

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 4, 1991
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Pennino,
Sieglock, Snider, and Pinkerton (Mayor)
Absent: Council Members - None
Also Present: City Manager Peterson, Assistant City
Manager Glenn, Community Development
Director Schroeder, Public Works Director
Ronsko, City Attorney McNatt, and City Clerk
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INVOCATION The invocation was given by Pastor Skip Suess, Vinewood
Community Church.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Pinkerton.

PRESENTATIONS

NATIONAL ASSOCIATION OF TOWN
WATCH AWARD

Mayor Pinkerton presented the National Association of Town
Watch Award to Lodi Police Crime Prevention Officers Mary
Fuhs and Jeanette Biskup for their efforts in promoting
outstanding community involvement in the Eighth Annual
National Night Out.

DIAL-A-RIDE EMPLOYEES RECOGNIZED

Mayor Pinkerton and Police Chief Williams presented service
awards to two Lodi City Cab and Dial-A-Ride employees for
25 years of service to the people of the City of Lodi and
to other Lodi City Cab and Dial-A-Ride employees who had
participated in a "Drivers Awareness" program.

PROCLAMATION

ADOPT AN ANIMAL WEEK

CC-37 Mayor Pinkerton presented a proclamation proclaiming
December 1 - 7, 1991 as "Adopt an Animal Week" at Micke
Grove Zoo.

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CHECK RECEIVED FROM KIWANIS CLUB
OF GREATER LODI FOR PURCHASE OF
PLAYGROUND EQUIPMENT AT LODI LAKE
PARK (NORTH) YOUTH PLAYGROUND AREA

CC-27(c) Members of Kiwanis Club of Greater Lodi presented the City of Lodi with a check in the amount of \$1,500.00 toward the purchase of playground equipment at Lodi Lake Park (north) youth playground area.

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Snider, Hinchman second, approved the following items hereinafter set forth.

Further, Agenda item #E-5 entitled, "Purchase of BAR-90 Test Analyzer System for Equipment Maintenance Division" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

Further, the following items were removed from the agenda:

- a) Agenda item #E-11 entitled, "Consider initiating the annexation/reorganization proceedings for Bennett and Compton Addition located south of the Woodbridge Irrigation District canal, west of Lilac Street, north of the City limits line and east of Woodhaven Drive"; and
- b) Agenda item #E-15 entitled, "Renewal of agreement between City of Lodi and Big Valley Model Railroaders".

CLAIMS CC-21(a) Claims were approved in the amount of \$3,667,178.63.

MINUTES No minutes were presented for City Council approval.

SPECIFICATIONS AND ADVERTISEMENT
FOR BIDS FOR 20 TONS OF TURF FERTILIZER
FOR PARKS DEPARTMENT APPROVED

CC-12.1(c) The City Council approved the specifications and authorized advertisement for bids for 20 tons of Best "Turf Gold" slow-release turf fertilizer for use by the Parks Department.

The City Council was advised that each year the Parks Department purchases fertilizer for use on the City's 208 acres of parks. Experience has shown that Best "Turf Gold" yields a lower annual cost per acre due to a longer

nitrogen release time, requiring fewer applications per year, than a water-soluble or agricultural blend fertilizer.

The bid opening will be scheduled for Wednesday, December 18, 1991.

PURCHASE OF PERSONAL COMPUTERS AND
SOFTWARE FOR THE FINANCE DEPARTMENT
AND THE PERSONNEL DEPARTMENT

RESOLUTION NO. 91-219

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-219 authorizing staff to purchase computer workstations, printers and software for the Finance Department and Personnel Department at a cost not to exceed \$26,500 and authorizing the City Manager to redirect the hire freeze savings of the Finance Department to purchase this equipment and services that will improve the efficiency and reduce the operating cost of the Finance and Personnel Departments.

In August 1991 the City Council was informed that staff would not fill a vacant position in the Finance Department for up to two years at a salary savings of \$42,700 per year with the intent of using this savings to purchase equipment and services to improve the efficiency of the Finance Department and further reduce the operating costs of the Department.

Based on the tentative approval of the City Manager, the Finance Director contracted with a consultant in September 1991 to assist staff in evaluating computer workstations, printers, and software and in determining what equipment could be purchased at the lowest price and meet performance standards set by the Finance Director and Personnel Director. The consulting firm selected by the Finance Director to assist in this effort is the Morada Corporation, a computer consulting corporation located in Lodi.

On November 12, 1991, Erick Hodel from Morada Corporation met with staff representatives from the Finance Department, Personnel Department, Public Works and Administration and recommended the equipment listed below.

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NR	Item	Cost
8	PC386SX-25 MHZ @ \$1,333 each	\$10,664
9	Emulation cards	1,791
1	Emulation card for a PS/2	470
1	2MB of additional memory for a PS/2	400
1	MS DOS	150
8	WordPerfect 5.1 @ \$239 each	1,912
8	LOTUS 123 @ \$399 each	3,192
2	HP Lazer Jet III	3,200
1	HP Lazer Jet IIID	2,500
1	Print Sharing Device	800
	Cabling	1,200
	TOTAL	\$26,279

The equipment manufacturer recommended by Morada Corporation to provide work stations is HIQ based on their price and ability to service their equipment locally. The cost of a PC 386X-25 MHZ manufactured by HIQ is \$1,333. A comparable work station available through IBM costs approximately \$6,800 and from Hewlett Packard, \$7,300. Other manufacturers of IBM clones can provide similar equipment at less cost, approximately \$200; however, they do not have a local maintenance service.

Morada Corporation recommended the purchase of HP Lazer Jet Printers based on their reliability, speed and reputation in the industry. Other purchases recommended included the equipment needed to convert existing equipment to current standards, to allow printer sharing, to allow staff to use the new work stations as terminals to the AS400, and software necessary to operate this equipment. The software recommended is standard software (Lotus and Word Perfect) universally used in Finance and Personnel Office operations.

The consensus from the meeting of November 12, 1991 was the staff should purchase the equipment and software recommended by Morada Corporation.

UNMET TRANSIT NEEDS HEARINGS SET

CC-50(b)

The City Council scheduled two unmet transit hearings for Wednesday, December 18, 1991, with the first hearing to be held at the Senior Center at Hutchins Street Square at 10:00 a.m., and the second hearing to be held at the regular City Council meeting at 7:30 p.m. at Carnegie Forum.

The City Council was advised that State law requires that each agency using Transportation Development Act (TDA) monies for transportation purposes schedule annually an unmet transit needs hearing. The San Joaquin Council of Governments is the lead agency for San Joaquin County and has asked that our hearing be held prior to January 1,

1992, and that the hearing be held during hours that are more conducive to attendance by senior citizens.

SET PUBLIC HEARING TO CONSIDER
INTRODUCTION OF ORDINANCE TO REQUIRE
WATER METERS ON ALL NEW WATER SERVICES

CC-183(g) The City Council set a public hearing for January 2, 1992 to discuss the adoption of an urgency ordinance requiring water meters on all new water services.

The City Council was reminded that at the September 3, 1991 Shirtsleeve Session it gave direction to the Public Works Department on drafting an ordinance to require water meters on "new water service connections" after January 1, 1992 as required by Senate Bill 229. The State law does not adequately define a "new water service connection" therefore it was felt clarification was needed.

