



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Approve Improvement Agreement Addendum and Accept Improvements for Towne Ranch, Unit No. 7, Tract No. 2880

MEETING DATE: October 20, 1999

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council take the following action with regard to the Towne Ranch, Unit No. 7 subdivision:

1. Approve the Improvement Agreement Addendum and direct the City Manager and City Clerk to execute the Addendum on behalf of the City;
2. Appropriate funds for required reimbursements; and
3. Adopt the attached resolution accepting the development improvements.

BACKGROUND INFORMATION: The final map and Improvement Agreement for the Towne Ranch, Unit No. 7 subdivision were approved by Council on December 16, 1998. The subdivision is located east of the Woodbridge Irrigation District (WID) canal, south of Turner Road and west of the existing Towne Ranch, Unit No. 5 development. The development contains frontage along Turner Road, as shown on Exhibit A.

IMPROVEMENT AGREEMENT ADDENDUM

Turner Road Landscaping and Irrigation System

Installation of landscaping and an irrigation system along the reverse frontage fence on Turner Road is required as a part of this project with installation being done by the developer, Towne Ranch Associates. Landscape and irrigation design is a continuation of the landscaping installed with the adjacent Towne Ranch, Unit No. 5 project. Payment for the landscaping and irrigation system is to be in conformance with modifications to the conditions of the tentative map approved by Council on February 14, 1995. The modifications require that the developer pay a tree planting fee and fence maintenance fee and that the City pay for the balance of the landscaping and irrigation system and assume responsibility for future maintenance. The developer has paid the tree planting and fence maintenance fees, as required. Since the landscape and irrigation costs were not available at the time of approval of the Improvement Agreement, the Agreement contains a provision to handle the costs to be paid by the City with an addendum to the Agreement once the actual costs of the work are known. The tree planting fee (\$4,375.00) paid by the developer will be applied to the landscaping and irrigation system installation costs (\$35,118.00) and staff requests an additional appropriation of \$30,743.00 to cover the balance.

Turner Road Improvements and Reconstruction

In order to expedite the completion of the Turner Road street widening and repairs, and preserve the structural integrity of the street section, the Turner Road work previously to be done with the Towne Ranch, Unit No. 5 and Bridgetowne developments was included in this project. The approximate limits of the work are shown on Exhibit B. The work consisted of the following:

APPROVED:

H. Dixon Flynn -- City Manager

1. Street paving improvements fronting Bozant (Bo) Katakian Park, the Bridgetowne development (Unit Nos. 2 and 4), the Towne Ranch development (Unit Nos. 5 and 7), Wine and Roses Country Inn and MCI property;
2. Removal and reconstruction of existing pavement on Turner Road between the WID canal and Lower Sacramento Road; and
3. Modification of the existing traffic signal at the Lower Sacramento Road intersection.

Under the terms of the Improvement Agreement, the developer is to be reimbursed for the above work (except the Towne Ranch development which is developer's responsibility) under the terms of an addendum to the Improvement Agreement. Staff requests an allocation of \$289,621.85 to cover the cost of this work. Staff will recover the cost of the Bridgetowne, Unit No. 2 improvements through an addendum to the Improvement Agreement for that project which is currently under construction. The owners of the Bridgetowne, Unit No. 4 development and Wine and Roses Country Inn will also be billed for the cost of their improvements. Payment from MCI for the improvements fronting their property has already been received.

ACCEPTANCE OF IMPROVEMENTS

Improvements at Towne Ranch, Unit No. 7, Tract No. 2880, have been completed in substantial conformance with the requirements of the Improvement Agreement between the City of Lodi and Towne Ranch Associates, A California Limited Partnership, as approved by the City Council on December 16, 1998, and as shown on Drawings No. 98D066 through 98D073 and 98D116 through 98D120.

The streets to be accepted are as follows:

Streets	Length in Miles
Evergreen Drive	0.00
Golden Oak Drive	0.10
Mosswood Drive	0.16
Oak Knoll Way	0.03
Pearwood Circle	0.17
Turner Road	<u>0.00</u>
Total New Miles of City Streets	0.46

FUNDING: Funds will be provided from the following sources:

1. Transportation Development Act (Landscape and Irrigation)	\$ 30,743.00
2. Measure K Funds	289,621.85
3. IMF – Parks and Recreation	28,437.00
4. Developer Fees (Landscape Trees)	4,375.00
5. Developer Funds (MCI, Turner Road)	<u>2,592.00</u>
Total	\$ 355,768.85

Funding Available: Wesley M. Fujitani
 Finance Director

Richard C. Prima, Jr.
 Richard C. Prima, Jr.
 Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer
 Wesley Fujitani, Senior Civil Engineer

Attachments

cc: City Attorney	Associate Traffic Engineer	Towne Ranch Associates
Senior Civil Engineer Welch	Chief Building Inspector	Baumbach & Piazza
Senior Civil Engineer Fujitani	Street Superintendent	Engineering Technician Supervisor Tamura



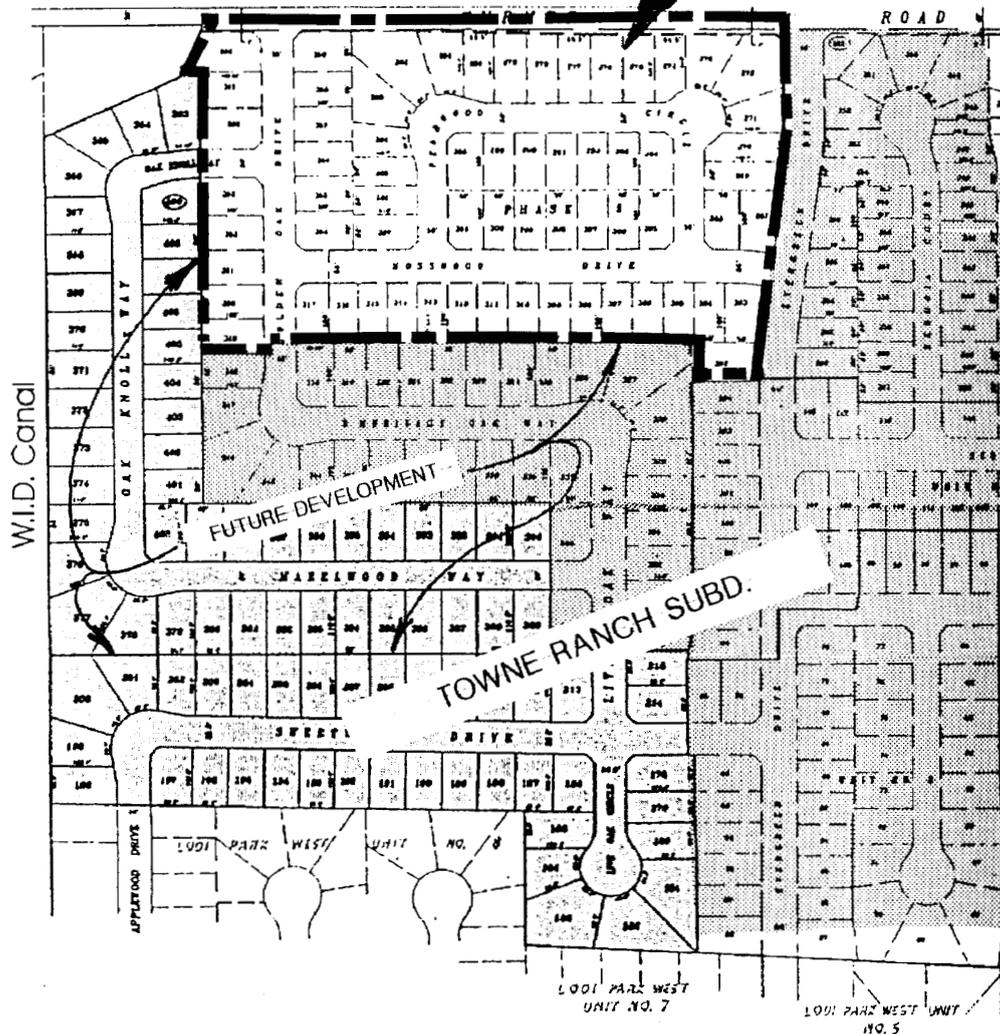
CITY OF LODI

PUBLIC WORKS DEPARTMENT

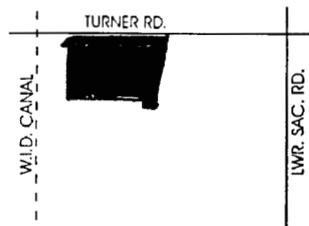
EXHIBIT A

TOWNE RANCH #7

BRIDGETOWNE SUBDIVISION



LODI PARK-WEST SUBDIVISION



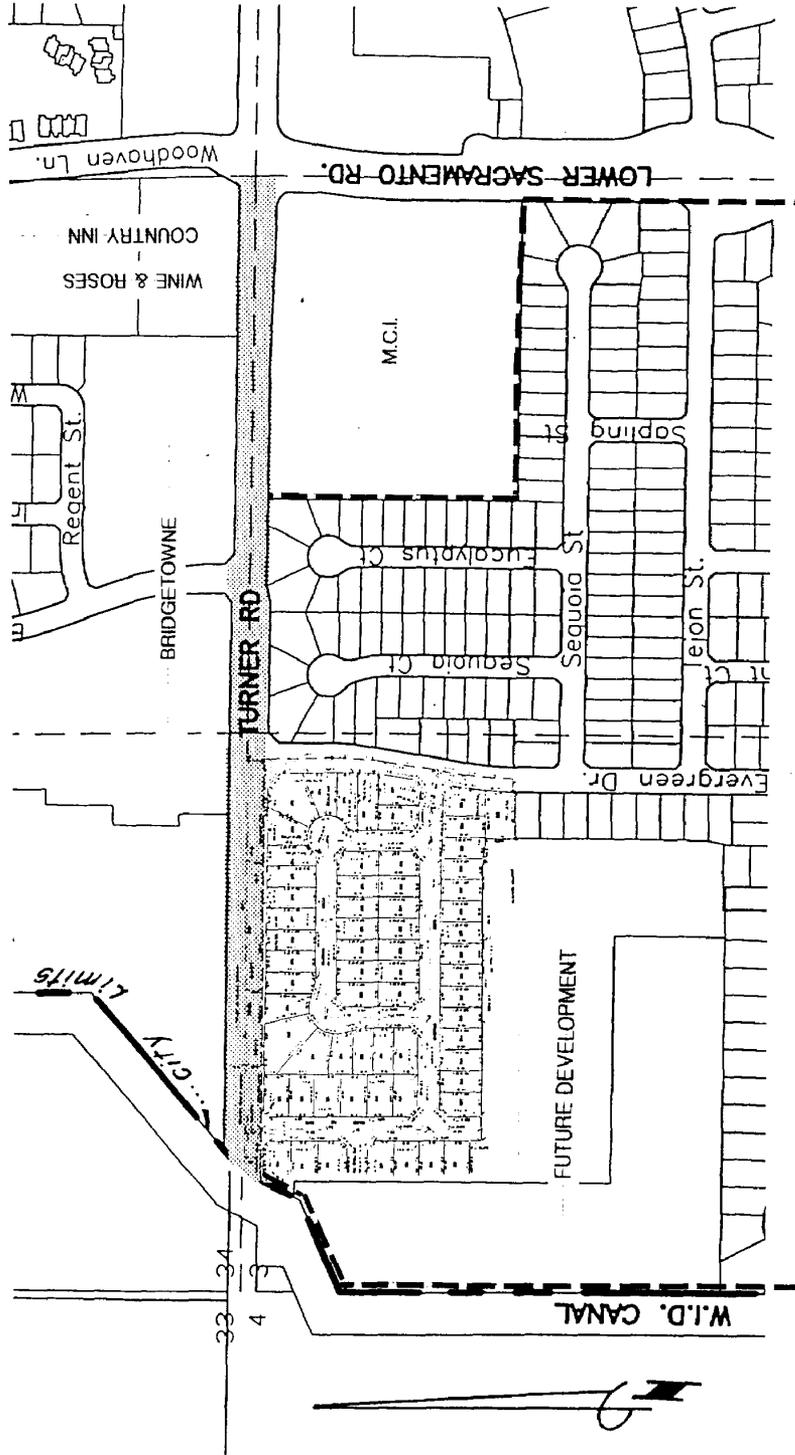
VICINITY MAP



CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT B



When Recorded, Return to:
City of Lodi City Clerk's Office
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 99-157

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING IMPROVEMENT
AGREEMENT ADDENDUM, ACCEPTING THE DEVELOPMENT IMPROVEMENTS
INCLUDED IN THE IMPROVEMENT AGREEMENT FOR TOWNE RANCH, UNIT NO. 7,
TRACT NO. 2880, AND APPROPRIATING FUNDS FOR THE REQUIRED
REIMBURSEMENTS

WHEREAS, staff recommends that Council approve the Addendum to the Improvement Agreement and allow acceptance of the public improvements for Towne Ranch, Unit No. 7, Tract No. 2880.

