEL LINE		N/A
CURB AND GUTTER	N/A	
EDGE OF PAVEMENT		
STORM DRAIN (MAIN)	SD Ex12"SD	12"SD
FORCE MAIN	SD 8"FM SD	8"FM
DRAINAGE SWALE		
STORM DRAIN MAINTENANCE HOLE	SD	SD
BASIN OUTFALL STRUCTURE	N/A	
CURB INLET		
DIRT ROAD		N/A
WATER (MAIN)	W Ex8"W	8"W
WATER VALVE	WV	WV
FIRE HYDRANT		
SEWER MAINTENANCE HOLE	S	S
SEWER (MAIN)	SS Ex12"SS	12"SS
OVER HEAD ELECTRICAL	OHE	N/A
GAS LINE	G	N/A
CENTERLINE ELEVATION	N/A	68.34 CL
ORIGINAL GROUND	108.82	N/A
DIRECTION OF FLOW	N/A	.003
WALL (SEE LABEL FOR TYPE)		
FENCE (CHAINLINK OR VINYL)		
FENCE (WIRE OR HOGWIRE)		
FENCE (WOOD OR WROUGHT IRON)		
TREE OR SHRUB/TO BE REMOVED		N/A
IRRIGATION LINE	I Ex48"IRR	N/A
IRRIGATION VALVE	IV	N/A
IRRIGATION PRESSURE MANHOLE/VENT		N/A
SIGN		
SERVICE POLE	SP	N/A

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PLOTTED: 07/22/2020 13:20 PLOTTED BY: Phuthan
DWGNAME: F:\20-2521 Reynolds Ranch Subdivision\Planning\TM\TM 2.3.dwg

CALL BEFORE YOU DIG 800-227-2600

REGISTERED PROFESSIONAL ENGINEER — PRELIMINARY: NOT FOR CONSTRUCTION — STATE OF CALIFORNIA

REVISIONS			
NO.	DESCRIPTIONS	DATE	APPROVED

UTILITY PLAN

TENTATIVE SUBDIVISION MAP
REYNOLDS RANCH SUBDIVISION
LODI, CALIFORNIA

NorthStar Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
620 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB #:	20-2521
DATE:	07/22/2020
SCALE:	
DRAWN:	PMH
DESIGN:	PMH/KM
CHK'D:	TPD

SHEET NUMBER

TM 2.3

The PDS&D Document is attached to the
Council Staff Report in its entirety

Reynolds Ranch – Site A

Planned Development
Standards and Guidelines

Bennett Homes, Inc.

Prepared By:
KLA, Inc.
NorthStar Engineering

REYNOLDS RANCH

August 2020

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
1	42'	100'	5,417		
2	50'	100'	5,000		
3	52'	93'	5,106		
4	58'	93'	5,077		
5	54'	123'	6,642		
6	59'	92'	5,000		
7	51'	101'	5,004		
8	50'	101'	5,050		
9	50'	101'	5,050		
10	50'	101'	5,050		
11	50'	101'	5,050		
12	50'	101'	5,050		
13	50'	101'	5,050		
14	50'	101'	5,050		
15	50'	101'	5,050		
16	50'	101'	5,050		
17	50'	101'	5,050		
18	50'	101'	5,050		
19	43'	101'	5,496		
20	40'	100'	7,497		
21	50'	100'	5,000		
22	50'	100'	5,000		
23	50'	100'	5,000		
24	50'	100'	5,000		
25	50'	100'	5,000		
26	50'	100'	5,000		
27	50'	100'	5,000		
28	50'	100'	5,000		
29	50'	100'	5,000		
30	50'	100'	5,000		
31	50'	100'	5,000		
32	50'	100'	5,000		
33	42'	100'	5,545		
34	46'	100'	5,719		
35	50'	100'	5,000		
36	50'	100'	5,000		

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
37	50'	100'	5,000		
38	50'	100'	5,000		
39	50'	100'	5,000		
40	50'	100'	5,000		
41	50'	100'	5,000		
42	50'	100'	5,000		
43	50'	100'	5,000		
44	50'	100'	5,000		
45	50'	100'	5,000		
46	50'	100'	5,000		
47	50'	100'	5,000		
48	50'	100'	5,000		
49	56'	100'	9,543		
50	51'	102'	7,823		
51	50'	102'	5,026		
52	50'	100'	5,000		
53	50'	100'	5,000		
54	50'	100'	5,000		
55	50'	100'	5,000		
56	50'	100'	5,000		
57	50'	100'	5,000		
58	50'	100'	5,000		
59	50'	100'	5,000		
60	50'	100'	5,000		
61	50'	100'	5,000		
62	50'	100'	5,000		
63	50'	100'	5,000		
64	50'	100'	5,000		
65	44'	100'	5,670		
66	48'	100'	5,940		
67	50'	100'	5,000		
68	50'	100'	5,000		
69	50'	100'	5,000		
70	50'	100'	5,000		
71	50'	100'	5,000		
72	50'	100'	5,000		
73	50'	100'	5,000		

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
74	50'	100'	5,000		
75	50'	100'	5,000		
76	50'	100'	5,000		
77	50'	100'	5,000		
78	50'	100'	5,000		
79	50'	100'	5,000		
80	50'	100'	5,000		
81	50'	100'	5,000		
82	51'	100'	6,713		
83	63'	100'	7,146		
84	50'	100'	5,000		
85	50'	100'	5,000		
86	50'	100'	5,000		
87	50'	100'	5,000		
88	50'	100'	5,000		
89	50'	100'	5,000		
90	50'	100'	5,000		
91	50'	100'	5,000		
92	50'	100'	5,000		
93	50'	100'	5,000		
94	50'	100'	4,997		
95	47'	100'	6,049		
96	51'	100'	6,266		
97	50'	100'	5,000		
98	50'	100'	5,000		
99	50'	100'	5,000		
100	50'	100'	5,000		
101	50'	100'	5,000		
102	50'	100'	5,000		
103	50'	100'	5,000		
104	50'	100'	5,000		
105	50'	100'	5,000		
106	50'	100'	5,000		
107	50'	100'	5,000		
108	47'	100'	6,253		
109	55'	102'	6,643		
110	50'	102'	5,101		

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
111	50'	102'	5,101		
112	50'	102'	5,101		
113	50'	102'	5,101		
114	50'	102'	5,101		
115	47'	100'	5,999		
116	55'	100'	5,500		
117	55'	100'	5,500		
118	64'	100'	6,861		
119	51'	120'	6,223		
120	50'	120'	5,780		
121	50'	112'	5,524		
122	50'	109'	5,408		
123	50'	107'	5,301		
124	34'	105'	6,019		
125	42'	100'	6,256		
126	50'	100'	5,000		
127	50'	100'	5,000		
128	50'	100'	5,000		
129	44'	100'	5,503		
130	47'	100'	5,964		
131	53'	100'	5,300		
132	53'	100'	5,300		
133	53'	100'	5,300		
134	48'	100'	6,632		
135	44'	106'	7,436		
136	53'	106'	5,361		
137	53'	100'	5,300		
138	53'	100'	5,300		
139	53'	100'	5,300		
140	53'	100'	5,300		
141	53'	100'	5,300		
142	53'	100'	5,300		
143	53'	100'	5,300		
144	53'	100'	5,300		
145	53'	100'	6,259		
146	50'	90'	5,970		
147	56'	91'	5,005		

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
148	52'	100'	5,050		
149	50'	100'	5,000		
150	46'	100'	5,693		
		Average:	5,314		

ATTACHMENT C

Kari Chadwick

From: Kevin <spdmotor1@yahoo.com>
Sent: Wednesday, July 01, 2020 1:41 PM
To: Planning Commission Comments
Subject: Reynolds Ranch additional homes

Hello, I am writing in regards to the proposed additional 150 homes in the Reynolds Ranch area adjacent to the Orchard Lane development.

First question/comment I have is, will these be low income or HUD homes? And if so this would be a huge disappointment for most of the Orchard Lane owners. We have invested a lot to own homes in this area and to do that would be a huge problem for myself and other homeowners here. We purchased homes here under the belief that we would be the only community built in the area.

I'd would also like to mention the impact these homes would have on traffic congestion. This also brings up the issue of schools. There are not enough schools to support what is already built here and adding more homes would imply the school issues even more. If I could cast a vote on these homes that would count, I would vote No! Thank you for your consideration in this matter.

Kevin Hachler
Sent from my iPhone

Attachment C

7/6/20

Lodi Planning Division
John R. Della Monica Jr.

On June 29, 2020, we received a Notice of Public Hearing informing us of a public hearing on 7/8/20 @7PM. The letter stated that this meeting is a request for approval a division of three parcels of land into lots for 150 single family homes. And, an approval for 'growth allocation' (not sure of meaning) for this proposed tentative tract. Also, that those interested could only view and listen on your Facebook live stream.
As a homeowners and taxpayers residing at 155 Merton Way in this great city of Lodi, we have some concerns as to what due diligence has taken place to come a decision that considers the well-being for citizens as well as for the City of Lodi.
If there were an Environmental Impact report completed, as stated, where can we (citizens) read this? It seems transparency is lacking for the public.
When we received this notice on the evening of 6/29, I called for more info on the morning of 6/30 to find more info. I was informed that there had been a 'shirt sleeve' (not sure what this means) meeting that morning at 7AM to approve this development. We are not sure why we were not given any notice so that we could speak at an open meeting. Because we were told by your office that we could only participate by letter or email, we feel that our views have little value and that these decisions have already been made without our concerns being heard. We have many concerns that we trust will be taken seriously.
First and foremost, Orchard Lane is a quiet family-oriented neighborhood with little safety concerns because direct access is limited to our neighborhood via two entrances one main LeBaron Blvd and now on Stockton St. From your map, it looks like you will be opening up Kordia Ave. which will completely change the dynamic of this community-minded neighborhood. It will go from quiet neighborhood to a through way to LeBaron and most likely Merton will be affected too. If you do not know, these streets are so narrow that only one car can pass if there are cars parked. These streets were not meant for through access, only neighborhood traffic.
Also, when we purchased our home from FCB homes, we were informed that the train that is within ½ mile from our house (closer for our neighbors) was only a few per day. After living here for three years, we know that there are on most days, an average of 20 trains that are not only during the day but run all hours (mostly between 12AM to 6AM.) And that our house shakes…so much so that my computer screen jiggles violently on my desk, our windows creek and pictures bang on the wall! This has caused us to wonder if this is doing something to the structure of our home. Our guess is that this land was very inexpensive at most. Profits over well-being!
I'm sure if you took a survey of satisfaction you would find most homeowners unhappy with this aspect. Our quiet traffic at least makes it bearable. Now, you want to upset that dynamic by allowing this new subdivision.
The building of the commercial property south-east from us has been a big disappointment too. The three-story building that towers over our beautiful landscape seems rushed as a development. And since they have not opened any of these buildings

yet, we do not even know what the traffic impact surrounding us will be yet. This seems like a nightmare with parking and such.
Secondly, we are wondering about the proposed builders Bennett Homes Inc. We researched them and were concerned that there were no pictures of any past subdivision homes on their web page or FaceBook page. There was an article from the Lodi News stating that in 2014 this builder was to build 288 homes on 74 acres between Lower Sacramento and Davis Rd. We could not find any homes there. Just wondering what happened with that proposal. Also, we read of some of comments of previous home buyers and most were not favorable in vivid detail of the disappointing quality of homes purchased. In addition, after checking with BBB, we found Bennett Homes Inc.is not listed as a member.
For the past two years there has been so much noise with the commercial construction on Stockton St that our quality of life is greatly compromised. Now you are asking us to live through another two or so years of more construction.
With the looming Covid 19 situation, just wondering how this is going to play out. Will this builder be able to bring this to completion in a timely manner? And with the economic burden of this virus how can people continue to afford new housing? Just because you can build homes doesn’t mean you should before all these important issues are considered
In peace and fairness for all.

Thank you for your consideration,

Judith Costa
155 Merton Way
Lodi, CA 95240

change.org

Recipient: City of Lodi Planning Commision members

Letter: Greetings,

The citizens that have signed this petition would value your consideration for our concerns.

Signatures

Name	Location	Date
Judith Costa	US	2020-08-04
Bradley Byrd	Lodi, CA	2020-08-08
Kyle DeVusser	Lodi, CA	2020-08-08
Ryan Cerezo	Lodi, CA	2020-08-08
Tim Ivey	Lodi, CA	2020-08-08
Alexis Papachristos	San Diego, CA	2020-08-08
Jacquelyn Keigley	Lodi, CA	2020-08-08
Elisa Bubak	Lodi, CA	2020-08-08
Sara Angoletta	Lodi, CA	2020-08-08
Chris Carey	Sacramento, CA	2020-08-08
Lexi Tiago	Lodi, CA	2020-08-08
Brieanne Baumbach	Lodi, CA	2020-08-08
Connie Hinton	Lodi, CA	2020-08-08
Bronc Hughes	Lodi, CA	2020-08-08
Daisy Dickens	Lodi, CA	2020-08-08
Jeff Verstl	Lodi, CA	2020-08-08
Tania Deleva	Rohnert Park, CA	2020-08-08
Andrew Dickens	Lodi, CA	2020-08-09
Casey Leyva	Lodi, CA	2020-08-09
Julia Tanaka	Lodi, CA	2020-08-09

Name	Location	Date
Brian Perez	Lodi, CA	2020-08-09
Cynthia Billings	Brentwood, CA	2020-08-09
Tiffany Ivey	Lodi, CA	2020-08-09
Yuli Llamas	Lodi, CA	2020-08-09
Wesley Kurz	Lodi, CA	2020-08-09
Lacey Rosewall	Los Angeles, CA	2020-08-09
Malou Adams	Lodi, CA	2020-08-09
Yogesh Patel	Lodi, CA	2020-08-09
Shawna Souza	Lodi, CA	2020-08-10
Larry Way	Lodi, CA	2020-08-10
Lidia Huiltron	Stockton, CA	2020-08-10
Neelam Akbar	US	2020-08-10
Elaine Gutierrez	Lodi, CA	2020-08-10
Nassdira Solorzano	Lodi, CA	2020-08-10
Jaclyn Guzman	El Dorado Hills, CA	2020-08-10
Alfredo Solorzano	Lodi, CA	2020-08-10
Sherri Reese	Waltham, MA	2020-08-10
Marco Gutierrez	Lodi, CA	2020-08-10
Angela Gomez	Stockton, CA	2020-08-11
Deona Jaramillo	Lodi, CA	2020-08-11
Jesus Martinez	Lodi, CA	2020-08-11
Travis Hager	Lodi, CA	2020-08-11

Name	Location	Date
Ching-Cheng Chan	Lodi, CA	2020-08-12
Vladislav Romanyuk	Lodi, CA	2020-08-12
Damon Duncan	Lodi, CA	2020-08-12

change.org

Recipient: City of Lodi Planning Commision members

Letter: Greetings,

The citizens that have signed this petition would value your consideration for our concerns.

Comments

Name	Location	Date	Comment
Casey Leyva	Lodi, CA	2020-08-09	"Our schools are too over crowded. We need more schools to accommodate all of the new developments in Lodi. Lodi used to have one of the better school districts now we are one of the worst."
Yogesh Patel	Lodi, CA	2020-08-09	"I live at 173 Merton way and I prefer that the new community is constructed with isolation from orchard lane. The traffic should not be shared between the communities"
Neelam Akbar	US	2020-08-10	"We are entitled to our privacy and a peaceful neighborhood. The plans they have don’t make sense especially during these economically uncertain times."

Attachment C

Kari Chadwick

From: Brian Perez <brian.m.perez@att.net>
Sent: Tuesday, July 07, 2020 10:34 AM
To: Planning Commission Comments
Subject: Concerns over projected development near Reynolds Ranch

Hello,

My name is Brian Perez and I live in the Orchard Lane community off Reynolds Ranch. I would like to voice some concerns over the proposed new housing and commercial storage development in the Reynolds Ranch area. I believe the commercial storage located in a residential area will create unwanted and unnecessary traffic in what are already narrow streets. There will be constant use of trucks with trailers and moving vehicles coming in and out of the area. Next, the addition of 150 houses will seem to cause a lot more congestion in this already congested area. Coming in and out of the Costco complex is already a nightmare and I can only imagine what it will be like with 150 houses added. Also, with an already impacted school system in Lodi, will there be a new school built? It seems more and more housing is being built in Lodi, for example, in the area by Wal-Mart off Kettleman; yet no new schools for these families. Finally, I think this is a horrible time to plan for this development. With the pandemic going on, the economy not doing great (unemployment in the millions) and civil unrest throughout the country, I think there should be other priorities met in Lodi before the need to build new houses. Thank you for your time and thank you for listening to my concerns.

Sent from my iPhone

Attachment C

Kari Chadwick

From: Julia Tanaka <tanaka_julia2010@yahoo.com>
Sent: Tuesday, July 21, 2020 4:12 PM
To: Planning Commission Comments
Subject: Fw: New proposed housing behind Merton

Sent from Yahoo Mail on Android

----- Forwarded Message -----
From: "Julia Tanaka" <tanaka_julia2010@yahoo.com>
To: "pcomments@lodi.gov" <pcomments@lodi.gov>
Sent: Tue, Jul 7, 2020 at 3:21 PM
Subject: New proposed housing behind Merton

To Whom it May Concern,

Hello, as a resident of Orchard Lane, I do not agree that putting in additional houses and storage unit is a good idea. I live on Merton and the streets are already so narrow. Only one car at a time can travel going in one dorection because there are always cars parked in the streets. Additional traffic in congested areas is not a welcomed idea.

I also wonder what the plan is for additional schools. With an influx of 150 additional houses how will the, already crowded schools be addressed?

More houses will bring in more people that do not live in the neighborhood causing crimes. We currently have people scoping out or neighborhood and cars being broken into and delivery packages being stolen.

Thank you for your time,
Julia Tanaka
Sent from Yahoo Mail on Android

Attachment C

Kari Chadwick

From: Julia Tanaka <tanaka_julia2010@yahoo.com>
Sent: Tuesday, July 21, 2020 4:20 PM
To: Planning Commission Comments
Subject: New housing development

To Whom it May Concern,
My name is Julia Tanaka and I oppose the planned development of 150 homes on the northwest quadrant of Reynolds Ranch. I'm concerned about the potential impact of this project on our neighborhood and I'm most concerned about our inability to speak on the issue due to Covid. I urge you to oppose this project.
Sincerely,
Julia Tanaka
131 Merton Way
tanaka_julia2010@yahoo.com

Sent from Yahoo Mail on Android

Attachment C

Kari Chadwick

From: chrisroblesconsulting@gmail.com
Sent: Wednesday, July 22, 2020 6:52 PM
To: Planning Commission Comments
Cc: John Della Monica; 'Dennis Bennett'; drjeffsaladin@gmail.com
Subject: 7/22/20 PC agenda Item 4A, Tentative Tract Map for 150 lots

Dear Planning Commission Chair Cummins and Planning Commissioners:

On behalf Jeffrey Saladin the buyer who holds the options to purchase the Tentative Tract Map for 150 lots in the northwest quadrant of Reynolds Ranch we request that this item be continued to the next available Planning Commission meeting. As the project developer we received for the first time this morning thirty new conditions of approval. While we do not have concerns with most of the conditions, we do have significant concerns with some of the conditions. Given the late arrival of the conditions we have not had the opportunity to discuss these conditions with staff.

In addition, a new condition has been added requiring project Design Guidelines to be approved by the Planning Commission. This condition has come as a surprise as we have submitted the Design Guidelines to the city some time ago and we have been informed that their lack of inclusion is a result of an internal staff mix up. We believe a continuation would allow us time to resolve any questions on the conditions and allow staff to include the Design Guidelines with the project so the Planning Commission could benefit from a complete review of the project. Thanks you for your consideration.

Best regards,

Chris Robles
President
Chris Robles Consulting LLC
(916) 759-5940

RESOLUTION NO. P.C. 20-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI 1) APPROVING THE REQUEST OF BENNETT HOMES, INC., FOR A TENTATIVE TRACT MAP TO SUBDIVIDE THREE PARCELS (APN 058-130-21, -22, AND -25) COMPRISING 28.2 ACRES INTO 150 RESIDENTIAL LOTS AND TWO PARCELS FOR LANDSCAPING AND PARK PURPOSES, 2) RECOMMENDING APPROVAL OF A 2020 GROWTH ALLOCATION OF 39 LOW DENSITY AND 111 MEDIUM DENSITY UNITS FOR THIS PROJECT; AND 3) RECOMMENDING THE ADOPTION OF PLANNED DEVELOPMENT STANDARDS AND GUIDELINES FOR THIS PROJECT

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, in accordance with the Lodi Municipal Code, Section 17.74; and

WHEREAS, the project proponent is Bennett Homes, Inc., P.O. Box 1597, Lodi, CA 95241; and

WHEREAS, the project parcels are owned by:

David and Linda Seeman Revocable Trust, 2299 Greenbriar Ct, Yuba City, CA 95993 (APN 058-130-21)

Pucinelli Revocable Trust, 2719 S Stockton St, Lodi, CA 95240 (APN 058-130-22)

Gary and Joyce Tsutumi 2011 Trust, 3725 E Armstrong Rd, Lodi, CA 95240 (APN 058-130-25); and

WHEREAS, the project is located at the southwest quadrant of E Harney Lane and S Stockton Street (APN 058-130-21, -22, and -25); and

WHEREAS, the property has a General Plan designation of Low Density Residential and Medium Density Residential and is zoned PD39 (Reynolds Ranch Planned Development), which designates the site for Low and Medium density residential development; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

Environmental Analysis

1. The impacts of the proposed tentative map were examined in the 2006 Final Environmental Impact Report for the Reynolds Ranch Planned Development and the 2008 Addendum to the Final Environmental Impact Report and there are no new facts supporting the findings in CEQA, California Code of Regulations, Title 14, section 15162, which would require the preparation of a new or updated environmental analysis, as follows:

   a. The proposed tentative subdivision map is consistent with the land use designations shown in the Reynolds Ranch Planned Development, and which

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was considered in the 2006 Final Environmental Impact Report and the 2008 Addendum. Because the land use and density of development proposed (single family homes at Low and Medium densities) are the same as the project examined in those documents, there is no evidence that any of the impacts identified would be substantially increased or made more severe. The finding in CEQA Section 15162(a)(1) can not be made.

b. Development which has occurred since 2006 is consistent with the assumptions included in the Final EIR and Addendum, including development within the Reynolds Ranch Specific Plan. No major changes in land use which would have resulted in changes in traffic, noise, or other impacts have taken place. Cumulative growth assumptions made in the 2006 Final EIR and 2008 Addendum remain valid. The finding in CEQA Section 15161(a)(2) can not be made.

c. Because the project is consistent with the Reynolds Ranch Planned Development (low- and medium-density residential) is consistent with the project examined in the 2006 Final EIR and 2008 Addendum, it is not expected that any impacts would result that were not examined in the prior environmental analyses. The finding in CEQA Section 15162(a)(3)(A) can not be made.

d. Because the project is consistent with the Reynolds Ranch Planned Development (low- and medium-density residential) is consistent with the project examined in the 2006 Final EIR and 2008 Addendum, it is not expected that any impacts would result which are more severe than those examined in the prior environmental analyses. The finding in CEQA Section 15162(a)(3)(B) can not be made.

e. None of the mitigation measures in the 2006 Final EIR have been found to be infeasible. All of the mitigation measures from the 2006 Final EIR which apply to the proposed project are included in the conditions of approval for the Reynolds Ranch tentative map. The finding in CEQA Section 15162(a)(3)(C) can not be made.

f. None of the mitigation measures included in the 2006 Final EIR have been determined to be infeasible or ineffective. Impacts have been consistent with those examined in the 2006 Final EIR and the 2008 Addendum, and the City has not needed to identify either new mitigation measures or project alternatives to reduce impacts further. The finding in CEQA Section 15162(a)(3)(D) can not be made.

Tentative Map

2. The site is designated by the General Plan for Low Density Residential and Medium Density Residential, reserved primarily for single-family residences and compatible uses. The density range allowed in the Low Density Residential General Plan designation is 2 to 8 dwelling units per net acre. The density range allowed in the Medium Density Residential General Plan designation is 8 to 20 dwelling units per net acre. The proposed map is consistent with the General Plan in that creation of 150 lots for single-family homes is within the overall maximum density for the site

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permitted by the combination of the Low Density and Medium Density land use designations.

3. No unusual topographic features are present onsite that would prohibit development of the proposed subdivision. The site is generally flat, with no regulated sensitive areas or other limiting topographic features. The subdivision would create lots with adequate land area to support 150 detached single-family lots that meet the size and width standards of the Design Standards and Guidelines proposed for the site. A condition of approval requires that the Design Standards and Guidelines be approved as a condition of approval of the Tentative Tract Map.
4. The project site is not located in a sensitive environment. The entire site has been cleared of native vegetation or planted with a vineyard. No wildlife habitat will be affected. To ensure that protected species are not affected, the proposed conditions of approval require pre-grading surveys for a variety of protected bird species. No fish habitat is present on-site.
5. The proposed subdivision has been reviewed by the Public Works Department and meets all applicable design and improvement standards. The lots being created will comply with all applicable single-family sanitary sewer service and stormwater runoff treatment requirements, as well as other similar environmental and life safety regulations and standards.
6. There are no public easements that currently encumber the properties to be subdivided, and all modifications made to the existing public improvements fronting the project site will be required to be reconstructed to current City standards.
7. The site will be served by the City of Lodi wastewater system. No discharges of wastewater will occur that could result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.
8. No information has been found to indicate the project site is considered contaminated or may contain contaminant particles. A condition of approval requires the completion of detailed studies of on-site soils to ensure that no contamination is present before grading permits are issued.
9. The procedural requirements of the Map Act are being followed. The proposed lots will comply with the applicable engineering and zoning standards pertaining to grading, drainage, utility connections, lot size and density.

Growth Allocation

10. The proposed map is consistent with the Growth Allocation process, and qualifies for a 2020 growth allocation, as follows:
    a. The proposed project is an “infill project” and therefore considered to be within a Priority 1 area for development; and
    b. Assuming an average household size of 2.8 persons (per the Housing Element of the General Plan), the proposed tentative map would generate approximately 420 residents. Adding these residents to the existing population would allow the city to remain below the maximum year-to-year growth rate of two percent; and

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c. Because the City is not approaching the maximum number of applications for growth allocation (the Reynolds Ranch project is the only current 2020 application), the points system does not apply.

Planned Development Standards and Guidelines

11. The Planning Commission has reviewed the proposed Planned Development Standards and Guidelines to ensure that they meet the City's expectations for quality development.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that:

1. The environmental impacts of the proposed project are fully considered in the 2006 Final EIR for the Reynolds Ranch Planned Development and the 2008 Addendum to the Final EIR, and all applicable mitigation measures from the Final EIR have been applied via conditions of approval.
2. The proposed Tentative Tract Map is hereby approved, subject to the attached conditions of approval, which are hereby incorporated in this resolution by reference.
3. The Planning Commission hereby recommends that the City Council approve a 2020 Growth Allocation of 39 low density and 111 medium density units for the proposed Reynolds Ranch tentative tract map.
4. The Planning Commission hereby recommends that the City Council approve the proposed Planned Development Standards and Guidelines for the project.

I certify that Resolution No. 20-___ was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on August 12, 2020 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST_____

Secretary, Planning Commission

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CONDITIONS OF APPROVAL
Project No. PL2020-016 S – Reynolds Ranch Residential Subdivision to subdivide an approximately 28.2-acre site into 150 single family lots. The site is located south of E Harney Lane and west of S Stockton Street in the Reynolds Ranch Planned Development (PD 39).
Assessor's Parcel Numbers: 058-130-21, -22, and -25
Planning Commission Approval Date: August 12, 2020

	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
General Conditions/Conditions Prior to Final Map				
1.	The applicant shall review and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed page to the Planning Department. Project approval is not final until a signed copy of these conditions is filed with the City. Applicant Signature Date Print Name	Must be completed to finalize project approval	Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under CEQA, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.	Ongoing	Planning Department	
3.	This map shall expire 24 months after its effective date, unless the lifetime of the map is extended as provided in Zoning Code 17.52.130. The effective date of this map shall be date on which a growth allocation is approved by the City Council.	Ongoing	Public Works and Planning Departments	
4.	All of the Public Works conditions in the attached memorandum dated April 21, 2020, shall be satisfied.	As Shown	Public Works	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
5.	Approval of a Final Subdivision Map shall be contingent upon the approval of a growth allocation for the project by the City Council.	Ongoing	Public Works and Planning Departments	
6.	Prior to recordation of the final maps for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department. (Final EIR Mitigation Measure 3.7.1)	Prior to recordation of Final Map	Planning Department	
7.	Prior to recordation of a final map, the applicant shall submit for City review and approval Development Standards and Guidelines (DS&G) for this subdivision. The DS&G shall be subject to review and approval by the City Council based on recommendation by the Planning Commission and shall be made part of the Reynolds Ranch Planned Development (PD39). The DS&G shall address at least the following topics, plus others as deemed necessary by the City: **1. Planning Commission - Development Standards**, including: • Setbacks, height limits • Signs • Fences, Walls, and Hedges • Landscaping, including landscaping in the public domain • Lighting • Parking • Permitted, conditionally permitted, and prohibited land uses **2. SPARC - Architectural Guidelines**, including: • Proposed architectural improvement documents • Colors and materials (physical submission) • Exterior elevations (all orientations) • Roof Plans • Specific site plans with driveways principal paths	Prior to recordation of Final Map	Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	• Fence lines The Development Standards and Guidelines (DS&G) shall include a statement that the most recent adopted version of the Lodi Zoning Code shall be used where the DS&G do not include a specific change from the standards in the Zoning Code. The Development Standards and Guidelines shall refer to the most recent adopted version of the Lodi Zoning Code for the following: • Site Plan and Architectural Review • Variances and Deviations To the extent possible, consistent with the desire to create a specific product type/style for this subdivision, the DS&G shall be consistent with the "Planned Development Overlay Standards & Guidelines" adopted in 2014 for the Reynolds Ranch Subdivision (project no. 2014-07 S), specifically in terms of landscaping, signage, etc., in the public domain where consistency among residential neighborhoods in the Reynolds Ranch project is desired.			
Conditions Prior to Development or Building Permit Issuance				
8.	No permits (building permit, grading permit, etc.) shall be issued prior to recordation of a Final Map.	Prior to Permit Issuance	Public Works Department	
9.	Prior to issuance of a building permit, the applicant shall pay an Agricultural Land Mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the Prime Farmland. The City Council, acting within its legislative capacity and as a matter of policy, shall determine the sufficiency of fees paid to mitigate the loss	Prior to Permit Issuance	Building and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	of Prime Farmland. (Final EIR Mitigation Measure 3.7.2)			
10.	Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting bird surveys. (Final EIR Mitigation Measure 3.2.2)	Prior to Clearing, Grubbing, or Removal of Vegetation	Public Works and Planning Departments	
11.	Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCP). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP. (Final EIR Mitigation Measure 3.2.2)	Prior to Clearing, Grubbing, or Removal of Vegetation	Public Works and Planning Departments	
12.	The City of Lodi shall not issue permits for construction activities on the project site unless the portion of the site involved in the requested permit has been deemed clear of recognized environmental conditions in writing by a California State Registered Environmental Assessor	Prior to Permit Issuances	Public Works and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	with HAZWOPER 40-hour OSHA Certification. Portions of the site require further hazardous material investigations to make a determination of the presence of recognized environmental conditions. Such investigations shall be conducted in accordance with the most recent American Society for Testing and Materials (ASTM) standards, such as the ASTM's "Standard Guide for Environmental Site Assessments: Phase I [or II] Environmental Site Assessment Process". In total, the updated hazardous material investigations of the site shall minimally evaluate the areas previously inaccessible to hazardous material investigators, the southern-most barn on the eastern portion of APN 058-110-41, the contents of the vault in the shed on the southern portion of APN 058-110-04, the function of the "water" basin and its previous discharges must be determined, the exact location of the 10 inch Kinder Morgan refined product pipeline, the areas adjacent to the Union Pacific Railroad right-of-way, and the onsite residential structures and buildings which were previously inaccessible. (Final EIR Mitigation Measure 3.5.1)			
13.	A Phase II Environmental Site Assessment (ESA) shall be completed prior to the approval of individual development plans within the project area. Said Phase II ESA report shall include subsurface investigations and recommended remedial actions, if required, at specific locations as recommended in the Phase I Environmental Site Assessment prepared by Kleinfelder, Inc., or any subsequent updated report. The following additional requirements shall apply: a. Soil sampling and analysis for pesticides shall only be conducted in those areas of the site that are still agricultural; and b. If levels of organochloride pesticides are found to be in excess of applicable residential or commercial Preliminary Remediation Goals/Maximum Contaminant Limits (PRGs/MCLs) then an evaluation shall be required to determine the depth and extent of these elevated concentrations. (Final EIR Mitigation Measure 3.5.2)	Prior to Approval of Development Plans	Planning Department	

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Conditions of Approval		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
14.	Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) to allow for window closure, in compliance with the City of Lodi Compatibility Standards. (Final EIR Mitigation Measure 3.8.3)	Prior to Building Permit Issuance	Building and Planning Departments	
15.	Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.4)	Prior to Building Permit Issuance	Building and Planning Departments	
16.	New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.5)	Prior to Building Permit Issuance	Building and Planning Departments	
17.	Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall, landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. This attenuation may be achieved by the design of the min storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks. (Final EIR Mitigation Measure 3.8.6)	Prior to Building Permit Issuance	Building and Planning Departments	
18.	A detention basin pump system will be required to empty the detention basin. The planned proximity of homes to the basin would likely require substantial shielding if such pumps were to operate at	Prior to Building Permit Issuance	Building and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	night. To the satisfaction of the City of Lodi, noise levels at residences in proximity to any required basin pump system shall be attenuated to meet the City's noise standards. Said attenuation can be achieved through enclosing the pump system or using upgraded sound rating building materials in nearby residences. (Final EIR Mitigation Measure 3.8.7)			
19.	Proponents of development onsite shall submit a construction Traffic Control Plan to the Public Works Department for review and approval prior to commencing construction on the project and any related off-site improvements. (Final EIR Mitigation Measure 3.10.4)	Prior to Building Permit Issuance	Public Works Department	
20.	To the satisfaction of the City of Lodi Public Works Department, the development shall be assessed its fair share of the cost of developing additional water sources, including but not limited to participation in acquiring additional water rights, development and construction of surface water treatment or recharge the groundwater system, construction of water transmission facilities, and other related water infrastructure. (Final EIR Mitigation Measure 3.11.4)	Prior to Building Permit Issuance	Public Works and Planning Departments	
Conditions To Be Implemented During Development/Construction				
21.	If buried Native American archaeological resources are discovered during the project activities, work shall stop immediately in the vicinity of the discovery, until a qualified archaeologist that meets the satisfaction of the City of Lodi determines the significance of the discovery and develops plans to preserve the significance of any discovered CRHR eligible resources. Such archaeological resource preservation plans shall be implemented to the satisfaction of the City of Lodi. (Final EIR Mitigation Measure 3.3.4)	During Grading	Public Works and Planning Departments	
22.	Should paleontological resources be encountered during construction excavation, the project proponent shall halt excavation in the vicinity of the discovery and contact a qualified vertebrate paleontologist to evaluate the significance of the find and make recommendations for	During Grading and Excavation	Public Works and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	collection and preservation of discovered paleontological resources in a written report to the City of Lodi. Said recommendations shall be implemented to the satisfaction of the City of Lodi. (Final EIR Mitigation Measure 3.3.5)			
23.	If subsurface structures are encountered during site development or excavation onsite, care should be exercised in determining whether or not the subsurface structures contain asbestos. If they contain asbestos, it shall be removed, handled, transported, and disposed of in accordance with local, state, and federal laws and regulations. (Final EIR Mitigation Measure 3.5.3)	During Grading and Excavation	Public Works and Planning Departments	
24.	The wells onsite should not be used as a water supply for any of the proposed land uses unless the water from said wells is tested and found to meet state and federal drinking water standards as confirmed by the City's water department. (Final EIR Mitigation Measure 3.5.4)	During Grading and Excavation	Public Works and Planning Departments	
25.	An asbestos and lead paint assessment shall be conducted for structures constructed prior to 1980, if they are to be renovated or demolished prior to future development on the project site. The following requirements apply: a. A Certified Cal-OSHA Asbestos Consultant shall conduct said surveys. If asbestos is detected, all removal shall be completed by a licensed asbestos abatement contractor; and b. Any lead paint that is detected and which is in poor condition shall be removed prior to building demolition. (Final EIR Mitigation Measure 3.5.5)	Prior to Demolition of Structures	Building and Planning Departments	
26.	All locations of underground storage tanks (USTs) on the project site, where past releases are known or are suspected, shall be subject to further investigation and analysis to confirm or deny evidence of past releases. Said investigations shall be conducted in accordance with Environmental Protection Agency (EPA) and per Leaking Underground Storage Tank (LUST) guidelines. (Final EIR Mitigation	Prior to Grading and Excavation	Public Works and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	Measure 3.5.6)			
27.	Miscellaneous debris located throughout the project site, and described in the Phase I ESA, shall be removed prior to development activities. Any petroleum products and/or hazardous materials encountered should be disposed of or recycled in accordance with local, state, and federal regulations. (Final EIR Mitigation Measure 3.5.8)	Prior to Grading and Excavation	Public Works and Planning Departments	
28.	Various sized buckets and drums containing petroleum products were noted at several locations on the project site in the Phase I ESA. All such drums and buckets shall be removed from the project site in accordance with local, state, and federal regulations. In addition, soil sampling shall be conducted at those bucket and drum locations where staining was noted. (Final EIR Mitigation Measure 3.5.9)	Prior to Grading and Excavation	Public Works and Planning Departments	
29.	To the satisfaction of the City of Lodi Public Works Department, all drainage facilities shall be constructed in conformance with the standards and specifications of the City of Lodi. (Final EIR Mitigation Measure 3.6.3)	Ongoing During Development	Public Works Department	
30.	To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required drainage infrastructure to serve the demands of the project. (Final EIR Mitigation Measure 3.6.6)	Prior to Grading	Public Works Department	
Ongoing Conditions				
31.	The applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the residence is located in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, et cetera. The language and format of such notification	During Home Sales	Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	shall be reviewed and approved by the City Community Development Department prior to recordation of final maps. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to-Farm Ordinance. (Final EIR Mitigation Measure 3.7.1)			
32.	Buyer notification of the presence of possible agricultural activity noise shall be made as part of any property transfer documents. (Final EIR Mitigation Measure 3.8.8)	Ongoing During Sale of Homes	Planning Department	
33.	All construction shall require a permit and shall be limited to the hours of 7 a.m. to 10 p.m. Staging areas shall be located away from existing residences, and all equipment shall use properly operating mufflers. (Final EIR Mitigation Measure 3.8.1)	During Construction	Building and Planning Departments	
34.	The project contractor shall place all stationary construction equipment so that emitted noise is directed way from sensitive receptors nearest the project site. (Final EIR Mitigation Measure 3.8.2)	During Construction	Building and Planning Departments	

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MEMORANDUM, City of Lodi, Public Works Department

To: Community Development Director

From: Public Works Department

Date: April 21, 2020

Subject: Tentative Subdivision Map Conditions for 2739 South Stockton Street
APN: 058-130-21, 058-130-22, and 058-130-25;
File #PL2020-016 – Reynolds Ranch/Bennett Subdivision (150 units)

The following conditions of approval are required for the subject project per City codes and standards, all to be accomplished prior to, or concurrent with, final map filing unless noted otherwise:

1. The project development shall comply with the requirements of Senate Bill (SB) 5, related to an urban level of flood protection (200-year storm event). The developer has the option of 1) Preparing their own 200-year flood protection report to prove that their property is in compliance, or 2) Contribute towards the City's delineation map and study that is currently being completed. The preliminary delineation map identifies the properties are above the 200-year flood plain, which does not require any additional measures for compliance. The City's cost for the delineation map and study is $188 per lot.

2. Project design and construction shall be in compliance with the applicable terms and conditions of the Multi-Agency Post-Construction Stormwater Standards Manual adopted by the City of Lodi in compliance with the State Water Resources Control Board's Phase II MS4 permit.

   a) A Project Storm Water Plan must be submitted for approval prior to any master plan and improvement plans submittal.

   b) State-mandated construction site inspections to assure compliance with the City of Lodi's Phase II MS4 permit are required. The fee for these inspections is the responsibility of the developer and must be paid prior to the map filing or commencement of construction operations, whichever occurs first.

3. Utility Master Plans (Storm Drain, Water, and Wastewater) shall be approved prior to submittal of Public Improvement Plans.

4. Engineered improvement plans and cost estimates shall be submitted for approval per the City Public Improvement Design Standards for all public improvements prior to final map filing. Incomplete submittals will not be accepted. Plan submittal shall include the following:

   a) Approved tentative map, signed by the Community Development Director.

   b) Approved Stormwater Master Plan.

   c) Design shall conform to the Multi-Agency Post-Construction Stormwater Standards Manual (PCSP) as adopted by City Council on November 4, 2015 and all state and federal requirements.

d) Landscape and irrigation plans shall conform to the Model Water Efficient Landscaping Ordinance (MWELO) per the Governor's Executive Order B-29-12 adopted on December 31, 2015.

   i) Landscape Planting Plan required with the first submittal. Full landscape and irrigation plans are required with the second submittal.

   ii) MWELO landscape plan submittal will be required with the second submittal.

e) Current soils report. If the soils report was not issued within the past three (3) years, provide an updated soils report from a licensed engineer.

f) Grading, drainage and erosion control plans.

g) Copy of Notice of Intent for NPDES permit. A WDID number will be required prior to plan approval.

h) All utilities, including street lights and electrical, gas, telephone and cable television facilities.

i) Undergrounding of all overhead utilities fronting Stockton Street from the southern project boundary to Harney Lane.

j) Joint trench plans (required with second submittal).

k) Reverse frontage wall and details. Minimum wall height shall be 8 feet above the adjacent pad and/or ground elevation or as required by Community Development Department to satisfy the general plan requirements.

l) Street tree planting plan for landscaping areas require approval of the Community Development Director and Public Works Director.

A complete plan check submittal package, including all the items listed above plus the Map/Improvement Plan Submittal cover letter, Improvement Plan Checklist and engineering plan check fees, is required to initiate the Public Works Department plan review process for the engineered improvement plans.

5. Design and installation of public improvements shall be in accordance with City Master Plans. Street, wastewater, storm drainage, and water master plans and design calculations will be required for the development.

   a) <u>Street</u>

      i) All street designs shall conform to the City of Lodi Design Standards.

      ii) Curb returns and corner cut-offs shall conform to City of Lodi Standard Plans 611 and 612.

      iii) Provide an onsite fire-truck/garbage truck turning analysis for the street knuckles. If the fire-truck and garbage truck turning movements are not met, knuckles shall be designed in conformance with City of Lodi Standard Plan 133.

      iv) All residential streets shall contain vertical type (side lot) or rolled type (fronts) curb, gutter and sidewalk as reflected in the tentative map submittal; and shall conform with City of Lodi Standard Plan 135 and 136 respectfully.

v) Install street lights along Stockton Street from Rocky Lane to the southern project boundary.

a) Street light locations shall be properly coordinated.

vi) Provide all necessary traffic signs for the entire subdivision, including any necessary traffic signs along Stockton Street.

a) Install “NO PARKING ANYTIME” signs along the Stockton Street frontage.

vii) Install frontage improvements including but not limited to pavement, driveway, streetlights, reverse frontage wall, landscaping, curb, gutter and sidewalk along all streets in the subdivision in accordance with City Standards.

viii) Install reverse frontage walls, landscaping, and irrigation improvements along Stockton Street. Frontage improvements and landscaping shall be constructed by the Developer at the Developer’s expense to the approval of the Public Works Director and Community Development Director.

ix) Street Design shall comply with the following requirements on the following streets, unless otherwise approved by the City Engineer:

a) <u>Minor Residential (Cross-sections A, B, C, and D)</u>

(1) All interior streets designated as “minor residential” shall be 36 feet, curb to curb.

(2) The linear path noted in cross-sections B and C shall be 10 feet wide.

b) <u>Entry Street (Cross-section E)</u>

(1) The entry street shall be 40 feet, curb to curb, and have 55 feet of right of way. Street D shall be considered as an entry street.

(2) Additional landscaping may be dedicated/installed (behind the sidewalk) at the developer’s option to accommodate more robust landscaping.

c) <u>Stockton Street</u>

(1) The sidewalk shall meander as far north as possible to the northern boundary of the project (lot 146).

(2) Developer shall make their best effort to obtain necessary easements and construct a pedestrian connection from the project’s northern limits to the Harney Lane intersection (approximately 600 feet).

(3) Sidewalk shall be installed fronting parcel 058-130-14 to provide an ADA path of travel.

(4) A handicap ramp shall be installed at lot 147 to provide an ADA path of travel across Stockton Street.

(5) Unused driveways fronting Lots 1 through 5 and Lots 146 through 150 shall be removed.

d) Install a 3-way stop at the intersection of Kordia Avenue and Street D.

e) The standard cross slope of all streets shall be a minimum of 2.5 percent.

x) All public and private block walls are subject to the following criteria:

a) Minimum reverse-frontage wall heights shall be 8 feet above the highest adjacent pad elevation or as required by the Community Development Department Director and Public Works Director. All walls 7-feet and taller, including fencing on top of walls, require a building permit from the Community Development Department.

b) A wall detail shall be included with the improvement and grading plans for reference.

c) Wall shall be setback to accommodate reverse frontage landscaping and irrigation improvements. The reverse frontage wall, landscaping and irrigation improvements shall be constructed by the developer at the developer's expense, to the approval of the Public Works Director and Community Development Director.

d) Provide a public wall easement along all parcels containing a public masonry wall (including footings). The masonry walls along Stockton Street shall be in a public wall easement.

xi) Traffic striping modifications shall be performed as necessary along Stockton Street (from Rocky Lane to the south project limits).

b) <u>Wastewater</u>

i) Wastewater system shall be designed in conformance with the City's Wastewater Master Plan and design standards.

ii) Separate wastewater services in conformance with Standard Plan 201 shall be provided to each parcel from the public wastewater main in all public streets.

iii) Flushing station(s) may be required at locations with peak flows below City Standards.

c) <u>Storm Drainage</u>

i) The storm drain system shall be designed in conformance with the City's Storm Drain Master Plan and design standards. The engineer shall submit a C factor calculation to show the proposed development meets the current standard runoff coefficient, otherwise the engineer shall consider using higher C factors to calculate storm water runoff from the development.

ii) Slopes for all parcels within the development shall flow towards the proposed street. All storm water shall be collected within the

development and cannot flow to neighboring parcels. Lots 5 and 6 shall not drain onto parcel 058-130-14.

iii) An overland flood release pathway shall be incorporated in the street and circulation design plan for each subarea. For example, when any particular catch basin or pipe is obstructed or overwhelmed with water, the street drainage design (high points and low points) shall be calculated so that no water shall pond higher than 1-foot below any finished floor elevation without releasing the excess water toward the planned flood release point.

iv) An onsite basin will not be allowed with this project. The developer is required to excavate the existing Reynolds Ranch storm basin south of the proposed development to obtain the required storm water retention volume. An outlet structure with automatic slide gate at the southwest corner of the existing basin shall be constructed per the Reynolds Ranch Storm Drain Master Plan.

The proposed basin land shall be flat and be landscaped with turf and bordering plants matching the area to the south.

v) The storm water pipe connection shall be revised to connect to the existing storm water pipe in Stockton Street and Street D.

vi) Developer shall take the storm water drainage of parcel 058-130-14 into consideration to provide proper drainage into the public storm drain system and not across any other private properties.

d) <u>Water</u>

i) The water system shall be designed in conformance with the City's Water Master Plan and design standards.

ii) Separate water services in conformance with Standard Plan 403 shall be provided to each parcel from the public water main in all public streets. Service sizes shall be identified on the plans.

iii) Provide a looped water system. A minimum of two connections to the City water system are required throughout all phases.

iv) A water sampling station shall be provided within the subdivision. The location of the sampling station will be provided by the City Engineer during the plan check process.

v) When possible, fire hydrants shall be placed between driveways. Fire hydrants shall be placed in side yards as opposed to front yards (for corner lots). Fire hydrants shall be installed along the trail side of Kordia Avenue.

vi) Water meter boxes shall be located inside a public utility easement and outside of areas subject to vehicular travel.

vii) All public landscape shall be designed to use non-potable water (NPW). The system should connect to the existing NPW system.

6. Provide street names for all of the streets in the development for approval.

7. Revise the subdivision name and provide it for approval. There was a map named Reynolds Ranch Residential in the file already.

8. Provide a sound/noise study which addresses the railroad and overpass immediately adjacent to the project.
9. Provide a slope easement or retaining wall along the boundary of the development for all grade differentials of 0.5 feet or greater.
10. The slope of the Harney Lane overpass (parcel 058-130-26) to the north of the project and the 25-foot strip of land along the western boundary of the project shall be landscaped.
11. A split rail fence shall be installed along the north side of the trail along Street A.
12. A chain link fence shall be installed along the western boundary of the project.
13. All unused water, wastewater and storm drain stubs, services, and utility extensions shall be abandoned at the developer's expense.
14. All on-site water wells and septic systems shall be abandoned in conformance with applicable City and County codes and requirements prior to the approval of the public improvement plans. A copy of the abandonment permit shall be submitted to the City after the completion of the abandonment.
15. All public improvements shall be installed within one year of final map filing under the terms of an improvement agreement, to be approved by the City Council prior to final map filing. The Developer will be required to provide warranty security in the amount of 10% of the value of the public improvements. The warranty period will be two (2) years, commencing on the date of acceptance of the public improvements.
16. The Developer shall provide on-going maintenance and replacement of reverse frontage walls, landscaping and irrigation improvements, street trees, as well as other public services by annexation to the City of Lodi Community Facilities District prior to final map filing. All costs associated with annexation to the District are the Developer's responsibility.
17. Developer is required to perform regular maintenance of the installed public landscape element and equipment for a period of 3 years after the final acceptance of the project. Proper maintenance securities and insurance shall be provided for the maintenance period.
18. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA) and California Title 24. City of Lodi Standard Plans are in the process of being revised and it should not be assumed that current standard plans are fully ADA compliant. Project compliance with ADA standards is the Developer's responsibility.
19. The City of Lodi is a participant in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). An application for evaluation of the project site with respect to SJMSCP requirements shall be submitted to the San Joaquin Council of Governments (SJCOG) prior to commencement of any clearing, grading or construction activities on the project site.
20. The developer shall dedicate all public utility easements required by the various utility companies and the City of Lodi.
21. All property dedicated to the City of Lodi shall be free and clear of all liens and encumbrances and without cost to the City of Lodi and free and clear of environmental hazards, hazardous materials or hazardous waste. Developer shall prepare and submit a hazardous materials report and shall indemnify the City

against any and all hazardous materials and/or ground water contamination for all property/easements dedicated to the City.

22. In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the proposed Vineyard Terrace Residential subdivision, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriative or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all lots in the subdivision and provide deed provisions to be included in each conveyance.

23. As required by the California Green Building Code (CALGreen), project shall participate in the Construction and Demolition Recycling Program.

24. Prior to any work within City Right-of- Way, the applicant shall obtain an encroachment permit issued by the Public Works Department.

25. All existing survey monuments are to be preserved per California Senate Bill 1467. It is the applicant's responsibility to ensure that monuments are properly protected and/or perpetuated. If any of the monuments are to be disturbed or are near the area of construction, a licensed surveyor must confirm that the monuments have been protected and/or perpetuated and the appropriate documentation has been recorded.

26. Annexation to Community Facilities District 2007-1 (Public Services) to cover the cost of providing various City services is required. Annexation shall be complete prior to final map filing. All costs associated with annexation to the Community Facilities District shall be the responsibility of the developer.

27. Submit final map per City and County requirements including the following:

    a) Preliminary title report including copies of all referenced exception documents.

    b) Waiver of access rights at:

        i) All lots adjacent to Stockton Street.

    c) Waiver of vehicular access rights at:

        i) Lots 1 and 150 adjacent to Street D.

        ii) All lots adjacent to Stockton Street.

    d) Standard note regarding requirements to be met at subsequent date.

    e) Subdivision Map Guarantee.

    f) Annexation to Community Facilities District

28. Obtain the following permits:

    a) Grading Permit issued from the City of Lodi Building Department.

    b) Building Permit issued from the City of Lodi Building Department for the walls.

    c) Encroachment Permit issued from the City of Lodi Public Works Department for any work within the City's public right of way or on existing public water, wastewater and storm drain infrastructure.

d) San Joaquin County well/septic abandonment permit (if needed).

e) NPDES Construction General Permit (SWPPP).

f) San Joaquin Valley Air Pollution Control District (SJVAPCD) permits.

29. Payment of the following fees:

    a) Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.

    b) Water meter installation fees at the time of building permit issuance for each parcel.

    c) Regional Transportation Impact Fee (RTIF) at the time of building permit issuance.

    d) Encroachment Permit fee.

    e) Habitat Conservation Fee.

    f) Stormwater compliance inspection fee prior to map filing or commencement of construction operations, whichever occurs first.

    g) Annexation into the new City of Lodi Community Facilities District – Estimated at $10,000 prior to recording the final subdivision map. The annexation process generally requires 2-3 months to complete.

    h) Neighborhood Park mitigation fee if any.

    i) Reimbursement fees per any approved agreements.

30. Payment of the following fee prior to temporary occupancy or occupancy of the building unless noted otherwise:

    a) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule at the time of final inspection of the homes.

    b) County Facilities Fees.

    The above fees are subject to periodic adjustment as provided by the implementing ordinance/resolution. The fee charged will be that in effect at the time of collection indicated above.

31. Additional comments and conditions will be provided during the improvement plans review process when more detailed plans are available.

Lyman Chang
City Engineer / Deputy Public Works Director

LC/ktvk

cc: Assistant Engineer, Kiriu
Senior Engineer Technician, Wiman

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AUG 20 2020
CITY CLERK

August 20, 2020

Ms. Jennifer Cusmir, CMC, MPA
City Clerk
City of Lodi
221 W. Pine Street
Lodi, CA 95240

VIA PERSONAL DELIVERY

Re: Appeal of Planning Commission Decision Regarding Reynolds Ranch Tentative Tract Map PL2020-016

Dear Ms. Cusmir:

This office represents JAS Real Properties Development Lodi LLC ("JAS"), which is in contract to purchase properties owned by The David Alan and Linda Ellen Seeman Trust, The Ralph R. and Virginia M. Washburn 1988 Inter Vivos Revocable Trust (collectively, the "Seeman/Washburn Trusts")(APN 058-130-21), Grace Puccinelli and Guiseppe Puccinelli ("Puccinelli")(APN 058-130-22), and The Diane Y. Tsutsumi and Gary Tsutsumi Trust ("Tsutsumi Trust")(APN 058-130-25), which properties constitute the real property (hereinafter, the "Property") for which the Lodi Planning Commission approved Tentative Tract Map PL2020=016 on August 12, 2020 (hereinafter, the "Tentative Map"). The representative for JAS regarding the Tentative Map is Chris Robles of Chris Robles Consulting LLC, who submitted written comments to the Planning Commission on August 12, 2020, via electronic mail prior to the Commission meeting that evening, describing thirteen (13) separate conditions to which JAS objected or requested clarification in the list of proposed conditions from the City's Community Development Department, as well as objections to a number of proposed conditions from the City's Public Works Department. A copy of the correspondence emailed by Mr. Robles to the Commission is enclosed herewith. Mr. Robles received written confirmation that the City had received his comments from Kari Chadwick of the City's Community Development Department, a copy of which confirmation is enclosed herewith. Mr. Robles requested on behalf of JAS that, if the conditions could not be

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modified to address his comments, the Tentative Map be continued to a future Commission agenda to provide time to the JAS team to work with City staff on the conditions at issue. Mr. Robles had previously that week requested that City staff address his comments regarding the conditions, or continue the hearing to allow additional time for Mr. Robles and City staff to negotiate needed revisions to the conditions. JAS and Mr. Robles therefore have standing to bring this appeal to the City Council.

The Planning Commission ignored Mr. Robles' request, and acted to approve the Tentative Map, including all the conditions to which Mr. Robles had expressed objections or requested clarification. The Commission action mirrored the refusal of City staff to address the comments from Mr. Robles regarding the conditions. The comments from Mr. Robles were not read into the record, nor were any other comments from the public read into the record. Thus, members of the public viewing the hearing were prevented from hearing what public comments had been submitted to the Commission regarding the Tentative Map. In addition, the remote video structure of the meeting prohibited all but one member of the public from being able to voice telephonically their concerns directly to the Commission during the hearing.

JAS, as represented by Mr. Robles, hereby appeals the Planning Commission action approving the Tentative Map, on the basis that the conditions highlighted in the enclosure to Mr. Robles' correspondence to the Planning Commission are either not reasonably and legally related to the impacts of the Tentative Map, and are thus inapplicable to the project, or require clarification to determine if they are either in fact applicable to the project, or, if applicable, are not sufficiently defined to allow JAS to develop the Property. In addition, allowing one member of the public, the applicant, to call into the Planning Commission hearing while not making such form of oral communication available to the public at large, including JAS, as represented by Mr. Robles, violated the due process rights of JAS by precluding direct oral testimony to the Commission by JAS while allowing one member of the public to orally communicate with the Commission during the public hearing. If one member of the public is allowed to communicate orally with the Commission (or the City Council, for that matter), then all members of the public must be given the same means of communication. Clearly, while the Governor's Executive Order N-29-20 as amended March 17, 2020, allows a local agency to conduct its meetings via teleconference and allows members of the public to address such meetings telephonically or otherwise electronically, nothing in

the Governor's order allows a local agency to provide one means of communication for some members, or in this case, one member, of the public, while preventing other public members from having the same means of communication with that agency's hearing bodies.

Thus, without waiving objections to the violation of JAS' due process rights by the Planning Commission, Mr. Robles and the undersigned request the ability to speak via telephone at the City Council hearing on the appeal, and not just be limited to written testimony.

If you have any questions or request further documentation, please contact me at the address and phone number on this letter.

Respectfully submitted,

LAW OFFICE OF MARCUS J. LO DUCA
A Professional Corporation

Marcus J. Lo Duca

Enclosures
Cc: Client
Chris Robles

Marcus LoDuca

From: chrisroblesconsulting@gmail.com
Sent: Wednesday, August 12, 2020 6:20 PM
To: 'John Della Monica'; 'Planning Commission Comments'
Cc: Land Development Team; 'Lyman M Chang'
Subject: 8/12/20 PC agenda Item 4A, Tentative Tract Map for 150 lots
Attachments: Lodi request for modified conditions.pdf

Dear Planning Commission Chair Cummins and Planning Commissioners:

On behalf of the Developer who holds the options to purchase the Tentative Tract Map for 150 lots in the northwest quadrant of Reynolds Ranch we request that the attached modified conditions of approval be incorporated into the project conditions. The revisions requested are of great importance to us to ensure that we have clarity in the development obligations requested by the City and to ensure that we deliver on the City's expectations. If the condition modifications cannot be incorporated into the project at tonight's meeting we request that this item be continued to allow the project developer to work with staff to resolve the outstanding issues with the conditions of approval.

Thank you for your consideration.

Best regards,

Chris Robles
President
Chris Robles Consulting LLC
(916) 759-5940

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CONDITIONS OF APPROVAL
Project No. PL2020-016 S – Reynolds Ranch Residential Subdivision to subdivide an approximately 28.2-acre site into 150 single family lots. The site is located south of E Harney Lane and west of S Stockton Street in the Reynolds Ranch Planned Development (PD 39).
Assessor's Parcel Numbers: 058-130-21, -22, and -25
Planning Commission Approval Date: August 12, 2020

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	Conditions of Approval		Timing/ Implementation	Enforcement/ Monitoring	~~Verificat (Date and Signature)~~ Applicant Comments
	General Conditions/Conditions Prior to Final Map				
1.	The applicant shall review and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed page to the Planning Department. Project approval is not final until a signed copy of these conditions is filed with the City. Applicant Signature Date Print Name		Must be completed to finalize project approval	Planning Department	As the applicant we have concerns with conditions as stated and will not be able to sign as presented.

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under CEQA, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.	Ongoing	Planning Department	
3.	This map shall expire 24 months after its effective date, unless the lifetime of the map is extended as provided in Zoning Code 17.52.130. The effective date of this map shall be date on which a growth allocation is approved by the City Council.	Ongoing	Public Works and Planning Departments	OK
4.	All of the Public Works conditions in the attached memorandum dated April 21, 2020, shall be satisfied.	As Shown	Public Works	Conflicts with CDD

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
5.	Approval of a Final Subdivision Map shall be contingent upon the approval of a growth allocation for the project by the City Council.	Ongoing	Public Works and Planning Departments	
6.	Prior to recordation of the final maps for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department. (Final EIR Mitigation Measure 3.7.1)	Prior to recordation of Final Map	Planning Department	
7.	~~Prior to recordation of a final map, the applicant shall submit for City review and approval Development Standards and Guidelines (DS&G) for this subdivision. The DS&G shall be subject to review and approval by the City Council based on recommendation by the Planning Commission and shall be made part of the Reynolds Ranch Planned Development (PD39).~~ ~~The DS&G shall address at least the following topics, plus others as deemed necessary by the City:~~ ~~• **Planning Commission - Development Standards**, including:~~ ~~• Setbacks, height limits~~ ~~• Signs~~ ~~• Fences, Walls, and Hedges~~ ~~• Landscaping, including landscaping in the public domain~~ ~~• Lighting~~ ~~• Parking~~ ~~• Permitted, conditionally permitted, and prohibited land uses~~ • **SPARC - Architectural Guidelines**, including: • Proposed architectural improvement documents • Colors and materials (physical submission) • Exterior elevations (all orientations) • Roof Plans • Specific site plans with driveways principal paths	Prior to recordation of Final Map	Planning Department	Design Guidelines have been included on the agenda for 8/12/20.

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	• Fence lines The Development Standards and Guidelines (DS&G) shall include a statement that the most recent adopted version of the Lodi Zoning Code shall be used where the DS&G do not include a specific change from the standards in the Zoning Code. The Development Standards and Guidelines shall refer to the most recent adopted version of the Lodi Zoning Code for the following: • Site Plan and Architectural Review • Variances and Deviations To the extent possible, consistent with the desire to create a specific product type/style for this subdivision, the DS&G shall be consistent with the "Planned Development Overlay Standards & Guidelines" adopted in 2014 for the Reynolds Ranch Subdivision (project no. 2014-07 S), specifically in terms of landscaping, signage, etc., in the public domain where consistency among residential neighborhoods in the Reynolds Ranch project is desired.			
Conditions Prior to Development or Building Permit Issuance				
8.	No permits (building permit, grading permit, etc.) shall be issued prior to recordation of a Final Map.	Prior to Permit Issuance	Public Works Department	OK
9.	Prior to issuance of a building permit, the applicant shall pay an Agricultural Land Mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the Prime Farmland. The City Council, acting within its legislative capacity and as a matter of policy, shall determine the sufficiency of fees paid to mitigate the loss	Prior to Permit Issuance	Building and Planning Departments	Please provide a copy of the pending ordinance.

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	of Prime Farmland. (Final EIR Mitigation Measure 3.7.2)			
10.	Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special- status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird- nesting season (from October 1 - January 31) will not require nesting bird surveys. (Final EIR Mitigation Measure 3.2.2)	Prior to Clearing, Grubbing, or Removal of Vegetation	Public Works and Planning Departments	
11.	Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCP). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP. (Final EIR Mitigation Measure 3.2.2)	Prior to Clearing, Grubbing, or Removal of Vegetation	Public Works and Planning Departments	
12.	The City of Lodi shall not issue permits for construction activities on the project site unless the portion of the site involved in the requested permit has been deemed clear of recognized environmental conditions in writing by a California State Registered Environmental Assessor	Prior to Permit Issuances	Public Works and Planning Departments	Please clarify the type of document environmental document required.

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	with HAZWOPER 40-hour OSHA Certification. Portions of the site require further hazardous material investigations to make a determination of the presence of recognized environmental conditions. Such investigations shall be conducted in accordance with the most recent American Society for Testing and Materials (ASTM) standards, such as the ASTM's "Standard Guide for Environmental Site Assessments: Phase I [or II] Environmental Site Assessment Process". In total, the updated hazardous material investigations of the site shall minimally evaluate the areas previously inaccessible to hazardous material investigators, the southern-most barn on the eastern portion of APN 058-110-41, the contents of the vault in the shed on the southern portion of APN 058-110-04, the function of the "water" basin and its previous discharges must be determined, the exact location of the 10 inch Kinder Morgan refined product pipeline, the areas adjacent to the Union Pacific Railroad right-of-way, and the onsite residential structures and buildings which were previously inaccessible. (Final EIR Mitigation Measure 3.5.1)			
13.	~~A Phase II Environmental Site Assessment (ESA) shall be completed prior to the approval of individual development plans within the project area. Said Phase II ESA report shall include subsurface investigations and recommended remedial actions, if required, at specific locations as recommended in the Phase I Environmental Site Assessment prepared by Kleinfelder, Inc., or any subsequent updated report. The following additional requirements shall apply:~~ ~~a. Soil sampling and analysis for pesticides shall only be conducted in those areas of the site that are still agricultural; and~~ ~~b.~~a. ~~If levels of organochloride pesticides are found to be in excess of applicable residential or commercial Preliminary Remediation Goals/Maximum Contaminant Limits (PRGs/MCLs) then an evaluation shall be required to determine the depth and extent of these elevated concentrations. (Final EIR Mitigation Measure 3.5.2)~~	Prior to Approval of Development Plans	Planning Department	Not applicable to the property. If a Phase 1 indicates a need for Phase 2 we will prepare accordingly.

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
14.	Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) to allow for window closure, in compliance with the City of Lodi Compatibility Standards. (Final EIR Mitigation Measure 3.8.3)	Prior to Building Permit Issuance	Building and Planning Departments	
15.	Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.4)	Prior to Building Permit Issuance	Building and Planning Departments	Please clarify the height of the wall required.
16.	New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.5)	Prior to Building Permit Issuance	Building and Planning Departments	Will install wall according to exhibit prepared by Eric Norris.
17.	Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall, landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. ~~This attenuation may be achieved by the design of the min storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans.~~ Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks. (Final EIR Mitigation Measure 3.8.6)	Prior to Building Permit Issuance	Building and Planning Departments	Noise attenuation of the home to be addressed by builder. This section is not a map condition.
18.	~~A detention basin pump system will be required to empty the detention basin. The planned proximity of homes to the basin would likely require substantial shielding if such pumps were to operate at~~	Prior to Building Permit Issuance	Building and Planning Departments	Not applicable as we are not installing pumps pursuant to PW's conditions

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	~~night. To the satisfaction of the City of Lodi, noise levels at residences in proximity to any required basin pump system shall be attenuated to meet the City's noise standards. Said attenuation can be achieved through enclosing the pump system or using upgraded sound rating building materials in nearby residences. (Final EIR Mitigation Measure 3.8.7)~~			
19.	Proponents of development onsite shall submit a construction Traffic Control Plan to the Public Works Department for review and approval prior to commencing construction on the project and any related off-site improvements. (Final EIR Mitigation Measure 3.10.4)	Prior to Building Permit Issuance	Public Works Department	
20.	To the satisfaction of the City of Lodi Public Works Department, the development shall be assessed its fair share of the cost of developing additional water sources, including but not limited to participation in acquiring additional water rights, development and construction of surface water treatment or recharge the groundwater system, construction of water transmission facilities, and other related water infrastructure. (Final EIR Mitigation Measure 3.11.4)	Prior to Building Permit Issuance	Public Works and Planning Departments	
Conditions To Be Implemented During Development/Construction				
21.	If buried Native American archaeological resources are discovered during the project activities, work shall stop immediately in the vicinity of the discovery, until a qualified archaeologist that meets the satisfaction of the City of Lodi determines the significance of the discovery and develops plans to preserve the significance of any discovered CRHR eligible resources. Such archaeological resource preservation plans shall be implemented to the satisfaction of the City of Lodi. (Final EIR Mitigation Measure 3.3.4)	During Grading	Public Works and Planning Departments	
22.	Should paleontological resources be encountered during construction excavation, the project proponent shall halt excavation in the vicinity of the discovery and contact a qualified vertebrate paleontologist to evaluate the significance of the find and make recommendations for	During Grading and Excavation	Public Works and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	collection and preservation of discovered paleontological resources in a written report to the City of Lodi. Said recommendations shall be implemented to the satisfaction of the City of Lodi. (Final EIR Mitigation Measure 3.3.5)			
23.	If subsurface structures are encountered during site development or excavation onsite, care should be exercised in determining whether or not the subsurface structures contain asbestos. If they contain asbestos, it shall be removed, handled, transported, and disposed of in accordance with local, state, and federal laws and regulations. (Final EIR Mitigation Measure 3.5.3)	During Grading and Excavation	Public Works and Planning Departments	
24.	The wells onsite should not be used as a water supply for any of the proposed land uses unless the water from said wells is tested and found to meet state and federal drinking water standards as confirmed by the City's water department. (Final EIR Mitigation Measure 3.5.4)	During Grading and Excavation	Public Works and Planning Departments	
25.	An asbestos and lead paint assessment shall be conducted for structures constructed prior to 1980, if they are to be renovated or demolished prior to future development on the project site. The following requirements apply: a. A Certified Cal-OSHA Asbestos Consultant shall conduct said surveys. If asbestos is detected, all removal shall be completed by a licensed asbestos abatement contractor; and b. Any lead paint that is detected and which is in poor condition shall be removed prior to building demolition. (Final EIR Mitigation Measure 3.5.5)	Prior to Demolition of Structures	Building and Planning Departments	
26.	All locations of underground storage tanks (USTs) on the project site, where past releases are known or are suspected, shall be subject to further investigation and analysis to confirm or deny evidence of past releases. Said investigations shall be conducted in accordance with Environmental Protection Agency (EPA) and per Leaking Underground Storage Tank (LUST) guidelines. (Final EIR Mitigation	Prior to Grading and Excavation	Public Works and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	Measure 3.5.6)			
27.	~~Miscellaneous debris located throughout the project site, and described in the Phase I ESA.~~ If debris is found on the project site it shall be removed prior to development activities. Any petroleum products and/or hazardous materials encountered should be disposed of or recycled in accordance with local, state, and federal regulations. (Final EIR Mitigation Measure 3.5.8)	Prior to Grading and Excavation	Public Works and Planning Departments	Not applicable as the site does not have debris as stated.
28.	~~Various sized buckets and drums containing petroleum products were noted at several locations on the project site in the Phase I ESA. All such drums and buckets shall be removed from the project site in accordance with local, state, and federal regulations. In addition, soil sampling shall be conducted at those bucket and drum locations where staining was noted. (Final EIR Mitigation Measure 3.5.9)~~	Prior to Grading and Excavation	Public Works and Planning Departments	Not applicable to this parcel. Deletion of this condition does not diminish the obligation of the EIR.
29.	To the satisfaction of the City of Lodi Public Works Department, all drainage facilities shall be constructed in conformance with the standards and specifications of the City of Lodi. (Final EIR Mitigation Measure 3.6.3)	Ongoing During Development	Public Works Department	
30.	~~To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required drainage infrastructure to serve the demands of the project. (Final EIR Mitigation Measure 3.6.6)~~	Prior to Grading	Public Works Department	Not applicable, we are excavating the basin beyond our impact. Project would require the excavation of 5,000 cubic yards of material we are excavating 12,000 yards and providing a new outfall gate. Will the City reimburse developer for work beyond the project impacts?

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Ongoing Conditions				
31.	The applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the residence is located in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, et cetera. The language and format of such notification	During Home Sales	Planning Department	

	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	shall be reviewed and approved by the City Community Development Department prior to recordation of final maps. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to- Farm Ordinance. (Final EIR Mitigation Measure 3.7.1)			
32.	Buyer notification of the presence of possible agricultural activity noise shall be made as part of any property transfer documents. (Final EIR Mitigation Measure 3.8.8)	Ongoing During Sale of Homes	Planning Department	
33.	All construction shall require a permit and shall be limited to the hours of 7 a.m. to 10 p.m. Staging areas shall be located away from existing residences, and all equipment shall use properly operating mufflers. (Final EIR Mitigation Measure 3.8.1)	During Construction	Building and Planning Departments	
34.	The project contractor shall place all stationary construction equipment so that emitted noise is directed way from sensitive receptors nearest the project site. (Final EIR Mitigation Measure 3.8.2)	During Construction	Building and Planning Departments	

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MEMORANDUM, City of Lodi, Public Works Department

To: Community Development Director

From: Public Works Department

Date: April 21, 2020

Subject: Tentative Subdivision Map Conditions for 2739 South Stockton Street
APN: 058-130-21, 058-130-22, and 058-130-25;
File #PL2020-016 – Reynolds Ranch/Bennett Subdivision (150 units)

The following conditions of approval are required for the subject project per City codes and standards, all to be accomplished prior to, or concurrent with, final map filing unless noted otherwise:

1. The project development shall comply with the requirements of Senate Bill (SB) 5, related to an urban level of flood protection (200-year storm event). The developer has the option of 1) Preparing their own 200-year flood protection report to prove that their property is in compliance, or 2) Contribute towards the City's delineation map and study that is currently being completed. The preliminary delineation map identifies the properties are above the 200-year flood plain, which does not require any additional measures for compliance. The City's cost for the delineation map and study is $188 per lot.
2. Project design and construction shall be in compliance with the applicable terms and conditions of the Multi-Agency Post-Construction Stormwater Standards Manual adopted by the City of Lodi in compliance with the State Water Resources Control Board's Phase II MS4 permit.
   a) A Project Storm Water Plan must be submitted for approval prior to any master plan and improvement plans submittal.
   b) State-mandated construction site inspections to assure compliance with the City of Lodi's Phase II MS4 permit are required. The fee for these inspections is the responsibility of the developer and must be paid prior to the map filing or commencement of construction operations, whichever occurs first.
3. Utility Master Plans (Storm Drain, Water, and Wastewater) shall be approved prior to submittal of Public Improvement Plans.
4. Engineered improvement plans and cost estimates shall be submitted for approval per the City Public Improvement Design Standards for all public improvements prior to final map filing. Incomplete submittals will not be accepted. Plan submittal shall include the following:
   a) Approved tentative map, signed by the Community Development Director.
   b) Approved Stormwater Master Plan.
   c) Design shall conform to the Multi-Agency Post-Construction Stormwater Standards Manual (PCSP) as adopted by City Council on November 4, 2015 and all state and federal requirements.

d) Landscape and irrigation plans shall conform to the Model Water Efficient Landscaping Ordinance (MWELO) per the Governor's Executive Order B-29-12 adopted on December 31, 2015.

   i) Landscape Planting Plan required with the first submittal. Full landscape and irrigation plans are required with the second submittal.

   ii) MWELO landscape plan submittal will be required with the second submittal.

e) Current soils report. If the soils report was not issued within the past three (3) years, provide an updated soils report from a licensed engineer.

f) Grading, drainage and erosion control plans.

g) Copy of Notice of Intent for NPDES permit. A WDID number will be required prior to plan approval.

h) All utilities, including street lights and electrical, gas, telephone and cable television facilities.

~~i) Undergrounding of all overhead utilities fronting Stockton Street from the southern project boundary to Harney Lane.~~ This is an offsite improvement and the City has not made a nexus to the projects impacts to warrant this improvement. The condition must be proportional to the project impacts.

~~j)~~i) Joint trench plans (required with second submittal).

~~k)~~j) Reverse frontage wall and details. Minimum wall height shall be ~~8~~ 6 feet above the adjacent pad and/or ground elevation or as required by Community Development Department to satisfy the general plan requirements.

~~l)~~k) Street tree planting plan for landscaping areas require approval of the Community Development Director and Public Works Director.

A complete plan check submittal package, including all the items listed above plus the Map/Improvement Plan Submittal cover letter, Improvement Plan Checklist and engineering plan check fees, is required to initiate the Public Works Department plan review process for the engineered improvement plans.

5. Design and installation of public improvements shall be in accordance with City Master Plans. Street, wastewater, storm drainage, and water master plans and design calculations will be required for the development.

   a) Street

      i) All street designs shall conform to the City of Lodi Design Standards.

      ii) Curb returns and corner cut-offs shall conform to City of Lodi Standard Plans 611 and 612.

      iii) Provide an onsite fire-truck/garbage truck turning analysis for the street knuckles. If the fire-truck and garbage truck turning movements are not met, knuckles shall be designed in conformance with City of Lodi Standard Plan 133.

      ~~iv)~~ All residential streets shall contain vertical type (side lot) or rolled type (fronts) curb, gutter and sidewalk as reflected in the tentative map submittal; and shall conform with City of Lodi Standard Plan 135 and 136 respectfully.

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~~v)~~iv) Install street lights along Stockton Street from Rocky Lane to the southern project boundary.

a) Street light locations shall be properly coordinated.

~~vi)~~v) Provide all necessary traffic signs for the entire subdivision, including any necessary traffic signs along Stockton Street.

a) Install "NO PARKING ANYTIME" signs along the Stockton Street frontage.

~~vii)~~ Install frontage improvements including but not limited to pavement, driveway, streetlights, reverse frontage wall, landscaping, curb, gutter and sidewalk along all streets in the subdivision in accordance with City Standards.

~~viii)~~vi) Install reverse frontage walls, landscaping, and irrigation improvements along Stockton Street. Frontage improvements and landscaping shall be constructed by the Developer at the Developer's expense to the approval of the Public Works Director and Community Development Director.

~~ix)~~vii) Street Design shall comply with the following requirements on the following streets, unless otherwise approved by the City Engineer:

a) Minor Residential (Cross-sections A, B, C, and D)

(1) All interior streets designated as "minor residential" shall be 36 feet, curb to curb.

(2) The linear path noted in cross-sections B and C shall be 10 feet wide.

b) Entry Street (Cross-section E)

(1) The entry street shall be 40 feet, curb to curb, and have 55 feet of right of way. Street D shall be considered as an entry street.

(2) Additional landscaping may be dedicated/installed (behind the sidewalk) at the developer's option to accommodate more robust landscaping.

c) Stockton Street

(1) The sidewalk shall meander as far north as possible to the northern boundary of the project (lot 146). OK

(2) ~~Developer shall make their best effort to obtain necessary easements and construct a pedestrian connection from the project's northern limits to the Harney Lane intersection (approximately 600 feet).~~Comment: This is an offsite improvement and the City has not made a nexus to the projects impacts to warrant this improvement. Will the City reimburse for developers' expense in design and construction of these improvements? The condition must be proportional to the project impacts.

(3) Developer shall make their best efforts to obtain the necessary easements and construct a pedestrian connection ~~Sidewalk shall be installed~~ fronting parcel 058-130-14 to provide a~~n ADA~~ path of travel. If it is determined that the pedestrian connection will create drainage issues on the parcel or be determined to be detrimental to the

property, the developer is relieved of this obligation.

~~(4)~~ A handicap ramp shall be installed at lot 147 to provide an ADA path of travel across Stockton Street.

~~(5)~~(4) Unused driveways fronting Lots 1 through 5 and Lots 146 through 150 shall be removed.

d) Install a 3-way stop at the intersection of Kordia Avenue and Street D.

e) The standard cross slope of all streets shall be a minimum of 2.5 percent.

~~x)~~viii) All public and private block walls are subject to the following criteria:

a) Minimum reverse-frontage wall heights shall be ~~8~~ 6 feet above the highest adjacent pad elevation or as required by the Community Development Department Director and Public Works Director. All walls 7-feet and taller, including fencing on top of walls, require a building permit from the Community Development Department.

b) A wall detail shall be included with the improvement and grading plans for reference.

c) Wall shall be setback to accommodate reverse frontage landscaping and irrigation improvements. The reverse frontage wall, landscaping and irrigation improvements shall be constructed by the developer at the developer's expense, to the approval of the Public Works Director and Community Development Director.

d) Provide a public wall easement along all parcels containing a public masonry wall (including footings). The masonry walls along Stockton Street shall be in a public wall easement.

~~xi)~~ix) Traffic striping modifications shall be performed as necessary along Stockton Street (from Rocky Lane to the south project limits).

b) Wastewater

i) Wastewater system shall be designed in conformance with the City's Wastewater Master Plan and design standards.

ii) Separate wastewater services in conformance with Standard Plan 201 shall be provided to each parcel from the public wastewater main in all public streets.

iii) Flushing station(s) may be required at locations with peak flows below City Standards.

c) Storm Drainage

i) The storm drain system shall be designed in conformance with the City's Storm Drain Master Plan and design standards. The engineer shall submit a C factor calculation to show the proposed development meets the current standard runoff coefficient, otherwise the engineer shall consider using higher C factors to calculate storm water runoff from the development.

ii) Slopes for all parcels within the development shall flow towards the proposed street. All storm water shall be collected within the development and cannot flow to neighboring parcels. Lots 5 and 6 shall not drain onto parcel 058-130-14.

iii) An overland flood release pathway shall be incorporated in the street and circulation design plan for each subarea. For example, when any particular catch basin or pipe is obstructed or overwhelmed with water, the street drainage design (high points and low points) shall be calculated so that no water shall pond higher than 1-foot below any finished floor elevation without releasing the excess water toward the planned flood release point.

iv) An onsite basin will not be allowed with this project. The developer is required to excavate the existing Reynolds Ranch storm basin south of the proposed development to obtain the required storm water retention volume. An outlet structure with automatic slide gate at the southwest corner of the existing basin shall be constructed per the Reynolds Ranch Storm Drain Master Plan.

The proposed basin land shall be flat and be landscaped with turf and bordering plants matching the area to the south. Do we get parkland dedication credit for this area?

v) The storm water pipe connection shall be revised to connect to the existing storm water pipe in Stockton Street and Street D. OK

vi) Developer shall take the storm water drainage of parcel 058-130-14 into consideration to provide proper drainage into the public storm drain system and not across any other private properties.

d) Water

i) The water system shall be designed in conformance with the City's Water Master Plan and design standards.

ii) Separate water services in conformance with Standard Plan 403 shall be provided to each parcel from the public water main in all public streets. Service sizes shall be identified on the plans.

iii) Provide a looped water system. A minimum of two connections to the City water system are required throughout all phases.

iv) A water sampling station shall be provided within the subdivision. The location of the sampling station will be provided by the City Engineer during the plan check process.

v) When possible, fire hydrants shall be placed between driveways. Fire hydrants shall be placed in side yards as opposed to front yards (for corner lots). Fire hydrants shall be installed along the trail side of Kordia Avenue.

vi) Water meter boxes shall be located inside a public utility easement and outside of areas subject to vehicular travel.

vii) All public landscape shall be designed to use non-potable water (NPW). The system should connect to the existing NPW system. Where is this located?

6. Provide street names for all of the streets in the development for approval.

~~7.~~ Revise the subdivision name and provide it for approval. There was a map named Reynolds Ranch Residential in the file already.

~~8. Provide a sound/noise study which addresses the railroad and overpass immediately adjacent to the project.~~

~~9.~~7. Provide a slope easement or retaining wall along the boundary of the development

for all grade differentials of 0.5 feet or greater.

~~10.~~8. The slope of the Harney Lane overpass (parcel 058-130-26) to the north of the project and the 25-foot strip of land along the western boundary of the project shall be landscaped.

~~11.~~ A split rail fence shall be installed along the north side of the trail along Street ~~A.~~

~~12. A chain link fence shall be installed along the western boundary of the project.~~

~~13.~~9. All unused water, wastewater and storm drain stubs, services, and utility extensions shall be abandoned at the developer's expense.

~~14.~~10. All on-site water wells and septic systems shall be abandoned in conformance with applicable City and County codes and requirements prior to the approval of the public improvement plans. A copy of the abandonment permit shall be submitted to the City after the completion of the abandonment.

~~15.~~11. All public improvements shall be installed within one year of final map filing under the terms of an improvement agreement, to be approved by the City Council prior to final map filing. The Developer will be required to provide warranty security in the amount of 10% of the value of the public improvements. The warranty period will be two (2) years, commencing on the date of acceptance of the public improvements.

~~16.~~12. The Developer shall provide on-going maintenance and replacement of reverse frontage walls, landscaping and irrigation improvements, street trees, as well as other public services by annexation to the City of Lodi Community Facilities District prior to final map filing. All costs associated with annexation to the District are the Developer's responsibility.

~~17.~~13. Developer is required to perform regular maintenance of the installed public landscape element and equipment for a period of 3 years after the final acceptance of the project. Proper maintenance securities and insurance shall be provided for the maintenance period.

~~18.~~14. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA) and California Title 24. City of Lodi Standard Plans are in the process of being revised and it should not be assumed that current standard plans are fully ADA compliant. Project compliance with ADA standards is the Developer's responsibility.

~~19.~~15. The City of Lodi is a participant in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). An application for evaluation of the project site with respect to SJMSCP requirements shall be submitted to the San Joaquin Council of Governments (SJCOG) prior to commencement of any clearing, grading or construction activities on the project site. Is Is an application to SJCOG required given there is an established fee?

~~20.~~16. The developer shall dedicate all public utility easements required by the various utility companies and the City of Lodi.

17. All property dedicated to the City of Lodi shall be free and clear of all liens and encumbrances and without cost to the City of Lodi and free and clear of environmental hazards, hazardous materials or hazardous waste. Developer shall prepare and submit a hazardous materials report ~~and shall indemnify the City against any and all hazardous materials and/or ground water contamination~~ for all property/easements dedicated to the City.

~~21. In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the proposed Vineyard Terrace~~

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~~Residential subdivision, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriative or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all lots in the subdivision and provide deed provisions to be included in each conveyance.~~ Not the correct project.

~~22.~~18. As required by the California Green Building Code (CALGreen), project shall participate in the Construction and Demolition Recycling Program.

~~23.~~ Prior to any work within City Right-of- Way, the applicant shall obtain an encroachment permit issued by the Public Works Department.

~~24.~~19. All existing survey monuments are to be preserved per California Senate Bill 1467. It is the applicant's responsibility to ensure that monuments are properly protected and/or perpetuated. If any of the monuments are to be disturbed or are near the area of construction, a licensed surveyor must confirm that the monuments have been protected and/or perpetuated and the appropriate documentation has been recorded.

~~25.~~20. Annexation to Community Facilities District 2007-1 (Public Services) to cover the cost of providing various City services is required. Annexation shall be complete prior to final map filing. All costs associated with annexation to the Community Facilities District shall be the responsibility of the developer. OK

~~26.~~21. Submit final map per City and County requirements including the following:

a) Preliminary title report including copies of all referenced exception documents.

b) Waiver of access rights at:

   i) All lots adjacent to Stockton Street.

c) Waiver of vehicular access rights at:

   i) Lots 1 and 150 adjacent to Street D.

   ii) All lots adjacent to Stockton Street.

d) Standard note regarding requirements to be met at subsequent date. What does this mean?

e) Subdivision Map Guarantee.

f) Annexation to Community Facilities District

~~27.~~22. Obtain the following permits:

a) Grading Permit issued from the City of Lodi Building Department.

b) Building Permit issued from the City of Lodi Building Department for the walls in excess of seven (7) feet in height.

c) Encroachment Permit issued from the City of Lodi Public Works Department for any work within the City's public right of way or on existing public water, wastewater and storm drain infrastructure.

d) San Joaquin County well/septic abandonment permit (if needed).

e) NPDES Construction General Permit (SWPPP).

f) San Joaquin Valley Air Pollution Control District (SJVAPCD) permits.

~~28.~~23. Payment of the following fees:

a) Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.

b) Water meter installation fees at the time of building permit issuance for each parcel.

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c) Regional Transportation Impact Fee (RTIF) at the time of building permit issuance.

d) Encroachment Permit fee.

~~e)~~ Habitat Conservation Fee.

~~f)~~e) Stormwater compliance inspection fee prior to map filing or commencement of construction operations, whichever occurs first.

~~g)~~f) Annexation into the new City of Lodi Community Facilities District – Estimated at $10,000 prior to recording the final subdivision map. The annexation process generally requires 2-3 months to complete.

~~h)~~g) Neighborhood Park mitigation fee if any. Do we get credit for park improvements and dedication of land?

~~i)~~h) Reimbursement fees per any approved agreements.

~~29. Payment of the following fee prior to temporary occupancy or occupancy of the building unless noted otherwise:~~

~~a) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule at the time of final inspection of the homes.~~

~~b) County Facilities Fees.~~

~~The above fees are subject to periodic adjustment as provided by the implementing ordinance/resolution. The fee charged will be that in effect at the time of collection indicated above.~~ These are not map conditions.

~~30.~~24. ~~Additional comments and conditions will be provided during the improvement plans review process when more detailed plans are available.~~ Conditions cannot be added after the discretionary approval is granted.

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Lyman Chang
City Engineer / Deputy Public Works Director

LC/ktvk

cc: Assistant Engineer, Kiriu
Senior Engineer Technician, Wiman

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Marcus LoDuca

Subject: FW: 8/12/20 PC agenda Item 4A, Tentative Tract Map for 150 lots

From: Chris Robles <chrisroblesconsulting@gmail.com>
Sent: Wednesday, August 12, 2020 7:00 PM
To: Planning Commission Comments <pccomments@lodi.gov>; John Della Monica <jdellamonica@lodi.gov>
Cc: Land Development Team <Landteam@tricommercial.com>; Lyman M Chang <lchang@lodi.gov>
Subject: Re: 8/12/20 PC agenda Item 4A, Tentative Tract Map for 150 lots

Thank you Kari much appreciated.

Chris Robles
Cell 916-759-5940
chrisroblesconsulting@gmail.com

From: Kari Chadwick <kchadwick@lodi.gov> on behalf of Planning Commission Comments <pccomments@lodi.gov>
Sent: Wednesday, August 12, 2020 6:21:48 PM
To: chrisroblesconsulting@gmail.com <chrisroblesconsulting@gmail.com>; John Della Monica <jdellamonica@lodi.gov>; Planning Commission Comments <pccomments@lodi.gov>
Cc: Land Development Team <Landteam@tricommercial.com>; Lyman M Chang <lchang@lodi.gov>
Subject: RE: 8/12/20 PC agenda Item 4A, Tentative Tract Map for 150 lots

Thank you Mr. Robles. Your comments will be forwarded to the Planning Commissioners and made a part of the record.

Kari Chadwick
Administrative Assistant
Community Development
209-333-6711 or 209-269-4527

From: chrisroblesconsulting@gmail.com [mailto:chrisroblesconsulting@gmail.com]
Sent: Wednesday, August 12, 2020 6:20 PM
To: John Della Monica; Planning Commission Comments
Cc: Land Development Team; Lyman M Chang
Subject: 8/12/20 PC agenda Item 4A, Tentative Tract Map for 150 lots

Dear Planning Commission Chair Cummins and Planning Commissioners:

On behalf of the Developer who holds the options to purchase the Tentative Tract Map for 150 lots in the northwest quadrant of Reynolds Ranch we request that the attached modified conditions of approval be incorporated into the project conditions. The revisions requested are of great importance to us to ensure that we have clarity in the development obligations requested by the City and to ensure that we deliver on the City's expectations. If the condition modifications cannot be incorporated into the project at tonight's meeting we request that this item be continued to allow the project developer to work with staff to resolve the outstanding issues with the conditions of approval.

Thank you for your consideration.

Best regards,

Chris Robles
President

CONDITIONS OF APPROVAL
Project No. PL2020-016 S – Reynolds Ranch Residential Subdivision to subdivide an approximately 28.2-acre site into 150 single family lots. The site is located south of E Harney Lane and west of S Stockton Street in the Reynolds Ranch Planned Development (PD 39).
Assessor's Parcel Numbers: 058-130-21, -22, and -25
~~Planning Commission~~City Council Approval Date: ~~August 12~~September 16, 2020

	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
General Conditions/Conditions Prior to Final Map				
1.	The applicant shall review and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed page to the Planning Department. Project approval is not final until a signed copy of these conditions is filed with the City. Applicant Signature Date Print Name	Must be completed to finalize project approval	Planning Department	
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and	Ongoing	Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under CEQA, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
3.	This map shall expire 24 months after its effective date, unless the lifetime of the map is extended as provided in Zoning Code 17.52.130. The effective date of this map shall be date on which a growth allocation is approved by the City Council.	Ongoing	Public Works and Planning Departments	
4.	All of the Public Works conditions in the attached memorandum dated April 21, 2020, shall be satisfied.	As Shown	Public Works	
5.	Approval of a Final Subdivision Map shall be contingent upon the	Ongoing	Public Works	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	approval of a growth allocation for the project by the City Council.		and Planning Departments	
6.	~~Prior to recordation of the final maps for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department. (Final EIR Mitigation Measure 3.7.1)~~	~~Prior to recordation of Final Map~~	~~Planning Department~~	
7.	Prior to recordation of a final map, the applicant shall submit for City review and approval Development Standards and Guidelines (DS&G) for this subdivision. The DS&G shall be subject to review and approval by the City Council based on recommendation by the Planning Commission and shall be made part of the Reynolds Ranch Planned Development (PD39). The DS&G shall address at least the following topics, plus others as deemed necessary by the City: **1. Planning Commission - Development Standards**, including: • Setbacks, height limits • Signs • Fences, Walls, and Hedges • Landscaping, including landscaping in the public domain • Lighting • Parking • Permitted, conditionally permitted, and prohibited land uses **2. SPARC - Architectural Guidelines**, including: • Proposed architectural improvement documents • Colors and materials (physical submission) • Exterior elevations (all orientations)	Prior to recordation of Final Map	Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	• Roof Plans • Specific site plans with driveways principal paths • Fence lines The Development Standards and Guidelines (DS&G) shall include a statement that the most recent adopted version of the Lodi Zoning Code shall be used where the DS&G do not include a specific change from the standards in the Zoning Code. The Development Standards and Guidelines shall refer to the most recent adopted version of the Lodi Zoning Code for the following: • Site Plan and Architectural Review • Variances and Deviations To the extent possible, consistent with the desire to create a specific product type/style for this subdivision, the DS&G shall be consistent with the "Planned Development Overlay Standards & Guidelines" adopted in 2014 for the Reynolds Ranch Subdivision (project no. 2014-07 S), specifically in terms of landscaping, signage, etc., in the public domain where consistency among residential neighborhoods in the Reynolds Ranch project is desired.			
Conditions Prior to Development or Building Permit Issuance				
8.	No permits ~~(building permit, grading permit, etc.)~~for production homes shall be issued prior to recordation of a Final Map.	Prior to Permit Issuance	Public Works Department	
9.	Prior to issuance of a building permit, the applicant shall pay an Agricultural Land Mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not	Prior to Permit Issuance	Building and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the Prime Farmland. The City Council, acting within its legislative capacity and as a matter of policy, shall determine the sufficiency of fees paid to mitigate the loss of Prime Farmland. (Final EIR Mitigation Measure 3.7.2)			
10.	Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting bird surveys. (Final EIR Mitigation Measure 3.2.2)	Prior to Clearing, Grubbing, or Removal of Vegetation	Public Works and Planning Departments	
11.	Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCP). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction	Prior to ~~Clearing, Grubbing, or Removal of~~	Public Works and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP. (Final EIR Mitigation Measure 3.2.2)	~~Vegetation~~Grading		
12.	The City of Lodi shall not issue permits for construction activities on the project site unless the portion of the site involved in the requested permit has been deemed clear of recognized environmental conditions in writing by a California State Registered Environmental Assessor with HAZWOPER 40-hour OSHA Certification. Portions of the site require further hazardous material investigations to make a determination of the presence of recognized environmental conditions. Such investigations shall be conducted in accordance with the most recent American Society for Testing and Materials (ASTM) standards, such as the ASTM's "Standard Guide for Environmental Site Assessments: Phase I [or II] Environmental Site Assessment Process". In total, the updated hazardous material investigations of the site shall minimally evaluate the areas previously inaccessible to hazardous material investigators, the southern-most barn on the eastern portion of APN 058-110-41, the contents of the vault in the shed on the southern portion of APN 058-110-04, the function of the "water" basin and its previous discharges must be determined, the exact location of the 10 inch Kinder Morgan refined product pipeline, the areas adjacent to the Union Pacific Railroad right-of-way, and the onsite residential structures and buildings which were previously inaccessible. (Final EIR Mitigation Measure 3.5.1)	Prior to Permit Issuances	Public Works and Planning Departments	
13.	A Phase II Environmental Site Assessment (ESA) shall be completed prior to the approval of individual development plans within the project area. Said Phase II ESA report shall include subsurface investigations and recommended remedial actions, if required, at specific locations as recommended in the Phase I Environmental Site	Prior to Approval of Development Plans	Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	Assessment prepared by Kleinfelder, Inc., or any subsequent updated report. The following additional requirements shall apply: a. Soil sampling and analysis for pesticides shall only be conducted in those areas of the site that are still agricultural; and b. If levels of organochloride pesticides are found to be in excess of applicable residential or commercial Preliminary Remediation Goals/Maximum Contaminant Limits (PRGs/MCLs) then an evaluation shall be required to determine the depth and extent of these elevated concentrations. (Final EIR Mitigation Measure 3.5.2)			
14.	Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) to allow for window closure, in compliance with the City of Lodi Compatibility Standards. (Final EIR Mitigation Measure 3.8.3)	Prior to Building Permit Issuance	Building and Planning Departments	
15.	~~Outdoor recreational space~~Residential rear yards within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.4)	Prior to Building Permit Issuance	Building and Planning Departments	
16.	New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.5)	Prior to Building Permit Issuance	Building and Planning Departments	
17.	Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall, landscape berming, or any combination of the two to mitigate train noise to 65 dB at the	Verify wall height Prior to Building Permit Issuance	Building and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	residential exterior and ground floor interior. (Final EIR Mitigation Measure 3.8.6)~~. This attenuation may be achieved by the design of the min storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks. (Final EIR Mitigation Measure 3.8.6)~~			
18.	An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. (Final EIR Mitigation Measure 3.8.6)	Submit noise analysis with construction plans	Building and Planning Departments	
19.	Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks. (Final EIR Mitigation Measure 3.8.6)	Submit disclosure language with construction plans	Building and Planning Departments	
20.	~~A detention basin pump system will be required to empty the detention basin. The planned proximity of homes to the basin would likely require substantial shielding if such pumps were to operate at night. To the satisfaction of the City of Lodi, noise levels at residences in proximity to any required basin pump system shall be attenuated to meet the City's noise standards. Said attenuation can be achieved through enclosing the pump system or using upgraded sound rating building materials in nearby residences. (Final EIR Mitigation~~	~~Prior to Building Permit Issuance~~	~~Building and Planning Departments~~	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	~~Measure 3.8.7)~~			
21.	Proponents of development onsite shall submit a construction Traffic Control Plan to the Public Works Department for review and approval prior to commencing construction on the project and any related off-site improvements. (Final EIR Mitigation Measure 3.10.4)	Prior to Building Permit Issuance	Public Works Department	
22.	To the satisfaction of the City of Lodi Public Works Department, the development shall be assessed its fair share of the cost of developing additional water sources, including but not limited to participation in acquiring additional water rights, development and construction of surface water treatment or recharge the groundwater system, construction of water transmission facilities, and other related water infrastructure. (Final EIR Mitigation Measure 3.11.4)	Prior to Building Permit Issuance	Public Works and Planning Departments	
Conditions To Be Implemented During Development/Construction				
23.	If buried Native American archaeological resources are discovered during the project activities, work shall stop immediately in the vicinity of the discovery, until a qualified archaeologist that meets the satisfaction of the City of Lodi determines the significance of the discovery and develops plans to preserve the significance of any discovered CRHR eligible resources. Such archaeological resource preservation plans shall be implemented to the satisfaction of the City of Lodi. (Final EIR Mitigation Measure 3.3.4)	During Grading	Public Works and Planning Departments	
24.	Should paleontological resources be encountered during construction excavation, the project proponent shall halt excavation in the vicinity of the discovery and contact a qualified vertebrate paleontologist to evaluate the significance of the find and make recommendations for collection and preservation of discovered paleontological resources in a written report to the City of Lodi. Said recommendations shall be	During Grading and Excavation	Public Works and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	implemented to the satisfaction of the City of Lodi. (Final EIR Mitigation Measure 3.3.5)			
25.	If subsurface structures are encountered during site development or excavation onsite, care should be exercised in determining whether or not the subsurface structures contain asbestos. If they contain asbestos, it shall be removed, handled, transported, and disposed of in accordance with local, state, and federal laws and regulations. (Final EIR Mitigation Measure 3.5.3)	During Grading and Excavation	Public Works and Planning Departments	
26.	~~The wells onsite should not be used as a water supply for any of the proposed land uses unless the water from said wells is tested and found to meet state and federal drinking water standards as confirmed by the City's water department. (Final EIR Mitigation Measure 3.5.4)~~	~~During Grading and Excavation~~	~~Public Works and Planning Departments~~	
27.	An asbestos and lead paint assessment shall be conducted for structures constructed prior to 1980, if they are to be renovated or demolished prior to future development on the project site. The following requirements apply: a. A Certified Cal-OSHA Asbestos Consultant shall conduct said surveys. If asbestos is detected, all removal shall be completed by a licensed asbestos abatement contractor; and b. Any lead paint that is detected and which is in poor condition shall be removed prior to building demolition. (Final EIR Mitigation Measure 3.5.5)	Prior to Demolition of Structures	Building and Planning Departments	
28.	All locations of underground storage tanks (USTs) on the project site, where past releases are known or are suspected, shall be subject to further investigation and analysis to confirm or deny evidence of past releases. Said investigations shall be conducted in accordance with Environmental Protection Agency (EPA) and per Leaking	Prior to Grading and Excavation	Public Works and Planning Departments	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	Underground Storage Tank (LUST) guidelines. (Final EIR Mitigation Measure 3.5.6)			
29.	~~Miscellaneous debris located throughout the project site, and described in the Phase I ESA, shall be removed prior to development activities.~~ Any petroleum products and/or hazardous materials encountered should be disposed of or recycled in accordance with local, state, and federal regulations. (Final EIR Mitigation Measure 3.5.8 and 3.5.9)	Prior to Grading and Excavation	Public Works and Planning Departments	
30.	~~Various sized buckets and drums containing petroleum products were noted at several locations on the project site in the Phase I ESA. All such drums and buckets shall be removed from the project site in accordance with local, state, and federal regulations. In addition, soil sampling shall be conducted at those bucket and drum locations where staining was noted. (Final EIR Mitigation Measure 3.5.9)~~	~~Prior to Grading and Excavation~~	~~Public Works and Planning Departments~~	
31.	To the satisfaction of the City of Lodi Public Works Department, all drainage facilities shall be constructed in conformance with the standards and specifications of the City of Lodi. (Final EIR Mitigation Measure 3.6.3)	Ongoing During Development	Public Works Department	
~~32.~~	~~To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required drainage infrastructure to serve the demands of the project. (Final EIR Mitigation Measure 3.6.6)~~	~~Prior to Grading~~	~~Public Works Department~~	
Ongoing Conditions				
33.	The ~~applicant~~ Home Builder shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the residence is located	During Home Sales	Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, et cetera. The language and format of such notification shall be reviewed and approved by the City Community Development Department prior to ~~recordation of final maps~~the sale of the first home. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to-Farm Ordinance. (Final EIR Mitigation Measure 3.7.1)			
34.	Buyer notification of the presence of possible agricultural activity noise shall be made as part of any property transfer documents. (Final EIR Mitigation Measure 3.8.8)	Ongoing During Sale of Homes	Planning Department	
35.	All construction shall require a permit and shall be limited to the hours of 7 a.m. to 10 p.m. Staging areas shall be located away from existing residences, and all equipment shall use properly operating mufflers. (Final EIR Mitigation Measure 3.8.1)	During Construction	Building and Planning Departments	
36.	The project contractor shall place all stationary construction equipment so that emitted noise is directed way from sensitive receptors nearest the project site. (Final EIR Mitigation Measure 3.8.2)	During Construction	Building and Planning Departments	

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MEMORANDUM, City of Lodi, Public Works Department

To: Community Development Director

From: Public Works Department

Date: September 9, 2020

Subject: Revised Tentative Subdivision Map Conditions for 2739 South Stockton Street
APN: 058-130-21, 058-130-22, and 058-130-25;
File #PL2020-016 – Reynolds Ranch/Bennett Subdivision (150 units)

Deleted: April 21

The following conditions of approval are required for the subject project per City codes and standards, all to be accomplished prior to, or concurrent with, final map filing unless noted otherwise:

1. The project development shall comply with the requirements of Senate Bill (SB) 5, related to an urban level of flood protection (200-year storm event). The developer has the option of 1) Preparing their own 200-year flood protection report to prove that their property is in compliance, or 2) Contribute towards the City's delineation map and study that is currently being completed. The preliminary delineation map identifies the properties are above the 200-year flood plain, which does not require any additional measures for compliance. The City's cost for the delineation map and study is currently $200 per lot.