CENTURY MEADOWS ADDITION
(ANNEXATION/REORGANIZATION)

RESOLUTION NO. 91-221

CC-8(a) The City Council adopted Resolution No. 91-221 entitled, "A
CC-300 Resolution of the Lodi City Council for Application to the San Joaquin County Local Agency Formation Commission in the Matter of the Proposed 'Century Meadows Addition' Including the Detachment of Certain Territory Within the Area Proposed for Annexation to the City of Lodi".

The City Council was advised that Century Meadows was originally presented to the City Council as Century Meadows, Units I, II, III and IV. It was presented in this fashion because of multiple ownership and the desire of each unit to be developed without relying on adjacent parcels. However this area which contains 180.61 acres can be annexed as one unit which will save the City time and effort and the property owners money.

At its meeting of November 20, 1991 the City Council adopted Ordinance Nos. 1531, 1532, 1533 and 1534 which rezoned the area encompassed by the Century Meadows Addition R-1 or R-2, Single-Family Residential as requested by Baumbach and Piazza, Inc. on behalf of the property owners. The rezoning is required by the San Joaquin Local Agency Formation Commission and is the first step in the annexation/reorganization process.

Since the annexation/reorganization did not have 100 percent owner consent and the staff published the necessary 20-day notice on November 14, 1991, the City Council can initiate the annexation if it so desires.

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MELVA LIND ADDITION
(ANNEXATION/REORGANIZATION)

RESOLUTION NO. 91-222

CC-8(a)
CC-300

The City Council adopted Resolution No. 91-222 entitled, "A Resolution of the Lodi City Council for Application to the San Joaquin County Local Agency Formation Commission in the Matter of the Proposed 'Melva Lind Addition' Including the Detachment of Certain Territory Within the Area Proposed for Annexation to the City of Lodi".

The City Council was advised that the proposed Melva Lind Addition encompasses 8 parcels with 5 owners and contains 63.20 acres. The City has on file letters from the 5 owners asking for annexation. The 100 percent consent of owners permits the City to initiate the annexation without publishing any notice.

At its meeting of November 20, 1991 the City Council introduced Ordinance No. 1540 which rezoned this proposed annexation to M-2, Heavy Industrial which is consistent with the General Plan. The rezoning is required by the San Joaquin Local Agency Formation Commission and is the first step in the annexation/reorganization process.

NEUHARTH NORTH ADDITION
(ANNEXATION/REORGANIZATION)

RESOLUTION NO. 91-223

CC-8(a)
CC-300

The City Council adopted Resolution No. 91-223 entitled, "A Resolution of the Lodi City Council for Application to the San Joaquin County Local Agency Formation Commission in the Matter of the Proposed 'Neuharth North Addition' Including the Detachment of Certain Territory Within the Area Proposed for Annexation to the City of Lodi".

The City Council was informed that the proposed Neuharth North Addition encompasses 10 parcels with 8 owners and contains approximately 60 acres. The proposed annexation was originally presented to the City Council as three projects: (1) Neuharth-Morimoto development; (2) Colvin Ranch project and (3) Bangs Ranch project. It was presented in that fashion because of the multiple ownerships and the desire of each project to develop without relying on adjacent parcels. However, the area can be annexed as one unit which will save the City time and effort and the property owners money.

At its meeting of November 20, 1991 the City Council adopted Ordinance Nos. 1535, 1536 and 1538 which rezoned the subject parcels R-2, Single-Family Residential or

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PD(28), Planned Development District No. 28, as requested by Baumbach and Piazza, Inc. on behalf of the property owners. The rezoning is required by San Joaquin Local Agency Formation Commission and is the first step in the annexation process.

Since the annexation/reorganization did not have 100 percent owner consent, the staff published the necessary 20-day notice on November 14, 1991. The City Council can initiate the annexation if it so desires.

ITEM REMOVED FROM THE AGENDA

Agenda item #E-11 entitled, "Consider initiating the annexation/reorganization proceedings for Bennett and Compton Addition located south of the Woodbridge Irrigation District canal, west of Lilac Street, north of the City limits line and east of Woodhaven Drive" was removed from the agenda.

AMENDED EMPLOYEE COMPENSATION SCHEDULES
FOR POLICE DISPATCHERS UNIT

RESOLUTION NO. 91-225

CC-34 The City Council adopted Resolution No. 91-225 entitled, "A
CC-300 Resolution of the Lodi City Council Amending Employee
 Compensation Schedules for the Police Dispatchers Unit".

The City Council was advised that as of Monday, November 25, 1991, the City is finalizing an agreement with the Police Dispatchers Association and the Memorandum of Understanding should be forthcoming shortly.

TRANSPORTATION DEVELOPMENT ACT (TDA)
CLAIM FOR 1991-92 APPROVED

RESOLUTION NO. 91-226

CC-7(f) The City Council adopted Resolution No. 91-226 approving
CC-300 the City's 1991-1992 Transportation Development Act, "TDA"
 Claim for Local Transportation Funds, "LTF" and State
 Transit Assistance, "STA" and authorized the City Manager
 to execute the documents on behalf of the City.

The City's 1991-92 TDA claim requests all of the LTF apportionment which amounts to \$1,767,110 and the STA apportionment which is \$92,916. It is estimated that we will be using approximately \$345,330 of LTF and \$92,916 STA money for the transit system including purchase of vehicles. The remainder of LTF is used for street purposes.

TDA funds are used in conjunction with other street funds for the transportation improvement program and maintenance

of our streets. This claim includes work in progress projects as well as street projects that are expected to be included in the capital improvement plan which will use the LTF. Showing these projects on our claim allows us the flexibility to use TDA funds. It does not approve these projects for construction. The pedestrian and bicycle apportionment, \$21,700 will be used on the City sidewalk upgrading program together with other funds. Since this project includes pedestrian safety, it meets the requirements of this portion of the claim.

ADULT CROSSING GUARD AGREEMENT
REVIEW AND STATUS OF LOCATIONS
RECENTLY STUDIED FOR ADULT CROSSING
GUARDS

CC-48(m)

The City was reminded that staff had been directed by the Council to work with the school district on a possible modification to the Adult Crossing Guard Agreement to allow more flexibility in sharing costs at locations that are "close" to the Caltrans criteria.

This item was scheduled for the November 20, 1991 Council meeting and was deferred in order to allow time for another meeting with LUSD management staff. A meeting was held in which staff discussed this change plus additional possible revisions to the agreement. Also, the Finance Department has been in discussion with the LUSD business office regarding possible changes in billing and reimbursement procedures.

Since it would be desirable to address all these changes in one modification to the agreement, staff will need additional time and plan to return to the Council in early 1992 with this item.

AGENDA ITEM REMOVED FROM THE AGENDA

Agenda item #E-15 entitled, "Renewal of agreement between City of Lodi and Big Valley Model Railroaders" was removed from the agenda.

ACCEPTANCE OF IMPROVEMENTS UNDER
WELL 24 PUMP AND MOTOR, 640 NORTH
STOCKTON STREET (NORTH OF GRAPE BOWL
STADIUM) CONTRACT

CC-90

The City Council accepted the improvements under the "Well 24 Pump and Motor, 640 North Stockton Street (North of Grape Bowl Stadium)" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Anderson Pump Company of Chowchilla on July 17, 1991 in the amount of \$25,200.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council. The final contract price was \$25,200.00

The contract completion date was November 8, 1991.

