



LODI CITY COUNCIL
Carnegie Forum
305 West Pine Street, Lodi

AGENDA – SPECIAL MEETING

Date: January 20, 2015

Time: 7:00 a.m.

For information regarding this agenda please contact:

Jennifer M. Robison
City Clerk
Telephone: (209) 333-6702

Special City Council Meeting

A. Roll call by City Clerk

B. Regular Calendar

B-1 Set Public Hearing for February 18, 2015, to Consider and Approve an Amendment of the 2014-15 Annual Action Plan (CD)

B-2 Appointments to the Lodi Arts Commission, Personnel Board of Review, and Recreation Commission and Re-Post for Remaining Vacancy on the Lodi Senior Citizen Commission (CLK)

B-3 Park Ordinance Update (PRCS)

C. Comments by public on non-agenda items

D. Adjournment

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

Jennifer M. Robison
City Clerk

All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 72 hours prior to the meeting date. Language interpreter requests must be received at least 72 hours in advance of the meeting to help ensure availability. Contact Jennifer M. Robison at (209) 333-6702. Solicitudes de interpretación de idiomas deben ser recibidas por lo menos con 72 horas de anticipación a la reunión para ayudar a asegurar la disponibilidad. Llame a Jennifer M. Robison (209) 333-6702.



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Set Public Hearing for February 18, 2015, to Consider and Approve an Amendment of the 2014-15 Annual Action Plan

MEETING DATE: January 20, 2015

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Set a public hearing for February 18, 2015, to consider and approve an amendment of the 2014-15 Annual Action Plan.

BACKGROUND INFORMATION: A public hearing is required as part of the federal requirements of the Community Development Block Grant (CDBG) program whenever there is a “substantial” amendment that meets one or more of the following criteria:

- A change in the use of CDBG funding, of more than 15 percent of the total grant amount, from one activity to another (i.e., “reprogramming” of CDBG funds);
- Funding of an activity type not described in the Annual Action Plan;
- Changing the priorities contained in the Five-Year Strategic Plan of the Consolidated Plan;
- Increasing or reducing the amount allocated to an activity by more than 25 percent, except when the activity must be dropped due to circumstances beyond the City’s control (e.g., a subrecipient elects not to do an activity);
- A change in the purpose, location, scope, or beneficiaries of an activity:

The proposed reallocations of funding identified in the amendment of the 2014-15 Annual Action Plan represent the creation of a new activity not in the 2014-15 Annual Action Plan in one instance, and an increase of more than 25 percent of the project allocation in the other.

A draft of the Action Plan Amendment will be released on January 20, 2015 and will be available for public review and comment through February 18, 2015. The following is a summary of the proposed reallocations:

- Reallocate \$42,000 from Graffiti Abatement to a new public service activity: Lodi Gang Reduction Intervention Prevention (LodiGRIP) Program. This will provide most of the additional funding necessary to create one full-time Youth Outreach Worker position for the remainder of the Fiscal Year, from the two part-time positions that are currently funded from the General Fund.
- Reallocate a total of \$33,636.75 from the Hutchins Street Square - South Entrance ADA Project that has been completed, and a small balance of unallocated funds to the Hutchins Street Square – North Entrance ADA Project.

APPROVED: _____
Stephen Schwabauer, City Manager

FISCAL IMPACT:

The amendment of the 2014-15 Annual Action Plan document is being completed as an administrative activity that is funded through the City's CDBG administrative allocation from HUD.

FUNDING AVAILABLE:

Not applicable.

Stephen Schwabauer
Community Development Director

SS/jw

2014-15

Community Development Block Grant

**Annual Action Plan
Amendment #2**

DRAFT

January 20, 2015



I. INTRODUCTION

The 2014-15 Action Plan is a one-year plan to address housing and community development needs in the City of Lodi, with a particular focus on the needs of low-income households. This is the first year of the implementation of the five-year Consolidated Plan. Both the Consolidated Plan and the Action Plan are implemented by the Neighborhood Services Division in the Community Development Department.

