



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Authorizing the Application for Grant Funds for the Sustainable Communities Planning Grant and Incentives Program to Develop a Climate Action Plan for Lodi.

MEETING DATE: September 21, 2010

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Adopt a resolution authorizing the application for grant funds for the Sustainable Communities Planning Grant and Incentives Program to develop a Climate Action Plan for Lodi.

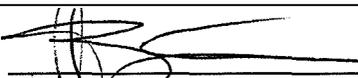
BACKGROUND INFORMATION: Lodi's recently adopted General Plan addresses issues related to global climate change (GCC) and energy conservation as it pertains to greenhouse gas (GHG) emissions and the potential adverse impact those issues have on our local community and region.

The potential adverse impact on our water supply, to public health, to our local agriculture and our overall quality of life is sufficient cause for Lodi to examine how it contributes to GCC and what can be done to mitigate that.

While State regulations provide direction for regional and local goals and policy measures, a local Climate Action Plan is needed to provide specific details on how to achieve those goals. The State of California has released a Notice of Funding Availability (NOFA) for Sustainable Communities Planning Grants that can be used to fund the development of local Climate Action Plans. Funding for those grants is provided through the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

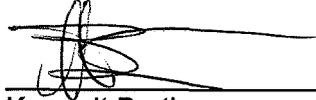
The Community Development Department has completed and submitted the attached grant application (Exhibit A) by the August 31, 2010 deadline. The NOFA for this grant funding provided additional time for the authorizing resolution to be approved and submitted by September 30, 2010.

The requested funding will be used to hire a qualified consulting firm to work with staff to develop and implement a Climate Action Plan.

APPROVED: 
Konrad Bartlam, Interim City Manager

FISCAL IMPACT: Not Applicable

FUNDING AVAILABLE: Not Applicable



Konradt Bartlam
Community Development Director

KB/jw

Attachment:

EXHIBIT A

**Sustainable Communities
Planning Grant Program**

**Grant Proposal
from the
City of Lodi**

Item 1
Completed Application Form

APPENDIX I- PLANNING GRANT APPLICATION FORM

Applicant (Agency & address - including zip)		Proposed Date of Completion: OCT. 2013	
CITY OF LODI P.O. BOX 3006 LODI, CA 95241-1910		Check one	Grant Amount Requested: \$150,000
	<input checked="" type="checkbox"/> City		If Joint Proposal, list participating entities/ contact person:
	<input type="checkbox"/> County		
	<input type="checkbox"/> MPO		
	<input type="checkbox"/> COG		
	<input type="checkbox"/> RTPA		
	<input type="checkbox"/> JPA		
Applicant's Representative Authorized in Resolution Name: KONRADT BARTLAM Title: INTERIM CITY MANAGER Phone: 209.333.6700 Email: rbartlam@lodi.gov		Person with Day to Day Responsibility for Plan (if different from Authorized Representative) Name: JOSEPH WOOD Title: NEIGHBORHOOD SERVICES MANAGER Phone: 209.333.6711 Email: jwood@lodi.gov	
<input checked="" type="checkbox"/>	Focus Area # 1		Applying for 20% EDC set aside
	Focus Area # 2		
	Focus Area # 3	<input checked="" type="checkbox"/>	Improve air and water quality
	Eligibility Requirements (mandatory)	<input checked="" type="checkbox"/>	Promote public health
<input checked="" type="checkbox"/>	Consistent with State Planning Priorities	<input checked="" type="checkbox"/>	Promote equity
<input checked="" type="checkbox"/>	Reduces GHG emissions on a permanent basis	<input checked="" type="checkbox"/>	Increase affordable housing
	Priority Considerations	<input checked="" type="checkbox"/>	Revitalize urban and community centers
<input checked="" type="checkbox"/>	Demonstrates collaboration & community involvement	<input checked="" type="checkbox"/>	Protect natural resources and agricultural lands
<input checked="" type="checkbox"/>	Addresses climate change impacts	<input checked="" type="checkbox"/>	Reduce automobile usage and fuel consumption
<input checked="" type="checkbox"/>	Serves as best practices	<input checked="" type="checkbox"/>	Improve infrastructure systems
<input checked="" type="checkbox"/>	Leverages additional resources	<input checked="" type="checkbox"/>	Promote water conservation
	Serves an economically disadvantaged community	<input checked="" type="checkbox"/>	Promote energy efficiency and conservation
	Serves a severely disadvantaged community	<input checked="" type="checkbox"/>	Strengthen the economy
I certify that the information contained in this plan application, including required attachments, is complete and accurate			
Signature:		Date: 2-31-10	
Applicant's Authorized Representative as shown in Resolution		Date	
Print Name and Title: KONRADT BARTLAM INTERIM CITY MANAGER			

