



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Set Public Hearing for February 2, 2005, to Consider Resolution Establishing an Area of Benefit and Reimbursable Costs for Design and Construction Required to Underground Aerial Facilities for 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (APN 031-040-40)

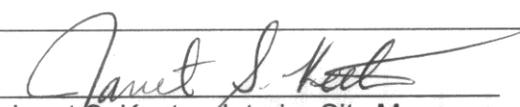
**MEETING DATE:** January 5, 2005

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council set a public hearing for February 2, 2005, to consider a resolution establishing an area of benefit and reimbursable costs for design and construction required to underground aerial facilities for 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (APN 031-040-40), as shown on Exhibit A.

**BACKGROUND INFORMATION:** As a condition of development of the property located at 1745 West Kettleman Lane, the developer was required to provide the design and construction required to underground all aerial facilities along the Kettleman Lane frontage of that project site. In order to provide for orderly development and to reduce costs and minimize the impact of construction activities on Kettleman Lane, City staff requested that the developer also obtain the costs to underground the aerial facilities for the adjacent properties west of the development site, 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (031-040-40) in conjunction with that development, thereby completing the undergrounding of existing overhead utilities between Lakeshore Drive and Mills Avenue. The developer complied with the City's request, and Council has approved reimbursement to the developer by the City in the amount of \$75,000 to complete the underground work on the adjacent properties.

Pursuant to Lodi Municipal Code (LMC) §16.40.030, the City is eligible for reimbursement for the cost of improvements installed by the City that benefit adjacent properties and would be required of the properties upon development. The costs for undergrounding the existing aerial utilities along the Kettleman Lane frontages of the parcels located at 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (031-040-40) are thereby reimbursable to the City. The reimbursable costs for each of the benefiting properties have been calculated based on the length of frontage of each parcel and are shown in Exhibit B. Since the undergrounding of the aerial facilities is not complete yet, the reimbursable amounts shown in Exhibit B are estimates only and will be adjusted upon the completion and acceptance of the improvements. The reimbursement costs will be due at the time of development of the respective parcels. Pursuant to LMC §15.64.080, the reimbursable amount will be adjusted annually to include an amount attributable to interest, which will be based on the change in the Engineering News Record 20 Cities Construction Cost Index from December 2004 to January 1<sup>st</sup> of the year of reimbursement. To insure cost recovery, staff will recommend that there be no expiration date for payment of the reimbursable amounts due for the parcels within the area of benefit.

**APPROVED:**   
Janet S. Keeter, Interim City Manager

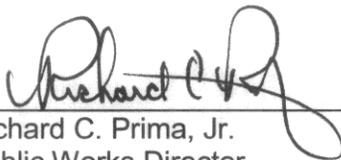
Set Public Hearing for February 2, 2005, to Consider Resolution Establishing an Area of Benefit and Reimbursable Costs for Design and Construction Required to Underground Aerial Facilities for 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (APN 031-040-40)

January 5, 2005

Page 2

In conformance with LMC 16.40, staff recommends that Council set a public hearing to establish an area of benefit and reimbursable costs to recover the cost of undergrounding the existing aerial utilities along the Kettleman Lane frontages of the benefiting properties located at 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (031-040-40).

**FUNDING:** Not applicable.



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Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer

RCP/SAW/pmf

Attachments

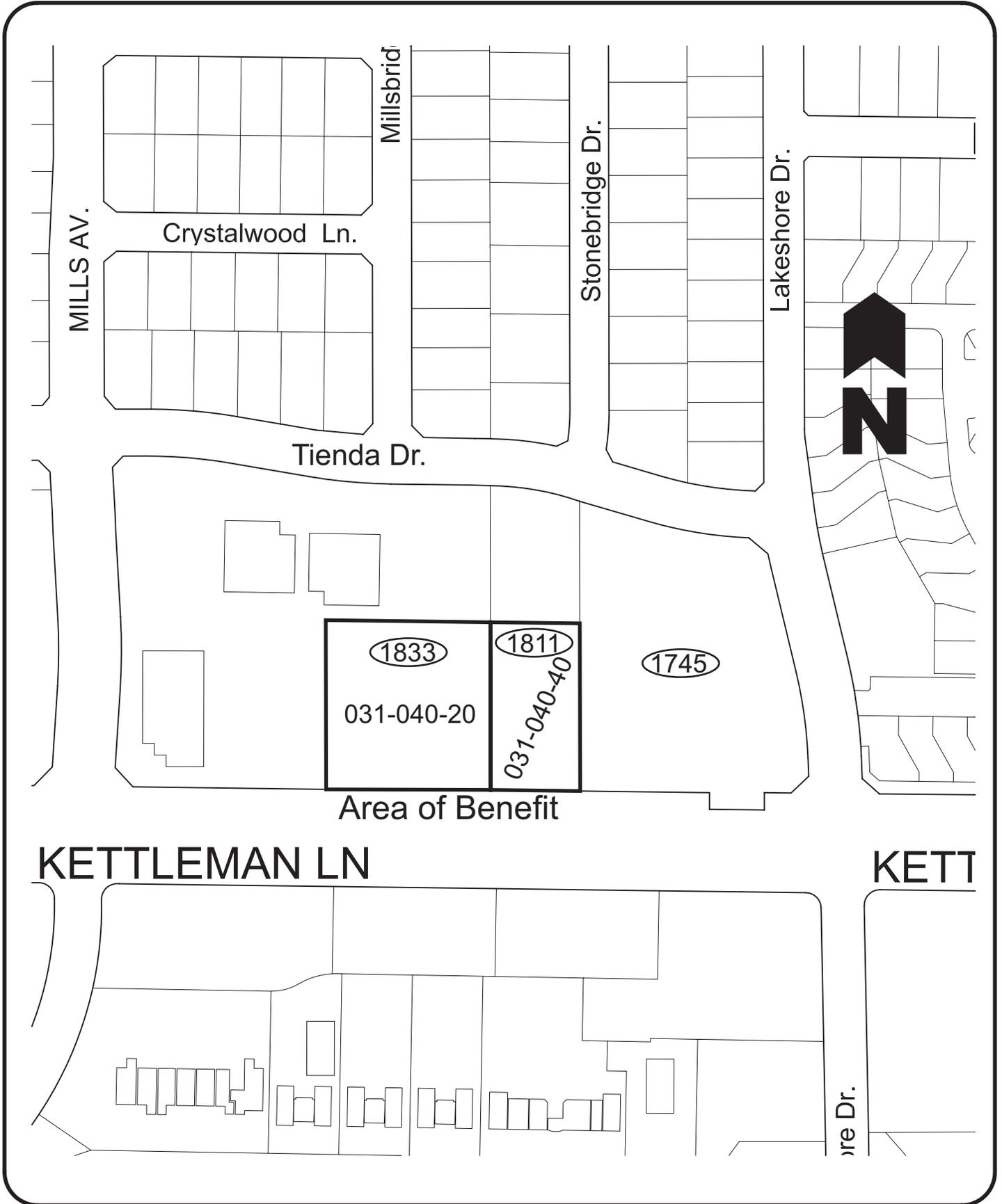
cc: Lyman Chang, Associate Civil Engineer  
Professional Contractors, Inc.  
Mr. & Mrs. John Bezug  
Ms. Mary Tsutaoka



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## EXHIBIT A AREA OF BENEFIT



## Exhibit B

**City of Lodi  
Public Works Department  
Kettleman Lane Undergorund Aerial Facilities Reimbursement**

Item	Description	Qty	Unit	Price	Total	1811 W Kettleman	1833 W Kettleman
						John Bezug 031-040-40	Mary Tsutoaka 031-040-20
						Total	Total
1	Design and Underground All Aerial Services	1	LS	75,000.00	\$ 75,000.00	\$ 27,037.00	\$ 47,963.00
<b>Total Reimbursable Costs</b>					<b>\$ 75,000.00</b>	<b>\$ 27,037.00</b>	<b>\$ 47,963.00</b>

CITY COUNCIL

JOHN BECKMAN, Mayor  
SUSAN HITCHCOCK  
Mayor Pro Tempore  
LARRY D. HANSEN  
BOB JOHNSON  
JOANNE L. MOUNCE

CITY OF LODI  
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6706  
FAX (209) 333-6710  
EMAIL [pwdept@lodi.gov](mailto:pwdept@lodi.gov)  
<http://www.lodi.gov>

JANET S. KEETER  
Interim City Manager  
SUSAN J. BLACKSTON  
City Clerk  
D. STEVEN SCHWABAUER  
City Attorney  
RICHARD C. PRIMA, JR.  
Public Works Director

December 23, 2004

Professional Contractors, Inc.  
5635 Stratford Circle, Ste. C-45  
Stockton, CA 95207

Mr. & Mrs. John Bezug  
1811 W. Kettleman Lane  
Lodi, CA 95242

Ms. Mary Tsutaoka  
1833 W. Kettleman Lane  
Lodi, CA 95242

SUBJECT: Set Public Hearing for February 2, 2005, to Consider Resolution  
Establishing an Area of Benefit and Reimbursable Costs for Design and  
Construction Required to Underground Aerial Facilities for  
1833 West Kettleman Lane (APN 031-040-20) and  
1811 West Kettleman Lane (APN 031-040-40)

Enclosed is a copy of background information on an item on the City Council agenda of  
Wednesday, January 5, 2005. The meeting will be held at 7 p.m. in the  
City Council Chamber, Carnegie Forum, 305 West Pine Street.

As indicated in the title, the only action will be to set a public hearing date on the item.  
Public hearings are usually set for the second following Council Meeting.

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; or Lyman Chang,  
Associate Civil Engineer, at 333-6800, extension 2665.



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

RCP/pmf

Enclosure

cc: City Clerk



**CITY OF LODI**  
Carnegie Forum  
305 West Pine Street, Lodi

**NOTICE OF PUBLIC HEARING**

Date: February 2, 2005

Time: 7:00 p.m.

For information regarding this notice please contact:

**Susan J. Blackston**  
City Clerk  
Telephone: (209) 333-6702

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that on **Wednesday, February 2, 2005**, 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) Resolution Establishing an Area of Benefit and Reimbursable Costs for Design and Construction Required to Underground Aerial Facilities for 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (APN 031-040-40).

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: January 6, 2005**

Approved as to form:

D. Stephen Schwabauer  
City Attorney



**CITY OF LODI  
COUNCIL COMMUNICATION**

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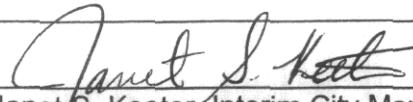
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**PREPARED BY:** Public Works Director

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APPROVED:   
Janet S. Keeter, Interim City Manager

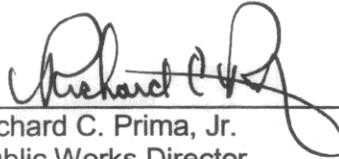
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**FUNDING:** Not applicable.



Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer

RCP/SAW/pmf

Attachments

cc: Lyman Chang, Associate Civil Engineer  
Professional Contractors, Inc.  
Mr. & Mrs. John Bezug  
Ms. Mary Tsutaoka



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

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<b>Total Reimbursable Costs</b>					<b>\$ 75,000.00</b>	<b>\$ 27,037.00</b>	<b>\$ 47,963.00</b>



## **DECLARATION OF POSTING**

**SET PUBLIC HEARING FOR FEBRUARY 2, 2005, TO CONSIDER RESOLUTION ESTABLISHING AN AREA OF BENEFIT AND REIMBURSABLE COSTS FOR DESIGN AND CONSTRUCTION REQUIRED TO UNDERGROUND AERIAL FACILITIES FOR 1833 WEST KETTLEMAN LANE (APN 031-040-20) AND 1811 WEST KETTLEMAN LANE (APN 031-040-40).**

On Friday, January 7, 2005, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider Resolution establishing an Area of Benefit and reimbursable costs for design and construction required to Underground Aerial Facilities for 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (APN 031-040-40), (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 January 7, 2005, at Lodi, California

ORDERED BY:

**SUSAN J. BLACKSTON**  
**CITY CLERK**

\_\_\_\_\_  
Jacqueline L. Taylor, CMC  
Deputy City Clerk

  
\_\_\_\_\_  
Kari J. Chadwick  
Administrative Clerk

\_\_\_\_\_  
Jennifer M. Perrin, CMC  
Deputy City Clerk



## **DECLARATION OF MAILING**

**SET PUBLIC HEARING FOR FEBRUARY 2, 2005, TO CONSIDER RESOLUTION ESTABLISHING AN AREA OF BENEFIT AND REIMBURSABLE COSTS FOR DESIGN AND CONSTRUCTION REQUIRED TO UNDERGROUND AERIAL FACILITIES FOR 1833 WEST KETTLEMAN LANE (APN 031-040-20) AND 1811 WEST KETTLEMAN LANE (APN 031-040-40).**

On January 7, 2005, 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 notice to set public hearing for February 2, 2005, to consider Resolution establishing an Area of Benefit and reimbursable costs for design and construction required to Underground Aerial Facilities for 1833 West Kettleman Lane (APN 031-040-20) and 1811 West Kettleman Lane (APN 031-040-40), 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 January 7, 2005, 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

  
\_\_\_\_\_  
KARI J. CHADWICK  
ADMINISTRATIVE CLERK



## MAILING LIST

**SET PUBLIC HEARING FOR FEBRUARY 2, 2005, TO CONSIDER RESOLUTION  
ESTABLISHING AN AREA OF BENEFIT AND REIMBURSABLE COSTS FOR  
DESIGN AND CONSTRUCTION REQUIRED TO UNDERGROUND AERIAL  
FACILITIES FOR 1833 WEST KETTLEMAN LANE (APN 031-040-20) AND 1811  
WEST KETTLEMAN LANE (APN 031-040-40).**

Mr. & Mrs. John Bezug  
1811 W. Kettleman Lane  
Lodi, CA 95242

Ms. Mary Tsutaoka  
1833 W. Kettleman Lane  
Lodi, CA 95242

Professional Contractors Inc.  
5635 Stratford Cir. Suite C45  
Stockton, CA 95207

David Wilson  
14428 Big Basin Way Suite A  
Saratoga, CA 95070