ACCEPTANCE OF IMPROVEMENTS UNDER
STOCKTON STREET WATER MAIN, LOCKEFORD
STREET TO DONNER WAY CONTRACT

CC-90 The City Council accepted the improvements under the "Stockton Street Water Main, Lockeford Street to Donner Way" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Teichert Construction of Stockton on September 4, 1991 in the amount of \$77,487.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was December 4, 1991, and the actual completion date was November 14, 1991. The final contract price was \$81,430.00. The difference between the contract amount and the final contract price is mainly due to additional paving past the trench limits to fill low areas in the pavement.

ACCEPTANCE OF IMPROVEMENTS UNDER
CHURCH STREET RECONSTRUCTION,
300 FEET NORTH OF CENTURY BOULEVARD
TO KETTLEMAN LANE CONTRACT

CC-90 The City Council accepted the improvements under the "Church Street Reconstruction, 300' North of Century Boulevard to Kettleman Lane" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Claude C. Wood Co. of Lodi on August 7, 1991 in the amount of \$207,104.50. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was November 19, 1991, and the actual completion date was November 1, 1991. The final contract price was \$230,529.67. The difference between the contract amount and the final contract price is mainly due to additional work and material needed to repair soft subgrade areas prior to paving.

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COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

SAN JOAQUIN COUNTY GENERAL
PLAN UPDATE WORKSHOPS

CC-7(b) Council Member Snider referred to a notice he recently read advising that the San Joaquin County Community Development Department will be holding a series of workshops regarding its General Plan Update. Mr. Snider asked that the City staff monitor these meetings.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

HALE ROAD/CHEROKEE LANE INTERSECTION

CC-16 Regina Ortiz, 621 Hale Road, Lodi spoke very briefly regarding the Hale Road/Cherokee Lane intersection as it pertained to recent actions by the Lodi Unified School District.

CITY COUNCIL MEMBERS INVITED
TO RIDE CHRISTMAS FIRE TRUCK

Lodi Firefighter Kenneth Oliver invited members of the Lodi City Council to ride with Santa Claus on one of its fire trucks this year and to pass out candy and fire prevention material.

VARIOUS CONCERNS EXPRESSED BY CITIZENS

CC-16 Virginia Lahr, 311 East Elm Street, Lodi addressed the City Council regarding the following matters:

- I. Asked questions regarding certain commercial structures on Sacramento Street.

Mrs. Lahr was directed to speak to the Community Development Director regarding the matter.
- II. Mrs. Lahr complained about public notification regarding topics of discussion before the City Council and other City Boards and Commissions.

PUBLIC HEARINGS There were no public hearings scheduled for this meeting.

PLANNING COMMISSION The planning Commission had not met since the City Council received its last report.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c) On motion of Council Member Snider, Pennino second, the City Council denied the following verified claims and referred them back to the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA):

- a) Ruth Hagele, Date of loss 5/12/91; and
- b) Michael and Debra Lynch, Date of loss 10/26/91.

PUC APPLICATION

CC-7(f) Notice was received from Pacific Gas and Electric Company (PG&E) advising that it has filed Application No. 91-11-001 with the California Public Utilities Commission (CPUC) requesting authority for an overall decrease to its natural gas rates.

LETTER RECEIVED REGARDING REAPPORTIONMENT

City Clerk Reimche presented a letter which had been received from Supervisor William N. Sousa asking the City Council to pass a resolution asking the California Supreme Court to keep San Joaquin County intact when it reapportions the State's Congressional and State Senate districts.

City Clerk Reimche reminded the City Council that since receipt of the letter reapportionment of the State's Congressional and State Senate district had been accomplished.

COUNCIL MEMBER JACK SIEGLOCK
APPOINTED TO THE SAN JOAQUIN
COUNTY INTEGRATED WASTE MANAGEMENT
LOCAL TASK FORCE

CC-2(a)
CC-7(f) On Motion of Council Member Hinchman, Pennino second, the City Council concurred with the Mayor's appointment of Council Member Jack Sieglock to the San Joaquin County Integrated Waste Management Local Task Force.

COUNCIL ADJOURNS TO MEETING OF THE
LODI PUBLIC IMPROVEMENT CORPORATION

At approximately 8:07 p.m., the City Council adjourned to a meeting of the Lodi Public Improvement Corporation of the City of Lodi.

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The City Council reconvened at approximately 8:12 p.m.

REGULAR CALENDAR

REFINANCING OF CERTIFICATES OF PARTICIPATION
FOR WHITE SLOUGH WATER POLLUTION CONTROL
FACILITY EXPANSION PROJECT APPROVED

RESOLUTION NO. 91-227

CC-51(f)
CC-190
CC-300

The City Manager advised the City Council that the City of Lodi is in a position to refinance the Certificates of Participation issued in July, 1988 to fund the expansion of the White Slough Water Pollution Control Facility which has now been essentially completed. There is the potential to recover a minimum of \$900,000 net to the City to be placed in the Sewer Fund for purposes of reserve and future use as may be determined from time to time by the City Council. With City Council approval, it was further recommended that this refinancing be closed no later than December 20, 1991. The significance of closing in this calendar year is that it leaves 1992 clear for the issuance of any other financing up to \$5,000,000 which would not be subject to arbitrage restrictions. Cities can annually issue bonds and/or certificates up to a maximum of \$5,000,000 without incurring arbitrage penalties. While no such financings are contemplated at this time for 1992, it is in the City's best interest to retain the flexibility afforded by moving into the new year unencumbered in this regard.

The City Council, on motion of Council Member Hinchman, Snider second, adopted Resolution No. 91-227 authorizing the Mayor, the City Manager or the Finance Director and the City Clerk to execute the appropriate documents to accomplish the refinancing of the Certificates of Participation issued to fund the White Slough Water Pollution Control Facility expansion project, with the proviso that the minimum net return to the City's Sewer Fund be \$900,000, and with an extension of the bond redemption retirement date from the year 2018 to 2026.

TOKAY STREET LOWER SACRAMENTO ROAD
TO MILLS AVENUE - SPEED STUDY

RESOLUTION NO. 91-228

CC-48(a)
CC-300

The City Council was reminded that at its November 6, 1991 meeting, a petition was submitted to City Council from residents of Tokay Street requesting that the existing 35 mph speed limit between Lower Sacramento Road and Mills Avenue be reduced to at least 25 mph.

Speed limits are established following guidelines outlined by the State of California, Department of Transportation,

and the California Vehicle Code. The 35 mph speed limit on Tokay Street was determined using these guidelines. This survey was approved by City Council on June 19 of this year. Arbitrarily reducing speed limits below these guidelines would result in a speed limit that is not enforceable by the use of radar. The 25 mph posted speed limit that existed prior to this survey was not radar enforceable. An earlier speed zone survey prepared by staff in 1989 was postponed by Council until the Apple Orchard development was completed. The speed limit proposed in 1989 was also 35 mph.

