



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## COUNCIL COMMUNICATION

TO: City Council  
FROM: City Manager  
MEETING DATE: July 1, 1987  
AGENDA TITLE: Approve Sunwest Unit No. IV Master Storm Drain Agreement,  
Area Bounded by Vine Street, Lower Sacramento Road, WID Canal,  
and the Easterly Extension of Taylor Road

**RECOMMENDED ACTION:** That the City Council approve the Master Storm Drain Agreement for Sunwest Unit No. IV and direct the City Manager and City Clerk to sign on behalf of the City.

**BACKGROUND INFORMATION:** With the development of Sunwest Unit No. IV, the subdividers are required to provide master storm drain facilities for their development at no cost to the City. The subdivider has constructed the master drain line and a portion of G-Basin. Additional excavation will be done at G-Basin with Sunwest Unit No. 9 and all subsequent units. An agreement has been prepared under which the master drain line will be credited toward the master drain fees due from this subdivision. This agreement is similar to the one for the Lodi Park West area and includes provisions for repayment from other land in the G-Basin area as it develops.

Jack A. Ronsko  
Public Works Director

JLR/WF/ma

APPROVED:

  
THOMAS A. PETERSON, City Manager

FILE NO.

2737

CITY COUNCIL

EVELYN M. OLSON, Mayor  
JOHN R. (Randv) SNIDER  
Mayor Pro Tempore  
DAVID M. HINCHMAN  
JAMES W. PINKERTON, Jr.  
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
TELECOPIER: (209) 333-6795  
July 8, 1987

THOMAS A. PETERSON  
City Manager

RECEIVED ALICE M. REIMCHE  
City Clerk

1987 JUL 10 AM 9:13  
RONALD M. STEIN  
City Attorney

ALICE M. REIMCHE  
CITY CLERK  
CITY OF LODI

Chris Keszler  
c/o Fred Baker  
317 W. Lodi Avenue  
Lodi, CA 95240

SUBJECT: Sunwest Unit IV Master Storm Drain Agreement

Enclosed, for your files, is a signed copy of the Master Storm Drain Agreement for Sunwest Unit IV which was approved by the City Council at its July 1, 1987 meeting.

Sharon Blaufus  
Administrative Assistant

/ma

Enclosure

cc: City Clerk

SUNWEST UNIT IV  
MASTER STORM DRAIN AGREEMENT

THIS AGREEMENT entered into this 1st day of July, 1987, by and between Chris R. Keszler, hereinafter called Subdivider, and the CITY OF LODI, hereinafter called City, for the development of Master Storm Drain facilities for SUNWEST UNIT IV Subdivision, as shown on Exhibit A, attached, located in the "G" Drainage Area (generally bounded by Lower Sacramento Road, the W.I.D. Canal and Harney Lane as shown on the City Master Storm Drain Plan, see Exhibit A).

W I T N E S S E T H:

1. Both parties understand and agree that:

- (a) Subdivider will install Master Storm Drain facilities as required by the City as part of the development of Sunwest Unit IV. Such facilities include, but are not limited to, the trunk line connecting the existing 36" line in Interlaken Drive to the G-Basin and existing 48" line in Century Boulevard. The cost of such facilities will be credited toward Master Storm Drain Fees by converting the cost to drainage fee paid acreage at the rate of the Master Storm Drain Fee in effect at the time the improvements are accepted by the City.
- (b) Payment of Master Drainage Fees normally made at the time of map filing will be waived in favor of the terms of the Agreement. In the event Subdivider files multiple maps for Sunwest Unit IV, the drainage fee paid acreage shall be reduced by the applicable acreage for each map in the order in which said maps are filed.
- (c) City will furnish the basic design for the Master Storm Drain facilities and Subdivider's engineer will prepare plans and specifications at Subdivider's cost.
- (d) Subdivider will excavate G-Basin to the line and grade approved by the City at his expense. Excavated material shall be used to fill the existing Sunwest basin located at Interlaken Drive or for grading Sunwest Unit IV. No material shall be sole or otherwise disposed of without the written consent of the City. Excess material shall be stockpiled to the City's approval at the G-Basin site.
- (e) Subdivider will construct at his expense any temporary facilities needed to make the drainage system functional, but are not part of the ultimate Master Drain System.

2. In the event the acreage computed in 1(a) above exceeds the acreage of Sunwest Unit IV Subdivision, City shall reimburse Subdivider for this excess acreage in accordance with the following:

As the City collects Master Storm Drain Fees from other acreage within the "C" Drainage Area, such acreage fees shall be paid to Subdivider until the excess acreage is reached, except that if the development paying the fee requires additional Master Storm Drain facilities, the acreage fee shall be applied to those facilities prior to paying Subdivider.

