



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Improvement Agreement and Right-of-Way Transfer for Sunwest Plaza, Southeast Corner of Lower Sacramento Road and Kettleman Lane, Lodi, California

MEETING DATE: February 5, 1992

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council approve the Improvement Agreement and a grant deed for transfer of City-owned right-of-way on Kettleman Lane for Sunwest Plaza, a shopping center development, to be located at the southeast corner of Lower Sacramento Road and Kettleman Lane, and direct the City Manager and City Clerk to execute the agreement and grant deed on behalf of the City, and to also appropriate funds from the Development Impact Mitigation Funds for the impact fee related projects.

BACKGROUND INFORMATION: The location of the proposed shopping center is shown on Exhibit A. This project is being developed by Riley/Pearlman Company and Browman Development Company. Wal-Mart Stores, Inc. has purchased a 12.4 acre site within the development and has assumed responsibility for the installation of all the required off-site improvements in order to expedite the issuance of a building permit for their store. The City has been furnished with the improvement plans, the necessary agreements, easement deeds, improvement security, and fees presently due for the Wal-Mart store and portions of the Sunwest Plaza development.

The development plans for the Sunwest Plaza project include portions of a strip of land approximately 1,005 feet long and 20 feet wide on the south side of Kettleman Lane which the City presently owns in fee title. The City has a 60kv power line and a 30-inch industrial waste line in this parcel, but has no need to own the entire parcel in fee title. The Sunwest Plaza project has necessitated the widening of Kettleman Lane to handle increased traffic volumes. Staff recommends that the City Council approve the transfer of that portion of the City-owned right-of-way not required for street widening to the adjacent property owners to be incorporated into and maintained as a part of their developments. The City will retain a public utility easement over the portion being transferred to accommodate existing public facilities. This same procedure was followed with the developments east of this project. The limits of the proposed right-of-way transfer are shown on Exhibit B.

APPROVED

THOMAS A. PETERSON
City Manager

CC:1

Improvement Agreement and Right-of-way Transfer for Sunwest Plaza,
Southeast Corner of Lower Sacramento Road and Kettleman Lane,
Lodi, California
February 5, 1992
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The improvements for this project include various items that are the City's responsibility under the Development Impact Mitigation Fee Program. The actual "projects" need to be appropriated in order to properly credit the developer for this work under the terms of the fee ordinance. In the future, this will be part of the normal Capital Improvement Program. For this project, the specific projects are:

<u>Project (fund)</u>	<u>Appropriation</u>
Streets (60.4)	
Kettleman Lane Widening	
Lower Sacramento Road Widening	
Highway 12/Lower Sacramento Road Traffic Signal Relocation	
	Total
	\$92,000
Water (60.1)	
Oversize Mains and Major Crossings	\$19,000
Storm Drainage	
Trunk Line Extension	\$25,000
(in lieu of portion of Orchis Drive project already appropriated)	

FUNDING: Development Impact Mitigation Fee Funds as listed above.



Jack L. Ronsko
Public Works Director

Prepared by Sharon A. Welch, Assistant Civil Engineer

JLR/SAW/1m

Attachments

cc: City Attorney

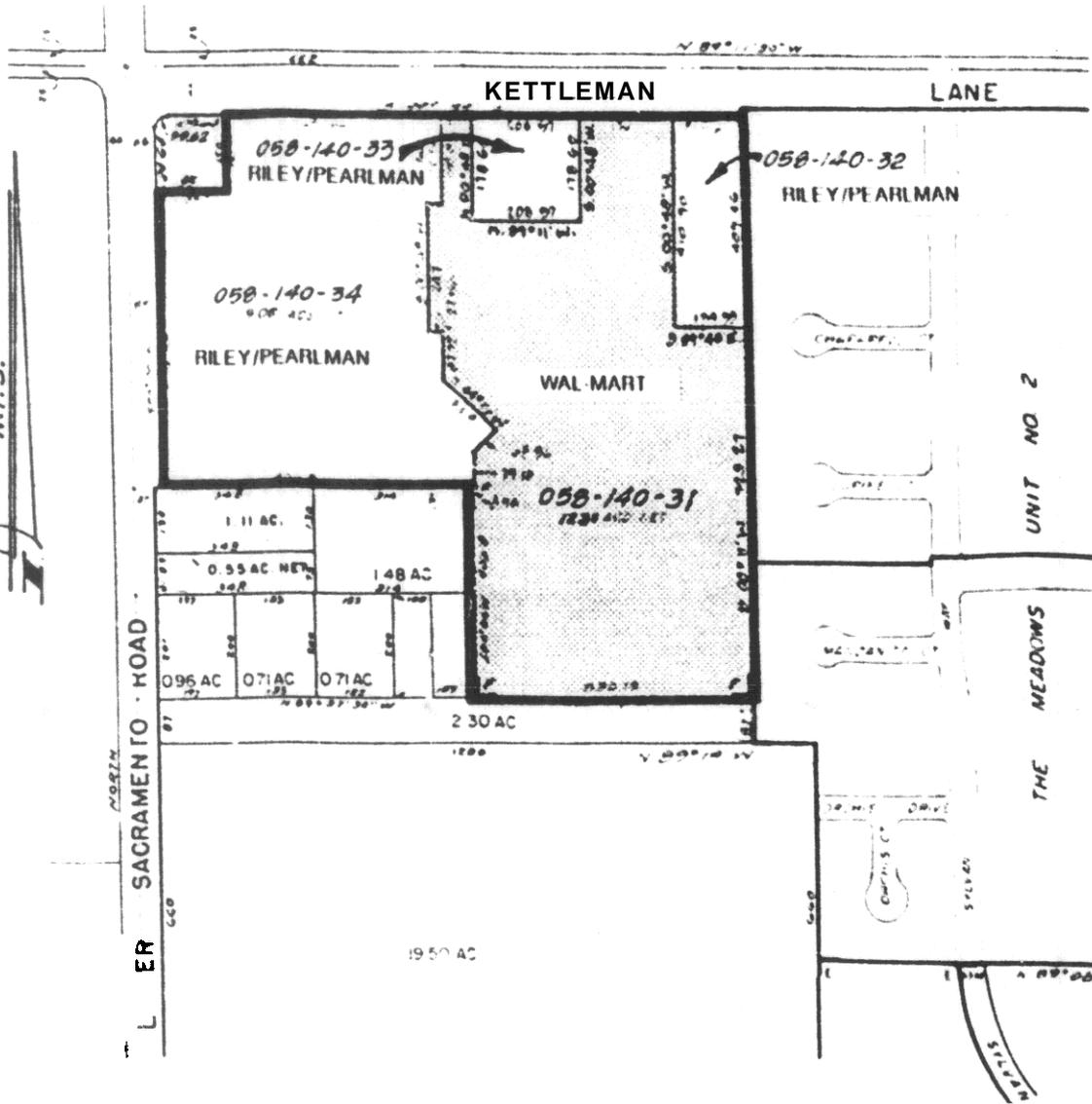


CITY OF LODI

PUBLIC WORKS DEPARTMENT

058-140-031, 032, 033, 034

N.T.S.



No	Date	Revision	Appr.

