

**LODI CITY COUNCIL  
SHIRTSLEEVE SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, AUGUST 24, 2010**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, August 24, 2010, commencing at 7:00 a.m.

Present: Council Member Hansen, Council Member Johnson, and Mayor Pro Tempore Hitchcock

Absent: Council Member Mounce, and Mayor Katzakian

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

B. Topic(s)

B-1 Presentation on Transit Sunday Service Statistics, Transit Route and Schedule Modifications, and Parking Structure Security Services Update (PW)

Interim City Manager Rad Bartlam provided a brief introduction to the subject matter of transit status and statistics.

Transportation Manager/Senior Traffic Engineer Paula Fernandez provided a PowerPoint presentation regarding the transit service statistics, transit route and schedule modifications, and parking structure security services update. Specific topics of discussion included Fiscal Year 2009/10 transit passengers, total ridership for 2009/10, passengers per revenue hours, service costs, transit route and schedule modifications, parking structure security service statistics, and security services recommendations and implementation.

In response to Council Member Hansen, Ms. Fernandez stated the ridership statistics represent the numbers for Fiscal Year 2009/10.

In response to Council Member Hansen, Ms. Fernandez stated that, when hours were reduced, the fare collection and ridership numbers went down and therefore increased the subsidy per passenger.

In response to Council Member Hansen, Ms. Fernandez stated the subsidy is calculated based upon operating costs for a year minus the fare collected for that year, which results in the average subsidy.

In response to Council Member Johnson, Ms. Fernandez stated Sunday operating hours are 9:00 a.m. to 1:00 p.m.

In response to Council Member Hansen, Ms. Fernandez stated revenue hours are hours that all the buses are actually operating.

In response to Council Member Hansen, Ms. Fernandez stated the cost for Sunday service is approximately \$1,000 and the cost for Saturday service is approximately \$2,000.

In response to Council Member Hansen, Ms. Fernandez stated the cost for Sunday service is approximately \$1,000 for 90 passengers.

In response to Mayor Pro Tempore Hitchcock, Ms. Fernandez stated there was not a trend of

popular hours for Saturday service and currently the Saturday service runs from 7:45 a.m. to 3:09 p.m.

In response to Council Member Hansen, Ms. Fernandez stated the minor modifications are proposed to start on September 7 unless the City Council directs otherwise.

In response to Council Member Hansen, Ms. Fernandez stated staff has not looked into the school district paying toward providing the bus service in light of the amount of student ridership. Ms. Fernandez stated the City of Stockton may have such a program between the City and the Stockton Unified School District and staff will research and bring back to Council additional information regarding the same.

In response to Myrna Wetzel, Ms. Fernandez stated the new fare box card does not work like a debit card.

In response to Council Member Hansen, Ms. Fernandez stated staff has received the majority of equipment for the new fare boxes and installation is ready to begin.

In response to Council Member Hansen, Ms. Fernandez stated the route modification will add a stop for Lodi Memorial Hospital, which will take riders to the back side of the hospital as requested.

In response to Council Member Hansen, Ms. Fernandez stated 32 people participated in the public meetings. She stated sufficient notice was provided in English and Spanish through newspaper publications and flyer distribution.

In response to Council Member Johnson, Ms. Fernandez stated there have been arrests in the parking garage over the last few months.

In response to Myrna Wetzel, Ms. Fernandez stated the arrests occurred at all different hours.

In response to Council Member Hansen, Ms. Fernandez stated security was on duty when the ten thefts occurred in April, May, and June.

In response to Mayor Pro Tempore Hitchcock, Ms. Fernandez stated staff would need to check with the Police Department regarding specific incident details but word is out that violators can be arrested in the parking structure.

In response to Council Member Hansen, Ms. Fernandez stated it is expected that the grant funds for the security cameras will be received soon. She stated the security company can manage and monitor the security cameras once installed.

In response to Council Member Hansen, Ms. Fernandez stated security cameras will not be installed at the small lot because it is not a transit facility.

Jason Oringer of SEIU spoke of his concerns regarding the Securitas company and training of employees. In response to Council Member Hansen, Mr. Oringer stated Securitas employees are non-unionized and SEIU comes from a labor perspective and would like to see industry standards for security training raised.

In response to Council Member Hansen, Jim Beltz, representing Securitas, provided an overview of the hiring and training process for employees. Mr. Beltz stated the current site supervisor has been on location since 2004 and has recently asked to be transferred based on the recent media attention.

In response to Council Member Hansen, Mr. Beltz stated Securitas has implemented the use of bicycles and increased the number of officers on duty to address the recent security concerns at the parking structure. He stated officers do follow-up as necessary and sometimes ask for identification depending upon the situation.

In response to Council Member Hansen, Mr. Beltz stated in two years of managing the account this is the first time he is having challenges with this site and affirmative steps have been taken to address the concerns.

