



# CITY OF LODI

# COUNCIL COMMUNICATION

AGENDA TITLE: Encroachment Permit and Hold Harmless Agreement for 1401 South Cherokee Lane

MEETING DATE: May 20, 1998

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council approve the encroachment permit and hold harmless agreement for a 7-foot masonry fence at 1401 South Cherokee Lane and direct the City Manager and City Clerk to execute the agreement on behalf of the City.

BACKGROUND INFORMATION: The development is located at the southwest corner of the Kettleman Lane/ Cherokee Lane intersection, as shown on the attached Exhibit A. The development consists of the construction of a Pep Boys store and associated off-site improvements on Kettleman Lane, Cherokee Lane and Academy Street.

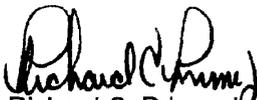
As a condition of the use permit for this project, the developer has been required to construct a 7-foot masonry fence along the westerly portion of the southerly property line. The approximate location of the fence is shown on Exhibit A. There is an existing 5-foot public utility easement (PUE) along the south property line. The PUE contains an 8-inch public water main. The Public Works Department has approved the encroachment on the condition that the masonry fence foundation be designed such that no additional load is imposed on the public water main and that the developer execute a hold harmless agreement which will be recorded in the County Recorder's office.

Plans showing an appropriate foundation design have been submitted to the Building Division and are included in the building permit for this development. The owner has executed the encroachment permit application and required hold harmless agreement and paid the necessary fees for recording the agreement. Written authorization of the encroachment has been obtained from PG&E, Pacific Bell and MediaOne.

Staff recommends that the encroachment permit and hold harmless agreement be approved.

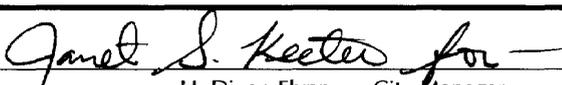
As a matter of information, an Improvement Agreement for the public improvements to be constructed with this project has been executed by the City Manager in conformance with Council authorization given September 17, 1997.

FUNDING: Developer's funds.

  
Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Associate Civil Engineer  
RCP/SAW  
Attachment

cc: Senior Civil Engineer  
Associate Civil Engineer - Development Services  
Reeves Associates, Architects  
CEI Engineering  
The Pep Boys

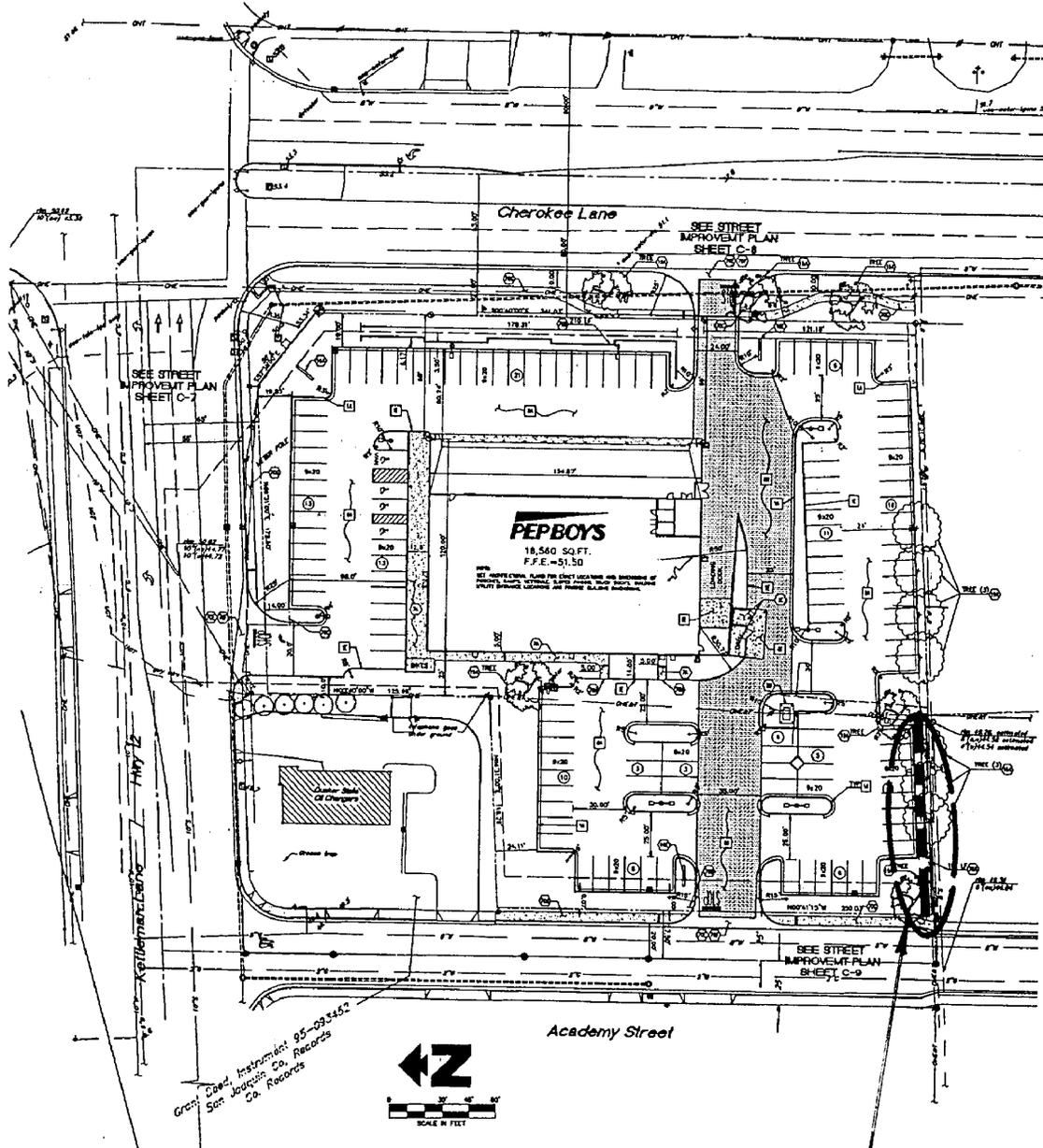
APPROVED:   
H. Dixon Flynn -- City Manager



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

# EXHIBIT A



7-Ft Masonry Wall

CITY COUNCIL

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

# CITY OF LODI

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

May 14, 1998

Reeves Associates  
Attn: Larry Reeves  
170 N. Fair Oaks Ave., #203  
Pasadena, CA 91103

CEI Engineering  
4270 W. Richert Ave., #109  
Fresno, CA 93722

The Pep Boys  
1122 W. Washington Blvd.  
Los Angeles, CA 90015

SUBJECT: Encroachment Permit and Hold Harmless Agreement for  
1401 South Cherokee Lane

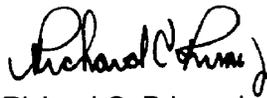
Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, May 20, 1998. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

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 (209) 333-6702.

If you have any questions about the item itself, please call Sharon Welch at (209) 333-6800, ext. 659.



Richard C. Prima, Jr.  
Public Works Director

RCP/lm

Enclosure

cc: City Clerk