

CITY COUNCIL MEETING
FEBRUARY 19, 1986

cc 51d

REQUEST FOR OUTSIDE
WATER SERVICE FOR
1207 E. HIGHWAY 12
APPROVED

A request for outside water service for 1207 E. Highway 12 (Kettleman Lane) was received from the First Church of the Nazarene.

Council was apprised that the church is asking that the City consider allowing them to install a small line in Kettleman Lane to their property on a temporary basis with the understanding that when The Meadows property develops, they would pay the reimbursement for their frontage, estimated at \$4,000, and all costs associated with making a new tie to that main. This, however, does not conform to the requirements of the present City Code.

In Staff's discussions with the developer's engineer for The Meadows, the scheduled timing for the Kettleman Lane improvements (including watermain installation) was more than a year off. However, the developer has indicated that he is willing to move the installation of the water line forward in order to be a good neighbor to the Church. The City would enter into an agreement with the developer and when the Church tied into the watermain, the developer would be reimbursed for half of the cost of the main across the church frontage (approximately \$4,000). The Church would be responsible for all cost associated with their service and meter installation.

Following discussion with questions being directed to staff and to a representative of the Church who was in the audience (Mr. Albert Baumgartner, 320 E. Tokay, Lodi), Council, on motion of Council Member Pinkerton, Olson second, approved the request for outside water service and directed that the Church work directly with the engineer of The Meadows regarding the subject watermain installation.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
DATE: February 11, 1986
SUBJECT: Request for Outside Water Service
1207 E. Highway 12 (Kettleman Lane)

RECOMMENDED ACTION: That the City Council review the request for outside City water service from the First Church of the Nazarene and take appropriate action. Request attached as Exhibit A.

BACKGROUND INFORMATION: Lodi City Code Section 13.08.02 Rates Outside City reads as follows:

"The city will not normally serve water outside the city limits. In those cases where it is authorized by the city council, the rates shall be established by resolution of the city council."

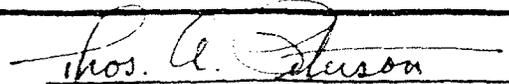
The entire section related to requesting water service and watermain extension requirements is attached as Exhibit B.

In the past, the City has provided fire protection and standby water service to several industries on the east side of Lodi in exchange for easements and access or well drilling rights. The City has also granted domestic service to several residences on the west side that were part of an incomplete annexation that has since been completed. Many years ago service was granted to 3 parcels on East Lockeford that are still in the county.

Most recently, water service was granted to a home on Almond Drive that is adjacent to the City limits but could not be annexed because of the "Green Belt." This service was granted subject to the extension of the water main across the frontage of their property in conformance with Section 13.08.100 of the Lodi City Code as well as agreement to annex when applicable.

Under the present City Code, to provide service to the Church, would require them to extend the existing 10" watermain from its present termination, approximately 250 feet east of the Church's property line, westerly across their frontage. The cost of the 10" extension, less oversize credits, is estimated to be approximately \$17,000. See the attached sketch labeled Exhibit C. One half of this could be expected to be reimbursed if and when the Kettleman Lane frontage of the Meadows project develops (reimbursement agreement and credits). In addition, there would be the cost of the 2" service across Kettleman Lane.

APPROVED:


THOMAS A. PETERSON, City Manager

FILE NO.

The Church is asking that the City consider allowing them to install a small line in Kettleman Lane to their property on a temporary basis with the understanding that when the Meadows property develops, they would pay the reimbursement for their frontage, estimated at \$4,000, and all costs associated with making a new tie to that main. This, however, does not conform to the requirements of the present City Code.

In talking to the developer's engineer for The Meadows, the scheduled timing for the Kettleman Lane improvements (including watermain installation) was more than a year off. However, the developer has indicated that he is willing to move the installation of the water line forward in order to be a good neighbor to the Church. The City would enter into an agreement with the developer and when the Church tied into watermain, the developer would be reimbursed for half of the cost of the main across the Church frontage (approximately \$4,000). The Church would be responsible for all cost associated with their service and meter installation.

Therefore, it is recommended that the First Church of the Nazarene work directly with the developer's engineer. This solution appears to be in everyone's best interest and the developer, John Cheney, should certainly be commended for his good-neighbor policy.


Jack L. Ronsko
Public Works Director

Attachments

cc: First Church of the Nazarene
John Cheney (Developer of The Meadows)
Ken Glantz (Developer's Engineer)

JLR/GER/eeh



First Church of the Nazarene

1207 East Highway 12 (West Kettleman Lane) • Lodi, California 95240 • 209-368-0047

January 29, 1986

To Whom it may concern:

Several months ago we began having problems with our well; tests revealed high bacteria and nitrates. Subsequent treatments solved the bacteria problem, but we have been unable to solve the nitrate problem. The County Health authorities have informed us that we have two options; to install a filtering system at the point where the water is pumped (very costly), or plug our present well and drill a new one.

