



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution to Amend Resolution 2002-255 to Rescind the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, Executed by J. C. Custom Homes, Inc., and Approve the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, Executed by Fletcher Organization, Inc.

MEETING DATE: August 20, 2003

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution to amend Resolution 2002-255 to authorize the following actions for the Woodhaven Park, Unit No. 3 subdivision:

1. Rescind the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, executed by J. C. Custom Homes, Inc.
2. Approve the improvement agreement for Woodhaven Park, Unit No. 3, Tract 3187, executed by Fletcher Organization, Inc., and direct the City Manager and City Clerk to execute the improvement agreement on behalf of the City.

BACKGROUND INFORMATION: On December 18, 2002, the City Council adopted Resolution 2002-255 approving the Final Map and Improvement Agreement for Woodhaven Park, Unit No. 3, Tract No. 3187, between the City of Lodi and J. C. Custom Homes, Inc. The Improvement Agreement had been executed by J. C. Custom Homes, Inc., on December 16, 2002 and was executed by the City Manager and City Clerk on behalf of the City on December 24, 2002. The resolution further provided that funds in the amount of \$26,500 be appropriated for applicable reimbursements.

The subdivision is located west of Lilac Street and south of the Woodbridge Irrigation District (WID) canal as shown on Exhibit A. The development consists of 11 medium-density single-family residential lots. The improvement plans for the public improvements required as a condition of development have been approved and are on file in the Public Works Department. Construction of the subdivision improvements has not yet commenced. The subdivision improvements include the installation of street frontage improvements in Lilac Street along the subdivision frontage, as well as the adjacent parcels to the south. In addition, in order to provide for orderly development, the existing street pavement on Lilac Street will be removed and replaced along the project frontage to the centerline of Lilac Street. Those improvements are eligible for reimbursement by the City in conformance with Lodi Municipal Code §16.40, Reimbursement for Construction. Funds have been appropriated for the reimbursement. The reimbursement will be made by the City when the improvements are complete and accepted by the City.

Fletcher Organization, Inc., has purchased the Woodhaven Park, Unit No. 3 subdivision from J. C. Custom Homes, Inc. Fletcher Organization, Inc., and J. C. Custom Homes, Inc., have requested

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn --- City Manager

Adopt Resolution to Amend Resolution 2002-255 to Rescind the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, Executed by J. C. Custom Homes, Inc., and Approve the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, Executed by Fletcher Organization, Inc.

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that the City Council rescind the above referenced improvement agreement with J. C. Custom Homes, Inc., and enter into an improvement agreement with Fletcher Organization, Inc., to allow Fletcher Organization, Inc., to construct and complete the required public improvements for the subdivision.

Fletcher Organization, Inc., has furnished the City with the necessary agreements, guarantees, insurance certificates, and fees for the proposed subdivision.

FUNDING: \$26,500 from IMF – Appropriated from Streets Local on 12/18/02, Resolution No. 2002-255.  
No additional funding required.

  
for Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer

RCP/SAW/pmf

Attachment

cc: City Attorney  
Senior Civil Engineer Fujitani  
Senior Civil Engineer Welch  
J. C. Custom Homes, Inc.  
Fletcher Organization, Inc.  
Baumbach & Piazza



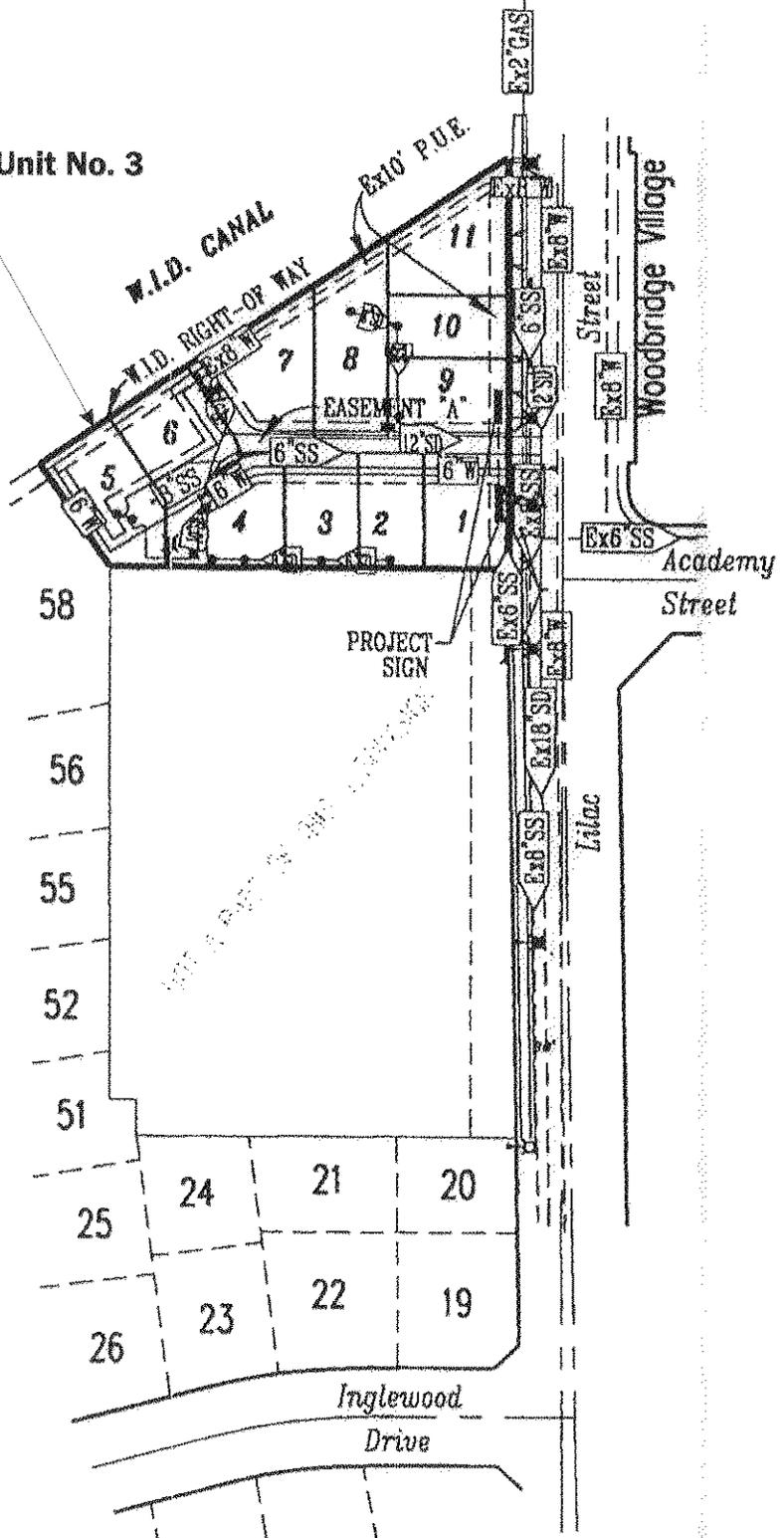
**CITY OF LODI**  
PUBLICWORKSDEPARTMENT

**Exhibit A**  
Woodhaven Park Unit No. 3

Woodhaven, Unit No. 3

Scale: 1"=100'

Woodhaven, Unit No. 2  
(Map No. 33-077)



RESOLUTION NO. 2003-147

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING RESOLUTION NO. 2002-255 TO RESCIND THE IMPROVEMENT AGREEMENT FOR WOODHAVEN PARK, UNIT NO. 3, TRACT 3187, EXECUTED BY J. C. CUSTOM HOMES, INC., AND TO APPROVE THE IMPROVEMENT AGREEMENT FOR WOODHAVEN PARK, UNIT NO. 3, TRACT 3187, EXECUTED BY FLETCHER ORGANIZATION, INC.

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NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby amend Resolution No. 2002-255 to rescind the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, executed by J. C. Custom Homes, Inc., and further to approve the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, executed by Fletcher Organization, Inc.; and

BE IT FURTHER RESOLVED that the Lodi City Council hereby authorizes and directs the City Manager and City Clerk to execute the Improvement Agreement executed by Fletcher Organization, Inc., on behalf of the City of Lodi.

Dated: August 20, 2003

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I hereby certify that Resolution No. 2003-147 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 20, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Howard, and Mayor Hitchcock  
NOES: COUNCIL MEMBERS – None  
ABSENT: COUNCIL MEMBERS – Beckman and Land  
ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk

CITY COUNCIL

SUSAN HITCHCOCK, Mayor  
EMILY HOWARD  
Mayor Pro Tempore  
JOHN BECKMAN  
LARRY D. HANSEN  
KEITH LAND

CITY OF LODI  
PUBLIC WORKS DEPARTMENT

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P.O. BOX 3006  
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H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney  
RICHARD C. PRIMA, JR.  
Public Works Director

August 14, 2003

J. C. Custom Homes, Inc.  
P.O. Box 131  
Woodbridge, CA 95258

Fletcher Organization, Inc.  
P.O. Box 1070  
Woodbridge, CA 95258

Baumbach & Piazza  
323 W. Elm Street  
Lodi, CA 95240

SUBJECT: Adopt Resolution to Amend Resolution 2002-255 to Rescind the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, Executed by J. C. Custom Homes, Inc., and Approve the Improvement Agreement for Woodhaven Park, Unit No. 3, Tract 3187, Executed by Fletcher Organization, Inc.

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, August 20, 2003. 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 Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Senior Civil Engineer, at 333-6800, extension 2659.



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

RCP/pmf

Enclosure

cc: City Clerk