

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL  
FROM: THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE:  
NOVEMBER 28, 1990

SUBJECT: CONTINUE PUBLIC HEARINGS WHICH HAD PREVIOUSLY BEEN SET FOR 7:30 P.M., DECEMBER 5, 1990 to 7:30 p.m. DECEMBER 19, 1990

**RECOMMENDED ACTION:** That *the* City Council, by motion action, continue the public hearings previously set for 7:30 p.m., December 5, 1990 to 7:30 p.m., December 19, 1990.

**BACKGROUND INFORMATION:** Based on information received from the San Joaquin County Registrar of Voters that we could expect to receive the canvass of the November 6, 1990 election substantially earlier than the 28 days after the election, two public hearings were set for the Regular City Council meeting of December 5, 1990.

We have now been advised that the San Joaquin County Registrar of Voters will require the full 28 days for the canvass, and we will not receive those results until December 4, 1990. The agenda for the December 5, 1990 City Council meeting will consist of declaring the results of the election, the installation of the new Council Members, and the election of the Mayor and Mayor Pro Tempore.

It is recommended therefore that the following public hearings previously set for 7:30 p.m., December 5, 1990 be continued to 7:30 p.m., December 19, 1990:

- a) public hearing to consider the appeal of 3. 3. S. Warehouse to the Notice of Fire Hazard and Order to Abate Issued by the Lodi Fire Department on September 28, 1990; and
- b) public hearing to obtain citizens' comments on transit needs within the City of Lodi.

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

AMR/jmp

**NOTICE OF PUBLIC HEARING  
TO CONSIDER THE APPEAL OF J. J. S. WAREHOUSE  
TO THE NOTICE OF FIRE HAZARD AND ORDER TO ABATE  
ISSUED BY THE LODI FIRE DEPARTMENT ON SEPTEMBER 28, 1990**

**NOTICE IS HEREBY GIVEN that on Wednesday, December 5, 1990 at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing to consider the appeal of J. J. S. Warehouse to the Notice of Fire Hazard and Order to Abate issued by the Lodi Fire Department on September 28, 1990.**

Information regarding this matter may be obtained in the office of the City Clerk. All interested persons are invited to present their views. **Written statements may** be filed with the City Clerk at any time prior to the hearing scheduled herein and **oral** statements may be made at said hearing.

**If you** challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the public hearing.

Dated: ~~November~~ 7. 1990

By Order of the Lodi City Council



Alice M. Reinche  
City Clerk

FIRE HAZARD AND ORDER TO ABATE APPEAL  
MAILING LIST  
EXHIBIT B

J. J. S. Warehouse  
23 Maxwell Street  
Lodi, CA 95240

Hertz, Adams, Horstmann & Funke  
Attention: Herb Horstmann  
111 W. Pine Street  
Lodi, CA 95240

NOTICE OF PUBLIC HEARING  
REGARDING UNMET TRANSIT NEEDS  
WITHIN THE CITY OF LODI

**NOTICE IS HEREBY GIVEN that on Wednesday, December 5, 1990 at the hour of 9:00 a.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing at the Senior Information Center, Hutchins Street Square, 125 South Hutchins Street, Suite B, Lodi, to obtain citizens' comments on transit needs within the City of Lodi.**

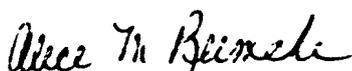
NOTICE IS FURTHER GIVEN that this Public Hearing will be continued to the hour of 7:30 p.m. in conjunction with the regular meeting of the City Council, City Hall, 221 West Pine Street, Lodi.

Information regarding this matter may be obtained in the offices of the City Clerk. All interested persons are invited to present their views. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

If you challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the public hearing.

Dated: November 7, 1990

By Order of the Lodi City Council

  
Alice M. Reimche  
City Clerk

DECLARATION OF MAILING

On November 29, 1990 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 29, 1990, at Lodi, California.

\_\_\_\_\_  
Alice M. Reimche  
City Clerk

  
\_\_\_\_\_  
Jennifer M. Perrin  
Deputy City Clerk

**NOTICE OF PUBLIC HEARING  
REGARDING UNMET TRANSIT NEEDS  
WITHIN THE CITY OF LODI**

**NOTICE IS HEREBY GIVEN** that on Wednesday, December 5, 1990 at the hour of 9:00 a.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing at the Senior Information Center, Hutchins Street Square, 125 South Hutchins Street, Suite B, Lodi, to obtain citizens' comments on transit needs within the City of Lodi.

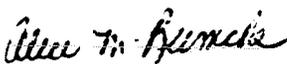
**NOTICE IS FURTHER GIVEN** that this Public Hearing will be continued December 19, 1990 at the hour of 7:30 p.m. in conjunction with the regular meeting of the City Council, Carnegie Forum, 305 West Pine Street, Lodi.

Information regarding this matter may be obtained in the offices of the City Clerk. All interested persons are invited to present their views. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

If you challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the public hearing.

Dated: November 28, 1990

By Order of the Lodi City Council



Alice M. Reimche  
City Clerk

UNMET PUBLIC TRANSIT HEARING  
MAILING LIST  
EXHIBIT B

Hutchins Street Square  
Senior Referral Center  
125 South Hutchins Street, Suite A  
Lodi, CA 95240

Loel Center  
105 South Washington Street  
Lodi, CA 95240

San Joaquin County Council of  
Governments  
1860 East Hazelton  
Stockton, CA 95202



# San Joaquin County Council of Governments

Member Agencies: Cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, Tracy, County of San Joaquin

AGENDA ITEM 2A2

## MEMORANDUM

**TO:** Mr. Peter Verdoorn

**FROM:** Andrew Chesley

**SUBJECT:** Products and Due Dates for Measure K Tasks

**DATE:** November 13, 1990

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With the passage of Measure K there are a number of new activities that need to be undertaken. Most of these can be folded into existing programs, but do require immediate attention. A couple are not specifically required by Measure K, but will be necessary any ways.

<u>MEASURE K TASKS:</u>	<u>Target Date</u>
Sign Agreement with Bd. of Equalization	Nov, 1990
Establish Technical Coordinating Committee	Jan. 1991
New Joint Powers Agreement with By-Laws	Jan. 1991
Establish Accounts and Procedures with Auditor's Office	April 1991
Establish Management and Financial Advisory Committee	April 1991
Establish Citizens Advisory Committee	April 1991
Establish Policies for Priorities Between Programs	April 1991
Procedures for Disbursing Local Road and Street Repair Funds	April 1991
Develop Traffic Mitigation Fee Standards	July 1991
Preparation of 3-Year Commute Transit Plan	July 1991

Preparation of 3-Year Inter-City Transit Plan (Two Transit Plans may be folded together.) July 1991

Preparation of 3-Year Bicycle Facilities Plan July 1991

Project Priorities in Congestion Relief Program July 1991

Project Priorities in Railroad Crossing Program July 1991

Create Auditing Procedures July 1991

Fold Regional Growth Management Procedures Into Congestion Management Program July 1991

Regional Transportation Fee Program Jan. 1993

**NON-MEASURE K NEEDS**

Rail Passenger Transportation Plan Dec. 1991

Air Quality Transportation control Measure Plan July 1991

Transportation System Management Element July 1991

Will be sent to  
City Council Mem

AGENDA ITEM 3B3 11/90

Jan 8

STAFF REPORT

SUBJECT: Fiscal Year 1990-91 Transportation Development Act (TDA) Claim

RECOMMENDATION: Approve claim with the understanding that a revised Fiscal Year 1989-90 TDA claim will be filed.

DISCUSSION:

The City of Lodi has submitted a Transportation Development Act (TDA) Claim for Fiscal Year 1990-91. The claim is for \$1,411,480 from the Local Transportation Fund (LTF) and \$5,221 from the State Transit Assistance (STA) fund. The claimed amount includes unexpended carryover in both the LTF and STA fund accounts.

COG staff has reviewed Lodi's TDA claim for Fiscal Year 1990-91, and determined that it is complete.

The claim is for the following purposes and amounts:

Claimant	Fund	Amount	Purpose
Lodi	LTF	294,065	Public Transit Article 4 (99260) Operator
	STA	5,221	Public Transit Article 4 (99260) Operator
	LTF	36,000	Public Transit Article 8 (99400(c)) Contractor
	LTP	21,300	Ped. & Bike Article 8 (99400(a))
	LTF	1,060,115	Road & Street Article 8 (99400(a))
<b>Total Claim = \$ 1,416,701</b>			

The amounts being claimed are available, and the intended claim purposes are eligible expenses.

Lodi's claim is different from those filed in previous years because the City is claiming funds for a new public transit service. This new public transit service is essentially the availability of taxi cab service, 24 hours per day, within the City of Lodi. The new service is provided through a contractual arrangement between the City of Lodi and the City Cab Company whereby the City pays the cab company \$1.50 for every taxi ride originating within the City of Lodi.

The City of Lodi has determined that there is a need for taxi cab service 24 hours per day, and further that they would like to use LTF funds to ensure the availability of such service. Lodi proposes to support this new service by claiming funds under Article 8 of the Public Utilities Code to support this new ser-

vice. The arrangement they have worked out to ensure this service differs from other Article 8 transit service claimants because in Lodi's case LTF funds will be used to subsidize the contractor, *not* the rider,

The more typical Article 8 transit service subsidizes riders by **selling them discount** trip tickets. The **discount trip tickets are collected by the** transit provider and **redeemed at a rate greater than that** originally paid by the rider purchasing the trip ticket-

In Lodi's Article 8 transit service, the contractor's rate of subsidy is directly related to the **number of passengers served**, but it is not the passengers who **receive the direct benefit of fare assistance**. The City Cab Company will continue to charge and collect passenger fares at the time of service-

Technical details of the contract stipulate that the City Cab Company will maintain passenger logs. These logs will be used to **document** and substantiate the number of rides given and rate of compensation from the City.

One of the findings that must be made before this claim for Article 8 transit services can be approved is that the contracted transportation services responds to a transportation need not otherwise being met within the community. Since Lodi will continue to provide their Dial-A-Ride (DAR) service, it is important that SJCCOG determine that this new service is meeting a need that DAR is not currently meeting. To assist the SJCCOG Board in making that finding the difference in service hours between the new service (called TAXI) and DAR is highlighted below:

- o DAR is available 6 days a week, Monday through Saturday. DAR hours are 7:00 a.m. to 7:00 p.m. Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday.
- TAXI: is available 24 hours a day 7 days a week.

Other differences between the two transportation services are:

- DAR is operated directly by the City; TAXI is operated by the City Cab Company under contract with the City. TDA funds claimed to support the two services are claimed under different Articles of the Public Utilities Code and consequently have different performance standards.
- DAR uses City of Lodi vehicles but City Cab employees: TAXI uses no City of Lodi vehicles.
- o DAR has performance standards which include pick-up response times, service hours per day, dispatching standards, and a TDA required farebox revenue to operating cost ratio. TAXI performance standards include an efficiency standard measured by operating cost per passenger.

- DAR tickets are sold by the City and collected by DAR transit drivers (City Cab employees). City Cab presents cancelled or used tickets and related passenger logs to Lodi City and receives a reimbursement for each DAR ticket. There are no tickets sold or collected for TAXI services, TAXI receives compensation from the City based on passenger logbook records.
- No fares are collected by the City Cab for DAR service: TAXI passengers pay fares directly to City Cab drivers.

### **Article 8 and SJCCOG Policies**

SJCCOG policies covering Article 8 transit claimants require that no more than 90% of the total operating funds be TDA derived, SJCCOG policies also require that Article 8 transit claimants successfully meet an operating cost per passenger standard if their TDA claim represents an increase in TDA funding for the service from the previous year.

Lodi has identified an operating cost per passenger standard for **this** new service of \$2.17. This is below the adopted \$4.75 reasonableness cost per passenger standard for cities comparable to Lodi .

Exceptions to the Article 8 transit requirements were adopted by the SJCCOG board at their October, 1990 meeting. These exceptions include a two-year exemption from meeting the operating cost per passenger standard for new or expanded Article 8 transit services. Next year when the City of Lodi files the TDA claim it may qualify for this exemption and submit a claim for additional Article 8 transit service funds without achieving an operating cost per passenger standard.

### **Need for Revised FY 1989-90 Claim**

In the course of reviewing the FY 1990-91 TDA claim it became apparent that there was a need for the City of Lodi to revise its FY 1989-90 TDA claim. This is because Lodi's need for LTF transit capital revenue was higher than originally anticipated and their need for LTF transit operating revenue was lower than originally anticipated. The revision results in a net decrease in LTF transit funding. Since Lodi's Fiscal Year 1989-90 TDA claim has been paid in full, the revised claim shows that excess LTF was paid; this excess is considered unexpended carryover and appears as such on Lodi's Fiscal Year 1990-91 TDA claim.

Lodi's revised FY 1989-90 TDA claim is awaiting final approval by the Lodi City Council. SJCCOG considers the revised claim non-controversial and a City Council resolution approving the claim is anticipated shortly.

**Audit Concern**

A review of the most recent fiscal and compliance audit for Lodi indicated that the Dial-A-Ride Fund included a cash deficit. The City was asked to address COG's concern about the deficit and has done so in a manner that assures staff that the problem is being researched and corrected.