Item 2
Proposal Summary Statement

Proposal Summary Statement

The City of Lodi is seeking funding under Focus Area 1 for the Sustainable Communities Planning Grant Program, to begin the process to develop and implement a Climate Action Plan that will ultimately establish a baseline greenhouse gas (GHG) emission inventory for the City of Lodi, select a GHG emissions reduction target, and recommend the necessary goals, policies and actions necessary to meet those targeted emissions levels. This funding is needed for the City of Lodi to develop and adopt a Climate Action Plan to satisfy the requirements and be in compliance with existing State of California legislation such as AB32 and Governor Schwarzenegger's Executive Order S-3-05,

The Climate Action Plan planning process will include an evaluation of existing City and community programs aimed at reducing GHG emissions; an evaluation of other City programs, that although established for other purposes, also have GHG reduction benefits; an evaluation of GHG emissions efforts of other cities in the State; a discussion of the legal framework, including State and Federal laws; an evaluation of possible available funding sources; a baseline GHG inventory for the City; the selection of an Emissions Reduction Target; and finally, recommended goals, policies, and actions to reach the selected Emissions Reduction Target. In the end, the targets must reduce the City of Lodi's current GHG emissions to 1990 levels by the year 2020.

To better facilitate the collaborative process in carrying out this proposal, the City of Lodi has joined with other cities, public agencies, institutions and organizations from the San Joaquin Valley region in the Smart Valley Places Compact, coordinated through the California Partnership for the San Joaquin Valley. Through this formal network of participating jurisdictions and organizations, the City of Lodi will have access to the best and most effective pool of resources, templates, models, technical expertise for this task. In turn, the City of Lodi will be able to provide valuable information gathered through the Climate Action Plan planning process to other participating agencies and organizations to help contribute to long-term San Joaquin Valley sustainability.

In addition to this regional collaborative approach, the City of Lodi also intends to include an extensive local community outreach element in the Climate Action Plan planning process. This will incorporate the involvement of local elected officials, appointed positions and the general public.

Item 3

Proposal Description

Section 1: Threshold Requirements

- 1.1 The development and implementation of a Climate Action Plan will consider and eventually incorporate a wide range of strategies that are consistent with the State's Planning Priorities, Section 65041.1 of the Government Code, namely the promotion of infill development and investment in local communities; the protection, preservation and enhancement of environmental and agricultural lands, and natural and recreational resources; and encourage location and resource efficient development.

One of those strategies involves the reduction of Vehicle Miles Traveled (VMT). This can be achieved through a number of actions that are in accordance with the State's Planning Priorities, such as developing alternative and effective means of transportation, employing zoning and land-use mechanisms to minimize the need for transportation, placing an emphasis on in-fill and transit-oriented development and developing more affordable workforce housing within the community to reduce commute distances. Other strategies incorporate improved energy performance in existing and new buildings as a means of conserving our natural resources, and sequestering carbon through the preservation and enhancement of our urban forest.

- 1.2 The overall outcome of this proposal is the creation and adoption of a Climate Action Plan that establishes definitive goal for the reduction of GHG emissions to 1990 levels by the year 2020. Furthermore, the proposed Climate Action Plan will identify both what the City of Lodi is already doing to reach that goal and what actions or strategies that the City of Lodi will need to adopt to meet that goal in the future and to carry on the practices beyond the year 2020.

Each action or strategy established in the Climate Action Plan will have indicators that identify the Estimated Annual Emission Reduction and the Percent Contribution To Target Reductions (in Metric tons CO₂e) for each action in order to determine its effectiveness and overall impact.

In addition, the proposed Climate Action Plan will be in accordance with the San Joaquin Regional Blueprint Vision's principles and overall goals. The San Joaquin County Council of Government (SJCOG) has reviewed and concurred with that and have provided a letter of in support of our proposal.

- 1.3 As stated previously, this proposal has been reviewed by the SJCOG and found to be in accordance with the principles and overall goals of the San Joaquin County Regional Blueprint Vision, which addresses SB375 requirements.

Section 2: Program Objectives

Improvement Air and Water Quality

The reduction of GHG emissions, specifically carbon dioxide (CO₂) emissions is the key indicator for Air Quality. This can be accomplished through an overall reduction in the Vehicle Miles Traveled (VMT) by developing alternative and effective means of transportation, employing zoning and land-use mechanisms to minimize the need for transportation, placing an emphasis on in-fill and transit-oriented development and developing more affordable workforce housing within the community to reduce commute distances. Decreasing carbon-intensity of vehicles, improving energy performance in existing and new buildings, and sequestering carbon through increased tree planting are all strategies for GHG emission reduction. These strategies are all consistent with the State Implementation Plan as indicated by the programs operated through the local San Joaquin Valley Unified Air Pollution Control District.

Promote Public Health

The benefit to public health from the reduction of GHG emissions can be realized by the overall improvement of air quality noted previously. Increasing access to safe, sustainable, accessible and affordable transportation and providing more affordable workforce housing within the community are both basic needs for a healthy community. These outcomes can be monitored through public health agency tracking of the number of residents with asthma.

Promote Equity

Improving access to transportation throughout the community is a strategy that will be employed in this proposal. The increase in ridership for our public transportation can be tracked and reported to determine where changes have been most effective. The planning process for the Climate Action Plan will have an extensive public outreach element which will be sure to include all segments of our community and will be sure to target both the Hispanic and Pakistani populations. The City of Lodi will work with existing organizations that have existing connections into those ethnic communities.

Increase Housing Affordability

One strategy that has been identified previously as a means of reducing GHG emissions, is the increase in availability of affordable housing within the community, especially to the existing workforce population as a means of reducing current commute travel and to provide opportunities for alternative transportation. This also fulfills requirements within our Regional Housing Needs Assessment allocations. The number of affordable housing units created as well as their location in relation to local transportation and services are both factors that can be tracked and reported through Community Development.

Promote Infill and Compact Development - Revitalize Urban and Community Centers - Protect Natural Resources and Agricultural Lands

Another strategy identified for reduction of GHG emissions is the emphasis on in-fill and transit-oriented development. In-fill development reduces Greenfield development, thereby furthering elements of sustainability. The number of units created in in-fill and compact development can be tracked and reported through Community Development. Inventories of available parcels have recently been updated as we have been going through the Housing Element Update process. Likewise, the investment in the development of in-fill as opposed to Greenfield development can be tracked and reported on through this process.

Reduce Automobile Usage and Fuel Consumption

One of the primary strategies in the reduction of GHG emissions is the reduction of VMT and the increase availability and usage of alternative methods of transportation. The CO₂ emissions related to automobile traffic can be monitored and reported to determine whether strategies have been effective. These strategies, along with the City of Lodi's existing policies and practices of purchasing alternative fuel vehicles, are also consistent with those of the California Transportation Plan (CTP2025).

Improve Infrastructure Systems

Transit ridership and increased acreage for park space are both indicators that can be monitored and reported related to this strategy.

Promote Water Conservation

Conservation of water resources is another element of sustainability and the Climate Action Plan. The reduction of residential water usage is an indicator that will be able to be tracked and reported more accurately over the next five years, as the City of Lodi looks to complete the installation of residential water meters throughout the community.

