AGENDA ITEM E-15

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Set Public Hearing for March 17, 2004, to Consider Redesign Concept for C-Basin (Pixley Park) and the Exchange of Properties with GREM, Inc., to Allow the Relocation of C-Basin and Refer the Matter to the Planning Commission**

MEETING DATE: **February 18, 2004**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: That the City Council set a public hearing for March 17, 2004, to consider the redesign concept for C-Basin (Pixley Park) and the exchange of properties with GREM, Inc., to allow the relocation of C-Basin (Pixley Park) and refer the matter to the Planning Commission.

BACKGROUND INFORMATION: The present design concept and approximate 26-acre configuration for C-Basin was established by the Council on September 28, 1988. In addition to the recreation component, the park is required to store 131 acre-feet of storm drainage runoff. The Park, Recreation and Open Space Plan adopted by the Council on January 19, 1994, designates the site as a 43.7-acre major sports field complex for adult softball, soccer and tennis. The Plan identifies a need to acquire an additional 17.7 acres at this site. However, in subsequent action, the Council decided not to acquire additional vacant land to the east.

Recreation needs in the area have recently refocused upon development of an adult tournament softball complex. Due to the longer field dimensions and parking needs required for tournament play, the present site configuration does not lend itself to that type of use. The present site will accommodate only three softball fields. The proposed redesigned park/basin concept plan being recommended for Council approval will provide four softball fields with expanded parking and spectator areas. The storm drainage storage requirement can be met with either site configuration. The proposed concept plan was approved by the Parks and Recreation Commission at their December 2, 2003, meeting.

An exchange of property requested by GREM, Inc., would facilitate the proposed concept plan. The proposed exchange would provide a reconfigured City of Lodi park/basin site having essentially the same area as the current site but superior dimensions for development of the adult tournament softball complex. The existing property lines, acreage and ownership for the properties affected by the proposed exchange are shown on Exhibit A. The proposed property lines, acreage and ownership after the exchange are shown on Exhibit B. The property lines and acreage of the land to be exchanged are shown on Exhibit C. The slight differential in the land exchange results from a combination of City standard design criteria for Auto Mall Drive and fixed intersection locations at Beckman Road and Pixley Parkway.

APPROVED: _____
H. Dixon Flynn, City Manager

To facilitate the proposed land exchange process, GREM, Inc., at its expense and with direction and review by City staff, has provided the proposed park/basin concept plan. In addition, as part of the land exchange, GREM, Inc., will construct improvements, at its expense, at the new site and deliver to the City a rough-graded site that will be superior to the existing basin because the entire site will be graded. The following requirements have been agreed upon by GREM, Inc., and the related improvements are diagrammatically shown on Exhibit D:

1. Provide engineered improvement plans, specifications, construction cost estimates and a current geotechnical report for all required improvements, all in conformance with City of Lodi Public Improvement Design Standards.
2. Perform rough grading construction for the entire park/basin site to final design grades.
3. Construct basin inlet piping from east of Beckman Road to the new basin.
4. Construct basin outlet structure.
5. Construct perimeter fencing around the entire site.
6. Dedicate street and public utility easements on Auto Mall Drive.
7. Install full street frontage improvements (curb, gutter, sidewalk, driveways, utilities, street lighting and asphalt concrete pavement) in Auto Mall Drive.

GREM, Inc., has also agreed to perform the following services with cost reimbursement by the City from the Storm Drainage and Parks and Recreation Impact Mitigation Fee funds:

1. Prepare engineered plans, specifications, and construction cost estimates for the future storm drainage pump station and inlet structure to allow discharge from the basin to Cluff Avenue.
2. Prepare slope erosion protection, turf and irrigation plans, specifications and construction cost estimates for the entire Pixley Park site.
3. Construct a temporary inlet channel from Auto Mall Drive to the basin.

In addition to the City improvements described above, staff will discuss with the City Council the displacement of the model airplane club facilities at Pixley Park. With continued development of the adjacent property, this use is less viable at this location.

State law regarding disposition or acquisition of park land requires a finding as to General Plan conformity by the Planning Commission, which is scheduled for February 25, 2004.

Staff will return to Council at a later date for approval of the improvement agreement(s) covering the installation of the park site and other public improvements and appropriation of funds for any applicable reimbursements.

FUNDING: Not applicable.

Richard C. Prima, Jr.
Public Works Director

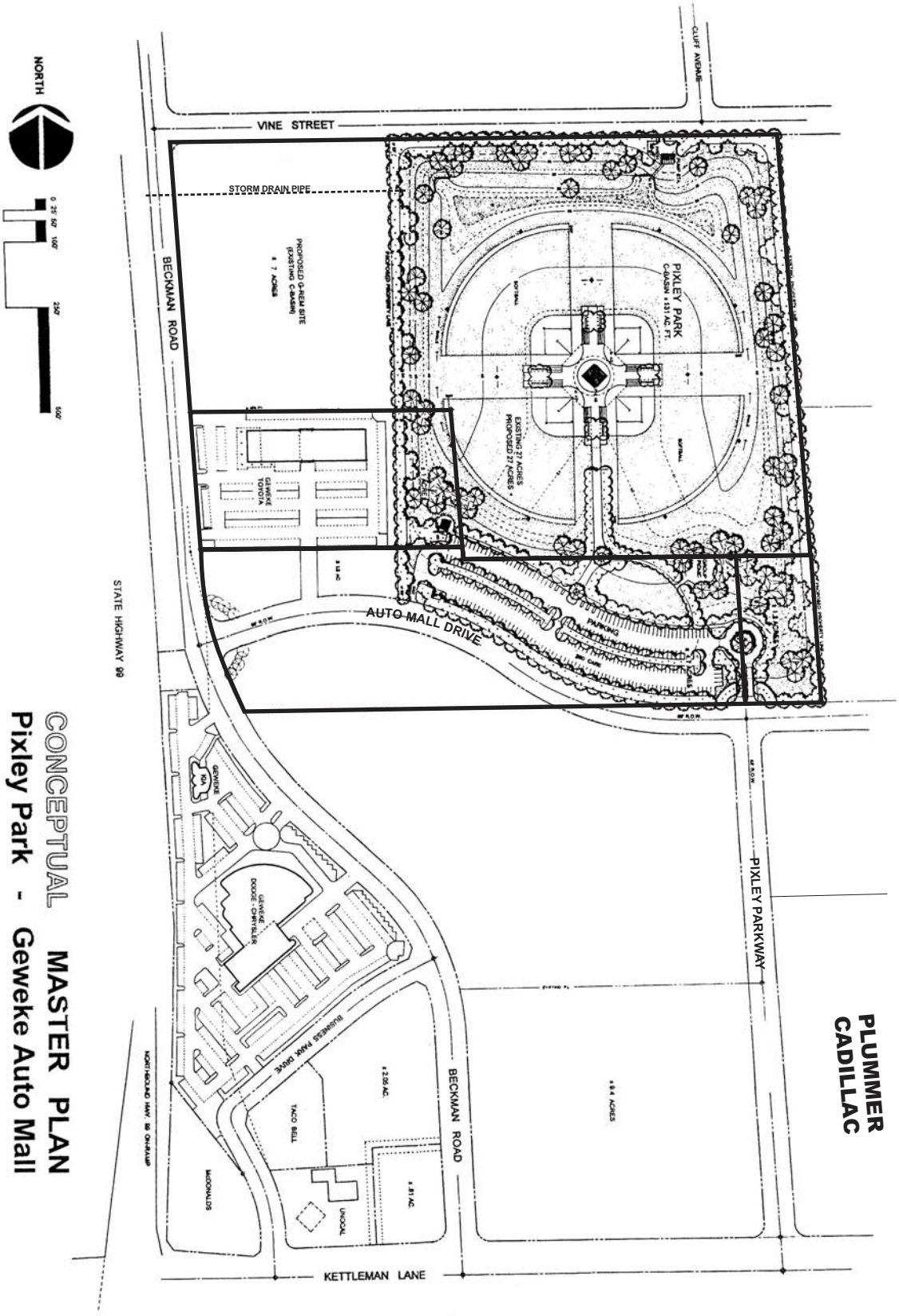
Prepared by F. Wally Sandelin, City Engineer
RCP/FWS/pmf
Attachments
cc: Interim City Attorney

CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A

EXISTING LOT LINES



CONCEPTUAL MASTER PLAN

Pixley Park - Geweke Auto Mall

G-REM, INC. City of Lodi California July 2003

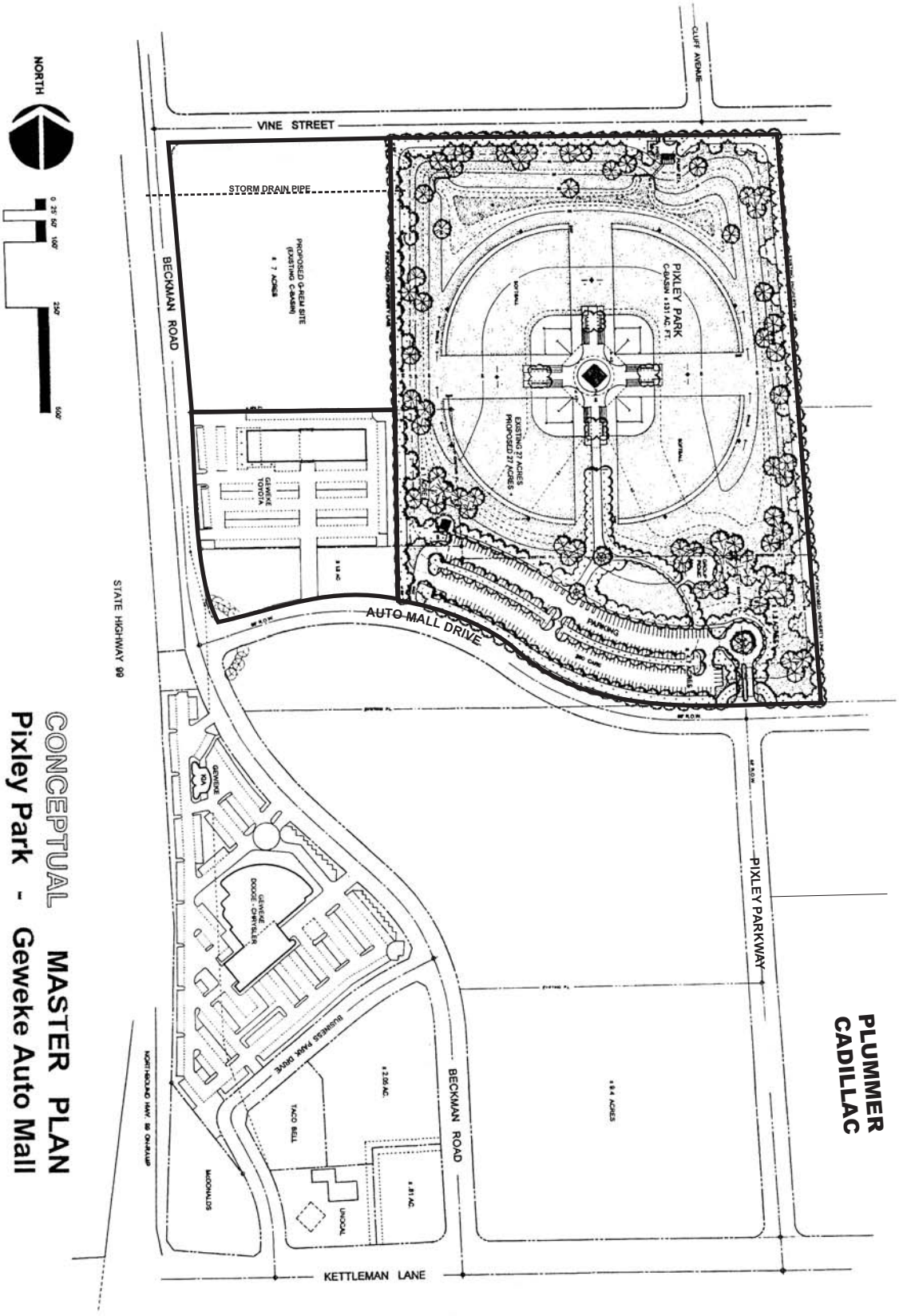
Lawrence A. Nordstrom, ASLA Landscape Architect

CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT B

PROPOSED LOT LINE



CONCEPTUAL MASTER PLAN

Pixley Park - Geweke Auto Mall

G-REM, INC. City of Lodi California July 2003

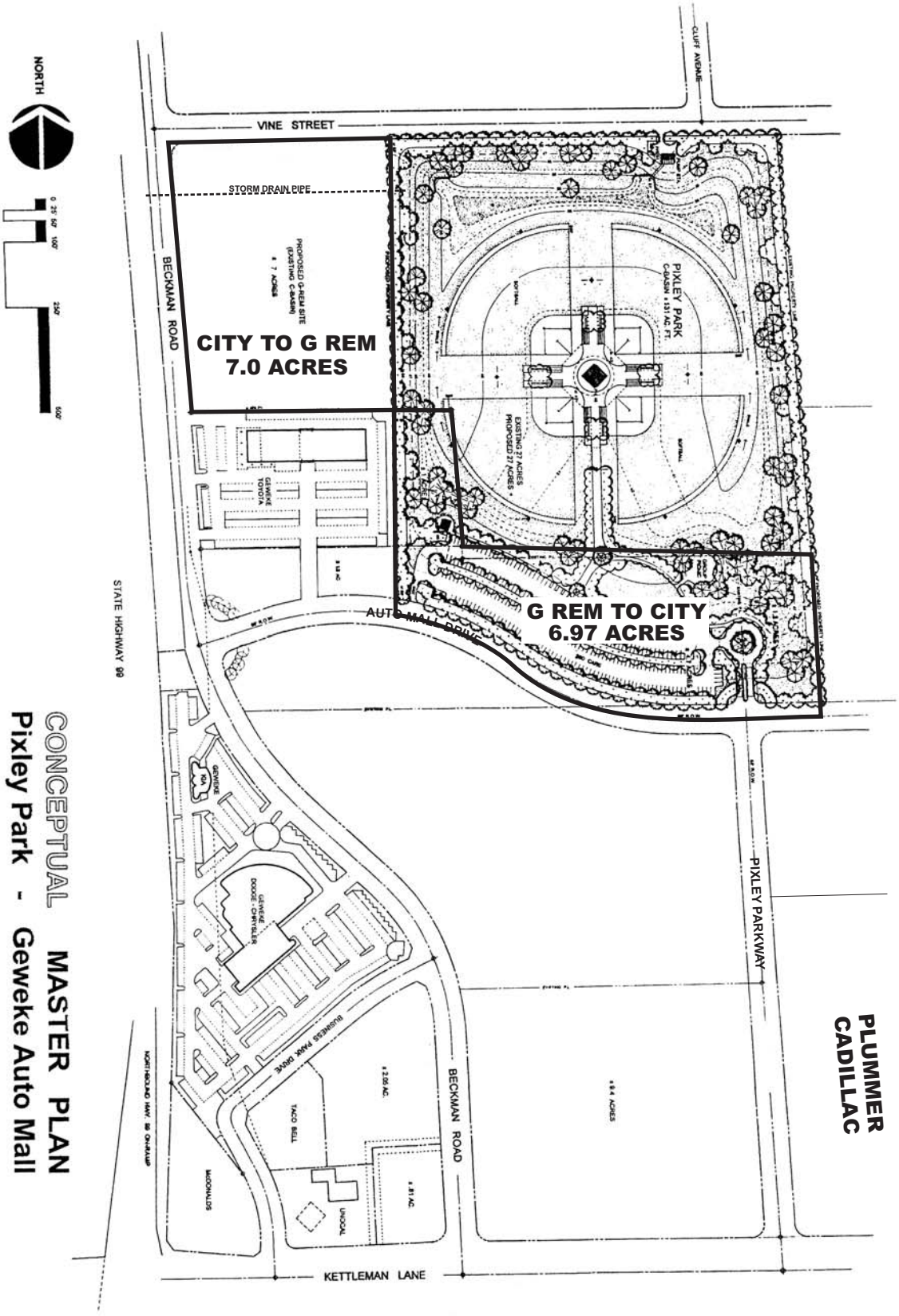
Lawrence A. Nordstrom, ASLA Landscape Architect

CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT C

LAND EXCHANGE



CONCEPTUAL MASTER PLAN

Pixley Park - Geweke Auto Mall

G-REM, INC. City of Lodi California July 2003

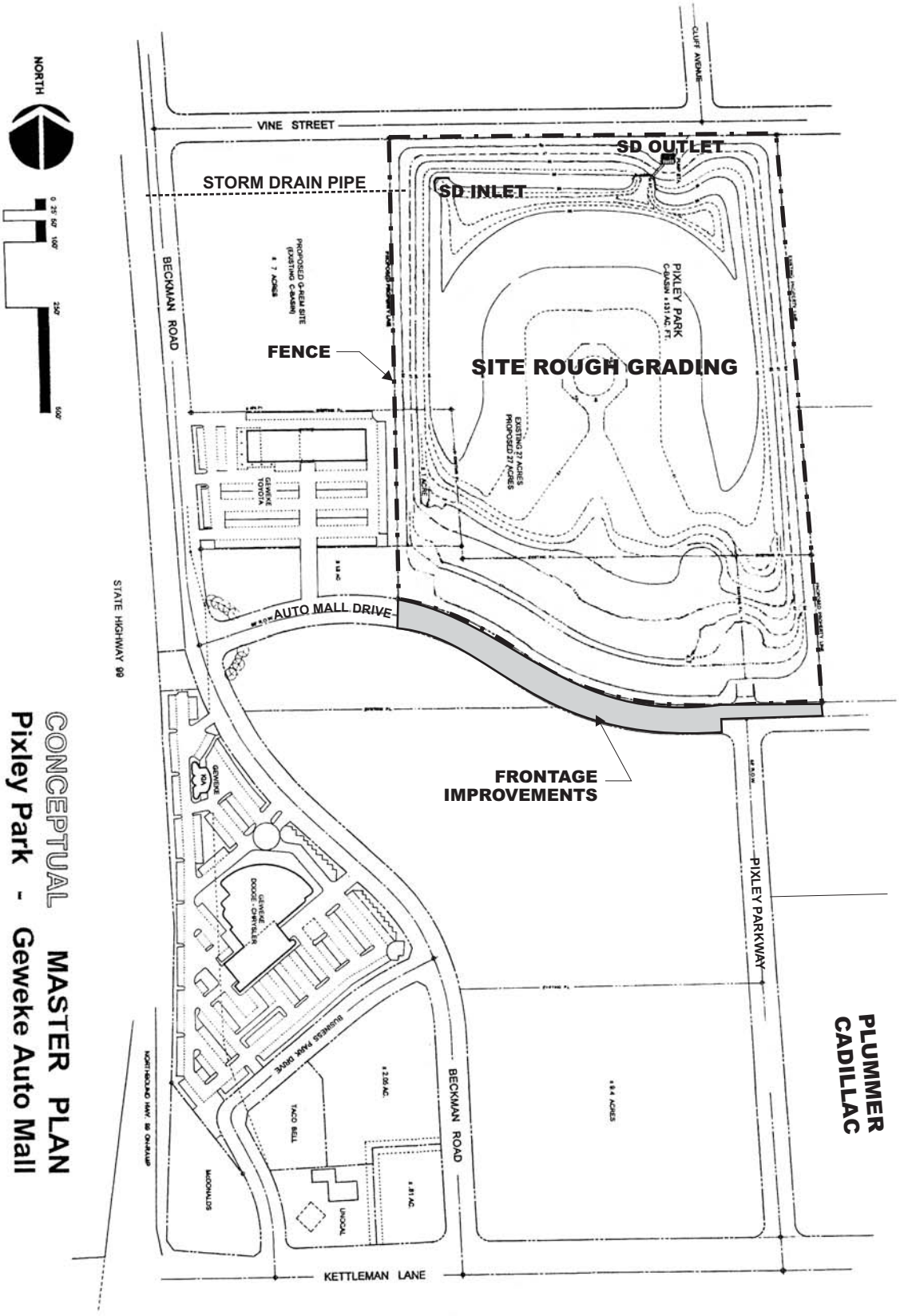
Lawrence A. Nordstrom, ASLA Landscape Architect

CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT D

IMPROVEMENTS



CONCEPTUAL MASTER PLAN

Pixley Park - Geweke Auto Mall

G-REM, INC. City of Lodi California July 2003

Lawrence A. Nordstrom, ASLA Landscape Architect

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING
Date: March 17, 2004
Time: 7:00 p.m.

For information regarding this notice please contact:
Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, March 17, 2004** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

a) to consider Redesign Concept for C-Basin (Pixley Park) and the Exchange of Properties with GREM, Inc., to Allow the Relocation of C-Basin and Refer the Matter to the Planning Commission

Information regarding this item may be obtained in the office of the Public Works Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: February 19, 2004

Approved as to form:

D. Stephen Schwabauer
Interim City Attorney

DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER REDESIGN CONCEPT FOR C-BASIN (PIXLEY PARK) AND THE EXCHANGE OF PROPERTIES WITH GREM, INC., TO ALLOW THE RELOCATION OF C-BASIN AND REFER THE MATTER TO THE PLANNING COMMISSION

On February 19, 2004, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Public Hearing to consider Redesign Concept for C-Basin (Pixley Park) and the Exchange of Properties with GREM, Inc., to Allow the Relocation of C-Basin and Refer the Matter to the Planning Commission, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 19, 2004, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

PATRICIA OCHOA
ADMINISTRATIVE CLERK

CARLSEN EAST VINE LLC ETAL
8401 JACKSON RD
SACRAMENTO CA 95826

CLASSIC CACHE LP
840 S CLUFF
LODI CA 95240

CRAIG BARBARA ANN ETAL
2105 SHERWOOD
MODESTO CA 95350

FRITZ DANIEL G & AMY S TR
1234 RIVERGATE DR
LODI CA 95240

FRITZ F DEAN & BEVERLY J TR
20049 GREENVIEW DR
WOODBRIDGE CA 95258

GANNON BRYANT & EVELYN
19839 GREENVIEW DR
WOODBRIDGE CA 95258

GANNON BRYANT & EVELYN
1123 E VINE ST
LODI CA 95240

GEWEKE LAND DEV LP
PO BOX 1210
LODI CA 95241

GFLIP III LIMITED PARTNERSHIP
PO BOX 1210
LODI CA 95241

GFLIP III LP
920 S CHEROKEE LN SUITE A
LODI CA 95240

HEWATT JAMES & ARLENE
1023 E VINE ST
LODI CA 95240

VOLKERT JOHN L & LUDWINA M
1211 E VINE ST
LODI CA 95240

EXHIBIT B

DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER REDESIGN CONCEPT FOR C-BASIN (PIXLEY PARK) AND THE EXCHANGE OF PROPERTIES WITH GREM, INC., TO ALLOW THE RELOCATION OF C-BASIN AND REFER THE MATTER TO THE PLANNING COMMISSION

On Thursday, February 19, 2004 in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider Redesign Concept for C-Basin (Pixley Park) and the Exchange of Properties with GREM, Inc., to Allow the Relocation of C-Basin and Refer the Matter to the Planning Commission (attached hereto, marked Exhibit "A"), was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 19, 2004, at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

_____
Jacqueline L. Taylor, CMC
Deputy City Clerk

_____
Patricia Ochoa
Administrative Clerk

_____
Jennifer M. Perrin, CMC
Deputy City Clerk

Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: **PUBLIC HEARING TO CONSIDER REDESIGN CONCEPT FOR C-BASIN (PIXLEY PARK) AND THE EXCHANGE OF PROPERTIES WITH GREM, INC., TO ALLOW THE RELOCATION OF C-BASIN AND REFER THE MATTER TO THE PLANNING COMMISSION**

LEGAL AD

PUBLISH DATE: **Saturday, February 21, 2004**

TEAR SHEETS WANTED: **Three (3) please**

SEND AFFIDAVIT AND BILL TO:

SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, FEBRUARY 19, 2004

ORDERED BY:

Patricia Ochoa

PATRICIA OCHOA
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

PLEASE FAX OVER PROOF OF BORDERED AD. THANK YOU!!

LNS Faxed to the Sentinel at 369-1084 at 3:20 (time) on 2/19/04 (date) 2 (pages)
Dora Phoned to confirm receipt of all pages at 4:30 (time) ___Jac X Tricia ___Jen (initials)

forms\advins.doc

CERTIFICATION
02/02/2004
Conformed Copy
GARY W. FREEMAN
County of San Joaquin
Assessor-Recorder-County Clerk
February 7, 14, 21, 28, 2004 — 6376

DOC# 2004-028421
FICTITIOUS BUSINESS NAME STATEMENT

The following person is doing business as:
COAST COMMERCIAL BANK
GREATER BAY BANK
400 Emerson St., 3rd Floor
Palo Alto, CA 94301
GREATER BAY BANK, N.A.
400 Emerson St., 3rd Floor
Palo Alto, CA 94301
This business is conducted by national bank association.
The registrants commenced or will commence to transact business under the fictitious business name or names above on 2/1/04.
Corporation Name: Greater Bay Bank, N.A
Date Incorporated: 5/7/87 State: N/A
s: Linda M. Iannone, Secretary
This is a new fictitious business name statement.
This statement was filed with the County Clerk of San Joaquin County on date indicated by file stamp.
CERTIFICATION
02/12/2004
Conformed Copy
GARY W. FREEMAN
County of San Joaquin
Assessor-Recorder-County Clerk
February 21, 28, Mar. 6, 13, 2004 — 6417

DOC# 2004-019980
FICTITIOUS BUSINESS NAME STATEMENT

The following person is doing business as:
GARDEN PLUS PEST
CONTROL & TERMITE
PESTRID
GARDEN PLUST PEST CONTROL
2695 E. Leland Rd.
Pittsburgh, CA 94565
GARDEN PLUS CO, INC.
2728 N. Harwood
Dallas, TX 75201-1516
This business is conducted by a corporation.
The registrants commenced or will commence to transact business under the fictitious business name or names above on 01/01/04.
Corporation Name: Garden Plus Co, Inc.
s: Natalie A. Webb, Asst. Secretary
This is a new fictitious business name statement.
This statement was filed with the County Clerk of San Joaquin County on date indicated by file stamp.
CERTIFICATION
01/30/2004
Conformed Copy
GARY W. FREEMAN
County of San Joaquin
Assessor-Recorder-County Clerk
February 7, 14, 21, 28, 2004 — 6375

