



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Improvement Agreement for the Public Improvements of Thurman Street

MEETING DATE: May 6, 1998

PREPARED BY: Public Works Director

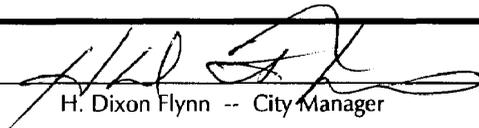
RECOMMENDED ACTION: That the City Council authorize the City Manager and City Clerk to execute the Improvement Agreement for the Public Improvements of Thurman Street on behalf of the City and appropriate the necessary funds for fee credits and development incentives.

BACKGROUND INFORMATION: The owner of Scientific Specialties, Kenneth R. Hovatter, acting as a principal of Thurman Street Company, LLC, the developer of the Scientific Specialties site on Thurman Street, has furnished the City with the improvement plans, necessary agreements, guarantees, insurance certificates and fees for the proposed Thurman Street improvements. The improvements include the extension of street improvements and public utilities in Thurman Street along the frontage of the future Scientific Specialties facility site, as shown on Exhibit A. The construction of the on-site facilities is scheduled for later in the year. The owners are desirous of installing the off-site improvements prior to submission of an application for a building permit. Since no on-site improvements are being constructed in conjunction with the street improvements, payment of Development Impact Mitigation Fees is being deferred until the time of issuance of the building permit.

The developer will receive credits against fees for approximately 32 feet of street improvements lying west of developer's parcel and fronting the City Industrial Substation site. The developer will also receive credits against Development Impact Mitigation fees for oversize water mains and master storm drain trunk lines in conformance with LMC §16.40 Reimbursements for Construction. The fee credits will be applied at the time of issuance of the building permit for the Scientific Specialties facility. In addition, the developer will be reimbursed by the City for the cost of extending the sanitary sewer main in conformance with the development incentive approved by the City Council on February 4, 1998. Reimbursement for the sanitary sewer main will be made at the time of acceptance of the Thurman Street improvements.

On September 17, 1997, Council authorized the City Manager to execute standard improvement agreements without separate Council action if the net cost of all fees and payments is \$50,000 or less. Since the net cost of all fees and payments for this project is greater than \$50,000, execution of the improvement agreement by the City Manager requires specific City Council authorization.

APPROVED: _____


H. Dixon Flynn -- City Manager

FUNDING: Funds will be provided from the following sources:

1. Street Fund - Misc. Street Improvements (current appropriation)	\$ 2,937.17
2. IMF Water Facilities (current appropriation)	\$ 2,605.90
3. IMF Storm Drain Facilities (unbudgeted; new appropriation)	\$ 22,051.04
4. Sewer Capital Outlay (current budget; new appropriation)	<u>\$ 24,277.00</u>

TOTAL \$ 51,871.11

Funding Available: Wiley Mottish
Finance Director


Richard C. Prima, Jr.
Public Works Director

Prepared by Sharon A. Welch, Associate Civil Engineer

RCP/SAWpmf

Attachment

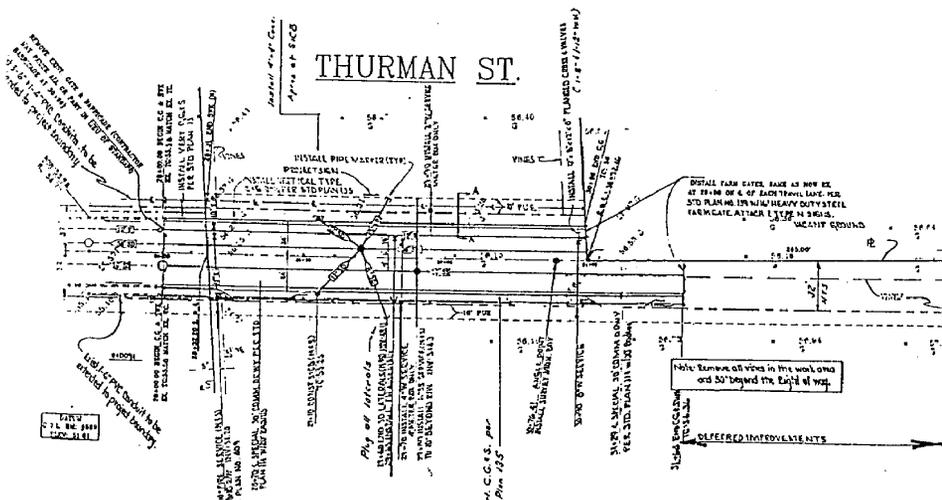
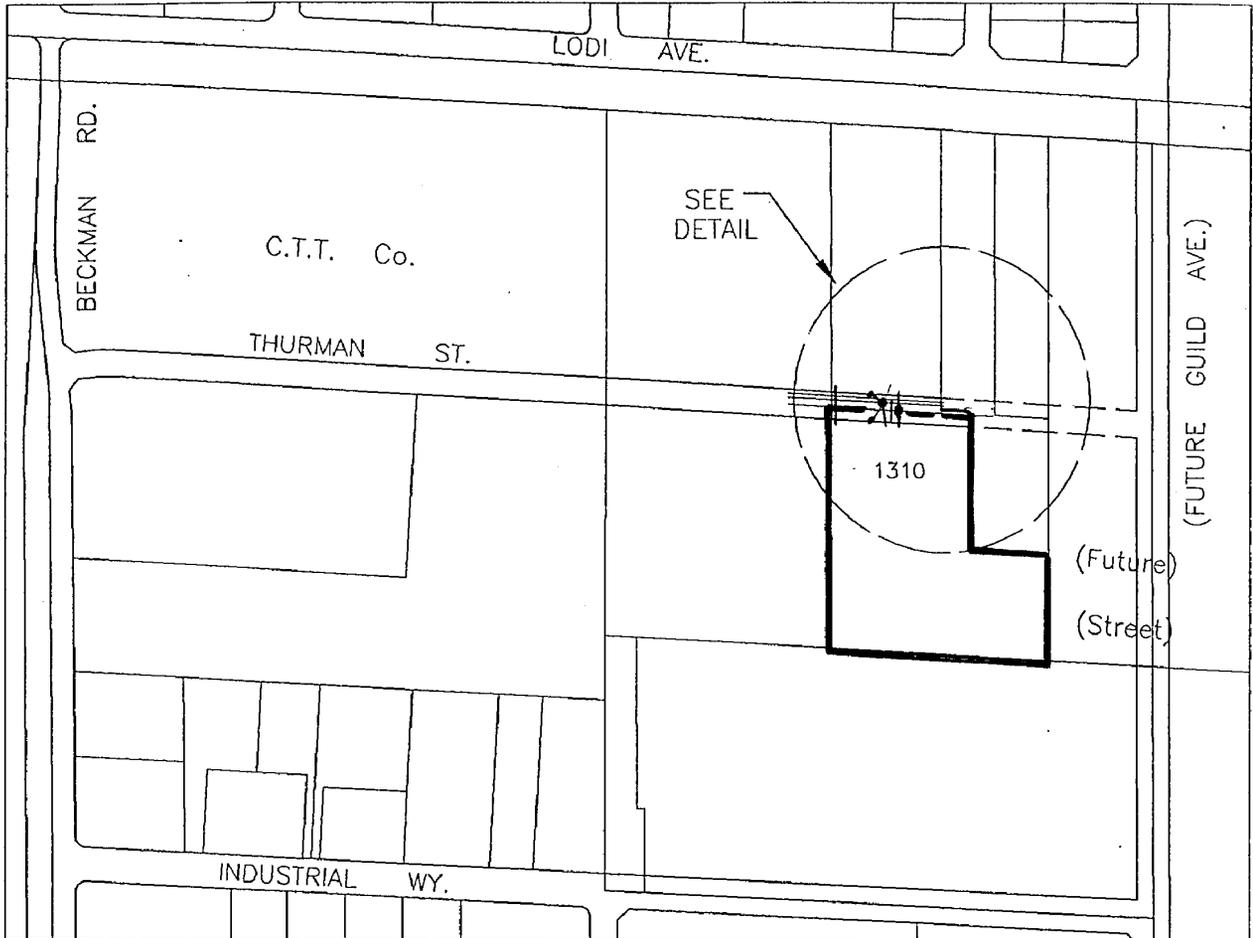
cc: Senior Civil Engineer
Associate Civil Engineer - Development Services
Kenneth and Roberta Hovatter
Baumbach & Piazza



CITY OF LODI
PUBLIC WORKS DEPARTMENT

EXHIBIT A

APN: 049-070-03
1310 Thurman Street



N.T.S.

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
KEITH LAND
Mayor Pro Tempore
ROBERT J. JOHNSON
STEPHEN J. MANN
PHILLIP A. PENNINGO

CITY OF LODI

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P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710

April 30, 1998

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

Mr. and Mrs. Kenneth Hovatter
Thurman Street Company, LLC
1901 Ackerman Drive
Lodi, CA 95240

SUBJECT: Improvement Agreement for the Public Improvements of Thurman Street

Enclosed is a copy of the Council staff report concerning your project on Thurman Street. This item is on the City Council agenda of Wednesday, May 6, 1998. 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 Sharon Welch at 333-6800, ext. 659, or me at 333-6759. It has been a pleasure working with you on your project and I wish you the best in your business.



Richard C. Prima, Jr.
Public Works Director

RCP/lm

Enclosure

cc: City Clerk
Baumbach & Piazza