



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt a Resolution Approving Improvement Deferral Agreement for Sidewalk Repair at 1619 Holly Drive, Lodi

MEETING DATE: October 7, 1992

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution approving the Improvement Deferral Agreement for sidewalk repair at 1619 Holly Drive, *Lodi*, California, and direct the City Manager and City Clerk to execute the Improvement Deferral Agreement or behalf of the City.

BACKGROUND INFORMATION: On April 3, 1992, an application was filed for a building permit for a residential remodel consisting of a second story bath and recreation room addition at 1619 Holly Drive. As a condition of the issuance of a building permit for the addition, and per our existing policy, the Public Works Department required that damaged sidewalk (approximately 48 feet) fronting the residence be repaired (Lodi Municipal Code 15.44.030 and 15.44.050). The owners have questioned this requirement. Staff is currently reevaluating the criteria used to determine if this type of sidewalk repair should be required in conjunction with the issuance of a building permit. The Public Works Department, therefore, has offered to defer the sidewalk repair work for one year provided the owner would enter into an Improvement Deferral Agreement with the City (Lodi Municipal Code 15.44.040). The owners, Robert L. and Samantha J. Fitzgerald, have signed the agreement in which they agree to pay for and complete the removal and replacement of damaged sidewalk within the time period mentioned above. The executed agreement will be recorded and run with the land and shall be binding on the successors, heirs, or assigns of the current owners.

FUNDING: None required.

Jack L. Ronsko
Public Works Director

Prepared by Sharon A. Welch, Associate Civil Engineer

JLR/SAW/lm

Attachment

cc: City Attorney

APPROVED. _____


THOMAS A. PETERSON
City Manager

REC-1000-10/19/92

CC-1

RESOLUTION NO. 92-170

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A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING AN IMPROVEMENT DEFERRAL AGREEMENT
FOR SIDEWALK REPAIR AT 1619 HOLLY DRIVE, LODI

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BE IT **RESOLVED**, that the Lodi City Council does hereby approve an Improvement Deferral Agreement for sidewalk repair at 1619 Holly Drive, Lodi between the City of Lodi and Robert L. and Samantha J. Fitzgerald, on file in the office of the City Clerk; and

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

BE IT **FURTHER RESOLVED**, that said agreement shall be recorded and run with the land and shall be binding on the successors, heirs, or assigns of the current owners.

Dated: October 7, 1992

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I hereby certify that Resolution No. 92-170 was passed and adopted by the Lodi City Council in a regular meeting held October 7, 1992 by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Alice M. Reimche
Alice M. Reimche
City Clerk *by jmt*

92-170

RES92170/TXTA.02J