DOC# 2004-011443
FICTITIOUS BUSINESS NAME STATEMENT

The following person is doing business as:
HERIBERTO PEREZ & SONS
TRANSPORTATION
2450A S. Lincoln St.
Stockton, CA 95206
HERIBERTO PEREZ
2450A S. Lincoln St.
Stockton, CA 95206
This business is conducted by an individual.
The registrants commenced or will commence to transact business under the fictitious business name or names above on 1/20/04.
s: HERIBERTO PEREZ
This is a new fictitious business name statement.
This statement was filed with the County Clerk of San Joaquin County on date indicated by file stamp.
CERTIFICATION
01/20/2004
Conformed Copy
GARY W. FREEMAN
County of San Joaquin
Assessor-Recorder-County Clerk
February 7, 14, 21, 28, 2004 — 6374

This business is conducted by an individual.
The registrants commenced or will commence to transact business under the fictitious business name or names above on n/a.
s: GREG NICHOLS
This is a new fictitious business name statement.
This statement was filed with the County Clerk of San Joaquin County on date indicated by file stamp.
CERTIFICATION
01/29/2004
Conformed Copy
GARY W. FREEMAN
County of San Joaquin
Assessor-Recorder-County Clerk
February 7, 14, 21, 28, 2004 — 6372

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, March 17, 2004 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

A) to consider Redesign Concept for C-Basin (Pixley Park) and the Exchange of Properties with GREM, Inc., to Allow the Relocation of C-Basin and Refer the Matter to the Planning Commission

Information regarding this item may be obtained in the office of the Public Works Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:
SUSAN J. BLACKSTON
City Clerk

Dated: February 19, 2004

s: D. STEPHEN SCHWABAUER
Interim City Attorney
February 21, 2004 — 6419

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, March 3, 2004 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

A) to consider and approve community input and proposals for uses of the City's 2004/05 Federal allocation of Community Development Block Grant (CDBG) and HOME Program Funds and the reallocation of available funds from previous program years

Information regarding this item may be obtained in the office of the Community Development Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:
SUSAN J. BLACKSTON
City Clerk

Dated: February 19, 2004

s: D. STEPHEN SCHWABAUER
Interim City Attorney
February 21, 2004 — 6420

the United States is to expand the 25-member Governing Council and hand it power on June 30 until elections can be held, according to Washington officials. Though the coalition would hand over power, the United States expects it to keep some 100,000 troops in Iraq for at least another two years.

PUBLIC NOTICE

CASE NUMBER PR 74675

OSCAR BUDD KLEINFELD
Bar # 027171
OSCAR BUDD KLEINFELD, INC.
949 N. Center St., Suite A
Stockton, CA 95202-1327
(209) 948-6400
(209) 948-6022
Attorney for: Terry C. Towles, Petitioner
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN
222 EAST WEBER AVENUE, ROOM 303
STOCKTON, CA. 95202
STOCKTON BRANCH
ESTATE OF: LOIS M. FIRKINS, DECEDENT
NOTICE OF PETITION TO ADMINISTER ESTATE OF LOIS M. FIRKINS.

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: LOIS M. FIRKINS.

A PETITION FOR PROBATE has been filed by: TERRY C. TOWLES in the Superior Court of California, County of: SAN JOAQUIN

THE PETITION FOR PROBATE requests that: TERRY C. TOWLES be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on March 2, 2004 at 8:30 AM, Dept. 34 address of court: same as noted above

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:
OSCAR BUDD KLEINFELD, INC.
949 N. Center St., Suite A
Stockton, CA 95202-1327
(209) 948-6400
FILED: 2004 FEB 9 PM 2:37
ROSA JUNQUEIRO, CLERK
CECILIA ALMENDAREZ, DEPUTY
February 18, 21, 25, 2004 — 6406

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