

CITY COUNCIL MEETING

NOVEMBER 16, 1983

cc 45a  
cc 48a

Pg 60

AGREEMENT WITH  
STATE OF CALIF-  
ORNIA FOR CALIF-  
ORNIA STREET SPTC  
CROSSING APPRVD

Council adopted Resolution No. 83-133 approving Program Supplement No. 20 and Attachment 1 to the Local Agency - State Agreement and authorized the City Manager and City Clerk to execute the subject documents on behalf of the City.

RES. NO. 83-133

This agreement covers the installation of railroad grade crossing protection at California Street, the improvements will be made by Southern Pacific Railroad Company and include the installation of automatic gates with cantilever flashing lights to replace the existing warning devices.



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

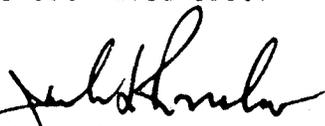
## COUNCIL COMMUNICATION

TO: City Council  
FROM: City Manager  
DATE: November 9, 1983  
SUBJECT: Railroad Grade Crossing Protection at California Street

RECOMMENDED ACTION: That the City Council adopt a resolution approving Program Supplement No. 20 to the Local Agency - State Agreement and authorize the City Manager and City Clerk to execute on behalf of the City of Lodi.

BACKGROUND INFORMATION: This agreement covers the installation of railroad grade crossing protection at California Street. The improvements will be made by Southern Pacific Railroad Company and include the installation of automatic gates with cantilever flashing lights to replace the existing warning devices.

Federal funds cover 90% of the project. The City is responsible for 10% which is estimated to be \$9,125. TDA funds in the amount of \$8,000 have been budgeted for this project. An additional \$1,125 will be budgeted in the 1984 CIP to cover the estimated cost.

  
Jack L. Ronsko  
Public Works Director

JLR/SB/ns

APPROVED:

HENRY A. GLAVES, City Manager

FILE NO.

CITY COUNCIL

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

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File 11/16

# 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

November 17, 1983

Mr. Homer G. Sasenberg  
District Local Assistance Engineer  
State Department of Transportation  
P. O. Box 2048  
1976 East Charter Way  
Stockton, CA 95201

Re: 10-SJ-0-Lod  
RRP-Y 312 (i)  
California St. @ SPIC  
King No. DE 104.0

Dear Mr. Sasenberg:

Enclosed herewith please find, in duplicate, executed copies of Program Supplement No. 20 and Attachment 1 - Project Number Correction to Local Agency - State Agreement No. 10-5154.

Also enclosed please find, a certified copy of the authorizing Resolution No. 83-133.

Please return a fully executed copy of these documents at your earliest convenience.

Very truly yours,

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

AMR:jj  
Enc.

Local Agency City of Lodi

Date Nov-~~10~~ 12, 1982

Supplement No. 20

To Local Agency-State

Agreement No. 10-5154

10-SJ-0-Lod

RRP-Y312(1)

California St. @ SPTC

Xing No. DE-104.0

**PROGRAM  
OF  
LOCAL AGENCY FEDERAL-AID SAFETY IMPROVEMENT PROJECTS  
IN THE**

City of Lodi

*Local Agency*

Pursuant to the Federal Highway Safety Act, the attached "Program" of Federal-Aid Projects marked "Exhibit B" is hereby incorporated in that Master Agreement for the Federal-Aid Program which was entered into between the above named LOCAL AGENCY and the STATE on December 21, 1977, and is subject to all of the terms and conditions thereof.

The subject program is adopted in accordance with Paragraph 2 of Article II of the aforementioned agreement under authority of City/County Resolution No. \_\_\_\_\_ approved by the City Council/~~County Board of Supervisors~~ on \_\_\_\_\_ (See copy attached).

