



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Improvement Agreement Addendum and Acceptance of Improvements in River Pointe, Tract No. 2544

MEETING DATE: November 5, 1997

PREPARED BY: Public Works Director

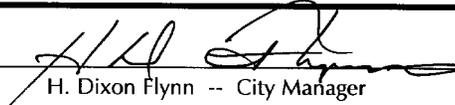
RECOMMENDED ACTION: That the City Council take the following action with regard to the River Pointe subdivision:

1. Adopt the attached resolution accepting the development improvements for River Pointe, Tract No. 2544.
2. Direct the City Manager and City Clerk to execute the Improvement Agreement Addendum for River Pointe, on behalf of the City.

BACKGROUND INFORMATION: The final map and Improvement Agreement for the River Pointe subdivision were approved by Council on June 5, 1996. The subdivision is located north of Turner Road at the northerly terminus of Sacramento Street and is bounded on the west by the Rivergate subdivision and on the east by the Southern Pacific Railroad tracks, as shown on Exhibit A. Improvements at River Pointe, Tract No. 2544 have been completed in substantial conformance with the requirements of the Improvement Agreement between the City of Lodi and Jim Thorpe Oil, Inc., and Ford Construction Company, Inc., and as shown on Drawings No. 95D037 through 95D046, 95D057 and 96D008.

The River Pointe subdivision includes improvements to Lot 46 to provide all-weather access to the public storm drain outfall at the Mokelumne River. The design and construction of the improvements are to be to the approval of the City Engineer and the improvements are to be constructed under the terms of an encroachment permit issued by the Public Works Department. Lot 46 is a common area lot which is bounded by Lots 21 and 22, which will contain single-family residential units when developed. The developer is desirous of installing improvements on Lot 46 which are coordinated with and complementary to the improvements on the adjacent residential lots, if possible. Since the adjacent lots are currently undeveloped, the Developer has requested that the subdivision improvements be accepted prior to installation of the all-weather access improvements. The developer has installed temporary access improvements consisting of compacted aggregate base to provide temporary access to the public storm drain outfall. It is staff's opinion that the compacted aggregate base should be sufficient for a limited time. Staff recommends that the subdivision improvements be accepted on the condition that the construction of the required all-weather access improvements on Lot 46 commence no later than one year from the date of approval of the Improvement Agreement Addendum covering this work.

APPROVED: _____


H. Dixon Flynn -- City Manager

The developer has executed an Improvement Agreement Addendum which sets forth the conditions under which the subdivision improvements can be accepted prior to the completion of the all-weather access improvements to the storm drain outfall at the Mokelumne River and has provided the necessary improvement security for this work.

River Pointe Drive, River Pointe Circle, and River Pointe Court are private streets and will be maintained by the development's homeowners association. The public street to be accepted by the City is as follows:

Streets	Length in Miles
Turner Road	0.00
Total New Miles of City Streets	0.00

FUNDING: None required.



Jack L. Ronsko
Public Works Director

Prepared by Sharon A. Welch, Associate Civil Engineer

JLR/SAW/pmf

Attachments

cc: City Attorney
Street Superintendent
Senior Civil Engineer
Associate Civil Engineer - Development Services
Associate Traffic Engineer
Engineering Technician Supervisor Tamura
Jim Thorpe Oil, Inc.
Ford Construction Company, Inc.
Baumbach & Piazza