To check present vehicle speeds, an electronic counting device was placed on Tokay Street east of Lower Sacramento Road. The results of this survey were presented for Council review. By definition, per state guidelines, 85 percent of drivers drive a reasonable speed thus the limit is set at the nearest 5 mile increment below this "85th percentile". This "rounding down" can increase the percentage over the limit. The results of the speed survey on Tokay Street indicates that approximately 25% of the drivers, traveling in both directions, were exceeding the posted speed limit. Less than 1% were exceeding 40 mph. For comparison reasons, speed data was also collected on Mills Avenue north of Lodi Avenue. Although Mills Avenue is slightly wider than Tokay Street, the posted speed limit is also 35 mph. The results of the speed survey on Mills Avenue indicate that approximately 20% of the drivers, traveling in both directions, were exceeding the posted speed limit. Staff has no reason to believe that speeds on other collector streets are not similar.

In comparing the speed zone surveys performed on Tokay Street in 1989 and 1991, staff found vehicle speeds were similar. This indicates that changing the 25 mph speed limit signs to 35 mph speed limit signs had little or no effect on vehicle speeds. This is consistent with research showing that drivers' speed is influenced more by the appearance of the roadway itself and prevailing traffic conditions rather than by the posted speed limit.

When speed limits are established, criteria used to reduce speed limits below the critical speed are reviewed. This criteria includes conditions that are not readily apparent to drivers, such as the accident rate. Arbitrarily lowering speed limits without the support of this criteria would result in a speed limit not enforceable by the use of radar. Although there is apparently some concern that the 35 mph speed limit on Tokay Street is too high, it is the appropriate speed limit per state guidelines, is radar enforceable and is comparable to other collector streets with residential frontage.

OHK

In order to have an enforceable speed limit on Tokay Street, staff did not recommend that the speed limit be arbitrarily reduced. Performing another speed zone survey is also not recommended at this time. Staff feels that increased enforcement is necessary to reduce the number of speeding drivers. The electronic speed data collected for this study will be sent to the Police Department.

Addressing the City Council regarding the matter were:

- a) Joey P. Preszler, 2325 West Tokay Street, Lodi;
- b) Dennis Chase, 2214 West Tokay Street, Lodi;
- c) Jennifer Sirianne, 2324 West Tokay Street, Lodi; and
- d) David Molvik, 2017 West Tokay Street, Lodi.

Following discussion, Council Member Hinchman made a motion that the existing 35 mph speed limit between Lower Sacramento Road and Mills Avenue be reduced to 25 mph. The motion died for lack of a second.

On motion of Council Member Sieglock, Pennino second, the City Council by the following vote adopted Resolution No. 91-228 establishing the speed limit on Tokay Street between Lower Sacramento Road and Mills Avenue at 30 miles per hour.

Ayes: Council Members - Hinchman, Pennino, Sieglock and Pinkerton (Mayor)

Noes: Council Members - Snider

Absent: Council Members - None

It was requested that the follow-up data and study results be provided to the City Council within six months.

PETITION LODI MUNICIPAL COURT TO INCREASE PARKING VIOLATION FINES

RESOLUTION NO. 91-229

CC-48(k)

The City Council was advised that in August 1991, the State Legislature adopted trial court funding legislation (AB1297, AB544, and SB21) which requires that an additional State surcharge of \$2.00 be added to each parking ticket issued and collected after December 1, 1991. This legislation was enacted by the State to reform funding of trial courts and to provide financial relief to the State during the current fiscal crises. Because these bills were rushed through the Legislature, particularly SB21 which was

amended and enacted on the last day prior to the Legislature's Summer Recess, there were many drafting errors and ambiguities, some of which became apparent to the League of California Cities after enactment. One important oversight in the legislation was that it did not provide concurrent effective dates. One bill had an effective date of August 5, 1991 (SB21) and another bill had an effective date of September 5, 1991 (AB2142).

In early November, the City was notified by the County that the \$2.00 surcharge would be effective December 1, 1991 and that the City should petition the Court to recommend a bail schedule (fines) to be adopted by the Court. In California, the Court establishes the bail schedule for parking violations with the exception of fines provided by the California Vehicle Code such as "handicapped parking".

LODI PARKING ENFORCEMENT PROGRAM

The City of Lodi's Parking Enforcement Program consists of two Parking Enforcement Assistants who patrol assigned areas of the City to enforce parking and vehicle ordinances. These individuals issue an average of 6,600 citations per year. These citations are turned over to the Lodi Municipal Court which then imposes, collects and distributes the fine revenues as required. In addition, the Lodi Municipal Court follows up on delinquencies. For this service, the Court charges the City 12% of the parking fine revenues after deducting State mandated charges.

The current cost of the Parking Enforcement Program is \$83,700 per year and will continue to increase with inflation. The City now recovers \$47,000 per year from parking fines and parking lot permits and subsidizes the remaining \$36,700 per year from general fund revenues. Normally parking programs are not subsidized programs, but are fully funded programs paid for from parking program revenues.

The Parking Enforcement Program is basically a program limited to enforcement in two areas of the City, the downtown area and the residential area to the east of the Pacific Coast Producers. On a time available basis, parking enforcement personnel patrol other areas of the City to enforce handicapped parking and other parking infractions.

One important goal of the Parking Enforcement Program in the downtown area is to ensure that adequate and convenient parking is available for customers of downtown businesses. To this end, the City provides parking lots for employees and owners of downtown businesses and has limited street parking to two (2) hour parking zones. For the most part the program is effective; however, there are a large number

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of employees and owners that park in time zones without regard to the current fines or goal of the City's parking program, much to the displeasure of the many business owners that depend on convenient parking for their customers. While customers are often cited for violating time zones, the current fines do not deter parking by many employees and owners in parking zones intended for customers.

The goal of the Parking Enforcement Program in the area of Pacific Coast Producers is to stop employees and visitors of Pacific Coast Producers from parking in a residential neighborhood. This problem could be corrected if Pacific Coast Producers were to provide adequate parking for their employees and visitors on their property or adjacent properties. Until this is done, the City will have to continue enforcing the current parking restrictions in this residential area.

LODI DOWNTOWN BUSINESS ASSOCIATION

On November 20, 1991, City staff met with the Lodi Downtown Business Association Board (LDBA) to discuss the parking enforcement program. It was a productive meeting during which several concerns and recommendations were made by the LDBA which should be considered by Council prior to making a final decision.

Timing

Concern was expressed as to the impact of an increased parking fine on businesses in the downtown, particularly during the Christmas shopping season. The LDBA Board believes that the timing of this increase could not have come at a worse time given the importance of the Christmas shopping season to many businesses in the downtown.

Parking Enforcement

The Board discussed the possibility of eliminating the Parking Enforcement Program and what alternatives are available to promote customer parking and how to discourage parking by employees of downtown businesses. After some discussion, the LDBA Board concluded that they could not prevent employees and owners from parking in customer zones with a voluntary program. The Board requested City staff to contact other cities that do not have a parking enforcement program to determine how their parking policies are achieved without a parking enforcement program.

After review of the recommendation to extend zone parking from two (2) to three (3) hours, it was concluded that this recommendation would create an unenforceable time period. The tires in zone parking areas are first marked at 9:00

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a.m. Parking tickets could not be issued until 12:00 when most people are going to lunch. Accordingly, there would probably be no violators.

The Board requested that the City explore the possibility of allowing businesses to "void" parking tickets for legitimate customers, especially during the Christmas shopping season. This request will be referred to the City Attorney to determine if it is feasible and legal.

Private Parking Areas

Some members of the LDBA Board suggested that the parking enforcement program be extended to their private parking lots to discourage overtime parking and abuse.

City Owned Parking Lots

There was one suggestion that the City increase the fees for "parking lot permits" from \$5.00. The current fee was considered low and has not been changed for some time.

Alternative Solutions

The LDBA Board expressed interest in a recommendation to form a Parking Enforcement, Recreation and Cultural Program Assessment District. This district would be formed to assess property owners in the downtown and Pacific Coast Producers for the cost of the parking enforcement program, in whole or part; and, to raise the revenues to promote recreation and cultural programs in the downtown. Such a District could benefit both the merchants and the City. Some of the benefits include:

- ° The City Council recover the cost of providing a parking enforcement program.
- ° All property owners in the District would equally share in the cost of services provided by the District such as parking enforcement, district management, and the recreation and cultural programs sponsored by the District to attract customers to the downtown.
- ° The downtown would have the revenue and organization to assist this business area in remaining a viable business zone and not deteriorating into a blighted, unwelcoming, crime area as found in many cities.

At the conclusion of the meeting the LDBA Board recommended that the City adopt the new fines on December 4, 1991 with the exception of parking fines for time zones which they

recommended should not be adjusted by more than that \$2.00 required by the State. After December, the fines for time zones could be increased to \$10.00 for up to six months while the City and the LDBA Board explore alternative solutions.

CITY COUNCIL OPTIONS

The Council has the following options from which to choose at this time:

- A. Do Nothing
Pay the additional State surcharge of \$2.00 per ticket at a total cost to the City of \$47,000 per year.
- B. Raise Fine to \$2.00
Continue to subsidize the parking program at \$34,000 per year.
- C. Adopt Staff Recommendation
Eliminate the current subsidy and make the parking program a self supporting service.
- D. Adopt Other Rates
The cost or revenue to be determined.
- E. Terminate the Parking Program
Save the City \$80,000 per year.
- F. Establish a Parking Enforcement, Recreational, and Cultural Assessment District
With the support of the Lodi Downtown Business Association establish an assessment district to pay for the parking enforcement, recreation, and cultural programs in the downtown to provide focus in the downtown as a center for community activity and business.

RECOMMENDATION

1. Staff recommends the increasing in parking fines and parking permit fees as listed on the following page:

BAIL SCHEDULE AND PARKING LOT PERMITS

Lodi City Code	Current Bail	December 1, 1991 Recommended Bail	January 1, 1992 Recommended Bail
Restricted Zone	\$10.00	\$20.00	\$20.00
Parked on Sidewalk	15.00	20.00	20.00
Parked in Alley	15.00	20.00	20.00
Out of Markings	10.00	20.00	20.00
Tire at Curb over 6"	10.00	20.00	20.00
Out of Designated Space	10.00	20.00	20.00
Parked on City Property	10.00	20.00	20.00
Fire Lane	50.00	52.00	52.00
PCP	10.00	20.00	20.00
Overparking 2 Hours	3.50	5.50	10.00
Overparking 4 Hours (same space)	6.50	8.50	15.00
Overparking 6 Hours (same space)	11.50	13.50	20.00
Permit Parking Violations	3.50	10.00	10.00

An additional late charge of \$5.00 will be added after 7 days and an additional late charge of \$10.00 will be added after thirty days to all parking fines provided in the Lodi Municipal Code.

PARKING LOT PERMITS

	Current	January 1, 1992 Recommended
Quarterly Parking Permits	\$15.00	\$30.00

2. Staff recommends that Council authorize staff to assist the Lodi Downtown Business Association in forming an assessment district to fund the operating costs of the parking enforcement program and to fund recreation and cultural programs in the downtown.

The following persons addressed the City Council regarding the matter:

- a) Mr. Dan Battilana, 1251 West Turner Road, Lodi representing the Lodi Downtown Business Association; and
- b) Mr. Mike Lapenta, 1752 Edgewood Drive, Lodi.

Following discussion with questions being directed to staff and to those who had addressed the City Council regarding the matter, the City Council, on motion of Mayor Pinkerton,

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Continued December 4, 1991

Pennino second, took the following actions regarding the matter:

- a) Adopted Resolution No. 91-229 which authorized petitioning Lodi Municipal Court to increase parking violation fines as heretofore set forth with the following exception:
 - I. The recommended bail for overparking in downtown in a two-hour zone will be increased December 1, 1991 from \$3.50 to \$5.50. A recommended increase to become effective January 1, 1992 was not approved.
- b) Directed staff to reassign the City's Parking Enforcement Assistants--to have them issue tickets to cars parked over the time limit only if a complaint is received.
- c) An Ad Hoc Committee comprised of the Mayor and City Attorney and a representative of the Lodi Downtown Business Association (LDBA) will review the entire matter and will report back to the City Council on February 5, 1992 with suggestions for permanent changes to parking violation fines.

CHEROKEE LANE, FROM KETTLEMAN
LANE TO LODI AVENUE - OPTIMUM
SIGNAL LOCATION

CC-48(h)

The City Council was reminded that as part of the recent City Council discussions about Cherokee Lane, Public Works staff indicated a study was underway which would determine the appropriate location(s) for a traffic signal(s) between Kettleman Lane and Lodi Avenue. Much of the Cherokee Lane discussion involved the intersection of Cherokee/Hale. The concerns were for the safety of school-age children and other pedestrians crossing Cherokee Lane.

The Electric Utility Department and Public Works Department have recently installed a flashing beacon, larger pedestrian signs and a modified crosswalk to provide improved notification of pedestrians crossing Cherokee Lane at Hale Road. The next step to improving pedestrian safety on Cherokee Lane would be to install a traffic signal between Lodi Avenue and Kettleman Lane. This step raised the question of which location or locations would be best for a traffic signal. The study considered Tokay Street, Hale Road, Vine Street, Poplar Street, Eden Street, Delores Street and the K-Mart driveway.

OSK

Staff conducted a traffic signal progression analysis for that portion of Cherokee Lane. The analysis was conducted using a computer software application called PASSER.

PASSER Analysis

PASSER is the acronym for the Progression Analysis and Signal System Evaluation Routine. The software has many uses, one of which is to determine the optimum locations and timing for signals which will allow vehicles to travel along a roadway segment at a constant speed without being stopped by a red light. By entering data such as the intersection peak hour turning movements, distance between intersections, and desired speed range, the computer software will provide various factors to determine the best locations and timing of signals. These factors include optimum cycle length, recommended speed, bandwidth, efficiency, attainability and intersection delay. The efficiency level directly relates to a range of progression from "poor" to "great". Appendix A below provides a definition of efficiency as well as an explanation of the other factors. By reviewing the factors, staff determined the best combination of signalized intersections on Cherokee Lane, from a progression standpoint, would be as follows:

- Hale Road and Poplar Street
- Hale Road and Delores Street
- Tokay Street, Hale Road and Poplar Street
- Tokay Street and Hale Road
- Tokay Street, Hale Road and Vine Street
- Tokay Street and Vine Street

All of the above combinations will provide "great" progression (i.e. "efficiency of 0.37 or higher) and minimum delay at the intersections. Table 1 of Appendix A presents the actual values.