Promote Energy Efficiency and Conservation

Residential energy consumption and conservation are indicators that can be tracked and reported as the City of Lodi operates its own electric utility. Through that municipal utility, the City of Lodi currently offers public benefit programs for conservation and efficiency improvements and is looking to establish additional programs to provide funding for both residential and commercial improvements.

Strengthen the Economy

Climate action intersects with efforts to create employment opportunities in the emerging green economy. Implementing the Climate Action Plan will result in increased demand for skilled labor that can do the work we need done, such as energy efficiency retrofits, solar installations, processing of recyclables, growing and processing local food, and designing, building and maintaining infrastructure related to alternative transportation. The City of Lodi, through its Economic Development component, will work to attract businesses to our community that provide these “Green jobs” and coordinate with our local WorkNet agency to connect local residents to those emerging job opportunities. The City will track and report new business recruitment and job opportunities for this proposal.

Section 3: Priority Consideration

3.1 The City of Lodi has the support of SJCOG for this proposal (see attached letter) and will work closely with them in the both the planning and implementation process for the Climate Action Plan. In addition, the City of Lodi has joined with the other cities of the San Joaquin Valley in the Smart Valley Places Compact to receive and provide support amongst the participating agencies and organizations. It is through that partnership that the City of Lodi will have access to the best and most effective pool of resources, templates, models, technical expertise for this task.

As noted under Social Equity, the City of Lodi intends to have an extensive public outreach process that includes local elected officials, representatives from appointed Boards and Commissions, and the general public. Part of that outreach will also include work with local agencies and organizations that can help include the various ethnic communities in the planning process.

As the City of Lodi intends to draw upon the best and most effective pool of resources and technical expertise available through the Smart Valley Places Compact, it also intends on making the data gathered and the processes and strategies used in the planning and implementation of the Climate Action Plan available to other jurisdictions.

3.2 The City of Lodi is committing at least \$43,000 of in-kind match through Staff resources. In addition, the City is participating in a grant proposal for HUD-Strategic Growth Initiative (HUD-SGI) funding as part of the Smart Valley Cities Compact, which will contribute an additional \$65,000 toward this proposal.

Local Funding: (in-kind match with Staff resources)	\$ 43,000
HUD-SGI Grant funding (available Jan. 2011)	\$ 65,000
Requested Sustainable Communities Grant (Prop 84)	<u>\$150,000</u>
Total Proposal Funding	\$258,000

Any additional funding needed for this proposed project would come either from the City of Lodi General Fund or a reallocation of awarded HUD-SGI Grant funding.

- 3.3** The City of Lodi's proposal for the development and implementation of a Climate Action Plan will provide the greatest opportunity to realize a direct impact on the climate change, as it will effectively provide a roadmap for achieving a measurable reduction in GHG emissions; so adopting the Climate Action Plan will be a discernible step towards emissions reductions. The Climate Action Plan recommends GHG emissions targets that will align Lodi's reduction targets with those of the State of California and presents a number of strategies that will make it possible for the City to meet the recommended targets. The Climate Action Plan also suggests best practices for implementing the Plan and makes recommendations for measuring progress.
- 3.4** This proposal does not serve an economically disadvantaged community.

Section 4: Organizational Capacity

- 4.1** The City of Lodi intends on using the services of a qualified consultant with experience in the development and implementation of Climate Action Plans, including an extensive public outreach and involvement element in that process. The City of Lodi has extensive experience managing contract consultants on these kind of projects as we have just recently completed a General Plan Update and are in the process of completing a Housing Element Update using a consultant's services.
- 4.2** In addition to the Consultant that will be hired for this project, the City of Lodi will work closely with SJCOG to ensure compliance with regional.
- 4.3** Community Development Department staff will be responsible for oversight of the Consultant on this proposal and will monitor timelines and project milestones and budgets closely to ensure timeliness and monitor expenditures.
- 4.4** Any additional funding needed for this proposed project would come either from the City of Lodi General Fund or a reallocation of awarded HUD-SGI Grant funding.

Item **4a**
Supporting Documentation
Budget

Task	Total Cost	Council Grant	Local Match	HUD-SGI Grant
CAP Planning Process				
CAP Inventory	6000.00	6000.00		
VMT Analysis	6000.00			6000.00
Transportation Strategies	25300.00	10400.00		14900.00
General Plan Analysis/Amend	19400.00	400.00	19000.00	
Mitigation Measures	5200.00	5200.00		
Water Conservation Strategies	16800.00			16800.00
CAP Document	26300.00	16000.00		10300.00
Environmental Review/Documentation	29000.00	20000.00	9000.00	
Benefit/Cost Analysis	17000.00	10000.00		7000.00
CAP Implementation Process				
VMT Monitoring	6700.00	6700.00		
Climate Protection Plan	5900.00	5900.00		
Building Plan Check/Inspection	9800.00	9800.00		
AB162/AB 170 Compliance	9800.00	9800.00		
Public Benefit/Outreach				
Community Meetings	40000.00	15000.00	15000.00	10000.00
Expenses	9000.00	9000.00		
Contingencies (10%)	25800.00	25800.00		
Total	\$258,000.00	\$150,000.00	\$43,000.00	\$65,000.00

Item **4b**
Supporting Documentation
Work Plan

Proposed Work Plan

City of Lodi

Climate Action Plan – Develop and Implement

Quarterly milestones

Year 1	Quarter 1 - Scope of work prepared. RFQ prepared and distributed.	<i>City Staff</i>
	Quarter 2 - Select consultant. Assemble CAP Action Committee	<i>city Staff</i>
	Quarter 3 - Start GHG Inventory – VMT Analysis	<i>Consultant</i>
	Quarter 4 - Complete GHG Inventory – VMT Analysis Public Meetings to identify preferences and priorities.	<i>Consultant</i> <i>Consultant/Staff</i>
Year 2	Quarter 1 - Prepare draft CAP and GHG reduction strategies.	<i>Consultant</i>
	Quarter 2 - Public Meetings to introduce draft CAP and GHG reduction targets.	<i>Consultant/Staff</i>
	Quarter 3 - Complete CEQA and environmental review.	<i>Staff/Consultant</i>
	Quarter 4 - Adoption of CAP and GHG Target Strategies.	<i>Staff/Consultant</i>
Year 3	Quarter 1 - Begin Implementation of CAP.	<i>Consultant/Staff</i>
	Quarter 2 - Climate Protection Plan	<i>Consultant</i>
	Quarter 3 - VMT Monitoring	<i>Consultant</i>
	Quarter 4 - Final Report Back to City Council	<i>Staff/Consultant</i>

Item 5
Letter of Commitment
For Authorizing Resolution

Phil Katzakian
MAYOR
Susan Hitchcock
MAYOR PRO TEMPORE
Larry D. Hansen
COUNCIL MEMBER
Bob Johnson
COUNCIL MEMBER
JoAnne L. Mounce
COUNCIL MEMBER



City of Lodi
CITY HALL, 221 WEST PINE STREET
LODI, CA 95240
(209) 333-6700
FAX (209) 333-6807

Konradt Bartlam
INTERIM CITY MANAGER

Randi Johl
CITY CLERK

D. Stephen Schwabauer
CITY ATTORNEY

August 30, 2010

Sustainable Communities Planning Grants Program
c/o Department of Conservation
Division of Land Resource Protection
801 K Street, MS Floor 18-01
Sacramento, CA 95814

RE: City of Lodi - Letter of Commitment for Sustainable Communities Planning Grant

This is to certify that the attached draft authorizing Resolution for the Sustainable Communities Planning Grant application will go before the Lodi City Council on September 21, 2010 for approval. Once approved, a Certified Copy of the approved Resolution will be forwarded to your office to be included with this grant application.

Should you have any questions, please contact me at (209) 333-6700.