Drilling a new well would be very costly as well; with the added risk that there is no guarantee that the new well would be free of the problems that presently plague us.

We have a problem! In searching for an answer, the question was raised: Is there a possibility that the city might help us?

We checked with Planning & Zoning and were encouraged to submit the matter to the City Council.

Our request is for permission from the city to have a temporary water service established. This would involve running a temporary line under Highway 12 (West Kettleman Ln.), and along the Highway for about 250 feet, to where the City's water line ends on the south side of Kettleman Ln.

All costs would of course be taken care of by us, and we would simply be buying our water from the city.

Thank you for your consideration;

Sincerely,

Charles Plumb, Jr.

Charles W. Plumb, Jr.
Pastor
Church Of The Nazarene

Exhibit A

*Copy to City Manager
Public Works Director
Community Ed Center*
Charles W. Plumb, Jr., Pastor • 1318 Burgundy Court • Lodi, California 95240 • 209-369-5642

13.08.010

- 13.08.100 Mains to extend full frontage.
- 13.08.110 Minimum size.
- 13.08.120 Fire hydrants.
- 13.08.130 Oversize mains.
- 13.08.140 Major crossings.
- 13.08.150 Reimbursement—Determination.
- 13.08.160 Reimbursement—Agreement.
- 13.08.170 Reimbursement—City benefit.
- 13.08.180 Reimbursement—Payment.
- 13.08.190 Reimbursement—Letter of entitlement.
- 13.08.200 Reimbursement—Unclaimed.
- 13.08.210 Effective date.

Article III. Waste

- 13.08.220 Prohibited.
- 13.08.230 Defined.
- 13.08.240 Water rates for wastage.
- 13.08.250 Metering.
- 13.08.260 Strict application.
- 13.08.270 Violation—Infraction.

Article I. Generally

13.08.010 Rates within city.

The schedule of water rates for the city shall be as established by resolution of the city council from time to time. (Ord. 1333 § 1(9)(H). 1984: prior code § 26-1)

13.08.020 Rates outside city.

The city will not normally serve water outside the city limits. In those cases where it is authorized by the city council.

the rates shall be established by resolution of the city council. (Ord. 1333 § 1(9)(I). 1984: prior code § 26-2)

13.08.030 Rates by contract.

In cases not provided for by this chapter, the rate may be fixed by special contract, as agreed upon by the director of finance and the public works director on behalf of the city, and the water user involved. If such rates cannot be agreed upon, the city council shall fix and determine proper rates, and such determination shall be final. (Ord. 1333 § 1(9)(J). 1984: prior code § 26-3)

13.08.040 Commencement and end of charges.

Water charges shall in all cases commence to accrue when water is turned on, at rates proportioned for the period from that date until the following last day of the billing period, as may be established by the city. (Prior code § 26-4)

13.08.050 Metered service.

The public works director shall require the installation of metered service when the public works director determines it to be in the best interest of the city. Meters on existing service shall be installed by the city at the city's expense. Meters on new services shall be installed by the city, but shall be paid for by the applicant. (Ord. 1333 § 1(9)(F). 1984: prior code § 2-53)

13.08.060 Turning off during fires.

In case of fire, and when so directed by an employee of the city, all faucets and valves supplying water to any premises shall be turned off immediately by every

owner or occupant and not opened until the fire is extinguished. (Prior code § 2-47)

Article II. Main Extensions

13.08.070 Policy.

The city council is desirous of adopting a water main extension policy that is fair and equitable to all developing properties and that provides that the cost of extensions shall be distributed among subsequently developing properties connecting thereto. (Prior code § 26-5)

13.08.080 Application—

Determination of necessity.

A. Whenever a property owner is desirous of obtaining water service, an application shall be made to the public works director for water service.

B. The public works director shall determine the closest adequate water main and, if an extension is necessary, indicate the size of the main to be extended, and the limits of the extension. (Prior code § 26-6)

13.08.090 Applicant's obligation.

Whenever the public works director determines that a water main extension is necessary, the applicant will be required to install at his own expense the water main extension in accordance with engineering plans furnished by applicant and approved by the public works director. The plans shall be prepared in accordance with the current city design standards and this article. (Prior code § 26-7)

13.08.100 Mains to extend full frontage.

In every case where a water main is to be tapped to serve a parcel, the same shall be extended the full frontage of the parcel, including any crossings required in the city master water plan. (Prior code § 26-8)

13.08.110 Minimum size.

The minimum size water main shall have a nominal inside diameter of six inches. In areas zoned or master planned for commercial and industrial uses, the minimum size shall be eight inches in diameter. Larger size mains may be required as determined by the public works director from the city master water plan. (Prior code § 26-9)

13.08.120 Fire hydrants.

The installation of fire hydrants or provisions for fire hydrants shall be included in any main extension and the cost of such hydrants shall be paid for by the applicant. Fire hydrant location and type shall be as approved by the fire chief. (Prior code § 26-10)

13.08.130 Oversize mains.

Wherever the city master water plan requires that a water main larger than an eight-inch diameter be installed, the city shall pay to the applicant the difference in costs of material between the actual water main to be constructed and an eight-inch diameter water main. The difference in costs of material shall be determined by the public works director from bids received by the city for similar materials. Payment shall be made at the time

13.08.130

the water main reimbursement agreement is approved by the city council. (Prior code § 26-11)

13.08.140 Major crossings.

A. Wherever the city master water plan requires that a water main cross a right-of-way listed as follows, the city will pay the applicant one-half the estimated cost of that crossing:

1. Woodbridge Irrigation District;
2. Southern Pacific Transportation Company;
3. Central California Traction Company;
4. Highway 99;
5. Highway 12;
6. Lower Sacramento Road;
7. Hutchins Street (south of Kettleman Lane).

B. The limits of the crossing and the estimated cost shall be determined by the public works director. (Prior code § 26-12)

**13.08.150 Reimbursement—
Application.**

Whenever an applicant for a water main extension constructs or installs a water main that may serve abutting properties, the applicant may apply for a water main extension reimbursement agreement. The public works director shall determine the extent to which the abutting properties may be served and recommend a water main extension agreement to the city council prior to construction of any water main. In cases where properties served in the future do not abut the water main included in a reimbursement agreement, an extension

will be permitted without reimbursement. (Prior code § 26-13)

**13.08.160 Reimbursement—
Agreement.**

The water main extension agreement shall contain the following:

A. The amount of the reimbursable costs shall be determined by the public works director and subject to the approval of the city council.

B. Reimbursable costs shall include water main construction costs plus an administrative and engineering cost of ten percent of the construction cost. Costs of major crossings are not considered as reimbursable costs under the agreement.

C. Water service lines serving individual properties shall not be included as a reimbursable cost.

D. There shall be no reimbursement to the applicant in excess of reimbursable costs stated in the agreement.

E. No interest, finance or security costs shall be included in the reimbursable cost.

F. Reimbursement shall be paid from charges collected by the city from abutting properties as they connect to the new water main.

G. Reimbursement shall be paid only from charges collected within ten years from the date of the agreement. The city shall have no obligation to pay reimbursement from any source other than reimbursement funds collected pursuant to this article. Charges collected from abutting properties after ten years shall be retained by the city.

H. The charges collected for reimbursement shall be based upon the front

footage parallel to the water main of the adjoining properties.

I. The city council, by resolution, shall establish the charge for administering the reimbursement provisions of this article.

J. Reimbursement shall be payable to heirs, successors and assigns of the applicant.

K. City payment for major crossings shall be made to the applicant at the time of development (i.e., approval of subdivision or development agreement, building permit). (Prior code § 26-14)

13.08.170 Reimbursement—City benefit.

A. Whenever the city has extended or installed a water main that will serve abutting properties, the city shall be eligible for reimbursement in a like manner as other applicants.

B. Wherever the city has installed a major crossing (or portion of one), the city shall be credited for the installation at the time the adjacent property connects to the crossing. The credit shall be determined by the public works director based on then-current costs. (Prior code § 26-15)

13.08.180 Reimbursement—Payment.

Wherever the city council has approved a water main extension reimbursement agreement, the front-footage charges shall be collected by the city from any parcel abutting the water main covered in the agreement at the time of development and prior to water service being provided to the abutting parcel. (Prior code § 26-16)

13.08.190 Reimbursement—Letter of entitlement.

When payment for reimbursement has been made, the public works director shall prepare a letter of entitlement stating the fees collected, reference to the water main extension reimbursement agreement, the amount to be reimbursed, and the administrative charge to be retained by the city. This letter of entitlement shall be forwarded to the finance director for actual reimbursement under terms of the agreement. (Prior code § 26-17)

13.08.200 Reimbursement—Unclaimed.

The finance director shall mail the reimbursement to the last address of the applicant, on file with the finance director, in the water main reimbursement agreement. Any reimbursement returned or unclaimed after two years from the date of mailing will revert to the city's general fund. (Prior code § 26-18)

13.08.210 Effective date.

This article shall apply to all properties developed after August 1, 1972. Reimbursable costs shall be collected and reimbursed for any water mains accepted for maintenance after that date as outlined in this article; provided, however, that property covered by tentative maps or use permits approved by the planning commission prior to August 1, 1972, and developed within eighteen months of the date of approval by the planning commission shall not be required to pay reimbursement charges. (Prior code § 26-19)

Exhibit C

CHURCH

new service

250' ±

KETTLEMAN

Existing 10" main

Proposed 10" main extension for church

MEADOWS PROPERTY



NOT TO SCALE

PD(21)

LAKE

MILLS AVE

SAGE CREEK DRIVE

SACRAMENTO

RD