City of Lodi  
*Local Agency*

By \_\_\_\_\_  
*Title*

Approved for State

Attest: \_\_\_\_\_  
*Clerk*

\_\_\_\_\_  
*District Director of Transportation*

\_\_\_\_\_  
*Date*

District 10  
Department of Transportation

I hereby Certify upon my own personal knowledge that budgeted funds are available for this encumbrance.							
<u>E. Keefe 11/19/82</u> Accounting Officer						\$ <u>82,135<sup>02</sup></u>	
Chapter	Statutes	Item	Fiscal Year	Program	NSU	Category	Fund Source
<u>326</u>	<u>1982</u>	<u>2660-101-042a</u>	<u>1982-83</u>	<u>HC 42</u>	<u>LT</u>	<u>220</u>	<u>AF 500</u>

PROGRAM

EXHIBIT B

OF

LOCAL AGENCY FEDERAL SAFETY IMPROVEMENT PROJECTS 10-SJ-0-Lod

Date: November 12, 1982

PROGRAM SUPPLEMENT NO.: 20  
TO MASTER AGREEMENT NO. 10-5154

Local Agency: City of Lodi

Project No.	Location & Description	Est. Total Cost of Proj.	Federal Funds	Matching Funds*
RRP-Y312(1)	In the City of Lodi, County of San Joaquin, on California Street at SPTC RR Grade Crossing No. DE-104.0.  Install No. 9A automatic gates with cantilevered flashing lights to replace existing warning devices by Railroad Force Acct.	\$91,250	\$82,125	\$9,125

*\*Local Agency Funds unless otherwise specified*

**Special Covenants or Remarks:** 1. The cost of maintenance of the crossing shall be as allocated by Public Utilities Commission. 2. All required signing and marking at RR Xing will be completed in accordance with the requirements of MUTCD, 1978. 3. In agreeing to the construction of this project, the local agency agrees the payment of Federal funds will be limited to the detail estimate amount approved by the Federal Highway Administration in the Federal-Aid Project Agreement (PR-2), or its modification (PR-2A), and accepts any increases in local agency contribution. 4. In executing this Program Supplemental Agreement, local agency hereby reaffirms the "Nondiscrimination Assurances" contained in the aforementioned Master Agreement for Federal-Aid Program.

RESOLUTION NO. 83-133

RESOLUTION APPROVING PROGRAM SUPPLEMENT NO. 20  
AND ATTACHMENT 1 - PROJECT NUMBER CORRECTION TO  
LOCAL AGENCY - STATE AGREEMENT NO. 10-5154

RESOLVED, that the City Council of the City of Lodi does hereby approve Supplement No. 20 and Attachment 1 - Project Number Correction to Local Agency - State Agreement No. 10-5154, which Agreement covers the installation of railroad grade crossing protection at California Street, a copy of which is attached hereto and thereby made a part hereof.

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby authorize the City Manager and City Clerk to execute the subject Agreement and Attachment 1 on behalf of the City.

Dated: November 16, 1983

I hereby certify that Resolution No. 83-133 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 16, 1983 by the following vote:

Ayes: Council Members - Reid, Murphy, Snider,  
Pinkerton, and Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - None

  
Alice M. Reinche  
City Clerk

PROJECT NUMBER CORRECTION

Local Agency City of Lodi

Date December 28, 1982

Prog. Supp. No. 20

To Local Agency-State  
Agreement No. 10-5154

10-SJ-0-Lod  
RRS-Y312(1)  
California Street @ SPTC  
Xing No. DE-104.0

To correct Project Number of Program Supplement No. 20 to  
Local Agency-State Agreement No. 10-5154.

Project Number formerly: RRP-Y312(1)

Corrected to: RRS-Y312(1)

City of Lodi  
Local Agency

By \_\_\_\_\_

State of California

Attest: \_\_\_\_\_  
Clerk

By \_\_\_\_\_  
District Director of Transportation

Date: \_\_\_\_\_

District 10  
Department of Transportation  
Date: \_\_\_\_\_

I hereby Certify upon my own personal knowledge that budgeted funds are available for this encumbrance.							
<b>Attachment 1</b>							
<i>E Keefe</i>						Accounting Officer	<u>89,125<sup>00</sup></u>
Chapter	Sections	Item	Fiscal Year	Program	NSU	Category	Fund Source
326	1982	2660-101-042a	1982.83	HC42	U	220	AF500

11/16  
cc45a  
cc48a  
CITY COUNCIL

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

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
POST OFFICE BOX 320  
LODI, CALIFORNIA 95241  
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HENRY A. CLAVES, Jr.  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

December 12, 1983

Mr. Robert H. Mullen  
Litts, Mullen, et al  
Attorneys at Law  
1111 West Tokay Street  
P. O. Box 517  
Lodi, CA 95240

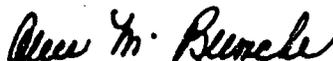
Dear Bob:

Pursuant to your November 30, 1983 letter, enclosed is one signed original copy of Agreements with Central California Traction Company dated October 13, 1983.

Upon recordation of the original, we will forward the requested copies bearing the recording information.

Bob, may you and your family have a joyous Christmas.

Very truly yours,

  
Alice M. Reimche  
City Clerk

AMR:jj  
Enc.

WHEN RECORDED, RETURN TO:

City of Lodi  
221 West Pine Street  
Lodi, CA 95240

AGREEMENT

CENTRAL CALIFORNIA TRACTION COMPANY

733 So. Stockton Street

THIS AGREEMENT entered into this 13th day of October, 1983, between the CITY OF LODI, hereinafter called "City" and Central California Traction Company, hereinafter called "Owner".

W I T N E S S E T H

Owner has filed for a Parcel Map of a portion of the Northwest quarter of Section 12, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, as recorded in Book 12 of Parcel Maps at page 111, Instrument No. 83086130, recorded 12/1/83; and commonly known as 733 South Stockton Street.

In order to comply with the provisions of Section 22.18, et seq., of the Code of the City of Lodi, it is agreed as follows:

1. Owner is dedicating on said Map, the necessary land to conform to the setback line on Stockton Street.

2. Owner acknowledges that it is Owner's responsibility to pay the cost of sidewalk improvements where none now exist and agrees to install said sidewalk upon written demand of the City. Should Owner fail to do so within 90 days of said demand, City may make arrangements for said installation and bill Owner for all costs so encumbered. In the event of a breach of an obligation by Owner arising from this contract, necessitating City to file suit against Owner in Court; then upon a verdict of the Court in favor of City, City shall be entitled to reasonable attorney's fees and for costs of the suit incurred.

3. City acknowledges that it is City's responsibility to modify the building presently in the newly dedicated right-of-way at such time that City desires to widen Stockton Street and agrees to modify the building at City's cost at such time as City deems it necessary to so widen Stockton Street.



4. This Agreement is binding on the heirs, executors, administrators, and assigns of the parties hereto.

5. Both parties agree that they have herein set forth the whole of their Agreement.

6. Both parties agree to the recording of this Agreement.

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

CITY OF LODI, a Municipal Corporation

CENTRAL CALIFORNIA TRACTION CO.

By Henry A. Graves  
Henry A. Graves, City Manager

By [Signature]  
Assistant Manager, Contract Dept.

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

State of CALIFORNIA  
County of SAN JOAQUIN } ss.

On this the 13th day of October 1983, before me,

ROBERT H. MULLEN

the undersigned Notary Public, personally appeared A. C. DAVIS, Assistant Manager, Contract Department, Central California Traction Co,

personally known to me  
 proved to me on the basis of satisfactory evidence to be the person(s) who executed the within instrument

on behalf of the corporation therein named, and acknowledged to me that the corporation executed it. WITNESS my hand and official seal.

[Signature]  
Notary's Signature, ROBERT H. MULLEN

