



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving Improvement Deferral Agreement for 1243 East Harney Lane
MEETING DATE: May 3, 2006
PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution approving an improvement deferral agreement for 1243 East Harney Lane and authorize the City Manager and City Clerk to execute the agreement on behalf of the City.

BACKGROUND INFORMATION: The owner of the property, Kenneth C. Tate, Jr., and Nan Hee Tate, have submitted a four-lot single family residential parcel map application for the subject property.

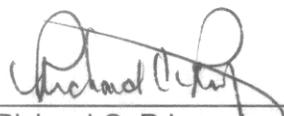
The Improvement Deferral Agreement for 1243 East Harney Lane covers installation of frontage and onsite improvements including, but not limited to, water, wastewater and storm drain services, curb, gutter, sidewalk, street pavement, reverse frontage wall with landscaping, street trees and street lights along the frontages of Harney Lane and Legacy Way, as required and set forth in Lodi Municipal Code Chapter 15.44 and the conditions set forth in Resolution No. P.C. 04-56. The property owner has made substantial progress in the completion of these improvements. A court order has been issued requiring the recordation of the parcel map for which the deadline has passed. Staff recommends deferral in order to permit recordation of the parcel map that will facilitate closure of escrow and generate the funding to complete the public improvements. The improvement deferral agreement will be recorded against the property and will be assigned through sale to future property owners.

The owner has signed an improvement deferral agreement and paid the necessary document preparation and recording fees for the agreement. The agreement, in part, states that the owner will pay for and complete the design and installation of the required improvements at time of installation of such improvements on adjacent parcels, or at the request of the City, whichever occurs first.

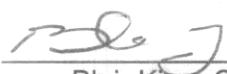
Staff recommends approval of the improvement deferral agreement.

FISCAL IMPACT: Improvement Deferral Agreement fee (\$1,500) and recording fees have been paid by the property owner.

FUNDING AVAILABLE: Not applicable.


Richard C. Prima, Jr.
Public Works Director

Prepared by F. Wally Sandelin, City Engineer
RCP/FWS/pmf
cc: Kenneth C. Tate, Jr., and Nan Hee Tate

APPROVED: 
Blair King, City Manager

RESOLUTION NO. 2006-75

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING IMPROVEMENT DEFERRAL AGREEMENT
FOR 1243 EAST HARNEY LANE

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve an Improvement Deferral Agreement for 1243 East Harney Lane, Lodi, between the City of Lodi and Kenneth C. Tate, Jr. and Nan Hee Tate, on file in the office of the City Clerk; and

BE IT FUTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute said agreement on behalf of the City of Lodi; and

BE IT FURTHER RESOLVED that said agreement shall be recorded against the property and will be assigned through sale to future property owners.

Dated: May 3, 2006

I hereby certify that Resolution No. 2006-75 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 3, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce,
and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

CITY COUNCIL

SUSAN HITCHCOCK,
Mayor

BOB JOHNSON,
Mayor Pro Tempore

JOHN BECKMAN

LARRY D. HANSEN

JOANNE MOUNCE

CITY OF LODI



PUBLIC WORKS DEPARTMENT

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BLAIR KING,
City Manager

SUSAN J. BLACKSTON,
City Clerk

D. STEPHEN SCHWABAUER,
City Attorney

RICHARD C. PRIMA, JR.,
Public Works Director

April 27, 2006

Kenneth C. Tate, Jr. and Nan Hee Tate
1243 E. Harney Lane
Lodi, CA 95242

SUBJECT: Adopt Resolution Approving Improvement Deferral Agreement for
1243 East Harney Lane

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, May 3, 2006. 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 Wally Sandelin, City Engineer, at 333-6709.

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

RCP/pmf

Enclosure

cc: City Clerk