



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: September 4, 2013

Time: Closed Session 6:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Randi Johl-Olson, 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, and Jordan Ayers, Deputy City Manager (Labor Negotiators), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Fire Mid-Managers, and Lodi Professional Firefighters;
- Conference with Stephen Schwabauer, City Attorney, and Dean Gualco, Human Resources Manager (Labor Negotiators), Regarding International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6

C-3 Adjourn to Closed Session

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

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll Call

B. Presentations

- B-1 National Coaches Day Proclamation (CLK)
- B-2 California Coastal Cleanup Day / National Pollution Prevention Week (PW)
- B-3 Quarterly Update from the Greater Lodi Area Youth Commission (PRCS)

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

- C-1 Receive Register of Claims in the Amount of \$2,802,206.67 (FIN)
- C-2 Approve Minutes (CLK)
 - a) August 20 and 27, 2013 (Shirtsleeve Sessions)
 - b) August 21, 2013 (Regular Meeting)
- C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for DeBenedetti Park Masonry Wall Landscaping, 2160 West Century Boulevard (PW)
- C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Kofu Park Parking Lot Improvements, 1145 South Ham Lane (PW)

- Res. C-5 Adopt Resolution Awarding Contract for Stockton Street Improvements to A. M. Stephens Construction Company, Inc., of Lodi (\$178,162.40), and Appropriating Funds (\$205,000) (PW)
- Res. C-6 Adopt Resolution Accepting Improvements Under Contract for Reynolds Ranch Parkway Median Improvements Project and Appropriating Funds (\$29,846) (PW)
- C-7 Accept Improvements Under Contract for Lodi Transit Station Concrete Pavement Project, 28 South Sacramento Street (PW)
- C-8 Accept Improvements Under Contract for Mills Avenue Overlay Project (PW)
- C-9 Accept Improvements Under Contract for DeBenedetti Park Americans with Disabilities Act Access Improvement Project, 2150 South Lower Sacramento Road (PW)
- C-10 Accept Improvements Under Contract for 2013 Extruded Thermoplastic Traffic Stripes (PW)
- Res. C-11 Adopt Resolution Approving Task Order No. 4 with The Reed Group, Inc., of Sacramento, for Wastewater Utility Financial Planning and Rate Setting Services (\$25,000) and Appropriating Funds (\$35,000) (PW)
- Res. C-12 Adopt Resolution Authorizing the City Manager to Negotiate and Approve the Sole Source Purchase of a Fire Truck from the City of Lincoln, California, Including the Appropriation of Funds (FD)
- C-13 Receive Report Regarding Communication Pertaining to Senate Bill 594 (Hill) (CLK)
- C-14 Set Public Hearing for October 2, 2013, to Consider and Approve an Amendment of the 2013/14 Action Plan to Accommodate the Allocation of Previously Unallocated Funds Received in 2013/14 and the Reallocation of Unused Community Development Block Grant Funds from Previous Years (CD)
- C-15 Set Public Hearing for October 2, 2013, to Receive Comments on and Consider Accepting City of Lodi's Report on Water Quality Relative to Public Health Goals (PW)
- C-16 Set Public Hearing for October 16, 2013, to Consider Resolution Approving Storm Drainage and Parks Impact Mitigation Fee Program Schedule of Fees (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.

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

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 Adopting a Resolution Approving the 2012/13 Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CD)

H. Communications – None

I. Regular Calendar

- Res. I-1 Adopt Resolution Accepting City of Lodi Short-Range Transit Plan Update (PW)

J. Ordinances

- Ord. J-1 Adopt Ordinance No. 1882 Entitled, "An Uncodified Ordinance of the Lodi City Council
(Adopt) Amending Lodi Municipal Code Chapter 16.24 – Improvements – by Repealing Section 16.24.040, 'Streets,' in Its Entirety; and Further Amending Chapter 16.40 – Reimbursements for Construction – by Repealing Sections 16.40.010, 'Findings and Purpose,' and 16.40.020, 'Improvements to be Reimbursed'" (CLK)
- Ord. J-2 Adopt Ordinance No. 1883 Entitled, "An Ordinance of the Lodi City Council Amending Lodi
(Adopt) Municipal Code Title 17 – Zoning – by Repealing and Reenacting Section 17.50.030 E-3, 'Reimbursement for Excess Street Width,' in Its Entirety; Repealing and Reenacting Sections 17.62.010, 'Findings and Purpose,' and 17.62.020, 'Improvements to be Reimbursed,' in Their Entirety" (CLK)

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.

Randi Johl-Olson
City Clerk



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: National Coaches Day Proclamation

MEETING DATE: September 4, 2013

PREPARED BY: City Clerk

RECOMMENDED ACTION: Mayor Nakanishi to present proclamation in recognition of “National Coaches Day.”

BACKGROUND INFORMATION: The Mayor was contacted by the Woznick family regarding their daughter Madeline’s desire to recognize her coach, along with all coaches, for the support, encouragement, and inspiration they continually give to students and athletes. In recognition of National Coaches Day, Madeline’s coach, Cindy Griffin will accept a proclamation to be presented by the Mayor. Further, Mayor Nakanishi will present Madeline Woznick with a Certificate of Recognition for her efforts to bring awareness to coaches and all they do for communities.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None.

Randi Johl-Olson
City Clerk

RJO/JMR

APPROVED: _____
Konradt Bartlam, City Manager



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Presentation of Proclamation Proclaiming September 21, 2013 as “California Coastal Cleanup Day” and September 16 - 21, 2013 as “National Pollution Prevention Week” in Lodi

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Presentation of proclamation proclaiming September 21, 2013 as “California Coastal Cleanup Day” and September 16 - 21, 2013 as “National Pollution Prevention Week” in Lodi.

BACKGROUND INFORMATION: Every year, on the third Saturday in September, people join together at sites all over California to take part in the State's largest volunteer event, California Coastal Cleanup Day. In 2012, over 65,000 volunteers removed almost 770,000 pounds of trash and recyclables from California's beaches, lakes, and waterways. Families, friends, coworkers, scout troops, school groups, service clubs, and individuals come together to celebrate and share their appreciation of California's fabulous coast and waterways. The event is part of the International Coastal Cleanup, organized by the Ocean Conservancy, which is the largest volunteer event on the planet.

Vast amounts of plastic debris litter the world's oceans, and most of this debris comes from land. Our beaches are collecting spots for trash from city streets and highways. Trash can travel via inland waterways, storm drains, sewers, and wind, and then eventually ends up on the coast. If not removed, this debris will end up in the ocean. Beach cleanups are a last line of defense to prevent debris from causing harm to our oceans, to wildlife, to our coastal economies, and even to beach-goers.

2013 will be Lodi's eleventh year participating in this annual event. In 2012, over 240 volunteers removed almost 500 pounds of trash and recyclables from Lodi Lake and nearby waterways. This year, Lodi Lake Coastal Cleanup participants are encouraged to ride their bicycles to the cleanup event. A bicycle valet and safe parking area will be designated near the Discovery Center.

National Pollution Prevention Week is an opportunity for City of Lodi to bring awareness to ways in which we can all on a daily basis prevent pollution and to celebrate the volunteers and residents throughout the City of Lodi who actively participate in pollution prevention activities.

A representative of the Public Works Department will be present to accept the proclamation.

FISCAL IMPACT: None.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

Prepared by Kathryn E. Garcia, Compliance Engineer
FWS/KMG/pmf
cc: Deputy Public Works Director – Utilities

APPROVED: _____
Konradt Bartlam, City Manager



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Quarterly Update from the Greater Lodi Area Youth Commission

MEETING DATE: September 4, 2013

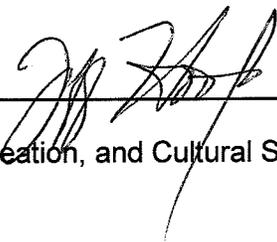
PREPARED BY: Parks, Recreation, and Cultural Services Director

RECOMMENDED ACTION: Receive quarterly update from Greater Lodi Area Youth Commission (LYC).

BACKGROUND INFORMATION: The LYC desires to stay more connected to the City Council and the community by having current commissioners provide a quarterly report on the activities of the Commission.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.



Jeff Hood
Parks, Recreation, and Cultural Services Director

Prepared by: JCW

APPROVED: _____
Konradt Bartlam, City Manager



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Receive Register of Claims through August 15, 2013 in the Total Amount of \$2,802,206.67.

MEETING DATE: September 4, 2013

PREPARED BY: Financial Services Manager

RECOMMENDED ACTION: Receive the attached Register of Claims for \$2,802,206.67.

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of \$2,802,206.67 through 08/15/13. Also attached is Payroll in the amount of \$1,208,906.27.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: As per attached report.

Ruby R. Paiste, Financial Services Manager

RRP/rp

Attachments

APPROVED: _____
Konradt Bartlam, City Manager

Accounts Payable
Council Report

Page - 1
Date - 08/22/13

As of Thursday	Fund	Name	Amount
08/15/13	00100	General Fund	991,402.91
	00160	Electric Utility Fund	81,651.52
	00164	Public Benefits Fund	141,890.20
	00170	Waste Water Utility Fund	72,524.68
	00171	Waste Wtr Util-Capital Outlay	2,337.50
	00175	IMF Storm Facilities	1,112.40
	00180	Water Utility Fund	60,750.86
	00181	Water Utility-Capital Outlay	81,689.12
	00210	Library Fund	6,420.37
	00234	Local Law Enforce Block Grant	183.03
	00235	LPD-Public Safety Prog AB 1913	61.90
	00260	Internal Service/Equip Maint	45,876.02
	00270	Employee Benefits	21,363.02
	00300	General Liabilities	69,477.97
	00301	Other Insurance	150,341.00
	00310	Worker's Comp Insurance	28,107.43
	00321	Gas Tax-2105,2106,2107	14,927.53
	00322	Gas Tax -2103	627,998.06
	00325	Measure K Funds	24,396.20-
	00340	Comm Dev Special Rev Fund	136.27
	00347	Parks, Rec & Cultural Services	25,513.90
	00444	HUD-Federal Sustainable Comm	150.30
	00459	H U D	23,261.92
	01211	Capital Outlay/General Fund	7,258.98
	01212	Parks & Rec Capital	7,033.20
	01250	Dial-a-Ride/Transportation	135,027.79
	01251	Transit Capital	65,458.76
	01410	Expendable Trust	95,342.93
Sum			2,732,903.37
	00184	Water PCE-TCE-Settlements	168.00
	00190	Central Plume	69,135.30
Sum			69,303.30
Total Sum			2,802,206.67

Council Report for Payroll

Payroll	Pay Per Date	Co	Name	Gross Pay
Regular	08/04/13	00100	General Fund	711,462.85
		00160	Electric Utility Fund	131,876.67
		00161	Utility Outlay Reserve Fund	8,968.69
		00170	Waste Water Utility Fund	109,476.90
		00180	Water Utility Fund	16,296.14
		00210	Library Fund	28,008.62
		00235	LPD-Public Safety Prog AB 1913	1,154.00
		00239	CalGRIP	864.40
		00260	Internal Service/Equip Maint	15,710.64
		00270	Employee Benefits	2,955.89
		00321	Gas Tax-2105,2106,2107	30,773.14
		00340	Comm Dev Special Rev Fund	23,772.70
		00347	Parks, Rec & Cultural Services	120,043.75
		01250	Dial-a-Ride/Transportation	7,541.88
Pay Period Total:				
Sum				1,208,906.27



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Approve Minutes
a) August 20, 2013 (Shirtsleeve Session)
b) August 21, 2013 (Regular Meeting)
c) August 27, 2013 (Shirtsleeve Session)

MEETING DATE: September 4, 2013

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve the following minutes as prepared:
a) August 20, 2013 (Shirtsleeve Session)
b) August 21, 2013 (Regular Meeting)
c) August 27, 2013 (Shirtsleeve Session)

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

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl-Olson
City Clerk

Attachments

APPROVED: _____
Konradt Bartlam, City Manager

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, AUGUST 20, 2013**

A. Roll call by City Clerk

A Special Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held at the Lodi Grape Bowl, 221 Lawrence Street, Lodi, on Tuesday, August 20, 2013, commencing at 7:00 a.m.

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

Absent: None

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

B. Topic(s)

B-1 Tour of Grape Bowl (PRCS)

Parks, Recreation and Cultural Services Director Jeff Hood provided a tour of the Grape Bowl Facility. Mr. Hood generally discussed construction status, project time lines, costs associated with project completion, and current and future use of the facility.

C. Comments by public on non-agenda items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:40 a.m.

ATTEST:

Randi Johl-Olson
City Clerk

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, AUGUST 21, 2013**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of August 21, 2013, was called to order by Mayor Nakanishi at 6:30 p.m.

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

Absent: None

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

C-2 Announcement of Closed Session

- a) Conference with Stephen Schwabauer, City Attorney, and Jordan Ayers, Deputy City Manager (Labor Negotiators), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Fire Mid-Managers, and Lodi Professional Firefighters; Conference with Stephen Schwabauer, City Attorney, and Dean Gualco, Human Resources Manager (Labor Negotiators), Regarding International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6

C-3 Adjourn to Closed Session

At 6:30 p.m., Mayor Nakanishi adjourned the meeting to a Closed Session to discuss the above matter. The Closed Session adjourned at 7:05 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:05 p.m., Mayor Nakanishi reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following action.

Item C-2 (a) was discussion and direction only with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of August 21, 2013, was called to order by Mayor Nakanishi at 7:05 p.m.

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

Absent: None

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

B. Presentations

- B-1 Presentation of Certificates of Appreciation to Parks, Recreation, and Cultural Services Department Fundraisers (PRCS)

Following introductory comments by Parks, Recreation, and Cultural Services Director Jeff Hood, Mayor Nakanishi presented certificates for the following PRCS fundraisers: Mark Armstrong, the

Boosters of Boys and Girls Sports, Bridgetowne Homeowners Association, Jack Fiori, the Hutchins Street Square Foundation, the Lodi Arts Foundation, and Pauline Meyer.

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

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

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

C-1 Receive Register of Claims in the Amount of \$6,556,715.29 (FIN)

Claims were approved in the amount of \$6,556,715.29.

C-2 Approve Minutes (CLK)

The minutes of August 6, 2013 (Shirtsleeve Session), August 7, 2013 (Regular Meeting), August 13, 2013 (Shirtsleeve Session), and August 13, 2013 (Special Meeting) were approved as written.

C-3 Approve Specifications and Authorize Advertisement for Bids to Procure Wood Poles (EUD)

Approved the specifications and authorized advertisement for bids to procure wood poles.

C-4 Approve Specifications and Authorize Advertisement for Bids to Procure 15kV Insulated Underground Cable (EUD)

Approved the specifications and authorized advertisement for bids to procure 15kV insulated underground cable.

C-5 Approve Specifications and Authorize Advertisement for Bids to Procure a Fiber Optic Trailer (EUD)

Approved the specifications and authorized advertisement for bids to procure a fiber optic trailer.

C-6 Approve Specifications and Authorize Advertisement for Bids for Replacement of Raywood Ash Trees, Phase II Project (PW)

Approved the specifications and authorized advertisement for bids for Replacement of Raywood Ash Trees, Phase II Project.

C-7 Approve Plans and Specifications and Authorize Advertisement for Bids for the Hutchins Street Square Pool Filtration System Upgrade Project (PW)

Approved the plans and specifications and authorized advertisement for bids for the Hutchins Street Square Pool Filtration System Upgrade Project.

C-8 Adopt Resolution Authorizing Purchase of Fuel Master Plus Fuel Management System

from PME Equipment Sales, of West Sacramento (\$25,993.56) (PW)

Adopted Resolution No. 2013-148 authorizing the purchase of Fuel Master Plus Fuel Management System from PME Equipment Sales, of West Sacramento, in the amount of \$25,993.56.

C-9 Adopt Resolution Authorizing Purchase of Three Traffic Signal Controllers/Cabinets from Econolite Group, Inc., of San Leandro (\$40,091.76) (PW)

Adopted Resolution No. 2013-149 authorizing the purchase of three traffic signal controllers/cabinets from Econolite Group, Inc., of San Leandro, in the amount of \$40,091.76.

C-10 Adopt Resolution Authorizing Purchase of Upgraded Email Server Hardware and Software from Dell and CDWG and Appropriating Funds (\$23,561.43) (CM)

Adopted Resolution No. 2013-150 authorizing the purchase of upgraded email server hardware and software from Dell and CDWG and appropriating funds in the amount of \$23,561.43.

C-11 Adopt Resolution Approving the Purchase of Underground Cable to Prysmian Cables and Systems USA, LLC, of Lexington, South Carolina (\$154,990.03) (EUD)

Adopted Resolution No. 2013-151 approving the purchase of underground cable to Prysmian Cables and Systems USA, LLC, of Lexington, South Carolina, in the amount of \$154,990.03.

C-12 Accept Improvements Under Contract for Fire Station No. 2 Site Improvement Project (PW)

Accepted the improvements under contract for Fire Station No. 2 Site Improvement Project.

C-13 Accept Improvements Under Contract for City Hall Annex Phase 1 Demolition and Abatement Project (PW)

Accepted the improvements under contract for City Hall Annex Phase 1 Demolition and Abatement Project.

C-14 Adopt Resolution Authorizing the City Manager to Execute Change Orders No. 2 Through 7 to Contract with Knife River Construction, of Stockton, for Water Meter Program Phase 3 (\$771,215) and Appropriating Funds (\$764,811) (PW)

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

In response to Council Member Johnson, Public Works Director Wally Sandelin stated Teichert was recently awarded another City project although the division was from Davis instead of Stockton. City Attorney Schwabauer explained the process by which a determination can be made to find a bidder non-responsive and stated contention by itself is not a sufficient basis for bid rejection.

In response to Council Member Johnson, Mr. Sandelin stated the road was in need of repair prior to the Lodi Energy Center being built and the project provided an opportunity to share the costs associated with the road improvements.

In response to Council Member Johnson, City Manager Bartlam stated an engineer's estimate ensures that there is enough money budgeted for the project and that the money is available at the appropriate times because the budgeting process may occur months before project

undertaking. Mr. Bartlam stated the estimate includes previous costs for labor and materials and similar bids in the region. He stated bids come in both high and low in comparison to the estimate.

In response to Mayor Nakanishi, Mr. Sandelin provided an overview of the process used to determine the engineer's estimate including evaluation of unit prices, past experience, public cost estimating resources, and contingency factors.

Council Member Johnson made a motion, second by Mayor Pro Tempore Katzakian, to adopt Resolution No. 2013-157 authorizing the City Manager to execute Change Orders No. 2 through 7 to contract with Knife River Construction, of Stockton, for Water Meter Program Phase 3 in the amount of \$771,215 and appropriating funds in the amount of \$764,811.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

C-15 Adopt Resolution Authorizing the City Manager to Execute Extension of Agreement with Cintas, of Stockton, for Rental and Cleaning of Uniforms for Certain Field and Warehouse Employees (\$78,000) (PW)

Adopted Resolution No. 2013-152 authorizing the City Manager to execute extension of agreement with Cintas, of Stockton, for rental and cleaning of uniforms for certain field and warehouse employees.

C-16 Adopt Resolution Authorizing the City Manager to Execute Amendment to Lease Agreement with T-Mobile West, LLC, for Ground Space Lease at 1331 South Ham Lane (PW)

Adopted Resolution No. 2013-153 authorizing the City Manager to execute amendment to lease agreement with T-Mobile West, LLC, for ground space lease at 1331 South Ham Lane.

C-17 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement with Baumbach & Piazza, Inc, of Lodi, for Topographic Survey Work for Harney Lane Grade Separation Project and Appropriating Funds (\$24,000) (PW)

Adopted Resolution No. 2013-154 authorizing the City Manager to execute professional services agreement with Baumbach & Piazza, Inc, of Lodi, for topographic survey work for Harney Lane Grade Separation Project and appropriating funds in the amount of \$24,000.

C-18 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement with American Insulation to Administer the Lodi Low-Income Residential Weatherization Pilot Program (\$200,000) (EUD)

Adopted Resolution No. 2013-155 authorizing the City Manager to execute professional services agreement with American Insulation to administer the Lodi Low-Income Residential Weatherization Pilot Program in the amount of \$200,000.

C-19 Adopt Resolution Repealing and Reenacting Resolution No. 2012-136 Establishing Fees and Fines for Police, Fire, and Parks, Recreation, and Cultural Services Departments in Its Entirety (CA)

Adopted Resolution No. 2013-156 repealing and reenacting Resolution No. 2012-136 establishing fees and fines for Police, Fire, and Parks, Recreation, and Cultural Services Departments in its entirety.

C-20 Set Public Hearing for September 4, 2013, to Consider and Approve the 2012/13 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report and an Amendment of the 2013/14 Action Plan to Accommodate the Allocation of Previously Unallocated Funds Received in 2013/14 and the Reallocation of Unused CDBG Funds from Previous Years (CD)

Set public hearing for September 4, 2013, to consider and approve the 2012/13 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report and an amendment of the 2013/14 Action Plan to accommodate the allocation of previously unallocated funds received in 2013/14 and the reallocation of unused CDBG funds from previous years.

D. Comments by the Public on Non-Agenda Items
THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES. Public comment may only be made on matters within the Lodi City Council's jurisdiction (Government Code Section 54954.3, Lodi City Council Protocol Manual Section 6.3I). The Council cannot take action or deliberate on items that are not on this agenda unless there is an emergency and the need to take action on that emergency arose after this agenda was posted (Government Code Section 54954.2(b)(2)). All other items may only be referred for review to staff or placement on a future Council agenda.

John Slaughterback spoke in regard to his concern about how new development will affect sewer capacity and the need to recover that cost through impact fees.

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

Council Member Mounce provided comments and suggestions regarding communication with the citizenry in regard to City construction projects, east side challenges, and utility box services.

Council Member Johnson spoke in regard to a recent Stockton Record article, which discussed neighborhoods directly communicating with one another to alleviate code enforcement violations resulting in cost savings to the City of Stockton. Mr. Johnson suggested staff review options for a similar program in Lodi.

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

None.

G. Public Hearings - None

H. Communications

H-1 Appointments to the Greater Lodi Area Youth Commission ~ Student Appointees (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to make the following appointments:

Greater Lodi Area Youth Commission ~ Student Appointees

Chrissy Dodd, term to expire May 31, 2014
Hayden Johnson, term to expire May 31, 2014
Miranda O'Mahony, term to expire May 31, 2014
Daniel Anaforian, term to expire May 31, 2015
Josh Baumbach, term to expire May 31, 2015
Simaron Dhillon, term to expire May 31, 2015
Andrew Moton, term to expire May 31, 2015

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

H-2 Monthly Protocol Account Report (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to accept the cumulative Monthly Protocol Account Report through July 31, 2013.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

I. Regular Calendar

I-1 Select Operating Model for Financial Systems and Adopt Resolution Authorizing the City Manager to Execute Agreement with Tyler Technologies, Inc. for Replacement Financial Systems (CM)

Deputy City Manager/Finance Director Jordan Ayers provided a PowerPoint presentation regarding selecting a financial system replacement. Specific topics of discussion included the current status of the project, activities to date, operating model options including locally hosted versus vendor hosted, costs, and recommended action.

In response to Council Member Hansen, Mr. Ayers stated with the locally hosted option there is sufficient hardware capacity but software will need to be replaced.

In response to Council Member Hansen, Mr. Ayers and Information Systems Division Manager Steve Mann confirmed that the AS400 system dates back to 1998 and the current box is approximately five years old. Mr. Mann stated hardware typically has a four-year optimal life and Tyler Technologies (Tyler) would likely have a similar replacement schedule.

In response to Council Member Hansen, Mr. Ayers confirmed that ISD staff currently provides a help desk, the current system is functional based on narrow usage for day-to-day operations, and any contract would include vendor availability.

In response to Council Member Johnson, Mr. Ayers stated the proposed system is significantly different than the current operating system and would require additional staff education.

In response to Council Member Hansen, Mr. Ayers confirmed that ISD staff will receive training

under either the locally or vendor hosted model over the next two-year period during implementation.

In response to Council Member Mounce, Mr. Mann stated he is confident that the ISD staff could learn and maintain the new system into the future under a locally hosted option.

In response to Council Member Johnson, Mr. Ayers and Mr. Mann confirmed that the City does not have scheduled down time like Tyler because the City has a redundant system.

In response to Mayor Nakanishi, Mr. Ayers stated Tyler would be responsible for replacement costs of software and hardware under the vendor hosted option.

In response to Council Member Hansen, Mr. Ayers confirmed under the locally hosted option Tyler and the City would each be responsible for its own hardware replacement costs.

In response to Mayor Nakanishi, Mr. Ayers confirmed that the system would not be accessible without Internet connection under the vendor hosted model because the system would be web-based. Mr. Ayers stated the user could access the system from another location that had Wifi connectivity.

In response to Council Member Hansen, Mr. Ayers confirmed that under the vendor hosted model, Tyler would be unavailable for system upgrades and back-up every day from 2:00 a.m. to 3:00 a.m.

In response to Council Member Mounce, Mr. Ayers stated the estimated total cost for the locally hosted option is \$3.3 million with the current level of three full-time staff members for seven years and system costs including annual maintenance.

In response to Mayor Nakanishi, Mr. Ayers stated the maintenance cost is expected to increase by 5% annually thereafter.

A brief discussion ensued between Council Member Hansen and Mr. Ayers regarding personnel costs, software and licensing costs, and maintenance costs under both options and the approximate difference of \$300,000 between the locally hosted and vendor hosted model.

In response to Council Member Hansen, Mr. Ayers stated the licensing cost is approximately \$106,000, City business processes were identified through the proposal process, and the system will have options for enhanced usage capability although the City will only pay for options if and when they are used.

In response to Council Member Mounce, Mr. Ayers stated the information provided regarding the elimination of two employees in the future based on automation is based on feedback received from other agency references.

In response to Council Member Hansen, Mr. Ayers stated he does not have preference for locally hosted or vendor hosted but is in favor of replacing the current system as soon as possible.

In response to Council Member Hansen, Mr. Ayers confirmed that hardware costs are paid independently under the locally hosted option and jointly with other users under the vendor hosted option.

In response to Council Member Mounce, Mr. Ayers confirmed that patches and similar activities are provided under both options.

In response to Council Member Johnson, City Attorney Schwabauer stated the contract includes attainment goals for Tyler primarily driven by response times to the City's needs and complete system failure would not fall under those attainment goals.

In response to Ed Miller, Mr. Ayers stated the \$42,000 figure is for adding additional memory and the remainder is for replacing local servers and the overall costs for the project will be attributed to replacement of the City's entire financial system.

Kevin Bell spoke in favor of the locally hosted option based on current employee capability and availability. In response to Council Member Johnson, Mr. Bell stated the largest data piece that will need to be used in conjunction with the new financial system is the fixed network.

In response to Mayor Nakanishi, Mr. Mann provided the years of experience with the City of the current ISD staff.

Kyle Snowdon of Tyler Technologies provided a brief overview of the company and specifically discussed client retention rates, maintenance and licensing costs for the vendor hosted option, and annual maintenance costs for seven years under proposed terms.

In response to Mayor Nakanishi, Mr. Snowdon stated the annual maintenance cost is projected to increase about 5% over the seven-year period.

In response to Mayor Pro Tempore Katzakian, Mr. Snowdon stated the primary benefit to the vendor hosted option is that the City does not have to worry about hardware costs and the scheduled down time is specifically set for disaster recovery and back-up.

In response to Council Member Hansen, Mr. Snowdon stated the system is web-based through the Internet and the company has not experienced any hacking problems that he is aware of during his 12 years with the company to date.

Council Member Mounce made a motion, second by Mayor Nakanishi, to select locally-hosted as the operating model for financial systems and to adopt Resolution No. 2013-158 authorizing the City Manager to execute agreement with Tyler Technologies, Inc. for replacement financial systems.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

I-2 Introduce an Uncodified Ordinance Amending Lodi Municipal Code Chapter 16.24 - Improvements - by Repealing Section 16.24.040, "Streets," in Its Entirety; and Further Amending Chapter 16.40 - Reimbursements for Construction - by Repealing Sections 16.40.010, "Findings and Purpose," and 16.40.020, "Improvements to Be Reimbursed," in Their Entirety (CA)

Council Member Hansen made a motion, second by Council Member Johnson, to introduce uncodified Ordinance No. 1882 amending Lodi Municipal Code Chapter 16.24 - Improvements - by repealing Section 16.24.040, "Streets," in its entirety; and further amending Chapter 16.40 - Reimbursements for Construction - by repealing Sections 16.40.010, "Findings and Purpose," and 16.40.020, "Improvements to Be Reimbursed," in their entirety.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

- I-3 Introduce Ordinance Amending Lodi Municipal Code Title 17 - Zoning - by Repealing and Reenacting Section 17.50.030 E-3, "Reimbursement for Excess Street Width," in Its Entirety; and Further Repealing and Reenacting Sections 17.62.010, "Findings and Purpose," and 17.62.020, "Improvements to be Reimbursed," in Their Entirety (CA)

Council Member Hansen made a motion, second by Council Member Johnson, to introduce Ordinance No. 1883 amending Lodi Municipal Code Title 17 - Zoning - by repealing and reenacting Section 17.50.030 E-3, "Reimbursement for Excess Street Width," in its entirety; and further repealing and reenacting Sections 17.62.010, "Findings and Purpose," and 17.62.020, "Improvements to be Reimbursed," in their entirety.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

- J. Ordinances - None

- K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 9:20 p.m.

ATTEST:

Randi Johl-Olson
City Clerk

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, AUGUST 27, 2013**

The August 27, 2013, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Randi Johl-Olson
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for DeBenedetti Park Masonry Wall Landscaping, 2160 West Century Boulevard

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve plans and specifications and authorize advertisement for bids for DeBenedetti Park masonry wall landscaping, 2160 West Century Boulevard.

BACKGROUND INFORMATION: The master plan for DeBenedetti Park includes a maintenance yard consisting of park maintenance facilities, a storm drainage pump station, a municipal well and a masonry wall surrounding the facilities at the southwest corner of Century Boulevard and Heavenly Way. The pump station, well, and masonry wall projects have been completed.

This project consists of landscaping the street frontage adjacent to the newly installed masonry wall. The project includes the installation of new concrete mow strip, automatic irrigation system, soil preparation, sod turf, native planting materials, and other incidental and related work, all as shown on the plans and specifications for the project. The landscaping will look similar to the existing landscaping along Heavenly Way and Century Boulevard.

FISCAL IMPACT: The project will increase the long-term maintenance cost of the added landscaping area.

FUNDING AVAILABLE: Funding for this project will be identified at contract award.

F. Wally Sandelin
Public Works Director

Prepared by Chris Boyer, Assistant Engineer
FWS/CB/pmf
cc: Deputy Public Works Director – Utilities
Parks, Recreation and Cultural Services Director

APPROVED: _____
Konradt Bartlam, City Manager



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for Kofu Park Parking Lot Improvements, 1145 South Ham Lane

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve plans and specifications and authorize advertisement for bids for Kofu Park parking lot improvements, 1145 South Ham Lane.

BACKGROUND INFORMATION: This project consists of reconstructing the southern parking lot at Kofu Park. The work includes replacing approximately 34,000 square feet of parking lot pavement, constructing a drive approach, installing two handicap-accessible parking stalls, replacing 700 square feet of paving adjacent to the MSC gate card reader, and other incidental and related work.

The existing parking lot pavement is severely cracked, settled and potholed. The cracks are due to the age of the pavement and the number of vehicles using the parking lot. The cracks have allowed water to seep into the pavement subgrade, causing the pavement to fail. The pavement adjacent to the MSC gate card reader is severely rutted due to the stopping and starting of numerous heavy vehicles.

The plans and specifications are on file in the Public Works Department. The planned bid opening date is September 25, 2013. The project estimate is \$235,000.

FISCAL IMPACT: The project will decrease maintenance costs.

FUNDING AVAILABLE: Funding will be identified at the time of project award.

F. Wally Sandelin
Public Works Director

Prepared by Sean Nathan, Associate Civil Engineer
FWS/SN/pmf

cc: Deputy Public Works Director – Utilities
City Engineer/Deputy Public Works Director
Associate Civil Engineer Nathan

APPROVED: _____
Konradt Bartlam, City Manager



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Awarding Contract for Stockton Street Improvements to A. M. Stephens Construction Company, Inc., of Lodi (\$178,162.40) and Appropriating Funds (\$205,000)

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution awarding contract for Stockton Street Improvements to A. M. Stephens Construction Company, Inc., of Lodi, in the amount of \$178,162.40 and appropriating funds in the amount of \$205,000.

BACKGROUND INFORMATION: This project consists of furnishing and installing approximately 5,200 square feet of asphalt concrete and aggregate base, approximately 550 lineal feet of concrete vertical curb, gutter and sidewalk, storm drain inlets, and curb return; relocating an existing traffic signal pole; replacing/adding traffic signal loop detectors; and other incidental and related work, all as shown on the plans and specifications for the above project.

On October 14, 2008, Council approved an Improvement Deferral Agreement for Thule Hitch Systems for the property located at 1313 South Stockton Street. The Improvement Deferral Agreement required the owner to pay for or complete frontage improvements along Stockton Street within two years of the approval date. Since that time, Thule Hitch Systems sold the property to Mepco Company before the required improvements were completed. As a condition of sale, Thule Hitch Systems was required to fulfill the terms of the original Improvement Deferral Agreement by paying the City \$110,000 for these frontage improvements along Stockton Street.

The original project was to add curb, gutter and sidewalk to the frontage of the property at 1313 South Stockton Street. Subsequently, the Public Works Department decided to fix an existing traffic lane misalignment condition by realigning the curb return at the northwest corner of the Kettleman Lane and Stockton Street intersection. These changes to the project increased the project cost from the estimated \$110,000 to the bid amount of \$178,162.40. Additionally, due to the work within Caltrans right-of-way, the Public Works staff is recommending an extra 15% appropriation above the contract value in case there are unforeseen conditions found in Caltrans right-of-way. The total appropriation request is \$205,000.

Plans and specifications for this project were approved on March 20, 2013. The City received the following eight bids for this project on August 7, 2013.

APPROVED: _____
Konradt Bartlam, City Manager

Bidder	Location	Bid
Engineer's Estimate		\$ 163,917.50
A. M. Stephens Construction Company	Lodi	\$ 178,162.40
FBD Vanguard Construction	Livermore	\$ 195,530.50
Cazadores Construction	El Dorado Hills	\$ 202,701.25
Martin General Engineering	Rancho Cordova	\$ 208,701.00
B&M Builders	Rancho Cordova	\$ 212,116.00
Taylor Backhoe Service	Merced	\$ 231,546.00
Knife River Construction	Stockton	\$ 239,999.00
Robert Burns Construction	Stockton	\$ 284,549.50

FISCAL IMPACT: The project will increase the long-term maintenance cost of the added pavement sections.

FUNDING AVAILABLE: Requested Appropriation: Streets Capital (320124) - \$205,000

Jordan Ayers
Deputy City Manager/Internal Services Director

F. Wally Sandelin
Public Works Director

Prepared by Chris Boyer, Assistant Engineer
FWS/CB/pmf
cc: Deputy Public Works Director – Utilities

**STOCKTON STREET OFFSITE IMPROVEMENT
1313 South Stockton Street**

CONTRACT

CITY OF LODI, CALIFORNIA

THIS CONTRACT made by and between the CITY OF LODI, State of California, herein referred to as the "City," and A. M. STEPHENS CONSTRUCTION COMPANY, INC., 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 incorporated herein by this reference, to-wit:

Notice Inviting Bids	The July 2006 Edition,
Information to Bidders	Standard Specifications,
General Provisions	State of California,
Special Provisions	Business and Transportation Agency,
Bid Proposal	Department of Transportation
Contract	
Contract Bonds	
Plans	

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 two bonds 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 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.

ITEM NO.	DESCRIPTION	UNIT	EST'D. QTY	UNIT PRICE	TOTAL PRICE
11.	Thermoplastic Markings	SF	60	\$ 11.05	\$ 663.00
12.	Thermoplastic Stripe	LF	570	\$ 3.10	\$ 1,767.00
13.	Water Pollution Control	LS	1	\$ 8,250.00	\$ 8,250.00
14.	12-Inch Storm Pipe	LF	36	\$ 184.00	\$ 6,624.00
15.	48-Inch Storm Manhole	EA	1	\$ 4,200.00	\$ 4,200.00
16.	Side Inlet Catch Basin	EA	2	\$ 1,800.00	\$ 3,600.00
TOTAL					\$178,162.40

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 **60 CALENDAR 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 written below.