In response to Council Member Hansen, Mr. Beltz stated Securitas employs approximately 800 people in Lodi, Stockton, and Modesto.

In response to Council Member Johnson, Mr. Beltz stated Securitas has experience in operating and managing security cameras as a number of their existing clients have security cameras. Mr. Beltz stated Securitas has added to the foot patrol additional officers and bicycles to address recent concerns.

In response to Council Member Hansen, Mr. Beltz stated the company has onsite and national communication centers, provides services in hospitals, and monitoring will be onsite for the parking structure. Ms. Fernandez stated staff is researching options for onsite monitoring by looking at other local agencies and how they address similar concerns.

In response to Mayor Pro Tempore Hitchcock, Mr. Beltz stated golf carts are expensive and there is no place to park. Mr. Beltz stated he believes the concerns will be addressed with the implementation of bicycle patrol and additional officers onsite.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:50 a.m.

ATTEST:

Randi Johl  
City Clerk



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Presentation on Transit Sunday Service Statistics, Transit Route and Schedule Modifications, and Parking Structure Security Services Update

**MEETING DATE:** August 24, 2010 (Shirtsleeve Session)

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Presentation on transit Sunday service statistics, transit route and schedule modifications, and parking structure security services update.

**BACKGROUND INFORMATION:** The following items will be presented at the Shirtsleeve Session:

**Transit Sunday Service Statistics**

During the Comments by Public on Non-Agenda Items portion of the March 17, 2010 Council meeting, the City received a comment about low transit ridership on Sundays and the suggestion that the City should consider eliminating Sunday service. Staff will present Sunday, Saturday, and Weekday passenger and revenue hour statistics at the Shirtsleeve Session.

**Transit Route and Schedule Modifications**

City staff recently hosted two public information meetings to review the fixed route transit service after receiving suggestions and recommendations from customers and transit drivers. The following items were discussed at the public information meetings:

- Suggested Route and Schedule Improvements – Add Casa de Lodi area, reroute weekend route to Hutchins Street and Lodi Avenue, add express route bus stops at the Lodi Transit Station, add a morning express route from the Lodi Transit Station to Lower Sacramento Road/Kettleman Lane Transfer Station, and adjust all bus schedule times to improve on-time performance
- Fare Structure Changes – 31-day pass to replace the monthly pass
- Public Communications – Google Transit, Facebook, and regional promotion (Stuff the Bus)
- Transit System Improvements – Automated fare boxes/fare structure, bus shelters/benches, and bus route signage

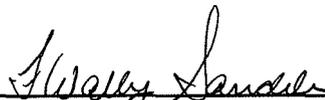
Staff received positive feedback and will present this information at the Shirtsleeve Session.

**Transit Parking Structure Security Services Update**

At the June 16, 2010 and August 4, 2010 City Council meetings, the City received comments from the public and Council members about the security services at the transit parking structure. City staff regularly meets with the security service company and will present a brief report on security incidents and recommendations.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

  
F. Wally Sandelin  
Public Works Director

Prepared by Paula J. Fernandez, Transportation Manager/Senior Traffic Engineer  
FWS/PJF/pmf

cc: Robin Rushing  
Securitas Security Services

Lodi Feed and Fuel  
MV Transportation

APPROVED:

