

AUGUST 12, 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
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.



AUGUST 12, 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 <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>

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 Drive, 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, AUGUST 12, 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)

- 3 Potential Case(s)

1.2.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to
Government Code Section 54957

- Title(s): City Manager, City Attorney

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 ECONOMIC DEVELOPMENT UPDATE

2.2 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 July 8, 2019
- 4.3 **UNCOLLECTIBLE UTILITY AND MISCELLANEOUS CUSTOMER ACCOUNTS**
Approve Write-Off of Uncollectible Utility and Miscellaneous Accounts for Fiscal Year (FY) 2018/19
- 4.4 **CREATION OF A JOB DESCRIPTION FOR AN ADMINISTRATIVE ASSISTANT III GRADE 47**
Adopt a Resolution to Approve the Creation of a Job Description for Administrative Assistant III Position Grade 47
- 4.5 **APPROVE POLICY TO GUIDE STAFF INTERPRETATION OF DEVELOPMENT IMPACT FEES AND THE MUNICIPAL CODE AS THEY RELATE TO ACCESSORY DWELLING UNITS TO CONFORM TO STATE LAW**
Adopt Resolution Approving a Policy to Guide Staff Interpretation of Development Impact Fees and the Municipal Code as They Relate to Accessory Dwelling Units to Conform to State Law

- 4.6 **RATIFY PURCHASE OF A TELESCOPIC HANDLER**
Adopt Resolution Ratifying City Manager's Action to Purchase a Telescopic Handler for the Operations and Maintenance Division of the Public Works Department, and Approve Related Budget Amendment
- 4.7 **APPROVE PROFESSIONAL SERVICES AGREEMENTS FOR RIGHT-OF-WAY CONSULTING SERVICES WITH DOKKEN ENGINEERING AND ASSOCIATED ENGINEERING GROUP**
Adopt Resolution Approving a Professional Services Agreement with Dokken Engineering for Right-of-Way Consulting Services and Amendment No. 1 for Associated Engineering Group Related to the Louise Avenue and McKinley Avenue Intersection Capital Improvement Project PS 15-02 and Authorizing Related Budget Amendment
- 4.8 **REINSTATE A MASTER CONSULTING AGREEMENT AND APPROVE TASK ORDER NO. 7 WITH INTERWEST CONSULTING GROUP FOR PROFESSIONAL SERVICES IN THE BUILDING DIVISION**
Adopt Resolution Reinstating the Master Professional Consulting Agreement and Approve Task Order No. 7 with Interwest Consulting Group to Provide Continued Professional Services in the Building Division
- 4.9 **ACCEPTANCE OF PUBLIC RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT DEDICATIONS ASSOCIATED WITH BUILDING PERMIT 19-0218 LOCATED AT 14226 AVON AVENUE**
Adopt Resolution Accepting Dedication of Public Right-of-Way and a Public Utility Easement for Avon Avenue Associated with Building Permit 19-0218 Located at 14226 Avon Avenue

RIVER ISLANDS CONSENT ITEM(S)

- 4.10 **APPROVE TASK ORDER NO. 3 TO THE MASTER CONSULTANT AGREEMENT WITH VALI COOPER & ASSOCIATES, INC., TO PROVIDE CONSTRUCTION INSPECTION SERVICES FOR RIVER ISLANDS DEVELOPMENT STAGE 2A AND PHASE 1B IMPROVEMENTS**
Adopt Resolution Approving Task Order No. 3 to the Master Consultant Agreement dated, July 9, 2018, with Vali Cooper & Associates, Inc., to Provide Construction Management and Inspection Services for River Islands Development Stage 2A and Phase 1B Improvements

5. SCHEDULED ITEMS

- 5.1 **PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN AMENDMENT TO TITLE 2, CHAPTER 2.36 PURCHASING SYSTEM AND TITLE 3, CHAPTER 3.30 INFORMAL BIDDING OF THE LATHROP MUNICIPAL CODE TO UPDATE THE CHAPTERS IN ACCORDANCE WITH THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT**

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduction and First Reading of an Ordinance Amendment to Title 2, Chapter 2.36 Purchasing System and Title 3, Chapter 3.30 Informal Bidding of the Lathrop Municipal Code to Update the Chapters in Accordance with the California Uniform Public Construction Cost Accounting Act

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN AMENDMENT TO TITLE 3, CHAPTER 3.32 COUNTY FACILITY FEE, SECTION 3.32.150 SUNSET CLAUSE

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduction and First Reading of an Ordinance Amendment to Title 3, Chapter 3.32 County Capital Facility Fees, Section 3.32.150 Sunset Clause of the Lathrop Municipal Code to Remove the Sunset Clause of the County Facilities Fee Program

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE LATHROP-MANTECA FIRE DISTRICT FIRE FACILITIES FEE STUDY AND THE FEES RECOMMENDED THEREIN

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt A Resolution Adopting the Lathrop-Manteca Fire District Fire Facilities Fee Study and the Fees Recommended Therein

5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE TEXT AMENDMENT NO. TA-19-78

City Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduction and First Reading of an Ordinance Amendment to Title 17 of the Lathrop Municipal Code (LMC) by Adding Chapter 17.13 to Allow the Creation of Easements by Covenant.

5.5 APPOINTMENT OF VOTING DELEGATE FOR 2019 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Appoint City's Voting Delegate for the 2019 League of California Cities Annual Conference, October 16-18, Long Beach

2. COUNCIL COMMUNICATIONS

6.1 COUNCIL REFERRALS

6.1.1 MAYOR DHALIWAL REFERRAL: Appointment of Three (3) Members to the Youth Advisory Commission with Term Expiring May 31, 2020.

- Three (3) Applications Received; Four (4) Vacancies Available

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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