



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Improvement Agreement Addendum for Century Meadows Three, Unit No. 1, Tract No. 2572, and for Bangs Ranch, Unit No. 1, Tract No. 2560

MEETING DATE: March 3, 1993

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council approve the Improvement Agreement Addendum for Century Meadows Three, Unit No. 1, Tract No. 2572, and the Improvement Agreement Addendum for Bangs Ranch, Unit No. 1, Tract No. 2560, authorize the City Manager to execute the Agreements, and appropriate the necessary funds from the Street Development Impact Mitigation Fee Fund.

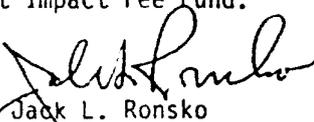
BACKGROUND INFORMATION: The City's new development ordinances, adopted as part of the Impact Fee Program, provide for reimbursement to developers for the costs of street improvements on arterial streets (Lodi Municipal Code Section 16.24.040). This reimbursement is to include right-of-way costs.

The subject subdivisions were the first to be affected by this provision and the right-of-way credit was omitted from the original Improvement Agreements between the City and the subdividers. Staff has prepared the attached Agreement addenda which have been signed by the subdividers.

The Bangs Ranch Addendum also includes the charge for accepting maintenance of the right-of-way fence along Century Boulevard and Stockton Street. This Agreement was approved by Council with the final approval of the project. In order not to delay the project pending that decision, the charge was not included in the original Agreement and is being included in this Addendum.

Staff recommends Council approve these Agreement addenda.

FUNDING: \$41,500 Street Development Impact Fee Fund.


Jack L. Ronsko
Public Works Director

Prepared by Richard C. Prima, Jr., Assistant City Engineer

JLR/RCP/lm

Attachments

cc: City Attorney
Charles Oewel
Jeff Kirst

APPROVED



THOMAS A. PETERSON
City Manager



recycled paper

CC-1

IMPROVEMENT AGREEMENT ADDENDUM

Century Meadows Three, Unit No. 1

Tract No. 2572

THIS AGREEMENT, entered into as of this _____ day of _____, 1993, between the CITY OF LODI, hereinafter referred to as "City", and Pacific Valley Housing Corporation, a California corporation, hereinafter referred to as "Developer".

WITNESSETH:

WHEREAS, the parties have entered into an Improvement Agreement, dated January 6, 1993, which Agreement covers the responsibilities of City and of Developer for the development of Century Meadows Three, Unit No. 1, Tract No. 2572; and

WHEREAS, the City is responsible for reimbursing Developer for excess street width, including right of way, from the Street Development Impact Mitigation Fund; and

WHEREAS, Developer has dedicated excess right of way on Century Boulevard; and

WHEREAS, such reimbursement was not included in the Improvement Agreement;

NOW THEREFORE, it is agreed between the parties hereto as follows:

1. That this document is considered an addendum to the original Improvement Agreement between the two parties;
2. That City will reimburse Developer \$8,500.00 for the excess right of way on Century Boulevard.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on date first above written.

DEVELOPER(S):

2/10/93
Date

Pacific Valley Housing Corp.
by Charles G. Dewel, Chief Operating Officer

CITY OF LODI, A MUNICIPAL CORPORATION

By: _____
Thomas A. Peterson, City Manager

_____ date

ATTEST:

_____ date
Jennifer M. Perrin, City Clerk

APPROVED AS TO FORM:

_____ date
Bob McNatt, City Attorney

IMPROVEMENT AGREEMENT ADDENDUM.

Bangs Ranch, Unit No. 1

Tract No. 2560

THIS AGREEMENT, entered into as of this _____ day of _____, 1993, between the CITY OF LODI, hereinafter referred to as "City", and Bangs Ranch, A Limited Partnership, hereinafter referred to as "Developer".

WITNESSETH:

WHEREAS, the parties have entered into an Improvement Agreement, dated October 21, 1992, which Agreement covers the responsibilities of City and of Developer for the development of Bangs Ranch, Unit No. 1, Tract No. 2560; and

WHEREAS, City is responsible for reimbursing Developer for excess street width, including right of way, from the Street Development Impact Mitigation Fund; and

WHEREAS, Developer has dedicated excess right of way on Century Boulevard; and

WHEREAS, such reimbursement was not included in the Improvement Agreement; and

WHEREAS, Developer is constructing a right-of-way fence and has requested that City accept the fence for maintenance; and

WHEREAS, Developer agreed to pay City \$7.00 per lineal foot for said maintenance;

NOW THEREFORE, it is agreed between the parties hereto as follows:

1. That this document is considered an addendum to the original Improvement Agreement between the two parties;
2. That City will reimburse Developer \$33,000.00 for the excess right of way on Century Boulevard.
3. That Developer will pay City \$8,239.00 for fence maintenance.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on date first above written.