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2. Project design and construction shall be in compliance with the applicable terms and conditions of the Multi-Agency Post-Construction Stormwater Standards Manual adopted by the City of Lodi in compliance with the State Water Resources Control Board's Phase II MS4 permit.
   a) A Project Storm Water Plan must be submitted for approval prior to any master plan and improvement plans submittal.
   b) State-mandated construction site inspections to assure compliance with the City of Lodi's Phase II MS4 permit are required. The fee for these inspections is the responsibility of the developer and must be paid prior to the map filing or commencement of construction operations, whichever occurs first.
3. Utility Master Plans (Storm Drain, Water, and Wastewater) shall be approved prior to submittal of Public Improvement Plans.
4. Engineered improvement plans and cost estimates shall be submitted for approval per the City Public Improvement Design Standards for all public improvements prior to final map filing. Incomplete submittals will not be accepted. Plan submittal shall include the following:
   a) Approved tentative map, signed by the Community Development Director.
   b) Approved Stormwater Master Plan.
   c) Design shall conform to the Multi-Agency Post-Construction Stormwater Standards Manual (PCSP) as adopted by City Council on November 4, 2015 and all state and federal requirements.

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d) Landscape and irrigation plans shall conform to the Model Water Efficient Landscaping Ordinance (MWELO) per the Governor's Executive Order B-29-12 adopted on December 31, 2015.

i) Landscape Planting Plan required with the first submittal. Full landscape and irrigation plans are required with the second submittal.

ii) MWELO landscape plan submittal will be required with the second submittal.

e) Current soils report. If the soils report was not issued within the past three (3) years, provide an updated soils report from a licensed engineer.

f) Grading, drainage and erosion control plans.

g) Copy of Notice of Intent for NPDES permit. A WDID number will be required prior to plan approval.

h) All utilities, including street lights and electrical, gas, telephone and cable television facilities.

i) Undergrounding of all overhead utilities fronting Stockton Street along the frontage *or* the payment of $75,000 to the City to fund the undergrounding.

j) Joint trench plans (required with second submittal).

k) Reverse frontage wall and details. Minimum wall height shall match the Orchard Lane Subdivision to the south or as required by the Community Development Department to address noise from Stockton Street.

l) Street tree planting plan for landscaping areas require approval of the Community Development Director and Public Works Director.

A complete plan check submittal package, including all the items listed above plus the Map/Improvement Plan Submittal cover letter, Improvement Plan Checklist and engineering plan check fees, is required to initiate the Public Works Department plan review process for the engineered improvement plans.

5. Design and installation of public improvements shall be in accordance with City Master Plans. Street, wastewater, storm drainage, and water master plans and design calculations will be required for the development.

a) Street

i) All street designs shall conform to the City of Lodi Design Standards.

ii) Curb returns and corner cut-offs shall conform to City of Lodi Standard Plans 611 and 612.

iii) Provide an onsite fire-truck/garbage truck turning analysis for the street knuckles. If the fire-truck and garbage truck turning movements are not met, knuckles shall be designed in conformance with City of Lodi Standard Plan 133.

iv) All residential streets shall contain vertical type (side lot) or rolled type (fronts) curb, gutter and sidewalk as reflected in the tentative map submittal; and shall conform with City of Lodi Standard Plan 135 and 136 respectfully.

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iv) Install street lights along Stockton Street from Rocky Lane to the southern project boundary.

a) Street light locations shall be properly designed and coordinated.

v) Provide all necessary traffic signs for the entire subdivision, including any necessary traffic signs along Stockton Street.

a) Install "NO PARKING ANYTIME" signs along the Stockton Street frontage.

vi) Install frontage improvements including but not limited to pavement, driveway, streetlights, curb, gutter and sidewalk along all streets in the subdivision in accordance with City Standards.

vii) Install reverse frontage walls, landscaping, and irrigation improvements along Stockton Street and along the entrance to the subdivision on "D" Street (between lots 1 and 150). Frontage improvements and landscaping shall be constructed by the Developer at the Developer's expense to the approval of the Public Works Director and Community Development Director.

viii) Street Design shall comply with the following requirements on the following streets, unless otherwise approved by the City Engineer:

a) Minor Residential (Cross-sections A, B, C, and D)

(1) All interior streets designated as "minor residential" shall be 36 feet, curb to curb.

(2) The linear path noted in cross-sections B and C shall be 10 feet wide.

b) Entry Street (Cross-section E)

(1) The entry street shall be 40 feet, curb to curb, and have 55 feet of right of way. Street D shall be considered as an entry street.

(2) Additional landscaping may be dedicated/installed (behind the sidewalk) at the developer's option to accommodate more robust landscaping.

c) Stockton Street

(1) The sidewalk shall meander as far north as possible to the northern boundary of the project (lot 146).

(2) Developer shall make their best effort to obtain necessary easements and construct a sidewalk from the project's northern limits to the Harney Lane intersection (approximately 600 feet).

(3) Developer shall make their best effort to install a sidewalk fronting parcel 058-130-14.

(4) A handicap ramp shall be installed at lot 147 to provide an ADA path of travel across Stockton Street.

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(5) Unused driveways fronting Lots 1 through 5 and Lots 146 through 150 shall be removed.

d) Install a 3-way stop at the intersection of Kordia Avenue and Street D.

e) The standard cross slope of all streets shall be a minimum of 2.5 percent.

ix) All public and private block walls are subject to the following criteria:

a) The reverse-frontage wall at the rear of the lots adjacent to S Stockton Street shall match height of the wall at the Orchard Lane Subdivision to the south of the development or as required by the Community Development Department Director and Public Works Director.

b) A wall detail shall be included with the improvement and grading plans for reference.

c) Wall shall be setback to accommodate reverse frontage landscaping and irrigation improvements. The reverse frontage wall, landscaping and irrigation improvements shall be constructed by the developer at the developer's expense, to the approval of the Public Works Director and Community Development Director.

d) Provide a public wall easement along all parcels containing a public masonry wall (including footings). The masonry walls along Stockton Street shall be in a public wall easement.

x) Traffic striping modifications shall be performed as necessary along Stockton Street (from Rocky Lane to the south project limits).

b) Wastewater

i) Wastewater system shall be designed in conformance with the City's Wastewater Master Plan and design standards.

ii) Separate wastewater services in conformance with Standard Plan 201 shall be provided to each parcel from the public wastewater main in all public streets.

iii) Flushing station(s) may be required at locations with peak flows below City Standards.

c) Storm Drainage

i) The storm drain system shall be designed in conformance with the City's Storm Drain Master Plan and design standards. The engineer shall submit a C factor calculation to show the proposed development meets the current standard runoff coefficient, otherwise the engineer shall consider using higher C factors to calculate storm water runoff from the development.

ii) Slopes for all parcels within the development shall flow towards the proposed street. All storm water shall be collected within the

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development and cannot flow to neighboring parcels. Lots 5 and 6 shall not drain onto parcel 058-130-14.

iii) An overland flood release pathway shall be incorporated in the street and circulation design plan for each subarea. For example, when any particular catch basin or pipe is obstructed or overwhelmed with water, the street drainage design (high points and low points) shall be calculated so that no water shall pond higher than 1-foot below any finished floor elevation without releasing the excess water toward the planned flood release point.

iv) An onsite basin will not be allowed with this project. The developer is required to excavate the existing Reynolds Ranch storm basin south of the proposed development to obtain the required storm water retention volume. An outlet structure with automatic slide gate at the southwest corner of the existing basin shall be constructed per the Reynolds Ranch Storm Drain Master Plan.

The proposed basin land shall be flat and be landscaped with turf and bordering plants matching the area to the south.

v) The storm water pipe connection shall be revised to connect to the existing storm water pipe in Stockton Street and Street D.

vi) Developer shall take the storm water drainage of parcel 058-130-14 into consideration to provide proper drainage into the public storm drain system and not across any other private properties.

d) <u>Water</u>

i) The water system shall be designed in conformance with the City's Water Master Plan and design standards.

ii) Separate water services in conformance with Standard Plan 403 shall be provided to each parcel from the public water main in all public streets. Service sizes shall be identified on the plans.

iii) Provide a looped water system. A minimum of two connections to the City water system are required throughout all phases.

iv) A water sampling station shall be provided within the subdivision. The location of the sampling station will be provided by the City Engineer during the plan check process.

v) When possible, fire hydrants shall be placed between driveways. Fire hydrants shall be placed in side yards as opposed to front yards (for corner lots). Fire hydrants shall be installed along the trail side of Kordia Avenue.

vi) Water meter boxes shall be located inside a public utility easement and outside of areas subject to vehicular travel.

vii) All public landscape shall be designed to use non-potable water (NPW). The system should connect to the existing NPW system.

6. Provide street names for all of the streets in the development for approval.

7. Revise the subdivision name and provide it for approval. There was a map named Reynolds Ranch Residential in the file already.

8. Provide an update of the noise analysis prepared for the 2006 Final EIR for the Reynolds Ranch Planned Development to verify that the conclusions of the original noise analysis are correct and, if needed, make adjustments to recommended noise mitigation measures.

9. Provide a slope easement or retaining wall along the boundary of the development for all grade differentials of 0.5 feet or greater.

10. The slope of the Harney Lane overpass (parcel 058-130-26) to the north of the project and the 25-foot strip of land along the western boundary of the project shall be landscaped.

11. A split rail fence shall be installed along the north side of the trail along Street A.

12. A block wall shall be installed along the western boundary of the project per Community Development Department requirements. All unused water, wastewater and storm drain stubs, services, and utility extensions shall be abandoned at the developer's expense.

13. All on-site water wells and septic systems shall be abandoned in conformance with applicable City and County codes and requirements prior to the approval of the public improvement plans. A copy of the abandonment permit shall be submitted to the City after the completion of the abandonment.

14. All public improvements shall be installed within one year of the execution of a subdivision improvement agreement. The Developer will be required to provide warranty security in the amount of 10% of the value of the public improvements. The warranty period will be two (2) years, commencing on the date of acceptance of the public improvements.

15. The Developer shall provide on-going maintenance and replacement of reverse frontage walls, landscaping and irrigation improvements, street trees, as well as other public services by annexation to the City of Lodi Community Facilities District prior to final map filing. All costs associated with annexation to the District are the Developer's responsibility.

16. Developer is required to perform regular maintenance of the installed public landscape element and equipment for a period of 3 years after the final acceptance of the project. Proper maintenance securities and insurance shall be provided for the maintenance period.

17. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA) and California Title 24. City of Lodi Standard Plans are in the process of being revised and it should not be assumed that current standard plans are fully ADA compliant. Project compliance with ADA standards is the Developer's responsibility.

18. The developer shall dedicate all public utility easements required by the various utility companies and the City of Lodi.

19. All property dedicated to the City of Lodi shall be free and clear of all liens and encumbrances and without cost to the City of Lodi and free and clear of environmental hazards, hazardous materials or hazardous waste. Developer shall submit a Phase 1 and 2 environmental report for all property/easements dedicated to the City.

20. In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise

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of any and all overlying water rights appurtenant to the proposed subdivision, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriative or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all lots in the subdivision and provide deed provisions to be included in each conveyance.

Deleted: Vineyard Terrace Residential

21. As required by the California Green Building Code (CALGreen), project shall participate in the Construction and Demolition Recycling Program.
22. Prior to any work within City Right-of- Way, the applicant shall obtain an encroachment permit issued by the Public Works Department.
23. All existing survey monuments are to be preserved per California Senate Bill 1467. It is the applicant's responsibility to ensure that monuments are properly protected and/or perpetuated. If any of the monuments are to be disturbed or are near the area of construction, a licensed surveyor must confirm that the monuments have been protected and/or perpetuated and the appropriate documentation has been recorded.
24. Annexation to Community Facilities District 2007-1 (Public Services) to cover the cost of providing various City services is required. Annexation shall be complete prior to final map filing. All costs associated with annexation to the Community Facilities District shall be the responsibility of the developer.
25. Submit final map per City and County requirements including the following:
    a) Preliminary title report including copies of all referenced exception documents.
    b) Waiver of access rights at:
        i) All lots adjacent to Stockton Street.
    c) Waiver of vehicular access rights at:
        i) Lots 1 and 150 adjacent to Street D.
        ii) All lots adjacent to Stockton Street.
    d) Standard note regarding requirements to be met at subsequent date.
    e) Subdivision Map Guarantee.
    f) Annexation to Community Facilities District
26. Obtain the following permits:
    a) Grading Permit issued from the City of Lodi Building Department.
    b) Building Permit issued from the City of Lodi Building Department for the walls over seven (7) feet in height.
    c) Encroachment Permit issued from the City of Lodi Public Works Department for any work within the City's public right of way or on existing public water, wastewater and storm drain infrastructure.

d) San Joaquin County well/septic abandonment permit (if needed).

e) NPDES Construction General Permit (SWPPP).

f) San Joaquin Valley Air Pollution Control District (SJVAPCD) permits.

27. Payment of the following fees:

a) Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.

b) Water meter installation fees at the time of building permit issuance for each parcel.

c) Regional Transportation Impact Fee (RTIF) at the time of building permit issuance.

d) Encroachment Permit fee.

e) Habitat Conservation Fee.

f) Stormwater compliance inspection fee prior to map filing or commencement of construction operations, whichever occurs first.

g) Annexation into the new City of Lodi Community Facilities District – Estimated at $10,000 prior to recording the final subdivision map. The annexation process generally requires 2-3 months to complete.

h) Neighborhood Park mitigation fee if any.

i) Reimbursement fees per any approved agreements.

28. In accordance with the Lodi Municipal Code, payment of the following fee prior to temporary occupancy or occupancy of the building(s) will be required unless noted otherwise:

a) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule at the time of final inspection of the homes.

b) County Facilities Fees.

The above fees are subject to periodic adjustment as provided by the implementing ordinance/resolution. The fee charged will be that in effect at the time of collection indicated above.

29. Additional comments and requests for corrections will be provided during the improvement plans review process when more detailed plans are available.

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Lyman Chang
City Engineer / Deputy Public Works Director

LC/ktvk

cc: Assistant Engineer, Kiriu
Senior Engineer Technician, Wiman

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RESOLUTION NO. 2020-____

A RESOLUTION OF THE LODI CITY COUNCIL PARTIALLY UPHOLDING THE APPEAL FROM CHRIS ROBLES REGARDING THE CONDITIONS OF APPROVAL FOR THE REYNOLDS RANCH TENTATIVE TRACT MAP

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WHEREAS, notice thereof having been published according to law, an affidavit of which is on file in the office of the City Clerk, a public hearing was held September 16, 2020, by the Lodi City Council to consider the appeal of Chris Robles regarding the conditions of approval imposed by the Planning Commission's on the approval of a Tentative Tract Map in the Reynolds Ranch Planned Development on APNs 058-130-21, -22 and -25.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does uphold in part the appeal from Chris Robles, and amends the conditions of approval for the Reynolds Ranch Tentative Tract Map; and

BE IT FURTHER RESOLVED that the Lodi City Council does further direct that the conditions of approval are revised as shown in the attachments to this Resolution.

Dated: September 16, 2020

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I hereby certify that Resolution No. 2020-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

Jennifer Cusmir
City Clerk

Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: **4 PLANNING COMMISSION HEARING NOTICES**

PUBLISH DATE: **SATURDAY, SEPTEMBER 5, 2020**

LEGAL AD

TEAR SHEETS WANTED: **One (1) please**

SEND AFFIDAVIT AND BILL TO:
LNS ACCT. #0510052

JENNIFER CUSMIR, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, SEPTEMBER 3, 2020

ORDERED BY: JENNIFER CUSMIR
CITY CLERK

PAMELA M. FARRIS
DEPUTY CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Emailed to the Sentinel at dianer@lodinews.com at _____(time) on _____(date) _____(pages)
_____ Phoned to confirm receipt of all pages at _____(time) ____KC ____PMF (initials)

forms\advins.doc

DECLARATION OF POSTING

NOTICE OF PUBLIC HEARING TO CONSIDER APPEAL SUBMITTED BY JAS REAL PROPERTIES DEVELOPMENT LODI, LLC (JAS) REGARDING PLANNING COMMISSION'S RECOMMENDATION TO AUTHORIZE 39 LOW-DENSITY AND 111 MEDIUM-DENSITY 2020 RESIDENTIAL GROWTH MANAGEMENT ALLOCATIONS AND APPROVE PLANNED DEVELOPMENT STANDARDS AND GUIDELINES FOR REYNOLDS RANCH TENTATIVE TRACT MAP

On Thursday September 3, 2020, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider appeal submitted by JAS Real Properties Development Lodi, LLC (JAS) regarding Planning Commission's recommendation to authorize 39 low-density and 111 medium-density 2020 Residential Growth Management Allocations and approve Planned Development Standards and Guidelines for Reynolds Ranch Tentative Tract Map (attached and marked as Exhibit A) was posted at the following locations:

Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum
WorkNet Office

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 3, 2020, at Lodi, California.

ORDERED BY:

JENNIFER CUSMIR
CITY CLERK

PAMELA M. FARRIS
ASSISTANT CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER APPEAL SUBMITED BY JAS REAL PROPERTIES DEVELOPMENT LODI. LLC (JAS) REGARDING THE PLANNING COMMISSION'S RECOMMENDATION TO AUTHORIZE 39 LOW-DENSITY AND 111 MEDIUM-DENSITY 2020 RESIDENTIAL GROWTH MANAGEMENT ALLOCATIONS AND APPROVE PLANNED DEVELOPMENT STANDARDS AND GUIDELINES FOR THE REYNOLDS RANCH TENTATIVE TRACT MAP

On Tuesday, September 8, 2020, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Notice of Public Hearing to consider appeal submitted by JAS Real Properties Development Lodi, LLC (JAS) regarding the Planning Commission's recommendation to authorize 39 low-density and 111 medium-density 2020 Residential Growth Management Allocations and approve Planned Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map, marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 8, 2020, at Lodi, California.

ORDERED BY:

JENNIFER CUSMIR
CITY CLERK, CITY OF LODI

Pamela M. Farris

PAMELA M. FARRIS
DEPUTY CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING
Date: September 16, 2020
Time: 7:00 p.m.

For information regarding this notice please contact:
Jennifer Cusmir
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, September 16, 2020,** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following item:

a) **Appeal submitted by JAS Real Properties Development Lodi, LLC (JAS) regarding the Planning Commission's recommendation to authorize 39 low-density and 111 medium-density 2020 Residential Growth Management Allocations and approve Planned Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map.**

While social distancing measures are imposed due to COVID-19, Council chambers are closed to the public during meetings of the City Council. Members of the public may view and listen to the open session of the meeting at www.facebook.com/CityofLodi/ or https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWlsZFFNSIN6Zz09.

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk by emailing councilcomments@lodi.gov. All comments received prior to the close of the public hearing will be read into the record. Oral comments may be made at: https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWlsZFFNSIN6Zz09.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Jennifer Cusmir
City Clerk

Dated: September 2, 2020

Approved as to form:

Janice D. Magdich
City Attorney

AVISO: Para obtener ayuda interpretativa con esta noticia, por favor llame a la oficina de la Secretaria Municipal, a las (209) 333-6702.

09-16-20 - Reynolds Ranch Subdivision CC public hearing 300 foot Radius Mailing List

EXHIBIT B

APN	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP	ZIP2
05801001	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
05801002	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
05801004	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
05801007	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
05813002	VARNER, SEAN & SUMMER		2601 S STOCKTON ST	LODI	CA	95240	8804
05813003	IBARRA JESSE P		2621 S STOCKTON ST	LODI	CA	95240	
05813004	DARRELL & MCLAUGHLIN RUTH		2635 S STOCKTON ST	LODI	CA	95240	
05813005	ZARATE, STEPHEN A TR		156 BERNICE AVE	STOCKTON	CA	95210	1903
05813006	DELLA MAGGIORA, DOMENICO TR ETL		2719 S STOCKTON ST	LODI	CA	95240	8817
05813014	GOMEZ, SALVADOR & MARIA A		2845 S STOCKTON ST	LODI	CA	95240	8868
05813021	SEEMAN, DAVID ALAN & LINDA E TR ETAL	RALPH R & VIRGINIA WASHBURN TR	2299 GREENBRIAR CT	YUBA CITY	CA	95993	
05813022	PUCCINELLI GRACE TR		2719 S STOCKTON ST	LODI	CA	95240	8868
05813025	TSUTSUMI, DIANE Y	GARY T TSUTSUMI	3725 E ARMSTRONG RD	LODI	CA	95240	9425
05813026	LODI CITY OF		221 W PINE ST	LODI	CA	95240	
05865031	LODI CITY OF	PUBLIC WORKS DEPT	PO BOX 3006	LODI	CA	95241	
05865034	LODI LV LOCA		1420 S MILLS AVE STE M	LODI	CA	95242	
05866014	LODI CITY OF	PUBLIC WORKS DEPT	PO BOX 3006	LODI	CA	95241	
05866015	LODI CITY OF		PO BOX 3006	LODI	CA	95241	

09-16-20 - Reynolds Ranch Subdivision CC public hearing 300 foot Radius Mailing List

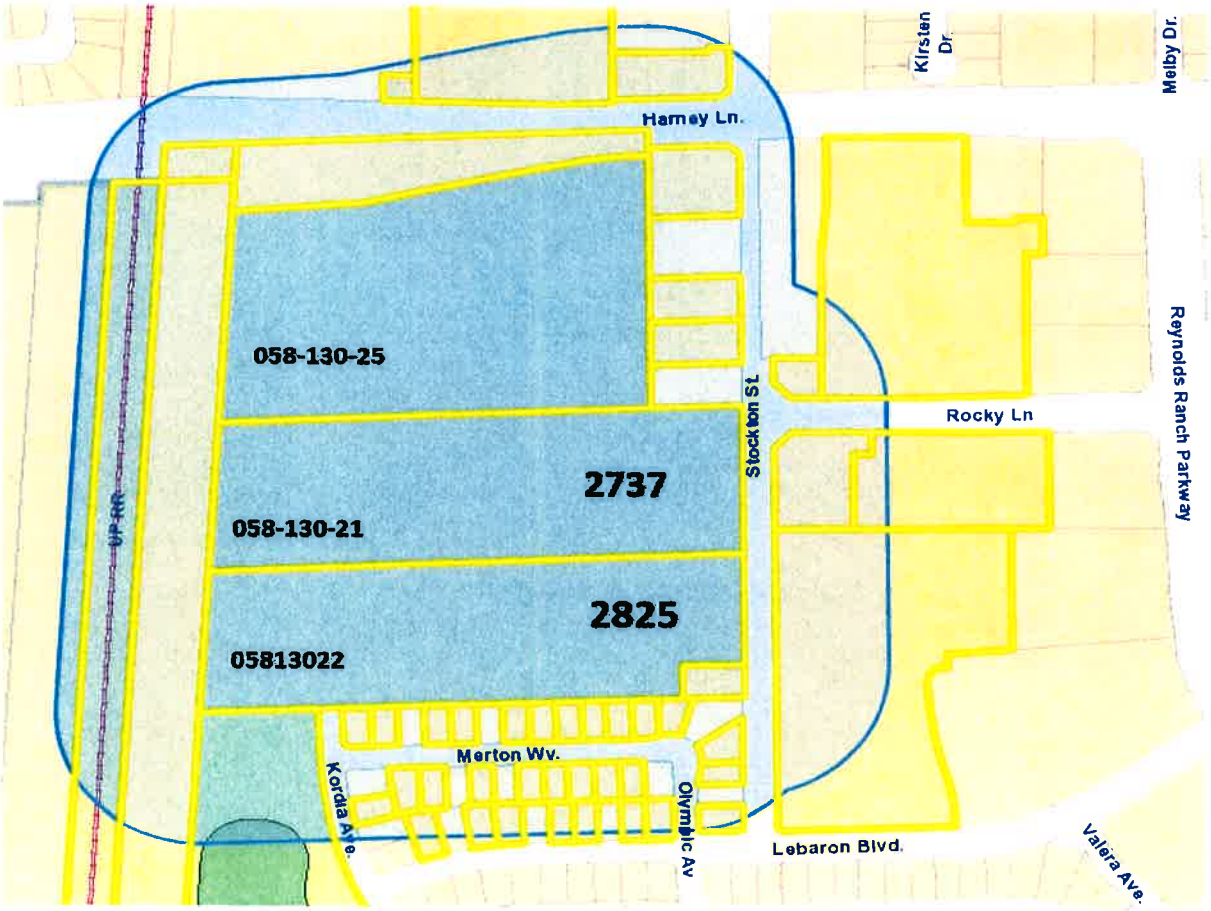
APN	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP	ZIP2
05866019	SANDPIPER PENNEBAKER GROUP LLC		1420 S MILLS AVE SUITE M	LODI	CA	95242	4291
05866020	LODI LV LOCA		1420 S MILLS AVE STE M	LODI	CA	95242	
05866021	LODI HOSPITALITY LLC		PO BOX 1007	WOODBRIDGE	CA	95258	
05867001	VIGNOLO, ANDREW C		2932 OLYMPIC AVE	LODI	CA	95240	8201
05867002	TAYLOR, TODD D & TERESA J		2926 OLYMPIC AVE	LODI	CA	95240	
05867003	COLON, ROBERT JR & ANNA MARIA		2920 OLYMPIC AVE	LODI	CA	95240	8201
05867004	HINTON, WILLIAM & CONNIE		2914 OLYMPIC AVE	LODI	CA	95240	8201
05867005	IBRAHIM, HAZIM		179 MERTON WAY	LODI	CA	95240	
05867006	PATEL, YOGESH R & ZANKHANA D		1140 S CHEROKEE LN	LODI	CA	95240	
05867007	LLAMAS, ADOLFO M & YULIANA		167 MERTON WAY	LODI	CA	95240	
05867008	DICKENS, ANDREW J & DAISY T		161 MERTON WAY	LODI	CA	95240	8230
05867009	DUDA, DENNIS M & JUDITH L		155 MERTON WAY	LODI	CA	95240	8230
05867010	BURKE, STEVEN M & KATHI J		149 MERTON WAY	LODI	CA	95240	8230
05867011	MARCHY, JORDAN		843 HELENCE AVE	WATERFORD	CA	95242	
05867012	REESE SHERRI E TR		137 MERTON WAY	LODI	CA	95240	
05867013	PEREZ, BRIAN		131 MERTON WAY	LODI	CA	95240	8229
05867014	VALDEZ, LORIBELLE C		125 MERTON WAY	LODI	CA	95240	8229
05867015	BUNNELL SEAN & SHANNON		119 MERTON WAY	LODI	CA	95240	
05867016	SOUZA, TIMOTHY W JR & SHAWNA M		113 MERTON WAY	LODI	CA	95240	8229
05867017	PHUNG, ALLEN K ETAL	CHRISTINA M DEMPSEY	107 MERTON WAY	LODI	CA	95240	8229
05867018	CAMARA PHILIP J TR		1616 MAGIC LN	LODI	CA	95242	
05867019	ANTRIM JENNIFER N		2912 KORDIA AVE	LODI	CA	95240	

09-16-20 - Reynolds Ranch Subdivision CC public hearing 300 foot Radius Mailing List

APN	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP	ZIP2
05867020	BAUMBACH, BRIEANNE R		2918 KORDIA AVE	LODI	CA	95240	8220
05867021	IVEY, TIMOTHY C & TIFFANY L		2924 KORDIA AVE	LODI	CA	95240	
05867022	VILLAPUDUA, GUADALUPE		2930 KORDIA AVE	LODI	CA	95240	
05867023	LEYVA, ERIK R & CASEY A		106 MERTON WAY	LODI	CA	95240	8219
05867024	ROTNER, ANDREW		112 MERTON WAY	LODI	CA	95240	8229
05867025	CEREZO, RYAN C & ASHLEY N		118 MERTON WAY	LODI	CA	95240	8219
05867026	AKBAR, GUL & NEELAM		124 MERTON WAY	LODI	CA	95240	8229
05867027	GARCIA, HAFID & MARLENA M		130 MERTON WAY	LODI	CA	95240	8229
05867028	PTAK, MICHAEL A		136 MERTON WAY	LODI	CA	95240	8229
05867029	GLESSNER ZANETTI JOSEPHINE A TR		142 MERTON WAY	LODI	CA	95242	
05867030	HAGER TRAVIS		148 MERTON WY	LODI	CA	95240	
05867031	THOMAS, ELAINE		154 MERTON WAY	LODI	CA	95240	8230
05867032	DUBUISSON CHRISTOPHER & SHANNON		160 MERTON WAY	LODI	CA	95240	
05867033	DUNCAN, DAMON L & MISTY L		166 MERTON WAY	LODI	CA	95240	8230
05867034	HACHLER, KEVIN JAYE		163 LEBARON BLVD	LODI	CA	95240	
05867035	CHAN, CHING CHENG & SHIN		157 LEBARON BLVD	LODI	CA	95240	8223
05867036	ANDERSON SHAWN & SIMMONS BONNIE		151 LEBARON BLVD	LODI	CA	95240	
05867037	MARTINEZ, VINCENTE S & ALINE A		145 LEBARON BLVD	LODI	CA	95240	8223
05867038	BEESLA ONKAR		139 LEBARON BLVD	LODI	CA	95240	
05867039	TORRES, RUBEN G ETAL		133 LEBARON BLVD	LODI	CA	95240	8222
05867040	SAENZ, JOSEFINA		127 LEBARON BLVD	LODI	CA	95240	

09-16-20 - Reynolds Ranch Subdivision CC public hearing 300 foot Radius Mailing List

APN	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP	ZIP2
05867041	TIMOTHY M & KITTA M		121 LEBARON BLVD	LODI	CA	95240	
05867042	CHAMIZO, CLYDE E & AMBER C		115 LEBARON BLVD	LODI	CA	95240	8222
05867043	GUTIERREZ TAFOL, HECTOR		109 LEBARON BLVD	LODI	CA	95240	8222
06201001	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
06241025	VALLEY IRON WORKS INC	JOSEPH M COUBAL	2205 ROARING CAMP DR	GOLD RIVER	CA	95670	
06241026	ROBERT L & CAROLYN W REYNOLDS FAM LLC		33 E TOKAY ST	LODI	CA	95240	
06241034	ERGONIS LAND CO LP		19991 FAIRWAY CT	WOODBRIDGE	CA	95258	9220
06241035	DN ACQUISITIONS LLC		10940 TRINITY PKWY STE C 274	STOCKTON	CA	95219	7234



AGENDA ITEM **G-04**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Public Hearing to Consider Adopting a Resolution Approving the Planning Commission's Recommendation to Authorize 39 Low-Density and 111 Medium-Density 2020 Residential Growth Management Allocations and Approve Planned Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map (Bennett)

MEETING DATE: September 16, 2020

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Public hearing to consider adopting a resolution approving the Planning Commission's recommendation to authorize 39 Low-Density and 111 Medium-Density 2020 Residential Growth Management Allocations and approve Planned Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map (Bennett).

BACKGROUND INFORMATION: As part of the City's Growth Management program, the Planning Commission reviews allocation requests for new housing developments. Following a public hearing, the Commission makes a recommendation for City Council consideration. The Commission also reviewed and recommended for approval comprehensive Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map.

On August 12, 2020, the Planning Commission held a public hearing regarding the applicant's request for a 2020 Residential Growth Management Development Allocation and to review proposed Development Standards and Guidelines.

At the conclusion of this hearing the Planning Commission:

1) Reviewed a request by Dennis Bennett for 39 Low-Density and 111 Medium-Density Residential Growth Management Allocations for the applicant's Reynolds Ranch Subdivision, a 28.2-acre subdivision to create 150 lots for single family homes. The Commission voted 6-0 to recommend the City Council approve the applicant's request for 2020 growth allocations.

2) Reviewed the proposed Development Standards and Guidelines for the project. The Commission voted 6-0 to recommend the City Council approve the Development Standards and Guidelines.

The applicant, Dennis Bennett, is requesting growth allocations in order to develop this project.

EXISTING CONDITIONS/ANALYSIS

A detailed discussion of existing conditions and the requested growth allocation are provided in the attached Planning Commission staff report.

APPROVED: _____
Stephen Schwabauer, City Manager

REQUESTED GROWTH ALLOCATION

A summary of the status of existing available growth allocations and the applicant's request is shown below. Granting the requested allocation would leave a total of 2,752 allocations available for other projects.

Category	Unused Alloca-tions[1]	Add 2020 Alloca-tions	Deduct 2020 Allocations Already Granted	Total Available Allocations for 2020	Requested Reynolds Ranch Allocations	Total with Reynolds Ranch Allocations Deducted
Low Density (Up to 7 DU/Acre)	1,257	210	<186>	1,281	<39>	1,242
Medium Density (7.1 – 20 DU/Acre)	634	134	<75>	693	<111>	582
High Density (20.1 – 30 DU/Acre)	794	134	0	928	--	928
Totals:	2,685	478	<261>	2,902	<150>	2,752

DEVELOPMENT STANDARDS AND GUIDELINES

The Development Standards and Guidelines (DSG) will be used in the future by staff and the Planning Commission when detailed plans for the development of homes in the subdivision are submitted. Submission of standards and guidelines is required by the Reynolds Ranch Planned Development document.

The DSG document provides both specific development standards (lot sizes, setbacks, etc.) and architectural and other design standards and guidelines to ensure that quality development will take place. At this time, Mr. Bennett intends to sell the subdivision to another party who will submit designs for the homes and construct the project.

PROPOSED DEVELOPMENT STANDARDS AND GUIDELINES

The DSG document provides standards and guidelines covering the following topics:

- Land Use – Land uses and development standards
- Architecture – Architectural standards and guidelines
- Circulation – Roadway cross-sections and designs
- Community – Designs for community features and items in the public realm (street lights, benches, etc.)

A comparison of the proposed development standards with the RMD zoning district standards is provided below.

Lot Configuration	Reynolds Ranch DSG Document	**Lodi Zoning Code RMD**
Minimum Lot Area (square feet)	5,000	**5,000**
Maximum Lot Coverage	50%	**50%**
Minimum Lot Width, Interior Lots	50’	**50’**
Minimum Lot Width, Corner Lots	55’	**N/A**
Minimum Lot Frontage along Public Streets on cul-de-sacs	35’	**N/A**
Setbacks	Reynolds Ranch DSG Document	**Lodi Zoning Code RMD**
Minimum Front Setback to Garage	20’	**20’**
Minimum Front Setback to Living Area	15’	**15’**
Minimum Front Setback to Porch or Entry	15’	**N/A**
Minimum Side Setback to Public Street (corner lot)	10’	**10’**
Minimum Side Setback to Lot Line (adjacent Lot)	5’	**5’**
Minimum Rear Setback to Living Area	10’	**10’**
Minimum Rear Setback to Covered Patio	10’	**N/A**
Maximum Building Height	35’	**35’**

CONCLUSION

The Planning Commission reviewed the project in its entirety and recommended that the City Council:

1) Grant the applicant 39 Low-Density and 111 Medium-Density 2020 Residential Growth Management Allocations; and

2) Approve the proposed Development Standards and Guidelines

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

John R. Della Monica Jr.
Community Development Director

Attachments:
1. Planning Commission Staff Report
2. Proposed Development Standards and Guidelines
3. Draft Resolution

CITY OF LODI
PLANNING COMMISSION
Staff Report

MEETING DATE:	August 12, 2020
APPLICATION NO:	Tentative Tract Map: PL2020-016
REQUEST:	Request for: 1) Planning Commission approval of a Tentative Tract Map to divide three parcels into 150 single family lots in the northwest quadrant of the Reynolds Ranch Planned Development (south of Harney Lane and west of S Stockton Street); 2) Recommendation to the City Council to approve a 2020 growth allocation of 39 low density and 111 medium density units and approve a set of Development Standards and Guidelines to regulate development and design in the proposed subdivision. Applicant: Bennett Homes Inc., P.O. Box 1597, Lodi CA 95241; CEQA Determination: Impacts have been addressed by the Final Environmental Impact Report for the Reynolds Ranch Project (CEQA Section 15162)
LOCATION:	Southeast quadrant of Harney Lane and S Stockton Street APN 058-130-21, -22 and -25
APPLICANT:	Bennett Homes, Inc. P.O. Box 1597 Lodi, CA 95241
PROPERTY OWNERS:	David and Linda Seeman Revocable Trust (APN 058-130-21) 2299 Greenbriar Ct, Yuba City, CA 95993 Pucinelli Revocable Trust (APN 058-130-22) 2719 S Stockton St, Lodi, CA 95240 Gary and Joyce Tsutumi 2011 Trust (APN 058-130-25) 3725 E Armstrong Rd, Lodi, CA 95240

RECOMMENDATION

Staff recommends the Planning Commission approve a Tentative Subdivision Map to subdivide three parcels into 150 single family lots, subject to conditions of approval.

Staff also recommends that the Planning Commission recommend approval by the City Council of the proposed Development Standards and Guidelines and the requested Growth Allocation.

TOPICS IN THIS REPORT

This report addresses the following major topics:

- Project Site and Vicinity Description Page 2
- Background/Existing Setting Page 5
- Proposed Tentative Tract Map Page 11
- Tentative Tract Analysis Page 13
- Tentative Tract Map Findings Page 15
- Development Standards and Guidelines Page 17
- Growth Allocation Page 19
- Environmental Assessment Page 26
- Recommended Motion Page 28

PROJECT SITE AND VICINITY DESCRIPTION

General Plan Designation: Medium Density and Low Density Residential
Zoning Designation: PD 39 (Reynolds Ranch)
Property Size: 28.2 acres

ADJACENT ZONING DESIGNATIONS AND LAND USES			
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
Project Site	Medium Density Residential Low Density Residential	PD 39* (Reynolds Ranch)	Vineyard
North	Industrial	M (Industrial)	Vacant and Light Industrial (north of Harney Lane)
South	Medium Density Residential	Low Density Residential	Single Family Homes
East	Low Density Residential Commercial	Low Density Residential	Reynolds Ranch Retail Center
West	Industrial	Low Density Residential	Vacant, Railroad

* - See additional detail below

General Plan and Zoning maps for the project site and vicinity are shown below. As shown in Figure 1, portions of the site are designated for Low and Medium density residential development; approximately 19.3 acres are designated Medium, with the remaining 8.7 acres designated as Low.

Figure 1: General Plan Land Use Map

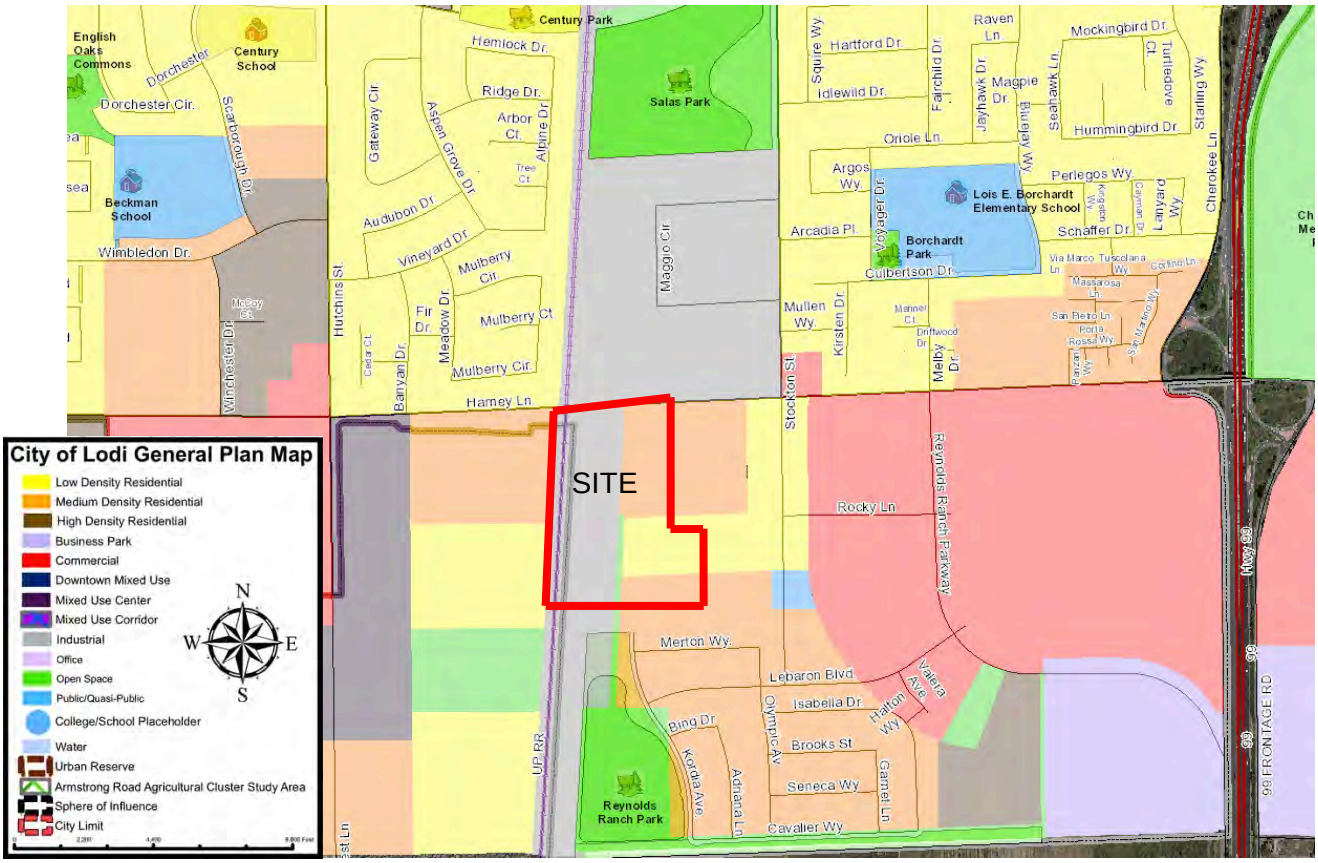


Figure 2: Zoning Map

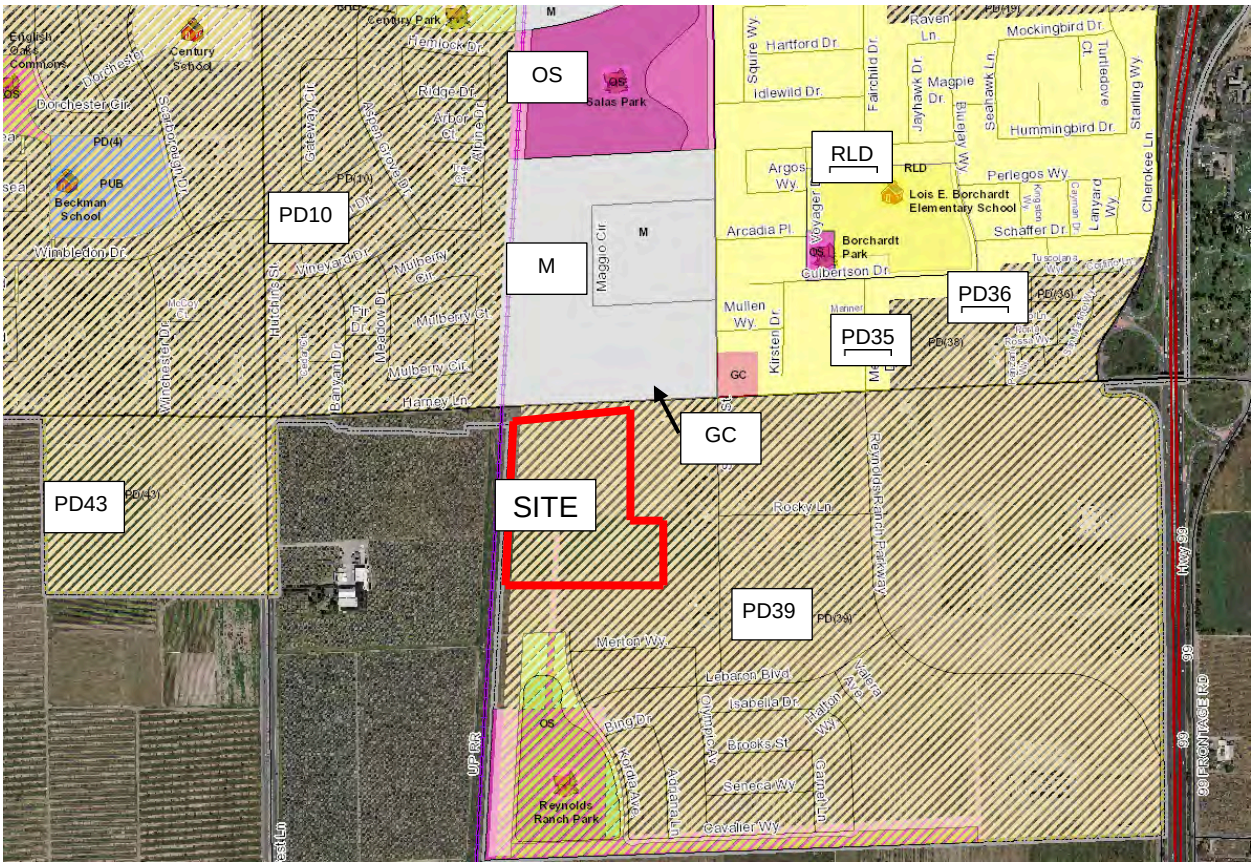
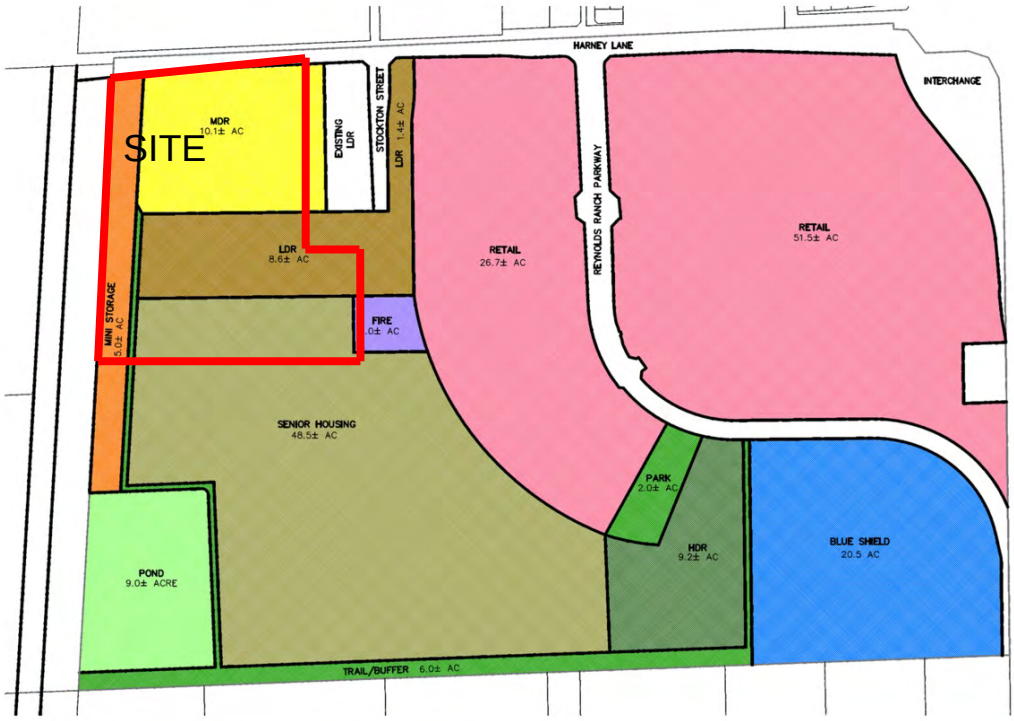


Figure 3: PD 39 Land Use Diagram



The Reynolds Ranch Planned Development (PD 39) as adopted in 2006 and amended in 2008 did not include development standards for the residential area. These standards were required as a condition of approval of the original approval of PD 39 to be submitted with a request for a tentative map and growth allocation.