**Recommendation**

It is recommended that the COG Board approve the Lodi Transportation Development Act claim for Fiscal Year 1990-91. Staff further recommends that actual payment of the approved FY 1990-91 TDA allocation be postponed until SJCCOG is in receipt of the requisite Pull Notice Program compliance certificate and until corrective action on the audit issue has been taken.

November 14, 1990

TO: Participants in the Meeting with Representatives from the Association of Bay Area Governments (ABAG), San Joaquin County Council of Governments (SJCCOG), Merced County Association of Governments (MCAG) and the Stanislaus Area Association of Governments (SAAG)

FROM: Edmund Feichtmeir, San Joaquin County COG Chairman

SUBJECT: Joint Committee Meeting on Regional Issues

As a follow-up to the August 6, 1990 meeting held in Modesto at the Red Lion Inn, we have scheduled the next luncheon meeting for:

MONDAY, December 10th, 1990  
11:30 a.m.  
the OPERA HOUSE  
902 Central Avenue  
Tracy, CA

The staffs from the various regional agencies met together in Livermore in September and reviewed the areas of interest expressed by the committee. ABAG staff will present the results of that meeting.

I look forward to meeting with you. I am sure that our efforts will ultimately result in courses of action that will be of benefit to us all. If you need any assistance, please feel free to contact Peter D. Verdoorn, COG Executive Director.

#### DIRECTIONS

Come into Tracy on I-205 to the Tracy Boulevard exit. Go south on Tracy Boulevard to 11th Street, then East (which is left) to Central Avenue. Take Central Avenue South two blocks to the Opera House.

Council Of Governments Policymaker Conference

Bay Area And The Central Valley Cooperation And Coordination

December 10, 1990  
11:00 a.m. to 3:00 p.m.  
Opera House  
Tracy

At an initial meeting of Bay Area and Central Valley policymakers held in August, it was agreed that inter-regional information about job/housing balance, transportation and air quality warranted discussion at a subsequent meeting. This meeting will focus on these issues and pursue means of improving cooperation and coordination between the Bay Area and the Valley.

<b>INTRODUCTIONS</b>	11:30
<b>I. Overview of Future Bay Area and Central Valley Growth (Kernanen)</b>	11:35
<b>II. Land Use and Job/Housing Balance</b>	11:50
A. Valley Plans (Freitas)	
B. ABAG's Land Use Policy Framework (Binger)	
C. An Alternative Bay Area Growth Scenario (Binger)	
D. Issues and Opportunities for Policymaker Consideration	
<b>LUNCH</b>	12:30
<b>III. Highway Improvements and Rail Extension 1:15</b>	1:15
A. State Legislation Recently Enacted (Chesley)	
B. Specific Studies Underway (Chesley)	
C. Issues and Opportunities for Policymaker Consideration	
<b>IV. Air Quality</b>	1:40
A. Perceptions regarding Bay Area/Valley Relationships (Perardi)	
B. Legal Requirements and Technical Activities (Perardi)	
C. Issues and Opportunities for Policymaker Consideration	
<b>V. Where Do We Go From Here?</b>	2:15
<b>ADJOURN</b>	2:30

*Alice must be  
2nd Wed*

**SAN JOAQUIN COUNTY  
TRANSPORTATION ADVISORY COMMISSION  
PUBLIC WORKS CONFERENCE ROOM A**

**WEDNESDAY NOVEMBER 14, 1990  
11:30 A.M. TO 1:00 P.M.**

**A G E N D A**

- |    |   |                          |
|----|---|--------------------------|
| 1. | <b>Call to Order</b>  |                          |
| 2. | Approval of minutes of September meeting<br>(Mayor Snyder)  | <b>Action</b>            |
| 3. | <b>By-Laws<br/>(Boles)</b>  | <b>Info/<br/>Action</b>  |
| 4. | <b>AB 971 Rail Program Overview - Projects/Funds<br/>(Boles)</b>  | <b>Info</b>              |
| 5. | Local Transportation Improvement Plan: Air<br>Quality, Mandatory Developer Fees and Growth Mgmt.<br>Election Results<br>(Chesley) | <b>Info/<br/>Discuss</b> |
| 6. | Tentative Work Program<br>(Boles)   | <b>Info/<br/>Action</b>  |
| 7. | <b>Other Matters of Business</b>  | <b>Info</b>              |
| 8. | <b>Adjournment</b>  |                          |

Due to scheduled meeting time and anticipated length of the meeting, lunch will be provided at a cost of \$5.00 per person. Please respond to Doralee Boles, 468-3025, by November 12th, if you would like to order lunch.

**IMPORTANT: SEE NOTE TO COMMISSIONERS ENCLOSED!**