

MARCH 2, 1982

Staff asked Council for a clarification of Council's February 24, 1982 direction to construct Turner Road (at Cliff Avenue) to its ultimate width.

The exact motion, moved by Pinkerton and seconded by Murphy, is as follows:

"That we try to acquire the property so we can continue the streets and tie it into the existing contract and get it done at a reasonable price so it's done, out of the way, and so we have a development with an access to the industrial area of the City of Lodi."

Because of the exact wording of the motion, the Staff, feels that clarification is needed on the following items:

1. Is it the Council's intention to acquire the required rights-of-way from Snell, Jerome, and Anagnos?

For Council's information, it has been past practice of the City Council to use their condemnation power where portions of future street alignments were needed as part of a proposed development for installation of utilities, additional street width, drainage, etc. However, it has been in the past, the developer's responsibility to pay for the appraisal, condemnation, and any litigation costs, the right-of-way needs and to make the necessary installations required for his development.

For Council information, the appraisal work will cost \$3,000 and the rights-of-way costs and preliminary construction estimates as follows:

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appear that we will be able to do the additional work on Turner Road in conjunction with the Assessment District contract. It is assumed that the Council doesn't want to delay the District work.

5. If it is the Council's intent for the City to be responsible for the construction costs, does the Council want to consider reimbursement at the time the properties develop and convert to a higher use?
6. If it is the Council's intent for the City to pay for the right-of-way and the additional street construction, does the Council have any preference on what City funds should be used?
7. If Cal-Cushion does not develop (the City has no guarantee) is it still the Council's intent to widen Turner Road?

CONFIRMATION OF  
COUNCIL DIRECTION  
ON TURNER ROAD  
RIGHT-OF-WAY

Following discussion, Staff was informed by the Council that it was Council's intention to acquire the required rights-of-way from Snell, Jerome, and Anagnos. Council further directed Staff to proceed with the appraisal work at an estimated cost of \$3,000.00 which cost will be paid by the City of Lodi.

MEMORANDUM, City of Lodi, Public Works Department

TO: City Council  
FROM: Public Works Director  
DATE: March 5, 1982  
SUBJECT: Clarification of Staff Direction to Construct  
Turner Road (at Cluff Avenue) to its Ultimate Width

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The exact motion, moved by Pinkerton and seconded by Murphy, is as follows:

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Because of the exact wording of the motion, we, the staff, feel that clarification is needed on the following items:

1. Is it the Council's intention to acquire the required rights-of-way from Snell, Jerome, and Anagnos?

For Council's information, it has been past practice of the City Council to use their condemnation power where portions of future street alignments were needed as part of a proposed development for installation of utilities, additional street width, drainage, etc. However, it has been in the past, the developer's responsibility to pay for the appraisal, condemnation, and any litigation costs, the right-of-way needs and to make the necessary installations required for his development.

For Council information, the appraisal work will cost \$3,000 and the rights-of-way costs and preliminary construction estimates are as follows:

	<u>Right-of-Way Costs*</u>	<u>Construction Costs</u>	<u>Total</u>
Jerome	\$ 700	\$ 8,000	\$ 8,700
Snell	5,500	11,000	16,500
Anagnos	<u>10,800</u>	<u>34,000</u>	<u>44,800</u>
TOTAL	\$17,000	\$53,000	\$70,000

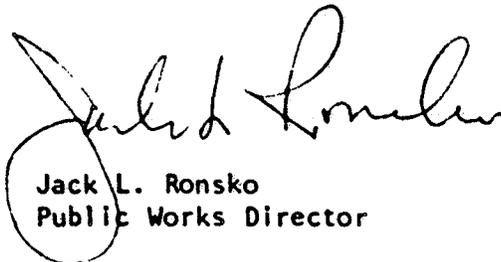
\*Based on \$0.50 per square foot. No value given to severance.

2. Is it the Intent that the City pay all of the above costs?

This is questioned based on the memo that was in the last Council packet from City Attorney Stein. From this memo it appears the

developer has indicated to the City Attorney that they would be willing to pay for the improvements in front of Snell and Jerome properties if the City purchased the rights-of-way.

3. Is it the City Council's intent to construct all of the street improvements, including parking lane, curb, gutter and sidewalk, or only those improvements necessary to provide the ultimate four (4) travel lanes?
4. It was clear that the Council wanted this work done in conjunction and together with the work under the Assessment District. Since the Assessment District contract has been let and it is the contractor's intent to install the underground utilities and do the roadway construction on Turner Road first, it doesn't appear that we will be able to do the additional work on Turner Road in conjunction with the Assessment District contract. It is assumed that the Council doesn't want to delay the District work.
5. If it is the Council's intent for the City to be responsible for the construction costs, does the Council want to consider reimbursement at the time the properties develop and convert to a higher use?
6. If it is the Council's intent for the City to pay for the right-of-way and the additional street construction, does the Council have any preference on what City funds should be used?
7. If Cal-Cushion does not develop (the City has no guarantee) is it still the Council's intent to widen Turner Road?



Jack L. Ronsko  
Public Works Director

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