

# OCTOBER 14, 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, 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.



**OCTOBER 14, 2019 – Regular Meeting Agenda – 7:00 p.m.**



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See Reverse

## 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 or any smart device at the following Worldwide Web Address: [www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us) LIVE STREAMING & CLOSED CAPTIONING – Available, please visit the City Council Webpage or use the following 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, OCTOBER 14, 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 5:30 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 CONFERENCE WITH LEGAL COUNSEL Existing Litigation Pursuant to  
Government Code 54956.9(a)  
Adriana Jai Flores-Lopez vs City of Lathrop, San Joaquin County  
Superior Court, Case No. STK-CV-UED-2017-0012183

**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 PROCLAMATION - Declaring October Domestic Violence Awareness Month

- 2.2 INTRODUCTION OF NEW EMPLOYEE:
  - Thomas Hedegard, Accounting Manager
- 2.3 ECONOMIC DEVELOPMENT UPDATE
- 2.4 PRESENTATION – NextGeneration STEAM Academy and River Islands Technology Academy Presentation on Emergency Preparedness
- 2.5 PRESENTATION – Update on Recent Regulations from the State Water Resources Control Board, Division of Drinking Water (*formerly the California Department of Public Health, Drinking Water Program*)

### **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 in Full of Ordinances and Resolutions on Agenda and Adopt by Reading of Title Only, Unless Otherwise Requested by the Mayor or a Councilmember
- 4.2 APPROVAL OF MINUTES  
Approve Minutes for the Special Council Meeting and Regular Council Meeting of September 9, 2019
- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 19-409 BY TITLE ONLY AMENDING SPEED LIMITS IN THE CITY OF LATHROP, TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS, SECTION 10.08.030 OF THE LATHROP MUNICIPAL CODE

Waive Full Reading and Adopt Ordinance 19-409 by Title Only Amending Section 10.08.030 of the Lathrop Municipal Code Relating to Speed Limits on Harlan Road Between Roth Road and Slate Street, Johnson Ferry Road Between Colonial Trail and Golden Spike Trail, Louise Avenue Between Harlan Road and 5th Street and Roth Road between I-5 and East City Limits

- 4.4 CHRISTMAS PARADE TEMPORARY STREET CLOSURE  
Adopt Resolution Approving Temporary Street Closures for the Lathrop Christmas Parade on December 14, 2019
- 4.5 WINTER HOLIDAY & CITY COUNCIL MEETING SCHEDULE FOR REMAINDER OF 2019  
Consideration of Proposed Winter Holiday Closure and Remainder of 2019 City Council Meeting Schedule
- 4.6 ACCEPT EMERGENCY CONSTRUCTION WORK BY DSS COMPANY, DBA KNIFE RIVER CONSTRUCTION, FOR PAVEMENT REPAIRS TO E. LOUISE AVENUE AND MANTHEY ROAD  
Adopt Resolution Accepting Emergency Construction Work by DSS Company, DBA Knife River Construction, for Pavement Repairs to E. Louise Avenue and Manthey Road and Authorize the Filing of a Notice of Completion
- 4.7 ACCEPT IMPROVEMENTS CONSTRUCTED BY FBD VANGUARD FOR THE CITYWIDE SIDEWALK REPAIR PROGRAM CIP PS 15-04  
Adopt Resolution Accepting Improvements Constructed by FBD Vanguard for the Citywide Sidewalk Repair Program CIP PS 15-04, Authorize the Filing of a Notice of Completion and Release of Contract Retention
- 4.8 ACCEPT IMPROVEMENTS CONSTRUCTED BY DSS COMPANY, DBA KNIFE RIVER CONSTRUCTION, FOR THE PAVEMENT MAINTENANCE REPAIR PROGRAM CIP PS 18-01 PHASE I  
Adopt Resolution Accepting Improvements Constructed by DSS Company, DBA Knife River Construction, for the Pavement Maintenance Repair Program CIP PS 18-01 Phase I, Authorize the Filing of a Notice of Completion and Release of Contract Retention
- 4.9 ACCEPT SPARTAN WAY STREET IMPROVEMENTS  
Adopt Resolution Accepting Street Improvements on Spartan Way between Land Park Drive and Existing Lathrop Road from Saybrook CLSP, LLC
- 4.10 RATIFY EMERGENCY CONSTRUCTION CONTRACT WITH TRACY GRADING & PAVING, INC., FOR PAVEMENT REPAIRS IN CONJUNCTION WITH UPRR'S EMERGENCY RAILROAD REHABILITATION AT ROTH ROAD  
Adopt Resolution to Ratify City Manager's Approval of an Emergency Construction Contract with Tracy Grading & Paving, Inc., for Pavement Repairs, in Conjunction with UPRR's Emergency Railroad Rehabilitation at Roth Road, Accept the Improvements, Approve Related Budget Amendment and Authorize the Filing of a Notice of Completion

- 4.11 APPROVE TASK ORDER NO. 15 WITH 4LEAF, INC., FOR PROFESSIONAL SERVICES IN THE BUILDING DIVISION  
Adopt Resolution Approving Task Order No. 15 to the Master Professional Consulting Services Agreement with 4Leaf, Inc., for Professional Building Division Services and Related Budget Amendment
- 4.12 APPROVE PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR CIP PS 14-04 HARLAN ROAD REALIGNMENT AT ROTH ROAD  
Adopt a Resolution Authorizing a Professional Services Agreement with Dokken Engineering for Professional Engineering Consulting Services for CIP PS 14-04 Harlan Road Realignment at Roth Road
- 4.13 CREATE CIP WW 20-17 SURFACE WATER DISCHARGE PROJECT AND BUDGET AMENDMENT  
Adopt Resolution Creating CIP WW 20-17 Surface Water Discharge Project and Approving Related Budget Amendment
- 4.14 CREATE CIP PW 20-16 GROUNDWATER TREATMENT IMPROVEMENTS AND APPROVE/RATIFY AGREEMENTS WITH EKI WATER & ENVIRONMENT, INC., AND FRUIT GROWERS LABORATORY, INC., DBA FGL ENVIRONMENTAL, AND BUDGET AMENDMENT  
Adopt a Resolution Creating CIP PW 20-16 Groundwater Treatment Improvements, Approving/Ratifying Agreements with EKI Water & Environment, Inc., and Fruit Growers Laboratory, Inc., dba FGL Environmental to Provide Technical Support Services Related to the Detection of PFAS in the City's Groundwater Supply, and with FGL for Water Quality Laboratory Testing for PFAS and Approve Associated Budget Amendment
- 4.15 PURCHASE OF A VACUUM TRUCK FOR PUBLIC WORKS OPERATION AND MAINTENANCE DIVISION  
Adopt a Resolution Approving the Purchase of a Freightliner 114SD Vacuum Truck from Municipal Maintenance Equipment, Inc. in the Amount of \$475,994.13 for the Public Works Operations and Maintenance Division and Related Budget Amendment
- 4.16 APPROVE AGREEMENT WITH SOUTH LATHROP LAND LLC FOR TRANSPORTATION RELATED CAPITAL FACILITY FEES  
Adopt Resolution Approving an Agreement with South Lathrop Land LLC for Transportation Related Capital Facility Fees for the South Lathrop Commerce Center
- 4.17 CONTRACT AMENDMENT WITH DAVID SILVA LANDSCAPE FOR LANDSCAPE MAINTENANCE SERVICES  
Adopt Resolution Approving a Contract Amendment with David Silva Landscape to Include Landscape for Maintenance Services in various areas within the City

- 4.18 APPROVE AGREEMENT FOR INDUSTRIAL PRETREATMENT PROGRAM (IPP)  
Adopt Resolution Approving an Agreement with Veolia Water North America West, Inc., for the Administration of the Industrial Pretreatment Program (IPP)

*RIVER ISLANDS CONSENT ITEM(S)*

- 4.19 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 38 LOTS IN TRACT 3992 Village "V" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS  
Adopt Resolution Approving Final Map for Tract 3992 Village "V" within the Lakeside East District, Totaling 38 Single Family Lots, Common Use Agreement with Island Reclamation District 2062 for a Portion of Ulrich Court and a Subdivision Improvement Agreement with River Islands Development, LLC
- 4.20 ACCEPT RECYCLED WATER LAND APPLICATION SITE A-34 FROM RIVER ISLANDS DEVELOPMENT, LLC  
Adopt Resolution Accepting Recycled Water Land Application Site A-34 from River Islands Development, LLC

**5. SCHEDULED ITEMS**

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE LATHROP GATEWAY BUSINESS PARK SPECIFIC PLAN AND THE SOUTH LATHROP SPECIFIC PLAN CAPITAL FACILITIES FEES STUDY AND THE FEES RECOMMENDED THEREIN  
Council to Consider the Following:
1. Hold a Public Hearing; and
  2. Adopt a Resolution Adopting the Lathrop Gateway Business Park Specific Plan and the South Lathrop Specific Plan Capital Facilities Fees Study and the Fees Recommended Therein
- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE 2020 SJMSCP DEVELOPMENT FEE ANNUAL ADJUSTMENT  
Council to Consider the Following:
1. Hold a Public Hearing; and
  2. Adopt a Resolution Approving an Annual Adjustment to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Development Fee for 2020
- 5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER UNMET TRANSIT NEEDS FOR FY 20-21  
City Council to Consider the Following:
1. Hold a Public Hearing; and
  2. Council to Consider Unmet Transit Needs within the City of Lathrop (Transportation Development Act Requirements for Transit Funds)

5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ORDINANCE TO REPEAL AND REPLACE LATHROP MUNICIPAL CODE TO TITLE 15 (BUILDING AND CONSTRUCTION) TO INCORPORATE THE 2019 CALIFORNIA BUILDING STANDARDS CODE

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduction and First Reading of an Ordinance to Repeal and Replace Lathrop Municipal Code Title 15 (Building and Construction) to Incorporate the 2019 California Building Standards Code

**6. COUNCIL COMMUNICATIONS**

6.1 COUNCILMEMBER TORRES-O'CALLAGHAN REFERRAL – Propose Ordinance Addressing Distracted Walking and Use of Crosswalks

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