Traffic Signal Guidelines/Priority List

The intersections studied and the volumes were presented for Council review. The progression analysis assumed all the signals satisfied the Caltrans traffic signal guidelines. However, two intersections, Cherokee Lane/Poplar Street and Cherokee Lane/Delores Street, do not presently meet the signal warrant guidelines. Therefore, three of the signal combinations listed above would not be appropriate until volumes increase on the side streets or other factors change.

The Cherokee Lane and Tokay Street, and Cherokee Lane and Hale Road intersections satisfy the Caltrans traffic signal guidelines and, therefore, they are included on the updated 1990 Signal Priority Study list. Currently, there are

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twenty additional intersections that satisfy the Caltrans traffic signal guidelines. Two of the twenty intersections are under construction, Hutchins Street and Vine Street and Kettleman Lane and Mills Avenue and have been removed from the signal priority list. The Cherokee Lane and Tokay Street, and Cherokee Lane and Hale Road intersections are #5 and #16, respectively, on the updated signal priority list. The Cherokee Lane and Vine Street intersection is already on the signal priority list as #18. All these locations will be shown in the Street Capital Improvement Program list of projects. Funding and timing of installations would best be discussed along with the entire program.

A traffic signal located at Cherokee Lane and Tokay Street could include signalizing the Tokay Bowl southern driveway. This driveway is directly across from Tokay Street. If the southern driveway is signalized, staff will recommend closing the northern driveway. A signal at Cherokee Lane and Tokay Street will provide a protected pedestrian crossing for students walking to and from the Heritage Elementary School and patrons walking to and from K-Mart.

A traffic signal located at Cherokee Lane and Hale Road will provide a protected pedestrian crossing for patrons using the Star Market as well as students attending Heritage Elementary School.

In reviewing city-wide pedestrian accidents from 1987 to 1990, there are five intersections that have had three or more pedestrian accidents. Four of the intersections are on Cherokee Lane--Locust Street (three accidents), Elm Street (three accidents), Eden Street (five accidents) and Hale Road (three accidents). The other intersection that has had three accidents is at a signalized intersection, Church Street and Lodi Avenue.

A traffic signal located at Cherokee/Hale and/or Cherokee/Tokay will provide a higher degree of safety for pedestrians but accidents may still occur at these intersections. It should also be noted that once a signal is installed at Hale and Cherokee this intersection will be far from meeting the criteria for an adult crossing guard. For young children, crossing at this intersection will still be intimidating. Busing may still be the best solution to the school crossing problem.

The following additional information was provided to the City Council:

A p p e n d i x A

Explanation of Progression Terms

The basic definition of two common terms used to describe signal timing parameters are as follows:

Cycle length - The time period in seconds required for one complete sequence of signal indications (green, amber, red for both streets). The cycle length usually ranges between 60-120 seconds. The more options an intersection has, such as separate left-turn phases (arrows), the longer the cycle length will be. Longer cycle lengths increase the average delay for stopped vehicles.

Optimum cycle length - PASSER determines the best cycle length to provide the best progression.

Recommended speed - PASSER provides a recommended speed for the major street which is within 2 mph- of the desired speed entered. The recommended speed takes into account the maximum bandwidth required to obtain the best progression plan. Several trials were made, and depending on the progression plan, the recommended speeds ranged from 33 to 37 mph.

PASSER uses three measures to estimate the quality of progression: bandwidth, efficiency and attainability.

Bandwidth - The number of seconds during each signal cycle length that is devoted to progressive traffic flow in a given direction along the major street. Larger bandwidths mean more vehicles can be accommodated in a single green wave. However, creating larger bands by simply increasing the cycle length increases the average delay for stopped vehicles. Therefore, "efficiency", which relates bandwidth to cycle length, is considered a better measure of signal progression quality than bandwidth alone.

Efficiency - The average fraction of the cycle used for progression. It is a ratio of seconds of bandwidth to cycle length. PASSER provides a value that relates to the following levels:

- 0.00-0.12 Poor progression
- 0.13-0.24 Fair progression
- 0.25-0.36 Good progression
- 0.37+ Great progression

Attainability - The ratio of seconds of smallest arterial green to the bandwidth. The values can range from 0.00 to 1.00. The higher values provide more desirable solutions.

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Another term commonly used to evaluate the performance of intersections is the following:

Intersection delay - The total delay of vehicles divided by the total number of vehicles which is expressed in seconds per vehicle. The intersection delay relates to level of service which is a qualitative measure of traffic operating conditions at an intersection whereby a letter grade, "A" through "F", is assigned. LOS "A" indicates free-flowing conditions with minimal delay, while "F" indicates highly congested conditions with lengthy delays. The following delay values relate to the level of service:

<u>Average Intersection Delay (sec/veh)</u>	<u>Level of Service</u>
0.0 - 5.0	A
5.1 - 15.0	B
15.1 - 25.0	C
25.1 - 40.0	D
40.1 - 60.0	E
60.0+	F

Table 1 presents the results of the PASSER analysis. Another PASSER output that provides a visual aid of the progression plan is the time-space diagram. Figure 1 shows PASSER's recommended speed for the Tokay Street, Hale Road and Vine Street progression plan, as well as hand-drawn speeds of 30 mph and 40 mph.

General

Initially, the Cherokee Lane and Kettleman Lane intersection was included in the progression analysis. However, a cycle length of 105 seconds is required to accommodate all of the phases of this intersection. With a higher cycle length, the intersection delay for all the intersection was also high. Without including Cherokee Lane and Kettleman Lane intersection, the minimum cycle length is 71 seconds.

The analysis also assumed separate left-turn phases on Cherokee Lane at Lodi Avenue. In the near future, these separate phases will need to be implemented.

1990 Signal Priority List
(Updated 1991)

1. Lockeford Street/Stockton Street	485
2. Lockeford Street/Sacramento Street	460
3. Turner Road/Stockton Street	338
4. Lower Sacramento Road/Vine Street	314
5. Cherokee Lane/Tokay Street	273

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6. Harney Lane/Stockton Street	270
7. Lodi Avenue/Mills Avenue	242
8. Lower Sacramento Road-Woodhaven Lane/Turner Road	239
9. Kettleman Lane/Central Avenue	239
10. Kettleman Lane/Crescent Avenue	234
11. Turner Road/Mills Avenue	233
12. Pine Street/Stockton Street	218
13. Harney Lane/Ham Lane	195
14. Mills Avenue/Elm Street	190
15. Turner Road/Edgewood Drive	186
16. Cherokee Lane/Hale Road	182
17. Ham Lane/Century Boulevard	172
18. Cherokee Lane/Vine Street	148
19. Hutchins Street/Pine Street	141
20. Cherokee Lane/Elm Street	89

Following discussion, on motion of Council Member Snider, Hinchman second, the City Council placed two intersections, Cherokee and Tokay and Cherokee and Hale, on the Capital Improvement Project (CIP) list for traffic signal installations.

AWARD OF CONTRACT FOR TELEPHONE SYSTEM UPGRADE

RESOLUTION NO. 91-224

CC-12(d)
CC-300

The City Council was advised that last April, the City Council approved contracting with Northern California Communications Network (NCCN) to evaluate the City's current telephone system. Common telephone problems identified by NCCN included antiquated hardware, no growth capability with existing equipment; inability to successfully transfer calls from certain locations, unexplained equipment downtime, and employee frustration due to low volume and inability to hear callers. The current system has reached its maximum capacity. In addition to the hardware problems of our present telephone system, NCCN identified some serious problems with our present configuration and operation.