The 2014-15 Annual Action Plan was adopted on May 7, 2014, and approved by the US Department of Housing and Urban Development in July 2014. The plan was first amended on September 3, 2014. This proposed amendment is the second.

At mid-year, the City has identified funds that are available to re-program. The City also wishes to re-program funds from a previously identified use to a new use.

Funding available to re-program is from a single project that was completed and did not require all the funds allocated. The City also identified a small amount of un-allocated funds in the CDBG line of credit. The total amount available to re-program is \$33,637.

The City is proposing to re-allocate \$42,000 from the City's graffiti abatement program to the City's "GRIP" gang intervention program.

Questions regarding this Action Plan amendment should be directed to:

Joseph Wood
CDBG Program Administrator
City of Lodi
221 W. Pine Street, PO Box 3006
Lodi, CA 95241-1910
209-333-6800 x2467

The Action Plan amendment was made available for public review during a 30-day public comment period from January 20, 2015 to February 18, 2015. A public notice announcing its availability was published in the *Lodi News-Sentinel* on January 20, 2015. A public hearing on the Amendment will be held on February 18, 2015, at the Lodi City Council meeting.

II. REALLOCATED FUNDS

The following projects and services are being considered for reallocation to new or existing projects:

Project Number	Project/Public Service Name	Balance for Transfer
13.03	HSS South Entrance ADA	\$33,556.33
14.15	Graffiti Abatement	\$42,000.00
	Line of Credit Balance	\$80.42
Total available for re-allocation		\$75,636.75

III. ACTIVITY CHANGES

The City has identified an existing project and a new program to which it will commit the reallocated CDBG funding to. In order to commit funding to existing activities, or to create new activities, the City must amend the 2014-15 Annual Action Plan.

A description of the activity and proposed funding reallocation follows:

PUBLIC FACILITIES

Hutchins Street Square – North Entrance ADA – Phase I,

Parks, Recreation & Cultural Services

Improvements necessary to remove barriers to accessibility by permanently disabled persons by providing accessible paths of travel into and within an existing facility.

Output: One public facility improvement completed.

Outcome Category: Accessibility for the purpose of creating suitable living environments.

National Objective: 570.208(a)(2)(ii) Low-Moderate Income, Limited Clientele – removal of architectural barriers to the mobility or accessibility of elderly persons or of “severely disabled” adults.

Eligible Activity: 570.201(c) Public Facility Improvements

Priority Needs: Public Services (High)

Goals Addressed: Construct or Upgrade Public Facilities

Funding: \$113,020 – 2014-15 CDBG
\$33,636.75 – re-allocated CDBG
\$146,656.75 – NEW TOTAL

PUBLIC SERVICES

Lodi “GRIP” gang intervention program
Community Development Department

Program Description:

Output:

Outcome Category:

National Objective: 570.208(a)(2)(i) Low-Moderate Income, Limited Clientele

Eligible Activity: 570.201(e) Public Services

Priority Needs: Public Services (High)

Goals Addressed: Build Capacity and Leadership; Access to Social Services; Address Blight and Nuisance

New Funding: \$42,000



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Appointments to the Lodi Arts Commission, Personnel Board of Review, and Recreation Commission and Re-Post for Remaining Vacancy on the Lodi Senior Citizen Commission
MEETING DATE: January 20, 2015
PREPARED BY: City Clerk

RECOMMENDED ACTION: Concur with the Mayor’s recommended appointments to the Lodi Arts Commission, Personnel Board of Review, and Recreation Commission and further direct the City Clerk to re-post for the remaining vacancy on the Lodi Senior Citizen Commission.

BACKGROUND INFORMATION: On various dates, the City Council directed the City Clerk to post for vacancies on various boards and commissions. The Mayor reviewed the applications, conducted interviews, and recommends that the City Council concur with the following appointments and further recommends that the remaining vacancy (detailed below) be posted with the term to remain open until filled.

APPOINTMENTS

Lodi Arts Commission

Mary Finley Term to expire July 1, 2017

NOTE: One applicant (one application on file); posting ordered 11/19/14; application deadline 12/22/14

Personnel Board of Review

James Sheeran Term to expire January 1, 2018

John Stroh Term to expire January 1, 2018

NOTE: Three applicants (one application seeking reappointment, two new applications); posting ordered 10/15/14 and 12/3/14; application deadline 1/5/15

Recreation Commission

Michael Carouba Term to expire December 31, 2018

Mark Hamilton Term to expire December 31, 2018

Jeff Palmquist Term to expire December 31, 2018

NOTE: 13 applicants (one application seeking reappointment, 12 new applications); posting ordered 10/15/14 and 12/3/14; application deadline 1/5/15

POSTING:

Lodi Senior Citizen Commission

One Vacancy Term to expire December 31, 2018

Government Code Section 54970 et seq. requires that the City Clerk post for vacancies to allow citizens interested in serving to submit an application.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

Jennifer M. Robison
City Clerk

JMR/PMF

APPROVED: _____
Steve Schwabauer, City Manager



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Park Ordinance Update

MEETING DATE: January 20, 2015

PREPARED BY: Parks, Recreation and Cultural Services Director

RECOMMENDED ACTION: Receive park ordinance update.

BACKGROUND INFORMATION: The Parks and Recreation Commission has spent more than a year crafting proposed changes to the Lodi Municipal Code to address the changing way the City's recreation facilities are used and protect the public's investment.

Most of the Commission's recommended changes can be grouped into four categories:

- Commercial use of parks
- Large group use of parks
- Park smoking ban
- Updates required due to the previous merger of the Parks and Recreation and Hutchins Street Square departments

The existing park ordinances are inadequate and outdated. This project began after staff received complaints from the public about types of uses in parks and staff's observations of businesses using public resources for private profit.

The Parks and Recreation Commission held eight regular meetings between November 2013 and December 2014 to discuss these various changes and had a joint meeting with the City Council during during the July 29, 2014 shirtsleeve session. In addition, staff has met with various stakeholders to consider their viewpoints in this process.

Most of the major ordinance changes are designed to protect public property from overuse and disproportionate use, reduce conflicts between users, prevent business from transferring risk and overhead to the City's taxpayers, and reduce litter and protect public health.

In summary, the proposed ordinance will require businesses, large groups and organizers of advertised activities to obtain permits and, in some cases, obtain insurance before using City parks. It also would ban smoking in City parks (see attached letters of support). Further details of the proposed changes will be presented to the Council.

Jeff Hood
Parks, Recreation & Cultural Services Director

APPROVED: _____
Stephen Schwabauer, City Manager



**SMOKING & TOBACCO OUTREACH/PREVENTION Program
(STOPP)**

Community Coalition

RECEIVED

1601 E Hazelton Avenue • Stockton, CA 95205

DEC 03 2014

PARKS & RECREATION

**Agency and Organization
Member Representatives**

November 25th, 2014

American Cancer Society

Jeff Hoods
City of Lodi
Parks, Recreation and Cultural Services
125 N. Stockton St,
Lodi 95240

American Lung Association

California Tribal TANF Partnership

Dear Mr. Hood,

Community Medical Centers

The San Joaquin County Smoking & Tobacco Outreach/Prevention Program (STOPP) Community Coalition supports the adoption of a city-wide policy for smoke-free parks in Lodi.

Evergreen Professional Hypnotherapy
Center

The STOPP Coalition has been advocating for community health since 1999 and is dedicated to reducing tobacco use and secondhand smoke exposure in San Joaquin County. This is achieved through partnerships with local community-based organizations, health care agencies, educators and tobacco control advocates. The STOPP Coalition also leads projects that positively impact social and cultural norms related to tobacco use, especially among youth, in San Joaquin County.

