

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, APRIL 20, 2010**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, April 20, 2010, commencing at 7:02 a.m.

Present: Council Member Johnson, Council Member Mounce, and Mayor Katzakian
Absent: Council Member Hansen, and Mayor Pro Tempore Hitchcock
Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. Topic(s)

B-1 Report on Fire Agency Cost Recovery Programs for Emergency Services within San Joaquin County (FD)

City Manager King provided a brief introduction to the subject matters of fire agency cost recovery programs for emergency services and the use of municipal administrative citations.

Fire Chief Kevin Donnelly provided a PowerPoint presentation regarding the fire agency cost recovery programs for emergency services within San Joaquin County. Specific topics of discussion included 11 county fire agencies surveyed, Cal Fire, applicable laws, jurisdiction, mutual aid, special response, negligence, EMS, USA Rescue, individual agencies, Tracy contract, specialized equipment and training, residential taxes, rising costs, annual recovery, and Lodi Fire services and fee schedule.

In response to Council Member Johnson, Chief Donnelly stated a special call could be a hazmat spill on the freeway once it is determined to be hazmat and fault is assigned for recovery purposes.

In response to Council Member Mounce, Chief Donnelly stated there is a handful of companies that do collections for fire services.

In response to Council Member Johnson, Chief Donnelly stated some agencies are charging for basic life support fees per unit based on a survey of the department and the average cost is \$300 per call. Chief Donnelly stated that fee covers training, equipment, and actual services and Tracy charges additional for ALS calls.

In response to Council Member Johnson, Chief Donnelly reviewed the Tracy fee program and cost recovery program. He stated the Tracy consultant says as much as \$800,000 could be recovered but staff is taking a more conservative approach because the subscription fee program needs to be marketed and promoted.

In response to Mayor Katzakian, Chief Donnelly stated the average subscription fees could range from \$38 to \$50 annually.

In response to Council Member Johnson, Chief Donnelly stated he is not sure if Tracy has a public safety sales tax and will get back to Council regarding the same.

In response to Council Member Johnson, Mr. Schwabauer stated the DUI fees can be assessed against the insurance company and/or the driver.

B-2 Report on the Use of Municipal Administrative Citations to Process Traffic Citations (PD)

Interim Police Chief Gary Benincasa provided a PowerPoint presentation regarding the administrative traffic citations and the Roseville model. Specific topics of discussion included competing traffic citation models, traffic court model, Roseville model, City benefits, driver benefits, disadvantage of the Roseville model, and the recommendation to not pursue a Roseville model at the current time in light of the challenges of the model.

In response to Council Member Johnson, Chief Benincasa stated he is not sure about the specific bail amounts as there are more than 100 separate fees.

In response to Council Member Johnson, Mr. Schwabauer stated the bail amount varies depending upon the violation and could start at \$150 not including court costs. Mr. Schwabauer stated a stop sign violation could cost up to \$220 with the court costs and the City would get anywhere from a quarter to a third of the actual fine amount.

In response to Council Member Mounce, Mr. King stated he is not sure about the time line for SB 949. Mr. Schwabauer stated the legislation appears to apply retroactively if it goes through as is currently written.

In response to Council Member Mounce, Mr. King stated a letter of opposition could be sent to Senator Orpeza, the author of SB 949, if the Council so desired. Mr. King stated the letter could be written in a broader context with a focus on the local government and court relationship. Mr. Schwabauer stated it could be amended and the letter could be sent prior to the hearing on SB 994.

In response to Council Member Johnson, Mr. Schwabauer stated the City would need to hire an administrative hearing officer at a minimum and there is a risk of a due process claim that a City employee may be bias based on the City recovering fines.

In response to Council Member Johnson, Chief Benincasa stated he will forward the specific bail amounts for the Roseville model to the City Council as requested.

In response to Council Member Mounce, Mr. Schwabauer stated the presentation for recreational vehicles is complete, will be presented by Jeannie Biskup, and is scheduled for an upcoming Shirtsleeve Session.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:49 a.m.

ATTEST:

Randi Johl
City Clerk