  
Konradt Bartlam, Interim City Manager

The City of Lodi  
**Public Works**  
Transportation Division



August 24, 2010 Transit Shirtsleeve  
Session

# Shirtsleeve

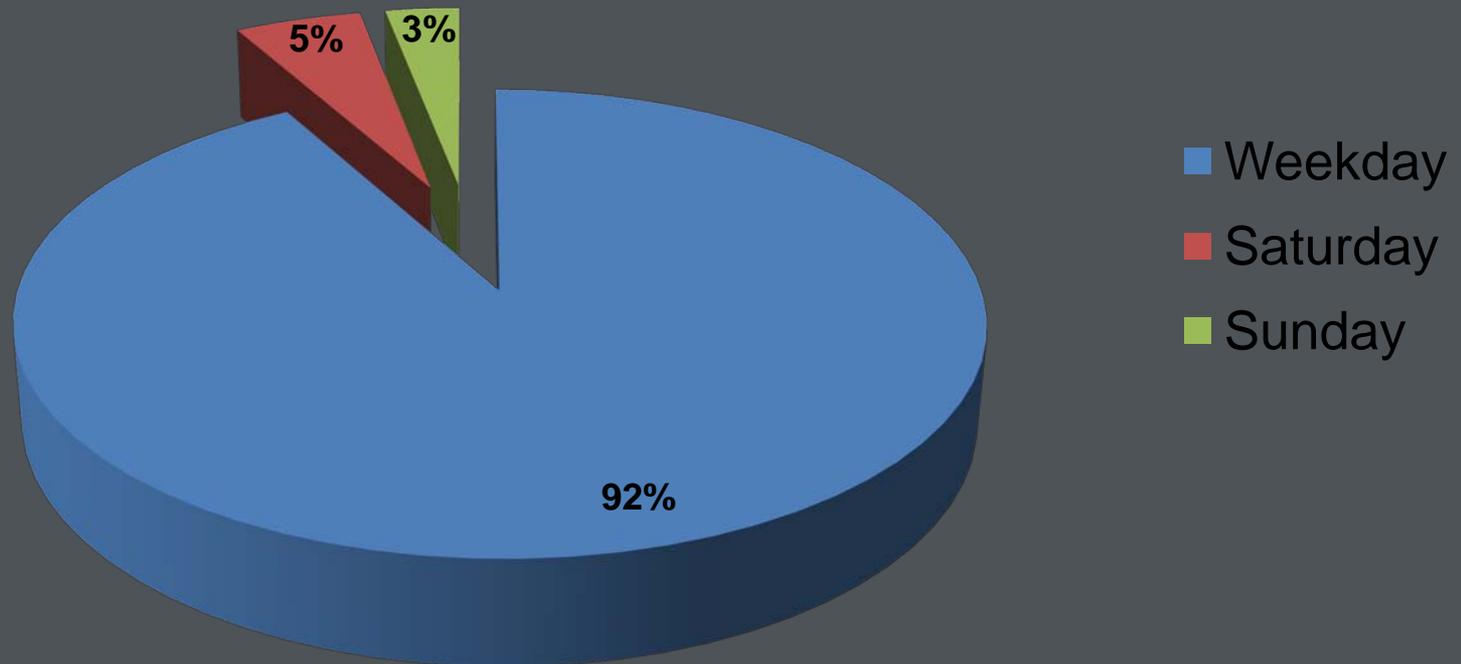


- Transit Ridership Statistics
- Route and Schedule Modifications
- Parking Structure Security Services Update



# Transit Ridership Statistics

## FY 09/10 Transit Passengers





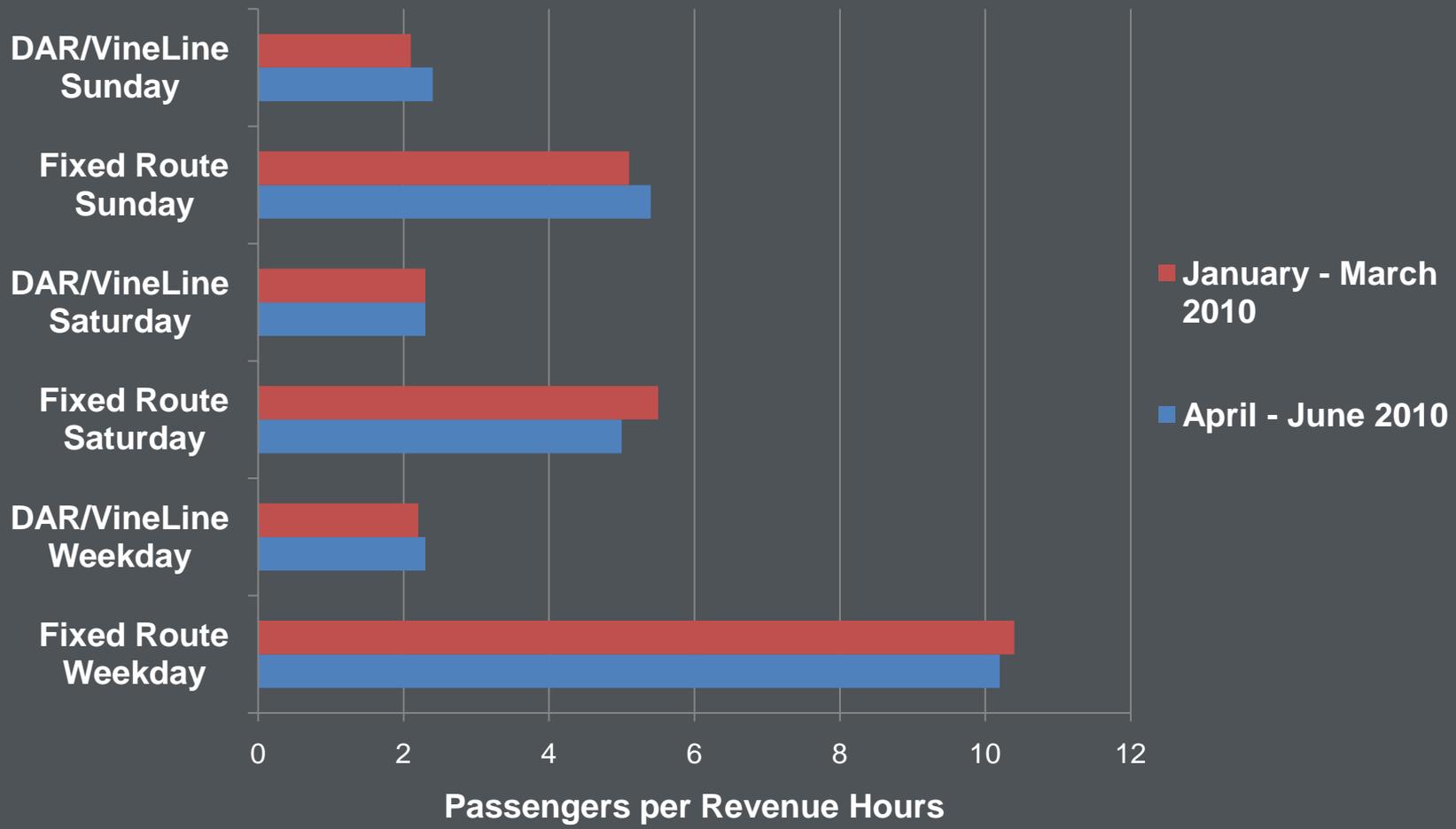
# Ridership Statistics

## Total Ridership (FY 09/10)

		Passengers		Subsidy
Weekday	Fixed Route	175,325	77%	\$6.45
Weekday	DAR/VineLine	34,122	15%	\$34.30
Sat	Fixed Route	8,905	4%	\$6.45
Sat	DAR/VineLine	2,720	1%	\$34.30
Sun	Fixed Route	4,893	2%	\$6.45
Sun	DAR/VineLine	1,935	1%	\$34.30
<b>Total</b>		<b>227,900</b>	<b>100%</b>	



# Passengers per Revenue Hours





# Service Costs

## Data from April, May, and June 2010

90 Sunday passengers

194 Saturday passengers

23 Sunday revenue hours

49 Saturday revenue hours

+/- \$1,000 per Sunday

+/- \$2,000 per Saturday



# Transit Route and Schedule Modifications

Purpose: Review the GrapeLine Fixed Routes

## ❖ Transit Data Review

- Ridership Statistics
- Bus Stops – Most popular bus stop

## ❖ Items in the Works

- Suggested Route and Schedule Improvements
- Fare Structure Changes
- Public Communications
- Transit System Improvements



# Parking Structure Security Service Statistics

Month	Number of Occurrences of Larceny	Security on Duty During Larceny Occurrences
July 2009	2	2 of 2
August 2009	2	2 of 2
September 2009	2	1 of 2
October 2009	0	N/A
November 2009	1	0 of 1
December 2009	1	0 of 1
January 2010	2	2 of 2
February 2010	0	N/A
March 2010	0	N/A
April 2010	3	3 of 3
May 2010	4	4 of 4
June 2010	3	3 of 3



# Parking Structure Security Service Statistics

<b>Month</b>	<b>Number of Occurrences of Larceny</b>	<b>Security on Duty During Larceny Occurences</b>
July 2010	9	6 of 9

# Security Service Recommendations/ Implementation



- Securitas met with concerned business owners.
- Patrol Officers to provide more presence at the parking structure entrances/exits.
- Patrol officers are using bicycles.
- City to install security cameras after receipt of Proposition 1B funds.
- Security Service Contract expires October 2010 and City staff will pursue Request for Proposals including monitoring new cameras.



Questions?

**United Service  
Workers West**



**Local 1877**

**SOULA 2006**

**Local 24/7**

**Local 2007**

**Southern California  
Headquarters**

828 W. Washington Blvd.  
Los Angeles, CA 90015  
(213) 284-7705  
(213) 284-7725 fax

Orange County office  
1200 N. Main Street  
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Santa Ana, CA 92701  
(714) 245-9700  
714-245-9710 fax

San Diego office  
4265 Fairmount Ave.  
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San Diego, CA 92105  
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**Northern California  
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3411 East 12th Street  
Suite 200  
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San Francisco, CA 94102  
(415) 552-1301  
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1010 Ruff Drive  
San Jose, CA 95110  
(408) 280-7770  
(408) 280-7804 fax

Stanford office  
42 Arguello Way  
PO. Box 19152  
Stanford, CA 94309  
(650) 723-3680  
(650) 723-3650 fax

Sacramento office  
1401 21st Street  
Suite 310  
Sacramento, CA 95811  
(916) 498-9505  
(916) 497-0806 fax

August 24, 2010

Mayor and City Council  
City of Lodi  
221 W. Pine Street  
Lodi, CA 95240

Delivered by hand

I am writing to raise issues of contractor responsiveness and responsibility regarding Lodi's private security contractor, Securitas Security Services, USA.

As you know, Securitas provides security officers to guard Lodi Station and Parking Structure under a three year contract approved as Resolution No. 2007-166 in August 2007. I understand that there has been a rash of automotive burglaries in City lots along with other criminal activity. You should know that Securitas has cut corners which negatively impacted other public clients and workers in ways that undermined the quality of service. Indeed many cities have developed responsibility and responsiveness contractor screening to avoid just such a situation. Securitas has been accused of violating a variety of local, state and federal laws, for example:

- **California Wage and Hour Violations:** In 2009, Securitas agreed to a \$15 million settlement for meal and rest violations on behalf of California-based security guards.<sup>1</sup> According to the complaint filed against Securitas by a class of current and former employees, Securitas knowingly and willingly prevented those identified class members and potentially thousands others from having break and lunch periods guaranteed to them under California state law. The complaint suggests the purpose of this prevention was so that Securitas could maintain its competitive advantage by underbidding their competition.<sup>2</sup>
- **City of Sacramento Breach of Contract Suit and Living Wage Investigation:** In September 2007, Sacramento city leaders and union officials charged Securitas with violating Sacramento's living wage ordinance. The company provided guards at Sacramento's City Hall, Community Convention Center and other municipal buildings. Vice Mayor Kevin McCarty noted, "(Securitas) should be paying employees a fair, living wage. It's embarrassing for the city when one of our contractors right under our nose is not living up to the policy."<sup>3</sup> In 2008, City chose to award its contract to another bidder after reviewing Securitas' compliance with living wage and responsible contractor laws. In December 2008, the City sued Securitas for *breach of contract for multiple issues including damage at City parking lots*.<sup>4</sup>
- **Improper or Inadequate Training:** Securitas has been named in multiple lawsuits charging the company with negligence or failure to properly train and screen employees.
- **Sexual Harassment and Discrimination:** Securitas has faced numerous charges of sexual harassment and gender discrimination by employees. In the past two years alone, Securitas has been forced to settle five federal cases alleging sexual harassment.

<sup>1</sup> Michelle Quinn, "Employee Breaks Are a Growth Area in the Law," *East Bay Express*, January 27, 2010.

<sup>2</sup> Mambuki et al. v. Securitas Security Services, Santa Clara County Superior Court, Case No. 1-0-5-CV-047499.

<sup>3</sup> Darrell Smith, "Security firm hit by allegation on living wage law," *Sacramento Bee*, September 19, 2007.

<sup>4</sup> City of Sacramento v. Securitas Security Services, USA, Inc, et al, Sacramento County Superior Court, Case No. 2008-00030163.

### **Contractor Liability and the State of California**

Contractors' lack of responsibility can have direct monetary and operations implications for government entities. When a private security firm is sued by an employee for discrimination or wage and hour violations, many times the government agency contracting the work is named in the suit. In one discrimination case, the Justice Department was the remaining defendant after a private security company contracting for the Department filed for bankruptcy. The jury issued a verdict of \$257,000 in favor of the plaintiff and the judge ruled to uphold the verdict after the Justice Department requested a directed verdict. Citing the Justice Department's function as a joint employer, the court ordered the government to pay the plaintiff. After appealing the ruling, the Justice Department reached a settlement with the plaintiff. The parties agreed to dismiss the case and appeal.<sup>5</sup>

In another case, the County of Los Angeles contracted for many years with security contractor International Services (ISI), which had record of numerous and repeated federal wage and hour violations, which led to federal debarment.<sup>6</sup> The County was plunged into crisis in 2009 when the ISI stopped paying County officers and declared bankruptcy after its principals were arrested on charges of conspiracy, grand theft, making false statements and insurance fraud.<sup>7</sup> While most guards showed incredible dedication by continuing to work despite not being paid, after 5 weeks without pay some officers abandoned post, exposing the County to potential security lapses. The County also faced financial liability when over 100 officers filed claims against the County for unpaid wages for the time they protected County facilities without pay. As of mid-2010, the County has offered financial settlements to most of those officers.

We urge you to examine Securitas' record of responsiveness and responsibility closely before awarding additional contracts to this company.

Please feel free to contact me at 510-437-8138 with any additional comments or questions you may have.

Sincerely,  
  
Jason Oringer  
Senior Researcher

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<sup>5</sup> Ruiz v. U.S. Protect, Southern District of Texas, Case number 6:07-cv-00056.

<sup>6</sup> U.S. Department of Labor Administrative Review Board case number 05-136. Final Decision and Order, December 21, 2007.

<sup>7</sup> "L.A. County reserve deputy is accused of fraud at his security firm," *Los Angeles Times*, April 16, 2009.

# The Sacramento Bee

Wednesday, September 19, 2007

## Security Firm Hit by Allegation on Living Wage Law

By Darrell Smith  
BEE STAFF WRITER

Securitas USA, the private firm that provides security guards at Sacramento's City Hall, the Community Convention Center and other municipal buildings, is violating Sacramento's living wage ordinance, a group of city leaders and union officials alleged Tuesday.

"It's wrong. (Securitas) should be paying employees a fair, living wage," Vice Mayor Kevin McCarty said at City Hall. "It's embarrassing for the city when one of our contractors right under our nose is not living up to the policy."

He was joined by Securitas employees, officials of Service Employees International Union Local 24 and Councilwoman Bonnie Pannell, who said many Securitas employees reside in her south Sacramento district.

"We have to correct it. We have to take action as a council as an example to the region," Pannell said.

The city's living wage pact, approved amid controversy in 2003, mandates that city contractors pay their employees at least \$10 an hour plus health insurance costs or \$11.50 without a health care contribution.

Among the employees who are filing wage and benefits complaints against Securitas is Sacramentan Diane White. The 49-year-old former resident of Louisiana, who said she was displaced by Hurricane Katrina, moved into her sister's Sacramento home and found a job last year with Securitas.

She earns \$10.60 an hour as a security guard at the city's Southgate library, but said she did not know until a May doctor's

SacramentoBee (9/19/07)

visit that she did not have health insurance. Medi-Cal takes care of her medical needs until she can receive employer-supplied insurance.

"Securitas is supposed to be paying (insurance)," White said. "The only thing I ask is that they secure me like I secure their clients. They need to look out for their security guards."

Union officials want the city to investigate the charges, saying the firm's 100 affected employees could each be entitled to nearly \$1,700 in back pay.

"We expect that the city will conduct an investigation. We expect that they will make these employees whole," said SEIU spokeswoman Deirdre Lehn.

Securitas officials in Sacramento say the tempest is a non-issue, accusing the SEIU of using Sacramento as leverage in ongoing contract negotiations with Securitas in the Bay Area.

The firm's previous five-year contract with Sacramento, approved in 2002, had no health insurance requirement because it was signed before the living wage provisions went into effect, said Securitas area vice president Pete Niles. He said insurance and living wage provisions are contained in a temporary, six-month contract signed in late August.

The six-month extension gives Sacramento officials more time to develop a new contract proposal, according to Reina Schwartz, director of the city's general services department.

Under living wage law, firms under city contract or that receive city funding must pay their workers a wage high enough to support a family above the federal poverty line, now at \$20,650 annually for a family of four.

Advocates say a living wage helps the working poor afford housing and child care. Opponents, including the National Federation of Independent Businesses, say the ordinances push out competition, artificially drive **up** wages and contribute to a confusing climate for employers.

"They vary from locality to locality and it creates a confusing mish-mash of varying ordinances across the state," said Michael Shaw, the business federation's assistant state director. "Government interference doesn't really help businesses compete in the marketplace."

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1 EILEEN M. TEICHERT, *City Attorney* (SBN 167027)  
2 SHERI M. CHAPMAN, Sr. Deputy City Attorney (SBN 215775)  
3 CITY OF SACRAMENTO  
4 Mailing: P.O. Box 1948, Sacramento, CA 95812-1948  
5 Office: 915 I Street, 4th Floor, Sacramento, CA 95814  
6 Telephone: (916) 808-5346  
7 Telecopier: (916) 808-7455

FILED  
Superior Court Of California,  
Sacramento  
Dorinda Jones, Executive  
Officer  
12/23/2008  
By R. Addick, Deputy  
Case Number:  
34-2008-00030153-CU-CO-GDS

Attorneys for Plaintiff CITY OF SACRAMENTO

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO

Department  
Assignments  
Case Management 45  
Law and Motion 53  
Minors Compromise

11 CITY OF SACRAMENTO,  
12  
13 vs.  
14 SECURITAS SECURITY SERVICES  
15 USA, INC. a corporation, and Does 1-50,

Case No.:  
COMPLAINT FOR DAMAGES

16 Plaintiff CITY OF SACRAMENTO hereby alleges as follows:

17 I.

18 GENERAL ALLEGATIONS COMMON  
19 TO ALL CAUSES OF ACTION

20 1. At all times herein mentioned herein, Plaintiff was and now is a municipal  
21 corporation situated in *the* County of Sacramento, acting under a duly adopted municipal  
22 charter pursuant to the laws of the State of California.

23 2. Plaintiff alleges on information and belief that SECURITAS SECURITY  
24 SERVICES USA, INC. was and now *is* a corporation.

25 3. The true names and capacities, whether individual, corporate, partnership, joint  
26 venture, associate, proprietorship, or entity, individual(s) or person(s), of sued herein as  
27 Does 1 through 50 inclusive, are at this time unknown to Plaintiff and are therefore, sued by  
28 such fictitious names. Plaintiff is informed and believes and thereon alleges that each

1 fictitiously named Defendant is **legally** responsible in **some** manner, negligently,  
2 contractually, or in total and/or equitable indemnity, for the events, happenings and things  
3 set forth below, and that **each** Defendant sued herein by such fictitious names, was **and** at  
4 all times mentioned herein, is a resident of **or** conducting business in the County of  
5 Sacramento and/or State of California.

6 4. Plaintiff is informed and believes and thereon alleges, that at all times  
7 mentioned herein, each Defendant designated or fictitiously named as Does 1 through 50  
8 inclusive **herein**, was the agent, **servant**, employee, principal, officer, director, partner, co-  
9 venturer, or in **some** manner **agent** or principal or both, **for** each other, and was acting within  
10 **the course and scope** of their agency and employment, **or** in the furtherance of the  
11 employment, partnership, joint venture or other agency relationship at the time of the acts  
12 alleged **herein**.

13 **II.**

14 **FIRST CAUSE OF ACTION - BREACH OF CONTRACT**

15 5. Plaintiff **alleges** that on or about August 22, 2007, Plaintiff and Defendant  
16 SECURITAS SECURITY **SERVICES** USA, INC. entered into a written professional services  
17 agreement **for** the provision of **security** services. A copy of said agreement is attached  
18 hereto, as Exhibit "A."

19 6. On or about February 15 and 16, 2008, Defendant SECURITAS SECURITY  
20 SERVICES USA, INC. breached said professional services agreement by failing to provide  
21 **security** services, in accordance with the terms of the **parties'** agreement. As a result of  
22 Defendant's **failure** to provide security services, Plaintiff's property was damaged.

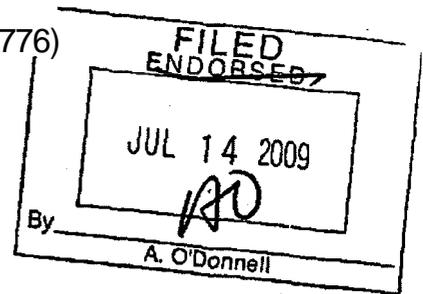
23 7. Plaintiff **has** performed all obligations owed to Defendant SECURITAS  
24 SECURITY SERVICES USA, INC., pursuant to the written professional services agreement,

25 8. Plaintiff suffered **damages** proximately caused by Defendant's breach of the  
26 agreement including **but** not limited to, property damage, loss of revenue, and fees incurred  
27 **o** replace Plaintiff's property. **Plaintiff's damages** are in excess of \$50,000.

20 //



1 EILEEN M. TEICHERT, City Attorney (SBN 167027)  
2 **SHERI M. CHAPMAN, Sr. Deputy City Attorney (SBN 215776)**  
3 CITY OF SACRAMENTO  
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8 Attorneys for Plaintiff CITY OF SACRAMENTO

9 SUPERIOR COURT OF CALIFORNIA  
10 COUNTY OF SACRAMENTO

11 CITY OF SACRAMENTO,

12 Plaintiff,

13 vs.

14 SECURITAS SECURITY SERVICES USA,  
15 INC., a corporation

16 Defendant.

Case No.: 34-2008-00030163

**NOTICE OF MOTION AND MOTION FOR  
ORDER IMPOSING ISSUE AND/OR  
EVIDENCE SANCTIONS AGAINST  
DEFENDANT AND MONETARY  
SANCTIONS AGAINST DEFENDANT  
AND DEFENDANT'S ATTORNEY FOR  
FAILING TO OBEY DISCOVERY ORDER**

**[Code Civ. Pro. §§ 2023.010, 2023.030;  
2030.300; 2031.3001**

Date: August 10, 2009  
Time: 2:00 p.m.  
Dept: 53  
Trial Date: None set

17  
18  
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20  
21 TO: DEFENDANT SECURITAS SECURITY SERVICES USA, AND ITS ATTORNEYS OF  
22 RECORD:

23 NOTICE IS HEREBY GIVEN that at the time, date and department listed above,  
24 Plaintiff CITY OF SACRAMENTO will and hereby moves the Court for an order imposing  
25 issue and evidence sanctions against Defendant SECURITAS SECURITY SERVICES  
26 USA., INC. Specifically, Plaintiff moves the Court for an order precluding Defendant from  
27 asserting the affirmative defenses pled in its Answer to the Complaint at arbitration or trial,  
28

1 and prohibiting Defendant from introducing evidence in support of said defenses.

2 Plaintiff **will** and hereby does further move for an order imposing a monetary sanction  
3 against Defendant **SECURITAS SECURITY SERVICES USA, INC.**, and its attorneys of  
4 record James T. Anwyl, Anwyl, Scofield & Stepp, LLP, in favor of Plaintiff **CITY OF**  
5 **SACRAMENTO**, in the amount of \$1090.00.

6 The motion is made on the ground that Defendant has failed to provide **any** response  
7 to Plaintiff's first **set of** form interrogatories, special interrogatories and requests for  
8 production of documents, and Defendant has disobeyed the Court's order of June 10, 2009,  
9 ordering Defendant to provide responses to the discovery requests by June 22, 2009.

10 The motion **is** based on this Notice, the memorandum **of** points and authorities and  
11 the supporting Declaration of Sheri **M.** Chapman and exhibits filed herewith, the complete  
12 **files and** records **in** this action **and on** such oral and documentary evidence as may **be**  
13 presented at the hearing of said motion.

14 Pursuant to Local Rule **3.04**, the Court will make a tentative ruling on the merits of  
15 this matter by 2:00 p.m., the court day before the hearing. You may access and download  
16 the Court's ruling from the court's website at <http://www.saccourt.com>. If you do not have  
17 online access, you may obtain the tentative ruling over the telephone by calling **(916) 874-**  
18 **8142** and a Deputy Clerk will read the ruling to **you**. If you wish to request oral argument,  
19 you must contact the courtroom clerk at **(916) 874-7858** (Department **53**) and the opposing  
20 party before 4:00 p.m. the court day before the hearing. If you do not call the court and the  
21 **opposing party by 4:00 p.m.** on the court day before the hearing, no hearing will **be held**.  
22 **(See Local Rule 3.04(D).)**

23 DATED: July 13, 2009

EILEEN M. TEICHERT,  
City Attorney

24

25

By   
SHERI M. CHAPMAN  
Senior Deputy City Attorney

26

27

Attorneys for Plaintiff  
CITY OF SACRAMENTO

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**PROOF OF SERVICE**

**CASE NAME:** City of Sacramento v. Securitas Security **Services** USA, Inc.  
**COURT:** Sacramento County Superior Court  
**CASE NUMBER:** 34-2008-00030163

I declare that:

I am employed in the County **of** Sacramento, California. I am over the age of eighteen years and not a party to the within cause; my business address is 915 I Street, Room 4006, Sacramento, **CA 95814-2604**. I am familiar with the **mail** collection **and** process **of** the City **of** Sacramento in which the mail **is** deposited with the United States Postal Service **on** the **same** day **that** it is deposited for collection and mailing, in the ordinary course of business. **On** the date executed below, I served the following document(s):

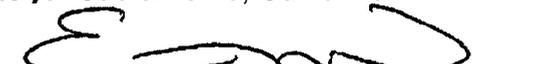
NOTICE OF MOTION AND MOTION FOR ORDER IMPOSING ISSUE AND/OR EVIDENCE SANCTIONS AGAINST DEFENDANT AND MONETARY SANCTIONS AGAINST **DEFENDANT** AND DEFENDANT'S ATTORNEY FOR FAILING TO OBEY DISCOVERY ORDER

- Via the United States Postal Service** by causing a true copy and/or original thereof to be placed in a sealed envelope with **postage** thereon fully prepaid in the designated area for outgoing mail.
- By Personal Delivery** on the parties **in** this action **by** causing a true copy and/or original thereof to **be** delivered by hand to the offices of the addressee(s).
- Via Facsimile** by **causing** such document to **be served via facsimile** on the parties in **this** action **via** facsimile numbers **as** stated **on** this proof of service.
- Via Certified Mail, Return Receipt Requested** by causing a true copy and/or original thereof to **be** placed in a **sealed** envelope with postage thereon fully prepaid in the designated **area** for outgoing mail.

addressed as follows:

James T. Anwyl  
Anwyl, Scofield & Stepp  
P.O. Box 269127  
Sacramento.. CA 95826-9127

I declare under penalty **of perjury** that the foregoing **is** true and correct, **and** that the declaration was executed **on** July 13, 2009, at Sacramento, California.

  
ERICA D. DILLARD

CITY COUNCIL

PHIL KATZAKIAN, Mayor  
SUSAN HITCHCOCK,  
Mayor Pro Tempore  
LARRY D. HANSEN  
BOB JOHNSON  
JOANNE L. MOUNCE

# CITY OF LODI

## PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6706  
FAX (209) 333-6710  
EMAIL pwdept@lodi.gov  
<http://www.lodi.gov>

KONRADT BARTLAM  
Interim City Manager  
RANDI JOHL  
City Clerk  
D. STEVEN SCHWABAUER  
City Attorney  
F. WALLY SANDELIN  
Public Works Director

August 23, 2010

Robin Rushing  
1390 W. Lockeford Street  
Lodi, CA 95242

Lodi Feed and Fuel  
27 W. Elm Street  
Lodi, CA 95240

Securitas Security Services  
6820 Pacific Avenue  
Stockton, CA 95207

MV Transportation  
24 S. Sacramento Street  
Lodi, CA 95240

**SUBJECT:** Presentation on Transit Sunday Service Statistics, Transit Route and Schedule Modifications, and Parking Structure Security Services Update

Enclosed is a copy of background information on an item on the City Council Shirtsleeve Session agenda of Tuesday, August 24, 2010. The meeting will be held at 7 a.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

The City Council will hear a staff presentation on the item but no action will be taken.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Randi Johl, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Paula Fernandez, Transportation Manager/Senior Traffic Engineer, at (209) 333-6800, extension 2667.



for: F. Wally Sandelin  
Public Works Director

FWS/pmf

Enclosure

cc: City Clerk