The City Council of the City of Lodi finds:

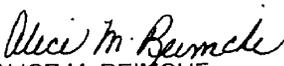
1. That the Addendum to the Improvement Agreement for Towne Ranch, Unit No. 7, Tract No. 2880 is hereby approved and further authorizes the City Manager and City Clerk to execute said Addendum; and
2. That all requirements of the Improvement Agreement between the City of Lodi and Towne Ranch Associates, a California Limited Partnership, for the improvements in Towne Ranch, Unit No. 7, Tract No. 2880, have been substantially complied with. The improvements are shown on Drawings No. 98D066 through 98D073 and 98D116 through 98D120 on file in the Public Works Department, and as specifically set forth in the plans and specifications approved by the City Council on December 16, 1998; and
3. That funds in the amount of \$289,621.85 be appropriated for required payments and reimbursements; and
4. The streets to be accepted are as follows:

Streets	Length in Miles
Evergreen Drive	0.00
Golden Oak Drive	0.10
Mosswood Drive	0.16
Oak Knoll Way	0.03
Pearwood Circle	0.17
Turner Road	<u>0.00</u>
Total New Miles of City Streets	0.46

Dated: October 20, 1999

I hereby certify that Resolution No. 99-157 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 20, 1999, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)
NOES: COUNCIL MEMBERS – None
ABSENT: COUNCIL MEMBERS – None
ABSTAIN: COUNCIL MEMBERS – None


ALICE M. REIMCHE
City Clerk

CITY COUNCIL

KEITH LAND, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
SUSAN HITCHCOCK
ALAN S. NAKANISHI
PHILLIP A. PENNINGO

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 14, 1999

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

Towne Ranch Associates
P. O. Box 1597
Lodi, CA 95241

Baumbach & Piazza
323 West Elm Street
Lodi, CA 95240

**SUBJECT: Approve Improvement Agreement Addendum and Accept Improvements
for Towne Ranch, Unit No. 7, Tract No. 2880**

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, October 20, 1999. 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 Wes Fujitani at 333-6800, ext. 669.


FOR: Richard C. Prima, Jr.
Public Works Director

RCP/lm

Enclosure ✓

cc: City Clerk

CITY COUNCIL

KEITH LAND, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
SUSAN HITCHCOCK
ALAN S. NAKANISHI
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

November 30, 1999

Mr. Dennis G. Bennett
Towne Ranch Associates
c/o Bennett Development, Inc.
P. O. Box 1597
Lodi, CA 95241

SUBJECT: Towne Ranch, Unit No. 7, Tract No. 2880

The City Council of the City of Lodi, at its meeting on Wednesday, October 20, 1999, 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 enclosed letter has been sent to your bank so the Instrument of Credit covering faithful performance can be exonerated. The Instrument of Credit covering labor and materials must remain in effect for a period of ninety days from the date of the resolution, in conformance with State law. On January 18, 2000, this instrument can be released if no claims have been filed.

If you have any questions, please contact me.



Wesley K. Fujitani
Senior Civil Engineer

WKF/lm

Enclosure

cc: Electric Utility Department
Water/Wastewater Division
Street Division
City Clerk
Farmers & Merchants Bank

LACCEPT

CITY COUNCIL

KEITH LAND, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
SUSAN HITCHCOCK
ALAN S. NAKANISHI
PHILLIP A. PENNINGO

CITY OF LODI

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

November 30, 1999

Farmers & Merchants Bank
Attn: Richard Erichson
Executive Vice President/Chief Credit Officer
P. O. Box 3000
Lodi, CA 95241-1900

SUBJECT: Towne Ranch, Unit No. 7, Tract No. 2880

The City Council of the City of Lodi, at its meeting on Wednesday, October 20, 1999, accepted the public improvements in the subject project. A copy of the resolution is enclosed for your files.

This letter is your authorization to exonerate the Instrument of Credit covering faithful performance. The Instrument of Credit covering labor and materials must remain in effect until January 18, 2000, in conformance with State law. You will receive no further correspondence regarding the release of the Instrument of Credit.

If you have any questions, please contact me.



Wesley K. Fujitani
Senior Civil Engineer

WKF/lm

Enclosures

cc: Towne Ranch Associates
City Clerk