

FEBRUARY 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
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.



FEBRUARY 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, FEBRUARY 11, 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)

- 1 Potential Case(s)

1.2.2 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government
Code Section 54957.6

Agency Negotiator: City Manager, Stephen J. Salvatore
Employee Organization: Service Employee International Union
(SEIU) Local 1021

1.2.3 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government
Code Section 54957.6

Agency Negotiator: City Manager, Stephen J. Salvatore
Employee Organization: Lathrop Mid-Managers and Confidential
Employees Association (LMCEA)

1.2.4 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government
Code Section 54957.6

Agency Negotiator: City Manager, Stephen J. Salvatore
Unrepresented Employees: Administrative Services Director, City
Clerk, City Engineer, Community Development Director, Finance
Director, Human Resources Manager, Parks and Recreation Director
and Public Works Director

1.2.5 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to
Government Code Section 54956.8

Property Location: Portion of 1175 Marina Drive (APN 213-310-33)
Agency Negotiators: City Manager, Stephen J. Salvatore
Negotiating Parties: River Islands Development, LLC.
Under Negotiation: Price and Terms of Payment

RECONVENE

1.2.6 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 PROCLAMATION - DECLARING FEBRUARY AS BLACK HISTORY MONTH

2.2 LATHROP POLICE SERVICES TO PRESENT CERTIFICATES OF RECOGNITION TO COMMUNITY ORGANIZATIONS FOR CHARITABLE EVENTS DURING THE HOLIDAYS:

- Transportation Services Company, Marine Combat Logistics Battalion 23 at Sharpe Army Depot for the December 2018 Toys for Tots Toy Drive
- Lathrop Target Store Employees for the December 2018 Blue Santa Operation

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 December 10, 2018
- 4.3 **SECOND READING AND ADOPTION OF ORDINANCE 19-400 APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT AND THE ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE CITY OF LATHROP, WATT-MCKEE, LATHROP ASSOCIATES, STEVEN R. MCKEE ROBERT E. MCKEE 1997 BYPASS TRUST AND WESTERN PACIFIC HOUSING INC. REGARDING THE MOSSDALE LANDING EAST PROJECT**
Second Reading and Adoption of Ordinance 19-400 Adopting the Second Amendment to the Development Agreement and the Assignment and Assumption Agreement between the City of Lathrop, Watt-McKee, Lathrop Associates, Steven R. McKee Robert E. McKee 1997 Bypass Trust and Western Pacific Housing Inc. regarding the Mosssdale Landing East Project. (The Second Amendment proposes to extend the term of the Development Agreement from 15 years to 25 years. The Assignment and Assumption Agreement will transfer the developer's rights, title and interest for Parcel 241-020-66 to Mosssdale Landing Apartments, LLC.)
- 4.4 **SECOND READING AND ADOPTION OF ORDINANCE 19-401 APPROVING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT AND THE ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE CITY OF LATHROP, MARIE A. VALLENTYNE, AND TCN PROPERTIES REGARDING THE MOSSDALE LANDING SOUTH PROJECT**
Second Reading and Adoption of Ordinance 19-401 Adopting the First Amendment to the Development Agreement and the Assignment and Assumption Agreement between the City of Lathrop, Marie A. Vallentyne, and TCN Properties regarding the Mosssdale Landing South Project. (The First Amendment proposes to extend the term of the Development Agreement from 15 years to 25 years. The Assignment and Assumption Agreement will transfer the developer's rights, title and interest for Parcel 241-020-61 to Mosssdale Landing Apartments, LLC.)
- 4.5 **TREASURER'S REPORT DECEMBER 2018**
Approve Quarterly Treasurer's Investment Report for December 2018
- 4.6 **REVISED WASTEWATER TREATMENT CAPACITY (ISU) TRANSFER POLICY**
Adopt Resolution Approving a Revised Wastewater Treatment Capacity (ISU) Transfer Policy for Capacity Allocated by the City of Lathrop in the Manteca Water Quality Control Facility (MWQCF)

- 4.7 CITY VEHICLE PURCHASE FOR PUBLIC WORKS CONSTRUCTION, STREETS AND UTILITY MAINTENANCE
Adopt a Resolution Approving the Purchase of Five (5) City Vehicles from Steve's Chevrolet/Buick Inc., for Public Works Construction, Streets, and Utility Maintenance
- 4.8 PARKING LOT IMPROVEMENTS AT VALVERDE PARK
Adopt a Resolution Creating Capital Improvement Project, PK 19-06, Valverde Park Parking Lot Repairs, Curb and Gutter Realignment, and Related Budget Amendment
- 4.9 ACCEPT GRAVITY SEWER MAIN CONSTRUCTED BY TEICHERT & SONS, DBA TEICHERT CONSTRUCTION, AT 2131 & 2301 E. LOUISE AVENUE
Adopt a Resolution Accepting Gravity Sewer Main Improvements Constructed by Teichert Construction Under Contract with Developer DPIF CA 1 Lathrop, LLC, at 2131 & 2301 E. Louise Avenue and Authorize the Release of the Performance Bond and the Filing of a Notice of Completion
- 4.10 RECOMMENDATION TO CHANGE "NESTLE WAY" TO "TESLA DRIVE"
Adopt a Resolution Approving Street Name Modification to Change "Nestle Way" to "Tesla Drive"
- 4.11 2019 ONE VOICE TRIP REGIONAL PROJECT SUPPORT LETTER
Adopt a Resolution Authorizing Staff to Submit a Letter of Support for the Valley Link Commuter Rail Project Associated with the 2019 San Joaquin One Voice Program
- 4.12 ACCEPTANCE OF PUBLIC RIGHT-OF-WAY DEDICATION ASSOCIATED WITH THE MOSSDALE LANDING APARTMENTS
Adopt a Resolution Accepting Dedication of Public Right-of-Way for Manthey Road and Sadler Oak Associated with the Mossdale Landing Apartments Project
- 4.13 ACCEPT LANDSCAPE IMPROVEMENTS FROM RICHLAND COMMUNITIES FOR LAND APPLICATION SITE NUMBER 3 (LAS-3)
Adopt a Resolution Accepting Landscape Improvements from Richland Communities for LAS-3 and Authorize the Release of the Performance Bond
- 4.14 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 35 LOTS IN TRACT 3892 VILLAGES "D" AND "E" WITHIN EAST VILLAGE OF RIVER ISLANDS
Adopt Resolution Approving Final Map for Tract 3892 Villages "D" and "E" within East Village District, Totaling 35 Single-Family Lots and a Subdivision Improvement Agreement with River Islands Development, LLC

4.15 APPROVE IMPROVEMENTS TO CRYSTAL COVE PARK AND DEDICATION OF CRYSTAL COVE PARK PARCEL FROM RIVER ISLANDS DEVELOPMENT, LLC AND SUBSEQUENT DEDICATION OF CRYSTAL COVE PARK TO RECLAMATION DISTRICT 2062

Adopt Resolution Accepting Improvements to Crystal Cove Park and Dedication of Crystal Cove Park Parcel from River Islands Development, LLC and Approve Subsequent Dedication of Crystal Cove Park Parcel to Reclamation District 2062

5. SCHEDULED ITEMS

(Item 5.1 - continued from the Regular Meeting of January 14, 2019)

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE FIFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LATHROP, CALIFIA, LLC, AND RIVER ISLANDS DEVELOPMENT, LLC. (CONTINUED FROM JANUARY 14, 2019)

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduce and Conduct the First Reading of an Ordinance to Adopt 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, ongoing monitoring of actual wastewater and potable water usage, and restate commitments of the Project to water conservation.)

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE CENTRAL LATHROP SPECIFIC PLAN CAPITAL FACILITIES FEES STUDY UPDATE AND THE FEES RECOMMENDED THEREIN

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt A Resolution Adopting the Central Lathrop Specific Plan Capital Facilities Fees Study Update and the Fees Recommended Therein

5.3 BIENNIAL BUDGET FISCAL YEAR (FY) 2018 – 2019 MID-YEAR REPORT
Adopt a Resolution Accepting the Biennial Budget FY 2018/19 Mid-Year Report (Year 2)


5.4 CREATE CIP GG19-07 FOR CITY WIDE SURVEILLANCE SYSTEM
Council to Discuss and Consider the Adoption of a Resolution Approving the Creation of CIP GG19-07 for City Wide Surveillance System

5.5 OUT-OF-STATE TRAVEL APPROVAL FOR THE 2019 SAN JOAQUIN COUNTY ONE-VOICE TRIP
Adopt Resolution Authorizing Out-of-State Travel for Up to Two Council Members and the City Manager to Attend the 2019 San Joaquin One Voice Trip to Washington, D.C. from May 5-9, 2019, and Approval of Related Budget Amendment

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL: Tennis Court Improvements at the Basin Park, across from Woodfield Park, next to the Lathrop Road Grade Separation.
- 6.2 MAYOR DHALI WAL REFERRAL: Set Application Deadline for Appointment of One (1) Member to the Measure C Oversight Committee with Term Expiring June 30, 2019, due to Unexpired Term Vacancies
- 6.3 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)*
- 6.4 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT



Teresa Vargas, CMC
City Clerk