Feb 8 1993
Date

DEVELOPER(S):
J. Jeffrey Krut
General Partner

CITY OF LODI, A MUNICIPAL CORPORATION

By: _____ date
Thomas A. Peterson, City Manager

ATTEST:

Jennifer M. Perrin, City Clerk date

APPROVED AS TO FORM:

Bob McNatt, City Attorney
SUBIMPAD.BNG (rev. 01/29/93)

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

February 24, 1993

THOMAS A. PETERSON
City Manager

JENNIFER M. PERRIN
City Clerk

BOB McNATT
City Attorney

Mr. Charles G. Oewel
Chief Operating Officer
Pacific Valley Housing Corp.
650 E. Blithedale Ave., Ste. 0
Mill Valley, CA 94941

SUBJECT: Improvement Agreement Addendum for Century Meadows Three,
Unit No. 1, Tract No. 2572, and for Bangs Ranch, Unit No. 1,
Tract No. 2560

Enclosed is a copy of background information on an item that will be discussed at the City Council meeting on Wednesday, March 3, 1993, at 7:30 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street. You are welcome to attend.

If you wish to communicate with the City Council, please contact Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item, please call Richard Prima or me at (209) 333-6706.



Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk ✓

NIMPAGAD/TXTW.02M

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
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BOB McNATT
City Attorney

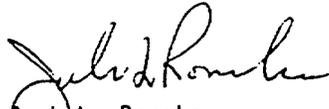
Mr. J. Jeff Kirst
General Partner
Bangs Ranch, a Limited Partnership
P. O. Box 1259
Woodbridge, CA 95258

SUBJECT: Improvement Agreement Addendum for Century Meadows Three,
Unit No. 1, Tract No. 2572, and for Bangs Ranch, Unit No. 1,
Tract No. 2560

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Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk ✓

NIMPAGAD/TXTW.02M

CITY OF LODI
SPECIAL ALLOCATION REQUEST

TO: Finance Director

DATE: March 3, 1993

FROM: City Clerk

PROJECT NUMBER:

Request is made for funds to accomplish the following project which was not included in the current budget:

<u>Description of Project</u>	<u>Estimated Cost</u>
Improvement Agreement Addendum for Century Meadows Three, Unit No. 1, Tract No. 2572, and for Bangs Ranch, Unit No. 1, Tract No. 2560.	
121.0-500.65-522	\$41,500

Approved by the City Council - March 3, 1993

(If you need more space, use additional sheet and attach to this form)

FUND OR ACCOUNT TO BE CHARGED

Current Budget \$ _____ Prior Year Reserve \$ _____

Contingent Fund \$ _____ General Fund Surplus \$ _____

Capital Outlay Reserve \$ _____ Gas Tax Fund \$ _____

Utility Outlay Reserve \$ _____ Other (Election) \$ _____

Hotel/Motel Tax Reserve - \$ _____

General Fund Operating Reserve \$ _____

Dixon Flynn,
Finance Director


Jennifer M. Perrin
City Clerk

Submit this form in duplicate to the Finance Director. Distribution after approval will be as follows: 1) Originating Department 2) Finance Department

3/3/93
CC-46
CC-90

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY C. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

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FAX (209) 331-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

March 15, 1993

Mr. Charles G. Oewel
Pacific Valley Housing Corporation
650 E. Blithedale, Suite 0
Mill Valley, California 94941

Dear Mr. Oewel:

The Lodi City Council at its March 3, 1993 meeting approved the Improvement Agreement Addendum between your firm and the City for the Century Meadows Three, Unit No. 1, Tract No. 2572.

Enclosed is a fully executed original copy of said agreement for your records.

Sincerely,

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk

JMP/pn

Enc:

MCONTRCT/TXTA.02J

3/3/93
cc-46
cc-90

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
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THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

March 15, 1993

Mr. J. Jeffrey Kirst
P. O. Box 1259
Woodbridge, California 95258

Dear Mr. Kirst:

The Lodi City Council at its March 3, 1993 meeting approved the Improvement Agreement Addendum between your firm and the City for the Bangs Ranch, Unit No. 1, Tract No. 2560.

Enclosed is a fully executed original copy of said agreement for your records.

Sincerely,

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk

JMP/pn

Enc: