

MARCH 11, 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

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
James Hood, Police Chief / Ryan
Biedermann, Lieutenant
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.



MARCH 11, 2019 – Regular Meeting Agenda – 7:00 p.m.



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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

This City Council Agenda may be accessed by computer at the following Worldwide Web Address: 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/

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 Fire Department. 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 Clerk
City of Lathrop
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, MARCH 11, 2019
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

AGENDA

PLEASE NOTE: There will be no Closed Session. The Regular Meeting will commence at 7:00 p.m.

1. PRELIMINARY

- 1.1 CALL TO ORDER
- 1.2 ROLL CALL
- 1.3 INVOCATION
- 1.4 PLEDGE OF ALLEGIANCE
- 1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER
- 1.6 INFORMATIONAL ITEM(S) - None
- 1.7 DECLARATION OF CONFLICT(S) OF INTEREST

2. PRESENTATIONS

- 2.1 PROCLAMATION – DECLARING SUPPORT FOR A SUCCESSFUL 2020 CENSUS PARTNERSHIP, AS PART OF THE U.S. CENSUS BUREAU PARTNERSHIP AND ENGAGEMENT PROGRAM
- 2.2 PRESENTATION – COUNCIL TO RECEIVE REPORT FROM THE CITY'S CONSULTANT REGARDING THE STATUS OF THE GENERAL PLAN UPDATE PROCESS
- 2.3 INTRODUCTION OF NEW EMPLOYEE(S):
 - Shelley Burcham, Economic Development Administrator
 - Anna Campos, Administrative Assistant
 - Robert Comacho, Construction Inspector
 - Nathan Chunn, Deputy Sheriff
 - Jimmy Claude, Deputy Sheriff
 - Marcial Gomez, Deputy Sheriff
- 2.4 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 January 14, 2019
- 4.3 **SECOND READING AND ADOPTION OF ORDINANCE 19-402 APPROVING THE FIFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LATHROP, CALIFIA, LLC, AND RIVER ISLANDS DEVELOPMENT, LLC.**
Second Reading and Adoption of Ordinance 19-402 Approving the Fifth Amendment to the Development Agreement Between the City of Lathrop, Califia, LLC, and River Islands Development, LLC. (The Fifth Amendment Will Address Wastewater and Potable Water Allocations for the Project, On-going Monitoring of Actual Wastewater and Potable Water Usage, and Restate Commitments of the Project to Water Conservation.)
- 4.4 **ACCEPTANCE OF OFF-SITE IMPROVEMENTS CONSTRUCTED BY BUZZ OATES CONSTRUCTION, INC.**
Adopt Resolution Accepting Off-site Improvements Constructed by Buzz Oates Construction, Inc., at 19107, 18551, and 18601 Christopher Way, and Authorize Release of Bonds Associated with Encroachment Permit No. 2016-29

- 4.5 APPROVE A REIMBURSEMENT AGREEMENT WITH LIT INDUSTRIAL LIMITED PARTNERSHIP FOR 6" SEWER FORCE MAIN IMPROVEMENTS ON HARLAN ROAD AND STONEBRIDGE LANE
Adopt a Resolution Approving a Reimbursement Agreement with LIT Industrial Limited Partnership for Design and Construction of a 6" Sewer Force Main Improvements on Harlan Road to Stonebridge Lane Associated with the I-5 Logistics Project
- 4.6 GENERAL PLAN HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2018
Adopt a Resolution to Accept the General Plan Housing Element Annual Progress Report for Calendar Year 2018 and Authorize Staff to Submit the Report to the Governor's Office of Planning and Research and State Department of Housing and Community Development
- 4.7 PLANNING FEE WAIVER REQUEST BY NEW LIFE CHURCH (TUP-19-20)
Consider Adoption of a Resolution to Waive the Temporary Use Permit Application Processing and Document Retention Fees for New Life Church in the Combined Amount of \$392
- 4.8 APPROVAL OF CONSTRUCTION CONTRACT FOR CIP PK 19-06 VALVERDE PARKING LOT REPAIRS
Adopt Resolution Approving a Construction Contract with Cavanaugh Paving and Grading for the Valverde Parking Lot Repairs, CIP PK 19-06
- 4.9 CITY OF LATHROP COMMUNITY FACILITIES DISTRICT 2019-1 (SOUTH LATHROP CITY SERVICES) INTENT TO LEVY
Adopt a Resolution Declaring Intention to Establish Community Facilities District 2019-1 (South Lathrop City Services) and Setting a Public Hearing Date for April 8, 2019
- 4.10 COMMUNITY FACILITIES DISTRICT 2019-2 (CENTRAL LATHROP CITY SERVICES) FORMATION
Adopt a Resolution Declaring Intention to Establish Community Facilities District 2019-2 (Central Lathrop City Services) and Setting a Public Hearing Date for April 8, 2019
- 4.11 ACCEPTANCE OF FRONTAGE IMPROVEMENTS CONSTRUCTED BY TEICHERT & SONS, DBA TEICHERT CONSTRUCTION, AT 2131 & 2301 E. LOUISE AVENUE AND APPROVE A REIMBURSEMENT AGREEMENT WITH DPIF CA 1 LATHROP, LLC, FOR GRAVITY SEWER MAIN IN E. LOUISE AVENUE AND MCKINLEY AVENUE ASSOCIATED WITH THE LOGISTICENTER PROJECT
Adopt a Resolution Accepting the Frontage Improvements Constructed by Teichert & Sons, DBA Teichert Construction, at 2131 & 2301 E. Louise Avenue and Approve a Reimbursement Agreement with DPIF CA 1 Lathrop, LLC, for Design and Construction of a 10-inch and 12-inch Gravity Sewer Main in E. Louise Avenue and McKinley Avenue Associated with the Logistcenter Project

- 4.12 APPROVAL OF PUBLIC ACCESS AND UTILITIES EASEMENTS TO SERVE LATHROP-MANTECA FIRE DISTRICT STATION NO. 35
Adopt Resolution Approving Access and Utility Easements, Rejecting Irrevocable Offers of Street Dedication and Approving an Improvement Agreement for Frontage Improvements to Lathrop-Manteca Fire District Fire Station No. 35
- 4.13 APPROVE PROFESSIONAL SERVICES AGREEMENT FOR DESIGN ENGINEERING SERVICES FOR THE LOUISE AVENUE / MCKINLEY AVENUE INTERSECTION IMPROVEMENT PROJECT PS 15-02
Adopt a Resolution Approving a Professional Services Agreement with Associated Engineering Group for Design Engineering Services for the Louise Avenue / McKinley Avenue Intersection Improvement Project PS 15-02

5. SCHEDULED ITEMS

- 5.1 APPROVE THREE REIMBURSEMENT AGREEMENTS WITH SOUTH LATHROP LAND LLC FOR PUBLIC FACILITIES AND INFRASTRUCTURE IMPROVEMENTS TO BE INSTALLED CONCURRENTLY WITH THE DEVELOPMENT OF THE SOUTH LATHROP COMMERCE CENTER PROJECT
Adopt a Resolution Approving Reimbursement Agreements with South Lathrop Land LLC for 1) South Lathrop Regional Outfall Structure and Related Facilities, 2) Public Infrastructure Relating to South Lathrop Commerce Center Benefitting Properties within South Lathrop Specific Plan Area, and 3) Public Infrastructure Relating to South Lathrop Commerce Center Benefitting Properties Outside South Lathrop Specific Plan Area
- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER CDBG AND HOME FUNDING ALLOCATIONS FOR FY 2019/2020
Council to Consider the Following:
1. Hold a Public Hearing; and
 2. Adopt Resolution Recommending the Allocation of the CDBG and HOME Funds for FY 2019/2020
- 5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF ENERGY COST SAVINGS FINDINGS AND ENTERING INTO A SOLAR POWER PURCHASE AGREEMENT AND SOLAR UTILITY EASEMENTS AGREEMENT WITH GENERAL ELECTRIC INTERNATIONAL, INC., AUTHORIZING FILING A CEQA NOTICE OF EXEMPTION AND CIP GG 19-10 SOLAR ENERGY PROJECT
Council to Consider the following:
1. Hold Public Hearing Pursuant to Government Code Section 4217.12; and
 2. Adopt a Resolution Adopting the Energy Cost Savings Findings and Entering into a Solar Power Purchase Agreement and Solar Utility Easements Agreement with General Electric International, Inc., Authorizing Filing a CEQA Notice of Exemption and Creating CIP GG 19-10

6. COUNCIL COMMUNICATIONS

6.1 MAYOR DHALIWAL REFERRAL: Appointment of One (1) Member to the Measure C Oversight Committee with Term Expiring June 30, 2022; This Appointment Completes an Unexpired Term Vacancy Ending June 30, 2019, and a Regular Three (3) Year Term

6.2 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)*

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT


Teresa Vargas, CMC
City Clerk

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