October 28, 2008

TO: The Honorable Mayor and City Council

FROM: Katherine G. Meissner, City Clerk

SUBJECT: INFORMATION FOR CONCURRENT COUNCIL/REDEVELOPMENT AGENCY MEETING – OCTOBER 28, 2008, ITEM 9.02 AND ITEM 9.03

The attached correspondence is being distributed “around the bench” to Mayor and Councilmembers as it pertains to the following Agenda Items:

Item 9.02, Public Hearing - The Tidewater Crossing Master Development Plan

- Letter dated October 27, 2008, from Heidi Williams, Senior Director of Airports, Aircraft Owners and Pilots Association (AOPA), recommending that the City adopt a moratorium on development until the San Joaquin Airport Land Use Compatibility Plan (ALUCP) has been updated and the Tidewater Crossing Project is vetted and complies with the updated plan.

Item 9.03 Public Hearing - Proposed Addendum to the 2008-2009 Annual Budget. and 2008-2009 Fee Schedule

- Letter dated October 24, 2008, from Peter Hine, resident of Venetian Bridges, requesting that the City not abandon maintenance of the landscape and bike path in the East Bay Municipal Utility District (EBMUD) right of way parallel to March Lane.

If you have any questions, please call me at 937-8459.

KATHERINE G. MEISSNER
CITY CLERK

Attachment

cmc: City Manager
City Attorney
October 24, 2008

Stockton City Council Members
425 N El Dorado St
Stockton CA 95202

RE: EBMUD Bike Path

Dear Mayor and Council Members:

I am a homeowner in Venetian Bridges, and have been since the development was initiated about thirty years ago. I am therefore a member of the Venetian Bridges Homeowners’ Association, and pay dues and assessments to that association to maintain common areas in Venetian Bridges.

The city of Stockton is bisected by aqueducts owned by East Bay Municipal Utility District (EBMUD). EBMUD maintains the surface of its right of way to the extent only of discing weeds periodically, leaving the unimproved right of way a blight. Approximately thirty years ago, as the area around March Lane began to be developed, the City wisely negotiated with developers to install a bike path, and to landscape and to maintain the area at developer cost. Later property owners (including those in Venetian Bridges) assumed the responsibility of maintaining the landscaped bike path for a twenty year period under an agreement with the City. During that time, the area fronting Venetian Bridges was re-landscaped at a cost of over $180,000, borne entirely by the property owners of Venetian Bridges through dues and assessments. Several years ago, at the end of the twenty year commitment, the City assumed maintenance responsibility for the area fronting Venetian Bridges from the Venetian Bridges Association.

Several of the property owners in Venetian Bridges, including myself, have become aware that the City of Stockton Public Works may intend to recommend to the City Council that the City abandon any responsibility it may have to maintain this area. I strongly urge that the City not do this. The bike path extends for approximately two miles parallel to March Lane, which is a primary east/west corridor through Stockton, and the address of many prominent business and retail establishments. A large portion of the bike path is already maintained at no cost to the City, by the adjacent property owners, as for twenty years was the section fronting Venetian Bridges. If this section maintained by the City were abandoned, an area which has been landscaped, re-landscaped, and for twenty years maintained at a total cost of hundreds of thousands of dollars, none born by the City, would presumably thereafter become blighted as other areas along the EBMUD aqueduct are, and a deep wound (scar) on what is now an attractive face of the city would be opened.

I urge the City to not abandon its responsibility for maintaining an area paid for by myself and other Venetian Bridges property owners. In the event, however, that the City is no longer willing to bear the cost of maintenance, I urge you not to simply walk away from the City’s responsibility, but to work with the affected property owners. I’m sure some type of amenable agreement can be reached that will allow the EBMUD bike path to continue.

Sincerely,

Peter Hine
Stockton City Council Members
425 N El Dorado St
Stockton CA 95202