At the moment, therefore, there are no development standards for the area of the proposed tentative map. The applicant is proposing standards as part of a set of Planned Development Standards and Guidelines submitted with the map (see the discussion later in this report).

BACKGROUND/EXISTING SETTING

The proposed subdivision is located in the northeast portion of the Reynolds Ranch Planned Development (PD 39), a mixed-use residential/commercial/office project originally approved and annexed to the city in 2006.

The project site is designated in PD 39 for medium density and low density development, as shown in Figure #, above.

To date, much of the Reynolds Ranch project has been developed, including:

- Blue Shield office complex
- Costco, Home Depot and related retail
- Sprouts Farmers Market and related retail
- Fairfield Inn and Suites (under construction)
- Single family homes
- Rubicon apartments
- Oakmont Senior Living
- Orchard Lane Park

A recent (2019) aerial photo of the Reynolds Ranch area is shown below.

Figure 4: Reynolds Ranch Aerial Photo

Photos of the project site are provided below.

Figure 5: Project Site Aerial Photo

Figure 6: Project Site Photos

View of the site looking northeast toward Harney Lane

View of the site looking east toward Stockton Street

Existing vineyards

As shown in the photos above, the project site is mostly vacant. Portions of the site are planted with vineyards.

West of the project site is an active rail line (shown below). Potential noise from this rail line is discussed in more detail in the Analysis section of this report.

Figure 7: Existing Rail Line

Also located within the project site are several existing homes on the west side of Stockton Street. These homes, which would be removed prior to development of the proposed subdivision, are shown below.

Figure 8: Photos of Existing Homes

Aerial view of existing homes (to be removed)

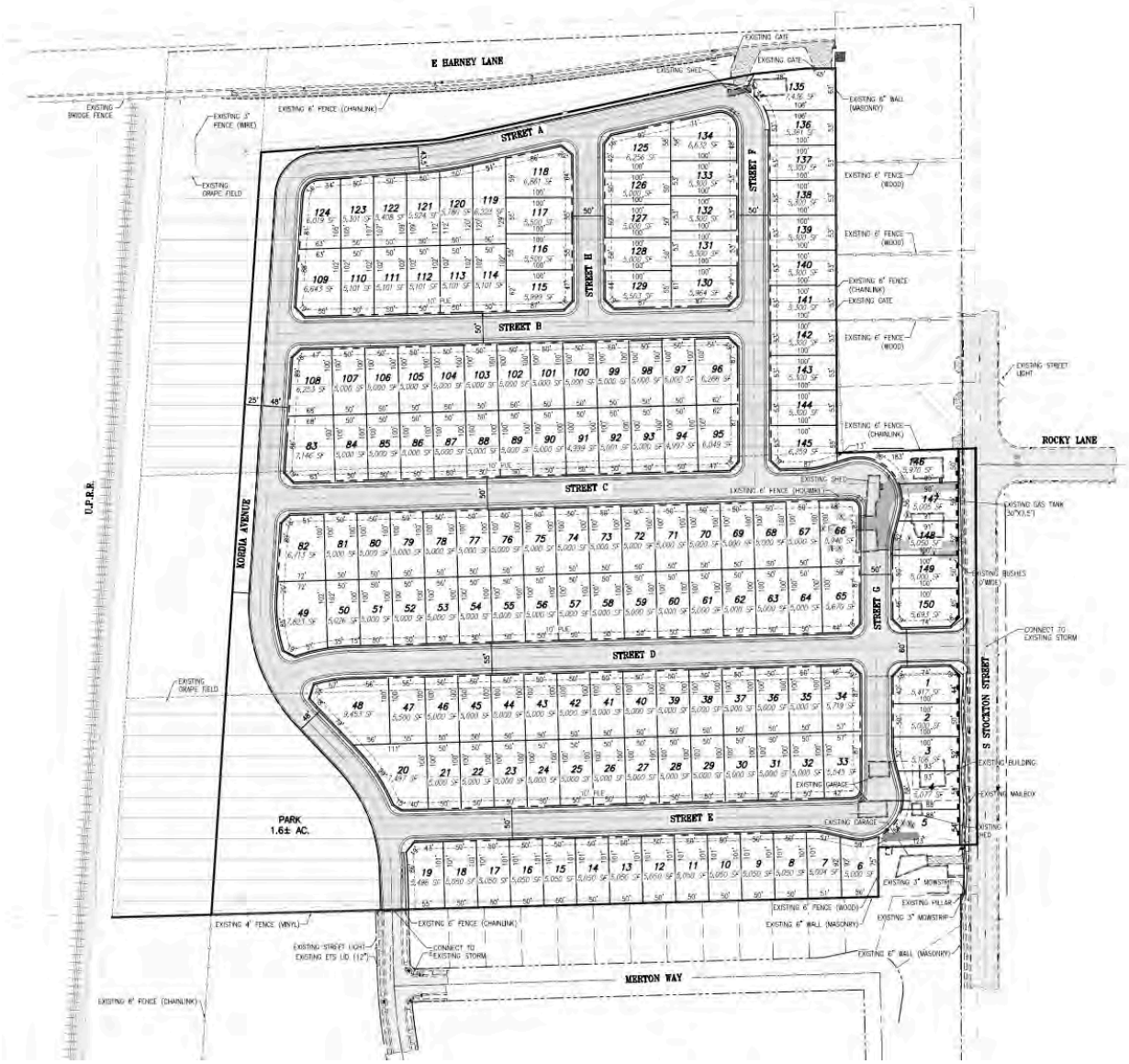
View of existing homes (to be removed) from Stockton Street

PROPOSED TENTATIVE TRACT MAP

The proposed subdivision is shown in Figure 9, below. A more detailed version of the Tentative Tract Map is included in the attachments to this report.

The applicant is proposing a standard tentative subdivision map (not a Vesting Map).

Figure 9: Proposed Tentative Map



The proposed subdivision would create 150 lots for single family homes, plus lots for landscaping, trails and an on-site park.

Most of the proposed lots are 5,000 square feet in size (generally 50x100 feet; some lots are smaller, some are larger). Lot sizes would be similar than in the existing subdivision to the south.

The average of all lots in the subdivision is 5,314 square feet. The largest lot is 9,453 square feet. A summary of the sizes and dimensions of all lots in the subdivision is included in the attachments to this report.

All of the proposed lots meet the size and dimension standards proposed by the applicant for this tract:

Dimension	Minimum
Lot Size	5,000 square feet
Lot Width	50 feet
Lot Width, Corner Lots	35 feet
Lot Frontage Cul-de-Sac Lots	35 feet

TENTATIVE TRACT MAP ANALYSIS

The properties are currently zoned Low Density Residence (LDR) and designated Low Density Residential (1-8 units per acre) in the General Plan. As proposed, the lots will exceed minimum lot size and width and comply with land use density standards.

General Plan Conformance

The subject property is currently designated Low Density Residential (2-8 DU/ acre) and Medium Density Residential (8-20 DU/acre) on the Land Use Map of the General Plan. The following General Plan Land Use and Community Design and Livability (CDL) goals and policies are applicable to the proposed subdivision:

The overall net density of the project, excluding areas set aside for roadways and the flood detention basin[1], is 8.2 dwelling units per acre, which substantially complies with the density ranges of the Low Density Residential (2-8 DU/acre) and Medium Density Residential (8-20 DU/acre) General Plan land use categories.

The General Plan requires that residential developments be at least as dense as the minimum for each land use category:

> *LU-P3 Do not allow development at less than the minimum density prescribed by each residential land use category, without rebalancing the overall plan to comply with the "no net loss provisions of state housing law."*

As discussed above, the proposed project meets the density requirements for the Low- and Medium Density Residential land use categories, consistent with Policy LU-P3.

[1] Per the General Plan: "Residential density is expressed as housing units per net acre (excluding existing and proposed public streets and other rights of way)." [General Plan, page 2-7]

Zoning Compliance

All of the proposed lots meet the development standards proposed for the project, which are:

Dimension	Minimum	Complies?
Size	5,000 square feet	Yes
Frontage	50 feet	Yes
Depth	No standard	N/A

Design

The Lodi Zoning Code provides basic guidelines for the design of residential subdivisions:

> *"The guidelines provided here are intended to assist project designers and property owners in understanding and implementing the city's goals for attaining high quality residential development. They are also intended to help preserve the traditional character of the city's older neighborhoods."*
>
> *These guidelines are intended to encourage well designed residential neighborhoods that people enjoy living in, which: reduce the visual dominance of the automobile; promote pedestrian activity; create variety and interest in the appearance of residential streets; provide community open space; and protect significant features of the natural environment.* [Zoning Code 17.18.050.A]

The guidelines in the Zoning Code address two basic topics: 1) Street Layout and 2) Open Space and Natural Features. The suggested guidelines, and staff's analysis of each, are shown below.

Street Layout

i. Pedestrian orientation. Subdivision design should emphasize pedestrian connectivity within each project, to adjacent neighborhoods, nearby schools and parks, and to transit stops within one-quarter-mile of planned residential areas. All streets and walkways should be designed to provide safe and pleasant conditions for pedestrians, including the disabled, and cyclists.

Staff's Analysis**:** The proposed subidivision provides direct pedestrian access to the nearby retail area to the east and to the public park to the south. All of the streets in the subdivision have sidewalks on both sides (except the streets and the north and west edges of the tract, which are have homes and sidewalks only on one side).

ii. Block Length. The length of block faces between intersecting streets should be as short as possible, ideally no more than four hundred feet, to provide pedestrian connectivity.

Staff's Analysis**:** The longest block faces are 750-900 feet long, which exceeds the recommended length. However, these blocks are oriented in the direction in which most pedestrians will want to travel (east toward the nearby retail center). Direct pedestrian access is provided to the public park south of the project. Staff feels that the design provides sufficient pedestrian access.

iii. Street Width and Design Speed. Streets within neighborhoods should be no wider than needed to accommodate parking and two low-speed travel lanes. Streets in new

subdivisions should be designed to accommodate traffic speeds of twenty-five miles per hour or less, with most streets in a subdivision designed for lower speeds.

Staff's Analysis**:** The streets in the proposed subdivision comply with City of Lodi standards for local public streets.

iv. *Parkway/Planting Strips. Sidewalks should be separated from curbs by parkway strips of at least five feet in width. The parkways should be planted with canopy trees at a twenty-foot interval, or as appropriate to the species of the selected street tree, to produce a continuously shaded sidewalk. The parkways should also be planted with ground covers and other plant materials that will withstand pedestrian traffic.*

Staff's Analysis: The

v. *Access to Open Areas. Single-loaded streets (those with residential development on one side and open space on the other) should be used to provide public access to, and visibility of natural open spaces, public parks, and neighborhood schools, as well as a means for buffering homes from parks and schools.*

Staff's Analysis: None of the situations noted apply to this project.

Open Space

i. *Natural amenities (such as views, mature trees, creeks, riparian corridors, and similar features) should be preserved and incorporated into proposed development to the greatest extent feasible.*

Staff's Analysis: None of the situations noted apply to this project.

ii. *Development adjacent to parks or other public open spaces should be designed to provide maximum visibility of these areas.*

Staff's Analysis: The project is adjacent to an existing park (Orchard Lane Park) and proposes an approximately 1.6-acre addition to that park as part of this project. The existing and expanded park are visible from Kordia Lane, satisfying this requirement.

Noise from Harney Lane and Nearby Rail Line

Two potential sources of noise—Harney Lane and an active rail line—are located near the project site. Potential impacts to homes created by noise from Harney Lane and the railway were identified in the environmental impact report (EIR) for the Reynolds Ranch Planned Development. Because the roadway and railway were identified to have the potential to create unacceptable levels of noise, the following mitigation measures were included in the Reynolds Ranch EIR:

Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) to allow for window closure, in compliance with the City of Lodi Compatibility Standards. (Final EIR Mitigation Measure 3.8.3)

Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.4)

New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. (Final EIR Mitigation Measure 3.8.5)

Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall, landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. This attenuation may be achieved by the design of the min storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks. (Final EIR Mitigation Measure 3.8.6)

All of these mitigation measures would apply to the project, for the following reasons:

- Homes are within 245 feet of the Harney Lane centerline. This generally affects lots 117-126 and 133-137.
- Rear yards of some homes (defined as "outdoor recreational space") are within 145 feet the Harney Lane centerline. This affects lots 118, 125, 134, and 135.
- Homes are proposed near the train tracks.

All of these mitigation measures are included in the proposed conditions of approval.

TENTATIVE TRACT MAP FINDINGS

In order to approve the proposed tentative tract map, the proposed subdivision must be found consistent with the General Plan, Zoning Code, and the Subdivision Map Act[2].

The following are the required findings for approval of a subdivision, and staff's analysis for each. If any of the findings can be made, the map cannot be approved; staff's recommendation is that the map ***can*** be approved.

1. *The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable Specific Plan.*

   Staff's Analysis**:** The overall density of the project, excluding areas set aside for roadways and the flood detention basin, is 8.2 dwelling units per acre, which substantially complies with the density ranges of the Low Density Residential (2-8 DU/acre) and Medium Density Residential (8-20 DU/acre) General Plan land use categories. The proposed map is consistent with the General Plan density requirements. The project is not located in a Specific Plan.

2. *The site is not physically suitable for the type or proposed density of development.*

   Staff's Analysis**:** No unusual topographic features are present onsite that would prohibit development of the proposed subdivision. The site is generally flat, with no regulated

[2] Lodi Zoning Code Section 17.52.070

sensitive areas or other limiting topographic features. The subdivision would create lots with adequate land area to support 150 detached single-family lots that meet the size and width standards of the Zoning Code.

3. *The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat.*
   Staff's Analysis: The project site is not located in a sensitive environment. The entire site has been cleared of native vegetation or planted with a vineyard. No wildlife habitat will be affected. To ensure that protected species are not affected, the proposed conditions of approval require pre-grading surveys for a variety of protected bird species. No fish habitat is present on-site.

4. *The design of the subdivision or type of improvements is likely to cause serious public health or safety problems.*

   Staff's Analysis: The proposed subdivision has been reviewed by the Public Works Department and meets all applicable design and improvement standards. The lots being created will comply with all applicable single-family sanitary sewer service and stormwater runoff treatment requirements, as well as other similar environmental and life safety regulations and standards.

5. *The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the Commission finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision.*

   Staff's Analysis: There are no public easements that currently encumber the properties to be subdivided, and all modifications made to the existing public improvements fronting the project site will be required to be reconstructed to current City standards.

6. *The discharge of wastewater from the proposed subdivision into the community wastewater system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.*

   Staff's Analysis: The site will be served by the City of Lodi wastewater system. No discharges of wastewater will occur that could result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

7. *Information available to the City indicates adverse soil or geological conditions and the subdivider has failed to provide sufficient information to the satisfaction of the Public Works Director or the Commission that the conditions can be corrected in the plan for the development.*

   Staff's Analysis: No information has been found to indicate the project site is considered contaminated, or may contain contaminant particles. A condition of approval requires the completion of detailed studies of on-site soils to ensure that no contamination is present before grading permits are issued.

8. *The proposed subdivision is not consistent with all applicable provisions of this Title, any other applicable provision of the Municipal Code, and the Subdivision Map Act*.

   Comment: The procedural requirements of the Map Act are being followed. The proposed lots will comply with the applicable engineering and zoning standards pertaining to grading, drainage, utility connections, lot size (as proposed by the applicant) and density.

Based on the analysis above, staff recommends approval of the Tentative Parcel Map subject to the findings and conditions of approval contained in the staff report.

PROPOSED DEVELOPMENT STANDARDS AND GUIDELINES

To provide development standards for the area covered by the proposed subdivision and regulate the design of homes and other improvements (street signs, landscaping, etc.), the applicant has submitted a set of proposed "Development Standards and Guidelines," (DSG) included in the attachments to this report.

The DSG document includes the following sections:

1. Introduction – Including how the DSG document will be implemented and its relationship to the Lodi Zoning Code
2. Land Use – Land uses and development standards
3. Architecture – Architectural standards and guidelines
4. Circulation – Roadway cross-sections and designs
5. Community – Designs for community features and items in the public realm (street lights, benches, etc.)

The proposed DSG document provides several key items:

- **Development standards**, including lot size and dimension standards and setbacks (with minor exceptions the same as the City's RMD single family zoning district). A comparison of proposed development standards in the DSG and in the RMD zoning district is shown below:

Lot Configuration	Reynolds Ranch DSG Document	**Lodi Zoning Code RMD**
Minimum Lot Area (square feet)	5,000	**5,000**
Maximum Lot Coverage	50%	**50%**
Minimum Lot Width, Interior Lots	50'	**50'**
Minimum Lot Width, Corner Lots	55'	**N/A**
Minimum Lot Frontage along Public Streets on cul-de-sacs	35'	**N/A**
Setbacks	Reynolds Ranch DSG Document	**Lodi Zoning Code RMD**
Minimum Front Setback to Garage	20'	**20'**
Minimum Front Setback to Living Area	15'	**15'**

Minimum Front Setback to Porch or Entry	15’	**N/A**
Minimum Side Setback to Public Street (corner lot)	10’	**10’**
Minimum Side Setback to Lot Line (adjacent Lot)	5’	**5’**
Minimum Rear Setback to Living Area	10’	**10’**
Minimum Rear Setback to Covered Patio	10’	**N/A**
Maximum Building Height	35’	**35’**

N/A – No standard in the RMD zoning district

As shown, the proposed DSG provides standards not included in the Lodi Zoning Code for front porch setbacks, rear yard patios, and lots on cul-de-sacs. All other standards are the same as the RMD zoning district. Permitted land uses, project processing procedures, variances and deviations from setbacks, etc., will all be per the Lodi Zoning Code and the RMD zoning district.

- **Architectural guidelines** which establish both both standards and guidelines to establish a level of quality for the design of homes (which will be reviewed by the Site Plan and Architectural Committee):

  - *Standards* are mandatory regulations which must be complied with, and generally include words such as “shall” or “must”

  - *Guidelines* are recommendations that are not required to be complied with, and generally include words such as “should” or “encourage”

  The DSG document makes extensive use of photographs to show the level of quality which will be expected in the proposed designs for homes in the subdivision:

3.2.2 – Architectural Forms and Overall Character

Homes within Reynolds Ranch – Site A shall provide for a variety of materials and colors to compliment the overall style and character of the Reynolds Ranch community. The following photos are examples of style and character – they are not intended to be specific direction, but to offer inspiration for design and development. Creativity in form, colors, and materials are encouraged with the goal of creating a warm and inviting community that is cohesive with the existing residential community to the south and creates a natural progression of the overall design style of Reynolds Ranch.

The above and preceding pages represent an example as to the variety of design styles of homes and is not intended to show exact home designs and materials. Designs shall compliment the overall Reynolds Ranch style and the existing homes to the south.

Staff feels that the text and illustrations will give staff and the SPARC sufficient grounds to ensure that homes built in the subdivision will meet the City's expectations for quality.

- **Roadway cross-sections** which define how the roads will be built and landscaped
- **Streetscape, open space, and park designs** showing how these features will be constructed and landscapes. The DSG document also includes designs for fences, walls, street signs, etc., which mirror the designs already in place in the adjacent subdivision to the south.

The DSG document, which will be sent to the City Council for review and approval, will form the "zoning" for the site except for any issues not specifically included in the DSG, in which case the Lodi Zoning Code will apply.

GROWTH ALLOCATION

The applicant is requesting a 2020 allocation of 111 Medium Density units and 39 Low Density units. The following sections provide background on the Growth Allocation process, the current status of allocations granted by the City and available for 2020 projects, and staff's analysis of the applicant's request.

Background and History of Growth Allocation

The following is provided for context and to update the Planning Commission on recent action by the City Council related to the Growth Allocation process.

In the late 1980s and early 1990s, there was widespread concern about growth in Lodi, sparked in part growth in San Joaquin County, which at the time was one of the fastest-growing regions in the United States. The City feared "[r]apid uncontrolled growth" that would be "… a direct cause of serious adverse environmental and economic effects." [City of Lodi Ordinance No. 1521, adopted 1991]

In response, the City Council adopted a "Growth Management Plan"[3] to give the Council more control over the timing, location, and quality of future residential development.

The City's growth allocation process was intended to,

> *"… provide a growth management system to regulate the character, location, amount and timing of future development so as to achieve the policies stated in the Lodi General Plan. It is further the purpose of this Chapter to provide for increased housing opportunities for all segments of society and to promote and protect the public health, safety and welfare be regulating the future use and development of land in the City of Lodi."* [Lodi Ordinance No. 1521]

The growth management system was intended to ensure that Lodi's population did not grow more than 2% per year.

Via a separate Resolution, the City Council in 1991 (City Council Resolution No. 91-170) established a "point system" to be used to review proposed residential projects. The point system measured each project's performance in a variety of areas, including:

- Agriculture Land Conflicts
- On-Site Agricultural Land Mitigation
- General Location (with regard to "Priority Areas" to be established by the City Council)
- Relation to Public Services (water, sewer, drainage, etc.)
- Traffic
- Housing
- Schools
- Fire Protection

Finally, the City Council in 1991 also adopted Resolution No. 1991-171, which established the requirements for a "Development Plan" that was required by Ordinance No. 1521 to be submitted with proposed tentative parcel maps and tentative tract maps. The Development Plan was to include a schedule which estimated the time period over which the project would be developed, so that growth allocations could be apportioned over several years.

Resolution 1991-171 also established a once-a-year schedule for considering the allocation of growth by the City Council, which was to occur each year in November. If a project did not receive an allocation in November of any given year, it would have to wait until the following year to reapply.

---

[3] Some readers may be aware that the state Housing Crisis Act of 2019 has invalidated some growth control/management programs, and now makes it illegal for cities to enact new growth control/ management plans. Lodi's plan, due to its adoption date in 1991, is exempt from these restrictions and can remain in force. If the City wished to enact a new growth control/management plan today, state law would prevent it from doing so.

In addition to these three foundational actions to establish and implement the Growth Management Program, the City Council took various actions to adjust the Program:

- Resolution No. 2006-141 (adopted July 19, 2006) made a one-year adjustment to the timing for submittal of Growth Allocation applications.
- Ordinance No. 1877 (adopted June 5, 2013) expired unused allocations and suspended the provisions of Resolution No. 91-171 from 2013 through December 31, 2019. This effectively eliminated the requirement for the submittal of a development plan. It also eliminated the once-a-year schedule for considering growth allocations.

The result of these latest actions was that projects could file for a growth allocation at any time, and the City Council could approve an allocation at any time during the year.

With the expiration of Ordinance No. 1877 at the end of 2019, the once-a-year allocation schedule returned, as did the requirement to submit a development plan. This had the effect of making it more difficult to submit tentative subdivision maps, since the next scheduled allocation of units would not occur until November 2020.

At the City Council meeting of June 3, 2020, the Council reinstated the provisions of Ordinance No. 1877 that had expired on December 31, 2019. This allows the processing of the proposed Reynolds Ranch tentative map prior to receiving a growth allocation, and allows the City Council to approve a growth allocation for the map at any time during the year.

Analysis

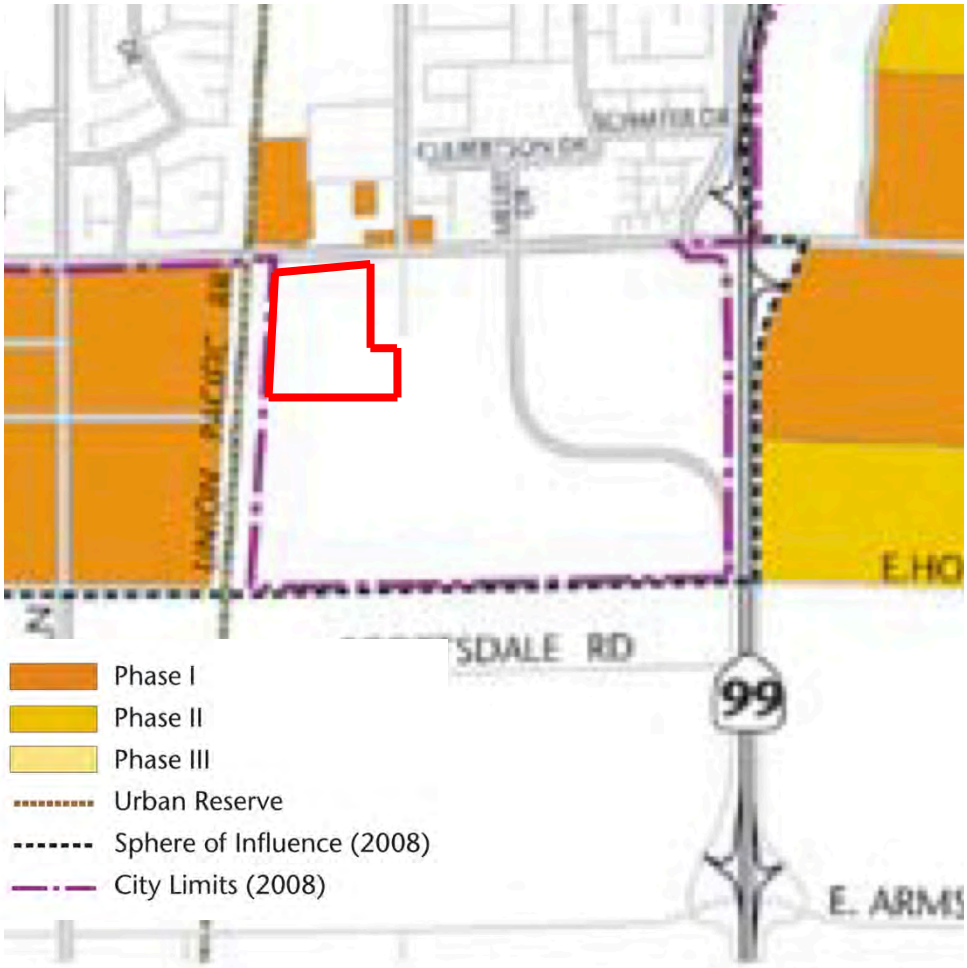
The following analysis examines several factors:

- Relationship of the project to the Priority Areas defined by the City Council
- Relationship of the project to the amount of growth allowed by the Growth Allocation process
- Growth Allocation Points System

<u>Priority Areas</u>

The Lodi General Plan includes a map (General Plan Figure 3-1, excerpted below) which identifies Phase I, II and III areas for growth.

Figure #: General Plan "Development Phases" Map (excerpt)



While the project site is not specifically shown as being in a particular Development Phase, the City has historically defined Phase I as including "infill development," a category which includes sites such as the proposed Reynolds Ranch tentative map, which is surrounded on all sides by existing development. From the General Plan:

> "*Phase I development includes: …*
>
> *2. Infill development and redevelopment downtown, along the city's major corridors, and in the eastern industrial areas."* [General Plan Chapter 3, page 3-5]

<u>Relationship to Projected Growth</u>

When the City initiated the Growth Allocation process, a major component was to limit population growth in the city to 2 percent per year. From Ordinance 1521:

"The number of residential units approved by the City shall reflect a two percent (2%) yearly limitation on growth based on population, to be compounded annually. Calculations for residential building approval shall be based on a population figure of 50,900 as of September 1, 1989, and assuming an average number of persons per residential unit as determined annually by the State [of California] Department of Finance."

Had the City received and approved applications to grow at 2% per year every year since adoption of the Growth Allocation process, applying a compounded two percent annual growth rate to the starting figure of 50,900, the population of Lodi as of 2020 would be significantly higher than the current population could have been achieved.

However, annual applications have historically lagged behind the maximum permitted annual growth. The City Council has also on several occasions "expired" unused allocations, effectively re-setting and lowering the maximum size of the city.

As of January 1, 2020, the California Department of Finance estimated the population of Lodi at 67,930[4]. A summary of the city's population growth over the past ten years is shown below.

Year	Dept. of Finance Revised Population Estimate	Growth Rate Percentage, Year to Year
2010	62,134	
2011	63,317	1.9%
2012	63,447	0.21%
2013	63,788	0.54%
2014	63,975	0.29%
2015	64,415	0.69%
2016	64,920	0.78%
2017	65,911	1.53%
2018	67,121	1.84%
2019	67,430	0.46%
2020	**67,930**	**0.74%**

The average annual growth for the period from 2010 to 2020 has been 0.89%, well below the maximum 2% annual growth allowed by the Growth Allocation process.

Growth Allocations issued to projects from 2013 to 2019 are summarized below.

[4] State of California, Department of Finance, E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2019 and 2020. Sacramento, California, May 2020

ISSUED GROWTH ALLOCATIONS 2013-2019				
Project	**Low (0.1-7)**	**Medium (7.1-20)**	**High (20.1-30)**	**TOTAL**
Bennett Interlaken Dr.	25			
Camper - Sac		28		28
Garfield	6			6
Gateway North	107	98	329	534
Gateway South	560	0	0	560
Gianoni / Baker		18		18
Harvest Crossing		42		42
Iris Drive	9			9
Luca Place	17			17
Miller Property		65		65
Reynolds Ranch		227	330	557
Rose Gate	232			232
Rose Gate II	250	95	180	525
Sunwest Cottages			12	
Tienda Square		8		8
Twin Arbors	27			
Van Ruiten Ranch	145	55	88	288
Villa Fiore (VRR)	67			67
Vineyard Terrace		235		235
Vintner Square	57			57
TOTAL	**1,520**	**871**	**939**	**3,330**
Average Per Year:	**253**	**145**	**156**	**555**

As of the end of 2019, considering the expiring of unused allocations from prior years and the granting of allocations for 2019, the City had an available balance of **2,685** allocations available, in the following categories:

- Low density (Up to 7 DU/acre): 1,257 Units
- Medium density (7.1 to 20 DU/acre): 634 Unit
- High density (20.1 to 30 DU/acre): 794 Units

To calculate available allocations for 2020, these 2,685 available units are added to the 477 units which can be issued in 2020 based on limiting growth to 2% from 2019-2020. Growth from 2019 to 2020 is calculated as follows:

1. Two percent of the City's current population: 67,930 x 2% = 1,359

2. Divide 1,359 by the average number of persons per household 1,359/2.85 = 477

3. Divide the 477 (477 du) units into the three housing types:

44 percent low density = 210 units

28 percent medium density = 134 units

28 percent high density = 134 units

Finally, Growth Allocations already issued for 2020 in prior years for the Gateway South (186 low density units), Bennett/Iris Drive (9 low density units) and Vineyard (75 medium density units) projects are deducted.

The resulting total number of Growth Allocations available for 2020 are:

Category	**Unused Allocations[1]**	**Add 2020 Allocations**	**Deduct 2020 Allocations Already Granted**	**Total Available Allocations for 2020**
Low Density (Up to 7 DU/Acre)	1,257	210	<186>	1,281
Medium Density (7.1 – 20 DU/Acre)	634	134	<75>	693
High Density (20.1 – 30 DU/Acre)	794	134	0	928
Totals:	2,685	478	<261>	2,902

Growth Allocation Points System

Ordinance 1521 called for the establishment of a “points system/criteria schedule to be established by Council resolution.” The points system was to be used only if more allocations were requested than could be issued in any given year.

Because the City is not approaching the maximum number of applications for growth allocation (the Reynolds Ranch project is the only current application), the points system does not apply and is not analyzed.

Growth Allocation Analysis

Based on staff’s review of the applicable portions of the Growth Allocation process (as revised by the City Council in May 2020), staff recommends that the Planning Commission recommend allocation of 150 units of growth by the City Council, including 111 Medium Density units and 39 Low Density units. Staff’s reasoning is as follows:

- The Reynolds Ranch site is in a Priority Area as an “infill” project.

- The requested allocation of 111 Medium Density units and 39 Low Density Units is less than the amount of allocations available for issuance in 2020 (693 Medium Density and 1,281 Low Density).

- Review of Growth Allocation points is not necessary, because the number of allocations requested does not exceed the number of available allocations for 2020.

ENVIRONMENTAL ASSESSMENT

An environmental impact report (EIR) was prepared for the Reynolds Ranch Planned Development in 2006. In 2008, an addendum to the original EIR was prepared when the Planned Development was amended.

The California Environmental Quality Act (Section 15162) allows the use of a prior EIR so long as none of the following findings can be made. Staff's analysis follows each potential finding.

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

Staff's Analysis: The proposed tentative subdivision map is consistent with the land use designations shown in the Reynolds Ranch Planned Development, and which was considered in the 2006 Final Environmental Impact Report and the 2008 Addendum. Because the land use and density of development proposed (single family homes at Low and Medium densities) are the same as the project examined in those documents, there is no evidence that any of the impacts identified would be substantially increased or made more severe.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

Staff's Analysis: The setting in which the project is proposed—the southeastern portion of Lodi and the City in general—have not changed substantially since the certification of the 2006 Final EIR and the approval of 2008 Addendum. At that time, development north of Harney Lane had already taken place (see photos below from 2006 and 2018) while the Reynolds Ranch Planned Development was vacant.

September 2006	August 2018

Image source: Google Earth

Development which has occurred since 2006 is consistent with the assumptions included in the Final EIR and Addendum, including development within the Reynolds Ranch Specific Plan. No major changes in land use which would have resulted in changes in traffic, noise, or other impacts have taken place. Cumulative growth assumptions made in the 2006 Final EIR and 2008 Addendum remain valid.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

Staff's Analysis: Because the project is consistent with the Reynolds Ranch Planned Development (low- and medium-density residential) is consistent with the project examined in the 2006 Final EIR and 2008 Addendum, it is not expected that any impacts would result that were not examined in the prior environmental analyses.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

Staff's Analysis: Because the project is consistent with the Reynolds Ranch Planned Development (low- and medium-density residential) is consistent with the project examined in the 2006 Final EIR and 2008 Addendum, it is not expected that any impacts would result which are more severe than those examined in the prior environmental analyses.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

Staff's Analysis: None of the mitigation measures in the 2006 Final EIR have been found to be infeasible. All of the mitigation measures from the 2006 Final EIR which apply to the proposed project are included in the conditions of approval for the Reynolds Ranch tentative map.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the

environment, but the project proponents decline to adopt the mitigation measure or alternative.

Staff's Analysis: None of the mitigation measures included in the 2006 Final EIR have been determined to be infeasible or ineffective. Impacts have been consistent with those examined in the 2006 Final EIR and the 2008 Addendum, and the City has not needed to identify either new mitigation measures or project alternatives to reduce impacts further.

Based on the analyses above, none of the findings in CEQA section 15162 can be made, and the 2006 Final EIR and 2008 Addendum can be relied upon to be a complete and adequate environmental analysis for the proposed Reynolds Ranch tentative tract map.

PUBLIC HEARING NOTICE

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, August 1, 2020. Sixty (60) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff's recommendation, the following motions are suggested:

"I move that the Planning Commission adopt a Resolution: 1) finding that the impacts of the proposed are fully addressed by the 2006 Final Environmental Impact Report for the Reynolds Ranch Planned Development and the 2008 Addendum to the 2006 Final Environmental Impact Report project per CEQA section 15162, 2) approving the Reynolds Ranch Tentative Parcel Map to subdivide three parcels into 150 lots for single family homes and two parcels for drainage and other purposes, subject to the conditions outlined in the draft resolution, 3) recommending that the City Council approve the Development Standards and Guidelines for Reynolds Ranch Site A; and 4) recommending that the City Council approve a Growth Allocation of 111 Medium Density units and 39 Low Density units."

ALTERNATIVE PLANNING COMMISSION ACTIONS:

Tentative Map

- Approve the proposed tentative map
- Approved the proposed tentative map with revised conditions of approval
- Deny the proposed tentative map
- Direct staff and/or the applicant to provide additional information and/or changes in the project and continue the item to a future meeting.

Design Standards and Guidelines

- Recommend approval by the City Council
- Recommend approval with revisions
- Recommend denial by the City Council
- Direct staff and/or the applicant to provide additional information and/or changes and continue the item to a future meeting

Growth Allocation

- Recommend approval by the City Council
- Recommend approval of a different level of Growth Allocation
- Recommend denial by the City Council

Respectfully Submitted,

Eric Norris
Contract Planner

Concur,

John Della Monica
Community Development Director

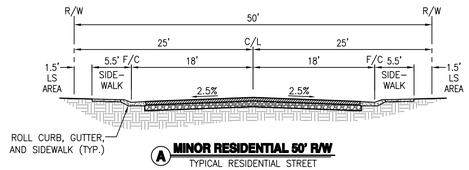
ATTACHMENTS:

A. Tentative Map
B. Development Standards and Guidelines
C. Lot Summary
D. Public Comment Letters
E. Draft Resolution and Conditions of Approval

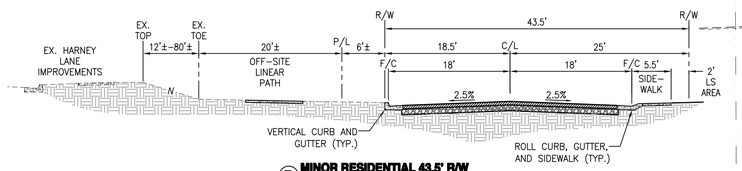
REYNOLDS RANCH RESIDENTIAL SUBDIVISION

TENTATIVE SUBDIVISION MAP

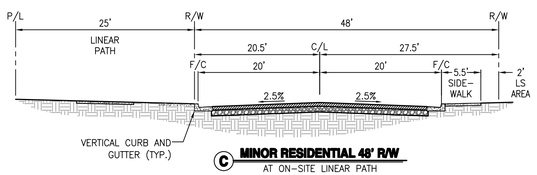
LODI, CALIFORNIA



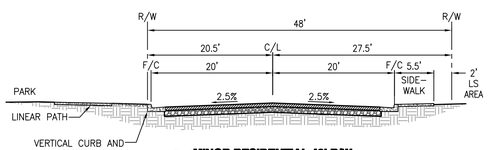
A MINOR RESIDENTIAL 50' R/W
TYPICAL RESIDENTIAL STREET
NOT TO SCALE



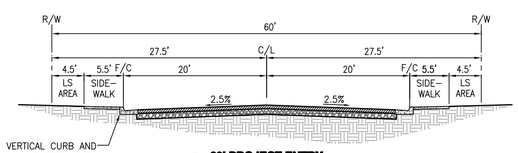
B MINOR RESIDENTIAL 43.5' R/W
AT OFF-SITE LINEAR PATH
NOT TO SCALE



C MINOR RESIDENTIAL 48' R/W
AT ON-SITE LINEAR PATH
NOT TO SCALE



D MINOR RESIDENTIAL 48' R/W
AT ON-SITE PARK/BASIN
NOT TO SCALE



E1 60' PROJECT ENTRY
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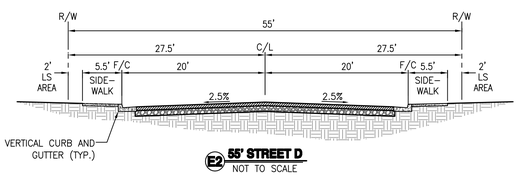
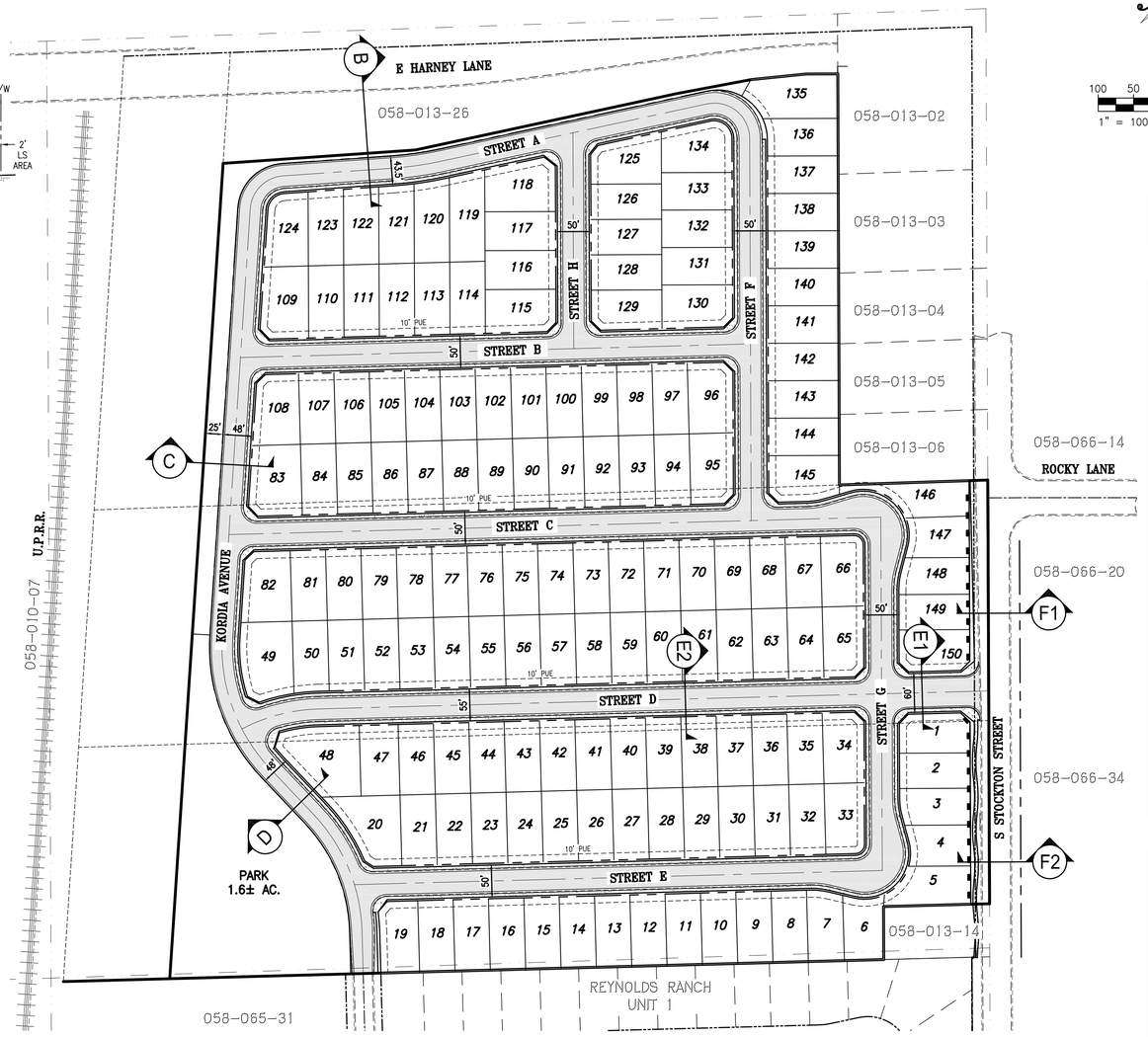
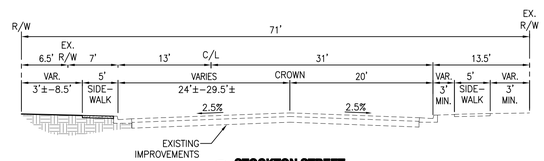


E2 55' STREET D
NOT TO SCALE





F1 STOCKTON STREET
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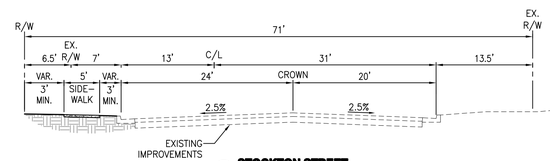

F2 STOCKTON STREET
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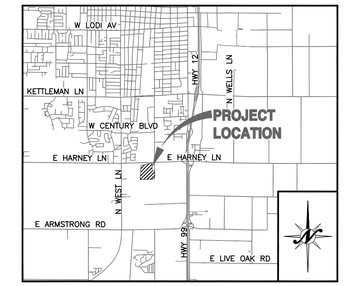

VICINITY MAP
NOT TO SCALE

100 50 0 100
1" = 100'

SHEET INDEX

1. TM1.1 COVER AND CROSS SECTIONS SHEET
2. TM2.1 DIMENSION AND TOPOGRAPHIC PLAN
3. TM2.2 GRADING AND DRAINAGE PLAN
3. TM2.3 UTILITY PLAN

PROJECT INFORMATION

A. REGULATORY AGENCY:	CITY OF LODI 221 W. PINE STREET LODI, CA 95240 T: (209) 333-6700 CONTACT: PLANNING DEPARTMENT
B. APPLICANT:	BENNETT HOMES, INC. 1209 W TOKAY STREET #8 LODI, CA 95242 T: (209) 334-6385 CONTACT: DENNIS BENNETT
C. ENGINEER:	NORTHSTAR ENGINEERING GROUP, INC 620 12th STREET MODESTO CA, 95354 T: (209) 524-3525 CONTACT: TONY DE MELO, P.E.
D. ASSESSOR'S PARCEL NUMBERS:	058-130-21, 22, and 25
E. CURRENT SITE USE:	AGRICULTURAL
F. PROPOSED SITE USE:	SINGLE FAMILY HOMES
G. EXISTING GP DESIGNATION:	MDR & LDR (MEDIUM & LOW DENSITY RESIDENTIAL)
H. PROPOSED GP DESIGNATION:	NO CHANGE
I. EXISTING ZONING:	PLANNED DEVELOPMENT
J. PROPOSED ZONING:	NO CHANGE
K. TOTAL PROJECT SIZE:	28.2± ACRES
L. TOTAL NUMBER OF LOTS:	150
M. GROSS DENSITY:	5.4 UPA
N. CONTOURS:	1.0-FOOT INTERVALS
O. RETURNS:	PER CITY OF LODI STANDARDS
P. UTILITIES:	WATER SYSTEM – CITY OF LODI SANITARY SEWER – CITY OF LODI STORM DRAINAGE – CITY OF LODI GAS – PG&E ELECTRIC – LODI ELECTRIC UTILITY TELEPHONE – AT&T SCHOOL DISTRICT – LODI UNIFIED SCHOOL DISTRICT

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF LODI STANDARD PLANS AND SPECIFICATIONS EXCEPT AS NOTED.
2. STORM DRAINAGE TO BE CONVEYED TO ON-SITE STORM DRAINAGE RETENTION SYSTEM WHICH WILL DISCHARGE TO THE CITY OF LODI STORM DRAINAGE SYSTEM. ALL IMPROVEMENTS TO BE CONSTRUCTED TO THE CITY OF LODI STANDARDS.
3. ALL STORM DRAINAGE IMPROVEMENTS AS PART OF FUTURE IMPROVEMENTS PLANS AND STUDIES SHALL CONFORM TO THE REQUIREMENTS SET FORTH IN NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT 2013-0001-DWQ AND THE MULTI-AGENCY POST-CONSTRUCTION STORMWATER STANDARDS MANUAL APPROVED OR ADOPTED PRIOR TO THE TIME OF THIS TENTATIVE MAP APPLICATION BEING DEEMED COMPLETE.
4. SANITARY SEWER TO BE CONSTRUCTED TO THE CITY OF LODI STANDARDS AND SPECIFICATIONS.
5. WATER SYSTEM TO BE CONSTRUCTED TO THE CITY OF LODI STANDARDS AND SPECIFICATIONS.
6. STREET LIGHTING SHALL BE INSTALLED PER CITY OF LODI STANDARD SPECIFICATIONS.
7. PUBLIC UTILITIES ARE TO BE INSTALLED UNDER GROUND IN EASEMENTS.
8. THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE "MULTIPLE SUBDIVISION MAPS" AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 66456.1., AND FILE PARCEL MAPS FOR REASON OF SALE. ALL PARCEL LINES SHALL CONFORM TO THIS TENTATIVE MAP.
9. PUBLIC UTILITY EASEMENTS WILL BE PROVIDED ALONG ALL STREET IN-TRACT FRONTAGES.
10. ALL EXISTING STRUCTURES AND TREES ARE TO BE REMOVED. SEPTIC TANKS, LEACH FIELDS, AND WELLS ON SITE WILL BE REMOVED OR ABANDONED AS PER CITY OF LODI REQUIREMENTS.
11. ALL LOT SETBACK REQUIREMENTS ARE TO BE IN ACCORDANCE WITH CITY OF LODI REQUIREMENTS.

CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVIEWED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE CITY OF LODI MUNICIPAL CODE AND THE SUBDIVISION MAP ACT AS TO FORM AND CONTENT

CITY ENGINEER DATE

LEGAL DESCRIPTION

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN, CITY OF LODI, AND IS DESCRIBED AS FOLLOWS: A PROTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN.

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CALL BEFORE YOU DIG 800-227-2600

REGISTERED PROFESSIONAL ENGINEER ANTHONY P. DE MELO 93354 STATE OF CALIFORNIA
PRELIMINARY NOT FOR CONSTRUCTION

REVISIONS			
NO.	DESCRIPTIONS	DATE	APPROVED

COVER SHEET
TENTATIVE SUBDIVISION MAP
REYNOLDS RANCH SUBDIVISION
LODI, CALIFORNIA

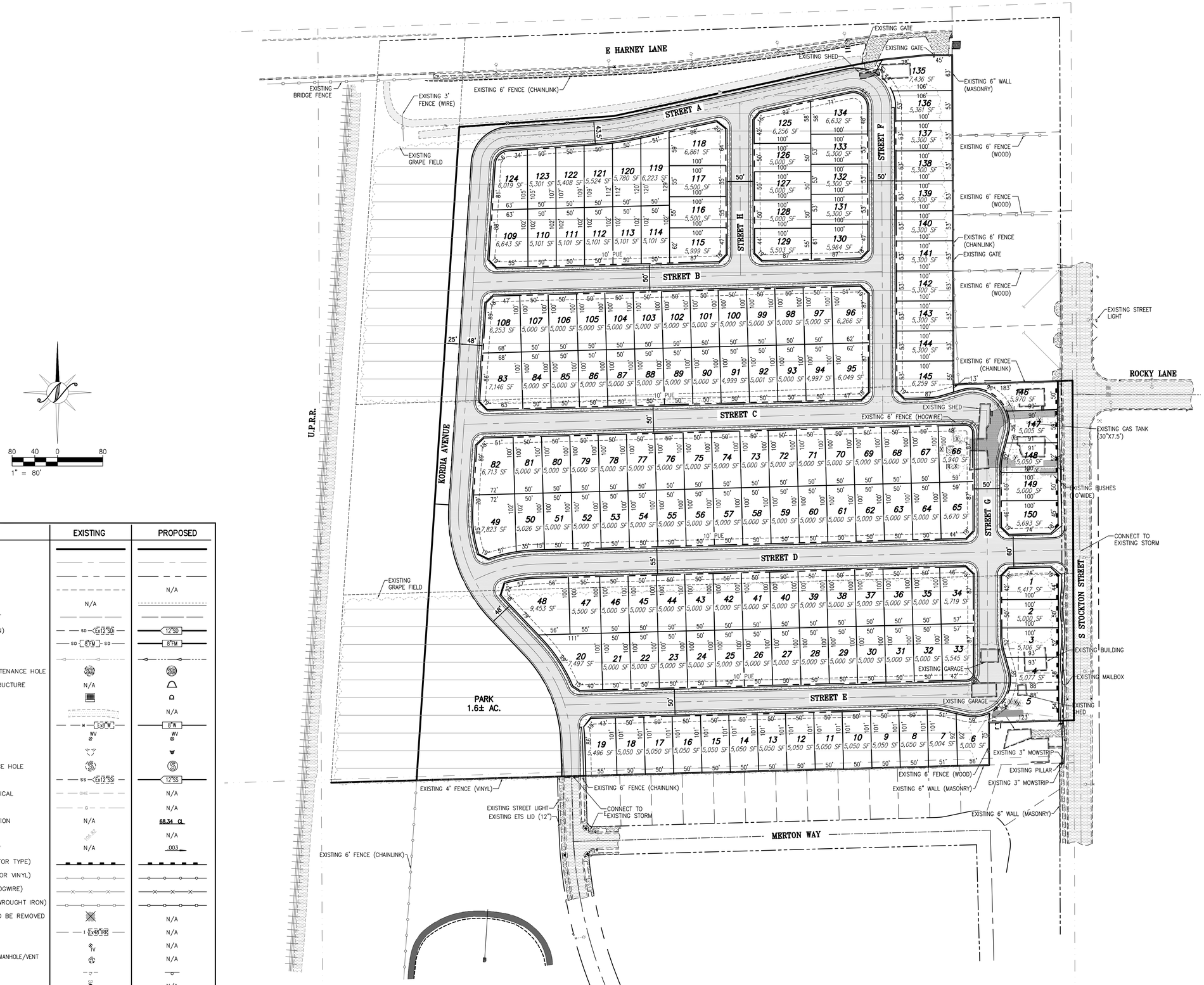
NorthStar Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
620 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB #:	20-2521
DATE:	07/22/2020
SCALE:	
DRAWN:	PMH
DESIGN:	PMH/KM
CHK'D:	TPD

SHEET NUMBER

TM 1.1

PLOTTED: 07/22/2020 13:18 PLOTTED BY: Phuphan
DWGNAME: F:\20-2521 Reynolds Ranch Subdivision\Planning\TM\TM 1.1.dwg



80 40 0 80
1" = 80'

LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE		
CENTERLINE		
RIGHT-OF-WAY		
PARCEL LINE		N/A
CURB AND GUTTER	N/A	
EDGE OF PAVEMENT		
STORM DRAIN (MAIN)	SD Ex12"SD	12"SD
FORCE MAIN	SD 8"FM SD	8"FM
DRAINAGE SWALE		
STORM DRAIN MAINTENANCE HOLE	SD	SD
BASIN OUTFALL STRUCTURE	N/A	
CURB INLET		
DIRT ROAD		N/A
WATER (MAIN)	W Ex8"W	8"W
WATER VALVE	WV	WV
FIRE HYDRANT		
SEWER MAINTENANCE HOLE	S	S
SEWER (MAIN)	SS Ex12"SS	12"SS
OVER HEAD ELECTRICAL	OHE	N/A
GAS LINE	G	N/A
CENTERLINE ELEVATION	N/A	68.34 CL
ORIGINAL GROUND	109.92	N/A
DIRECTION OF FLOW	N/A	.003
WALL (SEE LABEL FOR TYPE)		
FENCE (CHAINLINK OR VINYL)		
FENCE (WIRE OR HOGWIRE)		
FENCE (WOOD OR WROUGHT IRON)		
TREE OR SHRUB/TO BE REMOVED		N/A
IRRIGATION LINE	Ex48"IRR	N/A
IRRIGATION VALVE	IV	N/A
IRRIGATION PRESSURE MANHOLE/VENT		N/A
SIGN		
SERVICE POLE	SP	N/A

PLOTTED: 07/22/2020 13:22 PLOTTED BY: Phyphan
DWGNAME: F:\20-2521 Reynolds Ranch Subdivision\Planning\TM\TM 2.1.dwg

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CALL BEFORE YOU DIG 811 800-227-2600

REGISTERED PROFESSIONAL ENGINEER STEVEN P. DEVITT 61313 CIVIL STATE OF CALIFORNIA

PRELIMINARY: NOT FOR CONSTRUCTION

REVISIONS			
NO.	DESCRIPTIONS	DATE	APPROVED

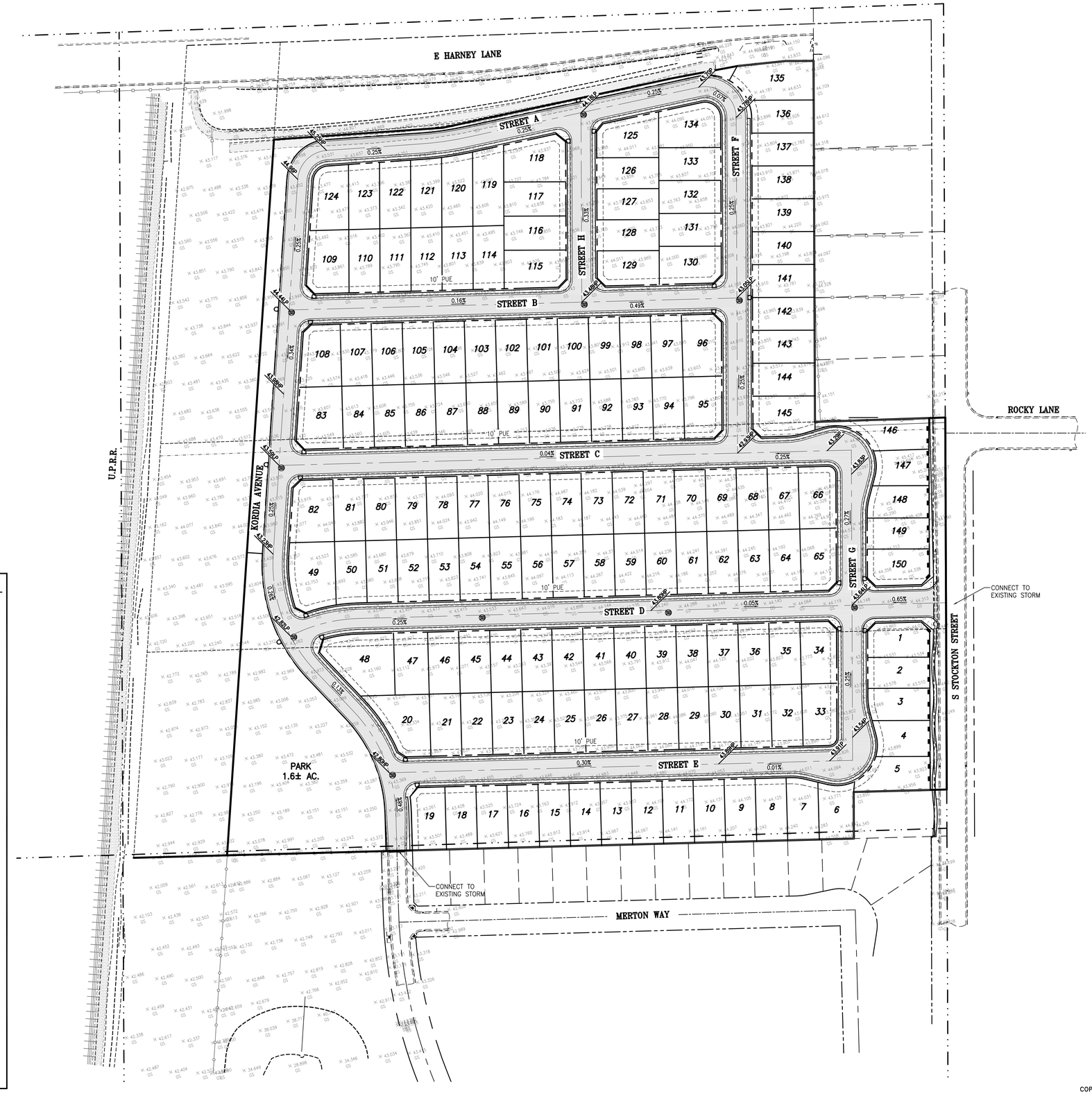
DIMENSION AND TOPOGRAPHY PLAN
TENTATIVE SUBDIVISION MAP
REYNOLDS RANCH SUBDIVISION
LODI, CALIFORNIA

NorthStar Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
820 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB #:	20-2521
DATE:	07/22/2020
SCALE:	
DRAWN:	PMH
DESIGN:	PMH/KM
CHK'D:	TPD

SHEET NUMBER

TM 2.1



80 40 0 80

1" = 80'

LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE		
CENTERLINE		
RIGHT-OF-WAY		
PARCEL LINE		N/A
CURB AND GUTTER	N/A	
EDGE OF PAVEMENT		
STORM DRAIN (MAIN)	SD — Ex12"SD	12"SD
FORCE MAIN	SD 8"FM SD	8"FM
DRAINAGE SWALE		
STORM DRAIN MAINTENANCE HOLE	SD	SD
BASIN OUTFALL STRUCTURE	N/A	
CURB INLET		
DIRT ROAD		N/A
WATER (MAIN)	W — Ex8"W	8"W
WATER VALVE	WV	WV
FIRE HYDRANT		
SEWER MAINTENANCE HOLE	S	S
SEWER (MAIN)	SS — Ex12"SS	12"SS
OVER HEAD ELECTRICAL	OHE	N/A
GAS LINE	G	N/A
CENTERLINE ELEVATION	N/A	68.34 CL
ORIGINAL GROUND	108.82	N/A
DIRECTION OF FLOW	N/A	.003
WALL (SEE LABEL FOR TYPE)		
FENCE (CHAINLINK OR VINYL)		
FENCE (WIRE OR HOGWIRE)		
FENCE (WOOD OR WROUGHT IRON)		
TREE OR SHRUB/TO BE REMOVED		N/A
IRRIGATION LINE	I Ex48"IRR	N/A
IRRIGATION VALVE	IV	N/A
IRRIGATION PRESSURE MANHOLE/VENT		N/A
SIGN	S	
SERVICE POLE	SP	N/A

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PLOTTED: 07/22/2020 13:24 PLOTTED BY: Phuthon
DWGNAME: F:\20-2521 Reynolds Ranch Subdivision\Planning\TM\TM 2.2.dwg

CALL BEFORE YOU DIG 800-227-2600

REGISTERED PROFESSIONAL ENGINEER — PRELIMINARY: NOT FOR CONSTRUCTION — STEVEN P. TEDESCO — CIVIL — STATE OF CALIFORNIA

REVISIONS

NO.	DESCRIPTIONS	DATE	APPROVED

GRADING AND DRAINAGE PLAN
TENTATIVE SUBDIVISION MAP
REYNOLDS RANCH SUBDIVISION
LODI, CALIFORNIA

NorthStar Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
620 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB #:	20-2521
DATE:	07/22/2020
SCALE:	
DRAWN:	PMH
DESIGN:	PMH/KM
CHK'D:	TPD

SHEET NUMBER

TM 2.2

80 40 0 80

1" = 80'

LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE		
CENTERLINE		
RIGHT-OF-WAY		
PARCEL LINE		N/A
CURB AND GUTTER	N/A	
EDGE OF PAVEMENT		
STORM DRAIN (MAIN)	SD Ex12"SD	12"SD
FORCE MAIN	SD 8"FM SD	8"FM
DRAINAGE SWALE		
STORM DRAIN MAINTENANCE HOLE	SD	SD
BASIN OUTFALL STRUCTURE	N/A	
CURB INLET		
DIRT ROAD		N/A
WATER (MAIN)	W Ex8"W	8"W
WATER VALVE	WV	WV
FIRE HYDRANT		
SEWER MAINTENANCE HOLE	S	S
SEWER (MAIN)	SS Ex12"SS	12"SS
OVER HEAD ELECTRICAL	OHE	N/A
GAS LINE	G	N/A
CENTERLINE ELEVATION	N/A	68.34 CL
ORIGINAL GROUND	108.82	N/A
DIRECTION OF FLOW	N/A	.003
WALL (SEE LABEL FOR TYPE)		
FENCE (CHAINLINK OR VINYL)		
FENCE (WIRE OR HOGWIRE)		
FENCE (WOOD OR WROUGHT IRON)		
TREE OR SHRUB/TO BE REMOVED		N/A
IRRIGATION LINE	I Ex48"IRR	N/A
IRRIGATION VALVE	IV	N/A
IRRIGATION PRESSURE MANHOLE/VENT		N/A
SIGN		
SERVICE POLE	SP	N/A

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PLOTTED: 07/22/2020 13:20 PLOTTED BY: Phuthan
DWGNAME: F:\20-2521 Reynolds Ranch Subdivision\Planning\TM\TM 2.3.dwg

CALL BEFORE YOU DIG 800-227-2600

REGISTERED PROFESSIONAL ENGINEER — PRELIMINARY: NOT FOR CONSTRUCTION — STATE OF CALIFORNIA

REVISIONS			
NO.	DESCRIPTIONS	DATE	APPROVED

UTILITY PLAN

TENTATIVE SUBDIVISION MAP
REYNOLDS RANCH SUBDIVISION
LODI, CALIFORNIA

NorthStar Engineering Group, Inc.
• CIVIL ENGINEERING • SURVEYING • PLANNING •
620 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB #:	20-2521
DATE:	07/22/2020
SCALE:	
DRAWN:	PMH
DESIGN:	PMH/KM
CHK'D:	TPD

SHEET NUMBER

TM 2.3

The PDS&D Document is attached to the
Council Staff Report in its entirety

Reynolds Ranch – Site A

Planned Development
Standards and Guidelines

Bennett Homes, Inc.

Prepared By:
KLA, Inc.
NorthStar Engineering

REYNOLDS RANCH

August 2020

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
1	42'	100'	5,417		
2	50'	100'	5,000		
3	52'	93'	5,106		
4	58'	93'	5,077		
5	54'	123'	6,642		
6	59'	92'	5,000		
7	51'	101'	5,004		
8	50'	101'	5,050		
9	50'	101'	5,050		
10	50'	101'	5,050		
11	50'	101'	5,050		
12	50'	101'	5,050		
13	50'	101'	5,050		
14	50'	101'	5,050		
15	50'	101'	5,050		
16	50'	101'	5,050		
17	50'	101'	5,050		
18	50'	101'	5,050		
19	43'	101'	5,496		
20	40'	100'	7,497		
21	50'	100'	5,000		
22	50'	100'	5,000		
23	50'	100'	5,000		
24	50'	100'	5,000		
25	50'	100'	5,000		
26	50'	100'	5,000		
27	50'	100'	5,000		
28	50'	100'	5,000		
29	50'	100'	5,000		
30	50'	100'	5,000		
31	50'	100'	5,000		
32	50'	100'	5,000		
33	42'	100'	5,545		
34	46'	100'	5,719		
35	50'	100'	5,000		
36	50'	100'	5,000		

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
37	50'	100'	5,000		
38	50'	100'	5,000		
39	50'	100'	5,000		
40	50'	100'	5,000		
41	50'	100'	5,000		
42	50'	100'	5,000		
43	50'	100'	5,000		
44	50'	100'	5,000		
45	50'	100'	5,000		
46	50'	100'	5,000		
47	50'	100'	5,000		
48	50'	100'	5,000		
49	56'	100'	9,543		
50	51'	102'	7,823		
51	50'	102'	5,026		
52	50'	100'	5,000		
53	50'	100'	5,000		
54	50'	100'	5,000		
55	50'	100'	5,000		
56	50'	100'	5,000		
57	50'	100'	5,000		
58	50'	100'	5,000		
59	50'	100'	5,000		
60	50'	100'	5,000		
61	50'	100'	5,000		
62	50'	100'	5,000		
63	50'	100'	5,000		
64	50'	100'	5,000		
65	44'	100'	5,670		
66	48'	100'	5,940		
67	50'	100'	5,000		
68	50'	100'	5,000		
69	50'	100'	5,000		
70	50'	100'	5,000		
71	50'	100'	5,000		
72	50'	100'	5,000		
73	50'	100'	5,000		

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
74	50'	100'	5,000		
75	50'	100'	5,000		
76	50'	100'	5,000		
77	50'	100'	5,000		
78	50'	100'	5,000		
79	50'	100'	5,000		
80	50'	100'	5,000		
81	50'	100'	5,000		
82	51'	100'	6,713		
83	63'	100'	7,146		
84	50'	100'	5,000		
85	50'	100'	5,000		
86	50'	100'	5,000		
87	50'	100'	5,000		
88	50'	100'	5,000		
89	50'	100'	5,000		
90	50'	100'	5,000		
91	50'	100'	5,000		
92	50'	100'	5,000		
93	50'	100'	5,000		
94	50'	100'	4,997		
95	47'	100'	6,049		
96	51'	100'	6,266		
97	50'	100'	5,000		
98	50'	100'	5,000		
99	50'	100'	5,000		
100	50'	100'	5,000		
101	50'	100'	5,000		
102	50'	100'	5,000		
103	50'	100'	5,000		
104	50'	100'	5,000		
105	50'	100'	5,000		
106	50'	100'	5,000		
107	50'	100'	5,000		
108	47'	100'	6,253		
109	55'	102'	6,643		
110	50'	102'	5,101		

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
111	50'	102'	5,101		
112	50'	102'	5,101		
113	50'	102'	5,101		
114	50'	102'	5,101		
115	47'	100'	5,999		
116	55'	100'	5,500		
117	55'	100'	5,500		
118	64'	100'	6,861		
119	51'	120'	6,223		
120	50'	120'	5,780		
121	50'	112'	5,524		
122	50'	109'	5,408		
123	50'	107'	5,301		
124	34'	105'	6,019		
125	42'	100'	6,256		
126	50'	100'	5,000		
127	50'	100'	5,000		
128	50'	100'	5,000		
129	44'	100'	5,503		
130	47'	100'	5,964		
131	53'	100'	5,300		
132	53'	100'	5,300		
133	53'	100'	5,300		
134	48'	100'	6,632		
135	44'	106'	7,436		
136	53'	106'	5,361		
137	53'	100'	5,300		
138	53'	100'	5,300		
139	53'	100'	5,300		
140	53'	100'	5,300		
141	53'	100'	5,300		
142	53'	100'	5,300		
143	53'	100'	5,300		
144	53'	100'	5,300		
145	53'	100'	6,259		
146	50'	90'	5,970		
147	56'	91'	5,005		

Reynolds Ranch Tentative Tract Map
Lot Summary

ATTACHMENT B

Reynolds Ranch Tentative Map					
Lot #	**Width**	**Depth**	**Area ()**		**Red=Irregular shaped or corner lots.**
148	52'	100'	5,050		
149	50'	100'	5,000		
150	46'	100'	5,693		
		Average:	5,314		

ATTACHMENT C

Kari Chadwick

From: Kevin <spdmotor1@yahoo.com>
Sent: Wednesday, July 01, 2020 1:41 PM
To: Planning Commission Comments
Subject: Reynolds Ranch additional homes

Hello, I am writing in regards to the proposed additional 150 homes in the Reynolds Ranch area adjacent to the Orchard Lane development.

First question/comment I have is, will these be low income or HUD homes? And if so this would be a huge disappointment for most of the Orchard Lane owners. We have invested a lot to own homes in this area and to do that would be a huge problem for myself and other homeowners here. We purchased homes here under the belief that we would be the only community built in the area.

I'd would also like to mention the impact these homes would have on traffic congestion. This also brings up the issue of schools. There are not enough schools to support what is already built here and adding more homes would imply the school issues even more. If I could cast a vote on these homes that would count, I would vote No! Thank you for your consideration in this matter.

Kevin Hachler
Sent from my iPhone

Attachment C

7/6/20

Lodi Planning Division
John R. Della Monica Jr.

On June 29, 2020, we received a Notice of Public Hearing informing us of a public hearing on 7/8/20 @7PM. The letter stated that this meeting is a request for approval a division of three parcels of land into lots for 150 single family homes. And, an approval for 'growth allocation' (not sure of meaning) for this proposed tentative tract. Also, that those interested could only view and listen on your Facebook live stream.
As a homeowners and taxpayers residing at 155 Merton Way in this great city of Lodi, we have some concerns as to what due diligence has taken place to come a decision that considers the well-being for citizens as well as for the City of Lodi.
If there were an Environmental Impact report completed, as stated, where can we (citizens) read this? It seems transparency is lacking for the public.
When we received this notice on the evening of 6/29, I called for more info on the morning of 6/30 to find more info. I was informed that there had been a 'shirt sleeve' (not sure what this means) meeting that morning at 7AM to approve this development. We are not sure why we were not given any notice so that we could speak at an open meeting. Because we were told by your office that we could only participate by letter or email, we feel that our views have little value and that these decisions have already been made without our concerns being heard. We have many concerns that we trust will be taken seriously.
First and foremost, Orchard Lane is a quiet family-oriented neighborhood with little safety concerns because direct access is limited to our neighborhood via two entrances one main LeBaron Blvd and now on Stockton St. From your map, it looks like you will be opening up Kordia Ave. which will completely change the dynamic of this community-minded neighborhood. It will go from quiet neighborhood to a through way to LeBaron and most likely Merton will be affected too. If you do not know, these streets are so narrow that only one car can pass if there are cars parked. These streets were not meant for through access, only neighborhood traffic.
Also, when we purchased our home from FCB homes, we were informed that the train that is within ½ mile from our house (closer for our neighbors) was only a few per day. After living here for three years, we know that there are on most days, an average of 20 trains that are not only during the day but run all hours (mostly between 12AM to 6AM.) And that our house shakes…so much so that my computer screen jiggles violently on my desk, our windows creek and pictures bang on the wall! This has caused us to wonder if this is doing something to the structure of our home. Our guess is that this land was very inexpensive at most. Profits over well-being!
I'm sure if you took a survey of satisfaction you would find most homeowners unhappy with this aspect. Our quiet traffic at least makes it bearable. Now, you want to upset that dynamic by allowing this new subdivision.
The building of the commercial property south-east from us has been a big disappointment too. The three-story building that towers over our beautiful landscape seems rushed as a development. And since they have not opened any of these buildings

yet, we do not even know what the traffic impact surrounding us will be yet. This seems like a nightmare with parking and such.
Secondly, we are wondering about the proposed builders Bennett Homes Inc. We researched them and were concerned that there were no pictures of any past subdivision homes on their web page or FaceBook page. There was an article from the Lodi News stating that in 2014 this builder was to build 288 homes on 74 acres between Lower Sacramento and Davis Rd. We could not find any homes there. Just wondering what happened with that proposal. Also, we read of some of comments of previous home buyers and most were not favorable in vivid detail of the disappointing quality of homes purchased. In addition, after checking with BBB, we found Bennett Homes Inc.is not listed as a member.
For the past two years there has been so much noise with the commercial construction on Stockton St that our quality of life is greatly compromised. Now you are asking us to live through another two or so years of more construction.
With the looming Covid 19 situation, just wondering how this is going to play out. Will this builder be able to bring this to completion in a timely manner? And with the economic burden of this virus how can people continue to afford new housing? Just because you can build homes doesn’t mean you should before all these important issues are considered
In peace and fairness for all.

Thank you for your consideration,

Judith Costa
155 Merton Way
Lodi, CA 95240

change.org

Recipient: City of Lodi Planning Commision members

Letter: Greetings,

The citizens that have signed this petition would value your consideration for our concerns.

Signatures

Name	Location	Date
Judith Costa	US	2020-08-04
Bradley Byrd	Lodi, CA	2020-08-08
Kyle DeVusser	Lodi, CA	2020-08-08
Ryan Cerezo	Lodi, CA	2020-08-08
Tim Ivey	Lodi, CA	2020-08-08
Alexis Papachristos	San Diego, CA	2020-08-08
Jacquelyn Keigley	Lodi, CA	2020-08-08
Elisa Bubak	Lodi, CA	2020-08-08
Sara Angoletta	Lodi, CA	2020-08-08
Chris Carey	Sacramento, CA	2020-08-08
Lexi Tiago	Lodi, CA	2020-08-08
Brieanne Baumbach	Lodi, CA	2020-08-08
Connie Hinton	Lodi, CA	2020-08-08
Bronc Hughes	Lodi, CA	2020-08-08
Daisy Dickens	Lodi, CA	2020-08-08
Jeff Verstl	Lodi, CA	2020-08-08
Tania Deleva	Rohnert Park, CA	2020-08-08
Andrew Dickens	Lodi, CA	2020-08-09
Casey Leyva	Lodi, CA	2020-08-09
Julia Tanaka	Lodi, CA	2020-08-09

Name	Location	Date
Brian Perez	Lodi, CA	2020-08-09
Cynthia Billings	Brentwood, CA	2020-08-09
Tiffany Ivey	Lodi, CA	2020-08-09
Yuli Llamas	Lodi, CA	2020-08-09
Wesley Kurz	Lodi, CA	2020-08-09
Lacey Rosewall	Los Angeles, CA	2020-08-09
Malou Adams	Lodi, CA	2020-08-09
Yogesh Patel	Lodi, CA	2020-08-09
Shawna Souza	Lodi, CA	2020-08-10
Larry Way	Lodi, CA	2020-08-10
Lidia Huiltron	Stockton, CA	2020-08-10
Neelam Akbar	US	2020-08-10
Elaine Gutierrez	Lodi, CA	2020-08-10
Nassdira Solorzano	Lodi, CA	2020-08-10
Jaclyn Guzman	El Dorado Hills, CA	2020-08-10
Alfredo Solorzano	Lodi, CA	2020-08-10
Sherri Reese	Waltham, MA	2020-08-10
Marco Gutierrez	Lodi, CA	2020-08-10
Angela Gomez	Stockton, CA	2020-08-11
Deona Jaramillo	Lodi, CA	2020-08-11
Jesus Martinez	Lodi, CA	2020-08-11
Travis Hager	Lodi, CA	2020-08-11

Name	Location	Date
Ching-Cheng Chan	Lodi, CA	2020-08-12
Vladislav Romanyuk	Lodi, CA	2020-08-12
Damon Duncan	Lodi, CA	2020-08-12

change.org

Recipient: City of Lodi Planning Commision members

Letter: Greetings,

The citizens that have signed this petition would value your consideration for our concerns.

Comments

Name	Location	Date	Comment
Casey Leyva	Lodi, CA	2020-08-09	"Our schools are too over crowded. We need more schools to accommodate all of the new developments in Lodi. Lodi used to have one of the better school districts now we are one of the worst."
Yogesh Patel	Lodi, CA	2020-08-09	"I live at 173 Merton way and I prefer that the new community is constructed with isolation from orchard lane. The traffic should not be shared between the communities"
Neelam Akbar	US	2020-08-10	"We are entitled to our privacy and a peaceful neighborhood. The plans they have don’t make sense especially during these economically uncertain times."

Attachment C

Kari Chadwick

From: Brian Perez <brian.m.perez@att.net>
Sent: Tuesday, July 07, 2020 10:34 AM
To: Planning Commission Comments
Subject: Concerns over projected development near Reynolds Ranch

Hello,

My name is Brian Perez and I live in the Orchard Lane community off Reynolds Ranch. I would like to voice some concerns over the proposed new housing and commercial storage development in the Reynolds Ranch area. I believe the commercial storage located in a residential area will create unwanted and unnecessary traffic in what are already narrow streets. There will be constant use of trucks with trailers and moving vehicles coming in and out of the area. Next, the addition of 150 houses will seem to cause a lot more congestion in this already congested area. Coming in and out of the Costco complex is already a nightmare and I can only imagine what it will be like with 150 houses added. Also, with an already impacted school system in Lodi, will there be a new school built? It seems more and more housing is being built in Lodi, for example, in the area by Wal-Mart off Kettleman; yet no new schools for these families. Finally, I think this is a horrible time to plan for this development. With the pandemic going on, the economy not doing great (unemployment in the millions) and civil unrest throughout the country, I think there should be other priorities met in Lodi before the need to build new houses. Thank you for your time and thank you for listening to my concerns.

Sent from my iPhone

Attachment C

Kari Chadwick

From: Julia Tanaka <tanaka_julia2010@yahoo.com>
Sent: Tuesday, July 21, 2020 4:12 PM
To: Planning Commission Comments
Subject: Fw: New proposed housing behind Merton

Sent from Yahoo Mail on Android

----- Forwarded Message -----
From: "Julia Tanaka" <tanaka_julia2010@yahoo.com>
To: "pcomments@lodi.gov" <pcomments@lodi.gov>
Sent: Tue, Jul 7, 2020 at 3:21 PM
Subject: New proposed housing behind Merton

To Whom it May Concern,

Hello, as a resident of Orchard Lane, I do not agree that putting in additional houses and storage unit is a good idea. I live on Merton and the streets are already so narrow. Only one car at a time can travel going in one dorection because there are always cars parked in the streets. Additional traffic in congested areas is not a welcomed idea.

I also wonder what the plan is for additional schools. With an influx of 150 additional houses how will the, already crowded schools be addressed?

More houses will bring in more people that do not live in the neighborhood causing crimes. We currently have people scoping out or neighborhood and cars being broken into and delivery packages being stolen.

Thank you for your time,
Julia Tanaka
Sent from Yahoo Mail on Android

Attachment C

Kari Chadwick

From: Julia Tanaka <tanaka_julia2010@yahoo.com>
Sent: Tuesday, July 21, 2020 4:20 PM
To: Planning Commission Comments
Subject: New housing development

To Whom it May Concern,
My name is Julia Tanaka and I oppose the planned development of 150 homes on the northwest quadrant of Reynolds Ranch. I'm concerned about the potential impact of this project on our neighborhood and I'm most concerned about our inability to speak on the issue due to Covid. I urge you to oppose this project.
Sincerely,
Julia Tanaka
131 Merton Way
tanaka_julia2010@yahoo.com

Sent from Yahoo Mail on Android

Attachment C

Kari Chadwick

From: chrisroblesconsulting@gmail.com
Sent: Wednesday, July 22, 2020 6:52 PM
To: Planning Commission Comments
Cc: John Della Monica; 'Dennis Bennett'; drjeffsaladin@gmail.com
Subject: 7/22/20 PC agenda Item 4A, Tentative Tract Map for 150 lots

Dear Planning Commission Chair Cummins and Planning Commissioners:

On behalf Jeffrey Saladin the buyer who holds the options to purchase the Tentative Tract Map for 150 lots in the northwest quadrant of Reynolds Ranch we request that this item be continued to the next available Planning Commission meeting. As the project developer we received for the first time this morning thirty new conditions of approval. While we do not have concerns with most of the conditions, we do have significant concerns with some of the conditions. Given the late arrival of the conditions we have not had the opportunity to discuss these conditions with staff.

In addition, a new condition has been added requiring project Design Guidelines to be approved by the Planning Commission. This condition has come as a surprise as we have submitted the Design Guidelines to the city some time ago and we have been informed that their lack of inclusion is a result of an internal staff mix up. We believe a continuation would allow us time to resolve any questions on the conditions and allow staff to include the Design Guidelines with the project so the Planning Commission could benefit from a complete review of the project. Thanks you for your consideration.

Best regards,

Chris Robles
President
Chris Robles Consulting LLC
(916) 759-5940

RESOLUTION NO. P.C. 20-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI 1) APPROVING THE REQUEST OF BENNETT HOMES, INC., FOR A TENTATIVE TRACT MAP TO SUBDIVIDE THREE PARCELS (APN 058-130-21, -22, AND -25) COMPRISING 28.2 ACRES INTO 150 RESIDENTIAL LOTS AND TWO PARCELS FOR LANDSCAPING AND PARK PURPOSES, 2) RECOMMENDING APPROVAL OF A 2020 GROWTH ALLOCATION OF 39 LOW DENSITY AND 111 MEDIUM DENSITY UNITS FOR THIS PROJECT; AND 3) RECOMMENDING THE ADOPTION OF PLANNED DEVELOPMENT STANDARDS AND GUIDELINES FOR THIS PROJECT

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, in accordance with the Lodi Municipal Code, Section 17.74; and

WHEREAS, the project proponent is Bennett Homes, Inc., P.O. Box 1597, Lodi, CA 95241; and

WHEREAS, the project parcels are owned by:

David and Linda Seeman Revocable Trust, 2299 Greenbriar Ct, Yuba City, CA 95993 (APN 058-130-21)

Pucinelli Revocable Trust, 2719 S Stockton St, Lodi, CA 95240 (APN 058-130-22)

Gary and Joyce Tsutumi 2011 Trust, 3725 E Armstrong Rd, Lodi, CA 95240 (APN 058-130-25); and

WHEREAS, the project is located at the southwest quadrant of E Harney Lane and S Stockton Street (APN 058-130-21, -22, and -25); and

WHEREAS, the property has a General Plan designation of Low Density Residential and Medium Density Residential and is zoned PD39 (Reynolds Ranch Planned Development), which designates the site for Low and Medium density residential development; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

Environmental Analysis

1. The impacts of the proposed tentative map were examined in the 2006 Final Environmental Impact Report for the Reynolds Ranch Planned Development and the 2008 Addendum to the Final Environmental Impact Report and there are no new facts supporting the findings in CEQA, California Code of Regulations, Title 14, section 15162, which would require the preparation of a new or updated environmental analysis, as follows:

   a. The proposed tentative subdivision map is consistent with the land use designations shown in the Reynolds Ranch Planned Development, and which

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was considered in the 2006 Final Environmental Impact Report and the 2008 Addendum. Because the land use and density of development proposed (single family homes at Low and Medium densities) are the same as the project examined in those documents, there is no evidence that any of the impacts identified would be substantially increased or made more severe. The finding in CEQA Section 15162(a)(1) can not be made.

b. Development which has occurred since 2006 is consistent with the assumptions included in the Final EIR and Addendum, including development within the Reynolds Ranch Specific Plan. No major changes in land use which would have resulted in changes in traffic, noise, or other impacts have taken place. Cumulative growth assumptions made in the 2006 Final EIR and 2008 Addendum remain valid. The finding in CEQA Section 15161(a)(2) can not be made.

c. Because the project is consistent with the Reynolds Ranch Planned Development (low- and medium-density residential) is consistent with the project examined in the 2006 Final EIR and 2008 Addendum, it is not expected that any impacts would result that were not examined in the prior environmental analyses. The finding in CEQA Section 15162(a)(3)(A) can not be made.

d. Because the project is consistent with the Reynolds Ranch Planned Development (low- and medium-density residential) is consistent with the project examined in the 2006 Final EIR and 2008 Addendum, it is not expected that any impacts would result which are more severe than those examined in the prior environmental analyses. The finding in CEQA Section 15162(a)(3)(B) can not be made.

e. None of the mitigation measures in the 2006 Final EIR have been found to be infeasible. All of the mitigation measures from the 2006 Final EIR which apply to the proposed project are included in the conditions of approval for the Reynolds Ranch tentative map. The finding in CEQA Section 15162(a)(3)(C) can not be made.

f. None of the mitigation measures included in the 2006 Final EIR have been determined to be infeasible or ineffective. Impacts have been consistent with those examined in the 2006 Final EIR and the 2008 Addendum, and the City has not needed to identify either new mitigation measures or project alternatives to reduce impacts further. The finding in CEQA Section 15162(a)(3)(D) can not be made.

Tentative Map

2. The site is designated by the General Plan for Low Density Residential and Medium Density Residential, reserved primarily for single-family residences and compatible uses. The density range allowed in the Low Density Residential General Plan designation is 2 to 8 dwelling units per net acre. The density range allowed in the Medium Density Residential General Plan designation is 8 to 20 dwelling units per net acre. The proposed map is consistent with the General Plan in that creation of 150 lots for single-family homes is within the overall maximum density for the site

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permitted by the combination of the Low Density and Medium Density land use designations.

3. No unusual topographic features are present onsite that would prohibit development of the proposed subdivision. The site is generally flat, with no regulated sensitive areas or other limiting topographic features. The subdivision would create lots with adequate land area to support 150 detached single-family lots that meet the size and width standards of the Design Standards and Guidelines proposed for the site. A condition of approval requires that the Design Standards and Guidelines be approved as a condition of approval of the Tentative Tract Map.
4. The project site is not located in a sensitive environment. The entire site has been cleared of native vegetation or planted with a vineyard. No wildlife habitat will be affected. To ensure that protected species are not affected, the proposed conditions of approval require pre-grading surveys for a variety of protected bird species. No fish habitat is present on-site.
5. The proposed subdivision has been reviewed by the Public Works Department and meets all applicable design and improvement standards. The lots being created will comply with all applicable single-family sanitary sewer service and stormwater runoff treatment requirements, as well as other similar environmental and life safety regulations and standards.
6. There are no public easements that currently encumber the properties to be subdivided, and all modifications made to the existing public improvements fronting the project site will be required to be reconstructed to current City standards.
7. The site will be served by the City of Lodi wastewater system. No discharges of wastewater will occur that could result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.
8. No information has been found to indicate the project site is considered contaminated or may contain contaminant particles. A condition of approval requires the completion of detailed studies of on-site soils to ensure that no contamination is present before grading permits are issued.
9. The procedural requirements of the Map Act are being followed. The proposed lots will comply with the applicable engineering and zoning standards pertaining to grading, drainage, utility connections, lot size and density.

Growth Allocation

10. The proposed map is consistent with the Growth Allocation process, and qualifies for a 2020 growth allocation, as follows:
    a. The proposed project is an “infill project” and therefore considered to be within a Priority 1 area for development; and
    b. Assuming an average household size of 2.8 persons (per the Housing Element of the General Plan), the proposed tentative map would generate approximately 420 residents. Adding these residents to the existing population would allow the city to remain below the maximum year-to-year growth rate of two percent; and

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c. Because the City is not approaching the maximum number of applications for growth allocation (the Reynolds Ranch project is the only current 2020 application), the points system does not apply.

Planned Development Standards and Guidelines

11. The Planning Commission has reviewed the proposed Planned Development Standards and Guidelines to ensure that they meet the City's expectations for quality development.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that:

1. The environmental impacts of the proposed project are fully considered in the 2006 Final EIR for the Reynolds Ranch Planned Development and the 2008 Addendum to the Final EIR, and all applicable mitigation measures from the Final EIR have been applied via conditions of approval.
2. The proposed Tentative Tract Map is hereby approved, subject to the attached conditions of approval, which are hereby incorporated in this resolution by reference.
3. The Planning Commission hereby recommends that the City Council approve a 2020 Growth Allocation of 39 low density and 111 medium density units for the proposed Reynolds Ranch tentative tract map.
4. The Planning Commission hereby recommends that the City Council approve the proposed Planned Development Standards and Guidelines for the project.

I certify that Resolution No. 20-___ was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on August 12, 2020 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST_____

Secretary, Planning Commission

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CONDITIONS OF APPROVAL
Project No. PL2020-016 S – Reynolds Ranch Residential Subdivision to subdivide an approximately 28.2-acre site into 150 single family lots. The site is located south of E Harney Lane and west of S Stockton Street in the Reynolds Ranch Planned Development (PD 39).
Assessor's Parcel Numbers: 058-130-21, -22, and -25
Planning Commission Approval Date: August 12, 2020

Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
General Conditions/Conditions Prior to Final Map			

Planning Commission approved Conditions of Approval were appealed on August 20, 2020. These Conditions will be replaced with the final approved conditions once action has been taken on them.

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Reynolds Ranch – Site A

Planned Development
Standards and Guidelines

Bennett Homes, Inc.

Prepared By:
KLA, Inc.
NorthStar Engineering

REYNOLDS RANCH

August 2020

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Section 1 - INTRODUCTION

1.1 Overview

These Planned Development Standards and Guidelines have been provided to establish the development and design standards for Reynolds Ranch - Site A within the framework of City of Lodi standards and requirements and to ensure a high-quality project that meets the development objectives of the City and the desire to create a livable community that fits within the fabric of the existing surrounding land uses and is compatible with the design style of the rest of Reynolds Ranch.

This document provides specific direction that shall be followed in conjunction with the approved tentative map in the development of Reynolds Ranch – Site A and are listed as standards. This document also provides guidance and direction that is intended to provide direction, while not stifling creativity, in the proposed development of Reynolds Ranch – Site A.

These guidelines and standards shall be applied to all development within the project boundary to ensure the project develops as a cohesive community. Once these guidelines have been approved, they shall be implemented. Development shall be consistent with these guidelines, the City of Lodi Municipal Code (LMC), and all applicable City standards and specifications. Where is document provides specific direction it shall take precedence, where it is silent the LMC shall apply.

This document is provided in five sections to provide guidance in development:

Section 1 – Introduction – Provides background of the project, adjacency, and goals and vision for the project.

Section 2 - Land Use – Shows the single-family residential lots, streets, and open space. Also provides information about conformance with City zoning, setbacks, and home placement on the lots.

Section 3 - Architecture – Overall design direction, character, and style of the proposed homes with description of materials.

Section 4 - Circulation – Project street cross-sections with landscape and layout of proposed streets as well as non-vehicular circulation.

Section 5 - Community – This section provides guidelines for development of the project as a whole. It establishes the community identity through the design of walls and fences, entries, landscape (streetscape), and other community elements such as signage, lighting, and cluster mailboxes.

Zoning Document – Once approved, the Reynolds Ranch – Site A Planned Development Standards and Guidelines will be the zoning document for the project area. The LMC and RMD zoning district shall provide specific allowances for permitted land uses, etc., and this document provides for the allowable design of the permitted land uses within the project area.

- This design standards and guidelines document incorporates zoning provisions that vary from and supersede those included in the Lodi Zoning Code (LZC), as well as introduces additional provisions not currently provided in the LZC.
- This design standards and guidelines document references regulations in the LZC. Where the Zoning Code is referenced, the Zoning Code that is in place at the time of a project development submittal shall be used.
- Where this design standards and guidelines document is silent on any issue, the applicable standard in the LZC in place at the time of a project development submittal shall be used.
- The submittal process of a specific project development shall follow the process and requirements as spelled out in the LZC and as directed by the City of Lodi. The design and placement of single-family homes will require review and approval by the Site Plan and Architectural Committee (SPARC).
- Off-site improvement plans such as streetscape, parks, linear parks, etc. shall follow the standard improvement plan submittal and approval process of the City of Lodi and shall be subject to City standards and specifications.

1.2 Location

The proposed Reynolds Ranch - Site A project is located in southeast Lodi and forms a natural extension of the residential communities in that portion of town. Site A is in the northwest corner of the Reynolds Ranch mixed-use development and is a natural expansion north of the existing single-family homes and open space (basins and park space) to the south of Site A. Reynolds Ranch - Site A provides for the infill of land that is currently used for agriculture at the southeast corner of Harney Lane and the Union Pacific Railroad. The community will be serviced by South Stockton Street that connects to Harney Lane to the north. The entry drive to the new community connects to S. Stockton St. between existing-to-remain homes that front on S. Stockton St. The north edge of Reynolds Ranch - Site A consists of the slope on the south side of Harney Lane as it ascends in elevation to cross over the railroad tracks. The west is an existing railroad; railroad line are approximately 190 feet west of the western edge of the project boundary.

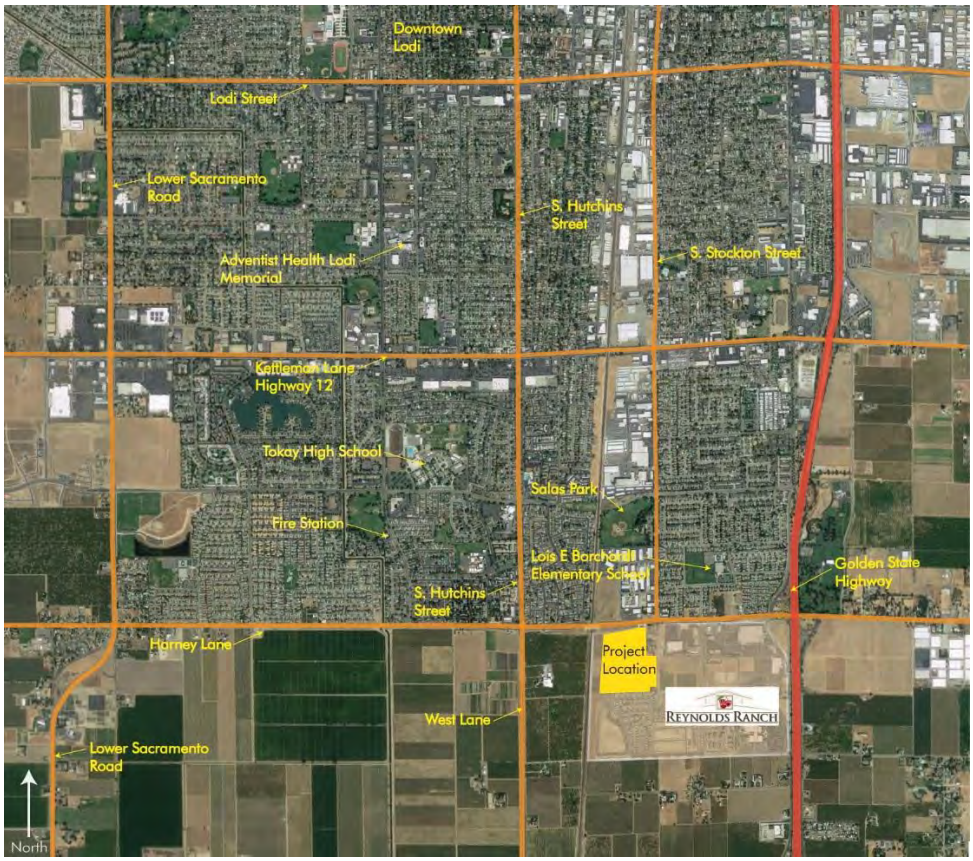
Internal streets within the overall Reynolds Ranch mixed-use development connect Site A to the shopping, apartments, and senior living facility without having to access Harney Lane.

Reynolds Ranch - Site A will contribute to the City through the fees that will be paid in compliance with the Quimby Act.

Aerial photo of the site with north up

Project Information

Project size:	28.2± acres
Existing Zoning designation:	Planned Development
Proposed Zoning Designation:	Planned Development
Existing Land Use:	Agriculture
Proposed Land Use:	Single-Family Residential
Assessor's Parcel Numbers	058-130-21, 22, and 25



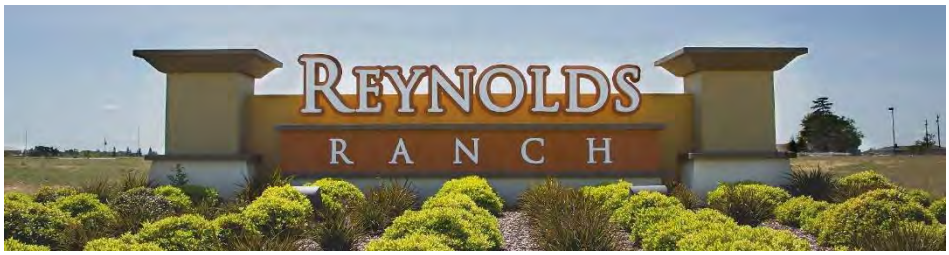
Project Location Maps

1.3 Context and Vision

Reynolds Ranch - Site A provides for a continuation of Lodi's high quality of life and small-town character. The goal of the project is to create a new community that embraces the quality of traditional small towns. The overall character and theme is to be a continuation of the Reynolds Ranch design style and concepts.

Reynolds Ranch – Site A is within the overall mixed-use development and will be directly adjacent to shopping and jobs that are within walking distance. Internal streets within Reynolds Ranch connect the project site to the shopping, apartments, and senior living facility. The housing component provides for a logical and complementary addition to the mixed-use Reynolds Ranch development.

The project is also directly adjacent to the recently built residential subdivision to the south. The street pattern is an extension/expansion of the adjacent subdivision. The streetscape on South Stockton Street will extend the existing streetscape planting and wall design. And the basin and linear parks/open space tie into the existing park basin and open space to the south. The linear park along the west and north sides of Site A provide for a multi-use path that connects the west side of Reynolds Ranch (including Site A) to Harney Lane and the rest of Lodi.



Reynolds Ranch - Site A implements the City's goals as expressed in the City of Lodi General Plan. The following objectives, from the City of Lodi General Plan, are provided for in the Reynolds Ranch - Site A Planned Development Standards and Guidelines:

- Provide for an in-fill development that does not extend beyond the urban edge and fits within the existing surrounding land use.
- Promote compact development and mixed housing types that are in close proximity to exiting regional transportation.
- Create a livable, walkable, and safe neighborhood that has a distinct sense of community and place.
- Create inviting and neighborly streetscapes that promote walking and neighbor interaction as well as links to the regional pedestrian and non-vehicular circulation.
- Provide for housing that is in close proximity to existing shopping, parks, and schools.
- Encourage high quality architecture and community design.

Aerial with Site Plan Overlay

2.1 Project

The property on which Reynolds Ranch - Site A is proposed is currently zoned as Planned Development with medium and low-density residential land-use. The proposed use within this project is consistent with the existing zoning and land-use designation.

Reynolds Ranch - Site A proposes to maintain Planned Development zoning for the full project property. The land-use is proposed to consist of 150 single-family residential lots on 5,000 sf lots.

Figure 2.1 – Proposed Tentative Tract

	Lot Configuration	Site A
	Minimum Lot Area (square feet)	5,000
	Maximum Lot Coverage[3]	50%
X	Minimum Lot Width[1], Interior Lots	50′
Y	Minimum Lot Width[1], Corner Lots	55′
	Minimum Lot Frontage along Public Streets (knuckles)[4]	35′

	Setbacks	Site A
A	Minimum Front[2] Setback to Garage	20′
B	Minimum Front[2] Setback to Living Area	15′
	Minimum Front[2] Setback to Porch or Entry	15′
C	Minimum Side Setback to Public Street (corner lot)	10′
D	Minimum Side Setback to Lot Line (adjacent Lot)	5′
E	Minimum Rear Setback to Living Area	10′
F	Minimum Rear Setback to Covered Patio	10′
	Maximum Building Height	35′
	Setbacks for Accessory Structures and Accessory Dwelling Units are per the LZC	
	Projections into yards are per the LZC	
	Parking shall be provided per the LZC	

Table 2.1 – Lot Configuration and Setback Table

LZC – Lodi Zoning Code

RMD – Residential Mid-Density zoning designation

1. *Lot width and depth shall be measured as defined in the Lodi Zoning Code*
2. *Front lot line shall be determined per the Lodi Zoning Code*
3. *Lot coverage shall be calculated per the Lodi Zoning Code*
4. *Lot width for knuckle lots shall be measured at the front yard setback line*
5. *Encroachments/projections into required yards shall be per the Lodi Zoning Code*

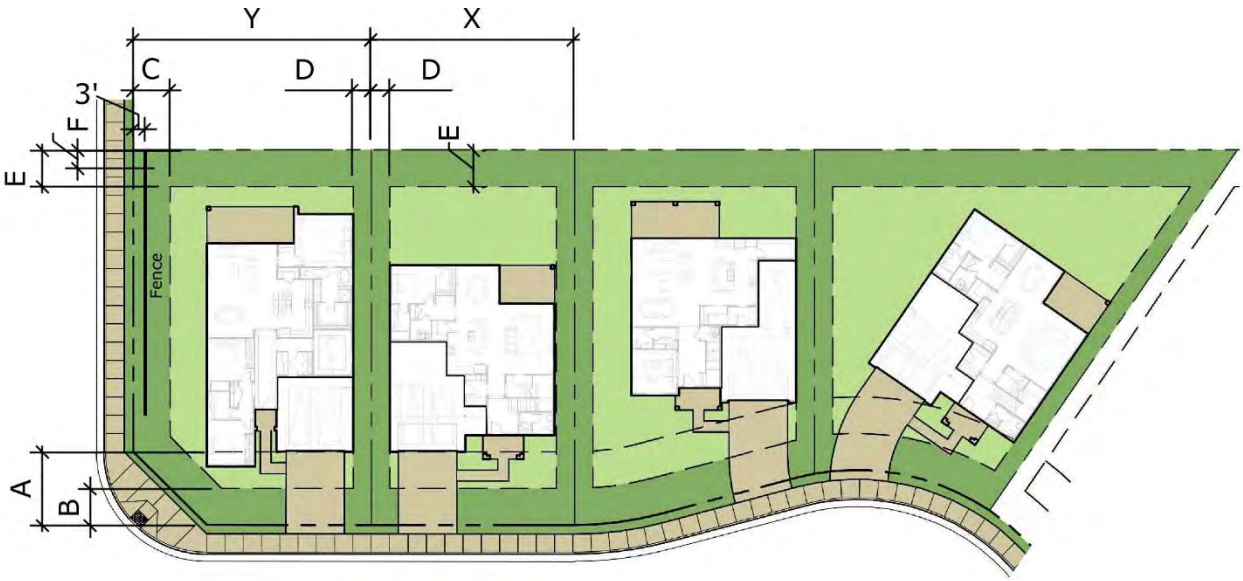


Figure 2.1.1 – Lot Configuration and Setbacks Plan

2.2 Open Space

Reynolds Ranch – Site A provides for community open space as streetscape along S. Stockton St. as well as park and linear parkways along the west and north edges of the project. Following is a brief description of the open space components of Site A, but the open space is described in greater detail in Section 5 – Community.

2.2.1 - Streetscape – The S. Stockton St. frontage provides for sidewalk, street trees, and landscape buffer that is a continuation of the same streetscape in the existing residential to the south. This provides sidewalk connections from all of the sidewalks within Reynolds Ranch – Site A to all of the rest of Reynolds Ranch which includes shopping, transit, and employment. All portions of Reynolds Ranch are easily accessible via sidewalks.

2.2.2 - Park – There is a proposed recreation park at the southwest portion of the project that abuts the existing park associated with the residential subdivision to the south. This location provides for a cohesive continuation of the existing park and open space. The landscape treatment for the park associated with Site A shall be similar in design and plant species to what has already been installed. This will provide for a seamless park / open space connection between the two projects and is further described in Section 5 – Community.

2.2.3 - Linear Park – There are linear open spaces along the west and north edges of Site A that include screening landscape to buffer the railroad to the west as well as a continuous multi-use path between the park to the south and Harney Lane to the north. This provides ease of access for pedestrians and other non-motorized vehicles to be able to access the regional bike lanes and recreational opportunities without crossing residential streets. The linear park is landscaped with shade trees, attractive shrub and groundcover plantings, and site furnishings – benches, picnic tables, trash receptacles, and pet waste stations. This is further described in Section 5 – Community.

Section 3 - ARCHITECTURE

3.1 Overview

This section focuses on the overall appearance of the homes to show compliance with City of Lodi standards and the expectation that the proposed project area will fit within the overall Reynolds Ranch development. The goal of the project (as described in Section 1.3) is to create a livable community that uses a variety of materials and colors to reflect the small-town character of Lodi. Homes within Reynolds Ranch - Site A shall be developed with several different architectural styles and these guidelines encourage variation in building form, materials, and overall character. The standards and guidelines that follow have been developed to inspire creativity of design, encourage use of color, and require quality materials that blend with the surrounding community as a whole to promote a strong neighborhood that is safe, comfortable, and inviting.

The community consists entirely of detached single-family residences with both front doors and driveway accessed from the residential street in front of the homes (no alleys) and falls under the Residential Mid-Density (RMD) zoning designation.

3.2 Architectural Standards and Guidelines

The following standards and guidelines have been developed to ensure that the architecture meets the goals as set forth in Section 1.3, provides a quality comfortable and livable neighborhood, and will be an asset to the City of Lodi that blends with the existing architecture of Reynolds Ranch. The bullets shown with an empty circle (○) are required standards and those with a filled-in circle (•) are guidelines.

The overall style and character of the homes within Reynolds Ranch consists of a modern interpretation of traditional California styles such as Craftsman, Farmhouse/Ranch, and California Classic. The design of Reynolds Ranch shall follow the architectural themes that have already been established and shall provide variety in form, color, and materials while maintaining a consistency in style and character.

The above is an example showing a variety of color and form and not project-specific homes

3.2.1 – Street Presence and Orientation

- Variable plan types and elevations shall be incorporated along streets to create visual diversity and interesting streetscapes. There shall be a minimum of three plan types for the community and each plan type shall include at least three distinct elevations (styles).
- A particular elevation shall not be repeated more than every fourth home. Use of the same elevation style, even on different plan types, on side-by-side homes is to be avoided unless the form of the plan creates a strong diversity between the two. Adding or deleting minimal elevation treatments such as false shutters or similar types of minimal elevation changes will not suffice as meeting the 'distinct' elevation diversity that is required.

- The use and incorporation of porches, trellis, roof overhangs, and patios shall be provided to add interest and a sense of community liveliness to the streetscape.
- Common materials shall be used throughout Site A to provide for repeating forms, colors, and textures to tie the whole community together.

- Projections and recesses shall be applied to provide shadow and depth.
- Combinations of one- and two-story elements are encouraged to vary mass and enhance building articulation.
- Variation in the setback off of the street is encouraged, but not required.

3.2.2 – Architectural Forms and Overall Character

Homes within Reynolds Ranch – Site A shall provide for a variety of materials and colors to complement the overall style and character of the Reynolds Ranch community.

The following photos are examples of style and character – they are not intended to be specific direction, but to offer inspiration for design and development. Creativity in form, colors, and materials are encouraged with the goal of creating a warm and inviting community that is cohesive with the existing residential community to the south and creates a natural progression of the overall design style of Reynolds Ranch.

The above and preceding pages represent an example as to the variety of design styles of homes and is not intended to show exact home designs and materials. Designs shall complement the overall Reynolds Ranch style and the existing homes to the south.

3.2.3 – Materials

- Use of high-quality, durable materials shall be provided in the main body of the homes. These following materials fit within the framework of Lodi as a whole.
  - Stucco
  - Brick or Stone (natural or manufactured)
  - Wood Siding (natural, composite, and concrete board)
  - Other high-quality, durable materials may also be used, subject to City approval

- Accent materials shall be provided and shall include one or a combination of stone veneer, brick veneer, painted wood trim, upgraded garage doors, and shutters, as well as others that promote the style and character of the home.
- Accent materials shall be used in manner that accentuates the character of the home.
- Wainscot, wall projections, and entry treatment such as columns and projections should use materials in a clean and simple manner that reinforces the character and is not distracting.
- Accent materials shall reinforce the form and projections by wrapping corners to a logical break or change in material (such as a fence, window, fireplace projection, etc.) and complementing eaves, columns, etc. High quality design solutions are encouraged to create attractive and functional homes.

3.2.4 – Elevations and Projections

The above is an example showing a variety of color and form and not project-specific homes

- All elevations shall be made interesting by the use of articulated facades, varied roof lines, window placement and shape, and a variety of exterior finishes, detailing, and colors.
- All elevations shall be enhanced similar to the front elevation. Window treatment, roof lines, materials, and colors shall be consistent on all elevations.
- Mechanical equipment such as air conditions, heaters, etc. shall not be placed in locations that are visible from the street.
- Roof-mounted equipment is discouraged, but if used, shall be placed in areas that are not visible from public streets.
- The pitch, style, and materials of the roof is to be consistent with the architectural style of the home.

- Roof lines may use gables, hips, dormers, and varied roof planes to create visual interest and diversity of form.
- The form, trim, and placement of the windows should follow the architectural character of the elevation style.

- While diversity is encouraged, materials should be limited to no more than three on any single elevation and the materials and colors are to be carried through and consistent on all elevations.

3.2.5 – Garages and Driveways

o Garages and garage doors shall be designed to minimize the visual impact of the garage doors on the streetscape.

o Garages shall not exceed the width of a two-car garage door. Three-car garages are allowed, but only with the third car being a tandem.

o The driveway shall be no wider than 12" wider than the width of the garage door.

- Garage door material and color diversity is encouraged to avoid the appearance of a garage-dominate streetscape.
- Alternate driveway treatments (other than scored natural gray concrete) such as colored concrete, 'Hollywood' strips, stamped concrete, pavers, or other enhanced treatments are allowed, but shall not be distracting from the front of the home.

3.2.6 – Colors

- o Color palettes for the community shall avoid monotony and provide a variety of schemes that will promote visual diversity while being within an overall community-wide harmonious range.
- o The color palette for homes shall be comprised of two or more complementary options that include a base color, trim color, and accent color. Not more than four different colors may be used on an elevation.
- Within neighborhoods, color schemes should appropriately reflect the style of a home. Variation in the colors of homes (within a palette range) on a block is encouraged.
- Gloss paints are discouraged on the body of the house.

Section 4 - CIRCULATION

4.1 Overview

The circulation system for Reynolds Ranch - Site A has been designed to provide for the safe and efficient movement of people to and through the project site and to enhance the existing street network in the overall Reynolds Ranch development area. The project uses a modified-grid street pattern and landscaped multi-use pedestrian paths to guide both vehicular and non-vehicular uses into and through the site and disperse into the residential streets.

Reynolds Ranch – Site A fits within an existing street network with Harney Lane to the north, S. Stockton St. to the east, a new subdivision with residential streets that connects to Site A to the south, and the Union Pacific Railroad to the west that creates a complete circulation barrier (other than the Harney Lane over-crossing). Highway 99 is readily accessible to the project via Harney Lane via the interchange to the east for regional vehicular connectivity that is about a half mile away from Site A.

The shopping and employment opportunities of Reynolds Ranch are easily accessed through internal streets within Reynolds Ranch. From Site A the eastern (shopping) portion of Reynolds Ranch can be accessed via S. Stockton St. to Rocky Lane or south on Kordia Ave. through the new subdivision to LeBaron Blvd. connecting to Reynolds Ranch Blvd. These internal streets allow connectivity without having to use Harney Lane. They also provide access within Reynolds Ranch for pedestrians and other non-vehicular use.

Aerial with Site Plan Overlay

Figure 4.1 – Circulation Plan

4.2 Streets

4.2.1 - S. Stockton Street

S. Stockton St. is a minor collector that connects Reynolds Ranch – Site A as well as the existing subdivision to the south to Harney Lane. There are existing homes that front S. Stockton St. and the main entry drive to Site A is located on S. Stockton St. just south of Rocky Lane. The streetscape has Site A homes that back up to S. Stockton St. with a masonry wall, shrubs and groundcover, and street trees. North of the entry has a sidewalk contiguous with the curb and south of the entry has a meandering sidewalk and parkway strip that matches the existing streetscape to the south.

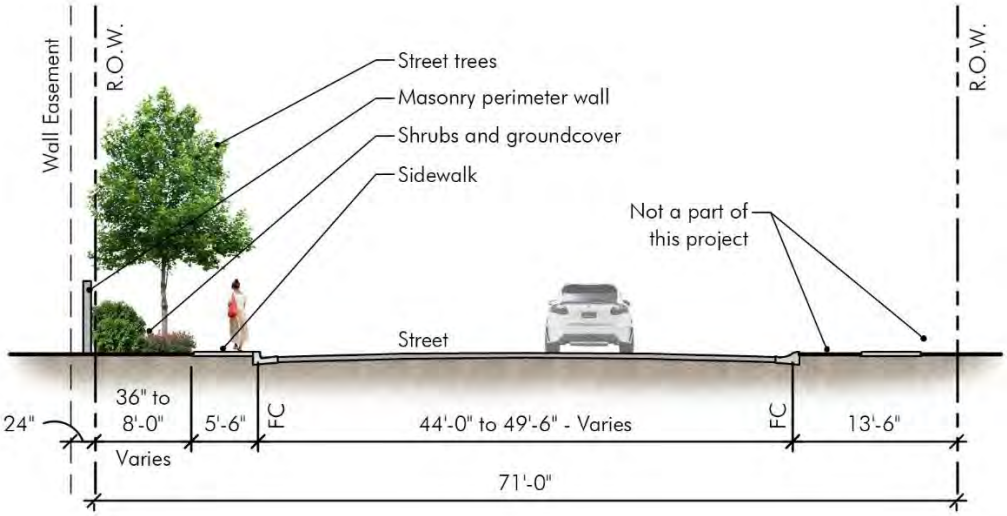


Figure 4.2.1a – South Stockton Street – North of Street D *(looking north)*

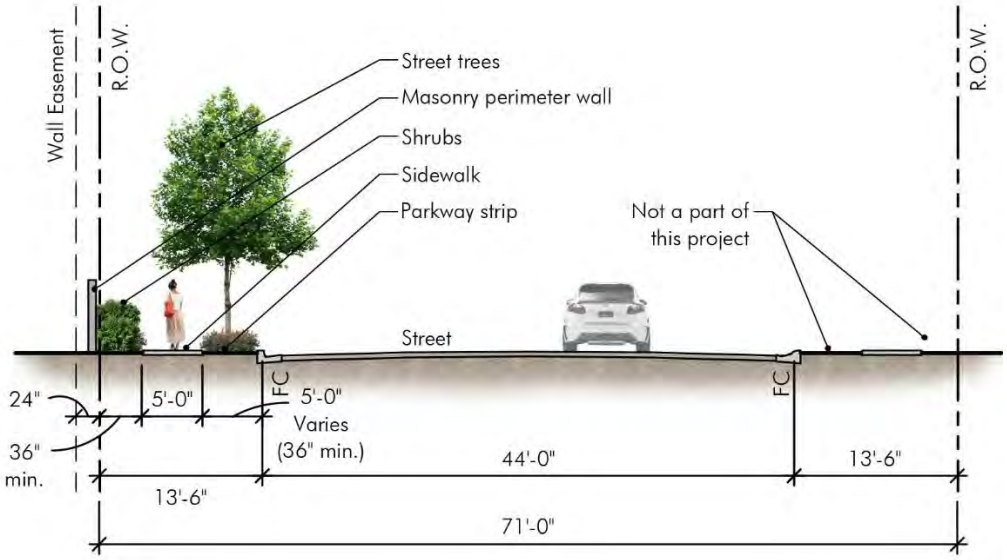


Figure 4.2.1b – South Stockton Street – South of Street D *(looking north)*

4.2.2 - Street D - Entry Drive and Residential Frontage

The community entry street is a 60′ wide Right-of-Way off of S. Stockton St. and consists of sidewalks on both sides with shrubs, accent plants, and street trees between the sidewalk and enhanced side yard fence (5.4.2).

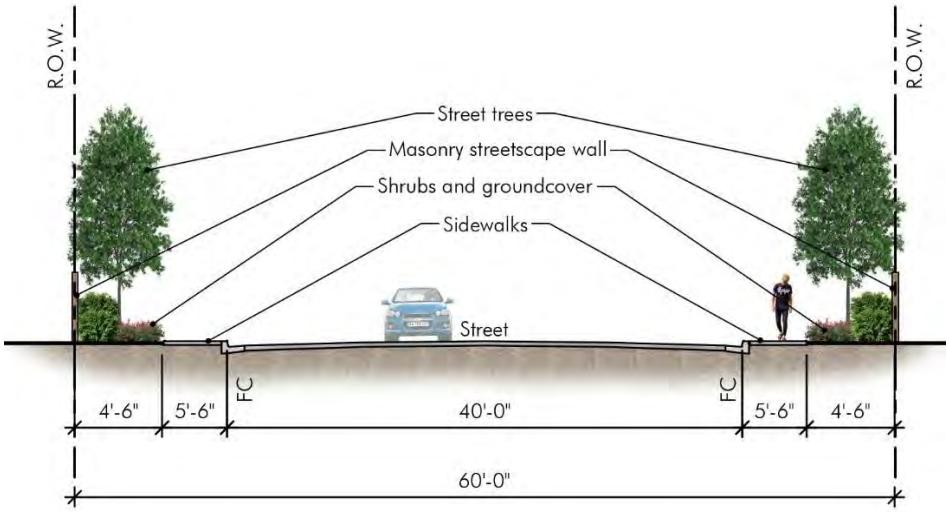


Figure 4.2.2a – Street D – Entry Drive

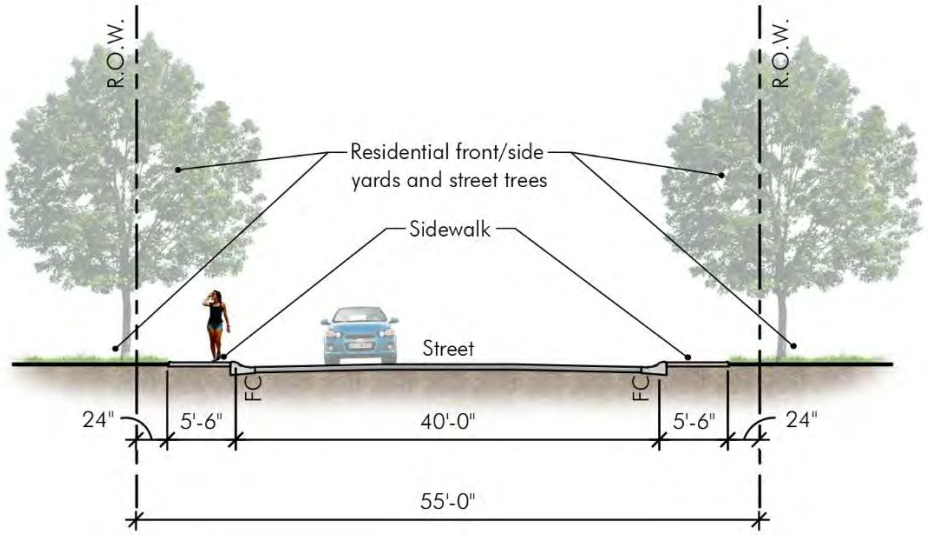


Figure 4.2.2b – Street D – Residential Street

4.2.3 - Local Streets with Open Space

The north and west edges of Reynolds Ranch – Site A provide for open space between the local residential street and project boundary. The street width and the side of the street that has homes fronting or siding varies between 36′ and 40′ wide roadway width as shown on the approved tentative map and the following sections. The ‘edge’ streets described in this section are the same as residential streets except they have open space

on one side and do not have a contiguous sidewalk at the back of curb on the non-home side. The pedestrian access is provided on the meandering multi-use path that runs parallel to the street with connections that align with street corners (curb ramps).

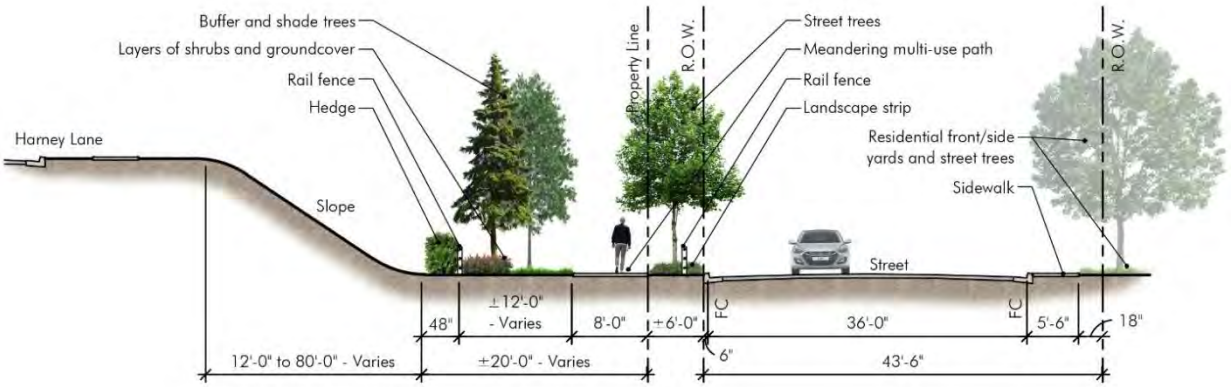


Figure 4.2.3a – Local Street Parallel to Harney Lane *(looking east)*

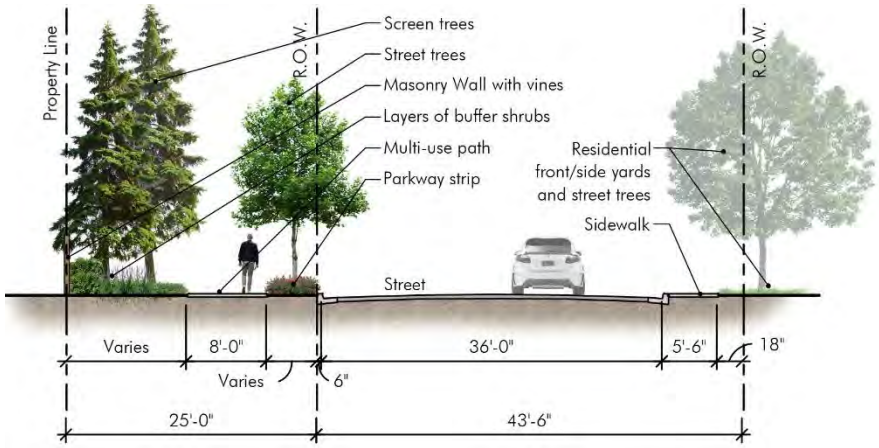


Figure 4.2.3b – Local Street Parallel to Railroad north of Park *(looking north)*

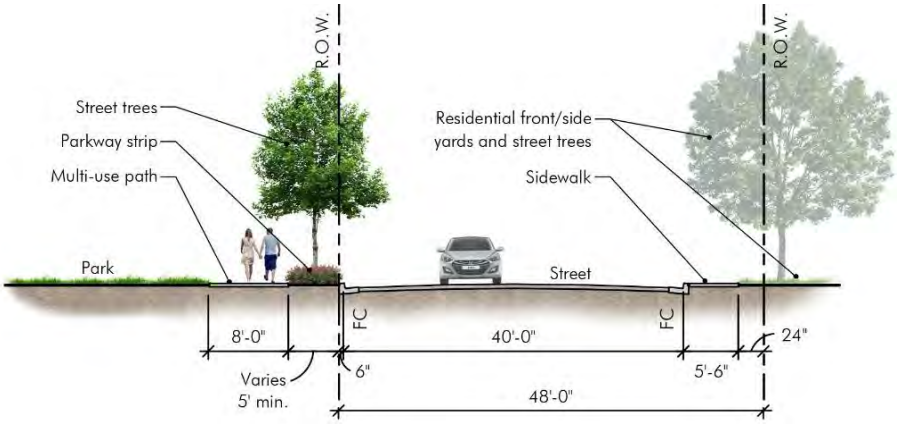


Figure 4.2.3c – Local Street Adjacent to Park *(looking north)*

4.2.4 - Local (Residential) Streets

The remainder of the streets throughout Reynolds Ranch - Site A are local residential streets with monolithic sidewalks (contiguous with curb). Streets to meet the City of Lodi standards. Street trees provided throughout as part of the installation of the front yards of the homes. Street width dimensions are shown to the face of the curb (gutter flow-line) as indicated on the approved tentative map.

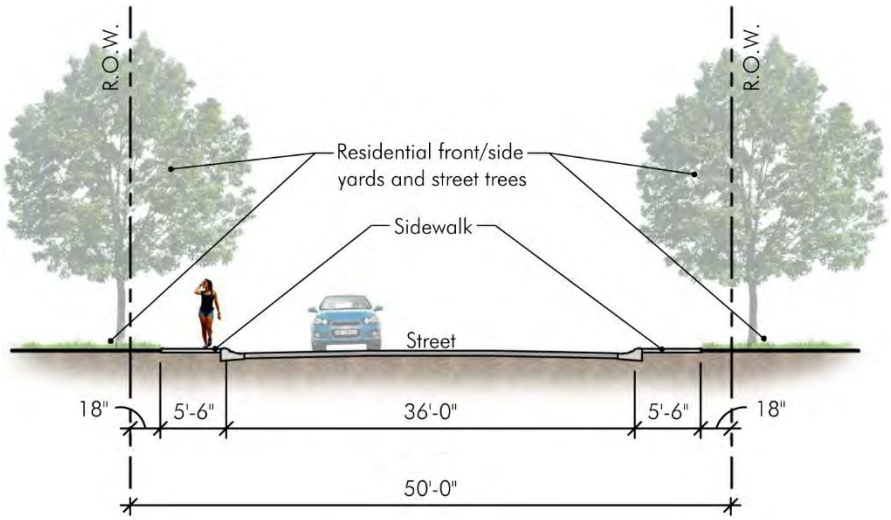


Figure 4.2.4a – Local (Residential) Streets – Front yards
Front yard condition shown on both sides

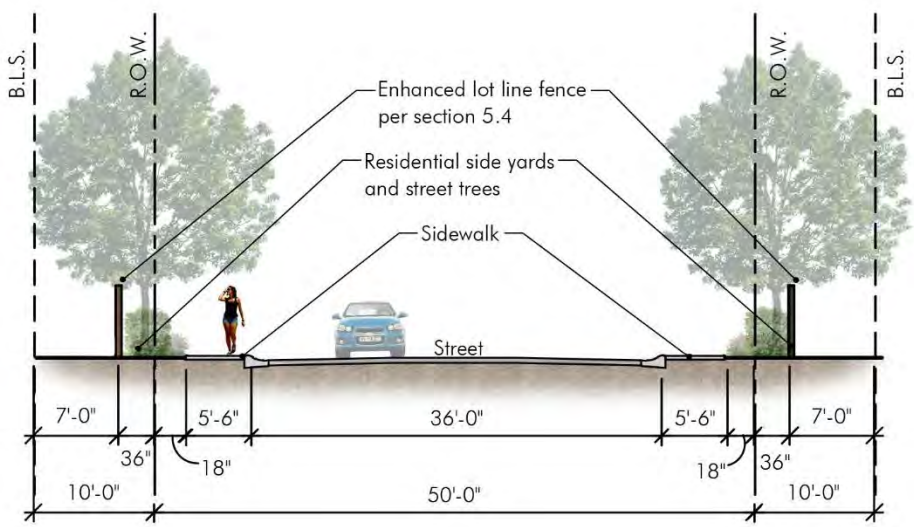


Figure 4.2.4b – Local (Residential) Streets – Side yards
Side yard condition shown on both sides

4.3 Non-Vehicular Circulation

Reynolds Ranch – Site A provides sidewalks on both sides of all residential streets to provide pedestrian access to all residences. Sidewalks are then connected to all other sidewalks on adjacent and connecting streets for a completely interconnected pedestrian network within Reynolds Ranch and beyond. Site A also provides an 8′ wide multi-use path along the north and west sides of the project. This path provides for non-vehicular circulation from Harney Lane to the north to the existing park that was installed with the subdivision to the south. The multi-use path crosses no streets within Site A so there are no pedestrian/vehicle conflicts. It allows residents of Site A as well as the community to the south to access the regional bicycle lane network via the Class II bike lane on Harney Lane without any street crossings.

5.1 Overview

Streetscape, perimeter fencing, sidewalks, street lights, and site furnishings are all proposed to enhance the aesthetic of Reynolds Ranch - Site A and to create a sense of place and a livable, distinctive, and comfortable community. All of these items are proposed to create a cohesive palette that provides for a comfortable community while fitting into the existing pattern of Lodi and complementing the overall Reynolds Ranch Mixed-Use development.

Figure 5.1 – Community Plan

5.2 Neighborhood Entry and Streetscape

5.2.1 – Neighborhood Entry

The entry drive includes diagonal masonry walls with stone veneer pilasters and precast caps to match the style that has already been installed with the community to the south. The entry drive consists of narrow upright street trees with accent planting between the back of sidewalk and the enhanced lot line fencing. The accent planting is to extend north and south along the S. Stockton St. frontage to accentuate the location of the entry along S. Stockton St. There is an option of providing community signage on the diagonal portion of the wall at the corner. Signage is regulated by Title 17, Chapter 17.34 of the City of Lodi Development Code and is subject to the permitting requirements of the City.

See also the cross-section in Figure 4.2.2a.

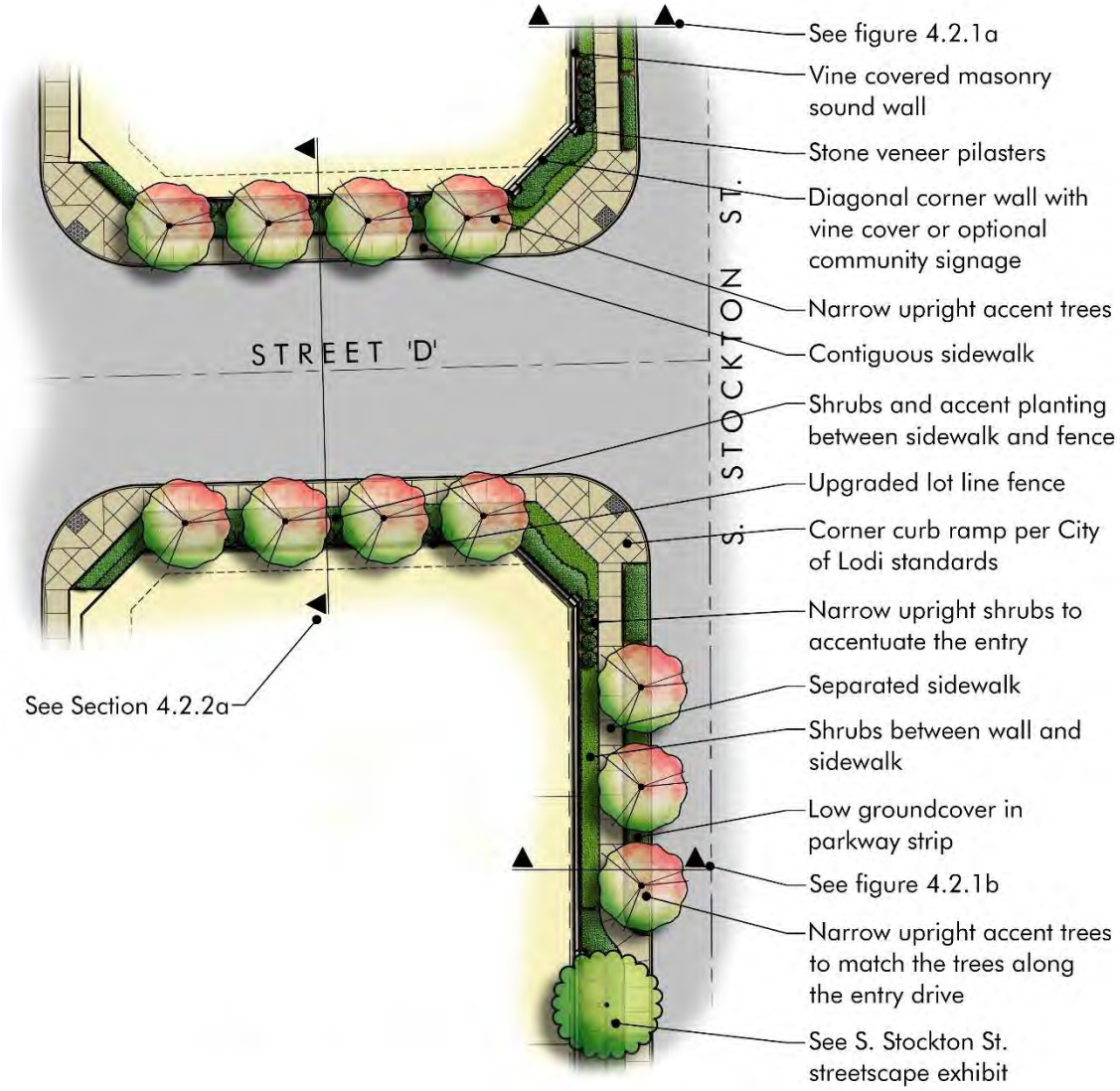


Figure 5.2.1a – Neighborhood Entry Drive (Street D)

The following is a photo of the existing corner wall treatement to the south to show the relationship of the masonry block walls, block wall cap (regal cap), stone veneer pilasters, and precast pilaster cap. The walls and corner treatment for Reynolds Ranch – Site A is to match the same materials. There is an option of not installing the vines on the diagonal, but instead providing for a community name and/or logo sign. If the sign is not installed, the vines are to be installed. The materials as listed in Figure 5.2.1c are to provide direction, but the materials are to match existing.

Figure 5.2.1b – Entry Wall Example

Figure 5.2.1c – Entry Wall and Pilaster Materials

5.2.2 – Streetscape

The streetscape on S. Stockton St. that fronts the improved portion of Reynolds Ranch – Site A shall be installed using the same wall, sidewalk, and landscape design and materials as is existing on S. Stockton St. to the south. See the materials as shown in Figure 5.2.1c preceding as a reference, but the materials are to match existing. The layout of the sidewalk shall be modified on each side of the entry drive at Street D to announce the entry drive as is shown in Figure 5.2.1a. The paved portion of S. Stockton St. gets wider as it travels north toward Harney Lane. The portion of the streetscape north of the three entry drive accent trees remains contiguous with the back of curb – See Cross-Section 4.2.1a. The following figure shows the streetscape south of Street D.

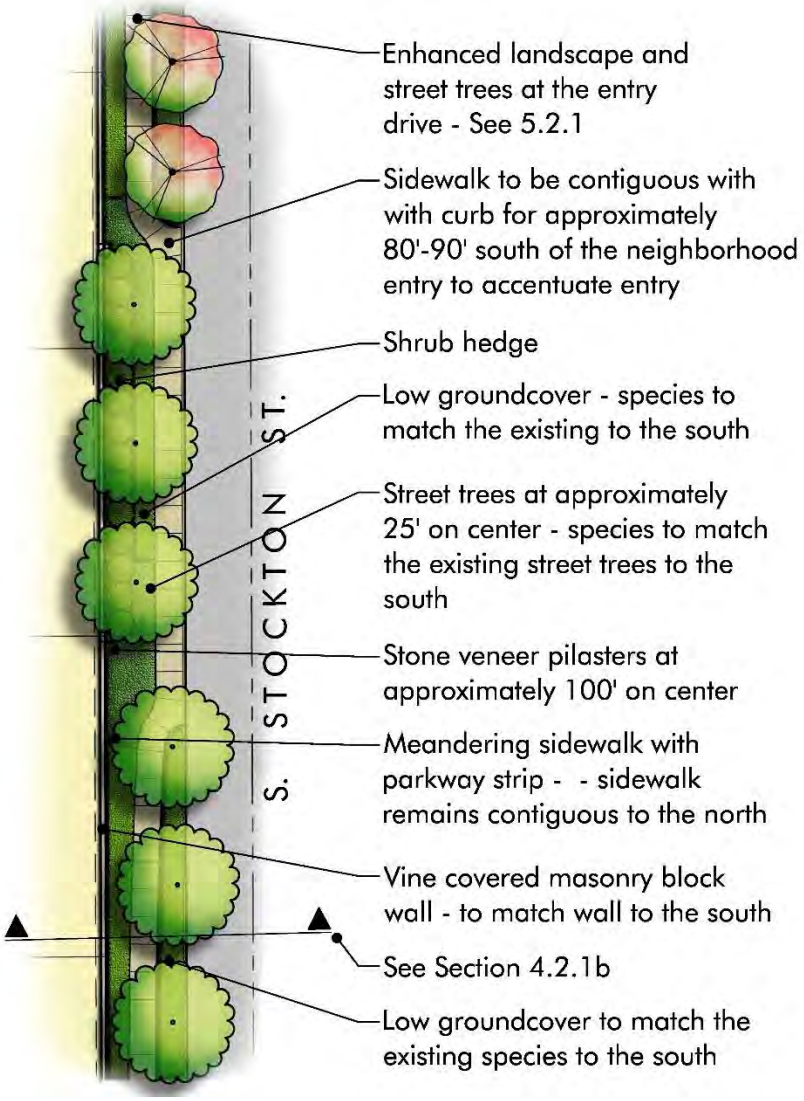


Figure 5.2.2 – Streetscape Plan

5.3 Open Space / Parks

The park and linear park shall be located to provide valuable recreation and pedestrian circulation to and through Reynolds Ranch – Site A. The open space shall be provided to function for passive and active recreation while also providing an opportunity for landscape to be used to screen Site A from the railroad and Harney Lane.

View from existing basin park looking north toward Site A

Existing fence and trees along west edge (see Section 5.4 for req. fencing (masonry))

Existing rail fence along north edge of existing basin park (to be removed)

Existing play area / shade structure in park to the south – Connected by the Multi-use path

5.3.1 - Park / Open Space

The park area proposed at the southwest corner of the project is an extension of the existing park that was installed as part of the residential community to the south. The existing park to the south has park amenities which includes play equipment, picnic gathering areas, shade structure, and site furnishings that include benches, picnic tables, grills, bike racks, and trash receptacles. Those amenities already existing and do not need to be replicated with Site A development. The Site A park is a natural extension of the existing park and shall be constructed with plant species that complements the existing park.

- Masonry wall/fence along the west edge of the basin and linear park – See section 5.4.
- A combination of upright evergreen (coniferous) and deciduous screen trees and shrub groupings to provide a buffer along the railroad. Trees in Reynolds Ranch – Site A may be installed in a more informal pattern to reflect the meandering multi-use path that runs along the linear park – Average one tree per 25 linear feet.
- Masses of evergreen shrubs along the masonry wall/fence to screen the fence and railroad.
- Small seating / picnic area using the same model of park furniture that is used in the existing park (see section 5.7).
- When Reynolds Ranch – Site A is developed the existing rail fence that creates the north edge of the existing park to the south shall be removed and new lawn shall be installed to join flush and contiguous with the existing large lawn area to the south.
- The wider portion of the park shall provide for lawn recreational activities. The lawn area provided in Site A in conjunction with the existing lawn to the south will provide a large lawn space for active recreational activities.
- The City of Lodi Parks Dept. is to review the park and linear park design and may provide for additional direction with regard to amenities and site furnishings to complement the open space lawn activities.

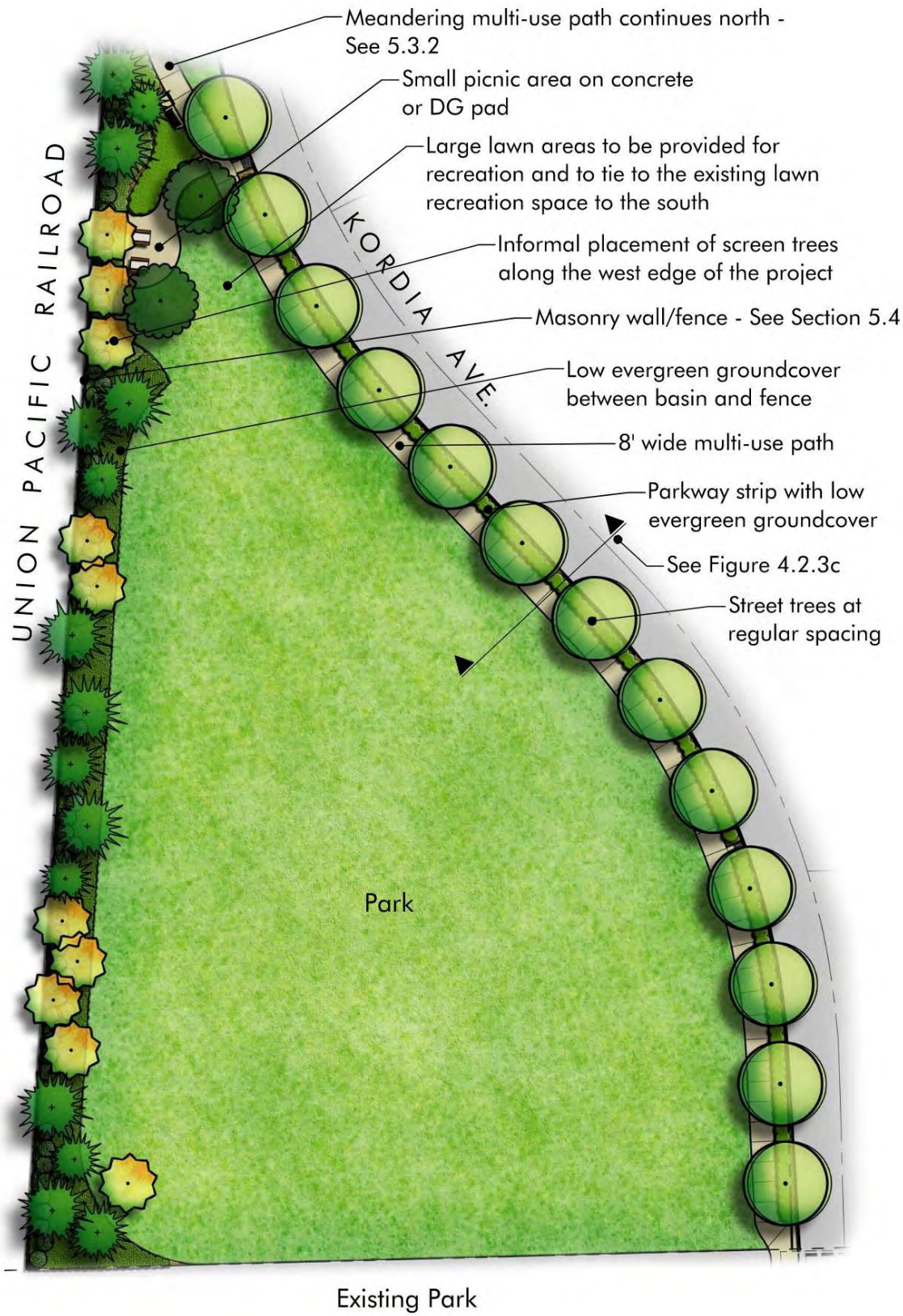


Figure 5.3.1 – Recreation Park – Open Space
Concept only. Final design subject to review and approval by the City of Lodi

5.3.2 - Linear Parks

There are linear parkways located along the north and west edge of the project. These areas offer an opportunity for a multi-use path (see Section 4.3), passive recreation areas, and aesthetically appealing buffer landscape planting to screen the project from the railroad and Harney Lane.

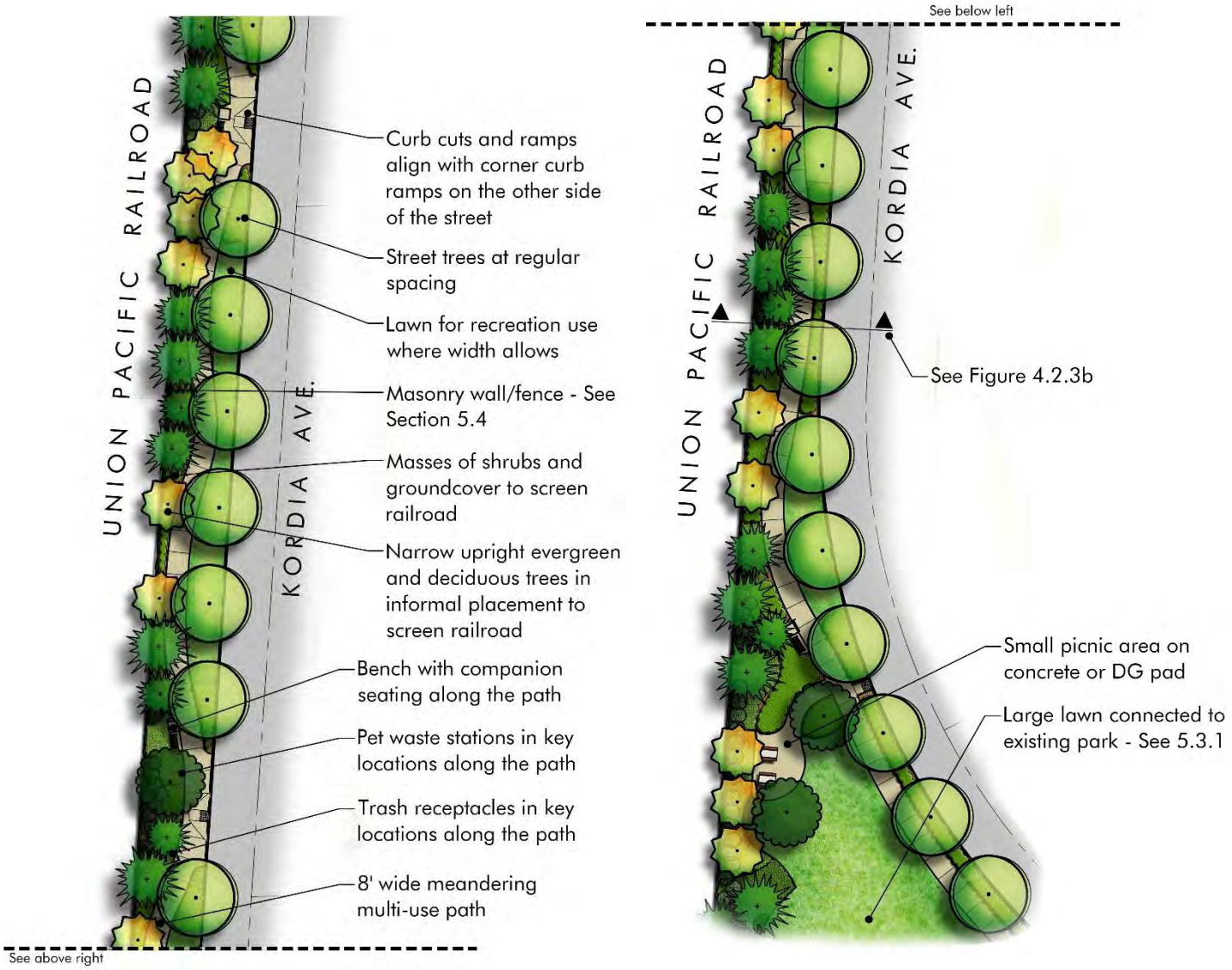


Figure 5.3.2 – Linear Parks
Concept only. Final design subject to review and approval by the City of Lodi

5.4 Walls and Fences

Walls and fences are intended to provide screening and buffering between different land uses, to define the edges of roadways and public landscape, to provide privacy and security for private homes, and to comply with the acoustical direction provided in the project EIR. Masonry sound and safety walls are provided along the edges of the primary roadway (S. Stockton St.) and between homes and the railroad to the west and Harney Lane to the north. The street frontage masonry walls also provide for the entry features and potential signage that are described in preceding Section 5.2. Enhanced fencing is provided along the main entry drives within the project as well as side yards that front streets. There is also lot line fencing between homes. There is existing wood lot line fencing along the existing development to the south and that existing fencing is in good condition and may remain as is.

Figure 5.4 – Wall and Fence Plan

5.4.1 - Masonry Wall (Streetscape)

The sound wall along S. Stockton St. is to match the existing block wall and pilasters to the south. It shall be a vine covered split-face CMU (concrete masonry unit) wall with a precast 'regal' cap. The spilt-face portion of the wall will be planted with clinging vines. There are enhanced stone pilasters at approximately 100' on center. Height of wall along major roadways per the acoustic report in the EIR; otherwise wall height is 7'-0". See also Figure 5.2.1c. This same wall shall be used on each side of Street D between Stockton St. and Street G and is to be placed on the right-of-way line.

Figure 5.4.1 – Masonry Wall and Enhanced Pilaster

5.4.2 - Enhanced Fence (side yard fence)

The fences in visible locations at side-lots are proposed to be upgraded fencing with accent top. This fencing is to blend with landscape, provide privacy for the homes, and continue the enhanced wall/ fence treatment of the existing community to the south. Side yard fence to be set back 36" from right-on-way as shown on Figure 4.2.4b.

Figure 5.4.2 – Example of Upgraded Fence

5.4.3 – Lot Line Fences

Fencing between homes is to be provided to create private back yards and is to be installed per standard City requirements and per typical lot line fence practices of the developer. Gates that match the fences shall be provided along the garage side of the home. All fences visible from the public way shall be installed as described in Section 5.4.2 – Enhanced Fence.

5.4.4 – Masonry Wall / Fence

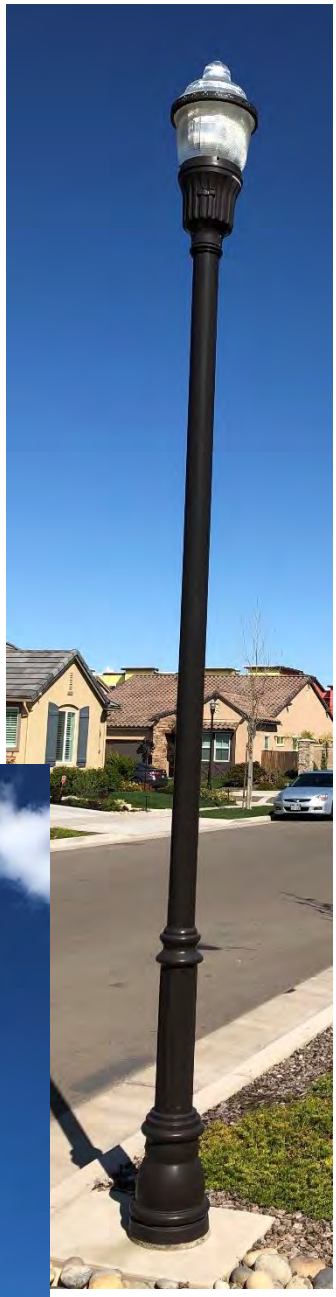
The fence along the west edge of Site A (along the railroad frontage) and the side yards closest to Harney Ln. shall be masonry wall that generally matches the S. Stockton St. streetscape (Section 5.4.1). For the fence along the railroad frontage, trees, shrubs, vines, and groundcover are to be planted in front of the fence to screen it and the railroad from the meandering path and the adjacent residences. For the fence at the residences that have a side yard adjacent to the Harney frontage, the masonry fence shall be set 36" behind the right-of-way line.

5.4.5 – Low Rail Fence

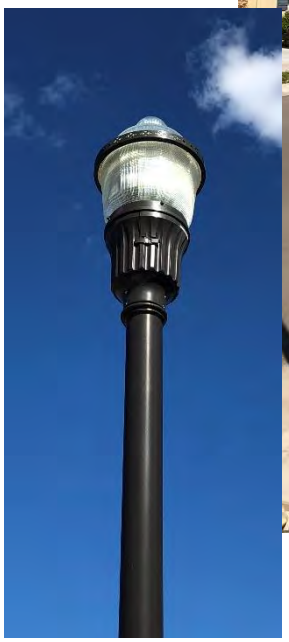
For areas along the north side of Site A, a white or off-white 3-rail vinyl fence may be incorporated into the design within the landscape to create a buffer between the street and the meandering path. This same type of rail fence may also be used at the north limit of landscape improvements associated with Site A to create separation between the linear park and the base of the slope on the south side of Harney Lane. See Figure 4.2.3a

5.5 Street Lights and Street Signs

Reynolds Ranch - Site A street lights shall be provided throughout the street network as needed to meet foot-candle requirements of the City. Locations shall be reviewed and approved by the City. Special consideration is to be paid to locate lights near intersections, cluster mailbox locations, and along pedestrian paths. Light fixtures shall be upgraded lights that are allowed by the City and shall match the street lights installed in the community to the south.



Street signs and regulatory signs shall be located as needed to provide for the safety of all users and aid in traveling through Reynolds Ranch. Street signs to be located at intersections per City standards. Regulatory signs to be kept to a minimum and only as required by the City. Locations shall not obstruct views, interfere with community elements, or compete with street tree locations.



5.6 Cluster Mailboxes

Cluster mailboxes shall be provided throughout the community and shall meet the requirements of the United States Postal Service (USPS) and shall be approved by the local post-master. Mailboxes to be located near street lights and in locations that do not compete with driveways or are too close to street intersections (for parking). Side lot locations are preferred. Cluster mailboxes to match those installed with the community to the south.

5.7 Site Furnishings

The linear parks and the perimeter of the basin shall include site furnishings to match and/or complement the furnishings provided in the park to the south and shall be bronze in color. Placement of the furniture shall be determined with the final design and per the direction of the City, but generally close to street lights and/or access points to the meandering pathway. Site furnishings are not proposed or desired along S. Stockton St. or the residential streets – only adjacent to the park and linear parks.

Benches shall be placed so benches are no more than 500′ apart and shall be provided with code-compliant accessible companion seating. Trash receptacles shall match the style and color of the bench and shall be placed for ease of access and servicing and no more than 1000′ apart (or as directed by the City). Picnic tables (at least two) shall also match the style and color of the benches and shall be placed in at least one picnic location. At least one of the picnic tables shall provide accessible seating per code requirements. Pet waste stations shall be provided in key locations for ease of use and generally near the trash receptacles.

Trash Receptacle – Bronze color

Bench – Bronze color

Picnic Tables – Bronze color

Bike Racks – Bronze color

Pet Waste Station

5.8 Landscape and Irrigation

Planting will create the consistent fabric that ties the community together. A cohesive palette of trees, vines, shrubs, and groundcover shall be provided in public open space and streetscape locations. Street trees shall be provided as part of the streetscape improvements as shown in section 4.2. They shall also be provided with the construction of each home to maximize quantity of trees to create a shady overhead canopy of residential streets. Trees need to be planted adequately clear of utilities and shall not impede visual safety at street intersections, but should otherwise be maximized to the greatest extent possible. See Figure 5.1 for overall project tree placement and intent.

Shrubs, vines, and groundcover shall be provided throughout the community to enhance project entries, provide cover for walls (anti-graffiti), enhance safety of pedestrians at separated sidewalks, and aid in the buffering of fencing for the privacy of homes. Plantings shall not interfere with the safety of drivers and shall not create hiding places or create other safety concerns.

Linear Park and Park planting shall complement the species and overall design that has been provided in the existing park to the south. The final planting design for the linear parks shall provide for a variety of species that will function to screen the masonry wall / fence and the railroad and Harney Lane in an informal pattern using sweeping masses of plants with a variety of leaf color, form, and texture. Shrub and groundcover planting shall be provided that reflects the meandering nature of the path through the linear parks.

Irrigation and planting design shall be provided to meet the requirements of the City of Lodi and shall meet the requirements of the Water Efficient Landscape Ordinance (WELO). Plants shall be predominately low water-use, be correctly sized and spaced for the use (to require minimal regular pruning to keep its size where desired), and shall be hardy to the climate. Irrigation shall be highly efficient, and shall be of durable quality that meets City standards and details. Irrigation controller(s) shall be multi-programmable and shall use a soil moisture sensor or weather sensor.

RESOLUTION NO. 2020-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR 2020 GROWTH MANAGEMENT ALLOCATIONS; AND FURTHER APPROVING THE DEVELOPMENT STANDARDS AND GUIDELINES FOR THE REYNOLDS RANCH SUBDIVISION

==========

NOW, THEREFORE, BE IT RESOLVED that

1) The Lodi City Council does hereby approve the 2020 Growth Management Allocation as recommended by the Lodi Planning Commission, authorizing 39 Low-Density and 111 Medium-Density Residential Growth Management Allocations to Mr. Dennis Bennett for his development of the Reynolds Ranch Subdivision:

	Requested 2020 Allocations	Recommended 2020 Allocations
Reynolds Ranch	39 Low-Density	39 Low-Density
Reynolds Ranch	111 Medium-Density	111 Medium-Density
Reynolds Ranch	0 High-Density	0 High-Density

and;

2) The Lodi City Council does hereby approve the Design Standards and Guidelines for the Reynolds Ranch Subdivision.

Dated: September 16, 2020

==========

I hereby certify that Resolution No. 2020-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: **4 PLANNING COMMISSION HEARING NOTICES**

PUBLISH DATE: **SATURDAY, SEPTEMBER 5, 2020**

LEGAL AD

TEAR SHEETS WANTED: **One (1) please**

SEND AFFIDAVIT AND BILL TO:
LNS ACCT. #0510052

JENNIFER CUSMIR, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, SEPTEMBER 3, 2020

ORDERED BY: JENNIFER CUSMIR
CITY CLERK

PAMELA M. FARRIS
DEPUTY CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Emailed to the Sentinel at dianer@lodinews.com at _____(time) on _____(date) _____(pages)
_____ Phoned to confirm receipt of all pages at _____(time) ____KC ____PMF (initials)

forms\advins.doc

DECLARATION OF POSTING

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTION APPROVING PLANNING COMMISSION'S RECOMMENDATION TO AUTHORIZE 39 LOW-DENSITY AND 111 MEDIUM DENSITY 2020 RESIDENTIAL GROWTH ALLOCATIONS AND APPROVE PLANNED DEVELOPMENT STANDARDS AND GUIDELINES FOR THE REYNOLDS RANCH TENTATIVE TRACT MAP (BENNETT).

On Thursday, September 3, 2020, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider adopting resolution approving Planning Commission's recommendation to amend General Plan Safety Element to implement provisions of Senate Bill (SB) 5 and SB 1278 related to 200-year flood protection (attached and marked as Exhibit A) was posted at the following locations:

Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum
WorkNet Office

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 3, 2020, at Lodi, California.

ORDERED BY:

JENNIFER CUSMIR
CITY CLERK

PAMELA M. FARRIS
ASSISTANT CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER RESOLUTION APPROVING PLANNING COMMISSION'S RECOMMENDATION TO AUTHORIZE 39 LOW-DENSITY AND 111 MEDIUM-DENSITY 2020 RESIDENTIAL GROWTH MANAGEMENT ALLOCATIONS AND APPROVE PLANNED DEVELOPMENT STANDARDS AND GUIDELINES FOR THE REYNOLDS RANCH TENTATIVE TRACT MAP (BENNETT)

On Tuesday, September 8, 2020, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Notice of Public Hearing to consider a resolution approving the Planning Commission's recommendation to authorize 39 low-density and 111 medium-density 2020 Residential Growth Management Allocations and approve Planned Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map (Bennett), attached hereto marked Exhibit A. The mailing list for said matter is attached hereto marked Exhibit B.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 8, 2020, at Lodi, California.

ORDERED BY:

JENNIFER CUSMIR
CITY CLERK, CITY OF LODI

Pamela M. Farris
PAMELA M. FARRIS
DEPUTY CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING
Date: September 16, 2020
Time: 7:00 p.m.

For information regarding this notice please contact:
Jennifer Cusmir
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, September 16, 2020**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following item:

a) **Resolution approving Planning Commission's recommendation to authorize 39 low-density and 111 medium-density 2020 Residential Growth Management Allocations and approve Planned Development Standards and Guidelines for the Reynolds Ranch Tentative Tract Map (Bennett).**

While social distancing measures are imposed due to COVID-19, Council chambers are closed to the public during meetings of the City Council. Members of the public may view and listen to the open session of the meeting at www.facebook.com/CityofLodi/ or https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWlsZFFNSIN6Zz09.

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk by emailing councilcomments@lodi.gov. All comments received prior to the close of the public hearing will be read into the record. Oral comments may be made at: https://zoom.us/j/97854687709?pwd=bEE3cy90K09WSzNMQWlsZFFNSIN6Zz09.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Jennifer Cusmir
City Clerk

Dated: September 2, 2020

Approved as to form:

Janice D. Magdich
City Attorney

AVISO: Para obtener ayuda interpretativa con esta noticia, por favor llame a la oficina de la Secretaria Municipal, a las (209) 333-6702.

09-16-20 - Reynolds Ranch Subdivision CC public hearing 300 foot Radius Mailing List

EXHIBIT B

APN	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP	ZIP2
05801001	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
05801002	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
05801004	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
05801007	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
05813002	VARNER, SEAN & SUMMER		2601 S STOCKTON ST	LODI	CA	95240	8804
05813003	IBARRA JESSE P		2621 S STOCKTON ST	LODI	CA	95240	
05813004	DARRELL & MCLAUGHLIN RUTH		2635 S STOCKTON ST	LODI	CA	95240	
05813005	ZARATE, STEPHEN A TR		156 BERNICE AVE	STOCKTON	CA	95210	1903
05813006	DELLA MAGGIORA, DOMENICO TR ETL		2719 S STOCKTON ST	LODI	CA	95240	8817
05813014	GOMEZ, SALVADOR & MARIA A		2845 S STOCKTON ST	LODI	CA	95240	8868
05813021	SEEMAN, DAVID ALAN & LINDA E TR ETAL	RALPH R & VIRGINIA WASHBURN TR	2299 GREENBRIAR CT	YUBA CITY	CA	95993	
05813022	PUCCINELLI GRACE TR		2719 S STOCKTON ST	LODI	CA	95240	8868
05813025	TSUTSUMI, DIANE Y	GARY T TSUTSUMI	3725 E ARMSTRONG RD	LODI	CA	95240	9425
05813026	LODI CITY OF		221 W PINE ST	LODI	CA	95240	
05865031	LODI CITY OF	PUBLIC WORKS DEPT	PO BOX 3006	LODI	CA	95241	
05865034	LODI LV LOCA		1420 S MILLS AVE STE M	LODI	CA	95242	
05866014	LODI CITY OF	PUBLIC WORKS DEPT	PO BOX 3006	LODI	CA	95241	
05866015	LODI CITY OF		PO BOX 3006	LODI	CA	95241	

09-16-20 - Reynolds Ranch Subdivision CC public hearing 300 foot Radius Mailing List

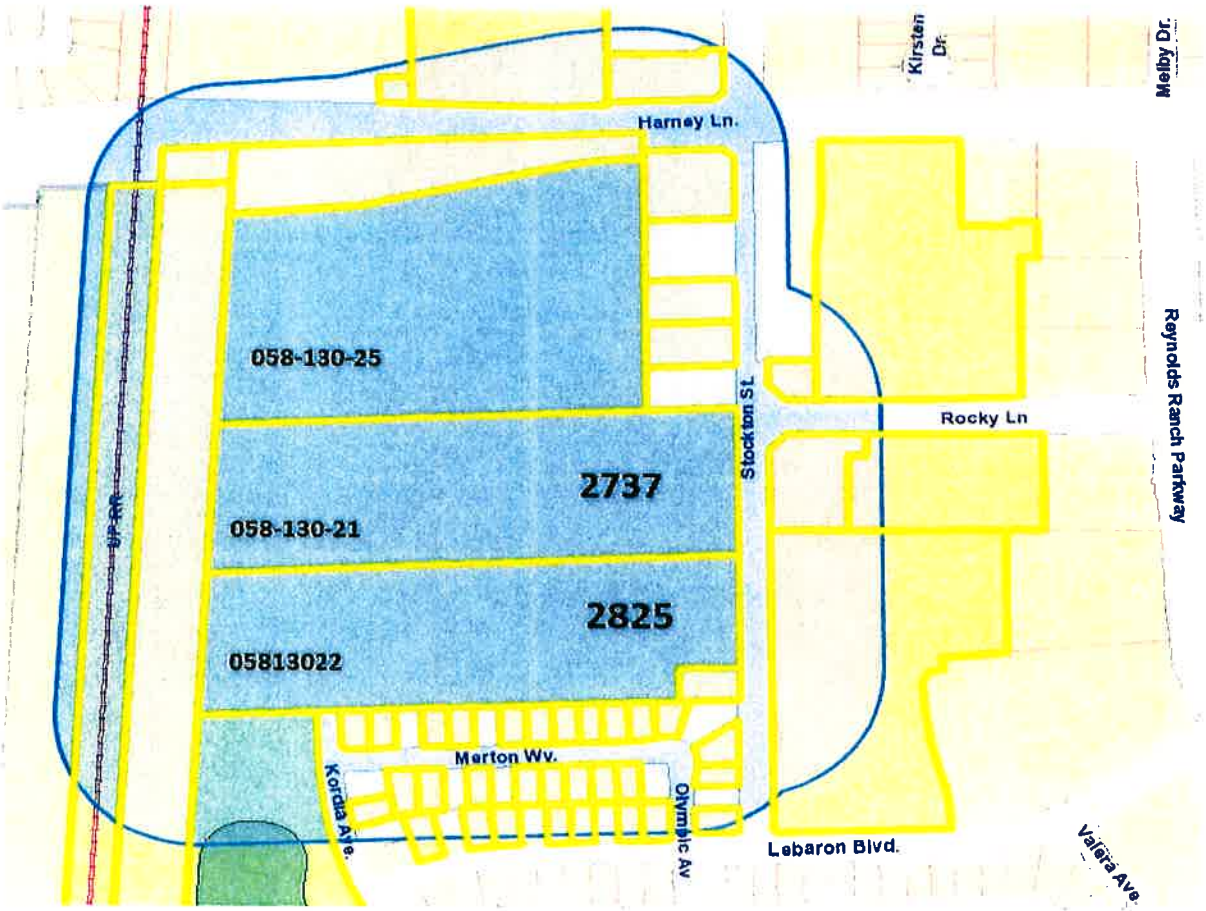
APN	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP	ZIP2
05866019	SANDPIPER PENNEBAKER GROUP LLC		1420 S MILLS AVE SUITE M	LODI	CA	95242	4291
05866020	LODI LV LOCA		1420 S MILLS AVE STE M	LODI	CA	95242	
05866021	LODI HOSPITALITY LLC		PO BOX 1007	WOODBRIDGE	CA	95258	
05867001	VIGNOLO, ANDREW C		2932 OLYMPIC AVE	LODI	CA	95240	8201
05867002	TAYLOR, TODD D & TERESA J		2926 OLYMPIC AVE	LODI	CA	95240	
05867003	COLON, ROBERT JR & ANNA MARIA		2920 OLYMPIC AVE	LODI	CA	95240	8201
05867004	HINTON, WILLIAM & CONNIE		2914 OLYMPIC AVE	LODI	CA	95240	8201
05867005	IBRAHIM, HAZIM		179 MERTON WAY	LODI	CA	95240	
05867006	PATEL, YOGESH R & ZANKHANA D		1140 S CHEROKEE LN	LODI	CA	95240	
05867007	LLAMAS, ADOLFO M & YULIANA		167 MERTON WAY	LODI	CA	95240	
05867008	DICKENS, ANDREW J & DAISY T		161 MERTON WAY	LODI	CA	95240	8230
05867009	DUDA, DENNIS M & JUDITH L		155 MERTON WAY	LODI	CA	95240	8230
05867010	BURKE, STEVEN M & KATHI J		149 MERTON WAY	LODI	CA	95240	8230
05867011	MARCHY, JORDAN		843 HELENCE AVE	WATERFORD	CA	95242	
05867012	REESE SHERRI E TR		137 MERTON WAY	LODI	CA	95240	
05867013	PEREZ, BRIAN		131 MERTON WAY	LODI	CA	95240	8229
05867014	VALDEZ, LORIBELLE C		125 MERTON WAY	LODI	CA	95240	8229
05867015	BUNNELL SEAN & SHANNON		119 MERTON WAY	LODI	CA	95240	
05867016	SOUZA, TIMOTHY W JR & SHAWNA M		113 MERTON WAY	LODI	CA	95240	8229
05867017	PHUNG, ALLEN K ETAL	CHRISTINA M DEMPSEY	107 MERTON WAY	LODI	CA	95240	8229
05867018	CAMARA PHILIP J TR		1616 MAGIC LN	LODI	CA	95242	
05867019	ANTRIM JENNIFER N		2912 KORDIA AVE	LODI	CA	95240	

09-16-20 - Reynolds Ranch Subdivision CC public hearing 300 foot Radius Mailing List

APN	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP	ZIP2
05867020	BAUMBACH, BRIEANNE R		2918 KORDIA AVE	LODI	CA	95240	8220
05867021	IVEY, TIMOTHY C & TIFFANY L		2924 KORDIA AVE	LODI	CA	95240	
05867022	VILLAPUDUA, GUADALUPE		2930 KORDIA AVE	LODI	CA	95240	
05867023	LEYVA, ERIK R & CASEY A		106 MERTON WAY	LODI	CA	95240	8219
05867024	ROTNER, ANDREW		112 MERTON WAY	LODI	CA	95240	8229
05867025	CEREZO, RYAN C & ASHLEY N		118 MERTON WAY	LODI	CA	95240	8219
05867026	AKBAR, GUL & NEELAM		124 MERTON WAY	LODI	CA	95240	8229
05867027	GARCIA, HAFID & MARLENA M		130 MERTON WAY	LODI	CA	95240	8229
05867028	PTAK, MICHAEL A		136 MERTON WAY	LODI	CA	95240	8229
05867029	GLESSNER ZANETTI JOSEPHINE A TR		142 MERTON WAY	LODI	CA	95242	
05867030	HAGER TRAVIS		148 MERTON WY	LODI	CA	95240	
05867031	THOMAS, ELAINE		154 MERTON WAY	LODI	CA	95240	8230
05867032	DUBUISSON CHRISTOPHER & SHANNON		160 MERTON WAY	LODI	CA	95240	
05867033	DUNCAN, DAMON L & MISTY L		166 MERTON WAY	LODI	CA	95240	8230
05867034	HACHLER, KEVIN JAYE		163 LEBARON BLVD	LODI	CA	95240	
05867035	CHAN, CHING CHENG & SHIN		157 LEBARON BLVD	LODI	CA	95240	8223
05867036	ANDERSON SHAWN & SIMMONS BONNIE		151 LEBARON BLVD	LODI	CA	95240	
05867037	MARTINEZ, VINCENTE S & ALINE A		145 LEBARON BLVD	LODI	CA	95240	8223
05867038	BEESLA ONKAR		139 LEBARON BLVD	LODI	CA	95240	
05867039	TORRES, RUBEN G ETAL		133 LEBARON BLVD	LODI	CA	95240	8222
05867040	SAENZ, JOSEFINA		127 LEBARON BLVD	LODI	CA	95240	

09-16-20 - Reynolds Ranch Subdivision CC public hearing 300 foot Radius Mailing List

APN	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP	ZIP2
05867041	TIMOTHY M & KITTA M		121 LEBARON BLVD	LODI	CA	95240	
05867042	CHAMIZO, CLYDE E & AMBER C		115 LEBARON BLVD	LODI	CA	95240	8222
05867043	GUTIERREZ TAFOL, HECTOR		109 LEBARON BLVD	LODI	CA	95240	8222
06201001	UNION PACIFIC RAILROAD COMPANY	C/O UNION PACIFIC RAILROAD COMPANY	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179	
06241025	VALLEY IRON WORKS INC	JOSEPH M COUBAL	2205 ROARING CAMP DR	GOLD RIVER	CA	95670	
06241026	ROBERT L & CAROLYN W REYNOLDS FAM LLC		33 E TOKAY ST	LODI	CA	95240	
06241034	ERGONIS LAND CO LP		19991 FAIRWAY CT	WOODBRIDGE	CA	95258	9220
06241035	DN ACQUISITIONS LLC		10940 TRINITY PKWY STE C 274	STOCKTON	CA	95219	7234



AGENDA ITEM G-5

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Public Hearing to Consider Adopting a Resolution of the Lodi City Council Approving the 2019-20 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER)

MEETING DATE: September 16, 2020

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Public hearing to consider adopting a resolution of the Lodi City Council approving the 2019-20 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER).

BACKGROUND INFORMATION: A public hearing is required as part of the federal requirements of the Community Development Block Grant (CDBG) program.

The 2019-20 CAPER (Exhibit A) describes the programs and activities accomplished during the City's 2019-20 program year which his from July 1, 2019 to June 30, 2020. The City received $624,641 in CDBG program year funds. In May of 2019, the City adopted its five-year Consolidated Plan and 2019-20 Annual Action Plan. The Consolidated Plan identifies community needs, and a strategy for addressing those needs; the annual plan identifies the project and programs selected to implement strategic plan goals during the 2019-20 program year. In 2019-20 program year, the first year of implementing its five-year 2019-2023 Consolidated Plan, the City has made progress towards reaching each of its goals. Goals were met through the program outcomes and by conducting program planning for future projects and activities.

The strategic plan section of the five-year plan identified ten goals for addressing community needs and priorities. This past year's activities resulted in addressing six of the established goals, including: 1) promote safer neighborhoods; 2) improve community parks and green space; 3) infrastructure and facility improvements; 3) support public service programs for priority populations; 4) affirmatively further fair housing; and 5) create and promote housing for homeless populations. The City intends to address the other four strategic plan goals in future program years.

The public review and comment period for the draft CAPER document began September 2, 2020 and ended on September 16, 2020. Staff will gather public comments on this draft.

Staff recommends that the City Council provide an opportunity for public comment on this year-end report, and consider adopting a resolution approving the 2019-20 CAPER.

FISCAL IMPACT: The CAPER documents are being completed as an administrative activity that is funded through the CDBG administrative allocation from HUD.

FUNDING AVAILABLE: Not applicable.

John R. Della Monica, Jr.
Community Development Director

Attachments:
CAPER

SS/PC/kjc

APPROVED: _____
Stephen Schwabauer, City Manager

2019-2020

CDBG Consolidated Annual Performance and Evaluation Report

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CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

The 2019-20 program year constitutes the City of Lodi's first year implementing the 2019-23 Community Development Block Grant (CDBG) Consolidated Plan, as amended on January 15, 2020. During this program year, CDBG-funded projects and programs were executed within the City with the intention of achieving the goals outlined in the Strategic Plan section of the Consolidated Plan. These projects and programs were carried out by City staff, contractors, and subrecipients of CDBG funds.

This year's activities resulted in addressing seven of the ten goals outlined in the Strategic Plan section of the 2019-23 Consolidated Plan. The goals addressed during the program year are as follows:

- Goal #1: Promote Safer Neighborhoods
- Goal #2: Improve Community Parks and Green Space in CDBG target area
- Goal #3: Infrastructure and Facility Improvements
- Goal #5: Build Capacity in CDBG Target Area
- Goal #6: Support Public Service Programs for Priority Populations
- Goal #7: Affirmatively Further Fair Housing
- Goal #10: Create and Promote Housing for Homeless Populations

While the City's efforts during the 2019-20 program year did not target Strategic Plan goals 4, 8 or 9 (Goal #4 - Increase and Maintain Supply of Affordable Housing, Goal #8 - Improve Housing Affordability, or Goal #9 - Support Programs and Projects that Reduce and Prevent Homelessness), the City intends to address these goals in future program years during the 2019-23 Consolidated Plan program period.

Please see the following summary of the City's 2019-20 CDBG-funded activities and how they aligned with the priority needs and goals identified in the 2019-23 Consolidated Plan:

Priority Need – Safer Neighborhoods and More Resident Pride

Goal #1 – Promote Safer Neighborhoods

Graffiti Abatement Program

The City's **Graffiti Abatement** program has helped reduce blight by cleaning up tagged properties in the low-income CDBG target areas. The City's program cleans up these sites within a day or two, or on the same day in some instances, which benefits not only the property but prevents secondary tags. The program runs year-round and has helped preserve neighborhood property values and maintain housing stock in the City. The Graffiti Abatement program removed 1,492 instances of graffiti in the CDBG target area throughout the program year, benefitting the approximately 18,000 individuals living in the CDBG target area.

Priority Need – Improvements to Community Parks and Green Spaces

Goal #2 – Improve Community Parks and Green Space

Blakely Park Restroom Improvements Project

The **Blakely Park Restroom Improvements** project consisted of the construction of a new restroom facility at Blakely Park, which is located in the City's CDBG target area. The work included construction of the restroom facility, including improvements compliant with Americans with Disabilities Act (ADA) accessibility requirements. This project is anticipated to benefit approximately 31,660 individuals living in the surrounding neighborhoods.

Priority Need – Improvements to Infrastructure and Facilities Access

Goal #3 – Infrastructure and Facility Improvements

Salvation Army: HVAC and Refrigerator Repairs

The Hope Harbor Shelter, which is operated by the **Salvation Army**, needed repairs to the heating, ventilation, and air conditioning system (HVAC) to accommodate the shelter's beneficiaries over the summer and winter months. In addition, the refrigerator at the Lodi Corps facility, used for food storage for donated meals, needed repairs. During the program year, this project experienced multiple delays in its execution due to changes in staff at the Salvation Army as well as due to the COVID-19 pandemic. As of June 30, 2020, this project has repaired two HVAC units,

with the remaining repairs anticipated to be completed by December 2020. Upon completion, this project is estimated to serve approximately 5,410 individuals.

Priority Need– More Local Leaders

Goal #5 – Build Capacity in CDBG Target Area

ABCD (Asset Based Community Development): Love Your Block program

The **ABCD: Love Your Block** program continued to build capacity and leadership in its lower-income neighborhoods during the 2019-20 CDBG program year. During the 2019-20 period, the City partnered with the Lodi Chamber of Commerce to facilitate cycle three of the ABCD: Love Your Block program. This program creates opportunities for residents to learn how to lead their own mini community-improvement projects from the initial planning, through implementation, and finally to evaluation phase after the project is completed. Residents attended a series of workshops and received one-on-one project mentoring where they were encouraged to use their talents to implement the activities. They learned to write grants, identify community assets, build a network of resources, create marketing material, manage their projects, and review their project impacts. In February 2020, ABCD held a year-end celebration to acknowledge the accomplishments of the program participants and their projects. Due to the Covid-19 pandemic, the start of the fourth cycle was put on hold, and staff anticipates the program beginning again in fall. Nonetheless, Block by block, this program has a ripple effect that slowly builds a safer and healthier community.

Priority Need – Services for very low-income adults, seniors, disabled (priority populations)

Goal #6 – Support Public Service Programs for Priority Populations

LOEL Center: Meals on Wheels Program

The **LOEL Senior Center** served 95 seniors, thus completing 95 percent of its anticipated accomplishments (LOEL had projected serving 100 unduplicated seniors). This meal program provides a hot nutritious meal five days a week to homebound seniors; all 95 recipients reported being disabled in some way. The recipient receives daily nutrition, socialization, and a welfare checkup to make sure they are well enough to answer the door.

Second Harvest Food Bank: Food Assistance Program

The **Second Harvest Food Bank** exceeded its goal to serve 2,000 persons and instead served a total of 2,795 unduplicated individuals and their family members with food through Second Harvest's program. Additionally, many families visited the food bank and its nonprofit partners repeatedly throughout the year. Second Harvest served 2,795 new and 31,926 returning participants, ultimately serving 550,873 pounds of supplemental food in the City of Lodi. This food distribution is accomplished through a three-part program, which provides 1) food to low-income families; 2) groceries to youth who participate in Boys and Girls Club; and 3) supplemental groceries for seniors at the Lodi Community Center. During the fourth quarter, in response to COVID-19, Second Harvest Food Bank modified operations to adapt to social distancing requirements.

Salvation Army: Hope Harbor Shelter

In the 2019-20 program year, the Salvation Army used CDBG funds to operate the **Hope Harbor Shelter Operations Support Program**, offering overnight emergency shelter and a morning meal to homeless individuals. Hope Harbor served a total of 976 unduplicated individuals over the program year, exceeding the goal of 709 individuals. Hope Harbor also provided services such as referrals, case management, and access to other supportive service organizations to homeless individuals staying at the shelter.

Community Partnership for Families: Family Resource Center and Youth Program

The **Community Partnership for Families** provided services through the Family Resource Center and Youth Program. These services were aimed at addressing youth financial self-sufficiency, employment, gang involvement, academic struggles, mental health issues, substance abuse issues, and more. During the 2019-20 program year, the partnership exceeded the number of projected individuals (85) served by providing 151 unduplicated individuals with intake assessments and mentoring activities and events.

California Human Development: Immigration Expansion Program

California Human Development provided direct immigration services to individuals through consultations and application processing in an effort to determine their legal rights and possible options for obtaining a path to U.S. citizenship. California Human Development served a total of 101 individuals with immigration and consultation services, which amounts to 72 percent of its anticipated accomplishments. Additionally, it held a Citizenship Celebration Day in September 2019 which had approximately 50 individuals in attendance. This event gave individuals a platform to share their experiences in becoming a U.S. citizen and also worked as an opportunity for California Human Development to reach out to more community members that could benefit from immigration services. Unfortunately, the COVID-19 pandemic negatively affected California Human Development's ability to deliver services in the third and fourth quarters, which explains the inability to meet its anticipated annual goal.

Priority Need – Support Fair Housing Services

Goal #7 – Affirmatively Further Fair Housing

Fair Housing – San Joaquin Fair Housing

San Joaquin Fair Housing (SJFH) provided fair housing assistance, including education, counseling, and mediation services, to the residents of San Joaquin County. SJFH assisted 538 Lodi households in the 2019-20 program year, exceeding its projected total number of households by 54 percent. The program goals are to ensure fair housing, and to teach and advocate tenant and landlord rights and responsibilities regarding providing and maintaining adequate and safe housing. SJFH helped mediate conflicts between tenants and landlords and provided educational opportunities. By educating both tenants and landlords, the program worked to assist in the process of mitigating housing discrimination in Lodi and promoting fair housing opportunities regardless of a person's disability, religion, race/ethnicity, color, country of origin or ancestry, age, sex, gender identification/expression, familial status, source of income, marital status, or sexual orientation.

Fair Housing – California Rural Legal Assistance

California Rural Legal Assistance (CRLA) conducted fair housing testing and recommended actions to prevent discrimination. During the 2019-20 program year, CRLA provided fair housing testing services for the City to ensure quality, systematic, and complete review of how residents may be experiencing discrimination in their housing choice. CRLA conducted six tests of the five anticipated. Two tests showed unfair treatment based on national origin. CRLA was not able to conduct follow up Fair Housing outreach at this location due to the COVID-19 Pandemic and County/State-wide stay-at-home orders. CRLA will continue to monitor this housing complex for future testing and fair housing outreach. CRLA conducted two housing complex surveys, exceeding the requirement of surveying one complex. CRLA did not find any unfair treatment at either of these housing complexes, but provided fair housing outreach at both sites.

Priority Need – Create Housing for Homeless and At-Risk Homeless

Goal #10 – Create and Promote Housing for Homeless Populations

HEAP Grant: Tiny Homes Project

2019-20 CDBG funds were originally awarded to fund land acquisition for the **HEAP: Tiny Homes Project.** Due to the administrative burden associated with allocating CDBG funds to this project, City staff decided that it would be more cost-effective to not use CDBG funds for this activity. Though this CDBG activity was canceled, the Tiny Homes project still saw progress in the 2019-20 program year. Twenty sites were

vetted as potential project locations, from which, two sites were selected for environmental assessments. Assessments were completed on both sites; however, both contained noise levels that exceeded allowable limits. City staff is working to find mitigation measures and considering alternative sites. Once complete, the project will receive tenant referrals from local organizations including Salvation Army, Lodi House, and Women's Center, although more agencies may be added.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Project/ Activity	Agency/ Operator	Strategic Plan Goal	Estimated Funding	Indicator	Unit of Measure	Goal 5 yr Plan	Act. 5 yr Plan	% Comp.	2019 Goal	2019 Actual	% Comp.
Planning and Administration	City Staff and Contractors	Efficient Administration and Oversight	$102,444	Successfully administered the CDBG program according to HUD regulations	Efficient Administ ration				NA	NA	100%
Promote Safer Neighborhood						18,000	18,000	18,000	18,000	18,000	100%
Graffiti Abatement	City Staff and Contractors	Promote Safer Neighborhood	$29,706	Public facility or infrastructure activities other than Low/Moderate Income Housing Benefit	Persons Assisted						
Improve Community Parks and Green Space in CDBG Target Area						45,000	31,600	70%	31,660	0	75%
Blakely Restroom Project	City staff and Contractors	Improve Community Parks and Green Space in CDBG target area	$270,498	Public facility or infrastructure activities other than Low/Moderate Income Housing Benefit	Infrastruc ture Project				31,660	0	0%
Infrastructure and Facility Improvements						50,000	5,410	11%	5,410	75%	75%

Salvation Army: HVAC and Refrigerator Repairs	Salvation Army	Infrastructure and Facility Improvements	$47,297	Public facility or infrastructure activities other than Low/Moderate Income Housing Benefit	Infrastructure Project				5,410	0	0%
Support Public Service Programs for Priority Populations						5,000	4,118	82%	3,384	4,118	122%
Meals on Wheels	LOEL Senior Center	Support Public Service Programs for Priority Populations	$7,433	Public Services other than Low/Mod Housing Benefit	Persons Assisted				100	95	95%
Food Bank	Second Harvest	Support Public Service Programs for Priority Populations	$8,923	Public Services other than Low/Mod Housing Benefit	Persons Assisted				2,000	2,795	140%
Hope Harbor Shelter	Salvation Army	Support Public Service Programs for Priority Populations	$11,902	Public Services other than Low/Mod Housing Benefit	Persons Assisted				709	976	137%
Family Resource Center & Youth Programs	Community Partnership for Families	Support Public Service Programs for Priority Populations	$27,765	Public Services other than Low/Mod Housing Benefit	Persons Assisted				85	151	177%
Immigration Expansion Program	California Human Development	Support Public Service Programs for Priority Populations	$7,967	Public Services other than Low/Mod Housing Benefit	Persons Assisted				140	101	72%
Affirmatively Furthering Fair Housing						750	538	72%	350	538	
San Joaquin Fair Housing (SJFH)	San Joaquin Fair Housing (SJFH)	Affirmatively Furthering Fair Housing	$12,976	Public service activities for Low/Moderate	Persons Assisted				350	538	153%

				Income Housing Benefit						
Fair Housing Testing Program	California Rural Legal Assistance (CRLA)	Preserve Existing Affordable Housing	$7,091	Public service activities for Low/Moderate Income Housing Benefit	Fair Housing Tests			5	6	120%
Create and Promote Housing for Homelessness						10 housing units		10 housing units	N/A	
Lodi Tiny Homes Project	City Staff and Contractors	Create and Promote Housing for Homelessness	$0	Low/Moderate Income Housing Benefit	Public Facilities project and Public Improve ments			Canceled	N/A	N/A

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The City's 2019-23 Consolidated Plan identifies eleven priorities and ten main goals that align with these priorities. As discussed above, this year's program activities resulted in meeting seven of the ten main goals, which work to support the priority needs identified. To demonstrate, a list of each goal and the activity that supported each goal is outlined below:

- Goal #1: Promote Safer Neighborhoods
- Goal #2: Improve Community Parks and Green Space in CDBG target area
- Goal #3: Infrastructure and Facility Improvements
- Goal #5: Build Capacity in the CDBG Target Area
- Goal #6: Support Public Service Programs for Priority Populations
- Goal #7: Affirmatively Further Fair Housing
- Goal #10: Create and Promote Housing for Homeless Populations

Goal #1: Promote Safer Neighborhoods

- Lodi's Graffiti Abatement program cleaned up graffiti throughout the City, particularly focusing on areas within the CDBG target area, and helped to prevent future occurrences of vandalism. This year's program met its goal by removing graffiti throughout the City that promoted gang activity, profanity, desecration of public and private facilities, and language that promoted racism and intolerance toward different groups of people.

Goal #2: Improve Community Parks and Green Space

- The Blakely Park Restroom Improvement project started construction in the 2019-20 program year; however, the project was not completed until early September 2020. This project was aimed at serving the CDBG target area populations in the surrounding neighborhoods by constructing a new restroom building, inclusive of ADA improvements, to serve park patrons.

Goal #3: Infrastructure and Facility Improvements

- The Salvation Army rehabilitation projects supported the Salvation Army's ability to serve the City's homeless individuals and those at risk of becoming homeless. The CDBG allocation supported two rehabilitation projects: replacing the HVAC system at the Hope Harbor Shelter and repairing the refrigeration unit used for food storage at the Lodi Corps facility. The Hope Harbor Shelter provides 709 beds for those seeking emergency shelter, and the air conditioning repairs help create a safe environment for individuals staying at the shelter during the winter and summer months. The Lodi Corps Facility provides meals

to approximately 4,701 individuals. The repairs to the refrigeration unit ensured the Lodi Corp was able to store and distribute approximately 250 food boxes per week.

Goal #5: Build Capacity in CDBG Target Area

- The ABCD: Love Your Block program participants completed two community improvement projects, with a third delayed due to the COVID-19 pandemic. The projects included financial literacy training for youth and a school supplies/parenting support event.

Goal #6: Support Public Service Programs for Priority Populations

- LOEL Serves Meals on Wheels program nearly met its goal of providing 100 seniors with health-food classes and healthy food alternatives by serving a total of 95 individuals.
- Second Harvest Food Bank provides residents with access to food resources and often partners with nonprofits to supplement its services with additional nutrition education and food. It exceeded its goal by increasing the number of Lodi agencies served and increasing the amount of food provided to each agency.
- The Community Partnership for Families program exceeded its goals as well. Youth workshops are offered with an open invitation for youth to bring friends, which resulted in a much larger number of youth than anticipated. These programs screen for and identify different needs for youth participants, along with the needs of that individual's family. The individual and their family are then connected with additional services; this prioritizes an approach that focuses on the family's role in the success of the youth's development. Youth participants are encouraged to develop a plan to take ownership of their family's circumstances and to develop their own plan as to how these circumstances could change. With their goals and the support of the agency staff, youth and family members work toward getting the assistance they need.

Goal #7: Affirmatively Further Fair Housing

- CRLA worked to prevent housing discrimination through six audit-based tests, complaint-based testing on an as-needed basis, one tenant survey, and a report with recommended follow-up activities for the prevention of housing discrimination.
- SJFH provided social services through fair housing testing, fair housing counseling, a housing discrimination and tenant/landlord law hotline, complaint investigation, two landlord/tenant seminars, and outreach and education at community events.

Goal #10: Create and Promote Housing for Homeless Populations

- As mentioned above, CDBG funds were not used to fund this activity in the 2019-20 program year; however, the Tiny Homes Project still made progress in its completion during the 2019-20 program year by vetting site locations, completing two environmental assessments, engaging in public discourse for site selection, preparing preliminary site lay-out plans, updating project schedule and budget, and drafting agreement with program operator.

CR-10 - Racial and Ethnic Composition of Families Assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

	CDBG
White	2,092
Black or African American	187
Asian	93
American Indian or American Native	26
Native Hawaiian or Other Pacific Islander	20
American Indian or American Native and White	4
Asian and White	6
Black or African American and White	22
American Indian or American Native and Black/African American	3
Other Multi-Racial	1,495
Total	**3,948**
Hispanic	1,018
Not Hispanic	2,930

Table 1 – Table of assistance to racial and ethnic populations by source of funds

Narrative

Lodi's CDBG-funded activities serve residents of many races and ethnicities within Lodi. The table below compares the percentage served under Lodi's 2019-20 CDBG public service programs versus the 2016 5-year American Community Survey (ACS) statistics, which provides demographic data for the entire City of Lodi. Projects that benefit a public area are not required to collect specific race/ethnicity data and are not included here in the table.

	2019 CDBG Actual	2019 CDBG Actual % of total	2016 ACS Data	2016 % of Total
White	2,092	53.0%	40,616	62.5%
Black or African American	187	4.7%	1,197	1.8%
Asian	93	2.4%	347	0.5%
American Indian or American Native	26	0.7%	6,118	9.4%
Native Hawaiian or Other Pacific Islander	20	0.5%	401	0.6%

More than One Race	1,530	38.8%	10,099	15.5%
Other	0	0%	6,228	0%
Total	**3,948**	**100%**	**65,006**	**100%**
Hispanic	1,018	26%	24,273	37.3%
Not Hispanic	2,930	74%	40,733	62.7%

In the 2019-2020 program year, Hispanic individuals continue to represent nearly a third of those served by CDBG-funded public services in the City of Lodi. In the previous program year, recipients that identified as Hispanic represented over a third of those receiving public services (32.5 percent). These numbers are representative of the percent of Hispanics in the community, and the CDBG target population. Demographic data from the 2016 ACS shows that 37.3 percent of the City's residents are Hispanic, whereas 62.7 percent of the population is not Hispanic. The table also shows that recipients that identified as Hispanic received approximately 26% of services in the 2019-20 program year, whereas individuals that identified as non-Hispanic received approximately 74 percent of services.

CR-15 - Resources and Investments 91.520(a) CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	2019-2020 Funds	Resources Made Available	*Estimated* Amount Expended During Program Year
CDBG	$624,641	$624,641	$416,162.68

Table 2 – Resources Made Available

Narrative

During the 2019-20 program year, an estimated $416,162.68 in CDBG funds was expended across all projects. Please refer to the appendix at the end of this report for a detailed financial summary report for the 2019-20 CDBG program year (To be included with final CAPER).

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
CDBG Target Area	86%	81%	Incomplete projects - HEAP: Tiny Homes, Salvation Army repairs, and Blakely Restroom projects did not complete and spend down all funds before the end of the program year, which offset the anticipated geographic distribution. These projects will be completed by the end of 2020.
City-Wide Activity	14%	19%	All projects were completed. A higher percentage of investments is represented here due to the decrease in funds expended in the CDBG target area.

Table 3 – Identify the geographic distribution and location of investments

Narrative

While Lodi has used a needs-based strategy to select projects and activities, the greatest need has historically been identified to be within the low-income CDBG target area. When possible, specific attention will be focused on one census tract (45.02) in the target area that was identified as a Racially Concentrated Area of Poverty (RCAP) and an Economically Concentrated Area of Poverty (ECAP). While in previous years projects have targeted this RCAP/ECAP area, none of this year's proposed projects are located in that specific census tract.

The social projects serve at least 70 percent low- to moderate-income persons. Most social service organizations offer their services citywide. Due to Lodi's concentrated low-moderate income area, it is believed that the majority of recipients reside in the CDBG target area; however, for purposes of this calculation, the projects are considered citywide activity and are not included in the CDBG target area.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

Federal funds require additional regulation, labor compliance standards, and administration that can add a significant cost burden to a new capital improvement project. For new construction and large-scale rehabilitation of affordable housing, the City prefers to pursue funding that does not significantly increase the building cost, unless there are sufficient federal funds to benefit the project's bottom line. The CDBG allocation to the City does not add sufficient value to offset the increased costs for most of the City's affordable housing development efforts. Therefore, the City focuses CDBG funding either on projects that are already burdened with the federal reporting requirements or on projects where there is no other viable funding source and the project can be funded entirely with CDBG funding.

With respect to public service projects funded with CDBG funds, many of Lodi's social service subrecipients have additional resources to support their CDBG-funded programs. These additional resources include not only other grant funds, but in-kind volunteers and donations. To best leverage the City's available resources, the City will continue to look for opportunities to layer private and non-federal resources with federal resources and to require that CDBG subrecipients demonstrate sufficient committed non-CDBG funding, so that projects and services will have the best results for the community and the low- and very low-income residents they are intended to serve. Additionally, SJFH receives CDBG funding from all of the other jurisdictions in San Joaquin County.

The construction projects that used CDBG funds during the 2019-20 program year were the Blakely Park Restroom Improvements Project and the Salvation Army: HVAC and Refrigerator Repairs project. Both projects were completed solely using 2019-20 CDBG funds and did not leverage funds from other sources.

Though the CDBG program does not have a matching requirement, the City of Lodi considers match funds as a factor in determining recommended actions while evaluating the subrecipient applications and project proposals submitted to the City for CDBG funding.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income,

moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of homeless households to be provided affordable housing units	603	0
Number of non-homeless households to be provided affordable housing units	0	0
Number of special-needs households to be provided affordable housing units	0	0
Total	603	0

Table 4- Number of Households

	One-Year Goal	Actual
Number of households supported through rental assistance	0	0
Number of households supported through the production of new units	5	0
Number of households supported through the rehab of existing units	598 **(Staff is verifying this number)**	0
Number of households supported through the acquisition of existing units	0	0
Total	603	0

Table 5 - Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The City has prioritized supporting projects and programs that address affordable housing in the 2019–23 Consolidated Plan. This prioritization is an effort to capture HUD's initiative for implementing affordable housing programs, while also providing realistic and crucial support to individuals and families who struggle to maintain housing due to various cost burdens and financial disadvantages. Often times, when implementing the projects associated with supporting affordable housing, delays and changes in planning do occur.

The City had originally funded the Salvation Army HVAC and Refrigerator Repairs project, which was meant to be completed before the end of the 2019-20 program year. Unfortunately, this project was delayed and was unable to be completed by the end of the program year. This has resulted in the 598 anticipated households not being represented as accomplishments under the "Number of households supported through the rehab of existing units" category above.

The City continuously works to streamline project management, and part of that process includes identifying projects that are not ready for funding or not a good fit for CDBG. In the 2019-20 program year, the City had originally allocated CDBG funds to assist in the acquisition of land for the HEAP: Tiny

Homes project. After further analysis of CDBG guidelines and tying CDBG dollars to the project, it was determined that it would be more cost-effective to not allocate CDBG funds to the project in an effort to reduce excessive administrative burden associated with CDBG federal requirements. This project was originally meant to account for five of the households identified under the "Number of households supported through the production of new units" category in the table above; however, because CDBG funds were not used for this project, we were unable to obtain those accomplishments for the 2019-20 program year.

Another instance of a difference between the City's goal and the actual outcome can be explained through the CDBG-funded Housing Repair program. The City allocated 2016-17 CDBG program funds to a housing rehabilitation program which has continuously been delayed. This program was scheduled to be completed, once again, in the 2019-20 program year; however, after continued staff capacity changes and the recent COVID-19 pandemic, the housing rehabilitation program is now planned to be completed before the end of the 2020-21 program year.

Discuss how these outcomes will impact future annual action plans.

The City plans to address housing needs, but without significant additional resources, the City will continue to focus CDBG dollars where they will do the most good for low- and moderate-income households through better access to economic opportunities, services, and public infrastructure.

In the 2019-20 program year, the City took actions to mitigate the negative effects of problems faced when administering the CDBG program, as mentioned in the paragraphs above. The substantial amendments and reallocations of funds from canceled or problematic projects allowed projects with more appropriate timing to move forward, while carefully determining that other projects were not ready to be administered.

Moreover, of the projects mentioned above, the Salvation Army Repairs project, Housing Rehabilitation project, and much of the HEAP: Tiny Homes project are scheduled to be completed by the end of the 2020-21 program year.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Persons Served	CDBG Actual	% of Actual
Extremely Low-income	3,269	83%
Low-income	330	8%
Moderate	180	5%
Above Moderate-income	169	4%
Total	**3,948**	**100%**

Table 6 – Number of Persons Served by Income

Narrative Information

As per HUD requirements, Lodi tries to focus CDBG funding toward low- and moderate-income households and neighborhoods. A total of 3,948 persons were served by CDBG-funded public service and fair housing programs. Of those, 3,269, or 83 percent, were extremely low income, or earned less than 30 percent of the HUD Adjusted Median Family Income (HAMFI) for San Joaquin County; 330 of those individuals, or 8 percent, were low income or earned less than 50 percent of HAMFI; 5 percent, or 180, reported having a moderate income, meaning that they earned less than 80 percent of HAMFI; and 169, or 4 percent, of those served were over the low-moderate income level. The City used an area benefit to determine population demographics for the public infrastructure projects that were intended to benefit low-income neighborhoods. For example, the Graffiti Abatement program served neighborhoods that were approximately 55 percent low-income and the Blakely Park Restroom Improvement project served neighborhoods with approximately 57 percent low-income individuals.

The City does not have sufficient funds to construct new affordable housing units. In such a climate, the City looks for alternative ways to support affordable housing, such as helping preserve existing affordable housing through rehabilitation projects and renter's assistance programs, and creating transitional housing units for individuals in emergency or transitional circumstances.

In the 2018-19 program year, the City successfully secured $1,250,000 in Homeless Emergency Aid Program (HEAP) funds from the Continuum of Care (CoC). These funds will be used to create eight supportive housing units. This project is in its initial stages, but has seen progress in its development during the 2019-20 program year. Once complete, these housing units will provide approximately eight households with supportive housing each year and will work as a stabilizer for individuals that are in emergency housing situations. With a place to stay, individuals will be able to find stability that allows them to attain a job and eventually improve their financial standing in society.

In addition to this effort, the City continued to fund two fair housing programs in the 2019-20 program year—San Joaquin Fair Housing (SJFH) and California Rural Legal Assistance (CRLA). These programs assist individuals facing housing discrimination and landlord disputes to find solutions to these issues in a comprehensive and professional manner. SJFH operates a renter's helpline that provides counselors and legal advice for individuals who are suspected of being unfairly discriminated against in terms of their housing choice. Concurrently, but through a separate entity, CRLA administers rental unit housing testing and surveys that work to identify and scout for any instances of housing discrimination in the City.

The City continues to look for projects which would support affordable housing for low-income Lodi residents, some of whom may be homeless, at risk of homelessness, and/or disabled. Currently, the City is in the process of rolling out the Housing Rehabilitation program to be completed by the end of the 2020-21 program year. This program will provide approximately 10 low-income households with housing reparations and critical maintenance to improve their quality of life and the affordability of their homes.

Additionally, the City works with its homeless committee to find more strategies to address needs of homeless individuals. The City created a Homeless Liaison Officer position within the local Police Department in 2017. The officer conducts street outreach and connects individuals with resources and

local social service providers. The officer has reported success in helping individuals get housing and resources they need to be healthier.

COVID-19 Response:

In response to the COVID-19 pandemic, the City of Lodi is in the process of requesting grant assistance for providing housing assistance and services for people experiencing homelessness, who are at higher risk of severe health consequences from COVID-19, specifically elderly and immune compromised.

As of July 1, 2020, City staff is in the process of pursuing various grant funding opportunities that have been made available for jurisdictions across the State and Nation. Specifically, the City is applying for the following grants to fund various housing assistance and services:

- Emergency Solutions Grant Coronavirus Response (ESG-CV)
- Local Early Action Planning (LEAP)
- Permanent Local Housing Allocation (PLHA)
- CDBG Coronavirus Response (CDBG-CV)
- Homeless, Housing Assistance, and Prevention Program (HHAP)

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City has continued to be a participant in the Committee on Homelessness, made up of key City staff, representatives from the Salvation Army, local faith-based organizations, and the Lodi Community Foundation, a local philanthropic organization. Led by the Lodi Community Foundation, this task force has built consensus and support to explore several short- and long- range solutions to reduce homelessness and mitigate its effect on the community. This culminated in the creation of a "Report on Homelessness in Lodi" which was presented to the Lodi City Council in September 2015. The City Council adopted that report and its long- and short- term strategies. The City has remained actively involved in the monthly committee and subcommittee meetings and has consolidated the other homeless outreach efforts into these meetings.

Lodi has also played a large role in the involvement with the CoC in the planning and execution of the countywide point-in-time homeless count that took place in January 2019. Additionally, the City remains involved with the County Emergency Food and Shelter Program Board.

The City values its relationships with homeless service providers and reaches out to those providers for input on needs. Many of these service providers also attend City Council meetings to provide feedback

on the homeless population.

In 2017, a Homeless Liaison Officer position was created in the Lodi Police Department. The officer works directly with the local unsheltered homeless to offer assistance, connect them with available services, and find placement in shelters and more permanent housing.

The City supported the Board of Supervisors in its creation of a lead position at the County level during the 2018-19 program year. The County now has a program administrator for homeless services; this position is aimed at bringing about new homeless and affordable housing resources to the county, as well as increasing coordination among local jurisdictions. Additionally, this position helps coordinate the point-in-time counts for the County.

The Lodi Improvement Committee, a City board and commission with members appointed by the City Council, continues to serve as a forum for discussing, gathering information, and promoting actions regarding homeless issues, among other resident-driven topics in the City. The committee had the goal of supporting the 2019 homeless point-in-time count. Homeless providers stated that the count accuracy in 2019 improved since 2017. City staff continues to provide support to help this group meet its goals.

Addressing the emergency shelter and transitional housing needs of homeless persons

Residents of emergency shelters and transitional housing often need additional services, such as rehabilitation programs, case management, medical evaluations, and living environments that allow for stability in the time it takes to get permanent, supportive housing. Additionally, these facilities are often in need of repairs due to steady and intensive use. The City has been adamant in recognizing the need for both more transitional housing and for providing additional resources for the preexisting facilities, both of which have been voiced by service providers in prior years.

For the 2019-20 program year, the City agreed to fund a capital improvement project for the Salvation Army to repair a walk-in refrigerator at its Lodi Corps facility, which is used to store nutritious meals that are then distributed to individuals in need; concurrently, the Salvation Army Hope Harbor shelter would be receiving replacements of eight HVAC units. These projects will help the Salvation Army's everyday provision of services and will help provide a better quality of life to the individuals that request services. The projects were not complete by the end of the program year; however, both are anticipated to be completed by the end of the calendar year.

The City submitted a HEAP application during the 2018-19 program year, in which $1,250,000 funding was secured to be put toward constructing permanent supportive housing units. The total estimated cost of the project is $1,800,000. The Lodi Tiny House project will create approximately eight units of permanent supportive housing for homeless individuals and families or those at risk of homelessness. This supportive housing will help homeless individuals/families move from emergency shelters, motel voucher and transitional housing programs, or off the streets into long-term, affordable housing where they can continue their progress toward stable and independent living. The project also helps those facing a housing crisis and at risk of becoming homeless, such as people experiencing job loss or domestic violence. The project will receive tenant referrals from local organizations including Salvation Army, Lodi House, and Women's Center, although more agencies may be added. HEAP funds will be

used to purchase property, develop the site, and purchase and install manufactured tiny homes. While the Lodi Tiny House project was included in the 2019-20 Annual Action Plan, ultimately the project was cancelled as a part of the CDBG project. The Lodi Tiny Homes project is still being pursued by the City without using CDBG allocation as a funding source.

The City supported basic human needs by continuously providing funds to Second Harvest Food Bank, which provides bulk food goods to local shelters. The City also continued to support the LOEL Senior Center by providing food and nutrition for seniors who might otherwise not have the funds. Both programs provide food to extremely low- and very low-income residents across the City. Providing this food can help residents free up funds for other necessities, such as health and housing.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City uses several strategies to assist chronically homeless individuals. The following activities have occurred or are in process.

- HEAP grant funds have been obtained by the City to begin a project focused on supplying permanent supportive housing to chronically sheltered and unsheltered individuals. This project, the construction of tiny homes for homeless individuals who qualify, will provide a supportive environment to end the cycle of chronic homelessness and need for transitional housing. The City will be researching additional funding sources to cover the total costs of the projects and to look for funding opportunities to replicate the project in other locations.

- The City and the Committee on Homelessness have supported Ready to Work in providing its services to individuals who may be chronically homeless because they are unable to receive general assistance (welfare) due to a record of criminal conduct. This program provides employment and an income when these individuals would otherwise not qualify for assistance or pass a background check for a job and it will be funded by CDBG in the 2020-21 program year.
- The City supported the Salvation Army in its provision of services. With the use of CDBG funds, the Salvation Army Hope Harbor Shelter will be able to fix its eight air conditioning units, replace its refrigerator, and fund administrative purposes to allow for a smooth operation of the shelter.
- The Committee on Homelessness coordinates with the Homeless Liaison Officer, a position in the Lodi Police Department that connects homeless people, on an individual basis, with needed programs, resources, and shelter. One member of the committee sits on the Emergency Food and Shelter Board and members frequently participate in CoC board activities to address homelessness (such as point-in-time counts).
- The City and Lodi Improvement Committee worked with local hotel/motel owners to create affordable housing opportunities. The committee also took an active role in planning and

participating in the homeless point-in-time count, applying for HEAP funds, and otherwise supporting the Committee on Homelessness's efforts.

- The City continued to support Second Harvest Food Bank, which provides food to many local Lodi service providers that then distribute this food to homeless and at-risk homeless individuals and families. Healthy food contributes to better health, which in turn can reduce associated medical costs and financial stress, which can be a factor in homelessness.
- Similarly, the City supports the LOEL Center and Salvation Army, which provide food to extremely low- and very low-income residents across the City. Food provision can help some residents save funds to use on other necessities such as health and housing.
- The City has continued to support the CoC's efforts to create additional beds for chronically homeless persons through two primary strategies: (1) having the CoC apply for additional new Shelter Plus Care funding that will target chronically homeless individuals, and (2) increasing the number of beds for chronically homeless individuals by modifying existing Shelter Plus Care programs that do not specifically target chronically homeless persons. This second strategy would be achieved by prioritizing chronically homeless persons when filling vacancies in non-targeted Shelter Plus Care programs as they occur.
- The City collaborated with San Joaquin County to create a new lead position for better coordination of homeless resources and services across the county.
- Cranes Landing (previously Tienda Drive Senior Housing), an 80-unit affordable senior housing project, was completed in the summer of 2017. It provides permanent housing to homeless seniors and seniors at risk of homelessness.

In response to the COVID-19 pandemic, the City of Lodi is in the process of requesting grant assistance from multiple funding sources in providing a non-congregate, low-bar, temporary, 24/7 emergency shelter for persons and families experiencing homelessness. Additionally, a more permanent Navigation Center is also in the process of being planned. Please refer to section 91.520(b) for more information on these projects.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

To assist families in avoiding homelessness, the City has supported the Community Partnership for Families youth program, which promotes the mental, emotional, social, and educational well-being of Lodi's youth. This in turn helps them to make positive choices about their future, including efforts at schools and with career opportunities. Some youth come from families that have experienced multi-generational poverty, and this program contributes to ending that cycle through opportunities for educational mentoring, interpersonal communication, skill training, and mapping goals for the individual's future, including their family's future. The Community Partnership program takes a holistic look at family

health as part of its programming and to help improve core factors facing at-risk youth in the City.

The City also supports Second Harvest Food Bank, which helps families teetering on the edge of homelessness. Additionally, some of Lodi's seniors are on fixed incomes and face medical care expenses, often frequently. To assist these residents in meeting everyday living costs, the City assisted LOEL Senior Center with its Meals on Wheels Program. This program serves both hot and cold meals that are tailored to the nutritional and dietary needs of the elderly residents. Meals are delivered directly to seniors, who in turn receive a daily check-in to see if they have any additional needs.

The City's Committee on Homelessness is collaborating with partner organizations to establish a construction trades training program that would be targeted to assist homeless and/or unemployed persons, at-risk youth, those working in low-paying jobs, and any person seeking to obtain the skills necessary to seek gainful employment.

The City continued to work with and provide resources for the Lodi Gang Reduction, Intervention and Prevention (GRIP) program. The GRIP program offers many local services that form a support network for Lodi's at-risk youth. The program leans on Stockton services to provide safe housing for runaway and homeless youth. The GRIP program refers homeless teens to a safe house (teen shelter) that provides housing and transportation services. These services help to steer at-risk youth away from homelessness, while also working to mend family difficulties that may contribute to a higher risk of homelessness.

The City continues to have a strong relationship with the Salvation Army Lodi Corps. Their programs in Lodi offer financial assistance for low income families, food boxes, culinary arts training, job skills, and Hope Harbor Shelter which provides overnight care for men, women, and families with children, transitional living, as well as a cold-weather shelter. Salvation Army offers homeless services, support, and resources such as case management, hot meals offered 365 days a year, showers, clothing exchange, and "pre-program" supportive services to prepare individuals for one of their 6 month rehabilitation programs.

The City works with CA Human Development to help better serve low-income and minority communities in the jurisdiction. CHD's mission is to create opportunities for people to rise above barriers in pursuit of better lives. CHD has been serving under-served farm workers through workforce development and job training for over 50 years. In addition, CHD provides services to low income, disabled, substance abuse recovery clients, individuals with need for citizenship and immigration services, job training, and persons with need for low cost housing. In Lodi, CHD operates the Lodi WorkNet Center and has been providing immigration services from this office for six years in addition to the workforce development programming that is also offered at this location.

Lastly, foster care programs in San Joaquin County are overseen by the Human Services Agency. In California, state law requires public foster care programs to provide an independent living program and that a transition plan be formulated for all youth preparing for emancipation. The City has continued to work with the Human Services Agency and the CoC members to assist youth exiting the foster care system. The City contributed in identifying best practices for keeping youth exiting foster care from becoming homelessness.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The Housing Authority of the County of San Joaquin (HACSJ) continued to be the public housing agency serving the City of Lodi. HACSJ is independent of the City of Lodi, and the City retains no control over its funding or implementation of programs.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

HACSJ encouraged public housing residents to participate in policy, procedure, and program implementation and development through its Resident Advisory Board. HACSJ also distributed newsletters to all residents, which contains relevant news, information on training and employment opportunities, and other community resources available to public housing residents. Public housing residents also participate in the development of the HACSJ five-year and annual plans. The Resident Services Division distributes a survey to prioritize residents' needs and schedule short- and long-term improvements.

Actions taken to provide assistance to troubled PHAs

HACSJ is designated as a "High Performer."

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

In the 2019-20 program year, the City funded the following programs and projects to address the need for actions against affordable housing barriers:

- San Joaquin Fair Housing Services
- California Rural Legal Assistance

A detailed summary of actions taken to address barriers to affordable housing, as outlined by the Analysis of Impediments to Fair Housing Choice, can be found below in section 91.520(a).

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

In the 2019-20 CDBG program year, the City supported the following programs to address underserved needs:

- San Joaquin Fair Housing's housing counseling services, outreach, and seminars.
- California Rural Legal Assistance's fair housing testing and recommended actions to prevent discrimination.
- Second Harvest Food Bank's services to disabled, elderly, youth, and homeless populations and their families.
- Community Partnership for Families of San Joaquin's services, which predominantly serves at-risk youth populations and their families that are at risk of gang influence and activities. Many of the partnership's efforts help to serve Hispanic youth and their families.
- LOEL Senior Center's Meals on Wheels Program for elderly, many of which are disabled and have little ability to have social interaction or access to nutrition on their own.
- CA Human Development's immigration services to low-income minority populations in need of legal and immigration services.
- Salvation Army's Hope Harbor Shelter services to homeless and very low-income individuals in need of overnight shelter, referrals, case management, and access to other supportive service organizations.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

In 2019-20, the City offered the following programs to reduce lead-based paint hazards:

- The City will provide lead-based paint testing as a component of its housing repair and rehabilitation programs when required by HUD regulations. Given the age and condition of Lodi's housing stock, lead-based paint testing is needed in a significant number of homes.
- Lodi had lead-based paint hazards flyers and information at City Hall for those seeking more information or for those who might be affected.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The City strives to insure the CDBG program serves as many poverty-level families as possible. In the 2019-20 program year the City used CDBG funds to fund projects associated with preserving affordable housing, expanding housing and services for the homeless, providing legal and immigration services for minority populations, and providing various social services to low-income families and youth. The City plans to continue to fund activities that closely relate to the 2019-23 Consolidated Plan's Strategic Plan goals, which are largely focused on reducing poverty and supporting low-income areas with various community development activities.

In the 2019-20 program year, the following nonprofits provided these instances of service to Lodi residents:

- Second Harvest Food Bank: Served 2,795 new participants, ultimately serving 550,873 pounds of supplemental food in the City of Lodi
- LOEL Senior Center: Provided 95 homebound seniors nutritious meals five days a week. This program largely helps to assist disabled elderly, many of whom are in need of financial and medical assistance.
- Community Partnership for Families San Joaquin: Provided 151 youth through their support and counseling program. The benefit from their program also goes on to benefit the household of the recipient.
- San Joaquin Fair Housing: Served 566 individuals with housing-related services; their program is a great resource for low-income families that are facing various rental housing issues.
- CA Human Development: Provided immigration services to 101 resident immigrants, along with outreach to over 500 Lodi immigrants and a Citizenship Day celebration in September 2019. CHD also increased services to the Pakistani and Indian population by 12.8%.
- Salvation Army's Hope Harbor Shelter: Served a total of 976 unduplicated individuals over the program year, by providing services such as overnight shelter, referrals, case management, and access to other supportive service organizations

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The City's CDBG-funded programs are administered by the City's Community Development Department, Neighborhood Services Division. This division works collaboratively with other departments/subdivisions, such as Planning, Code Enforcement, and Public Works. Also, City staff is the liaison to the Lodi Improvement Committee and stays updated on Lodi's Committee on Homelessness and the County

Emergency Food and Shelter Program Board. Participation in these committees helps the City's CDBG program stay current and aware of the most pressing community needs, as well as allowing networking and problem-solving with local and regional social service providers, some of which bring in additional resources to the City.

A significant gap in access to social services for Lodi residents is due to a lack of social services in the City. Many services are located outside of Lodi, usually in Stockton. The City's GrapeLine bus system connects to San Joaquin Regional Transit, which goes to Stockton. Residents, however, are often deterred by the cost, number of transfers, and length of trips. Since 2014, the City has encouraged and pursued opportunities for out-of-town service providers to have satellite facilities/offices in Lodi.

In 2015, the City updated its Housing Element, which discusses issues such as multi-family and affordable housing, reviewed existing HUD-funded housing programs, and evaluated their effectiveness.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The City continues to participate in regional coordination of services through the Lodi Committee on Homelessness and other networking opportunities.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

San Joaquin Fair Housing was able to mediate/counsel 566 families in the City of Lodi with a total household size of 1,983 during the 2019 – 2020 program year, which exceeded their intial projections. SJFH hosted one Tenant/Landlord workshop instead of the two that were originally projected. SJFH also participated in two Lodi community events. SFJH had planned another Tenant/Landlord workshop in April, however, due to the COVID-19 pandemic they were unable hold this event.

San Joaquin Fair Housing remained open during the COVID-19 pandemic. SJFH was able to answer questions from tenants and landlords about housing issues impacted by COVID-19, including the moratorium on evictions and general questions about rights & responsibilities from both tenants and landlords. SJFH shared documents for tenants to give to landlords regarding tenant's loss or reduced income due to the pandemic and advised landlords on how they could work with their tenants during this pandemic. SJFH implemented additional public information on their website, as well as an informational table outside of their office, which worked to provide community members with resources.

Overall, SJFH was able to mediate and counsel 6,447 families with a total household of 21,752 in San Joaquin County during the 2019 -2020 fiscal year.

Additionally, the City procured services with CRLA to provide systematic and thorough discrimination testing. CRLA conducted six tests of the five required. Two tests showed unfair treatment based on

national origin. CRLA was not able to conduct follow up Fair Housing outreach at this location due to the COVID-19 Pandemic and County/State-wide stay-at-home orders. CRLA will continue to monitor this housing complex for future testing and fair housing outreach. CRLA conducted two housing complex surveys, exceeding the requirement of surveying one complex. CRLA did not find any unfair treatment at either of these housing complexes, but provided fair housing outreach at both sites.

CRLA made the following recommendations:

- Continue using tests and surveys to investigate barriers to housing choice;
- Consider conducting fair housing outreach at local community events in Lodi
- Continue identification of, and testing at, new rental housing developments;
- Continue conducting outreach to any sites testing positive for discriminatory conduct and surrounding areas to ensure diverse community groups are given an opportunity to participate in the development process; and
- Consider using any test or survey results indicating discrimination to inform educational opportunities for housing consumers, housing providers, housing developers, community-based organizations, and City staff.

SJFH and CRLA met on a quarterly basis during the 2019-20 program year to discuss various issues related to fair housing in San Joaquin County and Lodi. Both agencies work with the same clientele and discuss new ordinances that will affect the clientele they serve in order to ensure they are providing corresponding information.

The City will take actions as recommended from the completed and approved Analysis of Impediments. Actions taken during 2019-20 plan year to overcome the identified impediments are as follows:

1. Lack of sufficient subsidized and unsubsidized affordable housing supply, particularly for low-income special needs households:

- Action: The City made progress in the initial planning and acquisition portions of the HEAP: Tiny Homes project during the 2019-20 program year. This project is set to be complete by June 2021, and will supply approximately four supportive housing units to qualified individuals upon completion.
- Action: The City began to roll out the Housing Rehabilitation and Repairs project during the 2019-20 program year. This project will supply approximately ten qualifying households with critical repairs to their home. This project is expected to be completed by the end of the 2020-21 program year.

2. Lack of available rental housing subsidy for lower-income households.

- Action: The City continues to support HACSJ in its administration of the Housing Choice Voucher rental assistance program, which may include distribution of program information at the Community Development public counter; distribution of program information to rental property owners as part of the City's code enforcement activities; consultations with representatives of

HACSJ to discuss actions the City can take to encourage greater participation in the voucher program by rental property owners; and updating the City's new CDBG website to include a link to the HACSJ website, found here: https://www.hacsjonline.org. During 2019-20, the City of Lodi began to work with the Housing Authority to pursue HOME funding for acquisition and rehabilitation of an existing apartment complex; however, due to change in project schedule, the grant application will be postponed.

3. Different origination and denial rates based on neighborhood.

- Action: The City of Lodi has continued to track fair housing complaints and cases lodged in the City to ensure that lenders are not violating fair housing law with discriminatory lending practices.
- Action: During 2019-20, the City continued outreach to residents about their fair housing rights and how to seek assistance. This was largely done through the specified fair housing programs that are carried out by CRLA and SJFH.
- Action: The City of Lodi continues to support home purchase programs targeted to low/moderate-income households, such as down payment assistance and homeownership mortgage counseling, as long as funding is available. The City may elect to pursue additional funding for down payment assistance at a future time if funding becomes available. The City has identified supporting first-time home buyers as a top priority in upcoming CDBG program years.

4. Lack of information on the nature and basis of housing discrimination and the resources available to seek assistance.

- Action: The City of Lodi has continued to monitor the incidence of housing discrimination complaints and report trends annually in conjunction with the CAPER. Additionally, the City has updated formal policies and procedures for persons with disabilities to request reasonable accommodations to local planning and development standards. Information on the accommodations that a resident can request has been made available online and an ADA compliance officer has been identified as well. Information can be found here: http://www.lodi.gov/675/Website-Accessibility.
- Action: The City of Lodi has continued to include a review of prior year performance regarding affirmatively furthering fair housing in the annual planning for the use of CDBG funds. The City will identify funding support that addresses the removal of impediments or advancing specific fair housing goals. During 2019-20, the City procured services from CRLA to provide housing discrimination testing and surveys at multiple sites throughout the City.
- Action: The City has continued to work with local agencies to improve the collection and reporting of information on discrimination, particularly based on religion, race and ethnicity, age, gender, marital status, presence/absence of children, and household size. These agencies include the apartment associations as well as SJFH and other nonprofit groups that regularly come into contact with groups at risk of housing discrimination.
- Action: The City required that CRLA gather information and report on the types of discrimination that it finds through various methods in their specified activities listed for the 2019-20 program

year. This reporting included research, tenant interviews, and first-hand testing, which is then relayed to the City once the program year has come to a close.

- Action: The City funded CRLA to complete their fair housing testing program. This program conducted fair housing testing to identify the presence of discrimination. Testing included at least five properties each time. As mentioned above, City procured services from CRLA to provide housing discrimination testing at six sites and to conduct two resident surveys.
- Action: The City has continued to work with SJFH to improve outreach to residents at risk of discrimination, using marketing, educational efforts, and partnerships with other agencies (schools, utilities, etc.) to disperse fair housing informational materials. During the 2019-20 program year, the City supported SJFH's project to provide training to landlords in Lodi on fair housing practices, among other best housing discrimination mitigation practices. The organization provided one training and attended two resource fairs in Lodi.

5. Concentration of lower-income households and minority households in less desirable neighborhoods.

- Action: The City encourages a mixture of household incomes in new developments. As part of the Annual Action Plan, the City has continued to track changes in geographic concentrations for lower-income and minority households. Through CDBG funding, the City continues to support projects that target the geographic concentrations of lower-income and minority households. These concentrations continue to be located on the eastern sides of the City. Additionally, the development of an 80-unit affordable senior housing project has been a huge step toward the creation and distribution of affordable housing for low-income disabled elderly households. City staff worked with the developer/management company to ensure that the project has appropriate marketing to Lodi's current low-income and minority communities.

6. Fair housing education:

- Action: The City has continued to display fair housing flyers to educate people about fair housing. During the 2019-20 program year, SJFH conducted outreach on fair housing and attended community events.
- Action: The City published information online about available housing services and programs in the City. Once a year, the City publishes information in Spanish to inform persons fluent in Spanish but with limited English language proficiency about the availability of housing services and programs in the City. The City also has bilingual staff available daily during business hours to assist. During 2019-20, the City posted marketing material in both Spanish and English for fair housing services.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan that will be used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City's CDBG program is currently run by two CDBG program specialists, both of whom carry out the responsibilities associated with the CDBG program. The program specialists oversee reporting requirements, monitor the budget, conduct procurement activities, enforce labor compliance standards, and attend to other tasks. They are available to offer assistance and answer questions from subrecipients and are in contact with each subrecipient, at least quarterly, regarding quarterly reports or other matters. The program specialists are contractors that are part of a team of experienced professionals that the City draws upon for expertise and assistance, as needed. The program specialists have over 11 years of experience in comprehensive implementation of the Consolidated Plan, Housing Element, Analysis of Impediments to Fair Housing, and other planning documents.

The City has developed a monitoring system to ensure that the activities carried out in furtherance of the Consolidated Plan are done so in a timely manner in accordance with the federal monitoring requirements of 24 CFR 570.501(V) and 24 CFR 85.40 and all other applicable laws, regulations, policies, and sound management and accounting practices. The objectives of monitoring are to:

- Determine if a subrecipient is carrying out its community development program, and its individual activities, as described in the application for CDBG assistance and the Subrecipient Agreement.
- Determine if a subrecipient is carrying out its activities in a timely manner, in accordance with the schedule included in the Agreement.
- Determine if a subrecipient is charging costs to the project that are eligible under applicable laws and CDBG regulations, and reasonable in light of the services or products delivered.
- Determine if a subrecipient is conducting its activities with adequate control over program and financial performance, and in a way that minimizes opportunities for waste, mismanagement, fraud, and abuse.
- Assess if the subrecipient has a continuing capacity to carry out the approved project, as well as future grants for which it may apply.
- Identify potential problem areas and assist the subrecipient in complying with applicable laws and regulations.
- Assist subrecipients in resolving compliance problems through discussion, negotiation, and the provision of technical assistance and training.
- Provide adequate follow-up measures to ensure that performance and compliance deficiencies are corrected by subrecipients, and not repeated.
- Comply with the federal monitoring requirements of 24 CFR 570.501(b) and with 24 CFR 84.51 and 85.40, as applicable.

- Determine if any conflicts of interest exist in the operation of the CDBG program, per 24 CFR 570.611.
- Ensure that required records are maintained to demonstrate compliance with applicable regulations.

The City has continued to track and report on its progress toward meeting its housing and community development goals throughout the 2019-20 program year. Pertinent information has been incorporated into this CAPER.

In recent years, the City has updated its monitoring procedures with the following improvements, per HUD's recommendation. The policy lays out staff goals for both desk monitoring and on-site monitoring practices. When desk monitoring, the City reviews each subrecipient's grant performance and financial documentation on a quarterly basis, at minimum. Subrecipients are selected for more in-depth on-site monitoring based on certain criteria, which are listed in the table below. When the City conducts its on-site desk monitoring, staff follows up with the subrecipients as needed to resolve any outstanding items. More specifically, the City's policy was revised to state that 25 percent of subrecipients will be formally monitored (on-site) each program year, and that the following criteria will be used to select them.

Criteria	Rating			Selection
The amount of the applicable award	0 Less than $2,500	1 $2,500 to $10,000	2 More than $10,000	
Completeness and accuracy of quarterly reports and invoices	0 Complete	1 Incomplete but timely to fix	2 Incomplete and long delay in fixing	
Administrative capacity with emphasis on staff turnover	0 Adequate	1 Minimal gaps in capacity	2 Significant gaps in capacity	
Length of time as CDBG subrecipient	0 Less than 1 year	1 At least 1 year	2 2 or more years	
Outcome of any previous monitoring visit	0 No findings	1 Findings resolved within 60 days	2 Findings not resolved within 60 days	
Other factor _____.	0	1	2	
For reasons stated in the "formal monitoring" section	On-site monitoring	On-site monitoring	On-site monitoring	
			Total Score:	

Citizen Participation Plan 91.105(d); 91.115(d)

Description of the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The City will provide a draft of this CAPER to the public for comment 15 days prior to the City Council public hearing on September 16, 2020. The City posted and published a notice regarding the City Council hearing on the draft CAPER.

As a public agency, the City strives to accomplish effective transparency through three methods, which are identified in the written documents: how staff solicits public comment for use of the funding, what the City has proposed to do with the grant funding, and what the City has accomplished with the use of those funds.

This CAPER will be made available to the public for 15 days starting September 2, 2020, and ending September 16, 2020. All comments will be incorporated into the report once they have been received.

The 2019-20 CAPER is set to be reviewed and approved by City Council on September 16, 2020. Upon approval, the CAPER will be submitted to HUD no later than September 30, 2020.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The 2019-20 program year was the first year of implementing the City of Lodi's 2019-23 five-year Consolidated Plan. This Consolidated Plan set forth the priority needs and goals for the CDBG program over a five-year period which spans from July 1, 2019, to June 30, 2023.

In October 2019, HUD approved this plan with a recommendation that the City amend its 2019-23 Consolidated Plan to improve impact and reduce administrative burden. The City completed the recommended amendment in January 2020. During the Consolidated Plan Amendment process, City staff reached out to local residents, community stakeholders, Lodi Improvement Committee members, and Lodi City Council to gather feedback on the prioritization of needs and goals to be revised and selected for the 2019-23 Consolidated Plan. The following is a list of the newly created Strategic Plan priority needs based on the feedback received from the amendment outreach project:

2019-23 Priority Needs:

1. Safer Neighborhoods and More Resident Pride:
    a. Neighborhood watch groups or neighborhood policing
    b. Streetlights (Note: more information to be gathered on issue of lighting)
    c. Garbage clean ups
    d. Graffiti Abatement
    e. Locally empowered leaders

2. Improvements to Community Parks and Green Spaces:
    a. Park cleanup
    b. Park improvements for youth recreational activities
    c. Community gardens

3. Improvements to Infrastructure and Facilities Access:
    a. Alley improvements in CDBG target area
    b. ADA improvements
    c. Sidewalk infill in CDBG target area

4. Fewer Barriers to Affordable Housing:
    a. Create new affordable housing units
    b. Improve affordability of rental units
    c. Improve homeownership
    d. Farmworker housing

5. Improve Housing Conditions:
    a. Critical repair program
    b. Code enforcement

   c. Housing rehabilitation
   d. Rehabilitate affordable housing units

6. Housing for Homeless and At-Risk Homeless:
   a. Transitional/supportive housing units
   b. Emergency units
   c. Housing/rental assistance vouchers

7. Services for Children/Youth:
   a. Childcare
   b. After-school programs
   c. Gang prevention
   d. Homework help
   e. Mental health

8. Services for very-low income adults, seniors, disabled (priority populations):
   a. Meal and emergency food services
   b. Mental health
   c. General supportive services

9. Services for Homeless/At-Risk Homeless Individuals:
   a. Mental Health Services
   b. General assistance
   c. Job training and employment opportunities
   d. Domestic violence and emergency health services

10. Support Fair Housing Services (HUD requires this through AFFH rule)

11. More Local Leaders:
    a. ABCD Program
    b. Youth leadership

Additionally, the following goals represent the new amended goals of the 2019-23 CDBG Consolidated Plan, in which each goal was created to address each priority need. These goals are outlined by the Strategic Plan section of the 2019-23 Consolidated Plan:

2019-23 Goals:

1. Promote Safer Neighborhoods
2. Improve Community Parks and Green Space in CDBG target area
3. Infrastructure and Facility Improvements
4. Increase and Maintain Supply of Affordable Housing
5. Build Capacity in CDBG Target Area

6. Support Public Service Programs for Priority Populations
7. Affirmatively Further Fair Housing
8. Improve Housing Affordability
9. Support Programs and Projects that Reduce and Prevent Homelessness
10. Create and Promote Housing for Homeless Populations

The City of Lodi used a needs-based approach and a place-based approach to develop its strategies for selecting priority activities over the course of the next five-year planning period. The needs-based approach sought to find and examine where deficiencies or gaps existed and then directed grant resources toward filling those gaps. The place-based approach focused on prioritizing particular geographies or physical locations in the City. Additionally, the City used an assets-based strategy. While CDBG regulations and methodology principally rely on a needs-based approach, the City recognizes and values the assets-based approach as an effective way to make lasting improvements in the community and a method that better engages and empowers community members who may have been unengaged in previous processes or passive beneficiaries of such activities. Through the City's recent involvement with the Asset-Based Community Development (ABCD) program (called ABCD: Love Your Block), the City will look for opportunities to grow existing assets and involve residents in the creation and design of priority activities, in partnership with the City and other community stakeholders and resources.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

N/A

RESOLUTION NO. 2020-_____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE 2019-20 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

==========

WHEREAS, the Department of Housing and Urban Development (HUD) has determined that the City of Lodi may receive an annual allocation of Community Development Block Grant (CDBG) funds as an entitlement community; and

WHEREAS, the 2019-20 CAPER describes the programs and activities accomplished during that program year, in which the City received $624,641 in federal CDBG funds; and

WHEREAS, the 2019-23 Consolidated Plan and 2019-20 Annual Action Plan was adopted by the City Council on May 1, 2019, and approved by the U.S. Department of Housing and Urban Development (HUD) in October 2019; and

WHEREAS, the 2019-23 Consolidated Plan and 2019-20 Annual Action Plan were amended in January 2020 and adopted by the City Council on January 15, 2020; and

WHEREAS, the City of Lodi has held, with proper notification and at the completion of the mandated public comment period, a public hearing at the City Council meeting of September 16, 2020, to receive comments on the draft CAPER.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the final 2019-20 CAPER that is to be submitted to HUD by September 30, 2020.

Dated: September 16, 2020

==========

I hereby certify that Resolution No. 2020-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER CUSMIR
City Clerk

SUBJECT:

2019-20 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
NOTICE OF 15-DAY PUBLIC REVIEW AND COMMENT PERIOD AND PUBLIC HEARING FOR 2019-20 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT

PUBLISH (DATES): August 15, 2020

ACCT#: 20104930

TEAR SHEETS WANTED: 1 EXTRA (ONLY)

DELIVER TO: Community Development Dept.

AFFIDAVIT & BILL TO: Community Development - CDBG
City of Lodi
221 W. Pine Street
Lodi, CA 95241

DATE: August 12, 2020

ORDERED BY: Patrice Clemons

TITLE: CDBG Program Specialist

LEGAL NOTICE

2019-20 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
NOTICE OF 15-DAY PUBLIC REVIEW AND COMMENT PERIOD AND PUBLIC HEARING FOR 2019-20 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT

NOTICE is hereby given that on **Wednesday, September 16, 2020** at **7:00 p.m.**, or as soon thereafter as the matter may be heard, the City Council of the City of Lodi will hold a Public Hearing at the **City of Lodi City Hall, located at 305 West Pine Street, Lodi,** to consider the following:

ADOPTION OF THE 2019-20
CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Note: *Due to precautions surrounding the current COVID-19 pandemic, public attendance guidelines for City Council Public Hearings may vary. Members of the public are advised to check the Public Hearing Agenda at the following link for specific instructions for attending this meeting: http://www.lodi.gov/AgendaCenter/City-Council-5/. If you have any questions, you may contact the Clerk Office by email at cityclerk@lodi.gov, by phone at (209) 333-6702, or by checking the website at www.lodi.gov/154/City-Clerk.*

The Community Development Block Grant (CDBG) is a federal grant program administered by the U.S. Department of Housing and Urban Development (HUD). The grant program provides communities with funds for public facility improvements, social services, economic development, affordable housing, fair housing, and other neighborhood improvements.

The 2019-2020 CAPER describes the projects and activities undergone during the 2019-20 CDBG program year, in which the City received $624,641 in Federal CDBG funds. The community is invited to review and comment on the 2019-20 CAPER, which reports on the expenditures and accomplishments of the projects undergone in the 2019-20 CDBG program year.

The 2019-20 CAPER is available for public review and comment for 15 days starting September 2, 2020 and ending September 16, 2020. Once the public review period begins, you can view the CAPER at City of Lodi, City Hall, 305 West Pine Street, or the City CDBG webpage at http://ww.lodi.gov/183. Copies will be made available upon request and are free of charge. Written comments and questions regarding this matter may be directed to: Patrice Clemons, (209) 269-4529, pclemons@lodi.gov.

The release of this notice is part of the City's obligation to fulfill citizen participation requirements. Federal regulations require localities to provide the public with reasonable access to all CDBG documents.

Notice of Non-Discrimination on the Basis of Disability and Reasonable Accommodation

The City promotes fair housing and makes all its programs available to low- and moderate-income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status or handicap. The City of Lodi does not discriminate in admission or access to, or treatment or employment in, its federally assisted programs and activities on the basis of disability. Reasonable accommodations will be made available to the disabled, upon request. Translators/Translation services are also available upon request. Any questions, concerns or requests related to these Notices should be directed to the following person: Patrice Clemons, (209) 269-4529.

DECLARATION OF POSTING

ADOPTION OF THE 2019-20 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

On Monday, August 17, 2020, in the City of Lodi, San Joaquin County, California, a notice of public hearing for Adoption of the 2019-20 Consolidated Annual Performance Evaluation Report (CAPER) For the Community Development Block Grant Program was posted at the following locations:

Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum
WorkNet Office

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 17, 2020, at Lodi, California.

ORDERED BY:

JENNIFER CUSMIR
CITY CLERK

Kaylee Clayton

PAMELA M. FARRIS
DEPUTY CITY CLERK

KAYLEE CLAYTON
ADMINISTRATIVE CLERK

LEGAL NOTICE

2019-20 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
NOTICE OF 15-DAY PUBLIC REVIEW AND COMMENT PERIOD AND PUBLIC HEARING FOR 2019-20
CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT

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ADOPTION OF THE 2019-20
CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

***Note**: Due to precautions surrounding the current COVID-19 pandemic, public attendance guidelines for City Council Public Hearings may vary. Members of the public are advised to check the Public Hearing Agenda at the following link for specific instructions for attending this meeting: http://www.lodi.gov/AgendaCenter/City-Council-5/. If you have any questions, you may contact the Clerk Office by email at cityclerk@lodi.gov, by phone at (209) 333-6702, or by checking the website at www.lodi.gov/154/City-Clerk.*

The Community Development Block Grant (CDBG) is a federal grant program administered by the U.S. Department of Housing and Urban Development (HUD). The grant program provides communities with funds for public facility improvements, social services, economic development, affordable housing, fair housing, and other neighborhood improvements.

The 2019-2020 CAPER describes the projects and activities undergone during the 2019-20 CDBG program year, in which the City received $624,641 in Federal CDBG funds. The community is invited to review and comment on the 2019-20 CAPER, which reports on the expenditures and accomplishments of the projects undergone in the 2019-20 CDBG program year.

The 2019-20 CAPER is available for public review and comment for 15 days starting September 2, 2020 and ending September 16, 2020. Once the public review period begins, you can view the CAPER at City of Lodi, City Hall, 305 West Pine Street, or the City CDBG webpage at http://ww.lodi.gov/183. Copies will be made available upon request and are free of charge. Written comments and questions regarding this matter may be directed to:

Patrice Clemons, (209) 333-6800 x3404, pclemons@lodi.gov.

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Notice of Non-Discrimination on the Basis of Disability and Reasonable Accommodation

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CDBG Program Specialist
Patrice Clemons
Dated: August 2020

AVISO LEGAL

SUBVENCIÓN EN BLOQUE PARA EL DESARROLLO COMUNITARIO PARA EL 2019-20(CDBG)
AVISO SOBRE EL PLAZO DE 15 DIAS PARA QUE EL PÚBLICO PUEDA REVISAR Y HACER COMENTARIOS PERTINENTE AL PLAN DE ACCION ANUAL PARA EL 2019-20 Y PARA UNA AUDIENCIA PÚBLICA SOBRE EL MISMO

POR MEDIO DEL PRESENTE SE NOTIFICA QUE, el **miércoles 16 de Septiembre de 2020** a las 7:00p.m. o tan pronto se le pueda dar audiencia al tema, el Consejo Municipal de la Ciudad de Lodi llevara a cabo una Audiencia Pública en la **Cámara del Consejo Municipal ubicada en el 305 West Pine Street, Lodi,** para considerar lo siguiente:

PARA ADOPTAR EL INFORME ANUAL CONSOLIDADO DE EVALUACION SOBRE EL RENDIMIENTO (CAPER –*siglas en Ingles***) PERTINENTE AL PROGRAMA DE SUBVENCIÓN EN BLOQUE PARA EL DESARROLLO COMUNITARIO PARA EL 2019-20**

Nota: Debido a las precauciones respecto a la pandemia actual sobre el COVID-19, las pautas de asistencia o comparecencia del público a las Audiencias Públicas del Consejo Municipal pueden variar. A los miembros del público se les aconseja que consulten la Agenda de Audiencia Publica en el siguiente enlace para obtener instrucciones específicas para asistir o acudir a esta reunión: http://www.lodi.gov/agendaCenter/City-Council-5/. Si tiene alguna pregunta, puede comunicarse con la oficina de la Actuaria Municipal por correo electrónico a cityclerk@lodi.gov o por teléfono llamando al (209)333-6702 o consultando el sitio web www.lodi.gov/154/City-Clerk.

La Subvención en Bloque para el Desarrollo Comunitario (CDBG) es un programa de subsidio federal administrado por el Departamento de Vivienda y Desarrollo Urbano (HUD). El programa de subsidio les proporciona a comunidades fondos para mejoras de instalaciones públicas, servicios sociales, desarrollo económico, vivienda asequible, vivienda justa y otros mejoramientos en los vecindarios.

El Informe Anual Consolidado de Evaluación Sobre el Rendimiento (CAPER) para el 2019-20 describe los proyectos y actividades que acontecieron durante el año 2019-2020 pertinente al Programa de Subvención en Bloque para el Desarrollo Comunitario en el cual la Ciudad recibió $624,641 en fondos Federales de CDBG. Se invita a la comunidad a revisar y hacer comentarios sobre el Informe Anual Consolidado de Evaluación sobre el Rendimiento (CAPER) para el año 2019-20 el cual reporta los gastos y logros de los proyectos que se llevaron a cabo durante el año 2019-20 pertinente al programa de subvención en bloque.

El Informe Anual Consolidado de Evaluación sobre el Rendimiento (CAPER) 2019-20 está disponible para revisión y para que se puedan hacer comentarios por 15 días iniciando el 2 de Septiembre de 2020 y terminando el 16 de Septiembre de 2020. Puede mirar el Informe Anual Consolidado de Evaluación sobre el Rendimiento (CAPER) en el City Hall of Lodi, City Hall en el 305 West Pine Street, o en el sitio web del municipio http://ww.lodi.gov/183. Habrá copias gratuitas disponibles si las solicita. Comentarios por escrito y preguntas pertinentes a este tema pueden ser dirigidas a: Patrice Clemons, (209) 269-4529, pclemons@lodi.gov.

La publicación de este aviso es parte de la obligación que la Ciudad tiene para poder cumplir con los requisitos de participación de sus ciudadanos. Las regulaciones Federales requieren que localidades les proporcione al público acceso razonable a todos los documentos de CDBG (Programa de Subvención en Bloque).

Aviso de No-Discriminación por Motivos de Discapacidad y Acomodación Razonable

La Ciudad promueve la equidad de vivienda y pone todos sus programas disponibles a las familias de ingresos bajos y moderados, sin importar la edad, raza o etnia, color, religión, sexo, origen nacional, preferencia sexual, estado civil o incapacidad.
La Ciudad de Lodi no discrimina en la admisión o acceso a, o tratamiento o empleo en sus programas y actividades subvencionadas federalmente por razones de incapacidad. Bajo solicitud, se les roporcionará acomodaciones razonables a las personas discapacitadas. De ser solicitado, también los servicios de traducción e interpretación se les harán disponibles. Cualquier pregunta, inquietud o solicitud respecto estos avisos deben ser dirigidas a la siguiente persona: Patrice Clemons, (209) 269-4529.

Perito en el Programa CDBG
Patrice Clemons
Fechada: Agosto 2020

AGENDA ITEM H-01

CITY OF LODI
COUNCIL COMMUNICATION

AGENDA TITLE: Provide Status Update and Presentation, and Receive Council Direction on Zupo Field

MEETING DATE: September 16, 2020

PREPARED BY: Parks, Recreation and Cultural Services Interim Director and Deputy Director

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RECOMMENDED ACTION: Provide status update and presentation, and receive Council direction on Tony Zupo Field.

BACKGROUND INFORMATION: On Sunday, September 22, 2019, at approximately 5 pm, the iconic and historic Zupo Field press box, office and main grandstand area (built in 1924) were destroyed by fire due to arson.

Demolition and site-safety remediation of the main grandstand and bleacher areas took place from Monday, September 30 through October 22, 2019; damaged materials were removed, and the site was restored to safe conditions (non-public use). Risk Management took the lead on coordinating the demolition contractor, insurance adjustor, and third party construction engineering firm. Public Works oversaw the onsite demolition operations. In February 2020, only minor repair work was completed to allow for safe use of the field and remaining left and right field bleachers. Only a few uses by LUSD teams for pre-season baseball occurred prior to the State Stay-at-Home order shutting down all park facilities.

Below please find the following: insurance settlement projections, ADA compliance and building code requirements, information regarding preliminary estimates to rebuild/replace, and community support and sentimentality considerations.

Insurance Consideration / Reports	Value	Comments
City Deductible	**$250,000**	General Liability Fund (Fund 600); This fund was created and funded to serve as a self-insured risk fund for exposures of this type.

APPROVED: _____

Stephen Schwabauer, City Manager

Actual Cash Value (ACV) Estimate	**$639,818** **(250,000)** **$389,818**	Walk away amount; what the City would receive (minus the $250,000 deductible) if a decision was made to NOT rebuild.
Like Kind/Quality Replacement Estimate	**$709,358**	NOTE: Does not include figures for ADA/building code compliance; however, these costs, along with lost revenue projections during construction, would be covered by insurance.

ADA Compliance
Public Works and PRCS staff met with the City's Building Inspector and were advised of the following ADA/building code requirements:

1. Any replacement bleachers will require wheelchair access (a ramp) to the new bleachers.
2. Improvements to the site (including bleacher replacement) will require the restrooms to be upgraded to meet current accessibility requirements.
3. The replacement of the Press Box will not require an accessible route if it is at least 12' above the ground and that it is less than 500 square feet in size.

Preliminary Estimates to Rebuild or Replace
PRCS staff is working on "preliminary estimates only" for stadium seating and press box replacement. The property loss is extensive and includes not only the stadium seating, but also the grandstand framework, shade canopy, press box, storage area, public address system and speakers, scoreboard controller, damage to the irrigation system and more. A complete cost estimate to rebuild/replace the site can only be generated when a conceptual seating design, including ADA required upgrades to the entire site, have been integrated into a new site design by an architectural firm. Plans, specifications and authorization for bidding would then be brought to Council for approval.

Community Support and Sentimentality
Immediately following the fire event, several community groups reached out to the City/PRCS staff expressing interest in fundraising to assist in rebuilding. Groups included: Lodi Community Foundation, Stockton Ports Baseball Team/Minor League Baseball, and informally-organized friends of Zupo Field. Staff informed these groups that funds could not be received until direction was provided from Council as to the future of the field.

Project Options
Staff is seeking direction from Council on the following **three decision options (A, B and/or C)**:

Actions		Description
A	**Walk away from site** with no rebuild of grandstand seating and press box.	ACV estimate less deductible ($639,818 - $250,000 = **$389,358**)
B	**REBUILD** - Like Kind/ Quality Replacement	Staff should proceed with plans to rebuild a like kind/quality replacement by gathering estimates and preliminary design work, including a complete project budget. Council advises staff to return for final Council approval of a site rebuild at $709,358, plus additional construction costs for architect and engineering services and ADA/building code compliance upgrades.
C	Community **Fundraising**	Direct community fundraisers to Lodi Community Foundation: Should staff accept donations from community groups and direct them through the community foundation for ultimate investment into Tony Zupo Field project account.

FISCAL IMPACT: General Liability Fund would be used to cover deductible.

FUNDING AVAILABLE: Adequate funding levels are available in the General Liability Fund to cover the deductible.

_____
Andrew Keys, Deputy City Manager/Internal Services Director

_____
Anwan Baker
Interim Parks, Recreation and Cultural Services Director

AB\CD:tl

cc: City Attorney

Parks, Recreation and Cultural Services

Tony Zupo Baseball Field

September 16, 2020

Situational Analysis

- One year ago historic Zupo Field press box, office and main grandstand area (built in 1924) were destroyed by fire due to arson
- Only site-safety remediation and minor repair work conducted to-date
- Insurance Claim still outstanding
- Community support / sentimentality
- Rebuild Options

Insurance

Insurance Considerations	Value	Comments
City Deductible	$250,000	General Liability Fund (Fund 600); This fund was created and funded to serve as a self-insured risk fund for exposures of this type.
Actual Cash Value (ACV) Estimate	$639,818 (250,000) $389,818	Walk away amount; what the city would receive (minus the $250,000 deductible) if a decision was made to NOT rebuild.
Like Kind/Quality Replacement Estimate	$709,358	NOTE: Does not include figures for ADA/building code compliance; however, these costs, along with lost revenue projections during construction, would be covered by insurance.

ADA Considerations

- Bleachers require wheelchair access
- Restroom access improvements required
- Press Box will not require an accessible route provided it is at least 12’ above the ground and less than 500 sq. ft.

Community Support

- Lodi Community Foundation
- Stockton Ports Baseball Team
- Informally-organized “Friends of Zupo Field”
- Staff informed these groups that funds could not be received until Council provides direction

Project Options

A	**Walk away from site with no rebuild of grandstand seating and press box.**	**ACV estimate less deductible ($639,818 - $250,000 = $389,358)**
B	REBUILD - Like Kind/ Quality Replacement	Staff should proceed with plans to rebuild a like kind/quality replacement by gathering estimates and preliminary design work, including a complete project budget. Council advises staff to return for final council approval of a site rebuild at $709,358, plus additional construction costs for architect and engineering services and ADA/building code compliance upgrades.
C	Community Fundraising	Direct community fundraisers to Lodi Community Foundation: Should staff accept donations from community groups and direct them through the community foundation for ultimate investment into Tony Zupo Field project account.

Thank you!

Q & A