

Continued August 18, 1982

6. If it is the Council's intent for the City to be responsible for widening, does the Council want to consider reimbursement at the time the properties develop or convert to a higher use?
7. Does the Council have any preference on what City funds should be used for the right-of-way acquisition and any Turner Road widening?

Other background information and memoranda were reviewed for Council's benefit by Mr. Ronsko. A very lengthy discussion followed. Mrs. Jan Snell and Mr. Leo Anagnos, property owners in the subject area, gave testimony to the Council pertaining to the subject. A full transcript of this section of the Council meeting is on file in the office of the City Clerk.

Following additional discussion with questions being directed to Staff and to those persons who had given testimony, Council, on motion of Mayor Pro Tempore Murphy, Olson second, took the following actions pertaining to the clarification of Turner Road rights-of-way acquisitions and construction between Beckman Road and Cluff Avenue:

CLARIFICATION OF
TURNER/CLUFF AVE.
ROAD RIGHT-OF-WAY

- a) Authorized that an appraisal be made of the Anagnos property.
- b) Staff was directed to obtain written documentation on Ron Judson's position in this matter.
- d) Directed the City Clerk to reproduce all pertinent notes, minutes, etc. regarding this subject and distribute this information to the City Council for review.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council

FROM: City Manager

DATE: August 13, 1982

SUBJECT: Clarification of Turner Road Rights-of-Way Acquisition and Construction Between Beckman Road and Cluff Avenue

BACKGROUND INFORMATION: In January of this year, the City Council received a copy of the attached letter dated January 14, 1982, from Morris & Vcnell Architects requesting that the City purchase the right-of-way fronting the Jerome and Snell parcels in order that Turner Road could be constructed to its full width to accommodate the anticipated traffic from the proposed Cal Cushion Development within the Willow Oaks Industrial Park. The Council then gave staff direction to obtain appraisals on the Jerome and Snell parcels. At the following Council meeting, the attached memo of March 5, 1982, was reviewed with the City Council. The Council indicated that the questions within this memo would be answered upon obtaining the appraisals for the Snell and Jerome properties.

The Council has now directed staff to proceed on the acquisition of the Jerome property and the Snell appraisal. Therefore, the following questions from the March 5 memo still need clarification:

1. Since Cal Cushion is apparently not going to develop within the Willow Oaks Subdivision, does this change any previous Council positions?
2. Is it the Council's intention to also acquire the Turner Road rights-of-way fronting the Anagnos property?
3. Once the right-of-way is obtained, is it the City's intent to pay for any of the widening of Turner Road?

The estimated right-of-way acquisition costs and construction costs are shown below:

<u>Total R/W Costs</u>	<u>Construction Cost</u>	<u>Total</u>
\$50,000 to \$180,000	\$53,000	\$103,000 to \$233,000

Based on the attached letter from the City Attorney dated January 21, 1982, the Willow Oaks Industrial Park developer apparently indicated to the City Attorney that they (Willow Oaks Industrial Park) would pay for the street improvements fronting the Snell and Jerome properties if the City purchased the right-of-way.

APPROVED:

HENRY A. GLAVES, City Manager

FILE NO.

4. If Turner Road is to be widened at City cost, is the widening to take place in front of Jerome, Snell and Anagnos properties?
5. If widening is to take place, is it the Council's intent to construct all of the street improvements including parking lane, curb, gutter, sidewalk, street lights, or only those improvements necessary to provide the ultimate for travel lane?
6. If it is the Council's intent for the City to be responsible for widening, does the Council want to consider reimbursement at the time the properties develop or convert to a higher use?
7. Does the Council have any preference on what City funds should be used for the right-of-way acquisition and any Turner Road widening?



Jack L. Ronsko
Public Works Director

Attachments

JLR/eeh

301 West Locust Street
Lodi, California 95240
Phone (209) 369-8258

January 14, 1982

Mr. Jack Ronsko
CITY OF LODI
221 West Pine Street
Lodi, California 95240

Dear Mr. Ronsko:

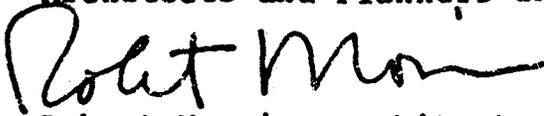
As architects for the Willow Oaks Industrial Park and Cal-Cushion Inc., we are formally requesting the public condemnation of Assessor Parcel Nos. 049-020-02 and 049-020-16, Owners Snell and Jerome respectively. We also ask that this request be placed upon the next City Council agenda for review and action.

Cal-Cushion Inc. of Lodi is proposing a new facility that will accommodate 300-400 employees. This high employment, along with trucks from Sanitary City Disposal and other area industries, will generate a considerable amount of traffic at the intersections of Turner and Cluff Roads. Therefore, it is our professional opinion that in the best interest of the City of Lodi and the two property owners, the City condemn this property so Turner Road may be constructed to its full design width at this point.

Please find enclosed a parcel map indicating this requested condemnation. If you need any additional information, please do not hesitate to call.

Sincerely,

MORRIS & WENELL
Architects and Planners Inc.



Robert Morris, Architect
President

RM:rf

Enclosure

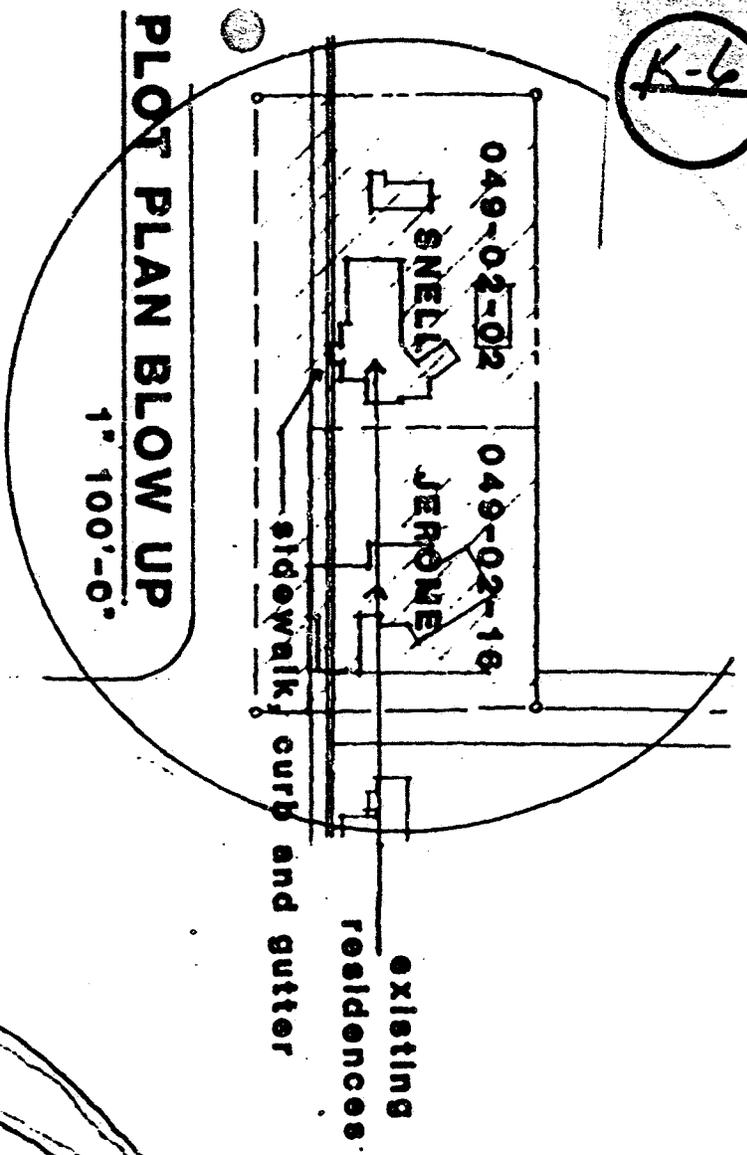
RECEIVED

JAN 18 1982



CITY OF LODI
PUBLIC WORKS DEPARTMENT

K-6



PLOT PLAN BLOW UP

1" 100'-0"

casa de lodi

4

3

1

2

sanitary city

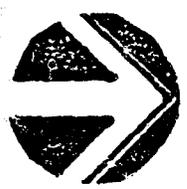
willow oaks golf course

McKalambe river

Proposed turner road

SEE BLOW-UP

cluff ave.



PLOT MAP

N.T.S.

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

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, 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

JLR/esh

CITY COUNCIL

JAMES A. MCCARTY, Mayor
ROBERT G. MURPHY, Mayor Pro Tem
RICHARD L. HUGHES
WALTER KAINCH
JAMES W. PINDERSON, Jr.

CITY OF LODI

CITY HALL, 22 WEST PINE STREET
POST OFFICE BOX 120
LODI, CALIFORNIA 95241
(209) 434-5633

HENRY A. CLAVES, Jr.
City Manager
ARTHUR M. REINICHE
City Clerk
RONALD M. STEIN
City Attorney

January 21, 1982

Mr. Ron Judson
2306 Corbin Lane
Lodi, California 95240

RE: Turner Road Widening

Dear Ron:

Thank you very much for taking me to lunch on Thursday, January 21, 1982. I wanted to try to recap the nature of our conversation. As you will note from the cc's, I am sending a copy of this letter to the City Council so that they can also be privy to our conversation.

It is my understanding that the people whom you represent would ask the City Council to widen Turner Road and to condemn the right-of-way over the Jerome and Snell properties and if the appraiser whom the City hires to appraise the taking of the right-of-way from the Jeromes and Snells determines that it would be to the City's advantage to take the whole of the Jerome and Snell properties, that the people whom you represent would be willing to pay to the City the cost of the excess take (the home and land minus the value of the right-of-way). Further, the people whom you represent are willing to put in the street, curb, gutter and sidewalk on the right-of-way for the City. Further, it is my understanding that the people you represent would ask that if the City were able to sell and remove the homes that are located on the Jerome and Snell property, that the City would give to the people whom you represent, credit for whatever the City was able to sell the two homes for.

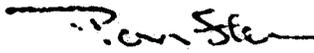
In our discussion, I mentioned the possibility of the people whom you represent purchasing the homes from the Jeromes and Snells directly and it was your concern that if they were able to purchase said homes, that the City under present policy would require them to dedicate the right-of-way and put in the street. What I suggested to you was that perhaps the City would be willing to purchase the right-of-way from the individuals whom you represent rather than requiring you to dedicate the right-of-way to the City.

Mr. Ron Judson
1/21/82 - Page Two

One concern that I mentioned during our conversation was if the City were to condemn the Jerome and Snell right-of-ways, that the appraiser might not feel that it is necessary to take the complete properties and this would be of no advantage to the people whom you represent.

I hope that this adequately represents our conversation and I would certainly appreciate your confirming in writing that it does. If you have any questions regarding this matter, please feel free to call upon me.

Sincerely yours,


RONALD M. STEIN
CITY ATTORNEY

RMS:vc

cc: Honorable Mayor and
Council

MEMORANDUM, City of Lodi, Public Works Department

TO: City Council
FROM: Public Works Director
DATE: March 5, 1982
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Jack L. Ronsko
Public Works Director

JLR/eah