



# LODI CITY COUNCIL

Carnegie Forum  
305 West Pine Street, Lodi

## AGENDA – REGULAR MEETING

Date: June 15, 2011

Time: Closed Session 6:00 p.m.  
Regular Meeting 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/Calls may be offered by any of the various religious and non-religious organizations within and around the City of Lodi. These are voluntary offerings of private citizens, to and for the benefit of the Council. The views or beliefs expressed by the Speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the beliefs or views of any speaker.

***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**

**C-2 Announcement of Closed Session**

- a) Conference with Stephen Schwabauer, City Attorney (Labor Negotiator), Regarding Lodi Police Officers Association and Lodi Police Dispatchers Association Pursuant to Government Code §54957.6
- b) Pursuant to Government Code §54956.9(c); One Potential Case; Conference with Legal Counsel – Initiation of Litigation: City of Lodi v. Lodi Police Officers' Association Regarding 2007-2011 Memorandum of Understanding; and Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Lodi Police Officers' Association Against City of Lodi Based on Concession Agreements

**C-3 Adjourn to Closed Session**

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

**C-4 Return to Open Session / Disclosure of Action**

**A. Call to Order / Roll Call**

**B. Presentations**

- B-1 Recreation and Parks Month Proclamation (PRCS)
- B-2 2011 National Dump the Pump Day Proclamation (PW)

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

- C-1 Receive Register of Claims in the Amount of \$2,317,350.25 (FIN)
- C-2 Approve Minutes (CLK)
  - a) May 31, 2011 (Shirtsleeve Session)
  - b) June 1, 2011 (Regular Meeting)
  - c) June 7, 2011 (Shirtsleeve Session)
- C-3 Approve Specifications and Authorize Advertisement for Bids for Elevator Services for City of Lodi Facilities (PW)
- C-4 Approve Specifications and Authorize Advertisement for Bids for 500 Tons of Asphalt Materials for Fiscal Year 2011/12 (PW)

- Res. C-5 Adopt Resolution Approving Purchase of Transit Fare Collection Equipment from GFI GenFare, of Elk Grove Village, IL (\$81,264), and Appropriating Funds (\$4,800) (PW)
- Res. C-6 Adopt Resolution Authorizing the City Manager to Execute Contract and to Negotiate and Execute Contract Extensions for Tree Trimming for Fiscal Year 2011/12 with West Coast Arborists, Inc., of Anaheim (\$27,525) (PW)
- Res. C-7 Adopt Resolution Authorizing the City Manager to Execute Contract for Curb, Gutter, and Sidewalk Replacement for Fiscal Year 2011/12 with Jeff Case Construction Company, of Galt (\$86,675) (PW)
- Res. C-8 Adopt Resolution Authorizing the City Manager to Execute Task Order No. 3 with RMC Water and Environment, of Walnut Creek, for Water Meter Planning, Design, and Program Management for Nonresidential and Multi-Family Parcels (\$596,936) and Appropriating Funds (\$650,000) (PW)
- Res. C-9 Adopt Resolution Authorizing the City Manager to Execute Contract Change Order with Knife River Construction, Inc., of Stockton, for Additional Work Related to the Water Meter Program Phase 1 Project (\$226,885) and Appropriating Funds (\$230,000) (PW)
- C-10 Accept Improvements Under Contract for Municipal Service Center Compressed Natural Gas Upgrade of Compressor No. 1 Control Panel (PW)
- Res. C-11 Adopt Resolution Authorizing the City Manager to Execute Federal Safe Routes to School Grant Application (PW)
- Res. C-12 Adopt Resolution Authorizing the Expenditure of Art in Public Places (AiPP) Funds for the Design and Printing of an AiPP Brochure and Appropriating Funds (\$793.78) (PRCS)
- C-13 Approve Budget Year 2011/12 Concession Agreement with Lodi Police Dispatchers Association (CA)
- C-14 Approve Addendum to Lodi Police Mid-Management Organization's Memorandum of Understanding, Extending the Term Three Months from October 2011 to December 31, 2011 (CA)
- C-15 Receive Report Regarding League of California Cities Communications Pertaining to Assembly Bills 455 (Campos) and 1087 (Brownley) (CLK)
- C-16 Set Public Hearing for July 20, 2011, to Consider Resolution Approving Harney Lane Specific Plan Report and Certifying Harney Lane Specific Plan Negative Declaration as Adequate Environmental Documentation for Harney Lane Specific Plan (PW)

**D. Comments by the Public on Non-Agenda Items**

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

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.

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

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

**G. Public Hearings**

- Res. G-1 Public Hearing to Consider Resolution Adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2011/12, and Ordering the Levy and Collection of Assessments (PW)

**H. Communications**

- H-1 Appointments to the Greater Lodi Area Youth Commission ~ Student Appointees and Lodi Arts Commission and Re-Post for Remaining Vacancies on Both Commissions (CLK)
- H-2 Monthly Protocol Account Report (CLK)

**I. Regular Calendar**

- Res. I-1 Adopt Resolution Approving the Program Guidelines for the Revised First Time Home Buyer Program (CD)
- I-2 Consider Budget Year 2011/12 Concession Proposal from Lodi Police Officers Association (CA)

**J. Ordinances – None**

**K. 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.

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Randi Johl  
City Clerk



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Recreation and Parks Month – July 2011  
**MEETING DATE:** June 15, 2011  
**PREPARED BY:** Parks, Recreation and Cultural Services Director

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**RECOMMENDED ACTION:** Mayor Johnson to present a proclamation proclaiming July as “Recreation and Parks Month.”

**BACKGROUND INFORMATION:** The month of July has been designated by the National Recreation and Park Association as Recreation and Parks Month. As the City celebrates this observance, it also recognizes the vital contributions of employees and volunteers in our parks and recreation facilities. These dedicated supporters keep our parks clean and safe for visitors, organize youth activities, provide educational programming on nature, fitness, first aid, advocate for more open space, and fund raise for local improvements.

Public parks and recreation systems are dedicated to enhancing the quality of life for millions of residents in communities around the world through recreation programming, leisure activities and conservation efforts.

Parks, recreation activities and leisure experiences provide opportunities for young people to live, grow and develop into contributing members of our society; create lifelines and continuous life experiences for older members of the community; generate opportunities for people to come together and experience a sense of community; and pay dividends to communities by attracting business and jobs and increasing housing values.

These employees and volunteers ensure that our parks and recreation facilities are safe and accessible places for all citizens to enjoy and the City of Lodi is honored to join in the observance of their contributions.

**FISCAL IMPACT:** None.

**FUNDING:** None required.

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James M. Rodems  
Parks, Recreation and Cultural Services Director

cc: City Attorney

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APPROVED: \_\_\_\_\_  
Konradt Bartlam, City Manager



# **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Presentation of Proclamation Proclaiming June 16, 2011, as “2011 National Dump the Pump Day” in Lodi

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

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**RECOMMENDED ACTION:** Presentation of proclamation proclaiming June 16, 2011, as “2011 National Dump the Pump Day” in Lodi.

**BACKGROUND INFORMATION:** The sixth annual National Dump the Pump Day is a day encouraging people to ride public transportation to save money, protect the environment, reduce our dependence on foreign oil, and improve the quality of life for all Americans. This is the first year the City of Lodi Transit has participated in the Dump the Pump Day campaign. On Thursday, June 16, 2011, City of Lodi Transit is offering free rides on the fixed routes, and the City’s transit contractor, MV Transportation, Inc., will be donating raffle prizes (transit passes).

The National Dump the Pump Day campaign provided the following statistics:

- People who ride public transportation can save, on average, more than \$10,000 per year, based on today’s gas prices, the cost of owning a car and the average unreserved parking rate.
- U.S. public transportation use reduces the country’s carbon footprint by 37 million metric tons – the equivalent of 4.9 million households using electricity in a year.
- U.S. public transportation use saves 4.2 billion gallons of gasoline per year – the equivalent of 900,000 cars filling up every day.
- Public transportation use in 439 urban areas in the United States saved 785 million hours in travel time and 640 million gallons of fuel in 2009, and, without public transportation, congestion costs would have risen by nearly \$19 billion.

A representative from the City of Lodi Transit Division and MV Transportation, Inc., will be present to accept the proclamation.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

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F. Wally Sandelin  
Public Works Director

Prepared by Paula Fernandez, Transportation Manager/Senior Traffic Engineer

FWS/PJF/pmf

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**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager



**CITY OF LODI  
COUNCIL COMMUNICATION**

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**AGENDA TITLE:** Receive Register of Claims through May 26, 2011 in the Total Amount of \$2,317,350.25

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Financial Services Manager

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**RECOMMENDED ACTION:** Receive the attached Register of Claims for \$2,317,350.25.

**BACKGROUND INFORMATION:** Attached is the Register of Claims in the amount of \$2,317,350.25 through 5/26/11. Also attached is Payroll in the amount of \$1,249,578.17.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** As per attached report.

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Ruby R. Paiste, Financial Services Manager

RRP/rp

Attachments

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**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager

Accounts Payable  
Council Report

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Date - 05/26/11

As of Thursday	Fund	Name	Amount
05/26/11	00100	General Fund	560,219.79
	00120	Vehicle Replacement Fund	16,508.00
	00123	Info Systems Replacement Fund	147.94
	00160	Electric Utility Fund	78,859.78
	00161	Utility Outlay Reserve Fund	54.38
	00164	Public Benefits Fund	8,178.49
	00166	Solar Surcharge Fund	15,333.75
	00170	Waste Water Utility Fund	20,913.06
	00171	Waste Wtr Util-Capital Outlay	1,560.00
	00172	Waste Water Capital Reserve	204,489.98
	00173	IMF Wastewater Facilities	25,551.98
	00180	Water Utility Fund	20,138.07
	00181	Water Utility-Capital Outlay	854,433.45
	00182	IMF Water Facilities	51,490.63
	00210	Library Fund	2,939.61
	00230	Asset Seizure Fund	610.00
	00234	Local Law Enforce Block Grant	1,640.33
	00260	Internal Service/Equip Maint	34,768.19
	00270	Employee Benefits	88,656.56
	00300	General Liabilities	785.30
	00310	Worker's Comp Insurance	9,708.33
	00320	Street Fund	4,563.13
	00321	Gas Tax-2105,2106,2107	27,305.40
	00325	Measure K Funds	16,082.44
	00326	IMF Storm Facilities	692.04-
	00332	IMF(Regional) Streets	117,002.55
	00338	IMF-Regional Transportation	780.00
	00340	Comm Dev Special Rev Fund	3,622.40
	00345	Community Center	2,803.74
	00346	Recreation Fund	5,501.76
	00447	First Time Homebuyers-FTHB	51.65
	00459	H U D	840.00
	00502	L&L Dist Z1-Almond Estates	449.54
	00503	L&L Dist Z2-Century Meadows I	283.92
	00506	L&L Dist Z5-Legacy I,II,Kirst	757.12
	00507	L&L Dist Z6-The Villas	638.82
	00509	L&L Dist Z8-Vintage Oaks	236.60
	01211	Capital Outlay/General Fund	1,323.49
	01212	Parks & Rec Capital	76.13
	01217	IMF Parks & Rec Facilities	8,519.21
	01250	Dial-a-Ride/Transportation	22,745.45
	01410	Expendable Trust	61,231.74
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Sum			2,271,110.67
	00184	Water PCE-TCE-Settlements	84.00
	00185	PCE/TCE Rate Abatement Fund	6,604.64
	00190	Central Plume	32,945.94
	00191	Southern Plume	6,605.00
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Sum			46,239.58
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Accounts Payable  
Council Report

Page  
Date

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- 05/26/11

As of Thursday	Fund	Name	Amount
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Total Sum			2,317,350.25

Council Report for Payroll

Payroll	Pay Per Date	Co	Name	Gross Pay
Regular	05/15/11	00100	General Fund	714,927.33
		00160	Electric Utility Fund	158,786.97
		00161	Utility Outlay Reserve Fund	9,500.78
		00164	Public Benefits Fund	3,783.78
		00170	Waste Water Utility Fund	109,762.89
		00180	Water Utility Fund	1,085.04
		00210	Library Fund	30,531.37
		00235	LPD-Public Safety Prog AB 1913	1,675.60
		00260	Internal Service/Equip Maint	19,708.50
		00321	Gas Tax-2105,2106,2107	32,743.32
		00340	Comm Dev Special Rev Fund	22,585.25
		00345	Community Center	23,753.70
		00346	Recreation Fund	56,938.38
		01250	Dial-a-Ride/Transportation	7,046.72
Pay Period Total:				
			Sum	1,192,829.63
Retiree	06/30/11	00100	General Fund	56,748.54
Pay Period Total:				
			Sum	56,748.54



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Approve Minutes  
a) May 31, 2011 (Shirtsleeve Session)  
b) June 1, 2011 (Regular Meeting)  
c) June 7, 2011 (Shirtsleeve Session)

**MEETING DATE:** June 15, 2011

**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** Approve the following minutes as prepared:  
a) May 31, 2011 (Shirtsleeve Session)  
b) June 1, 2011 (Regular Meeting)  
c) June 7, 2011 (Shirtsleeve Session)

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

**FISCAL IMPACT:** None.

**FUNDING AVAILABLE:** None required.

\_\_\_\_\_  
Randi Johl  
City Clerk

Attachments

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**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager

**LODI CITY COUNCIL  
SHIRTSLEEVE SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, MAY 31, 2011**

The May 31, 2011, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Randi Johl  
City Clerk

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JUNE 1, 2011**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of June 1, 2011, was called to order by Mayor Johnson at 6:00 p.m.

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

Absent: None

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

C-2 Announcement of Closed Session

- a) Conference with Stephen Schwabauer, City Attorney (Labor Negotiator), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, International Brotherhood of Electrical Workers, Fire Mid-Managers, and Lodi Professional Firefighters Pursuant to Government Code §54957.6
- b) Pursuant to Government Code §54956.9(c); One Potential Case; Conference with Legal Counsel - Initiation of Litigation: City of Lodi v. Lodi Police Officers' Association Regarding 2007-2011 Memorandum of Understanding; and Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Lodi Police Officers' Association Against City of Lodi Based on Concession Agreements
- c) Actual Litigation: Government Code §54956.9; One Application - Shana Lopez v. City of Lodi, Unassigned Case - 07/27/04

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Johnson adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:45 p.m.

C-4 Return to Open Session / Disclosure of Action

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

Items C-2 (a), C-2 (b), and C-2 (c) were discussion only with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of June 1, 2011, was called to order by Mayor Johnson at 7:00 p.m.

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

Absent: None

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

B. Presentations

B-1 United States Army Week Proclamation

Mayor Johnson presented a proclamation to Sgt. Robert Prim proclaiming the week of June 11 - 17, 2011, as "United States Army Week" in the City of Lodi.

B-2 National Automotive Service Professionals Week Proclamation (PW)

Mayor Johnson presented a proclamation to Dennis Callahan, Fleet & Facilities Manager, proclaiming the week of June 6 - 12, 2011, as "National Automotive Service Professionals Week" in the City of Lodi.

B-3 Presentation of Resolution of Appreciation for the Mormon Helping Hands Project

Mayor Johnson presented a Resolution of Appreciation to Joseph Anderson, representing the Mormon Helping Hands Project, for its contribution in beautifying the City of Lodi.

B-4 Presentation of Certificates of Appreciation to Retiring Members of the Greater Lodi Area Youth Commission and Certificates of Recognition to Graduates of the Teen Lead Program (PRCS)

Following introductory comments by Brad VanderHamm, liaison to the Greater Lodi Area Youth Commission, Mayor Johnson presented Certificates of Appreciation to the following retiring students of the Greater Lodi Area Youth Commission: Derek Schatz, Ranjot Basram, Jason Larkin, Mandy Majidian, and Deyanira Nava. Further, the Mayor presented certificates to the following graduates of the Teen Lead Program: Dillon Olagaray, Darian Nobriga, Arely Hernandez, Ashley Gotelli, Alex Guendert, Cassandra Suarez, Charlene Lava, Chelscie Pacheco, Courtney Miller, Dipa Patel, Jaspreet Sidhu, Joe Athanasiou, Kristen Schlader, and Mia Magana.

B-5 Presentation by Lodi Art Center Regarding Open Air Artist Program in Downtown Lodi

Rich Allen, representing the Lodi Art Center, gave a presentation regarding its open air artist program to be held in Downtown Lodi on June 17, 18, and 19.

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

Mayor Pro Tempore Mounce made a motion, second by Council Member Katzakian, to approve the following items hereinafter set forth 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 Katzakian, Council Member Nakanishi, Mayor Pro Tempore Mounce, and Mayor Johnson

Noes: None

Absent: None

C-1 Receive Register of Claims in the Amount of \$6,151,229.94 (FIN)

Claims were approved in the amount of \$6,151,229.94.

C-2 Approve Minutes (CLK)

The minutes of April 20, 2011 (Regular Meeting), May 4, 2011 (Regular Meeting), May 10, 2011 (Shirtsleeve Session), May 17, 2011 (Shirtsleeve Session), May 18, 2011 (Regular Meeting), May 18, 2011 (Special Meeting), May 23, 2011 (Special Joint Meeting w/Lodi Arts Commission), and May 24, 2011 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Asphalt Rubber Cape Seal, Various Streets, 2011 Project (PW)

Approved the plans and specifications and authorized advertisement for bids for Asphalt Rubber Cape Seal, Various Streets, 2011 Project.

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for 2011 Disabled Access Improvements, 100 Block West Elm Street and 111 North Stockton Street (PW)

Approved the plans and specifications and authorized advertisement for bids for 2011 Disabled Access Improvements, 100 Block West Elm Street and 111 North Stockton Street.

C-5 Accept Memorial Bench and Plaque Project in Memory of Coach Don Womble (PRCS)

Accepted the memorial bench and plaque project in memory of Coach Don Womble.

C-6 Adopt Resolution Approving Contract with Lodi Unified School District to Provide After School Staff Support for the Bridge Program at Nine Locations During Fiscal Year 2011/12 (\$378,000) (PRCS)

Adopted Resolution No. 2011-82 approving the contract with Lodi Unified School District to provide after school staff support for the Bridge Program at nine locations during fiscal year 2011/12 in the amount of \$378,000.

C-7 Approve Assignment of Professional Services Agreement from InSite Environmental, Inc. to Kleinfelder West, Inc. for Environmental Services Related to the Lodi West 60kV Power Line Project (CM)

Approved the assignment of Professional Services Agreement from InSite Environmental, Inc. to Kleinfelder West, Inc. for environmental services related to the Lodi West 60kV Power Line Project.

C-8 Adopt Resolution Authorizing the City Manager to Execute Agreements and Purchase Orders for Fixed-Network System as Follows and Appropriating Funds (\$472,000): a) Professional Services Agreement with Itron, Inc. (\$179,570); b) Software License Agreement with Itron, Inc. (\$45,000); c) Four Blade Servers from Dell Marketing, LLP (\$52,722); d) Hardware from General Pacific, Inc. (\$103,041); and e) Radio Equipment (\$30,000) (PW)

Adopted Resolution No. 2011-83 authorizing the City Manager to execute agreements and purchase orders for fixed-network system as follows and appropriating funds in the amount of \$472,000: a) Professional Services Agreement with Itron, Inc. (\$179,570); b) Software License Agreement with Itron, Inc. (\$45,000); c) Four Blade Servers from Dell Marketing, LLP (\$52,722); d) Hardware from General Pacific, Inc. (\$103,041); and e) Radio Equipment (\$30,000).

C-9 Adopt Resolution Authorizing the City Manager to Execute Contract for Van Buskirk Park Playground Replacement, 600 North Pleasant Avenue, with A. M. Stephens Construction

Company, Inc., of Lodi (\$47,410) (PW)

Adopted Resolution No. 2011-84 authorizing the City Manager to execute contract for Van Buskirk Park Playground Replacement, 600 North Pleasant Avenue, with A. M. Stephens Construction Company, Inc., of Lodi, in the amount of \$47,410.

C-10 Adopt Resolution Ratifying the San Joaquin Council of Governments' Annual Financial Plan for Fiscal Year 2011/12 (PW)

Adopted Resolution No. 2011-85 ratifying the San Joaquin Council of Governments' Annual Financial Plan for Fiscal Year 2011/12.

C-11 Approve Budget Year 2011/12 Concession Agreements with Maintenance & Operators, General Services, Mid-Management, Fire, Fire Mid-Management, and Police Mid-Management (CA)

Approved the budget year 2011/12 concession agreements with Maintenance & Operators, General Services, Mid-Management, Fire, Fire Mid-Management, and Police Mid-Management.

C-12 Adopt Resolution Indicating Percentage of Employee's Share of Retirement Contributions that are Paid by City of Lodi for Each Specific Employee Category/Bargaining Group (CM)

Adopted Resolution No. 2011-86 indicating percentage of employee's share of retirement contributions that are paid by City of Lodi for each specific employee category/bargaining group.

C-13 Adopt Resolution Amending the CalPERS Contract Allowing Employees to Make Retirement Contributions with Pre-Tax Payroll Deductions (CM)

Adopted Resolution No. 2011-87 amending the CalPERS contract allowing employees to make retirement contributions with pre-tax payroll deductions.

C-14 Approve New Meeting Time for the Lodi Arts Commission (PRCS)

Approved the new meeting time for the Lodi Arts Commission.

C-15 Receive Report Regarding League of California Cities Communication Pertaining to Senate Bill 474 (CLK)

Received report regarding League of California Cities communication pertaining to Senate Bill 474.

- D. Comments by the Public on Non-Agenda Items  
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Carolyn Van Exel, representing the San Joaquin County Fair Board of Directors, invited the City Council and citizens to the fair to be held on June 15 - 19, 2011, at the San Joaquin County Fairgrounds.

Robin Rushing spoke in regard to his concerns about the electric utility billing cycle, which varies in days, and the effect on the tier system.

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

Council Member Nakanishi thanked City employees for their efforts in providing concessions to balance the budget.

Mayor Pro Tempore Mounce provided an update on the Governor's revised proposal with respect to enterprise zones.

Mayor Johnson wished Mayor Pro Tempore Mounce well with her health and suggested the City Council review options for reducing its salary in light of employee concessions.

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

None.

G. Public Hearings - None

H. Communications

H-1 Post for Vacancy on the Lodi Improvement Committee (CLK)

Mayor Johnson made a motion, second by Mayor Pro Tempore Mounce, to direct the City Clerk to post for the following vacancy:

Lodi Improvement Committee

James Finch, term to expire March 1, 2014

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

I. Regular Calendar

I-1 Adopt Resolution Approving the City of Lodi Financial Plan and Budget for the Fiscal Year Beginning July 1, 2011 and Ending June 30, 2012, and Approving Fiscal Year 2011/12 Appropriation Spending Limit (CM)

City Manager Rad Bartlam and Deputy City Manager Jordan Ayers provided a PowerPoint presentation regarding the Fiscal Year 2011/12 Budget. Specific topics of discussion included an overview, all funds recap, general fund overview, staffing levels, employee concessions, major cost increases, workers compensation costs, retirement costs, medical costs, major capital projects, draft budget changes, general fund changes, enterprise fund changes, special revenue fund changes, and recommended actions.

In response to Council Member Nakanishi, Mr. Ayers stated fixed furloughs occur on the last Friday of the month and equal a 4.6% pay reduction. He stated the six floating furlough days must be taken prior to the end of the fiscal year and equal an additional 2.3% pay reduction.

In response to Council Member Hansen, Mr. Ayers stated if concessions are reached with Police the four police positions will remain and will not be laid off.

In response to Council Member Hansen, Mr. Ayers stated CalPers is one of the largest procurers of health care coverage, which helps to secure better rates; although, the City is tied to whatever rates CalPers is best able to negotiate.

In response to Council Member Hansen, Mr. Ayers stated the last wage related increase for the Consumer Price Index was 2.8%.

In response to Mayor Pro Tempore Mounce, Mr. Ayers stated the projected income from water meter installation prepayments is approximately \$900,000.

In response to Mayor Johnson, Mr. Ayers and Mr. Bartlam confirmed that 15 employees are taking the early retirement incentive, which impacts the budget because the resulting 11 to 12 positions that will remain unfunded result in an immediate salary and benefit savings.

In response to Mayor Pro Tempore Mounce, Mr. Bartlam stated departments are cross-training employees in an effort to retain the institutional knowledge held by the retiring employees.

In response to Council Member Hansen, Mr. Ayers stated long-term disability (LTD) is negotiated in employee contracts, there is a personal market for LTD insurance purchase, and the contracts do not indicate whether the benefit needs to be provided internally or externally.

In response to Council Member Hansen, Mr. Ayers stated the current budget has \$80,000 reserved for the LTD program.

In response to Council Member Hansen, Mr. Bartlam stated the economic development line includes a share of some personnel but mostly includes memberships for other organizations and subsidizing special events.

In response to Mayor Johnson, City Attorney Schwabauer stated the Library Board controls the library budget but does not control negotiations with employees, which is under the City Council purview.

In response to Mayor Pro Tempore Mounce, Mr. Bartlam stated the 9/80 schedule has not been implemented at the Library as it was designed more for 8:00 a.m. to 5:00 p.m. departments.

In response to Council Member Nakanishi, Library Services Director Nancy Martinez stated Lodi is the only city in the County that has its own library as all others contract with the County and Stockton. She stated the Library does not receive any money from the County.

In response to Council Member Hansen, Ms. Martinez stated a reduction of some part-time hours will result in the Library being open approximately 48 hours per week, it is currently open 52 hours per week, typically the Library is open from 10:00 a.m. to 9:00 p.m. three evenings a week, and staff is looking into options for 9/80 schedules and service levels.

Mayor Pro Tempore Mounce requested information on departmental membership dues and the value of the same, professional services contracts entered into over the last three years and the ability to perform those services in-house, and additional savings that may be realized from moving services, as was done previously with the Finance Department, into City-owned facilities versus renting space.

In response to Council Member Hansen, Mr. Ayers stated there is no reduction in service projected for transit.

In response to Alex Aliferis, Mayor Johnson and Mr. Ayers stated information regarding employee salaries can be found on line on the City's website as well as the State Controller's website.

Mayor Pro Tempore Mounce made a motion, second by Mayor Johnson, to adopt Resolution No. 2011-88 approving the City of Lodi Financial Plan and Budget for the fiscal year beginning July 1, 2011 and ending June 30, 2012, and approving fiscal year 2011/12 Appropriation Spending Limit.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

J. Ordinances

J-1 Adopt Ordinance No. 1845 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.20, 'Electrical Service,' by Repealing and Re-Enacting Section 13.20.315, 'Schedule EDR-Economic Development Rates,' in Its Entirety" (CLK)

Mayor Johnson made a motion, second by Council Member Hansen, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1845 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.20, 'Electrical Service,' by Repealing and Re-Enacting Section 13.20.315, 'Schedule EDR-Economic Development Rates,' in Its Entirety," which was introduced at a regular meeting of the Lodi City Council held May 18, 2011.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

J-2 Adopt Ordinance No. 1846 Entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning the Parcel Located at 13333 North West Lane (APN 058-100-03) from AG-40 (County) to Planned Development 43 (PD-43)" (CLK)

Mayor Johnson made a motion, second by Council Member Hansen, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1846 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning the Parcel Located at 13333 North West Lane (APN 058-100-03) from AG-40 (County) to Planned Development 43 (PD-43)," which was introduced at a regular meeting of the Lodi City Council held May 18, 2011.

VOTE:

The above motion carried by the following vote:

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

Noes: None  
Absent: None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:37 p.m.

ATTEST:

Randi Johl  
City Clerk

**LODI CITY COUNCIL  
SHIRTSLEEVE SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, JUNE 7, 2011**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, June 7, 2011, commencing at 7:00 a.m.

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

Absent: Council Member Hansen

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

B. Topic(s)

B-1 Third Quarter Fiscal Year 2010/11 Water, Wastewater, and Electric Utility Department Financial Reports (CM)

City Manager Bartlam provided a brief introduction to the subject matter of the quarterly updates.

Deputy Public Works Director Charlie Swimley provided a PowerPoint presentation regarding the quarterly water and wastewater update. Specific topics of discussion included the water and wastewater cash flow summary for operations, operating results, cash balances, bad debt write off, and quarterly accomplishments.

In response to Mayor Pro Tempore Mounce, Mr. Swimley stated the debt service encompasses the payment on plant upgrades for the White Slough facility.

In response to Mayor Johnson, Mr. Bartlam stated the communication and transportation line item also includes utilities in general.

In response to Council Member Nakanishi, Mr. Swimley stated work for others includes work done for other departments in the City including Electric Utility.

In response to Mayor Pro Tempore Mounce, Mr. Swimley confirmed that the \$5 million figure for restricted assets is the remaining committed proceeds that have not yet been issued.

In response to Mayor Johnson, Mr. Swimley stated the City is still collecting on the well situation as part of the settlement agreement, 25 years remain on the 40-year agreement, and expenditures are typically less than revenues so it is a revenue generator. Further, Mr. Swimley stated staff is not sure where the sludge is coming from as it could be from a few different sources and it is coming from far away but staff is looking into it.

In response to Council Member Nakanishi, Mr. Bartlam stated approximately 58 cents of every dollar spent is for regulatory compliance and most of those expenses are White Slough debt service and operating related.

Electric Utility Director Elizabeth Kirkley provided a PowerPoint presentation regarding the electric utility quarterly report. Specific topics of discussion included an overview, financial results, non-power operating expenditures, power supply, power sales, billing statistics, bad debt, Energy Cost Adjustment (ECA) revenue, Northern California Power Agency (NCPA) general operating reserve (GOR), open position, and summary.

In response to Mayor Johnson, Ms. Kirkley stated the GOR increase is due to the settlement at the end of the last fiscal year and a transfer into that line item.

In response to Mayor Pro Tempore Mounce, Deputy City Manager Jordan Ayers stated the books are maintained on an accrual basis and the presentations are made on a cash balance basis. Mr. Ayers stated they can show both numbers in the future.

In response to Mayor Johnson, Ms. Kirkley stated the management services line item is NCPA related and includes pool costs such as membership dues. Further, Mr. Ayers stated the debt write off is a combination of both residential and commercial accounts but is primarily residential. In response to Mayor Pro Tempore Mounce, Mr. Ayers stated the City uses CB Merchant for debt collection.

In response to Mayor Johnson, Ms. Kirkley stated the Scheduling Coordination Balancing Act is termed by NCPA and is used for collateral and security purposes.

In response to Council Member Nakanishi, Mr. Bartlam stated the ECA is designed to balance energy costs based on usage through a monthly true-up to prevent large variations. Mr. Bartlam stated energy is bought forward up to three years. Further, he stated utilities are still risky in that there are unknown regulations and weather that comes into play, which drives supply and costs, and it is a good idea for the City Council to have a working understanding of the same. The electric utility benefits the City by generating approximately \$7 million in transfers to the general fund, providing an economic incentive for businesses, and contributing a \$2 million cost of service for billing, meter reading, and collections.

In response to Council Member Katzakian, Mr. Bartlam stated staff is in the process of reviewing the tier options and will bring the matter back to Council for consideration in the near future.

In response to Myrna Wetzel, Ms. Kirkley stated the solar power increase is related to higher public participation in the rebate and incentive programs.

In response to Mayor Johnson, Ms. Kirkley stated there is no longer a sunset for the 2.85% set aside for public benefit monies.

C. Comments by Public on Non-Agenda Items

In response to Myrna Wetzel, Public Works Director Wally Sandelin stated security cameras in the parking garage are coming and the cameras in the train depot are in the installation process.

Mayor Pro Tempore Mounce provided an update regarding the Governor's proposal as it relates to enterprise zones, stating the revisions may result in a more effective program for the end user and eliminate unnecessary paperwork and fees.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:58 a.m.

ATTEST:

Randi Johl  
City Clerk



# **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Approve Specifications and Authorize Advertisement for Bids for Elevator Services for City of Lodi Facilities

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

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**RECOMMENDED ACTION:** Approve specifications and authorize advertisement for bids for elevator services for City facilities.

**BACKGROUND INFORMATION:** This service contract will provide for ongoing elevator services on both a scheduled and on-demand basis to 11 elevators located at City Hall, Carnegie Forum, Police Facility, Lodi Station Parking Structure, Public Safety Building, and Hutchins Street Square. The 11 elevators represent all elevators in City-owned facilities. Elevator inspections are done yearly by the State of California and not covered under the service contract and incurs a separate charge.

The specifications are on file in the Public Works Department. The planned bid opening date is August 24, 2011.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** The money for elevator services will be coming from the Facilities Services 2011/12 Operating Budget.

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F. Wally Sandelin  
Public Works Director

Prepared by Dennis J. Callahan, Fleet and Facilities Manager

FWS/DJC/pmf

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**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager



# **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Approve Specifications and Authorize Advertisement for Bids for 500 Tons of Asphalt Materials for Fiscal Year 2011/12

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

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**RECOMMENDED ACTION:** Approve specifications and authorize advertisement for bids for 500 tons of asphalt materials for Fiscal Year 2011/12.

**BACKGROUND INFORMATION:** The asphalt materials purchase is required to perform preventative street maintenance, patch paving and miscellaneous repairs. The estimated cost of the asphalt material is \$35,000.

Asphalt materials will be transported to the job sites primarily by City forces. Should trucking services be required, it will be contracted in accordance with City policy.

The specifications are on file in the Public Works Department. The planned bid opening date is Wednesday, June 29, 2011.

**FISCAL IMPACT:** This budgeted expense will assist the Streets and Drainage Division in its continuing effort to maintain the City of Lodi's asphalt paving.

**FUNDING AVAILABLE:** Funding to be designated at award of contract.

Project Estimate: \$35,000

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F. Wally Sandelin  
Public Works Director

Prepared by Charles E. Swimley, Jr., Deputy Public Works Director – Utilities

FWS/CES/pmf

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**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Adopt Resolution Approving Purchase of Transit Fare Collection Equipment from GFI GenFare, of Elk Grove Village, IL (\$81,264) and Appropriating Funds (\$4,800)  
**MEETING DATE:** June 15, 2011  
**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt resolution approving purchase of transit fare collection equipment from GFI GenFare, of Elk Grove Village, IL, in the amount of \$81,264 and appropriating funds in the amount of \$4,800.

**BACKGROUND INFORMATION:** The City of Lodi received American Recovery and Reinvestment Act (ARRA) funds in 2009 for transit infrastructure projects. In December 2010, 15 automated fare boxes were purchased and installed on the transit buses. Fare revenue increased by approximately \$1,000

during the first month of operation with the new fare boxes. The automated fare boxes validate coins, bills and transfers, providing the drivers with a mechanism to verify funds.

The fare collection equipment will be purchased with remaining ARRA grant funds and Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds received in 2010. City staff recommends the purchase of the transit fare collection equipment using the City of Porterville Contract RFP No. 10/11-CP1738 in the amount of \$81,264. The purchase includes electronic fare boxes, cashboxes, card stock and spare parts. Total project costs are estimated to be \$85,000, including the cost of installation of equipment by City staff and contingencies. Appropriations of \$80,200 are included in the FY 2011/12 budget and an additional appropriation of \$4,800 is requested for a total of \$85,000.

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

**FISCAL IMPACT:** Purchase of the transit fare collection equipment will provide accountability of passenger revenues.

<b>FUNDING AVAILABLE:</b>	<u>Budgeted FY 2011/12</u>	
	Proposition 1B (PTMISEA) (1252)	\$60,000
	ARRA (125190)	<u>\$20,200</u>
		\$80,200
	<u>Additional Appropriation:</u>	
	Proposition 1B (PTMISEA)	\$476
	ARRA	\$556
	Transportation Development Act (TDA)	<u>\$3,768</u>
		\$4,800

\_\_\_\_\_  
 Jordan Ayers  
 Deputy City Manager/Internal Services Director

\_\_\_\_\_  
 F. Wally Sandelin  
 Public Works Director

Prepared by Paula Fernandez, Transportation Manager/Senior Traffic Engineer  
 FWS/PJF/pmf  
 cc: Fleet and Facilities Manager, Fleet Services Supervisor, MV General Manager Brenda

**APPROVED:** \_\_\_\_\_  
 Konradt Bartlam, City Manager

1. AA# \_\_\_\_\_  
 2. JV# \_\_\_\_\_

**CITY OF LODI  
 APPROPRIATION ADJUSTMENT REQUEST**

TO: Internal Services Dept. - Budget Division  
 3. FROM: Rebecca Areida-Yadav 5. DATE: 06/07/2011  
 4. DEPARTMENT/DIVISION: Public Works

**6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW**

	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	1252		3205	Fund Balance	\$ 476.00
	1251		3205	Fund Balance	\$ 4,324.00
B. USE OF FINANCING	1252	125290	7719	PTMISEA Fare Boxes	\$ 476.00
	1251	125190	7719	ARRA Fare Boxes	\$ 4,324.00

**7. REQUEST IS MADE TO FUND THE FOLLOWING PROJECT NOT INCLUDED IN THE CURRENT BUDGET**

Please provide a description of the project, the total cost of the project, as well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.

Purchase of automated transit fare collection equipment from GFI GenFare

If Council has authorized the appropriation adjustment, complete the following:

Meeting Date: \_\_\_\_\_ Res No: \_\_\_\_\_ Attach copy of resolution to this form.

Department Head Signature: Wally Sanchez

**8. APPROVAL SIGNATURES**

\_\_\_\_\_  
 Deputy City Manager/Internal Services Manager Date

Submit completed form to the Budget Division with any required documentation.  
 Final approval will be provided in electronic copy format.

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
APPROVING PURCHASE OF TRANSIT FARE  
COLLECTION EQUIPMENT AND FURTHER  
APPROPRIATING FUNDS

=====

WHEREAS, staff recommends the purchase of transit fare collection equipment, including electronic fare boxes, cashboxes, card stock and spare parts, from GFI GenFare, of Elk Grove Village, Illinois, in the amount of \$81,264, using the City of Porterville Contract RFP No. 10/11-CP1738; and

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

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the purchase of transit fare collection equipment from GFI GenFare, of Elk Grove Village, Illinois, in the amount of \$81,264; and

BE IT FURTHER RESOLVED that funds in the amount of \$4,800 be appropriated for this purchase from Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds; American Recovery and Reinvestment Act (ARRA) funds; and Transportation Development Act (TDA) funds. Appropriations of \$80,200 are included in the Fiscal Year 2011/12 budget.

Dated: June 15, 2011

=====

I hereby certify that Resolution No. 2011-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 15, 2011, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES: COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Authorizing City Manager to Execute Contract and to Negotiate and Execute Contract Extensions for Tree Trimming for Fiscal Year 2011/12 with West Coast Arborists, Inc., of Anaheim (\$27,525)

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt resolution authorizing City Manager to execute contract and to negotiate and execute contract extensions for tree trimming for Fiscal Year 2011/12 with West Coast Arborists, Inc., of Anaheim, in the amount of \$27,525.

**BACKGROUND INFORMATION:** This project provides for structural pruning, maintenance trimming, emergency calls and tree removals of City trees at various locations for FY 2011/12. The objective of this contract is to improve the health of our urban forest and reduce costs associated with the effort.

While the grid pruning performed over the past several years has been effective, staff has determined a more aggressive effort is needed on certain trees to maintain their health. This determination has been reinforced recently when much of the annual tree trimming budget was spent on emergency tree and limb removals due to storm-related damages, thereby reducing the available funding for grid pruning. The contract will be for one year with two options for renewal if mutually agreeable.

The specifications were approved on March 2, 2011. Of the 17 bid packets issued, the City received the following five bids on March 28, 2011:

Bidder	Location	Bid
West Coast Arborists, Inc.	Anaheim	\$27,525
Berndt Tree Service	Lodi	\$81,665
The Professional Tree Company	Berkeley	\$60,985
Jensen Tree Service, Inc.	San Jose	\$32,625
A Plus Tree, Inc.	Vallejo	\$31,662

**FISCAL IMPACT:** Regular tree maintenance will reduce claims resulting from falling trees and/or limbs upon private property.

**FUNDING AVAILABLE:** Streets and Drainage operating account (3215036): \$27,525

\_\_\_\_\_  
Jordan Ayers  
Deputy City Manager/Internal Services Director

\_\_\_\_\_  
F. Wally Sandelin  
Public Works Director

Prepared by Curt Juran, Streets and Drainage Superintendent  
FWS/CJ/pmf  
cc: Charlie Swimley, Deputy Public Works Director – Utilities  
Curt Juran, Streets and Drainage Superintendent

**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager

THIS CONTRACT, made by and between the CITY OF LODI, State of California, herein referred to as "City" and **WEST COAST ARBORISTS, INC.**, herein called "Contractor."

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete contract consists of the following documents, which are filed in the Public Works Department, which are incorporated herein by this reference, to-wit:

Notice Inviting Bids  
Information to Bidders  
General Provisions  
Special Provisions  
Bid Proposal  
Contract  
Contract Bond

The July 1992 Edition Standard  
Specifications, State of California  
Business and Transportation Agency,  
Department of Transportation

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I That for and in consideration of the payments and agreements hereinafter mentioned to be made and performed by the City and under the condition expressed in the bond bearing even date with these presents and hereunto annexed, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to perform and complete in a good workmanlike and substantial manner and to the satisfaction of the City as shown and described in the Contract Documents which are hereby made a part of the Contract.

ARTICLE II The City hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide all services not supplied by the City and to do the work according to the terms and conditions for the price herein, and hereby contracts to pay the same as set forth in Section 5.000, of the General Stipulations, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

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

ARTICLE IV And the Contractor agrees to receive and accept the following prices as full compensation for furnishing the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until it's acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Contract Documents and the requirements of the Engineer under them, to-wit:

Perform the work necessary to complete any or all of the bid items such as structural pruning, crown raising and/or crown reduction, mistletoe removal, cleaning and light thinning, and palm tree pruning as specified in the bid summary. All work shall be completed in accordance with the standards set forth by the International Society of Arboriculture Pruning Standards (Best Management Practices) and the ANSI A300 Standards. Special projects that are difficult to access require the need for specialty equipment (i.e., crane), service request pruning, or pruning to reduce and/or pruning to restore would fall under Crew Rental.

**TREE TRIMMING 2011-2012  
CONTRACT SUMMARY**

**CONTRACT ITEM 1. FULL PRUNE BASED ON SERVICE OR SPECIAL REQUESTS**

Trees requiring service to rectify a specific problem, such as blocked street lighting or signs, right-of-way clearance for utility lines, or broken limbs, will be performed as a "Service Request."

13"	-	18"	dbh	Per Tree	\$100.00	x 5 Trees	\$500.00
19"	-	24"	dbh	Per Tree	\$175.00	x 5 Trees	\$875.00
25"	-	30"	dbh	Per Tree	\$225.00	x 5 Trees	\$1,125.00
		31"	dbh & over	Per Tree	\$225.00	x 5 Trees	\$1,125.00
<b>Total Contract Item 1.</b>							<b>\$3,625.00</b>

**CONTRACT ITEM 2. CLEARANCE PRUNE**

Trees will be raised to a standard height established by the City for the purpose of creating adequate room for utility vehicles, paving equipment, pedestrian traffic, clearance for buildings and signs in accordance with standards set forth by the International Society of Arboriculture Pruning Standards (Best Management Practices) and the ANSI A300 Standards under "Pruning to Raise." Clearance prunes are performed on a street-by-street basis.

Small, Medium & Large trees	Per tree	\$30.00	X 100 Trees	\$3,000.00
<b>Total Contract Item 2.</b>				<b>\$3,000.00</b>

**CONTRACT ITEM 3. PALM TREE TRIMMING**

Standard trimming of Palms shall consist of the removal of all dead and live fronds as well as fruit. The remaining healthy fronds will be situated at an upward thirty degree (30°) angle in relation to a horizontal plane at the head of the palm tree.

Work shall be in accordance with standards set forth by the International Society of Arboriculture Pruning Standards (Best Management Practices) and the ANSI A300 Standards.

Trim Date Palm trees	Per tree	\$50.00	X 50 Trees	\$2,500.00
Trim Fan Palm trees	Per tree	\$50.00	X 50 Trees	\$2,500.00
<b>Total Contract Item 3.</b>				<b>\$5,000.00</b>

**CONTRACT ITEM 4. TREE & STUMP REMOVAL**

City prepares list of trees to be removed, marks trees, notifies homeowners and submits lists to Contractor. Contractor calls U.S.A. and prepares internal work order. Crew removes tree and hauls all debris. Crew grinds stumps to a depth of 18 inches. All holes will be backfilled with clean top soil; as well as having all debris cleaned up and hauled away.

Tree and Stump Removal up to 29"	Per dbh inch	\$35.00	X 5	\$175.00
Tree and Stump Removal over 30"	Per dbh inch	\$55.00	X 5	\$275.00
Tree Removal only up to 29"	Per dbh inch	\$25.00	X 5	\$125.00
Tree Removal only over 30" dbh	Per dbh inch	\$45.00	X 5	\$225.00
Stump Removal only per diameter inch		\$20.00	X 5	\$100.00
<b>Total Contract Item 4.</b>				<b>\$900.00</b>

**CONTRACT ITEM 5. CREW RENTAL**

The standard crew is three (3) men, one chipper truck, one chipper, one aerial tower, and all necessary hand tools. The crew and equipment can be modified to complete any type of miscellaneous tasks including special projects that may consist of extraordinary work such as hanging flags, changing light bulbs, or pruning specific trees requiring immediate attention prior to their scheduled prune.

Crew Rental	Per hour	\$120.00	X 50 Hours	\$6,000.00
<b>Total Contract Item 5.</b>				<b>\$6,000.00</b>

CONTRACT ITEM 6. EMERGENCY RESPONSE

Contractor shall respond to emergency calls on a 24-hour basis. Emergency work will begin on-site within two (2) hours from the time of notification from the City. The crew will do what is necessary to render the hazardous tree or tree-related condition safe.

Emergency Response	Per hour	\$180.00	X 50 Hours	\$9,000.00
<b>Total Contract Item 6.</b>				<b>\$9,000.00</b>

CONTRACT ITEM 7. SPECIALTY EQUIPMENT

22 – 25 Ton Crane with Certified Operator meeting accreditation as set for in the California Labor Code, Title 8, Subchapter 7. General Industry Safety Orders, Group 13. Cranes and Other Hoisting Equipment, Article 98. Operating Rules, §5006.1. Mobile Crane and Tower Crane-Operator Qualifications and Certification.

22 – 25 Ton Crane with Certified Operator	Per hour	\$100.00
95 Foot Tower	Per hour	\$100.00
Front End Loader	Per hour	\$100.00
Dump Truck, 25 Ton Transfer	Per hour	\$100.00

CONTRACT ITEM 8. ARBORIST SERVICES

Arborist Services	Per hour	\$100.00
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## TOTAL CONTRACT ITEM SUMMARY

BID ITEM	TOTAL BID ITEM
1. Full Prune Based on Service or Special Requests	\$3,625.00
2. Clearance Prune (Price per tree times 100 trees)	\$3,000.00
3. Palm Tree Trimming	\$5,000.00
4. Tree and Stump Removal	\$900.00
5. Crew Rental (Price per hour times 50)	\$6,000.00
6. .Emergency Response (Price per hour times)	\$9,000.00
<b>TOTAL (Contract Items 1 through 6)</b>	<b>\$27,525.00</b>
7. Specialty Equipment (Per hour) Not to be included in bid tabulation.	\$100.00
8. Arborist Services(Per hour) Not to be included in bid tabulation.	\$100.00

ARTICLE V By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE VI It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VII The City is to furnish the necessary rights-of-way and easements and to establish lines and grades for the work as specified under the Special Provisions. All labor or materials not mentioned specifically as being done by the City will be supplied by the Contractor to accomplish the work as outlined in the specifications.

ARTICLE VIII The Contractor agrees to commence work pursuant to this contract within 15 calendar days after the City Manager has executed the contract and to diligently prosecute to completion within the allotted number of working days.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE TIME OF COMPLETION FOR THIS CONTRACT IS REASONABLE AND THE CONTRACTOR AGREES TO PAY THE CITY LIQUIDATED DAMAGES AS SET FORTH IN SECTION 6-04.03 OF THE SPECIAL PROVISIONS. CONTRACTOR AGREES THAT THIS AMOUNT MAY BE DEDUCTED FROM THE AMOUNT DUE THE CONTRACTOR UNDER THE CONTRACT.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date first written below.

\_\_\_\_\_  
CONTRACTOR

Dated: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
TYPE OF ORGANIZATION  
(Individual, Partnership or Corporation)

(Affix corporate seal if Corporation)

\_\_\_\_\_  
Address

\_\_\_\_\_

( ) \_\_\_\_\_  
Telephone

CITY OF LODI  
a Municipal corporation

\_\_\_\_\_  
Konradt Bartlam  
City Manager

Attest:

\_\_\_\_\_  
Randi Johl, City Clerk

Approved as to Form:

\_\_\_\_\_  
D. Stephen Schwabauer  
City Attorney



RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING  
THE CITY MANAGER TO EXECUTE CONTRACT AND TO  
NEGOTIATE AND EXECUTE CONTRACT EXTENSIONS FOR  
TREE TRIMMING FOR FISCAL YEAR 2011/12

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on March 28, 2011, at 11:00 a.m., for Tree Trimming for Fiscal Year 2011/12 described in the specifications therefore approved by the City Council on March 2, 2011; and

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

<b>Bidder</b>	<b>Bid</b>
West Coast Arborists, Inc.	\$27,525
A Plus Tree, Inc.	\$31,662
Jensen Tree Service, Inc.	\$32,625
The Professional Tree Company	\$60,985
Berndt Tree Service	\$81,665

WHEREAS, staff recommends awarding the contract for Tree Trimming for Fiscal Year 2011/12 to the low bidder, West Coast Arborists, Inc., of Anaheim, California, in the amount of \$27,525 and authorizing the City Manager to negotiate and extend the contract twice if in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute the contract for Tree Trimming for Fiscal Year 2011/12 with the low bidder, West Coast Arborists, Inc., of Anaheim, California, in the amount of \$27,525; and

BE IT FURTHER RESOLVED that the City Council does hereby authorize the City Manager to negotiate and execute up to two one-year contract extensions if in the best interests of the City.

Dated: June 15, 2011

I hereby certify that Resolution No. 2011-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 15, 2011, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES: COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Authorizing City Manager to Execute Contract for Curb, Gutter and Sidewalk Replacement for Fiscal Year 2011/12 with Jeff Case Construction Company, of Galt (\$86,675)

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt resolution authorizing City Manager to execute contract for curb, gutter and sidewalk replacement for Fiscal Year 2011/12 with Jeff Case Construction Company, of Galt, in the amount of \$86,675.

**BACKGROUND INFORMATION:** Curb, gutter and sidewalk replacement is an annual contract administered by the Streets and Drainage Division and is consistent with past practices. This contract is for replacement of miscellaneous concrete defects as guided by the sidewalk replacement program and is implemented by issuing work orders in small increments. In addition, prices from this contract are used for work ordered by the City for repair of sidewalk defects determined to be the property owners' responsibility. The costs for these repairs are reimbursed to the Street fund.

Specifications for this project were approved on March 2, 2011. The City received the following four bids for this project on March 17, 2011.

Bidder	Location	Bid
Engineer's Estimate		\$ 100,000.00
Jeff Case Construction Company	Galt	\$ 86,675.00
Nor-Cal Concrete	Suisun	\$ 90,252.00
Popuch Concrete	Lodi	\$ 97,000.00
Diede Construction	Woodbridge	\$ 210,975.65

**FISCAL IMPACT:** The funding for this contract work significantly reduces the City's liability exposure resulting from trip and fall claims.

**FUNDING AVAILABLE:** The funds for this contract will be evenly split between Transportation Development Act (TDA) Bike/Ped (1241) and Measure K (325)

\_\_\_\_\_  
Jordan Ayers  
Deputy City Manager/Internal Services Director

\_\_\_\_\_  
F. Wally Sandelin  
Public Works Director

Prepared by Curt Juran, Streets and Drainage Superintendent  
FWS/CJ/pmf

cc: Deputy Public Works Director – Utilities  
Streets and Drainage Superintendent

**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager

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CITY OF LODI, CALIFORNIA

THIS CONTRACT made by and between the CITY OF LODI, State of California, herein referred to as the "City," and "JEFF CASE CONSTRUCTION COMPANY", herein referred to as the "Contractor."

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete Contract consists of the following documents, which are filed in the Public Works Department, which are incorporated herein by this reference, to-wit:

Notice Inviting Bids  
Information to Bidders  
General Provisions  
Special Provisions  
Bid Proposal  
Contract

The July 1992 Edition,  
Standard Specifications,  
State of California,  
Business and Transportation Agency,  
Department of Transportation

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I - That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to construct and complete in a good workmanlike and substantial manner and to the satisfaction of the City the proposed improvements as shown and described in the Contract Documents which are hereby made a part of the Contract.

ARTICLE II - The City hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide all materials and services not supplied by the City and to do the work according to the terms and conditions for the price herein, and hereby contracts to pay the same as set forth in Section 5.600, "Measurement, Acceptance and Payment," of the General Provisions, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III - The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and

subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

ARTICLE IV - And the Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Contract Documents and the requirements of the Resident Engineer under them, to-wit:

Perform the work necessary to remove and replace curb, gutter and sidewalk in various locations throughout the City and other incidental and related work, all as shown on the plans and specifications for the above project. This is an annual unit price bid and the work will be divided into work orders which will usually range in price between \$500 and \$20,000, all as shown on the plans and specifications for "2011/2012 Sidewalk Repair Program and Miscellaneous Concrete Work".

**BID ITEMS**

<b>Item</b>	<b>Description</b>	<b>Qty</b>	<b>Unit</b>	<b>Price</b>	<b>Total</b>
1	Saw Cut Concrete	50	LF	\$6.00	\$300.00
2	Remove Sidewalk or Asphalt Concrete	50	SF	\$6.50	\$325.00
3	Remove Commercial Sidewalk	100	SF	\$12.00	\$1,200.00
4	Remove Square-Type Curb and Gutter	0	LF	\$20.00	\$0.00
5	Remove Vertical-Type Curb and Gutter	0	LF	\$20.00	\$0.00
6	Remove Driveway-Type Curb and Gutter	0	LF	\$20.00	\$0.00
7	Remove Commercial-Type Curb and Gutter	20	LF	\$25.00	\$500.00
8	Root Surgery Under Sidewalk or in Planter Area	1	EA	\$400.00	\$400.00
9	Root Surgery Under Curb and Gutter	1	EA	\$400.00	\$400.00
10	Install Sidewalk or Residential Driveway (0 – 75 SF)	500	SF	\$10.00	\$5,000.00
11	Install Sidewalk or Residential Driveway (76 – 300 SF)	5,250	SF	\$5.00	\$26,250.00
12	Install Sidewalk or Residential Driveway (>300 SF)	8,000	SF	\$4.75	\$38,000.00
13	Install Commercial Driveway	250	SF	\$12.00	\$3,000.00
14	Install Square-Type Curb and Gutter 7-inch or less (0 – 20 LF)	20	LF	\$35.00	\$700.00

Item	Description	Qty	Unit	Price	Total
15	Install Square-Type Curb and Gutter 7-inch or less (>20 LF)	50	LF	\$30.00	\$1,500.00
16	Install Square-Type Curb and Gutter Greater than 7-inch (0 - 20 LF)	20	LF	\$35.00	\$700.00
17	Square-Type Curb and Gutter Greater than 7-inch (>20 LF)	50	LF	\$30.00	\$1,500.00
18	Install Vertical-Type Curb and Gutter (0 - 20 LF)	20	LF	\$35.00	\$700.00
19	Install Vertical-Type Curb and Gutter (>20 LF)	50	LF	\$30.00	\$1,500.00
20	Install Driveway-Type Curb and Gutter (0 - 20 LF)	20	LF	\$35.00	\$700.00
21	Install Driveway-Type Curb and Gutter (>20 LF)	50	LF	\$30.00	\$1,500.00
22	Install Tree Well	1	EA	\$300.00	\$300.00
23	Install Furnished Side-Inlet Catch Basin Assembly	1	EA	\$650.00	\$650.00
24	Install Catch Basin Barrel	1	EA	\$950.00	\$950.00
25	Install Furnished Street Name Sign Base	1	LF	\$250.00	\$250.00
26	Miscellaneous Concrete Subgrade Compaction	100	LF	\$3.00	\$300.00
27	Move-In Cost for Jobs (<\$200)	1	EA	\$50.00	\$50.00
<b>TOTAL BID</b>					<b>\$86,675.00</b>

ARTICLE V - By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE VI - It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VII - The City is to furnish the necessary rights-of-way and easements and to establish lines and grades for the work as specified under the Special Provisions. All labor or materials not mentioned specifically as being done by the City will be supplied by the Contractor to accomplish the work as outlined in the specifications.

ARTICLE VIII - The Contractor agrees to commence work pursuant to this contract as directed by the City during the 2011/2012 fiscal year.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE TIME OF COMPLETION FOR THIS CONTRACT IS REASONABLE AND THE CONTRACTOR AGREES TO PAY THE CITY LIQUIDATED DAMAGES AS SET FORTH IN SECTION 6-04.03 OF THE SPECIAL PROVISIONS. CONTRACTOR AGREES THAT THIS AMOUNT MAY BE DEDUCTED FROM THE AMOUNT DUE THE CONTRACTOR UNDER THE CONTRACT.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date written below.

CONTRACTOR:

CITY OF LODI

\_\_\_\_\_

By:

\_\_\_\_\_  
Konradt Bartlam  
City Manager

By: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Attest:

Title

\_\_\_\_\_  
Randi Johl  
City Clerk

(CORPORATE SEAL)

Approved as to form:

\_\_\_\_\_  
D. Stephen Schwabauer  
City Attorney



RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
AUTHORIZING THE CITY MANAGER TO EXECUTE  
CONTRACT FOR CURB, GUTTER AND SIDEWALK  
REPLACEMENT FOR FISCAL YEAR 2011/12

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on March 17, 2011, at 11:00 a.m., for Curb, Gutter and Sidewalk Replacement for Fiscal Year 2011/12 described in the specifications therefore approved by the City Council on March 2, 2011; and

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

<b>Bidder</b>	<b>Bid</b>
Jeff Case Construction Company	\$ 86,675.00
Nor-Cal Concrete	\$ 90,252.00
Popuch Concrete	\$ 97,000.00
Diede Construction	\$ 210,975.65

WHEREAS, staff recommends awarding the contract for Curb, Gutter and Sidewalk Replacement for Fiscal Year 2011/12 to the low bidder, Jeff Case Construction Company, of Galt, California, in the amount of \$86,675.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute the contract for the Curb, Gutter and Sidewalk Replacement for Fiscal Year 2011/12 with the low bidder, Jeff Case Construction Company, of Galt, California, in the amount of \$86,675.

Dated: June 15, 2011

=====

I hereby certify that Resolution No. 2011-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 15, 2011, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES: COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



# CITY OF LODI COUNCIL COMMUNICATION

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**AGENDA TITLE:** Adopt Resolution Authorizing City Manager to Execute Task Order No. 3 with RMC Water and Environment, of Walnut Creek, for Water Meter Planning, Design, and Program Management for Nonresidential and Multi-Family Parcels (\$596,936) and Appropriating Funds (\$650,000)

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt resolution authorizing City Manager to execute Task Order No. 3 with RMC Water and Environment, of Walnut Creek, for water meter planning, design and program management for nonresidential and multi-family parcels in the amount of \$596,936 and appropriating funds in the amount of \$650,000.

**BACKGROUND INFORMATION:** On October 7, 2009, City Council approved a professional services agreement with RMC Water and Environment (RMC) for the planning and design of residential water meter installations at approximately 16,000 locations across the City. On November 11, 2010, Council approved an amended professional services agreement with RMC to address changes in the project scope and duration. This residential portion of the water meter program (parcels with one, two, three or four units) is currently under construction for Phase 1 (approximately 3,900 meters) and is in design for Phases 2 through 4. There are seven construction phases that are expected to be completed by the end of 2017. The residential portion of the water meter program will be completed January 2019 when usage-based water bills are sent to the final construction phase parcels.

Assembly Bill 2572, passed by the California Legislature in 2004, requires that all of Lodi's water customers receive a usage-based bill by January 2026. Task Order No. 3 addresses the next phase of the water meter program by covering parcels in the classes of mobile home parks, multi-family residential (parcels with five or more units), condominiums, commercial, industrial, and public/pseudo public. Some examples of these parcel types include multi-unit condominiums, apartments, shopping centers, convenience stores, hospitals, city offices, parks, and street landscape areas. A copy of the Task Order No. 3 scope of work and fee estimate is provided in Exhibit A.

There are approximately 3,200 parcels in these classes and approximately 900 parcels have existing meters, a majority of which are very old. As part of this next phase, the age and size of the existing meters will be assessed to determine where replacement and/or re-sizing are appropriate. Old meters and under-sized meters typically fail to record all usage, resulting in lost revenue to the utility. All existing meters, replaced or not, will be retrofitted with new registers and new transmitters (ERTs) to be compatible with the remote reading afforded by the new fixed network.

Construction phasing for the installation of water meters to these classes will follow the order listed below. The construction solely consists of adding meter assemblies where none exist and modifying

**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager

existing meter assemblies to change out meters or add registers/ERTs. There is no pipeline construction associated with this phase of the water meter program.

- A. Mobile home parks
- B. Condominiums and Apartments
- C. Commercial and Industrial
- D. Public/pseudo public

There are several important aspects of Task Order No. 3 that are described below for the Council's information. One, the design services of this phase of the Water Meter Program do not include the specific sizing and locating of meter services to multi-family parcels (5 residential units and larger) for the reasons presented below:

- Condominiums: There are a number of two-unit-per-parcel condominium developments for which it is uncertain whether one or two meters will be installed per parcel. Also, for larger condominium developments it is unknown whether individual units have the correct plumbing configurations to support the installation of a metered water service to each condominium unit. Also, there may be multiple water services dedicated to irrigation of the public areas within condominium developments. The number of meter installations required to be installed in condominium developments will be determined during the field reconnaissance phase and this will set the design and construction requirement for converting condominium developments to a usage-based water utility billing.
- Apartments: A single master meter will be installed at most apartment developments. Some apartment developments have multiple services to multiple clusters of apartment units. The number of meter installations required to be installed will be determined during field reconnaissance and this will set the design and construction requirements.
- The installation of meters at condominium and apartment developments will be installed as a common phase of construction due to the similarity of issues and concerns expressed by the property owners, homeowners associations, and property management companies. This will improve efficiency and lower the costs of the public outreach efforts, property owner notifications, and construction.

Two, the design services of this phase do not include the specific sizing and locating of meter services to the class of properties identified as public/pseudo public. Examples of these properties include government building, schools, churches, and public landscape areas. Again, the number of meter installations required will be determined during the field reconnaissance phase and will set the design and construction requirements for metering these properties.

Finally, the field reconnaissance effort will largely be conducted using the field interns that conducted the residential meter field reconnaissance work. At the same time, these field interns will be observing the installation of meters during the Water Meter Program Phase 1 construction. This is a change in our planning in that the construction field representatives for Phase 1 had been approved by Council for hiring as City employees. This change improves the efficiency of our field interns, provides for direct supervision by RMC, and allows the assignment of the field interns to work on Phase 1 or the Task Order No. 3 field reconnaissance as required.

The key elements of Task Order No. 3 are described below. The entire scope of services is provided in Exhibit A.

- Task 1 Collect data regarding existing meter records and create an electronic record of this information for inclusion in the Customer Information System data base. (\$25,085)
- Task 2 Assist in the development of policies related to billing these customer classes, master metering, customer meter installation charges, and exceptions. (\$6,685)
- Task 3 Perform field reconnaissance to confirm existing meter information and to assess conditions at new meter installation sites. Perform field observations of contractor's construction activity for the Phase 1 construction project. (\$270,330)
- Task 4 Segregate the parcels into the four construction phases mentioned above. Complete preliminary designs for each phase (except high density residential and public/pseudo public) including analysis to establish proper meter size, determine meter location, identify special construction requirements, prepare construction cost estimates, and set construction phasing. (\$64,684)
- Task 5 Provide support to City staff for separate public outreach efforts to each of the four phases. This will include preparation of meeting agendas, meeting materials, and focused information mailers. (\$22,728)
- Task 6 Prepare four sets of design packages including plans and specifications. (\$129,425)
- Task 7 Provide bidding support services to City staff. (\$17,272)
- Task 8 Provide program management services as related to this phase of the water meter program. (\$60,727)

The total estimated fee for Task Order No. 3 is \$596,936 and an appropriation in the amount of \$650,000 is requested to cover staff costs and contingencies.

**FISCAL IMPACT:** The cost of this task order is included in the Water Utility Financial Model.

**FUNDING AVAILABLE:** Requested appropriation of \$650,000 is from the Water Capital Fund (181)

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Jordan Ayers  
Deputy City Manager/Internal Services Director

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F. Wally Sandelin  
Public Works Director

FWS/pmf  
Attachment

**Scope of Work for City of Lodi Water Meter Program**

**Task Order No. 3: WMP Expansion for Nonresidential and Multi-family Parcels**

The City of Lodi (City) is implementing a Water Meter Program (WMP) that will allow all current and future water service accounts to be converted from a flat rate, unmetered use basis to a metered use and billing basis. The City has requested RMC Water and Environment (RMC) to assist the City in planning, designing, and implementing the WMP. Work already completed as part of the WMP has primarily focused on low density residential (less than 5 residential units per parcel) accounts. It is the intent of this scope of work to expand the WMP to include mobile home parks, high density residential (at least 5 residential units per parcel), commercial and industrial, and public/pseudo-public parcels. The expanded WMP would encompass multi-unit condominiums, apartment complexes, mobile home parks, shopping centers, convenience stores, hospitals, city offices, and parks.

The following table summarizes the programs that will install or have installed meters within the City. The total number of accounted parcels for these different programs is comparable to the 19,110 parcels included in the February 2011 county APN database provided by the City, assuming some duplication between Phases 1-7 and this Task Order, which will be resolved as part of this work, and more than one meter purchased per parcel for some parcels in Phases 1-7 of the WMP. As part of this Task Order, RMC will be confirming the count of the meters to be installed based on the scoped design documents.

<b>Program</b>	<b>Number of Parcels Included</b>
City Project #3	257 *
Prepaid properties	950 *
Metered Bill (January 2011)	2,874
Phases 1-7 of WMP	12,564 **
Remainder under Task Order No. 3	3,168 ***
<b>Total</b>	<b>19,813</b>

- (\*) Number of meters installed but not billed.
- (\*\*) Number of meters expected to be procured through National Meter for WMP Phases 1 through 7.
- (\*\*\*) Assumed number of parcels to be included in this scope of work. Estimated based on February 2011 county APN database provided by the City.

The tasks below describe the work to be completed assuming up to four separate design packages, one each for mobile home parks, high density residential, commercial/industrial, and public/pseudo-public parcels.

**Task 1: Collect Existing Data**

**Purpose:** Consolidate available information that will impact the water meter program for properties in this phase of the WMP to act as basis for other analysis and work

**Scope Items:**

*Subtask 1.1 – Collect Existing Data.* RMC will identify information necessary for execution of this scope of work. Information may include: water distribution system drawings, existing water meter tables,

aerial photography and mapping, MapGuide data, electric meter read routes/schedule, parcel maps, property classification, and a table of parcels to be provided by the Information Systems Division (ISD) that will be the basis of the list of properties to be included in this scope of work. RMC may have collected some of this information through previous work. RMC will develop a data request list for the remaining information. City will provide requested information.

*Subtask 1.2 – Digitize Hard Copy Meter Records.* It is RMC's understanding that a significant amount of the City's meter records are only available in hard copy format. RMC will collect available information from the City and transfer from hard copy records to an editable electronic file format the following information for use in comparing to ISD databases and field observation:

- APN of water service for which meter was installed
- Meter number

The table will be expanded by associating the meter number information with the meter number in the ISD table provided on April 14, 2011 that includes a meter size and the rate schedule for each meter and a table of water use records from meter readings to be provided at a later date. The water use records will be used to assess actual water use at property types and for sizing of replacement meters, where necessary.

*Subtask 1.3 – Compile Existing Data.* RMC will analyze available, existing data to develop an understanding of conditions (e.g. parcel and structure orientation; water main location; service line location; number of parcels per service line; number of units per parcel) at the properties to be included in the work. RMC will develop diagrams displaying available information about the properties for use in the field. RMC will identify property diagrams that would benefit from additional City staff review and input. The City will review these figures and update and annotate them to convey the location of service lines and other pertinent features such as existing meters and known obstacles. This additional information to be provided by the City is critical to an efficient field reconnaissance effort.

**Assumptions:**

- Tabular information except as noted above is available from the City in Excel or Access format.
- There are assumed to be 4000 meter records available only in hard copy format.
- Transfer of meter information beyond what is identified in the scope language will not be required for this work because it is assumed that all existing meters that would be impacted by this scope of work will be replaced.
- All installed meters are being read and billed and are included in the ISD databases. The table provided by ISD on April 14, 2011 is the limit of what would be evaluated as part of this scope of work.
- Total count of parcels on the APN list to be provided by ISD is within 50 parcels of the information provided in February 2011.
- City parcel maps are in GIS format and will be the basis of the property diagrams. Each parcel will have a unique Assessor's Parcel Number (APN) associated with the file feature. City may elect to provide a parcel GIS file developed by the County should the City wish that file to be the basis of the property diagrams.
- Discrepancies between the County parcel database and the City parcel maps will be researched and resolved by ISD. An updated parcel map will be made available for use on the Project.

- One meeting with City staff is assumed to be a part of this task. Budget and deliverables for the meetings are included in Task 8.

**Deliverables:**

- 1) Data request list
- 2) Data source log
- 3) Meter information table
- 4) List of properties to be included in design packages with preliminary design package classification and metered status (including existing meter size)
- 5) Property diagrams
- 6) Meeting agendas and summaries

**Task 2: Policy Development**

**Purpose:** Develop and evaluate potential policies for meter implementation under this Task Order including construction, maintenance, and billing for multiple structure/parcel/property configurations.

**Scope Items:**

*Subtask 2.1 – Survey of Other Utilities’ Policies.* RMC will research metering and billing approaches of other local cities and water agencies, including Galt, Sacramento Suburban Water District, Vacaville, Ripon, Woodland, Fresno, Stockton, and Sacramento. RMC will question utilities on policies for metering, meter sizing, charges and billing, exceptions, and process taken to arrive at the final policies and charges.

*Subtask 2.2 – Policy Development.* RMC will work with City to develop metering policies and evaluate master metering as the primary policy alternative for the City. RMC will develop criteria that will help the City apply the policy and identify exceptions. Using the results of the research and input from City staff, RMC will evaluate and provide a recommendation for a fair charge for meter service and provide up to three alternatives for recovery of the installation cost.

This scope assumes development, application, and implementation of a master metering policy. Master metering assumes that there would be one meter per underlying parcel, whether that parcel be, for example, for a single unit, a condominium complex, or a mobile home park.

**Assumptions:**

- This scope of work and associated fee estimate and schedule assumes that there will be only 1 meter per underlying parcel. Master metering is assumed to be the preferred policy of the City based on prior WMP research efforts and feedback from City staff. It is acknowledged that there will be exceptions to this policy but not enough information is available at this time to quantify the number, type, or location of the exceptions to the master metering policy. The City and RMC will revisit this scope of work, fee estimate, and schedule after development of the policies and criteria as a part of this task and the field reconnaissance in Task 3 to account for exceptions to the master metering policy.
- This work will build upon information collected as part of prior WMP efforts.

- RMC will coordinate policy development with City staff. Incorporating input from residents and land owners is not part of this task.
- One meeting with City staff is assumed to be part of this task. The purpose of this meeting is to inform City staff and prepare them for an upcoming ExComm meeting, at which decisions on the policies will be made. Participation in the ExComm meeting is covered as part of RMC's existing contract. Budget and deliverables for the staff preparation meeting is included in Task 8.

**Deliverables:**

- 1) Memorandum summarizing results of the analysis and recommendations

**Task 3: Field Reconnaissance**

**Purpose:** This task provides for intern resources and management in performing field reconnaissance for the Nonresidential and Multi-family Parcels Meter Program and intern resources (management is included in previously authorized RMC tasks) meter installation observations for the WMP Phase 1 construction.

**Scope Items:**

*Subtask 3.1 – Construction Management Services.* Field interns, hired under Task Order No. 2, will be used to supplement City Staff construction management efforts for installation of meters associated with Phase 1 of the WMP. The Field Interns will observe the Contractor's daily construction activities associated with installing approximately 3,700 water meter assemblies. The Field Intern's responsibilities will consist of, but are not limited to, observing and reporting on the contractor's process, materials used, and compliance with the contract documents to install the meter assemblies, meter boxes, and the abandonment of old water services. They will record and report daily on the contractor's progress by preparing daily reports and updating a meter install tracking database. The Field Interns may assist the Resident Engineer in other tasks.

*Subtask 3.2 – Field Work Preparation.* RMC will conduct a field reconnaissance effort for the 3,168 parcels. It is assumed that RMC will utilize the construction observation interns from Subtask 3.1 above for the field reconnaissance work when they are not otherwise occupied with construction observation activities. RMC will train the interns to perform the field observation work necessary for the Nonresidential and Multi-family Parcels Meter Program expansion. RMC will develop a field database and form based on the summer 2010 field work. RMC will preload the tabular meter information developed in Subtask 1.2 into the field database for comparison with field observations.

*Subtask 3.3 – Site Investigations.* RMC will coordinate and conduct field reconnaissance visits to assess existing conditions for the parcels being investigated under the Nonresidential and Multi-family Parcels Meter Program expansion (i.e. utilities, physical features, obstacles) that could be encountered during construction. These observations will provide the basis for developing the existing conditions database.

For existing metered parcels, RMC will accompany City meter readers on their regular routes to help identify locations of meters as well as document existing meter equipment and related facilities. This will be achieved by locating the meter using a GPS device and photographing the meter and its surroundings. Since it is assumed that all existing meters will be replaced, it is assumed that no additional field work would be required for existing meter installations.

For unmetered parcels, RMC will visit each underlying parcel to verify the location of the existing water service line and to document conditions, comparable to the effort undertaken in the summer of 2010 field reconnaissance work. This level of field reconnaissance is assumed to be adequate for design and installation of a single master meter for the underlying parcel. Field work associated with designs related to exceptions to this policy is not covered by the level of effort included in the budget estimate.

RMC will update the property diagrams developed in Task 1 based on field reconnaissance observations. Vacant properties will be identified and excluded from further analysis and design.

**Assumptions:**

- Scope and budget for construction management services included in this Task Order apply only to interns. Non-intern RMC and Nolte staff scope and budget are included in other authorized RMC task orders.
- Intern efforts associated with Task 3.1 (Construction Management Services) are assumed to take place between June 2011 and October 2011.
- City staff will be available to review the proposed field form and participate in preliminary field visits to help identify potential opportunities and constraints.
- There are assumed to be 2,277 parcels without meters.
- There are assumed to be 891 parcels with meters.
- All existing meters locations will be visited within one billing cycle of meter reads, assumed to be one month in duration.
- Two RMC teams will perform the field reconnaissance work. One engineer will oversee day-to-day operations and manage the work flow and database entry.
- City will provide field office space with phone and internet access at no charge to RMC.
- No right of entry or other permits will be required to perform the field work. City will perform any required notification.
- Equipment used for the summer 2010 field work will be available for use on this scope.
- Two meetings with City staff are assumed to be part of this task. Budget and deliverables for the meetings are included in Task 8.

**Deliverables:**

- 1) Field database for Nonresidential and Multi-family Parcel Meter Program expansion
- 2) Field reconnaissance summary memorandum
- 3) Updated property diagrams

**Task 4: Nonresidential and Multi-family Parcel Planning**

**Purpose:** Identify properties to be included in design phase of the work; develop meter sizing and installation guidelines to facilitate design; identify appurtenances and facilities related to water meters that will be included in the standard meter installation designs; develop basis for final design and final design work products. The basis for planning work will be the metering policies previously developed by RMC and the City and the supplemental policies developed under Task 2 herein.

**Scope Items:** Design packages in this expansion of the WMP will address properties that are currently metered that are assumed to require replacement meters and properties without meters. This task also

includes work to develop information and a technical memorandum that will serve as the preliminary design for the Nonresidential and Multi-family Parcels expansion to the WMP. The subtasks below describe the planning and preliminary design work.

*Subtask 4.1 – Unmetered Properties.* Unmetered properties not included in WMP Phases 1 through 7 will be included in this subtask. RMC will review parcel records, installed meter databases, and the field database to confirm the properties belonging within this subtask.

RMC will research and recommend meter assembly components (e.g. meters, valves, back-flow preventers, fire flow bypass) and metering technologies. Recommended metering technologies will be compatible with City plans for a fixed network automated meter reading capability. RMC will develop installation cost estimates for the range of meter assembly sizes. RMC, in consultation with City staff, will also recommend capacity ranges for each meter assembly size and identify an approximate number of parcels that would likely be fitted with each meter size. To perform this work RMC will:

- Develop a fixture unit count estimate, using the 2010 California Plumbing Code, as a basis for up to 5 building unit types:
  - Mobile home
  - Apartment/Condo unit
  - Light Water Use Commercial/Industrial (assumed to include public/pseudo-public properties)
  - Heavy Water Use Commercial/Industrial
  - Irrigation

These fixture counts will be multiplied by the number of building units to obtain the total number of fixture units for each property included under this scope. Landscaped area will be provided by the City to facilitate calculation of irrigation fixture units. Based on the 2010 California Plumbing Code, this number of fixture units will be translated into a design minimum and peak water demand. Where it is unclear how many building units are represented on a parcel, a demand range will be established.

- Utilize AWWA Manual 22 to size meters based on the design demand. Where more than one meter size is able to accommodate the maximum demand load, the meter size with the smallest minimum test flow will be recommended.
- Meter sizing recommendations will be confirmed by City staff before additional analysis is performed.
- Meter standards will be referenced as follows:
  - AWWA C700 – Cold-Water Meters – Displacement Type, Bronze Main Case
  - AWWA C701 – Cold-Water Meters – Turbine Type
  - AWWA C702 – Cold-Water Meters – Compound Type

RMC will make a recommendation for meter style based on the application and anticipated demand. City staff will confirm the recommendation or suggest an alternate, preferred style.

- Identify up to 3 meter vendors/manufacturers able to supply meters consistent with the needs of the the expanded WMP.
- Develop performance and material requirements for additional equipment to be installed with the meters.

- Confirm with City staff and manufacturers that the automated meter reading technology being implemented in WMP Phases 1 through 7 is appropriate for use in the expanded WMP.
- Develop a recommended concept for a standard master meter installation

The concept will include recommended meter, register, ERT, valving, fire protection flow bypass (unmetered), and backflow preventer assembly. Concept sketches will be the basis of the design details to be developed during final design.

- Develop a preliminary design level cost estimate for the various sizes of meter assemblies based on manufacturer quotes, published unit cost information (i.e. RS Means and Saylor), and RMC experience. The estimates will be applied to the parcels included in this Task Order to develop an estimate for implementation of WMP for the multi-unit residential and nonresidential parcels.

RMC will apply the metering policies and criteria developed in Task 2.

*Subtask 4.2 – Metered Properties.* RMC will review the City’s installed meter database and field reconnaissance database to update the metered parcel list.

RMC will establish meter installation recommendations consistent with those of unmetered properties based on parcel type, the number of units, and meter read history. RMC will also review billing arrangements for existing metered customers to ensure consistency with the policies and recommendations developed in Task 2 or to identify existing programs that would need to be grandfathered into the updated policies.

*Subtask 4.3 – Preliminary Design.* Preliminary design work will consist of:

***Confirm Bid Packages and Phasing***

Up to four design packages are assumed included within this scope, one each for mobile home parks, high density residential (5 or more residential units, including condominiums, apartments, and planned unit developments), commercial/industrial, and public/pseudo-public parcels. RMC will analyze the contracting approach to confirm this assumption and make a recommendation for contracting of the expanded WMP considering composition of the packages, City cash flow within the water utility, and possible synergies with the current WMP Phase 1 through 7 contracting approach.

***Develop Design Criteria and Standards***

RMC shall develop criteria, assumptions and standards for design of each package based on previous design work performed by RMC. Criteria will include preferred construction techniques (minimally invasive for meter installation), meter and electronic meter reading equipment standards, surface restoration, and traffic control, as appropriate.

***Develop Concept for Preliminary Contract Documents and Bid Schedule***

RMC shall develop a conceptual drawing, specifications and bid schedule for up to four contract document packages based on contract document packages for WMP Phases 1 and 2. The bid schedule will define the structure by which the project is bid by contractors, as well as the basis for payment during construction. It will also isolate those meter installation costs for which the property owner may be responsible. The preliminary bid schedule will be refined based on discussions with the City.

It is anticipated that each design package would be similar to the one produced for the Phase 1 parcels and contain:

- An overall index sheet with a grid reference system to area detail sheets.
- Area detail sheets (approximately 1"=40') with parcel lines, APNs, approximate water main locations, and background aerial photography obtained previously by RMC for the WMP Phases 1 through 7. Existing meter locations and proposed meter locations would be symbolized on the area detail sheets.
- Installation details for the standard master meter policy installation and common exceptions to the master meter policy such as a master meter + master irrigation meter.

Differences from the Phase 1 construction drawings would include:

- Reference to a table that includes each parcel to be included in the bid package that contains information such applicable meter assembly, reference to other applicable details, and field reconnaissance information that may be useful for bidding and construction.

#### ***Develop Preliminary Construction Costs***

RMC shall develop a preliminary construction cost estimate for the expanded WMP, including new and replacement meter installations. The preliminary construction cost estimate shall be appropriate in detail and accuracy for a planning level effort (+/- 30%). Contingencies will be applied to account for unforeseen conditions and project unknowns. The cost estimate will be developed to correspond to the approved project phasing; the net present value (NPV) of each phase will be developed and the cost estimate for each phase will be projected to the assumed mid-point of construction. This level of estimate will be consistent with the WMP Phases 1 through 7 methodology for updating overall WMP outlays.

*Subtask 4.4 – Preliminary Design TM.* RMC shall prepare a Preliminary Design Technical Memorandum (TM) summarizing the work under this task for parcels classified as mobile home park, high density residential (at least 5 units per parcel), commercial and industrial parcels, and public/pseudo-public parcels. A single TM will address up to four design packages. Since much of the information to be developed is anticipated to be similar or the same for all four individual design packages, a single Preliminary Design TM will reduce overall effort that would be needed to produce four TMs. RMC will identify differences in design package content between the up to four separate design packages. For all work components, any differences in submittal content between the four design packages will be identified.

#### **Assumptions:**

- This scope of work and associated fee estimate and schedule assumes that there will be only 1 meter per underlying parcel. Master metering is assumed to be the preferred policy of the City based on prior WMP research efforts and feedback from City staff. It is acknowledged that there will be exceptions to this policy but not enough information is available at this time to quantify the number, type, or location of the exceptions to the master metering policy. The City and RMC will revisit this scope of work, fee estimate, and schedule after development of the policies and criteria in Task 2 and the field reconnaissance in Task 3 to account for exceptions to the master metering policy.
- RMC shall prepare bid package Building Division files will have sufficient information to develop a fixture unit count for the building types. Where there is insufficient information available from

the Building Division files, RMC may develop an estimated meter size based on water line size where water line size is available.

- There are assumed to be 2,277 parcels without meters.
- There are assumed to be 891 parcels with meters.
- City will provide documentation of all existing billing arrangements and agreements.
- Analysis will be portrayed in tabular format only.
- Two meetings with City staff are assumed to be part of this task. Budget and deliverables for the meetings are included in Task 8.
- The City will participate in a workshop to discuss results of the draft Preliminary Design TM and will provide written comments for RMC to address and incorporate into the final Preliminary Design TM.
- Site specific detail presented as part of the Preliminary Design TM will be general and illustrative in nature.
- Analysis (e.g. sizing or condition assessment) and design of replacement service lines and water mains are not included in this scope of work.
- City will define cost items for which an individual property owner may be responsible for use in developing a conceptual bid schedule.

**Deliverables:**

- 1) Draft and final Preliminary Design TM (PDF and 3 hard copies)

**Task 5: Focused Outreach – Meeting Support**

**Purpose:** Support City efforts to communicate planned strategies and policies to affected communities.

**Scope Items:** RMC will participate in up to four focus group meetings. Each focus group meeting will align with each of the up to four design packages. City staff will lead the meetings and identify topics to be addressed in each meeting. RMC will develop meeting materials and information (e.g. handouts, graphics, and presentation slide shows).

RMC will support the City at up to four City Council shirtsleeve meetings, one shirtsleeve meeting per design package. One RMC staff person will attend and participate in the shirtsleeve meetings.

**Assumptions:**

- City staff will be responsible for preparing invitations and notifications for the focus group meetings.
- Nine meetings (four focus group meetings, four shirtsleeve meetings, and a planning session with City staff) are assumed to be part of this task. Budget and deliverables are included in this task.

**Deliverables:**

- 1) Meeting materials for all meetings identified above
- 2) Meeting summary for the focus group meetings

## **Task 6: Final Design**

**Purpose:** Develop up to four biddable and buildable design packages, including drawings and specifications, for mobile home parks, high density residential properties, commercial/industrial properties, and public/pseudo-public properties.

**Scope Items:** RMC shall develop drawings (plan view for meters and services) for each design package. The final designs will ultimately result in a comprehensive set of bid documents for each design package that the City of Lodi can publicly bid. All packages will be designed and bid consecutively (not concurrently). The mobile home park design package will be completed first. The order of the other design packages will be determined through Task 4 work. Each design package shall include 60% and 90% complete interim submittals and a final signed and sealed bid package deliverable, as defined below. Each submittal shall represent a logical progression of the design package development and shall incorporate City review comments. This task includes the following work for each design package:

### ***60% Design***

RMC shall perform engineering and design activities to develop a 60% level of completion package for the project. The submittal shall include the following components:

- Location and type of meter for new meter installations or replacement of existing meters
- Preliminary construction details, including meter installation, connections, trenching, and roadway restoration.
- Draft front end and technical specifications for major materials and equipment and a proposed table of contents for the final bid package submittal.
- Engineer's estimate of construction costs, projected to mid-point of construction.
- Design submittal memorandum summarizing contents of the submittal package and outstanding items for review and resolution.

### ***90% Design***

RMC shall perform engineering and design activities to develop a 90% level of completion package for the project. The 90% Design Package submittal shall incorporate City comments received during review of the 60% Design Package submittal. The 90% submittal shall include the following components:

- Meter installation plans, construction details, and construction notes showing the location and type of meter installation, as needed.
- Construction details including meter installation, connections, trenching and roadway restoration.
- Technical specifications.
- Engineer's estimate of construction costs.
- Design submittal memorandum summarizing contents of the submittal package, outstanding items for review and resolution.

### ***Bid Submittal***

RMC shall finalize the drawings and specifications based on the 90% design submittal review comments from the City. The Bid Submittal, the final design submittal, shall be signed and stamped by the responsible RMC professional engineer. The final design submittal shall include the following components:

- Final drawings and specifications
- Final Engineer's Estimate

### **Assumptions:**

- This scope of work and associated fee estimate and schedule assumes that there will be only 1 meter per underlying parcel. Master metering is assumed to be the preferred policy of the City based on prior WMP research efforts and feedback from City staff. It is acknowledged that there will be exceptions to this policy but not enough information is available at this time to quantify the number, type, or location of the exceptions to the master metering policy. The City and RMC will revisit this scope of work, fee estimate, and schedule after development of the policies and criteria in Task 2 and the field reconnaissance in Task 3 to account for exceptions to the master metering policy.
- Design for the high density residential and public/pseudo-public bid packages cannot be estimated until the completion of field reconnaissance and [re-evaluation of the level of effort impacts of exceptions to the master metering policy](#). Design of these bid packages is not included in the scope or fee estimate at this time. Scope language that references these design packages demonstrates RMC's and the City's intent to develop a fee estimate for this work and complete the design packages.
- RMC shall prepare bid package documents using several formats that may include AutoCAD, ArcGIS, Microsoft Excel, Microsoft Access, and Microsoft Word. A consistent title block acceptable to the City for the different formats will be used. The title block will be based on the City's standard title block and CAD standards. Drawings to be developed in AutoCAD will be in AutoCAD 2008 unless City provides a preferred version prior to Preliminary Design (Subtask 4.3)
- Specifications shall be 16 Division CSI format, prepared in MS Word. RMC shall use the City's front end specifications (Division 0 and 1) edited to make them project specific.
- Specifications will rely heavily on the WMP Phase 1 specifications and the City Standard Construction Specifications that are currently under development by RMC.
- Plans will rely heavily on the WMP Phase 1 plans for format, referencing systems, and content where applicable.
- Drawings are anticipated to consist of general sheets, large-scale index sheets, area detail sheets, look-up tables, and details. The area detail sheets (approximately 1"=40' scale for consistency with the Phase 1 construction package) include parcel specific references to look-up tables. The look-up tables will reference applicable construction details for the property, including meter assembly, meter size, and field reconnaissance notes. The look-up tables may be included in the plan set or bound with the specifications.
- Exact locations of service lines are not required for the contractor to bid or construct the meter installation.
- City parcel map (GIS format) will be the basis of the design and background for the index sheets.
- No water main or water service line replacement is included in this task.

- Similar to the Phase 1 construction documents, RMC shall organize and configure the submittal CD-Rom for easy navigation by bidders. Drawing and specification files will be titled for easy identification.
- Backgrounds and drawing scale will be appropriate for the intended use.
- Eight meetings are assumed to be part of this task for review of the 60% submittal and the 90% submittal for each of the four design packages. Budget and deliverables for the meetings are included in Task 8.

**Deliverables:**

- 60% Design Submittal Packages
  - Five (5) hard copy sets of 11x17 drawings and 8-1/2 x 11 specifications
  - One (1) CD-Rom containing pdf format files of the drawings, specifications, and supporting documentation)
- 90% Design Submittal Packages
  - Five (5) hard copy sets of 11x17 drawings and 8-1/2 x 11 specifications
  - One (1) CD-Rom containing pdf format files of the drawings, specifications, and supporting documentation)
- Final Design Submittal Package
  - One (1) full-size, camera ready, unbound mylar set of drawings
  - Five (5) hard copy sets of 11x17 drawings and 8-1/2 x 11 specifications
  - One (1) CD-Rom containing pdf format files of the drawings, specifications, and supporting documentation

**Task 7: Bidding Services**

**Purpose:** City of Lodi, at its discretion, may utilize the RMC's services during the Bid Period activities. RMC shall support and facilitate the City's effort to bid and award the meter installation contracts.

**Scope Items:** RMC shall assist the City in administering bid-phase activities for up to four bid packages including:

- Coordinate with City's printing vendor to produce bid sets for contractor distribution. Consultant shall deliver a .pdf file to vendor.
- Maintain plan holders list
- Respond to bidder questions
- Prepare and distribute addenda to plan holders, as required
- Administer pre-bid meeting (1 per design package)
- Evaluate bids for completeness

**Assumptions:**

- The City shall be the main point of contact for bid inquiries.
- City shall provide data and/or input as appropriate to address bidder questions.
- City shall appoint a City staff person who shall be responsible for administering the bid period and shall be RMC's main point of contact.
- The vendor will handle distribution and charge bidders by the set. There will be no costs to RMC associated with bid set reproduction or distribution.

- Four meetings are assumed to be part of this task. Budget and deliverables for the meetings are included in Task 8.
- Construction support services and construction management services are not included in this Scope.

**Deliverables:**

- Bid documents (full size PDF, half size PDF, up to 5 hard copy half-size sets for client use)
- Plan holders list
- Bidder inquiry and response log
- Up to two addenda per bid package, as needed
- Bid evaluation forms and recommendations

**Task 8: Project Management**

**Purpose:** Manage RMC’s team to achieve the project goals and deliver the project deliverables within the budget and schedule allocated to the work. Communicate with the City throughout the process.

**Scope Items:**

It is RMC’s intent to manage the work under this Scope of Services in coordination with project management activities currently ongoing to streamline reporting and to avoid duplication of effort. The activities described in the subtasks below will be consolidated with similar project management activities performed for other Task Orders where possible to minimize overall cost. The level of effort associated with this work is the incremental effort required to include these subtasks with similar subtasks in other Task Orders.

*Subtask 8.1 – Budget and Schedule Tracking.* RMC will manage the budget and schedule consistent with City objectives. RMC is not responsible for delays beyond its control. RMC will communicate budget concerns to the City as necessary. RMC will prepare monthly invoices and progress reports.

*Subtask 8.2 – Progress Meetings.* RMC will participate in up to eight progress meetings/conference calls with City staff.

*Subtask 8.3 – Task Meetings.* RMC will participate in the meetings identified in other tasks described above. Up to 18 meetings are included, as described in the table below.

Task	Number of Assumed Meetings	RMC Attendees	Meeting Description
1	1	Task order manager	• Review data request and collect hard copy information
2	1	Project manager	• ExComm meeting preparation regarding proposed policies and criteria
3	2	Field manager and engineer	• Field meetings to review field reconnaissance procedures and obstacles
4	2	Task order manager and engineer	• Review recommended meter arrangements, costs, etc.

City of Lodi  
 Water Meter Program Task Order No. 3

Task	Number of Assumed Meetings	RMC Attendees	Meeting Description
			<ul style="list-style-type: none"> <li>Receive comments on draft Preliminary Design TM</li> </ul>
6	8	Task order manager and engineer	<ul style="list-style-type: none"> <li>Receive comments on 60% design package (x4 bid packages)</li> <li>Receive comments on 90% design package (x4 bid packages)</li> </ul>
7	4	Task order manager and engineer	<ul style="list-style-type: none"> <li>Pre-bid meeting (x4 bid packages)</li> </ul>

*Subtask 8.4 – Perform QA/QC.* RMC will implement a QA/QC plan consistent with the QA/QC plan developed as a part of Task Order 1. RMC will perform and document internal QC reviews of deliverables.

**Assumptions:**

- RMC will continue participation in executive committee meetings as described and budgeted in Task Order 1. No additional meeting attendance is included in this scope for ExComm meetings.
- Monthly invoices and progress reports will be prepared for this Task Order separate from other WMP task orders to facilitate billing and payment.
- Monthly progress meetings will coincide with other project meetings or take place via conference call.
- Duration of work under this task order is assumed to be 31 months
- Eight progress meetings are assumed

**Deliverables:**

- 1) Monthly invoices and progress reports
- 2) Task meeting agendas and summaries
- 3) Documentation of QC reviews

City of Lodi  
Water Meter Program Task Order No. 3

RMC WATER AND ENVIRONMENT

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

CITY OF LODI

\_\_\_\_\_  
Signature

Konradt Bartlam

\_\_\_\_\_  
Printed Name

City Manager

\_\_\_\_\_  
Title

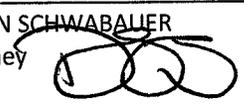
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Date

ATTEST:

\_\_\_\_\_  
RANDI JOHL  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
D. STEPHEN SCHWABAUER  
City Attorney





# Fee Estimate

## City of Lodi

### Water Meter Program - TO3: Nonresidential and Multi-family Parcels

Tasks	RMC Labor		Nolte		ODCs		Total	
	Total Hours	Total Labor Costs (1)	Total Hours	Subtotal	Sub Consultant Total Cost (2)	ODCs		Total ODCs (3)
<b>Task 1: Collect Existing Data</b>								
1.1 Collect Existing Data	15	\$2,755	0	\$0	\$0	\$100	\$110	\$2,865
1.2 Digitize Hard Copy Meter Records	70	\$7,500	0	\$0	\$0		\$0	\$7,500
1.3 Compile Existing Data	80	\$14,720	0	\$0	\$0		\$0	\$14,720
<b>Subtotal Task 1:</b>	<b>165</b>	<b>\$24,975</b>	<b>0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$100</b>	<b>\$110</b>	<b>\$25,085</b>
<b>Task 2: Policy Development</b>								
2.1 Utility Research	11	\$1,855	0	\$0	\$0		\$0	\$1,855
2.2 Policy Development	20	\$4,830	0	\$0	\$0		\$0	\$4,830
<b>Subtotal Task 2:</b>	<b>31</b>	<b>\$6,685</b>	<b>0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,685</b>
<b>Task 3: Field Reconnaissance</b>								
3.1 Construction Management Services	2000	\$82,500	0	\$0	\$0		\$0	\$82,500
3.2 Field Work Preparation	102	\$16,230	30	\$2,700	\$2,970		\$0	\$19,200
3.3 Site Investigations	2948	\$144,760	230	\$20,700	\$22,770	\$1,000	\$1,100	\$168,530
<b>Subtotal Task 3:</b>	<b>5050</b>	<b>\$243,490</b>	<b>260</b>	<b>\$23,400</b>	<b>\$25,740</b>	<b>\$1,000</b>	<b>\$1,100</b>	<b>\$270,330</b>
<b>Task 4: Large Meter Program Planning</b>								
4.1 Properties Without Meters	136	\$25,555	4	\$240	\$264		\$0	\$25,819
4.2 Properties With Meters	27	\$4,905	0	\$0	\$0		\$0	\$4,905
4.3 Preliminary Design	88	\$17,800	16	\$960	\$1,056		\$0	\$18,856
4.5 Preliminary Design TM	82	\$14,730	4	\$240	\$264	\$100	\$110	\$15,104
<b>Subtotal Task 4:</b>	<b>333</b>	<b>\$62,990</b>	<b>24</b>	<b>\$1,440</b>	<b>\$1,584</b>	<b>\$100</b>	<b>\$110</b>	<b>\$64,684</b>
<b>Task 5: Focused Outreach - Meeting Support</b>								
5.1 Meetings	120	\$22,260	0	\$0	\$0	\$425	\$468	\$22,728
<b>Subtotal Task 5:</b>	<b>120</b>	<b>\$22,260</b>	<b>0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$425</b>	<b>\$468</b>	<b>\$22,728</b>
<b>Task 6: Final Design</b>								
6.1 Mobile Home Parks Bid Package	104	\$18,500	104	\$8,040	\$8,844	\$1,000	\$1,100	\$28,444
6.2 High Density Residential Bid Package (NOT ESTIMATED)	0	\$0	0	\$0	\$0		\$0	\$0
6.3 Commercial and Industrial Bid Package	316	\$59,940	440	\$35,760	\$39,336	\$1,550	\$1,705	\$100,981
6.4 Public/Pseudo-public Bid Package (NOT ESTIMATED AT)	0	\$0	0	\$0	\$0		\$0	\$0
<b>Subtotal Task 6:</b>	<b>420</b>	<b>\$78,440</b>	<b>544</b>	<b>\$43,800</b>	<b>\$48,180</b>	<b>\$2,550</b>	<b>\$2,805</b>	<b>\$129,425</b>
<b>Task 7: Bidding Services</b>								
7.1 Mobile Home Parks Bid Package	22	\$3,790	8	\$480	\$528		\$0	\$4,318
7.2 High Density Residential Bid Package	22	\$3,790	8	\$480	\$528		\$0	\$4,318
7.3 Commercial and Industrial Bid Package	22	\$3,790	8	\$480	\$528		\$0	\$4,318
7.4 Public/Pseudo-public Bid Package	22	\$3,790	8	\$480	\$528		\$0	\$4,318
<b>Subtotal Task 7:</b>	<b>88</b>	<b>\$15,160</b>	<b>32</b>	<b>\$1,920</b>	<b>\$2,112</b>	<b>\$0</b>	<b>\$0</b>	<b>\$17,272</b>
<b>Task 8: Project Management</b>								
8.1 Budget and Schedule Tracking	51	\$8,100	10	\$1,500	\$1,650		\$0	\$9,750
8.2 Progress Meetings	12	\$2,400	0	\$0	\$0		\$0	\$2,400
8.3 Task Meetings	240	\$43,595	18	\$1,620	\$1,782	\$1,100	\$1,210	\$46,587
8.4 QA/QC Deliverables	10	\$1,990	0	\$0	\$0		\$0	\$1,990
<b>Subtotal Task 8:</b>	<b>313</b>	<b>\$56,085</b>	<b>28</b>	<b>\$3,120</b>	<b>\$3,432</b>	<b>\$1,100</b>	<b>\$1,210</b>	<b>\$60,727</b>
<b>TOTAL</b>	<b>6520</b>	<b>\$510,085</b>	<b>888</b>	<b>\$73,680</b>	<b>\$81,048</b>	<b>\$5,275</b>	<b>\$5,803</b>	<b>\$596,936</b>
							<b>Cost without Task 3.1:</b>	<b>\$514,436</b>

- The individual hourly rates include salary, overhead and profit.
- Subconsultants will be billed at actual cost plus 10%.
- Other direct costs (ODCs) such as reproduction, delivery, mileage (rates will be those allowed by current IRS guidelines), and travel expenses, will be billed at actual cost plus 10%.
- RMC and the City of Lodi will negotiate an adjustment for contract years 2011 through 2014 based on an established price index agreeable to both parties.

1. AA# \_\_\_\_\_  
 2. JV# \_\_\_\_\_

CITY OF LODI APPROPRIATION ADJUSTMENT REQUEST		
TO:	Internal Services Dept. - Budget Division	
3. FROM:	Rebecca Areida-Yadav	5. DATE: 06/06/2011
4. DEPARTMENT/DIVISION:	Public Works	

6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW					
	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	181		3205	Fund Balance	\$ 650,000.00
B. USE OF FINANCING	181	181463	1825.2200	Water Meter Planning/Design	\$ 650,000.00

7. REQUEST IS MADE TO FUND THE FOLLOWING PROJECT NOT INCLUDED IN THE CURRENT BUDGET
<p>Please provide a description of the project, the total cost of the project, as well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.</p> <p>Task Order No. 3 with RMC Water and Environment for water meter planning, design and program management for nonresidential and mult-family parcels.</p>

<p>If Council has authorized the appropriation adjustment, complete the following:</p> <p>Meeting Date: _____ Res No: _____ Attach copy of resolution to this form.</p> <p>Department Head Signature: _____ <i>Wally Sanchez</i></p>
--

8. APPROVAL SIGNATURES	
Deputy City Manager/Internal Services Manager	Date

Submit completed form to the Budget Division with any required documentation.  
 Final approval will be provided in electronic copy format.

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
AUTHORIZING THE CITY MANAGER TO EXECUTE TASK  
ORDER NO. 3 WITH RMC WATER AND ENVIRONMENT OF  
WALNUT CREEK FOR WATER METER PLANNING, DESIGN,  
AND PROGRAM MANAGEMENT FOR NONRESIDENTIAL  
AND MULTI-FAMILY PARCELS AND FURTHER  
APPROPRIATING FUNDS

=====

WHEREAS, On October 7, 2009, Council approved the professional services agreement with RMC Water and Environment (RMC) for the planning and design of residential water meter installations at approximately 16,000 locations, and

WHEREAS, On November 11, 2010, Council approved an amended professional services agreement with RMC to address changes in the project scope and duration, and

WHEREAS, Task Order No. 3 addresses the next phase of the water meter program for classes of mobile home parks, multi-family residential (parcels with five or more units), condominiums, commercial, industrial and public/pseudo public.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute Task Order No. 3 in the amount of \$596,936 with RMC Water and Environment of Walnut Creek, California for additional work related to the Water Meter Planning, Design, and Program Management for nonresidential and multi-family parcels; and

BE IT FURTHER RESOLVED that funds in the amount of \$650,000 be appropriated from the Water Capital Fund.

Dated: June 15, 2011

=====

I hereby certify that Resolution No. 2011-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 15, 2011, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



# **CITY OF LODI COUNCIL COMMUNICATION**

TM

**AGENDA TITLE:** Adopt Resolution Authorizing City Manager to Execute Contract Change Order with Knife River Construction, Inc., of Stockton, for Additional Work Related to the Water Meter Program Phase 1 Project (\$226,885) and Appropriating Funds (\$230,000)

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

---

**RECOMMENDED ACTION:** Adopt resolution authorizing City Manager to execute contract change order with Knife River Construction, Inc., of Stockton, for Additional Work Related to the Water Meter Program Phase 1 Project in the amount of \$226,885 and appropriating funds in the amount of \$230,000.

**BACKGROUND INFORMATION:** The contract with Knife River Construction was approved by Council on March 16, 2011. The project is Phase 1 of the Water Meter Installation Program.

At the May 18, 2011 City Council meeting, Council authorized advertising for bids for the 2011 Alley Reconstruction Project. The City has discovered that the existing water lines in the alleys included in the 2011 Alley Project are too shallow to permit the alley improvement work to be performed. The area was originally to be included in the Water Meter Program Phase 7 work. This change order will expedite the water line work in these alleys to be completed prior to the Alley Reconstruction Project.

Knife River Construction was the low bidder of eleven (11) bids received for the Water Meter Program Phase 1 Project. The contract amount awarded was \$1,872,285.00. Knife River has crews available to perform the alley water line work without impacting the base Phase 1 contract work or schedule. The work will be performed under the current Water Meter Program Phase 1 contract requirements.

**FISCAL IMPACT:** The work will expedite the Water Meter Program and Alley Reconstruction work in this area.

**FUNDING AVAILABLE:** Requested Appropriation:  
Water Fund (181464) \$230,000

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Jordan Ayers  
Deputy City Manager/Internal Services Director

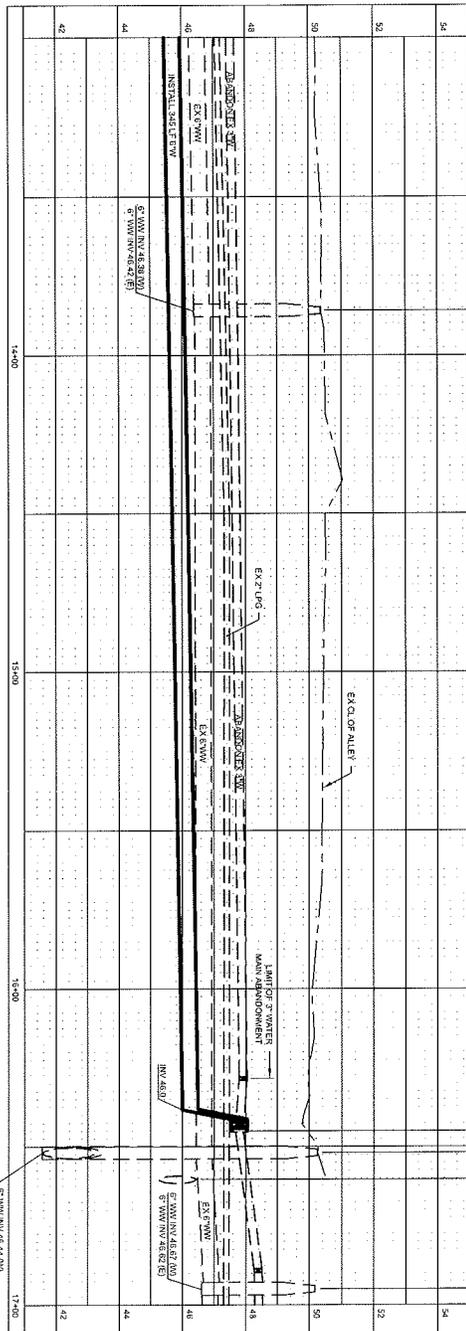
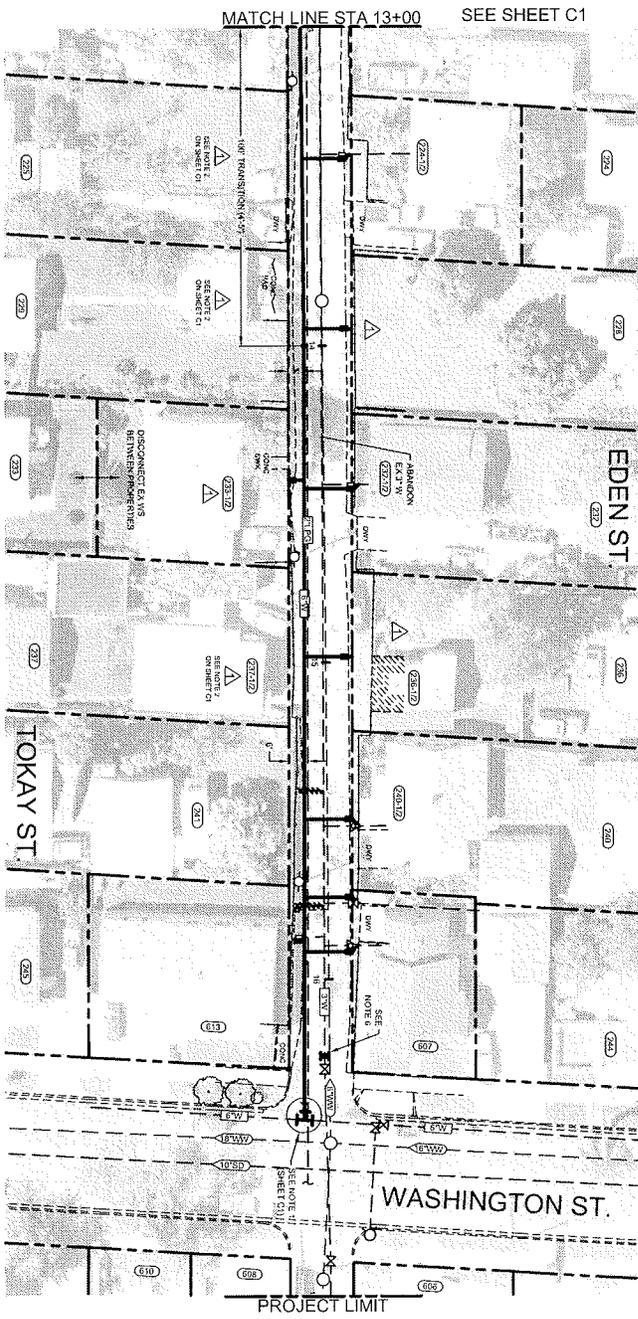
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F. Wally Sandelin  
Public Works Director

Prepared by Gary Wiman, Construction Project Manager  
FWS/GW/pmf

---

**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager



EXISTING SERVICE LOCATION UNKNOWN. CONTRACTOR TO VERIFY LOCATION PRIOR TO CONSTRUCTION.

011D004-C2

WATER MAIN INSTALLATION  
ALLEY NORTH OF TOKAY ST  
250' E/ STOCKTON ST -  
WASHINGTON ST

CITY OF LODI  
PUBLIC WORKS DEPARTMENT  
220 WEST FINE STREET  
LODI, CA 93261-1924  
PHONE (209) 333-6756  
FAX (209) 333-6710  
E-MAIL: [pubworks@cityoflo.com](mailto:pubworks@cityoflo.com)  
WEB SITE: [www.cityoflo.com](http://www.cityoflo.com)



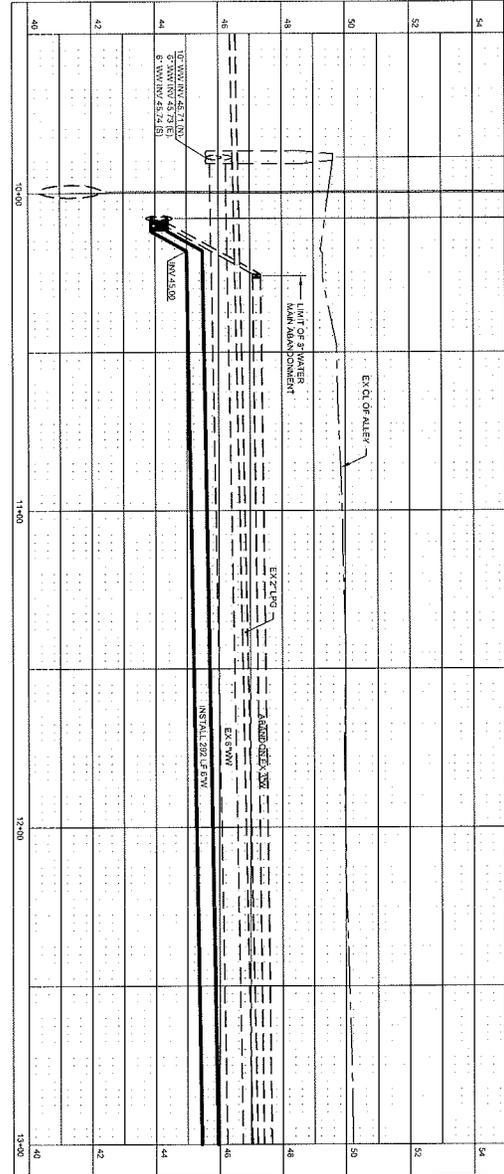
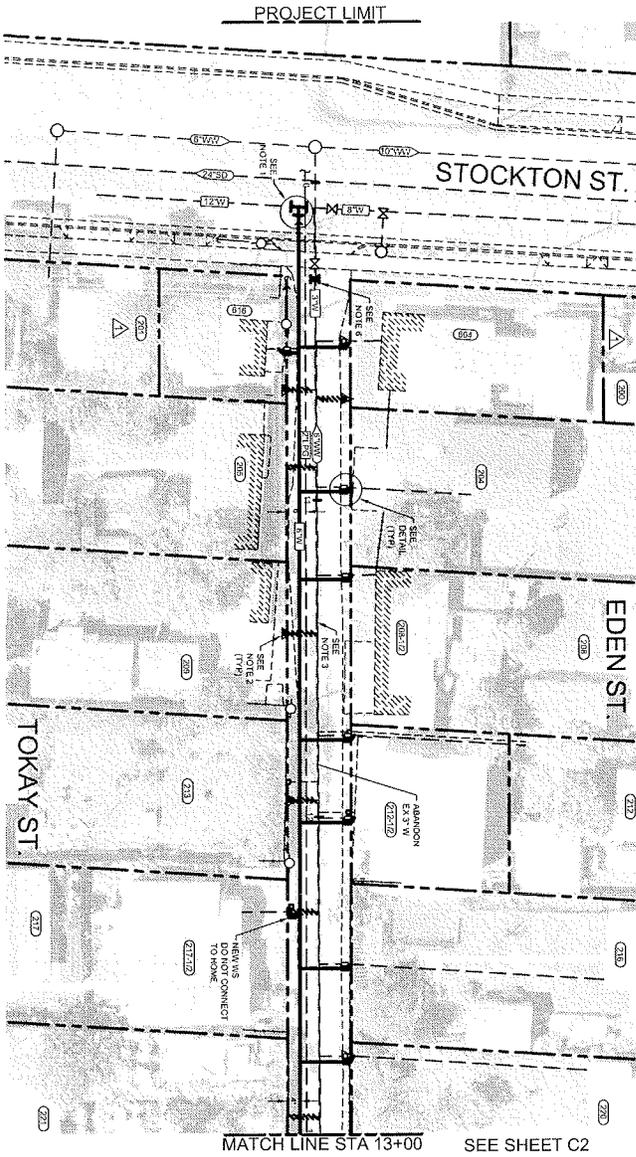
SCALE	1" = 20'	LC	JP
SCALE	1" = 2'		
PROJECT NO.			
DATE			
BY			

NO.	REVISION	DATE	BY

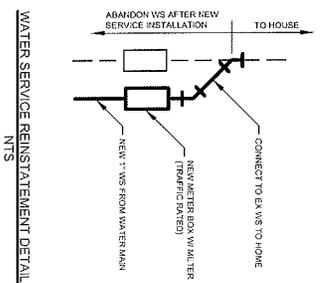
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011D004



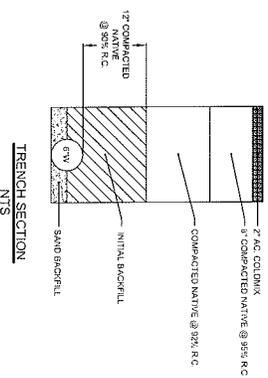


STA 9+63  
EX 12\"/>



WATER SERVICE REINSTATEMENT DETAIL  
NTS

TRENCH SECTION FOR WS PER S1 TO PLAN 505  
NTS



- NOTES
1. HOT TAP AND VALVE SHALL BE DONE BY CITY FORCE
  2. CONTRACTOR IS TO TRENCH AND BACKFILL
  3. ABANDON EXISTING WATER SERVICE AFTER THE WATER SERVICE INSTALLATION IS COMPLETE
  4. ABANDON EXISTING WATER MAIN AFTER THE NEW WATER MAIN AND WATER SERVICE INSTALLATION ARE COMPLETED
  5. WATER SERVICES FOR PROPERTY FACING TOKAY STREET SHALL BE CONNECTED TO EXISTING WATER SERVICE BOX FRONTING EDEN STREET. CONTRACTOR SHALL VERIFY LOCATION OF EXISTING WATER SERVICE BOX METER AND SET IN EACH WATER SERVICE BOX
  6. SOME WATER SERVICE LATERALS ARE NOT SHOWN. CONTRACTOR TO VERIFY LOCATIONS OF ALL WS SERVICES PRIOR TO CONSTRUCTION
  7. DISCONNECT PIPE AND USE COMPRESSION COUPLERS TO CAP PIPE ENDS. ABANDON WATER VALVE IN PLACE. REMOVE EXISTING HANDLE & COVER

DATE OF STATIONING: 01.23.2020  
BY: [Signature]  
CHECKED: [Signature]

01110004

WATER MAIN INSTALLATION  
ALLEY NORTH OF TOKAY ST  
STOCKTON ST -  
250' E/ STOCKTON ST

CITY OF LODI  
PUBLIC WORKS DEPARTMENT  
221 WEST FINE STREET  
LODI, CA 93261-1524  
PHONE: 209.333.6706  
FAX: 209.333.4700  
E-MAIL: p.w@cityoflodi.gov  
WEB SITE: www.cityoflodi.gov



SCALE	1" = 20'	1" = 2'
PROJECT NO.	LC	JP
DATE		
BY		

NO.	REVISION	DATE	BY
0	1/2		







**Water Meter Program - Phase 1**  
**CO Request #1**  
**Alley Improvements**

#	Description	QTY	UM	Unit Cost	Total
<b>CO Request #1</b>					
1	Traffic Control	1	LS	\$6,000.00	\$6,000.00
2	Shoring/Trench Plates	1	LS	\$1,500.00	\$1,500.00
3	Pothole Existing Utilities	1	LS	\$12,000.00	\$12,000.00
4	6" Water Main	1,295	LF	\$53.00	\$68,635.00
5	6" Gate Valves	4	EA	\$1,450.00	\$5,800.00
6	1" Service w/ Meter Assembly	42	EA	\$1,900.00	\$79,800.00
7	Install Service from Box to Hose Bibb on Tokay Street	13	EA	\$1,600.00	\$20,800.00
8	Tie-In to Existing Main	4	EA	\$3,500.00	\$14,000.00
9	Abandon Existing Main	4	EA	\$900.00	\$3,600.00
10	Abandon Existing Service	9	EA	\$750.00	\$6,750.00
11	Mobilization	1	LS	\$8,000.00	\$8,000.00
<b>TOTAL</b>					<b>\$226,885.00</b>

**Clarifications**

- 1 2 days of potholing per alley figured (4 TOTAL). Any additional potholing required will be on T&M
- 2 Connection to existing service will be within 5' of new meter box, trenching around houses is not figured.
- 3 ~~No work on Tokay Street has been included. NOTE #4 on Sheet C1 is excluded.~~
- 4 ~~Cold mix will be installed 1 time. Any maintenance after initial installation will be done on T&M~~
- 5 No removal or handling of AC (transite) pipe is included.
- 6 Due to PVC volatility, pipe will need to be ordered within 5 days to maintain pricing.
- 7 Knife River will need approximately **30 Working days** to complete this work.

1. AA# \_\_\_\_\_  
 2. JV# \_\_\_\_\_

**CITY OF LODI  
 APPROPRIATION ADJUSTMENT REQUEST**

TO: Internal Services Dept. - Budget Division  
 3. FROM: Rebecca Areida-Yadav 5. DATE: 06/06/2011  
 4. DEPARTMENT/DIVISION: Public Works

**6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW**

	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	181		3205	Fund Balance	\$ 230,000.00
B. USE OF FINANCING	181	181464	1825.2200	Water Meter Program Phase 1	\$ 230,000.00

**7. REQUEST IS MADE TO FUND THE FOLLOWING PROJECT NOT INCLUDED IN THE CURRENT BUDGET**

Please provide a description of the project, the total cost of the project, as well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.

Change order to contract with Knife River Construction for additional work related to the water meter program phase 1 project.

If Council has authorized the appropriation adjustment, complete the following:

Meeting Date: \_\_\_\_\_ Res No: \_\_\_\_\_ Attach copy of resolution to this form.

Department Head Signature: Wally Sandoz

**8. APPROVAL SIGNATURES**

\_\_\_\_\_  
 Deputy City Manager/Internal Services Manager Date

Submit completed form to the Budget Division with any required documentation.  
 Final approval will be provided in electronic copy format.

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER WITH KNIFE RIVER CONSTRUCTION, INC. FOR ADDITIONAL WORK RELATED TO THE WATER METER PROGRAM PHASE 1 PROJECT AND FURTHER APPROPRIATING FUNDS

WHEREAS, the contract with Knife River Construction, Inc., of Stockton, for the Water Meter Program Phase 1 Project was approved by Council on March 16, 2011, and

WHEREAS, at the May 18, 2011 City Council meeting, Council authorized advertising for bids for the 2011 Alley Reconstruction Project, and

WHEREAS, the City has discovered the existing water lines in the alleys included in the 2011 Alley Reconstruction Project are too shallow to permit the alley improvement work to be performed, and

WHEREAS, Knife River Construction was the low bidder of eleven (11) bids received for the Water Meter Program Phase 1 Project. The contract amount awarded was \$1,872,285.00, and

WHEREAS, Knife River has crews available to perform the alley water line work without impacting the base Phase 1 contract work schedule.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute a contract change order in the amount of \$226,885 with Knife River Construction, Inc. of Stockton, California, for additional work related to the Water Meter Program Phase 1 Project; and

BE IT FURTHER RESOLVED that funds in the amount of \$230,000 be appropriated from the Water Fund.

Dated: June 15, 2011

I hereby certify that Resolution No. 2011-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 15, 2011, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES: COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



# **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Accept Improvements Under Contract for Municipal Service Center (MSC) Compressed Natural Gas (CNG) Upgrade of Compressor No. 1 Control Panel

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

---

**RECOMMENDED ACTION:** Accept improvements under contract for Municipal Service Center (MSC) Compressed Natural Gas (CNG) upgrade of compressor No. 1 control panel.

**BACKGROUND INFORMATION:** On December 1, 2010, City Council awarded contract for the MSC CNG upgrade of compressor No. 1 control panel to D. L. Payne, Inc., of Lodi, in the amount of \$35,952. The contract has been completed in substantial conformance with the Request for Proposals for the project approved by City Council on May 19, 2010.

The project consisted of rebuilding one of the existing compressor control panels at the MSC CNG fueling station.

The final contract cost was \$47,206.19. The difference between the original and final contract price was \$11,254.19, due to three change orders to purchase and install fiber optic cabling and a fiber switch.

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 will be a slight decrease in the long-term maintenance costs associated with the installation of these new improvements.

**FUNDING:** Funding for this project was from the Facility Upgrade (Transit) Account (125179).

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F. Wally Sandelin  
Public Works Director

Prepared by Dennis J. Callahan, Fleet and Facilities Manager  
FWS/DJC/pmf  
cc: Paula Fernandez, Transportation Manager/Senior Traffic Engineer

---

**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Authorizing City Manager to Execute Federal Safe Routes to School Grant Application

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

---

**RECOMMENDED ACTION:** Adopt resolution authorizing City Manager to execute Federal Safe Routes to School grant application.

**BACKGROUND INFORMATION:** The City of Lodi, in conjunction with the Lodi Unified School District (LUSD), has been successful in receiving funds from the Safe Routes to School (SRTS) program for pedestrian and bicycle improvements. It is now time to submit grant applications for the Federal SRTS program, third cycle.

The program is intended to improve and enhance the safety of pedestrian and bicycle facilities. Over the past years, the SRTS program funded the lighted crosswalks for Lawrence and Reese Elementary School students, construction of a new roadway and pedestrian/bicycle pathway near Lodi High School, and installation of new pedestrian-warning signs adjacent to all the schools.

Staff recommends submitting an application, in cooperation with LUSD, for environmental review, engineering, and construction costs for the installation of two solar-powered speed limit signs at Lois Borchardt Elementary School (Exhibits A and B). The project includes installation of foundation, pole, flange, radar feedback display sign, solar power system and battery box at each sign location. The project will serve the students that cross daily at the intersections in the school vicinity, primarily the Schaffer Drive and Perlegos Way intersections.

Traffic volume counts performed in January 2011 show that there were four accidents in the vicinity since 2006. Radar feedback speed limit signs would encourage safer speeds and prevent these accidents from occurring at the location.

The estimated cost for this project is \$30,000.

**FISCAL IMPACT:** The Federal SRTS program provides funds for 100 percent of the project total (\$30,000). There is no local match requirement.

**FUNDING AVAILABLE:** Not applicable.

---

F. Wally Sandelin  
Public Works Director

Prepared by Julia Tyack, Transportation Planner  
FWS/JT/pmf  
Attachments  
cc: City Attorney  
Art Hand, LUSD Facility Planning

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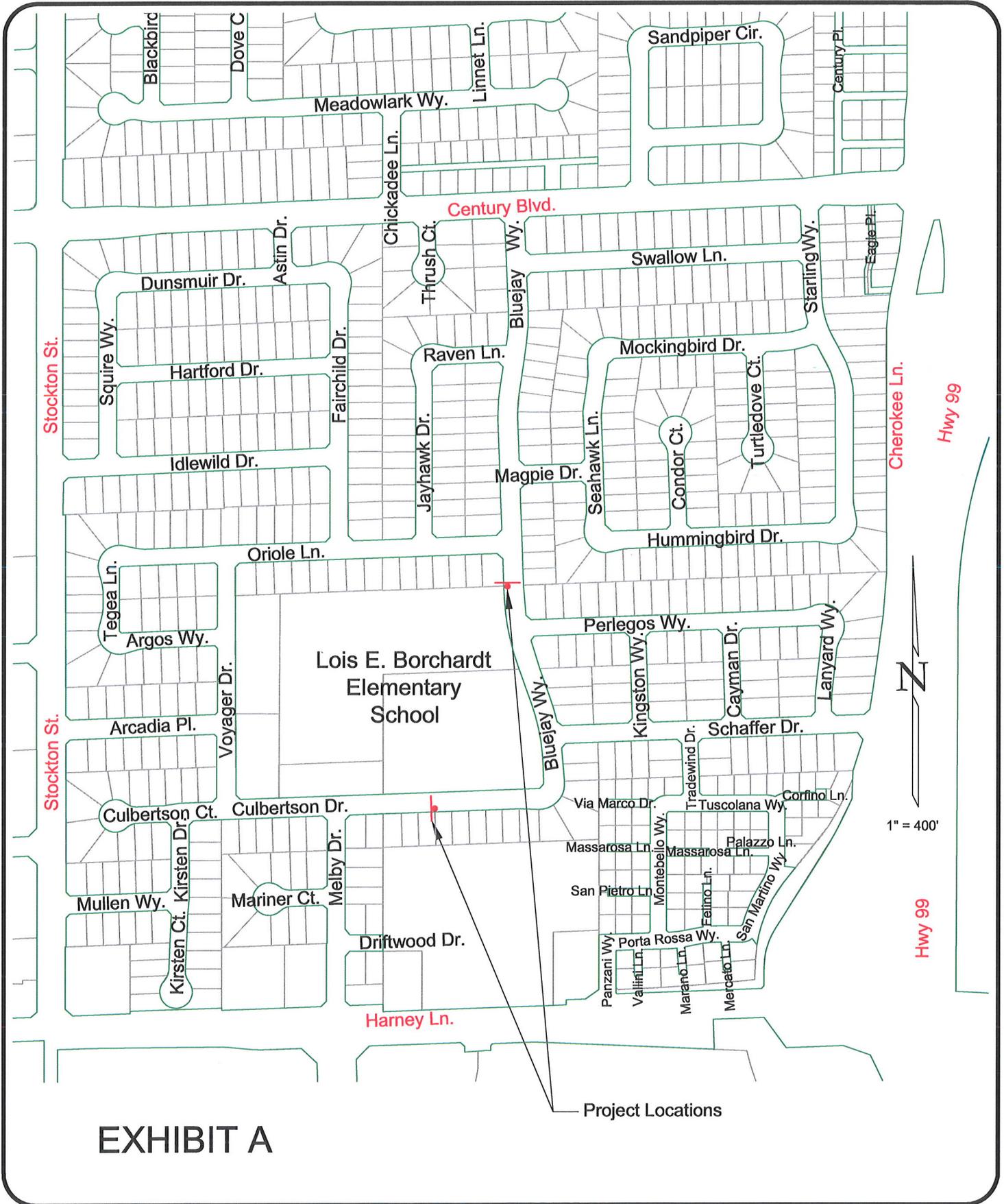
**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## Lois Borchardt Elementary School Proposed Solar Powered Speed Limit Sign Locations



### EXHIBIT A



RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
AUTHORIZING THE CITY MANAGER TO EXECUTE  
FEDERAL SAFE ROUTES TO SCHOOL GRANT  
APPLICATION

=====

WHEREAS, the City of Lodi, in conjunction with the Lodi Unified School District, has been successful in receiving funds from the Safe Routes to School program, which is intended to improve and enhance the safety of pedestrian and bicycle facilities; and

WHEREAS, staff recommends submitting an application, in cooperation with Lodi Unified School District, for environmental review, engineering, and construction costs for the installation of two solar-powered speed limit signs at Lois Borchardt Elementary School.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the submittal of a grant application in the amount of \$30,000 for the Federal Safe Routes to School Program for the project listed above; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the grant application on behalf of the City of Lodi.

Dated: June 15, 2011

=====

I hereby certify that Resolution No. 2011-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 15, 2011, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES: COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Adopt Resolution Authorizing the Expenditure of Art in Public Places (AiPP) Funds for the Design and Printing of an Art in Public Places Brochure and Appropriating Funds (\$793.78)

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Director of Parks, Recreation and Cultural Services

---

**RECOMMENDED ACTION:** Adopt resolution authorizing the expenditure of Art in Public Places (AiPP) funds for the design and printing of an Art in Public Places brochure and appropriating funds (\$793.78).

**BACKGROUND INFORMATION:** Pursuant to policy, the Art Advisory Board is asking for approval of the purchase and printing of 2,000 brochures of an Art in Public Places brochure. These brochures will act as a guide for locations for Public Art and will acknowledge the artists. For easy community access, the brochures will be placed in various locations throughout Lodi including but not limited to the Chamber of Commerce, Visit Lodi Conference and Visitor Center, City Hall and Hutchins Street Square.

**FISCAL IMPACT:** The total cost of the project is \$593.78 for printing and \$200.00 for the design work.

**FUNDING AVAILABLE:** \$170,142 as of April 30, 2011  
Art in Public Places account No. 1214

---

Jordan Ayers, Deputy City Manager

---

James M. Rodems  
Director of Parks, Recreation and Cultural Services

JR/dkb  
Attachments

---

**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager



A. PALS Mural,  
Tony Segale, Artist  
Dedicated August 16, 2008  
1405 W. Kettleman Lane

B. "Better Days"  
Jerrod Mays, Artist  
Dedicated November 7, 2009  
215 E. Lodi Avenue

C. Water Tower  
Rick Cardinio Jr., Artist  
Dedicated July 25, 2006  
122 N. Main Street

D. "Japantown Memories" Mural  
Tony Segale, Artist  
Dedicated June 12, 2009  
23 N. Stockton Street

E. Lodi Project Art Mosaic Project  
Lodi Community Members  
Lodi Avenue East of Sacramento Street

F. "Train Station"  
Lucinda Kasser, Artist  
Art Collection, City of Lodi

G. "Historic Sacramento Street" Mural  
Tony Segale, Artist  
Dedicated June 4, 2009  
209 S. Sacramento Street

H. "Celebrate the Harvest"  
Rowland Cheney, Artist  
Dedicated October 16, 2009  
Corner Oak and Stockton Streets

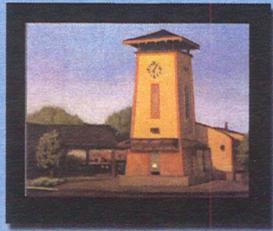
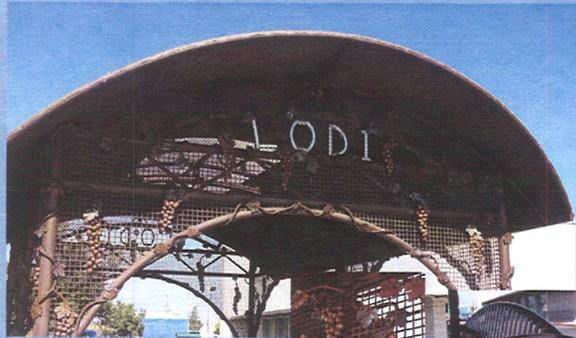
I. "Leaving and Coming Home"  
Rowland Cheney, Artist  
Dedicated October 17, 2002  
Corner Pine and Sacramento Streets

J. "Grape Wall of Lodi"  
Susan Dannenfels and Kirk Beck, Artists  
Dedicated November 17, 2006  
Corner Westgate Drive and Highway 12



# ART in Public Places

Lodi, California



1. AA# \_\_\_\_\_  
 2. JV# \_\_\_\_\_

**CITY OF LODI  
 APPROPRIATION ADJUSTMENT REQUEST**

TO: Internal Services Dept. - Budget Division  
 3. FROM: James M. Rodems 5. DATE: 6/7/11  
 4. DEPARTMENT/DIVISION: Division of Arts & Culture/ Art in Public Places

6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW					
	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	1214		3205	Art in Public Places	\$793.78
B. USE OF FINANCING	1214	1214001	7301	Art in Public Places	\$793.78

**7. REQUEST IS MADE TO FUND THE FOLLOWING PROJECT NOT INCLUDED IN THE CURRENT BUDGET**

Please provide a description of the project, the total cost of the project, as well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.

**These funds are to be used for payment for a brochure for the City's Art in Public Places art. \$200.00 is the cost of the design of the brochure and \$593.78 for the printing. These brochures will be distributed throughout Lodi for easy access to the community.**

If Council has authorized the appropriation adjustment, complete the following:

Meeting Date: \_\_\_\_\_ Res No: \_\_\_\_\_ Attach copy of resolution to this form.

Department Head Signature: James M. Rodems

**8. APPROVAL SIGNATURES**

\_\_\_\_\_  
 Deputy City Manager/Internal Services Manager Date

Submit completed form to the Budget Division with any required documentation.  
 Final approval will be provided in electronic copy format.

RESOLUTION NO.

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING  
THE DESIGN AND PRINTING OF AN ART IN PUBLIC PLACES  
BROCHURE FOR CURRENT ART IN PUBLIC PLACES PIECES,  
AND APPROPRIATING FUNDS FOR THIS PROJECT

=====

WHEREAS, the Art Advisory Board is seeking approval of the purchase and printing of 2,000 brochures designating the locations of Public Art, as well as acknowledging the artists; and

WHEREAS the Art Advisory Board approved funding in the amount of \$793.78 for the design and printing of an Art in Public Places brochure, and now seeks Council approval of the expense.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the purchase and printing of an Art in Public Places brochure to be distributed at various locations throughout the City of Lodi; and

BE IT FURTHER RESOLVED that funds in the amount of \$793.78 be appropriated from the Art in Public Places Fund.

Dated: June 15, 2011

=====

I hereby certify that Resolution No.\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 15, 2011, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES: COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



**CITY OF LODI  
COUNCIL COMMUNICATION**

TM

**AGENDA TITLE:** Approve Budget Year 2011/12 Concession Agreement with Police Dispatch

**MEETING DATE:** June 15, 2011

**PREPARED BY:** City Attorney

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**RECOMMENDED ACTION:** Approve Budget Year 2011/12 Concession Agreement with Police Dispatch.

**BACKGROUND INFORMATION:** Staff has negotiated the following concession agreement with Police Dispatch, and recommends Council approval:

<b>Group</b>	<b>Concession</b>	<b>Comments</b>
Police Dispatch	1.5% PERS  Waive deferred comp match or pay 2.85% additional PERS  Waive CTO cash out  Waive holiday cash out	No furloughs  Deferred Comp/PERS option will be selected for all members in union vote  Although not a negotiated concession, includes value of eliminating one funded position

**FISCAL IMPACT:** FY 2011/12 estimated savings of \$91,280 related to the above concessions, and \$100,000 in the elimination of one funded dispatcher position.

**FUNDING:** Not applicable.

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D. Stephen Schwabauer  
City Attorney

---

APPROVED: \_\_\_\_\_  
Konradt Bartlam, City Manager



**CITY OF LODI  
COUNCIL COMMUNICATION**

TM

**AGENDA TITLE:** Approve Addendum to Lodi Police Mid-Management Organization's Memorandum of Understanding (MOU), Extending the Term Three Months from October 2011 to December 31, 2011

**MEETING DATE:** June 15, 2011

**PREPARED BY:** City Attorney

---

**RECOMMENDED ACTION:** Approve Addendum to Lodi Police Mid-Management Organization's Memorandum of Understanding (MOU), extending the term three months from October 2011 to December 31, 2011

**BACKGROUND INFORMATION:** The Lodi Police Mid-Management Organization's (LPMO) MOU expires in October of 2011. All but two of the City's other MOU's expire in December of 2011 and the timeline to begin negotiations on LPMO's MOU would otherwise be very short. Accordingly, staff recommends that the City Council approve an Addendum to the LPMO's MOU, extending it three months to December 31, 2011.

**FISCAL IMPACT:** None.

**FUNDING:** Not applicable.

---

D. Stephen Schwabauer  
City Attorney

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APPROVED:

Konradt Bartlam, City Manager



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Receive Report Regarding League of California Cities Communications Pertaining to Assembly Bills 455 (Campos) and 1087 (Brownley)

**MEETING DATE:** June 15, 2011

**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** Receive report regarding League of California Cities (League) communications pertaining to Assembly Bills 455 (Campos) and 1087 (Brownley).

**BACKGROUND INFORMATION:** The City received a request for communications from the League on May 26, 2011 pertaining to AB 455 and AB 1087. A letter of opposition on AB 1087 and request for veto on AB 455, signed by the Mayor, was needed immediately due to pending action in the State Legislature.

As you may be aware, the Meyers-Milias-Brown Act contains various provisions that provide methods for local public employers and their employees to resolve disputes regarding wages, hours, and other terms and conditions of employment. AB 455 would additionally provide that when a local public agency has established a personnel commission or merit commission to administer personnel rules or a merit system, the governing board of the public agency would appoint the members of the commission and one-half would be nominated by the recognized employee organization. Whenever multiple bargaining units are represented by different recognized employee organizations, the employee organization representing the largest number of employees would designate commission members pursuant to that provision.

AB 1087 would provide that unless otherwise stipulated in the contract, if a city that contracts with a county for public safety services notifies the county of its intent to terminate the contract, the county is authorized to require the city to provide a comprehensive fiscal analysis relating to the ability of the city to provide public safety services. In essence, the bill would make it much more difficult for a contract city to terminate a public safety contract with a county to bring services in-house.

Both letters were sent as requested on June 6, 2011 and this report is provided for informational purposes only.

**FISCAL IMPACT:** None.

**FUNDING AVAILABLE:** Not applicable.

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Randi Johl  
City Clerk

---

APPROVED: \_\_\_\_\_  
Konradt Bartlam, City Manager

CITY COUNCIL

BOB JOHNSON, Mayor  
JOANNE MOUNCE,  
Mayor Pro Tempore  
LARRY D. HANSEN  
PHIL KATZAKIAN  
ALAN NAKANISHI

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
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KONRADT BARTLAM,  
City Manager  
RANDI JOHL, City Clerk  
D. STEPHEN SCHWABAUER  
City Attorney

June 6, 2011

The Honorable Jerry Brown  
State Capitol Building  
Sacramento, California 95814  
Via Facsimile: (916) 558-3160

**SUBJECT: AB 455 (Campos). Public Employment: Local Public Employee Organizations – REQUEST FOR VETO**

Dear Governor Brown:

On behalf of the City of Lodi, we respectfully request your **VETO** on AB 455 by Assembly Member Campos, which requires fifty percent of the membership of a personnel commission or merit commission that administers personnel rules to be appointed by the governing body of the public agency. The other fifty percent of members would be selected from a list provided to the local agency governing body by the largest recognized employee organization.

We are requesting you VETO AB 455 for the following reasons:

- **AB 455 removes the authority from local governments to appoint members to the personnel commissions they've established and gives it to labor organizations.** These commissions have been established by local agencies for dealing with employment-related matters. There are customary safeguards in place that protect employees such as state and federal laws, rules, regulations, city code, human resource departments, and other practices confirmed by ordinance. Cities have Constitutional plenary authority to set compensation, determine the method of appointment, qualifications, tenure of office and removal of employees.
- **Has unintended consequences.** It could be very likely those agencies that no longer have authority to appoint the full board will forgo their civil/personnel commission and instead look to an outside hearing officer or to binding arbitration. Either of these options would be more costly to the agency and to employees.
- **Changes should be at the local level.** We do not see any reason why the composition of personnel commissions should be changed as a matter of state law. The current process is working and any changes should be made at the local level. When there is an alleged unfair labor practice, current law provides a number of remedies.

*Request for Veto – AB 455*  
*June 6, 2011*  
*Page 2*

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For these reasons, the City of Lodi respectfully requests your **VETO** on AB 455. Please do not hesitate to contact us for additional information.

Sincerely,

Bob Johnson  
Mayor

C: Senator Tom Berryhill (916-327-3523)  
Assembly Member Alyson Huber (916-319-2110)  
Assembly Member Nora Campos (916-319-2123)  
Natasha Karl, League of California Cities  
Stephen Qualls, League of California Cities

CITY COUNCIL

BOB JOHNSON, Mayor  
JOANNE MOUNCE,  
Mayor Pro Tempore  
LARRY D. HANSEN  
PHIL KATZAKIAN  
ALAN NAKANISHI

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KONRADT BARTLAM,  
City Manager  
RANDI JOHL, City Clerk  
D. STEPHEN SCHWABAUER  
City Attorney

June 6, 2011

Assembly Member Julia Brownley  
State Capitol Building, Room 2163  
Sacramento, California 95814  
Via Facsimile: (916) 319-2141

**SUBJECT:     AB 1087 (Brownley). Cities and Counties: Public Safety Services: Contracts.**  
**NOTICE OF OPPOSITION**

Dear Assembly Member Brownley:

The City of Lodi respectfully opposes your Assembly Bill 1087 related to city and county contracts for public safety services.

AB 1087 would make a statewide law out of a contract term that should be negotiated locally on a case-by-case basis. Specifically, this bill would authorize a county to perform a financial audit of a city seeking to end a public safety services contract for contracts entered on or after January 1, 2012. The audit would include a review of city finances, forecasts for revenue, and an analysis of the city's ability to establish their own public safety departments to serve the jurisdiction.

County agencies can already seek to include audit requirements in their prospective contracts. There is nothing in state law preventing sheriffs' departments, county fire departments, or other public safety service agencies from negotiating for this like other contract terms such as scope of services, costs, and duration.

The decision to provide public safety services, and the appropriate level, should be made by the local legislative body directly responsible to the people of that city or county. In addition, that decision often relies on more than just fiscal conditions. We recognize your effort to ensure continuous public safety services for all jurisdictions. However, this bill will simply prolong and complicate the termination of contracts when a city determines their residents will be better served by city police, fire, or emergency response departments. Therefore, the City of Lodi respectfully opposes AB 1087.

Sincerely,

Bob Johnson  
Mayor

C:     Senator Tom Berryhill (916-327-3523)  
       Assembly Member Alyson Huber (916-319-2110)  
       Senate Republican Caucus (916-445-9684)  
       Natasha Karl, League of California Cities  
       Stephen Qualls, League of California Cities



# CITY OF LODI COUNCIL COMMUNICATION

TM

**AGENDA TITLE:** Set Public Hearing for July 20, 2011 to Consider Resolution Approving Harney Lane Specific Plan Report and Certifying Harney Lane Specific Plan Negative Declaration as Adequate Environmental Documentation for Harney Lane Specific Plan

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Set public hearing for July 20, 2011 to consider resolution approving Harney Lane Specific Plan Report and certifying Harney Lane Specific Plan Negative Declaration as adequate environmental documentation for Harney Lane Specific Plan.

**BACKGROUND INFORMATION:** The 2010 General Plan designates Harney Lane as a four-lane expressway between Lower Sacramento Road and State Route 99. West of Lower Sacramento Road to the city limits, Harney Lane is generally designated to be a four-lane expressway. The Specific Plan covers the area from the city limits on the west to South Stockton Street on the east, as presented in Exhibit A. The section of Harney Lane between South Stockton Street and State Route 99 is not included in the Specific Plan because the roadway widening is currently occurring as part of development in the area.

The Harney Lane Specific Plan is a planning tool that will be used to guide the systematic implementation of the adopted General Plan. It effectively establishes a link between implementing policies of the General Plan, individual development proposals, and future City capital improvement projects along the Harney Lane corridor. A copy of the Harney Lane Specific Plan Report and Technical Appendices are available at the Public Works Department for review, and an abridged copy of the report is provided in Exhibit B.

The Harney Lane Specific Plan will accomplish two objectives. The first is, to identify the roadway improvements to be constructed along Harney Lane, the second, to establish the required right-of-way to serve anticipated growth and future traffic volume increases along the corridor.

The proposed geometrics reflect the ultimate improvements required to serve the traffic expected to result from development of the General Plan. It is anticipated that a phased-construction approach will be utilized to construct the ultimate improvements. Therefore, interim geometric plans will likely be implemented to deal with constraints represented by cost, relocation of structures, right-of-way acquisition, and accident history. As development occurs along the corridor, ultimate improvements will be required in conjunction with that development project.

An important aspect of the design of expressways is the limitation on the number of intersections and other turning movements onto and from the expressway. This Specific Plan assumes that intersections with median openings will be allowed only at Westgate Drive (a future intersection), Lower Sacramento Road, South Mills Avenue, South Ham Lane, South Hutchins Street, and South Stockton Street. Further discussion of the geometric design and phased improvement of Harney Lane is provided below.

APPROVED: \_\_\_\_\_  
Konradt Bartlam, City Manager

The corridor is divided into four distinct segments for discussion purposes – Segment 1: City limits to Lower Sacramento Road; Segment 2: Lower Sacramento Road to Mills Avenue; Segment 3: South Mills Avenue to South Hutchins Street; and Segment 4: South Hutchins Street to South Stockton Street. This segmentation is not intended to reflect the phasing of improvements or the sequencing.

### **Segment 1 – City Limits to Lower Sacramento Road**

Harney Lane west of Lower Sacramento Road lies primarily within San Joaquin County and partly within the City. The County portion of this road segment is anticipated to eventually be annexed into the City. The north side of Harney Lane in this area is within the City's sphere of influence. The south side is not within the City's sphere of influence and is expected to remain in the County.

The houses on the north side are set back a minimum of 27 feet from the existing right-of-way, while the houses on the south range from 2 to 25 feet back from the existing right-of-way. Because of this condition, two improvement alternatives were developed for this segment. The first is an interim alternative that is not expected to be needed until the Southwest Gateway project develops, which could be 10 to 15 years in the future. Since the houses on the south are closest to the road, the existing south right-of-way line was held, wherever possible, and the improvements were pushed to the north side. To construct the interim improvements, 9 ½ feet of right-of-way would be required on the north side of the street. On the south, the two properties closest to Lower Sacramento Road would be affected. The amount of right-of-way required at these locations varies from 0 to 3 feet. By taking this approach, no housing structures will be impacted.

The ultimate improvement alternative for Segment 1 would closely conform to the City standard section for a secondary arterial which measures 64 feet from curb to curb. The improvements would need to be installed when traffic from additional development determines that it is necessary. The houses on the north are still set back far enough that the extra right-of-way will not impact the houses directly but would reduce the size of the front yards by 10 feet. On the south side, 10 properties are affected. Three properties would need to be purchased to build the improvements.

### **Segment 2 - Lower Sacramento Road to South Mills Avenue**

Similar to Segment 1, Harney Lane between Lower Sacramento Road and South Mills Avenue is expected to be widened in phases. Interim improvements will be implemented when the City deems traffic volumes or accident levels have created unsafe conditions. The south side of the roadway consists of rural residential homes built on fairly large lots. The homes are generally set well back from the existing roadway. The interim improvements will widen Harney Lane to allow the traffic to flow safely but reduce impact to residences on the south side. The ultimate improvements are not expected to be required until the properties on the south side of Harney Lane and easterly of this segment are developed.

### **Segment 3 – South Mills Avenue to South Hutchins Street**

Because there are only three property owners on the south side of Harney Lane, and these properties are likely to develop in the future, the City potentially will only be involved in the construction of the interim alternative if traffic demands increase and safety becomes a concern. The ultimate alternative will likely be constructed in conjunction with development. The residential homes east of the Woodbridge Irrigation Canal on the north side have driveway access onto Harney Lane. This access will continue to be provided for and complemented with on-street parking and a bicycle lane. In this area, a total of 14 feet is provided on the north side of the roadway to accommodate the parking and bicycle lane.

#### **Segment 4 - South Hutchins Street to South Stockton Street**

This segment is unique to the others due to the Union Pacific Railroad crossing that exists in the middle of the segment, as well as special considerations required to support the existing agricultural/industrial uses at the southeast quadrant of the Harney Lane and South Hutchins Street intersection. The City has plans for a grade separation at the railroad crossing as presented in the Harney Lane/Union Pacific Railroad Grade Separation Feasibility Study (Mark Thomas and Company, 2010). The Grade Separation Feasibility Study will be presented to the Council at a later date to discuss alternative grade separation designs and the environmental impacts associated with each alternative.

The Harney Lane and South Hutchins Street intersection is expected to be constructed in two phases. Agricultural operations at the two large properties, Costa and Tsutsumi, on the south side of Harney Lane will be impacted by construction of the interim and ultimate improvements along this segment of the Harney Lane corridor. The Tsutsumi property operates a vineyard located between the Union Pacific Railroad and South Stockton Street. The Tsutsumi property will only be affected when the grade separation widens Harney Lane to Stockton Street. At that time the Tsutsumi property will have its driveways widened to accommodate westbound entry of harvesting equipment turning into the property.

The Costa property is located between South Hutchins Street and the Union Pacific Railroad. Each phase provides the necessary improvements to Harney Lane while limiting the impacts to the Costa agricultural operations. The first phase is an interim alternative. The second phase is the ultimate widening of Harney Lane along the Costa property.

The first phase widens the South Hutchins Street intersection to accommodate the proposed medical center at the southwest corner of the intersection. The first phase includes widening Harney Lane along a portion of the Costa property. The median along the Costa property would be striped to allow left turns into their driveway on Harney Lane. The improvements will include the creation of an eastbound pull-out lane to facilitate trucks turning into and out of a new driveway into the Costa's property. This work will require the removal of cherry trees within the existing right-of-way and within the orchard to allow for construction of the new driveway.

The second phase is the construction of a grade separation at the Union Pacific Railroad. The grade separation will be a City-sponsored project and will be constructed as soon as funding is available. With this phase, the Costa's will lose full access to both driveways on Harney Lane by virtue of the raised median that will be constructed with the grade separation.

City staff met with the Costas in three one-on-one meetings to discuss the impacts the Harney Lane Specific Plan would have on their operations and access to their property. The Costas expressed concerns about the effects the widening of Harney Lane would have on the access to and operations of their business. The Specific Plan addresses the concerns expressed by the Costas.

#### **Public Outreach**

Two public meetings were held at Henderson Community Day School. The first public meeting was held on June 8, 2010, to present the preliminary Specific Plan, explain the purpose of a specific plan, request input on the plan and to give the attendees an opportunity to individually meet with City staff. A total of 52 people attended the meeting. A second public meeting was held on January 25, 2011, to present residents with an update addressing the comments from the first public meeting, the follow up individual meetings and staff modifications to the Specific Plan. A total of 53 people attended the second meeting.

As part of the public outreach, the City staff invited all residents within the project area to meet one-on-one with the project team to further explain the Specific Plan and to discuss the impact to their

Set Public Hearing for July 20, 2011 to Consider Resolution Approving Harney Lane Specific Plan Report and Certifying Harney Lane Specific Plan Negative Declaration as Adequate Environmental Documentation for Harney Lane Specific Plan

June 15, 2011

Page 4

individual properties. Since not all of the citizens could attend the public meetings, two separate letters went out to all property owners whose properties would be impacted. A total of 55 residents took the opportunity to meet with the project team. The meetings were either held at the property owner's residence or at the Public Works office. The meetings were successful in providing information to the property owners and in resolving most of the property owners' concerns and issues.

**Harney Lane Specific Plan Negative Declaration**

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City, as the lead agency, prepared an Initial Study and Mitigated Negative Declaration (Exhibit C) and published a Notice of Availability (NOA) announcing that the Harney Lane Specific Plan Draft Negative Declaration had been prepared and was available to the public for review. The NOA was submitted to the State Clearinghouse, distributed to local agencies, sent to interested persons, posted with the County Clerk's office, mailed to all property owners of record within a 300-foot radius of the project boundary, posted on the City's website and published in the *Lodi News Sentinel*. The 30-day window for review and comment on the draft Negative Declaration commenced on Tuesday, April 12, 2011, and concluded on Wednesday, May 11, 2011. During the public review period, five comments were received on the proposed Negative Declaration [State Clearing House, California Valley Miwok Tribe, State Department of Transportation (Caltrans) District 10, San Joaquin County Council of Governments (SJCOG), and Union Pacific Railroad (UPRR)].

The letter from the State Clearinghouse notes that the Initial Study and proposed Mitigated Negative Declaration were circulated for a 30-day period review and that only Caltrans District 10 submitted a comment letter. It further notes that the review requirements for draft environmental documents have been fulfilled. The letter from California Valley Miwok Tribe notes change of their mailing address. Their comment is noted and City staff has updated their mailing address. The Caltrans letter indicates that a traffic impact study is required for this project in order to determine the proposed project's near-term and long-term impacts to State facilities. The City feels this issue has already been addressed via a previous Mitigated Negative Declaration (Harney Lane Interim improvements Project SCH#2010072040) and the General Plan EIR 2010 (SCH#2009022075). The proposed Harney Lane Specific Plan is an integral component of the City's General Plan 2010, which identifies Harney Lane as a four-lane expressway. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the plan area, including all subdivisions, site plan reviews, planned development review, and conditional use permits will be subject to environmental review on a project-by-project basis. SJCOG notes the project limits are within a habitat zone and future developments would be subject to requirements in effect at the time the developments occur. Finally, the UPRR letter notes that a future grade separation at the Harney Lane railroad is needed. The City notes that planning for the grade separation has commenced and it anticipates completing the design and environmental review of the project at some time in the future.

**FISCAL IMPACT:** Not applicable.

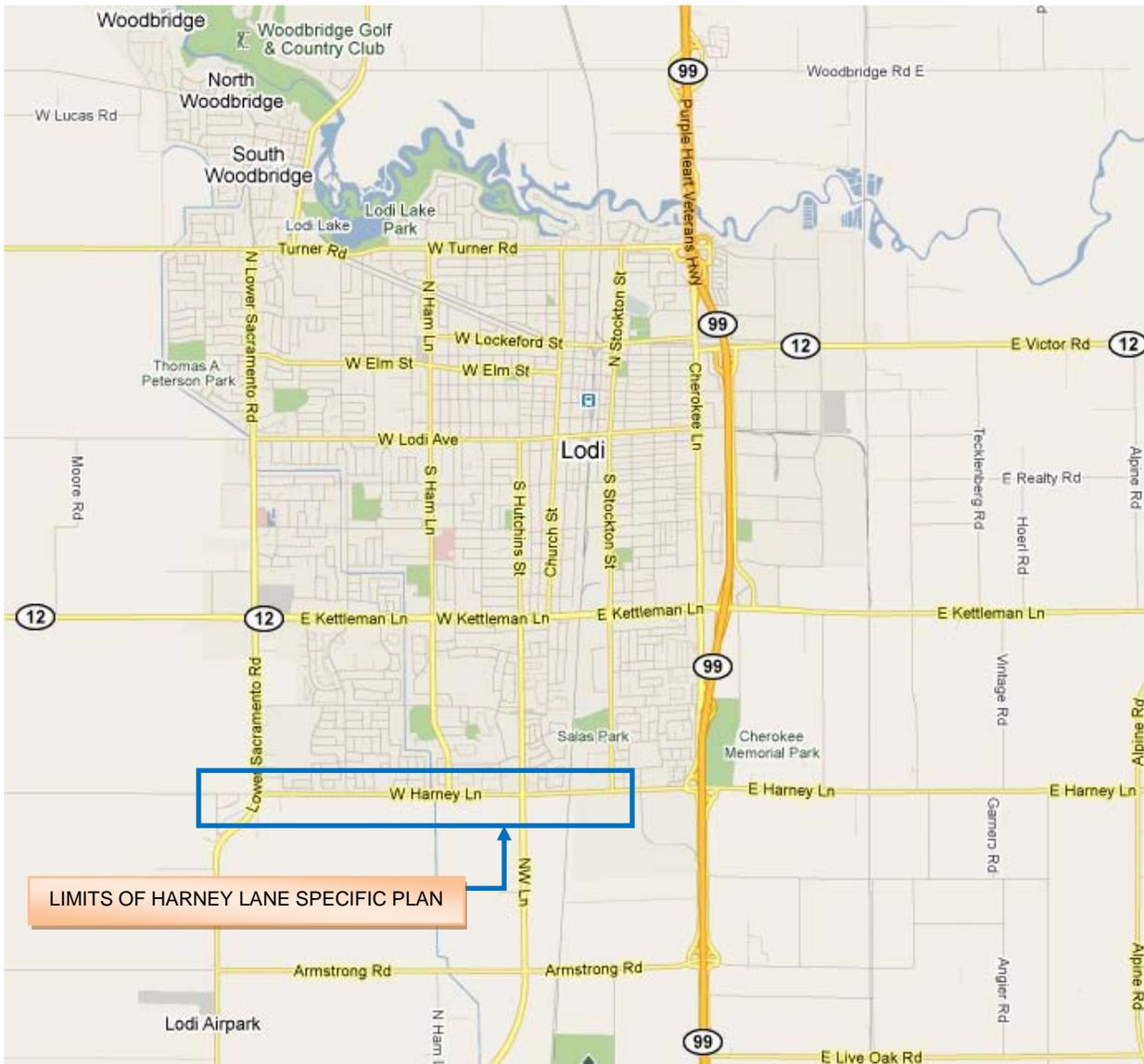
**FUNDING AVAILABLE:** Not applicable.

---

F. Wally Sandelin  
Public Works Director

Prepared by Chris Boyer, Junior Engineer  
FWS/CB/pmf  
Attachments  
cc: Affected Property Owners

# Exhibit A



# HARNEY LANE SPECIFIC PLAN



Prepared for the City of Lodi  
Department of Public Works  
221 West Pine Street  
Lodi, CA 95240

May 11, 2011

Prepared by Mark Thomas & Company, Inc.  
7300 Folsom Blvd., Ste 203  
Sacramento, CA 95826



## EXECUTIVE SUMMARY

The Specific Plan has two purposes. One purpose is to complete a public outreach program attempting to reach a consensus regarding the appropriate roadway improvements to be constructed along the Harney Lane corridor. The other purpose is to establish the required right of way to serve anticipated growth and future traffic volume increases along the corridor. The Specific Plan was prepared in accordance with the City framework set out in the General Plan adopted April 7, 2010. Items considered during the preparation of the Specific Plan include future land use, roadway and bicycle network, right of way issues, safety (pedestrian and vehicular), ingress and egress for residents and businesses and environmental issues.

The General Plan designates Harney Lane as a four lane expressway between Lower Sacramento Road and State Route 99. West of Lower Sacramento Road to the city limits, Harney Lane is designated to be a four lane minor arterial. The Specific Plan covers the area from the city limits on the west to South Stockton Street on the east. The section of Harney Lane between South Stockton Street and State Route 99 is not included in the Specific Plan because the roadway widening is currently occurring as part of development in the area. Traffic signals are located at Westgate Drive, Lower Sacramento Road, South Mills Avenue, South Ham Lane, South Hutchins Street/West Lane and South Stockton Street.

A total of 47 properties are affected by the planned widening of Harney Lane. The first of two public meetings was held on June 8, 2010 at the Henderson Community Day School to present the preliminary Specific Plan, explain the purpose of a specific plan, request input on the plan and to give the attendees an opportunity to individually meet with the City staff. A total of 52 people attended the meeting. Following the public meeting, individual meetings were conducted with 55 residents living along Harney Lane. A second public meeting was held on January 25, 2011 at the Henderson Community Day School to present residents with an update covering the comments from the first public meeting, the follow up individual meetings and staff modifications to the Specific Plan. A total of 53 people attended the meeting.

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## **INTRODUCTION**

### **PURPOSE OF THE SPECIFIC PLAN**

The Harney Lane Specific Plan is a planning tool that will be used to guide the systematic implementation of the adopted General Plan. It effectively establishes a link between implementing policies of the General Plan, individual development proposals, and future City capital improvement projects along the Harney Lane corridor.

The Specific Plan has two purposes. One purpose of this Specific Plan is to complete a public outreach program attempting to reach a consensus regarding the appropriate roadway improvements to be constructed along the Harney Lane corridor. The second purpose is to establish the required right of way to serve anticipated growth and future traffic volume increases along the corridor. The Specific Plan was prepared in accordance with the City framework set out in the General Plan adopted April 7, 2010. Items considered during the preparation of the Specific Plan include future land use, roadway and bicycle network, right of way issues, safety (pedestrian and vehicular), ingress and egress for residents and businesses and environmental issues.

### **BACKGROUND**

The City of Lodi is a town located in the northern portion of San Joaquin County, California with an estimated population of 63,000 residents. Incorporated in 1906, the City has grown from its origin as a stop along the Union Pacific Railroad to a mix of manufacturing, light industrial, commercial, residential and agricultural uses. It is bordered on the north by the Mokelumne River and Central California Traction Railroad on the east. Generally, Harney Lane defines the City limit on the south.

The Cities of Lodi and Stockton are expanding towards each other. Lodi's sphere of influence extends one-half mile south of Harney Lane. As part of the City's General Plan an agricultural cluster study area was created to preserve a rural buffer between the two cities. Urban development will end approximately one half mile south of Harney Lane. A vicinity map of the area is provided in Figure 1.



Figure 1 – Vicinity Map

## GENERAL PLAN

The General Plan is the City’s vision of how it will look 20 to 30 years in the future. The City of Lodi’s General Plan was adopted by the City Council on April 7, 2010. The General Plan established the mix of land uses along the Harney Lane corridor that will, in large part, be served by the circulation improvements to Harney Lane and the adjoining properties.

**Land Use**

The City directs future growth and land uses based upon the General Plan. Along Harney Lane, the designated land uses are a mix of low, medium and high density residential, commercial, mixed use, schools and public parks. The land uses along the Harney Lane corridor designated by the General Plan are presented in Figure 2. Section 2.3 of the General Plan also included a discussion of the three phased implementation of the General Plan. The three phases are indicated on the map in Figure 3. Phase 1 includes the development of vacant land within the current city limits and development of the land south of Harney Lane. There is no time frame predicted for when this development would occur.

**Roadway Network**

As part of the General Plan the City reviews the forecasted traffic volumes based on the anticipated growth of the city. The number of lanes for each of the roads in the network is determined from these forecasts. A minimum peak hour Level of Service (LOS) "E" is permitted throughout the city recognizing that some level of traffic congestion during the peak hour is acceptable and that infrastructure design should be based on the conditions that predominate during most of each day. A LOS of "E" translates to a maximum delay at an intersection (signalized) of 55 to 80 seconds. Other items that influence the size and look of a roadway are the posted speed and the access from side streets. Chapter 5 of the General Plan designates Harney Lane from Lower Sacramento Road to State Route 99 as a four lane expressway and west of Lower Sacramento Road it is designated as a minor arterial transitioning from the four lanes to two lanes to the west.

An expressway is a high speed-high volume road that has a raised median in the middle to separate the opposing traffic (for safety reasons) and limited access to help maintain the speed along the segment. A minor arterial connects a residential area to major arterials and/or expressways. West of the city the area is expected to remain agricultural and Harney Lane connects the agricultural area to the planned roadway network. Figure 4 shows the roadway network presented in the General Plan.

The General Plan establishes the future design of streets in new developments should generally match and extend the grid pattern of existing city streets. This is intended to disperse traffic and provide multiple connections to arterial or expressway streets. An intended benefit of the grid pattern is that citizens will be able to move within a developed area without having to access an arterial or expressway roadway.

**Bicycle Network**

Bicycle paths are classified as Class 1, 2 and 3. A Class 1 bicycle path is an independent path only used by bicycles and pedestrians. A Class 2 bicycle path is part of the roadway with vehicular traffic using the traveled way while the bicycle path is separately marked on the shoulder of the road. A Class 3 bicycle path is a road where vehicles and bicycles share the traveled way. Harney Lane from the City limit on the west to State Route 99 is designated as a Class 2 bicycle lane. Figure 5 presents the bicycle network from the General Plan.

FIGURE 2-1: LAND USE DIAGRAM

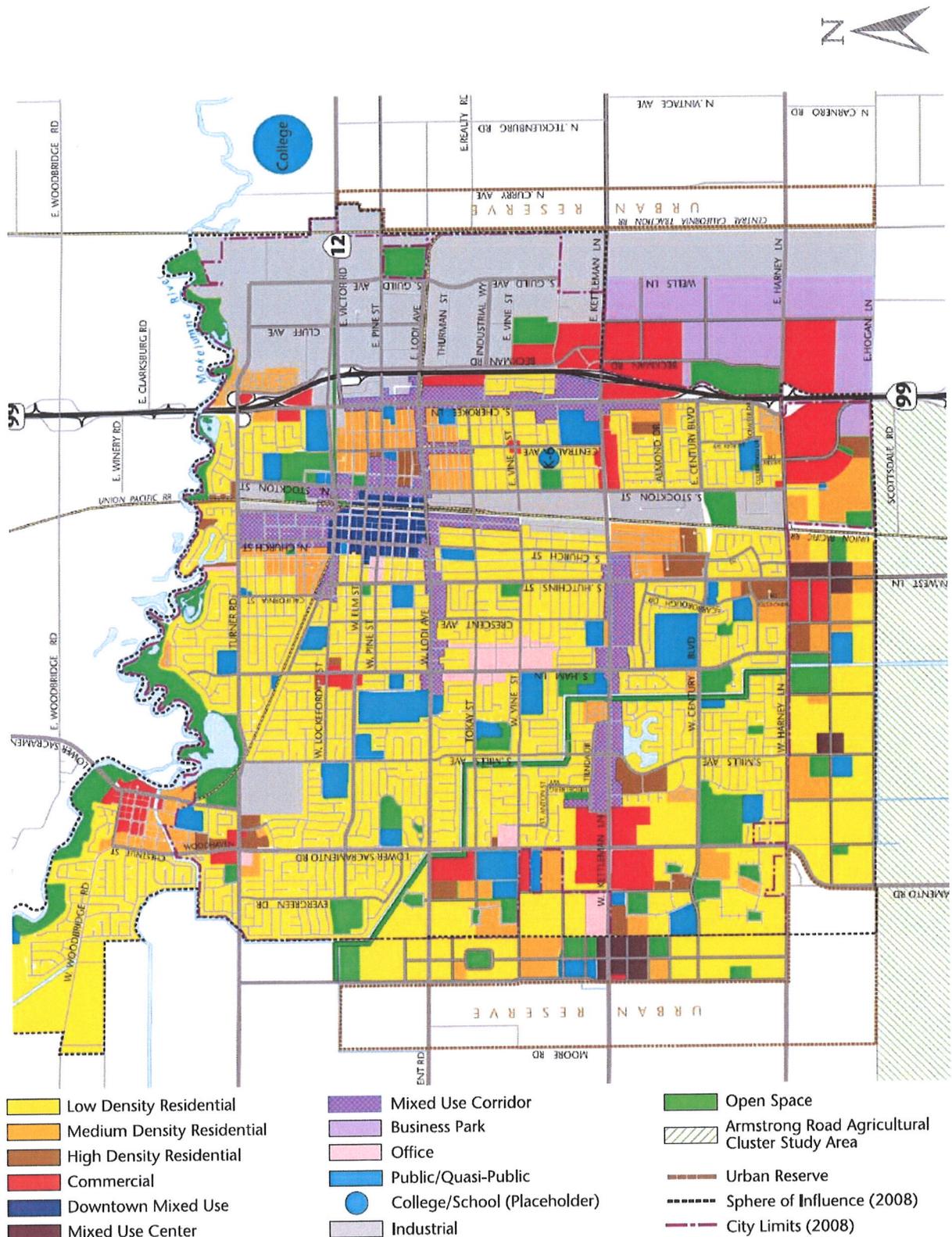
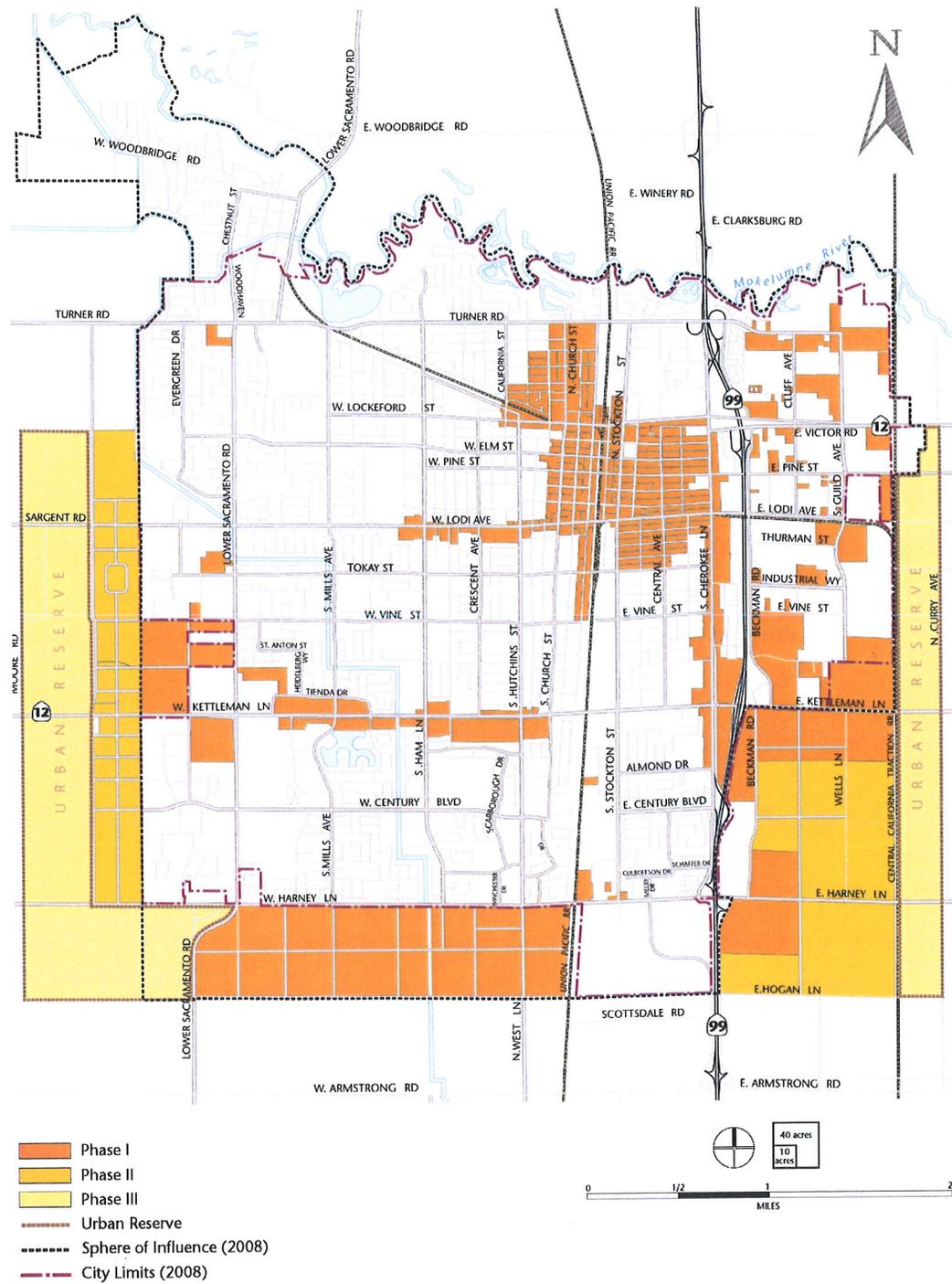


Figure 2 – City of Lodi General Plan Land Use Diagram

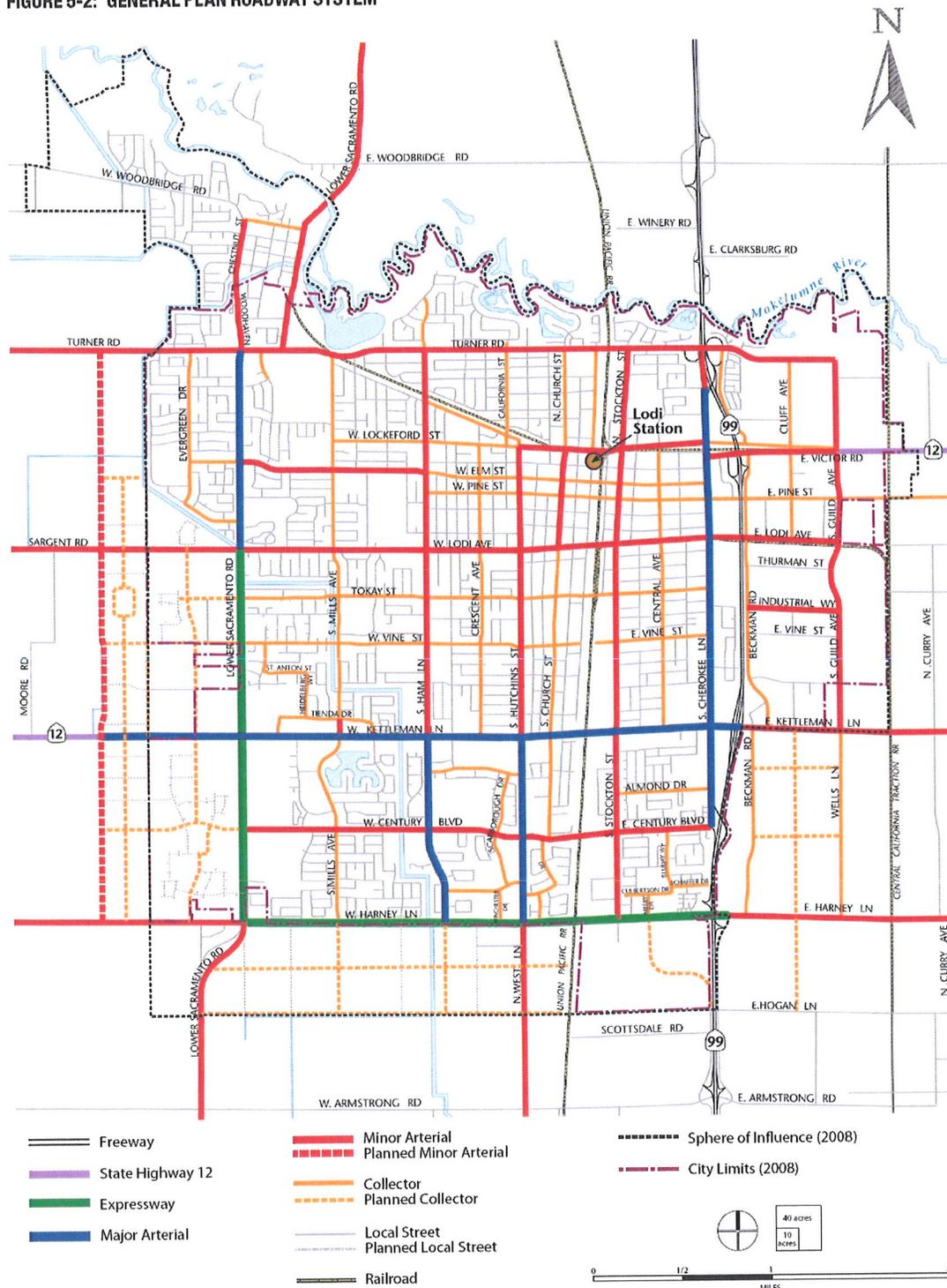
**FIGURE 3-1: DEVELOPMENT PHASES**



3-6 | LODI GENERAL PLAN

*Figure 3 – City of Lodi General Plan Development Phases*

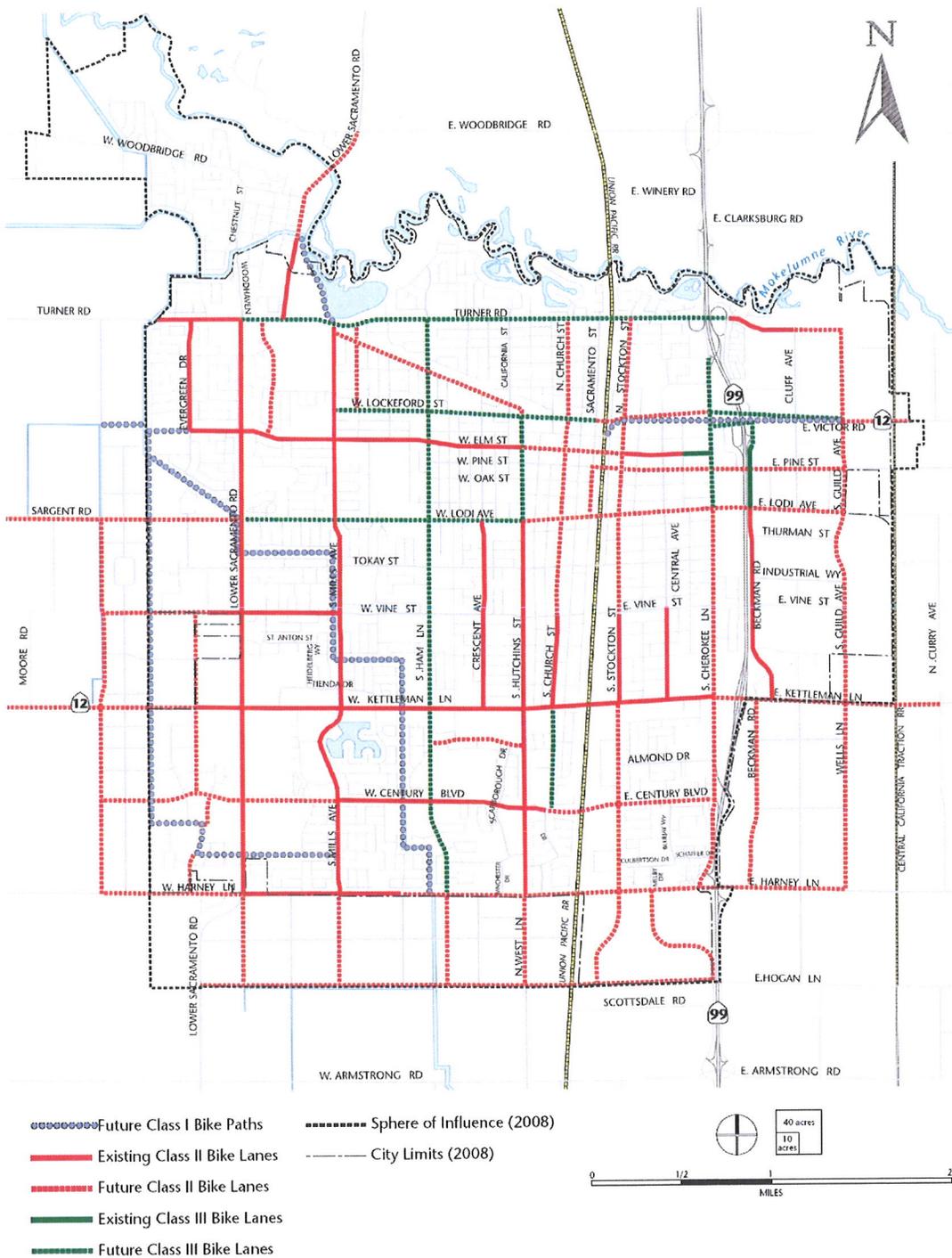
FIGURE 5-2: GENERAL PLAN ROADWAY SYSTEM



5-8 | LODI GENERAL PLAN

Figure 4 – City of Lodi General Plan Roadway Network

FIGURE 5-3: GENERAL PLAN BICYCLE SYSTEM



5-10 | LODI GENERAL PLAN

Figure 5 – City of Lodi General Plan Bicycle Network

## **HARNEY LANE SPECIFIC PLAN**

### **EXISTING CONDITIONS**

Harney Lane is located at the southern edge of the current City limits and the City's development. The City limits run along the south side of the street right of way with San Joaquin County to the south. The City's sphere of influence extends further south to a point halfway between Harney Lane and Armstrong Road.

Harney Lane is a two lane road with a posted speed of 45 mph. The study area includes approximately 2 ½ miles of roadway from the City's western limit to South Stockton Street that is partly within the City and partly within San Joaquin County. Ultimately, most of the roadway is anticipated to be annexed as future development occurs along the corridor.

Development along Harney Lane is a mix of urban residential, rural residential and agriculture. The north side of Harney Lane is primarily single family residential development consisting of new subdivisions with block walls facing Harney Lane. Within the City limits, Harney Lane has been widened to the ultimate width on the north where recent development has occurred. The south side is a mix of agriculture (grapes and cherries) and rural residences. West and east of Lower Sacramento Road single family residences are present on both sides of the road and most are in San Joaquin County. Between South Hutchins Street and South Stockton Street, Harney Lane crosses the main Union Pacific Railroad.

### **PROPOSED GEOMETRIC DESIGN**

Harney Lane is planned to be the primary east-west connector across the portion of the city south of Kettleman Lane. A second east-west connector is Century Boulevard as identified in the General Plan but completion of the crossing over the Union Pacific Railroad will not occur in the near future.

According to the General Plan Harney Lane is classified as a minor arterial west of Lower Sacramento Road and an expressway from Lower Sacramento Road to State Route 99. Lower Sacramento Road is also designated an expressway (the main north-south connector on the west side of the city) connecting Harney Lane to Kettleman Lane. The proposed geometrics for Harney Lane reflect these secondary arterial and expressway designations and are provided in Appendix A.

The proposed geometrics reflect the ultimate improvements needed to serve the traffic expected to result from development of the General Plan. It is anticipated that a phased construction approach will be utilized to construct the ultimate improvements. Therefore,

interim geometric plans will likely be implemented to deal with constraints represented by cost, relocation of structures, right of way acquisition, and accident history.

In the event a specific development project occurs along the corridor, ultimate improvements will be required to be constructed in conjunction with that project. An example of this is the widening of Harney Lane that is presently under construction at the Reynolds Ranch Shopping Center Project.

Existing traffic signals at Lower Sacramento Road, South Hutchins Street and South Stockton Street will be modified in conjunction with the construction of interim and ultimate improvements at these intersections. In the case of the Lower Sacramento Road intersection, it is likely that two separate intersection improvement and traffic signal modification projects will be required due to right of way constraints.

In the event accident levels increase, it may be necessary to widen portions of Harney Lane to improve safe operations. An example of this would be a new traffic signal at an intersection with lane additions for turn movements and stacking. New traffic signals are planned for the intersections at South Mills Avenue and South Ham Lane. Another example may be widening the segment of the corridor currently within San Joaquin County east of Lower Sacramento Road.

An important aspect of the design of expressways is the limitation on the number of intersections and other turning movement onto and from the expressway. This specific plan assumes that intersections with median openings will be allowed only at Westgate Drive, Lower Sacramento Road, South Mills Avenue, South Ham Lane, South Hutchins Street, and South Stockton Street. Residential intersections without a median opening (right turn in and right turn out only) will be allowed only at Legacy Way, Poppy Drive, Winchester Drive and Banyan Drive on the north side of Harney Lane.

Further discussion of the geometric design and phased improvement of Harney Lane is provided below. The corridor is divided into four distinct segments for discussion purposes. They are: Segment 1) City Limits to Lower Sacramento Road, Segment 2) Lower Sacramento Road to South Mills Avenue, Segment 3) South Mills Avenue to South Hutchins Street and Segment 4) South Hutchins Street to South Stockton Street. This segmentation is not intended to reflect the phasing of improvements nor the sequencing.

### **Segment 1 – City Limits to Lower Sacramento Road**

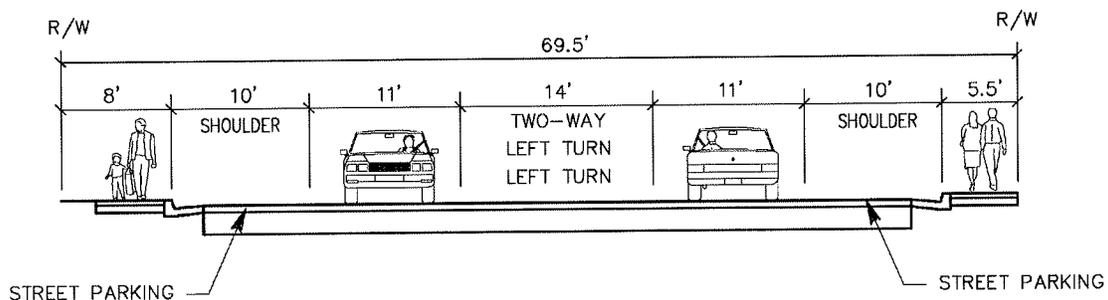
Harney Lane west of Lower Sacramento lies primarily within San Joaquin County and partly within the City. The County portion of this segment is anticipated to be annexed into the City but probably not in the near future. The north side of Harney Lane in this area is within the City's sphere of influence but the south side is not and is expected to remain in the County. The area consists of single family residences on both sides of the road along with Henderson Community Day School on the south side. The houses on the north side are set back a minimum

27 feet from the existing right of way while the houses on the south are set back from 2 feet to 25 feet from the existing right of way.

The area is at the southwestern edge of the city limits and future development. Because of this, two improvement alternatives were developed for this segment. The first is an interim alternative with a smaller right of way width of 69.5 feet designated to handle a smaller volume of traffic while minimizing the impacts to the residences on the south side. The interim alternative consists of three lanes. The three lanes include one lane in each direction and a middle two-way left turn lane. The two-way left turn lane improves the safety to the residents turning into their driveways while allowing the traffic to flow. Vehicle parking is provided for on both sides but may need to be restricted at the Lower Sacramento Road intersection. Sidewalk is included on both sides of the street and signal modifications are necessary at Lower Sacramento Road. The sidewalk on the south side would not extend westerly beyond Henderson Community Day School.

Since the houses on the south are closest to the road, the existing south side right of way was held, wherever possible, and the improvements were pushed to the north side. Nine and one half feet of right of way would be needed on the north side of the street. On the south, the two properties closest to Lower Sacramento Road would be affected. The amount of right of way required at these locations varies from zero to three feet. By taking this approach, no housing structures were impacted. The geometric cross section of this alternative is presented in Figure 6 and details of the plan layout and cross sections are provided in Appendix A.

The interim alternative is not expected to be needed until development of the Southwest Gateway project occurs at its southern most limits and new street, Westgate Drive, west of Extension Road, has been constructed. The estimated year of construction for Westgate Drive is 2020. The year of construction of the interim alternative will be determined in the future based upon traffic volumes and operations but likely will not occur prior to 2025.

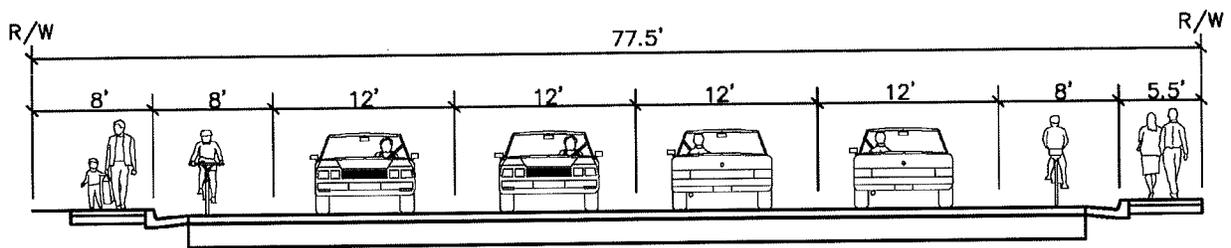


**Figure 6 – Segment 1 – Interim Roadway Section with Street Parking (Looking East)**

Segment 1 is designated as a minor arterial in the General Plan. The minor arterial designation is described as connecting the regional road network (Lower Sacramento Road and Harney Lane east of Lower Sacramento Road) with local roads with one typical characteristic being access limitations. The intent of the arterial designation was primarily to allow for greater access controls as future development occurs. Arterials, in the context of the General Plan may be either two or four lanes.

The ultimate improvement alternative for Segment 1 would closely conform to the City standard section for a secondary arterial which measures 64 feet from curb to curb including four travel lanes (48 feet) and two bicycle lanes (16 feet). The ultimate right of way would be 77.5 feet including an eight foot sidewalk and setback on the north side and a five and one-half foot sidewalk on the south side. The two and one-half foot setback on the south side is not provided to limit encroachment of the existing residences on the south side of Harney Lane. The geometric cross section diagram of the secondary arterial is provided in Figure 7 and details of the plan layout and cross sections are provided in Appendix A.

The improvements would need to be installed when traffic from additional development determines that it is necessary. The additional right of way will be obtained from both sides of the street to align it with the Harney Lane improvements east of Lower Sacramento Road. The houses on the north are still set back far enough that the extra right of way will not impact the houses directly but would reduce the size of the front yards by ten feet. On the south, ten properties are affected and three properties would need to be purchased to build the improvements. The three properties belong to the Geist (APN# 058-070-03), Hernandez (APN# 058-070-04), and Williams (APN# 058-070-05) families and are located nearest to Lower Sacramento Road.



**Figure 7 – Segment 1 – Ultimate Roadway Section with Bicycle Lanes (Looking East)**

**Segment 2 - Lower Sacramento Road to South Mills Avenue**

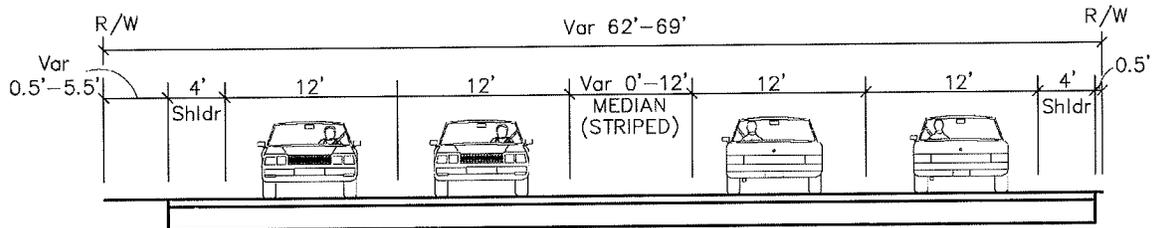
Along this segment, Harney Lane is populated by single family residences along the south side and approximately one-half of the north side. The remainder of this segment on the north side has been developed as the Legacy Estates subdivision. The houses in the Legacy Estates subdivision do not front Harney Lane like the others do.

Similar to Segment 1, Harney Lane between Lower Sacramento Road and South Mills Avenue is expected to be widened in phases. They will again be referred to as interim and ultimate alternatives. Interim improvements will be implemented when the City deems traffic volumes or accident levels have created unsafe conditions. The cross section dimension for the interim alternatives varies by location along Segment 2. To simplify the discussion, two sub-segments are presented below.

**Lower Sacramento Road to Legacy Estates (City Limit)**

The existing residences along this sub-segment are located within San Joaquin County and development is not expected to take place nor are the properties anticipated to annex to the City. The interim alternative right of way requirement ranges from 62 feet to 69 feet. The interim improvements will be installed in portions of the segment that are not anticipated to experience development in the near future or ever at all. To reduce impacts to residences resulting from construction of the interim improvements, the widening will be limited to a four foot shoulder with no bike lanes or sidewalks. Between Lower Sacramento Road and Legacy Estates (City Limit) traffic will be separated by a striped median. It is anticipated the need for these interim improvements will be driven by the deterioration to unacceptable levels of the operations at the signalized intersection of Harney Lane and Lower Sacramento Road. These interim improvements add a westbound right turn lane at this intersection. The interim and ultimate alternative geometric designs for this sub-segment are presented in Figure 8 and 10 and Appendix A.

To construct the interim alternative, right of way acquisition is required on both sides of Harney Lane. On the north side, up to seven feet is required at the Schumacher (APN #058-230-10) and Galindo (APN # 058-230-06) properties. On the south side, seven feet is required along the Hayn (APN 058-070-07), Bell (APN 058-070-08), and Goff (APN 058-070-09) properties. At the time of acquisition, the City will need to work with San Joaquin County to determine if the acquisition will include only that needed for the interim alternative or include that needed for the ultimate alternative.



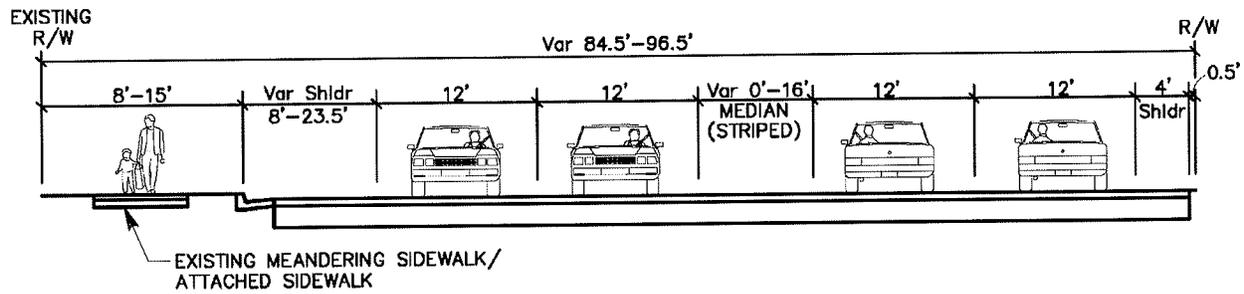
**Figure 8 – Segment 2 – Interim Roadway Section – Lower Sacramento Road to Legacy Estates (Looking East)**

**Legacy Estates (City Limit) to South Mills Avenue**

For the most part, the north side of Harney Lane along this sub-segment has been developed as the Legacy Estates subdivision. The south side of the roadway consists of rural residential homes built on fairly large lots. The homes are generally well set back from the existing roadway. Again, interim and ultimate alternative geometric designs for this sub-segment are presented in Figures 9 and 10 and Appendix A.

The interim alternative includes four travel lanes, center striped turning lane, full shoulder improvements (bike lane, sidewalk and landscaping) on the north side and a four foot shoulder

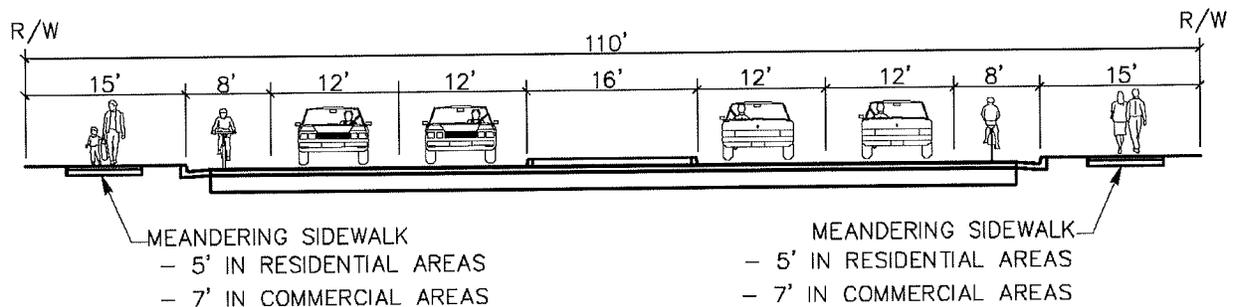
on the south side. Additional right of way acquisition is required on the south side that ranges from seven to twelve and one-half feet. The affected properties include Wright (APN 058-070-12), Velente (APN 058-070-13), S. Everitt (APN 058-070-14), Scholl (APN 058-070-15/16), Tamura (APN 058-090-01), Tanabe (APN 058-090-02), R. Everitt (APN 058-090-03), and Manassero (APN 058-090-04). On the north side, 17 feet of right of way will be required from Lackyard (APN 058-230-21), the property at the northwest corner of the Harney Lane and South Mills Avenue intersection to construct the interim alternative.



**Figure 9 – Segment 2 – Interim Roadway Section – Legacy Estates to South Mills Avenue (Looking East)**

For the ultimate alternative the right of way dimension is 110 feet and includes four travel lanes, landscaped median/left turn lane, bike lanes in each direction and fifteen feet behind the curb for five foot sidewalk, landscaping and utilities. Additional right of way acquisition is required on the south side that ranges from 26 to 31 feet. These amounts are inclusive of the right of way required to construct the interim alternative. It is expected that most of the right of way will be acquired through dedication at the time development occurs.

The General Plan includes a future “Local Street” accessing the area south of Harney Lane (See Figure 4). It is located west of Legacy Way. The location of the road shown in the specific plan is approximate. The exact location will be determined by the first property to develop that will be required to dedicate and construct the entire roadway. The road will have a 50 foot right of way, a 34 foot curb to curb dimension and include sidewalks on both sides.



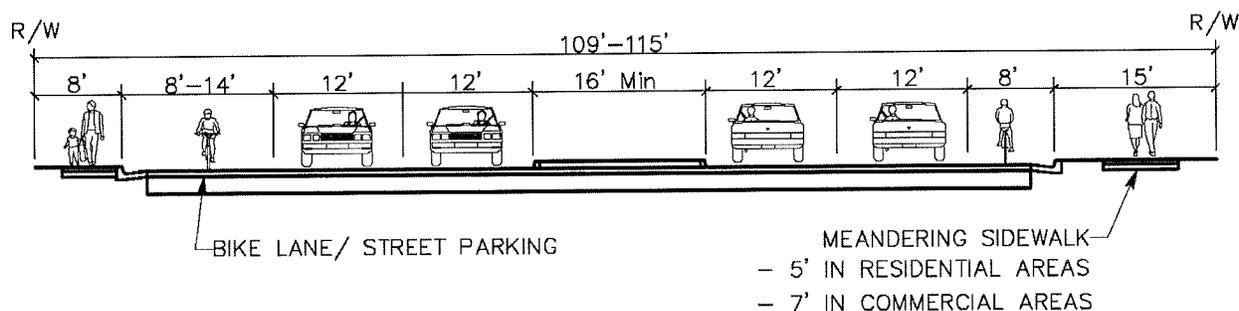
**Figure 10 – Segment 2 and 3 – Ultimate Roadway Section with Bicycle Lanes (Looking East)**

**Segment 3 – South Mills Avenue to South Hutchins Street**

Similar to the previous segment, existing single family residential development on the north side sets the right of way limit of the ultimate improvements. Existing land use on the south side is agriculture. Within this area Harney Lane crosses a Woodbridge Irrigation District (WID) canal. The WID canal crossing was constructed several years ago and its design anticipated the widening of Harney Lane such that no changes to the crossing are required.

There is no interim alternative for Harney Lane within this segment. The Harney Lane ultimate cross section for this segment is the same 110 foot section as Segment 2 as presented in Figure 10 except at the WID canal crossing. At this location the meandering sidewalk is replaced by a roadway-contiguous sidewalk. The four lanes of traveled way and the median are maintained.

East of the canal to South Hutchins Street on the north side of Harney Lane are nineteen existing residential properties that have driveway access onto Harney Lane that will continue to be provided for and complimented with on street parking and a bicycle lane. In this area a total of fourteen feet is provided on the north side of the roadway to accommodate the parking and bicycle lane. The cross section for this portion of Segment 3 is provided in Figure 11 and also in Appendix A.



**Figure 11 – Segment 3 - Ultimate Roadway with Bicycle Lanes and Street Parking On North (Looking East)**

The houses on the north will be impacted by the construction of the ultimate improvements because the landscaped median will restrict the property owners to only turning west from their driveways. In addition, as traffic volumes increase on the roadway, the ability to freely back out of their driveway will be difficult during peak volume periods.

The General Plan includes a future “Local Street” accessing the area south of Harney Lane (See Figure 4). It is located near Poppy Drive. The location of the road shown in the specific plan is approximate. The exact location will be determined by the first property to develop that will be required to dedicate and construct the entire roadway. The road will have a 50 foot right of way, a 34 foot curb to curb dimension and include sidewalks on both sides.

Construction of the ultimate alternative will require acquisition or dedication of fifteen feet of additional right of way in the vicinity of the intersection of Harney Lane and South Hutchins Street. This includes an extra twelve feet of right of way near South Hutchins Street for a future dedicated right turn lane for the eastbound Harney Lane traffic to southbound South Hutchins Street. Along the remainder of this segment, the right of way required to construct the ultimate alternative was dedicated as part of the South Lodi Sanitary Sewer Study and the Harney Lane Lift Station project.

#### **Segment 4 - South Hutchins Street to South Stockton Street**

This segment is unique to the others due to the Union Pacific Railroad crossing that occurs in the middle of the segment and special considerations required to support the existing agricultural/industrial uses on the south side of Harney Lane. Information, phasing, and alternatives for Segment 4, the grade separation, and the Costa (APN 058-110-47) and Tsutsumi (APN 058-130-24) agricultural operations are separately presented below. The future right of way requirements along segment 4 are indicated on the diagrams provided in Appendix A.

#### **Union Pacific Railroad Grade Separation**

The City has plans for a grade separation at the railroad crossing as presented in the Harney Lane/Union Pacific Railroad Grade Separation Feasibility Study (Mark Thomas and Company, 2010). The feasibility study, dated August 10, 2010, analyzed the benefits and costs of different alternatives. On the north side, the existing residential subdivision has been set back from Harney Lane in anticipation of a grade separation ultimately being constructed. A 30 foot right of way has been secured by the City on the Costa property, however, the grade separation project will require more right of way from the Costa's property and the Tsutsumi Property.

Right of way requirements for the four grade separation alternatives are the greatest for the two alternatives which include earth embankments in lieu of retaining wall structures. The two embankment alternatives include an overcrossing and an undercrossing of the railroad. The schematic cross sections for each Alternative 1 and 4 from the feasibility study are presented in Figures 12 and 13, respectively. Alternative 1 is an overcrossing structure with side slopes and this alternative requires the greatest area of new right of way. Alternative 4 is an undercrossing with side slopes and requires the second greatest area of new right of way.

An environmental review of the alternative grade separation crossings will be conducted by the City in conjunction with the preliminary engineering design for the project. Once the environmental review and alternative selection has been completed, full design of the grade separation project will commence and final determination of right of way requirements will be made. A copy of the Feasibility Study is included in the Technical Appendix.

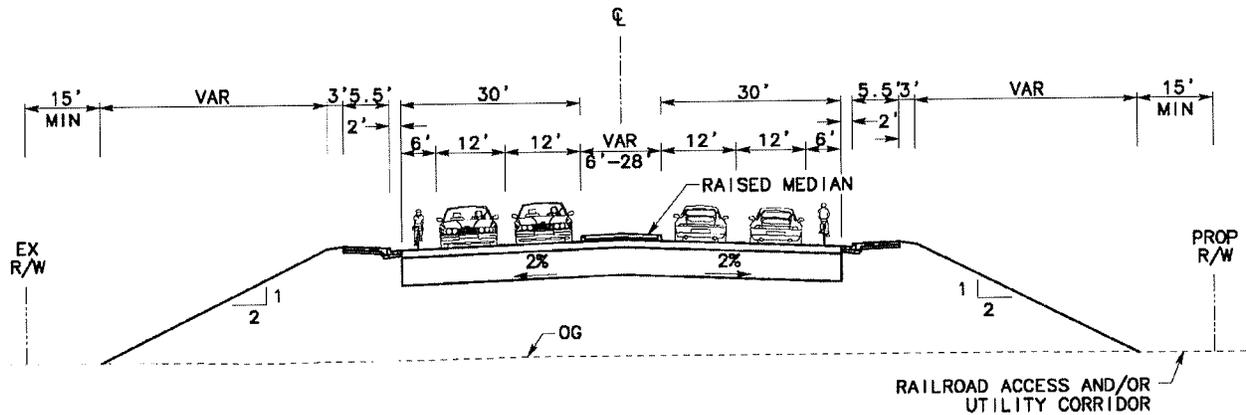


Figure 12 – Alternative 1 – Overhead with Side Slopes (Looking East)

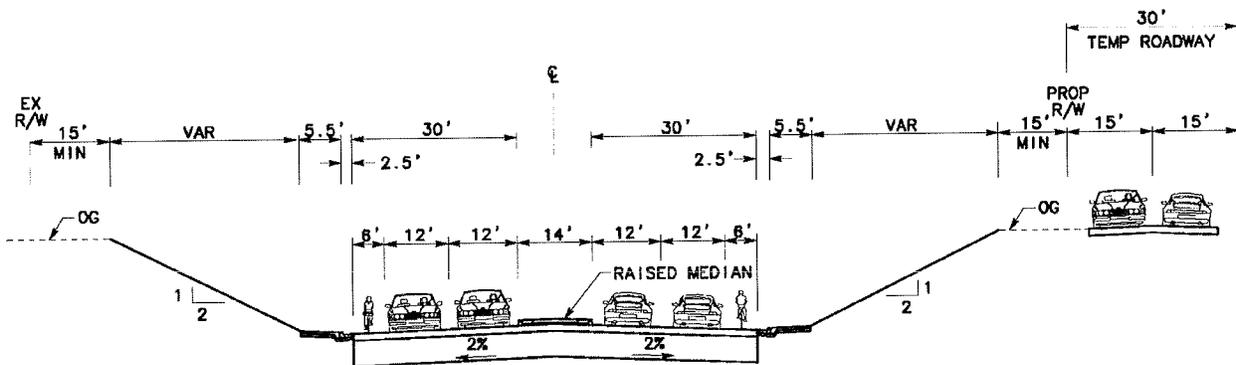


Figure 13 – Alternative 4 – Underpass with Side Slopes (Looking East)

Agricultural operations at the two large properties, Costa and Tsutsumi, on the south side of Harney Lane will be impacted by construction of the interim and ultimate improvements along this segment of the Harney Lane corridor. The important issues associated with these property owners are described in the following two sections.

### Costa Property

The Costa property is located between South Hutchins Street and the Union Pacific Railroad. The Costa's operate an agricultural packing plant in the center of their property which is accessed from West Lane and Harney Lane. The property has two driveways on Harney Lane and two driveways on West Lane used by employees, harvesting equipment and large trucks. The first driveway on Harney Lane is located just west of the railroad tracks and is used for access by large harvesting equipment. The second driveway is located just east of the South Hutchins Street intersection and is used for access by large trucks. The West Lane driveways will not be affected by the Harney Lane Specific Plan project.

The Harney Lane and South Hutchins Street intersection is envisioned to be constructed in two phases. Each phase provides the necessary improvements to Harney Lane while limiting the

impacts to the Costa property. The first phase is an interim alternative and the second phase is the ultimate widening of Harney Lane along the Costa property. The phasing exhibits are presented in Appendix C.

➤ **Phase 1: South Hutchins Street Intersection Improvements.**

The first phase widens the South Hutchins Street intersection to accommodate the proposed medical center at the southwest corner of the intersection. The first phase includes widening Harney Lane along a portion of the Costa property to add a second through eastbound and westbound lane and relocation of the easterly driveway and gate to a point approximately 300 feet east of the South Hutchins Street intersection. The median along the Costa property would be striped to allow left turns into their driveway along Harney Lane. The improvements will include the creation of an eastbound pull out lane to facilitate trucks turning into the new driveway. This work will require the removal of cherry trees within the existing right of way and within the orchard to allow for construction of the new driveway. A diagram of the phase 1 improvements is provided in Appendix C.

➤ **Phase 2: Construct the Railroad Grade Separation.**

A grade separation at the Union Pacific Railroad is required to add two additional through lanes to Harney Lane. Unlike the other sections of Harney Lane, the grade separation will not be constructed in association with adjacent development. The grade separation will be a City sponsored project and will be constructed as soon as funding is available.

With this phase, the Costa's will lose full access to both driveways on Harney Lane by virtue of the raised median that will be constructed with the grade separation. Additional right of way will be needed. The amount will be determined once the preferred design alternative is selected as part of the environmental review of the project. The Costa driveway west of Banyan Drive will be restricted to right turn in and right turn out movements. The driveway would be treated like an intersecting street without a pull out lane the same as for the Banyan Drive intersection on the north side of Harney Lane and all other intersections along Harney Lane. The driveway will be approximately 300 feet east of the South Hutchins Street intersection in order to locate it away from the inclined portion of the grade separation.

When the property is developed into something other than the Costa's agricultural operation the driveway will be the approximate location for the future road. The roadway will be required to be dedicated at that time. The road will have a 50 foot right of way, a 34 foot curb to curb dimension and include sidewalks on both sides.

A diagram of the phase 2 improvements is provided in Appendix C. The right of way requirements based on Figures 12 and 13 are indicated in the phase 2 diagram and other exhibits in Appendix A and C.

City staff met with the Costas in three one on one meetings to discuss the impacts the Harney Lane Specific Plan would have on their operations and access to their property. The Costas expressed concerns about the effects the widening of Harney Lane would have on the access to and operations of their business. The specific plan addresses the concerns expressed by the Costas.

### **Tsutsumi Property**

Mr. Tsutsumi operates a vineyard located between the Union Pacific Railroad and South Stockton Street. Access to the vineyard is available at two locations on Harney Lane, west of South Stockton Street. A row of houses is situated between the Tsutsumi property and South Stockton Street blocking access to South Stockton Street.

There is no interim alternative for Harney Lane within this area. The ultimate construction of the railroad grade separation will affect the operations at the Tsutsumi property. The grade separation will widen Harney Lane and construct a raised median. The raised median prevents the harvesting equipment from making westbound left turns into the Harney Lane driveway. The harvesting equipment will need to enter the property from the eastbound approach. The driveways on Harney Lane will need to be widened beyond their current width to accommodate the trucks turning in the property. A diagram of the Tsutsumi access configuration is provided in Appendix C.

Mr. Tsutsumi is amenable to this option as well as any other option which would maintain his operation. He suggested having the City obtain access to his property from the extension of South Stockton Street by buying one of the houses facing South Stockton Street.

### **Intersections - Full and Limited Access**

The expressway design for Harney Lane between Lower Sacramento Road and State Route 99 will limit full access intersections by spacing them approximately one half mile apart. The planned full access intersections are Westgate Drive, Lower Sacramento Road, South Mills Avenue, South Ham Lane, South Hutchins Street, South Stockton Street and Reynolds Ranch Parkway/Melby Avenue. The Reynolds Ranch Parkway/Melby Avenue intersection has been constructed as part of the Reynolds Ranch project.

Limited access intersections are those that restrict turning movements to right turns from and right turns onto Harney Lane with a prohibition of left turn movements. Planned limited access intersections include Legacy Way, Crown Place, Poppy Drive, Winchester Drive, Banyan Drive and the four future road intersections on the south side of Harney Lane. A short discussion about the improvements at each full access intersection is given below. A diagram of the geometrics for each intersection is included in Appendix B.

1. **Westgate Drive** – Westgate Drive, the future road across from the Henderson Community Day School, is part of the Southwest Gateway planned development. The road will form a three-legged intersection on Harney Lane from the north and will be striped with crosswalks due to its proximity to the school. When the Southwest Gateway development is constructed the timing of the intersection construction will be determined. It is included in the interim and ultimate proposed geometrics for this segment of Harney Lane. A traffic signal will be installed in the future if required.
2. **Lower Sacramento Road** - Lower Sacramento Road is the main north-south connector between Stockton and Lodi on the west side of Lodi. Between Kettleman Lane and Harney Lane, Lower Sacramento Road is designated an expressway. It is a main part of the city’s grid network planned to serve large volumes of traffic moving from Kettleman Lane to the southeast area of Lodi. Harney Lane is part of this connection. To serve the high volume of southbound to eastbound left turn traffic, dual left turn lanes are incorporated into the intersection geometrics. The existing traffic signal at the intersection will need to be modified to accommodate the additional through lanes and left turn lane.
3. **South Mills Avenue** – South Mills Avenue is a collector street that will be extended southward as new development occurs. It will become a full access intersection on Harney Lane. Signals will be installed with the extension of South Mills Avenue. A single left turn lane will be provided for eastbound and westbound traffic on Harney Lane. The intersection is currently signalized and will need to be modified to accommodate the widening.
4. **South Ham Lane** – Similar to South Mills Avenue, South Ham Lane currently tees into Harney Lane and will be extended southward as new development occurs. The General Plan designates South Ham Lane as a major arterial to the north of Harney Lane and a collector road to the south. Signals will be installed with the extension of South Ham Lane and single left turn lanes will be provided for eastbound and westbound Harney Lane traffic.
5. **South Hutchins Street** – Similar to Lower Sacramento Road this is a main connector road between Lodi and Stockton. In the General Plan South Hutchins Street is a major arterial which serves the downtown area of the city. At the intersection it will have dual left turns for the north and southbound traffic. Single left turn lanes are provided for the Harney Lane traffic. Two eastbound and westbound through lane will be provided.

Traffic studies indicate the future requirement for a dedicated right turn lane for the eastbound to southbound turning movement on Harney Lane. In keeping with the General Plan policy to promote pedestrian friendly intersections this dedicated right turn lane is included in the specific plan but is not recommended for construction in the foreseeable future.

Right of way for the additional lanes is required on the south side of Harney Lane as indicated on the diagrams provided in Appendix A. The intersection is currently signalized and will need to be modified to accommodate the widening.

- 6. South Stockton Street** – The roadway tees into Harney Lane with a dead end road extending to the south. In the future the dead end road will be widened allowing access to the Reynolds Ranch project in the south area. Similar to South Hutchins Street intersection the eastbound Harney Lane will initially be served by a through lane and a combined through/right turn lane. When South Stockton Street is extended and the traffic warrants it, the combined through/right turn lane will become a through lane and a dedicated right turn lane will be added. The right of way is reserved with the Specific Plan. The existing signal will need to be modified. The intersection is currently signalized and will be modified to accommodate the widening.

## **PUBLIC OUTREACH**

### **PUBLIC MEETINGS**

Two public meetings were held at Henderson Community Day School. The first public meeting was held on June 8, 2010 to present the preliminary specific plan, explain the purpose of a specific plan, request input on the plan and to give the attendees an opportunity to individually meet with the City staff. A total of 52 people attended the meeting. A second public meeting was held on January 25, 2011 to present residents with an update addressing the comments from the first public meeting, the follow up individual meetings and staff modifications to the specific plan. A total of 53 people attended the second meeting. A full report on each meeting is provided in the Technical Appendix.

The format of the two public meetings was an open house with work stations exhibiting the four segments. A staff member was present to explain the specific plan and to answer questions at each station. A power point presentation was given describing the need for the specific plan, the proposed geometrics, the timing of the implementation and contact information which the residents could use if they had further questions. Questions were received and answers provided as reported in the minutes of the meetings.

### **ONE ON ONE MEETINGS**

As part of the public meeting, the City staff gave the residents an opportunity to meet later for a one on one meeting to explain the specific plan further and discuss the impact to their property. Since not all of the citizens could attend the public meeting two separate letters went out to all the property owners whose properties would be impacted. This outreach provided them additional opportunities to have a one on one meeting with the City staff to discuss the specific plan and their property. A total of 55 residents took this opportunity to meet with the project staff.

The meetings were either held at the property owner's residence or at the Public Works office. Most of the meetings were informational since many of these people were not able to attend the public meeting. Discussion points included:

- **What is the purpose of the Specific Plan?** The Specific Plan acts as a blue print of what Harney Lane will look like based on the policies set forth in the General Plan. City staff will use the specific plan to guide development of properties along Harney Lane to provide for implementation of the Harney Lane expressway.
- **How much right of way will be needed from my property?** An exhibit for each property was created showing the amount of right of way needed. If the property was

located in a segment where an interim condition occurred, a second exhibit was created showing the right of way needed during the interim phase.

- **When is this development and street widening going to occur?** This was a significant concern and a common question. It was explained that the specific plan was a planning document to be used by the City to direct the individual developers as to what would be expected of them with respect to the widening of Harney Lane. The street widening was not expected to occur in the near future. Much of the widening will occur with development. If widening was required, the City would acquire right of way through a formal acquisition process.
- **How will I get compensated for the right of way taken?** The City will require a development project to dedicate needed right way as part of the project. Acquisition of right of way outside the limits of new development may follow an informal process if initiated by a developer or a formal process if initiated by the City.
- **By acquiring the right of way the house will be closer to the roadway making the property less valuable. Will I be compensated for that?** This is referred to as “severance damages” and would be included in the offer to acquire the property.

There were some questions and concerns that were brought up from the residents that needed follow up on the staff’s part. These concerns were:

- **For the segment west of Lower Sacramento Road, by acquiring right of way, you are reducing the size of the driveway and front yards; why not include street parking for the residences?** The recommend geometrics include street parking.
- **Why does the median have to be so wide? Less property would need to be taken if you reduced the size of the median.** The median is sixteen feet wide and provides room for the left turn pockets and narrow median at the intersections.

# Draft Initial Study/Negative Declaration



**HARNEY LANE SPECIFIC PLAN**

**April 2011**

**Draft**  
**Initial Study/Negative Declaration**  
**For**  
**HARNEY LANE SPECIFIC PLAN**

April 2011

Prepared by the City of Lodi  
Department of Public Works  
221 West Pine Street  
Lodi, CA 95240

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This document is divided into the following sections:

**1.0 INTRODUCTION**

This section provides an introduction and describes the purpose and organization of this document.

**2.0 PROJECT DESCRIPTION**

This section provides a detailed description of the proposed project and any alternatives considered.

**3.0 ENVIRONMENTAL DETERMINATION**

This section provides a summary of environmental factors that would be potentially affected by this project as indicated by the checklist on the following pages.

**4.0 INITIAL STUDY CHECKLIST**

This section describes the environmental setting for each of the environmental subject areas, evaluates a range of impacts classified as “no impact”, “less than significant

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impact”, “less than significant with mitigation incorporated”, or “potentially significant” in response to the environmental checklist, and provides mitigation measures, where appropriate, to mitigate potentially significant impacts to a less than significant level; and provides an environmental determination of the project.

## **5.0 DOCUMENTS REFERENCED**

This section provides a summary of mitigation measures for the proposed project.

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## **Section 1**

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## 1.1 - INTRODUCTION AND REGULATORY GUIDANCE

The document is an Initial Study (IS) with supporting environmental studies, which provides justification for a Negative Declaration (ND) pursuant to the California Environmental Quality Act (CEQA) for the City of Lodi Harney Lane Specific Plan project (Project) in the City of Lodi. The IS/ND is a public document to be used by the City of Lodi (City) acting as lead agency, to determine whether the project may have a significant effect on the environment pursuant to CEQA.

If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment that cannot be mitigated, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an Environmental Impact Report (EIR), use a previously prepared EIR and supplement that EIR, or prepare a subsequent EIR to analyze the project at hand.

If the agency finds no substantial evidence that the project or any of its aspects may cause a significant impact on the environment with mitigation, an MND shall be prepared with a written statement describing the reasons why the proposed project would not have a significant effect on the environment, and therefore, why it does not require the preparation of an EIR (State CEQA Guidelines Section 15371).

According to State CEQA Guidelines Section 15070, a Negative Declaration (ND) or MND shall be prepared for a project subject to CEQA when either:

- a) The IS shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- b) The IS identifies potentially significant effects, but:
  - 1) Revisions in the project plans or proposals made by, or agreed to by the applicant before the proposed MND and IS are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
  - 2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

This IS/MND has been prepared in accordance with the CEQA, Public Resources Code Section 21000 et seq., and the State CEQA Guidelines Title 14 California Code of Regulations (CCR) Section 15000 et seq.

## 1.2 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b)(1), "The lead agency will normally be the agency with general governmental powers rather than an agency with a single or limited purpose." In addition, Section 15051(c) states "where more than one public agency equally meet the criteria in subdivision (b), the agency which will act first on the project in question shall be the lead agency". The City Public Works Department has initiated preliminary design of the project. The Project lies within the City limits of the City of Lodi and requires approval from the City of Lodi City Council. Therefore, based on the criteria described above, the lead agency for the proposed project is the City of Lodi, Public Works Department.

**1.3 PURPOSE AND DOCUMENT ORGANIZATION**

The purpose of this Initial Study and proposed Negative Declaration (IS/ND) is to identify the potential environmental impacts and mitigation measures associated with the proposed Harney Lane Specific Plan, which seeks to reach a consensus of the most appropriate roadway improvements to be implemented in the Harney Lane corridor to accommodate anticipated growth and traffic volume increases and establish the necessary right of way needed to be acquired, reserved and/or dedicated in order to accommodate the roadway improvements. Pursuant to Section 15367 of the CEQA Guidelines, the City is the Lead Agency in the preparation of this IS/ND, and any additional environmental documentation required for the project. The intended use of this document is to provide information to support conclusions regarding the potential environmental impacts of the project. The IS/ND provides the basis for input from public agencies, organizations, and interested members of the public.

The proposed Mitigated Negative Declaration tiers of the City of Lodi General Plan 2010 and General Plan EIR 2010 (SCH#2009022075), which serve as the project's program level EIR. The proposed Harney Lane Specific Plan intends to refine the vision, goals, policies, and actions of the City's General Plan by establishing area-specific goals and policies to guide land use patterns in the Specific Plan Area (along Harney Lane). The proposed Harney Lane Specific Plan involves land that is incorporated into, and planned for development in Lodi's 2010 General Plan. Having been so included, all General Plan level environmental effects were of necessity, therein addressed. As a tiered document, the Initial Study/Negative Declaration for the project relies, in part, on the General Plan 2010 and General Plan EIR 2010, for:

- 1) A discussion of general background and setting information for environmental topic areas;
- 2) Overall growth-related issues, land uses, level of service related to traffic;
- 3) Issues that were evaluated in sufficient detail in the 2010 General Plan EIR, for which there are no significant new information or changes in circumstances that would require further analysis; and
- 4) Analysis of long-term cumulative impacts.

This Tiered Initial Study/Negative Declaration analyzes the potential site-specific and localized impacts of the Project. As the analysis demonstrates, there are no new significant impacts identified due to the project since no physical improvements or construction activities are proposed by the project itself at this time. The Harney Lane Specific Plan serves as an implementing arm of the City's General Plan; therefore, the General Plan EIR has assessed many project related impacts. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. Since specific development outcomes and impacts cannot be accurately assessed at this time, this document will discuss the general impacts imposed by the Project. Because there are no new significant impacts identified there are no new alternatives to the project that need be examined and therefore, the previous analysis is sufficient. Additionally, because there are no new significant impacts identified, the cumulative impacts remain the same. Thus, the information contained in this

subsequent Negative Declaration is sufficient to meet the requirements of CEQA Guidelines Section 15163.

### 1.4 INCORPORATION BY REFERENCE

The references outlined below were utilized during preparation of this Initial Study/Negative Declaration. The documents are available for review at the City of Lodi, Community Development Department, located at 221 West Pine Street, California 95240.

- City of Lodi General Plan 2010. State law requires every city and county to adopt a comprehensive, long-term general plan for the physical development of that city and county. The City of Lodi *General Plan*, adopted April 2010, contains goals, policies, and programs which are intended to guide land use and development decisions for the next twenty years. The *General Plan* consists of eight elements, or chapters, which together fulfill the requirements for a general plan. The *General Plan* chapter include the Land Use; Growth Management and Infrastructure; Community Design and Livability; Transportation; Parks, Recreation and Open Space; Conservation; Safety, and Noise Elements.
- City of Lodi General Plan Final Environmental Impact Report, February 2010. The City of Lodi General Plan, *Final Environmental Impact Report (General Plan FEIR)*, SCH2009022075, is intended to provide information to public agencies and the general public regarding the potential environmental impacts related to implementation of the City of Lodi General Plan. The purpose of the EIR is “to identify the significant effects of a project on the environment, to identify alternatives to the project and to indicate the manner in which significant impacts can be mitigated or avoided.”
- City of Lodi General Plan Draft Environmental Impact Report, November 2009. The City of Lodi, *Pubic Review Draft General Plan Environmental Impact Report*, SCH2009022075, is a first-tier evaluation of the environmental effects associated with the adoption of the updated City of Lodi General Plan.
- City of Lodi Municipal Code. The City of Lodi *Zoning Code* is contained in Chapter 17 of the Lodi Municipal Code (LMC) and represents the minimum requirement for the promotion of public safety, health, convenience, comfort, prosperity or general welfare.

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## **Section 2**

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## 2.0 PROJECT DESCRIPTION

### 2.1 PROJECT BACKGROUND

The City of Lodi adopted its current General Plan in April of 2010. The General Plan is the City's vision for how to accommodate anticipated growth within the next 20 to 30 years. As part of the General Plan, the City reviews the forecasted traffic volumes based on the anticipated growth of the city. The number of lanes for each of the roads in the network is determined from these forecasts. A minimum Level of Service (LOS) "E" is maintained throughout the City. Chapter 5 of the General Plan designates Harney Lane as a four lane expressway from Lower Sacramento Road to State Route 99. To achieve this goal, the City proposes Harney Lane Specific Plan, which intends to refine the vision, goals, policies, and actions of the City's General Plan by establishing area-specific goals and policies to guide land use patterns in the Specific Plan Area (along Harney Lane).

### 2.2 PROJECT LOCATION

The projects limits are located on Harney Lane, between Stockton Street and Lower Sacramento Road in the City of Lodi, in San Joaquin County. Harney Lane, as illustrated in Exhibit 1, is located at the southern edge of the current City limits. Regional access to the project limits is from SR Route 99 via Harney Lane exit. Exhibit 1 shows the project's location from a local and regional context.

### 2.3 PROJECT PURPOSE AND OBJECTIVES

The purpose of the Harney Lane Specific Plan is to reach a consensus of the most appropriate roadway improvements to be implemented in the Harney Lane corridor to accommodate anticipated growth and traffic volume increases and establish the necessary right of way needed to be acquired, reserved and/or dedicated in order to accommodate the roadway improvements. Harney Lane is planned to be one of the main east-west connectors across the south side of the city. According to the General Plan, Harney Lane is classified as a minor arterial west of Lower Sacramento Road and an expressway from Lower Sacramento Road to State Route 99. Lower Sacramento Road is also designated an expressway (the main north-south connector on the west side of the city) connecting Harney Lane to Kettleman Lane

### 2.4 PROJECT DESCRIPTION

The proposed Harney Lane Specific Plan involves widening of Harney Lane so as to relieve existing and future traffic congestion at the west-east bound road. Harney Lane currently is a two lane road with a posted speed of 45 mph. North of Harney Lane is mostly new single family residential subdivisions with block walls fronting Harney Lane. Harney Lane has been widened to the ultimate width on the north where the recent development has occurred. The south side is a mixture of agriculture (grapes and cherries) and single family residences. West of Lower Sacramento Road single family

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## 2.0 PROJECT DESCRIPTION

residences populate both sides of the road. Between South Hutchins Street and South Stockton Street, Harney Lane crosses the Union Pacific Railroad. The proposed Harney Lane Specific Plan mostly affects the south side of Harney Lane.

The proposed Harney Lane Specific Plan is an integral component of the City's General Plan 2010, which identifies Harney Lane as a four lane express way. The proposed Harney Lane Specific Plan details roadway improvements, establish the necessary right-of-way required to accommodate the roadway improvements and it affects a total of 47 privately-owned parcels. Proposed right-of-way acquisitions would occur in conjunction with actual construction projects. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

The project design, as illiterate in Exhibit 5, was prepared in accordance with the City framework set out in the General Plan adopted on April 7, 2010. Items considered during the preparation of the Specific Plan include future land use, roadway and bicycle network, right of way issues, safety (pedestrian and vehicular), ingress and egress for residents and businesses and environmental issues. There are no physical improvements or construction activities proposed by the project itself at this time.

## 2.0 PROJECT DESCRIPTION

Exhibit 1: Location Map

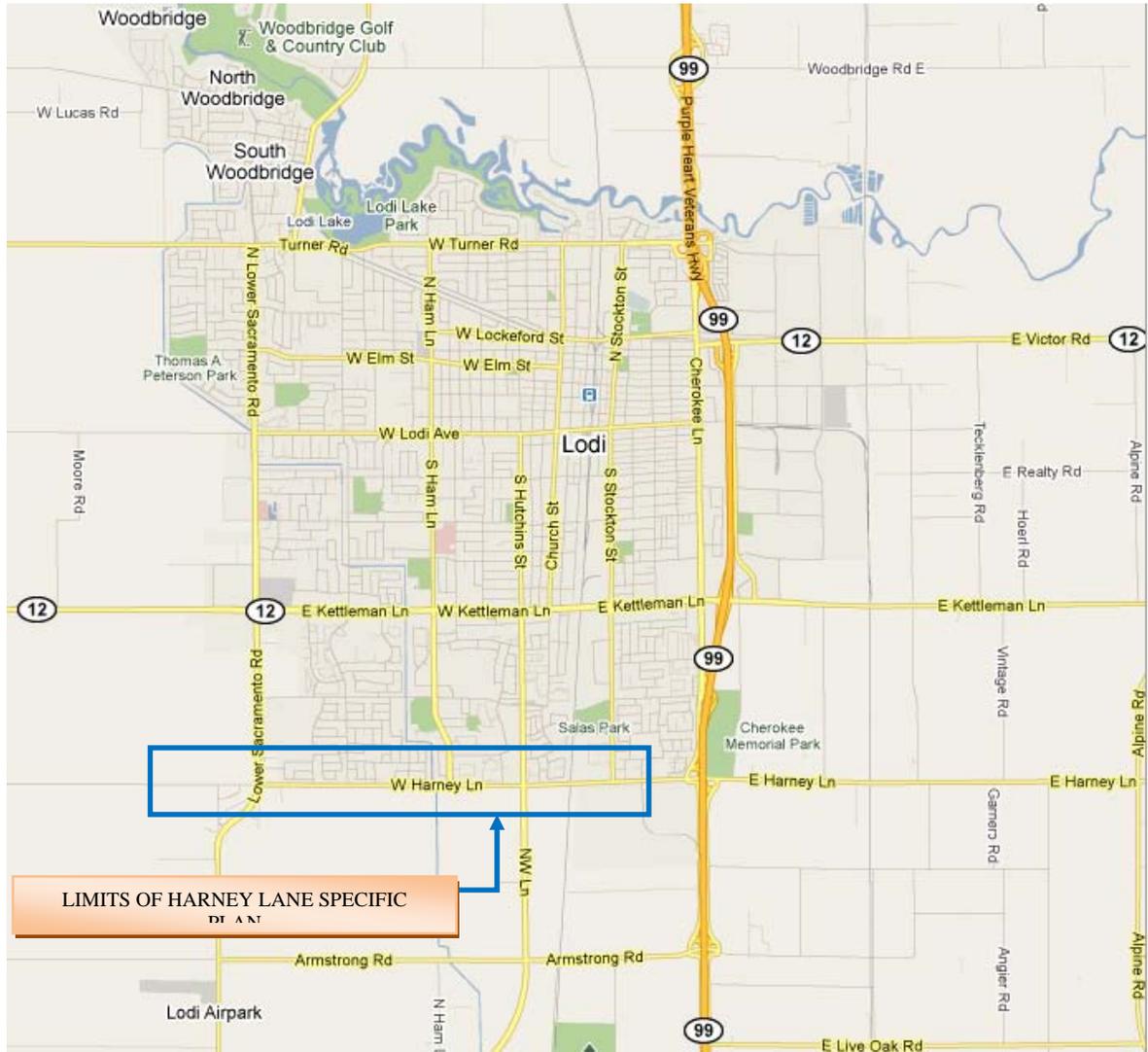
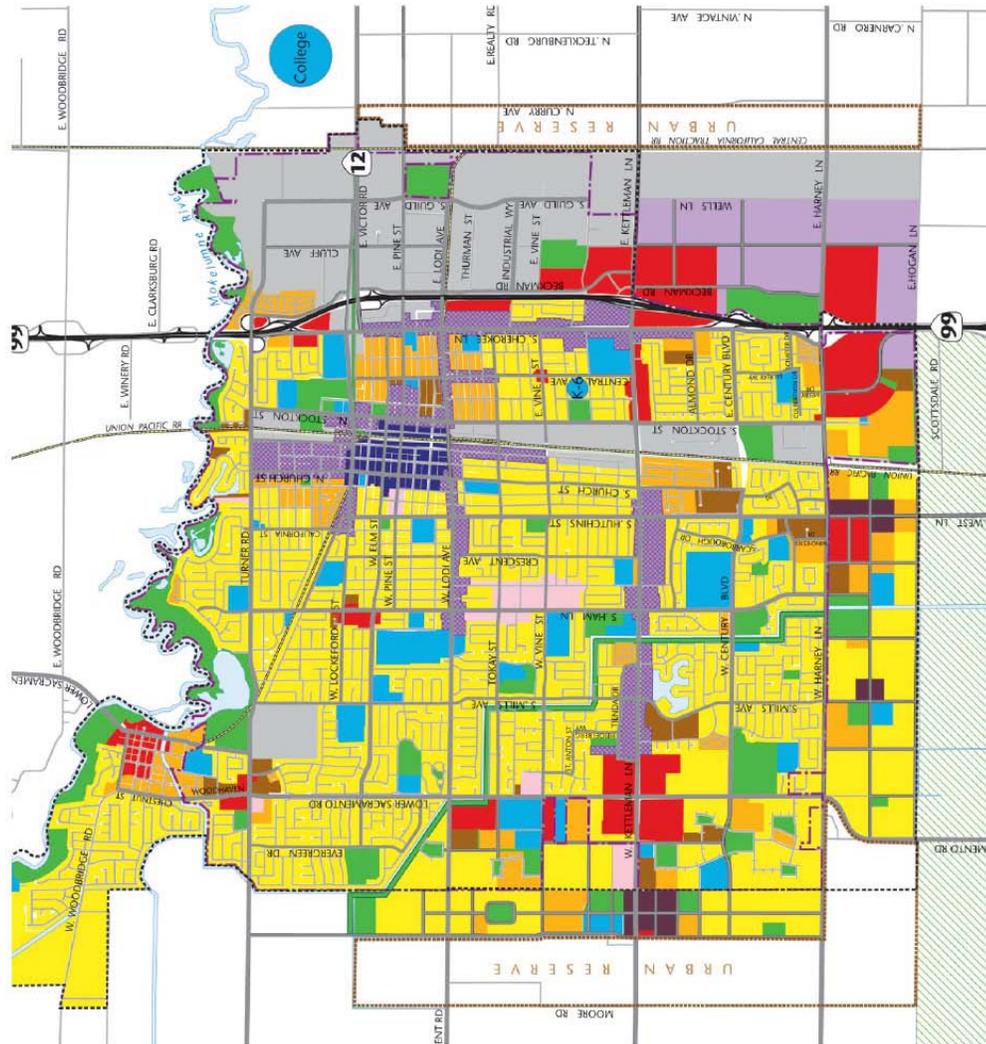


Exhibit 2: Existing Land Use Diagram

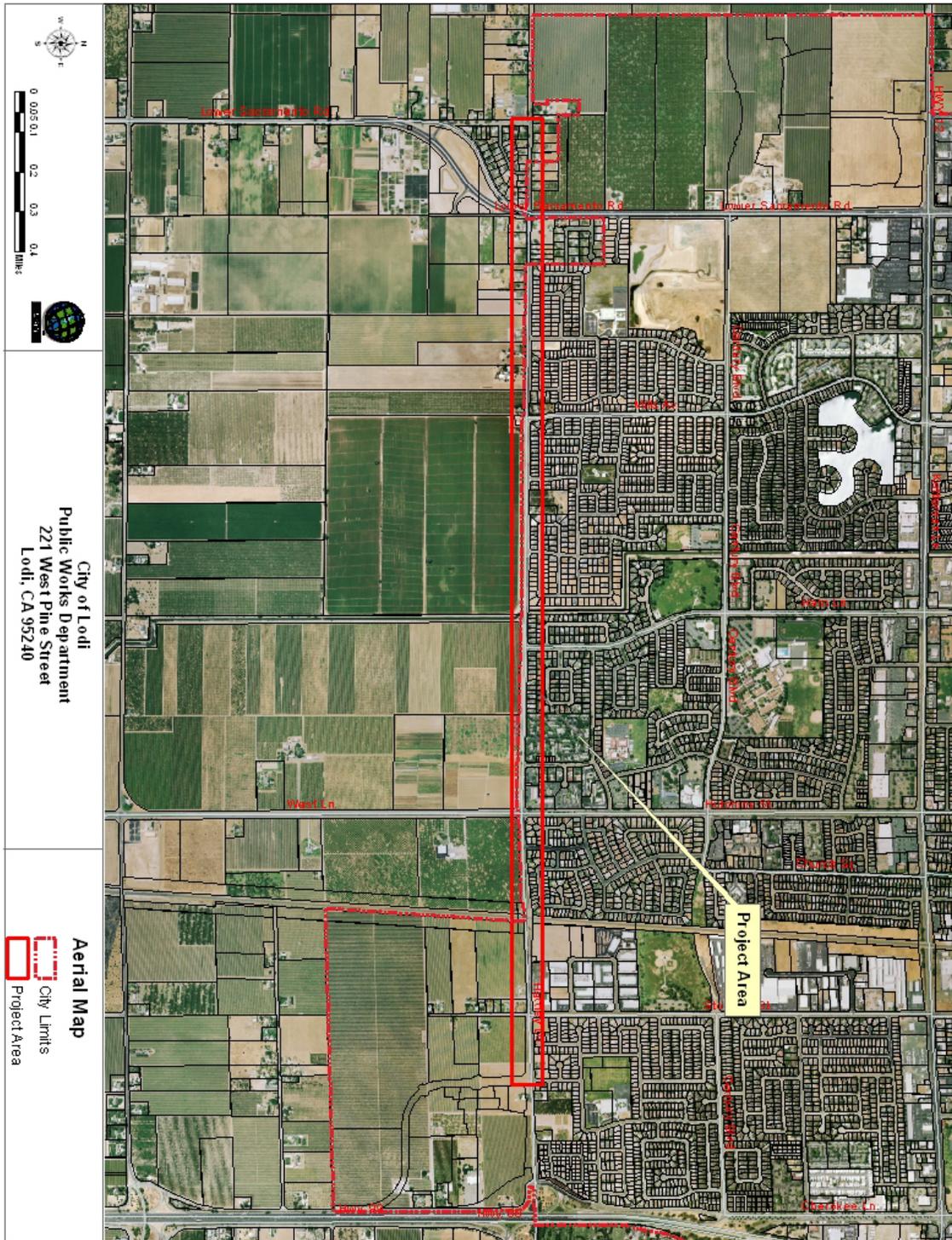
FIGURE 2-1: LAND USE DIAGRAM



- |                            |                              |  |
|----------------------------|------------------------------|--|
| Low Density Residential    | Mixed Use Corridor           | Open Space                                     |
| Medium Density Residential | Business Park                | Armstrong Road Agricultural Cluster Study Area |
| High Density Residential   | Office                       | Urban Reserve                                  |
| Commercial                 | Public/Quasi-Public          | Sphere of Influence (2008)                     |
| Downtown Mixed Use         | College/School (Placeholder) | City Limits (2008)                             |
| Mixed Use Center           | Industrial                   |  |



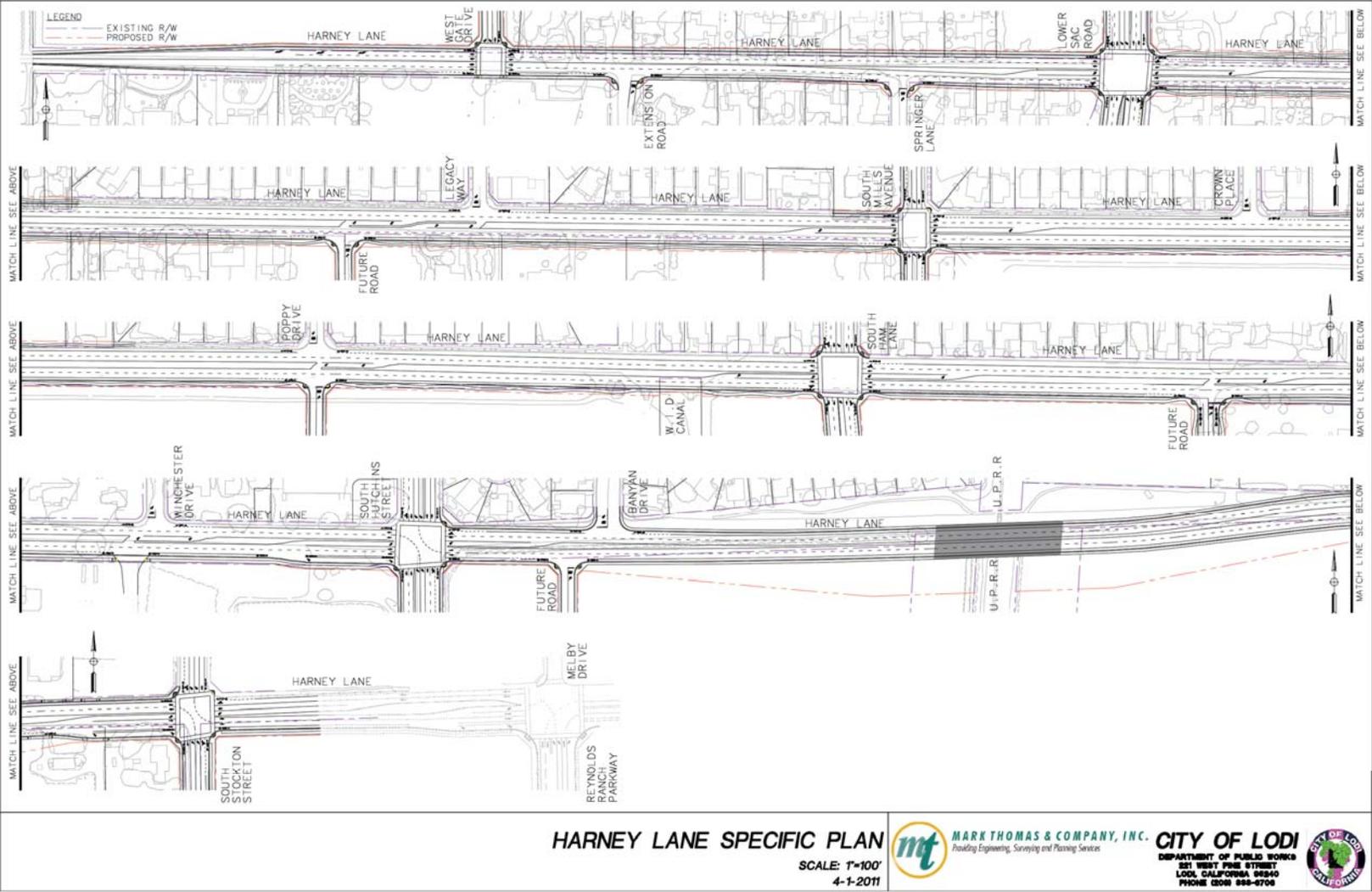
Exhibit 4: Aerial Map





2.0 PROJECT DESCRIPTION

Exhibit 5: Harney Lane Specific Plan Design



### 2.5 LEAD AGENCY NAME AND ADDRESS:

City of Lodi, Public Works Department  
221 West Pine Street  
Lodi, CA 9540

### 2.6 CONTACT PERSONS AND PHONE NUMBER:

Environmental document: Manny Bereket 209-333-6711  
Project Coordinators: Wes Fujitani 209-333-6706  
Chris Boyer 209-333-6706

### 2.7 PROJECT SPONSOR'S NAME AND ADDRESS:

City of Lodi Public Works Department  
221 W. Pine Street  
Lodi CA 95240

### 2.8 GENERAL PLAN DESIGNATIONS:

The parcels fronting on north side of Harney Lane (within incorporated City limits) have a mixture of General Plan designations of Industrial, Commercial, Single Family Residence, Medium Density Residences, and High Density Residences.

The parcels fronting on the south side of Harney Lane are within the San Joaquin County jurisdiction and have a General Plan Designation of Ag (Agricultural Land) and R/VL - Residential.

### 2.9 ZONING DESIGNATIONS:

The parcels fronting on north side of Harney Lane (within incorporated City limits) have a mixture of Zoning designations of M-2, Heavy Industrial, C-1, Neighborhood Commercial, R-2, Single Family Residence, and PD- Planned Development Units.

The parcels fronting on the south side of Harney Lane are within the San Joaquin County jurisdiction and have a variety of Zoning Designations of Ag-40 (Agricultural Land - minimum of 40 acres) and R/VL - Residential.

### 2.10 PROJECT CONSTRUCTION

The proposed Harney Lane Specific Plan involves widening of Harney Lane so as to relieve existing and future traffic congestion at the west-east bound road. Harney Lane currently is a two lane road with a posted speed of 45 mph. North of Harney Lane is mostly new single family residential subdivisions with block walls fronting Harney Lane. Harney Lane has been widened to the ultimate width on the north where the recent development has occurred. The south side is a mixture of agriculture (grapes and cherries) and single family residences. West of Lower Sacramento Road single family residences populate both sides of the road. Between South Hutchins Street and South Stockton Street, Harney Lane crosses the Union

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## 2.0 PROJECT DESCRIPTION

Pacific Railroad. The proposed Harney Lane Specific Plan mostly affects the south side of Harney Lane.

The proposed Harney Lane Specific Plan is an integral component of the City's General Plan 2010, which identifies Harney Lane as a four lane express way. The proposed Harney Lane Specific Plan details roadway improvements, establish the necessary right-of-way required to accommodate the roadway improvements and it affects a total of 47 privately-owned parcels. Proposed right-of-way acquisitions would occur in conjunction with actual construction projects. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

The project design, as illiterate in Exhibit 5, was prepared in accordance with the City framework set out in the General Plan adopted on April 7, 2010. Items considered during the preparation of the Specific Plan include future land use, roadway and bicycle network, right of way issues, safety (pedestrian and vehicular), ingress and egress for residents and businesses and environmental issues. There are no physical improvements or construction activities proposed by the project itself at this time.

### 2.11 REQUIRED PROJECT APPROVALS

In order for the project to be implemented, a series of actions and approvals would be required from agencies. Anticipated project approvals/actions would include, but are not limited to the following:

- Lodi City Council - Adoption of the circulated ND, and actions associated with Harney Lane Specific Plan.

### 2.12 OTHER PROJECT ASSUMPTIONS

This IS/ND assumes compliance with all applicable state, federal, and local codes and regulations including, but not limited to, City of Lodi Standards, the Guidance Manual for On-site Storm Water Quality Control Measures, the State Health and Safety Code, and the State Public Resources Code.

### 2.13 TECHNICAL STUDIES

The following technical study forms the basis of this IS/ND:

- *Draft Harney Lane Specific Plan*, dated January 10, 2011. Prepared by Mark Thomas and Company, Inc.,

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## **Section 3**

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**3.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project as indicated by the checklist on the following pages.

<b>Environmental Factors Potentially Affected</b>		
<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Services Systems	
<input type="checkbox"/> Mandatory Findings of Significance		

**3.2 ENVIRONMENTAL DETERMINATION:** On the basis of this initial evaluation:

- I find that the proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A Mitigated Negative Declaration will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an Environmental Impact Report is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Konradt Bartlam, Community Development Director

\_\_\_\_\_  
Date

**NOTICE OF AVAILABILITY**

Notice is hereby given that the City of Lodi, Community Development Department, has completed an initial study and proposed a Negative Declaration pursuant to the California Environmental Quality Act for the project described below.

The initial study prepared by the City was undertaken for the purpose of determining whether the proposed Harney Lane Specific Plan may have a significant effect on the environment. On the basis of the initial study, Community Development Department staff has concluded that the proposed Harney Lane Specific Plan will not have a significant effect on the environment, and therefore has prepared a proposed Negative Declaration 11-MND-01. The initial study reflects the independent judgment of the City.

**FILE NUMBER:** 11-ND-01

**PROJECT TITLE:** Harney Lane Specific Plan

**PROJECT DESCRIPTION:** The proposed Harney Lane Specific Plan involves widening of Harney Lane so as to relieve existing and future traffic congestion at the west-east bound road. Harney Lane currently is a two lane road with a posted speed of 45 mph. North of Harney Lane is mostly new single family residential subdivisions with block walls fronting Harney Lane. Harney Lane has been widened to the ultimate width on the north where the recent development has occurred. The south side is a mixture of agriculture (grapes and cherries) and single family residences. West of Lower Sacramento Road single family residences populate both sides of the road. Between South Hutchins Street and South Stockton Street, Harney Lane crosses the Union Pacific Railroad. The proposed Harney Lane Specific Plan mostly affects the south side of Harney Lane.

The proposed Harney Lane Specific Plan is an integral component of the City's General Plan 2010, which identifies Harney Lane as a four lane express way. The proposed Harney Lane Specific Plan details roadway improvements, establish the necessary right-of-way required to accommodate the roadway improvements and it affects a total of 47 privately-owned parcels. Proposed right-of-way acquisitions would occur in conjunction with actual construction projects. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

The project design, as illustrated in Exhibit 5, was prepared in accordance with the City framework set out in the General Plan adopted on April 7, 2010. Items considered during the preparation of the Specific Plan include future land use, roadway and bicycle network, right of way issues, safety (pedestrian and vehicular), ingress and egress for residents and businesses and environmental issues. There are no physical improvements or construction activities proposed by the project itself at this time.

**PROJECT LOCATION:** The project limits are located on Harney Lane, between Stockton Street and Lower Sacramento Road in the City of Lodi, in San Joaquin County. Harney Lane,

as illustrated in Exhibit 1, is located at the southern edge of the current City limits. Regional access to the project limits is from SR Route 99 via Harney Lane exit. Exhibit 1 shows the project's location from a local and regional context.

**PUBLIC REVIEW PERIOD:** The proposed Negative Declaration will be circulated for a 30-day public review period, beginning on **Tuesday, April 12, 2011** and ending on **Wednesday, May 11, 2011**. Copies of the document are available for review at the following locations:

- **Community Development Department**, 221 West Pine Street, Lodi, CA 95240
- **Lodi Public Library**, 201 West Locust Street, Lodi, CA 95240
- **Public Works Department**, 221 West Pine Street, Lodi, CA 95240

The Mitigated Negative Declaration is also available for review on the internet at the following web address: [http://www.lodi.gov/com\\_dev/EIRs.html](http://www.lodi.gov/com_dev/EIRs.html)

Any person wishing to comment on the Initial Study and proposed Negative Declaration must submit such comments in writing **no later than 5:00 pm on Wednesday May 11, 2011** to the City of Lodi at the following address:

Community Development Director  
City of Lodi  
P. O. Box 3006  
Lodi, CA 95241

Facsimiles at (209) 333-6842 will also be accepted up to the comment deadline (please mail the original). For further information, contact Immanuel Bereket, Associate Planner, at (209)333-6711.

Konradt Bartlam, Community Development Director  
City of Lodi  
P. O. Box 3006  
Lodi, CA 95241

The City will provide additional public notices when the public hearings have been scheduled to consider approval of the proposed Negative Declaration and the other entitlements for the project.

\_\_\_\_\_  
Konradt Bartlam, Community Development Director

\_\_\_\_\_  
Date

**PROPOSED NEGATIVE DECLARATION**

Prepared pursuant to City of Lodi Environmental Guidelines, §§ 1.7 (c), 5.5

**FILE NUMBER:** 11-MND-01

**PROJECT TITLE:** Harney Lane Specific Plan

**PROJECT DESCRIPTION:** The proposed Harney Lane Specific Plan involves widening of Harney Lane so as to relieve existing and future traffic congestion at the west-east bound road. Harney Lane currently is a two lane road with a posted speed of 45 mph. North of Harney Lane is mostly new single family residential subdivisions with block walls fronting Harney Lane. Harney Lane has been widened to the ultimate width on the north where the recent development has occurred. The south side is a mixture of agriculture (grapes and cherries) and single family residences. West of Lower Sacramento Road single family residences populate both sides of the road. Between South Hutchins Street and South Stockton Street, Harney Lane crosses the Union Pacific Railroad. The proposed Harney Lane Specific Plan mostly affects the south side of Harney Lane.

The proposed Harney Lane Specific Plan is an integral component of the City's General Plan 2010, which identifies Harney Lane as a four lane express way. The proposed Harney Lane Specific Plan details roadway improvements, establish the necessary right-of-way required to accommodate the roadway improvements and it affects a total of 47 privately-owned parcels. Proposed right-of-way acquisitions would occur in conjunction with actual construction projects. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

The project design, as illustrated in Exhibit 5, was prepared in accordance with the City framework set out in the General Plan adopted on April 7, 2010. Items considered during the preparation of the Specific Plan include future land use, roadway and bicycle network, right of way issues, safety (pedestrian and vehicular), ingress and egress for residents and businesses and environmental issues. There are no physical improvements or construction activities proposed by the project itself at this time.

**PROJECT LOCATION:** The projects limits are located on Harney Lane, between Stockton Street and Lower Sacramento Road in the City of Lodi, in San Joaquin County. Harney Lane, as illustrated in Exhibit 1, is located at the southern edge of the current City limits. Regional access to the project limits is from SR Route 99 via Harney Lane exit. Exhibit 1 shows the project's location from a local and regional context.

**NAME OF PROJECT PROPONENT/APPLICANT:**

City of Lodi , Public Works Department  
221 West Pine Street  
Lodi, CA 95240

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### 3.0 ENVIRONMENTAL DETERMINATION

A copy of the Initial Study (“Environmental Information Form” and “Environment Checklist”) documenting the reasons to support the adoption of a Negative Declaration is available at the City of Lodi Community Development Department.

Mitigation measures are  are not  included in the project to avoid potentially significant effects on the environment.

The public review on the proposed Negative Declaration will commence on **Tuesday, April 12, 2011** and ending on **Wednesday, May 11, 2011**.

The City will provide additional public notices when the public hearings have been scheduled to consider approval of the Negative Declaration.

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Konradt Bartlam, Community Development Director

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Date

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## **Section 4**

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Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.1 AESTHETICS .</b>				
<i>Would the Project:</i>				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

As indicated in the project description, the proposed Harney Lane Specific Plan is an integral part of the City’s General Plan 2010 and involves establishment of the necessary right-of-way required to accommodate the roadway improvements. Proposed right-of-way acquisitions would occur in conjunction with actual construction projects. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

**Impact Analysis:**

(a) Determination of significance for potential impacts to visual resources is based primarily on the level of visual sensitivity in an area. Scenic vistas typically consist of a far reaching view, such as a panoramic view of a skyline or ridgeline, and provide an aesthetic public benefit (i.e. available to the general public). All roads nationally designated as such are considered part of America’s Byways collection and must possess at least one of these six intrinsic qualities: historic, cultural, natural, scenic, recreational, and/or archaeological. To receive an All-American Road designation, a road must possess multiple intrinsic qualities that are nationally significant and contain one-of-a-kind features that do not exist elsewhere. The road must also be considered a “destination unto itself,” and must provide an exceptional travel experience. (<http://www.scenic.org/byways>).

The San Joaquin County General Plan and the City of Lodi General Plan do not designate specific areas within the Project site as scenic vistas, and the views from the project site consist of agricultural lands to the south and existing residential and commercial developments to the north, and ornamental landscaping. The topography in the project area is generally flat and does not support far reaching views. Further, the Harney Lane Specific Plan does not involve construction, site grading, and disturbing.

Future construction project would be viewed for potential environmental impact on project basis. Therefore, no impact would occur in this regard.

**Significance Determination:** No impact.

**Mitigation Measures:** Mitigation measures are not required.

**Significance After Mitigation:** No impact.

- (b) The Harney Lane Specific Plan would not affect a scenic vista or scenic resources scenic the project does not involve physical improvements or construction activities. No state scenic highways are located within the project area at this time and none of the local roads within the project area have been designated as scenic (State Routes 12 and 99 are not designated as scenic within or abutting the project area). Therefore, no impact would result associated with scenic resources visible from a designated scenic highway.

**Significance Determination:** No impact.

**Mitigation Measures:** Mitigation measures are not required.

**Significance After Mitigation:** No impact.

- (c) A project is generally considered to have a significant aesthetic impact if the project substantially changes the character of the project site such that it becomes visually incompatible in comparison to that of its surroundings.

The project site is located within a partially urbanized area of the City and mostly agricultural land within the County. The project site consists of an existing roadway, surrounded by residential and commercial development. The project site and the surrounding area are not recognized as scenic resources or contain structures that have unique architectural styles or historical significance. Further, Harney Lane Specific Plan does not involve physical improvements or construction activities. Therefore, no impact would occur.

**Significance Determination:** No impact.

**Mitigation Measures:** Mitigation measures are not required.

**Significance After Mitigation:** No impact.

- (d) Currently, the primary source of day and nighttime lighting and glare in the area is from Harney Lane and urban development around the project site. The main sources of daytime glare in the area are from sunlight reflecting from structures with reflective surfaces such as windows. Building materials (i.e., reflective glass and polished surfaces) are the most substantial sources of glare. The amount of glare depends on the intensity and direction of sunlight, which is more acute at sunrise and sunset because the angle of the sun is lower during these times. Nighttime light sources include, but are not limited to, residential developments, vehicles (headlights), overhead street lighting, parking lot lighting, and security related lighting for non-residential uses.

Implementation of Harney Lane Specific Plan would require the replacement existing streetlights and installation of new streetlights. However, new streetlights would be controlled through the existing City Code, which requires street lights to be directed

down and shielded away from adjacent properties (Chapter 16.24). Nuisance lighting is regulated by the Municipal Code § 17.81.050. Nevertheless, the proposed Harney Lane Specific Plan does not propose construction plans or installation of streetlights. Therefore, no impact would occur.

**Significance Determination:** No impact.

**Mitigation Measures:** Mitigation measures are not required.

**Significance After Mitigation:** No impact.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<p><b>4.2 AGRICULTURE RESOURCES:</b>  <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the Project:</i></p>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program in the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of forest land (as defined in PRC Sec. 4526), or timberland zoned Timberland Production (as defined in PRC Sec. 51104 (g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project occurs partially in agricultural fields and partially in fully developed urban area that does not contain any agricultural farmland. No parts of the project limits include forest uses. As indicated in the project description, the proposed Harney Lane Specific Plan is an integral part of the City’s General Plan 2010 and involves establishment of the necessary right-of-way required to accommodate the roadway improvements. Proposed right-of-way acquisitions would occur in conjunction with actual construction projects. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

(a) Agriculture has historically been an important part of Lodi’s land use and economy. Impacts resulting from conversion of important farmland, including conversions for transportation improvements, were considered and analyzed in the City’s General Plan EIR (2009). In addition, the City’s General Plan policies C-P7 and C-P8 involve mitigation measures aimed for the preservation of agricultural land and activities. The proposed Harney Lane Specific Plan is an implementing arm of the said General Plan and involves no construction activities. Future construction projects would be subjected

to environmental review on a project-by-project basis. Because the proposed Harney Lane Specific Plan would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, the project would have no impact from conversion of farmland.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (b) The proposed Harney Lane Specific Plan does not involve physical improvements or construction activities. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. Therefore, no impact would occur due to the proposed Harney Lane Specific Plan.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the proposed Project were to result in the conversion of forest land to non-forest land.

There is no existing zoning for forest land on or near the project limits. The proposed Harney Lane Specific Plan does not involve physical improvements or construction activities. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. Therefore, no impact would occur due to the proposed Harney Lane Specific Plan.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (d) A significant impact may occur if the proposed Project were to result in the conversion of forest land to non-forest land.

There is no forest land located in or around the project limits; therefore no impact to these resources would occur.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (e) A significant impact may occur if it involves changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use. The proposed Harney Lane Specific Plan does not involve physical improvements or construction activities. Subsequent development in the Plan Area,

including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. Therefore, no impact would occur due to the proposed Harney Lane Specific Plan.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

**4.0 INITIAL STUDY CHECKLIST**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.3 AIR QUALITY.</b>				
<i>Would the Project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or Projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**(a)** The Federal Clean Air Act established Federal air quality standards known as the National Ambient Air Quality Standards. These standards identify levels of air quality for "criteria" pollutants (Ozone [O<sub>3</sub>], Carbon Monoxide [CO], Nitrogen Oxides [NO<sub>x</sub>], Sulfur Oxides [SO<sub>x</sub>], Particulate Matter [PM<sub>10</sub>], Fine Particulate Matter [PM<sub>2.5</sub>], and Lead [Pb]) that are considered the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety, to protect the public health and welfare.

The City of Lodi is located in the San Joaquin Valley Air Basin (SJVAB). Air quality conditions within the SJVAB are under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). SJVAPCD does not require construction emissions to be quantified. Rather, it requires implementation of effective and comprehensive feasible control measures to reduce PM<sub>10</sub> emissions (San Joaquin Valley Air Pollution Control District 2002). SJVAPCD considers PM<sub>10</sub> emissions to be the greatest pollutant of concern when assessing construction-related air quality impacts. It has determined that compliance with its Regulation VIII, including implementation of all feasible control measures specified in its *Guide for Assessing Air Quality Impacts* (San Joaquin Valley Air Pollution Control District 2002) constitutes sufficient mitigation to reduce construction-related PM<sub>10</sub> emissions to less-than-significant levels and minimize adverse air quality effects.

The proposed Harney Lane Specific Plan does not involve construction activities. Air Quality impacts have been exhaustively examined and mitigation measures have been detailed in the City's General Plan EIR (SCH2009022075) and mitigation polices are incorporated in the General Plan policy. Future projects and developments in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. Therefore, no impact would occur due to the proposed Harney Lane Specific Plan.

1. The project would not result in short-term construction emissions that would exceed the CEQA significance emissions thresholds established by the SJVAPCD and there would be no long-term emissions associated with the project as it involves no construction activities.
2. The project would not affect growth forecasts in the Air Quality Management Plan, since it does not propose physical improvements or construction activities.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (b) As aforementioned in item (a), the proposed project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation since it does not involve physical improvements or construction activities. All future projects including, but not limited to, Subdivision Maps, Parcel Maps, Conditional Use Permits, Site Plan Review, and Planned Development Review projects must be evaluated to ensure compliance with air quality standards, including construction, area source, and operational emissions.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) As discussed in checklist item 4.3(a) and(b), the project will not significantly increase the production of any criteria pollutant as described in section a), therefore, it is appropriate to conclude that the project's incremental contribution to criteria pollutant emissions is not cumulatively considerable. Future construction activities will be subject to environmental review on a project-by-project basis.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (d) When quantifying mass emissions for localized analysis, only emissions that occur on-site are considered. Consistent with SJVAPCD Localized Significance Threshold (LST) methodology guidelines, emissions related to off-site delivery/haul truck activity and employee trips are not considered in the evaluation of localized impacts. As such,

localized impacts that may result from Harney Lane Specific Plan would be of no consequences as there no construction activity is being proposed at this time.

Sensitive receptors near the project site include the nearby residences located along north of Harney Lane and interspersed along the south side of Harney Lane, and commercial properties along Harney Lane. However, as previously mentioned, The proposed Harney Lane Specific Plan does not involve construction activities. Air Quality impacts have been exhaustively examined and mitigation measures have been detailed in the City's General Plan EIR (SCH2009022075) and mitigation polices are incorporated in the General Plan policy. Future projects and developments in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. Therefore, the proposed project would not exceed any of the established air quality thresholds. There will be no impacts resulting from the proposed project and would not expose sensitive receptors to substantial pollutant concentrations.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (e) According to the SJVAPCD *Guide For Assessing and Mitigating Air Quality Impacts*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding facilities. The proposed project does not include any uses identified by SJVAPCD as being associated with odors. Further, no construction activities or materials are proposed that would as part of the Harney Lane Specific Plan. As such, no potential odor impacts are anticipated due to the project.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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**4.4 GREENHOUSE GAS EMISSIONS.**

*Would the Project:*

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Since the adoption of AB 32, there has been little regulatory guidance regarding quantification of potential greenhouse gas (GHG) impacts. Given the complexity of the overall interactions between various global and regional scale air emissions, it is difficult to determine whether any proposed project would alter any existing conditions. No statewide significance threshold has been adopted. Although the San Joaquin Valley Air Pollution Control District has adopted interim guidance on GHG analysis, this guidance only applies to stationary sources.

The recently revised CEQA Guidelines indicate that the lead agency should use careful judgment in assessing potential GHG impacts. Pursuant to the Guidelines, the lead agency should make a good faith effort to describe a project's potential GHG emissions. The lead agency may, in its discretion, rely on a quantitative or qualitative analysis for these purposes (CEQA Guidelines, Section 15064.4(a))

(a) California is a substantial contributor of global greenhouse gases (GHG's), emitting over 400 million tons of CO<sub>2</sub> a year. Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit over the next century. Methane is also an important GHG that potentially contributes to global climate change. GHG's are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. As primary GHG's have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission.

The impact of anthropogenic activities on global climate change is apparent in the observational record. Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of CO<sub>2</sub>, methane, and nitrous oxide from before the start of the industrialization (approximately 1750), to over 650,000 years ago. For that period, it was found that CO<sub>2</sub> concentrations ranged from 180 parts per million (ppm) to 300 ppm. For the period from approximately 1750 to the present, global CO<sub>2</sub> concentrations increased from a pre-industrialization period concentration of 280 ppm to 379 ppm in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range.

The Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHG's needed to stabilize global temperatures and climate change impacts. It concluded that a stabilization of GHG's at 400 to 450 ppm carbon dioxide-equivalent concentration is required to keep mean global climate change below 2°C, which in turn is assumed to be necessary to avoid dangerous climate change.

City of Lodi Greenhouse Gas Emissions

In accordance with Assembly Bill 32 (AB 32) 2006 and Senate Bill (SB 97) 2007, the City of Lodi is implementing a policy that requires Negative Declarations, Mitigated Negative Declarations and Environmental Impact Reports prepared to comply with CEQA to include a GHG Emissions analysis. The adverse impacts of global climate change include impacts to water supply, air quality, fire hazards, sea level rise (flooding), and an increase in health related problems. AB 32 establishes a state goal of reducing GHG emissions to 1990 level by the year 2020. The long range reduction goal is reflected in Executive Order S-3-05, which requires GHG to be reduced to 80 percent below 1990 levels by 2050.

When dealing with air quality issues related to operation emissions, thresholds are usually compared to the net change in emissions compared to baseline conditions (normally existing conditions with no Project). In addition, there are currently no health-based standards that measure the threat GHGs, including CO<sub>2</sub>, pose on human health.

In comparison to existing conditions, implementation of the proposed Harney Lane Specific plan would not increase vehicle emissions generated by mobile source as well as emissions generated by stationary sources because it does not propose physical improvements or construction activities. The City's General Plan is consistent with the State's goal of reducing GHG emissions to 1990 levels by 2020 and is consistent with the City of Lodi General Plan 2010 and accompanying EIR. Therefore, no impact is anticipated.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (b) As stated previously, implementation of the proposed Project would not conflict with applicable regional or local plans, policies or regulations adopted for the purpose of reducing the emissions of greenhouse gases. The proposed Project would be consistent with the State's goals of reducing GHG emissions to 1990 levels by 2020. As such, the proposed Project's contribution to climate change/worldwide GHG emissions would be less than significant.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

**4.0 INITIAL STUDY CHECKLIST**

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.5 BIOLOGICAL RESOURCES</b>				
<i>Would the proposal:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. 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, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. 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 wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**(a)** No impacts to biological resources are expected as a result of the Harney Lane Specific Plan. All future constructions plans would by reviewed for environmental impact on project-by-project basis. Further, the Project area is within and consistent with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for the San Joaquin county Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to

a level of less-than-significant. That document is hereby incorporated by reference and is available for review during regular business hours at the San Joaquin Council of Governments (555 East Weber Avenue/Stockton, CA 95202) or online at [www.sjcog.org](http://www.sjcog.org).

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (b) The proposed Harney Lane Specific Plan does not involve construction activities. Impacts to Biological Resources have been exhaustively examined and mitigation measures have been detailed in the City's General Plan EIR (SCH #2009022075) and mitigation polices are incorporated in the General Plan policy. All future projects and developments in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. Therefore, no impact is anticipated.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) A significant impact may occur if wetlands that are protected under federal regulation, as defined by Section 404 of the Clean Water Act, would be modified or removed. No construction activities have been proposed as part of the Harney Lane Specific Plan.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (d) A significant impact may occur if the proposed Project interferes or removes access to a migratory wildlife corridor or impedes the use of native wildlife nursery sites. The area north of the Project site lies within the City of Lodi and is currently developed. The area east, south and west is currently agricultural fields. Given the existing development north of the site and regular disturbance associated with agricultural uses, it is unlikely that the site would serve as a migratory corridor or a nursery site. Furthermore, the project area where the Harney Lane Specific Plan would be implemented is not identified as a missing linkage on the California Wilderness Coalition California's Missing Linkages Report. Therefore, no impact is anticipated due to the implementation of the proposed Harney Lane Specific Plan.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (e) A significant impact may occur if the proposed Project would cause an impact that was inconsistent with local regulations pertaining to biological resources, including protected trees. There are no locally designated natural communities within or adjacent to the project area, and the proposed project would not result in the removal of any

heritage trees. Further, the City of Lodi General Plan (Conservation Element) includes goals and policies intended to protect sensitive native vegetation and wildlife habitats. The proposed project would not result in the removal of any heritage trees. Thus, no impact would result.

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (f) A significant impact may occur if the proposed Project were inconsistent with mapping or policies in any conservation plans of the types cited. In an effort to protect sensitive and threatened species throughout San Joaquin County, SJCOG prepared the SJMSCP. The purpose of the SJMSCP is to provide for the long-term management of plant, fish and wildlife species, specially those that are currently listed or may be listed in the future under the FESA or CESA, and to provide and maintain multiple-use open space that contributes to the quality of life of residents of San Joaquin County. The City of Lodi has adopted the SJMSCP and participation by the Project in the plan is required by the City.

The proposed project is consistent with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. That document is hereby incorporated by reference and is available for review during regular business hours at the San Joaquin Council of Governments (555 E. Weber Avenue, Stockton, CA 95202) or online at: [www.sicoq.org](http://www.sicoq.org).

**Significance Determination:** No Impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

**4.0 INITIAL STUDY CHECKLIST**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.6 CULTURAL RESOURCES</b>				
<i>Would the Project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**(a)** A significant impact would occur if the Project caused a substantial adverse change to a historical resource through demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. The proposed Harney Lane Specific Plan does not include construction, grading, and site disturbance. Therefore, the Project would have less than significant impact on historical resources as defined by CEQA

**Significance Determination:** Less than significant.  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

**(b)** A significant impact would occur if the Project caused a substantial adverse change to a historical resource through demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. The proposed Harney Lane Specific Plan does not involve construction, grading, and site disturbance. All future construction activities would be evaluated for adverse environmental impact on project-by-project basis. Therefore, the Project would have less than significant impact on historical resources as defined by CEQA

**Significance Determination:** Less than significant.  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

**(c)** A significant impact may occur if grading or excavation activities associated with the proposed Project would disturb paleontological resources or geologic features that exist within the Project site. No paleontological resources or unique geologic features have been noted on the surface of the Project site. The likelihood of paleontological resources or unique geologic features being present subsurface within the boundaries of the

proposed Project is unlikely given the rapid rate of deposition in the area. The possibility exists, however, that previously unidentified paleontological resources could be encountered during ground-disturbing activities. All future ground disturbing activities would be evaluated on project-by-project basis for environmental impacts. Therefore, implementation of the proposed Harney Lane Specific Plan would lead to less than significant impact.

**Significance Determination:** Less than significant.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (d) A significant impact may occur if grading or excavation activities associated with the proposed Project would disturb previously interred human remains. Disturbing human remains, either in a formal cemetery or disarticulated, would be considered a significant impact under CEQA Guidelines §10564.5. The proposed Harney Lane Specific Plan does not include construction, grading, and site disturbance. Therefore, the Project would have less than significant impact on historical resources as defined by CEQA.

**Significance Determination:** Less than significant.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.7 GEOLOGY AND SOILS.</b>				
<i>Would the Project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion, or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soils, as defined in Table 18-1-13 of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**(a)**

- i. A significant impact may occur if the proposed Project resulted in or exposed people to adverse effects involving fault rupture, such as from placement of structures or infrastructure within a state-designated Alquist-Priolo Earthquake Fault Zone or other designated fault zone. The proposed Harney Lane Specific Plan would not expose people or structures to potential substantial adverse effects involving surface rupture as the Project involves no construction activities. No impact.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- ii. A significant impact may occur if the proposed Project results in or exposes people to adverse effects involving strong ground shaking from fault rupture or seismic hazards. There is no record of any seismic activity originating in the City of Lodi other than tremors on the west side of the San Joaquin Valley, close to the Ortigalita Fault. The proposed Harney Lane Specific Plan would not expose people or structures to potential substantial adverse effects involving surface rupture as the Project involves no construction activities. No impact.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact.

- iii. A significant impact may occur if the Project were to result in or expose people to adverse effects involving seismic-related ground failure from liquefaction and other geologic hazards. Liquefaction is a form of earthquake-induced ground failure that occurs primarily in relatively shallow, loose, granular, water-saturated soils. The potential for liquefaction is recognized throughout the San Joaquin Valley where unconsolidated sediments and a high water table coincide. Areas which have the greatest potential for liquefaction are those areas in which the water table is less than 50 feet below the ground surface and soils are predominantly clean, comprised of relatively uniform sands and are of loose to medium density. However, the proposed Harney Lane Specific Plan would not expose people or structures to potential substantial adverse effects involving surface rupture as the Project involves no construction activities. No impact.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact.

- iv. A significant impact may occur if the Project results in or exposes people to adverse effects involving landslides. Slope stability hazards are nonexistent and present no risk in the City of Lodi. The Project site is located in an area of generally level terrain that would not produce a landslide. Average grade within the Project site is between zero and five degrees. Further, according to the Official Maps of Seismic Hazard Zones provided by the State of California Department of Conservation, the Project site is not located within an earthquake-induced landslide zone, which is defined as an area where previous occurrence of landslide movement, or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for permanent ground displacement.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact.

- (b) The project site would be subject to seismic ground shaking, as is the case throughout seismically active California. Ground shaking may occur as result of movement along

any fault in northern California. However, the proposed Harney Lane Specific Plan does not involve construction activities or improvements.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) The project is an implementing arm of the City General Plan and does not propose any physical improvements or construction activities. Therefore, no impact would occur.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (d) See discussion under a) above. Potential impacts are highly unlikely and are considered to be less than significant and no mitigation is required.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (e) No septic tanks or alternative wastewater disposal systems are necessary to support the Proposed Project. Therefore, no impact would occur and no mitigation is required.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

**4.0 INITIAL STUDY CHECKLIST**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.8 HAZARDS AND HAZARDOUS MATERIALS.</b>				
<i>Would the Project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	■
b. 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?	☐	☐	☐	■
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	■
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	■
e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?	☐	☐	☐	■
f. For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?	☐	☐	☐	■
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	■

- (a) A significant impact may occur if the proposed project involves the use or disposal of hazardous materials as part of its routine operations and has the potential to generate toxic or otherwise hazardous emissions. The proposed project involves adoption of a street widening plan and not the routine transport, use, or disposal of hazardous materials or the generation of toxic or hazardous emissions. In addition, the project involves no construction activities.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (b) A significant impact may occur if the proposed project uses substantial amounts of hazardous materials as part of routine operations, which could pose a hazard under accident or upset conditions. The operation of the roadway does not involve the use of hazardous materials. Vehicles carrying hazardous materials may use the roadway. Nonetheless, the proposed project would not increase the potential for accidents or spills beyond existing conditions. Furthermore, improvements in traffic flow may reduce the potential for accidents overall; therefore, no impacts would occur.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the proposed project is located within 0.25 mile of an existing or proposed school site and projected to release toxic emissions that pose a hazard beyond regulatory thresholds. There several private and public schools within a ½ mile of the project area. However, the project does not involve construction activities and does not involve. The use of hazardous materials or result in the release of hazardous materials or substances.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (d) A significant impact may occur if the proposed project site contains hazardous materials that would create a significant hazard to the public or the environment. California Government Code Section 65962.5 requires state agencies to compile lists of hazardous waste disposal facilities, unauthorized releases from underground storage tanks, contaminated drinking water wells, and solid waste facilities from which there is known hazardous waste and submit such information to the Secretary for Environmental Protection on at least an annual basis.

There are two sites identified as hazardous material sites within the project area. However, the Harney Lane Specific Plan does not involve construction activities. All future construction activities would be subject to standard City procedures and other applicable State and Federal procedures and requirements.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (e) A significant impact may occur if the proposed Project site is located within a public airport land use plan area or within 2 miles of a public airport and would create a safety hazard.

The Project site is located within the area of influence for the Lodi Airpark and Kingdon Executive Airport. The Lodi Airpark is located roughly 4 miles to the southwest of the Project site while the Kingdon Executive Airport is located approximately 4 miles southwest of the Project site. The primary function of the Lodi Airpark is as a base for a commercial aerial chemical application service for both agriculture and insect abatement purposes. The Lodi Airpark is also used for pilot training activity. The Kingdon Executive Airport presently hosts a variety of aviation activities including pilot training and aerial application of agricultural chemicals. The airport is also home to the Delta Flying Club, which owns six single-engine piston aircraft for use by its members.

The Project site is located outside of the Part 77 Horizontal Surface zone of both airports, which consists of the airport's primary, horizontal, conical, approach and transitional surfaces. Therefore, impacts related to safety hazards for people visiting or working within the Project site would be less than significant.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (f) A significant impact may occur if the proposed Project is located within the vicinity of a private airstrip and creates a safety hazard for people in the Project area. The Project site is located outside of the Part 77 Horizontal Surface zone of both airports, which consists of the airport's primary, horizontal, conical, approach and transitional surfaces. Therefore, impacts related to safety hazards for people visiting or working within the Project site would be less than significant.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (g) A significant impact may occur if the proposed Project were to interfere with roadway operations occurring in conjunction with an emergency response plan or emergency evacuation plan or generate enough traffic to create traffic congestion that would interfere with the execution of such a plan.

The Project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan. All construction-related activities would be contained within and immediately around the Project site. Road closures are not anticipated during construction activities; however, in the event that a closure is

necessary standard contractor specifications imposed by the City include a requirement to ensure that roadways surrounding the Project site remain accessible to emergency vehicles and crews, and open for emergency evacuations, if necessary. The City has an Emergency Management Plan that addresses the campus community's planned response for various levels of emergencies, including fires, hazardous spills, earthquakes, flooding, and explosions

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

A significant impact may occur if the proposed Project is located in or adjacent to a wildland area and places persons or structures at risk in the event of a fire. The City's newly adopted General Plan (2010) identifies both urban and wildland fire hazards exist in the Lodi Planning Area, creating the potential for injury, loss of life, and property damage. Urban fires primarily involve the uncontrolled burning of residential, commercial, and/or industrial structures due to human activities. Factors that exacerbate urban structural fires include substandard building construction, highly flammable materials, delayed response times, and inadequate fire protection services.

The City of Lodi is not characterized by substantial areas of wildlands. The topography of the City is relatively homogenous and steep slopes that could contribute to wildland fires are not common. The City's General Plan indicates that less than one percent of the City and its immediate vicinity has "Moderate" fire hazard potential. In the event of a fire, the Fire Department relies on sufficient water supply and pressure. The City's design standard for water transmission facilities is to provide 4,000 gallons per minute of flow at a minimum 45 pounds per square inch of pressure in pipes 8 inches and larger. The Project area is made up of Non-Wildland/Non-Urban zones, Urban/Unzoned, and Moderate Risk zones. Therefore, the proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildland fires are adjacent to urbanized areas. As such, there would be no impact.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

**4.0 INITIAL STUDY CHECKLIST**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.9 HYDROLOGY AND WATER QUALITY</b>				
<i>Would the Project:</i>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunامي, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) A significant impact may occur if the proposed project discharges water that does not meet the water quality standards set by agencies that regulate surface water quality and water discharge into stormwater drainage systems.

The Harney Lane Specific Plan does not involve physical improvements or construction activities. Future construction activities and projects would be reviewed project-by-project basis. Although implementation of the proposed Project would increase impermeable surface area, and site runoff, potentially contributing typical roadway pollutants to the environment, future developments within the Project area would be required to conform to surface water quality standards adopted by the Regional Water Quality Control Board and enforced by the City of Lodi. These standards mandate installation of either biological or mechanical methods of treating and cleansing stormwater runoff prior to entering the City and regional drainage system, or equivalent water quality features. With adherence to these requirements, this impact would be less-than-significant.

**Significance Determination:** Less than significant

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (b) Groundwater is a major component of the water supply for many public water suppliers in the Valley. It is also used by private industry, as well as by private agricultural and domestic users. A project would normally have a significant impact on groundwater supplies if it were to result in a demonstrable and sustained reduction in groundwater recharge capacity or change the potable water levels enough to reduce the ability of a water utility to use the groundwater basin for public water supplies or the storage of imported water, reduce the yields of adjacent wells or well fields, or adversely change the rate or direction of groundwater flow.

The Harney Lane Specific Plan does not involve construction activities. All future construction activities would be subjected to environmental review on project-by-project basis.

**Significance Determination:** Less than significant

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the proposed project results in a substantial alteration of drainage patterns and a substantial increase in erosion or siltation during construction or operation of the project.

The Project site does not contain any discernable watercourses, topographical depressions, or bodies of standing water. No streams or river courses are located on or immediately adjacent to the project site. As such, no impact would occur that would affect a nearby stream or river or the existing drainage pattern on or near the proposed project site.

**Significance Determination:** Less than significant  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (d) Refer to c), above. The proposed project would not substantially alter the existing drainage pattern of the site or area. A significant impact may occur if the proposed project results in increased runoff volumes during construction or operation and flooding conditions that affect the project site or nearby properties. The Harney Lane Lane Specific Plan does not involve construction activities.

**Significance Determination:** Less than significant  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (e) The Harney Lane Specific Plan involves adoption of a road widening policy. Implementation of the Harney Lane Specific Plan would result in conditions similar to existing, and would not propose any new uses that would potentially degrade water quality. All future construction activates would be subject to environmental review on project-by-project basis.

**Significance Determination:** Less than significant  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (f) A significant impact may occur if a project includes potential sources of water pollutants with the potential to substantially degrade water quality.

The proposed Harney Lane Specific Plan would neither create nor contribute to water quality degradation. Future construction activities would be required to comply with City of Lodi and Regional Water Quality Control Board surface water quality standards, including applicable NPDES requirements, which require contractors to take measures to prevent the pollution of channels, storm drains, and bodies of water during construction. As such, implementation of the proposed project would not create any new impacts related to water quality beyond those that already exist. Therefore, no impact related to water quality would occur.

**Significance Determination:** Less than significant  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (g) A significant impact may occur if the proposed project is located within a 100-year flood zone. The proposed Project would not place housing within a 100-year flood hazard area identified on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map because the Project does not include a residential component that would be affected by flooding potential, so no impact would occur.

**Significance Determination:** Less than significant

**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (h) A significant impact may occur if the proposed project is located within a 100-year flood zone and would impede or redirect flood flows.

As discussed in Checklist Response 3.9 (G) above, the project site is not located within a 100-year flood hazard area. In addition, the proposed project would not include the construction of any structures. Therefore, no impact would occur.

**Significance Determination:** Less than significant  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (i) A significant impact may occur if the proposed Project is located in a flood-prone area, including floods caused by the failure of a dam or levee.

The Project sites, as well as the entire City of Lodi, are located in a dam inundation area for the Pardee and Camanche Dam and dike system. Flood water from the Pardee dam would take 4 hours and 20 minutes to reach west Lodi, and flood water from the Camanche Dam and dike system would take 4 to 6 hours to reach Lodi. Due to the location of the proposed Project, the impacts associated with seiches, tsunamis, and extreme high tides or sea level change would be considered low.

**Significance Determination:** No Impact.  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (j) A significant impact may occur if the proposed project is located in an area with inundation potential due to seiche, tsunami, or mudflow.

A seiche is the tide-like rise and drop of water in a closed body of water caused by earthquake-induced seismic shaking or strong winds. A tsunami is a series of large waves generated by a strong offshore earthquake or volcanic eruption. Given the substantial distance of the Project site from San Francisco Bay or the Pacific Ocean, tsunami waves would not be a threat to the site. There is no large body of water on or within the vicinity of the Project site. The subject area is flat and does not have any steep slopes or hillsides that would be susceptible to mudflows or landslides. Therefore, no impact would occur.

**Significance Determination:** No Impact.  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.10 LAND USE AND PLANNING.</b>				
<i>Would the Project:</i>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) A significant impact may occur if the proposed project is sufficiently large enough or otherwise configured in such a way so as to create a physical barrier within an established community.

The Harney Lane Specific Plan involves road a widening program and involves no construction activities. The Harney Lane Specific Plan would improve east-west mobility in the southern part of the City. As such, it would not create a physical barrier within an established community.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (b) A significant impact may occur if the proposed project is inconsistent with general plan designations or zoning currently applicable to the proposed project site and causes adverse environmental effects, which the general plan and zoning ordinance are designed to avoid or mitigate.

The purpose of this Harney Lane Specific Plan is to reach a consensus of the most appropriate roadway improvements to be implemented in the Harney Lane corridor to accommodate anticipated growth and traffic volume increases and establish the necessary right of way needed to be acquired, reserved and/or dedicated in order to accommodate the roadway improvements. The Specific Plan was prepared in accordance with the City framework set out in the General Plan adopted April 7, 2010. Items considered during the preparation of the Specific Plan include future land use, roadway and bicycle network, right of way issues, safety (pedestrian and vehicular), ingress and egress for residents and businesses and environmental issues. There are no physical improvements or construction activities proposed by the project itself at this time. Subsequent development in the Plan Area, including all Subdivisions, Site Plan

Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the proposed project conflicts with a habitat conservation plan or natural community conservation plan adopted for the area surrounding the project location.

As discussed in 3.10 (B) above, there are no physical improvements or construction activities proposed by the Harney Lane Specific Plan. All future developments in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

**Significance Determination:** No Impact.

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.11 MINERAL RESOURCES</b>				
<i>Would the Project:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) A significant impact may occur if the proposed project is located in an area that is used or available for extraction of a regionally important mineral resource, converts an existing or potential regionally important mineral extraction use to another use, or affects access to a site used or potentially available for regionally important mineral resource extraction.

The Harney Lane Specific Plan involves a road widening program and no physical improvements or construction activities proposed by the Harney Lane Specific Plan. All future developments in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

**Significance Determination:** No Impact.  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (b) A significant impact may occur if a project is located in an area that is used or available for extraction of a locally important mineral resource, as delineated on a local general plan, specific plan, or other land use plan.

As discussed in 3.11(A), no physical improvements or construction activities are proposed by the project itself at this time. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

**Significance Determination:** No Impact.  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact



**4.0 INITIAL STUDY CHECKLIST**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.12 NOISE</b>				
<i>Would the Project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**(a)** A significant impact may occur if the proposed project generates noise levels that exceed the standards for ambient noise, as established by the general plan and municipal code, and/or exposes persons or sensitive uses to increased noise levels. Noise-sensitive uses may include residences, transient lodging, schools, libraries, churches, hospitals, nursing homes, auditoriums, concert halls, amphitheatres, playgrounds, and parks.

The Harney Lane Specific Plan involves a road widening program and involves no physical improvements or construction activities. All future developments within the project limits will be subject to environmental review on a project-by-project basis.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

**(b)** A significant impact may occur if the project results in or exposes people to excessive groundborne vibration or groundborne noise levels during construction or operation. This would include excessive groundborne vibration or noise that causes structural damage or displaces objects in nearby buildings.

As discussed in 2.12(A), no physical improvements or construction activities are proposed by the project itself at this time. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the proposed project were to result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the proposed project.

The Harney Lane Specific Plan involves a road widening program and no physical improvements or construction activities proposed are by the Harney Lane Specific Plan. All future developments in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. In addition, noise levels in the project vicinity are dominated by vehicular traffic along Harney Lane and the nearby trains. This condition would continue after implementation of the proposed project. The proposed project is intended to reduce congestion. The Harney Lane Specific Plan is not growth-inducing. The resultant increase in traffic noise is estimated to be of a level that would not be readily noticeable to the typical human ear in the community environment (i.e., outside of controlled conditions). Therefore, the increase in traffic noise would be less than significant.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (d) A significant impact may occur if the proposed project were to result in a substantial temporary or periodic increase in ambient noise levels above existing ambient noise levels without the proposed project.

As discussed in 3.12(C), no physical improvements or construction activities proposed by the project itself at this time. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. As such, implementation of the Harney Lane Specific Plan would not substantially increase ambient noise levels in the project vicinity over existing conditions.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (e) A significant impact may occur if the project is located within an airport land use plan or within 2 miles of a public airport and people residing or working in the project area would be exposed to excessive noise levels.

The proposed Harney Lane Specific Plan would not expose people residing or working in the Project area to excessive noise levels generated by public use airports, or private airstrips. There is not an airport located within two (2) miles of the Project site. The closest airport to the Project site is the Lodi Airpark, located approximately four (4) miles southwest of the Project site, and supports twenty to thirty (20-30) operations per day. The airport's noise "footprint" does not extend beyond the immediate airport boundary. Therefore, the Project would have no impact from airport-generated noise.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (f) A significant impact may occur if the project is located in the vicinity of a private airstrip and people residing or working in the project area would be exposed to excessive noise levels.

The proposed Harney Lane Specific Plan would not expose people residing or working in the Project area to excessive noise levels generated by public use airports, or private airstrips. There is not an airport located within two (2) miles of the Project site. The closest airport to the Project site is the Lodi Airpark, located approximately four (4) miles southwest of the Project site, and supports twenty to thirty (20-30) operations per day. The airport's noise "footprint" does not extend beyond the immediate airport boundary. Therefore, the Project would have no impact from airport-generated noise.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.13 POPULATION AND HOUSING</b>				
<i>Would the Project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) A significant impact may occur if the proposed project induces substantial population growth in an area, either directly or indirectly.

The proposed Harney Lane Specific Plan does not involve the development of housing. The proposed project is General Plan policy program designed to mitigate anticipated traffic conditions. It would not induce population growth directly or indirectly. Therefore, no impact would occur.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (b) A significant impact may occur if the proposed project would result in the displacement of existing housing units, necessitating construction of replacement housing elsewhere.

The proposed Harney Lane Specific Plan would not induce population growth in the area either directly or indirectly. The proposed Harney Lane Specific Plan involves infrastructure improvements along Harney Lane and would not displace existing housing in the area. No replacement housing would be required as a result of the proposed Harney Lane Specific Plan. No impacts would occur in this regard.

**Significance Determination:** No impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the proposed project results in the displacement of a substantial number of people.

Please refer to 3.13(B). The proposed Harney Lane Specific Plan would not displace residents, and, therefore, no replacement housing would be required. As such, no impacts would occur.

**Significance Determination:** No impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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**4.14 PUBLIC SERVICES**

*Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- (a) A significant impact may occur if the City of Lodi Fire Department cannot adequately serve the proposed project based on response time, access, or fire hydrant/water availability.

The City of Lodi Fire Department provides fire protection and emergency response to the City. The Lodi Fire Department operates out of four stations. The proposed Harney Lane Specific Plan would occur within and along Harney Lane. The Harney Lane Specific Plan would not generate new residents or employees, and would not result in a demand of fire and emergency response services. Future construction activities would be reviewed on project-by-project basis to ensure compliance and consistency with the City’s Safety policy. Implementation of the proposed Harney Lane Specific Plan would improve traffic flow and emergency access within the project area. Therefore, impacts are less than significant.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (b) A significant impact may occur if the proposed project results in an increase in demand for police services that would exceed the capacity of the police department responsible for serving the site.

The City of Lodi Police Department provides police protection to the City. The main police station is located at 215 West Elm Street, approximately 3.25 miles north of the project site. The proposed Harney Lane Specific Plan does not include uses that would require additional police services or facilities. Long-term project operations would improve traffic flow and thus police access within the project area. Therefore, impacts are less than significant.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the proposed project induces substantial employment or population growth, which could generate demand for school facilities that exceed the capacity of the school district responsible for serving the project site.

The proposed Harney Lane Specific Program is a street-widening project intended to relieve existing and future traffic congestion. It would not induce growth, either directly or indirectly, and would not increase the demand for schools in the area through substantial employment or population growth. No impacts are anticipated related to population or employment growth; therefore, no impacts on enrollment levels at nearby schools would occur.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (d) A significant impact may occur if the available parks and recreation services cannot accommodate the population increase resulting from implementation of the proposed project.

The proposed Harney Lane Specific Program is a street-widening project intended to relieve existing and future traffic congestion. It would not induce growth, either directly or indirectly. Therefore, it would not increase the demand for parks in the area.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (e) A significant impact may occur if the proposed project generates demand for other public facilities, thereby exceeding the capacity available to serve the project site.

The Project would not contribute significantly to the demand for any other public facilities (e.g., library, senior centers, or other public facilities/services) as it would not directly introduce a new population of residents to the City. Some minor incidental demand for services may result, as such impacts would be less than significant on a Project-specific or cumulative basis.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

**4.0 INITIAL STUDY CHECKLIST**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.15 RECREATION</b>				
a. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- (a) A significant impact may occur if the proposed project includes substantial employment or population growth, which could generate demands for public parks and recreational facilities that exceed the capacity of those that currently exist.

As discussed previously, the proposed Harney Lane Specific Plan would not directly or indirectly induce growth. Therefore, the proposed project would not increase the use of existing neighborhood and regional parks or any other recreation facilities. The proposed project would have no impact on neighborhood or regional parks.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (b) A significant impact may occur if the proposed project includes the construction or expansion of recreational facilities or necessitates the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

The proposed Harney Lane Specific Plan does not include recreational component. The proposed project would not require the construction or expansion of recreational facilities or induce growth, either directly or indirectly. Therefore, it would not increase the demand for recreational facilities in the area.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.16 TRANSPORTATION/TRAFFIC</b>				
<i>Would the Project:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(a) A significant impact may occur if the proposed project causes an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

The proposed Harney Lane Specific Plan would widen Harney Lane between State Highway 99 and Lower Sacramento Road in order to reduce congestion and increase sidewalk widths to improve pedestrian access. No additional vehicle trips would be generated by the proposed project. The project is designed to ease existing congestion in the area and to provide additional capacity for the future developments. No major shift in traffic is expected as a result of the street improvements. Therefore, no impact would occur.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (b) A significant impact may occur if the proposed project exceeds, either individually or cumulatively, a level of service standard established by the San Joaquin Council of Governments, the county congestion management agency, for designated roads or highways.

Please refer to 3.11(A). The purpose of a Congestion Management Program (CMP) is to develop a coordinated approach to managing and decreasing traffic congestion by linking the various transportation, land use, and air quality planning programs throughout the County. The CMP program required review of substantial individual projects, which might individually impact the CMP transportation system. The proposed Harney Lane Specific Plan does not generate any new daily trips. The proposed Harney Lane Specific Plan would widen the existing roadway and add additional travel lanes, which would improve traffic flow. The project aims to reduce congestion and, as such, would help maintain an acceptable level of service (LOS) along the affected portion of Harney Lane. Therefore, less than significant impact would occur.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the proposed project changes air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

There are no airports located within or adjacent to the project limits. The proposed project does not include any aviation-related elements and would not change existing air traffic patterns. Therefore, no impact would occur.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (d) A significant impact may occur if the proposed project substantially increases road hazards due to a design feature or introduced incompatible uses.

The proposed project would not increase road hazards due to a design feature or introduce incompatible uses. The Harney Lane Specific Plan involves reservation and acquisition of right-of-ways for future road widening and proposes no physical improvements or construction activities. The proposed project would incorporate design features to improve circulation, reduce congestion, and increase safety along Harney Lane.

**Significance Determination:** Less than significant impact

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (e) A significant impact may occur if the proposed project results in inadequate emergency access.

The proposed project consists of the widening of Harney Lane to improve traffic flow and reduce traffic congestion. These improved conditions could enhance emergency access to the surrounding area. Therefore, no impact related to inadequate emergency access would occur.

**Significance Determination:** No impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (f) A significant impact may occur if the proposed project results in inadequate parking capacity based upon City code requirements.

Construction activities may temporarily reduce available on-street parking in the project area. Impacts on parking during construction would be temporary and, once completed, the project would not result in a net loss of parking, and may even increase parking capacity. Therefore, impacts would be less than significant.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (g) A significant impact may occur if the proposed project conflicts with adopted policies, plans, or programs supporting alternative transportation.

The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation. No impact would occur.

**Significance Determination:** Less than significant impact  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.17 UTILITIES AND SERVICE SYSTEMS</b>				
<i>Would the Project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes, and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(a) A significant impact may occur if the proposed project exceeds wastewater treatment requirements of the regional water quality control board, the local regulatory governing agency.

As indicated in the project description, the proposed Harney Lane Specific Plan is an integral part of the City's General Plan 2010 and involves establishment of the necessary right-of-way required to accommodate the roadway improvements. Proposed right-of-way acquisitions would occur in conjunction with actual construction projects in the future. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis. Therefore, no impacts would occur.

**Significance Determination:** No impact would occur

**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (b) A significant impact may occur if the proposed project requires construction of new water or wastewater treatment facilities or expansion of existing facilities.

The project would not require or result in the construction of new water treatment facilities or expansion of existing facilities. In addition, the proposed Harney Lane Specific Plan would not use water in amounts that would have a significant impact on water treatment facilities. The minimal amounts of water used during construction and for irrigation of landscaping would be accommodated by existing water supplies. Therefore, no impact would occur.

**Significance Determination:** No impact would occur  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (c) A significant impact may occur if the volume of stormwater runoff from the proposed project increases to a level exceeding the capacity of the storm drain system serving the project site.

New storm drainage facilities would be constructed as part of the proposed project as part of future projects. Each project would be reviewed for potential environmental impact on project by project basis. The construction of all storm water drainage facilities required as part of the project would be subject to the requirements of the RWQCB and the NPDES permit process; therefore impacts are considered less than significant. No impact would result due to implementation of the proposed Harney Lane Specific Plan.

**Significance Determination:** No impact would occur  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (d) A significant impact may occur if the proposed project would exceed the existing water supplies available to serve the project.

The proposed project consists of improvements to an existing street and would not increase the use of water, except for irrigation of landscaping improvements. City policies encourage the use of drought tolerant trees whenever possible to minimize the use of water in the City. The project would not result in new facilities or other uses that would require additional water resources. As a result, existing water supplies would not be exceeded by the project. Therefore, no impact would occur.

**Significance Determination:** No impact would occur  
**Mitigation Measures:** Mitigation measures are not required  
**Significance After Mitigation:** No impact

- (e) A significant impact may occur if the proposed project would increase wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded.

The proposed project would not create new land uses that would result in wastewater generation that would affect the capacity of existing facilities or wastewater utility infrastructure. Therefore, no impact would occur.

**Significance Determination:** No impact would occur

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (f) A significant impact may occur if the proposed project were to increase solid waste generation to a degree that existing and projected landfill capacities would be insufficient to accommodate the additional solid waste.

The proposed project would not produce any solid waste during operations. Construction activities may generate minor amounts of solid waste (concrete, asphalt, etc.), but these small amounts would be recycled or disposed of in existing landfills. The amount could be accommodated by existing landfill capacity. Therefore, no impact would occur.

**Significance Determination:** No impact would occur

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

- (g) A significant impact may occur if the proposed project generates solid waste that is not disposed of in accordance with applicable regulations.

Disposal of all solid waste generated would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, no impact would occur.

**Significance Determination:** No impact would occur

**Mitigation Measures:** Mitigation measures are not required

**Significance After Mitigation:** No impact

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>4.18 MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**(a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?**

**Less than Significant impact.** As documented in this Initial Study, the proposed Harney Lane Specific Plan does not involve construction activities. The project will not substantially impact any scenic vistas, scenic resources, or the visual character of the area; the proposed project would not directly affect any sensitive habitat or wildlife populations. The project does not involve any operational component or construction impacts that could substantially degrade the quality of the environment, as discussed throughout this analysis. Subsequent development in the Plan Area, including all Subdivisions, Site Plan Reviews, Planned Development Review, and Conditional Use Permits will be subject to environmental review on a project-by-project basis.

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## **Section 4**

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- (b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

**Less than Significant Impact.** CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. The proposed Harney Lane Specific Plan also serves as an implementing arm of the City's General Plan 2010. Chapter 5 of the General Plan designates Harney Lane as a four lane expressway from Lower Sacramento Road to State Route 99. To achieve this goal, the City proposes Harney Lane Specific Plan, which intends to refine the vision, goals, policies, and actions of the City's General Plan by establishing area-specific goals and policies to guide land use patterns in the Specific Plan Area (along Harney Lane). All the individual and cumulative impacts have been analyzed in the Lodi General Plan EIR 2009 (SCH#2009022075). As such, less than significant impacts are anticipated with full implementation of mitigation measures outlined in Lodi General Plan EIR 2009 (SCH#2009022075).

- (c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Less than significant impact.** The proposed project would not cause any significant environmental impacts, either short term or long term. The project is designed to alleviate traffic congestion and provide standard road widths within an established community. The proposed project would not result in any adverse effects on human beings, either directly or indirectly.

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## **Section 5**

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### Documents Referenced

- Alquist-Priolo Earthquake Fault Zoning Act (<http://www.consrv.ca.gov/dmg/shezp/maps/mora4.htm>).
- California Environmental Quality Act Guidelines, as amended.
- City of Lode General Plan 2010.
- City of Lodi General Plan Environmental Impact Report 2009 (SCH#2009022075)
- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Map Panel Number 06077C0169F, Effective Date October 16, 2009.
- Guide For Assessing And Mitigating Air Quality Impacts., Prepared by San Joaquin Valley Air Pollution Control District.
- State of California, Department of Conservation, Division of Land Resource Protection. Farmland Mapping and Monitoring Program. Accessed at [www.consrv.ca.gov/dlrp](http://www.consrv.ca.gov/dlrp)
- State of California, Health and Human Safety Code, Section 7050.5.
- State of California, Public Resources Code, Section 5097.5.
- United States, Department of the Interior, Fish & Wildlife Service. National Wetlands Inventory. *Wetlands Mapper*, Accessed March 28, 2011. Available online at <http://www.fws.gov/wetlands/data/Mapper.html>
- United States, Department of the Interior, Fish & Wildlife Service. *The National Map* (created and maintained by U.S. Department of the Interior, Geological Survey).
- United States, Environmental Protection Agency, *EnviroMapper for Superfund*. Available online at <http://www.epa.gov/enviro/sf/>.

**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**



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COUNCIL COMMUNICATION**

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**AGENDA TITLE:** Public Hearing to Consider Resolution Adopting Final Engineer’s Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2011/12, and Ordering the Levy and Collection of Assessments

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Public hearing to consider resolution adopting Final Engineer’s Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2011/12, and ordering the levy and collection of assessments.

**BACKGROUND INFORMATION:** Over the past eight years, the City Council has formed a total of 16 zones of the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 (District). There were no annexations in this fiscal year. The scope of maintenance activities funded by the District includes

1) landscape and irrigation, 2) masonry block walls, 3) street parkway trees, and 4) public park areas. The activities and levy amount vary by zone, as described in the attached report, City of Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Annual Engineer’s Report (Report) FY 2011/12.

The report describes the general nature, location and extent of the improvements to be maintained and an estimate of the costs of the maintenance, operations, and servicing for the improvements. The report includes a diagram for the District showing the area and properties proposed to be assessed; an assessment of the estimated costs of the maintenance, operations and servicing for the improvements; and the net levy upon all assessable lots and/or parcels within the District. The total assessment for the District for FY 2011/12 is \$141,917.68. The assessments range from \$8.32 to \$404.39 per Dwelling Unit Equivalent (DUE). The assessments per DUE vary because the specific improvements maintained in each zone are different. The average assessment per DUE is \$158.06. Although each district varies in cost, the overall cost increased 8 percent from last year’s overall cost. The cost increase is wholly attributed to the contractor’s bid for the maintenance services.

Notice of this public hearing was posted in the *Lodi News Sentinel*. Individual notification to the property owners is not required and, therefore, not sent.

The action requested of the City Council is to approve the final report and order the levy and collection of the assessments.

**FISCAL IMPACT:** Funding for preparation of the report is included in the assessments.

Total District assessment:	\$141,917.68
Assessment range per DUE:	\$8.32 to \$404.39
Average assessment per DUE:	\$158.06

**FUNDING AVAILABLE:** Not applicable.

\_\_\_\_\_  
F. Wally Sandelin  
Public Works Director

Prepared by Chris Boyer, Junior Engineer  
Attachment

cc: Parks, Recreation and Cultural Services Director

Deputy Public Works Director - Utilities

NBS

APPROVED: \_\_\_\_\_  
Konradt Bartlam, City Manager



**City of Lodi**

**Lodi Consolidated Landscape Maintenance District No. 2003-1**

**2011/12 Engineer's Report**

**June 2011**

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Chris Boyer, Junior Engineer

**NBS**

Greg Davidson, Client Services Director  
David Schroeder, Project Manager  
Nick Dayhoff, Financial Analyst

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# 1. ENGINEER'S LETTER

**WHEREAS**, on May 18, 2011, the *City Council* ("Council") of the *City of Lodi* ("City"), pursuant to the *Landscaping and Lighting Act of 1972* ("Act"), adopted a resolution initiating proceedings for the levy and collection of assessments for the *Lodi Consolidated Landscape Maintenance District No. 2003-1* ("District"), Fiscal Year 2011/12;

**WHEREAS**, said resolution ordered NBS Government Finance Group, DBA NBS, to prepare and file a report, in accordance with §22567 of the Act, concerning the assessment of the estimated costs of operating, maintaining and servicing the improvements within the District for the fiscal year commencing July 1, 2011 and ending June 30, 2012.

**NOW THEREFORE**, the following assessments are made to finance the operation, maintenance, and servicing of the improvements within the District:

DESCRIPTION	AMOUNT
<b>Zone 1 - Total Assessment</b>	<b>\$19,494.56</b>
Dwelling Unit Equivalents	74
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$263.44</b>
<b>Zone 2 - Total Assessment</b>	<b>\$29,252.02</b>
Dwelling Unit Equivalents	133
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$219.95</b>
<b>Zone 3 - Total Assessment</b>	<b>\$6,204.90</b>
Dwelling Unit Equivalents	39
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$159.11</b>
<b>Zone 4 - Total Assessment</b>	<b>\$6,433.60</b>
Dwelling Unit Equivalents	34
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$189.23</b>
<b>Zone 5 - Total Assessment</b>	<b>\$43,088.06</b>
Dwelling Unit Equivalents	223
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$193.22</b>
<b>Zone 6 - Total Assessment</b>	<b>\$22,608.00</b>
Dwelling Unit Equivalents	80
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$282.61</b>
<b>Zone 7 - Total Assessment</b>	<b>\$597.60</b>
Dwelling Unit Equivalents	5
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$119.53</b>
<b>Zone 8 - Total Assessment</b>	<b>\$6,874.46</b>
Dwelling Unit Equivalents	17
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$404.39</b>

(Continued on next page)

DESCRIPTION	AMOUNT
<b>Zone 9 - Total Assessment</b>	<b>\$1,480.38</b>
Dwelling Unit Equivalents	11
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$134.59</b>
<b>Zone 10 - Total Assessment</b>	<b>\$834.96</b>
Dwelling Unit Equivalents	7
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$119.29</b>
<b>Zone 11 - Total Assessment</b>	<b>\$1,416.72</b>
Dwelling Unit Equivalents	7
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$202.39</b>
<b>Zone 12 - Total Assessment</b>	<b>\$1,160.96</b>
Dwelling Unit Equivalents	8
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$145.12</b>
<b>Zone 13 - Total Assessment</b>	<b>\$774.62</b>
Dwelling Unit Equivalents	93.104
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$8.32</b>
<b>Zone 14 - Total Assessment</b>	<b>\$981.92</b>
Dwelling Unit Equivalents	17
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$57.76</b>
<b>Zone 15 - Total Assessment</b>	<b>\$598.76</b>
Dwelling Unit Equivalents	36.268
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$16.51</b>
<b>Zone 16 - Total Assessment</b>	<b>\$112.74</b>
Dwelling Unit Equivalents	8.370
<b>Assessment per Dwelling Unit Equivalent</b>	<b>\$13.47</b>

I, the undersigned, respectfully submit this report and, to the best of my knowledge, information and belief, the assessments and assessment diagrams herein have been computed and prepared in accordance with the order of the Council.

\_\_\_\_\_  
**F. Wally Sandelin, P.E., Engineer of Work**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seal

## **2. OVERVIEW**

This report describes the District and details the assessments to be levied against the parcels therein for Fiscal Year 2011/12. Such assessments account for all estimated direct & incidental expenses, deficits/surpluses, revenues, and reserves associated with the operation, servicing and maintenance of the improvements.

The word “parcel,” for the purposes of this report, refers to an individual property that has been assigned an Assessor’s Parcel Number by the San Joaquin County Assessor. The San Joaquin County Auditor-Controller uses Assessor’s Parcel Numbers and specific Tax Codes to identify the parcels assessed on the County Tax Roll within special benefit districts.

### ***2.1 District Formation and Annexation History***

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The District is currently comprised of 16 distinct zones within the City. New zones may be annexed into the District if approved via property owner balloting proceedings.

#### **ZONES 1 AND 2**

A report was prepared in 2003 for Zones 1 and 2. Property owner balloting proceedings were conducted, effective for the Fiscal Year 2004/05 assessment. After attaining property owner approval, the City began levying and collecting these assessments on the County Tax Roll in order to provide continuous funding for the related improvements.

#### **ZONES 3 THROUGH 7**

In 2004, separate reports were prepared for Zones 3, 4, 5 & 6, and 7. Property owner balloting proceedings were conducted within Zones 3 and 4 for the Fiscal Year 2004/05 assessment and within Zones 5 through 7 for the Fiscal Year 2005/06 assessment. After attaining property owner approval, the City began levying and collecting these assessments on the County Tax Roll in order to provide continuous funding for the related improvements.

#### **ZONES 8 THROUGH 12**

A separate report was prepared in 2005 for Zones 8 through 12. Property owner balloting proceedings were conducted for the Fiscal Year 2005/06 assessment. After attaining property owner approval, the City began levying and collecting these assessments on the County Tax Roll in order to provide continuous funding for the related improvements.

#### **ZONE 13**

A separate engineer’s report was prepared in 2007 for Zone 13. Property owner balloting proceedings were conducted for the Fiscal Year 2007/08 assessment. After attaining property owner approval, the City began levying and collecting these assessments on the County Tax Roll in order to provide continuous funding for the related improvements.

#### **ZONES 14 THROUGH 16**

A separate engineer’s report was prepared in 2008 for Zones 14 through 16. Property owner balloting proceedings were conducted for the Fiscal Year 2008/09 assessment. Property owner approval was attained; the City will begin levying and collecting these assessments on the County Tax Roll in order to provide continuous funding for the related improvements.

## ***2.2 Effect of Proposition 218***

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On November 5, 1996, California voters approved Proposition 218 (Government Code commencing with Section 53739) by a margin of 56.5% to 43.5%. The provisions of the Proposition, now a part of the California Constitution, add substantive and procedural requirements to assessments, which affect the City of Lodi landscape maintenance assessments.

The Act, Article XIID of the Constitution of the State of California and the Proposition 218 Omnibus Implementation Act are referred to collectively as the "Assessment Law".

### **3. PLANS AND SPECIFICATIONS**

#### **ZONE 1 – ALMONDWOOD ESTATES**

Zone 1 is comprised of the Almondwood Estates subdivision; the facilities within Zone 1 that will be operated, serviced and maintained are generally described as follows:

- A. A masonry wall and 13.5' wide landscaping area along the east side of Stockton Street from the project's north boundary to Almond Drive, including the angled corner section at Elgin Avenue, approximately 1220 linear feet.
- B. A masonry wall and 13.5' wide landscaping area along the north side of Almond Drive from the project's east boundary westerly to Stockton Street, including the angled corner sections at Blackbird Place and Stockton Street, approximately 340 linear feet.
- C. Street parkway trees located within the public street within the Zone 1 boundary.
- D. Public park land area of 0.5661 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 1 consists of a 74-lot low density residential development located in the southeastern portion of the City.

Zone 1 includes 74 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 1 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by the Zone 1 shall be filed with the City and will be incorporated into this report by reference.

#### **ZONE 2 – CENTURY MEADOWS ONE, UNITS 2 & 3**

Zone 2 is comprised of Century Meadows One, Units 2 & 3 the facilities within Zone 2 that will be operated, serviced and maintained are generally described as follows:

- A. A masonry wall and 13.5' wide landscaping area along the north side of Harney Lane from the project's east boundary to the west boundary, including the 2 angled corner sections at Poppy Drive, approximately 1200 linear feet.
- B. Street parkway trees located within the public street within the Zone 2 boundary.
- C. Public park land area of 1.01745 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 2 consists of a 133-lot low density residential development located in the south-central portion of the City.

Zone 2 includes 133 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 2 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 2 shall be filed with the City and will be incorporated into this report by reference.

### **ZONE 3 – MILLSBRIDGE II**

Zone 3 is comprised of Millsbridge II; the facilities within Zone 3 that will be operated, serviced and maintained are generally described as follows:

- A. Street parkway trees located within the public street within the Zone 3 boundary.
- B. Public park land area of 0.30 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per one thousand persons served.

Zone 3 consists of a 39-lot residential development located in the southwestern portion of the City.

Zone 3 includes 39 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for the Zone 3 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 3 shall be filed with the City and will be incorporated into this report by reference.

### **ZONE 4 – ALMOND NORTH**

Zone 4 is comprised of the Almond North subdivision; the facilities within Zone 4 that will be operated, serviced and maintained are generally described as follows:

- A. Street parkway trees located within the public street within the Zone 4 boundary.
- B. Public park land area of 0.26 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per one thousand persons served.

Zone 4 consists of a 28-lot residential development, including 6 potential duplex lots and is located in the southeastern portion of the City.

Zone 4 includes a maximum of 34 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 4 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 4 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 5 – LEGACY ESTATES I & II AND KIRST ESTATES**

Zone 5 is comprised of Legacy Estates I, Legacy Estates II and Kirst Estates; the facilities within Legacy Estates I of Zone 5 that will be operated, serviced and maintained are generally described as follows:

- A. A masonry wall and 13.5' wide landscaping strip, divided by a 4-foot wide meandering sidewalk, along the north side of Harney Lane at the back of lots 10-24 of Legacy Estates I, approximately 950 linear feet.
- B. Street parkway trees located within the public street within the Zone 5 boundary.
- C. Public park land area of 0.589 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

The improvements within Legacy Estates II of Zone 5 that will be operated, serviced and maintained are generally described as follows:

- A. A masonry wall and 13.5' wide landscaping strip, divided by a 4-foot wide meandering sidewalk, along the west side of Mills Avenue from the project's southern boundary on Mills Avenue to the intersection of Wyndham Way, approximately 590 linear feet.
- B. A masonry wall and 13.5' wide landscaping strip, divided by a 4-foot wide meandering sidewalk, along the north side of Harney Lane at the back of lots 69-77 of Legacy Estates II, approximately 525 linear feet.
- C. Street parkway trees located within the public street within the Zone 5 boundary.
- D. Public park land area of 1.07 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

The facilities within Kirst Estates of Zone 5 that will be operated, serviced and maintained are generally described as follows:

- A. Street parkway trees located within the public street within the Zone 5 boundary.
- B. Public park land area of 0.0459 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 5 consists of a 77-lot residential development (Legacy Estates I), a 140-lot residential development (Legacy Estates II) and a 6-lot residential development (Kirst Estates) located in the southwestern portion of the City. Each lot benefits equally from the facilities within Zone 5.

Zone 5 includes 223 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 5 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 5 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 6 – THE VILLAS**

Zone 6 is comprised of The Villas subdivision; the facilities within Zone 6 that will be operated serviced and maintained are generally described as follows:

- A. A masonry wall and 8.5' wide landscaping area along the east side of Panzani Way from the project's south boundary to the intersection of Porta Rosa Drive, approximately 120 linear feet.
- B. A masonry wall and 27.5 to 43.0-foot variable width landscaping strip, divided by a 4-foot wide meandering sidewalk, along the north side of Harney Lane from Panzani Way to the frontage road, approximately 425 linear feet.
- C. A masonry wall and 15.0 to 44.0-foot variable width landscaping strip, divided by a 4-foot wide meandering sidewalk, along the west of the frontage road and the east side of San Martino Way from Harney Lane to the project's north boundary, approximately 700 linear feet.
- D. Ten 24-foot wide, common access driveways dispersed throughout the residential area, approximately 1200 linear feet.
- E. Parcel B, between lots 1 and 50, a variable width landscaping strip, approximately 250 linear feet.
- F. Street parkway trees located within the public street within the Zone 6 boundary.
- G. Public park land area of 0.748 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 6 consists of an 80-lot residential development located in the southeastern portion of the City.

Zone 6 includes 80 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 6 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 6 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 7 – WOODLAKE MEADOWS**

Zone 7 is comprised of Woodlake Meadows; the facilities within Zone 7 that will be operated, serviced and maintained are generally described as follows:

- A. Public park land area of 0.0468 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per one thousand persons served.

Zone 7 consists of a 5-lot residential development located in the northwestern portion of the City.

Zone 7 includes 5 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 7 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 7 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 8 – VINTAGE OAKS**

Zone 8 is comprised of the Vintage Oaks Subdivision and the adjacent parcel to the north (APN 058-230-05); the facilities within Zone 8 that will be operated, serviced and maintained are generally described as follows:

- A. A masonry wall and 13.5' wide landscaping strip, including a 4-foot wide sidewalk, extending north and south of the future Vintage Oaks Court along the east side of S. Lower Sacramento Road for a total distance of approximately 252 linear feet.
- B. A 9.5' wide landscaping strip in the east half of the Lower Sacramento Road median, west of the Zone 8 boundary.
- C. Street parkway trees located within the public street (Vintage Oaks Court) within the Zone 8 boundary.
- D. Public park land area of 0.13005 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 8 consists of a 17-lot low-density residential development (Vintage Oaks) and a 2-lot low-density residential development (APN 058-230-05) bounded by DeBenedetti Park (APN 058-230-05) to the North, the Sunnyside Estates development to the South, Ellerth E. Larson Elementary School to the East and Lower Sacramento Road to the West.

Zone 8 includes 17 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 8 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 8 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 9 – INTERLAKE SQUARE**

Zone 9 is comprised of the Interlake Square Subdivision; the facilities within Zone 9 that will be operated, serviced and maintained are generally described as follows:

- A. Street parkway trees located within the public rights-of-way of School Street and Park Street within the Zone 9 boundary.
- B. Public park land area of 0.08415 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 9 consists of an 11-lot low-density residential development (Interlake Square) located north of Park Street, generally south of Sierra Vista Place, east of South School Street and generally west of Sacramento Street.

Zone 9 includes 11 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 9 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 9 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 10 – LAKESHORE PROPERTIES**

Zone 10 is comprised of the Lakeshore Properties subdivision; the facilities within Zone 10 that will be operated, serviced and maintained are generally described as follows:

- A. Public park land area of 0.05355 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per one thousand persons served.

Zone 10 consists of a 7-lot low-density residential development (Lakeshore Properties) located on the southwest corner of the Lakeshore Drive/Tienda Drive intersection within the City.

Zone 10 includes 7 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 10 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 10 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 11 – TATE PROPERTY**

Zone 11 is comprised of the Tate Property development; the facilities within Zone 11 of the District that will be operated, serviced and maintained are generally described as follows:

- A. A masonry wall and 13.5' wide landscaping strip, divided by a 4-foot wide meandering sidewalk, along the north side of Harney Lane, immediately east of Legacy Way, approximately 140 linear feet.
- B. Street parkway trees located within the public street (Legacy Way) within the Zone 11 boundary.
- C. Public park land area of 0.05355 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 11 consists of a 1-lot low-density residential development located in the northeast corner of the Harney Lane/Legacy Way intersection within the City.

Zone 11 includes 7 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 11 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 11 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 12 – WINCHESTER WOODS**

Zone 12 is comprised of the Winchester Woods subdivision; the facilities within Zone 12 that will be operated, serviced and maintained are generally described as follows:

- A. Public park land area of 0.0748 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per one thousand persons served.

Zone 12 consists of an 8-lot medium-density residential development located generally south of Wimbledon Drive, east of The Oaks apartment complex (APN 060-220-29) and west of Winchester Drive in the southeasterly portion of the City.

Zone 12 includes 8 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 12 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 12 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 13 – GUILD AVENUE INDUSTRIAL**

Zone 13 is comprised of 8 industrial zoned parcels; the facilities within Zone 13 that will be operated, serviced and maintained are generally described as follows:

- A. A traffic signal at the intersection of Highway 12 (Victor Road) and Guild Avenue.
- B. A 15.0 foot irrigated, landscaped strip in a 16.0 foot median in Victor Road (Highway 12) south of the Zone 13 boundary, extending west from the current City limits for a distance of 700 feet.
- C. A 28.5 foot irrigated landscape strip on the north side of Victor Road (Highway 12), extending westerly from the current City limits to 231 feet west of the Guild Avenue intersection centerline and having a total length of 1,485 feet.
- D. Street sweeping along the north and south side of Victor Road (Highway 12) and along the median and curbing from 231 feet west of the Guild Avenue intersection centerline to the current City limits.

Zone 13 consists of 8 industrial parcels located on Guild Avenue, north of Lockeford Street. The benefit from facilities within Zone 13 for each lot has been determined based on an acreage basis.

Zone 13 includes 93.104 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 13 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 13 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 14 – LUCA PLACE**

Zone 14 is comprised of the Luca Place subdivision; the facilities within Zone 14 that will be operated, serviced, maintained and improved are generally described as follows:

- A. A 6.5-foot irrigated landscape strip in the east half of the Westgate Drive median, west of the Zone 14 boundary.
- B. Street parkway trees located within the public street (Westgate Drive), within the Zone 14 boundary.
- C. Public park land area of 0.15895 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 14 consists of a 17-lot, medium-density, residential development (Luca Place) bounded by Vintner's Square shopping center to the north, east and south and Westgate Drive to the west. Each lot benefits equally from the facilities within Zone 14.

When subdivided, Zone 14 will include 17 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 14 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 14 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 15 – GUILD AVENUE INDUSTRIAL**

Zone 15 is comprised of 4 industrial zoned parcels; the facilities within Zone 15 that will be operated, serviced, maintained and improved are generally described as follows:

- A. A traffic signal at the intersection of Highway 12 (Victor Road) and Guild Avenue.
- B. A 15.0 foot irrigated, landscaped strip in a 16.0 foot median in Victor Road (Highway 12) south of the Zone 15 boundary, extending west from the current City limits for a distance of 700 feet.
- C. A 28.5 foot irrigated landscape strip on the north side of Victor Road (Highway 12), extending westerly from the current City limits to 231 feet west of the Guild Avenue intersection centerline and having a total length of 1,485 feet.
- D. Street sweeping along the north and south side of Victor Road (Highway 12) and along the median and curbing from 231 feet west of the Guild Avenue intersection centerline to the current City limits.

Zone 15 consists of 4 industrial zoned parcels, 3 located on Guild Avenue, north of Lockeford Street and 1 located on Victor Road, east of Guild Avenue. The benefit from facilities within Zone 15 for each lot has been determined based on an acreage basis.

Zone 15 includes 36.268 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 15 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 15 shall be filed with the City and will be incorporated into this report by reference.

## **ZONE 16 – WEST KETTLEMAN LANE COMMERCIAL**

Zone 16 is comprised of 2 commercial office parcels; the facilities within Zone 16 that will be operated, serviced, maintained and improved are generally described as follows:

- A. A variable width (15 to 18 feet) irrigated, landscaped strip in the segmented median in W. Kettleman Lane (Highway 12) extending west from Ham Lane to Westgate Drive and having a total landscaped area of 36,505 square feet.
- B. A variable width (12 to 20 feet) irrigated landscape strip in the segmented median in Lower Sacramento Road extending south from the north boundary of parcel APN 027-410-06 (2429 W. Kettleman Lane) to the south boundary of APN 058-030-13 (1551 S. Lower Sacramento Road) and having a total landscaped area of 13,490 square feet.

Zone 16 consists of 2 commercial office parcels located on W. Kettleman Lane, west of Lakeshore Drive and east of Mills Avenue. The benefit from facilities within Zone 16 for each lot has been determined based on an acreage and land use basis.

Zone 16 includes 8.37 Dwelling Unit Equivalents.

In compliance with Proposition 218, an Assessment Ballot procedure for Zone 16 was held and ballots were tabulated at a public hearing where the property owners approved the new assessment. As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by Zone 16 shall be filed with the City and will be incorporated into this report by reference.

## **4. METHOD OF APPORTIONMENT**

Pursuant to the Act, the net amounts to be assessed are apportioned by a formula or method that fairly distributes the net amount to be assessed among all parcels in proportion to benefits received from the improvements. The provisions of Article XIII C and XIII D of the California Constitution (Proposition 218) require the agency to separate the general benefit from special benefit, whereas only special benefits may be assessed.

### **IMPROVEMENT BENEFIT FINDINGS**

The assessments outlined in Section 5 of this report are proposed to cover the estimated costs of providing all necessary service, operation, administration, and maintenance for each zone within the District. It has been determined that each assessable parcel within the District receives proportional special benefits from the improvements. The improvements were constructed and installed for the benefit of the parcels within the District in connection with their development; each parcel's relatively similar proximity to the improvements necessitates similar proportionate benefit allocation. Each parcel that receives special benefit from the improvements is assessed.

### **SPECIAL BENEFITS**

The method of apportionment is based on the premise that each of the assessed parcels within the District receives special benefit from the improvements maintained and financed by District assessments. Specifically, the assessments associated with each zone are outlined in Section 5 of this report.

### **DESCRIPTION OF THE METHOD OF APPORTIONMENT**

The District provides operation, service, and maintenance to all the specific local improvements and associated appurtenances located within the public right-of-ways in each of the various zones throughout the District. The annual assessments are based on the historical and estimated cost to operate, to service and to maintain the improvements that provide a special benefit to parcels within the District. The various improvements within each zone are identified and budgeted separately, including all expenditures, deficits, surpluses, revenues and reserves.

The assessments outlined in this section represent the proportionate special benefit to each property within the District and the basis of calculating each parcel's proportionate share of the annual costs associated with the improvements. The costs associated with the maintenance and operation of special benefit improvements shall be collected through annual assessments from each parcel receiving such benefit. The funds collected shall be dispersed and used for only the services and operation provided to the District.

The basis of determining each parcel's special benefit utilizes a weighting formula commonly known as a Dwelling Unit Equivalent (DUE). The developed single-family residential parcel is used as the base-unit for the calculation of assessments and is defined as 1.00 DUE. All other property types are assigned a DUE that reflects their proportional special benefit from the improvements as compared to the single-family residential parcel (weighted comparison).

To determine the DUE for multi-family residential (3 or more units), industrial, commercial or office parcels, a Benefit Unit Factor (BUF) is assigned to each property type. The assigned BUF multiplied by the parcel's specific acreage determines the DUE.

The following table provides a listing of the various land use types and the corresponding BUF used to calculate a parcel's DUE and proportionate benefit:

PROPERTY TYPE	BENEFIT UNIT FACTOR
Single Family Residential	1.00 per Property
Multi-Family Residential (Duplex)	2.00 per Property
Multi-Family Residential (3 or more units)	5.00 per Acre
Commercial or Office	
For the First 7.5 Acres	5.00 per Acre
For the Next 7.5 Acres	2.50 per Acre
For All Acreage Over 15.0 Acres	1.25 per Acre
Industrial	4.00 per Acre
Exempt	Not Applicable
Other	Case-by-Case

**Exempt** – Certain parcels, because of use, size, shape, or state of development, may be assigned a zero DUE, which will consequently result in a zero assessment for those parcels for that fiscal year. All parcels having such a zero DUE for the previous fiscal year shall annually be reconsidered to determine if the reason for assigning the zero DUE is still valid for the next fiscal year. Parcels which may be expected to have a zero DUE assigned are typically parcels which are all, or nearly all, publicly landscaped, parcels in public ownership, parcels owned by a public utility company and/or used for public utilities, public parks, public schools, and remainder parcels too small or narrow for reasonable residential or commercial use, unless actually in use.

**Area Adjustments** – Parcels which have an assessment determined by area and which have a portion of the parcel occupied by public or public utility uses separate from the entitled use and located in easements, prior to the multiplication by the DUE, shall have the area of the parcel adjusted to a usable area to reflect the loss or partial loss of the entitled use in those areas. This reduction shall not apply for normal peripheral and interior lot line public utility easements generally existing over the whole subdivision.

As previously noted, the District is comprised of several distinct zones. These zones encompass specific developments where the parcels receive a direct and special benefit from the operation, service, and maintenance of the related improvements. The basis of benefit and proportionate assessment for all parcels within the District is established by each parcel's calculated DUE and their proportionate share of the improvement costs based on their proportionate DUE within the zone. The method used to calculate the assessment for each zone is as follows:

$$\text{Total Estimated Costs} / \text{Total DUE (Zone)} = \text{Assessment per DUE}$$

$$\text{Assessment per DUE} \times \text{Total DUE per Parcel} = \text{Assessment per Parcel}$$

## **ASSESSMENT RANGE FORMULA**

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218, legislative changes in the Article XIID of the Constitution of the State of California defined the definition of “new or increased assessment” to exclude certain conditions. These conditions included “any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed.” This definition and conditions were later confirmed through SB919 (Proposition 218 implementing legislation).

The purpose of establishing an assessment range formula is to provide for reasonable increases and inflationary adjustments to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District’s proposed assessment for Fiscal Year 2003/04, Fiscal Year 2004/05, Fiscal Year 2005/06, Fiscal Year 2007/08 and Fiscal Year 2008/09 balloting of property owners was required, pursuant to Proposition 218. The property owner ballots included an assessment to be approved, as well as the approval of an assessment range formula. Property owners within the District approved the proposed assessment and the assessment range formula.

The assessment range formula shall be applied to all future assessments within the District. Generally, if the proposed annual assessment for the current fiscal year is less than or equal to the maximum assessment (or adjusted maximum assessment), then the proposed annual assessment is not considered an increased assessment. The maximum assessment is equal to the initial Assessment approved by property owners adjusted annually by the following criteria:

1. Beginning in the second fiscal year, and each fiscal year thereafter, the maximum assessment will be recalculated annually.
2. The new adjusted maximum assessment for the year represents the prior year’s maximum assessment adjusted by the greater of:
  - (a) 5%, or
  - (b) The annual increase in the CPI.

Each year the annual increase in the CPI shall be computed. For Fiscal Year 2011/12, the increase in CPI is the percentage difference between the CPI of December 2010 and the CPI for the previous December, as provided and established by the Bureau of Labor Statistics (FY 2011/12 CPI increase is 1.52%). This percentage difference shall then establish the allowed increase based on CPI. The index used shall be all urban consumers for the San Francisco-Oakland-San Jose area. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the Council for determining fluctuations in the cost of living.

If CPI is less than 5%, then the allowable adjustment to the maximum assessment is 5%. If CPI is greater than 5%, then the allowable adjustment to the maximum assessment is based on CPI. The maximum assessment is adjusted annually and is calculated independent of the District’s annual budget and proposed annual assessment. Any proposed annual assessment (rate per DUE) less than or equal to this maximum assessment is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

The following table illustrates how the assessment range formula shall be applied:

<b>Example</b>	<b>CPI % Increase</b>	<b>5.00% Increase</b>	<b>Max % Increase Without Re-Balloting</b>	<b>Prior Year Max Rate Per DUE</b>	<b>Increase Per DUE</b>	<b>New Max Rate Per DUE</b>
1	5.25%	5.00%	5.25%	\$403.00	\$21.16	\$424.16
2	3.44%	5.00%	5.00%	\$403.00	\$20.15	\$423.15

For example, if the percentage change in CPI is greater than 5%, as in Example 1, then the percentage adjustment to the maximum assessment will be by CPI. If the percentage change in CPI is less than 5%, as in Example 2, then the percentage adjustment to the maximum assessment will be 5%.

As previously illustrated, the maximum assessment will be recalculated and adjusted annually. However, the Council may reduce or freeze the maximum assessment at any time by amending the annual engineer's report.

Although the maximum assessment will normally increase each year, the actual District assessments may remain virtually unchanged. The maximum assessment adjustment is designed to establish a reasonable limit on District assessments. The maximum assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjustment maximum amount. If the budget and assessments for the fiscal year do not require an increase, or the increase is less than the adjusted maximum assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted maximum assessment then the assessment is considered an increased assessment. In order to impose an increased assessment, the Council must comply with the provisions of Proposition 218 (Article XIII D Section 4c of the California Constitution). Proposition 218 requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners, through the balloting process, must approve the proposed assessment increase. If the proposed assessment is approved, then a new maximum assessment is established for the District. If the proposed assessment is not approved, the Council may not levy an assessment greater than the adjusted maximum assessment previously established for the District.

## 5. ESTIMATE OF COSTS

### 5.1 Definitions

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Definitions of maintenance items, words and phrases are shown below:

**Fiscal Year** – One year period of time beginning July 1 of a given year and ending June 30 of the following year.

**Landscape Maintenance Labor** – The estimated labor costs of maintaining and servicing the trees, shrubs, turf and ground cover areas within the District.

**Maintenance Materials & Supplies** – The estimated cost of materials necessary for maintaining, cleaning and servicing the landscaped areas and parklands within the District.

**Irrigation Water** – The cost of water used for irrigating the landscaping improvements of the District.

**Utilities** – The cost of electricity used for irrigation within the District.

**Equipment Maintenance & Operation** – The cost of materials and labor necessary for maintaining, repairing, and operating equipment (includes vehicles, benches, playground equipment, graffiti and litter removal, etc.) used for all aspects of maintenance in the District.

**Maintenance Personnel** – The estimated cost for personnel to perform maintenance duties within the District.

**Contract Maintenance** – The estimated cost of performing contracted maintenance within the District.

**Consultant** – Costs associated with outside consultant fees in order to comply with Assessment Law and placement of assessment onto the San Joaquin County Tax Roll each year.

**County Administration** – Costs of the County of San Joaquin related to the placement of assessments on the tax roll each year.

**Insurance** – The estimated costs to provide insurance for District personnel and staff.

**Contingencies** – An amount of 50% of the maintenance costs may be included to build a Reserve and Contingency Fund. The Act allows the assessments to "...include a reserve which shall not exceed the estimated costs of maintenance and servicing to December 10<sup>th</sup> of the fiscal year, or whenever the city expects to receive its apportionment of special assessments and tax collections from the county, whichever is later."

**Total Dwelling Unit Equivalent** – Dwelling Unit Equivalent (DUE) is a numeric value calculated for each parcel based on the parcel's land use. The DUE shown in the District/Zone budget represents the sum total of all parcels' DUE that receive benefit from the improvements. Refer to Section 4 for a more complete description of DUE.

**Assessment per DUE** – This amount represents the rate being applied to each parcel's individual DUE. The Assessment per Dwelling Unit Equivalent is the result of dividing the total Balance to Levy, by the sum of the District DUEs, for the Fiscal Year. This amount is always rounded down to the nearest even penny for tax bill purposes.

## 5.2 Zone-Specific Budgets and Reserve Information

### ZONE 1 – ALMONDWOOD ESTATES

#### *Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$5,693.44
Masonry Block Walls	500.00
Street Trees	1,278.17
Park Maintenance	<u>6,252.27</u>
<b>Total Operation Costs</b>	<b>\$13,723.88</b>
<b>Administration Costs</b>	
Consultant	\$2,105.50
Publication	141.39
City Administration Fee	1,337.73
County Administration Fee	<u>185.71</u>
<b>Total Administration Costs</b>	<b>\$3,770.33</b>
<b>Total Estimated Costs</b>	<b>\$17,494.21</b>
Contribution to Reserves	2,000.00
Rounding Adjustment	0.35
<b>Total Assessment</b>	<b>\$19,494.56</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$41,962.55</i>

#### *Capital Project Reserve Information*

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$3,100.00
Contribution to Landscape Reserve	<u>500.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$3,600.00</b>
Wall Reserve – June 30, 2011	\$15,000.00
Contribution to Wall Reserve	<u>1,500.00</u>
<b>Estimated Wall Reserve – June 30, 2012</b>	<b>\$16,500.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$20,100.00</b>

**ZONE 2 – CENTURY MEADOWS ONE, UNIT 2 & 3**

*Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$5,874.88
Masonry Block Walls	500.00
Street Trees	3,327.64
Park Maintenance	<u>11,237.19</u>
<b>Total Operation Costs</b>	<b>\$20,939.71</b>
<b>Administration Costs</b>	
Consultant	\$3,212.54
Publication	254.12
City Administration Fee	2,041.09
County Administration Fee	<u>305.58</u>
<b>Total Administration Costs</b>	<b>\$5,813.33</b>
<b>Total Estimated Costs</b>	<b>\$26,753.04</b>
Contribution to Reserves	2,500.00
Rounding Adjustment	<u>(1.02)</u>
<b>Total Assessment</b>	<b>\$29,252.02</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	\$57,079.03

***Capital Project Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$3,500.00
Contribution to Landscape Reserve	<u>500.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$3,500.00</b>
Wall Reserve – June 30, 2011	\$18,000.00
Contribution to Wall Reserve	<u>2,000.00</u>
<b>Estimated Wall Reserve – June 30, 2012</b>	<b>\$20,000.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$23,500.00</b>

**ZONE 3 – MILLSBRIDGE II**

*Fiscal Year 2011/12 Budget*

<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>Operation Costs</b>	
Landscape	\$448.93
Street Trees	694.18
Park Maintenance	<u>3,295.11</u>
<b>Total Operation Costs</b>	<b>\$4,438.22</b>
<b>Administration Costs</b>	
Consultant	\$680.90
Publication	74.52
City Administration Fee	432.61
County Administration Fee	<u>79.08</u>
<b>Total Administration Costs</b>	<b>\$1,267.11</b>
<b>Total Estimated Costs</b>	<b>\$5,705.33</b>
Contribution to Reserves	500.00
Rounding Adjustment	(0.43)
<b>Total Assessment</b>	<b>\$6,204.90</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$17,270.75</i>

***Capital Project Reserve Information***

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Landscape Reserve – June 30, 2011	\$2,500.00
Contribution to Landscape Reserve	<u>500.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$3,000.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$3,000.00</b>

**ZONE 4 – ALMOND NORTH**

*Fiscal Year 2011/12 Budget*

<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>Operation Costs</b>	
Landscape	\$1,298.74
Street Trees	462.78
Park Maintenance	<u>2,872.66</u>
<b>Total Operation Costs</b>	<b>\$4,634.18</b>
<b>Administration Costs</b>	
Consultant	\$710.97
Publication	64.96
City Administration Fee	451.72
County Administration Fee	<u>72.03</u>
<b>Total Administration Costs</b>	<b>\$1,299.68</b>
<b>Total Estimated Costs</b>	<b>\$5,932.81</b>
Contribution to Reserves	500.00
Rounding Adjustment	0.79
<b>Total Assessment</b>	<b>\$6,433.60</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$15,452.78</i>

*Capital Project Reserve Information*

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Landscape Reserve – June 30, 2011	\$2,000.00
Contribution to Landscape Reserve	<u>500.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$2,500.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$2,500.00</b>

**ZONE 5 – LEGACY ESTATES I & II AND KIRST ESTATES**

*Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$9,169.48
Masonry Block Walls	500.00
Street Trees	4,429.51
Park Maintenance	<u>18,841.30</u>
<b>Total Operation Costs</b>	<b>\$32,940.29</b>
<b>Administration Costs</b>	
Consultant	\$5,053.65
Publication	426.08
City Administration Fee	3,210.85
County Administration Fee	<u>457.37</u>
<b>Total Administration Costs</b>	<b>\$9,147.95</b>
<b>Total Estimated Costs</b>	<b>\$42,088.24</b>
Contribution to Reserves	1,000.00
Rounding Adjustment	<u>(0.18)</u>
<b>Total Assessment</b>	<b>\$43,088.06</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	\$72,170.18

***Capital Project Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$3,700.00
Contribution to Landscape Reserve	<u>500.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$4,200.00</b>
Wall Reserve – June 30, 2011	\$7,500.00
Contribution to Wall Reserve	<u>500.00</u>
<b>Estimated Wall Reserve – June 30, 2012</b>	<b>\$8,000.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$12,200.00</b>

**ZONE 6 – THE VILLAS**

***Fiscal Year 2011/12 Budget***

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$6,921.27
Masonry Block Walls	800.00
Street Trees	881.49
Park Maintenance	<u>6,759.21</u>
<b>Total Operation Costs</b>	<b>\$15,361.97</b>
<b>Administration Costs</b>	
Consultant	\$2,356.81
Publication	152.85
City Administration Fee	1,497.41
County Administration Fee	<u>240.00</u>
<b>Total Administration Costs</b>	<b>\$4,247.07</b>
<b>Total Estimated Costs</b>	<b>\$19,609.04</b>
Contribution to Reserves	3,000.00
Rounding Adjustment	<u>(1.04)</u>
<b>Total Assessment</b>	<b>\$22,608.00</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	\$58,985.65

***Capital Project Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$4,800.00
Contribution to Landscape Reserve	<u>1,000.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$5,800.00</b>
Wall Reserve – June 30, 2011	\$16,100.00
Contribution to Wall Reserve	<u>2,000.00</u>
<b>Estimated Wall Reserve – June 30, 2012</b>	<b>\$18,100.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$23,900.00</b>

**ZONE 7 – WOODLAKE MEADOWS**

*Fiscal Year 2011/12 Budget*

<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>Operation Costs</b>	
Landscape	\$42.25
Park Maintenance	422.45
<b>Total Operation Costs</b>	<b>\$464.70</b>
<b>Administration Costs</b>	
Consultant	\$71.29
Publication	9.55
City Administration Fee	45.30
County Administration Fee	6.82
<b>Total Administration Costs</b>	<b>\$132.96</b>
<b>Total Estimated Costs</b>	<b>\$597.66</b>
Contribution to Reserves	0.00
Rounding Adjustment	(0.06)
<b>Total Assessment</b>	<b>\$597.60</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$1,217.14</i>

*Capital Project Reserve Information*

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Landscape Reserve – June 30, 2011	\$0.00
Contribution to Landscape Reserve	0.00
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$0.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$0.00</b>

**ZONE 8 – VINTAGE OAKS**

*Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$2,999.58
Masonry Block Walls	300.00
Street Trees	253.43
Park Maintenance	<u>1,436.33</u>
<b>Total Operation Costs</b>	<b>\$4,989.34</b>
<b>Administration Costs</b>	
Consultant	\$765.46
Publication	32.48
City Administration Fee	486.33
County Administration Fee	<u>51.00</u>
<b>Total Administration Costs</b>	<b>\$1,335.27</b>
<b>Total Estimated Costs</b>	<b>\$6,324.61</b>
Contribution to Reserves	550.00
Rounding Adjustment	<u>(0.15)</u>
<b>Total Assessment</b>	<b>\$6,874.46</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$9,041.18</i>

***Capital Project Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$2,156.89
Contribution to Landscape Reserve	<u>300.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$2,456.89</b>
Wall Reserve – June 30, 2011	\$1,885.00
Contribution to Wall Reserve	<u>250.00</u>
<b>Estimated Wall Reserve – June 30, 2012</b>	<b>\$2,135.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$4,591.89</b>

**ZONE 9 – INTERLAKE SQUARE**

*Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$105.06
Street Trees	121.21
Park Maintenance	<u>929.39</u>
<b>Total Operation Costs</b>	<b>\$1,155.66</b>
<b>Administration Costs</b>	
Consultant	\$177.30
Publication	21.02
City Administration Fee	112.65
County Administration Fee	<u>13.90</u>
<b>Total Administration Costs</b>	<b>\$324.87</b>
<b>Total Estimated Costs</b>	<b>\$1,480.53</b>
Contribution to Reserves	0.00
Rounding Adjustment	<u>(0.15)</u>
<b>Total Assessment</b>	<b>\$1,480.38</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$2,784.85</i>

***Capital Project Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$0.00
Contribution to Landscape Reserve	<u>0.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$0.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$0.00</b>

**ZONE 10 – LAKESHORE PROPERTIES**

*Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$59.14
Park Maintenance	591.43
<b>Total Operation Costs</b>	<b>\$650.57</b>
<b>Administration Costs</b>	
Consultant	\$99.81
Publication	13.37
City Administration Fee	63.41
County Administration Fee	7.84
<b>Total Administration Costs</b>	<b>\$184.43</b>
<b>Total Estimated Costs</b>	<b>\$835.00</b>
Contribution to Reserves	0.00
Rounding Adjustment	(0.04)
<b>Total Assessment</b>	<b>\$834.96</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$1,488.14</i>

***Capital Project Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$0.00
Contribution to Landscape Reserve	0.00
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$0.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$0.00</b>

**ZONE 11 – TATE PROPERTY**

*Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$372.93
Masonry Block Walls	100.00
Street Trees	55.09
Park Maintenance	<u>591.43</u>
<b>Total Operation Costs</b>	<b>\$1,119.45</b>
<b>Administration Costs</b>	
Consultant	\$171.75
Publication	13.37
City Administration Fee	109.12
County Administration Fee	<u>3.00</u>
<b>Total Administration Costs</b>	<b>\$297.24</b>
<b>Total Estimated Costs</b>	<b>\$1,416.69</b>
Contribution to Reserves	0.00
Rounding Adjustment	<u>0.03</u>
<b>Total Assessment</b>	<b>\$1,416.72</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	\$2,211.80

***Capital Project Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$39.00
Contribution to Landscape Reserve	<u>0.00</u>
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$39.00</b>
Wall Reserve – June 30, 2011	\$98.00
Contribution to Wall Reserve	<u>0.00</u>
<b>Estimated Wall Reserve – June 30, 2012</b>	<b>\$98.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$137.00</b>

**ZONE 12 – WINCHESTER WOODS**

*Fiscal Year 2011/12 Budget*

<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>Operation Costs</b>	
Landscape	\$82.61
Park Maintenance	826.13
<b>Total Operation Costs</b>	<b>\$908.74</b>
<b>Administration Costs</b>	
Consultant	\$139.42
Publication	15.29
City Administration Fee	88.58
County Administration Fee	8.96
<b>Total Administration Costs</b>	<b>\$252.25</b>
<b>Total Estimated Costs</b>	<b>\$1,160.99</b>
Contribution to Reserves	0.00
Rounding Adjustment	(0.03)
<b>Total Assessment</b>	<b>\$1,160.96</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$1,493.25</i>

***Capital Project Reserve Information***

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Landscape Reserve – June 30, 2011	\$0.00
Contribution to Landscape Reserve	0.00
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$0.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$0.00</b>

## ZONE 13 – GUILD AVENUE INDUSTRIAL

### *Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$413.95
Street Sweeping	17.85
<b>Total Operation Costs</b>	<b>\$431.80</b>
<b>Administration Costs</b>	
Consultant	\$66.25
Publication	177.89
City Administration Fee	42.09
County Administration Fee	7.05
<b>Total Administration Costs</b>	<b>\$293.28</b>
<b>Total Estimated Costs</b>	<b>\$725.08</b>
Contribution to Reserves	50.00
Rounding Adjustment	(0.46)
<b>Total Assessment</b>	<b>\$774.62</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$11,069.42</i>

### *Capital Project Reserve Information*

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$198.00
Contribution to Landscape Reserve	50.00
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$248.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$248.00</b>

**ZONE 14 – LUCA PLACE**

***Fiscal Year 2011/12 Budget***

<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>Operation Costs</b>	
Landscape	\$356.90
<b>Total Operation Costs</b>	<b>\$356.90</b>
<b>Administration Costs</b>	
Consultant	\$54.76
Publication	32.48
City Administration Fee	34.79
County Administration Fee	3.00
<b>Total Administration Costs</b>	<b>\$125.03</b>
<b>Total Estimated Costs</b>	<b>\$481.93</b>
Contribution to Reserves	500.00
Rounding Adjustment	(0.01)
<b>Total Assessment</b>	<b>\$981.92</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$5,784.65</i>

***Capital Project Reserve Information***

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Landscape Reserve – June 30, 2011	\$1,500.00
Contribution to Landscape Reserve	500.00
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$2,000.00</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$2,000.00</b>

## ZONE 15 – GUILD AVENUE INDUSTRIAL

### *Fiscal Year 2011/12 Budget*

DESCRIPTION	AMOUNT
<b>Operation Costs</b>	
Landscape	\$396.76
Street Sweeping	6.95
<b>Total Operation Costs</b>	<b>\$403.71</b>
<b>Administration Costs</b>	
Consultant	\$61.94
Publication	69.30
City Administration Fee	39.35
County Administration Fee	5.85
<b>Total Administration Costs</b>	<b>\$176.44</b>
<b>Total Estimated Costs</b>	<b>\$580.15</b>
Contribution to Reserves	18.62
Rounding Adjustment	(0.01)
<b>Total Assessment</b>	<b>\$598.76</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$4,305.30</i>

### *Capital Project Reserve Information*

DESCRIPTION	AMOUNT
Landscape Reserve – June 30, 2011	\$57.22
Contribution to Landscape Reserve	18.62
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$75.84</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$75.84</b>

**ZONE 16 – WEST KETTLEMAN LANE COMMERCIAL**

*Fiscal Year 2011/12 Budget*

<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>Operation Costs</b>	
Landscape	\$71.50
<b>Total Operation Costs</b>	<b>\$71.50</b>
<b>Administration Costs</b>	
Consultant	\$10.97
Publication	15.99
City Administration Fee	6.97
County Administration Fee	1.10
<b>Total Administration Costs</b>	<b>\$35.03</b>
<b>Total Estimated Costs</b>	<b>\$106.53</b>
Contribution to Reserves	6.19
Rounding Adjustment	0.02
<b>Total Assessment</b>	<b>\$112.74</b>
<i>Fiscal Year 2011/12 Maximum Assessment</i>	<i>\$360.62</i>

*Capital Project Reserve Information*

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Landscape Reserve – June 30, 2011	\$18.38
Contribution to Landscape Reserve	6.19
<b>Estimated Landscape Reserve – June 30, 2012</b>	<b>\$24.57</b>
<b>Total Estimated Reserve – June 30, 2012</b>	<b>\$24.57</b>

## **6. ASSESSMENT DIAGRAMS**

Assessment Diagrams have been submitted to the City Clerk in the format required under the provisions of the Act and are made part of this report.

ASSESSMENT DIAGRAM, ZONE 1  
ALMONDWOOD ESTATES  
CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 CITY OF LODI,  
SAN JOAQUIN COUNTY  
STATE OF CALIFORNIA

BEING THE NORTH EAST PORTION OF SECTION 13  
T.3 N., R. 5 E., M. D. B. & M.,  
CITY OF LODI,  
SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 20<sup>th</sup>  
DAY OF October, 2003.



*Blair*  
CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS 16<sup>th</sup>  
DAY OF October, 2003.

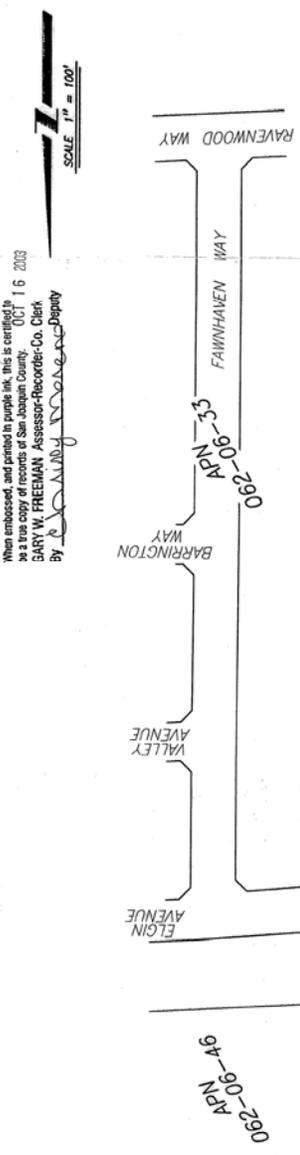
*Blair*  
SUPERINTENDENT OF STREETS  
OF THE CITY OF LODI

FILED THIS 16<sup>th</sup> DAY OF October, 2003 AT THE HOUR  
OF 10:00 CLOCK A.M. IN BOOK 5 PAGE OF  
MAP OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF  
THE COUNTY RECORDER & THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

*Gina W. Engemann*  
ASSESSOR-RECORDER-COUNTY CLERK  
OF SAN JOAQUIN COUNTY, CALIFORNIA

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF LODI  
COUNTY OF SAN JOAQUIN STATE OF CALIFORNIA ON THE PICES AND PARCELS  
OF LAND SHOWN ON THE ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LEVIED  
ON THE DAY OF October, 2003. THE ASSESSMENT DIAGRAM AND THE  
ASSESSMENT ROLL FOR THE CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF  
CALIFORNIA FOR THE YEAR 2003 IS HEREBY REFERRED TO AS THE ASSESSMENT  
REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE  
SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT  
LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

*Sally E. Bell*  
CITY CLERK OF THE CITY OF LODI



866°41'00.00"W 354.15'

ALMOND DRIVE

062-06-13 APN ③

062-06-14 APN ④

062-06-12 APN ②

062-06-04 APN ①

062-06-49 APN

062-06-02 APN

062-06-02 APN

062-05-12 APN

062-05-04 APN

062-06-11 APN

062-06-19 APN

DOC # 2003-23928  
10/15/2003 10:20:11 am:7:00  
Recorded in Official Records  
County of San Joaquin  
Recorder: Sally E. Freeman  
Assessor-Recorder-Clerk  
1008 17th Street, Modesto, CA 95204



- NOTES:
- 1. ASSESSMENTS APPLY ONLY TO LAND LOCATED WITHIN THE CITY OF LODI AND WITHIN THE DESIGNATED ASSESSOR'S PARCELS.
  - 2. THIS MAP WAS COMPILED FROM THE RECORD INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.
  - 3. THIS ASSESSMENT DISTRICT CONTAINS 13.46 ACRES.

LEGEND:

- ASSESSMENT DISTRICT BOUNDARY LINE
- ASSESSMENT DISTRICT PARCEL NUMBER

ASSESSMENT DIAGRAM INDEX

BOOK	PAGE	PARCELS
062	060	4, 12, 13



When embossed, and printed in purple ink, this is certified to be a true copy of records of San Joaquin County. JAN 2 2 2004 GARY W. FREEMAN, Assessor-Recorder-Clerk

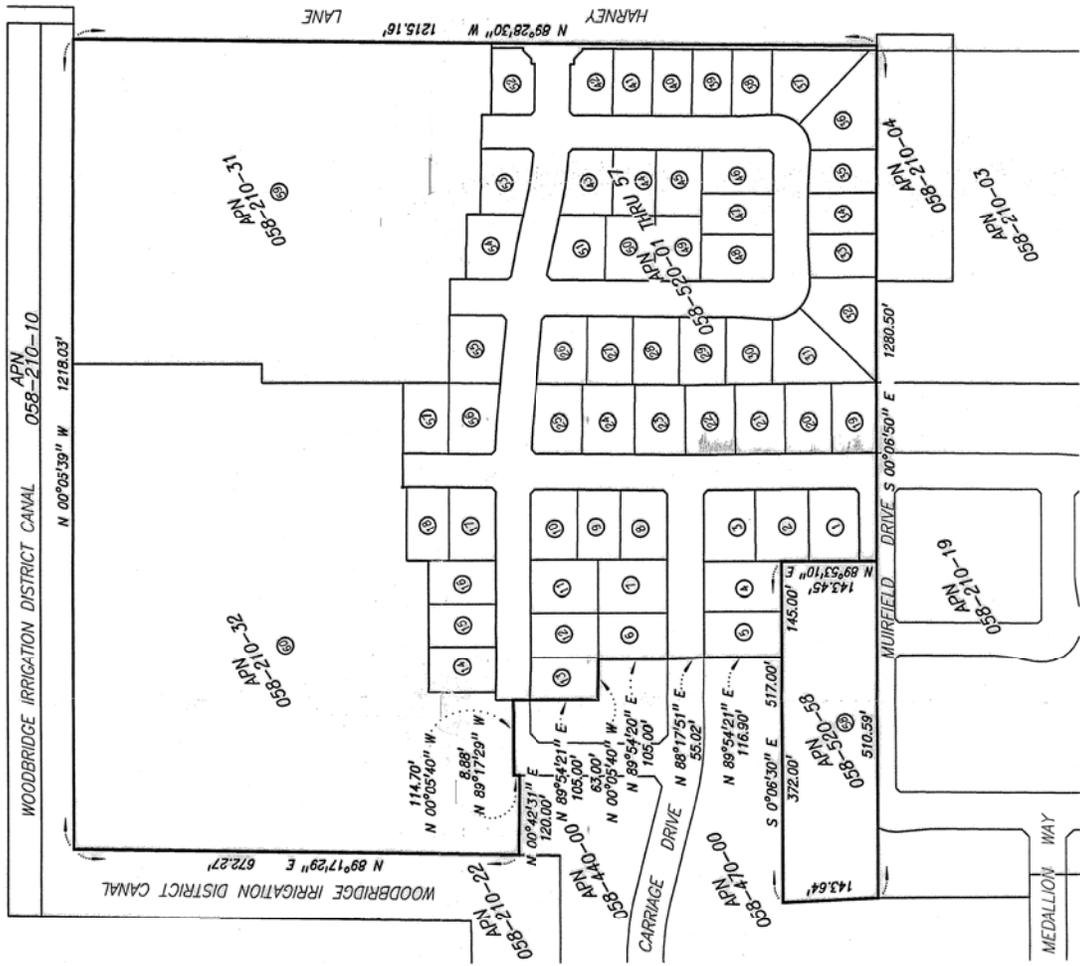
LEGEND:

- ① ASSESSMENT DISTRICT BOUNDARY LINE
- ASSESSMENT DISTRICT PARCEL NUMBER

ASSESSMENT DIAGRAM INDEX

BOOK	PAGE	PARCELS
058	210	31, 32
058	520	1-58

- NOTES:**
- ASSESSMENTS APPLY ONLY TO LAND LOCATED WITHIN THE CITY OF LODI AND WITHIN THE DESIGNATED ASSESSOR'S PARCELS.
  - THIS MAP WAS COMPILED FROM THE RECORD INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.
  - THIS ASSESSMENT DISTRICT CONTAINS 31.64 ACRES.



**ASSESSMENT DIAGRAM**  
**CENTURY MEADOWS ONE, ZONE 2**  
**CITY OF LODI CONSOLIDATED LANDSCAPE**  
**MAINTENANCE ASSESSMENT DISTRICT**  
 NO. 2003-1 CITY OF LODI,  
 SAN JOAQUIN COUNTY  
 STATE OF CALIFORNIA

BEING A PORTION OF THE SOUTHWEST  
 QUARTER OF SECTION 14, T.3N, R.6E., M.D.B.&M.,  
 CITY OF LODI,  
 SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 21<sup>st</sup>  
 DAY OF JANUARY 2004

*Shirley A. Belslett*  
 CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS 21<sup>st</sup>  
 DAY OF JANUARY 2004

*Richard L. Wood*  
 SUPERINTENDENT OF STREETS  
 OF THE CITY OF LODI

FILED THIS 22<sup>nd</sup> DAY OF JANUARY 2004 AT THE HOUR  
 OF 3:00 P.M. IN THE COUNTY CLERK'S OFFICE OF THE COUNTY  
 RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

*Gina W. Ferguson* by *Christine Moreno*  
 ASSESSOR-RECORDER-COUNTY CLERK  
 OF SAN JOAQUIN COUNTY, CALIFORNIA

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF LODI,  
 COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, ON THE PICES AND PARCELS  
 OF LAND SHOWN ON THE ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LEVIED  
 AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM  
 OF STREETS OF THE CITY ON THE 21<sup>st</sup> DAY OF JANUARY, 2004.  
 REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE  
 SUPERINTENDENT OF STREETS FOR THE CITY OF LODI, SAN JOAQUIN COUNTY,  
 CALIFORNIA, FOR THE YEAR 2003.

*Shirley A. Belslett*  
 CITY CLERK OF THE CITY OF LODI



DOC # 2004-013613  
 31/22/2004 03:20P P#7 00  
 Recorded in Official Records  
 County of San Joaquin  
 Assessor-Recorder-Clerk  
 Title by *Shirley A. Belslett*



**THOMPSON-HYSELL**  
**ENGINEERS**  
 A DIVISION OF THE HYSELL COMPANY, INC.  
 1515 15TH STREET, MARSHALL, CO. 80559 (303) 521-8588

CITY CLERK  
CITY OF LODI

**PROPOSED AMENDED BOUNDARIES  
(CENTURY MEADOWS ONE, ZONE 2 ANNEXATION)  
CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 CITY OF LODI,  
SAN JOAQUIN COUNTY  
STATE OF CALIFORNIA**

BEING A PORTION OF THE SOUTHWEST  
QUARTER OF SECTION 14, T.3N., R.6E., M.D.B.&M.,  
CITY OF LODI,  
SAN JOAQUIN COUNTY, CALIFORNIA

**THOMPSON-HYSELL ENGINEERS**  
1016 12th STREET MODESTO, CALIFORNIA  
NOVEMBER, 2004

DOC # 2003-281218

Recorded in Official Records  
Page 1 of 1, Fee: 7.00  
Comptroller in Charge  
GARY W. FREEMAN, City Clerk  
Pursuant to Section 25309 of the California  
Government Code



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI, THIS 3 DAY  
OF DECEMBER, 2004

*Sharon V. Blalock*  
CITY CLERK OF THE CITY OF LODI

RECORDED THIS 9 DAY OF DECEMBER 2004 AT THE HOUR  
OF 11:00 AM IN THE OFFICE OF THE COUNTY CLERK  
OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF  
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

*Lynn W. Freeman by Christina Manno*  
COUNTY RECORDER  
OF SAN JOAQUIN COUNTY, CALIFORNIA

I, HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES  
OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1  
AND THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF LODI CONSOLIDATED  
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-2, AS SHOWN ON  
ATTACHED MAPS AND ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS  
BY THE CITY COUNCIL OF THE CITY OF LODI AT A REGULAR MEETING  
THEREOF, HELD ON THE 3 DAY OF DECEMBER, 2004, BY  
ITS RESOLUTION NO. 2003-1, IS TRUE AND CORRECT.

*Sharon V. Blalock*  
CITY CLERK OF THE CITY OF LODI

THE AMENDED BOUNDARY MAP AMENDS THE BOUNDARY MAP FOR CITY OF LODI  
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1  
AND THE BOUNDARY MAP FOR CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT NO. 2003-2, AS SHOWN ON  
ATTACHED MAPS AND ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS  
AT PAGE 105 IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF  
SAN JOAQUIN, STATE OF CALIFORNIA.





**PROPOSED AMENDED BOUNDARIES  
(MILLSBRIDGE II, ZONE 3 ANNEXATION)  
CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 CITY OF LODI,  
SAN JOAQUIN COUNTY  
STATE OF CALIFORNIA**

BEING A PORTION OF THE SOUTHWEST  
QUARTER OF SECTION 11, T.3N., R.6E., M.D.B.&M.,  
CITY OF LODI,  
SAN JOAQUIN COUNTY, CALIFORNIA

**THOMPSON-HYSELL ENGINEERS**  
1016 12th STREET  
MODESTO, CALIFORNIA  
MARCH, 2004

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI, THIS 17<sup>th</sup> DAY  
OF JANUARY, 2004.



*Sharon P. Reilly*  
CITY CLERK OF THE CITY OF LODI

RECORDED THIS 10<sup>th</sup> DAY OF MARCH 2004 AT THE HOUR  
OF 10:00 AM IN THE OFFICE OF THE COUNTY CLERK OF  
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

**SAUL W. FAZARON** by *Christina Moreno*  
COUNTY CLERK  
OF SAN JOAQUIN COUNTY, CALIFORNIA

I, HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED  
BOUNDARIES OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE  
ASSESSMENT DISTRICT NO. 2003-1, CITY OF LODI, SAN JOAQUIN  
COUNTY, STATE OF CALIFORNIA, WAS PREPARED AND FILED IN THE  
CITY OF LODI AT A REGULAR MEETING THEREOF, HELD ON THE  
DAY OF MARCH, 2004, BY ITS RESOLUTION NO. 2004-49

*Sharon P. Reilly*  
CITY CLERK OF THE CITY OF LODI

THE AMENDED BOUNDARY MAP AMENDS THE BOUNDARY MAP FOR CITY OF LODI  
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1,  
CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF CALIFORNIA PRIOR RECORDED  
AT BOOK 4 OF MAPS AND ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS  
PAGE 106, IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF  
SAN JOAQUIN, STATE OF CALIFORNIA.

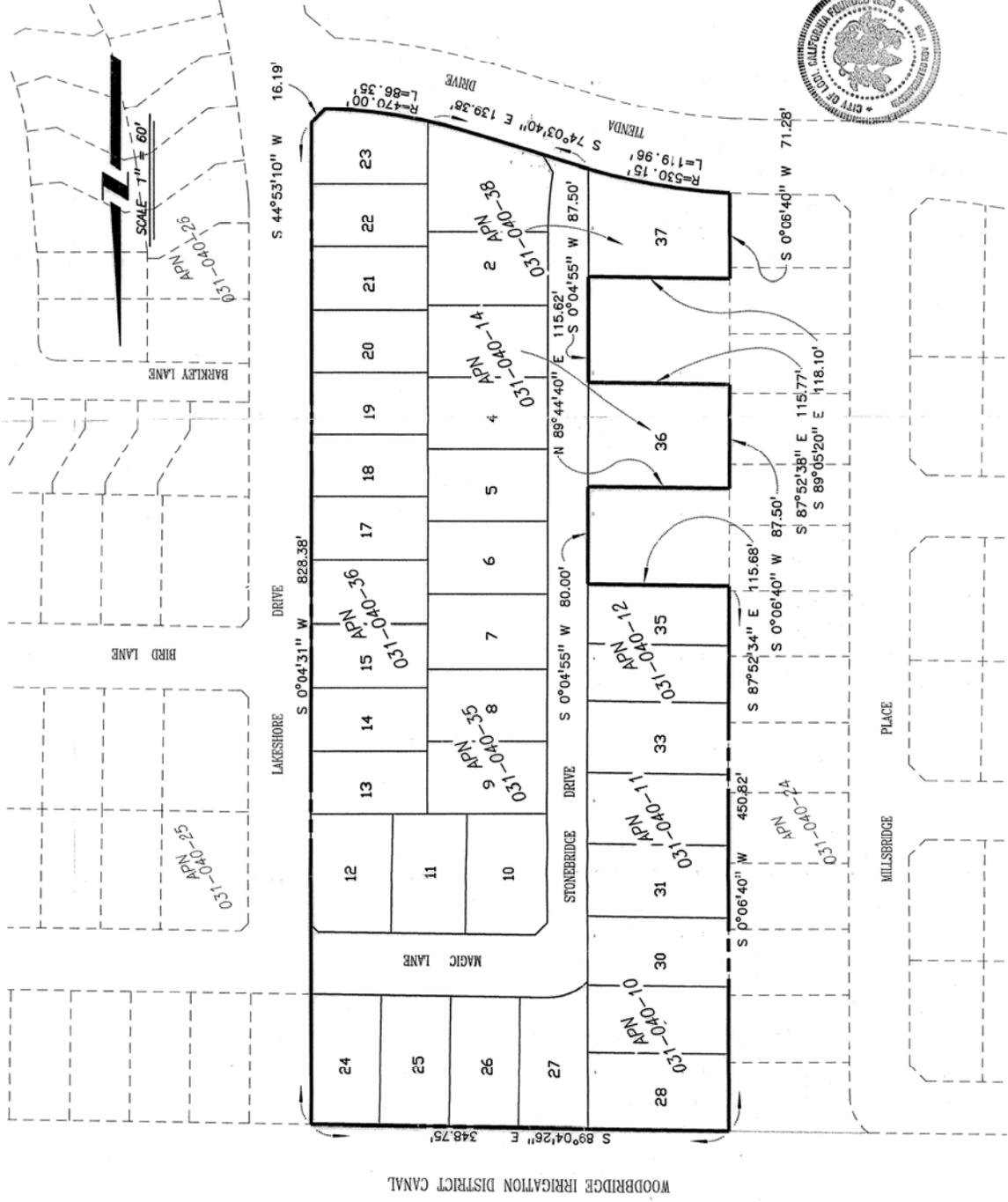
DOC # 2004-056433  
03/19/04 02:29 PM 7:00

Recorded in Official Records  
County of San Joaquin  
Recorder-Recorder/County Clerk  
1111 N. MARKET STREET, SUITE 101  
LODI, CALIFORNIA 95241



**LEGEND**

OVERALL DISTRICT BOUNDARY LINE



ASSESSMENT DIAGRAM, ZONE 4  
 ALMOND NORTH  
 CITY OF LODI CONSOLIDATED LANDSCAPE  
 MAINTENANCE ASSESSMENT DISTRICT  
 NO. 2003-1 CITY OF LODI,  
 SAN JOAQUIN COUNTY  
 STATE OF CALIFORNIA

BEING A PORTION OF LOT 14, A.J. LARSON'S  
 SUBDIVISION OF THE NORTHEAST QUARTER  
 OF SECTION 13, T.3N., R.6., M. D. B. & M.,  
 CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI, THIS 17  
 DAY OF MAY 2004.

*[Signature]*  
 CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS 17  
 DAY OF MAY 2004.

*[Signature]*  
 SUPERINTENDENT OF STREETS  
 OF THE CITY OF LODI

FILED THIS 10 DAY OF MAY 2004 AT THE HOUR  
 OF 2:50 CLOCK P.M. IN BOOK 062-060-15 PAGE 15  
 OF 15 ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF  
 THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

*[Signature]*  
 COUNTY RECORDER-COUNTY CLERK  
 OF SAN JOAQUIN COUNTY, CALIFORNIA

AN ASSESSMENT WAS LAYED BY THE CITY CLERK OF THE CITY OF LODI,  
 COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, ON THE PARCELS AND PARCELS  
 OF LAND SHOWN ON THE ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LAYED  
 ON THE DAY OF MAY 2004. THE ASSESSMENT DIAGRAM AND THE  
 ASSESSMENTS THEREON WERE FILED IN THE OFFICE OF THE SUPERINTENDENT  
 OF STREETS OF THE CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA, ON THE  
 DATE OF MAY 2004. THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE  
 COUNTY RECORDER-COUNTY CLERK OF SAN JOAQUIN COUNTY, CALIFORNIA, ON THE  
 DATE OF MAY 2004, REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE  
 COUNTY RECORDER-COUNTY CLERK OF SAN JOAQUIN COUNTY, CALIFORNIA, ON THE  
 DATE OF MAY 2004, IN WHICH THE AMOUNT OF THE ASSESSMENT  
 LAYED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

*[Signature]*  
 CITY CLERK OF THE CITY OF LODI

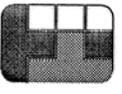


I hereby certify that this is a true copy of  
 the record consisting of 1 pages (if the  
 MAY 11 2004 seal of this office is impressed in purple ink.

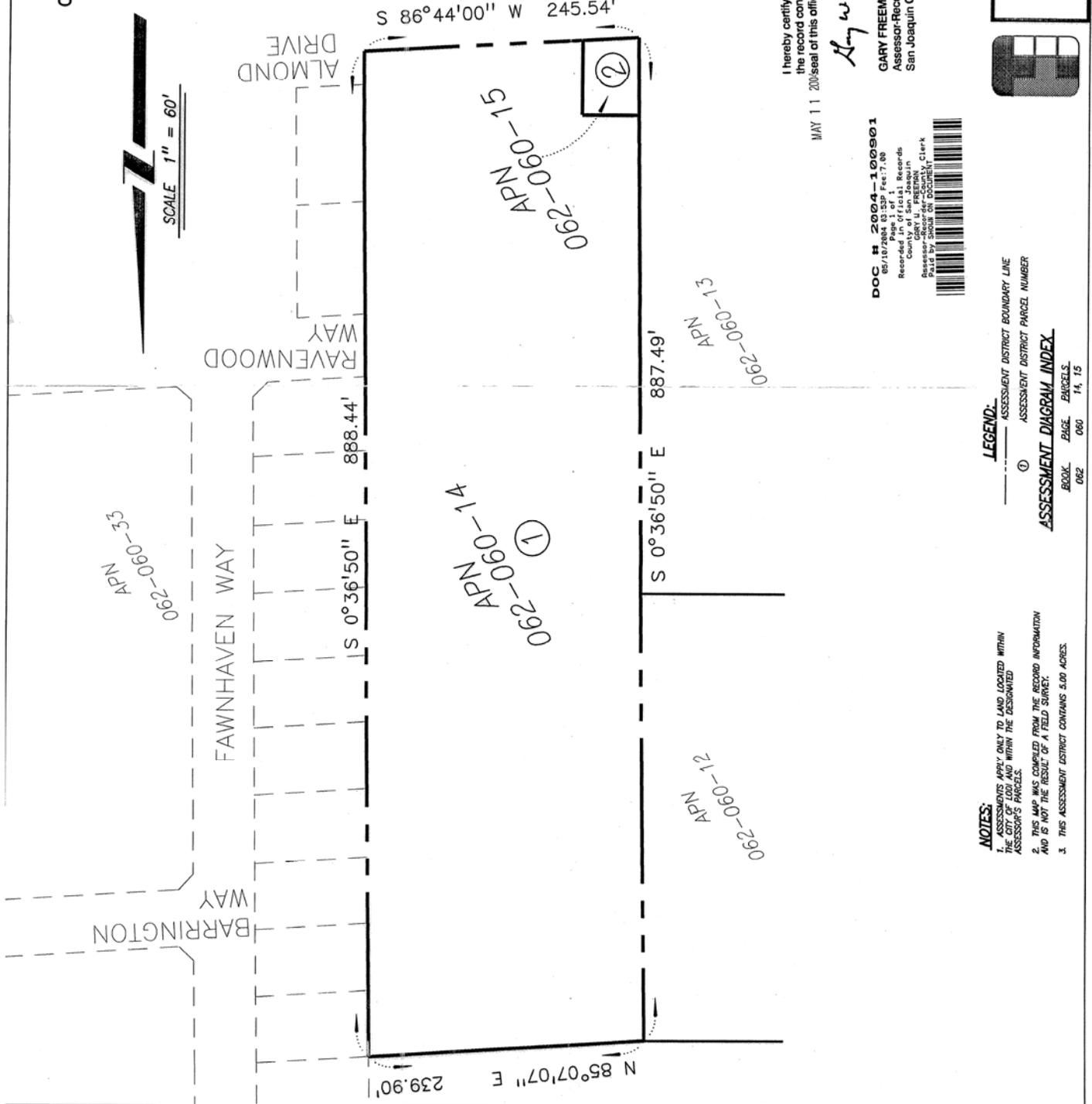
*[Signature]*  
 GARY FREEMAN  
 Assessor-Recorder-Clerk  
 San Joaquin County, CA



EXHIBIT C  
 SHEET 1 OF 1



**THOMPSON-HYSELL  
 ENGINEERS**  
 A DIVISION OF THE KEITH COMPANIES, INC.  
 1016 12TH STREET, MODESTO, CA 95354 (209) 521-8866



SCALE 1" = 60'

DOC # 2004-100901  
 00/1872002 to 100901 Fee: 7.00  
 Page 1 of 1 Records  
 Recorded in Official Records  
 County of San Joaquin  
 Clerk: GARY U. FREEMAN  
 Recorder's Office  
 Paid by SHOW ON DOCUMENT



LEGEND:

---	ASSESSMENT DISTRICT BOUNDARY LINE
①	ASSESSMENT DISTRICT PARCEL NUMBER
---	ASSESSMENT DIAGRAM INDEX
062	BOOK
060	PAGE
14, 15	PARCELS

- NOTES:
- ASSESSMENTS APPLY ONLY TO LAND LOCKED WITHIN THE ASSESSMENT DISTRICT WITHIN THE DESIGNATED ASSESSOR'S PARCELS.
  - THIS MAP WAS COMPILED FROM THE RECORD INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.
  - THIS ASSESSMENT DISTRICT CONTAINS 5.00 ACRES.

**PROPOSED AMENDED BOUNDARIES  
(ALMOND NORTH, ZONE 4 ANNEXATION)  
CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 CITY OF LODI,  
SAN JOAQUIN COUNTY  
STATE OF CALIFORNIA**

BEING A PORTION OF THE SOUTHWEST  
QUARTER OF SECTION 14, T.3N., R.6E., M.D.B.&M.,  
CITY OF LODI,  
SAN JOAQUIN COUNTY, CALIFORNIA

**THOMPSON-HYSELL ENGINEERS**  
1016 12th STREET    MODESTO, CALIFORNIA  
MARCH, 2004

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI, THIS 17<sup>th</sup> DAY  
OF MARCH, 2004.



*Sally B. Bault*  
CITY CLERK OF THE CITY OF LODI

RECORDED THIS 19<sup>th</sup> DAY OF MARCH 2004 AT THE HOUR  
OF 11:00 AM IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

*Garry E. Freeman by Christine Mauro*  
COUNTY RECORDER  
OF SAN JOAQUIN COUNTY, CALIFORNIA

I, HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED  
BOUNDARIES OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE  
DISTRICT NO. 2003-1, CITY OF LODI, SAN JOAQUIN  
COUNTY, CALIFORNIA, WAS FILED FOR RECORD IN THE OFFICE OF  
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA  
ON THE 17<sup>th</sup> DAY OF MARCH, 2004, BY ITS RESOLUTION NO. 2004-49

*Sally B. Bault*  
CITY CLERK OF THE CITY OF LODI

THE AMENDED BOUNDARY MAP AROUND THE BOUNDARY MAP FOR CITY OF LODI  
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1  
CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF CALIFORNIA PRIOR RECORDED  
AT BOOK 4 OF MAPS AND ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS  
IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF  
SAN JOAQUIN, STATE OF CALIFORNIA.

DOC # 2004-056434  
83/15/7/00  
Page 1 of 1  
Recorded in Official Records  
County of San Joaquin  
Garry E. Freeman, Clerk  
Submitted for Recording on 03/17/04  
Paid by SHOWN ON DOCUMENT

LEGEND:  
OVERALL DISTRICT BOUNDARY LINE



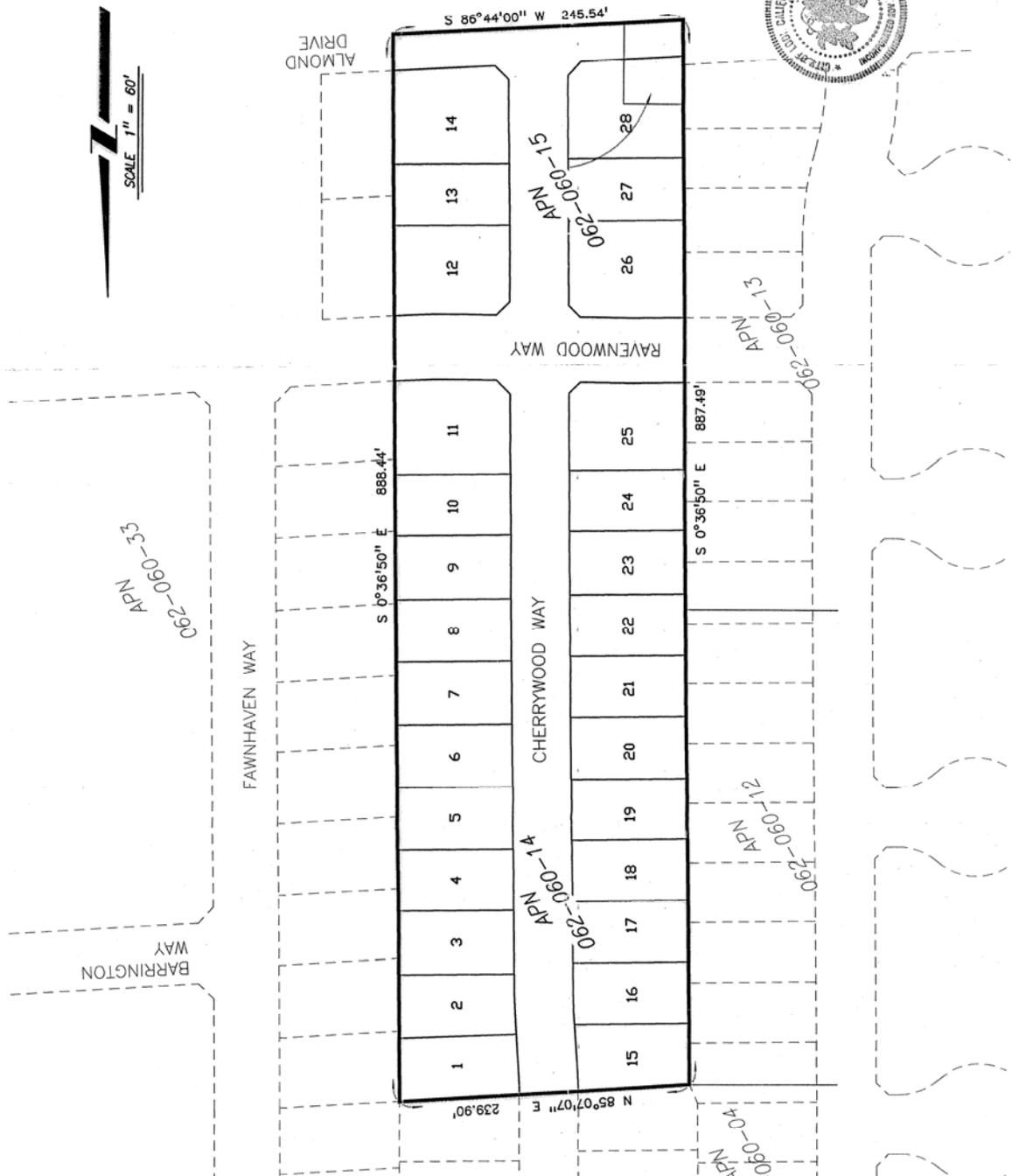
SHEET 1 OF 1

When embossed, and printed in purple ink, this is certified to

MAR 19 2004

ELO

SCALE 1" = 60'



ASSESSMENT DIAGRAM, ZONE 5  
 LEGACY ESTATES I & II, AND KIRST ESTATES  
 CITY OF LODI CONSOLIDATED LANDSCAPE  
 MAINTENANCE ASSESSMENT DISTRICT  
 NO. 2003-1 CITY OF LODI,  
 SAN JOAQUIN COUNTY  
 STATE OF CALIFORNIA

BEING THE SOUTHEAST PORTION OF SECTION 15  
 T.3 N., R. 6 E., M. D. B. & M.,  
 CITY OF LODI,  
 SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 1<sup>st</sup> DAY OF SEPTEMBER 2004.  
*Susan V. Schultz*  
 CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS 2<sup>nd</sup> DAY OF SEPTEMBER 2004.  
*Richard A. Ford*  
 SUPERINTENDENT OF STREETS OF THE CITY OF LODI

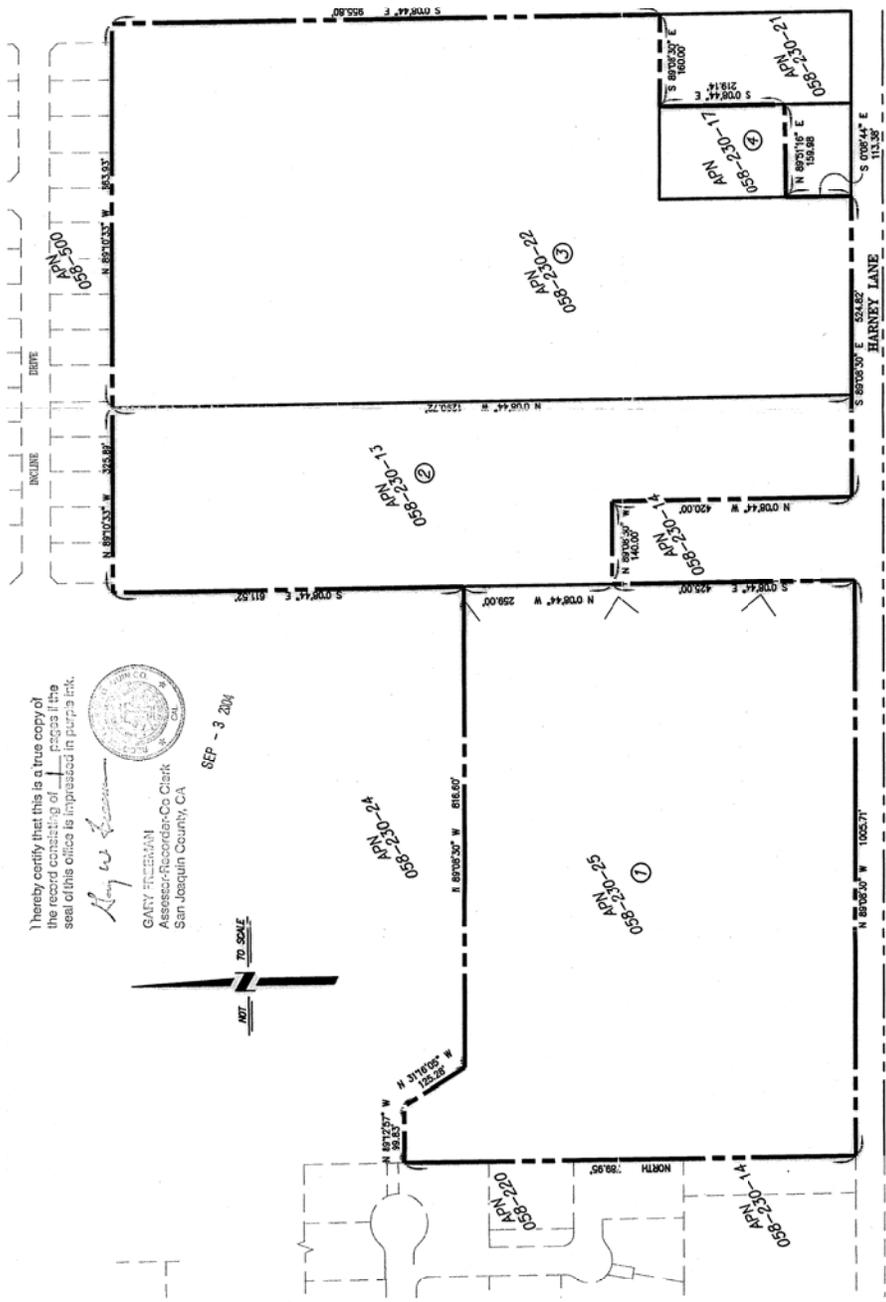
FILED THIS 3<sup>rd</sup> DAY OF SEPTEMBER 2004 AT THE HOUR OF 10:30 O'CLOCK IN BOOK 058 PAGE 230 OF THE MAP OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.  
*Gary W. Finnerby*  
 ASSESSOR-RECORDER-COUNTY CLERK OF SAN JOAQUIN COUNTY, CALIFORNIA

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, ON THE PRECS. AND PARCELS SHOWN ON THIS MAP AND THE CITY OF LODI MAINTENANCE ASSESSMENT DISTRICT MAP AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF LODI ON THE 3<sup>rd</sup> DAY OF SEPTEMBER 2004. THIS MAP IS THE RESULT OF A FIELD SURVEY MADE BY THE SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.



*Susan V. Schultz*  
 CITY CLERK OF THE CITY OF LODI

SHEET 1 OF 1  
**THOMPSON-HYSELL  
 ENGINEERS**  
 A DIVISION OF THE HYDRE CORPORATION, INC.  
 3101 12TH STREET, SACRAMENTO, CA 95833 (916) 481-0000



I hereby certify that this is a true copy of the record consisting of 1 page as if the seal of this office is impressed in purple ink.  
*Gary W. Finnerby*  
 GARY Finnerby  
 Assessor-Recorder-Co Clerk  
 San Joaquin County, CA  
 SEP - 3 2004

TO SCALE

DOC # 2004-200733  
 00/03/2004 02:28P Fee:7.00  
 Recorder's Office  
 County of San Joaquin  
 Assessor-Recorder-Co Clerk  
 1011 F STREET, SACRAMENTO, CA 95833



- NOTES:**
- ASSESSMENTS APPLY ONLY TO LAND LOCATED WITHIN THE CITY OF LODI AND WITHIN THE DESIGNATED ASSESSOR'S PARCELS.
  - THIS MAP WAS COMPILED FROM THE RECORD INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.
  - THIS ASSESSMENT DISTRICT CONTAINS 42.80 ACRES.

**LEGEND:**

--- ASSESSMENT DISTRICT BOUNDARY LINE  
 ① ASSESSMENT DISTRICT PARCEL NUMBER

**ASSESSMENT DIAGRAM INDEX**

BOOK	PAGE	PARCELS
058	230	13, 17 (PORTION), 22, 25

I hereby certify that this is a true copy of the record consisting of \_\_\_\_\_ pages if the seal of this office is impressed in purple ink.



GARY FREEMAN  
Assessor-Recorder-Clerk  
San Joaquin County, CA

**PROPOSED AMENDED BOUNDARIES**  
(LEGACY ESTATES I&II AND KIRST ESTATES,  
ZONE 5 ANNEXATION)  
CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 CITY OF LODI,  
SAN JOAQUIN COUNTY  
STATE OF CALIFORNIA

BEING A PORTION OF THE SOUTHEAST  
QUARTER OF SECTION 15, T.3N., R.6E., M.D.B.&M.,  
CITY OF LODI,  
SAN JOAQUIN COUNTY, CALIFORNIA

**THOMPSON-HYSELL ENGINEERS**  
1016 12th STREET  
MODESTO, CALIFORNIA  
JUNE, 2004



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 7 DAY  
OF JULY 2004.

*Susan D. Beckett*  
CITY CLERK OF THE CITY OF LODI

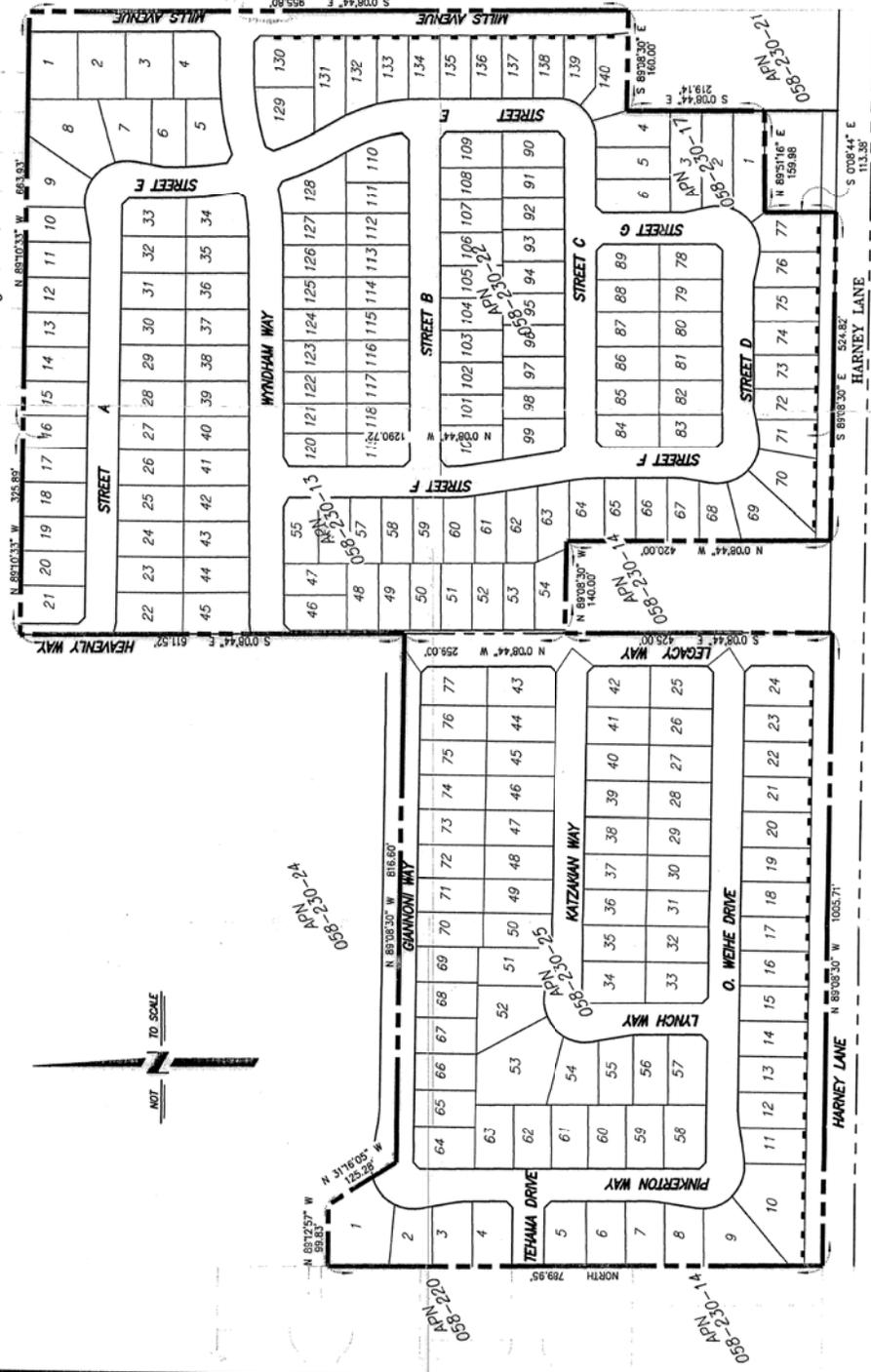
RECORDED THIS 14 DAY OF JULY 2004 AT THE HOUR  
OF 10:00 AM IN THE COUNTY CLERK'S OFFICE OF THE  
COUNTY RECORDER OF SAN JOAQUIN COUNTY, STATE OF CALIFORNIA

*Gary W. Freeman*  
COUNTY RECORDER  
OF SAN JOAQUIN COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF  
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1,  
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA, WAS PREPARED AND  
COUNCIL OF THE CITY OF LODI AT A REGULAR MEETING HELD ON THE  
DAY OF JULY 7, 2004, BY ITS RESOLUTION NO. 2004-136

*Susan D. Beckett*  
CITY CLERK OF THE CITY OF LODI

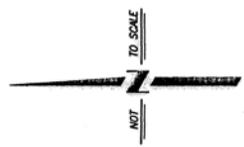
THE AMENDED BOUNDARY MAP AMENDS THE BOUNDARY MAP FOR CITY OF LODI  
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1,  
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA, PREVIOUSLY RECORDED  
AT PAGE 105, IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF  
SAN JOAQUIN, STATE OF CALIFORNIA.



DOC # 2004-155561  
Page 1 of 1 Records  
Recorded: 07/14/2004 12:09 PM P.437.08  
County of San Joaquin  
Assessor-Recorder-Clerk  
Filed by: JENNIFER S. JOHNSON



LEGEND:  
----- OVERALL DISTRICT BOUNDARY LINE



ASSESSMENT DIAGRAM, ZONE 6  
THE VILLAS  
CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 CITY OF LODI,  
SAN JOAQUIN COUNTY  
STATE OF CALIFORNIA

BEING THE SOUTHEAST PORTION OF SECTION 13  
T.3 N., R. 6 E., M. D. B. & M.,  
CITY OF LODI,  
SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 1<sup>st</sup>  
DAY OF SEPTEMBER 2004.

*Snow & Blucht*  
CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS 2<sup>nd</sup>  
DAY OF SEPTEMBER 2004.

*Robert P. ...*  
SUPERINTENDENT OF STREETS  
OF THE CITY OF LODI

3<sup>rd</sup>  
FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 3<sup>rd</sup>  
DAY OF SEPTEMBER 2004 AT THE HOUR  
OF 10:00 AM. BY THE CITY CLERK  
OF THE CITY OF LODI.  
CITY OF LODI, SAN JOAQUIN COUNTY,  
STATE OF CALIFORNIA.

*James W. Freeman*  
ASSESSOR-RECORDERS-COUNTY CLERK  
OF SAN JOAQUIN COUNTY, CALIFORNIA

AN ASSESSMENT WAS LEND BY THE CITY COUNCIL OF THE CITY OF LODI,  
COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, ON THE PIECES AND PARCELS  
OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LEND  
ON THE DATE OF THE ASSESSMENT. THE ASSESSMENT WAS LEND TO THE  
ASSESSOR-RECORDERS-COUNTY CLERK OF THE CITY OF LODI, SAN JOAQUIN  
COUNTY, STATE OF CALIFORNIA, ON THE DATE OF THE ASSESSMENT. THE  
ASSESSMENT SHALL BE RECORDED IN THE OFFICE OF THE SUPERINTENDENT  
OF STREETS OF THE CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF  
CALIFORNIA, ON THE DATE OF THE ASSESSMENT. THE ASSESSMENT OF THE  
REFERENCE IS MADE TO THE ASSESSMENT MAP LEND TO EACH ASSESSOR OF THE  
CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF CALIFORNIA, ON THE DATE  
LEND AGAINST EACH PARCEL OF LAND SHOWN OF THIS ASSESSMENT DIAGRAM.

*Snow & Blucht*  
CITY CLERK OF THE CITY OF LODI

SHEET 1 OF 1

**THOMPSON-HYSELL  
ENGINEERS**  
A DIVISION OF THE KIMLEY-HORN & CO., INC.  
10114 12TH STREET, SACRAMENTO, CA 95831 (916) 487-4000



I hereby certify that this is a true copy of  
the record consisting of 1 pages if the  
seal of this office is impressed in purple ink.

*Gary Freeman*  
GARY FREEMAN  
Assessor-Recorder-Clerk  
San Joaquin County, CA

SEP - 3 2004

DOC # 2004-209731  
8/18/2004 02:20P Pac7.00

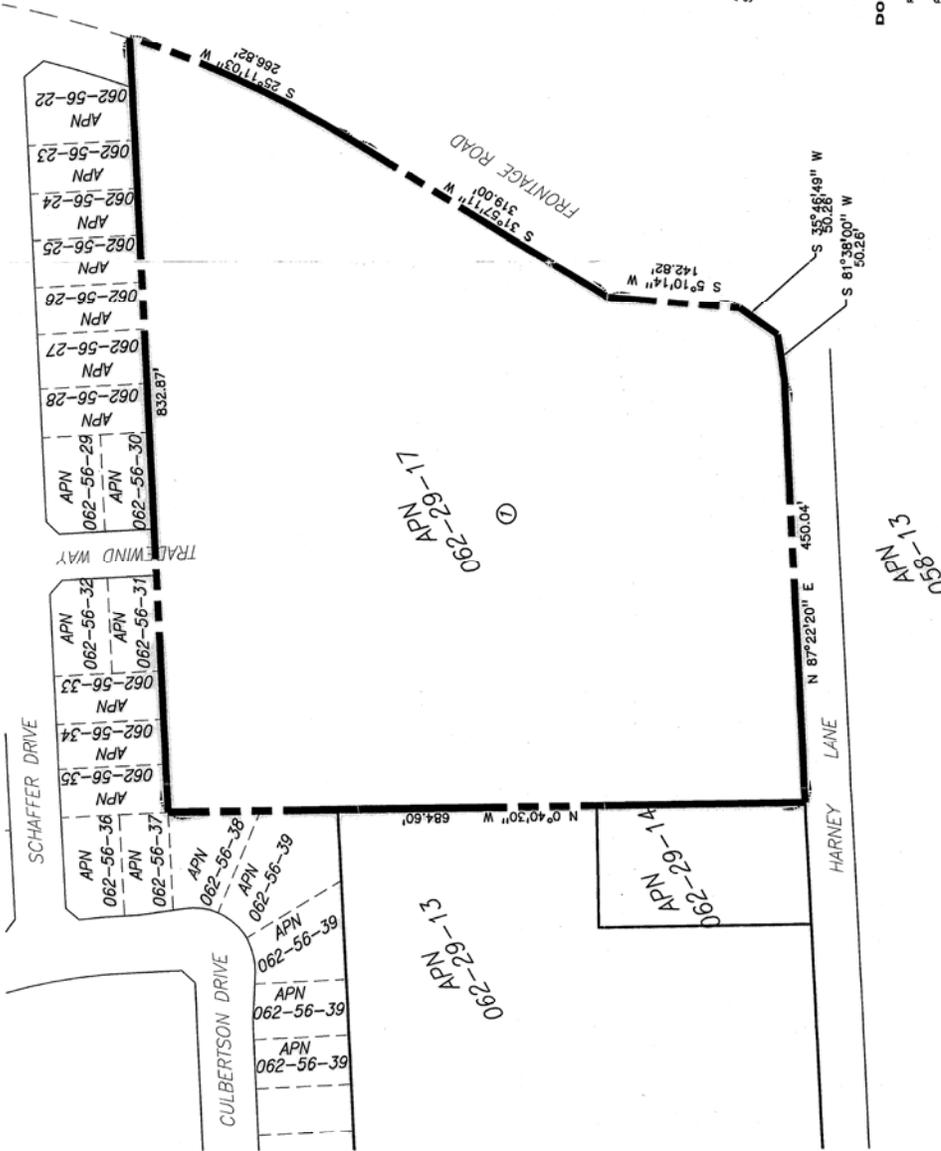


**LEGEND:**  
--- ASSESSMENT DISTRICT BOUNDARY LINE  
① ASSESSMENT DISTRICT PARCEL NUMBER

ASSESSMENT DIAGRAM INDEX

BOOK	PAGE	PARCELS
062	290	17

- NOTES:**
- ASSESSMENTS APPLY ONLY TO LAND LOCATED WITHIN THE CITY OF LODI AND WITHIN THE DESIGNATED ASSESSOR'S PARCELS.
  - THIS MAP WAS COMPILED FROM THE RECORD INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.
  - THIS ASSESSMENT DISTRICT CONTAINS 1029 ACRES.



**PROPOSED AMENDED BOUNDARIES  
(THE VILLAS, ZONE 6 ANNEXATION)  
CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 CITY OF LODI,  
SAN JOAQUIN COUNTY  
STATE OF CALIFORNIA**

BEING A PORTION OF THE SOUTHEAST  
QUARTER OF SECTION 13, T.3N., R.6E., M.D.B.&M.,  
CITY OF LODI,  
SAN JOAQUIN COUNTY, CALIFORNIA

**THOMPSON-HYSELL ENGINEERS**  
1016 12th STREET  
JUNE, 2004  
MODESTO, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI, THIS 7 DAY  
OF JULY 2004.



*Stan Bell*  
CITY CLERK OF THE CITY OF LODI

RECORDED THIS 14 DAY OF JULY 2004 AT THE HOUR  
OF 12:00 O'CLOCK P.M. IN BOOK PAGE 27  
OF MAP OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF  
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

*Gary Freeman*  
COUNTY RECORDER  
OF SAN JOAQUIN COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED  
BOUNDARIES OF THE CITY OF LODI CONSOLIDATED LANDSCAPE  
ASSESSMENT DISTRICT NO. 2003-1, CITY OF LODI, SAN JOAQUIN  
COUNTY, CALIFORNIA WAS APPROVED BY THE CITY COUNCIL OF THE  
CITY OF LODI AT A REGULAR MEETING THEREOF, HELD ON THE  
DAY OF JULY, 2004, BY ITS RESOLUTION NO. 2004-136  
CITY CLERK OF THE CITY OF LODI

DOC # 2004-155562

07/14/2004 12:09P Fee:7.80  
Recorded in Official Records  
County of San Joaquin  
Assessor-Recorder-Clerk  
MAIL ROOM

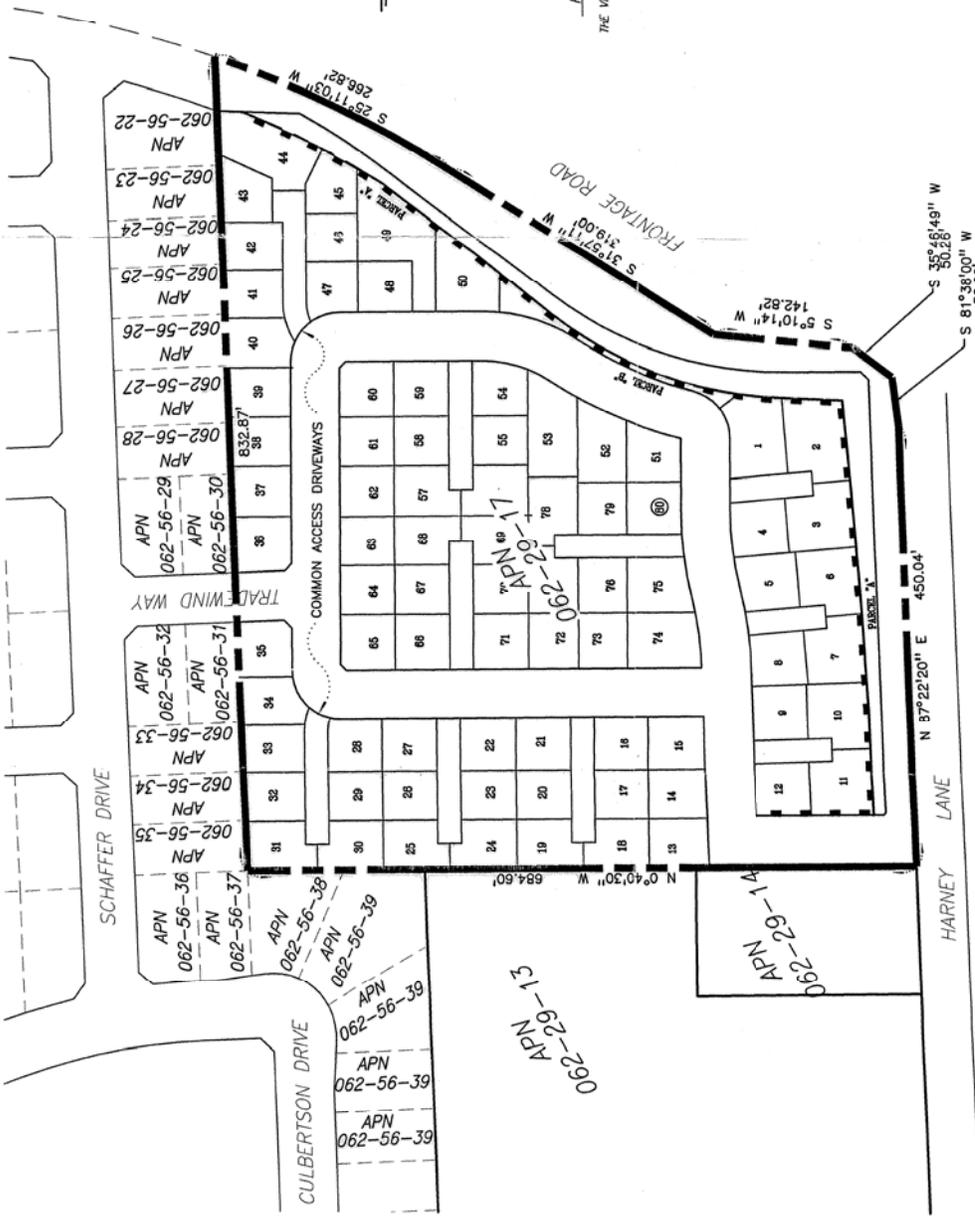


**LEGEND:**

--- OVERALL DISTRICT BOUNDARY LINE

SHEET 1 OF 1

E 07



I hereby certify that this is a true copy of  
the record consisting of \_\_\_\_\_ pages if the  
seal of this office is impressed in purple ink.



*Gary Freeman*  
JUL 14 2004  
GARY FREEMAN  
Assessor-Recorder-Co Clerk  
San Joaquin County, CA

058-13  
APN

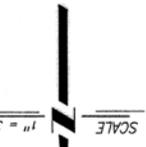
DOC # 2004-260282  
12/29/04 09:13P Rec'd  
Recorder's Office  
County of San Joaquin  
Assessor-Clerk M. FREEMAN  
Paid by INDIVIDUAL ON DOCUMENT

**LEGEND**

① --- ASSESSMENT DISTRICT BOUNDARY LINE  
--- ASSESSMENT DISTRICT PARCEL NUMBER

**ASSESSMENT DIAGRAM INDEX**

BOOK	PAGE	PARCELS
015	230	09



I hereby certify that this is a true copy of the record consisting of \_\_\_\_\_ pages if the seal of this office is impressed in purple ink.

GARY FREEMAN  
Assessor-Recorder Co. Clerk  
San Joaquin County, CA

ASSESSMENT DIAGRAM, ZONE 7  
WOODLAKE MEADOW  
CITY OF LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 CITY OF STOCKTON,  
SAN JOAQUIN COUNTY  
STATE OF CALIFORNIA

BEING PORTIONS OF SECTIONS 34,  
T.4 N., R.6 E., M.D.B. & M.,  
CITY OF STOCKTON,  
SAN JOAQUIN COUNTY, CALIFORNIA

THOMPSON-HYSELL ENGINEERS  
1016 12th STREET  
MODESTO, CALIFORNIA  
OCTOBER, 2004

RECORDED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 15  
DAY OF DECEMBER, 2004.

*[Signature]*  
CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS 16  
DAY OF DECEMBER, 2004.

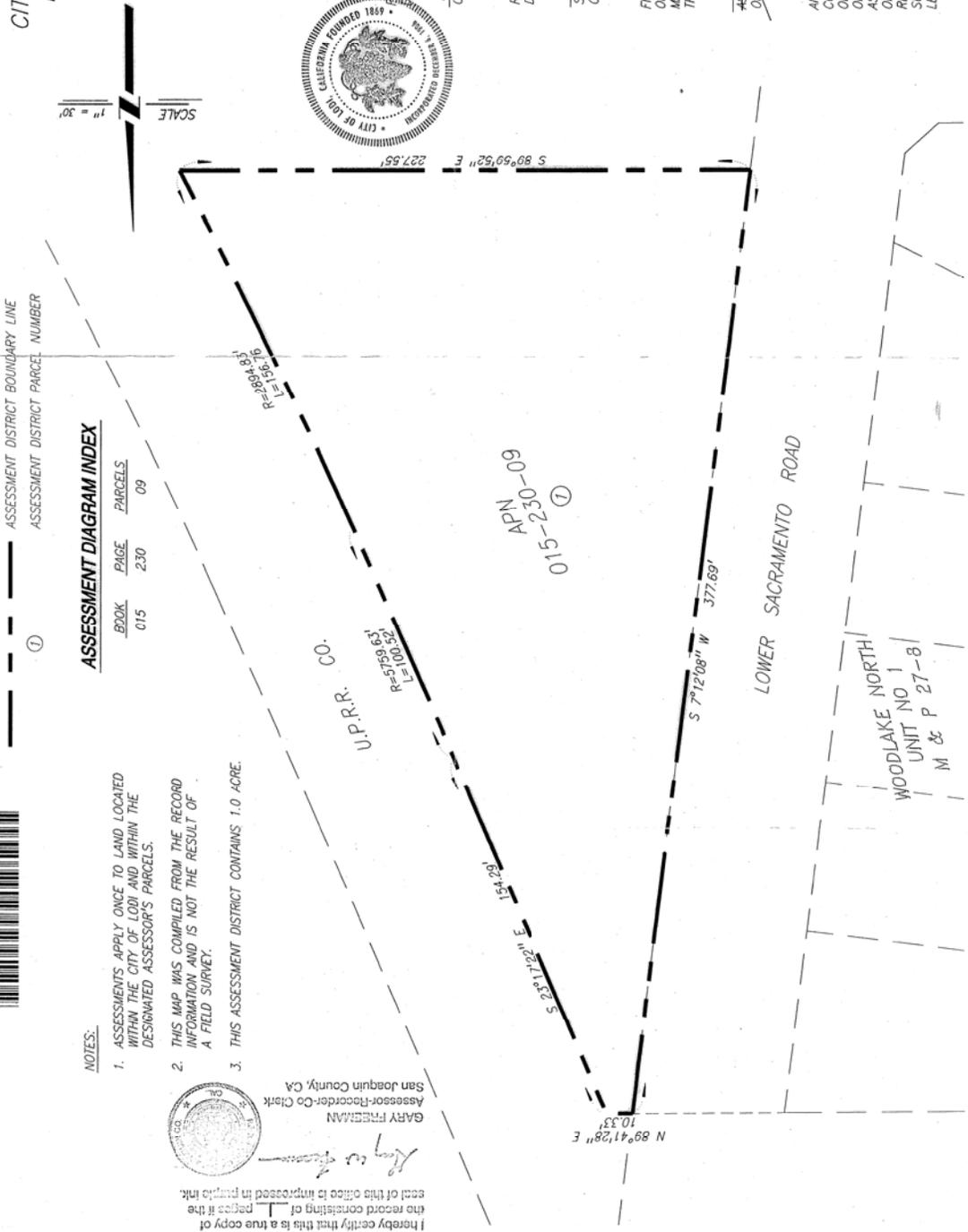
*[Signature]*  
SUPERINTENDENT OF STREETS  
OF THE CITY OF LODI

FILED THIS 30<sup>th</sup> DAY OF December, 2004 AT THE HOUR  
OF 02:13 P.M. IN BOOK 541 PAGE 41  
MAP OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF  
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

*[Signature]*  
ASSESSOR-RECORDER-GAULTY-CLERK  
OF SAN JOAQUIN COUNTY, CALIFORNIA  
*Senate A. Davis*

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF LODI,  
COUNTY OF SAN JOAQUIN STATE OF CALIFORNIA ON THE PICES AND PARCELS  
OF LAND SHOWN ON THE ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LEVIED  
ON THE DAY OF DECEMBER, 2004. THE ASSESSMENT DIAGRAM AND THE  
ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT  
OF STREETS OF THE CITY ON THE 16 DAY OF DECEMBER, 2004.  
REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE  
SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT  
LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

*[Signature]*  
CITY CLERK OF THE CITY OF LODI



APN  
60-230-09  
015-230-09

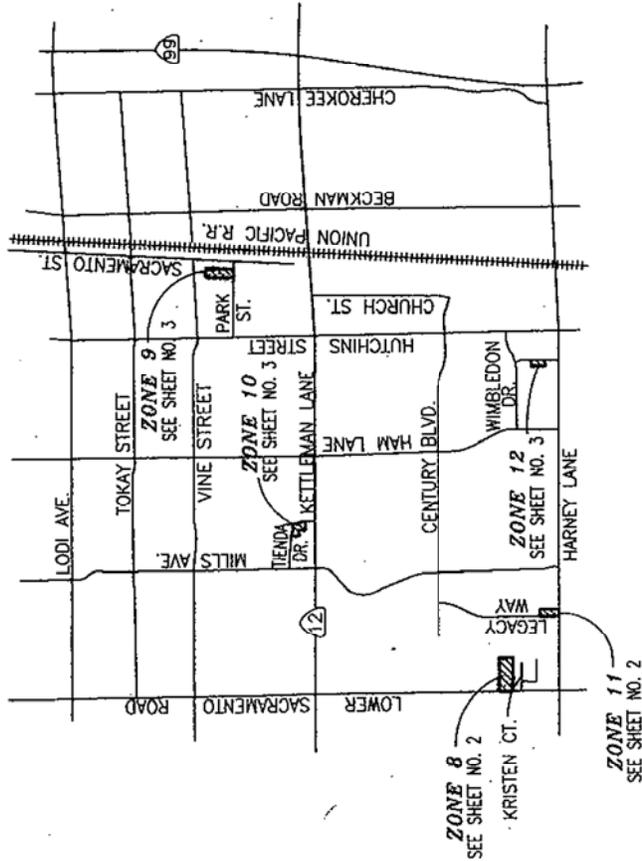
LOWER SACRAMENTO ROAD

WOODLAKE NORTH  
UNIT NO. 1  
M & P 27-81



# AMENDED ASSESSMENT DIAGRAM LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1 ZONES 8-12

CITY OF LODI  
SAN JOAQUIN  
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 15  
DAY OF November, 2003.

*Sharon J. Blalock*  
CITY CLERK  
CITY OF LODI  
SAN JOAQUIN COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN DIAGRAM SHOWING THE PROPOSED ANNETATION INTO THE CITY OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1, CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LODI AT A REGULAR MEETING THEREOF HELD ON THE 14 TH DAY OF October, 2003, BY ITS RESOLUTION NO. 2003-216.

*Sharon J. Blalock*  
CITY CLERK  
CITY OF LODI  
SAN JOAQUIN COUNTY, CALIFORNIA

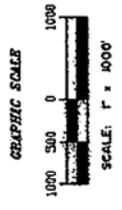
THIS AMENDED ASSESSMENT DIAGRAM WAS ORIGINALLY RECORDED ON OCTOBER 6th 2006, IN BOOK 5, PAGE 68 OF MAPS OF ASSESSMENT DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

FILED THIS 19 DAY OF May, 2006, AT THE HOUR OF 10:50 O'CLOCK A.M., IN BOOK 5 AT PAGE 68 OF MAPS OF ASSESSMENT DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.  
*Maria W. Shambaugh*  
DEPUTY COUNTY RECORDER  
COUNTY OF SAN JOAQUIN

NOTE: FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH PARCEL WITHIN THE DISTRICT REFER TO THE COUNTY OF SAN JOAQUIN ASSESSOR'S MAPS.

### LEGEND

— ANNETATION BOUNDARY/ BENEFIT ZONE BOUNDARY



DOC # 2005-287277  
11/20/2005 12:08 PM:IC

Recorded in Official Records  
County of San Joaquin  
Recorder-Deputy County Clerk  
MAY 19 2006 10:50 AM



# NBS

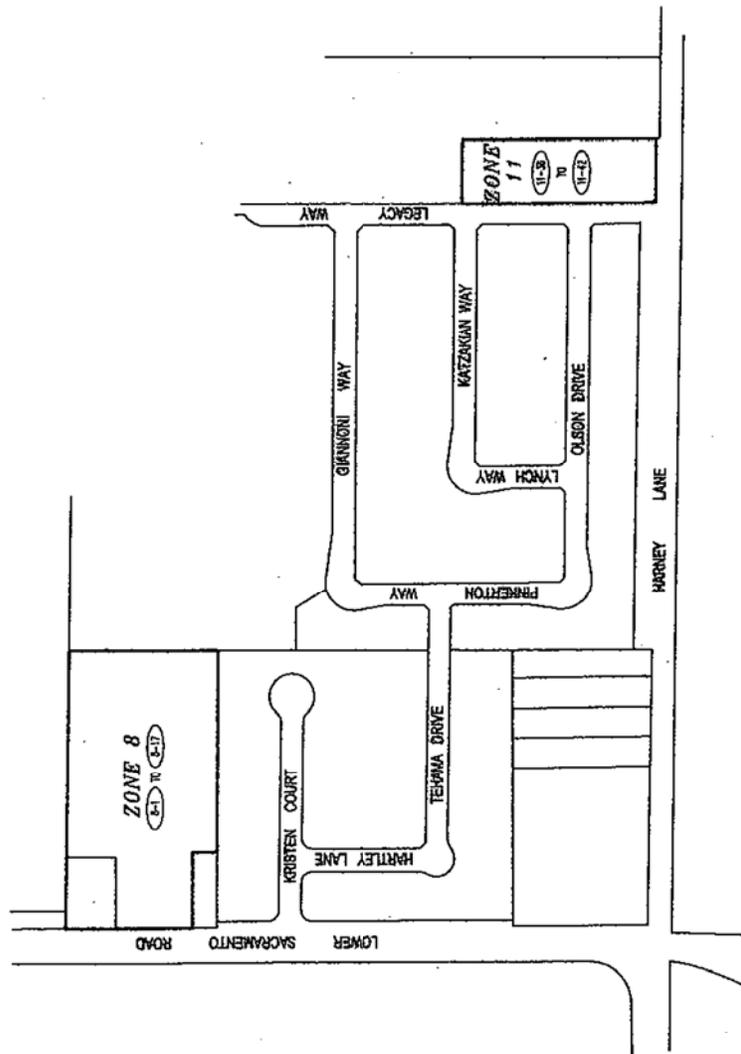
3266 Highway 78 South, Suite 100  
Tennessee, CA 92592

Legal Government Solutions

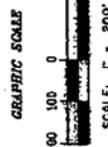
5-78A

**AMENDED ASSESSMENT DIAGRAM**  
**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONES 8-12**

CITY OF LODI  
 COUNTY OF SAN JOAQUIN  
 STATE OF CALIFORNIA



Zone	Assessment Number	ASSESSMENT ID	APN
8	8-1	POR OF	058-230-03
8	8-2	POR OF	058-230-03
8	8-3	POR OF	058-230-03
8	8-4	POR OF	058-230-03
8	8-5	POR OF	058-230-03
8	8-6	POR OF	058-230-03
8	8-7	POR OF	058-230-03
8	8-8	POR OF	058-230-03
8	8-9	POR OF	058-230-03
8	8-10	POR OF	058-230-03
8	8-11	POR OF	058-230-03
8	8-12	POR OF	058-230-03
8	8-13	POR OF	058-230-03
8	8-14	POR OF	058-230-03
8	8-15	POR OF	058-230-03
8	8-16	POR OF	058-230-03
8	8-17	POR OF	058-230-03
8	8-18	POR OF	058-230-03
8	8-19	POR OF	058-230-03
8	8-20	POR OF	058-230-03
8	8-21	POR OF	058-230-03
8	8-22	POR OF	058-230-03
11	11-23	POR OF	058-230-14
11	11-24	POR OF	058-230-14
11	11-25	POR OF	058-230-14
11	11-26	POR OF	058-230-14
11	11-27	POR OF	058-230-14
11	11-28	POR OF	058-230-14
11	11-29	POR OF	058-230-14
11	11-30	POR OF	058-230-14
11	11-31	POR OF	058-230-14
11	11-32	POR OF	058-230-14
11	11-33	POR OF	058-230-14
11	11-34	POR OF	058-230-14
11	11-35	POR OF	058-230-14
11	11-36	POR OF	058-230-14
11	11-37	POR OF	058-230-14
11	11-38	POR OF	058-230-14
11	11-39	POR OF	058-230-14
11	11-40	POR OF	058-230-14
11	11-41	POR OF	058-230-14
11	11-42	POR OF	058-230-14



LEGEND

- ASSESSMENT DISTRICT BOUNDARY
- PARCEL LINES
- ASSESSMENT NUMBER



**NBS**

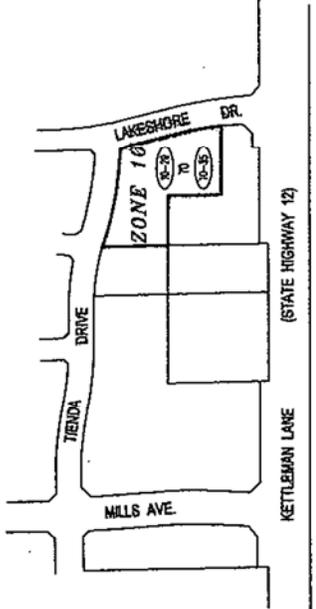
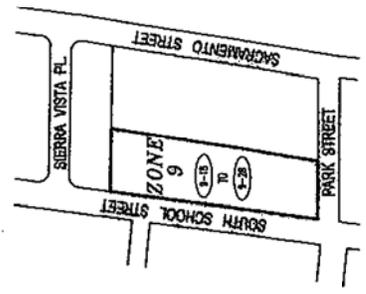
32805 Highway 79 South, Suite 100  
 Fremont, CA 94552  
 Local Government Solutions

5-78A

5-78B

**AMENDED ASSESSMENT DIAGRAM**  
**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONES 8-12**

**CITY OF LODI**  
**COUNTY OF SAN JOAQUIN**  
**STATE OF CALIFORNIA**



Zone	Assessment Number	APN
9	9-18	PAR. 06 043 288 07
9	9-19	PAR. 06 043 289 07
9	9-20	PAR. 06 043 290 07
10	10-18	PAR. 06 043 288 07
10	10-19	PAR. 06 043 289 07
10	10-20	PAR. 06 043 290 07
12	12-18	PAR. 06 043 288 07
12	12-19	PAR. 06 043 289 07
12	12-20	PAR. 06 043 290 07



**LEGEND**  
 — ASSESSMENT DISTRICT BOUNDARY  
 — PARCEL LINES  
 (Circled number) ASSESSMENT NUMBER

**NBS**

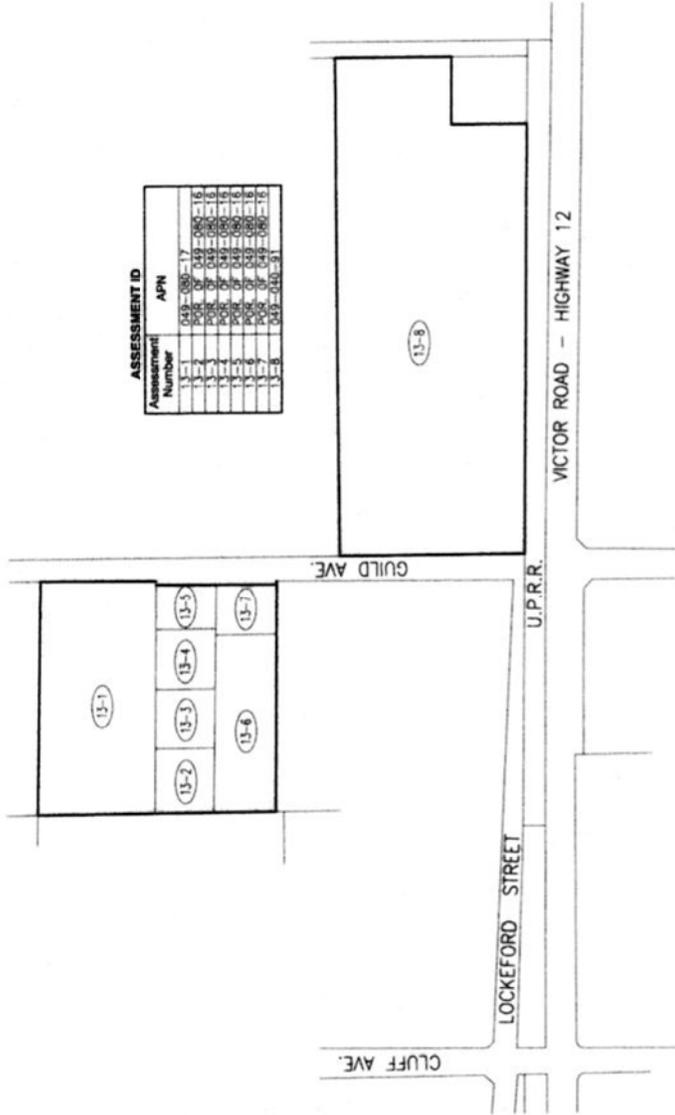
3885 Highway 75, South, Suite 100  
 Fremont, CA 94532  
 Local Government Solutions

5-78B

5-161

SHEET 1 OF 1

**ASSESSMENT DIAGRAM**  
**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONE 13 - GUILD AVENUE INDUSTRIAL**  
 CITY OF LODI  
 SAN JOAQUIN  
 STATE OF CALIFORNIA



ASSESSMENT ID	APN
13-1	049-080-17
13-2	049-080-18
13-3	049-080-19
13-4	049-080-20
13-5	049-080-21
13-6	049-080-22
13-7	049-080-23
13-8	049-080-31

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 21<sup>st</sup> DAY OF FEBRUARY, 2003.

*Christina M. Escamilla*  
 CITY CLERK  
 CITY OF LODI  
 SAN JOAQUIN COUNTY, CALIFORNIA



I HEREBY CERTIFY THAT THE WITHIN DIAGRAM SHOWING THE PROPOSED ANNEXATION MAP OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1, CITY OF LODI, SAN JOAQUIN COUNTY, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LODI AT A REGULAR MEETING THEREOF HELD ON THE 19<sup>th</sup> DAY OF FEBRUARY, 2003, BY ITS RESOLUTION NO. 2003-15.

*Christina M. Escamilla*  
 CITY CLERK  
 CITY OF LODI  
 SAN JOAQUIN COUNTY, CALIFORNIA

FILED THIS 22<sup>nd</sup> DAY OF MAY, 2003, AT THE HOUR OF 1:41 O'CLOCK P.M. IN BOOK 2 AT PAGE 167 OF MAPS OF ASSESSMENT DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

*May W. Escamilla*  
 COUNTY RECORDER  
 COUNTY OF SAN JOAQUIN

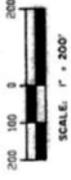
NOTE: FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH PARCEL WITHIN THE DISTRICT REFER TO THE COUNTY OF SAN JOAQUIN ASSESSOR'S MAPS.

Map No. 2003-001-001  
 277.81' x 171.74' = 47.84  
 200' x 100' = 20,000  
 Part of the "Block 10" Assessor's Map

**LEGEND**

- ANNETATION BOUNDARY
- PARCEL LINES
- (13-8) ASSESSMENT NUMBER

**GRAPHIC SCALE**



**NBS**

28605 Highway 79 South, Suite 100  
 Fremont, CA 94592

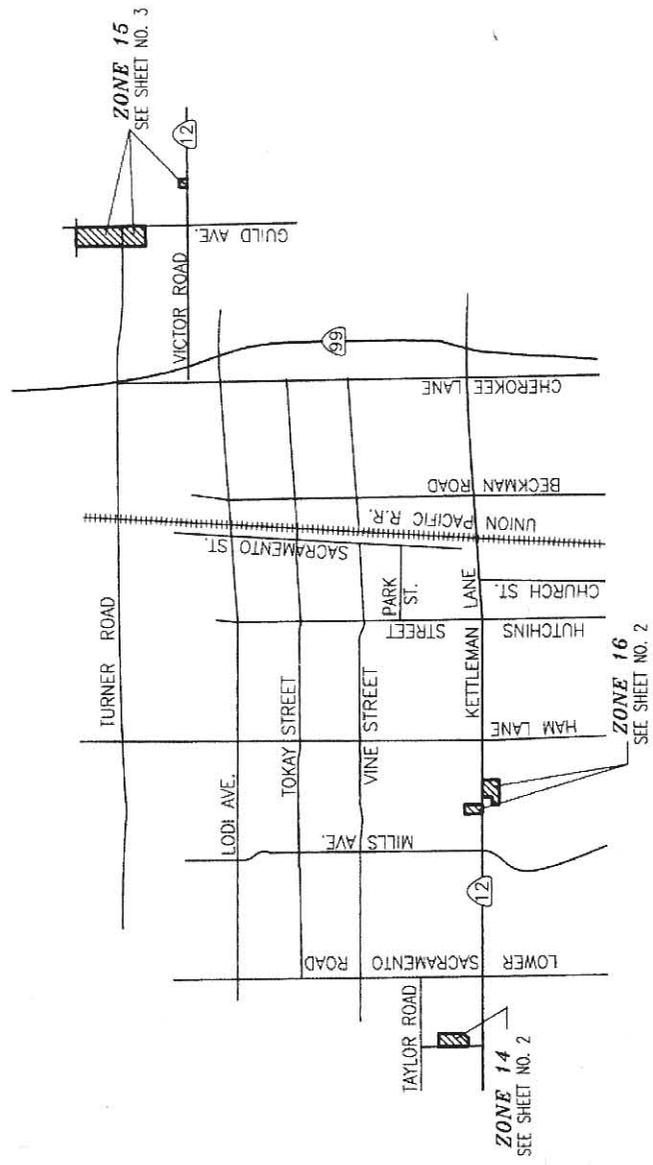
Local Government Solutions

5-161

5-193

SHEET 1 OF 3

**ASSESSMENT DIAGRAM**  
**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONES 14, 15 & 16**  
 CITY OF LODI  
 SAN JOAQUIN COUNTY  
 STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS 21<sup>ST</sup> DAY OF May, 2003.

