

# MAY 13, 2019 – City Council Regular Meeting – 7:00 p.m.



City Council Chamber  
390 Towne Centre Drive  
Lathrop, California  
(209) 941-7200  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

## City Council

Sonny Dhaliwal, Mayor  
Martha Salcedo, Vice Mayor  
Paul Akinjo  
Diane Lazard  
Jennifer Torres-O'Callaghan

## City Staff

Stephen Salvatore, City Manager  
Salvador Navarrete, City Attorney  
Teresa Vargas, City Clerk  
Glenn Gebhardt, City Engineer  
Cari James, Finance & Administrative Services Director  
Mark Meissner, Community Development Director  
Zachary Jones, Parks & Recreation Director  
Ryan Biedermann, Lieutenant / Acting Chief of Police  
Michael King, Assistant Public Works Director

## General Order of Business

1. Preliminary
  - Call to Order
  - Closed Session
  - Roll Call
  - Invocation
  - Pledge of Allegiance
  - Announcements by Mayor/City Mgr.
  - Informational Items
  - Declaration of Conflict of Interest
2. Presentations
3. Citizen's Forum
4. Consent Calendar
5. Scheduled Items
  - Public Hearings
  - Appeals
  - Referrals and Reports from Commissions and Committees
  - All Other Staff Reports and/or Action Items
  - Study Sessions
6. Council Communications
7. Adjournment

## Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested residents, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken.

## Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or interested resident so requests, in which case the item will be removed from the Consent Calendar and considered separately.



**MAY 13, 2019 – Regular Meeting Agenda – 7:00 p.m.**

## Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Purple speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name and address. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker form). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said. If you challenge the nature of a proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

## Citizen's Forum

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Citizen's Forum section. Please submit your purple speaker card to the City Clerk prior to the commencement of Citizen's Forum. **Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker form) and each speaker may only speak once on this agenda item.

**To leave a voice message for the Mayor and all Councilmembers simultaneously, dial (209) 941-7220. To send an e-mail for the Mayor and all Councilmembers simultaneously, [citycouncil@ci.lathrop.ca.us](mailto:citycouncil@ci.lathrop.ca.us)**

**This City Council Agenda may be accessed by computer at the following Worldwide Web Address: [www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us) LIVE STREAMING - Now available, please visit the City Council Page or use the URL [www.ci.lathrop.ca.us/council/](http://www.ci.lathrop.ca.us/council/)**

## Information

Copies of the Agenda are available in the lobby at the Lathrop City Hall, 390 Towne Centre Drive, Lathrop, on Thursday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available for review in the City Clerk's Office. This agenda was posted at the following locations: City Hall, Community Center, Generations Center, Senior Center, and "J" Street and River Islands Fire Department Offices. The meetings of the Lathrop City Council are broadcast on Lathrop Comcast Cable Television Channel 97.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility and/or accommodations to this meeting. [28 CFR 35.102-35.104 ADA Title II] Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (209) 941-7230.

Information about the City or items scheduled on the Agenda may be referred to:

Address: City of Lathrop City Clerk  
390 Towne Centre Dr.  
Lathrop, CA 95330  
Telephone: (209) 941-7230

*Your interest in the conduct of your City's business is appreciated.*

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, MAY 13, 2019,  
7:00 P.M.  
COUNCIL CHAMBER, CITY HALL  
390 Towne Centre Drive  
Lathrop, CA 95330**

**AGENDA**

**PLEASE NOTE: There will be a Closed Session commencing at 6:00 p.m. The Regular Meeting will reconvene at 7:00 p.m., or immediately following the Closed Session, whichever is later.**

**1. PRELIMINARY**

1.1 CALL TO ORDER

1.2 CLOSED SESSION

1.2.1 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)

- 4 Potential Case(s)

1.2.2 CONFERENCE WITH LEGAL COUNSEL: Existing Litigation Pursuant to Government Code Section 54956.9(a)

- 15700 South McKinley Avenue Industrial Park Association vs. City of Lathrop, San Joaquin County Superior Court, Case No. STK-CV-UBC-2019-0004954

**RECONVENE**

1.2.3 REPORT FROM CLOSED SESSION

1.3 ROLL CALL

1.4 INVOCATION

1.5 PLEDGE OF ALLEGIANCE

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

1.7 INFORMATIONAL ITEM(S) - None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

**2. PRESENTATIONS**

2.1 RECOGNITION OF OUTGOING POLICE CHIEF JAMES HOOD

- 2.2 INTRODUCTION OF NEW EMPLOYEE:
- Rosemary Martinez, Administrative Assistant

- 2.3 MAYOR'S COMMITTEE REPORT(S)
- Parks & Recreation Update on Committee Events and Programs

### **3. CITIZEN'S FORUM**

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under Citizen's Forum. Please submit a purple speaker card to the City Clerk prior to the commencement of Citizen's Forum. Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The City Council can, however, allow its members or staff to briefly (no more than five (5) minutes) respond to statements made, to ask questions for clarification, make a brief announcement or report on his or her own activities. (See California Government Code Section 54954.2(a)). Unless directed otherwise by a majority of the City Council, all questions asked and not answered at the meeting will be responded to in writing within 10 business days. ALL PUBLIC COMMENTS MUST BE MADE IN COMPLIANCE WITH THE LATHROP CITY COUNCIL HANDBOOK OF RULES AND PROCEDURES!!

### **4. CONSENT CALENDAR**

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless the Mayor, Councilmember, or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately.

- 4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS  
Waive the Reading of Ordinances and Resolutions on Agenda Unless Otherwise Requested by the Mayor or a Councilmember
- 4.2 APPROVAL OF MINUTES  
Approve Minutes for the Regular Council Meeting of April 8, 2019
- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 19-403  
ESTABLISHING THE CITY OF LATHROP COMMUNITY FACILITIES DISTRICT NO. 2019-1 (SOUTH LATHROP CITY SERVICES) UNDER THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982, CONSTITUTING CHAPTER 2.5 OF PART 1 OF DIVISION 2 OF TITLE 5, COMMENCING AT SECTION 53311, OF THE CALIFORNIA GOVERNMENT CODE  
Second Reading and Adoption of Ordinance 19-403 Levying Special Taxes Within Community Facilities District No. 2019-1 (South Lathrop City Services)

- 4.4 SECOND READING AND ADOPTION OF ORDINANCE 19-404 TO ESTABLISH THE CITY OF LATHROP COMMUNITY FACILITIES DISTRICT NO. 2019-2 (CENTRAL LATHROP SPECIFIC PLAN SERVICES) UNDER THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982, CONSTITUTING CHAPTER 2.5 OF PART 1 OF DIVISION 2 OF TITLE 5, COMMENCING AT SECTION 53311, OF THE CALIFORNIA GOVERNMENT CODE  
Second Reading and Adoption of Ordinance 19-404 Levying Special Taxes Within Community Facilities District No. 2019-2 (Central Lathrop City Services)
- 4.5 SECOND READING AND ADOPTION OF ORDINANCE 19-405 AMENDING LATHROP MUNICIPAL CODE SECTIONS TO STREAMLINE PROCEDURES, MAKE MINOR CLARIFICATIONS, AND INCORPORATE UPDATED POLICIES  
Second Reading and Adoption of Ordinance 19-405 Approving Various Amendments to the Lathrop Municipal Code (LMC) to Modernize, Simplify, and Streamline Sections of Title 17, The Zoning Code and Section 10.25.040 Of Title 10, Vehicles and Traffic. The Update Includes Integration of Current City Policies, State and Federal Law, and Best Practices within the Planning Profession. The amendments to the Municipal Code include the following:
- Chapter 17.80 (Accessory Dwelling Units)
  - Chapter 17.32 (R One Family Residential District)
  - Chapter 17.49 (Crossroads Overlay District)
  - Chapter 17.92 (Landscaping and Screening Standards)
  - Chapter 17.16 (General Requirements and Exceptions)
  - Chapter 17.68 (Manufactured Housing)
  - Chapter 17.76 (Off-Street Parking and Loading)
  - Chapter 17.59 (South Lathrop Zoning Districts)
  - New Chapter 17.125 (Appeals)
  - Chapter 17.108 (Administrative Approval of Certain Uses)
  - Chapter 17.112 (Conditional Uses)
  - Chapter 17.101 (Minor Site Plan Review)
  - Chapter 17.100 (Site Plan Review)
  - Chapter 17.120 (Variances)
  - Chapter 10.25 (Vehicles and Traffic)
- 4.6 TREASURER'S REPORT FOR MARCH 2019  
Approve Quarterly Treasurer's Investment Report for March 2019
- 4.7 RATIFICATION OF THE SAN JOAQUIN COUNCIL OF GOVERNMENTS' ANNUAL FINANCIAL PLAN  
Adopt Resolution Ratifying the San Joaquin Council of Governments (SJCOG) Annual Financial Plan for FY 2019-20
- 4.8 FISCAL YEAR 2019-20 PROJECT LIST ASSOCIATED WITH SENATE BILL 1  
Adopt Resolution Approving Project List for Fiscal Year 2019-20 Funded by Senate Bill 1 (SB 1) the Road Repair and Accountability Act of 2017 and Related Budget Amendment

- 4.9 APPROVE PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH EKI FOR WASTEWATER DISCHARGE REQUIREMENTS PERMIT COMPLIANCE  
Adopt Resolution Approving a Professional Services Consultant Agreement with EKI Environment & Water, Inc. for Groundwater Monitoring and Reporting Services for Waste Discharge Requirement Order Permit Compliance for the Lathrop Consolidated Treatment Facility for Fiscal Year 2019/20
- 4.10 AUTHORIZE A MASTER CONSULTANT AGREEMENT AND TASK ORDER NO. 1 WITH CSG CONSULTANTS INC. TO PROVIDE ENGINEERING PLAN CHECK SERVICES  
Adopt Resolution Approving a Master Consultant Agreement with CSG Consultants Inc., to provide Engineering Plan Check Services and Task Order No. 1 Related to the Phelan Lathrop Gateway Project and Related Budget Amendments
- 4.11 AMEND MASTER AGREEMENT WITH 4LEAF, INC. AND APPROVE TASK ORDERS NO. 12 AND 13 FOR PROFESSIONAL SERVICES IN THE BUILDING DIVISION  
Adopt Resolution Approving Amendment No. 2 Extending the Term of the Master Agreement with 4Leaf, Inc., Task Orders No. 12 and 13 for Building Inspection and Staff Augmentation Services and Related Budget Amendment
- 4.12 RATIFY EMERGENCY CONSTRUCTION CONTRACT WITH DSS COMPANY, DBA KNIFE RIVER CONSTRUCTION FOR PAVEMENT REPAIRS TO E. LOUISE AVENUE AND MANTHEY ROAD  
Adopt Resolution to Ratify City Manager's Approval of an Emergency Construction Contract with DSS Company, DBA Knife River Construction for Pavement Repairs to E. Louise Avenue and Manthey Road and Related Budget Amendment
- 4.13 RATIFY AN AGREEMENT BETWEEN THE CITY OF LATHROP AND JELUSHKI, LLC TO ENSURE PAYMENT OF CAPITAL FACILITY FEES FOR 1970 VIERRA ROAD  
Adopt Resolution Ratifying a Capital Facility Fees Agreement Between the City of Lathrop and Jelushki, LLC to Ensure Payment of Capital Facility Fees for 1970 Vierra Road
- 4.14 CREATE CIP GG 19-17 FOR THE CAPITAL FACILITIES FEES UPDATE AND AUTHORIZE A MASTER CONSULTANT AGREEMENT AND TASK ORDER NO.'S 1-4 WITH GOODWIN CONSULTING GROUP TO PREPARE CAPITAL FACILITIES FEES FOR VARIOUS DEVELOPMENT PROJECTS  
Adopt Resolution to Create CIP GG 19-17 to Update the Capital Facilities Fees, Approve Related Budget Amendment, Master Consultant Agreement and Task Order No.'s 1-4 with Goodwin Consulting Group to Prepare the Capital Facilities Fees for Various Development Projects

- 4.15 ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR CLSP SANITARY SEWER AND STORM DRAINAGE PUMP STATION FROM SAYBROOK CLSP, LLC  
Adopt Resolution Accepting Public Improvements for the CLSP Sanitary Sewer and Storm Drainage Pump Station from Saybrook CLSP, LLC
- 4.16 ACCEPT IMPROVEMENTS FOR THE LATHROP CONSOLIDATED TREATMENT FACILITY PHASE 2 EXPANSION (WW 14-14) AND RELATED CROSSROADS DECOMMISSIONING (WW 15-20) AND SEWER PLANT UPGRADES (WW 12-07) FROM GSE CONSTRUCTION COMPANY, INC.  
Adopt a Resolution Accepting Improvements from GSE Construction, Inc. for the Lathrop Consolidated Treatment Facility (LCTF) Phase 2 Expansion (WW 14-14), Related Crossroads Decommissioning (WW 15-20), and Sewer Plant Upgrades (WW 12-07), Authorizing the Filing of a Notice of Completion, and Release of Contract Retention
- 4.17 ACCEPTANCE OF PUBLIC RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT DEDICATIONS ASSOCIATED WITH THE A&A INTERMODAL PROJECT LOCATED AT 1850 EAST LOUISE AVENUE  
Adopt Resolution Accepting Dedication of Public Right-of-Way and a Public Utility Easement for East Louise Avenue and McKinley Avenue Associated with the A&A Intermodal Project Located at 1850 East Louise Avenue
- 4.18 ACCEPTANCE OF PUBLIC RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT DEDICATIONS ASSOCIATED WITH THE PANDA EXPRESS PROJECT LOCATED AT 15099 SOUTH HARLAN ROAD  
Adopt Resolution Accepting Dedication of Public Right-of-Way and a Public Utility Easement for Lathrop Road and South Harlan Road Associated with the Panda Express Project Located at 15099 South Harlan Road
- 4.19 AUTHORIZE A MASTER CONSULTANT AGREEMENT WITH EN GEO, INCORPORATED, TO PROVIDE GEOTECHNICAL INVESTIGATIONS AND ENGINEERING SERVICES FOR CAPITAL IMPROVEMENT PROJECTS SCHEDULED IN FISCAL YEARS 19/20 THROUGH 20/21  
Adopt Resolution Approving a Master Consultant Agreement with EN GEO, Incorporated, to Provide Geotechnical Investigations and Engineering Services for Capital Improvement Projects Fiscal Years 19/20 & 20/21

*RIVER ISLANDS CONSENT ITEMS*

- 4.20 APPROVE SUMMARY VACATION (ABANDONMENT) FOR A PORTION OF STEWART ROAD  
Adopt Resolution Approving Summary Vacation for a Portion of Stewart Road from Paradise Road West to Old River
- 4.21 ACCEPTANCE OF RIVER ISLANDS PUBLIC IMPROVEMENTS AND STREET DEDICATIONS FOR TRACTS 3791, 3792, 3793, 3796, 3859 AND 3861  
Adopt Resolution Accepting Public Improvements and Street Dedications for Tracts 3791, 3792, 3793, 3796, 3859 and 3861 in the River Islands Development Area

- 4.22 APPROVAL OF DEFERRED FRONTAGE IMPROVEMENT AGREEMENT (DFIA) 19-02 AND AUTHORIZE RECORDATION OF IRREVOCABLE OFFER OF DEDICATION FOR RIVER ISLANDS PARKWAY AND ISLANDERS WAY WITHIN THE TOWN CENTER DISTRICT OF RIVER ISLANDS  
Adopt Resolution Approving Deferred Frontage Improvement Agreement with 19-02 Califia, LLC, Approving the Recording of an Irrevocable Offer of Dedication for River Islands Parkway and Islanders Way, within the Town Center District of River Islands

## **5. SCHEDULED ITEMS**

- 5.1 DISCUSS A FIVE YEAR AGREEMENT EXTENSION TO THE SOLID WASTE COLLECTION AND DISPOSAL FRANCHISE AGREEMENT FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS WITH REPUBLIC SERVICES  
City Council to Receive Information Regarding and Discuss the Five (5) Year Agreement Extension, Amendment No. 3, to the Franchise Agreement for Residential and Commercial Customers, Between City of Lathrop and Republic Services (Formerly Allied Waste Corporation)
- 5.2 AUTOMATED LICENSE PLATE READER POLICY  
Receive Information
- 5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER FISCAL YEAR 2019/20 ASSESSMENTS INDUSTRIAL LIGHTING MAINTENANCE DISTRICT; RESIDENTIAL LIGHTING MAINTENANCE DISTRICT; MOSSDALE LANDSCAPE AND LIGHTING DISTRICT; STONEBRIDGE LANDSCAPING MAINTENANCE DISTRICT; STONEBRIDGE DRAINAGE AND LIGHTING DISTRICT; STORM DRAIN DISTRICT ZONE 1; AND STORM DRAIN DISTRICT ZONE 1A  
Council to Consider the Following:
1. Hold a Public Hearing; and
  2. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the City of Lathrop Industrial Lighting Maintenance District for Fiscal Year 2019/20; Maximum Assessment for the District for Fiscal Year 2019/20 not to exceed Zone A \$7.75; Zone B \$39.50; Zone C \$7.75, and Proposed Annual Assessment for Fiscal Year 2019/20 Zone A \$7.75; Zone B \$39.50; Zone C \$7.75
  3. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the City of Lathrop Residential Lighting Maintenance District for Fiscal Year 2019/20; Maximum Assessment for the District for Fiscal Year 2019/20 not to exceed Zone A \$43.01; Zone B \$46.09; Zone C \$30.30; Zone D \$56.37; Zone E \$59.26; Zone F \$34.08; Zone G \$7.79, and Proposed Annual Assessment for Fiscal Year 2019/20 Zone A \$43.01; Zone B \$46.09; Zone C \$30.30; Zone D \$56.37; Zone E \$59.26; Zone F \$34.08; Zone G \$7.79
  4. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Mosssdale Landscape and Lighting Maintenance District for Fiscal Year 2019/20; Maximum Assessment for Fiscal Year 2019/20 not to exceed \$276.10, and Proposed Annual Assessment for Fiscal Year 2019/20 \$268.06.



5. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Stonebridge Landscape Maintenance District and the Stonebridge Drainage & Lighting District for Fiscal Year 2019/20; Maximum Assessments for each District for Fiscal Year 2019/20 not to exceed \$417.89, and Proposed Annual Assessments for Fiscal year 2019/20 for Stonebridge Landscape Maintenance District is \$265.64 and for Stonebridge Drainage & Lighting District is \$236.32.
6. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Storm Drain District Zone 1 and Storm Drain District Zone 1A for Fiscal Year 2019/20; Proposed Annual Assessment for Fiscal Year 2019/20 for Storm Drain Zone 1 not to exceed \$112.52, and Proposed Annual Assessment for Fiscal Year 2019/20 for Storm Drain Zone 1A not to exceed \$199.92.

5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER FISCAL YEAR 2019/20 ASSESSMENTS FOR THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 93-1 WOODFIELD PARK MAINTENANCE ZONE

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt a Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Landscape and Lighting Maintenance District No. 93-1 Woodfield Park Maintenance Zone for Fiscal Year 2019/20

**6. COUNCIL COMMUNICATIONS**

*(Notice to the Public – Appointments for Vacancies and Expiring Commissions will be made at the June 10, 2019 Regular Meeting)*

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

- Central Valley Executive Committee/LOCC (Akinjo/Salcedo)
- Council of Governments (Dhaliwal/Lazard)
- Integrated Waste Management Solid Waste Division (Akinjo/Torres-O'Callaghan)
- Reclamation District 17 Joint Powers Authority (Salvatore)
- San Joaquin Partnership Board of Directors (Salvatore)
- San Joaquin County Commission on Aging (Zavala)
- San Joaquin Valley Air Pollution Control District (Akinjo/Dhaliwal)
- Water Advisory Board (Torres-O'Callaghan/Lazard)
- Tri Valley-San Joaquin Valley Regional Rail Authority (Akinjo)
- San Joaquin Area Flood Control Agency (Akinjo & Lazard)

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

**7. ADJOURNMENT**

  
 Teresa Vargas, CMC, City Clerk

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