



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Accepting Improvements at 250 North Cherokee Lane and Appropriating Funds for Required Reimbursement (\$15,000)

MEETING DATE: November 17, 2004

PREPARED BY: Public Works Director

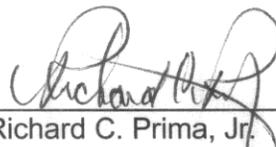
RECOMMENDED ACTION: That the City Council adopt a resolution accepting the development improvements for 250 North Cherokee Lane and appropriating \$15,000 for the required reimbursements.

BACKGROUND INFORMATION: Public improvements at 250 North Cherokee Lane have been completed in substantial conformance with the requirements of the Improvement Agreement between the City of Lodi and Kenneth A. Lung and Pamela B. Lung, as approved by the City Council on October 1, 2003, and as shown on Drawings No. 002D075 through 002D081 and 002D106.

The developers are entitled to reimbursement by the City for the improvements associated with the widening of Lockeford Street, including the traffic signal modifications, in conformance with LMC 16.40 Reimbursements for Construction. When Council approved the Improvement Agreement for this project on October 1, 2003, \$100,000 was appropriated to cover the anticipated costs for the City's portion of the work. During construction, modifications were made to the storm drain main in Lockeford Street and additional asphalt work was done at the intersection of Lockeford Street and Cherokee Lane. The modifications to the storm drain main and the extra asphalt work added approximately \$15,000 to the reimbursable costs. Staff is now requesting that Council approve the appropriation of an additional \$15,000 from the IMF-Local Streets fund to pay for the City's participation in the improvements at 250 North Cherokee Lane. The total reimbursement to the developers will be \$115,000.

FUNDING: IMF – Local Streets \$15,000


James R. Krueger, Finance Director

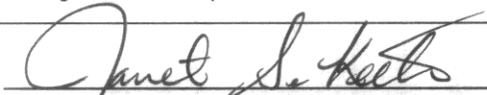

Richard C. Prima, Jr.
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer
RCP/WKF/pmf

cc: City Attorney
Street Superintendent

Senior Civil Engineer - Development Services
Engineering Technician Supervisor

Senior Traffic Engineer

APPROVED: 
Janet S. Keeter, Interim City Manager



CITY OF LODI
COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Accepting Improvements at 250 North Cherokee Lane and Appropriating Funds for Required Reimbursement (\$15,000) (\$17,000)

MEETING DATE: November 17, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution accepting the development improvements for 250 North Cherokee Lane and appropriating \$15,000 \$17,000 for the required reimbursements.

BACKGROUND INFORMATION: Public improvements at 250 North Cherokee Lane have been completed in substantial conformance with the requirements of the Improvement Agreement between the City of Lodi and Kenneth A. Lung and Pamela B. Lung, as approved by the City Council on October 1, 2003, and as shown on Drawings No. 002D075 through 002D081 and 002D106.

The developers are entitled to reimbursement by the City for the improvements associated with the widening of Lockeford Street, including the traffic signal modifications, in conformance with LMC 16.40 Reimbursements for Construction. When Council approved the Improvement Agreement for this project on October 1, 2003, \$100,000 was appropriated to cover the anticipated costs for the City's portion of the work. During construction, modifications were made to the storm drain main in Lockeford Street and additional asphalt work was done at the intersection of Lockeford Street and Cherokee Lane. The modifications to the storm drain main and the extra asphalt work added approximately \$15,000 \$17,000 to the reimbursable costs. Staff is now requesting that Council approve the appropriation of an additional \$15,000 \$17,000 from the IMF-Local Streets fund to pay for the City's participation in the improvements at 250 North Cherokee Lane. The total reimbursement to the developers will be \$115,000 \$117,000.

FUNDING: IMF - Local Streets \$15,000 \$17,000

James R. Krueger, Finance Director

Richard C. Prima, Jr.
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer
RCP/WKF/pmf

cc: City Attorney
Street Superintendent

Senior Civil Engineer - Development Services
Engineering Technician Supervisor

Senior Traffic Engineer

APPROVED: Janet S. Keeter, Interim City Manager

When Recorded, Please Return to:
Lodi City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2004-245

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING IMPROVEMENTS
AT 250 NORTH CHEROKEE LANE INCLUDED IN THE IMPROVEMENT
AGREEMENT BETWEEN THE CITY OF LODI AND KENNETH A. LUNG AND
PAMELA B. LUNG, AND APPROPRIATING FUNDS FOR REQUIRED
REIMBURSEMENTS

The City Council of the City of Lodi finds:

1. That all requirements of the Improvement Agreement between the City of Lodi and Kenneth A. Lung and Pamela B. Lung for the improvements at 250 North Cherokee Lane have been substantially complied with. The improvements are shown on *Drawing Nos. 002D075 through 002D081 and 002D106* on file in the Public Works Department and as specifically set forth in the plans and specifications approved by the City Council on October 1, 2003; and
2. That the developers are entitled to reimbursement by the City for the improvements associated with the widening of Lockeford Street, including the traffic signal modifications, in conformance with *Lodi Municipal Code §16.40 Reimbursements for Construction*; and
3. That the developers are entitled to reimbursement by the City for the additional modifications required during construction to the storm drain main in Lockeford Street and additional asphalt work installed at the intersection of Lockeford Street and Cherokee Lane in the amount of \$17,000; and
4. That additional funds in the amount of \$17,000 be appropriated from the Impact Mitigation Fee – Local Streets Fund for reimbursement to the developer for the extra work performed in conformance with *Lodi Municipal Code Chapter 16.40, Reimbursements for Construction*.

Dated: November 17, 2004

I hereby certify that Resolution No. 2004-245 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 17, 2004, by the following vote:

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


SUSAN J. BLACKSTON
City Clerk

CITY COUNCIL

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

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
<http://www.lodi.gov>

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

November 18, 2004

Kenneth A. and Pamela B. Lung
Lodi Tire Service
250 N. Cherokee Lane
Lodi, CA 95240

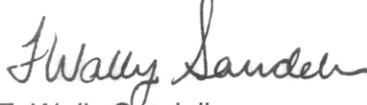
SUBJECT: 250 North Cherokee Lane

The City Council of the City of Lodi, at its meeting on November 17, 2004, 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 Letter of Credit covering faithful performance can be exonerated. The Letter 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 February 15, 2005, this Letter of Credit can be released if no claims have been filed.

If you have any questions, please contact Rebecca Areida, Management Analyst, at 333-6800, ext. 2658, or me at 333-6709.



F. Wally Sandelin
City Engineer

FWS/pmf

Enclosures

cc: Electric Utility Department
Water/Wastewater Division
Street Division
City Clerk
Management Analyst
Bank of Lodi

CITY COUNCIL

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

CITY OF LODI

PUBLIC WORKS DEPARTMENT

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Interim City Manager
SUSAN J. BLACKSTON
City Clerk
D. STEPHEN SCHWABAUER
City Attorney
RICHARD C. PRIMA, JR.
Public Works Director

November 18, 2004

Bank of Lodi
701 S. Ham Lane
Lodi, CA 95242

SUBJECT: 250 North Cherokee Lane

The City Council of the City of Lodi, at its meeting on November 17, 2004, 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 Letter of Credit covering faithful performance. The Letter of Credit covering labor and materials must remain in effect until February 15, 2005, in conformance with State law. You will receive no further correspondence regarding the release of the Letter of Credit.

If you have any questions, please contact Rebecca Areida, Management Analyst, at 333-6800, ext. 2658, or me at 333-6709.



F. Wally Sandelin
City Engineer

FWS/pmf

Enclosures

cc: Kenneth A. and Pamela B. Lung
City Clerk
Management Analyst