CITY CLERK  
 JOHN JOHNSON  
 SAN JOAQUIN COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN DIAGRAM SHOWING THE PROPOSED ANNEXATION INTO THE CITY OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1, CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LODI AT A REGULAR MEETING HELD ON THE 13<sup>TH</sup> DAY OF MAY, 2003, BY ITS RESOLUTION NO. 4488-13.

CITY CLERK  
 CITY OF LODI  
 SAN JOAQUIN COUNTY, CALIFORNIA

FILED THIS 13<sup>TH</sup> DAY OF MAY, 2003, AT THE HOUR OF 9:37 O'CLOCK A.M. IN BOOK 108 AT PAGE 108 OF MAPS OF ASSESSMENT DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

DEPUTY COUNTY RECORDER  
 COUNTY OF SAN JOAQUIN  
*Jennifer A. Davis*

NOTE: FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH PARCEL WITHIN THE DISTRICT REFER TO THE COUNTY OF SAN JOAQUIN ASSESSOR'S MAPS.

LEGEND  
 \_\_\_\_\_ ANNEXATION BOUNDARY/ BENEFIT ZONE BOUNDARY



Doc. #: 2003-07168  
 File: Jan 13 09:37:49 PST 2003 9:37 AM  
 Date: Jul 17 2003 11:46 AM  
 Paid By: SHAWN CHOCUMBER  
 Paid On: 07/17/03

**NBS**

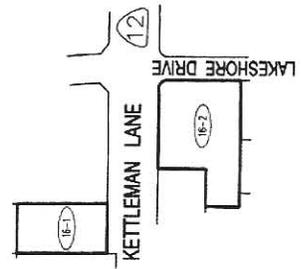
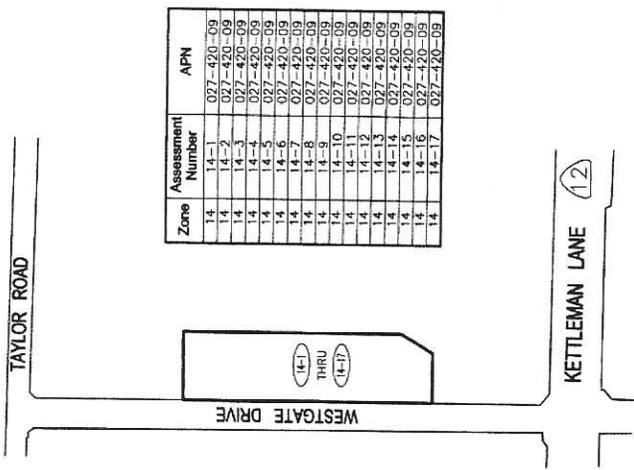
32685 Temecula Parkway, Suite 100  
 Temecula, CA 92592

Local Government Solutions

5-193

**ASSESSMENT DIAGRAM**  
**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONES 14, 15 & 16**

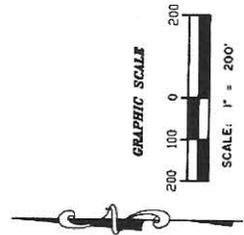
CITY OF LODI  
 COUNTY OF SAN JOAQUIN  
 STATE OF CALIFORNIA



ASSESSMENT ID	
Zone	Assessment Number
16	16-1
16	16-2
16	16-3
16	16-4
16	16-5
16	16-6
16	16-7
16	16-8
16	16-9
16	16-10
16	16-11
16	16-12
16	16-13
16	16-14
16	16-15
16	16-16
16	16-17
16	16-18
16	16-19
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16	16-21
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16	16-41
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16	16-48
16	16-49
16	16-50
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16	16-52
16	16-53
16	16-54
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16	16-63
16	16-64
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16	16-67
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16	16-72
16	16-73
16	16-74
16	16-75
16	16-76
16	16-77
16	16-78
16	16-79
16	16-80
16	16-81
16	16-82
16	16-83
16	16-84
16	16-85

ZONE 16  
 WEST KETTLEMAN LANE COMMERCIAL

ZONE 14  
 LUCA PLACE



**LEGEND**

- ASSESSMENT DISTRICT BOUNDARY
- PARCEL LINES
- ASSESSMENT NUMBER

**NBS**

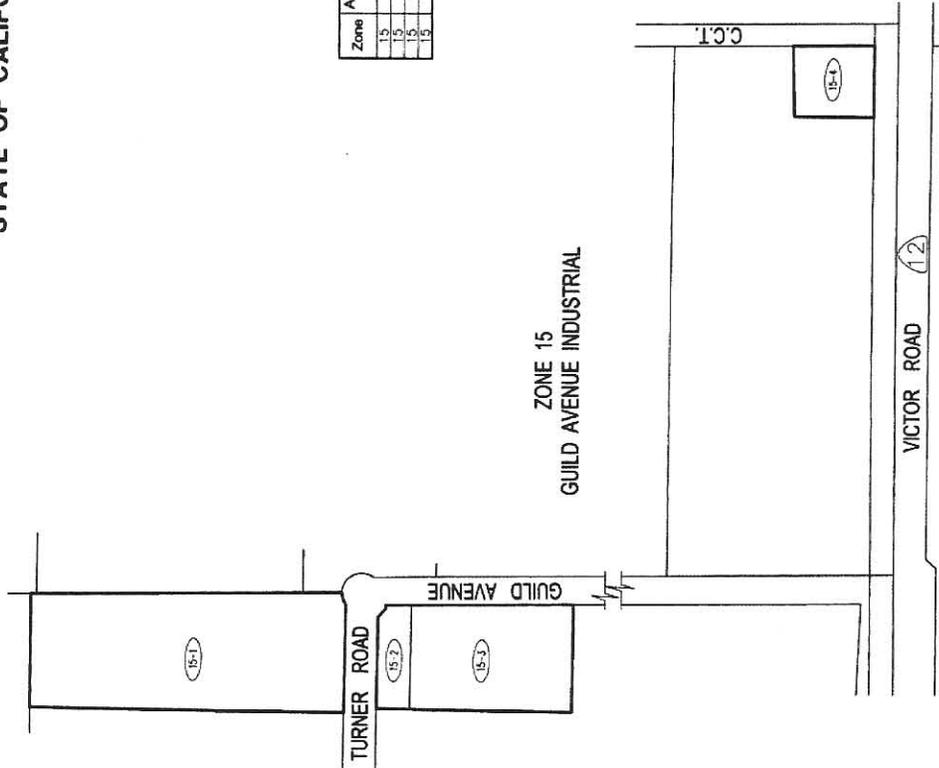
37605 Temecula Parkway, Suite 100  
 Temecula, CA 92592  
 Local Government Solutions

5-193B

SHEET 3 OF 3

**ASSESSMENT DIAGRAM**  
**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONES 14, 15 & 16**

CITY OF LODI  
 COUNTY OF SAN JOAQUIN  
 STATE OF CALIFORNIA



ASSESSMENT ID	
Zone	Assessment Number
15	15-1
15	15-2
15	15-3
15	15-4

APN	
Assessment Number	APN
15-1	049-530-04
15-2	049-530-10
15-3	049-530-11
15-4	049-540-35

ZONE 15  
 GUILD AVENUE INDUSTRIAL



LEGEND

- ASSESSMENT DISTRICT BOUNDARY
- PARCEL LINES
- ASSESSMENT NUMBER

GRAPHIC SCALE



**NBS**

32605 Temecula Parkway, Suite 100  
 Temecula, CA 92592  
 Local Government Solutions

5-193A

## **7. FISCAL YEAR 2011/12 ASSESSMENT ROLL**

The assessment roll for each zone is shown on the following pages. The description of each lot or parcel as part of the records of the County Assessor of the County of San Joaquin are, by reference, made part of this Report.

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONE 1 - ALMONDWOOD ESTATES**  
**FISCAL YEAR 2011/12**  
**ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	062-610-010-000	SFR	n/a	1.00	\$540.05	\$250.96	\$567.06	\$263.44	<b>\$263.44</b>
2	062-610-020-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
3	062-610-030-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
4	062-610-040-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
5	062-610-050-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
6	062-610-060-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
7	062-610-070-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
8	062-610-080-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
9	062-610-090-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
10	062-610-100-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
11	062-610-110-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
12	062-610-120-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
13	062-610-130-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
14	062-610-140-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
15	062-610-150-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
16	062-610-160-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
17	062-610-170-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
18	062-610-180-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
19	062-610-190-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
20	062-610-200-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
21	062-610-210-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
22	062-610-220-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
23	062-610-230-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
24	062-610-240-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
25	062-610-250-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
26	062-610-260-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
27	062-610-270-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
28	062-610-280-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
29	062-610-290-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
30	062-610-300-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
31	062-610-310-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
32	062-610-320-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
33	062-610-330-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
34	062-610-340-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
35	062-610-350-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
36	062-610-360-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
37	062-610-370-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
38	062-610-380-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
39	062-610-390-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
40	062-610-400-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
41	062-620-010-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
42	062-620-020-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
43	062-620-030-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
44	062-620-040-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
45	062-620-050-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
46	062-620-060-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
47	062-620-070-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
48	062-620-080-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
49	062-620-090-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
50	062-620-100-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 1 - ALMONDWOOD ESTATES  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
51	062-620-110-000	SFR	n/a	1.00	\$540.05	\$250.96	\$567.06	\$263.44	<b>\$263.44</b>
52	062-620-120-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
53	062-620-130-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
54	062-620-140-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
55	062-620-150-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
56	062-620-160-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
57	062-620-170-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
58	062-620-180-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
59	062-620-190-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
60	062-620-200-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
61	062-620-210-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
62	062-620-220-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
63	062-620-230-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
64	062-620-240-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
65	062-620-250-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
66	062-620-260-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
67	062-620-270-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
68	062-620-280-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
69	062-620-290-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
70	062-620-300-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
71	062-620-310-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
72	062-620-320-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
73	062-620-330-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
74	062-620-340-000	SFR	n/a	1.00	540.05	250.96	567.06	263.44	<b>263.44</b>
				<b>74.00</b>	<b>\$18,571.04</b>				<b>\$19,494.56</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 2 - CENTURY MEADOWS ONE  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	058-520-010-000	SFR	n/a	1.00	\$408.72	\$229.76	\$429.16	\$219.95	<b>\$219.94</b>
2	058-520-020-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
3	058-520-030-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
4	058-520-040-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
5	058-520-050-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
6	058-520-060-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
7	058-520-070-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
8	058-520-080-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
9	058-520-090-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
10	058-520-100-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
11	058-520-110-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
12	058-520-120-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
13	058-520-130-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
14	058-520-140-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
15	058-520-150-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
16	058-520-160-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
17	058-520-170-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
18	058-520-180-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
19	058-520-190-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
20	058-520-200-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
21	058-520-210-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
22	058-520-220-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
23	058-520-230-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
24	058-520-240-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
25	058-520-250-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
26	058-520-260-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
27	058-520-270-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
28	058-520-280-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
29	058-520-290-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
30	058-520-300-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
31	058-520-310-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
32	058-520-320-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
33	058-520-330-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
34	058-520-340-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
35	058-520-350-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
36	058-520-360-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
37	058-520-370-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
38	058-520-380-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
39	058-520-390-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
40	058-520-400-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
41	058-520-410-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
42	058-520-420-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
43	058-520-430-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
44	058-520-440-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
45	058-520-450-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
46	058-520-460-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
47	058-520-470-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
48	058-520-480-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
49	058-520-490-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
50	058-520-500-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 2 - CENTURY MEADOWS ONE  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
51	058-520-510-000	SFR	n/a	1.00	\$408.72	\$229.76	\$429.16	\$219.95	<b>\$219.94</b>
52	058-520-520-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
53	058-520-530-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
54	058-520-540-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
55	058-520-550-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
56	058-520-560-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
57	058-520-570-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
58	058-520-590-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
59	058-520-600-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
60	058-520-610-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
61	058-520-620-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
62	058-520-630-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
63	058-520-640-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
64	058-520-650-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
65	058-580-010-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
66	058-580-020-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
67	058-580-030-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
68	058-580-040-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
69	058-580-050-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
70	058-580-060-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
71	058-580-070-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
72	058-580-080-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
73	058-580-090-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
74	058-580-100-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
75	058-580-110-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
76	058-580-120-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
77	058-580-130-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
78	058-580-140-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
79	058-580-150-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
80	058-580-160-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
81	058-580-170-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
82	058-580-180-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
83	058-580-190-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
84	058-580-200-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
85	058-580-210-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
86	058-580-220-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
87	058-580-230-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
88	058-580-240-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
89	058-580-250-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
90	058-580-260-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
91	058-580-270-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
92	058-580-280-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
93	058-580-290-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
94	058-580-300-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
95	058-580-310-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
96	058-580-320-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
97	058-580-330-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
98	058-580-340-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
99	058-580-350-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
100	058-580-360-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 2 - CENTURY MEADOWS ONE  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
101	058-580-370-000	SFR	n/a	1.00	\$408.72	\$229.76	\$429.16	\$219.95	<b>\$219.94</b>
102	058-580-380-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
103	058-580-390-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
104	058-580-400-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
105	058-580-410-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
106	058-580-420-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
107	058-580-430-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
108	058-580-440-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
109	058-580-450-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
110	058-580-460-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
111	058-580-470-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
112	058-580-480-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
113	058-580-490-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
114	058-580-500-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
115	058-580-510-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
116	058-580-520-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
117	058-580-530-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
118	058-580-540-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
119	058-580-550-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
120	058-580-560-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
121	058-580-570-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
122	058-580-580-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
123	058-580-590-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
124	058-580-600-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
125	058-580-610-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
126	058-580-620-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
127	058-580-630-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
128	058-580-640-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
129	058-580-650-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
130	058-580-660-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
131	058-580-670-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
132	058-580-680-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
133	058-580-690-000	SFR	n/a	1.00	408.72	229.76	429.16	219.95	<b>219.94</b>
				<b>133.00</b>	<b>\$30,558.08</b>				<b>\$29,252.02</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 3 - MILLSBRIDGE II  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	031-040-140-000	SFR	n/a	1.00	\$421.75	\$202.76	\$442.83	\$159.11	<b>\$159.10</b>
2	031-040-150-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
3	031-040-380-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
4	031-040-440-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
5	031-040-450-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
6	031-040-460-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
7	031-040-470-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
8	031-040-480-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
9	031-040-490-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
10	031-290-010-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
11	031-290-020-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
12	031-290-030-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
13	031-290-040-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
14	031-290-050-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
15	031-290-060-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
16	031-290-070-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
17	031-290-080-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
18	031-290-090-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
19	031-290-100-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
20	031-290-110-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
21	031-290-120-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
22	031-290-130-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
23	031-290-140-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
24	031-290-150-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
25	031-290-160-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
26	031-290-170-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
27	031-290-180-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
28	031-290-190-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
29	031-290-200-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
30	031-290-210-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
31	031-290-220-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
32	031-290-230-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
33	031-290-240-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
34	031-290-250-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
35	031-290-260-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
36	031-290-270-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
37	031-290-280-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
38	031-290-290-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
39	031-290-300-000	SFR	n/a	1.00	421.75	202.76	442.83	159.11	<b>159.10</b>
				<b>39.00</b>	<b>\$7,907.64</b>				<b>\$6,204.90</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONE 4 - ALMOND NORTH**  
**FISCAL YEAR 2011/12**  
**ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	062-630-010-000	SFR	n/a	1.00	\$432.85	\$211.86	\$454.49	\$189.23	<b>\$189.22</b>
2	062-630-020-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
3	062-630-030-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
4	062-630-040-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
5	062-630-050-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
6	062-630-060-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
7	062-630-070-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
8	062-630-080-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
9	062-630-090-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
10	062-630-100-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
11	062-630-110-000	DUPL	n/a	2.00	432.85	423.72	454.49	189.23	<b>378.46</b>
12	062-630-120-000	DUPL	n/a	2.00	432.85	423.72	454.49	189.23	<b>378.46</b>
13	062-630130-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
14	062-630-140-000	DUPL	n/a	2.00	432.85	423.72	454.49	189.23	<b>378.46</b>
15	062-630-150-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
16	062-630-160-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
17	062-630-170-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
18	062-630-180-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
19	062-630-190-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
20	062-630-200-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
21	062-630-210-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
22	062-630-220-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
23	062-630-230-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
24	062-630-240-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
25	062-630-250-000	DUPL	n/a	2.00	432.85	423.72	454.49	189.23	<b>378.46</b>
26	062-630-260-000	DUPL	n/a	2.00	432.85	423.72	454.49	189.23	<b>378.46</b>
27	062-630-270-000	SFR	n/a	1.00	432.85	211.86	454.49	189.23	<b>189.22</b>
28	062-630-280-000	DUPL	n/a	2.00	432.85	423.72	454.49	189.23	<b>378.46</b>
				<b>34.00</b>	<b>\$7,203.24</b>				<b>\$6,433.60</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONE 5 - LEGACY I, LEGACY II AND KIRST ESTATES**  
**FISCAL YEAR 2011/12**  
**ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	058-540-010-000	SFR	n/a	1.00	\$308.22	\$205.10	\$323.63	\$193.22	<b>\$193.22</b>
2	058-540-020-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
3	058-540-030-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
4	058-540-040-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
5	058-540-050-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
6	058-540-060-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
7	058-540-070-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
8	058-540-080-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
9	058-540-090-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
10	058-540-100-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
11	058-540-110-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
12	058-540-120-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
13	058-540-130-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
14	058-540-140-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
15	058-540-150-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
16	058-540-160-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
17	058-540-170-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
18	058-540-180-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
19	058-540-190-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
20	058-540-200-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
21	058-540-210-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
22	058-540-220-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
23	058-540-230-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
24	058-540-240-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
25	058-540-250-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
26	058-540-260-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
27	058-540-270-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
28	058-540-280-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
29	058-540-290-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
30	058-540-300-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
31	058-540-310-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
32	058-540-320-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
33	058-540-330-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
34	058-540-340-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
35	058-540-350-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
36	058-540-360-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
37	058-540-370-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
38	058-540-380-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
39	058-540-390-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
40	058-540-400-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
41	058-540-410-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
42	058-540-420-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
43	058-540-430-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
44	058-540-440-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
45	058-540-450-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
46	058-540-460-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
47	058-540-470-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
48	058-540-480-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
49	058-540-490-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
50	058-540-500-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 5 - LEGACY I, LEGACY II AND KIRST ESTATES  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
51	058-540-510-000	SFR	n/a	1.00	\$308.22	\$205.10	\$323.63	\$193.22	<b>\$193.22</b>
52	058-540-520-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
53	058-540-530-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
54	058-540-540-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
55	058-540-550-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
56	058-540-560-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
57	058-540-570-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
58	058-540-580-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
59	058-540-590-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
60	058-540-600-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
61	058-540-610-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
62	058-540-620-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
63	058-540-630-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
64	058-540-640-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
65	058-540-650-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
66	058-540-660-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
67	058-540-670-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
68	058-540-680-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
69	058-540-690-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
70	058-540-700-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
71	058-540-710-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
72	058-540-720-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
73	058-540-730-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
74	058-540-740-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
75	058-540-750-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
76	058-540-760-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
77	058-540-770-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
78	058-560-010-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
79	058-560-020-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
80	058-560-030-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
81	058-560-040-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
82	058-560-050-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
83	058-560-060-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
84	058-560-070-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
85	058-560-080-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
86	058-560-090-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
87	058-560-100-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
88	058-560-110-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
89	058-560-120-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
90	058-560-130-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
91	058-560-140-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
92	585-600-150-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
93	058-560-160-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
94	058-560-170-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
95	058-560-180-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
96	058-560-190-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
97	058-560-200-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
98	058-560-210-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
99	058-560-220-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
100	058-560-230-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONE 5 - LEGACY I, LEGACY II AND KIRST ESTATES**  
**FISCAL YEAR 2011/12**  
**ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
101	058-560-240-000	SFR	n/a	1.00	\$308.22	\$205.10	\$323.63	\$193.22	<b>\$193.22</b>
102	058-560-250-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
103	058-560-260-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
104	058-560-270-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
105	058-560-280-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
106	058-560-290-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
107	058-560-300-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
108	058-560-310-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
109	058-560-320-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
110	058-560-330-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
111	058-560-340-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
112	058-560-350-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
113	058-560-360-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
114	058-560-370-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
115	058-560-380-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
116	585-600-390-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
117	058-560-400-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
118	058-560-410-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
119	058-560-420-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
120	058-560-430-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
121	058-560-440-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
122	058-560-450-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
123	058-560-460-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
124	058-560-470-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
125	058-560-480-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
126	058-560-490-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
127	058-560-500-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
128	058-560-510-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
129	058-560-520-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
130	058-560-530-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
131	058-560-540-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
132	058-560-550-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
133	058-560-560-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
134	058-560-570-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
135	058-560-580-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
136	058-560-590-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
137	058-560-600-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
138	058-560-610-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
139	058-560-620-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
140	058-560-630-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
141	058-560-640-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
142	058-560-650-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
143	058-560-660-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
144	058-560-670-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
145	058-560-680-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
146	058-560-690-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
147	058-560-700-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
148	058-560-710-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
149	058-560-720-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
150	058-560-730-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 5 - LEGACY I, LEGACY II AND KIRST ESTATES  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
151	058-560-740-000	SFR	n/a	1.00	\$308.22	\$205.10	\$323.63	\$193.22	<b>\$193.22</b>
152	058-560-750-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
153	058-570-010-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
154	058-570-020-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
155	058-570-030-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
156	058-570-040-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
157	058-570-050-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
158	058-570-060-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
159	058-570-070-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
160	058-570-080-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
161	058-570-090-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
162	058-570-100-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
163	058-570-110-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
164	058-570-120-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
165	058-570-130-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
166	058-570-140-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
167	058-570-150-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
168	058-570-160-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
169	058-570-170-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
170	058-570-180-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
171	058-570-190-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
172	058-570-200-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
173	058-570-210-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
174	058-570-220-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
175	005-857-023-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
176	058-570-240-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
177	058-570-250-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
178	058-570-260-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
179	058-570-270-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
180	058-570-280-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
181	058-570-290-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
182	058-570-300-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
183	058-570-310-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
184	058-570-320-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
185	058-570-330-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
186	058-570-340-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
187	058-570-350-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
188	058-570-360-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
189	058-570-370-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
190	058-570-380-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
191	058-570-390-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
192	058-570-400-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
193	058-570-410-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
194	058-570-420-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
195	058-570-430-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
196	058-570-440-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
197	058-570-450-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
198	058-570-460-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
199	058-570-470-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>
200	058-570-480-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 5 - LEGACY I, LEGACY II AND KIRST ESTATES  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>	
201	058-570-490-000	SFR	n/a	1.00	\$308.22	\$205.10	\$323.63	\$193.22	<b>\$193.22</b>	
202	058-570-500-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
203	058-570-510-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
204	058-570-520-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
205	058-570-530-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
206	058-570-540-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
207	058-570-550-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
208	058-570-560-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
209	058-570-570-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
210	058-570-580-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
211	058-570-590-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
212	058-570-600-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
213	058-570-610-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
214	058-570-620-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
215	058-570-630-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
216	058-570-640-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
217	058-570-650-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
218	058-600-010-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
219	058-600-020-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
220	058-600-030-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
221	058-600-040-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
222	058-600-050-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
223	058-600-060-000	SFR	n/a	1.00	308.22	205.10	323.63	193.22	<b>193.22</b>	
				<b>223.00</b>			<b>\$45,737.30</b>			<b>\$43,088.06</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 6 - THE VILLAS  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	062-640-010-000	SFR	n/a	1.00	\$702.21	\$381.82	\$737.32	\$282.61	<b>\$282.60</b>
2	062-640-020-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
3	062-640-030-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
4	062-640-040-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
5	062-640-050-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
6	062-640-060-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
7	062-640-070-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
8	062-640-080-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
9	062-640-090-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
10	062-640-100-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
11	062-640-110-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
12	062-640-120-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
13	062-640-130-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
14	062-640-140-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
15	062-640-150-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
16	062-640-160-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
17	062-640-170-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
18	062-640-180-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
19	062-640-190-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
20	062-640-200-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
21	062-640-210-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
22	062-640-220-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
23	062-640-230-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
24	062-640-240-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
25	062-640-250-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
26	062-640-260-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
27	062-640-270-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
28	062-640-280-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
29	062-640-290-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
30	062-640-300-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
31	062-640-310-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
32	062-640-320-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
33	062-640-330-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
34	062-650-010-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
35	062-650-020-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
36	062-650-030-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
37	062-650-040-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
38	062-650-050-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
39	062-650-060-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
40	062-650-070-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
41	062-650-080-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
42	062-650-090-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
43	062-650-100-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
44	062-650-110-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
45	062-650-120-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
46	062-650-130-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
47	062-650-140-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
48	062-650-150-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
49	062-650-160-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
50	062-650-170-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 6 - THE VILLAS  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
51	062-650-180-000	SFR	n/a	1.00	\$702.21	\$381.82	\$737.32	\$282.61	<b>\$282.60</b>
52	062-650-190-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
53	062-650-200-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
54	062-650-210-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
55	062-650-220-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
56	062-650-230-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
57	062-650-240-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
58	062-650-250-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
59	062-650-260-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
60	062-650-270-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
61	062-650-280-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
62	062-650-290-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
63	062-650-300-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
64	062-650-310-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
65	062-650-320-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
66	062-650-330-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
67	062-650-340-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
68	062-650-350-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
69	062-650-360-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
70	062-650-370-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
71	062-650-380-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
72	062-650-390-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
73	062-650-400-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
74	062-650-410-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
75	062-650-420-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
76	062-650-430-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
77	062-650-440-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
78	062-650-450-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
79	062-650-460-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
80	062-650-470-000	SFR	n/a	1.00	702.21	381.82	737.32	282.61	<b>282.60</b>
				<b>80.00</b>	<b>\$30,545.60</b>				<b>\$22,608.00</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 7 - WOODLAKE MEADOW  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	015-600-010-000	SFR	n/a	1.00	\$231.83	\$136.46	\$243.42	\$119.53	<b>\$119.52</b>
2	015-600-020-000	SFR	n/a	1.00	231.83	136.46	243.42	119.53	<b>119.52</b>
3	015-600-030-000	SFR	n/a	1.00	231.83	136.46	243.42	119.53	<b>119.52</b>
4	015-600-040-000	SFR	n/a	1.00	231.83	136.46	243.42	119.53	<b>119.52</b>
5	015-600-050-000	SFR	n/a	1.00	231.83	136.46	243.42	119.53	<b>119.52</b>
				<b>5.00</b>	<b>\$682.30</b>				<b>\$597.60</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 8 - VINTAGE OAKS  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	058-640-010-000	SFR	n/a	1.00	\$506.50	\$506.50	\$531.83	\$404.39	<b>\$404.38</b>
2	058-640-020-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
3	058-640-030-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
4	058-640-040-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
5	058-640-050-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
6	058-640-060-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
7	058-640-070-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
8	058-640-080-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
9	058-640-090-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
10	058-640-100-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
11	058-640-110-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
12	058-640-120-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
13	058-640-130-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
14	058-640-140-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
15	058-640-150-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
16	058-640-160-000	VAC-RES	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
17	058-640-170-000	SFR	n/a	1.00	506.50	506.50	531.83	404.39	<b>404.38</b>
				<b>17.00</b>	<b>\$8,610.50</b>				<b>\$6,874.46</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 9 - INTERLAKE SQUARE  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	045-340-010-000	SFR	n/a	1.00	\$241.11	\$126.36	\$253.16	\$134.59	<b>\$134.58</b>
2	045-340-020-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
3	045-340-030-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
4	045-340-040-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
5	045-340-050-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
6	045-340-060-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
7	045-340-070-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
8	045-340-080-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
9	045-340-090-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
10	045-340-100-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
11	045-340-110-000	SFR	n/a	1.00	241.11	126.36	253.16	134.59	<b>134.58</b>
				<b>11.00</b>	<b>\$1,389.96</b>				<b>\$1,480.38</b>

\* Dwelling Unit Equivalent

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 10 - LAKESHORE PROPERTIES  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>ASSESSOR'S NO. PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1 031-330-010-000	SFR	n/a	1.00	\$202.46	\$112.00	\$212.59	\$119.29	<b>\$119.28</b>
2 031-330-020-000	SFR	n/a	1.00	202.46	112.00	212.59	119.29	<b>119.28</b>
3 031-330-030-000	SFR	n/a	1.00	202.46	112.00	212.59	119.29	<b>119.28</b>
4 031-330-040-000	SFR	n/a	1.00	202.46	112.00	212.59	119.29	<b>119.28</b>
5 031-330-050-000	SFR	n/a	1.00	202.46	112.00	212.59	119.29	<b>119.28</b>
6 031-330-060-000	SFR	n/a	1.00	202.46	112.00	212.59	119.29	<b>119.28</b>
7 031-330-070-000	SFR	n/a	1.00	202.46	112.00	212.59	119.29	<b>119.28</b>
			<b>7.00</b>			<b>\$784.00</b>		
								<b>\$834.96</b>

\* Dwelling Unit Equivalent

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 11 - TATE PROPERTY  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>ASSESSOR'S NO. PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1 058-230-140-000	SFR	n/a	7.00	\$300.92	\$1,347.08	\$315.97	\$202.39	<b>\$1,416.72</b>
			<b>7.00</b>			<b>\$1,347.08</b>		
								<b>\$1,416.72</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 12 - WINCHESTER WOODS  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>ASSESSOR'S NO. PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1 060-220-300-000	SFR	n/a	1.00	\$177.76	\$112.00	\$186.65	\$145.12	<b>\$145.12</b>
2 060-220-310-000	SFR	n/a	1.00	177.76	112.00	186.65	145.12	<b>145.12</b>
3 060-220-320-000	SFR	n/a	1.00	177.76	112.00	186.65	145.12	<b>145.12</b>
4 060-220-330-000	SFR	n/a	1.00	177.76	112.00	186.65	145.12	<b>145.12</b>
5 060-220-340-000	SFR	n/a	1.00	177.76	112.00	186.65	145.12	<b>145.12</b>
6 060-220-350-000	SFR	n/a	1.00	177.76	112.00	186.65	145.12	<b>145.12</b>
7 060-220-360-000	SFR	n/a	1.00	177.76	112.00	186.65	145.12	<b>145.12</b>
8 060-220-370-000	SFR	n/a	1.00	177.76	112.00	186.65	145.12	<b>145.12</b>
			<b>8.00</b>		<b>\$896.00</b>			<b>\$1,160.96</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 13 - GUILD AVENUE INDUSTRIAL  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	049-340-120-000	IND	4.690	18.760	\$113.23	\$142.00	\$118.89	\$8.32	<b>\$156.08</b>
2	049-340-150-000	IND	0.610	2.440	113.23	18.46	118.89	8.32	<b>20.30</b>
3	049-340-160-000	IND	0.569	2.276	113.23	17.22	118.89	8.32	<b>18.94</b>
4	049-340-170-000	IND	0.569	2.276	113.23	17.22	118.89	8.32	<b>18.94</b>
5	049-340-180-000	IND	0.460	1.840	113.23	13.92	118.89	8.32	<b>15.30</b>
6	049-340-190-000	IND	0.569	2.276	113.23	17.22	118.89	8.32	<b>18.94</b>
7	049-340-200-000	IND	1.919	7.676	113.23	58.10	118.89	8.32	<b>63.86</b>
8	049-340-360-000	IND	13.890	55.560	113.23	420.58	118.89	8.32	<b>462.26</b>
				<b>93.104</b>	<b>\$704.72</b>				<b>\$774.62</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 14 - LUCA PLACE  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>ASSESSOR'S NO. PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1 027-420-090-000	SFR	n/a	17.00	\$324.07	\$970.02	\$340.27	\$57.76	<b>\$981.92</b>
			<b>17.00</b>		<b>\$970.02</b>			<b>\$981.92</b>

\* Dwelling Unit Equivalents

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**  
**ZONE 15 - GUILD AVENUE INDUSTRIAL**  
**FISCAL YEAR 2011/12**  
**ASSESSMENT ROLL**

<b>NO.</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1	049-330-100-000	IND	0.555	2.220	\$113.05	\$35.82	\$118.70	\$16.51	<b>\$36.64</b>
2	049-330-110-000	IND	2.500	10.000	113.05	161.40	118.70	16.51	<b>165.10</b>
3	049-330-230-000	IND	5.180	20.720	113.05	334.42	118.70	16.51	<b>342.08</b>
4	049-340-380-000	IND	0.832	3.328	113.05	53.70	118.70	16.51	<b>54.94</b>
				<b>36.268</b>		<b>\$585.34</b>			<b>\$598.76</b>

\* Dwelling Unit Equivalent

**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
 ZONE 16 - WEST KETTLEMAN LANE COMMERCIAL  
 FISCAL YEAR 2011/12  
 ASSESSMENT ROLL**

<b>ASSESSOR'S NO. PARCEL NUMBER</b>	<b>LAND USE</b>	<b>TOTAL ACRES</b>	<b>TOTAL DUE*</b>	<b>2010/11 MAX RATE</b>	<b>2010/11 ASMT</b>	<b>2011/12 MAX RATE</b>	<b>2011/12 ACT RATE</b>	<b>2011/12 ASMT</b>
1 031-330-100-000	COM	0.580	2.910	\$41.03	\$38.38	\$43.08	\$13.47	<b>\$39.20</b>
2 058-160-860-000	COM	1.092	5.460	41.03	72.02	43.08	13.47	<b>73.54</b>
			<b>8.370</b>			<b>\$110.40</b>		
								<b>\$112.74</b>

\* Dwelling Unit Equivalents

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL CONFIRMING  
THE DIAGRAM AND ASSESSMENT FOR THE LODI  
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT  
DISTRICT NO. 2003-1 FOR FISCAL YEAR 2011/12

WHEREAS, the City Council previously completed its proceedings in accordance with and pursuant to the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* ("Act") to establish the *Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1* ("Assessment District"); and

WHEREAS, the City of Lodi has retained NBS for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report, in accordance with §22567 of the Act; and

WHEREAS, the City Council has, by previous resolution, declared its intention to hold a Public Hearing on the levy of the proposed assessment and notice of such hearing has been duly given, in accordance with §22626 of the Act; and

WHEREAS, the City Council has held and concluded a Public Hearing on the levy of the proposed assessment and has considered all objection.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL, AS FOLLOW:

1. **Purpose of Assessment:** The assessment is to be levied and collected to pay the costs of operating, maintaining, and servicing the improvements described in the Annual Report, which is on file with the City Clerk.
2. **Compliance with the Law:** The assessment is in compliance with all provisions of the Act, Article XIII D of the Constitution of the State of California, and the Proposition 218 Omnibus Implementation Act.
3. **Basis of Assessment:** The assessment is based upon the estimated benefit from the improvements described in the Annual Report, which is on file with the City Clerk, and such assessment is calculated without regard to property valuation.
4. **Confirmation of Diagram and Assessment:** The Council hereby confirms the diagram and assessment, as detailed in the Annual Report on file with the City Clerk.
5. **Levy of Assessment:** Pursuant to §22631 of the Act, the adoption of this resolution shall constitute the levy of an assessment for the fiscal year commencing July 1, 2011 and ending June 30, 2012.
6. **Filing of Assessment:** The Council hereby orders NBS to file the assessment, as confirmed, with the San Joaquin County Auditor-Controller.

Dated: June 15, 2011

I hereby certify that Resolution No. 2011-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 15, 2011, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



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

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

**ADVERTISING INSTRUCTIONS**

**SUBJECT: PUBLIC HEARING REGARDING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DIST. NO. 2003-1 FOR FY 2011/12**

**PUBLISH DATE: SATURDAY, MAY 21, 2011**

**LEGAL AD**

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

**SEND AFFIDAVIT AND BILL TO: LNS ACCT. #0510052**  
RANDI JOHL, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED: THURSDAY, MAY 19, 2011**

**ORDERED BY: RANDI JOHL  
CITY CLERK**

*Jennifer M. Robison*  
JENNIFER M. ROBISON, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA BECERRA  
ADMINISTRATIVE CLERK

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

LNS Faxed to the Sentinel at 369-1084 at \_\_\_\_\_ (time) on \_\_\_\_\_ (date) \_\_\_\_\_ (pages)  
Phoned to confirm receipt of all pages at \_\_\_\_\_ (time) \_\_\_\_\_ CF \_\_\_\_\_ MB \_\_\_\_\_ JMR (initials)



## DECLARATION OF POSTING

### **PUBLIC HEARING REGARDING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DIST. NO. 2003-1 FOR FY 2011/12**

On Wednesday, May 25, 2011, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing regarding intention to levy and collect assessments for Lodi Consolidated Landscape Maintenance Assessment Dist. No. 2003-1 for FY 2011/12 (attached and marked as Exhibit A) was posted at the following locations:

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

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

Executed on May 25, 2011, at Lodi, California.

ORDERED BY:

**RANDI JOHL  
CITY CLERK**

  
JENNIFER M. ROBISON, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA BECERRA  
ADMINISTRATIVE CLERK

**NOTICE OF PUBLIC HEARING**

RESOLUTION NO. 2011-80

A RESOLUTION OF THE LODI CITY COUNCIL  
DECLARING ITS INTENTION TO LEVY AND COLLECT  
ASSESSMENTS FOR THE LODI CONSOLIDATED  
LANDSCAPE MAINTENANCE ASSESSMENT  
DISTRICT NO. 2003-1 FOR FISCAL YEAR 2011/12

=====

WHEREAS, the City Council previously completed its proceedings in accordance with and pursuant to the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* ("Act") to establish the *Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1* ("Assessment District"); and

WHEREAS, the City of Lodi has retained NBS for the purpose of assisting with the annual levy of the Assessment District and to prepare and file an Annual Report in accordance with §22567 of the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL, AS FOLLOW:

1. Intention: The City Council hereby declares its intention to levy and collect assessments within the Assessment District to pay the costs of the improvements for the fiscal year commencing July 1, 2011 and ending June 30, 2012. The City Council finds that the public's best interest requires such action.
2. Improvements: The improvements include, but are not limited to: turf, shrubs, plants and trees, landscaping, irrigation and drainage systems, graffiti removal, and associated appurtenances within the public right-of-ways or specific easements. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition.
3. Assessment District Boundaries: The boundaries of the Assessment District are as shown by the assessment diagram filed in the offices of the City Clerk, which map is made a part hereof by reference.
4. Annual Report: Reference is made to the Annual Report prepared by NBS, on file with the City Clerk, for a full and detailed description of the improvements, the boundaries of the Assessment District and zones therein and the proposed assessments upon assessable lots and parcels of land within the Assessment District.
5. Notice of Public Hearing: The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments in accordance with §22629 of the Act. All objections to the assessment, if any, will be considered by the City Council. The Public Hearing will be held on **Wednesday, June 15, 2011, at 7:00 p.m.** or as soon thereafter as is feasible in the City Council Chambers located at 305 West Pine Street, Lodi, CA, 95240. The City Council further orders the City Clerk to publish notice of this resolution in accordance with §22626 of the Act.

6. Increase of Assessment: The maximum assessment is not proposed to increase from the previous year above that previously approved by the property owners (as "increased assessment" is defined in §54954.6 of the Government Code).

Dated: May 18, 2011

=====

I hereby certify that Resolution No. 2011-80 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 18, 2011, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Katzakian, Nakanishi, and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Mounce

ABSTAIN: COUNCIL MEMBERS – None

  
RANDI JOHL  
City Clerk



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Appointments to the Greater Lodi Area Youth Commission ~ Student Appointees and Lodi Arts Commission and Re-Post for Remaining Vacancies on Both Commissions

**MEETING DATE:** June 15, 2011

**PREPARED BY:** City Clerk

**RECOMMENDED ACTION:** Concur with the Mayor’s recommended appointments to the Greater Lodi Area Youth Commission ~ Student Appointees and Lodi Arts Commission and direct City Clerk to re-post for remaining vacancies on both commissions.

**BACKGROUND INFORMATION:** Previously, the City Council directed the City Clerk to post for the vacancies and expiring terms on the Greater Lodi Area Youth Commission ~ Student Appointees and Lodi Arts Commission. The Mayor reviewed the applications, conducted interviews, and recommends that the City Council concur with the following appointments. In addition, it is recommended that the City Council direct the City Clerk to post for an additional 15-day period in order to fill the remaining vacancies on both commissions.

**APPOINTMENTS:**

**Greater Lodi Area Youth Commission**

Student Appointees:

Tyler Bartlam	Term to expire May 31, 2012
Dipa Patel	Term to expire May 31, 2013
Kristen Schlader	Term to expire May 31, 2013

NOTE: Four applicants (one new application and three applications on file); posting 3/2/11; application deadline 4/4/11

**Lodi Arts Commission**

Lina Preszler Term to expire July 1, 2014

NOTE: Three applicants (two new applications and one application on file); posting 3/3/10, 8/18/10, 10/6/10, 1/19/11, 3/2/11, 4/6/11, & 5/4/11; application deadline 5/9/11

**POSTING:**

**Greater Lodi Area Youth Commission**

Student Appointees:

Vacancy	Term to expire May 31, 2013
Vacancy	Term to expire May 31, 2013

**Lodi Arts Commission**

Vacancy	Term to expire July 1, 2012
Vacancy	Term to expire July 1, 2013

APPROVED: \_\_\_\_\_  
Konradt Bartlam, City Manager

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:**               None.

**FUNDING AVAILABLE:**       Not applicable.

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Randi Johl  
City Clerk

RJ/JMR



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Monthly Protocol Account Report  
**MEETING DATE:** June 15, 2011  
**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** None required, information only.

**BACKGROUND INFORMATION:** The City Council, at its meeting of July 19, 2000, adopted Resolution No. 2000-126 approving a policy relating to the City's "Protocol Account." As a part of this policy, it was directed that a monthly itemized report of the "Protocol Account" be provided to the City Council.

Attached please find the cumulative report through May 31, 2011.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** See attached.

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Randi Johl  
City Clerk

RJ/JMR

Attachment

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**APPROVED:** \_\_\_\_\_  
Konradt Bartlam, City Manager





# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Approving the Program Guidelines for the Revised First Time Home Buyer Program.

**MEETING DATE:** June 15, 2011

**PREPARED BY:** Community Development Department

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**RECOMMENDED ACTION:** Adopt Resolution approving the program guidelines for the revised First Time Home Buyer (FTHB) Program.

**BACKGROUND INFORMATION:** In December of 2009 the City received \$800,000 of HOME Program funds from the State Department of Housing and Community Development (HCD) for a First Time Homebuyer (FTHB) Loan Program.

The FTHB Loan Program is intended to provide deferred down-payment assistance loans to first-time homebuyers who are at or below 80 percent of the median income, for the purchase of homes within Lodi. The loans are intended to bridge the "gap" in funding for down-payment and closing costs.

The Program Guidelines that were approved by the City Council and submitted with the grant application in 2009 specified that the funds would be used strictly for an "Acquisition-Only" program. Under those guidelines, any repairs and/or corrections noted during the inspection of the property must be made by the seller prior to the close of escrow.

In the current market, heavy with short sales and foreclosed properties, we are finding that many banks and holding companies are not willing to make even the slightest repairs and are offering properties strictly in an "as-is" condition. As a result, we have made only one loan.

HCD has suggested we revise our program and adopt guidelines that allow for "Acquisition with Rehab" activities, which will allow for the buyer to receive, in addition to the down-payment assistance, up to \$10,000 for repairs after purchasing the home. Staff believes that this transition will allow more qualified applicants to participate over the next 14 months.

There is very little change within the common key elements between the existing Acquisition-Only and the proposed Acquisition with Rehab program guidelines, which are attached as Exhibit A.

### **Program Guidelines – Key Elements**

**Income Eligibility:** Household incomes at or below 80 percent of Area Median Income (AMI). See Exhibit B – Current Income Qualification Limits

Revised FTHB Program Guidelines  
June 15, 2011

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APPROVED: \_\_\_\_\_  
Konradt Bartlam, City Manager

Subsidy Loan Type: Deferred (silent second) loan up to 20 percent of the acquisition price, or \$40,000, whichever is less.

Interest Rate: 2 percent.

Term: Loan shall be "due and payable" 30 years from close of escrow, upon transfer of the property, or when the home is no longer owner-occupied, whichever comes first.

Max. Purchase Price: \$362,790

Buyer Contribution: Minimum 2 percent of the purchase price.

Affordability Period: Five years – Loans up to \$15,000  
Ten years – Loan amount \$15,000 to \$39,999  
Fifteen years – Loan amount \$40,000 to \$60,000.

Qualification Req.: Must not have owned a home in the past three years.  
Must attend and obtain a certificate from an approved first-time homebuyer education/counseling session.

Property Req.: Must be within city limits.  
Housing must be "modest," no more than three bedrooms, two baths.  
No swimming pools.

Qualifying Ratios: The front-end (housing) debt-to-income ratio shall be between 26% and 32% and is the percentage of a borrower's gross monthly income (before deductions) that would cover the cost of the loan principal and interest payment, property taxes, property insurance, mortgage insurance, and HOA dues, if any.

The back-end (total) debt-to-income ratio shall be between 30% and **40%** (*raised from 38% in the original guidelines*) and is the percentage of a borrower's gross monthly income that would cover the cost of housing as described in the paragraph above, plus any other monthly debt payments like car or personal loans and credit card debt, as well as child support and alimony payments.

### **Key Elements of Rehab Guidelines**

When HOME funding is available for First-Time Homebuyer assistance, up to \$10,000 (from all sources) may be used to bring the unit into compliance with health and safety standards and/or to correct code violations. If such repairs are required, a portion of this money may be used to make accessibility modifications for a household member with a disability. With the exception of weatherization improvements, general property improvements are not allowed.

No later than six months following close of escrow, repairs to the housing unit must address all health and safety and code issues, to be in compliance with HOME regulations; otherwise, the loan becomes due and payable.

The buyer will be responsible for obtaining three bids from qualified licensed contractors. Contractors must hold a current and valid State of California General Contractor's license if the work consists of correction of health and safety issues or code violations. For accessibility modifications, the Sponsor may exercise discretion regarding contractors' requirements.

The applicant will select a contractor from one of the approved bids. The applicant will enter into a contract with the contractor and the contractor will be responsible for securing all required permits for the scope of work. Work may not commence until the close of the acquisition loan.

As work progresses, the contractor shall request progress payments as outlined in the contract terms. Final payment of a 10 percent retention will be released to contractor once the contractor submits the following to the Program Operator: (1) lien releases from any subcontractors, material suppliers, and laborers; (2) final or signed off Building Inspection card for contracted work (if applicable); (3) Notice of Completion.

**FISCAL IMPACT:** Program administration and project delivery costs incurred by the City are eligible expenses reimbursed through the grant program.  
\$20,000 – Program Administration  
\$780,000 – FTHB Loan and Project Delivery Costs

**FUNDING AVAILABLE:** HOME Program Funding through State Housing and Community Development

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Jordan Ayers, Deputy City Manager

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Konradt Bartlam  
Community Development Director

KB/jw

Attachments

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
APPROVING PROGRAM GUIDELINES FOR A REVISED  
FIRST TIME HOME BUYER PROGRAM

=====

WHEREAS, the City of Lodi had received State HOME Program funding for a First Time Home Buyer Program in 2009 from the State Department of Housing and Community Development (HCD); and

WHEREAS, the Program Guidelines approved by the City Council at that time were specifically for Acquisition-only activities; and

WHEREAS, in order to meet the needs of the current real estate market the City of Lodi wishes to revise the First Time Homebuyer program to provide funding for Acquisition with Rehab activities.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Program Guidelines, as attached hereto as Exhibit A, to allow funding for Acquisition with Rehab activities through the First Time Home Buyer Program pursuant to the requirements of HCD.

Dated: June 15, 2011

=====

I hereby certify that Resolution No. 2011-\_\_\_\_\_ was passed and adopted by the Lodi City Council in a regular meeting held June 15, 2011, by the following vote:

AYES: COUNCIL MEMBERS –  
NOES: COUNCIL MEMBERS –  
ABSENT: COUNCIL MEMBERS –  
ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

## **Exhibit A**

### **First Time Home Buyer Down-Payment Assistance Acquisition with Rehab**

#### **Program Guidelines**

# City of Lodi

## Homebuyer Acquisition Only/ Acquisition with Rehabilitation Program Guidelines

For:

HOME Investment Partnerships Program

Serving the City of Lodi

CalHome Approved (date)  
CDBG Approved (date)  
HOME Approved (date)

# **HOMEBUYER PROGRAM GUIDELINES**

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## **HOMEBUYER PROGRAM GUIDELINES**

### **1.0. GENERAL**

The above-named entity, hereinafter referred to as the “Sponsor,” has entered into a contractual relationship with the California Department of Housing and Community Development (“HCD”) to administer one or more HCD-funded homebuyer programs. The homebuyer program described herein (the “Program”) is designed to provide assistance to eligible homebuyers in purchasing homes, also referred to herein as “housing units”, located within the Program’s eligible area, as described in Section 3.1.A. The Program provides this assistance in the form of deferred payment “silent” second priority loans as “Gap” financing toward the purchase price and closing costs of affordable housing units that will be occupied by the homebuyers as their primary residence. The Program will be administered by the City of Lodi Community Development Department, (the “Program Operator”).

### **1.1. PROGRAM OUTREACH AND MARKETING**

All outreach efforts will be done in accordance with state and federal fair lending regulations to assure nondiscriminatory treatment, outreach and access to the Program. No person shall, on the grounds of age, ancestry, color, creed, physical or mental disability or handicap, marital or familial status, medical condition, national origin, race, religion, gender or sexual orientation be excluded, denied benefits or subjected to discrimination under the Program. The Sponsor will ensure that all persons, including those qualified individuals with handicaps, have access to the Program.

- A. The Fair Housing Lender and Accessibility logos will be placed on all outreach materials. Fair housing marketing actions will be based upon a characteristic analysis comparison (census data may be used) of the Program’s eligible area compared to the ethnicity of the population served by the Program (includes, separately, all applications given out and those receiving assistance) and an explanation of any underserved segments of the population. This information is used to show that protected classes (age, gender, ethnicity, race, and disability) are not being excluded from the Program. Flyers or other outreach materials, in English and any other language that is the primary language of a significant portion of the area residents, will be widely distributed in the Program-eligible area and will be provided to any local social service agencies. The Program may sponsor homebuyer classes to help educate homebuyers about the home buying process and future responsibilities. Persons who have participated in local homebuyer seminars will be notified about the Program.
- B. The Program Operator will work with local real estate agents and primary lenders to explain the Program requirements for eligible housing units and homebuyers, and to review Program processes. Local real estate agents and primary lenders will also be encouraged to have their customers participate in the Program.
- C. Section 504 of the Rehabilitation Act of 1973 prohibits the exclusion of an otherwise qualified individual, solely by reason of disability, from participation

under any program receiving Federal funds. The Program Sponsor will take appropriate steps to ensure effective communication with disabled housing applicants, residents and members of the public.

## **1.2. APPLICATION PROCESS AND SELECTION**

- A. The Sponsor maintains a waiting list of applicants. Each applicant is asked to complete an application form, which asks for sufficient information concerning income, employment, and credit history to establish preliminary eligibility for Program participation. Completed applications are processed on a first-come-first-served basis. Applications are deemed complete only if all information is completed, the application is signed and dated, and a primary lender's pre-qualification letter is attached to the application. Incomplete applications are returned to the applicant and will not be date/time stamped until complete.
- B. Once the applicant's name comes to the top of the waiting list, their Program eligibility is confirmed and they are invited to a briefing regarding participation in the Program. At the briefing the application is reviewed and the potential homebuyer is given a "Preliminary Eligibility Letter" for the Program along with the following forms: Program Brochure, Attachment (G) Instructions to Home Buyer, List of Participating Lenders, Attachment (E) Sellers Lead-Based Paint Disclosure and the EPA Booklet (Protect Your Family from Lead in Your Home) and (F) Notice to Seller.

If the Program Operator encounters material discrepancies and/or misrepresentations, and/or there are income, asset, household composition, or other important questions that can't be resolved, the Sponsor reserves the right to deny assistance to the household. In this case, the applicant may re-apply after six months have elapsed from the time of written assistance denial.

- C. Each applicant must participate in individual Homebuyer Counseling provided by any HUD-certified homebuyer counseling agency and receive a certificate of completion.
- D. The potential homebuyer is given 60 days in order to find a qualified home and begin securing a primary loan for the housing unit. If during the 60-day time frame, the potential homebuyer is unable to purchase a home, an extension may be given. However, if it appears the potential homebuyer cannot participate in the Program, the reservation of funds expires and the next person on the waiting list is given an opportunity to participate in the Program.

## **1.3. THE HOME PURCHASE PROCESS**

- A. The following is a simplified example of how a primary lender would analyze a homebuyer's finances to determine how much the homebuyer could afford to borrow from the primary lender towards homeownership.

**DEBT SERVICE  
FOR A FAMILY OF FOUR EARNING \$3,388 PER MONTH**

<b>HOUSING PAYMENTS</b>		<b>TOTAL OVERALL PAYMENTS</b>
Principal & Interest Payment	\$ 865	\$1,180 Housing
Insurance	82	+200 <u>Other Debt Service</u>
Taxes	<u>233</u>	\$1,380 Total Debt Service
Total Housing Expense (PITI is 35% of \$3,388)	\$1,180	(Overall debt service per month is 41% of \$3,388)

**OTHER HOUSEHOLD DEBT SERVICE**

Car Payment	\$ 150
Credit Card Payment	<u>50</u>
Total Other Debt	\$ 200

A \$865 per month loan payment equates to borrowing \$143,000 at 5.88% for a 30 year term.

**SUBSIDY CALCULATION  
FOR A FAMILY OF FOUR EARNING \$3,388 PER MONTH**

Purchase Price of Property	\$ 280,000
Less Primary loan amount	<b>143,000</b>
Less down payment of 1%	<u>2,800</u>
 Equals <b>“GAP”</b>	 <b>\$ 134,200</b>
 Plus estimated allowable settlement charges	 <u>8,400</u>
 Equals <b>Total Subsidy</b>	 <b>\$ 142,600</b>

B. The housing unit selection process will be conducted by the homebuyers. Prior to making an offer to purchase an eligible housing unit (see Section 3.0), homebuyer shall provide seller with a disclosure containing the following provisions:

- 1) Homebuyer has no power of eminent domain and, therefore, will not acquire the property if negotiations fail to result in an amicable agreement; and
- 2) Homebuyer's offer is an estimate of the fair market value of the housing

- unit, to be finally determined by a state licensed appraiser;
- 3) The housing unit will be subject to inspection. The housing unit must comply with local codes at the time of construction and local health and safety standards.
  - 4) All housing units built prior to January 1, 1978 will require a lead paint disclosure to be signed by both the homebuyer and Seller (Attachment E);
  - 5) Since the purchase would be voluntary, the seller would not be eligible for relocation payments or other relocation assistance;
  - 6) The seller understands that the housing unit must be either: currently owner-occupied, newly constructed, or vacant for three months prior to submission of the purchase offer.
  - 7) If the seller is not provided with a statement of the above six provisions prior to the purchase offer, the seller may withdraw from the agreement after this information is provided.
- C. Applicant submits executed standard form purchase and sale agreement and primary lender prequalification letter to Program Operator. The purchase and sale agreement will be contingent on the household and housing unit meeting Program eligibility requirements and receiving Program loan approval. Program Operator verifies applicant eligibility, housing unit and loan eligibility and amount of assistance to be provided consistent with these guidelines.
- D. Program Operator, where Program Operator is not the Sponsor, submits recommendation to the Sponsor for approval or denial, including the reasons for the recommendation. Sponsor determines Applicant's approval or denial, and instructs Program Operator to notify Applicant. Program Operator provides written notification to Applicant of approval or denial with reason and, if denied, a copy of the Program's appeal procedures.
- E. When Primary Lender requirements are met, Program funds are deposited into escrow, with required closing instructions and loan documents.
- F. At the time of escrow closing, the Sponsor shall be named as an additional loss payee on fire, flood (if required), and extended coverage insurance for the length of the loan and in an amount sufficient to cover all encumbrances or full replacement cost of the housing unit. A policy of Title Insurance naming the Sponsor as insured is also required.

#### **1.4. HOMEBUYER COSTS**

- A. Eligible households must document that they have the funds necessary for down payment and closing costs as required by the Primary Lender and the Sponsor. The Program's down payment requirement (below) is in place even if the Primary Lender has a lower down payment requirement. If the Primary Lender has a higher down payment requirement, there is no additional down payment requirement required by the Program.
- B. Homebuyer must contribute a minimum down payment of two percent (2%) of the

purchase price, but may contribute more if desired.

- C. Sponsor will not provide more than forty percent (40%) of the acquisition cost (purchase price plus all closing costs)]. The subsidy will write down the cost of the primary lender's loan so that the payments of PITI are within approximately 26 to 32% of the gross household income. The Program Operator will determine the level of subsidy and affordability during underwriting of the Program's loan to make sure that it conforms to the requirements of the HCD funding Program.

## **1.5. HOMEBUYER EDUCATION**

Buying a home can be one of the most confusing and complicated transactions anyone can make. Providing the future homebuyer with informative homebuyer education training, can bring success to the Sponsor, Program Operator, the Program and most importantly, the homebuyer. It has been documented that first-time homebuyers that have had homebuyer education have the ability to handle problems that occur with homeownership. All Program participants are required to attend a Sponsor-approved homebuyer education class. The homebuyer education class will cover such topics as the following: preparing for homeownership; available financing; credit analysis; loan closing; homeownership responsibilities; home maintenance; impact of refinancing and loan servicing. Methods of homebuyer counseling and education may include, but are not limited to: one-on-one counseling between homebuyer, counselor and family/individual and/or group workshops and informational sessions. Tools of instruction may include fliers, brochures, power point presentations, worksheets, etc.

## **1.6. CONFLICT OF INTEREST REQUIREMENTS**

When the Sponsor's program contains Federal funds, the applicable Conflict of Interest requirements of 24 CFR Section 570.611 shall be followed for CDBG assistance, and Section 92.356 of the HOME Final Rule shall be followed for HOME assistance.

## **1.7. NON-DISCRIMINATION REQUIREMENTS**

The Program will be implemented in ways consistent with the Sponsor's commitment to non-discrimination. No person shall be excluded from participation in, denied the benefit of, or be subject to discrimination under any program or activity funded in whole or in part with State funds on the basis of his or her religion or religious affiliation, age, race, color, creed, gender, sexual orientation, marital status, familial status (children), physical or mental disability, national origin, or ancestry, or other arbitrary cause.

## **2.0 APPLICANT QUALIFICATIONS**

### **2.1. CURRENT INCOME LIMITS FOR THE AREA, BY HOUSEHOLD SIZE**

All applicants must certify that they meet the household income eligibility requirements for the applicable HCD program(s) and have their household income documented. The income limits in place at the time of loan approval will apply when determining applicant income eligibility. All applicants must have incomes at or below 80% of the County's area median income (AMI), adjusted for household size, as published by HCD. (Attachment C).

**Household:** Means one or more persons who will occupy a housing unit. Unborn children do not count in family size determination.

**Annual Income:** Generally, the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period.

## 2.2. INCOME QUALIFICATION CRITERIA

Projected annual gross income of the applicant household will be used to determine whether they are above or below the published HCD income limits. Income qualification criteria, as shown in the most recent HCD program-specific guidance at <http://www.hcd.ca.gov/fa/cdbg/GuideFedPrograms.html>, will be followed to independently determine and certify the household's annual gross income. The Program Operator should compare this annual gross income to the income the Primary Lender used when qualifying the household. The Primary Lender is usually underwriting to FHA or conventional guidelines and may not calculate the household income or assets in the same way as required by the Program. Income will be verified by reviewing and documenting tax returns, copies of wage receipts, subsidy checks, bank statements and third-party verification of employment forms sent to employers. All documentation shall be dated within six months prior to loan closing and kept in the applicant file and held in strict confidence.

### A. HOUSEHOLD INCOME DEFINITION:

Household income is the annual gross income of all adult household members that is projected to be received during the coming 12-month period, and will be used to determine program eligibility. Refer to Income Inclusions and Exclusions for further guidance to the types of incomes to be included or excluded when calculating gross annual income. For those types of income counted, gross amounts (before any deductions have been taken) are used. Two types of income that are not considered would be income of minors and live-in aides. Certain other household members living apart from the household also require special consideration. The household's projected ability to pay must be used, rather than past earnings, when calculating income.

The link to Annual Income Inclusions and Exclusions is:

[http://www.hcd.ca.gov/fa/cdbg/FedProgGuideDocs/AppendixB\\_AnnualIncomeInclusionsExclusions.doc](http://www.hcd.ca.gov/fa/cdbg/FedProgGuideDocs/AppendixB_AnnualIncomeInclusionsExclusions.doc)

**See Attachment A: 24 CFR Part 5 Annual Income Inclusions and Exclusions**

### B. ASSETS:

There is no asset limitation for participation in the Program. Income from assets, however, is recognized as part of annual income under the Part 5 definition. An asset is a cash or non-cash item that can be converted to cash. The value of necessary items such as furniture and automobiles are not included. (*Note: it is the income earned – e.g. interest on a savings account – not the asset value, which is counted in annual income.*)

An asset's cash value is the market value less reasonable expenses required to convert the asset to cash, including, for example, penalties or fees for converting financial holdings, and costs for selling real property. The cash value (rather than the market value) of an item is counted as an asset.

The Link to Asset Inclusions and Exclusions is:

[http://www.hcd.ca.gov/fa/cdbg/FedProgGuideDocs/AppendixC\\_AnnualIncomeAssetInclusionsExclusions.doc](http://www.hcd.ca.gov/fa/cdbg/FedProgGuideDocs/AppendixC_AnnualIncomeAssetInclusionsExclusions.doc)

**See Attachment B: Part 5 Annual Income Net Family Asset Inclusions and Exclusions**

### **2.3. DEFINITION OF AN ELIGIBLE HOMEBUYER**

For CDBG, an eligible homebuyer means an individual or individuals or an individual and his or her spouse who meets the income eligibility requirements and is/are not currently on title to real property. Persons may be on title of a manufactured home unit, who are planning to sell the unit as part of buying a home located on real property. Documentation of homebuyer status will be required for all homebuyers. CDBG-funded programs may assist eligible homebuyers who are not “first-time” homebuyers.

HOME and CalHome-funded Programs are required to use the following definition of an eligible homebuyer, which is a “first-time homebuyer” from 8201(1) Title 25 California Code of Regulations:

“First-time homebuyer” means an individual or individuals or an individual and his or her spouse who have not owned a home during the three-year period before the purchase of a home with subsidy assistance, except that the following individual or individuals may not be excluded from consideration as a first-time homebuyer under this definition:

1. a displaced homemaker who, while a homemaker, owned a home with his or her spouse or resided in a home owned by the spouse. A displaced homemaker is an adult who has not, within the preceding two years, worked on a full-time basis as a member of the labor force for a consecutive twelve-month period and who has been unemployed or underemployed, experienced difficulty in obtaining or upgrading employment and worked primarily without remuneration to care for his or her home and family;
2. a single parent who, while married, owned a home with his or her spouse or resided in a home owned by the spouse. A single parent is an individual who is unmarried or legally separated from a spouse and has one or more minor children for whom the individual has custody or joint custody or is pregnant; or
3. an individual or individuals who owns or owned, as a principal residence during the three-year period before the purchase of a home with assistance, a dwelling unit whose structure is:
  - a. not permanently affixed to a permanent foundation in accordance with local or state regulations; or
  - b. not in compliance with state, local, or model building codes and

cannot be brought into compliance with such codes for less than the cost of constructing a permanent structure.

### **3.0. HOUSING UNIT ELIGIBILITY**

#### **3.1. LOCATION AND CHARACTERISTICS**

- A. Housing units to be purchased must be located within the eligible area. The eligible area is described as follows: “Within the Lodi city limits”
- B. Housing unit types eligible for the homebuyer Program are new or previously owned single-family residences; condominiums; or manufactured homes on a single-family lot and placed on a permanent foundation system. HOME does not allow manufactured homes unless on a permanent foundation system.
- C. All housing units must be in compliance with State and local codes and ordinances.
- D. Housing units located within a 100 year flood zone will be required to provide proof of flood insurance with an endorsement naming the City of Lodi as loss payee in order to close escrow.
- E. Housing must be “modest”, so it may not exceed three bedrooms and two bathrooms unless there are documented extenuating circumstances (e.g. it would create an overcrowding situation, there is not a reasonable inventory of homes of this size, etc.) and the Loan Committee approves the exception request.

#### **3.2. CONDITIONS**

- A. Construction Inspection and Determining Need for Repairs.

Once the participating homebuyer has executed a purchase agreement for a housing unit, and prior to a commitment of Program funds, the following steps must be taken for the housing unit to be eligible for purchase under the Program:

- 1) When the Sponsor’s Program utilizes Federal funds and if the housing unit was constructed prior to 1978 then the lead-based paint requirements of Section 3.2.C will apply.
- 2) The Program Operator, a certified housing inspector, or a Sponsor representative will walk through the housing unit, determine if it is structurally sound, and identify any code related and health and safety deficiencies that need to be corrected. A list of code related repair items will be given to the homebuyers and their Realtor to be negotiated with the seller.

If there are one or more health and safety deficiencies, and/or violations of applicable building codes noted in the written report, the Sponsor will approve the subsidy only if:

- a. Repair prior to close of escrow. The buyer and seller agree to make necessary repairs to the dwelling unit prior to transfer of property ownership at their own expense; or
- b. HOME acquisition and rehabilitation loan. If HOME funds are available, the buyer may use up to \$10,000 of the Sponsor’s First-Time Homebuyer loan to make necessary repairs. All health and safety hazards and code violations must be addressed under this option. Examples of allowable expenses include, but are not limited to: foundation repair, electrical repair or rewiring, plumbing or sewer repair, roof repair or replacement, heating system installation or repair, and repair of structurally-significant damaged wood. General property improvements are not eligible unless required to bring the dwelling unit into compliance with local health and safety standards or applicable building codes. For example, sidewalk repair would not be an eligible use of funds. However, if a sidewalk must be removed to correct a sewer problem, funds may be used to replace the portion of the sidewalk removed for the work.. Buyers should note that the use of any Program funds for rehabilitation on a home built before 1978 may incur additional lead-based paint testing. Hiring of a contractor and completion of repairs will be conducted in accordance with the section entitled “Acquisition with Rehabilitation Process” below.

3) With the exception of 1)b. above, upon completion of all work required by the Program Operator, Sponsor, appraiser, pest inspector and/or certified housing inspector, a final inspection will be conducted prior to close of escrow. The inspector will sign off on all required construction work assuring that each housing unit receiving Program assistance is in compliance with local codes and health and safety requirements at the time of purchase and prior to occupancy.

B. Per Section 8208 of the State HOME regulations, no additional HOME assistance, including rehabilitation funds, may be provided during the period starting one year following the filing of the Project Completion Report through the end of the Affordability Period.

The HOME Affordability Period is as follows (amount includes Activity Delivery Costs paid to the State Recipient by HCD):

<b>Amount of HOME Assistance</b>	<b>Period of Affordability in Years</b>
Under \$15,000	5 years
\$15,000 to \$40,000	10 years
Over \$40,000	15 years

C. Lead-Based Paint Hazards: All housing units built prior to 1978 for which HOME or CDBG funding is anticipated are subject to the requirements of this section 3.2.C. Such homes must undergo a visual assessment by a person who has taken HUD’s online Visual Assessment course. Deteriorated paint must be stabilized using work safe methods. Clearance must be obtained after paint stabilization by a DHS certified LBP Risk Assessor/Inspector. HOME and CDBG general administrative and activity delivery funds may be used to pay for lead-based paint visual assessments, and if lead

mitigation and clearance costs are incurred, these programs may incorporate the costs into the calculation of Program assistance.

The following requirements must be met:

- 1) **Notification:** a) Prior to homebuyer's obligation to purchase a pre-1978 home, the Buyer will be given the most recent copy of and asked to read the EPA pamphlet "*Protect Your Family From Lead in Your Home*". (EPA 747-K-94-001). A signed receipt of the pamphlet will be kept in the Sponsor's homebuyer file; b) A notice to residents is required following a risk assessment/inspection using form DHS 8552, which is provided by the DHS-certified Risk Assessor/Inspector; c) a notice to residents is required following lead-based paint mitigation work using Visual Assessment and Lead-based Paint Notice of Presumption and Hazard Reduction form, LBP – 1 (Attachment H).
  - 2) **Disclosure:** Prior to the homebuyer's obligation to purchase a pre-1978 housing unit, the HUD disclosure (Attachment E), "Seller's Lead-based Paint Disclosure" notice must be provided by the seller to the homebuyer.
  - 3) **Inspections:** The Inspector shall conduct a "Visual Assessment" of all the dwelling unit's painted surfaces in order to identify deteriorated paint. All deteriorated paint will be stabilized in accordance with CFR 35.1330 (a) and (b); and a Clearance shall be made in accordance with CFR 35.1340.
  - 4) **Mitigation:** If stabilization is required, the contractor performing the mitigation work must use appropriately trained workers. Prior to the contractor starting mitigation work the Program Operator shall obtain copies of the contractor's and workers' appropriate proof of LBP training, as applicable to the job in order to assure that only qualified contractors and workers are allowed to perform the mitigation.
- D. The Program Operator will: 1) confirm that the housing unit is within the eligible area, 2) will review each proposed housing unit to ensure that it meets all eligibility criteria before funding, and 3) ensure a completed Lead Compliance Document Checklist is placed in each purchaser's file (see Attachment I).

### 3.3. ACQUISITION WITH REHABILITATION PROCESS

As noted above, when HOME funding is available for First-Time Homebuyer assistance, up to \$10,000 (from all sources) may be used to bring the unit into compliance with health and safety standards and/or to correct code violations. If such repairs are required, a portion of this money may be used to make accessibility modifications for a household member with a disability. With the exception of weatherization improvements, general property improvements are not allowed.

**IMPORTANT:** No later than six (6) months following close of escrow, repairs to the housing unit must address ALL health and safety and code issues, to be in compliance with HOME regulations; otherwise, the loan becomes due and payable.

If a portion of the Program loan is used for acquisition with rehabilitation, the following process will be followed:

- The buyer will be responsible for obtaining three (3) bids from qualified licensed contractors. The Sponsor's Program Operator has a list of qualified contractors, or the applicant may solicit bids from other licensed contractors if they meet the standards described below.
- Any funds used for rehabilitation on homes built prior to 1978 will require testing for lead based paint. If the total rehabilitation funds are equal to or less than \$5,000, all surfaces disturbed during rehabilitation and lead hazard reduction must be repaired using safe work practices. If total rehabilitation is between \$5,000 and \$10,000, lead based paint must either be presumed to be present or testing and risk assessment are required. Lead hazard reduction activities must be conducted using safe work practices. The Sponsor will provide a grant to cover all expenses incurred as a result of lead based paint as noted in the section entitled *Lead Based Paint Standards* below, but total rehabilitation, including this grant, may not exceed \$10,000.
- Contractors must hold a current and valid State of California General Contractor's license if the work consists of correction of health and safety issues or code violations. For accessibility modifications, the Sponsor may exercise discretion regarding contractors' requirements. The contractor may not be on the State or Federal debarred contractor lists. The contractor must have current and valid general liability and workmen's compensation insurance if applicable. The contractor must provide a one-year warranty for the work per State regulations.
- The buyer will review the bids with the Program Operator/Sponsor to ensure that the scope of work will correct any deficiencies, that it only includes allowable expenses and that the bids are reasonable, competitive and complete.
- The applicant will select a contractor from one of the Sponsor's/Program Operator's approved bids. All bidding contractors will be notified of the status of their proposals.
- The applicant will enter into a contract with the contractor (see Attachment J).
- The contractor will be responsible for securing all required permits for the scope of work.
- Work may not commence until the close of the acquisition loan.
- As work progresses, the contractor shall provide the buyer with a completed Payment and Construction Approval form (Attachment K) to request progress payments as outlined in the contract terms. The form must be signed by the contractor, the buyer, the inspector, and the Program Operator before a payment may be issued to the contractor.
- Final payment of a 10% retention will be released to contractor once the contractor submits the following to the Program Operator: (1) lien releases from any subcontractors, material suppliers, and laborers; (2) final or signed off Building Inspection card for contracted work (if applicable); (3) Notice of Completion.