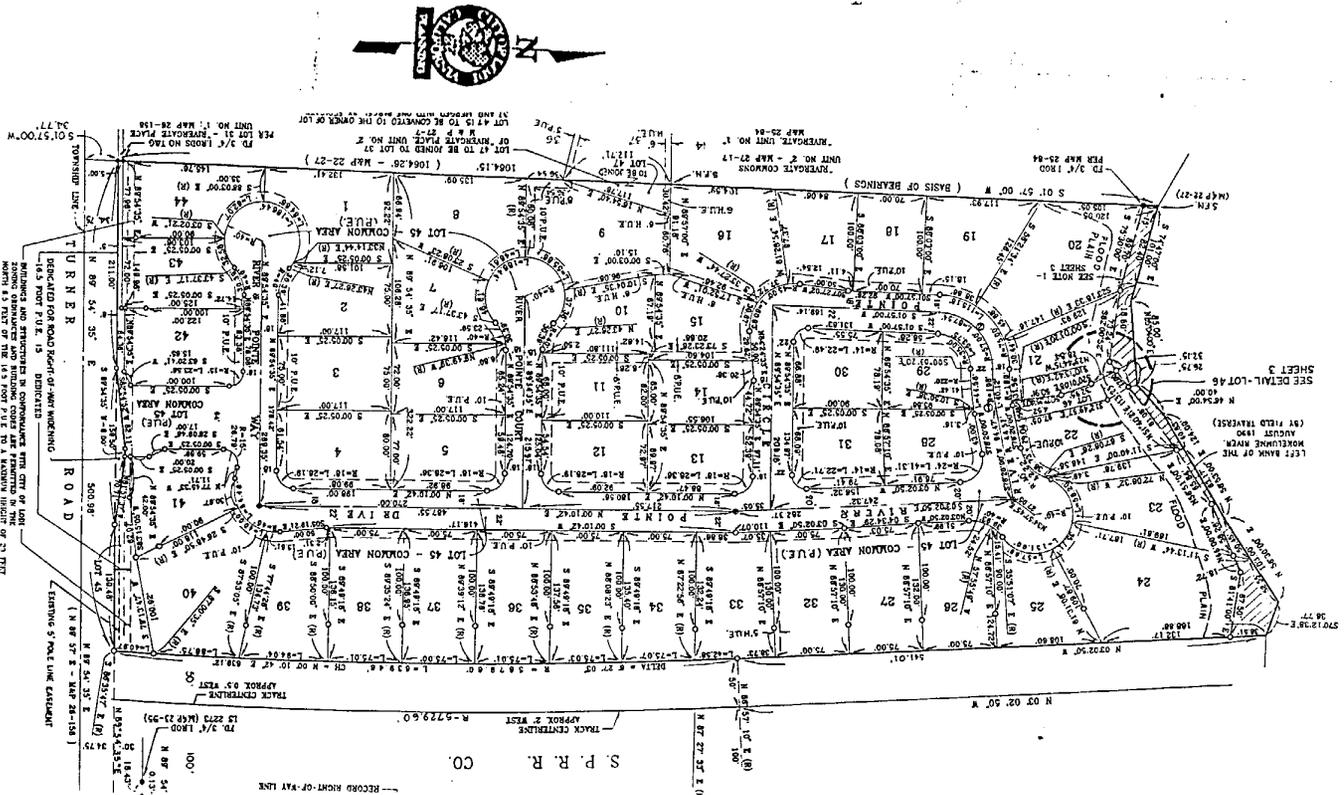
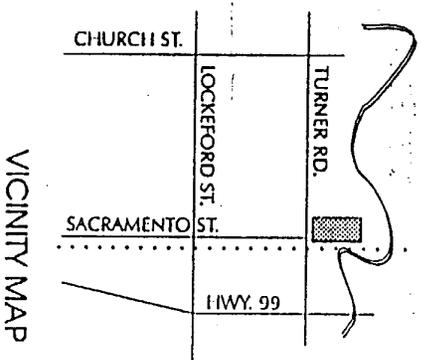


CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A

RIVER POINTE SUBDIVISION





FACSIMILE COVER SHEET

CITY CLERK'S OFFICE
221 WEST PINE STREET - P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
PHONE (209) 333-6702 FAX (209) 333-6807

DATE: November 6, 1997

FROM: Jennifer M. Perrin
Deputy City Clerk

TO: Joyce, Old Republic Title Company

FAX #: (206) 334-6665

COMMENTS: Resolution No. 97-183 entitled, "A Resolution of the Lodi City Council Accepting the Subdivision Improvements Included in the Improvement Agreement for River Pointe, Tract No. 2544, and Approving the Improvement Agreement Addendum"

THIS TRANSMITTAL CONTAINS 3 PAGE(S), INCLUDING THIS COVER SHEET.

When Recorded, Please Return to:
Lodi City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 97-183

A RESOLUTION OF THE LODI CITY COUNCIL
ACCEPTING THE SUBDIVISION IMPROVEMENTS
INCLUDED IN THE IMPROVEMENT AGREEMENT FOR
RIVER POINTE, TRACT NO. 2544, AND APPROVING THE
IMPROVEMENT AGREEMENT ADDENDUM

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WHEREAS, under the terms of the Improvement Agreement approved by the City Council on June 5, 1996 for River Pointe, Tract No. 2544, the River Pointe subdivision includes improvements to Lot 46 to provide all-weather access to the public storm drain outfall at the Mokelumne River; and

WHEREAS, the design and construction of the improvements will be approved by the City Engineer and the improvements are to be constructed under the terms of an encroachment permit issued by the Public Works Department; and

WHEREAS, Lot 46 is a common area lot which is bounded by Lots 21 and 22, which will contain single-family residential units when developed, and the developer is desirous of installing improvements on Lot 46 which are coordinated with and complementary to the improvements on the adjacent residential lots; and

WHEREAS, since the adjacent lots are currently undeveloped, the Developer has requested that the subdivision improvements be accepted prior to the installation of the all-weather access improvements; and

WHEREAS, the developer has installed temporary access improvements consisting of compacted aggregate base to provide temporary access to the public storm drain outfall; and

WHEREAS, it is staff's opinion that the compacted aggregate base should be sufficient for a limited time; and

WHEREAS, staff recommends that Council approve the Addendum to the Improvement Agreement and allow acceptance of the public improvements for River Pointe, Tract No. 2544 on the condition that the construction of the required all-weather access improvements on Lot 46 commence no later than one year from the date of approval of the Improvement Agreement Addendum covering this work.

