

RESOLUTION NO. 2013-131

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING
AND AUTHORIZING THE CITY MANAGER TO EXECUTE A
STORM DRAIN IMPACT MITIGATION FEE ONE-TIME
REIMBURSEMENT AGREEMENT WITH TEMPLE BAPTIST
CHURCH OF LODI AND FURTHER APPROPRIATING FUNDS

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WHEREAS, at the time of approval of the Temple Baptist Church (Owner) master development plan and the phase one construction project in 1978, there were no City-owned storm drainage facilities in the area, and private onsite storm drainage facilities were constructed to serve the project. These facilities consist of storm drainage conveyance piping and a storm drainage retention basin. It has been confirmed that the private onsite storm drainage facilities have sufficient capacity to serve all existing and future phases of the master development plan; and

WHEREAS, in August 2012, the City Council adopted the updated Impact Mitigation Fee Program (Program) wherein no storm drainage impact fee was established for the Church property yet to be developed. An option was preserved in the Program for the Owner to permanently utilize the private onsite storm drainage facilities and be refunded the storm drainage mitigation fees paid to date amounting to \$122,282.82. The reimbursement funds were set aside in the Program for reimbursement to this Owner and several others; and

WHEREAS, the Owner is constructing a new education building that would normally be required to pay storm drainage impact mitigation fees. Instead, the Owner has selected the option to remove their property from the City's storm drainage service area and receive reimbursement, without interest, of the fees paid to date.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Storm Drain Impact Mitigation Fee One-Time Reimbursement Agreement with Temple Baptist Church of Lodi; and

BE IT FURTHER RESOLVED that the City Council does hereby authorize the City Manager to execute the agreement; and

BE IT FURTHER RESOLVED that funds in the amount of \$122,282.82 be appropriated from the Storm Drain Impact Mitigation Fees account.

Dated: July 17, 2013

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I hereby certify that Resolution No. 2013-131 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 17, 2013, by the following vote:

AYES: COUNCIL MEMBERS – Johnson, Katzakian, Mounce, and
Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hansen

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL-OLSON
City Clerk