



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: January 6, 2010

Time: 7:00 p.m.

For information regarding this Agenda please contact:

Randi Johl, City Clerk
Telephone: (209) 333-6702

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

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call – N/A

C-2 Announcement of Closed Session – N/A

C-3 Adjourn to Closed Session – N/A

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

C-4 Return to Open Session / Disclosure of Action – N/A

A. Call to Order / Roll call

B. Pledge of Allegiance

C. Presentations

C-1 Awards – None

C-2 Proclamations

a) Anniversary of the Boosters of Boys/Girls Sports Organization

C-3 Presentations – None

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

D-1 Receive Register of Claims in the Amount of \$6,182,275.67 (FIN)

D-2 Approve Minutes (CLK)

a) December 1, 2009 (Shirtsleeve Session)

b) December 15, 2009 (Shirtsleeve Session)

c) December 16, 2009 (Special Meeting)

d) December 16, 2009 (Regular Meeting)

e) December 22, 2009 (Shirtsleeve Session)

f) December 29, 2009 (Shirtsleeve Session)

D-3 Accept Improvements under Contract for Building Demolition at 17 East Elm Street Project (PW)

D-4 Accept Improvements under Contract for DeBenedetti Park/G Basin Rough Grading Project (PW)

D-5 Approve Plans and Specifications and Authorize Advertisement for Bids for DeBenedetti Park – Phase I Improvements, 2350 South Lower Sacramento Road (PW)

D-6 Approve Plans and Specifications and Authorize Advertisement for Bids for 2010 Alley Reconstruction Project (PW)

- D-7 Set Public Hearing for February 3, 2010, to Consider the Approval of the Action Plan Amendment for the Reallocation of Available Community Development Block Grant and Community Development Block Grant – Recovery Program Funding (CD)

E. 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.

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

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

H. Public Hearings – None

I. Communications

- I-1 Claims Filed Against the City of Lodi – None
I-2 Appointments – None
I-3 Miscellaneous – None

J. Regular Calendar

- Res. J-1 Authorize the City Manager to Engage Lamont Financial Services and Stone and Youngberg LLC for Professional Services Related to Financing the Mokelumne Water Treatment Plant and Adopt Resolution Declaring Intent to Reimburse Certain Expenditures from Proceeds of Indebtedness (CM)
NOTE: This item is carried over from the meeting of 12/16/09
- J-2 Receive Advisory Water and Wastewater Usage-Based Rates for the Purpose of Research and Customer Comparison (PW)
NOTE: This item is carried over from the meeting of 12/16/09
- J-3 Authorize City Manager to Execute Addendum to the 2007-2011 Memorandum of Understanding between the City of Lodi and the Police Officers Association of Lodi Bargaining Unit (CM)
NOTE: This item is carried over from the meeting of 12/16/09
- J-4 Receive Presentation Regarding the Draft Environmental Impact Report and Draft General Plan (CD)
- J-5 Authorize City Manager to Execute Addendum to the 2008-2009 Memorandum of Understanding between the City of Lodi and the Lodi City Mid-Management Association (CM)
- J-6 Approve Legal Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$1,435.44) (CA)

K. Ordinances – None

L. Reorganization of the Following Agency Meetings:

NOTE: This item is carried over from the meeting of 12/16/09

- Res. L-1 Lodi Public Improvement Corporation
Res. L-2 Industrial Development Authority
Res. L-3 Lodi Financing Corporation
Res. L-4 City of Lodi Redevelopment Agency

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.

Randi Johl, City Clerk



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Anniversary of the Boosters of Boys/Girls Sports Organization
MEETING DATE: January 6, 2010
PREPARED BY: City Clerk

RECOMMENDED ACTION: Mayor Katzakian present a proclamation in celebration of the 50th anniversary of the Boosters of Boys/Girls Sports (BOBS) organization.

BACKGROUND INFORMATION: The Mayor was requested to present a proclamation to the BOBS in celebration of its 50th anniversary. BOBS President Rick Englehardt will be at the meeting to accept the proclamation.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None.

Randi Johl
City Clerk

RJ/JMR

APPROVED: _____
Blair King, City Manager



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Receive Register of Claims Dated December 3, and December 10, 2009 in the Total Amount of \$6,182,275.67

MEETING DATE: January 6, 2010

PREPARED BY: Financial Services Manager

RECOMMENDED ACTION: Receive the attached Register of Claims for \$6,182,275.67

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of \$6,182,275.67 dated 12/3/09 and 12/10/09. Also attached is Payroll in the amount of \$1,224,556.96.

FISCAL IMPACT: n/a

FUNDING AVAILABLE: As per attached report.

Ruby R. Paiste, Financial Services Manager

RRP/rp

Attachments

APPROVED: _____
Blair King, City Manager

Accounts Payable
Council Report

Page - 1
Date - 12/16/09

As of Thursday	Fund	Name	Amount
12/03/09	00100	General Fund	785,002.12
	00130	Redevelopment Agency	2,520.00
	00160	Electric Utility Fund	3,470,066.12
	00161	Utility Outlay Reserve Fund	4,028.00
	00164	Public Benefits Fund	8,958.76
	00166	Solar Surcharge Fund	10,460.00
	00167	Energy Efficiency & CBGP-ARRA	22,384.21
	00170	Waste Water Utility Fund	25,245.63
	00171	Waste Wtr Util-Capital Outlay	1,229.43
	00172	Waste Water Capital Reserve	5,333.78
	00180	Water Utility Fund	37,474.92
	00181	Water Utility-Capital Outlay	140.62
	00182	IMF Water Facilities	5,632.72
	00210	Library Fund	7,030.19
	00211	Library Capital Account	13,086.81
	00260	Internal Service/Equip Maint	33,844.82
	00270	Employee Benefits	55,685.44
	00300	General Liabilities	11,779.17
	00310	Worker's Comp Insurance	17,150.02
	00321	Gas Tax	3,989.26
	00325	Measure K Funds	5,602.38
	00326	IMF Storm Facilities	360.00
	00340	Comm Dev Special Rev Fund	1,124.72
	00345	Community Center	7,577.75
	00346	Recreation Fund	6,703.82
	00459	H U D	212.10
	01211	Capital Outlay/General Fund	8,707.36
	01214	Arts in Public Places	5,000.00
	01218	IMF General Facilities-Adm	56,929.31
	01241	LTF-Pedestrian/Bike	3,112.60
	01250	Dial-a-Ride/Transportation	25,134.31
	01410	Expendable Trust	7,141.38
Sum			4,648,647.75
	00184	Water PCE-TCE-Settlements	3,672.99
	00190	Central Plume	41,281.07
Sum			44,954.06
Total for Week			4,693,601.81
Sum			4,693,601.81

Accounts Payable
Council Report

Page - 1
Date - 12/16/09

As of Thursday	Fund	Name	Amount
12/10/09	00100	General Fund	732,070.89
	00120	Vehicle Replacement Fund	15,950.50
	00123	Info Systems Replacement Fund	543.75
	00160	Electric Utility Fund	30,147.03
	00164	Public Benefits Fund	4,441.52
	00166	Solar Surcharge Fund	17,589.00
	00170	Waste Water Utility Fund	14,610.86
	00171	Waste Wtr Util-Capital Outlay	3,410.00
	00180	Water Utility Fund	4,548.04
	00181	Water Utility-Capital Outlay	45,949.40
	00182	IMF Water Facilities	1,980.00
	00210	Library Fund	4,287.62
	00234	Local Law Enforce Block Grant	181.75
	00235	LPD-Public Safety Prog AB 1913	61.16
	00260	Internal Service/Equip Maint	18,779.76
	00270	Employee Benefits	354,543.26
	00310	Worker's Comp Insurance	14,630.42
	00321	Gas Tax	291.25
	00325	Measure K Funds	9,315.68
	00340	Comm Dev Special Rev Fund	206.27
	00345	Community Center	18,632.96
	00346	Recreation Fund	1,217.52
	00459	H U D	168.00
	01211	Capital Outlay/General Fund	4,364.24
	01241	LTF-Pedestrian/Bike	9,626.30
	01250	Dial-a-Ride/Transportation	169,408.86
	01410	Expendable Trust	11,216.52
Sum			1,488,172.56
	00184	Water PCE-TCE-Settlements	168.00
	00190	Central Plume	333.30
Sum			501.30
Total for Week Sum			1,488,673.86

Council Report for Payroll

Payroll	Pay Per Date	Co	Name	Gross Pay
Regular	11/15/09	00100	General Fund	767,319.53
		00160	Electric Utility Fund	147,857.80
		00164	Public Benefits Fund	3,783.78
		00170	Waste Water Utility Fund	87,179.58
		00180	Water Utility Fund	128.40
		00210	Library Fund	29,772.67
		00235	LPD-Public Safety Prog AB 1913	2,600.05
		00260	Internal Service/Equip Maint	21,620.56
		00321	Gas Tax	56,050.42
		00340	Comm Dev Special Rev Fund	21,730.51
		00345	Community Center	26,372.16
		00346	Recreation Fund	53,310.92
		01250	Dial-a-Ride/Transportation	6,830.58
Pay Period Total:				
Sum				1,224,556.96



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Approve Minutes
a) December 1, 2009 (Shirtsleeve Session)
b) December 15, 2009 (Shirtsleeve Session)
c) December 16, 2009 (Special Meeting)
d) December 16, 2009 (Regular Meeting)
e) December 22, 2009 (Shirtsleeve Session)
f) December 29, 2009 (Shirtsleeve Session)

MEETING DATE: January 6, 2010

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve the following minutes as prepared:
a) December 1, 2009 (Shirtsleeve Session)
b) December 15, 2009 (Shirtsleeve Session)
c) December 16, 2009 (Special Meeting)
d) December 16, 2009 (Regular Meeting)
e) December 22, 2009 (Shirtsleeve Session)
f) December 29, 2009 (Shirtsleeve Session)

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

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

Attachments

APPROVED: _____
Blair King, City Manager

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, DECEMBER 1, 2009**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, December 1, 2009, commencing at 7:00 a.m.

Present: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Absent: None

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

B. Topic(s)

B-1 First Quarter Fiscal Year 2009/10 Water, Wastewater, and Electric Utility Department Financial Reports (CM)

City Manager King provided a brief introduction to the subject matter of the utility quarterly reports.

Water Services Manager Charlie Swimley provided a PowerPoint presentation regarding the Public Works Water/Wastewater Fiscal Year 2010 quarterly update. Specific topics of discussion for water and wastewater utilities included operating results, cash flow summary, cash balances, and utility accomplishments.

In response to Council Member Hitchcock, Mr. Swimley stated the \$2 million figure that has not been expended is related mostly to materials and some professional services.

In response to Mayor Hansen, Mr. Swimley stated he anticipates the biosolid efforts will be done during the next cycle, Central Valley Clean Water Association (CVCWA) is challenging the State Board decision, litigation is in its early stages, and settlement may still be possible. Mr. Swimley stated the City is not an individual party to the lawsuit but rather a part of the CVCWA group and will continue to operate under the existing permit in the interim.

In response to Council Member Mounce, Mr. Swimley stated the first infrastructure project will happen next year and every other year thereafter per City Council policy. Mr. King stated infrastructure Project No. 4 was accepted by the City Council at the last meeting.

In response to Council Member Johnson, Mr. Swimley stated there are currently six granular activated carbon treatment systems in service and they should last four to five years.

In response to Mayor Hansen, Mr. Sandelin stated water impact mitigation funds are used to construct oversize mains and new wells, they are collected with new homes and building construction, and \$252 was collected last year due to the industry slow down.

In response to Council Member Hitchcock, Mr. Sandelin stated the PCE/TCE operating expenses include installing equipment and facilities. Mr. Sandelin stated the expenses are all related to clean-up efforts.

In response to Council Member Mounce, Mr. Sandelin confirmed that the \$1 million related to wastewater treatment is being tracked through Council Communications and on the books.

In response to Council Member Hitchcock, Mr. Sandelin confirmed that the property owners near Flag City were notified that they were exceeding salinity levels and the enforcement ordinance is being applied.

In response to Mayor Hansen, Mr. Sandelin stated nitrogen cannot exceed the 425 figure per acre. Mr. King stated that, if the City did not have land application, there would be increased treatment efforts, and the City currently collects 20% of the gross product as the lease amount.

Interim Electric Utility Director Ken Weisel provided a PowerPoint presentation regarding the Electric Utility Fiscal Year 2010 quarterly update. Specific topics of discussion included an overview, financial results, operating expenditures, power supply, power sales, billing statistics, Energy Cost Adjustment (ECA) revenue, Northern California Power Agency (NCPA) general operating reserve, "open position," and reserve policy.

In response to Council Member Hitchcock, Mr. Weisel stated the \$4.6 million figure represents a little more than one quarter of the year.

In response to Council Member Mounce, Mr. Weisel stated in the low load year nothing happens with the transmission system and when the regular load returns it places greater stress on the transmission.

In response to Council Member Hitchcock, Mr. Weisel and Deputy City Manager Jordan Ayers confirmed the sales projection on the billing statistics are for the quarter, and in terms of revenue, all areas are a bit lower due to the weather, economy, and conservation.

In response to Council Member Mounce, Mr. Weisel confirmed that the ECA is lower than projected.

In response to Council Member Hitchcock, Mr. Weisel and Mr. Ayers stated the total number of customers remain similar and additional information could be provided broken out by customer class and business usage.

In response to Mayor Hansen, Mr. Weisel stated he is not sure if there is an additional power purchase needed this year because there is a small open position and there is diversity in the portfolio.

In response to Council Member Johnson, Mr. King stated the municipal insurance bond business is pretty much gone, there is an expectation that public agencies should have two ratings, Standard & Pools rates the City at an A-, Fitch rates the City at a BBB+, Moodys ratings are tied in with NCPA refinancing, and ratings are based on days cash at hand.

In response to Mayor Pro Tempore Katakian, Mr. King stated the ratings factor in for borrowing, power acquisition, and credit references for longer-term purchases.

In response to Mayor Pro Tempore Katakian, Mr. Weisel confirmed that the policy for the open position is a maximum of 10% for the current year, 25% for the next year, and 50% for the third year.

In response to Council Member Johnson, Mr. King stated Moodys will look at the NCPA pool aggregately and the City is a part of that pool.

In response to Council Member Hitchcock, Mr. King confirmed that the ratings agencies look at an actively engaged City Council, the core group of qualified staff, and collective capability as a

group when considering ratings.

In response to Mayor Hansen, Mr. King confirmed a formula was used for what the current reserve policy should be and approximately \$17 million is available in case of an emergency or catastrophic event.

City Council briefly discussed the current reserve policy, the need to review the current policy and make adjustments, and the possible reasons to increase or decrease the reserve amount.

In response to an inquiry from Myrna Wetzel, Mr. Sandelin stated there is no connection to the Woodbridge Irrigation District water.

In response to an inquiry by Myrna Wetzel, Mr. King stated the terms by which Lodi Electric Utility is referred to may vary some but they refer to the same entity.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 8:06 a.m.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, DECEMBER 15, 2009**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, December 15, 2009, commencing at 7:02 a.m.

Present: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Absent: None

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

B. Topic(s)

B-1 Receive Report on Fiscal Year 2008/09 Year-End Fiscal Condition (CM)

City Manager King briefly introduced the subject matter of the 2008/2009 Comprehensive Annual Financial Report (CAFR).

Deputy City Manager Jordan Ayers provided a PowerPoint presentation regarding the 2008/2009 CAFR. Specific topics of discussion included the status of the City's financial position, highlights of the financial records, general fund unreserved fund balance, budget to actual variances, Community Center deficit unrestricted fund balance, Community Development deficit unrestricted fund balance, Recreation and Library unrestricted fund balances, Enterprise Fund status for electric utility, wastewater utility, and water utility, and Governmental Accounting Standards Board (GASB) 45 and 49 accounting requirements.

In response to Mayor Pro Tempore Hitchcock, Mr. King stated staff is providing numbers that are known now, rounded to a \$3.4 million general fund balance, the current year budget is premised on the expectation that the expenses will not exceed revenues, last year's budget difference was not expenditures but rather revenues that were not as high as anticipated, and the \$3.4 million also represents the one-time revenue that came from the sale of the Lockeford property.

In response to Mayor Katzakian, Mr. King stated revenue for the sale of the generator will be a one-time revenue source that will likely be received in 2010/2011 and it is recommended that the one-time revenue be spent on a one-time expenditure.

In response to Council Member Johnson, Mr. Ayers stated he is not sure of the amount of funding available from the Library Foundation or the Friends of the Library group as those funds are outside of the General Fund.

In response to Mayor Katzakian, Mr. Ayers and Mr. King confirmed that \$4.7 million would be coming back into the general operating reserve from the Lodi Energy Center as cash reserve that will go up in that amount from the reimbursement.

In response to Council Member Mounce, Mr. King stated the Water Fund is not rated, typically utility funds are rated and affected by the General Fund connection, and the CAFR reflects changes required by the new GASB requirements.

In response to Mayor Pro Tempore Hitchcock, Mr. King stated utility funding, including remediation costs, are expended in a targeted manner so that reimbursements can be made

accordingly.

In response to Council Member Mounce, Mr. Ayers stated the \$70 million figure came from the contracted engineering firm, which based the amount on remediation needs over the 30-year time period plus adjustments for inflation.

In response to Mayor Pro Tempore Hitchcock, Mr. Schwabauer confirmed that annual collection for PCE/TCE remediation was approximately \$2.2 million.

In response to Council Member Mounce, Mr. King stated the City is not affected by GASB to the extent that others are and the biggest affect is for post-employment benefits for employees hired prior to 1996 for sick leave conversion.

In response to Council Member Hitchcock, Mr. Ayers and Mr. King stated the actuarial numbers may include both tiers of employees, the before and after 1996, for sick leave conversion liability purposes and as a result the liability estimates may be greater. Mr. King stated the actual liability costs will also vary dependent upon which of the three ways are utilized for sick leave conversion by the eligible employees.

In response to Council Member Mounce, Mr. Ayers stated per GASB the City does not have to book the full liability, only show the current year liability. Further, Mr. King stated if one-time funding was used to fund the GASB liability, it could be restricted and set up as a trust fund.

In response to Council Member Johnson, Mr. King stated tomorrow the Council will see the CAFR, ask any questions of the auditor who will be present, go over the management letter for which there are no new comments, and review the closing numbers for June 30, 2009. Mr. King stated the mid-year review is scheduled for January 20 and staff will start with the \$3.4 million figure as the number for the current year budget. He stated adjustments for services and programs will need to be reviewed if it appears that the figures are coming in less than \$3.4 million.

In response to Council Member Hansen, Mr. Ayers stated typically the fourth quarter is the largest sales tax quarter with the other three building up to it. Mr. Ayers stated numbers are primarily driven by the construction industry, the projected sales tax reduction was 10% to 15%, and the actual decline was 20%.

In response to Council Member Mounce, Mr. King stated the cardroom revenue is up approximately \$100,000. Council Member Mounce asked Mr. Ayers to have a member of the Budget and Finance Committee be present at the Council meeting to convey the prior discussion and thoughts of the Committee on the CAFR.

C. Comments by Public on Non-Agenda Items - None

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:48 a.m.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 16, 2009**

A. Roll call

The Special City Council meeting of December 16, 2009, was called to order by Mayor Katzakian at 6:02 p.m.

Present: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Absent: None

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

B. Closed Session

At 6:02 p.m., Mayor Katzakian adjourned the meeting to a Closed Session to discuss the following matter.

B-1 Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Roy Beams against City of Lodi Based on Personal Injury

C. Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Katzakian reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following action.

In regard to Item B-1, negotiating and settlement direction was given.

D. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 6:38 p.m.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 16, 2009**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of December 16, 2009, was called to order by Mayor Katzakian at 6:02 p.m.

Present: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Absent: None

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

C-2 Announcement of Closed Session

- a) Threatened Litigation: Government Code §54956.9(b); One Application; Workers Compensation Claim by Patricia Novinger against City of Lodi (DOI: 11/05/98)
- b) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Lodi City Mid-Management Association Pursuant to Government Code §54957.6

C-3 Adjourn to Closed Session

At 6:02 p.m., Mayor Katzakian adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:38 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Katzakian reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

In regard to Item C-2 (a), settlement direction was given.

In regard to Item C-2 (b), negotiating direction was given.

A. Call to Order / Roll call

The Regular City Council meeting of December 16, 2009, was called to order by Mayor Katzakian at 7:00 p.m.

Present: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Absent: None

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

B. Pledge of Allegiance

C. Presentations

C-1 Awards - None

C-2 Proclamations - None

C-3 Presentations - None

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

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

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

D-1 Receive Register of Claims in the Amount of \$1,244,762.34 (FIN)

Claims were approved in the amount of \$1,244,762.34.

D-2 Approve Minutes (CLK)

The minutes of November 18, 2009 (Regular Meeting), December 2, 2009 (Regular Meeting), and December 8, 2009 (Shirtsleeve Session) were approved as written.

D-3 Adopt Resolution Rejecting Bids for the Inspection, Adjustment, and Maintenance Tests of Two Transformers at Henning Substation (EUD)

Adopted Resolution No. 2009-170 rejecting bids for the inspection, adjustment, and maintenance tests of two transformers at Henning Substation.

D-4 Adopt Resolution Approving Purchase of Portable Bus/Equipment Lifts from Stertil-KONI, of Stevensville, MD (\$44,632), and Appropriating Grant Funds (\$47,000) (PW)

Adopted Resolution No. 2009-171 approving the purchase of portable bus/equipment lifts from Stertil-KONI, of Stevensville, MD, in the amount of \$44,632, and appropriating grant funds in the amount of \$47,000.

D-5 Accept Improvements Under Contract for Traffic Stripes, Various City Streets, 2009 (PW)

Accepted the improvements under contract for Traffic Stripes, Various City Streets, 2009.

D-6 Adopt Resolution Approving Improvement Deferral Agreement for 1820 South Cherokee Lane (PW)

This item was pulled for further discussion by Mayor Pro Tempore Hitchcock.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated the applicant requested a deferral, the property is isolated at the end of a run, similar properties are often deferred until an adjoining property is improved, and an example is the St. James Episcopal Church.

In response to Council Member Mounce, Mr. Sandelin confirmed that there is no need for a

sidewalk in light of parking sufficiency and the new parking lot improvements.

In response to Council Member Mounce, Mr. Sandelin stated the drainage condition at the existing property is similar to that of 30 years ago, the parking lot drains to its own drain and meets drainage needs, the property owner spent approximately \$1 million for parking lot improvements, and the recommendation is to defer until the adjoining property develops.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated he is not sure of the exact size of the adjoining property but it is approximately 3/4 of an acre.

In response to Mayor Katzakian, Mr. Sandelin stated the neighboring properties are owned by two different parties.

Council Member Mounce made a motion, second by Council Member Johnson, to adopt Resolution No. 174 approving the Improvement Deferral Agreement for 1820 South Cherokee Lane.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, and Mayor Katzakian

Noes: Mayor Pro Tempore Hitchcock

Absent: None

D-7 Adopt Resolution Authorizing Necessary Appropriations for the Lodi Solar Rebate Program for Calendar Year 2010 (\$847,000) (EUD)

Adopted Resolution No. 2009-172 authorizing necessary appropriations for the Lodi Solar Rebate Program for calendar year 2010 in the amount of \$847,000.

D-8 Accept Water Meter Program Privately-Contracted Meter Installation Guide (PW)

This item was pulled for further discussion by Council Member Mounce.

Council Member Mounce stated she will not be voting in favor of the recommended action based on her fundamental belief that infrastructure should be provided by the City.

Mayor Pro Tempore Hitchcock requested a presentation on the privately-contracted water meter installation guide.

City Manager King briefly introduced the subject matter and Public Works Director Wally Sandelin provided a PowerPoint presentation regarding the privately contracted water meter installation guide. Specific topics of discussion included Assembly Bill 2572, private property owner installation period, eligibility, estimated meter costs, program administrator contact information, overview of requirements, initiation of meter-based bill, and recommend action of adoption of proposed guide.

In response to Council Member Mounce, Mr. Sandelin stated Assembly Bill 2572 allows California cities to install water meters up to the year 2025. Council Member Mounce requested that copies of the booklet be distributed to the Council. Mr. Schwabauer and Mr. Sandelin confirmed that approximately 15,000 properties in the City would require their meters to be turned on by 2011.

In response to Council Member Mounce, Mr. Sandelin stated that if the water meter fails, it would be covered by the manufacturer's warranty for the first year and the City thereafter.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin confirmed that contractors will have the ability to come in the first year and do the work prior to the City doing it thereafter on a larger scale.

In response to Council Member Hansen, Mr. Sandelin stated the licensed contractor is required to protect the water supply.

In response to Council Member Hansen, Mr. Sandelin confirmed that the new water meter system was considered by Council to be a fair way to assess property owners for the water they actually use versus the existing bedroom system.

In response to Council Member Hansen, Mr. Sandelin stated staff will come to Council in March with payment options for the water meter system, some cities in the County already have water meters, and other cities are looking at accelerated meter installation as well.

Council Members Johnson and Mounce suggested staff look into subsidy and waiver options for those property owners who truly cannot afford the meters.

In response to Council Member Mounce, Mr. Sandelin stated approximately \$2.5 million was collected annually since 2003 for infrastructure replacement and the cost of the water meter program is approximately \$33 million.

In response to Council Member Johnson, Mr. King stated the trigger for the Assembly Bill was the drop dead date of 2011 for the meter turn ons for those that already had meters.

In response to Mayor Pro Tempore Hitchcock, Mr. Ayers stated there is approximately \$20 million in cash and \$7 million in reserve for PCE/TCE.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated the \$20 million is in aggregate and most of it is on the capital side. Mr. King stated the money would go to water line improvements including the water main replacement for the next few years as it is recommended that the water mains be replaced concurrently with the water meter installations.

A brief discussion ensued among Mayor Pro Tempore Hitchcock and Mr. Sandelin regarding financing and subsidy options and staff coming back to Council in March with various payment options including extended payment plans.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated the price for the City right now is \$1,025 or less depending upon the contractor bid for larger-scale projects. Mr. King stated that information will be made available as soon as possible.

Lorrie Lanie spoke in opposition to the cost associated with water meter installations based on her concerns about financial burdens on property owners and the ability to do the work herself.

Ann Cerney spoke regarding her concerns about franchise fees, profit for services and the cost of services study.

Council Member Hansen made a motion, second by Council Member Johnson, to accept the water meter program privately-contracted meter installation guide.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Mayor Pro Tempore Hitchcock, and

Mayor Katzakian

Noes: Council Member Mounce

Absent: None

D-9 Adopt Resolution Authorizing Specific Staff Members of York Insurance Services Group, Inc. (Formerly Bragg and Associates, Inc.) as Signers on the City of Lodi / Workers Compensation Claims Management Account (CM)

Adopted Resolution No. 2009-173 authorizing specific staff members of York Insurance Services Group, Inc. (formerly Bragg and Associates, Inc.) as signers on the City of Lodi/Workers Compensation Claims Management Account.

E. 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.

Robin Rushing wished everyone a Merry Christmas, Happy Hanukkah, and other relevant holiday greeting.

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

Council Member Hansen reported on his attendance at various meetings where specific topics of discussion included Highway 12 construction starting in May 2011 and the AB 32 greenhouse reduction bill passing cap and trade. He also commended Loel Center on its successful dinner event, wished everyone a Merry Christmas, and urged the use of designated drivers.

Council Member Mounce reported on her attendance at the League quarterly dinner meeting where she was elected to a two-year term as Central Valley Director. She also reported that the Youth Commission is looking into social host liability and wished everyone a Merry Christmas.

Council Member Johnson reported on the new County jail efforts, which appear to be stalled at money for construction but no money for operations. He wished everyone a Merry Christmas and commended the citizens and staff for their ongoing efforts and patience throughout the year in difficult times.

Mayor Katzakian reported on his attendance at the San Joaquin Groundwater Banking Authority meeting.

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

None.

H. Public Hearings

H-1 Public Hearing to Consider Resolution Approving Fare Increases for GrapeLine Fixed Route and Dial-A-Ride/VineLine Services (PW)

Notice thereof having been published according to law, an affidavit of which publication is on file

in the office of the City Clerk, Mayor Katzakian called for the public hearing to consider resolution approving fare increases for GrapeLine Fixed Route and Dial-A-Ride/VineLine Services.

City Manager King briefly introduced the subject matter of the Transit Service Fare Increase.

Public Works Director Wally Sandelin provided a PowerPoint presentation regarding the proposed transit service fare increase. Specific topics of discussion included the issue of expenditures being higher than revenues for transit services, Dial-A-Ride/VineLine fares, fixed-route fares, schedule implications, public outreach and start up, and proposed recommended action.

Mayor Katzakian opened the public hearing to receive public comment.

Adam Pack spoke in opposition to the proposed recommended action based on his concern about impacts on disabled persons.

Joyce Looker spoke in opposition to the proposed recommended action based on her concerns about early morning ridership during the weekdays.

Jean Schmidt spoke in opposition to the proposed recommended action based on her concerns about the lack of service on Sundays.

Karen Stewart spoke in opposition to the proposed recommended action based on her concerns about the lack of service on Sunday to accommodate church attendance.

Lauren Keftner spoke in opposition to the proposed recommended action based on her concern about the lack of Sunday service.

Ellen Lyon spoke in opposition to the proposed recommended action based on her concerns about the financial ability to pay an increase and the lack of service on Sunday.

Robin Rushing spoke in opposition to the proposed recommended action based on his concern about the financial ability to pay an increase.

Ann Cerney spoke in opposition to the proposed recommended action based on her concern about the percentage increase in fares for disabled persons.

Mayor Katzakian closed the public hearing after receiving no further comments.

In response to Council Member Hansen, Mr. Sandelin stated staff tried to accommodate hours and fare increases to capture the highest amount of ridership and the total cost for the package of extended services is approximately \$50,000.

In response to Council Member Hansen, Mr. Sandelin stated staff was fairly conservative on ridership decline estimates and they will continue monitoring invoices and service delivery to ensure costs are on track.

In response to Mayor Katzakian, Mr. Sandelin stated if costs are not in line then staff will return to the City Council for adjustments as needed.

In response to Council Member Johnson, Mr. Sandelin stated that, although some pressure is put upon the assumptions, the Sunday service adjustments may be accommodated.

In response to Council Member Johnson, Mr. Sandelin stated the fare increase will overall reduce

subsidy.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin provided an overview of Sunday ridership, of approximately 70 passengers, and hours of service.

In response to Mayor Katakian, Mr. King stated the City is obligated to provide paratransit service parallel to fixed-route service.

In response to Council Member Mounce, Terri Whitmire, representing the Senior Citizens Commission, stated the Commission felt it needed a stronger service during the weekdays where services are needed for medical reasons, instead of the Sunday service.

In response to Council Member Hansen, Mr. Sandelin stated the funding is tied to the State budget and San Joaquin Council of Governments is tracking the funding to ensure the City and County remain aware of the funding trends.

In response to Council Member Mounce, Mr. Sandelin stated the proposed recommended action will not affect express routes.

Council Member Mounce made a motion, second by Mayor Pro Tempore Hitchcock, to adopt Resolution No. 2009-175 approving fare increases for Grapeline Fixed Route and Dial-A-Ride/VineLine Services as recommended with the addition of a 9:00 a.m. to 1:00 p.m. service for both services.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katakian

Noes: None

Absent: None

I. Communications

I-1 Claims Filed Against the City of Lodi - None

I-2 Appointments - None

I-3 Miscellaneous

a) Monthly Protocol Account Report (CLK)

Council Member Mounce made a motion, second by Mayor Katakian, to approve the cumulative Monthly Protocol Account Report through November 30, 2009.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katakian

Noes: None

Absent: None

J. Regular Calendar

J-1 Review of City's Annual Financial Report and Financial Statements (Fiscal Year 2008/09)

as Submitted by Macias, Gini & O'Connell, LLP (CM)

City Manager King introduced the subject matter of the 2008/2009 Comprehensive Annual Financial Report.

In response to Mayor Pro Tempore Hitchcock, Scott Brewner, representative of Macias, Gini & O'Connell, confirmed that Council Member Larry Hansen participated on behalf of the Council as to the fraud inquiry portion of the audit.

In response to Mayor Pro Tempore Hitchcock, Mr. Brewner stated the decrease in fund balance comment on page 10 explains how many months cash the City has on hand.

In response to Council Member Mounce, Mr. Brewner stated the majority of the long-term liability for Governmental Accounting Standards Board on page 6 is due to remediation and debt service and page 47 lists all items included in the liability.

In response to Mayor Pro Tempore Hitchcock, Mr. King confirmed there are no new items raised in the management letter and staff continues to work on ongoing items.

Deputy City Manager Jordan Ayers provided a PowerPoint presentation regarding the 2008/2009 Comprehensive Annual Financial Report. Specific topics of discussion included the auditors' opinion, status of City's financial position, highlights of financial records, general fund numbers, budget to actual variances, new accounting requirements, continuing disclosures, review of City's internal controls, and prior findings and resolutions.

In response to Council Member Mounce, Mr. Ayers stated information about Electric Utility reserves and General Fund options will come to Council with budget recommendations for the current year.

In response to Council Member Johnson, Mr. Ayers stated there are 11 categories of continuing disclosures and a rating change is not a required disclosure under the rules.

In response to Council Member Mounce, Kelly Brown, representing the Budget and Finance Committee, commended staff on its efforts with the budget and stated the Committee generally considered whether the reserve amount was realistic in light of long-term fiscal responsibility. Mr. Brown stated other topics of consideration were pensions which may be dealt with on a larger political spectrum, liquidity in General Fund balance, and long-term maintenance for facilities.

In response to Council Member Johnson, Mr. Brown stated the Committee has not formed a specific number for a reserve amount. Mr. King stated there is no law for general law cities requiring a reserve as it is a policy decision. Mr. King stated generally a reserve is needed for emergency purposes, cash flow purposes, and other specific purposes such as vehicle maintenance and capital improvements.

In response to Council Member Mounce, Mr. Ayers stated that, while there was an off-site storage of information at one point, there is a working relationship with a current vendor where the City would be up within 5 to 7 days. Mr. King stated staff continues to resolve the command control comment made in previous years through the Deputy City Manager and staff will continue to look at options for back-up systems and JDE replacement.

In response to Mayor Pro Tempore Hitchcock, Mr. King and Mr. Ayers stated indirect costs are established using a specific formula in a specialized area through an indirect cost rate study for which costs can vary from \$5,000 to \$50,000 depending upon the needs of the agency to recover indirect costs.

J-2 Adopt the Following Resolutions to Complete Plans, Specifications, and Bid Documents for the Mokelumne Water Treatment Plant: (a) Resolution Awarding Professional Services Agreement to Ecologic, Inc., of Rancho Cordova, for Value Engineering Review of Surface Water Treatment Facility and Transmission Project Preliminary Design (\$50,000) and Appropriating Funds; and (b) Resolution Awarding Professional Services Agreement to HDR, Inc., of Folsom, for Final Design of Surface Water Treatment Facility and Transmission Project (\$1,737,302), Appropriating Funds (\$2,000,000), and Approving Selection of Pall Membrane Systems (PW)

City Manager King briefly introduced the subject matter of the Mokelumne Water Treatment Plant.

Public Works Director Wally Sandelin provided a PowerPoint presentation regarding the Mokelumne Water Treatment Plant. Specific topics of discussion included milestones, contract approval for Woodbridge Irrigation District, treat and drink option approval, preliminary design contract approval, final design contract for approval tonight, banking contract ending in May 2010, financing plan to come before Council in June 2010, and awarding of the contract in September 2010.

Discussion ensued amongst City Council regarding previous discussions associated with the treat and drink option versus the groundwater recharge option, costs associated with both options, a former Council decision to pursue the treat and drink option, the decision to construct a treatment facility at the proposed site and the costs associated with the studies, consultant fees, and plant construction and operation.

In response to Council Member Mounce, Mr. Sandelin stated construction is approximately \$34 million including replacement costs and annual operating costs are approximately \$1.4 million.

Mayor Pro Tempore Hitchcock disclosed a telephone conversation with John Beckman of the Building Industry Association regarding new development paying 5% because that is what they are using.

In response to Council Member Hansen, Mr. Sandelin stated the current overdraft is 2,000 acre foot per year.

In response to Council Member Hansen, Mr. Sandelin stated he was not close to the project at the time the decision regarding what to do with the water was made.

Roy Bitz spoke in opposition to the proposed recommended action, stating there is no current need for the treatment facility, the costs associated with building the plant, and the less expensive groundwater recharge alternative.

Ann Cerney spoke in opposition to the proposed recommended action, stating she prefers the groundwater recharge option. She also recalled previous Council consideration of the subject matter.

In response to Council Member Johnson, Mr. Sandelin stated the Duck Creek project is an agricultural recharge project proceeding with federal grants.

In response to Mayor Katzakian, Mr. Sandelin stated staff will be bringing financing strategies to Council in June or July.

Council Member Hansen made a motion, second by Council Member Johnson, to adopt

Resolution No. 2009-176 awarding professional services agreement to Ecologic, Inc., of Rancho Cordova, for value engineering review of Surface Water Treatment Facility and Transmission Project preliminary design in the amount of \$50,000 and appropriating funds; and adopt Resolution No. 2009-177 awarding professional services agreement to HDR, Inc., of Folsom, for final design of Surface Water Treatment Facility and Transmission Project in the amount of \$1,737,302, appropriating funds in the amount of \$2,000,000, and approving selection of pall membrane systems.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, and Mayor Katzakian

Noes: Council Member Mounce, and Mayor Pro Tempore Hitchcock

Absent: None

J-3 Authorize the City Manager to Engage Lamont Financial Services and Stone and Youngberg LLC for Professional Services Related to Financing the Mokelumne Water Treatment Plant and Adopt Resolution Declaring Intent to Reimburse Certain Expenditures from Proceeds of Indebtedness (CM)

This item was not discussed.

J-4 Receive Advisory Water and Wastewater Usage-Based Rates for the Purpose of Research and Customer Comparison (PW)

This item was not discussed.

J-5 Authorize the City Manager to Communicate with the California Energy Commission with Regard to the Removal of Condition VIS-2 Requiring a Rapid Growth Tree Landscape Buffer for the Lodi Energy Center Project (CM)

City Manager King gave a brief presentation as outlined in the Council Communication regarding the need to communicate with the California Energy Commission regarding landscaping for the new Lodi Energy Center Project.

Council Member Mounce made a motion, second by Council Member Hansen, to authorize the City Manager to communicate with the California Energy Commission with regard to the removal of Condition VIS-2 requiring a rapid growth tree landscape buffer for the Lodi Energy Center Project.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

J-6 Authorize the City Manager to Execute an Addendum to the 2007-2011 Memorandum of Understanding between the City of Lodi and the Police Officers Association of Lodi Bargaining Unit (CM)

This item was not discussed.

K. Ordinances - None

- L. Reorganization of the Following Agency Meetings: Lodi Public Improvement Corporation; Industrial Development Authority; Lodi Financing Corporation; and City of Lodi Redevelopment Agency

This item was not discussed.

- M. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 11:16 p.m., in memory of Joyce DeBenedetti, wife of former Parks and Recreation Director Ed DeBenedetti, who passed away on December 1, 2009.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, DECEMBER 22, 2009**

The December 22, 2009, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, DECEMBER 29, 2009**

The December 29, 2009, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Randi Johl
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Accept Improvements Under Contract for Building Demolition at 17 East Elm Street Project

MEETING DATE: January 6, 2010

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Accept the improvements under the contract for the Building Demolition at 17 East Elm Street Project.

BACKGROUND INFORMATION: The contract for this project was awarded to Double B Demolition, of Folsom, on August 5, 2009, in the amount of \$39,913.

This project included the proper removal of asbestos material, the demolition of an existing 8,000 square foot building (with a full basement), site clean-up and grading, and the installation of approximately 200 lineal feet of chain link fence at 17 East Elm Street.

The final contract price was \$52,175.05. The difference between the contract amount and the final contract price was due to Contract Change Order No. 1, which paid for the removal and disposal of the concrete in the basement.

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

FISCAL IMPACT: There should be a slight reduction in maintenance costs with the removal of this building and the clean-up of this parcel.

FUNDING AVAILABLE: Community Development Block Grant Funds (\$52,175.05)

F. Wally Sandelin
Public Works Director

Prepared by Wes Fujitani, Senior Civil Engineer
FWS/WKF/pmf
cc: Purchasing Officer
City Attorney
Parks Superintendent

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Accept Improvements Under Contract for DeBenedetti Park/G Basin Rough Grading Project

MEETING DATE: January 6, 2010

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Accept the improvements under the contract for the DeBenedetti Park/G Basin Rough Grading Project.

BACKGROUND INFORMATION: The contract for this project was awarded to A.M. Stephens Construction Company, of Lodi, on December 17, 2003, in the amount of \$266,678. Acceptance of these improvements will close this six year old project.

This project developed the storm drainage detention basin for southwest Lodi. This first phase of the park development consisted of the excavation, rough grading and export of material from the DeBenedetti Park site. The work also included some fencing, rip-rap erosion protection, and other drainage-related work.

The excavation/grading of this basin will provide storm drainage detention storage for the area north of Harney Lane, bounded by Lower Sacramento Road on the west and the Woodbridge Irrigation Canal on the east and north. In order to reduce the excavation costs, this rough grading contractor was originally given four years to complete the excavation and rough grading. The City approved a contract extension to December 31, 2008. The contract was then suspended until May 1, 2009, to allow the Recreation Commission and the City Council additional time to review a proposal to revise the grading plan. The Recreation Commission reviewed the revised grading plan at its March 12 meeting and voted to have the plan presented to Council with Commission representation.

City Council, at its meeting of May 6, 2009, approved a redesign/regrading of the storm drainage storage areas of DeBenedetti Park and A.M. Stephens Construction was given an additional five-month extension.

The final contract price was \$561,450.54. The difference between the contract amount and the final contract price was due to seven contract change orders. These contract change orders included the modification to the grading of the storm drain area (\$163,000), the installation of a 48-inch storm drain pipe to connect the two basins (\$48,600), regrading of the northwest basin (\$43,989), and miscellaneous fencing and maintenance items.

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

APPROVED: _____
Blair King, City Manager

FISCAL IMPACT: There are no additional maintenance costs associated with the project. However, there will be additional operation and maintenance costs for the parks and storm drain facilities once they are completed.

FUNDING AVAILABLE:

Parks and Recreation Impact Mitigation Fee Fund (1217)	\$ 90,000.00
Storm Drain Impact Mitigation Fee Fund (326017)	\$471,450.54

James M. Rodems
Interim Parks and Recreation Director

F. Wally Sandelin
Public Works Director

Prepared by Wes Fujitani, Senior Civil Engineer
FWS/WKF/pmf

cc: Purchasing Officer
City Attorney
Parks Superintendent
Parks Project Coordinator



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for DeBenedetti Park – Phase I Improvements, 2350 South Lower Sacramento Road
MEETING DATE: January 6, 2010
PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve plans and specifications and authorize advertisement for bids for DeBenedetti Park – Phase I Improvements, 2350 South Lower Sacramento Road.

BACKGROUND INFORMATION: On May 6, 2009, the City Council directed staff to prepare the plans and specifications for the phased improvements at DeBenedetti Park, including the turf and irrigation systems needed to create three new playing fields in the northwest part of the park.

The Phase I improvements consist of providing and installing a new 6-foot-high chain link fence, concrete mow strip, concrete flat work, stamped concrete driveway, automatic irrigation system, Maxicom irrigation control equipment, 50-horsepower irrigation booster pump, drop inlet catch basins and piping, placement and compaction of salvaged asphalt grinding roadway, soil amendments, grading, hydroseeding of “no-mow” turf, mechanical sprig planting of Bermuda turf and other incidental and related work.

The plans and specifications were unanimously endorsed by the Recreation Commission at its December 23, 2009 meeting.

The completion of this project will allow the Recreation Department to add new play areas for soccer, flag football, and softball programs. The new fields should be ready for program use in the spring of 2011. This project will also install a “no-mow” turf in the storm drain detention basin area to provide some measure of erosion and dust control on the slopes of this basin.

As a city project, costs associated with extending electric service to DeBenedetti Park, electric infrastructure in the vicinity and street lights fronting the park will be borne by Lodi Electric Utility.

Staff is recommending that City Council approve the plans and specifications and authorize advertisement for bids for this project. The plans and specifications are on file in the Public Works Department. The planned bid opening date is January 27, 2010.

FISCAL IMPACT: The estimated project cost is \$2,000,000. There will be an increase in the long-term park and storm drain maintenance costs.

FUNDING AVAILABLE:

Parks Impact Fees (1217017)	\$1,000,000
Storm Drain Impact Fees (326017)	\$1,000,000

Jordan Ayers
Deputy City Manager/Internal Services Director

F. Wally Sandelin
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer
FWS/WKF/pmf

APPROVED: _____

Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for 2010 Alley Reconstruction Project

MEETING DATE: January 6, 2010

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve the plans and specifications and authorize advertisement for bids for the 2010 Alley Reconstruction Project.

BACKGROUND INFORMATION: This project consists of reconstructing three alleys with 866 tons of asphalt concrete, installing 1,856 lineal feet of pervious concrete valley gutter, and other incidental and related work, all as shown on the plans and specifications for the “2010 Alley Reconstruction Project.” The location of the alleys to be reconstructed is provided in Exhibit A.

The three alleys planned for reconstruction were selected from Streets Maintenance District 1 because it contains the oldest alleys in the community. All alleys in the District were evaluated and ranked based upon condition, drainage problems, and the number of fronting residences. The City will be using Community Development Block Grant (CDBG) funds to reconstruct the alleys with new asphalt concrete pavement. Due to the relative flatness of the alley, a pervious concrete valley gutter will be installed in the center of the alley to handle the storm drainage. The pervious concrete will allow storm water to percolate to the underlying soil during low-flow situations and will solve the majority of the water ponding problems. The alley will also be graded to drain to the adjacent streets during more intense storm events. This project is the first of its kind in the City for many years and is the first project in the City to use the pervious concrete. If it proves to be successful, future alley projects will be constructed using similar methods.

The plans and specifications are on file in the Public Works Department. The planned bid opening date is January 27, 2010. The project estimate is \$303,000. In the event there are excess CDBG funds, the Council will be asked to reallocate those funds to the installation of handicap ramps in the CDBG project area.

FISCAL IMPACT: There will be a decrease in street maintenance for the reconstructed alleys.

FUNDING AVAILABLE:

CDBG (Urban County Funds)	\$107,000
CDBG (Entitlement)	\$249,000
Budgeted:	09/10 fiscal year

Jordan Ayers
Deputy City Manager/Internal Services Director

F. Wally Sandelin
Public Works Director

Prepared by Lyman Chang, Senior Civil Engineer
FWS/LC/pmf
Attachment
cc: Purchasing Officer
Neighborhood Services Manager

Assistant Streets and Drainage Manager
Senior Civil Engineer Chang

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Set the Public Hearing for February 3, 2010, to Consider the Approval of the Action Plan Amendment for the Reallocation of Available Community Development Block Grant and Community Development Block Grant – Recovery Program Funding

MEETING DATE: January 6, 2010

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Set the Public Hearing for February 3, 2010, to consider the approval of an Action Plan amendment for the reallocation of available Community Development Block Grant (CDBG) and Community Development Block Grant – Recovery (CDBG-R) Program funding.

BACKGROUND INFORMATION: The City of Lodi separated from the Urban County and now receives Federal CDBG Program funds directly from the U.S. Department of Housing and Urban Development (HUD). In addition to one 2009 Entitlement CDBG Project, there are balances of both CDBG and CDBG-R Program funds through previous Urban County allocations that need to be spent. As those projects and activities funded through the Urban County are completed, the balance of unused and available funding will need to be reallocated to projects that can use the funds by June 30, 2010. To this point, the following funding balances have been identified as available for reallocation to eligible projects.

CDBG Program

Project 08-03 (UC)	Elm Street Demolition Project	\$28,000.00
Project 09-03	Blakely Park Swing Area Resurfacing	\$18,000.00
Project 09-05	Graffiti Abatement	\$17,000.00

CDBG-R

Project LI-CDBG-R-06	Lodi Community Center Parking Lot	\$161,109.00
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Staff will be recommending reallocations to existing City and CBO projects that can use the funds by June 30, 2010. Following the policy established by the City Council, there is a portion of the CDBG-R funds that are available to community-based organizations (CBO's). Details of those projects and subsequent recommendations will be included in the staff report for the Public Hearing on February 3, 2010.

The reallocation of our Entitlement CDBG funding requires an amendment to the 2009-10 Action Plan.

APPROVED: _____
Blair King, City Manager

FISCAL IMPACT: None

FUNDING AVAILABLE: Urban County CDBG & CDBG-R Program Funding
2009 Entitlement CDBG Funding

Konradt Bartlam
Community Development Director

KB/jw

Comments by the public on non-agenda items

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

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

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

Comments by the City Council Members on non-agenda items



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Authorize the City Manager to Engage Lamont Financial Services and Stone and Youngberg LLC for Professional Services Related to Financing the Mokelumne Water Treatment Plant and Adopt a Resolution Declaring Intent to Reimburse Certain Expenditures from Proceeds of Indebtedness

MEETING DATE: January 6, 2010

PREPARED BY: Deputy City Manager

RECOMMENDED ACTION: Authorize the City Manager to engage Lamont Financial Services and Stone and Youngberg LLC for professional services related to financing the Mokelumne Water Treatment Plant and adopt a resolution declaring intent to reimburse certain expenditures from proceeds of indebtedness.

BACKGROUND INFORMATION: In November 2006, City Council formed a financial services selection committee. At that time, several financial needs for which financial advisory services were needed had been identified, including expansion of the wastewater plant, refinancing of Electric Utility bonds and Electric Utility bond swaps. Lamont Financial Services was recommended to provide Financial Advisory Services (FA), and Stone & Youngberg were recommended to provide underwriting and investment banking services. The City again needs financial advisory services for the new water treatment plant.

The firms of Lamont Financial and Stone and Youngberg, LLC have served the City well in recently completed financings. We request that Council approve continuing to use the services of these firms on upcoming financings. Financial advisors and bond underwriters are typically paid with the proceeds from bond issues resulting in no out-of-pocket costs to the City. However, while typically underwriters are not paid unless there is a successful financing, financial advisors are paid regardless in order to avoid a conflict with a final debt offering.

Both Lamont and Stone and Youngberg have displayed a very high degree of customer service. Lamont has consistently been available to provide uncompensated advice and counsel, and Stone and Youngberg in 2008, while serving as the banker for the 2008 Electric Utility bond refinancing, stepped in and underwrote \$30 million of unsold bonds that allowed Lodi to have a successful bond sale. Stone and Youngberg has an above average level of experience with Mello-Roos and assessment district financing that will be an advantage to insure costs are appropriately spread.

Lamont proposes a not-to-exceed fee for service of \$60,000 and the fee for Stone and Youngberg is subject to negotiation, which will be returned to Council for later approval.

City staff will shortly begin a selection process to add bond counsel to the financing team. A separate approval by City Council of a bond counsel will be brought back at a later date.

APPROVED: _____
Blair King, City Manager

A resolution declaring intent to reimburse certain expenditures from proceeds of bonded indebtedness is a common vehicle that allows an issuer to include costs incurred prior to bond issuance in the face amount of the bonds, thereby reimbursing the issuer for the costs incurred to date. Such costs can be for soft cost items such as design and engineering as well as hard construction costs.

The resolution does not commit the City to make any expenditures, incur any indebtedness, seek other financing means, or proceed with the project. The resolution simply provides the City with the ability to seek reimbursement for already incurred and future costs should the City proceed with bonded indebtedness. This resolution is solely for the purposes of establishing compliance with the requirements of Treasury Regulations Section 1.150-2.

FISCAL IMPACT: Adoption of the attached resolution will allow the City to reimburse itself for any costs incurred. Lamont fee is not to exceed \$60,000 and probably will be paid from bond proceeds.

FUNDING AVAILABLE: Potential bond proceeds.

Jordan Ayers
Deputy City Manager/Internal Services Director

Lamont Financial Services

November 24, 2009

Mr. Blair King
City Manager
City of Lodi
221 West Pine Street
Lodi, California 95241-1910

Re: Financial Advisory Services Agreement/Surface Water Treatment Plant

Dear Blair:

This letter ("Agreement") will set out the terms under which Lamont Financial Services Corporation ("Lamont") will provide certain financial advisory services for the City of Lodi ("City"). The services to be provided relate to the City's effort to construct a Surface Water Treatment Plant and the development of a Plan of Finance to support the revenues required for debt issuance and operations.

Proposed Scope of Services:

Provided below is a general listing of financial advisory services to be provided by Lamont to the City. The advisory assignment will include the review of the City's Water System Enterprise Operation including debt capacity based on expected new system revenues and cost sharing alternatives of a new Water Treatment Facility. Additional services will include:

- Provide detail financial analysis to assist the City in determining the overall cost in constructing the Surface Treatment Plant,
- Develop and present to the City a Financial Evaluation of the potential cost sharing alternatives for the construction and operation of the Facility i.e. new development contribution,
- Provide financial analysis for the potential benefits offered by the creation of a Community Facilities District ("CFD") that may offset the System's Facility costs,
- Review the credit and rating implications of particular debt structuring alternatives unique to the Facility that may impact the System's long-term capital program,
- Prepare financing time schedule with the City staff, rating presentation and bond document coordination,
- Work closely with the underwriting team to establish pricing for the Facility debt offering.

Pricing of Services

- 1) We have prepared a fee proposal for your consideration. The team proposes a not to exceed \$60,000 fee for professional services related to the services to be provided under Proposed Scope of Services. If the project is prolonged due to external events, we would request the City's consideration to revisit our proposed fee for a justified adjustment. Lamont will bill on a blended hourly rate of \$250 for all senior level personnel working with the City. Billings will represent tasks approved by the City and will be billed for actual hours. Funds remaining after the contract period will remain with the City.
- 2) Expenses: \$2,500 lump-sum fee.

Contact person. The initial contact at Lamont for the services described herein is as follows:
For Financial Advisory Services:

Thomas B. Dunphy.
Lamont Financial Services
3569 Perada Drive
Walnut Creek, CA 94598
(925) 937-4958; (925) 937-3383 fax
TDunphy@Lamontfin.com

We look forward to serving the City. We are confident that the experience, personnel and commitment to excellence of the team assembled for this assignment will provide a standard of service to the City necessary to meet present and future program and financial challenges.

Sincerely,

Thomas Dunphy
Executive Vice President
Lamont Financial Services

APPROVED AND ACCEPTED:
City of Lodi

By: _____
Authorized Officer



November 25, 2009

Blair King
City Manager
City of Lodi
221 West Pine Street
Lodi, CA 95241

Dear Blair:

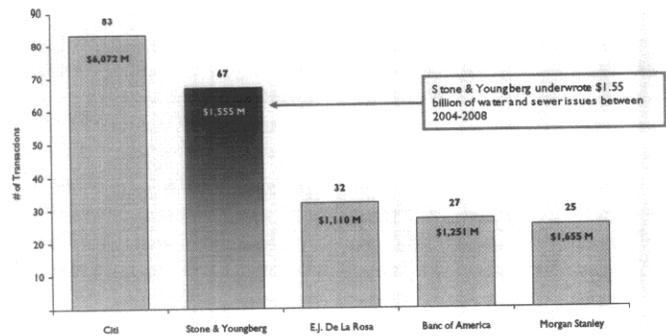
On behalf of Stone & Youngberg, I am pleased to submit our qualifications and a fee proposal to provide underwriting services to the City of Lodi for its proposed Water Treatment Plant financing. Our proposal addresses the possibility of either Water Revenue Bonds, taxable Water Revenue Build America Bonds or Mello Roos Special Tax Bonds. The following points highlight our credentials.

Leader in Local Government Public Finance. Stone & Youngberg is the West Coast's largest regional investment banking firm specializing in fixed income securities. The firm has underwritten over 1,142 individual financings totaling \$24.6 billion in the five year period ending on December 31, 2008. These include over 726 financings totaling \$16.6 billion for California local governmental entities – more than any other investment banking firm. In addition, the firm has been repeatedly selected by the State of California for senior-manager, co-manager and selling group member roles on financings for the State and its agencies.

Leader in Water/Wastewater Financings. Stone & Youngberg was founded in 1931 to help Central Valley irrigation districts finance their capital needs during the Great Depression. The firm has continued this focus on California water and wastewater financings ever since. Between 2004 and 2008, Stone & Youngberg structured and underwrote 67 separate water or wastewater issues for local California issuers. These financings represent a dollar volume of \$1.55 billion, as shown in the chart below. In 2009 to date, the firm has underwritten over 15 water or wastewater financings totaling \$754 as sole or lead manager. A listing of recent transactions is provided as Appendix A.

Our recent water and wastewater clients include the cities of Clovis, Garden Grove, Redlands, Brea, Lodi, Millbrae, Hollister, Sacramento and Stockton, the Castaic Lake Water Agency, Amador Water Agency, Dublin San Ramon Services District, Alameda County Water District, East Bay Municipal Utility District, Fairfield-Suisun Sewer District, Truckee Donner Public Utility District, Sacramento County Water Agency, and the San Jose-Santa Clara Clean Water Financing Authority.

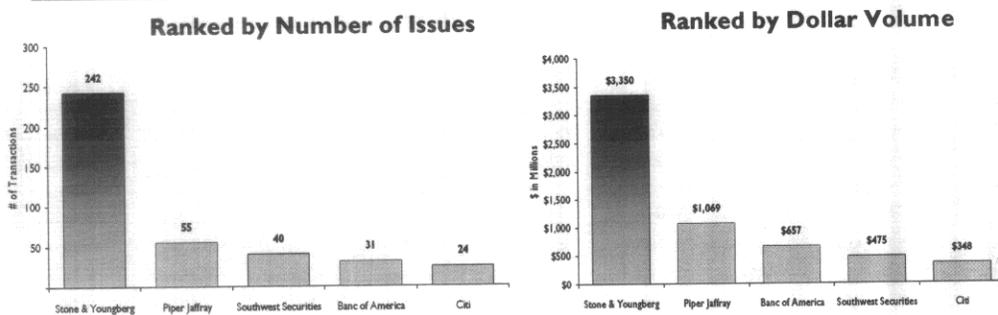
California Water & Wastewater Municipal Issues
Negotiated and Competitive Sales 2004 – 2008
Top 5 Managing Underwriters



(1) On 4/5/08, the Swiss banking firm UBS AG announced its exit from the municipal bond business.
Source: Thomson Reuters

Land-Secured Financing Experience. Stone & Youngberg brings distinctive expertise to the specialized area of assessment and community facilities district financings (known as “land-secured” bonds), routinely underwriting more - both by number of issues and dollar volume - than any other firm. In the five-year period ending December 31, 2008, the firm structured 216 Mello-Roos financings totaling \$3.1 billion and 26 assessment district bond financings totaling \$243 million. No other firm has the experience, expertise and commitment to serving the needs of public agencies issuing land-secured debt that Stone & Youngberg brings to these complicated issues.

California Land-Secured Municipal Issues
Negotiated and Competitive Sales 2004 – 2008
Top 5 Managing Underwriters



Source: Thomson Reuters

On-the-Market Pricing and Willingness to Commit Capital. Stone & Youngberg’s consistent underwriting and trading volume is the result of a focused sales force, a broad investor clientele, and national market recognition in the distribution of municipal securities. The firm’s commitment to municipal finance and effective distribution translate into cost-effective interest rates for our issuer clients. As an independently owned firm focused principally on municipal finance, we are able to commit capital on behalf of our issuer clients to secure attractive interest rates. Our performance on the City’s Electric Revenue Bond sale in July 2008 is a great example of this practice at work. The weekend before the City’s bonds were scheduled to price, the federal government announced that it would take over Fannie Mae and Freddie Mac. Stone & Youngberg proceeded with the pricing of the Assured Guaranty-insured bonds in a very challenging market to meet the City’s hard and fast closing date. With few investors willing to purchase bonds in such an unsettled market, Stone & Youngberg stepped up to underwrite more than \$30.9 million of unsold bonds, or 51% of the total, into inventory. The day after the sale, Moody’s announced its intention to review Assured Guaranty’s ratings for possible downgrade, causing an immediate market aversion to all Assured Guaranty-insured bonds. Despite this development, Stone & Youngberg remained committed to the City’s transaction and delivered funds to the closing as scheduled. Other examples of similar capital commitments are summarized below:

Date	Issuer	Par Amount	\$ Underwritten	% Underwritten
March 2009	City of Las Vegas	\$85,000,000	\$17,500,000	20.5%
January 2009	Metropolitan Water District	\$200,000,000	\$53,000,000	26.5%
August 2008	Grossmont Union HSD	\$88,159,578	\$27,420,000	31.1%
September 2008	State of CA I-Bank	\$48,375,000	\$27,350,000	56.6%

Fee Proposal. Stone & Youngberg’s compensation is taken in the form of an underwriting discount and is largely a function of the structure, size, tax status and credit quality of the issue, and the volatility of the capital markets. Our underwriting fees consist of three components: a

management fee, sales compensation or takedown and expenses. Fee ranges are provided for each component assuming a variety of bond structures.

(1) **Management Fee:** The management fee compensates us for the banking work needed to structure the transaction, guide the preparation of the legal documents and credit presentation, and conduct financial and options analysis. This fee will depend, in part, upon the division of labor between our staff and the City's financial advisor. For a straightforward water revenue bond, we propose a management fee in the range of \$25,000 to \$55,000. If the City were to use Build America Bonds (authorized by the American Recovery and Reinvestment Act of 2009 and available through the end of 2010), our management fee would increase by \$5,000 to account for the additional complexity. For Mello Roos special tax bonds, we propose a management fee in the range of \$40,000 to \$75,000, depending upon the credit quality and timeline to complete the transaction.

(2) **Takedown:** The largest component of our discount is the takedown, which compensates our sales force for selling the bonds. During the market tumult of late 2008 and early 2009, much higher takedowns were required to complete a successful bond sale due to the widespread investor retreat. In the last few months, the market has been operating in a more orderly fashion again. *Assuming such relatively stable conditions continue*, we propose the following average takedowns: \$4.85 per \$1,000 of bonds for a straightforward water revenue bonds with an A or AA category rating, \$5.85 for similarly-rated taxable water revenue Build America Bonds, and \$10.00 for non-rated Mello Roos special tax bonds. If market conditions were to deteriorate significantly at the time of the City's bond sale, we'd note that higher takedowns might be required.

(3) **Expenses:** The bulk of our expenses are regulatory fees, travel expenses and conference calls. Our estimated itemized expenses are presented at right. We would not require an Underwriter's Counsel for a investment-grade rated transaction if the City were to hire its own Disclosure Counsel and that firm would be willing to provide a 10(b)5 opinion to us. For a non-rated financing, we would require Underwriter's Counsel and estimate an additional expense of \$15,000. If the City prefers that we hire Underwriter's Counsel to prepare the Official Statement, then we'd estimate an additional expense of from \$25,000 to \$55,000.

Estimated Expenses	
CUSIP Fees	430
SIFMA Fees	1,050
Cal PSA Fees	350
CDIAC	3,000
DTC Fee	337
Day Loan	972
Internet Posting of OS	500
Blue Sky filing	500
Handling fee	2,250
Travel, delivery, conference calls, etc.	2,500
Other expenses	1,611
Total	\$13,500

Summary: The table below provides you with an indicative idea of our all-in underwriter's discount proposal for a \$35 million financing, with the caveats noted above. We believe these fees to be competitive and fair. However, we are eager to work on this financing and would be willing to discuss this proposal further, as necessary.

City of Lodi Water Treatment Plant Financing

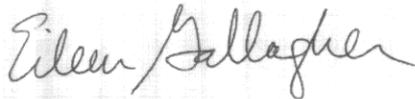
Indicative Summary Undewriting Proposal for a \$35 Million Financing

	Water Revenue Bonds (A or AA rating)		Water Revenue BABs (A or AA rating)		Special Tax Bonds (Non-rated)	
	\$ Per \$1,000	Total	\$ Per \$1,000	Total	\$ Per \$1,000	Total
Average Takedown	\$4.85	\$169,750	\$5.85	\$204,750	\$10.00	\$350,000
Management Fee	1.00	35,000	1.14	40,000	1.43	50,000
Underwriter's Counsel *	0.00	0	0.00	0	0.43	15,000
Expenses	0.39	13,500	0.39	13,500	0.39	13,500
Total	\$6.24	\$218,250	\$7.38	\$258,250	\$12.24	\$428,500

* Assumes City-hired Disclosure Counsel prepares the Official Statement. We would only require a separate Underwriter's Counsel for a non-rated financing. If Underwriter's Counsel were to prepare the Official Statement, we'd expect an additional expense of \$25,000 to \$55,000

Stone & Youngberg has earned a reputation for honest, thoughtful, energetic service to our clients for nearly 80 years. We appreciate the opportunity to present our qualifications and look forward to earning this business.

Sincerely,



Eileen Gallagher
 Managing Director
 (415) 445-2311
 egallagher@syllc.com

Appendix A
Stone & Youngberg Water and Wastewater Financing Experience Since 2005

Dated Date	Issuer Name	Par	S&Y Role	Sale
12/03/2009	Central Contra Costa Sanitary District	\$ 34,490,000	Sole	Negotiated
12/02/2009	California Department of Water Resources	169,115,000	Lead	Negotiated
11/12/2009	Central Contra Costa Sanitary District	19,635,000	Sole	Negotiated
10/22/2009	Whittier Utility Authority	3,150,000	Sole	Negotiated
10/22/2009	Whittier Utility Authority	5,945,000	Sole	Negotiated
10/14/2009	Alameda County Water District	26,340,000	Sole	Negotiated
09/03/2009	Indian Wells Valley Water District	20,000,000	Sole	Competitive
08/20/2009	Riverside, City of	36,835,000	Co	Negotiated
08/20/2009	Riverside, City of	240,910,000	Co	Negotiated
08/11/2009	Mesa Consolidated Water District	14,700,000	Sole	Negotiated
07/21/2009	Culver City	20,085,000	Sole	Negotiated
07/02/2009	South Bayside System Authority	55,855,000	Sole	Negotiated
06/30/2009	Tulare, City of	54,775,000	Sole	Negotiated
06/26/2009	San Diego Public Facilities Financing Authority	328,060,000	Co	Negotiated
06/25/2009	Metropolitan Water District of Southern California	91,165,000	Co	Negotiated
06/10/2009	Metropolitan Water District of Southern California	106,690,000	Co	Negotiated
06/10/2009	Metropolitan Water District of Southern California	78,385,000	Co	Negotiated
05/28/2009	Lynwood Utility Authority	5,735,000	Co	Negotiated
05/21/2009	Brea Public Financing Authority	12,855,000	Sole	Negotiated
05/21/2009	Brea Public Financing Authority	12,945,000	Sole	Negotiated
05/20/2009	Metropolitan Water District of Southern California	104,160,000	Sole	Negotiated
01/27/2009	Metropolitan Water District of Southern California	200,000,000	Lead	Negotiated
12/31/2008	South Bayside System Authority	10,000,000	Sole	Negotiated
12/18/2008	Oceanside, City of	10,540,000	Sole	Negotiated
11/25/2008	Lynwood Utility Authority	9,755,000	Co	Negotiated
08/28/2008	Lomita, City of	7,550,000	Sole	Negotiated
07/31/2008	Metropolitan Water District of Southern California	79,045,000	Co	Negotiated
06/11/2008	Chino Basin Desalter Authority	89,440,000	Sole	Negotiated
05/29/2008	Millbrae Public Financing Authority	3,965,000	Sole	Negotiated
05/01/2008	Los Angeles Wastewater System	31,900,000	Sole	Negotiated
05/01/2008	California Department of Water Resources	632,890,000	Co	Negotiated
12/20/2007	San Joaquin County Public Facilities Financing Corp	8,450,000	Sole	Negotiated
12/05/2007	Lodi, City of	30,320,000	Lead	Negotiated
11/20/2007	Badger Water Facilities Financing Authority	20,685,000	Co	Competitive
11/15/2007	Fairfield, City of	84,466,697	Sole	Negotiated
06/13/2007	Santa Rosa, City of	67,010,000	Sole	Negotiated
05/30/2007	Hollister Joint Powers Financing Authority	6,860,000	Sole	Negotiated
05/23/2007	Metropolitan Water District of Southern California	400,000,000	Co	Negotiated
05/09/2007	Sacramento County Water Financing Authority	184,500,000	Co	Negotiated
03/15/2007	Clovis Public Financing Authority	68,540,000	Sole	Negotiated
01/30/2007	Crescenta Valley Water District	10,070,000	Sole	Negotiated
12/20/2006	Hollister Joint Powers Financing Authority	120,535,000	Sole	Negotiated
10/26/2006	Richmond, City of	16,570,000	Sole	Negotiated
10/26/2006	Richmond, City of	32,260,000	Sole	Negotiated
09/21/2006	Cucamonga Valley Water District	21,610,000	Sole	Negotiated
08/23/2006	Metropolitan Water District of Southern California	200,000,000	Co	Negotiated
03/16/2006	Vallejo Sanitation and Flood Control District	39,665,000	Sole	Negotiated
12/13/2005	Los Angeles, City of	300,655,000	Co	Competitive
09/22/2005	Avenal Public Financing Authority	9,660,000	Sole	Negotiated

City of Lodi Water Treatment Plant Financing

07/28/2005	Metropolitan Water District of Southern California	100,000,000	Co	Negotiated
06/08/2005	Rohnert Park, City of	13,000,000	Sole	Negotiated
05/05/2005	Clovis Public Financing Authority	25,735,000	Sole	Negotiated
04/28/2005	Oxnard Financing Authority	20,955,000	Lead	Negotiated
04/20/2005	Santa Fe Springs Public Financing Authority	3,705,000	Sole	Negotiated
03/23/2005	Fairfield, City of	47,085,000	Sole	Negotiated
03/17/2005	Santa Cruz County Sanitation District	9,335,000	Sole	Negotiated

56 Transactions Totaling \$4.36 Billion Par Value

**Appendix B
Stone & Youngberg Land Secured Financing Experience Since 2005**

Dated Date	Issuer Name	Par	S&Y Role	Sale
11/18/2009	Los Altos, City of	\$ 662,880	Sole	Negotiated
11/05/2009	Riverside Unified School District	5,465,000	Sole	Negotiated
07/09/2009	Piedmont, City of	3,200,000	Sole	Negotiated
07/09/2009	Piedmont, City of	205,000	Sole	Negotiated
07/02/2009	Poway Unified School District PFA	8,995,000	Sole	Negotiated
06/16/2009	Placentia Public Financing Authority	9,715,000	Sole	Negotiated
05/14/2009	Los Altos Hills, Town of	3,143,364	Sole	Negotiated
03/12/2009	Carpinteria Sanitary District	6,053,439	Sole	Negotiated
01/29/2009	Saugus Union School District	8,275,000	Sole	Negotiated
01/29/2009	Saugus Union School District	4,810,000	Sole	Negotiated
12/23/2008	Malibu, City of	4,365,000	Sole	Negotiated
12/10/2008	Eastern Municipal Water District	1,205,000	PA	PrivatePlacement
12/09/2008	Elk Grove Unified School District	30,575,000	FA	Competitive
12/09/2008	Elk Grove Unified School District	651,133	FA	Competitive
10/16/2008	Sacramento Area Flood Control Agency	84,965,000	Co	Negotiated
08/27/2008	Yolo, County of	6,405,000	Member	Competitive
08/21/2008	San Diego, City of	12,365,000	Sole	Negotiated
07/30/2008	Lammersville School District	1,895,000	Sole	Negotiated
07/02/2008	Dana Point, City of	8,710,000	Sole	Negotiated
04/10/2008	San Diego, City of	3,950,000	Lead	Negotiated
04/03/2008	Fairfield, City of	18,095,000	Sole	Negotiated
04/03/2008	Fairfield, City of	15,510,000	Sole	Negotiated
03/26/2008	Eastern Municipal Water District	5,110,000	Sole	Negotiated
03/26/2008	Poway Unified School District	48,420,000	Sole	Negotiated
02/21/2008	Carlsbad, City of	18,175,000	Sole	Negotiated
01/30/2008	Etiwanda School District	62,295,000	Sole	Negotiated
01/30/2008	Stockton Public Financing Authority	12,745,000	Sole	Negotiated
01/08/2008	Riverside, County of	11,585,000	Sole	Negotiated
01/08/2008	Lincoln Unified School District	729,850	Sole	Negotiated
12/12/2007	Etiwanda School District	7,090,000	Sole	Negotiated
12/06/2007	Aliso Viejo, City of	34,070,000	Sole	Negotiated
12/04/2007	Lake Elsinore Unified School District	1,720,000	Sole	Negotiated
12/04/2007	Rocklin Unified School District	6,793,381	Sole	Negotiated
12/04/2007	Rocklin Unified School District	26,625,000	Sole	Negotiated
12/04/2007	Rocklin Unified School District	12,309,968	Sole	Negotiated
11/21/2007	San Jacinto Unified School District	1,460,000	Sole	Negotiated
11/20/2007	Etiwanda School District	10,300,000	Sole	Negotiated
11/14/2007	Tejon Ranch PFFA	6,100,000	Sole	Negotiated
11/13/2007	Lincoln Unified School District	4,890,753	Sole	Negotiated

City of Lodi Water Treatment Plant Financing

11/01/2007	ABAG Finance Authority	3,270,000	Sole	Negotiated
10/31/2007	ABAG Finance Authority	11,000,000	Sole	Negotiated
10/25/2007	Sacramento, City of	11,465,000	Sole	Negotiated
09/06/2007	Eastern Municipal Water District	5,675,000	Sole	Negotiated
09/06/2007	Sacramento, County of	14,415,000	Sole	Negotiated
09/06/2007	Tustin, City of	53,570,000	Co	Negotiated
08/23/2007	Palmdale, City of	2,135,000	Sole	Negotiated
08/23/2007	Palmdale, City of	8,250,000	PA	PrivatePlacement
08/23/2007	Palmdale, City of	3,205,000	Sole	Negotiated
08/23/2007	Palmdale, City of	6,460,000	PA	PrivatePlacement
08/08/2007	Eastern Municipal Water District	8,170,000	Sole	Negotiated
08/06/2007	Lake Berryessa Resort Impvt District	4,755,841	Sole	Negotiated
07/26/2007	Poway Unified School District	37,910,000	Sole	Negotiated
07/12/2007	San Marcos Public Facilities Authority	26,405,000	Lead	Negotiated
07/11/2007	Eastern Municipal Water District	1,180,000	Sole	Negotiated
06/28/2007	Del Mar Union School District	19,955,000	Sole	Negotiated
06/26/2007	ABAG Finance Authority	112,545,000	Lead	Negotiated
06/26/2007	ABAG Finance Authority	45,560,000	Lead	Negotiated
06/20/2007	Eastern Municipal Water District	2,060,000	Sole	Negotiated
06/20/2007	Eastern Municipal Water District	1,435,000	Sole	Negotiated
06/20/2007	Poway Unified School District PFA	69,945,000	Sole	Negotiated
06/14/2007	Chino, City of	23,715,000	Sole	Negotiated
06/05/2007	Davis, City of	14,115,000	Sole	Negotiated
05/30/2007	Eastern Municipal Water District	3,175,000	Sole	Negotiated
05/10/2007	Manteca Unified School District	3,120,000	Sole	Negotiated
05/10/2007	Manteca Unified School District	8,225,000	Sole	Negotiated
05/03/2007	Hesperia Unified School District	8,500,000	Sole	Negotiated
05/02/2007	Bakersfield, City of	5,010,000	Sole	Negotiated
04/26/2007	Lake Elsinore Unified School District	3,955,000	Sole	Negotiated
04/12/2007	Moreno Valley Unified School District	4,000,000	Sole	Negotiated
04/05/2007	Menifee Union School District	2,040,000	Sole	Negotiated
03/29/2007	Alvord Unified School District	4,560,000	Sole	Negotiated
03/29/2007	Alvord Unified School District	4,360,000	Sole	Negotiated
03/28/2007	Imperial, County of	2,105,000	Sole	Negotiated
03/22/2007	Orange Unified School District	5,920,000	Sole	Negotiated
03/22/2007	Moreno Valley Unified School District	11,235,000	Sole	Negotiated
02/28/2007	Anaheim, City of	9,060,000	Sole	Negotiated
02/27/2007	Lake Elsinore School Financing Authority	39,995,000	Sole	Negotiated
02/07/2007	Azusa, City of	71,125,000	Sole	Negotiated
01/25/2007	Rancho Cucamonga, City of	2,980,000	Sole	Negotiated
01/25/2007	Rancho Cucamonga, City of	5,800,000	Sole	Negotiated
01/24/2007	Temecula Valley Unified School District	12,700,000	Sole	Negotiated
12/21/2006	Fontana, City of	26,815,000	Sole	Negotiated
12/21/2006	Chino Public Financing Authority	10,545,000	Sole	Negotiated
12/19/2006	Menifee Union School District	10,900,000	Sole	Negotiated
12/14/2006	Moreno Valley Unified School District	4,260,000	Sole	Negotiated
12/07/2006	Sacramento, City of	26,210,000	Sole	Negotiated
11/15/2006	Carson Public Financing Authority	25,000,000	Sole	Negotiated
11/15/2006	Carson Public Financing Authority	7,955,000	Sole	Negotiated
11/08/2006	Eastern Municipal Water District	3,500,000	Sole	Negotiated
11/08/2006	Palmdale, City of	2,220,000	Sole	Negotiated
11/01/2006	Escondido, City of	18,080,000	Sole	Negotiated
11/01/2006	Eastern Municipal Water District	3,975,000	Sole	Negotiated
10/26/2006	Chino, City of	9,545,000	Sole	Negotiated

City of Lodi Water Treatment Plant Financing

10/12/2006	Temecula Valley Unified School District	9,945,000	Sole	Negotiated
09/28/2006	Eastern Municipal Water District	9,350,000	Sole	Negotiated
09/28/2006	San Jacinto Unified School District	2,690,000	Sole	Negotiated
09/21/2006	Murrieta Valley Unified School District	5,105,000	Sole	Negotiated
09/12/2006	Lathrop, City of	50,000,000	Sole	Negotiated
09/07/2006	Eastern Municipal Water District	6,000,000	Sole	Negotiated
09/07/2006	Eastern Municipal Water District	13,445,000	Sole	Negotiated
09/01/2006	Temecula Public Financing Authority	3,075,000	Sole	Negotiated
09/01/2006	Temecula Public Financing Authority	14,470,000	Sole	Negotiated
08/30/2006	Western Riverside Water and Wastewater Financing Authority	40,615,000	Sole	Negotiated
08/30/2006	Western Riverside Water and Wastewater Financing Authority	4,400,000	Sole	Negotiated
08/29/2006	Lincoln Unified School District	14,750,000	Sole	Negotiated
08/25/2006	Coachella Valley Water District	8,239,480	Sole	Negotiated
08/24/2006	Lammersville School District	25,000,000	Sole	Negotiated
08/24/2006	Roseville, City of	42,650,000	Lead	Negotiated
08/16/2006	Ione, City of	3,225,000	Sole	Negotiated
08/16/2006	Ione, City of	3,845,000	PA	Negotiated
08/16/2006	Ione, City of	1,550,000	PA	PrivatePlacement
08/16/2006	Ione, City of	10,855,000	PA	PrivatePlacement
08/10/2006	San Jacinto Unified School District	2,565,000	Sole	Negotiated
08/10/2006	RNR School Financing Authority	21,025,000	Sole	Negotiated
08/08/2006	Rialto, City of	5,035,000	Sole	Negotiated
08/03/2006	Roseville, City of	22,095,000	Co	Negotiated
07/20/2006	Tracy, City of	10,660,000	Sole	Negotiated
07/20/2006	Riverside, County of	5,100,000	Sole	Negotiated
07/20/2006	Murrieta Valley Unified School District	5,640,000	Sole	Negotiated
07/20/2006	Riverside, County of	3,505,000	Sole	Negotiated
07/13/2006	San Diego, City of	16,000,000	PA	PrivatePlacement
07/13/2006	Rancho Cucamonga, City of	43,545,000	Sole	Negotiated
07/13/2006	Menifee Union School District	4,740,000	Sole	Negotiated
07/06/2006	Eastern Municipal Water District	3,750,000	Sole	Negotiated
07/06/2006	Eastern Municipal Water District	890,000	Sole	Negotiated
06/22/2006	Poway Unified School District	51,515,000	Sole	Negotiated
06/22/2006	Poway Unified School District	51,495,000	Sole	Negotiated
06/20/2006	Chula Vista, City of	16,950,000	Sole	Negotiated
06/15/2006	Eastern Municipal Water District	6,785,000	Sole	Negotiated
06/08/2006	ABAG Finance Authority	5,825,000	Lead	Negotiated
05/24/2006	Moreno Valley Unified School District	5,000,000	Sole	Negotiated
05/24/2006	Seal Beach, City of	8,800,000	Sole	Negotiated
05/17/2006	Chula Vista, City of	16,620,000	Sole	Negotiated
05/11/2006	Carlsbad, City of	11,490,000	Sole	Negotiated
05/10/2006	Sacramento, City of	19,025,000	Sole	Negotiated
04/27/2006	Temecula Public Financing Authority	51,250,000	Sole	Negotiated
04/27/2006	San Jacinto Unified School District	2,330,000	Sole	Negotiated
04/26/2006	Chino, City of	6,055,000	Sole	Negotiated
04/05/2006	Chino, City of	25,615,000	Sole	Negotiated
02/16/2006	Menifee Union School District PFA	37,325,000	Sole	Negotiated
02/09/2006	Burbank, City of	6,155,000	Sole	Negotiated
02/02/2006	Menifee Union School District	4,625,000	Sole	Negotiated
01/25/2006	William S. Hart Union HSD	18,605,000	Sole	Negotiated
01/25/2006	Saugus Union School District	16,055,000	Sole	Negotiated
01/19/2006	Orange Unified School District	6,540,000	Sole	Negotiated

City of Lodi Water Treatment Plant Financing

12/29/2005	Lincoln Unified School District	14,995,814	Sole	Negotiated
12/28/2005	Eastern Municipal Water District	4,988,209	Sole	Negotiated
12/22/2005	Tracy Operating Partnership JPA	14,965,000	Sole	Negotiated
12/21/2005	Bakersfield, City of	15,595,000	Sole	Negotiated
12/21/2005	Chula Vista, City of	12,230,000	Sole	Negotiated
12/21/2005	Jurupa Unified School District	3,170,000	Sole	Negotiated
12/15/2005	Lake Elsinore Unified School District	3,435,000	Sole	Negotiated
12/15/2005	Schell-Vista Fire Protection District	403,463	Sole	Negotiated
12/13/2005	Mission Springs Water District	7,200,000	Sole	Negotiated
12/08/2005	Moreno Valley Unified School District	27,935,000	Sole	Negotiated
12/06/2005	Chula Vista, City of	22,565,000	Sole	Negotiated
12/01/2005	Dry Creek Joint Elementary SD	3,150,000	Sole	Negotiated
11/30/2005	South Orange County PFA	84,015,000	Sole	Negotiated
11/29/2005	Eastern Municipal Water District	11,735,000	Sole	Negotiated
11/29/2005	Eastern Municipal Water District	2,815,000	Sole	Negotiated
11/22/2005	Poway Unified School District	44,305,000	Sole	Negotiated
11/22/2005	Poway Unified School District	30,000,000	Sole	Negotiated
11/17/2005	Roseville, City of	9,165,000	Sole	Negotiated
11/16/2005	Rio Elementary School District	30,725,000	Sole	Negotiated
11/16/2005	Eastern Municipal Water District	1,800,000	Sole	Negotiated
11/16/2005	Eastern Municipal Water District	525,000	Sole	Negotiated
11/01/2005	Elk Grove Unified School District	43,540,000	Lead	Competitive
10/27/2005	Moreno Valley Unified School District	5,580,000	Sole	Negotiated
10/20/2005	Yuba, County of	13,895,000	Sole	Negotiated
10/20/2005	Rocklin, City of	13,645,000	Lead	Competitive
10/18/2005	Lathrop, City of	8,255,000	Sole	Negotiated
10/18/2005	Rancho Cucamonga, City of	9,835,000	Sole	Negotiated
10/13/2005	Lake Elsinore Unified School District	7,255,000	Sole	Negotiated
10/06/2005	San Jacinto Unified School District	2,450,000	Sole	Negotiated
09/21/2005	Yucaipa-Calimesa Joint USD	1,380,000	Sole	Negotiated
09/21/2005	Eastern Municipal Water District	6,000,000	Sole	Negotiated
09/21/2005	Eastern Municipal Water District	3,500,000	Sole	Negotiated
09/15/2005	Roseville, City of	21,720,000	Co	Negotiated
09/14/2005	Santa Ana Unified School District	11,785,000	Sole	Negotiated
09/01/2005	Piedmont, City of	668,420	Sole	Negotiated
08/31/2005	Stockton Public Financing Authority	16,680,000	Co	Negotiated
08/31/2005	Stockton Public Financing Authority	1,355,000	Co	Negotiated
08/25/2005	Temecula Valley Unified School District	12,940,000	Sole	Negotiated
08/24/2005	Roseville, City of	57,905,000	Co	Negotiated
08/24/2005	Temecula Public Financing Authority	3,865,000	Sole	Negotiated
08/18/2005	Fontana Public Financing Authority	28,020,000	Sole	Negotiated
08/18/2005	Fontana Public Financing Authority	2,885,000	Sole	Negotiated
08/17/2005	Eastern Municipal Water District	4,700,000	Sole	Negotiated
08/10/2005	Oxnard Financing Authority	2,355,000	Sole	Negotiated
08/10/2005	Oxnard Financing Authority	5,180,000	Sole	Negotiated
08/09/2005	Vacaville, City of	6,755,000	Sole	Negotiated
08/04/2005	Seal Beach, City of	3,985,000	Sole	Negotiated
08/04/2005	Victorville, City of	3,245,000	Sole	Negotiated
08/04/2005	Cathedral City, City of	33,847,337	Sole	Negotiated
08/04/2005	Roseville, City of	37,350,000	Lead	Negotiated
08/03/2005	Menifee Union School District	4,480,000	Sole	Negotiated
08/02/2005	Palmdale, City of	8,675,000	Sole	Negotiated
08/02/2005	Palmdale, City of	3,436,684	PA	PrivatePlacement
08/02/2005	Palmdale, City of	1,460,000	PA	PrivatePlacement

City of Lodi Water Treatment Plant Financing

07/29/2005	Stockton, City of	28,350,000	Lead	Negotiated
07/28/2005	Victorville, City of	7,935,000	Sole	Negotiated
07/26/2005	San Francisco Redevelopment Agency	15,160,000	Lead	Negotiated
07/26/2005	San Francisco Redevelopment Agency	5,708,939	Lead	Negotiated
07/21/2005	Fremont, City of	38,000,000	Sole	Negotiated
07/20/2005	Long Beach Bond Finance Authority	2,100,000	Sole	Negotiated
07/19/2005	Rancho California Water District	15,370,000	Sole	Negotiated
07/19/2005	Rancho California Water District	5,125,000	Sole	Negotiated
07/14/2005	Menifee Union School District	2,580,000	Sole	Negotiated
07/12/2005	Palm Springs, City of	3,806,000	Sole	Negotiated
06/28/2005	Bakersfield, City of	3,380,000	Sole	Negotiated
06/23/2005	San Jacinto Unified School District	1,800,000	Sole	Negotiated
06/16/2005	Poway Unified School District	9,035,000	Sole	Negotiated
06/16/2005	Poway Unified School District	13,475,000	Sole	Negotiated
06/09/2005	San Jacinto Unified School District	3,675,000	Sole	Negotiated
06/09/2005	Murrieta Valley Unified School District	2,880,000	Sole	Negotiated
06/08/2005	Sacramento, City of	35,460,000	Sole	Negotiated
06/01/2005	Rocklin, City of	25,000,000	Sole	Negotiated
05/25/2005	Romoland School District	5,935,000	Sole	Negotiated
05/12/2005	Hesperia Unified School District	1,565,000	Sole	Negotiated
05/12/2005	Vacaville, City of	7,275,000	Sole	Negotiated
05/12/2005	Sacramento, County of	11,525,000	Sole	Negotiated
04/28/2005	Fullerton Joint Union HSD	2,050,000	Sole	Negotiated
04/20/2005	San Francisco Redevelopment Agency	34,500,000	Lead	Negotiated
04/20/2005	Menifee Union School District	2,460,000	Sole	Negotiated
04/06/2005	Etiwanda School District	6,815,000	Sole	Negotiated
03/24/2005	Etiwanda School District	10,000,000	Sole	Negotiated
03/24/2005	Lake Elsinore Unified School District	9,645,000	Sole	Negotiated
03/10/2005	Sweetwater Union HSD PFA	15,180,000	Lead	Competitive
03/01/2005	Temecula Valley Unified School District	11,000,000	Sole	Negotiated
02/23/2005	Palmdale, City of	28,500,000	Lead	Negotiated
02/17/2005	Simi Valley, City of	8,800,000	Sole	Negotiated
02/17/2005	Carlsbad, City of	33,085,000	Sole	Negotiated
02/03/2005	Menifee Union School District	2,315,000	Sole	Negotiated
02/01/2005	Orange, County of	75,645,000	Co	Negotiated
01/27/2005	Menifee Union School District	4,160,000	Sole	Negotiated
01/27/2005	Saugus Union School District	3,810,000	Sole	Negotiated
01/27/2005	William S. Hart Union HSD	5,690,000	Sole	Negotiated
01/26/2005	Rio Vista, City of	15,585,000	Sole	Negotiated

239 Transactions Totaling \$3.3 Billion Par Value

RESOLUTION NO. 2010-_____

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENT TO REIMBURSE CERTAIN EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS

WHEREAS, the City intends to design and construct a surface water treatment plant and related appurtenances (the "Project"), and

WHEREAS, the City expects to pay certain expenditures (the "Reimbursement Expenditures") in connection with the Project prior to the issuance of bonded indebtedness for the purpose of financing costs associated with the Project; and

WHEREAS, the City reasonably expects that debt obligations will be issued in connection with the project and that certain of the proceeds of such debt obligations will be used to reimburse the Reimbursement Expenditures, and

WHEREAS, proceeds of such debt obligations will be allocated to reimburse expenditures no later than 18 months after the later of (i) the date the cost is paid, or (ii) the date the Project is placed in service or abandoned (but in no event more than three years after the cost is paid).

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council as follows:

Section 1. The City finds and determines that the foregoing recitals are true and correct.

Section 2. The City hereby declares its official intent to use proceeds of indebtedness to reimburse itself for Reimbursement Expenditures.

Section 3. This declaration is made solely for the purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This declaration does not bind the City to make any expenditure, incur any indebtedness, or proceed with the Project.

Section 4. This resolution shall take effect from and after its adoption.

Dated: January 6, 2010

I hereby certify that Resolution No. 2010-_____ as passed and adopted by the City Council of the City of Lodi in a regular meeting held January 6, 2010, by the following votes:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Advisory Water and Wastewater Usage-Based Rates for the Purpose of Research and Customer Comparison

MEETING DATE: January 6, 2010

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Receive advisory water and wastewater usage-based rates for the purpose of research and customer comparison.

BACKGROUND INFORMATION: As a result of a series of actions by the City Council, a program is in place to install residential water meters throughout the community by the end of 2013. Assembly Bill 2572, adopted in 2004, requires that metered services installed since 1992 begin receiving usage-based water utility bills by January 2011. The City currently provides water and wastewater service to approximately 16,600 single-family residences.

As the City begins the transition from flat rates to usage-based rates, we want to provide comparative utility bill information in advance of January 2011. The water and wastewater rates presented in Exhibits A and B, respectively, are presented as the probable rate structure of the future. However, no billing at this time will occur from the proposed rates. These rates will be subject to the annual indexing increase and other rate increases previously approved by the City Council. Final water and wastewater rates will be recommended for approval in summer 2010 and will be subject to Proposition 218 requirements.

The recommended advisory water and wastewater rates are intended to be revenue neutral. That is, the annual revenue generated from the new rates, in aggregate, should generate the same overall level of income as the current rates. The rates have been developed using data collected from the approximately 2,950 installed water meters, which is about 15 percent of the total meters to be installed. Individual descriptions of the water and wastewater rate structures are provided below.

Water Utility Rate Structure. Based upon the water-usage data collected from single-family homes with meters, single-family customers use an average of 22 hundred cubic feet (CCF) per month, or around 16,500 gallons per month. Monthly water usage varies throughout the year, commensurate with irrigation demands. Water use varies significantly from one customer to the next for a variety of reasons, including but not limited to lot size, household size, type of landscaping, types of water-using appliances, and personal habits and practices. For rate analyses purposes, it is assumed that the average monthly single-family water usage will decrease by about 10 percent (to 20 CCF per month) once metered billing begins. The rate analysis focused upon generating an equivalent to current revenue, and the recommended water rate structure is presented in Exhibit A. The water rate consists of a base charge and a progressive three-tiered commodity charge structure. The weighted average commodity rate is \$1.11 per CCF. All existing rate components are to be consolidated into the fixed service charge and water usage rates.

APPROVED: _____
Blair King, City Manager

Receive Advisory Water and Wastewater Usage-Based Rates for the Purpose of Research and Customer Comparison

January 6, 2010

Page 2

The City has an existing usage-based rate structure for non-residential customers, and it is recommended that rate structure be maintained for those non-residential accounts for the time being. This structure includes a monthly base charge referenced to the meter size and a commodity charge of \$0.537 per CCF as presented in Exhibit C. It needs to be noted that the non-residential commodity charge is approximately one-half of the weighted average residential commodity charge (\$.537 versus \$1.11 per CCF) and that future work will need to be done to amend the non-residential rate structure to make it more comparable to the residential commodity charge rate. Both the base charge and commodity charge are likely to be increased.

Exhibit A presents the recommended monthly charge composed of a fixed monthly service charge and a three-tier water rate structure for single-family customers. The fixed service charge will vary by meter size, but to date only ¾-inch meters have been installed at single-family residences. A tiered structure will encourage water conservation while still reflecting cost-of-service requirements. The first tier would include the first 10 CCF of monthly water use, the second tier would include the next 40 CCF of monthly water use, and third tier would include all water use in excess of 50 CCF. The rates have been structured to capture 50 percent of the revenue through the fixed-service charge component and 50 percent through the usage component.

A single-family residential unit that is vacant (zero water usage) would be charged the minimum monthly fixed service charge of \$22.25. With the new meters in place, it will be possible to lock a water service off, and the Council may wish to have staff research options for a “no service” minimum monthly charge.

The advisory water rate structure, like the current wastewater rate structure, is not broken into components (i.e., infrastructure replacement, PCE/TCE cleanup), but those programs are funded to the levels previously established by City Council.

Exhibit D presents examples of how customers may be impacted by the change from a flat rate based on the number of bedrooms compared to the usage-based rate. Monthly water bills under the flat rates are compared with a range of usage (low, medium and high) associated with each home size. In Lodi, 96 percent of single-family homes have either two, three or four bedrooms. The statistical database from the meters in place today include very few one-, five- and six-bedroom homes and, for those types of homes, we have estimated the low, medium and high water usage (italicized in the table) to calculate the comparisons.

Wastewater Utility Rate Structure. The rate structure for the wastewater system will establish a linkage between winter water usage and the fixed monthly charge (July through June) for each single-family wastewater account. Winter water usage is representative of indoor water usage (irrigation systems are normally turned off in winter), and it is reasonable to assume that water usage in winter months is reflective of wastewater flow contributions.

The wastewater rate structure establishes a fixed monthly charge each year based upon the prior winter's water usage and the current rate schedule. The fixed monthly charge includes a fixed service charge component and usage-based charge that varies for each customer based upon winter water usage. The fixed service charge does not vary with meter size because variation in single-family meter sizes is generally due to irrigation demands or fire suppression requirements, not upon wastewater demands.

The recommended wastewater rate schedule is presented in Exhibit B. The rates have been structured to capture 50 percent of the revenue through the fixed service charge component and 50 percent through the usage component. The recommended rates set a monthly fixed service charge of \$18.95 and a usage charge of \$2.15 per CCF for each unit of usage. In July of each year, the wastewater rate for each account for the coming year will be reset based upon usage the prior December through February and the annual indexed rate adjustment will applied, as approved by City Council.

A single-family residential unit that is vacant (zero water usage) would be charged the minimum monthly fixed service charge of \$18.95.

Exhibit E presents examples of how customers may be impacted by the change from a flat rate based on the number of bedrooms to the usage-based approach, which considers winter water usage as the measure of sewer flow. Monthly wastewater bills under the flat rates are compared with a range of usage associated with each home size. In Lodi, 96 percent of single-family homes have either two, three or four bedrooms. The statistical data base from the meters in place today include very few one-, five- and six-bedroom homes and, for those types of homes, we have estimated the low, medium, and high winter usage (*italicized in the table*) to calculate the comparisons.

Some customers will pay more and others less, but the equity between accounts is improved because the amount of the wastewater bill will be tied to usage and not bedroom count. Also, customers will be able to influence their wastewater bill by limiting water usage December through February.

Acting to approve the advisory water and wastewater rates will facilitate an important element of the public outreach for the water meter program to inform customers of the pending changes to the utility rate structures.

FISCAL IMPACT: None at this time. The rates are advisory only.

FUNDING AVAILABLE: There are no costs associated with adoption of advisory rates.

F. Wally Sandelin
Public Works Director

FWS/pmf

Attachments

**PROPOSED ADVISORY RESIDENTIAL WATER RATES
FOR COMPARATIVE BILLING PURPOSES ⁽¹⁾⁽²⁾**

Monthly Fixed Service Charge		
Up to ¾" meter		\$22.25
1" meter		\$36.15
1 ½" meter		\$70.60
2" meter		\$112.10
Water Usage Rates		
Tier 1	0-10 CCF per month	\$0.86 / CCF
Tier 2	11-50 CCF per month	\$1.29 / CCF
Tier 3	> 50 CCF per month	\$1.71 / CCF

Notes:

- (1) Estimated to be revenue neutral relative to current water rates implemented in July 2008.
- (2) All existing rate components are to be consolidated into the fixed service charge and water usage rates.

**PROPOSED ADVISORY RESIDENTIAL WASTEWATER RATES
FOR COMPARATIVE BILLING PURPOSES ⁽¹⁾**

Monthly Fixed Service Charge	\$18.95
Wastewater Flow Charge Based on Winter Water Usage ⁽²⁾	\$2.15 / CCF
Monthly Wastewater Bills Winter Water Use (CCF)	
0	\$18.95
1	\$21.10
2	\$23.25
3	\$25.40
4	\$27.55
5	\$29.70
6	\$31.85
7	\$34.00
8	\$36.15
9	\$38.30
10	\$40.45
11	\$42.60
12	\$44.75
13	\$46.90
14	\$49.05
15	\$51.20
16	\$53.35
17	\$55.50
18	\$57.65
19	\$59.80
20	\$61.95

Notes:

- ⁽¹⁾ Estimated to be revenue neutral relative to the wastewater rates implemented in July 2009.
- ⁽²⁾ Winter water usage determined as average monthly usage from December through February.

EXISTING COMMERCIAL/INDUSTRIAL WATER RATES

Commercial/Industrial Flat Rate	
Monthly Base Charge:	
¾" Meter	\$11.43
1" Meter	\$17.14
1 ½" Meter	\$22.85
2" Meter	\$28.58
3" Meter	\$40.00
4" Meter	\$51.43
6" Meter	\$74.29
8" Meter	\$97.16
10" Meter	n/a
Water Usage Rates	
Metered Rate	\$0.537 / CCF Approx. \$0.70 per 1,000 gallons

**COMPARISON OF TYPICAL WATER BILLS
UNDER EXISTING AND PROPOSED WATER RATE STRUCTURES**

		1 Bdrm	2 Bdrm	3 Bdrm	4 Bdrm	5 Bdrm	6 Bdrm
Number of Single Family Dwellings		540	4,427	9,448	1,926	260	16
Percent of Single Family Dwellings		3.2%	27.0%	57.0%	12.0%	1.6%	0.1%
		MONTHLY WATER BILL WITH CURRENT RATES					
		\$27.98	\$33.61	\$40.28	\$48.40	\$58.06	\$69.67
		MONTHLY WATER BILL WITH PROPOSED RATES ⁽⁴⁾					
Low Volume User ⁽¹⁾	Water Use (CCF)	4	5	6	7	9	12
	Monthly Bill	\$25.68	\$26.54	\$27.39	\$28.25	\$29.96	\$33.39
Median Volume User ⁽²⁾	Water Use (CCF)	14	16	18	20	24	30
	Monthly Bill	\$35.96	\$38.53	\$41.11	\$43.68	\$48.82	\$56.53
High Volume User ⁽³⁾	Water Use (CCF)	30	35	38	40	45	50
	Monthly Bill	\$56.53	\$62.96	\$66.82	\$69.39	\$75.82	\$82.24

Notes:

- ⁽¹⁾ Low volume use defined as 10th percentile for specified home size.
- ⁽²⁾ Median volume use defined as 50th percentile for specified home size.
- ⁽³⁾ High volume use defined as 90th percentile for specified home size.
- ⁽⁴⁾ Amounts shown in italics are estimates. Insufficient data are available for statistical analysis.

**COMPARISON OF TYPICAL WASTEWATER BILLS
UNDER EXISTING AND PROPOSED WASTEWATER RATE STRUCTURES FOR 2010**

		1 Bdrm	2 Bdrm	3 Bdrm	4 Bdrm	5 Bdrm	6 Bdrm
Number of Single Family Dwellings		540	4,427	9,448	1,926	260	16
Percent of Single Family Dwellings		3.2%	27.0%	57.0%	12.0%	1.6%	0.1%
		MONTHLY WASTEWATER BILL WITH CURRENT RATES					
		\$20.81	\$27.74	\$34.68	\$41.61	\$48.55	\$55.48
		MONTHLY WASTEWATER BILL WITH PROPOSED RATES ⁽⁴⁾					
Low Volume User ⁽¹⁾	Winter Use (CCF)	2	3	3	4	4	5
	Monthly Bill	\$23.25	\$25.40	\$25.40	\$27.55	\$27.55	\$29.70
Median Volume User ⁽²⁾	Winter Use (CCF)	4	7	7	8	8	9
	Monthly Bill	\$27.55	\$34.00	\$34.00	\$36.15	\$36.15	\$38.30
High Volume User ⁽³⁾	Winter Use (CCF)	8	13	14	16	17	18
	Monthly Bill	\$36.15	\$46.90	\$49.05	\$53.35	\$55.50	\$57.65

Notes:

- ⁽¹⁾ Low volume use defined as 10th percentile for specified home size.
- ⁽²⁾ Median volume use defined as 50th percentile for specified home size.
- ⁽³⁾ High volume use defined as 90th percentile for specified home size.
- ⁽⁴⁾ Amounts shown in italics are estimates. Insufficient data are available for statistical analysis.



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Authorize City Manager to Execute an Addendum to the 2007-2011 Memorandum of Understanding Between the City of Lodi and the Police Officers Association of Lodi Bargaining Unit.

MEETING DATE: January 6, 2010

SUBMITTED BY: Human Resources Manager

RECOMMENDED ACTION: Authorize City Manager to execute an addendum to the 2007-2011 Memorandum of Understanding between the City of Lodi and the Police Officers Association of Lodi Bargaining Unit.

BACKGROUND INFORMATION: This agreement modifies the existing Memorandum of Understanding (MOU) between the City and the Police Officers Association of Lodi (POA). The current MOU is effective October 9, 2007 through October 8, 2011. Certain provisions of the existing MOU are subject to "reopening" if General Fund revenues did not increase by at least one percent from June 30, 2008 to June 30, 2009. Since revenues did not increase negotiations were reopened with regard to salary and benefits.

Through subsequent negotiations, the City and the POA have reached a tentative agreement on the contract Addendum as detailed in Appendix A. Other than a slight increase in tuition reimbursement, the Addendum represents agreements on non-economic items.

FISCAL IMPACT: Annual cost approximately \$1,500 (attributed to tuition reimbursement).

FUNDING AVAILABLE: Increased costs will be absorbed within existing appropriations of the Police Department.

Respectfully submitted,

Jordan Ayers
Deputy City Manager/Internal Services Director

Dean Gualco
Human Resources Manager

APPROVED: _____
Blair King, City Manager

ADDENDUM TO THE POLICE OFFICERS ASSOCIATION OF LODI MOU

Whereas, the City of Lodi and the Police Officers Association of Lodi are parties to a Memorandum of Understanding (MOU) effective through October 8, 2011; and

Whereas, the parties desire to enter into this Addendum to modify the MOU; and

NOW, THEREFORE, BE IT RESOLVED the parties agree as follows:

Section	Amended Language
Hours of Work (2.4)	Eliminate reference to specific Graveyard hours set forth in parenthesis; contradicts with Section 2.3.
Uniform Allowance (17.1)	Pay uniform allowances bi-weekly.
Holiday Leave (22.2)	Allow Holiday Leave to be taken in hourly, rather than daily, increments.
Medical Fringe (34.1)	Allow employees to choose between deferred compensation or cash when declining the City's medical insurance benefit.
Tuition Reimbursement (40.2)	<p>Increase tuition reimbursement to \$3,000 per fiscal year (including books).</p> <p>Change Tuition Reimbursement language to state: "Reimbursement subject to a grade of "C" or higher. No pass/fail course grades will be accepted. College must be accredited from one of the eight regional accredited associations below:</p> <ul style="list-style-type: none"> ▪ Middle States Association of Colleges and Schools Middle States Commission on Higher Education ▪ New England Association of Schools and Colleges Commission on Institutions of Higher Education ▪ New England Association of Schools and Colleges Commission on Technical and Career Institutions ▪ North Central Association of Colleges and Schools The Higher Learning Commission ▪ Northwest Commission on Colleges and Universities ▪ Southern Association of Colleges and Schools Commission on Colleges ▪ Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges ▪ Western Association of Schools and Colleges, Accrediting Commission for Senior Colleges and Universities

This Addendum shall not become effective until approved by the Lodi City Council.

CITY OF LODI,

Police Officers Association

Blair King, City Manager

BY _____
Scott Bratton, President

Dean Gualco, Human Resources Manager

ATTEST:

RANDI JOHL, J.D., City Clerk

D. STEPHEN SCHWABAUER, City Attorney



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive a Presentation on the Draft Environmental Impact Report and Draft General Plan.

MEETING DATE: January 6, 2010

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Receive a Presentation on the Draft Environmental Impact Report and Draft General Plan.

BACKGROUND INFORMATION: On January 4, 2006, four years and two days ago, the City Council authorized a request for proposal for General Plan Update Consulting Services. In May, 2006, the City entered into an agreement with the consulting firm of Dyett & Bhatia to prepare the update to the General Plan and an Environmental Impact Report. The firm and its sub-consultants have been working diligently on this program since that time. Work that has been completed includes the following activities:

Public Participation

- Workshops and meetings with interested public
- Workshops specifically with the Planning Commission and City Council
- Stakeholder interviews and neighborhood meetings
- Presentations to service clubs and community organizations
- Newsletters
- A mail-in survey sent to all residential addresses in the City
- Comments via e-mail, and
- The project website

Products

- Working Paper #1: Land Use, Transportation, Environment and Infrastructure
- Working Paper #2: Urban Design and Livability
- Working Paper #3: Growth and Economic Development Strategy
- Working Paper #4: Greenbelt Conservation Strategies
- Sketch Plan Report indentifying alternative land use scenarios
- Preferred Land Use Plan
- Draft Environmental Impact Report, and
- Draft General Plan

The Draft Environmental Impact Report (DEIR) was released for public review and comment on November 25, 2009. Pursuant to the California Environmental Quality Act, the Draft shall be available for comment for no less than 45 days. This meeting will enable interested parties to

APPROVED: _____
Blair King, City Manager

provide comment that will be included in the final document. The Planning Commission has had the opportunity to take comment as well as provide comment at its December 9 meeting. The Final Environmental Impact Report will be provided to the City Council at the time of its deliberation on the General Plan.

As with all EIR's, this document assesses the potential impacts the proposed General Plan may have on specific environmental topics. This has been done on a program level rather than the detail that the City Council may be used to with specific development projects. This DEIR also addresses alternatives to the Draft General Plan, including a No Project scenario. As a result of the environmental review, there are several changes that are being proposed to the Draft General Plan policies. The attached table reflects these changes as either edits or new policy. We believe these changes are necessary as mitigation in order to help reduce or clarify certain impacts created by the plan's implementation.

The Draft General Plan was distributed to the Planning Commission in two segments. The first, at the August 26 meeting included the Introduction, Land Use, Community Design & Livability, Parks, Recreation & Open Space, Conservation and Safety chapters. At the Commission's September 9 meeting, the remaining chapters of the Draft General Plan were distributed, including Growth Management & Infrastructure, Transportation, Noise and the Implementation Appendix. The one chapter that has not been completed and will be on a separate review program is the Housing Element. The entire Plan as described has been made available on the website with notification being made by both newspaper and to the mailing list of interested parties.

The Planning Commission held Public Hearings on September 23, October 14, October 28 and December 9. Few public comments were received. The minutes from those meetings are attached for the Council's benefit. Staff has also presented the Draft General Plan to several of the City's boards and commissions. The only written comment received was from the Recreation Commission, which is requesting an additional policy in the Parks, Recreation and Open Space element dealing with on-going park maintenance funding. The language from the Commission is included in the attachments. Additionally, staff has received written comments on the Plan. Those comments are also attached.

Our intent for this meeting is to introduce the DEIR and Draft General Plan, receive any public comment as well as comment by the City Council. No action is contemplated.

FISCAL IMPACT: N/A

Konradt Bartlam
Community Development Director

KB/kjc

Attachments:

- Draft EIR and Draft General Plan distributed previously
- Minutes from previous Planning Commission meetings
- Executive Summary of the Draft EIR & Table of edits/additions
- Introduction Chapter of the Draft General Plan and the list of Policies
- Parks and Recreation Commission Policy addition
- Written comments

Draft EIR
&
Draft General Plan
(distributed previously)

Planning Commission
Minutes: Sept. 23rd,
Oct. 14th, & Oct. 28th
(General Plan Discussion Only)
&
December 9, 2009 Draft
Minutes

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 23, 2009
(GENERAL PLAN DISCUSSION ONLY)**

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to review and comment on the comprehensive Draft General Plan.

Director Bartlam gave a brief PowerPoint presentation based on the staff report. He stated the timeline breakdown of the events that have occurred to this point. Staff is looking forward to receiving the administrative draft EIR some time this week. Mr. Bartlam stated that this is an initial public hearing and no action by the Commission is required at this time.

Hearing Opened to the Public

No speakers came forward.

Public Portion of Hearing Closed

- Chair Cummins asked his fellow Commissioners how they felt about the ban on gated communities on page 13. Commissioner Kiser felt that gated communities are a positive idea. Commissioner Heinitz stated that depending on the CC&Rs that regulate the area these types of communities can go either way. There are several gated and non-gated communities in Lodi that show as both good and bad examples for this style of community. Commissioner Mattheis stated that gated communities divide up neighborhoods. It takes away the walkable community. Director Bartlam stated his agreement with Commissioner Mattheis and also added that gated communities can give a false sense of security. There are just as many if not more break-ins in gated communities because people don't keep as watchful an eye out which falls back on the false sense of security. These types of communities also necessitate the neighborhood/community to maintain their own streets and sidewalks and for several reasons that does not always work out. Chair Cummins asked for examples. Commissioner Heinitz gave a couple of example where this has occurred.
- Commissioner Kiser asked about section CD-P40 on page 16 of the policies regarding the LEED requirements. Director Bartlam stated that some sort of green building construction guidelines are recommended based on the direction that the State is heading. This in not forcing LEED certification, but to be LEED equivalent.
- Commissioner Olson asked how staff is going to handle training for all the sustainable policies when there are so many cuts in budgets. Director Bartlam stated that these policies will take years to implement and the timeline spreadsheet that will be presented will show the prioritization of each item. Olson stated her desire to not see the building industry get back on their feet only to be stopped at the front desk. Mr. Bartlam stated that that is not the intention of these policies.
- Commissioner Kirsten asked for clarification on LEED equivalent. Mr. Bartlam stated that staff will prepare a stand alone summary for the Commission to help clarify this issue.
- Director Bartlam pointed out C-G10 on page 26 regarding the reduction of greenhouse gases is a specific requirement by the state, and on pg 32 C-P36 is how staff feels this should be implemented.
- Commissioner Mattheis stated his pleasure over the policies and how they are being presented. He would like to see the language in the policy under Growth Management LU-G1 (*GM-P1) on page 5 strengthened to promote the area south of Lodi as an agricultural area; on pg 7 LU-G1 (*GM-P11) has the verbiage of where feasible, isn't this giving too many outs. Mr. Bartlam stated that not all projects are going to be able to meet this requirement do to unusual circumstances. Mattheis would like to see the yellow sidewalks downtown go away. Bartlam mentioned that the Downtown Summit on October 16th would

be a great place to bring that issue up. Mattheis referred to page 14, CD-P29, under Mixed Use Centers isn't 10% of land being devoted to non-residential area a little small. Mr. Bartlam stated that he felt 10% is a good minimum, and wouldn't want to see the number go much higher. He then pointed out the Turner/Lower Sacramento Road intersection and surrounding area as a good example of a mixed use center. It isn't the best example of walkability but that is something that can be worked on in future developments with the new standards. Mattheis stated his agreement with Mr. Bartlam regarding page 16 LEED Certification. He believes it is all hype and is a large burden on the applicants and would like to see how staff plans on implementing equivalent policies. Page 30, C-P23; He is in favor of historic designations so long as the policies are not so restrictive that the areas or structures do not become such protected icons so as to not allow for adaptable reuse of the items.

- Commissioner Hennecke asked about page 5 regarding Growth Management; should we be implementing policies outside of the areas that are controlled by the City of Lodi. Mr. Bartlam stated that in every environmental document that has come before the Commission over the past five or six years the city has been requiring mitigation measures for preserving agricultural land outside of the City limits. The intent is to deal with this as a city policy rather than it being a hit or miss negotiation item. Further he stated that the EIR is going to be requiring it as a mitigation measure because if you are going to be off-setting the impacts it needs to be outside the City growth area. Hennecke would like to see the mitigation set up as a fee and not focus on this area for land substitution. Hennecke stated that he would like to have the language tightened up regarding the street width and resident parking T-P11 pg 19. He does not care for the narrow streets where there is barely room for two cars to pass each other while cars are parked on the street. Commissioner Kiser agreed with Hennecke. Mr. Bartlam stated that there is a correlation between livable/walkable neighborhoods and the widths of the streets with the intent of slowing down the vehicles. Commissioner Mattheis likes the narrow streets because it slows down the traffic. Kiser stated that he would like to know how the Fire Department feels at this time about this issue. Chair Cummins asked if the street is measured with cars parked on the street. Bartlam stated that if parking is allowed on the street there is an 8' width taken into account for the parked cars then the curb to curb width takes that into consideration. He asked the Commissioners to do some homework and come back with specific examples that they fell are reasonable street width for future developments. Director Bartlam stated that the language is what we are here to fine tune.
- Vice Chair Hennecke stated that the street that he lives on is a wider street with parking on both sides and is still a very walkable area with plenty of pedestrian traffic.

Director Bartlam thanked the Commission for their input and stated that he anticipates having the General Plan on the agenda for the next few meetings. He would really like to see more public input, so let's get the word out. The plan is to have the General Plan on the agenda for at least the next few meetings giving the public as much of a chance as possible to give their input.

***NOTE:** During the formatting of the policy attachment included in the packet the number was altered from it's original state, so both numbers have been included in the minutes for the public's convenience.

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 14, 2009
(GENERAL PLAN DISCUSSION ONLY)**

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the review and comment on the comprehensive Draft General Plan.

Director Bartlam gave a brief presentation based on the memo and attachments that are a part of the packet.

Commissioner Kirsten stated he did some research on Green Building Standards and the City of Nashville is considering some alternatives to the LEED standards because of significant back log and cost associated with the certification process there. Kirsten stated that after his research he agrees with the direction staff is going.

Chair Cummins asked Commissioner Mattheis if his company has had any dealings with the LEED certification process. Commissioner Mattheis stated that yes they have done a couple of LEED certification projects and is in favor of the direction that Mr. Bartlam is going with the policies.

Commission Kiser would like more clarification on the street widths. He went out and measured Elgin Avenue and it is 20 feet in width at the corner where there is a bump out. Mr. Bartlam stated that at the bumped out corner on Elgin there isn't any intension to allow parking and is meant to slow traffic down in that area.

Commissioner Mattheis asked if the cross section 1 of Standard Plan 101 was going to be eliminated altogether. Mr. Bartlam stated that it would not be eliminated because of the fact that they already exist and are needed for repair purposes.

Vice Chair Hennecke asked for clarification on the standards. He does not feel that it is safe as currently written.

Commissioner Mattheis believes that the standard is providing a purpose of slowing down traffic in non-collector type streets and feels that it works.

Director Bartlam stated that based on the concerns still being expressed he would like to bring back examples of the different types of streets and why they are set up differently for different uses.

Commissioner Kiser stated that he uses Elgin on a regular basis for business and it is difficult for two vehicles to pass one another without one of them giving way to the other. Mr. Bartlam stated that the standard is working then. The standard is meant to deter through traffic from using Elgin in place of Kettleman Lane.

Commissioner Olson stated that she understands what the standards are intending to accomplish, but feels that the idea has created more of a nuisance.

Vice Chair Hennecke would like to see what staff brings back showing the different types of streets and the reasoning behind why they are used in some places and not others.

Chair Cummins stated his agreement with Commissioner Mattheis.

Commissioner Mattheis commended staff for a job well done with the Draft General Plan.

Hearing Opened to the Public

- Jane Wagner Tyack, Lodi resident, came forward to comment on the Draft General Plan. She commends staff for a job well done. Ms. Wagner is still concerned with the water conservation portion and would like to have more solid language placed in the policy. Mr. Bartlam stated that the verbiage needs to be vague because not all projects are created equal. There are policies pertaining to the re-harvesting of grey and rain water. The City Council has approved the contract to get the water meters in place in an accelerated time line which should be a deterrent for wasting water.
- Commissioner Mattheis went over some of his comments and concerns that he expressed regarding the water conservation issues from the last meeting. He also added that the supply and demand in relation to growth will be addressed in the EIR, which is the backup document to the policies. Mr. Bartlam stated that in the alternatives document that was released and then approved in early 2009 there is a good explanation of the impacts for each of the different growth options.
- Commissioner Hennecke asked if the Commercial and industrial areas are metered or billed a flat rate. Mr. Bartlam stated that they are metered.
- Bruce Fry, Acampo resident, came forward to express his concerns over the PRR designation being taken out of the new plan for the area south of Harney Lane. This is a very important issue for the property owners in that area. It is currently proposed to be a

Continued

part of the Cluster Zoning and since the City Council has backed away from funding the EIR for that plan the residences would like to see it put back as PRR.

- Vice Chair Hennecke asked if there is a 100% buy in for the PRR designation by all of the property owners from that area. Mr. Fry stated that he can not state that 100% are on board but there is a majority of the property owners that would like to see the designation put back in to the General Plan.

Public Portion of Hearing Closed

- Commissioner Kirsten asked for a brief summary regarding the area Mr. Fry was referring to. Mr. Bartlam with the assistance of the current General Plan Map on the wall pointed out the PRR designation area and the proposed map on the PowerPoint screen pointed out the Armstrong Road Study Area. He stated that the City Council has backed off of the EIR for that Armstrong study area based on the hurdles that have been put in front of them by the County. The EIR will show a couple of different alternatives for that area.
- Director Bartlam stated that he has been taking the policies to other commissions and committees within Lodi. The Parks and Recreation Commission would like to have an additional policy within that element to deal with the financing of existing parks. The new language will be brought back with a later packet.
- Chair Cummins asked about the target date for the EIR. Mr. Bartlam stated that some time mid-November.

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 28, 2009
(GENERAL PLAN DISCUSSION ONLY)**

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the review and comment on the comprehensive Draft General Plan.

Director Bartlam gave a brief presentation before opening the item up for discussion.

Hearing Opened to the Public

- Ann Cerney, Lodi resident and representative for Citizens for Open Government, came forward to comment on the Draft General Plan. Ms. Cerney would like to see more affordable housing placed into the plan. The integrated neighborhoods have always been a part of the growth in the San Joaquin County. It is important to have a variety of housing in every neighborhood. The building of affordable housing is very important to this community. Ms. Cerney would like to see the homeless community considered in any future plans.
- Mr. Bartlam stated that the Housing Element is being worked on in conjunction with this General Plan. Staff would like to get the Housing Element reviewed by the State prior to the document being brought before the Planning Commission.
- Commissioner Kirsten stated his appreciation of Ms. Cerney's comments and hopes she will keep coming back.

Public Portion of Hearing Closed

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 9, 2009**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of December 9, 2009, was called to order by Chair Cummins at 7:01 p.m.

Present: Planning Commissioners – Hennecke, Kirsten, Kiser, Mattheis, Olson, and Chair Cummins

Absent: Planning Commissioners – Heinitz

Also Present: Community Development Director Konrad Bartlam, Deputy City Attorney Janice Magdich, Assistant Planner Immanuel Bereket, Public Works Director Wally Sandelin, General Plan Update Consultants Rajeev Bhatia and Jean Eisberg with Dyett & Bhatia and Administrative Secretary Kari Chadwick

2. MINUTES

“October 14, 2009” & “October 28, 2009”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Olson second, approved the Minutes of October 14, 2009 and October 28, 2009 as written. (Commissioner Hennecke abstained from the October 28, 2009 minutes because he was not in attendance of the subject meeting)

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request for a Tentative Parcel Map to divide one parcel in to two lots at 502 East Oak Street and request for a Variance to reduce required front yard setback from 20-feet to 10-feet for proposed single family dwelling at 504 East Oak Street. (Applicant: Baumbach and Piazza, Inc. on behalf of Service First of Northern California, Inc. File # 09-P-02).

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as presented.

Commissioner Kirsten asked for clarification regarding the variance for the flag lot from 20' to 10' and why there isn't a requirement for a variance for the front lot from 20' to 18'. Mr. Bereket stated that the front lot will go through the Administrative Deviation process. Kirsten asked if the reduced set back was consistent along that section of Oak Street. Bereket stated that is was.

Commissioner Mattheis asked about the potential of having all of the dwellings front on a street rather than having one front on an alley. Director Bartlam stated that the there has been some discussion regarding that idea, but these are two separate projects.

Hearing Opened to the Public

- Steve Peachin, Baumbach & Piazza, came forward to answers questions. Mr. Peachin stated that the configuration of the lots come from meetings with the Applicant, City Staff, and himself. The two projects are being done through two different agencies and it will be difficult to alter or try to combine them.

Continued

- Commissioner Olson asked about the types of funds to be used. Mr. Peachin introduced Sharon Siams with Service First to answer the funding questions.
- Sharon Siams, Service First, came forward to answer Commissioner Olson's question. Ms. Siams stated that the corner lot, 500 East Oak Street, is the lot that is being worked on through the City of Lodi HOME Program and 502 East Oak Street is being worked through the Neighborhood Stabilization Program (NSP) with the County.
- Commissioner Olson asked about the type of funding and the qualifications of the applicants. Ms. Siams stated that there will be income qualifications and the applicants will be responsible for getting their own loans through a private lender. Olson asked if there are any covenants placed on the homes. Siams stated that according to NSP they are required to keep them for 30 years because the funds are special Housing & Urban Development (HUD) funds. Olson asked if the applicant sells before then are they required to sell to a targeted income group. Siams stated that that is one of the requirements.
- Commissioner Kirsten asked what the photos of the newer homes in the staff report represented. Ms. Siams stated that the photos represent what style of home will be put on the properties. Kirsten stated that he would like to see more of a period style of home that would have a positive effect on the character of the neighborhood. Ms. Siams stated that she would take the suggestion back to the architect.

Public Portion of Hearing Closed

- Commissioner Mattheis stated his support for the project and added his agreement with Commissioner Kirsten regarding the look of the homes. He doesn't want to place any conditions on the project that would make the home more expensive, but feels that there could be some minor changes that would make the look of the homes more suburban rather than contemporary, like they are part of an older neighborhood. Mattheis suggested taking the verbiage "To the extent feasible" out of condition number five. Mr. Bartlam stated that this application is for a parcel map and the architectural review doesn't fall under the purview of the application. Mattheis stated that the condition is in the Resolution and he would like to see the verbiage altered if the other Commissioners agree.
- Commissioner Kiser stated his agreement with the other two Commissioners regarding the look of the homes matching the homes in the surrounding area.
- Commissioner Kirsten stated his support of the project except for the architecture and would like to see the language "To the extent feasible" stricken also.
- Commissioner Hennecke stated his support for the project and added his agreement with the other Commissioners regarding the architecture.

Commissioner Mattheis made the motion to approve the project with the deletion of "To the extent feasible" in number five under the Community Development conditions.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Mattheis, Kiser second, approved the request of the Planning Commission for a Tentative Parcel Map to divide one parcel in to two lots at 502 East Oak Street and request for a Variance to reduce required front yard setback from 20-feet to 10-feet for proposed single family dwelling at 504 East Oak Street subject to the conditions in the resolution with the deletion of the language above. The motion carried by the following vote:

Ayes: Commissioners –Hennecke, Kirsten, Kiser, Olson, Mattheis, and Chair Cummins
Noes: Commissioners – None
Absent: Commissioners – Heinitz

Continued

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the Review and comment on the comprehensive Draft Environmental Impact Report & Draft General Plan.

Director Bartlam gave a brief introduction of the program and then introduced Rajeev Bhatia and Jean Eisberg from the consultant firm of Dyett and Bhatia. Mr. Bhatia stated that this Draft Environmental Impact Report (DEIR) is a broad look at the program level. There will be subsequent environmental documents that will need to be done for individual projects. Mr. Bhatia introduced Jean Eisberg to continue with the PowerPoint presentation based on the information in the Staff report and PowerPoint presentation.

Mr. Bartlam continued the presentation beginning at the General Plan Land Use PowerPoint section. There are no changes proposed for the General Plan Land Use Plan, but there are changes to the proposed policies based on the environmental review.

Commissioner Hennecke asked why there was not a definition supplied for the Armstrong Agricultural Cluster Zoning area. Mr. Bartlam stated that it is not defined on the map, but is included within the discussion in the document. The intent is to show that the area is set for future study and staff does not want to presuppose what the outcome of the study might be and what may occur in that area in the future. It is an attempt in the General Plan to recognize the ongoing discussion and staff can not say what that outcome will be. Mr. Bhatia stated that if it is the Commission's wish a definition can be brought back. Hennecke stated that that was not necessary. He only asked the question because it was the only area not specifically defined.

Commissioner Olson asked about infill in the downtown being affected by the Federal Government's definition regarding Historical Resources and she would like to make sure that that avenue has been explored. Mr. Bartlam stated that the downtown has maybe three or four properties listed on the registry. There was some discussion that occurred at the meeting in September regarding taking additional Historical Resources inventory and that will become one of the follow up measures that will occur over the life of the plan. Olson stated that she did not think that section was fully developed.

Commissioner Mattheis asked about the level of Service E. Most EIRs wouldn't find that level acceptable; it would be like gridlock. Is it meant to be more of a policy of common sense? Mr. Bartlam stated that that is correct; an example is the type of intersection at Lower Sacramento Road and Kettleman Lane and the potential of more of these types happening as the plan grows. In the initial traffic runs there were around six to ten more of this type of intersection that could have been required given the level of service standard. Service level D will be our accepted level of service, but on occasion a level E may be looked at where it may have more benefit to a complete street. Where a level of service for an intersection doesn't take into consideration weather a pedestrian can cross the street in a single cycle. Mr. Bhatia stated that on page 3.2-16 of the DEIR there are pages of intersections that are at Level D and lower.

Commissioner Olson stated her concerns over the street widths. Mr. Bartlam stated that there is no proposal in the DEIR to change the dimension of streets. If there is a desire to change the street standards then staff can come back to the Commission with a presentation on that as a separate item. Olson stated that when this is looked at later down the road this issue should be considered so that response times can be met and law suit avoided.

Commissioner Kiser stated his support for having wider streets for public safety purposes and does not want to see this issue fall through the cracks. Mr. Bartlam stated that this is not the venue to look at the specific street standards. The documents are not proposing any changes to the street standards. He also reminded the Commission that he is only with the City for an interim basis and placed the burden of not letting this item fall through the cracks back on the Commission to let the next Director know their concerns. Mr. Bhatia pointed out on pages 4-22 & 23 that there are no street dimensions stated in the DEIR.

Continued

Commissioner Hennecke asked if staff still planned on bringing back a presentation regarding the manner in which the street standards are enforced. Mr. Bartlam stated that he has discussed this with Director Sandelin and a presentation will be brought back to the Commission.

Director Bartlam continued with his presentation. He pointed out additional letters (on blue sheets) that have been received since the packet was delivered to the Commissioners. The DEIR is still in the public review period and will be until January 11, 2010.

Commissioner Mattheis asked about the water analysis and the agricultural mitigation. The water levels are at a break even point at the best case scenario. He would like staff to walk through the water analysis section. Mr. Bartlam introduced Wally Sandelin, Public Works Director, to answer this question. Mr. Sandelin stated that water presentation in the DEIR shows that the City has secured reliable supplies in normal years and modestly reliable supplies in dry years. Coupled with the policies within the DEIR there can only be development if the water levels allow for it. There are opportunities through conservation and estimates used in preparing the demand numbers that are relatively conservative such that the city doesn't have any long term worries of meeting future development need. Mattheis asked about the future safe yield and how that works and is added into the ground water capacity. Mr. Sandelin stated that when staff prepared the 2005 Urban Water Management Plan there was a very sophisticated Ground Water Model that was prepared as a decision maker on how we treat the ground water contamination through the PCE/TCE clean-up program. Through that analysis staff was able to identify on a large scale basis what the in-flow of water was to our ground water supply, what the out-flow was, what our extraction was through the wells, and determine the annual safe yield was 15,000 acre feet per year under the existing footprint of the City. That was converted then to a long term safe yield based on an enlarged footprint of the City. Mattheis asked if the 15% conservation goals are primarily through the water meters. Mr. Sandelin stated that the water meters will only be a part of it. There are other possibilities through policy changes like taking the watering days down to one day a week. Mattheis asked about establishing an agricultural mitigation program on page 3.3-10 regarding mitigation measures and fees. This is a new program that would have to be created, is that correct. Mr. Bartlam stated that for the last couple of EIRs the agricultural mitigation has been done on a case-by-case basis. For each of the EIRs the mitigations proposed were different due to the different consulting firms preparing the documents, different staff reviewing them, and different project applicants that would ultimately have to implement the measures. The problem was that those measures were only as good as those projects and didn't take into account the rest of the development that might occur. Staff felt that it was time that the City have a comprehensive program for all developments and that way every project that has an impact by virtue of expanding into the agricultural area is captured. Mattheis asked why not have more definite language in the form of a ratio; for instance a 1 to 1. Mr. Bartlam stated that staff felt that would be best served in the implementation policy; for example if there was going to be land preserved in the Armstrong Road Study Area that might have more of an incentive than say land in another area. Mr. Bhatia stated that on page 7-34 of the plan staff did try to prioritize the areas of interest.

Commissioner Kirsten asked if there is an acknowledgement of the effect that the projected infill would have on the current infrastructure. Mr. Bartlam stated that the program level of the DEIR does take into account for the current infrastructure. Mr. Bhatia added that on page 3.13-19 there is a breakdown of where there may be upgrades needed to the sewer lines. Mr. Bartlam stated that the traffic analysis also took infill into consideration. Mr. Sandelin stated that on the heels of the General Plan adoption the Public Works Department will be preparing detailed master plans for water, sewer, storm drainage infrastructure and then will prepare a revised Impact Mitigation Fee Program for the City Council to consider.

Commissioner Olson asked about the wetlands portion and why it is so low. Mr. Bartlam stated that wetlands are more prominent in areas where there is more grazing land verses vineyards and orchards which is what you find in and around Lodi. Olson asked who is doing those delineations. Mr. Bhatia stated that the exhibit on page 3.4-5 shows that the entire planning area was taken into consideration not just the proposed adoption area and it is in that area that you find most of the wetlands.

Hearing Opened to the Public

- John Beckman, Building Industry Association (BIA) Executive Officer, came forward to comment. Mr. Beckman pointed out the letter that he sent to the Commission. Several of the Commissioners asked for a moment to read the letter.
- Chair Cummins asked about Mr. Beckman's opinion on gated communities. Mr. Beckman does not think that they should be prohibited. There is a way to put criteria in the EIR to reduce their impacts and that can discourage them.
- Commissioner Kirsten asked why Mr. Beckman thinks that a point system would be a better idea for development verse the proposed phasing. Mr. Beckman stated that the development in phase two should not be penalized because phase one has not reached the 75% threshold of completion. For Instance; the zoning designations in phase one may not have the same market demand as the designations in phase two and by prohibiting development in phase two until the threshold is met then you have interfered with the free market system. By using a point system you allow development in phase two to occur, but you penalize it with the point system. Now the development has been adjusted to the City's will without causing an economic hardship to the market. Kirsten asked for more clarification on how the point system works; are the different uses given different points? Mr. Beckman stated that in this case the projects in phase one are given 100 points and the projects in phase two are given 25 and there are a bunch of different other points given for type of project, the desirability of the project and various amenities the project has to offer. The point system is meant to encourage desirable development and discourage undesirable or not as highly valued development and with the phasing system you give a large bonus to projects in phase one and a very small number of points to projects in phase two. This point system is what has been used in the past and has worked very effectively. Kirsten asked if Mr. Beckman was familiar with other cities using this type of system to limit the leap-frog effect of growth. Mr. Beckman stated that he has not seen the prohibitions included in this plan in any other city.
- Commissioner Kiser asked why couldn't under the applicant under the point system come to the Planning Commission to change the zoning. Mr. Beckman stated that what Commissioner Kiser is referring to is changing the zoning within a geographic area from one zoning designation to another. What he is referring to is the phasing of one geographic area verses another geographic area not changing the zoning within a geographic area. Kiser asked for more clarification on the difference. Mr. Beckman stated that if the project that is requesting a zoning change is in phase one there would still be a change in the points that are given to that project based request, but they will still get bonus points for being in phase one verses phase two.
- Commissioner Olson stated that the comment regarding LU-P28 and the problem with having the word "prices" shouldn't the problem be with the word "full"? Mr. Beckman stated that the full range of housing types is healthy for the community. When you mandate prices you get into legal and economic problems with continued development. If you mandate the price a product can be sold at you may limit the quantity of that product that gets built. Olson stated that if you take out the word "full" you will still have a development that has a range of types and prices which most developments do anyway. Mr. Beckman agreed. Olson stated her disagreement with the State Green-housing Standards comment. She stated that other jurisdictions have standard that are not the same as the State. Mr. Beckman stated that not where Building Codes are concerned. The City Council must make specific findings based on climatology, seismatology, and soil types that are specific to that region to justify adopting building codes that are different from the State mandated codes. Olson asked that if a city wanted to mandate a certain percentage of development have solar or some other standard to offset energy usage or some other usage it can't be done unless the state mandates it? Mr. Beckman stated that he doesn't believe that mandating solar falls under the building codes, but if you wish to change the distance that the studs in a wall are from each other or if the city wants to change the amount of insulation for green purposes that is required in those walls those are building issues. Olson asked if the areas that adopt requirements that differ from the State have challenges

coming from BIA. Mr. Beckman stated that in the Palm Springs area there have been some challenges.

- Commissioner Kiser stated that he as a contractor can go from one city to another and find different requirements.
- Director Bartlam added that the proposed edits to the Growth Management Policy which is in the packet adds to the last sentence "in order to respond to market changes and demand for various land use types exemptions may be made to allow for development in future phases before thresholds in previous phases have been reached". This starts to address Mr. Beckman's prime concern, but staff is not recommending any changes to the Ordinance which is where the point scoring activities occur. The phasing that is proposed is for all land use designations. Green-building standards if adopted by the State as part of the mandated Building Codes will become a part of the city codes. The purpose of the policy is to look beyond the Building Codes and look at building orientation, energy efficiency, the use of street trees, and things of that nature which don't enter into the building code equation. Mr. Bartlam offered to go through the BIA letter point by point if the Commission wished.
- Chair Cummins asked for more discussion regarding the gated communities. Mr. Bartlam stated that the intent of the policy is to make the city one big connective neighborhood and gated communities do not follow along with that idea. Should the Commission wish to eliminate the policy eliminating the gated communities it would not be detrimental to the DEIR or General Plan. After talking with various people from the community several good examples of gated communities have been mentioned, like; the Wine & Roses project and the Rivergate project off Turner Road at the end of Sacramento Street.
- Jane Wagner-Tyack came forward to comment. Ms. Wagner-Tyack handed out and read a letter (attached) to the Commission expressing her concerns. Commissioner Mattheis asked Ms. Wagner-Tyack if she was using table 3.13-5 on page 3.13-13 regarding the water supply and demand because the figure in the table differs from the number she used in her letter. Ms. Wagner-Tyack stated that the number she used could be a typo. Mattheis asked staff for clarification on the water issue for peace-of-mind in the case where the city may suffer several dry years in a row. Mr. Bartlam stated that the analyses in the DEIR are conservative numbers and don't take into account any water conservation measures. Mr. Sandlin stated that the County and the partner agencies in the County prepared many years ago an integrated Regional Water Management Plan acknowledging the fact that over the past years that we have over drafted the region's ground water to the tune of 200,000 acre feet per year. Every partner agency of that plan has a component of their share. Lodi's share that has been taken on by purchasing 6000 acre feet per year from the Woodbridge Irrigation District (WID) which we hope will be delivered to the City in 2011. Now if you take our current situation of using 17,000 acre feet per year and then subtract the 6000 that will come from WID that leaves 11,000 that the City will have to pump from a resource that could reasonably supply 15,000. This means that the City will be leaving 4000 in the ground. The idea is to use the surface water in the years of plenty and draw on the banked ground water in the years of drought. Mr. Bartlam stated that there have already been conservation measures put in place and more conservative policies can be implemented along the way. Mr. Bhatia added that this is an item that will have to be monitored throughout the life of the General Plan. Ms. Wagner-Tyack stated that she would like to see the projections brought into line with what the growth will be so there would not be any discrepancies with these numbers. Mr. Bartlam stated that there are fairly liberal estimates on growth and conservative estimates on supply reflected in the table.
- Bruce Frye came forward to comment on the Alternative Plans A and B. Mr. Frye asked what the designation for the area north of Armstrong Road is. Mr. Bartlam with the assistance of the PowerPoint slides stated that in Alternative A the designation is Planned Residential Reserve (PRR) which is consistent with the current General Plan. In Alternative B there is a proposed Rural Residential designation which is different than any of the other alternatives. This will extend from the city limits south to the half mile line then the Study area continues south from that. During the discussions on the alternatives there were two separate groups that came forward; one group that consisted of Mr. Frye and his neighbors

who wanted an alternative (A) that would provide for the opportunity for the City Council to allow for a designation down to Armstrong Road, and the other group wanted to have an alternative (B) that would allow for the Delta College campus. Mr. Frye would like to see Alternative A used. Mr. Frye suggested that Policy CP-2 needs to have "surrounding cities" included in the verbiage to go along with the San Joaquin County. All agriculture should be included not just grapes. The Agricultural Conservation Program should be worked on with the stake holders which includes the San Joaquin Farm Bureau who have worked with the County along with the City of Stockton on their program. The surface water usage should be addressed in more detail because the ground water levels are being affected by the wells which affects the surrounding area farmers. Mr. Frye asked if the Urban Water Management Plan (UWMP) is reviewed every five years. Mr. Sandelin stated that that is correct. It will be updated in 2010. Mr. Frye asked if the General Plan used the 2005 version. Mr. Bartlam stated that the proposed General Plan takes information from the 2005 UWMP, but it has been updated with information that was derived as part of the General Plan Process. The 2010 UWMP once updated will coincide with the General Plan provided the General Plan is adopted in 2010. If the General Plan takes a longer amount of time, then the 2010 UWMP will be based on the current General Plan. Mr. Bartlam stated that the UWMP update in 2010 will occur whether or not the General Plan gets adopted. It is staffs hope that they will go hand-in-hand. Mr. Frye stated that there is a Bill (HR2421) from a year ago that is before the Federal Government that would take the Navigatable Waters out of the Clean Water Act which would make any puddle on any persons property whether it be privately owned or City owned under the jurisdiction of the Federal Government.

- Mike Manassero came forward to comment on the DEIR. He stated his agreement with Mr. Frye's comments.
- Ann Cerney came forward to comment on the DEIR. Ms. Cerney stated that she would like to make two points regarding the agriculture and soil resources information in Table ES-3 on page E-7. The mitigation of agricultural land is addressed only to the extent to say that it can not be mitigated. If this is supposed to be a Policy Document then it should have specifics in it. With the last few annexations the citizens have had to demand that the developers make a one for one acre mitigation through lawsuits or the threat of a lawsuit. Ms. Cerney feels very strongly about the mitigation of agricultural land. The LU-P28 policy should have the word price in it. It is important to have low income housing.

Public Portion of Hearing Closed

- Commissioner Mattheis stated that there should be minimum mitigation language placed in the Agricultural Language. Mr. Bartlam stated that the language could be whatever the Commission wishes to recommend to the City Council. If the numbers get boiled down too tight you could end up in a trap of your own making. Should a developer choose to mitigate Agricultural Land with a one for one ratio then maybe they get an incentive for choosing an area that is important to the City possibly the area south of Lodi and those questions need to be answered before a fee can be determined because there has to be a direct relationship. Mattheis stated that he would like to see the language have some teeth. Mr. Bartlam stated that in figure 7-5 of the General Plan the area immediately south of Lodi is proposed to have a higher priority for agricultural mitigation. The thought is if someone is interested in preserving land in that area, however that might occur, they may get an incentive to do that by either a lower fee or lower ratio. Mr. Bartlam added that he does not have a problem with the ratio being one for one. Mattheis stated that he supports the preferred plan designations verses the language for the southern portion of the plan being left as Urban Reserve. It is too easy for the land to be taken and used for development with the Urban Reserve designation. With regards to the BIA letter he is satisfied with the explanations given by staff for the concerns expressed. He would like to have language added if the gated communities are going to be allowed that says "limited to areas that do not interrupt the fabric of the City" or something to that effect. Mattheis stated his pleasure with the Plan as presented.
- Vice Chair Hennecke requested a brief recess.

Chair Cummins called for a brief recess (9:28)

Chair Cummins called the meeting back to order (9:34)

- Vice Chair Hennecke asked what is expected of the Commission tonight. Mr. Bartlam stated that if the Commission is comfortable with the Draft General Plan then a recommendation to Council to that affect is in order. If not it can be brought back for more discussion. Hennecke asked about the street widths needing to be addressed now. Mr. Bartlam stated that that is not a General Plan issue. Those standards are in place and there is no proposal in the General Plan to change those, but if the Commission is interested in reviewing those standards they can be brought back.
- Commissioner Olson would like to see the language for gated communities changed and have the word prohibited removed. Staff referred back to Commissioner Mattheis' language stated earlier; "limited to areas that do not interrupt the connectivity of the fabric of the City".
- Commissioner Hennecke asked for clarification on what limiting connectivity means. Mr. Bhatia stated that when and if there is a gated community application that comes before the Commission it will be up to the Commission to determine weather or not it interrupts the connectivity of the City. Mattheis added that if an application for a gated community comes before the Commission and is surrounded by residential it would limit the connectivity of the City fabric however if it is bordered by a canal on one side and backs up to a major thoroughfare on another that would not limit the connectivity. Hennecke asked if it is necessary to address it to that level. He believes that each plan should be looked at individually and the determination made at that time. Mattheis disagreed and would like to see the language altered.
- Commissioner Mattheis asked if now is the time to enter the one to one ratio for Agricultural Land Mitigation. Mr. Bartlam stated that that language could be added at this time and could easily be inserted into the opening language of the policy.

MOTION / VOTE:

The Planning Commission, on motion of Chair Cummins, Kiser second, recommend that the City Council approve a new General Plan for the City of Lodi and approve the policy changes recommended in the Draft Environmental Impact Report prepared for the General Plan Update subject to the conditions in the resolution along with the changes stated above. The motion carried by the following vote:

Ayes: Commissioners –Hennecke, Kirsten, Kiser, Olson, Mattheis, and Chair Cummins
Noes: Commissioners – None
Absent: Commissioners – Heinitz

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

Director Bartlam reminded the Commission that this will be the final meeting for this year and wished the Commission on behalf of staff a Happy Holiday.

6. ACTIONS OF THE CITY COUNCIL

Director Bartlam referenced the memo in the packet and stated that staff is available for questions. He pointed out that Councilmember Katzakian is our new Mayor.

Continued

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Mr. Bartlam stated that staff is working very hard to put together the new designations that will need to be implemented along with the general plan. Staff is hoping to bring something back to the Commission regarding those designations at the second meeting in January.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

Commissioner Kiser gave a brief report regarding the Kohl's Item that the Committee reviewed at it's meeting early this evening.

9. ART IN PUBLIC PLACES

Commissioner Kirsten stated that the Commission is up to date and that the next meeting will be next week.

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:45 p.m.

ATTEST:

Konradt Bartlam
Planning Commission Secretary

**Comments to Planning Commission Regarding Draft General Plan and Draft EIR
Water and Infrastructure**

12/9/09

Jane Wagner-Tyack

145 South Rose Street, Lodi

1. Issues raised in 10/20/09 email to Mr. Bartlam

- The graphic on page 3-9 of the Draft General Plan is misleading because it minimizes the contribution of groundwater (well water) to Lodi's water supply. The graphic should show that we rely primarily on groundwater, that the time frame for recharge is quite long, and that the water does not necessarily become available in the future in the same place where it entered the ground originally. At a minimum, the title of the graphic should be changed.
- On page 3-10, right-hand column, third paragraph, the Draft General Plan says, "As the city grows, the available safe yield of the underlying groundwater will increase." This is a puzzling statement for which there appears to be no justification. At a minimum, the statement requires some explanation.

The Draft EIR actually addresses this by explaining (page 3.13-1) that the City will reduce its groundwater pumping from over 17,000 acre feet in 2008 "to a safe yield of approximately 15,000 acre-feet per year. This safe-yield estimate reflects an acreage-based relationship. Therefore, as the City's land area increases, the estimated safe yield of the underlying aquifer will likely increase."

Given the unpredictability of groundwater, this seems like a tenuous solution to Lodi's water supply needs. In addition, the connection between more city acreage and more access to groundwater constitutes a perverse incentive tending to encourage unsustainable urban growth and loss of agricultural land. As a policy, this should be discouraged.

- On page 3-17, the Draft General Plan says "Use of gray water or rainwater for non-potable uses may require installation of dual plumbing systems." Pages 3-33 – 3-34 (GM-P12) says "Support on-site gray water and rainwater harvesting systems for households and businesses" – I encourage the city to pursue these alternatives.

A careful reading of the Draft General Plan makes it clear that water supply and wastewater treatment options do not support projected growth. Rather than point out relevant sections in that draft, I have noted them below in comments on the Draft EIR.

2. Comments on the Draft EIR

- The correct formal name of the Delta is the Sacramento-San Joaquin Delta. The area is also correctly referred to as the San Francisco Bay-Delta Estuary.
- Camanche Reservoir is misspelled.
- This page refers to Figure 3.7-1 regarding Groundwater Basins, but the figure itself doesn't specifically identify groundwater sub-basins, only watersheds. The title of the graphic is "Regional Watersheds and Waterways." The identification of groundwater basins needs to be more clear.

In categories related to hydrology, water quality, and infrastructure, the Draft EIR identifies the impact of the General Plan as "less than significant" and reports that no mitigation is required, in some cases because "[the] impact would be mitigated by existing State and local regulations and proposed General Plan policies." This wording undoubtedly meets regulatory requirements, but I urge you to exercise common sense in addressing the spirit as well as the letter of the regulations with respect to water supply and wastewater treatment. Specifically:

- "Upon construction of the new surface water treatment plant, the City would have a long-term water supply of 27,000 acre feet per year available from its current safe yield of groundwater and the future surface water supplies." The Draft General Plan (page 3-10) assumes that even with a 15% reduction in residential demand due to the installation of water meters, "the total city-wide demand at reasonable development [would be about] 29,380 acre-feet per year." **That is a shortfall of 2,380 acre-feet per year under a best-case scenario for both supply and demand.**
- The Draft General Plan, (page 3-23) and the Draft EIR (3.13-20 and 21) list inadequacies in the City's wastewater facilities. The Sewer Outfall from the City to the WSWPCF does not have adequate capacity for the PWWF [peak wet weather flows] at reasonable development of the General Plan. The City is already aware that expansion of WSWPCF will be required in the near future, and a tertiary filtration facility is part of that plan.

Wastewater discharge by cities in the Delta region has come under increasing scrutiny, not just because it affects the quality of export water (which we might like to assume is not our problem) but because it adversely affects fish and other species and their habitat in the Delta and the Estuary. This is our problem. Although I don't know the details, I believe the California Sportfishing Protection Alliance has already challenged Lodi's treatment of some of its wastewater. **The City should be aware that pressure is increasing from the State for cities in the Delta region to treat their wastewater discharge to a very high level—likely higher than we have planned for.**

Recommendations

The City should aggressively pursue gray water systems, rainwater harvesting and cisterns, dry wells, and water recycling in addition to rigorous water conservation, including increased use of drought-tolerant landscaping by the City itself. The dual plumbing systems necessary for gray water and harvested rainwater use are allowed under this General Plan. The City should revisit the issue of the cost-effectiveness of delivering recycled water to potential demand locations. The existing Water Conservation Ordinance needs to be strictly enforced, and the City itself should be following the Ordinance. Efforts at public education need to be increased, with the City considering incentives as well as penalties with respect to wise water use.

The Draft EIR makes it clear that there is no lack of State regulations and local plans and ordinances addressing water issues, and General Plan policies require planning for water supply and availability before development takes place. Necessary infrastructure must be provided in a “timely” manner—but in practice, we know that budgetary constraints do not allow the City to meet this requirement in every case.

It is the job of city planners to take growth projections, however they are arrived at, and give decision-makers a plan that provides for that projected growth. It is possible to make assumptions and update demand and supply calculations in ways that support that projected growth. However, it falls to Lodi decision-makers to connect the dots in this General Plan without relying on optimistic assumptions or estimates. The Draft General Plan and Draft EIR clearly show that water availability and wastewater treatment place inescapable constraints on Lodi’s growth. I urge you to require a General Plan that acknowledges actual, realistic limits on water availability, wastewater treatment, and the City’s ability to provide necessary water infrastructure, allowing for growth only within those realistic limits.

The Final EIR requires responses to public comments. I look forward to seeing these comments addressed there.

Executive Summary
of the Draft Environmental
Impact Report
&
Table of
Edits/Additions

Executive Summary

This Draft Environmental Impact Report (EIR) evaluates the potential impacts of the proposed City of Lodi General Plan.¹ The proposed Plan was developed in response to policy direction provided by the City Council and the Planning Commission as well as community concerns identified through public participation and outreach program, including newsletters, community workshops and public meetings between 2006 and 2009. The City of Lodi is the “lead agency” for this EIR, as defined by the California Environmental Quality Act (CEQA), and therefore required to evaluate the potential effects of the Plan in an EIR.

This EIR is a program EIR that examines the potential effects resulting from implementing designated land uses and policies in the proposed General Plan. The impact assessment evaluates the General Plan as a whole and identifies the broad, regional effects that may occur with its implementation. An EIR is intended to inform decision-makers and the general public of the potential significant environmental impacts of a proposed project. Impacts have either been found less than significant through the application of proposed General Plan policies or significant and unavoidable. The EIR also evaluates reasonable alternatives to the proposed project that may reduce or avoid one or more significant environmental effects. By law, alternatives must include a “No Project” alternative that represents the result of not implementing the project and a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives, but would avoid or substantially lessen any of the significant effects of the project (CEQA Guidelines 15126.6(a)). Based on the alternatives analysis, an environmentally superior alternative must be identified.

As a programmatic document, this EIR does not assess site-specific impacts. In order to place many of the proposed General Plan policies into effect, the City would adopt or approve specific actions, such as zoning regulations, zoning map amendments, development impact fees, specific plans, and capital improvement programs, that would be consistent with the policies and implementation measures of the Plan and therefore reflected in this EIR. Any future development project made possible by the General Plan will be subject to individual, site-specific environmental review, as required by State law. Project-level environmental review will need to focus on project-scale impacts. Cumulative and citywide impacts (such as traffic), would not need to be evaluated, provided the data and assumptions used in this EIR remain current and valid.

E.1 PROPOSED PROJECT

The City of Lodi is situated in the San Joaquin Valley between Stockton, six miles to the south, Sacramento, 35 miles to the north; and along State Route 99.

¹ Throughout this document, the term “proposed Lodi General Plan” is used interchangeably with “proposed Plan” or the “proposed project.”

The proposed Lodi General Plan is intended to replace the existing General Plan, which was last updated in 1991. The proposed General Plan is comprised of goals, policies, a land use diagram, and other graphic figures and maps (e.g. open space systems, a transportation network, and public facilities) to guide future development within the city's boundaries, through the year 2030.

The Plan includes the seven elements required by State law, including Land Use, Transportation/Circulation, Housing, Open Space, Conservation, Noise, and Safety. It also includes two optional elements, Growth Management/Infrastructure and Community Design/Livability. (The Housing Element is not included as part of this project, since it is updated more frequently and therefore follows a separate timeline.)

KEY PRINCIPLES OF THE PROPOSED GENERAL PLAN

Eleven key principles emerged through the public input process, as the General Plan took shape. Maps and policies in the General Plan are structured around these principles, which represent the proposed Plan objectives:

1. **Compact Urban Form.** The Plan enhances Lodi's compact urban form, promoting infill development downtown and along key corridors, while also outlining growth possibilities directly adjacent to the existing urban edge. The City's overall form will be squarish, reinforcing the centrality of downtown, with virtually all new development located within three miles from it.
2. **Mokelumne River as the City's Northern Edge.** The Lodi community has expressed a desire to see the river remain as the city's northern edge. The southern bank of the river (within the city) is occupied by residential uses and streets do not reach the river. Therefore, connectivity across the river to knit the urban fabric would be challenging if growth were to extend northward.
3. **Enhanced Mixed-Use Centers and Corridors.** The Plan designates downtown as a mixed-use center, with a mix of commercial and residential uses. Stretches of major commercial corridors are depicted with a mixed use designation to enable continued investment in these areas and enhancement of vacant and underutilized parcels.
4. **Walkable, Livable Neighborhoods.** The Plan envisions new neighborhoods with a variety of uses, diversity of housing types, and short blocks, organized around mixed-use centers. This pattern provides retail, housing, offices, parks, and other uses.
5. **Street Connectivity and Urban Design.** The Plan provides community design strategies for improving street connectivity, particularly in terms of access to downtown, neighborhoods, jobs, and shopping.
6. **Preservation of Existing Neighborhoods.** Existing development in a vast majority of the Planning Area is proposed to remain as is, in terms of land use and density. Lodi residents are proud of their vibrant neighborhoods. They enjoy the small-town character of the city and would like to ensure that Lodi's high quality-of-life is enhanced as the city grows.
7. **Agricultural Preservation Along Southern Boundary.** In order to preserve agriculture and maintain a clear distinction between Lodi and Stockton, the Plan acknowledges the Armstrong Road Agricultural/Cluster Study Area along the south edge of Lodi, from Interstate 5 (I-5) to State Route (SR) 99, and south to Stockton's Planning Area boundary.

8. **Employment-Focused Development in the Southeast.** The area east of SR-99 toward the south is designated as a growth area for office, business park and commercial uses. This area has excellent regional access, and is adjacent to existing urbanized areas.
9. **Enhanced Bicycle and Pedestrian Connections.** Lodi already has an expansive bicycle network and good pedestrian facilities, including sidewalks, signals, landscaping and street furniture, particularly downtown. Improvements to pedestrian and bicycle pathways in new and existing neighborhoods are identified in the General Plan.
10. **Recreation Path along Irrigation Canal Right-of- Way.** The Woodbridge Irrigation District Canal runs through the city, passing through residential neighborhoods. A public recreation trail is envisioned to enable walking, jogging, and biking.
11. **Phasing Future Development.** The Plan identifies urban reserve areas along the west and east edges of the city to provide additional area for development, if needed. These urban reserve areas ensure that the city conforms to its Growth Management Ordinance and grows at a reasonable rate.

These themes and the policies proposed to implement them are described in greater detail in Chapter 2: Project Description of this EIR.

ESTIMATED DEVELOPMENT POTENTIAL OF THE PROPOSED GENERAL PLAN

Although the proposed General Plan applies a 20-year planning horizon, the Plan is not intended to specify or anticipate when full development will actually occur; nor does the designation of a site for a certain use necessarily mean the site will be built or redeveloped with that use in the next 20 years. The Land Use Element of the proposed General Plan provides a more detailed analysis of proposed General Plan development.

Table ES-1 describes housing units, population and jobs resulting from existing development, approved projects, and the proposed General Plan. The table provides a total column, representing projected buildout under the proposed Plan, and a percent increase column for each characteristic, representing the percent change of the proposed Plan, over and above existing and approved development.

Housing Units

Lodi currently contains 23,353 housing units. Approximately 3,700 housing units have recently been approved or are under construction. The proposed General Plan accommodates 10,100 new residential units. Together, this results in the potential for 37,200 housing units. Approximately half of the housing units will be low-density housing (i.e. single-family), a quarter medium-density, and the remaining quarter high-density and mixed-use residential (containing a mix of density levels).

Population

Lodi currently contains approximately 63,400 residents. The proposed General Plan could accommodate 26,400 additional residents. Accounting for the current population as well as new residents anticipated from recently approved projects (approximately 9,700 residents), full development of the General Plan could result in a total of 99,500 residents, representing an annual growth rate of 2% (not shown).

Employment

Lodi currently contains 24,700 jobs. Total additional employment accommodated in the General Plan by new commercial, office, industrial, and mixed-use land designations could allow for 23,400 new jobs in Lodi. Recently approved or completed development projects are expected to produce an additional 2,900 jobs. In sum, Lodi could expect up to 51,000 jobs under the General Plan.

Table ES-1: General Plan Population and Employment Potential

	Existing	Alternative A	Alternative B	No Project	Proposed General Plan
Housing Units	23,353	34,000	39,100	30,900	37,200
Households	22,185	32,300	37,145	29,355	35,340
Population	63,362	91,000	104,400	82,600	99,500
Employed Residents	32,000	46,000	52,700	41,700	50,300
Jobs	24,700	41,000	47,000	32,700	51,000
Jobs / Employed Residents Ratio ¹	0.8	0.9	0.9	0.8	1.0

1. Alternatives and General Plan values represent total development potential: existing + approved projects (not shown) + net new.

Source: Dyett & Bhatia, 2009.

E.2 ALTERNATIVES TO THE PROPOSED GENERAL PLAN

The following alternatives are described and evaluated in this EIR:

- *Alternative A.* Alternative A fills in growth up to the existing Sphere of Influence (SOI) boundary and extends the urban area south to Armstrong Road. The bulk of new growth would be contained in the mile-wide band between Harney Land and Armstrong Road, including the Planned Residential Reserve designation between Hogan Land and Armstrong Road. This alternatives represent lower development potential compared with the proposed General Plan and Alternative B, but higher than the No Project Alternative.
- *Alternative B.* In Alternative B, new development is concentrated on the west side of the city, beyond the existing SOI. Commercial and business uses would be located in the southeast, but in a smaller area than in Alternative A. A small commercial node on Highway 12, adjacent to a site for a Lodi campus of San Joaquin Delta College, is also shown. This alternative produces the largest increase population, but allows fewer jobs compared with the proposed General Plan.
- *No Project Alternative.* The No Project Alternative represents the continuation of land use development under the 1991 General Plan. In this scenario, new development results largely from the development of Planned Residential and Planned Residential Reserve areas, in the west and south, respectively. At buildout, this alternative would result in fewer housing units, residents, and jobs, compared with the proposed General Plan and the other alternatives.

Table ES-2 summarizes key characteristics of the resident and worker populations at full development under the proposed General Plan and each of the EIR alternatives. A detailed comparison of alternatives and associated impacts is provided in Chapter 4: Alternatives of this EIR.

Table ES-2: Comparison of Net New Development of the Proposed General Plan and Alternatives

	Alternative A	Alternative B	No Project	Proposed General Plan
Residential (Units)	6,900	12,000	3,800	10,100
General Commercial (SF)	778,000	1,608,000	298,000	3,932,000
Neighborhood Commercial (SF)	73,000	310,000	773,000	245,000
Business Park/Office (SF)	3,659,000	5,563,000	99,000	5,597,000
Industrial (SF)	1,511,000	1,936,000	4,251,000	7,322,000
Park/Detention Basin (Acres)	100	231	47	210
Public/Schools (Acres)	51	98	62	67

Source: Dyett & Bhatia, 2009.

E.3 SUMMARY OF IMPACTS & ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Table ES-3 presents the summary of the proposed General Plan impacts identified in the EIR and the proposed General Plan policies that reduce these impacts. Because many of the Plan’s policies are designed to avoid or minimize impacts, the Plan is self-mitigating with respect to most of the impacts identified in the EIR. However, in the issue areas of Traffic and Circulation, Agricultural Resources, Climate Change and Greenhouse Gases, Air Quality, and Noise, significant unavoidable impacts are identified. Even with mitigation, these impacts would not be reduced to levels that are not significant. Detailed discussions of the impacts and proposed policies that would reduce impacts are in Chapter 3. The significance of each impact with implementation of the proposed General Plan policies is also shown in Table ES-3. The level of significance is determined by comparing the impact to the significance criteria described in Chapter 3.

CEQA Guidelines require the identification of an environmentally superior alternative among the alternatives analyzed in an EIR. Alternative A has been selected as the environmentally superior alternative. After the No Project, Alternative A has the least impact, relative to the proposed General Plan and Alternative B in the six environmental areas that have significant impacts. Alternative A and Alternative B meet many of plan objectives as described in Chapter 2: Project Description. However, the proposed General Plan achieves all these objectives to the highest extent, specifically exceeding the alternatives in the following three objectives:

- **Objective #1: Compact Urban Form.** The proposed Plan ensures the most compact urban form, by prioritizing infill development downtown and along the city’s major corridors during Phase 1.

- **Objective #7: Agricultural Preservation Along Southern Boundary.** The proposed Plan and Alternative B also preserve an agricultural preservation buffer south of Hogan Lane (Alternative A and the No Project scenario both allow limited development through the Planned Residential Reserve designation).
- **Objective #11: Phasing Future Development.** The proposed Plan segments development into three phases, providing a framework for how and where urban growth should proceed. Urban reserve areas ensure that the city conforms to its Growth Management Ordinance and grows at a reasonable rate.

Although Alternative A has been chosen as the environmentally superior alternative, it does not in all cases adequately meet the three objectives described above (out of the 11 defined in Chapter 2: Project Description). Most critically, regarding Objective #11, Alternative A puts more growth pressures on other cities in the region and unincorporated portions of San Joaquin County. Alternative B conforms to the City's Growth Management Ordinance, but does not provide environmental impact reduction benefits and does not achieve of the plan objectives. The proposed General Plan achieves all plan objectives while establishing policies to reduce environmental impacts to the greatest extent possible.

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.1	Land Use and Housing			
3.1-1	The proposed General Plan would not physically divide any established communities and would increase connectivity locally and regionally.	N/A	Beneficial	N/A
3.1-2	The proposed General Plan would conflict with an applicable land use plan, policy, or regulation.	LU-P1, LU-P17, CD-P2, CD-P3, CD-P4, CD-P6, CD-P9, CD-P11, CD-P31, GM-P10	Less than Significant	None required
3.2	Traffic and Circulation			
3.2-1	The proposed General Plan would result in a substantial increase in vehicular traffic that would cause certain facilities to exceed level of service standards established by the governing agency.	T-G1, T-P1, T-P2, T-P3, T-P4, T-PNEW, T-NEW, T-P8, T-NEW, T-P9, T-P10, T-P13, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P20, T-P22, T-P24, T-P25, T-P27, T-P-28, T-P29, T-P43, T-P44, T-P45	Significant and Unavoidable	No feasible mitigation is currently available.
3.2-2	The proposed General Plan may adversely affect emergency access.	T-P1, T-P2, T-P8, T-P9, T-P10	Significant and Unavoidable	No mitigation measures are feasible.
3.2-3	The proposed General Plan may conflict with adopted policies, plans, or programs supporting alternative transportation modes.	T-G1, T-P8, T-P9, T-P10, T-P13, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P20, T-P22, T-P24, T-P25, T-P27, T-P28, T-P29, T-P43, T-P44, T-P45, T-G2, T-G3, T-G4, T-G5, T-P11, T-P12, T-P21, T-P23, T-P26, T-P30, T-P38, T-P39	Significant and Unavoidable	No feasible mitigation is currently available.
3.3	Agriculture and Soil Resources			
3.3-1	Buildout of the proposed General Plan would convert substantial amounts of Important Farmland to non-agricultural use.	C-G1, C-G2, C-P1, C-P2, C-P3, C-P4, C-P5, C-P6, C-P7, C-P8, GM-G1, GM-P2	Significant and Unavoidable	Not directly mitigable aside from preventing development altogether
3.3-2	Buildout of the proposed General Plan would result in potential land use incompatibilities with sites designated for continued agriculture use.	C-P1, C-P2, C-P3, C-P4, C-P5, C-P6, C-P7, C-P8, GM-G1, GM-P2, CD-G1	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.4	Biological Resources			
3.4-1	Buildout of the proposed General Plan could have a substantial adverse effect, either directly or through habitat modifications, on special status and/or common species.	C-P9, C-P10, C-P11, C-P12, C-P13, C-P14, C-P15, C-P16, C-P32, P-P9, P-P10, P-P11, P-P12	Less than Significant	None required
3.4-2	Buildout of the proposed General Plan could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	C-P9, C-P10, C-P11, C-P12, C-P13, C-P14, C-P15, C-P16, C-P32, P-P9, P-P10, P-P11, P-P12	Less than Significant	None required
3.4-3	Buildout of the proposed General Plan could have a substantial adverse effect on “federally protected” wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, etc.).	C-P9, C-P10, C-P11, C-P12, C-P13, C-P14, C-P15, C-P16, C-P32, P-P9, P-P10, P-P11, P-P12	Less than Significant	None required
3.4-4	Buildout of the proposed General Plan could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites	C-P9, C-P10, C-P11, C-P12, C-P13, C-P14, C-P15, C-P16, C-P32, P-P9, P-P10, P-P11, P-P12	Less than Significant	None required
3.5	Cultural Resources			
3.5-1	Buildout of the proposed General Plan may alter a historic resource.	CD-P10, C-G6, C-G7, C-P20, C-P21, C-P22, C-P23, C-P24, C-P25	Less than Significant	None required
3.5-2	Buildout of the proposed General Plan could disrupt or adversely affect a prehistoric or historic archeological, paleontological, or culturally significant site.	C-G5, C-G6, C-P17, C-P18, C-P19	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.6	Climate Change and Greenhouse Gases			
3.6-1	Implementation of the proposed General Plan would increase total carbon dioxide equivalent emissions in Lodi, compared to existing conditions.	LU-G1, LU-G2, LU-G3, LU-G1, LU-G4, LU-P2, LU-P3, LU-P6, LU-P18, LU-P25, LU-P26, LU-P27, GM-G1, GM-G2, GM-G3, GM-P1, GM-P2, GM-P3, GM-P4, GM-P6, CD-G1, CD-P1, CD-G-4, CD-G-5, CD-P31, CD-P21, CD-P24, T-G2, T-G4, T-P13, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P23, T-P25, T-P28, T-P29, GM-P11, GM-P13, GM-P14, GM-P15, CD-G8, CD-G9, CD-P38, CD-P39, CD-P40, CD-P32, C-P39, C-PNEW , C-PNEW , C-P37, C-P38, C-P40, C-P42, GM-P19, CD-P15, CD-P16, CD-P19, C-P43, C-P44, C-P45, C-P41, C-G9, C-G10, C-P36, T-G8, T-P43, T-P44, T-P45, GM-P17, GM-P18	Overall Significant Cumulative Impact, Project Contribution Cumulatively Considerable	No feasible mitigation measures are currently available
3.6-2	Buildout of the proposed General Plan could result in a substantial increase in per capita energy consumption in the city which would suggest more wasteful, inefficient, or unnecessary consumption of energy.	LU-G1, LU-G2, LU-G3, LU-G1, LU-G4, LU-P2, LU-P3, LU-P6, LU-P18, LU-P25, LU-P26, LU-P27, GM-G1, GM-G2, GM-G3, GM-P1, GM-P2, GM-P3, GM-P4, GM-P6, CD-G1, CD-P1, CD-G-4, CD-G-5, CD-P31, CD-P21, CD-P24, T-G2, T-G4, T-P13, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P23, T-P25, T-P28, T-P29, GM-P11, GM-P13, GM-P14, GM-P15, CD-G8, CD-G9, CD-P38, CD-P39, CD-P40, CD-P32, C-P39, C-PNEW , C-PNEW , C-P37, C-P38, C-P40, C-P42, GM-P19, CD-P15, CD-P16, CD-P19, C-P43, C-P44, C-P45, C-P41, C-G9, C-G10, C-P36, T-G8, T-P43, T-P44, T-P45, GM-P17, GM-P18	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.7	Hydrology and Water Quality			
3.7-1	Buildout of the proposed General Plan could alter existing drainage patterns of the area in a manner which would result in substantial erosion or siltation on- or offsite or increase sediment loads thereby affecting water quality, but this impact would be mitigated by existing State and local regulations and proposed General Plan policies.	C-P-26, C-P-27, C-P-28, C-P-29, C-P-30, C-P-31, C-P-32, C-P-33, C-P-34, C-P-35	Less than Significant	None required
3.7-2	Implementation of the proposed General Plan would may result in increased nonpoint source pollution entering storm water runoff and entering the regional storm drain system or surrounding water resources (from either construction or long-term development), but this impact would be mitigated by existing State and local regulations and proposed General Plan policies.	C-P-26, C-P-27, C-P-28, C-P-29, C-P-30, C-P-31, C-P-32, C-P-33, C-P-34, C-P-35	Less than Significant	None required
3.8	Air Quality			
3.8-1	Implementation of the proposed General Plan could result in a cumulatively considerable net increase of criteria pollutants which may conflict with or violate an applicable air quality plan, air quality standard or contribute substantially to an existing or projected air quality violation.	C-P46, C-P47, C-P48, C-P49, C-P50, C-P51, C-P52, C-P53, C-P54, C-P55, C-P56, C-P57, T-G4, T-G5, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P20, T-P21, T-P22, T-P23, T-P24, T-P25, T-P26 T-P27, T-P28 T-P29, T-P38, T-P39, T-P43, T-P44, T-P45	Significant and Unavoidable	No feasible mitigation measures are currently available.
3.8-2	Buildout of the proposed General Plan could expose sensitive receptors to substantial pollutant concentrations.	C-P46, C-P47, C-P48, C-P49, C-P50, C-P51, C-P52, C-P53, C-P54, C-P55, C-P56, C-P57, T-G4, T-G5, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P20, T-P21, T-P22, T-P23, T-P24, T-P25, T-P26 T-P27, T-P28 T-P29, T-P38, T-P39, T-P43, T-P44, T-P45	Significant and Unavoidable	No feasible mitigation measures are currently available.

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.9	Flood Hazards			
3.9-1	Buildout of the proposed General Plan could expose people or structures to a risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	S-P1, S-P2, S-P4, S-P5, S-P6, S-P7, S-PNEW, S-PNEW	Less than Significant	None required
3.10	Seismic and Geologic Hazards			
3.10-1	Implementation of the proposed General Plan has low to moderate potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death resulting from rupture of a known earthquake fault, ground shaking, landslides or liquefaction, though these risks are minimized through compliance with State regulations and proposed General Plan policies.	S-P16, S-P17, S-P18, S-P19, S-P20	Less than Significant	None required
3.10-2	Implementation of the proposed General Plan has moderate potential to result in substantial soil erosion or unstable soil conditions from excavation, grading or fill, though impacts would be mitigated with proposed General Plan policies.	S-P16, S-P17, S-P18, S-P19, S-P20	Less than Significant	None required
3.10-3	Implementation of the proposed General Plan has low potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death resulting from settlement and/or subsidence of the land, or risk of expansive soils, and policies in the proposed General Plan would further mitigate this impact.	S-P16, S-P17, S-P18, S-P19, S-P20	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.11	Noise			
3.11-1	Implementation of the proposed General Plan could result in a substantial permanent increase in ambient noise levels.	N-P1, N-P2, N-P3 N-P4, N-P5, N-P6, N-P7, N-P8, N-P9, N-P10, N-PNEW	Significant and Unavoidable	No feasible mitigation measures are currently available.
3.11-2	New development in the proposed General Plan would potentially expose existing noise-sensitive uses to construction-related temporary increases in ambient noise.	N-PNEW, N-PNEW	Less than Significant	None required
3.11-3	New development in the proposed General Plan could cause the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.	N-P1, N-P2, N-P3 N-P4, N-P5, N-P6, N-P7, N-P8, N-P9, N-P10, N-PNEW, N-PNEW, N-PNEW	Less than Significant	None required
3.12	Hazardous Materials, and Toxics			
3.12-1	Implementation of the proposed General Plan has the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, though existing federal, State, and local regulations and proposed General Plan policies would sufficiently reduce the impact.	S-P8, S-P9, S-P10A, S-P10B, S-P11, S-P12, S-P13, S-P14, S-P15, S-P18, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
3.12-2	Implementation of the proposed General Plan has the potential to locate land uses on sites which are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, could create a significant hazard to the public or the environment.	S-P8, S-P9, S-P10A, S-P10B, S-P11, S-P12, S-P13, S-P14, S-P15, S-P18, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
3.12-3	Implementation of the proposed General Plan has the potential to create a significant hazard to the public or the environment through the routine	S-P8, S-P9, S-P10A, S-P10B, S-P11, S-P12, S-P13, S-P14, S-P15, S-P18, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
	transport, use, or disposal of hazardous materials.			
3.12-4	Implementation of the proposed General Plan has the potential to result in the handling of hazardous materials or wastes within one-quarter mile of an existing or proposed school or other sensitive use.	S-P8, S-P9, S-PI0A, S-PI0B, S-PI1, S-PI2, S-PI3, S-PI4, S-PI5, S-PI8, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
3.13	Infrastructure			
3.13-1	New development under the proposed General Plan would increase the demand for water beyond projections in the Lodi Urban Water Management Plan.	GM-G2, GM-G3, GM-P7, GM-P8, GM-P9, GM-PI0, GM-PI1, GM-PI2, GM-PI3, GM-PI4, GM-PI5, GM-PI6, GM-PI7, GM-PI8	Less than Significant	None required
3.13-2	New development under the proposed General Plan may exceed wastewater treatment capacity of existing infrastructure.	GM-G2, GM-G3, GM-P7, GM-P8, GM-P9, GM-PI0	Less than Significant	None required
3.13-3	New development under the proposed General Plan would cause an increase in waste generation.	GM-PI9, C-PNEW	Less than Significant	None required
3.14	Public Facilities			
3.14-1	New development under the proposed Lodi General Plan will increase the demand for school facilities.	GM-NEW, GM-NEW, GM-NEW, GM-P20	Less than Significant	None required
3.14-2	New development in the proposed General Plan requires police and fire protection services that exceed current staffing and facilities.	GM-G4, GM-P22, GM-P23, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
3.15	Parks and Recreation			
3.15-1	Future development as a result of the proposed General Plan may result in failure to meet all of the City's park standard goals and increase the use of existing parks and recreation facilities, which would accelerate physical deterioration.	P-G3, P-PI, P-P3, P-P5, P-P7, P-PI9, P-P20	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.15-2	Implementation of the proposed General Plan would result in increased accessibility of parks and recreation facilities from residential neighborhoods.	P-G3, P-P1, P-P3, P-P5, P-P7, P-P19, P-P20	Beneficial	N/A
3.16	Visual Resources			
3.16-1	Future proposed development in Lodi has the potential to affect scenic vistas within the Planning Area	CD-P20, CD-P22, CD-P23	Less than Significant	None required
3.16-2	New development and redevelopment activities have the potential to change Lodi's visual character, particularly where incompatibilities with existing development in scale and/or character may exist.	CD-G1, CD-G2, CD-G3, CD-G6, CD-G7, CD-P2, CD-P3, CD-P4, CD-P5, CD-P6, CD-P7, CD-P8, CD-P10, CD-P11, CD-P12, CD-P15, CD-P16, CD-P17, CD-P18, CD-P19, CD-P24, CD-P26, CD-P28, CD-P29, CD-P30, CD-P31, CD-P32, CD-P34, GM-G1, GM-P1, GM-P2, C-P20, C-P23, C-P24	Less than Significant	None required
3.16-3	Development under the proposed General Plan has the potential to adversely affect visual resources in the short-term during periods of construction by blocking or disrupting views.	None	Less than Significant	None required
3.16-4	Development under the proposed General Plan has the potential to create new sources of light or glare which would adversely affect day or nighttime views in the area.	CD-P33	Less than Significant	None required

General Plan Policy Changes / Edits

LODI GENERAL PLAN

Policy Changes/Additions Following EIR Preparation

Chapter 2: Land Use

LU-P-17EDIT Establish land use regulations and development standards in the Zoning Code to reinforce Downtown's assets and traditional development pattern. These should include:

- Extending the Downtown Mixed Use classification to parcels along Main Street on the Eastside to improve connectivity, while retaining the respective identities of downtown and the Eastside.
- Establishing maximum set-backs or build-to lines for development in areas designated Downtown Mixed Use.
- Requiring retail, eating and drinking establishments, or other similar active uses—except for sites designated Public—at the ground level. Alleyway corners shall be “wrapped” with retail uses as well.

Chapter 3: Growth Management & Infrastructure

GM-P2EDIT Target new growth into identified areas, extending south, west, and southeast. Ensure contiguous development by requiring development to conform to phasing described in Figure 3-1 [of the proposed General Plan]. Enforce phasing through permitting and infrastructure provision. Development may not extend to Phase 2 until Phase 1 has reached 75% of development potential, and development may not extend to Phase 3 until Phase 2 has reached 75% of development potential. In order to respond to market changes in the demand for various land use types, exemptions may be made to allow for development in future phases before these thresholds in the previous phase have been reached.

GM-P11EDIT Require water conservation in both City operations and private development to minimize the need for the development of new water sources and facilities. To the extent practicable, promote water conservation and reduced water demand by:

- Requiring the installation of non-potable water (recycled or gray water) infrastructure for irrigation of landscaped areas over one acre of new landscape acreage, where feasible. Conditions of approval shall require connection and use of non-potable water supplies when available at the site.
- Encouraging water-conserving landscaping, including the use of drought-tolerant and native plants, xeriscaping, use of evapotranspiration water systems, and other conservation measures.
- Encouraging retrofitting of existing development with water-efficient plumbing fixtures, such as ultra low-flow toilets, waterless urinals, low-flow sinks and showerheads, and water-efficient dishwashers and washing machines.

- GM-P15EDIT Monitor water usage and conservation rates ~~due to installed meters, to ensure resulting from the meter progress to verify if~~ water demand assumptions are correct. If actual usage and conservation rates vary from planning assumptions, reassess requirements for future water resources.
- GM-NEW Coordinate with Lodi Unified School District in monitoring housing, population, and enrollment trends and evaluating their effects on future school facility needs.
- GM-NEW Phase school development as part of new residential growth to provide adequate school facilities, without exceeding capacity of existing schools. Schools should be provided consistent with the Lodi Unified School District's School Facilities Master Plan, which defines student generation rates.
- GM-NEW Support all necessary and reasonable efforts by Lodi Unified School District to obtain funding for capital improvements required to meet school facility needs, including adoption and implementation of local financing mechanisms, such as community facility districts, and the assessment of school impact fees.

Chapter 4: Community Design & Livability

- CD-P40EDIT Prepare, or incorporate by reference, and implement green building and construction guidelines and/or standards, appropriate to the Lodi context, by 2012. The guidelines and/or standards shall ensure a high level of energy efficiency and reduction of environmental impacts associated with new construction, major renovation, and operations of buildings. Ensure that these guidelines/standards:
- Require documentation demonstrating that building designs meet minimum performance targets, but allow flexibility in the methods used.
 - Exceed California's 2005 Title 24 regulation standards for building energy efficiency by 15%, with particular emphasis on industrial and commercial buildings.
 - Reduce resource or environmental impacts, using cost-effective and well-proven design and construction strategies.
 - Reduce waste and energy consumption during demolition and construction.
 - Identify street standards, such as street tree requirements, appropriate landscaping practices, and acceptable materials.
 - Incorporate sustainable maintenance standards and procedures.
 - Promote incorporation of energy conservation and weatherization features in existing structures. Develop programs that specifically target commercial and industrial structures for energy conservation and weatherization measures in order to reduce annual kWh per job.

These guidelines could be developed directly from the LEED (Leadership in Energy and Environmental Design) system developed by the U.S. Green Building Council, the

California-based Build It Green GreenPoint rating system, or an equivalent green building program.

Chapter 5: Transportation

- T-NEW Strive to comply with the Level of Service standards and other performance measures on Routes of Regional Significance as defined by the County-wide Congestion Management Program.
- T-NEW For purposes of design review and environmental assessment, apply a standard of Level of Service E during peak hour conditions on all streets in the City’s jurisdiction. The objective of this performance standard is to acknowledge that some level of traffic congestion during the peak hour is acceptable and indicative of an economically vibrant and active area, and that infrastructure design decisions should be based on the conditions that predominate during most of each day.
- T-NEW Exempt downtown from LOS standards to encourage infill development in order to create a pedestrian friendly urban design character and densities necessary to support transit, bicycling, and walking. Development decisions in downtown should be based on community design and livability goals rather than traffic LOS. (Downtown is defined by the Downtown Mixed-Use designation in the Land Use Diagram.)
- T-P8EDIT ~~Strive to maintain applicable Level of Service (LOS) standards. The Regional Congestion Management Program defines LOS D on its network. The General Plan establishes an LOS D on city streets and at intersections. Exceptions to this LOS D policy may be allowed by the City Council in areas, such as downtown, where allowing a lower LOS would result in clear public benefits, subject to findings that achieving LOS D would:~~ Allow exceptions to LOS standards upon findings by the City Council that achieving the designated LOS would:
- Be technologically or economically infeasible, or
 - Compromise the City’s ability to support other important policy priorities, such as:
 - Enhancing the urban design characteristics that contribute to pedestrian comfort and convenience;
 - ~~▪ Preserving and enhancing an economically vibrant downtown area;~~
 - Avoiding adverse impacts to alternate modes of transportation;
 - Preserving the existing character of the community;
 - Preserving agricultural land or open space; or
 - Preserving scenic roadways/highways.
- T-NEW Undertake street improvements shown in Table 5-4 [of the proposed General Plan], and maintain, require or acquire right of way, as necessary. Coordinate with other

jurisdictions, including San Joaquin County, and Caltrans, on improvements to street segments common to the City of Lodi and other jurisdictions. It should be noted that because the General Plan will be implemented over an extended time frame, street capacity enhancements will be prioritized through the City's Capital Improvements Program process and will occur as development proceeds.

Chapter 7: Conservation

C-G10EDIT Reduce greenhouse gas emissions to 15% below 2008 levels by 2020, to slow the negative impacts of global climate change.

C-P36EDIT Prepare and adopt a comprehensive climate action plan (CAP) by 2012, with implementation beginning in 2013. The CAP will be an additional policy document for the City of Lodi, based on polices listed in Appendix A. The CAP should include the following provisions:

- An inventory of citywide greenhouse gas emissions and emissions projections for 2020 or beyond,
- Emissions targets that apply at reasonable intervals through the life of the CAP and that meet or exceed AB 32 and/or Executive Order S-3-05 reduction targets,
- Enforceable greenhouse gas emissions control measures,
- A detailed funding and implementation component,
- A monitoring and reporting program to ensure targets are met, and
- Mechanisms to allow for revision of the CAP, as necessary.

C-PNEW Ensure environmentally responsible municipal operations by implementing the following measures:

- Procure environmentally preferable products and services where criteria have been established by governmental or other widely recognized authorities (e.g. Energy Star, EPA Eco Purchasing Guidelines).
- Integrate environmental factors into the City's buying decisions where external authorities have not established criteria, such as by replacing disposables with reusables or recyclables, taking into account life cycle costs and benefits, and evaluating, as appropriate, the environmental performance of vendors in providing products and services;
- Raise staff awareness on the environmental issues affecting procurement by providing relevant information and training;
- Encourage suppliers and contractors to offer environmentally preferable products and services at competitive prices;
- Require all departments and divisions to practice waste prevention and recycling.

- When City fleet vehicles are retired, replace vehicles through the purchase or lease of alternative fuel or hybrid substitutes.

As contracts for City-contracted fleet services (such as transit buses, trash haulers, and street sweeper trucks) are renewed, encourage contractors to replace their vehicles with alternative fuel or hybrid substitutes through the contract bid process.

C-PNEW Continue to offer rebates to residential, commercial, industrial and municipal customers of Lodi Electric Utility who install photovoltaic (PV) systems or that participate in the Lodi Energy Efficient Home Improvement Rebate Program. Ensure that rebate programs are well advertised to the community and offer rebates that are sufficient to gain community interest and participation.

C-PNEW Ensure environmentally responsible municipal operations by implementing the following measures:

- Procure environmentally preferable products and services where criteria have been established by governmental or other widely recognized authorities (e.g. Energy Star, EPA Eco Purchasing Guidelines).
- Integrate environmental factors into the City's buying decisions where external authorities have not established criteria, such as by replacing disposables with reusables or recyclables, taking into account life cycle costs and benefits, and evaluating, as appropriate, the environmental performance of vendors in providing products and services;
- Raise staff awareness on the environmental issues affecting procurement by providing relevant information and training;
- Encourage suppliers and contractors to offer environmentally preferable products and services at competitive prices;
- Require all departments and divisions to practice waste prevention and recycling.
- When City fleet vehicles are retired, replace vehicles through the purchase or lease of alternative fuel or hybrid substitutes.
- As contracts for City-contracted fleet services (such as transit buses, trash haulers, and street sweeper trucks) are renewed, encourage contractors to replace their vehicles with alternative fuel or hybrid substitutes through the contract bid process.

Chapter 8: Safety

S-P4EDIT Prohibit new development, except for public uses incidental to open space development, within Zone A (100-year flood zone) of the most current FEMA floodplain map (see Figure 8-1 [in the proposed General Plan] for the most current map).

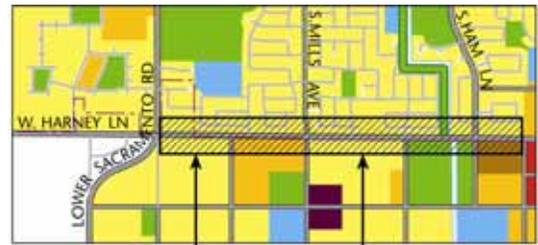
S-PNEW The City shall cooperate with and encourage reclamation districts to institute a berm maintenance program to reduce berm failures and shall coordinate with appropriate State, federal, and local flood control agencies in planning efforts to ensure the continued protection of local and regional flood control systems.

S-PNEW The City will continue to ensure, through the development review process, that future developments do not increase peak storm flows and do not cause flooding of downstream facilities and properties. Additionally, the City shall ensure that storm drainage facilities are constructed to serve new development adequate to storm runoff generated by a 100-year storm.

Chapter 9: Noise

N-P10EDIT Restrict the use of sound walls as a noise attenuation method to sites adjacent to State Route (SR) 99, the railroad, and industrial uses east of SR-99.

N-PNEW Where substantial traffic noise increases (to above 70db) are expected, such as on Lower Sacramento Road or Harney Lane, as shown on the accompanying graphic, require a minimum 12-foot setback for noise-sensitive land uses, such as residences, hospitals, schools, libraries, and rest homes.



Minimum setback of 12 feet for noise-sensitive land uses.

N-PNEW Update Noise Ordinance regulations to address allowed days and hours of construction, types of work, construction equipment (including noise and distance thresholds), notification of neighbors, and sound attenuation devices.

N-PNEW The City shall ensure that new equipment and vehicles purchased by the City of Lodi are equipped with the best available noise reduction technology.

N-PNEW Reduce vibration impacts on noise-sensitive land uses (such as residences, hospitals, schools, libraries, and rest homes) adjacent to the railroad, SR-99, expressways, and near noise-generating industrial uses. This may be achieved through site planning, setbacks, and vibration-reduction construction methods such as insulation, soundproofing, staggered studs, double drywall layers, and double walls.

Draft General Plan
Introduction Chapter
and List of Policies

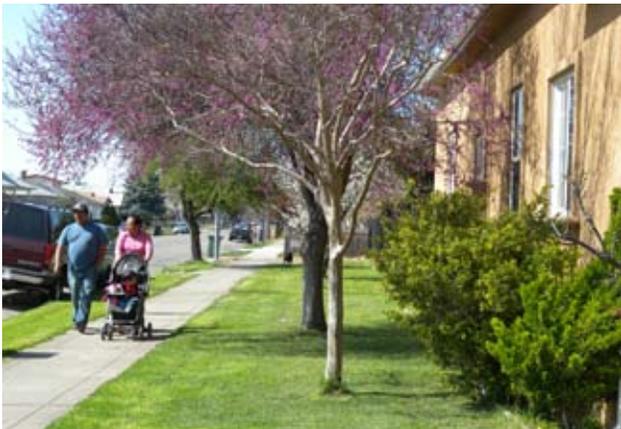


Lodi is a distinctive Central Valley community along the Mokelumne River, adjacent to the Sacramento Delta. It is a compact city surrounded by vineyards, with a revitalized downtown and attractive neighborhoods. Lodi is also a burgeoning center of wine production and tourism, with the local appellation increasingly gaining in prestige, especially for its zinfandels. Because of its charm and small-town atmosphere, Lodi remains the preferred residential choice for many residents of the greater San Joaquin County region, and an increasing draw for employers.

This General Plan outlines a vision for Lodi's future, building on the city's assets, including its historic downtown, parks, arts and culture, and sense of community. With the wine industry increasingly vital to the city's economic sustenance and character, the General Plan promotes continued compact form and emphasizes preservation of surrounding agricultural and viticulture lands. Economic development, downtown vibrancy, revitalization of commercial corridors with a mix of uses, and creation of walkable neighborhoods are priorities, along with a commitment to a sustainable development pattern, ranging from overall city form to the design of buildings and open spaces.

1.1 PLANNING THEMES

The General Plan presents eleven central planning themes, which were highlighted during the visioning phase and developed through discussions with community members. These themes are woven throughout the Plan and specified through policy measures.



Livable neighborhoods, with access to retail, public facilities, jobs, and parks, are priorities for both existing and future development areas.

1. **Compact Urban Form.** The Plan enhances Lodi's compact urban form, promoting infill development downtown and along key corridors, while also outlining growth possibilities directly adjacent to the existing urban edge. The City's overall form will be squarish, reinforcing the centrality of downtown, with virtually all new development located within three miles from it.
2. **Mokelumne River as the City's Northern Edge.** The Lodi community has expressed a desire to see the river remain as the city's northern edge. The southern bank of the river (within the city) is occupied by residential uses and streets do not reach the river. Therefore, connectivity across the river to knit the urban fabric would be challenging if growth were to extend northward.
3. **Enhanced Mixed-Use Centers and Corridors.** The Plan designates downtown as a mixed-use center, with a mix of commercial and residential uses. Stretches of major commercial corridors are depicted with a mixed-use designation to enable continued investment in these areas and enhancement of vacant and underutilized parcels.
4. **Walkable, Livable Neighborhoods.** The Plan envisions new neighborhoods with a variety of uses, diversity of housing types, and short blocks, organized around mixed-use centers. This pattern provides retail, housing, offices, parks, and other uses.
5. **Street Connectivity and Urban Design.** The Plan provides community design strategies for improving street connectivity, particularly in terms of access to downtown, neighborhoods, jobs, and shopping.

6. **Preservation of Existing Neighborhoods.** Existing development in a vast majority of the Planning Area is proposed to remain as is, in terms of land use and density. Lodi residents are proud of their vibrant neighborhoods. They enjoy the small-town character of the city and would like to ensure that Lodi's high quality-of-life is enhanced as the city grows.
7. **Agricultural Preservation Along Southern Boundary.** In order to preserve agriculture and maintain a clear distinction between Lodi and Stockton, the Plan acknowledges the Armstrong Road Agricultural/Cluster Study Area along the south edge of Lodi, from Interstate 5 (I-5) to State Route (SR) 99, and south to Stockton's Planning Area boundary.
8. **Employment-Focused Development in the Southeast.** The area east of SR-99 toward the south is designated as a growth area for office, business park and commercial uses. This area has excellent regional access, and is adjacent to existing urbanized areas.
9. **Enhanced Bicycle and Pedestrian Connections.** Lodi already has an expansive bicycle network and good pedestrian facilities, including sidewalks, signals, landscaping and street furniture, particularly downtown. Improvements to pedestrian and bicycle pathways in new and existing neighborhoods are identified in the General Plan.
10. **Recreation Path along Irrigation Canal Right-of-Way.** The Woodbridge Irrigation District Canal runs through the city, passing through residential neighborhoods. A public recreation trail is envisioned to enable walking, jogging, and biking.
11. **Phasing Future Development.** The Plan identifies urban reserve areas along the west and east edges of the city to provide additional area for development, if needed. These urban reserve areas ensure that the city conforms to its Growth Management Ordinance and grows at a reasonable rate.



The Plan ensures that Lodi maintains its compact form, by preserving existing neighborhoods, enabling infill development, defining growth boundaries, and phasing development over time.

1.2 SCOPE AND PURPOSE

General Plan Purpose

The General Plan governs all City actions relating to Lodi's physical development. The General Plan is mandated by and derives its authority from California Government Code Section 65300, which requires each city and county in California to adopt a General Plan, "for the physical development of the county or city, and any land outside its boundaries which... bears relation to its planning." The Lodi General Plan is a document adopted by the City Council that serves several purposes:

- To outline a vision for Lodi's long-term physical and economic development and community enhancement;
- To provide strategies and specific implementing actions that will allow this vision to be accomplished;
- To establish a basis for judging whether specific development proposals and public projects are in harmony with Plan policies and standards;
- To allow City departments, other public agencies, and private developers to design projects that will enhance the character of the community, preserve and enhance critical environmental resources, and minimize hazards; and
- To provide the basis for establishing and setting priorities for detailed plans and implementing programs, such as the Zoning Ordinance, the Capital Improvements Program and facilities plans.

State law requires that a variety of City actions be consistent with the General Plan so regular ongoing use of the Plan is essential. The Plan is both general and long-range; there will be circumstances and instances when detailed studies are necessary before Plan policies can be implemented.

General Plan Requirements

A city's general plan has been described as its constitution for development—the framework within which decisions must be made on how to grow, provide public services and facilities, and protect and enhance the environment. California's tradition of allowing local authority control over land use decisions means that the state's cities have considerable flexibility in preparing their general plans. However, State planning laws do establish basic requirements about the issues that general plans must address. The California Government Code establishes both the content of general plans and rules for their adoption and subsequent amendment. Together, State law and judicial decisions establish three overall guidelines for general plans. They should be:

- **Comprehensive.** This requirement has two aspects. First, the General Plan must be geographically comprehensive. That is, it must apply throughout the entire incorporated area and should include other areas that the City determines are relevant to its planning. Second, the general plan must address the full range of issues that affects the City's physical development.
- **Internally Consistent.** This requirement means that the General Plan must fully integrate its separate parts and relate them to each other without conflict. "Horizontal" consistency applies as much to figures and diagrams as to the general plan text. It also applies to data and analysis as well as policies. All adopted portions of the general plan, whether required by State law or not, have equal legal weight. None may supersede another, so the General Plan must resolve conflicts among the provisions of each element.
- **Long-Range.** Because anticipated development will affect the city and the people who live or work there for years to come, State law requires every general plan to take a long-term perspective. The time horizon for this general plan is approximately 20 years.

1.3 PLAN PROCESS

The Plan draws its ideas from many citizens, community groups, business owners, elected officials, and City staff who participated in decision-making during the update process. The maps and policies in this Plan are based on the need to accommodate a future population and employment base and the desire to be an ideal place to live, work, and play. The Plan will be used on an ongoing basis, since many City regulations and actions are required by State law to be consistent with the General Plan.

Public Participation

Public participation was an essential component to the development of the Lodi General Plan. The update process was initiated in fall 2006—Lodi’s centennial year—to replace the 1991 General Plan. Community members and stakeholders participated in the planning process through several different medium over the course of three years. They formulated a vision, determined future development patterns, and informed policy development, through the following participation opportunities:

- A mail-in survey sent to all residential addresses in the city;
- Public workshops and meetings;
- Stakeholder interviews and neighborhood meetings;
- Workshops with the City Council and Planning Commission;
- Presentations to organizations and neighborhood groups;
- Newsletters;
- Comments via e-mail; and
- A project website.

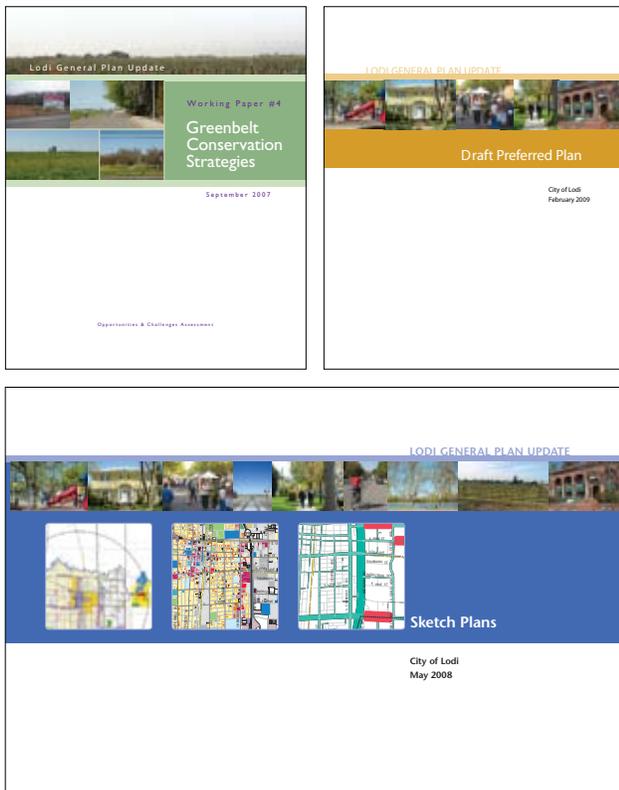


Community members shared ideas and offered feedback on General Plan issues and policies during workshops and meetings.

Interim Documents

As part of the General Plan update process, four working papers documenting existing conditions, trends, planning issues, and implications were prepared:

- **Working Paper #1: Land Use, Transportation, Environment, and Infrastructure** provided a baseline of existing conditions in the city, focusing on its physical environment and built form.
- **Working Paper #2: Urban Design and Livability** outlined qualities of Lodi that contribute to its livability and which should be embodied in the future.
- **Working Paper #3: Growth and Economic Development Strategy** presented growth trends, likely demand for various land uses—including retail demand by sector—and opportunities, challenges, and possibilities for their arrangement in Lodi’s future.
- **Working Paper #4: Greenbelt Conservation Strategies** focused on the issue of a greenbelt along the southern edge of the city, including its viability, size, location, and feasible implementation techniques and incentives.



Interim analyses and products informed the development of the General Plan.

Following these analyses, three land use alternatives for future development and their transportation, infrastructure, and fiscal impacts were prepared in a Sketch Plan Report. The sketch plans presented a range of options to guide future development and intensification in Lodi, addressed goals for conservation, economic development, and walkable livable neighborhoods, and analyzed relative impacts on traffic and infrastructure.

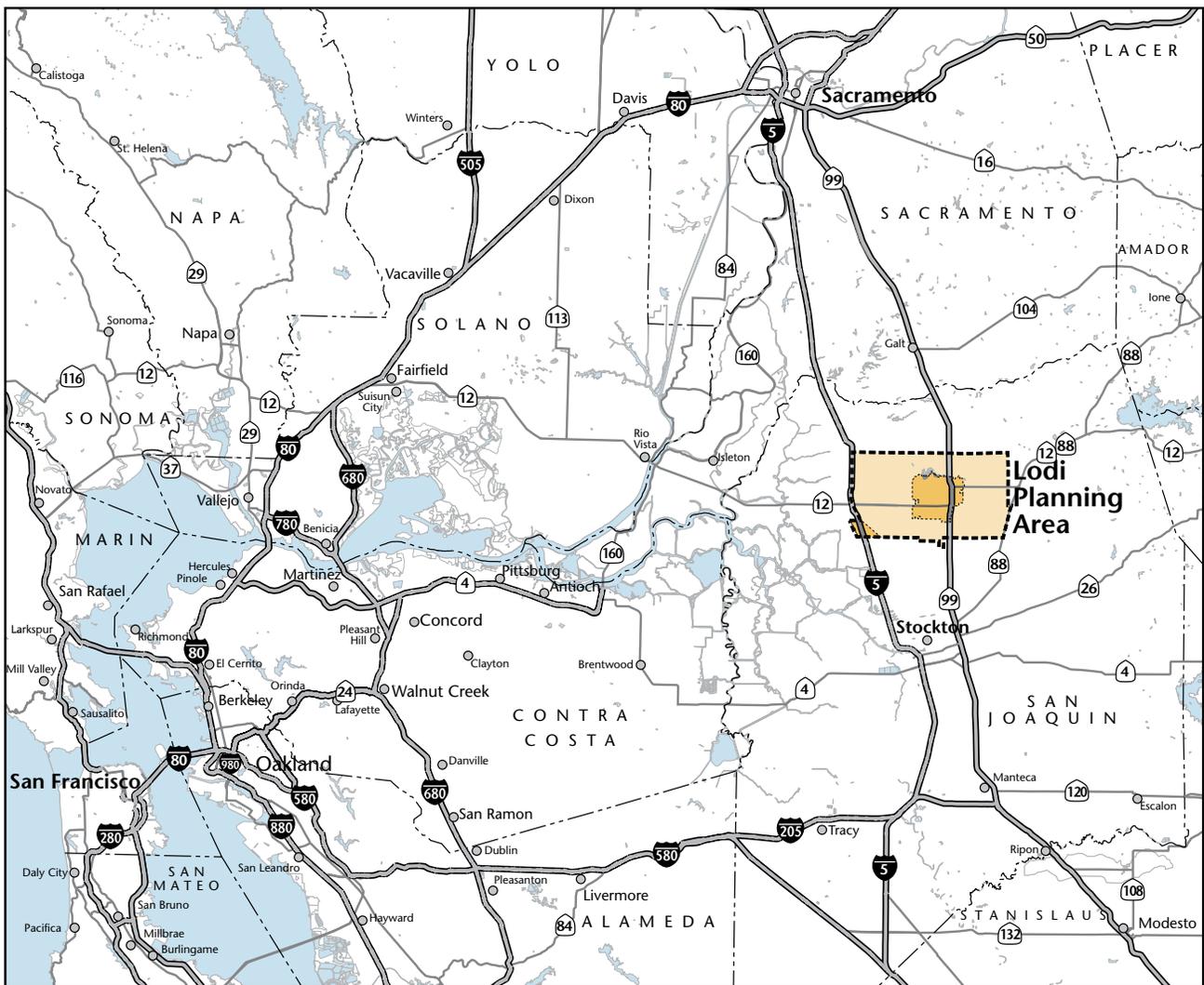
Finally, a preferred plan was selected based on the most desired portions of the sketch plans, following a community open house and meetings with citizen and business groups. The Preferred Plan was endorsed by the City’s decision makers and became the starting point for the General Plan Land Use Diagram and associated policies.

1.4 REGIONAL LOCATION AND PLANNING BOUNDARIES

Regional Location

Located along the Mokelumne River, adjacent to the Sacramento River Delta, Lodi is situated in the San Joaquin Valley between Stockton, six miles to the south; Sacramento, 35 miles to the north; and along SR-99. The city is located on the main line of the Union Pacific Railroad and is within five miles of I-5 via SR-12. Figure 1-1 illustrates the city's regional location.

FIGURE 1-1: REGIONAL LOCATION

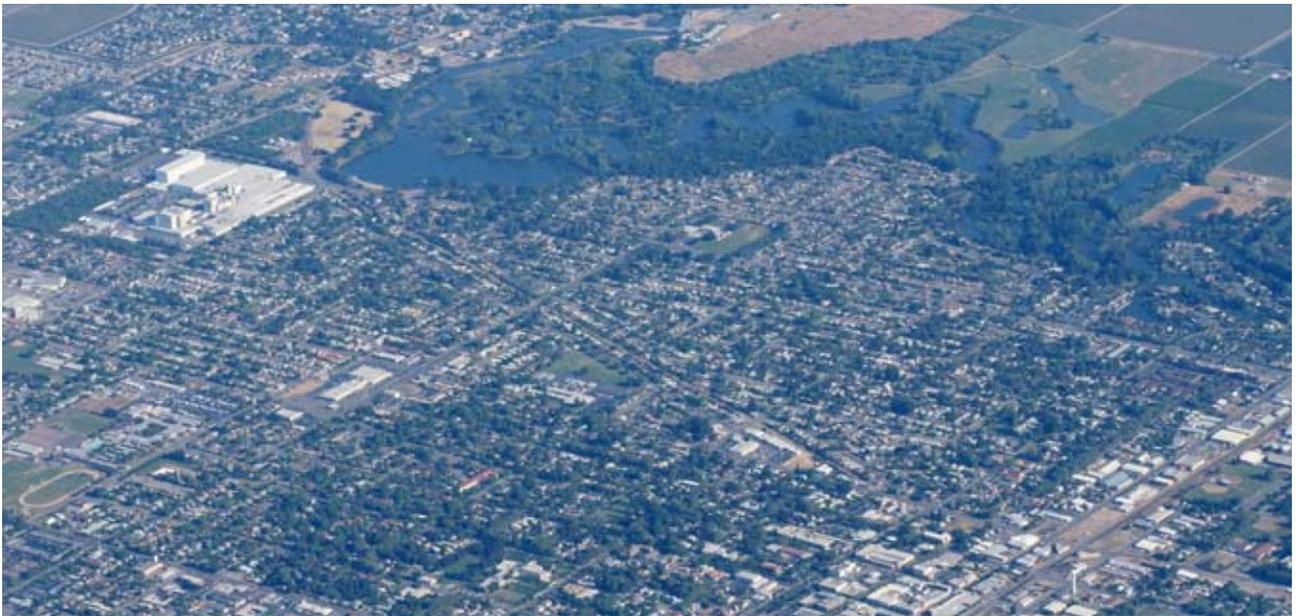


Planning Boundaries

The General Plan must cover Lodi’s adopted Sphere of Influence (SOI), as well as any land outside these boundaries that is relevant to the city’s planning. The Planning Area covers 79.4 square miles, or 50,827 acres. This land area is dominated by vineyards and agriculture. Development in the Planning Area is concentrated in the urbanized areas: within Lodi city limits and Woodbridge—a community contiguous to Lodi and within Lodi’s SOI; and in Flag City, an unincorporated commercial center at the junction of I-5 and SR-12. Figure 1-2 shows this Planning Area.

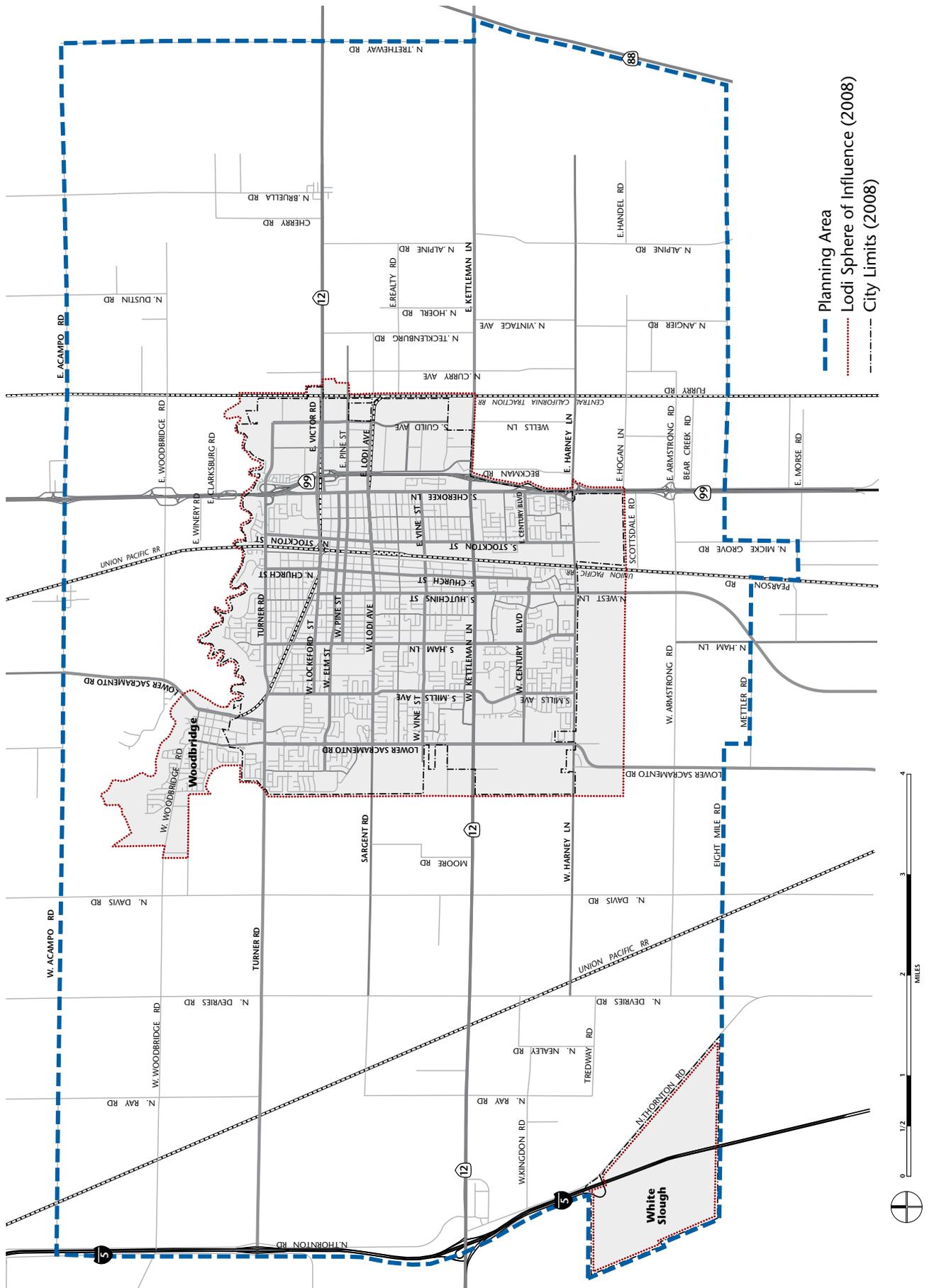
Lodi’s current (2008) SOI includes, in addition to Woodbridge, lands west and east of City limits where developments have been recently approved, as well as a small pocket in the northeast portion. Lodi’s SOI covers 16.6 square miles, or 10,623 acres of land.

The city is largely flat, distinguished by Lodi Lake and the Mokelumne River that form the northern edge of the city. The White Slough Water Pollution Control Facility (White Slough) is located within City limits, but is separated from the urbanized area of Lodi. Lodi’s incorporated limits (exclusive of White Slough) encompass an area of about 12 square miles.



A view toward the northwest corner of Lodi and the Town of Woodbridge shows Lodi Lake and the Mokelumne River—the city’s northern boundary.

FIGURE 1-2: LODI PLANNING AREA



1.5 PLAN ORGANIZATION

General Plan Structure

State law mandates that general plans include seven elements: Land Use, Circulation, Open Space, Conservation, Noise and Safety, and Housing. Elements for other topics of local concern may also be included. This General Plan includes all mandated and two optional elements: Growth Management, and Community Design and Livability. Topics related to sustainability are woven throughout the Plan. For example energy efficiency is discussed in the Conservation Element and green building is discussed in the Community Design and Livability Element. The Housing Element is updated every five to seven years, per State requirements, and therefore is included as an appendix. An implementation program is also included as an appendix. Table 1-1 illustrates how the nine elements are arranged.

Organization of the Elements

Each chapter of this General Plan includes brief background information to establish the context for the policies in the chapter. This background material is not a comprehensive statement of existing conditions nor does it contain any adopted information, unless noted otherwise, such as with land use classifications. (Readers interested in a comprehensive understanding

of issues related to a particular topic should refer to the working papers described in Section 1.3.) This background information is followed by guiding policies and implementing policies:

- Guiding policies are the City’s statements of broad direction, philosophy, or standards to be achieved.
- Implementing policies are specific statements that guide decision making. They may refer to existing programs or development standards or call for establishment of new ones.

Together, these policies articulate a vision for Lodi that the General Plan seeks to achieve. They also provide protection for the city’s resources by establishing planning requirements, programs, standards, and criteria for project review.

Numbering System

Policies are organized using a two-part numbering system. The first part refers to the element and the second is the order in which the policies appear, with a letter designation to distinguish guiding policies (G) and implementing policies (P). For example, the first guiding policy in the Land Use Element is numbered LU-G1 and the first implementing policy is LU-P1. Thus, each policy in the Plan has a discrete number for easy reference.

TABLE 1-1: CORRESPONDENCE BETWEEN REQUIRED GENERAL PLAN ELEMENTS AND THE LODI GENERAL PLAN

STATE MANDATED/OPTIONAL ELEMENT	LOCATION IN THE LODI GENERAL PLAN
Land Use	Chapter 2: Land Use
Circulation	Chapter 3: Circulation
Open Space	Chapter 6: Parks, Recreation, and Open Space
Conservation	Chapter 7: Conservation
Safety	Chapter 8: Safety
Noise	Chapter 9: Noise
Housing	Appendix A
Community Design and Livability (optional)	Chapter 4: Community Design and Livability
Growth Management and Infrastructure (optional)	Chapter 3: Growth Management and Infrastructure

1.6 ADMINISTRATION OF THE PLAN

The General Plan is intended to be a dynamic document. As such, it may be subject to amendments over time to address site-specific or comprehensive needs, to respond to changes in State or Federal law, or to modify policies that may become obsolete or unrealistic over time.

Amendments to the General Plan

State law limits the number of times a jurisdiction can amend its general plan to no more than four times per year, although each amendment may include more than one change. However, this restriction does not apply to amendments that update optional elements (such as Growth Management or Community Design and Livability); allow for the development of affordable housing; or comply with a court decision.

Annual Report

The California Government Code requires that City staff submit an annual report to the City Council on the status of the General Plan and progress in its implementation. This report is also submitted to the Governor's Office of Planning and Research and the Department of Housing and Community Development. It must include an analysis of the progress in meeting the City's share of regional housing needs and local efforts to remove governmental constraints to maintenance, improvement, and development of affordable housing. In addition, any mitigation monitoring and reporting requirements prescribed by the California Environmental Quality Act should be addressed in the annual report because they are closely tied to plan implementation. Finally, the report should include a summary of all general plan amendments adopted during the preceding year, a description of upcoming projects or general plan issues to be addressed in the coming year, and a work program and budget.

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Chapter 2: Land Use Policies

For policies relating to phasing and growth management, see Chapter 3: Growth Management and Infrastructure. For policies relating to urban design and community character, see Chapter 4: Community Design and Livability.

2.1 GUIDING POLICIES

- LU-G1 Create a balanced and sustainable land use pattern that provides for a diversity of uses and satisfies existing and future needs.
- LU-G2 Encourage development of downtown as a mixed-use activity center with a range of commercial, residential, and civic uses.
- LU-G3 Promote revitalization of key commercial spines of the community with focused, mixed-use development.
- LU-G4 Foster development of walkable new neighborhoods, with a mix of uses and diversity of housing types.
- LU-G5 Maintain land use patterns that maximize residents' access to parks, open space, and neighborhood shopping centers.
- LU-G6 Ensure the continued economic sustainability of the community and fiscal health of the City government.
- LU-G7 Strengthen the City's economic base and provide employment opportunities for residents to achieve a more balanced jobs/housing ratio.

2.2 IMPLEMENTING POLICIES

USE CLASSIFICATIONS AND LAND USE PROGRAM

- LU-P1 Update the City's Zoning Ordinance and Subdivision Regulations contained in the Municipal Code for consistency with the General Plan, including the General Plan Diagram.

Zoning changes that will need to be made include:
Establishment of new base districts, consistent with the land use classifications in the General Plan, such as for mixed-use centers, corridors and downtown;
and
New development regulations that reflect policy direction contained throughout the General Plan (e.g. parking standards).
- LU-P2 Require sites designated for mixed-use development—downtown, corridors, and in new neighborhood centers—to be developed with a variety of residential and non-residential uses, in accordance with the General Plan designation.
- LU-P3 Do not allow development at less than the minimum density prescribed by each residential land use category.

- LU-P4 Maintain the highest development intensities downtown, and in mixed-use corridors and centers, with adequate transition to Low-Density Residential neighborhoods.

LAND USE PATTERN

- LU-P5 Maintain a centralized economic development and land information system to continually monitor land use availability, ensuring sufficient land for appropriate use designations, development intensities and locations.
- LU-P6 Locate new medium- and high-density development adjacent to parks or other open space, in order to maximize residents' access to recreational uses; or adjacent to mixed-use centers or neighborhood commercial developments, to maximize access to services.
- LU-P7 Encourage new neighborhood commercial facilities and supermarkets in locations that maximize accessibility to all residential areas.
- LU-P8 Permit child-care centers in all districts except Industrial.
- Regulations would also need to be in accordance with criteria for family day care homes established in Chapter 3.4 and Chapter 3.6, Division 2 of the California Health and Safety Code.
- LU-P9 Focus new business park growth in the southeast portion of the city and new industrial growth along the two railroad lines, as shown in the Land Use Diagram.
- LU-P10 Allow employee-serving amenities and services such as restaurants, cafes, dry cleaners, and other complementary uses in Business Park areas.
- LU-P11 Promote clustering of industrial uses into areas that have common needs and are compatible in order to maximize their efficiency. Work closely with industry contacts to identify specific needs to be addressed through development standards.
- LU-P12 Prioritize economic development activities on potential growth industries that are appropriate for Lodi, including retail and tourism, as well as office/industrial users in need of large parcels.
- LU-P13 Continue to publish a handbook and/or fact sheets of permitting procedures and fees for new and existing businesses.
- LU-P14 Partner with business and community groups to proactively pursue companies and industries and to implement economic development programs.
- LU-P15 Continue efforts to locate a hotel in conjunction with or in proximity to Hutchins Street Square.

DOWNTOWN

- LU-P16 Promote downtown as the center of tourism, business, social, and civic life by directing high intensity office uses, government, and entertainment uses to locate downtown.

- LU-P17 Establish land use regulations and development standards in the Zoning Code to reinforce Downtown’s assets and traditional development pattern. These should include:
- Extending the Downtown Mixed Use classification to parcels along Main Street on the Eastside to improve connectivity, while retaining the respective identities of downtown and the Eastside.
 - Maximum set-backs or build-to lines for development in areas designated Downtown Mixed Use.
 - Requiring retail, eating and drinking establishments, or other similar active uses—except for sites designated Public—at the ground level. Alleyway corners shall be “wrapped” with retail uses as well.
- LU-P18 Encourage medium- and high-density residential development in downtown by permitting residential uses at upper levels; and east and northwest of downtown, as depicted on the Land Use Diagram, by identifying vacant and underutilized sites that are appropriate for redevelopment.
- LU-P19 Maintain parking regulations for downtown that are lower than elsewhere in the city, reflecting its position as a pedestrian- and transit-friendly center.
- LU-P20 Expand the Downtown Parking District to include the Downtown Mixed Use area in order to consolidate parking areas. Require all development within these boundaries to either meet the established off-street parking requirements or contribute an appropriate share to the Downtown Parking District.

MIXED USE CORRIDORS

- LU-P21 Allow an appropriate range of single uses or mixed-use development, with use requirements/mixes as follows:
- Kettleman Lane. Allow any mix of uses as permitted within the Mixed Use Corridor classification. Ensure that residential uses are sited at upper levels or, if at ground level, then not directly facing the highly trafficked Kettleman Lane.
 - Cherokee Lane. Require that any new development/redevelopment of sites with Mixed Use designation south of Tokay Street to devote at least one-quarter of the built-up area to commercial or business park uses, while allowing the full spectrum of single or mixed-uses permitted within the designation.
- LU-P22 Lodi and Central Avenues. Require any development or redevelopment of sites to have active uses—retail, restaurants, cafe, and personal service establishments—fronting the streets at the ground level. A range of compatible uses, such as residential or office, may be located at upper levels and in portions not fronting the streets.

EXISTING NEIGHBORHOODS

- LU-P23 Promote infill development that maintains the scale and character of established neighborhoods.

- LU-P24 Establish bulk and Floor Area Ratio standards for older residential neighborhoods surrounding Downtown to preserve their character.

NEW NEIGHBORHOODS

- LU-P25 Guide new residential development into compact neighborhoods with a defined Mixed-Use Center, including public open space, a school or other community facilities, and neighborhood commercial development.
- LU-P26 Require a centrally located Mixed-Use Center within each new residential neighborhood: one west of Lower Sacramento Road and two south of Harney Lane, as shown on the Land Use Diagram. Centers should serve as a focal point for the surrounding neighborhood, be pedestrian-oriented and encourage a mix of uses to serve local needs.
- LU-P27 Require a master or specific plan in areas with a Mixed-Use Center and adjacent complementary uses, as a condition of subdivision approval. Uses should include neighborhood commercial, civic and institutional uses, parks, plazas, and open space—consistent with Land Use Diagram (unless any of these uses are found infeasible and/or alternative locations are available to carry out mixed-use policies). Streets should adhere to the pattern depicted on the Land Use Diagram.
- LU-P28 Provide for a full range of housing types and prices within new neighborhoods, including minimum requirements for small-lot single family homes, town-houses, duplexes, triplexes, and multi-family housing.

Chapter 3: Growth Management and Infrastructure Policies

3.1 GUIDING POLICES

Please refer to Chapter 4: Community Design and Livability for additional policies regarding Lodi's urban form.

- GM-G1 Ensure contiguous, paced, and orderly growth by identifying phases for development. Allow development in subsequent phases only once thresholds of reasonable development in prior phases have been achieved.
- GM-G2 Provide infrastructure—including water, sewer, stormwater, and solid waste/recycling systems—that is designed and timed to be consistent with projected capacity requirements and development phasing.
- GM-G3 Promote conservation of resources in order to reduce the load on existing and planned infrastructure capacity, and to preserve existing environmental resources.
- GM-G4 Provide public facilities—including police and fire services, schools, and libraries commensurate with the needs of the existing and future population.
- GM-G5 Support efforts to provide superior public and private educational opportunities for all segments of the population.

3.2 IMPLEMENTING POLICIES

GROWTH MANAGEMENT

Please refer to Chapter 7: Conservation for policies regarding agricultural preservation and Chapter 8: Safety for policies regarding stormwater management.

- GM-P1 Define Lodi's southern boundary and establish limits on development to the south through the establishment the Armstrong Road Agricultural/Cluster Study Area. Cooperate with San Joaquin County, the San Joaquin County Local Agency Formation Commission and property owners to ensure maintenance of this area as a separator from the City of Stockton.
- GM-P2 Target new growth into identified areas, extending south, west, and southeast. Ensure contiguous development by requiring development to conform to phasing described in Figure 3-1. Enforce phasing through permitting and infrastructure provision.
Development may not extend to Phase 2 until Phase 1 has reached 75% of development potential, and development may not extend to Phase 3 until Phase 2 has reached 75% of development potential.
- GM-P3 Use the Growth Management Allocation Ordinance as a mechanism to even out the pace, diversity, and direction of growth. Update the Growth Management Allocation Ordinance to reflect phasing and desired housing mix.
Because unused allocations carry over, as of 2007, 3,268 additional permits

were available. Therefore, the Growth Management Allocation Ordinance will not restrict growth, but simply even out any market extremes.

- GM-P4 Update allocation of units by density to ensure that development density occurs as recommended in Chapter 2: Land Use. For instance, approved permits should be allocated to provide 45.4% of permits for low density, 27.3% medium density, and 27.3% high density/ mixed use housing during phase 1. This represents a shift towards slightly more medium and high density housing in Lodi.
- GM-P5 Update impact fee system to balance the need to sufficiently fund needed facilities and services without penalizing multifamily housing or infill development.
- GM-P6 Annex areas outside the existing sphere of influence to conform with development needs for Phase 1, Phase 2, and Phase 3. Subsequent phases shall be annexed as current phases reach development thresholds.

INFRASTRUCTURE

- GM-P7 Ensure that public facilities and infrastructure—including water supply, sewer, and stormwater facilities—are designed to meet projected capacity requirements to avoid the need for future replacement and upsizing, pursuant to the General Plan and relevant master planning.
- GM-P8 Coordinate extension of sewer service, water service, and stormwater facilities into new growth areas concurrent with development phasing. Decline requests for extension of water and sewer lines beyond the city limit prior to the relevant development phase and approve development plans and water system extension only when a dependable and adequate water supply for the development is assured.
- GM-P9 Develop new facilities and rehabilitate existing facilities as needed to serve existing development and expected development, in accordance with the General Plan and relevant infrastructure master plans.
- GM-P10 Prepare master plan documents as necessary during the planning period to address the infrastructure needs of existing and projected growth, and to determine appropriate infrastructure provision for each phase. Existing master plan documents should be used until new master plans are developed, and updates should occur as follows:
 - A sanitary sewer system master plan should be undertaken soon after General Plan adoption. In particular, this master plan should address how to best provide sewer service for the growth on the east side of the city and for infill development, and to determine if additional wastewater flows will need to be diverted into the proposed South Wastewater Trunk Line.
 - A citywide stormwater master plan should be prepared soon after General Plan adoption to confirm or revise existing planning studies.
 - A White Slough Water Pollution Control Facility master plan should be completed during the early stages of Phase 1, most likely in 2013 or 2014.
 - A recycled water master plan was prepared in May 2008 and is current as of 2009. It may be appropriate to update this document when the next

WSWPCF master plan is prepared, in 2013 or 2014, to evaluate the feasibility of constructing a scalping plant to provide recycled water for use within the city.

- A potable water supply and distribution master plan is not urgently needed, as of 2009. Future planning should be completed as necessary.
- The Urban Water Management Plan should be updated on a five year basis in compliance with State of California mandated requirements. Future plans should be developed in 2010, 2015, 2020, 2025, and 2030.

WATER CONSERVATION

- GM-P11 Require water conservation in both City operations and private development to minimize the need for the development of new water sources and facilities. To the extent practicable, promote water conservation and reduced water demand by:
- Requiring the installation of non-potable water infrastructure for irrigation of landscaped areas over one acre of new landscape acreage, where feasible. Conditions of approval shall require connection and use of nonpotable water supplies when available at the site.
 - Encouraging water-conserving landscaping, including the use of drought-tolerant and native plants, xeriscaping, use of evapotranspiration water systems, and other conservation measures.
 - Encouraging retrofitting of existing development with water-efficient plumbing fixtures, such as ultra low-flow toilets, waterless urinals, low-flow sinks and showerheads, and water-efficient dishwashers and washing machines.
- GM-P12 Support on-site gray water and rainwater harvesting systems for households and businesses.
- The City should develop a strategy for the legal, effective, and safe implementation of gray water and rainwater harvesting systems, including amendment of the Building Code as appropriate to permit gray water and provision of technical assistance and educational programming to help residents implement gray water and rainwater harvesting strategies.
- GM-P13 Continue to implement the Water Meter Retrofit Program (consistent with State requirements as indicated in AB 2572), whereby all existing non-metered connections would be retrofitted with a water meter. This program is expected to be completed in 2013.
- GM-P14 Require water meters in all new and rehabilitated development.
- GM-P15 Monitor water usage and conservation rates due to installed meters, to ensure water demand assumptions are correct. If actual usage and conservation rates vary from planning assumptions, reassess requirements for future water resources.

POTABLE WATER SUPPLY

GM-P16 Cooperate with Northeastern San Joaquin County Groundwater Banking Authority, other member water agencies, and the Woodbridge Irrigation District to retain surface water rights and groundwater supply.

RECYCLED WATER

GM-P17 Explore a program of complete wastewater reclamation and reuse at the White Slough Water Pollution Control Facility.

GM-P18 Encourage the use of tertiary treated wastewater for irrigation of agricultural lands, large landscaped areas, and recreation/open space areas within close proximity to the White Slough Water Pollution Control Facility.

SOLID WASTE MANAGEMENT AND RECYCLING

GM-P19 Continue to improve waste diversion rates through recycling and resource conservation measures. Support waste reduction and recycling programs through public education.

PUBLIC FACILITIES

Please refer to Chapter 8: Safety for policies regarding fire and police staffing and emergency services.

GM-P20 Locate additional schools to fill any existing gaps in capacity and meet the needs of existing and new residents. Provide needed facilities concurrent with phased development.

GM-P21 Locate any additional library branches to ensure all neighborhoods are served, in particular in the Eastside neighborhood and in proposed mixed use centers.

GM-P22 Develop a Fire and Police Services Master Plan that would establish thresholds and requirements for fire and police facilities, staffing, and building features. The Fire and Police Services Master Plan should consider the following:

- Typical nature and type of calls for service;
- Fire prevention and mitigation measures, such as sprinklers, fire retardant materials, and alarms;
- Appropriate measures for determining adequate levels of service; and
- Locations and requirements for additional facilities and staffing.

GM-P23 Maintain sufficient fire and police personnel and facilities to ensure maintenance of acceptable levels of service. Provide needed facilities concurrent with phased development.

Chapter 4: Community Design and Livability Policies

4.1 GUIDING POLICIES

- CD-G1 Enhance Lodi’s identity and livability by maintaining a compact urban form, with clear edges and delineation between urban and rural uses.
- CD-G2 Promote downtown as the symbolic center of the city, with a greater mix of uses, and building types, and an expanded extent that embraces the Eastside. Promote downtown as a tourist destination.
- CD-G3 Respect and maintain Lodi’s small-town character, its existing neighborhoods, the historic downtown, and historic buildings.
- CD-G4 Structure new neighborhoods to promote walkability, and ensure they are integrated with the surrounding urban fabric.
- CD-G5 Foster a well connected street network that enhances accessibility to jobs, services, parks, schools, and shopping, particularly at the scale of pedestrians and bicyclists.
- CD-G6 Foster redevelopment of key corridors as vital spines, with nodes of mixed-use, higher intensity, pedestrian- and bicycle-friendly development.
- CD-G7 Promote a mix of uses, densities, and building typologies in new development.
- CD-G8 Promote sustainable development practices and conservation of resources to reduce environmental impact and ensure long-term sustainability.
- CD-G9 Encourage green building and construction in new development and renovations

4.2 IMPLEMENTING POLICIES

CITYWIDE POLICIES

- CD-P1 Incentivize infill housing—within the Downtown Mixed Use district and along Mixed Use Corridors—through the development review, permitting and fee processes.
- CD-P2 Ensure that Zoning and Subdivision ordinances include measures that guide infill development to be compatible with the scale, character and identity of adjacent development.
- CD-P3 Ensure that the Zoning Ordinance includes measures to promote fine-grain development along retail and mixed-use streets, using horizontal and vertical building articulation that engages pedestrians and breaks up building mass.
- CD-P4 Ensure that the Zoning Ordinance includes measures to promote durable and high quality building materials and high standards of construction for longevity and reduced maintenance costs over time, especially for buildings in high-

pedestrian activity areas, such as downtown, along Mixed Use Corridors, and in Mixed Use Centers.

CD-P5 Configure parking areas to balance a vital pedestrian environment with automobile convenience. Parking areas should be:

- Located in locations less visible from the sidewalk—behind buildings and away from the street edge, especially along Mixed Use Corridors and Centers, and principal downtown streets. Where a lot faces two streets, parking lots should be accessible by side road.
- Sized and located to take advantage of shared parking opportunities.
- Accommodating to pedestrians and bicycle traffic with pedestrian-only pathways through parking areas.
- Landscaped to achieve fifty percent (50%) shade coverage at tree maturity. Architectural elements such as trellises and awnings may also contribute to shade coverage.
- Buffered from adjacent uses and pedestrians through the use of low walls and hedges.

DOWNTOWN

CD-P6 Update downtown regulations in the Zoning Ordinance:

- Establish a Downtown District to encompass the area shown as Downtown Mixed Use in the Land Use Diagram (Chapter 2, Figure 2-1).
- Require active uses—such as retail, eating and drinking establishments—at the ground level for the area shown in Figure 4-5.
- Update allowable uses to permit residential uses on upper levels on all streets in downtown.

CD-P7 Extend downtown streetscape treatment to embrace the entire area where ground-level retail is required, especially streetscape treatment for streets east of the railroad in the Downtown Mixed Use district. The elements should be consistent with the existing downtown streetscape, but should identify the eastern section as a unique area within downtown.

CD-P8 Require active uses or pedestrian oriented design in alleyways located in the downtown area to establish retail and pedestrian connections, particularly where alleyways connect retail streets (such as between School Street and Sacramento Street) or retail to parking (such as between School Street and Church Street).

- Other pedestrian oriented design may include pedestrian only walkways, high quality paving, landscaping, lighting, seating, or other similar features.

CD-P9 Continue to use the Eastside Mobility and Access Plan as a means of connecting downtown and the Eastside neighborhood.

CD-P10 Incentivize rehabilitation and adaptive reuse of buildings, especially east of the railroad, particularly on Main and Stockton streets in the Downtown Mixed Use district, through development review, permitting and fee processes.

MIXED USE CORRIDORS

CD-P11 Establish development standards in the Zoning Ordinance for Mixed Use Corridors that create a pedestrian-scaled environment:

- Require a minimum percentage of the frontage of sites along Lodi and Central avenues to be devoted to active uses. Ensure that depth and height of the provided space is adequate to accommodate a variety of tenants and provide flexibility for the future.
- Maintain a consistent building base/streetwall along majority of site frontage along all Mixed Use Corridors except Kettleman and Cherokee lanes, with minimum height ranging from 15 to 25 feet, depending on the scale and character of the corridor, with taller streetwall along wider corridors.
- Along Sacramento Street, and Lodi and Central avenues, require new development to be built to the street edge, with parking located in the rear.
- Require buildings to be finely articulated and visually engaging.
- For properties located at key intersections—on particular the intersections of Lodi Avenue and Central Avenue, Lodi Avenue and School Street, and Lodi Avenue and Sacramento Street—require appropriate design features, including: buildings that punctuate the corner with design elements and/or projects that provide additional public or pedestrian amenities (such as the inclusion of plazas).

CD-P12 Provide incentives, through the development review, permitting and fee processes, to redevelop underutilized commercial properties located within the Mixed Use Corridors.

CD-P13 To provide development flexibility, consider incorporating overall development intensity measures (such as floor area ratio) for all non-residential and residential uses, rather than regulating density/intensity separately.

CD-P14 Minimize pavement widths (curb-to-curb) along Mixed Use Corridors to prioritize pedestrian and bicycle movement, while ensuring adequate street width for traffic flow.

CD-P15 Improve or maintain streetscapes, along Mixed Use Corridors. Streetscape improvements could be implemented through a city streetscape program. Amenities may include:

- Street trees
- Wide sidewalks
- Special paving

- Street lighting
 - Seating
 - Info kiosks, particularly in the downtown area
 - Open bus stop shelters
 - Bicycle racks
- CD-P16 Provide continuous street trees along the curb, between the vehicle roadway and the sidewalk, unless this is physically impossible due to constraints such as underground utility lines. Minimize curb cuts to emphasize continuous unbroken curb lengths.
- CD-P17 Develop a wayfinding and signage scheme along the city’s major corridors and streets that utilizes public art and street elements, such as banners and light fixtures. The scheme should reinforce the City’s identity and linkages to downtown. Include Kettleman Lane, Lodi Avenue, Cherokee Lane, Sacramento Street, Central Avenue, and Stockton Street in the wayfinding scheme.
- CD-P18 Require active uses at the ground floor on Lodi and Central avenues within their Mixed Use Corridor designations, as noted shown in Figures 4-8 and 4-9, respectively.

STREETS, CONNECTIVITY, AND ACCESSIBILITY

Refer to Chapter 5: Transportation for policies related to transportation infrastructure, including for pedestrians and bicycles.

- CD-P19 Develop requirements for street trees in all new growth areas that maximize shade to minimize urban heat island impacts.
- Require all subdivisions in new growth areas to prepare a street plan demonstrating maximum connection to existing streets, specifically incorporating streets shown in Figure 4-4 and intermediate street connections. Ensure that new development on the west side enables expansion of the street grid for future growth, beyond this General Plan horizon.
 - Existing and emerging development at the City’s edges has not been designed to enable future extensions, producing disconnected neighborhoods.
- CD-P20 Prohibit gated development, and avoid cul-de-sacs. Where cul-de-sacs are provided, require pedestrian and bicycle connection at the terminus of the cul-de-sac to adjacent street.
- CD-P21 Limit maximum block lengths in new neighborhoods to 600 feet, with pedestrian/bicycle connection no more than 400 feet apart (where resulting from connection at end of cul-de-sac), and 400 feet between through streets along Neighborhood Mixed Use Centers.
- CD-P22 Encourage alternatives to soundwalls and permit new soundwalls only where alternatives are not feasible, such as along Highway 99 and the railroad tracks.

- While soundwalls can limit sound to development immediately adjacent to traffic, much of the sound is simply reflected to development further away, resulting in increase in ambient noise levels. Moreover, soundwalls are disruptive to neighborhood character and connectivity. Alternative designs could include frontage roads, dense vegetation, and ensuring sufficient insulation in residential units that would potentially be impacted by the noise.

CD-P23 Create smooth transitions between neighborhoods and across the railroad with pedestrian paths and/or uniform streetscape design.

CD-P24 Use bike lanes, trails, or linear parks to improve connectivity throughout the city and in particular between housing located south of Kettleman and amenities located north of Kettleman, as shown in Figure 4-7. These pathways should employ easy and safe crossings and connect to destinations such as downtown, shopping centers, parks, and/or schools.

CD-P25 Increase public art throughout Lodi. Encourage the placement of art in locations that are interactive and accessible to the public. Develop a funding strategy to ensure adequate support of arts and cultural programs.

NEW RESIDENTIAL NEIGHBORHOODS

CD-P26 Focus new growth, which is not accommodated through infill development of existing neighborhoods, in easily-accessible and pedestrian friendly neighborhoods that include neighborhood-oriented commercial, public services such as schools and parks, and residential uses.

CD-P27 Require new development to connect with nearby uses and neighborhoods; include paths to connect to the rest of the city; exhibit architectural variety and visual interest; conform to scale requirements; and relate housing to public streets.

CD-P28 Minimize the visual impact of automobiles in residential areas.

Methods include reducing garage frontage, minimizing curb cuts, setting garages and parking areas back from houses, locating garages at rear or along alleyways, and providing narrow roads.

MIXED USE CENTERS

CD-P29 Require all development at sites designated Mixed Use Center to provide a mix of commercial uses, while allowing residential uses, to create a “node,” typically centered around a plaza, or “a main street,” with a minimum of 10 percent (10%) of the land area devoted to non-residential land uses, to create pedestrian vitality in the core area. Allow a range of other supportive commercial uses, such as medical, dental, and real-estate offices, as well as community facilities.

CD-P30 Require each core to have at least one plaza or other satisfactory gathering space along the main street that enables gathering and promotes a sense of neighborhood identity.

CD-P31 Integrate new Mixed Use Centers into the city's existing fabric and proposed new development. Provide a network of streets and connections that expands circulation opportunities for pedestrians and bicyclists and ensures connections by multiple modes between the new centers, and existing neighborhoods.

Update Subdivision ordinance to require:

- Master plans for new development that show publicly accessible parks, and a connected street grid.
- Blocks that do not exceed 600 feet in length unless additional pedestrian connections or public space is included.
- Street trees on public streets.
- Sidewalks on public streets.

CD-P32 In order to use less energy and reduce light pollution, ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent residential neighborhoods and/or natural areas at a level greater than one foot candle above ambient conditions.

CD-P33 Require that any office uses in Mixed Use Centers front along the street edge with minimal setbacks; locate parking in the rear or underground; provide plazas and other open space amenities for employees; provide street landscaping; and provide pedestrian connections where appropriate.

CD-P34 Minimize curb cuts to expand pedestrian space and increase the supply of curbside parking.

Methods include requiring abutting new developments to share a single access point from the road and allowing only one curb cut per parcel.

NEW OFFICE DEVELOPMENT

CD-P35 Require new office development to be designed to address not just automobile access, but also potential for transit access, and allowing lunchtime pedestrian access to adjacent uses. Locate new office development along the street edge, with the main entrance facing the street. Parking should not be located between the street and building.

CD-P36 Include pedestrian paths that provide internal access on all site plans. Pedestrian paths should access the sidewalk, main building entrances, and parking areas.

CD-P37 Provide landscaped setbacks between all parking areas and buildings, and at the edges of parking areas.

SITE PLANNING AND GREEN BUILDING

Refer to Chapter 7: Conservation for related energy and climate change policies and Chapter 8: Safety for related stormwater management policies.

CD-P38 Promote location and siting of buildings that minimizes energy use by features such as enhancing use of daylight, minimizing summer solar gain, and use of ventilating breezes.

CD-P39 Design any City-owned buildings or City-owned buildings that are proposed for new construction, major renovation to meet the standards set by LEED™ or equivalent.

CD-P40 Prepare, or incorporate by reference, and implement green building and construction guidelines and/or standards, appropriate to the Lodi context, to ensure high level of energy efficiency and reduction of environmental impacts associated with construction and operations of buildings. Ensure that these guidelines/standards:

- Require documentation demonstrating that building designs meet minimum performance targets, but allow flexibility in the methods used.
- Exceed California's 2005 Title 24 regulation standards for building energy efficiency, if feasible.
- Reduce resource or environmental impacts, using cost-effective and well-proven design and construction strategies.
- Reduce waste and energy consumption during demolition and construction.
- Identify street standards, such as street tree requirements, appropriate landscaping practices, and acceptable materials.
- Incorporate sustainable maintenance standards and procedures.
- Promote incorporation of energy conservation and weatherization features in existing structures.
- These guidelines could be developed directly from the LEED (Leadership in Energy and Environmental Design) system developed by the U.S. Green Building Council, the California-based Build It Green GreenPoint rating system, or an equivalent green building program.

Chapter 5: Transportation Policies

Strategies related to transportation infrastructure financing can be found in Appendix A: Implementation.

5.1 GUIDING POLICIES

- T-G1 Plan, develop, and maintain a comprehensive, coordinated transportation system to ensure the safe, efficient, and convenient movement of people and goods.
- T-G2 Maintain and update street standards that provide for the design, construction, operation, and maintenance of City streets based on a “complete streets” concept that enables safe, comfortable, and attractive access for pedestrians, bicyclists, motorists, and transit users of all ages and abilities, in a form that is compatible with and complementary to adjacent land uses.
- T-G3 Develop neighborhood streets that encourage walking, biking, and outdoor activity through sound engineering and urban design principles that limit potential speeding.
- T-G4 Provide for safe and convenient pedestrian, bicycle, and transit circulation.
- T-G5 Ensure the adequate provision of both on-street and off-street parking, taking into account the effect of parking management techniques on urban design, economic vitality, and walkability.
- T-G6 Improve railroad crossings to minimize safety hazards and allow for additional capacity improvements.
- T-G7 Provide efficient and direct circulation for local truck traffic, with minimal disruption to residential neighborhoods.
- T-G8 Encourage reduction in vehicle miles traveled as part of a strategy to reduce greenhouse gas emissions.

5.2 IMPLEMENTING POLICIES

CIRCULATION SYSTEM

- T-P1 Ensure consistency between the timing of new development and the provision of transportation infrastructure needed to serve that development. Regularly monitor traffic volumes on city streets and, prior to issuance of building permits, ensure that there is a funded plan for the developer to provide all necessary transportation improvements at the appropriate phase of development so as to minimize transportation impacts.
- T-P2 Review new development proposals for consistency with the Transportation Element and the Capital Improvements Program. Ensure that new projects

provide needed facilities to serve developments, and provide all needed facilities and/or contribute a fair share to the City's transportation impact fee.

- T-P3 Work collaboratively with San Joaquin County, San Joaquin Council of Governments, and Caltrans to successfully implement transportation improvements in the vicinity of Lodi.
- T-P4 Maintain and update a Capital Improvements Program so that identified improvements are appropriately prioritized and constructed in a timely manner.
- T-P5 Update the local transportation impact fee program, consistent with General Plan projections and planned transportation improvements.
- T-P6 Coordinate with the San Joaquin Council of Governments and actively participate in regional transportation planning efforts to ensure that the City's interests are reflected in regional goals and priorities.
- T-P7 Continue to work with the San Joaquin Council of Governments on regional transportation funding issues, including the update of regional transportation impact fees.

ROADWAY NETWORK

- T-P8 Strive to maintain applicable Level of Service (LOS) standards. The Regional Congestion Management Program defines LOS D on its network. The General Plan establishes an LOS D on city streets and at intersections. Exceptions to this LOS D policy may be allowed by the City Council in areas, such as downtown, where allowing a lower LOS would result in clear public benefits, subject to findings that achieving LOS D would:
- Be technologically or economically infeasible, or
 - Compromise the City's ability to support other important policy priorities, such as:
 - Enhancing the urban design characteristics that contribute to pedestrian comfort and convenience;
 - Preserving and enhancing an economically vibrant downtown area;
 - Avoiding adverse impacts to alternate modes of transportation;
 - Preserving the existing character of the community;
 - Preserving agricultural land or open space; or
 - Preserving scenic roadways/highways.
- T-P9 Design streets in new developments in configurations that generally match and extend the grid pattern of existing city streets. This is intended to disperse traffic and provide multiple connections to arterial streets. Require dedication, widening, extension, and construction of public streets in accordance with the

City's street standards. Major street improvements shall be completed as abutting lands develop or redevelop. In currently developed areas, the City may determine that improvements necessary to meet City standards are either infeasible or undesirable.

- T-P10 Maintain, and update as needed, roadway design standards to manage vehicle speeds and traffic volumes.
- T-P11 Limit street right-of-way dimensions where necessary to maintain desired neighborhood character. Consider allowing narrower street rights-of-way and pavement widths for local streets in new residential subdivisions.
- T-P12 Implement traffic calming measures to slow traffic on local and collector residential streets and prioritize these measures over congestion management. Include roundabouts, corner bulb-outs, traffic circles, and other traffic calming devices among these measures.

PEDESTRIAN FACILITIES

Policies describing street connectivity related to urban design can be found in Chapter 4: Community Design and Livability.

- T-P13 Foster walkable streets through streetscape improvements, continuous sidewalks on both sides of streets, and encouraging pedestrian access wherever feasible. Update the Subdivision Ordinance to include requirements for sidewalks, street trees, and lighting. Where sidewalks do not exist within existing developments, and are desired, explore a program to provide sidewalks by reducing the curb-to-curb road width, in cases where safety and traffic flow are not compromised.
- T-P14 To maintain walkability and pedestrian safety, consider roadway width and roadway design features such as islands, pedestrian refuges, pedestrian count-down signals, and other such mechanisms. This policy applies to new roadway construction as well as existing roadways where pedestrian safety issues may occur due to roadway design or width.
- T-P15 In new development areas, include pedestrian connections to public transit systems, commercial centers, schools, employment centers, community centers, parks, senior centers and residences, and high-density residential areas.
- T-P16 Work cooperatively with the Lodi Unified School District on a "safe routes to schools" program that aims to provide a network of safe, convenient, and comfortable pedestrian routes from residential areas to schools. Improvements may include expanded sidewalks, shade trees, bus stops, and connections to the extended street, bike, and transit network.

BICYCLE FACILITIES

- T-P17 Use the City's Bike Master Plan as a comprehensive method for implementing bicycle circulation, safety, and facilities development. Update the Plan for consistency with Figure 5-2, which defines bike route connections in new development areas.
- T-P18 Coordinate the connection of local bikeways and trails to regional bikeways identified in the San Joaquin County Bicycle Transportation Plan.
- T-P19 Require the placement of bicycle racks or lockers at park-and-ride facilities.
- T-P20 Establish standards requiring new commercial and mixed-use developments (of sizes exceeding certain minimum thresholds) to provide shaded and convenient bicycle racks, as appropriate. When such facilities are required, use specifications provided in Caltrans' Design Manual, Section 1000, or other appropriate standards.

PUBLIC TRANSIT SERVICES

- T-P21 Implement the City's Short Range Transit Plan and the San Joaquin Council of Government's Regional Transit Systems Plan, using the most cost effective methods available and based upon professional analysis.
- T-P22 Review new development proposals for consistency with the Short Range Transit Plan. Ensure new projects provide needed transit facilities to serve developments and provide all needed facilities and/or contribute a fair share for improvements not covered by other funding sources.
- T-P23 Continue to support the efficient operation of the Lodi Station, and to explore opportunities to expand the multi-modal transportation services provided there.
- T-P24 Encourage continued commuter rail service in Lodi by cooperating with Amtrak and supporting transit-oriented development and improvements around Lodi Station.
- T-P25 Encourage ridership on public transit systems through marketing and promotional efforts. Provide information to residents and employees on transit services available for both local and regional trips.
- T-P26 Maintain transit performance measures sufficient to meet State requirements.
- T-P27 Coordinate transit services and transfers between the various transit operators serving Lodi.
- T-P28 Require new development to provide transit improvements where appropriate and feasible, including direct pedestrian access to transit stops, bus turnouts and shelters, and local streets with adequate width to accommodate buses.

- T-P29 Continue to actively support and manage the Lodi Grapeline bus service, and to expand public transit services when justified by new demand.
- T-P30 Require community care facilities and senior housing projects with more than 25 units to provide accessible transportation services for the convenience of residents.
- T-P31 Coordinate with the California Public Utilities Commission to implement future railroad crossing improvements.
- T-P32 Require a commitment of funding for railroad crossing protection devices from private development requiring new railroad spurs.
- T-P33 Continue the ongoing comprehensive program to improve the condition and safety of existing railroad crossings by upgrading surface conditions and installing signs and signals where warranted.

PARKING

Policies related to the design of parking lots and structures and their relationship to the street and buildings are provided in Chapter 4: Community Design and Livability. Off-street parking regulations and a program for an expanded Downtown Parking District are described in Chapter 2: Land Use.

- T-P34 Review and update parking standards periodically, and require new developments to provide an adequate number of off-street parking spaces in accordance with those parking standards. The parking standards will allow shared parking facilities whenever possible to reduce the number of new parking stalls required. Consideration will also be given to parking reductions for mixed-use projects or projects that have agreed to implement sustainable and enforceable trip reduction methods.
- T-P35 Consider replacement of on-street parking in commercial areas that will be lost to additional turn lanes at intersections, with an equal number of off-street spaces within the same vicinity, where feasible.
- T-P36 Continue to implement existing preferential residential parking programs such as in the Eastside residential neighborhood, in the vicinity of the PCP Cannery, and adjacent to high schools. Consider expanding the preferential residential parking program to other neighborhoods only where parking intrusion from adjacent uses clearly undermines the neighborhood's quality of life after all other options are deemed unsuccessful.
- T-P37 Improve parking opportunities in the downtown area and along Lodi Avenue (between downtown and Cherokee Lane) by examining rear or vacant lots and other underutilized areas for potential off-street parking. In addition, expand the Downtown Parking District to encompass the entire Downtown Mixed Use area shown in the Land Use Diagram (Figure 2-1).

- T-P38 Consider development of local park-and-ride facilities, particularly in conjunction with future rail and bus services, if the demand for such facilities is warranted and economically feasible.
- T-P39 Provide park and ride facilities designed to accommodate public transit, van and car pool users.

GOODS MOVEMENT

- T-P40 Maintain design standards for industrial streets that incorporate heavier loads associated with truck operations and larger turning radii to facilitate truck movements. Consider requiring developments using commercial vehicles with large turning radii to provide needed intersection improvements along direct routes from development to freeway access points.
- T-P41 Ensure adequate truck access to off-street loading areas in commercial areas.
- T-P42 Encourage regional freight movement on freeways and other appropriate routes; evaluate and implement vehicle weight limits as appropriate on arterial, collector, and local roadways to mitigate truck traffic impacts in the community.

TRANSPORTATION DEMAND MANAGEMENT

- T-P43 Promote ridesharing and cooperate with regional travel demand management programs to reduce peak-hour traffic congestion and help reduce regional vehicle miles traveled.
- T-P44 Promote employment opportunities within Lodi to reduce commuting to areas outside of Lodi.
- T-P45 Reduce the total vehicle miles of travel per household by making efficient use of existing transportation facilities and by providing for more direct routes for pedestrians and bicyclists through the implementation of “smart growth” and sustainable planning principles.

Chapter 6: Parks, Recreation, and Open Space Policies

For stormwater management policies, see Chapter 8: Safety.

6.1 GUIDING POLICIES

- P-G1 Provide and maintain park and recreation facilities for the entire community.
- P-G2 Protect natural resource areas, native vegetation, scenic areas, open space areas, and parks from encroachment or destruction.
- P-G3 Improve connectivity between parks and recreation facilities.
- P-G4 Expand non-vehicular paths and trails and bikeways.

6.2 IMPLEMENTING POLICIES

- P-P1 Acquire and develop additional neighborhood and community parks to serve existing and future needs.
- P-P2 Provide open space to meet recreation and storm drainage needs, at a ratio of eight acres of open space per 1,000 new residents. At least four acres must be constructed for park and recreation uses only. Drainage basins should be constructed as distinct facilities, as opposed to dual-functioning park and drainage basin facilities.
- P-P3 Pursue the development of park and recreation facilities within a quarter-mile walking distance of all residences.
- P-P4 Ensure that parks are visible and accessible from the street, welcoming the surrounding neighborhood and citywide users.
- P-P5 Update the City's Open Space and Recreation Master Plan, as necessary to:
 - Arrange a distribution of open spaces across all neighborhoods in the city;
 - Ensure that parks are visible and accessible from the street, to the surrounding neighborhood, and citywide users; and
 - Provide a variety of open spaces and facilities to serve the needs of the community, ensuring a balance between indoor and outdoor organized sports and other recreation needs, including passive and leisure activities.
- P-P6 Continue working with the Lodi Unified School District to share use of school and City park and recreation facilities through a mutually beneficial joint use agreement.

- P-P7 Work with developers of proposed development projects to provide parks and trails, as well as linkages to existing parks and trails.
- P-P8 Coordinate with the Woodbridge Irrigation District to develop a recreation trail for walking, jogging, and biking along the canal right-of-way, as shown in Figure 6-1.
- P-P9 Support improvements along the Mokelumne River in consultation and cooperation with the County and with creek restoration and design professionals.
- P-P10 Improve accessibility to the Mokelumne River and Lodi Lake Wilderness Area with walking and biking trails. Site park use and new facilities and trails in Lodi Lake Park such that they will not degrade or destroy riparian or sensitive habitat areas.
- P-P11 Encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation, and ensure the maximum number and variety of well-adapted plants are maintained.
- P-P12 Encourage retention of mature trees and woodlands to the maximum extent possible. The City shall regulate the removal of trees that are defined as "heritage trees."
- P-P13 Identify and discourage the removal of significant trees on private and public property by establishing a tree inventory and tree management ordinance. Where removal is required, the City shall require a two-for-one replacement or transplantation.
- P-P14 Review infrastructure needs for existing and new recreational facilities, and where appropriate, identify required improvements in the City's Capital Improvement Program.
- P-P15 Renovate the Grape Bowl in order to increase use and revenue generation.
- P-P16 Ensure safety of users and security of facilities through lighting, signage, fencing, and landscaping, as appropriate and feasible.
- P-P17 Continue to provide parks and recreation services to all residents within the Lodi Unified School District service area north of Eight Mile Road. Expand visitor and non-resident fee-based programs to ensure that non-residents pay their share of park maintenance and improvement costs.
- P-P18 Promote the use of the City's existing and planned Special Use park and recreation facilities for both local resident use and for visitor attractions, such as athletic tournaments.

- P-P19 Require master planned residential communities to dedicate parkland consistent with General Plan standards. In-lieu fees will only be acceptable where an exemption from providing a neighborhood park facility would not adversely affect local residents because an existing park is nearby.

- P-P20 Address park dedication and new development impact fees as part of the Zoning Ordinance and Subdivision Regulations Update, to ensure compliance with the General Plan park and open space standard.

Chapter 7: Conservation Policies

7.1 GUIDING POLICIES

- C-G1 Promote preservation and economic viability of agricultural land surrounding Lodi.
- C-G2 Maintain the quality of the Planning Area’s soil resources and reduce erosion to protect agricultural productivity.
- C-G3 Protect sensitive wildlife species and their habitats.
- C-G4 Protect, restore and enhance local watercourses and associated plant, wildlife, and fish species, particularly in the Mokelumne River and floodplain areas.
- C-G5 Encourage the identification, protection, and enhancement of archaeological resources.
- C-G6 Preserve and enhance districts, sites, and structures that serve as significant, visible connections to Lodi’s social, cultural, economic, and architectural history.
- C-G7 Promote community awareness and appreciation of Lodi’s history, culture and architecture.
- C-G8 Protect and improve water quality in the Mokelumne River, Lodi Lake, and major drainage ways.
- C-G9 Conserve energy and reduce per capita energy consumption.
- C-G10 Reduce greenhouse gas emissions by 15% over 2008 levels by 2020, to slow the negative impacts of global climate change.
- C-G11 Support land use, transportation management, infrastructure, and environmental planning programs that reduce vehicle emissions and improve air quality.
- C-G12 Minimize the adverse effects of construction related air quality emissions and Toxic Air Contaminants on human health.

7.2 IMPLEMENTING POLICIES

AGRICULTURAL AND SOIL RESOURCES

- C-P1 Work with San Joaquin County and the City of Stockton to maintain land surrounding Lodi in agricultural use. Encourage the continuation of Flag City as a small freeway-oriented commercial node, with no residential uses.

- C-P2 Work with San Joaquin County and relevant land owners to ensure economic viability of grape growing, winemaking, and supporting industries, to ensure the preservation of viable agricultural land use.
- C-P3 Support the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.
- C-P4 Encourage San Joaquin County to conserve agricultural soils, preserve agricultural land surrounding the City and promote the continuation of existing agricultural operations, by supporting the county's economic programs.
- C-P5 Ensure that urban development does not constrain agricultural practices or adversely affect the economic viability of adjacent agricultural practices. Use appropriate buffers consistent with the recommendations of the San Joaquin County Department of Agriculture (typically no less than 150 feet) and limit incompatible uses (such as schools and hospitals) near agriculture.
- C-P6 Require new development to implement measures that minimize soil erosion from wind and water related to construction and urban development. Measures may include:
- Construction techniques that utilize site preparation, grading, and best management practices that provide erosion control and prevent soil contamination.
 - Tree rows or other windbreaks shall be used within buffers on the edge of urban development and in other areas as appropriate to reduce soil erosion.
- C-P7 Maintain the City's Right-to-Farm Ordinance, and update as necessary, to protect agricultural land from nuisance suits brought by surrounding landowners.
- C-P8 Adopt an agricultural conservation program (ACP) establishing a mitigation fee to protect and conserve agricultural lands:
- The ACP shall include the collection of an agricultural mitigation fee for acreage converted from agricultural to urban use, taking into consideration all fees collected for agricultural loss (i.e., AB1600). The mitigation fee collected shall fund agricultural conservation easements, fee title acquisition, and research, the funding of agricultural education and local marketing programs, other capital improvement projects that clearly benefit agriculture (e.g., groundwater recharge projects) and administrative fees through an appropriate entity ("Administrative Entity") pursuant to an administrative agreement.
 - The conservation easements and fee title acquisition of conservation lands shall be used for lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community

separator as part of a comprehensive program to establish community separators.

- The ACP shall encourage that conservation easement locations are prioritized as shown in Figure 7-5:
 - A. the Armstrong Road Agricultural/Cluster Study area east of Lower Sacramento Road;
 - B. the Armstrong Road Agricultural/Cluster Study area west of Lower Sacramento Road;
 - C. elsewhere in the Planning Area, one mile east and west of the Urban Reserve boundaries respectively; and
 - D. outside the Planning Area, elsewhere in San Joaquin County.
- The mitigation fees collected by the City shall be transferred to a farmland trust or other qualifying entity, which will arrange the purchase of conservation easements. The City shall encourage the Trust or other qualifying entity to pursue a variety of funding sources (grants, donations, taxes, or other funds) to fund implementation of the ACP.

BIOLOGICAL RESOURCES

- C-P9 Support the protection, preservation, restoration, and enhancement of habitats of State or federally-listed rare, threatened, endangered and/or other sensitive and special status species, and favor enhancement of contiguous areas over small segmented remainder parcels.
- C-P10 Continue to coordinate with the San Joaquin Council of Governments and comply with the terms of the Multi Species Habitat Conservation and Open Space Plan to protect critical habitat areas that support endangered species and other special status species.
- C-P11 Work with other agencies to ensure that the spread of invasive/noxious plant species do not occur in the Planning Area. Support efforts to eradicate invasive and noxious weeds and vegetation on public and private property.
- C-P12 Protect the river channel, pond and marsh, and riparian vegetation and wildlife communities and habitats in the Mokelumne River and floodplain areas. Prohibit any activity that will disturb bottom sediments containing zinc deposits in Mokelumne River, because such disturbance could cause fish kills. Prohibit activities that could disturb anadromous fish in the Mokelumne River during periods of migration and spawning.
- C-P13 Support the protection, restoration, expansion, and management of wetland and riparian plant communities along the Mokelumne River for passive recreation, groundwater recharge, and wildlife habitat.
- C-P14 Explore the purchase of or establishment of a joint agreement for open space preservation and habitat enhancement in the Woodbridge Irrigation District's property located north of the Mokelumne River. Ensure the open space

preservation and enhancement of this property, while exploring opportunities for public access.

- C-P15 Site new development to maximize the protection of native tree species and sensitive plants and wildlife habitat. Minimize impacts to protect mature trees, Swainson's hawk, vernal pool tadpole shrimp, and any threatened, endangered or other sensitive species when approving new development. Mitigate any loss.
- C-P16 Work with the California Department of Fish and Game in identifying an area or areas suitable for Swainson's hawk and burrowing owl habitat. Preserve land through a mitigation land bank to mitigate impacts on existing habitat for these species. Establish a mechanism for developer funding for the acquisition and management of lands in the mitigation bank.

CULTURAL RESOURCES

- C-P17 For future development projects on previously un-surveyed lands, require a project applicant to have a qualified archeologist conduct the following activities: (1) conduct a record search at the Central California Information Center at the California State University, Stanislaus, and other appropriate historical repositories, (2) conduct field surveys where appropriate and required by law, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archeological Resource Management Reports).
- C-P18 In the event that archaeological/paleontological resources are discovered during site excavation, the City shall require that grading and construction work on the project site be suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist. The City will require that a qualified archeologist/paleontologist make recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontologist materials. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.
- C-P19 If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
- The San Joaquin County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
 - If the remains are of Native American origin: (1) the descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section

5097.98, or (2) The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

HISTORIC RESOURCES

- C-P20 Encourage the preservation, maintenance, and adaptive reuse of existing historic buildings by developing incentives for owners of historically-significant buildings to improve their properties.
- C-P21 Require that, prior to the demolition of a historic structure, developers offer the structure for relocation by interested parties.
- C-P22 Require that environmental review consistent with the California Environmental Quality Act be conducted on demolition permit applications for buildings designated as, or potentially eligible for designation as, historic structures.
- C-P23 Conduct a comprehensive survey of historic resources in Lodi, including consideration of potentially eligible historic resources. Update Figure 7-3 upon completion of the survey.
- Designate a structure as historic if it:
 - Exemplifies or reflects special elements of the city’s cultural, architectural, aesthetic, social, economic, political, artistic, and/or engineering heritage;
 - Is identified with persons, businesses, or events significant to local, State, or National history;
 - Embodies distinctive characteristics of style, type, period, or method of construction or is a valuable example of the use of indigenous materials or craftsmanship;
 - Represents the notable work of a builder, designer, engineer, or architect; and/or
 - Is unique in location or has a singular physical characteristic that represents a familiar visual feature of a neighborhood, community, or the city.
 - Designate a district as historic if it:
 - Is a geographically definable area possessing a concentration or continuity of sites, buildings, structures, or objects as unified by past events or aesthetically by plan or physical development; or
 - Identifies relevant key neighborhoods either as historic districts or merit districts. Designate accordingly if 50% of property owners in the proposed district agree to the designation.
 - An “Historic District” means any area containing a concentration of improvements that has a special character, architectural importance, his-

torical interest, or aesthetic value, which possesses integrity of location, design, setting, materials, workmanship, feeling, and association or which represents one or more architectural periods or styles typical to the history of Lodi.

- A “Merit District” recognizes a district’s history but does not provide for a regulatory structure at this time. The structures of these districts may not be architecturally significant, but the role that these neighborhoods have played in the city’s development, the cultural and economic conditions that resulted in the construction of these neighborhoods and the stories surrounding them make them an important part of the city’s history for which they should be acknowledged and celebrated.

C-P24 Follow preservation standards outlined in the current Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, for structures listed on the National Register of Historic Places or California Register of Historical Resources.

C-P25 Coordinate historic preservation efforts with other agencies and organizations, including the Lodi Historical Society, San Joaquin County Historical Society and other historical organizations.

HYDROLOGY AND WATER QUALITY

See Chapter 3: Growth Management and Chapter 6: Parks, Recreation, and Open Space for water-related policies that address water supply and conservation; and riparian areas within open spaces, respectively.

C-P26 Monitor water quality regularly to ensure that safe drinking water standards are met and maintained in accordance with State and EPA regulations and take necessary measures to prevent contamination. Comply with the requirements of the Clean Water Act with the intent of minimizing the discharge of pollutants to surface waters.

C-P27 Monitor the water quality of the Mokelumne River and Lodi Lake, in coordination with San Joaquin County, to determine when the coliform bacterial standard for contact recreation and the maximum concentration levels of priority pollutants, established by the California Department of Health Services, are exceeded. Monitor the presence of pollutants and variables that could cause harm to fish, wildlife, and plant species in the Mokelumne River and Lodi Lake. Post signs at areas used by water recreationists warning users of health risks whenever the coliform bacteria standard for contact recreation is exceeded. Require new industrial development to not adversely affect water quality in the Mokelumne River or in the area’s groundwater basin. Control use of potential water contaminants through inventorying hazardous materials used in City and industrial operations.

C-P28 Regularly monitor water quality in municipal wells for evidence of contamination from dibromochloropropane (DBCP), saltwater intrusion, and

other toxic substances that could pose a health hazard to the domestic water supply. Close or treat municipal wells that exceed the action level for DBCP.

- C-P29 Minimize storm sewer pollution of the Mokelumne River and other waterways by maintaining an effective street sweeping and cleaning program.
- C-P30 Require, as part of watershed drainage plans, Best Management Practices, to reduce pollutants to the maximum extent practicable.
- C-P31 Require all new development and redevelopment projects to comply with the post-construction Best Management Practices (BMPs) called for in the Stormwater Quality Control Criteria Plan, as outlined in the City's Phase 1 Stormwater NPDES permit issued by the California Water Quality Control Board, Central Valley Region. Require that owners, developers, and/or successors-in-interest to establish a maintenance entity acceptable to the City to provide funding for the operation, maintenance, and replacement costs of all post-construction BMPs.
- C-P32 Require, as part of the City's Storm Water NPDES Permit and ordinances, the implementation of a Grading Plan, Erosion Control Plan, and Pollution Prevention Plan during the construction of any new development and redevelopment projects, to the maximum extent feasible.
- C-P33 Require use of stormwater management techniques to improve water quality and reduce impact on municipal water treatment facilities.
- C-P34 Protect groundwater resources by working with the county to prevent septic systems in unincorporated portions of the county that are in the General Plan Land Use Diagram, on parcels less than two acres.
- C-P35 Reduce the use of pesticides, insecticides, herbicides, or other toxic chemical substances by households and farmers by providing education and incentives.

ENERGY AND CLIMATE CHANGE

- C-P36 Prepare and adopt a comprehensive climate action plan (CAP). The CAP should include the following provisions:
 - An inventory of citywide greenhouse gas emissions,
 - Emissions targets that apply at reasonable intervals through the life of the CAP,
 - Enforceable greenhouse gas emissions control measures,
 - A monitoring and reporting program to ensure targets are met, and
 - Mechanisms to allow for revision of the CAP, as necessary.
- C-P37 Promote incorporation of energy conservation and weatherization features into existing structures. Update the Zoning Ordinance and make local amendments to the California Building Code, as needed, to allow for the

implementation of green building, green construction, and energy efficiency measures.

- C-P38 Encourage the development of energy efficient buildings and communities. All new development, including major rehabilitation, renovation, and redevelopment projects, shall incorporate energy conservation and green building practices to the maximum extent feasible and as appropriate to the project proposed. Such practices include, but are not limited to: building orientation and shading, landscaping, and the use of active and passive solar heating and water systems. The City may implement this policy by adopting and enforcing a Green Building Ordinance.
- C-P39 Reduce energy consumption within City government facilities and motor fleets.
- C-P40 Encourage the use of passive and active solar devices such as solar collectors, solar cells, and solar heating systems into the design of local buildings. Promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional, and public buildings.
- C-P41 Work with the California Energy Commission and other public and non-profit agencies to promote the use of programs that encourage developers to surpass Title 24 Energy Efficiency standards by utilizing renewable energy systems and more efficient practices that conserve energy, including, but not limited to natural gas, hydrogen or electrical vehicles. Offer incentives such as density bonus, expedited process, fee reduction/waiver to property owners and developers who exceed California Title 24 energy efficiency standards.
- C-P42 Develop, adopt, and implement a heat island mitigation plan to reduce carbon dioxide emissions, smog, and the energy required to cool buildings. This plan should contain requirements and incentives for the use of cool roofs, cool pavements, and strategic shade tree placement, all of which may result in as much as 6-8 F temperature decrease from existing conditions.
- C-P43 Encourage the planting of shade trees along all City streets and residential lots (but, particularly in areas that currently lack street trees) to reduce radiation heating and greenhouse gases. Develop a tree planting informational packet to help future residents understand their options for planting trees.
- C-P44 Promote public education energy conservation programs that strive to reduce the consumption of natural or human-made energy sources.
- C-P45 Post and distribute hard-copy and electronic information on currently available weatherization and energy conservation programs.

AIR QUALITY

See Chapter 2: Land Use, Chapter 4: Community Design and Livability, and Chapter 5: Transportation for related policies that seek to improve air quality and reduce emissions through land use, transportation, and urban design strategies.

- C-P46 Require all construction equipment to be maintained and tuned to meet appropriate EPA and CARB emission requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are to be required on construction equipment.
- C-P47 Continue to require mitigation measures as a condition of obtaining permits to minimize dust and air emissions impacts from construction.
- C-P48 Require contractors to implement dust suppression measures during excavation, grading, and site preparation activities. Techniques may include, but are not limited to:
- Site watering or application of dust suppressants;
 - Phasing or extension of grading operations;
 - Covering of stockpiles;
 - Suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour); and
 - Revegetation of graded areas.
- C-P49 Cooperate with other local, regional, and State agencies in developing and implementing air quality plans to achieve State and Federal Ambient Air Quality Standards and address cross-jurisdictional and regional transportation and air quality issues.
- C-P50 Use the San Joaquin Valley Air Pollution Control District's (SJVAPCD) Guide for Assessing and Mitigating Air Quality Impacts for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents. The City shall consult with the SJVAPCD during CEQA review for projects that require air quality impact analysis and ensure that the SJVAPCD is on the distribution list for all CEQA documents.
- C-P51 Support recommendations to reduce air pollutants found in the San Joaquin Valley Air Pollution Control District (SJVAPCD) local attainment plans and use its regulatory authority to mitigate "point" sources of air pollution (e.g., factories, power plants, etc.).
- C-P52 Ensure that air quality impacts identified during the project-level CEQA review process are fairly and consistently mitigated. Require projects to comply with the City's adopted air quality impact assessment and mitigation process, and to provide specific mitigation measures as outlined in policies of Chapter 5: Circulation.

- C-P53 Assess air quality mitigation fees for all new development, with the fees to be used to fund air quality programs.
- C-P54 Require the use of natural gas or the installation of low-emission, EPA-certified fireplace inserts in all open hearth fireplaces in new homes. Promote the use of natural gas over wood products in space heating devices and fireplaces in all existing and new homes. Follow the guidelines set forth in San Joaquin Valley Air Pollution Control District's Rule 4901.
- C-P55 Review, support, and require implementation (as applicable) of San Joaquin Valley Air Pollution Control District guidance and recommendations (including those identified in the Guide for Assessing and Mitigating Air Quality Impacts) in regards to several key issues including:
- Environmental Assessment;
 - Air Quality Mitigation Agreements;
 - Integrated Planning;
 - Air Quality Education;
 - Congestion Management/Transportation Control Measures;
 - Toxic and Hazardous Pollutant Emissions;
 - Fugitive Dust and PM10 Emissions; and
 - Energy Conservation and Alternative Fuels.
- C-P56 Require new sensitive uses proposed to be located within 500 feet of high volume traffic routes where daily vehicle counts exceed 100,000, to use an HVAC system with filtration to reduce/mitigate infiltration of vehicle emissions as warranted by exposure analysis.
- C-P57 Require industrial development adjacent to residential areas to provide buffers and institute setback intended to ensure land use compatibility in regards to potential Toxic Air Contaminant exposure.

Chapter 8: Safety Policies

8.1 GUIDING POLICIES

- S-G1 Ensure a high level of public health and safety.
- S-G2 Prevent loss of lives, injury, illness, and property damage due to flooding, hazardous materials, seismic and geological hazards, and fire.
- S-G3 Protect the public from disasters and provide guidance and response in the event a disaster or emergency.
- S-G4 Minimize vulnerability of infrastructure and water supply and distribution systems.

8.2 IMPLEMENTING POLICIES

FLOODING AND DRAINAGE

- S-P1 Continue to participate in the National Flood Insurance Program and ensure that local regulations are in full compliance with standards adopted by FEMA.
- S-P2 Cooperate with appropriate local, State, and federal agencies to address local and regional flood issues and dam failure hazards.
- S-P3 Require adequate natural floodway design to assure flood control in areas where stream channels have been modified and to foster stream enhancement, improved water quality, recreational opportunities, and groundwater recharge.
- S-P4 Prohibit new development, except for public uses incidental to open space development, within Zone A (100-year flood zone), as shown on Figure 8-1.
- S-P5 Site critical emergency response facilities—such as hospitals, fire stations, police offices, substations, emergency operations centers and other emergency service facilities and utilities—to minimize exposure to flooding and other hazards.
- S-P6 Update Zoning Ordinance and development review process as needed to reduce peak-hour stormwater flow and increase groundwater recharge. These may include provisions for:
- Constructing parking areas and parking islands without curbs and gutters, to allow stormwater sheet flow into vegetated areas.
 - Grading that lengthens flow paths and increases runoff travel time to reduce the peak flow rate.
 - Installing cisterns or sub-surface retention facilities to capture rainwater for use in irrigation and non-potable uses.

- S-P7 Update City street design standards to allow for expanded stormwater management techniques. These may include:
- Canopy trees to absorb rainwater and slow water flow.
 - Directing runoff into or across vegetated areas to help filter runoff and encourage groundwater recharge.
 - Disconnecting impervious areas from the storm drain network and maintain natural drainage divides to keep flow paths dispersed.
 - Providing naturally vegetated areas in close proximity to parking areas, buildings, and other impervious expanses to slow runoff, filter out pollutants, and facilitate infiltration.
 - Directing stormwater into vegetated areas or into water collection devices.
 - Using devices such as bioretention cells, vegetated swales, infiltration trenches and dry wells to increase storage volume and facilitate infiltration.
 - Diverting water away from storm drains using correctional drainage techniques.

HAZARDOUS MATERIALS AND OPERATIONS

- S-P8 Require that all fuel and chemical storage tanks are appropriately constructed; include spill containment areas to prevent seismic damage, leakage, fire and explosion; and are structurally or spatially separated from sensitive land uses, such as residential neighborhoods, schools, hospitals and places of public assembly.
- S-P9 Ensure compatibility between hazardous material users and surrounding land use through the development review process. Separate hazardous waste facilities from incompatible uses including, but not limited to, schools, daycares, hospitals, public gathering areas, and high-density residential housing through development standards and the review process.
- S-P10 Consider the potential for the production, use, storage, and transport of hazardous materials in approving new development. Provide for reasonable controls on such hazardous materials. Ensure that the proponents of applicable new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies, as necessary, for each identified site as part of the design phase for each project. Require projects to implement federal or State cleanup standards outlined in the studies during construction.
- S-P11 Regulate the production, use, storage, and transport of hazardous materials to protect the health of Lodi residents. Cooperate with the County and Lodi Fire Department in the identification of hazardous material users, development of an inspection process, and implementation of the City's Hazardous Waste Management and Hazardous Materials Area plans. Require, as appropriate, a hazardous materials inventory for project sites, including an assessment of materials and operations for any development applications, as a component of

the development environmental review process or business license review/building permit review.

- S-P12 Work with waste disposal service provider(s) to educate the public as to the types of household hazardous wastes and the proper methods of disposal and shall continue to provide opportunities for residents to conveniently dispose of household hazardous waste.
- S-P13 Continue to follow the County Comprehensive Airport Land Use Plan for guidelines on land use compatability near airports, land use restrictions, and to ensure public safety.
- S-P14 Support grade-separated railroad crossings, where feasible, and other appropriate measures adjacent to railroad tracks to ensure the safety of the community.
- S-P15 Continue to mark underground utilities and abide by federal safe-digging practices during construction.

SEISMIC AND GEOLOGIC HAZARDS

- S-P16 Ensure that all public facilities, such as buildings, water tanks, underground utilities, and berms, are structurally sound and able to withstand seismic activity.
- S-P17 For buildings identified as seismically unsafe, prohibit a change in use to a higher occupancy or more intensive use until an engineering evaluation of the structure has been conducted and structural deficiencies corrected consistent with City building codes.
- S-P18 Require soils reports for new projects and use the information to determine appropriate permitting requirements, if deemed necessary.
- S-P19 Require that geotechnical investigations be prepared for all proposed critical structures (such as police stations, fire stations, emergency equipment, storage buildings, water towers, wastewater lift stations, electrical substations, fuel storage facilities, large public assembly buildings, designated emergency shelters, and buildings three or more stories high) before construction or approval of building permits, if deemed necessary. The investigation shall include estimation of the maximum credible earthquake, maximum ground acceleration, duration, and the potential for ground failure because of liquefaction or differential settling.
- S-P20 Require new development to include grading and erosion control plans prepared by a qualified engineer or land surveyor.

FIRE HAZARDS

- S-P21 Maintain a vegetation management program to ensure clearing of dry brush areas. Conduct management activities in a manner consistent with all applicable environmental regulations.

EMERGENCY MANAGEMENT

Policies related to police and fire facilities are addressed in Chapter 3: Growth Management and Infrastructure.

- S-P22 Coordinate with local, State, and Federal agencies to establish, maintain, and test a coordinated emergency response system that addresses a variety of hazardous and threatening situations. Conduct periodic emergency response exercises to test the effectiveness of City emergency response procedures. Develop and implement public information programs concerning disaster response and emergency preparedness and develop mutual aid agreements and communication links with surrounding communities for assistance during times of emergency.
- S-P23 Maintain and periodically update the City's Emergency Preparedness Plan, including review of County and State emergency response procedures that must be coordinated with City procedures.
- S-P24 Ensure that major access and evacuation corridors are available and unobstructed in case of major emergency or disaster. Continue to identify appropriate road standards, including minimum road widths and turnouts to provide adequate emergency access and evacuation routes.
- S-P25 Continue to use the San Joaquin County Hazard Mitigation Plan to reduce hazard risk and coordinate with the County on its update and implementation, consistent with the Federal Emergency Management Agency and the Disaster Act of 2000.

Chapter 9: Noise Policies

9.1 GUIDING POLICIES

N-G1 Protect humans, the natural environment, and property from manmade hazards due to excessive noise exposure.

N-G2 Protect sensitive uses, including schools, hospitals, and senior care facilities, from excessive noise.

9.2 IMPLEMENTING POLICIES

N-P1 Control and mitigate noise at the source where feasible, as opposed to at the receptor end.

N-P2 Encourage the control of noise through site design, building design, landscaping, hours of operation, and other techniques for new development deemed to be noise generators.

N-P3 Use the noise and land use compatibility matrix (Table 9-2) and allowable noise exposure levels (Table 9-3) as review criteria for all new land uses. Incorporate noise attenuation measures for all projects that have noise exposure levels of “conditionally acceptable” and higher. These may include:

- Facades constructed with substantial weight and insulation;
- Sound-rated windows in habitable rooms;
- Sound-rated doors in all exterior entries;
- Active cancellation;
- Acoustic baffling of vents for chimneys, fans and gable ends;
- Ventilation system affording comfort under closed-window conditions; and
- Double doors and heavy roofs with ceilings of two layers of gypsum board on resilient channels to meet the highest noise level reduction requirements.

N-P4 Discourage noise sensitive uses such as residences, hospitals, schools, libraries, and rest homes from locating in areas with noise levels above 65db. Conversely, do not permit new uses likely to produce high levels of noise (above 65db) from locating in or adjacent to areas with existing or planned noise-sensitive uses.

N-P5 Noise sensitive uses, such as residences, hospitals, schools, libraries, and rest homes, proposed in areas that have noise exposure levels of “conditionally acceptable” and higher must complete an acoustical study, prepared by a professional acoustic engineer. This study should specify the appropriate noise mitigation features to be included in the design and construction of these uses, to achieve interior noise levels consistent with Table 9-3.

- N-P6 Require developers of potentially noise-generating new developments to mitigate the noise impacts on adjacent properties as a condition of permit approval. This should be achieved through appropriate means, such as:
- Dampening or actively canceling noise sources;
 - Increasing setbacks for noise sources from adjacent dwellings;
 - Using soundproofing materials and double-glazed windows;
 - Screening and controlling noise sources, such as parking and loading facilities, outdoor activities, and mechanical equipment;
 - Using open space, building orientation and design, landscaping and running water to mask sounds; and
 - Controlling hours of operation, including deliveries and trash pickup.
- N-P7 Develop and implement noise reduction measures when undertaking improvements, extensions, or design changes to City streets where feasible and appropriate.
- N-P8 Encourage transit agencies and rail companies to develop and apply noise reduction technologies for their vehicles to reduce the noise and vibration impacts of bus and rail traffic.
- N-P9 Coordinate with the California Public Utilities Commission and other pertinent agencies and stakeholders to determine the feasibility of development a railroad “quiet zone” in downtown, which would prohibit trains from sounding their horns.
- N-P10 Restrict the use of sound walls as a noise attenuation method.

Kari Chadwick

Subject: General Plan Parks & Rec Policy

Hi Kari,

Sorry it took so long to get this to you. Here's the language that Jim shared with the Commission at the November meeting:

“Due to eroding financial support from the general fund for park maintenance it will be imperative to seek out new and protected funding sources in order to maintain current park inventory.”

If I can help with anything else, please let me know.

Terri Lovell

Administrative Secretary
City of Lodi Parks and Recreation
(209) 333-6742
tlovell@lodi.gov

Comment Letters

Kari Chadwick

From: Rad Bartlam
Sent: Thursday, October 29, 2009 9:44 AM
To: Kari Chadwick
Subject: FW: General Plan comments

Kari, please print and add to the Commission's packet for the next meeting.

Thanks, Rad

-----Original Message-----

From: Jon Bjork [mailto:jon@pantheoncellars.com]
Sent: Thu 10/29/2009 7:50 AM
To: Rad Bartlam
Subject: RE: General Plan comments

Hi Rad,

Thanks for reading my column!

I'm hoping you'll get at least a little more feedback from Lodi on the general plan as a result.

Having reviewed the PDFs of the draft plan from the City Web site, however, I really didn't find much I didn't agree with. My feeling is that you might not be getting much feedback because people don't often take the time just to write, "Hey, great job guys! Looks good to me!"

From my personal perspective as a Lodi home and wine business owner, and having worked on the Chamber's GP task force white paper, here are my requests:

- 1) I'm happy to see the business and city leadership staking the future of our precious town on the wine industry.
- 2) I support some form of greenbelt, and therefore support the City spending public funds to help with the establishment of it. I'm fine with an AL-5 zoning from Highway 5 to 99 and beyond, if necessary. It would be a terrible shame if the entire valley from Stockton to Sacramento became one long city.
- 3) I'm happy to see School Street be a continued focus for more development, preserving downtown as the heart and soul of Lodi. I agree with following all of the suggestions from last Friday's summit at Hutchins Street Square, including a critical mass of interesting wall-to-wall stores and restaurants, along with recognized national brands and a nice hotel, circled by New York style brownstones would keep overnight guests coming back for more.
- 4) A downtown upscale hotel is critical to build overnight out-of-town tourism. In a perfect world, fixed-income residents of the historic Hotel Lodi could be relocated into desirable high-density housing within an easy walk of School Street. That would free a developer to restore the hotel for tourists.
- 5) I've heard enough feedback now to believe that the building code is a bit strict with downtown structures, disincenting them from making them more attractive for tenants or tourists. The code should be reviewed, with provisions for cohesive façade designs, if necessary.
- 6) Continue to allow restaurants to use sidewalk areas for outdoor seating.

7) Allow new buildings downtown to be taller than existing buildings.

8) Pie-in-the-sky: Get the railroad to go underground for several blocks, allowing Elm, Pine and Lodi Ave to be uninterrupted. Build an international plaza and multi-modal underground station where the current station is now. This could be the permanent site of the Farmer's Market, outdoor concerts, and vendors, helping to unify east and west sides of the city.

9) Language to encourage the establishment of boutique wineries or tasting rooms attached to City services, along with continued access for wineries to our state-of-the-art water treatment plant at White Slough. Also allow larger wineries to use White Slough.

10) Safe bike paths and trails to the wineries, either along existing roads, or along irrigation canals. Near vineyards, these would have to be designed to allow mechanical harvesters to traverse them during harvest.

11) Good-sized "Welcome to Lodi" signs on the east and west approaches with photo-op turnouts wouldn't hurt in establishing our collective brand. Search Google images for "Welcome to Napa Sign" for an example.

12) High-density office complexes, like Blue Shield, located on the industrial southeast side would encourage restaurants serving the lunch rush and give commuters ideas for spending the weekend with the family shopping and tasting the best of Lodi.

I have intended all these comments to be supportive of the Chamber's White paper.

Please let me know if you have any questions.

Otherwise, great job guys! Your plan looks good to me!

Thanks,

Jon

Jon Bjork
Pantheon Cellars LLC
2715 W Kettleman Ln Suite 203-101
Lodi, CA 95242

panthos.com
888-952-4288
888-952-4289 fax

-----Original Message-----

From: Rad Bartlam [mailto:rbartlam@lodi.gov]
Sent: Wednesday, October 28, 2009 8:37 AM
To: wineguy@lodinews.com
Subject: General Plan comments

Jon,

I read your column this morning, as usual. I was surprised and pleased that you mentioned the City's General Plan update. I was also pleased to see you added some comment. It would be helpful to me if you could provide those comments to me via e-mail or letter. I cannot include them formally as a newspaper column.

Thanks,

Rad Bartlam
Community Development Director
City of Lodi

Kari Chadwick

From: Ryan Sherman [ryansherman10@hotmail.com]
Sent: Saturday, October 31, 2009 10:24 AM
To: Kari Chadwick
Subject: City of Lodi General Plan

To Whom It May Concern:

Please forward this to Rad as well.

Re: Gated Communities and the General Plan -

As a Realtor and home owner, I am a bit concerned that the City of Lodi would adopt as a part of its General Plan something that appears to be an infringement on private property rights. The people that choose to live in gated communities do so for their own reasons and understanding of how that effects their sense of community. Builders/Developers put gated communities in place only if they are an economically viable proposition. Basic Econ 101 - something is only worth what someone else is willing to pay. Gated communities are a part of every community just as Condos, Towne houses and standard Single Family Residence. I also serve as President for the Lodi Association of Realtors - we are dedicated to preserving private property rights and have been supportive of the City in its endeavors regarding a number of General Plan/private property topics.

However, we represent clients who proactively seek gated communities in their search and dream for home ownership. I don't believe the City should implement any plan that would limit a developers ability to develop gated communities or anyone looking to buy a home in Lodi who desires to live in a gated community. As the real estate market and economy gradually show signs of a meager turn around - let's be proactive and stay on the forefront of future SMART development - and not put in place plans that would impede economic improvement to our community. We should stay focused on our Ag preservation/Green belt initiative and look at the possibily of future development in the Lodi area without the use of Mello Roos.

Ryan Sherman
Realtor
Sherman & Associates
2009 LAR President

Behold the rain which descends from heaven upon our vineyards; there it enters the roots of the vines, to be changed into wine; a constant proof that God loves us, and loves to see us happy. - Benjamin Franklin

<http://www.lodihomesforsale.net>

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11/05/2009

RECEIVED

NOV 05 2009

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

11-4-09

Rad Bartlam
Community Development Department
City of Lodi
PO Box 3006
Lodi CA 95241

Dear Mr. Bartlam:

I am in favor of gated communities. Mr. Tom Sander has a "feel good" idea that can still be accomplished at an individual level. Each person can choose to get involved in activities which bring him or her in contact with a diverse group of people.

People who want to live in a gated community should be allowed to do so in Lodi.

Sincerely,

Kathleen M. Andrade

Kathleen M Andrade

RECEIVED

Joyce Siewert
220 S Orange Ave
Lodi California, 95240

NOV 09 2009
COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

November 9, 2009

Rad Bartlan
Community Development Department
City of Lodi

Dear Mr. Bartlan:

I am concerned about the new General Plan being proposed for Lodi and it's section that prohibits the building of any Gated communities in the future. I personally do not want to live in one but I think it is wrong not to allow those who do, to have that privilege. In fact, I would go even farther and say that in so doing you are taking away their freedom of choosing where they live. Mr. Tom Sander states that people who live in a Gated Community have less of a chance of meeting people of a different ethnicity, race or socio-economic status. This argument is really not true, since most of our activities occur outside of our homes and neighborhoods. We work, conduct our business, attend school, belong to groups and organizations, participate in community events, attend movies, eat in restaurants, along with other members of the community regardless of our ethnicity, race or socio-economic status. This is where the "building of bridges" takes place.,

Where we live will always be influenced by our monetary means and I think those who desire to live in Gated Communities have that right.



Kari Chadwick

From: Rad Bartlam
Sent: Tuesday, November 10, 2009 2:12 PM
To: Kari Chadwick
Subject: FW: general plan comment

Please add to the pile...

-----Original Message-----

From: Steve Mann [mailto:smann1@pacbell.net]
Sent: Fri 11/6/2009 7:28 AM
To: Rad Bartlam
Subject: general plan comment

Rad,
I would like to see gated communities allowed under the new General Plan. Thanks for allowing me this opportunity for input.

Steve

Kari Chadwick

From: Don Van Noy [dlvannoy@sbcglobal.net]
Sent: Saturday, December 05, 2009 1:49 PM
To: Kari Chadwick
Subject: gated communities

Attn Rad Bartlem:

For some reason the leaders of our city government think that in order to get good government we have to go outside the city to New York or worse, San Francisco, to figure out how to govern. Stay home. Plumb the depths of the experience found here at home. Had the city done that years ago, they would have a Parks & Recreation Head that would still be here. Someone raised in Lodi with local values and ideas. Someone who wanted to stay in Lodi not move on to another place across the country in a couple of years with Lodi listed on the resume.

Don't meddle where the city government does not need to be. Why are you wanting to worm your way into the private lives of the citizenry? The reason we are all living in Lodi is because we like it the way it is. We do not want to be like Stockton. We do not need to be like Modesto, or Sacramento. Do not pass a law against gated communities. If a gated community would not sell or would not be desired by the citizens, the developers wouldn't offer it. There must be a demand. That means people in Lodi want it. If they didn't want it there would be no market for it. Why do you keep asking the question? The established citizenry have not changed their minds since you first asked the question. So nobody shows up at a city meeting. That does not mean we like what you are doing.

Let the market run the economy of our town. That's how we became what we are. Not because our early city governments of years ago were so great and you are no better. Let the people decide what they want to buy. It's their money not yours. You do not know what is best for the rest of us. This is not Obama land, yet. Just because he is able to lie and persuade people this should be a socialist country doesn't mean that ours should be a socialist city. I'm upset with government getting into what is not their business.

Regards,

Don Van Noy
1141 Port Chelsea Circle
Lodi, CA 95240
334-4728

Kari Chadwick

From: Robert Blincoe [r.blincoe@sbcglobal.net]
Sent: Monday, December 07, 2009 5:20 PM
To: Kari Chadwick
Subject: Lodi Draft General Plan

Community Development Department
Attention: Rad Bartlam
Lodi, CA
RE: Lodi Draft General Plan

There are two important items in the Draft General Plan that I, and several of my neighbors, think must be deleted in their entirety!

As a retired Real Estate Broker who moved from the Bay Area to Lodi 20 years ago because my wife and I thought then, and we know now, that Lodi is the greatest city in California in which to reside. I am now over 80 years old, and the following recommendations are based upon significant real estate and personal experience.

The two items which are of great concern are:

- (1) The possible banning or limiting of GATED DEVELOPMENTS in Lodi. There are many residents who prefer, and even demand, a gated community for a variety of reasons. Those potential buyers must not be pushed by unnecessary rules to avoid the great city of Lodi, and
- (2) The possible limiting or BANNING OF CUL-DE-SACS in new developments in Lodi. Cul-de-sacs should not be avoided as they tend to reduce traffic flow and to reduce speeding, making the City a much more attractive and safer place in which to raise a family.

To leave either one of these important family issues in the Draft General Plan would be a serious step backward for our now family-friendly city!

Robert M. Blincoe
Marilyn G. Blincoe
2359 Brittany Lane
Lodi, California

Kari Chadwick

From: Sally [sally@keszlercreations.com]
Sent: Wednesday, December 09, 2009 12:44 PM
To: Kari Chadwick
Subject: our Armstrong property

Our property on Armstrong Road is zoned AG40. Please do NOT illegally label it an "Ag cluster zone" or a "greenbelt" on Lodi's new General Plan. By doing so you are knowingly falsefying your legal document.

Thank you for your time,

Bruce and Sally Keszler

Lodi's Draft General Plan

Dec. 8, 2009

Attn: Rod Bartlam,

- ① All new streets need wide lanes with bicycle lanes.
- ② People should be able to choose where they want to live.
We know people who buy in Lodi's gated area for retirement.
They live in the bay area during the week to work.
- ③ The map on the 'Proposed Planning Area' is not allowing for White Slough to expand. White Slough should go South to the existing Stockton SOI line + East over to DeVries Road. Then the road should continue to Mickle Grove Road. In the next 20 years Lodi will grow + need more sewer area available.
- ④ All housing units should provide 2 parking places per unit, ... off-street. There are too many cars parked on Lodi's streets with no off-street parking available.

Jack + Barbara Flockhart
(209) 334-5705

Rod -

Please read this at your meeting tonight.
We will not be there. B.F.



BUILDING INDUSTRY ASSOCIATION OF THE DELTA

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December 9, 2009

Bill Cummins, Chairman
Lodi Planning Commission
City of Lodi
221 W Pine St.
Lodi, CA 95240

Chairman Cummins,

The Building Industry Association has reviewed the proposed General Plan and would like to offer the following comments and observations regarding some of the general themes found within the plan as well as specific comments on sections of the plan.

In light of recent legislation including AB 32, the Global Warming Solutions Act of 2006, SB 375 requiring the adoption of Sustainable Communities Strategies and other legislation mandating new building codes, water quality, air quality and transportation regulations, the BIA recognizes the need to include the provisions of these mandates in the General Plan. However, these mandates from the State, in many cases, allow for local jurisdictions to tailor the implementation to fit local situations. Many of the ideas found in the legislation are directed at large urban centers and not towards small inland cities.

The proposed General Plan appears to embrace the concept of making Lodi look like a suburb of Los Angeles or San Francisco instead of a central valley farming town.

Mixed use development, larger numbers of medium and high density housing and increased costs of development due to new fee programs are all concepts that work in coastal urban areas. Whether or not these concepts will work in Lodi is uncertain. The history of Lodi and the current demographics indicate these concepts may not be acceptable or economically feasible. The policies taking Lodi in this direction should be tempered with the caveat that they are desired goals and will be implemented to the fullest extent allowable under existing market conditions at the time a project moves forward.

The proposed General Plan mandating a minimum amount of mixed use development, minimum numbers of medium and high density housing and

additional fee programs, in today's economic climate, will further impeded the economic recovery so desperately needed in Lodi.

Revenues to the City of Lodi and the overall Lodi economy are in-part tied to the construction industry. A stable pace of growth at or near 1% is needed for the City to maintain a balanced budget and for the health of the economy. The last three years have seen an unprecedented and dramatic decline of residential building activity. For the health of the City and the local economy the General Plan must not act as a hindrance to new development but rather act as a Blueprint to allow growth in a managed environment. Residential building activity in Lodi over the last eight years is as follows:

2002: 305
2003: 274
2004: 244
2005: 370
2006: 86
2007: 19
2008: 7
2009: 4

The longer this trend continues the more our city suffers. In order to restore our economy and the health of the City over the next 20 years the BIA requests the following amendments and/or clarifications to each of the following sections:

LU-P3 Do not allow development at less than the minimum density prescribed by each residential land use category.

Add the phrase "without rebalancing the overall plan and comply with the "no net loss provisions of state housing law".

LU-P6 Locate new medium and high density development adjacent to parks or other open space, in order to maximize residents' access to recreational uses; or adjacent to mixed-use centers or neighborhood commercial development, to maximize access to services.

Locating medium and high density adjacent to commercial and mixed uses is a good requirement. However, it should merely be encouraged to locate medium and high density adjacent to park and other open space areas.

LU-P17 3rd Bullet Point – Requiring retain, eating and drinking establishments, or other similar active uses-except for sites designated

Public-at the ground level. Alleyway corners shall be “wrapped” with retail uses as well.

Replace “shall be” with “encouraged to be”.

LU-P25 Guide new residential development into compact neighborhoods with a defined mixed-use center, including public open space a school or other community facilities, and neighborhood commercial development.

Clarify this to be applied to the three identified areas, one west of Lower Sacramento Road, and two south of Harney Lane as shown on the Land Use Diagram. And clarify to be “when possible” as there may be situations where a small residential project cannot comply with this requirement.

LU-P27

Clarify this to be applied to the three identified areas, one west of Lower Sacramento Road, and two south of Harney Lane as shown on the Land Use Diagram.

LU-P28 Provide for a full range of housing types and prices within new neighborhoods including minimum requirements for small-lot single family homes, town-houses, duplexes, triplexes, and multi-family housing.

Eliminate “and prices”. Provide further explanation and examples of “minimum requirements for small-lot single family homes”.

GM-P2 Target new growth into identified areas, extending south, west, and southeast. Ensure contiguous development by requiring development to conform to phasing described in figure 3-1. Enforce phasing through permitting and infrastructure provision. Development may not extend to Phase 2 until Phase 1 has reached 75% of development potential, and development may not extend to Phase 3 until Phase 2 has reached 75% of development potential.

Continue using the point system for phasing. Prohibiting development in one phase due to a lack of development in a prior phase will give one landowner at a time a temporary monopoly on development. This policy hands over a loaded gun to the landowner of the prior phase. This policy will create a land shortage and corresponding price spikes making development economically unfeasible in Lodi.

GM-P3 Use the Growth Management Allocation Ordinance as a mechanism to even out the pace, diversity, and direction of growth. Update the Growth Management Allocation Ordinance to reflect phasing and desired housing mix. Because unused allocations carry over, as of 2007, 3,268 additional permits were available. Therefore, the Growth Management Allocation Ordinance will not restrict growth, but simply even out any market extremes.

Provide clarification as to HOW market extremes will be evened out.

GM-P4 Land use for phase 1 should be 45.4% LDR, 27.3% MDR and 27.3% HDR.....

And if the market for these types of product does not match up with these recommendations then is all of phase 2 placed on hold until the housing market matches these numbers?

GM-P5 Update impact fee system to balance the need to sufficiently fund needed facilities and services without penalizing multifamily housing or infill development.

The impact fee system must be justified by a legally defensible nexus that complies with the Mitigation Fee Act. Whether the legally defensible fees operate as a penalty or not is outside the scope of a General Plan. To effectuate the desired outcome the language could be changed to read there will be no increase of impact fees on multifamily housing or infill development.

GM-P11 1st Bullet Point – Requiring the installation of non-potable water infrastructure for irrigation of landscaped areas over one acre of new landscape acreage, where feasible. Conditions of approval shall require connection and use of nonpotable water supplies when available at the site.

This item needs to be clarified so that only after nonpotable water is available at a development site will the next phase of that development be required to connect to the nonpotable source. A nonpotable source may not be available for several years but the City may require expensive dual infrastructure to be put in place in the hopes that the water will be available sooner.

GM-P20 Locate additional schools to fill any existing gaps in capacity and meet the needs of existing and new residents. Provide needed facilities concurrent with phased development.

This is the responsibility of LUSD. The City should cooperate with LUSD and provide support upon the request of LUSD but stop short of doing the work of the School District.

CD-P3 Ensure that the Zoning Ordinance includes measures to promote fine-grain development along retail and mixed-use streets, using horizontal and vertical building articulation that engages pedestrians and breaks up building mass.

Clarify what is meant by "fine-grain".

CD-P5 Configure parking areas to balance a vital pedestrian environment with automobile convenience. Parking areas should be:

All of the "should be" bullet points need to include a "where feasible" caveat.

CD-P20 Prohibit gated development, and avoid cul-de-sacs. Where cul-de-sacs are provided, require pedestrian and bicycle connection at the terminus of the cul-de-sac to adjacent street.

Replace prohibit with "allow in moderation". Gated communities and cul-de-sacs are appropriate in some circumstances.

CD-P22 Encourage alternatives to soundwalls and permit new soundwalls only where alternatives are not feasible, such as along Highway 99 and the railroad tracks.

Alternatives to soundwalls should be encouraged but soundwalls still should be allowed when alternatives are not feasible. This section should simply read "encourage alternatives to soundwalls".

CD-P27 Require new development to connect with nearby uses and neighborhoods; include paths to connect to the rest of the city; exhibit architectural variety and visual interest; conform to scale requirements; and relate housing to public streets.

This section is too subjective to be a requirement. This item should be "encouraged" and not required.

CD-P28 Minimize the visual impact of automobiles in residential areas.

Add to the list the allowance of one car garages.

CD-P32 illuminating adjacent residential neighborhoods and/or natural areas at a level greater than one foot candle above ambient conditions.

Please clarify what this means

CD-P40 – Green building guidelines –

The State of California is working on Green Building Codes, simply adopt the State code once the State has completed it. If the City chooses to adopt different building standards other than the adopted building code the City must make specific findings of climatic, geological or environmental significance showing how the City of Lodi is different than the State in general.

P-P2 Provide open space to meet recreation and storm drainage needs, at a ratio of eight acres of open space per 1,000 new residents. At least four acres must be constructed for park and recreation uses only. Drainage basins should be constructed as distinct facilities, as opposed to dual-functioning park and drainage basin facilities.

What is current ratio of park acreage to 1,000 residents? Will this be an increase in the current “level of service”? This is an efficient use of land, why eliminate the dual usage? Requiring separate facilities will increase urban sprawl and advance the conversion of prime farmland.

P-P19 Require master planned residential communities to dedicate parkland consistent with General Plan standards. In-Lieu fees will only be acceptable where an exemption from providing a neighborhood park facility would not adversely affect local residents because an existing park is nearby.

What is the size limitation? Some planned communities may be too small to accommodate this requirement. Identify a minimum size requirement of communities 40 acres or larger.

C-P8 Adopt an agricultural conservation program establishing a mitigation fee to protect and conserve agricultural lands:

Does the city intend for this plan to comply with the Mitigation Fee Act or will they use their “police powers” or “public health and safety” powers to create a program unbridled by the requirements of AB 1600 or the Mitigation Fee Act?

C-P16 Identify areas suitable for Swainson's Hawk habitat.....

This is already covered under the San Joaquin County Multi-Species Habitat and Open Space Conservation Plan as administered by SJCOG.

C-P17 For future development projects on previously un-surveyed lands, require a project applicant to have a qualified archeologist conduct the following activities:

This requirement goes well beyond the standards of the California Environmental Quality Act (CEQA). By performing an EIR applicants demonstrate their compliance with CEQA and all archeological considerations are covered in the EIR. This requirement will add considerable time delays and extra costs to projects with little extra benefit provided to the City.

C-P18 See Above.

C-P38Green Building Ordinance

The State of California is working on Green Building Codes, simply adopt the State code once the State has completed it. If the City chooses to adopt different building standards other than the adopted building code the City must make specific findings of climatic, geological or environmental significance showing how the City of Lodi is different than the State in general.

C-P42 Develop, adopt, and implement a heat island mitigation plan.....

Is this a city wide plan to cover existing "heat islands" or will this only apply to new development?

AIR QUALITY – This entire section is duplicative of the work performed by the San Joaquin Valley Air Pollution Control District. The cost to the City of performing this redundant work will provide little benefit to the City.

C-P46 Require all construction equipment to be maintained and tuned to meet appropriate EPA and CARB emission requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are to be required on construction equipment.

Is this to mean that only the latest model of equipment will be allowed in Lodi? Will all construction work be required to purchase the most advanced equipment as soon as it is available?

C-P53 Assess air quality mitigation fees for all new development with the fees to be used to fund air quality programs.

Is this a new program in Lodi or is this a reference to the existing Air District Fees that are already imposed on new development?

S-P18 Require soils reports for new projects and use the information to determine appropriate permitting requirements, if deemed necessary.

What kind of permitting requirements might be deemed necessary? Further explanation is needed.

C-P56 Require new sensitive uses proposed to be located within 500 feet of high volume traffic routes where daily vehicle counts exceed 100,000, to use an HVAC system with filtration to reduce/mitigate infiltration of vehicle emissions as warranted by exposure analysis.

Please clarify this item.

The BIA of the Delta appreciates the good working relationship between the development community and the City. We look forward to continuing this relationship and sharing in the prosperity of Lodi's future.

Thank you,


John R. Beckman
Chief Executive Officer

Comments to Planning Commission Regarding Draft General Plan and Draft EIR Water and Infrastructure

12/9/09

Jane Wagner-Tyack

145 South Rose Street, Lodi

1. Issues raised in 10/20/09 email to Mr. Bartlam

- The graphic on page 3-9 of the Draft General Plan is misleading because it minimizes the contribution of groundwater (well water) to Lodi's water supply. The graphic should show that we rely primarily on groundwater, that the time frame for recharge is quite long, and that the water does not necessarily become available in the future in the same place where it entered the ground originally. At a minimum, the title of the graphic should be changed.
- On page 3-10, right-hand column, third paragraph, the Draft General Plan says, "As the city grows, the available safe yield of the underlying groundwater will increase." This is a puzzling statement for which there appears to be no justification. At a minimum, the statement requires some explanation.

The Draft EIR actually addresses this by explaining (page 3.13-1) that the City will reduce its groundwater pumping from over 17,000 acre feet in 2008 "to a safe yield of approximately 15,000 acre-feet per year. This safe-yield estimate reflects an acreage-based relationship. Therefore, as the City's land area increases, the estimated safe yield of the underlying aquifer will likely increase."

Given the unpredictability of groundwater, this seems like a tenuous solution to Lodi's water supply needs. In addition, the connection between more city acreage and more access to groundwater constitutes a perverse incentive tending to encourage unsustainable urban growth and loss of agricultural land. As a policy, this should be discouraged.

- On page 3-17, the Draft General Plan says "Use of gray water or rainwater for non-potable uses may require installation of dual plumbing systems." Pages 3-33 – 3-34 (GM-P12) says "Support on-site gray water and rainwater harvesting systems for households and businesses" – I encourage the city to pursue these alternatives.

A careful reading of the Draft General Plan makes it clear that water supply and wastewater treatment options do not support projected growth. Rather than point out relevant sections in that draft, I have noted them below in comments on the Draft EIR.

2. Comments on the Draft EIR

- The correct formal name of the Delta is the Sacramento-San Joaquin Delta. The area is also correctly referred to as the San Francisco Bay-Delta Estuary.
- Camanche Reservoir is misspelled.
- This page refers to Figure 3.7-1 regarding Groundwater Basins, but the figure itself doesn't specifically identify groundwater sub-basins, only watersheds. The title of the graphic is "Regional Watersheds and Waterways." The identification of groundwater basins needs to be more clear.

In categories related to hydrology, water quality, and infrastructure, the Draft EIR identifies the impact of the General Plan as "less than significant" and reports that no mitigation is required, in some cases because "[the] impact would be mitigated by existing State and local regulations and proposed General Plan policies." This wording undoubtedly meets regulatory requirements, but I urge you to exercise common sense in addressing the spirit as well as the letter of the regulations with respect to water supply and wastewater treatment. Specifically:

- "Upon construction of the new surface water treatment plant, the City would have a long-term water supply of 27,000 acre feet per year available from its current safe yield of groundwater and the future surface water supplies." The Draft General Plan (page 3-10) assumes that even with a 15% reduction in residential demand due to the installation of water meters, "the total city-wide demand at reasonable development [would be about] 29,380 acre-feet per year." **That is a shortfall of 2,380 acre-feet per year under a best-case scenario for both supply and demand.**
- The Draft General Plan, (page 3-23) and the Draft EIR (3.13-20 and 21) list inadequacies in the City's wastewater facilities. The Sewer Outfall from the City to the WSWPCF does not have adequate capacity for the PWWF [peak wet weather flows] at reasonable development of the General Plan. The City is already aware that expansion of WSWPCF will be required in the near future, and a tertiary filtration facility is part of that plan.

Wastewater discharge by cities in the Delta region has come under increasing scrutiny, not just because it affects the quality of export water (which we might like to assume is not our problem) but because it adversely affects fish and other species and their habitat in the Delta and the Estuary. This is our problem. Although I don't know the details, I believe the California Sportfishing Protection Alliance has already challenged Lodi's treatment of some of its wastewater. **The City should be aware that pressure is increasing from the State for cities in the Delta region to treat their wastewater discharge to a very high level—likely higher than we have planned for.**

Recommendations

The City should aggressively pursue gray water systems, rainwater harvesting and cisterns, dry wells, and water recycling in addition to rigorous water conservation, including increased use of drought-tolerant landscaping by the City itself. The dual plumbing systems necessary for gray water and harvested rainwater use are allowed under this General Plan. The City should revisit the issue of the cost-effectiveness of delivering recycled water to potential demand locations. The existing Water Conservation Ordinance needs to be strictly enforced, and the City itself should be following the Ordinance. Efforts at public education need to be increased, with the City considering incentives as well as penalties with respect to wise water use.

The Draft EIR makes it clear that there is no lack of State regulations and local plans and ordinances addressing water issues, and General Plan policies require planning for water supply and availability before development takes place. Necessary infrastructure must be provided in a “timely” manner—but in practice, we know that budgetary constraints do not allow the City to meet this requirement in every case.

It is the job of city planners to take growth projections, however they are arrived at, and give decision-makers a plan that provides for that projected growth. It is possible to make assumptions and update demand and supply calculations in ways that support that projected growth. However, it falls to Lodi decision-makers to connect the dots in this General Plan without relying on optimistic assumptions or estimates. The Draft General Plan and Draft EIR clearly show that water availability and wastewater treatment place inescapable constraints on Lodi’s growth. I urge you to require a General Plan that acknowledges actual, realistic limits on water availability, wastewater treatment, and the City’s ability to provide necessary water infrastructure, allowing for growth only within those realistic limits.

The Final EIR requires responses to public comments. I look forward to seeing these comments addressed there.



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Authorize City Manager to Execute an Addendum to the 2008-2009 Memorandum of Understanding Between the City of Lodi and the Lodi City Mid-Management Association.

MEETING DATE: January 6, 2010

SUBMITTED BY: Human Resources Manager

RECOMMENDED ACTION: Authorize City Manager to execute an addendum to the 2008-2009 Memorandum of Understanding between the City of Lodi and the Lodi City Mid-Management Association.

BACKGROUND INFORMATION: This agreement modifies the existing Memorandum of Understanding (MOU) between the City and the Mid-Management Association. The current MOU is effective January 1, 2008 through December 31, 2009. Rather than renegotiate a new MOU, the City and the Mid-Management Association have reached a tentative agreement to extend the current MOU through December 31, 2010 with several minor modifications. Those modifications are detailed in Exhibit A and are consistent with direction previously provided in Closed Session.

There is no fiscal impact to this Addendum.

FISCAL IMPACT: None.

FUNDING AVAILABLE: N/A.

Respectfully submitted,

Jordan Ayers
Deputy City Manager/Internal Services Director

Dean Gualco
Human Resources Manager

APPROVED: _____
Blair King, City Manager

ADDENDUM TO THE LODI CITY MID-MANAGEMENT ASSOCIATION MOU

Whereas, the City of Lodi and the Lodi City Mid-Management Association are parties to a Memorandum of Understanding (MOU) that will be extended through December 31, 2010; and

Whereas, the parties desire to enter into this Addendum to modify the MOU; and

NOW, THEREFORE, BE IT RESOLVED the parties agree as follows:

Section	Amended Language
Salary and Term - 1.1	Add language: "In the event that any Bargaining Unit negotiates a new across the board salary increase during calendar year 2010, negotiations would reopen with the Mid-Management Bargaining Unit regarding salaries. This clause shall not apply to a restoration of previously waived salary rights."
Medical Insurance – 15.1	If an employee elects not to be covered by medical insurance through the City of Lodi, an additional \$692.81 per month for family or \$532.92 for employee + 1 dependent will be added to either the employee’s deferred compensation account or cash. A single employee who can show proof of group insurance will be eligible for this provision at one half (1/2) of the current amount. The dollar amount shall not increase during the term of the MOU. In order to qualify for this provision, proof of group insurance must be provided to the City.
Tuition Reimbursement - 21.1 (1) and 21.1 (2)	<p>Modify 21.1 (1) to increase maximum to \$3,000.</p> <p>Eliminate paragraph stating, “The maximum amount reimbursed is based on fees for two courses of study at California State University Sacramento.”</p> <p>Add language to state: “Reimbursement subject to a grade of “C” or higher. No pass/fail course grades will be accepted. College must be accredited from one of the eight regional accredited associations below:</p> <ul style="list-style-type: none"> ▪ Middle States Association of Colleges and Schools, Commission on Higher Education ▪ New England Association of Schools and Colleges, Commission on Institutions of Higher Education ▪ New England Association of Schools and Colleges, Commission on Technical and Career Institutions ▪ North Central Association of Colleges and Schools, The Higher Learning Commission ▪ Northwest Commission on Colleges and Universities ▪ Southern Association of Colleges and Schools, Commission on Colleges

	<ul style="list-style-type: none">▪ Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges▪ Western Association of Schools and Colleges, Accrediting Commission for Senior Colleges and Universities
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This Addendum shall not become effective until approved by the Lodi City Council.

CITY OF LODI,

Mid-Managers Association

Blair King, City Manager

BY _____
Curt Juran, President

Dean Gualco, Human Resources Manager

ATTEST:

RANDI JOHL, J.D., City Clerk

D. STEPHEN SCHWABAUER, City Attorney



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Approve Legal Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$1,435.44).

MEETING DATE: January 6, 2010

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: Approve Legal Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$1,435.44).

BACKGROUND INFORMATION: Listed below is an invoice for services incurred relative to the Environmental Litigation that is currently outstanding and needs to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

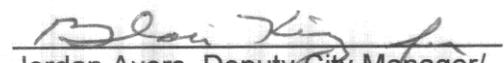
Matter No.	Invoice No.	Date	Description	Water Acct.
8002	118365	November-09	People v. M&P	\$1,435.44

FISCAL IMPACT: This expense will be paid out of the Water Fund.

FUNDING AVAILABLE: 184010.7323 - \$1,435.44


D. Stephen Schwabauer
City Attorney

Approved:


Jordan Ayers, Deputy City Manager/
Internal Services Director

APPROVED: 
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Reorganization of the Following Agencies for the Purpose of Electing New Officers:

- Lodi Public Improvement Corporation
- Industrial Development Authority
- Lodi Financing Corporation
- City of Lodi Redevelopment Agency

MEETING DATE: January 6, 2010

PREPARED BY: City Clerk

RECOMMENDED ACTION: Conduct meetings of the following agencies for the purpose of electing new officers and adopt resolutions certifying the same.

- Lodi Public Improvement Corporation
- Industrial Development Authority
- Lodi Financing Corporation
- City of Lodi Redevelopment Agency

BACKGROUND INFORMATION: In light of the City Council reorganization, it is necessary to appoint new officers to the above listed agencies.

The City Council will appoint the newly elected Mayor and Mayor Pro Tempore as determined in the Council's reorganization to serve as the officers for each of these agencies for calendar year 2010.

There is no other business to come before the agencies at this meeting.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk/Secretary

RJ/JMR

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. LPIC2010-01

A RESOLUTION ELECTING OFFICERS OF THE
LODI PUBLIC IMPROVEMENT CORPORATION

WHEREAS, under the organizational procedures of the Lodi Public Improvement Corporation, an annual meeting of Directors shall be held and officers elected.

NOW, THEREFORE, BE IT RESOLVED by the Directors of the Lodi Public Improvement Corporation that the following persons are elected to the offices set forth opposite their names below as officers of the Corporation, to serve until the election and qualification of their successors as provided in Article III, Section 2, of the bylaws of the Corporation:

<u>Name</u>	<u>Title</u>
Phil Katzakian	President
Susan Hitchcock	Vice President
Jordan V. Ayers	Treasurer
Randi Johl	Secretary

Dated: January 6, 2010

I hereby certify that Resolution No. LPIC2010-01 was passed and adopted by the Board of Directors of the Lodi Public Improvement Corporation in a regular meeting held January 6, 2010, by the following vote:

- AYES: DIRECTORS –
- NOES: DIRECTORS –
- ABSENT: DIRECTORS –
- ABSTAIN: DIRECTORS –

RANDI JOHL
Secretary

RESOLUTION NO. IDA-31

A RESOLUTION OF THE INDUSTRIAL
DEVELOPMENT AUTHORITY AMENDING
RESOLUTION NO. IDA-30 BY ELECTING
NEW OFFICERS

=====

RESOLVED by the Industrial Development Authority that Industrial Development Authority Resolution No. IDA-30 is hereby amended by electing new officers, as follows:

SECTION 1: There shall be appointed from the Board of Directors a Chairperson and Vice Chairperson as follows:

Chairperson: Phil Katzakian

Vice Chairperson: Susan Hitchcock

SECTION 2: There shall be appointed from the staff to the Authority, a Secretary and Treasurer, as follows:

Secretary: Randi Johl

Treasurer: Jordan V. Ayers

SECTION 3: This Resolution shall take effect immediately upon its passage.

=====

Approved and adopted January 6, 2010, by the following vote:

AYES: AUTHORIZING MEMBERS –

NOES: AUTHORIZING MEMBERS –

ABSENT: AUTHORIZING MEMBERS –

ABSTAIN: AUTHORIZING MEMBERS –

PHIL KATZAKIAN
Chairperson, Industrial Development
Authority, City of Lodi, California

Attest:

RANDI JOHL, Secretary
Industrial Development Authority,
City of Lodi, California

RESOLUTION NO. LFC-19

A RESOLUTION ELECTING OFFICERS OF THE
LODI FINANCING CORPORATION

=====

WHEREAS, under the organizational procedures of the Lodi Financing Corporation, an annual meeting of Directors shall be held and officers elected.

NOW, THEREFORE, BE IT RESOLVED by the Directors of the Lodi Financing Corporation that the following persons are elected to the offices set forth opposite their names below as officers of the Corporation, to serve until the election and qualification of their successors as provided in Article III, Section 303, of the bylaws of the Corporation:

<u>Name</u>	<u>Title</u>
Phil Katzakian	President
Susan Hitchcock	Vice President
Jordan V. Ayers	Treasurer
Randi Johl	Secretary

Dated: January 6, 2010

=====

I hereby certify that Resolution No. LFC-19 was passed and adopted by the Board of Directors of the Lodi Financing Corporation in a regular meeting held January 6, 2010, by the following vote:

AYES: DIRECTORS –
NOES: DIRECTORS –
ABSENT: DIRECTORS –
ABSTAIN: DIRECTORS –

RANDI JOHL
Secretary

RESOLUTION NO. RDA2010-01

A RESOLUTION OF THE REDEVELOPMENT AGENCY
OF THE CITY OF LODI ELECTING OFFICERS OF SAID
AGENCY AND WAIVING COMPENSATION FOR THE
JANUARY 6, 2010, MEETING

WHEREAS, under the organizational procedures of the Redevelopment Agency of the City of Lodi, an annual meeting of Members shall be held and officers elected.

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF LODI DOES HEREBY RESOLVE that the following persons are elected to the offices set forth opposite their names below as officers of the Agency, to serve until the election and qualification of their successors as provided in Article II of the bylaws of the Agency:

<u>Name</u>	<u>Title</u>
Phil Katzakian	Chairperson
Susan Hitchcock	Vice Chairperson
Blair King	Executive Director
Randi Johl	Secretary
Jordan V. Ayers	Finance Director
D. Stephen Schwabauer	General Counsel

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF LODI DOES FURTHER RESOLVE that the members of the Agency have waived the entitled compensation for the January 6, 2010, meeting.

Dated: January 6, 2010

I hereby certify that Resolution No. RDA2010-01 was passed and adopted by the Members of the Redevelopment Agency of the City of Lodi in a regular meeting held January 6, 2010, by the following vote:

AYES: MEMBERS –
NOES: MEMBERS –
ABSENT: MEMBERS –
ABSTAIN: MEMBERS –

PHIL KATZAKIAN
Chairperson, City of Lodi
Redevelopment Agency

Attest:

RANDI JOHL
Secretary, City of Lodi Redevelopment Agency