CONTRACTOR:

CITY OF LODI

By: _____

Konradt Bartlam
City Manager

By: _____

Date: _____

Attest

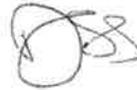
Title

City Clerk

(CORPORATE SEAL)

Approved As To Form

D. Stephen Schwabauer
City Attorney



1. AA# _____

2. JV# _____

CITY OF LODI APPROPRIATION ADJUSTMENT REQUEST

TO:	Internal Services Dept. - Budget Division		
3. FROM:	Rebecca Areida-Yadav	5. DATE:	8/19/2013
4. DEPARTMENT/DIVISION:	Public Works		

6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW

	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	320		3205	Fund Balance	\$ 205,000.00
B. USE OF FINANCING	320	320124	7720	Stockton/Kettleman Improvements	\$ 205,000.00

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.

Contract with AM Stephens for Stockton Street Improvements

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 Sandel

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. 2013-_____

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT FOR STOCKTON STREET IMPROVEMENTS PROJECT AND FURTHER APPROPRIATING FUNDS

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 August 7, 2013, at 11:00 a.m., for the Stockton Street Improvements Project described in the plans and specifications therefore approved by the City Council on March 20, 2013; and

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

Bidder	Bid	
A. M. Stephens Construction Company		\$ 178,162.40
FBD Vanguard Construction		\$ 195,530.50
Cazadores Construction		\$ 202,701.25
Martin General Engineering		\$ 208,701.00
B&M Builders		\$ 212,116.00
Taylor Backhoe Service		\$ 231,546.00
Knife River Construction		\$ 239,999.00
Robert Burns Construction		\$ 284,549.50

WHEREAS, staff recommends awarding the contract for the Stockton Street Improvements Project to the low bidder, A. M. Stephens Construction Company, Inc., of Lodi, California, in the amount of \$178,162.40.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby award the contract for the Stockton Street Improvements Project to the low bidder, A. M. Stephens Construction Company, Inc., of Lodi, California, in the amount of \$178,162.40; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract; and

BE IT FURTHER RESOLVED that funds in the amount of \$205,000 be appropriated for the project from the Streets Capital account.

Dated: September 4, 2013

I hereby certify that Resolution No. 2013-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 4, 2013, by the following vote:

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

RANDI JOHL-OLSON
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Accepting Improvements Under Contract for Reynolds Ranch Parkway Median Improvements Project and Appropriating Funds (\$29,846)

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution accepting improvements under contract for Reynolds Ranch Parkway Median Improvements Project and appropriating funds in the amount of \$29,846.

BACKGROUND INFORMATION: The contract was awarded to Anchor Concrete Construction, Inc., of Antioch, in the amount of \$29,846, on April 17, 2013. The contract has been completed in substantial conformance with the plans and specifications approved by City Council.

This project consisted of removing existing landscape elements in the narrow part of the median, installing stamped concrete, and other incidental and related work, all as shown on the plans and specifications for the project. The location of the project is shown on Exhibit A.

The previous landscape elements in the median along Reynolds Ranch Parkway were installed in 2009, as part of the Reynolds Ranch improvements. The plants in the narrow part of the median, where the width is less than four feet, were not doing well and were difficult to maintain. The landscape elements in these narrow portions were removed and replaced with stamped concrete, improving the aesthetics of the median and also reducing the long-term maintenance costs in the area.

The contract completion date was August 9, 2013. The final contract price was \$29,846.

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: This project will reduce the long-term maintenance costs of the Reynolds Ranch Parkway median.

FUNDING AVAILABLE: This project was funded by Measure K (325058). The funds were appropriated in FY 2012/13 and not carried over to FY 2013/14. Requested Appropriation: Measure K (325058) – \$29,846

Jordan Ayers
Deputy City Manager/Internal Services Director

F. Wally Sandelin
Public Works Director

Prepared by Lyman Chang, Senior Civil Engineer
FWS/LC/pmf
Attachment
cc: Senior Civil Engineer
Deputy Public Works Director – Utilities

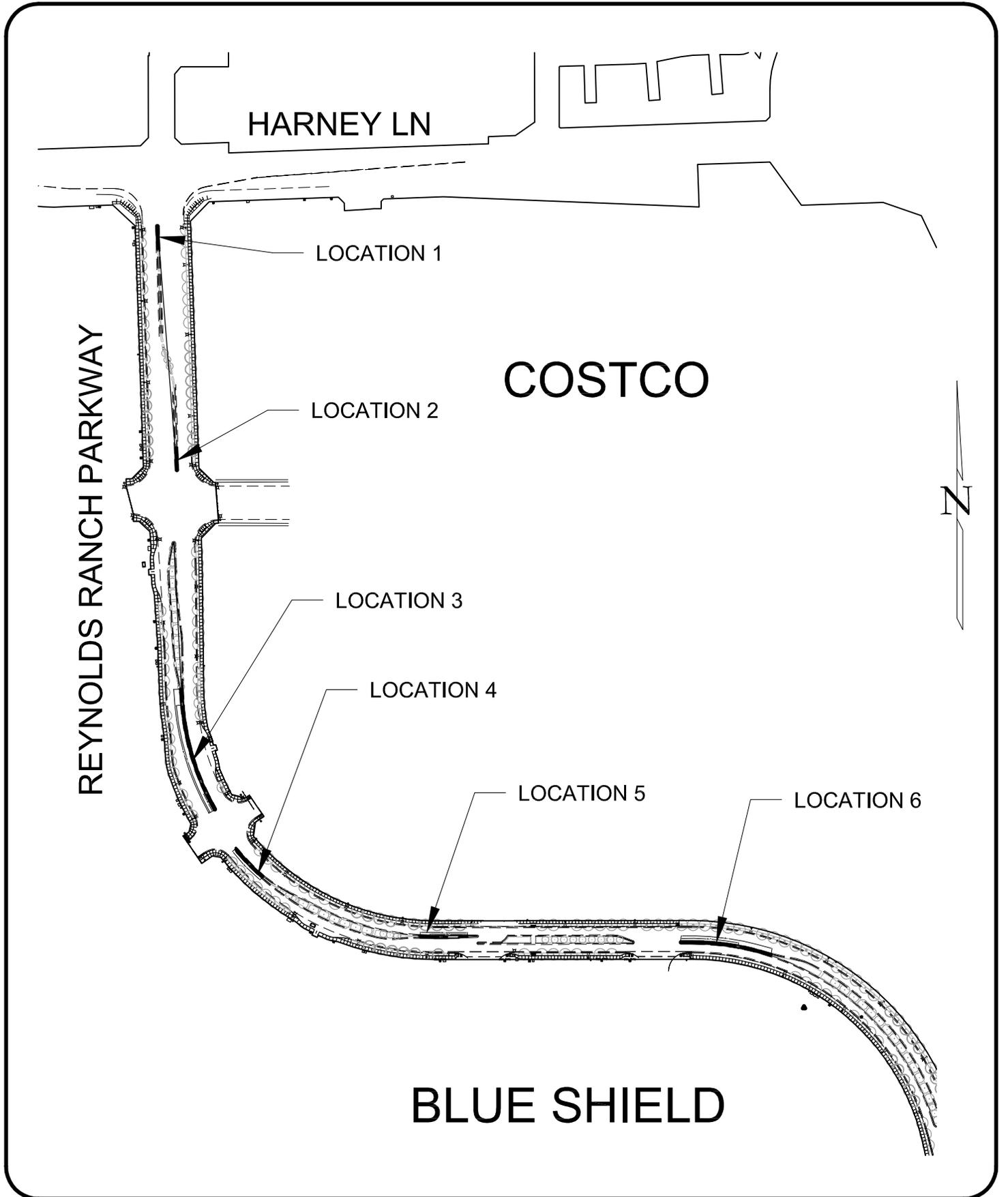
APPROVED: _____
Konradt Bartlam, City Manager



CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A
Reynolds Ranch Parkway
Median Improvement Project



RESOLUTION NO. 2013-_____

A RESOLUTION OF THE LODI CITY COUNCIL
ACCEPTING IMPROVEMENTS UNDER THE
CONTRACT FOR THE REYNOLDS RANCH PARKWAY
MEDIAN IMPROVEMENTS PROJECT AND FURTHER
APPROPRIATING FUNDS

=====

WHEREAS, the contract for the Reynolds Ranch Parkway Median Improvements Project was awarded to Anchor Concrete Construction, Inc., of Antioch, California, in the amount of \$29,846, on April 17, 2013, and has been completed in substantial conformance with the plans and specifications approved by City Council; and

WHEREAS, the project consisted of removing existing landscape elements in the narrow part of the median, installing stamped concrete, and other incidental and related work, all as shown on the plans and specifications for the project; and

WHEREAS, the project was funded by Measure K and funds were appropriated in Fiscal Year 2012/13 but not carried over to Fiscal Year 2013/14.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby accept the improvements under the contract for the Reynolds Ranch Parkway Median Improvements Project; and

BE IT FURTHER RESOLVED that funds be appropriated for the project from Measure K in the amount of \$29,846.

Dated: September 4, 2013

=====

I hereby certify that Resolution No. 2013-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 4, 2013, by the following vote:

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

RANDI JOHL-OLSON
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Accept Improvements Under Contract for Lodi Transit Station Concrete Pavement Project, 28 South Sacramento Street

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Accept improvements under contract for Lodi Transit Station Concrete Pavement Project, 28 South Sacramento Street.

BACKGROUND INFORMATION: The contract was awarded to A.M. Stephens Construction, Inc., of Lodi, in the amount of \$117,417.60, on March 20, 2013. The contract has been completed in substantial conformance with the plans and specifications approved by City Council.

This project consisted of replacing 7,600 square feet of concrete pavement, driveway, sidewalk and wheelchair ramps within the Transit Station; installing 1,130 square feet of reinforced concrete pavement with an asphalt concrete overlay within Sacramento Street; and other incidental and related work.

The concrete pavement at the Lodi Transit Station bus driveway/loading area had developed extensive cracks and settlement. Numerous patches were attempted, however, permanent repairs were required. The patches and cracks had created safety and ADA access issues requiring replacement of the concrete pavement. The project also included installing reinforced concrete pavement within Sacramento Street at the passenger loading island to replace the failing street pavement.

The contract completion date was August 22, 2013. The final contract price was \$122,037.58. The difference between the original contract amount and final contract amount is due to replacing one additional wheelchair ramp at the Transition Station.

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 decreased maintenance costs at the Lodi Transit Station and on Sacramento Street associated with these improvements.

FUNDING AVAILABLE: This project was funded by Federal Transit Administration/Transportation Development Act Funds (1251).

F. Wally Sandelin
Public Works Director

Prepared by Lyman Chang, Senior Civil Engineer
FWS/LC/pmf
cc: Deputy Public Works Director/City Engineer
Transportation Manager

Senior Civil Engineer
Management Analyst Areida-Yadav

APPROVED: _____
Konradt Bartlam, City Manager



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Accept Improvements Under Contract for Mills Avenue Overlay Project
MEETING DATE: September 4, 2013
PREPARED BY: Public Works Director

RECOMMENDED ACTION: Accept improvements under contract for Mills Avenue Overlay Project.

BACKGROUND INFORMATION: The contract was awarded to Knife River Construction, of Stockton, in the amount of \$352,333.50, on March 6, 2013. The contract has been completed in substantial conformance with the plans and specifications approved by City Council.

This project consisted of installing an asphalt concrete overlay with pavement fabric and other incidental and related work. The location of the street improvements is shown on Exhibit A.

The contract completion date was August 2, 2013. The final contract price was \$365,971.95. The difference between the original contract amount and final contract amount is due to an increase in the pavement repair area and the installation of additional pavement fabric, as requested by the City.

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.

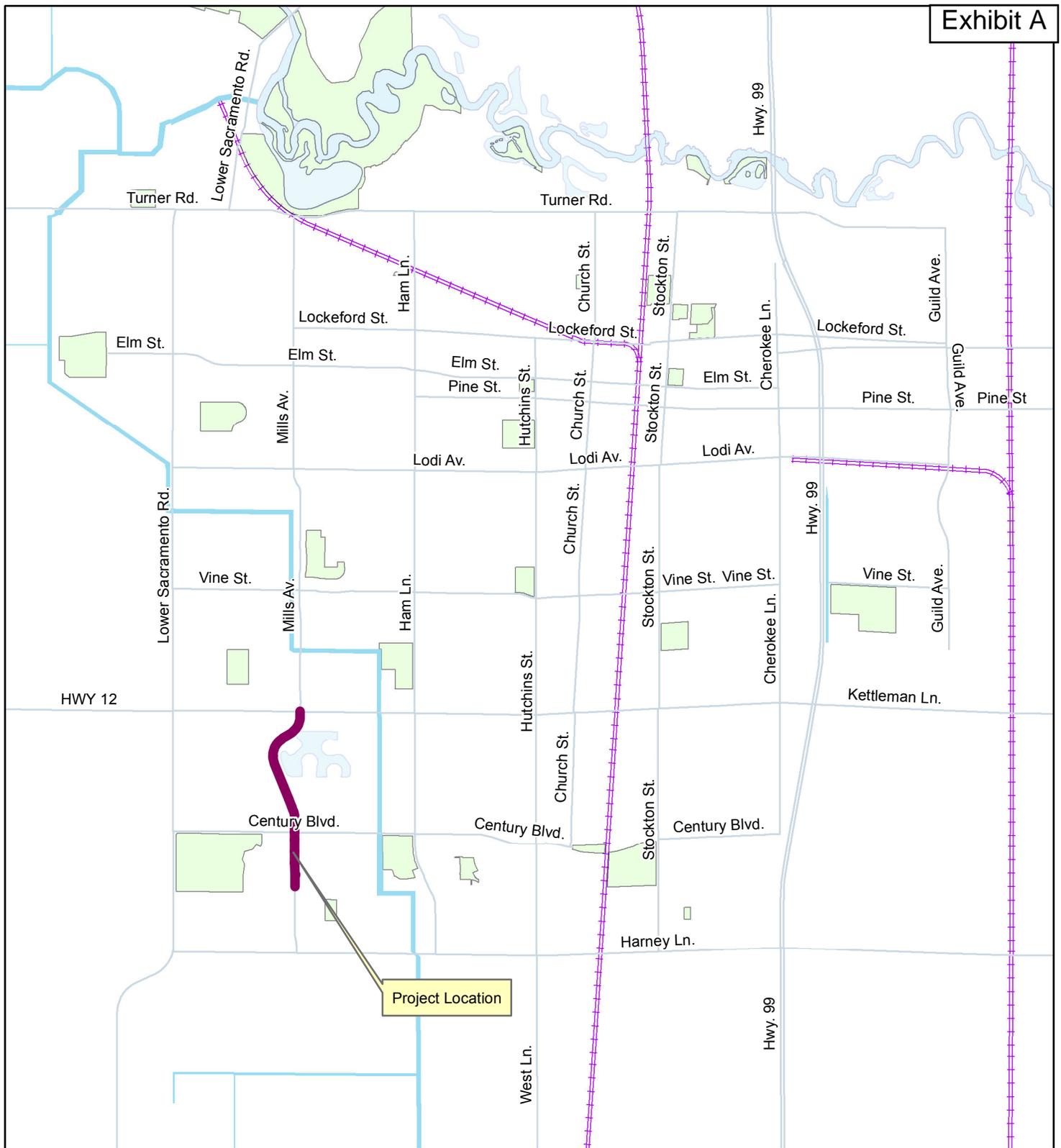
FISCAL IMPACT: The project will reduce the street maintenance costs in the area.

FUNDING AVAILABLE: This project was funded by Gas Tax funds (322023).

F. Wally Sandelin
Public Works Director

Prepared by Lyman Chang, Senior Civil Engineer
FWS/LC/pmf
Attachment
cc: Deputy Public Works Director – City Engineer
Senior Civil Engineer

APPROVED: _____
Konradt Bartlam, City Manager



**Mills Avenue Street Overlay
Vicinity Map**



1 in = 3,000 ft



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Accept Improvements Under Contract for DeBenedetti Park ADA Access Improvement Project, 2150 South Lower Sacramento Road

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Accept improvements under contract for DeBenedetti Park ADA Access Improvement Project, 2150 South Lower Sacramento Road.

BACKGROUND INFORMATION: The contract was awarded to A.M. Stephens Construction, Inc., of Lodi, in the amount of \$126,736.50, on April 17, 2013. The contract has been completed in substantial conformance with the plans and specifications approved by City Council.

This project improved accessibility to DeBenedetti Park. The improvements consisted of a paved parking lot entrance, two concrete ADA-compliant parking stalls, accessible paths to the bottom of the north and south basins, sidewalk completion along Century Boulevard and other incidental and related work. The proposed improvements are shown in Exhibit A.

The contract completion date was August 23, 2013. The final contract price was \$142,539. The difference between the original contract amount and final contract amount is due to the contractor providing additional grading and sod placement to soften the transition slopes at the request of the City.

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 small increase in the park's maintenance cost associated with the addition of asphalt, concrete, signs and striping.

FUNDING AVAILABLE: This project was funded by Parks Impact Fees (1217043).

F. Wally Sandelin
Public Works Director

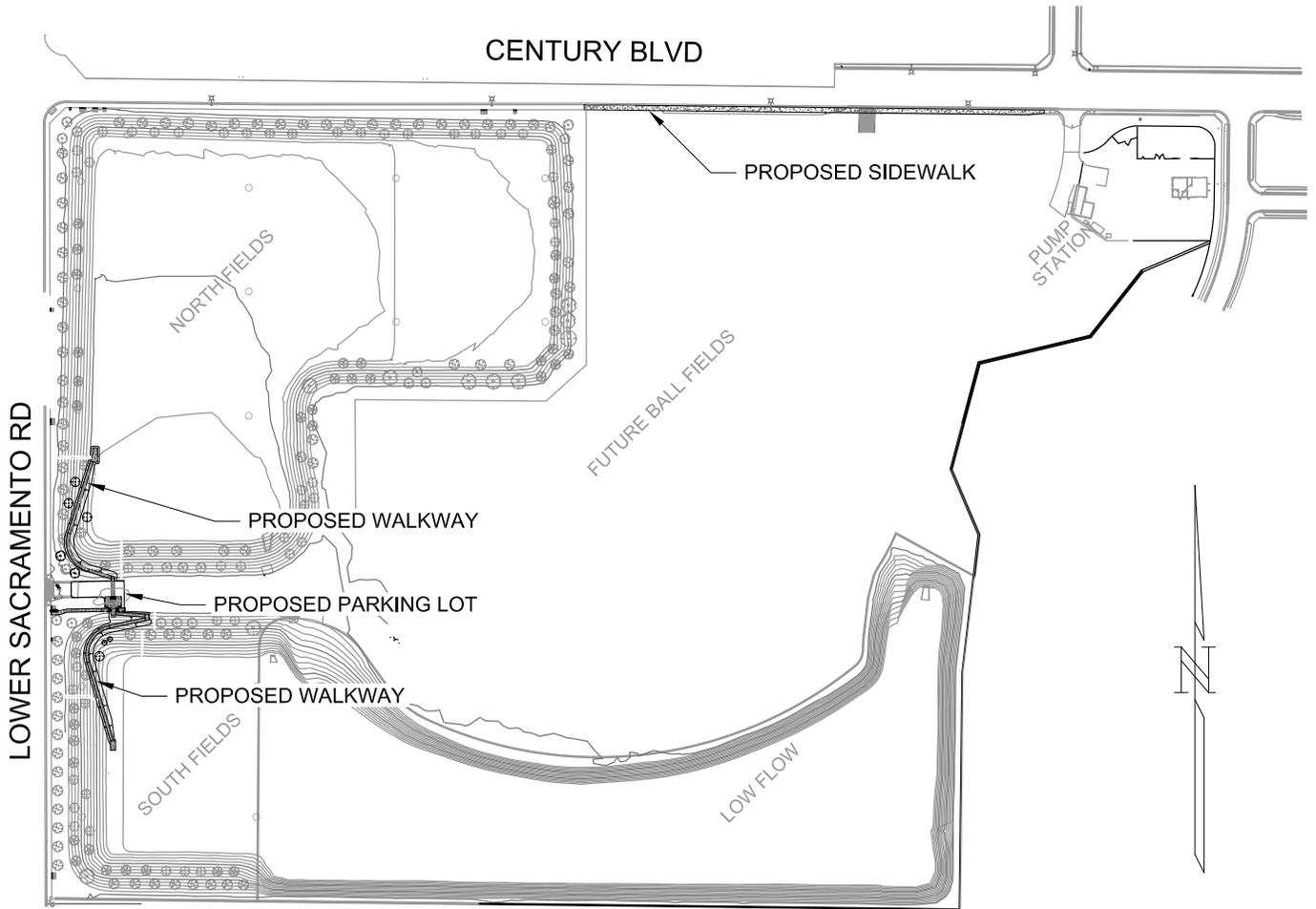
Prepared by Lyman Chang, Senior Civil Engineer
FWS/LC/pmf
Attachment

cc: Associate Civil Engineer
Parks, Recreation and Cultural Services Director

APPROVED: _____
Konradt Bartlam, City Manager

EXHIBIT A

DEBENEDETTI PARK ADA ACCESS IMPROVEMENT PROJECT





CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Accept Improvements Under Contract for 2013 Extruded Thermoplastic Traffic Stripes
MEETING DATE: September 4, 2013
PREPARED BY: Public Works Director

RECOMMENDED ACTION: Accept improvements under contract for 2013 extruded thermoplastic traffic stripes.

BACKGROUND INFORMATION: The contract was awarded to Chrisp Company, of Stockton, in the amount of \$54,232.19, on June 19, 2013. The contract has been completed in substantial conformance with the plans and specifications approved by City Council.

Extruded thermoplastic material has proven to be a superior product to sprayed thermoplastic. Although extruded thermoplastic costs approximately 12 percent more than sprayed thermoplastic, it is expected to last 67 percent longer (five years vs. three years). The locations are shown in Exhibit A.

A recap of the types of lane line markings and quantities for this contract is shown below:

<u>LANE LINE TYPE</u>	<u>MILES</u>
4" Broken White	0.81
4" Broken Yellow	6.11
6" Broken White	0.93
Double 4" Yellow	5.63
4" Solid White	3.02
6" Solid White	5.90
8" Solid White	0.49
Continuous Left	<u>3.69</u>
Total Miles	26.58

The contract completion date was August 2, 2013. The final contract price was \$54,891.05. The difference between the original contract amount and final contract amount is due to minor variances between the estimated quantities and the actual field-measured quantities.

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: This project will extend the useful life of the lane lines which will reduce overall maintenance costs.

FUNDING AVAILABLE: This project was funded by Measure K (325035).

F. Wally Sandelin
Public Works Director

Prepared by Sean Nathan, Associate Civil Engineer
Attachment

cc: Associate Civil Engineer Nathan

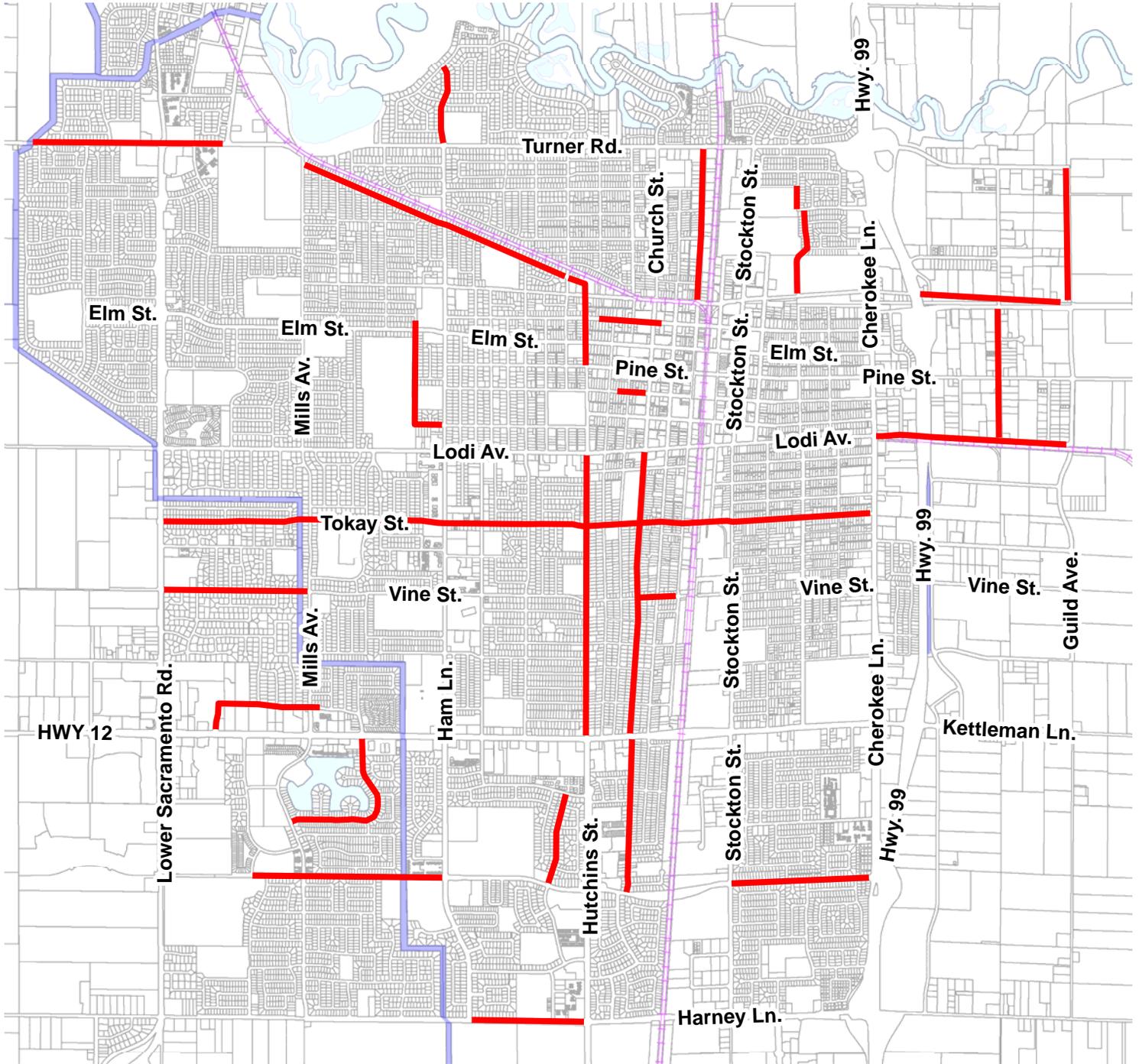
Deputy Public Works Director – Utilities

City Engineer/Deputy Public Works Director

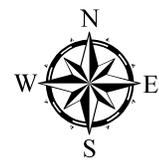
APPROVED: _____
Konradt Bartlam, City Manager

EXHIBIT A

2013 Thermoplastic Traffic Stripe Locations



 2013 Thermoplastic Traffic Stripe Locations



Not to Scale



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Approving Task Order No. 4 with The Reed Group, Inc., of Sacramento, for Wastewater Utility Financial Planning and Rate Setting Services (\$25,000) and Appropriating Funds (\$35,000)

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution approving Task Order No. 4 with The Reed Group, Inc., of Sacramento, for wastewater utility financial planning and rate setting services in the amount of \$25,000 and appropriating funds in the amount of \$35,000.

BACKGROUND INFORMATION: Staff and the City’s consultants are continuing the financial planning and rate setting analyses for the wastewater utility related to the installation of residential meters and the conversion from flat rate to metered rate billing.

On July 21, 2010, City Council adopted the usage-based residential rate structure. An objective of that rate structure is that it be revenue neutral compared to the existing flat rate structure. It is a prerequisite that regular monitoring of revenues be performed to assure that revenues are kept in line with current and planned expenditures.

Task Order No. 4 of The Reed Group Master Professional Services Agreement is attached as Exhibit A. The principal services covered by this task order are listed below.

1. Complete the current wastewater rate analyses that will lead to usage-based wastewater rates for all customer classes.
2. Prepare and present wastewater rate recommendations to the City Council in both a Shirtsleeve meeting and public hearing to adopt new wastewater rates.
3. Assist in preparing the required public hearing notice required by Proposition 218.
4. Continue to monitor waste usage characteristics as water meters are installed and monitor the performance of the new wastewater rates.
5. Assist staff with utility billing issues that may arise with the transition to the new rate structure.
6. Provide other services related to the wastewater utility as requested by City staff.

Staff recommends City Council approve Task Order No. 4 that will assist staff through the course of the Water Meter Program and the conversion from flat to usage-based billings.

FISCAL IMPACT: Cost of Services is included in the Wastewater Utility budget.

FUNDING AVAILABLE: Requested Appropriation: Wastewater Operating (170) - \$35,000

Jordan Ayers
Deputy City Manager/Internal Services Director

F. Wally Sandelin
Public Works Director

FWS/pmf
Attachment

APPROVED: _____
Konradt Bartlam, City Manager

Task Order No. 4

City of Lodi
Wastewater Utility Financial Planning, Rate Setting Services
The Reed Group, Inc.

In accordance with the Task Order Agreement for Professional Services between the City of Lodi (Client) and The Reed Group, Inc. (Consultant), Consultant is authorized to complete the work scope defined in the Task Order according to the schedule and budget defined herein. The mutually agreeable terms and conditions for the above-referenced agreement shall prevail.

WORK SCOPE

The scope includes financial planning and rate setting for the City's wastewater utility, in accordance with the attached proposal dated August 12, 2013.

BUDGET

The costs for Consultants services as defined herein shall not exceed \$25,000.

COMPENSATION

Compensation shall be in accordance with the provisions of the Task Order Agreement between Client and Consultant and the billing rate schedule contained in the attached letter proposal.

SCHEDULE

The work will be completed in accordance with the attached letter proposal.

THE REED GROUP

CITY OF LODI

ROBERT REED
President

KONRADT BARTLAM
City Manager

Date

Date

APPROVED AS TO FORM:

ATTEST:

D. STEPHEN SCHWABAUER
City Attorney


RANDI JOHL-OLSON
City Clerk



THE REED GROUP, INC.

August 12, 2013

Wally Sandelin
City of Lodi
221 West Pine Street
P.O. Box 3006
Lodi, CA 95241-1910

Subject: Task Order No. 4 - Wastewater Utility Financial Planning and Rate Setting Assistance

Dear Wally,

In August 2008, the City of Lodi and The Reed Group, Inc. entered into a Task Order Agreement to provide services related to the City's water and wastewater financial plans and user rates. Since that time we have provided a variety of services related to both water and wastewater. At present, the budget for Task Order No. 2, related to wastewater financial planning and user rates, is nearing its limit. Current work to update the City's wastewater rates based on metered water usage is not yet complete, and it will be several more months before new rates will be adopted. To complete the current effort, as well as allow for additional assistance as the City continues with its metering program, we respectfully request approval of Task Order No. 4 to perform additional assistance with respect to the City's wastewater utility in the areas of financial planning and rate setting. Below is a list of the areas of additional assistance suggested for the City.

- Complete the current wastewater rate analyses, which will lead to usage-based wastewater rates for all customer classes
- Prepare and present wastewater rate recommendations to the City Council in both a shirt sleeve meeting and a public hearing to adopt to new wastewater rates
- Assist in preparing the required public hearing notice required by Proposition 218
- Assist staff in periodically updating and evaluating the multi-year financial plan for the wastewater utility
- Continue to monitor water usage characteristics and water meters are installed, and monitor the performance of new wastewater rates



- Assist staff with utility billing issues that may arise with the transition to new rate structures
- Other services related to the wastewater utility, as requested by the City.

It is proposed that these services be performed on a time and expense basis, subject to a not-to-exceed budget limit. Because of the ongoing nature of services being provided, it is not possible to provide a firm estimate of the total costs that might be involved. My best guess is that costs may range from \$10,000 to \$25,000 annually. At your suggestion, Task Order No. 4 includes a budget of \$25,000.

My 2013 hourly billing rate is \$275 and it is subject to change each January. Other expenses related to my work for the City are nominal.

As you know, it is our practice to bill clients no more frequently than monthly for actual time and expenses incurred since the prior invoice. Payment is due within 30 days.

If you have any questions regarding this Task Order No. 4, please call me at (916) 444-9622. I appreciate being of continued service to the City.

Sincerely,

Robert Reed
The Reed Group, Inc.

1. AA# _____
 2. JV# _____

**CITY OF LODI
 APPROPRIATION ADJUSTMENT REQUEST**

TO: Internal Services Dept. - Budget Division
 3. FROM: Rebecca Areida-Yadav 5. DATE: 8/19/2013
 4. DEPARTMENT/DIVISION: Public Works

6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW

	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	170		3205	Fund Balance	\$ 35,000.00
B. USE OF FINANCING	170	170401	7323	Wastewater Admin - Prof. Services	\$ 35,000.00

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.

Task Order No. 4 with The Reed Group for wastewater utility financial planning and rate setting services.

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 Sander

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. 2013-____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER NO. 4 WITH THE REED GROUP, INC., FOR WASTEWATER UTILITY FINANCIAL PLANNING AND RATE SETTING SERVICES AND FURTHER APPROPRIATING FUNDS

=====

WHEREAS, staff and the City’s consultants are continuing the financial planning and rate setting analyses for the wastewater utility related to the installation of residential meters and the conversion from flat rate to metered rate billing; and

WHEREAS, in August 2008, the City and The Reed Group, Inc., entered into a Task Order Agreement to provide services related to the City’s water and wastewater financial plans and user rates; and

WHEREAS, on July 21, 2010, the City Council adopted the usage-based residential rate structure. An objective of that rate structure is that it be revenue neutral compared to the existing flat rate structure. It is a prerequisite that regular monitoring of revenues be performed to assure that revenues are kept in line with current and planned expenditures; and

WHEREAS, staff recommends The Reed Group continue their financial planning and rate setting services and assist City staff through the course of the Water Meter Program and the conversion from flat to usage-based billings.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve Task Order No. 4 with The Reed Group, Inc., of Sacramento, California, for wastewater utility financial planning and rate setting services in the amount of \$25,000; and

BE IT FURTHER RESOLVED that the City Council does hereby authorize the City Manager to execute Task Order No. 4; and

BE IT FURTHER RESOLVED that funds in the amount of \$35,000 be appropriated for the project from the Wastewater Operating account.

Dated: September 4, 2013

=====

I hereby certify that Resolution No. 2013-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 4, 2013, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL-OLSON
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Authorizing the City Manager to Negotiate and Approve the Sole Source Purchase of a Fire Truck from the City of Lincoln, California, Including the Appropriation of Funds

MEETING DATE: September 4, 2013

PREPARED BY: Fire Chief

RECOMMENDED ACTION: Adopt resolution authorizing the City Manager to negotiate and approve the sole source purchase of a fire truck from the City of Lincoln, California, including the appropriation of funds.

BACKGROUND INFORMATION: The City of Lodi Fire Department owns two aerial fire trucks: an ALF LTI purchased new in 2001 currently being used for front line operations, and a 1989 Emergency One placed in reserve to ensure that truck company operations are available at all times for the City of Lodi. The 2001 ALF LTI has 66,550 miles and the 1989 Emergency One has 83,585 miles, each being in service since their respective purchases in 1989 and 2001.

Over the last two years the Fire Department has spent over \$52,000 on repairs, rendering the Emergency One reserve truck "out of service" for a period of 8-10 months. Due to the age of this apparatus, parts needed for repairs are either difficult to locate or obsolete. Three months ago, the apparatus was placed "out of service" with more than \$10,000 in estimated repairs. Now, the Fire Department operates without truck company operations for the City when the frontline truck, a 2001 ALF LTI, is in need of repairs or scheduled maintenance.

To prevent further lapses in truck company operations, the Fire Department researched available used aerial trucks to secure a more reliable reserve truck for the department. By chance, the Fire Department discovered an American La France 100 foot aerial truck, purchased new in 2008 by the City of Lincoln. The American La France 100 foot aerial truck has only 5,700 miles and is in near-new condition. This truck has never been placed in service; the City of Lincoln does not have the funds and does not foresee staffing it in the future. They are interested in receiving a bid for purchase at this time.

The 2008 American La France is currently valued at approximately \$400,000 to \$600,000, around half the cost of its original purchase price. To purchase a new equivalent fire apparatus with comparable equipment today would cost approximately \$1.2 million.

Per Lodi Municipal Code 3.20.070 Bidding, "Bidding shall be dispensed...(5) when the city council determines that the purchase or method of purchase would be in the best interests of the city."

Staff requests the City Manager be authorized to appropriate funds within the Vehicle Replacement Fund based upon the negotiated purchase price of the apparatus.

APPROVED: _____
Konradt Bartlam, City Manager

FISCAL IMPACT: If the City of Lodi were to purchase this truck from the City of Lincoln, the Fire Department will place the current frontline truck (2001 ALF LTI) in reserve early, and the American La France will become the new front line truck and provide the City of Lodi Fire Department with a near-new fire aerial apparatus that will serve the community for the next 20 years.

FUNDING AVAILABLE: Appropriation from the Vehicle Replacement Fund (1202011), based upon the negotiated purchase price.

Jordan Ayers
Deputy City Manager/Internal Services Director

Larry Rooney
Fire Chief

LR:po
cc: City Attorney

RESOLUTION NO. 2013-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING
THE CITY MANAGER TO NEGOTIATE AND APPROVE THE
SOLE SOURCE PURCHASE OF A FIRE TRUCK FROM THE
CITY OF LINCOLN, CALIFORNIA, AND FURTHER
APPROPRIATING FUNDS

=====

WHEREAS, the City of Lodi Fire Department owns two aerial fire trucks, an ALF LTI purchased new in 2001, which is currently being used for front line operations, and a 1989 Emergency One placed in reserve to ensure that truck company operations are available at all times for the City of Lodi; and

WHEREAS, the 2001 ALF LTI has 66,550 miles and the 1989 Emergency One has 83,585 miles, each being in service since their respective purchases in 1989 and 2001; and

WHEREAS, over the last two years the Fire Department has spent over \$52,000 on repairs, rendering the Emergency One reserve truck out of service for a period of 8-10 months. Due to the age of this apparatus, parts needed for repairs are either difficult to locate or obsolete. Three months ago the apparatus was once again rendered "out of service" with over \$10,000 in estimated repairs; and

WHEREAS, with the unreliability of the current reserve truck and the inevitable failure to repair the apparatus creates not only an obstacle for day-to-day operations in serving the community, but a concern for the safety of the citizens served. Additionally, the Fire Department operates without truck company operations for the City when the frontline truck is in need of repairs or scheduled maintenance; and

WHEREAS, the Fire Department researched available used aerial trucks to secure a more reliable reserve truck for the department, and located a 2008 American La France available for purchase from the City of Lincoln; and

WHEREAS, staff recommends that the City Council approve the sole source purchase of the 2008 American La France 100 foot aerial truck to replace the current front line truck.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to negotiate on behalf of the City of Lodi Fire Department with the City of Lincoln Fire Department for the sole-source purchase of a 2008 American La France 100 foot Aerial truck, and

BE IT FURTHER RESOLVED that funds be appropriated in the amount of the negotiated purchase price from the Vehicle Replacement Fund.

Date: September 4, 2013

=====

I hereby certify that Resolution No. 2013-_____ was passed and adopted by the Lodi City Council in a regular meeting held September 4, 2013, by the following vote:

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

RANDI JOHL-OLSON
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Receive Report Regarding Communication Pertaining to Senate Bill 594 (Hill)
MEETING DATE: September 4, 2013
PREPARED BY: City Clerk

RECOMMENDED ACTION: Receive report regarding communication pertaining to Senate Bill 594 (Hill).

BACKGROUND INFORMATION: The City received a request for communication from the League of California Cities regarding SB 594 (Hill). There was a need to send a letter of opposition immediately in light of a pending hearing.

As you may be aware, SB 594 is a last minute gut-and-amend bill that prohibits nonprofit organizations, such as the League of California Cities, from using stated public resources from a local agency for campaign activities, including supporting or opposing a ballot measure or candidate. Specifically, the communication was requested because the bill prohibits local government organizations from any form of communication advocating for or against local or state ballot measures.

The attached letter electronically signed by the Mayor was sent out on August 15, 2013. A copy of the initial request along with the text of the bill is also attached. This report is provided for informational purposes only pursuant to policy.

FISCAL IMPACT: None.

FUNDING AVAILABLE: Not applicable.

Randi Johl-Olson
City Clerk

APPROVED: _____
Konradt Bartlam, City Manager

CITY COUNCIL

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

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702 / FAX (209) 333-6807
www.lodi.gov cityclerk@lodi.gov

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

August 14, 2013

The Honorable Bob Wieckowski
Chair, Assembly Judiciary Committee
State Capitol, Room 4016
Sacramento, California 95814
Via Facsimile: (916) 319-2125

SUBJECT: **OPPOSITION TO SB 594 (HILL): USE OF PUBLIC RESOURCES.**

Dear Assemblyman Wieckowski,

The City of Lodi regrets to inform you of our opposition to SB 594 (Hill) as it is currently written. We stand with the League of California Cities, an organization representing 97 percent of California cities, in our respectful opposition.

SB 594 places unnecessary and significant new restrictions on nonprofit organizations that receive public funds and participate in campaign activities – primary, ballot measures. It prohibits local government organizations, their officers, employees and agents from any form of communication advocating for or against ballot measures. By curbing the vital influence of local government organization in the ballot measure arena, SB 594 delivers a direct assault on an organizations ability to ensure the opinions and political voice of cities are heard.

According to the bill's author, the purpose of the bill is to address and eliminate the supposed practice of "co-mingling" public and private resources. I find this allegation to not only be incorrect, but offensive. As a trusted city official, I work hard to ensure that my city abides by existing law in addition to continually seeking advice and education on the scope of public funds prohibition. Furthermore, such allegations are unsubstantiated and, as a matter of fact, have already been addressed by the Fair Political Practices Commission (FPPC).

The bill also creates a new system that would require the Attorney General to audit local government organizations every two years to ensure that they have complied with this measure. In the event that the Attorney General determines that a local government organization has been in violation of this measure through the audit, local government organizations would be subject to stiff financial penalties. Given the vague language in the current version of this bill, local government organizations would in effect not participate in weighing-in on ballot measures that would impact their members to avoid any potential penalties against their organizations.

In its current form, SB 594 lacks a consistent and equitable approach to this issue. If public resource disclosure is the main intent of the bill, then I strongly believe that the author and SB 594 supporters should amend the bill so it applies equally to all organizations. The current version of SB 594 singles-out specific types of organizations for these restrictive provisions, but exempts others such as educational organizations.

Finally, I am disappointed that such a significant measure has been introduced via the practice of gut-and-amend. It wasn't until last week that the bill was amended to its current form. This approach is inappropriate and appears to be an end-run attempt to single-out and silence the political voice of local government advocacy organizations that represent cities like min. If this is such a pressing issue, I would suggest the author table the bill for now and allow time for a full discussion with all stakeholders to come up with the best solution.

For the reasons stated above, the City of Lodi is respectfully opposed to SB 594. Should you have any questions, please feel free to contact me at (209) 333-6702.

Sincerely,

Alan Nakanishi

Alan Nakanishi
Mayor

CC: The Honorable Jerry Hill, Author (916-651-4913)
Members Assembly Judiciary Committee (916-319-2188)
Tom Clark, Consultant, Assembly Judiciary Committee (916-319-2188)
Paul Dress, Consultant, Assembly Republican Caucus (916-319-3902)

Randi Johl

From: Randi Johl
Sent: Thursday, August 15, 2013 02:01 PM
To: Randi Johl
Subject: FW: URGENT: Letters and Calls Needed
Attachments: Opposition to SB594(HILL).pdf

From: Randi Johl
Sent: Thursday, August 15, 2013 09:20 AM
To: Alan Nakanishi; Rad Bartlam
Subject: FW: URGENT: Letters and Calls Needed

The attached letter was sent a few minutes ago as requested. We used an electronic signature on behalf of the Mayor in light of the time sensitivity. As is our practice, we'll include the letter on the consent calendar for informational purposes at the next council meeting -

Randi

From: Rad Bartlam
Sent: Thursday, August 15, 2013 07:02 AM
To: Randi Johl
Subject: Fwd: URGENT: Letters and Calls Needed

Let's get a letter in. Thanks.

Sent from my iPhone

Begin forwarded message:

From: "Stephen R. Qualls" <squalls@cacities.org>
Date: August 15, 2013, 6:53:58 AM PDT
To: "Stephen R. Qualls" <squalls@cacities.org>
Subject: URGENT: Letters and Calls Needed

This bill passed the Senate unanimously but was not the same bill as it was "gutted and Amended" into a completely different bill.

This means that we must urge our legislators to vote no when it comes before them again.

Please notify me with any feed back that you may receive.

Thank you.

ACTION ALERT!!

SB 594 (Hill)

A measure that will silence the voice of local government.

08/15/2013

OPPOSE

Quick Facts on SB 594:

SB 594 would silence the voice of local government. This measure would single-out and silence the political voice of organizations that advocate for local government by creating a special set of criteria that would prohibit local government organizations (i.e. the League and the CA State Association of Counties) to take positions on ballot measures that affect their members (See list of OPPOSITION below).

Unclear language masks bills true intent. The measure appears to seek transparency, but it is an end-run effort to target organizations from expressing their policy positions on statewide ballot measures. SB 594 places unnecessary and significant new restrictions on nonprofit organizations that receive public funds and participate in campaign activities – primarily ballot measures. It prohibits local government organizations like the League, their officers, and their employees from any form of communication advocating in support/opposition of ballot measures.

SB 594 would create a new mechanism to punish local government organizations for representing its members in the political process. This measure creates a new system that would require the Attorney General to audit local government organizations every two years to ensure that they have complied with this measure. In the event that the Attorney General determines that a local government organization has been in violation of this measure through the audit, local government organizations would be subject to stiff financial penalties. Given the vague language in the current version of this bill, local government organizations would in effect not be able to sponsor or weigh-in on ballot measures that would impact their members to avoid any potential penalties against their organizations.

Unsubstantiated allegations by the author and the sponsors of this measure. SB 594 is based on allegations that nonprofit organizations are co-mingling public and private resources. When it comes to the League, this allegation completely unfounded. Our practices have been validated by the Fair Political Practices Commission. In response to a similar allegation made by the Howard Jarvis Taxpayers Association against the League and others, the FPPC ruled in November 2009, after a one-year investigation, that there was “no evidence that public funds were used to make political contributions by the organizations.”

Let’s be consistent. The current version of SB 594 singles-out specific types of organizations from these restrictive provisions. If the Legislature desires to adopt broader disclosure policies, then they should apply to all organizations active on ballot measures.

OPPOSITION: League of California Cities, California State Association of Counties, California Special Districts Association, California Police Chiefs Association, California Sheriffs Association, California District Attorneys Association, California Society of Association Executives (CalSAE), and the Rural County Representatives of California.

ACTION:

This bill is scheduled to be heard in the Assembly Judiciary Committee on the afternoon of Thursday, Aug. 15. City officials who have members on this committee should contact their member and place CALLS ASAP. (phone and fax numbers included below, sample letter attached).

Asm. Bob Wieckowski (Chair)
Ph: (916) 319-2025
Fx: (916) 319-2125

Asm. Don Wagner (Vice Chair)
Ph: (916) 319-2068
Fx: (916) 319-2168

Asm. Luis Alejo
Ph: (916) 319-2030
Fx: (916) 319-2130

Asm. Ed Chau
Ph: (916) 319-2049
Fx: (916) 319-2149

Asm. Roger Dickinson
Ph: (916) 319-2007
Fx: (916) 319-2107

Asm. Cristina Garcia
Ph: (916) 319-2058
Fx: (916) 319-2158

Asm. Jeff Gorell
Ph: (916) 319-2044
Fx: (916) 319-2144

Asm. Brian Maienschein
Ph: (916) 319-2077
Fx: (916) 319-2177

Asm. Al Muratsuchi
Ph: (916) 319-2066
Fx: (916) 319-2166

Asm. Mark Stone
Ph: (916) 319-2029
Fx: (916) 319-2129

Talking Points:

- I strongly OPPOSE any effort to effectively eliminate my voice in matters of statewide importance.
- SB 594 is a direct assault on our ability to have our voices heard on ballot measures that could impact my city and its constituents.
 - o SB 594 contains broad language that would be subject to considerable interpretation by the Attorney General and has the potential to not only limit direct financial participation in

campaigns, but perhaps even taking positions on ballot measures that would have a direct impact on California cities and services we provide to the public.

- SB 594 should be inclusive of all entities.
- o There should not be a second, stricter standard applied to cities, counties, and special districts when compared to other local elected officials that are generally identical.
- SB 594 is a solution in search of a problem and I encourage you to vote “No” or to stay-off of this very over reaching measure.

Stephen Qualls
Central Valley Regional Public Affairs Manager
League of California Cities

209-614-0118
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AMENDED IN ASSEMBLY AUGUST 7, 2013

AMENDED IN SENATE MAY 24, 2013

AMENDED IN SENATE APRIL 18, 2013

SENATE BILL

No. 594

Introduced by Senator Steinberg Hill

February 22, 2013

~~An act to add Part 38 (commencing with Section 64200) to Division 4 of Title 2 of the Education Code, and to add Sections 17057.6 and 23610.6 to the Revenue and Taxation Code, relating to education. An act to add Sections 8314.1, 8314.2, and 54964.5 to the Government Code, relating to campaign activity.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 594, as amended, Steinberg Hill. ~~California Career Pathways Investment. Use of public resources.~~

(1) Existing law prohibits the use of public funds for campaign activities.

This bill would prohibit a nonprofit organization from using, or permitting another to use, public resources, including but not limited to public resources received in exchange for consideration, from a local agency for campaign activities. This bill would also prohibit an officer, employee, or agent of a nonprofit organization from expending, or authorizing the expenditure of, public resources from a local agency to support or oppose a ballot measure or candidate. This bill would define, among other terms, "public resources" to include, but not be limited to, cash, lands, buildings, funds, and facilities, and "nonprofit organization" to mean an entity incorporated under the California Nonprofit Corporation Law or a nonprofit organization that qualifies

for exempt status under the federal Internal Revenue Code of 1986, except as specified. This bill would authorize a civil cause of action for a violation of these prohibitions and damages that include, but are not limited to, 3 times the value of the unlawful use of the public resources. This bill would authorize the Attorney General, a district attorney, and a city attorney of a city having a population in excess of 750,000 to seek the civil remedies.

(2) Existing law requires qualifying individuals and political organizations to report specified information, including, but not limited to, political contributions, in statements filed with the Fair Political Practices Commission.

This bill would require an auditable nonprofit organization that engages in campaign activity to deposit into a separate bank account all “specific source or sources of funds” it receives and to pay for all campaign activity from that separate bank account. This bill would define, among other terms, “auditable nonprofit organization” to mean a nonprofit organization for which public resources from one or more local agencies account for more than 20% of the organization’s annual gross revenue, as specified, and “specific source or sources of funds” to mean any funds received by the auditable nonprofit organization that have been designated for campaign activity use or any other funds received by the nonprofit organization, including funds received in exchange for consideration, as specified.

This bill would further require an auditable nonprofit organization that engages in campaign activity to periodically disclose to the Attorney General, and post on its Internet Web site in a certain manner, the identity and amount of each specific source or sources of funds it receives for campaign activity, a description of the campaign activity, and the identity and amount of payments the organization makes from the required separate bank account, as specified. This bill would require the Attorney General to regularly audit each auditable nonprofit organization, issue a written audit report, and transmit the report to the district attorney for the county in which the auditable nonprofit organization is domiciled. This bill would require the Attorney General to assess a monetary penalty against an auditable nonprofit organization for a violation of these disclosure requirements, as specified.

~~The Personal Income Tax Law and The Corporation Tax Law authorize various credits against the taxes imposed by those laws.~~

~~This bill, in accordance with legislative findings contained in this bill and for calendar years beginning on or after January 1, 2014, would,~~

~~for a business entity, as described, that provides career technical education, authorize a credit against those taxes, subject to specified limitations, in an amount equal to that allocated by the California Career Pathways State Investment Committee, a committee established by this bill. This bill would establish in each local educational agency and community college district a Career Pathways Investment Trust Fund, the moneys in which would be used for purposes of financing program and administrative costs relating to the operation of career pathways programs, as provided:~~

~~This bill would impose specified duties on school districts with regard to career pathways programs:~~

~~Existing law authorizes the governing board of a community college district to establish contract education programs within or outside the state by agreement with any public or private agency, corporation, association, or any other person or body, to provide specific educational programs or training to meet the specific needs of these bodies. Existing law authorizes the governing board of any school district to initiate and carry on any program or activity, or to otherwise act in any manner that is not in conflict with or inconsistent with, or preempted by, any law and that is not in conflict with the purposes for which school districts are established:~~

~~This bill would, among other things, authorize the California Career Pathways State Investment Committee and a school district or districts, or a community college district or districts, to enter into a pay-for-performance contract for a career pathways pay-for-performance pilot project to fund career pathways programs operated by the school district, community college district, or a consortium of school districts and community college districts, and under which a business entity partner may be compensated for its costs:~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement shall be made pursuant to these statutory provisions for costs mandated by the state pursuant to this act, but would recognize that local agencies and school districts may pursue any available remedies to seek reimbursement for these costs:~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8314.1 is added to the Government Code,
2 to read:

3 8314.1. (a) *It is unlawful for any nonprofit organization to*
4 *use or permit others to use public resources, including, but not*
5 *limited to, public resources received in exchange for consideration,*
6 *from any local agency for any campaign activity not authorized*
7 *by law.*

8 (b) *For purposes of this section:*

9 (1) *“Campaign activity” means a payment that is used for*
10 *communications that expressly advocates for the approval or*
11 *rejection of a clearly identified ballot measure or the election or*
12 *defeat of a clearly identified candidate by the voters, or constitutes*
13 *a campaign contribution.*

14 (2) *“Local agency” shall include those entities listed in Section*
15 *54951 and a public entity created pursuant to the Joint Exercise*
16 *of Powers Act (Chapter 5 (commencing with Section 6500) of*
17 *Division 7 of Title 1) by one or more entities listed in Section*
18 *54951, but “local agency” shall not include a county*
19 *superintendent of schools, a school district, or a community college*
20 *district.*

21 (3) *“Nonprofit organization” means an entity incorporated*
22 *under the Nonprofit Corporation Law (Division 2 (commencing*
23 *with Section 5000) of Title 1 of the Corporations Code) or a*
24 *nonprofit organization that qualifies for exempt status under*
25 *Section 115 or 501(c), excluding Section 501(c)(3), of the Internal*
26 *Revenue Code of 1986.*

27 (4) *“Public resources” means any property or asset owned by*
28 *a local agency, including, but not limited to, cash, land, buildings,*
29 *facilities, funds, equipment, supplies, telephones, computers,*
30 *vehicles, travel, and local government compensated time that is*
31 *provided to a nonprofit organization.*

32 (5) *“Use” means a use of public resources from one or more*
33 *local agencies that is substantial enough to result in a gain or*
34 *advantage to the user or a loss to any local agency for which any*
35 *monetary value may be estimated.*

36 (c) *This section does not prohibit the use of public resources*
37 *for providing information to the public about the possible effects*
38 *of any bond issuance or other ballot measure on state activities,*

1 operations, or policies, provided that the informational activities
2 are otherwise authorized by the California Constitution or the
3 laws of this state, and the information provided constitutes a fair
4 and impartial presentation of relevant facts to aid the electorate
5 in reaching an informed judgment regarding the bond issue or
6 ballot measure.

7 (d) (1) Any nonprofit organization that intentionally or
8 negligently violates this section is liable for a civil penalty not to
9 exceed one thousand dollars (\$1,000) for each day on which a
10 violation occurs, plus three times the value of the unlawful use of
11 public resources. The penalty shall be assessed and recovered in
12 a civil action brought in the name of the people of the State of
13 California by the Attorney General or by any district attorney or
14 any city attorney of a city having a population in excess of 750,000.
15 If two or more nonprofit organizations are responsible for a
16 violation, they shall be jointly and severally liable for the penalty.
17 If the action is brought by the Attorney General, the moneys
18 recovered shall be paid into the General Fund. If the action is
19 brought by a district attorney, the moneys recovered shall be paid
20 to the treasurer of the county in which the judgment was entered.
21 If the action is brought by a city attorney, the moneys recovered
22 shall be paid to the treasury of that city.

23 (2) A civil action alleging a violation of this section shall not
24 be commenced more than four years after the date of the alleged
25 violation.

26 SEC. 2. Section 8314.2 is added to the Government Code, to
27 read:

28 8314.2. (a) An auditable nonprofit organization that engages
29 in campaign activity, either directly or through the control of
30 another entity, shall deposit into a separate bank account all
31 specific source or sources of funds received and shall pay for all
32 campaign activity from that separate bank account.

33 (b) For purposes of this section:

34 (1) "Auditable nonprofit organization" means a nonprofit
35 organization for which public resources from one or more local
36 agencies account for more than 20 percent of the organization's
37 annual gross revenue in the current fiscal year or either of the
38 previous two fiscal years, including gross revenue from public
39 resources received in exchange for consideration.

1 (2) "Specific source or sources of funds" shall mean any funds
2 received by the auditable nonprofit organization that have been
3 designated for campaign activity use or any other funds received
4 by the nonprofit organization, including, but not limited to, funds
5 received in exchange for consideration, that are used, in whole or
6 in part, within a two-year period from receipt for campaign
7 activity.

8 (3) Unless otherwise defined herein, the definitions found in
9 subdivision (b) of Section 8314.1 shall apply to this section.

10 (c) Fifteen days after the end of each quarter, beginning with
11 the first quarter of each odd year through the fourth quarter of
12 the following even year, an auditable nonprofit organization that
13 engages in campaign activity, either directly or through the control
14 of another entity, at any point during that quarter shall disclose
15 the following information for that quarter:

16 (1) The name and amount of each specific source or sources of
17 funds used for campaign activity, provided that the aggregate
18 amount of funds received since January 1 of the most recent odd
19 year by an auditable nonprofit corporation from that specific
20 source or sources of funds is at least two hundred fifty dollars
21 (\$250).

22 (2) The name of the payee and amount of all payments
23 aggregating two hundred fifty dollars (\$250) or more made from
24 the single bank account required under subdivision (a).

25 (3) A description of each campaign activity.

26 (d) Fifteen days after the end of each even year, an auditable
27 nonprofit organization that engages in campaign activity, either
28 directly or through the control of another entity, at any point during
29 that even year or the prior odd year shall disclose all the following
30 information for those two calendar years:

31 (1) The name and amount of any specific source or sources of
32 funds used for campaign activity, provided that the aggregate
33 amount of funds received since January 1 of the most recent odd
34 year by an auditable nonprofit corporation from that specific
35 source or sources of funds is at least two hundred fifty dollars
36 (\$250).

37 (2) The name of the payee and amount of all payments made
38 from the single bank account required under subdivision (a).

39 (3) A description of each campaign activity.

1 (e) Each auditable nonprofit organization that engages in
2 campaign activity, either directly or through the control of another
3 entity, shall display on its Internet Web site the information it is
4 required to disclose under this section. The information shall be
5 clearly described and identified on a separate Internet Web page,
6 which shall be linked from the home page of the organization's
7 Internet Web site. The link to this Internet Web page from the home
8 page shall be as visible as all similar links.

9 (f) The Attorney General shall conduct a biennial audit of each
10 auditable nonprofit organization. Each auditable nonprofit
11 organization shall provide records to the Attorney General that
12 substantiate the information required to be disclosed by this
13 section. The audit shall determine whether the organization
14 complied with the requirements of Sections 8314.1 and this section.
15 The Attorney General shall issue a written audit report and
16 transmit it to the district attorney for the county in which the
17 auditable nonprofit organization is domiciled.

18 (g) If the audit determines that an auditable nonprofit
19 organization has violated Section 8314.1 or this section, the
20 Attorney General may impose a fine upon the auditable nonprofit
21 organization in an amount up to ten thousand dollars(\$10,000)
22 for each violation.

23 SEC. 3. Section 54964.5 is added to the Government Code, to
24 read:

25 54964.5. (a) An officer, employee, or agent of a nonprofit
26 organization may not expend or authorize the expenditure of any
27 public resources from any local agency to support or oppose the
28 approval or rejection of a ballot measure or the election or defeat
29 of a candidate by the voters.

30 (b) As used in this section, the following terms shall have the
31 following meanings:

32 (1) "Ballot measure" means a state or local initiative,
33 referendum, or recall measure certified to appear on a regular or
34 special election ballot.

35 (2) "Candidate" means an individual who has qualified to have
36 his or her name listed on the ballot, or who has qualified to have
37 write-in votes on his or her behalf counted by elections officials,
38 for nomination or election to an elective office at any regular or
39 special primary or general election, and includes any officeholder
40 who is the subject of a recall election.

1 (3) "Expenditure" means a payment that is used for
2 communications that expressly advocate the approval or rejection
3 of a clearly identified ballot measure, or the election or defeat of
4 a clearly identified candidate, by the voters or that constitutes a
5 campaign contribution.

6 (4) "Local agency" shall include those entities listed in Section
7 54951 and a public entity created pursuant to the Joint Exercise
8 of Powers Act (Chapter 5 (commencing with Section 6500) of
9 Division 7 of Title 1) by one or more entities listed in Section
10 54951, but "local agency" shall not include a county
11 superintendent of schools, an elementary school, high school, or
12 unified school district, or a community college district.

13 (5) "Nonprofit organization" means any entity incorporated
14 under the Nonprofit Corporation Law (Division 2 (commencing
15 with Section 5000) of Title 1 of the Corporations Code) or a
16 nonprofit organization that qualifies for exempt status under
17 Section 115 or 501(c), excluding 501(c)(3), of the Internal Revenue
18 Code of 1986.

19 (6) "Public resources" means any property or asset owned by
20 any local agency, including, but not limited to, cash, land,
21 buildings, facilities, funds, equipment, supplies, telephones,
22 computers, vehicles, travel, and local government compensated
23 time that is provided to a nonprofit organization.

24 (c) This section does not prohibit the use of public resources
25 for providing information to the public about the possible effects
26 of any bond issuance or other ballot measure on state activities,
27 operations, or policies, provided that the informational activities
28 are otherwise authorized by the California Constitution or the
29 laws of this state, and the information provided constitutes a fair
30 and impartial presentation of relevant facts to aid the electorate
31 in reaching an informed judgment regarding the bond issue or
32 ballot measure.

33 (d) (1) Any person who intentionally or negligently violates
34 this section is liable for a civil penalty not to exceed one thousand
35 dollars (\$1,000) for each day on which a violation occurs, plus
36 three times the value of the unlawful use of public resources. The
37 penalty shall be assessed and recovered in a civil action brought
38 in the name of the people of the State of California by the Attorney
39 General or by any district attorney or any city attorney of a city
40 having a population in excess of 750,000. If two or more persons

1 are responsible for any violation, they shall be jointly and severally
 2 liable for the penalty. If the action is brought by the Attorney
 3 General, the moneys recovered shall be paid into the General
 4 Fund. If the action is brought by a district attorney, the moneys
 5 recovered shall be paid to the treasurer of the county in which the
 6 judgment was entered. If the action is brought by a city attorney,
 7 the moneys recovered shall be paid to the treasury of that city.

8 (2) A civil action alleging a violation of this section shall not
 9 be commenced more than four years after the date of the alleged
 10 violation.

11 ~~SECTION 1. It is the intent of the Legislature to appropriate~~
 12 ~~two hundred fifty million dollars (\$250,000,000) from the General~~
 13 ~~Fund in the 2013-14 fiscal year to the Career Pathways State~~
 14 ~~Revolving Fund. The source of funds for that appropriation may~~
 15 ~~include state apportionments for purposes of Section 8 of Article~~
 16 ~~XVI of the California Constitution and offsetting budget savings~~
 17 ~~derived from reforms to the Enterprise Zone Act (Chapter 12.8~~
 18 ~~(commencing with Section 7070) of Division 7 of Title 1 of the~~
 19 ~~Government Code) and the New Jobs Tax Credit.~~

20 SEC. 2. Part 38 (commencing with Section 64200) is added to
 21 Division 4 of Title 2 of the Education Code, to read:

22
 23 ~~PART 38. CAREER PATHWAYS INVESTMENT CREDIT~~
 24 ~~AND TRUST FUND~~

25
 26 64200. (a) The Legislature finds and declares the following:
 27 (1) After five years of deep recession and high rates of
 28 unemployment, the California economy has begun to recover.

29 (2) One of the most important actions California can take to
 30 hasten that recovery is to invest in the development of a skilled
 31 workforce to perform well-paying jobs in growing and emerging
 32 sectors of its regional economies.

33 (3) The fastest-growing occupations are expected to be those
 34 that require scientific, technical, engineering, or mathematics
 35 (STEM) skills, such as jobs in biotechnology, digital media arts,
 36 agricultural technology, green technology, or computer-related
 37 and health-related fields.

38 (4) California's systems of public education, which includes
 39 primary and secondary schools, technical training, apprenticeship,
 40 two-year and four-year colleges, and graduate schools, play a

1 critical role in workforce preparation, one that could be
2 significantly strengthened by a tighter focus on education and
3 training that delivers the skills and capacities most called for in
4 high-opportunity sectors.

5 (5) This kind of workforce preparation is best accomplished in
6 concert with regional business and industry, so that students receive
7 the most current and relevant education that prepares them to
8 compete for good jobs in their communities after graduation from
9 high school or postsecondary education and training.

10 (6) Work-based educational and training opportunities enhance
11 the employment prospects of low- and moderate-income
12 individuals and contribute to the stability and economic
13 development of their communities.

14 (b) It is the intent of the Legislature that federal bank regulators,
15 specifically, the Federal Reserve bank, the Office of the
16 Comptroller of the Currency, the Federal Deposit Insurance
17 Corporation, and the Office of Thrift Supervision, give credit to
18 federally insured banks and thrifts on their compliance
19 examinations under the federal Community Reinvestment Act of
20 1977 (Public Law 95-128) for grants, investments, and loans to
21 educational institutions, nonprofit organizations, and businesses
22 in support of career pathways programs.

23 (c) It is the intent of the Legislature to establish state fiscal
24 incentives, such as pay-for-performance contracts, grants, and tax
25 credits, that encourage California businesses and industry to enter
26 into partnerships with schools and community colleges that
27 strengthen the nature and quality of education provided by those
28 institutions. These partnerships will connect high school pupils
29 and teachers, and college students and faculty, to real-world
30 experience that provides sustained exposure to applied academics,
31 skill development, work-related experience, and potential future
32 employment. This experience will keep students on track to
33 graduation, further education, and productive careers.

34 (d) The dissolution of redevelopment agencies will increase
35 property tax revenues to K-14 school districts and community
36 college districts, including the one-time distribution of
37 redevelopment agency cash assets expected to occur in the 2012-13
38 and 2013-14 fiscal years. It is the intent of the Legislature that
39 school districts and community college districts capitalize the
40 Career Pathways Investment Trust Funds established pursuant to

1 this act for purposes of financing program and administrative costs
2 relating to the operation of career pathways programs.

3 64201. For purposes of this part:

4 (a) ~~“Applicant” means a business entity that enters into a~~
5 ~~contract or memorandum of understanding with a local educational~~
6 ~~agency, community college, or workforce investment board to~~
7 ~~provide career technical education that connects pupils to~~
8 ~~real-world experience and provides sustained exposure to applied~~
9 ~~academies, skill development, work-related education, and potential~~
10 ~~future employment, and that applies to the committee for the career~~
11 ~~pathways investment credit.~~

12 (b) ~~“Budget” means an estimate of all qualified expenditures to~~
13 ~~be paid or incurred in providing the career pathways program over~~
14 ~~the period for which the applicant is applying for the career~~
15 ~~pathways investment credit.~~

16 (c) ~~“Career Pathways Investment Trust Fund” means a fund~~
17 ~~established in each local educational agency and community~~
18 ~~college district for the purpose of financing program and~~
19 ~~administrative costs relating to the operation of career pathways~~
20 ~~programs.~~

21 (d) ~~“Career pathways pay-for-performance pilot project” means~~
22 ~~a career pathways program approved for funding by the committee~~
23 ~~under a pay-for-performance contract between the committee and~~
24 ~~the school district or districts or community college district or~~
25 ~~districts. The pay-for-performance contract shall specify the~~
26 ~~accountability and performance measurements that determine the~~
27 ~~extent to which a business entity partnering with the school districts~~
28 ~~or districts or community college district or districts may be~~
29 ~~compensated for its costs. The amount of compensation shall vary~~
30 ~~in accordance with demonstrated performance. Performance~~
31 ~~measures shall include all of the following:~~

32 (1) ~~Demonstrated improvement in academic performance.~~

33 (2) ~~Demonstrated improvement in postssecondary enrollment.~~

34 (3) ~~Decreased dropout rates.~~

35 (4) ~~Demonstrated improvement in transitions to appropriate~~
36 ~~employment, apprenticeships, or any other job training school, if~~
37 ~~applicable.~~

38 (5) ~~Measurements of pupil, parent, and employer satisfaction.~~

39 (e) ~~“Career pathways programs” means programs that support~~
40 ~~the following:~~

1 ~~(1) Integrated academic and technical learning that prepares~~
2 ~~pupils for both postsecondary education and careers in high-growth~~
3 ~~or high-need sectors of the economy. These programs include core~~
4 ~~academic courses emphasizing authentic applications, sequences~~
5 ~~or clusters of three or more courses that align with the Office of~~
6 ~~the Chancellor of the California Community Colleges-approved~~
7 ~~or state board-approved career technical education standards and~~
8 ~~frameworks that also integrate key academic concepts and skills;~~
9 ~~work-based learning opportunities, and additional services like~~
10 ~~counseling or supplementary instruction in reading, writing, and~~
11 ~~mathematics. These programs may be delivered through high~~
12 ~~schools, regional occupational centers or programs, California~~
13 ~~Partnership Academies or other career academies, alternative~~
14 ~~education programs, including continuation schools and programs~~
15 ~~administered by county offices of education, adult education~~
16 ~~programs, or community colleges.~~

17 ~~(2) Curriculum and professional development.~~

18 ~~(3) Middle school and early high school career exploration~~
19 ~~activities.~~

20 ~~(4) Externship and fellowship opportunities that expose middle~~
21 ~~school and high school teachers and community college faculty~~
22 ~~to the skills and competencies that pupils need for successful~~
23 ~~employment in high-growth sectors of the California economy.~~

24 ~~(5) Active engagement by business and industry in pathway~~
25 ~~design and implementation, work-based learning, assessment of~~
26 ~~student work, and other aspects of effective preparation for success~~
27 ~~in further postsecondary education and careers.~~

28 ~~(6) Workplace learning and educational opportunities that~~
29 ~~prepare pupils for careers in high-skilled, high-growth, and~~
30 ~~emerging employment sectors, including, but not limited to,~~
31 ~~biotechnology research and development, engineering and~~
32 ~~construction, advanced manufacturing, health sciences and nursing,~~
33 ~~environmental sciences, and agricultural technology.~~

34 ~~(7) Programs that provide employment services and support to~~
35 ~~individuals with exceptional needs, including autistic individuals.~~

36 ~~(f) “Career Pathways State Revolving Fund” means a fund~~
37 ~~established in the State Treasury for the purpose of providing state~~
38 ~~financial assistance to local educational agencies, community~~
39 ~~college districts, and business entities that have entered into~~
40 ~~agreements to implement and operate career pathways programs.~~

1 ~~State financial assistance may include grants and~~
2 ~~pay-for-performance contracts.~~

3 ~~(g) "Committee" means the California Career Pathways State~~
4 ~~Investment Committee.~~

5 ~~(h) "Qualified expenditures" includes the following:~~

6 ~~(1) The costs of work-based learning specialists that convene,~~
7 ~~connect, measure, and broker partnerships between local~~
8 ~~educational agencies and business entities, including the costs of~~
9 ~~all of the following activities:~~

10 ~~(A) Matching pupils with work-based learning opportunities,~~
11 ~~including school-year or summer internships and paid employment~~
12 ~~within a career pathway.~~

13 ~~(B) Using schoolsite mentors as liaisons between local~~
14 ~~educational agencies, business entities, parents, and community~~
15 ~~partners.~~

16 ~~(C) Providing technical assistance to help local educational~~
17 ~~entities and business entities design comprehensive career pathways~~
18 ~~programs.~~

19 ~~(D) Providing technical assistance to help teachers integrate~~
20 ~~school-based and work-based learning with academic and career~~
21 ~~technical subject matters.~~

22 ~~(E) Brokering the involvement of business entities in~~
23 ~~school-based and work-based activities.~~

24 ~~(F) Assisting pupils in finding appropriate work, continuing~~
25 ~~pupils' education or training, and linking pupils to other community~~
26 ~~services.~~

27 ~~(G) Evaluating outcomes to assess career pathways program~~
28 ~~success, particularly in regard to pupil subgroups.~~

29 ~~(H) Linking existing youth development activities with employer~~
30 ~~and industry strategies to upgrade worker skills.~~

31 ~~(2) Paid jobs or internships for high school pupils or community~~
32 ~~college students that are related to course work in a career pathways~~
33 ~~program.~~

34 ~~(3) Support and supervision for unpaid internships or other~~
35 ~~work-based learning opportunities that give pupils the opportunity~~
36 ~~to connect what they are learning in high school or community~~
37 ~~college to its application in the real world.~~

38 ~~(4) Teacher or faculty externships.~~

39 ~~(5) Contributions to programs administered by postsecondary~~
40 ~~institutions that provide support to middle school, high school, or~~

1 ~~community college career pathways programs. This support may~~
2 ~~include, but shall not be limited to, teacher training, curriculum~~
3 ~~development, and other forms of technical assistance.~~

4 ~~(6) Equipment and instructional materials, including equipment~~
5 ~~and software to support technology-based instruction that provides~~
6 ~~one or more of the following:~~

7 ~~(A) Accelerated learning opportunities.~~

8 ~~(B) Identification of skill and knowledge gaps.~~

9 ~~(C) Targeted remediation to prepare pupils for college and~~
10 ~~careers.~~

11 ~~(7) Employees to provide instruction, in partnership with~~
12 ~~credentialed teachers employed by the school district or faculty~~
13 ~~employed by the community college, at the schoolsite or~~
14 ~~community college campus.~~

15 ~~(8) Contributions to support staff who link career pathways~~
16 ~~programs with regional business entities and assist in the~~
17 ~~development of the memoranda of understanding provided in~~
18 ~~subdivision (h) of Section 64204. The staff may be employed by~~
19 ~~local educational agencies, community colleges, or regional~~
20 ~~intermediary organizations.~~

21 ~~64203. (a) A Career Pathways Investment Trust Fund is hereby~~
22 ~~established in each local educational agency and community~~
23 ~~college district for the purpose of financing program and~~
24 ~~administrative costs relating to the operation of career pathways~~
25 ~~programs. The trust fund may accept revenues from any source,~~
26 ~~including one-time property tax revenues resulting from the~~
27 ~~dissolution of the assets of the former redevelopment agencies;~~
28 ~~other tax revenues, grants, and contributions or employment~~
29 ~~training funds made available through the employment training~~
30 ~~panel or workforce investment boards. The trust fund shall be~~
31 ~~administered by each local educational agency or community~~
32 ~~college district.~~

33 ~~(b) Moneys in a Career Pathways Investment Trust Fund may~~
34 ~~be used for any of the following purposes:~~

35 ~~(1) Career pathways program operations.~~

36 ~~(2) Development of rigorous and career-relevant curriculum by~~
37 ~~the applicant and the school district, community college district,~~
38 ~~or consortium of school districts and community college districts.~~

39 ~~(3) Paid internships.~~

1 ~~(4) Post-high-school financial aid for college, licensing, and~~
2 ~~credentialing programs.~~

3 ~~(5) Wage subsidies for full-time employment for pupils who~~
4 ~~successfully complete a career pathways program.~~

5 ~~64204. (a) The California Career Pathways State Investment~~
6 ~~Committee is hereby established in state government.~~

7 ~~(b) The committee shall be composed of the following members:~~

8 ~~(1) The Chancellor of the California Community Colleges, or~~
9 ~~his or her designee, who will serve as the chairperson of the~~
10 ~~committee.~~

11 ~~(2) The Superintendent or his or her designee.~~

12 ~~(3) The Chair of the California Workforce Investment Board,~~
13 ~~or his or her designee.~~

14 ~~(4) One appointee of the Senate Committee on Rules, who shall~~
15 ~~represent the business community and will serve a four-year term.~~

16 ~~(5) One appointee of the Speaker of the Assembly, who will~~
17 ~~serve a four-year term.~~

18 ~~(c) The committee is granted the sole authority to allocate to~~
19 ~~local educational agencies, community college districts, and~~
20 ~~applicants moneys appropriated to the Career Pathways State~~
21 ~~Revolving Fund for state financial assistance, including grants and~~
22 ~~the payment of pay-for-performance contracts entered into by the~~
23 ~~committee as part of a career pathways pay-for-performance pilot~~
24 ~~project. The committee is also granted the sole authority to allocate~~
25 ~~to applicants the Career Pathways Investment Credits authorized~~
26 ~~pursuant to Section 64206.~~

27 ~~(d) The committee shall establish criteria and guidelines for~~
28 ~~evaluating applications for state financial assistance, including~~
29 ~~requirements for commitments of financial or other resources by~~
30 ~~applicants or a local educational agency, community college~~
31 ~~district, or workforce investment board. The committee shall give~~
32 ~~priority in allocating state financial assistance to the following:~~

33 ~~(1) Proposals that would fund a work-based learning specialist~~
34 ~~to convene, connect, measure, and broker efforts to establish or~~
35 ~~enhance a locally defined career pathways program that provides~~
36 ~~connections between local educational agencies and business~~
37 ~~entities.~~

38 ~~(2) Local educational agencies and community college districts~~
39 ~~that have an unemployment rate higher than the statewide average~~
40 ~~unemployment rate for the most recent calendar year, as determined~~

1 by the Employment Development Department, or a high school
2 graduation rate lower than the statewide high school graduation
3 rate for the most recent calendar year, as determined by the
4 committee using the California Longitudinal Pupil Achievement
5 Data System.

6 (3) Local educational agencies and community college districts
7 that include in their application a significant amount of private
8 funding support from their business partners.

9 (4) Local educational agencies and community college districts
10 that include in their application articulated pathways connecting
11 high school and postsecondary certificate and degree programs in
12 their region.

13 (5) Local educational agencies and community college districts
14 that are not seeking state financial assistance for existing activities.
15 However, priority in allocating state financial assistance shall be
16 given to applicants that seek to expand or augment existing
17 investments in career pathways programs.

18 (c) The committee shall develop performance criteria for
19 determining the financial returns to private entities participating
20 in a career pathways pay-for-performance pilot project. The
21 performance-based compensation to be paid to private entities by
22 educational agency participants for each pay-for-performance
23 contract shall be specified in the contract. The performance criteria
24 shall include, but are not limited to, high school pupil and
25 community college student achievement and opportunity in the
26 following areas:

27 (1) High school graduation.

28 (2) Completion of postsecondary programs that culminate in a
29 certificate or degree.

30 (3) Attainment of industry-recognized credentials that are valued
31 in high-growth, high-need, or emerging economic sectors.

32 (4) Provision of internships to high school pupils and community
33 college students.

34 (5) Provision of paid summer jobs for high school pupils and
35 community college students.

36 (6) Provision of externships for high school teachers and
37 community college faculty.

38 (7) Provision of scholarships or other financial assistance for
39 students pursuing postsecondary education or training in a relevant
40 career pathway.

1 ~~(8) Offer of paid employment or apprenticeship to high school~~
2 ~~pupils or community college students who are participants or~~
3 ~~graduates of a career pathways program.~~

4 ~~(f) The committee may spend up to ten million dollars~~
5 ~~(\$10,000,000) of the amount appropriated to the California Career~~
6 ~~Pathways State Revolving Fund for the career pathways~~
7 ~~pay-for-performance pilot project.~~

8 ~~(g) The committee may prepare forms, establish procedures,~~
9 ~~set priorities, assess, and perform other administrative functions~~
10 ~~as necessary.~~

11 ~~(h) The Superintendent, the Chancellor of the Community~~
12 ~~Colleges, and the California Workforce Investment Board shall~~
13 ~~enter into a memorandum of understanding to allocate staff~~
14 ~~resources to the committee. The costs to these entities shall be~~
15 ~~offset by fees charged to applicants for Career Pathways Tax~~
16 ~~Credits.~~

17 ~~64205. (a) There is hereby created in the State Treasury the~~
18 ~~California Career Pathways State Revolving Fund for the purpose~~
19 ~~of providing financial assistance to local educational agencies,~~
20 ~~community college districts, and business entities that have entered~~
21 ~~into agreements to implement and operate career pathways~~
22 ~~programs. Within the fund there shall also be established a Career~~
23 ~~Pathways Financing Account, a Career Pathways Grant Account,~~
24 ~~and additional accounts and subaccounts that the committee may~~
25 ~~establish from time to time.~~

26 ~~(b) Moneys in the Career Pathways Financing Account shall be~~
27 ~~used to pay pay-for-performance contracts entered into by the~~
28 ~~committee as part of a career pathways pay-for-performance pilot~~
29 ~~project, or other financing agreements entered into by the~~
30 ~~committee.~~

31 ~~(c) Moneys in the Career Pathways Grant Account shall be used~~
32 ~~to award grants from the committee to local educational agencies~~
33 ~~and community college districts.~~

34 ~~(d) Notwithstanding Section 13340 of the Government Code,~~
35 ~~all moneys in the Career Pathways State Revolving Fund shall be~~
36 ~~continuously appropriated without regard to fiscal year for the~~
37 ~~support of the committee and for expenditure for the purposes~~
38 ~~stated in this part.~~

39 ~~(e) All expenses incurred in carrying out the purposes of this~~
40 ~~part shall be payable solely from funds provided pursuant to this~~

1 part, and no liability or obligation shall be imposed upon the state
2 and none shall be incurred by the committee beyond the extent to
3 which money shall have been provided pursuant to this part.

4 ~~64206.~~ For calendar years beginning on or after January 1,
5 2014, the committee shall allocate the career pathways investment
6 credit in an amount authorized in the Budget Act for that calendar
7 year. For purposes of this section, the committee shall do all of
8 the following:

9 (a) ~~Allocate the career pathways investment credit for up to five~~
10 ~~calendar years for each application the committee approves, as~~
11 ~~long as the amount allocated does not exceed the amount authorized~~
12 ~~in the Budget Act.~~

13 (b) (1) ~~Give priority in allocating tax credits to the following:~~

14 (A) ~~Applicants that have entered into a contract or memorandum~~
15 ~~of understanding with local educational agencies, community~~
16 ~~colleges, or workforce investment boards, as specified in~~
17 ~~subdivision (a) of Section 64201, in communities that have an~~
18 ~~unemployment rate higher than the statewide unemployment rate,~~
19 ~~as determined by the United States Census, and a high school~~
20 ~~graduation rate lower than the statewide high school graduation~~
21 ~~rate, as determined by the committee using the California~~
22 ~~Longitudinal Pupil Achievement Data System.~~

23 (B) ~~Applicants that have entered into a contract or memorandum~~
24 ~~of understanding with local educational agencies, community~~
25 ~~colleges, or workforce investment boards with an applicant~~
26 ~~financial commitment that exceeds the commitment of public~~
27 ~~funds.~~

28 (C) ~~Applicants that have entered into a contract or memorandum~~
29 ~~of understanding with local educational agencies or community~~
30 ~~colleges that offer articulated pathways connecting high school~~
31 ~~and postsecondary certificate and degree programs in their region.~~

32 (D) ~~Applicants that are not seeking tax credits for existing~~
33 ~~activities. However, priority shall be given to applicants that seek~~
34 ~~to expand or augment existing investments in career pathways~~
35 ~~programs.~~

36 (2) ~~To the maximum extent practicable, subject to paragraph~~
37 ~~(1), give priority in allocating career pathways investment credits~~
38 ~~to applicants that seek to expand or augment existing investments~~
39 ~~in career pathways programs.~~

1 ~~(3) The committee shall not give priority to any applicant by~~
2 ~~virtue of the date of submission of its application, except to allocate~~
3 ~~credits where two or more applicants have the same rating.~~

4 ~~(c) An applicant shall enter into an enforceable contract or~~
5 ~~memorandum of understanding with the committee to comply with~~
6 ~~the requirements of this part, Sections 17057.6 and 23610.6 of the~~
7 ~~Revenue and Taxation Code, any applicable state laws, and any~~
8 ~~additional requirements the department deems necessary or~~
9 ~~appropriate to serve the purposes of this part. The contract or~~
10 ~~memorandum of understanding shall also provide for legal action~~
11 ~~to obtain specific performance or monetary damages for breach~~
12 ~~of contract and shall require regular programmatic audits.~~

13 ~~(d) Adopt rules that award credits to applicants that demonstrate~~
14 ~~that either the applicant or the local educational agency, community~~
15 ~~college, or workforce investment board with which it has entered~~
16 ~~into a memorandum of understanding pursuant to this part~~
17 ~~performed well in regard to the following criteria:~~

18 ~~(1) The effectiveness of the career pathways program toward~~
19 ~~preparing students for productive, high-wage employment in~~
20 ~~growing or high-need sectors of the California economy.~~
21 ~~Effectiveness criteria shall include:~~

22 ~~(A) Pathway completion rates.~~

23 ~~(B) High school graduation rates or community college~~
24 ~~completion rates, as appropriate.~~

25 ~~(C) Percentages of students attaining an industry certification.~~

26 ~~(D) Percentages of students transitioning successfully to~~
27 ~~postsecondary education or apprenticeship.~~

28 ~~(E) Employment and earnings after high school.~~

29 ~~(2) The level of the applicant's investment in, oversight of, and~~
30 ~~ability to leverage and sustain current career pathways programs~~
31 ~~and current career technical education programs.~~

32 ~~(c) Develop and provide forms for purposes of informing~~
33 ~~potential applicants of the purposes of this part.~~

34 ~~(f) The amount of the credit reserved for a calendar year shall~~
35 ~~not exceed 50 percent of the qualified expenditures estimated by~~
36 ~~the applicant for the calendar year.~~

37 ~~(g) The committee shall report to the Franchise Tax Board, once~~
38 ~~each year, the identity of the qualified taxpayers for whom the~~
39 ~~career pathways investment credits are allocated each year.~~

1 ~~(h) The committee may, in its discretion, consult with the~~
2 ~~Treasurer and the California Tax Credit Allocation Committee~~
3 ~~regarding the allocation of tax credits. If a request for consultation~~
4 ~~is made, the Treasurer and the California Tax Credit Allocation~~
5 ~~Committee shall aid the committee.~~

6 ~~(i) Establish audit requirements. The committee may share~~
7 ~~information established during an audit with the Franchise Tax~~
8 ~~Board.~~

9 ~~(j) It is the intent of the Legislature, subsequent to the enactment~~
10 ~~of the act adding this section, to reduce the statutory cap on the~~
11 ~~authorization for the new jobs tax credit enacted by Chapter 17 of~~
12 ~~the Statutes of 2009, Third Extraordinary Session, from four~~
13 ~~hundred million dollars (\$400,000,000) to three hundred million~~
14 ~~dollars (\$300,000,000) and to authorize one hundred million dollars~~
15 ~~(\$100,000,000) for the Career Pathways Investment Credit,~~
16 ~~effective January 1, 2014.~~

17 ~~SEC. 3. Section 17057.6 is added to the Revenue and Taxation~~
18 ~~Code, to read:~~

19 ~~17057.6. (a) For each taxable year beginning on or after~~
20 ~~January 1, 2014, there shall be allowed to a qualified taxpayer as~~
21 ~~a credit against the "net tax," as defined in Section 17039, an~~
22 ~~amount equal to that allocated to a qualified taxpayer by the~~
23 ~~California Career Pathways Investment Committee pursuant to~~
24 ~~Section 64206 of the Education Code.~~

25 ~~(b) For purposes of this section a "qualified taxpayer" means~~
26 ~~an applicant, as defined in Section 64201 of the Education Code,~~
27 ~~who is either the sole owner if an individual, partners if the~~
28 ~~taxpayer is a partnership, or shareholders if the taxpayer is an "S"~~
29 ~~corporation, and who was awarded an allocation of the career~~
30 ~~pathways investment credit by the California Career Pathways~~
31 ~~Investment Committee.~~

32 ~~(c) In the case where the credit allowed under this section~~
33 ~~exceeds the "net tax," the excess credit may be carried over to~~
34 ~~reduce the "net tax" in the following taxable year, and succeeding~~
35 ~~taxable years, if necessary, until the credit has been exhausted.~~

36 ~~(d) If a qualified taxpayer fails to comply with the requirements~~
37 ~~of this section or with Part 38 (commencing with Section 64200)~~
38 ~~of Division 4 of Title 2 of the Education Code, the credit shall be~~
39 ~~disallowed and assessed and collected under Section 19051 until~~
40 ~~the requirements are satisfied.~~

1 ~~SEC. 4. Section 23610.6 is added to the Revenue and Taxation~~
2 ~~Code, to read:~~

3 ~~23610.6. (a) For each taxable year beginning on or after~~
4 ~~January 1, 2014, there shall be allowed to a qualified taxpayer as~~
5 ~~a credit against the "tax," as defined in Section 23036, an amount~~
6 ~~equal to that allocated to a qualified taxpayer by the California~~
7 ~~Career Pathways Investment Committee pursuant to Section 64206~~
8 ~~of the Education Code.~~

9 ~~(b) For purposes of this section a "qualified taxpayer" means~~
10 ~~an applicant, as defined in Section 64201 of the Education Code,~~
11 ~~that is subject to the taxes imposed by this part.~~

12 ~~(c) In the case where the credit allowed under this section~~
13 ~~exceeds the "tax," the excess credit may be carried over to reduce~~
14 ~~the "tax" in the following taxable year, and succeeding taxable~~
15 ~~years, if necessary, until the credit has been exhausted.~~

16 ~~(d) If a qualified taxpayer fails to comply with the requirements~~
17 ~~of this section or with Part 38 (commencing with Section 64200)~~
18 ~~of Division 4 of Title 2 of the Education Code, the credit shall be~~
19 ~~disallowed and assessed and collected under Section 19051 until~~
20 ~~the requirements are satisfied.~~

21 ~~SEC. 5. No reimbursement shall be made pursuant to Part 7~~
22 ~~(commencing with Section 17500) of Division 4 of Title 2 of the~~
23 ~~Government Code for costs mandated by the state pursuant to this~~
24 ~~act. It is recognized, however, that a local agency or school district~~
25 ~~may pursue any remedies to obtain reimbursement available to it~~
26 ~~under Part 7 (commencing with Section 17500) and any other~~
27 ~~provisions of law.~~



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Set a Public Hearing for October 2, 2013, to Consider and Approve an Amendment of the 2013/14 Action Plan to Accommodate the Allocation of Previously Unallocated Funds Received in 2013-14 and the Reallocation of Unused CDBG Funds From Previous Years

MEETING DATE: September 4, 2013

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Set a public hearing for October 2, 2013, to consider and approve an amendment of the 2013/14 Action Plan to accommodate the allocation of previously unallocated funds received in 2013/14 and the reallocation of unused CDBG funds from previous years.

BACKGROUND INFORMATION: A public hearing is required as part of the federal requirements of the Community Development Block Grant (CDBG) program.

At the time of adoption of the 2013/14 Action Plan the allocation of funds to projects and services were based upon an estimated CDBG award amount of \$597,871 for the year. Subsequent to the adoption of the Action Plan, we received formal notification that our actual award amount was \$649,980. The allocation of the additional \$52,109 received for 2013/14 requires the amendment of the Annual Action Plan.

At the completion of the 2012/13 Program Year, a total of \$60,246.75 in unused CDBG funds from projects and services will also be included in that Annual Action Plan amendment. The public review and comment period for this Action Plan amendment will begin September 2, 2013 and will end October 2, 2013.

FISCAL IMPACT: The amendment of the 2013/14 Action Plan document is being completed as an administrative activity that is funded through the City's CDBG administrative allocation from HUD.

FUNDING AVAILABLE: Not applicable.

Konradt Bartlam
Community Development Director

KB/jw

APPROVED: _____
Konradt Bartlam, City Manager



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Set Public Hearing for October 2, 2013, to Receive Comments on and Consider Accepting City of Lodi's Report on Water Quality Relative to Public Health Goals

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Set a public hearing for October 2, 2013, to receive comments on and consider accepting the City of Lodi's Report on Water Quality Relative to Public Health Goals.

BACKGROUND INFORMATION: Attached is a report prepared by staff comparing Lodi's drinking water with the California Environmental Protection Agency's public health goals (PHGs) and with the United States Environmental Protection Agency's maximum contaminant level goals (MCLGs). PHGs and MCLGs are not enforceable standards and no action to meet them is mandated.

California Code of Regulations, Title 22, Section 116470, mandates that a report be prepared every three years. The attached report is intended to provide information to the public, in addition to the Annual Water Quality Report mailed to each customer in June 2013. On August 10, 2013, a public notice appeared in the *Lodi News Sentinel* to inform any interested party of the Public Health Goals Report and its availability. The report is also posted on the City's website.

The law also requires that a public hearing be held (which can be part of a regularly-scheduled public meeting) for the purpose of accepting and responding to public comment on the report. A notice of public hearing will be published in the *Lodi News Sentinel*.

Our water system complies with all of the health-based drinking water standards and maximum contaminant levels as required by the California Department of Health Services and the United States Environmental Protection Agency. No additional actions are required or recommended.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

Prepared Larry Parlin, Deputy Public Works Director – Utilities
FWS/LP/pmf
Attachment
cc: Deputy Public Works Director – Utilities
Utilities Superintendent
Water Plant Chief Operator

APPROVED: _____
Konradt Bartlam, City Manager

CITY OF LODI
PUBLIC WORKS DEPARTMENT



Report on Water Quality
Relative to Public Health Goals
2010-2012

September 2013

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Background

Provisions of the California Health and Safety Code (Reference No. 1) specify that larger (>10,000 service connections) water utilities prepare a special report every three years if their water quality measurements have exceeded any Public Health Goals (PHGs). PHGs are non-enforceable goals established by the Cal-EPA's Office of Environmental Health Hazard Assessment (OEHHA). The law also requires that where OEHHA has not adopted a PHG for a constituent, the water suppliers are to use the Maximum Contaminant Level Goals (MCLGs) adopted by USEPA. Only constituents which have a California primary drinking water standard and for which either a PHG or MCLG has been set are to be addressed.

There are a few constituents that are routinely detected in water systems at levels usually well below the drinking water standards for which no PHG nor MCLG has been adopted by OEHHA or USEPA. If a constituent was detected in the City's water supply between 2010 and 2012 at a level exceeding an applicable PHG or MCLG, this report provides the information required by law. Included is the numerical public health risk associated with the MCL and the PHG or MCLG, the category or type of risk to health associated with each constituent, the best available treatment technology that could be used to reduce the constituent level, and an estimate of the cost to implement that treatment if it is appropriate and feasible.

What Are PHGs?

PHGs are set by the California Office of Environmental Health Hazard Assessment (OEHHA) which is part of Cal-EPA, and are based solely on public health risk considerations. None of the practical risk-management factors that are considered by the USEPA or the California Department of Public Health (CDPH) in setting drinking water standards (MCLs) are considered in setting the PHGs. These factors include analytical detection capability, available treatment technology, benefit and cost. The PHGs are not enforceable and are not required to be met by any public water system. MCLGs are the federal equivalent to PHGs.

City of Lodi Water Sources

The City of Lodi's water supply consists of both groundwater and surface water sources. Approximately 70 percent of the water supplied to our customers originates from wells owned by the City and the remainder of the City's drinking water is treated surface water produced through the new Surface Water Treatment Facility (SWTF).

Water Quality Data Considered

All of the water quality data collected by our water system between 2010 and 2012 for purposes of determining compliance with drinking water standards was considered. This data was summarized in our 2010, 2011, and 2012 Annual Water Quality Reports which were mailed to all customers before July 1st each year. The triennial lead and copper monitoring for 2012 was deferred by CDPH to 2013 and is not included in this report.

Guidelines Followed

The Association of California Water Agencies (ACWA) formed a workgroup that prepared guidelines that were used in the preparation of this report.

Best Available Treatment Technology and Cost Estimates

Both the USEPA and CDPH adopt what are known as Best Available Technologies (BATs) which are the best known methods of reducing contaminant levels to the MCL. Costs can be estimated for implementing such technologies. Since many PHGs and all MCLGs are set much lower than the MCL, it is not always possible or feasible to determine what treatment is needed to further reduce a constituent down to or near the PHG or MCLG, many of which are set at zero. Estimating the costs to reduce a constituent to zero is difficult, if not impossible. It is not possible to verify by analytical means that the level has been lowered to zero. In some cases, installing treatment to further reduce very low levels of one constituent may have adverse effects on other aspects of water quality.

Constituents Detected That Exceed a PHG or a MCLG

The following is a discussion of constituents that were detected in one or more of our drinking water sources at levels above the PHG, or if no PHG, above the MCLG.

Coliform Bacteria

In 2010-12, we collected 3,141 samples from our distribution system for coliform analysis. Of these samples, 0.22% was positive for coliform bacteria. In 2010-12 a maximum of 3.4% (April 2011) of these samples were positive for one month.

The MCL for coliform is 5% positive samples of all samples per month and the MCLG is zero. The reason for the coliform drinking water standard is to minimize the possibility of the water containing pathogens which are organisms that cause waterborne disease. Because coliform is only an indicator of the potential presence of pathogens, it is not possible to state a specific numerical health risk. While U.S. EPA normally sets MCLGs “at a level where no known or anticipated adverse effects on persons would occur” they indicate that they cannot do so with coliforms.

Coliform bacteria are organisms that are found just about everywhere in nature and are not generally considered harmful. They are used as an indicator because of the ease for monitoring and analysis. If a positive sample is found, it indicates a potential problem that needs to be investigated and follow up sampling is done. It is not at all unusual for a system to have an occasional positive sample. It is difficult, if not impossible, to assure that a system will never get a positive sample. A further test that is performed on all total coliform positive results is for fecal coliform or E. coli. There were no positive fecal coliform or E. coli results in 2010-12.

The City adds chlorine to all City water sources to assure that the water served is microbiologically safe. The chlorine residual levels are carefully controlled to provide the best health protection without causing the water to have undesirable taste and odor or increasing the disinfection byproduct level. This careful balance of treatment processes is essential to continue supplying our customers with safe drinking water.

Trichloroethylene (TCE)

The PHG for TCE is 1.7 micrograms per liter ($\mu\text{g/L}$ or parts per billion). The MCL or drinking water standard for TCE is $5 \mu\text{g/L}$. We detected TCE at levels above the PHG but not exceeding the MCL in the discharge from 1 of the 26 City wells used in 2010-12. The average value for the City wells can be found in the Water Quality Report (Appendix).

The category of health risk associated with TCE, and the reason that a drinking water standard was adopted for it, is that the people who drink water containing TCE above the MCL throughout their lifetime could theoretically experience an increased risk of getting cancer. CDPH says that “Drinking water which meets this standard (the MCL) is associated with little to none of this risk and should be considered safe with respect to TCE.” (CDPH Blue Book of drinking water law and regulations, Section 64468.2, Title 22, CCR.) The Best Available Technology for TCE to lower the level below the MCL is either Granular Activated Carbon or Packed Tower Aeration.

The estimated cost to install such a treatment system on one City well and enhance the capacity on one City well with an existing treatment system that would reliably reduce the TCE level to below $1.7 \mu\text{g/L}$ would be approximately \$490,000 and require annual operation and maintenance costs of approximately \$77,000 per year. This would result in an estimated increased cost to each customer of approximately \$5 per year.

Dibromochloropropane (DBCP)

The PHG for DBCP is 1.7 nanograms per liter (ng/L or parts per trillion). The MCL for DBCP is 200 ng/L . We detected DBCP at levels not exceeding the MCL in the discharges from 12 of the 26 City wells used in 2010-12. City Well No. 6 was taken out of service and placed in standby (January 2012) when the average analysis exceeded the MCL. Since then, the City has taken necessary steps to add Granulated Activated Carbon (GAC) vessels for treatment. This treatment was funded by Lodi’s settlement agreement with DBCP manufactures and construction of the new treatment is near completion. The average value for these City wells can be found in the Water Quality Report (Appendix).

The category for health risk associated with DBCP, and the reason that a drinking water standard was adopted for it, is the people who drink water containing DBCP above the MCL throughout their lifetime could theoretically experience an increased risk of getting cancer. CDPH says that “Drinking water which meets this standard (the MCL) is associated with little to none of this risk and should be considered safe with respect to DBCP.” (CDPH Blue Book of drinking water law and regulations, Section 64468.3, Title 22, CCR.) The numerical health risk for an MCLG of zero is zero.

The Best Available Technology for DBCP to lower the level below the MCL is either Granular Activated Carbon or Packed Tower Aeration. To attempt to maintain the DBCP levels at zero, Granular Activated Carbon Treatment Systems with longer empty bed contact times and more frequent carbon change-outs would likely be required.

The estimated cost to install such a treatment system on 12 City wells and enhance capacities on six City wells with existing treatment systems that would reliably reduce the DBCP level to zero would be approximately \$5.4 million. The increased annual operation and maintenance costs would be approximately \$797,000 per year. This would result in an estimated increased cost to each customer of approximately \$42 per year. (Note: This increased cost may not be reimbursable under the terms of Lodi's settlement agreement with the DBCP manufacturers.)

1,1,2,2-Tetrachloroethylene (PCE)

The PHG for PCE is 0.06 micrograms per liter ($\mu\text{g/L}$ or parts per billion). The MCL or drinking water standard for PCE is 5 $\mu\text{g/L}$. We detected PCE at levels not exceeding the MCL in the discharges from three of the 26 City wells used in 2010-12. The average value for these City wells can be found in the Water Quality Report (Appendix).

The category of health risk associated with PCE, and the reason that a drinking water standard was adopted for it, is the people who drink water containing PCE above the MCL throughout their lifetime could theoretically experience an increased risk of getting cancer. CDPH says that "Drinking water which meets this standard (the MCL) is associated with little to none of this risk and should be considered safe with respect to PCE." (CDPH Blue Book of drinking water law and regulations, Section 64468.2, Title 22, CCR.)

The Best Available Technology for PCE to lower the level below the MCL is either Granular Activated Carbon or Packed Tower Aeration. Since the PCE level in these three City wells is already below the MCL, a Granular Activated Carbon Treatment System with larger vessels would likely be required to attempt to keep PCE levels below the PHG.

The estimated cost to install such a treatment system on three City wells that would reliably reduce the PCE level to the PHG of 0.06 $\mu\text{g/L}$ would be approximately \$1.5 million and require annual operation and maintenance costs of approximately \$180,000 per year. This would result in an estimated increased cost to each customer of approximately \$14 per year.

1,2,3-Trichloropropane (1,2,3-TCP)

The PHG for 1,2,3-TCP is 0.0007 micrograms per liter ($\mu\text{g/L}$ or parts per billion). There is no California or federal Maximum Contaminant Level (MCL) for 1,2,3-TCP. The California Notification Level for 1,2,3-TCP is set at 0.005 $\mu\text{g/L}$, the detection limit for the purposes of reporting Detectable Level Required (DLR). Notification levels are health-based advisory levels established by CDPH for chemicals in drinking water that lack MCLs. CDPH advises "If a chemical concentration is greater than its notification level in drinking water that is provided to consumers, CDPH recommends that the utility inform its customers and consumers about the presence of the chemical, and about health concerns associated with exposure to it". We detected 1,2,3-TCP at levels exceeding the PHG in the source water from six of the 26 City wells used in 2010-12. The average value for these City wells can be found in the Water Quality Report (Appendix).

Currently, there is no MCL for 1,2,3-TCP. The category for health risk associated with 1,2,3-TCP, and the reason that a drinking water standard (PHG) was adopted for it, is the people who drink

water containing 1,2,3-TCP throughout their lifetime could theoretically experience an increased risk of getting cancer.

An estimate of the best approach for 1,2,3-TCP removal in Lodi is not necessary at this time.

Arsenic

The PHG for Arsenic is 0.004 micrograms per Liter ($\mu\text{g/L}$ or parts per billion). The MCL or drinking water standard for arsenic is 10 $\mu\text{g/L}$. There were arsenic levels detected at levels not exceeding the MCL in discharges from 26 of the 26 City wells and the water treatment plant used in 2010-12. The values for these water sources can be found in the Water Quality Report (Appendix).

Arsenic is a naturally occurring element found in many types of rocks and soils. Leaching of these deposits is the primary source of arsenic in this area. Some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems and may have an increased risk of getting cancer. The PHG of 0.004 $\mu\text{g/L}$ for arsenic is far below the Detection Limit Requirement (DLR) of 2 $\mu\text{g/L}$ for arsenic. The DLR is the level that can be reliably determined by current laboratory methods.

The Best Available Treatment (BAT) for arsenic removal is dependent on the water chemistry of the source to be treated. While research into new methods of removing arsenic continues, the current recommendations include:

- Activated Alumina
- Coagulation / Filtration
- Lime Softening
- Reverse Osmosis

All of the above-listed methods are expensive and have a concentrated residual, which requires safe disposal. An estimate of the best approach for arsenic removal in Lodi is not necessary at this time.

Radium 226

The PHG for Radium 226 is 0.05 pCi/L and MCL for Radium 226 plus Radium 228 is 5 pCi/L. Testing for radium is not required unless the level of gross alpha particle activity detected exceeds 5 pCi/L. We detected Radium 226 at levels not exceeding the MCL in the discharges from two of the 26 City wells used in 2010-12. The average value for this City well can be found in the Water Quality Report (Appendix).

The category of health risk associated with Radium 226 is carcinogenicity. People who drink water containing Radium 226 particles above the MCL throughout their lifetime could experience an increased risk of getting cancer. The numerical health risk for Radium 226 based on the PHG is 1 x 10⁻⁶. This means one excess cancer case per million population. The BAT to lower the level of Radium 226 below the MCL is reverse osmosis, although it is not known if the technology is feasible of achieving the PHG level of 0.06 pCi/L.

The estimated annual cost to install and operate a reverse osmosis systems at all of the City's wells would be approximately \$2.60 per 1,000 gallons of treated water, which includes annualized cost of construction plus operation and maintenance costs. This translates into an estimated additional

annual cost of approximately \$35 per service connection per year for the life of the treatment system.

Radium 228

The PHG for Radium 228 is 0.019 pCi/L and MCL for Radium 226 plus Radium 228 is 5 pCi/L. Testing for radium is not required unless the level of gross alpha particle activity detected exceeds 5 pCi/L. We detected Radium 228 at levels not exceeding the MCL in the discharges from two of the 26 City wells used in 2010-12. The average value for this City well can be found in the Water Quality Table (Appendix D).

The category of health risk associated with Radium 228 is carcinogenicity. People who drink water containing Radium 228 particles above the MCL throughout their lifetime could experience an increased risk of getting cancer. The numerical health risk for Radium 228 based on the PHG is 1×10^{-6} . This means one excess cancer case per million population. The BAT to lower the level of Radium 228 below the MCL is reverse osmosis, although it is not known if the technology is feasible of achieving the PHG level of 0.019 pCi/L.

The estimated annual cost to install and operate a reverse osmosis systems at all of the City's wells would be approximately \$2.60 per 1,000 gallons of treated water, which includes annualized cost of construction plus operation and maintenance costs. This translates into an estimated additional annual cost of approximately \$35 per service connection per year for the life of the treatment system.

Uranium

The PHG for Uranium is 0.43 picocuries per liter (pCi/L). The MCL or drinking water standard for Uranium is 20 pCi/L. There was Uranium detected at levels not exceeding the MCL in discharges from 15 of the 25 City wells used in 2010-12. The values for these water sources can be found in the Water Quality Report (Appendix).

CDPH, which sets drinking water standards, has determined that total Uranium is a health concern at certain levels of exposure. This radiological constituent is a naturally occurring contaminant in some groundwater and surface water supplies. This constituent has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Constituents that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time.

BATs for removal of Uranium from drinking water are: Ion Exchange - Reverse Osmosis or Lime Softening. These methods are expensive and require disposal of a waste stream, which would contain concentrated radio nucleotides. The estimated cost to install such a treatment system on fifteen City wells that have historically exceeded the PHG which would reliably reduce the Uranium level to the PHG of 0.43 pCi/L would be approximately \$19.6 million and require annual operation and maintenance at a cost of approximately \$820,000 per year. This would result in an estimated increased cost for each customer of approximately \$121 per year.

Recommendations for Further Action

The drinking water quality of the City of Lodi Public Water System meets all State of California, CDPH and U.S. EPA drinking water standards set to protect public health. To further reduce the levels of the constituent's identified in this report that are already below the Maximum Contaminant Levels established by the State and Federal government, additional costly treatment processes would be required.

The effectiveness of the treatment processes to provide significant reductions in constituent levels at these already low values is uncertain. The theoretical health protection benefits of these further reductions are not clear and may not be quantifiable. Therefore, staff is not recommending further action at this time.

This report was completed by City of Lodi Public Works Department staff. Any questions relating to this report should be directed to:

Larry Parlin, Deputy Public Works Director, 1331 South Ham Lane, Lodi, CA, 95242 or call (209) 333-6800, extension 2661.

Andrew Richle, Chief Plant Operator, 2001 West Turner Road, Lodi, CA, 95242 or call (209) 333-6800, extension 2690.

Appendix

Appendix

City of Lodi Water Quality Report Relative to Public Health Goals

	Result	MCL	PHG or (MCLG)	Arsenic (Cont.)	Result	MCL	PHG or (MCLG)
Trichloroethylene (TCE)							
Well 2	2 ug/L	5 ug/L	1.7 ug/L	Well 19			
				Well 20			
				Well 21	2.5 ug/L	10 ug/L	0.004 ug/L
Dibromochloropropane (DBCP)				Well 22	2.4 ug/L	10 ug/L	0.004 ug/L
Well 1R	56 ng/L	200 ng/L	17 ng/L	Well 23	2.7 ug/L	10 ug/L	0.004 ug/L
Well 4R	37 ng/L	200 ng/L	17 ng/L	Well 24	6.1 ug/L	10 ug/L	0.004 ug/L
Well 6R	476 ng/L	200 ng/L	17 ng/L	Well 25	6.2 ug/L	10 ug/L	0.004 ug/L
Well 8	176 ng/L	200 ng/L	17 ng/L	Well 26	9.1 ug/L	10 ug/L	0.004 ug/L
Well 13	50 ng/L	200 ng/L	17 ng/L	Well 28	6.2 ug/L	10 ug/L	0.004 ug/L
Well 14	40 ng/L	200 ng/L	17 ng/L	Surface Water Plant	0.4 ug/L	10 ug/L	0.004 ug/L
Well 16	30 ng/L	200 ng/L	17 ng/L				
Well 17	177 ng/L	200 ng/L	17 ng/L	Uranium			
Well 19	100 ng/L	200 ng/L	17 ng/L	Well 2	4.0 pCi/l	20 pCi/L	0.43 pCi/L
Well 22	40 ng/L	200 ng/L	17 ng/L	Well 6R	11.2 pCi/l	20 pCi/L	0.43 pCi/L
Well 23	20 ng/L	200 ng/L	17 ng/L	Well 8	12.5 pCi/l	20 pCi/L	0.43 pCi/L
Well 28	95 ng/L	200 ng/L	17 ng/L	Well 9	5.2 pCi/l	20 pCi/L	0.43 pCi/L
				Well 12	7.4 pCi/l	20 pCi/L	0.43 pCi/L
Perchloroethylene (PCE)				Well 13	1.5 pCi/l	20 pCi/L	0.43 pCi/L
Well 6R	2.43 ug/L	6 ug/L	0.06 ug/L	Well 14	4.0 pCi/l	20 pCi/L	0.43 pCi/L
Well 8	0.66 ug/L	6 ug/L	0.06 ug/L	Well 16	4.7 pCi/l	20 pCi/L	0.43 pCi/L
Well 12	0.88 ug/L	6 ug/L	0.06 ug/L	Well 17	4.5 pCi/l	20 pCi/L	0.43 pCi/L
				Well 19	4.6 pCi/l	20 pCi/L	0.43 pCi/L
Arsenic				Well 20	2.5 pCi/l	20 pCi/L	0.43 pCi/L
Well 1R	5.6 ug/L	10 ug/L	0.004 ug/L	Well 21	1.0 pCi/l	20 pCi/L	0.43 pCi/L
Well 2	3.4 ug/L	10 ug/L	0.004 ug/L	Well 22	9.5 pCi/l	20 pCi/L	0.43 pCi/L
Well 3R	5.0 ug/L	10 ug/L	0.004 ug/L	Well 23	7.7 pCi/l	20 pCi/L	0.43 pCi/L
Well 4R	4.0 ug/L	10 ug/L	0.004 ug/L				
Well 5	4.4 ug/L	10 ug/L	0.004 ug/L	Radium 226			
Well 6R	2.2 ug/L	10 ug/L	0.004 ug/L	Well 8	0.25 pCi/l	*5.0 pCi/l	0.05 pCi/l
Well 7	4.5 ug/L	10 ug/L	0.004 ug/L	Well 20	0.05 pCi/l	*5.0 pCi/l	0.05 pCi/l
Well 9	3.7 ug/L	10 ug/L	0.004 ug/L				
Well 10C	4.3 ug/L	10 ug/L	0.004 ug/L	Radium 228			
Well 11R	5.5 ug/L	10 ug/L	0.004 ug/L	Well 8	0.075 pCi/l	*5.0 pCi/l	0.019 pCi/l
Well 12	3.6 ug/L	10 ug/L	0.004 ug/L	Well 20	0.116 pCi/l	*5.0 pCi/l	0.019 pCi/l
Well 13	8.7 ug/L	10 ug/L	0.004 ug/L				
Well 14	3.6 ug/L	10 ug/L	0.004 ug/L	**1,2,3 Trichloropropane			
Well 15	4.6 ug/L	10 ug/L	0.004 ug/L	Well 6R	0.005 ug/L	N/A	0.0007 ug/L
Well 16	3.3 ug/L	10 ug/L	0.004 ug/L	Well 13	0.026 ug/L	N/A	0.0007 ug/L
Well 17	3.9 ug/L	10 ug/L	0.004 ug/L	Well 16	0.004 ug/L	N/A	0.0007 ug/L
Well 18	2.4 ug/L	10 ug/L	0.004 ug/L	Well 18	0.009 ug/L	N/A	0.0007 ug/L
				Well 20	0.015 ug/L	N/A	0.0007 ug/L
				Well 21	0.003 ug/L	N/A	0.0007 ug/L

Notes:

*MCL for Radium 226 plus 228 is 5.0 pCi/L

**Source Water Sample

Attachments

ATTACHMENT No. 1

2013 PHG Triennial Report: Calendar Years 2010-2011-2012				
MCLs, DLRs, and PHGs for Regulated Drinking Water Contaminants (Units are in milligrams per liter (mg/L), unless otherwise noted.)				
Last Update: February 12, 2013 (Reference: http://www.cdph.ca.gov/certlic/drinkingwater/Pages/MCLsandPHGs.aspx)				
This table includes:				
<ul style="list-style-type: none"> • CDPH's maximum contaminant levels (MCLs) • CDPH's detection limits for purposes of reporting (DLRs) • Public health goals (PHGs) from the Office of Environmental Health Hazard Assessment (OEHHA) • PHGs for NDMA and 1,2,3-Trichloropropane (1,2,3-TCP is unregulated) are at the bottom of this table • The federal MCLG for chemicals without a PHG, microbial contaminants, and the DLR for 1,2,3-TCP 				
Constituent	MCL	DLR	PHG or (MCLG)	Date of PHG
Chemicals with MCLs in 22 CCR §64431—Inorganic Chemicals				
Aluminum	1	0.05	0.6	2001
Antimony	0.006	0.006	0.02	1997
Arsenic	0.010	0.002	0.000004	2004
Asbestos (MFL = million fibers per liter; for fibers >10 microns long)	7 MFL	0.2 MFL	7 MFL	2003
Barium	1	0.1	2	2003
Beryllium	0.004	0.001	0.001	2003
Cadmium	0.005	0.001	0.00004	2006
Chromium, Total - OEHHA withdrew the 1999 0.0025 mg/L PHG in Nov 2001	0.05	0.01	(0.100)	
Chromium, Hexavalent (Chromium-6) - MCL to be established - currently regulated under the total chromium MCL	--	0.001	0.00002	2011
Cyanide	0.15	0.1	0.15	1997
Fluoride	2	0.1	1	1997
Mercury (inorganic)	0.002	0.001	0.0012	1999 (rev2005)*
Nickel	0.1	0.01	0.012	2001
Nitrate (as NO ₃)	45	2	45	1997
Nitrite (as N)	1 as N	0.4	1 as N	1997
Nitrate + Nitrite	10 as N	0.4	10 as N	1997
Perchlorate	0.006	0.004	0.006	2004
Selenium	0.05	0.005	0.03	2010
Thallium	0.002	0.001	0.0001	1999 (rev2004)
Copper and Lead, 22 CCR §64672.3				
<i>Values referred to as MCLs for lead and copper are not actually MCLs; instead, they are called "Action Levels" under the lead and copper rule</i>				
Copper	1.3	0.05	0.3	2008
Lead	0.015	0.005	0.0002	2009

ATTACHMENT No. 1

Constituent	MCL	DLR	PHG or (MCLG)	Date of PHG
Radionuclides with MCLs in 22 CCR §64441 and §64443—Radioactivity				
[units are picocuries per liter (pCi/L), unless otherwise stated; n/a = not applicable]				
Gross alpha particle activity - OEHHA concluded in 2003 that a PHG was not practical	15	3	(zero)	n/a
Gross beta particle activity - OEHHA concluded in 2003 that a PHG was not practical	4 mrem/yr	4	(zero)	n/a
Radium-226	--	1	0.05	2006
Radium-228	--	1	0.019	2006
Radium-226 + Radium-228	5	--	(zero)	--
Strontium-90	8	2	0.35	2006
Tritium	20,000	1,000	400	2006
Uranium	20	1	0.43	2001
Chemicals with MCLs in 22 CCR §64444—Organic Chemicals				
(a) Volatile Organic Chemicals (VOCs)				
Benzene	0.001	0.0005	0.00015	2001
Carbon tetrachloride	0.0005	0.0005	0.0001	2000
1,2-Dichlorobenzene	0.6	0.0005	0.6	1997 (rev2009)
1,4-Dichlorobenzene (p-DCB)	0.005	0.0005	0.006	1997
1,1-Dichloroethane (1,1-DCA)	0.005	0.0005	0.003	2003
1,2-Dichloroethane (1,2-DCA)	0.0005	0.0005	0.0004	1999 (rev2005)
1,1-Dichloroethylene (1,1-DCE)	0.006	0.0005	0.01	1999
cis-1,2-Dichloroethylene	0.006	0.0005	0.1	2006
trans-1,2-Dichloroethylene	0.01	0.0005	0.06	2006
Dichloromethane (Methylene chloride)	0.005	0.0005	0.004	2000
1,2-Dichloropropane	0.005	0.0005	0.0005	1999
1,3-Dichloropropane	0.0005	0.0005	0.0002	1999 (rev2006)
Ethylbenzene	0.3	0.0005	0.3	1997
Methyl tertiary butyl ether (MTBE)	0.013	0.003	0.013	1999
Monochlorobenzene	0.07	0.0005	0.2	2003
Styrene	0.1	0.0005	0.0005	2010
1,1,2,2-Tetrachloroethane	0.001	0.0005	0.0001	2003
Tetrachloroethylene (PCE)	0.005	0.0005	0.00006	2001
Toluene	0.15	0.0005	0.15	1999
1,2,4-Trichlorobenzene	0.005	0.0005	0.005	1999
1,1,1-Trichloroethane (1,1,1-TCA)	0.2	0.0005	1	2006
1,1,2-Trichloroethane (1,1,2-TCA)	0.005	0.0005	0.0003	2006
Trichloroethylene (TCE)	0.005	0.0005	0.0017	2009
Trichlorofluoromethane (Freon 11)	0.15	0.005	0.7	1997
1,1,2-Trichloro-1,2,2-Trifluoroethane (Freon 113)	1.2	0.01	4	1997 (rev2011)
Vinyl chloride	0.0005	0.0005	0.00005	2000
Xylenes	1.75	0.0005	1.8	1997

ATTACHMENT No. 1

Constituent	MCL	DLR	PHG or (MCLG)	Date of PHG
Chemicals with MCLs in 22 CCR §6444—Organic Chemicals				
(b) Non-Volatile Synthetic Organic Chemicals (SOCs)				
Alachlor	0.002	0.001	0.004	1997
Atrazine	0.001	0.0005	0.00015	1999
Bentazon	0.018	0.002	0.2	1999 (rev2009)
Benzo(a)pyrene	0.0002	0.0001	0.000007	2010
Carbofuran	0.018	0.005	0.0017	2000
Chlordane	0.0001	0.0001	0.00003	1997 (rev2006)
Dalapon	0.2	0.01	0.79	1997 (rev2009)
1,2-Dibromo-3-chloropropane (DBCP)	0.0002	0.00001	0.0000017	1999
2,4-Dichlorophenoxyacetic acid (2,4-D)	0.07	0.01	0.02	2009
Di(2-ethylhexyl)adipate	0.4	0.005	0.2	2003
Di(2-ethylhexyl)phthalate (DEHP)	0.004	0.003	0.012	1997
Dinoseb	0.007	0.002	0.014	1997 (rev2010)
Diquat	0.02	0.004	0.015	2000
Endrin	0.002	0.0001	0.0018	1999 (rev2008)
Endothal	0.1	0.045	0.58	1997
Ethylene dibromide (EDB)	0.00005	0.00002	0.00001	2003
Glyphosate	0.7	0.025	0.9	2007
Heptachlor	0.00001	0.00001	0.000008	1999
Heptachlor epoxide	0.00001	0.00001	0.000006	1999
Hexachlorobenzene	0.001	0.0005	0.00003	2003
Hexachlorocyclopentadiene	0.05	0.001	0.05	1999
Lindane	0.0002	0.0002	0.000032	1999 (rev2005)
Methoxychlor	0.03	0.01	0.00009	2010
Molinate	0.02	0.002	0.001	2008
Oxamyl	0.05	0.02	0.026	2009
Pentachlorophenol	0.001	0.0002	0.0003	2009
Picloram	0.5	0.001	0.5	1997
Polychlorinated biphenyls (PCBs)	0.0005	0.0005	0.00009	2007
Simazine	0.004	0.001	0.004	2001
2,4,5-TP (Silvex)	0.05	0.001	0.025	2003
2,3,7,8-TCDD (dioxin)	3x10 ⁻⁸	5x10 ⁻⁹	5x10 ⁻¹¹	2010
Thiobencarb	0.07	0.001	0.07	2000
Toxaphene	0.003	0.001	0.00003	2003

ATTACHMENT No. 1

Constituent	MCL	DLR	PHG or (MCLG)	Date of PHG
Chemicals with MCLs in 22 CCR §64533—Disinfection Byproducts				
Total Trihalomethanes	0.080	--	--	--
Bromodichloromethane	--	0.0010	(zero)	--
Bromoform	--	0.0010	(zero)	--
Chloroform	--	0.0010	(0.07)	--
Dibromochloromethane	--	0.0010	(0.06)	--
Haloacetic Acids (five) (HAA5)	0.060	--	--	--
Monochloroacetic Acid	--	0.0020	(0.07)	--
Dichloroacetic Acid	--	0.0010	(zero)	--
Trichloroacetic Acid	--	0.0010	(0.02)	--
Monobromoacetic Acid	--	0.0010	--	--
Dibromoacetic Acid	--	0.0010	--	--
Bromate	0.010	0.0050 or 0.0010 ^a	0.0001	2009
Chlorite	1.0	0.020	0.05	2009
Microbiological Contaminants (TT = Treatment Technique)				
Coliform % positive samples	%	5	(zero)	
<i>Cryptosporidium</i> **		TT	(zero)	
<i>Giardia lamblia</i> **		TT	(zero)	
<i>Legionella</i> **		TT	(zero)	
Viruses**		TT	(zero)	
Chemicals with PHGs established in response to CDPH requests. These are <u>not</u> currently regulated drinking water contaminants.				
N-Nitrosodimethylamine (NDMA)	--	--	0.000003	2006
1,2,3-Trichloropropane	--	0.000005	0.0000007	2009

Notes:

^a CDPH will maintain a 0.0050 mg/L DLR for bromate to accommodate laboratories that are using EPA Method 300.1. However, laboratories using EPA Methods 317.0 Revision 2.0, 321.8, or 326.0 must meet a 0.0010 mg/L MRL for bromate and should report results with a DLR of 0.0010 mg/L per Federal requirements.

*OEHHHA's review of this chemical during the year indicated (rev20XX) resulted in no change in the PHG

** Surface water treatment = TT

Health Risk Information for Public Health Goal Exceedance Reports

Prepared by

**Office of Environmental Health Hazard Assessment
California Environmental Protection Agency**

February 2013

Under the Calderon-Sher Safe Drinking Water Act of 1996 (the Act), water utilities are required to prepare a report every three years for contaminants that exceed public health goals (PHGs) (Health and Safety Code Section 116470 (2)[b]). The numerical health risk for a contaminant is to be presented with the category of health risk, along with a plainly worded description of these terms. The cancer health risk is to be calculated at the PHG and at the California maximum contaminant level (MCL). This report is prepared by the Office of Environmental Health Hazard Assessment (OEHHA) to assist the water utilities in meeting their requirements.

PHGs are concentrations of contaminants in drinking water that pose no significant health risk if consumed for a lifetime. PHGs are developed and published by OEHHA (Health and Safety Code Section 116365) using current risk assessment principles, practices and methods.

Numerical health risks. Table 1 presents health risk categories and cancer risk values for chemical contaminants in drinking water that have PHGs.

The Act requires that OEHHA publish PHGs based on health risk assessments using the most current scientific methods. As defined in statute, PHGs for non-carcinogenic chemicals in drinking water are set at a concentration "at which no known or anticipated adverse health effects will occur, with an adequate margin of safety." For carcinogens, PHGs are set at a concentration that "does not pose any significant risk to health." PHGs provide one basis for revising MCLs, along with cost and technological feasibility. OEHHA has been publishing PHGs since 1997 and the entire list published to date is shown in Table 1.

Table 2 presents health risk information for contaminants that do not have PHGs but have state or federal regulatory standards. The Act requires that, for chemical contaminants with California MCLs that do not yet have PHGs, water utilities use the

federal maximum contaminant level goal (MCLG) for the purpose of complying with the requirement of public notification. MCLGs, like PHGs, are strictly health based and include a margin of safety. One difference, however, is that the MCLGs for carcinogens are set at zero because the United States Environmental Protection Agency (U.S. EPA) assumes there is no absolutely safe level of exposure to them. PHGs, on the other hand, are set at a level considered to pose no *significant* risk of cancer; this is usually a no more than one-in-a-million excess cancer risk (1×10^{-6}) level for a lifetime of exposure. In Table 2, the cancer risks shown are based on the U.S. EPA's evaluations.

For more information on health risks: The adverse health effects for each chemical with a PHG are summarized in each PHG technical support document. These documents are available on the OEHHA Web site (<http://www.oehha.ca.gov>). Also, U.S. EPA has consumer and technical fact sheets on most of the chemicals having MCLs. For copies of the fact sheets, call the Safe Drinking Water Hotline at 1-800-426-4791, or explore the U.S. EPA Ground Water and Drinking Water web page at <http://water.epa.gov/drink/>.

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category ¹	California PHG (mg/L) ²	Cancer Risk ³ at the PHG	California MCL ⁴ (mg/L)	Cancer Risk at the California MCL
Alachlor	carcinogenicity (causes cancer)	0.004	NA ⁵	0.002	NA
Aluminum	neurotoxicity and immunotoxicity (harms the nervous and immune systems)	0.6	NA	1	NA
Antimony	digestive system toxicity (causes vomiting)	0.02	NA	0.006	NA
Arsenic	carcinogenicity (causes cancer)	0.000004 (4x10 ⁻⁶)	1x10 ⁻⁶ (one per million)	0.01	2.5x10 ⁻³ (2.5 per thousand)
Asbestos	carcinogenicity (causes cancer)	7 MFL ⁶ (fibers >10 microns in length)	1x10 ⁻⁶	7 MFL (fibers >10 microns in length)	1x10 ⁻⁶ (one per million)
Atrazine	carcinogenicity (causes cancer)	0.00015	1x10 ⁻⁶	0.001	7x10 ⁻⁶ (seven per million)

¹ Based on the OEHHA PHG technical support document unless otherwise specified. The categories are the hazard traits defined by OEHHA for California's Toxics Information Clearinghouse (online at: http://oehha.ca.gov/multimedia/green/pdf/GC_Regtext011912.pdf).

² mg/L = milligrams per liter of water or parts per million (ppm)

³ Cancer Risk = Upper estimate of excess cancer risk from lifetime exposure. Actual cancer risk may be lower or zero. 1x10⁻⁶ means one excess cancer case per million people exposed.

⁴ MCL = maximum contaminant level.

⁵ NA = not applicable. Risk cannot be calculated. The PHG is set at a level that is believed to be without any significant public health risk to individuals exposed to the chemical over a lifetime.

⁶ MFL = million fibers per liter of water.

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category ¹	California PHG (mg/L) ²	Cancer Risk ³ at the PHG	California MCL ⁴ (mg/L)	Cancer Risk at the California MCL
Barium	cardiovascular toxicity (causes high blood pressure)	2	NA	1	NA
Bentazon	hepatotoxicity and digestive system toxicity (harms the liver, intestine, and causes body weight effects ⁷)	0.2	NA	0.018	NA
Benzene	carcinogenicity (causes leukemia)	0.00015	1×10^{-6}	0.001	7×10^{-6} (seven per million)
Benzo[a]pyrene	carcinogenicity (causes cancer)	0.000007	1×10^{-6}	0.0002	3×10^{-5} (three per hundred thousand)
Beryllium	digestive system toxicity (harms the stomach or intestine)	0.001	NA	0.004	NA
Bromate	carcinogenicity (causes cancer)	0.0001	1×10^{-6}	0.01	1×10^{-4} (one per ten thousand)
Cadmium	nephrotoxicity (harms the kidney)	0.00004	NA	0.005	NA
Carbofuran	reproductive toxicity (harms the testis)	0.0017	NA	0.018	NA

⁷ Body weight effects are an indicator of general toxicity in animal studies.

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category¹	California PHG (mg/L)²	Cancer Risk³ at the PHG	California MCL⁴ (mg/L)	Cancer Risk at the California MCL
Carbon tetrachloride	carcinogenicity (causes cancer)	0.0001	1×10^{-6}	0.0005	5×10^{-6} (five per million)
Chlordane	carcinogenicity (causes cancer)	0.00003	1×10^{-6}	0.0001	3×10^{-6} (three per million)
Chlorite	hematotoxicity (causes anemia) neurotoxicity (causes neurobehavioral effects)	0.05	NA	1	NA
Chromium, hexavalent	carcinogenicity (causes cancer)	0.00002	1×10^{-6}	---	NA
Copper	digestive system toxicity (causes nausea, vomiting, diarrhea)	0.3	NA	1.3 (AL) ⁸	NA
Cyanide	neurotoxicity (damages nerves) endocrine toxicity (affects the thyroid)	0.15	NA	0.15	NA
Dalapon	nephrotoxicity (harms the kidney)	0.79	NA	0.2	NA
1,2-Dibromo-3-chloropropane (DBCP)	carcinogenicity (causes cancer)	0.0000017 (1.7×10^{-6})	1×10^{-6}	0.0002	1×10^{-4} (one per ten thousand)

⁸ AL = action level. The action levels for copper and lead refer to a concentration measured at the tap. Much of the copper and lead in drinking water is derived from household plumbing (The Lead and Copper Rule, Title 22, California Code of Regulations [CCR] section 64672.3).

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category ¹	California PHG (mg/L) ²	Cancer Risk ³ at the PHG	California MCL ⁴ (mg/L)	Cancer Risk at the California MCL
1,2-Dichlorobenzene (o-DCB)	hepatotoxicity (harms the liver)	0.6	NA	0.6	NA
1,4-Dichlorobenzene (p-DCB)	carcinogenicity (causes cancer)	0.006	1×10^{-6}	0.005	8×10^{-7} (eight per ten million)
1,1-Dichloroethane (1,1-DCA)	carcinogenicity (causes cancer)	0.003	1×10^{-6}	0.005	2×10^{-6} (two per million)
1,2-Dichloroethane (1,2-DCA)	carcinogenicity (causes cancer)	0.0004	1×10^{-6}	0.0005	1×10^{-6} (one per million)
1,1-Dichloroethylene (1,1-DCE)	hepatotoxicity (harms the liver)	0.01	NA	0.006	NA
1,2-Dichloroethylene, cis	nephrotoxicity (harms the kidney)	0.1	NA	0.006	NA
1,2-Dichloroethylene, trans	hepatotoxicity (harms the liver)	0.06	NA	0.01	NA
Dichloromethane (methylene chloride)	carcinogenicity (causes cancer)	0.004	1×10^{-6}	0.005	1×10^{-6} (one per million)
2,4-Dichlorophenoxyacetic acid (2,4-D)	hepatotoxicity and nephrotoxicity (harms the liver and kidney)	0.02	NA	0.07	NA

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category ¹	California PHG (mg/L) ²	Cancer Risk ³ at the PHG	California MCL ⁴ (mg/L)	Cancer Risk at the California MCL
1,2-Dichloropropane (propylene dichloride)	carcinogenicity (causes cancer)	0.0005	1×10^{-6}	0.005	1×10^{-5} (one per hundred thousand)
1,3-Dichloropropene (Telone II®)	carcinogenicity (causes cancer)	0.0002	1×10^{-6}	0.0005	2×10^{-6} (two per million)
Di(2-ethylhexyl) adipate (DEHA)	developmental toxicity (disrupts development)	0.2	NA	0.4	NA
Diethylhexyl-phthalate (DEHP)	carcinogenicity (causes cancer)	0.012	1×10^{-6}	0.004	3×10^{-7} (three per ten million)
Dinoseb	reproductive toxicity (harms the uterus and testis)	0.014	NA	0.007	NA
Dioxin (2,3,7,8-TCDD)	carcinogenicity (causes cancer)	5×10^{-11}	1×10^{-6}	3×10^{-8}	6×10^{-4} (six per ten thousand)
Diquat	ocular toxicity (harms the eye) developmental toxicity (causes malformation)	0.015	NA	0.02	NA
Endothall	digestive system toxicity (harms the stomach or intestine)	0.58	NA	0.1	NA
Endrin	hepatotoxicity (harms the liver) neurotoxicity (causes convulsions)	0.0018	NA	0.002	NA

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category¹	California PHG (mg/L)²	Cancer Risk³ at the PHG	California MCL⁴ (mg/L)	Cancer Risk at the California MCL
<u>Ethylbenzene (phenylethane)</u>	hepatotoxicity (harms the liver)	0.3	NA	0.3	NA
<u>Ethylene dibromide</u>	carcinogenicity (causes cancer)	0.00001	1×10^{-6}	0.00005	5×10^{-6} (five per million)
<u>Fluoride</u>	musculoskeletal toxicity (causes tooth mottling)	1	NA	2	NA
<u>Glyphosate</u>	nephrotoxicity (harms the kidney)	0.9	NA	0.7	NA
<u>Heptachlor</u>	carcinogenicity (causes cancer)	0.000008	1×10^{-6}	0.00001	1×10^{-6} (one per million)
<u>Heptachlor epoxide</u>	carcinogenicity (causes cancer)	0.000006	1×10^{-6}	0.00001	2×10^{-6} (two per million)
<u>Hexachlorobenzene</u>	carcinogenicity (causes cancer)	0.00003	1×10^{-6}	0.001	3×10^{-5} (three per hundred thousand)
<u>Hexachloro-cyclopentadiene (HEX)</u>	digestive system toxicity (causes stomach lesions)	0.05	NA	0.05	NA

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category ¹	California PHG (mg/L) ²	Cancer Risk ³ at the PHG	California MCL ⁴ (mg/L)	Cancer Risk at the California MCL
<u>Lead</u>	developmental neurotoxicity (causes neurobehavioral effects in children) cardiovascular toxicity (cause high blood pressure) carcinogenicity (causes cancer)	0.0002	3×10^{-8} (PHG is not based on this effect)	0.015 (AL) ⁸	2×10^{-6} (two per million)
<u>Lindane</u> (<u>γ-BHC</u>)	carcinogenicity (causes cancer)	0.000032	1×10^{-6}	0.0002	6×10^{-6} (six per million)
<u>Mercury</u> (<u>inorganic</u>)	nephrotoxicity (harms the kidney)	0.0012	NA	0.002	NA
<u>Methoxychlor</u>	endocrine toxicity (causes hormone effects)	0.00009	NA	0.03	NA
<u>Methyl tertiary-butyl ether</u> (<u>MTBE</u>)	carcinogenicity (causes cancer)	0.013	1×10^{-6}	0.013	1×10^{-6} (one per million)
<u>Molinate</u>	carcinogenicity (causes cancer)	0.001	1×10^{-6}	0.02	2×10^{-5} (two per hundred thousand)
<u>Monochloro-benzene</u> (<u>chlorobenzene</u>)	hepatotoxicity (harms the liver)	0.2	NA	0.07	NA
<u>Nickel</u>	developmental toxicity (causes increased neonatal deaths)	0.012	NA	0.1	NA

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category¹	California PHG (mg/L)²	Cancer Risk³ at the PHG	California MCL⁴ (mg/L)	Cancer Risk at the California MCL
Nitrate	hematotoxicity (causes methemoglobinemia)	45 as nitrate	NA	45 as NO ₃	NA
Nitrite	hematotoxicity (causes methemoglobinemia)	1 as nitrogen	NA	1 as nitrite-nitrogen	NA
Nitrate and Nitrite	hematotoxicity (causes methemoglobinemia)	10 as nitrogen	NA	10 as nitrogen	NA
N-nitroso-dimethyl-amine (NDMA)	carcinogenicity (causes cancer)	0.000003	1x10 ⁻⁶	---	NA
Oxamyl	general toxicity (causes body weight effects)	0.026	NA	0.05	NA
Pentachloro-phenol (PCP)	carcinogenicity (causes cancer)	0.0003	1x10 ⁻⁶	0.001	3x10 ⁻⁶ (three per million)
Perchlorate	endocrine toxicity (affects the thyroid) developmental toxicity (causes neurodevelopmental deficits)	0.006 ⁹	NA	0.006	NA
Picloram	hepatotoxicity (harms the liver)	0.5	NA	0.5	NA

⁹ This is the current PHG value for perchlorate. A revised draft PHG for perchlorate was posted online for public comment on December 7, 2012. <http://www.oehha.ca.gov/water/phg/120712Perchlorate.html>.

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category ¹	California PHG (mg/L) ²	Cancer Risk ³ at the PHG	California MCL ⁴ (mg/L)	Cancer Risk at the California MCL
Polychlorinated biphenyls (PCBs)	carcinogenicity (causes cancer)	0.00009	1×10^{-6}	0.0005	6×10^{-6} (six per million)
Radium-226	carcinogenicity (causes cancer)	0.05 pCi/L	1×10^{-6}	5 pCi/L	1×10^{-4} (one per ten thousand)
Radium-228	carcinogenicity (causes cancer)	0.019 pCi/L	1×10^{-6}	5 pCi/L (combined Ra ²²⁶⁺²²⁸)	3×10^{-4} (three per ten thousand)
Selenium	integumentary toxicity (causes hair loss and nail damage)	0.03	NA	0.05	NA
Silvex (2,4,5-TP)	hepatotoxicity (harms the liver)	0.025	NA	0.05	NA
Simazine	general toxicity (causes body weight effects)	0.004	NA	0.004	NA
Strontium-90	carcinogenicity (causes cancer)	0.35 pCi/L	1×10^{-6}	8 pCi/L	2×10^{-5} (two per hundred thousand)
Styrene (vinylbenzene)	carcinogenicity (causes cancer)	0.0005	1×10^{-6}	0.1	2×10^{-4} (two per ten thousand)

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category ¹	California PHG (mg/L) ²	Cancer Risk ³ at the PHG	California MCL ⁴ (mg/L)	Cancer Risk at the California MCL
1,1,2,2-Tetrachloroethane	carcinogenicity (causes cancer)	0.0001	1×10^{-6}	0.001	1×10^{-5} (one per hundred thousand)
Tetrachloroethylene (perchloroethylene, or PCE)	carcinogenicity (causes cancer)	0.00006	1×10^{-6}	0.005	8×10^{-5} (eight per hundred thousand)
Thallium	integumentary toxicity (causes hair loss)	0.0001	NA	0.002	NA
Thiobencarb	general toxicity (causes body weight effects) hematotoxicity (affects red blood cells)	0.07	NA	0.07	NA
Toluene (methylbenzene)	hepatotoxicity (harms the liver) endocrine toxicity (harms the thymus)	0.15	NA	0.15	NA
Toxaphene	carcinogenicity (causes cancer)	0.00003	1×10^{-6}	0.003	1×10^{-4} (one per ten thousand)
1,2,4-Trichlorobenzene (Unsym-TCB)	endocrine toxicity (harms adrenal glands)	0.005	NA	0.005	NA

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category ¹	California PHG (mg/L) ²	Cancer Risk ³ at the PHG	California MCL ⁴ (mg/L)	Cancer Risk at the California MCL
1,1,1-Trichloroethane	neurotoxicity (harms the nervous system), reproductive toxicity (causes fewer offspring) hepatotoxicity (harms the liver) hematotoxicity (causes blood effects)	1	NA	0.2	NA
1,1,2-Trichloroethane	carcinogenicity (causes cancer)	0.0003	1×10^{-6}	0.005	2×10^{-5} (two per hundred thousand)
1,1,2-Trichloroethylene (TCE)	carcinogenicity (causes cancer)	0.0017	1×10^{-6}	0.005	3×10^{-6} (three per million)
Trichlorofluoromethane (Freon 11)	hepatotoxicity (harms the liver)	0.7	NA	0.15	NA
1,2,3-Trichloropropane (1,2,3-TCP)	carcinogenicity (causes cancer)	0.0000007	1×10^{-6}	---	NA
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	hepatotoxicity (harms the liver)	4	NA	1.2	NA
Tritium	carcinogenicity (causes cancer)	400 pCi/L	1×10^{-6}	20,000 pCi/L	5×10^{-5} (five per hundred thousand)

Table 1: Health Risk Categories and Cancer Risk Values for Chemicals with California Public Health Goals (PHGs)

Chemical	Health Risk Category¹	California PHG (mg/L)²	Cancer Risk³ at the PHG	California MCL⁴ (mg/L)	Cancer Risk at the California MCL
Uranium	carcinogenicity (causes cancer)	0.43 pCi/L	1×10^{-6}	20 pCi/L	5×10^{-5} (five per hundred thousand)
Vinyl chloride	carcinogenicity (causes cancer)	0.00005	1×10^{-6}	0.0005	1×10^{-5} (one per hundred thousand)
Xylene	neurotoxicity (affects the senses, mood, and motor control)	1.8 (single isomer or sum of isomers)	NA	1.75 (single isomer or sum of isomers)	NA

Table 2: Health Risk Categories and Cancer Risk Values for Chemicals without California Public Health Goals

Chemical	Health Risk Category ¹	U.S. EPA MCLG ² (mg/L)	Cancer Risk ³ @ MCLG	California MCL ⁴ (mg/L)	Cancer Risk @ California MCL
Disinfection byproducts (DBPS)					
Chloramines	acute toxicity (causes irritation) digestive system toxicity (harms the stomach) hematotoxicity (causes anemia)	4 ⁵	NA	none	NA
Chlorine	acute toxicity (causes irritation) digestive system toxicity (harms the stomach)	4 ⁵	NA	none	NA
Chlorine dioxide	hematotoxicity (causes anemia) neurotoxicity (harms the nervous system)	0.8 ⁵	NA	none	NA
Disinfection byproducts: haloacetic acids (HAA5)					
Chloroacetic acid	general toxicity (causes body and organ weight changes ⁶)	0.07	NA	none	NA
Dichloroacetic acid	carcinogenicity (causes cancer)	0	0	none	NA
Trichloroacetic acid	hepatotoxicity (harms the liver)	0.02	0	none	NA
Bromoacetic acid	NA	none	NA	none	NA

¹ Health risk category based on the U.S. EPA MCLG document or California MCL document unless otherwise specified.

² MCLG = maximum contaminant level goal established by U.S. EPA.

³ Cancer Risk = Upper estimate of excess cancer risk from lifetime exposure. Actual cancer risk may be lower or zero. 1×10^{-6} means one excess cancer case per million people exposed.

⁴ California MCL = maximum contaminant level established by California.

⁵ Maximum Residual Disinfectant Level Goal, or MRDLG

⁶ Body weight effects are an indicator of general toxicity in animal studies.

Table 2: Health Risk Categories and Cancer Risk Values for Chemicals without California Public Health Goals

Chemical	Health Risk Category ¹	U.S. EPA MCLG ² (mg/L)	Cancer Risk ³ @ MCLG	California MCL ⁴ (mg/L)	Cancer Risk @ California MCL
Dibromoacetic acid	NA	none	NA	none	NA
Total haloacetic acids	carcinogenicity (causes cancer)	none	NA	0.06	NA
Disinfection byproducts: trihalomethanes (THMs)					
Bromodichloromethane (BDCM)	carcinogenicity (causes cancer)	0	0	none	NA
Bromoform	carcinogenicity (causes cancer)	0	0	none	NA
Chloroform	hepatotoxicity and nephrotoxicity (harms the liver and kidney)	0.07	NA	none	NA
Dibromo-chloromethane (DBCM)	hepatotoxicity, nephrotoxicity, and neurotoxicity (harms the liver, kidney, and nervous system)	0.06	NA	none	NA
Total (sum of BDCM, bromoform, chloroform and DBCM)	carcinogenicity (causes cancer), hepatotoxicity, nephrotoxicity, and neurotoxicity (harms the liver, kidney, and nervous system)	none	NA	0.08	NA

Table 2: Health Risk Categories and Cancer Risk Values for Chemicals without California Public Health Goals

Attachment No. 2

Chemical	Health Risk Category ¹	U.S. EPA MCLG ² (mg/L)	Cancer Risk ³ @ MCLG	California MCL ⁴ (mg/L)	Cancer Risk @ California MCL
Radionuclides					
Gross alpha particles ⁷	carcinogenicity (causes cancer)	0 (²¹⁰ Po included)	0	15 pCi/L ⁸ (includes ²²⁶ Ra but not radon and uranium)	up to 1x10 ⁻³ (for ²¹⁰ Po, the most potent alpha emitter)
Beta particles and photon emitters ⁷	carcinogenicity (causes cancer)	0 (²¹⁰ Pb included)	0	50 pCi/L (judged equiv. to 4 mrem/yr)	up to 2x10 ⁻³ (for ²¹⁰ Pb, the most potent beta-emitter)

⁷ MCLs for gross alpha and beta particles are screening standards for a group of radionuclides. Corresponding PHGs were not developed for gross alpha and beta particles. See the OEHHA memoranda discussing the cancer risks at these MCLs at <http://www.oehha.ca.gov/water/phg/index.html>.

⁸ pCi/L = picocuries per liter of water.

ATTACHMENT NO. 3

Table 1

Reference: 2012 ACWA PHG Survey

COST ESTIMATES FOR TREATMENT TECHNOLOGIES

(INCLUDES ANNUALIZED CAPITAL AND O&M COSTS)

No.	Treatment Technology	Source of Information	Estimated Unit Cost 2012 ACWA Survey (\$/1,000 gallons treated)
1	Ion Exchange	Coachella Valley WD, for GW, to reduce Arsenic concentrations. 2011 costs.	1.84
2	Ion Exchange	City of Riverside Public Utilities, for GW, for Perchlorate treatment.	0.89
3	Ion Exchange	Carollo Engineers, anonymous utility, 2012 costs for treating GW source for Nitrates. Design source water concentration: 88 mg/L NO ₃ . Design finished water concentration: 45 mg/L NO ₃ . Does not include concentrate disposal or land cost.	0.67
4	Granular Activated Carbon	City of Riverside Public Utilities, GW sources, for TCE, DBCP (VOC, SOC) treatment.	0.45
5	Granular Activated Carbon	Carollo Engineers, anonymous utility, 2012 costs for treating SW source for TTHMs. Design source water concentration: 0.135 mg/L. Design finished water concentration: 0.07 mg/L. Does not include concentrate disposal or land cost.	0.32
6	Granular Activated Carbon, Liquid Phase	LADWP, Liquid Phase GAC treatment at Tujunga Well field. Costs for treating 2 wells. Treatment for 1,1 DCE (VOC). 2011-2012 costs.	1.36
7	Reverse Osmosis	Carollo Engineers, anonymous utility, 2012 costs for treating GW source for Nitrates. Design source water concentration: 88 mg/L NO ₃ . Design finished water concentration: 45 mg/L NO ₃ . Does not include concentrate disposal or land cost.	0.72
8	Packed Tower Aeration	City of Monrovia, treatment to reduce TCE, PCE concentrations. 2011-12 costs.	0.39
9	Ozonation+ Chemical addition	SCVWD, STWTP treatment plant includes chemical addition + ozone generation costs to reduce THM/HAA concentrations. 2009-2012 costs.	0.08
10	Ozonation+ Chemical addition	SCVWD, PWTP treatment plant includes chemical addition + ozone generation costs to reduce THM/HAA concentrations, 2009-2012 costs.	0.18

COST ESTIMATES FOR TREATMENT TECHNOLOGIES
(INCLUDES ANNUALIZED CAPITAL AND O&M COSTS)

No.	Treatment Technology	Source of Information	Estimated Unit Cost 2012 ACWA Survey (\$/1,000 gallons treated)
11	Coagulation/Filtration	Soquel WD, treatment to reduce manganese concentrations in GW. 2011 costs.	0.68
12	Coagulation/Filtration Optimization	San Diego WA, costs to reduce THM/Bromate, Turbidity concentrations, raw SW a blend of State Water Project water and Colorado River water, treated at Twin Oaks Valley WTP.	0.77
13	Blending (Well)	Rancho California WD, GW blending well, 1150 gpm, to reduce fluoride concentrations.	0.64
14	Blending (Wells)	Rancho California WD, GW blending wells, to reduce arsenic concentrations, 2012 costs.	0.52
15	Blending	Rancho California WD, using MWD water to blend with GW to reduce arsenic concentrations. 2012 costs.	0.62
16	Corrosion Inhibition	Atascadero Mutual WC, corrosion inhibitor addition to control aggressive water. 2011 costs.	0.08



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Set Public Hearing for October 16, 2013, to Consider Resolution Approving Storm Drainage and Parks Impact Mitigation Fee Program Schedule of Fees

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Set public hearing for October 16, 2013, to consider resolution approving storm drainage and parks Impact Mitigation Fee Program schedule of fees.

BACKGROUND INFORMATION: In 1991, City Council approved the Impact Mitigation Fee Program (IMFP) that established impact fees in the categories of water, wastewater, storm drainage, streets, police, fire, parks, and general City facilities. An electric utility impact fee was established in 2007. Over the previous 20 years, there had been few major changes to the program, though minor updates were performed. The program had been effective in delivering projects to serve the demand for facilities presented by new development.

On August 15, 2012, City Council approved the updated Impact Mitigation Fee Program Report (Report) and the recommended schedule of fees for water, wastewater, storm drainage, transportation, police, fire, parks, electric, general city facilities, and art in public places. This new program assigned the majority of responsibility to new development for the construction of storm drainage pipes and basins and neighborhood parks. For the most part, new development would not be assessed a storm drainage fee, as presented in the figure provided as Exhibit A, Figure 6-1 of the Report. Most of the developments within the City limits that were excluded from the storm drainage fee were obligated, at the time, by existing Development Agreements, to construct the required storm drainage and neighborhood park facilities. Subsequently, those Development Agreements have been terminated. One approved development project with conditions of approval (Lodi Shopping Center) was inadvertently excused from paying storm drainage and neighborhood park impact fees and from building permanent storm and neighborhood park facilities to serve the demand presented by that project.

The following changes to the fee program are recommended to ensure that new development, covered by the terminated Development Agreements and or otherwise approved, either constructs the permanent storm drainage and neighborhood park improvements in proportion to the development's demand for such improvements or pays the impact fee for the construction of its proportionate share of those improvements. The unit prices for construction were derived from recently-bid projects within the City, consultation with contractors, and published cost-estimating resources. The assumed cost to purchase the land for these facilities is \$160,000 per acre.

The City Council is requested to amend the Storm Drainage Fee Zones map as presented in Exhibit B to set Zone 2 as that area bounded by Lower Sacramento Road on the east, Woodbridge Irrigation District canal on the north, Harney Lane on the south, and one-half mile west of Lower Sacramento Road on the west. In the Storm Drainage Master Plan, this coincides with the boundaries of the F and I planning areas. The Reynolds Ranch Project, which also had its Development Agreement terminated, is not

APPROVED: _____
Konradt Bartlam, City Manager

included because the permanent storm drain basin improvements have been constructed. The purpose of the fee is to fund the construction of six storm drainage detention basins and pump stations, turf and irrigation improvements and purchase of the land. A summary of the facilities and the estimated construction cost is presented in Exhibit C. The total cost of the land and improvements is \$14,314,280.

The storm drainage fee will be collected from each development project that will not construct its fair share of permanent basin improvements. In some cases, a partial fee will be collect based upon the scope of the permanent improvements constructed. A development project that chooses to construct temporary storm drainage basins will be charged the full storm drainage fee, and there would be no credit for the temporary facilities construction cost. A development project that constructs its fair share of permanent storm drainage facilities will not be charged the storm drainage fee.

The fee calculation table and recommended storm drainage fee schedule for Zone 2 are presented in Exhibit D. The fees presented in Exhibit D are lower by approximately 8.2 percent from those adopted August 15, 2012, because the basin areas were changed to conform with the approved master plans, the unit prices were changed based upon recently-bid projects, and the oversized pipe reimbursement was eliminated because new development is required to construct pipes identified in the master plans that fall within the development project limits. Reimbursement for oversize pipe construction is the responsibility of other development projects as provided for in the Lodi Municipal Code, Chapter 16.40. Fee revenues would be used to either construct new storm drainage basins or to reimburse development projects that construct permanent storm drainage basins with excess capacity to serve existing and future development projects.

The City Council is requested to amend the parks impact mitigation fee to include neighborhood parks, as was the case in the original 1991 fee program. The existing parks fee applies Citywide and provides for the construction of improvements at DeBenedetti, Pixley, and Lodi Lake parks. The neighborhood park impact mitigation fee would apply only to that area bounded by Lower Sacramento Road on the east, Woodbridge Irrigation District canal on the north, Harney Lane on the south, and one-half mile west of Lower Sacramento Road on the west. The purpose of the fee is to fund the construction of eight neighborhood parks, with five of those located with storm drainage basins and three as stand-alone parks.

The facilities included in each neighborhood park were established in the Southwest Gateway and Westside Development Agreements and have been incorporated into the neighborhood park fee program. A summary of the facilities and the estimated construction cost is presented in Exhibit E. The total cost of the land and improvements is \$9,689,189.

The fee calculation table for neighborhood parks and the recommended park fee schedule comprised of a community park component and a neighborhood park component are presented in Exhibit F. The community park fee component presented in Exhibit F was approved on August 15, 2012. The neighborhood park fee revenues will be used to either construct new neighborhood parks or to reimburse development projects that construct neighborhood parks with excess capacity to serve existing and future development projects. The area to which the neighborhood park fee would apply and the locations of the eight parks are presented in Exhibit G.

The park fee will be collected from each development project that will not construct its fair share of neighborhood park improvements. In some cases, a partial fee will be collect based upon the scope of the permanent neighborhood park improvements constructed. A development project that constructs its fair share of permanent neighborhood park facilities will not be charged the fee.

The Report presents details regarding the assumptions, methodologies, facilities standards, projects, costs and cost allocation factors used to establish the nexus between the fees and the development upon which the fees will be levied. These same details have been used and incorporated into these recommended amendments.

At the October 16, 2013, City Council meeting, a public hearing will be conducted to receive public comment on these recommended amendments to the Report and schedule of fees. No changes to the Lodi Municipal Code are required to implement these amendments.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

FWS/pmf
Attachments

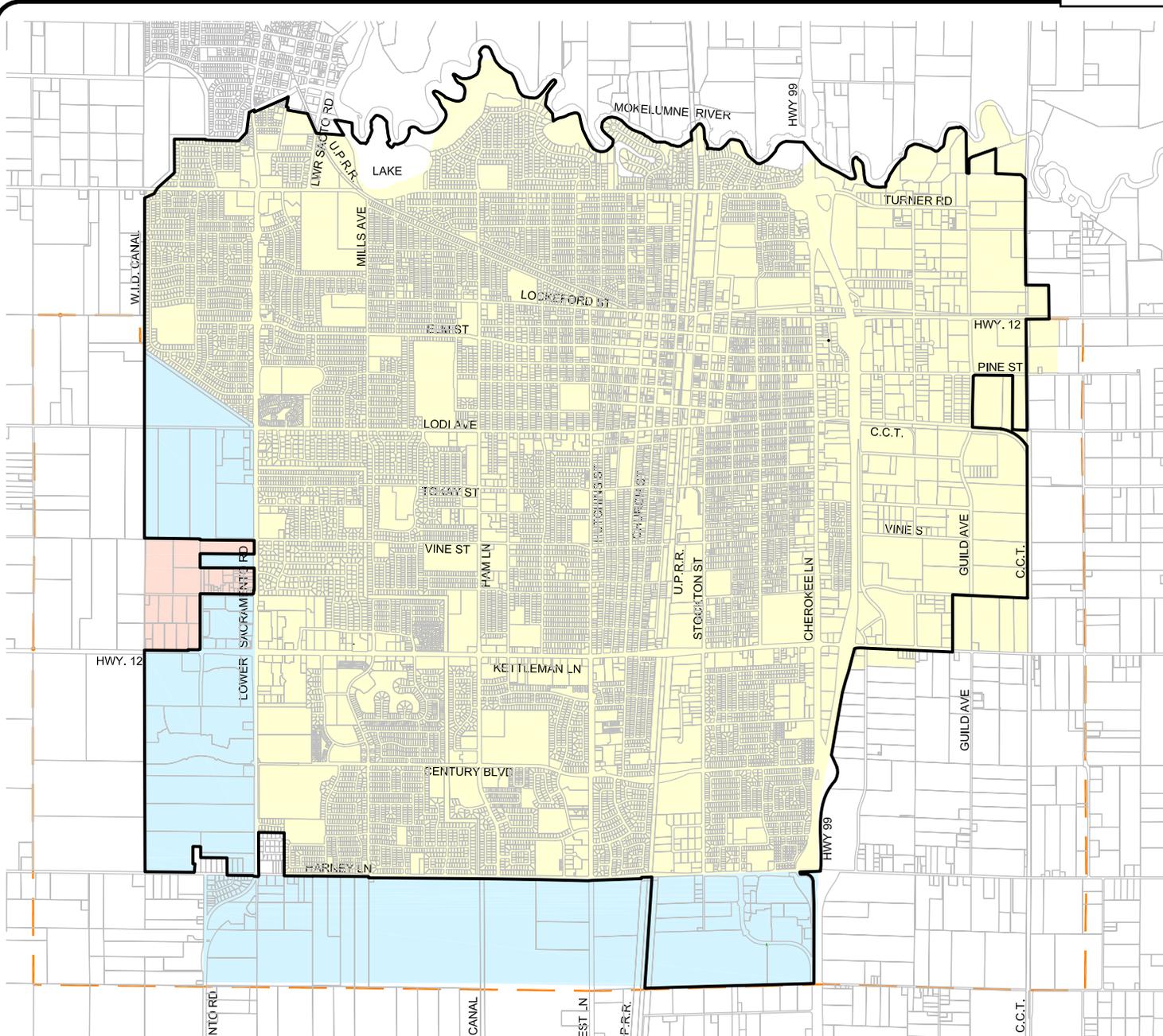
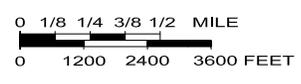
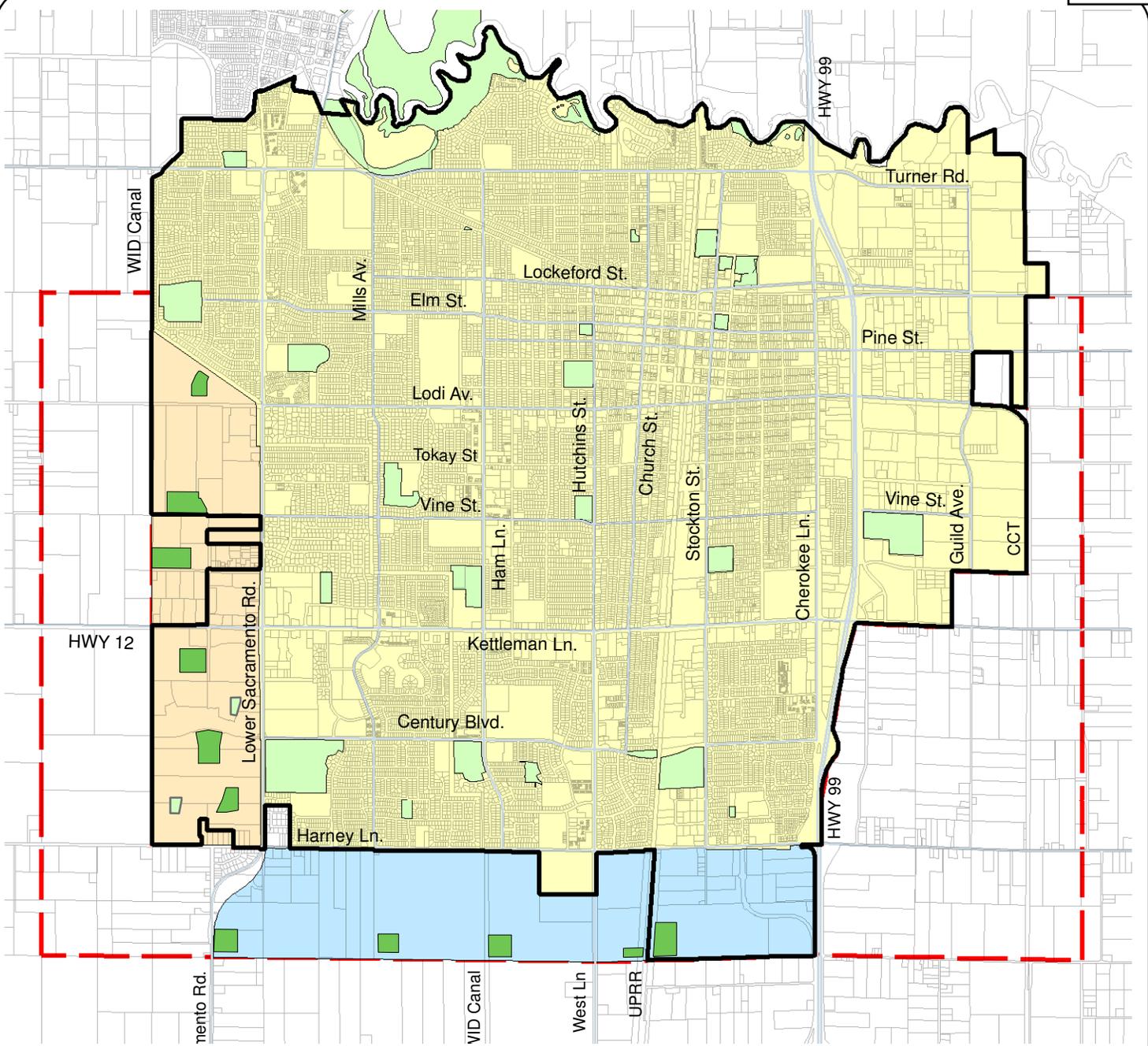


Figure 6-1
**STORM DRAINAGE
 FEE ZONES**
 LEGEND

- 2012 CITY LIMITS
- GENERAL PLAN LIMITS
- ZONE 1
- DEVELOPER CONSTRUCTED
- FUTURE ANALYSIS
- ZONE 2



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**STORM DRAINAGE
FEE ZONES
LEGEND**

- | | | |
|--|---|---|
|  FUTURE BASINS |  DEVELOPER CONSTRUCTED |  GENERAL PLAN LIMITS |
|  2012 CITY LIMITS |  ZONE 1 |  FUTURE ANALYSIS |
|  Major Street Names |  ZONE 2 | |
|  PARKS | | |



Storm Drain Basins Cost Estimate

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
<u>F-Basin Watershed</u>				
F-1 Excavation	18.6	AF	\$ 2,500.00	\$ 46,500.00
F-1 Outlet Structure	1.0	EA	\$ 20,000.00	\$ 20,000.00
F-1 Sod & Irrigation	2.8	Ac	\$ 95,800.00	\$ 268,240.00
F-1 Pump Station	1.0	EA	\$ 350,000.00	\$ 350,000.00
F-2 Excavation	33.7	AF	\$ 2,500.00	\$ 84,250.00
F-2 Outlet Structure	1.0	Lump Sum	\$ 20,000.00	\$ 20,000.00
F-2 Sod & Irrigation	8.9	Ac	\$ 95,800.00	\$ 852,620.00
F-2 Pump Station	1.0	EA	\$ 350,000.00	\$ 350,000.00
F-3 Excavation	28.6	AF	\$ 2,500.00	\$ 71,500.00
F-3 Sod & Irrigation	7.6	Ac	\$ 95,800.00	\$ 728,080.00
F-3 Outlet Structure	1.0	EA	\$ 20,000.00	\$ 20,000.00
F-3 Pump Station	1.0	EA	\$ 350,000.00	\$ 350,000.00
<u>I-Basin Watershed</u>				
I-1 Excavation	18.6	AF	\$ 2,500.00	\$ 46,500.00
I-1 Sod & Irrigation	4.6	Ac	\$ 95,800.00	\$ 440,680.00
I-1 Outlet Structure	1.0	Lump Sum	\$ 20,000.00	\$ 20,000.00
I-1 Pump Station	1.0	EA	\$ 350,000.00	\$ 350,000.00
I-2 Excavation	25.1	AF	\$ 2,500.00	\$ 62,750.00
I-2 Sod & Irrigation	5.9	Ac	\$ 95,800.00	\$ 565,220.00
I-2 Outlet Structure	1.0	EA	\$ 20,000.00	\$ 20,000.00
I-2 Pump Station	1.0	EA	\$ 350,000.00	\$ 350,000.00
I-3 Excavation	18.6	AF	\$ 2,500.00	\$ 46,500.00
I-3 Sod & Irrigation	4.6	Ac	\$ 95,800.00	\$ 440,680.00
I-3 Outlet Structure	1.0	EA	\$ 20,000.00	\$ 20,000.00
I-3 Pump Station	1.0	EA	\$ 350,000.00	\$ 350,000.00
Sub Total				\$ 5,873,520.00
Contingency		20%		\$ 1,174,704.00
Design & Environmental		10%		\$ 587,352.00
Construction Management		10%		\$ 587,352.00
City Administration		10%		\$ 587,352.00
F-1 Land Cost	2.8	Ac	\$ 160,000.00	\$ 448,000.00
F-2 Land Cost	8.9	Ac	\$ 160,000.00	\$ 1,424,000.00
F-3 Land Cost	7.6	Ac	\$ 160,000.00	\$ 1,216,000.00
I-1 Land Cost	4.6	Ac	\$ 160,000.00	\$ 736,000.00
I-2 Land Cost	5.9	Ac	\$ 160,000.00	\$ 944,000.00
I-3 Land Cost	4.6	Ac	\$ 160,000.00	\$ 736,000.00
Total				\$ 14,314,280.00

Storm Drain Basin Facilities Fee Calculation Table
Zone 2: F-Basin & I-Basin Cost Allocation

Land Use	Cost	Acres	Runoff Coefficient	DUE Factor	Total DUE's	Percent Allocation	Total Costs	Fee per Unit/Acre	Reduced Fee
	\$ 14,314,280.00								
<i>Residential</i>									
Low Density	1,819	303.19	0.4	1	303.19	49.42%	\$7,074,606	\$3,889	\$1,556
Medium Density	1,620	107.97	0.5	1.25	134.96	22.00%	\$3,149,202	\$1,944	\$778
High Density	711	28.44	0.67	1.68	47.78	7.79%	\$1,114,875	\$1,568	\$627
Subtotal					485.93	79.21%	\$11,338,683		
<i>Non-Residential</i>									
Retail (Minor & Major)		34.52	0.7	1.75	60.41	9.85%	\$1,409,601	\$40,834	
Office/Medical		38.35	0.7	1.75	67.11	10.94%	\$1,565,996	\$40,834	
Industrial		0	0.75	1.88	0.00	0.00%	\$0	\$43,871	
					127.52	20.79%	\$2,975,597		
					613.45	100.00%	\$14,314,280		

Storm Drainage Fees - Zone 2

	Aug 2012	Oct 2013
<u><i>Residential</i></u>	<u>per Unit</u>	<u>per Unit</u>
Low Density	\$1,725	1,556
Medium Density	\$862	778
High Density	\$693	627
<u><i>Non-Residential</i></u>	<u>per 1,000 SF</u>	<u>per 1,000 SF</u>
Retail (Minor & Major)	\$44,485	40,834
Office/Medical	\$44,485	40,834
Industrial	\$47,663	43,871

**Neighborhood Park Facilities
Construction Cost Summary**

Park A	1,434,016
Park B	845,150
Park C	2,456,014
Park D	505,959
Park E	1,803,286
Park F	505,959
Park G	1,357,731
Park H	781,074
Total	9,689,189

Neighborhood Park Facilities Cost Estimate
Park A - 4.8 acres (2.4 acres park and 2.4 acres basin)

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
Bike Rack	1	Each	\$1,000	\$1,000
Pool		SF	\$100	\$0
Water Play		Lump Sum	\$25,000	\$0
Tennis		Lump Sum	\$20,000	\$0
Basketball		Lump Sum	\$15,000	\$0
Bocce		Lump Sum	\$12,000	\$0
Horseshoes		Lump Sum	\$10,000	\$0
Playground	1	Lump Sum	\$38,000	\$38,000
Picnic Table	4	Each	\$1,250	\$5,000
Picnic Shelter w/BBQ	1	Lump Sum	\$75,000	\$75,000
BBQ		Each	\$750	\$0
Field Facilities		Lump Sum	\$130,000	\$0
Off Street Parking		Each	\$7	\$0
Trees	40	Each	\$175	\$7,000
Turf	99,300	SF	\$0	\$14,895
Irrigation & Booster Pump	86,900	SF	\$1	\$108,625
Restroom	1	Lump Sum	\$450,000	\$450,000
Drinking Fountain (ADA)	1	Each	\$4,000	\$4,000
Furniture	1	Lump Sum	\$15,000	\$15,000
Light Poles with Base	6	Each	\$4,500	\$27,000
Signs	1	Each	\$12,000	\$12,000
Handicap Parking		Each	\$15,000	\$0
Utility Enclosure	1	Lump Sum	\$10,000	\$10,000
Electrical	1	Lump Sum	\$25,000	\$25,000
Maxicom Equipment	1	Each	\$25,000	\$25,000
Concrete Poured-In-Place		SF	\$12	\$0
Concrete Flat Work	5,200	SF	\$8	\$41,600
Sub Total				\$859,120
Contingency		20%		\$171,824
Design & Environmental		10%		\$17,182
Construction Management		10%		\$1,718
City Administration		10%		\$172
Land Cost	2.4	Acre	\$160,000	\$384,000
Total				\$1,434,016

Neighborhood Park Facilities Cost Estimate
Park B - 2.1 acres (2.1 acres park and 0 acres basin)

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
Bike Rack	1	Each	\$1,000	\$1,000
Pool		SF	\$100	\$0
Water Play		Lump Sum	\$25,000	\$0
Tennis		Lump Sum	\$20,000	\$0
Basketball	1	Lump Sum	\$15,000	\$15,000
Bocce		Lump Sum	\$12,000	\$0
Horseshoes		Lump Sum	\$10,000	\$0
Playground	1	Lump Sum	\$38,000	\$38,000
Picnic Table	4	Each	\$1,250	\$5,000
Picnic Shelter w/BBQ	1	Lump Sum	\$75,000	\$75,000
BBQ		Each	\$750	\$0
Field Facilities		Lump Sum	\$130,000	\$0
Off Street Parking		Each	\$7	\$0
Trees	35	Each	\$175	\$6,125
Turf	86,900	SF	\$0	\$13,035
Irrigation & Booster Pump	86,900	SF	\$1	\$108,625
Restroom		Lump Sum	\$450,000	\$0
Drinking Fountain (ADA)	1	Each	\$4,000	\$4,000
Furniture	1	Lump Sum	\$15,000	\$15,000
Light Poles with Base	6	Each	\$4,500	\$27,000
Signs	1	Each	\$12,000	\$12,000
Handicap Parking		Each	\$15,000	\$0
Utility Enclosure	1	Lump Sum	\$10,000	\$10,000
Electrical	1	Lump Sum	\$25,000	\$25,000
Maxicom Equipment	1	Each	\$25,000	\$25,000
Concrete Poured-In-Place		SF	\$12	\$0
Concrete Flat Work	4,600	SF	\$8	\$36,800
Sub Total				\$416,585
Contingency		20%		\$83,317
Design & Environmental		10%		\$8,332
Construction Management		10%		\$833
City Administration		10%		\$83
Land Cost	2.1	Acre	\$160,000	\$336,000
Total				\$845,150

Neighborhood Park Facilities Cost Estimate
Park C - 12.6 acres (4.6 acres park and 8.0 acres basin)

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
Bike Rack	2	Each	\$1,000	\$2,000
Pool		SF	\$100	\$0
Water Play		Lump Sum	\$25,000	\$0
Tennis		Lump Sum	\$20,000	\$0
Basketball		Lump Sum	\$15,000	\$0
Bocce	2	Lump Sum	\$12,000	\$24,000
Horseshoes	2	Lump Sum	\$10,000	\$20,000
Playground	1	Lump Sum	\$38,000	\$38,000
Picnic Table	6	Each	\$1,250	\$7,500
Picnic Shelter w/BBQ	1	Lump Sum	\$75,000	\$75,000
BBQ		Each	\$750	\$0
Field Facilities	2	Lump Sum	\$130,000	\$260,000
Off Street Parking		Each	\$7	\$0
Trees	150	Each	\$175	\$26,250
Turf	190,400	SF	\$0	\$28,560
Irrigation & Booster Pump	190,400	SF	\$1	\$238,000
Restroom	1	Lump Sum	\$450,000	\$450,000
Drinking Fountain (ADA)	2	Each	\$4,000	\$8,000
Furniture	1	Lump Sum	\$15,000	\$15,000
Light Poles with Base	14	Each	\$4,500	\$63,000
Signs	1	Each	\$12,000	\$12,000
Handicap Parking		Each	\$15,000	\$0
Utility Enclosure	1	Lump Sum	\$10,000	\$10,000
Electrical	1	Lump Sum	\$25,000	\$25,000
Maxicom Equipment	1	Each	\$25,000	\$25,000
Concrete Poured-In-Place		SF	\$12	\$0
Concrete Flat Work	10,000	SF	\$8	\$80,000
Sub Total				\$1,407,310
Contingency		20%		\$281,462
Design & Environmental		10%		\$28,146
Construction Management		10%		\$2,815
City Administration		10%		\$281
Land Cost	4.6	Acre	\$160,000	\$736,000
Total				\$2,456,014

Neighborhood Park Facilities Cost Estimate
Park D - 6.4 acres (1.2 acres park and 5.2 acres basin)

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
Bike Rack	1	Each	\$1,000	\$1,000
Pool		SF	\$100	\$0
Water Play		Lump Sum	\$25,000	\$0
Tennis		Lump Sum	\$20,000	\$0
Basketball		Lump Sum	\$15,000	\$0
Bocce		Lump Sum	\$12,000	\$0
Horseshoes		Lump Sum	\$10,000	\$0
Playground	1	Lump Sum	\$38,000	\$38,000
Picnic Table	2	Each	\$1,250	\$2,500
Picnic Shelter w/BBQ		Lump Sum	\$75,000	\$0
BBQ		Each	\$750	\$0
Field Facilities		Lump Sum	\$130,000	\$0
Off Street Parking		Each	\$7	\$0
Trees	40	Each	\$175	\$7,000
Turf	49,700	SF	\$0	\$7,455
Irrigation & Booster Pump	49,700	SF	\$1	\$62,125
Restroom		Lump Sum	\$450,000	\$0
Drinking Fountain (ADA)	1	Each	\$4,000	\$4,000
Furniture	1	Lump Sum	\$15,000	\$15,000
Light Poles with Base	6	Each	\$4,500	\$27,000
Signs	1	Each	\$12,000	\$12,000
Handicap Parking		Each	\$15,000	\$0
Utility Enclosure	1	Lump Sum	\$10,000	\$10,000
Electrical	1	Lump Sum	\$25,000	\$25,000
Maxicom Equipment	1	Each	\$25,000	\$25,000
Concrete Poured-In-Place		SF	\$12	\$0
Concrete Flat Work	2,600	SF	\$8	\$20,800
Sub Total				\$256,880
Contingency		20%		\$51,376
Design & Environmental		10%		\$5,138
Construction Management		10%		\$514
City Administration		10%		\$51
Land Cost	1.2	Acre	\$160,000	\$192,000
Total				\$505,959

Neighborhood Park Facilities Cost Estimate
Park E - 6.0 acres (2.0 acres park and 4.0 acres basin)

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
Bike Rack	2	Each	\$1,000	\$2,000
Pool		SF	\$100	\$0
Water Play	1	Lump Sum	\$25,000	\$25,000
Tennis		Lump Sum	\$20,000	\$0
Basketball	1	Lump Sum	\$15,000	\$15,000
Bocce		Lump Sum	\$12,000	\$0
Horseshoes		Lump Sum	\$10,000	\$0
Playground	1	Lump Sum	\$38,000	\$38,000
Picnic Table	4	Each	\$1,250	\$5,000
Picnic Shelter w/BBQ	1	Lump Sum	\$75,000	\$75,000
BBQ		Each	\$750	\$0
Field Facilities		Lump Sum	\$130,000	\$0
Off Street Parking		Each	\$7	\$0
Trees	60	Each	\$175	\$10,500
Turf	82,800	SF	\$0	\$12,420
Irrigation & Booster Pump	82,800	SF	\$1	\$103,500
Restroom	1	Lump Sum	\$450,000	\$450,000
Drinking Fountain (ADA)	2	Each	\$4,000	\$8,000
Furniture	1	Lump Sum	\$15,000	\$15,000
Light Poles with Base	6	Each	\$4,500	\$27,000
Signs	1	Each	\$12,000	\$12,000
Handicap Parking		Each	\$15,000	\$0
Utility Enclosure	1	Lump Sum	\$10,000	\$10,000
Electrical	1	Lump Sum	\$25,000	\$25,000
Maxicom Equipment	1	Each	\$25,000	\$25,000
Concrete Poured-In-Place		SF	\$12	\$0
Concrete Flat Work	44,400	SF	\$8	\$355,200
Sub Total				\$1,213,620
Contingency		20%		\$242,724
Design & Environmental		10%		\$24,272
Construction Management		10%		\$2,427
City Administration		10%		\$243
Land Cost	2.0	Acre	\$160,000	\$320,000
Total				\$1,803,286

Neighborhood Park Facilities Cost Estimate
Park F - 4.9 acres (1.2 acres park and 3.7 acres basin)

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
Bike Rack	1	Each	\$1,000	\$1,000
Pool		SF	\$100	\$0
Water Play		Lump Sum	\$25,000	\$0
Tennis		Lump Sum	\$20,000	\$0
Basketball		Lump Sum	\$15,000	\$0
Bocce		Lump Sum	\$12,000	\$0
Horseshoes		Lump Sum	\$10,000	\$0
Playground	1	Lump Sum	\$38,000	\$38,000
Picnic Table	2	Each	\$1,250	\$2,500
Picnic Shelter w/BBQ		Lump Sum	\$75,000	\$0
BBQ		Each	\$750	\$0
Field Facilities		Lump Sum	\$130,000	\$0
Off Street Parking		Each	\$7	\$0
Trees	40	Each	\$175	\$7,000
Turf	49,700	SF	\$0	\$7,455
Irrigation & Booster Pump	49,700	SF	\$1	\$62,125
Restroom		Lump Sum	\$450,000	\$0
Drinking Fountain (ADA)	1	Each	\$4,000	\$4,000
Furniture	1	Lump Sum	\$15,000	\$15,000
Light Poles with Base	6	Each	\$4,500	\$27,000
Signs	1	Each	\$12,000	\$12,000
Handicap Parking		Each	\$15,000	\$0
Utility Enclosure	1	Lump Sum	\$10,000	\$10,000
Electrical	1	Lump Sum	\$25,000	\$25,000
Maxicom Equipment	1	Each	\$25,000	\$25,000
Concrete Poured-In-Place		SF	\$12	\$0
Concrete Flat Work	2,600	SF	\$8	\$20,800
Sub Total				\$256,880
Contingency		20%		\$51,376
Design & Environmental		10%		\$5,138
Construction Management		10%		\$514
City Administration		10%		\$51
Land Cost	1.2	Acre	\$160,000	\$192,000
Total				\$505,959

Neighborhood Park Facilities Cost Estimate
Park G - 1.8 acres (1.8 acres park and 0 acres basin)

