



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: July 16, 2008

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702

***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 Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Lodi Police Dispatchers Association, Police Mid-Managers, Fire Mid-Managers, and Association of Lodi City Employees Regarding General Services and Maintenance & Operators 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. Invocation – Pastor Dale Edwards, Century Assembly Church

C. Pledge of Allegiance

D. Presentations

- D-1 Awards – None
D-2 Proclamations – None
D-3 Presentations – None

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

E-1 Receive Register of Claims in the Amount of \$5,886,630.83 (FIN)

E-2 Approve Minutes (CLK)

- a) May 21, 2008 (Regular Meeting)
b) July 1, 2008 (Shirtsleeve Session)
c) July 8, 2008 (Shirtsleeve Session)

E-3 Approve Plans and Specifications and Authorize Advertisement for Bids for the Finance Department Relocation from Leased Office Space to City-Owned Facility (PW)

E-4 Approve Plans and Specifications and Authorize Advertisement for Bids for the Lodi Multi-Modal Station Driveway Replacement Project (PW)

Res. E-5 Adopt Resolution Authorizing the City Manager to Negotiate and Purchase Four Type 2 Medium Bus (Dial-A-Ride) Transit Vehicles Off of the State Contract; Authorizing Conversion of the Four Vehicles to Compressed Natural Gas; and Appropriating Funds (\$380,000) (PW)

- Res. E-6 Adopt Resolution Awarding the Purchase of Padmount Transformers to Various Vendors (\$148,908.36) (EUD)
- Res. E-7 Adopt Resolution Approving Downtown Parking Lot Cleaning Contract with United Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, for Fiscal Year 2008-09 and Authorizing the City Manager to Execute the Contract (\$38,828) (PW)
- Res. E-8 Adopt Resolution Authorizing the City Manager to Execute a Contract Change Order with Western Water Constructors, Inc., of Santa Rosa, for Work Related to Concrete Lining of Sludge Lagoon No. 1 and Associated Equipment at the White Slough Water Pollution Control Facility and Appropriating \$900,000 (PW)
- E-9 Report on Contract Change Orders for White Slough Water Pollution Control Facility Phase 3 Improvements Project 2007 (PW)
- Res. E-10 Adopt Resolution Amending Traffic Resolution No. 97-148 by Approving a Multi-Way Stop Control at Intersection of Lockeford Street and Mills Avenue (PW)
- Res. E-11 Adopt Resolution Authorizing the City Manager to Negotiate and Execute Cooperative Agreement with the San Joaquin Council of Governments for Dial-A-Ride Service (Fiscal Year 2008-09 to 2010-11) (\$360,000) (PW)
- Res. E-12 Adopt Resolution Renewing Line of Credit with Farmers & Merchants Bank at No Cost to the City of Lodi for the Lodi Electric Utility through June 30, 2009 (\$3,000,000) (CM)
- E-13 Authorize Funds from the Protocol Account for the City Council to Host a Reception Honoring Members of Council-Appointed Boards, Commissions, Committees, and Task Force Groups (Approximately \$2,600 / \$20 per person) (CLK)
- E-14 Receive Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation Report (PW)
- E-15 Set Public Hearing for September 3, 2008, to Consider Resolution Approving Reimbursement Agreement No. RA-08-01 for Public Improvements Constructed with the Vintner's Square Shopping Center (PW)

F. 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.

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

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

I. Public Hearings – None

J. Communications

- J-1 Claims Filed Against the City of Lodi – None
- J-2 Appointments
 - a) Appointments to the Greater Lodi Area Youth Commission (Student Appointees): Mykenzie Mattheis; Joshua Gums; Gordon Wong; Evan “Beau” Benko; Shelby Gotelli; Kelsey Orr; and Emily McConahey (CLK)
- J-3 Miscellaneous
 - a) Monthly Protocol Account Report (CLK)

K. Regular Calendar

- K-1 Provide Direction with Regard to Potential Revisions and Administrative Interpretations to Mobile Food Vending Ordinance, Lodi Municipal Code Section 9.18, “Vending on Streets, Sidewalks, and Private Property” (CD)
- Res. K-2 Adopt Resolution Amending Traffic Resolution No. 97-148 by Establishing Terminal Access Routes on Harney Lane from Hutchins Street to Stockton Street and Lower Sacramento Road from Turner Road to the Food 4 Less/Walmart Southerly (Truck) Driveway (PW)
- Res(s). K-3 Discussion and Action on Contracts with Greyhound Lines and MV Transportation and Adopt Resolutions Related to Greyhound Ticket Sales as Appropriate (PW)
- K-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Residential Water Meter Installation Project (Phase 3); and Approve Solicitation of Bids for 1,930 Water Meters and 400 Electronic Radio Transponders (PW)
- Ord. (Introduce) K-5 Introduce Ordinance Amending Lodi Municipal Code Chapter 13.16 – Solid Waste – by Repealing and Reenacting Section 13.16.010, “Definitions” (PW)
- Res. K-6 Adopt Resolution Approving a Five Percent Pay Increase for the Community Development Director Position (CM)
- K-7 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$2,386.50) (CA)

L. Ordinances

- Ord. (Adopt) L-1 Adopt Ordinance No. 1813 Entitled, “An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 5.32 – Massage Establishments – by Repealing and Reenacting Section 5.32.010, “Definitions” (CLK)
- Ord. (Adopt) L-2 Adopt Ordinance No. 1814 Entitled, “An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 12.12 – Parks – by Adding Section 12.12.055, “Interfering with Parks and Recreation Programs” (CLK)

M. Adjournment

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

Randi Johl
City Clerk



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Register of Claims Dated June 19, and June 26, 2008 in the Total Amount of \$5,886,630.83

MEETING DATE: July 16, 2008

PREPARED BY: Financial Services Manager

RECOMMENDED ACTION: Receive the attached Register of Claims for \$5,886,630.83.

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of \$5,886,630.83 dated 06/19/08 and 06/26/08. Also attached is Payroll in the amount of \$1,345,131.09.

FISCAL IMPACT: n/a

FUNDING AVAILABLE: As per attached report.

Ruby R. Paiste, Financial Services Manager

RRP/rp

Attachments

APPROVED: _____
Blair King, City Manager

Accounts Payable
Council Report

Page - 1
Date - 06/30/08
Amount

As of Thursday	Fund	Name	Amount
06/19/08	00100	General Fund	796,355.28
	00130	Redevelopment Agency	96.80
	00160	Electric Utility Fund	27,995.91
	00161	Utility Outlay Reserve Fund	4,205.81
	00164	Public Benefits Fund	2,501.79
	00170	Waste Water Utility Fund	15,880.71
	00171	Waste Wtr Util-Capital Outlay	794.36
	00172	Waste Water Capital Reserve	72,783.33
	00180	Water Utility Fund	5,920.71
	00181	Water Utility-Capital Outlay	1,018.50
	00182	IMF Water Facilities	16,139.13
	00210	Library Fund	16,919.28
	00230	Asset Seizure Fund	4,162.47
	00260	Internal Service/Equip Maint	4,861.09
	00270	Employee Benefits	474,046.96
	00310	Worker's Comp Insurance	8,500.00
	00321	Gas Tax	38,672.36
	00340	Comm Dev Special Rev Fund	2,878.90
	01212	Parks & Rec Capital	720.32
	01250	Dial-a-Ride/Transportation	1,985.53
	01410	Expendable Trust	61,905.50
Sum			1,558,344.74
	00184	Water PCE-TCE-Settlements	84.00
	00190	Central Plume	8,526.81
	00193	Northern Plume	12,300.00
Sum			20,910.81
Total for Week			1,579,255.55

Accounts Payable
Council Report

Page - 1
Date - 06/30/08
Amount

As of Thursday	Fund	Name	Amount
06/26/08	00100	General Fund	932,702.55
	00120	Vehicle Replacement Fund	8,431.13
	00130	Redevelopment Agency	4,914.75
	00160	Electric Utility Fund	504,571.94
	00161	Utility Outlay Reserve Fund	2,501,021.96
	00164	Public Benefits Fund	15,946.70
	00170	Waste Water Utility Fund	19,452.95
	00172	Waste Water Capital Reserve	11.59
	00180	Water Utility Fund	396.44
	00181	Water Utility-Capital Outlay	2,510.46
	00210	Library Fund	6,078.58
	00260	Internal Service/Equip Maint	33,270.53
	00270	Employee Benefits	30,593.55
	00321	Gas Tax	23,449.08
	00332	IMF (Regional) Streets	5,472.00
	00340	Comm Dev Special Rev Fund	11,099.65
	01212	Parks & Rec Capital	42,583.04
	01218	IMF General Facilities-Adm	3,900.00
	01250	Dial-a-Ride/Transportation	144,074.82
	01410	Expendable Trust	16,863.56
Sum			4,307,345.28
	00184	Water PCE-TCE-Settlements	30.00
Sum			30.00
Total for Week			4,307,375.28

Council Report for Payroll

Payroll	Pay Per Date	Co	Name	Gross Pay
Regular	06/15/08	00100	General Fund	882,819.80
		00160	Electric Utility Fund	163,915.97
		00164	Public Benefits Fund	5,388.93
		00170	Waste Water Utility Fund	94,219.84
		00180	Water Utility Fund	1,872.67
		00210	Library Fund	34,403.60
		00235	LPD-Public Safety Prog AB 1913	3,634.42
		00260	Internal Service/Equip Maint	19,237.34
		00321	Gas Tax	55,186.45
		00340	Comm Dev Special Rev Fund	35,761.89
		01250	Dial-a-Ride/Transportation	3,270.29
Pay Period Total:				
Sum				1,299,711.20
Retiree	07/31/08	00100	General Fund	45,419.89
Pay Period Total:				
Sum				45,419.89



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Approve Minutes
a) May 21, 2008 (Regular Meeting)
b) July 1, 2008 (Shirtsleeve Session)
c) July 8, 2008 (Shirtsleeve Session)

MEETING DATE: July 16, 2008

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve the following minutes as prepared:

- a) May 21, 2008 (Regular Meeting)
- b) July 1, 2008 (Shirtsleeve Session)
- c) July 8, 2008 (Shirtsleeve Session)

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

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

RJ/JMP
Attachments

APPROVED: _____
Blair King, City Manager

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 21, 2008**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of May 21, 2008, was called to order by Mayor Mounce at 6:00 p.m.

Present: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – Hitchcock

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

C-2 ANNOUNCEMENT OF CLOSED SESSION

a) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Association of Lodi City Employees Regarding General Services and Maintenance & Operators Pursuant to Government Code §54957.6

b) Actual Litigation: Government Code §54956.9(a); One Case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

C-3 ADJOURN TO CLOSED SESSION

At 6:00 p.m., Mayor Mounce adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:55 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:03 p.m., Mayor Mounce reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

Item C-2 (a) was discussion only.

Item C-2 (b) was not discussed.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of May 21, 2008, was called to order by Mayor Mounce at 7:03 p.m.

Present: Council Members – Hansen, Hitchcock (arrived at 8:32 p.m.) Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

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

B. INVOCATION

The invocation was given by Pastor Mark Price, St. Paul Lutheran Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mounce.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 Proclamations – None

D-3 (a) Joe Price and Lisa Vanderheiden, members of the Greater Lodi Area Youth Commission, gave a presentation to the Council regarding the accomplishments of the Commission.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Katzakian, Hansen second, approved the following items hereinafter set forth by the vote shown below:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – None

Absent: Council Members – Hitchcock

- E-1 Claims were approved in the amount of \$3,951,054.21.
- E-2 The minutes of April 30, 2008 (Special Meeting), May 6, 2008 (Shirtsleeve Session), May 6, 2008 (Public Forum hosted by Lodi District Chamber of Commerce), May 10, 2008 (Open House), May 13, 2008 (Shirtsleeve Session), May 13, 2008 (Special Meeting), and May 13, 2008 (Special Joint Meeting w/Lodi Arts Commission) were approved as written.
- E-3 Approved the plans and specifications and authorized notice for bids for Asphalt Rubber Cape Seal, Various Streets 2008 Project.
- E-4 Adopted Resolution No. 2008-82 authorizing the City Manager to proceed with installation of security improvements at Municipal Service Center, 1331 South Ham Lane, in the amount of \$83,990 and appropriating additional funds in the amount of \$21,000.
- E-5 Adopted Resolution No. 2008-83 authorizing the City Manager to approve repair of granulated activated carbon treatment vessels for DBCP treatment at Well No. 4R by Gold Star Painting, of Turlock, in the amount of \$22,170.
- E-6 Accepted the Improvements under the “City of Lodi Public Library Lighting Retrofit Project” contract.
- E-7 Adopted Resolution No. 2008-84 approving final map and Improvement Agreement for the Public Improvements for 416, 500, and 540 South Sacramento Street and directing the City Manager to execute the agreement on behalf of the City.
- E-8 Adopted Resolution No. 2008-85 approving the agreement between the City of Lodi and Spare Time, Inc., dba Twin Arbor Athletic Club, for use of pools at Twin Arbor Athletic Club facilities that will serve the summer swim league program, which will run for the period June 2, 2008 to July 20, 2008.
- E-9 Adopted Resolution No. 2008-86 authorizing the City Manager to execute an amendment to the Seattle City Light Third Phase Agreement related to transfer of rights by certain project participants.
- E-10 Adopted Resolution No. 2008-87 approving the Injury and Illness Prevention Program for the City of Lodi.
- E-11 Adopted the following resolutions pertaining to the November 4, 2008, General Municipal Election:
 - a) Resolution No. 2008-88 calling and giving notice of the holding of a General Municipal Election;
 - b) Resolution No. 2008-89 approving entering into a contract with the County of San Joaquin for the County Registrar of Voters to provide certain services;
 - c) Resolution No. 2008-90 regarding impartial analyses, arguments, and rebuttal arguments for any measure(s) that may qualify to be placed on the ballot; and
 - d) Resolution No. 2008-91 adopting regulations pertaining to the candidates’ statements.

- E-12 Authorized letters of support for Assembly Bill 38 (Nava) with respect to Department of Emergency Services and Homeland Security and Assembly Bill 2278 (Caballero) with respect to public-private partnerships for local infrastructure development.
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F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Andrew Chesley, Executive Director of San Joaquin Council of Governments, invited the public and City Council to a Community Forum to be held at the Lodi Public Library on June 3, 2008, at 6:30 p.m.
- Felix Huerta, business agent for the American Federation of State, County, and Municipal Employees, invited the City Council to participate in the negotiations process, which is to begin in June.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Johnson reported on his attendance at the San Joaquin County Rail Commission meeting and stated discussions occurred regarding possibly moving the commuter rail line to the west of the City. He stated a Sacramento city council member may no longer be in favor of running the line through the City and they will continue to monitor the progress regarding the same.
- Mayor Pro Tempore Hansen reported on his attendance at the Celebration on Central event and the President's signature of the Consolidated Public Lands bill pertaining to dams and related costs.
- Mayor Mounce commended the Community Partnership for Families on its efforts for the Celebration on Central event and AFSCME on its efforts regarding the alley clean-up project. Ms. Mounce also reported that she was nominated as the Vice-President of the Central Division of the League of California Cities.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager King invited the public to attend and provide comments at the May 10, 2008, open house for land use alternatives to be held at Hutchins Street Square.

I. PUBLIC HEARINGS

- I-1a Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mounce called for the continued public hearing to rescind Resolution 2008-81 and consider resolution adopting Engineer's Report, confirming assessments, overruling protests, and declaring assessment ballot results and annexing territory into the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 and forming Luca Place Zone 14, Guild Avenue Industrial Zone 15, and West Kettleman Lane Commercial Zone 16. *NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31.*

City Attorney Schwabauer provided a brief presentation regarding the previous action taken by the City Council on the subject matter at the May 7, 2008, City Council meeting. He explained the Engineer's Report pertained to all zones and needed to be acted upon in its entirety for all zones.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION #1 / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Johnson second, adopted Resolution No. 2008-92 rescinding Resolution 2008-81 relating to the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 in its entirety. The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – None

Absent: Council Members – Hitchcock

MOTION #2 / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Johnson second, adopted Resolution No. 2008-93 adopting the Engineer's Report, confirming assessments, overruling protests, and declaring assessment ballot results and annexing territory into the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 and forming Luca Place Zone 14, Guild Avenue Industrial Zone 15, and West Kettleman Lane Commercial Zone 16. The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – None

Absent: Council Members – Hitchcock

- I-1b "Adopt Resolution Initiating Proceedings for the Levy and Collection of Assessments, Resolution Approving the Annual Report, and Resolution Declaring Intention to Levy and Collect Assessments for the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for Fiscal Year 2008-09; and Set Public Hearing for June 18, 2008"

NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31.

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Katzakian second, adopted the following resolutions and set a public hearing for June 18, 2008, by the vote shown below:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – None

Absent: Council Members – Hitchcock

- Resolution No. 2008-94 initiating proceedings for the levy and collection of assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for fiscal year 2008-09;
- Resolution No. 2008-95 approving the Annual Report for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for fiscal year 2008-09; and
- Resolution No. 2008-96 declaring intention to levy and collect assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for fiscal year 2008-09.

J. COMMUNICATIONS

- J-1 On recommendation of the City's contract administrator and the City Clerk, the City Council, on motion of Mayor Mounce, Johnson second, rejected the following Application for Leave to Present Late Claim by the vote shown below:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – None

Absent: Council Members – Hitchcock

- a) Michael L. Ryall, date of loss 4/22/06

J-2 The following postings/appointments were made:

- a) The City Council, on motion of Mayor Pro Tempore Hansen, Johnson second, directed the City Clerk to post for the following vacancies by the vote shown below:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – None

Absent: Council Members – Hitchcock

Lodi Arts Commission

Laura Heinitz Term to expire July 1, 2009

Greater Lodi Area Youth Commission*

Student Appointees:

Megan Connors Term to expire May 31, 2008

Lee Kraljev Term to expire May 31, 2008

Amanda Stevens Term to expire May 31, 2008

Jacob Pearson Term to expire May 31, 2008

Joseph Price Term to expire May 31, 2008

Jonathan Newman Term to expire May 31, 2009

Corinne Casey Term to expire May 31, 2009

**Re-post for 15-day period*

- b) The City Council, on motion of Council Member Johnson, Hansen second, made the following appointments by the vote shown below:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – None

Absent: Council Members – Hitchcock

Greater Lodi Area Youth Commission

Adult Advisor:

Isaac Morales Term to expire May 31, 2011

Library Board of Trustees

Deane Savage Term to expire June 30, 2011

Lodi Arts Commission

Bonnie Mayer Term to expire July 1, 2010

Catherine Metcalf Term to expire July 1, 2011

Margaret Talbot Term to expire July 1, 2011

Lodi Budget/Finance Committee

Kelly Brown Term to expire June 30, 2012

John Johnson Term to expire June 30, 2012

Bob Takeuchi Term to expire June 30, 2012

Planning Commission

Wendel Kiser Term to expire June 30, 2012

Randall Heinitz Term to expire June 30, 2012

J-3 Miscellaneous

- a) The City Council, on motion of Mayor Mounce, Johnson second, received the cumulative Monthly Protocol Account Report through April 30, 2008. The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – None

Absent: Council Members – Hitchcock

K. REGULAR CALENDAR

- K-1 "Provide Direction Regarding the Fixed Rate Refinancing for the Electric Utility 2002 Variable Rate Demand Obligations and Authorize the City Manager to Effectuate the Financing Plan for the 2008 Electric Utility Fixed Rate Project"

City Manager King provided a brief introduction to the history and status of the proposed fixed-rate refinancing of the Electric Utility 2002 variable rate demand obligations (VRDO).

Deputy City Manager Krueger, Tom Dunphy of Lamont Services, and Scott Sollers of Stone and Youngberg provided a PowerPoint presentation regarding the 2002 variable rate demand bonds. Specific topics of discussion included outstanding VRDO electric utility debt, VRDO and interest swap diagram, system's underlying ratings, description of problem, financing options to solve problem, market stabilization, best and worst case scenarios, maintaining mode and swap, local banks, fixed rate refunding retaining swap and scenarios, refunding without swap and scenarios, recommendation, 2008 electric system bond structure and transaction costs, summary of proposed financing, estimated sources and uses, analysis of bond insurance bid, proposed schedule and next steps, and the recommended action regarding the same.

In response to Mayor Mounce, Mr. Krueger provided an overview of the rates from the 1970s to the present, stating the labor rate may vary from time to time. He stated the City will not see the equilibrium point in the near future.

In response to Council Member Johnson, Mr. Krueger stated that, if the City went to the 4.9%, based on history he is predicting the synthetic rate is not going to get them anywhere anytime soon. He stated the 4.9% would be locked in for the bond life and the labor would have to go to approximately 8% for the City to equal out with the fixed rate.

In response to Mayor Pro Tempore Hansen, Mr. Krueger stated the 2.2% variable rate worked in the City's favor when it saved money while the rates were down. He stated the synthetic rate was maxed out at 5% to provide relief if the numbers went wrong. Mr. Krueger stated that, while there is typically a benefit with lower interest rates, because of the market and ability to cash out bonds in the future, carriers are deciding to take the cash out now and the recommendation is to switch from the variable rate to a fixed one.

In response to Council Member Katzakian, Mr. King stated there is a risk associated with both alternatives, whether it is to keep the swap in place or to get out of it.

In response to Council Member Johnson, Mr. Krueger stated increased rating for the Electric Utility bonds could be more attractive to BNP Paribas Bank.

In response to Council Member Johnson, Mr. Krueger stated that, while a rate increase might happen in the future and the dynamics may change a bit, there is still a need to take immediate action based on the timing associated with the bonds.

In response to Council Member Katzakian, Mr. Krueger and Mr. Sollers from Stone and Youngberg stated in today's market a AAA rating is around 4.85%, BBB is around 5%, and without insurance it is approximately 5.3% to 5.65%. They confirmed that the request for proposal is based on the current rating with a reserved right to readjust as necessary.

In response to Mayor Mounce, Mr. Krueger stated the liquidity facility will no longer be provided as cash to back-up bonds by January 2009. Mr. King stated when the agreement expires it goes away and obligation to pay the entire \$46 million is due at that time rather than according to the extended amortization schedule.

In response to Mayor Pro Tempore Hansen, Mr. Krueger, Mr. Dunphy, and Mr. Sollers stated MBIA difficulties could not have been anticipated. They stated the impact on the City is that the holders of the MBIA insured bonds are nervous as to the financial condition of such bonds and are therefore trying to cash them out based on a non-favorable market perception of the insured.

In response to Council Member Johnson, Mr. Sollers stated there is a strong possibility that MBIA will break up.

In response to Council Member Johnson, Mr. Dunphy stated the investments will be placed and held in escrow, which will yield interest for cash purposes.

In response to Mayor Mounce, Mr. Sollers stated the cost would be approximately \$50,000 on a 4% rate and 5% fee.

In response to Council Member Johnson, City Attorney Schwabauer stated he is not aware of any pending actions against MBIA.

In response to Mayor Mounce, Mr. Krueger stated a subcommittee of the Lodi Budget/Finance Committee, including Committee Members Johnson and Russell, evaluated termination of the swap. He stated they were split on whether or not to terminate the swap.

In response to Mayor Mounce, Mr. Sollers stated the two matters for consideration are the liquidity of the bond disappearing and going into some mode other than variable and the possible termination of the swap. Discussion ensued between Mayor Mounce and Mr. Sollers regarding the possibilities of variable rate numbers, speculation regarding the same, and a possible negative value to keep the swap on the books.

In response to Mayor Pro Tempore Hansen, Mr. Sollers stated that, generally when the libor rate goes up, receipt on the swap goes up; although, the timing of when it will go up is questionable. He stated the libor rate last went up around 2002.

In response to Council Member Johnson, Electric Utility Director Morrow stated there may be a possible rate increase in 2012 notwithstanding the current issue. Mr. Morrow stated a 4% to 5% increase may be needed in 2010 in light of the current issue.

In response to Council Member Johnson, Mr. Morrow stated the cost for power supply will flow up or down with the Energy Cost Adjustment (ECA).

In response to Mayor Pro Tempore Hansen, Mr. Morrow stated he is hopeful that the new power plant might set off costs on the ECA side and create a savings.

In response to Council Member Hitchcock, Mr. Krueger reviewed the summary of costs associated with the proposed financing as listed on page 17 under estimated reserves and issuance costs. He stated the financing would go down if the swap remains as listed on page 18 of the handout.

In response to Council Member Hitchcock, Mr. Sollers stated insurance is required to qualify for a rating.

In response to Mayor Pro Tempore Hansen, Mr. Krueger stated that, if financial markets improve, there is an opportunity to refinance again at a later date as necessary.

In response to Mayor Pro Tempore Hansen, Mr. Dunphy stated the City is limited by tax law with respect to what can be done with this set of bonds because the City already took the advantage through the 2002 bonds from the 1999 issue. He stated the ten-year call language is standard.

In response to Council Member Hitchcock, Mr. Sollers stated the call language is usually left blank; although, given the market now most issues are fixed with ten-year standards. He stated it is hard to find buyers with a more aggressive call at this time.

In response to Council Member Hitchcock, Mr. Dunphy stated he does not anticipate any surprises for a future Council as fixed-rate transactions are as conventional and traditional as they get.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Katzakian second, directed the staff to terminate the swap and obtain a fixed rate as recommended. The motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Johnson, and Katzakian

Noes: Council Members – Mayor Mounce

Absent: Council Members – None

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Hansen second, unanimously adopted Resolution No. 2008-97 authorizing 1) Stone & Youngberg to serve as senior managing underwriter and directing the City Manager to execute contracts on the City's behalf (payable from proceeds in an approximate amount of \$345,000 to \$390,000); 2) the City Manager to engage Lamont Financial Services for a not-to-exceed amount of \$70,000 to provide financial advisor services; 3) the City Manager to engage Orrick, Herrington & Sutcliffe, LLP to serve as bond counsel (payable from proceeds in an approximate amount of \$110,000); and 4) the City Manager to incur other costs related to bond issuance not to exceed \$77,500.

RECESS

At 9:17 p.m., Mayor Mounce called for a recess, and the City Council meeting reconvened at 9:29 p.m.

K. REGULAR CALENDAR (Continued)

K-2 "Continue to Receive Budget Presentation, Invite Public Comments, and Adopt Resolutions Approving the City of Lodi Fiscal Year 2008-09 Financial Plan and Budget, the Appropriations Spending Limit, and Allocating \$15,000 of Community Development Block Grant Funds for an Eligible Spay and Neuter Program"

City Manager King provided a brief introduction into the continued subject matter of the budget presentations and adoption of the 2008-09 fiscal year budget.

Community Center

In response to Mayor Pro Tempore Hansen, Mr. Rodems stated the projected use number for last year was approximately 593 through May and the current year will likely be around 690.

In response to Mayor Mounce, Mr. Rodems stated there is not an assigned caterer for the facility and the clients are generally provided options within their budgets.

In response to Council Member Hitchcock, Mr. Rodems stated program-based budgeting may include as an example a pilot program level at no charge, a mid-level program recovering direct costs only, and a revenue generator level, which may provide revenue and funding for the no cost programs.

Discussion ensued between Council Member Hitchcock and Mr. Rodems regarding the Community Center paying for its own programming, infrastructure issues, generating more revenue than support, and possible expansion for Lodi Arts Project Foundation activities.

In response to Mayor Pro Tempore Hansen, Mr. Rodems stated revenues were up 17% in the rental area, which do not include the theater.

In response to Mayor Pro Tempore Hansen, Mr. Rodems stated they will continue to monitor the theater reviews, which were mixed and generally take four to five cycles of a season to develop a following and make a profit. He stated that, while there was an expectation of breaking even, the approximate \$100,000 loss for the theater can be attributed to economics, number of available seats, and advertising issues. He stated as for the overall budget they are continuing to generate revenues into June.

In response to Mayor Pro Tempore Hansen, Mr. Rodems stated they will continue to look at marketing uses for the theater, including trainings, and do a less aggressive program with eight shows. He stated with an overall positive position there is less of an effect of the theater program loss.

In response to Council Member Johnson, Mr. Rodems stated they would like to recover only direct costs for labor and materials and related uses from departments using the facility through a set-up fee.

In response to Council Member Johnson, Mr. Rodems stated the set up costs are not fully incorporated and based on last year the City usage cost was approximately \$75,000 to \$80,000 including loss of space and costs. Mr. King stated staff will review a policy regarding City usage of the facility at specific times throughout the year.

In response to Council Member Hitchcock, Mr. Rodems stated the smaller goals for the facility such as the pool resurfacing at approximately \$7,500 are included in the maintenance budget. He stated the lighting was incorporated in the theater budget and the approximately \$170,000 to \$180,000 for the pool heating, ventilation, and air conditioning is not in the budget.

In response to Council Member Hitchcock, Mr. Rodems stated the professional line item includes the contract for a payroll system with theater unions, on call needs based on shows, and security costs.

In response to Council Member Hitchcock, Mr. Rodems stated the approximate \$30,000 increase with staffing correlates with additional staffing for additional uses in conjunction with revenues. He stated the facility is using its own event attendants who are charged out for event supervision, which is more cost effective.

In response to Council Member Hitchcock, Mr. Rodems stated the vacancy in the stage technician position is a savings in a filled position versus a service line item.

Discussion ensued between Council Member Hitchcock, Mr. Rodems, and Mr. King regarding changes in staffing, two maintenance positions, agreement with Public Works, work being performed in a more efficient manner, no changes in the condition of the Square as an effect of staffing, and changes being made based on the tasks and needs of the operation. Mr. King stated a coordinator position was recommended in conjunction with the bargaining group, a 5% increase was provided, and an administrative secretary position was changed to an administrative clerk position.

In response to Council Member Johnson, Mr. Rodems stated the financial effect of a 50% director for Community Center and 50% director for Parks and Recreation is 1/3 to Parks, 1/3 to Recreation, and 1/3 to the Square.

In response to Mayor Pro Tempore Hansen, Mr. Rodems stated that over the year at the Square a solid team of self-motivated individuals who can be relied upon have been working on programs. He stated the span of the numbers of employees does not matter so long as there are qualified managers and supervisors and he will rely heavily on the same at the Square.

In response to Mayor Pro Tempore Hansen, Mr. Rodems stated staff can include the theater in next year's budget to track rental and revenue numbers for the theater as well.

Mayor Mounce asked for a breakdown of the non-departmental costs and numbers.

MOTION / VOTE:

The City Council passed and adopted the City of Lodi Financial Plan and Budget for the fiscal year beginning July 1, 2008 and ending June 30, 2009, and further approved the 2008-09 Appropriations Spending Limit as follows:

1. In reference to the **Police Department Budget:**

Ayes: Council Members – Hansen, Katzakian, and Mayor Mounce

Noes: Council Members – Hitchcock and Johnson

Absent: Council Members – None

2. In reference to the **Community Center Budget:**

Ayes: Council Members – Hansen, Johnson, And Katzakian

Noes: Council Members – Hitchcock And Mayor Mounce

Absent: Council Members – None

3. In reference to the **Parks and Recreation Department Budget:**

Ayes: Council Members – Hansen, Johnson, and Katzakian

Noes: Council Members – Hitchcock and Mayor Mounce

Absent: Council Members – None

4. In reference to the **2008-09 Financial Plan and Budget** (with the exception of Police, Community, Parks and Recreation as acted upon above by separate motions):

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – Hitchcock

Absent: Council Members – None

5. In reference to allocating \$15,000 of Community Development Block Grant funds to provide an eligible spay and neuter program.

Ayes: Council Members – Hansen, Hitchcock, Johnson, Katzakian, and
Mayor Mounce

Noes: Council Members – None

Absent: Council Members – None

K-3 “Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases Being Handled by Outside Counsel (\$151,666.02)”

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Hitchcock second, approved the expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel in the amount of \$151,666.02, as detailed below:

Folger Levin & Kahn - Invoices Distribution				
Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8008	108436	Apr. 08	City of Lodi v. Envision	\$138,859.97
	76554	03/11/08	Bridge City Legal, Inc.	\$ 300.00
	77806	04/30/08	Bridge City Legal, Inc.	\$ 774.08
Total				\$139,934.05

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution				
Matter No.	Invoice No.	Date	Description	100351.7323 Water Acct. Amount
11233.026	238720	04/25/08	Lodi First v. City of Lodi	\$ 2,889.50
11233.029	238720	04/25/08	AT&T v. City of Lodi	\$ 415.80
11233.030	238720	04/25/08	Water Supply Issues - Not PCE Related	\$ 804.20
Subtotals				\$ 3,305.30
Grand Total				\$4,109.50

MISCELLANEOUS

Invoice No.	Date	Description	Water Acct. Amount
887901	4/23/2008	Harry A. Cannon, Inc. re: City v. Donovan	\$ 1,961.65
08SF421101	4/21/2008	Document Services Unlimited	\$ 5,660.82
			\$ 7,622.47

L. ORDINANCES

None.

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 10:45 p.m.

ATTEST:

Randi Johl
City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JULY 1, 2008**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, July 1, 2008, commencing at 7:02 a.m.

A. ROLL CALL

Present: Council Members – Hitchcock, Hansen, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, Deputy City Attorney Magdich, and City Clerk Johl

B. TOPIC(S)

B-1 "Surface Water Treatment Facility Conceptual Design and Plant Feasibility Evaluation"

City Manager King briefly introduced the subject matter of the surface water treatment facility.

Public Works Director Sandelin and Rich Stratton of HDR provided a PowerPoint presentation regarding the surface water treatment facility conceptual design and plant feasibility evaluation. Specific topics of discussion included project goals and objectives, alternative sites, site evaluation summary, Mokelumne River Water Shed preliminary assessment, water supply and demand considerations, water supply and required treatment capacity, treatment process evaluation, membrane water treatment plant example, preliminary storm water treatment facility site plan, operations building south elevation, surface water and groundwater blending, modifications to existing delivery system, and recommended next and future steps.

In response to Council Member Johnson, Mr. Stratton and Mr. Sandelin stated the two options associated with extra water that is not used, so that it is not lost, is either seeking an amendment from Woodbridge Irrigation District (WID) or selling the water since the market is more favorable now than previously when there were no drought conditions.

In response to Council Member Katzakian, Mr. Stratton stated the City can take more than 6,000 acres per year to take bank water and there is some reserve capacity to do that as well.

In response to Myrna Wetzel, Mr. Stratton stated any noise will be contained on the inside of the building.

In response to Mayor Pro Tempore Hansen, Mr. Sandelin stated that, based on a survey around 2004 and 2005, the City uses approximately 1,000 to 1,500 acre feet per year for parks and landscaping.

In response to Mayor Mounce, Mr. Stratton and Mr. King stated the \$41 million number includes a good contingency and is a more complete cost estimate, which includes not only plant construction but also soft costs such as membranes.

In response to Mr. King, Mr. Sandelin stated in the long term he anticipates that the City's groundwater will be chlorinated.

In response to Mayor Pro Tempore Hansen, Mr. Stratton stated the City does not deal with the Regional Board in this case and the removal of water from the river is addressed by WID. He stated the City will need to obtain a permit from the California Department of Health after the plant is constructed and operating; although, communication with the department will be ongoing throughout the entire project.

In response to Mayor Pro Tempore Hansen, Mr. Stratton stated the permit is not renewed annually but rather approximately every five years. He stated fines may be imposed for non-compliance with rules and regulations, but generally a warning is received first.

In response to Mayor Pro Tempore Hansen, Mr. Sandelin stated the timeline for the project is driven by the City's ability to obtain financing and construct the plant. He stated the timeline may slow down due to housing and market conditions.

In response to Council Member Hitchcock, Mr. King stated staff is moving incrementally and the move into the harder design phase will help define the amount of money that will be needed to construct the plant. He stated there is money to move into the next phase and, based on discussions with developers, they will be moving forward around 2009-10.

In response to Council Member Hitchcock, Mr. King stated the approximate cost of land being figured into the final cost and putting that money toward parks and recreation is a policy decision for the City Council.

In response to Mayor Mounce, Mr. Stratton reviewed the anticipated preliminary schedule including the evaluation, design, public education, permitting, final design, bid and award, construction, start up, and first-year operations throughout 2011.

In response to Council Member Johnson, Mr. Stratton and Mr. Sandelin stated that the California Environmental Quality Act (CEQA) process is necessary and takes about a year or so as a rule of thumb. Mr. King stated the project will be defined to do an initial study to determine what additional CEQA steps would be needed. Mr. Stratton and Mr. Sandelin stated they do not anticipate any CEQA difficulties and the project could be design build to save time and costs.

In response to Myrna Wetzel, Mr. Sandelin stated the project size could be used with another site; although, other sites were excluded for a variety of reasons.

In response to Mayor Pro Tempore Hansen, Mr. Sandelin stated the action at the June 16 Council meeting is to adopt the report and additional steps will be brought to Council at future meetings. Mr. King confirmed that the action will be more of a "receive and file."

In response to Council Member Hitchcock, Mr. Sandelin stated the Regional Board has a role in treatment of groundwater and it is anticipated that when treated water is discharged it may also require chlorination.

In response to Myrna Wetzel, Mr. Sandelin stated they do not use fluoride and there may be some PH adjustments.

In response to Myrna Wetzel, Mr. Sandelin stated the \$41 million figure does not include any land purchase price.

In response to Council Member Katzakian, Mr. Sandelin stated the design build process would include taking the project in-house where staff would handle the construction management piece.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 7:44 a.m.

ATTEST:

Randi Johl, City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JULY 8, 2008**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, July 8, 2008, commencing at 7:02 a.m.

A. ROLL CALL

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

B. TOPIC(S)

B-1 "Lodi Animal Advisory Commission Presentation"

City Manager King briefly introduced the subject matter of the Lodi Animal Advisory Commission.

Special Services Manager Jeanie Biskup introduced the members of the Lodi Animal Advisory Commission.

Rose Hilliard provided a PowerPoint presentation regarding lifesaving shelter programs. Specific topics of discussion included lifesaving strategies, reducing shelter intake, increasing lifesaving, lifesaving model, feral cat program, spay and neuter, rescue groups, volunteer foster program, comprehensive adoption programs, pet retention, medical and behavioral rehabilitation, public retention and community involvement, volunteers, compassionate shelter director, and the need for change immediately.

In response to Mayor Mounce, Ms. Hilliard stated some of the ten suggested programs are being completed by volunteers, although to a lesser degree than is necessary through an organized program.

In response to Council Member Johnson, Ms. Hilliard stated there are three bona fide 501(c)(3) organizations in Lodi including the Cat Connection, Animal Friends, and People Assisting the Lodi Shelter (PALS).

In response to Mayor Mounce, Ms. Biskup stated the City transfers animals to PALS for adoption purposes and the animals are then pulled from PALS by Animal Friends, Cat Connection, and the city of Sacramento. She stated staff contacts and works with approximately 15 different facilities.

In response to Council Member Johnson, Ms. Biskup stated the city of Sacramento pulls adoptable dogs, of which 89% are directly adopted through the City as well. Ms. Biskup stated in general Sacramento has the same issues with cats as Lodi and other communities.

Linda Castelanelli spoke in favor of the programs as presented and requested a previous office clerk position be filled for assistance at the animal shelter.

Ms. Biskup provided a brief update on the funding that was approved through the 2008-09 budget process, stating staff is actively working on spay and neuter programs and physical improvements at the shelter as discussed.

In response to Mayor Mounce, Ms. Biskup stated shelter needs include bedding, food, leashes, and other items listed online. She stated monetary donations and assistance with fundraising for PALS, special needs animals, and spay and neuter programs is also helpful.

In response to Council Member Johnson, Police Chief David Main stated that, while the City continues to work toward a "no kill" goal and progress is being made, the numbers of animals involved make it somewhat unrealistic.

Michael Leach spoke in favor of marketing efforts by the City to increase public awareness of the animal shelter and its services.

In response to Mayor Mounce and Mr. King, Ms. Biskup stated previously the part-time shared position budget was reduced and full-time cleaning staff was retained as was necessary. Ms. Biskup stated Partners assist with office staffing at the shelter currently. Ms. Castelanelli stated it is important to have a full-time office assistant who is there daily, is trained, and knows the ins and outs of the shelter since volunteers do not have the ability to do that.

In response to Myrna Wetzel, Ms. Biskup stated she does not have the exact number associated with licensing revenue; although, she believes it was approximately \$196,000. She stated the shelter is working with a new licensing system and of the approximately 50,000 animals in the City about 3,000 are licensed.

Discussion ensued between Mayor Mounce, Mr. King, and Ms. Hilliard regarding the traditional function of disease control for shelters, animal control efforts, contracting for animal housing services, united effort between cities in the community in resolving animal control issues through a joint powers agreement or similar entity, the City's responsibility for a safe and clean shelter, the Commission's desire to work on a more detailed outline of the programs, and a possible mission statement from the City for the shelter.

Michael Leach spoke in opposition to contracting out animal shelter services based on his concerns of the level of service over an extended period of time.

Mayor Mounce asked the Commission to forward information regarding San Francisco's efforts in reaching its "no kill" goal to the City Manager.

Gina Mendes spoke in opposition to contracting out animal shelter services based on her concern that the shelter should be run like a business.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:02 a.m.

ATTEST:

Randi Johl
City Clerk



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for Finance Department Relocation from Leased Office Space to City-Owned Facility

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve plans and specifications and authorize advertisement for bids for the Finance Department Relocation Project, moving from leased office space to a City-owned facility.

BACKGROUND INFORMATION: At its May 2, 2007 meeting, City Council authorized the design work for the remodel of the former Court No. 1 building for use by the Finance Department. Working with City staff, Wenell Mattheis Bowe has completed plans and specifications for the project. A drawing of the proposed floor plan is attached for reference as Exhibit A.

Council is being asked to approve the plans and specifications and authorize advertising for bids for the project, which includes the renovation of the interior space, staff bathrooms, ADA access, and new HVAC. The project will include relocation of the existing office systems furniture. Once the project is complete, the Finance Department will move out of leased office space and into the City-owned facility.

The plans and specifications are on file in the Public Works Department.

FISCAL IMPACT: This project will be funded by monthly lease payment savings of \$11,308.

FUNDING AVAILABLE: No funding is required at this time. A funding request will be made after the bid opening, at the time of contract award.

Project Estimate: \$850,000 (includes construction administration services, construction contract, testing and inspection and other project-associated expenses)

Planned Bid Opening Date: August 21, 2008

F. Wally Sandelin
Public Works Director

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

cc: Ruby Paiste, Financial Services Manager
Gary Wiman, Construction Project Manager

APPROVED: _____
Blair King, City Manager

Exhibit A



ARCHITECTURE

PLANNING

INTERIORS

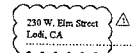
Larry Wrenell
The Architects
Thomas Fines
Architects

244
E. Main Street
Stockton, California
95202

Phone :
209 / 944-5110

FAX :
209 / 944-5711

City of Lodi
Finance Dept. Relocation



FURNITURE FLOOR PLAN
(FOR REFERENCE ONLY)



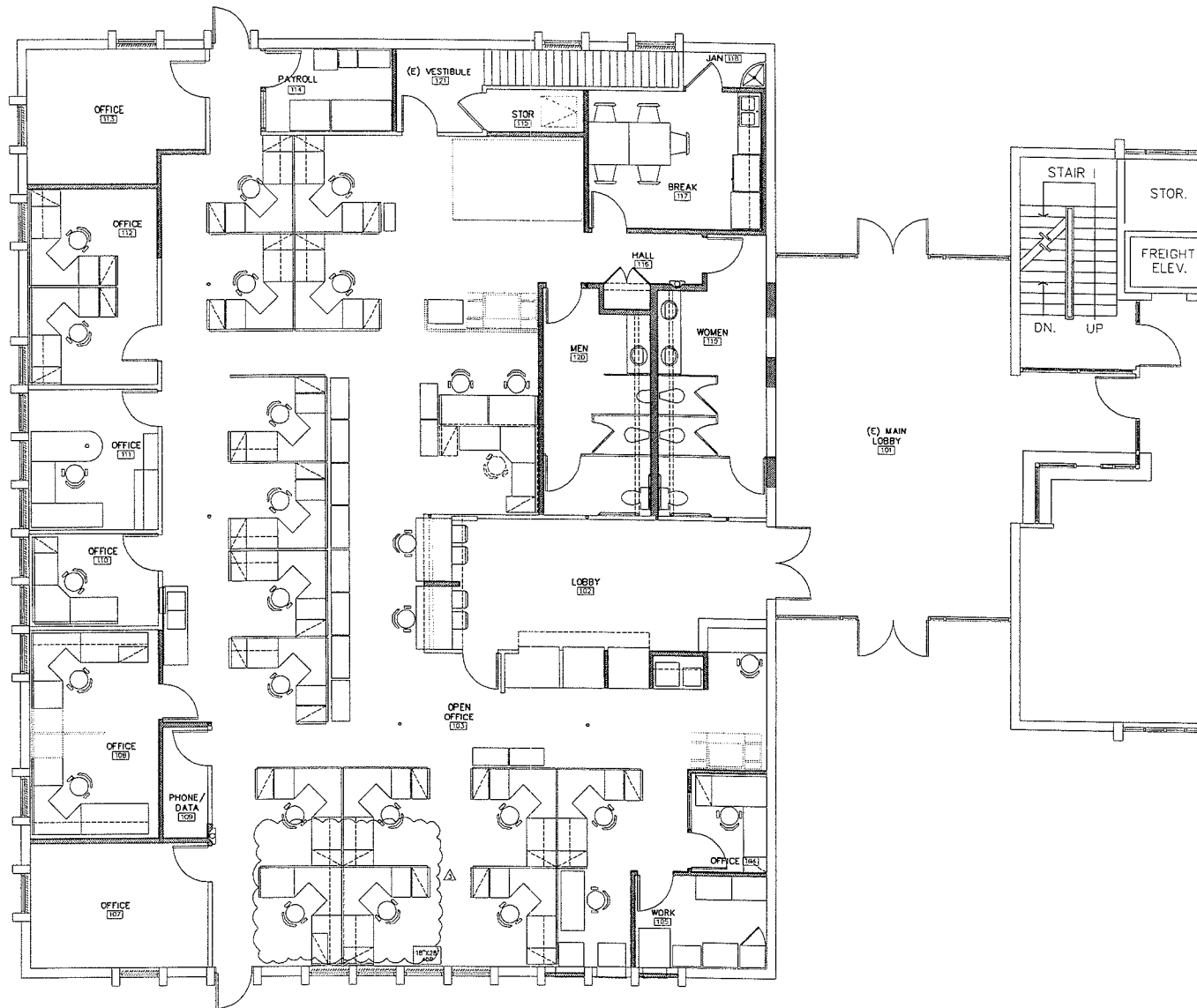
A2.4

PLAN CHECK 1-17-06

OWNER REVISION 3-27-06

12-18-07

WMB #07-34



FURNITURE PLAN (FOR REFERENCE ONLY)
SCALE : 1/4" = 1'-0"



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for Lodi Multi-Modal Station Driveway Replacement Project

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve plans and specifications and authorize advertisement for bid for the Lodi Multi-Modal Station Driveway Replacement Project.

BACKGROUND INFORMATION: The Lodi Multi-Modal Station was completed in 1999. The project included the relocation of the transit depot, construction of the north annex and clock tower, as well as the transfer island, parking lots and driveways. The driveway at the multi-modal station connects passengers at the transfer island with the passenger lobby inside the renovated transit depot. The driveway is deteriorating and has been temporarily patched to prevent a tripping hazard.

The proposed project consists of removal of the existing driveway and re-pouring the concrete driveway. The current driveway utilized decorative, colored concrete. The replacement will be traditional concrete stained to match the remainder of the Lodi Station. Core samples of the existing driveway have been completed, and the new driveway has been designed to better accommodate the weight of transit vehicles.

FISCAL IMPACT: Without replacement, the driveway will continue to deteriorate requiring more maintenance and increasing the City's liability that someone could trip and/or fall.

FUNDING AVAILABLE: This project has been included as a Transit Capital Project in the 2008/09 Fiscal Year Budget.

F. Wally Sandelin
Public Works Director

Prepared by Tiffani Fink, Transportation Manager

RCP/TMF/bss

cc: Tiffani M. Fink, Transportation Manager

APPROVED: _____
Blair King, City Manager



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Negotiate and Purchase Four Type 2 Medium Bus (Dial-A-Ride) Transit Vehicles Off of the State Contract, Authorizing Conversion of the Four Vehicles to Compressed Natural Gas (CNG) and Appropriating Funds (\$380,000)

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution authorizing the City Manager to negotiate and purchase four Type 2 medium bus transit vehicles off of the State contract, authorizing conversion of the four vehicles to compressed natural gas (CNG), and appropriating funds as shown below.

BACKGROUND INFORMATION: The City of Lodi currently operates numerous CNG vehicles and a fueling station. The Transit Division operates a fleet of 33 CNG transit vehicles. The City has received \$1 million in Proposition 1B funds for the replacement of seven transit vehicles. The four vehicles staff is proposing to purchase at this time are standard Dial-A-Ride style transit vehicles. Staff will return to Council later this year to procure the remaining three vehicles, which will be thirty-foot fixed-route vehicles.

Whereas, Lodi Municipal Code §3.20.070 authorizes use of other agencies' bids to secure the lowest price, staff is recommending that the four new gas-powered vehicles be procured off of the State contract due to the limited availability of CNG vehicles and the ease of procurement it provides. Those four vehicles will then be converted to CNG prior to the City taking possession to comply with the grant funding requirements. The vehicles will be identical to the thirteen vehicles received in the past two years and will allow for simplicity of repairs and stocking of parts. The \$380,000 for these vehicles will be from the Proposition 1B funds. The \$1 million dollars in Proposition 1B funds has already been received by the City and is only eligible for the vehicle purchases.

FISCAL IMPACT: The cost of four vehicles has been included in the budget for the Transit system. Failure to award the agreement could result in loss of the grant funding, which could result in higher maintenance costs.

FUNDING AVAILABLE: Requested Appropriation: \$380,000 from Proposition 1B funding (Fund 1252).

Kirk Evans, Budget Manager

F. Wally Sandelin
Public Works Director

Prepared by Tiffani M. Fink, Transportation Manager
FWS/TMF/pmf
cc: Fleet and Facilities Manager
Transportation Manager

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND PURCHASE FOUR TYPE 2 MEDIUM DUTY TRANSIT VEHICLES THROUGH THE STATE OF CALIFORNIA CONTRACT, AUTHORIZING CONVERSION OF THE VEHICLES TO COMPRESSED NATURAL GAS, AND FURTHER APPROPRIATING FUNDS

WHEREAS, Lodi Municipal Code Section 3.20.070 authorizes dispensing with bids for purchases of supplies, services, or equipment when it is in the best interest of the City to do so; and

WHEREAS, the City of Lodi currently operates numerous compressed natural gas (CNG) vehicles and a fueling station; and

WHEREAS, the City received Proposition 1B grant funding to replace vehicles in Fiscal Year 08/09; and

WHEREAS, staff recommends purchasing four new gasoline vehicles to be procured through the State of California contract due to limited availability of CNG vehicles and the ease of procurement provided by the State contract; and

WHEREAS, staff further recommends that the City Council authorize the City Manager to negotiate a change order with Bus West to convert the vehicles to CNG.

NOW THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to negotiate and purchase four Type 2 Medium Duty Bus (Dial-A-Ride) Transit Vehicles through the State of California contract; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to negotiate a change order with Bus West to convert the vehicles to CNG prior to the City taking possession; and

BE IT FURTHER RESOLVED that the funds be appropriated as follows:

Proposition 1 B Transit Capital Funds	\$380,000
---------------------------------------	-----------

Dated: July 16, 2008

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2008-_____



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Awarding the Purchase of Padmount Transformers to Various Vendors (\$148,908.36) (EUD)

MEETING DATE: July 16, 2008

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: Adopt a resolution awarding the bids for the purchase of padmount transformers to the bidders whose proposals and equipment meet City of Lodi specifications, and whose transformers are expected to yield the lowest life-cycle costs.

BACKGROUND INFORMATION: On March 19, 2008, the City Council authorized the Electric Utility Department (EUD) to advertise for bids as necessary to meet the EUD's needs for padmount transformers through the fiscal year.

On June 11, 2008, bids were opened for nine sizes of padmount transformers, and life-cycle costs were evaluated (Life-cycle costs are the combined total purchase price plus cost of operation based on estimated power loss during the projected life of the transformer). It is recommended that the following bids be awarded:

7 each 37.5kVA, 1-Phase	GEXPRO	\$12,973.10
8 each 50kVA, 1-Phase	GEXPRO	16,248.70
6 each 75kVA, 1-Phase	GEXPRO	14,410.49
1 each 75kVA, 3-Phase	Pauwels Transformers	5,294.84
1 each 225kVA, 3-Phase	Pauwels Transformers	8,541.34
1 each 500kVA, 3-Phase, 208Y	Pauwels Transformers	14,422.34
2 each 500kVA, 3-Phase, 480Y	Pauwels Transformers	25,752.25
2 each 1500kVA, 3-Phase	HEES Enterprises, Inc.	<u>51,265.30</u>
		<u>\$148,908.36</u>

Proposals are also evaluated on the basis of compliance with equipment and bid specifications. Failure to comply with both may lead to disqualification of the bid. A summary of the bid evaluation is attached as Exhibit A. The transformers are planned for use in residential and commercial developments and upgrades within the City. Other transformers are to bring the number of stock transformers of different sizes to the required inventory level.

FISCAL IMPACT: Procurement cost is \$148,908.36.

FUNDING: Account No. 160651.7711

Kirk Evans, Budget Manager

George F. Morrow, Electric Utility Director

PREPARED BY: Demy Bucaneg, Jr., P.E., Manager/Asst. Electric Utility Director, Engineering & Operations

APPROVED: _____
Blair King, City Manager

AGENDA ITEM

EXHIBIT A: Bid Evaluation Summary

Transformer Bid Evaluation				Bid Opening: June 11, 2008									
Padmount				Primary Windings: Three-Phase, 12000 Volt, 60Hz, Delta Connected Single-Phase, 12000 Grd. Wye/6930 Volt, 60Hz									
June 11, 2008				No Load Loss \$/watt:	3.75								
				Load Loss \$/watt:	1.25								
Bid Item 1: 37.5 kVA, 240/120 Volt, Single Phase Pad				Number of units:				7				28	>1.5
Vendor	Unit Price \$	Extended Price \$	Price w/tax \$	No Load Loss (watts)	Load Loss (watts)	No Load Loss value	Load Loss value	Cost of Losses \$	Life Cycle Cost \$	Delivery (weeks)	Height (inches)	Impedance %	
Hees Enterprises, Inc.	1,639.00	11,473.00	12,362.16	86	471	2,257.50	4,121.25	6,378.75	18,740.91	6-8	26	2.000 E	
Howard Industries, Inc.	2,080.00	14,560.00	15,688.40	90	458	2,362.50	4,007.50	6,370.00	22,058.40	6-8	28	1.900	
HD Supply Utilities Ltd.	1,841.00	12,887.00	13,885.74	94	434	2,467.50	3,797.50	6,265.00	20,150.74	8-10	24	1.500 E	
GEXPRO	1,720.00	12,040.00	12,973.10	70	448	1,837.50	3,920.00	5,757.50	18,730.60	8-10		1.820 E	
PAUWELS Transformers	NO BID												
Moloney Electric, Inc.	2,519.00	17,633.00	18,999.56	108	442	2,835.00	3,867.50	6,702.50	25,702.06	10-12	25	1.700	
Bid Item 2: 50 kVA, 240/120 Volt, Single Phase Pad,				Number of units:				8				28	>1.6
Vendor	Unit Price \$	Extended Price \$	Price w/tax \$	No Load Loss (watts)	Load Loss (watts)	No Load Loss value	Load Loss value	Cost of Losses \$	Life Cycle Cost \$	Delivery (weeks)	Height (inches)	Impedance %	
Hees Enterprises, Inc.	1,856.00	14,848.00	15,998.72	104	574	3,120.00	5,740.00	8,860.00	24,858.72	6-8	26	2.200 E	
Howard Industries, Inc.	2,345.00	18,760.00	20,213.90	110	564	3,300.00	5,640.00	8,940.00	29,153.90	6-8	28	1.900	
HD Supply Utilities Ltd.	2,035.00	16,280.00	17,541.70	113	569	3,390.00	5,690.00	9,080.00	26,621.70	8-10	24	1.600 E	
GEXPRO	1,885.00	15,080.00	16,248.70	86	585	2,580.00	5,850.00	8,430.00	24,678.70	8-10		1.940 E	
PAUWELS Transformers	NO BID												
Moloney Electric, Inc.	2,700.00	21,600.00	23,274.00	117	631	3,510.00	6,310.00	9,820.00	33,094.00	10-12	25	2.200	

APPROVED: _____
Blair King, City Manager

Bid Item 3: 75 kVA, 240/120 Volt, Single Phase Pad,												
							Number of units:	6			28	>1.8
Vendor	Unit Price \$	Extended Price \$	Price w/tax \$	No Load Loss (watts)	Load Loss (watts)	No Load Loss value	Load Loss value	Cost of Losses \$	Life Cycle Cost \$	Delivery (weeks)	Height (inches)	Impedance %
Hees Enterprises, Inc.	2,303.00	13,818.00	14,888.90	172	683	3,870.00	5,122.50	8,992.50	23,881.40	6-8	26	2.100 E
Howard Industries, Inc.	3,024.00	18,144.00	19,550.16	155	696	3,487.50	5,220.00	8,707.50	28,257.66	6-8	28	1.900
HD Supply Utilities Ltd.	2,500.00	15,000.00	16,162.50	160	663	3,600.00	4,972.50	8,572.50	24,735.00	8-10	24	1.800 E
GEXPRO	2,229.00	13,374.00	14,410.49	104	946	2,340.00	7,095.00	9,435.00	23,845.49	8-10		2.160 E
PAUWELS Transformers	NO BID											
Moloney Electric, Inc.	3,133.00	18,798.00	20,254.85	152	896	3,420.00	6,720.00	10,140.00	30,394.85	10-12	25	2.100
Bid Item 4: 75 kVA, 480Y/277 Volt, Three Phase Pad												
							Number of units:	1			65	>2.0
Vendor	Unit Price \$	Extended Price \$	Price w/tax \$	No Load Loss (watts)	Load Loss (watts)	No Load Loss value	Load Loss value	Cost of Losses \$	Life Cycle Cost \$	Delivery (weeks)	Height (inches)	Impedance %
Hees Enterprises, Inc.	5,757.00	5,757.00	6,203.17	161	1099	603.75	1,373.75	1,977.50	8,180.67	10-12	49	2.200
Howard Industries, Inc.	5,985.00	5,985.00	6,448.84	184	1032	690.00	1,290.00	1,980.00	8,428.84	8-10	44	2.500
HD Supply Utilities Ltd.	6,217.00	6,217.00	6,698.82	212	800	795.00	1,000.00	1,795.00	8,493.82	7-9	50	3.650 E
GEXPRO	6,359.00	6,359.00	6,851.82	230	810	862.50	1,012.50	1,875.00	8,726.82	10-12		4.030 E
PAUWELS Transformers	4,914.00	4,914.00	5,294.84	247	990	926.25	1,237.50	2,163.75	7,458.59	14-16	52	2.150
Moloney Electric, Inc.	10,316.00	10,316.00	11,115.49	289	789	1,083.75	986.25	2,070.00	13,185.49	12-14	63	2.900
Bid Item 5: 225 kVA, 480Y/277 Volt, Three Phase Pad,												
							Number of units:	1			65	>3.5
Vendor	Unit Price \$	Extended Price \$	Price w/tax \$	No Load Loss (watts)	Load Loss (watts)	No Load Loss value	Load Loss value	Cost of Losses \$	Life Cycle Cost \$	Delivery (weeks)	Height (inches)	Impedance %
Hees Enterprises, Inc.	8,623.00	8,623.00	9,291.28	271	3424	1,016.25	4,280.00	5,296.25	14,587.53	10-12	57	3.500
Howard Industries, Inc.	9,398.00	9,398.00	10,126.35	439	2223	1,646.25	2,778.75	4,425.00	14,551.35	8-10	51	4.900
HD Supply Utilities Ltd.	8,790.00	8,790.00	9,471.23	480	1681	1,800.00	2,101.25	3,901.25	13,372.48	7-9	50	4.020 E
GEXPRO	9,049.00	9,049.00	9,750.30	448	2,350	1,680.00	2,937.50	4,617.50	14,367.80	10-12		5.590 E
PAUWELS Transformers	7,927.00	7,927.00	8,541.34	416	2433	1,560.00	3,041.25	4,601.25	13,142.59	14-16	52	3.710
Moloney Electric, Inc.	13,126.00	13,126.00	14,143.27	573	2059	2,148.75	2,573.75	4,722.50	18,865.77	12-14	63	3.900

Bid Item 6: 500 kVA, 208Y/120 Volt, Three Phase Pad,												
								Number of units:	1		75	>4.0
Vendor	Unit Price \$	Extended Price \$	Price w/tax \$	No Load Loss (watts)	Load Loss (watts)	No Load Loss value	Load Loss value	Cost of Losses \$	Life Cycle Cost \$	Delivery (weeks)	Height (inches)	Impedance %
Hees Enterprises, Inc.	13,893.00	13,893.00	14,969.71	402	7661	1,507.50	9,576.25	11,083.75	26,053.46	10-12	49	4.400
Howard Industries, Inc.	16,331.00	16,331.00	17,596.65	858	3867	3,217.50	4,833.75	8,051.25	25,647.90	8-10	65	4.500
HD Supply Utilities Ltd.	14,316.00	14,316.00	15,425.49	864	4049	3,240.00	5,061.25	8,301.25	23,726.74	7-9	50	4.970 E
GEXPRO	14,870.00	14,870.00	16,022.43	886	3781	3,322.50	4,726.25	8,048.75	24,071.18	10-12		4.470 E
PAUWELS Transformers	13,385.00	13,385.00	14,422.34	818	4713	3,067.50	5,891.25	8,958.75	23,381.09	14-16	58	4.350
Moloney Electric, Inc.	18,392.00	18,392.00	19,817.38	1023	3846	3,836.25	4,807.50	8,643.75	28,461.13	12-14	63	4.300
Bid Item 7: 500 kVA, 480Y/277 Volt, Three Phase Pad												
								Number of units:	2		75	>4.0
Vendor	Unit Price \$	Extended Price \$	Price w/tax \$	No Load Loss (watts)	Load Loss (watts)	No Load Loss value	Load Loss value	Cost of Losses \$	Life Cycle Cost \$	Delivery (weeks)	Height (inches)	Impedance %
Hees Enterprises, Inc.	13,530.00	27,060.00	29,157.15	396	7126	2,970.00	17,815.00	20,785.00	49,942.15	10-12	49	4.500
Howard Industries, Inc.	14,683.00	29,366.00	31,641.87	858	3648	6,435.00	9,120.00	15,555.00	47,196.87	6-8	63	4.600
HD Supply Utilities Ltd.	14,888.00	29,776.00	32,083.64	865	3366	6,487.50	8,415.00	14,902.50	46,986.14	7-9	50	4.320 E
GEXPRO	14,445.00	28,890.00	31,128.98	868	3382	6,510.00	8,455.00	14,965.00	46,093.98	10-12		4.420 E
PAUWELS Transformers	11,950.00	23,900.00	25,752.25	791	4947	5,932.50	12,367.50	18,300.00	44,052.25	14-16	58	4.290
Moloney Electric, Inc.	18,240.00	36,480.00	39,307.20	1056	3470	7,920.00	8,675.00	16,595.00	55,902.20	12-14	63	4.500
Bid Item 8: 1500 kVA, 480Y/277 Volt, Three Phase Pad,												
								Number of units:	2		90	>5.3
Vendor	Unit Price \$	Extended Price \$	Price w/tax \$	No Load Loss (watts)	Load Loss (watts)	No Load Loss value	Load Loss value	Cost of Losses \$	Life Cycle Cost \$	Delivery (weeks)	Height (inches)	Impedance %
Hees Enterprises, Inc.	23,789.00	47,578.00	51,265.30	1827	9782	13,702.50	24,455.00	38,157.50	89,422.80	10-12	63	5.800
Howard Industries, Inc.	27,741.00	55,482.00	59,781.86	1551	11604	11,632.50	29,010.00	40,642.50	100,424.36	8-10	71	6.100
HD Supply Utilities Ltd.	28,990.00	57,980.00	62,473.45	1866	9711	13,995.00	24,277.50	38,272.50	100,745.95	10-12	72	5.710 E
GEXPRO	33,580.00	67,160.00	72,364.90	1,950	9,297	14,625.00	23,242.50	37,867.50	110,232.40	10-12		5.780 E
PAUWELS Transformers	24,283.00	48,566.00	52,329.87	1688	12676	12,660.00	31,690.00	44,350.00	96,679.87	14-16	72	5.750
Moloney Electric, Inc.	36,182.00	72,364.00	77,972.21	2151	9424	16,132.50	23,560.00	39,692.50	117,664.71	14-16	85	5.400

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL
AWARDING THE BIDS FOR THE PURCHASE OF
PADMOUNT TRANSFORMERS

=====

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 June 11, 2008, at 11:00 a.m. for the purchase of polemount transformers for the Electric Utility Department, described in the specifications therefore approved by the City Council on March 19, 2008; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as shown on Exhibit A attached; and

WHEREAS, the City Manager recommends the award of the bids for the various types and ratings of polemount transformers for the Electric Utility Department be made to the bidder(s) whose proposal and equipment meet City of Lodi specifications and whose transformers are expected to yield the lowest overall life-cycle costs, listed as follows:

7 each 37.5kVA, 1-Phase	GEXPRO	\$12,973.10
8 each 50kVA, 1-Phase	GEXPRO	\$16,248.70
6 each 75kVA, 1-Phase	GEXPRO	\$14,410.49
1 each 75kVA, 3-Phase	Pauwels Transformers	\$ 5,294.84
1 each 225kVA, 3-Phase	Pauwels Transformers	\$ 8,541.34
1 each 500kVA, 3-Phase, 208Y	Pauwels Transformers	\$14,422.34
2 each 500kVA, 3-Phase, 480Y	Pauwels Transformers	\$25,752.25
2 each 1500kVA, 3-Phase	HEES Enterprises, Inc.	<u>\$51,265.30</u>

\$148,908.36

NOW, THEREFORE, BE IT RESOLVED that the award of the bids for the purchase of polemount transformers for the Electric Utility Department be and the same is hereby awarded to the lowest responsible bidders, as shown above, in the total amount of \$148,908.36.