3. Subdivider agrees to pay City the sum of \$80,902.01 toward the installation costs of the 60" storm drain in Sylvan Way and Sage Way. Said payment shall be for the cost difference between the 36" storm drain facility previously planned for the Meadows Subdivision and the 60" storm drain facility actually installed.
4. Both parties agree to recording of the deed and this Agreement.
5. Both parties agree that they have herein set forth the whole of their Agreement. The performance of this Agreement constitutes the entire consideration and shall relieve City of all further obligation or claims.
6. This agreement is binding on the heirs, executors, administrators, and assigns of the parties hereto.
7. Both parties agree that this agreement shall expire July 1, 2011. Any Master Storm Drain Fees collected after that date shall be retained by the City.
8. Notices pertaining to this agreement shall be sent to:

City of Lodi  
Public Works Director  
Call Box 3006  
Lodi, CA 95241-1910

IN WITNESS WHEREOF the parties have executed this Agreement the day and year hereinabove written.

CITY OF LODI, a Municipal Corporation

By: Thomas A. Peterson  
Thomas A. Peterson, City Manager

Attest: Alice M. Reimche  
Alice M. Reimche, City Clerk

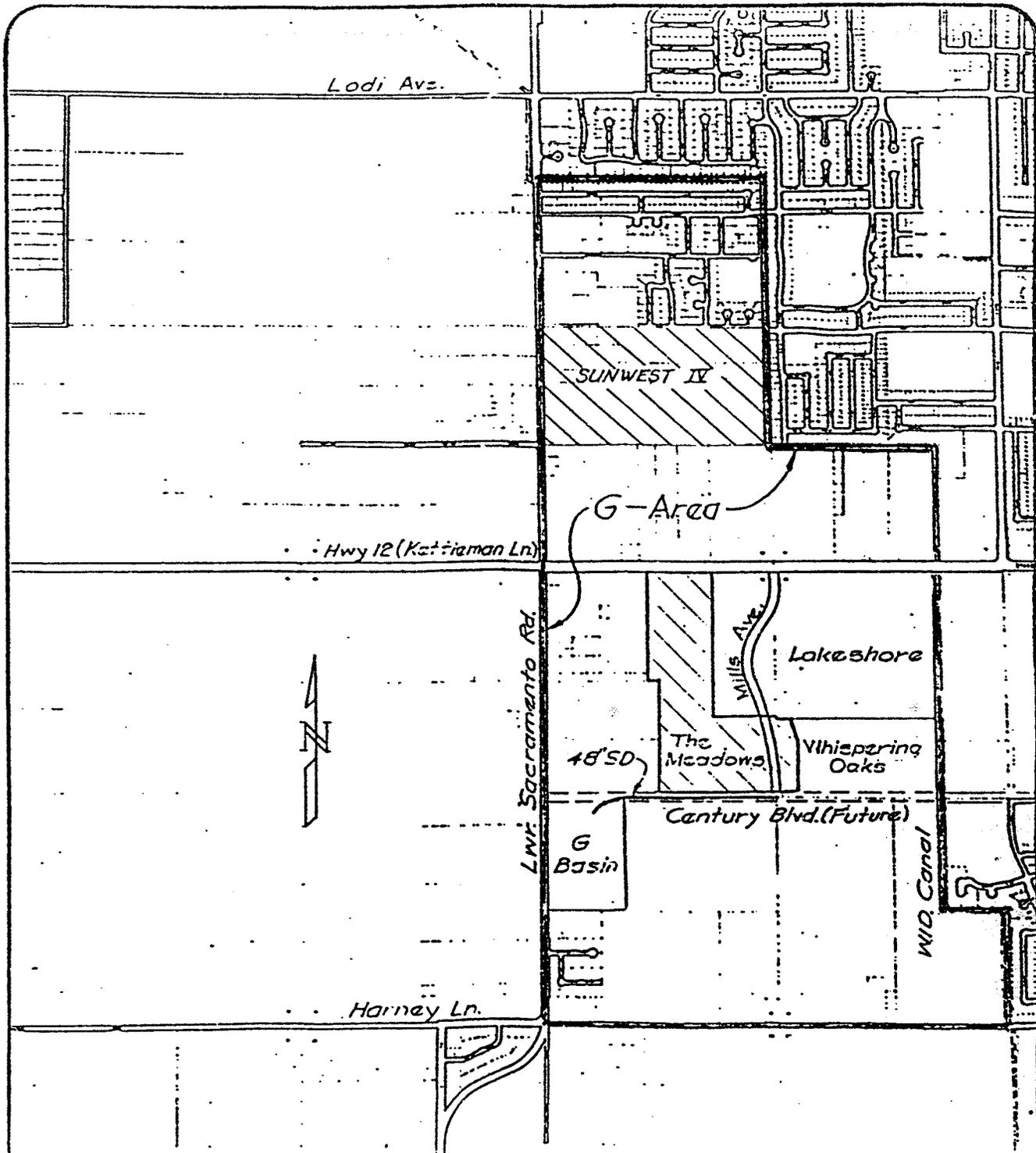
Chris R. Keagler



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## G-Area SUNWEST UNIT IV Storm Drain Agreement



Drawn	No.	Revised	By	Approved By
Checked RCP				
Date 5-8-84				Public Works Director RCE

Exhibit "A"