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
Bike Rack	1	Each	\$1,000	\$1,000
Pool		SF	\$100	\$0
Water Play		Lump Sum	\$25,000	\$0
Tennis		Lump Sum	\$20,000	\$0
Basketball		Lump Sum	\$15,000	\$0
Bocce	2	Lump Sum	\$12,000	\$24,000
Horseshoes	2	Lump Sum	\$10,000	\$20,000
Playground	1	Lump Sum	\$38,000	\$38,000
Picnic Table	4	Each	\$1,250	\$5,000
Picnic Shelter w/BBQ	1	Lump Sum	\$75,000	\$75,000
BBQ		Each	\$750	\$0
Field Facilities		Lump Sum	\$130,000	\$0
Off Street Parking		Each	\$7	\$0
Trees	50	Each	\$175	\$8,750
Turf	74,500	SF	\$0	\$11,175
Irrigation & Booster Pump	74,500	SF	\$1	\$93,125
Restroom	1	Lump Sum	\$450,000	\$450,000
Drinking Fountain (ADA)	1	Each	\$4,000	\$4,000
Furniture	1	Lump Sum	\$15,000	\$15,000
Light Poles with Base	6	Each	\$4,500	\$27,000
Signs	1	Each	\$12,000	\$12,000
Handicap Parking		Each	\$15,000	\$0
Utility Enclosure	1	Lump Sum	\$10,000	\$10,000
Electrical	1	Lump Sum	\$25,000	\$25,000
Maxicom Equipment	1	Each	\$25,000	\$25,000
Concrete Poured-In-Place		SF	\$12	\$0
Concrete Flat Work	3,900	SF	\$8	\$31,200
Sub Total				\$875,250
Contingency		20%		\$175,050
Design & Environmental		10%		\$17,505
Construction Management		10%		\$1,751
City Administration		10%		\$175
Land Cost	1.8	Acre	\$160,000	\$288,000
Total				\$1,357,731

Neighborhood Park Facilities Cost Estimate
Park H - 1.9 acres (1.9 acres park and 0 acres basin)

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
Bike Rack	1	Each	\$1,000	\$1,000
Pool		SF	\$100	\$0
Water Play		Lump Sum	\$25,000	\$0
Tennis		Lump Sum	\$20,000	\$0
Basketball		Lump Sum	\$15,000	\$0
Bocce		Lump Sum	\$12,000	\$0
Horseshoes		Lump Sum	\$10,000	\$0
Playground	1	Lump Sum	\$38,000	\$38,000
Picnic Table	4	Each	\$1,250	\$5,000
Picnic Shelter w/BBQ	1	Lump Sum	\$75,000	\$75,000
BBQ		Each	\$750	\$0
Field Facilities		Lump Sum	\$130,000	\$0
Off Street Parking		Each	\$7	\$0
Trees	60	Each	\$175	\$10,500
Turf	78,600	SF	\$0	\$11,790
Irrigation & Booster Pump	78,600	SF	\$1	\$98,250
Restroom		Lump Sum	\$450,000	\$0
Drinking Fountain (ADA)	1	Each	\$4,000	\$4,000
Furniture	1	Lump Sum	\$15,000	\$15,000
Light Poles with Base	6	Each	\$4,500	\$27,000
Signs	1	Each	\$12,000	\$12,000
Handicap Parking		Each	\$15,000	\$0
Utility Enclosure	1	Lump Sum	\$10,000	\$10,000
Electrical	1	Lump Sum	\$25,000	\$25,000
Maxicom Equipment	1	Each	\$25,000	\$25,000
Concrete Poured-In-Place		SF	\$12	\$0
Concrete Flat Work	4,100	SF	\$8	\$32,800
Sub Total				\$390,340
Contingency		20%		\$78,068
Design & Environmental		10%		\$7,807
Construction Management		10%		\$781
City Administration		10%		\$78
Land Cost	1.9	Acre	\$160,000	\$304,000
Total				\$781,074

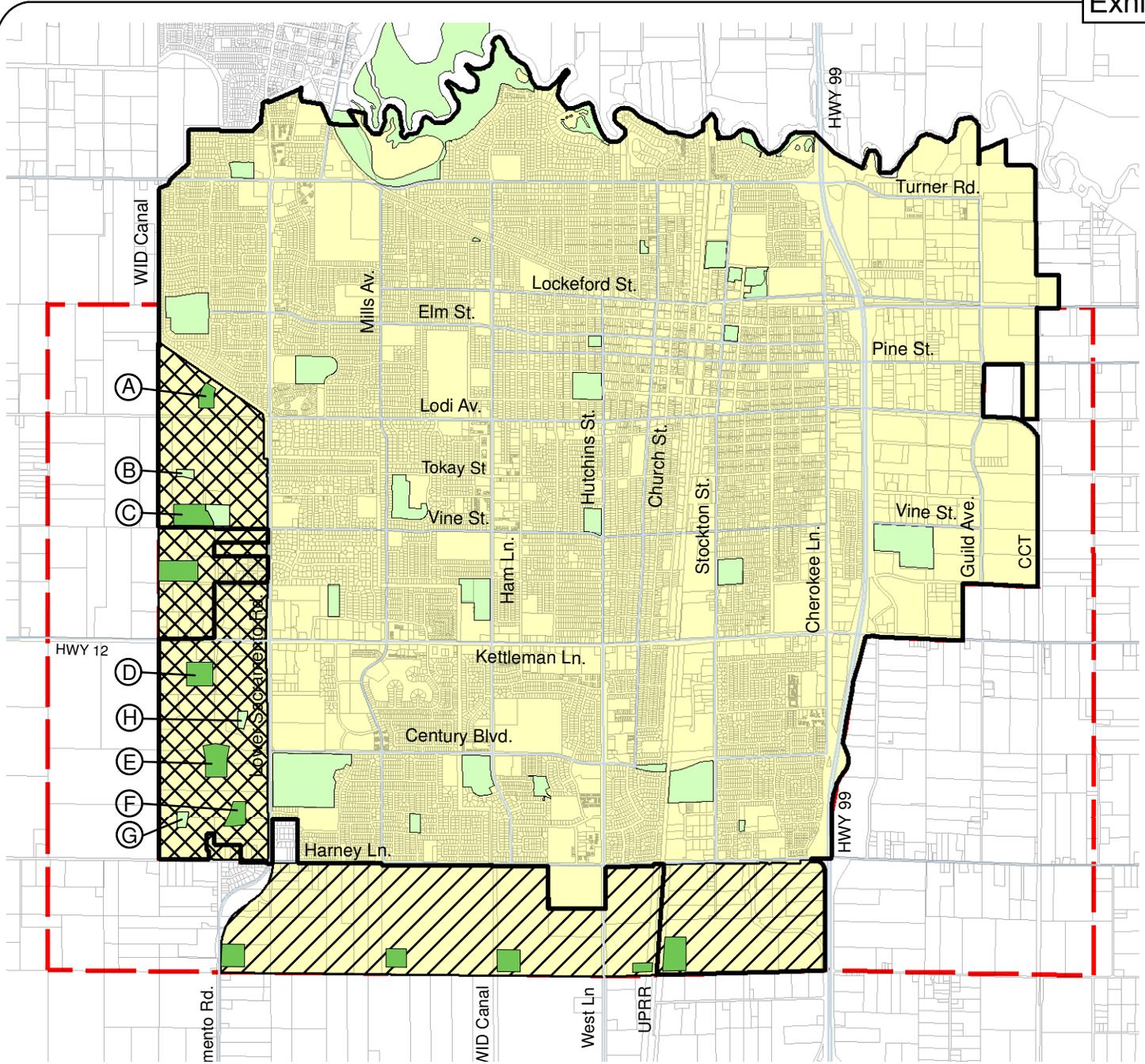
Neighborhood Park Facilities Fee Calculation Table

Land Use	Units/Bldg SF	Residents/Employees	User Equivalents	Total DUE's	Percent Allocation	Total Costs	Fee per Unit/1,000 Bldg SF	Reduced Fee
Cost	\$ 9,689,188.87							
Residential	<u>Units</u>	<u>per Unit</u>	<u>per Unit</u>					
Low Density	1,819	2.85	2.85	1819	47.7%	\$4,622,084	2,541	\$1,016
Medium Density	1,620	2.4	2.4	1364.211	35.8%	\$3,466,463	2,140	\$856
High Density	711	2	2	498.9474	13.1%	\$1,267,827	1,783	\$713
Subtotal				3682.158	96.6%	\$9,356,374		
Non-Residential	<u>Bldg SF</u>	<u>per 1,000 SF</u>	<u>per 1,000 SF</u>					
Retail (Minor & Major)	540,000	2.5	0.3	56.84211	1.5%	\$144,436	266	
Office/Medical	440,180	4	0.48	74.13558	1.9%	\$188,379	428	
Industrial	0	1.33	0.1596	0	0.0%	\$0	0	
				130.9777	3.4%	\$332,815		
				3813.136	100.0%	\$9,689,189		

1 Assumes a resident can utilize park facilities an average of 12 hours per day 7 days a week (84 Hours) and an employee can utilize park facilities an average of 2 hours per day 5 days a week (10 hours); this translates to 1.0 employee equalling approximately 0.12 residents (10/84 = .12) in terms of potential park utilization.

Park Fees

	Community Park	Neighborhood Park	Total
<i><u>Residential</u></i>	<u>per Unit</u>	<u>per Unit</u>	<u>per Unit</u>
Low Density	1584	\$1,016	2,600
Medium Density	1334	\$856	2,190
High Density	1111	\$713	1,824
<i><u>Non-Residential</u></i>	<u>per 1,000 SF</u>	<u>per 1,000 SF</u>	<u>per 1,000 SF</u>
Retail (Minor & Major)	406	\$266	672
Office/Medical	650	\$428	1,078
Industrial	217	\$0	217
Institutional			



**PARKS
FEE ZONES
LEGEND**

-  2012 CITY LIMITS
-  GENERAL PLAN LIMITS
-  FUTURE BASINS
-  PARKS
-  DEVELOPER CONSTRUCTED ZONE
-  NEIGHBORHOOD PARK FEE ZONE
-  CITY WIDE ZONE



Comments by the public on non-agenda items

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

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

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

Comments by the City Council Members on non-agenda items



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Adopting a Resolution Approving the 2012/13 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER)

MEETING DATE: September 4, 2013

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Public hearing to consider adopting resolution approving the 2012/13 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER),

BACKGROUND INFORMATION: A public hearing is required as part of the federal requirements of the Community Development Block Grant (CDBG) program.

The 2012/13 CAPER describes the programs and activities accomplished during that program year, in which the City received \$630,001 in federal CDBG funds. The public review and comment period for the CAPER document began August 19, 2013 and will end September 4, 2013.

FISCAL IMPACT: The CAPER document is being completed as an administrative activity that is funded through the City's CDBG administrative allocation from HUD.

FUNDING AVAILABLE: None

Jordan Ayers, Deputy City Manager

Konradt Bartlam
Community Development Director

KB/jw
Attachments

APPROVED: _____
Konradt Bartlam, City Manager

2012/13 CAPER
September 4, 2013
Exhibit A

Exhibit A

2012-13 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)



CITY OF LODI

2012-13 CDBG CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)



PUBLIC REVIEW DRAFT

SEPTEMBER 3, 2013

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I. EXECUTIVE SUMMARY

This Consolidated Annual Performance and Evaluation Report describes the City's housing and community development accomplishments in the 2012-13 program year, with a special focus on those activities funded by the Community Development Block Grant.

In the 2012-13 program year, the City funded improvements to public facilities, infrastructure, and housing, as well as several public service activities.

Accomplishments include the following.

- Completed improvements to Hale Park Sport Courts.
- Completed the third phase of alley drainage improvements and began the fourth phase.
- Completed ADA accessibility improvements on public streets/sidewalks.
- Began ADA accessibility improvements to two public park facilities and at the Grape Bowl Stadium.
- Completed a window retrofit project at a transitional housing site for Lodi House.
- Removed nearly 1,200 instances of gang graffiti.
- Provided over 900,000 pounds of food to families in need.
- Educated tenants and landlords about fair housing rights and mediated disputes.
- Redeemed over 400 spay-neuter vouchers.

In addition, staff continued to make progress on the development of an 80-unit affordable senior housing complex (with Eden Housing). The City also provided one-on-one training to public service providers, and implemented monitoring and fiscal systems to oversee and track progress of the CDBG grant program.

II. INTRODUCTION

As an entitlement grantee for the United States Department of Housing and Urban Development (HUD) formula Community Development Block Grant (CDBG) program, the City of Lodi is required to prepare a Consolidated Annual Performance and Evaluation Report (CAPER) to analyze and summarize program accomplishments during the preceding program year.

This CAPER assesses Lodi's progress in completing activities identified in the 2012-13 Action Plan, which covers the period from July 1, 2012 through June 30, 2013. The CAPER also reports progress in meeting overall five-year Consolidated Plan goals and priorities, and identifies areas for improvement as a result of annual self-evaluations and HUD performance reviews.

The 2012-13 program year was the City of Lodi's fourth year as an entitlement recipient of Community Development Block Grant (CDBG) funds.

The Neighborhood Services Division, within the Community Development Department, serves as the lead agency for the administration of CDBG funds. Questions regarding this report should be directed to the staff within this division at:

CDBG Program Administrator
City of Lodi
221 W. Pine Street, PO Box 3006

Lodi, CA 95241
209-333-6711

This report was made available for public review during a public comment period from August 19, 2013 to September 4, 2013. A public notice announcing its availability was published in the *Lodi News-Sentinel* on July 30, 2013. A public hearing on the report was held on September 4, 2012 at the Lodi City Council meeting.

III. ACTIVITY SUMMARIES

HOUSING

Tienda Drive Senior Housing (11-10)

The City has allocated funding to Eden Housing, a non-profit housing developer, to purchase land along Tienda Drive for an affordable senior housing development.

2012-13 Objective:	Construct 80 affordable housing units.
Funding Allocated:	\$78,000 in anticipated separation payments from San Joaquin Urban County. Total project cost is estimated to be \$1.2 million including non-City sources.
2012-13 Accomplishment:	Developer Eden Housing acquired the property. Pre-development and financing underway.
2012-13 Expenditure:	\$0
Total expenditures:	\$0
Narrative:	The project is in pre-development. The developer and City are assembling financing. Construction on the project is anticipated to start in summer 2015. A total of 80 units are planned.

Home Accessibility Modification Program (11-09)

Provide free or low-cost assistance to disabled renters or homeowners in need of accessibility modifications. This program is implemented by the Disability Resource Agency for Independent Living (DRAIL). Accessibility modifications will be made by program staff or by a licensed contractor.

2012-13 Objective:	3 households assisted.
Funding Allocated:	\$6,000
2012-13 Accomplishment:	No household assisted.
2012-13 Expenditure:	\$0
Total expenditures:	\$0
Narrative:	City Staff is continuing to work with DRAIL to determine if and how they can adapt their processes to comply with CDBG Regulations. The program will continue in 2013-14.

PUBLIC FACILITIES

Alley Drainage Improvements – Phase III (10-11)

Reconstruction of two alleys in target areas in order to increase accessibility and drainage. Existing alley paving was removed and replaced with storm drains and pervious concrete.

- 2012-13 Objective:** Complete alley improvement project that was started in previous program year.
- Funding Allocated:** \$143,292
- 2012-13 Accomplishment:** Project completed.
- 2012-13 Expenditure:** \$138,959
- Total Expenditures:** \$143,292
- Narrative:** The project was bid and awarded in 2011-12 and completed in September of 2012 as planned.

ADA Street Accessibility Improvements – Phase I (11-02)

Make ADA improvements, including installation of handicap ramps and sidewalk at key locations throughout the City.

- 2012-13 Objective:** Install 8 ramps and one section of sidewalk.
- Funding Allocated:** \$147,414
- 2012-13 Accomplishment:** Project completed.
- 2012-13 Expenditure:** \$143,560
- Total Expenditures:** \$147,414
- Narrative:** Completed as planned in program year 2012 as of the date of this report.

2012 Parks Accessibility (12-02)

The project consists of the removal of architectural barriers to the disabled and elderly at two public parks. Work at each park will be essentially the same in nature and scope. Deficiencies include the lack of van-accessible parking stalls, the need for proper signage and striping, the encroachment of the existing ramps into the pavement, and lack of accessible paths of travel.

- 2012-13 Objective:** 2 public facilities improved
- Funding Allocated:** \$107,920
- 2012-13 Accomplishment:** Project bid, awarded and underway. Project will complete and final payment in 2013.
- 2012-13 Expenditure:** \$84,327
- Total Expenditures:** \$84, 327

Narrative: This project went out to bid in February 2013 and contract was awarded in April 2013. Construction work began in May 2013. Construction will be completed in August 2013. Un-expended funds will be re-allocated in a mid-year Action Plan amendment.

Hale Park Sport Court Resurfacing (12-03)

The City resurfaced the sport courts at Hale Park, a public park in a LMI neighborhood.

2012-13 Objective: 1 public improvement.
Funding Allocated: \$75,000
2012-13 Accomplishment: Project completed. Final payment made in 2013.
2012-13 Expenditure: \$33,230
Total Expenditures: \$33,230

Narrative: The project went out to bid in March 2013 and contract was awarded in April 2013. Construction work began in May 2013 and was completed in June 2013. Un-expended funds will be re-allocated in a mid-year Action Plan amendment.

Grape Bowl ADA Improvements (11-03/12-11)

Made ADA improvements to the Grape Bowl to remove barriers to accessibility. Improvements will include creating an at-grade entrance to the field's west end, new ticket booth and concession stands, and restroom upgrades, new ADA seating and accessible ramps to those seating areas.

2012-13 Objective: 1 public facility improvement
Funding Allocated: \$485,000
2012-13 Accomplishment: Project bid, awarded and underway in 2012. To be completed in fall of 2013
2012-13 Expenditure: \$182,254
Total Expenditures: \$195,409

Narrative: Project underway and will be completed in Fall 2013.

LOEL Center – Washington Street Improvements – Phase I (12-09)

As part of a phased project to make improvements to the LOEL Senior Center facility, this will demolish an existing vacant structure on the site, make parking improvements and construct a community garden. The entire project contemplates the expansion of the LOEL Center or the development of affordable senior housing on the site.

2012-13 Objective:	1 public facility improvement.
Funding Allocated:	\$145,086
2012-13 Accomplishment:	Pre-development, design and engineering.
2012-13 Expenditure:	\$49,783
Total Expenditures:	\$49,783

Lodi House – Window Replacement Project (12-10)

Provided funds to Lodi House, local shelter provider for women with children, for the replacement of windows at their transitional housing facility at 356 E. Walnut Street. The project will be limited to the replacement of all of the windows (removing the existing sashes and installation of new inserts).

2012-13 Objective:	1 public facility improvement.
Funding Allocated:	\$15,000
2012-13 Accomplishment:	Project completed. 21 windows replaced.
2012-13 Expenditure:	\$13,878
Total Expenditures:	\$13,878

PUBLIC SERVICES

Salvation Army Food Program (12-04)

Provide funding to Salvation Army to support the Community Dining Hall, the Emergency Food, and the No Child Left Hungry Programs offered at their facilities that serve needy families throughout the community.

2012-13 Objective:	72,000 meals - Community Dining Hall Program 27,000 bags/boxes of groceries - Emergency Food Program 1300 meals/bags – No Child Left Hungry Program
Funding Allocated:	\$15,000
2012-13 Accomplishment:	110,491 meals provided – Community Dining Hall Program 39,000 bags/boxes – Emergency Food Program 4,123 bags – No Child Left Hungry Program
2012-13 Expenditure:	\$15,000
Total expenditures:	\$15,000

Narrative: Salvation Army operated three food assistance programs. The Community Dining Hall program served 110,491 meals to homeless persons and needy families from the community throughout the year. The Emergency Food program delivered

834,274 pounds of food to needy families throughout the year. The No Child Left Hungry program provided another 82,455 pounds of food to school-aged children during the 13-weeks of school breaks during the year. Salvation Army supplemented funds from the City of Lodi with private donations (food and cash), and from Emergency Food and Shelter Program funding through the Department of Homeland Security.

Table 1
Salvation Army Food Assistance Program Beneficiaries

Category	Total	Percent of Total
Total Persons	9,100	100%
Total Low/Mod-Income	9,100	100%
Extremely low-income	6,052	75%
Very Low-income	1907	24%
Low-income	154	1%
Special Needs	4,495	55.4%
Disabled HH Member	1,253	28%
Senior Headed HH	2,101	47%
Female Headed HH	1,141	25%
5+ Person HH	--	--
Race		
White	6,722	82.8%
Black or African-American	314	3.9%
Asian	215	2.7%
American Indian or Alaskan Native	192	2.4%
Native Hawaiian or Pacific	34	<1.0%
American-Indian or Alaska Native and White	135	1.7%
Asian and White	224	2.8%
Black or African American and White	45	<1.0%
American Indian or Alaska Native and Black	47	<1.0%
Multiracial	N/A	
Other/No response	185	2.3%
Ethnicity		
Hispanic	2,719	33.5%
Not Hispanic	5,394	66.5%
Other/No response	--	

Graffiti Abatement (12-05)

The Graffiti Abatement Program will remove graffiti on properties located in target areas. Staff will remove graffiti by pressure-washing the structure or by painting over it. The goal of the program is to preserve neighborhood property values.

2012-13 Objective:	800 instances of graffiti removed
Funding Allocated:	\$50,000
2012-13 Accomplishment:	1,197 instances of graffiti removed. 839 man-hours of labor.
2012-13 Expenditure:	\$35,789
Total expenditures:	\$35,789
Narrative:	The graffiti abatement program operated year-round. Most graffiti reported was removed within 1-2 days. Graffiti removal staff kept logs detailing location of graffiti and what was written to assist the police in identifying trends and combating future graffiti.

Second Harvest Food Bank (12-06)

Provide funding to Second Harvest Food Bank to purchase foods that are not typically donated to the food bank (e.g., meat and dairy products).

2012-13 Objective:	6,200 persons assisted
Funding Allocated:	\$7,500
2012-13 Accomplishment:	8,113 persons assisted
2012-13 Expenditure:	\$7,500
Total expenditures:	\$7,500
Narrative:	Second Harvest operated two food assistance programs. The Senior Brown Bag program delivered 62,726 pounds of food to Lodi seniors with a value of \$103,482. The Food Assistance program delivered 27,990 pounds of food to other Lodi residents with a value of \$45,441. Second Harvest supplemented funds from the City of Lodi with private donations (food and cash), handling fees, and from Emergency Food and Shelter Program funding through the Department of Homeland Security.

Table 2
Second Harvest Food Bank Beneficiaries

Category	Total	Percent of Total
Total Persons	8,113	100%
Total Low/Mod-Income	8,113	100%
Extremely low-income	6,052	75%
Very Low-income	1907	24%
Low-income	154	1%
Special Needs	4,495	55.4%
Disabled HH Member	1,253	28%
Senior Headed HH	2,101	47%
Female Headed HH	1,141	25%
5+ Person HH	--	--
Race		
White	6,722	82.8%
Black or African-American	314	3.9%
Asian	215	2.7%
American Indian or Alaskan Native	192	2.4%
Native Hawaiian or Pacific	34	<1.0%
American-Indian or Alaska Native and White	135	1.7%
Asian and White	224	2.8%
Black or African American and White	45	<1.0%
American Indian or Alaska Native and Black	47	<1.0%
Multiracial	N/A	
Other/No response	185	2.3%
Ethnicity		
Hispanic	2,719	33.5%
Not Hispanic	5,394	66.5%
Other/No response	--	

San Joaquin Fair Housing (12-07)

San Joaquin Fair Housing provides fair housing services, such as housing discrimination and tenant/landlord law hotline, complaint investigation, and outreach and education through public forums.

2012-13 Objective: 160 persons assisted

Funding Allocated: \$17,914

2012-13 Accomplishment: 120 unduplicated contacts
40 mediation cases

2012-13 Expenditure: \$16,689

Total expenditures: \$16,689

Narrative: San Joaquin Fair Housing promoted fair housing by advertising in local media, attending nine community events in San Joaquin County, and distributing fliers to four locations in Lodi. They served a total of 74 persons by providing information on fair housing. A total of 25 households were served through formal intakes. Of the 25 cases, 16 were resolved. Issues relating to formal intakes were not concentrated on any topic.

Table 3
San Joaquin Fair Housing Beneficiaries

Category	Total	Percent of Total
Total persons	74	100%
Extremely low-income	50	67.6%
Low-income	20	27%
Low/Mod-income	1	1.4%
Moderate-income	3	4%
Did not respond	0	0%
Special Needs		
Disabled HH Member	18	24.3%
Senior Headed HH	0	0%
Female Headed HH	53	71.6%
5+ Person HH	22	29.7%
Race	--	--
White	30	40.5%
Black or African-American	17	23%
Asian	2	2.7%
American Indian or Alaskan Native	1	1.4%
Native Hawaiian or Pacific	0	0%
American Indian or Alaskan Native and White	0	0%
Asian and White	1	1.4%
Black or African American and White	1	1.4%
American Indian or Alaskan Native and Black	0	0%
Multiracial/No response	22	29.7%
Ethnicity	--	--

Category	Total	Percent of Total
Hispanic	28	37.8%
Not Hispanic	9	12.2%
Other/No response	0	0%

Spay/Neuter Program (12-08)

Offer a spay/neuter program for feral cats trapped and released in target areas and pets (cats and pit bulls) owned by low-income households.

2012-13 Objective: 150 households assisted

Funding Allocated: \$25,000

2012-13 Accomplishment: 445 vouchers issued (272 to LMI households, 173 for feral cats)
272 unduplicated LMI households assisted.

2012-13 Expenditure: \$23,041

Total expenditures: \$23,041

Narrative: The program spayed or neutered 445 animals – 272 owned by low-income households, 173 were trapped feral cats. A total of 272 unduplicated low-income households were assisted. All feral cats were trapped within low-income target areas.

Table 4
Spay/Neuter Program Beneficiaries (Households)

Category	Total	Percent of Total
Total Households	272	
Total Low/Mod-Income	272	100%
Extremely low-income	--	--
Very Low-income	--	--
Low-income	272	100%
Special Needs		
Disabled HH Member	74	27%
Senior Headed HH	25	9%
Female Headed HH	130	48%
5+ Person HH	51	19%
Race		
White	226	83.1%
Black or African-American	0	0%
Asian	5	1.8%
American Indian or Alaskan Native	5	1.8%
Native Hawaiian or Pacific	3	1%

Category	Total	Percent of Total
American Indian or Alaska Native and White	3	1%
Asian and White	0	0%
Black or African American and White	0	0%
American Indian or Alaska Native and Black	0	0%
Other/Multiracial	4	1.4%
No response	26	9.6%
Ethnicity		
Hispanic	39	14.3%
Not Hispanic	199	73.2%
Other/No response	34	12.5%

Note: Data is provided only on pet owners participating in the program. Persons living in target areas who benefited from feral cat spay/neuter are not included.

PLANNING AND ADMINISTRATION

CDBG Administration (12-01)

The planning and administration funding is intended to provide funding for general staff administration of CDBG programs and activities, including Integrated Disbursement and Information System (IDIS) training, program set-up, reporting, planning, and subrecipient training and monitoring.

Funding Allocated: \$126,000
2012-13 Expenditure: \$126,000
Total expenditures: \$126,000

Narrative: CDBG staff carried out a wide range of administrative activities to implement programs and activities serving the target income and special needs population.

NON-CDBG HOUSING ACTIVITIES

First-Time Homebuyer Program

The City applied for HOME Program funding through the State Department of Housing and Community Development in 2012. Due to the number of funding requests received and the reduced allocation of HOME Program funds, the City was not awarded funding. The City has applied again in 2013 and hopes to be awarded funding in order to offer the First-Time Homebuyer Program.

Neighborhood Stabilization Program

The City has not received any additional Neighborhood Stabilization Program funding.

IV. SUMMARY OF EXPENDITURES

The following tables show the City's 2011-12 expenditures in different categories and in comparison to federally-mandated caps.

The City received no program income in the 2012-13 program year.

Table 5
2012-13 CDBG Allocations and Expenditures

Category	2012-13 Allocated	2012-13 Expended	Year End Balance
Planning and Administration	\$ 126,000	\$ (126,000)	\$ -
Public Services	115,414.00	(98,019.45)	17,394.55
Housing	20,730.00	(13,922.66)	6,807.34
Public Improvements - City	937,283.87	(582,329.93)	354,953.94
Public Facilities - Nonprofit	144,413.50	(49,782.58)	94,630.92
Totals	1,343,841	(870,055)	473,787

Table 6
Timely Expenditure Calculation

Timeliness Ratio (1.50 limit)	
2012-13 Award	\$ 630,001
YE Balance	473,787
Timeliness ratio	0.75

Table 7
Planning and Administration Calculation

Planning and Admin (20% cap)	
2012-13 annual award	\$ 630,001
2012-13 program income	0.00
Cap basis	630,001
Total planning and admin expenditures	126,000
Planning and admin percentage	20.00%

Table 8
Public Services Calculation

Public Services (15% max)	
2012-13 annual award	\$ 630,001
2011-12 program income	139,425
Cap basis	675,772
Total public services expenditures	98,019
Public services percentage	14.50%

Table 9
Remaining Funds Disposition

Funds Available for Mid-Year Re-programming	
Hale Park Sport Court	41,770
Graffiti Abatement	14,211
San Joaquin Fair Housing	1,225
Spay-Neuter Program - Feral	1,541
Spay-Neuter Program - Household	418
Lodi House - window replacement	1,122
Total	60,286

Funds Carrying-over into 2013-14	
Grape Bowl ADA Improvements	289,591
Home Accessibility Modifications	5,685
2012 Parks Accessibility	23,594
LOEL Center - Washington Street Parcel	94,631
Total	413,500

TOTAL REMAINDER	473,787
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Table 10
Annual Expenditure by Activity

City ID#	HUD ID#	Description	Total Allocation	Prior year Expenditures	2012-13 Available	2012-13 Expenditures	Total Expenditures	Year End Balance
10.11	36	Alley Drainage Improvements - Phase III	143,292	(4,333)	138,959	(138,959)	(143,292)	-
11.02	26	ADA Streets Improvements	147,414	(3,854)	143,560	(143,560)	(147,414)	-
11.03; 12.11	27	Grape Bowl ADA Improvements	485,000	(13,155)	471,845	(182,254)	(195,409)	289,591
11.09	33	Home Accessibility Modifications	6,000	(270)	5,730	(45)	(315)	5,685
12.01	38	Program Administration	126,000	-	126,000	(126,000)	(126,000)	-
12.02	40	2012 Parks Accessibility	107,920	-	107,920	(84,327)	(84,327)	23,594
12.03	41	Hale Park Sport Court	75,000	-	75,000	(33,230)	(33,230)	41,770
12.04	44	Salvation Army Food Programs	15,000	-	15,000	(15,000)	(15,000)	-
12.05	43	Graffiti Abatement	50,000	-	50,000	(35,789)	(35,789)	14,211
12.06	45	Second Harvest Food Bank	7,500	-	7,500	(7,500)	(7,500)	-
12.07	46	San Joaquin Fair Housing	17,914	-	17,914	(16,689)	(16,689)	1,225
12.08	47	Spay-Neuter Program - Feral	17,000	-	17,000	(15,459)	(15,459)	1,541
12.08	48	Spay-Neuter Program - Household	8,000	-	8,000	(7,582)	(7,582)	418
12-09	37	LOEL Center - Washington Street Parcel	145,086	(673)	144,414	(49,783)	(50,455)	94,631
12.10	39	Lodi House - window replacement	15,000	-	15,000	(13,878)	(13,878)	1,122
TOTALS			1,366,126	(22,285)	1,343,841	(870,055)	(892,339)	473,787

V. GENERAL NARRATIVE

GEOGRAPHIC DISTRIBUTION

In program year 2012-13, alley improvements and street accessibility projects were completed in low-income areas. The improvements to Lodi House's transitional housing facility were also in low-income areas.

The feral cat component of the spay-neuter program is also conducted on a low-income area basis. All cats were trapped in low-income areas.

AFFIRMATIVELY FURTHERING FAIR HOUSING

In 2009-10, the City completed an Analysis of Impediments to Fair Housing Choice. This document reviews demographics; lending patterns; local, state, and federal codes and regulations; fair housing complaints; and other relevant resources to determine impediments to fair housing in the community. The AI also identified actions the City will take in order to address fair housing impediments.

During the 2012-13 program year, the City contracted with San Joaquin Fair Housing, a local non-profit agency that offers information of fair housing law and mediates tenant-landlord disputes, as well as investigates housing discrimination complaints. No investigations were conducted in the program year.

Fliers relating to fair housing topics were distributed to four locations in Lodi. Information was available by phone from their Stockton offices five days per week.

Additional actions taken to promote fair housing include the participation in community events, advertisement in the Lodi News-Sentinel and on local cable access television, and maintaining a website with fair housing information.

The City displays fair housing materials at City Hall, and copies of these materials are free to the public. Fair housing information is sent free of charge to those who request it. In addition, the City promotes fair housing awareness in its housing programs and works with housing providers in the City to ensure the fair and equitable treatment of persons and households seeking housing in the City.

In the update of the City's Housing Element, the City committed to taking the following actions to address fair housing.

- Provide incentives for affordable housing development.
- Increase housing options through better definition of both transitional and supportive housing.
- Provide Homebuyer Assistance
- Subdivide larger sites for development of housing for low-income households

AFFORDABLE HOUSING

The City's affordable housing efforts in 2012-13 focused on expanding the supply of affordable housing and improving the ability of households to afford homeownership.

The City continued to work with Eden Housing on the 80-unit affordable senior housing complex planned in the Roget Park area. The project design was finalized and Eden Housing and the City have actively pursued funding to close the gap on this project. This project is currently in the pre-development phase.

In 2009, the City received an \$800,000 HOME grant through the California Department of Housing and Community Development to offer a first-time homebuyer downpayment assistance program. The City completed the program guidelines and began marketing and accepting applications in 2010-11. The contract for funding expired in May 2012. At the completion of the contract, a total of three loans had been made. One of those loans was paid off in 2012, providing program income for an additional loan. The City is currently waiting on notification of whether HOME funds will be awarded for the coming year to fund the first-time homebuyer loan program.

CONTINUUM OF CARE NARRATIVE

Lodi is a member of San Joaquin County Continuum of Care. The Continuum of Care is coordinated by the San Joaquin County Neighborhood Preservation Division, which also manages the Shelter Plus Care and Supportive Housing Programs, both of which provide homeless County residents with rental assistance and supportive services. San Joaquin County also coordinates the Homeless Prevention and Rapid Re-housing Program, which offers short-term and medium-term assistance to homeless households or households at-risk of becoming homeless due to the economic recession.

The Continuum of Care is in the process of developing a Homelessness Prevention Plan, which will contain strategies and priority actions to expand programs and services for homeless persons and those at risk of homelessness in the region. The focus will be on developing individual and family self-sufficiency and, to the extent possible, helping persons at risk of homelessness to remain in their homes. This effort has continued from the previous program year.

Lodi participates in the bi-annual countywide homeless survey. Staff assists with the planning and the point-in-time count, and sponsors a community event that focuses on connecting homeless persons with local services in coordination with the homeless count. The event was held on January 23, 2013. The general results of the survey noted an overall County-wide homeless population decrease of 39.4% from 2011. County-wide, the sheltered homeless population decreased by 44.4%, while the unsheltered homeless population increased by 6.4%. In Lodi, the 2013 point-in-time count noted a total of 171 homeless, both sheltered and unsheltered, an 82% overall increase from 2011. The population of sheltered homeless in Lodi increased from 68 in 2011 to 114 in 2013. The population of unsheltered homeless in Lodi increased from 26 in 2011 to 58 in 2013. The next count is scheduled for January 2015.

LOCAL SERVICE PROVIDER ASSISTANCE

There are many local and regional organizations that provide assistance to the homeless, persons at risk of homelessness, seniors, and other special needs groups. These organizations include the Salvation Army, Second Harvest Food Bank, LOEL Senior Center, Lodi House, Hand Up, and many others.

Second Harvest Food Bank, which provides food primarily to very low-income families, and LOEL, which serves primarily low-income seniors, both received grant funding in 2012-2013. The City has funded many other local service providers that serve homeless and special needs groups in prior years and continues to support their activities.

The City also participates in the planning and distribution of federal funding through the Department of Homeland Security to local emergency food and shelter providers as an active member of the local Emergency Food and Shelter Program board.

SENIOR SERVICES

The LOEL Center received funding for improvements in 2012-13 that are scheduled to be done in Fall 2013. Those improvements will allow for future expansion of their existing facilities and services in 2013-14 and

beyond. The City also supported Second Harvest Food Bank which helps to meet the basic needs of seniors. The City also continued to make progress on the 80-unit affordable senior housing complex planned for the Roget Park area.

HOMELESS AND HOMELESS PREVENTION SERVICES

Lodi has several agencies that serve homeless populations. The Salvation Army operates an emergency shelter with 45 beds for men and 25 beds for women/children, and owns four units of transitional housing. CDBG funding in previous year allowed for the creation of three, single-parent shelter units to their facility. They also offer daily meals and a range of supportive services for homeless persons. Lodi House has a total of 26 beds for women/children, and they offer supportive services as well.

In 2012-13 the City provided funding to the Salvation Army for their food program that serves the homeless and needy families within the community.

Lodi staff also works with Hand Up, a grassroots homeless outreach organization that meets monthly to discuss homeless issues. Participants include the San Joaquin County Board of Supervisors, Salvation Army, the Unity Project, and several churches. Many of the churches work together to provide meals to the homeless in a local park.

OTHER ACTIONS IN SUPPORT OF CDBG GOALS

Actions to Address Obstacles to Meeting Under-Served Needs

The need for affordable housing for low-income households and seniors continues to exceed the available resources. The City has provided services, discussed previously under the Continuum of Care narrative, and has worked to create new affordable housing opportunities for under-served groups, including seniors.

Fostering and Maintaining Affordable Housing

The City of Lodi Strategic Plan identifies development of new housing resources as a primary component of the City's housing strategy. The City is actively encouraging affordable housing, most notably through the Tienda Drive affordable senior housing complex and the down payment assistance program.

In 2012-13 the City continued to work with Eden Housing on the development of an 80-unit affordable senior housing complex. Site plans were completed, and the City assisted Eden Housing with applications for permanent financing. In 2010-11, the City sold property to Eden Housing in an arm's length transaction to construct the 80-unit Roget Park project.

In 2012-13, the City plans to devote additional resources to advancing affordable housing opportunities. City staff plans to explore alternative resources, including tax credits and regional and state grant opportunities.

Barriers to Affordable Housing

Lodi continues to work toward meeting the housing needs of its low- and moderate-income residents. Although the current economy offers significant challenges to many households, one bright side is that the housing stock affordable to low-income families has expanded significantly as a result of falling prices and historically low interest rates.

Based on the median income published by HUD, a four-person low-income household (80% AMI) can currently afford a mortgage of about \$280,000 and a one-person household could afford about \$184,000.

For the 12 months ending July 2013, the median home sales price was \$173,000. The median rent for the same period was \$1,356.

A continued supply of housing affordable to all household income levels is essential to meet the needs of the residents of the City. The City recognizes the importance of balancing construction of new affordable housing with preserving and rehabilitating current affordable housing resources.

Many of the City's efforts to foster and maintain affordable housing relate to the Housing Element. The City recently updated its General Plan Housing Element, which was certified in 2011. The City's 2010-16 Housing Element includes a number of important programs to facilitate the development of affordable housing in Lodi.

Both of these documents explore barriers to producing affordable housing, including governmental and non-governmental constraints. Governmental constraints include land use controls, entitlement processing, fees, and building codes. Land use controls are necessary to ensure orderly and appropriate development and growth in the City. Fees, land dedication, and public improvements are usually required as part of land development and entitlement processing to ensure an adequate supply of infrastructure, parks, and schools to serve the development.

To facilitate the development of affordable housing, the City may consider assisting developers to locate resources for funding affordable housing. Building and housing codes are implemented to ensure the safety of the community (housing residents, specifically). It is unlikely that the City will waive building or housing code requirements as a method of increasing affordability.

Non-governmental constraints include the availability of mortgage and rehabilitation financing, the supply and cost of land, and construction costs. The City will monitor these constraints and provide incentives to reduce them when possible.

Regional Housing Needs Allocation

In 2008, the City received its 2007-2014 regional housing needs allocation (RHNA) from the local Council of Governments. The allocation indicated the continued need for a supply of affordable housing and targets these needs by income group. In summary, the allocation calls for 25 percent of new housing production to be affordable to low-income households and 17 percent to be affordable to moderate-income households (using the HUD CDBG income definitions, which differ from those used in the Housing Element). This is a total of 917 low-income units and 650 moderate-income units, and reflects a significant need for new affordable housing.

The City's draft 2010-2016 General Plan Housing Element states that based on the state allocation of regional housing needs, Lodi will need to demonstrate the capacity to accommodate 917 housing units affordable to low-income households and 650 housing units affordable to moderate-income households during the planning period. In addition, the City will have to demonstrate the capacity to accommodate 716 units for persons earning between 81 and 120 percent of the area median income.

Public Housing and Resident Initiatives

The City does not own any public housing. The 2009-2014 Consolidated Plan does not include plans to construct or operate public housing.

The City does have two public and/or subsidized housing developments within its boundaries. These are owned and operated by the Housing Authority of the County of San Joaquin (HACSJ). The City works with HACSJ to ensure the continued quality of public housing in the City and to explore opportunities for additional development of affordable housing within the community.

Lead-Based Paint

The City did not conduct any activities for which lead-based paint clearance was necessary in 2012-13.

For non-CDBG-funded housing programs, the City does conduct a visual assessment to identify lead-based paint hazards when necessary and contracts with certified lead-based paint inspectors as required by state law.

Compliance and Monitoring

City staff met with the subrecipient staff responsible for each activity prior to the beginning of the program year. All subrecipients were informed of the obligations to collect the required information on income, household composition, and race and ethnicity. The City also provided information on subrecipient agreement policies, data collection, and financial management. The City recommended that each subrecipient read the “Playing by the Rules” guide produced by HUD. Staff provided technical assistance to subrecipients throughout the year.

Each quarter, staff examined the progress each subrecipient was making toward performance targets. Public services subrecipients must report their service population with each billing. Billings must be at least quarterly. Each subrecipient agreement contains provisions for reductions to or suspensions of payments in the event that targets are not being met (without valid reason) or when past performance issues have not been resolved.

The City has placed a strong emphasis on its subrecipients gathering complete and accurate information on the persons and/or households they serve, and regularly reporting on progress.

Anti-Poverty Strategy

During the program year, the City worked with several organizations that focus on increasing self-sufficiency among lower-income populations. These organizations included the Salvation Army, which provides a full range of counseling and training services to homeless residents, and the Lodi Library adult literacy program.

The Second Harvest Food Bank, which was funded by a \$7,500 CDBG grant, provided food to low-income families through local churches and non-profits, many of whom offer social services to assist with job training and housing security.

The City provides code enforcement services to ensure that lower-income households have a habitable place to live.

The City contracts with San Joaquin Fair Housing to provide fair housing counseling to residents; most of the households that take advantage of this resource are low-income. The housing counseling offers advice on resolving tenant-landlord disputes, among other topics, in an attempt to help low-income households stay in their homes.

The City’s support of the LOEL Center will ensure that the City’s elderly receive adequate nutrition at a nominal cost. This preserves the limited income that many elderly persons have.

LEVERAGING RESOURCES

With respect to public services funded with CDBG funds, the City requires all subrecipients to identify other resources they will utilize during the program year to operate and implement CDBG-supported activities. It is the City’s intent to ensure adequate non-federal and private funds are available, thus minimizing the dependence on federal funds. To best leverage the City’s available resources, the City will continue to layer private and non-federal resources with federal resources.

Citizen Comments

The City provided public notice of the public review period and planned submission of this CAPER. The draft document was made available on the City website and at City Hall.

Public notice included the address of City Hall, staff contact names, mailing addresses, phone numbers, the address of website to view the report, and information on where to direct comments and questions.

If any comments are received, the City endeavors to respond to all questions or comments within 10 business days. The City received no comments on this CAPER during the public comment period.

SELF-EVALUATION

What is the status of grant programs?

The program year 2012-13 was Lodi's third year as a CDBG entitlement jurisdiction. The City has active grant programs engaging in public services, housing and public improvements.

Public Services

The City funded four public services activities in the program year: Graffiti Abatement, Second Harvest Food Bank, Fair Housing, and the Spay-Neuter program. The City had no performance issues with these services.

Infrastructure

During the program year the City completed Phase III of Alley Drainage improvements, Phase I of ADA Streets Accessibility, and improvements to the Van Buskirk Park playground. The City solicited bids and awarded contracts for Phase IV of Alley Drainage improvements and Phase II of ADA Streets Accessibility.

Public Facilities

Improvements were completed at Salvation Army's Hope Harbor facility. Planning was done for the Grape Bowl stadium improvements including environmental review and a Section 108 loan application. By the end of the year planning was also underway for a demolition project to benefit the LOEL Senior Center and Gardens and for improvements to Lodi House.

Housing

The Home Accessibility Modifications Program has been slow to start. City staff will continue to work with the subrecipient to launch this program.

Are grant disbursements timely?

HUD requires that at a point approximately three-quarters of the way through the program year, CDBG grantees have available in their line of credit no more than 1.5 times that year's CDBG award.

The City of Lodi is compliant with this regulation with a timeliness ratio of 0.69 at the end of the program year. Funds are drawn from IDIS each month as they are expended.

Each mid-year, the City analyzes each project's rate of expenditure and ability to meet identified goals. As a result of this analysis, the City has routinely re-allocated funding that looked likely to remain unspent.

Are major goals on target?

Overall, the City is progressing toward its goals of fostering the development of affordable housing, improving target areas through public facilities and increases in services, and providing supportive services to the elderly and low-income households. The City will require additional effort to meet its goal of housing rehabilitation. The City is also exploring opportunities to fund economic development assistance through the local Small Business Development Center.

Are any activities or types of activities falling behind schedule?

The Activity Summaries section of this CAPER provides a description of each activity undertaken in 2012-13 and its actual accomplishments during the year. As described previously, the home modification and housing rehabilitation programs are still in early implementation and design phase.

Are the activities and strategies making an impact on identified needs?

The housing and community development activities that are funded through the grant are making a positive impact in the community and specifically on the needs identified in the Consolidated Plan and Action Plan. The funded activities and strategies are vital to the City's health and well-being in many ways.

The City's considerable efforts to foster neighborhood improvements will allow more residents to have access to attractive, safe, and affordable housing, community services, and public facilities.

The funded public service activities provide many vulnerable citizens, such as seniors and extremely low-income persons, with essential and life-enhancing services. Each funded activity in this program year is directly related to one of the goals in the Consolidated Plan and helps to further achievement of the City's community development objectives and goals.

What barriers may have a negative impact on fulfilling the strategies and the overall vision?

The primary barrier to achieving the Consolidated Plan goals and strategies is a lack of funding. The City's need for affordable housing, public facilities, and public services to fully serve the low- and moderate-income population is extensive, and far exceeds available funding resources. The economic recession also limits the City's ability to fund projects and program using local resources.

Based on findings, what adjustments or improvements to strategies and activities might meet the City's needs more effectively?

The City will devote substantial staff time to researching new funding opportunities to maximize the City's ability to meet residents' needs. The City will also evaluate all proposed activities based on factors such as leveraging and number of beneficiaries in an attempt to increase funding efficacy.

RESOLUTION NO. 2013-_____

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING THE 2012-13 COMMUNITY
DEVELOPMENT BLOCK GRANT CONSOLIDATED
ANNUAL PERFORMANCE AND EVALUATION
REPORT (CAPER)

=====

WHEREAS, the Department of Housing and Urban Development (HUD) has determined that the City of Lodi, California, is entitled to Community Development Block Grant (CDBG) as an entitlement community; and

WHEREAS, the 2012-13 CAPER describes the programs and activities accomplished during that program year, in which the City received \$630,001 in federal CDBG funds; and

WHEREAS, the City of Lodi has held, with proper notification and at the completion of the mandatory 15 day public comment period, a public hearing at the City Council meeting of September 4, 2013, to receive comments on the draft CAPER.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Final 2012-13 CAPER that is to be submitted to HUD by September 30, 2013.

Dated: September 4, 2013

=====

I hereby certify that Resolution No. 2013-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 4, 2013, by the following vote:

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

RANDI JOHL
City Clerk

CITY OF LODI

LEGAL ADVERTISEMENT

ADVERTISING INSTRUCTIONS

SUBJECT: NOTICE OF PUBLIC HEARING FOR DISCUSSION OF THE 2012-13
CDBG CONSOLIDATED ANNUAL PERFORMANCE AND
EVALUATION REPORT (CAPER) AND AMENDMENT OF 2013-14
ANNUAL ACTION PLAN (AAP)

PUBLISH (DATES): August 3, 2013

TEAR SHEETS WANTED: 2 EXTRA

DELIVER TO: Community
Development Dept.

AFFIDAVIT & BILL TO: Community Development - CDBG
City of Lodi
221 W. Pine Street
Lodi, CA 95241

DATE: July 30, 2013

ORDERED BY: Joseph Wood

TITLE: Neighborhood Services Division Manager

LEGAL NOTICE

NOTICE OF PUBLIC HEARING FOR DISCUSSION OF THE 2012-13 CDBG CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) AND AN AMENDMENT TO THE 2013-14 ANNUAL ACTION PLAN (AAP)

NOTICE IS HEREBY GIVEN that a public hearing will be held on Wednesday, September 4, 2013 at 7:00 p.m. or as soon thereafter as the matter may be heard, in the Lodi City Council Chambers, 305 West Pine Street, Lodi, CA 95241 in order to consider the Community Development Block Grant (CDBG) Program Consolidated Annual Performance and Evaluation Report (CAPER) and an amendment to the 2013-14 Annual Action Plan (AAP). The 2012-13 CAPER describes the programs and activities accomplished during that program year, in which the City received \$630,001 in federal CDBG funds. The AAP generally describes how the City will utilize program funds for eligible activities during the fiscal year. The AAP can be amended as needed to reallocate funds to housing and community development activities.

The City proposes to allocate previously un-allocated funds received as part of the 2013-14 allocation of CDBG funds and to re-allocate prior year funds that have not been expended. Funds may be allocated to new projects and programs, or existing projects and programs may receive additional funding.

The release of this notice is one of the City's activities to fulfill citizen participation requirements. Federal regulations require localities to provide the public with reasonable access to the documents.

The CAPER and the AAP amendment are available for public review at the Lodi City Hall, 221 West Pine Street, and on the City's website at www.lodi.gov/community_development/neighborhoods/cdbg.html. Copies of the CAPER and the AAP amendment will be made available upon request and are free of charge.

The public review and comment period for the 2012-13 CAPER begins August 19, 2013 and will end September 4, 2013. The public review and comment period for the amendment of the 2013-14 AAP begins August 3, 2013 and will end September 4, 2013. The City Council will consider adoption of the 2012-13 CAPER and amendment of the 2013-14 AAP and provide an opportunity for public comment at their September 4, 2013 meeting.

The purpose of this public hearing will be to give citizens an opportunity to make their comments known regarding community needs and accomplishments under the CDBG Program. If you are unable to attend the public hearing, you may direct written comments to the City Clerk, City of Lodi, PO Box 3006, Lodi, CA 95241, or you may telephone (209) 333-6711. In addition, information is available for review at Lodi City Hall (221 West Pine Street) between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

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

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (209) 333-6702. Notification 48 hours prior

to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City promotes fair housing and makes all its programs available to low- and moderate-income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status or handicap.

Neighborhood Services Manager
Joseph Wood

Dated: July 30, 2013



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER AND APPROVE THE 2012/13 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT AND AN AMENDMENT OF THE 2013/14 ACTION PLAN TO ACCOMMODATE THE ALLOCATION OF PREVIOUSLY UNALLOCATED FUNDS RECEIVED IN 2013/14 AND THE REALLOCATION OF UNUSED CDBG FUNDS FROM PREVIOUS YEARS

On Thursday, August 22, 2013, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider and approve the 2012/13 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report and an amendment of the 2013/14 Action Plan to accommodate the allocation of previously unallocated funds received in 2013/14 and the reallocation of unused CDBG funds from previous years (attached and marked as Exhibit A) was posted at the following locations:

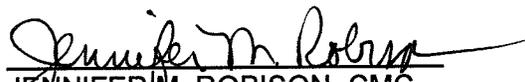
Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

Executed on August 22, 2013, at Lodi, California.

ORDERED BY:

RANDI JOHL-OLSON
CITY CLERK


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA DITMORE
ADMINISTRATIVE CLERK



**THE CITY OF LODI
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Public Hearing for Discussion of the Community Development
Block Grant Program**

NOTICE IS HEREBY GIVEN that a public hearing will be held on Wednesday, September 4, 2013 at 7:00 p.m. or as soon thereafter as the matter may be heard, in the Lodi City Council Chambers, 305 West Pine Street, Lodi, CA 95241 in order to consider the Community Development Block Grant (CDBG) Program Consolidated Annual Performance and Evaluation Report (CAPER) and an amendment to the 2013-14 Annual Action Plan (AAP). The 2012-13 CAPER describes the programs and activities accomplished during that program year, in which the City received \$630,001 in federal CDBG funds. The AAP generally describes how the City will utilize program funds for eligible activities during the fiscal year. The AAP can be amended as needed to reallocate funds to housing and community development activities.

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The CAPER is available for public review at the Lodi City Hall, 221 West Pine Street, and on the City's website at www.lodi.gov/community_development/neighborhoods/cdbg.html. Copies of the CAPER will be made available upon request and are free of charge.

The public review and comment period for the 2011-12 CAPER begins August 19, 2013 and will end September 4, 2013. The public review and comment period for the amendment of the 2013-14 AAP begins August 3, 2013 and will end September 4, 2013. The City Council will consider adoption of the 2012-13 CAPER and amendment of the 2013-14 AAP and provide an opportunity for public comment at their September 4, 2013 meeting.

The City proposes to allocate previously un-allocated funds received as part of the 2013-14 allocation of CDBG funds and to re-allocate prior year funds that have not been expended. Funds may be allocated to new projects and programs, or existing projects and programs may receive additional funding.

The purpose of this public hearing will be to give citizens an opportunity to make their comments known regarding community needs and accomplishments under the CDBG Program. If you are unable to attend the public hearing, you may direct written comments to the City Clerk, City of Lodi, PO Box 3006, Lodi, CA 95241, or you may telephone (209) 333-6711. In addition, information is available for review at Lodi City Hall (221 West Pine Street) between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

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Mailed by Com. Dew-

September 4th Public Hearing - Mailing List

Captains Tory and Martin Ross
c/o Salvation Army, Lodi Corps
PO Box 1388
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martin.ross@usw.salvationarmy.org
209-369-5896 x107

Elvira Ramirez
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Mike Mallory
c/o Second Harvest Food Bank
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Manteca, CA 95337-6116
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209-239-2091

Nate McBride
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Federico Navarro
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209-464-7369

Rebeca Knodt
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Peggy Wagner
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Kristi Rhea
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209-460-5024

Tracy Williams
c/o LOEL Foundation, Inc.
105 S. Washington Street
Lodi, CA 95240
tracy@loelcenter.net
209-368-2050

Dean Fujimoto
c/o SJC Human Services Agency
PO Box 201056
Stockton, CA 95201

Jake McGregor
c/o One-Eighty Teen Center
17 W. Lockeford Street
Lodi, CA 95240

Jennifer Robison

From: Joseph Wood
Sent: Monday, August 19, 2013 02:44 PM
To: 'Martin Ross'; 'Kerri Tapia'; 'Federico Navarro'; rknodt@stocktonfoodbank.org; 'Peggy Wagner'; 'Kristi Rhea'; 'Tracy Williams'; 'Fujimoto, Dean'; 'Jacob McGregor'; 'eramirez@ccstockton.org'; 'Nate McBride'
Cc: Jennifer Robison
Subject: City of Lodi - Public Hearing for 2012-13 CAPER and Amendment#1 of 2013-14 Annual Action Plan



WEB PAGE Public
Hearing Notice...

The Lodi City Council will conduct a Public Hearing on Wednesday, September 4, 2013 to review and adopt the 2012-13 CDBG Consolidated Annual Performance Evaluation Report (CAPER) and the 2013-14 CDBG Annual Action Plan Amendment.

The CAPER is the final report of activities for the CDBG funding provided to the City in the 2012-13 Program Year.

The 2013-14 Annual Action Plan Amendment covers the allocation of additional CDBG funding received for the 2013-14 Program Year and the reallocation of unused funds from completed projects and/or services from the 2012-13 Program Year.

A Staff Report detailing the funding allocation/reallocation being considered at the Public Hearing will be available and distributed via email on or about August 28, 2013.

Please contact me if you have any questions.

Joseph Wood, Manager
Neighborhood Services Division
City of Lodi Community Development Department

209.333.6800 x2467 *Direct Office Line*
209.333.6842 *Fax*
jwood@lodi.gov *E-mail*



THE CITY OF LODI
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Public Hearing for Discussion of the Community Development
Block Grant Program

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LA CIUDAD DE LODI
DEPARTAMENTO DE DESARROLLO COMUNITARIO
Aviso de Audiencia Pública para la discusión del Programa de Subsidios
Globales para el Desarrollo Comunitario

PRESENTE SE DA AVISO que una audiencia pública se llevará a cabo el Miércoles, 04 de septiembre 2013 a las 7:00 pm o tan pronto como la materia podrá ser oído, en el Lodi Concilio de la Ciudad, 305 West Pine Street, Lodi, CA 95241 con el fin de considerar el Community Development Block Grant (CDBG) consolidado anual de Desempeño y Evaluación (CAPER) y una enmienda al Plan de Acción Anual 2013-14 (AAP). El 2012-13 CAPER describe los programas y actividades realizadas durante ese año del programa, en el que la ciudad recibió 630,001 dólares en fondos federales CDBG. La AAP describe generalmente como la Ciudad utilizará los fondos del programa de actividades elegibles durante el año fiscal. El AAP se puede modificar según sea necesario para reasignar fondos a las actividades de vivienda y desarrollo comunitario.

La publicación de este aviso es una de las actividades de la Ciudad para cumplir con los requisitos de participación de los ciudadanos. Las regulaciones federales requieren que las localidades para proporcionar al público un acceso razonable a los documentos.

El CAPER está disponible para revisión pública en Lodi City Hall, 221 West Pine Street, y en la página web de la Ciudad www.lodi.gov/community_development/neighborhoods/cdbg.html. Copias del CAPER estarán disponibles bajo petición y son gratis.

La opinión pública y periodo de comentarios para el 2011-12 CAPER comienza el 19 de agosto 2013 y terminará el 04 de septiembre 2013. La opinión pública y el período de comentario para la modificación de AAP 2013-14 comienza el 03 de agosto, 2013 y terminará el 04 de septiembre, 2013. El ayuntamiento tendrá en cuenta la adopción del 2012-13 CAPER y modificación del 2013-14 AAP y proporcionar una oportunidad para comentario público en su reunión del 04 de septiembre, 2013.

La Ciudad propone asignar anteriormente los fondos no asignados recibidos como parte de la asignación de los fondos CDBG 2013-14 y para reasignar fondos de años anteriores que no han sido gastados. Los fondos pueden ser asignados a nuevos proyectos y programas o proyectos y programas existentes pueden recibir financiación adicional.

El propósito de esta audiencia pública será de dar a los ciudadanos la oportunidad de conocer sus observaciones sobre las necesidades de la comunidad y logros bajo el Programa CDBG. Si usted no puede asistir a la audiencia pública, puede dirigir observaciones por escrito a la Secretaria Municipal de la Ciudad de Lodi, PO Box 3006, Lodi, CA 95241, o puede llamar por teléfono (209) 333-6711. Además, la información está disponible para su revisión en Lodi City Hall (221 West Pine Street) entre las horas de 8:00 am y 5:00 pm de lunes a viernes.

Si usted desafía el tema en la corte, usted puede estar limitado a sólo los problemas que usted o alguien más en la audiencia pública se describe en este aviso o en la correspondencia escrita entregada a la Secretaria de la Ciudad, 221 West Pine Street, en o antes de cerrar la audiencia pública.

En cumplimiento de la Ley de Estadounidenses con Discapacidades, si usted necesita asistencia especial para participar en esta reunión, por favor comuníquese con la Oficina de la Secretaria Municipal al (209) 333-6702. Notificación de 48 horas antes de la reunión permitirá a la ciudad para hacer los arreglos razonables para asegurar el acceso a esta reunión.

La Ciudad promueve la vivienda justa y pone todos sus programas a disposición de bajos y moderados ingresos, familias sin importar la edad, raza, color, religión, sexo, origen nacional, orientación sexual, estado civil o discapacidad.



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Adopt Resolution Accepting City of Lodi Short-Range Transit Plan Update

MEETING DATE: September 4, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution accepting City of Lodi Short-Range Transit Plan update.

BACKGROUND INFORMATION: On May 1, 2013, the City Council authorized the City Manager to execute the Professional Services Agreement for the Short-Range Transit Plan (SRTP) update with LSC Transportation Consultants, Inc. (LSC). City staff began the SRTP update with a kick-off meeting, prior to the consultant team providing numerous public outreach activities, gathering information from Lodi transit users and community members. Public participation included two public workshops (poster sessions) held on June 12, 2013 at the Lodi Public Library and Transit Station; individual bus surveys taken on June 12, 2013; and three public workshops held on July 18, 2013 at Loel Senior Center, Lodi Public Library, and Farmer's Market (large bus on display). The first set of meetings was primarily to gather information from the public about how the existing transit system can be improved to better meet their needs. The second series of meetings provided results, presented alternatives for extended hours, and gathered additional public input on route recommendations. At the August 13, 2013 Shirtsleeve meeting, LSC presented to City Council an overview of the existing transit services, recommendations for expanded hours and route modifications, and an updated capital improvement plan.

The SRTP is a requirement of the Federal Transit Administration. The current SRTP accepted by Council in 2009, provided a 10-year plan for the Lodi's transit system. Since then, the City reduced services, increased fares, and implemented the majority of the current SRTP capital improvement recommendations. The SRTP update includes recommendations for expanded hours, route modifications, and capital improvement plan; updated financial plan, including forecasting available funding and expenditures; and recommending marketing strategies. The draft SRTP was posted on the City's transit website with the public 30-day comment period, through September 1, 2013.

As discussed at the recent City Council Shirtsleeve meeting, combined fixed route and demand response passenger ridership has increased by 4.8% over the past three fiscal years. In addition, passengers are pleased with both the fixed route and demand response services. They have, however, requested service to Costco/Home Depot and DMV, later weekday and weekend evening service, and earlier weekday service for commuting. The recommendations include expanding hours until 7:30 p.m. on the weekdays, until 9:30 p.m. on Saturday, and until 4:30 p.m. on Sunday; beginning weekday service at 6:30 a.m.; eliminating the lowest performing route, Express Route 7; and adding service to Costco/Home Depot and DMV on Route 5.

The expanded service hour recommendations are within the current State and federal revenue projections and are budgeted this fiscal year. Lodi transit utilizes federal, State, Measure K, and fare box revenue to fund all transit operations and capital projects. There is sufficient funding to support all projected vehicle

APPROVED: _____
Konradt Bartlam, City Manager

Adopt Resolution Accepting City of Lodi Short-Range Transit Plan Update

September 4, 2013

Page 2

operations and capital projects based on information provided by the San Joaquin Council of Government. Lodi transit is currently and projected to meet the required performance measures provided by SJCOG. As recommended in the SRTP and with Council's approval, City staff will proceed with implementing the recommendations by mid-September or early October. At a separate Council meeting this fall, staff will present an advertising policy and program guidelines for advertising on the new large transit buses.

The SRTP update (FY 2013/14 through FY 2023/24), including the Executive Report, is available at the Public Works Department and on the City website.

FISCAL IMPACT: Proposed expanded hours, route changes, and enhancements are included in the FY 2013/14 budget. The estimated additional operational expense is \$177,675 and estimated fare box revenue is \$20,496. No general funds are utilized for transit services and infrastructure projects.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

Prepared by Paula J. Fernandez, Transportation Manager/Senior Traffic Engineer

FWS/PJF/pmf

From: Randi Johl
Sent: Thursday, August 15, 2013 02:09 PM
To: Jennifer Robison
Subject: FW: Missed meeting

From: Randi Johl
Sent: Wednesday, August 14, 2013 12:02 PM
To: 'Abby Weaver'
Cc: Abby Weaver; City Council; Rad Bartlam; Steve Schwabauer; Wally Sandelin; Paula Fernandez
Subject: RE: Missed meeting

Thank you for your email Mr. Weaver. It was received by the City Council and forwarded to the City Manager's office for information, response and/or handling.

Randi Johl-Olson, JD, MMC
City Clerk, City of Lodi
Legislative Director, California City Clerks Association
221 West Pine Street
Lodi, California 95240
(209) 333-6702 Telephone
(209) 333-6807 Facsimile

From: Abby Weaver [mailto:rawyoyo@yahoo.com]
Sent: Wednesday, August 14, 2013 11:59 AM
To: Randi Johl
Cc: clifford Weaver; Abby Weaver
Subject: Missed meeting

I called and requested a reservation and return trip on the Dial-A-Ride system from Brenda the Dispatcher and was told the meeting was at 7:00 pm and was given the reservations. The only issue is the meeting was at 7:00 am this fact should have been known by Brenda as it is her job to know. I would have liked to be there for once not to complain but to congratulate you on the council on a good job as you all know I and others have been asking for the transit hours to be extended for a long time. The proposed extended hours are very good for the disabled and persons that depend on the transit system to go where they need to especially on the weekend days if approved it would allow the afore mentioned the ability to socialize,shop,visit etc.whereas now the hours are prohibitive, Just because we depend on transit to get around is not a good reason to have to limit our activities to certan hours. So in closing i would like to encourage all to VOTE YES on the extended hours for the transit system and thank you.

CLIFFORD J WEAVER
rawyoyo@yahoo.com;
cliffordjweaver@yahoo.com;
1-209-679-2699

RESOLUTION NO. 2013-_____

A RESOLUTION OF THE LODI CITY
COUNCIL ACCEPTING THE CITY OF LODI
SHORT-RANGE TRANSIT PLAN UPDATE

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NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby accept the City of Lodi Short-Range Transit Plan update, to be shown on Exhibit A and attached hereto following the close of the public comment period on September 1, 2013.

Dated: September 4, 2013

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I hereby certify that Resolution No. 2013-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 4, 2013, by the following vote:

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

RANDI JOHL-OLSON
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Ordinance No. 1882 Entitled, “An Uncodified Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 16.24 – Improvements – by Repealing Section 16.24.040, ‘Streets,’ in Its Entirety; and Further Amending Chapter 16.40 – Reimbursements for Construction – by Repealing Sections 16.40.010, ‘Findings and Purpose,’ and 16.40.020, ‘Improvements to be Reimbursed”

MEETING DATE: September 4, 2013

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1882.

BACKGROUND INFORMATION: Ordinance No. 1882 entitled, “An Uncodified Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 16.24 – Improvements – by Repealing Section 16.24.040, ‘Streets,’ in Its Entirety; and Further Amending Chapter 16.40 – Reimbursements for Construction – by Repealing Sections 16.40.010, ‘Findings and Purpose,’ and 16.40.020, ‘Improvements to be Reimbursed,” was introduced at the regular City Council meeting of August 21, 2013.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov’t Code § 36934.**

Ordinances take effect 30 days after their final passage. **Cal. Gov’t Code § 36937.**
This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl-Olson
City Clerk

RJO/jmr
Attachment

APPROVED: _____
Konradt Bartlam, City Manager

ORDINANCE NO. 1882

AN UNCODIFIED ORDINANCE OF THE LODI CITY COUNCIL AMENDING
LODI MUNICIPAL CODE CHAPTER 16.24 – IMPROVEMENTS – BY
REPEALING SECTION 16.24.040, “STREETS,” IN ITS ENTIRETY; AND
FURTHER AMENDING CHAPTER 16.40 – REIMBURSEMENTS FOR
CONSTRUCTION – BY REPEALING SECTIONS 16.40.010, “FINDINGS AND
PURPOSE,” AND 16.40.020, “IMPROVEMENTS TO BE REIMBURSED”

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

SECTION 1. Lodi Municipal Code Chapter 16.24 – Improvements – is hereby amended by repealing Section 16.24.040, “Streets,” in its entirety.

SECTION 2. Lodi Municipal Code Chapter 16.40 – Reimbursements for Construction – is hereby amended by repealing Section 16.40.010, “Findings and Purpose,” and Section 16.40.020, “Improvements to be Reimbursed,” in their entirety.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 4. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the city, or any officer or employee thereof, a mandatory duty of care toward persons or property within the city or outside of the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 6. This uncodified ordinance shall be published one time in the “Lodi News-Sentinel,” a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect 30 days from and after its passage and approval.

Approved this 4th day of September, 2013

ALAN NAKANISHI
Mayor

Attest:

RANDI JOHL-OLSON
City Clerk

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State of California
County of San Joaquin, ss.

I, Randi Johl-Olson, City Clerk of the City of Lodi, do hereby certify that uncodified Ordinance No. 1882 was introduced at a regular meeting of the City Council of the City of Lodi held August 21, 2013, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held September 4, 2013, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1882 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL-OLSON
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Ordinance No. 1883 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 17 – Zoning – by Repealing and Reenacting Section 17.50.030 E-3, 'Reimbursement for Excess Street Width,' in Its Entirety; Repealing and Reenacting Sections 17.62.010, 'Findings and Purpose,' and 17.62.020, 'Improvements to be Reimbursed,' in Their Entirety"

MEETING DATE: September 4, 2013

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1883.

BACKGROUND INFORMATION: Ordinance No. 1883 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 17 – Zoning – by Repealing and Reenacting Section 17.50.030 E-3, 'Reimbursement for Excess Street Width,' in Its Entirety; Repealing and Reenacting Sections 17.62.010, 'Findings and Purpose,' and 17.62.020, 'Improvements to be Reimbursed,' in Their Entirety,'" was introduced at the regular City Council meeting of August 21, 2013.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov't Code § 36934.**

Ordinances take effect 30 days after their final passage. **Cal. Gov't Code § 36937.**

This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl-Olson
City Clerk

RJO/jmr
Attachment

APPROVED: _____
Konradt Bartlam, City Manager

ORDINANCE NO. 1883

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING
LODI MUNICIPAL CODE TITLE 17 – ZONING – BY REPEALING AND
REENACTING SECTION 17.50.030 E-3, “REIMBURSEMENT FOR EXCESS
STREET WIDTH,” IN ITS ENTIRETY; REPEALING AND REENACTING
SECTIONS 17.62.010, “FINDINGS AND PURPOSE,” AND 17.62.020,
“IMPROVEMENTS TO BE REIMBURSED,” IN THEIR ENTIRETY

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Title 17 – Zoning – is hereby amended by repealing and reenacting Section 17.50.030 E-3 in its entirety and shall read as follows:

- 3. Reimbursement for excess street width.** The subdivider or developer may be reimbursed for excess width street construction and right-of-way or for construction or permanent improvements which front adjacent property. Reimbursement shall be made by Private Reimbursement Agreement in accordance with Chapter 17.62. For purposes of this Section excess width streets are defined as:
 - a. New streets over 68 feet in width;
 - b. Widening of existing street in excess of one-half of the adjacent side of the Right-of-Way.

SECTION 2. Lodi Municipal Code Title 17 – Zoning – is hereby amended by repealing and reenacting Section 17.62.010 and Section 17.62.020 in their entirety and shall read as follows:

17.62.010 - Findings and Purpose

The Council hereby finds and declares as follows:

- A.** The construction of new streets and water, sewer, and storm drains often benefits other properties. Benefits may occur through the provision of supplemental capacity (oversize lines) or installations across or opposite unserved property that would be required to make such improvements upon development or service connection.
- B.** The state of California, in Government Code Sections 66485 through 66489, requires that the city either pay for or enter into an agreement to reimburse the installing party, including an amount attributable to interest for such installations. To pay the costs as required by the reimbursement agreement, the city may collect funds from the other properties which benefit from such installations.
- C.** The City has adopted a development impact mitigation fee ordinance (Municipal Code Chapter 15.64), which provides for reimbursement and collection of funds from benefitting parcels under only a portion of the circumstances described in Subsection A.
- D.** The purpose of Chapter 15.64 is to identify the improvements which are reimbursable under the development impact mitigation fee program and to provide a uniform reimbursement procedure for the cost of improvements which are to be reimbursed from other properties. For purposes of this Article, "applicant" means the owner of the property for which the improvements are being installed or are required to be installed per the Municipal Code.

17.62.020 - Improvements to be Reimbursed

- A.** The cost of the following improvements shall be reimbursed from the appropriate benefitting parcels. The terms of the reimbursement shall comply with Chapter 15.64.
- 1.** Oversize water mains and major crossings required per Chapter 13.08;
 - 2.** Oversize sewers and storm drains required per Chapter 13.12;
 - 3.** Excess width street construction and right-of-way required per Chapter 15.44 and 17.50.030;
- B.** The cost of other improvements which benefit other property or would be required of that property upon development shall be reimbursed in compliance with this Article.

SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

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

SECTION 5. This ordinance shall be published pursuant to law and shall become effective 30 days from the date of passage and adoption.

Approved this 4th day of September, 2013

ALAN NAKANISHI
MAYOR

ATTEST:

RANDI JOHL-OLSON
City Clerk

State of California
County of San Joaquin, ss.

I, Randi Johl-Olson, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1883 was introduced at a regular meeting of the City Council of the City of Lodi held August 21, 2013, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held September 4, 2013, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1883 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL-OLSON
City Clerk

Approved to Form:

D. STEPHEN SCHWABAUER
City Attorney