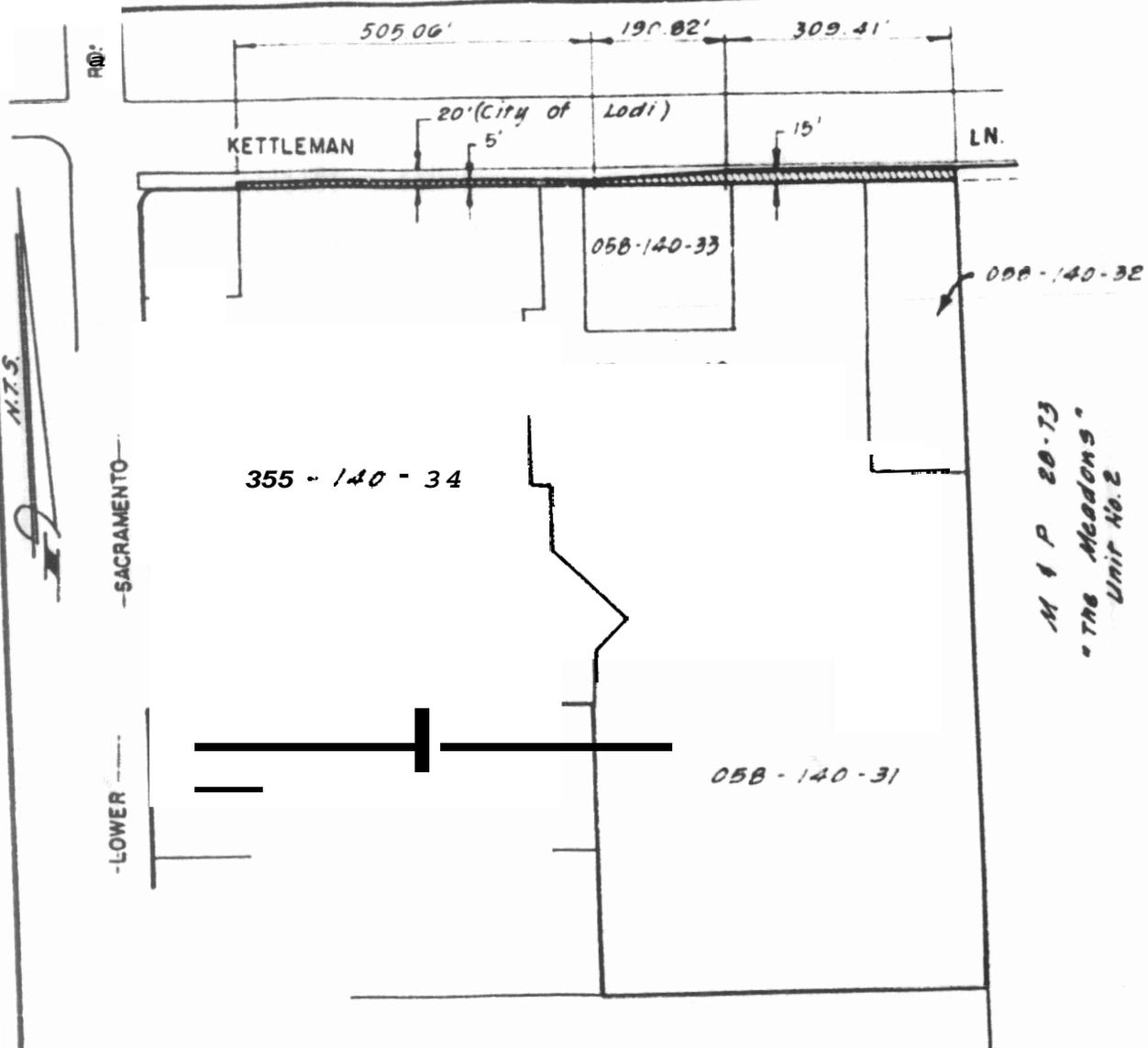
EXHIBIT A



CITY OF LODI

PUBLIC WORKS DEPARTMENT

RIGHT-OF-WAY TRANSFER FOR SUNWEST PLAZA



Dr.	No.	Date	Revision	Appr.

EXHIBIT B

CITY OF LODI
SPECIAL ALLOCATION REQUEST

TO: Finance Director

DATE: February 5, 1992

FROM: City Clerk

PROJECT NUMBER:

Request is made for funds to accomplish the following project which was not included in the current budget:

<u>Description of Project</u>	<u>Estimated Cost</u>
This is to appropriate fees collected under the Development Impact Mitigation Fee Program for the Sunwest Plaza development on Kettleman Lane and Lower Sacramento Road as approved by the City Council at its February 5, 1992 meeting.	
60.4-500.01-Kettleman/Lower Sacramento Road (Sunwest Plaza) Street Improvements	\$92,000.00
60.1-450.01-Oversize Mains/Major Crossings	\$19,000.00

(If you need more space, use additional sheet and attach to this form)

Date of Approval - February 5, 1992

Amount Approved - \$111,000.00

Council _____ XXXXX

City Manager _____

FUND OR ACCOUNT TO BE CHARGED

Current Budget \$ _____ Prior Year Reserve \$ _____

Contingent Fund \$ _____ General Fund Surplus \$ _____

Capital Outlay Reserve \$ _____ Gas Tax Fund \$ _____

Utility Outlay Reserve \$ _____ Other (Election) \$ _____

Hotel/Motel Tax Reserve - \$ _____

General Fund Operating Reserve \$ _____

Dixon Flynn,
Finance Director



Alice M. Rejmiche
City Clerk

Submit this form in duplicate to the Finance Director. Distribution after approval will be as follows: 1) Originating Department 2) Finance Department

RESOLUTION NO. 92-20
=====

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING WITH CONDITIONS THE IMPROVEMENT AGREEMENT AND GRANT DEED
FOR RIGHT-OF-WAY TRANSFER FOR SUNWEST PLAZA, SOUTHEAST CORNER OF
LOWER SACRAMENTO ROAD AND KETTLEMAN LANE, LODI, CALIFORNIA. DIRECTING
THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT AND GRANT
DEED, AND AUTHORIZING THE APPROPRIATION OF FUNDS FOR THE PROJECT

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BE IT RESOLVED, that the Lodi City Council hereby approves with conditions, the Improvement Agreement and grant deed for transfer of City-owned right-of-way on Kettleman Lane for Sunwest Plaza. a shopping center development. to be located at the southeast corner of Lower Sacramento Road and Kettleman Lane; and

BE IT RESOLVED. that the City Council's approval is conditioned upon receipt by the City of the following:

1) Improvement security consisting of a Faithful Performance Bond in the amount of \$924,364 and a Labor and Materials Bond in the amount of \$399,500 covering 100% and 50% of the estimated cost of public improvements, deferred fees and engineering. respectively; and

2) Insurance certificates for Workers Compensation insurance coverage and comprehensive and automobile insurance coverage in the amount of \$1,000,000. Details of the required coverage are included in the Improvement Agreement; and upon

3) Execution and return of the easement deeds for public utility easements necessary to serve the project; and

BE IT RESOLVED, that the Lodi City Council hereby directs the City Manager and City Clerk to execute said agreement and grant deed on behalf of the City; and

BE IT FURTHER RESOLVED, that the Lodi City Council hereby approves the appropriation of funds from the Development Impact Mitigation Funds account for the impact fee related projects, as follows:

Resolution 92-20
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<u>Project (fund)</u>	<u>Appropriation</u>
Streets (60.4)	
Kettleman Lane Widening	
Lower Sacramento Road Widening	
Highway 12/Lower Sacramento Road Traffic Signal Relocation	
	Total
	592,000
Water (60.1)	
Oversize Mains and Major Crossings	\$19,000
Storm Drainage	
Trunk Line Extension	525,000
(in lieu of portion of Orchis Drive project already appropriated)	

Dated: February 5, 1992

I hereby certify that Resolution No. 92-20 was passed and adopted by the Lodi City Council in a regular meeting held February 5, 1992 by the following vote:

Ayes: Council Members - Hinchman, Pennino. Sieglock and
Pinkerton (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Snider


Alice M. Reimche
City Clerk