### **3.4. ANTI-DISPLACEMENT POLICY AND RELOCATION ASSISTANCE**

Eligible homes will be those that are currently owner-occupied or have been vacant for three months prior to the acceptance of a contract to purchase. A unit is ineligible if its purchase would result in the displacement of a tenant. It is not anticipated that the implementation of the Program will result in the displacement of any persons, households, or families. However, if tenant-occupied homes are included in the Program and relocation becomes necessary, the activity will be carried out in compliance with Sponsor's relocation plan, which describes how those permanently displaced will be relocated and paid benefits in accordance with the following Federal laws.

**A. Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act of 1970**

The federal URA and Real Property Acquisition Policies, as amended by the URA Amendments of 1987, contains requirements for carrying out real property acquisition or the displacement of a person, regardless of income status, for a project or program for which HUD financial assistance (including CDBG and HOME) is provided. Requirements governing real property acquisition are described in Chapter VIII. The implementing regulations, 49 CFR Part 24, require developers and owners to take certain steps in regard to tenants of housing to be acquired, rehabbed or demolished, including tenants who will not be relocated even temporarily.

**B. Section 104(d) of the Housing and Community Development Act of 1974**

Section 104(d) requires each contractor (CHDO or State Recipient), as a condition of receiving assistance under HOME or CDBG, to certify that it is following a residential anti-displacement plan and relocation assistance plan. Section 104(d) also requires relocation benefits to be provided to low-income persons who are physically displaced or economically displaced as the result of a HOME or CDBG assisted project, and requires the replacement of low-income housing, which is demolished or converted. The implementing regulations for Section 104(d) can be found in 24 CFR Part 570(a).

**3.5. PROPER NOTIFICATION AND DISCLOSURES**

- A. Upon selection of a housing unit, a qualified seller and homebuyer will be given the necessary disclosures for the Program. The homebuyer must have read and signed all Program disclosure forms. Any and all property disclosures must be reviewed and signed by the homebuyer and seller.
- B. All owners who wish to sell their housing units must receive an acquisition notice (Attachment F) prior to submission of the homebuyer's original offer. This notice will be included in the contract and must be signed by all owners on title. The disclosure must contain the items listed in 1.3.B. (required for federally-funded programs).

**4.0. PURCHASE PRICE LIMITS**

The purchase price limits for this Program shall not exceed the Maximum HOME Program Purchase Price/After-Rehab Value Limit for Sponsor's County as updated by HCD or HUD.

*Note: For HOME- and CalHome-funded Programs the home purchase price of owner-occupied and homebuyer properties must be limited as follows: For CalHome-funded Programs, the purchase price can not exceed 100% of the area median purchase price as established by comparable sales or information provided by the California Real Estate Association; for HOME-funded Programs the value (with or without rehabilitation) can not exceed 95 percent of the area median purchase price as established by HCD and HUD.*

**Attachment C: MAXIMUM PURCHASE PRICE/AFTER-REHAB VALUE LIMITS**

\*Sponsor will update these limits annually as HCD provides new information.

**5.0. THE PRIMARY LOAN**

Prior to obtaining a loan from the Sponsor, a homebuyer must provide evidence of financing for the maximum amount the Primary Lender is willing to loan (the "primary loan").

**A. QUALIFYING RATIOS**

The front-end (housing) debt-to-income ratio shall be between 26% and 32% and is the percentage of a borrower's gross monthly income (before deductions) that would cover the cost of the loan principal and interest payment, property taxes, property insurance, mortgage insurance, and HOA dues, if any.

The back-end (total) debt-to-income ratio shall be between 30% and 40% and is the percentage of a borrower's gross monthly income that would cover the cost of housing as described in the paragraph above, plus any other monthly debt payments like car or personal loans and credit card debt, as well as child support and alimony payments.

**B. INTEREST RATE**

The primary loan must have a fixed interest rate that does not exceed the current market rate, as established by an index identified in the most recent NOFA. No temporary interest rate buy-downs are permitted.

**C. LOAN TYPE AND TERM**

The primary loan shall be fully amortized and have a term "all due and payable" in no fewer than 30 years. There shall not be a balloon payment due before the maturity date of the Program loan.

**D. IMPOUND ACCOUNT**

All households will be required to have impound accounts for the payment of taxes and insurance to ensure they remain current.

## **6.0. THE PROGRAM LOAN**

### **A. MAXIMUM AMOUNT OF PROGRAM ASSISTANCE**

The amount of Program assistance to a homebuyer toward purchase of a home shall not exceed the maximum HOME subsidy limit for Sponsor's County per bedroom as designated by Section 221(d)(3) and shall never exceed more than 20% of the total indebtedness. **See Attachment C.** Any approved "grant" amount for lead-based paint evaluation and reduction activities or for relocation assistance shall be included in this amount.

### **B. NON-RECURRING CLOSING COSTS**

Non-recurring costs such as credit report, escrow, closing and recording fees, and title report and title insurance, title updates and/or related costs may be included in the Program loan.

### **C. AFFORDABILITY PARAMETERS FOR HOMEBUYERS**

The actual amount of a buyer's Program subsidy shall be computed according to the housing ratio parameters specified in Section 5.0.A.. Each borrower shall receive only the subsidy needed to allow them to become homeowners ("the Gap") while keeping their housing costs affordable. The Program Operator will use the "front-end ratio" of housing-expense-to-income to determine if the amount of the proposed primary loan is acceptable and, ultimately, the Program subsidy amount required, bridging the gap between the acquisition cost (purchase price plus closing costs) less down payment, and the amount of the primary loan.

### **D. RATE AND TERMS FOR PROGRAM LOAN**

All Program assistance to individual households shall be made in the form of deferred payment (interest and principal) loan (DPL).

The Program loan's term shall be for 30 years.

The Program loan's interest rate shall be 2% simple interest.

All Program loan payments shall be deferred because the borrowers will have their repayment ability fully utilized under the primary loan. Loan principal shall not be forgiven, and the loan period cannot be extended.

### **E. COMBINED LOAN-TO-VALUE RATIO**

The loan-to-value ratio for a Program loan, when combined with all other indebtedness to be secured by the property, shall not exceed 100 percent of the sales price plus a maximum of up to 5 percent of the sales price to cover actual closing costs.

## **7.0. PROGRAM LOAN REPAYMENT**

### **7.1. PAYMENTS ARE VOLUNTARY**

Borrowers may begin making voluntary payments at any time.

### **7.2. RECEIVING LOAN PAYMENTS**

A. Program loan payments will be made to:

City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

B. The Sponsor will be the receiver of loan payments or recaptured funds and will maintain a financial record-keeping system to record payments and file statements on payment status. Payments shall be deposited and accounted for in the Sponsor's Program Income Account, as required by HCD programs. The Program lender will accept loan payments from borrowers prepaying deferred loans, and from borrowers making payments in full upon sale or transfer of the property. All loan payments are payable to the Sponsor. The Sponsor may at its discretion, enter into an agreement with a third party to collect and distribute payments and/or complete all loan servicing aspects of the Program.

### **7.3. DUE UPON SALE OR TRANSFER**

In the event that an owner sells, transfers title, or discontinues residence in the purchased property for any reason, the principal balance of the DPL is due and payable, except:

- A. The owner shall be assured a fair return on investment including the owner's investment and any capital improvement. If the Net proceeds are insufficient for the Sponsor to recapture the balance of Program Loan owed, the Sponsor shall share the Net proceeds with the owner in proportion to each party's investment in the property. The Net proceeds are the sales price less repayment of the primary loan, and closing costs.
- B. If the owner of the property dies, and the heir to the property meets income requirements, the First-Time Homebuyer definition, and intends to occupy the home as a principal residence, the heir may be permitted, upon approval of the Sponsor, to assume the loan at the rate and terms the heir qualifies for under the current participation guidelines. If the property owner dies and the heir does not meet eligibility requirements, the loan is due and payable.
- C. If an owner wants to convert the property to a rental unit, or any commercial or non-residential use, the loan is due and payable.
- D. The loan will be in default if the borrower fails to maintain required fire or flood insurance or fails to pay property taxes. See Attachment D on loan defaults for further information on property restrictions.

#### **7.4. LOAN SERVICING POLICIES AND PROCEDURES**

See Attachment D for local loan servicing policies and procedures. While the attached policy outlines a system that can accommodate a crisis that restricts borrower repayment ability, it should in no way be misunderstood: The loan must be repaid. All legal means to ensure the repayment of a delinquent loan as outlined in the Loan Servicing Policies and Procedures will be pursued.

#### **7.5. LOAN MONITORING PROCEDURES**

Sponsor will monitor Borrowers and their housing units to ensure adherence to Program requirements including, but not limited to, the following:

- A. Owner-occupancy
- B. Property tax payment
- C. Hazard insurance coverage
- D. Good standing on Primary loans
- E. General upkeep of housing units

#### **8.0. PROGRAM LOAN PROCESSING AND APPROVAL**

- A. Loan Processing

All homebuyers or their representatives will be sent out an eligibility packet with all the necessary forms, disclosures, information, and application. They should submit a complete application packet with all the Sponsor's Program loan documents executed as well as all the information from the Primary Lender. The Primary Lender should submit: 1) accepted property sales contract with proper seller notification; 2) mortgage application with good faith estimates and first mortgage disclosures; 3) full mortgage credit report and rent verification; 4) current third party income verifications and verifications of assets; 5) homeownership education certificate, if applicable; and 6) signed underwriting transmittal summary and final signed loan application, both from primary lender. Staff will work with local lenders to ensure qualified participants receive only the benefit from the Sponsor's Program needed to purchase the housing unit and that leveraged funds will be used when possible.

- B. Creditworthiness

Qualifying ratios are only a rough guideline in determining a potential borrower's creditworthiness. Many factors such as excellent or poor credit history, amount of down payment, and size of loan will influence the decision to approve or disapprove a particular loan. The borrower's credit history will be reviewed by the Sponsor and documentation of such maintained in the loan file. The Sponsor may elect to obtain a credit report or rely on a current copy obtained by the primary lender.

- C. Documents from Primary Lender

After initial review of the qualified homebuyer's application packet, the Program Operator will request any additional documents needed. Documents may be faxed, but originals shall be received through the mail before Program funds are committed to escrow. Based on receipt and review of the final documents, the Program Operator will do an income certification (using most recent HCD program's guidance on income calculation and determination), and homebuyer certification (review of credit report and income taxes). Documentation of affordability will then be verified and subsidy requirement determined.

**D. Disclosure of Program and Loan Information to Homebuyers**

The Program's application and disclosure forms will contain a summary of the loan qualifications of the borrower with and without Program assistance. Housing ratios with and without Program assistance are also outlined in these guidelines. Information on the Program's application will be documented with third party verifications in the file. For example, the sales contract will provide the final purchase price and outline how much of the closing costs are to be paid by the seller, etc. The appraisal, termite and title report will provide information to substantiate the information in the sales contract and guide the construction inspection. The Program loan application will provide current debt and housing information and will be documented by the credit report and income/asset verifications. The Primary Lender's approval letter and estimated closing cost statement should reflect all the information in the loan package and show any contingencies of loan funding. Reviewing the Primary Lender's loan underwriting documentation will provide basic information about the qualification of the applicant and substantiate the affordability provided by the Program loan. By reviewing and crosschecking all the Primary Lender information, the final Program loan amount approved will fall within the affordability parameters of the Program.

**8.1. COMPLETION OF UNDERWRITING AND APPROVAL OF PROGRAM LOAN**

Once the loan approval package has been completed the Program Operator will submit it to the Sponsor for approval. Sponsor will review the request and may approve it with or without conditions. Upon approval, a final closing date for escrow is set and Program funds are accessed for the homebuyer.

**8.2. PRIMARY AND PROGRAM LOAN DOCUMENT SIGNING**

The homebuyer(s) sign promissory notes, loan agreements, deeds of trust, and statutory lending notices (Truth In Lending (TIL), etc.); the Deeds of Trust are recorded with the County Clerk/Recorder at the same time, and the request(s) for copy of Notice of Default are also recorded with the County Clerk/Recorder.

**8.3. ESCROW PROCEDURES**

The escrow/title company shall review the escrow instruction provided by the Program lender and shall issue a California Land Title Association (CLTA) and the American Land Title Association (ALTA) after closing. The CLTA policy is issued to the homebuyer and

protects them against failure of title based on public records and against such unrecorded risks as forgery of a deed. The ALTA is issued to each lender providing additional coverage for the physical aspects of the property as well as the homebuyer's title failure. These aspects include anything which can be determined by only physical inspection, such as correct survey lines; encroachments; mechanics liens; mining claims and water rights. The Program lender instructs the escrow/title company in the escrow instructions as to what may show on the policy; the amount of insurance on the policy (all liens should be covered) and the loss payee (each lender should be listed as a loss payee and receive an original ALTA).

## **9.0. SUBORDINATE FINANCING**

With today's high costs, in order for a low-income household to obtain a home, several funding sources might be required. Subordinate loans may be used to cover mortgage subsidy costs that exceed the Program maximum loan amount. All subordinate liens must have the payments deferred and the term must be for at least as long as the term of the Program loan.

## **10.0. EXCEPTIONS AND SPECIAL CIRCUMSTANCES**

The Sponsor may make amendments to these Participation Guidelines. Any changes shall be made in accordance with regulations and approved by the Sponsor's Loan Committee and/or governing body. Changes shall then be sent to HCD for approval.

### **10.1. DEFINITION OF EXCEPTION**

Any case to which a standard policy or procedure, as stated in the guidelines, does not apply or an applicant treated differently from others of the same class would be an exception.

### **10.2. PROCEDURES FOR EXCEPTIONAL CIRCUMSTANCES**

- A. The Sponsor or its agent may initiate consideration of an exception and prepare a report. This report shall contain a narrative, including the Sponsor's recommended course of action and any written or verbal information supplied by the applicant.
- B. The Sponsor shall make a determination of the exception based on the recommendation of the Program Operator. The request can be presented to the Sponsor's loan committee and/or governing body for a decision.

## **11.0. DISPUTE RESOLUTION AND APPEALS PROCEDURE**

Any applicant denied assistance from the Program has the right to appeal. Complaints concerning the Program should be made to the Program Operator first. If unresolved in this manner, the complaint or appeal must be made in writing and filed with the Sponsor. The Sponsor will then schedule a meeting with the Loan Review Committee. Their written response will be made within thirty (30) working days. If the applicant is not satisfied with the Committee's decision, a request for an appeal may be filed with the Sponsor's

governing body. Final appeal must be filed in writing with HCD within one year after denial.

## ATTACHMENT A

### 24 CFR Part 5 ANNUAL INCOME INCLUSIONS AND EXCLUSIONS

#### Part 5 Inclusions

This table presents the Part 5 income inclusions as stated in the HUD Technical Guide for Determining Income and Allowances for HOME Program (Third Edition; January 2005).

General Category	(Last Modified: January 2005)
1. Income from wages, salaries, tips, etc.	The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
2. Business Income	The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.
3. Interest & Dividend Income	Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in number 2 (above). Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.
4. Retirement & Insurance Income	The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment (except for certain exclusions, listed in Income Exclusions, number 14).
5. Unemployment & Disability Income	Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except for certain exclusions, listed in Income Exclusions, number 3).
6. Welfare Assistance	Welfare Assistance. Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income: <ul style="list-style-type: none"> <li>• Qualify as assistance under the TANF program definition at 45 CFR 260.31; and</li> <li>• Are otherwise excluded from the calculation of annual income per 24 CFR 5.609(c).</li> </ul> If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of: <ul style="list-style-type: none"> <li>• the amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; <b>plus:</b></li> <li>• the maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family welfare assistance is reduced from the standard of need by applying a percentage, the amount calculated under 24 CFR 5.609 shall be the amount resulting from one application of the percentage.</li> </ul>
7. Alimony, Child Support, & Gift Income	Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
8. Armed Forces Income	All regular pay, special pay, and allowances of a member of the Armed Forces (except as provided in number 8 of Income Exclusions).

#### Part 5 exclusions

This table presents the Part 5 income exclusions as stated in the HUD Technical Guide for Determining Income and Allowances for HOME Program (Third Edition; January 2005).

General Category	(Last Modified: January 2005)
1. Income of Children	Income from employment of children (including foster children) under the age of 18 years.
2. Foster Care Payments	Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone).
3. Inheritance and Insurance Income	Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses (except for certain exclusions, listed in Income Inclusions, number 5).
4. Medical Expense Reimbursements	Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
5. Income of Live-in	Income of a live-in aide (as defined in 24 CFR 5.403).

Aides	
6. Income from a Disabled Member	Certain increase in income of a disabled member of qualified families residing in HOME-assisted housing or receiving HOME tenant-based rental assistance (24 CFR 5.671 (a)).
7. Student Financial Aid	The full amount of student financial assistance paid directly to the student or to the educational institution.
8. "Hostile Fire" Pay	The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
9. Self-Sufficiency Program Income	<ul style="list-style-type: none"> <li>a. Amounts received under training programs funded by HUD.</li> <li>b. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS).</li> <li>c. Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment, clothing, transportation, childcare, etc.) and which are made solely to allow participation in a specific program.</li> <li>d. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time.</li> <li>e. Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment-training program.</li> </ul>
10. Gifts	Temporary, nonrecurring, or sporadic income (including gifts).
11. Reparation Payments	Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
12. Income from Full-time Students	Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household or spouse).
13. Adoption Assistance Payments	Adoption assistance payments in excess of \$480 per adopted child.
14. Social Security & SSI Income	Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
15. Property Tax Refunds	Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
16. Home Care Assistance	Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep this developmentally disabled family member at home.
17. Other Federal Exclusions	<p>Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. The following is a list of income sources that qualify for that exclusion:</p> <ul style="list-style-type: none"> <li>▶ The value of the allotment provided to an eligible household under the Food Stamp Act of 1977;</li> <li>▶ Payments to volunteers under the Domestic Volunteer Service Act of 1973 (employment through AmeriCorps, VISTA, Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions);</li> <li>▶ Payments received under the Alaskan Native Claims Settlement Act;</li> <li>▶ Income derived from the disposition of funds to the Grand River Band of Ottawa Indians;</li> <li>▶ Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes;</li> <li>▶ Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program.</li> <li>▶ Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);</li> <li>▶ The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court and the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands;</li> <li>▶ Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs;</li> <li>▶ Payments received from programs funded under Title V of the Older Americans Act of 1985 (Green Thumb, Senior Aides, Older American Community Service Employment Program);</li> <li>▶ Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other</li> </ul>

fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.);

- ▶ Earned income tax credit refund payments received on or after January 1, 1991, including advanced earned income credit payments;
- ▶ The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990;
- ▶ Payments received under programs funded in whole or in part under the Job Training Partnership Act (employment and training programs for Native Americans and migrant and seasonal farm workers, Job Corps, veterans employment programs, state job training programs and career intern programs, AmeriCorps).
- ▶ Payments by the Indians Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation;
- ▶ Allowances, earnings, and payments to AmeriCorps participants under the National and Community Services Act of 1990;
- ▶ Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran;
- ▶ Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act; and
- ▶ Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998.

## **ATTACHMENT B**

### **PART 5 ANNUAL INCOME NET FAMILY ASSET INCLUSIONS AND EXCLUSIONS**

This table presents the Part 5 asset inclusions and exclusions as stated in the HUD Technical Guide for Determining Income and Allowances for HOME Program (Third Edition; January 2005).

Statements from 24 CFR Part 5 – Last Modified: January 2005

#### **Inclusions**

1. Cash held in savings accounts, checking accounts, safe deposit boxes, homes, etc. For savings accounts, use the current balance. For checking accounts, use the average 6-month balance. Assets held in foreign countries are considered assets.
2. Cash value of revocable trusts available to the applicant.
3. Equity in rental property or other capital investments. Equity is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and all reasonable costs (e.g., broker fees) that would be incurred in selling the asset. Under HOME, equity in the family's primary residence is not considered in the calculation of assets for owner-occupied rehabilitation projects.
4. Cash value of stocks, bonds, Treasury bills, certificates of deposit and money market accounts.
5. Individual retirement, 401(K), and Keogh accounts (even though withdrawal would result in a penalty).
6. Retirement and pension funds.
7. Cash value of life insurance policies available to the individual before death (e.g., surrender value of a whole life or universal life policy).
8. Personal property held as an investment such as gems, jewelry, coin collections, antique cars, etc.
9. Lump sum or one-time receipts, such as inheritances, capital gains, lottery winnings, victim's restitution, insurance settlements and other amounts not intended as periodic payments.
10. Mortgages or deeds of trust held by an applicant.

#### **Exclusions**

1. Necessary personal property, except as noted in number 8 of Inclusions, such as clothing, furniture, cars and vehicles specially equipped for persons with disabilities.
2. Interest in Indian trust lands.
3. Assets not effectively owned by the applicant. That is, when assets are held in an individual's name, but the assets and any income they earn accrue to the benefit of someone else who is not a member of the household and that other person is responsible for income taxes incurred on income generated by the asset.
4. Equity in cooperatives in which the family lives.
5. Assets not accessible to and that provide no income for the applicant.
6. Term life insurance policies (i.e., where there is no cash value).
7. Assets that are part of an active business. "Business" does not include rental of properties that are held as an investment and not a main occupation.

**ATTACHMENT C**

**MAXIMUM PURCHASE PRICE/AFTER-REHAB VALUE LIMIT FOR SAN JOAQUIN COUNTY**

**(HOME Value Limits as of 1/1/2011)**

COUNTY NAME	One-Family
SAN JOAQUIN	\$362,790

**HOME SUBSIDY LIMITS PER UNIT – SECTION 221(d)(3) FOR SAN JOAQUIN COUNTY**  
**(Limits are effective 10/1/2010)**

COUNTY NAME	O-BDR	1-BDR	2-BDR	3-BDR	4-BDR
SAN JOAQUIN	\$137,996	\$158,189	\$192,358	\$248,847	\$273,159

**INCOME LIMITS FOR SAN JOAQUIN COUNTY\***

**(Limits are effective 06/26/10)**

<i>Number of Persons in Household</i>								
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>80% of AMI</b>	\$35,350	\$40,400	\$45,450	\$50,500	\$54,500	\$58,600	\$62,650	\$66,700

\*Sponsor will insert the limits for the county in which the Program is located, and will update the income limits annually as HCD provides new information. The link to the official, HCD-maintained, income limits is:

<http://www.hcd.ca.gov/hpd/hrc/rep/state/incNote.html>

## ATTACHMENT D

### LOAN SERVICING POLICIES AND PROCEDURES FOR CITY OF LODI

The City of Lodi, hereafter called “Lender,” has adopted these policies and procedures in order to preserve its financial interest in properties whose “Borrowers” have been assisted with public funds. The Lender will to the greatest extent possible follow these policies and procedures, but each loan will be evaluated and handled on a case-by-case basis. The Lender has formulated this document to comply with state and federal regulations regarding the use of these public funds and any property restrictions, which are associated with them.

The policies and procedures are broken down into the following areas: 1) making required monthly payments or voluntary payments on a loan’s principal and interest; 2) required payment of property taxes and insurance; 3) required Request for Notice of Default on all second mortgages; 4) loans with annual occupancy restrictions and certifications 5) required noticing and limitations on any changes in title or use of property; 6) required noticing and process for requesting a subordination during a refinance; 7) processing of foreclosure in case of default on the loan.

#### 1. Loan Repayments:

The Lender will collect monthly payments from those borrowers who are obligated to do so under Notes which are amortized promissory notes (or Lender will use \_\_\_\_\_ loan collection Company to collect payments). Late fees will be charged for payments received after the assigned monthly due date.

For Notes which are deferred payment loans, the Lender must accept voluntary payments on the loan. Loan payments will be credited to principal. The borrower may repay the loan balance at any time with no penalty.

#### 2. Payment of Property Taxes and Insurance:

As part of keeping the loan from going into default, borrower must maintain property insurance coverage naming the Lender as loss payee in first position or additional insured if the loan is a junior lien. If borrower fails to maintain the necessary insurance, the Lender may take out force placed insurance to cover the property while the Borrower puts a new insurance policy in place. All costs for installing the necessary insurance will be added to the loan balance at time of installation of Borrower’s new insurance.

When a property is located in a 100-year flood plain, the Borrower will be required to carry the necessary flood insurance. A certificate of insurance for flood and for standard property insurance with an endorsement naming the City of Lodi as additional insured will be required at close of escrow. The lender will verify the insurance on an annual basis.

Property taxes must be kept current during the term of the loan. If the Borrower fails to maintain payment of property taxes then the lender may pay the taxes current and add the balance of the tax payment plus any penalties to the balance of the loan. Wherever possible, the Lender encourages Borrower to have impound accounts set up with their first mortgagee wherein they pay their taxes and insurance as part of their monthly mortgage payment.

### 3. Required Request for Notice of Default:

When the Borrower's loan is in second position behind an existing first mortgage, it is the Lender's policy to prepare and record a "Request for Notice of Default" for each senior lien in front of Lender's loan. This document requires any senior lien holder listed in the notice to notify the lender of initiation of a foreclosure action. The Lender will then have time to contact the Borrower and assist them in bringing the first loan current, if possible. The Lender can also monitor the foreclosure process and go through the necessary analysis to determine if the loan can be made whole or preserved. When the Lender is in a third position and receives notification of foreclosure from only one senior lien holder, it is in their best interest to contact any other senior lien holders regarding the status of their loans.

### 4. Annual Occupancy Restrictions and Certifications:

On owner-occupant loans, the Lender will require that Borrowers submit utility bills and/or other documentation annually to prove occupancy during the term of the loan. Some loans may have income and housing cost evaluations, which require a household to document that they are not able to make amortized loan payments, typically every five years. These loan terms are incorporated in the original Note and Deed of Trust.

### 5. Required Noticing and Restrictions on Any Changes of Title or Occupancy:

In all cases where there is a change in title or occupancy or use, the Borrower must notify the Lender in writing of any change. Lender and borrower will work together to ensure the property is kept in compliance with the original Program terms and conditions such that it remains available as an affordable home for low-income families. These types of changes are typical when Borrowers do estate planning (adding a relative to title) or if a Borrower dies and property is transferred to heirs or when the property is sold or transferred as part of a business transaction. In some cases the Borrower may move and turn the property into a rental unit without notifying the Lender. Changes in title or occupancy must be in keeping with the objective of benefit to low-income households (below 80 percent of AMI).

Change from owner-occupant to owner-occupant occurs at a sale. When a new owner-occupant is not low-income, the loan is not assumable and the loan balance is immediately due and payable. If the new owner-occupant qualifies as low-income, the purchaser may either pay the loan in full or assume all loan repayment obligations of the original owner-occupant, subject to the approval of the Lender's Loan Committee (depends on the HCD program).

If a transfer of the property occurs through inheritance, the heir (as owner-occupant) may be provided the opportunity to assume the loan at an interest rate based on household size and household income, provided the heir is income eligible. If the heir intends to occupy the property and is not low-income, the balance of the loan is due and payable. If the heir intends to act as an owner-investor, the balance of the loan may be converted to an owner/investor interest rate and loan term and a rent limitation agreement is signed and recorded on title. All such changes are subject to the review and approval of the Lender's Loan Committee.

Change from owner-occupant to owner-investor occurs when an owner-occupant decides to move out and rent the assisted property, or if the property is sold to an investor. If the owner converts any assisted unit from owner-occupied to rental, the loan is due in full.

Conversion to use other than residential use is not allowable where the full use of the property is changed from residential to commercial or other. In some cases, Borrowers may request that the Lender allow for a partial conversion where some of the residence is used for a business but the household still resides in the property. Partial conversions can be allowed if it is reviewed and approved by any and all agencies required by local statute. If the use of the property is converted to a fully non-residential use, the loan balance is due and payable.

#### 6. Requests for Subordinations:

When a Borrower wishes to refinance the property, they must request a subordination request to the Lender. The Lender will subordinate their loan only when there is no "cash out" as part of the refinance. No cash out means that there are no additional charges on the transaction above loan and escrow closing fees. There can be no third-party debt payoffs or additional encumbrance on the property above traditional refinance transaction costs. Furthermore, the refinance should lower the housing cost of the household with a lower interest rate, and the total indebtedness on the property should not exceed the current market value.

Also, provisions of Section 5.0.B and 5.0.C of these guidelines still apply, which state that the loan must:

- a) be fully amortized and have a fixed interest rate that does not exceed the current market rate, as established by an index identified in the most recent NOFA;
- b) not have a temporary interest rate buy-down;
- c) have a term "all due and payable" in no fewer than 30 years; and;
- d) not have a balloon payment due before the maturity date of the Program loan.

Upon receiving the proper documentation from the refinance lender, the request will be considered by the loan committee for review and approval. Upon approval, the escrow company will provide the proper subordination document for execution and recordation by the Lender.

#### 7. Process for Loan Foreclosure:

Upon any condition of loan default: 1) non-payment; 2) lack of insurance or property tax payment; 3) change in title or use without approval; 4) default on senior loans, the Lender will send out a letter to the Borrower notifying them of the default situation. If the default situation continues then the Lender may start a formal process of foreclosure.

When a senior lien holder starts a foreclosure process and the Lender is notified via a Request for Notice of Default, the Lender, who is the junior lien holder, may cancel the foreclosure proceedings by "reinstating" the senior lien holder. The reinstatement amount or payoff amount must be obtained by contacting the senior lien holder. This amount will include all delinquent payments, late charges and fees to date. Lender must confer with Borrower to determine if, upon paying the senior lien holder current, the Borrower can provide future payments. If this is the case then the Lender may cure the foreclosure and add the costs to the balance of the loan with a Notice of Additional Advance on the existing note.

If the Lender determines, based on information on the reinstatement amount and status of borrower, that bringing the loan current will not preserve the loan, then staff must determine if it is cost effective to protect their position by paying off the senior lien holder in total and restructure the debt such that the unit is made affordable to the Borrower. If the Lender does not have sufficient funds to pay the senior lien holder in full, then they may choose to cure the senior lien holder and foreclose on the property themselves. As long as there is sufficient value in the property, the Lender can afford to pay for the foreclosure process and pay off the senior lien holder and retain some or all of their investment.

If the Lender decides to reinstate, the senior lien holder will accept the amount to reinstate the loan up until five (5) days prior to the set "foreclosure sale date." This "foreclosure sale date" usually occurs about four (4) to six (6) months from the date of recording of the "Notice of Default." If the Lender fails to reinstate the senior lien holder before five (5) days prior to the foreclosure sale date, the senior lien holder would then require a full pay off of the balance, plus costs, to cancel foreclosure. If the Lender determines the reinstatement and maintenance of the property not to be cost effective and allows the senior lien holder to complete foreclosure, the Lender's lien may be eliminated due to insufficient sales proceeds.

### Lender as Senior Lien holder

When the Lender is first position as a senior lien holder, active collection efforts will begin on any loan that is 31 or more days in arrears. Attempts will be made to assist the homeowner in bringing and keeping the loan current. These attempts will be conveyed in an increasingly urgent manner until loan payments have reached 90 days in arrears, at which time the Lender may consider foreclosure. Lender's staff will consider the following factors before initiating foreclosure:

- 1) Can the loan be cured and can the rates and terms be adjusted to allow for affordable payments such that foreclosure is not necessary?
- 2) Can the Borrower refinance with a private lender and pay off the Lender?
- 3) Can the Borrower sell the property and pay off the Lender?
- 4) Does the balance warrant foreclosure? (If the balance is under \$5,000, the expense to foreclose may not be worth pursuing.)
- 5) Will the sales price of home "as is" cover the principal balance owing, necessary advances, (maintain fire insurance, maintain or bring current delinquent property taxes, monthly yard maintenance, periodic inspections of property to prevent vandalism, etc.) foreclosure, and marketing costs?

If the balance is substantial and all of the above factors have been considered, the Lender may opt to initiate foreclosure. The Borrower must receive, by certified mail, a thirty-day notification of foreclosure initiation. This notification must include the exact amount of funds to be remitted to the Lender to prevent foreclosure (such as, funds to bring a delinquent BMIR current or pay off a DPL).

At the end of thirty days, the Lender should contact a reputable foreclosure service or local title company to prepare and record foreclosure documents and make all necessary notifications to the

owner and junior lien holders. The service will advise the Lender of all required documentation to initiate foreclosure (Note and Deed of Trust usually) and funds required from the owner to cancel foreclosure proceedings. The service will keep the Lender informed of the progress of the foreclosure proceedings.

When the process is completed, and the property has "reverted to the beneficiary" at the foreclosure sale, the Lender could sell the home themselves under a homebuyer program or use it for an affordable rental property managed by a local housing authority or use it for transitional housing facility or other eligible use. The Lender could contract with a local real estate broker to list and sell the home and use those funds for program income eligible uses.

**ATTACHMENT E**  
**SELLERS LEAD-BASED PAINT DISCLOSURE**  
**Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards**  
**Lead Warning Statement**

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

**Seller's Disclosure**

- (a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
- (i) \_\_\_ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).  
 \_\_\_\_\_
- (ii) \_\_\_ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- (b) Records and reports available to the seller (check (i) or (ii) below):
- (i) \_\_\_ Seller has provided the purchaser with all available records and reports pertaining to Lead-based paint and/or lead-based paint hazards in the housing (list documents below).  
 \_\_\_\_\_
- (ii) \_\_\_ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Purchaser's Acknowledgment (initial)**

- (c) \_\_\_ Purchaser has received copies of all information listed above.
- (d) \_\_\_ Purchaser has received the pamphlet Protect Your Family from Lead in Your Home.
- (e) \_\_\_ Purchaser has (check (i) or (ii) below):
- (i) \_\_\_ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or
- (ii) \_\_\_ waived the opportunity to conduct a risk assessment or inspection for the presence of Lead-based paint and/or lead-based paint hazards (NOT PERMISSIBLE FOR HOME AND CDBG).

**Agent's Acknowledgment (initial)**

- (f) \_\_\_ Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

**Certification of Accuracy**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Seller	Date	Seller	Date
Purchaser	Date	Purchaser	Date
Agent	Date	Agent	Date

**ATTACHMENT F**

**Disclosure to Seller with Voluntary, Arm's Length Purchase Offer**

**DECLARATION**

This is to inform you that \_\_\_\_\_ would like to purchase the property, located at \_\_\_\_\_, if a satisfactory agreement can be reached. We are prepared to pay \$\_\_\_\_\_ for a clear title to the property under conditions described in the attached proposed contract of sale.

Because Federal funds may be used in the purchase, however, we are required to disclose to you the following information:

1. The sale is voluntary. If you do not wish to sell, the buyer, \_\_\_\_\_, thru the agency, \_\_\_\_\_ will not acquire your property. The buyer does not have the power of eminent domain to acquire your property by condemnation (i.e. eminent domain) and the agency/Sponsor \_\_\_\_\_ will not use the power of eminent domain to acquire the property.
2. The estimated fair market value of the property is \$\_\_\_\_\_ and was estimated by \_\_\_\_\_, to be finally determined by a professional appraiser prior to close of escrow.

Since the purchase would be a voluntary, arms length, transaction you would not be eligible for relocation payments or other relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), or any other law or regulation. Also, as indicated in the contract of sale, this offer is made on the condition that no tenant will be permitted to occupy the property before the sale is completed.

Again, please understand that if you do not wish to sell your property, we will take no further action to acquire it. If you are willing to sell the property under the conditions described in the attached contract of sale, please sign the contract and return it to us at: \_\_\_\_\_ . If you have any questions about this matter, please contact \_\_\_\_\_ at \_\_\_\_\_.

Sincerely,

\_\_\_\_\_  
Title

\_\_\_\_\_  
*Buyer*

\_\_\_\_\_  
Date

\_\_\_\_\_  
*Buyer*

\_\_\_\_\_  
Date

**Disclosure to Seller with Voluntary, Arm's Length Purchase Offer (Page 2)**

**Acknowledgement**

As the Seller I/we understand that the \_\_\_\_\_ will inspect the property for health and safety deficiencies. I/we also understand that public funds may be involved in this transaction and, as such, if the property was built before 1978, a lead-based paint disclosure must be signed by both the buyer and seller, and that a Visual Assessment will be conducted to determine the presence of deteriorated paint.

As the Seller, I/we understand that under the City of Lodi's program, the property must be currently owner-occupied, vacant for three months at the time of submission of purchase offer, new (never occupied), or renter purchasing the unit. I/we hereby certify that the property is:

Vacant at least 3 months;  Owner-occupied;  New; or  Being Purchased by Occupant

*I/we hereby certify that I have read and understand this "Declaration" and  a copy of said Notice was given to me prior to the offer to purchase. If received after presentation of the purchase offer, I/We choose  to withdraw or  not to withdraw, from the Purchase Agreement.*

\_\_\_\_\_  
Seller

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller

\_\_\_\_\_  
Date

## **ATTACHMENT G**

### **CITY OF LODI**

#### **INSTRUCTIONS TO HOMEBUYER**

- A. Participant works with lender of choice to obtain the primary lender's pre-qualification letter.
- B. After consultation with Program Operator regarding approved bedroom and bathroom maximums (always 3 bedrooms and 2 bathrooms unless extenuating circumstances justify more to be approved), participant works with real estate agent to select home. Program disclosures are reviewed with agent for presentation to seller. The HOME Program allows only homes vacant for three months or more prior to the date of the purchase contract, unless the current tenant is purchasing the home.
- C. Participant selects home and enters into a purchase contract (contingent upon receiving Program loan approval). Lender provides the Program Operator with a copy of:
  - real estate sales contract
  - residential loan application and credit report
  - verified income documentation
  - disclosure statement
  - proof of personal funds for participation in program
  - breakdown of closing costs
  - structural pest control clearance
  - appraisal with photos and preliminary title report
- D. Program Operator reviews paperwork to determine program eligibility and financing affordability for participant.
- E. Program Operator staff meets with qualified applicant to provide information relative to the program requirements, the lending process, and homeownership responsibilities.
- F. Program Operator has home inspected to document health & safety and code compliance. Notice of any deficiencies or needed corrections are given to participant's real estate agent, with recommended course of action.
- G. Program Operator requests loan approval from Sponsor's Loan Review Committee. Following loan approval, Program Operator prepares Deed of Trust, Promissory Note, Request for Notice of Default, Grant Agreement, Owner-Occupant Agreement with City of Lodi, and Escrow Instructions, and requests check and deposits same into escrow.
- H. Escrow company furnishes Program Operator with proof of documents to be recorded, and any escrow closeout information. After receipt of recorded loan documents, Final HUD-1, Insurance Loss Payee Certification and Final Title Insurance Policy (Program Operator) closes out the loan file.

**ATTACHMENT H  
LEAD-BASED PAINT**

**VISUAL ASSESSMENT, NOTICE OF PRESUMPTION, AND HAZARD REDUCTION FORM**

<b>Section 1: Background Information</b>			
Property Address:		No LBP found or LBP exempt <input type="checkbox"/>	
Select one:	Visual Assessment <input type="checkbox"/>	Presumption <input type="checkbox"/>	Hazard Reduction <input type="checkbox"/>

<b>Section 2: Visual Assessment.</b> Fill out Sections 1, 2, and 6. If paint stabilization is performed, also fill out Sections 4 and 5 after the work is completed.	
Visual Assessment Date:	Report Date:
Check if no deteriorated paint found <input type="checkbox"/>	
Attachment A: Summary where deteriorated paint was found.	

<b>Section 3: Notice of Presumption.</b> Fill out Sections 1, 3, 5, and 6. Provide to occupant w/in 15 days of presumption.	
Date of Presumption Notice:	
Lead-based paint is presumed to be present <input type="checkbox"/> and/or Lead-based paint <i>hazards</i> are presumed to be present <input type="checkbox"/>	
Attachment B: Summary of Presumption:	

<b>Section 4: Notice of Lead-Based Paint Hazard Reduction Activity.</b> Fill out Sections 1, 4, 5, and 6. Provide to occupant w/in 15 days of after work completed.	
Date of Hazard Reduction Notice:	
Initial Hazard Reduction Notice? Yes <input type="checkbox"/> No <input type="checkbox"/>	Start & Completion Dates:
If "No", dates of previous Hazard Reduction Activity Notices:	
Attachment C: Activity locations and types.	
Attachment D: Location of building components with <u>lead-based paint remaining</u> in the rooms, spaces or areas where activities were conducted.	
Attachment E: Attach clearance report(s), using DHS form 8552 (and 8551 for abatement activities)	

<b>Section 5: Resident Receipt of Notice for Presumption or Lead-Based Paint Hazard Reduction Activity</b>		
Printed Name:	Signature:	Date:

<b>Section 6: Contact Information</b>		Organization:
Contact Name:		Contact Signature:
Date:	Address:	Phone:

## ATTACHMENT I

### Homebuyer Program Lead Compliance Document Checklist

The following documents should be in each Homebuyer unit file to document compliance with the lead requirements:

<b>Document Name</b>	<b>Purpose</b>	✓
Lead Safe Housing Rule Screening Sheet	Documents exemptions	
Physical inspection form (HQS or equivalent)	Documents visual assessment results	
Seller Certification	Seller certifies that paint was stabilized by qualified workers and that safe work practices were followed during paint stabilization	
Clearance Report and Clearance Review Worksheet	Documents that unit passed clearance	
Disclosure Form	Documents that buyer received disclosure and pamphlet.	
Lead Hazard Reduction Notice	Documents that buyer received required lead hazard reduction notification.	

This was taken from the HUD Website at:

<http://www.hud.gov/offices/cpd/affordablehousing/training/leadsafe/usefulforms/index.cfm#crosscutting>

## ATTACHMENT J

### ACQUISITION WITH REHABILITATION CONSTRUCTION CONTRACT

#### Home Improvement Construction Contract

This Home Improvement Construction Contract is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the following parties: (Owner(s) Name): \_\_\_\_\_ and (Contractor's Name and Address): \_\_\_\_\_

**(Notice of Cancellation, see paragraph 28, may be sent to Contractor at the above address).**

The parties agree as follows:

1. **Work to be Performed:** Contractor agrees to provide a Schedule of Work, in accordance with the Work Write-up (Attachment 1) and furnish all supervision, technical personnel, labor, materials, tools and equipment necessary to complete the work described in the work write-up attached hereto at the real property commonly described as: \_\_\_\_\_. Contractor will be responsible for all construction means, methods, techniques, sequences and procedures and for the coordination of all portions of the work under the Contract. All materials shall be new, unless otherwise specified, and of good quality. Owner has a right to require the Contractor to have a performance and payment bond; the expense of the bond may be borne by the Owner.
2. **Contract Price:** Owner agrees to pay Contractor the sum of \$\_\_\_\_\_ for the work to be performed.
3. **Completion Time:**
  - a. **Approximate Start Date:** The Contractor agrees to file a complete permit application within ten (10) days after receipt of written Notice to Proceed from the Owner. Owner and Contractor agree that the Start Date of construction shall be the date the permits are issued by the City of Lodi. In no event shall the Contractor commence work or place any materials on the site thereof prior to receipt of Notice to Proceed from the Owner.
  - b. **Approximate Completion Date:** Contractor shall prosecute the work diligently and continuously to completion. The work shall be completed within \_\_\_\_\_ days after the Start Date, subject to such delays as are permissible under paragraph 7 herein below.
4. **Payment:**
  - a. Price will be paid to Contractor in installments based on completion of work tasks and individual item prices on the Work Write-up attached, and any Change Orders.
  - b. Contractor shall submit all required payment forms to Owner for approval of payment. Prior to authorization of payment, the Contractor shall provide lien releases for claims by subcontractors, laborers, and material suppliers involved in the work and/or represented by Contractor's invoices. Owner may also request written guarantees and warranties.
  - c. After approval by Owner, Contractor shall submit payment request forms to the City of Lodi, hereinafter referred to as "Program Operator." The Program Operator shall then make payment to the Contractor. The Program Operator may, at its option, inspect the work to ensure that it has been satisfactorily completed in accordance with the Contract requirements. Should the Program Operator determine that work has not been performed in accordance with the Contract, the Program Operator may, in its sole discretion, withhold or

reduce payment in accordance with the terms of the agreement between Owner and the City of Lodi.

- d. At the time the work is completed, the Contractor shall submit the final pay request along with the recorded Notice of Completion, final building inspection report, insulation certificate, any warranties and guarantees, conditional lien releases, and Section 3 report (for contracts over \$100,000).
  - e. An amount equal to ten percent of the total Contract price, including any Change Orders, will be withheld by Owner and shall be paid to Contractor 35 days after notice of completion has been recorded, final inspection by the jurisdiction's building official and approval by Owner, provided that Contractor is not in default under this Contract. Final payment will be subject to withholding any amounts due to Owner for actual costs due to unexcused delays.
  - f. The payment of any progress payment shall not constitute acceptance of defective work or improper material, nor is it a waiver of the warranties or any other remedies to which the Owner may be entitled under the terms of this Contract
5. Relationship of the Parties to the Program Operator: Work to be performed under this Contract is financed by funds from the Program Operator and administered by the Program Operator. Owner is solely responsible for monitoring all work performed under this Contract and enforcing the terms of this Contract. The Program Operator shall inspect all work for the purposes of monitoring loan disbursements in accordance with terms of this Contract and enforcing the terms of the loan agreement. Inspections performed by the Program Operator are solely for the protection of the lender and solely for the purpose of assuring that the construction is progressing reasonably and that the lender's collateral interest is adequately protected. Owner acknowledges that the Program Operator's inspections are not for the purpose of assuring Contractor's compliance with applicable building codes. The Program Operator shall not be liable under any circumstances for its failure to discover or require correction by Contractor of work that fails to comply with applicable building codes or for its failure to discover or require correction of any dangerous condition or defective work by contractor or by any subcontractor.

The Program Operator shall not, under any circumstances, have any liability either to the Owner or to the Contractor for any disbursement or refusal to approve of any disbursement requested by Contractor.

6. Failure to Commence Work: Failure by the Contractor without lawful excuse to substantially commence work within 20 days from the date specified in the Notice to Proceed is a violation of the Contractors' License Law.
7. Excusable Delays: Contractor shall not be charged with delay in the completion of the work due to: any acts of Owner which cause delay; general strikes; acts of God or the public enemy; unavailability of materials, or casualty beyond Contractor's control, provided, however, that Contractor promptly (within 14 days) notifies Owner, in writing, of the cause of the delay. If the facts show the delays to be excusable under the terms of the Contract, the time for completion shall be extended for a period equal to the amount of time due to such delay.
8. Unexcused Delays: The parties agree that the Owner would incur additional expenses as a result of Contractor's unexcused delays in the completion of the work. "Additional expenses" shall include but not be limited to housing and storage costs incurred by the owner due to the inability to fully occupy the property.
9. Provisions for the Owner: While this Contract is in force, Owner shall permit Contractor the use of existing utilities including light, heat, power, and water, without charge, in order to carry out and

complete the work. Owner may continue to occupy the premises during the rehabilitation but shall cooperate with Contractor to facilitate the performance of the work including the abandonment of limited areas as may be essential to the conduct of the work.

10. Compliance with the Law: By signing this contract, the Contractor certifies that it is licensed and in good standing in California, and not listed on the Federal Consolidated List of Debarred, Suspended and Ineligible Contractors. Contractors are regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within 10 years of the date of the alleged violation. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, California 95826. All work shall be completed in strict compliance with the laws, ordinances, rules, regulations and Codes of the State, County, and local governments, whether such applicable laws, ordinances, rules, regulations and codes are mentioned in this Contract or not. Contractor shall obtain, pay for, and provide permits and licenses, as required to complete all work outlined under this Contract.

Where applicable, Contractor agrees to the following provisions:

- a) Standard Contract Language, All Contracts and Subcontracts, pertaining to civil rights, HCD, age discrimination, rehabilitation acts assurance, etc. (see Attachment 2).
- b) By the statement below, Contractor hereby furnishes Owner with Contractor Notice in compliance with California Business and Professions Code Section 7159:

**INFORMATION ABOUT THE CONTRACTORS' STATE LICENSE BOARD  
(CSLB)**

**CSLB is the state consumer protection agency that licenses and regulates construction contractors.**

**Contact CSLB for information about the licensed contractor you are considering including information about disclosable complaints, disciplinary actions and civil judgments that are reported to CSLB.**

**Use only licensed contractors. If you file a complaint against a licensed contractor within the legal deadline (usually four years), CSLB has authority to investigate the complaint. If you use an unlicensed contractor, CSLB may not be able to help you resolve your complaint. Your only remedy may be in civil court, and you may be liable for damages arising out of any injuries to the unlicensed contractor or the unlicensed contractor's employees.**

**For more information:**

Visit CSLB's Web site at [www.cslb.ca.gov](http://www.cslb.ca.gov)

Call CSLB at 800-321-CSLB (2752)

Write CSLB at P. O. Box 26000, Sacramento, CA 95826

- c) The contractor hereby agrees to abide by the requirements of Executive Order 11246 and all implementing regulations of the Department of Labor.

11. Notice to Owner (see Attachment 3).

12. Required Insurance: Contractor shall obtain and keep in effect during the life of this contract, insurance in the following minimum amounts:

Worker's Compensation and Employer's Liability Insurance meeting the statutory requirements of the State of California.

Comprehensive General Liability and Property Damage Insurance with Combined Single Limits of at least \$1,000,000. This insurance shall be on an occurrence basis and shall protect the Contractor against liability arising from: Contractor's operations, operations by subcontractors, products, completed operations or professional liability where applicable and contractual liability assumed under the indemnity provisions above insured. Any Excavation, Collapse and Underground exclusions must be deleted when applicable to operations performed by the Contractor or his subcontractors.

An original certificate of such insurance shall be filed with the City of Lodi. Said certificate shall evidence coverage through the life of this Contract.

13. Safety to Public and Property: Contractor shall be responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the work. In such, Contractor shall provide reasonable protection to prevent damage, injury, and loss to: all employees on the work, all work and materials and equipment to be incorporated therein and other property at the site or adjacent thereto, including trees, shrubs, lawns, pavements, structures, and utilities not designated for removal or replacement under the terms of this Contract.

14. Hold Harmless: With the exception that this Section shall in no event be construed to require indemnification by Contractor to a greater extent than permitted under the public policy of the State of California, Contractor shall indemnify and save harmless Owner and the City of Lodi, including their officers, agents, employees, affiliates, parents and subsidiaries, and each of them, of and from any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys fees, losses or liability, in law or in equity, of every kind and nature whatsoever ("Claims") arising out of or in connection with Contractor's operations to be performed under this Agreement for, but not limited to:

- (a) Personal injury, including, but not limited to, bodily injury, emotional injury, sickness or disease, or death to persons, including, but not limited to any employees or agents of Owner, the City of Lodi, or any other subcontractor and/or damage to property of anyone (including loss of use thereof), caused or alleged to be caused in whole or in part by any negligent act or omission of Contractor or anyone directly or indirectly employed by Contractor or anyone for whose act Contractor may be liable regardless of whether such injury or damage is caused by a party indemnified hereunder.
- (b) Penalties imposed on account of the violation of any law, order, citation, rule, regulation, standard, ordinance, or statute, caused by the action or inaction of Contractor.
- (c) Infringement of any patent rights which may be brought against the City of Lodi or Owner arising out of Contractor's work.
- (d) Claims and liens for labor performed or materials used or furnished to be used on the job, including all incidental or consequential damages resulting to the City of Lodi or Owner from such claims or liens.
- (e) Contractor's failure to fulfill the covenants set forth in collective bargaining agreement, wage order or any other agreement or regulation concerning labor relations.
- (f) Failure of Contractor to provide Casualty Insurance.
- (g) Any violation or infraction by Contractor of any law, order, citation, rule, regulation, standard, ordinance or statute in any way relating to the occupational health or safety of

employees, including, but not limited to, the use of the City of Lodi or other's equipment, hoist, elevators, or scaffolds. The indemnification provisions of (a) through (g) above shall extend to Claims occurring after this Agreement is terminated as well as while it is in force. Such indemnity provisions apply regardless of any active and/or passive negligent act or omission of Owner or the City of Lodi or their agents or employees. Contractor, however, shall not be obligated under this Agreement to indemnify Owner or the City of Lodi for Claims arising from the sole negligence or willful misconduct of Owner or the City of Lodi or their agents, employees or independent contractors who are directly responsible to Owner or the City of Lodi, or for defects in design furnished by such persons.

(h) Contractor shall:

- i. At Contractor's own costs, expense and risk, defend any claims that may be brought or instituted by third persons, including but not limited to, governmental agencies or employees of Contractor, against the City of Lodi or Owner or their agents or employees or any of them;
- ii. Pay and satisfy any judgment or decree that may be rendered against the City of Lodi or Owner or their agents or employees, or by any of them, arising out of any such Claim; and/or
- iii. Reimburse the City of Lodi or Owner or their agents or employees for any and all legal expense incurred by any of them in connection herewith or in enforcing the indemnity granted in this Section.

(i) All work covered by this Agreement done at the site or in preparing or delivering materials or equipment, or any or all of them, to the site shall be at the risk of Contractor exclusively until the completed work is accepted by the City of Lodi.

(j) The indemnities set forth in this Section shall not be limited by any insurance requirements set forth elsewhere within this agreement.

15. Assignment: Contractor shall not assign or transfer any right or obligation under this Contract without first obtaining the written consent of Owner. Any attempted assignment by Contractor shall be void.

16. Changes in Work to be Performed: No changes shall be made in the work, Contract price or Contract time for completion of work, except by written change order. The change order shall bear the signatures of the parties to this Contract and approved (by signature) as to propriety with funding requirements by the City of Lodi. No claim for an adjustment of Contract work, price or time will be valid unless so ordered. Payment for change orders that bear additional cost shall be made in accordance with paragraph 4, above.

17. Guarantees and Material Warranties: All labor, materials and installation shall be guaranteed for a period of one year from the date of final acceptance by Owner, when subjected to normal use and care, and provided Owner has complied, in full, with the terms and payments and other conditions of this Contract. Upon written notice from Owner, Contractor shall repair or remedy any defect in materials and workmanship within the one-year period specified. Contractor shall furnish Owner with and assign to Owner all manufacturers' and suppliers' written guarantees and warranties covering materials and equipment furnished under this Contract.

18. Surplus Materials and Clean-up of Premises: All materials and equipment removed and not reused as a condition of this Contract shall remain or become the property of Owner, unless otherwise so stated in writing. All surplus materials as well as all rubbish and construction debris resulting from construction activities shall be removed promptly from the job site by Contractor. Upon completion of the work, Contractor shall leave the building and premises in a "broom-clean" condition.

19. Divisibility: It is intended that each paragraph of this agreement shall be viewed as separate and divisible, and in the event that any paragraph shall be held to be invalid, the remaining paragraphs shall continue to be in full force and effect.
20. Materials Restriction: Lead base paint hazards specified in the work write-up shall be mitigated in accordance with Federal Lead Based Paint regulations listed at 24 CFR 35. All new paint used must be a non-lead based paint.
21. Arbitration:
- a. Should any controversy arise out of or related to this Contract or the breach thereof, that falls within the provisions of 7085 et seq. of the California Business and Professions Code, other than a controversy based upon your failure to comply with a notice to return to the project under paragraph 23, the parties shall agree to submit the issue to Contractors State License Board (CSLB) arbitration. The decision of the arbitrator is final and binding on both parties. CSLB will pay for the hearing, the arbitrator, and the services of one Board-appointed expert witness per complaint. The parties are responsible for their own attorney fees, if any, and additional expert witnesses, if any.
  - b. Any controversy arising out of or relating to this Contract, or the breach thereof, that does not qualify for CSLB arbitration, or the parties do not agree to CSLB arbitration, shall be submitted to binding arbitration in accordance with the provisions of the California Arbitration Law, Code of Civil Procedure 1280 et seq., and the Rules of the American Arbitration Association. The arbitrator shall have the final authority to order work performed, to order the payment from one party to another, and to order whom shall bear the costs of arbitration. Costs to initiate arbitration shall be paid by the party seeking arbitration. Notwithstanding, the party prevailing in any arbitration proceeding and in any litigation arising out of or relating to this contract shall be entitled to recover from the other all attorneys' fees and costs of arbitration.
22. Mechanics Liens: Contractor shall pay promptly all valid bills and charges for materials, labor or otherwise, in connection with or arising out of the rehabilitation of said property and will hold Owner free and harmless against all of them, filed against the property or any part thereof, and from and against all expense and liability in connection therewith, including but not limited to, court costs and attorneys' fees resulting or arising there from. Should any liens or claim of liens be filed for record against the property, or should Owner receive notice of any unpaid bill or charge in connection with the Contract, Contractor shall forthwith pay and discharge the same and cause the same to be released of record. Contractor authorizes the Program Operator to issue joint checks as part of any disbursement otherwise payable to Contractor whenever the Program Operator, in its sole discretion, determines that payment in this fashion is necessary in order to protect the interests of the Lender or the Owner. (See also, Notice to Owner, Attachment 3).
23. Termination of Contract: Should Contractor commit any of the acts specified in this paragraph, the Owner may, give 72 hours' notice in writing thereof to Contractor, to commence and continue thereafter to diligently prosecute the correction thereof, and if contractor fails to do so, then without prejudice to any other rights or remedies given Owner by law or by this contract, Owner may terminate the services of Contractor under this contract; take possession of said project and the premises on which it is located; take possession of all materials, located on such premises; and, complete said project by whatever method Owner may deem expedient. Contractor shall be deemed to have committed an act specified in this paragraph if contractor shall:
- a. refuse or fail to supply enough properly skilled workers or proper materials to complete said project in the time specified in this contract and in the approved time schedule.

- b. fail to make prompt payment to subcontractors, laborers, or material men for labor performed on or materials furnished to said project;
- c. fail to comply with the time schedule for completion of the project;

The preceding notwithstanding, the following actions by the Contractor shall be deemed to be material breaches of the contract which are not subject to cure. Should Contractor commit any of the acts specified in this paragraph, the Owner may, by giving 72 hours' notice in writing thereof to Contractor, without prejudice to any other rights or remedies given Owner by law or by this contract, terminate the services of Contractor under this contract; take possession of said project and the premises on which it is located; take possession of all materials, located on such premises; and complete said project by whatever method owner may deem expedient:

- d. Commence with any proceedings of bankruptcy;
  - e. make a general assignment for the benefit of contractors;
  - f. persist in disregarding any law or ordinance relating to said project or the completion thereof;
  - g. suffer the revocation or suspension of its contractor's license.
24. Rights on Termination by Owner: Should Owner terminate the service of Contractor under this contract and complete said project pursuant to Paragraph 10 of this contract, the Contractor shall not be entitled to receive any further payment under this contract until said project is fully completed. On completion of said project by Owner, if the unpaid balance of the contract price exceeds the expenses incurred by Owner in completing said project, including any compensation paid by Owner for managerial, administrative, or supervisory services in completing said project, such excess shall be paid by Owner to Contractor. If the expense incurred by Owner in completion of said project exceeds the unpaid balance of the purchase price, Contractor shall pay such excess to Owner with thirty days following written demand by Owner.
25. Force Majeure: Neither Owner nor Contractor shall be deemed to be in default if performance of the improvements required by this contract is delayed or becomes impossible because of any act of God, war, earthquake, fire, civil commotion, epidemic, act of government, its agencies or officers, court order, or any other legitimate cause beyond the control of the party and not caused by the negligent, unreasonable or intentional acts of the party.
26. Availability of Funds: In the event the loan or grant of funds upon which this Contract is contingent is not approved, this Contract shall be considered null and void, and shall not create any liability to either Owner or Contractor.
27. Contract Nullity: This entire Contract shall be considered null and void if either of the following shall occur:
- a. Owner is not approved for funding to finance the Contract Price;
  - b. Owner chooses not to proceed with the project before construction begins.
28. **Three-Day Right to Cancel**: **“You, the Owner, have the right to cancel this contract within three business days. You may cancel by e-mailing, mailing, faxing, or delivering a written notice to the Contractor at the Contractor’s place of business by midnight of the third business day after you received a signed and dated copy of the contract that includes this notice. Include your name, your address, and the date you received the signed copy of this contract including this notice.**

**If you cancel, the Contractor must return any moneys paid within 10 days of receiving the notice of cancellation. For your part, you must make available to the Contractor at your residence, in substantially as good condition as you received it, any goods delivered to you under this contract or sale. Or, you may, if you wish, comply with the Contractor's instructions on how to return the goods at the Contractor's expense and risk. If you do make the goods available to the Contractor, and the Contractor does not pick them up within 20 days of the date of your notice of cancellation, you make keep them without any further obligation. If you fail to make the goods available to the Contractor, or if you agree to return the goods to the Contractor and fail to do so, then you remain liable for performance of all obligations under this Contract."**

**29. "You, the Owner, are entitled to a completely filled in copy of this Contract, signed by both you and the Contractor, before any work may be started."**

THE OWNER AND THE CONTRACTOR ACKNOWLEDGE THAT THEY HAVE READ, UNDERSTAND AND AGREE TO ALL PROVISIONS OF THIS CONTRACT INCLUDING ALL ADDITIONAL CONTRACT DOCUMENTS.

OWNER(S): \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

By: \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
License Number: \_\_\_\_\_  
Tax ID or Soc. Sec. # \_\_\_\_\_

Attachments:

- 1 – Work Write-up
- 2 – Standard Contract Language
- 3 – Notice to Owner

STANDARD CONTRACT LANGUAGE:  
ALL CONTRACTS AND SUBCONTRACTS

1. The Civil Rights, HCD, and Age Discrimination Acts Assurances:

During the performance of this Agreement, the Grantee assures that no otherwise qualified person shall be excluded from participation or employment, denied program benefits, or be subjected to discrimination based on race, color, national origin, sex, age, or handicap, under any program or activity funded by this contract, as required by Title VI of the Civil Rights Act of 1964, Title I of the Housing and Community Development Act of 1974, as amended, and the Age Discrimination Act of 1975, and all implementing regulations.

2. Rehabilitation Act of 1973 and the “504 Coordinator”

The Grantee further agrees to implement the Rehabilitation Act of 1973, as amended, and its regulations, 24 CFR Part 8, including, but not limited to, for Grantees with 15 or more permanent full or part time employees, the local designation of a specific person charged with local enforcement of this Act, as the “504 Coordinator”.

3. The Training, Employment and Contracting Opportunities for Business and Lower Income Persons Assurance of Compliance:

a) The grant activity to be performed under this Agreement is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C 1701u. Recipients, contractors and subcontractors shall direct their efforts to provide, to the greatest extent feasible, training and employment opportunities generated from the expenditure of Section 3 covered assistance to Section 3 residents in the order of priority provided in 24 CFR 135.34(a)(2).

b) The parties to this Agreement will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.

c) The Grantee will include these Section 3 clauses in every contract and subcontract for Work in connection with the grant activity and will, at the direction of the State, take appropriate action pursuant to the contract or subcontract upon a finding that the Grantee or any contractor or subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR Part 135 and, will not let any contract unless the Grantee or contractor or subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

d) Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of the Agreement shall be a condition of the federal financial assistance provided to the project, binding upon the Grantee, its successors and assigns. Failure to fulfill these requirements shall subject the Grantee, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 135.

4. Assurance of Compliance with Requirements Placed on Construction Contracts of \$10,000 or more

The Grantee hereby agrees to place in every contract and subcontract for construction exceeding \$10,000 the Notice of Requirement for Affirmative Action to ensure Equal Employment Opportunity (Executive Order 11246), the Standard Equal Employment Opportunity, and the Construction Contract Specifications. The Grantee furthermore agrees to insert the appropriate Goals and Timetables issued by the U.S. Department of Labor in such contracts and subcontracts.

5. State Nondiscrimination Clause:

a) During the performance of this contract, contractor and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40) marital status, and denial of family care leave. Contractors and subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination and harassment. Contractors and subcontractors shall comply with the provisions of the Housing Act (Government Code, Section 12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7258 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Regulations, are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

b) Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.

6. Labor Standards –Federal Labor Standards Provisions

The Grantee shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of:

Davis-Bacon Act (40 USC 276a-276a-5) requires that workers receive no less than the prevailing wages being paid for similar work in their locality. Prevailing wages are computed by the Department of Labor and are issued in the form of Federal wage decisions for each classification of work. The law applies to most construction, alteration, or repair contracts over \$2,000.

Copeland “Anti-Kickback” Act (47 USC 276(c)) requires that workers be paid at least once a week without any deductions or rebates except permissible deductions.

Contract Work Hours and Safety Standards Act – CWHSSA (40USC 327-333) requires that workers receive “overtime” compensation at a rate of 1-1/2 times their regular hourly wage after they have worked 40 hours in one week.

Title 29, Code of Federal Regulations, Subtitle A, Parts 1, 3 and 5 are the regulations and procedures issued by the Secretary of Labor for the administration and enforcement of the Davis-Bacon Act, as amended.

## NOTICE TO OWNER

"Under the California Mechanics' Lien Law, any contractor, subcontractor, laborer, supplier, or other person or entity who helps to improve your property, but is not paid for his or her work or supplies, has a right to place a lien on your home, land, or property where the work was performed and to sue you in court to obtain payment.

This means that after a court hearing, your home, land, and property could be sold by a court officer and the proceeds of the sale used to satisfy what you owe. This can happen even if you have paid your contractor in full if the contractor's subcontractors, laborers, or suppliers remain unpaid.

To preserve their rights to file a claim or lien against your property, certain claimants such as subcontractors or material suppliers are each required to provide you with a document called a "Preliminary Notice." Contractors and laborers who contract with owners directly do not have to provide such notice since you are aware of their existence as an owner. A preliminary notice is not a lien against your property. Its purpose is to notify you of persons or entities that may have a right to file a lien against your property if they are not paid. In order to perfect their lien rights, a contractor, subcontractor, supplier, or laborer must file a mechanics' lien with the county recorder which then becomes a recorded lien against your property. Generally, the maximum time allowed for filing a mechanics' lien against your property is 90 days after substantial completion of your project.

**TO INSURE EXTRA PROTECTION FOR YOURSELF AND YOUR PROPERTY, YOU MAY WISH TO TAKE ONE OR MORE OF THE FOLLOWING STEPS:**

(1) Require that your contractor supply you with a payment and performance bond (not a license bond), which provides that the bonding company will either complete the project or pay damages up to the amount of the bond. This payment and performance bond as well as a copy of the construction contract should be filed with the county recorder for your further protection. The payment and performance bond will usually cost from 1 to 5 percent of the contract amount depending on the contractor's bonding ability. If a contractor cannot obtain such bonding, it may indicate his or her financial incapacity.

(2) Require that payments be made directly to subcontractors and material suppliers through a joint control. Funding services may be available, for a fee, in your area which will establish voucher or other means of payment to your contractor. These services may also provide you with lien waivers and other forms of protection. Any joint control agreement should include the addendum approved by the registrar.

(3) Issue joint checks for payment, made out to both your contractor and subcontractors or material suppliers involved in the project. The joint checks should be made payable to the persons or entities which send preliminary notices to you. Those persons or entities have indicated that they may have lien rights on your property; therefore, you need to protect yourself. This will help to insure that all person due are actually paid.

(4) Upon making payment on any completed phase of the project, and before making any further payments, require your contractor to provide you with unconditional "Waiver and Release" forms signed by each material supplier, subcontractor, and laborer involved in that portion of the work for which payment was made. The statutory lien releases are set forth in exact language in Section 3262 of the Civil Code. Most stationery stores will sell the "Waiver and Release" forms if your contractor does not have them. The material suppliers, subcontractors, and laborers that you obtain releases from are those persons or entities who have filed preliminary notices with you. If you are not certain of the material suppliers, subcontractors, and laborers working on your project, you may obtain a list from your contractor. On projects involving improvements to a single-family residence

or a duplex owned by the individuals, the person signing these releases lose the right to file a mechanics' lien claim against your property. In other types of construction, this protection may still be important, but may not be as complete.

To protect yourself under this option, you must be certain that all material suppliers, subcontractors, and laborers have signed the "Waiver and Release" form. If a mechanics' lien has been filed against your property, it can only be voluntarily released by a recorded "Release of Mechanics' Lien" signed by the person or entity that filed the mechanics' lien against your property unless the lawsuit to enforce the lien was not timely filed. You should not make any final payments until any and all such liens are removed. You should consult an attorney if a lien is filed against your property."

**Read and acknowledged:**

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Signature

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Dated

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Signature

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Dated



## Exhibit B

### Income Qualification Limits

Source: State of California Housing and Community Development 2010 CDBG & HOME Income Levels  
Effective June 26, 2010

#### **30% AMI Limit**

<b>1 Person</b>	<b>2 Persons</b>	<b>3 Persons</b>	<b>4 Persons</b>	<b>5 Persons</b>	<b>6 Persons</b>	<b>7 Persons</b>	<b>8 Persons</b>
<b>\$13,300</b>	<b>\$15,200</b>	<b>\$17,100</b>	<b>\$18,950</b>	<b>\$20,500</b>	<b>\$22,000</b>	<b>\$23,500</b>	<b>\$25,050</b>

#### **50% AMI Limit**

<b>1 Person</b>	<b>2 Persons</b>	<b>3 Persons</b>	<b>4 Persons</b>	<b>5 Persons</b>	<b>6 Persons</b>	<b>7 Persons</b>	<b>8 Persons</b>
<b>\$22,100</b>	<b>\$25,250</b>	<b>\$28,400</b>	<b>\$31,550</b>	<b>\$34,100</b>	<b>\$36,600</b>	<b>\$39,150</b>	<b>\$41,650</b>

#### **80% AMI Limit**

<b>1 Person</b>	<b>2 Persons</b>	<b>3 Persons</b>	<b>4 Persons</b>	<b>5 Persons</b>	<b>6 Persons</b>	<b>7 Persons</b>	<b>8 Persons</b>
<b>\$35,350</b>	<b>\$40,400</b>	<b>\$45,450</b>	<b>\$50,500</b>	<b>\$54,550</b>	<b>\$58,600</b>	<b>\$62,650</b>	<b>\$66,700</b>



**CITY OF LODI  
COUNCIL COMMUNICATION**

TM

**AGENDA TITLE:** Consider Budget Year 2011/12 Concession Proposal from Lodi Police Officers Association

**MEETING DATE:** June 15, 2011

**PREPARED BY:** City Attorney

**RECOMMENDED ACTION:** Consider Budget Year 2011/12 Concession Proposal from Lodi Police Officers Association.

**BACKGROUND INFORMATION:** Staff has received the following concession proposal from the Lodi Police Officers Association. For the reasons discussed below staff regrettably recommends that Council reject the Police Officers Associations proposal.

Group	Concession	Comments
Lodi Police Officers	3% PERS  waive all but \$59,100 of holiday cash out  waive comp time cash out  waive 3% deferred comp match  offset above concessions with any savings achieved by "super lowest cost medical."	No furloughs  Although not a negotiated concession, includes value of eliminating two funded position  Does not address POAL's Notice of Claim and leaves open substantial unbudgeted litigation costs  Super lowest cost medical would be achieved by POAL members who are currently on higher cost plans taking the PORAC plan and allowing non-sworn to join PORAC as associate members and securing the cheaper PORAC plan. Savings will only be credited as they are achieved.

The Police Officers Association ("POA") proposal leaves open the question Notice of Claim and its potential impact on the validity of the 2007 MOU, the 2010 Addendum, and the Side Letters of February 2009, June 2009, and June 2010. Unfortunately, Staff has not been able to discuss the Notice of Claim with the POA because the POA is represented by counsel who has elected to not attend the meetings. As Council knows, the POA contends that a business relationship between the negotiators voids the side letters. If the POA's contention is correct, the 2007 MOU and the 2010 Addendum would also necessarily be void because they were signed by the same parties. Among other things those agreements gave the POA a 20 percent raise, changed from a performance incentive bonus structure to a longevity pay structure, and significantly increased

APPROVED: \_\_\_\_\_  
Konradt Bartlam, City Manager

medical insurance opt out payments (going from \$25.00 per month to as much as \$650.00 per month). The 2010 Addendum provided various other benefits including an increase in the amount of tuition reimbursement up to \$3,000, that could be unwound. Although the City's cross claim far exceeds any claim the POA may ultimately pursue, the cost of litigating the claim is not in the City's 2011/12 budget. Accordingly staff can not recommend approval of the proposal without resolution of the Notice of Claim.

**FISCAL IMPACT:** FY 2011/12 Estimated savings of \$500,000 in eliminated funded positions (four police officers). Unknown litigation costs.

**FUNDING:** Not applicable.

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D. Stephen Schwabauer  
City Attorney