Dated: July 16, 2008

=====

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

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

RANDI JOHL
City Clerk

2008-_____



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Approving Downtown Parking Lot Cleaning Contract with United Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, for Fiscal Year 2008/09 and Authorizing City Manager to Execute the Contract (\$38,828)

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution approving a Downtown parking lot cleaning contract with United Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, for Fiscal Year 2008/09 in the amount of \$38,828 and authorizing the City Manager to execute the contract.

BACKGROUND INFORMATION: United Cerebral Palsy (UCP) has been cleaning Downtown public parking lots since 2000. Since that time, they have been successfully used at several City facilities. UCP provides meaningful work for the disabled. This program provides transportation and direct supervision for the UCP crew. In addition to strengthening the self-esteem of these crew members, the citizens of Lodi receive a service not otherwise provided. UCP has been called in the past from time to time to address one-time needs as well.

A UCP crew is composed of four persons plus a supervisor. The contract rate for a crew is \$46.50 per hour. UCP is the only non-profit organization that pays the disabled minimum wage. All others pay the crew members less and cite additional benefits such as training, transportation, supervision, and overhead as reasons for below-minimum wage.

The contract is to remove trash and litter from the Downtown Public Parking Lots 1, 2, 3, 4, 5, City Hall, Lodi Station, and Lodi Station Parking Structure. UCP provides this service Monday through Friday in the evenings. The parking lots are serviced once a week, with increased frequency at the more active locations. This contract reflects a 1% decrease of \$46. Funding will come from Transit and Street Funds.

FISCAL IMPACT: The overall fiscal impact is minor when service/benefit received is compared to cost. The entire community uses Downtown parking lots. A clean Downtown area gives the impression of a safe and welcoming environment. Lodi Station is not only the first impression for many visitors, but also the only impression for many passing through Lodi by train.

FUNDING AVAILABLE: Funds for this contract (\$38,828) are provided in the 2008/09 Operating budget.
 Budgeted: 321 Street Fund – Downtown Parking Lot Maintenance (\$16,697)
 12 Transit Fund – Lodi Station & Parking Structure Maintenance (\$22,131)

 Kirk Evans, Budget Manager

 F. Wally Sandelin
 Public Works Director

Prepared by George M. Bradley, Streets & Drainage Manager
 FWS/GMB/CJ/dsg
 cc: Curt Juran, Assistant Streets & Drainage Manager
 Downtown Lodi Business Partnership

APPROVED: _____
 Blair King, City Manager

Contract for "Parking Lot Cleaning"

This contract agreement is made and entered into this 1st day of July, 2008 between United Cerebral Palsy Association of San Joaquin, Amador, and Calaveras Counties, (hereafter referred to as the Contractor) and the City of Lodi, (hereafter referred to as the Customer). This contract intends to define the responsibilities associated with the provision of a "Parking Lot Cleaning" service by the Contractor for the Customer. The Contractor, beginning July 1, 2008, will provide services associated with the "Parking Lot Cleaning" project. The duties outlined in the contract will not officially begin until Customer specifies.

The services for "Parking Lot Cleaning" outlined in the following proposal will be conducted by persons with disabilities affiliated with the Contractor's Supported Employment program. This program is considered cost-effective for the State of California because it transitions adults with special needs into gainful employment opportunities that they would otherwise not be able to obtain under normal circumstances. Because of the unique working relationship associated with this contract, the City of Lodi's specific needs for "Parking Lot Cleaning" will be met as well as the needs of the disabled worker.

The working relationship defined under this contract may be extended or terminated by either party with a written one-month notice or mutually agreed upon time.

In addition to the terms outlined between the Contractor and the Customer, both parties agree that:

- a) No alterations or variation of the terms of the contract shall be valid unless made in writing and signed by the Contractor and the Customer and no oral understanding or agreement not incorporated in the contract shall be binding on either party to the contract.
- b) Implementation of this contract cannot occur until both parties have approved the terms specified in the contract.
- c) The Customer retains the right to use the crew for other "cleaning projects" by mutual agreement between the Customer and Contractor. Additional charges for other projects will be assessed prior to beginning any project not related to "Parking Lot cleaning".

It is suggested that the Customer, upon agreement of these terms, supply the Contractor an outline of specific responsibilities related to the "Parking Lot Cleaning" projects duties as outlined by the City of Lodi. Specific responsibilities for all parking lots include removal of litter, debris, leaves, and weeds as needed. At the Lodi Station Parking structure, specific responsibilities include those itemized above as well as washing down spilled or leaked fluids and emptying trash containers.

The Contractor's responsibilities

1. The Contractor will provide the staff to make up one (1) crew, totaling four (4) crewmembers, to ensure the production needs of the contract are met. The Contractor will assign one (1) supervisor/job coach to ensure quality and accuracy of all duties associated with the required work. It shall be the responsibility of the supervisor/job coach to keep accurate account of each service performed and to monitor the quality standards set forth by the Customer. With prior approval, the Contractor may make modifications to the work station/area to accommodate crewmembers at no cost to the Customer.
2. The Contractor will perform "Parking Lot Cleaning" for City owned parking lots as designated by the Street Superintendent. The cleaning schedule will be a rotating schedule to ensure all designated lots receive adequate cleaning for the month. For convenience and

safety UCP agrees to arrive at the lots no earlier than 4:30 p.m. (Weekends, if necessary, will be excluded from the 4:30 p.m. start time).

3. It shall be the responsibility of the Contractor to train, supervise, schedule and oversee all crewmembers at no cost to the Customer. The Contractor agrees to provide the trainer(s)/supervisor(s) to the Customer at no additional charge to the Customer. The trainer(s)/supervisor(s) will remain on-site, in the immediate work area while crewmembers are present. The Contractor has the sole responsibility of all Workers' Compensation and wages paid to each crewmember and staff assigned to the work site.
4. The Contractor and not the Customer, will pay all crewmember wages; all personnel costs and liabilities (e.g., Workers' Compensation, insurance, state and federal taxes as well as any reimbursement costs), associated with the "Parking Lot Cleaning" services rendered.
5. Detailed tracking documents, time studies and the invoice will be submitted to the Customer on a monthly basis.
6. The Contractor will properly maintain all equipment and supplies to ensure that the project services associated with the daily operations not negatively effected. If the Contractor damages any property due to negligence, or causes harm to persons through negligence, the Contractor will be responsible for all liabilities including repairing or replacing the Customer's property.
7. Notwithstanding the provisions of section 5 below under the Customer's responsibilities, all crewmembers will comply with the health and safety regulations established by the Customer while performing the contract services.
8. The Contractor will make up the lost hours due to holidays, the following business day.

The Customer's Responsibilities

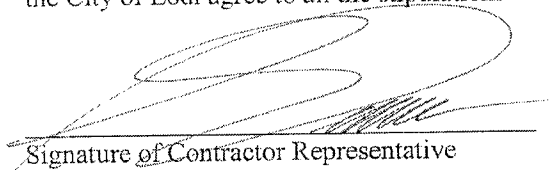
1. The Customer will reimburse the Contractor by the fifteenth (15th) working day of each month, after submission of invoice for services of \$46.50 for each hour associated with the "Parking Lot Cleaning".
2. The Customer will provide all Contractor crewmembers with "Parking Lot Cleaning" supplies and equipment specific to 'Special Services' as outlined in the proposal, to ensure the production and productivity of the contract is performed to the Customer's standards.
3. The Customer, within reason, will assist the Contractor crewmembers in locating and centralizing tools and equipment specific to the contract on an as needed basis.
4. The Customer will maintain confidentiality of all records and transactions with the Contractor.
5. The Customer will indemnify and hold harmless the State of California, its offices, agents and employees from any and all claims and losses occurring or resulting to any persons, firm or corporation that may be injured or damaged by the Contractor in the performance of this contract. This indemnity shall not apply to on the job injuries caused by the Contractor's Workers' Compensation injuries incurred by the Contractor's crewmembers.

The Contractor and the agent employees of the Contractor, in the performance of the contract, are acting in an independent capacity and not as officers or employees of the State of California.

Parking Lot Cleaning Cost Projection

FY 08-09	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
Hrs. Serviced	74	66	71	73	64	75	69	64	71	71	66	71	835
Parking Lot Cost Per Hr.	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	
Parking Lot cost Per Month	\$3,441.00	\$3,069.00	\$3,301.50	\$3,394.50	\$2,976.00	\$3,487.50	\$3,208.50	\$2,976.00	\$3,301.50	\$3,301.50	\$3,069.00	\$3,301.50	\$38,827.50

By binding signatures, United Cerebral Palsy of San Joaquin, Calaveras, & Amador Counties and the City of Lodi agree to all the stipulations in this agreement and its attachments:



 Signature of Contractor Representative

6/4/08

 Date

CITY OF LODI, a municipal corporation

 Signature of Customer Representative
 Blair King, City Manager


 Date

ATTEST:

 Randi Johl, City Clerk

 Date

Approved as to Form:



 D. Stephen Schwabauer, City Attorney

6/7/09

 Date

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING
CONTRACT FOR DOWNTOWN PARKING LOT CLEANING
FOR FISCAL YEAR 2008/09 AND FURTHER AUTHORIZING
THE CITY MANAGER TO EXECUTE THE CONTRACT

WHEREAS, the United Cerebral Palsy (UCP) has been cleaning Downtown public parking lots since 2000. Since that time, they have been successfully used at several City facilities. UCP provides meaningful work for the disabled. This program provides transportation and direct supervision for the UCP crew. In addition to strengthening the self-esteem of these crew members, the citizens of Lodi receive a service not otherwise provided. UCP has been called in the past from time to time to address one-time needs as well; and

WHEREAS, a UCP crew is composed of four persons plus a supervisor. The contract rate for a crew is \$46.50 per hour. UCP is the only non-profit organization that pays the disabled minimum wage. All others pay the crew members less and cite additional benefits such as training, transportation, supervision, and overhead as reasons for below-minimum wage; and

WHEREAS, the contract is to remove trash and litter from the Downtown Public Parking Lots 1, 2, 3, 4, 5, City Hall, Lodi Station, and Lodi Station Parking Structure. This service is provided Monday through Friday in the evenings with some locations being serviced multiple times during the week. This contract reflects a 1% decrease of \$46. Funding will come from Transit and Street Funds.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve a Downtown parking lot cleaning contract with United Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, California, for Fiscal Year 2008/09 in the amount of \$38,828; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to execute the contract.

Dated: July 16, 2008

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

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

RANDI JOHL
City Clerk

2008-_____



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Execute a Contract Change Order with Western Water Constructors, Inc., of Santa Rosa, for Work Related to Concrete Lining of Sludge Lagoon No. 1 and Associated Equipment at the White Slough Water Pollution Control Facility and Appropriating \$900,000

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution authorizing the City Manager to execute a contract change order with Western Water Constructors, Inc., of Santa Rosa, for work related to concrete lining of Sludge Lagoon No. 1 and associated equipment at the White Slough Water Pollution Control Facility and appropriating \$900,000.

BACKGROUND INFORMATION: The White Slough facility currently has one operational sludge lagoon (Sludge Lagoon No. 2) and one vacant sludge lagoon (Sludge Lagoon No. 1). Due to changes in the discharge permit, the City is required to increase the sludge-holding capacity. The most expeditious and economical method to increase sludge-holding capacity and meet the requirement is to concrete line Sludge Lagoon No. 1 and place it back in service, as shown on the attached drawing.

Staff proposes to use Western Water Constructors, Inc., to perform the work included in this change order because they are currently under contract for the Phase 3 improvements project. Western Water Constructors has crews and equipment available to begin the work immediately so that the lagoon can be completed and placed in service before the next rain season. Final change order pricing is being negotiated. The Engineer's estimate for the work is \$1,032,000. Working together on value engineering ideas, City staff and Western Water Constructors believe the work can be completed for less than \$900,000. The contract change order for this work would be approximately 5.5% of the original contract price. The requested appropriation includes contingency funds in case unknown conditions are discovered during the actual installation. The change order costs have been reviewed by City staff and our design engineers, West Yost & Associates.

FISCAL IMPACT: This work was anticipated in the cost estimates for the multi-phased White Slough Water Pollution Control Facility Improvements.

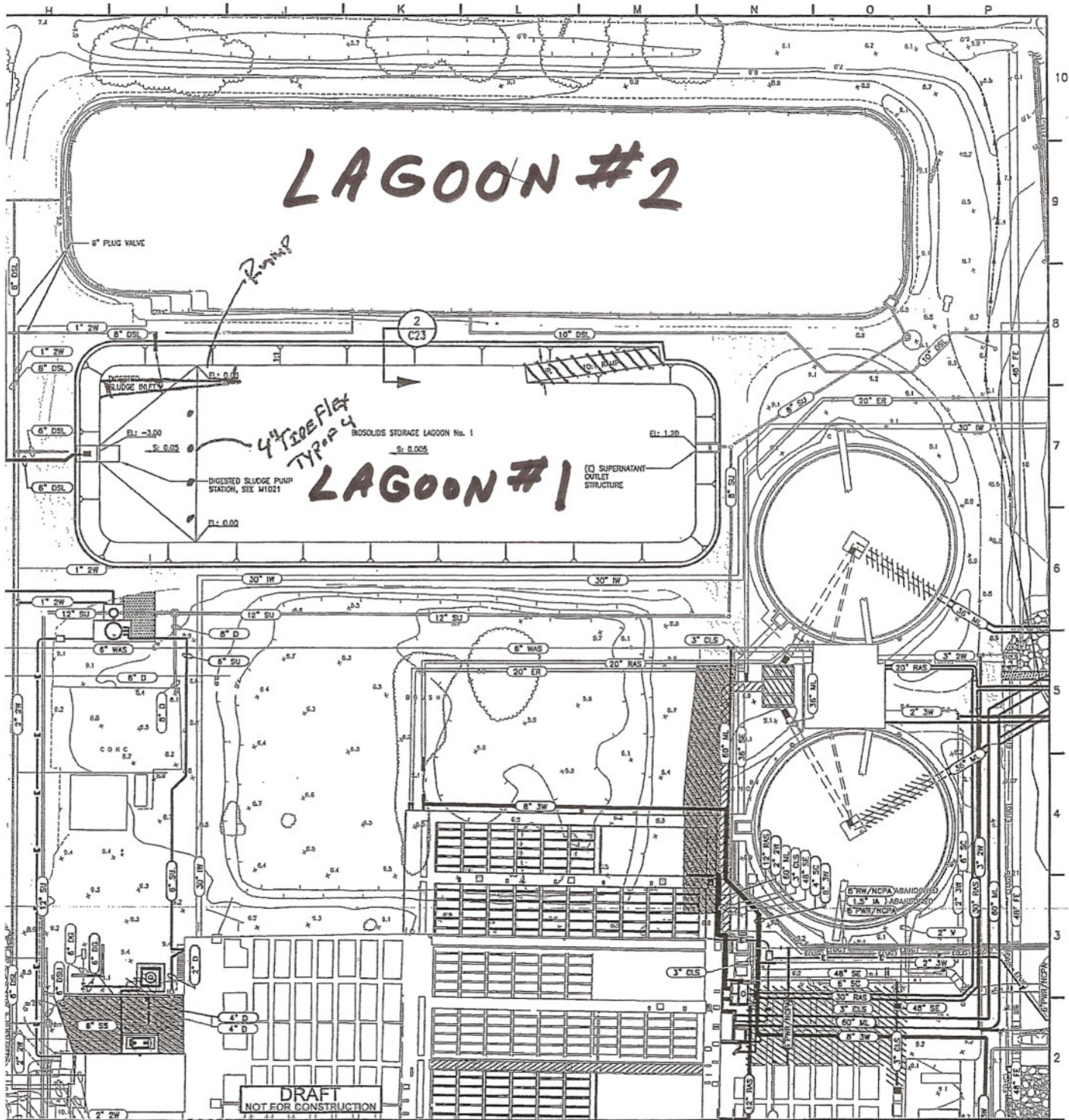
FUNDING AVAILABLE: The requested appropriation of \$900,000 will be from 2007 Certificates of Participation proceeds.

Kirk Evans, Budget Director

F. Wally Sandelin
Public Works Director

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

APPROVED: _____
Blair King, City Manager



DRAFT
NOT FOR CONSTRUCTION

WEST YOST



ASSOCIATES

Consulting Engineers

2020 Research Park Drive
Suite 100
Davis, California 95618
(530) 756-6905
FAX (530) 756-6901



WHITE SLOUGH WPCF
PHASE 3 IMPROVEMENTS PROJECT - 2007
BIOSOLIDS STORAGE & DEWATERING
IMPROVEMENTS

JOB NUMBER
213-00-07-19
DRAWING NUMBER
C22
SHEET NUMBER
OF
REVISION

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING CITY MANAGER TO EXECUTE A CONTRACT CHANGE ORDER FOR WORK RELATED TO CONCRETE LINING OF SLUDGE LAGOON NO. 1 AND ASSOCIATED EQUIPMENT AT THE WHITE SLOUGH WATER POLLUTION CONTROL FACILITY AND FURTHER APPROPRIATING FUNDS

WHEREAS, due to changes in the White Slough Water Pollution Control Facility Discharge Permit, the City of Lodi is required to increase the facility's sludge-holding capacity; and

WHEREAS, the most expeditious and economical method to increase the sludge-holding capacity is to concrete line Sludge Lagoon No. 1, which is currently vacant; and

WHEREAS, staff recommends using Western Water Constructors, Inc., of Santa Rosa, California, to perform the work because they are currently under contract for the Phase 3 improvement project and have crews and equipment available to begin the work immediately so that the lagoon can be completed and placed in service before the next rain season.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute a Contract Change Order for the White Slough Water Pollution Control Facility Phase 3 Improvements 2007 Project for work related to concrete lining of Sludge Lagoon No. 1 and associated equipment at the White Slough Water Pollution Control Facility; and

BE IT FURTHER RESOLVED that funds in the amount of \$900,000 be appropriated for this project from the 2007 Certificates of Participation proceeds.

Dated: July 16, 2008

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

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

RANDI JOHL
City Clerk

2008-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Report on Contract Change Orders for White Slough Water Pollution Control Facility Phase 3 Improvements Project 2007

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: This item is for information only. No action is required.

BACKGROUND INFORMATION: In accordance with the Contract Change Order Policy, the City Council is being informed of change orders approved by the City Manager for this project since the September 5, 2007 Council Meeting. Council also authorized the emergency repair of the Domestic Outfall pipeline (Change Order No. 11) at the October 17, 2007 meeting. The original contract for this project was \$16,387,000. The total cost of change orders to date is \$5,163,576, which is 31.5% of the original contract. Excluding Change Order No. 11, the total of the other changes are 3% of the original contract. The project is approximately 85% complete. Detailed below is a description of the work involved in the change orders. Complete descriptions and backup information for these change orders are available in the Public Works Department.

Change Order No. 9 - This change order is for the emergency repair of four sections of the domestic outfall pipeline that collapsed near Thornton Road. (\$74,959)

Change Order No. 10 - This change order is for the installation of 8-inch drain pipelines in existing Clarifiers No. 1 and No. 2. (\$21,836)

Change Order No. 11 - This change order is for the emergency repair and slip-lining of the domestic outfall pipeline between Lower Sacramento Road and White Slough, as authorized by City Council on October 17, 2007. (\$4,594,387)

Change Order No. 12 - This change order is for adding OSHA-required handrail around the headworks raised deck area. (\$10,733)

Change Order No. 13 - This change order is for various electrical changes including sludge pump and headworks light fixture replacement, headworks exhaust fan, and a chlorine building electric sub-panel. (\$25,410)

Change Order No. 14 - This change order is for rerouting secondary sludge air piping and additional concrete work at Aeration Basins No. 1 and No. 2 channels. (\$20,394)

Change Order No. 15 - This change order is for coating the headworks channels to protect the concrete from the corrosive SO₂ gases present. (\$51,589)

Change Order No. 16 - This change order is for coating the entire interior floors, walls and ceiling in the headworks to protect the concrete from the corrosive SO₂ gases present. (\$63,127)

APPROVED: _____
Blair King, City Manager

Report on Contract Change Orders for White Slough Water Pollution Control Facility Phase 3
Improvements Project 2007

July 16, 2008

Page 2

Change Order No. 17 - This change order is for the purchase of a 12-inch diesel pump and associated hoses for use in bypass work at White Slough. The unit will also be available for City emergency pumping needs. (\$42,201)

Change Order No. 18 - This change order is for adding code-required electric disconnect switches to existing plant equipment and adding control wiring to monitor the equipment. (\$51,280)

Change Order No. 19 - This change order is for rerouting the NCPA return water line and refurbishing a roadway used by the City Vacon truck on the White Slough property. (\$27,270)

Change Order No. 20 - This change order is for rerouting existing (and additional) tail-water pump piping. This work was required as a condition of the new discharge permit. (\$40,550)

Change Order No. 21 - This change order is for design services related to site electrical grounding issues. The designers are working with the Electric Utility Department to resolve electrical safety concerns at the White Slough site. (\$98,986)

Change Order No. 22 - This change order is for contractor-provided equipment and labor to assist plant staff with site clean-up and disposal of 50 years' accumulated debris and moving of stored materials. (\$48,875)

Change Order No. 23 - This change order is for electric related changes including emergency assistance the contractor provided to plant staff when the main PLC failed and the plant shut down. (\$39,383)

Change Order No. 24 - This change order is for ADA compliance work at the Administration Building main entry and for additional light fixtures. (\$19,784)

Change Order No. 25 - This change order is a CREDIT related to the Domestic Outfall Pipeline project. The work in Change Order No. 11 was completed on time and under budget. (-\$392,067)

The total contract to date is \$21,550,576.

FISCAL IMPACT: None.

FUNDING AVAILABLE: There are sufficient funds budgeted in the original project appropriation to cover these seventeen change orders.

F. Wally Sandelin
Public Works Director

Prepared by Gary Wiman, Construction Project Manager
FWS/GW/pmf
cc: Charles Swimley, Water Services Manager
Del Kerlin, Wastewater Treatment Superintendent



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Amending Traffic Resolution 97-148 by Approving a Multi-way Stop Control at the Intersection of Lockeford Street and Mills Avenue

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution amending Traffic Resolution 97-148 by approving a multi-way stop control at the intersection of Lockeford Street and Mills Avenue as shown on Exhibit A.

BACKGROUND INFORMATION: The Lockeford Street and Mills Avenue intersection has been studied based on requests for multi-way stop signs due to traffic delays adjacent to Millswood Middle School. Grapeline bus drivers have also expressed their concerns of increased traffic delay, inability to turn left, and maintaining their bus schedules.

Lockeford Street and Mills Avenue is a “T” intersection with traffic controlled by a stop sign on Lockeford Street. Mills Avenue traffic is not controlled. In reviewing collisions, traffic volumes, speeds, and average delay, the intersection meets Caltrans guidelines for a multi-way stop control. The intersection volume criteria are satisfied; however, the delay to minor street traffic is less than half of the 30 second per vehicle required. Traffic volume on Mills Avenue and Lockeford Street (74%/26%) is reasonable for a “T” intersection. Both streets are classified as collector streets and carry a significant amount of traffic, indicating this intersection is a good candidate for multi-way stop control. Staff recommends installing a multi-way stop control.

FISCAL IMPACT: None.

FUNDING AVAILABLE: Funding for the installation of two stop signs and three supplemental “All Way” signs will be from the Street Maintenance account (3215031) at an approximate cost of \$500. Striping modifications will be performed when Mills Avenue is restriped following an upcoming resurfacing project.

Kirk Evans, Budget Manager

F. Wally Sandelin
Public Works Director

Prepared by Paula J. Fernandez, Traffic Engineer and Rick S. Kiri, Senior Engineering Technician
FWS/PJF/RSK/bss

Attachment

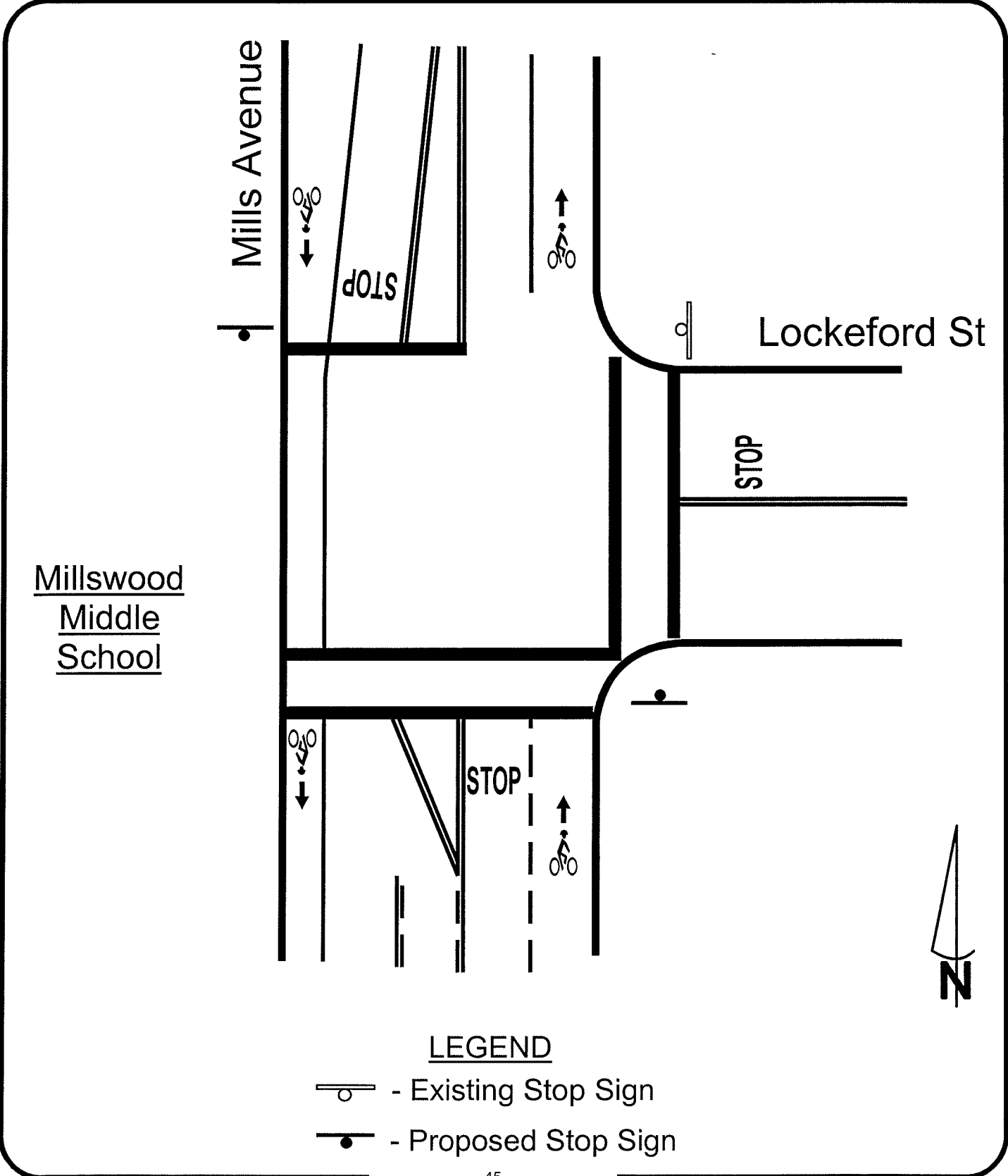
cc: Steve Schwabauer, City Attorney
David Main, Police Chief
Wes Fujitani, Senior Civil Engineer

George Bradley, Streets and Drainage Manager
Tiffani Fink, Transportation Manager
Concerned Citizens

APPROVED: _____
Blair King, City Manager



**Mills Avenue at
Lockeford Street**
Proposed Multi-way Stop



RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING
TRAFFIC RESOLUTION NO. 97-148 BY INSTALLING A
MULTI-WAY STOP AT THE INTERSECTION OF
LOCKEFORD STREET AND MILLS AVENUE

=====

WHEREAS, staff has studied the intersection of Lockeford Street and Mills Avenue due to concerns received of speeding on Mills Avenue and difficulty entering Mills Avenue from Lockeford Street due to traffic delays adjacent to Millswood Middle School. Grapeline bus drivers have also expressed their concerns of increased traffic delay, inability to turn left, and maintaining their bus schedules; and

WHEREAS, Lockeford Street and Mills Avenue is a "T" intersection with traffic controlled by a stop sign on Lockeford Street. Mills Avenue traffic is not controlled; and

WHEREAS, in reviewing collisions, traffic volumes, speeds, and average delay, the intersection meets Caltrans guidelines for a multi-way stop control. Traffic volume on Mills Avenue and Lockeford Street (74%/26%) is reasonable for a "T" intersection. Both streets are classified as collector streets and carry a significant amount of traffic, indicating this intersection is a good candidate for multi-way stop control; and

WHEREAS, staff recommends installing a multi-way stop control.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby approves a multi-way stop control at the intersection of Lockeford Street and Mills Avenue; and

BE IT FURTHER RESOLVED that the City of Lodi Traffic Resolution No. 97-148, Section 2(C)(1), "Multi-Way Stop Intersections," is hereby amended by installing a multi-way stop control at the intersection of Lockeford Street and Mills Avenue.

Dated: July 16, 2008

=====

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2008-_____



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Negotiate and Execute Cooperative Agreement with the San Joaquin Council of Governments (SJCOG) for Dial-A-Ride Service (FY 08/09 to FY 10/11) (\$360,000)

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution authorizing the City Manager to negotiate and execute a Cooperative Agreement with the San Joaquin Council of Governments (SJCOG) for the Dial-A-Ride Service Operations Project.

BACKGROUND INFORMATION: The San Joaquin Council of Governments administers the regional sales tax, Measure K. Measure K provides funding for a variety of projects, including transit funding. Previously the City of Lodi has received funding for the GrapeLine Express Routes (peak hour routes designed to reduce congestion on the fixed routes in conjunction with the beginning and ending of the school day), however, due to unforeseen revisions to the Measure K fund balances, SJCOG has notified the City that the Express Route project is unable to receive funding.

Staff has met with SJCOG staff to determine alternative projects which would be eligible for funding. SJCOG staff proposed funding \$120,000 a year in Dial-A-Ride expense which is currently paid for by TDA and FTA funds. Dial-A-Ride service is currently fully funded through TDA and FTA funding. The addition of Measure K funds would allow \$120,000 in TDA and FTA funds previously budgeted for Dial-A-Ride to be utilized for Express Route service. The proposed cooperative agreement ensures that the change in Measure K revenue has no net impact on the Transit fund or level of service provided.

FISCAL IMPACT: Without approval of the cooperative agreement, the City of Lodi would not receive Measure K Transit funding, and the current Express Routes would either be discontinued or have to be funded out of existing transit revenues.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

Prepared by Tiffani Fink, Transportation Manager
FWS/TMF/bss
cc: Tiffani M. Fink, Transportation Manager

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING COOPERATIVE AGREEMENT BETWEEN
SAN JOAQUIN COUNCIL OF GOVERNMENTS AND
THE CITY OF LODI FOR DIAL-A-RIDE SERVICE

=====

BE IT RESOLVED, that the Lodi City Council hereby approves the Cooperative Agreement between the San Joaquin Council of Governments and the City of Lodi for the Dial-A-Ride service for fiscal years 2008-2009 and 2010-2011; and

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute this Agreement on behalf of the City of Lodi.

Dated: July 16, 2008

=====

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

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

RANDI JOHL
City Clerk

2008-_____



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution renewing line of credit with Farmers and Merchants Bank (\$3,000,000) at no cost to the City of Lodi for the Lodi Electric Utility through June 30, 2009 (CM)

MEETING DATE: July 16, 2008

PREPARED BY: Budget Manager

RECOMMENDED ACTION: Adopt Resolution approving the line of credit with Farmers and Merchants Bank for \$3,000,000 through June 30, 2009.

BACKGROUND INFORMATION: On July 19, 2006, the Lodi Electric Utility secured a short-term line of credit with Farmers and Merchants Bank through June 30, 2007. This was renewed for FY 2007-08. The line of credit was not needed during this year, however, extending the line of credit for another year is appropriate in order to provide for emergency cash reserves. Farmers and Merchants Bank provides the City of Lodi with all of its banking services and has approved the line of credit to be used for Electric Utility operations and other emergency needs should they arise through June 30, 2009. If the line of credit is exercised, the loan would be secured with a certificate of deposit with the bank. Securing the repayment of loans in this manner allows for very favorable interest rates.

FISCAL IMPACT: It is anticipated there will be no additional costs for renewing the line of credit with Farmers and Merchants Bank. It is not anticipated the line of credit will be utilized, but if it is, there will be a short term interest cost associated with the amount and for the time the line of credit is utilized.

FUNDING AVAILABLE: The costs for renewing the line of credit are budgeted in the Electric Utility Fund.

Kirk J. Evans,
Budget Manager

KJE
Attachments

cc: City Attorney

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2008 - _____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT TO FARMERS & MERCHANTS BANK OF CENTRAL CALIFORNIA AND THE BORROWING OF FUNDS THEREUNDER

=====

WHEREAS, Farmers & Merchants Bank of Central California (the "Bank") has offered to provide a revolving line of credit to the City of Lodi (the "City") in the amount of three million dollars (\$3,000,000) to be available through June 30, 2009, pursuant to a loan agreement between the City and the Bank (the "Loan Agreement"), which is on file in the City Clerk's Office and incorporated herein by reference; and

WHEREAS, Government Code Sections 53850 et seq. authorize the City to borrow money by the issuance of temporary notes under the Loan Agreement; and

WHEREAS, in order to make best use of the credit facility provided by the Bank, it is desirable to delegate to the Budget Manager the authority to make borrowings under the line of credit.

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

1. Recitals. The City Council hereby finds and determines that the foregoing recitals are true and correct.

2. Approval of Loan Agreement. The proposed form of the Loan Agreement between the Bank and the City, including the form of promissory notes to be delivered by the City thereunder, as presented to this meeting, is hereby approved in substantially final form. The City Manager of the City of Lodi is hereby authorized, for and on behalf of the City Council, to execute and deliver to the Bank the Loan Agreement in substantially said form, with such changes therein as such officer, with the advice of the City Attorney, may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

3. Delegation of Authority to Make Borrowings under Loan Agreement. The City Council hereby authorizes the Budget Manager of the City, for and on behalf of the City Council, to execute and deliver to the Bank promissory notes representing borrowings under the Loan Agreement; provided that such additional borrowings are made in conformance with the terms, conditions, and limitations of the Loan Agreement and the temporary borrowing provisions of Government Code Sections 53850 et seq., all as determined by the Budget Manager. Such promissory notes shall be issued in substantially the form attached to the Loan Agreement as Exhibit B, with interest thereon, determined in accordance with the provisions of the Loan Agreement, with such changes therein as such officer, with the advice of the City Attorney, may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

4. Authorization to Execute Documents. City officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute

and deliver any and all documents that they may deem necessary or advisable in order to proceed with the borrowings authorized hereby and otherwise carry out, give effect to, and comply with the terms and intent of this Resolution. Such actions already taken by such officials and staff are hereby ratified, confirmed, and approved.

Dated: July 16, 2008

=====

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008 by the following vote:

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

RANDI JOHL
City Clerk

2008-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Authorize Funds from the Protocol Account for the City Council to Host a Reception Honoring Members of Council-appointed Boards, Commissions, Committees, and Task Force Groups (Approximately \$2,600 / \$20 per person)

MEETING DATE: July 16, 2008

PREPARED BY: City Clerk

RECOMMENDED ACTION: Pursuant to Resolution No. 2000-126, authorize expenditure of funds from the Protocol Account and direct the City Clerk to coordinate the Council-hosted reception honoring members of all City Council-appointed boards, commissions, committees, and task force groups.

BACKGROUND INFORMATION: The City Clerk’s Office traditionally coordinates an annual event hosted by the City Council to extend its appreciation to citizens who generously volunteer their time and talents toward serving their community.

The proposed format for this year’s event will be a reception at Hutchins Street Square ~ Crete Hall. The event is scheduled for Thursday, August 28, 2008, from 6:00 to 8:00 p.m.

History of costs related to this event:

2000	\$5,000	2003	\$5,900	2006	\$2,600
2001	\$5,500	2004	\$5,500		
2002	\$6,000	2005	\$2,400		

The 2007 event cost was \$2,600. The event for 2008 is anticipated to be similar in size, venue, and format to the previous year’s event.

Reception at Crete Hall, Hutchins Street Square \$20 per person x 130 persons = *\$2,600
**Includes: Invitations, catering services, food, beverages, rentals, decorations, and security*

FISCAL IMPACT: \$10,500 has been appropriated in the Protocol Account for fiscal year 2008-09, from which the cost of this event will be deducted.

FUNDING: \$2,600 from Protocol Account 100120

Kirk Evans, Budget Manager

Randi Johl
City Clerk

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation Report

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Receive Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation Report.

BACKGROUND INFORMATION: On June 21, 2006, City Council voted to employ direct use of the City's Woodbridge Irrigation District (WID) annual 6,000 acre-feet contractual allotment. Direct use involves the treatment, disinfection and distribution of water through the City's water distribution system. Subsequently, a professional services contract was awarded to HDR, Inc., of Folsom, to prepare the Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation.

Since June 2006, the Council has been led step by step through the Conceptual Design development process. This was reviewed with Council at the July 1, 2008 Shirtsleeve Meeting. A review of these steps is provided below.

1. Optional sites were considered. The 13 acres west of Lodi Lake (Site A) was selected by the City Council as the preferred site because it is City owned, has the lowest site development costs, has few permit limitations, and affords park/educational benefits.
2. Membrane filter system was selected as the treatment process for the water plant because membranes provide a positive barrier to pathogens, increased flexibility to meet future regulations, smaller and more easily expanded footprint, and greater opportunities for automation.
3. Council approved the funding for construction of the raw water supply turnout at the new Woodbridge Irrigation District fish screen.

The Surface Water Treatment Plant Conceptual Design and Feasibility Evaluation Report (Attachment A) presents a summary of thirteen Technical Memoranda that are on file in the Public Works Department. A variety of subjects are addressed including environmental, site selection, treatment process design, water blending chemistry, modifications to existing facilities, capital costs, and operations and maintenance costs.

The final cost of this study is expected to be considerably lower than anticipated (approximately \$75,000) because the contract scope of services dealing with life cycle cost comparisons, project phasing and financing options was purposely limited. The reasons for limiting the scope are attributable to the slow housing market.

Although the tendency at this stage of the planning process is to focus upon the conceptual cost of the project (\$41 million), the greater value of this study is to expose constraints, fatal flaws and opportunities that can be identified for future consideration as the project planning matures. Some of the significant aspects of this report are described below.

APPROVED: _____
Blair King, City Manager

1. The project site is located outside the 100-year flood plain and possesses no known environmental constraints.
2. The water supply turnout on the WID canal has been preliminarily approved by the California State Department of Public Health.
3. The preliminary sanitary survey shows there are few, if any, substantial threats of contamination upstream from the plant site.
4. The water plant and adjoining park uses can be accommodated on the 13-acre site. Additional site planning will occur in the future phases of the project.
5. River-viewing and educational multi-purpose facilities can be incorporated into the operations building at the water plant.
6. Efficient distribution of treated water can be accomplished by constructing a new transmission main southerly from the site along Mills Avenue.
7. Very minimal taste and odor effects are anticipated as a result of blending the surface water and ground water. Minor effects can be mitigated or they would expire over time.

The recommended next steps toward the implementation of the Surface Water Treatment Facility Project include:

1. Conduct a source water sampling program on a monthly basis for 24 months to comply with the Long Term 2 Surface Water Treatment Rule and to quantify other parameters important to the design.
2. Prepare a watershed sanitary survey that conforms to the requirements of the California Health Department.
3. Prepare preliminary design documents using final design criteria, update the site plan layout and building floor plans, develop process flow schematics, and finalize the scope of transmission and well improvement. Construction cost estimates will be refined as part of this effort.

FISCAL IMPACT: The approximate cost for the next steps in the project is \$600,000. The professional services contract for these services will be developed in the future and brought back to the City Council for approval.

FUNDING AVAILABLE: Water Development Impact Fees (182)

Kirk Evans, Budget Manager

F. Wally Sandelin
Public Works Director

FWS/bss
Attachment
cc: Kirk Evans



City of Lodi

Surface Water Treatment Facility Conceptual Design

May 2008



ONE COMPANY

Water Solutions

Surface Water Treatment Facility

Conceptual Design and Feasibility Evaluation

CITY OF LODI

Administrative Draft

May 2008



Prepared under the responsible charge of

Richard Stratton, Project Manager
Registration Number 37261



2365 Iron Point Road, Suite 300
Folsom, CA 95630

In Association with West Yost Associates

Table of Contents

Introduction.....	1
Project Goals and Report Preparation Approach	1
Background.....	1
Existing Water System	1
Projected Water Demands and Sources of Supply	2
Project Objectives	4
Report Format and Content	4
Recommended Action Items and Timeframe	5
Authorization	7
Acknowledgements.....	7
Table of Abbreviations	8
Summary of Technical Memorandums.....	11
TM 2 Alternative Site Selection.....	11
TM 3 Preliminary Watershed Assessment.....	11
TM 4 Regulatory Review	13
TM 5 Treatment Process Design Development.....	15
TM 6 Surface Water and Groundwater Blending.....	17
TM 7 Modifications to Existing Delivery System.....	18
TM 8A Operations and Maintenance Facilities.....	19
TM 8B SCADA Facilities	19
TM 9 Environmental Considerations.....	20
TM 10 – Capital and Operating Costs	21
Raw Water Pipeline and Pump Station	21
Surface Water Treatment Facility	21
Transmission Pipeline	21
Groundwater Supply Facility Improvements.....	22
Operations and Maintenance Cost Estimates	22
Cost Summary	22
TM 11 Preliminary Financing Options.....	23
TM 12 Feasibility Evaluation	24
TM 13 Geotechnical Considerations.....	25
TM 14 Raw Water Pump Station	25
Recommended Treatment Plant	25
Site Layout	25
Process Description	27
Operations Building.....	27

Reference Technical Memoranda (under separate cover)

- TM 02 - Alternative Site Selection**
- TM 03 - Watershed Assessment**
- TM 04 - Regulatory Review**
- TM 05 - Treatment Process**
- TM 06 - Surface Water and Groundwater Blending**
- TM 07 - Modifications to Existing Delivery System**
- TM 08 -**
 - 8A Operations and Maintenance Facilities**
 - 8B SCADA Facilities**
- TM 09 - Environmental Considerations**
- TM 10 - Capital and Operating Costs**
- TM 11 - Financing Options**
- TM 12 - Feasibility Evaluation**
- TM 13 - Geotechnical Considerations**
- TM 14 - Raw Water Pump Station**

SUMMARY REPORT

City of Lodi Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation

Introduction

Project Goals and Report Preparation Approach

The goals of the Surface Water Treatment Facility (SWTF) conceptual design and feasibility evaluation include:

- ◆ Evaluating five alternative sites, including a fatal flaw analysis, to select a preferred site for the SWTF. The evaluation should consider criteria including sufficient available size, flooding hazards, environmental issues, pipeline costs to reach the site, site improvements costs, other potential benefits of the site, and aesthetic compatibility with surrounding land uses including access.
- ◆ Developing preliminary design criteria for the proposed SWTF and other needed improvements including pipelines and well improvements, comparing membrane and conventional filtration, and determining the estimated capital and operating costs of the overall project. The design criteria should include an analysis of the needed capacity of the SWTF in order to fully utilize the purchased water.
- ◆ Establishing an implementation plan and schedule for completing the preliminary design, environmental documentation, final design, and the phased construction of the project.

The approach to preparing and finalizing the report involves a logical sequence of first evaluating the sites and selecting a tentative best site for the SWTF. This is followed by selecting the preferred treatment process and developing a conceptual design and preliminary costs. Based on the conceptual design, the best apparent site is reconfirmed. Financing options for the project were to be developed as part of the feasibility evaluation, but instead will be addressed in a future study after the actual project costs and potential funding sources are better defined. The information developed in this report can be used by the City to decide between the options of treating, selling, utilizing raw water for non-potable uses, or developing plans to otherwise use the water that cannot be banked.

Background

Existing Water System

The City currently utilizes groundwater as its sole source of supply. The City's existing water distribution system is a grid network of 6, 8, 10, 12 and 14-inch diameter mains, two water

storage tanks, and a total of 27 groundwater wells spaced at half-mile intervals throughout the City. The capacity of the wells ranges from 1.2 to 3.0 million gallons per day (mgd) and the total capacity of the 26 existing wells and 2 planned wells is 54 mgd. Among the 28 existing and planned wells, only 14 wells currently have standby chlorination equipment. The groundwater is normally not chlorinated in the distribution system. The City is approximately 12-square miles in size and is bordered on the north by the Mokelumne River and on the west by the WID South Main Canal and Lower Sacramento Road. The topography is flat valley floor that slopes gently to the southwest. Starting at the Mokelumne River at elevation 55, the land falls to elevation 26 at the southwest corner over a distance of approximately 6-miles.

Projected Water Demands and Sources of Supply

Projected Water Demands

The City's Urban Water Management Plan (UWMP) projected the City's total future demand based on an average increase rate of 1.5 percent over the recorded 2004 demand of 17,011 AFY (15.2 mgd). Average annual potable water demands are expected to increase to 25,100 AFY (22.4 mgd) by 2030. With 15 percent residential user conservation, the future demand is anticipated to be reduced to 21,300 AFY (19 mgd).

Current and Projected Water Supply

The City has historically used from 11,462 AFY of groundwater in 1970 to 17,011 AFY used in 2004. Historical data indicate that the City's groundwater elevation decreased on average 0.39 feet per year from 1927 to 2004, although groundwater elevation also fluctuates due to annual rainfall. Historical groundwater elevation and annual rainfall are presented in Figure 1. This figure indicates that the groundwater basin underlying Eastern San Joaquin County that supplies the City's wells is in an overdraft condition. The 2005 UWMP estimates that the safe yield of the underlying groundwater basin is approximately 15,000 AFY on an acreage-based relationship. The declining groundwater basin is a result of groundwater extraction by all groundwater users in the area, including other cities, agriculture, private well owners, and the City.

The City plans to reduce its groundwater pumping in the long term as part of a regional effort to stabilize the groundwater basin. To achieve this goal, the City of Lodi entered into a purchase contract with Woodbridge Irrigation District (WID) in October 2003 and began purchasing 6,000 acre-feet per year (AFY) of WID's pre-1914 Mokelumne River water entitlement. The purchase is intended to supplement the City's water supply to meet long term water demands and to reduce the City's dependence on the groundwater aquifer. The City evaluated alternatives for utilizing the purchased water including recharge in spreading basins and construction of a surface water conveyance and treatment system to allow for direct use by current and future users.

The UWMP projected the future water supply will include groundwater, surface water, and recycled wastewater. The projected groundwater supply will be 15,000 AFY from now until year 2030, based on an estimated safe yield of the groundwater basin serving the City. The projected surface supply is 6,000 AFY from now until year 2043 based on a contract with WID.

Potentially an additional 7,000 AFY could be secured after that based on the formula of 3 AF of water for each acre of City land within the WID service area converted from agricultural to municipal/industrial uses. The projected recycled water supply is 10,380 AFY in 2030 based on the UWMP.

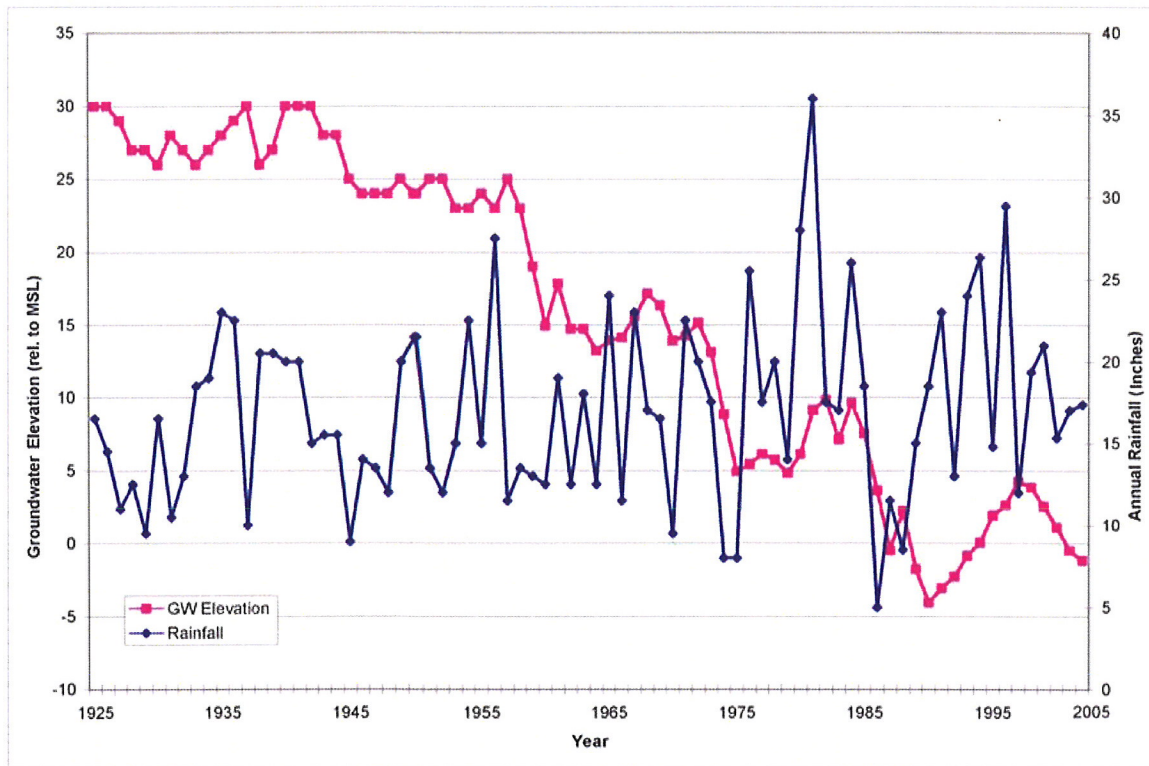


Figure 1. Historical groundwater elevation and annual rainfall

Improvements to the WID water delivery system funded in part by the City’s water purchase include construction of an inflatable dam to raise the water level in the river. The City has not yet used any WID water and has negotiated with WID to extend the banking period for unused water. The diversion of WID water from the Mokelumne River is permitted from March 1 through October 15. The City is currently negotiating with EBMUD to allow operation of the SWTF year-round with 1,000 AFY available from October 16 through the end of February. WID has indicated they will be able to leave the inflatable dam in place year round to allow water supply to the City through the recently completed fish screen and canal intake structure. The intake structure is fitted with a 48-inch outfall pipe to supply water to the City.

The City also investigated the possibility of using the purchased water to recharge the aquifer with spreading basins. However, the costs of this option and the lack of control of the fate of the water once it enters the aquifer has led the City to pursue utilizing the water by treating and pumping the water into the existing water distribution system.

Project Objectives

This report summarizes the conceptual design and feasibility evaluation of alternatives for a surface water treatment facility, storage facilities, and distribution system improvements capable of utilizing the full 6,000 AFY of purchased WID water. Objectives of the feasibility evaluation include:

- ◆ Selecting a site for the water treatment plant and ensuring there are no known environmental constraints or technical/engineering problems with the site that would be fatal flaws to implementing the project.
- ◆ Evaluating conventional and membrane treatment processes and selecting the best treatment technology based on an evaluation of Mokelumne River water quality and regulations. Based on the preferred treatment process, develop a conceptual design for the SWTF.
- ◆ Performing modeling of the water distribution system to evaluate transmission main options to convey treated water from the new SWTF to the City's existing water system also considering supplying water to future development on the west side of the City.
- ◆ Performing field investigation of the existing well sites and identifying required improvements to provide chlorination capability.
- ◆ Evaluating upgrades to the existing City SCADA system
- ◆ Evaluating blending of surface water and groundwater including an evaluation of the existing distribution system piping corrosion layers. Develop recommendations for treatment or other needed measures to prevent customer taste and odor complaints.
- ◆ Evaluation of options for upgrading the City's SCADA system and operations and maintenance activities to accommodate the new SWTF and well improvements.
- ◆ Determining all permits required for the Project and establishing an approach for environmental CEQA compliance.
- ◆ Estimating the total capital and operating cost for the Project and developing a financing plan for the project.
- ◆ Laying out a plan for the next steps to implement the project and developing a project schedule.

Report Format and Content

The Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation Report consists of this Summary Report and a Technical Appendix with the individual subject technical memorandums (TMs) as follows:

1. Summary Report
- Technical Appendices:
2. Alternative Site Selection

3. Preliminary Watershed Assessment
4. Regulatory Review
5. Treatment Process Design Development
6. Compatibility of Groundwater and Surface Water Supplies
7. Modifications to Existing Delivery System
- 8a. O&M Facilities
- 8b. SCADA Facilities
9. Environmental Considerations
10. Capital and Operating Costs
11. Financing Options
12. Feasibility Evaluation
13. Geotechnical Considerations
14. Raw Water Pump Station

Recommended Action Items and Timeframe

The recommended next steps towards implementation of the SWTF project include:

Conduct Source Water Sampling – Sampling of the Mokelumne River for Cryptosporidium should be started in accordance with Source Water Monitoring Guidance Manual for Public Water Systems under the Long Term 2 Enhanced Surface Water Treatment Rule (LT2). The proposed sampling location should be at the recently constructed WID canal intake/fish screen. At least 3 months prior to sampling, the City must submit the proposed sampling plan to CDPH for approval. LT2 requires at least monthly sampling for 24 months for the following: Cryptosporidium, E. Coli, and turbidity. Additional parameters that should be measured include: pH, alkalinity, conductivity, hardness, iron, manganese, total organic carbon, dissolved organic carbon, total and fecal coliform, and temperature.

Prepare Watershed Sanitary Survey – A watershed sanitary survey (WSS) that conforms to the CDPH Surface Water Treatment Rule requirements should be completed. The WSS will allow for determination of the treatment requirements for Cryptosporidium that will need to be incorporated into the SWTF design.

Prepare Preliminary Design Report – The preliminary design report will include confirmation of the SWTF design capacity, update of the site layout and building floor plans, alternative analyses and final selection of treatment processes, updated process flow schematics, and update of transmission main and well improvements plans. The report will serve as the basis of design for the final design and will provide detailed information that will be used for environmental documentation and an updated cost estimate. Other activities that may take place during the preliminary design phase include further geotechnical investigation and bench scale testing and/or pilot testing to confirm membrane design parameters.

Financing Plan – Once project costs are better defined during the preliminary design and potential funding sources are identified, a financing plan should be developed that looks at funding sources, finance options and rate impacts.

CEQA Documentation – Preparation of an initial study is recommended to establish the need for either a mitigated negative declaration or full EIR for the project. As part of the CEQA process public meetings can be held to provide education about the project. Needed permits will be determined as part of the CEQA documentation process.

Detailed Design – The detailed design will include preparation of detailed plans and specifications for the SWTF, pipelines and well improvements. Necessary building permits will be obtained. A final construction estimate based on the completed design will be prepared.

Bidding and Contractor Selection – Bid documents will be prepared and advertised for bid by qualified contractors. Bid results will be reviewed and if acceptable a notice of award will be made to the lowest responsible, responsive bidder.

Construction and Start-up – Construction of the first phase project is anticipated to take approximately 15 months. Towards the end of construction, an operations and maintenance manual will be prepared and used to train operators for the new SWTF. Newly trained operators would then be involved with the start-up and testing of the new SWTF.

A proposed project implementation schedule is presented in Table 1.

Table 1: Proposed Schedule

Project Activity	2007	2008	2009	2010	2011
Feasibility Evaluation					
Preliminary Design					
CEQA/Public Education					
Permitting					
Final Design					
Bid and Award ¹					
Construction					
Startup					
First Year Operations					

¹ Assumes conventional design/bid/build delivery. Alternative delivery methods include design/build, design/build/commission, or design/build operate.

Authorization

The Agreement for Consulting Services and Notice to Proceed for the Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation was received by HDR on May 11, 2007.

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West Yost Associates: Bruce West, Chris Ewers, Richard Hubel, and Gerald Fejarang.

Table of Abbreviations

AFY	Acre-feet per year
AAWARF	American Water Works Association Research Foundation
BMPs	Best Management Practices
CAA	Clean Air Act
Cal EPA	California Environmental Protection Agency
CCIC	Central California Information Center
CCT	Central California Traction Company
CDFG	California Department of Fish and Game
CDPH	California Department of Public Health
CEQA	California Environmental Quality Act
CHRIS	California Historical Resources Information System
CIP	Clean-in-Place
City	The City of Lodi
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CWA	Clean Water Act
D/DBP	Disinfectants/Disinfection Byproducts
DAF	Dissolved air floatation
DBPs	Disinfection byproducts
DE	Diatomaceous Earth
DOC	dissolved organic carbon
DTSC	Department of Toxic Substances Control
EBMUD	East Bay Municipal Utility District
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
fps	Feet per second
FRP	Fiber-reinforced plastic
GAC	Granular activated carbon
gfd	Gallons/ft ² /day
gpm	Gallons per minute
GWR	Ground Water Rule
HAAs	Haloacetic acids
HOCl	Hypochlorous acid
HPC	Heterotrophic plate count
IDSE	Initial distribution system evaluation
IESWTR	Interim Enhanced Surface Water Treatment Rule
LCP	Local control panel
LCR	Lead and Copper Rule
LMRWSPC	The Lower Mokelumne River Watershed Planning Committee
LT1ESWTR	Long Term 1 Enhanced Surface Water Treatment Rule
LT2ESWTR	Long Term 2 Enhanced Surface Water Treatment Rule
MCC	Motor control center
MCL	Maximum contaminant level

MDS	Microwave Data Systems
MF	Microfiltration
mg/L	Micrograms per liter
mg/L	Milligrams per liter
Mgal	Million gallon
mgd	Million gallons per day
MIB	Methylisoborneol
mL	Milliliter
MRDLs	Maximum residual disinfectant levels
MRDLs	maximum residual disinfectant levels
NAHC	Native American Heritage Commission
NF	Nanofiltration
NF/RO	Nanofiltration or reverse osmosis
NMFS	National Marine Fisheries Service
NOM	Naturally-occurring organic matter
NPDES	National Pollutant Discharge Elimination System
NPSMP	Non-Point Source Management Plan
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NTU	Nephelometric turbidity units
OES	Office of Emergency Services
PAC	Powered activated carbon
PL 92-500	Federal Water Pollution Control Act
PLC	Programmable logic controller
PRVs	Pressure-reducing valves
psi	Pounds per square inch
RCRA	Resources Conservation and Recovery Act
RMC	RMC Water, Inc.
RO	Reverse Osmosis
ROW	Right-of-ways
RTUs	Remote Telemetry Units
RWPS	Raw water pump station
RWQCBs	Regional Water Quality Control Boards
SCADA	Supervisory control and data acquisition
SDWA	Safe Drinking Water Act
SJCRCD	San Joaquin County Resource Conservation District &
SOCs	Synthetic organic chemicals
SWRCB	State Water Resources Control Board
SWTF	Surface Water Treatment Facility
SWTR	Surface Water Treatment Rule
TAC	Technical Advisory Committee
TCR	Total Coliform Rule
TDS	Total dissolved solids
THMs	Trihalomethanes
TMs	Technical memorandums
TOC	Total organic carbon



TSCA	Toxic Substances Control Act
TT	Treatment techniques
TTHMs	Total trihalomethanes
TTHMs	Trihalomethanes
UC	University of California
UF	Ultrafiltration
UPRR	Union Pacific Rail Road
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S Fish and Wildlife Service
USGS	U.S. Geological Survey
UV	Ultraviolet
UWMP	Urban Water Management Plan
VFD	Variable frequency drive
VOCs	Volatile organic chemicals
WDRs	Waste Discharge Requirements
WTP	Water Treatment Plant

Summary of Technical Memorandums

A brief summary of each of the individual technical memorandums (TMs) is presented here. These TMs include the technical evaluations, alternative present worth analyses, other pertinent evaluations, and conclusions/recommendations.

TM 2 Alternative Site Selection

Five alternative treatment plant sites were evaluated to assess their feasibility for constructing a SWTF. The locations of the treatment plant sites and the needed raw water and treated water distribution pipelines alternative alignments are shown in Figure 2. The feasibility evaluation was based on the criteria listed below.

- ◆ Sufficient size of site (at least 5 acres needed).
- ◆ Environmental issues and the ability to avoid significant environmental impacts.
- ◆ Estimated costs including transmission pipeline costs and site improvement costs.
- ◆ Other benefits such as aesthetic compatibility and use of facilities by public for educational purposes.

A site was eliminated if a significant impact to the environment was identified or the site was not of sufficient size. Alternatives were ranked based on the estimated costs of the project components that are site dependent, with the lowest cost project ranked first. The selected site, (Lodi Lake Site) is of sufficient size, does not have any significant environmental impacts, is the lowest overall cost site, and also provides the opportunity for public education relating to the river and water supply.

Conclusions and Recommendations

The site selection process was performed early in the process and even preceded many of the other TMs. After completion of the TMs the results presented in the Summary Report still confirm the decision to select the Lodi Lake Site to be correct.

TM 3 Preliminary Watershed Assessment

The objectives of this TM are: (1) to review existing watershed reports/data and summarize water quality data; (2) to identify human and natural activities that may affect water quality; and (3) to determine the level of treatment required based on identified microbiological and other contaminant sources.

This TM provides an overview of the Lower Mokelumne River watershed between Camanche Dam and the Woodbridge Irrigation District (WID) Canal intake and will serve in the future as a basis for the watershed sanitary survey for the SWTF. The Upper Mokelumne River watershed consists primarily of forests and lightly populated open land.

Additionally, Pardee and Camanche Reservoirs separate the Upper and Lower Mokelumne River watersheds. For this reason this TM focuses on the Lower Mokelumne River watershed.

The drainage area below Camanche Dam encompasses 80 square miles and is mostly agricultural with some urbanized land. The City of Lodi is the only incorporated city in the watershed. Other communities include Acampo, Lockeford, Clements, Victor, and Woodbridge. Outside the urban areas, agricultural use predominates in the watershed from Camanche Reservoir to Lodi. Estimated agricultural use trends are 51 percent vineyard, 31 percent dairy/grazing, 9 percent orchard, 8 percent annual cropland, and 1 percent idle.

The potential contaminant sources in the watershed are low to moderate and include: Urban, and industrial runoff; Agricultural runoff from: grazing animals, concentrated animal facilities, pesticide/herbicide use; Wild animals; Mine runoff; Solid and hazardous waste disposal facilities; Recreational use; Unauthorized activity; Transportation corridors and bridges; Geologic/seismic hazards; and Fires.

The City of Lodi Public Works Department collected water quality data at four sampling sites from May 2006 through July 2007. Water quality at Site 1 (Mokelumne River), which is not affected by the operation of Woodbridge Dam, was sampled throughout the year. Water quality at Sites 2 and 3 (WID Canal) was sampled only from April through October when water was present in the WID Canal. Water quality at Site 4 (Woodbridge Dam) was sampled only from November through March. It should be noted that data represent the general quality of the water at the sampling sites. Additional sampling has been performed by City Storm Water trackers during the winter season. This data has shown that the raw water turbidity could be greater than 50 NTU during a storm event.

Conclusions and Recommendations

Overall, the Mokelumne River is an excellent water source that has low total dissolved solids (TDS) and total organic carbon (TOC) concentrations. No "fatal flaws" in water quality or contamination threats were discovered. The levels of total coliform and *Giardia* Cysts are slightly elevated. A surface water treatment plant utilizing either membranes or the combination of conventional filtration followed by ultraviolet disinfection is recommended.

A watershed sanitary survey (WSS) that conforms to the CDPH Surface Water Treatment Rule requirements should be completed. The WSS will allow for determination of the treatment requirements for *Cryptosporidium* that will need to be incorporated into the SWTF design.

TM 4 Regulatory Review

The delivery of a treated surface water supply into the City water system will require additional water quality monitoring and data reporting and compliance with additional drinking water regulations. Many of the drinking water regulations are applicable to both the existing groundwater supplies and the proposed surface water supply, but several regulations that will

apply to the surface water supply are of minimal relevance to the existing groundwater supplies.

Drinking water regulations of particular importance to the surface water supply project include:

- ◆ National Primary Drinking Water Regulations (1975)
- ◆ Secondary Drinking Water Regulations (1979, 1991)
- ◆ Phases I, II and V Regulations (1987, 1991 and 1992, respectively)
- ◆ Surface Water Treatment Rule (1989)
- ◆ Total Coliform Rule (1989)
- ◆ Lead and Copper Rule (1991)
- ◆ Consumer Confidence Reports Rule (1998)
- ◆ Stage 1 Disinfectants and Disinfection Byproducts Rule (1998) that superseded Total Trihalomethane Rule (1979)
- ◆ Interim Enhanced Surface Water Treatment Rule (1999)
- ◆ Unregulated Contaminants Monitoring Rule – First Cycle (1999)
- ◆ Groundwater Rule (2006)
- ◆ Filter Backwash Recycling Rule (2001)
- ◆ Long-Term 2 Enhanced Surface Water Treatment Rule (2006)
- ◆ Stage 2 Disinfectants and Disinfection Byproducts Rule (2006)
- ◆ Unregulated Contaminants Monitoring Rule – Second Cycle (2006)

The California Department of Public Health (CDPH) is a primacy agency with responsibility for enforcement of the federal and state Safe Drinking Water Acts. In some cases, the CDPH has yet to establish a state regulation as a companion to a federal regulation, but is responsible for enforcement of the federal regulation (e.g. Groundwater Rule). On the other hand, the CDPH has established several maximum contaminant levels (MCLs) that are more stringent than the corresponding federal MCLs and additional MCLs for several federally unregulated contaminants. The more stringent of the CDPH and federal regulations and MCLs will apply to the SWTF project.

The SWTF design is anticipated to provide the City with the necessary tools to achieve and maintain compliance with the current drinking water regulations. However, the CDPH may promulgate additional regulations affecting the SWTF design in the future. The initial design can address any additional regulatory requirements that take effect prior to SWTF construction. Future regulatory requirements are best accommodated by designing the SWTF for adaptability and including space allowances for future plant additions.

Conclusions and Recommendations

The City is advised to conduct a comprehensive water quality monitoring and testing program to better characterize the surface water supply, and address the findings of this program in the SWTF design. In future preparation for SWTF startup, the City will need to expand its water quality monitoring program for the distribution system in consultation with the CDPH to ensure compliance with the regulatory requirements.

Sampling of the Mokelumne River for *Cryptosporidium* should be started in accordance with Source Water Monitoring Guidance Manual for Public Water Systems under the Long Term 2 Enhanced Surface Water Treatment Rule (LT2). The proposed sampling location should be at the recently constructed WID canal intake/fish screen. At least 3 months prior to sampling, the City must submit the proposed sampling plan to CDPH for approval. LT2 requires at least monthly sampling for 24 months for the following: *Cryptosporidium*, E. Coli, and turbidity. Additional parameters that should be measured include: pH, alkalinity, conductivity, hardness, iron, manganese, total organic carbon, dissolved organic carbon, total and fecal coliform, and temperature.

Various other regulations and permitting requirements will affect the SWTF design, construction and operation. Therefore, the City is advised to meet and consult with CDPH on a regular basis over the course of project development and to include a permitting action plan in the scope of services for the SWTF design phase to avoid significant delays in obtaining the necessary construction and operation permits.

TM 5 Treatment Process Design Development

The design capacity of the SWTF should be sufficient to treat the contracted surface water and future surface water supplies. The design capacity should allow for treating the available surface water per the WID agreement and allow the wells to be exercised throughout the year.

For the purposes of this analysis, it is assumed that the first phase of the SWTF will be required to fully utilize the 6,000 AFY contracted surface water. The SWTF will treat 5,000 AF from March 1 to October 15 and 1,000 AF from October 16 to end of February, assuming that EBMUD allows the City to use 1,000 AFY during winter. The required design capacity of the first phase SWTF is 8 mgd. The final phase of the SWTF could potentially be sized to fully utilize the maximum 13,000 AFY of potential future contracted water. The SWTF will treat 11,000 AF from March 1 to October 15, and 2,000 AF from October 16 to end of February, assuming a 2,000 AF winter diversion is allowed by EBMUD. The estimated design capacity of the final phase SWTF is 20 mgd.

Treatment technologies available for the SWTF include either a conventional process consisting of coagulation, flocculation, sedimentation, dual media (anthracite/sand) filtration; or a membrane treatment process utilizing microfiltration or ultrafiltration membranes. Design criteria for each alternative treatment process are developed considering raw water quality, treated water quality goals. The alternatives were compared based on capital cost, operation and maintenance cost, and other factors.



Conclusions and Recommendations

Both conventional treatment and membrane treatment were evaluated for the SWTF and both technologies could treat the water to meet current regulations. Membrane filtration is recommended based on its ability to provide a positive barrier against pathogens, smaller foot print, less chemical usage, lower sludge production, ease of expansion, and lower total present worth cost.

Based on the initial and final phase surface water demands, it is recommended that the City construct an 8 MGD SWTF for the first phase. This size of plant will allow utilization of the current 6,000 ac-ft per year contracted water. Any banked water over and above this amount will be available for sale or other non-potable uses within the City. Space should be reserved for a future planned expansion to 20 mgd.



Picture of two Memcor submerged membrane systems (Yuba City, CA- upper left, and Bendigo, Australia- lower left), a Zenon 1000 membrane cassette module (South San Joaquin Irrigation District-upper right), and a Pall pressure membrane system (Yucaipa Valley Water District- lower right)

Disinfection usually is the last step of a treatment process and provides the final barrier against pathogens prior to pumping to the distribution system. Types of disinfection systems

considered include ultraviolet (UV) light, chlorine, chloramines, and ozone. To meet EPA and California Department of Public Health regulations log removal/disinfection of pathogens and to maintain a residual in the distribution system, chlorine is recommended. To minimize risks to the public sodium hypochlorite solution is the recommended form of chlorine to be added.

Two buildings are proposed for the SWTF – one to house the membrane filtration equipment, offices, laboratory, control room, and public education element and a second building for chemical storage, residuals handling, workshop and high service pumping. The building architecture will be selected to enhance and compliment the surrounding area.

TM 6 Surface Water and Groundwater Blending

The treated surface water supply will account for about one-third of the total delivery into the water distribution system, on average, but potentially ranging from zero to nearly 100 percent of the total delivery depending on day-to-day and month of the year water supply operations. Some customers are likely to receive one source of supply almost exclusively. Other customers may experience frequent changes depending on their geographic locations with respect to the existing groundwater supplies and the proposed surface water supply. Due to the anticipated changes and variations in distributed water quality, groundwater and surface water supply compatibility is an important consideration for corrosion control, regulatory compliance, and customer satisfaction.

Maintenance of a detectable chlorine residual throughout a surface water distribution system is required by the Surface Water Treatment Rule, and continuous disinfection of most groundwater supplies is required by the recently promulgated Groundwater Rule. Therefore, the City will need to retrofit chlorination equipment and continuously chlorinate the groundwater supplies when required by the Groundwater Rule or concurrently with SWTF startup, whichever comes first.

The existing distribution system contains pipelines, fittings and valves constructed of various metallic and non-metallic materials. The City's piping has experienced below average rates of pipeline corrosion with the existing groundwater supplies. However, the Mokelumne River water is relatively soft, has a tendency to dissolve calcium carbonate, and without treatment, could increase the rates of corrosion of unlined iron and steel pipelines and the erosion of asbestos-cement pipelines. Proposed chemical additions at the SWTF will reduce the corrosion potential and the related effects on distributed water quality, but cannot achieve complete compatibility of the groundwater and surface water supplies. Older galvanized steel service connections and plumbing materials are particularly susceptible to increased rates of corrosion particularly after initial introduction of surface water before equilibrium is achieved.

Conclusions and Recommendations

Given the low levels of corrosion scales observed in the existing distribution system, blending of surface water with the existing groundwater system will be feasible with adjustment of pH and addition of corrosion inhibitor to the surface water entering the distribution system.

The City should initiate continuous chlorination of the groundwater supplies at least several months prior to SWTF startup, and gradually increase the chlorine dosages, to acclimatize the customers and pipelines to the presence of chlorine residuals.

The City should initiate a public education program in advance of groundwater chlorination and SWTF startup to prepare the City water customers for the anticipated changes in water quality.

TM 7 Modifications to Existing Delivery System

With the introduction of a new surface water supply, distribution system modifications will be required to distribute surface water efficiently to the existing distribution system and to modify existing groundwater wells to accommodate water quality monitoring and disinfection regulations.

The City's hydraulic model was used to determine which modifications will be most effective at integrating the Phase 1 flows from the SWTF. The hydraulic model was operated by City staff. When an analysis was needed for this project, the project team submitted modeling requests to the City, and the City returned results in the form of mapping and pumping rate tables.

The Phase 1 SWTF production facility is sized to deliver 8.0 million gallons per day (MGD), or approximately 5,600 gallons per minute (gpm). The SWTF will operate year-round to provide the 6,000 acre-feet per year available from the Woodbridge Irrigation District. The SWTF will store as much as 3.0 million gallons in its clearwell, allowing the SWTF to provide as much as 10 MGD, or approximately 7,000 gpm, to the distribution system during peak demands. The modeling was performed based on maintaining a wellhead pressure of 60 psi and meeting the City's pressure criteria for fire flow and peak hour demands.

Two transmission main alignments were evaluated by the model: 1) Holly Drive – 6,000 feet of 24-inch diameter pipeline and 2) Mills Avenue 2,450 feet of 36-inch diameter pipeline. Based on this evaluation, it is recommended that the City construct a 36-inch-diameter transmission pipeline beginning at the existing 10-, 12-, and 14-inch-diameter pipes at the intersection of North Mills Avenue and West Turner Road, then south along North Mills Avenue to the intersection with West Lockeford Road, connecting to existing pipelines six inches in diameter and larger with PRVs to allow maintain existing pressures in the distribution system to allow for exercising existing wells.

The hydraulic modeling also indicates that the City will not need to replace any of the well pumps with higher-head pumps due to the surface water supply, but this assessment must be validated by calibrating the model.

Conclusions and Recommendations

Only one of the existing groundwater supply facilities already has permanent chlorination equipment. With the introduction of surface water, it is recommended that all of the other groundwater supply facilities be updated to a common sodium hypochlorite continuous

chlorination configuration to meet EPA and State regulations for maintaining chlorine residual in distribution systems.

The following modifications to the existing well installations and distribution system are recommended:

- ◆ Chlorination of each groundwater supply to provide a minimum of 0.5 mg/L of residual chlorine at the entry point into the distribution system.
- ◆ Continuous monitoring of the chlorine residual at each distribution system entry point.
- ◆ A supervisory control and data acquisition (SCADA) system should monitor the chlorine residual measurements, well pump on/off status, and the chemical feed pump on/off status, and alert the on-call operator of any anomalies or failures of the chlorination system operation.
- ◆ Construction a 36-inch-diameter transmission pipeline beginning at the intersection of North Mills Avenue and West Turner Road, then south along North Mills Avenue to the intersection with West Lockeford Road, then south along North Mills Avenue to the intersection with West Lockeford Road, connecting to existing pipelines six inches in diameter and larger with PRVs to allow maintain existing pressures in the distribution system to allow for exercising existing wells.

TM 8A Operations and Maintenance Facilities

Conclusions and Recommendations

Based on discussions with City operations and engineering staff, it was agreed that the functions at the site should be separated into two buildings based on whether they are “clean” or “dirty” tasks. The proposed operations building (“clean” building) will contain laboratory, and administration facilities that will showcase the advanced membrane treatment technology and SCADA system with public exhibits in the Operations building. Only the Operations building will be designed to meet the requirements of the American with Disabilities Act (ADA). Of the proposed two stories in the Operations building, the first floor will include an electrical maintenance shop, lobby, locker rooms administration, laboratory, offices, process control center, and filtration room. The second floor will include the meeting rooms, exhibit space, and public restrooms.

The facilities associated with dirtier activities are proposed for the Accessory Building. This building will include chemical handling facilities, solids dewatering, high service pumps, workshops for technical staff, spare parts warehouse, mud room, and a unisex lavatory. A maintenance shop and storage area will be provided in the chemical building.

TM 8B SCADA Facilities

The existing utilities Supervisory Control, Alarm, and Data Acquisition (SCADA) system consists of Remote Telemetry Units (RTUs) located at the well sites, lift stations, and pump stations. The existing RTUs are Landis & Gear units that are in the process of being replaced with PLC based RTUs. The current system network utilizes a leased telephone line and

communicates over the telephone lines to the RTUs. The new RTUs are expected to communicate in a similar fashion. The existing central station is located at the City's corporation yard and the operator monitors the water system, storm water system, wastewater system and the power system at the same location. In addition to the telephone line communication, there is an existing fiber optic cable network installed on the City's power distribution poles. The fiber optic cable network is connected to the central station, City Hall, Police Department and provides connections to various electrical substations for monitoring and communication.

Recommendations

Utilizing the existing fiber optic network to the extent possible is recommended. The existing fiber optic cable network could be easily extended to the surface water treatment facility (SWTF) site. There is a fiber optic node at the Maclane substation which is adjacent to the proposed site of the SWTF. The reliability and speed of communicating over fiber optic cable is much better than operating over a radio link or telephone. At each remote site, (well, lift station, and pump station) the cost of connecting to the fiber optic cable should be evaluated.

The recommended PLCs for the SWTF are Allen Bradley and the recommended SCADA program is RSView. This matches the PLCs and SCADA program used at the White Slough WWTP. Plant operators and technicians are already familiar with these systems, which will allow for more efficient overall operation for the City.

TM 9 Environmental Considerations

The City of Lodi Public Works Department identified four potential SWTF sites and gave HDR the option of identifying one or more additional sites to be included in the screening process. Sites A through D were identified by the City as potential SWTF sites (Figure 2). Site E was identified by HDR as an additional potential site based on its location along the Woodbridge Canal and near the west side of the City's water distribution system (Figure 2).

Reconnaissance-level field surveys were conducted for each of the five selected sites and their general pipeline routes. In addition, aerial photographs, U.S. Geological Survey (USGS) quadrangle maps, and other readily available information about each alternative site were reviewed. The environmental constraints associated with the five potential SWTF sites and the general routes of their respective raw and treated water pipeline were evaluated. Constraints for evaluation include land use, biological resources, and cultural resources. The purpose of this study is to identify any "fatal flaws" stemming from environmental issues at each alternative SWTF site. This assessment is qualitative in nature, rather than quantitative. A qualitative assessment is suited to fatal-flaws analysis because environmentally-related fatal flaws are readily identifiable with coarse-level detail.

The Lodi Lake Site possesses the least constraints for development based on land use and biological resources. The General Mills site possesses the fewest constraints based on biological and cultural resources. Because of land use constraints, and biological and cultural

resources; the old landfill site along the railroad right-of-way is unacceptable as a potential site. The sites along the WID canal would convert agricultural land to industrial uses.

Recommendations

Considering all environmental constraints, the Lodi Lake site would be the most acceptable site for the Surface Water Treatment Facility (SWTF).

No environmental fatal flaws were discovered for the Lodi Lake site.

TM 10 - Capital and Operating Costs

Implementation of the surface water supply project will require a major capital investment by the City of Lodi (City) and will increase the operations and maintenance (O&M) costs for the City water system. Therefore, preliminary capital and O&M cost estimates were prepared to assist the City in budgeting for project implementation. The scope of this analysis is confined to the Phase 1 flows for the project, the facilities necessary to deliver the water under the City's existing contract with Woodbridge Irrigation District for 6,000 acre-feet per year of raw water.

The capital cost components include a raw water pipeline and pump station, surface water treatment facility (SWTF), finished water storage facility and pump station, a transmission main, existing groundwater supply facility improvements, and associated engineering and other project delivery costs.

Raw Water Pipeline and Pump Station

Approximately 240 lineal feet of 48-inch diameter pipeline are needed to connect the Mokelumne River diversion facility to a raw water pump station, approximately 2,200 lineal feet of 30-inch diameter pipeline, and 340 feet of 30-inch-diameter bore-and-jack crossing are needed to connect the raw water pump station to the SWTF. The construction cost estimate is \$2.9 million, excluding contingencies.

Surface Water Treatment Facility

The primary assumptions for the SWTF construction cost estimate are a nominal capacity of 8.0 million gallons per day (mgd) to accommodate Phase 1 flows and the use of positive pressure driven membrane filtration as described in Technical Memorandum No. 5 (TM 5). A preliminary estimate of the construction cost itemized in Table 13 of TM 5 totals \$21.7 million (without considering the raw water pumping station), and excluding contingencies.

Transmission Pipeline

To accommodate the anticipated Phase 1 flow rates, the surface water supply project will include approximately 2,450 lineal feet of 36-inch diameter transmission pipeline and several pressure reducing stations from the SWTF to the existing water distribution system. (See TM 7 and Table 3 for details.) The transmission pipeline cost estimate of \$1,852,000. The estimated construction costs are calculated with 2008 values and escalated to the anticipated years of

construction. These projected values take into account the projected inflation rate for materials and energy.

Groundwater Supply Facility Improvements

At present, chlorine residuals are not required or maintained in the water distribution system. However, the City will need to implement continuous chlorination of the groundwater supplies in the near future due to regulatory requirements addressed in TM 4. For the current evaluation, it is assumed that the City will retrofit wells with chlorination equipment at wells 3R, 5, 6R, 10C, and 13 through 17. The remaining groundwater wells would not require capital improvements, and the City would not construct additional groundwater supply facilities for the life of the surface water supply project. The individual groundwater supply facility improvement construction cost estimates range from approximately \$21,000 to \$29,000, depending on well pump capacity. The total construction cost estimate of approximately \$232,000 for the nine groundwater supply facilities was escalated to the anticipated years of construction.

The total project capital cost estimate including engineering, financing costs, and contingency is \$42.0 million in 2008 dollars.

Operations and Maintenance Cost Estimates

The O&M cost components include chemicals, labor, power, solids disposal, and outsourced services starting in the first year (2011) of SWTF operations. The initial total annual estimated cost including contingency is \$2.2 million per year.

Cost Summary

The capital and O&M cost of the recommended projects is summarized in Table 2.

Table 2: Capital and O & M Costs

Capital Cost	\$
Feasibility Study/Pre-Design @ 2% of Construction Cost	\$ 507,300
Detailed Design @ 8% of Construction Cost	\$ 2,110,300
Field Investigations/CEQA/ Permitting @ 3% of Construction Cost	\$ 791,400
Construction of Raw Water Pipeline and Pump Station	\$ 3,116,000
Construction of Surface Water Treatment Facility	\$ 20,798,000
Construction of Transmission Mains	\$ 1,852,000
Construction of Grndwtr. Well Station Improvements (w/Disch. Improvements)	\$ 613,000
Securing Bonds @ 1.5% of Construction Cost	\$ 395,700
Construction Management @ 7% of Construction Cost	\$ 1,846,500
Engineering Services during Construction @ 5% of Construction Cost	\$ 1,318,900
Subtotal	\$ 33,349,100
Combined Cost Contingency @ 30% of Construction Cost	\$ 7,913,700
Project Cost	\$ 41,263,000

O & M Costs	\$
Chemicals (Groundwater)	\$146,200
Chemicals (Surface water)	\$515,600
Labor	\$624,300
Net Power (SWTF minus groundwater well power costs)	\$91,400
Solids Disposal	\$26,000
Outsourced Services	\$63,200
Total Annual O & M Cost	\$1,467,000

TM 11 Preliminary Financing Options

The original concept for financing the design and construction of the facility was based partially on development fees from new construction. Due to the general economic slow down and lack of residential development, both the fees from new construction and demand for service from the water treatment plant have altered how we might pay for this project, and certainly the time line for construction.

Goodwin Consulting Group (GCG) will coordinate with HDR and City staff to (i) compile cost estimates for the water treatment facilities and ongoing O&M costs, (ii) confirm assumptions related to existing and future development within the City, and (iii) identify the benefit units (i.e. gallons per day or other factors) specific to each land use that were used by HDR to estimate the cost of the improvements. GCG will set up a dynamic model that will be used to allocate costs to participating land uses and to test scenarios developed in conjunction with the City relative to the amount of contribution, if any, from existing land uses. GCG will then calculate the one-time burdens that would result if the improvements were funded on a pay-as-you go basis, which will define the “fair share” participation for each residential unit and non-residential acre. If requested, GCG will present a projected revenue stream based on given absorption assumptions to demonstrate how impact fee revenues would compare to facility costs as development in the City progresses. This cash flow analysis is likely to demonstrate that funding gaps will occur, which will mandate equity contributions or the use of public financing mechanisms to generate lump-sum funding to close the gaps. GCG will prepare a land-secured financing analysis to demonstrate annual cash flows assuming the sale of tax exempt, Mello-Roos bonds to fund facilities as needed based on the infrastructure phasing schedule. This analysis will be highly implementation-oriented and will consider all details that could impact formation of a financing district and issuance of bonds.

GCG will also determine the monthly water rates that will be needed to pay the ongoing operations and maintenance costs associated with the water treatment facilities. Once again, GCG will work with HDR and the City to define various scenarios relative to participation by existing rate payers and new development, and the monthly rate for each scenario will be calculated.

TM 12 Feasibility Evaluation

A fatal flaw evaluation for the Lodi Lake site was conducted to ensure that site is suitable for the SWTF. Further investigation of Site A was performed to uncover any potential fatal flaws. A discussion of the potential fatal flaws and findings follows:

Environmental Hazards – A Phase I Environmental Site Assessment of the Lodi Lake site was conducted by Youngdahl Consulting Group. A copy of the report is found in TM 13. The findings indicate that the site was historically used as a vineyard until the 1980s and has been fallow for the last 20 years. The assessment revealed no evidence of recognized environmental conditions.

Geotechnical Issues – A feasibility level geotechnical investigation of the Lodi Lake Site was conducted by Youngdahl Consulting Group (See TM 13). The study concluded that soil conditions are good and that construction of the proposed SWTF at the Lodi Lake site is feasible without the need for unusual or costly construction methods. HDR recommends that the additional soil borings be drilled and the depth to groundwater checked again when Lodi Lake is full to determine the high groundwater level at the site.

Ability to Supply Water to the City – The Lodi Lake site is well situated between the WID fish screen intake point and the distribution system. Construction of a raw water pump station and pipeline is presented in TM 14 and is found to be feasible. Construction of a finished water pipeline along Mills Avenue to feed surface water into the distribution system was shown to be feasible in TM 7.

Blending of Surface Water with Existing Groundwater System – An evaluation of the water chemistry of the surface water and its potential effects on the water distribution was evaluated in TM 6. The evaluation concluded that by raising the pH and adding a polyphosphate corrosion inhibitor, the surface water can successfully be blended with the groundwater with minimal noticeable impacts to users. Addition of chlorination systems to the existing wells that do not already have these facilities will be feasible.

Accessibility of Facilities for O&M activities – A detailed site plan was developed for the site based on input from the City Parks Department. A joint use entrance off of Turner Road that can be shared by both the park and the SWTF has been presented in TM 05.

Access to the SWTF and Park and sharing of the site will not present a fatal flaw.

Recommendations

Based on further analysis of the selected Lodi Lake Site, no fatal flaws were uncovered. Construction and operation of the proposed SWTF at the Lodi Lake site is found to be feasible.

TM 13 Geotechnical Considerations

To further evaluate the feasibility of the recommended site, a geotechnical feasibility study and a Phase I Environmental Site Assessment were conducted on the Lodi Lake site by Youngdahl Consulting Group.

Recommendations

Based on the results of the field explorations and analysis, the feasibility study concluded that construction of the proposed STWF at the Lodi Lake site is feasible from a geotechnical standpoint as long as the recommendations in the report are incorporated into the design plans and implemented during construction. The Phase I ESA found no recognized environmental conditions at the Lodi Lake Site.

TM 14 Raw Water Pump Station

The raw water pump station design is based on supplying raw water to the SWTF. The initial and final phase capacities of the SWTF are 8 million gallons per day (MGD) and 20 MGD, respectively, based on TM 5 - SWTF Treatment Process Design Development. A preliminary RWPS layout and pipeline alignment will be developed. The County is planning to widen and reconstruct Lower Sacramento Road in the near future. Ideally, the pipeline alignment should be determined in sufficient detail to be included in the design of the roadway improvements. The initial phase is expected to be in operation in three years and the final phase will be built much later.

The location of the RWPS is planned to be on property owned by WID to the west of Lower Sacramento Road and south of the WID canal that is close to the fish screen and the 48-inch connection installed with the fish screen project. The pump station will include ultimately 6 vertical turbine pumps inside of a building and a standby generator. The City and WID are negotiating to lease a portion of the WID owned land.

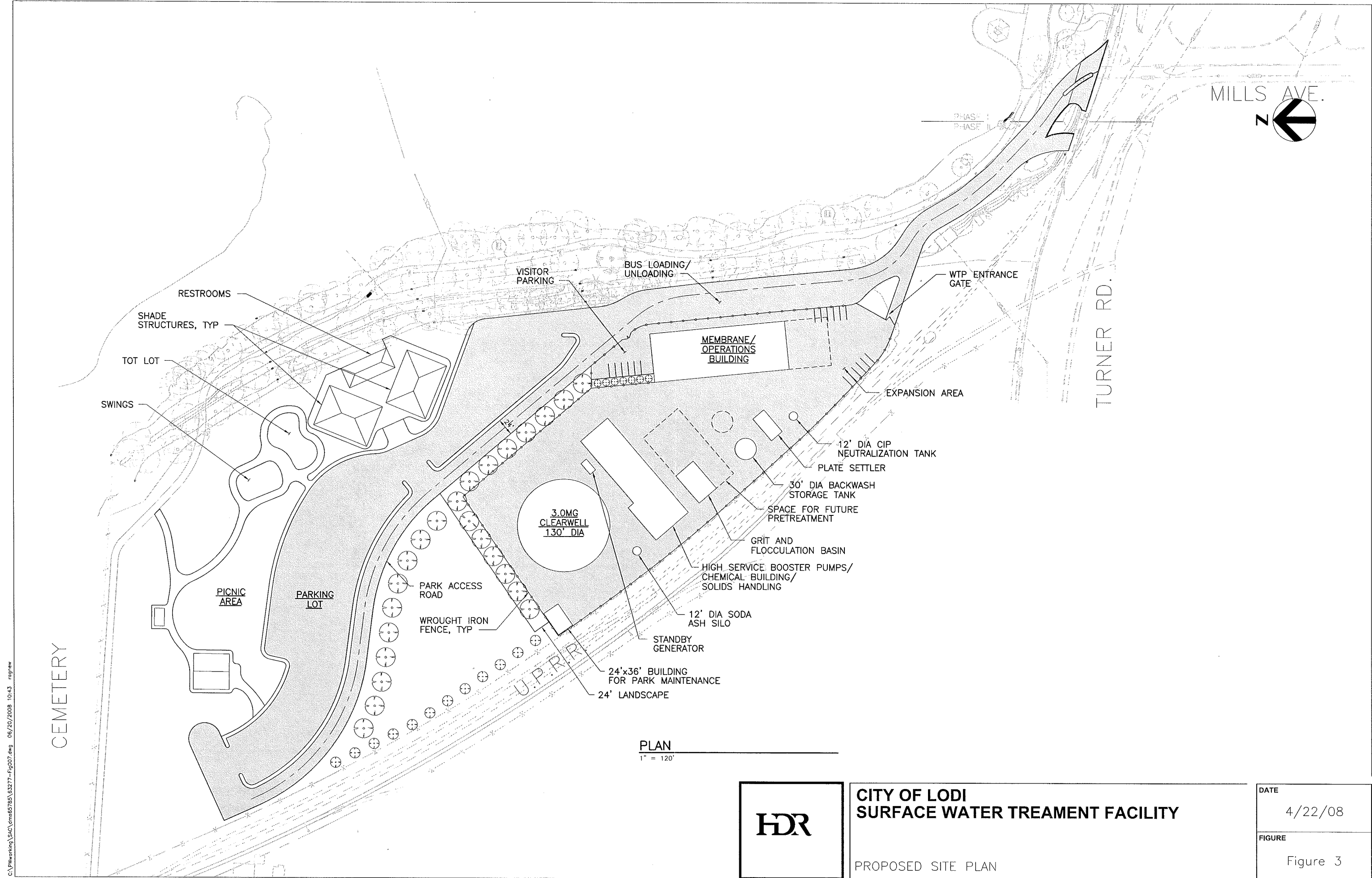
Recommendations

Three alternatives of the pipeline alignments were evaluated. The recommended alignment calls for the 30-inch pressure line to be located along the center of Lower Sacramento Road until it reaches the UPRR tracks. At this point, the pipeline will make a turn before it enters the UPRR right of way and run parallel to the UPRR outside the right of way beneath the cemetery. It is expected that a permit from and/or coordination with the cemetery will be required for this alignment.

Recommended Treatment Plant

Site Layout

A preliminary layout of the recommended SWTF at the Lodi Lake site is presented in Figure 3. The SWTF consists of a membrane operations building and an ancillary building which includes high service pumps, chemical storage and feed systems, and mechanical solids



PLAN
1" = 120'



**CITY OF LODI
SURFACE WATER TREATMENT FACILITY**

PROPOSED SITE PLAN

DATE	4/22/08
FIGURE	Figure 3

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dewatering system. Other components of the SWTF include flocculation basin, plate settler for filter backwash water, filter backwash storage tank, and a 3.0 Mgal clearwell.

The preliminary SWTF site layout is based on a first phase capacity of 8 mgd. Space is reserved for potential expansion to an ultimate capacity of 20 mgd and possible addition of process components in the future. The plant will be accessed from Turner Road along the river levy with an access road shared with the park. The SWTF will be integrated with the park development with an educational facility located on the upper floor of the membrane filtration building.

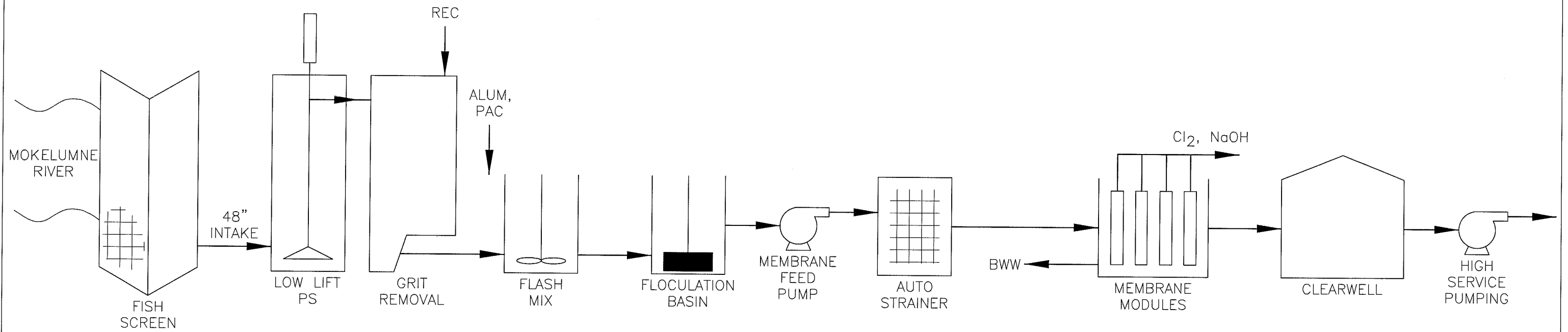
Process Description

The recommended process includes a raw water pump station on WID property near the canal that will pump from the WID fish screen structure to the plant; an onsite flocculation basin (with coagulant and/or powered activated carbon (PAC) addition, if needed); a membrane filtration system including pumps and strainers; sodium hypochlorite (chlorine) disinfection, a 3.0 million gallon (Mgal) clearwell for contact time and storage; and high service pumping. In addition to chlorine, chemicals to be added will include PAC if needed for taste and odor control, alum as a coagulant to remove organics (if needed); soda ash to increase alkalinity and provide a stable pH; and polyphosphate for treated water stabilization to reduce corrosion of distribution systems and prevent red water events. A schematic of the recommended process is presented in Figure 4.

Operations Building

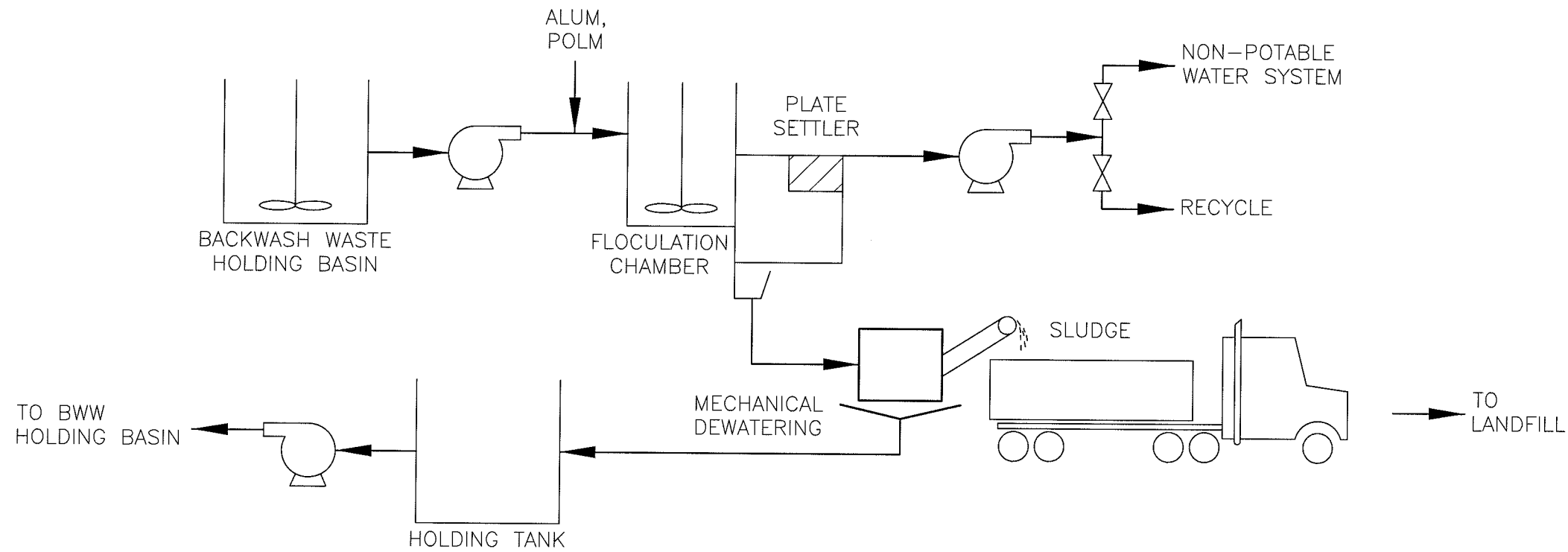
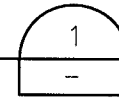
The membrane operation building has two stories. The first floor includes areas for membrane filters and accessories, mechanical room, electrical room, and a workshop. The operations room, laboratory, offices, break room, lobby area, and men and women's locker rooms are also located in the first floor.

The second floor includes a conference room and several exhibit rooms/gallery from where the public could view the Lodi Lake and Mokelumne River on one side and the membrane water treatment systems on the other side. A balcony and open meeting room along with a small kitchen is also provided to allow for public functions to be held. A preliminary layout of the membrane operations building and an elevation view of the building are presented in Figures 5 and 6, respectively.



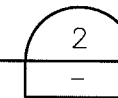
MEMBRANE TREATMENT

SCALE: NONE



MEMBRANE SOLIDS HANDLING

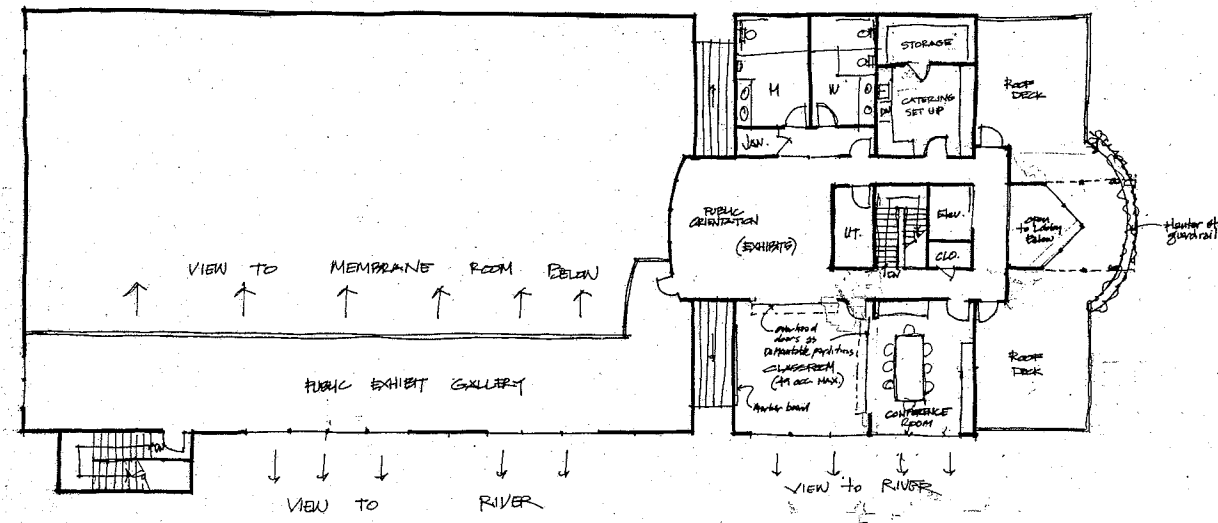
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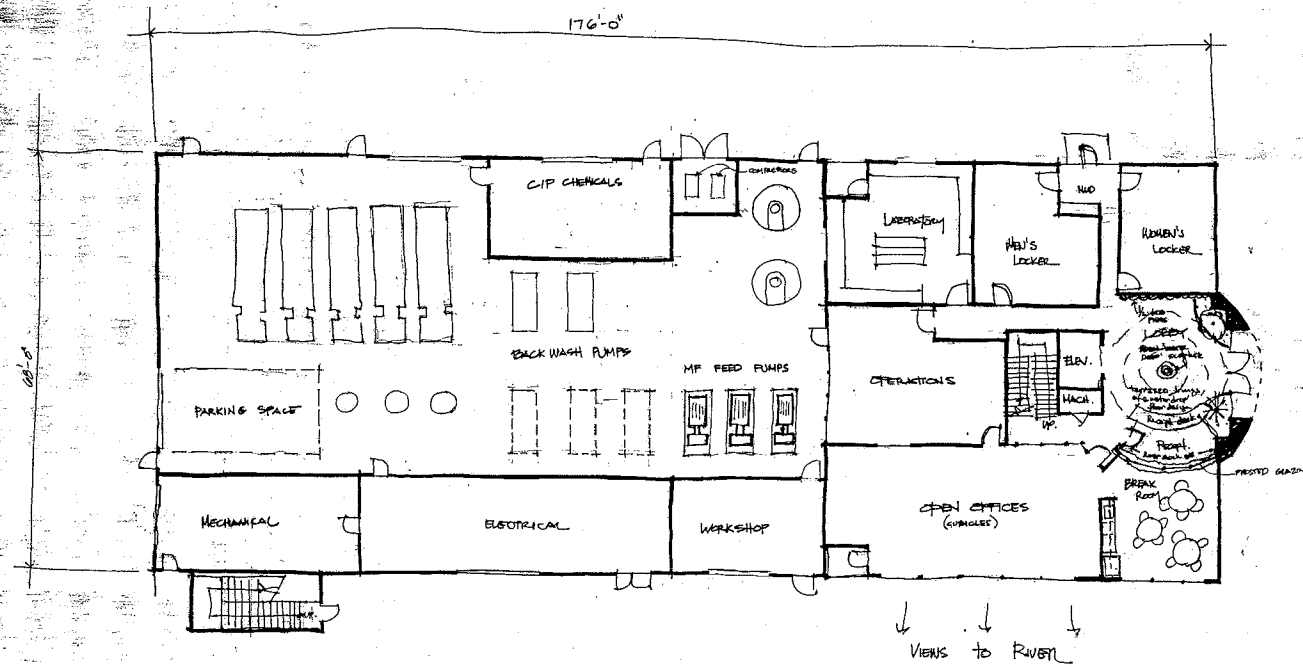
FLOW SCHEMATIC MEMBRANE TREATMENT

CITY OF LODI – SURFACE WATER TREATMENT FACILITY

DATE	6/19/07
FIGURE	4



SECOND FLOOR PLAN



FIRST FLOOR PLAN



CITY OF LODI
SURFACE WATER TREATMENT FACILITY

PROPOSED MAIN OPERATIONS BUILDING PLAN

DATE	4-15-08
FIGURE	Figure 5



ELEVATION
NTS

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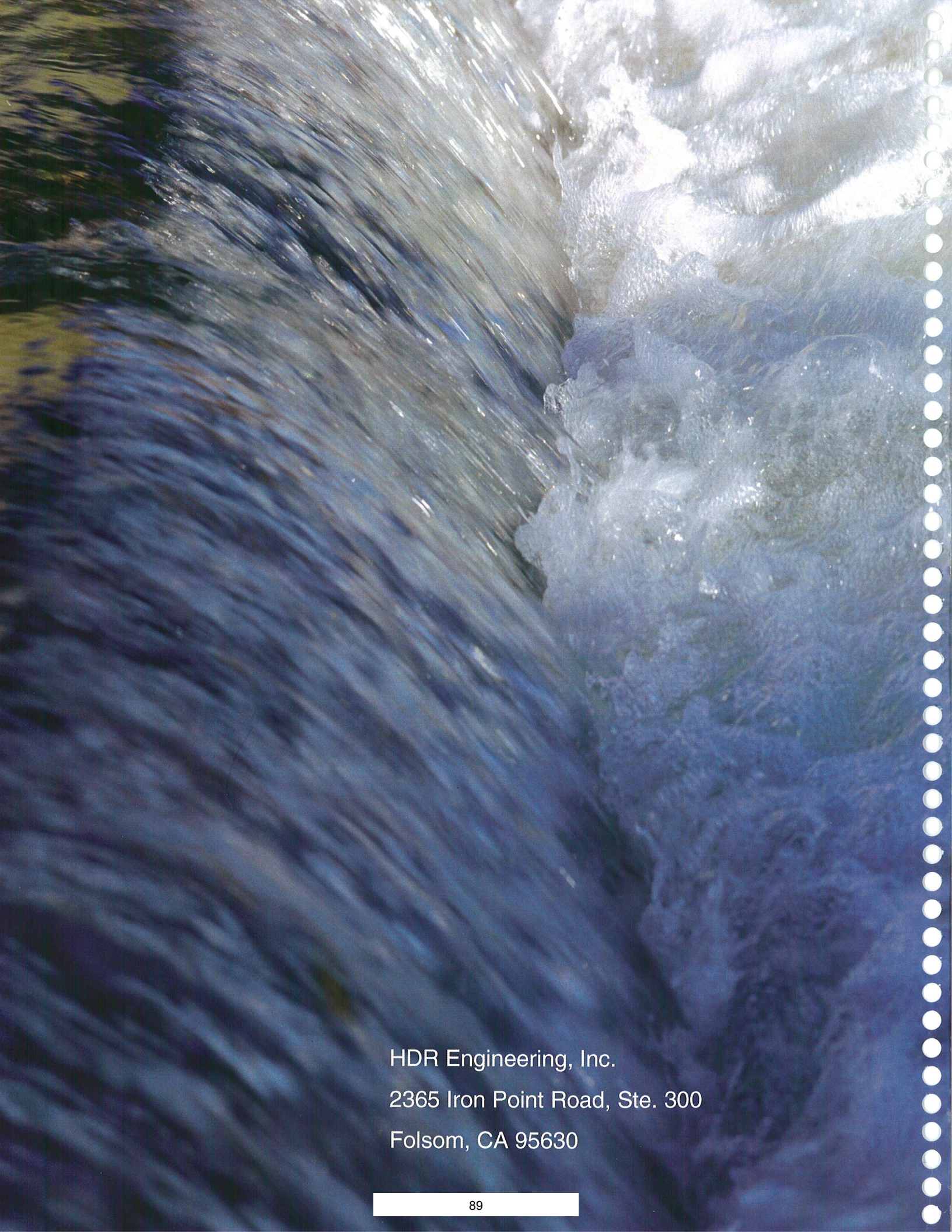
HDR

**CITY OF LODI
SURFACE WATER TREATMENT FACILITY**

PROPOSED NORTH ELEVATION

DATE
5/26/08

FIGURE
Figure 6



HDR Engineering, Inc.
2365 Iron Point Road, Ste. 300
Folsom, CA 95630



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Set Public Hearing for September 3, 2008, to Consider Resolution Approving Reimbursement Agreement No. RA-08-01 for Public Improvements Constructed with the Vintner’s Square Shopping Center

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Set a public hearing for September 3, 2008, to consider a resolution approving Reimbursement Agreement No. RA-08-01 for public improvements in Kettleman Lane and Westgate Drive and associated public utilities constructed with the Vintner’s Square shopping center.

BACKGROUND INFORMATION: Geweke Family Partnership, the developer of the Vintner’s Square shopping center located at the northwest corner of Kettleman Lane and Lower Sacramento Road, entered into an Improvement Agreement with the City on April 29, 2004. As required under the conditions of approval for the project and the terms of the Improvement Agreement, the developer has completed certain public improvements on Kettleman Lane and Westgate Drive. The improvements include the installation of asphalt concrete pavement, concrete curb, gutter and sidewalk, water, wastewater and storm drainage lines, and a traffic signal on Kettleman Lane and Westgate Drive. Portions of the public improvements installed by the developer benefit properties ranging from just north of Lodi Avenue/Sargent Road and just south of Kettleman Lane. The benefiting properties are shown on Exhibit A.

The public improvements were accepted by Council on August 16, 2006. The developer has requested a Reimbursement Agreement in conformance with Chapter 16.40 of the Lodi Municipal Code (LMC) to recover the cost of the improvements benefiting the above-mentioned properties, including related costs such as engineering, inspection and plan check fees.

The reimbursable costs for each benefiting property are shown on Exhibit B. Pursuant to LMC §16.40.50.A.3, the reimbursable amounts shown in Exhibit B include an amount attributable to interest for the year 2008 based on the change in the Engineering News Record 20 Cities Construction Cost Index from January 2007 to January 2008. Under the terms of the Reimbursement Agreement similar adjustments to the reimbursable costs will be made each January until payment is received. A copy of the Reimbursement Agreement is attached as Exhibit C.

In conformance with LMC Chapter 16.40, staff recommends that Council set a public hearing to consider a resolution approving Reimbursement Agreement No. RA-08-01.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

Prepared by Chris R. Boyer, Junior Engineer
FWS/CRB/pmf

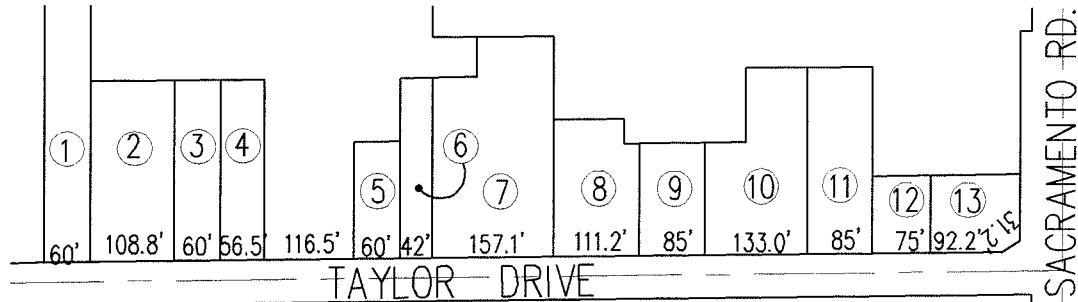
Attachments

cc: Senior Civil Engineer Welch
Senior Civil Engineer Chang

Junior Engineer Boyer
Property Owners

APPROVED: _____
Blair King, City Manager

NO	APN
①	027-060-01
②	027-060-03
③	027-060-05
④	027-060-06
⑤	027-060-08
⑥	027-060-09
⑦	027-060-10
⑧	027-060-12
⑨	027-060-13
⑩	027-060-42
⑪	027-060-27
⑫	027-060-29
⑬	027-060-35

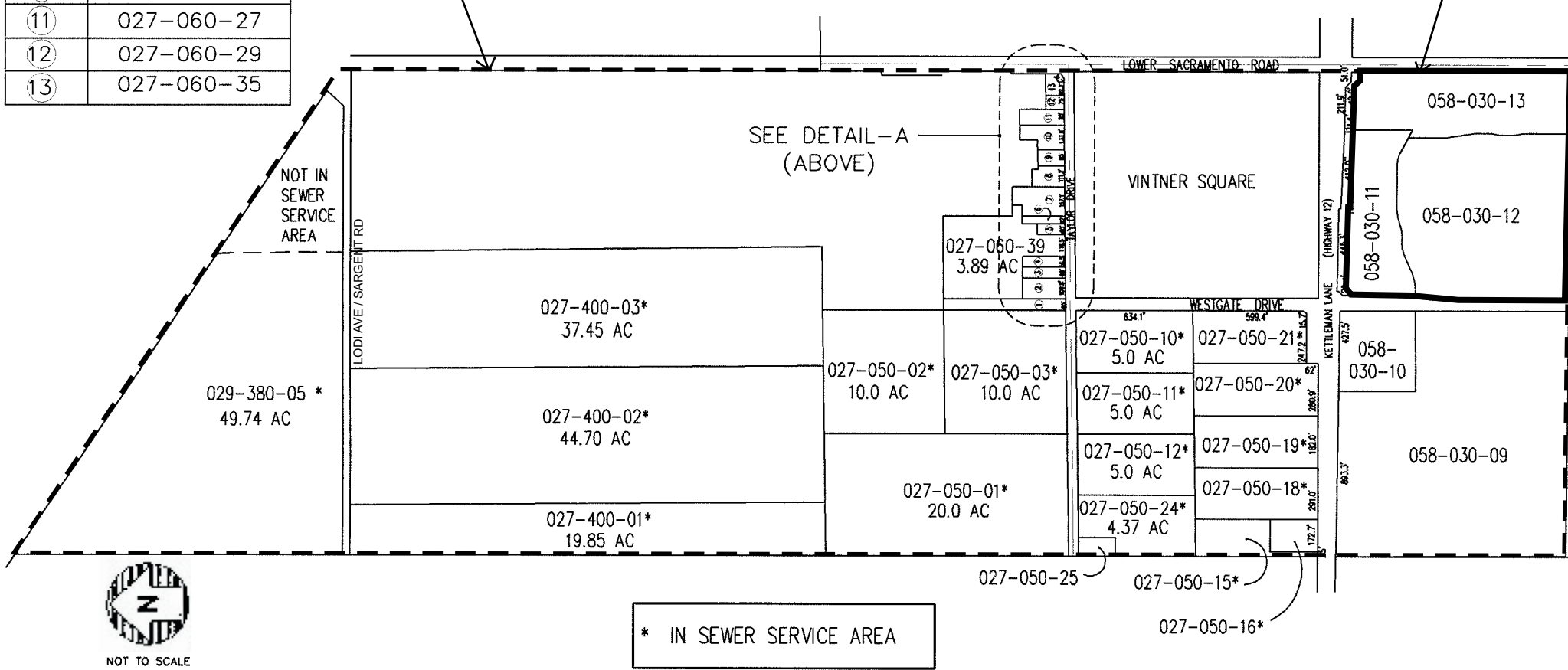


DETAIL-A



Area of Benefit

LODI SHOPPING CENTER



PROJECT NAME/LOCATION:

EXHIBIT-A

DESIGNED BY:

DRAFTED BY:

ISSUE DATE:

05/05/08

PROJECT NO.:

270100EX-1



PHILLIPPI ENGINEERING
 CIVIL ENGINEERING - LAND SURVEYING
 425 MERCHANT STREET VACAVILLE, CA 95688
 P.O. BOX 6556 VACAVILLE, CA 95696
 OFFICE (707) 451-6556 FAX (707) 451-6555

Detailed Summary of Allocations for Parcels with Street Work

	Quantity	Units	Cost/unit	Cost	058-030-09	027-050-18	027-050-19	027-050-20	027-050-21	058-030-11	058-030-12	058-030-13	027-050-10	
Kettleman Lane (South side, west of Westgate Drive)					33.21	4.26	4.27	4.27	4.11	6.97	18.29	9.26	5	
Roadway Excavation	1289	CY	\$ 19.50	\$ 25,143	\$ 25,143									
OG AC in widening areas	64	Tons	\$ 85.00	\$ 5,399	\$ 5,399									
Type B AC in widening areas	1151	Tons	\$ 44.00	\$ 50,630	\$ 50,630									
Type 2 AB in widening areas	1354	Tons	\$ 23.00	\$ 31,138	\$ 31,138									
Cold plane in middle of road	671	SY	\$ 3.50	\$ 2,349	\$ 2,349									
Type B AC overlay in middle of road	72	Tons	\$ 44.00	\$ 3,146	\$ 3,146									
OG AC overlay in middle of road	27	Tons	\$ 85.00	\$ 2,279	\$ 2,279									
				\$ 120,083	\$ 120,083									
Kettleman Lane North side, west of Westgate Drive)														
Roadway Excavation	1254	CY	\$ 19.50	\$ 24,462		\$ 2,230	\$ 5,936	\$ 7,915	\$ 8,380					
OG AC in widening areas	70	Tons	\$ 85.00	\$ 5,951		\$ 320	\$ 1,326	\$ 2,015	\$ 2,290					
Type B AC in widening areas	1114	Tons	\$ 44.00	\$ 49,014		\$ 4,469	\$ 11,894	\$ 15,859	\$ 16,790					
Type 2 AB in widening areas	1317	Tons	\$ 23.00	\$ 30,295		\$ 2,762	\$ 7,352	\$ 9,802	\$ 10,378					
Cold plane in middle of road	671	SY	\$ 3.50	\$ 2,349			\$ 128	\$ 1,202	\$ 1,018					
Type B AC overlay in middle of road	74	Tons	\$ 44.00	\$ 3,277			\$ 179	\$ 1,677	\$ 1,421					
OG AC overlay in middle of road	27	Tons	\$ 85.00	\$ 2,279			\$ 125	\$ 1,167	\$ 988		0.2019119	1.917		
				\$ 117,626		\$ 9,781	\$ 26,940	\$ 39,637	\$ 41,265			0.5298378	5.032	
											0.2682503	2.547		
Kettleman Lane (South side, across from Vintner Square)														
Roadway Excavation	487	CY	\$ 19.50	\$ 9,497						\$ 1,917	\$ 5,032	\$ 2,547		
Type B AC in widening areas	434	Tons	\$ 44.00	\$ 19,096						\$ 3,856	\$ 10,118	\$ 5,123		
Type 2 AB in widening areas	511	Tons	\$ 23.00	\$ 11,753						\$ 2,373	\$ 6,227	\$ 3,153		
Cold planing	1514	SY	\$ 3.50	\$ 5,298						\$ 1,070	\$ 2,807	\$ 1,421		
Type B overlay	233	Tons	\$ 44.00	\$ 10,237						\$ 2,067	\$ 5,424	\$ 2,746		
OG AC	84	Tons	\$ 85.00	\$ 7,119						\$ 1,437	\$ 3,772	\$ 1,910		
Remove 6" AC	41	CY	\$ 18.00	\$ 736						\$ 149	\$ 390	\$ 197		
Replace 6" AC	82	Tons	\$ 43.00	\$ 3,513						\$ 709	\$ 1,861	\$ 942		
Kettleman / Westgate signal	Lump Sum			\$ 82,500						\$ 16,658	\$ 43,712	\$ 22,131		
Lighting and Signal interconnect	Lump Sum			\$ 32,500						\$ 6,562	\$ 17,220	\$ 8,718		
				\$ 182,249						\$ 36,798	\$ 96,562	\$ 48,888		
Westgate Drive														
Street pavement section(0.3 AC / 0.55 AB)	27239	SF	\$ 2	\$ 62,650				\$ 30,748					\$ 31,902	
Stamped pavement in median	730	SF	\$ 16	\$ 11,680				\$ 5,732					\$ 5,948	
Curb and gutter	1165	LF	\$ 16	\$ 18,640				\$ 9,148					\$ 9,492	
8" median curb	1165	LF	\$ 12	\$ 13,980				\$ 6,861					\$ 7,119	
12" median border	882.5	LF	\$ 16	\$ 14,120				\$ 6,930					\$ 7,190	
Striping	Lump Sum		\$ 1,600	\$ 1,600				\$ 785					\$ 815	
Traffic Signs	10	each	\$ 200	\$ 2,000				\$ 982					\$ 1,018	
Object markers	2	each	\$ 55	\$ 110				\$ 54					\$ 56	
Street name signs	1	each	\$ 325	\$ 325				\$ 160					\$ 165	
Benchmarks	0.5	each	\$ 500	\$ 250				\$ 123					\$ 127	
Monuments	0.5	each	\$ 400	\$ 200				\$ 98					\$ 102	
Median Landscaping	Lump Sum		\$ 39,125	\$ 39,125				\$ 19,202					\$ 19,923	
18" storm drain in Westgate Drive	131	LF	\$ 24	\$ 3,144				\$ 3,144					\$ -	
15" storm drain at Kettleman intersection	74	LF	\$ 25	\$ 1,850				\$ 1,850					\$ -	
12" storm drains	59	LF	\$ 24	\$ 1,416				\$ 1,416					\$ -	
Storm drain manholes	1.5	each	\$ 2,950	\$ 4,425				\$ 4,425					\$ -	
Storm drain inlets	3	each	\$ 1,050	\$ 3,150				\$ 3,150					\$ -	
8" sewer laterals to west side	50	LF	\$ 22.50	\$ 1,125				\$ 552					\$ 573	
Sewer manholes	2.5	each	\$ 2,550	\$ 6,375				\$ 3,188					\$ 3,188	
10" water main	710	LF	\$ 20.50	\$ 14,555				\$ 7,143					\$ 7,412	
10" gate valves	4	each	\$ 1,050	\$ 4,200				\$ 2,061					\$ 2,139	
Median landscaping service	0.5	each	\$ 1,400	\$ 700				\$ 344					\$ 356	
				\$ 205,620				\$ 108,107					\$ 97,513	
Plus plan check and inspection fee					5.5%	\$ 6,605	\$ 538	\$ 1,482	\$ 2,180	\$ 8,215	\$ 2,024	\$ 5,311	\$ 2,689	\$ 5,363
Plus engineering and administration					10%	\$ 12,008	\$ 978	\$ 2,694	\$ 3,964	\$ 14,937	\$ 3,680	\$ 9,656	\$ 4,889	\$ 9,751
Street Work total for the parcel						\$ 138,695	\$ 11,297	\$ 31,115	\$ 45,781	\$ 172,524	\$ 42,502	\$ 111,529	\$ 56,466	\$ 112,627
Plus trunk sewer allocation						\$ -	\$ 2,457	\$ 2,463	\$ 2,463	\$ 2,370	\$ -	\$ -	\$ -	\$ 2,884
						\$ 138,695	\$ 13,754	\$ 33,578	\$ 48,243	\$ 174,895	\$ 42,502	\$ 111,529	\$ 56,466	\$ 115,511
Total for the property														

Summary of allocations of cost to the various properties

Parcel	Acres	Kettleman -West of Westgate (South) Allocation	Kettleman - West of Westgate (North) Allocation	Kettleman - Across from Vintner Square Allocation	Westgate Drive Allocation	Taylor Road Allocation	Trunk Sewer Allocation	Total Allocation
058-030-09	33.21	\$ 138,695						\$ 138,695
058-030-10	4.10							\$ -
027-050-01	20.00						\$ 11,535	\$ 11,535
027-050-02	10.00						\$ 5,767	\$ 5,767
027-050-03	10.00						\$ 5,767	\$ 5,767
027-050-10	5.00			\$ 112,627			\$ 2,884	\$ 115,511
027-050-11	5.00						\$ 2,884	\$ 2,884
027-050-12	5.00						\$ 2,884	\$ 2,884
027-050-15	2.00						\$ 1,153	\$ 1,153
027-050-16	1.00						\$ 577	\$ 577
027-050-18	4.26		\$ 11,297				\$ 2,457	\$ 13,754
027-050-19	4.27		\$ 31,115				\$ 2,463	\$ 33,578
027-050-20	4.27		\$ 45,781				\$ 2,463	\$ 48,243
027-050-21	4.11		\$ 47,661		\$ 124,864		\$ 2,370	\$ 174,895
027-050-24	4.37						\$ 2,520	\$ 2,520
027-050-25	0.46						\$ 265	\$ 265
058-030-11	6.97			\$ 42,502				\$ 42,502
058-030-12	18.29			\$ 111,529				\$ 111,529
058-030-13	9.26			\$ 56,466				\$ 56,466
027-060-01	0.91					\$ 2,814		\$ 2,814
027-060-03	0.64					\$ 1,979		\$ 1,979
027-060-05	0.35					\$ 1,082		\$ 1,082
027-060-06	0.30					\$ 928		\$ 928
027-060-39	3.89					\$ 12,028		\$ 12,028
027-060-08	0.24					\$ 742		\$ 742
027-060-09	0.22					\$ 680		\$ 680
027-060-10	1.01					\$ 3,123		\$ 3,123
027-060-12	0.45					\$ 1,391		\$ 1,391
027-060-13	0.33					\$ 1,020		\$ 1,020
027-060-42						\$ 2,041		\$ 2,041
027-060-27	0.38					\$ 1,175		\$ 1,175
027-060-29	0.21					\$ 649		\$ 649
027-060-35	0.21					\$ 649		\$ 649
027-400-01	19.85						\$ 9,851	\$ 9,851
027-400-02	44.70						\$ 14,349	\$ 14,349
027-400-03	37.45						\$ 20,725	\$ 20,725
029-380-05	49.74						\$ 18,253	\$ 18,253
		\$ 138,695	\$ 135,854 *	\$ 210,497	\$ 237,491	\$ 30,303	\$ 109,168	\$ -
								\$ 862,008

* This amount (\$135,854) is \$4 less than the amount shown in the "Determination of Costs" section due to scaling and rounding.

15.5% \$133,611.19
 Construction Cost: \$728,396.47
 1% \$7,283.96

WHEN RECORDED, RETURN TO:
City Clerk
City of Lodi
221 West Pine Street
Lodi, CA 95240

REIMBURSEMENT
for
PUBLIC IMPROVEMENTS

AGREEMENT # RA - 08-01

THIS AGREEMENT is made by and between the CITY OF LODI, hereinafter referred to as "City", and THE GEWEKE FAMILY PARTNERSHIP, hereinafter referred to as "Applicant".

RECITALS:

WHEREAS, Applicant is the developer of commercial development titled Vintner’s Square Shopping Center, located on the north west corner of Lower Sacramento Road and Kettleman Lane, and has entered into an Improvement Agreement with the City dated April 29, 2004 to construct public improvements required to serve the development, and

WHEREAS, the Applicant has constructed certain public improvements (hereinafter “Improvements”), which include installation of asphalt concrete pavement, concrete curb and gutter, water pipe, wastewater pipe, storm drain pipe, traffic control systems, and other miscellaneous and related items, that will serve additional properties that are designated and shown on the plan attached and labeled Exhibit A to this agreement and indicated thereon; and

WHEREAS, the Applicant has filed a request with the Public Works Director in conformance with Chapter 16.40 of the Lodi Municipal Code requesting reimbursement for those improvements which benefit other property or would be required of those properties upon development, and

WHEREAS, the property owners of those properties shown in Exhibit A have been notified and the City Council has conducted a public hearing regarding the Applicant's request for reimbursement.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained and pursuant to Government Code Sections 66485 through 66489 and Title 16 of the Lodi Municipal Code, it is hereby agreed between the parties as follows:

1. The amount of the reimbursable costs due to the Applicant includes construction costs less any applicable credits plus ten percent for administrative and engineering design costs (10%), engineering plan check fees (2.0%), engineering inspection fees (3.5%) and the reimbursement application fee. Total construction costs and costs attributable to the Benefit Area are shown on attached Exhibit B.

2. The reimbursable amount shall be recalculated annually to include an amount attributable to interest, using the Engineering News Record (ENR) 20 Cities Construction Cost Index. On uncollected reimbursements, the reimbursement rates shall be calculated in January of each year beginning January 2008 by the following formula:

$(\text{ENR Jan. 1 of current year}) \div (\text{initial ENR}) \times (\text{Balance due Jan. 1 of prior year less payments made during the previous year})$

The initial ENR index for this agreement is 8090.06. The initial reimbursable amounts are shown on Exhibit B.

3. In the event that the benefiting properties shown on Exhibit A develop, the City shall collect the appropriate charges from the developers of the benefiting property and reimburse the Applicant or the Applicant's heirs, successors or assigns, for a period of fifteen (15) years. For payment collection purposes, benefiting parcels APN 058-030-11, 058-030-12 and 058-030-13 have been segregated into a group shown as Lodi Shopping Center on Exhibit A. Total reimbursement costs for the parcels within this group shall be payable at the time of issuance of the first Public Improvement Agreement for shopping center improvements. The charges for all other benefiting properties shall be paid in full at the time of the first development on those properties.
4. The Kettleman Lane/Westgate Drive traffic signal is assumed to have been installed in its ultimate location for the purposes of calculating the reimbursable costs covered by this agreement. The signal installation cost has been allocated fifty percent (50%) to the Applicant and fifty percent (50%) to the Lodi Shopping Center (Parcels APN 058-030-11, 058-030-12 and 058-030-13). However, if, at the time of development of the Lodi Shopping Center, the Kettleman Lane/Westgate Drive traffic signal must be relocated to accommodate that project, the current signal location will be considered temporary for the purposes of this agreement and no reimbursement will be due to the Applicant for those costs. Adjustments to the required reimbursement will be made by City staff at the time of payment.
5. The Applicant shall pay the City \$7,420.79 for the preparation of this agreement prior to approval and recording of this agreement. This is based on one percent (1%) of the reimbursable construction costs, excluding engineering, administrative and other costs, with a minimum charge of \$750.00.
6. Upon each collection of reimbursement charges, an administrative charge shall be deducted and retained by the City for administering the reimbursement provisions of this agreement. This charge shall be established from time to time by resolution of the City Council. As of the date of this agreement, the current charge is \$200.00.
7. This agreement shall inure to the benefit of the heirs, successors and assigns of the Applicant. The City shall mail the reimbursement to the last address of the Applicant on file with the Public Works Director of the City. In the event a reimbursement is returned or unclaimed after two (2) years from the date of mailing, the amount of the reimbursement shall revert to the City and be deposited in the appropriate development impact mitigation fee fund.
8. All correspondence and payments herein required shall be in writing, and delivered in person or sent by registered mail, postage prepaid.

Correspondence and payments to City shall be addressed as follows:

F. Wally Sandelin
Public Works Director
221 West Pine Street
P. O. Box 3006
Lodi, CA 95241-1910

Correspondence and payments to Applicant shall be addressed as follows:

Geweke Family Partnership
P. O. Box 1210
Lodi, CA 95241

9. This Agreement is entered into pursuant to the provisions of Title 16 of the Lodi Municipal Code and the provisions of that section shall by reference be part of this Agreement as though fully set forth herein.

The undersigned represent and warrant that they are authorized by the parties they purport to represent to execute this Agreement.

IN WITNESS WHEREOF, Applicant and City have executed this Agreement as of the date first above written.

Geweke Family Partnership
a California Limited Partnership

By: _____ Date _____

Name & Title: _____


CITY OF LODI, A MUNICIPAL CORPORATION

By: _____ Date _____
Blair King, City Manager

ATTEST:

_____ Date _____
Randi Johl, City Clerk

APPROVED AS TO FORM:
D. Stephen Schwabauer, City Attorney

By: _____
Janice D. Magdich, Deputy City Attorney 

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: Appointments to the Greater Lodi Area Youth Commission (Student Appointees)
MEETING DATE: July 16, 2008
PREPARED BY: City Clerk

RECOMMENDED ACTION: Concur with the Mayor’s recommended appointments to the Greater Lodi Area Youth Commission (Student Appointees).

BACKGROUND INFORMATION: On April 2 and May 21, 2008, the City Clerk’s Office was directed to post for several vacancies on the Greater Lodi Area Youth Commission. The Mayor has reviewed the applications, conducted interviews, and made her selection. It is, therefore, recommended that the City Council concur with the following appointments.

Greater Lodi Area Youth Commission

Student Appointees:

Evan “Beau” Benko	Term to expire May 31, 2010
Shelby Gotelli	Term to expire May 31, 2010
Joshua Gums	Term to expire May 31, 2010
Mykenzie Mattheis	Term to expire May 31, 2010
Emily McConahey	Term to expire May 31, 2010
Kelsey Orr	Term to expire May 31, 2009
Gordon Wong	Term to expire May 31, 2009

NOTE: 18 applicants (14 new applications and 4 on file); application deadline 6/9/08

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

RJ/JMP

APPROVED: _____
Blair King, City Manager



TM

CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Monthly Protocol Account Report

MEETING DATE: July 16, 2008

PREPARED BY: City Clerk

RECOMMENDED ACTION: None required, information only.

BACKGROUND INFORMATION: The City Council, at its meeting of July 19, 2000, adopted Resolution No. 2000-126 approving a policy relating to the City's "Protocol Account." As a part of this policy, it was directed that a monthly itemized report of the "Protocol Account" be provided to the City Council.

Attached please find the cumulative report through June 30, 2008.

FISCAL IMPACT: N/A

FUNDING AVAILABLE: See attached.

Randi Johl
City Clerk

RJ/JMP

Attachment

APPROVED: _____
Blair King, City Manager

**PROTOCOL ACCOUNT SUMMARY
FISCAL YEAR 2007-08**

Cumulative Report through June 30, 2008

Date	Vendor	Description	Amount	Balance
				Starting Bal. \$12,000.00
07/19/07	Smart & Final	Cookies and water for special joint meeting w/RDA and Planning Commission (7/19/07)	\$ 34.98	
08/08/07	Paper Direct	Invitation paper for B/C Reception	61.93	
08/21/07	Arthur's Party World	Bags & ribbon for B/C Reception favors	30.69	
08/21/07	Target	Candy for B/C Reception favors	14.98	
08/21/07	UPS Store	Copies of covers for B/C Reception program	37.50	
08/29/07	Arthur's Party World	Confetti for tables for B/C Reception	16.38	
09/04/07	Lakewood Liquors	Wine for the B/C Reception	158.91	
09/05/07	Touch of Mesquite	Catering services for the B/C Reception	1,830.67	
09/14/07	Baudville	Favors for the B/C Reception	287.25	
09/14/07	Presenta Plaque	Presentation boards for certificates of recognition	222.89	
10/01/07	Weigum's Nursery	Centerpieces for B/C Reception	123.64	
10/24/07	C. Sanders Emblem	Customized Lodi Cloisonne pins (round, purple City pins)	364.34	
11/30/07	Lasting Impressions	Engraving – 2 plates for Community Service Award perpetual plaque	25.50	
11/30/07	Lasting Impressions	Mayor's plaque and 2 Community Service Award plaques	141.21	
12/06/07	Smart & Final	Ice for reorganization reception	3.22	
12/10/07	Touch of Mesquite	Catering services for reorganization reception	871.70	
12/12/07	Chalet Florist	Flowers sent to injured firefighter on behalf of Council	61.96	
12/19/07	Jan's Sweet Treasures	Cookies for Council holiday deliveries to all City departments	525.00	
04/21/08	Jan's Sweet Treasures	Cake for Police Chief swearing-in ceremony	185.00	
05/02/08	Oriental Trading Co.	Supplies for Celebration on Central	323.70	
05/16/08	Smart & Final	Supplies for Celebration on Central	102.08	
6/26/08	Lasting Impressions	Outgoing plaque for Jim Krueger	44.45	
			Total Expenditures: (\$ 5,467.98)	Ending Bal. \$6,532.02

Prepared by: JMP



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Provide Direction with Regard to Potential Revisions and Administrative Interpretations to Mobile Food Vending Ordinance, Lodi Municipal Code Section 9.18, "Vending on Streets, Sidewalks and Private Property"

MEETING DATE: July 16, 2008

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Receive report from the Community Development Department as to the interpretation of Lodi Municipal Code Section 9.18, "Vending on Streets, Sidewalks and Private Property," in the review of mobile food vending operations and provide direction.

BACKGROUND INFORMATION: In July of 2007, the City Council approved a new set of comprehensive regulations covering the vending of produce and prepared or prepackaged foods, goods, wares, and/or services on public streets, sidewalks or alleys and on private property.

Those regulations, covered under a revised Section 9.18 of the Lodi Municipal Code, more commonly referred to as the "Vending Ordinance", were intended to cover all facets of vending activities from the lunch wagons that operate either from a fixed location or an established route, to push cart and motorized ice cream and food vendors, and to the itinerant merchants who sell a variety of flags, statues, flowers and other wares during weekends and around holidays.

The purpose and intent of the new regulations was to provide those persons who engage in those types of vending operations with clear and concise regulations to prevent safety, traffic, and health hazards, as well as to preserve the peace, safety, and welfare of the community. Much of what was developed in the course of drafting this ordinance was borrowed from or patterned after existing ordinances from other jurisdictions.

In the course of implementing the new regulations, some questions have arisen regarding the interpretation and application of certain aspects of the ordinance. A brief summary of those issues and Staff's interpretations are as follows:

More Than One Vendor at a Property

There is one specific location, 1340 S. Hutchins, where two food vendors are operating from one parking lot. Staff has been questioned as to why this was allowed. While there is specific language within the regulations that prohibit vendors from operating within 400' of another vendor, that restriction applies only to vendors operating in the street or on sidewalks. Vendors operating from private property are not included in that restriction as there has been some discussion of the vendors creating a vendor plaza or food court, where several vendors could operate from. The property would be developed accordingly with all the required amenities such as parking, seating and shade structures, restrooms and proper utility connections. It was pointed out at one of the meetings that an example of this could be found in Modesto and that it was something that we should encourage. As such, we did not include language within the regulations that pertain to operation on private property that would restrict such a use.

APPROVED: _____
Blair King, City Manager

However, Staff has checked each private property location to make sure that there is sufficient parking on the site for the primary use and that the vending activity does not encroach into the required number of parking spaces for that primary use. In the course of reviewing the Vendor Permit to Operate applications, there were three applicants that were denied due to the fact that there was not sufficient parking on-site for the primary business much less any additional vendor. There was one other applicant that was taking three parking spaces on a site where the primary use could only afford to lose one space. In that instance the vendor was able to relocate their vehicle and only take up one parking space, so they were approved.

Staff recommends that Council review and concur with the current interpretation and practices that allow more than one vendor on private property providing that there is sufficient parking for the primary use.

Requirement for Self-Containment

There has been some question as to whether the regulations require that the food vending vehicles be fully self-contained, with no water, sewer or electrical connection. Pertaining to this issue, the regulations state as follows:

“Any motorized food wagon or conveyance used in the course of vending shall be entirely self-sufficient in regards to gas, water, and telecommunications. Should any utility hook-ups or connections to on-site utilities be required, the vendor shall be required to apply for appropriate permits to ensure building and public safety and consistency with applicable building and zoning regulations.”

Again, the concept of the food court or plaza where several trucks could operate with all the appropriate amenities, including electrical, water and drainage connections was what we have had in mind. Therefore, in the review of Vendor Permit to Operate applications, we have been allowing the connections as long as they are to properly installed and maintained facilities; however, it is acknowledged that no food court currently exists. In no case would we allow extension cords to be placed in or across drive lanes where vehicle traffic could damage them. We have also been careful to verify that any electrical cord installation does not pose a trip hazard or an impediment to pedestrian travel.

Staff recommends that Council review and concur with current interpretation and practice that allows vendors to have connection to approved electricity, water and/or sewer facilities.

Proximity to Parks

Vendors operating from the street or sidewalk are faced with a restriction from operating “within three hundred feet of any school grounds, park, playground, or city operated recreation center”. This language was taken from the regulations of another jurisdiction and it applies mainly to ice cream trucks and push cart vendors. After further review there is some question as to whether we should allow vendors to operate in and around parks. The regulations pertaining to proximity to other vendors and the requirement to move every ten minutes still provides adequate protection from over-concentration of vendors in one park and prevents them from lingering too long in one location, thereby maintaining a decent park atmosphere for families.

Staff would recommend that the Council consider a revision to this specific regulation in order to allow vendors in and around City parks, providing that they comply with all other applicable regulations.

FISCAL IMPACT: No fiscal impact.

FUNDING AVAILABLE: N/A

Joseph Wood
Community Development Department



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Adopt Resolution Amending Traffic Resolution No. 97-148 by Establishing Terminal Access Routes on Harney Lane from Hutchins Street to Stockton Street, and Lower Sacramento Road from Turner Road to the Food 4 Less/Walmart Southerly (Truck) Driveway

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution amending Traffic Resolution No. 97-148 by establishing terminal access routes on Harney Lane from Hutchins Street to Stockton Street, and Lower Sacramento Road from Turner Road to the Food 4 Less/Walmart southerly (truck) driveway.

BACKGROUND INFORMATION: In 2007, Council established terminal access routes on various streets to accommodate STAA trucks traveling to/from Constellation Wines and Tigerlines, Inc. This action triggered a response from Caltrans stating they do not concur with the City's newly and previously established STAA terminal access routes intersecting State Highway 12.

Exhibit A provides STAA Truck Route background information describing the history of the STAA truck routes within Lodi. It also includes a recap of recent events involving Caltrans and others that have culminated in the terminal access route modifications as presented in Exhibit B.

City staff recommends establishing terminal access routes on Harney Lane from Hutchins Street to Stockton Street, and Lower Sacramento Road from Turner Road to the Food 4 Less/Walmart southerly (truck) driveway. These recommendations will provide the required 24/7 turn around capabilities.

FISCAL IMPACT: Replacement sign costs in eight to ten years.

FUNDING AVAILABLE: Street Funds (3215031): \$5,500

Kirk Evans, Budget Manager

F. Wally Sandelin
Public Works Director

Prepared by Paula J. Fernandez, Senior Traffic Engineer

FWS/PJF/pmf

Attachments

cc: City Attorney
Streets and Drainage Manager
Police Chief
Affected Trucking Businesses

APPROVED: _____
Blair King, City Manager

EXHIBIT A

STAA TRUCK ROUTE BACKGROUND

In 1982, the federal government passed the Surface Transportation Assistance Act (STAA). This act required states to allow certain longer trucks on the National Network (federal highways). A STAA truck is longer than a California legal truck and may operate only on specific highways in California. In December 1987, City Council established Terminal Access or STAA routes throughout the City to meet Federal Government regulations on larger commercial vehicles operating on the local street facilities. In 1988 and 1989, City and Caltrans staff agreed on the City's STAA routes and signage at key intersections.

In 2007, California Highway Patrol (CHP) contacted STAA truck drivers and associated Lodi businesses about using certain streets not designated as STAA truck routes. City staff received requests from the businesses to expand the City's existing STAA truck route system. Several streets and intersections were evaluated to determine if STAA trucks could be accommodated. Staff presented the recommendations to City Council.

At the August 1, 2007 and October 17, 2007 meetings, City Council established terminal access routes on various streets (Guild Avenue, Cluff Avenue between Turner Road and Victor Road, Black Diamond Way, and Beckman Road between Black Diamond Way and Turner Road) to accommodate STAA trucks traveling to/from Constellation Wines and Tigerlines, Inc. However, after reviewing the City's updated STAA truck route map, Caltrans responded stating they do not concur with the City's newly and, as well as, the previously established STAA terminal access routes intersecting State Highway 12.

City staff met with Caltrans, CHP, Lodi Police Department, State officials, and trucking companies to resolve a number of issues. The City's key issues were: 1) why the CHP increased enforcement and/or warnings; 2) why Caltrans requires STAA signage when the California Vehicle Code (CVC) indicates local authorities may publish a map with STAA routes; and 3) why CHP does not allow STAA trucks to leave a STAA route to access a terminal as indicated by the CVC.

Engineering off-tracking analyses were performed for the affected intersections and submitted to Caltrans for approval. Off-tracking is the primary issue with longer vehicles. The STAA trucks are required to clear any obstacles including curbs, islands, adjacent lanes, street signs, signal poles, and to avoid crossing over the centerline into oncoming traffic. In addition, the STAA trucks must have 24/7 turn around capability or connect to another STAA truck route.

Based on the off-tracking analysis and negotiations with Caltrans, consensus was reached on the following STAA routes and modifications:

1987 Terminal Access Routes:

Kettleman Lane/Lower Sacramento Road

- Provide 24/7 turn around by modifying the terminal access route from Turner Road to Food 4 Less/Walmart southerly driveway. Food 4 Less/Walmart Center has 24-hour turn around capabilities.
- Install appropriate STAA signage (City and Caltrans).

Kettleman Lane/Hutchins Street

- Provide 24/7 turn around by establishing a terminal access route on Harney Lane from Hutchins Street to Stockton Street.
- Install appropriate STAA signage (City and Caltrans).

Kettleman Lane/Stockton Street

- Provide 24/7 turn around by establishing a terminal access route on Harney Lane from Hutchins Street to Stockton Street.
- Remove the southbound right turn lane (stripe, pavement legend, and sign) on Stockton Street north of Harney Lane and north of Kettleman Lane.
- Install appropriate STAA signage (City and Caltrans).

Victor Road/Beckman Road

- Provide minor striping/signage improvements (Caltrans).
- Improve existing STAA signage (Caltrans).

Kettleman Lane/Cherokee Lane - This intersection is signed for STAA truck use.

2007 Terminal Access Routes:

At the Victor Road/Cluff Avenue/Guild Avenue intersections, we are required to make some minor improvements consisting of paving, signage, and striping. The estimated cost of the improvements is \$20,500. City staff has contacted the five benefiting businesses requesting they equally share the improvement costs. The work will be performed by City forces with a Caltrans encroachment permit as follows:

Victor Road/Cluff Avenue (North Leg)

- Widen approximately 3.2 feet (483 square feet) on the east side of Cluff Avenue north of Victor Road.
- Modify striping and legends to relocate southbound limit line approximately 12 feet north of the existing location.
- Install no-parking zones and appropriate STAA signage.

Victor Road/Guild Avenue (excludes the westbound to southbound turn)

- Modify striping for eastbound and westbound left-turn lanes
- Exclude the westbound to southbound STAA left-turning movement
- Install no-parking zones and appropriate STAA signage.

2008 Terminal Access Routes:

As an informational note, All State Packers, Inc., (6011 E. Pine Street) located just east of the City limit, requested terminal access routes to and from their facility. City staff performed the off-tracking analysis at Pine Street/Guild Avenue intersection. With some minor striping improvements and STAA signage, STAA trucks can be accommodated. This action requires the Public Works Director's approval. All State Packers, Inc., has provided funding for the improvements.

Pine Street, Guild Avenue to east City limit

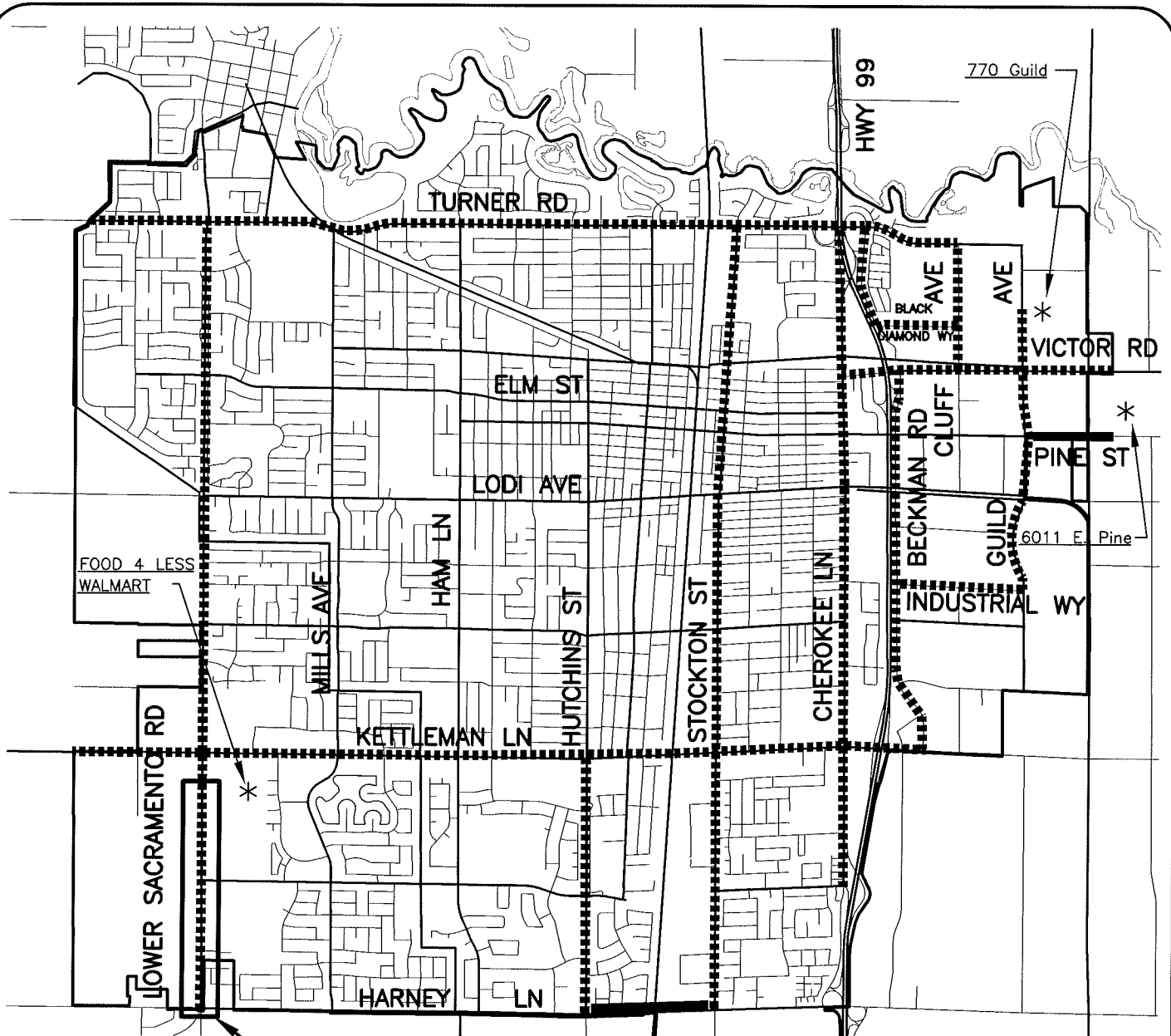
- Provide no-parking zone by installing striped edge line.
- Install appropriate STAA signage.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

STAA TRUCK ROUTE MODIFICATIONS



REMOVE STAA ROUTE

LEGEND

- = EXISTING STAA TRUCK ROUTES
- = PROPOSED STAA TRUCK ROUTE

NOTE: Trucks over two axles are prohibited on Turner Road from Lower Sacramento Road (north) to Highway 99 southbound ramps (Except pick-ups and deliveries within city limits)

* — 24 HOUR TURN AROUND



RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING TRAFFIC RESOLUTION NO. 97-148 BY ESTABLISHING TERMINAL ACCESS ROUTES ON HARNEY LANE FROM HUTCHINS STREET TO STOCKTON STREET AND LOWER SACRAMENTO ROAD FROM TURNER ROAD TO FOOD 4 LESS/WALMART SOUTHERLY (TRUCK) DRIVEWAY

WHEREAS, in 2007 City Council established terminal access routes on various streets to accommodate STAA trucks traveling to/from Constellation Wines and Tigerlines, Inc.; and

WHEREAS, Caltrans has not concurred with the City's newly and previously established STAA terminal access routes intersecting State Highway 12; and

WHEREAS, City staff recommends establishing terminal access routes on Harney Lane from Hutchins Street to Stockton Street and Lower Sacramento Road from Turner Road to the Food 4 Less/Walmart southerly (truck) driveway.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby amend Traffic Resolution No. 97-148, Section 8B, "Weight Limit/Commercial-Vehicle Restrictions," by establishing terminal access routes on Harney Lane from Hutchins Street to Stockton Street and on Lower Sacramento Road from Turner Road to the Food 4 Less/Walmart southerly (truck) driveway.

Dated: July 16, 2008

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2008-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Discussion and Action on Contracts with Greyhound Lines and MV Transportation and Adopt Resolutions Related to Greyhound Ticket Sales as Appropriate

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Discuss and act on contract with Greyhound Lines to consider 1) adopting a resolution amending the contract for ticket sales with Greyhound Lines and revising the Commission Agreement with MV Transportation or 2) adopting a resolution terminating the contract with Greyhound Lines.

BACKGROUND INFORMATION: In January 2006, the City of Lodi entered into an agreement with Greyhound Lines, Inc., to operate as the authorized ticket agent in Lodi. Prior to contracting with the City, Greyhound contracted with another individual for ticket sales within the City of Lodi. The former ticket agent rented space in the Lodi Multimodal Station North Annex and paid rent to the Transit division. When the former ticket agent ceased to continue paying the rent, the City Council acted to terminate the contract for the space which resulted in Greyhound Lines terminating their contract with that ticket agent. Subsequently, Greyhound Lines approached the City to ascertain if the City would be willing to act as the contracted ticket agent. Greyhound Lines offered the City the same commission rates as had been paid to the independent ticket agent.

The current agreement with Greyhound Lines consists of the City staffing a ticket sales operation (provided through our Transportation Operations Contract with MV Transportation, Inc.) and providing the facility in exchange for a 15% commission on ticket sales at the Lodi Station. This commission has recently averaged approximately \$1,500 a month. In April, Greyhound Lines sent a letter notifying the City of a reduction in the commission to 9%. Staff contacted Greyhound and noted that the contract states 15%. Staff requested and has received from Greyhound written request to amend the contract (Exhibit A) and is hereby presenting this to the Council.

As part of the arrangement to provide Greyhound ticket sales in Lodi, the City amended its contract with MV Transportation to have MV provide the staffing in return for splitting the commission 7.5%/7.5%. The new contract, adopted June 18, 2008, anticipated the commission staying at 15% and the split remaining 7.5%/7.5%. With the requested reduction in the commission to 9%, staff recommends that should the Council amend the contract with Greyhound Lines to reduce the commission, then the contract with MV Transportation should also be amended to change the commission split to 7.5%/1.5%. The proposed change in the commission split is to preserve the revenue for MV Transportation that is responsible for staffing the Greyhound service. The ticket service was bid as part of the contract for Transit operations and the cost presented to the City anticipated MV receiving 7.5% of the commission. The change in the commission split will reduce revenues to the Transit Fund by approximately \$600 per month.

APPROVED: _____
Blair King, City Manager

Discussion and Action on Contracts with Greyhound Lines and MV Transportation and Adopt Resolutions
Related to Greyhound Ticket Sales as Appropriate

July 16, 2008

Page 2

The other option available to the City Council is to terminate the contract with Greyhound Lines. Should the City terminate the contract, Greyhound Lines will attempt to find an agent at an alternative location.

FISCAL IMPACT: The two proposed actions will reduce the funding received by Transit by offering Greyhound service. The loss of commission revenue to the Transit Fund is anticipated to be approximately \$600 per month.

FUNDING AVAILABLE: None required.

F. Wally Sandelin
Public Works Director

Prepared by Tiffani M. Fink, Transportation Manager

FWS/TMF/pmf

Attachment

cc: Tiffani Fink, Transportation Manager
Liz Diaz, MV Public Transportation

AMENDMENT

This Amendment is made to be effective the **11th** of **April 2008**, by and between GREYHOUND LINES, INC., a Delaware corporation, ("Greyhound"), and **City of Lodi** ("Contractor").

WHEREAS, the parties hereto entered into that certain Standard Independent Contractor Agreement ("Agreement") dated **January 9, 2006**; and

WHEREAS, the parties desire to amend the Agreement in accordance with the terms set forth below.

IT IS HEREBY AGREED, in consideration of the premises, the mutual covenants contained herein and other good and valuable consideration in hand paid, the parties hereto agree as follows:

1. The Agreement is hereby amended by deleting and inserting in its stead the following:


I. COMPANY AGREES:

A. To pay Contractor the following commissions:

- 1. On transportation charges collected by Contractor from sale of tickets (including tickets of other bus carriers operating under Company approved bus terminal license agreements), except as hereinafter provided: **Nine Percent (9%);**
 - 2. On transportation charges collected by Contractor from the sale of commutation tickets or books or other multiple ride tickets: **Nine Percent (9%);**
 - 3. On transportation charges for express shipments, whether prepaid, collector C.O.D., received from the consignor at the Facility: **Fifteen Percent (15%);**
 - 6. On excess baggage charges collected by Contractor: **Fifteen Percent (15%);**
2. Except as otherwise provided herein, the terms and provisions of the Agreement, as previously modified or amended, shall remain in full force and effect.

This Amendment is executed to be made effective the day and year first above written.

GREYHOUND LINES, INC.
a Delaware corporation

By: 
Title: Agency Sales Manager

CONTRACTOR:

By: _____
Title: _____

Approved by Legal 2/27/02

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL
TERMINATING THE CONTRACT FOR TICKET
SERVICES WITH GREYHOUND LINES, INC.

=====

BE IT RESOLVED, that the Lodi City Council hereby terminates the contract with Greyhound Lines, Inc., for Ticket Services at the Lodi Station; and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to negotiate the effective date of the termination not to exceed 90 days.

Dated: July 16, 2008

=====

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

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

RANDI JOHL
City Clerk

2008-_____

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO EXECUTE AN
AMENDMENT WITH GREYHOUND LINES, INC., TO
REDUCE TICKET SALES COMMISSION

=====

WHEREAS, the City of Lodi (through the City's Transit Contractor, MV Transportation), has been acting as the authorized agent for Greyhound since February 2006; and

WHEREAS, Greyhound Lines, Inc., has requested to lower the ticket sales commission percentage to 9%.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute an amendment to the contract with Greyhound Lines, Inc., to reduce the commission for ticket sales to 9%.

Dated: July 16, 2008

=====

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

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

RANDI JOHL
City Clerk

2008-_____

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING CITY MANAGER TO EXECUTE
AMENDMENT OF CONTRACT FOR FIXED ROUTE,
PARATRANSIT AND DEMAND RESPONSE SERVICES
WITH MV TRANSPORTATION TO REFLECT A
GREYHOUND TICKET COMMISSION SPLIT OF 7.5% MV /
1.5% CITY

=====

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize amendment of the contract for Fixed Route, Paratransit and Demand Response Services with MV Transportation to reflect a Greyhound ticket commission split of 7.5% MV / 1.5% City.

Dated: July 16, 2008

=====

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

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

RANDI JOHL
City Clerk

2008-_____



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for Residential Water Meter Installation Project (Phase 3); and Approve Solicitation of Bids for 1,930 Water Meters and 400 Electronic Radio Transponders

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve the plans and specifications and authorize advertising for bids for the Residential Water Meter Installation Project (Phase 3) and approve the solicitation of bids for 1,930 residential water meters and 400 separate electronic radio transponders (ERTs).

BACKGROUND INFORMATION: The Residential Water Meter Installation Project (Phase 3) includes the installation of approximately 1,930 domestic water meters with remote reading capabilities and 400 ERTs at the locations as shown on Exhibit A. At the time that Council is requested to award the contract for installation of the water meters, a separate request for authorization to purchase the meters and ERTs will be made. This should complete the installation of paid residential water meters associated with homes built since 1992.

This project is the third phase of the water meter installation program. Phase 1 was a pilot project that included the installation of 394 domestic water meters with remote read capabilities, while Phase 2 included the installation an additional 542 domestic water meters with remote reading capabilities. Phase 3 will install water meters in residential subdivisions which have meter boxes already installed. The project will also replace approximately 400 ERTs which were installed with the water meter pilot project in 2005 at an estimated cost of \$32,500. The previously installed ERTs from the pilot project area have less power (50 watts vs. the new 60 watts), are unreliable, and have short signal ranges. The new ERTs will provide more reliable and consistent readings and a longer battery life. The affected residents will still be charged a flat rate for their water usage until such time that City starts the usage-based water billing program, which, by state law, must begin by January 1, 2011.

The plans and specifications are on file in the Public Works Department.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: The money for this project will be coming from the Water Capital Fund. The budget appropriation is \$489,000 for the 2008/09 fiscal year. At the time of award, an additional \$68,000 will need to be appropriated from the Water Fund for this project.

Project Estimate:	\$557,000
Budgeted:	2008/09 fiscal year
Planned Bid Opening Date:	August 13, 2008

F. Wally Sandelin
Public Works Director

Prepared by Lyman Chang/Senior Civil Engineer
Attachment

cc: Purchasing Officer

Water Service Manager

Senior Civil Engineer Chang

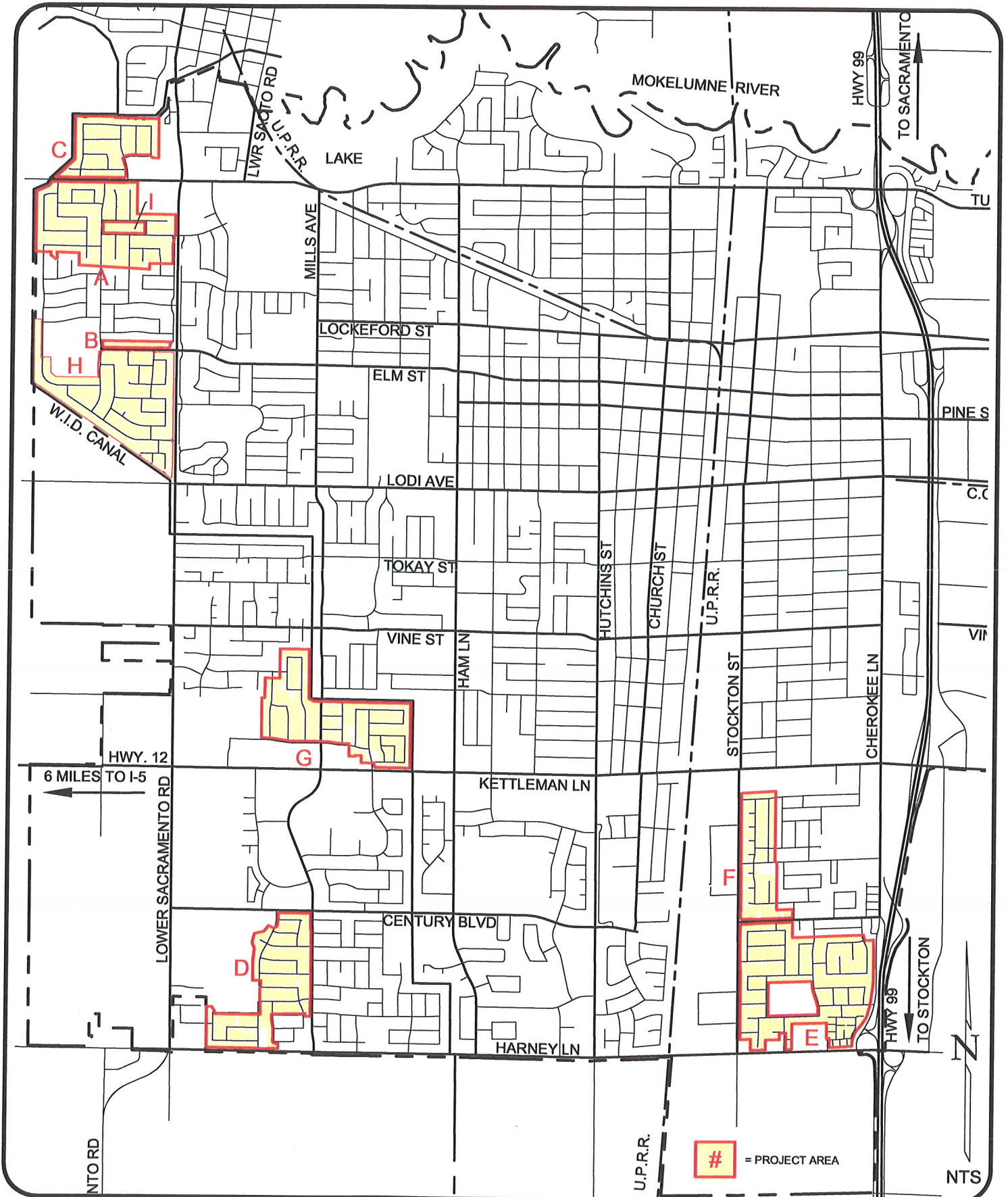
APPROVED: _____
Blair King, City Manager



CITY OF LODI

PUBLIC WORKS DEPARTMENT

Water Meter Installation Project Vicinity Map EXHIBIT A





CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Introduce Ordinance Amending Lodi Municipal Code Chapter 13.16, "Solid Waste," by Repealing and Reenacting Section 13.16.010 Definitions

MEETING DATE: July 16, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve the introduction of an ordinance amending Chapter 13.16, "Solid Waste," by repealing and reenacting Section 13.16.010 Definitions to the Lodi Municipal Code (LMC).

BACKGROUND INFORMATION: The current LMC chapter regarding solid waste is in need of revision of its definitions under Section 13.16.010. The attachment shows the changes made to the current solid waste section of the Municipal Code that would make up the reenacted code. The changes are:

- Revise definition of industrial waste, which is not included in the exclusive solid waste franchise. The previous definition did not make clear that waste must originate within City limits to be classified as industrial waste. For example, businesses outside of the City limits that are considered industrial often warehouse their products at locations within the City limits. By revising this definition, it will make clear that warehousing materials produced by an industrial business that is outside of the City limits does not make it exempt from the exclusive solid waste franchise.
- Add definition for construction/demolition waste. Construction/demolition waste is considered industrial waste and is mentioned in both the industrial customer and industrial waste definitions yet was not listed under the definition section of the code.

FISCAL IMPACT: None.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

FWS/pmf

Attachment

cc: Thom Sanchez, Waste Management

APPROVED: _____
Blair King, City Manager

13.16.010 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, the following definitions apply:

- A. "Collection" means the act of collecting refuse at the place of waste generation by an approved collection agent (public or private), and is distinguished from "removal."
- B. "Collection vehicle or equipment" means and includes any vehicle or equipment used in the collection of residential refuse or commercial or industrial solid wastes.
- C. "Commercial customers" means all commercial (non-manufacturing) enterprises within the city limits except industrial customers.
- D. "Construction/Demolition waste" means used or discarded materials generated within the city limits during the construction, remodeling, renovation or demolition on residential and commercial buildings and any other structure or pavement.
- E. "Container service" means the type of refuse removal consisting of containers ranging from one cubic yard to fifty cubic yards, typically for large volume refuse generators.
- F. "Contract" means the written agreement covering the performance of the work, including, but not limited to, the formal agreement, and special provisions, affidavits and certificates of equal opportunity employment, certificate of worker's compensation insurance, the proposal, contract specifications and performance bond.
- G. "Contractor" means the individual, partnership, corporation, joint venture or other legal entity entering into a contract with the city to perform the work. When modified by the phrase "as constituted," it means the partnership, corporation or other legal entity as organized and existing, with the same majority shareholders, as determined at the time of the execution of a contract between the contractor and the city.
- H. "Disposal site" means and includes the place, location, tract of land, area or premises in use, intended to be used, or which has been used for the landfill disposal of solid wastes.
- I. "Garden (green) waste" means refuse consisting of grass, leaves, wood chips, green plants, weeds, tree branches and garden trimmings.
- J. "Industrial customer" means all manufacturing enterprises that generate industrial waste within the city limits except commercial customers. The city manager or other designee shall determine whether a customer is "industrial" or "commercial".
- K. "Industrial waste" means solid waste originating from manufacturing facilities and factories within the city limits including construction and demolition projects. Industrial waste also means solid waste produced by any person, firm or corporation primarily engaged in the business of processing and manufacturing for the purpose of wholesale.
- L. "Multi-cart service" means the type of refuse removal designed for source separating into three carts. One cart for non-recyclable materials and non-green waste, one cart for recyclable materials and one cart for green waste. This type of service is generally for lower volume refuse generators with carts of less than one hundred gallons.
- M. "Recycling" means the process by which salvaged materials become usable products.
- N. "Refuse" means any and all discarded items and substances of every kind, including salvageable or recyclable materials, and garden (green) wastes, but not including sewage, septic tank contents, infectious wastes, or hazardous wastes as defined by state and/or federal law.
- O. "Removal" means the act of taking solid wastes from the place of waste generation either by an approved collection agent or by a person in control of the premises.
- P. "Residential customer" means all residences within the city limits, including single-family and multi-family dwellings.
- Q. "Subcontractor" means the individual, partnership or corporation or other legal entity entering into a contract with the contractor to perform a portion of the work.
- R. "Transfer station/resource recovery facility" means and includes those facilities utilized to receive solid wastes, temporarily store, separate, convert or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport to their final place of disposition. (Ord. 1709 § 1 (part), 2002)

13.16.010 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, the following definitions apply:

A. "Collection" means the act of collecting refuse at the place of waste generation by an approved collection agent (public or private), and is distinguished from "removal."

B. "Collection vehicle or equipment" means and includes any vehicle or equipment used in the collection of residential refuse or commercial or industrial solid wastes.

C. "Commercial customers" means all commercial (non-manufacturing) enterprises within the city limits except industrial customers.

D. "Construction/Demolition waste" means used or discarded materials generated within the city limits during the construction, remodeling, renovation or demolition on residential and commercial buildings and any other structure or pavement.

E. "Container service" means the type of refuse removal consisting of containers ranging from one cubic yard to fifty cubic yards, typically for large volume refuse generators.

F. "Contract" means the written agreement covering the performance of the work, including, but not limited to, the formal agreement, and special provisions, affidavits and certificates of equal opportunity employment, certificate of worker's compensation insurance, the proposal, contract specifications and performance bond.

G. "Contractor" means the individual, partnership, corporation, joint venture or other legal entity entering into a contract with the city to perform the work. When modified by the phrase "as constituted," it means the partnership, corporation or other legal entity as organized and existing, with the same majority shareholders, as determined at the time of the execution of a contract between the contractor and the city.

H. "Disposal site" means and includes the place, location, tract of land, area or premises in use, intended to be used, or which has been used for the landfill disposal of solid wastes.

I. "Garden (green) waste" means refuse consisting of grass, leaves, wood chips, green plants, weeds, tree branches and garden trimmings.

J. "Industrial customer" means all manufacturing enterprises as defined by STANDARD INDUSTRIAL CLASSIFICATION MANUAL, Division D Manufacturing, who generate industrial waste within the city limits except commercial customers. The city manager or other designee shall determine whether a customer is "industrial" or "commercial".

K. "Industrial waste" means solid waste originating from manufacturing facilities and factories within the city limits including construction and demolition projects. Industrial waste also means solid waste produced by any person, firm or corporation primarily engaged in the business of processing and manufacturing for the purpose of wholesale rather than for direct sale to the domestic consumer.

L. "Multi-cart service" means the type of refuse removal designed for source separating into three carts. One cart for non-recyclable materials and non-green waste, one cart for recyclable materials and one cart for green waste. This type of service is generally for lower volume refuse generators with carts of less than one hundred gallons.

M. "Recycling" means the process by which salvaged materials become usable products.

N. "Refuse" means any and all discarded items and substances of every kind, including salvageable or recyclable materials, and garden (green) wastes, but not including sewage, septic tank contents, infectious wastes, or hazardous wastes as defined by state and/or federal law.

O. "Removal" means the act of taking solid wastes from the place of waste generation either by an approved collection agent or by a person in control of the premises.

P. "Residential customer" means all residences within the city limits, including single-family and multi-family dwellings.

Q. "Subcontractor" means the individual, partnership or corporation or other legal entity entering into a contract with the contractor to perform a portion of the work.

R. "Transfer station/resource recovery facility" means and includes those facilities utilized to receive solid wastes, temporarily store, separate, convert or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport to their final place of disposition. (Ord. 1709 § 1 (part), 2002)

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LODI AMENDING LODI MUNICIPAL CODE CHAPTER 13.16,
"SOLID WASTE," BY REPEALING AND REENACTING SECTION
13.16.010 DEFINITIONS

=====

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Lodi Municipal Code Chapter 13.16, "Solid Waste," is hereby amended by repealing and reenacting Section 13.16.010 Definitions and shall read as follows:

13.16.010 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, the following definitions apply:

- A. "Collection" means the act of collecting refuse at the place of waste generation by an approved collection agent (public or private), and is distinguished from "removal."
- B. "Collection vehicle or equipment" means and includes any vehicle or equipment used in the collection of residential refuse or commercial or industrial solid wastes.
- C. "Commercial customers" means all commercial (non-manufacturing) enterprises within the city limits except industrial customers.
- D. "Construction/Demolition waste" means used or discarded materials generated within the city limits during the construction, remodeling, renovation or demolition on residential and commercial buildings and any other structure or pavement.
- E. "Container service" means the type of refuse removal consisting of containers ranging from one cubic yard to fifty cubic yards, typically for large volume refuse generators.
- F. "Contract" means the written agreement covering the performance of the work, including, but not limited to, the formal agreement, and special provisions, affidavits and certificates of equal opportunity employment, certificate of worker's compensation insurance, the proposal, contract specifications and performance bond.
- G. "Contractor" means the individual, partnership, corporation, joint venture or other legal entity entering into a contract with the city to perform the work. When modified by the phrase "as constituted," it means the partnership, corporation or other legal entity as organized and existing, with the same majority shareholders, as determined at the time of the execution of a contract between the contractor and the city.
- H. "Disposal site" means and includes the place, location, tract of land, area or premises in use, intended to be used, or which has been used for the landfill disposal of solid wastes.
- I. "Garden (green) waste" means refuse consisting of grass, leaves, wood chips,

green plants, weeds, tree branches and garden trimmings.

- J. "Industrial customer" means all manufacturing enterprises who generate industrial waste within the city limits except commercial customers. The city manager or other designee shall determine whether a customer is "industrial" or "commercial".
- K. "Industrial waste" means solid waste originating from manufacturing facilities and factories within the city limits including construction and demolition projects. Industrial waste also means solid waste produced by any person, firm or corporation primarily engaged in the business of processing and manufacturing for the purpose of wholesale.
- L. "Multi-cart service" means the type of refuse removal designed for source separating into three carts. One cart for non-recyclable materials and non-green waste, one cart for recyclable materials and one cart for green waste. This type of service is generally for lower volume refuse generators with carts of less than one hundred gallons.
- M. "Recycling" means the process by which salvaged materials become usable products.
- N. "Refuse" means any and all discarded items and substances of every kind, including salvageable or recyclable materials, and garden (green) wastes, but not including sewage, septic tank contents, infectious wastes, or hazardous wastes as defined by state and/or federal law.
- O. "Removal" means the act of taking solid wastes from the place of waste generation either by an approved collection agent or by a person in control of the premises.
- P. "Residential customer" means all residences within the city limits, including single-family and multi-family dwellings.
- Q. "Subcontractor" means the individual, partnership or corporation or other legal entity entering into a contract with the contractor to perform a portion of the work.
- R. "Transfer station/resource recovery facility" means and includes those facilities utilized to receive solid wastes, temporarily store, separate, convert or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport to their final place of disposition.

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. In the event that any portion of this Ordinance is determined to be invalid or illegal then the entire Ordinance will be repealed and reenacted back to its form prior to September 21, 2005.

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 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 ____ day of July, 2008.

Attest:

JOANNE MOUNCE
Mayor

RANDI JOHL
City Clerk

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held July 16, 2008, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor of the date of its passage and the same has been published pursuant to law.

RANDI JOHL
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving a Five Percent Pay Increase for the Community Development Director Position

MEETING DATE: July 16, 2008

PREPARED BY: City Manager

RECOMMENDED ACTION: Adopt Resolution approving a five percent (5%) pay increase for the Community Development Director.

BACKGROUND INFORMATION: The City recently concluded recruitment for the Community Development Director position. Those candidates rated the highest in terms of qualifications and experience were invited to interview before two panels comprised of current Community Development Directors and interested citizens, including two members of the City Council. Upon the conclusion of the interviews, and partially based upon the recommendations of the interview panels, no candidate was selected to fill the vacant position.

Subsequent to the recruitment and interviews, a survey, using the city's "typical" survey cities, was conducted of Community Development Director salaries. Using base salary alone, Lodi's Community Development Director compensation is 18.6 percent less than the surveyed mean average.

It is the City Manager's intention to re-recruit for the position. It is assumed that the city's current compensation depressed applicant interest. It is proposed to increase the advertised salary by five percent. The new salary would range from a low of \$9,848 to a high of \$11,916.

Although a strong case could be made for an increase greater than five percent, (even with the increase the base salary will be 13.6 percent lower than the average mean), and some might say that the proposed increase is too small to generate a more qualified applicant pool, pay equity within the executive management ranks prevents a greater increase. A five percent increase for the Community Development Director will set this position's compensation approximately \$5,775 higher than that of the Police Chief or Public Works Director. In brief, relationships between executive management cannot tolerate an increase of more than five percent without a comprehensive adjustment of all management salaries, and timing in relationship to the economy and labor negotiations do not support a review of executive management salaries at this time.

APPROVED: _____
Blair King, City Manager

Therefore, as a compromise between no change to base compensation and compensation that would be very competitive but be much higher than other positions in the city, it is recommended that the salary for the Community Development Director be increased by five percent.

It is the Manager's intention to begin the recruitment process as soon as possible.

FISCAL IMPACT: The total all-in cost of a five percent increase in salary plus benefits at the high end is approximately \$12,000.

Blair King
City Manager

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING FIVE PERCENT PAY INCREASE FOR
COMMUNITY DEVELOPMENT DIRECTOR POSITION

=====

BE IT RESOLVED, that the Lodi City Council hereby approves a five percent (5%) pay increase for the Community Development Director position.

Dated: July 16, 2008

=====

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2008, by the following vote:

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

RANDI JOHL
City Clerk

2008-_____



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$2,386.50).

MEETING DATE: July 16, 2008 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants relative to the Environmental Abatement Program Litigation (\$2,386.50).

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

Invoice No.	Date	Description	184010.7323
20007	Mar-08	Dole, Coalwell (Counsel re:Donovan)	\$ 162.00
20521	Apr-08	Dole, Coalwell (Counsel re:Donovan)	\$ 49.50
			\$ 211.50

MISCELLANEOUS

Invoice No.	Date	Description	184010.7323
892	6/9/2008	Benchmark Video	\$2,175.00

FISCAL IMPACT: Expenses in the amount of \$2,386.50 will be paid out of the Water Fund.

FUNDING AVAILABLE: Water Fund \$2,386.50

D. Stephen Schwabauer, City Attorney

Approved: _____
Kirk Evans, Budget Manager

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Ordinance No. 1813 Entitled, “An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 5.32 – Massage Establishments – by Repealing and Reenacting Section 5.32.010, ‘Definitions’”

MEETING DATE: July 16, 2008

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1813.

BACKGROUND INFORMATION: Ordinance No. 1813 entitled, “An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 5.32 – Massage Establishments – by Repealing and Reenacting Section 5.32.010, ‘Definitions,’” was introduced at the regular City Council meeting of July 2, 2008.

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
City Clerk

RJ/jmp
Attachment

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. 1813

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LODI AMENDING LODI MUNICIPAL CODE CHAPTER 5.32 –
MESSAGE ESTABLISHMENTS – BY REPEALING AND
REENACTING SECTION 5.32.010, “DEFINITIONS”

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Lodi Municipal Code Title 5.32 – Massage Establishments – is hereby amended by repealing and reenacting Chapter 5.32.010, “Definitions,” to read as follows:

5.32.010 Definitions.

Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning, and application of words and phrases used in this Chapter.

“Chief of Police” means the Chief of Police of the City of Lodi, or his/her designated representative.

“City Manager” means the City Manager of the City of Lodi or his/her designated representative.

“City Council” means the City Council of the City of Lodi.

“Conviction” or “Convicted” means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

“Client Area” means areas open to customers of the massage establishment.

“Employee” for purposes of this Chapter, the term “employee” shall include independent contractors.

“Health Department” means San Joaquin County Public Health Services.

“Manager” means the person(s) designated by the operator of the Massage Establishment to act as the representative and agent of the operator in managing day-to-day operations with the same liabilities and responsibilities. Evidence of management includes, but is not limited to, evidence that the individual has power to direct, hire, or dismiss employees, control hours of operation, create policies or rules, or purchase supplies. A manager may also be an owner. A manager must meet the standards and qualifications of Section 5.32.030, et seq., to qualify as a manager and obtain a massage technician’s permit.

“Massage” means any method of treating the external parts of the body for remedial, hygienic, relaxation, or any other reason or purpose, whether by means of pressure on, friction against, or stroking, kneading, tapping, pounding, vibrating, rubbing, stimulating, or other manner of touching the external parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in the practice of massage. However, “massage” shall not include any massage of the hands, feet or calves given by a manicurist licensed by the California Board of Barbering and

Cosmetology in connection with a manicure or pedicure performed in an unenclosed area of a salon.

“Massage Establishment” means any business conducted within the City of Lodi where any person, firm, association, partnership, corporation, or combination of individuals engages in, conducts, carries on, or permits to be conducted or carried on, for money or any other consideration, any activity set forth in the definition of “Massage” in this section, and any establishment engaged in, carrying on, or permitting any combination of massage, baths, or health treatments involving massage or baths, shall be deemed a massage establishment.

“Massage Technician” means any person who administers to another person for any form of consideration whatsoever a “massage” as defined in this section. The term “massage therapist” and “massage practitioner” are included within this definition for purposes of this Chapter.

“Massage Technician’s Permit” means the permit required pursuant to the provisions of this Chapter for a Massage Technician.

“Moral Turpitude” means a crime, which infringes upon the moral sentiment of the Community, as distinguished from acts prohibited by law.

“Operator” means all persons who have ownership interest in the Massage Establishment and are responsible for its day-to-day operations.

“Operator’s Permit” means the permit required pursuant to the provisions of this Chapter to operate or manage a massage establishment.

“Owner” means the individual(s) whose name appears on the City business license.

“Person” means any individual, corporation, partnership, firm, association, or other group or combination of individuals of whatever form or character.

“Police Department” means the Police Department of the City of Lodi.

“Recognized School” means any school or institution of learning, which teaches, through state certified instructors, the theory, ethics, practice, profession, or work of massage, which school or institution complies with California Education Code Section 94310 or 94311, and which requires a resident course of study before each student shall be furnished with a diploma or certificate of graduation; or if said school is not located in California, has complied with the standards commensurate with those required in Section 94311 of the California Education Code. Schools offering a correspondence course not requiring actual attendance shall not be deemed a recognized school.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. 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 4. 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 5. This 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 take effect 30 days from and after its passage and approval.

Approved this 16th day of July, 2008

JOANNE MOUNCE
Mayor

Attest:

RANDI JOHL
City Clerk

=====

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1813 was introduced at a regular meeting of the City Council of the City of Lodi held July 2, 2008, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held July 16, 2008, by the following vote:

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

I further certify that Ordinance No. 1813 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Ordinance No. 1814 Entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 12.12 – Parks – by Adding Section 12.12.055, 'Interfering With Parks And Recreation Programs'"

MEETING DATE: July 16, 2008

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1814.

BACKGROUND INFORMATION: Ordinance No. 1814 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 12.12 – Parks – by Adding Section 12.12.055, 'Interfering With Parks And Recreation Programs,'" was introduced at the regular City Council meeting of July 2, 2008.

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
City Clerk

RJ/jmp
Attachment

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. 1814

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF Lodi AMENDING Lodi MUNICIPAL CODE CHAPTER 12.12 – PARKS – BY ADDING SECTION 12.12.055, “INTERFERING WITH PARKS AND RECREATION PROGRAMS”

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF Lodi AS FOLLOWS:

SECTION 1. Lodi Municipal Code Chapter 12.12 – Parks – is hereby amended by adding Section 12.12.055, “Interfering with Parks and Recreation Programs,” to read as follows:

12.12.055 Interfering with Parks and Recreation Programs:

No person shall be present on any schoolyard or park within ten (10) feet of the field of play of any field being used by a Parks and Recreation affiliated youth program for play, practice, or a game unless that person:

- 1) is a City approved volunteer or employee who has received Department of Justice fingerprint clearance; or
- 2) is a youth member of the team and/or program.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. 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 4. 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 5. This 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 take effect 30 days from and after its passage and approval.

Approved this 16th day of July, 2008

JOANNE MOUNCE
Mayor

Attest:

RANDI JOHL
City Clerk

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1814 was introduced at a regular meeting of the City Council of the City of Lodi held July 2, 2008, and was July 16, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1814 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney