LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

TM

AGENDA – REGULAR MEETING

Date: **January 4, 2006**
Time: **Closed Session 5:30 p.m.**
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:
Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

a) Actual litigation: Government Code §54956.9(a); one case; *People of the State of California; and the City of Lodi, California v. M & P Investments, et al.*; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

b) Actual litigation: Government Code §54956.9(a); one case; *Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al.*, Superior Court, County of San Francisco, Case No. 323658

c) Actual litigation: Government Code §54956.9(a); one case; City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Francisco Superior Court, Case No. CGC-05-441976

d) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(B) regarding exposure to San Joaquin County for alleged non-compliance with underground storage tank regulations at Municipal Service Center and the old Public Safety Building

e) Conference with City Manager Blair King (Acting Labor Negotiator) regarding International Brotherhood of Electrical Workers, pursuant to Government Code §54957.6

f) Public Employment – Regarding One Position – Title: Electric Utility Director, pursuant to Government Code §54957

C-3 Adjourn to Closed Session

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

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

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

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations

a) Martin Luther King, Jr. Day

D-3 Presentations

a) Presentations regarding Lodi's Centennial:

- Proclamation(s)
- Police Centennial Badge
- Tree Lodi introduction and "Growing the Next 100 Years" Project
- Lodi Centennial Task Force introduction
- "Wall Dogs" Mural Project
- Unveiling of the Centennial banner
- 100th Year "birthday" cake

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

E-1 Receive Register of Claims in the amount of $2,251,289.10 (FIN)

E-2 Approve minutes (CLK)
a) December 7, 2005 (Regular Meeting)
b) December 13, 2005 (Shirtsleeve Session)
c) December 20, 2005 (Shirtsleeve Session)
d) December 20, 2005 (Special Meeting)

E-3 Authorize the sale of scrap wire and metal during 2006 (EU)

Res. E-4 Adopt resolution approving an extension of the existing contract for Maintenance of Landscape Areas for 2006 for Groups A and C, and adding Irrigation Maintenance for Group C to Odyssey Landscape Companies for a total of $89,866.12 (PW)

Res. E-5 Adopt resolution approving specifications, authorizing advertisement for bids for Maintenance of Landscape Areas for 2006 Group B – Lower Sacramento Road and Adjacent Landscape Areas, and authorizing City Manager to award or reject the contract up to $90,000 (PW)

Res. E-6 Adopt resolution accepting improvements at 2111 W. Kettleman Lane (PW)

Res. E-7 Adopt resolution awarding contract for Water Meter Installation Project to Arrow Construction of Modesto, and authorize the City Manager to execute the contract (project est. $85,000) (PW)

Res. E-8 Adopt resolution awarding contract for Water Meter Purchase to Hersey Water Meter Company of Elk Grove (project est. $70,000) (PW)

E-9 Approve plans and specifications and authorize advertisement for bids for Elevated Water Tank Recoating Project (PW)

E-10 Re-set public hearing for February 1, 2006 to consider resolution adopting the San Joaquin County Regional Transportation Impact Fee (RTIF) and authorize City Manager to execute Fee Program Operating Agreement (PW)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

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

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

I. Public Hearings

I-1 Public hearing to consider: a) adoption of ordinance establishing wastewater development impact fees, and b) resolution approving Wastewater Capacity Impact Fee and "High Strength Users" service fees: (PW)

Ord. (Adopt) a) Ordinance No. 1768 entitled, "An Ordinance of the City Council of the City of Lodi amending Lodi Municipal Code relating to the establishment of wastewater development impact fees by amending Lodi Municipal Code Title 13 – Public Services – Chapter 13.12, "Sewer Service," by repealing and reenacting Sections 13.12.020 (5) and (45), 13.12.180 (A), and 13.12.190; and further amending Title 15 – Buildings and Construction – Chapter 15.64, "Development Impact Mitigation Fees," by amending Section 15.64.10 – adding new paragraph "F" and relettering paragraphs (G) and (H) – repealing and reenacting Sections 15.64.030 (A) and 15.64.040, amending Section 15.64.060 – adding paragraph "C" – and repealing and reenacting Section 15.64.070 (B)" (CLK)

Res. b) Adopt resolution approving Wastewater Capacity Impact Fee and "High Strength Users" service fees

Res. I-2 Public hearing to consider adoption of resolution levying annual (2006) assessment for Downtown Lodi Business Improvement Area No.1 and confirming the Downtown Lodi Business Partnership 2005-06 Annual Report (CM)

J. Communications

J-1 Claims filed against the City of Lodi – None

J-2 Appointments

a) Appointments to Senior Citizens Commission, Site Plan and Architectural Review Committee, and San Joaquin County Mosquito and Vector Control (CLK)

b) Post for vacancy on Lodi Animal Shelter Task Force (CLK)

J-3 Miscellaneous – None

K. Regular Calendar

K-1 Discuss and select project nominations for San Joaquin Council of Government's One Voice trip (PW)

Res. K-2 Adopt resolution ratifying employment agreement entered into between City Manager Blair King and Electric Utility Director (CM)

K-3 Receive update on status of the Community Separator/Greenbelt Task Force and provide input to staff regarding future direction of the Task Force (CD)

K-4 Authorize staff to release Request for Proposal (RFP) for professional consulting services to: 1) update Lodi's 1991 General Plan, 2) complete a new Traffic Model, and 3) update the existing Parks and Recreation Master Plan (CD)

Ord. (Introduce) K-5 Introduce ordinance amending Lodi Municipal Code Title 12 – Streets, Sidewalks, and Public Places, by adding Chapter 12.03, "Sidewalks" to place sidewalk maintenance responsibilities and liability on the adjoining property owner as permitted under state law (CA)

Ord. (Introduce) K-6 Introduce ordinance amending Lodi Municipal Code Title 12 – Streets, Sidewalks, and Public Places, by adding Article VI, "Waterfowl and Migratory Birds" to prohibit the feeding of any waterfowl or migratory birds in any public park or on any public lake (PR/CA)

Res. K-7 Adopt resolution approving the extension of an amended Memorandum of Understanding between the City of Lodi and Local 1245 International Brotherhood of Electrical Workers (IBEW), AFL-CIO (CM)

K-8 Provide preliminary and non-binding policy direction regarding electric rate design/structure for future adjustment to base rates by transferring rates from Market Cost Adjustment charges to Base Rate charges, i.e. "Truing up the Electric Rates" (EUD)

L. Ordinances

Ord. (Adopt) L-1 Ordinance No. 1767 entitled, "An Ordinance of the City Council of the City of Lodi amending Title 15, "Buildings and Construction," of the Lodi Municipal Code by Adding Chapter 15.65 Relating to the Establishment of the San Joaquin County Regional Transportation Impact Fee Program" (CLK)

M. Adjournment

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

_____
Susan J. Blackston
City Clerk

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Martin Luther King, Jr. Day

MEETING DATE: January 4, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Mayor Hitchcock present a proclamation proclaiming January 16, 2006, as Martin Luther King, Jr. Day in the City of Lodi.

BACKGROUND INFORMATION: Patty Radotich, Vice President of the Breakthrough Project, will be at the meeting to accept the proclamation.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

_____
Susan J. Blackston
City Clerk

SJB/JLT

APPROVED: _____
Blair King, City Manager

council/councom/Presentation2.doc

AGENDA ITEM D-03a

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Presentations regarding Lodi's Centennial

MEETING DATE: January 4, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Mayor Hitchcock accept Lodi's Centennial proclamations and introduce presentations.

BACKGROUND INFORMATION: Lodi was incorporated on December 6, 1906. Plans are underway to have a year long celebration of Lodi's Centennial throughout 2006. The Centennial presents a rare opportunity to reflect on the past 100 years, give special recognition to those events or people who made the greatest contributions to the City, and enhance the community by leaving markers of this Centennial milestone through commemorations.

The first City Council meeting of Lodi's Centennial year (January 4, 2006) will include the following presentations:

- Proclamation(s)
- Police Centennial Badge
- Tree Lodi introduction and "Growing the Next 100 Years" Project
- Lodi Centennial Task Force introduction
- "Wall Dogs" Mural Project
- Unveiling of the Lodi Centennial banner
- 100th Year "birthday" cake

_____
Susan J. Blackston
City Clerk

APPROVED: _____
Blair King, City Manager

council/councom/Presentation1.doc

AGENDA ITEM D-03a

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Police Centennial Badge General Order

MEETING DATE: January 4, 2006

PREPARED BY: Jerry J. Adams, Chief of Police

RECOMMENDED ACTION: Chief Jerry Adams will present General Order #33 introducing the Police Centennial Badge, which is the official badge of the Lodi Police Department during 2006.

BACKGROUND INFORMATION: The Chief and various police staff will be present to display the Lodi Police Centennial Badge and the replica Lapel Pin to the Council.

FISCAL IMPACT: None

_____
Jerry J. Adams
Chief of Police

JJA:sm
Attachment: LPD General Order 33
cc: City Attorney

APPROVED: _____
Blair King, City Manager

AGENDA ITEM **E-01**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Receive Register of Claims Dated December 20, 2005 in the Amount of $2,251,289.10

MEETING DATE: January 4, 2006

PREPARED BY: Management Analyst

RECOMMENDED ACTION: That the City Council receives the attached Register of Claims. The disclosure of the PCE/TCE expenditures is shown as a separate item on the Register of Claims.

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of $2,251,289.10 dated 12/20/2005 which includes PCE/TCE payments of $6,193.00

FISCAL IMPACT: n/a

FUNDING AVAILABLE: As per attached report.

_____
Ruby R Paiste, Interim Finance Director

RRP/kb

Attachments

APPROVED: _____
Blair King, City Manager

Accounts Payable Page - 1
Council Report Date - 12/20/05

As of Thursday	Fund	Name	Amount
12/08/05	00100	General Fund	487,755.77
	00160	Electric Utility Fund	2,757.82
	00161	Utility Outlay Reserve Fund	1,772.53
	00164	Public Benefits Fund	3,793.31
	00170	Waste Water Utility Fund	14,786.97
	00172	Waste Water Capital Reserve	240.00
	00180	Water Utility Fund	3,395.31
	00181	Water Utility-Capital Outlay	601.84
	00182	IMF Water Facilities	2,610.00
	00210	Library Fund	12,595.29
	00270	Employee Benefits	18,103.35
	00300	General Liabilities	1,215.00
	00310	Worker's Comp Insurance	1,146.16
	00325	Measure K Funds	709.48
	00340	Comm Dev Special Rev Fund	1,343.06
	01211	Capital Outlay/General Fund	3,532.40
	01241	LTF-Pedestrian/Bike	702.00
	01250	Dial-a-Ride/Transportation	91.40
	01410	Expendable Trust	5,576.31
Sum			562,728.00
	00183	Water PCE-TCE	6,193.00
Sum			6,193.00
Total for Week			
Sum			568,921.00

Accounts Payable Page - 1
Council Report Date - 12/20/05

As of Thursday	Fund	Name	Amount
12/15/05	00100	General Fund	768,151.44
	00160	Electric Utility Fund	44,350.28
	00161	Utility Outlay Reserve Fund	735.29
	00164	Public Benefits Fund	1,978.67
	00170	Waste Water Utility Fund	14,285.00
	00171	Waste Wtr Util-Capital Outlay	11,485.23
	00172	Waste Water Capital Reserve	10,340.00
	00180	Water Utility Fund	306,032.76
	00181	Water Utility-Capital Outlay	11,091.50
	00182	IMF Water Facilities	2,960.00
	00210	Library Fund	4,588.24
	00234	Local Law Enforce Block Grant	269.38
	00270	Employee Benefits	334,569.19
	00326	IMF Storm Facilities	83,692.31
	00327	IMF(Local) Streets Facilities	30,436.70
	00340	Comm Dev Special Rev Fund	33,055.19
	00444	State Park Grant	2,433.98
	00501	Lcr Assessment 95-1	1,337.32
	01217	IMF Parks & Rec Facilities	11,905.87
	01250	Dial-a-Ride/Transportation	6,869.75
	01410	Expendable Trust	1,800.00
Sum			1,682,368.10

Total for Week
Sum 1,682,368.10

Council Report for Payroll Page - 1
Date - 12/20/05

Payroll	Pay Per Date	Co	Name	Gross Pay
Regular	12/04/05	00100	General Fund	941,734.81
		00160	Electric Utility Fund	147,659.07
		00164	Public Benefits Fund	5,053.20
		00170	Waste Water Utility Fund	74,038.84
		00180	Water Utility Fund	9,230.26
		00210	Library Fund	30,629.49
		00235	LPD-Public Safety Prog AB 1913	287.76
		00340	Comm Dev Special Rev Fund	35,653.53
		01250	Dial-a-Ride/Transportation	2,852.17
Pay Period Total:				
Sum				1,247,139.13

AGENDA ITEM E-02

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Approve Minutes
a) December 7, 2005 (Regular Meeting)
b) December 13, 2005 (Shirtsleeve Session)
c) December 20, 2005 (Shirtsleeve Session)
d) December 20, 2005 (Special Meeting)

MEETING DATE: January 4, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council approve the following minutes as prepared:
a) December 7, 2005 (Regular Meeting)
b) December 13, 2005 (Shirtsleeve Session)
c) December 20, 2005 (Shirtsleeve Session)
d) December 20, 2005 (Special Meeting)

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

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

_____
Susan J. Blackston
City Clerk

SJB/JMP

Attachments

APPROVED: _____
Blair King, City Manager

council/councom/Minutes.doc

EXHIBIT A

LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 7, 2005

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of December 7, 2005, was called to order by Mayor Beckman at 5:30 p.m.

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

Absent: Council Members – None

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

C-2 ANNOUNCEMENT OF CLOSED SESSION

a) Prospective lease of 230 West Elm Street (Dept. L-1) and 215 West Elm Street (L-3), Lodi, California; the negotiating parties are the City of Lodi and County of San Joaquin relating to court office space; price and terms are under negotiation; Government Code §54956.8

b) Conference with Blair King, City Manager (Acting Labor Negotiator), regarding Fire Mid-Management pursuant to Government Code §54957.6

c) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(B) regarding exposure to San Joaquin County for alleged non-compliance with underground storage tank regulations at Municipal Service Center and the old Public Safety Building

d) Actual litigation: Government Code §54956.9(a); one case; *People of the State of California; and the City of Lodi, California v. M & P Investments, et al*.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

e) Actual litigation: Government Code §54956.9(a); one case; *Peter Rose et al. v. the City of Lodi, et al*.; United States District Court, Eastern District of California, Case No. CIV.S-05-02229

C-3 ADJOURN TO CLOSED SESSION

At 5:30 p.m., Mayor Beckman adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 7:08 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:13 p.m., Mayor Beckman reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions:

In regard to Items C-2 (a), (c), (d), and (e) no reportable action was taken in closed session.

In regard to Item C-2 (b) Council voted 4-1, with Council Member Johnson dissenting, to grant a 2.4% Cost of Living Adjustment to Fire Mid-Managers retroactive to July 2005.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of December 7, 2005, was called to order by Mayor Beckman at 7:13 p.m.

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

Absent: Council Members – None

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

B. INVOCATION

The invocation was given by Pastor Chris Chavez, Heartland Community Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Beckman.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 (a) Mayor Beckman announced that representatives of all Lodi religious organizations received the Mayor's Community Service Award at the November 30, 2005, Special Joint Meeting.

D-2 Proclamations – None

D-3 (a) Dennis Lewis, President of Lodi Adopt-A-Child, described the history of the Adopt-A-Child Christmas Program and encouraged all community members to participate.

E. CONSENT CALENDAR

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

E-1 Claims were approved in the amount of $5,808,273.42.

E-2 The minutes of November 1, 2005 (Shirtsleeve Session), November 1, 2005 (Special Meeting), November 2, 2005 (Regular Meeting), November 19, 2005 (Special Meeting), November 22, 2005 (Shirtsleeve Session), November 22, 2005 (Special Meeting), and November 30, 2005 (Special Joint Meeting w/Faith Community) were approved as written.

E-3 Adopted Resolution No. 2005-248 approving specifications for a Compressed Natural Gas (CNG) Packaged Electric Motor Drive Compressor System for the Municipal Service Center CNG Fueling Station Expansion and authorizing the City Manager to negotiate a contract to award to GreenField Compression, Inc., as the sole supplier, in an amount not to exceed $182,000.

E-4 "Adopt resolution authorizing the City Manager to negotiate and purchase three 30-foot compressed natural gas transit vehicles off of the state contract ($600,000) and appropriate funds" was ***pulled from the agenda pursuant to staff's request***.

E-5 Adopted Resolution No. 2005-249 awarding the contract for playground improvements at Van Buskirk Park, 600 N. Pleasant Avenue, and Hale Park, 209 E. Locust Street, to Diede Construction, Inc., of Woodbridge, CA, in the amount of $128,065.64.

E-6 Accepted the improvements under "Lane Line Painting, Various City Streets, 2005" contract.

E-7 "Accept improvements under contract for Stockton Street Parkway Landscape Project from Tokay Street to Alley North of Locust Street" was ***removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar***.

E-8 Accepted the improvements under "Well 27 Well Drilling, 302 East Highway 12" contract.

E-9 Adopted Resolution No. 2005-250 accepting the improvements in Mills Avenue Single Family Homes, Unit 2, Tract No. 3499.

E-10 Adopted Resolution No. 2005-251 approving extension of the lease of Maple Square, 2 East Lodi Avenue.

E-11 Adopted Resolution No. 2005-252 authorizing the City Manager to negotiate janitorial services contract(s) as needed for the remainder of the current fiscal year in an amount not to exceed $37,000.

E-12 "Adopt resolution authorizing the City Manager to execute an agreement with the Lodi Conference and Visitors Bureau to promote the development of regional business, recreation, tourist, conference, and visitor activities" was ***removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar***.

E-13 Approved fee contract with Scott & Nichols for representation of Officer Neis and former Officer Foster in *Peter Rose et al. v. the City of Lodi, et al*.; United States District Court, Eastern District of California, Case No. CIV.S-05-02229.

ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

E-7 "Accept improvements under contract for Stockton Street Parkway Landscape Project from Tokay Street to Alley North of Locust Street"

Council Member Mounce asked if the project was completed to specifications.

Public Works Director Prima acknowledged that the project took longer than expected and stated that the appearance of the parkway strips on Stockton Street were disappointing. He noted, however, that the City does not maintain the parkway strips; it is only responsible for maintenance of the trees.

Council Member Mounce felt that the money for this project was not well spent. She asked that the matter be brought back to Council so that concerns of citizens and the Lodi Improvement Committee can be addressed.

MOTION / VOTE:

The City Council, on motion of Council Member Mounce, Beckman second, unanimously accepted the improvements under "Stockton Street Parkway Landscape Project from Tokay Street to Alley North of Locust Street" contract.

E-12 "Adopt resolution authorizing the City Manager to execute an agreement with the Lodi Conference and Visitors Bureau to promote the development of regional business, recreation, tourist, conference, and visitor activities"

NOTE: Due to a potential conflict of interest related to his spouse's employment with the Lodi Conference and Visitors Bureau, Mayor Beckman abstained from discussion and voting on this matter.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Mounce second, adopted Resolution No. 2005-253 authorizing the City Manager to execute an agreement with the Lodi Conference and Visitors Bureau to promote the development of regional business, recreation, tourist, conference, and visitor activities. The motion carried by the following vote:

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

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Ken Owen, Director of Christian Community Concerns, read a letter (filed) related to the separation of church and state and the use of "Happy Holidays" in lieu of "Merry Christmas". He stated that Christian Community Concerns is launching a *Keep Christ in Christmas Campaign* for the month of December. He provided information from the Alliance Defense Fund and an audio tape of a presentation by Pastor Dale Edwards of Century Assembly Church entitled, "Why Christmas".

Council Member Hansen thanked Mr. Owen for bringing this matter forward. He commented that the Country was founded on religious freedom and he voiced concern about people and groups attempting to force their opinions on others, and in so doing, not allowing individuals to express their own religious beliefs.

Mayor Beckman agreed with Mr. Hansen's statement.

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

- None.

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

- City Manager King reviewed the following Council accomplishments that took place during 2005:
  - Hired new City Manager;
  - Initiated quarterly review of city utilities;
  - Adopted ordinance ending age discrimination in the City's workforce;
  - Extended a labor agreement with Mid-Managers at no additional cost;
  - Responded effectively to national media attention regarding terrorism;
  - Raised awareness of Lodi Lake water quality issues;
  - Supported non-profit and community events, e.g. Salvation Army, Community Partnership for Families, Rotary 4th of July, etc.;
  - Participated in regional governance issues through the San Joaquin Council of Governments;
  - Reopened the skate park;
  - Settled the Lehman Brothers lawsuit and saved the City $24 million;
  - Provided stable funding to remediate groundwater contamination;
  - Stabilized the General Fund budget with no further reductions in the General Fund amount;
  - Updated and modernized the City's purchasing ordinance;
  - Initiated the Lodi Budget Finance Committee;
  - First in the County to complete tertiary treatment improvement for wastewater;
  - Completed Kettleman Lane project;
  - Accelerated Lower Sacramento Road project which saved $500,000;
  - Ensured continued Greyhound bus service in Lodi;
  - Allocated $725,000 in Community Development Block Grant funds for seven community projects and reallocated $300,000 in HOME funds for the housing assistance program;
  - Addressed the greenbelt separator issue through the Greenbelt Task Force and 2x2x2 Committee;
  - Adopted federally required Americans with Disability Act Transition Plan;
  - Approved concept of downtown wine tasting rooms; and
  - Appointed a Delta College Task Force to work toward a satellite campus in Lodi.

I. PUBLIC HEARINGS

None.

J. COMMUNICATIONS

J-1 Claims filed against the City of Lodi – None

J-2 The following postings/appointments were made:

a) The City Council, on motion of Mayor Pro Tempore Hitchcock, Mounce second, unanimously directed the City Clerk to post for the following vacancies:

Greater Lodi Area Youth Commission
Hannah Holden Term to expire May 31, 2007

Lodi Planning Commission
Eddie Aguirre Term to expire June 30, 2008

J-3 Miscellaneous – None

K. REGULAR CALENDAR

None.

L. ORDINANCES

None.

M. REORGANIZATION OF THE CITY COUNCIL

City Manager King presented a plaque in appreciation to outgoing Mayor Beckman.

Mayor Beckman noted that he was born and raised in Lodi and expressed his gratitude for the opportunity to serve as Mayor. He thanked voters for having elected him as a Council Member, and thanked Council for the honor of nominating him to the office of Mayor. He presented a gift to City Clerk Blackston in appreciation of her efforts throughout the past year. He thanked his wife Nancy for her support and gave her a bouquet of flowers.

City Clerk Blackston, acting as Chair, opened and called for nominations for the election for the office of Mayor.

NOMINATION(S) FOR MAYOR:

Council Member Mounce, second by Council Member Hansen, nominated Susan Hitchcock to the office of Mayor. There being no further nominations for the office of Mayor, the nominations were closed.

VOTE:

In regard to the nomination of Susan Hitchcock to the office of Mayor, the motion carried by the following vote, thereby adopting Resolution No. 2005-254:

Ayes: Council Members – Beckman, Hansen, Hitchcock, Johnson, and Mounce
Noes: Council Members – None
Absent: Council Members – None

NOMINATION(S) FOR MAYOR PRO TEMPORE:

City Clerk Blackston turned over the meeting to newly elected Mayor Hitchcock who then opened and called for nominations for the election for the office of Mayor Pro Tempore.

Council Member Beckman made a motion, second by Mayor Hitchcock, to nominate Bob Johnson to the office of Mayor Pro Tempore. There being no further nominations for the office of Mayor Pro Tempore, the nominations were closed.

VOTE:

In regard to the nomination of Bob Johnson to the office of Mayor Pro Tempore, the motion carried by the following vote, thereby adopting Resolution No. 2005-255:

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

DISCUSSION

Mayor Hitchcock thanked Council Members for their confidence in her. She commended Council Member Beckman for his exemplary conduct as Mayor in spite of difficult budget challenges during the past year. She thanked City Manager King and Deputy City Manager (former Finance Director) Krueger for their work. She believed that the current Council worked excellently together and noted her appreciation for the questions asked, and for being analytical, compassionate, and frugal. She looked forward to working on the City's General Plan update and continued involvement with the Greenbelt Task Force.

Claudia Manrique, music teacher from the Lodi Seventh Day Adventist Elementary School introduced the Hand Bell Choir, who then gave a presentation to audience members.

N. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 7:58 p.m., in memory of Planning Commissioner, Eddie Aguirre, who passed away on November 20, 2005.

ATTEST:

Susan J. Blackston
City Clerk

EXHIBIT B

CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, DECEMBER 13, 2005

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, December 13, 2005, commencing at 7:01 a.m.

A. ROLL CALL

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

Absent: Council Members – None

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

B. TOPIC(S)

NOTE: Items below were heard out of order as listed.

B-2 "Review of the City of Stockton's proposed General Plan Land Use Element"

Community Development Director Hatch reviewed Lodi's and Stockton's General Plan map and sphere of influence. He pointed out that from a long term perspective the only direction for Stockton to grow is north. Stockton's General Plan seems to acknowledge Lodi's proposed greenbelt/separator along the Highway 99 corridor; however, it appears not to factor in the White Slough area of influence because it is considered to be in the County. Mr. Hatch recommended that when the update to Lodi's General Plan is conducted, that the study area include Highway 12 west to Interstate 5, noting that this intersection serves as the gateway to Lodi and its wineries.

In reply to Mayor Pro Tempore Johnson, Mr. Hatch stated that if Lodi were to provide sewer service to Flag City it would strengthen its position that the area bears relation to Lodi and should be included in its General Plan study area.

In response to Council Member Hansen, City Attorney Schwabauer stated he had been informed that at a 2x2x2 meeting Jim Glaser, Stockton Community Development Director, had indicated that he interpreted the sphere of influence agreement to include a 500 foot buffer that began *at* Lodi's White Slough Plant, not from the southern boundary of the property. Subsequent to hearing this, Mr. Schwabauer sent a letter to the Stockton City Attorney's Office who called in response and expressed agreement that the buffer begins at the southern boundary of the property. Mr. Schwabauer clarified that the buffer is for residential construction. With Stockton's "village" concept there will be commercial and/or industrial construction, which could be built in the northernmost area of Stockton's sphere in relation to the White Slough property.

City Manager King stated that staff would probably request that Stockton reflect the agreed upon buffer in their General Plan. He warned that there could be potential opposition from Stockton to the proposed Resource 500 power plant project and the White Slough property in general in terms of odor, lights, etc.

In reply to Mayor Hitchcock, Mr. Schwabauer reported that the Local Agency Formation Commission (LAFCO) denied Lodi's request to expand its area of influence to include property south of White Slough. LAFCO stated that Lodi would have to buy the property and then seek to increase its sphere. He stated that, in part, the decision was due to it not being contiguous with Lodi's city limits; however, he believed the primary reason was that LAFCO felt Lodi was trying to drive down prices so it could buy the property at a discount.

Mayor Hitchcock asked whether more property should be purchased for future needs of the White Slough Plant and felt that a decision should be made quickly while options are still available.

Public Works Director Prima reported that an evaluation is currently being done on groundwater impacts at the White Slough facility. One of the outcomes of the sphere study was to develop a concept plan that called for 100% reuse of the water through irrigation of landscaping and other non-potable uses. If that were done, the amount of land needed would be minimal. If treated effluent were reused, the only land application would be for industrial cannery water and bio solids. Mr. Prima noted that the land north of the White Slough facility between the City's property and Highway 12 is also a suitable site for expansion. In addition, land east of Thornton Road has some potential.

B-1 "Discussion on use and value of development agreements"

City Attorney Schwabauer explained that development agreements were created in response to California Supreme Court case Avco Community Developers, Inc. v. South Coast Regional Commission (1976). The court held that cities can raise development impact fees or change their development standards at any time up until the developer has: 1) received its building permit and completed all discretionary permits necessary to begin construction, and 2) expends money toward construction. Mr. Schwabauer stated that these two actions, under existing standards, provide vested rights for construction. Subsequent to the Avco case developers asked for relief in the form of legislation and development agreements were created as another way to establish vested rights. Due to two cases, i.e., 1) Nolan v. California Coastal Commission (1987), and 2) Dolan v. City of Tigard (1994), the law now states that when a city exacts a condition as a requirement for development it must be both temporally related and proportional to the impact. Mr. Schwabauer explained that with development agreements the City can ask for whatever it wants in exchange for locking in the development standards and fees. The City's risk is that its expenses increase more than the value it was able to extract from the development agreement, between the time the fees were locked in and construction begins. Lodi's 2004 impact fee adjustment allows developers to (in some cases) lock their fees in earlier than the timeline required by the Avco case. He explained that a development agreement is a legislative act, and once the legislative act is taken, it locks in the 30 day statute of limitations for challenging those portions of the project which are approved. Development agreements lock in the right to develop within the terms that are internal to the agreement and can reserve subsequent discretionary approvals. Development agreements are considered first by the Planning Commission and then heard by the City Council at a public hearing. He recommended that at the December 21 City Council meeting Resolution 2004-238 be amended to provide that the fee increases established in the resolution are *not* locked in until the latest date allowed by California law.

In response to questions posed by Council Member Hansen, Mr. Schwabauer reported that Frontier Community Builders has not made any filings in advance of the fees that are currently in place, so its fees are not locked in. He stated that development agreements can dictate density and can advance creative projects that are not within the traditional parameters of the City's General Plan.

Mayor Hitchcock asked whether a development agreement could have the effect of locking in all remaining growth allocations, to which Mr. Schwabauer stated that it could if the City wished to negotiate it.

In reply to Council Member Hansen, Community Development Director Hatch explained that city limit signs are informational and have no legal bearing.

Mayor Pro Tempore Johnson and Council Members Hansen and Mounce voiced support for placing Lodi's city limit signs as far out as possible in an effort to protect the City's interest in its sphere of influence areas.

PUBLIC COMMENTS:

- Jeffery Kirst recalled that the original 2% growth initiative was struck down by the appellate court and Council later enacted an ordinance, which it has the ability to amend.

  Mr. Schwabauer noted that the 2% growth limit is also incorporated in the City's General Plan, which makes it more difficult to change.

- Pat Patrick, President of the Chamber of Commerce, urged that the City's General Plan development be driven by the economic buoyancy of Lodi, rather than population growth. An agricultural preserve would relate directly to an economic benefit that Lodi would profit from. Mr. Patrick stated that the Executive Director of LAFCO indicated that a plan of Lodi's that was expanded and incorporated an agricultural preserve concept around the current urban area would be acceptable because such a plan serves different parties of shared economic interest.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:23 a.m.

ATTEST:

Susan J. Blackston
City Clerk

EXHIBIT C

CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, DECEMBER 20, 2005

The December 20, 2005, Informal Informational Meeting (“Shirtsleeve” Session) of the Lodi City Council was canceled.

ATTEST:

Susan J. Blackston
City Clerk

EXHIBIT D

LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, DECEMBER 20, 2005

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of December 20, 2005, was called to order by Mayor Pro Tempore Johnson at 7:02 a.m.

Present: Council Members – Beckman, Hansen, Johnson, Mounce, and Mayor Hitchcock (arrived at 7:03 a.m.)

Absent: Council Members – None

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

B. REGULAR CALENDAR

B-1 "Discuss General Plan update and provide direction regarding the scope of the study area, anticipated timeline to complete the update, and level of public participation"

Community Development Director Hatch explained that the General Plan is a State required document and is the basis of all land use decisions for a community. The physical scope of the General Plan relates to the physical development of a city and any land outside its boundary which bears relation to its planning. The local jurisdiction has complete authority to decide what its General Plan area is for study purposes. Lodi's current General Plan was prepared in 1987, adopted on June 12, 1991, and projected to 2007. Mr. Hatch reviewed the elements of a General Plan and typical processes, as were outlined in his staff report dated December 15 (filed). He stated that a Land Absorption Study would be compiled to define absorption rates based on an established growth rate of 2%. Mr. Hatch reviewed options for public and legislative body involvement in the General Plan process, which were outlined as items A through F in his staff report dated December 20 (filed). He mentioned that a series of outreach meetings could be held and surveys conducted via newspaper, mail, and/or telephone. Mr. Hatch stated that he did not recommend having off-site meetings at schools, community centers, etc. because he found them to be expensive and time consuming. He reported that $1.5 million was budgeted for the General Plan update and that it would take a minimum of two years.

Council Member Hansen preferred that more than one option be presented to Council when the matter comes forward from the Planning Commission.

Mayor Hitchcock and Council Member Hansen expressed hope that a policy would be set in which the *maximum* time allowed for completion of the General Plan update process would be two years.

Mayor Pro Tempore Johnson suggested that two Council Members attend and participate in Planning Commission meetings on this topic.

Council Member Beckman suggested that detailed reports of Planning Commission meetings (regarding the General Plan update) be provided to Council for review, and that policy issues be brought forward periodically throughout the process for Council direction. He preferred options C and D as outlined in the December 15 staff report. He was not in favor of conducting joint meetings with the Council and Planning Commission throughout the entire process.

Mayor Hitchcock preferred that special joint meetings of the City Council and Planning Commission be held throughout the General Plan update process, combined with a series of community workshops to solicit public input.

Council Member Mounce stated that she wanted to be involved in every aspect of the General Plan update process. In addition she wanted to ensure it was accomplished in a frugal manner and that emphasis be placed on engaging the community to encourage participation.

Council Member Hansen was also opposed to conducting joint meetings; however, he did want to be kept fully informed throughout the process and have enough public involvement to have an understanding of what direction the community would like to see the City move toward in the next 20 years. He favored having community workshops and conducting surveys.

Mr. Hatch suggested that a General Plan Review Committee be formed, comprised of the Planning Commission and two members of City Council. He mentioned that other Council Members could attend and participate in meetings as desired.

City Attorney Schwabauer pointed out that if a third member (i.e. constituting a quorum) of the Council attended and participated in a Planning Commission meeting it would then be considered a special meeting of the City Council and all Brown Act requirements would have to be met.

In reference to the issue of surveys, Mayor Hitchcock suggested that Mr. Hatch review the citywide community survey that was conducted and presented to the City Council at its April 21, 2004 meeting.

Mayor Pro Tempore Johnson asked how much public involvement typically occurs, to which Mayor Hitchcock replied that during the last General Plan update there was great interest by the public and she suggested that meetings be held at Hutchins Street Square or the Library Community Room to accommodate the anticipated attendance.

In answer to questions posed by Mayor Pro Tempore Johnson, Mr. Hatch explained that the Land Absorption Study area could be considered the "inner ring" for the urban limit line or service area, and the "outer ring" would be for the community separator / greenbelt identity area. He believed that allowing Flag City to get sewer and water service from Lodi would reinforce the issue that it is an area of interest for Lodi's General Plan and should be included within the scope of the study.

Mayor Hitchcock and Council Members Hansen and Mounce voiced support for the geographic study area to be as expansive as possible in all directions.

Council Member Hansen recommended that Mayor Hitchcock, Mayor Pro Tempore Johnson, and Council Member Mounce be designated to work with the Planning Commission on the General Plan update, to which Mayor Hitchcock asked that the matter be placed on a regular Council agenda for discussion and action.

NOTE: City Attorney Schwabauer left the meeting at 8:24 a.m.

PUBLIC COMMENTS:

- Dave Hinchman stated that he was disappointed with the presentation. He emphasized the importance of seeking input, ideas, opinions, and visions for the future of Lodi, from members of the community regarding all aspects of the General Plan.
- Carl Fink commented that Lodi only seems to react to Stockton and is constantly in a defensive position. He pointed out that Stockton has no desire to enter into discussions regarding a greenbelt/community separator area because its goal is to grow. Stockton will soon be finalizing its General Plan which goes north to Armstrong Road and Mr. Fink intimated that Lodi should have taken decisive action long before this point. He favored setting a time limit to complete the General Plan update so that excessive, non-productive discussions do not delay it.

MOTION / VOTE:

There was no Council action taken on this matter.

C. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:36 a.m.

ATTEST:

Susan J. Blackston
City Clerk

AGENDA ITEM **E-03**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Authorize the sale of scrap wire and metal during 2006

MEETING DATE: January 4, 2006

PREPARED BY: Interim Electric Utility Director

RECOMMENDED ACTION: That the City Council authorize the sale of scrap wire and metal at periodic intervals during the calendar year 2006.

BACKGROUND INFORMATION: During maintenance and installation operations the City utility departments generate quantities of scrap wire and metal, which is then accumulated for subsequent sale to scrap metal dealers on a highest-bid basis.

Lodi City Code Section 2.12.120 requires City Council approval for sale of surplus property having a value in excess of $2,000. During 2005, sales of scrap wire and metals yielded recovery of $8,098.78 in prior materials costs.

It is projected that the City will hold sale bids for scrap metal at least three times during 2006, in January, June, and October. Therefore, it is staff's recommendation that the City Council authorize the sale of scrap wire and metal as is necessary during 2006, and require a report of such sales in accordance with City Code.

FISCAL IMPACT: Minor cost recovery is realized through the sale of scrap metals.

FUNDING: None required.

_____
Dave Dockham, Interim Electric Utility Director

Prepared by Joel Harris, Purchasing Officer

APPROVED: _____
Blair King, City Manager

AGENDA ITEM **E-04**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Adopt Resolution Approving an Extension of the Existing Contract for Maintenance of Landscape Areas for 2006 for Groups A and C, and Adding Irrigation Maintenance for Group C to Odyssey Landscape Companies for a Total of $89,866.12**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council adopt a resolution approving an extension of the existing contract for Maintenance of Landscape Areas for 2006 for Groups A and C, and adding Irrigation Maintenance for Group C to Odyssey Landscape Companies for a total of $89,866.12.

BACKGROUND INFORMATION: This action provides for the extension of the existing contract with Odyssey Landscape Companies for the maintenance of 76 landscaped sites (totaling almost 20 acres) within the City of Lodi and at the White Slough Water Pollution Control Facility. City wide landscaping has been divided into three separate groups, two of which are included in this contract: Group A – Maintenance of Turf and Miscellaneous Landscape Areas 2006, and Group C – Maintenance of Cherokee Lane and Adjacent Landscape Areas 2006. This extension will include the optional bid item for irrigation maintenance for Group C at an additional cost of $10,000 to the existing contract amount of $77,539.92. Odyssey has requested a three percent increase over last year's contract for a total contract amount of $89,866.12. Odyssey Landscape Companies has had the City of Lodi Maintenance contract for a number of years and has proven to be a dependable and conscientious contractor. This contract will start March 1, 2006 and end December 31, 2006.

FISCAL IMPACT: This contract totals $89,866.12 which maintains the existing landscape sites at the current reduced-frequency levels. Note that this work is separate from the landscape maintenance locations included in the various Landscape Maintenance Assessment Districts that have been established in new developments. Maintenance work at those locations is done more frequently.

FUNDING AVAILABLE: The money for the first four months of this maintenance contract is budgeted in the 2005/06 budget and is distributed among nine departments/divisions throughout the City of Lodi. Funding for the remainder of the contract will be proposed for in the upcoming 2006/07 Budget has been done as in the past. The contract will include language allowing for changes based on the actual adopted budget.

_____
Ruby Paiste, Interim Finance Director

_____
Richard C. Prima, Jr.
Public Works Director

Prepared by Curt Juran, Assistant Street Superintendent

RCP/GMB/CJ/dsg

cc: Joel Harris, Purchasing Agent
George M. Bradley, Street Superintendent
Curt Juran, Assistant Street Superintendent

APPROVED: _____
Blair King, City Manager

GROUP A

MAINTENANCE OF TURF & MISC. LANDSCAPE AREAS (GROUP A)

	SITE	DESCRIPTION & LOCATION	TYPE	MAP	Sq. Ft.
1	H1395	McLane Turner Rd.	SB	23	5,000
2	H1960	Rivergate & Royal Oaks	SL	16	600
3	I1240	#15 - Lower Sacto - Tejon	W	23	300
4	I1250	Lower Sacramento Road (east Frontage N/O Tejon)	M	23	8,000
5	J1230	Lower Sacramento Road (east Frontage S/O Tejon)	M	23	23,775
6	J1291	Fire Station #4 Lwr. Sac N/O Elm	F	33	11,940
7	J1349	#5 - Mills & Collette	W	23	1,200
8	K1818	Library (*Saturday only before opening)	F	36	22,375
9	K1846	Public Safety Building - Whole Site (*Saturday Work)	F	36	28,750
10	K1867	City Hall Complex (*Saturday work)	F	36	226,475
11	K1884	Finance - 300 W.Pine Whole Site (*Saturday Work)	F	36	13,400
12	K2040	Lower Sacramento Road (east Frontage S/O Elm)	M	33	14,325
13	K2059	Central Avenue	M	37	1,320
14	K2079	Central Avenue	M	37	1,320
15	K2148	Killelea East Elm St.	SB	37	1,500
16	L1220	Lower Sacramento Road (East Side S/O Oxford)	M	33	11,625
17	L1239	#14 - Allen-Capell	W	33	1,625
18	M1329	Shady Acres	M	33	125
19	M2450	#4R - Thurman Ave	W	48	2,000
20	N1398	#17 - Vine & Evert	W	43	2,998
21	O2062	#6 - Mission & Stockton	W	57	900
22	P1566	Municipal Service Center (*Saturday work)	F	54	120
23	P1567	Fire Station #2 East Lodi	F	48	7,256
24	P1575	Municipal Service Center (*Saturday work)	F	54	600
25	P1579	Municipal Service Center (*Saturday work)	F	54	11,400
26	P1595	Henning Kettleman Ln. (Saturday work)	SB	54	12,875
27	P1596	Henning Kettleman Ln. (Saturday work)	SB	54	4,725
28	Q1640	Ham Lane, S/O Kettleman	M	65	10,500
29	Q1680	Ham Lane, s/o Brandywine	M	65	3,420
30	Q2010	#8 - Stockton & Kettleman	W	57	1,480
31	R1620	Ham Lane, s/o Burgundy	M	65	13,920
32	S1504	Beckman Storm Drain Pumping Station	F	74	1,500
33	S1576	Arundel Court	M	74	1,170
34	S1630	Ham Lane, s/o Century	M	65	9,960
35	S1660	Fire Station #3 South Ham	F	75	15,225
36	S1682	Ham Lane, Deerfield	M	75	4,500
37	S1743	Dorchester Way	M	75	4,400
38	T1604	Port Chelsea	M	75	4,000
39	T1613	Ham Lane, s/o Port Chelsea	M	75	900
40	T1643	Ham Lane, s/o Wimbledon	M	75	3,720
41	T1664	Bradford Circle	M	75	4,000
42	T1683	Ham Lane, s/o Harney	M	75	3,900
43	X0229	White Slough (no irrigation maintenance at this site)	F	WS	18,900

M = MEDIAN WW=WALKWAY RF=REVERSE FRONTAGE PL=PARKING LOT F=FACILITY ST=STREET SITE
W=WELL SITE SL=SEWER LIFT SITE SB=SUBSTATION (*SATURDAY WORK IS INCLUDED IN BID COST)

TOTAL AREA IN SQ. FT. **518,024**

1 of 1

GROUP C

MAINTENANCE OF CHEROKEE LN. & ADJACENT NON-TURF LANDSCAPE AREAS (EXHIBIT GROUP C)

	SITE	DESCRIPTION & LOCATION	TYPE	MAP	Sq. Ft.
1	H2095	Turner Road Stockton to Yokuts	M	27	3,250
2	H2099	Turner Road Stockton to Yokuts	M	27	3,000
3	H2192	Turner Road Stockton to Yokuts	M	27	2,000
4	I2219	#11 - Turner Road	W	28	3,900
5	J2094	Lawrence Parking Lot	PL	27	23,400
6	J2119	Cherokee Lane N/O Murray	M	27	5,070
7	J2270	Cherokee Lane S/O Murray	M	27	5,850
8	J2339	515 North Cluff Avenue	SL	28	960
9	K2210	Cherokee Lane S/O Lockeford	M	28	1,170
10	K2250	Cherokee Lane S/O Victor	M	37	7,280
11	L2200	Cherokee Lane S/O Elm	M	37	2,210
12	L2250	Cherokee Lane N/O Lodi	M	37	9,100
13	M2220	Cherokee Lane S/O Lodi	M	48	3,705
14	M2280	Cherokee Lane S/O Lodi to K-Mart	M	48	6,825
15	M2333	#22 - South Cherokee	W	78	68,750
16	N2220	Cherokee Lane N/O Hale	M	48	2,145
17	N2270	Cherokee Lane S/O Hale	M	48	7,982
18	O2240	Cherokee Lane N/O Delores	M	58	8,515
19	O2280	Cherokee Lane S/O Delores	M	58	6,300
20	P2220	Cherokee Lane S/O Poplar	M	58	14,000
21	P2270	Cherokee Lane N/O Kettleman	M	58	25,200
22	Q2230	Cherokee Lane S/O Kettleman	M	67	29,000
23	Q2290	Cherokee Lane N/O Almond	M	67	32,000
24	R2032	Almond Dr	RF	67	1,050
25	R2060	Stockton St. & Almond Dr.	RF	67	10,650
26	R2270	Cherokee Lane N/O Century	M	67	37,000
27	T2000	S. Stockton N/O Arcadia	RF	77	6,450
28	T2040	S. Stockton S/O Arcadia	RF	77	5,000
29	T2070	S. Stockton S/O Mullen	RF	77	1,150
30	T2095	Harney & Melby	RF	77	1,350
31	T2097	Harney & Melby	RF	77	1,200
32	T2128	Cherokee & Schaffer	RF	77	1,704
33	T2148	Cherokee & Schaffer	RF	77	1,184

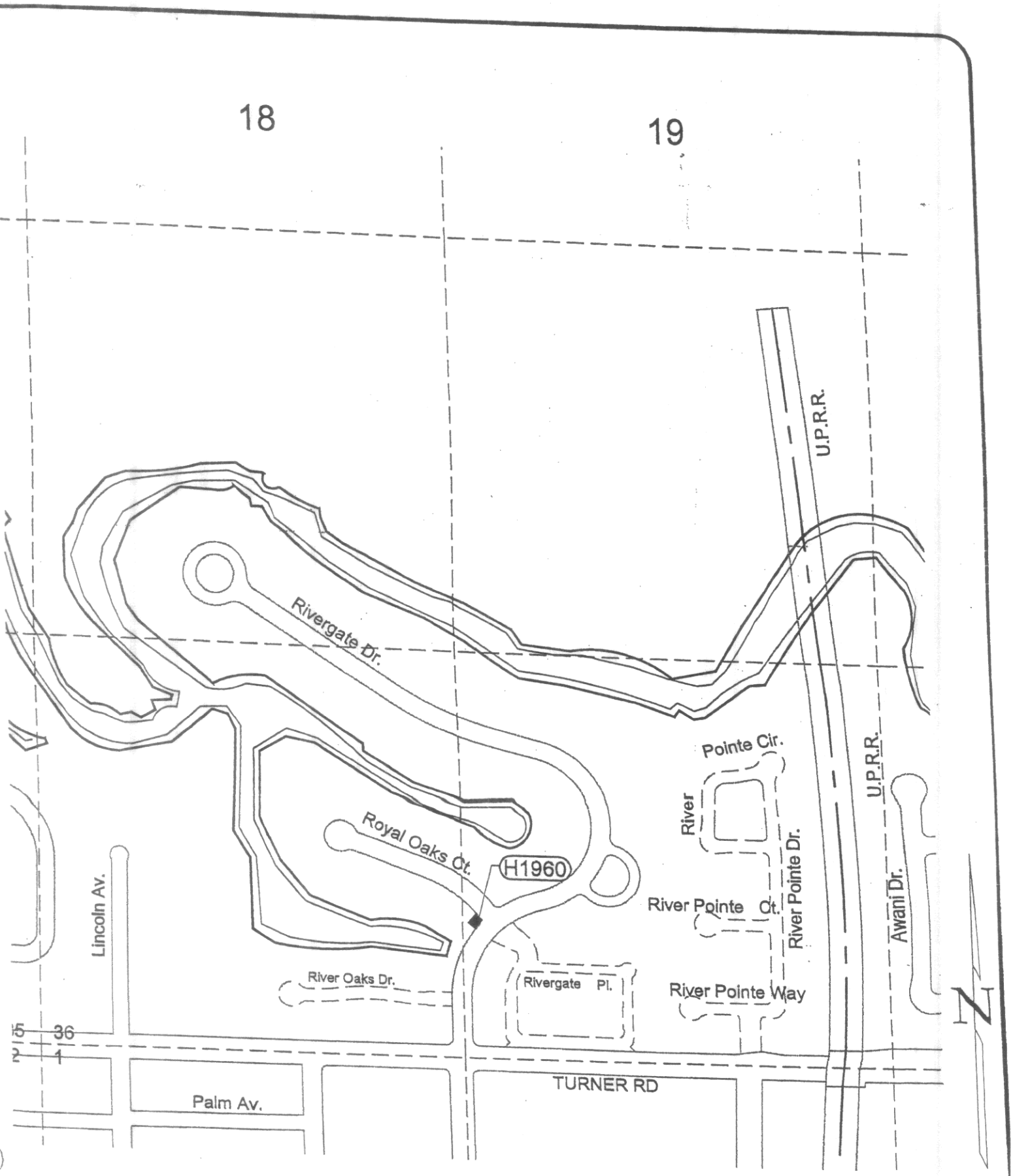
M = MEDIAN WW=WALKWAY RF=REVERSE FRONTAGE PL=PARKING LOT F=FACILITY ST=STREET SITE W=WELL SITE SL=SEWER LIFT SITE SB=SUBSTATION (*SATURDAY WORK IS INCLUDED IN BID COST)

TOTAL AREA IN SQ. FT. **338,350**

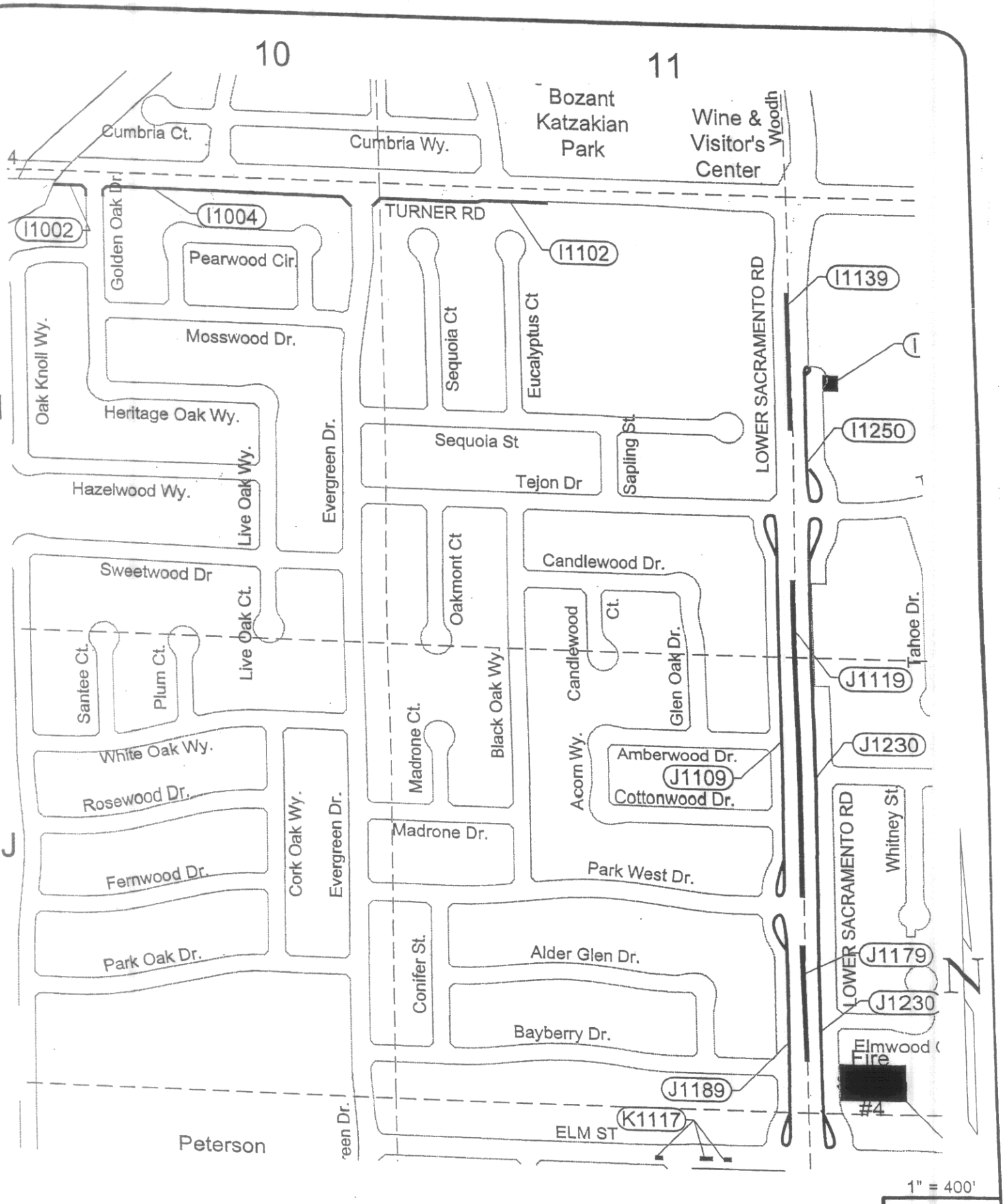
1 of 1

LANDSCAPE MAINTENANCE

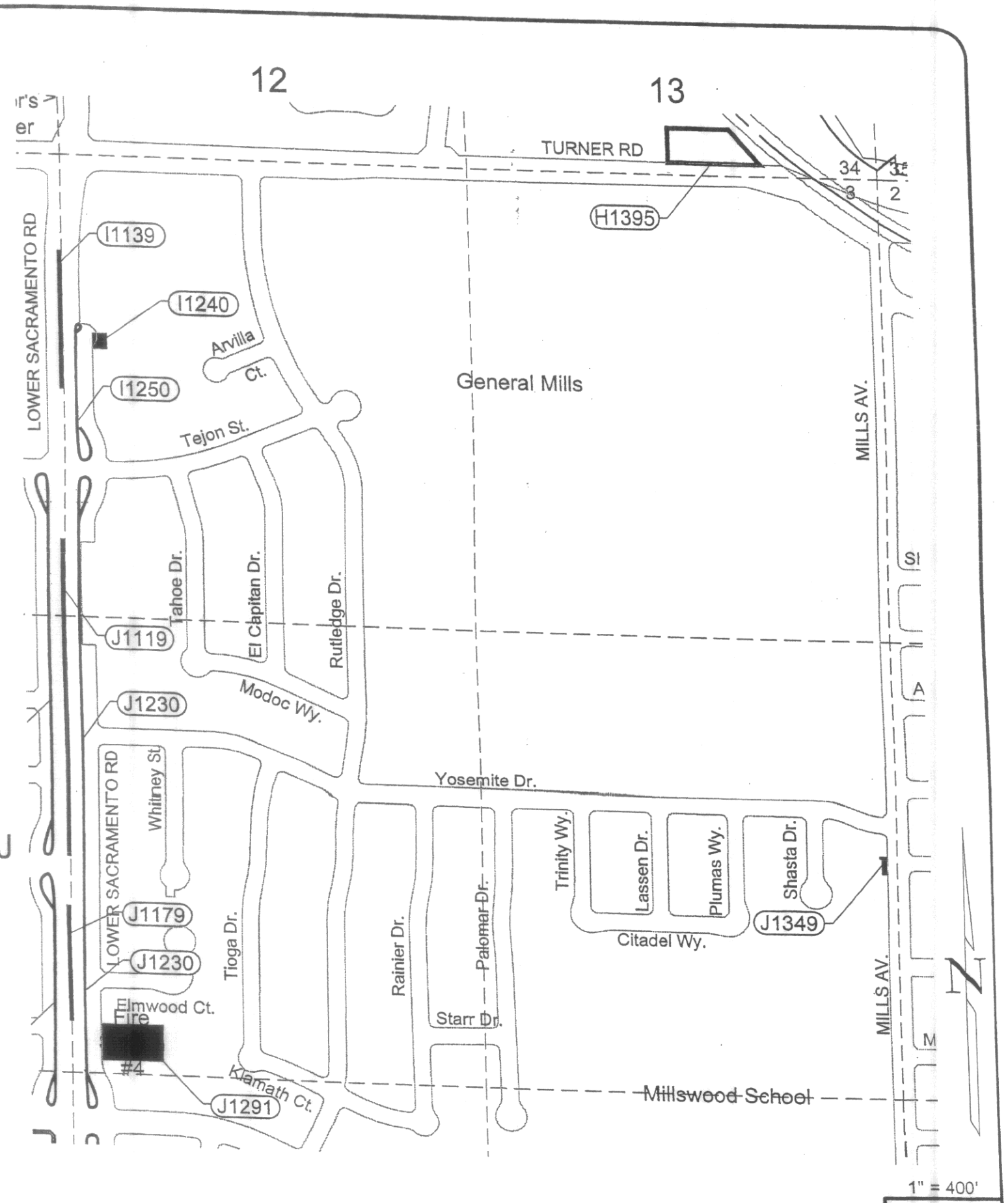
CITY OF LODI CALIFORNIA PUBLIC WORKS


18
19
U.P.R.R.
Rivergate Dr.
Pointe Cir.
River
U.P.R.R.
Royal Oaks Ct.
H1960
River Pointe Dr.
Awani Dr.
Lincoln Av.
River Pointe Ct.
River Oaks Dr.
Rivergate Pl.
River Pointe Way
N
5 36
2 1
TURNER RD
Palm Av.

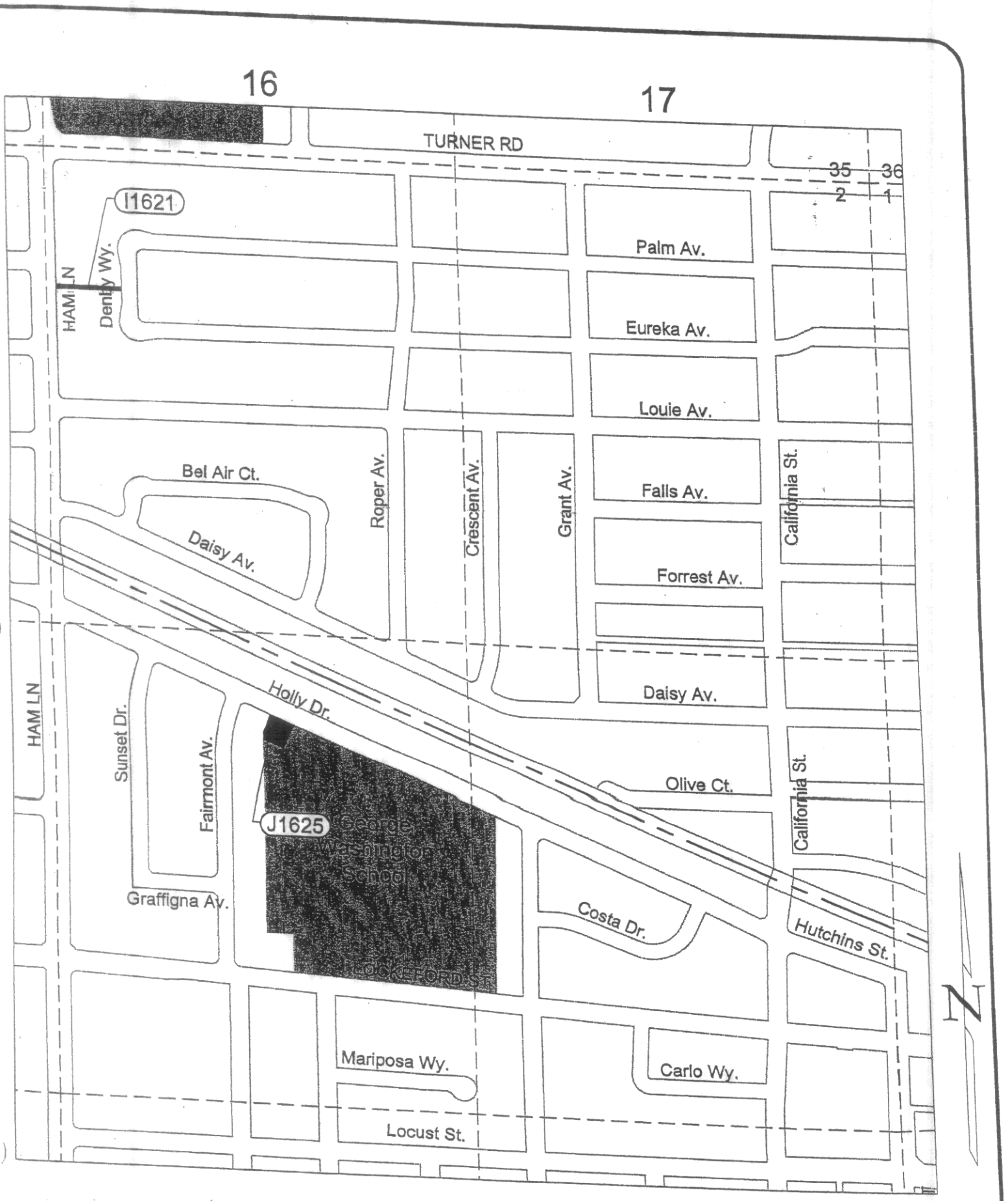
1" = 400'


10
11
Bozant Katzakian Park
Wine & Visitor's Center
Woodh
Cumbria Ct.
Cumbria Wy.
4
I1002
Golden Oak Dr
I1004
Pearwood Cir.
TURNER RD
I1102
I1139
Oak Knoll Wy.
Mosswood Dr.
Sequoia Ct
Eucalyptus Ct
LOWER SACRAMENTO RD
Heritage Oak Wy.
Evergreen Dr.
Sequoia St
Sapling St
I1250
Hazelwood Wy.
Live Oak Wy.
Tejon Dr
Sweetwood Dr
Oakmont Ct
Candlewood Dr.
Live Oak Ct.
Candlewood
Ct.
Glen Oak Dr.
Tahoe Dr.
Santee Ct.
Plum Ct.
J1119
Madrone Ct.
Black Oak Wy.
White Oak Wy.
Acorn Wy.
Amberwood Dr.
J1230
J1109
Rosewood Dr.
Cottonwood Dr.
Cork Oak Wy.
Evergreen Dr.
Madrone Dr.
Whitney St
Fernwood Dr.
Park West Dr.
Park Oak Dr.
Conifer St.
Alder Glen Dr.
J1179
J1230
Bayberry Dr.
Elmwood
Fire
#4
J1189
K1117
ELM ST
Peterson
1" = 400'

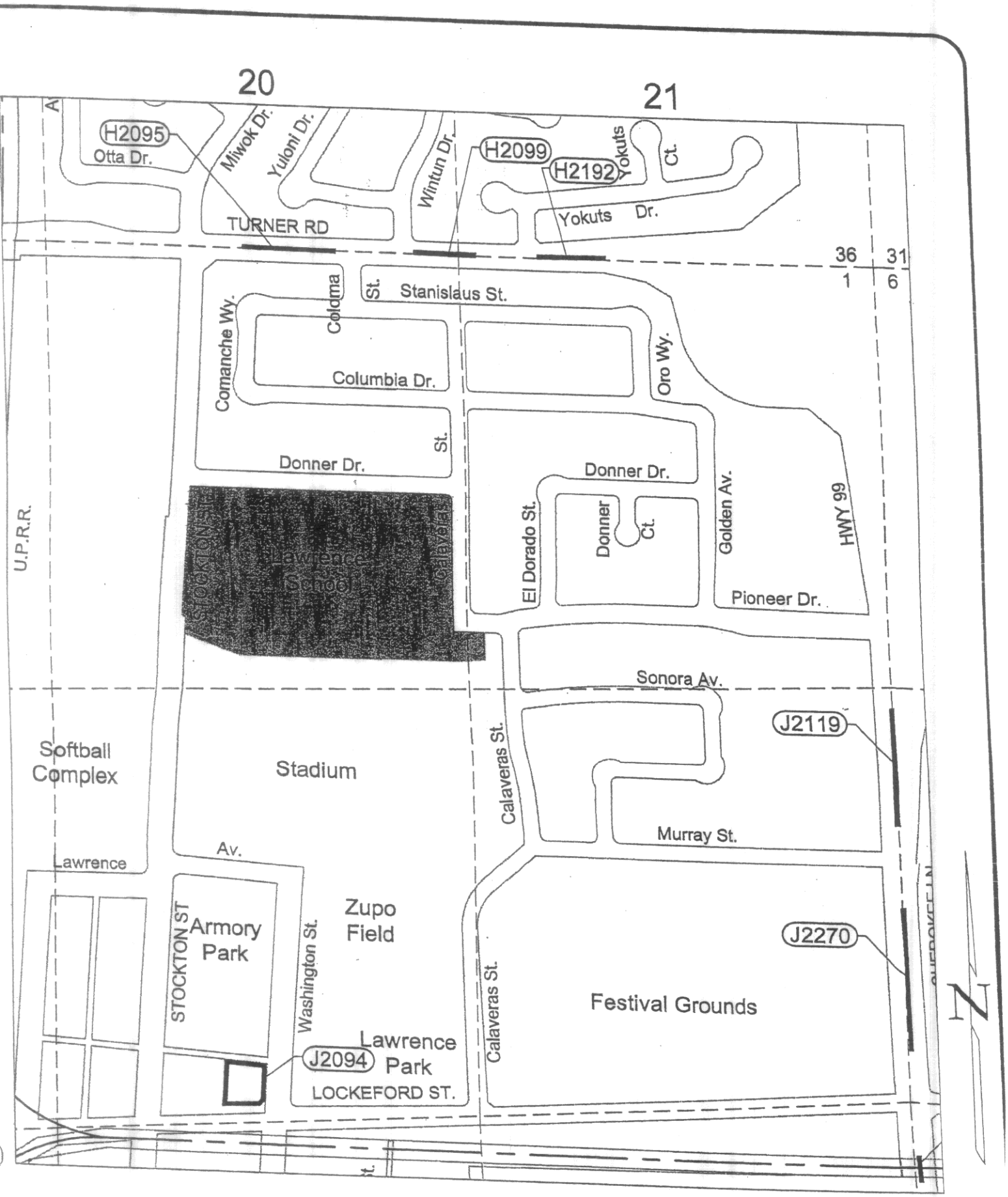
22


12
13
TURNER RD
34
3
2
H1395
I1139
I1240
I1250
LOWER SACRAMENTO RD
Arvilla Ct.
Tejon St.
General Mills
MILLS AV.
Tahoe Dr.
El Capitan Dr.
Rutledge Dr.
J1119
J1230
Modoc Wy.
Yosemite Dr.
Whitney St
LOWER SACRAMENTO RD
J1179
J1230
Tioga Dr.
Elmwood Ct.
Fire
#4
Klamath Ct.
J1291
Rainier Dr.
Palomar Dr.
Starr Dr.
Trinity Wy.
Lassen Dr.
Plumas Wy.
Shasta Dr.
Citadel Wy.
J1349
MILLS AV.
Millswood School
N
1" = 400'

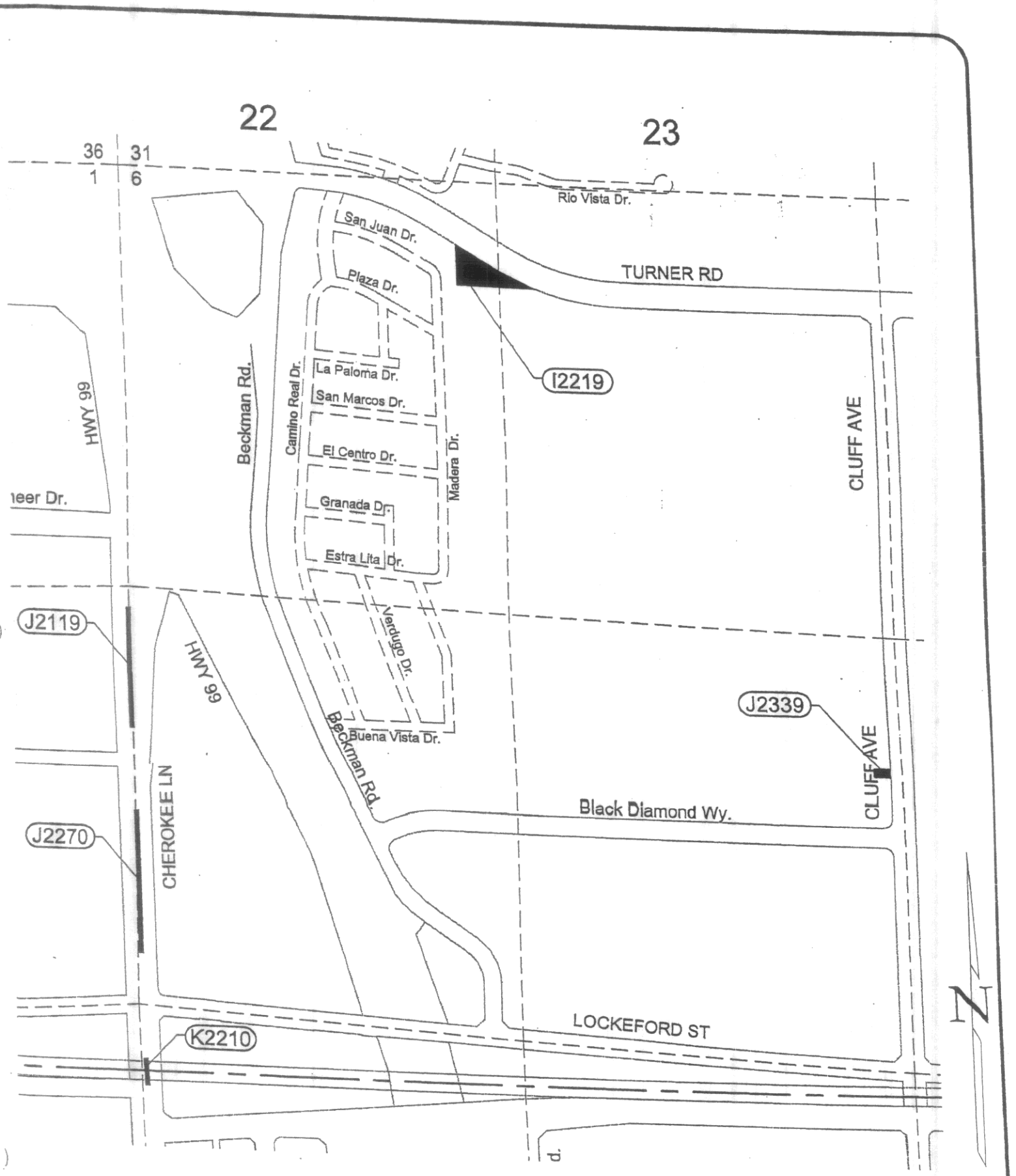
23


16
17
TURNER RD
35
2
36
1
I1621
HAM LN
Denby Wy.
Palm Av.
Eureka Av.
Louie Av.
Bel Air Ct.
Roper Av.
Crescent Av.
Grant Av.
Falls Av.
California St.
Daisy Av.
Forrest Av.
Daisy Av.
Holly Dr.
HAM LN
Sunset Dr.
Fairmont Av.
Olive Ct.
California St.
J1625
George Washington School
Graffigna Av.
Costa Dr.
Hutchins St.
LOCKEFORD ST
N
Mariposa Wy.
Carlo Wy.
Locust St.

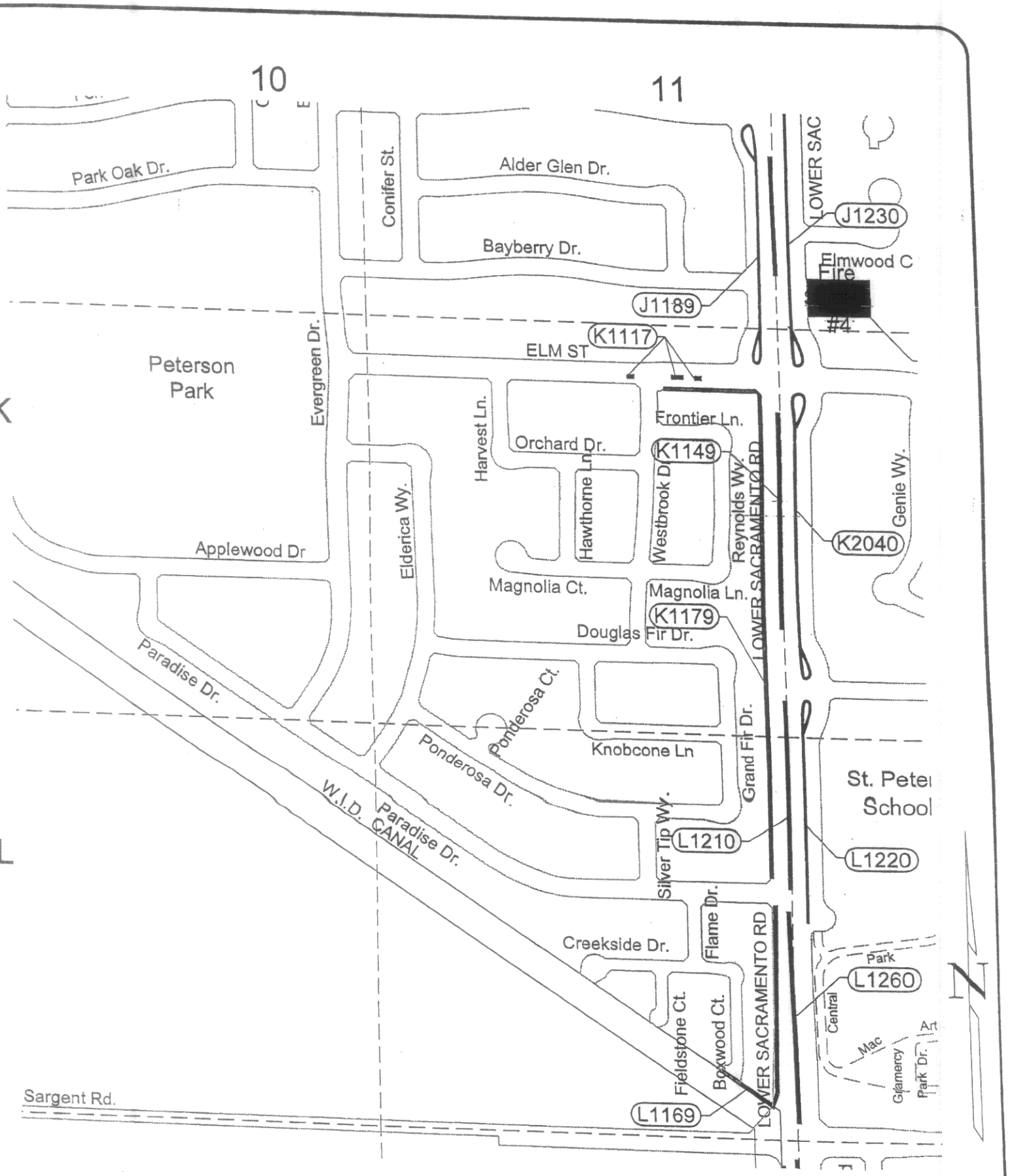
1" = 400'

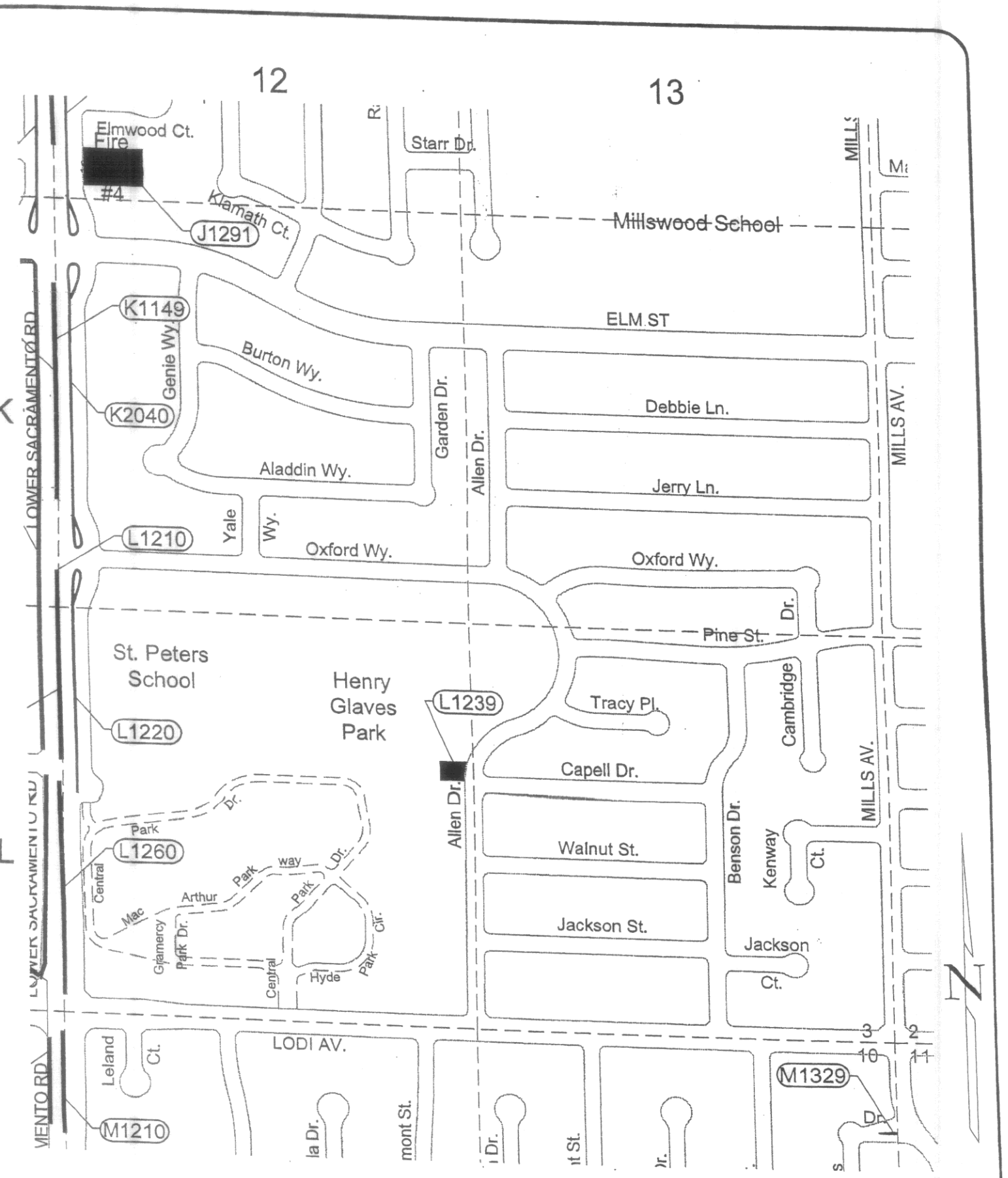

20
21
H2095
Otta Dr.
Miwok Dr.
Yuloni Dr.
Wintun Dr.
H2099
H2192
Yokuts
Ct.
Yokuts Dr.
TURNER RD
36
31
1
6
Coldma
St.
Stanislaus St.
Comanche Wy.
Columbia Dr.
Oro Wy.
St.
Donner Dr.
Donner Dr.
Donner
Ct.
El Dorado St.
Golden Av.
HWY 99
Pioneer Dr.
U.P.R.R.
Lawrence
School
Calaveras
Sonora Av.
J2119
Softball
Complex
Stadium
Calaveras St.
Murray St.
Lawrence
Av.
Zupo
Field
Armory
Park
STOCKTON ST
Washington St.
J2270
Festival Grounds
Calaveras St.
Lawrence
Park
J2094
LOCKEFORD ST.
N

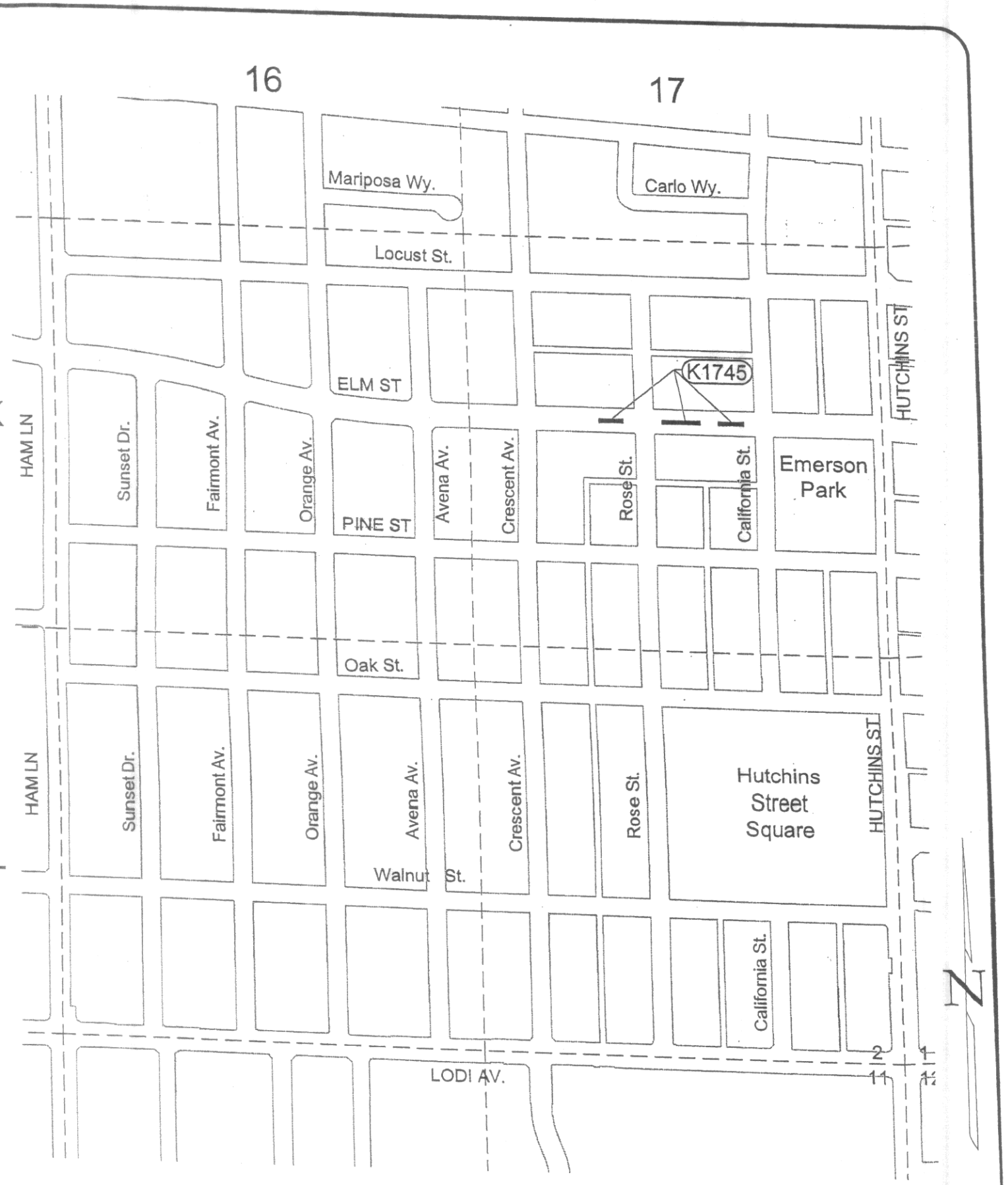
1" = 400'

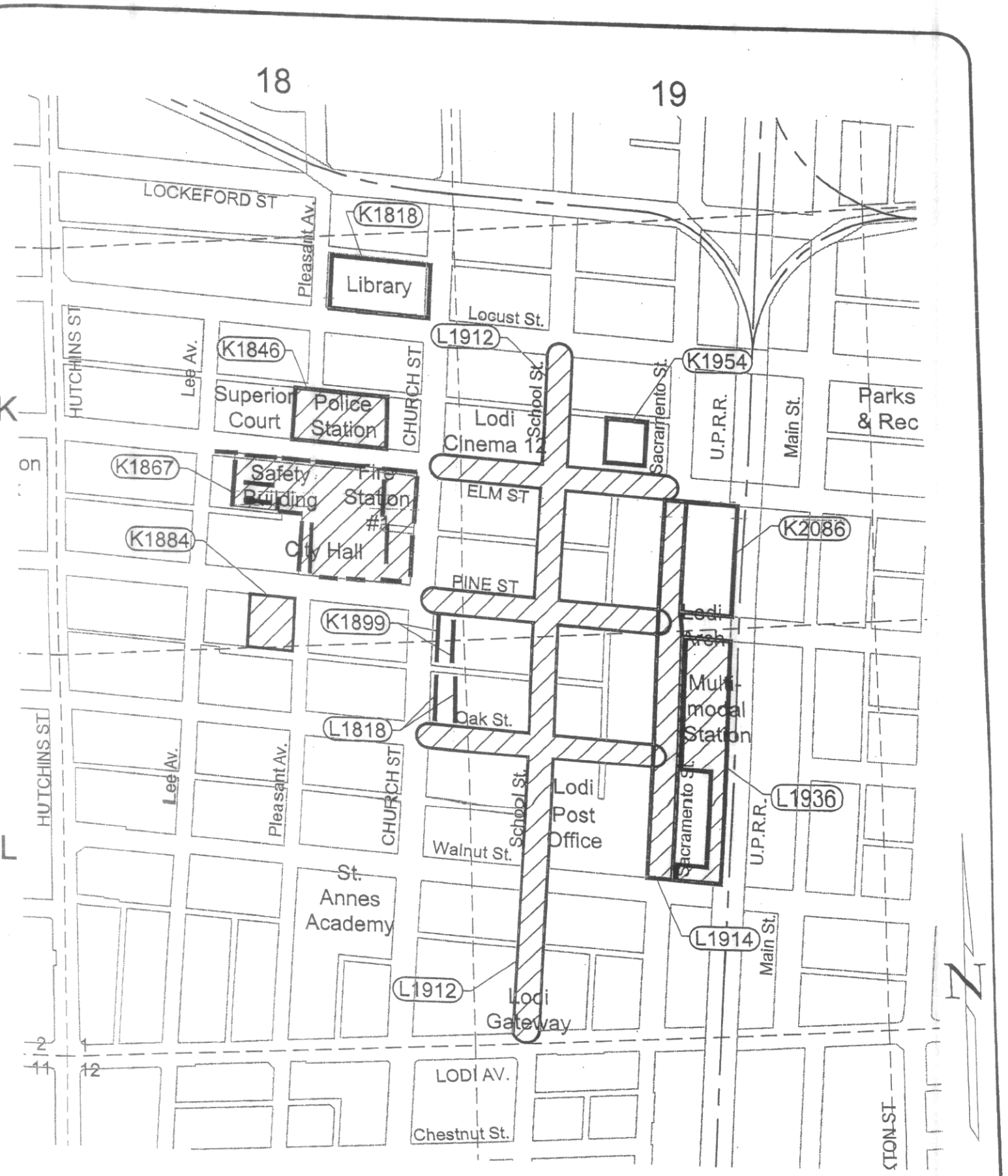

22
23
36
31
1
6
Rio Vista Dr.
San Juan Dr.
Plaza Dr.
TURNER RD
I2219
La Paloma Dr.
San Marcos Dr.
El Centro Dr.
Granada Dr.
Estra Lita Dr.
Verdugo Dr.
Buena Vista Dr.
Camino Real Dr.
Madera Dr.
Beckman Rd.
HWY 99
CLUFF AVE
J2119
J2339
J2270
K2210
CHEROKEE LN
Black Diamond Wy.
LOCKEFORD ST
N

1" = 400'

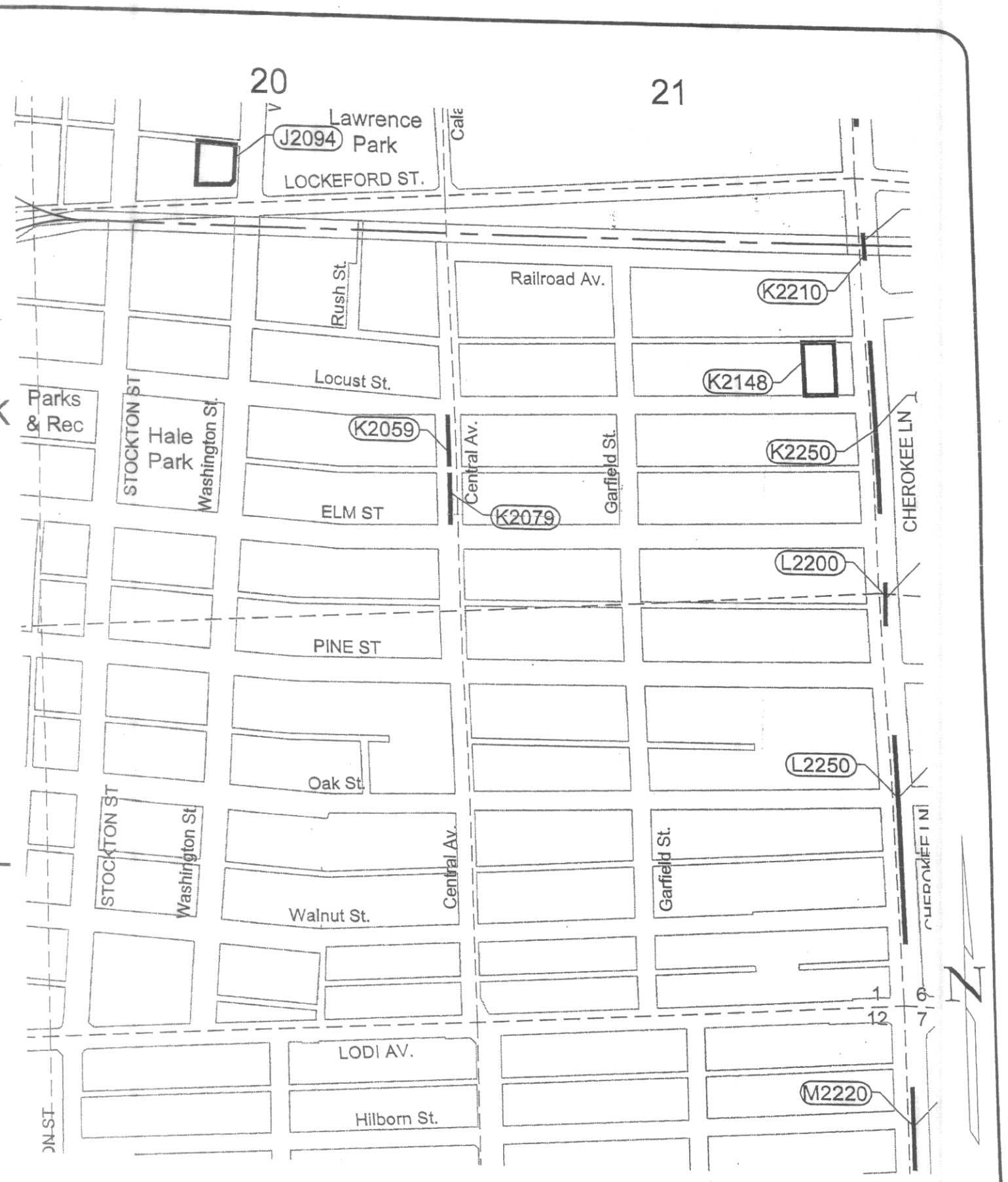

10
11
Park Oak Dr.
Conifer St.
Alder Glen Dr.
Bayberry Dr.
LOWER SAC
J1230
Elmwood C
Fire
[redacted]
#4
J1189
K1117
ELM ST
Peterson Park
Evergreen Dr.
Harvest Ln.
Orchard Dr.
Frontier Ln.
K1149
Hawthorne Ln.
Westbrook Dr.
Reynolds Wy.
LOWER SACRAMENTO RD
Genie Wy.
K2040
Elderica Wy.
Applewood Dr
Magnolia Ct.
Magnolia Ln.
K1179
Douglas Fir Dr.
Paradise Dr.
Ponderosa Ct.
Ponderosa Dr.
Knobcone Ln
Grand Fir Dr.
St. Peter School
W.I.D. CANAL
Paradise Dr.
Silver Tip Wy.
L1210
L1220
Flame Dr.
Creekside Dr.
Park
L1260
Central
Mac
Gramercy
Park Dr.
Fieldstone Ct.
Boxwood Ct.
LOWER SACRAMENTO RD
Sargent Rd.
L1169
N
1" = 400'

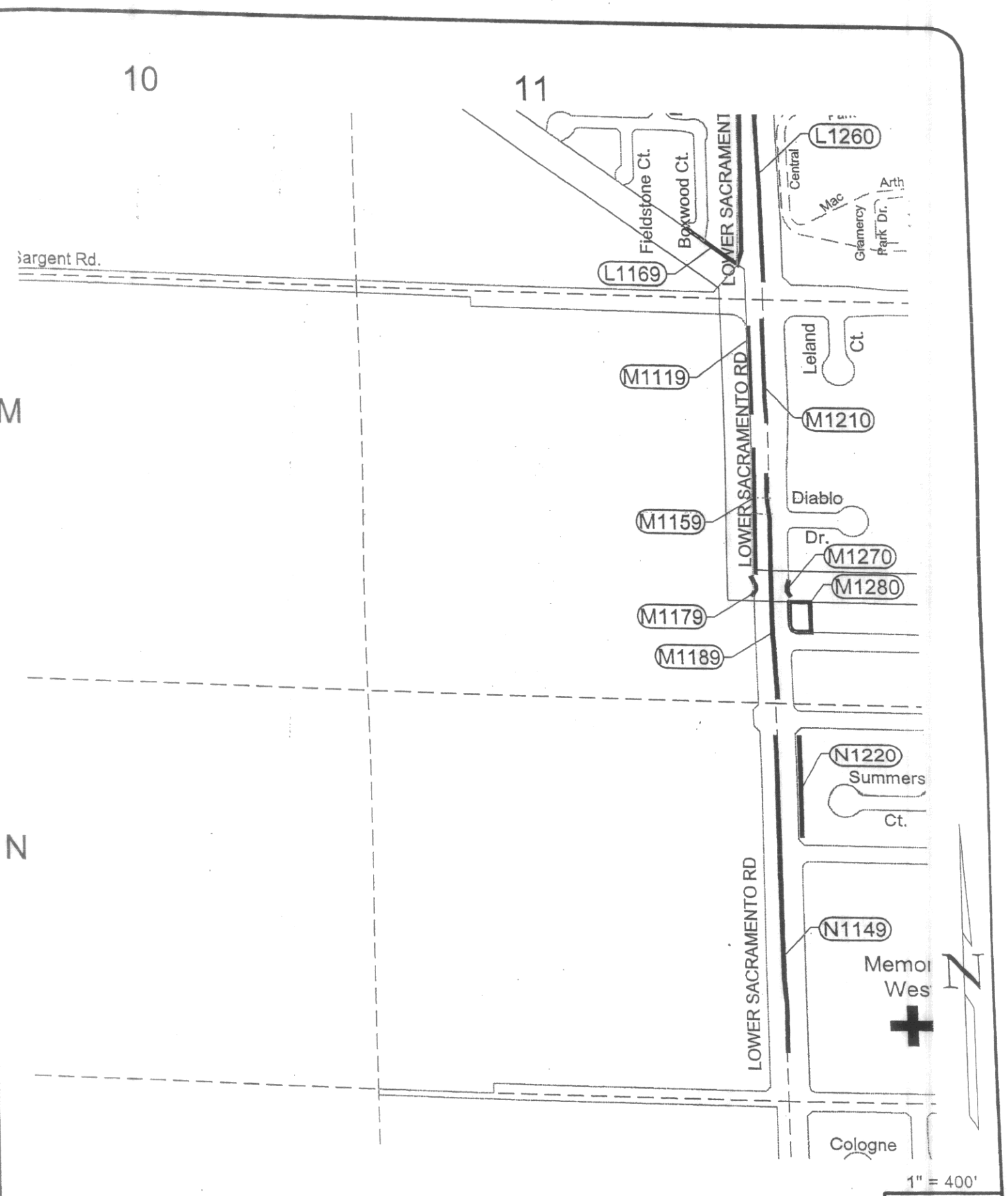

12
13
Elmwood Ct.
Fire
[redacted]
#4
Klamath Ct.
J1291
Starr Dr.
Millswood School
ELM ST
K1149
Genie Wy.
K2040
Burton Wy.
Garden Dr.
Allen Dr.
Debbie Ln.
Aladdin Wy.
Jerry Ln.
MILLS AV.
Yale
Wy.
L1210
Oxford Wy.
Oxford Wy.
Dr.
Pine St.
St. Peters
School
Henry
Glaves
Park
L1239
Tracy Pl.
Cambridge
L1220
Capell Dr.
Allen Dr.
Park
Dr.
L1260
Central
Mac
Arthur
Park
way
Dr.
Park
Gramercy
Park Dr.
Cir.
Central
Hyde
Park
Walnut St.
Benson Dr.
Kenway
Ct.
Jackson St.
Jackson
Ct.
LOWER SACRAMENTO RD
LODI AV.
Leland
Ct.
M1210
M1329
Dr.
3
2
10
11
N
1" = 400'

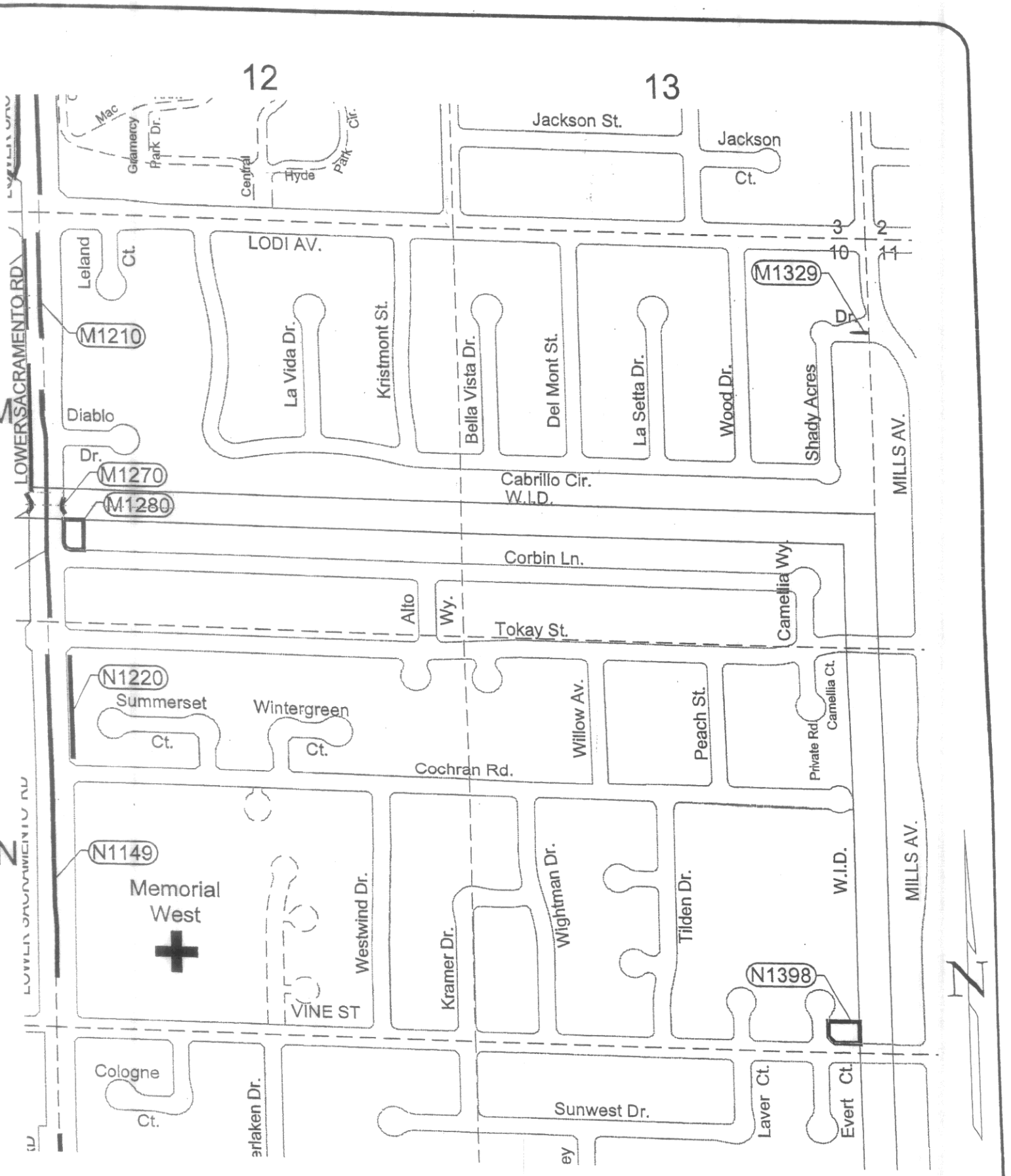

16
17
Mariposa Wy.
Carlo Wy.
Locust St.
ELM ST
K1745
HUTCHINS ST
HAM LN
Sunset Dr.
Fairmont Av.
Orange Av.
PINE ST
Avena Av.
Crescent Av.
Rose St.
California St.
Emerson Park
Oak St.
Hutchins Street Square
Walnut St.
LODI AV.
N
1" = 400'


18
19
LOCKEFORD ST
K1818
Pleasant Av.
Library
Locust St.
L1912
K1846
HUTCHINS ST
Lee Av.
Superior Court
Police Station
CHURCH ST
School St.
Lodi Cinema 12
K1954
Sacramento St.
U.P.R.R.
Main St.
Parks & Rec
K1867
Safety Building
Fire Station #1
ELM ST
K2086
K1884
City Hall
PINE ST
K1899
Lodi Arch.
Multi-modal Station
L1818
Oak St.
L1936
Lodi Post Office
Walnut St.
St. Annes Academy
L1914
L1912
Lodi Gateway
LODI AV.
Chestnut St.
N
1" = 400'

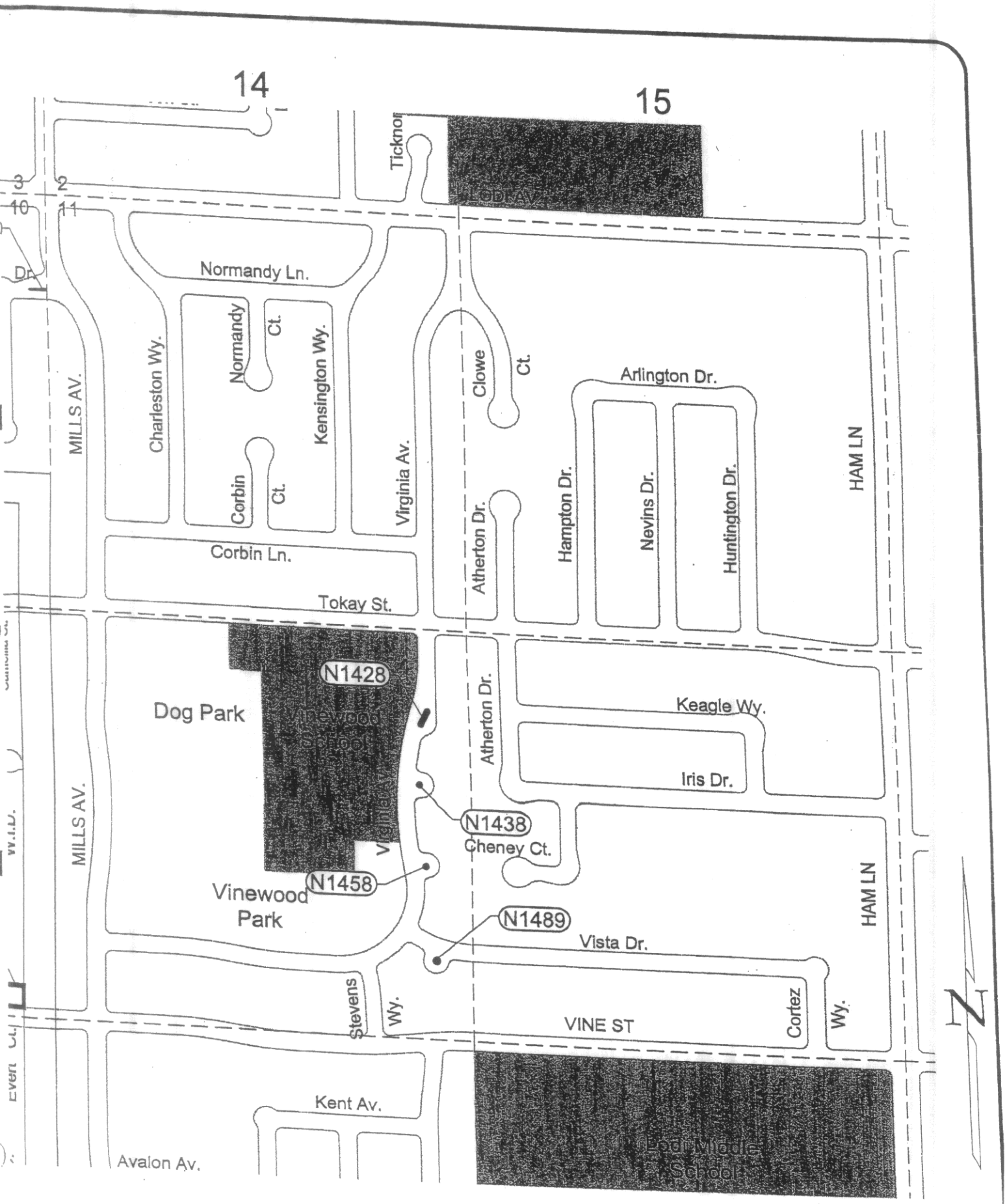
36


20
21
Lawrence Park
J2094
LOCKEFORD ST.
Rush St.
Railroad Av.
K2210
Locust St.
K2148
Parks & Rec
STOCKTON ST
Hale Park
Washington St.
K2059
Central Av.
Garfield St.
K2250
CHEROKEE LN
ELM ST
K2079
L2200
PINE ST
Oak St.
L2250
STOCKTON ST
Washington St
Central Av.
Garfield St.
Walnut St.
1
6
12
7
LODI AV.
M2200
Hilborn St.
N
1" = 400'
37


10
11
M
N
Sargent Rd.
Fieldstone Ct.
Boxwood Ct.
LOWER SACRAMENTO RD
Central
Mac
Gramercy
Arth
Park Dr.
L1260
L1169
M1119
M1210
Leland
Ct.
Diablo
Dr.
M1159
M1270
M1280
M1179
M1189
N1220
Summers
Ct.
N1149
Memor
Wes
Cologne
N
1" = 400'


12
13
Mac
Gramercy
Park Dr.
Central
Hyde
Park
Cir.
Jackson St.
Jackson
Ct.
3
2
10
11
LODI AV.
Leland
Ct.
M1210
Diablo
Dr.
M1270
M1280
LOWER SACRAMENTO RD
La Vida Dr.
Kristmont St.
Bella Vista Dr.
Del Mont St.
La Setta Dr.
Wood Dr.
Shady Acres
Dr.
M1329
MILLS AV.
Cabrillo Cir.
W.I.D.
Corbin Ln.
Alto
Wy.
Tokay St.
Camellia Wy.
N1220
Summerset
Ct.
Wintergreen
Ct.
Cochran Rd.
Willow Av.
Peach St.
Private Rd.
Camellia Ct.
N1149
Memorial
West
Westwind Dr.
VINE ST
Kramer Dr.
Wightman Dr.
Tilden Dr.
W.I.D.
N1398
Cologne
Ct.
Sunwest Dr.
Laver Ct.
Evert Ct.
N

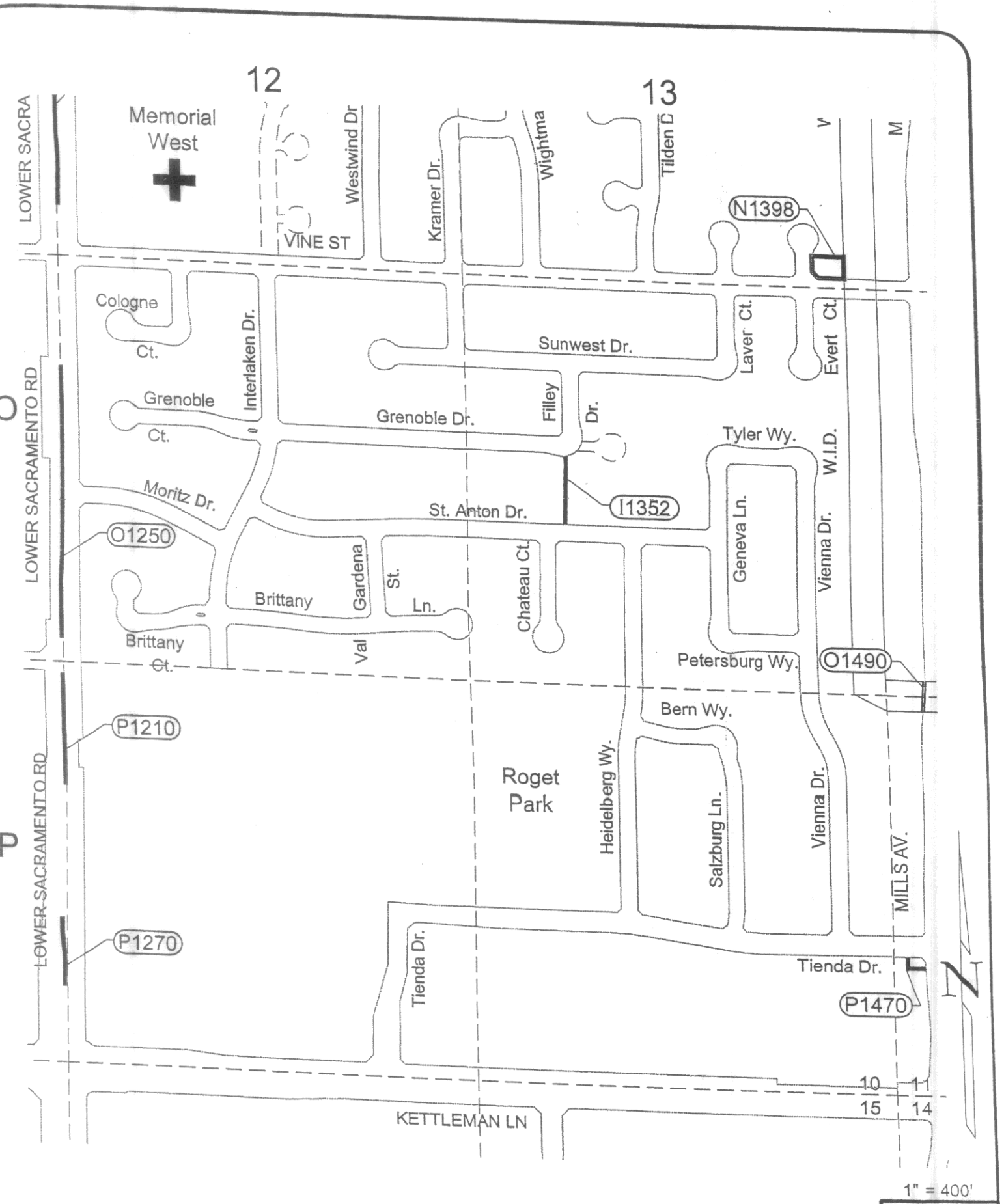
1" = 400'

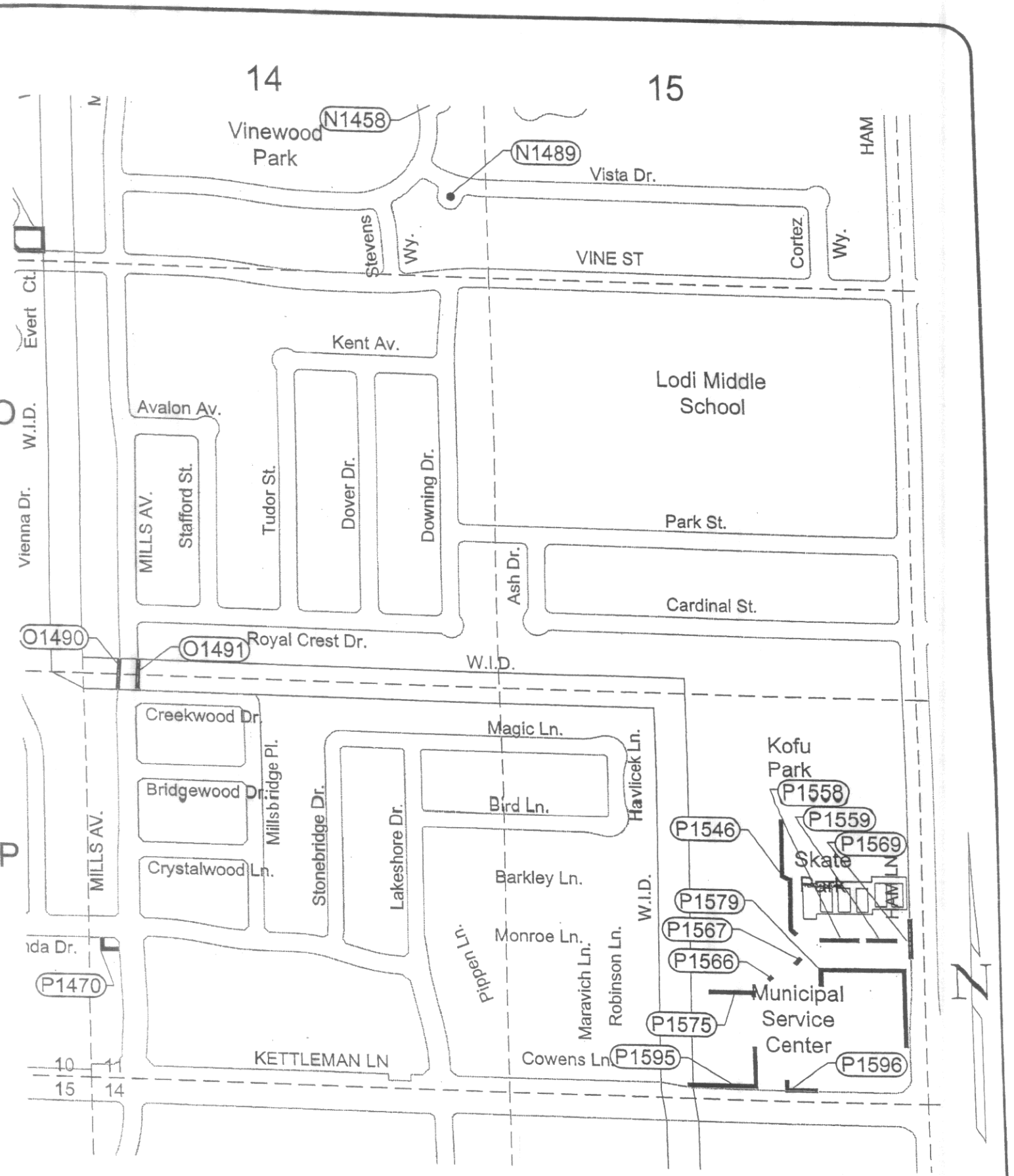

14
15
Ticknor
LODI AV.
Normandy Ln.
Normandy
Ct.
Kensington Wy.
Charleston Wy.
MILLS AV.
Corbin
Ct.
Corbin Ln.
Tokay St.
Virginia Av.
Clowe
Ct.
Atherton Dr.
Arlington Dr.
Hampton Dr.
Nevins Dr.
Huntington Dr.
HAM LN
N1428
Dog Park
Vinewood School
Keagle Wy.
Iris Dr.
N1438
Cheney Ct.
N1458
Vinewood Park
N1489
Vista Dr.
Stevens
Wy.
VINE ST
Cortez
Wy.
Kent Av.
Avalon Av.
Lodi Middle School
N

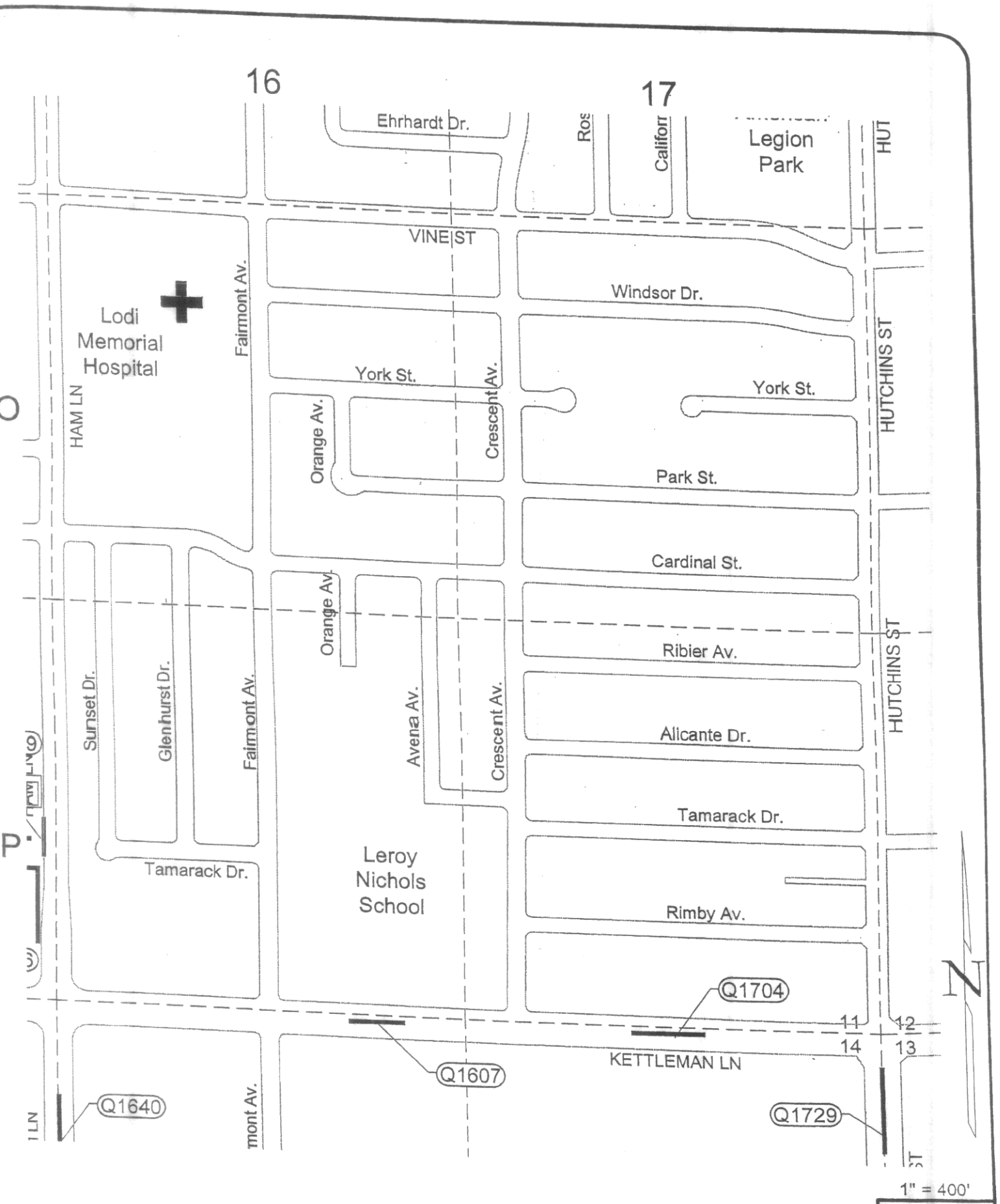
1" = 400'

22
23
CHEROKEE LN
Hansen Dr
HWY
Beckma
Kelly St
CLUFF A
P1567
Fire Station #2
1
6
12
7
LODI AV.
M2220
CHEROKEE LN
HWY 99
M2450
Thurman St.
M2280
Beckman Rd.
N2220
HWY 99
Hale Rd.
Industrial Wy.
CHEROKEE LN
Lloyd St.
Woodrow St.
N2270
Woodrow Pl
Joaquin
St.
Beckman Rd.
Cluff Av.
Ana St.
Vine St.
N

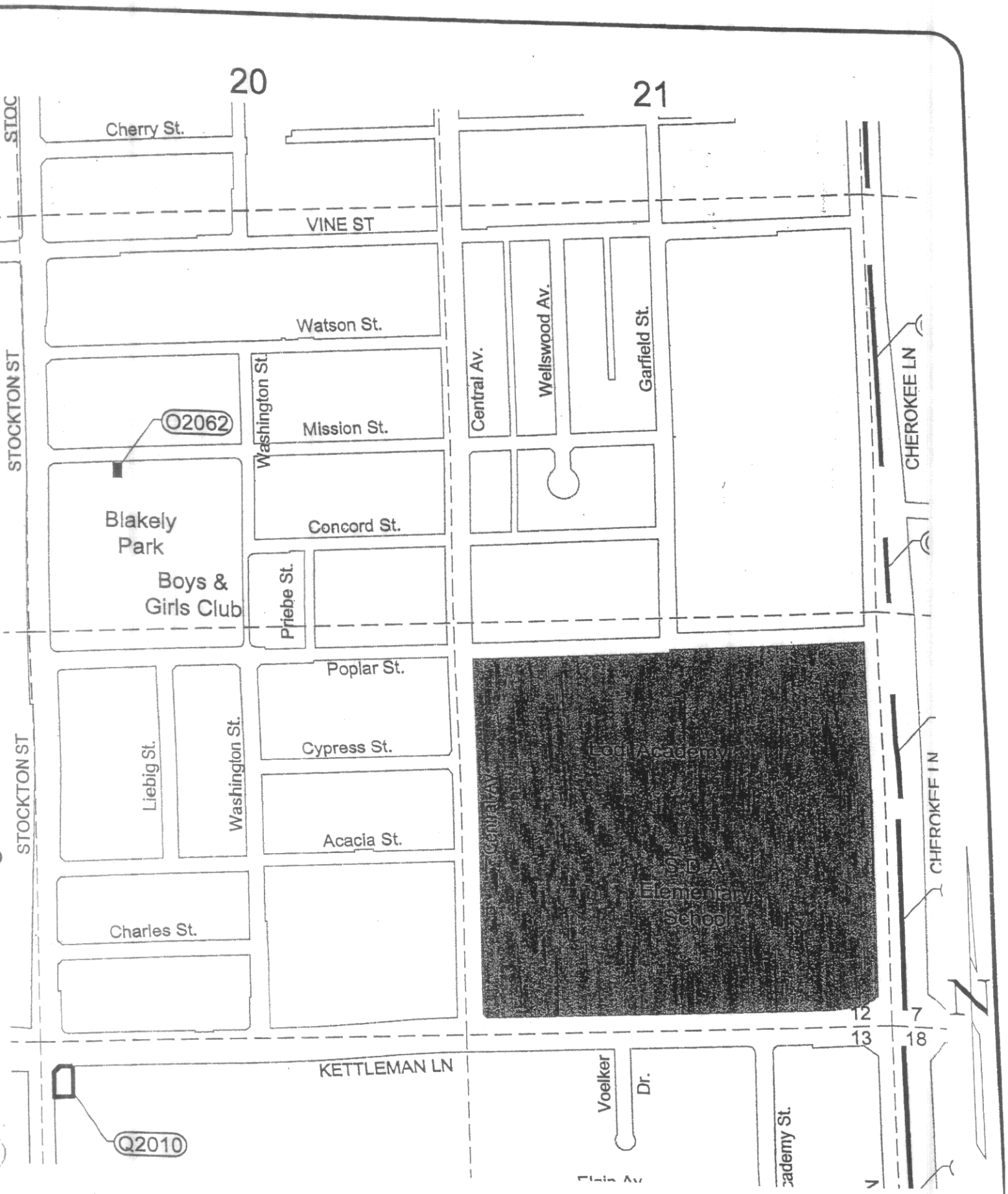
1" = 400'


12
13
Memorial West
LOWER SACRA
LOWER SACRAMENTO RD
LOWER SACRAMENTO RD
VINE ST
Westwind Dr
Kramer Dr.
Wightma
Tilden D
N1398
Cologne Ct.
Interlaken Dr.
Sunwest Dr.
Laver Ct.
Evert Ct.
Grenoble Ct.
Grenoble Dr.
Filley
Dr.
Tyler Wy.
W.I.D.
Moritz Dr.
St. Anton Dr.
I1352
O1250
Geneva Ln.
Vienna Dr.
Brittany
Gardena
St.
Ln.
Chateau Ct.
Brittany Ct.
Val
Petersburg Wy.
O1490
Bern Wy.
P1210
Roget Park
Heidelberg Wy.
Salzburg Ln.
Vienna Dr.
MILLS AV.
P1270
Tienda Dr.
Tienda Dr.
P1470
N
10
15
11
14
KETTLEMAN LN
1" = 400'


14
15
Vinewood Park
N1458
N1489
Vista Dr.
HAM
Stevens
Wy.
VINE ST
Cortez
Wy.
Evert Ct.
Kent Av.
Lodi Middle School
Avalon Av.
W.I.D.
Vienna Dr.
MILLS AV.
Stafford St.
Tudor St.
Dover Dr.
Downing Dr.
Park St.
Ash Dr.
Cardinal St.
O1490
O1491
Royal Crest Dr.
W.I.D.
Creekwood Dr.
Magic Ln.
Kofu Park
Bridgewood Dr.
Millsbridge Pl.
Stonebridge Dr.
Lakeshore Dr.
Bird Ln.
Havlicek Ln.
P1558
P1559
P1546
P1569
Skate Park
HAM LN
Crystalwood Ln.
Barkley Ln.
W.I.D.
P1579
P1567
Monroe Ln.
P1566
Pippen Ln.
Maravich Ln.
Robinson Ln.
P1470
Municipal Service Center
P1575
KETTLEMAN LN
Cowens Ln.
P1595
P1596
10
11
15
14
N
1" = 400'

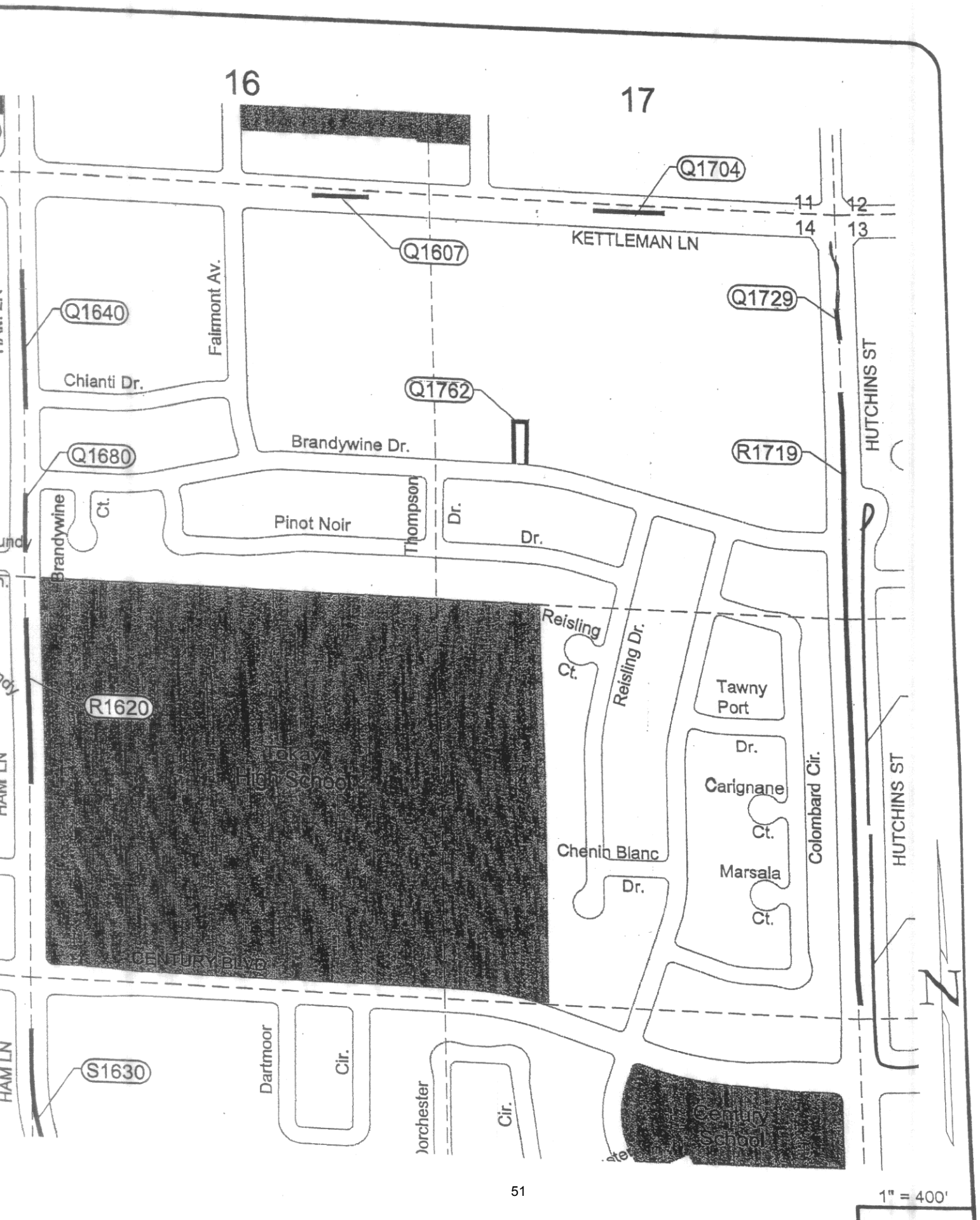

16
17
Ehrhardt Dr.
Legion Park
VINE ST
Windsor Dr.
Lodi Memorial Hospital
Fairmont Av.
HAM LN
York St.
Crescent Av.
Orange Av.
Park St.
HUTCHINS ST
Cardinal St.
Ribier Av.
Alicante Dr.
Tamarack Dr.
Rimby Av.
Sunset Dr.
Glenhurst Dr.
Avena Av.
Leroy Nichols School
Q1704
Q1607
Q1640
Q1729
KETTLEMAN LN
11
12
13
14
N
1" = 400'

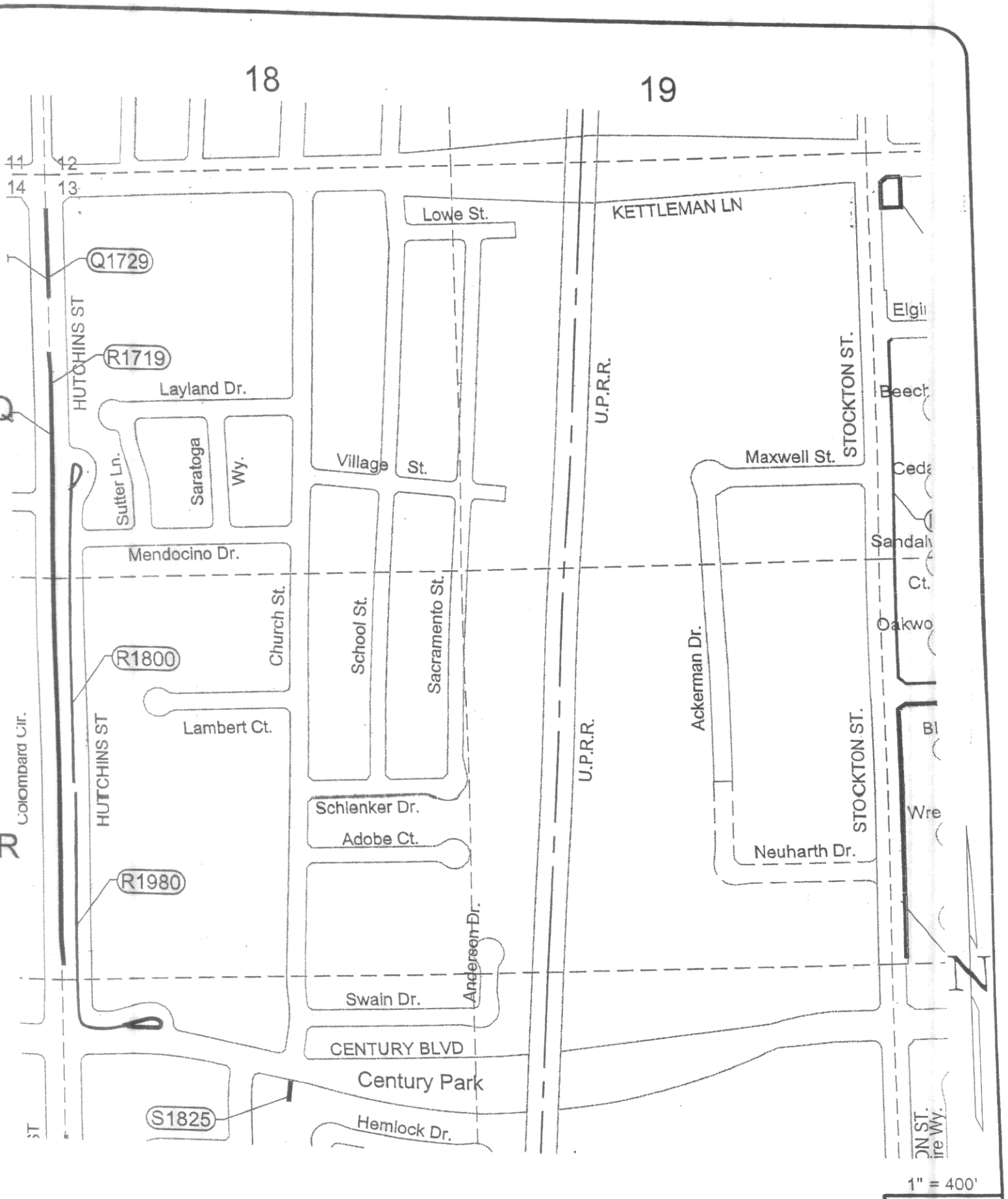
55


20
21
Cherry St.
VINE ST
Watson St.
Washington St.
Mission St.
Concord St.
Priebe St.
Central Av.
Wellswood Av.
Garfield St.
CHEROKEE LN
STOCKTON ST
Q2062
Blakely Park
Boys & Girls Club
Poplar St.
Cypress St.
Acacia St.
Liebig St.
Washington St.
Charles St.
Lodi Academy
S.B.A. Elementary School
12
13
7
18
KETTLEMAN LN
Voelker
Dr.
Q2010
1" = 400'

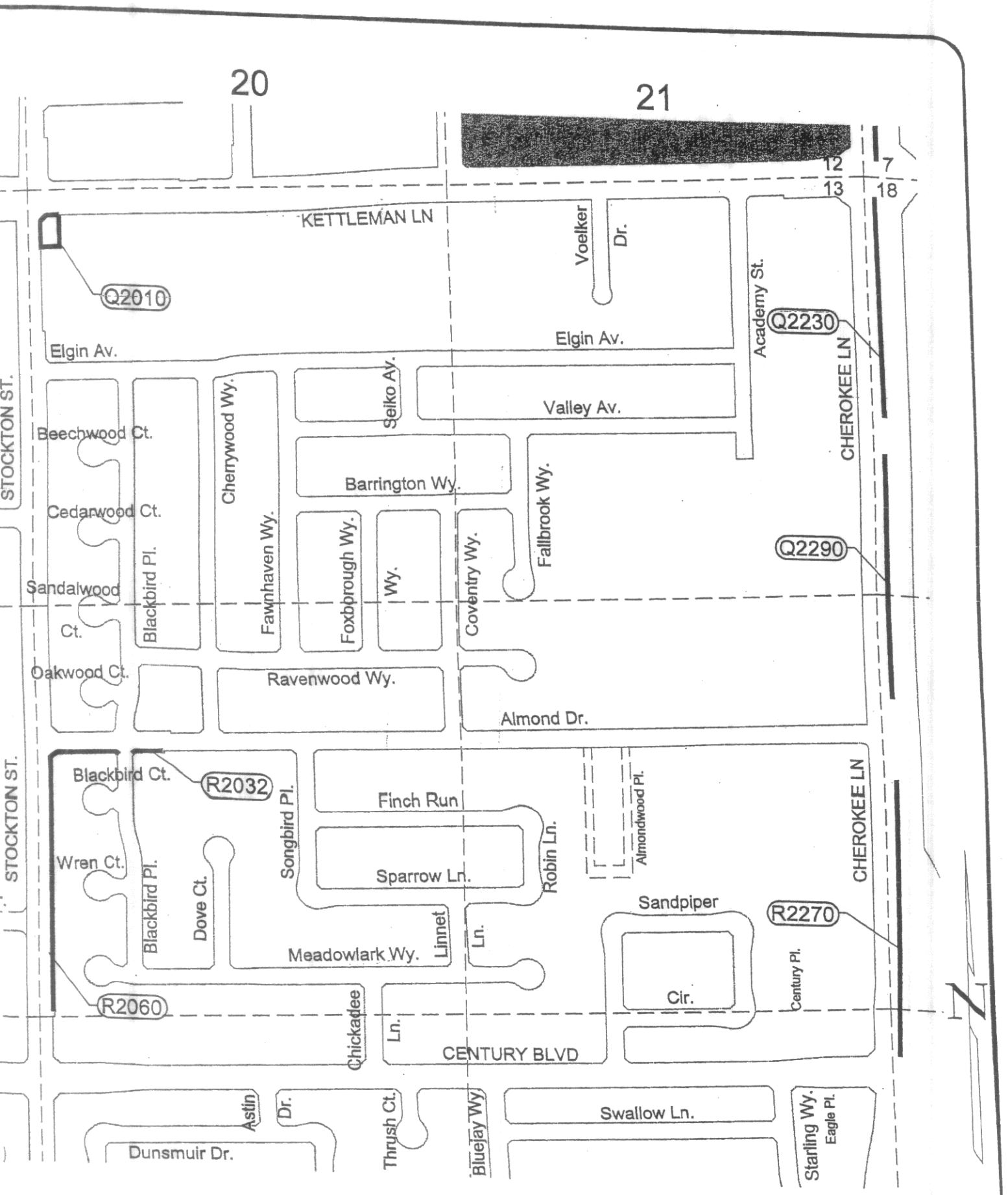
22
23
N2270
CHER
Lloyd
Woodrow Pl
Joaquin
St.
Ana St.
Vine St.
Cluff Av.
Beckman
Pixley Park
O2240
CHEROKEE LN
Lloyd St.
Delores St.
Woodrow St.
HWY 99
Beckman Rd.
O2280
Maria Ln.
P2220
CHEROKEE LN
P2270
HWY 99
Business Park Dr.
Beckman Rd.
Pixley Parkway
12
13
7
18
KETTLEMAN LN
N

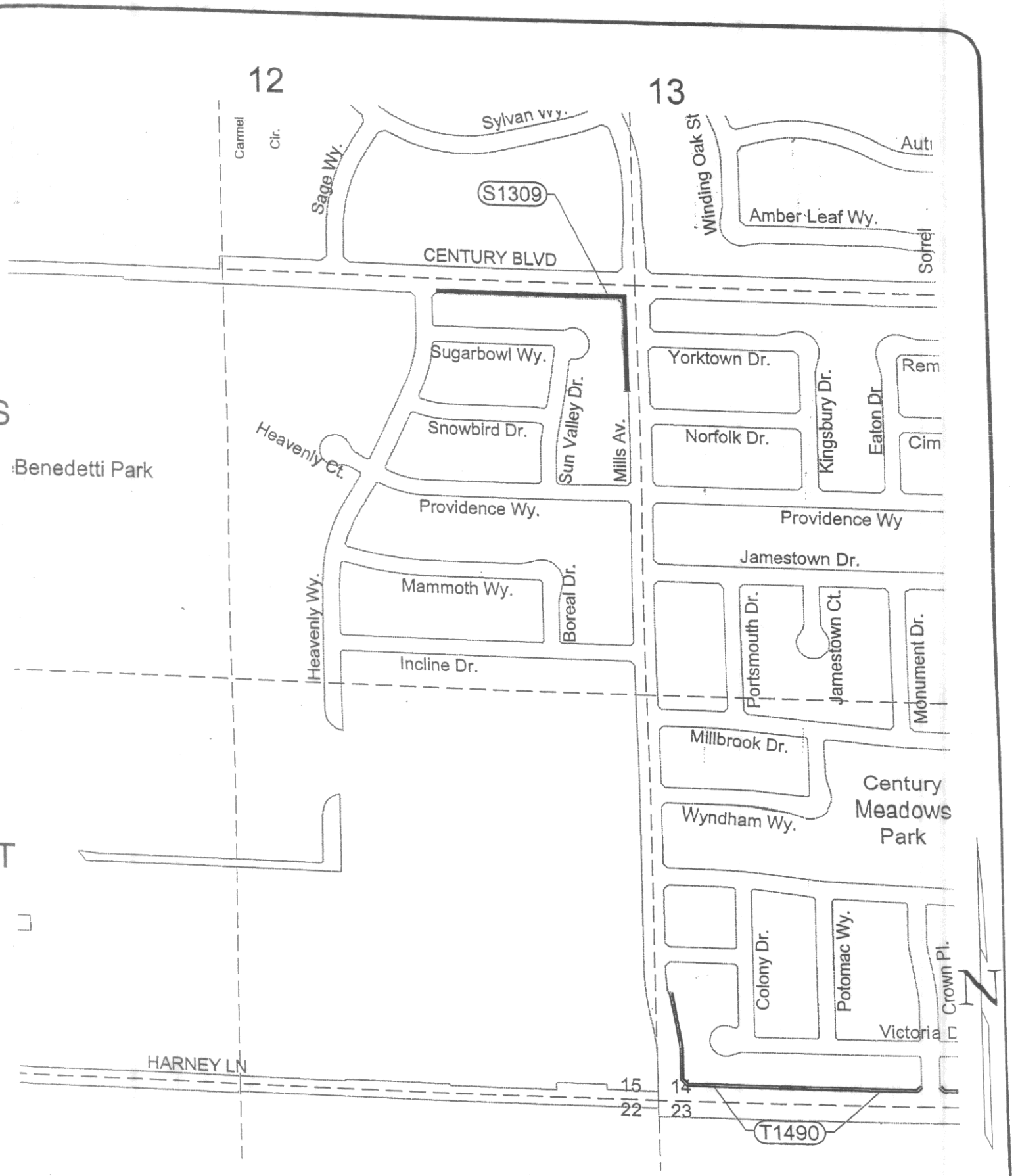
1" = 400'


16
17
Q1704
11
12
14
13
KETTLEMAN LN
Q1607
Q1729
Q1640
Fairmont Av.
Chianti Dr.
Q1762
HUTCHINS ST
Q1680
Brandywine Dr.
R1719
Brandywine
Ct.
Pinot Noir
Thompson
Dr.
Dr.
Reisling
Ct.
Reisling Dr.
Tawny
Port
R1620
Dr.
Carignane
Ct.
Colombard Cir.
Chenin Blanc
Dr.
Marsala
Ct.
HUTCHINS ST
CENTURY BLVD
N
S1630
Dartmoor
Cir.
Dorchester
Cir.
Century
School
1" = 400'


18
19
11
12
14
13
Q1729
R1719
R1800
R1980
S1825
HUTCHINS ST
Layland Dr.
Sutter Ln.
Saratoga
Wy.
Mendocino Dr.
Church St.
Lambert Ct.
Colombard Cir.
Lowe St.
Village St.
School St.
Sacramento St.
Schlenker Dr.
Adobe Ct.
Anderson Dr.
Swain Dr.
CENTURY BLVD
Century Park
Hemlock Dr.
KETTLEMAN LN
U.P.R.R.
Maxwell St.
Ackerman Dr.
Neuharth Dr.
STOCKTON ST.
Elgi
Beech
Ceda
Sandal
Ct.
Oakwo
Wre
N
1" = 400'

66

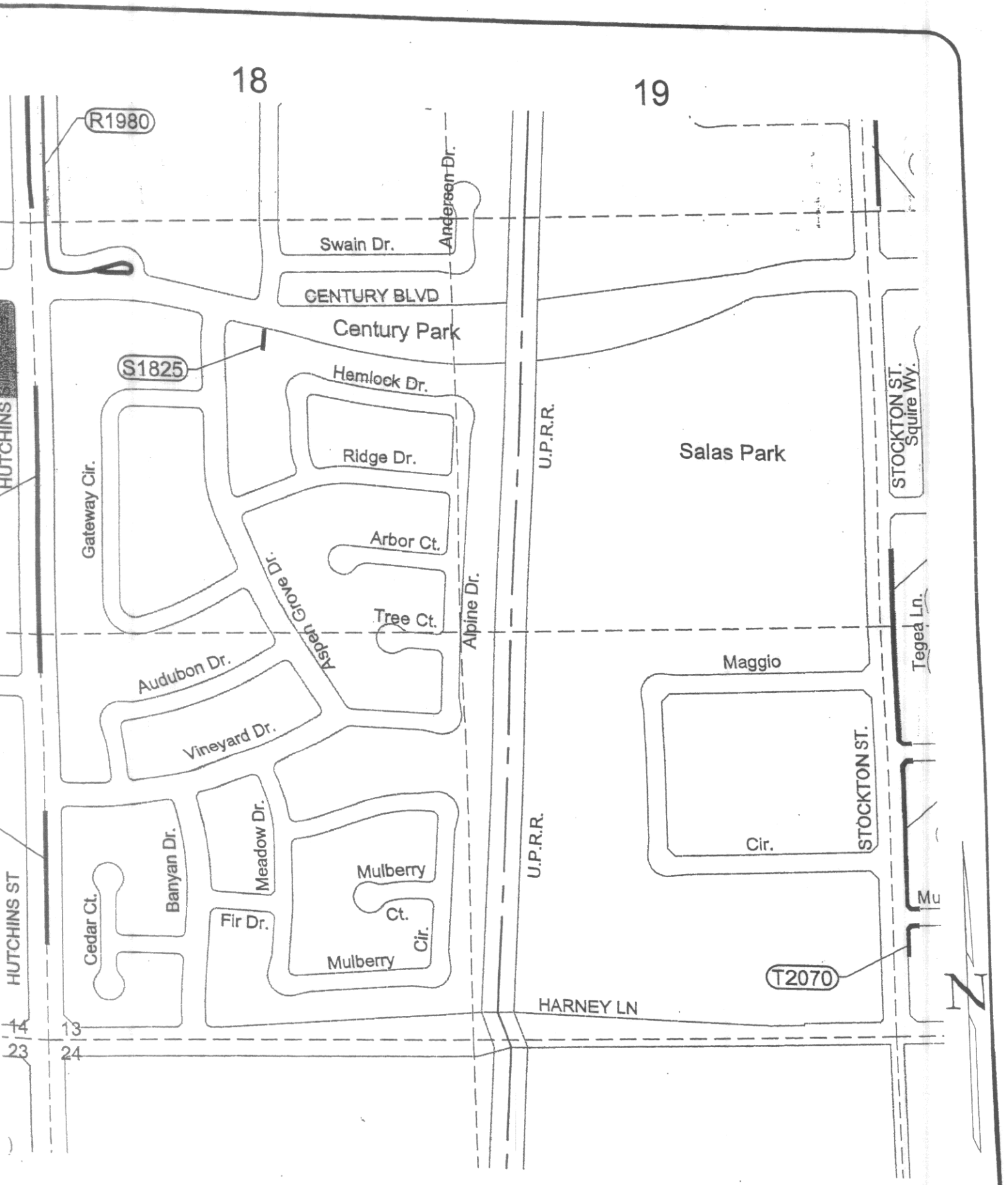

20
21
12
13
7
18
KETTLEMAN LN
Voelker
Dr.
Q2010
Elgin Av.
Elgin Av.
Academy St.
Q2230
CHEROKEE LN
Seiko Av.
Valley Av.
STOCKTON ST.
Beechwood Ct.
Cherrywood Wy.
Barrington Wy.
Fallbrook Wy.
Cedarwood Ct.
Fawnhaven Wy.
Foxbrough Wy.
Wy.
Coventry Wy.
Q2290
Sandalwood
Ct.
Blackbird Pl.
Oakwood Ct.
Ravenwood Wy.
Almond Dr.
STOCKTON ST.
Blackbird Ct.
R2032
Songbird Pl.
Finch Run
Almondwood Pl.
CHEROKEE LN
Wren Ct.
Blackbird Pl.
Dove Ct.
Sparrow Ln.
Robin Ln.
Sandpiper
R2270
Linnet
Ln.
Meadowlark Wy.
Cir.
Century Pl.
R2060
Chickadee
Ln.
CENTURY BLVD
Astin
Dr.
Thrush Ct.
Bluejay Wy
Swallow Ln.
Starling Wy.
Eagle Pl.
Dunsmuir Dr.
N
1" = 400'

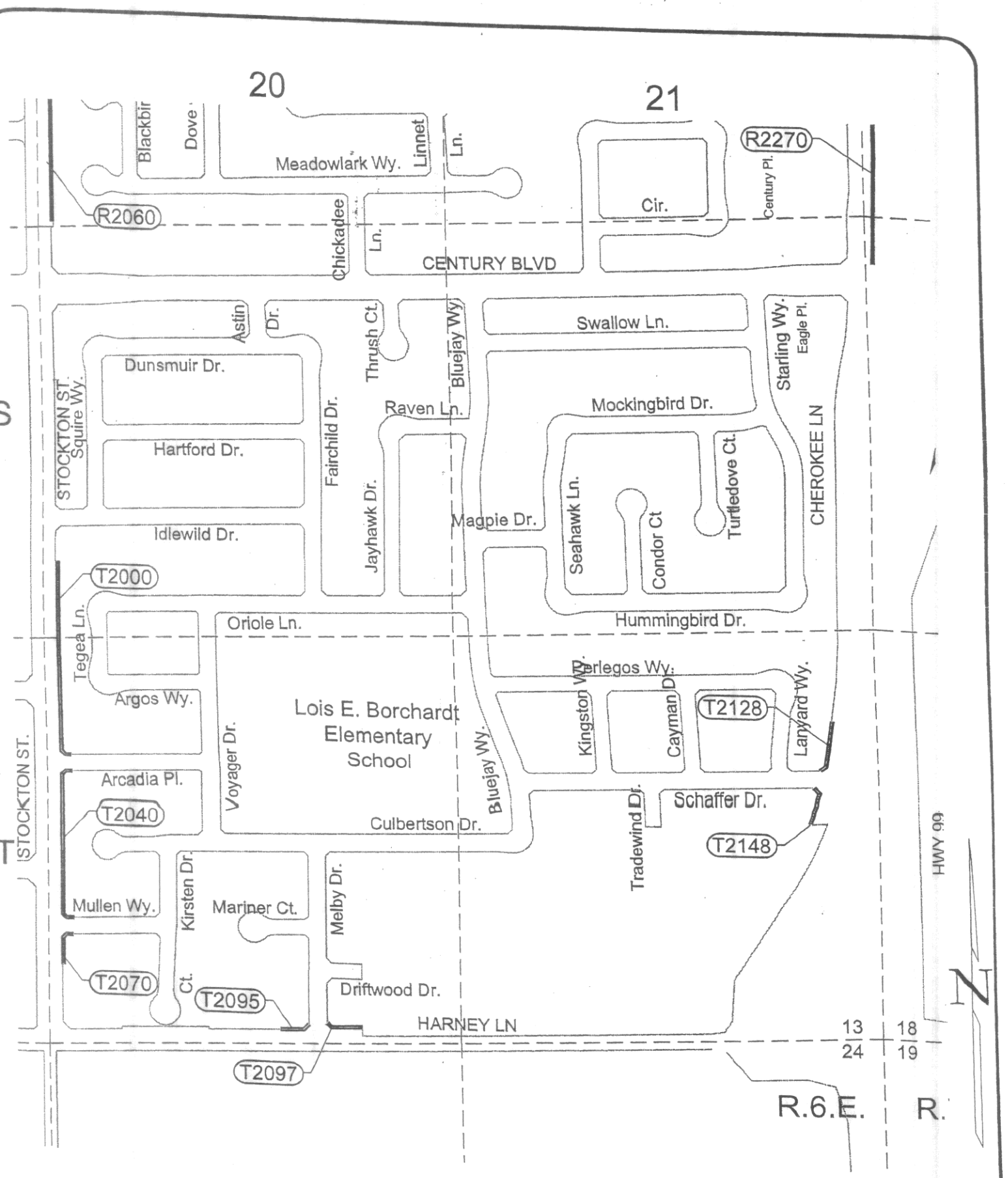

12
13
Carmel
Cir.
Sage Wy.
Sylvan Wy.
S1309
Winding Oak St
Amber Leaf Wy.
Sorrel
CENTURY BLVD
Sugarbowl Wy.
Snowbird Dr.
Sun Valley Dr.
Mills Av.
Yorktown Dr.
Kingsbury Dr.
Eaton Dr
Norfolk Dr.
Benedetti Park
Heavenly Ct.
Providence Wy.
Providence Wy
Jamestown Dr.
Mammoth Wy.
Boreal Dr.
Heavenly Wy.
Incline Dr.
Portsmouth Dr.
Jamestown Ct.
Monument Dr.
Millbrook Dr.
Wyndham Wy.
Century Meadows Park
Colony Dr.
Potomac Wy.
Crown Pl.
Victoria
HARNEY LN
15
14
22
23
T1490
N
1" = 400'

14
15
Winding Oak
Autumn Wy.
Amber Leaf Wy.
Windy Tree
Ln.
Mimosa
W.I.D.
Chablis Dr.
Sorrel
Dr.
CENTURY BLVD
Yorktown Dr.
Kingsbury Dr.
Eaton Dr.
Remington Wy
Norfolk Dr.
Cimmaron Dr
Sun Valley Dr.
Mills Av.
Meadowbrook Dr.
W.I.D.
S1504
Beckman Park
HAM LN
Providence Wy
Jamestown Dr.
Fire Station #3
S1576
Arundel Ct.
Boreal Dr.
Portsmouth Dr.
Jamestown Ct.
Monument Dr.
Medallion Way
Jasmine Wy.
Carriage Dr.
Millbrook Dr.
Muirfield Dr.
Centennial Dr.
Century Meadows Park
Richmond Ln.
Wyndham Wy.
Poppy Dr.
Meridian Dr.
Lexington Dr.
Colony Dr.
Potomac Wy.
Crown Pl.
Springhaven Wy.
Greenfield Ln.
W.I.D.
Victoria Dr.
T1497
HARNEY LN
Wildwood Dr.
15
14
22
23
T1490
N
1" = 400'

16
17
CENTURY BLVD
Ct.
HAM LN
S1630
Dartmoor
Cir.
Dorchester
Cir.
Century School
Newbury
Cir.
English Oaks Park
Dorchester
Wy.
S1743
S1674
HUTCHINS
S1660
S1689
S1779
Port Chelsea
Deerfield
Ct.
T1604
S1682
T1613
Cir.
Beckman School
T1720
Wimbledon Dr.
Rockingham Cir.
HAM LN
T1643
Bradford
T1648
T1759
McCoy Ct.
T1664
Cir.
Winchester Dr.
HUTCHINS ST
Cedar Ct
W.I.D.
T1683
HARNEY LN
14
13
23
24
T1797

1" = 400'

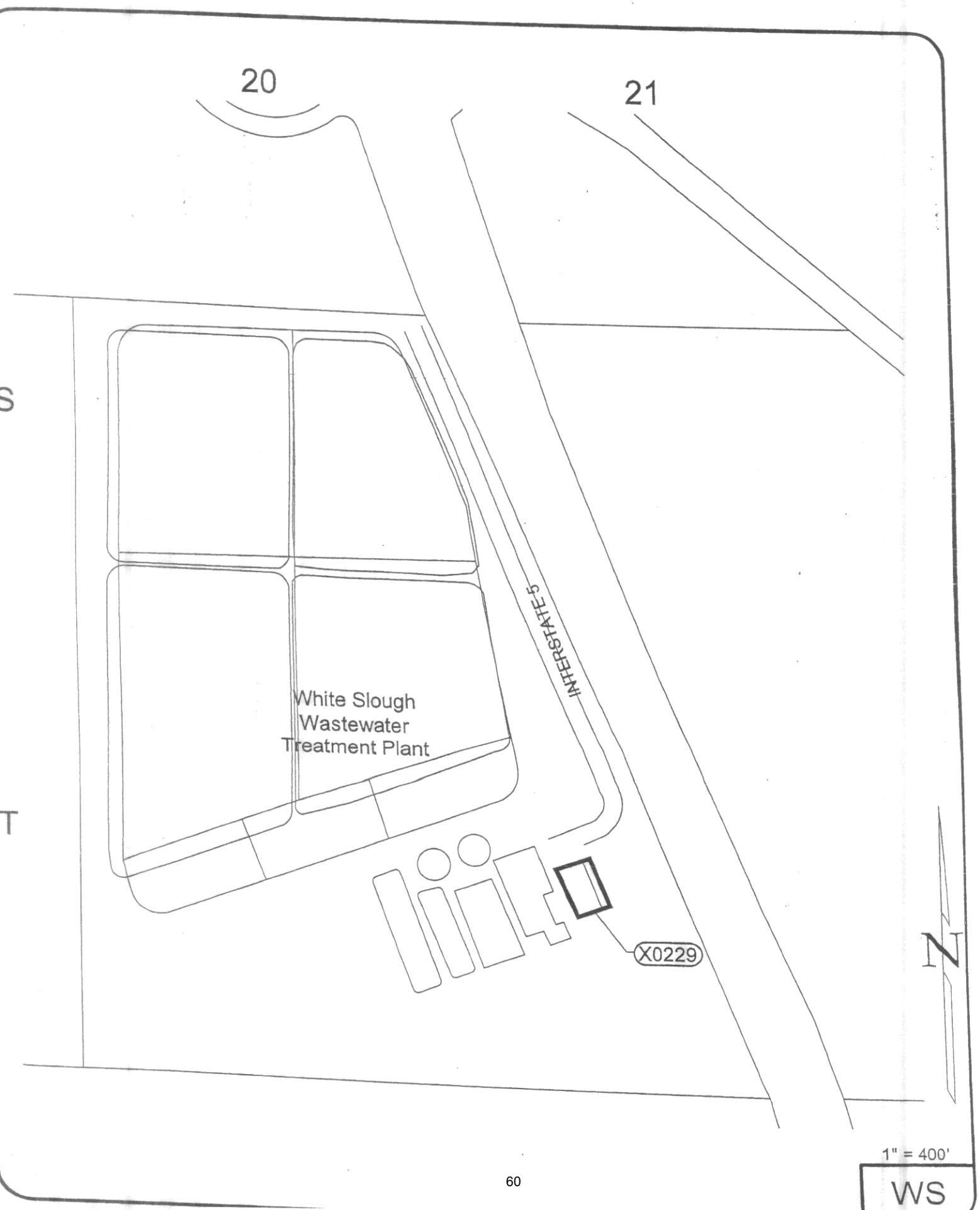

18
19
R1980
S1825
T2070
Swain Dr.
Anderson Dr.
CENTURY BLVD
Century Park
Hemlock Dr.
Ridge Dr.
Arbor Ct.
Tree Ct.
Gateway Cir.
Aspen Grove Dr.
Alpine Dr.
Audubon Dr.
Vineyard Dr.
U.P.R.R.
Salas Park
STOCKTON ST.
Squire Wy.
Tegea Ln.
Maggio
Cir.
STOCKTON ST.
Banyan Dr.
Meadow Dr.
Cedar Ct.
Fir Dr.
Mulberry
Ct.
Cir.
Mulberry
HUTCHINS ST
HARNEY LN
14
13
23
24
N
1" = 400'


20
21
Blackbir
Dove
Meadowlark Wy.
Linnet
Ln.
R2270
Century Pl.
Cir.
R2060
Chickadee
Ln.
CENTURY BLVD
Astin
Dr.
Thrush Ct.
Bluejay Wy.
Swallow Ln.
Starling Wy.
Eagle Pl.
Dunsmuir Dr.
Squire Wy.
STOCKTON ST.
Raven Ln.
Mockingbird Dr.
Hartford Dr.
Fairchild Dr.
Jayhawk Dr.
Magpie Dr.
Seahawk Ln.
Condor Ct
Turtledove Ct.
CHEROKEE LN
Idlewild Dr.
T2000
Tegea Ln.
Oriole Ln.
Hummingbird Dr.
Argos Wy.
Perlegos Wy.
Lois E. Borchardt
Elementary
School
Voyager Dr.
Bluejay Wy.
Kingston Wy.
Cayman Dr.
T2128
Lanyard Wy.
Arcadia Pl.
T2040
Culbertson Dr.
Tradewind Dr.
Schaffer Dr.
T2148
STOCKTON ST.
HWY 99
Mullen Wy.
Kirsten Dr.
Mariner Ct.
Melby Dr.
T2070
Ct.
T2095
Driftwood Dr.
HARNEY LN
13
24
18
19
T2097
R.6.E.
R.
N
1" = 400'

77

22
23
Century Pl.
Starling Wy.
Eagle Pl.
M2333
CHEROKEE LN
Turtledove Ct.
d Dr.
CHEROKEE
MEMORIAL PARK
Beckman Rd.
Lanyard Wy.
T2128
ffer Dr.
T2148
HWY 99
13
24
18
19
HARNEY LN
R.6.E.
R.7.E.
N

1" = 400'


20
21
S
T
INTERSTATE-5
White Slough
Wastewater
Treatment Plant
X0229
N
1" = 400'
WS

RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE EXTENSION OF EXISTING CONTRACT FOR MAINTENANCE OF LANDSCAPE AREAS FOR 2006 FOR GROUPS A AND C, AND ADDING IRRIGATION MAINTENANCE FOR GROUP C

==========

WHEREAS, the City currently has an existing contract with Odyssey Landscape Companies for the maintenance of 76 landscaped sites within the City of Lodi and at the White Slough Water Pollution Control Facility; and

WHEREAS, City wide landscaping has been divided into three separate groups, two of which are included in this contract, as shown as follows:

Group A - Maintenance of Turf and Miscellaneous Landscape Areas 2006

Group C - Maintenance of Cherokee Lane and Adjacent Landscape Areas 2006; and

WHEREAS, staff recommends extending the existing contract with Odyssey Landscaping, with the inclusion of an optional bid item for irrigation maintenance for Group C at an additional cost of $10,000 to the existing contract amount of $77,539.92; and

WHEREAS, Odyssey Landscape has requested a three percent increase over the previous contract in amount not to exceed $89,866.12 to begin March 1, 2006 and end December 31, 2006.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby approve the extension of the existing landscape maintenance contract for Group A and Group C, for the period March 1, 2006 through December 31, 2006, with Odyssey Landscape Company, Inc., in the total amount of $89,866.12, which includes an optional bid item for irrigation maintenance for Group C and a three percent increase over the previous contract.

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006 by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2006-____

AGENDA ITEM **E-05**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Adopt Resolution Approving Specifications, Authorizing Advertisement for Bids for Maintenance of Landscape Areas for 2006 Group B – Lower Sacramento Road and Adjacent Landscape Areas, and Authorizing City Manager to Award or Reject the Contract up to $90,000**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council adopt a resolution approving specifications, authorizing advertisement for bids for maintenance of landscape areas for 2006 Group B – Maintenance of Lower Sacramento Road and Adjacent Landscape Areas, and authorizing the City Manager to award or reject the contract up to $90,000.

BACKGROUND INFORMATION: This project provides for the contract maintenance of 66 landscaped sites (totaling approximately 10 acres) within the City of Lodi, which comprises Group B – Maintenance of Lower Sacramento Road and Adjacent Landscape Areas 2006 only. Staff does not recommend the extension of the current contract. This new contract will run from March 1, 2006 to December 31, 2006.

FISCAL IMPACT: This annual contract is up to $90,000, which maintains the existing landscape sites at the current reduced-frequency level. Note that this work is separate from landscape maintenance locations included in the various Landscape Maintenance Assessment Districts that have been established in new developments. The maintenance work at those locations is done more frequently.

FUNDING AVAILABLE: The money for the first four months of this maintenance contract is budgeted in the 2005/06 budget and is distributed between two different departments within the City of Lodi. Funding for the remainder of the contract will be proposed for in the upcoming 2006/07 Budget as has been done in the past. The contract will include language allowing for changes based on the actual adopted budget.

_____
Ruby Paiste, Interim Finance Director

_____
Richard C. Prima, Jr.
Public Works Director

Prepared by Curt Juran, Assistant Street Superintendent
RCP/GMB/CJ/dsg

cc: Joel Harris, Purchasing Agent
George M. Bradley, Street Superintendent
Curt Juran, Assistant Street Superintendent

APPROVED: _____
Blair King, City Manager

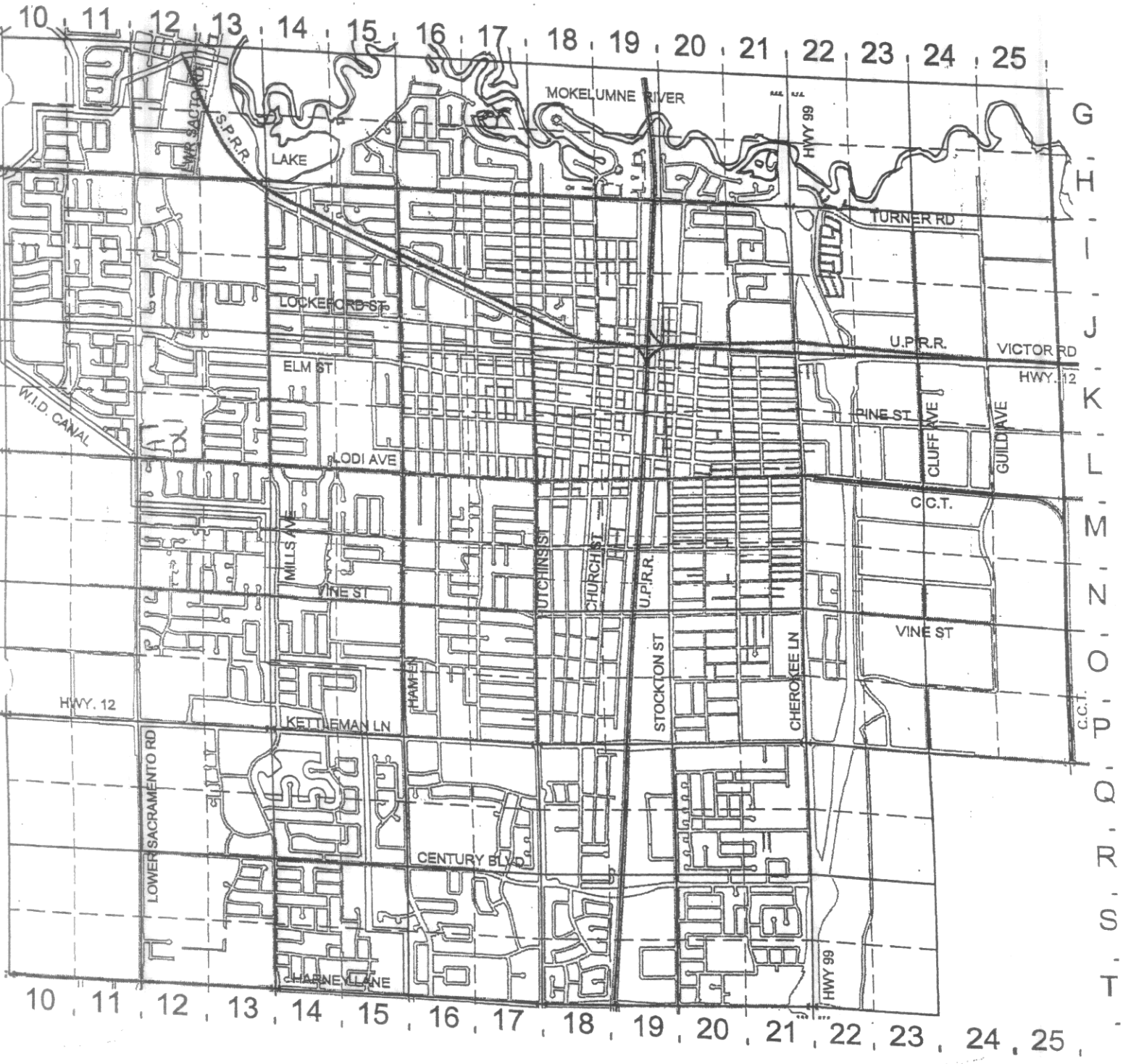
GROUP B

MAINTENANCE OF LOWER SACRAMENTO RD. & ADJACENT LANDSCAPE AREAS
SITE LOCATIONS (EXHIBIT GROUP B)

	SITE	DESCRIPTION & LOCATION	TYPE	MAP	Sq. Ft.
1	I1002	Turner Road at Evergreen Drive to Golden Oak	RF	22	900
2	I1004	Turner Road at Evergreen Drive to Golden Oak	RF	22	8,250
3	I1102	Turner Road at Evergreen Drive to Golden Oak	RF	22	5,950
4	I1139	Lower Sacramento Rd. Center island S/O Turner	M	23	10,125
5	I1352	Grenoble Drive	WW	53	3,525
6	I1621	Denby Drive	WW	25	4,300
7	J1109	Lower Sacramento Road (West Side S/O Tejon)	M	22	25,000
8	J1119	Lower Sacramento Rd Center island S/O Tejon	M	23	22,500
9	J1179	Lower Sacramento Rd Center island N/O Elm	M	23	15,000
10	J1189	Lower Sacramento Road (west side S/O Parkwest)	M	32	16,000
11	J1625	#25 - Fairmont & Holly Drive	W	25	1,600
12	K1117	Elm Street Islands (west of Lower Sacramento Rd 3)	M	32	660
13	K1149	Lower Sacramento Rd Center island S/O Elm	M	32	2,250
14	K1179	Lower Sacramento Road, W/side Elm & South	RF	32	24,000
15	K1745	Elm Street, Rose-California (3)	M	35	1,376
16	K1954	11 through 19 West Elm (Between School & Sacramento)	PL	36	21,000
17	K2086	Parking Structure, Pine to Elm at Sacramento	PL	36	2,190
18	L1169	Lower Sacramento Road (West Side S/O Paradise)	M	42	10,200
19	L1210	Lower Sacramento Rd Center island S/O Oxford	M	33	13,000
20	L1260	Lower Sacramento Rd Center island N/O Lodi	M	33	14,500
21	L1818	Oak & Church (1)	PL	36	13,600
22	L1899	Pine & Church (1)	PL	36	10,500
23	L1912	School Street; Lodi to Locust	ST	36	360,800
24	L1914	Sacramento Street	ST	36	91,125
25	L1936	Multi-Modal Station on Sacramento Street	F	36	98,075
26	M1119	Lower Sacramento Road (West Side S/O Lodi)	M	42	3,500
27	M1159	Lower Sacramento Road (West Side S/O Lodi)	M	42	4,500
28	M1179	Lower Sacramento Road (S/O Lodi at WID)	M	42	300
29	M1189	Lower Sacramento Rd 2nd Center island S/O Lodi	M	42	17,400
30	M1210	Lower Sacramento Rd. Center island S/O Lodi	M	42	4,500
31	M1270	Lower Sacramento Road (S/O Lodi at WID)	M	42	300
32	M1280	#13 - Corbin & Lower Sacto Rd	W	42	3,325
33	N1149	Lower Sacramento Rd Tokay to Vine	M	42	12,000
34	N1220	Lower Sacramento Rd. between Tokay & Cochran	RF	42	4,620
35	N1428	Virginia Avenue	M	44	360
36	N1438	Virginia Avenue	M	44	375
37	N1458	Virginia Avenue	M	44	375
38	N1489	Vista Drive	M	44	216
39	O1250	Lower Sacramento Rd S/O Vine	M	53	12,000
40	O1490	Mills Avenue (Bridge North of Kettleman)	RF	54	1,020
41	O1491	Mills Avenue (Bridge North of Kettleman)	RF	54	1,020

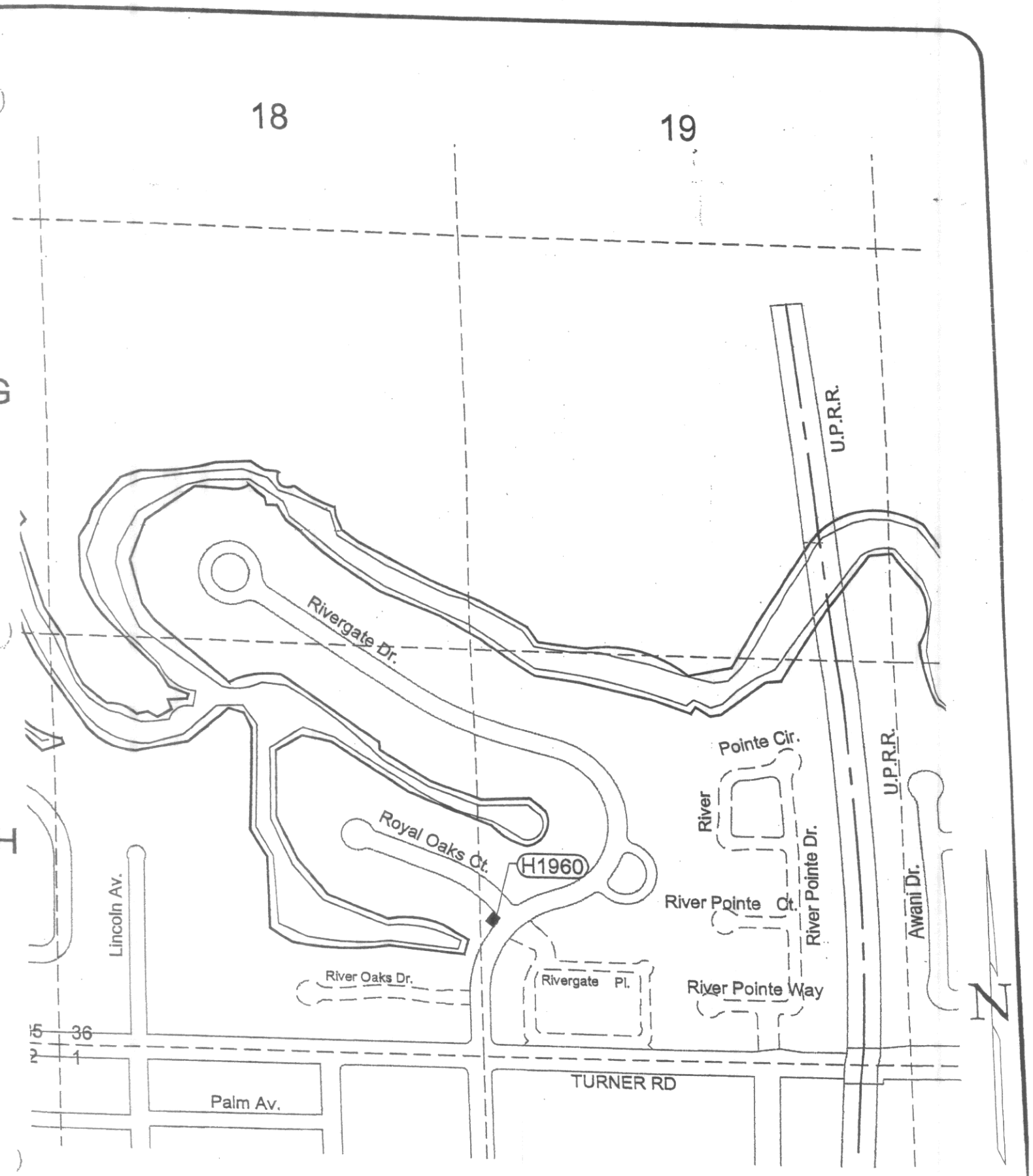
GROUP B

42	P1210	Lower Sacramento Rd S/O Taylor	M	53	5,400
43	P1270	Lower Sacramento Rd N/O Kettleman	M	53	6,300
44	P1470	S. Mills & Tienda	SL	53	750
45	P1546	Kofu Parking Lot	PL	54	16,900
46	P1558	Kofu Parking Lot	PL	54	13,500
47	P1567	Kofu Parking Lot	PL	54	3,380
48	P1569	Kofu Parking Lot	PL	54	1,760
49	Q1607	Kettleman Lane (Fairmont to Hutchins)	M	55	7,250
50	Q1704	Kettleman Lane (Fairmont to Hutchins)	M	55	10,750
51	Q1729	Hutchins Street, S/O Kettleman	M	66	3,600
52	Q1762	Brandywine Drive	WW	65	5,890
53	R1719	Hutchins Street, S/O Kettleman	M	66	28,200
54	R1800	East side of Hutchins Street, N/O Mendocino to Century	M	66	8,350
55	R1980	East side of Hutchins Street, N/O Century	M	66	9,250
56	S1309	Century at Mills (SW)	RF	73	13,425
57	S1674	Port Chelsea	WW	75	2,760
58	S1689	Port Chelsea	WW	75	2,160
59	S1779	Hutchins Street, s/o Century	M	75	14,950
60	S1825	#18 - Church & Century	W	66	630
61	T1490	S. Mills at Harney Lane	RF	74	10,250
62	T1497	Crown at Harney Lane	RF	74	1,500
63	T1648	Bradford Circle	WW	75	14,950
64	T1720	Wimbledon Drive	WW	75	630
65	T1759	Hutchins Street, Vineyard-Harney	M	75	10,250
66	T1797	#19 - Harney Lane	W	75	1,500
67	H1250	Woodhaven Lane N/O Turner	M		
68	H1230	Woodhaven Lane N/O Turner	M		
69	H1210	Woodhaven Lane N/O Turner	M		
70	G1290	Woodhaven Lane N/O Turner	M		
M = MEDIAN WW=WALKWAY RF=REVERSE FRONTAGE PL=PARKING LOT F=FACILITY ST=STREET SITE W=WELL SITE SL=SEWER LIFT SITE SB=SUBSTATION (*SATURDAY WORK IS INCLUDED IN BID COST)				TOTAL AREA IN SQ. FT.	449,296

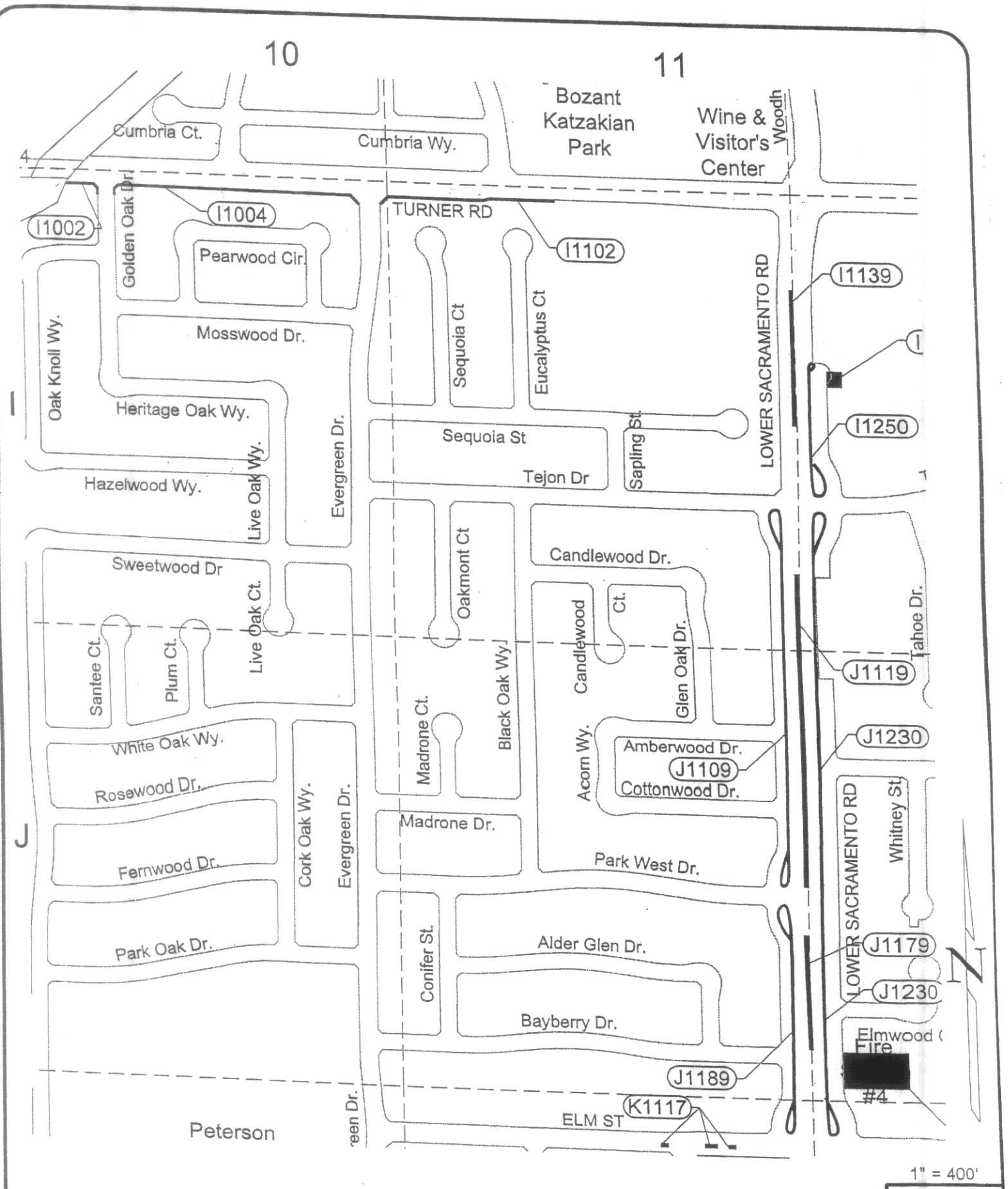


LANDSCAPE MAINTENANCE

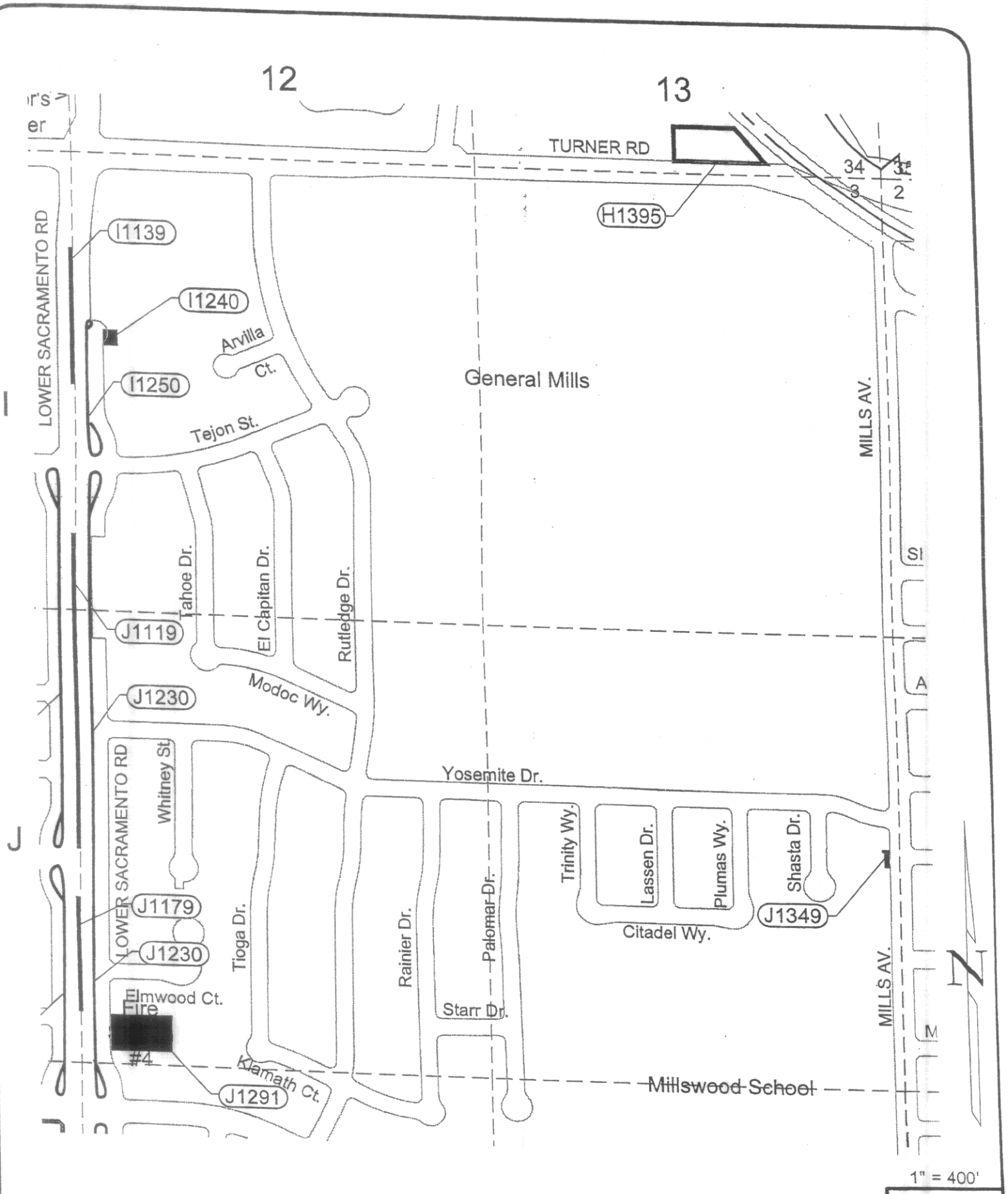
CITY OF LODI CALIFORNIA PUBLIC WORKS


18
19
U.P.R.R.
Rivergate Dr.
Pointe Cir.
River
Royal Oaks Ct.
H1960
River Pointe Dr.
U.P.R.R.
Awani Dr.
River Pointe Ct.
Lincoln Av.
River Oaks Dr.
Rivergate Pl.
River Pointe Way
N
5 36
2 1
TURNER RD
Palm Av.

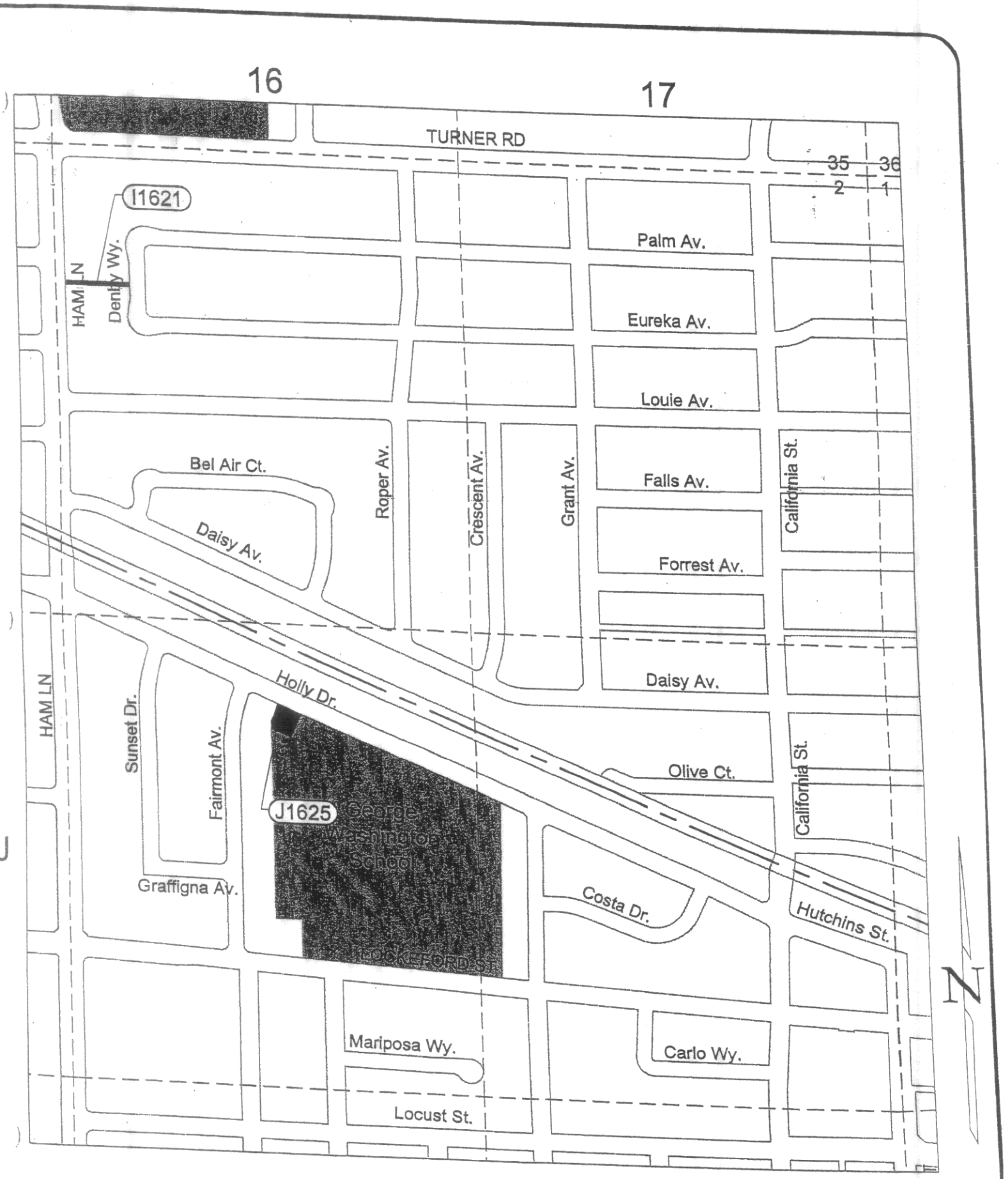
1" = 400'


10
11
Bozant Katzakian Park
Wine & Visitor's Center
Woodh
Cumbria Ct.
Cumbria Wy.
4
I1002
Golden Oak Dr.
I1004
Pearwood Cir.
TURNER RD
I1102
I1139
Mosswood Dr.
Oak Knoll Wy.
Heritage Oak Wy.
Sequoia Ct
Eucalyptus Ct
LOWER SACRAMENTO RD
I1250
Sequoia St
Sapling St.
Tejon Dr
Hazelwood Wy.
Live Oak Wy.
Evergreen Dr.
Sweetwood Dr
Live Oak Ct.
Oakmont Ct
Candlewood Dr.
Candlewood
Ct.
Glen Oak Dr.
Tahoe Dr.
Santee Ct.
Plum Ct.
Madrone Ct.
Black Oak Wy.
J1119
White Oak Wy.
Rosewood Dr.
Acorn Wy.
Amberwood Dr.
J1109
Cottonwood Dr.
J1230
Cork Oak Wy.
Evergreen Dr.
Madrone Dr.
Park West Dr.
Whitney St.
Fernwood Dr.
Park Oak Dr.
Conifer St.
Alder Glen Dr.
J1179
J1230
Bayberry Dr.
Elmwood
Fire
#4
J1189
K1117
ELM ST
Peterson
1" = 400'

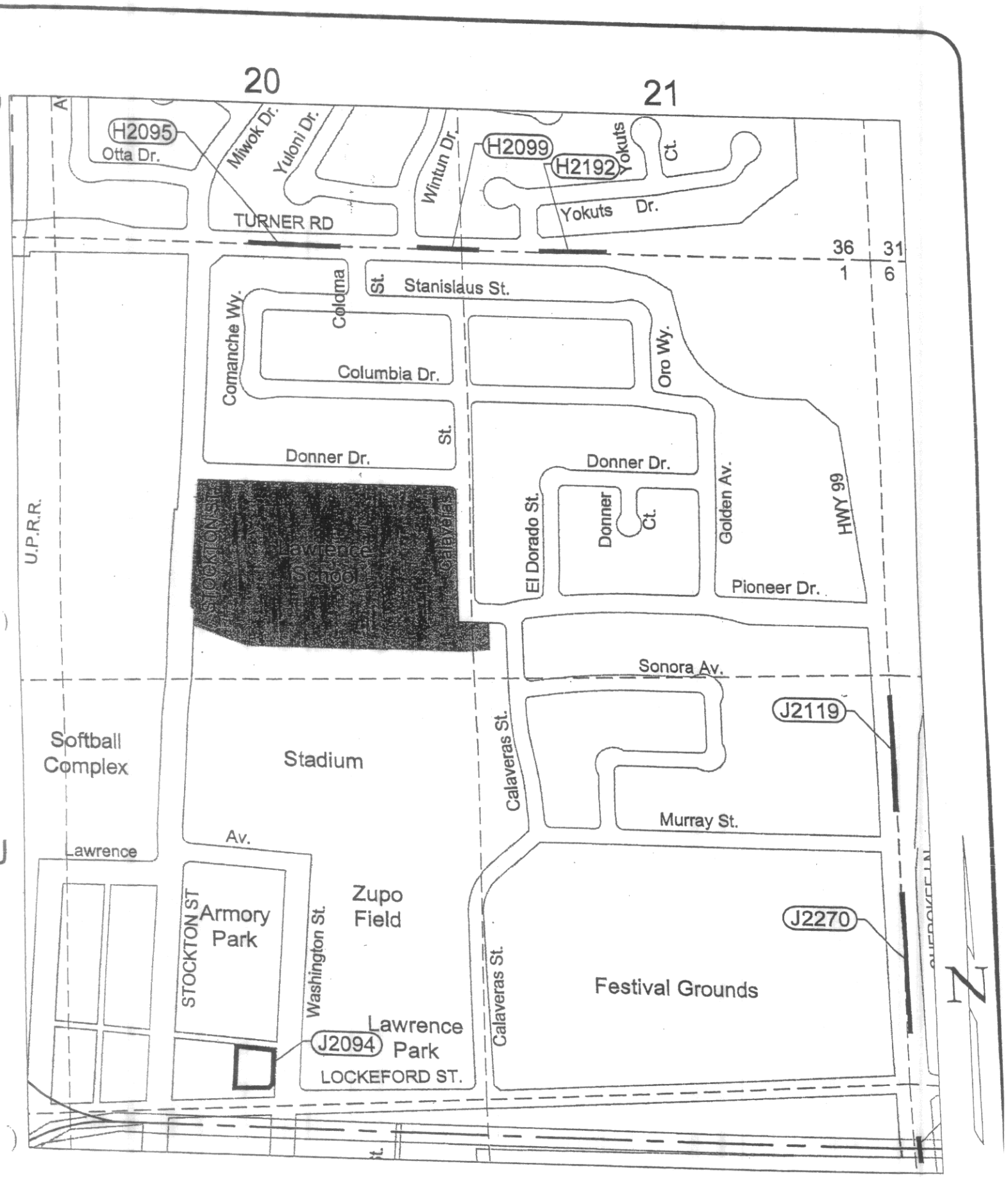
22


12
13
TURNER RD
34
3
2
H1395
I1139
I1240
I1250
LOWER SACRAMENTO RD
Arvilla Ct.
Tejon St.
General Mills
MILLS AV.
Tahoe Dr.
El Capitan Dr.
Rutledge Dr.
J1119
J1230
Modoc Wy.
Yosemite Dr.
Whitney St
LOWER SACRAMENTO RD
J1179
J1230
Tioga Dr.
Rainier Dr.
Palomar Dr.
Trinity Wy.
Lassen Dr.
Plumas Wy.
Shasta Dr.
J1349
Citadel Wy.
Elmwood Ct.
Fire
#4
Starr Dr.
Klamath Ct.
J1291
Millswood School
MILLS AV.
N
1" = 400'

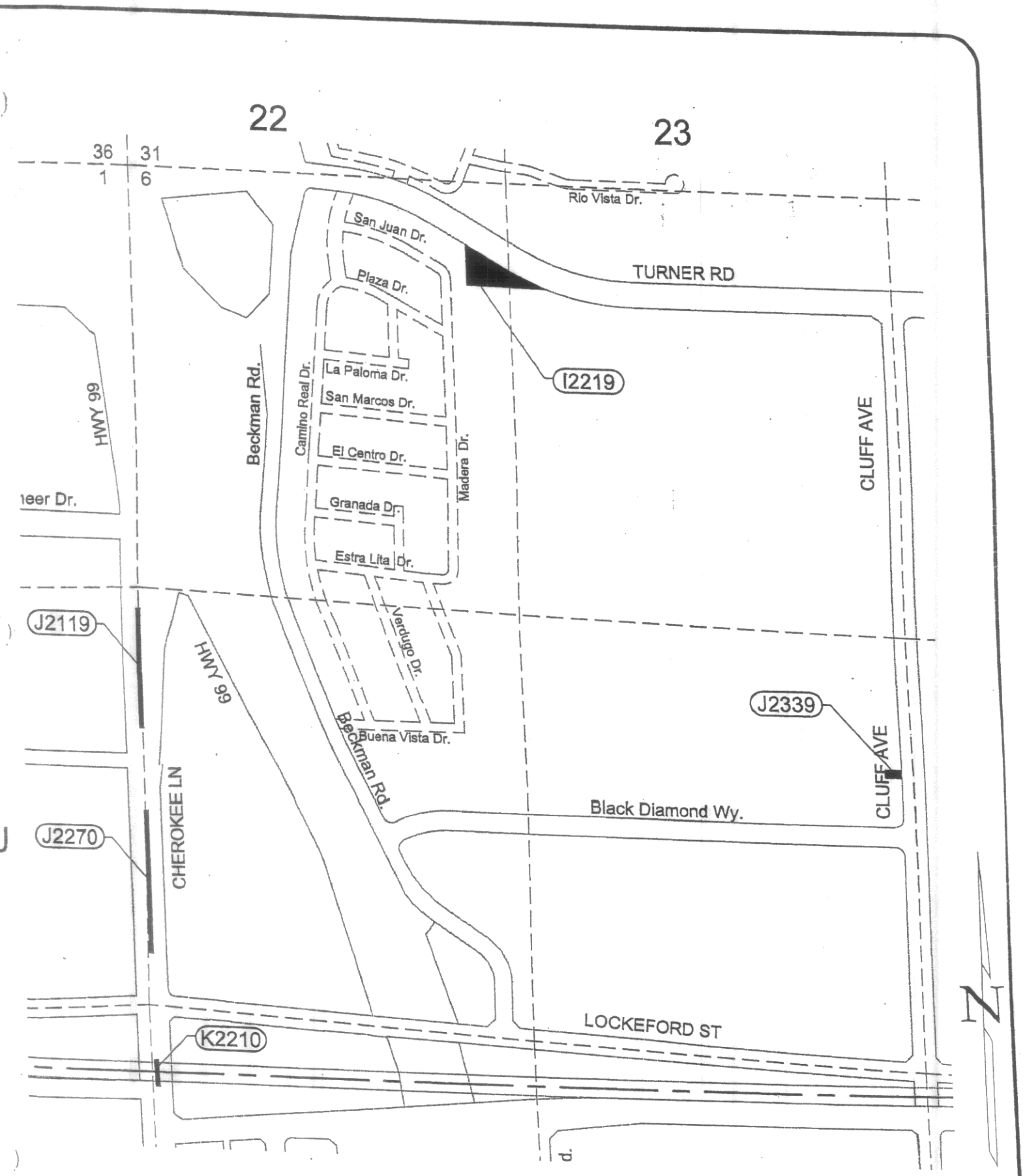
23


16
17
TURNER RD
35
2
36
1
I1621
HAM LN
Denby Wy.
Palm Av.
Eureka Av.
Louie Av.
Bel Air Ct.
Roper Av.
Crescent Av.
Grant Av.
Falls Av.
California St.
Daisy Av.
Forrest Av.
Daisy Av.
Holly Dr.
HAM LN
Sunset Dr.
Fairmont Av.
Olive Ct.
California St.
J1625
George Washington School
Graffigna Av.
Costa Dr.
Hutchins St.
LOCKEFORD ST
Mariposa Wy.
Carlo Wy.
Locust St.
N

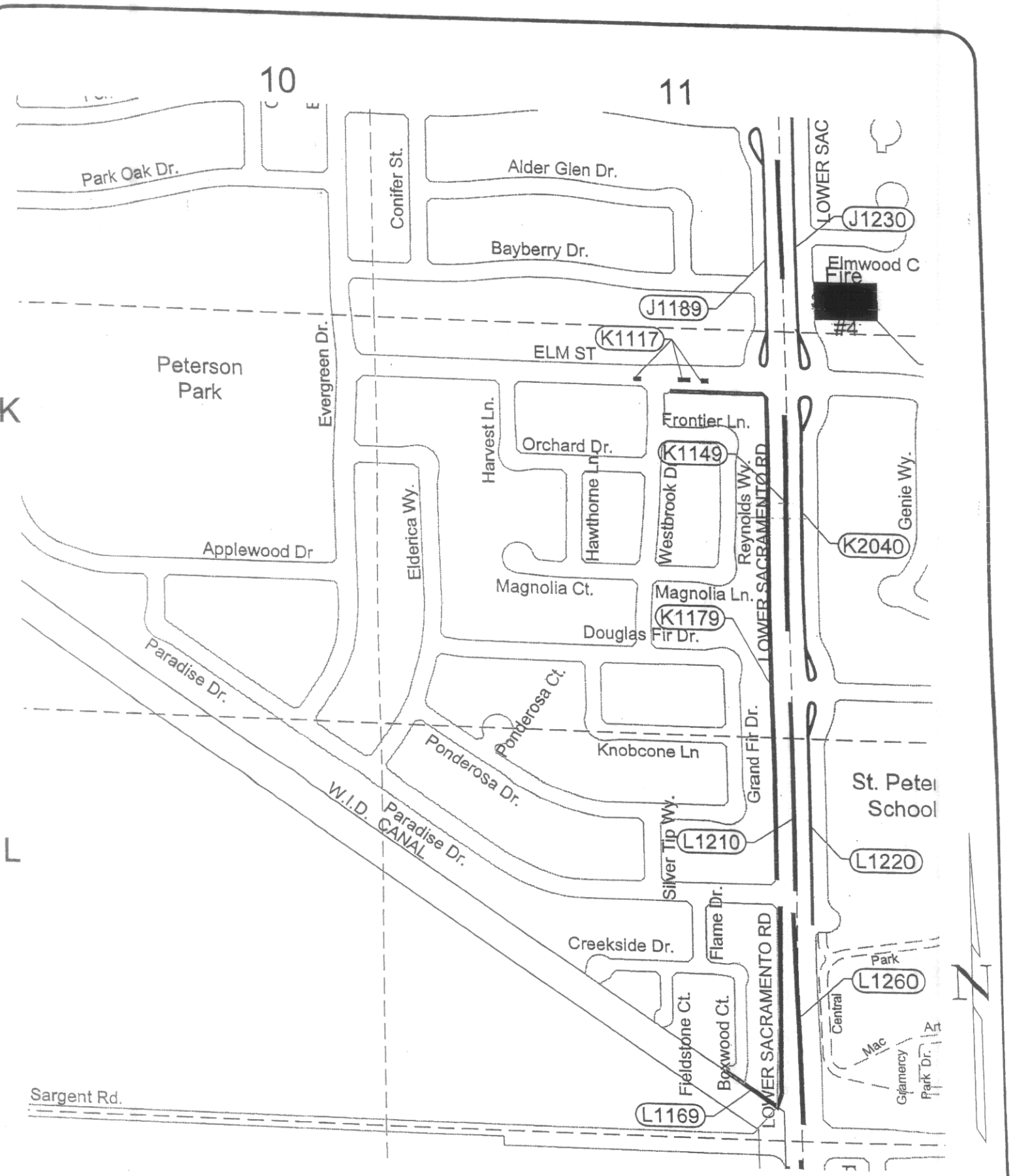
1" = 400'


20
21
H2095
Otta Dr.
Miwok Dr.
Yuloni Dr.
Wintun Dr.
H2099
H2192
Yokuts
Ct.
Yokuts Dr.
TURNER RD
36
31
1
6
Coldma
St.
Stanislaus St.
Comanche Wy.
Columbia Dr.
Oro Wy.
St.
Donner Dr.
Donner Dr.
Donner
Ct.
El Dorado St.
Golden Av.
HWY 99
Pioneer Dr.
U.P.R.R.
Sonora Av.
J2119
Softball
Complex
Stadium
Calaveras St.
Murray St.
Lawrence
Av.
Zupo
Field
Armory
Park
STOCKTON ST
Washington St.
J2270
Festival Grounds
Calaveras St.
Lawrence
Park
J2094
LOCKEFORD ST.
N

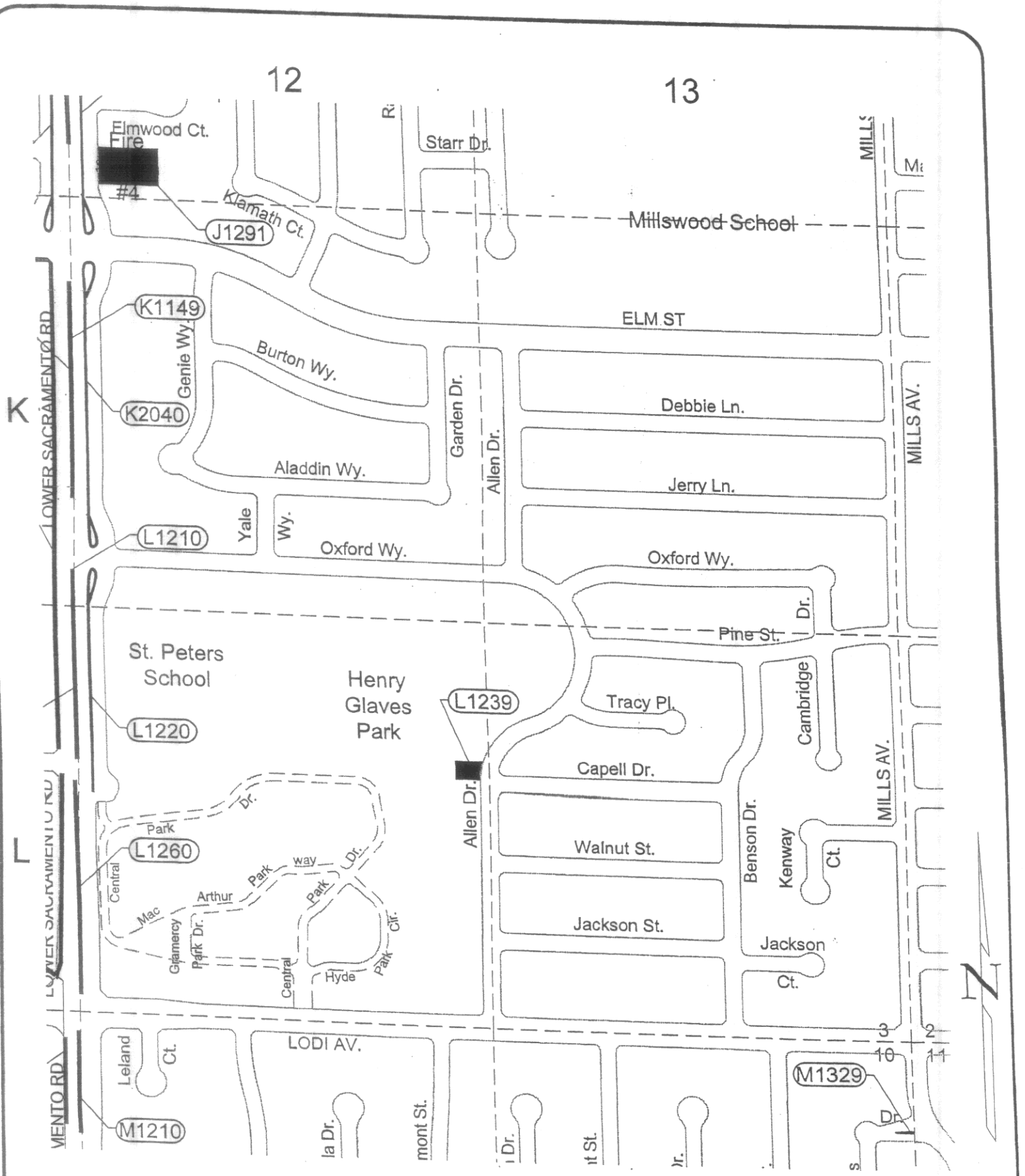
1" = 400'

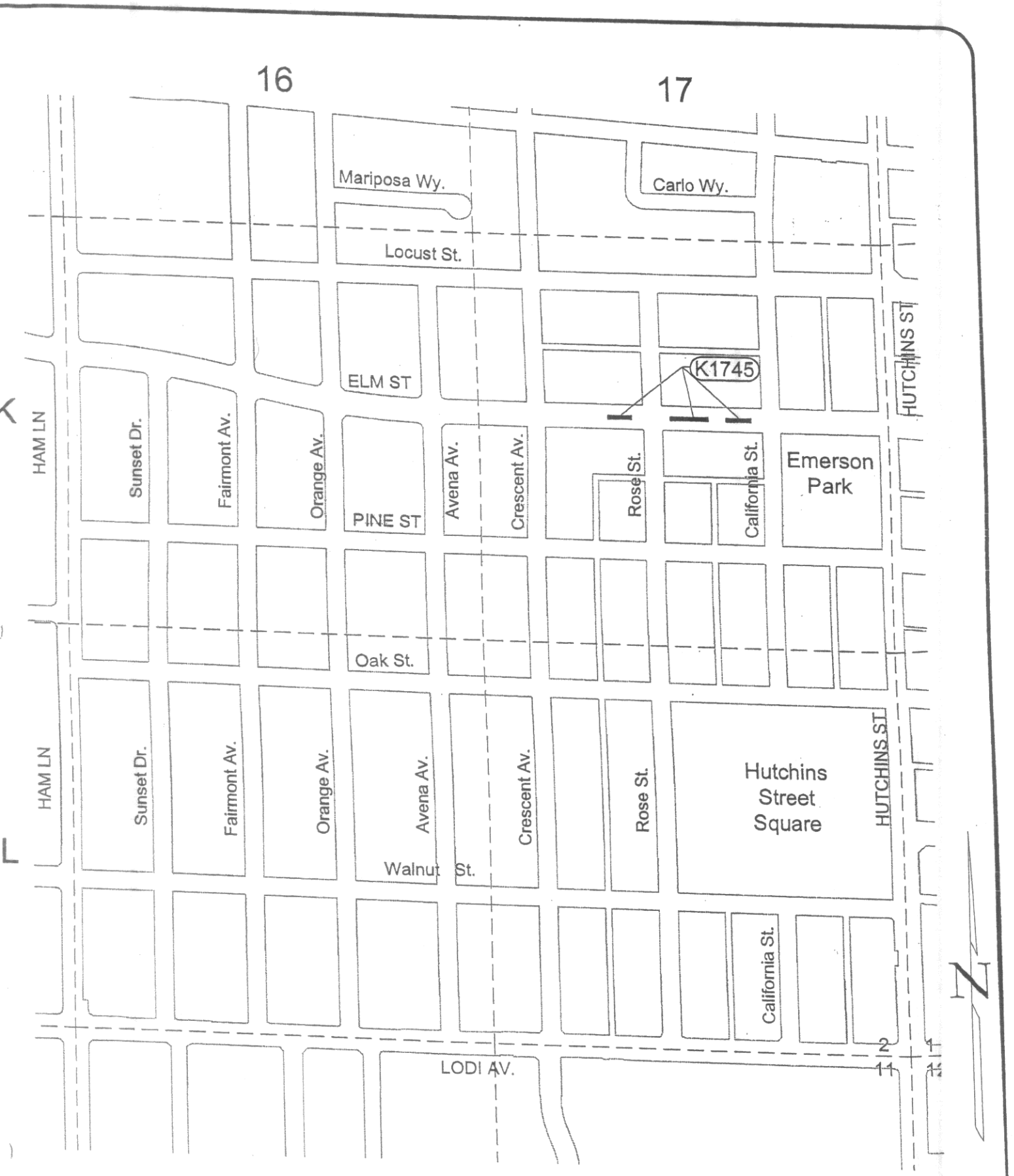

22
23
36
31
1
6
Rio Vista Dr.
San Juan Dr.
Plaza Dr.
TURNER RD
I2219
La Paloma Dr.
San Marcos Dr.
El Centro Dr.
Granada Dr.
Estra Lita Dr.
Verdugo Dr.
Buena Vista Dr.
Camino Real Dr.
Madera Dr.
Beckman Rd.
HWY 99
CLUFF AVE
J2119
J2339
J2270
CHEROKEE LN
Black Diamond Wy.
LOCKEFORD ST
K2210
N

1" = 400'

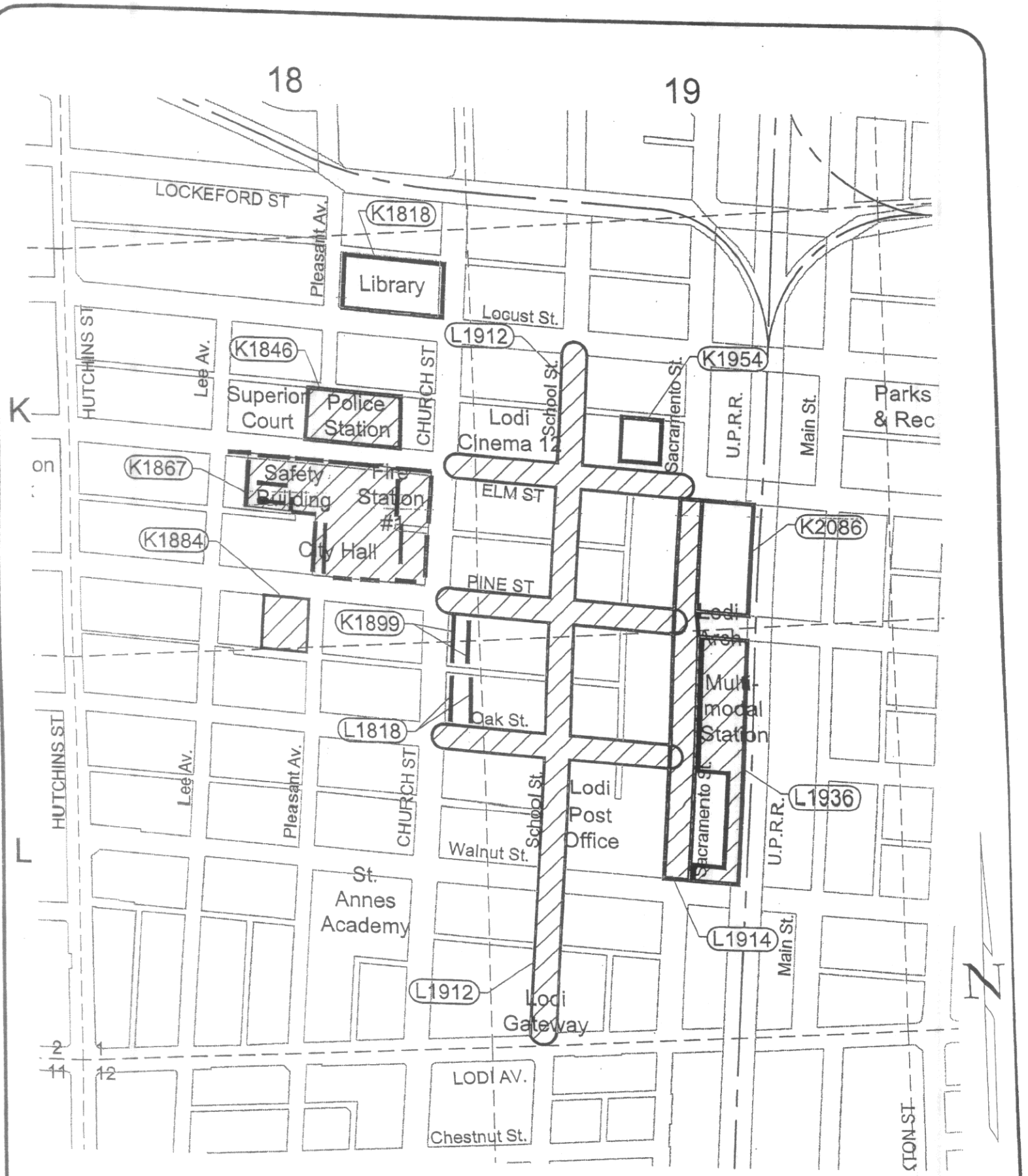

10
11
Park Oak Dr.
Conifer St.
Alder Glen Dr.
Bayberry Dr.
LOWER SAC
J1230
Elmwood C
Fire
#4
J1189
K1117
ELM ST
Peterson
Park
Evergreen Dr.
K
Harvest Ln.
Orchard Dr.
Frontier Ln.
K1149
Hawthorne Ln.
Westbrook Dr.
Reynolds Wy.
LOWER SACRAMENTO RD
Genie Wy.
K2040
Elderica Wy.
Applewood Dr
Magnolia Ct.
Magnolia Ln.
K1179
Douglas Fir Dr.
Paradise Dr.
Ponderosa Ct.
Knobcone Ln
Grand Fir Dr.
Ponderosa Dr.
St. Peter
School
W.I.D. CANAL
Paradise Dr.
L
Silver Tip Wy.
L1210
L1220
Flame Dr.
Creekside Dr.
Park
L1260
Central
Mac
Gramercy
Park Dr.
Art
Fieldstone Ct.
Boxwood Ct.
LOWER SACRAMENTO RD
Sargent Rd.
L1169
N
1" = 400'

32

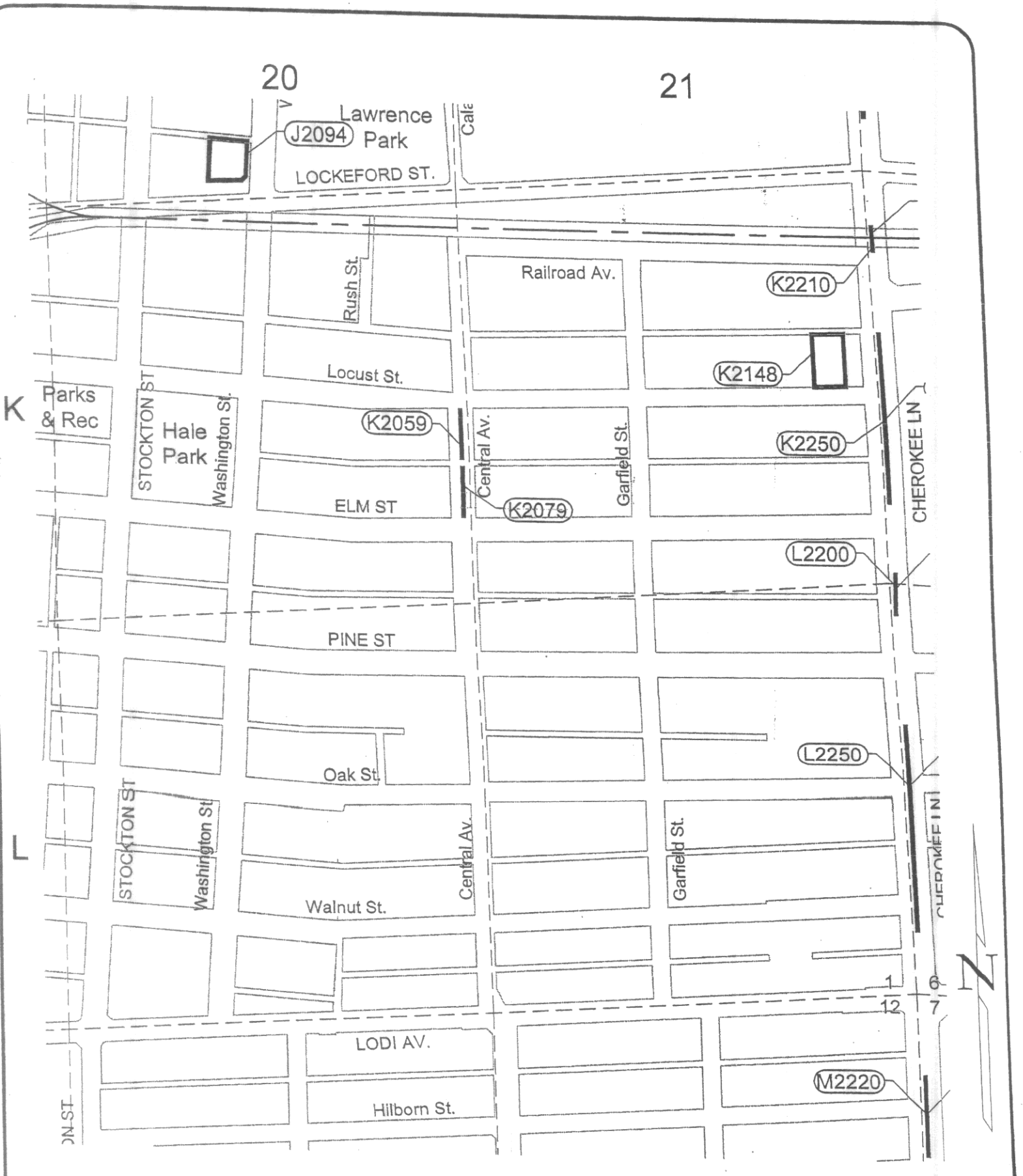

12
13
Elmwood Ct.
Fire
#4
Starr Dr.
Klamath Ct.
J1291
Millswood School
K1149
ELM ST
Genie Wy.
Burton Wy.
K2040
Garden Dr.
Allen Dr.
Debbie Ln.
Aladdin Wy.
Jerry Ln.
MILLS AV.
Yale
Wy.
L1210
Oxford Wy.
Oxford Wy.
Dr.
Pine St.
St. Peters
School
Henry
Glaves
Park
L1239
Tracy Pl.
Cambridge
L1220
Capell Dr.
Allen Dr.
Dr.
Park
L1260
Central
Mac
Arthur
Park
way
Dr.
Park
Walnut St.
Benson Dr.
Kenway
Ct.
Gramercy
Park Dr.
Jackson St.
Jackson
Ct.
Central
Hyde
Park
Cir.
LOWER SACRAMENTO RD
K
L
N
3
2
10
11
LODI AV.
Leland
Ct.
M1329
M1210
Dr.
1" = 400'
33


16
17
Mariposa Wy.
Carlo Wy.
Locust St.
ELM ST
K1745
HUTCHINS ST
HAM LN
Sunset Dr.
Fairmont Av.
Orange Av.
PINE ST
Avena Av.
Crescent Av.
Rose St.
California St.
Emerson Park
Oak St.
Hutchins Street Square
Walnut St.
LODI AV.
N
1" = 400'

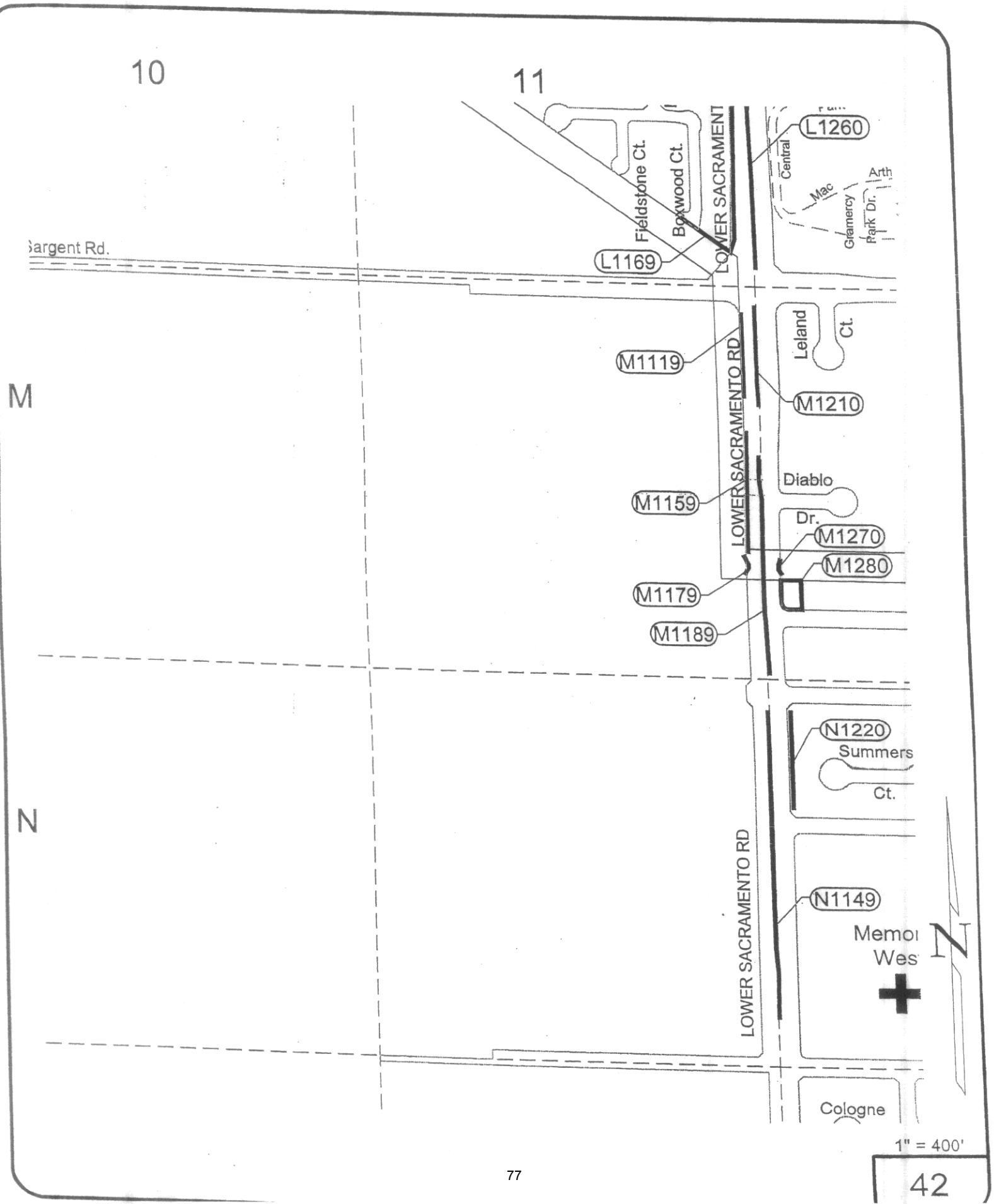
35


18
19
LOCKEFORD ST
K1818
Pleasant Av.
Library
Locust St.
L1912
K1846
HUTCHINS ST
Lee Av.
Superior Court
Police Station
CHURCH ST
School St.
Lodi Cinema 12
Sacramento St.
K1954
U.P.R.R.
Main St.
Parks & Rec
K
on
K1867
Safety Building
Fire Station #1
ELM ST
K1884
City Hall
K2086
PINE ST
K1899
Lodi Trash
Multi-modal Station
Oak St.
L1818
HUTCHINS ST
Lee Av.
Pleasant Av.
CHURCH ST
School St.
Lodi Post Office
Sacramento St.
L1936
U.P.R.R.
L
Walnut St.
St. Annes Academy
L1914
Main St.
N
L1912
Lodi Gateway
2
1
11
12
LODI AV.
Chestnut St.
1" = 400'

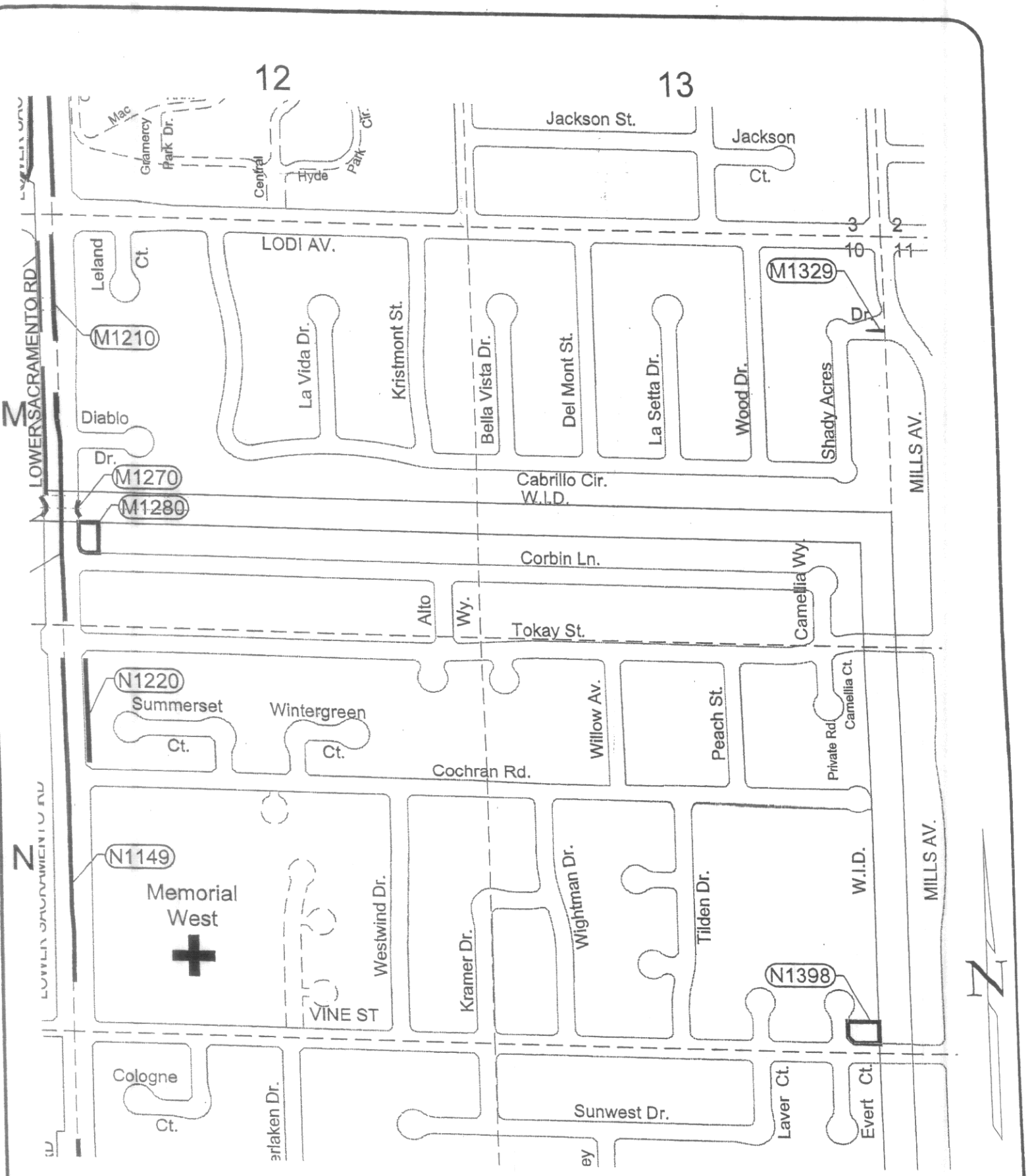
36


20
21
Lawrence Park
J2094
LOCKEFORD ST.
Rush St.
Railroad Av.
K2210
Locust St.
K2148
K
Parks & Rec
STOCKTON ST
Hale Park
Washington St.
K2059
Central Av.
Garfield St.
K2250
CHEROKEE LN
ELM ST
K2079
L2200
PINE ST
Oak St.
L2250
L
STOCKTON ST
Washington St.
Central Av.
Garfield St.
Walnut St.
CHEROKEE LN
N
1
6
12
7
LODI AV.
M2220
Hilborn St.
1" = 400'

37

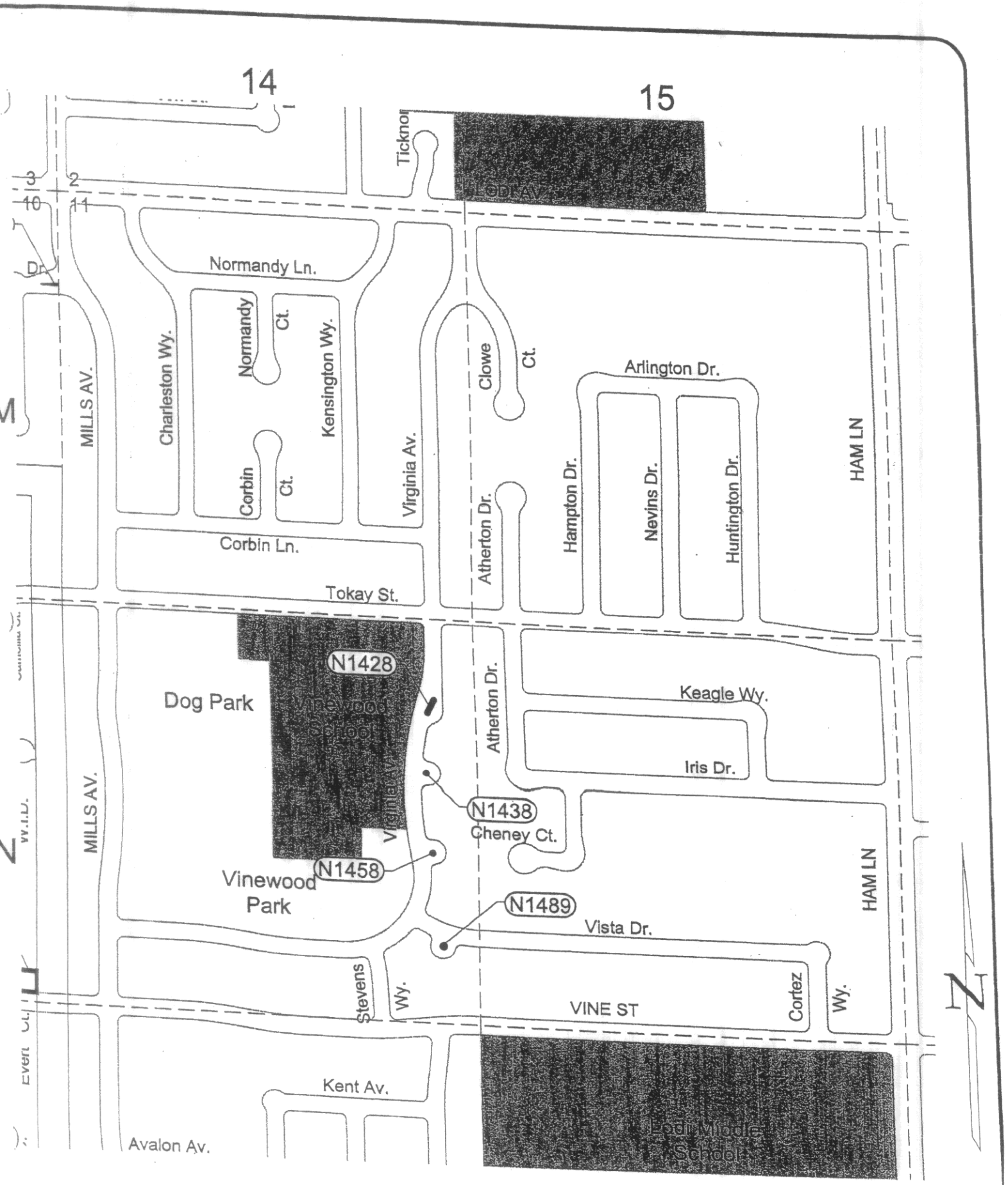

10
11
M
N
Sargent Rd.
Fieldstone Ct.
Boxwood Ct.
LOWER SACRAMENTO RD
Central
Mac
Gramercy
Park Dr.
Arth
Leland
Ct.
Diablo
Dr.
Summers
Ct.
Cologne
L1260
L1169
M1119
M1210
M1159
M1270
M1280
M1179
M1189
N1220
N1149
N
1" = 400'

42

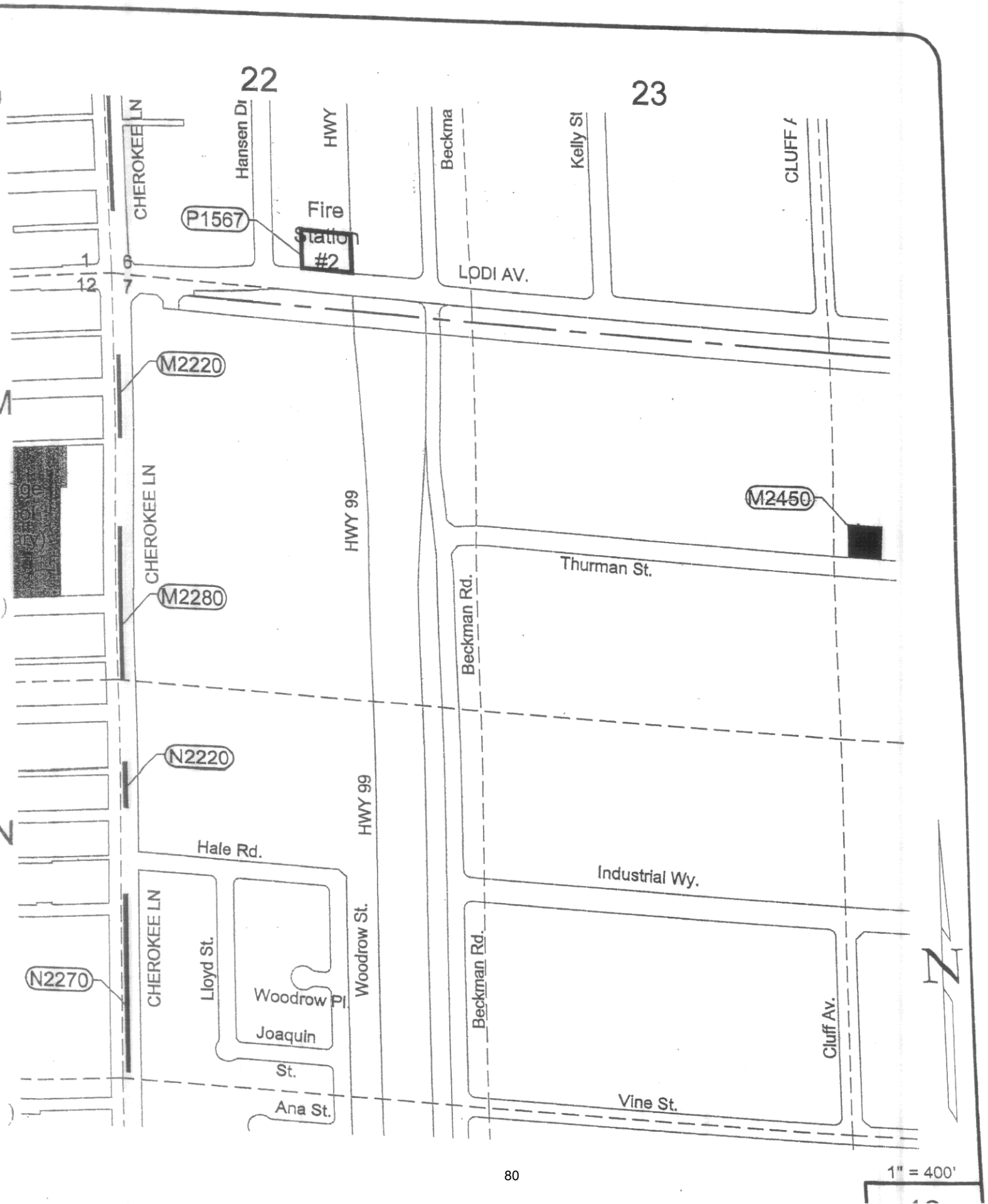

12
13
Mac
Gramercy
Park Dr.
Central
Hyde
Park
Cir.
Jackson St.
Jackson
Ct.
3
2
10
11
LODI AV.
Leland
Ct.
M1210
LOWER SACRAMENTO RD
M
Diablo
Dr.
M1270
M1280
La Vida Dr.
Kristmont St.
Bella Vista Dr.
Del Mont St.
La Setta Dr.
Wood Dr.
Shady Acres
Dr.
M1329
MILLS AV.
Cabrillo Cir.
W.I.D.
Corbin Ln.
Alto
Wy.
Tokay St.
Camellia Wy.
N1220
Summerset
Ct.
Wintergreen
Ct.
Cochran Rd.
Willow Av.
Peach St.
Private Rd
Camellia Ct.
N
N1149
Memorial
West
Westwind Dr.
VINE ST
Kramer Dr.
Wightman Dr.
Tilden Dr.
W.I.D.
MILLS AV.
N1398
N
Cologne
Ct.
Sunwest Dr.
Laver Ct.
Evert Ct.

1" = 400'

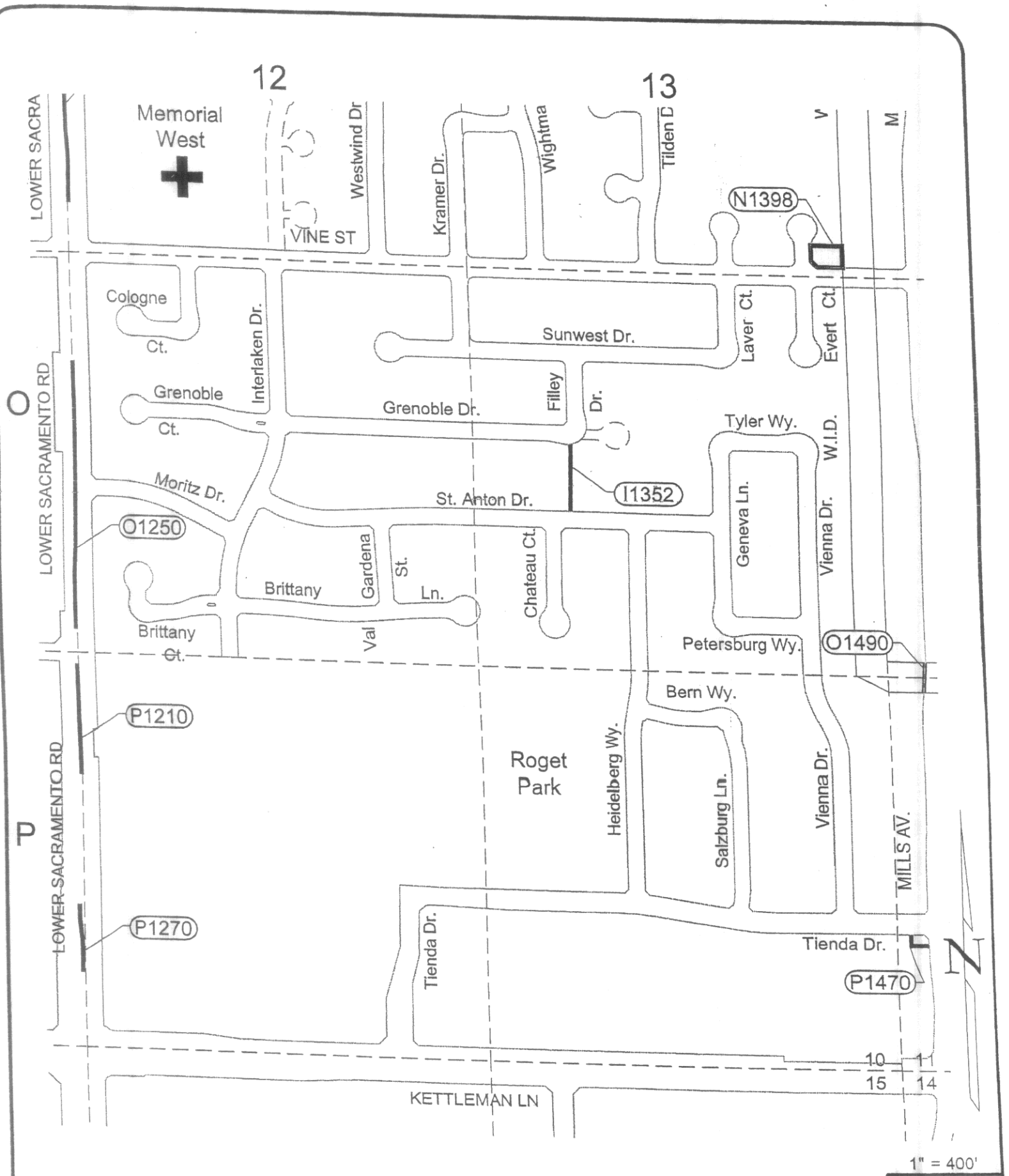
43

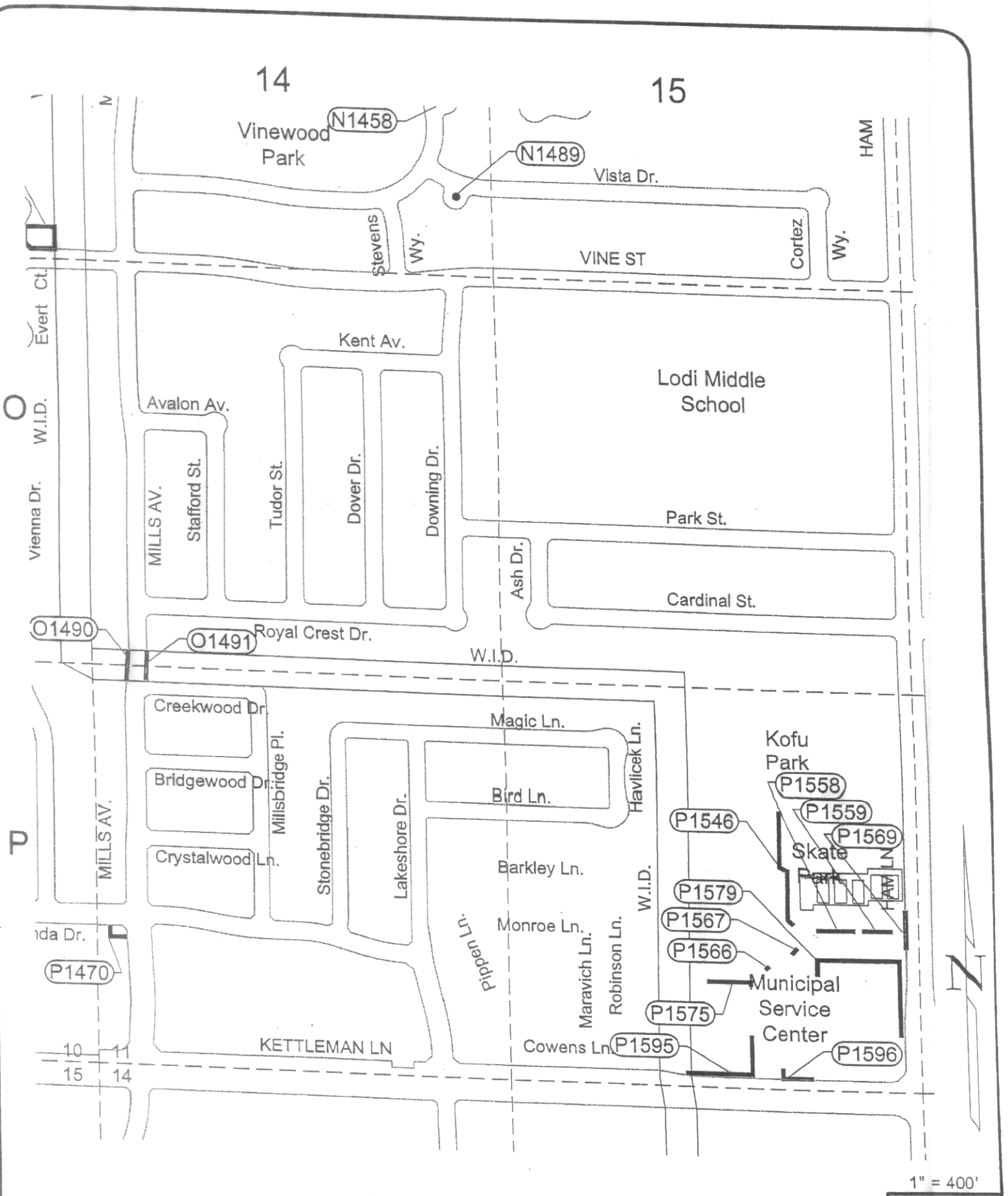

14
15
Ticknor
LODI AV.
Normandy Ln.
Normandy
Ct.
Charleston Wy.
Kensington Wy.
MILLS AV.
Corbin
Ct.
Virginia Av.
Clowe
Ct.
Arlington Dr.
Hampton Dr.
Nevins Dr.
Huntington Dr.
HAM LN
Corbin Ln.
Tokay St.
Atherton Dr.
Dog Park
N1428
Keagle Wy.
Iris Dr.
N1438
Cheney Ct.
N1458
Vinewood Park
N1489
Vista Dr.
Stevens
Wy.
VINE ST
Cortez
Wy.
Kent Av.
Avalon Av.
Lodi Middle School
N

1" = 400'

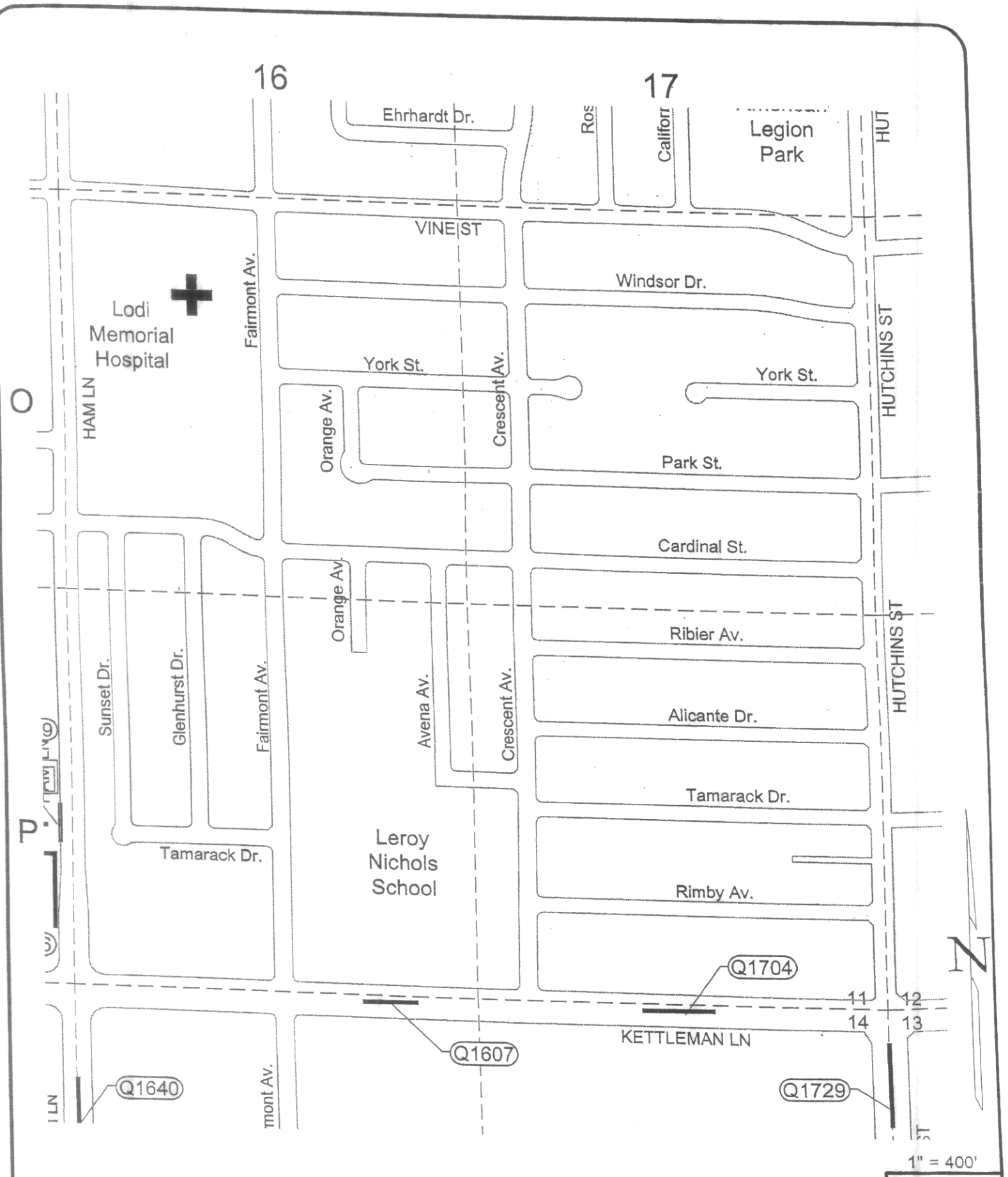

22
23
CHEROKEE LN
Hansen Dr
HWY
Beckma
Kelly St
CLUFF A
P1567
Fire
Station
#2
1
6
12
7
LODI AV.
M2220
CHEROKEE LN
HWY 99
M2450
Thurman St.
M2280
Beckman Rd.
N2220
HWY 99
Hale Rd.
Industrial Wy.
CHEROKEE LN
Lloyd St.
Woodrow St.
N2270
Woodrow Pl
Joaquin
St.
Beckman Rd.
Cluff Av.
Ana St.
Vine St.
N

1" = 400'

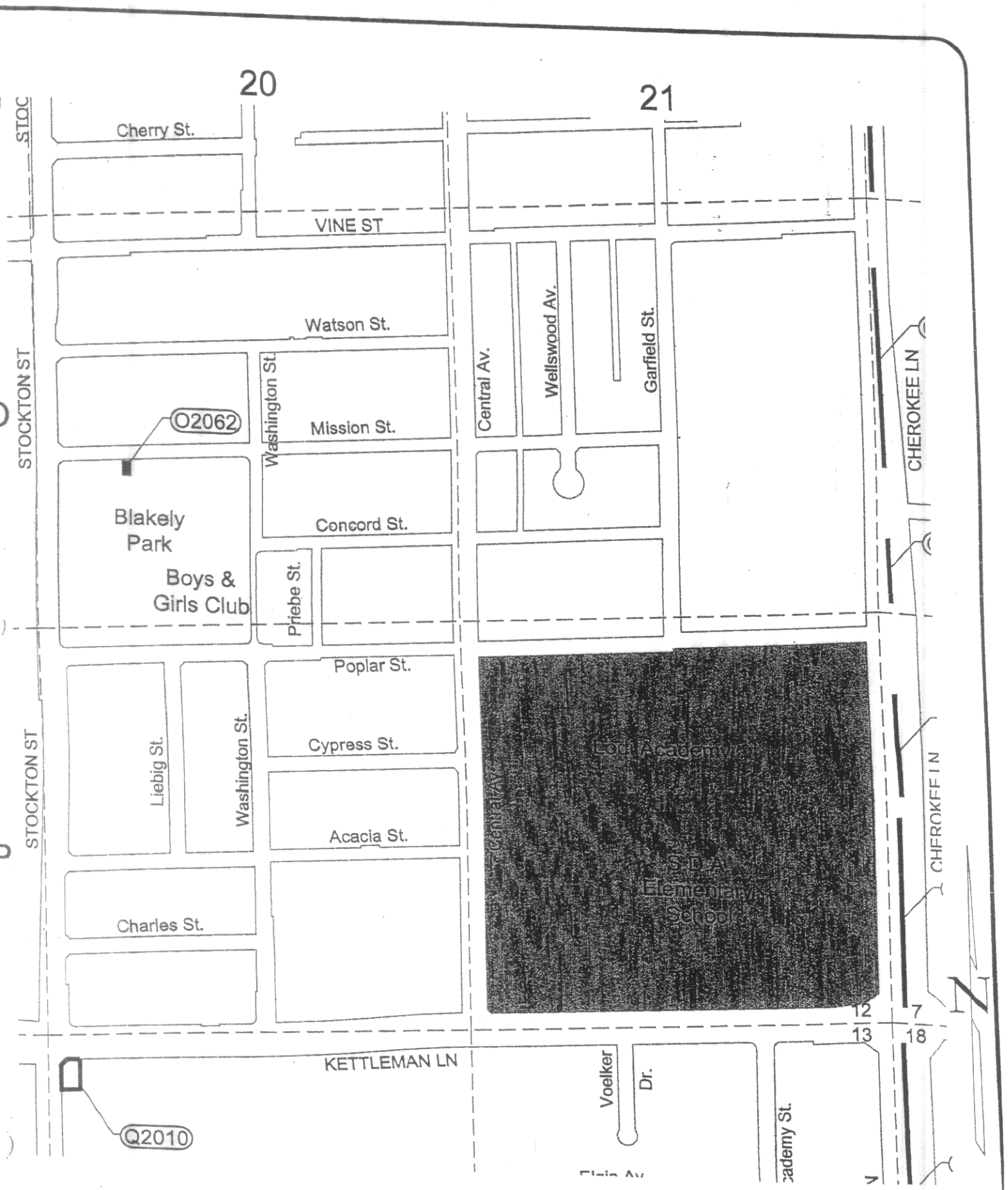

12
13
Memorial West
LOWER SACRA
Westwind Dr
Kramer Dr.
Wightma
Tilden D
V
M
N1398
VINE ST
Cologne
Ct.
Interlaken Dr.
Sunwest Dr.
Laver Ct.
Evert Ct.
Grenoble
Ct.
Grenoble Dr.
Filley
Dr.
Tyler Wy.
W.I.D.
O
LOWER SACRAMENTO RD
Moritz Dr.
St. Anton Dr.
I1352
Geneva Ln.
Vienna Dr.
O1250
Brittany
Gardena
St.
Ln.
Chateau Ct.
Brittany
Ct.
Val
Petersburg Wy.
O1490
Bern Wy.
P1210
Roget Park
Heidelberg Wy.
Salzburg Ln.
Vienna Dr.
MILLS AV.
P
LOWER SACRAMENTO RD
P1270
Tienda Dr.
Tienda Dr.
P1470
N
10
11
15
14
KETTLEMAN LN
1" = 400'


14
15
Vinewood Park
N1458
N1489
Vista Dr.
HAM
Stevens
Wy.
VINE ST
Cortez
Wy.
Evert Ct.
Kent Av.
Lodi Middle School
Avalon Av.
W.I.D.
Vienna Dr.
MILLS AV.
Stafford St.
Tudor St.
Dover Dr.
Downing Dr.
Park St.
Ash Dr.
Cardinal St.
O1490
O1491
Royal Crest Dr.
W.I.D.
Creekwood Dr.
Magic Ln.
Kofu Park
Bridgewood Dr.
Millsbridge Pl.
Stonebridge Dr.
Lakeshore Dr.
Bird Ln.
Havlicek Ln.
P1558
P1559
P1546
P1569
Skate Park
Crystalwood Ln.
Barkley Ln.
W.I.D.
P1579
P1567
Monroe Ln.
Pippen Ln.
Maravich Ln.
Robinson Ln.
P1566
P1470
Municipal Service Center
P1575
KETTLEMAN LN
Cowens Ln
P1595
P1596
10
11
15
14
1" = 400'

54

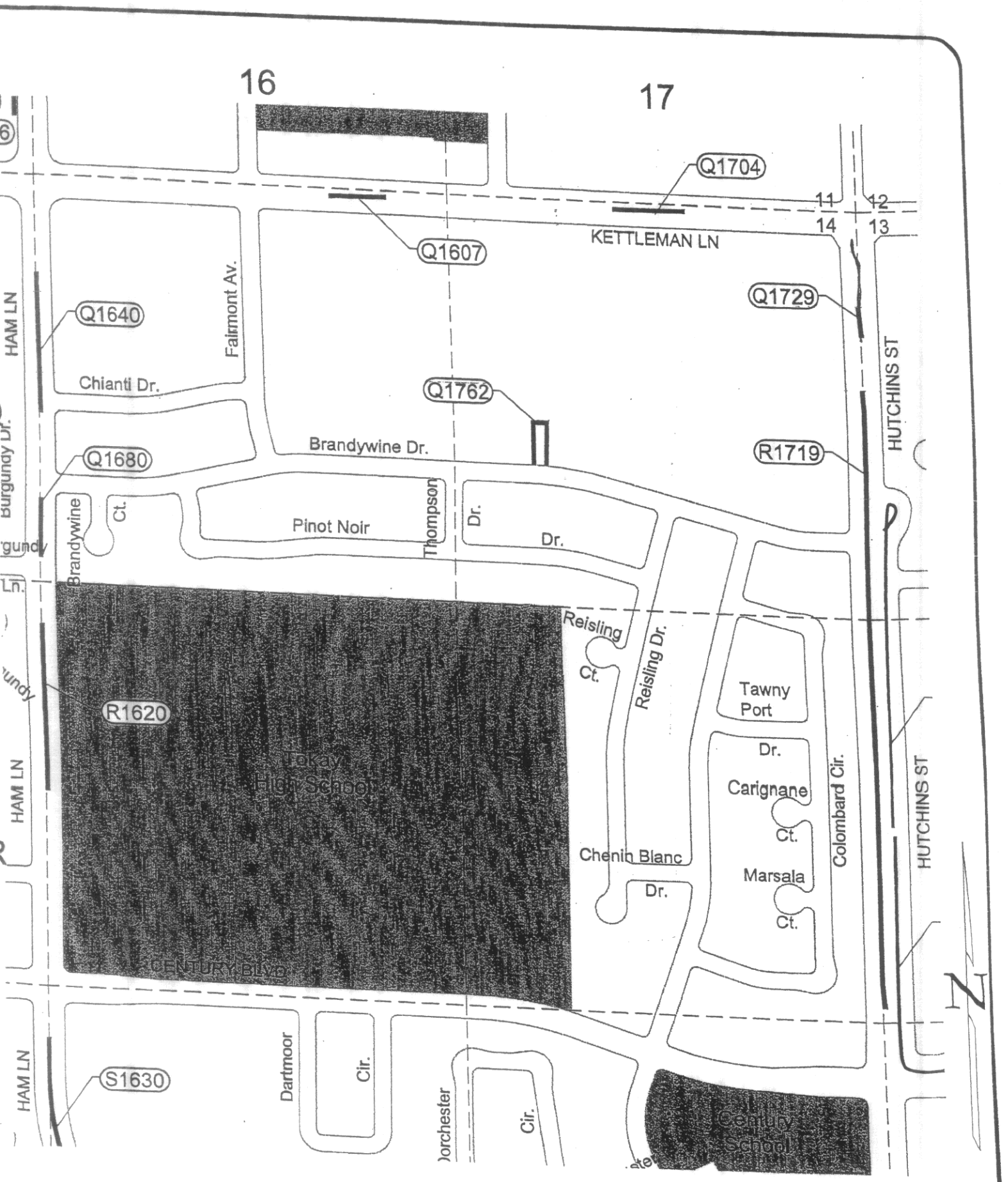

16
17
Ehrhardt Dr.
Legion Park
VINE ST
Windsor Dr.
Lodi Memorial Hospital
Fairmont Av.
HAM LN
York St.
Orange Av.
Crescent Av.
HUTCHINS ST
Park St.
Cardinal St.
Ribier Av.
Sunset Dr.
Glenhurst Dr.
Avena Av.
Alicante Dr.
Tamarack Dr.
Leroy Nichols School
Rimby Av.
Q1704
11
12
14
13
KETTLEMAN LN
Q1607
Q1640
Q1729
1" = 400'

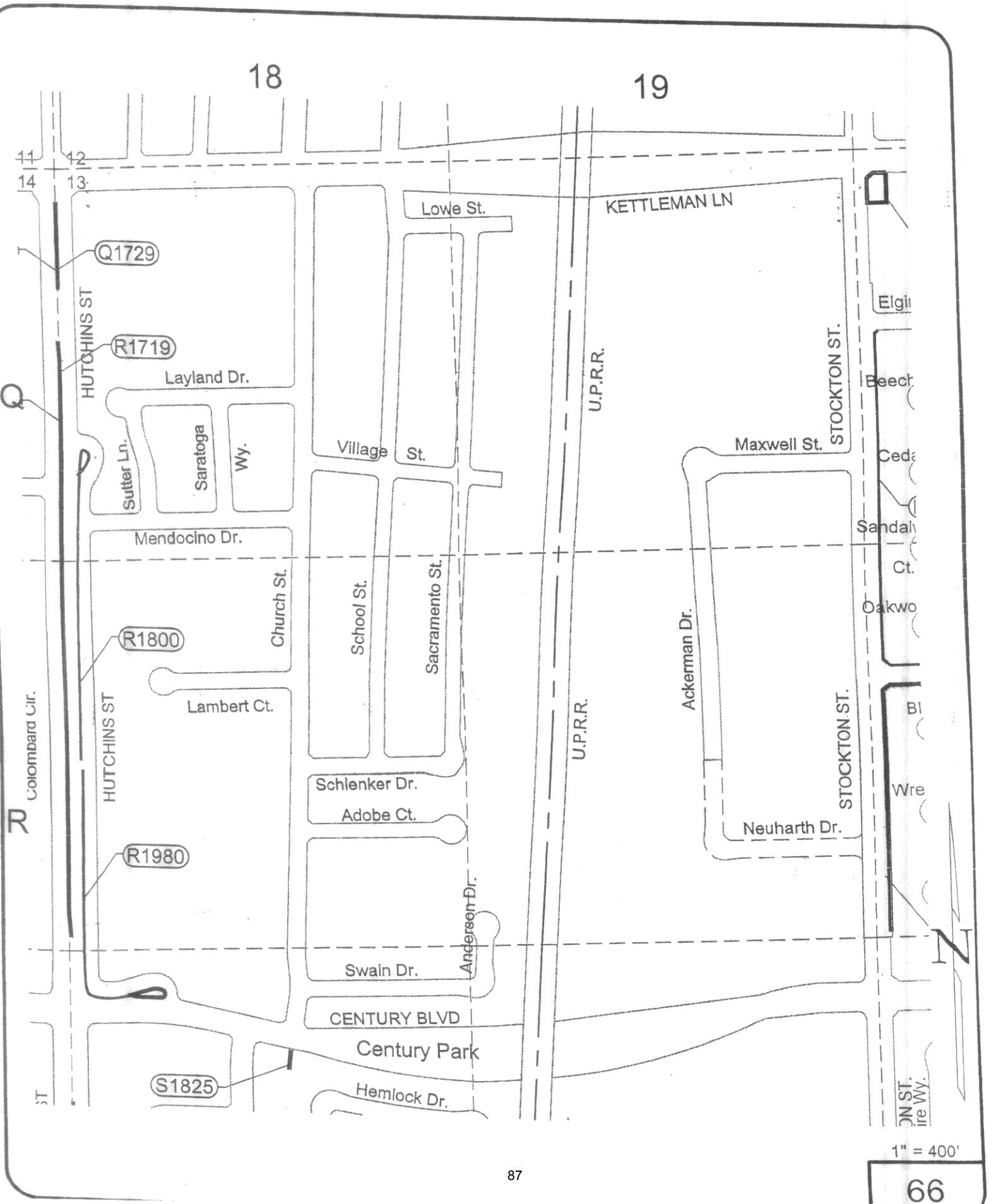
55

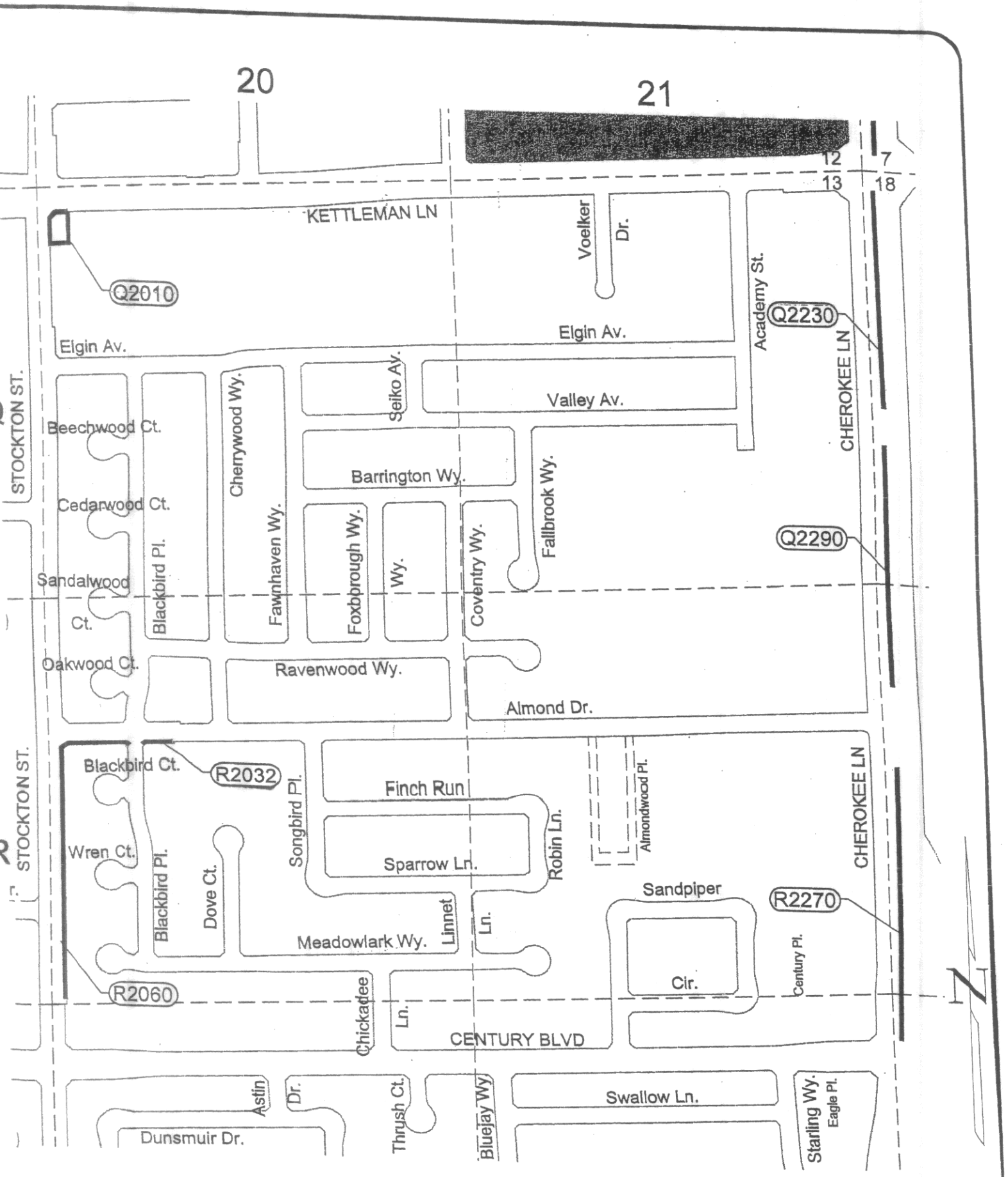

20
21
Cherry St.
VINE ST
Watson St.
Washington St.
Mission St.
Central Av.
Wellswood Av.
Garfield St.
CHEROKEE LN
STOCKTON ST
O2062
Blakely Park
Boys & Girls Club
Concord St.
Priebe St.
Poplar St.
Liebig St.
Washington St.
Cypress St.
Acacia St.
Charles St.
Lodi Academy
S.D.A. Elementary School
12
13
7
18
KETTLEMAN LN
Voelker
Dr.
Q2010
1" = 400'

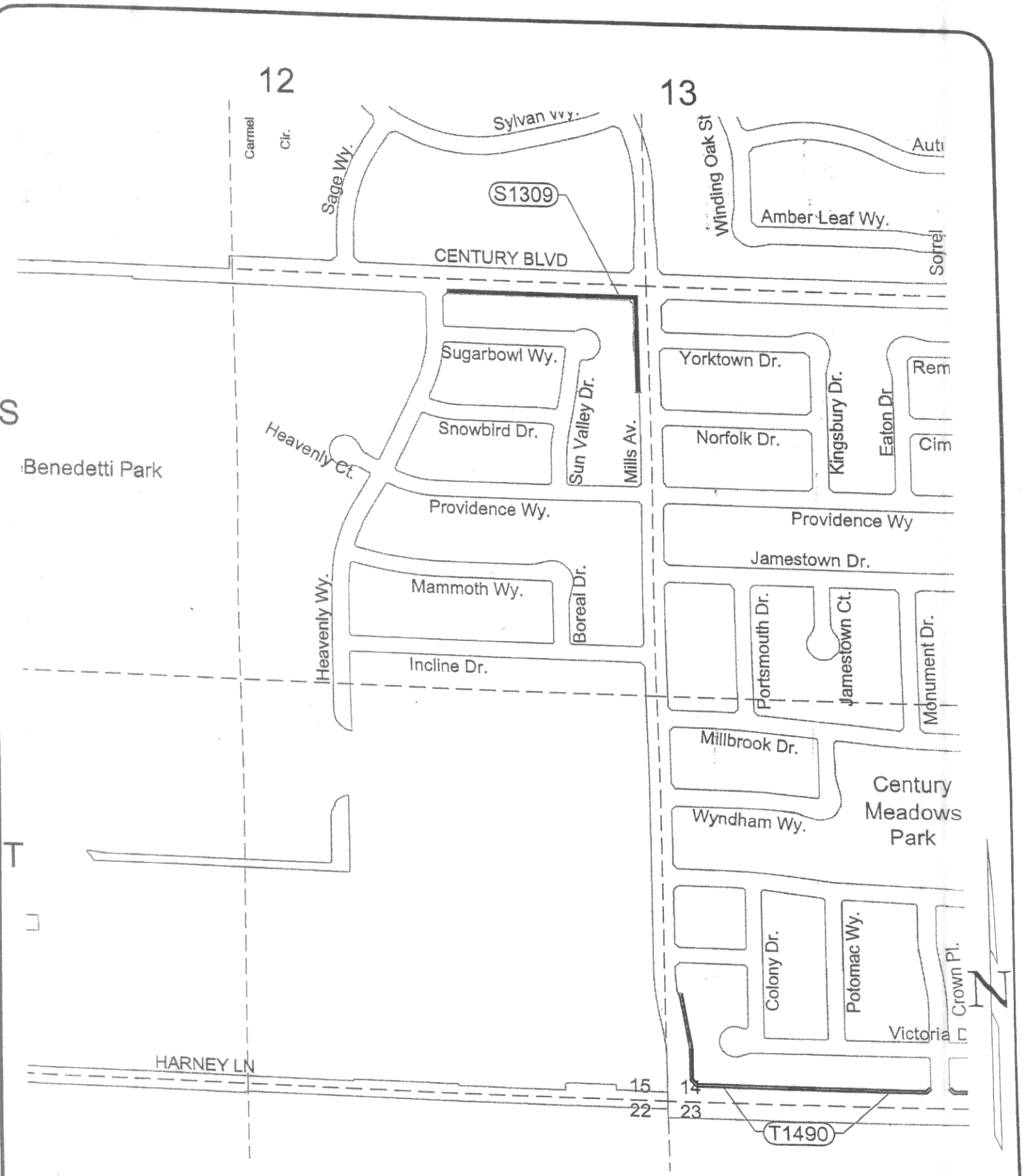
22
23
N2270
CHER
Lloyd
Woodrow Pl.
Joaquin
St.
Ana St.
Woodrow
Beckman
Cluff Av.
Vine St.
Pixley Park
O2240
CHEROKEE LN
Lloyd St.
Delores St.
Woodrow St.
HWY 99
Beckman Rd.
O2280
Maria Ln.
P2220
CHEROKEE LN
P2270
HWY 99
Business Park Dr.
Beckman Rd.
Pixley Parkway
N
12
7
13
18
KETTLEMAN LN

1" = 400'

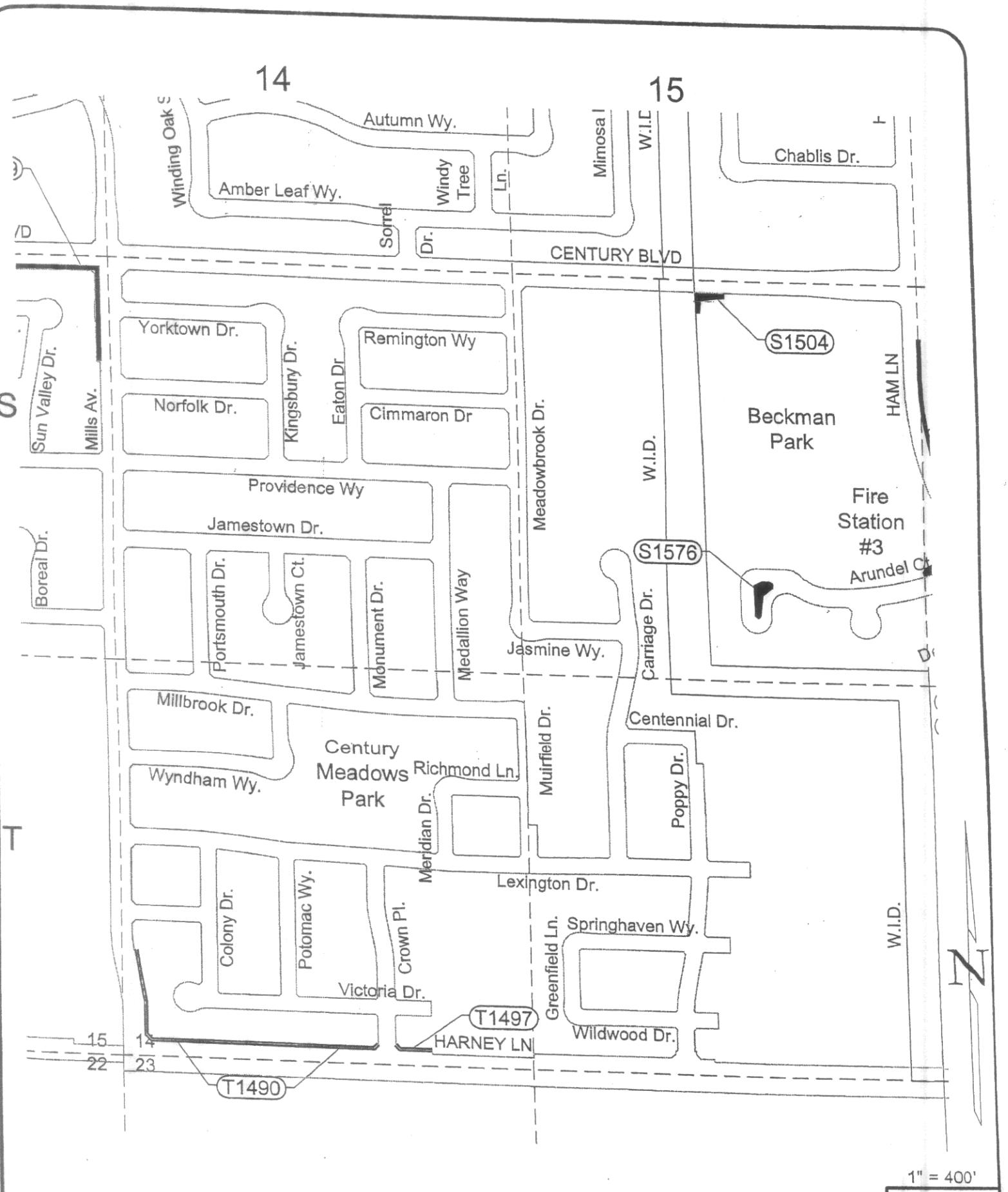

16
17
Q1704
11
12
14
13
KETTLEMAN LN
Q1607
Q1729
Q1640
Fairmont Av.
HAM LN
Chianti Dr.
Q1762
HUTCHINS ST
Brandywine Dr.
R1719
Q1680
Burgundy Dr.
Brandywine
Ct.
Pinot Noir
Thompson
Dr.
Dr.
Reisling
Ct.
Reisling Dr.
Tawny
Port
R1620
Tokay
High School
Dr.
Carignane
Ct.
Colombard Cir.
Chenin Blanc
Dr.
Marsala
Ct.
CENTURY BLVD
S1630
Dartmoor
Cir.
Dorchester
Cir.
Century
School
N
1" = 400'


18
19
11
12
14
13
Q1729
R1719
HUTCHINS ST
Layland Dr.
Sutter Ln.
Saratoga
Wy.
Lowe St.
KETTLEMAN LN
Village
St.
U.P.R.R.
STOCKTON ST.
Maxwell St.
Mendocino Dr.
Church St.
School St.
Sacramento St.
Ackerman Dr.
R1800
Lambert Ct.
Colombard Cir.
Schlenker Dr.
Adobe Ct.
Neuharth Dr.
R1980
Anderson Dr.
Swain Dr.
CENTURY BLVD
Century Park
S1825
Hemlock Dr.
Q
R
N
1" = 400'
66

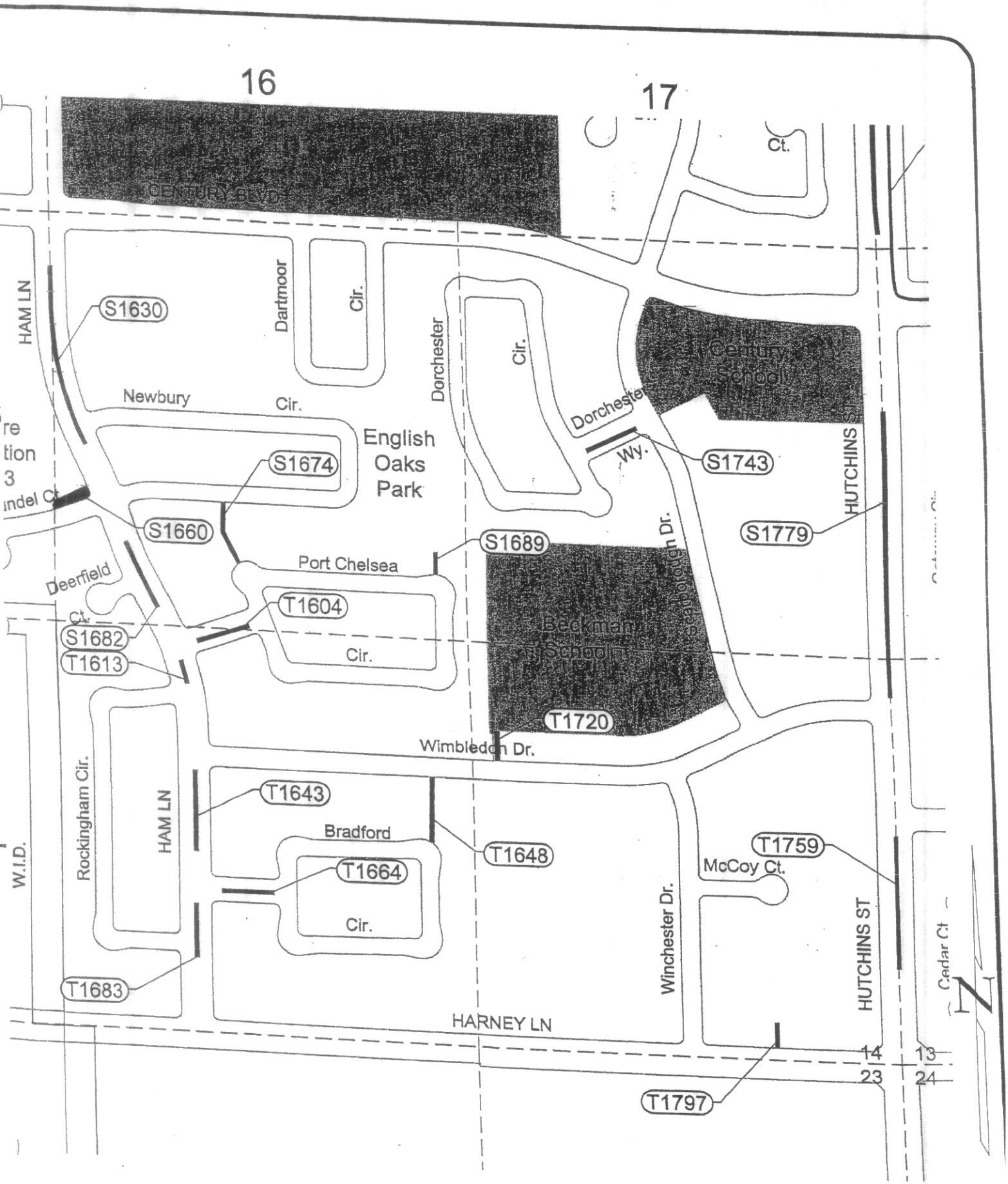

20
21
12
13
7
18
KETTLEMAN LN
Voelker
Dr.
Academy St.
Q2010
Q2230
Elgin Av.
Elgin Av.
CHEROKEE LN
STOCKTON ST.
Seiko Av.
Valley Av.
Beechwood Ct.
Cherrywood Wy.
Barrington Wy.
Fallbrook Wy.
Cedarwood Ct.
Fawnhaven Wy.
Foxbrough Wy.
Wy.
Coventry Wy.
Q2290
Sandalwood
Ct.
Blackbird Pl.
Oakwood Ct.
Ravenwood Wy.
Almond Dr.
Blackbird Ct.
R2032
Songbird Pl.
Finch Run
Almondwood Pl.
CHEROKEE LN
STOCKTON ST.
Wren Ct.
Blackbird Pl.
Dove Ct.
Sparrow Ln.
Robin Ln.
Sandpiper
R2270
Meadowlark Wy.
Linnet
Ln.
Cir.
Century Pl.
R2060
Chickadee
Ln.
CENTURY BLVD
Astin
Dr.
Thrush Ct.
Bluejay Wy.
Swallow Ln.
Starling Wy.
Eagle Pl.
Dunsmuir Dr.
N
1" = 400'


12
13
Carmel
Cir.
Sage Wy.
Sylvan Wy.
S1309
Winding Oak St
Amber Leaf Wy.
CENTURY BLVD
Sugarbowl Wy.
Snowbird Dr.
Sun Valley Dr.
Mills Av.
Yorktown Dr.
Kingsbury Dr.
Eaton Dr.
Norfolk Dr.
Benedetti Park
Heavenly Ct.
Providence Wy.
Providence Wy
Jamestown Dr.
Mammoth Wy.
Boreal Dr.
Heavenly Wy.
Incline Dr.
Portsmouth Dr.
Jamestown Ct.
Monument Dr.
Millbrook Dr.
Wyndham Wy.
Century Meadows Park
Colony Dr.
Potomac Wy.
Crown Pl.
Victoria
HARNEY LN
15
14
22
23
T1490
N
1" = 400'

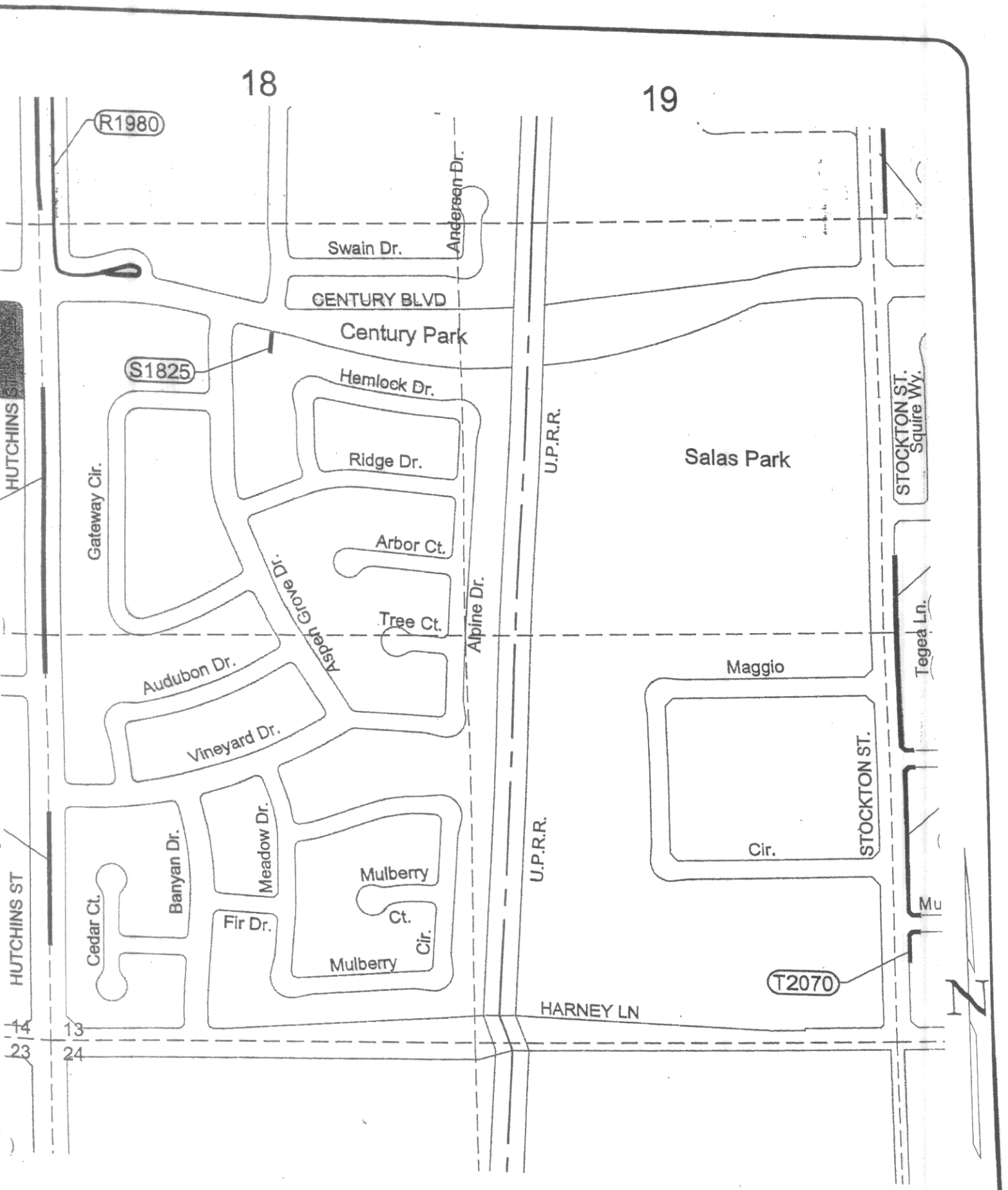
73


14
15
Autumn Wy.
Winding Oak
Amber Leaf Wy.
Windy Tree
Ln.
Mimosa
W.I.D.
Chablis Dr.
Sorrel
Dr.
CENTURY BLVD
Yorktown Dr.
Remington Wy
Kingsbury Dr.
Eaton Dr
Norfolk Dr.
Cimmaron Dr
Sun Valley Dr.
Mills Av.
Meadowbrook Dr.
W.I.D.
S1504
Beckman Park
HAM LN
Providence Wy
Jamestown Dr.
Fire Station #3
S1576
Arundel Ct.
Boreal Dr.
Portsmouth Dr.
Jamestown Ct.
Monument Dr.
Medallion Way
Jasmine Wy.
Carriage Dr.
Millbrook Dr.
Centennial Dr.
Muirfield Dr.
Wyndham Wy.
Century Meadows Park
Richmond Ln.
Poppy Dr.
Meridian Dr.
Lexington Dr.
Colony Dr.
Potomac Wy.
Crown Pl.
Springhaven Wy.
Greenfield Ln.
W.I.D.
Victoria Dr.
T1497
HARNEY LN
Wildwood Dr.
15
14
22
23
T1490
N
1" = 400'

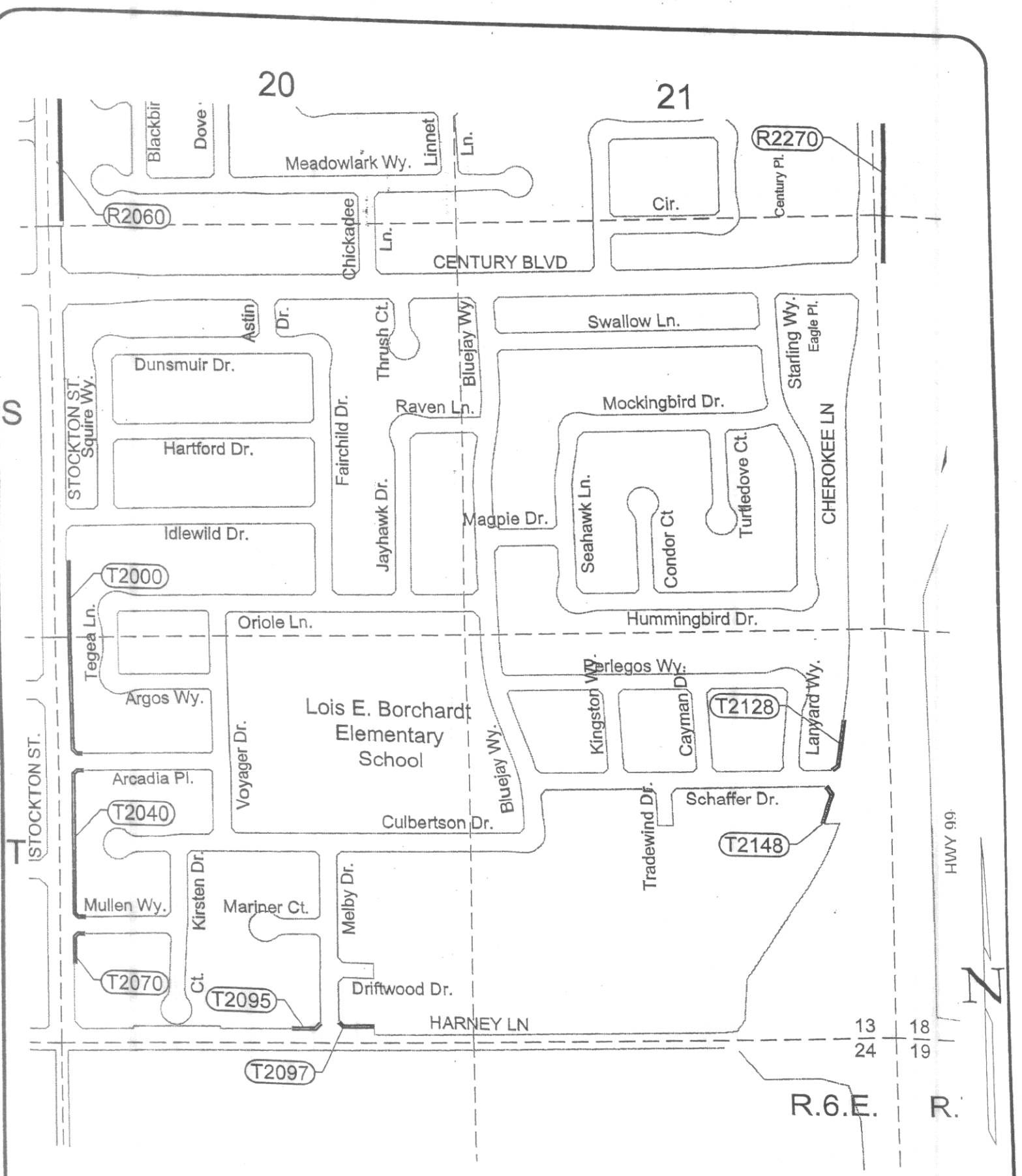
74


16
17
CENTURY BLVD
Ct.
HAM LN
S1630
Dartmoor
Cir.
Dorchester
Cir.
Century School
Newbury
Cir.
English Oaks Park
Dorchester
Wy.
S1743
S1674
S1660
HUTCHINS
S1779
S1689
Port Chelsea
Deerfield
Ct.
T1604
S1682
T1613
Cir.
Beckman School
T1720
Wimbledon Dr.
Rockingham Cir.
HAM LN
T1643
Bradford
T1648
T1759
McCoy Ct.
T1664
Cir.
Winchester Dr.
HUTCHINS ST
T1683
HARNEY LN
14
13
23
24
T1797
N

1" = 400'

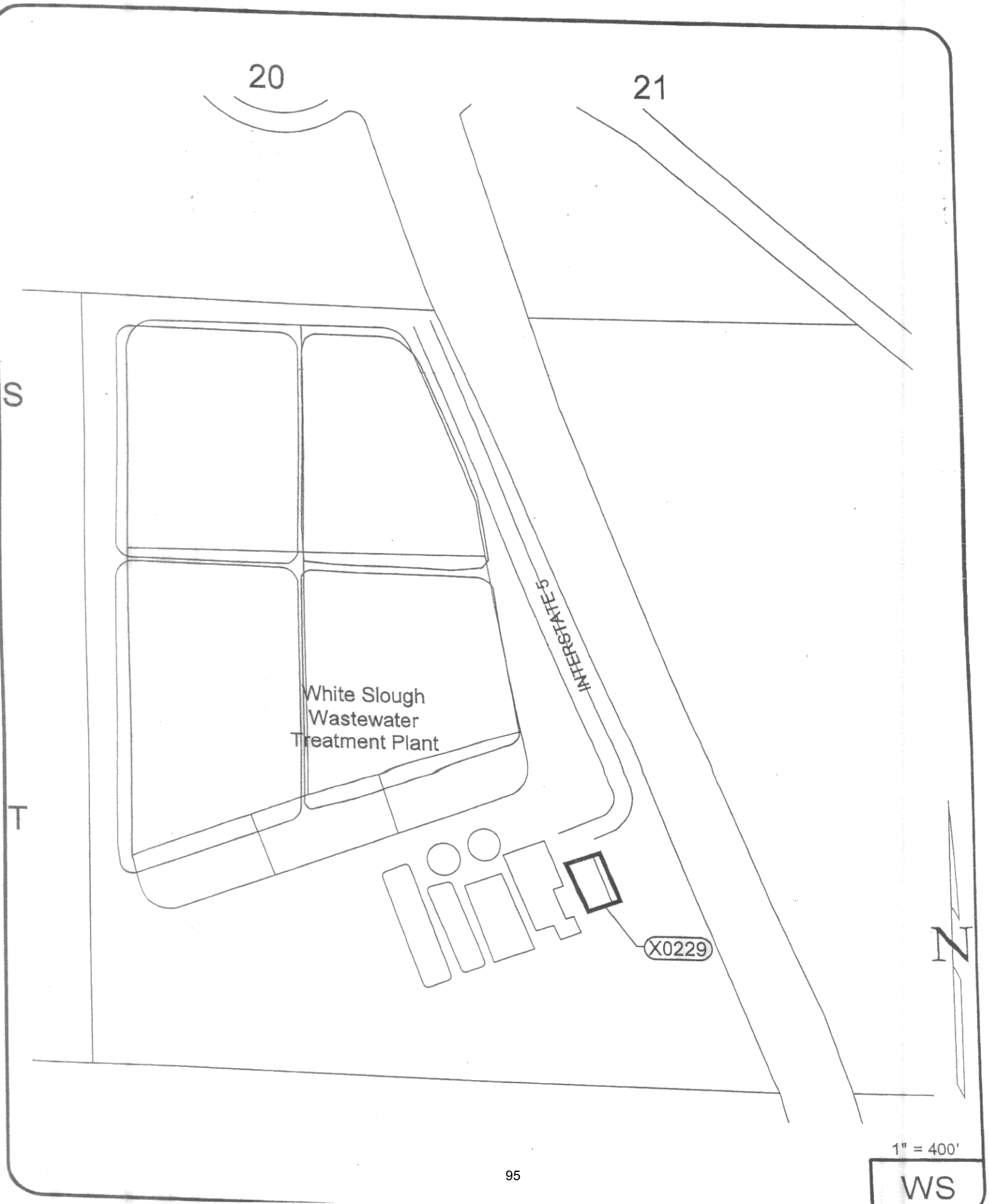

18
19
R1980
Swain Dr.
Andersen Dr.
CENTURY BLVD
Century Park
S1825
Hemlock Dr.
Ridge Dr.
Gateway Cir.
Arbor Ct.
Aspen Grove Dr.
Tree Ct.
Alpine Dr.
Audubon Dr.
Vineyard Dr.
U.P.R.R.
Salas Park
STOCKTON ST.
Squire Wy.
Tegea Ln.
Maggio
Cir.
STOCKTON ST.
HUTCHINS
HUTCHINS ST
Banyan Dr.
Meadow Dr.
Cedar Ct.
Fir Dr.
Mulberry
Ct.
Cir.
Mulberry
U.P.R.R.
T2070
HARNEY LN
14
13
23
24
N

1" = 400'


20
21
Blackbir
Dove
Meadowlark Wy.
Linnet
Ln.
R2270
Century Pl.
Cir.
R2060
Chickadee
Ln.
CENTURY BLVD
Astin
Dr.
Thrush Ct.
Bluejay Wy.
Swallow Ln.
Starling Wy.
Eagle Pl.
Dunsmuir Dr.
Squire Wy.
STOCKTON ST.
Raven Ln.
Mockingbird Dr.
Hartford Dr.
Fairchild Dr.
Jayhawk Dr.
Magpie Dr.
Seahawk Ln.
Condor Ct
Turtledove Ct.
CHEROKEE LN
Idlewild Dr.
T2000
Hummingbird Dr.
Tegea Ln.
Oriole Ln.
Argos Wy.
Lois E. Borchardt
Elementary
School
Voyager Dr.
Bluejay Wy.
Kingston Wy.
Cayman Dr.
T2128
Lanyard Wy.
Arcadia Pl.
T2040
Culbertson Dr.
Tradewind Dr.
Schaffer Dr.
T2148
STOCKTON ST.
HWY 99
Mullen Wy.
Kirsten Dr.
Mariner Ct.
Melby Dr.
T2070
Ct.
T2095
Driftwood Dr.
HARNEY LN
13/24
18/19
T2097
R.6.E.
R.
S
T
N
1" = 400'
77

22
23
Century Pl.
Starling Wy.
Eagle Pl.
M2333
CHEROKEE LN
Turtledove Ct.
ird Dr.
CHEROKEE
MEMORIAL PARK
Lanyard Wy.
T2128
Beckman Rd.
affer Dr.
T2148
HWY 99
13
24
18
19
HARNEY LN
R.6.E.
R.7.E.
N

1" = 400'


20
21
S
T
INTERSTATE-5
White Slough
Wastewater
Treatment Plant
X0229
N
1" = 400'
WS

RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING SPECIFICATIONS, AUTHORIZING ADVERTISEMENT FOR BIDS FOR MAINTENANCE OF LANDSCAPE AREAS FOR 2006 GROUP B – LOWER SACRAMENTO ROAD AND ADJACENT LANDSCAPE AREAS, AND AUTHORIZING CITY MANAGER TO AWARD OR REJECT THE CONTRACT

==========

WHEREAS, City wide landscaping has been divided into three separate groups, and Group B encompasses the Maintenance of Lower Sacramento Road and Adjacent Landscape Areas; and

WHEREAS, staff recommends that the City Council approve the Specifications, Authorize Advertisement for Bids for Maintenance of Landscape Areas for 2006 Group B, and authorize the City Manager to award or reject the contract up to $90,000, to begin March 1, 2006 and end December 31, 2006.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby approve the Specifications, Authorizes Advertisement for Bids for Maintenance of Landscape Areas for 2006 Group B and Adjacent Landscape Areas, and authorizes the City Manager to award or reject the contract up to $90,000, to begin March 1, 2006 and end December 31, 2006.

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006 by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2006-____

AGENDA ITEM **E-06**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Adopt Resolution Accepting Improvements at 2111 West Kettleman Lane**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council adopt a resolution accepting the development improvements at 2111 West Kettleman Lane.

BACKGROUND INFORMATION: Public improvements at 2111 West Kettleman Lane have been completed in substantial conformance with the requirements of the improvement agreement between the City of Lodi and John M. Giannoni, Jr. as trustee for the Giannoni Family Trust, as approved by the City Council on May 5, 2004, and as shown on Drawings No. 02D147-1 through 02D147-3.

The development consists of a commercial office building and includes the extension of water, wastewater and storm drain facilities from Tienda Drive to serve the project site as well as the adjacent parcels to the north and west. The project also included the undergrounding of the existing overhead utilities on Kettleman Lane along the frontage of 2111 West Kettleman Lane; however this work has not been completed. The developer has provided the City with a deposit to cover the undergrounding costs for the existing utilities and this money will be used to pay the utility companies for their work.

No public streets were dedicated as part of this improvement agreement.

FISCAL IMPACT: There will be a slight increase in long-term maintenance costs of underground utility improvements.

FUNDING AVAILABLE: NA

_____
James R. Krueger, Finance Director

_____
Richard C. Prima, Jr.
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer
RCP/WKF/pmf
cc: City Attorney
Senior Civil Engineer - Development Services
Senior Traffic Engineer
Street Superintendent
Senior Engineering Technician

APPROVED: _____
Blair King, City Manager

When Recorded, Please Return to:
Lodi City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL
ACCEPTING THE IMPROVEMENTS AT
2111 WEST KETTLEMAN LANE

==========

The City Council of the City of Lodi finds:

1. That all requirements of the Improvement Agreement between the City of Lodi and John M. Giannoni, Jr. as trustee for the Giannoni Family Trust, for Public Improvements at 2111 West Kettleman Lane have been substantially complied with. The improvements are shown on Drawing Nos. 02D147-1 through 02D147-3 on file in the Public Works Department and as specifically set forth in the plans and specifications approved by the City Council on May 5, 2004; and

2. That no new public streets were dedicated as part of this project.

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2006-____

AGENDA ITEM **E-07**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Adopt Resolution Awarding Contract for Water Meter Installation Project to Arrow Construction of Modesto and Authorize the City Manager to Execute the Contract (Project Estimate $85,000)**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council adopt a resolution awarding a contract for Water Meter Installation Project to Arrow Construction of Modesto and authorize the City Manager to execute the contract.

BACKGROUND INFORMATION: The Water Meter Installation Project is a pilot project intended to initiate compliance with Assembly Bill 2572 to install meters on all of the approximately 17,000 unmetered services within the City by January 1, 2025. Options to accelerate this schedule will be presented to the Council later this year.

The Project includes the installation of approximately 400 domestic water meters with remote read capabilities. The meters are to be installed in existing water meter boxes within the project area as shown on the attached map. The work is anticipated to take approximately 2 months. A contingency of approximately 10% is included in the total project estimate to cover unforeseen field conditions.

Plans and specifications for this project were approved on October 19, 2005. On December 21, 2005 sealed bids were opened with the following results:

Bidder	Location	Bid
Engineering Estimate		$85,000
Arrow Construction	Modesto	$52,831
Preston Pipeline, Inc.	Lathrop	$56,801
Carl Crutchfield Construction	Stockton	$82,606

The bid received by Arrow Construction is technically compliant with the City's plans and specifications and the Bidder possesses the required, valid contractor's license.

Construction of this project is anticipated to start in February 2006. Inspection and construction management services will be performed by City Engineering Staff. The meters are to be purchased by the City and installed by the contractor. Staff will provide project information to the public to inform the community about the construction schedule and project scope.

APPROVED: _____
Blair King, City Manager

FISCAL IMPACT: In addition to the initial capital costs, it is anticipated that operation and maintenance costs will increase over time to repair and maintain the water meters.

FUNDING AVAILABLE: 2005/2006 Budget Appropriation (Acct. 181456) $180,000

Water Utility Capital Outlay Fund
Project Estimate (Installation Only): $ 85,000

_____
Ruby Paiste, Interim Finance Director

_____
Richard C. Prima, Jr.
Public Works Director

Prepared by Charlie Swimley, Senior Civil Engineer

RCP/DES/pmf

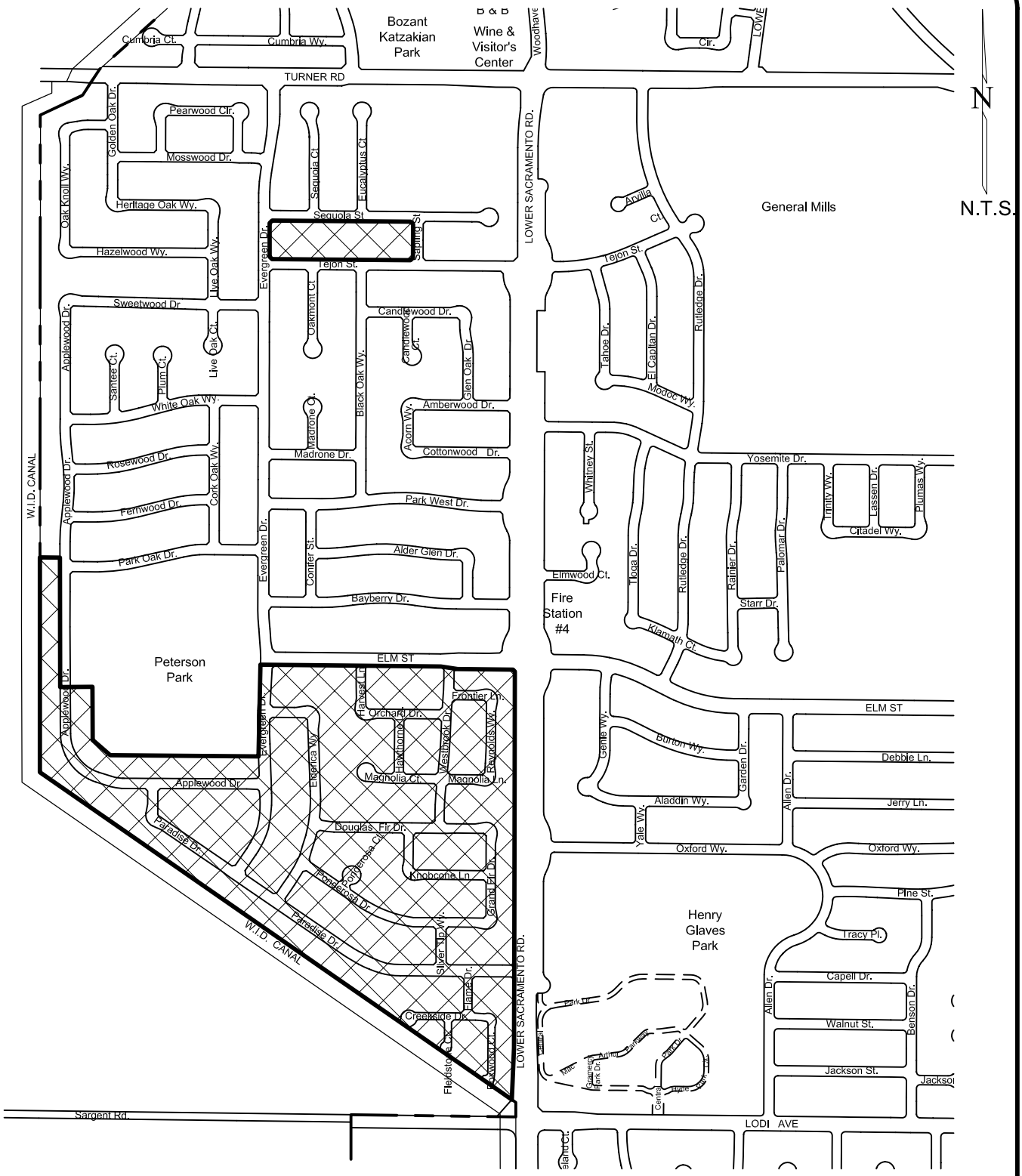
Attachment

cc: F. Wally Sandelin, City Engineer
Wes Fujitani, Senior Civil Engineer
Sharon Welch, Senior Civil Engineer
Paula Fernandez, Senior Traffic Engineer
Joel Harris, Purchasing Officer

CITY OF LODI

PUBLIC WORKS DEPARTMENT

VICINITY MAP WATER METER INSTALLATION LOCATIONS



METER INSTALL LOCATIONS

M:\OPEN\EXHIBITS\05X044.dwg, 10/10/2005 3:30:31 PM, Acro

RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING
CONTRACT FOR WATER METER INSTALLATION PROJECT,
FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE
THE CONTRACT ON BEHALF OF THE CITY OF LODI

==========

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on December 21, 2005, at 11:00 a.m., for the Water Meter Installation Project, described in the specifications therefore approved by the City Council on October 19, 2005; and

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

Bidder	Location	Bid
Engineer's Estimate		**$ 85,000.00**
Arrow Construction	Modesto	$ 52,831.00
Preston Pipeline, Inc.	Lathrop	$ 56,801.00
Carl Crutchfield Construction	Stockton	$ 82,606.00

WHEREAS, staff recommends award of the contract for Water Meter Installation Project to the low bidder, Arrow Construction of Modesto, California, in the amount of $52,831.00.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby awards the contract for the Water Meter Installation Project to the low bidder, Arrow Construction of Modesto, California, in the amount of $52,831.00; and

BE IT FURTHER RESOLVED that the Lodi City Council hereby authorizes the City Manager to execute the contract on behalf of the City of Lodi.

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2006-____

AGENDA ITEM **E-08**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Adopt Resolution Awarding Contract for Water Meter Purchase to Hersey Water Meter Company of Elk Grove (Project Estimate $70,000)**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council adopt a resolution awarding the contract for Water Meter Purchase to Hersey Water Meter Company of Elk Grove.

BACKGROUND INFORMATION: This project is the purchase of approximately 400 new water meters as detailed in the Request for Proposal (installation will be a separate contract). The water meters will utilize electronic remote reading capabilities which are compatible with the electric meter remote reading system. This concept allows the City to read and gather all water and electric meter data at the same time.

The Request for Proposals for this project was approved on October 5, 2005. The City received the following four proposals for this project on November 4, 2005. A contingency of approximately 10% is included in the project estimate to allow for uncertainties related to the meter size selections and mounting accessories that will be made as part of the Water Meter Installation Project.

Bidder		Location	Bid
Engineer's Estimate			$95,000
Amco Meters	(3/4-Inch)	Carmichael, CA	$59,600
Hersey Meters	(3/4-Inch)	Elk Grove, CA	$62,500
Badger Meters	(3/4-Inch)	Santa Rosa, CA	$77,700
Sensus Meters	(3/4-Inch)	Sacramento, CA	$87,480

The recommendation to purchase the second lowest cost meter is being made based on an evaluation of "best value" to the City. City engineering and water operations staff examined sample meters, contacted other users, and evaluated warranty, performance, and other factors in addition to price for Lodi's application.

FISCAL IMPACT: In addition to the initial capital costs, it is anticipated that operation and maintenance costs will increase over time to repair and maintain the water meters.

APPROVED: _____
Blair King, City Manager

FUNDING AVAILABLE: 2005/2006 Budget Appropriation (Acct. 181456) $180,000
Water Utility Capital Outlay fund
Project Estimate (Purchase Only): $ 70,000

_____
Ruby Paiste, Interim Finance Director

_____
Richard C. Prima, Jr.
Public Works Director

Prepared by Kevin Gaither, Senior Engineering Technician
RCP/KG/pmf
cc: Steve Schwabauer, City Attorney
Joel Harris, Purchasing Officer
Frank Beeler, Assistant Water/Wastewater Superintendent

RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING CONTRACT FOR WATER METER PURCHASE

==========

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, Request for Proposals were received and publicly opened on November 4, 2005, at 11:00 a.m., for Water Meter Purchase, described in the specifications therefore approved by the City Council on October 5, 2005; and

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

Bidder	Location	Bid
Engineer's Estimate		**$ 95,000.00**
Amco Meters (3/4-inch)	Carmichael, CA	$ 59,600.00
Hersey Meters (3/4-inch)	Elk Grove, CA	$ 62,500.00
Badger Meters (3/4-inch)	Santa Rosa, CA	$ 77,700.00
Sensus Meters (3/4-inch)	Sacramento, CA	$ 87,480.00

WHEREAS, based on the evaluation of "best value" to the City of Lodi after staff examined sample meters, contacted users, and evaluated warranty, performance and other factors in addition to price for the City of Lodi's application, staff recommends award of the contract for Water Meter Purchase to the second low bidder, Hersey Meters of Elk Grove, California, in the amount of $62,500.00.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby awards the contract for Water Meter Purchase to the second low bidder, Hersey Meters of Elk Grove, California, in the amount of $62,500.00; and

BE IT FURTHER RESOLVED that the Lodi City Council hereby authorizes the City Manager to execute the contract on behalf of the City of Lodi.

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2006-____

AGENDA ITEM **E-09**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Approve Plans and Specifications and Authorize Advertisement for Bids for Elevated Water Tank Recoating Project**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council approve the plans and specifications for the above project and authorize advertisement for bids.

BACKGROUND INFORMATION: This project consists of cleaning and recoating the exterior surfaces of the elevated water tank and other incidental and related work, all as shown on the plans and specifications for "Elevated Water Tank Recoating Project".

The existing exterior paint on the City's elevated water tank was applied in 1988 with the tank construction. Typically, the exterior coating has a service life of 10 years. Inspection performed by the City in 2003 reveals that the existing coating is basically in good shape with normal weathering and minor corrosion in some places. In order to extend the service life of the water tank, a new coating system should be applied before further deterioration of the exterior coating. Further deterioration of the coating will require complete removal of the existing coating system and would cost more in the long run.

This project will include having the exterior surface of the water tank hydro-blasted and power-tool cleaned. Two coats of paint will be applied to the surface after the cleaning. Currently, a logo/art design is being solicited by the Public Art Advisory Board for the tank relating to the centennial celebration of Lodi in 2006. The exact design will be selected by the City no earlier than April of 2006. Staff is recommending advertising for bids at this time and delaying the start of work until the spring or summer of 2006. This allows the City to potentially have more contractors to bid on the work during the winter months. The work to apply the art will be negotiated as a contract change order subsequent to the Public Art Advisory Board's decision in April.

The plans and specifications are on file in the Public Works Department.

FISCAL IMPACT: The expected service life of the art is 10 years, whereas the tank coating should last approximately 10 to 15 years. Therefore the City should anticipate similar costs associated with maintaining the tank surface every 10 to 15 years.

FUNDING AVAILABLE: Water Fund

Project Estimate:	$80,000
Planned Bid Opening Date:	February 1, 2006

_____
Ruby Paiste, Interim Finance Director

_____
Richard C. Prima, Jr.
Public Works Director

RCP/LC/pmf
cc: Assistant Water/Wastewater Superintendent
Associate Civil Engineer, Chang
Management Analyst Areida

APPROVED: _____
Blair King, City Manager

AGENDA ITEM **E-10**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Re-Set Public Hearing for February 1, 2006 to Consider Resolution Adopting the San Joaquin County Regional Transportation Impact Fee (RTIF) and Authorize City Manager to Execute Fee Program Operating Agreement**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council re-set a public hearing originally scheduled for January 4, 2006 to February 1, 2006 to consider a resolution adopting the San Joaquin County Regional Transportation Fee (RTIF) and authorize the City Manager to execute the fee program operating agreement.

BACKGROUND INFORMATION: Note that the City Council on December 21, 2005, set this item for a public hearing on January 4, 2006. However, staff did not allow enough time to meet the statutory mailing requirement (14 days minimum) which requires that all the background material be mailed to interested parties with the hearing date. The next regular scheduled meeting that meets this requirement is February 1, 2006.

The San Joaquin Council of Governments (COG), with the participation of our City Council representative and staff, has studied and adopted a new fee program to help pay for regional transportation improvements. Such a program was encouraged as part of Measure K – the ½-cent transportation sales tax in this County. (A local transportation fee is required as part of Measure K.)

The COG has asked San Joaquin County and each City to adopt this program (see letter, Exhibit A). A presentation on this subject was made to the City Council at its meeting of November 16, 2005, by City and COG staff. A model ordinance provided by COG was adapted to the City's Municipal Code and introduced at the December 21, 2005 meeting and is scheduled to be adopted at the January 4, 2006 meeting. The actual fee is adopted by resolution following adoption of the ordinance. In addition, the Council will be asked to authorize execution of an operating agreement between the City and COG regarding administration of the fee program.

The RTIF Program consists of:

- Technical Report dated October 27, 2005 (the "Nexus Study") – Exhibit B – This report provides the technical documentation and analysis supporting the fee program and the maximum fee.
- Operating Agreement – Exhibit C – This agreement details the procedures for setting, collecting and administering the fees and will be considered following the public hearing in February 2006.
- City Ordinance (Attached) – This ordinance is based on the model ordinance provided by COG and provides the legal basis for implementing the fee program.
- Resolution (Attached) – This resolution actually sets the fees and will be considered at the public hearing. The new fees will become effective 60 days after adoption of the resolution.

APPROVED: _____
Blair King, City Manager

Some of the highlights of the Program are:

A. The proposed fees are:
   - $2,500 per single-family dwelling
   - $1,500 per multi-family dwelling unit
   - $1.00 per retail building square foot
   - $1.25 per office building square foot
   - $0.75 per industrial building square foot

B. The fee is automatically adjusted each July 1 by the change in the Engineering News Record Construction Cost Index.

C. The fees are to be solely used for projects listed in the technical report.

D. 10% of the funds collected by Cities are provided to San Joaquin County for RTIF projects located within the unincorporated area.

E. 10% of the funds collected by each agency are provided to the COG for State Highway projects on the RTIF list.

F. 5% of the funds collected by each agency are provided to the COG for transit improvements on the RTIF list.

G. 75% of the funds collected by each City (85% County) may be retained by the agency for RTIF projects at their discretion or provided to COG for an RTIF project. A city could agree to transfer a higher amount to the agencies described in D, E, and F for specific projects.

H. Up to 2% of the first million dollars retained by each agency may be used for administrative costs (plus up to 1% of amounts over one million).

I. RTIF funds are to be kept in a separate fund and inter-fund borrowing is specifically prohibited, except within the RTIF program.

J. Semi-annual and annual reporting to COG is required.

K. Except for the annual index adjustment, there is a 5-year “freeze” on the fees and the program, with 5-year updates following.

L. Provisions for fee credits or reimbursements to developers for RTIF projects built by development projects are included, similar to the City’s fee program.

M. The City will need to evaluate its own transportation fee to eliminate any double-counting of projects/funding between the RTIF and the City fee. A review of the City’s fee program is underway.

In keeping with the intent of Measure K and recognizing the growing need for transportation funding, City staff is supportive of the RTIF. However, staff does not recommend adding a separate component for the City’s Public Art Fund. Public art is becoming a more common element in major transportation projects. Individual project sponsors would work with COG on any art component as part of the project scope and budget.

FISCAL IMPACT: Additional transportation funding actually available to Lodi will depend on development activity. The City’s 2005 fee for transportation projects is $12,969 per low-density residential acre or approximately $2,600 per single-family unit. Clearly, the RTIF would be a significant increase in available funding.

FUNDING AVAILABLE: Not applicable.

Richard C. Prima, Jr.
Public Works Director

RCP/pmf
Attachments
cc: Wally Sandelin, City Engineer
SJCOG – Andy Chesley
Pennino & Associates

Exhibit A

SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202

209.468.3913 • 209.468.1084 (fax)
www.sjcog.org

NOV 0 2 2005
CITY MANAGER'S OFFICE

Gary L. Haskin
CHAIR

John Harris
VICE CHAIR

Andrew Chesley
INTERIM EXECUTIVE DIRECTOR

Member Agencies
CITIES OF ESCALON, LATHROP, LODI, MANTECA, RIPON, STOCKTON, TRACY, AND THE COUNTY OF SAN JOAQUIN

November 1, 2005

Mr. Blair King, City Manager
City of Lodi
221 W. Pine Street
Lodi, CA 95240

Dear Mr. King:

On October 27, 2005, the Board of Directors of the San Joaquin Council of Governments (SJCOG) unanimously adopted the Regional Transportation Impact Fee (RTIF) program. Enclosed for the City of Lodi's review are the RTIF Technical Report, Ordinance, and Operating Agreement. In addition, a Draft Resolution designed to be used by each participating agency to establish the San Joaquin County RTIF Program Fees is enclosed for your review.

The consulting firm of Pennino & Associates has been secured by SJCOG to coordinate the presentation of the RTIF program with all jurisdictions. It is SJCOG's goal to present the RTIF program to all jurisdictions during the months of November and December. Within the next week, you will be contacted to arrange for the RTIF program to be scheduled for action by the Lodi City Council.

It is at the discretion of each jurisdiction to adopt the RTIF program by ordinance or by resolution. Whatever approach the City of Lodi plans to pursue, SJCOG staff will be available to assist in any way possible.

Please direct any questions regarding the RTIF program documents to Michael Swearingen, SJCOG Senior Regional Planner at (209) 468-3913.

Thank you for your immediate attention to the delivery the RTIF Program to the City Council for their review and consideration.

Sincerely,

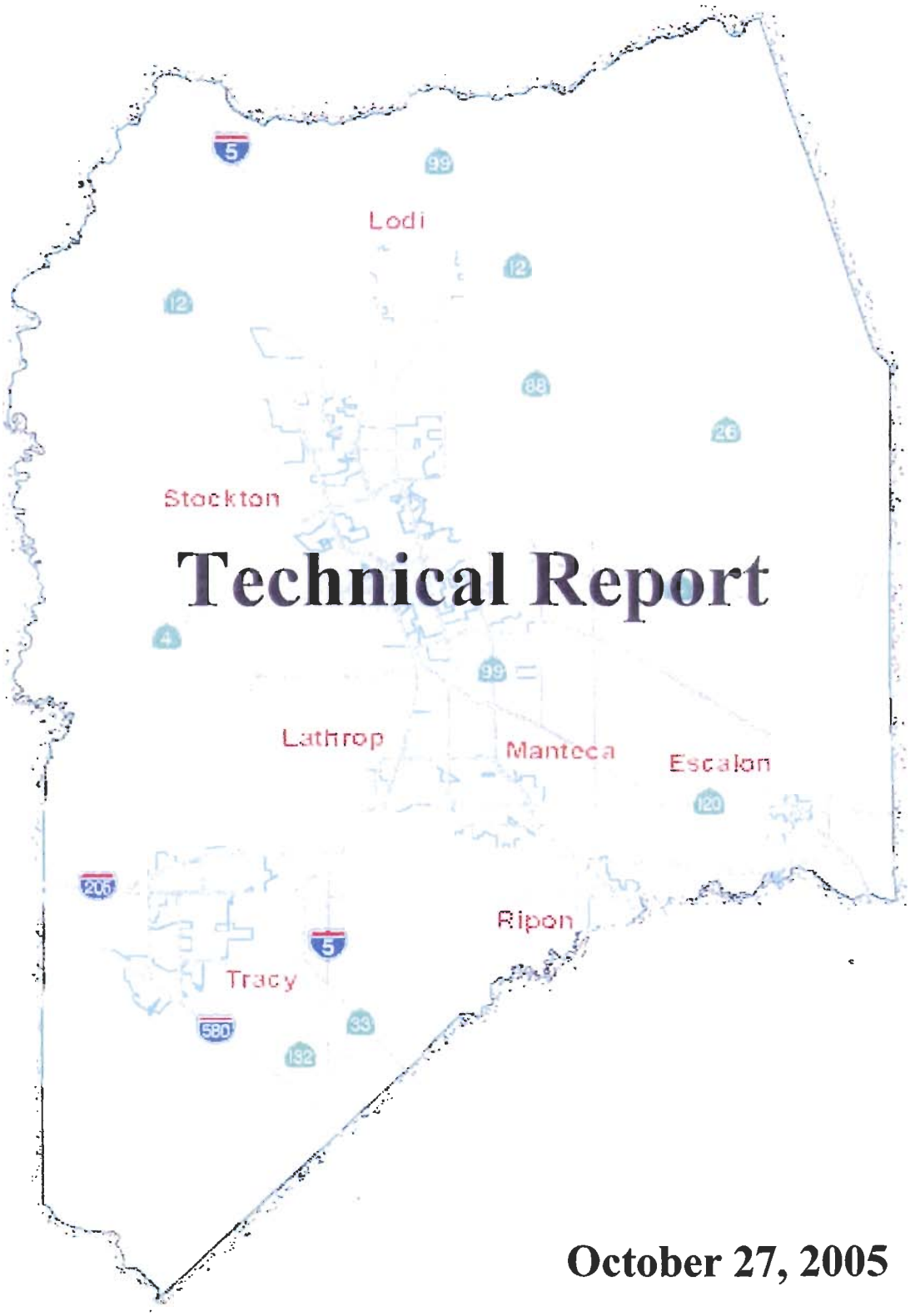
Andrew T. Chesley

ANDREW T. CHESLEY
Interim Executive Director

cc Council Member, Larry D. Hansen

Exhibit B

REGIONAL TRANSPORTATION IMPACT FEE



Technical Report

October 27, 2005

Economic &
Planning Systems
Real Estate Economics
Regional Economics
Public Finance
Land Use Policy

FINAL REPORT

SAN JOAQUIN REGIONAL TRANSPORTATION IMPACT FEE

Prepared for:

San Joaquin Council of Governments

Prepared by:

Economic & Planning Systems, Inc.
and
Fehr & Peers Associates Inc.

October 2005

EPS #15040

BERKELEY
2501 Ninth St., Suite 200
Berkeley, CA 94710-2515
www.epsys.com
Phone: 510-841-9190
Fax: 510-841-9208

SACRAMENTO
Phone: 916-649-8010
Fax: 916-649-2070

DENVER
Phone: 303-623-3557
Fax: 303-623-9049

TABLE OF CONTENTS

I. INTRODUCTION AND RESULTS 1
Purpose of Proposed Fees and Technical Report 1
Summary of Maximum and Proposed Fees 2
Implementation and Legal Considerations 2
Surplus Funds 4
Securing Supplemental Funding 4

II. RTIF GROWTH PROJECTIONS 6
Time Horizon 6
Growth Projections 7
Dwelling Unit Equivalents 7

III. RTIF CAPITAL PROJECTS AND COSTS 11
RTIF Project Inclusion Criteria 11
Changes to RTIF Master Project List 13
Allocation of Eligible RTIF Costs 14

IV. RTIF MODEL AND FEE CALCULATION 19
Transportation Model 19
Existing Deficiencies 19
Traffic Contribution 19
Public Transit Contribution 20
Maximum Fee Calculation 20

LIST OF TABLES AND FIGURES

Table 1: Regional Transportation Impact Fee Amount 3
Table 2: Projected Development by Land Use 8
Table 3: Dwelling Unit Equivalent Calculation Factors 9
Table 4: Total Dwelling Unit Equivalent Growth 10
Table 5: RTIF Capital Projects 15
Table 6: RTIF Trip Distribution and Net Project Costs 22
Table 7: RTIF Fee Calculation 25

Figure 1: Regional Transportation Network 12

I. INTRODUCTION AND RESULTS

This Technical Report is designed to provide participating jurisdictions in San Joaquin Region with the necessary technical documentation and nexus analysis supporting the adoption of a Regional Transportation Impact Fee (RTIF) Ordinance. It has been prepared by Economic & Planning Systems, Inc. (EPS) and Fehr & Peers Associates Inc., with input and guidance from the San Joaquin Council of Governments (SJCOG). The RTIF program described in this Report is based on current growth projections and infrastructure requirements and is consistent with the most recent relevant case law and the principles of AB1600 or Government Code Section 66000 et seq ("Fees for Development Projects"; except where specific citations are provided, this statute will be referred to in this Report as AB 1600).

Following this introductory chapter, **Chapter II** discusses the land use growth projections used in this analysis and **Chapter III** describes the RTIF capital costs. **Chapter IV** describes the modeling techniques used to establish nexus for the RTIF program and the resulting RTIF program fee calculation by land use category.

PURPOSE OF PROPOSED FEES AND TECHNICAL REPORT

The RTIF program described in this Report will provide funding for regional transportation improvements required to serve new development and to ensure that existing service levels can be maintained. To the extent that required improvements serve both new and existing development, or travel through the San Joaquin Region, only the portion that is attributable to new development inside the region is included in the RTIF program. It is expected that the RTIF program funding will be augmented by other revenue sources to meet overall funding requirements, particularly Measure K funding and State and Federal Grants.

This Report also provides a schedule of fees to be established by the RTIF Ordinance and/or Resolution. This Report and the technical information it contains should be maintained and reviewed periodically by the SJCOG and participating jurisdictions as necessary to ensure its accuracy and to enable the adequate programming of funding sources. To the extent that improvement requirements, costs, or development potential changes over time, the RTIF program will need to be updated.

The proposed RTIF program fee, if approved, will need to be enabled through adoption by participating jurisdictions of a new Ordinance or Resolution. The enabling Ordinance would allow the jurisdiction to adopt, by Resolution, a fee schedule consistent with supporting technical analysis and findings. The Resolution approach to setting the fee allows periodic adjustments of the fee amount that may be necessary over time, without amending the enabling Ordinance.

SUMMARY OF MAXIMUM AND PROPOSED FEES

A summary of the maximum fees calculated in this RTIF Technical Report by land use category are provided in **Table 1** and summarized below. Because of insufficient data on office growth projection, office category is included as part of the commercial/industrial category.

- $2,512 per single-family unit
- $1,542 per multifamily unit
- $4.65 per retail square foot
- $2.13 per commercial/industrial square foot

The fees shown above represent the maximum fee that can be charged based on the nexus findings described in this Report. These fees are calculated to generate sufficient revenue to cover the RTIF capital facility costs associated with new development in the County. Participating jurisdictions may as a matter of policy decide to charge a fee below the maximum fee for any or all of the land uses. However, the revenue shortfall to the RTIF program that would result from reducing the fees must be made up by other non-RTIF revenue sources. Specifically, the fee levels for certain land uses cannot be raised to cover revenue shortfalls that result from lowering the fees on other land uses.

SJCOG in conjunction with participating agencies have proposed to charge a fee below the maximum amount legally allowed based on the nexus calculations presented above. A comparison between the maximum RTIF fee and the proposed RTIF fee is presented in **Table 1** of this report.

The fee reduction is based on key stakeholders (i.e., developers, elected officials, city/county officials) goal to mitigate the impact new growth has on the regional transportation system as well as continue to foster economic development, job creation, and sales tax generation. The proposed fees represent a consensus reached by the region's leaders based on the analysis of economic drivers pertinent to the San Joaquin region.

IMPLEMENTATION AND LEGAL CONSIDERATIONS

ANNUAL REVIEW

AB 1600 (at Gov. C. §§ 66001(c), 66006(b)(1)) stipulates that each local agency that requires payment of a fee make specific information available to the public annually within 180 days of the last day of the fiscal year. This information includes the following:

Table 1
Regional Transportation Impact Fee Amount
San Joaquin RTIF Nexus Study; EPS #15040

Category	Maximum RTIF Fee	Proposed RTIF Fee
Total Fee Revenue	$410,230,388	$374,620,076
Fee Per Single-Family Unit	$2,512	$2,500
Fee Per Multi-Family Unit	$1,542	$1,500
Fee Per Retail Sqft.	$4.65	$1.00
Fee Per Commercial\Industrial Sqft. (1)		
Office	$2.13	$1.25
Industrial	$2.13	$0.75

(1) The maximum RTIF fee calculation combines office and industrial land use categories due to insufficient data to separate the two categories.

- A description of the type of fee in the account.
- The amount of the fee.
- The beginning and ending balance of the fund.
- The amount of fees collected and interest earned.
- Identification of the improvements constructed.
- The total cost of the improvements constructed.
- The fees expended to construct the improvement.
- The percent of total costs funded by the fee.

If sufficient fees have been collected to fund the construction of an improvement, the agency must specify the approximate date for construction of that improvement. Because of the dynamic nature of growth and infrastructure requirements, participating jurisdictions and the SJCOG should monitor development activity, the need for infrastructure improvements, and the adequacy of the fee revenues and other available funding. Formal annual review of the CFF program should occur, at which time adjustments should be made. Costs associated with this monitoring and updating effort can be included in the RTIF program.

SURPLUS FUNDS

AB 1600 also requires that if any portion of a fee remains unexpended or uncommitted in an account for five years or more after deposit of the fee, the City Council shall make findings once each year: (1) to identify the purpose to which the fee is to be put, (2) to demonstrate a reasonable relationship between the fee and the purpose for which it was charged, (3) to identify all sources and amounts of funding anticipated to complete financing of incomplete improvements, and (4) to designate the approximate dates on which the funding identified in (3) is expected to be deposited into the appropriate fund (§66001(d)).

If adequate funding has been collected for a certain improvement, an approximate date must be specified as to when construction on the improvement will begin. If the findings show no need for the unspent funds, or if the conditions discussed above are not met, and the administrative costs of the refund do not exceed the refund itself, the local agency that has collected the funds must refund them (Gov. C §66001(e)(f)).

SECURING SUPPLEMENTAL FUNDING

The RTIF program identifies $561 million in capital projects that can be funded in full or in part by impact fee revenue. However, the RTIF revenue generated is itself not sufficient or appropriate for funding the full amount of the RTIF capital projects identified in this Technical Report. For example, out of the $561 million in RTIF capital projects, approximately $128 million can be attributable to trips that originate or end outside the San Joaquin Region. The new facility costs attributable to these "external trips" cannot be covered by impact fee revenue. In addition, the SJCOG Board may

approve fee levels that are lower than the maximum amount allowed based on the nexus analysis, further reducing the revenue available to the RTIF program. Thus, to fully implement the RTIF program, the SJCOG will have to obtain funding and pay for improvements not covered by impact fee revenue. Examples of such sources include Measure K funds; CALTRANS funding; and other local, State and federal sources. Ultimately, funding for the entire cost of the RTIF program must be identified and allocated during the life of the RTIF program.

II. RTIF GROWTH PROJECTIONS

The RTIF program fee is a one-time fee levied on new development at a rate proportional to its demand for transportation capital improvements. Thus, a forecast of new development in the San Joaquin Region is required to calculate the fee. This Chapter documents the land use growth assumptions used to calculate the RTIF program fee. Specifically, it describes the amount of residential, retail, and commercial/industrial land use development expected to occur in San Joaquin Region through the year 2030. These estimates are used for the following primary purposes in the fee calculation:

- Estimates of existing and future development are used to evaluate future traffic levels and determine the need for transportation improvements in the San Joaquin Region.

- Estimates of future development are used to allocate the costs of required transportation improvements and ultimately to calculate a fee per unit of new growth.

The following sections describe the development projections and the key assumptions underlying them.

TIME HORIZON

The time horizon for an impact fee program is important because it determines the type and amount of transportation improvements that will be included in the fee program as well as the level of growth these improvements will serve. A longer time horizon will result in more transportation improvements being included in the RTIF program fee because of the added traffic demands from the increased population and jobs that will occur by that future date. A shorter time horizon typically reduces the number of improvements in the RTIF program fee because it includes only those improvements needed to accommodate a lower level of population and employment growth.

There are two ways that the time interval can be set in an impact fee analysis. One approach is to consider all improvements needed through the "build out" of a community's General Plan. Another approach is to establish a future date, typically before "build out" occurs, which is consistent with forecast data or improvement cycles. Both techniques are used in impact fee technical reports.

This Technical Report is based on a time horizon that ends in the year 2030. This corresponds to the timeframe used in the Regional Transportation Plan (RTP) which specifies the priority transportation projects in the San Joaquin Region, as approved by SJCOG. The timeframe also corresponds to the household and employment projections available for use in this Report, as further described below.

GROWTH PROJECTIONS

The regional household and employment projections, provided by SJCOG, form the basis for developing growth forecasts by land use category. Specifically, household growth projections are used to estimate future residential development, whereas employment growth projections are used to estimate future retail and commercial/industrial development. The household and employment projections used in this Report are based on standard methodology developed in the 2030 Regional Transportation Plan, which is adopted throughout the San Joaquin Region. **Table 2** summarizes the projection data.

For employment projections, approximately 350 square feet per retail employee and 700 square feet for all other employment categories are assumed to estimate the commercial/industrial development. In addition, an average vacancy rate of 7 percent for retail and commercial/industrial space is also assumed. The allocation of employment into retail and commercial/industrial land use categories is based on the historical employment proportions reported in data approved by the SJCOG.

DWELLING UNIT EQUIVALENTS

This analysis relies on Dwelling Unit Equivalent (DUE) factors to compare and evaluate future development across land use categories. Specifically, DUE factors compare residential, retail, and commercial/industrial land uses to one another based on their vehicle trip generation rates in order to develop a common metric for analysis. The factors used to convert residential, commercial/industrial, and retail growth into DUEs are shown in **Table 3**, and are based on standard assumptions regarding trip generation and trip diversion.[1] The DUE factors are then used to calculate total DUE growth by land use, as shown in **Table 4**.

---

[1] Assumptions based on data from the Institute of Transportation Engineers (ITE) Trip Generation Model (6th Edition) and the San Diego Council of Governments (SANDAG) Brief Guide to Vehicular Traffic Generation Rates, July 1998.

Table 2
Projected Development by Land Use
San Joaquin RTIF Study; EPS #11212

Category	Year 2005	Year 2030	Total Growth	Avg. Annual Growth
Single Family Residential (Units)	165,334	287,943	122,609	2%
Multy-Family Residential (Units)	80,122	111,990	31,868	1.3%
Retail				
Employment	47,347	59,311	11,964	0.9%
Square Feet (1)	15,411,449	19,305,731	3,894,282	0.9%
Commercial/Industrial				
Employment	247,161	272,355	25,194	0.4%
Square Feet (2)	160,901,811	177,303,105	16,401,294	0.4%

(1) Assumes 350 SF per Retail employee, and a 7.0% vacancy rate.
(2) Assumes 700 SF per Commercial / Industrial employee, and a 7.0% vacancy rate.

Table 3
Dwelling Unit Equivalent Calculation Factors
San Joaquin RTIF Nexus Study; EPS #15040

Category	Unit	Pk Hour Trip Rate (1)	% New Trips (2)	DUE
Single Family Residential	DU	1.01	100%	1.00
Multi Family Residential	DU	0.62	100%	0.61
Retail	KSF	3.74	50%	1.85
Commercial				
Office	KSF	1.49	65%	0.96
Industrial	KSF	0.88	85%	0.74
Office/Industrial Avg.				0.85

(1) Peak hour trip rate based on ITE Trip Generation Manual, 6th Edition.
(2) Percent new trips based on SANDAG Brief Guide of Vehicular Traffic Generation Rates

Table 4
Total Dwelling Unit Equivalent Growth
San Joaquin RTIF Nexus Study; EPS #15040

Unit Type	DUE Growth (2005 - 2030)
Single Family Residential	122,609
Multi-Family Residential	19,563
Retail Square Feet	7,210
Commercial/Industrial Square Feet	13,937
Grand Total	163,319

III. RTIF CAPITAL PROJECTS AND COSTS

This chapter documents the transportation improvements included in the RTIF capital project list and their corresponding costs. The RTIF Master Project List was selected based on the inclusion criteria described herein and refined based on funding need. The eligible RTIF capital project list includes all the projects that are assumed to be funded, in full or in part, by RTIF revenue.

RTIF PROJECT INCLUSION CRITERIA

The road and transit projects proposed for funding by the RTIF are included in an initial RTIF Master Project List. The RTIF project list is composed of improvements that fall on the "RTIF Network", a unified system of roadways, transit linkages, and other transportation facilities that confer benefits upon development throughout the County. This network is illustrated in **Figure 1**. The RTIF Network was developed and defined as part of the RTIF planning and policy formulation process.[2]

While an initial RTIF Master Project List has been established as part of this Technical Report, it is recognized that the list of transportation projects may need to be amended over time as circumstances change. As a result, during the RTIF planning process a number of screening criteria were considered and evaluated as a method for selecting the type of projects that would possibly be funded by RTIF revenue. These screening criteria are designed to distinguish projects where the nexus with new development throughout the San Joaquin Region is strong. It is the adherence to the screening criteria that assures that the required "nexus" findings and other requirements of Government Code Section 66000 et seq. are respected.

In order to be included in the RTIF Master Project List, Highway Widening, Interchange and Local Roadway Improvement projects must meet all of the following criteria:

A. All projects must be part of the RTIF Network;

B. All projects must be scheduled for delivery within the time horizon of the nexus analysis; and[3]

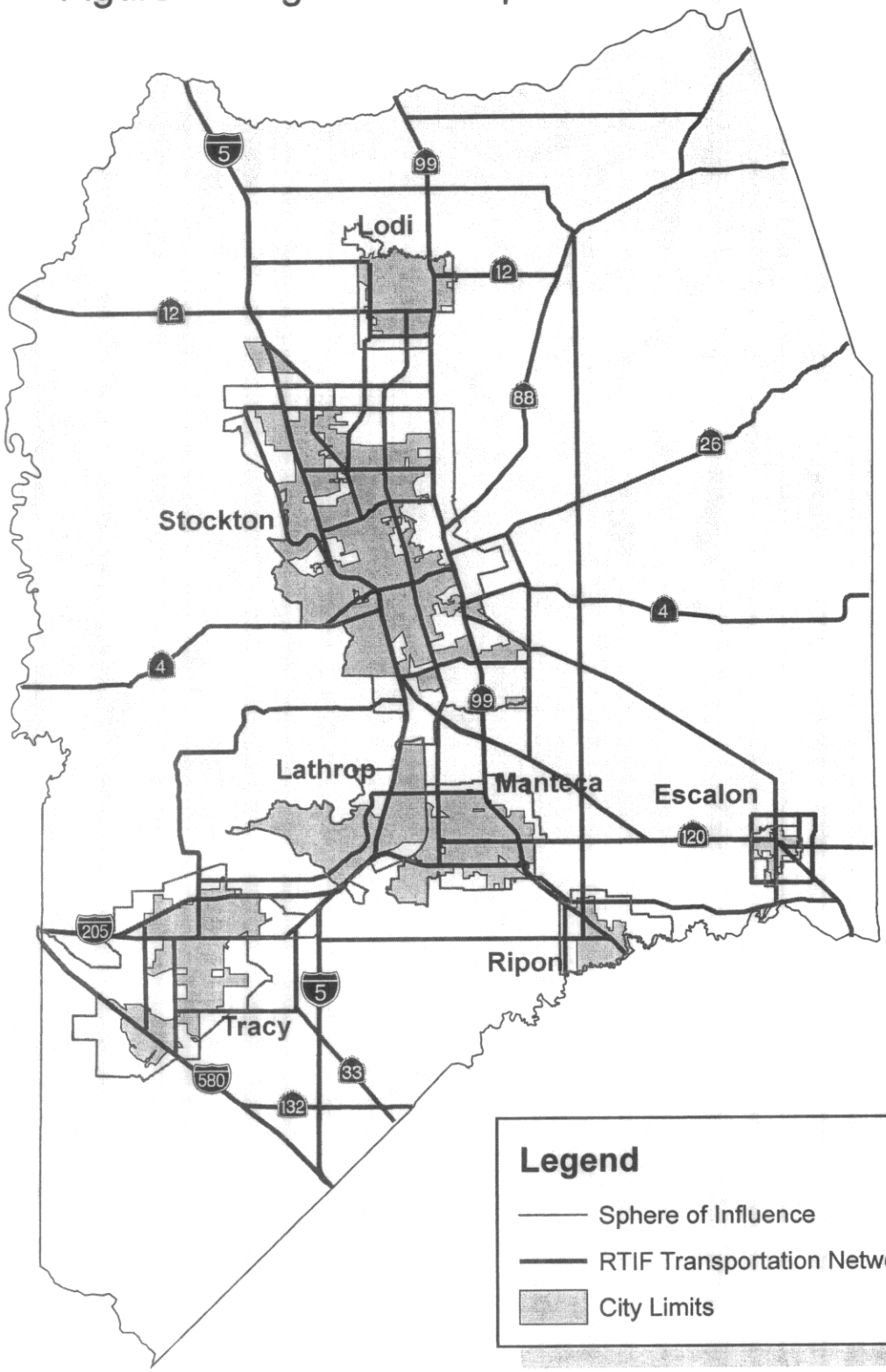
C. All projects, except interchange improvements, must involve a capacity improvement of one or more through travel or passing lanes, or auxiliary lanes (i.e., turn lanes).

---

[2] The RTIF Network is based on the Congestion Management Program (CMP) network of major facilities of regional significance and supplemented with additional major arterials that serve inter-community travel in San Joaquin County.

[3] All RTIF highway widening, interchange, regional roadway, and public transit projects must be identified in the SJCOG Board adopted RTIF project list and Regional Transportation Plan (RTP) prior to delivery. The current time horizon for the RTP is 2005 – 2030.

Figure 1: Regional Transportation Network



In order to be included in the RTIF Master Project List, all Public Transit projects must satisfy the following criteria: [4]

A. All projects must be scheduled for delivery within the time horizon of the nexus analysis; and

B. All projects must involve an improvement to an existing or new service/facility which connects at least two or more cities or regions.

The RTIF nexus fee is based on a combination of highway widening, interchange, and regional roadway projects. The RTIF Master Project List is further refined to ensure that appropriate projects receive necessary funding to complete delivery. These projects were selected from the RTIF Master Project List based on the following:

A. Currently identified in Tier I of the RTP;

B. Regional roadway and interchange projects that are in Tier I of the RTP and/or are Measure K Renewal projects; and,

C. All remaining regional roadway projects which fall on the current SJCOG-Board adopted Regional Transportation Network.

A description of the master and eligible RTIF projects and costs are provided in **Table 5**.

CHANGES TO RTIF MASTER PROJECT LIST

As needs and priorities change over time, on a semi-annual basis, a jurisdiction can exchange any one of their RTIF projects from the RTIF Master Project List with one or more of their projects in Tier I of the RTP. This level of flexibility is intended to help jurisdictions adapt to changes in funding availability and transportation priorities. However, the following conditions need to be met to secure an exchange:

- RTP meets air quality conformity requirements;
- The projects are categorized in Tier I of the RTP. Tier I RTP projects are priority projects for which funding sources have been identified; and,
- RTIF nexus requirements are maintained.

---

[4] Examples of regional transit projects include: (a) capital purchase of rolling stock; (b) bus shelters and associated amenities; and, (c) multi-modal stations and associated amenities.

ALLOCATION OF ELIGIBLE RTIF COSTS

RTIF funds represent one source of funding. These funds, combined with other local, state and federal funds ensure the complete delivery of the RTIF transportation project. Based on the multiple funding mechanisms, the following rationale was used to allocate net RTIF costs to fiscally constrain the projects and establish the nexus:

A. **RTIF Projects currently in Tier I of the RTP** - RTIF gross project costs were compared to the costs programmed in the RTP. The cost differentials between the RTIF/Tier I RTP projects were offset with net eligible RTIF costs.

B. **Regional roadway/interchange projects in Tier I of the RTP and/or MK Renewal** - These projects have multiple funding mechanisms and will require RTIF funds to ensure delivery. As part of the nexus, 23 percent of the gross project costs were used not to exceed the eligible RTIF net project costs.

C. **Remaining regional roadway projects** - Nexus fee includes full RTIF costs attributable to new development for all remaining Regional Roadway Projects which fall on the adopted Regional Transportation Network.

The impact of this cost allocation is summarized in **Table 5**. As shown, there are 120 separate RTIF projects with an estimated total capital cost of about $5.4 billion. Of the total, 48 RTIF projects with a total cost of $561 million were selected for purposes of calculating the fee amount. This amount reflects to proportion of the projects for which funding sources have not yet been identified. The cost estimates are based on the best information available at the time of this Report. To the extent that this project list and/or the corresponding cost estimates are updated, the maximum fee amount will change accordingly.

Table 5
RTIF Capital Projects
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Project Description	RTIF Master Project Costs (2)	Nexus Project Costs (3)
Mainline Highway Projections				
1	SR-99	Widen 4 to 6 lanes using inside median, Arch Road to Crosstown/99 interchange	$158,000,000	-
2	SR-99	Widen 6 to 8 lanes (Outside), City of Manteca (Yosemite Ave) to City of Ripon (West Ripon Road)	$203,000,000	-
3	I-5	Widen 6 to 8 lanes (Inside) from Monte Diablo Avenue under crossing to Otto Drive. Add aux. Possible HOV lane.	$250,000,000	-
4	I-5	Widen 6 to 8 lanes (Inside), French Camp Road to Charter Way	$228,000,000	-
5	I-5	Widen 6 to 8 lanes (Inside), SR 120 to French Camp Road	$71,000,000	-
6	I-205	Widen 6 to 8 lanes (Inside/Outside) from I-580 to I-5	$268,000,000	-
7	SR-4 Extension	New alignment from Fresno Ave. to Daggett Road	$150,000,000	$19,843,070
8	SR-99 Widening	Widen 6 to 8 lanes (Outside), Cherokee Road to Armstrong Road	$100,000,000	-
9	SR-99	Widen 6 to 8 lanes (Outside), Crosstown to Cherokee Road	$194,000,000	-
10	SR-99	Widen 6 to 8 lanes (Outside), Arch to Crosstown	$86,000,000	-
11	SR-99 Widening	Widen 4 to 8 lanes (Outside), French Camp Road to Arch Road	$100,000,000	-
12	I-5	Widen 6 to 8 lanes (Inside), Otto Drive to New Road A (One mile N. of Eight Mile Road)	$25,000,000	-
13	SR-99 Widening	Widen 8 to 10 lanes (Outside), Mariposa Road to Cherokee Road	$150,000,000	-
14	SR-4 Crosstown Widening	Widen 6 to 8 lanes, I-5 to SR-99	$75,000,000	-
15	SR-26 Widening	Widen 6 to 8 lanes, SR-99 to Austin Road Extension	$30,000,000	-
16	SR-4 Widening	Widen 6 to 8 lanes, SR-99 to Austin Road Extension	$30,000,000	-
17	SR 99 @ Crosstown Freeway	Reconstruct Freeway to Freeway Interchange	$30,000,000	-
18	I-5/SR 4 @ Crosstown Freeway	Reconstruct Freeway to Freeway Interchange	$59,000,000	-
19	I-5/SR-120	New branch connections (2 Lane Structures). SR-120 West to I-5 North, and I-5 South to SR-120 East	$35,500,000	$6,640,000
20	SR-120	Widen 4 to 6 lanes (Inside) from I-5 to SR-99	$54,000,000	-
21	SR-12	Widen 2 to 4 lanes (Outside), add turn lanes, from SR-99 to SR-88	$50,500,000	$31,480,000
22	SR-99	New capacity ~ widen 4 to 6 lanes (Inside), from Jct. 12 East to County line.	$86,000,000	-
23	SR-99	New capacity ~ widen 4 to 6 lanes (Inside), from north of Harney to SR-12 East	$11,250,000	-
24	I-5	Widen 4 to 6 lanes (Inside), SR-12 to County Line	$91,000,000	-
25	I-5 Widening	Widen 8 to 10 lanes, Roth Road to Otto Drive	$400,000,000	-
26	SR-12 @ I-5	Loop Ramps	$11,250,000	-
27	SR-99 @ SR-88	Reconstruct interchange	$19,500,000	-
28	SR-99 @ SR-26	Reconstruct interchange	$19,500,000	-
29	SR-26	New capacity ~ widen 2 to 4 lanes (Outside), Cardinal (diverting canal) to Jack Tone Road	$48,000,000	-
30	SR-120 West of Escalon	Widen from Jacktone 5 lane conventional to Sexton, new south alignment to McHenry	$75,000,000	-
31	SR-120 East of Escalon	New south alignment from McHenry to existing 120 @ Harrold, widen to 5 lane conventional to county line	$25,000,000	-
32	SR-88	Passing lanes, SR-12 to Amador County Line	$24,000,000	-
Total Mainline Highway Projections			**$3,157,500,000**	**$57,963,070**
Interchange Modifications, Reconstructions, and Improvements				
33	I-5 @ Lathrop Road	4 lanes under I-5, modify interchange 0.3 miles north and south of Lathrop Road undercrossing	$17,200,000	$3,956,000
34	I-205 @ Paradise/Chrisman	Construction of new interchange	$40,000,000	$20,800,000
35	SR-99 @ SR-12 (Kettleman Lane)	Reconstruct interchange	$20,000,000	$4,600,000
36	SR-99 @ Harney Lane	Reconstruct interchange	$20,000,000	-
37	SR-99 @ North Main	Construct new interchange	$8,900,000	-
38	SR-99 @ Austin Road	Reconstruct/Improve Interchange	$30,000,000	$6,900,000

Table 5
RTIF Capital Projects
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Project Description	RTIF Master Project Costs (2)	Nexus Project Costs (3)
39	SR-120 @ McKinley	Reconstruct/Improve Interchange	$28,200,000	$6,486,000
40	SR-99 @ Olive Rd.	Construct Interchange to include connection with River Road	$40,000,000	$15,760,000
41	SR-99 @ Eight Mile Road	Reconstruct Interchange (PM 35.1-35.5)	$36,120,000	$8,307,600
42	SR-99 @ March Lane/Wilson	New interchange - Construct combined Wilson Way, March Lane Interchange (P.M. 21.1-22.1)	$100,000,000	$23,000,000
43	I-5 @ Arch Sperry/French Camp	Modify existing I-5/French Camp Road Interchange (P.M. 20.8-21.2)	$35,000,000	$8,050,000
44	SR-99 @ French Camp Road	Reconstruct interchange	$35,000,000	-
45	SR-99 @ Arch Sperry Road	Phase 2 interchange improvements	$15,000,000	-
46	SR-99 @ Armstrong Road	Reconstruct interchange	$35,000,000	-
47	I-5 @ New Road A (N. Gateway)	Construction of new interchange	$35,000,000	-
48	SR-99 @ New Road A (N. Gateway)	Construction of new interchange	$35,000,000	-
49	SR-99 @ Morada Lane	Reconstruct interchange	$35,000,000	$1,000,000
50	I-5 @ Eight Mile Road	Interchange Modification	$17,000,000	$3,910,000
51	I-5 @ Otto Drive	Construction of new interchange	$42,000,000	$9,660,000
52	I-5 @ Hammer Lane	Interchange Modification	$47,000,000	$10,810,000
53	SR-99 @ Mariposa Road	Reconstruct interchange	$40,000,000	$9,200,000
54	SR-99 @ New Road	Construction of new interchange between French Camp Road and Arch-Sperry Road	$35,000,000	-
55	I-5 @ Matthews Road	Reconstruct interchange	$35,000,000	-
56	I-5 @ Roth Road	Reconstruct interchange	$35,000,000	-
57	SR-132 @ I-5 and Bird Road	Upgrade interchange, lengthen ramps, widen approaches, install signal controls	$10,000,000	-
58	I-580 @ Lammers Road	Construction of new interchange	$55,000,000	-
59	I-580 @ Coral Hollow Road	Modification of existing interchange	$20,000,000	-
60	I-205 @ Lammers Road	Construction of new interchange	$55,000,000	$12,650,000
61	I-205 @ Grantline Road	Modification of existing interchange	$30,000,000	$6,900,000
Total Interchange Modifications, Reconstructions, and Improvements			**$986,420,000**	**$151,989,600**
Regional Roadway Improvements				
62	Lower Sacramento Road	Widen from 2 to 6 lanes, Eight Mile Road to Marada Lane	$20,000,000	$5,000,000
63	Lower Sacramento Road	Widen from 2 to 4 lanes, Armstrong Road to Eight Mile Road	$10,000,000	-
64	Eight Mile Rd.	Widen from 2 to 8 lanes, I-5 to SR-99. Project involves 2 railroad grade separations.	$50,000,000	$11,500,000
65	Pacific Avenue	Widen from 6 to 8 lanes, Hammer Lane to March Lane	$30,000,000	$6,900,000
66	March Lane	Widen from 6 to 8 lanes, Claremont to West Lane	$9,262,000	$8,162,000
67	March Lane	Construct 8 lane Road from Holman to SR-99	$25,000,000	$5,000,000
68	West Lane	Widen from 4 to 6 lanes, Armstrong Road to Eight Mile Road	$10,000,000	$9,780,000
69	West Lane	Widen from 4 to 6 ln.SPRR s/o Alpine-Calaveras River	$44,200,000	$43,669,600
70	West Lane	Widen from 6 to 8 lanes, Eight Mile Road to Alpine Avenue	$35,000,000	$33,390,000
71	West Lane/Airport Way	Widen from 4 to 6 lanes, Alpine Avenue to Arch Sperry Road	$60,000,000	$55,920,000
72	Airport Way	Widen from 2 to 6 lanes, French Camp Road to Roth Road	$15,000,000	$12,435,000
73	Airport Way	Widen from 4 to 8 lanes, Arch/Sperry Road to French Camp Road	$20,000,000	$15,960,000
74	New Road A	Construct 4 lanes, I-5 to SR-99. Project involves 2 railroad grade separations.	$25,000,000	-
75	Thornton Road	Widen from 2 to 6 lanes, Bear Creek to Hammer Lane	$20,000,000	$4,600,000
76	Aksland Avenue	Construct 4 lanes, Otto Drive to March Lane	$10,000,000	$3,000,000
77	Ryde Avenue Bridge	Construct 4 lane bridge over the Calaveras River	$5,000,000	-
78	Mariposa Road	Widen from 2 to 8 lanes, SR-99 to Austin Road	$30,000,000	-

Table 5
RTIF Capital Projects
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Project Description	RTIF Master Project Costs (2)	Nexus Project Costs (3)
79	Austin Road	Construct 6 lanes, SR-26 to Main Street	$10,000,000	-
80	Austin Road	Construct 8 lanes, Main Street to Mariposa Road	$60,000,000	-
81	Austin Road	Construct 6 lanes, Mariposa Road to Arch Road	$5,000,000	-
82	Austin Road	Construct 4 lanes, Arch Road to French Camp Road	$20,000,000	-
83	Arch-Sperry Rd.	Construct 2 to 8 lanes, I-5 to Performance Drive	$65,000,000	$14,950,000
84	Arch-Sperry Rd.	Construct 2 to 8 lanes, Performance Drive to Frontier Way	$35,000,000	$22,595,000
85	Arch-Sperry Rd.	Widen from 2 to 6 lanes, Frontier Way to Austin Road	$10,000,000	$5,690,000
86	French Camp Road	Widen from 2 to 6 lanes, SR-99 to Arch-Sperry Road	$40,000,000	-
87	Harney Ln.	Widen from 2 to 4 lanes, SR-99 to Lower Sacramento Road (2.6 Miles)	$12,250,000	$2,817,500
88	Jack Tone Rd.	Widen from 2 to 4 lanes entire length (SR-99 to SR-88)	$27,000,000	$6,210,000
89	Liberty Road	Widen from 2 to 4 lanes, SR-99 to SR-88	$24,974,000	-
90	Peltier Road	Widen from 2 to 4 lanes, SR-99 to I-5	$15,500,000	-
91	Peltier Road	Widen from 2 to 4 lanes, SR-99 to Elliott Road	$25,573,000	-
92	Elliott Road	Widen from 2 to 4 lanes, SR-88 to Peltier Road	$12,900,000	-
93	Yosemite Ave	Widen from 2 to 4 lanes, City limit to North Ripon Rd. 3.05 miles.	$4,758,000	-
94	Mariposa Road	Widen from 2 to 4 lanes, Austin Road to Jack Tone Road	$17,352,000	-
95	Mariposa Road	Widen from 2 to 4 lanes, Jack Tone Road to Escalon-Belota Road	$20,063,000	-
96	French Camp Road	Widen from 2 to 4 lanes, SR-99 to SR-120	$26,084,000	-
97	Tracy Boulevard	Passing lanes and channelization	$21,202,000	-
98	Howard Road	Passing lanes and channelization	$23,935,000	-
99	Airport Way	Widen from 4 to 6 lanes, Lathrop Road to Roth Road.	$9,293,000	$2,137,390
100	Escalon-Belota Road	Widen from 2 to 4 lanes, Mariposa Road to Escalon City limit	$4,009,000	$1,519,411
101	Airport Way	Widen from 2 to 4 lanes, Yosemite to SR-120	$1,153,000	$937,389
102	Airport Way	Widen from 4 to 6 lanes, SR120-Lathrop Road (Manteca)	$4,900,000	$4,209,100
103	Lathrop Rd.	Widen from 2 to 4 lanes from east of UPRR to SR-99	$6,855,000	-
104	Golden Valley Parkway	Parallel facility along north/west side of I-5 from Lathrop Road to Paradise	$59,290,000	$40,910,100
105	Lathrop Rd.	Widen from 2 to 4 lanes, I-5 to east UPRR	$2,560,000	-
106	Corral Hollow Road	Widen from 2 to 4 lanes, Grantline Road to Linne Road	$20,000,000	-
107	Lammers Road	Widen from 2 to 4 Lanes, I-205 to I-580	$40,000,000	-
108	Linne Road	Widen from 2 to 4 lanes, Corral Hollow Road to Chrisman Road	$4,289,000	$2,835,029
109	McHenry @ Ullrey Intersection	Intersection Improvement	$800,000	$499,200
110	Campbell Avenue	Widen from 2 to 4 lanes, From SR 120 north to Miller Road and east from Miller Road to Escalon-Belota Road	$2,500,000	$1,257,500
111	Campbell Avenue	Widen from 2 to 4 lanes, From Miller Road to Santa Fe Avenue.	$2,500,000	-
112	Brennan Road	Widen from 2 to 4 lanes, SR 120 south to Jones Road and east from Jones Road to McHenry Avenue	$2,500,000	-
113	Miller Road	Widen from 2 to 4 lanes, Escalon-Bellota Avenue to Campbell Avenue	$1,123,005	-
114	South Arterial #1	Widen from 2 to 4 lanes, Brennan Avenue to Harrold Avenue	$5,054,790	-
115	Jones Road	Widen from 2 to 4 lanes, Brennan Road to Harrold Avenue	$2,000,115	-
116	River Road Plus Extension	Widen from 2 to 4 Lanes From McHenry Avenue to SR 120. Includes Parallel Facility to SR 99 North to SR 120 with extension of Olive Road south to SJC line. May include roundabout (River Road @ McHenry).	$25,000,000	-
117	West Ripon Road (1)	Widen existing road from 2 to 4 lanes and extend Ripon Road West to I-5	$50,000,000	-
Total Regional Roadway Improvements			**$1,138,879,910**	**$321,884,219**

Table 5
RTIF Capital Projects
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Project Description	RTIF Master Project Costs (2)	Nexus Project Costs (3)
Public Transit				
118	Bus Rapid Transit (BRT)	Regional/Inter-Regional BRT system	$100,412,410	$19,931,535
119	Regional Busses	Purchase of buses for service expansion (Intercity/Interregional)	$10,000,000	$2,100,000
120	Altamont Commuter Express (ACE)	Acquisition of ACE Corridor between Lathrop and Niles Junction	$45,000,000	$6,950,000
Total Public Transit			**$155,412,410**	**$28,981,535**
TOTAL ALL PROJECTS			**$5,438,212,320**	**$560,818,424**

(1) Project delivery is contingent on the results of a feasibility study and pending analysis of the region's expressway needs.
(2) Represent all projects in the RTIF network. All projects are selected based on Inclusion Criteria.
(3) Represents RTIF projects/costs used to establish nexus.

IV. RTIF MODEL AND FEE CALCULATION

This chapter describes the modeling techniques used to identify eligible transportation projects and calculate the fee for the RTIF program. The fee is based on the RTIF capital project list costs attributable to new growth within the San Joaquin Region divided by projected development by land use category in the region.

TRANSPORTATION MODEL

This Technical Report relies on the SJCOG travel demand model, a regional model used to conduct long-range planning and assess transportation impacts of major development projects in the County. The model has recently been updated, and was used in preparing the 2030 RTP. Therefore, the model is the best tool available for conducting a project such as the RTIF Report. The SJCOG model contains land use estimates for the year 2005, and projections for the year 2030. Both the 2005 and 2030 models were used in the RTIF Report.

EXISTING DEFICIENCIES

As noted in **Chapter III**, the RTIF program excludes the proportion of a project cost that are attributable in whole or in part to correct "existing deficiencies" or pre-existing problems in the regional transportation system. Consequently, the transportation model was used to identify existing deficiencies in the RTIF Network. Specifically, the 2005 model was applied, and the Level of Service (LOS) of each facility in the network was assessed. Traffic volume thresholds for LOS calculation purposes were provided by SJCOG staff. These thresholds were based on the standard highway capacity tables prepared by the Florida Department of Transportation, and have been used in the preparation of the 2030 SJCOG RTP and other regional planning documents.

The operational standard for roads in the San Joaquin Region is LOS D. Therefore, all facilities that were estimated to operate at LOS E or F during the AM peak hour in the 2005 model were designated as having existing deficiencies. Any improvements designed to correct the deficiencies in the RTIF Network have been adjusted to exclude the portion that is attributable to existing deficiencies.

Because of limitations in the analytical methods available, no existing deficiency analysis was conducted for interchange; rather, it was assumed that these improvements were to be supported entirely by new development.

TRAFFIC CONTRIBUTION

The total amount of traffic on each facility is broken down into two components: the traffic coming from or going to areas inside the San Joaquin Region (called "Internal Trips") and the traffic coming from or going to areas outside the Region (called

"External Trips"). These External Trips are not the responsibility of the new development within San Joaquin Region, and thus need to be excluded from the fee calculation. This analysis was done on the basis of trip ends; therefore, the so-called I-X and X-I trips (trips that have one end in the region and one end outside the region) were considered to be one-half attributable to Internal Trips, and one-half attributable to External Trips.

The difference in total traffic volume on each project between 2005 and 2030 was calculated, and became the denominator of the traffic contribution ratio. The difference in volume associated with each of the categories described above was also calculated, and these became the numerators of the calculation. For example, if total traffic on a particular facility increased by 1,000 vehicles between 2005 and 2030, and if the traffic attributable to the San Joaquin Region area increased by 200 vehicles, then the percent contribution to that facility within the region would be 200/1,000 or 20 percent. The remaining 80 percent of the growth in traffic would be similarly calculated from the External Trips.

The trip distribution between inside and outside of the San Joaquin Region for all the RTIF projects is shown in **Table 6**. The values in Internal and External Trips should sum to 1.0, or 100 percent, for each RTIF project. With the External Trips screened out, Table 7 also shows the net RTIF project costs by multiplying the Internal Trips factors by the total project costs.

PUBLIC TRANSIT CONTRIBUTION

The total share of the public transit costs is determined by new development within the San Joaquin Region. Specifically, the total public transit share is calculated by multiplying the incremental DUE growth as a percent of the total DUE in 2030. Between 2005 and 2030, the DUE in the San Joaquin Region is estimated to increase by 163,319, as illustrated in **Table 4**. The new growth would contribute approximately 30 percent of the total DUE in 2030. As shown in **Table 6**, $8.7 million of the public transit costs is supported by the RTIF program.

MAXIMUM FEE CALCULATION

The maximum fee calculation is based on the net RTIF capital project costs attributable to the Internal Trips throughout the region divided by the projected number of new housing units, retail and commercial/industrial square feet developed in the County through year 2030. Specifically, the net RTIF capital project cost is divided by the total DUE growth, as calculated in **Table 4**, to obtain total cost per DUE for the San Joaquin Region as a whole.

A summary of the RTIF per DUE by project and for the San Joaquin Region as a whole is provided in **Table 7**. The actual fees by land use category are derived based on the DUE factors shown in **Table 3** (total fee per DUE multiplied by the DUE factor by land use category).

Table 6
RTIF Trip Distribution and Net Project Costs
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Trip Distribution Internal Trips	Trip Distribution External Trips	Net Nexus Project Costs
Mainline Highway Projections				
1	SR-99	48.3%	51.7%	-
2	SR-99	31.3%	68.7%	-
3	I-5	54.1%	45.9%	-
4	I-5	59.9%	40.1%	-
5	I-5	61.3%	38.7%	-
6	I-205	46.4%	53.6%	-
7	SR-4 Extension	43.5%	56.5%	$7,708,140
8	SR-99 Widening	54.1%	45.9%	-
9	SR-99	57.8%	42.2%	-
10	SR-99	48.3%	51.7%	-
11	SR-99 Widening	42.6%	57.4%	-
12	I-5	47.2%	52.8%	-
13	SR-99 Widening	54.8%	45.2%	-
14	SR-4 Crosstown Widening	60.0%	40.0%	-
15	SR-26 Widening	60.7%	39.3%	-
16	SR-4 Widening	48.6%	51.4%	-
17	SR 99 @ Crosstown Freeway	62.5%	37.5%	-
18	I-5/SR 4 @ Crosstown Freeway	65.5%	34.5%	-
19	I-5/SR-120	33.2%	66.8%	$2,204,480
20	SR-120	29.1%	70.9%	-
21	SR-12	78.7%	21.3%	$24,774,760
22	SR-99	41.3%	58.7%	-
23	SR-99	48.0%	52.0%	-
24	I-5	45.2%	54.8%	-
25	I-5 Widening	58.1%	41.9%	-
26	SR-12 @ I-5	46.1%	53.9%	-
27	SR-99 @ SR-88	65.8%	34.2%	-
28	SR-99 @ SR-26	69.1%	30.9%	-
29	SR-26	57.0%	43.0%	-
30	SR-120 West of Escalon	30.6%	69.4%	-
31	SR-120 East of Escalon	26.7%	73.3%	-
32	SR-88	45.5%	54.5%	-
Interchange Modifications, Reconstructions, and Improvements				
33	I-5 @ Lathrop Road	70.5%	29.5%	$2,788,980
34	I-205 @ Paradise/Chrisman	62.3%	37.7%	$12,958,400
35	SR-99 @ SR-12 (Kettleman Lane)	86.0%	14.0%	$3,956,000
36	SR-99 @ Harney Lane	86.9%	13.1%	-
37	SR-99 @ North Main	82.5%	17.5%	-
38	SR-99 @ Austin Road	67.7%	32.3%	$4,671,300
39	SR-120 @ McKinley	77.5%	22.5%	$5,026,650
40	SR-99 @ Olive Rd.	40.2%	59.8%	$6,335,520
41	SR-99 @ Eight Mile Road	64.2%	35.8%	$5,333,479
42	SR-99 @ March Lane/Wilson	73.0%	27.0%	$16,790,000
43	I-5 @ Arch Sperry/French Camp	56.8%	43.2%	$4,572,400
44	SR-99 @ French Camp Road	48.7%	51.3%	-
45	SR-99 @ Arch Sperry Road	57.5%	42.5%	-

Table 6
RTIF Trip Distribution and Net Project Costs
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Trip Distribution Internal Trips	Trip Distribution External Trips	Net Nexus Project Costs
46	SR-99 @ Armstrong Road	89.2%	10.8%	-
47	I-5 @ New Road A (N. Gateway)	97.6%	2.4%	-
48	SR-99 @ New Road A (N. Gateway)	71.5%	28.5%	-
49	SR-99 @ Marada Lane	65.4%	34.6%	$654,000
50	I-5 @ Eight Mile Road	67.2%	32.8%	$2,627,520
51	I-5 @ Otto Drive	65.9%	34.1%	$6,365,940
52	I-5 @ Hammer Lane	91.1%	8.9%	$9,847,910
53	SR-99 @ Mariposa Road	59.3%	40.7%	$5,455,600
54	SR-99 @ New Road	60.8%	39.2%	-
55	I-5 @ Matthews Road	72.5%	27.5%	-
56	I-5 @ Roth Road	70.2%	29.8%	-
57	SR-132 @ I-5 and Bird Road	44.7%	55.3%	-
58	I-580 @ Lammers Road	50.5%	49.5%	-
59	I-580 @ Coral Hollow Road	36.5%	63.5%	-
60	I-205 @ Lammers Road	58.5%	41.5%	$7,400,250
61	I-205 @ Grantline Road	70.8%	29.2%	$4,885,200
Regional Roadway Improvements				
62	Lower Sacramento Road	83.2%	16.8%	$4,160,000
63	Lower Sacramento Road	93.8%	6.2%	-
64	Eight Mile Rd.	69.5%	30.5%	$7,992,500
65	Pacific Avenue	95.2%	4.8%	$6,568,800
66	March Lane	93.2%	6.8%	$7,606,984
67	March Lane	85.0%	15.0%	$4,250,000
68	West Lane	96.1%	3.9%	$9,398,580
69	West Lane	98.8%	1.2%	$43,145,565
70	West Lane	94.9%	5.1%	$31,687,110
71	West Lane/Airport Way	93.4%	6.6%	$52,229,280
72	Airport Way	85.0%	15.0%	$10,569,750
73	Airport Way	79.3%	20.7%	$12,656,280
74	New Road A	67.9%	32.1%	-
75	Thornton Road	77.8%	22.2%	$3,578,800
76	Aksland Avenue	87.0%	13.0%	$2,610,000
77	Ryde Avenue Bridge	96.4%	3.6%	-
78	Mariposa Road	57.3%	42.7%	-
79	Austin Road	53.7%	46.3%	-
80	Austin Road	68.6%	31.4%	-
81	Austin Road	62.4%	37.6%	-
82	Austin Road	65.0%	35.0%	-
83	Arch-Sperry Rd.	61.4%	38.6%	$9,179,300
84	Arch-Sperry Rd.	63.3%	36.7%	$14,302,635
85	Arch-Sperry Rd.	64.0%	36.0%	$3,641,600
86	French Camp Road	45.7%	54.3%	-
87	Harney Ln.	89.9%	10.1%	$2,532,933
88	Jack Tone Rd.	55.3%	44.7%	$3,434,130
89	Liberty Road	17.5%	82.5%	-
90	Peltier Road	39.2%	60.8%	-
91	Peltier Road	38.8%	61.2%	-

Table 6
RTIF Trip Distribution and Net Project Costs
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Trip Distribution: Internal Trips	Trip Distribution: External Trips	Net Nexus Project Costs
92	Elliott Road	52.2%	47.8%	-
93	Yosemite Ave	29.3%	70.7%	-
94	Mariposa Road	53.4%	46.6%	-
95	Mariposa Road	49.6%	50.4%	-
96	French Camp Road	52.1%	47.9%	-
97	Tracy Boulevard	47.0%	53.0%	-
98	Howard Road	55.5%	44.5%	-
99	Airport Way	80.6%	19.4%	$1,722,736
100	Escalon-Belota Road	37.1%	62.9%	$563,701
101	Airport Way	81.5%	18.5%	$763,972
102	Airport Way	85.1%	14.9%	$3,581,944
103	Lathrop Rd.	66.0%	34.0%	-
104	Golden Valley Parkway	68.7%	31.3%	$28,105,239
105	Lathrop Rd.	69.0%	31.0%	-
106	Corral Hollow Road	74.1%	25.9%	-
107	Lammers Road	59.3%	40.7%	-
108	Linne Road	67.5%	32.5%	$1,913,645
109	McHenry @ Ullrey Intersection	62.7%	37.3%	$312,998
110	Campbell Avenue	51.7%	48.3%	$650,128
111	Campbell Avenue	59.2%	40.8%	-
112	Brennan Road	37.6%	62.4%	-
113	Miller Road	50.1%	49.9%	-
114	South Arterial #1	52.4%	47.6%	-
115	Jones Road	52.4%	47.6%	-
116	River Road Plus Extension	14.9%	85.1%	-
117	West Ripon Road (1)	68.2%	31.8%	-
Public Transit (2)				
118	Bus Rapid Transit (BRT)	n/a	n/a	$5,993,758
119	Regional Busses	n/a	n/a	$631,506
120	Altamont Commuter Express (ACE)	n/a	n/a	$2,089,985
Total				**$410,230,388**

(1) Project delivery is contingent on the results of a feasibility study and pending analysis of the region's expressway needs.
(2) All public transit costs based on the incremental DUE growth as 30% of the total DUE in 2030.

Table 7
RTIF Fee Calculation
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Cost Per DUE (1)
Mainline Highway Projections		
1	SR-99	-
2	SR-99	-
3	I-5	-
4	I-5	-
5	I-5	-
6	I-205	-
7	SR-4 Extension	$47.20
8	SR-99 Widening	-
9	SR-99	-
10	SR-99	-
11	SR-99 Widening	-
12	I-5	-
13	SR-99 Widening	-
14	SR-4 Crosstown Widening	-
15	SR-26 Widening	-
16	SR-4 Widening	-
17	SR 99 @ Crosstown Freeway	-
18	I-5/SR 4 @ Crosstown Freeway	-
19	I-5/SR-120	$13.50
20	SR-120	-
21	SR-12	$151.70
22	SR-99	-
23	SR-99	-
24	I-5	-
25	I-5 Widening	-
26	SR-12 @ I-5	-
27	SR-99 @ SR-88	-
28	SR-99 @ SR-26	-
29	SR-26	-
30	SR-120 West of Escalon	-
31	SR-120 East of Escalon	-
32	SR-88	-
Interchange Modifications, Reconstructions, and Improvements		
33	I-5 @ Lathrop Road	$17.08
34	I-205 @ Paradise/Chrisman	$79.34
35	SR-99 @ SR-12 (Kettleman Lane)	$24.22
36	SR-99 @ Harney Lane	-
37	SR-99 @ North Main	-
38	SR-99 @ Austin Road	$28.60
39	SR-120 @ McKinley	$30.78
40	SR-99 @ Olive Rd.	$38.79
41	SR-99 @ Eight Mile Road	$32.66
42	SR-99 @ March Lane/Wilson	$102.81
43	I-5 @ Arch Sperry/French Camp	$28.00
44	SR-99 @ French Camp Road	-
45	SR-99 @ Arch Sperry Road	-
46	SR-99 @ Armstrong Road	-

Table 7
RTIF Fee Calculation
San Joaquin RTIF Nexus Study; EPS #15040

ID#	Project	Cost Per DUE (1)
47	I-5 @ New Road A (N. Gateway)	-
48	SR-99 @ New Road A (N. Gateway)	-
49	SR-99 @ Marada Lane	$4.00
50	I-5 @ Eight Mile Road	$16.09
51	I-5 @ Otto Drive	$38.98
52	I-5 @ Hammer Lane	$60.30
53	SR-99 @ Mariposa Road	$33.40
54	SR-99 @ New Road	-
55	I-5 @ Matthews Road	-
56	I-5 @ Roth Road	-
57	SR-132 @ I-5 and Bird Road	-
58	I-580 @ Lammers Road	-
59	I-580 @ Coral Hollow Road	-
60	I-205 @ Lammers Road	$45.31
61	I-205 @ Grantline Road	$29.91
Regional Roadway Improvements		
62	Lower Sacramento Road	$25.47
63	Lower Sacramento Road	-
64	Eight Mile Rd.	$48.94
65	Pacific Avenue	$40.22
66	March Lane	$46.58
67	March Lane	$26.02
68	West Lane	$57.55
69	West Lane	$264.18
70	West Lane	$194.02
71	West Lane/Airport Way	$319.80
72	Airport Way	$64.72
73	Airport Way	$77.49
74	New Road A	-
75	Thornton Road	$21.91
76	Aksland Avenue	$15.98
77	Ryde Avenue Bridge	-
78	Mariposa Road	-
79	Austin Road	-
80	Austin Road	-
81	Austin Road	-
82	Austin Road	-
83	Arch-Sperry Rd.	$56.20
84	Arch-Sperry Rd.	$87.57
85	Arch-Sperry Rd.	$22.30
86	French Camp Road	-
87	Harney Ln.	$15.51
88	Jack Tone Rd.	$21.03
89	Liberty Road	-
90	Peltier Road	-
91	Peltier Road	-
92	Elliott Road	-
93	Yosemite Ave	-

Table 7
RTIF Fee Calculation
San Joaquin RTIF Nexus Study; EPS #15040

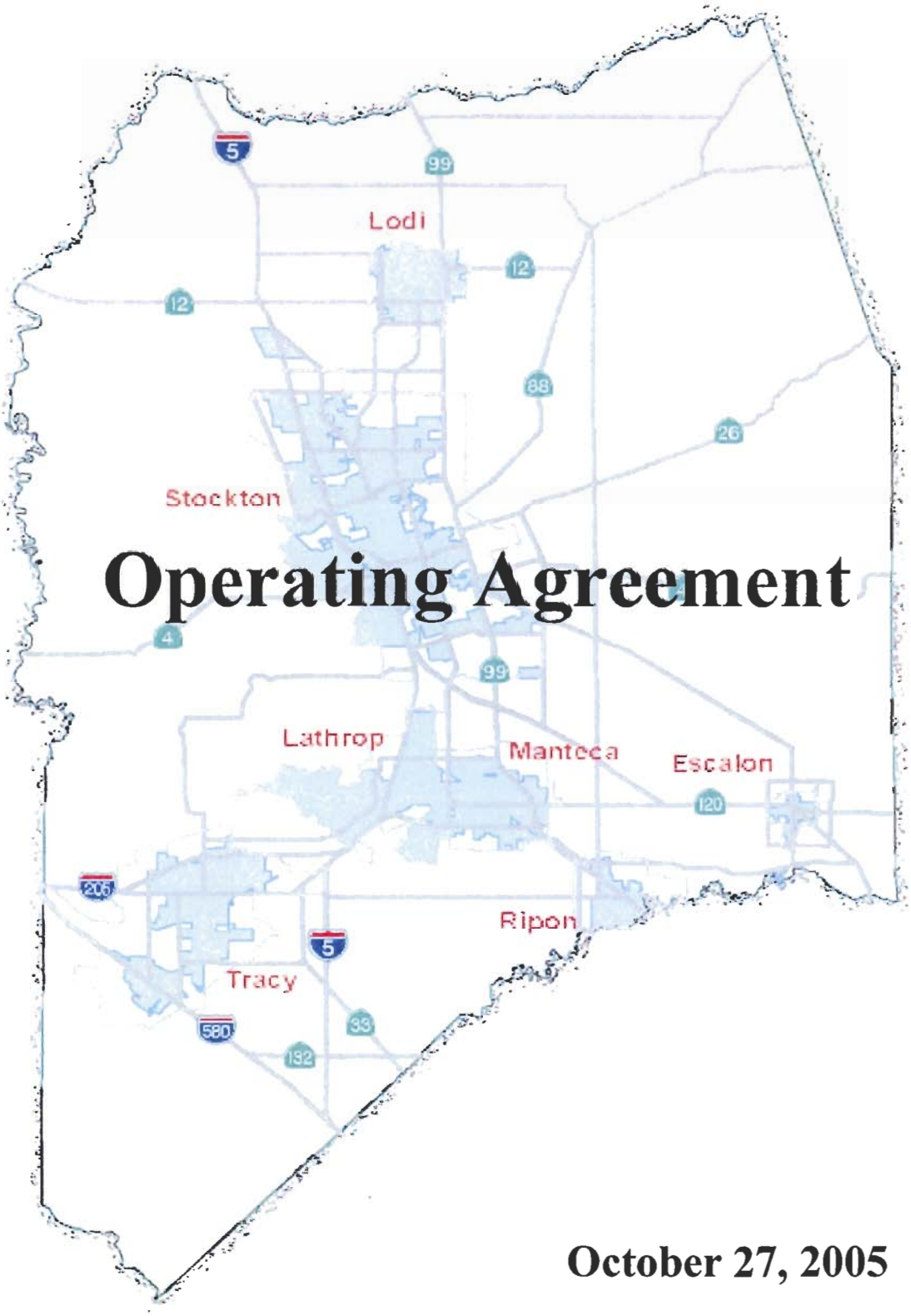
ID#	Project	Cost Per DUE (1)
94	Mariposa Road	-
95	Mariposa Road	-
96	French Camp Road	-
97	Tracy Boulevard	-
98	Howard Road	-
99	Airport Way	$10.55
100	Escalon-Belota Road	$3.45
101	Airport Way	$4.68
102	Airport Way	$21.93
103	Lathrop Rd.	-
104	Golden Valley Parkway	$172.09
105	Lathrop Rd.	-
106	Corral Hollow Road	-
107	Lammers Road	-
108	Linne Road	$11.72
109	McHenry @ Ullrey Intersection	$1.92
110	Campbell Avenue	$3.98
111	Campbell Avenue	-
112	Brennan Road	-
113	Miller Road	-
114	South Arterial #1	-
115	Jones Road	-
116	River Road Plus Extension	-
117	West Ripon Road (2)	-
Public Transit		
118	Bus Rapid Transit (BRT)	$36.70
119	Regional Busses	$3.87
120	Altamont Commuter Express (ACE)	$12.80
Total		**$2,511.84**

(1) Net RTIF project cost divided by total DUE of 163,319

(2) Project delivery is contingent on the results of a feasibility study and pending analysis of the region's expressway needs.

Exhibit C

REGIONAL TRANSPORTATION IMPACT FEE



Operating Agreement

October 27, 2005

SAN JOAQUIN COUNTY
REGIONAL TRANSPORTATION IMPACT FEE PROGRAM
OPERATING AGREEMENT

THIS REGIONAL TRANSPORTATION IMPACT FEE PROGRAM OPERATING AGREEMENT ("Agreement") dated as of the Effective Date is made by and between the San Joaquin Council of Governments ("SJCOG"), and the following eight public agencies located within San Joaquin County (collectively the "Participating Agencies"), including, the County of San Joaquin ("County"), the City of Escalon ("Escalon"), the City of Manteca ("Manteca"), the City of Lathrop ("Lathrop"), the City of Lodi ("Lodi") the City of Ripon ("Ripon") the City of Stockton ("Stockton"), and the City of Tracy ("Tracy") (the identified cities are hereinafter collectively the "Cities").

RECITALS

WHEREAS, SJCOG has the responsibility as the region's designated Metropolitan Planning Organization and through its powers as specified in its joint powers agreement to maintain and improve the Regional Transportation Network, and

WHEREAS, the Participating Agencies and SJCOG find that future development within the County of San Joaquin will result in traffic volumes in excess of capacity on a regional system of highways, interchanges, and local roadways; and,

WHEREAS, the Participating Agencies and SJCOG find that failure to expand the capacity of the existing circulation system will cause unacceptable levels of congestion on the Regional Transportation Network; and,

WHEREAS, the Participating Agencies and SJCOG find that existing and future sources of revenue are inadequate to fund substantial portions of the Regional Transportation Network improvements needed to avoid unacceptable levels of congestion and related adverse impacts; and,

WHEREAS, SJCOG, following extensive analysis and consultations with the Participating Agencies and other stakeholders, has prepared a Regional Transportation Impact Program Fee Technical Report ("RTIF Technical Report") that establishes a nexus between new development and its impacts (increased travel demand, reductions in service levels, and the need for capital improvements) upon the Regional Transportation Network; and,

WHEREAS, the Participating Agencies and SJCOG find and declare that the RTIF Technical Report has determined the extent to which new development of land will generate traffic volumes impacting the Regional Transportation Network and have determined that the Regional Transportation Impact Fee Program ("RTIF Program") establishes a fair and equitable method to fund costs of transportation improvements necessary to accommodate the traffic volumes generated by future development of land within each City and the County; and,

WHEREAS, the Participating Agencies and SJCOG find and declare that the RTIF Program is necessary to help mitigate the impact of new development on the Regional Transportation Network and along with other transportation funding mechanisms, in providing for the construction of improvements to accommodate traffic generated by land development; and,

WHEREAS, the Participating Agencies and SJCOG have determined that it is in their best interest to join together to administer the funds provided by the RTIF Program and to authorize SJCOG to manage the RTIF Program for the San Joaquin County region; and,

WHEREAS, the Participating Agencies and SJCOG find and declare that in order to serve the purposes described herein, additional funding, other than that received from the RTIF Program is necessary and must be obtained and each party agrees to cooperate in obtaining additional funding; and,

WHEREAS, the Participating Agencies and SJCOG find and declare SJCOG prepared, adopted and certified in July 2004 a Final Program Environmental Impact Report ("EIR") for the 2004 Regional Transportation Plan, State Clearing House number 2003082053, and the RTIF Program is hereby adopted in reliance on and consistent with this previously prepared, approved and certified EIR.

WHEREAS, the Participating Agencies have adopted or will adopt a Regional Transportation Impact Program Fee ("RTIF Program Fee" or "RTIF Fee") pursuant to their authority to protect the public health, safety, and welfare consistent with the provisions of California Government Code Section 66000 et seq.; and,

WHEREAS, the integrity and success of the RTIF Program is dependent upon all Participating Agencies and SJCOG working cooperatively with each other in order to fulfill their obligations faithfully and promptly; and,

WHEREAS, funds collected pursuant to the Participating Agencies' ordinances and/or resolutions adopting the RTIF Program are to be held and expended by the Participating Agencies and SJCOG as specified herein.

AGREEMENT

Now, therefore, in consideration of the mutual promises and undertakings herein made and the mutual benefits to be derived therefrom, the parties hereto represent, covenant and agree as follows:

SECTION 1. PURPOSE

1.1. The RTIF Program requires management procedures that assure that the objective of the RTIF Program is achieved. Specifically, the RTIF Program objective is to obtain funding from development projects that have an impact upon the Regional Transportation Network and to integrate these funds with federal, State, and other local funding to fund transportation improvements identified in the RTIF Program. While the RTIF Program and the RTIF Program

Fee will be imposed and collected by the Participating Agencies, the RTIF Program will be managed for the benefit of the entire County region.

1.2. This Agreement defines the terms of the required management procedures for Participating Agencies and SJCOG including specifications regarding levy and collection, administration, project selection, fund management, appropriation of fee funds, and ongoing technical review and updating.

SECTION 2. DEFINITIONS

2.1. "Development Project" or "Project" means any project undertaken for the purpose of development including the issuance of a permit for construction or reconstruction, but not a permit to operate.

2.2. “Industrial Project” means any Development Project that proposes manufacturing, transportation, logistics or warehousing as identified in the RTIF Land Use Fee Category Summary which is attached as Exhibit “A” hereto and incorporated herein by reference.

2.3. “Measure K” means the San Joaquin County Transportation Authority Local Transportation Improvement Plan: Air Quality, Mandatory Developer Fees and Growth Management Ordinance which establishes and implements a retail transactions and use tax, as may be extended from time to time.

2.4. "Multi-Family Residential Unit" means a Development Project that uses a single parcel for two or more dwelling units within one or more buildings, including duplexes, townhouses, condominiums, and apartments as identified in the RTIF Land Use Fee Category Summary which is attached as Exhibit “A” hereto and incorporated herein by reference.

2.5. “Office Project" means any Development Project that involves business activities associated with professional or administrative services, and typically consists of corporate offices, financial institutions, legal and medical offices, personal and laundry services, or similar uses, and religious centers as identified in the RTIF Land Use Fee Category Summary which is attached as Exhibit “A” hereto and incorporated herein by reference.

2.6. “Participating Agencies” means the County of San Joaquin and each of the cities situated in San Joaquin County if such agencies have (1) adopted the RTIF Program Fee by ordinance and/or resolution and (2) entered into this Agreement.

2.7. “Regional Transportation Impact Fee Program” or “RTIF Program” is the regional program established by this Agreement by the Participating Agencies and SJCOG to impose, collect and distribute a RTIF Fee to assist in the funding of transportation improvements to the Regional Transportation Network.

2.8. “Regional Transportation Impact Program Fee” or “RTIF Program Fee” or “RTIF Fee” means the fee established by each Participating Agency consistent with this Agreement to implement the RTIF Program.

2.9. “Regional Transportation Network” means the regional network of highways and arterials as identified in the RTIF Technical Report and which may be amended from time to time by SJCOG.

2.10. “RTIF Capital Projects” or “Capital Projects” or “RTIF Project List” is the RTIF Program improvements and projects as identified in the RTIF Technical Report and which may be amended from time to time by SJCOG’s adoption and amendment of a “RTIF Capital Projects Report.”

2.11. “RTIF Capital Projects Report” means the report adopted by SJCOG annually which identifies the RTIF Capital Projects as amended from time to time consistent with Section 9 of this Agreement.

2.12. “RTIF Technical Report” means the San Joaquin County Regional Transportation Impact Fee RTIF Technical Report dated XXXXX, and prepared pursuant to California Government Code, Section 66000 et seq., the Mitigation Fee Act.

2.13. "Residential Dwelling Unit" means a building or portion thereof which is designed primarily for residential occupancy by one family including single-family and multi-family dwellings. "Residential Dwelling Unit" shall not include hotels or motels.

2.14. "Retail Project" means any Development Project that retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise at a fixed point of sale as identified in the RTIF Land Use Fee Category Summary which is attached as Exhibit “A” hereto and incorporated herein by reference.

2.15. "Single-Family Residential Unit" means the use of a parcel for only one residential dwelling unit as identified in the RTIF Land Use Fee Category Summary which is attached as Exhibit “A” hereto and incorporated herein by reference.

SECTION 3. FEE RATE

3.1. Establishing RTIF Program Fee. Within ninety (90) days of entering into this Agreement, each Participating Agency shall adopt a RTIF Program Fee in an amount equal to the following fees for each identified land use category consistent with the fee schedule adopted by the SJCOG on October 27, 2005.

RESIDENTIAL		NON – RESIDENTIAL		
Single Family	Multi-Family	Retail	Office	Industrial
$2,500.00	$1,500.00	$1.00	$1.25	$0.75
DUE	DUE	Square Foot	Square Foot	Square Foot

3.2. Annual Adjustment. The RTIF Program Fee described in section 3.1 above shall be automatically adjusted by each Participating Agency on an annual basis at the beginning of each fiscal year (July 1) based on the Engineering News Record California Construction Cost Index.

SECTION 4. COLLECTION OF RTIF PROGRAM FEES

4.1. Payment of RTIF Program Fees. Payment of the RTIF Program Fees shall be as follows:

(a). The RTIF Program Fees shall be paid at the time of issuance of a building permit for the Development Project, or as otherwise required or permitted pursuant to Government Code section 66007.

(b). The amount of the RTIF Program Fees shall be the fee amounts in effect at the time of payment.

(c). RTIF Program Fees shall not be waived.

4.2. Payment by all Development Projects. Except as otherwise expressly provided by this Agreement, the RTIF Program Fee imposed by all Participating Agencies shall be payable by (1) all Development Projects within the jurisdiction of the Participating Agency for which building permits or other entitlements for Development Projects are issued on or after the effective date of the adoption of the RTIF Program Fee by the Participating Agency, and (2) all Development Projects within the Participating Agency for which building permits or other entitlements for Development Projects were issued prior to the effective date of the adoption of the RTIF Program Fee by the Participating Agency and which permits or entitlements were issued subject to a condition requiring the developer to pay a RTIF Program Fee to be imposed upon such Development Project within the jurisdiction of the Participating Agency.

4.3. Exemptions from the RTIF Program Fee. The following Development Projects shall not be subject to the RTIF Program Fee:

(a). The rehabilitation and/or reconstruction of any legal, residential structure and/or the replacement of a previously existing legal dwelling unit, including an expansion of an existing dwelling unit that does not create an additional dwelling unit.

(b). The rehabilitation and/or reconstruction of any non-residential structure where there is no net increase in square footage. Any increase in square footage shall pay the established applicable fee rate for that portion of square footage that is new.

(c). Development Projects for which an application for a vesting tentative map authorized by Government Code Section 66498.1 was deemed complete on or prior to the effective date of the adoption of the RTIF Program Fee by the Participating Agency.

(d). Development Projects which are the subject of a development agreement entered into pursuant to Government Code section 65864 et seq. prior to the effective date of the adoption of the RTIF Program Fee by the Participating Agency, wherein the imposition of new fees are expressly prohibited by the development agreement, provided, however, that if the term of such a development agreement is extended after the effective date of the adoption of the RTIF Program Fee, the RTIF Program Fee shall be imposed.

4.4. Future Development Agreements. All future development agreements entered into by the Participating Agencies shall require the full payment of the RTIF Program Fee.

4.5. Payments for non-residential projects. For non-residential projects the amount of the fee imposed on the entire Development Project shall be determined based upon (1) the gross floor area and (2) the predominant use of the building or structure as identified in the building permit.

4.6. Payment for mixed use projects. For mixed land use projects, which are projects that have both residential and non-residential uses, the amount of the fee imposed on the entire Development Project shall be proportionally determined based on the following:

(a) The fee associated with the type of residence; and,

(b) The predominant use of the non-residential portion of the project.

4.7. Previously Paid RTIF Program Fees. In the event that RTIF Program Fees have previously been paid for an existing building which is a new Development Project with a new or different RTIF Fee category, the previously paid RTIF Program Fees for that existing building shall be credited against the amount of the RTIF Program Fee attributable to the new Development Project, up to the amount of the previously paid RTIF Program Fee. A rebate will not be granted if the change in land use represents a lower fee.

SECTION 5. DISTRIBUTION OF RTIF PROGRAM FEES

5.1. Purpose of RTIF Program Fees. Except as otherwise provided in this Agreement, all RTIF Program Fees received by each Participating Agency or SJCOG shall be used solely for the purpose of funding Regional Transportation Network projects as specified in the RTIF Technical Report and which are included within the RTIF Capital Projects Report. Each Participating Agency and SJCOG may spend RTIF Program Fees held by that entity on RTIF Capital Projects at the discretion of that entity.

5.2. Distribution of Fee Revenue. All fees collected by each Participating Agency pursuant to the RTIF Program Fee shall be distributed as follows:

(a). Ten (10) percent of the amounts collected by the Cities shall be paid directly to the County on a quarterly basis for the purpose of funding RTIF Capital Projects within the County of San Joaquin.

(b). Ten (10) percent of the amounts collected by each Participating Agency shall be paid directly to SJCOG on a quarterly basis for the purposes of funding state highway improvements on the RTIF Project List.

(c). Five (5) percent of the amounts collected by each Participating Agency shall be paid directly to SJCOG on a quarterly basis for the purposes of funding transit improvements on the RTIF Project List.

(d). Seventy Five (75) percent of the amounts collected by each city shall be retained by each city collecting such funds for the purposes of funding RTIF Capital Projects, and Eighty Five (85) percent of the amounts collected by the County shall be retained by the County for the purposes of funding RTIF Capital Projects. In the event a

Participating Agency determines it does not want to retain or manage this portion of the RTIF Program Fees, the Participating Agency may provide this portion of the RTIF Program Fees to SJCOG for administration to assist with the construction of Capital Projects on behalf of the Participating Agency.

SECTION 6. ADMINISTRATIVE COSTS

6.1. Participating Agency Administrative Costs. The amount of RTIF Program Fee funds that are permitted to be used by each Participating Agency to cover ongoing administrative costs of implementing the RTIF Program shall be limited to up to two (2) percent of the first one million dollars ($1,000,000) retained each year by each City pursuant to subdivision (d) of section 5.2 of this agreement or received each year by the County pursuant to subdivisions (a) and (d) of section 5.2 of this Agreement. In addition, each Participating Agency may use up to one (1) percent of the amounts retained or received each year in excess of the initial one million dollars ($1,000,000).

6.2. SJCOG Administrative Costs. The amount of RTIF Program Fee funds permitted to be used by SJCOG to cover ongoing administrative costs of implementing the RTIF Program shall be limited to up to two percent (2%) of the first one million dollars ($1,000,000) received each year by SJCOG pursuant to subdivision (b) and (c) of section 5.2 of this agreement and up to one percent (1%) of the amounts received each year in excess of the initial one million dollars ($1,000,000).

6.3. Initial Third Party Costs. Each Participating Agency and SJCOG shall be responsible for paying third party costs incurred by SJCOG to establish the RTIF Program, including, but not limited to, the preparation of the RTIF Technical Report, the Capital Projects Report, and the RTIF Program documents. The amount of third party costs each Participating Agency and SJCOG shall pay is to be based on the percentage of the total County-wide RTIF Program Fees retained by each Participating Agency and SJCOG pursuant to section 5.2 of this Agreement. The amount payable to SJCOG by each Participating Agency and SJCOG shall be calculated by SJCOG based on actual RTIF Program Fees collected by each Participating Agency and SJCOG six (6) months from the Effective Date of this Agreement. The payments to SJCOG pursuant to this section 6.3 shall be made within one (1) year of the Effective Date of this Agreement. Payments for the initial third party costs shall not be considered administrative costs and shall not be subject to the limitations provided in sections 6.1 and 6.2 of this Agreement.

6.4. On-going Third Party Costs. On-going third party costs approved by the SJCOG Board of Directors to regionally implement the RTIF Program will be paid to SJCOG by each Participating Agency and SJCOG on a semiannual basis. The amount of on-going third party costs each Participating Agency and SJCOG shall pay is based on percentage of the total County-wide RTIF Program Fees retained by each Participating Agency and SJCOG pursuant to section 5.2 of this Agreement. These payments for the on-going third party costs shall not be considered administrative costs and shall not be subject to the limitations provided in sections 6.1 and 6.2 of this Agreement.

6.5. Legal Challenges. In the event that any Participating Agency and/or SJCOG is subject to a legal challenge of the RTIF Program then all Participating Agencies and SJCOG will be responsible for the costs associated with such legal challenge. At the time of such legal challenge the Participating Agencies and SJCOG will coordinate the defense of such legal challenge and the costs incurred for such legal challenge will be the responsibility of the Participating Agencies and SJCOG based on percentage of the total County-wide RTIF Program Fees retained by each Participating Agency and SJCOG pursuant to section 5.2 of this Agreement. For the purposes of this section 6.5, a legal challenge of the RTIF Program is limited to a challenge to either (a) the legal ability to adopt or impose the RTIF Program; or (b) the validity of the RTIF Technical Report. This section 6.5. will not apply to any legal challenge due to the manner of implementation of the RTIF Program that is either unique to a Participating Agency or that is not consistent with the provisions of this Agreement.

SECTION 7. ADMINISTRATION OF THE RTIF PROGRAM

7.1. RTIF Account or RTIF Funds. All fees collected pursuant to the RTIF Program Fee by each Participating Agency shall be deposited in a RTIF account or RTIF fund and shall not be commingled with other funds of the Participating Agency. The contents of this RTIF fund shall be designated solely for the purpose of contributing to the financing of the RTIF Capital Projects included in the RTIF Capital Projects Report and for the funding of incidental administrative costs. Any interest income earned on the RTIF fund shall also be deposited therein and shall only be expended for the purposes as set forth in this Agreement.

7.2. Prohibition on Interfund Transfers or Loans. Notwithstanding subsection (b)(1)(G) of section 66006 of the Government Code there shall be no interfund transfer, grant or loan of the RTIF Program Fees or RTIF fund or RTIF account to other accounts, funds, programs or fees. However, a Participating Agency may provide loans, grants or transfers of RTIF Program Fees to other Participating Agencies or SJCOG provided that such funds are consistent with the RTIF Program and used for the development or construction of RTIF Capital Projects.

7.3. Reporting Requirements. Each Participating Agency and SJCOG shall prepare and deliver to the Executive Director of SJCOG semiannual reports by February 28 and August 31 of each year of the status of the RTIF Program and RTIF Program Fees collected by that Participating Agency or received by SJCOG. These reports, which will be reviewed by the SJCOG Board of Directors, shall specify the amount of RTIF Program Fee revenue collected and the corresponding fee generating activity, including, such information as the types of permits issued by land use category, developer credits and reimbursements granted, RTIF Program revenue applied to RTIF Capital Projects, and the status of RTIF Program fees forwarded to the County and SJCOG by the Cities.

7.4. Annual Reports. Each Participating Agency shall prepare an annual report consistent with the requirements of the Fee Mitigation Act (Gov. Code §§ 66000 et seq.) regarding the RTIF Program Fees and submit that report to the Executive Director of SJCOG by November 15 of each year that RTIF Program Fee funds are held by the Participating Agency. For purposes of preparing the annual reports to satisfy the requirements of the Fee Mitigation Act, SJCOG and the County shall coordinate with and provide to each Participating Agency in a timely manner, and no later than October 15 of each year, all necessary information regarding

the RTIF Program funds held by SJCOG and the County that were distributed to the County and SJCOG from the Participating Agencies pursuant to section 5.2 of this Agreement.

7.5. Annual Audit. The RTIF Program financial activity for each Participating Agency and SJCOG shall be reviewed annually by March 31 of each year by an independent certified public accountant selected and retained by SJCOG.

7.6. RTIF Program Administrator. SJCOG is the monitor of the RTIF Program and will monitor all fee revenue generated pursuant to the RTIF Program as reported by all Participating Agencies. SJCOG shall prepare an annual report in coordination with each Participating Agency at the end of each fiscal year, which will be reviewed by the SJCOG Board of Directors.

SECTION 8. PERIODIC REVIEW OF RTIF PROGRAM FEES

8.1. Except as otherwise provided in Section 3.2 of this Agreement, the RTIF Program Fee shall not be adjusted during the first five years following the Effective Date of this Agreement. Thereafter, the RTIF Program Fee shall be evaluated, and adjusted accordingly, by all Participating Agencies and SJCOG every five (5) years to reflect the projected revenues generated or any other local or new funding sources, and to reflect changes in actual and estimated costs of the RTIF Capital Projects including, but not limited to, debt service, lease payments and construction costs. This evaluation shall include the report required by the Fee Mitigation Act (Gov. Code §§ 66000 et seq.) which includes, but is not limited to, all of the following information:

(a). Identifies the purpose (project need) to which the fee is to be put;

(b). Demonstrates a reasonable relationship between the fee and the purpose for which it is charged;

(c). Identifies all sources and amounts of funding anticipated to complete financing in incomplete improvements;

(d). Commits RTIF Program funds to RTIF Capital Project(s) and indicates that such funds are expended or reimbursed within the time periods established by the Fee Mitigation Act requirements; and,

(e). Identifies the RTIF Capital Projects to be constructed, the estimated costs of the RTIF Capital Projects, the costs to be funded by the RTIF Program Fee revenue, and the availability or lack thereof of other funds with which to construct the Regional Transportation Network.

8.2. If the periodic reports prepared pursuant to section 8.1 above demonstrates a need, the Participating Agencies, in coordination with SJCOG, may consider modifying the RTIF Program Fee amount to insure that it is a fair and equitable method of distributing the costs of the improvements necessary to accommodate traffic volumes generated by future growth.

8.3. SJCOG and the County shall coordinate with each Participating Agency in the preparation of the periodic reports required by Section 8.1 of this Agreement and the Fee

Mitigation Act, and provide any and all information and/or commitments necessary regarding RTIF Program fees distributed to SJCOG and the County from the Cities. In the event RTIF Program fees must be refunded pursuant to section 66001 of the Government Code, SJCOG and the County will provide to each City for refund any proportional share of RTIF Funds that must be refunded that were distributed to SJCOG and/or the County by each City.

SECTION 9. SJCOG CAPITAL PROJECTS SELECTION.

9.1. RTIF Capital Projects Report. SJCOG will be responsible for establishing and maintaining the RTIF Project List. From time to time, at the request of a Participating Agency, and at least annually, SJCOG shall review the RTIF Capital Projects Report to add, modify, or remove RTIF Capital Projects. Each Participating Agency will have the opportunity to suggest changes to the Capital Projects within the RTIF Program at this time. SJCOG will make any and all changes to the Capital Projects Report annually taking into consideration the comments received from each Participating Agency consistent with the screening criteria contained within the RTIF Technical Report.

9.2. Project Inclusion Criteria. The technical basis of the RTIF Program is a list of road improvement projects identified as Capital Projects within the Regional Transportation Network which are eligible and appropriate for funding from the RTIF Program. The inclusion criteria used to select the RTIF Capital Projects are as set forth in the RTIF Technical Report. It is the application of these criteria that assure adherence to the required nexus principles. Modification to the inclusion criteria will require approval by resolution of all Participating Agencies and an update of the RTIF Technical Report.

9.3. Selection of New Capital Projects. Any new projects recommended for listing as a RTIF Capital Project must be modeled and screened consistent with the requirements of the Mitigation Fee Act (Gov. Code §§ 66000 et seq.) criteria for establishing a rational nexus. In addition, new projects added to the RTIF Project List must meet all of the following criteria:

9.3.1. Highway, Interchange, and Regional Roadway Improvements

(a) The project is on the adopted Regional Transportation Network;
(b) The project is scheduled for delivery within the time frame evaluated in the RTIF Technical Report; and,
(c) The project involves a capacity improvement of one or more through travel or passing lanes, or auxiliary lanes (i.e. turn lanes). This criterion shall not be applied to interchange improvement projects.

9.3.2. Public Transit Improvements

(a) The project is scheduled for delivery within the time frame evaluated in the RTIF Technical Report; and,
(b) The project involves an improvement to an existing or a new service/facility which connects at least two (2) or more cities or regions.

9.4. Inclusion in Regional Transportation Plan. Prior to receiving any RTIF Program Fee revenue a project must be identified in the SJCOG Board approved Regional Transportation Plan (RTP) and the RTIF Project List.

9.5. RTIF Project Management. Each City is responsible for managing and delivering RTIF interchange and regional roadway projects located within its incorporated boundaries, except as otherwise specifically agreed to by such city. The County is responsible for managing and delivering RTIF Projects located within the unincorporated area of the county, except as otherwise specifically agreed to by the County.

SECTION 10. CREDITS AND REIMBURSEMENTS

10.1. Reimbursements and Credits. In the event that RTIF Capital Projects are constructed by a developer in excess of the Development Project's RTIF Program Fee obligation or in lieu of payment of RTIF Program Fees by a developer pursuant to an agreement between the developer and the Participating Agency, the developer may be reimbursed or credited for future application for any costs based on the actual costs of construction of the RTIF Capital Project incurred by the developer in excess of the amount the RTIF Program Fees that apply to the Development Project. Reimbursements shall be enacted pursuant to an agreement between the developer and the Participating Agency contingent on payment of funds when available for reimbursement to the developer. In all cases, however, reimbursements to developers pursuant to any agreement must be consistent with construction of the transportation improvements as scheduled in the RTIF Capital Projects Report.

SECTION 11. EXISTING REGIONAL TRANSPORTATION FEES

11.1. Each Participating Agency shall evaluate and adjust, if necessary, its existing local fee program(s), if any, associated with regional traffic impacts to determine continued compliance with the Fee Mitigation Act due to the adoption of the RTIF Program.

SECTION 12. WITHDRAWAL

12.1. For reasons pertaining to the lack of direct benefit, a Participating Agency may elect to withdraw from the RTIF Program upon providing one year written notice to SJCOG and each Participating Agency. If the Participating Agency has accrued RTIF Program Fee revenue, all funds plus interest earned shall be expended on RTIF Capital Projects by the Participating Agency or by any Participating Agency or SJCOG.

SECTION 13. MISCELLANEOUS

13.1. Effective Date. This Agreement shall be effective and all Participating Agencies and SJCOG shall be authorized to proceed under this Operating Agreement at the date in which this Agreement has been executed by the San Joaquin County Board of Supervisors, the City Councils of each of the Cities, and SJCOG.

13.2. Partial Invalidity. If any one or more of the terms or provisions of this Agreement shall be adjudged invalid, unenforceable, void or voidable by a court of competent jurisdiction,

each and all of the remaining terms and provisions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

13.3. Amendments. Any amendments to this Agreement shall be made by the SJCOG and all Participating Agencies.

13.4. Enforcement. It shall be the responsibility of the Participating Agencies and SJCOG to adopt, implement, and maintain the RTIF Program consistent with the terms of this Agreement.

13.5. Execution. The Board of Supervisors of the County of San Joaquin, the City Councils of the Cities, and the Board of Directors of SJCOG have each authorized execution of this Agreement as evidence by the authorized signatures below.

13.6. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

PARTY		**DATE OF APPROVAL**
Board of Supervisors, County of San Joaquin		
By		
Chair		Date
Attest:		
Clerk of the Board		
City Council, City of Escalon		
By		
Mayor		Date
Attest:		
City Clerk		

City Council, City of Lathrop		
By		
Mayor		Date
Attest:		
City Clerk		
City Council, City of Lodi		
By		
Mayor		Date
Attest:		
City Clerk		
City Council, City of Manteca		
By		
Mayor		Date
Attest:		
City Clerk		
City Council, City of Ripon		
By		
Mayor		Date
Attest:		
City Clerk		

City Council, City of Stockton		
By		
Mayor		Date
Attest:		
City Clerk		
City Council, City of Tracy		
By		
Mayor		Date
Attest:		
City Clerk		
San Joaquin Council of Governments		
By		
Board Chair		Date
Attest:		
Interim Executive Director		

EXHIBIT A

RTIF LAND USE FEE CATEGORY SUMMARY

RESIDENTIAL

Single-Family Dwelling

A single family dwelling is defined as a residence designed for or occupied exclusively as a residence for one family; including a vacation home or seasonal dwelling and is located on one parcel.

Multi-Family Dwelling

Multi-family dwellings are defined as single structures designed for and/or constructed to contain two (2) or more dwelling units which share common walls (i.e., rowhouse, townhouse, duplex, triplex, quadraplex, condominium, apartment complex). When an existing single-family dwelling is converted into two (2) or more dwellings, it will be reclassified and subject to the multi-family dwelling regional fee. As a planned development containing two (2) or more residences, mobile homes parks are considered multi-family dwellings. A "commercial apartment" dwelling located within a commercial building is classified as a multi-family dwelling.

NON-RESIDENTIAL

Relationship of businesses to RTIF non-residential land use categories are based on the North American Industry Classification System (NAICS)

Retail

Sector comprises establishments engaged in retailing merchandise, generally without transformation and rendering services incidental to the sale of merchandise—fixed point of sale location. NAICS Sectors 44 & 45 represents the retail industry. Examples of retail businesses include:

- Garden material and garden supply dealers
- Food and beverage stores (i.e., grocery stores, specialty food stores, beer/wine/liquor stores)
- Health and personal care stores
- Gasoline stations
- Motor vehicle and parts dealers
- Furniture and home furnishing stores
- Electronics and appliance stores
- Clothing and clothing accessories stores

- Sporting goods, hobby, book and music stores
- General merchandise stores
- Miscellaneous store retailers
- Non-store retailers such as electronic shopping and mail-order houses, direct selling establishments

Office/Service

Sector comprises finance, insurance, real estate professional, scientific and technical services, research and development, administrative & support services, education, health care and social assistance and other such as repair & maintenance, personal & laundry, and religious centers, including churches. NAICS Sectors 51 – 72, 81 & 92 represents the office industry. Examples of office related businesses include:

- Publishing industries, except Internet
- Motion picture and sound recording industries
- Broadcasting, except Internet
- Internet publishing and broadcasting
- Telecommunications
- Internet Service Providers, search portals, and data processing
- Other information services such as libraries and archives, news syndicates
- Monetary authorities such as banks, credit unions, credit card issuing services, sales financing, mortgage and non-mortgage loan brokers
- Securities, commodity contracts, investments
- Insurance carriers and related activities
- Funds, trusts, and other financial vehicles
- Real estate
- Rental and leasing activities
- Lessors of non-financial intangible assets
- Professional and technical services such as legal, accounting, engineering, design, consulting, research and development, advertising services
- Management of companies and enterprises
- Administrative and support services such as employment, business support (i.e., call centers, collection agencies), travel arrangement and reservation services, services to buildings and dwellings (i.e., janitorial, landscaping, pest control, carpet cleaning)
- Waste management and remediation services
- Educational services
- Health care and social assistance
- Hospitals
- Nursing and residential care facilities
- Social assistance (i.e., child/youth services, services for the elderly and persons with disabilities, shelters, food banks, vocational rehabilitation services, day care)
- Art, entertainment, and recreation
- Museums, historical sites, zoos, and parks
- Amusements, gambling, and recreation

- Accommodation and food services (i.e., traveler accommodations such as hotels and motels, bed-and breakfast inns, RV parks, rooming and boarding houses)
- Food services and drinking places (i.e., caterers, mobile food services, drinking places of alcoholic beverages, and full service restaurants)

Industrial

RTIF land use category of industrial is includes **Manufacturing** establishments engaged in the mechanical, physical, or chemical transformation of components into products to include construction engaged in buildings and other structures. The industrial land use category also includes **Transportation, Logistics, and Warehousing** establishments engaged in wholesaling merchandise, generally without transformation and rendering services incidental to the sale of merchandise including industries providing transportation of passengers and cargo, warehousing and storage of goods, scenic and sightseeing transportation. The NAICS Sectors 21, 22, 23, 31 through 33, 42, 48 & 49 represents the industrial land use category. Examples of industrial related businesses include:

- Mining
- Support activities for mining
- Utilities (i.e., power generation and supply, natural gas distribution, water treatment plants)
- Construction of buildings
- Heavy and civil engineering construction
- Specialty trade contractors such as roofing, sheet rock, framing contractors
- Building and equipment contractors
- Building finishing contractors
- Other specialty trades such as residential and non-residential site preparations
- Food manufacturing (i.e., animal, flour, rice, breakfast cereal, dairy products, bakeries, nuts)
- Beverage and tobacco product manufacturing
- Textile and textile product mills
- Apparel manufacturing
- Leather and applied product manufacturing
- Wood product manufacturing
- Paper Manufacturing
- Printing and related support activities
- Petroleum and coal products manufacturing
- Chemical manufacturing
- Plastics and rubber products manufacturing
- Nonmetallic mineral product manufacturing (i.e., glass, cement & concrete, clay, lime/gypsum)
- Primary metal manufacturing
- Fabricated metal product manufacturing
- Machinery manufacturing
- Computer and electronic product manufacturing

- Electrical equipment and appliance manufacturing
- Transportation equipment manufacturing
- Furniture and related product manufacturing
- Miscellaneous manufacturing (i.e., medical equipment, jewelry, sporting goods, signage)
- Merchant wholesalers of durable and non-durable goods (i.e., motor vehicles and parts, furniture, lumber, paper, clothing, petroleum bulk stations and terminals)
- Electronic markets and agents and brokers
- Air, rail, water, truck, pipeline, scenic/sight seeing transportation
- Transit and ground passenger transportation
- Support activities for transportation
- Postal services
- Couriers and messengers
- Warehousing and storage

Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

Comments by the City Council Members on non-agenda items

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Public Hearing to Adopt Ordinance and Resolution for Updated Wastewater Capacity Impact Fee and Service Charges for High Strength Users**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council conduct a public hearing to adopt an ordinance and resolution for the updated Wastewater Capacity Impact Fee and service charges for high strength users.

BACKGROUND INFORMATION: The proposed amendments to the Municipal Code implement changes to the method used to charge wastewater capacity impact fees to new growth for capacity at the White Slough Water Pollution Control Facility (WSWPCF) and facilities at the Municipal Service Center (MSC). The ordinance was considered and introduced at the December 21, 2005 City Council meeting. This is a one-time fee on new development or improvements that increase loading on WSWPCF. The actual fee is set by Resolution. Also being proposed are changes to service charges to high strength users.

Capacity Impact Fee

The existing wastewater capacity fee was approved by Council following the expansion of WSWPCF in 1991, as the final step in a series of rate and capacity (connection) fee increases initiated in 1986. The present capacity fee is $2,099 per sewage service unit (SSU), which is the same as was adopted in 1991. A SSU represents the equivalent demand of a two-bedroom home.

Recently, the plant has undergone two additional capital construction projects, and a third is planned, that increased and/or will increase the rated capacity to 8.5 million gallons per day while upgrading the level of treatment to tertiary as required by the plant's Discharge Requirements issued by the Central Valley Regional Water Quality Control Board.

A report, *City of Lodi Wastewater Capacity Fees: Revised Analysis*, prepared for the City by Hilton, Farnkopf & Hobson, LLC, is attached for reference as Exhibit 1. The report presents the results of analysis that assigns the value of past and future capital construction costs to existing and future development in the City. The recommendation is to raise the capacity fee to $5,115 per SSU. The recommended fee does not include 2% for Art in Public Places.

Capital construction and debt service costs have, in each case, been allocated to new growth and existing customers. In the case of the 1991 improvements (the 1989 improvements were refinanced as part of the 1991 improvements financing), 74% is allocated to serve new growth. For the 2003 (Phase I) and 2004 (Phase II) WSWPCF expansions, 26% and 24.2%, respectively, are allocated to new growth. The 2006 (Phase III) expansion is currently in design, and 58.4% is allocated to new growth. The costs attributed to existing Lodi customers are the share attributed to restoring the plant's rated flow capacity using updated State parameters and upgrading the level of treatment provided in response to more stringent State discharge requirements. The share attributed to new growth is basically the difference between existing flow (just over 6 million gallons/day) and the design capacity of 8.5 million gallons per day, including part of the new tertiary improvements. The capital and debt service costs of facilities serving existing customers are provided by user rates, although the rate payers are obligated to pay the

---

APPROVED: _____
Blair King, City Manager

entire debt service amount as required in the financing documents if there are insufficient funds provided by new growth. (which is not expected to occur).

As part of this analysis, the City's existing separate wastewater impact fee, which primarily covers costs for expansion of the MSC, has been rolled into the capacity impact fee. This was done to simplify the fee structure to only have one wastewater impact fee. The proposed ordinance changes implement this change. The actual fee, as per the existing City Code, will be set by Resolution.

Another change in the Fee Resolution is that the fee would be adjusted annually on July 1, based on the Engineering News Record 20 Cities Average, as is now done for the other impact fees in January.

As shown in Table 4 of the report, the recommended capacity impact fee also includes a separate fee, "high-strength connections", which is broken down into flow, BOD, and TSS components. BOD (Biochemical Oxygen Demand) and TSS (Total Suspended Solids) are measures of the 'strength' of the wastewater. With the addition of tertiary treatment this year, the relative weight among these components has shifted with a higher cost increase for flow than for the other constituents.

Finally, the staff recommendation on the capacity impact fee does not include a component for the Public Art Program. This recommendation is based on the fact that a significant portion of the proposed fee is for past improvements made at WSWPCF. These improvement projects were not designated to include Public Art nor did they contribute to the Public Art Fund. Should the Council wish to include the full Public Art component, the fee should be increased by 2%, from $5,115 to $5,217. Another option would be to only include the art component in <u>future</u> projects. Based on the projects/financings shown in Table 1 of the report, and considering the future 2006 project, Master Plan and MSC projects, these represent half of the costs, therefore, a 1% Public Art fee would be appropriate ($5,115 to $5,166). The appropriate amount will be included in the Fee Resolution as directed by the Council as shown below.

In summary, the recommended changes in the sewer development fees are:

	Current	Proposed w/o Art	w/1% Art	w/2% Art
Moderate Strength Users				
Per SSU - current	$2,099.00	n/a	n/a	n/a
Per RAE (residential acre equivalent)	$583.00	(approximately $116.60 per dwelling unit)		
Per SSU – revised (approximately)	$2,215.60	$5,115	$5,166	$5,217
High Strength Users				
Flow (per MG, annual basis)	$11,192.96	$38,986	$39,376	$39,766
BOD (per 1,000 lbs., annual basis)	$4,610.56	$10,097	$10,198	$10,299
TSS (per 1,000 lbs., annual basis)	$2,076.43	$5,400	$5,454	$5,508

<u>High Strength Users Service Fees</u>

"High Strength Users" are defined in the Municipal Code as users who discharge over 2 million gallons per year or the waste strength exceeds certain parameters. Presently there are only eight customers in this category. Similar to the capacity fee, the relative weight of flow and strength is also reflected in treatment costs, and adjustments for the high-strength users service charges are also being recommended:

	Current	Proposed
Flow (per MG, annual basis)	$1,170.45	$2,052.00
BOD (per 1,000 lbs., annual basis)	$572.79	$338.64
TSS (per 1,000 lbs., annual basis)	$468.23	$211.73

The effect of these changes on any individual user will depend on their individual flow and strength characteristics, however, in looking at past data, charges for nearly all will go down.

At the conclusion of the public hearing, Council is requested to adopt the ordinance revising the Municipal Code and adopt the resolution setting the wastewater capacity impact fee. The updated fee will become effective 60 days following adoption of the resolution per State law, which translates to Monday, March 6, 2006.

FISCAL IMPACT: The additional utility revenue from the capacity fee will be significant, but the actual amount will obviously depend on development levels. Revenue in FY 04/05 was $1.44 million. The change in the service charges for high-strength users, based on current usage, will reduce annual revenue by approximately $200,000.

FUNDING AVAILABLE: Not applicable.

Richard C. Prima, Jr.
Public Works Director

Prepared by F. Wally Sandelin, City Engineer
RCP/FWS/pmf
Attachment
cc: Interested Parties

ORDINANCE NO. 1768

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING LODI MUNICIPAL CODE TITLE 13 – PUBLIC SERVICES – CHAPTER 13.12, "SEWER SERVICE," BY REPEALING AND REENACTING SECTIONS 13.12.020 (5) AND (45), 13.12.180 (A), AND 13.12.190; AND FURTHER AMENDING TITLE 15 – BUILDINGS AND CONSTRUCTION – CHAPTER 15.64, "DEVELOPMENT IMPACT MITIGATION FEES," BY AMENDING SECTION 15.64.10 – ADDING NEW PARAGRAPH "F" AND RELETTERING PARAGRAPHS (G) and (H) – REPEALING AND REENACTING SECTIONS 15.64.030 (A) AND 15.64.040, AMENDING SECTION 15.64.060 – ADDING PARAGRAPH "C" – AND REPEALING AND REENACTING SECTION 15.64.070 (B) RELATING TO THE ESTABLISHMENT OF WASTEWATER DEVELOPMENT IMPACT FEES

==========

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Lodi Municipal Code Title 13, "Public Services," Chapter 13.12, "Sewer Service," is hereby amended by repealing and reenacting Sections 13.12.020 (5) and (45), 13.12.180 (A), and 13.12.190 and shall read as follows:

13.12.020 Definitions.

5. "Capacity" or "Impact fee" means a charge as described in this chapter, levied on construction or on new, expanded, or ongoing activity, which uses publicly-owned treatment works (POTW) capacity and other wastewater facilities associated with growth. The fee is normally paid at the time of issuance of a building permit.

45. "Sewage service unit or SSU" is defined as each increment of flow equal to the flow from an average two-bedroom residence (one-hundred and ninety-four gallons per day) and having a strength less than three hundred milligrams per liter biochemical oxygen demand (BOD) and suspended solids (SS).

13.12.180 Domestic system service charges.

A. Basis. Charges for use of the domestic system shall be determined by the volume, BOD, and SS of wastes discharged. In addition, charges for preparation and maintaining the Sewer Master Plan, expansion of the Public Works Administration Building, and expansion of the Public Works Storage Facilities are allocated based upon volume, BOD, and SS.

13.12.190 Domestic system capacity or impact fees.

The capacity fee shall cover the capital cost associated with the POTW capacity and the planning, financing, acquisition, and development of other services and facilities directly related to the utilization of capacity by the discharger. Any actual costs incurred by the city in making the physical connection (tap) shall be separate and in addition to the capacity fee described in this section.

A. Moderate-strength user capacity fees shall be based on a rate per sewage service unit as assigned under Section 13.12.180. The capacity fee for a new commercial or industrial user shall be a minimum of one sewage service unit, and additions or modifications shall be prorated to fractions of sewage service units.

B. High-strength user capacity fees shall be based on a unit rate for flow, BOD, and SS. The estimated annual quantities of each characteristic shall be justified to, and approved by, the Public Works Director for the purpose of determining the capacity fee.

C. City projects and projects funded by the City are exempt from capacity fees as described in this section.

Section 2. Lodi Municipal Code Title 15, "Buildings and Construction," Chapter 15.64, "Development Impact Mitigation Fees," is hereby amended by amending §15.64.10 – adding new paragraph F and relettering paragraphs G and H – repealing and reenacting §§15.64.030 (A) and 15.64.040, amending §15.64.060 – adding paragraph (C) – and repealing and reenacting §15.64.070 (B) and shall read as follows:

15.64.010 Findings and purpose.

F. The specific improvements and costs for wastewater capacity impact fees are described in the City of Lodi Wastewater Capacity Fees Analysis prepared for the City by Hilton, Farnkopf & Hobson, LLC, dated August 15, 2005, and the Development Impact Fee Update Study prepared for the City by Harris & Associates, dated October 2001, copies of which are on file with the City Clerk. The calculation of the fee is presented in Title 13, Chapter 13.12 of the Lodi Municipal Code.

G. New development will generate new demand for facilities which must be accommodated by construction of new or expanded facilities. The amount of demand generated and, therefore, the benefit gained, varies according to kind of use. Therefore, a "residential acre equivalent" (RAE) factor was developed to convert the service demand for general plan based land use categories into a ratio of the particular use's rate to the rate associated with a low-density, single-family dwelling gross acre. The council finds that the fee per unit of development is directly proportional to the RAE associated with each particular use.

H. The city has previously approved various development projects which have made significant financial expenditures towards completion, including the payment of the then current development impact mitigation fees; but have not obtained a building permit. The city council finds and declares that such projects should be allowed to proceed without the imposition of new development impact mitigation fees imposed under this chapter.

15.64.030 Development impact funds.

A. The city finance director shall create in the city treasury the following special interest-bearing trust funds into which all amounts collected under this chapter shall be deposited:

1. Water facilities;
2. Sewer facilities:
3. Storm drainage facilities;
4. Street improvements;
5. Police facilities;
6. Fire facilities;
7. Parks and recreation facilities;
8. General city facilities and program administration.

15.64.040 Payment of Fees.

A. The property owner of any development project causing impacts to public facilities shall pay the appropriate development mitigation fee as provided in this chapter. The amount shall be calculated in accordance with this chapter and the program fee as established by council resolution.

B. When such payment is required by this chapter, no building permit or site development permit shall be approved for property within the city unless the development impact mitigation fees for that property are paid or guaranteed as provided in this chapter.

C. The fees shall be paid with the approval of a final subdivision map, building permit or site development permit, whichever occurs first except as provided in subsection (E) or (F) of this section.

D. If a final subdivision map has been issued before the effective date of the ordinance codified in this chapter, then the fees shall be paid before the issuance of a building permit or grading permit, whichever comes first except as exempted under Section 15.64.110 of this chapter.

E. Where the development project includes the installation of public improvements, the payment of fees established by this chapter may be deferred and shall be collected prior to acceptance of the public improvements by the city council. Payment of all deferred fees shall be guaranteed by the owner prior to deferral. Such guarantee shall consist of a surety bond, instrument of credit, cash, or other guarantee approved by the city attorney.

F. The fees may not be prepaid unless specified otherwise in a fee payment agreement or development agreement approved by the City Council.

G. Notwithstanding the above, City may collect subsequent increases in impact fees or new impact fees, unless the development project is exempt from fee increases under the terms of a fee payment agreement approved by Council, a Development Agreement approved by Council or California law.

15.64.060 Calculation of fees.

C. Sewer fees shall be calculated and collected per LMC 13.12.

15.64.070 Residential acre equivalent factor.

B. The residential acre equivalent (RAE) factors are as set out in the following table.

Land Use Categories	Water RAE	~~Sewer RAE~~	Storm Drainage RAE	Streets RAE	Police RAE	Fire RAE	Parks & Recreation RAE	General Facilities RAE
RESIDENTIAL								
Low Density	1.00	~~1.00~~	1.00	1.00	1.00	1.00	1.00	1.00
Medium Density	1.96	~~1.96~~	1.00	1.96	1.77	1.96	1.43	1.43
High Density	3.49	~~3.49~~	1.00	3.05	4.72	4.32	2.80	2.80
East Side Residential	1.00	~~1.00~~	1.00	1.00	1.09	1.10	1.10	1.10
PLANNED RESIDENTIAL								
Low Density	1.00	~~1.00~~	1.00	1.00	1.00	1.00	1.00	1.00
Medium Density	1.96	~~1.96~~	1.00	1.96	1.77	1.96	1.43	1.43
High Density	3.49	~~3.49~~	1.00	3.05	4.72	4.32	2.80	2.80
COMMERCIAL								
Retail Commercial	0.64	~~0.94~~	1.33	2.08	4.12	2.69	0.32	0.89
Office Commercial	0.64	~~0.94~~	1.33	3.27	3.72	2.46	0.54	1.53
INDUSTRIAL								
Light Industrial	0.26	~~0.42~~	1.33	2.00	0.30	0.64	0.23	0.64
Heavy Industrial	0.26	~~0.42~~	1.33	1.27	0.19	0.61	0.33	0.93

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect 30 days from and after its passage and approval.

Attest:

Approved this 4th day of January, 2006.

SUSAN BLACKSTON
City Clerk

SUSAN HITCHCOCK
Mayor

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1768 was introduced at a regular meeting of the City Council of the City of Lodi held December 21, 2005, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1768 was approved and signed by the Mayor of the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney

RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL
ADOPTING UPDATED WASTEWATER CAPACITY
IMPACT FEE AND SERVICE CHARGES FOR HIGH
STRENGTH USERS

==========

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lodi does hereby approve Wastewater Capacity Impact Fee as follows:

	Current	**Proposed w/o Art**	**w/1% Art**	**w/2% Art**
Moderate Strength Users				
Per SSU - current	$ 2,099.00	n/a	n/a	n/a
Per RAE (residential acre equivalent)	$ 583.00 (approximately $116.60 per dwelling unit)			
Per SSU – revised	(approximately) $ 2,215.60	$ 5,115	$ 5,166	$ 5,217
High Strength Users				
Flow (per MG, annual basis)	$11,192.96	$38,986	$39,376	$39,766
BOD (per 1,000 lbs., annual basis)	$ 4,610.56	$10,097	$10,198	$10,299
SS (per 1,000 lbs., annual basis)	$ 2,076.43	$ 5,400	$ 5,454	$ 5,508

WHEREAS, BE IT FURTHER RESOLVED, that the fee shall be adjusted annually on July 1, based on the past annual change in the Engineering News Record 20 Cities Construction Cost Index; and

WHEREAS, "High Strength Users" are defined in the Lodi Municipal Code as users who discharge over 2 million gallons per year or the waste strength exceeds certain parameters. Presently there are only eight customers in this category. Similar to the capacity fee, the relative weight of flow and strength is also reflected in treatment costs, and adjustments for the high-strength users' service charges are also being recommended.

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby approve High Strength Users Service Fees as follows:

	Current	**Proposed**
Flow (per MG, annual basis)	$1,170.45	$2,052.00
BOD (per 1,000 lbs., annual basis)	$ 572.79	$ 338.64
SS (per 1,000 lbs., annual basis)	$ 468.23	$ 211.73

BE IT FURTHER RESOLVED that this Resolution shall take effect thirty-(30) days following the final adoption of Ordinance No. ____.

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS -

NOES: COUNCIL MEMBERS -

ABSTAIN: COUNCIL MEMBERS -

ABSENT: COUNCIL MEMBERS -

SUSAN J. BLACKSTON
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: **NOTICE OF PUBLIC HEARING FOR JANUARY 4, 2006, TO CONSIDER LEVY OF ANNUAL (2006) ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1**

LEGAL AD

PUBLISH DATE: **DECEMBER 24, 2005**

TEAR SHEETS WANTED: **Three (3) please**

SEND AFFIDAVIT AND BILL TO:
SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: Thursday December 22, 2005

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

Dana R. Chapman
DANA R. CHAPMAN
ADMINISTRATIVE CLERK

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

Faxed to the Sentinel at 369-1084 at 1205p (time) on 12/22/05 (date) 2 (pages)
LNS Diane R. Phoned to confirm receipt of all pages at 1230 (time) ___ JLT ✓ DRC ___ JMP (initials)

forms\advins.doc

DECLARATION OF POSTING

PUBLIC HEARING FOR JANUARY 4, 2006, to consider levy of annual (2006) assessment for the Downtown Lodi Business Improvement Area No. 1.

On Thursday December 22, 2005, in the City of Lodi, San Joaquin County, California, a notice of public hearing to approve the Downtown Lodi Business Partnership (DLBP) 2005/2006 Annual Report as submitted by the DLBP Board of Directors, to adopt a Resolution of Intention to levy an annual assessment for that fiscal year was posted at;

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

Executed on December 22, 2005, at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

N:\Administration\CLERK\Forms\DECPOST.DOC

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2005-262

A RESOLUTION OF INTENTION TO LEVY ANNUAL ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1, ESTABLISHING PUBLIC HEARING DATE, AND APPROVING ANNUAL REPORT

==========

WHEREAS, Downtown Lodi Business Improvement Area No. 1 was established December 17, 1997, by Council adoption of Ordinance No. 1654; and

WHEREAS, the Annual Report, as required by Streets and Highways Code §36533, has been submitted to the Council by the Board of Directors of said improvement area.

NOW, THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1. Approved the Annual Report as submitted, said Report being on file with the City Clerk.

2. Establishes **January 4, 2006, in the City Council Chambers, at Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:00 p.m., or soon thereafter as possible, as the date, place, and time to hold the public hearing** required by Streets and Highway Code §36534.

3. It is the intention of the City Council to levy and collect assessments within the parking and business improvement area for calendar year 2006 (the Area's fiscal year).

4. The boundaries of the entire area to be included in the Area and the boundaries of each separate benefit zone within the area are set forth in the Map, *Exhibit A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.

5. The types of improvements and activities proposed to be funded by the levy of assessments on business in the Area are in *Exhibit B hereto and incorporated by reference.

6. At the time of the public hearing, written and oral protests may be made. The form and manner of protests shall comply with Streets and Highways Code §§36524 and 36525.

*NOTE: Information regarding this matter and referenced exhibits may be obtained in the Office of the City Clerk, City Hall, 221 West Pine Street, Lodi, CA, 95240. All interested persons are invited to present their views and comments on this matter. If you challenge the subject matter in court, you may be limited to raising only those issues you are someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk prior to the close of the public hearing.

Dated: December 21, 2005

==========

I hereby certify that Resolution No. 2005-262 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 21, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, and Mounce

NOES: COUNCIL MEMBERS – Beckman and Mayor Hitchcock

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

SUSAN J. BLACKSTON
City Clerk

DECLARATION OF POSTING

PUBLIC HEARING FOR JANUARY 4, 2006, to consider adoption of Wastewater Capacity Fees

On Friday December 2, 2005, in the City of Lodi, San Joaquin County, California, a notice of public hearing to consider adoption of wastewater capacity fees

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

Executed on December 2, 2005, at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

N:\Administration\CLERK\Forms\DECPOST.DOC

DECLARATION OF MAILING

PUBLIC HEARING FOR JANUARY 4, 2006, TO CONSIDER ADOPTION OF WASTEWATER CAPACITY FEES

On November 29, 2005, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, to review the proposed wastewater capacity fee, provide direction to consider adoption of the fee.

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 November 29, 2005, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

Forms/decmail.doc

AGENDA ITEM I-02

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Public Hearing to consider adoption of resolution levying annual (2006) assessment for Downtown Lodi Business Improvement Area No. 1 and confirming the Downtown Lodi Business Partnership 2005-06 Annual Report (as approved by Council on December 21, 2005)

MEETING DATE: January 4, 2006

PREPARED BY: Management Analyst, City Manager's Office

RECOMMENDED ACTION: Conduct Public Hearing to consider adoption of resolution levying Annual (2006) assessment for Downtown Lodi Business Improvement Area No. 1 and confirming the Downtown Lodi Business Partnership 2005-06 Annual Report (as approved by Council on December 21, 2005).

BACKGROUND INFORMATION: The Downtown Lodi Business Improvement Area No. 1 2005/06 Annual Report was presented and approved by the City Council on December 21, 2005. The Council established January 4, 2006 as the Public Hearing date during which time the public would have an opportunity to present written or oral protests to the assessment being proposed. The Public Hearing is established pursuant to Section 36535 of the California Streets and Highways Code.

Pursuant to Lodi Municipal Code chapter/section 12.06.110: *The purpose of this process is to comply with the Act provisions regarding public notice and hearing prior to establishing the benefit fees for the following billing period. City shall not adopt, modify or otherwise amend any billing period budget of the area that is inconsistent in any way with such billing period's budget as agreed to and presented by the board except in the case of a written majority protest (regarding elimination or modification of any specific budget item) from business owners which will pay fifty percent or more of the fees proposed to be levied as to any specific budget item pursuant to Streets and Highways Code Section 36525(b). In such case the written protest regarding any specific budget item shall be grounds to eliminate or modify such expenditure from the area's proposed budget pursuant to the written protest.*

Streets and Highway Code 36535 (c) states: *At the conclusion of the public hearing, the City Council may adopt a resolution confirming the report as originally filed or as changed by it. The adoption of the resolution shall constitute the levy of an assessment for the fiscal year referred to in the report*.

FISCAL IMPACT: The Downtown Lodi Business Partnership was established in order to create the mechanisms necessary to give Downtown Lodi the ability to compete regionally as a shopping center and entertainment destination. The purpose of the assessment is to pool contributions of

---

APPROVED: _____
Blair King, City Manager

individual business owners in order to provide the DLBP with the resources it needs to act on behalf of the district, providing services such as marketing and events coordination.

FUNDING AVAILABLE: As collected by the City on behalf of the DLBP. A 5% administrative fee is retained for collection services.

_____
Ruby Paiste, Interim Finance Director

_____
Janet L. Hamilton
Management Analyst

Attachments

cc: Chuck Easterling, Chair, DLBP

DOWNTOWN LODI BUSINESS PARTNERSHIP

October 24, 2005

Mr. Blair King, City Manager
City of Lodi
221 W. Pine Street
Lodi, Ca. 95241-1910

Re: Annual Report 2005/2006

Dear Blair:

Section 11.0 of the City Ordinance Number 1654, establishing the Downtown Lodi Business Improvement Area, requires that we submit to you in September of each year our annual report and budget.

In addition, the State of California Streets and Highways code, which is the enabling legislation, also specifies that certain additional information be provided. You will find all of the required information contained in our report.

We have provided you with seven copies, five for the City Council, one for the City Clerk and one for yourself.

Sincerely,

Mary L. Wallace

Mary L. Wallace, President
Board of Directors
Downtown Lodi Business Partnership

Downtown Lodi Business Partnership
4 West Pine Street P.O. Box 1565
Lodi, Ca 95240
(209) 369-8052 ph. (209) 369-8053 fax

DOWNTOWN LODI BUSINESS PARTNERSHIP

2005/2006 Annual Report

Items listed below refer to Section36533(b) of the California Streets and Highway Code:

- No changes in boundaries of benefit zones within the area are proposed
- No physical improvements are planned
- Budget for the budget year July 1, 2005 through June 30, 2006 is enclosed (Exhibit B)
- A Benefit Fee Schedule and a Map of the Business Improvement Area are enclosed as Exhibits C & D respectively. There are no changes in the Benefit Fee Schedule.
- The Budget details all sources of income and projected expenses

Downtown Lodi Business Partnership
4 West Pine Street P.O. Box 1565
Lodi, Ca 95240
(209) 369-8052 ph. (209) 369-8053 fax

Exhibit A

The Downtown business community is important to the City's overall health and vitality. The myth:

- Downtown revitalization only benefits downtown,
- Is nothing more than an attempt to save a few declining businesses
- Only benefits those businesses which are located downtown

This myth **must be** dispelled by getting the word out. Downtown revitalization is an investment in the future health of the entire community. Economically depressed downtowns drag the rest of the city down as well. The condition of downtown has come to be viewed as a barometer with two factors that are critical to investors: a community's overall economic health, and the capacity of its private and public sector leaders. Investors, prospects and potential residents, tend to look at a community's downtown as an indication of the quality of life offered by that community. Downtown is the heart of the community.

Over the past seven plus years, our Downtown has become a source of great civic pride and accomplishment, becoming the model for redevelopment throughout the Central Valley and State. Visitors to our city often comment on how pristine our Downtown is. The Downtown Lodi Business Partnership (DLBP) in partnership with businesses, professionals, merchants, and the City, manages Downtown. We maintain an office staffed with an Executive Director and administrative staff, to serve as an advocate for the downtown, to develop and conduct ongoing public awareness and educational programs designed to enhance appreciation of the downtown's physical assets, commercial environment and cultural charm, provides day-to-day oversight of projects in progress, acts as a point person for all downtown-related inquiries and issues, fosters and maintains a cooperative working relationship with existing business owners, prospective developers, and governmental agencies. The staff maintains and disseminates data and information pertaining to specifics projects and events. We establish and administer procedures for the use of streets for various activities and events, conduct events, develop and implement marketing for Downtown.

While this year has been challenging, the DLBP has continued to involve, develop, and promote downtown. Our by laws state our purpose with a common business interest of merchants, services, and professionals. Our very active and diverse board of directors is the main leadership element, providing varying expertise in a broad range of subjects.

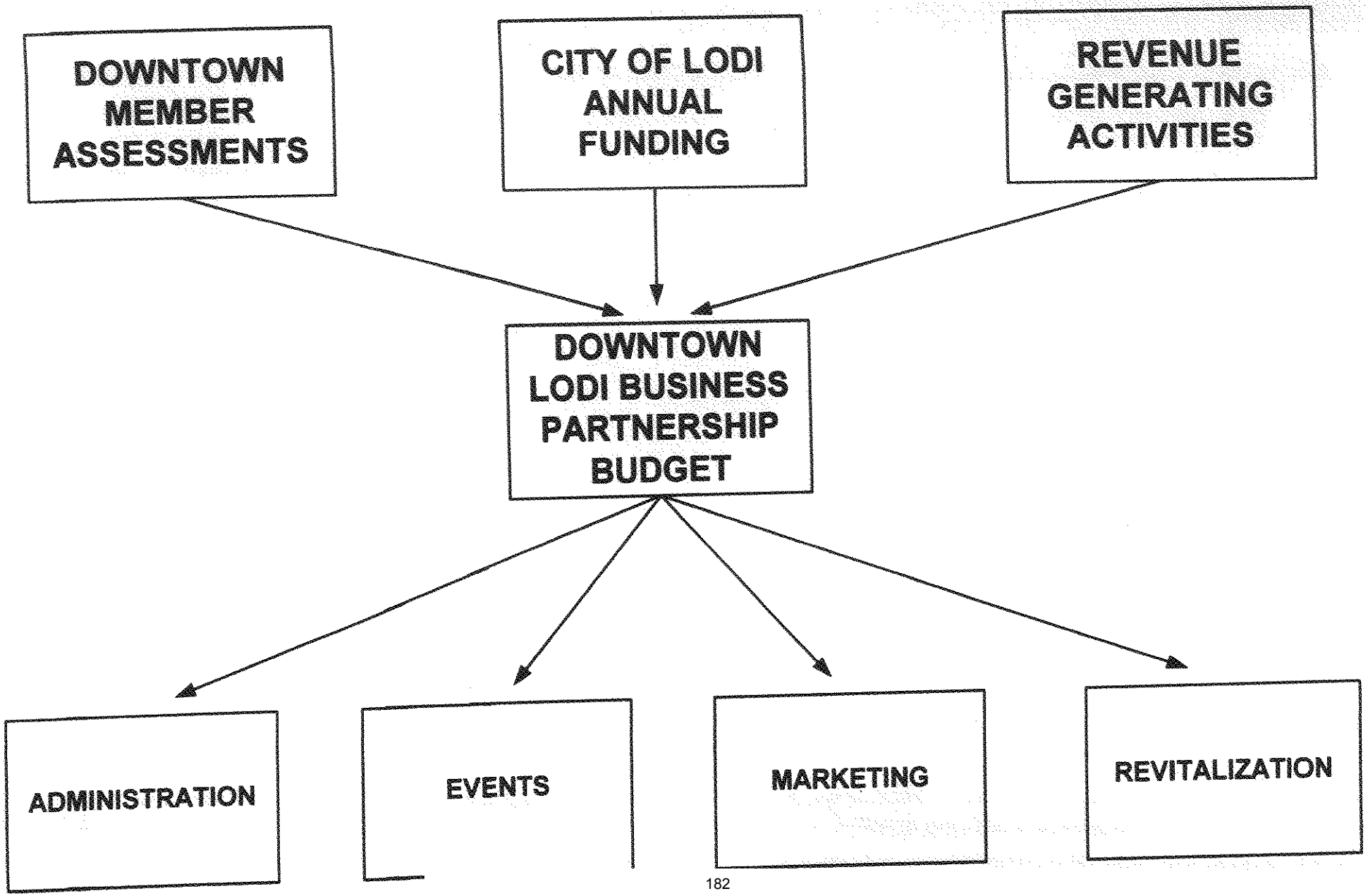
During the past year, we have:

- Set up an Economic Development Committee to coordinate and interface with the City's overall economic development program.
- Developed and implemented the DLBP event policy, contract and fee schedule (see attached)

- Parking Committee and staff continued to work with city staff on parking management. It should be noted that while many consider parking a problem, we would consider it a bigger problem if there were no vehicles downtown.
- Collaborated and developed relationships with the Lodi Conference and Visitors Bureau, Chamber of Commerce, Wine Grape Commission, Hutchins Street Square, and the City of Lodi to form a group called "Destination Lodi". We meet monthly to discuss partnering to promote Lodi. We spent one full day with a facilitator discussing marketing of Lodi. At the end of the day, it was decided that we have two major areas to market; our wine appellation and Downtown.
- Supported, with enthusiasm, the City, in a program to bring tasting rooms downtown.
- In cooperation with our Faith community, partnered with the Family Faith Festival and 40 Days of community
- Worked with the City transportation manager to promote public transportation in Downtown Lodi. The manager sits on our Parade of Lights committee and is working to establish shuttle buses for the Parade.
- Continued to hold our Signature events: the Farmers Market and the Parade of Lights. Our Farmer's Market continued to grow and is rated one of the top in the State. The Parade of Lights was fantastic with one hundred entries.
- Adopted the Walldogs under our DLBP umbrella and are working in collaboration to insure a success event for our centennial celebration.

Our work is not complete; we still have much to do to reach our ultimate goals for Downtown. It is critical that the City continue to fund the Downtown Lodi Business Partnership for us to be successful. A thriving and successful Downtown will benefit the whole community's overall economic health. We want to thank the City Council and City staff for their continued support. We look forward to working with the City in achieving successes for Downtown Lodi.

DOWNTOWN LODI BUSINESS PARTNERSHIP OVERVIEW



DOWNTOWN LODI BUSINESS PARTNERSHIP
PROPOSED BUDGET

JULY 1, 2005 THROUGH JUNE 30 2006

INCOME		
Assessment Fees	34500.00	
City of Lodi	52500.00	
Banner Program	2500.00	
Brews & Blues	5000.00	
Candy Sales	18000.00	
Easter Promotion	1500.00	
Farmers Market	55000.00	
Kiddie Parade	1000.00	
Octoberfest	3000.00	
Parade of Lights	15000.00	
Wine & Sausag Festival	5000.00	
Winterfest	6000.00	
Miscellaneous Events & Sales	4000.00	
TOTAL INCOME		203000.00
EVENT EXPENSES		
Banner Program	1000.00	
Brews & Blues	1500.00	
Candy Sales	13000.00	
Centennial Celebration	1000.00	
Easter Promotion	500.00	
Farmers Market	30000.00	
Kiddie Parade	300.00	
Octoberfest	1000.00	
Parade of Lights	6000.00	
Walldogs	1000.00	
Wine & Sausage Festival	1500.00	
Winterfest	4000.00	
Miscellaneous	1000.00	
	61800.00	
MARKETING EXPENSES		
Marketing Campaigns	11000.00	
Mileage & Meetings	1500.00	
Web Page Update	4000.00	
Advertising & Promotion	5000.00	
	21500.00	
REVITALIZATION		
Brochure (Historical Walking Tour)	2500.00	
Kiosk Update	2000.00	
Placques & Trophies	1500.00	
Quarterly Meetings	800.00	
Sunshine Committee	800.00	
Training & Information Seminars	1000.00	
Tree Light Maintenance	3000.00	
	11600.00	
ADMINISTRATIVE EXPENSES		
Bank Fees	560.00	
Insurance	12000.00	
Office Supplies	3000.00	
Office Equipment	4000.00	
Postage	2500.00	
Payroll Expense	78000.00	
Professional Fees	1000.00	
Rent	5040.00	
Telephone	2000.00	
	108100.00	
TOTAL EXPENSES		203000.00
NET INCOME		0.00

EXHIBIT B

EXHIBIT C
Downtown Lodi Business Partnership
Benefit Fee Schedule

	ZONE A	ZONE B
Retailers and Restaurants	$200. (1-3 emp.) $300. (4-6 emp.) $400. (7 + emp.)	$100. $150. $200.
Service Businesses	$150.	$ 75.
Professional Business	$100.	$ 50.
Financial Institutions	$500.	$500.

Note: Retail and restaurant businesses will be charged on size which will determined by the number of employees, either full-time or the equivalent made up of multiples of part-time employees.

Business type definitions:

Retail and Restaurant: Businesses that buy and resell goods, examples are clothing stores, shoe stores, office supplies as well as businesses that sell prepared foods and drinks.

Service Businesses: Businesses that sell services. Examples are beauty and barber shops, repair shops, lodging, most automotive-oriented businesses, entertainment businesses such as theaters, etc.

Professional Businesses: Includes Architects, Engineers, Attorneys, Dentists, Doctors, Accountants, Optometrists, Realtors, Insurance Offices, Mortgage Brokers and most other businesses that require advanced and/or specialized licenses and/or advanced academic degrees.

Financial Institutions: Includes banking and savings and loan institutions as well as credit unions, etc.

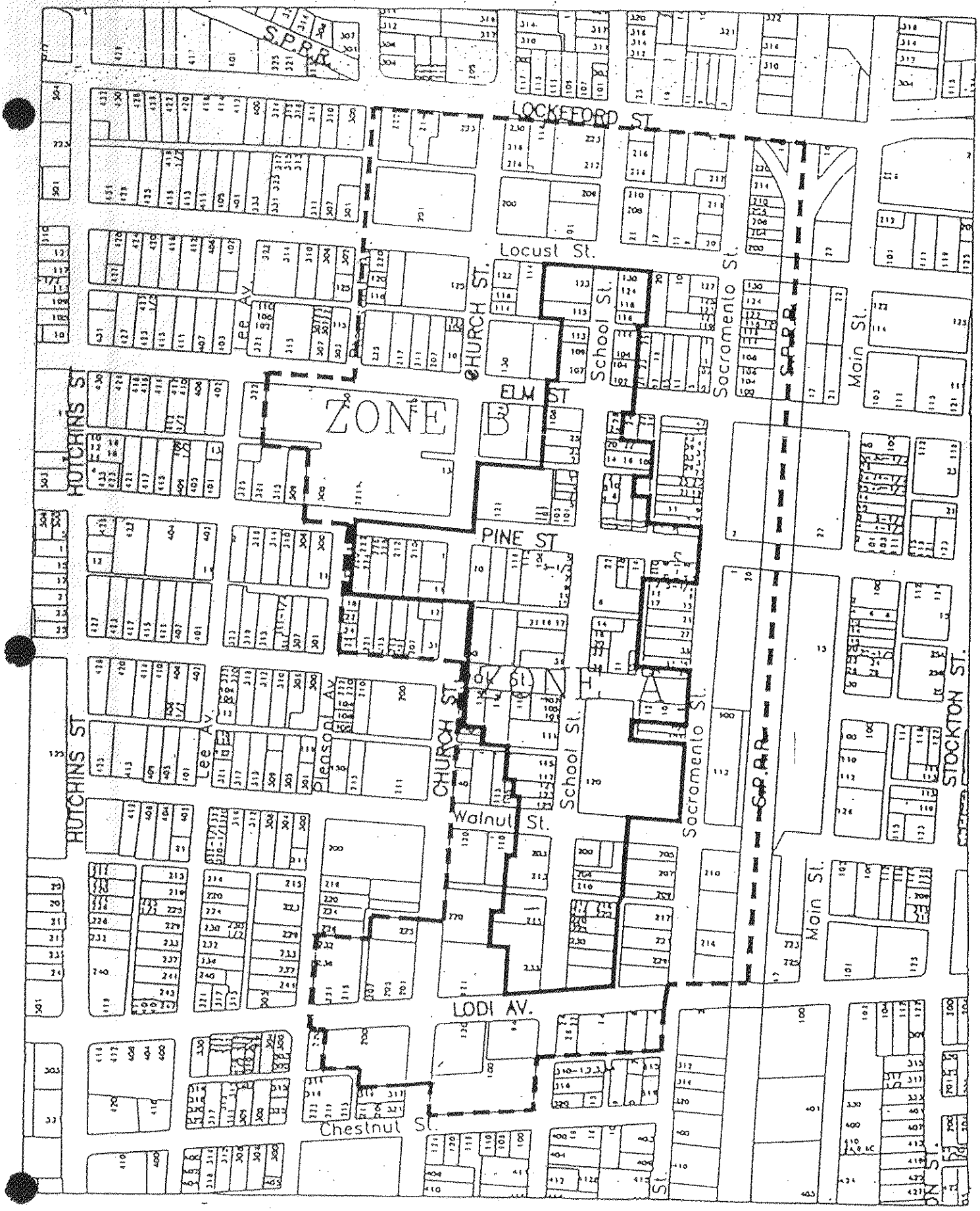


EXHIBIT D

DOWNTOWN LODI BUSINESS PARTNERSHIP

BUSINESS IMPROVEMENT AREA MAP

DOWNTOWN LODI BUSINESS PARTNERSHIP

DOWNTOWN LODI BUSINESS PARTNERSHIP

MISSION STATEMENT

Under agreement with the City of Lodi, the Downtown Lodi Business Partnership (DLBP) manages the Downtown Business Improvement Area (BIA), and works in partnership with businesses, property owners, cultural institutions and local city officials to enhance the revitalization efforts of downtown Lodi. Since it's inception, the Downtown Lodi Business Partnership has been instrumental in the tremendous growth and vibrancy of the downtown community.

The mission statement of the DLBP is to:

- **Encourage the development of new businesses, while retaining and revitalizing existing businesses**
- **Promote retail activity by creating and maintaining a quality environment through cooperative advertising and special events in the downtown area**
- **Serve as an advocate for downtown businesses in dealing with local government, maintenance projects, the media and general public**

Downtown Lodi Business Partnership
4 West Pine Street P.O. Box 1565
Lodi, Ca 95240
(209) 369-8052 ph. (209) 369-8053 fax

DOWNTOWN LODI

The Brown Act

The DLBP complies with the Ralph M. Brown Act for its board meetings, general meetings and standing committee meetings.

Agendas of board meetings, general meetings or standing committee meetings shall be publicly posted 72 hours in advance of that meeting.

All DLBP meetings are open to the public. The only exceptions for closed meetings are for personnel issues and litigation issues.

For DLBP board meetings and general meetings, a copy of the meeting agendas are sent to board members via email, delivered to those without email, and posted in the window of the DLBP office located at 4 W. Pine Street.

A copy of the agenda for those meetings is also sent to The Lodi News Sentinel and The Stockton Record.

For committee meetings, the agendas are posted in the window of the DLBP office for public review.

For specific terms of the Brown Act, please refer to the Brown Act file located in the DLBP office.

Events

Overview:

- Develop Events that are not exclusive to marketing the Downtown, but the city of Lodi
- Develop Events that hold a recognized theme
- Modify the Farmers Market Event to include participants to fall into the category of "Homemade" and "Homegrown".
- Develop Partnerships with various groups/clubs to incorporate their heritage into our events that contain a theme.
- Implement the Downtown Lodi Business Partnership Event Policy

2006 DOWNTOWN LODI CALENDAR OF EVENTS

DLBP EVENTS	
VALENTINE'S DAY RETAIL PROMOTION	Saturday, Feb. 11
ST. PATRICK'S DAY CELEBRATION	Friday, March 17
SACRAMENTO STREET CAR SHOW	Saturday, April 1
SPRING SIDEWALK EGGS-TRAVAGANZA	Saturday, April 15
PHOTOS WITH THE EASTER BUNNY	Saturday, April 15 Sunday, April 16
WALL DOGS CENTINNIAL CELEBRATION	April 28 - May 31
CINCO DE MAYO CELEBRATION	Friday, May 5
HISTORIC WALKING TOUR	Weekends beginning in May
MOTHER'S DAY PROMOTION	Saturday, May13
FARMERS MARKET & FESTIVAL	Thursdays June 1 - Sept. 28
WINE & SAUSAGE FESTIVAL	Sunday, June 11
FATHER'S DAY PROMOTION	Saturday, June 17
BREWS & BLUES FESTIVAL	Sunday, July 23
BACK-TO-SCHOOL SIDEWALK SALE	Saturday, Aug. 5
69th ANNUAL KIDDIE PARADE	Saturday, Sept. 16
OKTOBERFEST	Sunday, Oct. 15
SAFE-HALLOWEEN	Saturday, Oct. 28
WINTERFEST	Saturday, Nov. 25
PHOTOS WITH SANTA & VICTORIAN-ERA CARRIAGE RIDES	Saturdays Nov. 25 - Dec. 16
MERCHANT WINDOW DISPLAY CONTEST	Nov. 25 – Dec. 31
11th ANNUAL PARADE OF LIGHTS	Thursday, Dec. 7
NEW YEAR'S EVE CELEBRATION	Sunday, Dec. 31
NON-DLBP EVENTS	
SCHOOL STREET STROLL	Fridays (tentative) April 14 & Oct. 13
LODI STREET FAIRE	Sundays (tentative) May 7 & Oct. 1

2006

January

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

May

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Downtown Lodi Business Partnership

Special Events Policy

2005

Event & Promotions Committee

Downtown Lodi
Special Event Permit – Application & Fees

COMMERCIAL ORGANIZATIONS (FOR-PROFIT)

CLASS	ANTICIPATED ATTENDANCE	APPLICATION FEE	PERMIT FEE
A	50,000	$ 150.00	$15,000.00
B	20,000 – 49,000	$ 150.00	$8,000.00
C	10,000 – 19,000	$ 100.00	$ 5,000.00
D	2,000 – 9,999	$ 100.00	$ 2,500.00
E	250 – 1,999	$ 100.00	$ 500.00

NON-PROFIT ORGANIZATIONS AND/OR DLBP MEMBERS

CLASS	ANTICIPATED ATTENDANCE	APPLICATION FEE	PERMIT FEE
A	50,000	$ 100.00	$ 9,000.00
B	20,000 – 49,000	$ 100.00	$ 3,000.00
C	10,000 – 19,000	$ 50.00	$ 1,500.00
D	2,000 – 9,999	$ 50.00	$ 750.00
E	250 – 1,999	$ 50.00	$ 250.00

CHARITABLE EVENTS

CLASS	ANTICIPATED ATTENDANCE	APPLICATION FEE	PERMIT FEE
A	50,000	$ 100.00	$ 3,000.00
B	20,000 – 49,000	$ 100.00	$ 1,500.00
C	10,000 – 19,000	$ 50.00	$ 750.00
D	2,000 – 9,999	$ 50.00	$ 250.00
E	250 – 1,999	$ 50.00	$ 0

DOWNTOWN LODI
SPECIAL EVENTS POLICY

This document outlines the guidelines for the implementation of a special event in the Lodi Downtown Area, as set forth by the Downtown Lodi Business Partnership (DLBP). It defines, categorizes, and sets a fee structure for Special Events held within the Business Improvement Area (BIA).

PURPOSE

It is the purpose of this policy to regulate and standardize the process of holding a special event in Downtown Lodi so that such events can be held with the safety and health of the participants in mind, the protection of public property considered, and the impact of the event on non-participating citizens minimized. A corollary purpose to this policy is to ensure that those who benefit from an event bear the cost of the event. This includes any special requirements or demands from the Downtown Lodi Business Partnership and/or City of Lodi.

Community festivals and special events serve to promote tourism, showcase local talent, expose artists and performers to new audiences, invigorate community spirit, revitalize the downtown area and contribute substantial economic and social benefits to the local community. In recognition of these benefits, it is the policy of the Downtown Lodi Business Partnership to encourage community activities which promote tourism, foster the economic revitalization and growth of the downtown area while increasing the cultural activities available to the residents of the Lodi area.

The Downtown Lodi Business Partnership recognizes the complexity of implementing a special event and encourages the applicant to utilize the resources and knowledge provided by the Special Events staff. The success of a special event in the downtown area benefits both the applicant as well the Downtown Lodi Business Partnership. The DLBP is committed to working hand-in-hand with the surrounding community in an effort to achieve highly successful and mutually beneficia special events in the downtown area. Downtown Lodi is host to many public outdoor events on an annual basis. As you begin the planning process for your event, it is important to recognize that your activity plays a unique part in the relationship

we have with each individual within the community and that the quality of your event can make a considerable difference to the City of Lodi. Our outdoor events add to the character of the downtown area and provide an opportunity for merchants, vendors, residents and guests to interact with one another. This information below is intended to help you better understand the DLBP's outdoor event permit procedure and provide helpful tips to help facilitate your planning process.

PERMIT PROCESS

In order to process your Special Event Permit application, it must be received by the Downtown Lodi Business Partnership no less than 120 days prior to the actual date of your event. The DLBP's Special Events Committee (SEC) shall be responsible for coordinating and approving the permitting of all outdoor events, including each of its components. Generally, the scheduling and review of events shall be on a first come, first served basis. In addition to obtaining the event permit, there are several other permits which may need to be acquired; you will read more about these types of permits throughout this packet. It is our goal to assist every event organizer in properly planning safe and successful events which have minimal impact to the daily business operations of our local merchants and business owners.

HOW TO SUBMIT YOUR SPECIAL EVENT PERMIT APPLICATION

After you have carefully developed your outdoor event plan, submit your proposed event description and plan to the DLBP on the forms enclosed. Please be aware that failure to submit your application in a timely manner, or submitting an incomplete application, may result in a delay of the approval process. Applications which are not completed in their entirety will be returned and will not be reviewed by the SEC until all information has been completed in full.

Once you have submitted your Special Event Permit Application to the DLBP, you will be contacted to schedule a meeting with the Special Events Committee, a group comprised of DLBP Event Staff, Board Members and local merchants.

We hope that you find these instructions helpful. Should you have any questions or require further assistance, please do not hesitate to contact the Downtown Lodi Business Partnership Special Events Department at (209) 369-8052.

Thank you for your interest in Historic Downtown Lodi as the venue-of-choice for your event!!!

DEFINITIONS

- **Application:** A written request on forms supplied by the DLBP Special Events Committee (SEC) which sets forth the information required to be provided by this policy.

- **City** shall refer to the City of Lodi

- **City-Sponsored Event:** A public event which is directly related to a recognized function of city government and which is in major part initiated, financed and executed by the City. It does not include events in which the City is merely listed as a co-sponsor if the City does not carry a major share of the burden of initiating, financing and executing the event.

- **Downtown Lodi Business Partnership (DLBP):** The organization responsible, as mandated by its member businesses and the City of Lodi, to oversee, manage and market the activities and events which occur within the Business Improvement Area (BIA).

- **Downtown Business Improvement /Festival Area (BIA):** The streets and businesses within the downtown district which make up the Business Improvement Area (see attached map).

- **Event Bond/Deposit:** A bond/deposit conditioned upon good performance which shall be required of any applicant who proposes to do the cleaning of streets or festival areas in connection with an approved special event. This bond/deposit will provide coverage for any damages in connection with the special event.

- **Extra Personnel Hours:** The total of the number of all hours worked by DLBP and city employees in the particular departments or areas under consideration for classification purposes in connection with the production of the special event in question, to the extent that such hours exceed the total number of hours which would have been worked by those same city employees in the same location had the special event not taken place. Excluded from this definition are the personnel hours worked by the SEC or DLBP staff designated to fulfill the function of the Special Events Committee on any particular occasion.

- **Party:** Shall refer to the applicant who makes a request to hold a Special Event.

- **Political Demonstration:** A public gathering, procession or parade, the primary purpose of which is the exercise of the rights of assembly and free speech as guaranteed by the First Amendment to the

Constitution of the United States. The fact that such an event may be advertised as a "special event" does not in and of itself bring such a demonstration within the scope of this policy.

- Special Event: Refers to outdoor events that include, but are not limited to, the following: fair, carnival, circus, parade, concert, walk or run, graduation, block party or other festival, ceremony, rally, procession, or mass gathering. A Special Event may also involve selling, advertising, and/or promoting. The policy includes events held on private property if the event affects or impacts any part of the downtown business improvement area or otherwise extends beyond the boundaries of the immediate property.

- Special Events Committee (SEC): An appointed committee of representatives from the Downtown Lodi Business Partnership who may be affected by a special event. The committee purpose shall be to review and evaluate a party's application for approval/denial by the DLBP Board of Directors.

- Downtown Events Coordinator (DEC): The person(s)/department(s) designated by the DLBP Special Events Committee to carry out the functions of this policy. In addition to the functions listed hereafter, the Downtown Events Coordinator will act as the communicator and liaison to the party requesting a special event and will be responsible for monitoring the submittal of charges, fees, deposits and appropriate insurance requirements. The DEC will also review all applications for completeness prior to submittal to the SEC for review.

- Permit Fee: The fee required to be paid by an organization or entity for the issuance of an agreement to hold a public festival or event in the downtown area.

- Application Fee: The non-refundable fee required upon submission of your application packet in order to cover the costs of processing and verifying the information provided.

CRITERIA FOR EVALUATING SPECIAL EVENTS

- The DLBP encourages the production of special events which will attract people downtown and help stimulate a positive downtown environment. The DLBP Special Events Committee shall be charged with the responsibility of determining whether or not a particular applicant shall be entitled to hold a special event within the boundaries of the BIA, and in determining whether to grant or deny a particular application, shall take into account the effect the proposed special event will have upon the environment, the business climate, and the public health and safety of downtown merchants,

residents and guests. The SEC shall also take into account the frequency with which such events are held and the convenience of the public and merchants in relation thereto.

The DLBP Special Events Committee will also consider:

- How well the applicant, insofar as it can be determined, appears capable or incapable of executing the planned special event;
- Whether any inconvenience which may be suffered by the general public or member businesses is outweighed by the potential benefit to the downtown community as a whole;
- Whether budgetary considerations at the time of the application create such a heavy burden upon DLBP or financial resources that it would not be practical to hold the proposed special event at the time requested;
- Whether the holding of the special event as planned would create an undue burden upon the manpower resources of the DLBP or City; and
- Whether the health and safety of the public, or downtown economy, would be compromised substantially.

In addition to the criteria above, the DLBP shall take into account the following considerations:

- The extent to which the event contributes to the promotion of tourism.
- The extent to which the event contributes to economic revitalization.
- The extent to which the event increases cultural programming available to residents of the Lodi area.
- The impact of the event on the environment.
- The frequency of the same or similar event(s).

SPECIAL EVENT APPLICATIONS

Parties who wish to make a request for a Special Event should contact the DLBP's Administrative Office during standard office hours for a complete Special Event Application Packet. The completed request form shall be submitted to the DLBP no less than 120 days prior to the requested date. Applications will be accepted on a first-come, fire-served basis. However, returning events have ninety (90) days from the last day of that event to submit their application for the following year's adjusted dates. After the ninety (90) days, all events may be scheduled on a first-come, first-served basis, regardless of previous use. The party will be notified of the other departments and organizations that should be contacted.

It is recognized that circumstances surrounding requests for Special Events may require varying amounts of attention, time, and effort devoted to the process and procedure of approving or denying the request. Therefore, it is understood that every effort will be made to respond and make a decision on a request within a reasonable period of time. It is also expected that the party making the request will anticipate a reasonable length of lead time required to make a final decision.

When two or more parties make a request for the same area on the same date, a compromise agreement between the parties will be attempted. In the case where a conflict cannot be resolved, the final determination for granting a special event request remains with the Special Events Coordinator.

The application must include the following information:

1. The name of the special event and its purpose in general terms.

2. The name(s) of the person(s) or organization(s) sponsoring said special event, together with the addresses and telephone numbers of all such persons or organizations.

3. The date or dates of the proposed special event.

4. The specific location(s) within the Downtown Lodi area where the proposed event would take place.

5. The number of persons estimated to be in attendance at such event.

6. Whether any street closures are requested, and, if so, the number of streets and when.

7. Whether any beer, wine, or other spiritous beverages are expected to be present and/or sold for public consumption, together with a detailed proposal for any such sale, indicating among other things, who is expected to be the vendor or vendors, whether such vendor or vendors presently hold any type of license for on-premises consumption of alcoholic beverages, and stating the exact locations and times for such sales.

8. Whether any temporary outdoor structures (i.e. staging, awnings, tents, scaffolding, etc.) are proposed to be built, describing them in detail.

9. Whether any signs or banners are proposed to be erected, giving details.

10. Any parades, road races, etc. planned in connection with such event, stating details; including the time, location and anticipated crowd.

11. Whether entertainment will be involved, giving details as to nature, time and place.

12. Whether there will be street vendors or peddlers involved, giving details, including specifically contracted or regularly licensed vendors and peddlers.

13. Whether the applicant proposes either in whole or in part to be responsible for cleaning up the area used, specifying details.

14. Whether the applicant proposes to hire security guards or off-duty officers to assist in security and traffic control, giving details.

15. Whether utility services such as electrical power or water will be required specifying amount and type.

16. Whether electrical wiring shall be installed, specifying installation details.

17. A proposed parking plan.

18. Traffic control plan.

19. A plan for emergency health services to be forwarded to the Health Department.

20. A plan which addresses the needs of persons with disabilities.

21. The applicant should specify any service, material, or property which is expected to be provided by the DLBP or the city. Special Events will be limited to city property that can accommodate the event.

22. Event holders who wish to use other city property must file a detailed event plan including a map of the event.

APPLICATION REVIEW

When the applicant submits a Special Event application, the Special Events Committee will review the application to determine the impact the event will have on the public, if special City services will be required, and what additional licenses and permits are needed (encroachment permit, re-seller's license, health permit, etc.). If an event is considered closed to the public or if streets will be closed, the Special Events Coordinator may request the sponsor contact neighboring residents and/or merchants for permission.

The following DLBP, City & County Departments will be involved in reviewing specific portions of the Special Event Application:

1. **DLBP Administrative Office:** Will review all applications and disseminate information to the appropriate departments involved, establish special needs or requirements, review and determine all necessary licenses and permits, and review all operating, logistical and cleanup plans. Will determine whether requested property is available at the requested date/s and if the event conforms to the DLBP's Special Event Policy.

2. **City of Lodi - Public Works Department:** Will review all plans for temporary structures, street closures and proposed activities which will occur in the public-right-of-way and, if the request is approved, provide the appropriate permits. This Department shall also review all plans pertaining to sanitation, pre and post-event street cleaning, and determine any additional barricade and street closure requirements and/or equipment needs

3. **San Joaquin County Health Department:** Will review all plans including medical and environmental hazards, on-site food vending, and other health and safety requirements. Approval by this Department will require a Temporary Event Permit and in the case of on-site food sales, a Temporary Event Health Permit.

4. **City of Lodi - Fire Department:** Will review all plans to determine life safety hazards, fire personnel and accessibility issues.

5. City of Lodi - Police Department: Will review all plans for security, parking, and traffic, noise and crowd control.

6. City of Lodi - Risk Manager: Will review all plans to determine appropriate
7. insurance levels and liability requirements.

8. City of Lodi - Transportation Division: Will review all plans pertaining to mass transportation, and the use of public parking structures and lots.

Downtown Lodi Business Partnership
2006 Marketing Plan

Objective:

Through advertising, events, and special merchant promotions that highlight our businesses and historic buildings and streets, the Downtown Lodi Business Partnership's marketing goal is to bring visitors and residents to Downtown.

Goals:

The main goal of the DLBP is to bring more customers and businesses to the downtown, therefore, increasing the tax base. The DLBP will work together with organizations such as the Conference and Visitors Bureau, Chamber of Commerce, Hutchins Street, Wine Grape Commission, and the City of Lodi to develop collaborative events and promotions that will help market and promote not only Downtown Lodi, but the City of Lodi as well. The DLBP is looking forward to partnering with the viticulture community in an effort to bring the wine industry to Downtown Lodi. The DLBP will continue to work on strengthening its relationship with the downtown merchants by offering a full program of services to our members:

- Quarterly newsletters
- Quarterly Member Meetings
- New Business Information Packets
- Parking Management Committee
- Marketing & Promotions Committee
- DLBP office staff to serve the membership and public
- Serve as an advisory advocate for the membership with the City of Lodi
- Sunshine Committee

Advertising & Promotional Tools

Newspaper:
The Lodi News-Sentinel has been our primary source of advertising. Through the News-Sentinel, we promote Downtown with our own special pull-out Tabloid section eight times a year. This tool has been very beneficial for our membership and our organization. It has served to advertise our special events, inform the public with educational articles written by our membership, and give membership a discounted advertising rate.

Additionally, we use the Galt Herald, the Stockton Record, and the Pennysaver/Local Living on a limited basis for promoting events and media alerts.

Website:
The DLBP is working to improve our Website, which is currently down for construction. Our goal is to make the Website a user friendly tool for the public to find information on Downtown.. It will provide links to various organizations and the City of Lodi. We will also encourage our membership to further develop their own Websites.

Banners:
The DLBP launched it's "sponsor a banner" program in June 2004. The campaign coincides with the Farmers Market and the Holiday Season. The campaign is a beneficial tool for the merchants to advertise and for the DLBP to promote events through the year.

Brochures:
It was decided not to issue a new Downtown brochure this year, but rather partner with the Chamber of Commerce and place an ad in their new map. Since the Conference & Visitors Bureau is also publishing a tear off map to be placed in hotels and businesses, it was felt that three maps were not needed. However, we are currently working on a historic walking tour of Downtown that will highlight historical points of interest and perhaps can include a Walldog map.

Member Promotion and Public Relations:

The DLBP will continue to feature businesses profiles in our Tabloid and encourage the Lodi-Sentinel to profile downtown businesses on a regular basis. Press releases will continue to be Issued for new and expanding businesses downtown.

Shop Downtown Lodi First Program:

The purpose of this program is to convince consumers to shop Lodi first before going out of town. Shopping locally permits the local businesses to expand and allows them to underwrite community events, support charities, sponsor youth activities and generally help the community from which they derive their will being.

Sales tax is on of the most important sources of funding that pays for the City of Lodi police, fire, maintenance personnel, street services and all other city functions. We can help improve our tax base.

Shop Lodi goals are to increase purchases made in Lodi, thereby increasing retail sales and sales tax revenue. The purpose of this program is to educate the public and increase community awareness of the benefits of making their purchases in Lodi. We will continue to enlist the cooperation of the City of Lodi, the Chamber, and the Lodi Visitors & Convention Bureau to promote the Shop Lodi First program.

Niche Marketing:

This marketing concept works well in our area since there are a good number of like businesses that can be marketed as a group. This concept will continue to be used with the restaurant guide in the newspaper Tabloid, articles, group ads, and additional promotions. We will continue to partner with Hutchins Street in promoting dinner and a night at Hutchins Street.

Kiosk Program:

Along with being an attractive staple of Downtown Lodi, the kiosk program has also become a great advertising tool for local arts, entertainment, and events. The DLBP is looking to refurbish the kiosks this next year and will work to make the program even better.

Transparency at Wine & Visitors Center:

The DLBP would like to partner with the Wine & Visitors Center to have an appropriate advertisement for Downtown Lodi at the center to encourage visitors to come Downtown.

Billboards:
We would like to consider partnering with other groups to have a billboard along either Rte.99 or Rte. 5.

Events:
The Downtown Lodi Business Partnership will continue to rely on events held throughout the year to help promote and market Downtown. In addition to our celebratory and signature events, the DLBP will be adding more retail promotions in an effort to increase business for the merchants. A calendar of proposed events for 2006 is enclosed in this packet.

DOWNTOWN LODI
BUSINESS PARTNERSHIP

DEVELOPING A STRATEGIC PLAN

The Board approved a Vision Plan, which included six parts. This is the consolidated action steps from each of you. The Board now needs to establish priorities and a timetable.

1. INVOLVE ALL DOWNTOWN MERCHANTS

- Establish communication methods & guidelines (e-mail, fax, phone, personal visits, newsletter)
- Do a survey with merchants (need to find their expectants, talents, and level of involvement)
- Each Board meeting to include report (merchant visits, involvement, questions, etc.)
- Establish guidelines for Merchant Recognition (New, Anniversary, Awards, Special Events, etc.)

2. PROMOTE DOWNTOWN LODI

- Shop Downtown Campaign (Finish Brochure, Map, Kiosks, Frequent Shoppers, Mystery Shopper)
- Get customer base from merchants during survey and advertise to this base.
- Study of best form of advertising (Web page-need to complete, also review newspaper, T.V., radio, etc.)
- Signs. Need to develop unique signing for every major entrance to Lodi

3. CREATE EVENTS

- Maintain: Large Venues (Farmers Market, Parade of Lights)
- Grow: or discontinue others (Kiddie Parade, Safe Halloween)
- Create: New Venues (Jazz, October Fest, First Night Out, Arts Fair, Christmas Festival)

Downtown Lodi Business Partnership
4 West Pine Street P.O. Box 1565
Lodi, Ca 95240
(209) 369-8052 ph. (209) 369-8053 fax

DOWNTOWN LODI BUSINESS PARTNERSHIP

4. COOPERATE WITH OTHERS ENTITIES

- City
- Chamber
- Vine & Visitors
- All others that have Downtown's interest

The cooperation would be to attend other meetings, tie in with other events, have joint events, share training, share cost. Common newsletter for all entities?

5. EFFECT MERCHANT MIX

- Survey to community, what do they want?
- Why locate Downtown?
- Work with Realtors, City, Etc.
- Develop a list of all merchants and provide direction on desired mix of stores.

6. IDENTIFY OUR DOWNTOWN

- New Slogan
- Review Logo
- Wall Dog Murals
- Tie in All Signing, advertising from all entities to reflect the same logo, theme, slogan.

Downtown Lodi Business Partnership
4 West Pine Street P.O. Box 1565
Lodi, Ca 95240
(209) 369-8052 ph. (209) 369-8053 fax

10/20/2005

DOWNTOWN LODI BUSINESS PARTNERSHIP
FREQUENTLY ASKED QUESTIONS

How are my assessments determined?

Assessment fees for businesses located within the Business Improvement Area (BIA) are calculated as follows:

BENEFIT FEE SCHEDULE

BUSINESS TYPE	ZONE A	ZONE B
Retailers/Restaurants*	$200 (1-3 Employees) $300 (4-6 Employees) $400 (7+ Employees)	$100 $150 $200
Service Businesses	$150	$75
Professional Businesses	$100	$50
Financial Institutions	$500	$500

***Note:** Retail and restaurant businesses are assessed based on the number of employees - either full-time, *or the equivalent* made up of multiple employees.

BUSINESS TYPE DEFINITIONS:

- **Retail and Restaurant** – Businesses that buy and resell goods. Examples would be clothing stores, shoe stores, office supplies, as well as businesses that sell prepared food and drinks.

- **Service Businesses** – Businesses that sell services. Examples are beauty and barber shops, repair shops, lodging, most automotive-oriented businesses, entertainment businesses such as theaters, etc.

- **Professional Businesses** – *Includes architects*, engineers, attorneys, dentists, doctors, accountants, optometrists, realtors, insurance offices, mortgage brokers and most other businesses which require advanced or specialized licenses, and/or advanced academic degrees.

- **Financial Institutions** – Includes banking and savings and loan institutions, as well as credit unions, etc.

When will I be billed?

The DLBP levies annual assessments for businesses residing within the BIA on January 1st of each year. Your assessment fee will be included on your annual business license renewal from the City of Lodi. Payment should be mailed directly to the City of Lodi, who in turn, reimburses 100% of the assessment fee back to the DLBP.

What if my business doesn't directly benefit from the BIA?

But it does! You are a member of a community that derives its strength from cooperative action. You have selected the location of your business because of desirability, status and environment; and as the appearance and success of your business neighborhood improves, these three factors will improve as well.

Do I have to pay?

Yes. This is a legally mandated assessment the same as your business license or property tax. If you do not pay, the City of Lodi will seek relief in the form of collection action, credit report notification, or other legal remedies.

Who can I contact about billing?

Annual assessment billings are a collaborative effort on behalf of the DLBP and the City of Lodi's Finance Department. Should you have questions about your assessment fee, require fee adjustments, or are no longer within the BIA, please contact the DLBP directly at (209) 369-8052.

When Recorded, Return to:
City of Lodi City Clerk's Office
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2006-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI CONFIRMING THE 2006 ANNUAL REPORT FOR THE DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1 AND LEVY OF ASSESSMENT

==========

WHEREAS, Downtown Lodi Business Improvement Area No. 1 was established December 17, 1997, by Council adoption of Ordinance No. 1654; and

WHEREAS, the Annual Report, as required by Streets and Highways Code §36533, has been submitted to the City Council by the Board of Directors of said Improvement Area; and

WHEREAS, a public hearing was held as required by Streets and Highways Code §36524 on January 4, 2006, in the City Council Chambers at Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:00 p.m., or as soon thereafter as possible, to consider protests to the assessment levy.

NOW, THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1) The required public hearing was duly held, at which time the public was allowed to present written or oral protests to the levy of assessment for Downtown Lodi Business Improvement Area No. 1.

2) A majority protest as defined in the Streets and Highways Code §36525 was not made.

3) The 2006 Annual Report as submitted on December 21, 2005, by the Board of Directors of the Improvement Area to the City Council is hereby confirmed as originally filed.

4) The confirmation of the report and adoption of this resolution constitutes the levy of the assessment as contained in the Annual Report for the calendar year 2006.

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2006-____

DECLARATION OF POSTING

PUBLIC HEARING FOR JANUARY 4, 2006, to consider levy of annual (2006) assessment for the Downtown Lodi Business Improvement Area No. 1.

On Thursday December 22, 2005, in the City of Lodi, San Joaquin County, California, a notice of public hearing to approve the Downtown Lodi Business Partnership (DLBP) 2005/2006 Annual Report as submitted by the DLBP Board of Directors, to adopt a Resolution of Intention to levy an annual assessment for that fiscal year was posted at;

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

Executed on December 22, 2005, at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

N:\Administration\CLERK\Forms\DECPOST.DOC

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2005-262

A RESOLUTION OF INTENTION TO LEVY ANNUAL ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1, ESTABLISHING PUBLIC HEARING DATE, AND APPROVING ANNUAL REPORT

==========

WHEREAS, Downtown Lodi Business Improvement Area No. 1 was established December 17, 1997, by Council adoption of Ordinance No. 1654; and

WHEREAS, the Annual Report, as required by Streets and Highways Code §36533, has been submitted to the Council by the Board of Directors of said improvement area.

NOW, THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1. Approved the Annual Report as submitted, said Report being on file with the City Clerk.

2. Establishes **January 4, 2006, in the City Council Chambers, at Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:00 p.m., or soon thereafter as possible, as the date, place, and time to hold the public hearing** required by Streets and Highway Code §36534.

3. It is the intention of the City Council to levy and collect assessments within the parking and business improvement area for calendar year 2006 (the Area's fiscal year).

4. The boundaries of the entire area to be included in the Area and the boundaries of each separate benefit zone within the area are set forth in the Map, *Exhibit A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.

5. The types of improvements and activities proposed to be funded by the levy of assessments on business in the Area are in *Exhibit B hereto and incorporated by reference.

6. At the time of the public hearing, written and oral protests may be made. The form and manner of protests shall comply with Streets and Highways Code §§36524 and 36525.

*NOTE: Information regarding this matter and referenced exhibits may be obtained in the Office of the City Clerk, City Hall, 221 West Pine Street, Lodi, CA, 95240. All interested persons are invited to present their views and comments on this matter. If you challenge the subject matter in court, you may be limited to raising only those issues you are someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk prior to the close of the public hearing.

Dated: December 21, 2005

==========

I hereby certify that Resolution No. 2005-262 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 21, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, and Mounce

NOES: COUNCIL MEMBERS – Beckman and Mayor Hitchcock

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

SUSAN J. BLACKSTON
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: **NOTICE OF PUBLIC HEARING FOR JANUARY 4, 2006, TO CONSIDER LEVY OF ANNUAL (2006) ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1**

LEGAL AD

PUBLISH DATE: **DECEMBER 24, 2005**

TEAR SHEETS WANTED: **Three (3) please**

SEND AFFIDAVIT AND BILL TO:
SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: Thursday December 22, 2005

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

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

LNS Faxed to the Sentinel at 369-1084 at 12:05p (time) on 12/22/05 (date) 2 (pages)
DIANE K Phoned to confirm receipt of all pages at 12:30 (time) ___JLT ✓ DRC ___JMP (initials)

legalad.doc

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

December 24th

all in the year 2005.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 24th day of December 2005.

Diane Rodes

Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication of
Notice of Public Hearing Resolution No. 2005-262
A Resolution of Intetnion to Levy Annual Assessment For Downtown Lodi Business Improvement Area No. 1, Establishing Public Hearing Date, and Approving Annual Report

NOTICE OF PUBLIC HEARING RESOLUTION NO. 2005-262

A RESOLUTION OF INTENTION TO LEVY ANNUAL ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1, ESTABLISHING PUBLIC HEARING DATE, AND APPROVING ANNUAL REPORT

WHEREAS, Downtown Lodi Business Improvement Area no. 1 was established December 17, 1197, by Council adoption of Ordinance No. 1654; and

Whereas, The Annual Report, as required by Streets and Highway Code 36533, has been submitted to the Council by the Board of Directors of said improvement area.

NOW THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1. Approved the Annual Report as submitted, said Report being on file with the City Clerk.

2. Establishes January 4, 2006 in the City Council Chambers, at Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:00 p.m., or soon thereafter as possible, as the date, place, and time to hold the public hearing required by Streets and Highway Code 36534.

3. It is the intention of the City Council to levy and collect assessments within the parking and business improvement area for calendar year 2006 (the Area's fiscal year).

4. The boundaries of the entire area to be included in the Area and the boundaries of each separate benefit zone within the area set forth in the Map, *Exhibit A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.

5. The types of improvements and activities proposed to be funded by the levy of assessments on business in the Area are in *Exhibit B hereto and incorporated by reference.

6. At the time of the public hearing written and oral protests my be made. The form and manner of protests shall comply with Streets and Highway Code 36524 and 36525.

*NOTE: Information regarding this matter and referenced exhibits may be obtained in the Office of the City Clerk, City Hall, 221 West Pine Street, Lodi, CA, 95240. All interested persons are invited to present their views and comments on this matter. If you challenge the subject matter in court, you may be limited to raising only those issues you are someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk prior to the close of the public hearing.

Date: December 21, 2005

I hereby certify that Resolution No. 2005-262 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 21, 2005, by the following vote:

AYES: COUNCIL MEMBERS - Hansen, Johnson, and Mounce

NOES: COUNCIL MEMBERS - Beckman, and Mayor Hitchcock

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: None
December 24, 2005 – 05511020

CITY COUNCIL
SUSAN HITCHCOCK, Mayor
BOB JOHNSON,
Mayor Pro Tempore
JOHN BECKMAN
LARRY D. HANSEN
JOANNE MOUNCE

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

BLAIR KING, City Manager
SUSAN J. BLACKSTON
City Clerk
D. STEPHEN SCHWABAUER
City Attorney

December 22, 2005

Mary L. Wallace, President
Board of Directors
Downtown Lodi Business Partnership
4 West Pine Street
P.O. Box 1565
Lodi, CA 95240

RE: RESOLUTION OF INTENTION TO LEVY ANNUAL ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1 (for calendar year 2006)

The Lodi City Council at its meeting on December 21, 2005 adopted the enclosed Resolution of Intention to Levy Annual Assessment for Downtown Lodi Business Improvement Area No. 1.

A public hearing regarding this matter has been set before the Lodi City Council on Wednesday, **January 4, 2006 in the City Council Chamber at the Carnegie Forum, 305 West Pine Street, Lodi, at 7:00 p.m.** or as soon thereafter as the matter may be heard. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

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, Lodi, at or prior to the public hearing.

Should you have any questions, please feel free to contact my office.

Sincerely,

Susan J. Blackston
City Clerk

AGENDA ITEM J-02a

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Appointment to the Senior Citizens Commission, Site Plan and Architectural Review Committee, and San Joaquin County Mosquito and Vector Control

MEETING DATE: January 4, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Council, by motion action, concur with the Mayor's recommended appointment to the Senior Citizens Commission, Site Plan and Architectural Review Committee, and San Joaquin County Mosquito and Vector Control.

BACKGROUND INFORMATION: As indicated below, the City Clerk's Office was directed to post for these vacancies on the Senior Citizens Commission, Site Plan and Architectural Review Committee, and San Joaquin County Mosquito and Vector Control. It is recommended that the City Council concur with the following appointments.

Senior Citizens Commission

Winona Ellwein Term to expire December 31, 2009 *(posting of vacancy ordered on 11/2/05)*
Phyllis Rabusin Term to expire December 31, 2009 *(posting of vacancy ordered on 11/2/05)*

NOTE: *Eight applicants (2 applications for reappointment, 5 new, one on file);*
published in Lodi News-Sentinel 11/5/05;
application deadline 12/5/05

Site Plan and Architectural Review Committee

Mitchell Slater Term to expire January 1, 2010 *(posting of vacancy ordered on 11/2/05)*

NOTE: *Two applicants (1 application for reappointment, 1 new);*
published in Lodi News-Sentinel 11/5/05;
application deadline 12/5/05

San Joaquin County Mosquito and Vector Control

Jack Fiori Term to expire December 31, 2007 *(posting of vacancy ordered on 11/2/05)*

NOTE: *One applicant (application for reappointment on file);*
published in Lodi News-Sentinel 11/5/05;
application deadline 12/5/05

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

_____
Susan J. Blackston
City Clerk

SJB/JLT

APPROVED: _____
Blair King, City Manager

council/councom/Appointment1.doc

AGENDA ITEM J-02b

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Post for Vacancy on the Lodi Animal Shelter Task Force

MEETING DATE: January 4, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Council, by motion action, direct the City Clerk to post for a vacancy on the Lodi Animal Shelter Task Force.

BACKGROUND INFORMATION: The City Clerk's Office received a letter of resignation from Task Force Member, Linda Hansen (filed). It is, therefore, recommended that the City Council direct the City Clerk to post for the vacancy below.

Lodi Animal Shelter Task Force
Linda Hansen Unspecified term limit

Government Code Section 54970 et seq. requires that the City Clerk post for vacancies to allow citizens interested in serving to submit an application. The City Council is requested to direct the City Clerk to make the necessary postings.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Susan J. Blackston
City Clerk

SJB/JLT

APPROVED: _____
Blair King, City Manager

council/councom/Posting1.doc

AGENDA ITEM **K-01**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Discuss and Select Project Nominations for San Joaquin Council of Governments' One Voice Trip**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council discuss and select project nominations for the San Joaquin Council of Governments' One Voice trip.

BACKGROUND INFORMATION: The San Joaquin Council of Governments (COG) is developing regional priorities in preparation for the annual "One Voice" trip to Washington, D.C., in April 2006. A letter from SJCOG requesting input from the City of Lodi is attached, along with their evaluation criteria check list.

City staff has identified the following projects for consideration, noting that project readiness as indicated by scope, schedule, budget and matching funds is an issue in some cases. This list is not ranked in any priority or preference. A summary of all street projects shown in the current budget, including unfunded projects, is attached. Total project costs (preliminary) are as indicated. The grant request is limited to $5 million, as noted in the COG evaluation check list.

- Police/Fire Training Facility – This project is described in the attached materials prepared by the Police and Fire Departments. This project has good linkage to the San Joaquin Delta College North County campus project. ($5.5 million)
- Highway 99/12 Interchange Improvements – The City has completed Phase 1 of this project (signals, relocation of Beckman Road intersection) and has initiated preliminary engineering work on Phase 2 – widening Highway 12 (Kettleman Lane) under Highway 99 and ramp capacity improvements. Funding this project will be an issue and it will likely need to be a combination of Federal, State and Local funds (as would be the case for any major roadway improvement project). ($20 million)
- Other Highway 99 Interchange Improvements – Ramp/Interchange improvements at Turner Road ($40 million), Victor Road (Highway 12 East) ($36 million) and Harney Lane ($20 million) will all be needed at some point in the future, possibly in conjunction with the North County Delta College campus. Conceptual improvements at Harney Lane have been identified as part of development of the northwest quadrant, while little work has been done at the other interchanges.
- Lockeford Street Widening – This project is an element of the Central City Rail Safety Project, and right-of-way acquisition from the railroad is in progress. Phase 1 improvement – west of Stockton Street is funded in the capital budget, while Phase 2 – Stockton Street to Cherokee Lane is not. ($1.9 million)
- Lodi Avenue Improvements – This project is also following up on the Central City Rail Safety Project in that the railroad tracks in the street are no longer in service. While the City can fund a

---

APPROVED: _____
Blair King, City Manager

maintenance overlay on the remainder of the street, similar to what was done to cover the tracks, a major rehabilitation and upgrade of the street is not funded in the near future. ($2.2 million)

- MSC Vehicle Maintenance Facility – The facility is operating past capacity with several larger vehicles having to currently be maintained outside in the shop yard because they do not fit into the shop bays. This project has some funding included in the City budget, however, we have assumed some funding through the utilities. This project is currently included in the SJCOG Federal Transportation Improvement Program for Federal Transit Administration Section 5307 funding. ($2.2 million)

Staff also notes that SJCOG is recommending "Neighboring Landowner protection for the San Joaquin Multi-species Habitat Conservation Program" as a regional priority. Since this program is one mechanism to help protect open space and agricultural lands, making this a Lodi priority would be appropriate.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

Richard C. Prima, Jr.
Public Works Director

RCP/pmf

Attachments

SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202

209.468.3913 • 209.468.1084 (fax)
www.sjcog.org

NOV 0 4 2005
CITY MANAGER'S OFFICE

November 1, 2005

Gary L. Haskin
CHAIR

John Harris
VICE CHAIR

Andrew Chesley
INTERIM EXECUTIVE DIRECTOR

Member Agencies
CITIES OF ESCALON, LATHROP, LODI, MANTECA, RIPON, STOCKTON, TRACY, AND THE COUNTY OF SAN JOAQUIN

Mayor John Beckman
City of Lodi
221 W. Pine Street
Lodi, CA 95240

Dear Mayor Beckman:

The San Joaquin Council of Governments is once again putting together a regional list of legislative priorities for the annual San Joaquin One Voice trip to be held April 2 – 7, 2006.

This year, we ask that your jurisdiction submit two projects:

- one Regional Transportation project; and
- one Local Transportation project <u>or</u> one Local Non-transportation project

Instructions and checklists are included to help in project selection and submission. Keep in mind that we need each section of the appropriations forms answered completely. It is important that we provide detailed information about our projects, particularly the description and local/state contributions that will be applied to the project, as this information is critical when federal funding decisions are being made.

The San Joaquin Council of Governments will be recommending the following Regional Projects to the list:

- Arch-Sperry Road Improvement Project
- Neighboring Landowner protection for the San Joaquin Multi-species Habitat Conservation Program

We request that your staff complete the enclosed form and checklists for each project and submit to our office by **January 10, 2006**. Please mail the forms to SJCOG, attn: Susan Filios, 555 E. Weber Avenue, Stockton, CA 95202. A CD is enclosed that includes an electronic version of the form, checklists and instructions. If you have questions, please call Ms. Filios at 468-3913, or by e-mail to sfilios@sjcog.org.

Please be aware that each local jurisdiction may also endorse a project by a third party organization or non-profit to be considered by the SJCOG Board for inclusion on the regional list. These projects would need to go before your board or council and approved prior to submission to the San Joaquin Council of Governments.

Your participation in San Joaquin One Voice is instrumental for our continued success. One Voice strengthens our ability to be heard as a unified delegation at the federal level.

Sincerely,

ANDREW T. CHESLEY
Interim Executive Director

cc: Councilmember Larry D. Hansen, SJCOG Board member
Blair King, City Manager

San Joaquin Council of Governments San Joaquin One Voice[sm]
Evaluation Criteria Check List for Prioritizing
Transportation Priority Projects for Federal Appropriations Requests

Name of Project: _____

Project Sponsor: _____

Yes	No	Criteria
☐	☐	1) Project approved as "Regional Priority" by jurisdictions/agency council or board
☐	☐	2) Project identified as transportation or transit
☐	☐	3) Project identified as a prior regional priority
☐	☐	4) Project scope outlined
☐	☐	5) Project schedule outlined
☐	☐	6) Project budget outlined
☐	☐	7) Matching funds and source of funds identified
☐	☐	8) Project partnerships identified
☐	☐	9) Regional project benefits identified
☐	☐	10) Project with a cap of no more than $5 million federal funding request per appropriations cycle
☐	☐	11) Federal funding request linked to phase of project it will fund
☐	☐	12) Project with identified federal funding source

San Joaquin Council of Governments San Joaquin One Voice[sm]
Evaluation Criteria Check List for Prioritizing
Non-Transportation Priority Projects for Federal Appropriations Requests

Name of Project: _____

Project Sponsor: _____

Yes	No	Criteria
☐	☐	1) Project proposed by city or county jurisdiction
☐	☐	2) Project coverage / outreach includes 1 or more jurisdictions
☐	☐	3) Project scope clearly defined and outlined
☐	☐	4) Project schedule identified
☐	☐	5) Project budget identified
☐	☐	6) Matching funds and source of funds identified
☐	☐	7) Regional project benefits identified
☐	☐	8) Project partners identified
☐	☐	9) Federal funding request linked to phase of project it will fund
☐	☐	10) Project with a cap of no more than $5 million federal funding request per appropriations cycle
☐	☐	11) Project with identified federal funding source

APPROPRIATIONS REQUEST FORM FOR FISCAL YEAR 2007

Lodi Police/Fire
Public Safety Training Facility

The appropriations process is intensely competitive, on a national level: completion of a request does not guarantee funding. Additional forms may be required by the Appropriations Committee for all projects.

Organization making request:

City of Lodi
Lodi Police & Fire Department's
221 West Pine Street
Lodi, CA 95240

Contact person(s) in organization:

Blair King, City Manager	(209) 333-6700
Jerry Adams, Chief of Police	(209) 333-6725
Mike Pretz, Lodi Fire Chief	(209) 333-6937

Appropriations Bill/Subcommittee: Homeland Security

Department (if applicable):

Agency:

Agency subdivision, program, activity, account, through which this project would be funded:

Homeland Security

Project Name: Lodi Public Safety Training Facility

Amount being requested: FY 2007: $5,500,000.00

Report language being requested (if any): N/A

Amount/policy in President's budget request for FY 2005 / 2006: Not Known

Federal funding history: No funding history for City of Lodi.

Did you make a similar request last year (for FY 2004)? No request made by City of Lodi.

Sources and amounts of matching funds: San Joaquin Delta College will provide approximately $15,000,000 of bond proceeds approved by voters for land acquisitions.

Project Budget: $5,500,000

Preparation and construction costs associated with a Police & Fire Training Facility would include: a pistol/rifle range; emergency driving area, emergency ordinance disposal area; an area for training against weapons of mass destruction; classrooms for training Police & Fire Basic Academies.

Relevant authorization law/bill/status: Not Known

Current status of project for which request is made:

Strategic planning: meeting with City staff, Lodi City Council and Delta College staff and trustees.

Background/Justification for this request:

Currently the Lodi Police Department, the Lodi Fire Department and San Joaquin Delta College Police & Fire Training Academy, are lacking sufficient area and facilities to adequately train their personnel in firearms usage, weaponless defense skills, search & rescue operations, emergency vehicle operations, fire apparatus usage, explosives destruction and storage, as well as numerous other training issues.

The purpose of this facility would be to provide a "state-of-the-art" training facility to address those concerns listed above. The facility would provide a safe, full-scale training complex in which to train the members of the Lodi Public Safety community, students of San Joaquin Delta College, plus basic and advanced law enforcement and fire personnel from the region. The complex would also be made available, upon request, to other public safety agencies (State, local and Federal), to continue their essential, and mandatory, training needs. Building the facility would enhance cooperation, and working relationships, between the police and fire department areas. It would also provide lesser equipped agencies the highest quality of training available.

The complex would specifically address the areas of law enforcement and firearms training, fire fighting techniques, emergency vehicle operations, such as police vehicles and motorcycles, fire equipment, rescue vehicles and special operations vehicles. The facility would provide for explosives storage and demolition, canine training, physical fitness training and continuing training for "perishable skills" that require consistent use and education. The facility would be integrated into a larger Jr. College Satellite campus, with a Police and Fire Basic Training Academy.

The goal of this project would be to acquire, and construct, a training facility on forty (40) to eighty (80) acres of land, owned by San Joaquin Delta College. This amount of space would be large enough to address immediate training needs and provide for expanding future requirements of the public safety community. The facility/complex must address all areas of training for the various inter-departmental divisions; i.e., SWAT, Basic Academy, firearms, defensive tactics, driver's training, motorcycle training, canine, weapons of mass destruction, fire investigations, special vehicle operation and explosive related incidents. The construction of the facility would meet the needs of the Delta College Police Academy, the Lodi Police Department, the Lodi Fire Department and any allied agency requesting the opportunity to improve and develop a training program to provide the highest quality of service to the public.

The objectives of the facility/complex are to provide:

1. A "state-of-the-art" facility to benefit all participating members of the City and College.
2. A centrally located training area to outside agencies, in an area close enough to respond for calls for service without unnecessary delays.
3. An area of training remote enough not to conflict with other City functions and operations, and not to disrupt the public.
4. A well rounded training environment to adequately train all personnel in all the areas of training mandates and basic academy requirements.

The description of the facility, during the first phases of construction, would be to provide the following:

1. Several areas specifically designed for specialized training to including a pistol/rifle range and emergency vehicle driving course.
2. A classroom, multi-purpose room and support offices for the police academy.
3. A variety of out buildings to accommodate the needs of the training personnel.
4. An oversized parking lot and adequate fencing, lighting and security features to maintain the integrity of the facility. The oversized parking area will allow for personnel parking as well as driver's training exercises and special vehicle deployment training.
5. The facility would provide for "live-fire" ranges. The ranges would be constructed with the latest technology available to ensure complete safety for personnel being trained, staff and the public. The ranges would provide experience in "real world" scenarios that will better equip public safety personnel in successfully handling those calls for service that require specific, accurate and safe resolution.

The facility will also have an Explosive Ordinance Disposal (EOD) site, plus storage for explosive and hazardous components related to EOD investigation and training. The complex will also provide for training and familiarizing personnel with explosives, weapons of mass destruction and mass casualty incidents, while ensuring that student and public safety will be maintained.

The complex, when completed, will provide first responders and the public safety community, with training experience, and location, to adequately respond and successfully handle, calls for service relating to areas of terrorism; whether the threat is suspected or actual. The site selected will provide a centrally located north county area from which to respond, while allowing for a variety of response vehicles and limited aircraft.

From a fire prospective; since the early 1970's the Fire Service has gained increased responsibilities in the areas of emergency medical services, handling of hazardous materials, and technical rescue operations. The recent environment of threats from terrorism has served to multiply these factors. The City of Lodi is intersected by three major transportation routes, including interstate and state highways and the Union Pacific rail line. The community is also strategically located between two major urban port cities: Stockton (eight miles south), and Sacramento (30 miles north). In addition, there are several major air traffic routes to the San Francisco Bay Area that traverse over the region.

There are currently seventeen (17), fire agencies within San Joaquin County. There is only one multi-purpose training facility. It is owned by the Stockton Fire Department and is located behind one of their central fire stations. There is no fire training facility in the north county that can accommodate the multi-company, multi-jurisdictional, multi-disciplines, needed to adequately prepare for the communities emergency response needs. This new partnership, with San Joaquin Delta College, would be a tremendous improvement in resolving a difficult situation.

The facility would include a training tower with fire training capabilities. This would address fire training needs, with respect to maintaining skills, and present new training opportunities. Along

with fire training capabilities, the complex would include specific sites that would accommodate training for the Hazardous Material Response Team and the Technical Rescue Team. These teams represent a county-wide membership and would be used in the event of a weapons of mass destruction attack. The site would include training capabilities for a variety of disciplines within each team function.

What other organizations, in California, Washington DC, or nationally, might be expected to *support* this request?

San Joaquin Delta College (local community college), supports the development of the Public Safety Training Facility with voter approved bond proceeds in excess of $15,000,000 and is currently in the process of a campus land acquisition in the Lodi area.

The San Joaquin County Police Chief's & Sheriff's Association have voted unanimously to support this project and are committed to providing staff and resources to ensure its success.

The Lodi City Council has endorsed the location of a San Joaquin Delta College Satellite Campus in the Lodi area, to include Police & Fire Training Facilities

What other organizations, in California, Washington DC, or nationally, might be expected to *oppose* this request?

None

Is this project completely in California's 11th Congressional District? If not what other districts is this project in?

This is completely in the 11th Congressional District.

Other Comments/Misc. information? None

FY 05/06 Budget-Street Capital Projects
Schedule and Project Costs

(compiled from FY05/06 Budget)

	2005-06	2006-07	2007-08	2008-09	Project Total
Street Maintenance					
Turner Road Reconstruction (LSR > Mills)	$ 40,000	$ 714,000			$ 754,000
Lodi Avenue Overlay (Pacific Ave Extension)\	$ 1,083,000				$ 1,083,000
Stockton Street Reconstruction (Harney > Kettleman)		$ 741,000			$ 741,000
*Hutchins Street Reconstruction (Lodi > Pine)				Unfunded	$ 465,000
Church Street Overlay (Lodi > Lockeford)		$ 450,000			$ 450,000
*Vine Street Reconstruction		Unfunded -design	Unfunded - const.		$ 280,000
*Maple Street Reconstruction (Washington > Cherokee)		Unfunded -design	Unfunded - const.		$ 270,000
Mills Avenue Overlay (Elm > Turner)		$ 15,000	$ 490,000		$ 505,000
Elm Street Overlay (Ham > Hutchins)		$ 15,000	$ 365,000		$ 380,000
Elm Street Overlay (Mills > LSR)		$ 15,000	$ 420,000		$ 435,000
Sacramento Street Reconstruction (Lodi > Tokay)	$ 50,000	$ 75,000			$ 125,000
*Maxwell & Ackerman Overlay		Unfunded			$ 218,000
*Lodi Avenue Reconstruction (UPPR > SR99)			Unfunded		$ 2,250,000
*Walnut Street (School to Sacramento)	Unfunded				$ 163,000
*Walnut Street (Church to School)		Unfunded			$ 182,000
*Oak Street (School to Sacramento)		Unfunded			$ 59,000
*Sacramento Street (Oak to Walnut)			Unfunded		$ 235,000
*Oak Street (Church to School)				Unfunded	$ 45,000
*Locust Street (Church to School)				Unfunded	$ 124,000
*Grapestake Fence Replacement	Unfunded	Unfunded	Unfunded	Unfunded	$ 876,000
Subtotal	$ 1,173,000	$ 2,025,000	$ 1,275,000	$ -	$ 9,640,000
Street Expansion					
Lockeford Street Widening Phase 1	$ 561,000				$ 561,000
*Lockeford Street Widening Phase 2				Unfunded	$ 1,945,000
Lower Sacramento Road Landscaping	$ 300,000				$ 300,000
*Lodi Avenue Driveway at OSH	Unfunded				(developer)
Kettleman Lane/SR99 Interchange (Phase 1)	$ 50,000				$ 50,000
*Kettleman Lane/SR99 Interchange (Phase 2)		Unfunded	Unfunded		$ 200,000
Century Boulevard Extension	$ 638,000				$ 638,000
Subtotal	$ 1,549,000	$ -	$ -	$ -	$ 3,694,000
Traffic Control/Safety					
Computerized Sign Making Equipment	$ 11,000				$ 11,000
New Traffic Signal and Street Lighting Improvements					
Lockeford Street and Sacramento Street	$ 237,000				$ 237,000
Ham Lane and Harney Lane			$ 200,000		$ 200,000
Signal Modifications	$ 70,000				$ 70,000
Church Street/ Lockeford Street					
Lodi Avenue/ Crescent Avenue					
Lodi Avenue/ Stockton Street					
Signal Cabinet/ Controller Equipment Replacement	$ 50,000		$ 25,000		$ 75,000
Elm Street/ Ham Lane					
Church Street/ Lockeford Street					
Preventive Signal Maintenance	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 100,000
Misc. Traffic Equipment/Improvements	$ 5,000				$ 5,000
Subtotal	$ 398,000	$ 25,000	$ 250,000	$ 25,000	$ 698,000
Pedestrian/Bike					
Handicap Retrofit,	$ 150,000	$ 150,000	$ 150,000	$ 150,000	$ 600,000
Miscellaneous					
Pedestrian Improvements	$ 149,000				$ 149,000
Elm Street at Loma Drive Lighted Xwalk					
Mills Avenue S/ Jerry Lane and Yosemite Drive Flashing beacons					
Elm Street W/ Mills Avenue, E/ Loma Drive Flashing beacons					
Mills Avenue and Elm Street Flashing beacon					
Subtotal	$ 299,000	$ 150,000	$ 150,000	$ 150,000	$ 749,000
Total Funded:	$ 3,319,000	$ 1,384,000	$ 1,675,000	$ 175,000	$ 6,553,000
				Total Unfunded:	$ 8,228,000

*Unfunded

AGENDA ITEM **K-02**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Ratification of Employment Agreement Entered into Between City Manager Blair King and Electric Utility Director (selected candidate will be announced and included on the employment agreement at the time of the Council meeting)

MEETING DATE: January 4, 2006

PREPARED BY: City Manager

RECOMMENDED ACTION: Adopt Resolution ratifying the terms of the employment agreement entered into between City Manager Blair King and Electric Utility Director (selected candidate will be announced at the time of the Council meeting).

BACKGROUND INFORMATION: The City Manager will announce the name of the selected candidate for the Electric Utility Director position in a revised Council Communication and employment agreement to be handed out at the Council meeting on January 4, 2006. Sixteen applications were received for the position and interviews were conducted on December 14, 2005 of the top six candidates. The City Manager will complete his interviews and background review of the top three candidates by the time of the Council meeting.

Lodi Municipal Code Section 2.12.060 vests with the City Manager the power to select subordinate staff. The City Manager wishes to provide the terms and conditions related to employment that extends beyond the Manager's authority and therefore requires ratification by the City Council. The proposed Employment Agreement provides for a six-month severance payment if the Electric Utility Director is terminated without cause, and it is a two-year "term" agreement. As has been previously indicated to City Council, it is the Manager's intention to have all members of the Executive Management Team under a "standard" employment agreement. It has been noted previously that the City has evolved into a practice that some members of the City's Executive Management Team have employment agreements with severance provisions while others do not. A copy of the Employment Agreement is attached. The starting salary for this position has been adjusted to reflect a very competitive market for Electric Utility Directors.

FISCAL IMPACT: The hiring of a permanent Electric Utility Director is expected to positively impact the financial stability of this department. One of the areas that will be positively impacted will be a stabilization of the electric energy purchase costs through implementation of a energy risk management policy by the new director. It is anticipated that the new director will also provide financial stability in the areas of rate analysis and operational efficiencies.

FUNDING AVAILABLE: The previous Electric Utility Director was paid $140,628 annually and the budget for this position is $144,425 (the budget included a prospective cost of living increase of $3,797). Funding is available for the Electric Utility Director from savings in the Electric Utility Department budget.

_____
Ruby Paiste, Interim Finance Director

_____
Blair King, City Manager

Attachments: Employment Agreement

EMPLOYMENT AGREEMENT

Executive Management
Exempt Service

Electric Utility Director

THIS AGREEMENT entered into on _____, 2006, by and between the CITY OF LODI, a municipal corporation (hereinafter referred to as "City") and _____, an individual (hereinafter referred to as "Employee").

WHEREAS, City desires to employ the services of Employee as Electric Utility Director; and

WHEREAS, Employee desires to serve as Electric Utility Director for the City beginning January 4, 2006; and

WHEREAS, City and Employee agree in writing to the terms and conditions of employment as Electric Utility Director; and

WHEREAS, Employee and City agree and acknowledge that Employee's employment as Electric Utility Director is his sole and exclusive employment with City, and that their employment relationship is governed solely and exclusively by this Agreement.

NOW, THEREFORE, in consideration of the promises and conditions set forth herein, the parties mutually agree as follows:

1. **Employment:** City agrees to employ Employee as Electric Utility Director, in accordance with the following provisions:

(a) Employee shall serve as Electric Utility Director, and shall be responsible for managing and directing the operations of the Electric Utility Department in accordance with an agreed upon performance plan.

(b) Employee shall perform his duties to the best of his ability in accordance with the highest professional and ethical standards of the profession and shall comply with all general rules and regulations established by the City.

(c) Employee shall not engage in any activity which is or may become a conflict of interest, prohibited contract, or which may create an incompatibility of office as defined under California law. Employee shall comply fully with his reporting and disclosure obligations under regulations promulgated by the Fair Political Practices Commission (FPPC).

(d) Employee agrees to remain in the exclusive employ of the City during the term of this Agreement. Employee shall dedicate his full energies and qualifications to his employment as Electric Utility Director, and shall not engage in any other employment except as may be specifically approved in writing in advance by the City Manager.

2. **Maintenance of Professional Expertise:** To promote continued professional growth and benefit to the City, Employee shall, at City expense and consistent with budgetary constraints: maintain membership in professional organizations related to city utility administration and related professional disciplines; attend workshops, seminars and other similar activities designed to advance Employee's professional development; and, represent the City in professional associations and other organizations.

3. **Term:** The term of the Agreement shall be for a period of two (2) years, commencing _____, until terminated by either party in accordance with the provisions set forth in Paragraph 4, or until terminated by the event of the death or permanent disability of Employee. The Agreement may be renewed, under terms mutually agreed by the parties, no later than eighteen (18) months after commencement of Employee's employment with City.

4. **Resignation or Termination:**

(a) Employee may resign at any time and agrees to give City at least 30 days advance written notice of the effective date of his resignation. In such event, Employee shall not be entitled to severance pay as provided in Paragraph 5 herein.

(b) The parties recognize and affirm that Employee may be terminated by the City Manager with cause, which shall mean gross insubordination, incapacity, dereliction of duty, conviction of a crime involving acts of moral turpitude or involving personal gain to him, or material breach of this Agreement. In such event, Employee shall not be entitled to severance pay as provided in Paragraph 5 herein.

(c) The parties recognize and affirm that Employee may be terminated by the City Manager without cause. In such event, Employee shall be entitled to severance pay as provided in Paragraph 5 herein.

(d) In the event of termination and in recognition of Employee's professional status and integrity, Employee and the City Manager shall prepare a joint public statement to be made by the City Manager. This employment relationship is based on the mutual respect between the parties and a desire to maintain the highest degree of professionalism. In communicating with third parties about the parties' employment relationship and the circumstances under which it may have been severed, the parties shall (a) protect and advance their mutual respect and professionalism, and (b) refrain from making statements that would negatively impact either party.

(e) Employee may choose to resign or retire his office instead of being terminated if agreed to by the City Manager. In such an event the public announcement, as provided for in Paragraph 4 (d) above, will note Employee has resigned or retired. The provisions of Paragraph 4 (d) shall remain applicable.

5. **Severance Pay:** If Employee is terminated by the City Manager without cause while still willing and able to perform the duties of Electric Utility Director, City agrees to pay Employee a cash payment equal to six (6) months' aggregate salary and the City's cost of six (6) months' health insurance benefits subject to reduction as set forth in this Paragraph 5. The severance payment will be paid over time at the same time as other employees of the City are paid and subject to customary withholdings. In the event Employee retains new employment during the six month severance period, any remaining severance payment will be forfeited as of the date Employee begins his new Employment. To be eligible for such severance pay, Employee shall fulfill all of his obligations under this Agreement, and shall sign an Acknowledgment and Release of Claims against the City. Payment under this paragraph will release City from any further obligations under this Agreement, or any other transaction between the parties

6. **Employment as Department Head is Sole Employment with City:** Employee further represents and acknowledges that his employment as Electric Utility Director is his sole and exclusive employment with the City. Employee has no right to any other exempt position with the City, or to any employment in the classified service.

7. **Salary:** City agrees to pay Employee $_____ in salary per annum for his services, payable in installments at the same time as other employees of the City are paid and subject to customary withholding.

8. **Benefits:** The City shall provide Employee the same benefits as provided to management employees in accordance with the terms of the Executive Management Statement of Benefits dated 1998 and as they may be amended, increased or decreased, except as modified herein. These are the sole and exclusive benefits to be provided to Employee. Any improvement or modification of such benefits may only be made by written instrument signed by the City Manager. As used herein, benefits include, but are not limited to: vacation, sick leave, holidays, administrative leave, retirement, vision insurance, health insurance, dental insurance, long term disability insurance and life insurance. Employee's vacation leave shall be calculated as if Employee was in his sixth year of employment (i.e., Employee shall accrue fifteen days of vacation per year increasing from there as provided in the Executive Management Statement of Benefits.) Employee will also earn and accumulate sick leave and vacation as provided in the Executive Management Statement of Benefits.

9. **Performance Evaluation:** The City Manager shall review and evaluate the performance of Employee each year and set goals and objectives for the ensuing year. Such review and evaluation shall be in accordance with specific criteria developed in the performance plan in consultation with Employee and the City Manager.

10. **Assignment:** Employee shall not assign any of the duties and responsibilities, or obligations of this Agreement except with the express written consent of the City Manager.

11. **Authority to Work in the United States:** Employee represents, under penalty of perjury, that he is authorized to work in the United States. In accordance with §274A (8 USC 1324) of the Immigration Reform and Control Act of 1986 before this Agreement can become effective, Employee must provide documentary evidence to City consistent with the Act, that he is legally entitled to work in the United States, and must execute the verification required by that Act.

12. **Cell Phone/Vehicle**: Employee will be provided with a Cell Phone for employment related use at the City's expense on terms consistent with other Executive Managers. Employee will also be provided with access to the Administration Pool Car for work related use on an as available basis.

13. **Notice:** All notices required herein shall be sent first class mail to the parties as follows:

To **CITY:**

City of Lodi
P. O. Box 3006
Lodi, CA 95241-1910

To **EMPLOYEE:**

Notice shall be deemed effectively served upon deposit in the United States mail.

14. Entire Agreement: This Agreement contains the entire agreement between the parties hereto. No promise, representation, warranty, or covenant not included in this Agreement has been or is relied on by any party hereto. This Agreement may only be amended by written instrument signed by Employee and the City Manager and specifically approved by the City Council in open session.

{CONTINUED ON NEXT PAGE}

15. Severability: If any provision of this Agreement is invalid or unenforceable, it shall be considered deleted herefrom and the remainder of this Agreement shall be unaffected and shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year written above.

EMPLOYEE

By: _____

CITY OF LODI, a municipal corporation

By: _____
Blair King
City Manager

ATTEST:

By: _____
Susan Blackston
City Clerk

APPROVED AS TO FORM:

_____
Steve Schwabauer
City Attorney

RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL
RATIFYING THE EMPLOYMENT AGREEMENT
ENTERED INTO BETWEEN CITY MANAGER
AND ELECTRIC UTILITY DIRECTOR

==========

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby ratifies the Employment Agreement entered into between City Manager Blair King and Electric Utility Director_____, as shown on Exhibit A attached hereto.

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2006-____

EMPLOYMENT AGREEMENT

Executive Management
Exempt Service

Electric Utility Director

THIS AGREEMENT entered into on _____, 2006, by and between the CITY OF LODI, a municipal corporation (hereinafter referred to as "City") and _____, an individual (hereinafter referred to as "Employee").

WHEREAS, City desires to employ the services of Employee as Electric Utility Director; and

WHEREAS, Employee desires to serve as Electric Utility Director for the City beginning January 4, 2006; and

WHEREAS, City and Employee agree in writing to the terms and conditions of employment as Electric Utility Director; and

WHEREAS, Employee and City agree and acknowledge that Employee's employment as Electric Utility Director is his sole and exclusive employment with City, and that their employment relationship is governed solely and exclusively by this Agreement.

NOW, THEREFORE, in consideration of the promises and conditions set forth herein, the parties mutually agree as follows:

1. **Employment:** City agrees to employ Employee as Electric Utility Director, in accordance with the following provisions:

(a) Employee shall serve as Electric Utility Director, and shall be responsible for managing and directing the operations of the Electric Utility Department in accordance with an agreed upon performance plan.

(b) Employee shall perform his duties to the best of his ability in accordance with the highest professional and ethical standards of the profession and shall comply with all general rules and regulations established by the City.

(c) Employee shall not engage in any activity which is or may become a conflict of interest, prohibited contract, or which may create an incompatibility of office as defined under California law. Employee shall comply fully with his reporting and disclosure obligations under regulations promulgated by the Fair Political Practices Commission (FPPC).

(d) Employee agrees to remain in the exclusive employ of the City during the term of this Agreement. Employee shall dedicate his full energies and qualifications to his employment as Electric Utility Director, and shall not engage in any other employment except as may be specifically approved in writing in advance by the City Manager.

2. **Maintenance of Professional Expertise:** To promote continued professional growth and benefit to the City, Employee shall, at City expense and consistent with budgetary constraints: maintain membership in professional organizations related to city utility administration and related professional disciplines; attend workshops, seminars and other similar activities designed to advance Employee's professional development; and, represent the City in professional associations and other organizations.

3. **Term:** The term of the Agreement shall be for a period of two (2) years, commencing _____, until terminated by either party in accordance with the provisions set forth in Paragraph 4, or until terminated by the event of the death or permanent disability of Employee. The Agreement may be renewed, under terms mutually agreed by the parties, no later than eighteen (18) months after commencement of Employee's employment with City.

4. **Resignation or Termination:**

(a) Employee may resign at any time and agrees to give City at least 30 days advance written notice of the effective date of his resignation. In such event, Employee shall not be entitled to severance pay as provided in Paragraph 5 herein.

(b) The parties recognize and affirm that Employee may be terminated by the City Manager with cause, which shall mean gross insubordination, incapacity, dereliction of duty, conviction of a crime involving acts of moral turpitude or involving personal gain to him, or material breach of this Agreement. In such event, Employee shall not be entitled to severance pay as provided in Paragraph 5 herein.

(c) The parties recognize and affirm that Employee may be terminated by the City Manager without cause. In such event, Employee shall be entitled to severance pay as provided in Paragraph 5 herein.

(d) In the event of termination and in recognition of Employee's professional status and integrity, Employee and the City Manager shall prepare a joint public statement to be made by the City Manager. This employment relationship is based on the mutual respect between the parties and a desire to maintain the highest degree of professionalism. In communicating with third parties about the parties' employment relationship and the circumstances under which it may have been severed, the parties shall (a) protect and advance their mutual respect and professionalism, and (b) refrain from making statements that would negatively impact either party.

(e) Employee may choose to resign or retire his office instead of being terminated if agreed to by the City Manager. In such an event the public announcement, as provided for in Paragraph 4 (d) above, will note Employee has resigned or retired. The provisions of Paragraph 4 (d) shall remain applicable.

5. **Severance Pay:** If Employee is terminated by the City Manager without cause while still willing and able to perform the duties of Electric Utility Director, City agrees to pay Employee a cash payment equal to six (6) months' aggregate salary and the City's cost of six (6) months' health insurance benefits subject to reduction as set forth in this Paragraph 5. The severance payment will be paid over time at the same time as other employees of the City are paid and subject to customary withholdings. In the event Employee retains new employment during the six month severance period, any remaining severance payment will be forfeited as of the date Employee begins his new Employment. To be eligible for such severance pay, Employee shall fulfill all of his obligations under this Agreement, and shall sign an Acknowledgment and Release of Claims against the City. Payment under this paragraph will release City from any further obligations under this Agreement, or any other transaction between the parties

6. **Employment as Department Head is Sole Employment with City:** Employee further represents and acknowledges that his employment as Electric Utility Director is his sole and exclusive employment with the City. Employee has no right to any other exempt position with the City, or to any employment in the classified service.

7. **Salary:** City agrees to pay Employee $_____ in salary per annum for his services, payable in installments at the same time as other employees of the City are paid and subject to customary withholding.

8. **Benefits:** The City shall provide Employee the same benefits as provided to management employees in accordance with the terms of the Executive Management Statement of Benefits dated 1998 and as they may be amended, increased or decreased, except as modified herein. These are the sole and exclusive benefits to be provided to Employee. Any improvement or modification of such benefits may only be made by written instrument signed by the City Manager. As used herein, benefits include, but are not limited to: vacation, sick leave, holidays, administrative leave, retirement, vision insurance, health insurance, dental insurance, long term disability insurance and life insurance. Employee's vacation leave shall be calculated as if Employee was in his sixth year of employment (i.e., Employee shall accrue fifteen days of vacation per year increasing from there as provided in the Executive Management Statement of Benefits.) Employee will also earn and accumulate sick leave and vacation as provided in the Executive Management Statement of Benefits.

9. **Performance Evaluation:** The City Manager shall review and evaluate the performance of Employee each year and set goals and objectives for the ensuing year. Such review and evaluation shall be in accordance with specific criteria developed in the performance plan in consultation with Employee and the City Manager.

10. **Assignment:** Employee shall not assign any of the duties and responsibilities, or obligations of this Agreement except with the express written consent of the City Manager.

11. **Authority to Work in the United States:** Employee represents, under penalty of perjury, that he is authorized to work in the United States. In accordance with §274A (8 USC 1324) of the Immigration Reform and Control Act of 1986 before this Agreement can become effective, Employee must provide documentary evidence to City consistent with the Act, that he is legally entitled to work in the United States, and must execute the verification required by that Act.

12. **Cell Phone/Vehicle**: Employee will be provided with a Cell Phone for employment related use at the City's expense on terms consistent with other Executive Managers. Employee will also be provided with access to the Administration Pool Car for work related use on an as available basis.

13. **Notice:** All notices required herein shall be sent first class mail to the parties as follows:

To **CITY:**

City of Lodi
P. O. Box 3006
Lodi, CA 95241-1910

To **EMPLOYEE:**

Notice shall be deemed effectively served upon deposit in the United States mail.

14. Entire Agreement: This Agreement contains the entire agreement between the parties hereto. No promise, representation, warranty, or covenant not included in this Agreement has been or is relied on by any party hereto. This Agreement may only be amended by written instrument signed by Employee and the City Manager and specifically approved by the City Council in open session.

{CONTINUED ON NEXT PAGE}

15. Severability: If any provision of this Agreement is invalid or unenforceable, it shall be considered deleted herefrom and the remainder of this Agreement shall be unaffected and shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year written above.

EMPLOYEE

By: _____

CITY OF LODI, a municipal corporation

By: _____
Blair King
City Manager

ATTEST:

By: _____
Susan Blackston
City Clerk

APPROVED AS TO FORM:

_____
Steve Schwabauer
City Attorney

AGENDA ITEM **K-03**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Receive update on Status of Community Separator/Greenbelt Task Force and provide input to staff regarding future direction of the Task Force.

MEETING DATE: January 4, 2006

PREPARED BY: Lynette Dias, Contract Planner

RECOMMENDED ACTION: Receive update on progression of Lodi Community Separator/Greenbelt Task Force, provide direction for future committee discussions, and authorize staff to seek additional consultant services to form the Task Force's future work.

BACKGROUND INFORMATION: Since the late-1990's, the City has actively pursued the establishment of a greenbelt separator between Lodi and its' surroundings. The process of establishing a greenbelt separator began with creating the Lower Lodi Agricultural Land Conservation Program with a grant from the Department of Conservation and Great Valley Center. Through this program, the 2x2x2 Greenbelt Committee was formed with two council member representatives each from the Cities of Lodi and Stockton, and the San Joaquin County Board of Supervisors. Consensus regarding the direction of the 2x2x2 efforts, however, broke-down in 2001, when the City of Stockton wanted to increase the study area and expand the scope and participation of other agencies and groups in the greenbelt process. Attachment 1 provides a summary and chronology of greenbelt activities from 1999 through present.

Task Force – Finding it prudent to keep Lodi's greenbelt efforts moving forward, Council established the 19-member Lodi Community Separator/Greenbelt Task Force in December 2003 to "explore and investigate the variety of models available, and as utilized in various cities, to accomplish the community separation/open space goal, and make a recommendation to the City Council for the option that works best for Lodi." Persons selected to participate on the Task Force are representative of the local community, including residents, businesses, area landowners, the wine industry, agricultural/farming industry, and building industry.

The Task Force has worked diligently over the past two years to accomplish its goal, meeting 16 times since December 2003. After receiving a number of presentations about greenbelt programs in other communities, the Task Force is now working on developing a program for a Community Separator/Greenbelt Program that can be supported by a majority of the Task Force and then forwarded to the City Council for consideration. A preliminary draft program was presented to the Task Force by City staff in 2004. The Task Force has been discussing the draft program at the last several meetings. An outline of this program is provided below.

- Target Area – Program targets preservation of the area located east-to-west between Highway 99 and Interstate 5 with a focus on the area between Highway 99 and west of Lower Sacramento Road, and ½-mile north and south of Armstrong Road.

APPROVED: _____
Blair King, City Manager

- Continuation of Agricultural Uses – Provide for a program that allows a continuation of agricultural uses as currently provided in the San Joaquin County Zoning Ordinance. Additionally, allow the development of a limited number of houses, as follows:
    - One credit (i.e., unit) per 10 acres of ownership pro-rated to actual parcel size upon program adoption;
    - One credit, as above, in 20 years;
    - Credits must be used within the target area;
    - Maximum size of a new housing unit parcel is 1 acre or ½ acre (consensus on size not yet reached);
    - Revise the City's Right-to-Farm Ordinance as recommended by the farming community;
    - Provide for limited public improvements that promote the rural setting;
    - Annex the entire target area, and provide sewer and water service along Armstrong Road. Other services could be provided, as well;
    - Property owners vote on the program.

In late-2004, owners of property who would be affected by the concepts under consideration in the draft program, if implemented, voiced their opposition to it. In response, the Task Force requested that the property owners organize and develop a program that would be acceptable to them, as long as it would achieve the City's objective of establishing a greenbelt/community separator in the target area. It is anticipated that the property owners will make a presentation to the Task Force perhaps on January 17, 2006.

At the November 2005 Task Force meeting, implementation scenarios of the preliminary draft program were presented graphically to the group (Attachment 2). Overall, Task Force members agreed that the graphics provided were helpful in understanding the implications of the preliminary draft program, particularly in discerning the difference in agricultural/open space land preserved if 1-acre lots are allowed versus ½-acre lots. After taking comments from the public, the Task Force concluded that it would be difficult for them to proceed much further (i.e., develop a program that the majority of the members would support) without further information related to the fiscal and economic effects of the program. In particular, Task Force members were interested in understanding the monetary value of a credit, the municipal cost implications of extending public sewer and water services to the Greenbelt Target Area, and other alternative programs that could be explored (e.g., Memorandum of Understanding between Lodi and Stockton, growth control initiatives, transfer of development credit programs).

Given the Task Force's interest in additional information, the Task Force requested that staff: 1) update the City Council on their progress to date including the preliminary draft program and the potential implementation scenario exhibits that were presented to the Task Force; and 2) request that the Council consider approving some consultant funding to provide the Task Force with further information related to the fiscal and economic effects of the program. Given that the Council is also considering initiating a comprehensive General Plan update at tonight's meeting, as well, it may be beneficial to ensure that this Task Force's efforts are coordinated with the efforts of the consultant selected to update the General Plan. Coordinating the southern greenbelt efforts with the Citywide General Plan update is particularly important because the comprehensive update may provide for a greenbelt area that is larger than the target area currently focusing on ½-mile north and south of Armstrong Road.

Some potential alternative next steps for the Task Force include:

- End Task Force discussions and incorporate a Greenbelt program into the upcoming General Plan update; or
- Suspend Task Force deliberations and direct staff to hire fiscal and economic consultant to prepare a study on the cost implications of extending public services to the target area and the value of a credit. Task Force deliberations would resume after the fiscal study was complete; or
- Continue Task Force deliberations, including establishing more detailed requirements for the Greenbelt study area to be included in a Specific Plan for the target area, which could be incorporated into the General Plan update.

Council direction related to the future direction of the Task Force will be relayed to its members at their next scheduled meeting on January 17, 2006.

ENVIRONMENTAL DETERMINATION: Not applicable. The committee's deliberations do not constitute a "project" under Public Resources Code Section 21065 or CEQA Guidelines Section 15378 and, therefore, are not subject to environmental review.

FISCAL IMPACT: The cost varies depending on which alternative next step is selected. Having a consultant to determine fiscal and economic effects of the program is unknown at this time. Proposals would have to be obtained.

FUNDING AVAILABLE: The source of funding would be identified when the cost proposals would be solicited.

_____
Ruby Paiste, Interim Finance Director

_____
Randy Hatch
Community Development Director

Attachments: 1 - Chronology of Greenbelt Activities
2 - Draft Greenbelt Program Implementation Exercise Graphics

cc:

M E M O R A N D U M

DATE: December 21, 2005

TO: Honorable Mayor Hitchcock and Members of the City Council

FROM: Lynette Dias, Planning Consultant

SUBJECT: Draft Greenbelt Program Implementation Scenarios

At its October 4, 2005, meeting, the Community Separator/Greenbelt Task Force (Task Force) requested that staff provide a few graphic scenarios indicating what their Draft Greenbelt Program might look like, if implemented with ½ acre parcels and 1-acre parcel residential lots. To respond to this request, the following graphics were presented to the Task Force at their November 15, 2005, meeting.

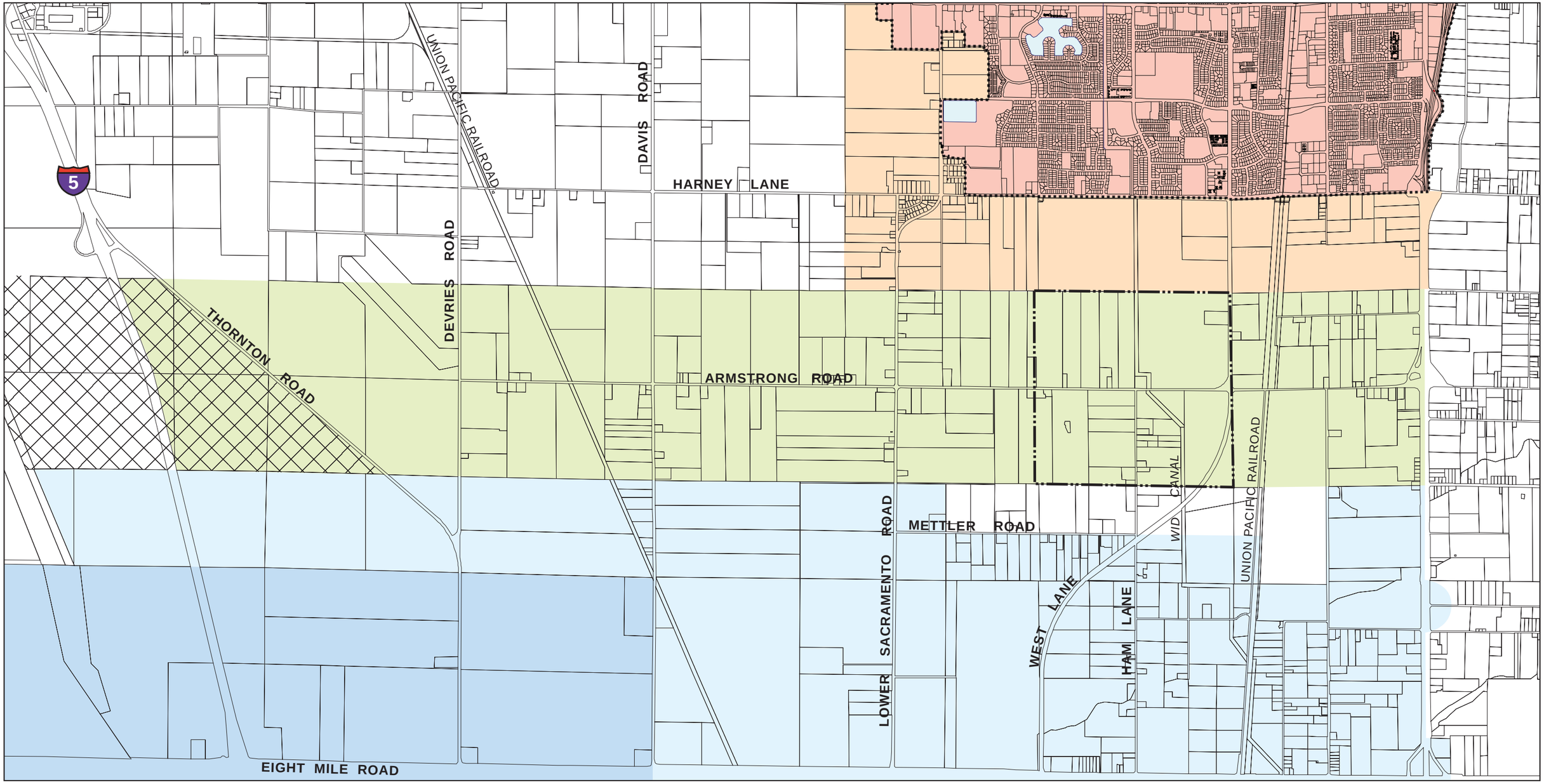
Exhibit 1 – Provides a vicinity map of the approximate six square mile greenbelt target area (shown in green), as well as the existing and proposed City of Stockton Sphere's of Influence (shades of blue), and the existing City of Lodi corporate limits and Sphere of Influence (shades of orange). The one square mile implementation scenario study area is also identified, located around the intersection of Armstrong Road and Ham Lane, west of West Lane.

Exhibit 2 – Provides the existing parcel configuration and associated acreages for the implementation study scenario area.

Exhibit 3 through 8 – Provides six implementation scenarios of the Draft Greenbelt Program. Assumptions for each scenario are provided, such as the number of units developed, size of parcels allowed, and amount of area ultimately preserved as open space. Scenarios 1A, 2A, 3, and 4 assume that the area is Master Planned, meaning a coordinated planning effort occurred whereby some existing parcels are merged to allow more efficient use of driveways, site layout, and extension of public services/utilities (e.g., sewer, water, storm drainage, power) to the new residences. Scenarios 1B and 2B assume development within the area occurs within the existing parcel configurations.

Exhibit 9 – Provides an Acreage Area and Distance Guide to help visually understand how the one square mile implementation study area could be subdivided into smaller parcel areas and distances.

Exhibit 1



SOURCE: CITY OF LODI, 2005; CITY OF STOCKTON, 2005; SAN JOAQUIN COUNTY LAFCO, 2005.

N

0 1250 2500
FEET

IMPLEMENTATION SCENARIOS STUDY AREA
GREENBELT TARGET AREA
CITY OF LODI WHITE SLOUGH WATER POLLUTION CONTROL FACILITY
CITY OF STOCKTON CURRENT SPHERE OF INFLUENCE
PROPOSED EXTENSION OF CITY OF STOCKTON SPHERE OF INFLUENCE
CITY OF LODI
CITY OF LODI SPHERE OF INFLUENCE

Lodi Greenbelt Task Force Committee
Target Area Vicinity Map

Exhibit 2

SOURCE: CITY OF LODI

Implementation Study Area

1-Square Mile Area

0 350 700 FEET

1 sq. inch = 10 acres (435,600 sq ft.)

Note: Acreage rounded to nearest whole number; acreage correct within ±2 acres.

Lodi Greenbelt Task Force Committee
Implementation Development Study Area

Exhibit 3

Scenario 1A – Master Planned Development–Assumes One, 1-acre Credit per 10 Acres

Implementation Scenario Study Area	= 618 acres
Existing Small Parcels (i.e., 19 parcels)	= 36 acres
Total Study Area	= 654 acres

Assumptions

- Master Planned
- Existing Small Parcels developed with 1 SFR per parcel (i.e., 19 SFR's)
- Residential credits: One,1-acre lot per 10 acres of agriculture
- Agricultural buffer of 330 feet (i.e., 1/16-mile) assumed along all roadways
- Goal – 90% Ag/Open Space Preserved; 10% Developed

Resulting Residential Credits

Residential Credits	57 acres	57 SFR's	9.3%	Developed
Ag/Open Space	561 Acres	0	90.7%	Preserved
Total	618 acres	57 SFR's	100%	Goal Achieved

Existing Small Parcel Development

Developed	36 acres	19 SFR's	100%	Developed
Ag/Open Space	0 Acres	0	0%	Preserved
Total	36 acres	19 SFR's	100%	Goal *Not* Achieved

Total Study Area Development

Residential Credits	57 acres	57 SFR's	8.7%	Developed
Small Parcels	36 acres	19 SFR's	5.5%	Developed
Ag/Open Space	561 acres	0	85.8%	Preserved
Total Study Area	654 acres	76 SFR's	100%	Goal *Not* Achieved

LEGEND

- Existing Small Parcels (~10 acres or less)
- New, Residential Credit Parcels
- AG/Open Space Area
- AG/Open Space Buffer Area (From Roadway to Dashed Line)
- Woodbridge Irrigation District Canal
- Roadways

Exhibit 4

Scenario 1B – No Planned Development–Assumes One, 1-acre Credit per 10 Acres

Implementation Scenario Study Area	= 618 acres
Existing Small Parcels (i.e., 19 parcels)	= 36 acres
Total Study Area	= 654 acres

Assumptions

- Following existing parcelization (i.e., no master planning)
- Existing Small Parcels developed with 1 SFR per parcel (i.e., 19 SFR's)
- Residential credits: One, 1-acre lot per 10 acres of agriculture
- No defined agricultural buffer; all residential development set back 100± feet from roadway
- Goal – 90% Ag/Open Space Preserved; 10% Developed

Resulting Residential Credits

Residential Credits	54 acres	54 SFR's	8.7%	Developed
Ag/Open Space	564 Acres	0	91.3%	Preserved
Total	618 acres	54 SFR's	100%	Goal Achieved

Existing Small Parcel Development

Developed	36 acres	19 SFR's	100%	Developed
Ag/Open Space	0 Acres	0	0%	Preserved
Total	36 acres	19 SFR's	100%	Goal *Not* Achieved

Total Study Area Development

Residential Credits	54 acres	54 SFR's	8.3%	Developed
Small Parcels	36 acres	19 SFR's	5.5%	Developed
Ag/Open Space	564 acres	0	86.2%	Preserved
Total Study Area	654 acres	76 SFR's	100%	Goal *Not* Achieved

LEGEND

- Existing Small Parcels (~10 acres or less)
- New, Residential Credit Parcels
- AG/Open Space Area
- Woodbridge Irrigation District Canal
- Roadways

Exhibit 5

Scenario 2A – Master Planned Development–Assumes One, ½-acre Credit per 10 Acres

Implementation Scenario Study Area	= 618 acres
Existing Small Parcels (i.e., 19 parcels)	= 36 acres
Total Study Area	= 654 acres

Assumptions

- Master Planned
- Residential credit: One, ½-acre lot per 10 acres
- Existing Small Parcels developed with 1 SFR per parcel (i.e., 19 SFR's)
- Agricultural buffer of 330 feet (i.e., 1/16-mile) assumed along all roadways
- Goal – 90% Ag/Open Space Preserved; 10% Developed

Resulting Residential Credits

Residential Credits	28.5 acres	57 SFR's	4.6%	Developed
Ag/Open Space	589.5 Acres	0	95.4%	Preserved
Total	618 acres	57 SFR's	100%	Goal Achieved

Existing Small Parcel Development

Developed	36 acres	19 SFR's	100%	Developed
Ag/Open Space	0 Acres	0	0%	Preserved
Total	36 acres	19 SFR's	100%	Goal *Not* Achieved

Total Study Area Development

Residential Credits	28.5 acres	57 SFR's	4.4%	Developed
Small Parcels	36 acres	19 SFR's	5.5%	Developed
Ag/Open Space	589.5 acres	0	90.1%	Preserved
Total Study Area	654 acres	76 SFR's	100%	**Goal Achieved**

LEGEND

- Existing Small Parcels (~10 acres or less)
- New, Residential Credit Parcels
- AG/Open Space Area
- AG/Open Space Buffer Area (From Roadway to Dashed Line)
- Woodbridge Irrigation District Canal
- Roadways

Scenario 2B – No Planned Development–Assumes One, ½-acre Credit per 10 Acres

Implementation Scenario Study Area	= 618 acres
Existing Small Parcels (i.e., 19 parcels)	= 36 acres
Total Study Area	= 654 acres

Assumptions

- Follows existing parcelization (i.e., no master planning)
- Residential credits: One, ½-acre lot per 10 acres of agriculture
- Existing Small Parcels developed with 1 SFR per parcel (i.e., 19 SFR's)
- No defined agricultural buffer; all residential development set back 100± feet from roadway
- Goal – 90% Ag/Open Space Preserved; 10% Developed

Resulting Residential Credits

Residential Credits	27 acres	54 SFR's	4.4%	Developed
Ag/Open Space	591 Acres	0	95.6%	Preserved
Total	618 acres	54 SFR's	100%	Goal Achieved

Existing Small Parcel Development

Developed	36 acres	19 SFR's	100%	Developed
Ag/Open Space	0 Acres	0	0%	Preserved
Total	36 acres	19 SFR's	100%	Goal *Not* Achieved

Total Study Area Development

Residential Credits	27 acres	54 SFR's	4.1%	Developed
Small Parcels	36 acres	19 SFR's	5.5%	Developed
Ag/Open Space	591 acres	0	90.4%	Preserved
Total Study Area	654 acres	73 SFR's	100%	**Goal Achieved**

LEGEND

- Existing Small Parcels (~10 acres or less)
- New, Residential Credit Parcels
- AG/Open Space Area
- AG/Open Space Buffer Area (From Roadway to Dashed Line)
- Woodbridge Irrigation District Canal
- Roadways

Exhibit 7

Scenario 3 – Master Planned Development–Assumes Two, 1-acre Credits per 10 Acres (after 20 years)

Implementation Scenario Study Area	= 618 acres
Existing Small Parcels (i.e., 19 parcels)	= 36 acres
Total Study Area	= 654 acres

Assumptions

- Master Planned
- Residential credits: Two, 1-acre lots per 10 acres of agriculture
- Existing Small Parcels developed with 1 SFR per parcel (i.e., 19 SFR's)
- Agricultural buffer of 330 feet (i.e., 1/16-mile) assumed along all roadways
- Goal – 80% Ag/Open Space Preserved; 20% Developed

Resulting Residential Credits

Residential Credits	114 acres	114 SFR's	18.4%	Developed
Ag/Open Space	504 Acres	0	81.6%	Preserved
Total	618 acres	114 SFR's	100%	Goal Achieved

Existing Small Parcel Development

Developed	36 acres	19 SFR's	100%	Developed
Ag/Open Space	0 Acres	0	0%	Preserved
Total	36 acres	19 SFR's	100%	Goal *Not* Achieved

Total Study Area Development

Residential Credits	114 acres	114 SFR's	17.4%	Developed
Small Parcels	36 acres	19 SFR's	5.5%	Developed
Ag/Open Space	504 acres	0	77.1%	Preserved
Total Study Area	654 acres	133 SFR's	100%	Goal *Not* Achieved

LEGEND

- Existing Small Parcels (~10 acres or less)
- New, Residential Credit Parcels
- AG/Open Space Area
- AG/Open Space Buffer Area (From Roadway to Dashed Line)
- Woodbridge Irrigation District Canal
- Roadways

Exhibit 8

Scenario 4 – Master Planned Development –Assumes Two, ½-acre Credits per 10 Acres (after 20 years)

Implementation Scenario Study Area	= 618 acres
Existing Small Parcels (i.e., 19 parcels)	= 36 acres
Total Study Area	= 654 acres

Assumptions

- Master Planned
- Residential credit: Two, ½-acre lots per 10 acres of agriculture
- Existing Small Parcels developed with 1 SFR per parcel (i.e., 19 SFR's)
- Agricultural buffer of 330 feet assumed along all roadways
- Goal – 80% Ag/Open Space Preserved; 20% Developed

Resulting Residential Credits

Residential Credits	57 acres	114 SFR's	9.3%	Developed
Ag/Open Space	561 Acres	0	90.7%	Preserved
Total	618 acres	114 SFR's	100%	Goal Achieved

Existing Small Parcel Development

Developed	36 acres	19 SFR's	100%	Developed
Ag/Open Space	0 Acres	0	0%	Preserved
Total	36 acres	19 SFR's	100%	Goal *Not* Achieved

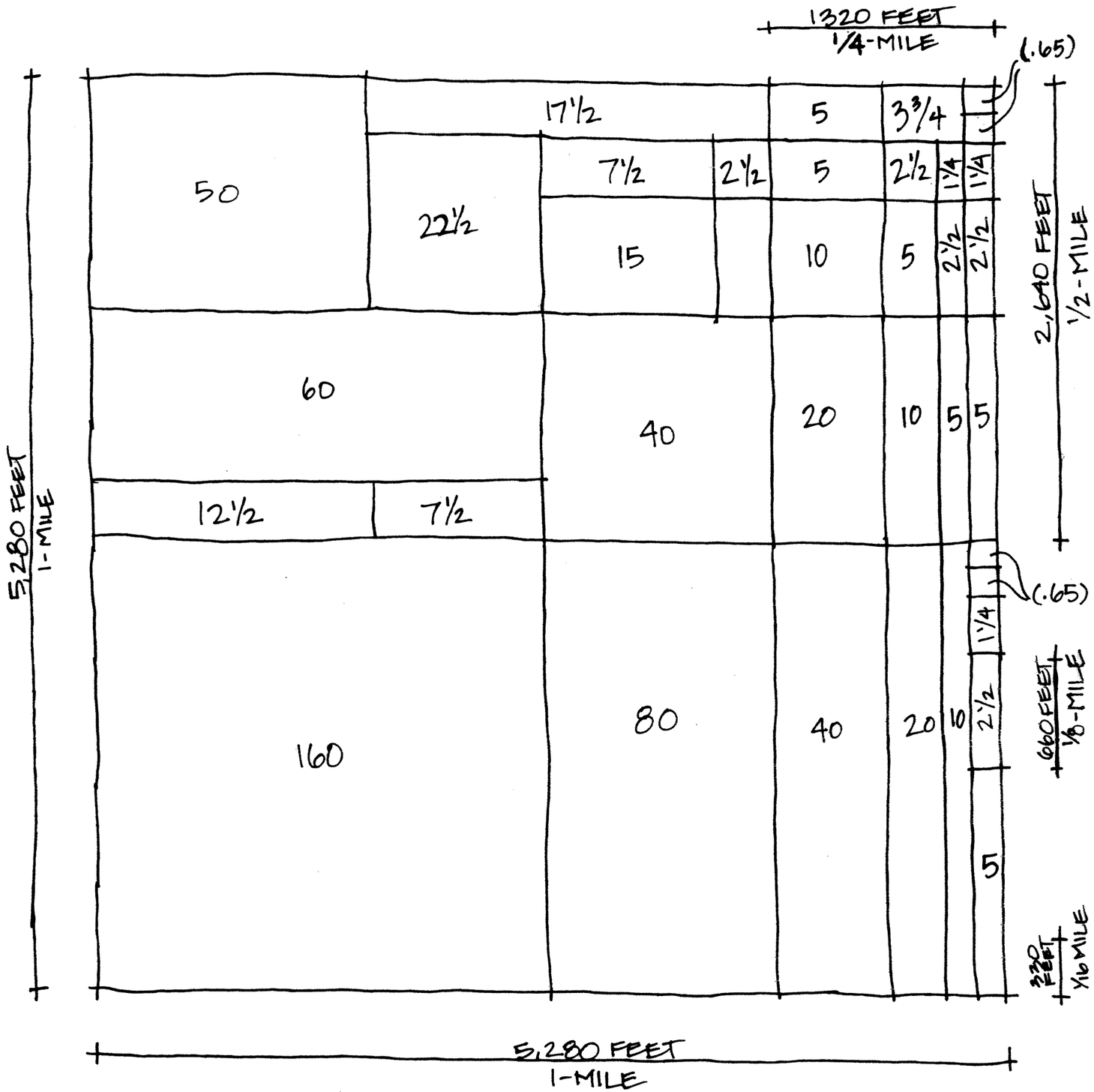
Total Study Area Development

Residential Credits	57 acres	114 SFR's	8.7%	Developed
Small Parcels	36 acres	19 SFR's	5.5%	Developed
Ag/Open Space	561 acres	0	85.8%	Preserved
Total Study Area	654 acres	133 SFR's	100%	**Goal Achieved**

LEGEND

- Existing Small Parcels (~10 acres or less)
- New, Residential Credit Parcels
- AG/Open Space Area
- AG/Open Space Buffer Area (From Roadway to Dashed Line)
- Woodbridge Irrigation District Canal
- Roadways

Exhibit 9



ACREAGE AREA & DISTANCE GUIDE

NOTES:

- NUMBERS IN BOXES INDICATE ACRES
- 1 SQUARE-INCH = 10 ACRES
- TOTAL AREA DEPICTED = 1 SQUARE MILE
- 1 SQUARE MILE = 640 ACRES
- 1 ACRE = 43,560 FEET

GREENBELT ACTIVITIES
SUMMARY AND CHRONOLOGY OF EVENTS

SUMMARY

In 1999, the City of Lodi identified the establishment of an Open Space/Greenbelt policy as a major City goal. It was envisioned that an Open Space/Greenbelt policy would protect agricultural and viticultural resources, discourage premature development of agricultural land, and maintain adequate separation between Lodi and its surroundings. This goal was to be implemented through a two-phase process.

The first phase in achieving this objective was the creation of the Lower Lodi Agricultural Land Conservation Program (LLALCP). The City applied for and received funding to develop the program through both the Department of Conservation's Agricultural Land Stewardship Program (ALSP) and the Great Valley Center's LEGACI Program. The objectives through Phase I of the LLALCP were to conduct public surveys, hold public meetings, identify land suitable for preservation, and develop a landowner database in the target area.

After funding approval for the LLALCP was complete, the 2x2x2 Greenbelt Committee was formed in a multi-jurisdictional effort by the cities of Lodi and Stockton and San Joaquin County to preserve open space within the county, specifically between the city boundaries. The Committee consisted of two representatives each from the Lodi and Stockton City Councils and two from the County Board of Supervisors. This task force was charged with studying the feasibility of preserving a greenbelt lying between I-5 and Highway 99 and between Eight Mile Road and Highway 12. After conducting public outreach and through a series of meetings, the Committee developed recommendations to the City Councils and Board of Supervisors as to the optimum approach for creating a greenbelt. This (Phase I) of the program was completed and the Lodi City Council adopted the recommendations on April 17, 2002. The end of Phase I concluded funding from the Department of Conservation.

Phase II of the LLALCP was renamed the "Lodi-Stockton Community Separator" and involved financial support from each of the three jurisdictions. Phase II would have evaluated agricultural land preservation tools according to the approved 2x2x2 Committee recommendations and updated the City's policies for preserving agricultural lands. Implementation of the chosen method of preservation was scheduled to commence on June 30, 2001. However, the Stockton City Council passed a resolution requiring an increase in the study area and increased participation by several other agencies and groups. Stockton's broadening of the scoping process was not acceptable to Lodi and the County. As a result, this process essentially came to an end and Phase II was never initiated.

The City of Lodi Greenbelt Task Force was established in December 2003 by then Mayor Susan Hitchcock. The goal of the Task Force is to: "Explore and investigate the variety of models available, and as utilized in various cities, to accomplish the community separation/open space goal and make a recommendation to the City Council for the option that works best for Lodi." The 19-member group met regularly from March to July 2004. At that point, the group took a hiatus in order to deal with agricultural issues of some of the membership. Upon returning to the regular meeting schedule in October, 2004, a draft program to accomplish the City's objectives of establishing a greenbelt was presented to the Task Force.

Draft Community Separator/Greenbelt Program Summary:

- Minimum target area: runs between HWY-99 and I-5, ½ mile north and south of Armstrong Road
- Provide for a program that allows for a continuation of agricultural uses as currently provided in the County Zoning Ordinance. Additionally, allow the development of a limited amount of houses as follows:
    - One credit (unit) per 10 acres of ownership pro-rated to actual parcel size upon program adoption
    - One credit as above in 20 years
    - The use of a credit must take place within the target area
    - The maximum size of a parcel for a housing unit is ½ to 1 acre
    - Revise the Right-to-Farm Ordinance as recommended by the farming community
    - Provide for limited public improvements that promote the rural setting
    - Annex the entire target area and provide sewer and water service along Armstrong Road
    - Property Owner vote on the program

The Task Force met in November and December 2004 to discuss the draft program and try to reach consensus on a recommendation to the City Council; however there was a group of affected property owners who were not supportive of the program and as a result, consensus on a recommendation was not reached. The Task Force requested that the property owners with concerns regarding the draft program develop a recommendation for a program that would be acceptable to them and the Task Force agreed to take a hiatus to allow the property owners time to develop their recommendation. The Task Force reconvened in November 2005 to receive the alternative land plan for the target area from the landowners. Unfortunately, the landowners were not yet prepared to present their plan to the group.

The Task Force last met in December 2005 to receive a presentation on six potential implementation scenarios of their Draft Program with lot sizes ranging from ½-acre to 1-acre in size. After receiving the presentation, the Task Force decided they now needed detailed financial information to understand if the program they have developed is fiscally feasible for the City to implement, including how much it would cost to extend and maintain public services to the target area, and what the value of a credit might be included in the Draft Program.

City of Lodi Community Separator/Greenbelt Task Force Members:

Cliff Bradshaw, Dentist
Ann Cerney, Attorney
Mark Chandler, Wine Industry
Jasbir Gill, Doctor/Landowner
Pete Hetzner, Optometrist
Susan Hitchcock, Councilmember/Educator
Kevin Sharrar, Building Industry Association
Carl Fink, Landowner
Patrick Johnston, Former State Senator
Robin Knowlton, Environmentalist
Bob Lauchland, Farmer/Landowner
Robert Matthius, Retire Bishop ELCA
Pat Patrick, Chamber of Commerce
Randy Snider, Real Estate
Bill Cummins, Pastor
Bruce Fry, Farmer/Landowner
Gina Moran, Planning Commissioner (replaced former Planning Commissioner, David Phillips)

Changes to the Task Force membership since December 7, 2004 meeting:

- Christina Cross, Health Services – Resigned.
- David Phillips, Planning Commission representative – Resigned. Replaced with Planning Commissioner, Gina Moran.
- Katelin Grant, Student – Resigned.

Associated Activities:

In addition to the Greenbelt Task Force, there are a number of associated activities and discussions occurring throughout the County. The Sierra Club has been active in challenging large scale development in the south County and has been discussing Sphere of Influence actions with the City of Stockton. Joe Peterson, formerly of the Farm Bureau, has introduced a dialogue regarding a "Farm Belt" concept. The Centrally Valley Land Trust was recently formed through mergers of Merced, Stanislaus, and Sacramento County land trusts. The Land Trust's mission is to protect agricultural and other open space uses.

2x2x2 Committee Members:

- City of Lodi: Mayor Alan Nakanishi and Councilmember Susan Hitchcock
- City of Stockton: Councilmembers Ann Johnston and Frank Ruhstaller
- San Joaquin County: Supervisors Victor Mow and Jack Sieglock

CHRONOLOGY OF GREENBELT ACTIVITIES

February 3, 1999
Lodi Resolution No. 99-21

- Council approves filing of application for Planning Grant with Department of Conservation

October 25, 1999
2x2x2 Greenbelt Committee Meeting (1st)

- Approve the formation of the Task Force
- Agree that County will be the lead
- Discussion of what area to focus on, steps to take

December 13, 1999
2x2x2 Greenbelt Committee Meeting (2nd)

- an agreement was needed between all three jurisdictions to guarantee the endurance of conservation efforts
- some task force members expressed the feeling that development was a right and others felt it was a privilege
- discussion of a moratorium on growth in the focus area until a decision could be reached – no consensus on this idea

January 24, 2000
2x2x2 Greenbelt Committee Meeting (3rd)

- County presents the Community Separator concept – the concept would mark the beginning of an effort to provide separation between other cities in the county – while separate and distinct from the efforts of the task force, community separators would be a countywide open space effort

<u>March 1, 2000</u>
Lodi Resolution No. 2000-31

- Approval of consultant contract (Moore, Iacafano, and Goltsman) for conducting Community Separator study

<u>April 26, 2000</u>
Staff Meeting

- Mapping of timeline for future meetings, community forums, and approach to presenting the formalized idea of open space/farmland preservation to the community and property owners

<u>June 30, 2000</u>
Staff Planning Meeting with Greenbelt Consultant

- Formalization of study area, data products including vegetation and habitat maps, property ownership, and Williamson Act lands were prepared – decided what data products were needed for 2x2x2 Committee meetings

<u>July 27, 2000</u>
2x2x2 Greenbelt Committee Meeting (4th)

- Open to the public, 30 audience persons were present
- Background information was presented; task force members and the public expressed their views on growth in the area, and what, if anything, should be done about it.

<u>November 13, 2000</u>
Lodi Community Forum

- 80 attendees
- Intended to gauge public interest in the idea of farmland preservation
- Presentation, small discussion groups facilitated by consultant staff, presentation of group sentiments to whole body
- Results: desire to see agriculture and the agricultural way of life preserved, farming and agriculture have value and should be protected – however, any kind of preservation (i.e. purchase of property, or purchase of development rights) should be done equitably and with respect to the "rights" of property owners; there seemed to be some confusion about the distinction between rights and privileges when it come to development.

<u>November 16, 2000</u>
Stockton Community Forum

- 40 attendees
- Intended to gauge public interest in the idea of farmland preservation
- Presentation, small discussion groups facilitated by consultant staff, presentation of group sentiments to whole body
- Results: desire to see agriculture and the agricultural way of life preserved, farming and agriculture have value and should be protected – however, any kind of preservation (i.e. purchase of property, or purchase of development rights) should be done equitably and with respect to the "rights" of property owners; there seemed to be some confusion about the distinction between rights and privileges when it come to development.

<u>March 14, 2001</u>
Community Separator Task Force Meeting[1]

- The Task Force recommended to the 2x2x2 Committee to continue with the Community Separator study
- Principles of the Community Separator program:
  - Voluntary Participation, Flexibility, Agricultural preservation, compatible land uses, certainty, and landowner trust
- Task Force Recommendations:
  - Investigate land trusts, funding mechanisms, explore feasibility of establishing an Urban Growth Boundary, and ensure full involvement (Phase II)

<u>March 29, 2001</u>
2x2x2 Greenbelt Committee Meeting (5th)

- Presentation by consultant of information gathered at Lodi and Stockton community forums
- Summary of concerns and interests, remaining question is "Where do we go from here?"
- Recommendations of the Task Force are passed (see above Task Force meeting); conclusion of Phase I

<u>May 3, 2001</u>
Lodi City Council Resolution No. 2001-103

- Council approves recommendations passed by the Task Force as Phase II

<u>May 29, 2001</u>
Stockton City Council Resolution No. 01-0269

- Stockton adopts resolution to support Community Separator Study

<u>March 25, 2002</u>
2x2x2 Greenbelt Task Force Meeting (6th)

- Task Force decides to proceed with Phase II of the Community Separator Study, which would require each governing body to contribute to 1/3 of the consultants costs

<u>April 17, 2002</u>
Lodi City Council Resolution No. 2002-82

- Adoption of 2x2x2 Greenbelt Task Force recommendations and agrees to participate and fund (1/3) Phase II of the community separator planning process

---

[1] There seems to be some distinction between the "Task Force" and the "2x2x2 Committee," however at times they seem to be used interchangeably

<u>April 23, 2002</u>
Stockton City Council Resolution No. 02-0219

- Council determines that prior to Stockton's further participation in the Community Separator Study, the 2x2x2 Greenbelt Task Force will be expanded to include representatives of other cities, LAFCO, SCOG, Caltrans, developers etc.
- Further, before continued participation, the study will be expanded to include potential impacts to growth policies in surrounding counties…these conditions would follow the format of the multi-species task force

<u>December 17, 2002</u>
Farm Bureau

- Formed a steering committee for an agricultural land trust that would be farmer based – discussion at meeting below that this land trust could hold easements

<u>January 7, 2003</u>
Informal Information Session of the City Council

- A scope of work involving recommendations for: a farmland trust program, agricultural mitigation fee, and urban growth line community separator program was developed by the consultant - Lodi and the County approved it, however Stockton asked that many untenable conditions be met prior to its approval
- Stockton developing a General Plan heavily slanted toward northern expansion
- Mentioned that it would not be necessary to control all of the land to create a greenbelt, selection of key pieces of land would be effective – such as control of Eight Mile Road properties
- Discussed possibility of creating an agricultural zone
- Overall feeling is that Lodi should take an aggressive approach to the greenbelt issue – through past actions it is apparent that Stockton does not recognize that agricultural character is important to Lodi

<u>December 2003</u>
City of 19-member Lodi Establishes Community Separator/Greenbelt Task Force

- Participants included: Cliff Bradshaw, Dentist; Ann Cerney, Attorney, Mark Chandler, Wine Industry; Bill Cummins, Pastor; Carl Fink, Landowner; Bruce Fry, Farmer/Landowner; Jasbir Gill, Doctor/Landowner; Pete Hetzner, Optometrist; Susan Hitchcock, Councilmember/Educator; Patrick Johnston, Former State Senator; Robin Knowlton, Environmentalist; Bob Lauchland, Farmer/Landowner; Robert Matthius, Retire Bishop ELCA; Pat Patrick, Chamber of Commerce; David Phillips, Planning Commissioner (since replaced with Commissioner, Gina Moran); Kevin Sharrar, Building Industry Association; Randy Snider, Real Estate.

<u>March 9, 2004 – December 7, 2004</u>
Community Separator/Greenbelt Task Force Meetings (14 meetings)

- Greenbelt Task Force met for several months in order to formulate a recommendation to the Lodi City Council regarding a program to preserve separation between Lodi and Stockton
- The Task Force formulated a draft program, with the purpose of providing economic benefits to property owners while maintaining the focus of agricultural land use in the area.
- <u>Program Summary:</u>
    - Target area: runs between HWY-99 and I-5, ½ mile north and south of Armstrong Road

- Provide for a program that allows for a continuation of agricultural uses as currently provided in the County Zoning Ordinance. Additionally, allow the development of a limited amount of houses as follows:
    - One credit (unit) per 10 acres of ownership pro-rated to actual parcel size upon program adoption
    - One credit as above in 20 years
    - The use of a credit must take place within the target area
    - The maximum size of a parcel for a housing unit is ½ acre
    - Revise the Right-to-Farm Ordinance as recommended by the farming community
    - Provide for limited public improvements that promote the rural setting
    - Annex the entire target area and provide sewer and water service along Armstrong Road and other service could be provided,
    - Property Owner vote on the program

- The majority of regularly scheduled meetings in 2005 were cancelled in order to allow target area property owners the opportunity to formally respond to the program concept developed by the Task Force (see below for two additional meetings).

<u>November 2004 Election</u>
Measure Q: Urban Growth Boundary Measure – Passed

- Measure amends the Stockton General Plan to establish an Urban Growth Boundary, which would coincide with the City's current Urban Services boundary.
- This measure did not establish a greenbelt, but limited normally allowable development and land uses outside the UGB to open space uses, until June 30, 2024 approval of other development and land uses outside the UGB would require approval by the vote of the electorate
- This measure also amends the General Plan to encourage the County and Lodi to adopt policies to support an UGB and maintain a community separator

Measure T: Stockton Greenbelt Measure – Failed

- Greenbelt Master Plan would prohibit the City from approving retail, industrial, commercial, and/or residential land uses within the designated greenbelt, and provide that agricultural uses and non-commercial recreational land uses not conflict with surrounding agricultural operation allowed.
- Would prepare and certify an EIR for the Plan prior to adoption or submit to the voters a Financing Implementation Plan to justly compensate farmers and property owners adversely affected.
- Would take precedence over Measure Q in the event that both measures passed.

<u>November 2005</u>
2x2x2 Greenbelt Committee Meeting

- Committee reconvened to update on status of individual greenbelt efforts. San Joaquin County stated they felt the development of a greenbelt/community separator is primarily a City issue. The area the two Cities were discussing is already agriculturally designated under the County Code (with a 40 acre minimum), therefore making the greenbelt unnecessary while under County jurisdiction.
- The Stockton Draft General Plan update was provided, including the extension of its Sphere of Influence to abut the southern edge of the Lodi greenbelt target area. It was noted that Stockton's Draft General Plan also identified and allowed for the Lodi Greenbelt target area as a community separator between Lodi and Stockton.

<u>November 14, 2005</u>
Community Separator/Greenbelt Task Force Meeting

- Task Force reconvened to receive alternative proposal from target area landowners. Area landowners were not yet at a point to present their plan to the Task Force.
- Task Force requested Planning Consultant, Lynette Dias (LSA Associates, Inc.), to prepare a few graphic implementation scenarios of the Draft Program so the group could understand more fully the implications of the preliminary draft plan being considered.

<u>December 15, 2005</u>
Community Separator/Greenbelt Task Force Meeting

- Task Force received six graphic scenarios of Draft Program, which the group found helpful in discerning what development in the target area may look like if 1-acre lots are allowed versus ½-acre lots.
- Task Force agreed that fiscal information was now needed to understand if the preliminary draft program was feasible, how much it would cost to extend public services to the target area, and what the monetary value of a credit (i.e., unit) was estimated to be under their Draft Program.
- Task Force request Council update on their progress, including the preliminary draft program, and then provide direction for future Task Force greenbelt deliberations.

AGENDA ITEM **K-04**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Authorize staff to release Request for Proposals (RFP) for professional consulting services to: 1) update Lodi's 1991 General Plan, 2) complete a new Traffic Model, and 3) update the existing Parks and Recreation Master Plan.**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Community Development Director, Randy Hatch**

RECOMMENDED ACTION: Authorize staff to release a proposal to solicit bids for General Plan Update Consulting Services (RFP)

BACKGROUND INFORMATION: The current City of Lodi General Plan (GP) adopted by the City Council on June 12, 1991 has eight (8) elements (the required elements identified in **bold**). They include **Land Use** and Growth Management, **Circulation, Housing, Noise, Conservation,** Parks, Recreation, and **Open Space,** Health and **Safety,** Urban Design and Cultural Resources.

In considering the 20-year projection period of the existing General Plan, which began in 1987 and ends in 2007, now would be the ideal time to begin the process of updating the General Plan for another cycle period. The cycle period would dictate the period of time that the General Plan would project out to. Typically the general plan period is 20 years, but it may be longer. The process of updating a General Plan is largely up to the City Council, therefore, depending on the amount of available funding and expectations it can range significantly in the time and cost.

At the December 20, 2005 "Shirtsleeve" session staff presented an outline for a General Plan Update and alternatives related to public participation that would be available to the City Council. From the direction received during that discussion, staff has prepared this RFP to solicit bids for specialized services for a General Plan Update and ancillary Master Plan Studies.

FISCAL IMPACT: Staff is asking that proposals for the General Plan not exceed $1 Million. Depending on the qualifications of the consultants, scope of the proposals, and anticipated completion date that target budget may be adequate.

FUNDING AVAILABLE: The City has $1.55 Million earmarked for the preparation of an updated General Plan and ancillary Master Plan studies as part of the 2005-06 fiscal year budget and proposed 2006-07 fiscal year budget.

_____
Ruby Paiste, Interim Finance Director

_____
Randy Hatch
Community Development Director

Attachment: Request For Proposal
RH/pp/kc

APPROVED: _____
Blair King, City Manager

CITY COUNCIL
SUSAN HITCHCOCK, Mayor
BOB JOHNSON Mayor Pro Tempore
LARRY D. HANSEN
JOHN BECKMAN
JOANNE MOUNCE

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6711
Community Development Department

BLAIR KING
City Manager
SUSAN J. BLACKSTON
City Clerk
D. STEPHEN SCHWABAUER
City Attorney

REQUEST FOR PROFESSIONAL SERVICES

January, 2006

The City of Lodi invites you to respond to a Request For Proposal (RFP) to update the City's 1991 General Plan. In addition to this RFP you are welcome to attend an informational meeting to discuss an overview of the project and ask any questions you may have on the project. The following is a general description of the project background, parameters, and proposed budget.

BACKGROUND

The City of Lodi current General Plan (GP) was begun in 1987 and adopted on June 12, 1991. The GP had the following elements:

- Land Use and Growth Management
- Circulation
- Housing
- Noise
- Conservation
- Parks, Recreation, and Open Space
- Health and Safety
- Urban Design and Cultural Resources

The GP was designed with a 20-year projection period ending in 2007. The City has met the life expectancy of the current GP and therefore has begun the updating process.

The City of Lodi has an existing policy in its current GP that calls for a population-based 2.0 percent (compounded) limit on growth to be implemented through a residential development allocation system whereby a specific number of units of single family and multifamily development is allocated each year.

The following infrastructure studies have been prepared and are available as reference materials for the GP Update:

- City is in the process of finalizing its 2005 Urban Water Management Plan
- 2001 Waster Water Master Plan
- 1990 Potable Water Master Plan
- 1964 Storm Drainage Master Plan

The City is also in the process of formulating a Community Facilities District for all new development throughout the City to fund on-going service costs of new development. As

progress is made on the formation of this district all relevant data will be available for the GP Update.

PROJECT DESCRIPTION

The City is seeking professional consulting service to assist in a comprehensive General Plan Update for a 20-30 year horizon of all the required elements (**except housing which was adopted and certified in 2004)**. In addition to the proposal for the General Plan Update the City of Lodi is also seeking proposals to:

- Complete a new Traffic Model
- Update the existing Park and Recreation Master Plan

These proposals shall be included as part of the bid package but at a separate cost not included in the sum total for the GP Update.

GEOGRAPHIC SCOPE

Lodi anticipates a large study area in order to preserve a greenbelt and community separators between it and neighboring City and County development. Therefore, the study area shall stretch beyond the City's existing corporate limits and GP Area. The approximate boundaries have been provided in the attached map. However, the City expects to refine the study area during the initial stages of the GP Update.

PUBLIC PARTICIPATION

The City of Lodi has an involved citizenry and desires to include them in an effort to solicit their concerns and feedback during the entire GP Update process. The City anticipates a holding series of workshops before the entire Planning Commission and Council representatives (the exact number to be determined). The City also anticipates having a kick off press release followed by various survey methods to solicit public input during the information gathering stage of the GP Update. The City will look to the consultant to provide further assistance and refinement in the creation of the survey instruments and public outreach efforts with respect to the City's budgetary and timing constraints. The City anticipates having the workshops in an open, noticed form that welcomes public input and involvement.

EXPECTATIONS OF CONSULTING SERVICES

The City expects the selected consultant to be highly involved as an extension of staff. This would involve the preparation of public notices, agendas, staff reports, and potentially minutes of the meetings. Further, the City is looking for the selected consultant to formulate an updated GP, which includes the best current professional practice and takes in account Lodi's compact existing development and distinct quality of life. The City feels Lodi represents an ideal setting to incorporate New Urbanist principles and develop walkable new neighborhoods. There is a concern by some citizens of Lodi that the East side of the City has not received its fair share of new development and services. Therefore, environmental justice principles will need to be addressed.

BUDGET AND TIMING

The City is seeking a firm that can involve the public in a form and manner that accurately reflects the community concerns and desires while respecting the City's fiscal constraints and project schedule. The City is anticipating spending $1 Million on the GP

Update and having the project complete in two (2) years.

OPTIONAL PRE-BID INFORMATION MEETING
In an effort to provide clear guidance and expectations, as part of this RFP the City will be holding an optional Pre-bid information meeting on February 13, 2006 from 2:00-5:00 PM in the Council Chambers at Carnigie Hall.

SUBMITAL DUE DATE
The deadline for submittal will be no late than 5:00 pm on February 27, 2006.
Please submit six (6) complete bid packages each containing the following materials:

- Proposal
- Bid
- Company/Team Bio
- Staff Resumes
- Relevant Prior Projects/Experience

If you have any questions regarding the project, City or organization, please do not hesitate to call me at (209) 333-6711.

Sincerely,

Randy Hatch
Community Development Director

RH/pp

AGENDA ITEM **K-05**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Introduce Ordinance Amending Lodi Municipal Code Title 12 – Streets, Sidewalks and Public Places by Adding Chapter 12.03, "Sidewalks", to place sidewalk maintenance responsibilities and liability on the adjoining property owner as permitted under state law.**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Janice D. Magdich, Deputy City Attorney**

RECOMMENDED ACTION: That the City Council introduce Ordinance Amending Lodi Municipal Code Title 12 – Streets, Sidewalks and Public Places by adding Chapter 12.03, Sidewalks.

BACKGROUND INFORMATION: At the March 22, 2005 Shirtsleeve Session and the regular City Council meeting of October 5, 2005, discussion took place regarding sidewalk installation and maintenance policies. The goals of the sidewalk maintenance program are to:

- Improve the City's sidewalk system to encourage walking and improve safety by reducing the number of defects in the sidewalks;
- Improve the sidewalk system for persons with disabilities;
- Reduce the City's liability exposure and associated costs;
- Utilize opportunities provided by State law to place costs with the appropriate party; and
- Develop a procedure that is efficient to administer.

At the direction of Council, the City Attorney's office, with the input and concurrence of the Public Works Director and the Street Superintendent, has drafted this ordinance to accomplish the above goals by adding a chapter to Title 12 of the Lodi Municipal Code to place sidewalk maintenance responsibilities and liability on the adjoining property owner as permitted under state law.

FUNDING: Not applicable.

FISCAL IMPACT: Expected Savings to Self-Insurance Fund.

_____
Janice D. Magdich, Deputy City Attorney

Attachments

cc: Richard Prima, Public Works Director
George Bradley, Street Superindent

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING LODI MUNICIPAL CODE TITLE 12 – STREETS, SIDEWALKS AND PUBLIC PLACES BY ADDING CHAPTER 12.03 SIDEWALKS

==========

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Lodi Municipal Code Title 12 "Streets, Sidewalks and Public Places" is hereby amended by adding Chapter 12.03 "Sidewalks," to read as follows:

Chapter 12.03

SIDEWALKS

Sections:

12.03.010 – Definitions
12.03.020 – Sidewalk Maintenance and Repair
12.03.030 – Liability for Injury to the Public
12.03.040 – Civil Liability for Injuries and Indemnification.
12.03.050 – Enforcement of this Chapter.

12.03.010 – Definitions.

As used in this Chapter, the terms listed below shall have the meaning assigned them.

"Sidewalk" means that area fronting private or public property within the public-right-of-way and intended for pedestrian travel, whether or not such area is improved or paved, and any parkway, driveway, curb or gutter that was or should have been constructed in conformance with the City's specifications for such improvements.

"Defective Sidewalk" means a sidewalk where, in the judgment of the Public Works Director or his/her designee, the vertical or horizontal line or grade is altered, damaged or displaced to an extent that a safety hazard exists or the sidewalk is in such a condition as to endanger persons or property or is in such a condition as to interfere with the public convenience and use of the sidewalk. Defective Sidewalk shall also include any condition of a public pedestrian right-of-way determined by a court of competent jurisdiction to constitute a dangerous condition of public property.

"Property Owner" means any person, partnership, corporation, or other entity, public or private owning a lot, lots or portion of a lot within the City of Lodi, and fronting on any portion of a public street, alley or place where sidewalk exists.

"Lot", "lots" or "portions of lots" means a parcel of real property located within the City of Lodi, fronting on any portion of a public street, alley or place where a sidewalk exists.

12.03.020 – Sidewalk Maintenance and Repair.

A. The provisions of Chapter 22 of Part 3, Division 7, Street and Highways Code of the State of California ("The Improvement Act of 1911"), as is now in effect or as may be amended, are expressly referred to and by such reference made a part of this Chapter, including all proceedings applicable to the maintenance and repair of sidewalks, and the confirming and collecting of assessments for the cost and expenses of said maintenance and repair.

B. The procedure set forth in The Improvement Act of 1911 concerning the maintenance and repair of sidewalks, is, to the extent permitted under State law, subject to revision or supplementation by policies as may from time to time be adopted by resolution of the City Council. Maintenance and repair of sidewalks shall be to specifications established by the Public Works Director or his/her designee.

12.03.030 – Liability for Injury to the Public.

Property Owner is required under this Chapter to maintain and repair the sidewalk fronting on the Property Owner's lot and shall owe a duty to members of the public to keep and maintain the sidewalk in a safe and non-dangerous condition such that it will not endanger persons or property. If as the result of any failure of any Property Owner to maintain the sidewalk in a safe and non-dangerous condition as required under this Chapter, any person suffers injury or damage to person or property, the Property Owner shall be liable to such person for the resulting damages or injury.

12.03.040 – Civil Liability for Injuries and Indemnification.

Any Property Owner that fails to maintain the sidewalk fronting on the Property Owner's lot, lots or portion of a lot, in a safe and non-dangerous condition as required under this Chapter shall bear the sole civil liability, if any, to a person suffering personal injury or property damage caused by the Defective Sidewalk. In the event that the City is held liable in any civil action for damages for personal injury or property damages caused by a Defective Sidewalk the City shall be entitled to full indemnity from the Property Owner.

12.03.050 -- Enforcement of this Chapter.

The City Manager, through the Public Works Director, shall enforce this Chapter.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other

provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 5. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of January, 2006

_____
SUSAN HITCHCOCK
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

==========

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held January ___, 2006, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held January ___, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

_____

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney

By_____
Janice D. Magdich
Deputy City Attorney

AGENDA ITEM **K-06**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Introduce Ordinance Amending Lodi Municipal Code Title 12 – Streets, Sidewalks and Public Places by Adding Article VI, "Waterfowl and Migratory Birds" to prohibit the feeding of any waterfowl or migratory birds in any public park or on any public lake**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Janice D. Magdich, Deputy City Attorney**

RECOMMENDED ACTION: That the City Council introduce Ordinance Amending Lodi Municipal Code Title 12 – Streets, Sidewalks and Public Places by adding Article VI "Waterfowl and Migratory Birds.

BACKGROUND INFORMATION: At the August 9, 2005 Shirtsleeve Session, Council and staff discussed the water quality of Lodi Lake. A copy of the Lodi Lake Water Quality Report, dated August 4, 2005 and presented to the Council at the August 9th Shirtsleeve Session is attached.

Staff estimates that during the past few years some 130 – 150 Canada geese have made Lodi Lake their permanent home. Staff believes that the resident geese are contributing to the high levels of fecal coliform bacteria counts resulting in the closure of the Lake to swimmers on numerous occasions.

U.S. Fish and Wildlife Services Non-migratory Bird Division staff advise that feeding waterfowl and migratory birds increases the potential for damages to the flora and fauna of public parks and lakes due to an accumulation of bird droppings, may harm water quality, increase the potential for the spread of diseases to City residents, causes nutritional problems for the waterfowl and migratory bird populations and increases the spread of diseases among the birds. Accordingly, the proposed Ordinance will prohibit the feeding of any waterfowl or migratory birds in any public park or upon any public lake.

The proposed Ordinance was drafted with the input and concurrence of the Parks & Recreation Director and Fish and Wildlife Services.

FUNDING: Not applicable.

_____
Janice D. Magdich, Deputy City Attorney

Attachments

cc: Tony Goehring, Parks & Recreation Director
Steve Dutra, Parks Superintendent

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING LODI MUNICIPAL CODE, TITLE 12, CHAPTER 12.12 – "PARKS" BY ADDING ARTICLE VI "WATERFOWL AND MIGRATORY BIRDS"

==========

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Lodi Municipal Code Title 12, CHAPTER 12.12 – "PARKS" is hereby amended by adding Article VI, "WATERFOWL AND MIGRATORY BIRDS," to read as follows:

ARTICLE VI

WATERFOWL AND MIGRATORY BIRDS

Sections:

12.12.510 – Purpose
12.12.520 – Definitions
12.12.530 – Prohibited Conduct
12.12.540 – Violations and Penalties
12.12.550 – Enforcement

12.12.510 – Purpose.

A. The purpose of this Article is to protect the health, safety and welfare of the City and its wildlife by prohibiting the feeding of waterfowl and migratory birds within City parks and lakes. Feeding waterfowl and migratory birds increases the potential for damage to the flora and fauna of public parks and lakes due to an accumulation of bird droppings, may harm water quality, and increase the potential for the spread of disease to City residents.

B. It is also the purpose of this Article to protect the welfare of the waterfowl and migratory birds themselves, as wildlife studies have shown that feeding waterfowl and migratory birds can interrupt their normal migration patterns, cause nutritional problems, and promote the spread of bird diseases.

C. It is also the purpose of this Article to minimize the attraction to waterfowl and migratory birds of residing within City parks and lakes by restricting their feeding and other acts that encourage the birds to halt their natural migration patterns.

12.12.520 – Definitions.

As used in this Article, the terms listed below shall have the meaning assigned them.

"Feed" or "Feeding" means the placing, exposing, depositing, distributing or scattering, directly or indirectly, of shelled corn, shucked or unshucked, wheat or other grains, breads, popcorn, scraps, salt or any other feed or nutritive substances likely to be eaten by waterfowl or migratory birds, in any manner or form, so as to lure, attract or entice waterfowl or migratory birds to, on or over any such areas where such feed items or materials have been placed, exposed, deposited, distributed or scattered.

"Waterfowl and Migratory Birds" means those species of birds commonly known as "swans", "geese", and "ducks" and any other waterfowl or migratory birds under the jurisdiction of the United States Fish and Wildlife Service.

12.12.530 – Prohibited Conduct.

A. It shall be unlawful for any person to feed, in any public park or upon any public lake, or on any other property owned or operated by the City, any waterfowl or migratory birds.

B. It shall be unlawful to create or foster any condition or allow any condition to exist or continue, which results in a congregation or congestion of waterfowl or migratory birds in any public park or upon any public lake.

12.12.540 – Violations and Penalties.

A. Any person violating the provisions of this Article shall be guilty of an infraction, punishable on conviction as set forth in Section 1.08.010(C) of this Code.

B. Any person convicted of three or more violations of this Article within the twelve-month period immediately proceeding the commission of the latest offense shall have the offense charged as a misdemeanor, punishable as specified in Section 1.08.010(B) of this Code.

C. The continuation of any violation of this Article for each successive day shall constitute a separate offense, and the person committing the violation may be punished for each separate offense as provided herein.

D. Notwithstanding any other provision of this Article, the violation of any provision of this Article may be subject to abatement by a restraining order or injunction issued by a court of competent jurisdiction.

12.12.050 – Enforcement.

This Article may be enforced by a City Police Officer, Animal Control Officer, Code Enforcement Officer, or the Parks and Recreation Director or his/her designee.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 5. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of January, 2006

_____
SUSAN HITCHCOCK
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk
==========

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held January ___, 2006, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held January ___, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

_____

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney

By_____
Janice D. Magdich
Deputy City Attorney

AGENDA ITEM **K-07**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Resolution Approving the Extension of an Amended Memorandum of Understanding between the City of Lodi and Local 1245 International Brotherhood of Electrical Workers (IBEW)

MEETING DATE: January 4, 2006

PREPARED BY: City Manager

RECOMMENDED ACTION: Adopt Resolution approving the extension of an amended Memorandum of Understanding (MOU) between the City of Lodi and Local 1245 International Brotherhood of Electrical Workers (IBEW).

BACKGROUND INFORMATION: The proposed resolution ratifies an amended extended MOU between the City and IBEW for a two-year period. The termination date of the MOU is extended from December 31, 2006 to December 31, 2007. Working condition provisions remain unchanged. No salary adjustment or cost of living adjustment (COLA) will be provided for a frozen 12 month term from January 1, 2006 to December 31, 2006. A COLA between 3 to 5 percent, depending upon Consumer Price Index, will be granted January 1, 2007. No other changes to pay and benefits are proposed.

The amended MOU also includes new language that binds any potential assignees of the MOU to the terms of the MOU. There is no financial impact to this provision.

The extension also reaffirms the City's commitment to implementation of a Lineperson apprentice program.

Attached is a copy of the proposed MOU. It is not ratified until approved by the City Council.

FISCAL IMPACT: No additional expenditures beyond current salary needs will be required for the remainder of Fiscal Year 2005-06. The impact of a COLA in the second half of FY 06-07 will range from $47,900 to $79,700. The annual average CPI for all U.S. cities for wage earners and clerical workers over the past two years has been 2.45 percent. (US Department of Labor, Bureau of Labor Statistics, CPI, all items, 1982-84=100, National or US City Average, for urban wage earners & clerical workers)

No outside expenditures will be incurred in extension of the MOU to December 31, 2007.

FUNDING AVAILABLE: Not applicable.

_____
Ruby Paiste, Interim Finance Director

_____
Blair King, City Manager

Attachment

APPROVED: _____
Blair King, City Manager

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

IBEW LOCAL UNION 1245

30 ORANGE TREE CIRCLE
VACAVILLE, CA 95687
P.O. BOX 2547, VACAVILLE, CA 95696

PERRY ZIMMERMAN, BUSINESS MANAGER
EDWARD MALLORY, PRESIDENT

(707) 452-2700
FAX (707) 452-2701

PROPOSED

MEMORANDUM OF UNDERSTANDING

BETWEEN

CITY OF LODI

AND

LOCAL 1245
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
ELECTRICAL UTILITY UNIT

JANUARY 1, 2006 – DECEMBER 31, 2007

Effective January 1, 2006, and except as provided herin, the January 2003 – December 2005 Memorandum of Understanding ("MOU") between Local 1245, International Brotherhood of Electrical Workers, Electrical Utility Unit ("IBEW") and the City of Lodi ("City") shall extend for two years to December 31, 2007, and it shall continue thereafter from year to year unless either party shall give notice in writing to the other party at least sixty (60) days prior to any such anniversary date of its desire to amend or terminate same. The notice of modification or termination shall be accompanied by the proposed changes and negotiations thereof shall commence within thirty (30) days thereafter.

Salary Adjustments – No Cost of Living Adjustment (COLA) will be provided to IBEW members during the first year of this MOU. Effective January 1, 2007 IBEW members shall receive a salary adjustment of 3-5% COLA based on the CPI-W US city average index for the twelve (12) month period ending in March of 2006.

Successor Language – The City agrees to the following addition to the MOU:
Article 36.7: This Agreement shall be binding upon the successors, purchasers, conveyees, transferees, leasees, and assignees (hereinafter "successors") of the City. In consideration of the IBEW's execution of this agreement, the City promises that its operations covered by this Agreement, or any portion thereof, shall not be sold, conveyed, transferred, leased or assigned to, or consolidated, or merged with, any successor without first securing an enforceable agreement of the successor to assume the City's obligations under this agreement.

The City agrees to notify the IBEW of any proposed sale, conveyance, transfer, lease, assignment , consolidation or merger and to provide, and continue to provide any and all information about the sale, conveyance, transfer, lease, assignment , consolidation or merger, including a copy of the proposed legal document setting forth the transaction in request. Such notification and information shall be provided at the earliest time possible, but in any event, at least sixty (60) days prior to the effective date of any agreement between the City and the proposed successor.

If the City: 1) Fails to timely notify the IBEW and provide the required information; 2) Fails to allow a IBEW representative to be present at negotiations involving the transaction in question; or 3) Fails to secure an enforceable agreement of the successor to assume the City's obligations under this Agreement, the City shall be liable to the IBEW and to the bargaining unit employees covered by this Agreement for any and all damages sustained by the IBEW and the bargaining unit employees for such failure.

"Apprentice Program" – The City agrees to meet with the IBEW, and implement an apprentice program by July 1, 2007.

I.B.E.W. – LOCAL 1245
ELECTRIC UTILITY UNIT

Perry Zimmerman
Business Manager, IBEW

Date: _____

Sam Glero
Business Agent, IBEW

Date: 12/13/05

Edward Fitzpatrick
Electrical Estimator

Date: 12/13/05

David Comer
Electrical Estimator

Date: 12/13/05

Robert Aadland
Electrician

Date: 12-13-05

James Findley
Lineman

Date: 12.13.05

Kevin Riedinger
Relief Operator

Date: 12-13-05

CITY OF LODI
A MUNICIPAL CORPORATION

Blair King
City Manager

Date: 12/15/05

RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE EXTENSION OF AN AMENDED MEMORANDUM OF UNDERSTANDING FOR THE LOCAL 1245 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW)

==========

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby approve the extension of an amended Memorandum of Understanding (MOU) between the City of Lodi and Local 1245 International Brotherhood of Electrical Workers (IBEW) for a period of two years, as shown on Exhibit A attached and made a part of this Resolution; and

BE IT FURTHER RESOLVED, that the termination date of the MOU is extended from December 31, 2006 to December 31, 2007; and

Dated: January 4, 2006

==========

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2006-____

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

IBEW LOCAL UNION 1245

30 ORANGE TREE CIRCLE
VACAVILLE, CA 95687
P.O. BOX 2547, VACAVILLE, CA 95696

PERRY ZIMMERMAN, BUSINESS MANAGER
EDWARD MALLORY, PRESIDENT

(707) 452-2700
FAX (707) 452-2701

PROPOSED

MEMORANDUM OF UNDERSTANDING

BETWEEN

CITY OF LODI

AND

LOCAL 1245
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
ELECTRICAL UTILITY UNIT

JANUARY 1, 2006 – DECEMBER 31, 2007

Effective January 1, 2006, and except as provided herin, the January 2003 – December 2005 Memorandum of Understanding ("MOU") between Local 1245, International Brotherhood of Electrical Workers, Electrical Utility Unit ("IBEW") and the City of Lodi ("City") shall extend for two years to December 31, 2007, and it shall continue thereafter from year to year unless either party shall give notice in writing to the other party at least sixty (60) days prior to any such anniversary date of its desire to amend or terminate same. The notice of modification or termination shall be accompanied by the proposed changes and negotiations thereof shall commence within thirty (30) days thereafter.

Salary Adjustments – No Cost of Living Adjustment (COLA) will be provided to IBEW members during the first year of this MOU. Effective January 1, 2007 IBEW members shall receive a salary adjustment of 3-5% COLA based on the CPI-W US city average index for the twelve (12) month period ending in March of 2006.

Successor Language – The City agrees to the following addition to the MOU:
Article 36.7: This Agreement shall be binding upon the successors, purchasers, conveyees, transferees, leasees, and assignees (hereinafter "successors") of the City. In consideration of the IBEW's execution of this agreement, the City promises that its operations covered by this Agreement, or any portion thereof, shall not be sold, conveyed, transferred, leased or assigned to, or consolidated, or merged with, any successor without first securing an enforceable agreement of the successor to assume the City's obligations under this agreement.

The City agrees to notify the IBEW of any proposed sale, conveyance, transfer, lease, assignment , consolidation or merger and to provide, and continue to provide any and all information about the sale, conveyance, transfer, lease, assignment , consolidation or merger, including a copy of the proposed legal document setting forth the transaction in request. Such notification and information shall be provided at the earliest time possible, but in any event, at least sixty (60) days prior to the effective date of any agreement between the City and the proposed successor.

If the City: 1) Fails to timely notify the IBEW and provide the required information; 2) Fails to allow a IBEW representative to be present at negotiations involving the transaction in question; or 3) Fails to secure an enforceable agreement of the successor to assume the City's obligations under this Agreement, the City shall be liable to the IBEW and to the bargaining unit employees covered by this Agreement for any and all damages sustained by the IBEW and the bargaining unit employees for such failure.

"Apprentice Program" – The City agrees to meet with the IBEW, and implement an apprentice program by July 1, 2007.

I.B.E.W. – LOCAL 1245
ELECTRIC UTILITY UNIT

Perry Zimmerman
Business Manager, IBEW

Date: _____

Sam Glero
Business Agent, IBEW

Date: 12/13/05

Edward Fitzpatrick
Electrical Estimator

Date: 12/13/05

David Comer
Electrical Estimator

Date: 12/13/05

Robert Aadland
Electrician

Date: 12-13-05

James Findley
Lineman

Date: 12.13.05

Kevin Riedinger
Relief Operator

Date: 12-13-05

CITY OF LODI
A MUNICIPAL CORPORATION

Blair King
City Manager

Date: 12/15/05

AGENDA ITEM **K-08**

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Provide preliminary and non-binding policy direction regarding electric rate design/structure for future adjustment to base rates by transferring rates from Market Cost Adjustment charges to Base Rate charges, i.e. "Truing up the Electric Rates" (EUD)**

MEETING DATE: **January 4, 2006**

PREPARED BY: **Interim Electric Utility Director**

RECOMMENDED ACTION: That the City Council provide preliminary policy direction to Electric Utility Department staff, which will serve as the basis for rate design, and the rate structure that will be brought to the City Council for approval at a future date.

BACKGROUND INFORMATION: The City Council approved a set of market cost adjustments (MCA's) on November 16, 2005. The MCA's approved by council became effective on December 2, 2005 and will be reflected in bills received by customers in December. As part of the MCA discussions, Council was told that Electric Department staff would return to the City Council for policy direction and guidance as part of a rate "true up" effort. This agenda item initiates that process and provides the opportunity for a fuller discussion of rate issues than could be accommodated during the MCA process given the urgency of the financial situation facing the City in November where the city was losing money on each unit of energy sold.

Issue: The Market Cost Adjustment implemented on December 2, 2005 allowed the Electric Utility to begin collecting for the significant increases in costs for bulk power. This Market Cost Adjustment addressed an increase in bulk power costs of over 38% since the last time a Market Cost Adjustment was made.

One of the key features of the Market Cost Adjustment is that it is supposed to be temporary in nature, requiring that the Electric Utility report on a quarterly basis the continued need for the Market Cost Adjustment and to recommend increases or decreases to the MCA as necessary. While the most recent MCA is entirely consistent with the intended purpose of the MCA, a permanent adjustment to electric rates, or "rate true up" is needed to reflect the fact that projected long term costs for bulk power will remain at or near levels secured through the current MCA and absent a structural adjustment to the base rate structure reflecting the more permanent increase in bulk power costs, the MCA would itself become a permanent feature of the rate structure, which is not what the MCA was intended for. The "rate true up" is intended to allow for a movement away from the current (temporary type) rate structure that relies heavily on the Market Cost Adjustment as an augmentation to base rates as the mechanism for meeting the overall revenue requirement for the utility, and instead providing for a movement to a permanent rate structure that relies on base rates as the mechanism for meeting the overall revenue requirement for the utility (e.g. "base rates" should be set to cover the expected average level of power and other costs).

APPROVED: _____
Blair King, City Manager

In conjunction with the incorporation of the higher costs of bulk power into the base rate structure, this “true up” provides an opportunity to address elements of rate design that the Council or staff has previously identified as problematic, and/or which could not be addressed as part of the MCA discussions due to the short period of time under which the MCA process was undertaken. In that regard, staff has identified the following issues as benefiting from Council discussion and preliminary policy guidance prior to significant effort being expended on rate design under this “true up” effort.

Discussion:

Issues to be addressed
Staff has identified the following four rate design issues as forming the basis for additional discussion and preliminary policy direction from council:

- Relationship of Rates between Classes
- Rate Structure Complexity
- Discount Levels
- Economic Development

A couple of subsidiary issues fall out of the above major issues. These relate to the following:
- All electric rates
- Mobile Home rates

Relationship of Rates between Classes
How rate levels differ by class such that sufficient revenues can be recovered to support overall utility operations is one the thorniest issues that rate designers face and is the primary decision that underpins all other rate design issues. Differences between classes are based on a number of factors:
- Cost of Service
- Competitiveness
- Economic value
- Other Local Considerations and Preferences

In short, rate designers will a) evaluate and determine the costs imposed on the utility by each class of customer, b) assess the relative competitiveness of the rates in each class to other utilities in the area and region, c) assess the relative economic value and need of certain classes in order to assess the need for credits or discounts and d) will assess other local community attitudes, values and beliefs as they may impact on rate design considerations.

To address the first factor described above, a Cost of Services Analysis (COSA) was performed for projected 2006 and 2007 costs. The purpose of the COSA was to identify the costs of serving each class of customer in order to determine how much revenue should be collected from each class based on the cost to serve a particular class. It is staff’s opinion that a band should be placed around these COSA values, meaning that the values that result from the study effort can be 15% higher or lower and still accurately reflect the cost of serving a particular class of customer. The result of the 2006 COSA is displayed below with a 15% banding around the current Lodi rates in place effective December 2, 2005.

COSA studies typically serve as the foundation for rate design. Once the total amount of revenue that needs to be collected from each class is identified, rate designers can take that revenue number and divide it by the amount of energy and capacity consumed by each rate class to come up with a rate structure that allows the appropriate level of revenue to be collected from each class. The 2006 and 2007 COSA studies referenced above, validated and reinforced the abbreviated COSA study that was used as

the basis for the recently approved Market Cost Adjustments (MCA’s). As a result, the rates for all customer classes except the Mobile Homes, I1 and G5 customer classes are within the COSA bands. Therefore, the classes falling within the bands can be easily transformed into a new base structure that combines the prior base rate with the recently approved MCA because the total rate with the new MCA is within the COSA banding results.

Rate ($/kwh)	Lodi Average under MCA	COSA 2006	Low COSA 2006	High COSA 2006	PG&E Current Average w/ True Up
EA Residential	$0.173	$0.150	$0.127	$0.173	$0.160
ED Low Income	$0.096	$0.149	$0.126	$0.171	$0.093
EM Mobile Home	$0.086	$0.149	$0.127	$0.171	$0.149
G1 Small Commercial	$0.166	$0.143	$0.121	$0.164	$0.166
G2	$0.150	$0.136	$0.116	$0.157	$0.150
G3 Small Industrial	$0.144	$0.135	$0.115	$0.156	$0.144
G4 Medium Industrial	$0.123	$0.133	$0.113	$0.153	$0.123
G5 Industrial	$0.114	$0.134	$0.114	$0.155	$0.114
I-1 Industrial	$0.089	$0.137	$0.117	$0.158	$0.114
Contract Large	$0.085	$0.131	$0.111	$0.151	$0.108
Contract Medium	$0.123	$0.138	$0.117	$0.159	$0.123

The Mobile Homes, I1 and Large Contract rates on the other hand were given MCAs whose effective rates were at a level of at least 40% below Cost of Service. Mobile homes will be discussed below. The industrial rate setting reflected the short amount of time provided to these customers to review and understand the basis for the increase so as to mitigate the rate shock that would occur in moving from the old rate to a COSA based rate. It also reflected an implied economic value for these customers.

The industrial customer class has expressed to EUD staff that implementation of a rate that reflects the city’s cost of service for the industrial rate class would result in a rate level that would be a retreat from the city’s historical policy of incentive or economic development based rates that formed the basis for many of these customers choosing to do business in Lodi. Several industrial customers have indicated that rates at the cost of service level could cause them to have to move elsewhere or shutdown as they would force costs too high for these plants to compete. As can be seen in the table above, the current Lodi rates are extremely competitive with PG&E at the current level, would be competitive with PG&E at the low end of the COSA banding level, but are not necessarily competitive with rate levels elsewhere in the region or out of the state. As a result, these customers have also expressed an interest in understanding what Lodi’s long-term rate design policy will be in order that they achieve a level of stability and predictability in their rate structure, but also to make long-term business decisions about where they will conduct business.

To assist in assessing the economic value of the industrial customer class, the third element of rate design considerations, the industrial customers have agreed to fund an economic study that will report on the value of industry to the community. The report is expected to be completed on or around December 12, 2005, but was not available for staff review at the time this staff report was prepared. This report should be reviewed and considered in the context of this element of rate design.

Lastly, local considerations and preferences must be an element of rate design. As Lodi policy makers consider the future makeup of the community and assess where subsidies, discounts or credits will be provided, consideration should be given to the type of business or industry that fits best with Lodi’s long term vision of its future. If for example, Lodi wants to continue to attract industrial types of uses that will require a subsidy or credit from cost of service in order for those types of businesses to be competitive, then staff requests that council express its policy preference as retaining the relationship between classes as found in the table above. If, on the other hand, council wants to eliminate subsidies or credits to any class or provide subsidies or credits to a different class of customers in support of different strategic goals, staff requests that council express its policy preference to either eliminate subsidies and credits over time in order to achieve rates within the cost of service band or to grandfather existing customers at some level below cost of service with new customers being subject to a rate falling within the cost of service band.

As part of the MCA process, Council made a commitment to the industrial customers that the average rates effectuated through the MCA and the rate relationships between the industrial class and the remaining classes that resulted from the MCA would not be changed for the balance of the fiscal year. Any changes that occurred after that point, were to be considered in the context of the report being commissioned by the industrial customers, further discussions of the COSA studies, and further deliberations over the strategic interests of the city. Because staff and council have not seen the report on the economic value of industry to the community, it is premature to make any recommendations on new rate design for this class of customer, however, staff requests that council express a non-binding preference through a straw vote on this issue of consensus rate differentials to either:

a) Maintain the current rate relationships as approved through the MCA through the balance of this fiscal year contingent on further discussions of the city’s strategic preferences and further discussions of the results of the economic study report commissioned by the industrial customers
b) Maintain the current rate relationships as approved through the MCA through the balance of this fiscal year and begin working with the city council and industrial customers on a plan to transition to a cost of service based rate.

Rate Complexity

As part of the MCA process, council expressed a concern that the tiered structure of the MCA was too complex. As part of the MCA process staff had proposed a nine tiered MCA that was intended to mimic PG&E’s rate structure more closely than the base two tier structure otherwise allowed, but acknowledges that this structure is too complex. In order to address the complexity issue, staff is requesting council guidance in the following four areas:

- Residential tiering
- All Electric Rates
- Industrial Structure
- Mobile Homes

Residential Tiering

Lodi’s base rate structure for residential customers includes two tiers. In contrast, PG&E’s residential rate structure includes five tiers. During the last Market Cost Adjustment, staff proposed implementation of nine tiers for the residential MCA in an effort to try and get the combined two-tier base rate structure and nine tier MCA to align more closely with PG&E’s five-tier rate structure. Council appropriately expressed concern in general with the complexity of this large number of tiers, but did not indicate how many tiers would be too many.

A more simplified two-tier rate structure would facilitate ease of understanding by the customer. However, the rates under this structure would not compare easily to PG&E and some customers would invariably have rates higher than PG&E and some less in order to achieve the mathematical average being less than PG&E. If the PG&E comparison is not critical, then staff would recommend that the assigned revenue requirement for residential be recovered through base rates with a winter/summer differential and only two tiers. The MCA would be set to zero. Any future MCA's would be implemented with the same two tiers. If, on the other hand, close comparisons to PG&E are desirable, staff recommends the adoption of a structure that replicates the PG&E structure with five base tiers and any future MCA's implemented with the same five tiers.

Staff requests that council express a non-binding preference through a straw vote for either:

- Moving toward the long term objective of a rate structure similar to PG&E – five tier residential rate design; ***or***

- Having as the objective average customer bills that are less than PG&E with a less complicated – two tier residential rate design

All Electric Homes

Lodi currently has approximately 600 customers on the All Electric Home Rate. These customers receive a higher allotment of energy in the first tier (585 kwhrs in the all electric vs. 440 kwhrs during the summer and 1,000 kwhrs vs. 400 kwhrs in the winter) which translates into an approximate 10% discount for 585 kwhrs of consumption during the summer and an approximate 20% discount for 1,000 kwhrs of consumption during the winter. While these discounts made some economic sense in the past, they make no sense today. In the far distant past, energy costs declined as the level of production increased. That cost relationship no longer exists. The electric utility now faces increasing costs as production increases or as new generation is utilized. Because of this new relationship, providing the all-electric home customers with a larger base level of consumption at the first tier rate requires a subsidy from the standard residential customer to the all-electric residential customer. In staff's opinion, this subsidy should be eliminated and all residential customers should be treated equally. A table showing NCPA cities with and without the all-electric rate is attached as exhibit 1.

Staff requests that council express a non-binding preference through a straw vote for either:

a) retaining the all electric home rate schedule along with its higher allocation of first tier consumption
b) eliminating the distinction between the standard residential rate class and the all electric rate class

Industrial Structure

With respect to industrial rate design and the level of complexity that currently exists, the industrial class design has three tiers or costing periods: on-peak, off-peak and partial peak. Generally, Lodi's power costs are incurred in only two periods referred to as Heavy Load and Light Load. Therefore, a reduction to two rate periods would be justified. This would also help to facilitate revenue stability by aligning revenues more closely with cost causation.

A second element of the industrial rate design that needs to be addressed is the provision for customers that use over 1 mw of electricity to self select into either of two rate classes, the I1 rate class or the G5 rate class along with the provision of an economic stimulus credit that is extended to all customers eligible to self select into either rate class where the credit is extended without regard to performance criteria, obligations or time limits.

Staff's recommendation is to eliminate the ability for any customer to self select into a rate class along with any evergreen rate credits, replacing these credits with specific agreements, if warranted, that specify the term of the agreement, provisions for modifying the agreement and performance

requirements and obligations on the part of the customer that are expected in return for the credit. This is discussed in more detail later, under economic development.

Staff requests that council express a non-binding preference through a straw vote for either:

a) Simplifying the current industrial structure with a two period (high load hour and low load hour cost structure and eliminating the evergreen economic stimulus credit and ability to self select into a rate class, ***or***
b) Maintaining current structure

Mobile Homes

Lodi has six mobile home parks representing approximately 490 mobile home pads. Under the mobile home rate, the mobile home park is metered at a single point, called a master meter. The owner of the mobile home park then sub-meters their individual tenants and bills those tenants directly for their energy use. The city of Lodi does not send bills for electric charges to these individual tenants, but instead has a billing relationship directly with the mobile home park owner. The above rate table (in the cost of service section) demonstrates that the Mobile Homes pay significantly less than COSA, +50%.

Unfortunately, mobile home rates tend to be particularly messy when subjected to major changes due to the unique metering and billing arrangements that exist in these master metered communities and staff recommends that it would be useful to meet with the mobile home park owners to discuss the implications of significant changes to rates prior to asking for preliminary council direction in this area. As a result, staff will not ask for preliminary council policy direction in this area and bring any recommended changes regarding mobile homes back to council at a later date.

Discounts

During council’s deliberations on the market cost adjustment, council members commented that discounts were both too much and not enough. In an effort to gain further insight into the differing policy objectives of different council members, staff has assembled a list of all discounts that are currently in place in the city in an attempt to enhance the discussion on discounts and to discern whether the treatment of discounts should be differentiated in any way based on the type of discount. Below is a list of the discounts currently in effect, the total cost of those discounts and the cost per account of those discounts.

Discount Analysis

	Residential Discounts	**Discount**	**Avg by Acct**	**# Accounts**
EAFI	Fixed Income	$4,606	$51	90
EAMR	Medical	$44,257	$126	350
ED	SHARE (low income)	$293,036	$181	1,618
EDMR	SHARE Medical	$39,470	$256	154
EEMR	All-Electric Medical	$360	$90	4
EF	All-Electric SHARE (low income)	$9,232	$176	53
EFMR	All-Electric SHARE Medical	$777	$173	5
	Residential Discount Total	**$391,738**		**2,274**
	Commercial	**Discount**	**Avg by Acct**	**# Accounts**
G1B	G1 Community Benefits Incentive	$6,795	$1,045	7
G2CB	G2 Community Benefits Incentive	$25,272	$5,616	5
	Commercial Discount Total	$32,067		**12**
	Industrial Discounts/Credits	**Discount**	**Avg by Acct**	**# Accounts**
ESRC	Economic Stimulus Rate	$801,334	$72,849	11
	Individual Contracts	$805,840	$115,120	7
	Industrial Discount Total	**$1,607,174**		**18**

Residential Discount Programs

Fixed Income

For those customers on fixed incomes below $45,000 annually and who are over 62 years old and do not qualify for any other discount, a discount of 5% on their electric bill is available. There are currently 90 accounts receiving this discount with a total annual cost of $4,606.

Medical Rider

Residential customers on the standard residential rate (EA), the SHARE program rate (ED) or the Mobile Home rate (EM) are entitled to an additional 500 kwhrs of electricity at a lower first tier rate under the Medical Rider Discount. To qualify for the Medical Rider, customers must demonstrate that they are either: a) dependent on life support devices used in the home, b) a paraplegic, quadriplegic or hemiplegic person having special air-conditioning needs, c) a multiple sclerosis patient having special heating or cooling needs or d) have another medical condition requiring special heating or cooling needs that would be reviewed on a case by case basis. Customers are also allowed to combine discounts if eligible for both the SHARE discount and the Medical Rider, but for the purposes of this paragraph, only the Medical discount will be discussed. There are currently 354 accounts receiving this discount with a total annual cost of $134,032. The discount results in an approximate 8% reduction from the standard applicable rate.

SHARE

The SHARE discount is available to any customer in single family or multi family dwellings separately metered by the City of Lodi (including mobile home tenants) where the customer meets the special income requirements of the rate schedule:

Number of Persons in Household	Maximum Annual Household Income
1-2	$22,000
3	$25,900
4	$31,500
Each additional person	$5,200

There are currently 1,671 accounts receiving this discount with a total annual cost of $397,168. The discount results in an approximate 30% reduction from the standard applicable rate.

Combined SHARE/Medical Rider

Customers eligible for either the SHARE discount or Medical Rider discount are eligible to combine the discounts. There are currently 159 accounts receiving the combined discount at a total annual cost of $50,448. The discount results in an approximate 36% reduction from the standard applicable rate.

Residential Discount Policy Direction

For comparison purposes, staff has assembled comparisons from other NCPA cities that show the discounts and levels of discounts that are provided for each of the categories of residential discounts as Exhibit 2. Staff requests that council express a non-binding preference on residential discount programs through a straw vote to either:

a) retain the existing discount programs with approximately the same level of discount applied to each program
b) retain the existing discount programs with a reduced level of discount applied to each program
c) retain the existing discount programs with an increased level of discount applied to each program
d) eliminate the existing discount programs

Commercial Discount Programs

G1 and G2 Community Benefits Incentive Discount

Non-profit entities (as defined in Federal Internal Revenue code 501(c)(3) who are currently receiving Federal Community Development Block Grant Funds or have received such funds not more than two years before preparation of the current billing cycle charge are eligible for a 30% discount on energy and demand charges. There are a total of seven G1 accounts receiving this discount at a cost of $6,795 and a total of five G2 accounts receiving this discount at a total cost of $25,272. A list of the customers receiving the Community Benefits Incentive discount is attached as Exhibit 3.

Staff requests that council express a non-binding preference through a straw vote to either:

a) retain the existing discount programs with approximately the same level of discount applied to each program
b) retain the existing discount programs with a reduced level of discount applied to each program
c) eliminate the existing discount programs

Economic Development

There have been a number of mechanisms employed by Lodi to attract employers into the city. Staff has been unable, however, to locate analyses that evaluated the costs and benefits of offering these mechanisms for economic development purposes. As indicated above, the industrial customers have commissioned a study that is intended to evaluate the value of industry to the community and which may assist the council in its future deliberations on economic incentives. In the absence of background materials describing the purpose and value for the various industrial credits and discounts, staff will describe the discount and the qualifying criteria.

Economic Stimulus Credit

The economic stimulus credit is provided to **all** customers in the G5 and I1 rate classes. The credit is a permanent feature of the rate. The credit provides for a $/kWh reduction off the published rate for each kWh consumed. The credit amounts to an approximate 5% to 10% discount from the published rates. As noted above, staff recommends eliminating any evergreen discounts from the rate structure and instead incorporating any desired discounts into specific agreements with explicit end dates, modification criteria and performance obligations.

Under the Market Cost Adjustment and rate lock commitment provided to the industrial customers through the end of this fiscal year, the Economic Stimulus Credit has been effectively subsumed into the overall industrial rate reduction from cost of service. Future designs will need to determine whether this feature is explicitly retained or eliminated. For example, if industrial rates were set at a specific level below cost of service, the resulting rate differential could serve as a permanent, transparent method of valuing the economic benefit of these customers. Alternatively, the industrial rate could be set at cost of service, and only selected and qualified customers could be offered the economic development credit, in which case, an explicit rate value would need to be made available.

Individual Contracts

In the past, in order to attract customers and/or to allow customers under expiring below market contracts to transition to the published rate over a longer period of time, special agreements were put in place. The original intent was for these contracts to act as an attraction or retention tool with the expectation that they would expire on a specific date after which the customer would transition to the published rate.

These contracts are largely operating as intended, with the exception that the transition rate should have been slightly higher than has turned out to be the case, and that a more detailed cost benefit analysis of the contracts could have been undertaken. Contracts can be effective tools for economic development if used in a manner that clearly supports the strategic objectives of the city.

In order to begin sorting out the myriad of economic development options available to the city council, staff requests that council express a non-binding preference through a straw vote on the following issues:

a) a yes or no vote on whether the economic stimulus credit should be retained
b) a yes or no vote on whether the economic stimulus credit should be limited in duration (e.g. 5 years or less)
c) a yes or no vote on whether the economic stimulus credit should be tied to measurable and/or quantifiable returns to the community
d) a yes or no vote on whether the economic stimulus credit should be tied to a maximum discount from Cost of Service
e) if the answer to d is yes, a yes or no vote on whether the maximum discount from cost of service should be greater or less than 25%

Next Steps

Based on the preliminary and non-binding policy preferences expressed by city council, staff can prepare an updated rate design incorporating those preliminary policy preferences. The updated rate design will then be brought back to city council for further council and public input and deliberation.

FISCAL IMPACT:

FUNDING:

_____
Ruby Paiste, Interim, Finance Director

_____
David Dockham
Interim Electric Utility Director

DD/lst

Attachments

cc: City Attorney
Deputy City Manager

Exhibit 1 - Comparison of All Electric and Mobile Home Rates

NCPA Members	All-Electric Rate	Mobile Home Rate	
Alameda	Yes	No	Residential-Master Meter
Biggs	No	No	
Gridley	No	No	
Healdsburg	Yes	No	Residential-Individual
Lompoc	Yes	No	Residential-5 Master and 2 Individual
Palo Alto	No	No	Residential-Individual
Plumas-Sierra	No	No	Commercial-Master Meter
Roseville	No	No	Residential-Individual Meter
Ukiah	Yes	No	Residential-Master Meter
Lassen Municipal	No	No	Residential-Individual
Redding	No	Yes	Residential-Master Meter
Santa Clara	No	No	Residential-Individual
Truckee Donner	No	No	Residential-Individual
Turlock	No	No	Residential-Individual

Rates as of 12/5/05

12/14/2005

Exhibit 2 - Comparison of Low Income and Medical Discount Programs

600 kWh Average

NCPA Members	Low Income	Discount	Medical	Discount	Medical Low Income	Discount	
Alameda	Yes	25%	Yes	10%	Yes	15%	
Biggs	No	0%	No	0%	No	0%	
Gridley	No	0%	Yes	25%	No	0%	
Healdsburg	Yes		Yes				
Lompoc	No	0%	Yes	10%	No	0%	
Palo Alto	Yes	20%	No	0%	No	0%	
Plumas-Sierra	No	0%	No	0%	No	0%	
Roseville	Yes	15%	Yes	39%	No	0%	50% on first 500 kWh per month and 15% above 500 kWh
Ukiah	Yes	$25	Yes	10%	No	0%	500 kWh
Lassen Municipal	No	0%	No	0%	No	0%	
Redding	No	0%	Yes	25%	No	0%	
Santa Clara	Yes	25%	Yes	25%	No	0%	
Truckee Donner	No	0%	No	0%	No	0%	
Turlock	Yes	15%	Yes	33%	No	0%	50% reduction on first 500 kWh

Rates as of 12/5/05

SMUD	Yes	30%	Yes	30%	Yes	50%

12/14/2005

Exhibit 3 - Community Benefit Incentive Customers

Community Benefit Incentive Customers
Lodi Adopt A Child
Lodi Boys and Girls Club
Loel Foundation
Lodi House
Lodi Salvation Army
Hill House Museum

AGENDA ITEM L-01

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: Ordinance No. 1767 Entitled, "An Ordinance of the City Council of the City of Lodi Amending Title 15, "Buildings and Construction," of the Lodi Municipal Code by Adding Chapter 15.65 Relating to the Establishment of the San Joaquin County Regional Transportation Impact Fee Program"

MEETING DATE: January 4, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1767.

BACKGROUND INFORMATION: Ordinance No. 1767 entitled, "An Ordinance of the City Council of the City of Lodi Amending Title 15, "Buildings and Construction," of the Lodi Municipal Code by Adding Chapter 15.65 Relating to the Establishment of the San Joaquin County Regional Transportation Impact Fee Program" was introduced at the regular City Council meeting of December 21, 2005.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. ***Cal. Gov't Code § 36934***.

Ordinances take effect 30 days after their final passage. ***Cal. Gov't Code § 36937***.

This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

_____
Susan J. Blackston
City Clerk

SJB

Attachment

APPROVED: _____
Blair King, City Manager

council/councom/Ordinance1.doc

ORDINANCE NO. 1767

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING TITLE 15, "BUILDINGS AND CONSTRUCTION," OF THE LODI MUNICIPAL CODE BY ADDING CHAPTER 15.65 RELATING TO THE ESTABLISHMENT OF THE SAN JOAQUIN COUNTY REGIONAL TRANSPORTATION IMPACT FEE PROGRAM

==========

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Title 15, "Buildings and Construction," of the Lodi Municipal Code is hereby amended by adding thereto Chapter 15.65 relating to the establishment of the San Joaquin County Regional Transportation Impact Fee Program and shall read as follows:

CHAPTER 15.65

SAN JOAQUIN COUNTY REGIONAL TRANSPORTATION IMPACT FEE

SECTIONS:

15.65.010 Purpose, Findings, and Declaration of Intent
15.65.020 Definitions
15.65.030 Authority for Adoption
15.65.040 Collection of RTIF Program Fees
15.65.050 Fee Rate and Calculation
15.65.060 Administration of the RTIF Program
15.65.070 Existing City of Lodi Development Impact Mitigation Fee Program

15.65.010 Purpose, Findings, and Declaration of Intent

A. In order to implement the goals and objectives of the general plan and to mitigate impacts caused by new development with the County of San Joaquin, a Regional Transportation Impact Fee Program is necessary. The program is needed to finance regional-serving transportation and transit improvements.

B. Substantial population and employment growth is expected in San Joaquin County through 2025 and beyond. This growth will cause impacts on the Regional Transportation Network ("Regional Transportation Network" or "RTIF Network") including increased congestion and related impacts unless substantial improvements are completed. The Regional Transportation Impact Fee Program ("RTIF Program") is intended to impose a fee to provide funding for transportation and transit improvements that help mitigate these impacts.

C. New development throughout the County will be subject to the fee which will be proportional to the impact caused on the Regional Transportation Network by such new development.

D. The funding derived from the RTIF Program shall be used in combination with other funding available to complete the needed transportation and transit improvements. In the absence of an RTIF Program, existing funding sources, including federal, State, and local sources, will be inadequate to construct the Regional Transportation Network required to avoid the unacceptable levels of traffic congestion and related adverse impacts.

15.65.020 Definitions

A. "Development Project" or "Project" means any project undertaken for the purpose of development including the issuance of a permit for construction or reconstruction, but not a permit to operate.

B. “Industrial Project” means any Development Project that proposes manufacturing, transportation, logistics, or warehousing as identified in the RTIF Land Use Fee Category Summary.

C. “Measure K” means the San Joaquin County Transportation Authority Local Transportation Improvement Plan: Air Quality, Mandatory Developer Fees and Growth Management Ordinance, which establishes and implements a retail transactions and use tax, as may be extended from time to time.

D. "Multi-Family Residential Unit" means a Development Project that uses a single parcel for two or more dwelling units within one or more buildings, including duplexes, townhouses, condominiums, and apartments as identified in the RTIF Land Use Fee Category Summary.

E. “Office Project" means any Development Project that involves business activities associated with professional or administrative services, and typically consists of corporate offices, financial institutions, legal and medical offices, personal and laundry services, or similar uses, and religious centers as identified in the RTIF Land Use Fee Category Summary.

F. “Participating Agencies” means the County of San Joaquin and each of the cities situated in San Joaquin County if such agencies have (1) adopted the RTIF Program Fee by ordinance and/or resolution and (2) entered into the Operating Agreement.

G. “Regional Transportation Impact Fee Program” or “RTIF Program” is the regional program established by the Operating Agreement by the Participating Agencies and SJCOG to impose, collect, and distribute a RTIF Program Fee to assist in the funding of transportation improvements to the Regional Transportation Network.

H. “Regional Transportation Impact Program Fee” or “RTIF Program Fee” or “RTIF Fee” means the fee established by each Participating Agency consistent with the RTIF Program and the Operating Agreement.

I. “Regional Transportation Network” means the regional network of highways and arterials as identified in the RTIF Technical Report and which may be amended from time to time by SJCOG.

J. “RTIF Capital Projects” or “Capital Projects” or “RTIF Project List” is the RTIF Program improvements and projects as identified in the RTIF Technical Report and which may be amended from time to time by SJCOG’s adoption and amendment of a “RTIF Capital Projects Report.”

K. “RTIF Capital Projects Report” means the report adopted by SJCOG annually which identifies the RTIF Capital Projects as amended from time to time by SJCOG.

L. “RTIF Operating Agreement” or “Operating Agreement” is the Regional Transportation Impact Fee Program Operating Agreement establishing the administration of the RTIF Program as adopted by each Participating Agencies and SJCOG which may be amended from time to time by the parties thereto.

M. “RTIF Technical Report” means the San Joaquin County Regional Transportation Impact Fee RTIF Technical Report dated October 27, 2005, and prepared pursuant to California Government Code, Section 66000 et seq., the Mitigation Fee Act.

N. "Residential Dwelling Unit" means a building or portion thereof which is designed primarily for residential occupancy by one family including single-family and multi-family dwellings. "Residential Dwelling Unit" shall not include hotels or motels.

O. "Retail Project" means any Development Project that retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise at a fixed point of sale as identified in the RTIF Land Use Fee Category Summary.

P. "Single-Family Residential Unit" means the use of a parcel for only one residential dwelling unit as identified in the RTIF Land Use Fee Category Summary.

15.65.030 Authority for Adoption

This chapter is adopted under the authority of Title 7, Division 1, Chapter 5 of the California Government Code Sections 66000 et seq. (Ord. 1758 § 1 (part), 2005).

15.65.040 Collection of RTIF Program Fees

A. Authority of the Public Works Director. The Public Works Director, or his/her designee, is hereby authorized to levy and collect the RTIF Program Fee and make all determinations required by this Ordinance.

B. Payment of RTIF Program Fees. Payment of the RTIF Program Fees shall be as follows:

1. The RTIF Program Fees shall be paid at the time of issuance of a building permit for the Development Project, or as otherwise required or permitted pursuant to Government Code section 66007.

2. The amount of the RTIF Program Fees shall be the fee amounts in effect at the time of payment.

3. RTIF Program Fees shall not be waived.

C. Payment by all Development Projects. Except as otherwise expressly provided by this Ordinance, the RTIF Program Fee required hereunder shall be payable by:

1. All Development Projects within the City for which building permits or other entitlements for Development Projects are issued on or after the effective date of this Ordinance, and

2. All Development Projects within the City for which building permits or other entitlements for Development Projects were issued prior to the effective date of this Ordinance and which permits or entitlements were issued subject to a condition requiring the developer to pay a RTIF Program Fee to be imposed upon such Development Project within the City.

D. Exemptions from the RTIF Program Fee. The following Development Projects shall not be subject to the RTIF Program Fee:

1. The rehabilitation and/or reconstruction of any legal, residential structure and/or the replacement of a previously existing legal dwelling unit, including an expansion of an existing dwelling unit that does not create an additional dwelling unit.

2. The rehabilitation and/or reconstruction of any non-residential structure where there is no net increase in square footage. Any increase in square footage shall pay the established applicable fee rate for that portion of square footage that is new.

3. Development Projects for which an application for a vesting tentative map authorized by Government Code Section 66498.1 was deemed complete on or prior to the effective date of the introduction of this Ordinance.

4. Development Projects which are the subject of a development agreement entered into pursuant to Government Code section 65864 et seq. prior to the effective date of the adoption of this Ordinance, wherein the imposition of new fees are expressly prohibited by the development agreement, provided, however, that if the term of such a development agreement is extended after the effective date of this Ordinance, the RTIF Program Fee shall be imposed.

E. Future Development Agreements. All future development agreements entered into after the effective date of this Ordinance shall require the full payment of the RTIF Program Fee.

1. Payments for non-residential projects. For non-residential projects the amount of the fee imposed on the entire Development Project shall be determined based upon:

(a) The gross floor area; and

(b) The predominant use of the building or structure as identified in the building permit.

2. Payment for mixed use projects. For mixed land use projects, which are projects that have both residential and non-residential uses, the amount of the fee imposed on the entire Development Project shall be proportionally determined based on the following:

(a) The fee associated with the type of residence; and

(b) The predominant use of the non-residential portion of the project.

F. Previously Paid RTIF Program Fees. In the event that RTIF Program Fees have previously been paid for an existing building which is a new Development Project with a new or different RTIF Fee category, the previously paid RTIF Program Fees for that existing building shall be credited against the amount of the RTIF Program Fee attributable to the new Development Project, up to the amount of the previously paid RTIF Program Fee. A rebate will not be granted if the change in land use represents a lower fee.

G. Reimbursements and Credits. In the event that RTIF Capital Projects are constructed by a developer in excess of the Development Project's RTIF Program Fee obligation or in lieu of

payment of RTIF Program Fees by a developer pursuant to an agreement between the developer and the City, the developer may be reimbursed or credited for future application for any costs based on the actual costs of construction of the RTIF Capital Project incurred by the developer in excess of the amount the RTIF Program Fees that apply to the Development Project.

15.65.050 Fee Rate and Calculation

A. Establishing the RTIF program fee. The amount of the RTIF program fee for development projects shall be consistent with the provisions of this ordinance and the RTIF technical report and shall be established by a resolution of the City Council.

B. Annual adjustment. The RTIF Program Fee shall be automatically adjusted on an annual basis at the beginning of each fiscal year (July 1) based on the Engineering News Record 20 Cities Construction Cost Index.

15.65.060 Administration of the RTIF Program

A. RTIF account or RTIF funds. All fees collected pursuant to the RTIF Program Fee shall be deposited in a RTIF account or RTIF fund and shall not be commingled with other funds. The contents of this RTIF fund shall be designated solely for the purpose of contributing to the financing of the RTIF Capital Projects included in the RTIF Capital Projects Report and for the funding of incidental administrative costs. Any interest income earned on the RTIF fund shall also be deposited therein and shall only be expended for the purposes as set forth in this Ordinance.

B. Prohibition on Interfund Transfers or Loans. Notwithstanding subsection (b)(1)(G) of section 66006 of the Government Code there shall be no interfund transfer, grant, or loan of the RTIF Program Fees or RTIF fund or RTIF account to other City accounts, funds, programs, or fees. However, the City may provide loans, grants, or transfers of RTIF Program Fees to other Participating Agencies or SJCOG provided that such funds are consistent with the RTIF Program and used for the development or construction of RTIF Capital Projects.

15.65.070 Existing City of Lodi Development Impact Mitigation Fee Program

A. The City of Lodi Development Impact Mitigation Fee program pursuant to Municipal Code Title 15 Chapter 15.64 shall be adjusted on any future projects that are identified in the approved RTIF Project List to ensure continued compliance with the Fee Mitigation Act (Gov. Code §§ 66000 et seq.).

Section 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3 - Severability. If any one or more of the terms, provisions, or sections of this Ordinance shall to any extent be judged invalid, unenforceable, and/or avoidable for any reason whatsoever by a court of competent jurisdiction, then each and all of the remaining terms, provisions, and sections of this Ordinance shall not be affected thereby and shall be valid and enforceable.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi with the names of the members voting for and against same and shall be in force and take effect 30 days from and after its passage and approval.

Approved this 4th day of January, 2006.

_____
SUSAN HITCHCOCK
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1767 was introduced at a regular meeting of the City Council of the City of Lodi held December 21, 2005, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held January 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1767 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney