

ITEM 5.7

CITY MANAGER'S REPORT SEPTEMBER 13, 2021 CITY COUNCIL REGULAR MEETING

ITEM: PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER A RESOLUTION REMOVING LATHROP ROAD, BETWEEN HARLAN ROAD AND MCKINLEY AVENUE, AS AN APPROVED TRUCK ROUTE PURSUANT TO LATHROP MUNICIPAL CODE 10.16.030

RECOMMENDATION: City Council to Consider the Following:
1. Hold a Public Hearing; and
2. Adopt a Resolution Removing Lathrop Road Between Harlan Road And McKinley Avenue as an Approved Truck Route Pursuant to LMC 10.16.030

SUMMARY:

At its August 9th City Council meeting, Council directed staff to bring an item that would prohibit all truck traffic on Lathrop Road between Harlan Road and McKinley Avenue, see Attachment B for a Location Map. In accordance with Lathrop Municipal Code (LMC) Section 10.16.030 and Ordinance 06-262 adopted by City Council in September 2006, City Council can establish and revise truck routes by resolution provided that a duly advertised public hearing is held.

Tonight staff is recommending that City Council hold a public hearing and consider removing Lathrop Road between Harlan Road and McKinley Avenue as an approved truck route.

BACKGROUND:

In September 2006, City Council adopted Ordinance 06-262 to allow updating of the list of citywide designated truck routes by resolution and in December 2006 City Council passed Resolution No. 06- 2327 formally adopting the list of truck routes. Lathrop Road was included in the list of roadways designated as truck routes. Ordinance 06-262 also states that truck routes may be revised by resolution provided that a duly advertised public hearing is held. A notice of this public hearing was given pursuant to California Government Code section 65091.

During the August 9, 2021 City Council Meeting staff, presented three options to address recent concerns raised regarding the use of trucks on Lathrop Road between Harlan Road and McKinley Avenue. Those options included performing a local truck study, prohibiting the longer Surface Transportation Assistance Act (STAA) trucks and prohibiting all trucks. Council directed staff to bring an item that would prohibit all truck traffic on this section of Lathrop Road.

CITY MANAGER'S REPORT **PAGE 2**
SEPTEMBER 13, 2021 CITY COUNCIL REGULAR MEETING
CONSIDER REMOVING LATHROP ROAD BETWEEN HARLAN ROAD AND
MCKINLEY AVENUE AS AN APPROVED TRUCK ROUTE

California Vehicle Code (CVC) section 35401.5 allows local authorities to consider safety when establishing or denying truck access routes. City Council has received concerns from residents along Lathrop Road and may consider those safety concerns plus all other evidence presented at the Public Hearing for this item to make a legislative finding that it is appropriate, on the basis of safety considerations, to remove Lathrop Road between Harlan Road and McKinley Avenue as an approved truck route.

Should Council remove Lathrop Road between Harlan Road and McKinley Avenue as an approved truck route, McKinley Avenue between Lathrop Road and Louise Avenue would serve as the legal designated path of travel for trucks.

Council may find that this proposed Resolution is for the protection of the environment and therefore categorically exempt from CEQA pursuant to Article 19, Class 8, Categorical Exemption, Section 15308, entitled "Action by Regulatory Agencies for Protection of the Environment."

FISCAL IMPACT:

None at this time. Should Council approve the item staff will update the appropriate striping and signage with funds already allocated in the adopted Fiscal Year 2021/22 budget.

ATTACHMENTS:

- A. Resolution Removing Lathrop Road, Between Harlan Road And McKinley Avenue, as an Approved Truck Route Pursuant to Lathrop Municipal Code 10.16.030
- B. Location Map – Lathrop Road between Harlan Road and McKinley Avenue

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APPROVALS:



Michael King
Director of Public Works

9.1.2021


Date



Glenn Gebhardt
City Engineer

9/1/21

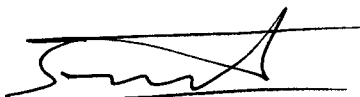
Date



Cari James
Finance & Administrative
Services Director

9/2/2021

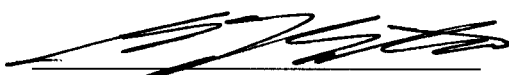
Date



Salvador Navarrete
City Attorney

8-31-2021

Date



Stephen J. Salvatore
City Manager

9.7.21

Date

RESOLUTION NO. 21-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP REMOVING LATHROP ROAD, BETWEEN HARLAN ROAD AND MCKINLEY AVENUE, AS AN APPROVED TRUCK ROUTE PURSUANT TO LATHROP MUNICIPAL CODE 10.16.030

WHEREAS, City Council adopted Ordinance 06-262 updating the list of citywide designated truck routes by Resolution and in December 2006 City Council passed Resolution No. 06-2327 formally adopting a list of truck routes and Lathrop Road was included in the list of roadways designated as a truck route; and

WHEREAS, City Council has received concerns from the public regarding the use of trucks on Lathrop Road between Harlan Road and McKinley Avenue; and

WHEREAS, California Vehicle Code (CVC) section 35401.5 allows local authorities to consider safety when establishing or denying truck access routes; and

WHEREAS, during the August 9, 2021 City Council Meeting staff presented three options to address recent concerns raised regarding the use of trucks on Lathrop Road between Harlan Road and McKinley Avenue. Those options included performing a local truck study, prohibiting the longer Surface Transportation Assistance Act (STAA) trucks and prohibiting all trucks; and

WHEREAS, City Council directed staff to bring an item that would prohibit all truck traffic on Lathrop Road between Harlan Road and McKinley Avenue; and

WHEREAS, City Council may consider those safety concerns plus all other evidence presented at the Public Hearing for said item to make a legislative finding that it is appropriate, on the basis of safety considerations, to remove Lathrop Road between Harlan Road and McKinley Avenue as an approved truck route pursuant to California Vehicle Code section 35401.5 and Lathrop Municipal Code section 10.16.030; and

WHEREAS, Should Council remove Lathrop Road between Harlan Road and McKinley Avenue as an approved truck route, McKinley Avenue between Lathrop Road and Louise Avenue would serve as the legal designated path of travel for trucks; and

WHEREAS, Council may find that this Resolution is for the protection of the environment and therefore categorically exempt from CEQA pursuant to Article 19, Class 8, Categorical Exemption, Section 15308, entitled "Action by Regulatory Agencies for Protection of the Environment"; and

WHEREAS, a notice of this public hearing was given pursuant to California Government Code section 65091.

NOW, THEREFORE, BE IT RESOLVED that, on the basis of all evidence received, the City Council of the City of Lathrop does hereby:

1. Find that this Resolution is for the protection of the environment and therefore categorically exempt from CEQA pursuant to Article 19, Class 8, Categorical Exemption, Section 15308, entitled "Action by Regulatory Agencies for Protection of the Environment"; and
2. Find that it is appropriate, on the basis of safety concerns, to remove Lathrop Road, between Harlan Road and McKinley Avenue, as an approved truck route pursuant to California Vehicle Code section 35401.5 and Lathrop Municipal Code section 10.16.030; and
3. Remove Lathrop Road, between Harlan Road and McKinley Avenue, as an approved truck route.

The foregoing resolution was passed and adopted this 13th day of September 2021, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

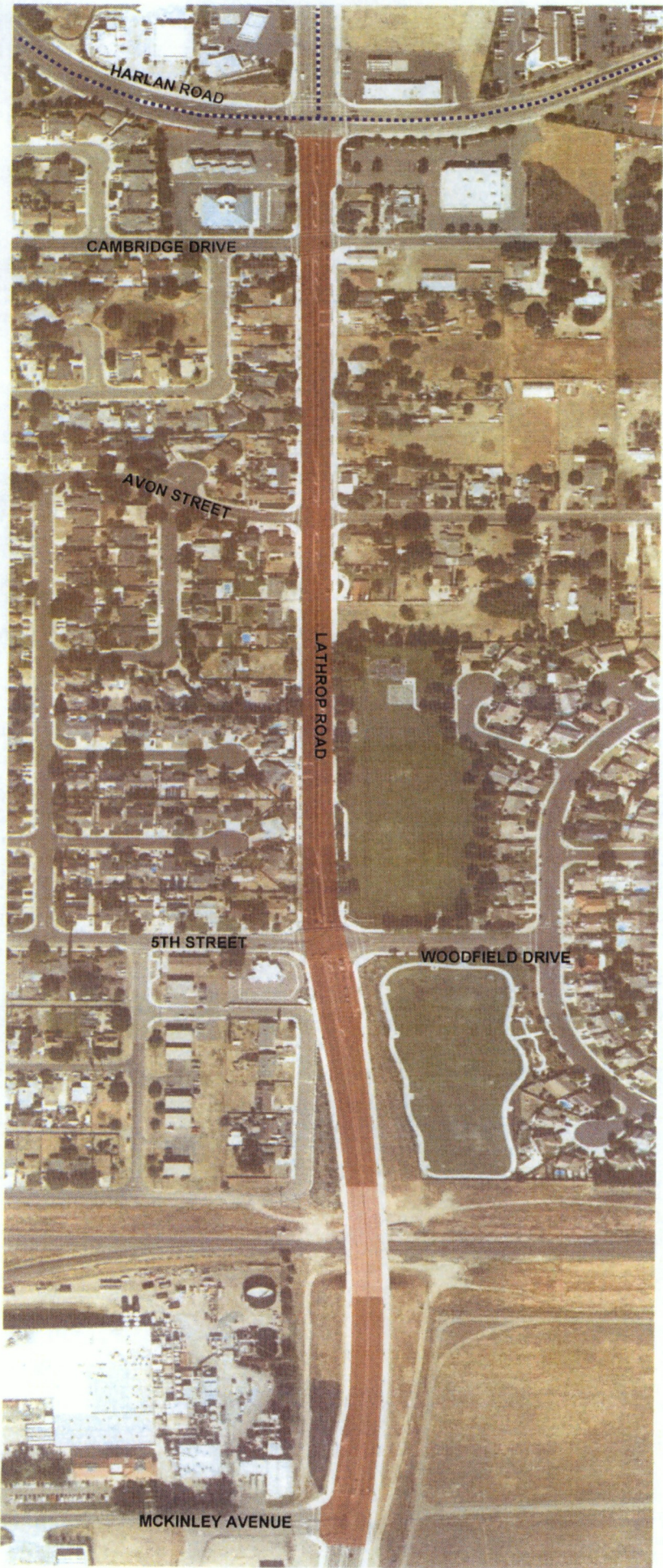
ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney



LEGEND

- Truck Route
- STAA Route



LATHROP ROAD - TRUCK ROUTE

HARLAN ROAD - MCKINLEY AVENUE



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