

**CITY MANAGER'S REPORT
JUNE 10, 2024 CITY COUNCIL REGULAR MEETING**

**ITEM: ACCEPT PUBLIC IMPROVEMENTS ASSOCIATED WITH
EP NO. 2023-165, LOCATED ON JEFFERSON WAY
FROM SOUTH LATHROP LAND, LLC**

**RECOMMENDATION: Adopt Resolution Accepting Public Improvements
Associated with Encroachment Permit No. 2023-165,
Located on Jefferson Way from South Lathrop Land,
LLC**

SUMMARY:

South Lathrop Land, LLC (SLL), the developer for the South Lathrop Commerce Center (SLCC) Project, has completed the public improvements associated with Encroachment Permit No 2023-165 (EP 23-165) in accordance with their Subdivision Improvement Agreement (SIA) for Parcel Map (PM) 17-01, dated September 10, 2018. A Vicinity Map of the improvements is included in Attachment "B".

Staff has inspected the improvements and they have been deemed complete and in accordance with the approved plans and city specifications by the City Engineer. The approximate value of the public improvements constructed is \$414,607, as shown in the GASB 34 Report included as Attachment "C".

SLL provided a one-year warranty bond based on 10% of the construction costs, as well as lien releases for the improvements to be accepted.

Staff requests City Council accept the public improvements associated with EP 23-165.

BACKGROUND:

On July 20, 2015, the South Lathrop Specific Plan (SLSP) was adopted by City Council and annexed into the City of Lathrop on June 14, 2016. The SLSP annexation includes a 99-acre portion of the Lathrop Gateway Business Park Specific Plan and encompasses a 315-acre area that includes commercial office uses, limited industrial uses, and open space.

On April 18, 2016, City Council approved SLCC Vesting Tentative Parcel Map (VTM) No. 15-94 with Conditions of Approval (COAs) for development consistent with SLSP. The SLCC Project is generally located at the southeast portion of the City limits bounded by State Route 120 to the north, San Joaquin River to the west, and the Union Pacific Railroad to the south.

On January 13, 2020, City Council accepted various offsite improvements from SLL that were constructed in accordance with their SIA and Development Agreement

CITY MANAGER’S REPORT **PAGE 2**
JUNE 10, 2024 CITY COUNCIL REGULAR MEETING
ACCEPT PUBLIC IMPROVEMENTS ASSOCIATED WITH EP NO. 2023-165,
LOCATED ON JEFFERSON WAY FROM SOUTH LATHROP LAND, LLC

(DA), including backbone infrastructure improvements, a regional outfall structure, a storm drain pump station, a sanitary sewer pump station, a traffic signal, and highway interchange improvements.

Construction of the landscape improvements associated with EP 23-165 are complete and the approximate value of the improvements proposed to be accepted is \$414,607 as shown in the GASB34 Report. These improvements have been inspected by staff and deemed complete, and in accordance with the approved plans and City specifications by the City Engineer.

The performance bond (K13490624) and labor and materials bond (K13490624) in the amounts shown in Table 1 below guarantee the construction of improvements, as detailed in the SIA. The bonds will remain in place until all improvements as detailed in the SIA are inspected by staff and deemed complete by the City Engineer. SLL has provided a one-year warranty bond, based on 10% of the construction cost, which will cover the completed improvements, as well as developer and contractor lien releases. The warranty bond amount is detailed in Table 1 below

Table 1

Description	Performance Bond	Labor and Materials Bond	Warranty Bond
Encroachment Permit 23-165	K13490624 \$27,338,889	K13490624 \$13,669,445	CIC1945296 \$41,461

REASON FOR RECOMMENDATION:

Construction of the public improvements associated with EP 23-165 is complete and has been inspected by City staff to ensure conformance with the approved plans. SLL has submitted lien releases, a one-year warranty bond (CIC1945296), and as-built drawings, for the improvements being accepted.

Staff request Council accept the completed public improvements and City staff will subsequently release the performance bond (K13490624) of the relevant category.

FISCAL IMPACT:

Beginning with this acceptance, the one-year warranty bond covers any defective materials or workmanship in connection with the completed improvements for repairs or replacements that become necessary during the initial year of service.

The public improvements listed in the GASB 34 Report detail the \$414,607 expended. The costs to maintain these facilities after the first year is funded through CFD 2019-01.

ATTACHMENTS:

- A. Adopt Resolution Accepting Public Improvements Associated with Encroachment Permit No. 2023-165, Located on Jefferson Way from South Lathrop Land, LLC
- B. Vicinity Map
- C. GASB 34 Report – Jefferson Way

CITY MANAGER'S REPORT **PAGE 4**
JUNE 10, 2024 CITY COUNCIL REGULAR MEETING
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APPROVALS:



Veronica Albarran
Junior Engineer

5/29/2024
Date




Ken Reed
Senior Construction Manager

6-3-2024
Date



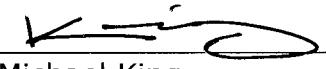
Brad Taylor
City Engineer

5/29/2024
Date

 FOR


Cari James
Finance Director

6/3/2024
Date




Michael King
Assistant City Manager

5-31-2024
Date



Salvador Navarrete
City Attorney

6.3.2024
Date



Stephen J. Salvatore
City Manager

6-4-24
Date

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING PUBLIC IMPROVEMENTS ASSOCIATED WITH ENCROACHMENT PERMIT NO. 2023-165, LOCATED ON JEFFERSON WAY FROM SOUTH LATHROP LAND, LLC

WHEREAS, on July 20, 2015, the South Lathrop Specific Plan (SLSP) was adopted by City Council and annexed into the City of Lathrop on June 14, 2016. The SLSP annexation includes a 99-acre portion of the Lathrop Gateway Business Park Specific Plan and encompasses a 315-acre area that includes commercial office uses, limited industrial uses, and open space; and

WHEREAS, on April 18, 2016, City Council approved South Lathrop Commerce Center (SLCC) Vesting Tentative Parcel Map (VTM) No. 15-94 with Conditions of Approval (COAs) for development consistent with SLSP. The SLCC Project is generally located at the southeast portion of the City limits bounded by State Route 120 to the north, San Joaquin River to the west, and the Union Pacific Railroad to the south; and

WHEREAS, on January 13, 2020, City Council accepted various offsite improvements from South Lathrop Land, LLC (SLL) that were constructed in accordance with their Development Agreement (DA) and Subdivision Improvement Agreement (SIA) for Parcel Map (PM) 17-01, including backbone infrastructure improvements, a regional outfall structure, a storm drain pump station, a sanitary sewer pump station, a traffic signal, and highway interchange improvements; and

WHEREAS, construction of the landscape improvements associated with Encroachment Permit No (EP) 23-165 are complete and the approximate value of the improvements proposed to be accepted is \$414,607 as shown in the GASB34 Report included as Attachment C of the City Manager’s Report that accompanies this Resolution; and

WHEREAS, the performance bond (K13490624) and labor and materials bond (K13490624) in the amounts shown in Table 1 below guarantee the construction of improvements, as detailed in the SIA. The bonds will remain in place until all improvements as detailed in the SIA are inspected by staff and deemed complete by the City Engineer. SLL has provided a one-year warranty bond, based on 10% of the construction cost, which will cover the completed improvements, as well as developer and contractor lien releases. The warranty bond amount is detailed in Table 1 below

Table 1

Description	Performance Bond	Labor and Materials Bond	Warranty Bond
Encroachment Permit 23-165	K13490624 \$27,338,889	K13490624 \$13,669,445	CIC1945296 \$41,461

; and

WHEREAS, staff has inspected the public improvements associated with EP 23-165 listed in the GASB 34 Report and deemed complete and in accordance with the approved plans and specification by the City Engineer; and

WHEREAS, SLL has submitted lien releases, a one-year warranty bond, and as-built drawings, for the improvements being accepted; and

WHEREAS, the one-year warranty bond covers any repairs or replacements that become necessary during the one-year period, beginning with this acceptance, due to defective materials or workmanship in connection with the completed improvements; and

WHEREAS, the public improvements listed in the GASB 34 Report detail the \$414,607 expended. The costs to maintain these facilities after the first year is funded through CFD 2019-01.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby accept the public improvements associated with EP No. 2023-165 from South Lathrop Land, LLC on Jefferson Way.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 10th day of June 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

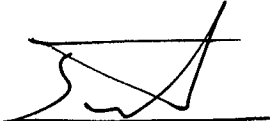
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

JEFFERSON WAY LANDSCAPE IMPROVEMENTS - LOCATION MAP



SHEET 1 OF 1

SOUTH LATHROP
JEFFERSON WAY
STREETSCAPE LOCATION EXHIBIT
 CITY OF LATHROP
 CALIFORNIA

Mackay & Samps
 LANDSCAPE ARCHITECTS
 1100 N. GARDEN ST. SUITE 100
 PORTLAND, OR 97227
 PHONE: 503.253.8888
 FAX: 503.253.8889
 WWW.MACKAYANDSAMPS.COM

DATE	SCALE	DATE	SCALE
06/17/2014	1" = 200'	06/17/2014	2022101014
DRW		DRW	

10/20/2014 10:58 AM 10/20/2014 10:58 AM 10/20/2014 10:58 AM 10/20/2014 10:58 AM

**CITY OF LATHROP
PROJECT ACCEPTANCE
(GASB 34 REPORT)**

Date: 05/22/2024

Prepared By: MacKay & Soms

Tri Pointe Logistics - Linear Park Improvements - Lathrop, CA

Landscape and irrigation Improvements costs provided by Grover Landscape Services, Inc.

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
A. LANDSCAPING					
1	1	LS	Setup/submittals/mobilization (5%)	\$ 18,853.00	\$18,853.00
2	1	LS	Soil preparation	\$ 16,206.00	\$16,206.00
3	1	LS	Steel fence	\$ 149,607.00	\$149,607.00
4	1	LS	Irrigation system	\$ 96,049.00	\$96,049.00
5	1	LS	Landscape planting	\$ 86,835.00	\$86,835.00
6	1	LS	Maintenance period	\$ 9,512.00	\$9,512.00
7	1	LS	CO #1 - electrical metered pedestal and power connection to controller	\$ 23,592.00	\$23,592.00
8	1	LS	CO #2 - provide and install 1.5" city water meter; increase width of topdress strip per rfi #1 response	\$ 12,561.00	\$12,561.00
9	1	LS	CO #3 - provide, install and remove temporary water meter	\$ 1,392.00	\$1,392.00
TOTAL LANDSCAPING WORK					\$ 414,607
TOTAL COSTS					\$ 414,607

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