

RESOLUTION NO. 2008-74

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING
THE IMPROVEMENT AGREEMENT ADDENDUM FOR PUBLIC
IMPROVEMENTS AT INTERLAKE SQUARE, TRACT NO. 3532

WHEREAS, the developer, Cluff LLC and CMT Construction, Inc., executed an improvement agreement for the required public improvements for Interlake Square, Tract No. 3532, on August 2, 2006, and, pursuant to the terms thereof, the developer had 365 days from the date of the agreement execution to complete the public improvement. As a condition of the improvement agreement, payment of Development Impact Mitigation Fees is required prior to acceptance of the public improvements; and

WHEREAS, the public improvements are substantially complete; however, due to financial constraints on the part of the developer, the Development Impact Mitigation Fees have not yet been paid. The developer desires to comply with the requirements of the agreement and staff is recommending a one-year extension for the completion of public improvements and payment of fees as specified under the terms of the original improvement agreement; and

WHEREAS, the addendum also specifies that the developer pay all the additional costs of the document preparation (\$566) and provide the necessary contract security and insurance for the terms of the original agreement; and

WHEREAS, the developer has executed the agreement and paid the additional fees, and staff recommends that the City Council approve the Addendum to the Improvement Agreement for the Public Improvements for Interlake Square, Tract No. 3532, and authorize the City Manager to execute the agreement on behalf of the City of Lodi.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi finds:

1. That the Addendum to the Improvement Agreement for the Public Improvements for Interlake Square, Tract No. 3532, is hereby approved, and further that the City Manager is authorized to execute said Addendum on behalf of the City of Lodi.

Dated: May 7, 2008

I hereby certify that Resolution No. 2008-74 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 7, 2008, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Katzakian, and Mayor Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk