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CITY MANAGER'S OFFICE  
**RECEIVED**  
APR 05 1989

DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

927 TENTH STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2705

ENGINEERING DIVISION

**APPROVED**  
BY THE CITY COUNCIL

916-449-8220

THOMAS M. FINLEY  
ENGINEERING DIVISION MANAGER

APR 11 1989

CONSTRUCTION SECTION  
640 BERKUT DRIVE  
SUITE B  
SACRAMENTO, CA  
95814-0131

April 11, 1989

OFFICE OF THE  
CITY CLERK

916-449-5282

City Council  
Sacramento, California

Honorable Members In Session:

SUBJECT: Amending Resolution No. 88-752 (Revocable Encroachment Permit - 1 Cadillac Drive)

SUMMARY

Hubacher Cadillac, Inc. has requested that Resolution No. 88-752 be amended. This amendment would eliminate the requirement to provide insurance for the City of Sacramento for the City owned property; and give Hubacher Cadillac, Inc. the right to terminate the agreement upon sale of Hubacher Cadillac, Inc., or upon the sale of the land and building by K & C Investments.

The Director of Public Works recommends that this amendment be granted.

BACKGROUND

Resolution No. 88-752 granted a revocable encroachment permit to Hubacher Cadillac, Inc. for the purpose of providing landscaping and irrigation within the unused right-of-way on the northwest corner of Fair Oaks Boulevard and Howe Avenue. A special condition on the permit made Hubacher Cadillac, Inc. responsible for all maintenance and repair, and if they vacated the area, the new owner would inherit the responsibility of maintenance and repair. Hubacher Cadillac, Inc. requested to change the special condition so that the agreement could be terminated upon vacating the area. They also requested a waiver of the usual insurance requirements.

FINANCIAL DATA

None.

POLICY CONSIDERATIONS

This is a change of policy in the requirement of filing insurance certificates required by the General Provisions.

City Council  
Amending Resolution No. 88-752  
April 11, 1989  
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MBE/WBE EFFORTS

None.

RECOMMENDATION

The Director of Public Works recommends that the attached resolution amending Resolution No. 88-752 be adopted.

Respectfully submitted,

*Thomas M. Finley*  
for THOMAS M. FINLEY  
Engineering Division Manager

Recommendation Approved:

*Walter J. Slipe*  
WALTER J. SLIPE  
City Manager

Approved:

*Melvin H. Johnson*  
MELVIN H. JOHNSON  
Director of Public Works

ND:dk  
DS4-17.G  
03.2489.3

April 11, 1989  
District No. 3

Attachment

CONTACT PERSON

Paul Favilla, Assistant Engineer  
449-2092

**RESOLUTION NO. 89-264**

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION AMENDING RESOLUTION NO. 88-752  
FOR A REVOCABLE ENCROACHMENT PERMIT TO  
HUBACHER CADILLAC, INC.

**APPROVED**  
BY THE CITY COUNCIL

**APR 11 1989**

OFFICE OF THE  
CITY CLERK

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Resolution No. 88-752, for the Revocable Encroachment Permit with Hubacher Cadillac, Inc., is hereby amended to eliminate the requirement to provide insurance for the City of Sacramento for City owned property; and give Hubacher Cadillac, Inc. the right to terminate the agreement upon the sale of Hubacher Cadillac, Inc., or upon the sale of the land and building by K & C Investments whose address is 1 Cadillac Drive.

ATTEST:

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MAYOR

\_\_\_\_\_

CITY CLERK



OFFICE OF THE  
CITY CLERK

OPERATION SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

CITY HALL  
ROOM 504  
915 I STREET  
SACRAMENTO, CA  
95814-2671

916-499-5426

April 13, 1989

Hubacher Cadillac, Inc.  
1 Cadillac Drive  
Sacramento Ca 95825

On April 11, 1989, the City Council adopted Resolution No. 89-266 granting the following Revocable Encroachment Permit. This is in accordance with "General Provisions - Revocable Encroachment Permit," adopted by City Council Resolution No. 81-845 as amended.

The permit is for the purpose of waiving the usual insurance requirements and the right to terminate agreements upon vacating 1 Cadillac Drive.

Enclosed, for your records, is a copy of the resolution granting the permit, and City Council Resolution No. 81-845, as amended.

Sincerely,

Anne Mason  
Acting City Clerk

lmh/am

Enclosure

cc: Engineering Division