In the Police Department Detective Division, calls not answered are currently forwarded to the Records Division or the Dispatch Center. In some cases, the caller must wait up to three minutes before a call is finally answered by someone. Calls have come into the Dispatch Center at most inappropriate times. Crime Stoppers' calls also end up in the Dispatch Center.

The demand on staff time in the Parks and Recreation Department to answer telephone calls is horrendous. During registration periods, the number of calls per day approaches 400. On days when we have inclement weather,

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the Parks and Recreation Department staff are overloaded by callers requesting information. In the 1990-91 budget, we appropriated funds for some sort of voice processing equipment to relieve this problem, but could not integrate the equipment with our existing switch.

In other departments, the problem of disseminating information exists, but not to the degree as in Parks and Recreation. The majority of calls received by a secretary are for staff members who are frequently unavailable. The secretary must then take messages from callers who are generally requesting information from staff or wish to leave information. It would be considerably more efficient and easier to transfer the caller to a personalized voice mail box rather than requiring the secretary to set aside other work to take messages. In addition, staff will receive much more detailed messages by voice mail, thus allowing staff to gather pertinent information prior to returning the call. On the other hand, callers simply want to leave information and do not require a return call.

The City has the following options regarding the telephone system:

1. Continue to "band-aid" the telephone system and invest money into the switch with the knowledge that it has reached capacity and will crash with the overload;
2. Contract with Pacific Bell for Centrex services at a rate which would far exceed the proposed upgrade costs; or
3. Upgrade the switch, replace antiquated equipment at various department locations (MSC, White Slough, Hutchins Street Square, Parks and Recreation, and Fire Station #2), and install a voice processing system.

Option 3 was recommended by NCCN, and City staff agree, based on long term projections of telephone needs and services. The City's existing equipment is durable and will support the upgrade, thereby averting the purchase of a new switch.

NCCN assisted in developing a request for proposals. The following proposals were received from vendors and include the switch upgrade, a new PBX at MSC, and new key systems for White Slough, Hutchins Street Square, Parks and Recreation, and Fire Station 2.

<u>Vendor</u>	<u>Proposal</u>
Pactel with Meridian Mail	\$171,473
Pactel with Octel Aspen	\$182,379
Executone with Meridian Mail	\$173,582
Executone with Octel Aspen	\$179,157
GTE with Meridian Mail	\$185,123
GTE with Octel Aspen	\$199,788

Staff is recommending the purchase and installation of Pactel with the Octel Aspen voice mail option. It is not the least expensive. However, the reason we chose Pactel over Executone is that Pactel has 61 trained technicians to maintain the system upgrade. Executone has never maintained this equipment and are proposing to send 3 technicians to school. For the slight increase in price, we feel that we will recapture the difference in cost.

Staff is also recommending the Octel system because it is a more advanced system and is more user-friendly. If we ever expand, the cost of adding 4 additional ports will be \$5,395 with the Octel option and \$27,546 with the Meridian Mail option.

We are requesting authority to spend \$200,000 on this project. The costs are broken down as follows:

Cost of system	\$182,379
Consultants	7,000
Contingency	10,621
	<u>\$200,000</u>

In order to finance this project, staff recommended a variety of sources. A portion of the funding will come from system savings, and a portion from savings on first year maintenance costs. A full year of maintenance on the old equipment is included in the bid price. We will ask San Joaquin County to pay their fair share of the cost of the upgrade and voice mail system. One-half of the cost of the voice mail system will be charged to the unappropriated funds in the asset seizure fund, since the Police Department will be a major beneficiary of that system. The remainder of the system will be paid for from capital funds.

The breakdown of funding is as follows:

Eliminate MSC system	\$ 31,755 *
1 year maintenance cost savings	12,895
San Joaquin County	12,170
Police Asset Seizure	35,720
Sewer Capital	20,300
Water Capital	10,150
White Slough Capital	11,050

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Library Capital	5,070
Capital Outlay Reserve	30,445
Electric Capital	30,445
	<u>\$200,000</u>

* The City is presently paying \$815 for four off premise extension at MSC. The lease purchase cost of the MSC system will be \$875 per month.

The City Council, on motion of Council Member Snider, Hinchman second, adopted Resolution No. 91-224 the PacTel Meridian Systems' and Octel Communications Corporation's proposals to furnish, install, and maintain telephone equipment to upgrade existing telephone configuration at City Hall, Public Safety building, Municipal Service Center, Parks and Recreation, White Slough Water Pollution Control Facility, Fire Station 2, and Hutchins Street Square as outlined in the heretofore listed staff report.

REFUSE RATE METHODOLOGY APPROVED

CC-22(b)

The City Council was reminded that at the Work-Study ("Shirtsleeve") session of November 12, 1991, it heard a presentation on the proposed Refuse Rate Methodology incorporated in the hereinafter Executive Summary.

INTRODUCTION

This document describes a methodology for periodically adjusting the rates charged by Lodi Sanitary City Disposal (LSCD) for refuse collection services provided within the City of Lodi. This methodology ensures that the manner in which these rates are set is fair and reasonable, and that LSCD faces substantial incentives for efficient operation. Rates are based on agreed-upon reasonable forecasts of expenses and revenues.

SERVICES COVERED BY THE RATE METHODOLOGY

The rate methodology specified herein governs the setting of rates for the following categories of services rendered by LSCD in accordance with the franchise agreement between LSCD and the City of Lodi:

- ° Residential refuse, recyclable material, and yard waste collection and processing;
- ° Commercial refuse and recyclable material collection and processing; and
- ° Industrial refuse collection.

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RATE ADJUSTMENT PROCESS

LSCD will file a detailed rate application to cover the costs incurred during the fiscal years ending March 31, 1992, March 31, 1993 and March 31, 1994. This application will be filed on an early 1992 date to be mutually-determined by LSCD and the City, and will propose two equal rate adjustments. The first adjustment will become effective on a mutually-determined date. The rate adjustments will be based on budget projection for the test year periods from April 1, 1991 to March 31, 1992, from April 1, 1992 to March 31, 1993 and from April 1, 1993 to March 31, 1994.

LSCD will file a detailed rate application on February 15, 1993 for the period from April 1, 1993 to March 31, 1994. Based on this application, the second of the two rate adjustments discussed above will, if necessary, be modified.

The detailed rate application submitted on February 15, 1993 will be the start of a two year rate adjustment cycle. For the first year of each cycle, LSCD will file a detailed rate adjustment application by February 15 with rates to become effective on April 1. For the second year of each cycle, LSCD will file, by February 15, a rate adjustment request based on a composite cost index formula with rates to become effective on April 1.

ALLOWABLE REVENUES, EXPENSES, AND REASONABLE RETURN

Allowable Revenues: Allowable revenues corresponding to the above services.

Allowable Expenses: Allowable expenses corresponding to the above services shall include:

- ° Refuse, recycling, and yard waste collection expenses.
- ° Recyclable and compostable material processing expenses.
- ° Transfer station charges.
- ° Disposal charges.
- ° Franchise fees.

Reasonable Return: A reasonable return will be calculated as 12% of collection and processing expenses.

Allowable expenses can either be exclusive to the City of Lodi franchise or shared with other jurisdictions. The rate application will identify shared expenses and document

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the formula used to allocate a portion of shared expenses to the City. LSCD will provide organization and staffing charts to support the payroll expenses of the budget projections.