Sincerely,

Konradt Bartlam
Interim City Manager

attachment

RESOLUTION NO. 2010-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO SUBMIT THE APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Strategic Growth Council has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the Strategic Growth Council require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the development of the proposal.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby;

1. Approves the filing of an application for the (name of the proposal) in order to become a sustainable community;
2. Certifies that applicant understands the assurances and certification in the application, and
3. Certifies that applicant or title holder will have sufficient funds to develop the Proposal or will secure the resources to do so, and
4. Certifies that the Proposal will comply with any applicable laws and regulations, and
5. Appoints the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

Dated: September 21, 2010

I hereby certify that Resolution No. 2010-_____ was passed and adopted by the Lodi City Council in a special meeting held September 21, 2010, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2010-_____

Item 6

Collaboration Requirement Letter
San Joaquin Council of Governments (SJCOC)



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202

209.235.0600 • 209.235.0438(fax)

www.sjco.org

August 26, 2010

Ann Johnston
CHAIR

Chuck Winn
VICE CHAIR

Andrew T. Chesley
EXECUTIVE DIRECTOR

Member Agencies

CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF
SAN JOAQUIN

Mr. Joseph Wood
City of Lodi Community Development Department
221 W. Pine Street
Lodi, CA 95240

**SB 375 CONSISTENCY LETTER IN SUPPORT OF THE CITY OF LODI
GRANT APPLICATION – SUSTAINABLE COMMUNITIES PLANNING
GRANT (PROPOSITION 84)**

Thank-you for the opportunity to provide this letter of support for The City of Lodi's Sustainable Planning Grant application. The goal of this grant is to aid the City in beginning the process to develop a Climate Action Plan that will ultimately establish a baseline greenhouse gas (GHG) emission inventory for the City of Lodi, select a GHG emissions reduction target, and recommend the necessary goals, policies and actions necessary to meet those targeted emissions.

Based upon our review of your Sustainable Communities Planning Grant Proposal Summary Statement, the San Joaquin Council of Governments (SJCOG) finds that your proposal for this grant application is supportive of, and consistent with, the San Joaquin Regional Blueprint Vision's principles and overall goals.

The San Joaquin County Regional Blueprint Vision also addresses SB 375 requirements, and was approved by the SJCOG Policy Board on January 28, 2010. Additionally, the work and associated outcomes for this grant application are directly supportive of SJCOG's own efforts to develop a Sustainable Communities Strategy for the region as required by SB 375. This grant, submitted under Focus Area 1 for the Sustainable Communities Planning Grant Program, will be synergistic with SJCOG's participation in an eight-county San Joaquin Valley Councils of Government grant proposal under Focus Area 2 of this grant program.

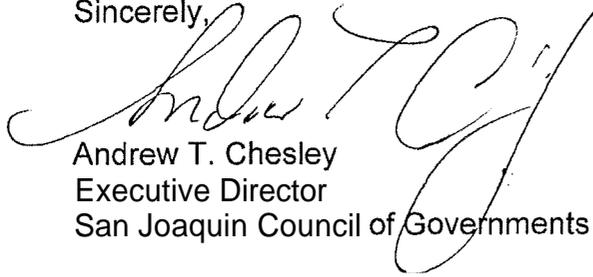
RECEIVED

AUG 26 2010

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

I wish you success in your Proposition 84 – Sustainable Communities Planning Grant application.

Sincerely,



Andrew T. Chesley
Executive Director
San Joaquin Council of Governments

Guide for Review of National Objective of Low- and Moderate-Income Area Benefit			
Name of Program Participant: City of Lodi			
Name(s) of Reviewer(s)	Cathy Hays	Date	September 1-2, 2010

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding.**"

Instructions: Use this Exhibit for activities that are classified by the program participant as meeting the national objective of benefit to low- and moderate-income persons on an area basis. The Exhibit is divided into seven sections: Service Area; Low- and Moderate-Income Composition of the Service Area; Exception Criteria; Data and Surveys; Nature of Activity; Fees; and Record Keeping/Visual Inspection. One Exhibit is to be completed for each activity reviewed.

Questions:

A. SERVICE AREA

1.

Do the program participant's records describe the boundaries of the service area? [24 CFR 570.208(a)(1) and 24 CFR 570.506(b)(2)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: Program boundaries are CT 44.01 BG 3. Map in file.	

Do you agree with the basis/approach the program participant used in determining the service area of this activity? [24 CFR 570.208(a)(1)]	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: Park improvements are clearly an area benefit activity.		

3.

Does the size of the service area appear reasonable given the nature and scope of the activity? [24 CFR 570.208(a)(1)]	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: Blakely Park is a neighborhood park, serving the immediate area.		

Is the service area "primarily residential?" [24 CFR 570.208(a)(1)]	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: Review of target area map.		

B. LOW- AND MODERATE-INCOME COMPOSITION OF THE SERVICE AREA

(Note: Questions 6-9 are applicable to Entitlement Communities only.)

5.

What do the program participant's records show as the percent of low- and moderate-income residents in this service area?
Describe Basis for Conclusion: 71 percent.

Exhibit 3-2
CDBG Entitlement Program

6509.2 REV-5 CHG-2

6.

. Is the percent of low- and moderate-income persons at least 51 percent? (If “yes,” go to “6.e.”) [24 CFR 570.208(a)(1)(i), (ii), and (vii)]	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No

b. If the answer to “a.” above is “no,” was the program participant authorized to qualify the activity under the “exception criteria?” (If the answer to “a.” is “yes,” proceed to Section C of this Exhibit, “Exception Criteria.”) [24 CFR 570.208(a)(vi), (vii); 570.208(d)(5)(i); or 570.208(d)(6)(i)]	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

c. If the answer to “b.” above is “no,” was the activity limited to paying special assessments levied against residential properties, owned and occupied by low- and moderate-income persons, for a public improvement that benefits all residents of a service area? [24 CFR 570.208(a)(1)(iv)]	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

d. If the answer to “c.” above is “yes,” does the activity meet the requirements of 24 CFR 570.208(a)(1)(iv) and 570.506(a) and (b)? (If the answer is “no,” the activity does not meet the low- and moderate-income area benefit national objective.) [24 CFR 570.208(a)(1)(iv); 570.506(a) and (b)(2)]	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

e. Does the program participant’s documentation show that the correct census data were used <u>and</u> the calculations correctly computed? [24 CFR 570.208(a)(1)(i) and (ii)]	<input type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: Review of LMI data. 2009 HUD LMI data was used to compute the low-mod beneficiary percentage.	

f. If the answer to “e.” is “no,” was the program participant authorized to use a survey to qualify the activity? (If the answer is “yes,” proceed to Section D of this Exhibit, “Data and Surveys.”) [24 CFR 570.208(a)(1)]	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

C. EXCEPTION CRITERIA

Section 105(c)(2)(A)(ii) of the HCD Act of 1974, as amended, states that an activity shall be considered to principally benefit low- and moderate-income persons when “the area served by such activity is within the highest quartile of all areas within the jurisdiction of such city or county in terms of the degree of concentration of persons of low and moderate income.” The CDBG regulations at 24 CFR 570.208(a)(1)(ii) implement section 105(c)(2)(A)(ii) and describe the methodology for calculating the exception percentage. For exception-qualified program participants, HUD will post on the internet the exception percentages for program participant area benefit activities (see <http://www.hud.gov/offices/cpd/systems/census/lowmod/exception.cfm>). The Integrated Disbursements and Information System (IDIS) will also track projects for exception program participants. The reviewer is required to review these percentages as calculated by HUD, unless a HUD-approved survey has been conducted by the program participant.

7.

If applicable, what is the program participant’s exception percentage for low- and moderate-income area benefit activities?
Describe Basis for Conclusion: N/A

8.

If the program participant qualified this activity under the exception criteria, does the percentage of low- and moderate-income residents residing in the activity service area equal or exceed the percentage in question 7 above? (If “no,” the activity does not qualify under this criterion.) [24 CFR 570.208(a)(1)(ii)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Describe Basis for Conclusion: N/A	

D. DATA AND SURVEYS

Note: For “exception rule” program participants, survey data may be used to show that the service area contains at least 51 percent low- and moderate-income residents. However, survey data that show a service area exceeding the program participant’s authorized upper quartile percentage as shown in C.7 above, but are less than 51 percent low- and moderate-income, can only be accepted if all of the program participant’s block groups were also surveyed, using a methodology acceptable to HUD, and a new upper quartile properly calculated based on that data.

9.

If the program participant used a survey rather than the HUD-supplied Census data to determine if a service area qualifies, answer the following:	
c. Did the survey show the service area was at least 51 percent low- and moderate-income? [24 CFR 570.208(a)(1)(vi)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Describe Basis for Conclusion:	

d. If “no” to c., did the program participant survey one or more whole block groups? [24 CFR 570.208(a)(1)(vi)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Describe Basis for Conclusion:	

<p>e. If “yes” to d., did the program participant survey all block groups and re-rank them to determine if there was a change in the exception percentage? (If “no,” use of the survey is not acceptable.) [24 CFR 570.208(a)(1)(vi)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

<p>f. If “no” to d., did the survey show that the percentage of low- and moderate-income residents was at least equal to or greater than the program participant’s exception percent, but less than 51 percent low- and moderate-income? (If “no”, the activity does not meet the National Objective.) [24 CFR 570.208(a)(1)(vi)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

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<p>[If a survey was used to determine the percent of low- and moderate-income residents in the service area, did the CPD Field Office review the survey instrument and methodology and conclude “that the results meet the standards of statistical reliability that are comparable to that of the decennial census for areas of similar size?” [24 CFR 570.208(a)(1)(vi)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

E. NATURE OF ACTIVITY

Does the activity appear to benefit the residents located within the service area, where at least 51 percent are low- and moderate-income persons, or within the program participant's exception percentage, as identified in question 7 above? [24 CFR 570.208(a)]	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No

F. FEES

12.

a. If the activity is a facility or service, are fees charged? 	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: No fee is charged for park admission.	

b. If "yes," how much is charged to use the facility or service?
Describe Basis for Conclusion: N/A

c. If fees are charged, do they appear excessive so as to preclude low- and moderate-income persons from using the facility or service? [24 CFR 570.200(b)(2)]	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A

G. RECORD-KEEPING/VISUAL INSPECTION

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<p>OS] Did your inspection of the records validate the information and documentation contained in the Integrated Disbursements and Information System (IDIS) and/or the program participant's most recently completed Consolidated Annual Performance and Evaluation Report (CAPER) for the activity? [24 CFR 91.525(a)(3)]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion: Review of documents.</p>	

14.

<p>[OS] If you inspected the service area/activity location, is there substantial evidence that the activity fails to benefit low- and moderate-income persons in the identified area?</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Yes No N/A</p>
<p>No inspection.</p>	

15.

<p>Does the activity meet the national objective criteria for serving a low- and moderate-income area? [24 CFR 570.208(a)(1) and 24 CFR 570.506]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/> Yes No</p>
<p>Describe Basis for Conclusion: Review of file.</p>	

RESOLUTION NO. 2010-160

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY
MANAGER TO SUBMIT THE APPLICATION FOR GRANT FUNDS FOR THE
SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM
UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD
CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006
(PROPOSITION 84)

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WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Strategic Growth Council has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the Strategic Growth Council require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the development of the proposal.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby:

1. Approve the filing of an application for the Sustainable Communities Planning Grant and Incentives Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) in order to become a sustainable community; and
2. Certify that applicant understands the assurances and certification in the application; and
3. Certify that applicant or title holder will have sufficient funds to develop the Proposal or will secure the resources to do so; and
4. Certify that the Proposal will comply with any applicable laws and regulations; and
5. Appoint the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, and payment requests, which may be necessary for the completion of the aforementioned project(s).

Dated: September 21, 2010

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I hereby certify that Resolution No. 2010-160 was passed and adopted by the Lodi City Council in a special meeting held September 21, 2010, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk