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51(a)

CITY COUNCIL MEETING

JULY 21, 1982

REQUEST FOR RELIEF
OF FRONT FOOTAGE
CHARGES FOR WATER
MAIN TAP

Mr. Mike Sabo, 4264 East Almond Avenue, Lodi, addressed the Council asking for some relief of the front footage charges for his recent water main tap on Almond Avenue. The City's policy regarding water main extensions was outlined for the benefit of the Council. A lengthy discussion followed with questions being directed to Staff and to Mr. Sabo. On motion of Mayor Reid, Olson second, Council denied the request.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

K-9

WATER - 3

WATER MAIN EXTENSIONS

Rev.
5/30/78

Sec. 26-5. 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. (Ord. No. 1136, § 1.)

Sec. 26-6. Application—Necessity.

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

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. (Ord. No. 1136, § 2.)

Sec. 26-7. 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. (Ord. No. 1136, § 3.)

Sec. 26-8. Parcel frontage extension of water main.

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. (Ord. No. 1136, § 4.)

Sec. 26-9. Minimum size of water mains.

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. (Ord. No. 1136, § 5.)

Sec. 26-10. Fire hydrants to be included.

The installation of fire hydrants or provisions therefor shall be included in any main extension and the cost of such hydrants are to be paid for by the applicant. Fire hydrant location and type shall be as approved by the fire chief. (Ord. No. 1136, § 6.)

Sec. 26-11. City obligation—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 the water main reimbursement agreement is approved by the city council. (Ord. No. 1136, § 7.1.)

Sec. 26-12. City obligation—Major crossings.

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

- (a) Woodbridge Irrigation District;
- (b) Southern Pacific Transportation Company;
- (c) Central California Traction Company;
- (d) Highway 99;
- (e) Highway 12;
- (f) Lower Sacramento Road;
- (g) Hutchins Street (south of Kettleman Lane).

The limits of the crossing and the estimated cost shall be determined by the public works director. (Ord. No. 1136, § 7.2.)

Sec. 26-13. Reimbursement.

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. (Ord. No. 1136, § 8.)

Sec. 26-14. 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) An administrative cost of two percent of the total reimbursable cost shall be deducted from any moneys paid to the city as payment 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). (Ord. No. 1136 § 9.)

Sec. 26-15. City to benefit from reimbursement.

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.

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. (Ord. No. 1136, § 10.)

Sec. 26-16. Payment for reimbursement.

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. (Ord. No. 1136 § 11.)

Sec. 26-17. 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. (Ord. No. 1136, § 12.)

Sec. 26-18. Unclaimed reimbursement.

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. (Ord. No. 1136, § 13.)

Sec. 26-19. 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 said approval date by the planning commission shall not be required to pay reimbursement charges. (Ord. No. 1136, § 14.)



CITY COUNCIL, CITY OF LODI
 CITY HALL, CITY OF LODI
 WEDNESDAY, AUGUST 6, 1980

A Special Meeting of the City Council of the City of Lodi was held pursuant to written notice being mailed or hand delivered to each member of the City Council, KCVR, Lodi News Sentinel, KCRA-TV NEWS, Lodi Cable TV, Stockton Record, and Lodi Life and Times.

The meeting was called to order at 7:30 p.m. by Mayor Katnich at which time the Council met in Executive Session.

The heretofore mentioned notice advised that the business to be transacted at this special meeting shall be in Executive Session and shall consist of personnel matters.

The regular meeting of the City Council of the City of Lodi was then held commencing at 8:00 p.m. in the City Hall Council Chambers.

Roll Call was recorded by the City Clerk as follows:

Present: Councilmen - Hughes, McCarty,
 Murphy, Pinkerton
 and Katnich (Mayor)

ROLL CALL

Absent: Councilmen - None

Also

Present: City Manager Graves, Assistant
 City Manager Glenn, Assistant City
 Engineer Glenn Robison, Community
 Development Director Schroeder,
 City Attorney Stein, and City
 Clerk Reimche

INVOCATION

The invocation was given by Reverend
 Robert Mattheis, St. Paul's Lutheran Church.

PLEDGE

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CITY-COUNCIL, CITY OF LODI
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PLEDGE

Mayor Katnich led the Pledge of Allegiance
to the flag.

VARIOUS COMPLAINTS

RECEIVED FROM CITIZENRY Following an inquiry by Mayor Katnich as to whether there was anyone in the audience wishing to speak on a non-agenda item, the following persons addressed the Council:

a) Mrs. Beverly D. Ciralski, 309 W. Pine,
Apt. #9, Lodi, California

Ms. Ciralski stated that she feels the position of Mayor in a City the size of Lodi should be a full time position.

Ms. Ciralski also outlined numerous complaints regarding various installations throughout the City. Mayor Katnich indicated his willingness to join Ms. Ciralski on a walking tour of the City to investigate the subjects of her complaints.

b) Mr. Mike Sabo, 4264 E. Almond Drive, Lodi, California addressed the Council stating he would like to connect to City water. Mr. Sabo indicated that he feels the City's present policy for charging for such a connection is not just and should be amended to allow for prorating.

Council discussion followed with questions being directed to Staff and to Mr. Sabo. No formal action was taken by the City Council on the matter.

CITY COUNCIL

FRED M. REID, Mayor
ROBERT G. MURPHY,
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

August 20, 1982

Mr. Mike Sabo
4264 East Almond Drive
Lodi, California 95240

Dear Mr. Sabo:

Enclosed herewith please find certified copy of the City Council Minutes of July 21, 1982 reiterating the Council's position on your request for some relief of the front footage charges for your recent water main tap on Almond Drive, whereby, the City Council following lengthy discussion on the matter and review of the City's policy regarding water main extensions, denied your request.

Should you have any questions regarding this action, please do not hesitate to call.

Very truly yours,



Alice M. Reimche
City Clerk

AMR/lf
Enc.