Recyclable and compostable material processing expenses will be allocated to the LSCD franchise based on a percentage of the total material processing facility expenses. The percentage is calculated as the number of tons of recyclable and compostable material from the LSCD franchise divided by the total tons from regulated jurisdictions delivered to the material processing facility.

The source and tonnage of recyclable and compostable material is tracked and documented using LSCD tonnage reports and the California State Recycling Center/Curbside Certification Number for each jurisdiction. Material is collected and sorted, and then weighed by commodity by jurisdiction. Revenue from the sale of recyclable and compostable material is documented by sale invoice. The City of Lodi franchise will be credited 100% of the actual commodity sales price.

PROCEDURE FOR SETTING RATES

Detailed Rate Application Procedure

For the initial period through March 31, 1994, and as well as the first year of each two year cycle, rates will be adjusted following the submission of a detailed rate application. The basis for the rates, revenues, expenses, and return shall be the annual budget for the provision of the above services. The rate adjustment will be determined by the following steps:

- ° The application will include a budget for the provision of the above services for the test year. The budget will be adjusted so that only allowable revenues and expense are included.
- ° The Required Test Year Revenue (RTYR) will be calculated by adding the reasonable return to the allowable expenses presented in the budget. The RTYR will be adjusted for any recycling revenue variance in the prior year.
- ° Projected Test Year Revenue (PTYR) will be calculated by estimating the allowable revenues expected to be received at existing rates during the test year.

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- ° The Additional Required Revenue (ARR) will be the difference between Required Test Year Revenue and Projected Test Year Revenue.
- ° The Rate Adjustment Percentage (RAP) will be calculated by dividing the Additional Required Revenue (ARR) by the Projected Test Year Revenue (PTYR). An adjustment will be made to the ARR to reflect any timing lag in rate adjustment in the prior year due to the rate adjustment becoming effective after the start of the test year.

Index Year Rate Adjustment Procedure

In the second year of each two year cycle, rate adjustments will be determined following the calculation of a Composite Cost Index (CCI). Rates for the index year will be computed by multiplying the prior year rates by the CCI. The CCI includes an estimate of the increase in expenses (calculated by multiplying the different allowable expense components of the prior rate application by appropriate estimates of costs increases), an adjustment for new revenues and expenses due to growth, and an adjustment for any timing delay in the rate adjustment or the prior year.

Rate Adjustment

The Rate Adjustment Percentage (RAP) resulting from the submission of a detailed rate application or the Composite Cost Index (CCI) calculated during an index year will be applied uniformly to all rates for the services listed in Section 1.

LSCD or the City of Lodi may, either as part of the rate application process or separate from the process, propose alternative rate structures. Alternative rate structures will not result in a change in required revenue.

Kirk Evans, Administrative Assistant to the City Manager and representatives of Lodi Sanitary City Disposal Company responded to questions regarding the matter as were posed by the City Council.

Following a lengthy discussion, on motion of Council Member Snider, Hinchman second, the City Council adopted the proposed Refuse Rate Methodology jointly prepared by the City of Lodi and Lodi Sanitary City Disposal Company, Inc., to establish criteria for rate review.

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Continued December 4, 1991

PURCHASE OF BAR-90 TEST ANALYZER SYSTEM
FOR EQUIPMENT MAINTENANCE DIVISION APPROVED

RESOLUTION NO. 91-220

01 12 1991

The City Council was apprised that the Bureau of Automotive Repair has written a new analyzer specification for the Smog Check Program. Senate Bill 1997 (SB1997) requires that participants in the program use the BAR-90 Test Analyzer System (TAS). SB1997 also requires all Government vehicles to meet emission inspection and certification requirements by January 1, 1992.

The City of Lodi's Equipment Maintenance Division can perform in-house smog checks at a considerable savings compared to the cost of contracting that work to outside vendors, so monies were allocated in this 1991-92 fiscal year budget for the purchase of a BAR-90 system.

Quotes were received from the major manufacturers of BAR-90 systems and demonstrations of their features and options have been conducted on site and evaluated by Equipment Maintenance mechanics, supervisors, and management. Although formal bid proposals were not solicited, adequate comparisons have been completed in order for us to recommend purchase of a BAR-90 system that meets all current needs and requirements and allows for future growth and options.

The BAR-90 TAS from Bear Automotive Service Equipment Company will cost \$17,967.31, including tax, freight, installation, training and 5-year warranty.

There are several advantages that the Bear Equipment Company's BAR-90 system has over the others we considered:

1. The initial purchase price is \$500 - \$1,500 less, including options.
2. Features that are considered options on other models, or not available at all, come as standard equipment.
3. An engine analyzer module and attachments provide ability to use the machine to do diagnostic work as well.
4. The engine analyzer that the shop is presently using was produced by the same manufacturer, so familiarity with Bear equipment should reduce the amount of training time required.

Bear Equipment BAR-90 TAS to meet SB1997 requirements	\$12,000.00
Color monitor, battery tachometer and digital volts/ohms kit, on-board diagnostic computer interface kit, timing light kit, engine analyzer module, and coil adapter kit	\$ 4,675.00
7.75% Sales Tax	<u>\$ 1,292.31</u>
TOTAL	\$17,967.31

Mayor Pro Tempore Pennino posed the question if it might not be cheaper to have this type of work done locally.

The City Council, on motion of Mayor Pro Tempore Pennino, Pinkerton second, adopted Resolution No. 91-220 approving the purchase of a BAR-90 Test Analyzer System for the Public Works Equipment Maintenance Division from Bear Automotive Service Equipment Company in the amount of \$17,967.31.

ORDINANCES

18601, 18539, AND 18481 NORTH
LILAC STREET, WOODBRIDGE PREZONED R-GA

ORDINANCE NO. 1539 ADOPTED

CC-53(a)
CC-149

Ordinance No. 1539 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning 18601, 18539 and 18481 North Lilac Street, Woodbridge (APN's 015-170-07, 08, and 09) from GA, General Agriculture to R-GA, Garden Apartment Residential, With a Condition Relating to School Facilities Funding" having been introduced at a regular meeting of the Lodi City Council held November 20, 1991 was brought up for passage on motion of Council Member Hinchman, Snider second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by unanimous vote of the City Council.

ORDINANCE PREZONING 5430, 5480,
5510, 5580, 5650, 5730, AND 5960 EAST
SARGENT ROAD TO HEAVY INDUSTRIAL APPROVED

ORDINANCE NO. 1540 ADOPTED

CC-53(a)
CC-149

Ordinance No. 1540 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning 5430, 5480, 5510, 5580, 5650, 5730 and 5960 East Sargent Road (APN's 049-070-03, 04, 05,

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Continued December 4, 1991

06, 07, 08, 09 and 10) from General Agriculture to M-2, Heavy Industrial" having been introduced at a regular meeting of the Lodi City Council held November 20, 1991 was brought up for passage on motion of Council Member Hinchman, Pennino second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by unanimous vote of the City Council

CLOSED SESSION

It was determined that it was not necessary to meet in a Closed Session regarding labor relations.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pinkerton adjourned the meeting at approximately 10:10 p.m. to 7:00 a.m., Tuesday, December 10, 1991.

ATTEST:



Alice M. Reimche
City Clerk