Health Plan of San Joaquin

Housing Authority of the County of
San Joaquin

Manteca Unified School District

Smoking remains the leading cause of preventable death in the United States. In addition to its link with lung cancer and Chronic Obstructive Pulmonary Disease (COPD), smoking is associated with various chronic conditions, such as stroke, high blood pressure and other cancers. Each year, San Joaquin County spends over \$395,000 in direct and indirect health care costs related to smoking.

Point Break Adolescent Services

San Joaquin County Behavioral
Health-Prevention Services

Studies have proven that there is no safe level of second hand smoke. Lodi residents deserve to live in a healthy, smoke-free community. As community leaders, it is crucial to examine closely the potential dangers and adverse health effects smoking can have, and to provide the necessary protection. Prohibiting smoking and discarding tobacco-related waste in Lodi parks through the placement of *NO SMOKING* signs will send a strong message to the community that

San Joaquin County Office of
Education

San Joaquin County Public Health
Services

(Continued)

Stockton Unified School District

U.S. Department of Health & Human
Services Office on Women's Health

Jeff Hoods
City of Lodi
Parks, Recreation and Cultural Services
November 25th, 2014
Page 2

the health of its members, especially children, is a top priority.

The STOPP Coalition commends the Lodi Parks, Recreation and Cultural Services for taking a stand in advancing awareness of smoke-free parks. Passage of this policy would put the city at the forefront of San Joaquin County cities to strive for a smoke free community.

As a strong voice for health in the City of Lodi and throughout San Joaquin County, we stand united in our support of promoting smoke-free parks.

Sincerely,



Daniel Torres
STOPP Coalition Co-Chairperson
Point Break Adolescent Resource



Frank Lucas
STOPP Coalition Co-Chairperson
Evergreen Professional
Hypnotherapy and Personal
Improvement Center



November 25, 2014

Mr. Jeff Palmquist
Lodi Parks & Recreation Services Commission
125 N. Stockton Street
Lodi, CA 95240

Dear Chairman Palmquist and Members of the Commission:

The American Cancer Society Cancer Action Network is committed to protecting the health and well-being of the citizens of Lodi, and we applaud the effort to create a smoke-free parks policy that will help to protect the citizens of your city from exposure to secondhand smoke. Lodi has a proud place in history in indoor smoke-free protections, and you now have the opportunity to protect a new generation of residents from exposure to smoke in parks and recreational areas.

We encourage you to draft and pass an ordinance that will protect Lodi residents, while promoting health and fitness, in all of the places residents play, exercise and recreate. We support the prohibition of smoking, including the use of electronic smoking devices, in all public recreational areas, including parks, picnic areas, playgrounds, athletic fields, golf courses, hiking or walking paths, bike or riding trails, gardens, swimming pools, skating rinks and skateboard parks, and beaches. We also encourage you to extend these protections to sidewalks and streets adjacent to all protected areas.

Smoking is the leading cause of preventable death in both men and women. Lung cancer kills nearly 13,000 Californians each year, and overall, one out of every three cancer deaths is due to tobacco. The U.S. Surgeon General has declared that there is "no risk-free level of exposure to secondhand smoke. Breathing even a little secondhand smoke can be harmful to your health." Even brief exposure to secondhand smoke has immediate adverse health effects in adults and children. Each year, over 3,400 non-smoking adults in the United States will die of lung cancer as a result of breathing secondhand smoke.

The American Cancer Society Cancer Action Network encourages the creation and passage of a smoke-free parks and recreation ordinance for the protection of all residents of Lodi from exposure to secondhand smoke in the places they visit to promote health and fitness.

Sincerely,

Cassie Ray
Government Relations Director, Northern California
American Cancer Society Cancer Action Network

American Cancer Society Cancer Action Network
980 9th Street, Suite 2200 ■ Sacramento, CA 95814 ■ 707.290.0003

Park Ordinance Update

City Council
January 20, 2015

Commercial use

- Require permits
- Protect taxpayers from unfair burden

Athletic/Large groups

- Require permits
- Prevent conflicts between users
- "Fair share" concept

Smoking ban

- Litter problem
- Public health issues

Other changes

- Outdated terms
- No heavy equipment in parks
- Only tennis activities on tennis courts

Park ordinance update

Outreach recap

- Rec Commission eight meetings
- One joint meeting
- Meetings with businesses, stakeholders
- Various emails, phone calls
- Newspaper articles, op-ed
- PRCS blog

Park Permits

Commercial

- Businesses must pay to use parks
- Obtain insurance indemnifying City
- May operate only in specified areas
- One business in a park at a time
- Collect damage deposit
- Tier-based fee
- No using park equipment for exercise
- Only concessionaires allowed to conduct business activity at Lodi Lake Park
- No commercial activity in parks on weekends
- Exceptions for photographers, rental-affiliated activities

Park Permits

- Park Use Permit fees, Commercial

	1-10 participants	11-24 participants	25-50 participants	Deposit	Application fee
Paved areas	\$100	\$150	\$200	\$50	\$25
Turf Tier 1	\$150	\$250	\$500	\$200	\$25
Turf Tier 2	\$150	\$350	\$750	\$250	\$25

- Participation rate for 80% of activities

- Lodi Lake Park

- Only concessionaires, no competing businesses

Park Permits



Park Permits

Large group

- Groups of 25 or more
- Any event advertised to the general public
- Fee based on rental rates
- May apply for fee waiver or reduction

Park Permits

Athletic Field

- Required for designated parks
- Required for teams
- Pick-up events exempt
- Fee of \$10-\$25/hour
- Priority for Lodi groups
- BOBS/Rec groups exempt

Park Permits

Athletic Field Permit proposed hourly rates

Resident youth teams	\$10
Nonresident youth teams	\$20
Resident adult teams	\$20
Nonresident adult teams	\$25
Deposit	\$100 single use/\$200 multiple
Application fee	\$100 for multiple dates

Application rules

4 p.m.-sunset weekdays, 2-hour blocks on weekends/holiday

Resident applications accepted in January for March 1-August 15

Resident applications accepted July 1 for August 15-November 30

Nonresidents submit one week later

Park Permits

Cigarettes
source of

- Toxic second-hand smoke
- Large amount of park litter

Growing
movement

- Nearly 1,000 agencies nationally
- At least 166 CA cities/counties
- 30 in 2013

No Smoking in parks

Lodi's history

- Lodi once at forefront of public smoking bans
- First city in U.S. to ban smoking in bars, restaurants (1990)
- Ordinance upheld by voters in November 1990
- State ban followed in 1995

No Smoking in parks

Health "grades"

- American Lung Association
- All 7 SJC cities "F"
- No SJC city with park smoking ban

No Smoking in parks

Why ban smoking?

- Second-hand smoke bad for everyone
- Litter bad for environment
- 87% of California residents are non-smokers
- Parks become safe haven for pot smokers
- Smoking not conducive with outdoor recreation, health, leisure

No Smoking in parks

Enforcement

- California Clean Air Project report
 - Largely self-regulating
 - “Public demand and expectation have made enforcement a non-issue”

No Smoking in parks

Other changes

- No fitness equipment over 25 pounds
- Limit tennis courts to tennis or related activities
- Redefines properties as "Recreational Areas"
- Cleanup language to reflect unified P&R/HSS
- Adds consistency to penalties

Park Permits

Next steps

- Feedback
- Feb. 3: Ask P&R Commission for final fee recommendations
- Feb. 4: Introduce ordinance
- Feb. 18: Adopt ordinance, fees
- March 20: Ordinance in effect

Park ordinance update