The City Council of the City of Lodi finds:

1. That the Addendum to the Improvement Agreement is hereby approved and further authorizes the City Manager and City Clerk to execute said Addendum on behalf of the City of Lodi; and

2. That all requirements of the Improvement Agreement between the City of Lodi and Jim Thorpe Oil, Inc. and Ford Construction Company, Inc., for the improvements for River Pointe, Tract No. 2544, have been substantially complied with. The improvements are shown on Drawings Nos. 95D037 through 95D046, 95D057 and 96D008 on file in the Public Works Department; and
3. River Pointe Drive, River Pointe Circle and River Pointe Court are private streets and will be maintained by the development's homeowners association. The public street to be accepted by the City is as follows:

<u>Streets</u>	<u>Length in Miles</u>
Turner Road	0.00
Total New Miles of City Streets	0.00

Dated: November 5, 1997

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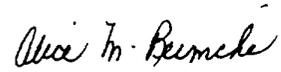
I hereby certify that Resolution No. 97-183 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 5, 1997 by the following vote:

AYES: COUNCIL MEMBERS – Land, Mann, Sieglock and Pennino (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - Warner


 ALICE M. REIMCHE
 City Clerk

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
KEITH LAND
STEPHEN J. MANN
DAVID P. WARNER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710

October 30, 1997

H. DIXON FLYNN
City Manager
ALICE M. REIMCHE
City Clerk
RANDALL A. HAYS
City Attorney

Jim Thorpe Oil, Inc.
351 North Beckman Road
Lodi, CA 95240

Ford Construction Co., Inc.
639 East Lockeford Street
Lodi, CA 95240

Baumbach & Piazza
323 West Elm Street
Lodi, CA 95240

SUBJECT: Improvement Agreement Addendum and Acceptance of Improvements in River Pointe, Tract No. 2544

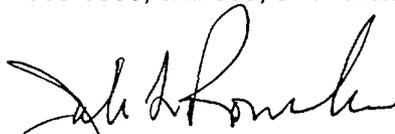
Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, November 5, 1997. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

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 Alice Reimche, City Clerk, at 333-6702.

If you have any questions about the item itself, please call either Wes Fujitani at 333-6800, ext. 669, or Sharon Welch at 333-6800, ext. 659.



Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk ✓

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
KEITH LAND
STEPHEN J. MANN
DAVID P. WARNER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710

H. DIXON FLYNN
City Manager
ALICE M. REIMCHE
City Clerk
RANDALL A. HAYS
City Attorney

November 7, 1997

Ford Construction Company, Inc. and
Jim Thorpe Oil, Inc.
639 E. Lockeford Street
Lodi, CA 95240

SUBJECT: River Pointe, Tract No. 2544

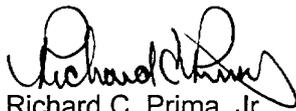
The City Council of the City of Lodi, at its meeting on November 5, 1997, accepted the public improvements that were made in the subject project.

Enclosed for your files is a copy of the resolution accepting the public improvements. From the date of the resolution, the City of Lodi will maintain the street and other public improvements installed within rights-of-way and public utility easements as shown on the approved plans.

The Improvement Agreement Addendum was also approved, and a copy will be forwarded to you when the appropriate signatures have been obtained.

A copy of this letter will be sent to your bonding agency in order that the bond covering faithful performance can be exonerated. The bond covering labor and materials will have to remain in effect for a period of ninety days from the date of the resolution in conformance with State law.

If you have any questions, please contact me.



Richard C. Prima, Jr.
City Engineer

RCP/pmf

Enclosure

cc: Electric Utility Department
Water/Wastewater Division
Street Division
City Clerk
American Home Assurance

CITY COUNCIL

PHILLIP A. PENNINO, Mayor

JACK A. SIEGLOCK

Mayor Pro Tempore

KEITH LAND

STEPHEN J. MANN

DAVID P. WARNER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET

P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 333-6706

FAX (209) 333-6710

H. DIXON FLYNN

City Manager

ALICE M. REIMCHE

City Clerk

RANDALL A. HAYS

City Attorney

November 7, 1997

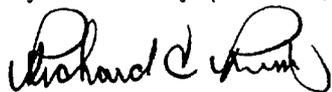
American Home Assurance
c/o Lamberson Koster and Company
Attn: Jack Woodruff
580 California Street
San Francisco, CA 94104

SUBJECT: River Pointe, Tract No. 2544
Bond No. 16-55-97

The City Council of the City of Lodi, at its meeting on November 5, 1997, accepted the public improvements in the subject project. A copy of the resolution is enclosed.

This letter is your authorization to exonerate the bond covering faithful performance. The bond covering labor and materials must remain in effect until February 5, 1998 in conformance with the requirements of State law. You will receive no further correspondence regarding the release of the bond for labor and materials unless a claim is filed.

If you have any questions, please contact Sharon Blaufus or me.



Richard C. Prima, Jr.
City Engineer

RCP/SB/pmf

Enclosures

cc: Ford Construction Co., Inc./Jim Thorpe Oil, Inc.
City Clerk