

April 9, 2018 – 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
Mark Elliott, Vice Mayor
Paul Akinjo
Steve Dresser
Martha Salcedo

City Staff

Stephen Salvatore, City Manager
Salvador Navarrete, City Attorney
Teresa Vargas, City Clerk
Glenn Gebhardt, City Engineer
Cari James, Finance & Administrative
Services Director
Rebecca Schmidt, Community
Development Director
Zachary Jones, Parks & Recreation
Director
James Hood, Police Chief

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.



APRIL 9, 2018 – City Council 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

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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, APRIL 9, 2018
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 6:30 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)
 - 2 Potential Case(s)
- 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 RECOGNIZING SIKH COMMUNITY VAISAKHI CELEBRATION
- 2.2 CERTIFICATE OF RECOGNITION TO JAIME HERNANDEZ
- 2.3 PRESENTATION UPDATE ON MANTHEY ROAD BRIDGE PROJECT PS 12-04 UPDATE
 - Receive Information Only
- 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 March 12, 2018
- 4.3 **SECOND READING AND ADOPTION OF ORDINANCE 18-390 APPROVING THE TRANSFER OF THE SOUTH LATHROP SPECIFIC PLAN DEVELOPMENT AGREEMENT, ADOPTED ON AUGUST 3, 2015, AND RICHLAND'S INTEREST IN THE PHASE 2 EXPANSION OF THE LATHROP CONSOLIDATED TREATMENT FACILITY FUNDING AGREEMENT, DATED NOVEMBER 21, 2016, FROM THE EXISTING AGREEMENT HOLDER, RICHLAND DEVELOPERS, INC., TO SOUTH LATHROP LAND, LLC.**
Second Reading and Adoption of Ordinance 18-390 to Assign and Transfer the South Lathrop Development Agreement and Funding Agreement to South Lathrop Land, LLC
- 4.4 **SECOND READING AND ADOPTION OF ORDINANCE 18-391 AMENDING LATHROP MUNICIPAL CODE TITLE 13 "PUBLIC SERVICES", CHAPTER 13.09 "RECYCLED WATER SERVICE SYSTEM"**
Second Reading and Adoption of Ordinance 18-391 Approving Amendment to Title 13 "Public Services", Chapter 13.09 "Recycled Water Service System" necessary to update the recycled water system regulations to be consistent with the City's Recycled Water Program

- 4.5 **PLANNING FEE WAIVER REQUEST BY NEW LIFE CHURCH (TUP-18-7)**
 Consider Adoption of a Resolution to Waive the Temporary Use Permit Processing Fee and Storage Fee for New Life Church in the Combined Amount of \$392
- 4.6 **RESOLUTION SUPPORTING PROPOSITION 69 AND OPPOSING REPEAL OF "THE ROAD REPAIR AND ACCOUNTABILITY ACT" (SB 1 – BEALL)**
 Council to Consider Adopting Resolution Supporting Proposition 69 and Opposing Repeal of "The Road Repair and Accountability Act" (SB 1 – Beall), and Authorizing the Mayor to Sign Approval to Join the Coalition to Protect Local Transportation Improvements
- 4.7 **UPDATE OF JOB CLASSIFICATIONS**
 Adopt a Resolution to Update the Job Classifications for the Public Works Department Operations and Maintenance Staff, Projects and Programs Manager, Management Analyst I/II (Confidential) Position and Eliminate the Management Analyst I/II position
- 4.8 **APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 46 LOTS IN TRACT 3837 VILLAGE "P" WITHIN EAST VILLAGE OF RIVER ISLANDS**
 Adopt Resolution Approving Final Map for Tract 3837 Village "P" within East Village District, Totaling 46 Single Family Lots and a Subdivision Improvement Agreement with River Islands Development, LLC, Acceptance of Quitclaim of Right of Way for Cohen Road, City of Lathrop Annexation No. 6 CFD 2013 and Reject the Irrevocable Offer of Dedication for Mulholland Drive
- 4.9 **APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 114 CONDOMINIUM UNITS (9 LOTS) IN TRACT 3833 VILLAGE "L" WITHIN EAST VILLAGE OF RIVER ISLANDS**
 Adopt Resolution Approving Final Map for Tract 3833 Village "L" within East Village, Totaling 114 Single Family Condominium Units (9 Lots), a Subdivision Improvement Agreement with River Islands Development, LLC, Quitclaim Deed to Abandon a Portion of Cohen Road, and City of Lathrop Annexation No. 5 CFD 2013
- 4.10 **AUTHORIZE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WSP FOR THE MANTHEY ROAD BRIDGE REPLACEMENT PROJECT PS 12-04**
 Adopt a Resolution Authorizing Amendment No. 2 with WSP for Additional Preliminary Engineering and Environmental Compliance Services for the Manthey Road Bridge Replacement Project PS 12-04
- 4.11 **APPROVE INDUSTRIAL SOLID WASTE LICENSE FOR CAL-WASTE RECOVERY SYSTEM**
 Approve a Resolution for Industrial Solid Waste License for Cal-Waste Recovery System

- 4.12 ACCEPT IMPROVEMENTS TO THE MULTI PARK PROJECT FROM DOMINGUEZ LANDSCAPE SERVICES, INC.
Adopt a Resolution Accepting Improvements to the Multi Park Project for Libby Park, Basin Park, South Linear Park and Traffic Circle at Towne Centre Drive from Dominguez Landscape Services, Inc. File Notice of Completion and Release of Contract Retention
- 4.13 ACCEPT IMPROVEMENTS FOR LAS-3 CONVERSION TO A PERCOLATION BASIN FOR CROSSROADS DECOMMISSIONING WW 15-20
Adopt a Resolution Accepting Improvements for the LAS-3 Conversion to a Percolation Basin by Richland Crossroads for the Crossroads Decommissioning Project WW 15-20
- 4.14 APPROVE RECYCLED WATER USER AGREEMENT WITH RECLAMATION DISTRICT 2062 (RD 2062)
Adopt a Resolution Approving a User Agreement with RD 2062 for the Delivery and Use of Recycled Water in the River Islands Development Area
- 4.15 APPROVE MEMORANDUM OF UNDERSTANDING (MOU) WITH STEWART TRACT GROUNDWATER SUSTAINABLE AGENCY (GSA) TO PURSUE A BASIN BOUNDARY MODIFICATION FOR THE SUSTAINABLE GROUNDWATER MONITORING ACT (SGMA) COMPLIANCE CIP PW 16-04
Adopt a Resolution to Approve MOU Between City of Lathrop and Stewart Tract GSA Regarding Pursuing a Basin Boundary Modification Request in the Tracy Subbasin and Eastern San Joaquin Subbasin CIP PW 16-04
- 4.16 HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2017
Adopt a Resolution to accept the Housing Element Annual Progress Report for Calendar Year 2017 and authorize staff to submit the report to the Governor's Office of Planning and Research and State Department of Housing and Community Development (HCD)
- 4.17 APPROVE AMENDMENT NO. 7 WITH PACIFIC ADVANCED CIVIL ENGINEERING, INCORPORATED (PACE) FOR ADDITIONAL DESIGN MODIFICATIONS FOR THE LATHROP CONSOLIDATED TREATMENT FACILITY (LCTF) PHASE 2 EXPANSION CIP WW 14-14
Adopt a Resolution Approving Amendment No. 7 with PACE for Additional Design Modifications for the LCTF Phase 2 Expansion, CIP WW 14-14

5. SCHEDULED ITEMS

- 5.1 CITY OF LATHROP AND CITY OF TRACY LAW ENFORCEMENT SERVICES EVALUATION
Receive a Report by Municipal Resource Group (MRG) Regarding the Provision of Contract Law Enforcement Services by the City of Tracy to the City of Lathrop and Consider Adoption of a Resolution Authorizing Task Order #10 with MRG

- 5.2 REGIONALIZATION OF WASTEWATER SYSTEM PRESENTATION BY PATRICK PALUPA EXECUTIVE OFFICER, WITH THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD, AND APPROVAL OF CONTRACT WITH ROBERTSON-BRYAN, INC
 Council to Receive Information and Consider Adoption of Resolution Authoring Contract with Robertson-Bryan, Inc. to Evaluate the Feasibility and Efficacy of Regionalization of Lathrop and Manteca Wastewater Facilities, and Creation of CIP WW 18-09
- 5.3 CITY COUNCIL AFFIRMATION OF THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SIXTH ADDENDUM TO THE RIVER ISLANDS SEIR, RIVER ISLANDS VTM TRACT 3765, PRELIMINARY DEVELOPMENT PLAN, AND PRECISE PLAN LINE
 Adopt a Resolution affirming the Planning Commission's recommendation to adopt the Sixth Addendum to the River Islands Subsequent EIR, approve the amended River Islands Vesting Tentative Map Tract 3765 (Large Lot), approve the revised Preliminary Development Plan for Stage 2B of Tract 3694, and approve the revised River Islands Precise Plan Line for Stage 2A of Tract 3694.
- 5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AMEND LATHROP MUNICIPAL CODE, TITLE 10 "VEHICLES AND TRAFFIC", CHAPTER 10.24 "PARKING", SECTION 10.24.160 "VIOLATION PENALTY" TO ADD PAYMENT PLAN OPTIONS
 City Council to Consider the Following:
 1. Hold a Public Hearing; and
 2. Introduction and First Reading of an Ordinance Amending Lathrop Municipal Code Section 10.24.160 Entitled "Violation Penalty" to Add Payment Plan Options

6. COUNCIL COMMUNICATIONS

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

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

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT



 Teresa Vargas, CMC, City Clerk

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**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, MARCH 12, 2018
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

PLEASE NOTE: There was a Closed Session which commenced 6:33 p.m. The Regular Meeting reconvened at 7:09 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:33 p.m.

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)
• 2 Potential Case(s)

1.2.2 CONFERENCE WITH LEGAL COUNSEL: Existing Litigation Pursuant to Government Code Section 54956.9(a) J & J Farm Services vs. City of Lathrop, San Joaquin County Superior Court, Case No.:
• STK-CV-UOCT-2015 00007071

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:09 p.m.

1.2.3 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that Council discussed matters associated with Item 1.2; approved settlement related to Item 1.2.2; no other reportable action was taken.

1.3 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Elliott; Councilmembers: Akinjo, Dresser, and Salcedo

Absent: None

1.4 INVOCATION – Pastor Troy Stein, New Life Church, provided the invocation.

1.5 PLEDGE OF ALLEGIANCE – Pastor Troy Stein led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER -None

4. CONSENT CALENDAR

On a motion by Councilmember Akinjo, seconded by Councilmember Dresser, the City Council approved the Consent Calendar, by the following roll call vote unless otherwise indicated:

Ayes: Akinjo, Dresser, Elliott, Salcedo, and Dhaliwal
Noes: None
Absent: None
Abstain: *Dhaliwal (*Only on Item 4.9 due to his residence within the project area; Mayor Dhaliwal voted to approve all other items on the Consent Calendar*)

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waived the reading of ordinances and resolutions on agenda unless otherwise requested by the Mayor or a Councilmember.

4.2 APPROVAL OF MINUTES

Approved Minutes for the Regular Council Meeting of February 12, 2018.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 18-388 ADDING CHAPTER 3.25 ENTITLED "SOUTH LATHROP SPECIFIC PLAN CAPITAL FACILITY FEES" TO TITLE 3, "REVENUE AND FINANCE" OF THE LATHROP MUNICIPAL CODE

Adopted **Ordinance 18-388** adding Chapter 3.25 entitled "South Lathrop Specific Plan Capital Facility Fees" to Title 3, "Revenue and Finance" of the Lathrop Municipal Code.

4.4 SECOND READING AND ADOPTION OF ORDINANCE 18-389 AMENDING TITLE 10 "VEHICLES AND TRAFFIC", CHAPTER 10.24 "PARKING", SECTION 10.24.030 "PUBLIC WORKS DIRECTOR TO PLACE SIGN INDICATING NO PARKING AREAS" OF THE LATHROP MUNICIPAL CODE TO ADD A NO PARKING AREA ON LATHROP ROAD

Adriana Lopez (Lathrop, CA) provided and read a letter into the record expressing opposition to Ordinance 18-389 as proposed.

Adopted **Ordinance 18-389** amending Title 10 "Vehicles and Traffic", Chapter 10.24 "Parking", Section 10.24.030 "Public Works Director to Place Sign Indicating No Parking Areas" of the Lathrop Municipal Code to add a "No Parking" area on Lathrop Road, beginning at the westerly right-of-way of Interstate 5 and proceeding approximately 8,300' east on both sides of Lathrop Road to the Eastern City Limits.

4.5 DECLARE CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZE THEIR DISPOSAL

Adopted **Resolution 18-4349** declaring certain vehicles and equipment surplus property and authorizing their disposal.

4.6 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 34 LOTS IN TRACT 3830 VILLAGE "H" WITHIN EAST VILLAGE OF RIVER ISLANDS

Adopted **Resolution 18-4350** approving Final Map for Tract 3830 Village "H" within East Village, totaling 34 single family lots and a Subdivision Improvement Agreement with River Islands Development, LLC.

4.7 APPROVE AGREEMENT WITH WOODARD & CURRAN FOR RECYCLED WATER PROGRAM ADMINISTRATION AND MANAGEMENT, CIP RW 16-06 AND RELATED BUDGET AMENDMENT

Adopted **Resolution 18-4351** approving an agreement with Woodard & Curran for the recycled water program administration and management, CIP RW 16-06 and related budget amendment.

4.8 CERTIFY AND APPROVE SEWER SYSTEM MANAGEMENT PLAN UPDATE

Adopted **Resolution 18-4352** approving an update to the City of Lathrop Sewer System Management Plan and program implementation.

4.9 *TRAFFIC CALMING REQUEST ASSOCIATED WITH CIP PS 18-02

Mayor Dhaliwal abstained from the matter due to his residence within the project area.

Adopted **Resolution 18-4353** authorizing staff to install speed humps on Pine Valley Drive, between Prairie Dune Drive and Oakhill Street, associated with CIP PS 18-02 traffic calming measures.

4.10 APPROVE THE LONGITUDINAL PIPELINE AGREEMENT WITH UNION PACIFIC RAILROAD (UPRR) ASSOCIATED WITH THE RIVER ISLANDS EAST SIDE SEWER FORCE MAIN PROJECT AND A RELATED BUDGET AMENDMENT

Adopted **Resolution 18-4354** approving an agreement with UPRR for the River Islands Development East Side sewer force main project and a related budget amendment.

4.11 ACCEPT CROSSROADS STORM DRAIN DETENTION BASIN IMPROVEMENTS

Adopted **Resolution 18-4355** accepting improvements completed by Richland Communities for the expansion of the crossroads storm drain detention basin.

4.12 ACCEPTANCE OF RECYCLED WATER STORAGE POND, SPRAYFIELDS, PIPELINE AND PUMP STATION FOR THE RIVER ISLANDS AT LATHROP PROJECT WITHIN THE SOUTHEAST STEWART TRACT

Adopted **Resolution 18-4356** accepting the recycled water storage pond, sprayfields, pipeline, pump station improvements within southeast Stewart Tract, and related Dedication and Easement Deeds.

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE TO TRANSFER THE SOUTH LATHROP SPECIFIC PLAN DEVELOPMENT AGREEMENT, ADOPTED ON AUGUST 3, 2015, AND RICHLAND'S INTEREST IN THE PHASE 2 EXPANSION OF THE LATHROP CONSOLIDATED TREATMENT FACILITY FUNDING AGREEMENT, DATED NOVEMBER 21, 2016, FROM THE EXISTING AGREEMENT HOLDER, RICHLAND DEVELOPERS, INC., TO SOUTH LATHROP LAND, LLC.

Community Development Director Rebecca Schmidt provided the presentation. A question and answer period followed. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Akinjo, seconded by Mayor Dhaliwal, the City Council:

1. Held a Public Hearing; and
2. Introduced and conducted first reading of an ordinance to assign and transfer the South Lathrop Development Agreement and Funding Agreement to South Lathrop Land LLC.

Ayes: Akinjo, Dresser, Elliott, Salcedo, and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING LATHROP MUNICIPAL CODE TITLE 13 "PUBLIC SERVICES", CHAPTER 13.09 "RECYCLED WATER SERVICE SYSTEM"

Senior Civil Engineer Greg Gibson introduced City Consultant David L. Richardson, P.E., Principal Water Resources Engineer at RMC, a Woodard & Curran Company. Consultant David Richardson provided the presentation. A question and answer ensued throughout the presentation. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing. The question and answer period continued. Senior Civil Engineer Greg Gibson provided additional information.

On a motion by Vice Mayor Elliott, seconded by Mayor Dhaliwal, the City Council:

1. Held a Public Hearing; and
2. Introduced and conducted first reading of an ordinance amending Title 13 "Public Services", Chapter 13.09 "Recycled Water Service System".

Ayes: Akinjo, Dresser, Elliott, Salcedo, and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.3 DISCUSSION OF PARK LIGHTING AT MOSSDALE LANDING COMMUNITY PARK

Projects and Programs Manager Ken Reed provided the presentation on behalf of Parks and Recreation Director Zach Jones. The City Council discussed and provide direction related to park lighting at Mossdale Landing Community Park.

On a motion by Vice Mayor Elliott, seconded by Mayor Dhaliwal, the City Council adopted **Resolution 18-4357** approving Option 1B, installation of additional wired lighting at Mossdale Landing Community Park, and a budget amendment from the General Fund Reserves of \$56,500 to be reimbursed by Measure C upon review and confirmation by the Measure C Oversight Committee.

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal
Noes: Dresser
Absent: None
Abstain: None

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL: Appointment of One (1) Member to the Youth Advisory Commission with Term Expiring May 30, 2018, due to Unscheduled/Unexpired Term Vacancy

Mayor Dhaliwal made the following appointment:

<u>Youth Advisory Commission</u>	<u>Term Expires</u>
Aliyah Conley	May 30, 2018

On a motion by Councilmember Akinjo, second by Vice Mayor Elliott, the City Council approved the appointment made by Mayor Dhaliwal as noted above.

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal
Noes: Dresser
Absent: None
Abstain: None

- 6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) - None
- 6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo commented on the regional community workshops provided by the Tri-Valley – San Joaquin Valley Regional Rail Authority to discuss the potential delivery of an interregional rail connection between Northern San Joaquin County and BART in the Tri-Valley, held March 5th in Tracy and March 12th in Lathrop. Councilmember Salcedo thanked those in attendance. Councilmember Dresser provided additional information related to the funding allocated by SJCOG for the rail project analysis, and commented on public nuisances related to illegal waste dumping in right-of-away areas. Vice Mayor Elliott further expressed his appreciation to the Lathrop High School Girls Varsity Basketball Team, and commented on the new Council Chamber artwork display. Mayor Dhaliwal commented on the Tri-Valley – San Joaquin Valley Regional Rail Authority workshops, and recommended the public obtain more information at www.acetobart.org.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:19 pm.


Teresa Vargas, CMC
City Clerk

ORDINANCE NO. 18-390

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING TO TRANSFER THE SOUTH LATHROP SPECIFIC PLAN
DEVELOPMENT AGREEMENT AND RICHLAND'S INTEREST IN THE PHASE 2
EXPANSION OF THE LATHROP CONSOLIDATED TREATMENT FACILITY
FUNDING AGREEMENT TO SOUTH LATHROP LAND, LLC**

WHEREAS, Article 2.5 of Chapter 4 of Division 1 of Title 7 (commencing with Section 65864) of the Government Code of the State of California (the "Statute") authorizes a city to enter into a development agreement with any entity having a legal or equitable interest in real property for the development of the property as provided in said Statute; and

WHEREAS, on August 3, 2015, the City of Lathrop ("City") and Richland Developer's Inc. ("Richland") entered into a development agreement pertaining to the South Lathrop Specific Plan ("SLSP Development Agreement"); and

WHEREAS, Richland is also a party to the Design and Construction Funding Agreement Related to the Phase 2 Expansion of the Existing Lathrop Consolidated Treatment Facility by and between the City of Lathrop, River Islands Development, LLC, Richland Developer's, Inc., Saybrook CLSP, LLC, and Lathrop Mossdale Investors, LP, dated November 21, 2016 (the "Consolidated Treatment Facility Phase 2 Funding Agreement"); and

WHEREAS, South Lathrop Land, LLC ("South Lathrop Land") purchased Richland's property in SLSP on or about March 2, 2018; and

WHEREAS, Richland, as seller and assignor, and South Lathrop Land, LLC, as buyer and assignee request the City's approval of the assignment of the Development Agreement and transfer of the Funding agreement; and

WHEREAS, the City desires to transfer the SLSP Development Agreement and Richland's interest in the Funding Agreement from the existing agreement holder, Richland, to South Lathrop Land, LLC; and

WHEREAS, the City Council's hearing on this matter has been published in accordance with the Government Code and Lathrop Municipal Code as required by law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP DOES ORDAIN AS FOLLOWS:

Section 1.

The City Council finds that the proposed transfer and assignment of the SLSP Development Agreement and the Consolidated Treatment Facility Phase 2 Funding Agreement are consistent with the South Lathrop Specific Plan and the Lathrop General Plan.

Section 2.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the City so as to provide a basis of civil liability for damages except as otherwise imposed by law.

Section 3.

If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid such a decision shall not affect the validity of the remaining portions of this ordinance, and the City Council declares that it would have passed each section, subsection, subdivision, paragraph, or sentence.

Section 4.

This ordinance shall take effect 30 days from its adoption.

Section 5.

The City Clerk shall certify to the adoption of this ordinance and shall publish a summary thereof and post a certified copy of the full ordinance in the office of the City Clerk at least five days prior to the adoption of the proposed ordinance; and within fifteen days after adoption, the City Clerk shall publish a summary of the ordinance with the names of the members of the City of Lathrop City Council voting for and against the same.

Section 6.

The Mayor is hereby authorized to execute said Transfer of Development Agreement and Funding Agreement for and on behalf of the City once this ordinance takes effect.

THIS ORDINANCE was regularly introduced at a regular meeting of the City Council of the City of Lathrop on the 12th day of March 2018, and was **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Lathrop on the 9th day of April 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

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ORDINANCE NO. 18-391**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING LATHROP MUNICIPAL CODE TITLE 13 "PUBLIC SERVICES", CHAPTER 13.09 "RECYCLED WATER SERVICE SYSTEM" IN ACCORDANCE WITH THE CITY OF LATHROP'S RECYCLED WATER PROGRAM**

WHEREAS, on April 21, 2016, the Central Valley Regional Water Quality Control Board ("CVRWQCB") executed the permit for the City of Lathrop to operate the expanded Consolidated Treatment Facility with a capacity of 1.0 MGD; and

WHEREAS in August 2017, the City approved agreements with EKI Environment & Water, Inc., RMC Water and Environment, Inc., and PACE, Inc. to prepare the City of Lathrop's Recycled Water Program to define the process by which Users may obtain and use recycled water; and

WHEREAS, amendments to LMC 13.09 Recycled Water Service System are necessary to update the recycled water system regulations to be consistent with the Recycled Water Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP DOES HEREBY ORDAIN AS FOLLOWS:

Note: additions are shown below in underline font, deletions are shown in strikeout font.

LMC 13.09.010 Water recycling policy.

It is the policy of the City of Lathrop that recycled water determined to be available pursuant to Section 13550 of the Water Code, as may be amended from time to time, shall be used for nonpotable uses within the designated Recycled Water Use Areas set forth within the City's jurisdiction ~~wherever there is not an alternative higher or better use for the recycled water, its use is economically justified, financially and technically feasible, and consistent with legal requirements, preservation of public health, safety and welfare, and the environment.~~ (Ord. 04-241 § 1)

LMC 13.09.020 Definitions.

"Agricultural purposes" include the growing of field and nursery crops, row crops, trees, and vines; and the feeding of fowl and livestock.

"Artificial lake" means a human-made lake, pond, lagoon, or other body of water that is used wholly or partly for landscape, scenic, or non-contact recreational purposes.

"City" means the City of Lathrop.

"Commercial landscape irrigation" means any building for office or commercial uses with water requirements which include, but are not limited to, landscape irrigation and decorative fountains.

"Construction water" means water used for dust control during construction.

"Consumer" means any person/entity who uses recycled water supplied by the City.

"Council" means the City Council of the City of Lathrop.

"Cross-connection" means any physical connection between any part of a water system used or intended to supply water for drinking purposes and any source or system containing water or substance that is not or cannot be approved for human consumption. This includes direct piping between the two systems, regardless of the presence of valves, backflow prevention devices, or other appurtenances.

"CVRWQCB" shall mean Central Valley Regional Water Quality Control Board.

"DHSDDW" shall mean California Department of Health Services State Water Resources Control Board Division of Drinking Water.

"Governmental agency" means an agency which exercises authority and performs functions of a political unit responsible for the direction and supervision of public business and affairs.

"Greenbelt areas" means an area including, but not limited to, golf courses, cemeteries, parks, open space and landscaping.

"Industrial process water" is water used by any industrial facility with process water requirements which include, but are not limited to, rinsing, washing, cooling and circulation, or construction, including any facility regulated by the industrial waste discharge ordinance of the City.

"Onsite recycled water supervisor" means the designated party operating recycled water facilities on behalf of the owner.

"Owner" means that person or entity identified by the tax rolls of the county as the holder of the legal title to the property.

"Potable water" shall mean water which conforms to the federal, state and local standards for human consumption. "Professional" means following a profession for gain or livelihood.

"Public Works Director" means the duly appointed manager of the recycled water system of the City or designee.

"Recycled water" shall mean water which, as a result of treatment of wastewater, is suitable for a direct beneficial use or controlled use that would not otherwise occur. (See Water Code Section 13050(n).) Recycled water shall be treated and disinfected by the City to comply with tertiary treated recycled water requirements established by the State of California Code of Regulations, Title 22, Division 4, Chapter 3.

"Recycled water distribution and dual plumbed system" means a piping system intended for the delivery of recycled water only and which is separate from any potable water distribution system.

"Residential irrigation" means residential or multi-family front or backyard irrigation dual plumbed within the development area.

"Rules and Regulations" means the City of Lathrop Rules and Regulations for Use of Recycled Water as approved by the CVRWQCB. The Rules and Regulations may be amended from time to time.

"Service Area" means the City of Lathrop utilities service area.

"Utility bill" means the monthly statement issued by the City which reflects the costs of services rendered on behalf of customers during the preceding thirty (30) day period.

"User Agreement" means an agreement issued to the User by the City as required by State DDW and the CVRWQCB that defines the conditions of recycled water service and permits the use of recycled water by the User.

"Waste discharge" means water deposited, released, or discharged into a sewer system from any commercial, industrial, or residential source which contains levels of any substance which may cause substantial harm to any water treatment or reclamation facility or which may prevent any use of reclaimed water authorized by law, provided levels exceed those found in water delivered to the source of the waste discharge by the City of Lathrop. (Ord. 04-241 § 1)

"WDR" means the Waste Discharge Requirements and Master Recycling Permit issued to the City from the CVRWQCB.

LMC 13.09.030 Water recycling master plan.

A. The City shall periodically update the Recycled Water Master Plan (RWMP) and reevaluate the potential for recycled water use within the service area. The RWMP generally designates those areas within which recycled water service has been determined to be reasonably available.

~~B. Mandatory Recycled Water Use. Greenbelt irrigation, agricultural irrigation, commercial irrigation, filling of artificial lakes, or industrial processes shall be limited to the use of recycled water. (Ord. 04-241 § 1)~~

LMC 13.09.040 Supplemental water to the use of recycled water.

At the discretion of the City, potable water or another appropriate source of non-potable water may be used to supplement the recycled water distribution system when sufficient recycled water sources are not available. All off-site and on-site distribution facilities shall be constructed and inspected to be suitable for recycled water use regardless of the type of water provided to the distribution system. (Ord. 04-241 § 1)

LMC 13.09.050 Recycled water use.

- A. ~~State and County Regulations. The use of recycled water is strictly controlled by the California Department of Health Services DDW and the Central Valley Regional Water Quality Control Board (CVRWQCB). The documents governing the City recycled water system are Title 17 and Title 22, California Code of Regulations, Chapter 3 (Title 22), California Health and Safety Code, and the WDR Master Reclamation Permit Order No. 5-01-146 (MRP) issued to the City by the CVRWQCB.~~
- B. ~~Authorized Uses of Recycled Water. In the City service areas, uses of recycled water may include, but are not limited to, agricultural irrigation, commercial landscape irrigation, residential or multi-family dual plumbed landscape irrigation, and greenbelts irrigation, construction water, industrial process water, and artificial lakes.~~
- C. ~~User Recycled Water Plan (URP)~~Recycled Water User Agreement and Application Fee and Engineer's Report. All sites using recycled water are required to have a ~~User Recycled Water Plan or an Engineer's Report~~ Recycled Water User Agreement which describes the use, method of supervision, specific requirements, and other pertinent information. Per the City's current WDR issued by the CVRWQCB, the Recycled Water User Agreement must be executed at least 60 days prior to the start of recycled water service. For all commercial sites, a User Recycled Water Plan approved by the City and DHS is required. For all residential sites, an engineer's report approved by the City and DHS is required. For sample of more information regarding the Recycled Water User Agreement, Recycled Water Plan refer to Section 7 of the City of Lathrop Standards. (Ord. 04-241 § 1) the Recycled Water User Guide provided by the City. The Recycled Water User Agreement Application Fee shall be established from time to time by the City Council by resolution.

LMC 13.09.060 Management of recycled water system.

The management, control, and care of the recycled water system of the City shall be vested in the Public Works Director.

- A. ~~City Operated Facilities. Operation of all City owned facilities, including pipelines, reservoirs, pumping stations, valves, connections, treatment facilities, other appurtenances, and property up to and including the City's meter, shall be under the exclusive management and control of the City or its authorized representatives.~~
- B. ~~On-Site Customer Owned Facilities. The operation and surveillance of on-site facilities are the responsibility of the on-site supervisor designated by the owner or designated party acting as the on-site recycled water supervisor. On-site facilities shall be provided by the applicant, owner, or customer at their~~

sole expense. The applicant, owner, or customer shall retain ownership of all such facilities. On-site facilities shall conform to the City's recycled water system standards and applicable City rules and regulations. Plans shall be prepared and submitted to the City for approval prior to commencing construction. Prior to commencement of service, the system shall be inspected and approved in accordance with the City's standards and the ~~URP or engineer's report~~ Recycled Water User Agreement. (Ord. 04-241 § 1)

LMC 13.09.070 Recycled water services to consumers –Meters.

- A. Water from the recycled water system shall be delivered to the consumers thereof both inside and outside the corporate limits of the City in accordance with the terms of this chapter. The ~~City~~ consumers will furnish the capital costs to establish the lateral connection to services complete from the City's ~~its~~ main water recycled line ~~to the property line~~. The consumers shall furnish and install all piping on the owner's premises, including a shut-off valve, to the City's connection. In case of metered services, it must be a type approved by the Public Works Director, and include a meter box and steel cover, and must be installed and paid for by the owner/consumer. A valve must be installed on the outlet side of all meters. Such meters must be maintained by the owner/consumer, at his or her cost, to assure proper working conditions. Accuracy is subject to review by the City. All piping, meters, and valves must conform to the City's design and construction standards. Metered connections to public agencies shall be governed by a Recycled Water User Agreement, which may deviate from the City's design and construction standards at the discretion of the Public Works Director, but at all times such connections shall meet the minimum standards of prescribed by the State of California's Title 17 and 22 of its Code or Regulations.
- ~~A. Recycled water used for any type of irrigation or sprinkling must be turned off immediately upon failure or discontinuance of the electrical power normally provided for furnishing regular recycled water service, and shall not be turned on, or used for any type of irrigation or sprinkling until normal electrical energy or power shall have been restored.~~
- B. The connection fees and schedule of recycled water rates adopted by the City will be charged against all installed meters unless a written request for discontinuance of service is made by the owner of the premises to the Public Works Director.
- C. Access by the City to service connections of recycled water meters must be provided at all times. A City inspector or other authorized employee of the City shall be admitted at all reasonable hours to all parts of any premises supplied with recycled water, except to the interior of the dwellings, but including the meter box, to see that the regulations contained in this chapter are observed.
- ~~D. All sprinkler systems installed for the irrigation of lawns, gardens, and flower beds shall be so designed and installed so that recycled water shall not be~~

~~sprayed, or permitted to be sprayed, over or upon a paved or unpaved sidewalk, nor will potable sprinklers be permitted on the sidewalk.~~

~~E. No connection of any kind shall be made to the City's recycled water system where a well or some other outside water source is present.~~

~~F. All recycled water mains or recycled water lines, other than individual service lines, shall be located in an exclusive easement dedicated to the City, which easement shall be located ten feet behind the property line bordering on the public street or right of way. All recycled water mains or recycled water lines, other than individual service lines to be located in exclusive easements, shall be located on the west side in north/south easements and on the south side in east/west easements. (Ord. 04-241 § 1)~~

LMC 13.09.080 Recycled Water Main Location

Any public recycled water mains or recycled water lines owned by a public agency other than the City shall obtain appropriate approvals from the City for its facilities when they are located within City right of way and their use governed by a Recycled Water User Agreement. (Ord. 04-241 § 1)

LMC 13.09.090 Cross-Connections

Cross-connections between potable water facilities and recycled water facilities are prohibited. If potable facilities are present in the same property as recycled water facilities, cross-connection testing must occur prior to operation of the recycled water system and must be conducted by an AWWA Cross-Connection Control Specialist.

LMC 13.09.080100 Rules and regulations.

It shall be unlawful for any person to:

- A. Contaminate the City's water supply either by cross-connection or by any other means. ~~All recycled water service installations shall have an independent gate valve installed prior to connection to the building or the structure.~~
- B. Make a connection to the City's recycled water system where a potable well or some other outside water source used for drinking purposes is present. Connection of the City's recycled water system to a multi-use non-potable irrigation system owned and operated by another public agency shall be governed by a Recycled Water User Agreement between the City and the public agency.
- C. Waste recycled water, use recycled water to excess or allow recycled water to flow to waters of the United States without the issuance of a NPDES permit. All recycled water use must comply with the State of California Title 22 requirements for recycled water reuse.
- D. Supply recycled water in any way for use outside other premises to which the service is assigned, except by special consent of the Public Works Director.
- E. Supply recycled water for resale, in any way, for use outside the premises to

which the service is assigned except by permission of the Public Works Director.

- F. Fail to keep and maintain their service pipes and connections in good repair.
- G. Interfere with the City's service lines, valves or meters to construct a bypass around a meter or service. (Ord. 04- 241 § 1)

LMC 13.09.090110 Interpretation of title.

The Public Works Director is empowered to make interpretations of this title regarding the necessity, type, manner or method in which materials or meters shall be installed. Interpretations may be appealed by the owner/consumer to the Council. Interpretations and appeals shall be in writing and a copy thereof filed in the City's office. (Ord. 04-241 § 1)

LMC 13.09.100120 Public works director to keep records of permits.

The Public Works Director shall keep complete records of all permits issued through Recycled Water User Agreements and other official work performed under the provisions of this title. (Ord. 04-241 § 1)

LMC 13.09.110130 Recycled water service outside of City boundaries.

Recycled water from the City water system may be delivered to consumers outside the boundaries of the City herein provided. No recycled water service extension shall be made outside the corporate limits except by written agreement between the City and the owner/consumer and with approval from the CVRWQCB and shall be in compliance with all county zoning ordinances. If pursuant to such an agreement to deliver recycled water outside the corporate limits of the City, the City installs such recycled water service extension, all costs of installation, plus twenty percent (20%) shall be charged to the owner/consumer. If the owner/consumer plans private installation, the size, type and quality of materials and location of mains shall be specified by the Public Works Director comply with the City's design and construction standards, and the plans therefore shall, prior to commencement of installation, have been approved by the Public Works Director. The installation construction shall be performed by a licensed contractor, approved by the Public Works Director. (Ord. 04-241 § 1)

LMC 13.09.120140 Contractors—Work to comply with City regulations.

- A. When it has been determined that work within and without the City shall be contracted out, or put out to bid, ~~the Public Works Director shall prepare the standard specifications the City expects from the contractor and/or subcontractor~~ shall conform to the specifications in the City's design and construction standards, including, but not limited to, statements of work; period of performance; site inspection; excavation and backfill; base material; forms; reinforcement and concrete;

curing; plans; specifications; profiles and modifications; and performance and acceptance. Any contractor and/or subcontractor shall comply with all state and county laws, ordinances, rules, and regulations pertaining to the cutting of pavement, backfilling and repaving thereof and shall obtain permits and pay all fees required by the department having jurisdiction prior to the issuance of consent to proceed by the Public Works Director.

- B. Prior to accepting any work, and prior to the use thereof, the work shall be tested and shall complete in full compliance with all requirements of the City's standard specifications and to the satisfaction of the Public Works Director. ~~Final payment will be made within thirty five (35) days upon recordation of notice of completion of work performed, as ordered by the City Council. (Ord. 04-241 § 1)~~

LMC 13.09.130150 City not responsible for duty of care.

This title is not intended to and shall not be construed or given effect in a manner that imposes upon the City within or without the City any duty of care so as to provide a basis of civil liability for damages, except as otherwise imposed by law. (Ord. 04-241 § 1)

LMC 13.09.140 Tampering with the City recycled water system prohibited.

~~It shall be unlawful for any person to interfere with the City service lines, valves or meters or to construct a bypass around a meter or service. (Ord. 04-241 § 1)~~

LMC 13.09.150160 Installations and connection costs.

- A. Service Connection Fees. Service connection fees shall be established from time to time by the City Council by resolution as authorized by this chapter. Such fees shall be paid by the individual owner/consumer for all new service connections prior to the time of connection and for any change in type or size prior to the time of change. Authorization and the basis of payment (if applicable) to service connections to another public agency shall be in accordance with the specific Recycled Water User Agreement between the City and the other public agency.
- B. Advance Deposit. Prior to the installation of a new individual service connection, or any change in type or size, or change in the use of the premises, the owner/consumer shall deposit with the City a sum equal to the applicable charge set forth in the Council's resolution advance deposit against the cost of installation. Upon completion of the installation, the City shall determine its cost of installation and shall refund that portion of the advance deposit which exceeds the cost, or bill the owner/consumer for any cost in excess of the advance deposit. (Ord. 04-241 § 1)

LMC 13.09.170 Cost to Retrofit and Maintain Onsite Recycled Water System

The cost for modifying or adding facilities to convert the customer's onsite nonpotable water system to receive recycled water shall be borne entirely by the customer or applicant. Customer is required to comply with the City's Rules and Regulations for Recycled Water Use in accordance with Title 17 and Title 22 of the California Code of Regulations and California Water Code, the City's Recycled Water User Guide, and the City's Design and Construction Standards where applicable

LMC 13.09.160180 Metered services.

All owners/consumers shall pay the rates specified in the City's schedule of recycled water rates for services inside and outside of the City's corporate limits. ~~(Ord. 04-241 § 1)~~In the event that recycled water rates have not yet been established, owners/consumers shall pay fees as established in an agreement between the City and that owner/consumer.

LMC 13.09.170190 Charges for metered and unmetered recycled water services.

All recycled water delivered through meters and single service connections shall be charged monthly in accordance with the schedule of recycled water rates as amended and approved by the City Council. In the event that recycled water rates have not yet been established, owners/consumers shall pay fees as established in an agreement between the City and that owner/consumer. Further, notwithstanding any other provision of this chapter, any charges relating to the use of recycled water between the City and another public agency shall be governed by the Recycled Water User Agreement between the City and the public agency.

- A. If a meter shall be found out of order, the monthly charge for water shall be determined by the Public Works Director based upon previous water consumption records.
- B. If an owner/consumer has more than one meter, a separate minimum charge will be made for each meter as well as the amount of recycled water registered for each meter.
- C. Compound meters shall not be constructed to be a single meter. The Public Works Director will determine the minimum charge rate for compound meters on a case-by-case basis.
- D. The rate for any owner/consumer using temporary meters for any purpose, which are installed for less than one month, shall be charged according to the schedule of recycled water rates, plus the cost of installation. When a meter is not installed, the rate shall be determined by the Public Works Director.
- E. A schedule of recycled water rates billing shall be furnished to each customer at the beginning of each fiscal year. Any charges for recycled water on the

utility bill, as defined in Section 13.09.020 of this chapter, shall be due and payable upon presentation. If such charges are not paid by the last day of the month in which they are billed, the late charges set forth in Section 13.20.050 of this title shall be added.

- F. If a recycled water bill has not been paid by the nineteenth day following its mailing, the service shall be subject to disconnect. The procedure specified in Public Utilities Code 10010.1 shall be followed when service is disconnected. Personal checks will not be accepted for service subject to disconnect as a result of nonpayment. All unpaid charges, penalties, and fees shall be a lien upon the parcel of real property to which water service was provided.
- G. At the direction of the finance director, small claims court proceedings may begin on all accounts which remain unpaid.
- H. When an owner/consumer applies to the City to replace a meter with one of a smaller or larger size, the City shall make such change, upon payment to the City of fees.
- I. Water service shall be billed monthly to the users of the recycled water system in accordance with the following schedule: current service charge plus recycled water usage charges. These charges are to be established from time to time by the City Council by resolution as authorized by this chapter.
- J. ~~Monthly service charge by meter size.~~

Meter Size	Monthly Service Charge
5/8" meter	\$ 4.80
3/4" meter	\$ 6.90
1" meter	\$ 11.10
1 1/2" meter	\$ 21.65
2" meter	\$ 34.30
3" meter	\$ 63.75
4" meter	\$ 105.90
6" meter	\$ 211.55
8" meter	\$ 338.05

~~2. Uniform Commodity Rate. The uniform commodity rate shall be one dollar and thirty two cents (\$1.32) per one thousand (1,000) gallons or any portion thereof for all meter sizes. (Ord. 04-241 § 1)~~

13.09.180200 Appeals.

Any recycled water service customer who considers an action taken by the Public Works Director under the provisions of this chapter to have been erroneously taken may appeal such action and decision to the City Council in the following manner:

- A. All appeals shall be filed in writing with the clerk of the City and shall state the nature of the appeal or request and the basis upon which the decision of the

Public Works Director is considered to be in error.

- B. Such appeals, to be effective, must be received by the clerk of the City not later than ten business days following the date that the Public Works Director has given notice of such action from which the appeal is being taken and be accompanied by a fee of fifty dollars (\$50.00). The fee of fifty dollars (\$50.00) will be refunded if the appeal is granted.
- C. The City clerk shall schedule the appeal for consideration by the City Council at the next regularly scheduled Council meeting.
- D. The decision of the City Council on the appeals shall be final. (Ord. 04-241 § 1)

13.09.190210 Compliance.

The enforcing authority shall have the right, and is hereby authorized and empowered, to enter upon private property for the purpose of enforcing the provisions of this title or for other purposes consistent therewith. The enforcing authority shall be given prompt access upon oral notification to the responsible person and upon exhibiting suitable evidence of his or her identity and authority; provided, however, except in an emergency, a warrant issued pursuant to Part 3 of Title 13 of the Code of Civil Procedure of the State (Sections 1822.50 through 1822.57 inclusive), or its subsequent counterparts, shall first be secured when entry or access thereto is denied. Refusal to admit such members when a warrant is not required shall be a misdemeanor. Neither the enforcing authority nor the City shall be liable for any damage from any reasonable entry. (Ord. 04-241 § 1)

13.09.200220 Warrants unnecessary.

The enforcing authority may enter upon private property without a warrant for the following purposes:

- A. When he or she has the express permission of the owner or occupant of the premises;
- B. When he or she has probable cause to believe there is immediate harm to the public and/or water is gushing; or
- C. When he or she has probable cause to believe that there exists in any building or upon any premises or property any condition which may be in violation of this title. (Ord. 04-241 § 1)

13.09.210230 Violations of this chapter.

- A. Any person who shall violate any of the provisions of this title shall be guilty of a misdemeanor. A misdemeanor may be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail for no longer than six months, or by both such fine and imprisonment. Any person

violating any section of this chapter shall be regarded as committing a separate offense on each day of such violation.

- B. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this title shall be deemed to be a public nuisance and shall be subject to the administrative procedures set for in Chapter 1.12. (Ord. 04-241 § 1)

Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

The Mayor shall sign this Ordinance and the City Clerk shall cause the same to be published within fifteen (15) days after its passage at least once in a newspaper of general circulation published and circulated in the City. In lieu of publishing the entire ordinance within 15 days of adoption, the City Clerk may instead publish a summary of the proposed ordinance (with a certified copy of the entire ordinance posted at the City Clerk's office), not less than five (5) days before adoption, with a second publication of the summary, complete with the votes cast, similarly posted and published within 15 days following adoption in accordance with Government Code §36933(c)(1).

THIS ORDINANCE was regularly introduced at a regular meeting of the City Council of the City of Lathrop on the 12th day of March 2018, and was **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Lathrop on the 9th day of April 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

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**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: **PLANNING FEE WAIVER REQUEST BY NEW LIFE CHURCH (TUP-18-7).**

RECOMMENDATION: **Consider Adoption of a Resolution to Waive the Temporary Use Permit Processing Fee and Storage Fee for New Life Church in the Combined Amount of \$392.**

SUMMARY:

New Life Church in Lathrop is hosting three (3) events in 2018 and will be utilizing the Kelly Business Park parking lot in front of New Life Church as the venue for the events (89 D'Arcy Parkway). The events include:

- EggSplosion event on Saturday, March 31, 2018;
- SummerFEST event on Saturday, July 28, 2018; and
- Live Nativity event on Saturday, December 22, 2018

The applicant has submitted a letter (Attachment 2) requesting the City waive the Temporary Use Permit processing fee in the amount of \$382 and Storage Fee in the amount of \$10 for a total of \$392. Previously, the City Council adopted Resolution No. 17-4206, waiving the \$392 application processing fee for Temporary Use Permit No. TUP-17-24.

BACKGROUND:

Last year, the City approved TUP-17-24, permitting the EggSplosion event to be held in the New Life Church parking lot (Kelly Business Park). This year, the applicant submitted a Temporary Use Permit for their 2018 events, including the EggSplosion event as well as two (2) new events. The events are as follows:

- EggSplosion – Event includes amenities for guests, including three (3) bounce houses, zippy pets go cart style track, face painting, pony rides, multiple carnival style games, a 52' inflatable obstacle course, and egg coloring and event hours are from 10:00 A.M. to 1:00 P.M. This is a free event for the community.
- SummerFEST – Event includes amenities for guests, including three (3) bounce houses, petting zoo, face painting, pony rides, multiple carnival style games, a 52' inflatable obstacle course, and dunk tank. Live bands will perform on a stage and event hours are from 7:00 P.M. to 10:00 P.M.

- Live Nativity – This is a drive-through event that includes a nativity scene. Vehicles will enter the site and be directed to the event area and then be directed out of the site (separate exit from the entrance). Event hours are from 5:00 P.M. to 9:00 P.M.

REASON FOR RECOMMENDATION:

Staff recommends the City Council adopt a resolution to waive the Temporary Use Permit fee and Storage Fee, and to make the findings that this request provides a public benefit to the community and that the amount of the fee waiver request is de minimis in nature and not subsidized from other facility fees.

COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

The proposed resolution promotes community values by supporting activities that benefits local non-profit organizations, and promotes team work between the public, Council and City staff to support local community activities.

FISCAL IMPACT:

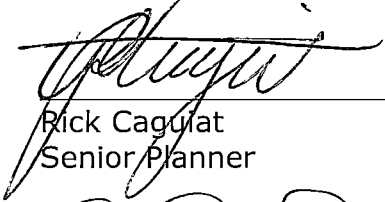
The requested fee waiver total amount is \$392.

ATTACHMENTS:

1. Resolution approving the fee waiver request
2. Applicant fee waiver request letter
3. Vicinity map

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
NEW LIFE CHURCH FEE WAIVER**

APPROVALS:



Rick Caguiat
Senior Planner

3/23/18
Date



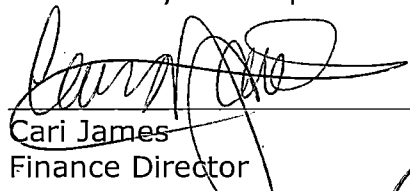
Mark Meissner
Assistant Community Development Director

3-26-18
Date



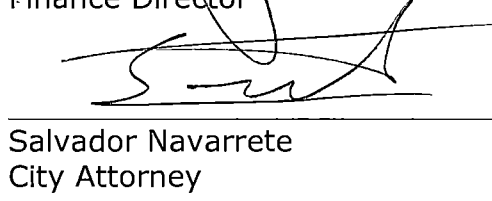
Rebecca Schmidt
Community Development Director

3-26-18
Date



Cari James
Finance Director

3/23/18
Date



Salvador Navarrete
City Attorney

3-27-18
Date



Stephen Salvatore
City Manager

4-2-18
Date

RESOLUTION NO. 18-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
TO WAIVE THE TEMPORARY USE PERMIT FEE AND STORAGE FEE FOR THE
NEW LIFE CHURCH 2018 EVENTS IN THE TOTAL COMBINED AMOUNT OF
\$392**

WHEREAS, on April 9, 2018, the City Council of the City of Lathrop considered a request by New Life Church to waive the \$382 Temporary Use Permit Fee and the \$10 Storage Fee for the three (3) events held in 2018 at the Kelly Business Park in Lathrop; and

WHEREAS, the New Life Church has planned and organized community events annually and has provided the citizens of Lathrop and neighboring areas a place to celebrate Easter and Christmas; and

WHEREAS, the City Council finds that this request provides a public benefit to the community, and that the amount of the request is de minimis in nature and not subsidized from other facility fees.

NOW, THEREFORE, BE IT RESOLVED, that in view of the direct public benefit that will be provided by the New Life Church Eggsplosion Easter event, SummerFEST event and Live Nativity event within the City of Lathrop, the City Council of the City of Lathrop does hereby waive the Temporary Use Permit Fee in the amount of \$382 and Storage Fee in the amount of \$10 for a total of \$392.

PASSED AND ADOPTED this 9th day of April 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SONNY DHALIWAL, MAYOR

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney



February 22, 2018

FEB 27 2018

Dear Distinguished Lathrop City Council Members,

H.R. DEPT.

It is with great enthusiasm that I share with you New Life Church, a 501c3 non-profit, will again this year be hosting our community Easter Egg Hunt and Festival which we call "Easter EGGsplosion." This year's festival, which we anticipate will draw nearly 1,500 people, will be held on Saturday, March 31st from 10:00 a.m. – 1:00 p.m. Our event will be held at our Lathrop New Life campus and will feature a 20,000 egg hunt, multiple inflatables, zippy pets go-cart style track, egg coloring, face painting, pony rides and many other carnival style games along with a visit from the Easter Bunny...all for FREE! In addition, we are thrilled to share that we will be hosting two more 2018 free community events as follows:

1. Summer Bash – Saturday, July 28 from 6:00-10:00 p.m.
 - a. This event will feature inflatables, dunk tank, summer carnival games, live bands performing on our outdoor stage and much more. We anticipate hundreds of people in attendance.
2. Live Nativity – Saturday, December 22 from 6:00-9:00 p.m.
 - a. Guests will be greeted at their cars with free hot chocolate then will be directed through our parking lot to experience the Christmas story...including live animals, costumes and a live choir. This promises to be a Lathrop tradition that will continue for many years. We anticipate hundreds of people attending this drive through event.

In order to host events of this magnitude, we mobilize nearly 100 volunteers from our church family per event, the majority of whom live in Lathrop. In addition, New Life invests a significant portion of our annual budget on these quality events. It is our sincere hope to encourage and inspire the families in our great city.

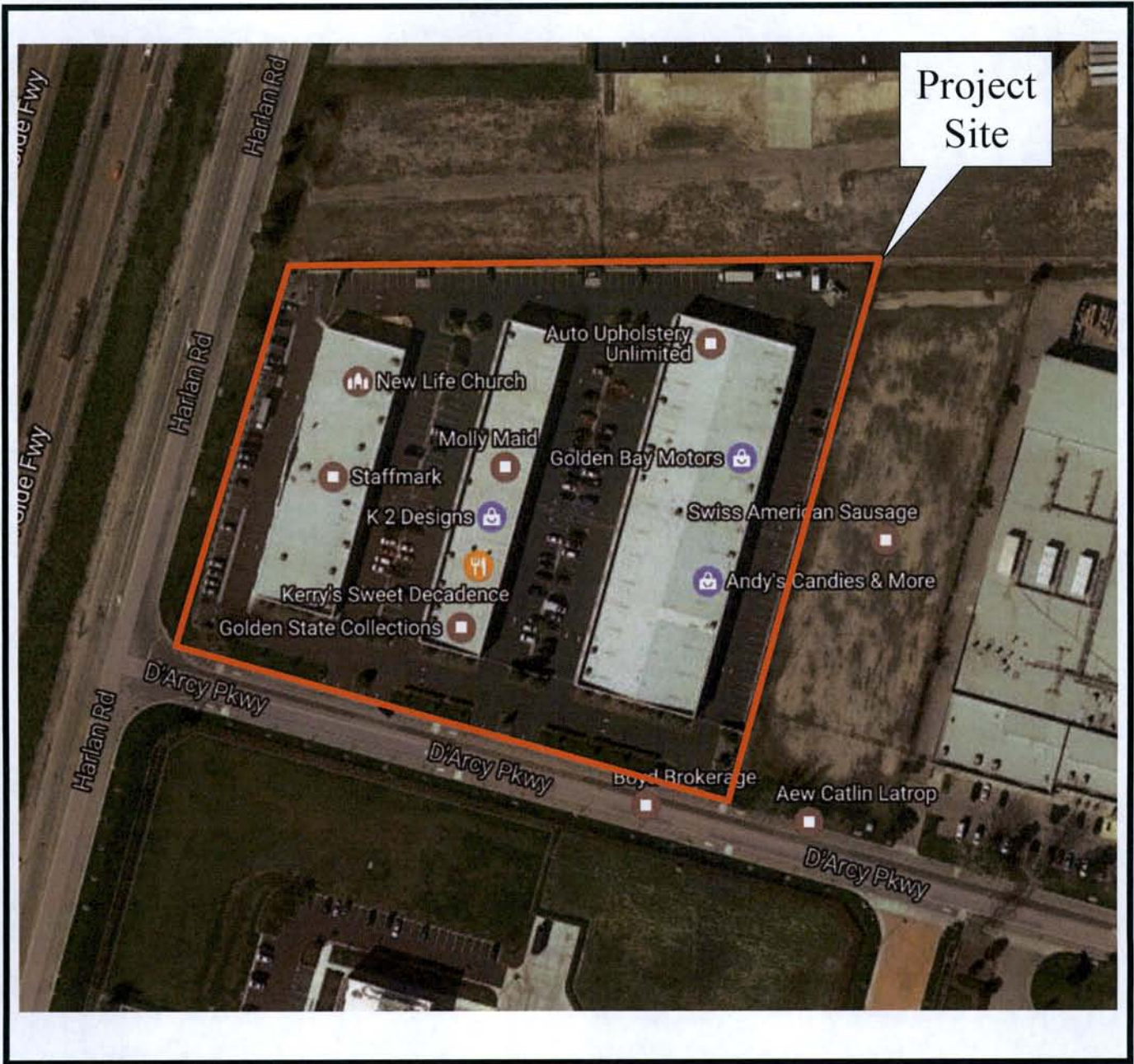
The point of this letter is to humbly request that the City Council waive our \$392.00 event permit fee. Should the reimbursement be granted, we will redirect the funds into these events.

Thank you for your kind consideration! If any of you are available, I would love to see you at any or all of these free community events.

Sincerely,

Rev. Troy Stein
Lead Pastor
New Life Church

107 D'Arcy Parkway
Lathrop, CA 95330 USA
(209) 858-8377
www.NewLifeLathrop.com



**PLANNING DIVISION
Vicinity Map**

	<p>TUP-18-7 Temporary Use Permit New Life Church 2018 Events 89 D'Arcy Parkway APN: 198-240-49</p>	<p>N</p> <p>(Not to Scale)</p>
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**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: RESOLUTION SUPPORTING PROPOSITION 69 AND OPPOSING REPEAL OF "THE ROAD REPAIR AND ACCOUNTABILITY ACT" (SB 1 – BEALL)

RECOMMENDATION: Council to Consider Adopting Resolution Supporting Proposition 69 and Opposing Repeal of "The Road Repair and Accountability Act" (SB 1 – Beall), and Authorizing the Mayor to Sign Approval to Join the Coalition to Protect Local Transportation Improvements

SUMMARY:

On February 6, 2017, at the request of the League of California Cities (League), the City Council voted to approve a letter of support for SB 1 (Beall). The proposal, now known as "The Road Repair and Accountability Act" (SB 1 – Beall), was passed by the Legislature and signed by the Governor last year. It provides comprehensive and sensible transportation reforms, modest increases to existing revenue sources, and meaningful infrastructure investments. This Act provides a broad framework to address the accumulation of much needed repairs and deferred maintenance in addition to other transportation needs. The prior transportation funding system was antiquated due to fuel efficiency advancements and a gas tax which was set in 1994 and had remained unadjusted since that time.

On September 18, 2017, Council adopted Resolution 17-4293 approving a project list for local streets and roads funding associated with SB 1. At that time, the City of Lathrop estimated apportionments at \$125,000 in FY 17/18 and \$375,000 in FY 18/19, with allocations to critically needed pavement rehabilitation to the following areas:

- ✓ Bizzibe Street (Louise Avenue - O Street), Mingo Way (Bizzibe Street - 5th Street), and Avon Street (Lathrop Road - Warren Avenue).

The rehabilitation project includes crack sealing and the application of a cape seal (the combination of a chip seal covered with a slurry seal). The benefits of a cape seal include the increased durability of a chip and the smoothness of a slurry seal.

Tonight, staff requests Council consideration of a new request from the League of California Cities (League) to consider approving a resolution supporting Proposition 69, the June 2018 constitutional amendment to prevent new transportation funds from being diverted for non-transportation purposes, and opposing the proposed November ballot proposition (Attorney General #17-0033) that would repeal the new SB 1 transportation funds and make it more difficult to raise state and local transportation funds in the future. In addition, staff requests the City Council join the Coalition to Protect Local Transportation Improvements.

CITY MANAGER'S REPORT **PAGE 2**
APRIL 9, 2018 CITY COUNCIL MEETING
RESOLUTION SUPPORTING PROPOSITION 69 AND OPPOSING REPEAL OF
"THE ROAD REPAIR AND ACCOUNTABILITY ACT" (SB 1 – BEALL)

BACKGROUND:

California's cities, counties, and transportation agencies face a statewide backlog of over \$130 billion in needed funds to make transportation infrastructure improvements. "The Road Repair and Accountability Act" (SB 1 – Beall), passed by the Legislature and signed by the Governor last year, will raise \$5 billion annually in long-term, dedicated transportation funding to make road safety improvements, fill potholes, and repair local streets, highways, bridges and overpasses, with the revenues split equally between state and local government projects.

SB 1 contains strong accountability provisions to streamline projects by cutting bureaucratic redundancies and red tape to ensure transportation funds are spent efficiently and effectively, while also establishing the independent office of Transportation Inspector General to perform audits, improve efficiency and increase transparency.

Proposition 69 on the June 2018 ballot would add additional accountability for taxpayers by preventing the State Legislature from diverting or raiding any new transportation revenues for non-transportation improvement purposes.

There is also a proposed ballot measure aimed for the November 2018 ballot (Attorney General #17-0033) that would repeal the new transportation revenues provided by SB 1 and make it more difficult to increase funding for state and local transportation improvements in the future. A diverse coalition of local government, business, labor, transportation, and other organizations throughout the state, called the Coalition to Protect Local Transportation Improvements, has been formed to support Proposition 69 and oppose the repeal of SB 1. The League of California Cities and the coalition request that the City of Lathrop join them in the effort to preserve transportation funding.

REASON FOR RECOMMENDATION:

On September 18, 2017, Council adopted Resolution 17-4293 approving a project list for local streets and roads funding associated with SB 1. At that time, the City of Lathrop estimated apportionments at \$125,000 in FY 17/18 and \$375,000 in FY 18/19, with allocations to critically needed pavement rehabilitation to the following areas:

- ✓ Bizzibe Street (Louise Avenue - O Street), Mingo Way (Bizzibe Street - 5th Street), and Avon Street (Lathrop Road - Warren Avenue).

The rehabilitation project includes crack sealing and the application of a cape seal (the combination of a chip seal covered with a slurry seal). The benefits of a cape seal include the increased durability of a chip and the smoothness of a slurry seal.

APRIL 9, 2018 CITY COUNCIL MEETING**RESOLUTION SUPPORTING PROPOSITION 69 AND OPPOSING REPEAL OF
"THE ROAD REPAIR AND ACCOUNTABILITY ACT" (SB 1 – BEALL)**

The proposed November 2018 proposition would raid over \$500,000 projected for Fiscal Years 17/18 and 18/19 to be dedicated to the City of Lathrop, and halt critical investments in future transportation improvement projects in the community.

The City of Lathrop continues to face a short-fall in funding to maintain City roads even at current levels, and is projected to see road conditions continue to deteriorate if additional funding is not provided. SB 1 funds are an essential part of the solution to provide safe roads in the City of Lathrop. Joining the Coalition to Protect Local Transportation Improvements will give the City a strong voice in advocating for Proposition 69 and the protection of SB 1 funding.

FISCAL IMPACT:

There is no fiscal impact associated with approving the resolution or joining the Coalition to Protect Local Transportation Improvements. However, if SB 1 is repealed, the fiscal impact will be the loss of a minimum of \$500,000 projected for Fiscal Years 17/18 and 18/19 in transportation funding for the City of Lathrop. Future fiscal year allocations would be in jeopardy as well.

ATTACHMENTS:

- A. Resolution for Prop 69 Support and Opposition to SB 1 Repeal
- B. Coalition to Protect Local Transportation Improvements sign-up sheet)

CITY MANAGER'S REPORT **PAGE 4**
APRIL 9, 2018 CITY COUNCIL MEETING
RESOLUTION SUPPORTING PROPOSITION 69 AND OPPOSING REPEAL OF
"THE ROAD REPAIR AND ACCOUNTABILITY ACT" (SB 1 - BEALL)

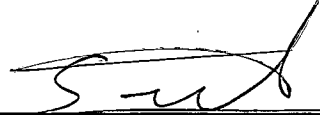
APPROVALS:



Teresa Vargas
City Clerk

4/2/18

Date



Salvador Navarrete
City Attorney

4-3-18

Date



Stephen J. Salvatore
City Manager

4-3-18

Date

RESOLUTION NO. 18-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP SUPPORTING PROPOSITION 69 AND OPPOSING REPEAL OF "THE ROAD REPAIR AND ACCOUNTABILITY ACT" (SB 1 – BEALL), AND AUTHORIZING THE MAYOR TO SIGN APPROVAL TO JOIN THE COALITION TO PROTECT LOCAL TRANSPORTATION IMPROVEMENTS

WHEREAS, California’s cities, counties and transportation agencies face a statewide backlog of over \$130 billion in needed funds to make transportation infrastructure improvements; and

WHEREAS, "The Road Repair and Accountability Act" (SB 1 – Beall) passed by the Legislature and signed by the Governor last year will raise \$5 billion annually in long-term, dedicated transportation funding to make road safety improvements, fill potholes and repair local streets, highways, bridges and overpasses, with the revenues split equally between state and local government projects; and

WHEREAS, the City of Lathrop estimated SB 1 apportionments at \$125,000 in FY 17/18 and \$375,000 in FY 18/19, with allocations to critically needed pavement rehabilitation to the following areas:

- Critically needed pavement rehabilitation to the following areas:
 - Bizzibe Street (Louise Avenue - O Street), Mingo Way (Bizzibe Street - 5th Street), and Avon Street (Lathrop Road - Warren Avenue).

WHEREAS, SB 1 contains strong accountability provisions to streamline projects by cutting bureaucratic redundancies and red tape to ensure transportation funds are spent efficiently and effectively, while also establishing the independent office of Transportation Inspector General to perform audits, improve efficiency and increase transparency; and

WHEREAS, Proposition 69 on the June 2018 ballot would add additional accountability for taxpayers by preventing the State Legislature from diverting or raiding any new transportation revenues for non-transportation improvement purposes; and

WHEREAS, there is also a proposed ballot measure aimed for the November 2018 ballot (Attorney General #17-0033) that would repeal the new transportation revenues provided by SB 1 and make it more difficult to increase funding for state and local transportation improvements in the future; and

WHEREAS, this proposed November proposition would raid over \$500,000 for Fiscal Years 17/18 and 18/19 projected to be dedicated to the City of Lathrop, and halt critical investments in future transportation improvement projects in our community; and

WHEREAS, staff believes future fiscal year allocations would be in jeopardy if the SB 1 "The Road Repair and Accountability Act" is repealed;

THEREFORE BE IT RESOLVED, that the City of Lathrop hereby supports Proposition 69, the June 2018 constitutional amendment to prevent new transportation funds from being diverted for non-transportation purposes; and

THEREFORE BE IT RESOLVED, that the City of Lathrop hereby opposes the proposed November ballot proposition (Attorney General #17-0033) that would repeal the new transportation funds and make it more difficult to raise state and local transportation funds in the future; and

THEREFORE BE IT FURTHER RESOLVED, that the City of Lathrop supports and can be listed as a member of the Coalition to Protect Local Transportation Improvements, a diverse coalition of local government, business, labor, transportation and other organizations throughout the state, in support of Proposition 69 and opposing the repeal of SB 1.

PASSED AND ADOPTED this 9th of April, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney



I Support Safer Roads and Protecting Local Transportation Improvements

Please check one or both boxes:

I/we **SUPPORT Prop 69**, a June 2018 ballot measure to prevent the state Legislature from diverting transportation funds for other purposes or redirecting funds for non-transportation projects. You may list me/my organization in formal **SUPPORT** of this constitutional amendment in your coalition materials.

I/we **OPPOSE** the November ballot measure that would repeal the "Road Repair and Accountability Act" (SB 1) and rob our communities of vital road safety and transportation improvement funds. You may list me/my organization in formal **OPPOSITION** to the repeal effort in your coalition materials.

Please select a category:

Organization

Individual

Please complete the following information:

Organization/Company (if applicable)

Date

Authorized Signature

Name

Title

Street Address

City

State

Zip

Phone

FAX

E-Mail Address (if public official, please include personal e-mail)

Please complete this form and return it to: Coalition to Protect Local Transportation Improvements

If faxing: (916) 442-3510

If e-mailing: Kyle Griffith | kgriffith@bcfpublicaffairs.com

For more information, please call (916) 443-0872

Paid for by the Coalition to Protect Local Transportation Improvements, sponsored by business, labor, local governments, transportation advocates and taxpayers

Committee Major Funding from

California Alliance for Jobs

Funding details at www.fppc.ca.gov

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**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: UPDATE OF JOB CLASSIFICATIONS

RECOMMENDATION: Adopt a Resolution to Update the Job Classifications for the Public Works Department Operations and Maintenance Staff, Projects and Programs Manager, Management Analyst I/II (Confidential) Position and Eliminate the Management Analyst I/II position.

SUMMARY:

State regulations (CCR 66265.16) enforced by the San Joaquin Environmental Health Department require the City to update the job classification for the Public Works Department Operations and Maintenance (O&M) staff positions whose responsibilities include the transportation, handling, storage and disposal of hazardous materials and wastes.

Staff has identified that the Management Analyst I/II (Confidential) and the Projects and Programs Manager should be updated to accurately reflect the duties of these positions. Additionally, staff is recommending that the Management Analyst I/II position be eliminated.

As required by the Memorandum of Understanding, staff has reviewed and discussed these recommendations with Service Employee International Union, Local 1021 (SEIU) and Lathrop Mid-Managers and Confidential Employee's Association (LMCEA). Both bargaining units have agreed to the City's recommendations.

BACKGROUND:

Staff has identified that various job descriptions require updating (Attachment B).

Public Works Positions

Various job descriptions within the Public Works Department Operations and Maintenance Division require the job descriptions to be updated per State regulations. The job descriptions for the following referenced positions require language to be added that identifies the training and responsibilities that are related to hazardous materials and wastes.

- Maintenance Worker I/II (SEIU)
- Maintenance Services Supervisor (LMCEA)
- Senior Maintenance Worker (SEIU)
- Utility Operator I/II (SEIU)
- Utility Operator III (SEIU)
- Utility and Streets Maintenance Superintendent (LMCEA)
- Water Meter Reader I/II (SEIU)

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
UPDATE JOB DESCRIPTIONS FOR VARIOUS POSITIONS**

PAGE 2

Management Analyst I/II

At the February 12, 2018 Council Meeting, Council approved the reclassification of one Budget Analyst I/II (Confidential) position to a Management Analyst I/II (Confidential – LMCEA) and the elimination of the Budget Analyst classification. As a result, the job description was updated to more accurately reflect the responsibilities of this position. Staff recommends that the Management Analyst I/II (SEIU) position be eliminated from the Grade/Step table. This position is not currently filled and staff does not anticipate a need to utilize this classification in the future.

Projects and Program Manager

In order to accurately reflect the current responsibilities and duties of the Projects and Program Manager Position, Staff recommends changing the title to Project Manager (LMCEA), and adjusting the job description accordingly.

The job classifications referenced within this report are represented by SEIU or LMCEA, as noted. Staff has provided copies of the updated job descriptions to both of the bargaining units and any recommended changes have been incorporated into the attached documents presented to Council.

RECOMMENDATION:

Staff is recommending the City Council adopt a resolution updating the referenced job descriptions in order to comply with regulation requirements and to adopt job descriptions that appropriately reflect staff's current responsibilities. In addition, Staff recommends eliminating the Management Analyst I/II classification, as Staff does not anticipate utilizing this classification in the future.

FISCAL IMPACT:

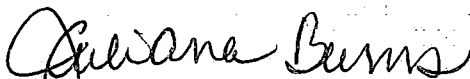
The changes approved by this resolution represent no additional fiscal impact on the current FY 17-18 budget.

ATTACHMENTS:

- A. Resolution
- B. Updated Job Descriptions

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
UPDATE JOB DESCRIPTIONS FOR VARIOUS POSITIONS**

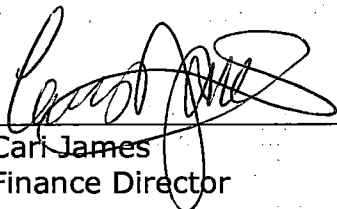
APPROVALS:



Juliana Burns
Human Resources Manager

4-3-18

Date



Carl James
Finance Director

4/3/18

Date



Salvador Navarrete
City Attorney

4.3.18

Date



Stephen J. Salvatore
City Manager

4.3.18

Date

RESOLUTION 18-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP TO UPDATE JOB CLASSIFICATION FOR PUBLIC WORKS DEPARTMENT OPERATIONS AND MAINTENANCE STAFF, PROJECTS AND PROGRAMS MANAGER, THE MANAGEMENT ANALYST I/II (CONFIDENTIAL) POSITION AND ELIMINATE THE MANAGEMENT ANALYST I/II POSITION

WHEREAS, State regulations (CCR 66265.16) enforced by the San Joaquin Environmental Health Department require the City to update the job classifications for the Public Works Department operations and maintenance (O&M) staff positions whose responsibilities include the transportation, handling, storage and disposal of hazardous materials and wastes; and

WHEREAS, Staff has identified that the Maintenance Worker I/II (SEIU), Maintenance Services Supervisor (LMCEA), Senior Maintenance Worker (SEIU), Utility Operator I/II (SEIU), Utility Operator III (SEIU), Utility and Streets Maintenance Superintendent (LMCEA), and Water Meter Reader I/II (SEIU) require their job classifications to be updated to ensure compliance with State regulations; and

WHEREAS, Staff has recommended that the Management Analyst I/II (Confidential) job classification be updated to more accurately reflect the responsibilities of the position; and

WHEREAS, Staff has recommended that the Management Analyst I/II job classification can be eliminated and removed from the Grade/Step table; and

WHEREAS, Staff has recommended that the Projects and Program Manager job classification be updated and renamed to Project Manager to more accurately reflect the responsibilities of the position; and

WHEREAS, the City provided a draft update of recommended job classifications to the appropriate LMCEA and SEIU representatives and any changes have been incorporated into the updated job classifications;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop hereby approves updating the job classifications for the referenced positions and approves the elimination of the Management Analyst I/II job classification and removal from the Grade/Step table.

The foregoing resolution was passed and adopted this 9th day of April, 2018, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

CITY OF LATHROP

MAINTENANCE WORKER I/II

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications **may not include all** duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

DEFINITION:

Under general supervision, learns to perform and performs the full array of duties assigned to classes in the Maintenance Worker series, including skilled and semi-skilled work in streets, storm drain basins, parks, buildings and public facilities; assists other Public Works maintenance units when assigned; demonstrates a full understanding of all applicable policies, procedures and work methods associated with assigned duties; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:**Maintenance Worker I**

The **Maintenance Worker I** is the entry level class in the Maintenance Worker series that allows the incumbent to develop journey level knowledge and abilities. Initially, under immediate supervision, incumbents perform the more routine and less complex assignments within an established procedural framework, where there are minimal consequences of error, including a wide variety of maintenance and construction tasks in streets, parks, buildings and public facilities. Incumbents are expected to perform the full scope of assigned duties. This classification is alternatively staffed with Maintenance Worker II and incumbents may advance to the higher level after gaining experience, and demonstrating a level of proficiency that meets the qualifications of the higher level classification.

Maintenance Worker II

The **Maintenance Worker II** is the journey level class in the Maintenance Worker series in which incumbents are expected to independently perform the full scope of assigned duties. Incumbents perform a full range of duties related to the operation, maintenance and repair of the City's streets, parks and facilities. This classification differs from the next lower classification of Maintenance Worker I by the greater complexity of the assignments received, and the greater independence with which an incumbent is expected to operate.

SUPERVISION RECEIVED/EXERCISED:**Maintenance Worker I**

Receives immediate supervision from the Maintenance Services Supervisor. Incumbents in this class do not routinely exercise supervision.

Maintenance Worker II

Receives general supervision from the Maintenance Services Supervisor. May exercise functional and technical supervision over lower level maintenance personnel, seasonal and temporary staff.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Performs maintenance, repair, construction, and installation work in streets, parks, buildings and public facilities; inspects assigned areas and corrects and/or reports safety hazards; participates in traffic control activities at the work site.
- Assists other Public Works maintenance units when required; performs tree trimming, graffiti removal and traffic control; operates trucks, loaders, backhoes, boom trucks and other light and heavy duty maintenance and construction equipment; maintains and cleans assigned vehicles and equipment; operates a variety of hand and power tools; inspects tools and equipment for safety and mechanical defects; assists with City sponsored functions; works with a variety of outside contractors; responds to after hours call-outs as assigned.
- Demonstrates a full understanding of applicable policies, procedures and work methods associated with assigned duties; may provide training to lower level staff; responds to questions and concerns from the general public; provides customer services and information, as is appropriate, and resolves public service complaints.
- Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, City management and staff, and the public.
- When assigned to Streets: Performs skilled street maintenance tasks involving the repair, maintenance and construction of curbs, gutters, sidewalks, streets, roadways, storm drains, pavement, and related facilities; removes debris from roads, drains, pedestrian walkways and public areas; performs weed abatement and graffiti removal; assists in the installation, maintenance and inspection of City signs, road markings, striping, and delineators; performs concrete sidewalk, curb, gutter, and ramp installation and repair; performs temporary and permanent pothole repairs and crack sealing; paints curbs; installs and repairs guardrails and barricades; mows and abates weeds on rights-of-way; sprays herbicides; conducts litter removal throughout the City.
- When assigned to Parks: Performs skilled maintenance, repair, construction and installation work in parks, landscape areas, and recreational facilities; cleans and maintains grounds, paved areas, paths and walkways; picks up trash and litter; opens, cleans and maintains all restrooms; installs, repairs and maintains irrigation systems; adjusts, repairs and replaces timing mechanisms; performs weed control, shrub planting and trimming; mixes and applies herbicides and pesticides in a safe manner; operates and maintains a variety of hand and power landscaping tools and equipment.
- When assigned to Buildings and Public Facilities: Performs the full range of custodial duties, including vacuuming, mopping, waxing and buffing floors; shampoos carpets; washes windows and performs miscellaneous custodial duties; performs interior and exterior painting and staining; performs maintenance, diagnostic and minor carpentry, plumbing and electrical work; assists in the assembly and moving of office furniture and equipment.
- Responsible for maintaining hazardous materials and supply inventory in an organized, clean, and safe configuration.
- Conduct daily/weekly/monthly, etc. inspections of the facility, including all hazardous materials.
- Perform ongoing maintenance, complete corrective actions to maintain waste facilities and equipment in safe working condition in accordance with Permit conditions.

- Follow procedures for waste management and hazardous material or chemical handling, including sampling, weighing, and storing chemical containers.
- Follow prescribed safety procedures and comply with state and federal laws regulating hazardous materials handling, hazardous waste management, and proper disposal methods.
- Participate in hazardous material and waste management training and professional development activities, including necessary certification.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment. The need to lift, carry and push tools, equipment and supplies weighing 25 pounds or more is also required. Additionally, the incumbent in this outdoor position works in all weather conditions, including wet, hot and cold. The incumbent may use chemicals, which may expose the employee to fumes, dust, and air contaminants, and be exposed to mechanical and electrical hazards. The nature of the work also requires the incumbent to climb ladders, work at heights over 10 feet, use power and noise producing tools and equipment, drive motorized vehicles and heavy equipment, and work in heavy vehicle traffic conditions. The incumbent may be required to respond to after hours emergency call-outs and perform routine standby duties.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Maintenance Worker I/II**. A typical way of obtaining the required qualifications is to possess the equivalent of:

Maintenance Worker I

A high school diploma or equivalent. One year of experience in construction, maintenance or landscape work is desirable.

Maintenance Worker II

In addition to the above, one year of experience in construction and maintenance of streets, parks or buildings equivalent to that of a Maintenance Worker I with the City of Lathrop, and a high school diploma or equivalent.

License/Certificate:

Possession of a valid class C California driver's license.

-Training Requirements:

- Initial training - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).
- Annual Refresher - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position. The level and scope of the knowledge and abilities listed below vary between the I and II levels.)*

Knowledge of:

Modern practices, techniques and materials used in maintenance, construction, mechanics and repair of streets, parks, buildings, and grounds; operational characteristics of standard construction and maintenance tools and equipment; traffic control methods and regulations; practices, procedures and materials used in weed and pest abatement; safety requirements for operation of trucks and other equipment; applicable federal, state and local laws, codes and regulations; methods and techniques of scheduling work assignments; basic principles of mathematics and record keeping; occupational hazards and standard safety practices.

Ability to:

Perform maintenance, repair and installation of asphalt, signs, concrete and irrigation systems; operate a variety of tools and equipment used in maintenance and construction; operate hand and power tools competently and safely; perform heavy manual labor; respond to after hours call-outs as assigned; work independently and as part of a team; make sound decisions within established guidelines; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Safely and effectively operate a variety of maintenance equipment, tools and materials.

CITY OF LATHROP

WATER METER READER I/II

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DEFINITION:

Under general supervision, learns to perform and performs the full array of duties assigned to classes in the Water Meter Reader series, including reading water meters in an assigned area to record water consumption for a given period; inputs data into hand-held meter reading device; verifies water meter numbers and service codes; checks water meters for missing seals, glass, lights out and/or tampering and makes necessary reports; detects and reports damaged or unusual meter conditions; and performs related work as required. Demonstrates a full understanding of all applicable policies, procedures and work methods associated with assigned duties; and performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

Water Meter Reader I

The **Water Meter Reader I** is the entry level class in the Water Meter Reader series that allows the incumbent to learn to read water meters under close supervision and then are assigned to read a route. Incumbents are expected to perform the full scope of assigned duties. This classification is alternatively staffed with Water Meter Reader II. Incumbents may advance to the higher level after gaining experience and achieving proficiency that meet the requirements for the higher level classification.

Water Meter Reader II

The **Water Meter Reader II** is the journey level class in the Water Meter Reader series in which incumbents are expected to independently perform the full scope of assigned duties. This classification is distinguished from the next higher classification of Utility Maintenance Supervisor in that the latter is the advanced journey level classification responsible for providing lead direction and training to assigned crews.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Must possess physical characteristics to perform the critical and important duties of the job, including stamina to walk 7 to 10 miles a day; climb embankments, stairs, and fences to four feet; agility to crawl through narrow spaces; and bending 200 times per day. Must be willing to work alone, in a variety of weather conditions, where hostile dogs and people may be encountered. Ability to install and repair water meters in different sizes and weight. Ability to work in confined areas (i.e. pipelining in trenches, pump houses and alleys). Ability to lift up to 60 pounds, twist, bend, stop, kneel, push, pull, squat, and reach overhead.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Water Meter Reader I/II**. A typical way of obtaining the required qualifications is to possess the equivalent of:

Water Meter Reader I

A high school diploma or equivalent. One year of experience in the maintenance and repair of water and sewer systems is desirable.

Water Meter Reader II

In addition to the above, two years of experience equivalent to that of a Water Meter Reader I in the City of Lathrop, or other jurisdiction, including experience in the maintenance and repair of water and sewer systems, and a high school diploma or equivalent.

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position. The level and scope of the knowledge and abilities listed below vary between I and II levels.) which include, but are not limited to, the following:*

- Basic mathematical principles;
- Read residential and commercial water meters on assigned routes and record readings;
- Input data into hand-held meter reading device;
- Verify meter numbers and service codes;
- Compare the current reading with prior readings to determine accuracy and appropriateness of reading;
- Check meters for missing seals, glass, lights out and tampering and makes necessary reports;
- Discuss meter problems with supervisor;
- Identify address for new water utility billing;
- Tactfully respond to citizen inquiries and complaints;
- Verify water meter numbers and service codes;
- Follow oral and written instructions;
- Work independently in the field with minimum supervision;
- Work with the public effectively and cooperatively in a courteous and professional manner;
- Knowledge of City streets and address system;

- Responsible for maintaining hazardous materials and supply inventory in an organized, clean, and safe configuration.
- Conduct daily/weekly/monthly, etc. inspections of the facility, including all hazardous materials.
- Perform ongoing maintenance, complete corrective actions to maintain waste facilities and equipment in safe working condition in accordance with Permit conditions.
- Follow procedures for waste management and hazardous material or chemical handling, including sampling, weighing, and storing chemical containers.
- Follow prescribed safety procedures and comply with state and federal laws regulating hazardous materials handling, hazardous waste management, and proper disposal methods.
- Participate in hazardous material and waste management training and professional development activities, including necessary certification.

License/Certificate:

Must possess a valid California Driver's License Class C license and have a satisfactory driving record.

Training Requirements:

- Initial training - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).
- Annual Refresher - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).

SUPERVISION RECEIVED/EXERCISED:

Water Meter Reader I

Receives immediate supervision from the Utility Maintenance Supervisor. Incumbents in this class do not routinely exercise supervision.

Water Meter Reader II

Receives general supervision from the Utility Maintenance Supervisor. Incumbents may exercise functional and technical supervision over lower level maintenance personnel, seasonal and temporary staff.

CITY OF LATHROP

MAINTENANCE SERVICES SUPERVISOR

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications **may not include all** duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

DEFINITION:

Under direction, supervises, coordinates, directs and evaluates the work of staff involved in parks maintenance, street maintenance, facility maintenance, and facility custodial activities; assists in the research and implementation of new programs; ensures safe work practices, work quality and accuracy; maintains appropriate work records which may include timecards and work orders; serves as a technical resource for assigned staff; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

The **Maintenance Services Supervisor** is the supervisory level classification responsible for overseeing an assigned maintenance function within the Public Works Department, including planning and scheduling staff assignments, and monitoring work production. The incumbent provides ongoing monitoring of service delivery, and responds to customer complaints and concerns. This classification is distinguished from the next higher classification of ~~Deputy Director of Public Works — Operations~~ **the Utility and Streets Maintenance Superintendent** in that the latter is responsible for the management of multiple operational and maintenance units within the Department.

SUPERVISION RECEIVED/EXERCISED:

Receives direction from the ~~Deputy Director of Public Works — Operations~~ **Utility and Streets Maintenance Superintendent**. Exercises direct and indirect supervision over assigned staff.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Plans, prioritizes, assigns, supervises and reviews the work of staff involved in the construction, maintenance and repair of City streets, parks, buildings and facilities; implements safety programs and ensures safe work practices, work quality and accuracy; oversees and monitors maintenance work and activities provided by outside contractors.
- Participates in the development and implementation of goals, objectives, policies and procedures; evaluates work methods and procedures for improving unit performance and meeting goals; ensures that goals are achieved; assists in the research and implementation of new programs.
- Participates in the selection and training of maintenance personnel; assumes responsibility for motivating and evaluating assigned personnel; provides or arranges for necessary training; initiates discipline procedures as is appropriate.

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- Develops and monitors schedules, methods and procedures for performing assigned duties; conducts daily inspections of work in progress; monitors work activities to ensure safe work practices, work quality and customer service; ensures compliance with applicable rules, policies and procedures; maintains appropriate work records and documents; prepares statistical and/or analytical reports on operations as necessary.
- Participates in the development of the maintenance services budget; assists in monitoring the approved budget; coordinates with outside vendors for various supplies and services; oversees and maintains the inventory, maintenance and operating condition of departmental tools, equipment and supplies; requisitions and orders needed materials, parts and equipment.
- Evaluates and recommends work projects and activities; estimates time, materials and equipment necessary for successful completion of work; identifies and reviews resource needs with appropriate management staff; allocates resources accordingly; schedules work with outside contractors and developers; attends pre-construction meetings.
- Participates in all maintenance activities, including sprinkler installation and repair, street maintenance, facility repairs and facility custodial activities; inspects streets, parks and facilities and identifies maintenance needs; supervises and assists in the application of herbicides and pesticides; supervises and participates in the operation of construction and maintenance equipment and/or machinery including construction vehicles, power tools and equipment.
- Addresses and responds to customer service questions, inquiries and concerns; establishes and maintains a customer service orientation within the Unit.
- Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, City management and staff, and the public.
- Responsible for overseeing adherence of maintaining hazardous materials and supply inventory in an organized, clean, and safe configuration.
- Ensure daily/weekly/monthly, etc. inspections of the facility are conducted, including all hazardous materials and hazardous waste.
- Ensure ongoing maintenance and complete corrective actions are performed to maintain waste facilities and equipment in safe working condition in accordance with Permit conditions.
- Follow procedures for waste management and hazardous material or chemical handling, including sampling, weighing, and storing chemical containers.
- Follow prescribed safety procedures and comply with state and federal laws regulating hazardous materials handling, hazardous waste management, and proper disposal methods.
- Participate in hazardous material and waste management training and professional development activities, including necessary certification.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

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Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping, and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment. The need to lift, carry and push tools, equipment and supplies weighing 25 pounds or more is also required. Additionally, the incumbent in this outdoor position works in all weather conditions, including wet, hot and cold. The incumbent may use cleaning and lubricating chemicals which may expose the employee to fumes, dust and air contaminants, and may be exposed to mechanical hazards. The nature of the work also requires the incumbent to climb ladders, use power and noise producing tools and equipment, enter confined spaces, drive motorized vehicles and heavy equipment, work in heavy vehicle traffic conditions, and often work with constant interruptions. The incumbent may be required to respond to after hours emergency call-outs and perform routine standby duties.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Maintenance Services Supervisor**. A typical way of obtaining the required qualifications is to possess the equivalent of five years of increasingly responsible experience in street, parks or facilities maintenance, including two years of lead or supervisory experience, and a high school diploma or equivalent. Supplemental coursework or specialized training in construction, grounds maintenance or facilities maintenance is desirable.

License/Certificate:

Possession of, or ability to obtain a Class C California driver's license. Possession of, or ability to obtain, a Pesticide Applicator's Certificate issued by the State of California.

Training Requirements:

- Initial training - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).
- Annual Refresher - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

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Modern principles and practices of street, parks and facilities maintenance and repair; operational characteristics of specialized construction, landscaping and maintenance tools and equipment; characteristics of irrigation systems, timers and controls; principles and practices of project development and cost estimating; principles and practices of budget development and administration; methods and techniques of supervision, training and motivation; applicable federal, state and local laws, codes and regulations; methods and techniques of scheduling work assignments; basic principles of mathematics and record keeping; occupational hazards and standard safety practices.

Ability to:

Supervise and direct the operations and activities of assigned maintenance units in the Public Works Department; plan, organize and direct the work of subordinate staff; safely operate a variety of tools and equipment used in construction, maintenance and repair; estimate time and materials for completion of projects; coordinate and conduct training programs for staff; respond to issues and concerns from the community; work independently and as part of a team; make sound decisions within established guidelines; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Safely and effectively operate a variety of maintenance and construction equipment, tools and materials; operate an office computer and a variety of software applications.

CITY OF LATHROP

SENIOR MAINTENANCE WORKER

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DEFINITION:

Under direction, leads, oversees, reviews and performs work activities and duties assigned to maintenance crews, including construction, maintenance and repair activities in streets, parks, buildings and public facilities; assumes responsibility for the more difficult and complex tasks; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

The **Senior Maintenance Worker** is the advanced journey level classification in the Maintenance Worker series. Incumbents perform skilled work in the construction, maintenance and repair of streets, parks, buildings and public facilities, and provide lead direction and training to assigned crews. This classification is distinguished from the next higher classification of Maintenance Services Supervisor in that the latter is a supervisory level class responsible for overseeing an assigned maintenance function within the Department.

SUPERVISION RECEIVED/EXERCISED:

Receives direction from the Maintenance Services Supervisor or higher level management staff. Exercises technical and functional supervision over assigned maintenance staff.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Leads, oversees, reviews and performs the work of staff responsible for the construction, maintenance and repair of streets, parks, buildings and public facilities; operates and inspects City streets, parks and facilities to identify maintenance needs; develops and implements crew assignments; assists maintenance staff in troubleshooting and performing the more complex maintenance and repair activities.
- Assists the Maintenance Supervisor with evaluating service and equipment needs, and in developing work methods and procedures; assists in prioritizing requests for service and scheduling work; assists in the development of plans to meet future service needs.
- Ensures the quality and safety of work assignments in progress and upon completion; conducts daily inspections of work in progress; provides leadership, instruction and training to improve work standards, methods and procedures.
- Supervises and participates in the operation and upkeep of construction and maintenance equipment and/or machinery, including construction vehicles, power tools and equipment; assists in the training

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of assigned personnel; ensures adherence to safe work methods, procedures and practices; conducts and participates in safety meetings; identifies training opportunities and needs; makes recommendations to higher level staff; participates in the evaluation of assigned maintenance personnel.

- Investigates service requests and complaints made by the public; works with appropriate City staff to resolve issues; explains priorities, programs and policies to the public when required; responds to emergency calls from the public and other agencies, and takes appropriate action.
- Demonstrates a full understanding of applicable policies, procedures and work methods associated with assigned duties; evaluates assigned work projects; estimates time, materials and equipment necessary for the successful completion of the project; acquires necessary resources as is appropriate; prepares and maintains records of labor, equipment and material used; writes reports and correspondence on work performed.
- Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, City management and staff, and the public.
- Responsible for maintaining hazardous materials and supply inventory in an organized, clean, and safe configuration.
- Conduct daily/weekly/monthly, etc. inspections of the facility, including all hazardous materials.
- Perform ongoing maintenance, complete corrective actions to maintain waste facilities and equipment in safe working condition in accordance with Permit conditions.
- Follow procedures for waste management and hazardous material or chemical handling, including sampling, weighing, and storing chemical containers.
- Follow prescribed safety procedures and comply with state and federal laws regulating hazardous materials handling, hazardous waste management, and proper disposal methods.
- Participate in hazardous material and waste management training and professional development activities, including necessary certification.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping, and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment. The need to lift, carry and push tools, equipment and supplies weighing 25 pounds or more is also required. Additionally, the incumbent in this outdoor position works in all weather conditions, including wet, hot and cold. The incumbent may use cleaning and lubricating chemicals which may expose the employee to fumes, dust and air contaminants, and may be exposed to mechanical hazards. The nature of the work also requires the incumbent to climb ladders, use power and noise producing tools and equipment, enter confined spaces, drive motorized vehicles and heavy equipment, work in heavy vehicle traffic conditions and often work with constant interruptions. The incumbent may be required to respond to after hours emergency call-outs and perform routine standby duties.

SENIOR MAINTENANCE WORKER

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Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Senior Maintenance Worker**. A typical way of obtaining the required qualifications is to possess the equivalent of three years of increasingly responsible experience in the construction, repair and maintenance of streets, parks or buildings and grounds, and a high school diploma or equivalent.

License/Certificate:

Possession of, or ability to obtain, a valid class C California driver's license. For some vehicles possession of a class B California driver's license might be required. Possession of a Pesticide Applicator's certificate issued by the state of California is desirable.

Training Requirements:

- Initial training - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).
- Annual Refresher - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Modern principles, practices, techniques and materials used in the maintenance, construction and repair of streets, parks, building and grounds; operational characteristics of specialized construction and maintenance tools and equipment; characteristics and safe application methods of herbicides and pesticides; principles and practices of project development and cost estimating; methods and techniques of supervision, training and motivation; applicable federal, state and local laws, codes and regulations; methods and techniques of scheduling work assignments; basic principles of mathematics and record keeping; occupational hazards and standard safety practices.

Ability to:

Oversee, lead and perform construction, maintenance and repair activities related to the City's

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streets, parks, buildings and grounds; safely operate a variety of tools and equipment used in construction and maintenance activities; estimate time and materials for completion of projects; read and interpret blueprints; work independently in the absence of supervision; perform the more complex and difficult maintenance activities; perform heavy manual labor; plan, organize and direct the work of subordinate staff; respond to after hours call-outs as assigned; work independently and as part of a team; make sound decisions within established guidelines; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Safely and effectively operate a variety of maintenance and construction equipment, tools and materials; operate an office computer and a variety of software applications.

CITY OF LATHROP

UTILITY OPERATOR I/II

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DEFINITION:

Under general supervision, learns to perform and performs the full array of duties assigned to classes in the Utility Operator series, including skilled and semi-skilled work in the operation, maintenance and repair of the City's water distribution, sewer collection, recycled water, and storm drain systems; assists other units of Public Works in the maintenance of streets, facilities and buildings as needed; demonstrates a full understanding of all applicable policies, procedures and work methods associated with assigned duties; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

Utility Operator I

The **Utility Operator I** is the entry level class in the Utility Operator series that allows the incumbent to develop journey level knowledge and abilities. Initially, under immediate supervision, incumbents perform the more routine and less complex assignments within an established procedural framework where there are minimal consequences of error, including system maintenance and repair and customer service work. Incumbents are expected to perform the full scope of assigned duties. This classification is alternatively staffed with Utility Operator II and incumbents may advance to the higher level after gaining experience, obtaining required water and wastewater certifications, and demonstrating a level of proficiency that meets the qualifications of the higher level class.

Utility Operator II

The **Utility Operator II** is the journey level class in the Utility Operator series in which incumbents are expected to independently perform the full scope of assigned duties. Incumbents perform a full range of duties related to the operation, maintenance and repair of the City's water distribution, sewer collection, recycled water, and storm drain systems. This classification is distinguished from the next higher classification of Chief Utility Operator in that the latter is the advanced journey level classification responsible for providing lead direction and training to assigned crews.

SUPERVISION RECEIVED/EXERCISED:

Utility Operator I

Receives immediate supervision from the Chief Utility Operator. Incumbents in this class do not routinely exercise supervision.

Utility Operator II

Receives general supervision from the Chief Utility Operator. May exercise functional and technical supervision over lower level maintenance personnel, seasonal and temporary staff.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Performs skilled and semi-skilled work in the operation, maintenance and repair of the City's water distribution, sewer collection, wastewater, and storm drain systems; excavates to repair underground utilities; marks underground utilities for Underground Service Alert (USA); participates in traffic control activities at the work site.
- Inspects, flushes, cleans and repairs water mains, lines and laterals; repairs, maintains and overhaul pumps, motors, chlorinators and control valves; monitors water wells and operates pumps to regulate system flow and pressure; checks and documents recordings on instrumentation equipment; operates computerized SCADA control program; takes water samples; tests and calculates water pressure and flow; tests backflow devices; conducts cross-connection surveys; maintains required records.
- Performs stand-by duties on a rotational basis
- Responds to afterhours emergency calls at irregular hours.
- Repairs and maintains storm drains, manholes and pump stations; inspects drains, culverts and gutters and removes obstructions; maintains and repairs sewer lines and lift stations; diagnoses and repairs electrical control panels and back up generators.
- Assists other Public Works units when required; performs semi-skilled and skilled manual work in the maintenance and repair of streets and alleyways; assists in the repair of curbs and gutters; performs traffic control; assists in the maintenance of City buildings and facilities; operates trucks, loaders, backhoes, boom trucks, hydro flushers and other light and heavy duty maintenance and construction equipment; maintains and cleans assigned vehicles and equipment; operates a variety of hand and power tools; inspects tools and equipment for safety and mechanical defects; assists with City sponsored functions; responds to after hours call-outs as assigned.
- Demonstrates a full understanding of applicable policies, procedures and work methods associated with assigned duties; may provide training to lower level staff; responds to questions and concerns from the general public; provides customer services and information as is appropriate and resolves public service complaints.
- Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, City management and staff, and the public.
- Responsible for maintaining hazardous materials and supply inventory in an organized, clean, and safe configuration.
- Conduct daily/weekly/monthly, etc. inspections of the facility, including all hazardous materials and hazardous waste.
- Maintain hazardous material and/or hazardous waste inspection logs and facility records.
- Perform ongoing maintenance, complete corrective actions to maintain waste facilities and equipment in safe working condition in accordance with Permit conditions.
- Follow procedures for waste management and hazardous material or chemical handling, including sampling, weighing, and storing chemical containers.

- Assist in preparing and completing hazardous waste profiles, and maintaining waste processing records.
- Follow prescribed safety procedures and comply with state and federal laws regulating hazardous materials handling, hazardous waste management, and proper disposal methods.
- Participate in hazardous material and waste management training and professional development activities, including necessary certification.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping, and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment. The need to lift, carry and push tools, equipment and supplies weighing 25 pounds or more is also required. Additionally, the incumbent in this outdoor position works in all weather conditions, including wet, hot and cold. The incumbent may use chemicals which may expose the employee to fumes, dust and air contaminants, and be exposed to mechanical and electrical hazards. The nature of the work also requires the incumbent to climb ladders, work at heights over 10 feet, enter confined spaces, use power and noise producing tools and equipment, drive motorized vehicles and heavy equipment, and work in heavy vehicle traffic conditions. The incumbent may be required to respond to after hours emergency call-outs and perform routine standby duties.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Utility Operator I/II** A typical way of obtaining the required qualifications is to possess the equivalent of:

Utility Operator I

A high school diploma or equivalent. One year of experience in the maintenance and repair of water and sewer systems is desirable.

Utility Operator II

In addition to the above, two years of experience equivalent to that of a Utility Operator I in the City of Lathrop, including experience in the maintenance and repair of water and sewer systems, and a high school diploma or equivalent.

License/Certificate:

Utility Operator I

Possession of, or the ability to obtain and maintain, a valid class C California driver's license; possession of a Water Distribution Operator, Grade D1, Water Treatment Grade T1 certificates issued by the State of California Department of Public Health, and a Collection System, Grade I

certificate issued by the California Water Environment Association (CWEA), within one year of appointment.

Utility Operator II

Possession of, or the ability to obtain and maintain, a valid class B California driver’s license; possession of a Water Distribution Operator, Grade D2, and Water Treatment T2 certificates issued by the State of California Department of Public Health, and a Collection System, Grade I issued by the California Water Environment Association (CWEA), and Backflow Tester and Specialist Certificates issued by the American Water Works Association (AWWA).

Training Requirements:

- Initial training - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).
- Annual Refresher - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour).

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS’s necessary to perform essential duties of the position. The level and scope of the knowledge and abilities listed below vary between the I and II levels.)*

Knowledge of:

Modern practices, techniques and materials used in the operation, maintenance and repair of water distribution, recycled water distribution, sewer collection and storm drain systems, and backflow cross-connection systems; operational characteristics of standard construction and maintenance tools and equipment; traffic control methods and regulations; confined space entry procedures; safety requirements for operation of trucks, construction vehicles and other equipment; applicable federal, state and local laws, codes and regulations; methods and techniques of scheduling work assignments; basic principles of mathematics and record keeping; occupational hazards and standard safety practices.

Ability to:

Perform maintenance, repair and operational work in water distribution, recycled water distribution, sewer collection, storm drainage, street systems, and backflow cross-connection systems; operate a variety of light and heavy duty equipment used in maintenance and construction; operate hand and power tools competently and safely; perform heavy manual labor; respond to after hours call-outs as assigned; work independently and as part of a team; make sound decisions within established guidelines; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Safely and effectively operate a variety of maintenance equipment, tools and materials.

CITY OF LATHROP

UTILITY OPERATOR III

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DEFINITION:

Under general supervision, learns to perform and performs the full array of duties assigned to classes in the Utility Operator series, including skilled and semi-skilled work in the operation, maintenance and repair of the City's water distribution, sewer collection, recycled water, and storm drain systems; assists other units of Public Works in the maintenance of streets, facilities and buildings as needed; demonstrates a full understanding of all applicable policies, procedures and work methods associated with assigned duties; performs other related duties as required. Additionally under general supervision, operates all of the water treatment and related processes associated with the City's water treatment plant, pump stations, and reservoirs; performs standard water quality chemical tests, makes minor and major repairs to plant equipment and performs other job related duties.

DISTINGUISHING CHARACTERISTICS:

Utility Operator III is the journey level shift operator classification in the Operator series. Incumbents perform a full range of duties related to the operation, maintenance and repair of the City's water distribution, sewer collection, recycled water, and storm drain systems. Utility Operator III's perform complex duties in connection with the operation, maintenance, and repair of ground water treatment plants, water wells, and water storage facilities. Work is performed independently, and may include acting as a lead worker with an assistant. Incumbents shall possess the ability to diagnose malfunctions in a variety of water quality processes. The position requires employees to perform a variety of specialized water quality testing and be skilled in working SCADA and HMI systems.

Utility Operator III – Classification is distinguished from the next higher level of Chief Utility Operator in that the latter is an advanced journey level classification responsible for full supervision and review of staff involved in operation, maintenance and repair of City's water, sewer and storm water systems.

SUPERVISION RECEIVED/EXERCISED:

This position receives direction from the Public Works Utility & Street Maintenance Superintendent. Incumbents in this classification do not routinely exercise supervision.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Independently operates monitors, inspects, and adjusts processes using a SCADA computerized control system.

- Operates and monitors pumps, valves, and related equipment to regulate the flow of water through a treatment plant or other portions of a water distribution system; starts, adjusts and shuts down plant operations, and adjusts pumping stations and distribution system flows to meet production and storage requirements and water quality standards.
- Collects water samples and performs standardized laboratory testing, such as chlorine residual, pH, turbidity, temperature, and taste and odor; calculates chemical dosages and adjusts chemical feeders as necessary to maintain water quality.
- Controls filter vessel operations; removes filters from service and performs inspections and minor repairs to filters as needed.
- Reads and interprets meters, gauges, charts, and instruments; logs plant operations, test results, unusual operating conditions, maintenance work performed, and related information; enters data into a computer; prepares routine and special oral and written reports as required; changes charts and inking pens as necessary.
- Periodically inspects and tests motors, pumps, valves, chemical feeders, filter vessels, and related equipment; reports unusual conditions or the need for maintenance and repair of equipment, buildings and grounds.
- Takes inventory of chemicals and other treatment supplies; orders chemicals according to standard procedures; receives chemicals and supplies delivered during assigned shift and assists in their safe unloading and storage; handles hazardous materials in accordance with safety rules and procedures.
- Lubricates and makes limited repairs and adjustments to equipment; maintains the plant and operating equipment in a clean and orderly condition; assists in periodic cleaning of process, flushing of lines, and related maintenance.
- Ensures compliance with applicable rules, policies and procedures; maintains appropriate work records and documents; prepares statistical and/or analytical reports on operations as necessary.
- May perform routine housekeeping tasks or supplemental painting and grounds maintenance tasks.
- Operates motor vehicles, forklifts, end loaders, backhoes, hoists and other equipment in the performance of duties.
- Builds and maintains positive working relationships with coworkers, other City employees, and the public using principles of good customer service.
- Responsible for maintaining hazardous materials and supply inventory in an organized, clean, and safe configuration.
- Conduct daily/weekly/monthly, etc. inspections of the facility, including all hazardous materials and hazardous waste.

- Maintain hazardous material and/or hazardous waste inspection logs and facility records.
- Perform ongoing maintenance, complete corrective actions to maintain waste facilities and equipment in safe working condition in accordance with Permit conditions.
- Follow procedures for waste management and hazardous material or chemical handling, including sampling, weighing, and storing chemical containers.
- Assist in preparing and completing hazardous waste profiles, manifests, shipping documents, and maintaining waste processing records.
- Maintain current records for hazardous waste shipping manifests, supporting documentation, hazardous waste tracking documents etc.
- Follow prescribed safety procedures and comply with state and federal laws regulating hazardous materials handling, hazardous waste management, and proper disposal methods.
- Participate in hazardous material and waste management training and professional development activities, including necessary certification.
- All essential duties as listed in the Utility Operator I/II Classification
- Performs related duties as required.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment. The need to lift, carry and push tools, equipment and supplies weighing 25 pounds or more is also required. Additionally, the incumbent in this outdoor position works in all weather conditions, including wet, hot and cold. The incumbent may use cleaning and lubricating chemicals which may expose the employee to fumes dust and air contaminants, and may be exposed to mechanical and electrical hazards. The nature of the work also requires the incumbent to climb ladders, use power and noise producing tools and equipment, enter confined spaces, drive motorized vehicles and heavy equipment, work in heavy vehicle traffic conditions, and often work with constant interruptions. The incumbent will be required to respond to after hours emergency call-outs and perform routine standby duties.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a Utility Operator III. A typical way of obtaining the required qualifications is to possess the equivalent of five years increasingly responsible experience in the operations and maintenance of water treatment facilities and water distribution systems and collection systems maintenance and repair, and a high school diploma or equivalent. Supplemental coursework or specialized training in water treatment, water distribution systems and collection systems maintenance and operations is desirable.

License/Certificate:

Possession of, or ability to obtain a Class C California drivers license. Possession of and ability to maintain a State of California Water Treatment Operator T2 license, State of California Water Distribution Operator D3 license and an AWWA General Backflow Tester at time of employment. An AWWA Cross Connection Specialist and a California Water Environment Association Collection System Technologist grade 1 is desirable.

Training Requirements:

- Initial training - CA Title 22 Hazardous Waste Generator Training (4 hour), DOT Hazmat Shipper Function Specific Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour), HAZWOPER Initial Training (40 hour).
- Annual Refresher - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour), HAZWOPER Refresher Training (8 hour).
- Refresher - DOT Hazmat Shipper Function Specific Training (4 hour) required every 3 years.

Additional Qualification Requirements Related to Step Increase Criterion for Utility Operator III:

Step 1 - Possession of and ability to maintain a State of California Water Treatment Operator T2 license.

Step 2 - Possession of and ability to maintain a State of California Water Treatment Operator T3 license.

Step 3 – Possession of and ability to maintain a State of California Water Treatment Operator T3 license. Ability to operate a T3 facility with Supervision.

Step 4 – Possession of and ability to maintain a State of California Water Treatment Operator T3 license. Ability to operate a T3 facility with minimal Supervision.

Step 5 - Possession of and ability to maintain a State of California Water Treatment Operator T3 license. Ability to direct operations and staff of a T3 facility.

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Modern practices, techniques and materials used in the operation, maintenance and repair of water distribution, recycled water distribution, sewer collection, storm drain systems, and backflow cross-connection systems; operational characteristics of standard construction and maintenance tools and equipment; traffic control methods and regulations; confined space entry procedures; safety requirements for operation of trucks, construction vehicles and other equipment; knowledge of applicable federal, state and local laws, codes and regulations; methods and techniques of scheduling work assignments; basic principles of mathematics and record keeping; occupational hazards and standard safety practices. Water treatment plant operation and the principles of water treatment; the operating principles of filter vessels, valves, pumps, and motors; principles and methods of conducting basic chemical water analysis; working knowledge of computers and programmable logic controllers (PLCs); hydraulics and instrumentation commonly used in monitoring of water quality; California DHS water treatment regulations; codes, standard terms, practices, and modern methods common to the water treatment operation's trade; use and operation of measuring and testing devices, hand tools, and equipment of the trade. The methods, tools, materials, and equipment used in the operation, inspection, troubleshooting, repair, and maintenance of water treatment and water distribution facilities. Commonly used computer software used in instrumentation and control systems.

Ability to:

Perform maintenance, repair and operational work in water distribution, recycled water distribution, sewer collection, storm drainage, street systems, and backflow cross-connection systems; operate a variety of light and heavy duty equipment used in maintenance and construction; operate hand and power tools competently and safely; perform heavy manual labor; respond to after hours call-outs as assigned; work independently and as part of a team; make sound decisions within established guidelines; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships. Independently operate the water treatment plant and water distribution system on an assigned shift. Perform minor and major plant repair work using a variety of tools. Diagnose malfunctions in a variety of water quality, pumping and reservoir storage processes. Read and interpret gauges and recording devices, diagnose operating problems and take effective courses of action. Correctly interpret color-coded diagrams and computer screens. Use initiative and independent judgment with established guidelines. Communicate clearly and concisely, both orally and in writing. Establish and maintain effective working relationships with those contacted in the course of work.

Skill to:

Safely and effectively operate a variety of maintenance and construction equipment, tools and materials; operate an office computer and a variety of software applications.

CITY OF LATHROP
UTILITY AND STREET MAINTENANCE SUPERINTENDENT

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications **may not include all** duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

DEFINITION:

Under general direction, oversees the Utility and Street Maintenance divisions of the Public Works Department; plans, organizes, and coordinates the work of staff responsible for repair, maintenance, and operational work in streets, storm drains, water distribution and wastewater collection systems; ensures safe work practices, work quality, and accuracy; serves as a technical resource for assignee\ work crews, the Assistant Public Works Director, and Director of Public Works/City Engineer; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

The **Utility and Street Maintenance Superintendent** is a management level class responsible for planning and organizing the work activities of utility and street maintenance staff. Areas of responsibility include streets, storm drains, streetlights and signals, sidewalks, and the water distribution and wastewater collection systems. This classification is distinguished from the next higher classification of Assistant Public Works Director in that the latter has overall responsible for the assigned divisions within the Public Works Department and serves as Director of Public Works/City Engineer in his or her absence.

SUPERVISION RECEIVED/EXERCISED:

Receives general direction from the Assistant Public Works Director or Director of Public Works/City Engineer Exercises direct and indirect supervision over assigned staff.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Accepts responsibility for planning, organizing, and coordinating, the work activities of operations staff responsible for the construction, maintenance, repair and/or operation of streets, storm drains, streetlights and signals, sidewalks, and the water distribution and wastewater collection systems; coordinates the work of assigned divisions with other City departments and divisions, outside agencies, community groups, and the public.
- Develops policies and procedures; recommends programs, projects, and work assignments to the Assistant Public Works Director and Director of Public Works/City Engineer; monitors work activities to ensure safe work practices, work quality, and accuracy; develops and maintains short and long-range maintenance schedules for assigned areas; ensures compliance with applicable rules, policies and procedures
- Establishes performance goals for crews and individual employees; participates in the selection, training, and evaluation of maintenance personnel; assumes responsibility for motivating and evaluating assigned personnel; provides necessary training; initiates disciplinary procedures as is appropriate.
- Develops schedules and methods for performing assigned duties; maintains appropriate work records and documents, which may include time sheets, work orders, and inventories; plans, assigns, and directs field construction and maintenance projects.
- Prepares technical and/or analytical reports on operations as necessary; participates in budget preparation;

UTILITY AND STREET MAINTENANCE SUPERINTENDENT

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administers and monitors approved budgets; prepares project cost estimates; orders supplies, tools, and materials; reviews and monitors purchase orders; participates in the equipment procurement process; monitors and controls supplies and equipment.

- Assists in the preparation of the Department's Capital Improvement Program; develops and completes annual street slurry seal and street maintenance programs; develops and implements annual curb, gutter, and sidewalk replacement program; prepares and administers grants.
- Responds to the more difficult questions and concerns from the general public, contractors, vendors, and outside agencies; provides information as is appropriate and resolves public service or operational complaints; establishes and maintains a customer service orientation within the Division.
- Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, City management and staff, and the public.
- Responsible for overseeing adherence of maintaining hazardous materials and supply inventory in an organized, clean, and safe configuration.
- Ensure daily/weekly/monthly, etc. inspections of the facility are conducted, including all hazardous materials and hazardous waste.
- Ensure hazardous material and/or hazardous waste inspection logs and facility records are maintained.
- Ensure ongoing maintenance and complete corrective actions are performed to maintain waste facilities and equipment in safe working condition in accordance with Permit conditions.
- Oversee procedures for waste management and hazardous material or chemical handling, including sampling, weighing, and storing chemical containers are followed.
- Oversee proper procedures are followed for preparing and completing hazardous waste profiles, manifests, shipping documents, and maintaining waste processing records.
- Ensure current records for hazardous waste shipping manifests, supporting documentation, hazardous waste tracking documents etc. are properly maintained.
- Follow prescribed safety procedures and comply with state and federal laws regulating hazardous materials handling, hazardous waste management, and proper disposal methods.
- Participate in hazardous material and waste management training and professional development activities, including necessary certification.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement, and fine coordination in preparing reports using a computer keyboard. Additionally, the position requires near and far vision in reading written reports and work related documents and acute hearing is required when providing phone and personal service. The nature of the work may require the incumbent to work outdoors and lift equipment and materials weighing in excess of 25 pounds and occasionally requires working in heavy traffic conditions.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

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PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement, and fine coordination in preparing reports using a computer keyboard. Additionally, the position requires near and far vision in reading written reports and work related documents and acute hearing is required when providing phone and personal service. The nature of the work may require the incumbent to work outdoors and lift equipment and materials weighing in excess of 25 pounds and occasionally requires working in heavy traffic conditions.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS:

(The following are minimal qualifications necessary for entry into the classification.)

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for a Utility and Street Maintenance Superintendent. A typical way of obtaining the required qualifications is to possess the equivalent of four years of increasingly responsible experience in public works, parks or facilities maintenance, construction, and/or contract administration, including three years as a lead worker or supervisor of maintenance activity, and a bachelor's degree with major course work in civil engineering, business administration construction management, or related field.

License/Certificate:

Possession of, or ability to obtain, a valid Class C California driver's license

Training Requirements:

- Initial training - CA Title 22 Hazardous Waste Generator Training (4 hour), DOT Hazmat Shipper Function Specific Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour), HAZWOPER Initial Training (4024 hour), HAZWOPER Supervisor Training (8 hour).
- Annual Refresher - CA Title 22 Hazardous Waste Generator Training (4 hour), Site Specific Emergency Response Contingency Plan Action Guide Training (2 hour), HAZCOM Training (2 hour), HAZWOPER Refresher Training (8 hour).
- Refresher - DOT Hazmat Shipper Function Specific Training (4 hour) required every 3 years.

UTILITY AND STREET MAINTENANCE SUPERINTENDENT

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KNOWLEDGE/ABILITIES/SKILLS: (The following are a representative sample of the KAS's necessary to perform essential duties of the position.)

Knowledge of:

Modern practices, techniques, and materials used in maintenance, construction, repair, or operation of streets and utilities; operating characteristics and safety requirements for operation of trucks, construction vehicles, and other heavy and light equipment; principles and practices of program and budget development, administration, and evaluation; methods and techniques of supervision, training, and motivation; basic principles of mathematics; applicable federal, state, and local laws, codes, and regulations; methods and techniques of scheduling work assignments; standard office procedures, practices, and equipment; modern office practices, methods, and equipment, including a computer and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling, and grammar; occupational hazards and standard safety practices.

Ability to:

Manage and direct the operations and activities of the Utility and Street Maintenance divisions; estimate time, materials, and equipment needed to complete projects; read and understand plans and specifications; develop and administer a budget; supervise and participate in the establishment of division and/or department goals, objectives, and methods for evaluating achievement and performance levels; coordinate and conduct training programs for staff; respond to issues and concerns from the community; plan, organize, train, evaluate, and direct work of assigned staff; perform mathematical calculations quickly and accurately; interpret, explain, and apply applicable laws, codes, and regulations; read, interpret, and record data accurately; organize, prioritize, and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Operate an office computer and a variety of word processing and software applications.

CITY OF LATHROP

MANAGEMENT ANALYST I/II (CONFIDENTIAL)

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DEFINITION:

Under direction, performs a wide variety of professional, administrative, ~~human resources~~, analytical and management support within assigned program areas; develops, implements and administers assigned program responsibilities, including budget preparation, financial management and grant coordination; conducts research; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

Management Analyst I (Confidential)

The **Management Analyst I (Confidential)** is the entry level class in the professional analyst series that allows the incumbent to develop journey level knowledge and abilities. Initially, under immediate supervision, incumbents perform the full scope of the more routine and less complex assignments within an established procedural framework where there are minimal consequences of error, including a wide variety of less complex administrative and analytical tasks. This classification is alternatively staffed with Management Analyst II and incumbents may advance to the higher level after gaining experience and demonstrating a level of proficiency that meets the qualifications of the higher level class.

Management Analyst II (Confidential)

The **Management Analyst II (Confidential)** is the journey level class in which the incumbent is expected to independently perform the full scope of administrative, analytical and management support duties within assigned program areas. This classification is distinguished from the next higher classification of City Manager in that the latter has overall responsibility for City operations.

SUPERVISION RECEIVED/EXERCISED:

Management Analyst I (Confidential)

Receives immediate supervision from higher level department management. May exercise technical and functional supervision over technical and office support staff.

Management Analyst II (Confidential)

Receives direction from higher level department management. May exercise direct and indirect supervision over technical and office support staff.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Conducts studies of organizational, administrative and operational issues; reviews and analyzes processes, procedures and work methods; analyzes legislation; develops funding proposals, policy alternatives and strategies; prepares and presents reports and recommendations; demonstrates an understanding of applicable policies, procedures and work methods associated with assigned duties.

- Provides staff support to departmental management; facilitates and coordinates interdepartmental projects; provides analytical support for financial, operational and organizational issues; coordinates and manages assigned special projects.
- Assumes operational authority over projects, services or administrative operations; trains and supervises assigned support staff; maintains financial and administrative processes and records; develops policy and procedural recommendations; develops, implements and monitors assigned budgets; monitors contracts and related documentation; and performs customer service functions.
- Compiles and maintains records and prepares reports; assists in the preparation of agenda materials, draft reports, resolutions and ordinances for assigned department; inputs and retrieves information from various computer data management systems such as financial and/or budget systems; maintains a variety of files and records.
- Participates in the development and implementation of departmental and program budgets; analyzes past and future revenue projections; participates in the forecast of necessary funds for staffing, materials, services and supplies; monitors and assists in the administration of the approved budget.
- Performs professional level accounting duties which may include general accounting, cashiering, city-wide payroll budgeting, payroll processing, **processing retiree Health Reimbursement Arrangement (HRA) transactions**, accounts payable, accounts receivable, business licenses, and utility billing; prepares financial and statistical statements in accordance with Generally Accepted Accounting Principles (GAAP) and governmental accounting standards.
- Serve as a liaison with employees, public and private organizations, community groups and other organizations; provide information and assistance regarding assigned program and service areas; responds to and resolves inquiries and complaints; writes, edits, and designs articles for city publications, newsletters and press releases.
- ~~Advises and assists department management and employees in a variety of human resource matters, including interpretation and application of personnel rules, administrative policies, memoranda of understandings, and the processing of employee grievances; assists with activities such as job classification and compensation plan, group benefits, recruitment, selection and employee records.~~
- Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, City management and staff, and the public.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing reports using a computer keyboard. Additionally, the position requires near and far vision in reading written reports and work related documents. Acute hearing is required when providing phone and personal service. Additionally, need to lift, drag and push files, paper and documents weighing up to 25 pounds is required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the*

classification.)

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Management Analyst I/II (Confidential)**. A typical way of obtaining the required qualifications is to possess the equivalent of:

Management Analyst I (Confidential)

A bachelor's degree in business administration, public administration, accounting or a related field.

Management Analyst II (Confidential)

One year of progressively responsible administrative, analytical and technical experience equivalent to that of a Management Analyst I (Confidential) in the City of Lathrop, and a bachelor's degree in business administration, public administration, accounting or a related field.

License/Certificate:

Possession of, or ability to obtain, a valid class C California driver's license.

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position. The level and scope of the knowledge and abilities listed below vary between the I and II levels.)*

Knowledge of:

Modern principles, practices and methods of administrative and organizational analysis; public administration policies and procedures; principles of grant proposal writing and administration; research and reporting methods, techniques and procedures; principles of mathematics and statistical analysis; structure and organization of public sector agencies; ~~principles and practices of public personnel administration;~~ Generally Accepted Accounting Principles (GAAP) and Basic Principles of Accounting as applied to Governmental Accounting Standards (GASB); principles and practices of municipal government accounting, payroll, accounts payable, accounts receivable, cashing, business licenses and utility billing; budget development and implementation; basic principles of mathematics; applicable federal, state and local laws, codes and regulations; methods and techniques of scheduling work assignments; standard office procedures, practices and equipment; modern office practices, methods and equipment, including a computer and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling and grammar; occupational hazards and standard safety practices.

Ability to:

Analyze financial, budgetary, administrative, operational and organizational problems; consult effectively with management, staff and the public; develop, coordinate and administer assigned work programs and grants; identify private, state and federal funding sources; serve as a liaison between various public agencies; develop and administer a budget; prepare clear and concise administrative documents and reports; analyze, interpret, summarize and present a variety of fiscal, statistical and administrative reports in an effective manner; perform mathematical calculations quickly and accurately; interpret, explain and apply applicable laws, codes and

regulations; read, interpret and record data accurately; organize, prioritize and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue, and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Operate an office computer and a variety of word processing, spreadsheet and other software applications.

CITY OF LATHROP

PROJECTS AND PROGRAMS MANAGER

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DEFINITION:

Under general direction of the Senior Construction Manager or designee, plans, supervises, evaluates and participates in professional work in the planning, design, construction, maintenance and programming of services for ~~Under general direction of a Department Head or the Assistant City Manager, plans, supervises, evaluates and participates in professional work in the planning, design, construction, maintenance and programming of services of Parks and Recreation and Public Works citywide Capital Improvement Projects, streetscapes, landscaping, public facilities, utilities, parks, and other projects; performs complex analysis of project costs and monitoring project progress; assists in the planning, and coordination of the daily operations of various departmental programs, including comprehensive community recreation, cultural, athletic, before and after school (Kid Club), social, and human service programs; participates in the development of long range parks planning and facility needs for new developments when assigned, assists in supervising other departmental programs and services when assigned, performs complex analysis of project costs and monitoring project progress; ensures safe work practices, work quality and accuracy; maintains appropriate work records; performs other related duties as required.~~

~~assists in formulating policy and developing goals and objectives; supervises staff, evaluates and participates in the work of personnel responsible for operation of an assigned department; assists in the preparation and administration of department budgets, ensures safe work practices, work quality and accuracy; maintains appropriate work records; performs other related duties as required.~~

DISTINGUISHING CHARACTERISTICS:

The **Projects and Programs Manager** is a senior level position within the assigned department Public Works Department and exercises responsibility for planning, organizing and directing the work activities of Parks & Recreation and select of Public Works related Capital Improvement Projects assigned projects, as well as provides supervision of subordinate departmental staff for the implementation of various recreation, social, cultural, planning, engineering, public works and other programs and activities. The incumbent performs the more complex management of Capital Improvement Projects, reviews site plans for design conformance and accuracy, and performs complex construction management assignments requiring considerable knowledge of land development, planning, engineering, design standards and regulations, construction and maintenance. ~~The Projects and Programs Manager assists the department head in the overall management of the assigned department, including various recreation, social, cultural, planning, engineering, public works and other assigned programs and services. Participates in the development of long range parks planning and other public facility needs for new developments~~

This classification is distinguished from the next higher classification of Senior Construction Manager.

SUPERVISION RECEIVED/EXERCISED:

PROJECTS AND PROGRAMS MANAGER

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Receives general direction from the assigned department head Senior Construction Manager or Assistant City Manager designee. ~~May~~ Exercises direct and indirect supervision over professional, technical, supervisorial and field personnel.

~~Receives administrative direction from the Director of Parks & Recreation.~~

~~Exercises direct and indirect supervision over assigned staff.~~

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- ~~Assumes responsibility for and assists in the planning, and coordination of the daily operations of the assigned department, including comprehensive community recreation, cultural, athletic, before and after school services, other social, and human service programs; engineering, planning, public works and other assigned programs and services. Assists in the development, implementation and maintenance of the assigned department's goals, objectives, policies and procedures; ensures that program goals are achieved. Oversees and participates in the development of the annual budget; participates in the forecast of necessary funds for staffing, materials, and services.~~
- Under general supervision, serves ~~Serves~~ as a project manager for Parks & Recreation and Public Works citywide related ~~Capital Improvement Projects, services and activities including streets, lighting, storm drains, sewers, water, parks and landscape.~~
- ~~Assignments include park improvements and expansion projects, development of improved and new community facilities, and key public facilities offering public related, planning related and recreation, cultural and human services to the community.~~
- ~~Provides technical assistance to the assigned department head in meeting the priorities and timelines established by the City Council, City Manager's Office, and citizen appointed Commissions and Committees.~~
- Coordinates citywide ~~Capital Improvement Projects~~ with staff, project managers, contractors, utility companies and other agencies; administers construction contracts; supervises staff on construction sites; performs field inspections; plans, coordinates, prioritizes, monitors and participates in the work of staff responsible for reviewing design conformance and accuracy of public and private development projects.
- Coordinates the negotiation with developers for the development and construction of public facilities, parks and other landscape areas.
- Participates in the selection and supervision of contract professional engineers for the development of plan specifications, studies and reports. Works with contractors and consultants performing all types of construction management and inspection activities to ensure construction practices are in compliance with City standards. Directs and coordinates activities of project to ensure project progresses on schedule and within prescribed budget, modifies schedules or plans as required.
- Participates in the selection and supervision of contract professional engineers for the development of plan specifications, studies and reports. Works with contractors and

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consultants performing all types of construction management and inspection activities to ensure construction practices are in compliance with City standards. Directs and coordinates activities of project to ensure project progresses on schedule and within prescribed budget, modifies schedules or plans as required.

- ~~• Prepares and provides complex reports, correspondence, staff reports, ordinances and resolutions to the assigned department head or Assistant City Manager, City Council, Commissions, City Departments, outside agencies, Development Community and the public; develops and reports statistics; makes oral presentations and participates in organizational and community group meetings; responds to questions and inquiries.~~
- ~~• Accepts responsibility for the design and development of parks and public facilities and the preparation of project specifications; consults with contractors; reviews plans submitted by consultants and developers to ensure conformity with established standards and regulations; provides advice and instruction to subordinates on design standards and problems from the construction phase to completion of the project; provides supervision of field work; prepares, reviews and recommends change orders.~~
- ~~• Plans, coordinates and reviews the work plan for assigned projects and responsibilities which may include organizing and encouraging the formation of clubs, teams, leagues and special events; responds to inquiries or requests for service from interested community groups and citizens; interprets City policy for community groups, commissions, advisory boards and citizens; provide staff assistance to advisory commissions and boards.~~
- Analyzes, implements and monitors short-term and long-term plans; goals and objectives focused on achieving the assigned department's mission and assigned priorities. Participates in the development of and monitors performance against the annual operating and capital improvement budgets of the assigned department. Manages and directs the development, implementation and evaluation of plans, policies and procedures to achieve the department's goals, objectives and work standards.
- ~~• Prepares various applications for State and Federal grants; plans, directs and participates in special research, analysis and reports regarding the City's current and future public facilities and parks.~~
- Responds to the most complex and difficult inquiries and requests for information; provides information and resolves service issues and complaints; represents the Department with other City Departments, other agencies, civic groups and the public; establishes and maintains a customer service orientation.
- ~~• Coordinates the selection and training of assigned department personnel; assumes responsibility for motivating and evaluating assigned personnel; provides necessary training; initiates discipline procedures as appropriate; assigns work to assigned staff and personnel; monitors work activities to ensure safe work practices, work quality and accuracy; ensures compliance to applicable rules, policies and procedures.~~
- Establishes positive working relationships with the public, community organizations, state/local agencies, and City management and staff.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping, crawling and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment, and acute hearing is required when providing phone and personal service. The need to lift, carry, pull and push tools, supplies and other equipment weighing up to 25 pounds is also required. Additionally, the incumbent in this position may work outdoors in all weather conditions as necessary.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Projects and Programs Manager**. A typical way of obtaining the required qualifications is to possess the equivalent of five years of increasingly responsible experience with direct project experience managing the development of public parks ~~and or~~ other public facilities, and education and training equivalent to a bachelor's degree in park planning and design, landscape architecture, construction management, engineering, planning or a closely related field.

License/Certificate:

Possession of, or the ability to obtain, a valid class C California driver's license;
~~; possession of, or ability to obtain CPR and First Aid certifications.~~

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Modern principles, procedures, practices and methods of landscape architecture; planning, construction management, design and maintenance; strength of materials and stress analysis; CEQA environmental process, statutes, regulations and internal standards as applied to public capital projects; park and recreation facility design; project inspection methods; contract administration; municipal laws, ordinances, codes, specifications and plans; methods and techniques of supervision, training and motivation; ~~recreation, cultural and leisure needs of youth, teen and adult populations of the community; procedures for planning, implementing and maintaining a variety of recreation and leisure time activities and programs through community participation; principles and practices of program administration, including budgeting, marketing, purchasing and program need forecasting;~~ methods and techniques of supervision, training and motivation; basic principles of mathematics; applicable federal, state and local laws, codes and regulations; methods and techniques of scheduling work assignments; standard office procedures, practices and equipment; modern office practices, methods

PROJECTS AND PROGRAMS MANAGER

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and equipment, including a computer and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling and grammar; occupational hazards and standard safety practices.

Ability to:

Plan, organize, direct and evaluate the work; make adjustments to standard operation procedures as necessary to improve organizational effectiveness; coordinate the project management of multiple Capital Improvement Projects; prepare and administer a project budget; negotiate and manage construction contracts; plan, organize, train, evaluate and direct work of assigned staff; perform mathematical calculations quickly and accurately; interpret, explain and apply applicable laws, codes and regulations; read, interpret and record data accurately; organize, prioritize and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue, and develop and implement an appropriate response; maintain flexibility in a rapidly changing environment; demonstrate initiative and creativity in fulfilling duties; reliable to carry out assignments and meet project timelines; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships. ~~Assist in the planning and management of the daily work of the Parks and Recreation Department; design, develop and implement recreation and leisure programs suited to the needs of the community; analyze, interpret and explain Department policies and procedures; assist in the preparation and administration of the Department budget; elicit community and organizational support for programs; identify and administer grants for particular program areas;~~ plan, organize, train, evaluate and direct work of assigned staff; perform mathematical calculations quickly and accurately; interpret, explain and apply applicable laws, codes and regulations; read, interpret and record data accurately.

Skill to:

Operate an office computer and utilize software applications including technical applications to track project progress. Skill and knowledge to specify plant material adaptable to the San Joaquin County climate and growing conditions.

**CITY MANAGER'S REPORT
APRIL 9, 2018, CITY COUNCIL REGULAR MEETING**

ITEM: APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 46 LOTS IN TRACT 3837 VILLAGE "P" WITHIN EAST VILLAGE OF RIVER ISLANDS

RECOMMENDATION: Adopt Resolution Approving Final Map for Tract 3837 Village "P" within East Village District, Totaling 46 Single Family Lots and a Subdivision Improvement Agreement with River Islands Development, LLC, Acceptance of Quitclaim of Right of Way for Cohen Road, City of Lathrop Annexation No. 6 CFD 2013 and Reject the Irrevocable Offer of Dedication for Mulholland Drive

SUMMARY:

On June 1, 2015, the City Council approved an amendment to Vesting Tentative Map Tract 3694 (VTM 3694), Phase 1 of River Islands at Lathrop, by Resolution No. 15-3912 and an Amendment to the West Lathrop Specific Plan and River Islands Urban Design Concept by Ordinance No. 15-344.

This proposed Final Map Tract 3837 will encompass the entire area within the Village "P". Kiper Homes an existing River Islands builder, currently has two neighborhoods under construction is the builder for this tract. The map encompasses forty-six (46) 50' x 100' single-family lots. A Vicinity Map is included as Attachment "B."

Staff recommends that the City Council approve:

1. Final Map Tract 3837, Village "P"
2. Subdivision Improvement Agreement (Attachment "C") with River Islands Development, LLC (RID)
3. Quitclaim Deed to abandon a portion of Cohen Road
4. Reject Irrevocable Offer of Dedication for Mulholland Drive previously recorded (with Final Map 3838) on November 30, 2017 (Doc#2017-139797)
5. City of Lathrop Annexation No. 6 CFD 2013

BACKGROUND:

The land for Tract 3837 is within the geographic boundaries of VTM 3694 approved by Council on March 27, 2007, and amended on June 1, 2015 with updated conditions of approval. On September 20, 2017, by Resolution No. 17-01, the Planning Commission approved an amendment to the East Village Architectural Design

APRIL 9, 2018, CITY COUNCIL REGULAR MEETING**FINAL MAP FOR TRACT 3837 VILLAGE "P", TOTALING 46 SINGLE FAMILY LOTS AND A SIA WITH RIVER ISLANDS DEVELOPMENT, LLC, ACCEPTANCE OF QUITCLAIM OF RIGHT OF WAY FOR COHEN ROAD AND CITY OF LATHROP ANNEXATION NO. 6 CFD 2013**

Guidelines and Development Standards (DG/DS) to accommodate the bungalows product within Village P.

As required by the City's subdivision ordinance, all final maps must include a Subdivision Improvement Agreement (SIA) to guarantee certain off-site and on-site improvements. As a result, the SIA for tract 3837 requires that security (cash or bonds) are posted to guarantee unfinished infrastructure within Village "P."

The SIA also refers to the Agreement for Dedication, Inspection, and Guarantee of Streets and Public Improvements ("Off-site Agreement") that was approved by the City on September 30, 2013, to the extent that the Off-site Agreement is still valid for certain improvements. Tract 3837 will not trigger any additional off-site improvements and the Off-site Agreement will apply to Tract 3837 as it has to all previous final maps in River Islands with no additional security for off-site improvements.

All in-tract improvements, with the exception of Somerston Parkway, have been completed, other than thermoplastic striping. As a result, River Islands will be posting a cash deposit of \$9,000 rather than posting performance and labor and materials bonds. The cash deposit covers 120% of the unfinished improvement (\$5,000) and 50% of the performance amount (\$3,000). This deposit shall remain in place with the City until the thermoplastic striping is completed by River Islands as evidenced by the City's inspectors. Acceptance of these improvements will be processed by staff at a later date. At that time, River Islands will be required to post one (1) year maintenance bonds as a warranty for the completed infrastructure.

Access to Tract 3837 and Village "P" will be accomplished with dedication of certain Roads (Somerston Parkway and Mullholland Drive), as shown on the final map and a portion of existing Cohen Road will no longer be necessary. Therefore, a Quitclaim of Public Right of Way for Cohen Road will also be required for this map. Cohen Road is being replaced with Somerston Parkway and Riverfront Drive, which are being dedicated with the Final Map Tract 3837.

A previous Irrevocable Offer of Dedication for Mulholland Drive (provided with Tract 3838 that is adjacent to Tract 3837) will no longer be necessary after the filling of the Tract 3837 map, since this portion of Mullholland Drive will be dedicated with Tract 3837.

As for Somerston Parkway, it was guaranteed with a separate "set-aside" letter from River Islands Financing Authority (RIPFA) in May, 2017, when the City Council approved the closure of Cohen and Paradise Roads.

Also, in order for the City to ensure that development continues to pay for its own way, a Community Facilities District (CFD) was to be formed to cover the shortfalls.

APRIL 9, 2018, CITY COUNCIL REGULAR MEETING**FINAL MAP FOR TRACT 3837 VILLAGE "P", TOTALING 46 SINGLE FAMILY LOTS AND A SIA WITH RIVER ISLANDS DEVELOPMENT, LLC, ACCEPTANCE OF QUITCLAIM OF RIGHT OF WAY FOR COHEN ROAD AND CITY OF LATHROP ANNEXATION NO. 6 CFD 2013**

In August 2014, the City Council approved Community Facility District No 2013-1 (River Islands Public Services and Facilities). Therefore, River Islands Development, LLC, is requesting the approval of CFD Annexation No. 6.

Finally, before the Final Map Tract 3837 is recorded, River Islands must also satisfy the Escrow Instructions (Attachment "D") that guarantee all required fees are paid.

REASON FOR RECOMMENDATION:

The applicant has substantially completed the street and utility improvements within the entirety of Village "P." Prior to acceptance of public improvements within Village "P," the posted security is for 120% of the estimated cost to complete the unfinished improvement and a cash deposit has been provided. River Islands shall provide a 10% maintenance bond to guarantee the full improvements (completed and uncompleted) for one year. Prior to acceptance of these improvements, River Islands has provided the tract map, the tract improvement plans, all required documents and all fees for Tract 3837.

This includes the following documents and fees:

Documents	Status
1. Final Map ready for signature	Completed
2. Subdivision Improvement Agreement for Tract 3837	Completed
3. Cash Performance Security – Uncompleted Landscaping and Miscellaneous Improvements	Completed
4. Cash Labor and Materials Security – Uncompleted Landscaping and Miscellaneous Improvements	Completed
5. Street Improvement, Landscape Plans	Completed
6. Street Light, Joint Trench, Plans	Completed
7. Geotechnical Report	Completed
8. Agreement for Backbone Improvements and Parks (Agreement for Dedication, Inspection and Guarantee of Streets and Public Improvements)	Completed
9. Approval of 3 rd Amendment to Development Agreement that guarantees creation of CFD for City Maintenance and Shortfalls, and Guarantee of Developer CFDs for Developer/other public agency maintenance	Completed
10. Allocation of Water and Sewer capacity	Completed

CITY MANAGER'S REPORT

APRIL 9, 2018, CITY COUNCIL REGULAR MEETING

FINAL MAP FOR TRACT 3837 VILLAGE "P", TOTALING 46 SINGLE FAMILY LOTS AND A SIA WITH RIVER ISLANDS DEVELOPMENT, LLC, ACCEPTANCE OF QUITCLAIM OF RIGHT OF WAY FOR COHEN ROAD AND CITY OF LATHROP ANNEXATION NO. 6 CFD 2013

11. Recommendation for approval from Stewart Tract Design Review Committee	Completed
12. Submitted Certificate of Insurance, Tax Letter	Completed
13. Submitted Preliminary Guarantee of Title	Completed
14. Escrow Instructions	Completed
15. Quitclaim Deed of Right Away for Cohen Road Tract 3837	Completed
16. Annexation No. 6 of City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities)	Completed

Fees	Status
1. Final Map plan check fee	Paid
2. Improvement Plans - Plan check and inspection fees	Paid
3. Sierra Club Settlement fee	To be paid in escrow

The above-noted documents and fees are required by the VTM 3694 conditions of approval prior to approval of the Final Map by City Council. The guarantee is in the form of the Subdivision Improvement Agreement with security and improvement plans.

Extensive off-site improvements to serve this Tract 3837 have already been completed, including construction of levees, participation in construction of a Wastewater Treatment Plant (Consolidated Treatment Facility) and related storage ponds and sprayfields, purchase of SSJID surface water and construction of utility infrastructure to serve the proposed Tract. Additional off-site improvements that are required to serve this Final Map are detailed in the Off-site Agreement approved by the City Council in 2014.

Before the Final Maps are recorded, River Islands must also satisfy the Escrow Instructions that guarantee all required payments to the Sierra Club are made under the terms of the 3rd Amendment to the Development Agreement.

BUDGET IMPACT:


There is no budget impact to the City. All City costs are covered by development fees, and any shortfalls in City maintenance and operating costs are covered by the CFD's for maintenance. River Islands is also providing funds necessary to defray any staff time required to process their request. Therefore, River Islands Development, LLC, is requesting the approval of CFD Annexation No. 6.

CITY MANAGER'S REPORT
APRIL 9, 2018, CITY COUNCIL REGULAR MEETING
FINAL MAP FOR TRACT 3837 VILLAGE "P", TOTALING 46 SINGLE FAMILY
LOTS AND A SIA WITH RIVER ISLANDS DEVELOPMENT, LLC, ACCEPTANCE
OF QUITCLAIM OF RIGHT OF WAY FOR COHEN ROAD AND CITY OF LATHROP
ANNEXATION NO. 6 CFD 2013

ATTACHMENTS:

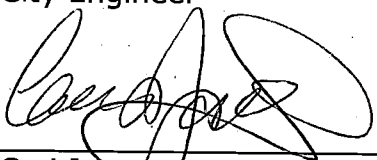
- A. Resolution Approving Final Map for Tract 3837 Village "P" within East Village District, Totaling 46 Single Family Lots and a Subdivision Improvement Agreement with River Islands Development, LLC, Acceptance of Quitclaim of Right of Way for Cohen Road, Reject Irrevocable Offer of Dedication for Mulholland Drive and City of Lathrop Annexation No. 6 CFD 2013
- B. Tract 3837 Village "P" Vicinity Map
- C. Subdivision Improvement Agreement between the City of Lathrop and River Islands (Community South River Bend) River Islands Development, LLC, a California Limited Liability Company, for Tract 3837 Village "P" within East Village
- D. Escrow Instructions for Final Map Tract 3837 Village "P", including a Quitclaim Deed for Cohen Road and CFD 2013 Annexation No.6

APPROVALS:



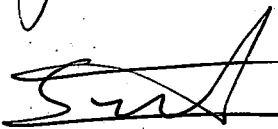
Glenn Gebhardt
City Engineer

4/3/18
Date



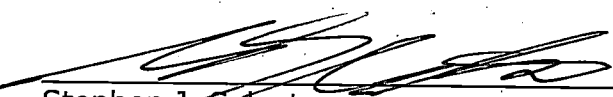
Cari James
Finance Director

4/4/18
Date



Salvador Navarrete
City Attorney

4-3-18
Date



Stephen J. Salvatore
City Manager

4.4.18
Date

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING A FINAL MAP FOR TRACT 3837 VILLAGE "P" WITHIN EAST VILLAGE DISTRICT, TOTALING 46 SINGLE FAMILY LOTS, SUBDIVISION IMPROVEMENT AGREEMENT WITH RIVER ISLANDS DEVELOPMENT, LLC, ACCEPTANCE OF QUITCLAIM OF RIGHT OF WAY FOR COHEN ROAD, CITY OF LATHROP ANNEXATION NO. 6 CFD 2013 AND REJECT THE IRREVOCABLE OFFER OF DEDICATION FOR MULHOLLAND DRIVE

WHEREAS, on March 27, 2007, the City Council approved Vesting Tentative Map (VTM) No. 3694 with Conditions of Approval for a residential and commercial development that is consistent with the West Lathrop Specific Plan (WLSP) and the River Islands Urban Design Concept (UDC); and

WHEREAS, on June 1, 2015, the City Council approved amendments to the VTM, WLSP and UDC, with amended conditions of approval; and

WHEREAS, Tract 3837, the proposed subdivision, is part of the East Village District of River Islands as described in the UDC, consisting of 46 lots covered by VTM No. 3694, located on the west side of the San Joaquin River, north of Union Pacific Railroad; and

WHEREAS, in its review of all tracts within Village P, including Tract 3837, the Stewart Tract Design Review Committee recommended approval of Tract 3837 on March 26, 2018; and

WHEREAS, River Islands Development, LLC, has completed or has guaranteed completion of all public improvements on Tract Map 3837, as identified on the approved improvement plans, and has completed or guaranteed completion of all required documents and payment of all fees; and

WHEREAS, a Subdivision Improvement Agreement between the City and River Islands Development, LLC, and provision of security by River Islands Development, LLC, for unfinished and deferred improvements are required prior to final map approval per the Lathrop Municipal Code Section 16.16.190; and

WHEREAS, a Subdivision Improvement Agreement has been signed by River Islands Development, LLC, and presented to the City for approval and signature; and

WHEREAS, upon acceptance of all improvements as complete, a one-year maintenance and repair bond will be required to secure the River Islands Development, LLC, obligation to maintain all improvements and repair or correct any defective work; and

WHEREAS, several conditions of approval of VTM 3694 are satisfied by the 3rd Amendment to the Development Agreement between the City and Califia, LLC, which the City Council approved on October 7, 2013; and

WHEREAS, off-site improvements were guaranteed with the Dedication, Inspection and Guarantee of Streets and Public Improvements (Off-site Agreement), approved by City Council on September 30, 2013; and

WHEREAS, City staff has confirmed that all Conditions of Approval of VTM 3694 required for approval of Final Map 3837 have been met, including those Conditions of Approval satisfied under the Subdivision Improvement Agreement and Off-Site Agreement; and

WHEREAS, the City Engineer has confirmed that the Final Map for Tract 3837 is substantially the same as it appeared on VTM No. 3694, is technically correct, and complies with the requirements of the Subdivision Map Act and Lathrop Municipal Code, Chapter 16.16; and

WHEREAS, River Islands Development, LLC, will satisfy the escrow requirements to fund the Settlement Fee prior to recordation of the Final Map for Tract 3837; and

WHEREAS, Capital Facilities Fees are not required until such time as the builder applies for building permits; and

WHEREAS, access to Tract 3837 and Village "P" will be accomplished with the dedication of certain roads (Somerton Parkway and Mullholland Drive). A previous Irrevocable Offer of Dedication for Mullholland Drive provided with Tract 3838 (Village "Q") will no longer be necessary as a result and the City will reject this offer of dedication; and

WHEREAS, a portion of existing Cohen Road is no longer necessary with the dedication of Somerton Parkway and a Quitclaim of Right of Away, shall be recorded to abandon the portion of Cohen Road no longer needed as a result.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lathrop that makes and accepts the following actions:

1. That the Final Map for Tract 3837 Village "P" is hereby approved and will be submitted as part of the public record with the San Joaquin County Assessor/Recorder/County Clerk Office
2. That the City Manager, or their designee, is authorized to execute a Subdivision Improvement Agreement with River Islands Development, LLC, in substantially the form as attached to the April 9, 2018 staff report, the final executed copy will be filled with the City Clerk.
3. That the City hereby rejects the Irrevocable Offer of Dedication for Mullholland Drive recorded on November 30, 2017 (Doc #2017-139797) with the filing of Final Tract 3837.

4. That the City Manager, or their designee, is authorized to record the Quitclaim of Right of Way for portions of Cohen Road.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 9th day of April 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sonny Dhaliwal, Mayor

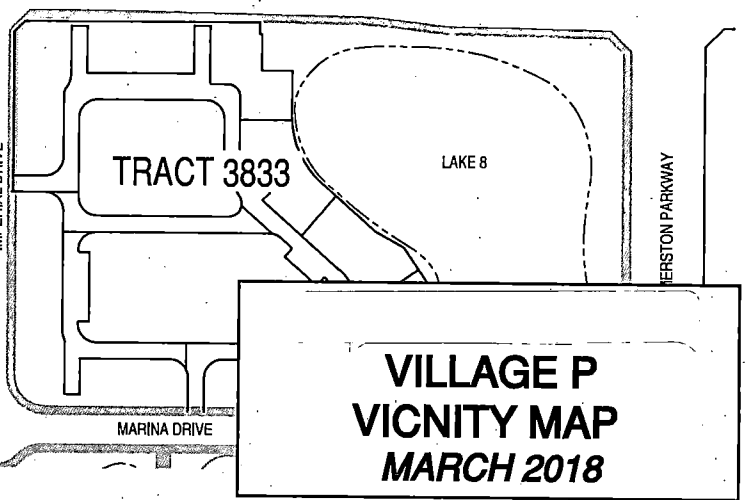
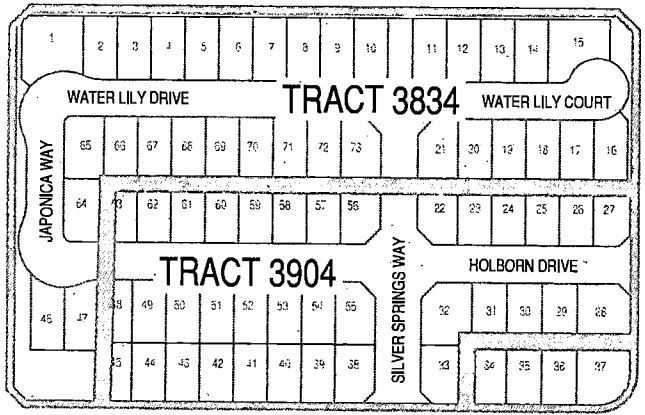
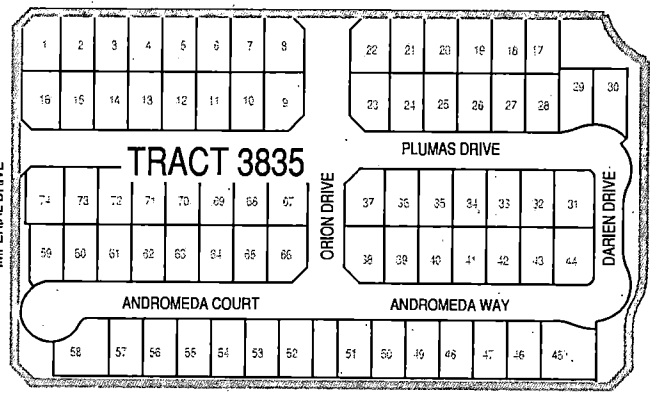
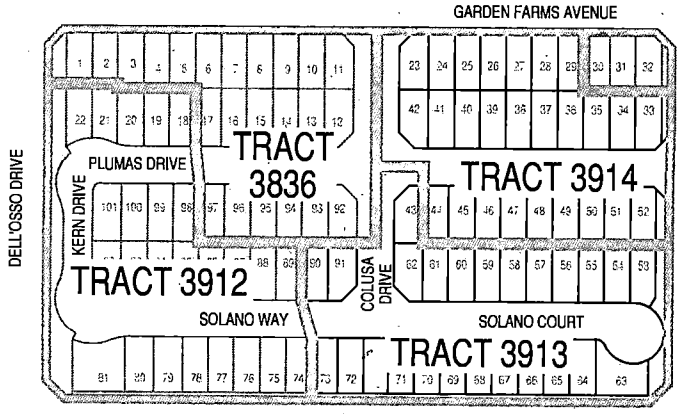
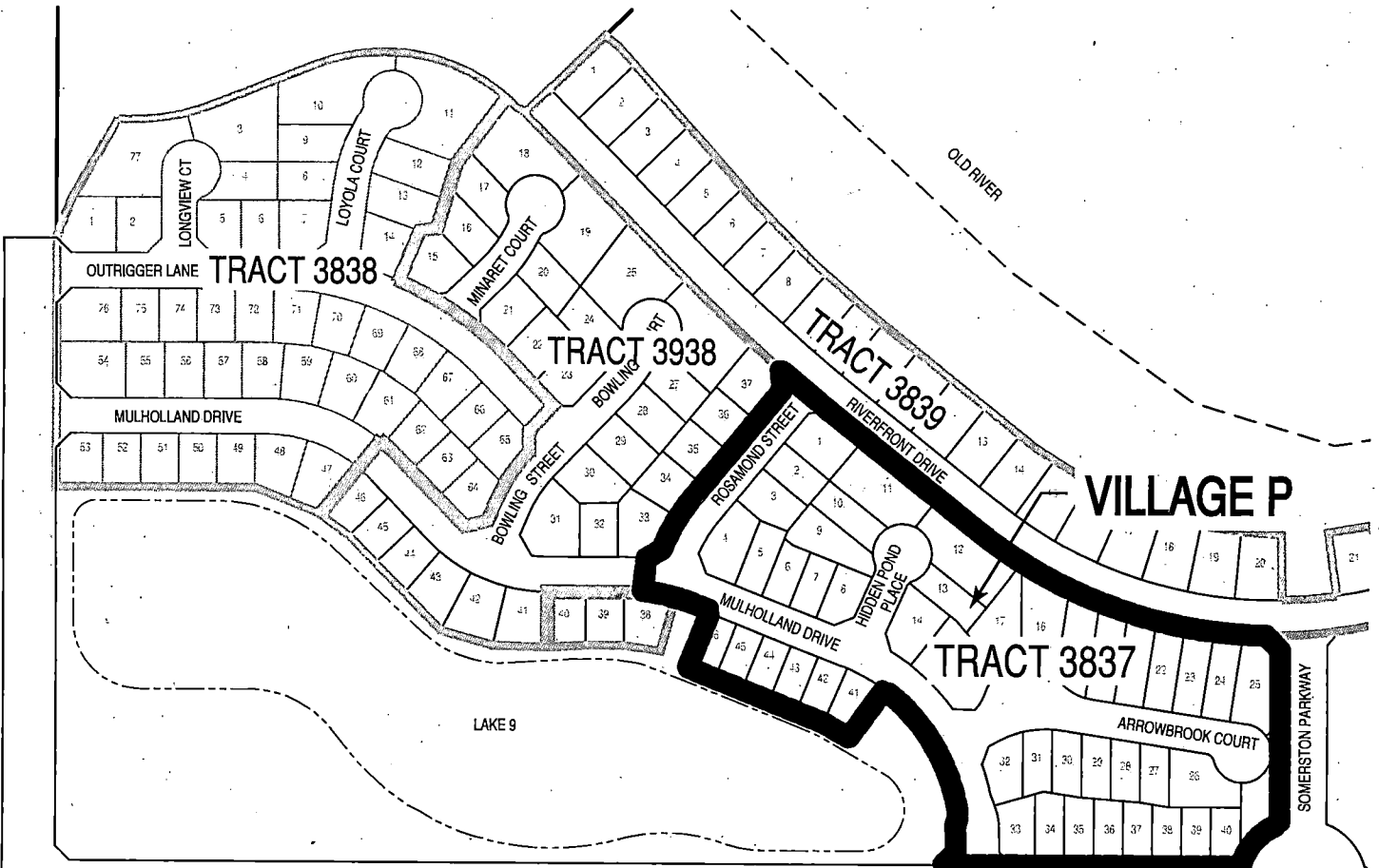
ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney



**VILLAGE P
VICINITY MAP
MARCH 2018**

SUBDIVISION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF LATHROP AND
RIVER ISLANDS DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY
COMPANY FOR TRACT 3837 VILLAGE "P," 46 RESIDENTIAL LOTS

RECITALS

- A. This Agreement is made and entered into this **9th day of April, 2018**, by and between the CITY OF LATHROP, a municipal corporation of the State of California (hereinafter "CITY") and River Islands Development, LLC, a California limited liability company (hereinafter "SUBDIVIDER").
- B. Pursuant to Division 2 of Title 7 of the Government Code of the State of California and CITY's Subdivision Regulations (City of Lathrop, Code of Ordinances, Chapter 16), SUBDIVIDER is required to make dedications and improve the Village "P" area of River Islands, which includes Tract 3837. However, SUBDIVIDER has nearly completed all public infrastructure improvements associated with Tract 3837 and only needs to provide performance and labor and materials security in the amount of \$9,000 as required by the Lathrop Subdivision Ordinance and the Subdivision Map Act for unfinished improvements. The security may be provided in the form of a cash deposit and shall remain in full force and effect as required by this Agreement until all improvements within the Village "P" area is fully completed, inspected and ready for acceptance by CITY.
- C. Access to Village "P" requires dedication of Mullholland Drive and Somerston Parkway. Approval of Tract 3838 included an Irrevocable Offer of Dedication for Easement for Roadway Purposes ("IOD") for Mullholland Drive. This IOD is no longer necessary with the filing of Tract 3837, and upon recordation of the final map, CITY shall reject the IOD as shown in Exhibit G.
- D. SUBDIVIDER has completed the joint trench improvements for Tracts 3837 and as noted in Recital C, in accordance with Joint trench improvement plans and street light plans prepared by O'Dell Engineering, Inc., have already been approved by CITY and all street, sidewalk, underground utility, storm drainage, street light and joint trench improvements (hereinafter "Improvements") have been constructed as part of the required infrastructure for Tract 3837. Only thermoplastic striping remains to be performed, and SUBDIVIDER may provide performance bonds or a cash deposit as security for this improvement. The required security as outlined in this Agreement shall remain posted until the Improvements are accepted as required by this Agreement but shall be released upon the discretion of the City Engineer once the Improvements are accepted by CITY.
- E. A portion of Somerston Parkway is proposed for dedication to CITY with Tract 3837. Improvements associated with this portion of Somerston Parkway were guaranteed with a set-aside letter provided by the River Islands Public Financing

Authority ("RIPFA") on May 4, 2017, which guaranteed access to the Stage 2B sub-planning area during construction of Somerston Parkway and other roadways currently under construction. Additional security is not necessary for this portion of roadway as a result; however, the security provided in the set-aside letter from RIPFA shall remain in place until the portion of Somerston Parkway dedicated with Tract 3837 is completed and accepted by CITY.

NOW THEREFORE in consideration of CITY'S pending approval and acceptance of the Improvements upon their satisfactory completion and in consideration of SUBDIVIDER'S construction of Improvements in strict accordance with the terms of this Agreement, all applicable laws, statutes, ordinances, rules and regulations currently in force and effect in CITY, the terms and conditions of which are incorporated herein by this reference, the parties hereto mutually covenant and agree as follows:

1. SUBDIVIDER shall complete construction of, or cause construction to be completed at its sole cost and expense, the Improvements for all of the lots within the East Village neighborhood, to the limits identified on Exhibit A, including the public landscaping, streetlight and joint trench improvements. All improvements shall be constructed to the satisfaction and approval of the City Engineer, in a good and workmanlike manner in accordance with the above-referenced improvement plans and specifications, the improvement standards and specifications of CITY'S Department of Public Works, the applicable Ordinances of CITY and the California Subdivision Map Act.
2. SUBDIVIDER shall complete the Improvements, including all deferred and unfinished improvements, prior to occupancy of the first dwelling unit constructed in Tract 3837 that is conveyed to a private interest not associated with the transfer of title of Tract 3837 associated with the filing of Tract 3837. Such occupancy shall be documented by CITY in the form of a Certificate of Occupancy or Final Building Permit.
3. CITY or its agents shall, at any time during the progress of the Improvements, have free access thereto and shall be allowed to examine the same and all material to be used therein. If the Improvements or any part thereof are not completed in strict compliance with the standards set forth in Paragraph 1 above, CITY may refuse to accept and may reject the defective Improvements and/or materials therein.
4. SUBDIVIDER shall secure the services of skilled personnel necessary to construct the Improvements. CITY is not skilled in these matters and relies upon the skill of SUBDIVIDER to ensure that the construction of the Improvements is in the most skillful and durable manner.
5. CITY'S acceptance of the Improvements does not operate as a release of SUBDIVIDER from any guarantee hereunder.
6. SUBDIVIDER guarantees and warrants that the Improvements shall be constructed in compliance with the standards set forth in Paragraph 1 above, free from any defects in work or labor done and from any defects in materials furnished. Further, SUBDIVIDER shall repair and maintain the Improvements in good condition and in accordance with CITY specifications for one (1) year after CITY'S acceptance

of the Improvements. As required by the Subdivision Improvement Agreement for Tract 3837, prior to acceptance of the Improvements, SUBDIVIDER shall deposit with the City Engineer a Maintenance Bond in the amount of \$141,700 equal to 10% of the estimated cost of the Improvements for the entire area (\$1,417,000), to insure SUBDIVIDER'S repair and maintenance of the Improvements in accordance with the terms of this Agreement. The Maintenance Bond shall be released at the end of the one (1) year guarantee period, provided there are no claims against it are then outstanding.

7. Because some of the backbone improvements referenced in Recital D were required to provide access and required utilities to Tract 3837 and as otherwise described in this Agreement, as well as backbone roads associated with the Agreement for Dedication, Inspection and Guarantee of Public Streets and Improvements referenced in Recital D, the security required by the Agreement for Dedication, Inspection and Guarantee of Public Streets and Improvements shall remain in place until the backbone improvements associated with that agreement are complete and accepted by CITY or as is further described by the conditions below:

- a.) Rehabilitation of the pavement on Stewart/Cohen and Paradise Roads within the limits of Stewart Tract, as detailed on the attached Exhibit D, are required and rehabilitation is guaranteed by a performance bond. Full improvement and acceptance of these streets shall be completed prior to release of security previously posted by SUBDIVIDER.

8. If SUBDIVIDER, in whole or in part, abandons the Improvements, unnecessarily or unreasonably delays construction of the Improvements, fails to complete construction of the Improvements within the time specified in this Agreement or fails to repair, replace or reconstruct any defects, as set forth in Paragraph 6 above, CITY may but is not required to proceed to complete and/or repair, replace or reconstruct the Improvements, either by itself or by contract for such service, and CITY may cause to be forfeited such portion of any security deposited therein as is necessary to cover the costs of completion, repair, replacement or reconstruction incurred by CITY. Once action is taken by CITY to complete, repair, replace and/or reconstruct the Improvements, SUBDIVIDER shall be responsible for all costs incurred by CITY even if SUBDIVIDER subsequently completes the work.

CITY shall have recourse against SUBDIVIDER for any and all amounts necessary to complete the obligations of SUBDIVIDER in the event the security (including but not limited to any Letter of Guarantee, Certificate of Deposit, cash, bond for performance, labor and materials, repair and maintenance, letter of credit or cash deposit) therefore is insufficient to pay such amounts. All administrative costs, including reasonable attorney's fees pursuant to Government Code Section 66499.4, incurred by CITY in addition to the costs of the improvements shall be a proper charge against the security and SUBDIVIDER. In the event it becomes necessary for CITY to bring an action to compel performance of this Agreement or to recover costs of completing such improvements, SUBDIVIDER shall pay reasonable attorney's fees, costs of suit and all other expenses of litigation incurred by CITY in connection therewith.

9. Because the Improvements are not fully complete, SUBDIVIDER was required to only post a \$9,000 cash security to guarantee unfinished improvements associated with Tract 3837, as included and described in Exhibit F to this Agreement. The security shall remain in place until such time that all Improvements have been completed, inspected and been accepted by CITY for use. Further, SUBDIVIDER shall also comply with CITY'S insurance requirements set forth on Exhibit C attached hereto and incorporated herein with a new certificate of insurance required.
10. Any alterations made to the plans and specifications, which are a part of this Agreement, or any provision of this Agreement shall not operate to release any surety or sureties from liability on any bond or bonds attached hereto and made a part hereof. The above-referenced sureties hereby consent to such alterations and waive the provisions of California Civil Code Section 2819.
11. Neither CITY nor any of its officers, employees or agents shall be liable to SUBDIVIDER and/or SUBDIVIDER'S agents, contractors or subcontractors for any error or omission arising out of or in connection with any work to be performed under this Agreement.
12. Neither CITY nor any of its officers, employees or agents shall be liable to SUBDIVIDER or to any person, entity or organization for any injury or damage that may result to any person or property by or from any cause in, on or about the subdivision of all or any part of the land covered by this Agreement.
13. SUBDIVIDER hereby agrees to and shall hold CITY, its elective and appointive boards, commissions, officers, agents and employees (collectively "Indemnitees") harmless from any liability for damage or claims which may arise from SUBDIVIDER and/or SUBDIVIDER'S contractors, subcontractors, agents or employees' operations under this Agreement, whether such operations be by SUBDIVIDER or by any SUBDIVIDER contractors, subcontractors or by any one or more persons directly or indirectly employed by or acting as agent for SUBDIVIDER or any of SUBDIVIDER'S contractors or subcontractors. SUBDIVIDER shall at its own cost and expense defend any and all actions, suits or legal proceedings or any type that may be brought or instituted against CITY and indemnities on any claim or demand, of any nature whatsoever, and pay or satisfy any judgment that may be rendered against CITY and the Indemnitees in any such action, suit or legal proceedings resulting from or alleged to have resulted from SUBDIVIDER'S performance or non-performance of its duties and obligations under this Agreement or from the negligent act or omission of itself, its agents, contractors, representatives, servants or employees. The promises and Agreement to indemnify and hold harmless set forth in this section is not conditioned or dependent on whether or not any indemnity has prepared, supplied or approved any plan or specification in connection with this work or subdivision whether or not any such indemnity has insurance or indemnification covering any of these matters. CITY does not and shall not waive any rights against SUBDIVIDER which it may have by reason of the aforesaid hold harmless agreement because of the acceptance by CITY of any deposit with CITY by SUBDIVIDER. The aforesaid hold harmless agreement by SUBDIVIDER shall apply to all damages and claims for damages of every kind suffered or alleged to have been suffered by reason of any of the aforesaid operations referred to in this paragraph regardless of whether or not CITY has prepared, supplied or approved of plans and/or specifications for the subdivision.

14. Neither SUBDIVIDER nor any of SUBDIVIDER'S agents, contractors or subcontractors are or shall be considered to be agents of CITY in connection with the performance of SUBDIVIDER'S obligations under this Agreement.

15. Prior to acceptance of the Improvements by the City Council, SUBDIVIDER shall be solely responsible for maintaining the quality of the Improvements and maintaining safety at the project site. SUBDIVIDER'S obligation to provide the Improvements shall not be satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied, all outstanding fees and charges have been paid and the City Council has accepted the Improvements as complete. CITY and SUBDIVIDER have formed Community Facilities Districts to finance maintenance and improvements. CITY expects to preserve the ability to use future special taxes of the CFD for payment of the cost of acquisition of the Improvements which may require that acceptance of improvements by CITY be subject to the provisions of an acquisition agreement to be entered into by CITY and SUBDIVIDER providing that CITY expects to be paid or reimbursed acquisition costs through future CFD special taxes. SUBDIVIDER shall cooperate to facilitate such method of acquisition.

16. SUBDIVIDER shall pay service fees for the utility services from the time the Improvements are accepted by CITY to the end of the fiscal year or up to a one (1) year period, whichever is needed to ensure an opportunity for the Improvements to be included in the next fiscal year annual assessment.

17. SUBDIVIDER shall be responsible to sweep streets within the subdivision every two weeks as directed by the City Engineer on all streets where lots are occupied and all streets providing access to occupied lots until the Improvements are accepted by CITY.

18. SUBDIVIDER shall not assign this Agreement without the prior written consent of CITY. If such consent is given, the terms of this Agreement shall apply to and bind the heirs, successors, executors, administrators and assignees of SUBDIVIDER and any heirs, successors, executors, administrators and assignees of SUBDIVIDER and shall be jointly and severally liable hereunder.

19. SUBDIVIDER shall, at SUBDIVIDER'S expense, obtain and maintain all necessary permits and licenses for construction of the Improvements. Prior to the commencement of Improvement construction, SUBDIVIDER shall obtain a City of Lathrop Business License. SUBDIVIDER shall comply with all local, state and federal laws whether or not said laws are expressly stated in this Agreement.

20. This Agreement and any amendments hereto comprise the entire understanding and agreement between the parties regarding the improvements to be constructed and dedications for Tract 3837.

21. The following miscellaneous provisions are applicable to this Agreement:

a. Controlling Law. The parties agree that this Agreement shall be governed and construed by and in accordance with the laws of the State of California.

- b. Definitions. The definitions and terms are as defined in this Agreement.
- c. Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Agreement which directly results from an Act of God or an act of a superior governmental authority.
- d. Headings. The paragraph headings are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.
- e. Incorporation of Documents. All documents referred to herein and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated herein and shall be deemed to be part of this Agreement.
- f. Modification of Agreement. This Agreement shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.
- g. Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is void or unenforceable, the provisions of this Agreement not so affected shall remain in full force and effect.
- h. Successors and Assigns. Except as otherwise expressly provided herein, the provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.
- i. Time of the Essence. Time is of the essence of this Agreement and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first day and including the last day. If the time in which an act is to be performed falls on a Saturday, Sunday or any day observed as a legal holiday by CITY, the time for performance shall be extended to the following business day.
- j. Venue. In the event either party brings suit hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin.

ATTACHMENTS:

- EXHIBIT A: FINAL MAP - TRACT 3837
- EXHIBIT B: VILLAGE P VICINITY MAP
- EXHIBIT C: CITY INSURANCE REQUIREMENTS
- EXHIBIT D: COHEN/PARADISE/STEWART REHABILITATION MAP
- EXHIBIT E: ENGINEER'S ESTIMATE - VILLAGE P (TRACT 3837)
- EXHIBIT F: ENGINEER'S ESTIMATE - UNFINISHED AND DEFERRED IMPROVEMENTS
- EXHIBIT G: REJECT IRREVOCABLE OFFER OF DEDICATION FOR EASEMENT FOR ROADWAY PURPOSES ("IOD") FOR MULLHOLLAND DRIVE RECORDED ON NOVEMBER 30, 2017 (DOC #2017-139797)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on
this ____ day of April, 2018, at Lathrop, California.

ATTEST: TERESA VARGAS
City Clerk of and for the City
of Lathrop, State of California

CITY OF LATHROP, a
municipal corporation of the
State of California

BY: _____
Teresa Vargas Date
City Clerk

BY: _____
Stephen J. Salvatore Date
City Manager

APPROVED AS TO FORM

BY: _____
Salvador Navarrete Date
City Attorney

River Islands Development, LLC,
a California limited liability company

BY: _____
Susan Dell'Osso, President
"SUBDIVIDER"

EXHIBIT A

FINAL MAP - TRACT 3837

OWNER'S STATEMENT

THE UNDERSIGNED, DOES HEREBY STATE THAT THEY ARE THE OWNERS OF ALL THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREIN EMBODIED FINAL MAP ENTITLED, TRACT 3837, RIVER ISLANDS, PHASE 1B, VILLAGE P", CITY OF LATHROP, CALIFORNIA, CONSISTING OF NINE (9) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE UNDERSIGNED DOES HEREBY DEDICATE AN EASEMENT TO THE CITY OF LATHROP FOR PUBLIC RIGHT-OF-WAY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS SOMERSTON PARKWAY, MULHOLLAND DRIVE, ROSAMOND STREET, HIDDEN POND PLACE AND ARROWBROOK COURT, AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP A NON-EXCLUSIVE EASEMENT TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, POLES, WIRES, CABLES, PIPES, AND CONDUITS AND THEIR APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT).

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP A NON-EXCLUSIVE SLOPE EASEMENT TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, SLOPES ACROSS THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "SLOPE EASEMENT".

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP, IN FEE, PARCEL A FOR PURPOSES OF OPEN SPACE, INCLUDING PUBLIC UTILITIES AND SLOPE PURPOSES, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY RELINQUISH TO THE CITY OF LATHROP ALL BUTTERS RIGHT OF ACCESS TO LOTS 1, 4, 8, 11, 12, 14, 16, 18 THROUGH 25, 26, 32, 33, 40, 41 AND 46, ALONG THE LOT LINES AS INDICATED BY THE SYMBOL /////// AS SHOWN ON THIS FINAL MAP.

OWNER: RIVER ISLANDS DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY.

BY: _____
 NAME: SUSAN DELL'OSSO DATE _____
 ITS: PRESIDENT

DATED THIS _____ DAY OF _____, 2018.

OLD REPUBLIC TITLE COMPANY, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED DECEMBER 22, 2016, AS DOCUMENT NUMBER 2016-160886, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

BY: _____
 NAME: _____
 ITS: _____

ACKNOWLEDGEMENT CERTIFICATE (OWNER'S)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
 COUNTY OF SAN JOAQUIN }

ON _____, 201____, BEFORE ME, _____, _____
 A NOTARY PUBLIC, PERSONALLY APPEARED, _____ WHO
 PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S)
 IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/they
 EXECUTED THE SAME IN HIS/HER/their AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/their
 SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE
 PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: _____
 NAME (PRINT): _____
 PRINCIPAL COUNTY OF BUSINESS: _____
 MY COMMISSION NUMBER: _____
 MY COMMISSION EXPIRES: _____

**TRACT 3837
 RIVER ISLANDS - PHASE 1B
 VILLAGE P**

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 MAP 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 MARCH 2018



CITY CLERK'S STATEMENT

I, TERESA VARGAS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED "TRACT 3837, RIVER ISLANDS, PHASE 1B, VILLAGE P", CITY OF LATHROP, CALIFORNIA, CONSISTING OF NINE (9) SHEETS, THIS STATEMENT WAS PRESENTED TO SAID CITY COUNCIL, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 201____, AND THAT SAID CITY COUNCIL DID THEREUPON BY RESOLUTION NO. _____, DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP, AND AUTHORIZED ITS RECORDATION, AND ACCEPTED ON BEHALF OF THE CITY OF LATHROP, FOR PUBLIC USE, THE DEDICATION OF ALL PUBLIC UTILITY EASEMENTS, SLOPE EASEMENTS, PARCEL A, AND THE RELINQUISHMENT OF ACCESS RIGHTS TO LOTS 1, 4, 8, 11, 12, 14, 16, 18 THROUGH 25, 26, 32, 33, 40, 41 AND 46, ALONG THE LOT LINES AS INDICATED BY THE SYMBOL ///////, AND REJECTED THE OFFER OF DEDICATION OF ALL ROADWAYS AS SHOWN ON SAID MAP UNTIL THEIR IMPROVEMENTS HAVE BEEN COMPLETED IN ACCORDANCE WITH CHAPTER 16, TITLE 16.16 OF THE CITY OF LATHROP MUNICIPAL CODE.

ALSO, PURSUANT TO SECTION 66434(G) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE CITY OF LATHROP DOES HEREBY ABANDON THE 60 FOOT WIDE EASEMENT FOR ROADWAY PURPOSES, ALSO KNOWN AS COHEN ROAD, RECORDED OCTOBER 18, 1934, IN BOOK 408, PAGE 95, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, FOR THAT PORTION OF SAID ROADWAY EASEMENT WITHIN SAID TRACT 3837, ALL AS DEPICTED ON SHEET 3 HEREIN.

I HEREBY STATE THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE CITY COUNCIL OF LATHROP AND FILED IN MY OFFICE.

TERESA VARGAS
 CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

ACKNOWLEDGEMENT CERTIFICATE (TRUSTEE)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

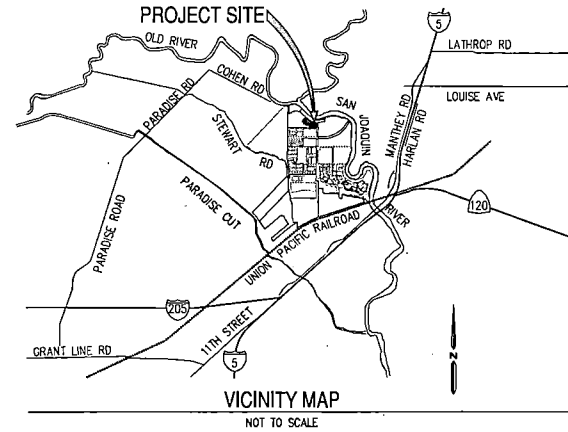
STATE OF CALIFORNIA }
 COUNTY OF SAN JOAQUIN }

ON _____, 201____, BEFORE ME, _____, _____
 A NOTARY PUBLIC, PERSONALLY APPEARED, _____ WHO
 PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S)
 IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/they
 EXECUTED THE SAME IN HIS/HER/their AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/their
 SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE
 PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: _____
 NAME (PRINT): _____
 PRINCIPAL COUNTY OF BUSINESS: _____
 MY COMMISSION NUMBER: _____
 MY COMMISSION EXPIRES: _____



SECRETARY OF THE PLANNING COMMISSION'S STATEMENT

THIS MAP CONFORMS TO VESTING TENTATIVE MAP NO. 3694 APPROVED BY THE PLANNING COMMISSION. DATED THIS _____ DAY OF _____, 201____.

REBECCA SCHMIDT, COMMUNITY DEVELOPMENT DIRECTOR
 CITY OF LATHROP

CITY ENGINEER'S STATEMENT

I, GLENN GEBHARDT, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA AND THAT I HAVE EXAMINED THIS FINAL MAP OF TRACT 3837, RIVER ISLANDS, PHASE 1B, VILLAGE P", CITY OF LATHROP, CALIFORNIA, AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE VESTING TENTATIVE MAP NO. 3694, AND ANY APPROVED ALTERATIONS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLES WITH ALL APPLICABLE ORDINANCES OF THE CITY OF LATHROP, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE VESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 201____.

GLENN GEBHARDT, R.C.E. 34681
 CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA



RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 201____, AT _____ M.
 IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, AT THE REQUEST OF
 OLD REPUBLIC TITLE COMPANY.

SEE: \$ _____

STEVE J. BESTOLARIDES, _____ BY: _____ ASSISTANT/DEPUTY RECORDER
 ASSESSOR-RECORDER-COUNTY CLERK
 SAN JOAQUIN COUNTY, CALIFORNIA

EXEMPT FROM FEE PER GOVERNMENT CODE 27388.1; DOCUMENT RECORDED IN CONNECTION WITH A CONCURRENT TRANSFER SUBJECT TO THE IMPOSITION OF DOCUMENTARY TRANSFER TAX.

TRACT 3837 RIVER ISLANDS - PHASE 1B VILLAGE P

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 M&P 56)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH 2018



NOTES

- RIGHT TO FARM STATEMENT:
PER CITY OF LATHROP MUNICIPAL CODE OF ORDINANCES, TITLE 15, CHAPTER 15.48.04, THE CITY OF LATHROP PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE CITY LIMITS, INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES. YOU ARE HEREBY NOTIFIED THAT THE PROPERTY YOU ARE PURCHASING MAY BE LOCATED CLOSE TO AGRICULTURAL LANDS AND OPERATIONS. YOU MAY BE SUBJECT TO INCONVENIENCE OR DISCOMFORT ARISING FROM THE LAWFUL AND PROPER USE OF AGRICULTURAL CHEMICALS AND PESTICIDES AND FROM OTHER AGRICULTURAL ACTIVITIES, INCLUDING WITHOUT LIMITATIONS, CULTIVATION, PLOWING, SPRAYING, IRRIGATION, PRUNING, HARVESTING, BURNING OF AGRICULTURAL WASTE PRODUCTS, PROTECTION OF CROPS AND ANIMALS FROM DEPRECIATION, AND OTHER ACTIVITIES WHICH MAY GENERATE DUST, SMOKE, NOISE, ODOR, RODENTS AND PESTS. BE AWARE ALSO, THAT THIS PROPERTY MAY BE LOCATED ADJACENT TO AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, IT MAY BE NECESSARY THAT YOU BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS NORMAL AND NECESSARY ASPECT OF LIVING IN AN AGRICULTURALLY ACTIVE REGION.
- A SOILS REPORT ENTITLED "GEOTECHNICAL EXPLORATION, RIVER ISLANDS PHASE 1, LATHROP, CALIFORNIA", REFERENCED AS PROJECT NO. 5044.5.001.01 AND DATED JULY 29, 2005, HAS BEEN PREPARED FOR THIS PROJECT BY ENGE0, INCORPORATED, JOSEF J. TOOTLE, G.E. NO. 2877, AND IS ON FILE WITH THE CITY OF LATHROP.
- TRACT 3837, RIVER ISLANDS, PHASE 1B, VILLAGE P, CONTAINS: 46 RESIDENTIAL LOTS AND PARCEL A, CONTAINING 11.02 ACRES, MORE OR LESS, INCLUDING ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP, ALL AS SHOWN ON SAID MAP HEREIN. (PLEASE REFER TO THE AREA SUMMARY TABLE BELOW):

TRACT 3837 AREA SUMMARY	
46 RESIDENTIAL LOTS	7.35 AC±
PARCEL A	0.20 AC±
STREET DEDICATIONS	3.47 AC±
TOTAL	11.02 AC±

- BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT ORDER NUMBER 1314000104-KS (VERSION 1), DATED FEBRUARY 21, 2018, PROVIDED BY DLD REPUBLIC TITLE COMPANY.
- ALL OF COHEN ROAD, PER 408 OR 95, WITHIN TRACT 3837, IS BEING ABANDONED BY THIS FINAL MAP. PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

CITY SURVEYOR'S STATEMENT

I, LAWRENCE GOSSETT, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF TRACT 3837, RIVER ISLANDS, PHASE 1B, VILLAGE P, CITY OF LATHROP, CALIFORNIA, AND THAT THE SUBDIVISION SHOWN HEREON COMPLIES WITH ALL THE PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA SUBDIVISION MAP ACT, AS AMENDED, AND THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 201__.

LAWRENCE GOSSETT, P.E. 31695



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RIVER ISLANDS DEVELOPMENT, LLC, ON AUGUST 1, 2017. I HEREBY STATE ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2022, AND THAT THE MONUMENTS ARE, OR THAT THEY WILL BE, SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 201__.

GYLAN CRAWFORD, P.L.S. NO 7788



SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

- ROADWAY EASEMENT IN FAVOR OF SAN JOAQUIN COUNTY PER BOOK 408, OFFICIAL RECORDS, PAGE 95, S.J.C.R.
- RECLAIMED ISLANDS LAND COMPANY, RESERVATION FOR OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, PER DOCUMENT NUMBER 2001-046177, S.J.C.R.
- IRREVOCABLE OFFER OF DEDICATION IN FAVOR OF THE CITY OF LATHROP FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT PER DOCUMENT NUMBER 2017-139797, S.J.C.R.

LINE TABLES FOR COURSES SHOWN ON SHEETS 3 THROUGH 5 ONLY

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	EAST	744.00'
L2	EAST	429.00'
L3	NORTH	1290.00'
L4	NORTH	721.00'
L5	NORTH	663.00'
L6	NORTH	1290.00'
L7	EAST	1173.00'
L8	NORTH	693.00'
L9	EAST	555.30'
L10	EAST	534.00'
L11	EAST	508.00'
L12	EAST	579.02'
L13	NORTH	693.00'
L14	NORTH	248.00'
L15	EAST	508.00'
L16	NORTH	248.00'
L17	NORTH	445.00'
L18	EAST	1492.02'
L19	EAST	403.39'
L20	N43°52'36"W	141.99'

LINE TABLE		
LINE	DIRECTION	LENGTH
L21	EAST	123.72'
L22	N43°59'07"E	51.65'
L23	N23°07'50"E	89.60' (R)
L24	N50°10'50"W	60.00'
L25	N84°12'29"E	34.99'
L26	N51°23'12"W	321.33'
L27	N44°37'48"W	33.70'
L28	N84°43'46"E	81.34'
L29	EAST	74.00'
L30	N45°00'00"W	31.11'
L31	EAST	390.47'
L32	N75°18'05"W	5.85'
L33	N44°20'06"W	9.63'
L34	N44°20'06"W	351.39'
L35	N44°41'52"W	35.05'
L36	N39°48'10"E	236.11'
L37	NORTH	30.39'
L38	N6°46'28"E	60.00'
L39	N68°28'13"W	28.33'
L40	N21°31'47"E	100.00'

LINE TABLE		
LINE	DIRECTION	LENGTH
L41	N68°28'13"W	199.88'
L42	N67°07'38"W	50.09'
L43	N60°08'53"W	49.68'
L44	N38°22'00"E	101.06'
L45	NORTH	16.31'
L46	N45°00'00"E	31.11'
L47	N74°51'51"E	717.85'
L48	N55°36'09"W	260.59'
L49	N55°02'09"W	409.34'
L50	N73°21'09"W	295.70'
L51	N80°39'51"E	393.24'
L52	N59°38'51"E	169.00'
L53	N14°39'55"E	239.53'
L54	N74°01'50"E	225.49'
L55	N40°53'45"E	32.73'
L56	NORTH	302.11'
L57	EAST	80.00'
L58	N45°39'54"E	60.00'
L59	N44°20'06"W	1.32'
L60	N45°39'54"E	194.84'

CURVE TABLE FOR COURSES SHOWN ON SHEETS 3 THROUGH 5 ONLY

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	280.00'	46°07'24"	225.40'
C2	250.00'	22°59'34"	100.32'
C3	3130.00'	4°51'48"	265.68'
C4	330.00'	18°06'06"	104.26'
C5	350.00'	15°01'06"	91.74'
C6	320.00'	39°17'10"	219.42'
C7	87.00'	21°30'48"	32.67'
C8	87.00'	12°20'03"	18.73'
C9	313.00'	5°10'05"	28.23'
C10	270.00'	30°38'05"	144.36'
C11	810.00'	7°45'40"	109.72'
C12	110.00'	52°50'59"	101.46'
C13	810.00'	37°52'24"	536.42'
C14	250.00'	23°07'50"	100.93'
C15	250.00'	20°51'17"	91.00'
C16	380.00'	6°31'56"	43.32'
C17	317.00'	4°41'00"	25.91'
C18	110.00'	137°21'10"	263.70'
C19	110.00'	68°40'35"	131.85'
C20	110.00'	68°40'35"	131.85'

REFERENCES

- RECORD OF SURVEY FILED AUGUST 4, 2004, IN BOOK 35 OF SURVEYS, PAGE 142, AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 15, 2005 AS DOCUMENT NUMBER 2005-171264, S.J.C.R. (35 SURVEYS 142)
- GRANT DEED RECORDED APRIL 24, 2015, AS D.N. 2015-046193, S.J.C.R.
- TRACT 3704, FILED DECEMBER 20, 2013, IN BOOK 42 OF MAPS AND PLATS, PAGE 4, S.J.C.R. (42 M&P 4)
- TRACT 3796, FILED FEBRUARY 27, 2015, IN BOOK 42 OF MAPS AND PLATS, PAGE 30, S.J.C.R. (42 M&P 30)
- TRACT 3791, FILED MAY 8, 2015, IN BOOK 42 OF MAPS AND PLATS, PAGE 36, S.J.C.R. (42 M&P 36)
- GRANT DEED RECORDED MARCH 30, 2001, AS D.N. 2001-046177, S.J.C.R.
- TRACT 3876, FILED MARCH 31, 2016, IN BOOK 42 OF MAPS AND PLATS, PAGE 56, S.J.C.R. (42 M&P 56)
- TRACT 3832, FILED AUGUST 24, 2016, IN BOOK 42 OF MAPS AND PLATS, PAGE 66, S.J.C.R. (42 M&P 66)
- TRACT 3834, FILED DECEMBER 21, 2016, IN BOOK 42 OF MAPS AND PLATS, PAGE 72, S.J.C.R. (42 M&P 72)
- TRACT 3829, FILED DECEMBER 21, 2016, IN BOOK 42 OF MAPS AND PLATS, PAGE 71, S.J.C.R. (42 M&P 71)
- TRACT 3836, FILED MARCH 15, 2017, IN BOOK 42 OF MAPS AND PLATS, PAGE 84, S.J.C.R. (42 M&P 84)
- TRACT 3838, FILED NOVEMBER 30, 2017, IN BOOK 43 OF MAPS AND PLATS, PAGE 12, S.J.C.R. (42 M&P 84)
- TRACT 3912, FILED FEBRUARY 7, 2018, IN BOOK 43 OF MAPS AND PLATS, PAGE 19, S.J.C.R. (43 M&P 19)

TRACT 3837 RIVER ISLANDS - PHASE 1B VILLAGE P

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 MAP 56)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH 2018



0 200' 400' 800'
SCALE: 1" = 400'

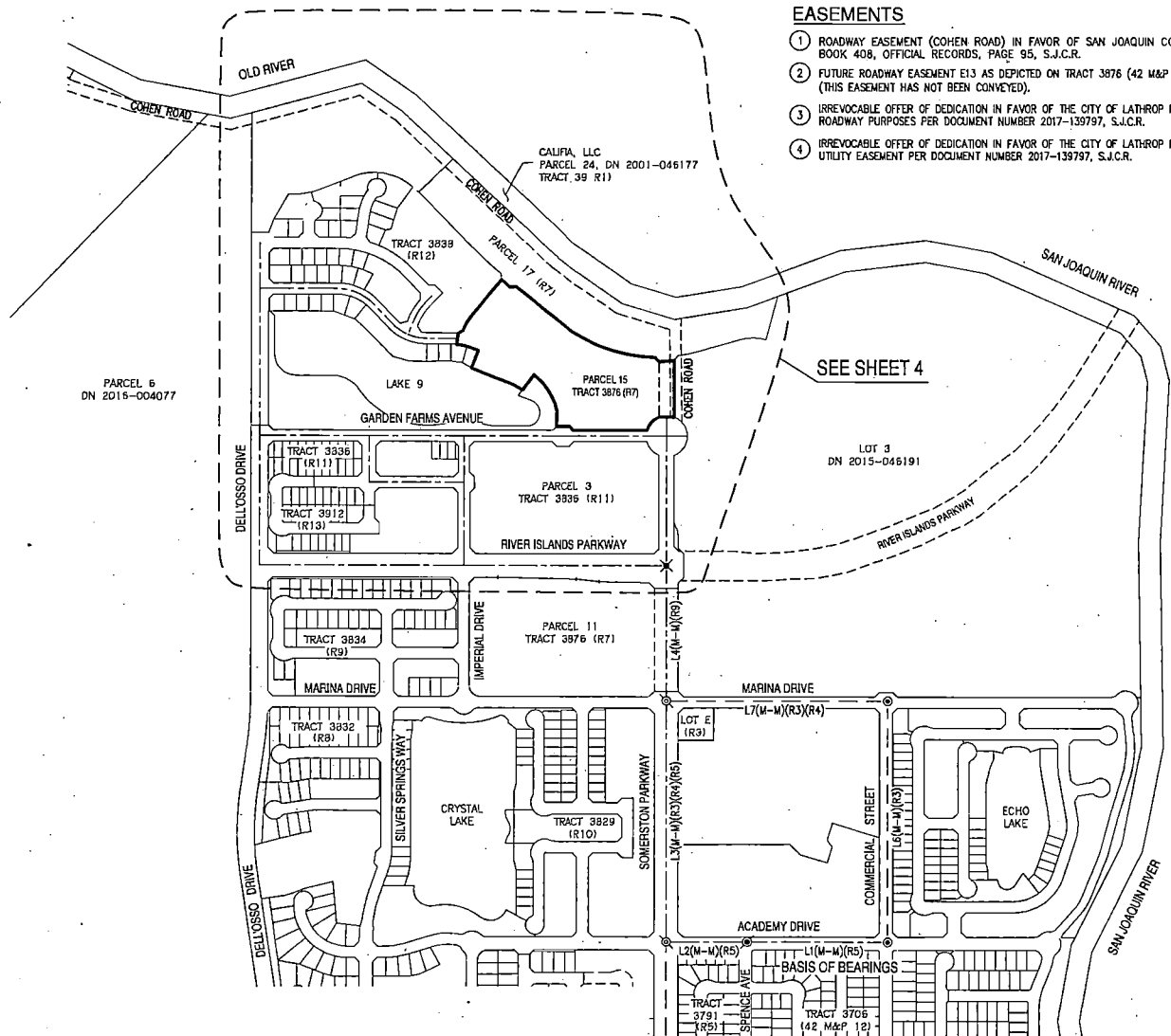
THIS SHEET SHOWS TIES TO THE BASIS OF BEARINGS
AND OTHER MAPS OF RECORD. REFER TO SHEET 4
FOR THE BOUNDARY OF TRACT 3837

BASIS OF BEARINGS

THE BEARING OF 'EAST' BETWEEN FOUND MONUMENTS ALONG THE MONUMENT LINE OF ACADEMY DRIVE AS SHOWN ON TRACT 3791, FILED MAY 8, 2015, IN BOOK 42 OF MAPS AND PLATS, AT PAGE 35, OFFICIAL RECORDS OF THE COUNTY OF SAN JOAQUIN, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN ON THIS MAP (ZONE 3, NAD83). ALL DISTANCES SHOWN HEREIN ARE GROUND DISTANCES.

EASEMENTS

- ① ROADWAY EASEMENT (COHEN ROAD) IN FAVOR OF SAN JOAQUIN COUNTY PER BOOK 408, OFFICIAL RECORDS, PAGE 95, S.J.C.R.
- ② FUTURE ROADWAY EASEMENT E13 AS DEPICTED ON TRACT 3876 (42 M&P 56), S.J.C.R. (THIS EASEMENT HAS NOT BEEN CONVEYED).
- ③ IRREVOCABLE OFFER OF DEDICATION IN FAVOR OF THE CITY OF LATHROP FOR PUBLIC ROADWAY PURPOSES PER DOCUMENT NUMBER 2017-139797, S.J.C.R.
- ④ IRREVOCABLE OFFER OF DEDICATION IN FAVOR OF THE CITY OF LATHROP FOR PUBLIC UTILITY EASEMENT PER DOCUMENT NUMBER 2017-139797, S.J.C.R.



SEE SHEET 4

LEGEND

- ⊙ FOUND MONUMENT STAMPED "PLS 7788" PER (R3)
- ⊙ FOUND MONUMENT STAMPED "PLS 7788" PER (R5)
- ⊙ MONUMENT TO BE SET PER (R11)
- ⊙ MONUMENT TO BE SET PER (R9)
- ⊙ MONUMENT TO BE SET PER (R3)
- BOUNDARY
- LOT LINE OR RIGHT-OF-WAY LINE
- - - EASEMENT LINE
- - - MONUMENT LINE
- - - CENTERLINE
- 200.00' (R1) MEASURED AND RECORD DATA PER REFERENCE (R1)
- (R1) DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON THIS SHEET
- (M-M) MONUMENT TO MONUMENT
- M-CL INTX MONUMENT TO CENTERLINE INTERSECTION
- (R) RADIAL BEARING
- (T) TOTAL
- (B) BOUNDARY
- CL CENTERLINE
- DN DOCUMENT NUMBER
- ① EASEMENT REFERENCE NUMBER

NOTES

1. SEE SHEET 2 FOR ADDITIONAL NOTES, REFERENCES, AND FOR THE LINE TABLE AND CURVE TABLE OF COURSES, SHOWN ON SHEETS 3 THROUGH 5 ONLY.

TRACT 3837 RIVER ISLANDS - PHASE 1B VILLAGE P

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 M&P 56)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH 2018



0 100' 200' 400'
SCALE: 1" = 200'

BOUNDARY SHEET

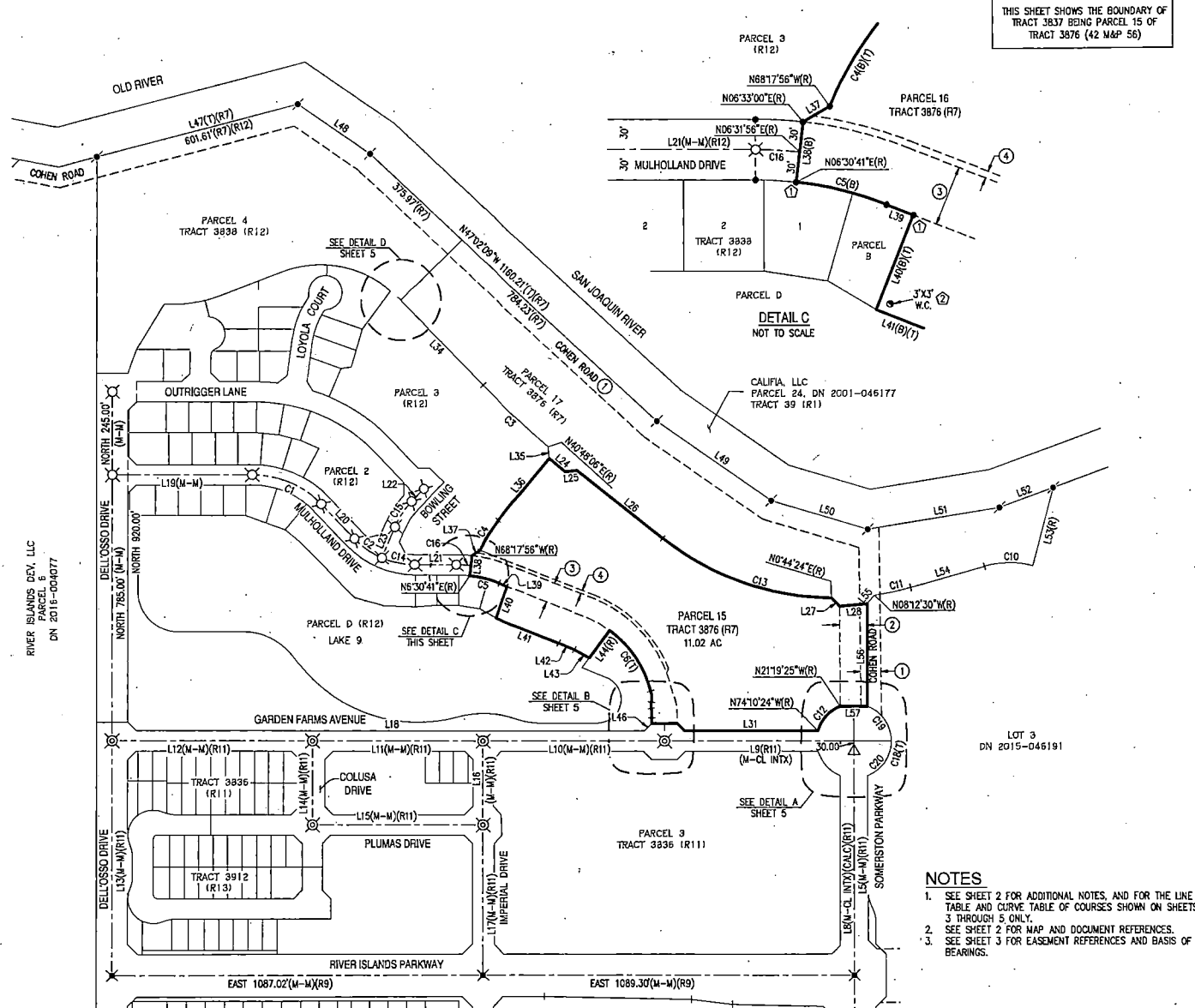
LEGEND

- ⊙ FOUND MONUMENT STAMPED "PLS 7788" PER (R3)
- ⊗ FOUND MONUMENT STAMPED "PLS 7788" PER (R5)
- ⊘ MONUMENT TO BE SET PER (R1)
- ⊙ MONUMENT TO BE SET PER (R12)
- SET 3.00' WITNESS CORNER (W.C.), UNLESS OTHERWISE NOTED, MEASURED ALONG LOT LINE, RADIAL LINE OR PERPENDICULAR TO STREET CENTERLINE AS NOTED. 3/4" x 24" IRON PIPE W/ PLASTIC PLUG "PLS 7788"
- ⊗ MONUMENT TO BE SET PER (R9)
- 3/4" IRON PIPE WITH CAP STAMPED "PLS 7788" TO BE SET PER (R1) AND (R12), RESPECTIVELY, UNLESS OTHERWISE SHOWN
- ⊗ FOUND 5/8" REBAR WITH CAP STAMPED "PLS 7788" PER (R7)
- ⊙ MONUMENT TO BE SET PER (R3)
- △ 2-1/2" BRASS DISK STAMPED "PLS 7788" TO BE SET PER (R1)
- BOUNDARY
- LOT LINE OR RIGHT-OF-WAY LINE
- - - EASEMENT LINE
- - - MONUMENT LINE
- - - CENTERLINE
- 200.00' (R1) MEASURED AND RECORD DATA PER REFERENCE (R1)
- (R1) DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON THIS SHEET
- (M-M) MONUMENT TO MONUMENT
- (M-CL INTX) MONUMENT TO CENTERLINE INTERSECTION
- (R) RADIAL BEARING
- (T) TOTAL
- (B) BOUNDARY
- (CL) CENTERLINE
- DN DOCUMENT NUMBER
- OR OFFICIAL RECORD
- ① EASEMENT REFERENCE NUMBER
- ② 1.17" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1.00' INTO THE RIGHT-OF-WAY, ALONG PROLONGATION OF SIDE LOT LINES PER (R12)
- ③ DENOTES WITNESS CORNER ON 3.00 FOOT OFFSET ALONG THE SIDE PROPERTY LINE, UNLESS OTHERWISE SHOWN PER (R12)
- ④ 1.17" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1.00' INTO THE RIGHT-OF-WAY, ALONG THE BOUNDARY LINE PER (R12)

NOTES

- SEE SHEET 2 FOR ADDITIONAL NOTES, AND FOR THE LINE TABLE AND CURVE TABLE OF COURSES SHOWN ON SHEETS 3 THROUGH 5 ONLY.
- SEE SHEET 2 FOR MAP AND DOCUMENT REFERENCES.
- SEE SHEET 3 FOR EASEMENT REFERENCES AND BASIS OF BEARINGS.

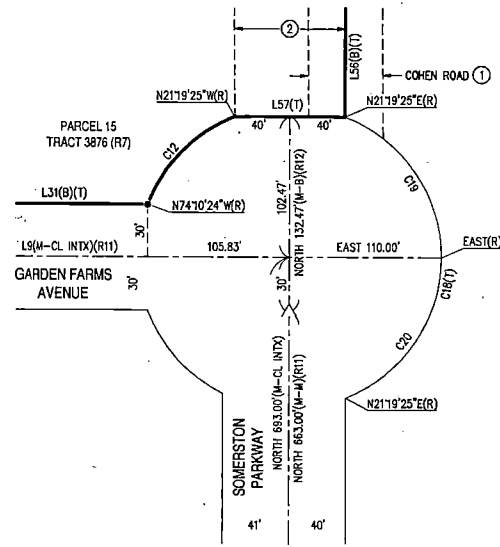
THIS SHEET SHOWS THE BOUNDARY OF TRACT 3837 BEING PARCEL 15 OF TRACT 3876 (42 M&P 56)



RIVER ISLANDS DEV. LLC
PARCEL 6
DN 2016-040077

TRACT 3837 RIVER ISLANDS - PHASE 1B VILLAGE P

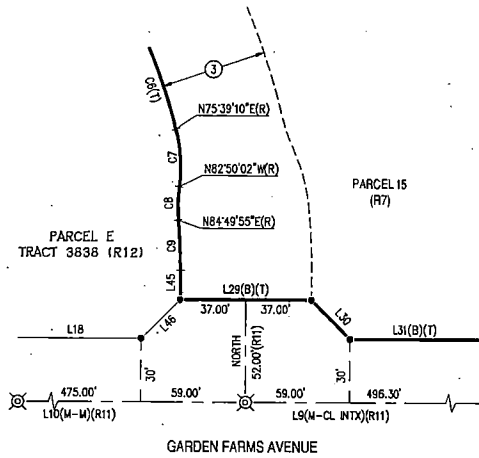
A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 M&P 56)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH 2018



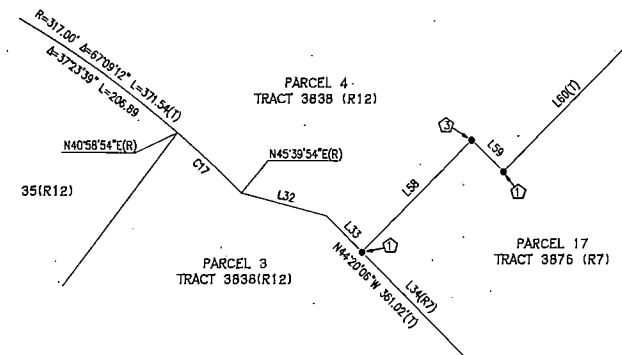
NOTES

1. SEE SHEET 2 FOR ADDITIONAL NOTES, AND FOR THE LINE TABLE AND CURVE TABLE OF COURSES SHOWN ON SHEETS 3 THROUGH 5 ONLY.
2. SEE SHEET 4 FOR LEGEND.
3. SEE SHEET 3 FOR EASEMENT REFERENCES AND BASIS OF BEARINGS.
4. SEE SHEET 2 FOR MAP AND DOCUMENT REFERENCES.

DETAIL A
NOT TO SCALE
(FROM SHEET 4)



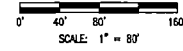
DETAIL B
NOT TO SCALE
(FROM SHEET 4)



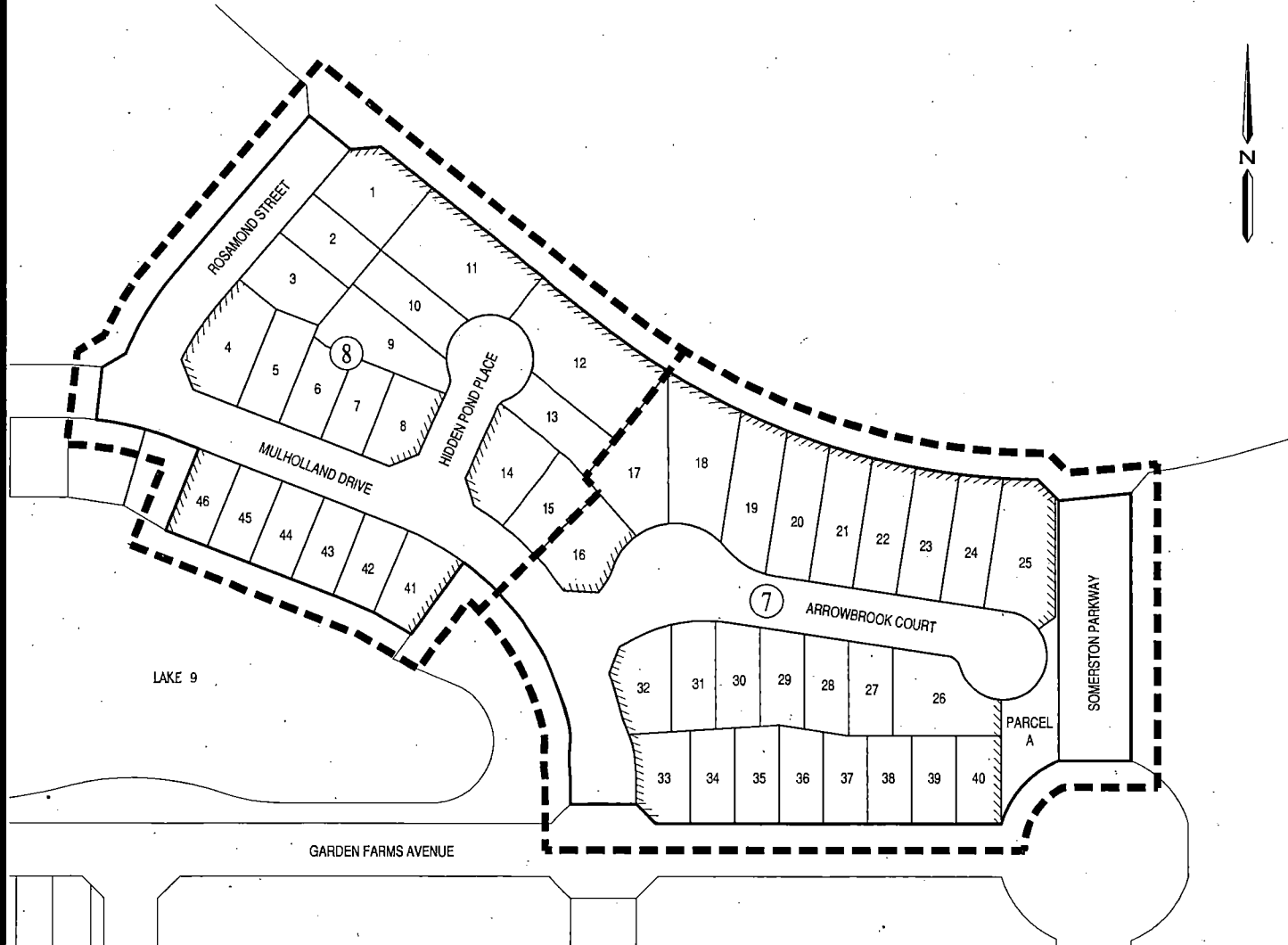
DETAIL D
NOT TO SCALE
(FROM SHEET 4)

TRACT 3837
RIVER ISLANDS - PHASE 1B
VILLAGE P

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 MARCH 2018



INDEX SHEET



LEGEND

- EASEMENT LINE
- _____ LOT LINE
- _____ RIGHT-OF-WAY LINE
- _____ BOUNDARY
- SHEET LIMIT LINE
- 4 LOT NUMBER
- ⑦ SHEET NUMBER
- ////// RESTRICTED ACCESS

TRACT 3837

RIVER ISLANDS - PHASE 1B

VILLAGE P

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 MAP 56)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH 2018

O'DELL
ENGINEERING

0' 20' 40' 80'
SCALE: 1" = 40'

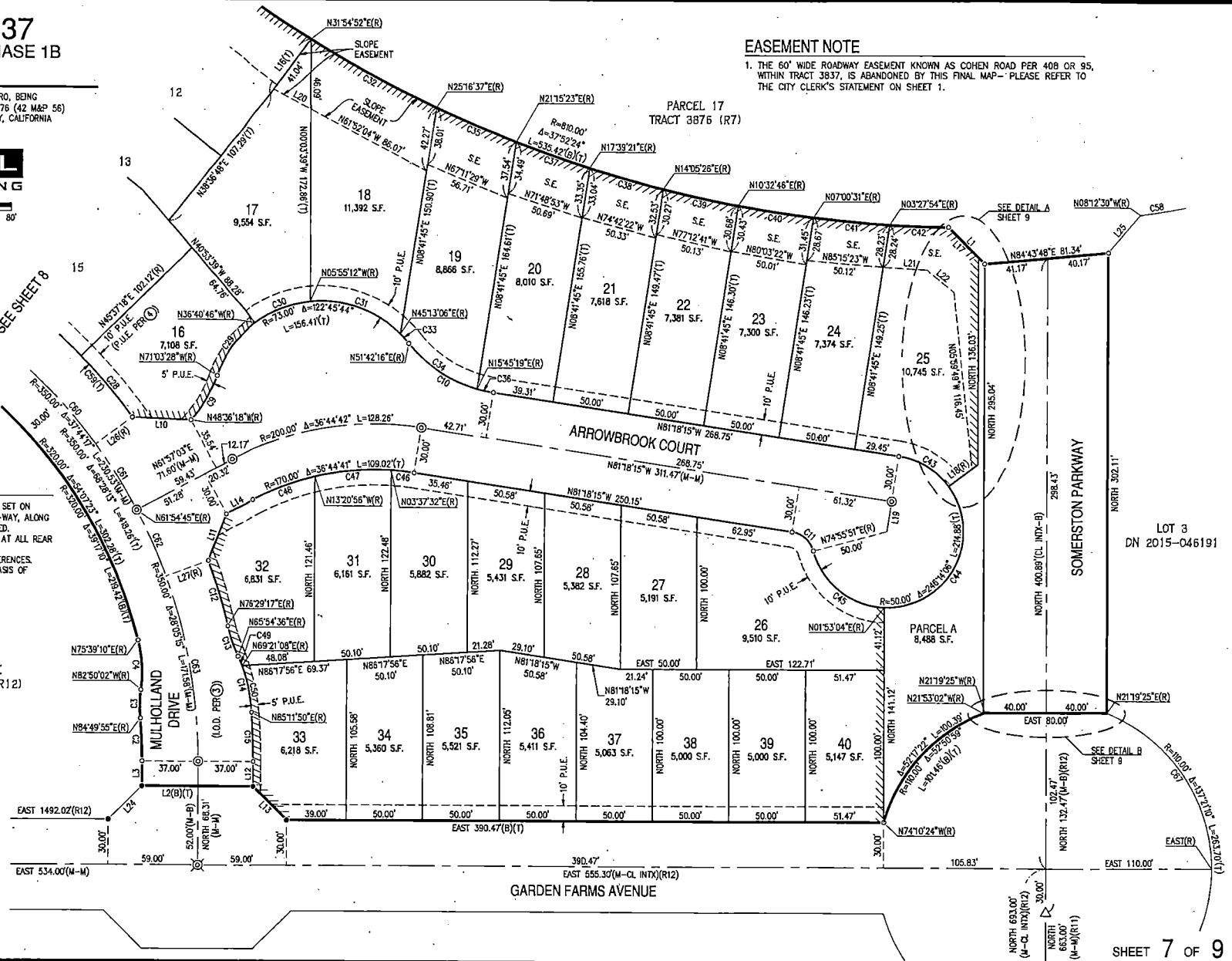
EASEMENT NOTE

1. THE 60' WIDE ROADWAY EASEMENT KNOWN AS COHEN ROAD PER 408 OR 85, WITHIN TRACT 3837, IS ABANDONED BY THIS FINAL MAP-- PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

NOTES

1. 1.17" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1.00' INTO THE RIGHT-OF-WAY, ALONG PROLONGATION OF SIDE LOT LINES, OR AS NOTED.
2. 5/8" REBAR WITH CAP "PLS 7788" TO BE SET AT ALL REAR LOT CORNERS, UNLESS OTHERWISE NOTED.
3. SEE SHEET 2 FOR ADDITIONAL NOTES AND REFERENCES.
4. SEE SHEET 3 FOR EXISTING EASEMENTS AND BASIS OF BEARINGS.
5. SEE SHEET 9 FOR LINE AND CURVE TABLES.
6. SEE SHEET 8 FOR LEGEND.

PARCEL E
TRACT 3838(R12)



SHEET 7 OF 9

TRACT 3837 RIVER ISLANDS - PHASE 1B VILLAGE P

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 MAP 56)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH 2018



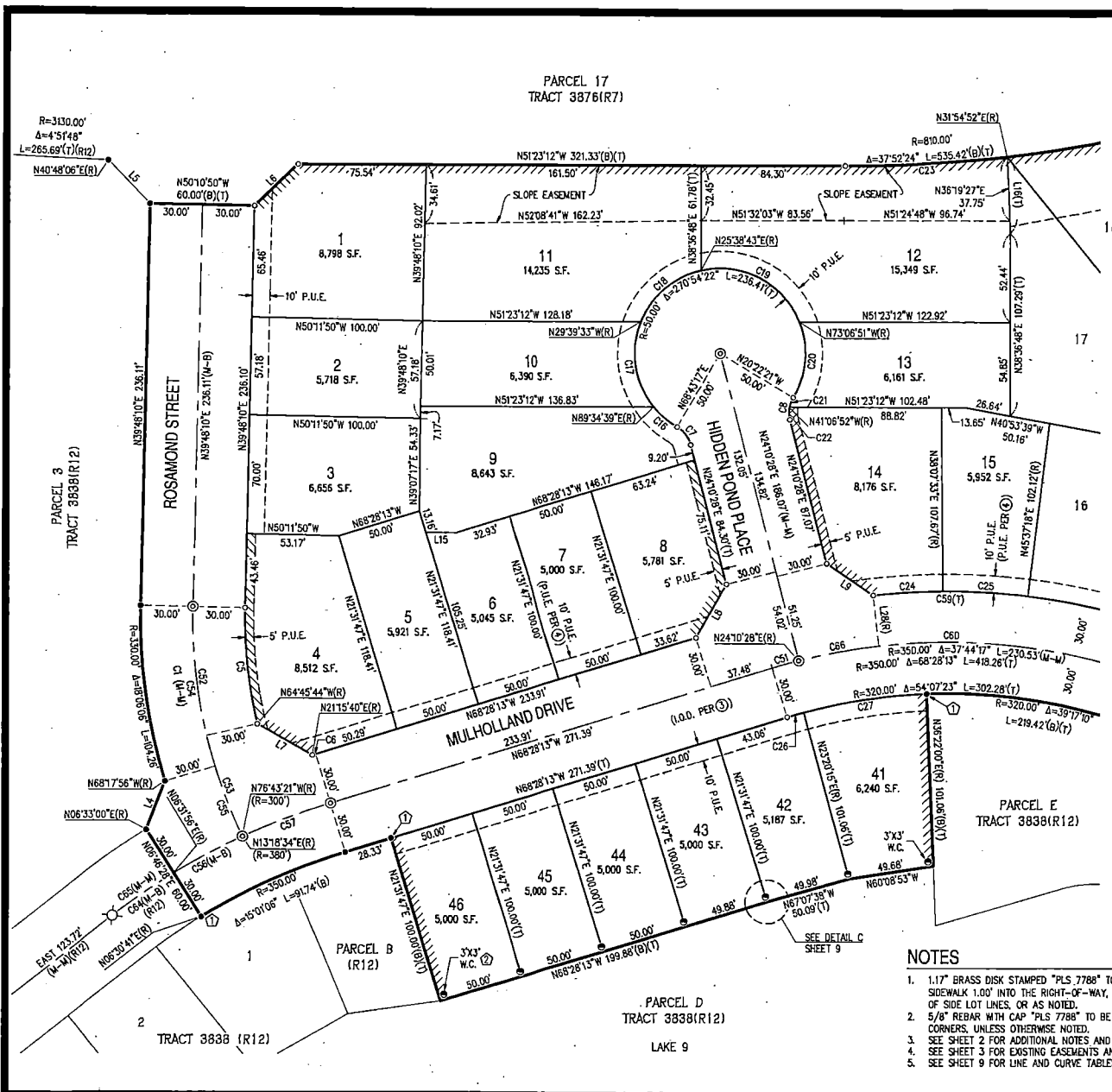
0' 20' 40' 80'
SCALE: 1" = 40'

LEGEND

- ⊙ SET STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLS 7788"
- SET 3/4" IRON PIPE W/ PLASTIC PLUG "PLS 7788"
- ⊗ MONUMENT TO BE SET PER (R3)
- ⊗ MONUMENT TO BE SET PER (R9)
- ⊗ MONUMENT TO BE SET PER (R12)
- ⊗ MONUMENT TO BE SET PER (R11)
- △ 2-1/2" BRASS DISK STAMPED "PLS 7788" TO BE SET PER (R11)
- FOUND 3/4" IRON PIPE W/ PLASTIC PLUG "PLS 7788" PER (R11) AND (R12), RESPECTIVELY, UNLESS OTHERWISE NOTED
- ⊙ SET 3.00' WITNESS CORNER (W.C.), UNLESS OTHERWISE NOTED, MEASURED
● ALONG LOT LINE, RADIAL LINE OR PERPENDICULAR TO STREET CENTERLINE AS NOTED. 3/4" x 24" IRON PIPE W/ PLASTIC PLUG "PLS 7788"
- 200.00'(R1) MEASURED AND RECORD DATA PER REFERENCE (R1)
- (R1) DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON SHEET 3
- (M-M) MONUMENT TO MONUMENT
- (M-B) MONUMENT TO BOUNDARY
- (M-CL INTX) MONUMENT TO CENTERLINE
- (T) TOTAL
- (B) BOUNDARY
- I.O.D. IRREVOCABLE OFFER OF DEDICATION
- P.U.E. PUBLIC UTILITY EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- S.E. SLOPE EASEMENT
- LOT LINE
- RIGHT-OF-WAY LINE
- BOUNDARY
- - - EASEMENT LINE
- - - MONUMENT LINE
- - - CENTERLINE
- /// RESTRICTED ACCESS

NOTES

1. 1.17" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1.00' INTO THE RIGHT-OF-WAY, ALONG PROLONGATION OF SIDE LOT LINES, OR AS NOTED.
2. 5/8" REBAR WITH CAP "PLS 7788" TO BE SET AT ALL REAR LOT CORNERS, UNLESS OTHERWISE NOTED.
3. SEE SHEET 2 FOR ADDITIONAL NOTES AND REFERENCES.
4. SEE SHEET 3 FOR EXISTING EASEMENTS AND BASIS OF BEARINGS.
5. SEE SHEET 9 FOR LINE AND CURVE TABLES.



TRACT 3837 RIVER ISLANDS - PHASE 1B VILLAGE P

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 15 OF TRACT 3876 (42 M&P 56)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH 2018



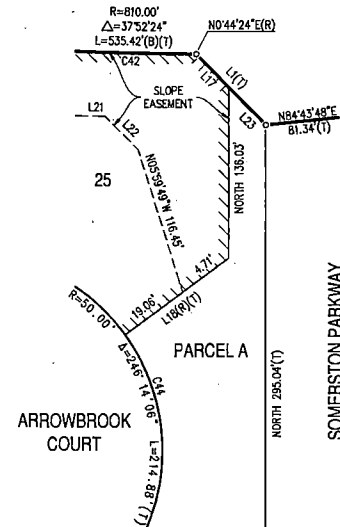
LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEETS 7 THROUGH 9 ONLY

LINE	DIRECTION	LENGTH
L1	N44°37'48"W	33.70'
L2	EAST	74.00'
L3	NORTH	16.31'
L4	N59°07'32"E	30.39'
L5	N4°41'52"W	35.05'
L6	N84°12'29"E	34.99'
L7	N21°36'58"W	36.49'
L8	N67°51'08"E	36.16'
L9	N16°55'23"W	32.87'
L10	N87°31'42"W	38.90'
L11	N20°50'12"E	32.88'
L12	NORTH	16.31'
L13	N45°00'00"W	31.11'
L14	N61°57'03"E	20.32'
L15	N51°23'12"W	17.86'
L16	N36°19'27"E	45.13'
L17	N44°37'48"W	28.01'
L18	N53°20'50"E	23.77'
L19	N8°41'45"E	20.00'
L20	N61°52'04"W	27.62'
L21	N86°25'21"W	28.83'
L22	N50°24'20"W	23.00'
L23	N44°37'48"W	5.69'
L24	N45°00'00"E	31.11'
L25	N40°53'45"E	32.73'
L26	N53°32'54"E	30.00'
L27	N69°43'21"E	30.00'
L28	N31°58'46"E	30.00'

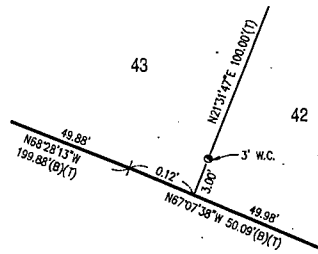
CURVE	RADIUS	DELTA	LENGTH
C1	300.00	26°31'31"	138.89'
C2	313.00	57°00'55"	28.23'
C3	87.00	122°00'03"	16.73'
C4	87.00	21°30'48"	32.67'
C5	270.00	14°33'54"	68.64'
C6	410.00	01°6'07"	1.92'
C7	17.00	45°27'11"	13.49'
C8	17.00	45°27'11"	13.49'
C9	87.00	22°27'10"	34.09'
C10	87.00	43°00'31"	65.31'
C11	17.00	66°14'06"	19.65'
C12	380.00	6°45'56"	44.87'
C13	113.00	10°34'41"	20.86'
C14	113.00	19°17'14"	38.04'
C15	387.00	4°48'10"	32.44'
C16	50.00	20°51'22"	18.20'
C17	50.00	60°45'48"	53.03'
C18	50.00	55°18'16"	48.26'
C19	50.00	81°14'26"	70.80'
C20	50.00	52°44'30"	46.03'
C21	17.00	20°44'31"	6.15'
C22	17.00	24°42'40"	7.33'
C23	810.00	6°41'56"	94.70'
C24	380.00	6°08'47"	40.76'
C25	380.00	7°29'45"	49.71'
C26	320.00	1°48'28"	10.10'
C27	320.00	13°01'45"	72.77'
C28	380.00	7°55'36"	52.57'
C29	73.00	34°22'42"	43.80'
C30	73.00	30°45'34"	39.19'

CURVE	RADIUS	DELTA	LENGTH
C31	73.00	51°08'18"	65.15'
C32	810.00	6°38'15"	93.84'
C33	73.00	6°29'10"	8.26'
C34	87.00	35°56'57"	54.59'
C35	810.00	4°01'14"	58.84'
C36	87.00	7°03'34"	10.72'
C37	810.00	3°36'02"	50.80'
C38	810.00	3°33'55"	50.40'
C39	810.00	3°32'40"	50.11'
C40	810.00	3°32'15"	50.01'
C41	810.00	3°32'37"	50.10'
C42	810.00	2°43'30"	38.52'
C43	50.00	44°39'05"	38.97'
C44	50.00	128°32'14"	112.17'
C45	50.00	73°02'47"	63.74'
C46	170.00	5°04'13"	15.04'
C47	170.00	16°58'28"	50.36'
C48	170.00	14°42'01"	43.62'
C49	113.00	3°26'32"	6.79'
C50	113.00	15°50'42"	31.25'
C51	350.00	2°38'41"	16.16'
C52	300.00	14°33'54"	76.26'
C53	300.00	11°57'37"	62.62'
C54	300.00	18°06'06"	94.78'
C55	300.00	8°25'25"	44.11'
C56	380.00	6°46'38"	44.95'
C57	380.00	8°13'13"	54.52'
C58	810.00	7°45'40"	109.72'
C59	380.00	21°34'08"	143.05'
C60	350.00	21°34'08"	131.76'

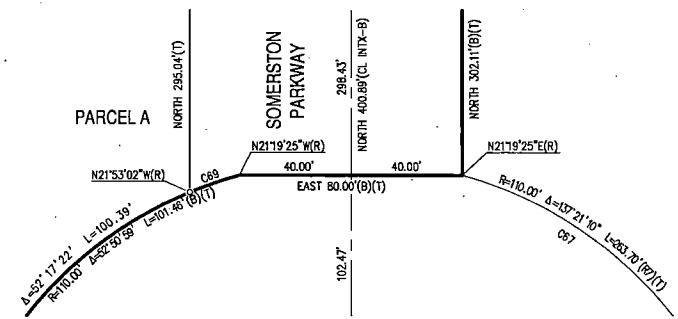
CURVE	RADIUS	DELTA	LENGTH
C61	350.00	8°21'51"	51.09'
C62	350.00	7°48'36"	47.71'
C63	350.00	20°18'39"	123.87'
C64	380.00	6°31'56"	43.32'
C65	350.00	13°18'34"	88.27'
C66	350.00	7°48'18"	47.68'
C67	110.00	68°40'35"	131.65'
C68	350.00	15°01'06"	91.74'
C69	110.00	0°33'37"	1.08'



DETAIL A
NOT TO SCALE
(FROM SHEET 7)



DETAIL C
NOT TO SCALE
(FROM SHEET 8)



DETAIL B
NOT TO SCALE
(FROM SHEET 7)

EXHIBIT B

VILLAGE P VICINITY MAP

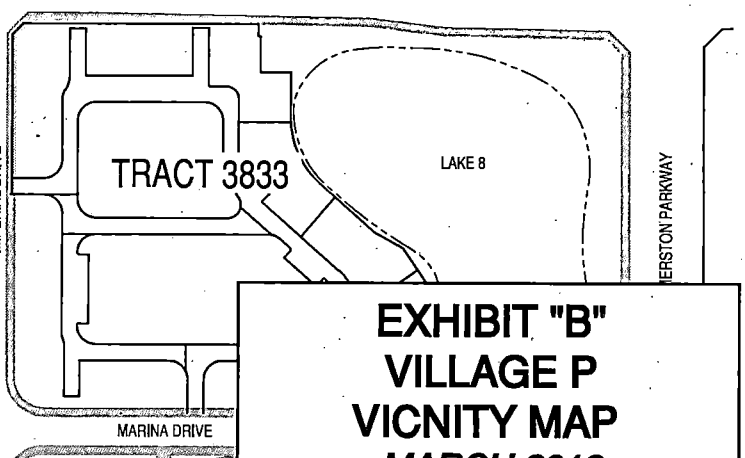
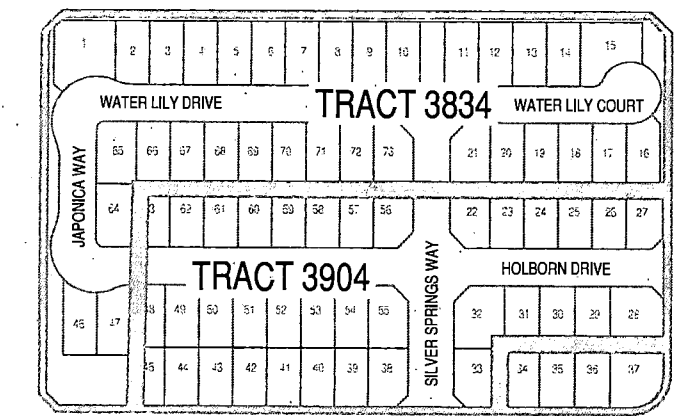
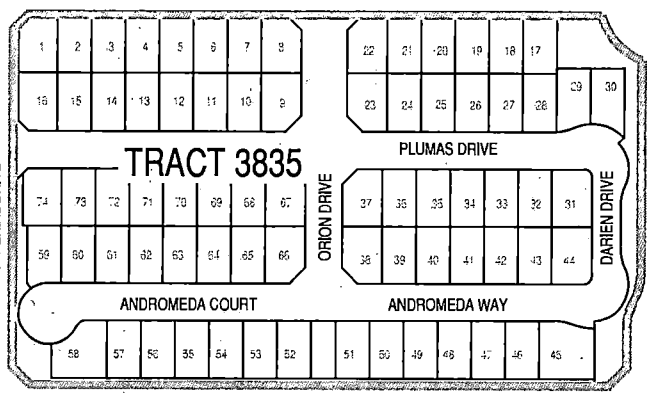
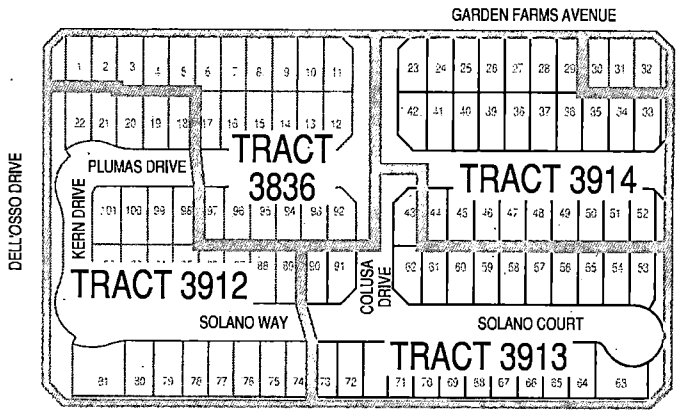
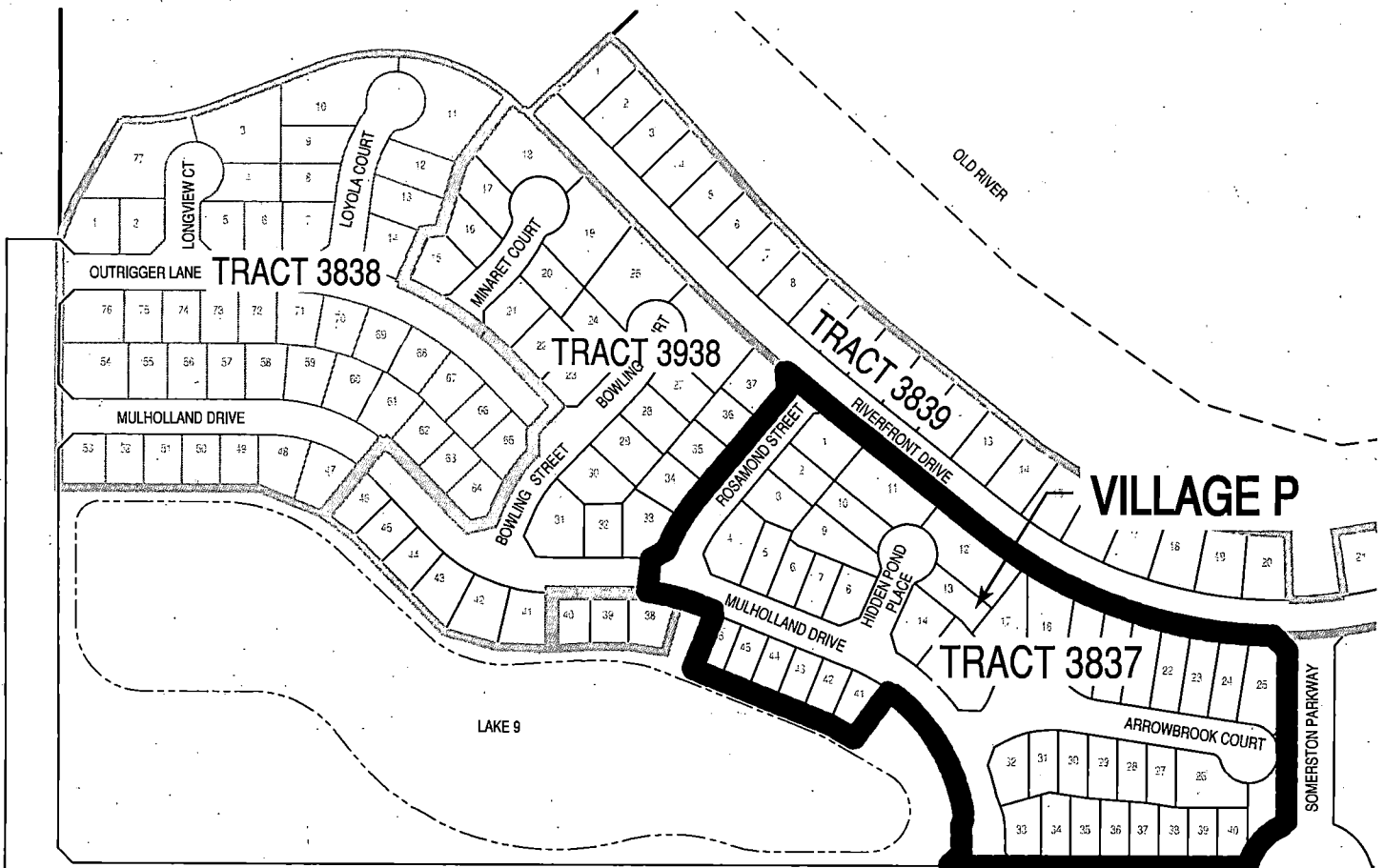


EXHIBIT "B"
VILLAGE P
VICINITY MAP
MARCH 2018

EXHIBIT C

CITY INSURANCE REQUIREMENTS

1. Subdivider shall obtain commercial general liability insurance companies licensed to do business in the State of California with an A.M. Best Company rating Insurance rating of no less than A:VII which provides coverage for bodily injury, personal injury and property damage liability in the amount of at least \$1,000,000 for each occurrence and \$2,000,000 in the aggregate.

Said insurance coverage shall be evidenced by a certificate of insurance with policy endorsements, executed by an authorized official of the insurers. All parties to the Subdivision Improvement Agreement must be named insured on the policy. The policy endorsements to be attached to the certificate must provide all the following:

a. Name the City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents as additional insured as respects to any liability arising out of the activities of the named insured. A CG 2010 or CG 2026 endorsement form or the equivalent is the appropriate form.

b. State that "the insurance coverage afforded by this policy shall be primary insurance as respects to the City of Lathrop, its officers, employees and agents. Any insurance or self-insurance maintained by the City of Lathrop, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to any loss."

c. Include a statement that, "the insurer will provide to the City of Lathrop at least thirty (30) days prior notice of cancellation or material change in coverage." The above language can be included on the additional insured endorsement form or on a separate endorsement form.

d. The policy must contain a cross liability or severability of interest clause.

e. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.



CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 1
DATE (MM/DD/YYYY)
03/27/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Willis Insurance Services of California, Inc. c/o 26 Century Blvd P.O. Box 305191 Nashville, TN 372305191 USA		CONTACT NAME: PHONE (A/C, No, Ext): 1-877-945-7378 FAX (A/C, No): 1-888-467-2378 E-MAIL ADDRESS: certificates@willis.com	
		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A: United Specialty Insurance Company	12537
INSURED River Islands Development, LLC 73 W Stewart Rd Lathrop, CA 95330		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** W5595843 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATION MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			ATN-SF1811644P	03/19/2018	03/19/2021	EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:							
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							
	OTHER:							
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per person)	\$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY					BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB	<input type="checkbox"/> OCCUR					EACH OCCURRENCE	\$
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE	\$
	<input type="checkbox"/> DED	<input type="checkbox"/> RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input type="checkbox"/> N	N/A				E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Re: Final Map Tract No. 3837 - River Islands - Phase 1B Village P

The City of Lathrop, its officers, City Council, boards and commissions, and members thereof, its employees and agents are included as Additional Insureds as required by written contract on a Primary and Non-contributory basis with respect to the General Liability policy.

CERTIFICATE HOLDER City of Lathrop 390 Towne Centre Dr Lathrop, CA 95330	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – SCHEDULED PERSON OR
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents 390 Towne Centre Drive Lathrop, CA 95330	River Islands @ Lathrop Development
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

UNITED SPECIALTY INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY – PLEASE READ IT CAREFULLY

USIC VEN 016 11 10 07

**Named Insured: River Islands Development, LLC
Policy Number: ATN-SF1811644P**

**PRIMARY AND NON-CONTRIBUTING INSURANCE
(Third Party's Sole Negligence)**

This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART**

The following is added to Section IV – Commercial General Liability Conditions, Paragraph 4:

Section IV: Commercial General Liability Conditions

4. Other Insurance:

- d. Notwithstanding the provisions of sub-paragraphs a, b, and c of this paragraph 4, with respect to the Third Party shown below, it is understood and agreed that in the event of a claim or "suit" arising out of the Named Insured's sole negligence, this insurance shall be primary and any other insurance maintained by the additional insured named as the Third Party below shall be excess and non-contributory.

The Third Party to whom this endorsement applies is:

City of Lathrop, its officers, City Council,
boards and commissions and members thereof,
its employees and agents
390 Towne Centre Drive
Lathrop, CA 95330

Absence of a specifically named Third Party above means that the provisions of this endorsement apply "as required by written contractual agreement with any Third party for whom you are performing work."

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

UNITED SPECIALTY INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

USIC VEN 078 03 11 07

Named Insured: River Islands Development, LLC

Policy Number: ATN-SF1811644P

THIRD PARTY CANCELLATION NOTICE

This endorsement shall not serve to increase our limits of insurance, as described in **SECTION III - LIMITS OF INSURANCE.**

This endorsement modifies Conditions provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

If we cancel this policy for any reason other than nonpayment of premium, we will mail notification to the persons or organizations shown in the schedule below (according to the number of days listed below) once the Named Insured has been notified.

If we cancel this coverage for nonpayment of premium, we will mail a copy of such written notice of cancellation to the name and address below at least 10 days prior to the effective date of such cancellation.

Our failure to provide such advance notification will not extend the policy cancellation date nor negate cancellation of the policy.

SCHEDULE

Name and Address of Other Person/Organization

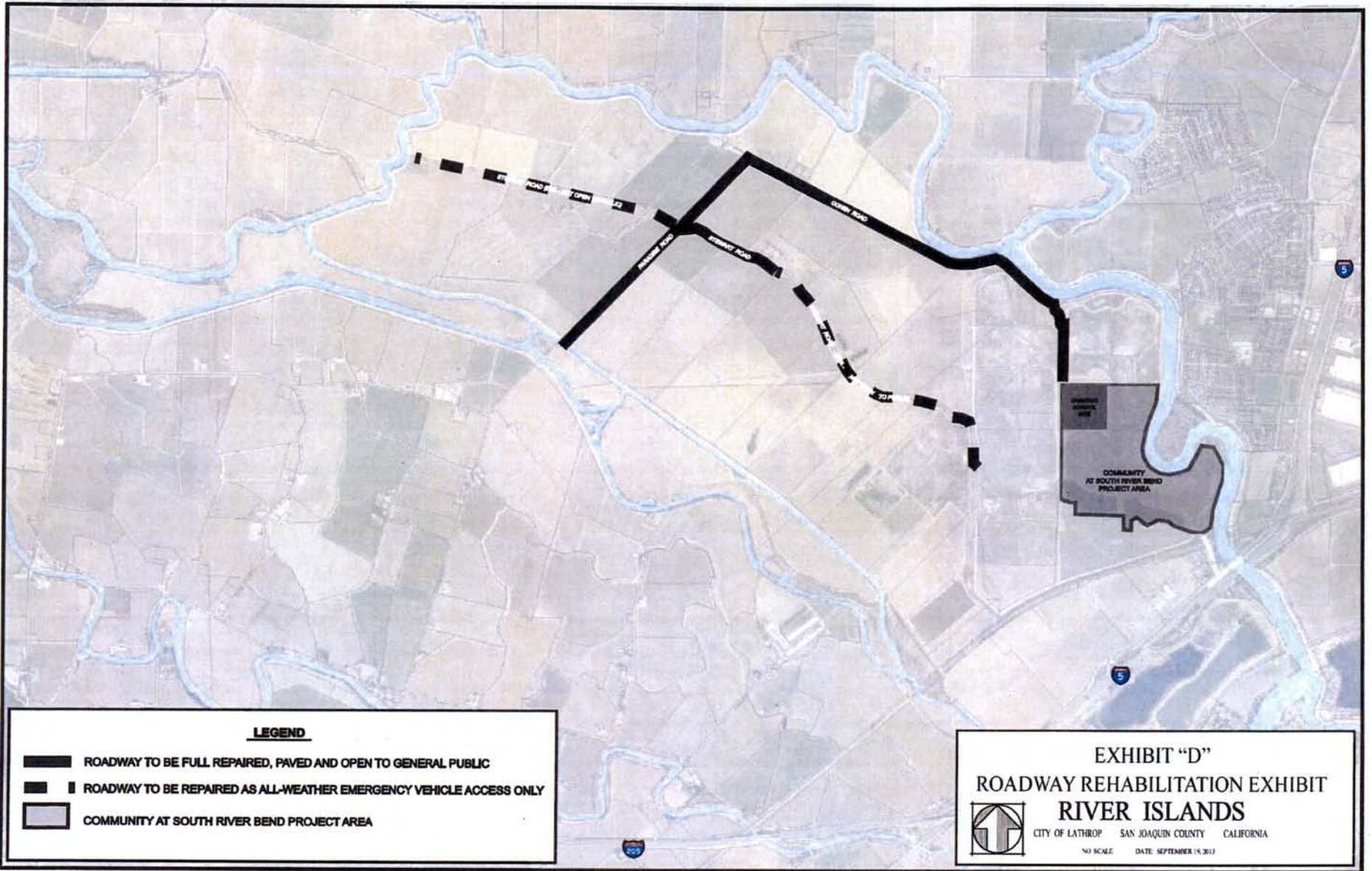
Number of Days Notice

City of Lathrop, its officers, City Council, boards and
commissions and members thereof, its employees and agents
390 Towne Centre Drive
Lathrop, CA 95330

30 Days

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

EXHIBIT D
COHEN/PARADISE/STEWART REHABILITATION MAP



LEGEND




-  ROADWAY TO BE FULL REPAIRED, PAVED AND OPEN TO GENERAL PUBLIC
-  ROADWAY TO BE REPAIRED AS ALL-WEATHER EMERGENCY VEHICLE ACCESS ONLY
-  COMMUNITY AT SOUTH RIVER BEND PROJECT AREA

EXHIBIT "D"
ROADWAY REHABILITATION EXHIBIT
RIVER ISLANDS
 CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA
 NO SCALE DATE: SEPTEMBER 18, 2013

EXHIBIT E
ENGINEER'S ESTIMATE - VILLAGE P

ENGINEER'S OPINION OF PROBABLE COST
RIVER ISLANDS - PHASE 1B
TRACT 3837
VILLAGE (46 UNITS)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

December 8, 2015
 Job No.: 25502-16

Item	Description	Quantity	Unit	Unit Price	Amount
<u>STREET WORK</u>					
1	Fine Grading	126,900	SF	\$ 0.40	\$ 50,760.00
2	3" AC Paving	35,800	SF	\$ 1.50	\$ 53,700.00
3	4.5" AC Paving	35,900	SF	\$ 2.25	\$ 80,775.00
4	6" Aggregate Base	10,100	SF	\$ 0.60	\$ 6,060.00
5	7" Aggregate Base	25,700	SF	\$ 0.70	\$ 17,990.00
6	8" Aggregate Base	35,900	SF	\$ 0.80	\$ 28,720.00
7	Vertical Curb and Gutter <i>(with AB cushion)</i>	1,060	LF	\$ 17.00	\$ 18,020.00
8	Roll Curb and Gutter <i>(with AB cushion)</i>	3,020	LF	\$ 16.00	\$ 48,320.00
9	Median Vertical Curb <i>(with AB cushion)</i>	140	LF	\$ 20.00	\$ 2,800.00
10	Valley Gutter <i>(4' wide)</i>	45	LF	\$ 35.00	\$ 1,575.00
11	Concrete Sidewalk	25,500	SF	\$ 4.00	\$ 102,000.00
12	Driveway Approach	42	EA	\$ 400.00	\$ 16,800.00
13	Handicap Ramps	7	EA	\$ 1,500.00	\$ 10,500.00
14	Survey Monuments	9	EA	\$ 300.00	\$ 2,700.00
15	Traffic Striping & Signage	1,500	LF	\$ 5.00	\$ 7,500.00
Subtotal Street Work					\$ 448,220.00
<u>STORM DRAIN</u>					
16	Catch Basins <i>(type A inlet over type I manhole base)</i>	12	EA	\$ 3,500.00	\$ 42,000.00
17	Catch Basins <i>(type A inlet over type II manhole base)</i>	1	EA	\$ 7,500.00	\$ 7,500.00
18	15" Storm Drain Pipe	560	LF	\$ 35.00	\$ 19,600.00
19	18" Storm Drain Pipe	620	LF	\$ 40.00	\$ 24,800.00
20	24" Storm Drain Pipe	130	LF	\$ 60.00	\$ 7,800.00
21	36" Storm Drain Pipe	70	LF	\$ 95.00	\$ 6,650.00
22	42" Storm Drain Pipe	140	LF	\$ 120.00	\$ 16,800.00
23	Manholes <i>(type I)</i>	1	EA	\$ 3,500.00	\$ 3,500.00
24	Storm Drain Plug & Stub	2	EA	\$ 1,000.00	\$ 2,000.00
25	Connect To Existing	2	EA	\$ 1,500.00	\$ 3,000.00
Subtotal Storm Drain					\$ 133,650.00

Item	Description	Quantity	Unit	Unit Price	Amount
<u>SANITARY SEWER</u>					
26	8" Sanitary Sewer Pipe	1,900	LF	\$ 26.00	\$ 49,400.00
27	Sewer Service	44	EA	\$ 700.00	\$ 30,800.00
28	Manholes	10	EA	\$ 4,000.00	\$ 40,000.00
29	Sanitary Sewer Plug & Stub	3	EA	\$ 1,000.00	\$ 3,000.00
30	Connect To Existing	1	EA	\$ 1,000.00	\$ 1,000.00
Subtotal Sanitary Sewer					\$ 124,200.00
<u>WATER SUPPLY</u>					
31	8" Water Line (including all appurtenances)	2,000	LF	\$ 30.00	\$ 60,000.00
32	Water Services	44	EA	\$ 900.00	\$ 39,600.00
33	Fire Hydrants	4	EA	\$ 6,000.00	\$ 24,000.00
34	2" Water Service Stub	5	EA	\$ 2,000.00	\$ 10,000.00
35	Water Plug	2	EA	\$ 1,000.00	\$ 2,000.00
36	Connect To Existing	1	EA	\$ 3,000.00	\$ 3,000.00
Subtotal Water Supply					\$ 138,600.00
<u>ELECTRICAL</u>					
37	Electroliers (assumed every 150')	10	EA	\$ 5,000.00	\$ 50,000.00
38	Joint Trench	1,500	LF	\$ 125.00	\$ 187,500.00
Subtotal Electrical					\$ 237,500.00
<u>MISCELLANEOUS</u>					
39	Parkwy Landscape Strip	17,400	SF	\$ 5.00	\$ 87,000.00
40	Median Landscaping	2,400	SF	\$ 5.00	\$ 12,000.00
Subtotal Miscellaneous					\$ 99,000.00
SUBTOTAL CONSTRUCTION COST					\$ 1,181,170.00
20% CONTINGENCY					\$ 236,234.00
TOTAL CONSTRUCTION COST (nearest \$1,000)					\$ 1,417,000.00

Notes:

- 1) Unit prices are based on estimated current construction costs and no provision for inflation is included.

EXHIBIT F

ENGINEER'S ESTIMATE – UNFINISHED AND DEFERRED IMPROVEMENTS



ENGINEER'S BOND ESTIMATE
COST TO COMPLETE
RIVER ISLANDS - PHASE 1B
TRACT 3837 (46 LOTS)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

March 19, 2018
Job No.: 25502-17

Item	Description	Quantity	Unit	Unit Price	Amount
4	Striping (0% Completion)	1	LS	\$ 5,000.00	\$ 5,000.00
TOTAL COST TO COMPLETE					\$ 5,000.00

Notes:

- 1) Estimate for cost to complete based on contractor's cost to complete summary sheet and backup documents for Tract 3838.

EXHIBIT G

**REJECT IRREVOCABLE OFFER OF DEDICATION – MULHOLLAND DRIVE
RECORDED ON NOVEMBER 30, 2017 (DOC# 2017-139797)**

*Recording Requested by, and
Please Return to:*

City Clerk
City of Lathrop
390 Towne Centre Drive
Lathrop, California 95330

*This Instrument Benefits City Only.
No Fee Required.*

This is to certify that this is a full,
true and correct copy of the
original instrument.

OLD REPUBLIC TITLE COMPANY

By: *Karen Sayles*

Date: November 30, 2017

Instrument No: 2017-139797

This Space Above for Recorder's Use Only

**IRREVOCABLE OFFER OF DEDICATION OF EASEMENT
FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT
(TRACT 3838 – OFFSITE ROADWAY DEDICATION – MULHOLLAND DRIVE)**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, River Islands Development, LLC, a California limited liability company, hereby grant(s) to the CITY OF LATHROP, a municipal corporation in the County of San Joaquin, State of California, an easement for ingress, egress and road purposes, and a public utility easement (PUE), over and across the hereinafter described real property situated in City of Lathrop and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

This Offer of Dedication is made pursuant to Section 7050 of the Government Code of the State of California, and may be accepted at any time by the City Engineer of the City of Lathrop. This Offer of Dedication may be terminated, and right to accept such offer abandoned in the same manner as is prescribed for the vacation of streets or highways by Part 3 of Division 9, or Chapter 2 of Division 2 of the Streets and Highways Code of the State of California, whichever is applicable.

The above described easement is to be kept open, clear and free from buildings and structures of any kind. This Offer of Dedication shall be irrevocable and shall be binding on the Grantor's heirs, executors, administrators, successors and assigns.

SIGNATURES:

Signed this 31st day of October, 2017

RIVER ISLANDS DEVELOPMENT, LLC
a California limited liability company

By: *Susan Dell'Osso*

Name: Susan Dell'Osso

Its: Vice President and Secretary

(Notary Acknowledgment Required for Each Signatory)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

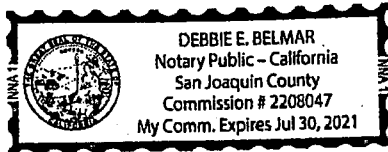
State of California)
County of San Joaquin)

On October 31, 2017 before me, Debbie E. Belmar, a Notary Public,
Date

personally appeared Susan Dell'Osso, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Debbie E. Belmar
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

EXHIBIT "A"
LEGAL DESCRIPTION
OFFSITE ROADWAY DEDICATION AND ADJACENT PUBLIC UTILITY EASEMENT
(MULHOLLAND DRIVE)

(See Attached)

EXHIBIT A
LEGAL DESCRIPTION
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES
AND ADJACENT PUBLIC UTILITY EASEMENT
TRACT 3838 (OFFSITE ROADWAY DEDICATION- MULHOLLAND DRIVE)
RIVER ISLANDS
LATHROP, CALIFORNIA

CERTAIN REAL PROPERTY SITUATE IN THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 15, AS SAID PARCEL IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 3876, RIVER ISLANDS, PHASE 1B, LARGE LOT FINAL MAP", FILED MARCH 31, 2016, IN BOOK 42 OF MAPS AND PLATS, AT PAGE 56, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ROADWAY EASEMENT (IOD):

BEGINNING AT A POINT ON THE WEST LINE OF SAID PARCEL 15 (42 M&P 56), SAID POINT BEING AT THE WESTERLY TERMINUS OF COURSE L140, LABELED AS "EAST 74.00 FEET", AS SAID COURSE IS SHOWN ON SHEET 13 OF SAID MAP OF TRACT 3876;

THENCE, LEAVING SAID POINT OF BEGINNING, ALONG THE WESTERLY LINE OF SAID PARCEL 15, AS SHOWN ON SAID MAP, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 16.31 FEET,
- 2) ALONG THE ARC OF A TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 313.00 FEET, THROUGH A CENTRAL ANGLE OF 05°10'05", AN ARC DISTANCE OF 28.23 FEET,
- 3) ALONG THE ARC OF A REVERSE CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 87.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 84°49'55" WEST, THROUGH A CENTRAL ANGLE OF 12°20'03", AN ARC DISTANCE OF 18.73 FEET, AND
- 4) ALONG THE ARC OF A REVERSE CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 87.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 82°50'02" EAST, THROUGH A CENTRAL ANGLE OF 21°30'48", AN ARC DISTANCE OF 32.67 FEET;

THENCE, CONTINUING ALONG SAID WESTERLY LINE, AND ITS NORTHWESTERLY PROLONGATION, ALONG THE ARC OF A COMPOUND CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 320.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 75°39'10" EAST, THROUGH A CENTRAL ANGLE OF 54°07'23", AN ARC DISTANCE OF 302.28 FEET;

THENCE, NORTH 68°28'13" WEST 271.39 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 350.00 FEET, AS SAID CURVE IS SHOWN ON SHEET 13 OF SAID MAP, AS CURVE NUMBER C54, SAID CURVE BEING ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 15;

THENCE, ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 15, AS SHOWN ON SAID MAP, ALONG THE ARC OF A TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 350.00 FEET, THROUGH A CENTRAL ANGLE OF 15°01'06", AN ARC DISTANCE OF 91.74 FEET TO AN ANGLE POINT IN THE WESTERLY LINE OF SAID PARCEL 15;

EXHIBIT A
IRREVOCABLE OFFER OF DEDICATION & PUE
FOR OFF-SITE ROADWAY PURPOSES- MULHOLLAND DRIVE
FOR TRACT 3838

SEPTEMBER 19, 2017
JN 25501

THENCE, ALONG SAID WESTERLY LINE AS SHOWN ON SAID MAP, NORTH 06°46'28" EAST 60.00 FEET TO AN ANGLE POINT THEREOF, SAID POINT HEREINAFTER REFERRED TO AS POINT 'A';

THENCE, LEAVING SAID WESTERLY LINE, ALONG THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 410.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 06°33'00" EAST, THROUGH A CENTRAL ANGLE OF 14°58'47", AN ARC DISTANCE OF 107.19 FEET;

THENCE, SOUTH 68°28'13" EAST 271.39 FEET;

THENCE, ALONG THE ARC OF A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 380.00 FEET, THROUGH A CENTRAL ANGLE OF 54°57'30", AN ARC DISTANCE OF 364.50 FEET;

THENCE, ALONG THE ARC OF A REVERSE CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 113.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 76°29'17" WEST, THROUGH A CENTRAL ANGLE OF 10°34'41", AN ARC DISTANCE OF 20.86 FEET;

THENCE, ALONG THE ARC OF A REVERSE CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 113.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 65°54'36" EAST, THROUGH A CENTRAL ANGLE OF 19°17'14", AN ARC DISTANCE OF 38.04 FEET;

THENCE, ALONG THE ARC OF A COMPOUND CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 387.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 85°11'50" EAST, THROUGH A CENTRAL ANGLE OF 04°48'10", AN ARC DISTANCE OF 32.44 FEET;

THENCE, SOUTH 16.31 FEET TO AN ANGLE POINT IN THE SOUTHERLY LINE OF SAID PARCEL 15, AS SHOWN ON SAID MAP;

THENCE, ALONG SAID SOUTHERLY LINE, WEST 74.00 FEET TO SAID POINT OF BEGINNING.

CONTAINING 1.13 ACRES, MORE OR LESS.

TOGETHER WITH A PUBLIC UTILITY EASEMENT, DESCRIBED AS FOLLOWS:

BEGINNING AT AFORESAID POINT 'A';

THENCE, ALONG THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 410.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 06°33'00" EAST, THROUGH A CENTRAL ANGLE OF 14°58'47", AN ARC DISTANCE OF 107.19 FEET;

THENCE, SOUTH 68°28'13" EAST 271.39 FEET;

THENCE, ALONG THE ARC OF A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 380.00 FEET, THROUGH A CENTRAL ANGLE OF 48°11'34", AN ARC DISTANCE OF 319.63 FEET;

THENCE, NORTH 20°50'12" EAST 14.96 FEET;

EXHIBIT A
IRREVOCABLE OFFER OF DEDICATION & PUE
FOR OFF-SITE ROADWAY PURPOSES- MULHOLLAND DRIVE
FOR TRACT 3838

SEPTEMBER 19, 2017
JN 25501

THENCE, ALONG THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 390.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 68°03'59" EAST, THROUGH A CENTRAL ANGLE OF 46°32'12", AN ARC DISTANCE OF 316.77 FEET;

THENCE, NORTH 68°28'13" WEST 271.39 FEET;

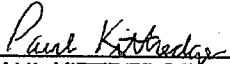
THENCE, ALONG THE ARC OF A TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 420.00 FEET, THROUGH A CENTRAL ANGLE OF 13°13'54", AN ARC DISTANCE OF 96.99 FEET TO THE WESTERLY LINE OF SAID PARCEL 15;

THENCE, ALONG SAID WESTERLY LINE, AS SHOWN ON SAID MAP, SOUTH 59°07'32" WEST 16.13 FEET TO SAID POINT OF BEGINNING.

CONTAINING 6,916 SQUARE FEET, MORE OR LESS.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

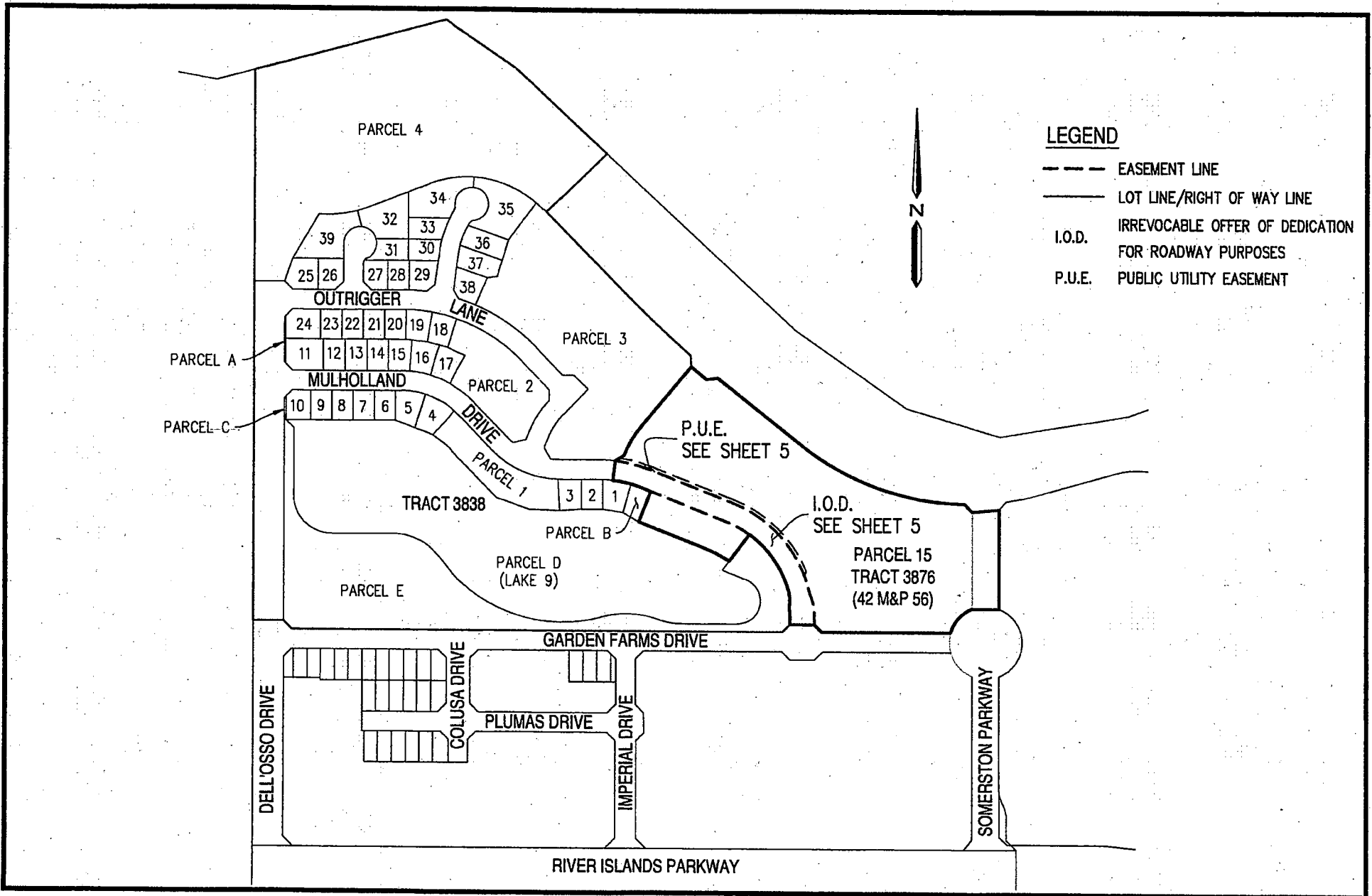


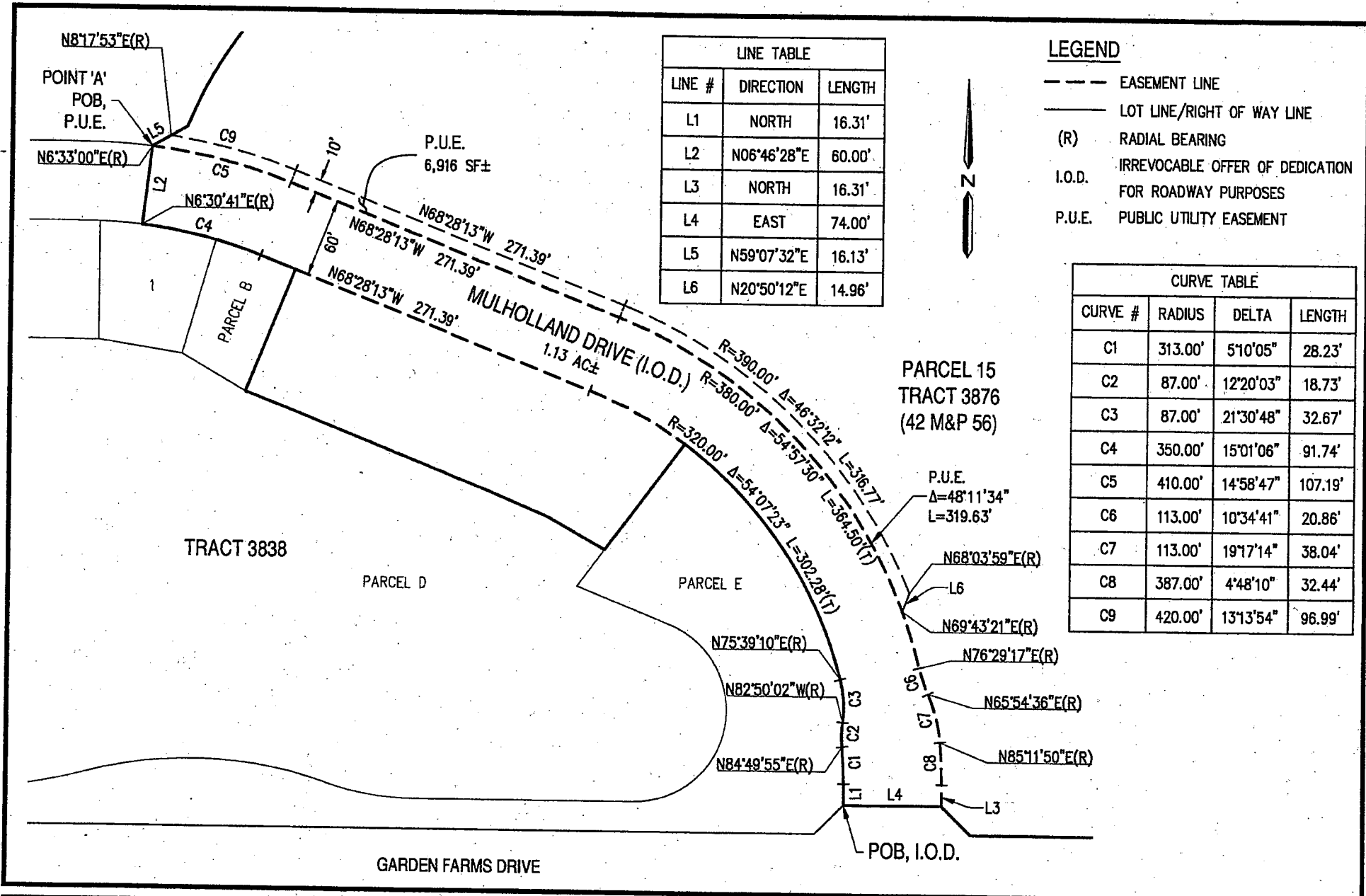
PAUL KITTREDGE
PROFESSIONAL LAND SURVEYOR
CALIFORNIA NO. 5790

10/27/17

DATE







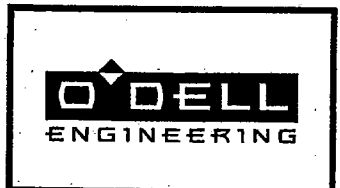
LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	NORTH	16.31'
L2	N06°46'28"E	60.00'
L3	NORTH	16.31'
L4	EAST	74.00'
L5	N59°07'32"E	16.13'
L6	N20°50'12"E	14.96'

- LEGEND**
- EASEMENT LINE
 - LOT LINE/RIGHT OF WAY LINE
 - (R) RADIAL BEARING
 - I.O.D. IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES
 - P.U.E. PUBLIC UTILITY EASEMENT

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	313.00'	5°10'05"	28.23'
C2	87.00'	12°20'03"	18.73'
C3	87.00'	21°30'48"	32.67'
C4	350.00'	15°01'06"	91.74'
C5	410.00'	14°58'47"	107.19'
C6	113.00'	10°34'41"	20.86'
C7	113.00'	19°17'14"	38.04'
C8	387.00'	4°48'10"	32.44'
C9	420.00'	13°13'54"	96.99'

SCALE: 1" = 100'
 DRAWN BY: PK
 FILE: 25501 PLAT_TRACT 3838-IOD-5.DWG
 DATE: 10/27/2017 SHEET: 5 OF 5

EXHIBIT A
RIVER ISLANDS
TRACT 3838- OFFSITE ROADWAY EASEMENT
IRREVOCABLE OFFER OF DEDICATION- MULHOLLAND DRIVE
 CITY OF LATHROP
 SAN JOAQUIN COUNTY
 CALIFORNIA

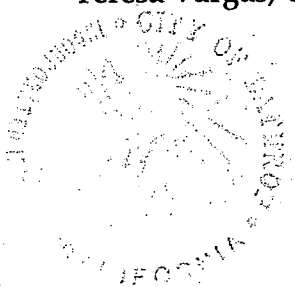


November 6, 2017

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant Deed for an Irrevocable Offer of Dedication of Easement for **PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT (TRACT 3838-OFFSITE ROADWAY DEDICATION- MULHOLLAND DRIVE)** from River Islands Development, LLC, a California limited liability company (attached), dated October 31, 2017, to the City of Lathrop, a general law municipal corporation and governmental agency in the County of San Joaquin, State of California, is hereby accepted by the undersigned officer on behalf of the City Council pursuant to authority conferred by Resolution NO. 90-72, of the City Council adopted on September 26, 1990, and the duly authorized officer.

By: Teresa Vargas 11/7/17
Teresa Vargas, City Clerk Date



**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

March 27, 2018

Via Email and First Class Mail

Old Republic Title Company
3558 Deer Park Drive, Suite 106
Stockton, CA 95219
Attn: Karen Sayles

Re: Recordation of Final Map 3837; Escrow No. 1314000104

Dear Karen:

This letter constitutes the joint escrow instructions ("**Escrow Instructions**") of River Islands Development, LLC, a California limited liability company, ("**RID**") and the City of Lathrop ("**City**") in connection with the above-referenced escrow ("**Escrow**"). The Escrow was opened in connection with recordation of the above-referenced final map ("**Final Map**"). Recordation of the Final Map is subject to the conditions set forth below. The transactions described in these Escrow Instructions are referred to as the "**Transaction**." Old Republic Title Company is referred to as "you" or "**ORTC**."

A. Date for Closings

The Final Map will be recorded at the time designated by RID as set forth below. The Final Map can only be recorded after the City has approved the map in writing. The closing date for the Transaction is intended to occur by May 30, 2018, at the time designated in writing by RID, subject to satisfaction of the conditions set forth below (each, a "**Closing**"). If the Final Map has not been recorded by December 30, 2018, ORTC will return the Final Map to the City.

B. Documents to be Delivered and Recordation Documents

In connection with the Transaction, you have in your possession or will receive the following documents from City for recordation in the Official Records of San Joaquin County, California ("**Official Records**").

- B.1. One original Final Map for Tract 3837, executed and acknowledged by the City.
- B.2. A fully executed and acknowledged Quitclaim Deed of a portion of Cohen Road.
- B.3. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities).
- B.4. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services).
- B.5. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services).

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

The documents listed in Items B.1, B.2, B.3, B.4 and B.5 above are referred to as the "**Recordation Documents**." The Recordation Documents shall be recorded in the order referred to above. The date on which the Recordation Documents are recorded in the Official Records is the Recordation Date.

Prior to recording the Recordation Documents, please confirm that you have received copies or originals of the following documents: (i) Unanimous Approval of Annexation to a Community Facilities District and Related Matters, City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities); (ii) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services); (iii) Consent to, and Ballot in favor of, Annexation of Real Property to Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance); and (iv) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2016-1 (River Islands Supplemental). The original City of Lathrop Unanimous Approval must be delivered to the City of Lathrop. The original Consents and Ballots for River Islands Public Financing Authority CFD Nos. 2013-1 and 2016-1 and Island Reclamation District No. 2013-1 must be delivered to Karna Harrigfeld at Herum\Crabtree\Suntag, 5757 Pacific Ave., Suite 222, Stockton, CA 95207. Copies should be sent via email to Cari James (cjames@ci.lathrop.ca.us), Cindy Yan at Goodwin Consulting Group, cindy@goodwinconsultinggroup.net, Susan Dell'Osso (sdelloso@riverislands.com) and Debbie Belmar (dbelmar@riverislands.com) together with conformed copies of the amendments to notices of special tax that are recorded as part of the Recordation Documents.

C. Funds and Settlement Statement

You also have received, or will receive from RID, prior to the recordation of the Recordation Documents, in immediately available funds, the following amounts, in accordance with the settlement statement prepared by you and approved in writing by both RID and City ("**Settlement Statement**"): recordation costs, escrow fees and other amounts as set forth in the Settlement Statement. Such costs, fees and other amounts are the sole responsibility of RID.

C.1 Funds to be wire transferred directly to the entity set forth below, immediately upon recordation of the Final Map, in accordance with the wire transfer instructions for each entity are set forth below:

a. The amount of **\$ 33,897.52**, payable to the City pursuant to that certain Agreement to Settle Litigation Regarding River Islands at Lathrop (as amended, the "**Sierra Club Agreement**"), constituting the amount of **\$3,076** multiplied by **11.02** acres (or portion thereof) included in the Final Map, is to be transferred to the City upon recordation of the Final Map. The City's wire instructions are set forth below.

The amounts set forth in Section C are referred to as the "**Closing Funds**."

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

D. Closing Requirements

When the following has occurred, you are authorized to close the Escrow at the time(s) and in accordance with the process set forth below:

D.1. You have delivered copies of your Settlement Statement by email transmission to (a) Susan Dell'Osso (sdelloso@riverslands.com); (b) Debbie Belmar (dbelmar@riverislands.com); (c) Stephen Salvatore (ssalvatore@ci.lathrop.ca.us); (d) Salvador Navarrete (snavarrete@ci.lathrop.ca.us); (e) Cari James (cjames@ci.lathrop.ca.us) and (f) Glenn Gebhardt (ggebhardt@ci.lathrop.ca.us), and have confirmation (by telephone or email) from Susan Dell'Osso and Stephen Salvatore or Glenn Gebhardt that the Settlement Statement is accurate and acceptable;

D.2. You have not received any instructions contrary to these Escrow Instructions;

D.3. The Recordation Documents and all other documents described herein as being held by you or delivered to you have been received by you and have been fully executed and, where applicable, acknowledged, and you have attached all legal descriptions or have confirmed that all exhibits and legal descriptions are attached;

D.4. You are prepared to record the Recordation Documents, as designated, release funds in accordance with the Settlement Statement and complete the Transaction in compliance with these Escrow Instructions;

D.5. You have delivered a copy of these instructions, executed by an authorized signatory of ORTC with authority to bind ORTC, and initialed all pages, by email transmission (with original hard copy to follow by U.S. Mail) to Debbie Belmar and Glenn Gebhardt at the email addresses set forth above; and

D.6. You have received confirmation (by email or other writing) from Susan Dell'Osso and Stephen Salvatore or Glenn Gebhardt to record the Recordation Documents and complete the Transaction.

E. Closing Process and Priorities

When you have fully satisfied all of the closing requirements set forth in Section D, then you are authorized and instructed to do the following in the chronological order given:

E.1. Date the Recordation Documents to be recorded;

E.2. Record the Final Map and the Recordation Documents in the Official Records;

E.3. Pay the costs associated with the Transaction;

E.4. Refund any funds delivered to you by RID that are not disbursed at the time of the final Closing pursuant to these Escrow Instructions to the following entity and address:

River Islands Development, LLC
73 W. Stewart Road
Lathrop, CA 95330
Attn: Susan Dell'Osso

E.5. Notify Susan Dell'Osso, Debbie Belmar, Stephen Salvatore, Glenn Gebhardt and Jose Molina (JMolina@sjgov.org) of the completion of the Transaction;

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

E.6. Within five (5) business days after each Recordation Date, deliver by overnight delivery via recognized, national, overnight delivery carrier to: (1) Susan Dell'Osso, River Islands Development, LLC, 73 W. Stewart Road, Lathrop, CA 95330; and (2) Mr. Salvador Navarrete, City Attorney, City of Lathrop, 390 Towne Centre Drive, Lathrop, CA 95330:

(A) A certified copy of the Recordation Documents, showing all recording information of the Recordation Documents; and

(B) A certified copy of the final Settlement Statement.

F. Additional Instructions

When assembling the final documents, signature pages from all parties shall be inserted into each respective final document in creating fully executed counterparts.

Please acknowledge receipt of these instructions and your agreement to act as Escrow agent in connection with this Transaction in accordance with these Escrow Instructions, by executing and dating a copy of these Escrow Instructions where indicated below, initialing all pages and returning it to both of the undersigned.

The Escrow Instructions may be modified only in a writing signed by both of the undersigned.

Very truly yours,

Susan Dell'Osso
President
River Islands Development, LLC

Stephen J. Salvatore
City Manager
City of Lathrop

**ESCROW INSTRUCTIONS
ACKNOWLEDGEMENT AND AGREEMENT:**

Receipt of the foregoing Escrow Instructions from RID and the City is hereby acknowledged. The undersigned agrees, for itself, and on behalf of ORTC, to proceed in strict accordance with these Escrow Instructions. The undersigned represents and warrants to RID and the City that the undersigned is authorized to execute this Acknowledgement and Agreement, for itself, and on behalf of ORTC.

Old Republic Title Company

By: _____
Its: _____
Date: _____

RECORDING REQUESTED BY:

Old Republic Title Company

Escrow No.: 1314000104

APN No.: 210-210-15

WHEN RECORDED MAIL TO

River Islands Development, LLC
73 West Stewart Road
Lathrop, CA 95330

SPACE ABOVE THIS LINE FOR RECORDERS USE

Quitclaim Deed

The undersigned grantor(s) declare(s):

Documentary transfer tax is

computed on full value of property conveyed, or

computed on full value less value of liens and encumbrances remaining at time of sale.

Unincorporated area: City of Lathrop

Realty not sold.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

The City of Lathrop, a municipal corporation

hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to

River Islands Development, LLC, a California limited liability company

that property in City of Lathrop, San Joaquin County, State of California, described as:

See "Exhibit A" attached hereto and made a part hereof.

Mail Tax Statements to Grantee at address above

The City of Lathrop,
a municipal corporation

By: _____

Name: Stephen J. Salvatore

Its: City Manager

Date: _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of _____
County of _____

On _____ before me, _____ a Notary Public, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

Name: _____
(Typed or Printed)

(Seal)

MARCH 13, 2018
JN 25501

**EXHIBIT A
LEGAL DESCRIPTION
COHEN ROAD THROUGH TRACT 3837
RIVER ISLANDS
LATHROP, CALIFORNIA**

CERTAIN REAL PROPERTY SITUATE IN THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE PUBLIC ROAD KNOWN AS COHEN ROAD, AS DESCRIBED IN THE INDENTURE BETWEEN RECLAIMED ISLAND LANDS COMPANY, A CORPORATION, AND THE COUNTY OF SAN JOAQUIN, RECORDED OCTOBER 18, 1934, IN BOOK 408 OF OFFICIAL RECORDS, PAGE 95, IN THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER, WITHIN TRACT 3837, AS SAID TRACT 3837 IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 3837, RIVER ISLANDS, PHASE 1B, VILLAGE P", FILED _____, 201____, IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, IN THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER.

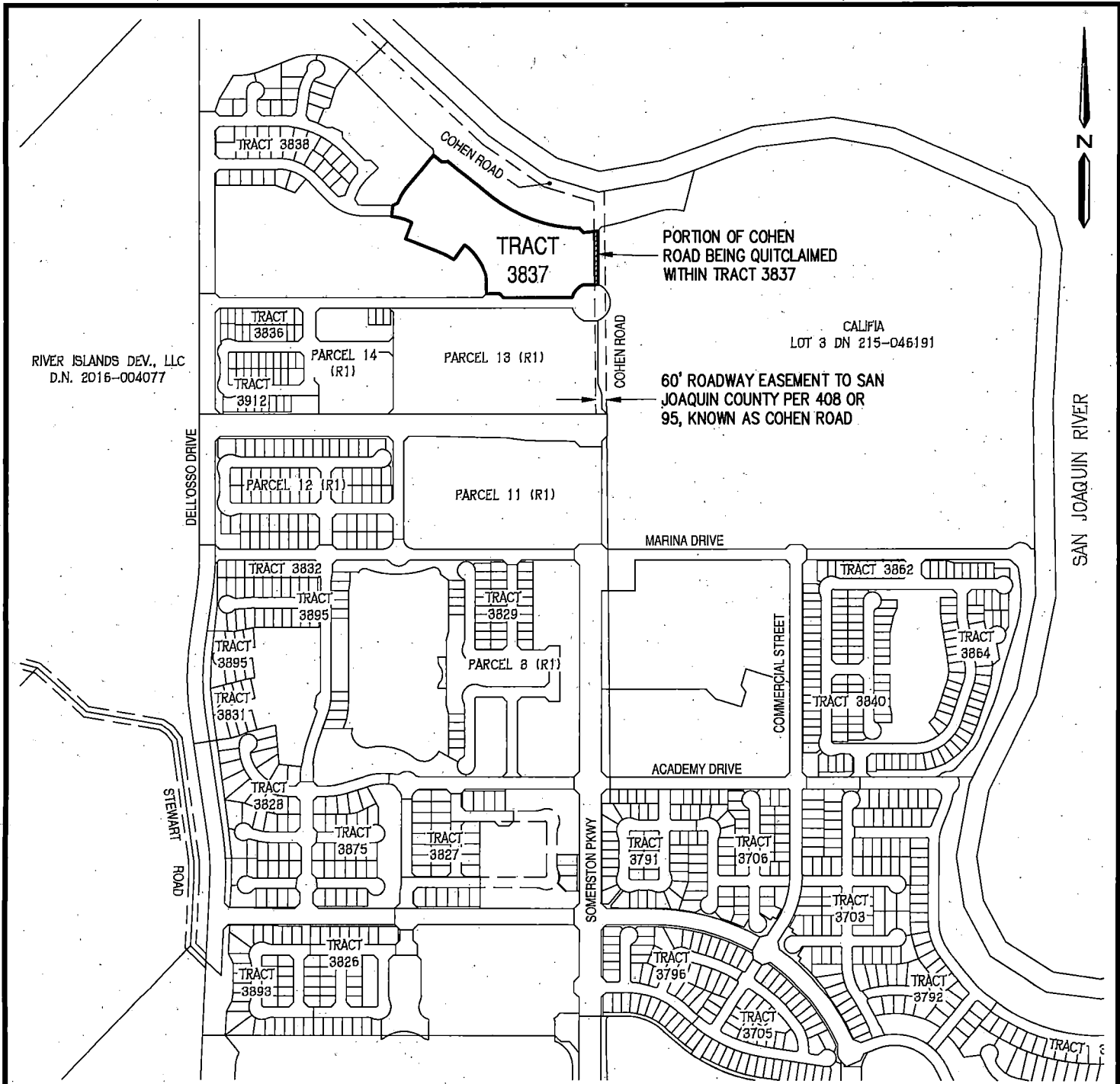
ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

PAUL KITTREDGE
PROFESSIONAL LAND SURVEYOR
CALIFORNIA NO. 5790

DATE





LEGEND

 DENOTES PORTION OF COHEN ROAD BEING QUITCLAIMED

 TRACT 3837 BOUNDARY

(R1) DENOTES RECORD DATA PER TRACT 3876
(42 MAPS & PLATS 56)

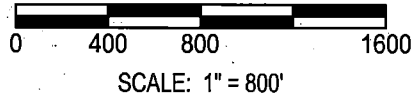


EXHIBIT A



PROJECT: RIVER ISLANDS			
DESCRIPTION: COHEN ROAD WITHIN TRACT 3837			
SCALE:	1"=800'	DATE:	2018-03-12
JOB NO.:	25501		
FILE:	25500 PLAT-COHEN ROAD QUITCLAIM.DWG		

2
OF
2

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

City Clerk
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Recorded for the benefit of the City of Lathrop
pursuant to Government Code Section 27383

SIXTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

City of Lathrop
Community Facilities District No. 2013-1
(River Islands Public Services and Facilities)
Annexation No. 6

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned City Clerk of the City of Lathrop (the "City"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the City Council of the City on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying principal and interest on bonds, the proceeds of which are being used to finance the acquisition and construction of all or a portion of the public facilities authorized to be funded by the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities) (the "CFD"), and to pay costs of the public services and facilities authorized to be funded by the CFD, both as described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on November 18, 2013 as Document No. 2013-143754, and said special tax is to be levied according to the Rate and Method of Apportionment of Special Tax set forth in Exhibit B to the Notice of Special Tax Lien, to which recorded Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference. An Amended Notice of Special Tax Lien reflecting the Amended Rate and Method of Apportionment of Special Tax was subsequently recorded at the County Recorder on October 23, 2015 as Document No. 2015-127760.

This Sixth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities) certain real property identified in Exhibit A hereto and shown within the future annexation area on the boundary map of the community facilities district recorded on June 1, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 42 (Document No. 2013-136637), in the Office of the County Recorder, which map is the final boundary map of the community facilities district.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Sixth Amendment to Notice of Special Tax Lien, together with the name(s) of the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Finance Director, City of Lathrop, 390 Towne Centre Drive, Lathrop, California 95330; Telephone: (209) 941-7327.

Dated: _____, 2018.

By: _____
City Clerk,
City of Lathrop

EXHIBIT A

**CITY OF LATHROP
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)
ANNEXATION NO. 6
ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND
WITHIN ANNEXATION NO. 6 TO CITY OF LATHROP
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)**

Name(s) of Property Owner(s)	San Joaquin County Assessor's Parcel No.
RIVER ISLANDS DEVELOPMENT, LLC 2999 OAK RD #400 WALNUT CREEK CA 94597	210-210-15

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

Secretary
Island Reclamation District No. 2062
73 West Stewart Road
Lathrop, CA 95330

Recorded for the benefit of Island
Reclamation District No. 2062 pursuant
to Government Code Section 27383

SIXTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

Island Reclamation District No. 2062
Community Facilities District No. 2013-1
(Levee and Lake Maintenance Services)
Annexation No. 6

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned Secretary of Island Reclamation District No. 2062 (the "IRD 2062"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Trustees of IRD 2062 on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on October 3, 2013 as Document No. 2013-126695, and said special tax is to be levied according to the Amended and Restated Rate and Method of Apportionment of Special Tax set forth in that certain First Amendment to Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089987, to which recorded Notice of Special Tax Lien and recorded First Amendment to Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Sixth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) certain real property identified in Exhibit A hereto and shown within the future annexation area on the boundary map of the community facilities district recorded on August 29, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 41 (Document No. 2013-111318, in the Office of the County Recorder, which map is the final boundary map of the community facilities district.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Sixth Amendment to Notice of Special Tax Lien, together with the name(s) of

the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to IRD 2062 are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of Island Reclamation District No. 2062, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: March 26, 2018.

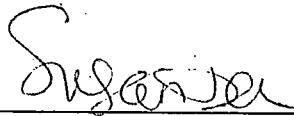
By: 
Susan Dell'Osso, President,
Island Reclamation District No. 2062

EXHIBIT A

**ISLAND RECLAMATION DISTRICT NO. 2062
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(LEVEE AND LAKE MAINTENANCE SERVICES)
ANNEXATION NO. 6**

**ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN
ANNEXATION NO. 6 TO ISLAND RECLAMATION DISTRICT NO. 2062
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(LEVEE AND LAKE MAINTENANCE SERVICES)**

<u>Name(s) of Property Owner(s)</u>	<u>San Joaquin County Assessor's Parcel No.</u>
RIVER ISLANDS DEVELOPMENT LLC 2999 OAK RD #400, WALNUT CREEK CA 94597	210-210-15

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

Secretary
River Islands Public Financing Authority
73 West Stewart Road
Lathrop, CA 95330

Recorded for the benefit of the River Islands
Public Financing Authority pursuant to
Government Code Section 27383

SIXTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

River Islands Public Financing Authority
Community Facilities District No. 2013-1
(River Islands Public Services)
Annexation No. 6

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned Secretary of the River Islands Public Financing Authority (the "Authority"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Directors of the Authority on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on October 3, 2013 as Document No. 2013-126691, and said special tax is to be levied according to the Amended and Restated Rate and Method of Apportionment of Special Tax set forth in that certain First Amendment to Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089986, to which recorded Notice of Special Tax Lien and recorded First Amendment to Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Sixth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) certain real property identified in Exhibit A hereto and shown within the future annexation area on the boundary map of the community facilities district recorded on August 29, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 40 (Document No. 2013-111317, in the Office of the County Recorder, which map is the final boundary map of the community facilities district.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Sixth Amendment to Notice of Special Tax Lien, together with the name(s) of

the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of the River Islands Public Financing Authority, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: _____, 2018.

By: _____
Karna E. Harrigfeld, Secretary,
River Islands Public Financing Authority

EXHIBIT A

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES)
ANNEXATION NO. 6**

**ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN
ANNEXATION NO. 6 TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES)**

Name(s) of Property Owner(s)	San Joaquin County Assessor's Parcel No.
RIVER ISLANDS DEVELOPMENT LLC 2999 OAK RD #400, WALNUT CREEK CA 94597	210-210-15

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

Secretary
 Island Reclamation District No. 2062
 73 West Stewart Road
 Lathrop, CA 95330

Recorded for the benefit of Island
 Reclamation District No. 2062 pursuant
 to Government Code Section 27383

SIXTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

Island Reclamation District No. 2062
 Community Facilities District No. 2013-1
 (Levee and Lake Maintenance Services)
 Annexation No. 6

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned Secretary of Island Reclamation District No. 2062 (the "IRD 2062"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Trustees of IRD 2062 on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on October 3, 2013 as Document No. 2013-126695, and said special tax is to be levied according to the Amended and Restated Rate and Method of Apportionment of Special Tax set forth in that certain First Amendment to Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089987, to which recorded Notice of Special Tax Lien and recorded First Amendment to Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Sixth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) certain real property identified in Exhibit A hereto and shown within the future annexation area on the boundary map of the community facilities district recorded on August 29, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 41 (Document No. 2013-111318, in the Office of the County Recorder, which map is the final boundary map of the community facilities district.

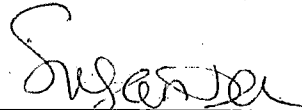
The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Sixth Amendment to Notice of Special Tax Lien, together with the name(s) of

the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to IRD 2062 are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of Island Reclamation District No. 2062, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: March 26, 2018.

By: _____



Susan Dell'Osso, President,
Island Reclamation District No. 2062

EXHIBIT A

**ISLAND RECLAMATION DISTRICT NO. 2062
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(LEVEE AND LAKE MAINTENANCE SERVICES)
ANNEXATION NO. 6**

**ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN
ANNEXATION NO. 6 TO ISLAND RECLAMATION DISTRICT NO. 2062
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(LEVEE AND LAKE MAINTENANCE SERVICES)**

Name(s) of Property Owner(s)	San Joaquin County Assessor's Parcel No.
RIVER ISLANDS DEVELOPMENT LLC 2999 OAK RD #400, WALNUT CREEK CA 94597	210-210-15

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

Secretary
River Islands Public Financing Authority
73 West Stewart Road
Lathrop, CA 95330

Recorded for the benefit of the River Islands
Public Financing Authority pursuant to
Government Code Section 27383

SIXTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

River Islands Public Financing Authority
Community Facilities District No. 2013-1
(River Islands Public Services)
Annexation No. 6

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned Secretary of the River Islands Public Financing Authority (the "Authority"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Directors of the Authority on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on October 3, 2013 as Document No. 2013-126691, and said special tax is to be levied according to the Amended and Restated Rate and Method of Apportionment of Special Tax set forth in that certain First Amendment to Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089986, to which recorded Notice of Special Tax Lien and recorded First Amendment to Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Sixth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) certain real property identified in Exhibit A hereto and shown within the future annexation area on the boundary map of the community facilities district recorded on August 29, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 40 (Document No. 2013-111317, in the Office of the County Recorder, which map is the final boundary map of the community facilities district.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Sixth Amendment to Notice of Special Tax Lien, together with the name(s) of

the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of the River Islands Public Financing Authority, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: _____, 2018.

By: _____
Karna E. Harrigfeld, Secretary,
River Islands Public Financing Authority

EXHIBIT A

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES)
ANNEXATION NO. 6**

**ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN
ANNEXATION NO. 6 TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES)**

<u>Name(s) of Property Owner(s)</u>	<u>San Joaquin County Assessor's Parcel No.</u>
RIVER ISLANDS DEVELOPMENT LLC 2999 OAK RD #400, WALNUT CREEK CA 94597	210-210-15

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: **APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 114 CONDOMINIUM UNITS (9 LOTS) IN TRACT 3833 VILLAGE "L" WITHIN EAST VILLAGE OF RIVER ISLANDS**

RECOMMENDATION: **Adopt Resolution Approving Final Map for Tract 3833 Village "L" within East Village, Totaling 114 Single Family Condominium Units (9 Lots), a Subdivision Improvement Agreement with River Islands Development, LLC, Quitclaim Deed to Abandon a portion of Cohen Road and City of Lathrop Annexation No. 5 CFD 2013**

SUMMARY:

On June 1, 2015, the City Council approved an amendment to Vesting Tentative Map Tract 3694 (VTM 3694), Phase 1 of River Islands at Lathrop, by Resolution No. 15-3912 and an Amendment to the West Lathrop Specific Plan and River Islands Urban Design Concept by Ordinance No. 15-344.

The proposed Final Map Tract 3833 is different from other final maps approved for the East Village District in that it will create larger lots utilized for medium density single family Condominium dwelling units that are "clustered" three units to a lot. Van Daele Homes, is the builder for this project. Van Daele Homes calls this project "Castaway" and the type of units are known as "bungalows". A Vicinity map, is included as Attachment "B" and A Layout/Unit Map Exhibit is included as Attachment "C".

Staff recommends that the City Council approve the proposed Final Map 3833, Village "L", a Subdivision Improvement Agreement (Attachment "D") with River Islands Development, LLC (RID), a Quitclaim Deed to abandon a portion of Cohen Road and Approval of City of Lathrop CFD- 2013 Annexation No. 5.

BACKGROUND:

The land for Tract 3833 is within the geographic boundaries of VTM 3694 approved by Council on March 27, 2007, and amended on June 1, 2015 with updated conditions of approval. On September 20, 2017, by Resolution No. 17-01, the Planning Commission approved an amendment to the East Village Architectural Design Guidelines and Development Standards (DG/DS) to accommodate the bungalows product within Village L.

**APRIL 9, 2018, CITY COUNCIL REGULAR MEETING
RESOLUTION APPROVING FINAL MAP FOR TRACT 3833 VILLAGE "L"
WITHIN EAST VILLAGE, TOTALING 114 SINGLE FAMILY CONDOMINIUM
UNITS (9 LOTS), A SIA WITH RIVER ISLANDS DEVELOPMENT, LLC.,
QUITCLAIM DEED TO ABANDON A PORTION OF COHEN ROAD AND CITY OF
LATHROP ANNEXATION NO. 5 CFD 2013**

River Islands had first proposed a courtyard product within the village, which would have only allowed the development of 64 total units for this tract.

The amendment provides for the development standards (e.g. setbacks, lot coverage, etc.) that accommodate the bungalows product. Tract 3833, as proposed by River Islands Development, LLC ("River Islands") as the subdivider, is in compliance with the most current conditions of approval.

This proposed final map 3833 is considered a condominium map. As a result, the homebuilder (Van Daele Homes) must also obtain Bureau of Real Estate (BRE) approval from the State in order to construct the project and must create a Homeowners Association (HOA) for the project to maintain privately owned improvements after completion, including the on-site private streets.

Also, as required by the City's subdivision ordinance, all final maps must include a Subdivision Improvement Agreement (SIA) to guarantee certain off-site and on-site improvements associated with the final map. Improvements for Tract 3833 have begun the process of construction including sewer, water and storm drain utilities. Private roadways, walkways and landscaping have not yet started construction and a small public park around Lake 8 will also be constructed in the near future.

As a result, the SIA will require security (Performance/Labor and Materials bonds) for the unfinished infrastructure within Village L. The SIA for Tract 3833 states the requirement for performance and labor and materials bonds as well as a reference to the Agreement for Dedication, Inspection, and Guarantee of Streets and Public Improvements ("Off-site Agreement") that was first approved by the City on September 30, 2013, to the extent that the Off-site Agreement is still valid for certain improvements. Tract 3833 will not trigger any additional off-site improvements.

River Islands has paid all appropriate fees and completed some of the required public improvements. Completion of off-site improvements that were required to serve the Community South River Bend (CSRB) neighborhood area were guaranteed in the Off-site Agreement approved by City Council on September 30, 2013. Performance and Labor/Materials Bonds were provided to guarantee completion of these improvements. Finally, an existing portion of Cohen Road right of way (no longer utilized for public use) is proposed for abandonment with this final map. To this end, a Quitclaim Deed (Attachment "E") has been provided by RID for the City's execution and subsequent recordation.

APRIL 9, 2018, CITY COUNCIL REGULAR MEETING

RESOLUTION APPROVING FINAL MAP FOR TRACT 3833 VILLAGE "L" WITHIN EAST VILLAGE, TOTALING 114 SINGLE FAMILY CONDOMINIUM UNITS (9 LOTS), A SIA WITH RIVER ISLANDS DEVELOPMENT, LLC., QUITCLAIM DEED TO ABANDON A PORTION OF COHEN ROAD AND CITY OF LATHROP ANNEXATION NO. 5 CFD 2013

REASON FOR RECOMMENDATION:

The applicant (River Islands Development, LLC) has substantially completed the utility improvements with the entirety of Village "L" and public streets on the perimeter of the project. Private roadways, walkways, public landscaping and a public park have not yet been completed, which requires the posting of bonds.

Completion of the unfinished improvements is required prior to the first occupancy of the first production home building final permit in Tract 3833. Prior to acceptance of public improvements within Tract 3833, River Islands shall provide a 10% maintenance bond to guarantee the full improvements (completed and uncompleted) for one year. River Islands has provided the tract map, the tract improvement plans, all required documents and all fees for Tract 3833.

This includes the following documents and fees:

Documents	Status
1. Final Map	Completed
2. Subdivision Improvement Agreement Tract 3833	Completed
3. Performance Bonds – Uncompleted Landscaping and Miscellaneous Improvements	Pending
4. Labor and Material Bonds – Uncompleted Landscaping and Miscellaneous Improvements	Pending
5. Street Improvement, Landscape Plans	Completed
6. Street Light , Joint Trench, Plans	Completed
7. Geotechnical Report	Completed
8. Agreement for Backbone Improvements and Parks (Agreement for Dedication, Inspection and Guarantee of Streets and Public Improvements)	Completed
9. Approval of 3 rd Amendment to Development Agreement that guarantees creation of CFD for City Maintenance and Shortfalls, and Guarantee of Developer CFDs for Developer/other public agency maintenance	Completed
10. Allocation of Water and Sewer capacity	Completed
11. Recommendation for approval from Stewart Tract Design Review Committee	Completed

APRIL 9, 2018, CITY COUNCIL REGULAR MEETING

RESOLUTION APPROVING FINAL MAP FOR TRACT 3833 VILLAGE "L" WITHIN EAST VILLAGE, TOTALING 114 SINGLE FAMILY CONDOMINIUM UNITS (9 LOTS), A SIA WITH RIVER ISLANDS DEVELOPMENT, LLC., QUITCLAIM DEED TO ABANDON A PORTION OF COHEN ROAD AND CITY OF LATHROP ANNEXATION NO. 5 CFD 2013

15. Quitclaim Deed for Cohen Road Tract 3833	Pending Approval
16. Annexation No. 5 of City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities)	Pending Approval
Fees	Status
1. Final Map plan check fee	Paid
2. Improvement Plans - Plan check, Inspection fees	Paid
3. Sierra Club Settlement fee	To be paid in escrow

The above-noted documents and fees are required by the VTM 3694 conditions of approval prior to approval of the Final Map by City Council. The guarantee is in the form of the Subdivision Improvement Agreement with security and improvement plans.

Before the Final Maps are recorded, River Islands must also satisfy the Escrow Instructions (Attachment "E") that guarantee all required payments to the Sierra Club are made under the terms of the 3rd Amendment to the Development Agreement.

Also, in order for the City to ensure that development continues to pay for its own, a Community Facilities District (CFD) was to be formed to cover the shortfalls. In August 2014, the City Council approved Community Facility District No 2013-1 (River Islands Public Services and Facilities). Therefore, River Islands Development, LLC, is requesting the approval of CFD Annexation No. 5.

BUDGET IMPACT:

There is no budget impact to the City. All City costs are covered by development fees, and any shortfalls in City maintenance and operating costs are covered by the CFD's for maintenance. River Islands is also providing funds necessary to defray any staff time required to process their request.

ATTACHMENTS:

- A. Resolution Approving Final Map for Tract 3833 Village "L" within East Village, Totaling 114 Single Family Condominium Units (9 Lots), a Subdivision Improvement Agreement with River Islands Development, LLC, Quitclaim Deed to Abandon a portion of Cohen Road and City of Lathrop Annexation No. 5 CFD 2013

APRIL 9, 2018, CITY COUNCIL REGULAR MEETING
RESOLUTION APPROVING FINAL MAP FOR TRACT 3833 VILLAGE "L"
WITHIN EAST VILLAGE, TOTALING 114 SINGLE FAMILY CONDOMINIUM
UNITS (9 LOTS), A SIA WITH RIVER ISLANDS DEVELOPMENT, LLC.,
QUITCLAIM DEED TO ABANDON A PORTION OF COHEN ROAD AND CITY OF
LATHROP ANNEXATION NO. 5 CFD 2013

- B. Tract 3833 Village "L" Vicinity Map
- C. Van Daele Homes Cast Away Layout/Unit Exhibit
- D. Subdivision Improvement Agreement between the City of Lathrop and River Islands (Community South River Bend) River Islands Development, LLC, a California Limited Liability Company, for Tract 3833 Village "L" within East Village
- E. Escrow Instructions for Final Map Tract 3833 Village "L"

APPROVALS:



Glenn Gebhardt
City Engineer

4/2/18

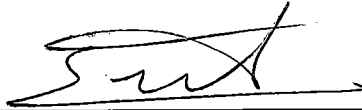
Date



Cari James
Finance Director

4/4/18

Date



Salvador Navarrete
City Attorney

4.3.18

Date



Stephen J. Salvatore
City Manager

4-4-18

Date

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING FINAL MAP FOR TRACT 3833 VILLAGE "L" WITHIN EAST VILLAGE, TOTALING 114 SINGLE FAMILY CONDOMINIUM UNITS (9 LOTS), A SUBDIVISION IMPROVEMENT AGREEMENT WITH RIVER ISLANDS DEVELOPMENT, LLC, QUITCLAIM DEED TO ABANDON A PORTION OF COHEN ROAD AND CITY OF LATHROP ANNEXATION NO.5 CFD 2013

WHEREAS, on March 27, 2007, the City Council approved Vesting Tentative Map (VTM) No. 3694 with Conditions of Approval for a residential and commercial development that is consistent with the West Lathrop Specific Plan (WLSP) and the River Islands Urban Design Concept (UDC); and

WHEREAS, on June 1, 2015, the City Council approved amendments to the VTM, WLSP and UDC, with amended conditions of approval; and

WHEREAS, Tract 3833, the proposed subdivision, is part of the East Village District of River Islands as described in the UDC, consisting of 9 buildable lots to accommodate 114 condominium units (single family attached homes) covered by VTM No. 3694, located on the west side of the San Joaquin River, north of Union Pacific Railroad; and

WHEREAS, in its review of Tract 3833 and Village L, the Stewart Tract Design Review Committee recommended approval of Tract 3833 on August 28, 2017; and

WHEREAS, River Islands Development, LLC, has completed or has guaranteed completion of all public improvements on Tract Map 3833, as identified on the approved improvement plans, and has completed or guaranteed completion of all required documents and payment of all fees; and

WHEREAS, a Subdivision Improvement Agreement between the City and River Islands Development, LLC, and provision of security by River Islands Development, LLC, for unfinished and deferred improvements are required prior to final map approval per the Lathrop Municipal Code Section 16.16.190; and

WHEREAS, a Subdivision Improvement Agreement has been signed by River Islands Development, LLC; and

WHEREAS, upon acceptance of all improvements as complete, a one-year maintenance and repair bond will be required to secure the River Islands Development, LLC, obligation to maintain all improvements and repair or correct any defective work; and

WHEREAS, several conditions of approval of VTM 3694 are satisfied by the 3rd Amendment to the Development Agreement between the City and Califia, LLC, which the City Council approved on October 7, 2013; and

WHEREAS, off-site improvements were guaranteed with the Dedication, Inspection and Guarantee of Streets and Public Improvements (Off-Site Agreement), approved by City Council on September 30, 2013; and

WHEREAS, City staff has confirmed that all Conditions of Approval of VTM 3694 required for approval of Final Map 3833 have been met, including those Conditions of Approval satisfied under the Subdivision Improvement Agreement and Off-Site Agreement; and

WHEREAS, the City Engineer has confirmed that the Final Map for Tract 3833 is substantially the same as it appeared on VTM No. 3694, is technically correct and complies with the requirements of the Subdivision Map Act and Lathrop Municipal Code, Chapter 16.16; and

WHEREAS, a portion of existing Cohen Road is no longer necessary with the dedication of Somerston Parkway; and

WHEREAS, therefore staff is requesting City Council approval of a quitclaim deed to abandon a portion of Cohen Road; and

WHEREAS, River Islands Development, LLC, will satisfy the escrow requirements to fund the Settlement Fee prior to recordation of the Final Map for Tract 3833; and

WHEREAS, Tract 3833 being a "condominium map" as defined in Section 783 of the Civil Code of the State of California, will require approval from the California Bureau of Real Estate (BRE) and such approvals are outside of the scope of the City's approval of this map and shall be required by the SUBDIVIDER and its successors and assigns to comply with all applicable laws in creating and developing the individual condominium units; and

WHEREAS, Capital Facilities Fees are not required until such time as the builder applies for building permits.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lathrop that makes and accepts the following actions:

1. That the Final Map for Tract 3833 Village "L" is hereby approved and will be submitted as part of the public record with the San Joaquin County Assessor/Recorder/County Clerk Office.
2. That the City Manager, or their designee, is authorized to execute a Subdivision Improvement Agreement with River Islands Development, LLC, is authorized to execute the Quitclaim Abandonment Deed for portions of Cohen Road, and the City of Lathrop Annexation No. 5 CFD 2013, in substantially the form as attached to the April 9, 2018 staff report, the final executed copy will be filed with the City Clerk.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 9th day of April, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

TRACT 3835

RIVER ISLANDS PARKWAY

PARCEL B

PARCEL C

TRACT 3833/
VILLAGE L

LAKE 8

IMPERIAL DRIVE

SOMERSTON PARKWAY

CORONADO WAY

MYSTIC DRIVE

PARCEL A1

WESTWIND WAY

8

TIDE LINE DRIVE

PARCEL A2 OFFSHORE WAY

2

3

PARCEL A1

4

CURRENTS WAY

5

7

PARCEL A3

PARCEL A4

ANACAPA WAY

6

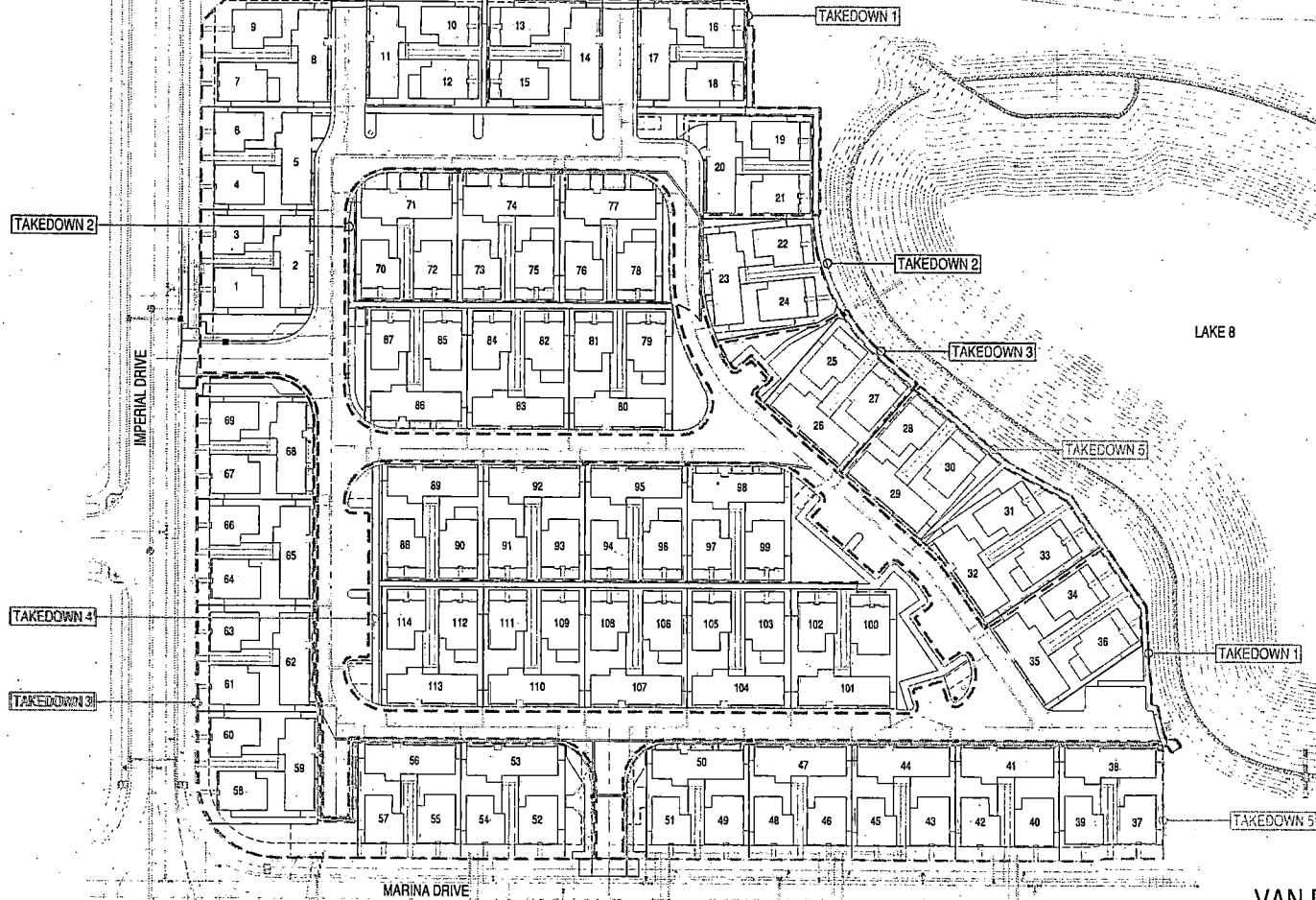
9

MARINA DRIVE

TRACT 3829

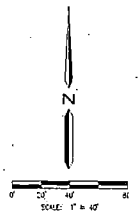
ATTACHMENT A
VILLAGE L
VICINITY MAP
MARCH 2018

RIVER ISLANDS PARKWAY



LEGEND

- TAKEDOWN 1
- TAKEDOWN 2
- TAKEDOWN 3
- TAKEDOWN 4
- TAKEDOWN 5



VAN DAELE HOMES CAST AWAY
 LAYOUT/UNIT EXHIBIT
 RIVER ISLANDS

CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA
 DATE: FEBRUARY 28, 2018

O'DELL
 ENGINEERING
 6200 Stoneridge Mall Road, Suite 1
 Pleasanton, CA 94588
 Ph 925.223.8340 odellengineering.com

Attachment "C"

SUBDIVISION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF LATHROP AND
RIVER ISLANDS (COMMUNITY SOUTH RIVER BEND) RIVER ISLANDS
DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY FOR
TRACT 3833 VILLAGE "L," 114 RESIDENTIAL UNITS (9 LOTS)

RECITALS

- A. This Agreement is made and entered into this 9th day of April, 2018, by and between the CITY OF LATHROP, a municipal corporation of the State of California (hereinafter "CITY") and River Islands Development, LLC, a California limited liability company (hereinafter "SUBDIVIDER").
- B. Pursuant to Division 2 of Title 7 of the Government Code of the State of California and CITY's Subdivision Regulations (City of Lathrop, Code of Ordinances, Chapter 16), SUBDIVIDER is required to make dedications and improve Tract 3833. However, SUBDIVIDER has completed a significant portion of public infrastructure improvements associated with Tract 3833 as Village L of the East Village District of River Islands. The unfinished portion of improvements total \$835,000 and both performance and labor and materials (payment) bonds as required by the Lathrop Subdivision Ordinance and the Subdivision Map Act will be posted as outlined in this Tract 3833 Subdivision Improvement Agreement.
- C. At its September 30, 2013, meeting, the City Council approved an Irrevocable Offer of Dedication of Easement for Roadway Purposes and approved an Agreement for Dedication, Inspection and Guarantee of Public Streets and Improvements for certain backbone roads and improvements, including Lakeside Drive that provides indirect public right of way access to Tract 3833. Tract 3833 Final Map shall dedicate those roads not dedicated with previous tracts in the East Village District and not covered by the Irrevocable Offer of Dedication for Easement for Roadway Purposes for streets serving as access to Tract 3873.
- D. SUBDIVIDER has completed a portion of the joint trench improvements for Tract 3833 and as noted in Recital C performance and payment bonds will be required for the unfinished portion of these improvements. Improvement plans prepared by O'Dell Engineering and street light plans prepared by Power Systems Design have already been approved by City. The street, sidewalk, underground utility, storm drainage, street light and joint trench improvements (hereinafter "Improvements") have been only partially constructed as part of the required infrastructure for Tract 3833 and required security as outlined in this Agreement is required.
-

NOW THEREFORE in consideration of CITY'S pending approval and acceptance of the Improvements upon their satisfactory completion and in consideration of SUBDIVIDER'S construction of Improvements in strict accordance with the terms of this Agreement, all applicable laws, statutes, ordinances, rules and regulations currently in force and effect in CITY, the terms and conditions of which are incorporated herein by this reference, the parties hereto mutually covenant and agree as follows:

1. SUBDIVIDER shall complete construction of, or cause construction to be completed at its sole cost and expense, the Improvements for all of the lots within the East Village neighborhood, to the limits identified on Exhibit A, including the public landscaping, streetlight and joint trench improvements. All improvements shall be constructed to the satisfaction and approval of the City Engineer, in a good and workmanlike manner in accordance with the above-referenced improvement plans and specifications, the improvement standards and specifications of the CITY'S Department of Public Works, the applicable Ordinances of the City of Lathrop and the California Subdivision Map Act.

2. SUBDIVIDER shall complete the Improvements, including all deferred and unfinished improvements, prior to occupancy of the last home constructed in Tract 3833 that is conveyed to a private interest not associated with the transfer of title of Tract 3833 associated with the filing of Tract 3833 or prior to the completion and occupancy of the last production dwelling unit associated with Tract 3833, whichever comes last. Such occupancy shall be documented by CITY in the form of a Certificate of Occupancy or Final Building Permit.

3. CITY or its agents shall, at any time during the progress of the Improvements, have free access thereto and shall be allowed to examine the same and all material to be used therein. If the Improvements or any part thereof are not completed in strict compliance with the standards set forth in Paragraph 1 above, CITY may refuse to accept and may reject the defective Improvements and/or materials therein.

4. SUBDIVIDER shall secure the services of skilled personnel necessary to construct the Improvements. CITY is not skilled in these matters and relies upon the skill of SUBDIVIDER to ensure that the construction of the Improvements is in the most skillful and durable manner.

5. CITY'S acceptance of the Improvements does not operate as a release of SUBDIVIDER from any guarantee hereunder.

6. SUBDIVIDER guarantees and warrants that the Improvements shall be constructed in compliance with the standards set forth in Paragraph 1 above, free from any defects in work or labor done and from any defects in materials furnished. Further, SUBDIVIDER shall repair and maintain the Improvements in good condition and in accordance with CITY specifications for one (1) year after CITY'S acceptance of the Improvements. As required by the Subdivision Improvement Agreement for Tract

3833, prior to acceptance of the Improvements, SUBDIVIDER shall deposit with the City Engineer a Maintenance Bond in the amount of \$166,900 equal to 10% of the estimated cost of the Improvements for the entire area (\$1,669,000) as shown on Exhibit F, to insure SUBDIVIDER'S repair and maintenance of the Improvements in accordance with the terms of this Agreement. The Maintenance Bond shall be released at the end of the one (1) year guarantee period, provided there are no claims against it are then outstanding.

7. Because some of the backbone improvements referenced in Recital D were required to provide access and required utilities to Tract 3833 and are associated with adjacent tracts as otherwise described in this Agreement, as well as backbone roads associated with the Agreement for Dedication, Inspection and Guarantee of Public Streets and Improvements referenced in Recital D, the security required by the Agreement for Dedication, Inspection and Guarantee of Public Streets and Improvements shall remain in place until the backbone improvements associated with that agreement are complete and accepted by CITY or as is further described by the conditions below:

a. Rehabilitation of the pavement on Stewart/Cohen and Paradise Roads within the limits of Stewart Tract, as detailed on the attached Exhibit D, are required, and rehabilitation is guaranteed by a performance bond. Full improvement and acceptance of these streets shall be completed prior to release of security previously posted by SUBDIVIDER.

8. If SUBDIVIDER, in whole or in part, abandons the Improvements, unnecessarily or unreasonably delays construction of the Improvements, fails to complete construction of the Improvements within the time specified in this Agreement or fails to repair, replace or reconstruct any defects, as set forth in Paragraph 6 above, CITY may but is not required to proceed to complete and/or repair, replace or reconstruct the Improvements, either by itself or by contract for such service, and CITY may cause to be forfeited such portion of any security deposited therein as is necessary to cover the costs of completion, repair, replacement or reconstruction incurred by CITY. Once action is taken by CITY to complete, repair, replace and/or reconstruct the Improvements, SUBDIVIDER shall be responsible for all costs incurred by CITY even if SUBDIVIDER subsequently completes the work.

CITY shall have recourse against SUBDIVIDER for any and all amounts necessary to complete the obligations of SUBDIVIDER in the event the security (including but not limited to any Letter of Guarantee, Certificate of Deposit, cash, bond for performance, labor and materials, repair and maintenance, letter of credit or cash deposit) therefore is insufficient to pay such amounts. All administrative costs, including reasonable attorney's fees pursuant to Government Code Section 66499.4, incurred by CITY in addition to the costs of the improvements shall be a proper charge against the security and SUBDIVIDER.

In the event it becomes necessary for CITY to bring an action to compel performance of this Agreement or to recover costs of completing such improvements, SUBDIVIDER

shall pay reasonable attorney's fees, costs of suit and all other expenses of litigation incurred by CITY in connection therewith.

9. Because the Improvements are partially complete, SUBDIVIDER is required to only post Performance or Labor & Materials bonds to guarantee the deferred and unfinished improvements associated with Tract 3833 as included and described in Exhibit E of this Agreement.

For Performance: The amount of the performance bond required shall be 120% of the amount of unfinished and deferred improvements as shown in Exhibit E ($\$835,000 \times 120\% = \$1,002,000$ - performance bond amount) as indicated in Recital C.

For Labor and Materials: The corresponding labor and materials bond amount shall be 50% of the performance bond amount ($\$1,002,000 \times 50\% = \$501,000$), also as indicated in Recital C. Further, SUBDIVIDER shall also comply with CITY'S insurance requirements set forth on Exhibit C attached hereto and incorporated herein with a new certificate of insurance required.

10. Any alterations made to the plans and specifications, which are a part of this Agreement, or any provision of this Agreement shall not operate to release any surety or sureties from liability on any bond or bonds attached hereto and made a part hereof. The above-referenced sureties hereby consent to such alterations and waive the provisions of California Civil Code Section 2819.

11. Neither CITY nor any of its officers, employees or agents shall be liable to SUBDIVIDER and/or SUBDIVIDER'S agents, contractors or subcontractors for any error or omission arising out of or in connection with any work to be performed under this Agreement.

12. Neither CITY nor any of its officers, employees or agents shall be liable to SUBDIVIDER or to any person, entity or organization for any injury or damage that may result to any person or property by or from any cause in, on or about the subdivision of all or any part of the land covered by this Agreement.

13. SUBDIVIDER hereby agrees to and shall hold CITY, its elective and appointive boards, commissions, officers, agents and employees (collectively "Indemnitees") harmless from any liability for damage or claims which may arise from SUBDIVIDER and/or SUBDIVIDER'S contractors, subcontractors, agents or employees' operations under this Agreement, whether such operations be by SUBDIVIDER or by any SUBDIVIDER contractors, subcontractors or by any one or more persons directly or indirectly employed by or acting as agent for SUBDIVIDER or any of SUBDIVIDER'S contractors or subcontractors. SUBDIVIDER shall at its own cost and expense defend any and all actions, suits or legal proceedings or any type that may be brought or instituted against CITY and indemnities on any claim or demand, of any nature whatsoever, and pay or satisfy any judgment that may be rendered against CITY and the Indemnitees in any such action, suit or legal proceedings resulting from or alleged to have resulted from SUBDIVIDER'S performance or non-performance of its duties

and obligations under this Agreement or from the negligent act or omission of itself, its agents, contractors, representatives, servants or employees. The promises and Agreement to indemnify and hold harmless set forth in this section is not conditioned or dependent on whether or not any indemnity has prepared, supplied or approved any plan or specification in connection with this work or subdivision whether or not any such indemnity has insurance or indemnification covering any of these matters. CITY does not and shall not waive any rights against SUBDIVIDER which it may have by reason of the aforesaid hold harmless agreement because of the acceptance by CITY of any deposit with CITY by SUBDIVIDER. The aforesaid hold harmless agreement by SUBDIVIDER shall apply to all damages and claims for damages of every kind suffered or alleged to have been suffered by reason of any of the aforesaid operations referred to in this paragraph regardless of whether or not CITY has prepared, supplied or approved of plans and/or specifications for the subdivision.

14. Neither SUBDIVIDER nor any of SUBDIVIDER'S agents, contractors or subcontractors are or shall be considered to be agents of CITY in connection with the performance of SUBDIVIDER'S obligations under this Agreement.

15. Prior to acceptance of the Improvements by the City Council, SUBDIVIDER shall be solely responsible for maintaining the quality of the Improvements and maintaining safety at the project site. SUBDIVIDER'S obligation to provide the Improvements shall not be satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied, all outstanding fees and charges have been paid and the City Council has accepted the Improvements as complete. CITY and SUBDIVIDER have formed Community Facilities Districts ("CFD") to finance maintenance and improvements. CITY expects to preserve the ability to use future special taxes of the CFD for payment of the cost of acquisition of the Improvements which may require that acceptance of improvements by CITY be subject to the provisions of an acquisition agreement to be entered into by CITY and SUBDIVIDER providing that CITY expects to be paid or reimbursed acquisition costs through future CFD special taxes. SUBDIVIDER shall cooperate to facilitate such method of acquisition.

16. SUBDIVIDER shall pay service fees for the utility services from the time the Improvements are accepted by CITY to the end of the fiscal year or up to a one (1) year period, whichever is needed to ensure an opportunity for the Improvements to be included in the next fiscal year annual assessment.

17. SUBDIVIDER shall be responsible to sweep streets within the subdivision every two weeks as directed by the City Engineer on all streets where lots are occupied and all streets providing access to occupied lots until the Improvements are accepted by CITY.

18. SUBDIVIDER shall not assign this Agreement without the prior written consent of CITY. If such consent is given, the terms of this Agreement shall apply to and bind the heirs, successors, executors, administrators and assignees of SUBDIVIDER and any heirs, successors, executors, administrators and assignees of SUBDIVIDER and

shall be jointly and severally liable hereunder.

19. SUBDIVIDER shall, at SUBDIVIDER'S expense, obtain and maintain all necessary permits and licenses for construction of the Improvements. Prior to the commencement of Improvement construction, SUBDIVIDER shall obtain a City of Lathrop Business License. SUBDIVIDER shall comply with all local, state and federal laws whether or not said laws are expressly stated in this Agreement.

20. This Agreement and any amendments hereto comprise the entire understanding and agreement between the parties regarding the improvements to be constructed and dedications for Tract 3833.

21. The following miscellaneous provisions are applicable to this Agreement:

a. Controlling Law. The parties agree that this Agreement shall be governed and construed by and in accordance with the laws of the State of California.

b. Definitions. The definitions and terms are as defined in this Agreement.

c. Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Agreement which directly results from an Act of God or an act of a superior governmental authority.

d. Headings. The paragraph headings are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.

e. Incorporation of Documents. All documents referred to herein and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated herein and shall be deemed to be part of this Agreement.

f. Modification of Agreement. This Agreement shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.

g. Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is void or unenforceable, the provisions of this Agreement not so affected shall remain in full force and effect.

h. Successors and Assigns. Except as otherwise expressly provided herein, the provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

i. Time of the Essence. Time is of the essence of this Agreement and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first day and including the last day.

If the time in which an act is to be performed falls on a Saturday, Sunday or any day observed as a legal holiday by CITY, the time for performance shall be extended to the following business day.

J Venue. In the event either party brings suit hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin.

ATTACHMENTS:

EXHIBIT A FINAL MAP - TRACT 3833
EXHIBIT B VILLAGE L VICINITY MAP
EXHIBIT C: CITY INSURANCE REQUIREMENTS
EXHIBIT D: COHEN/PARADISE/STEWART REHABILITATION MAP
EXHIBIT E: UNFINISHED AND DEFERRED IMPROVEMENT COST ESTIMATE
EXHIBIT F: IMPROVEMENTS COST ESTIMATE

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this 9th day of April, 2018, at Lathrop, California.

ATTEST: TERESA VARGAS
City Clerk of and for the City
of Lathrop, State of California

CITY OF LATHROP, a
municipal corporation of the
State of California

BY: _____
Teresa Vargas
City Clerk

BY: _____
Stephen J. Salvatore
City Manager

APPROVED AS TO FORM

BY: _____
Salvador Navarrete
City Attorney

River Islands Development, LLC,
a California limited liability company

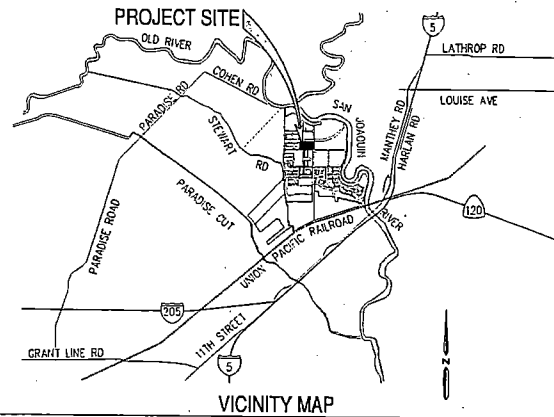
BY: _____
Susan Dell'Osso, President
"SUBDIVIDER"

EXHIBIT A

FINAL MAP - TRACT 3833

TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



VICINITY MAP
 NOT TO SCALE

CITY CLERK'S STATEMENT

I, TERESA VARGAS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED "TRACT 3833, RIVER ISLANDS, PHASE 1B, VILLAGE L, FOR CONDOMINIUM PURPOSES", CITY OF LATHROP, CALIFORNIA, CONSISTING OF SIXTEEN (16) SHEETS, THIS STATEMENT WAS PRESENTED TO SAID CITY COUNCIL, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2018, AND THAT SAID CITY COUNCIL DID THEREUPON BY RESOLUTION NO. _____ DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP, AND AUTHORIZED ITS RECORDATION, AND ACCEPTED ON BEHALF OF THE CITY OF LATHROP, FOR PUBLIC USE, THE DEDICATION OF ALL PUBLIC UTILITY EASEMENTS, EMERGENCY VEHICLE ACCESS EASEMENTS, SANITARY SEWER EASEMENTS, WALL EASEMENTS, WATERLINE EASEMENTS, PARCELS B AND C, AND REJECTED THE OFFER OF DEDICATION OF THE STORM DRAIN EASEMENTS AND PUBLIC UTILITY EASEMENTS ACROSS PARCEL C, WITH A RESERVATION OF THE RIGHT TO ACCEPT THE DEDICATION OF THE STORM DRAIN EASEMENTS AND PUBLIC UTILITY EASEMENTS ACROSS PARCEL C AT A FUTURE DATE, AND REJECTED THE OFFER OF DEDICATION OF ALL ROADWAYS AS SHOWN ON SAID MAP UNTIL THEIR IMPROVEMENTS HAVE BEEN COMPLETED IN ACCORDANCE WITH CHAPTER 16, TITLE 16.16 OF THE CITY OF LATHROP MUNICIPAL CODE.

ALSO, PURSUANT TO SECTION 66434(C) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE CITY OF LATHROP DOES HEREBY ABANDON: (1) THE 60 FOOT WIDE EASEMENT FOR ROADWAY PURPOSES, ALSO KNOWN AS COHEN ROAD, RECORDED OCTOBER 18, 1934, IN BOOK 408, PAGE 95, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, FOR ALL OF SAID ROADWAY EASEMENT WITHIN SAID TRACT 3833, AND, (2) THE RECLAIMED WATER LINE EASEMENT RECORDED JUNE 2, 2008, AS DOCUMENT NUMBER 2008-119380, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, FOR ALL OF SAID RECLAIMED WATER LINE EASEMENT WITH SAID TRACT 3833; ALL AS DEPICTED ON SHEET 3 HEREIN.

I FURTHER STATE THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE CITY COUNCIL OF LATHROP AND FILED IN MY OFFICE.

TERESA VARGAS
 CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

SECRETARY OF THE PLANNING COMMISSION'S STATEMENT

THIS MAP CONFORMS TO VESTING TENTATIVE MAP NO. 3594 APPROVED BY THE PLANNING COMMISSION, DATED THIS _____ DAY OF _____, 2018.

REBECCA SCHMIDT, COMMUNITY DEVELOPMENT DIRECTOR
 CITY OF LATHROP

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2018, AT _____ M.
 IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY.

FEE: \$ _____

SIEVE J. BESTCLARDES, ASSESSOR-RECORDER-COUNTY CLERK
 SAN JOAQUIN COUNTY, CALIFORNIA

BY: _____ ASSISTANT/DEPUTY RECORDER

OWNER'S STATEMENT

THE UNDERSIGNED, DOES HEREBY STATE THAT THEY ARE THE OWNERS OF ALL THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREIN EMBODIED FINAL MAP ENTITLED, "TRACT 3833, RIVER ISLANDS, PHASE 1B, VILLAGE L, FOR CONDOMINIUM PURPOSES", CITY OF LATHROP, CALIFORNIA, CONSISTING OF SIXTEEN (16) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE UNDERSIGNED DOES HEREBY DEDICATE AN EASEMENT TO THE CITY OF LATHROP FOR PUBLIC RIGHT-OF-WAY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS SOMERSTON PARKWAY, MARINA DRIVE WIDENING, AND IMPERIAL DRIVE WIDENING, AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP A NON-EXCLUSIVE EASEMENT FOR EMERGENCY VEHICLE ACCESS PURPOSES ACROSS THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "EMERGENCY VEHICLE ACCESS EASEMENT" (E.V.A.E.).

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP A NON-EXCLUSIVE EASEMENT TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, POLES, WIRES, CABLES, PIPES, AND CONDUITS AND THEIR APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "PUBLIC UTILITY EASEMENT" (P.U.E.).

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP A NON-EXCLUSIVE EASEMENT TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, SANITARY SEWER FACILITIES AND THEIR APPURTENANCES, UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "STORM DRAIN EASEMENT" (S.D.E.).

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP A NON-EXCLUSIVE EASEMENT TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, SANITARY SEWER FACILITIES AND THEIR APPURTENANCES, UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "SANITARY SEWER EASEMENT" (S.S.E.).

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP A NON-EXCLUSIVE EASEMENT FOR THE PURPOSES OF REPAIR AND MAINTENANCE OF THE SOUND WALL FOR THE AREAS DESIGNATED AS "WALL EASEMENT" (W.E.) AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP A NON-EXCLUSIVE EASEMENT TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, DOMESTIC WATERLINE FACILITIES AND THEIR APPURTENANCES, UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "WATERLINE EASEMENT" (W.L.E.).

PARCELS A1 THROUGH A4 ARE FOR PRIVATE STREET PURPOSES AND ARE NOT DEDICATED HEREON; SAID PRIVATE STREETS ARE TO BE CONVEYED AS ASSOCIATION PROPERTY TO THE CASTAWAY AT RIVER ISLANDS HOMEOWNER'S ASSOCIATION BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP, IN FEE, PARCEL B FOR PURPOSES OF OPEN SPACE, INCLUDING PUBLIC UTILITIES, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP, IN FEE, PARCEL C FOR PARK PURPOSES, FENCE MAINTENANCE, AND APPURTENANCES THERETO, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY RESERVE PARCEL D FOR LAKE PURPOSES, AS SHOWN ON THIS FINAL MAP, SAID PARCEL IS NOT DEDICATED HEREON, BUT WILL BE CONVEYED TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY RESERVE THE NON-EXCLUSIVE "LAKE FILL PIPELINE EASEMENT" AND THE "LAKE CIRCULATION PIPELINE EASEMENTS", TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, THE LAKE FILL PIPELINE AND LAKE CIRCULATION PIPELINE AND THEIR APPURTENANCES, UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "LAKE FILL PIPELINE EASEMENT" AND "LAKE CIRCULATION PIPELINE EASEMENT". THESE EASEMENTS ARE NOT DEDICATED HEREON, BUT WILL BE CONVEYED TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS FINAL MAP.

OWNER: RIVER ISLANDS DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY.

BY: _____
 NAME: SUSAN O'DELL OSSEO DATE _____
 ITS: PRESIDENT

DATED THIS _____ DAY OF _____, 2018.

OLD REPUBLIC TITLE COMPANY, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED DECEMBER 22, 2016, AS DOCUMENT NUMBER 2016-160888, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

BY: _____
 NAME: _____
 ITS: _____

ACKNOWLEDGEMENT CERTIFICATE (OWNER)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
 COUNTY OF SAN JOAQUIN }

ON _____, 2018, BEFORE ME, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: _____
 NAME (PRINT): _____
 PRINCIPAL COUNTY OF BUSINESS: _____
 MY COMMISSION NUMBER: _____
 MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT CERTIFICATE (TRUSTEE)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
 COUNTY OF SAN JOAQUIN }

ON _____, 2018, BEFORE ME, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: _____
 NAME (PRINT): _____
 PRINCIPAL COUNTY OF BUSINESS: _____
 MY COMMISSION NUMBER: _____
 MY COMMISSION EXPIRES: _____

EXEMPT FROM FEE PER GOVERNMENT CODE 27388.1; DOCUMENT RECORDED IN CONNECTION WITH A CONCURRENT TRANSFER SUBJECT TO THE IMPOSITION OF DOCUMENTARY TRANSFER TAX.

NOTES

- RIGHT TO FARM STATEMENT:
PER CITY OF LATHROP MUNICIPAL CODE OF ORDINANCES, TITLE 15, CHAPTER 15.48.04, THE CITY OF LATHROP PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE CITY LIMITS, INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES. YOU ARE HEREBY NOTIFIED THAT THE PROPERTY YOU ARE PURCHASING MAY BE LOCATED CLOSE TO AGRICULTURAL LANDS AND OPERATIONS. YOU MAY BE SUBJECT TO INCONVENIENCE OR DISCOMFORT ARISING FROM THE LAWFUL AND PROPER USE OF AGRICULTURAL CHEMICALS AND PESTICIDES AND FROM OTHER AGRICULTURAL ACTIVITIES, INCLUDING WITHOUT LIMITATIONS, CULTIVATION, PLOWING, SPRAYING, IRRIGATION, PRUNING, HARVESTING, BURNING OF AGRICULTURAL WASTE PRODUCTS, PROTECTION OF CROPS AND ANIMALS FROM DEPRECIATION, AND OTHER ACTIVITIES WHICH MAY GENERATE DUST, SMOKE, NOISE, ODOR, RODENTS AND PESTS. BE AWARE ALSO, THAT THIS PROPERTY MAY BE LOCATED ADJACENT TO AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, IT MAY BE NECESSARY THAT YOU BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS NORMAL AND NECESSARY ASPECT OF LIVING IN AN AGRICULTURALLY ACTIVE REGION.
- A SOILS REPORT ENTITLED "GEOTECHNICAL EXPLORATION, RIVER ISLANDS PHASE 1, LATHROP, CALIFORNIA", REFERENCED AS PROJECT NO. 50445.001.01 AND DATED JULY 29, 2005, HAS BEEN PREPARED FOR THIS PROJECT BY ENCO, INCORPORATED, JOSEF J. TOOTLE, G.E. NO. 2677, AND IS ON FILE WITH THE CITY OF LATHROP.
- "TRACT 3833, RIVER ISLANDS, PHASE 1B, VILLAGE L, FOR CONDOMINIUM PURPOSES", CONTAINS: 9 LOTS FOR CONDOMINIUM PURPOSES, AND 7 LETTERED PARCELS, CONTAINING 15.82 ACRES, MORE OR LESS, INCLUDING ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP, ALL AS SHOWN ON SAID MAP HEREIN. (PLEASE REFER TO THE AREA SUMMARY TABLE BELOW):

TRACT 3833 AREA SUMMARY	
LOTS 1 THROUGH 9	6.37 AC±
PARCELS A1 THROUGH A4	1.72 AC±
PARCELS B THROUGH D	6.12 AC±
SOMERSTON PARKWAY AND STREET WOENING	1.61 AC±
TOTAL	15.82 AC±

- LOTS 1 THROUGH 9 AS SHOWN ON THIS TRACT MAP, ARE FOR CONDOMINIUM PURPOSES AS DEFINED BY SECTION 4125 OF THE CALIFORNIA CIVIL CODE, THAT WILL CONTAIN 114 UNITS.
- PARCELS A1 THROUGH A4 ARE FOR PRIVATE STREET PURPOSES SUBJECT TO A PUBLIC UTILITY EASEMENT, EMERGENCY VEHICLE ACCESS EASEMENT, SANITARY SEWER EASEMENT, AND WATERLINE EASEMENT, AND SHALL BE MAINTAINED A MANDATORY HOMEOWNERS ASSOCIATION (CASTAWAY AT RIVER ISLANDS OWNERS ASSOCIATION (HOMEOWNER'S ASSOCIATION). SAID PARCELS A1 THROUGH A4 ARE NOT OTHERWISE OFFERED TO THE PUBLIC, OR FOR PUBLIC USE, AND IS FOR THE USE BY THE HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS GOVERNING THE CONDOMINIUM DEVELOPMENT. SAID PRIVATE STREETS ARE TO BE CREATED BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS FINAL MAP.
- BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT ORDER NUMBER 1211046648-KS (VERSION 1), DATED NOVEMBER 7, 2017, PROVIDED BY OLD REPUBLIC TITLE COMPANY.

CITY SURVEYOR'S STATEMENT

I, LAWRENCE GOSSETT, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 3833, RIVER ISLANDS, PHASE 1B, VILLAGE L, FOR CONDOMINIUM PURPOSES", CITY OF LATHROP, CALIFORNIA, AND THAT THE SUBDIVISION SHOWN HEREON COMPLIES WITH ALL THE PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA SUBDIVISION MAP ACT, AS AMENDED, AND THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 201__.

LAWRENCE GOSSETT, P.E. 31695



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RIVER ISLANDS DEVELOPMENT, LLC, ON SEPTEMBER 12, 2017. I HEREBY STATE ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2022, AND THAT THE MONUMENTS ARE, OR THAT THEY WILL BE, SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 201__.

DYLAN CRAWFORD, P.L.S. NO 7788



SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

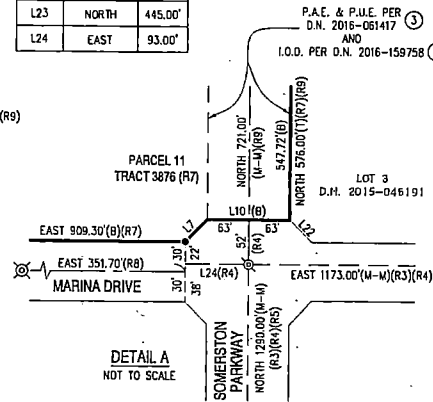
- RECLAIMED ISLANDS LAND COMPANY, RESERVATION FOR OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, PER DOCUMENT NUMBER 2001-046177, S.J.C.R.
- ROADWAY EASEMENT IN FAVOR OF SAN JOAQUIN COUNTY PER 40B OR 95, S.J.C.R.
- RECLAIMED WATER LINE EASEMENT IN FAVOR OF THE CITY OF LATHROP PER DOCUMENT NUMBER 2006-119380, S.J.C.R.
- PUBLIC ACCESS AND UTILITY EASEMENT IN FAVOR OF THE CITY OF LATHROP PER DOCUMENT NUMBER 2016-061417, S.J.C.R.
- IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES IN FAVOR OF THE CITY OF LATHROP PER DOCUMENT NUMBER 2016-159758, S.J.C.R.

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEETS 2 AND 3 ONLY

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N45°00'00"E	42.43'
L2	EAST	122.66'
L3	N88°51'15"W	429.33'
L4	N83°08'37"W	120.60'
L5	N88°51'15"W	265.30'
L6	N44°25'38"W	42.00'
L7	N45°00'00"E	42.43'
L8	EAST	126.00'
L9	NORTH	547.72'
L10	EAST	126.00'
L11	NORTH	576.00'
L12	NORTH	721.00'
L13	EAST	351.70'
L14	EAST	644.60'
L15	NORTH	260.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L16	NORTH	469.00'
L17	EAST	412.02'
L18	EAST	412.02'
L19	NORTH	260.00'
L20	NORTH	567.00'
L21	NORTH	663.00'
L22	N45°00'00"W	42.43'
L23	NORTH	445.00'
L24	EAST	93.00'

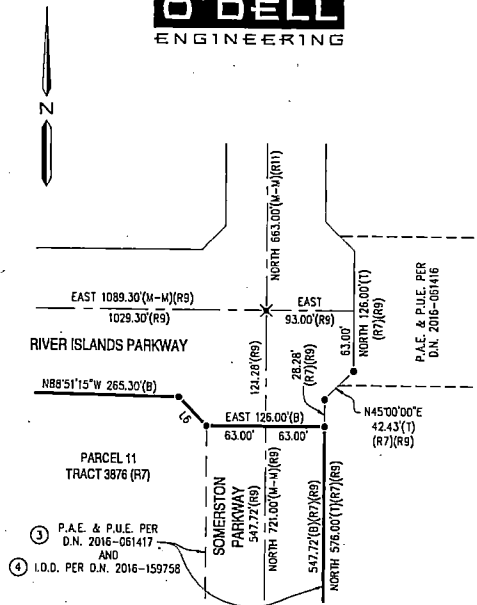
CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	57.00'	90°00'00"	89.54'



DETAIL A
NOT TO SCALE

**TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES**

A PORTION OF RANCHO EL PESCADERO, BEING A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 MAP 56) CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA FEBRUARY 2018



DETAIL B
NOT TO SCALE

CITY ENGINEER'S STATEMENT

I, GLENN GEBHARDT, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA AND THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 3833, RIVER ISLANDS, PHASE 1B, VILLAGE L, FOR CONDOMINIUM PURPOSES", CITY OF LATHROP, CALIFORNIA, AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE VESTING TENTATIVE MAP NO. 3694, AND ANY APPROVED ALTERATIONS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLIES WITH ALL APPLICABLE ORDINANCES OF THE CITY OF LATHROP, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE VESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 201__.

GLENN GEBHARDT, R.C.E. 34681
CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA



EASEMENTS

- ① ROADWAY EASEMENT (COHEN ROAD) IN FAVOR OF SAN JOAQUIN COUNTY PER BOOK 408, OFFICIAL RECORDS, PAGE 95, S.J.C.R.
- ② RECLAIMED WATER LINE EASEMENT IN FAVOR OF THE CITY OF LATHROP PER DOCUMENT NUMBER 2006-119380, S.J.C.R.
- ③ PUBLIC ACCESS AND UTILITY EASEMENT IN FAVOR OF THE CITY OF LATHROP PER DOCUMENT NUMBER 2016-061417, S.J.C.R.
- ④ IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES IN FAVOR OF THE CITY OF LATHROP PER DOCUMENT NUMBER, 2016-159758, S.J.C.R. [FUTURE ROADWAY EASEMENT E7 AS DETACHED ON TRACT 3876 (42 M&P 56)]

NOTES

1. SEE SHEET 2 FOR ADDITIONAL NOTES, AND FOR THE LINE TABLE AND CURVE TABLE OF COURSES SHOWN ON THIS SHEET ONLY.
2. ALL OF COHEN ROAD PER 408 OR 95, WITHIN TRACT 3833, IS BEING ABANDONED BY THIS FINAL MAP. PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.
3. ALL OF THE RECLAIMED WATER LINE EASEMENT PER D.N. 2006-119380, WITHIN TRACT 3833, IS BEING ABANDONED BY THIS FINAL MAP. PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

BASIS OF BEARINGS

THE BEARING OF EAST BETWEEN FOUND MONUMENTS ALONG THE MONUMENT LINE OF ACADEMY DRIVE AS SHOWN ON TRACT 3791, FILED MAY 8, 2015, IN BOOK 42 OF MAPS AND PLATS, AT PAGE 36, OFFICIAL RECORDS OF THE COUNTY OF SAN JOAQUIN, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN ON THIS MAP (ZONE 3, NAD83). ALL DISTANCES SHOWN HEREIN ARE GROUND DISTANCES.

REFERENCES

- RECORD OF SURVEY FILED AUGUST 4, 2004, IN BOOK 35 OF SURVEYS, PAGE 142, AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 15, 2005 AS DOCUMENT NUMBER 2005-171284, S.J.C.R. (35 SURVEYS 142)
- (R1) GRANT DEED RECORDED APRIL 24, 2015, AS D.N. 2015-046193, S.J.C.R.
 - (R2) TRACT 3704, FILED DECEMBER 20, 2013, IN BOOK 42 OF MAPS AND PLATS, PAGE 4, S.J.C.R. (42 M&P 4)
 - (R3) TRACT 3798, FILED FEBRUARY 27, 2015, IN BOOK 42 OF MAPS AND PLATS, PAGE 30, S.J.C.R. (42 M&P 30)
 - (R4) TRACT 3791, FILED MAY 8, 2015, IN BOOK 42 OF MAPS AND PLATS, PAGE 36, S.J.C.R. (42 M&P 36)
 - (R5) GRANT DEED RECORDED MARCH 30, 2001, AS D.N. 2001-046177, S.J.C.R.
 - (R6) TRACT 3876, FILED MARCH 31, 2016, IN BOOK 42 OF MAPS AND PLATS, PAGE 56, S.J.C.R. (42 M&P 56)
 - (R7) TRACT 3832, FILED AUGUST 24, 2016, IN BOOK 42 OF MAPS AND PLATS, PAGE 66, S.J.C.R. (42 M&P 66)
 - (R8) TRACT 3834, FILED DECEMBER 21, 2016, IN BOOK 42 OF MAPS AND PLATS, PAGE 72, S.J.C.R. (42 M&P 72)
 - (R9) TRACT 3829, FILED DECEMBER 21, 2016, IN BOOK 42 OF MAPS AND PLATS, PAGE 71, S.J.C.R. (42 M&P 71)
 - (R10) TRACT 3836, FILED MARCH 15, 2017, IN BOOK 42 OF MAPS AND PLATS, PAGE 84, S.J.C.R. (42 M&P 84)

**TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES**

A PORTION OF RANCHO EL PESCADEIRO, BEING A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56) CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA FEBRUARY 2018



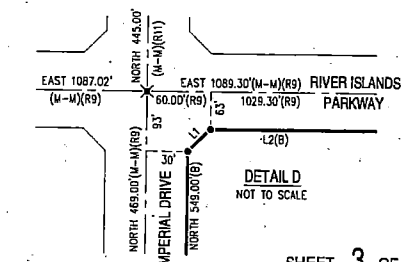
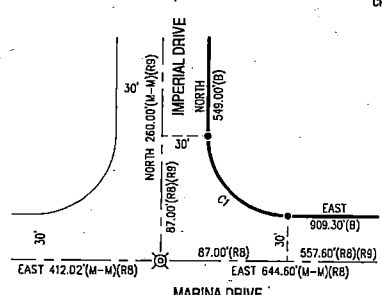
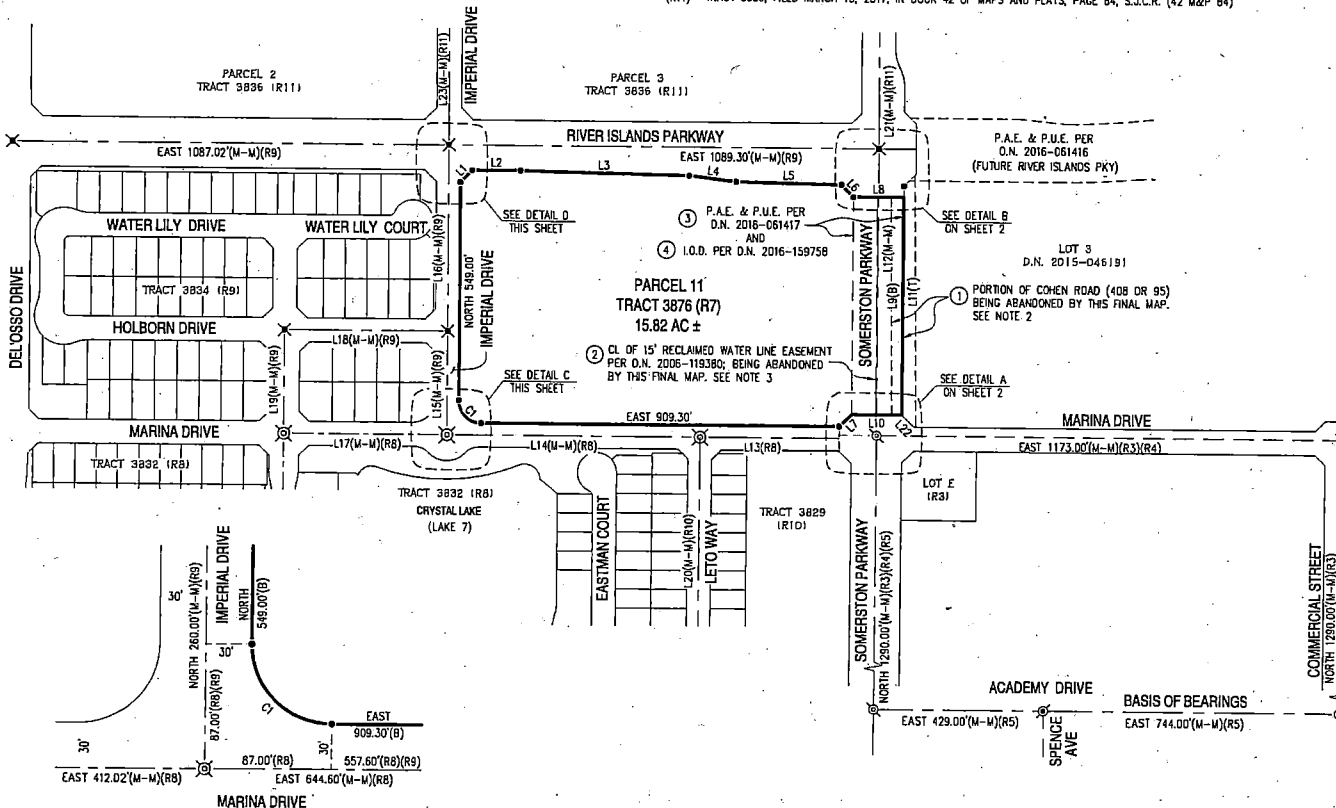
0' 50' 100' 200'
SCALE: 1" = 100'

BOUNDARY SHEET

THIS SHEET SHOWS THE BOUNDARY OF TRACT 3833 BEING PARCEL 11 OF TRACT 3876 (42 M&P 56)

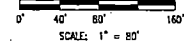
LEGEND

- ⊙ FOUND MONUMENT STAMPED "PLS 778B" PER (R3)
- ⊙ FOUND MONUMENT STAMPED "PLS 778B" PER (R5)
- ⊙ MONUMENT TO BE SET PER (R8)
- ⊙ MONUMENT TO BE SET PER (R9)
- ⊙ MONUMENT TO BE SET PER (R3)
- 3/4" IRON PIPE W/ PLASTIC PLUG "PLS 778B" TO BE SET PER (R8) OR (R9), RESPECTIVELY
- BOUNDARY
- LOT LINE OR RIGHT-OF-WAY LINE
- - - EASEMENT LINE
- MONUMENT LINE
- CENTERLINE
- 200.00' (R1) MEASURED AND RECORD DATA PER REFERENCE (R1)
- (R1) DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON THIS SHEET
- (M-M) MONUMENT TO MONUMENT
- (R) RADIAL BEARING
- (T) TOTAL
- (B) BOUNDARY
- CL CENTERLINE
- D.N. DOCUMENT NUMBER
- I.O.D. IRREVOCABLE OFFER OF DEDICATION
- P.A.E. PUBLIC ACCESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- ① EASEMENT REFERENCE NUMBER



TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 MAP 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018

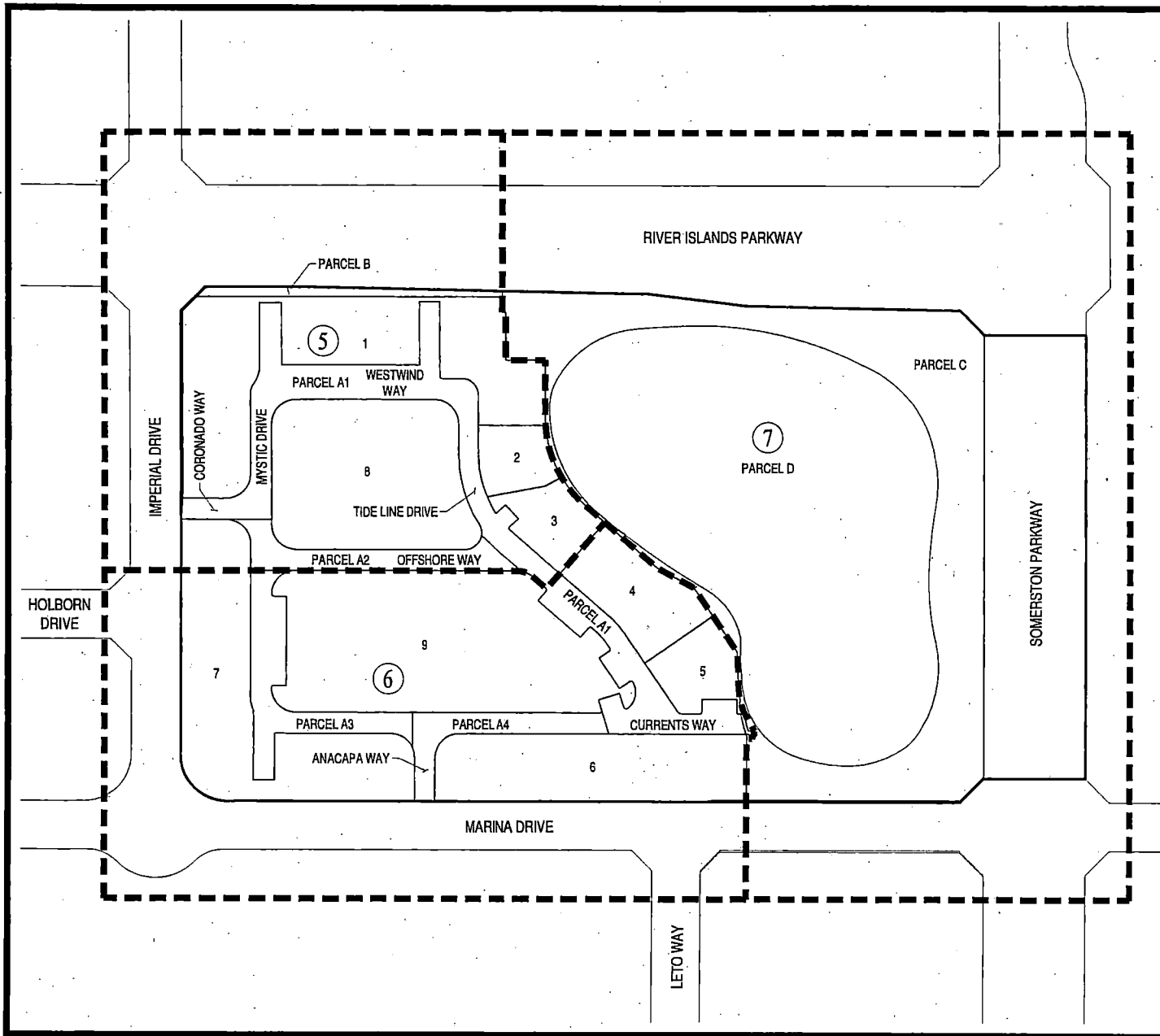


SHEET INDEX

LEGEND

- EASEMENT LINE
- _____ LOT LINE
- _____ RIGHT-OF-WAY LINE
- _____ BOUNDARY
- SHEET LIMIT LINE
- 4 LOT NUMBER
- 7 SHEET NUMBER

PRIVATE STREETS TABLE (SEE SHEET 2, NOTE 5)	
PARCEL	STREET NAME
A1	CORONADO WAY
	MYSTIC DRIVE
	WESTWIND WAY
	TIDE LINE DRIVE
	CURRENTS WAY
A2	OFFSHORE WAY
A3	CURRENTS WAY
	MYSTIC DRIVE
A4	ANACAPA WAY
	CURRENTS WAY



TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



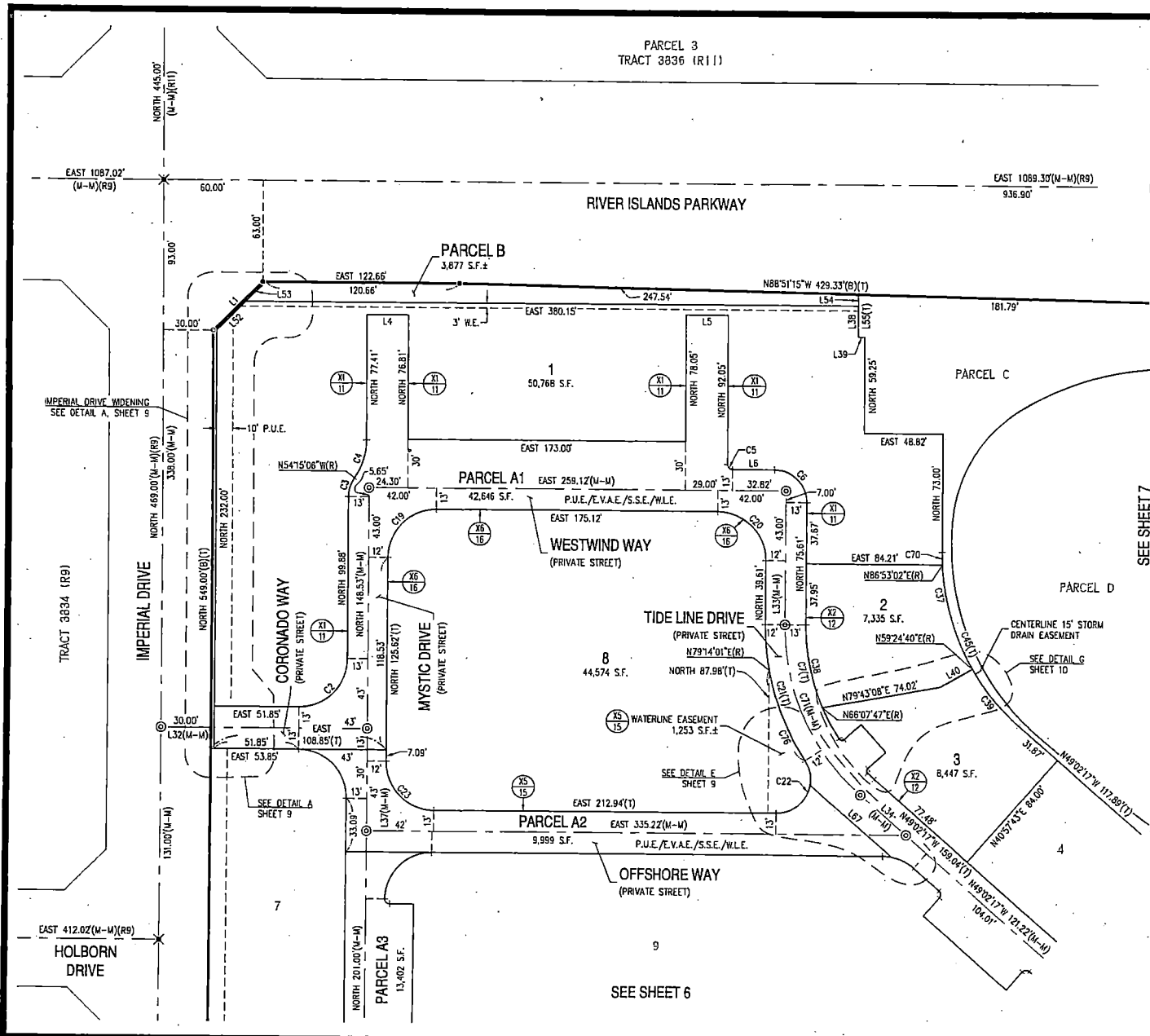
0' 20' 40' 80'
 SCALE: 1" = 40'

LEGEND

- ⊙ SET STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLS 7788"
- SET 3/4" IRON PIPE W/ PLASTIC PLUG "PLS 7788"
- ⊗ MONUMENT TO BE SET PER (R3)
- ⊘ MONUMENT TO BE SET PER (R8)
- ⊙ MONUMENT TO BE SET PER (R9)
- 3/4" IRON PIPE W/ PLASTIC PLUG "PLS 7788" TO BE SET PER (R8) OR (R9), RESPECTIVELY
- 200.00'(R1) MEASURED AND RECORD DATA PER REFERENCE (R1)
- (R1) DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON SHEET 3
- (M-M) MONUMENT TO MONUMENT
- (T) TOTAL
- (B) BOUNDARY
- D.N. OCCUMENT NUMBER
- E.V.A.E. EMERGENCY VEHICLE ACCESS EASEMENT
- I.O.D. IRREVOCABLE OFFER OF DEDICATION
- P.A.E. PUBLIC ACCESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- S.O.E. STORM DRAIN EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- W.E. WALL EASEMENT
- W.L.E. WATERLINE EASEMENT
- LOT LINE
- RIGHT-OF-WAY LINE
- BOUNDARY
- - - EASEMENT LINE
- - - MONUMENT LINE
- ⊙ XI II INDICATES DETAIL REFERENCE AND SHEET NUMBER FOR ADDITIONAL EASEMENTS. SEE NOTE 6 ON THIS SHEET.

NOTES

1. 1.17" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1.00' INTO THE RIGHT-OF-WAY, ALONG PROLONGATION OF SIDE LOT LINES, OR AS NOTED.
2. 5/8" REBAR WITH CAP "PLS 7788" TO BE SET AT ALL REAR LOT CORNERS, UNLESS OTHERWISE NOTED.
3. SEE SHEET 2 FOR ADDITIONAL NOTES.
4. SEE SHEET 3 FOR EXISTING EASEMENTS, BASIS OF BEARINGS, AND REFERENCES.
5. SEE SHEET 8 FOR LINE AND CURVE TABLES.
6. REFER TO SHEETS 11 THROUGH 16 FOR DETAILS OF ADDITIONAL EASEMENTS AFFECTING LOTS 1 THROUGH 9.
7. DIMENSIONS INTERSECT AT RIGHT ANGLES (90 DEGREES) UNLESS OTHERWISE SHOWN.



TRACT 3833

RIVER ISLANDS - PHASE 1B

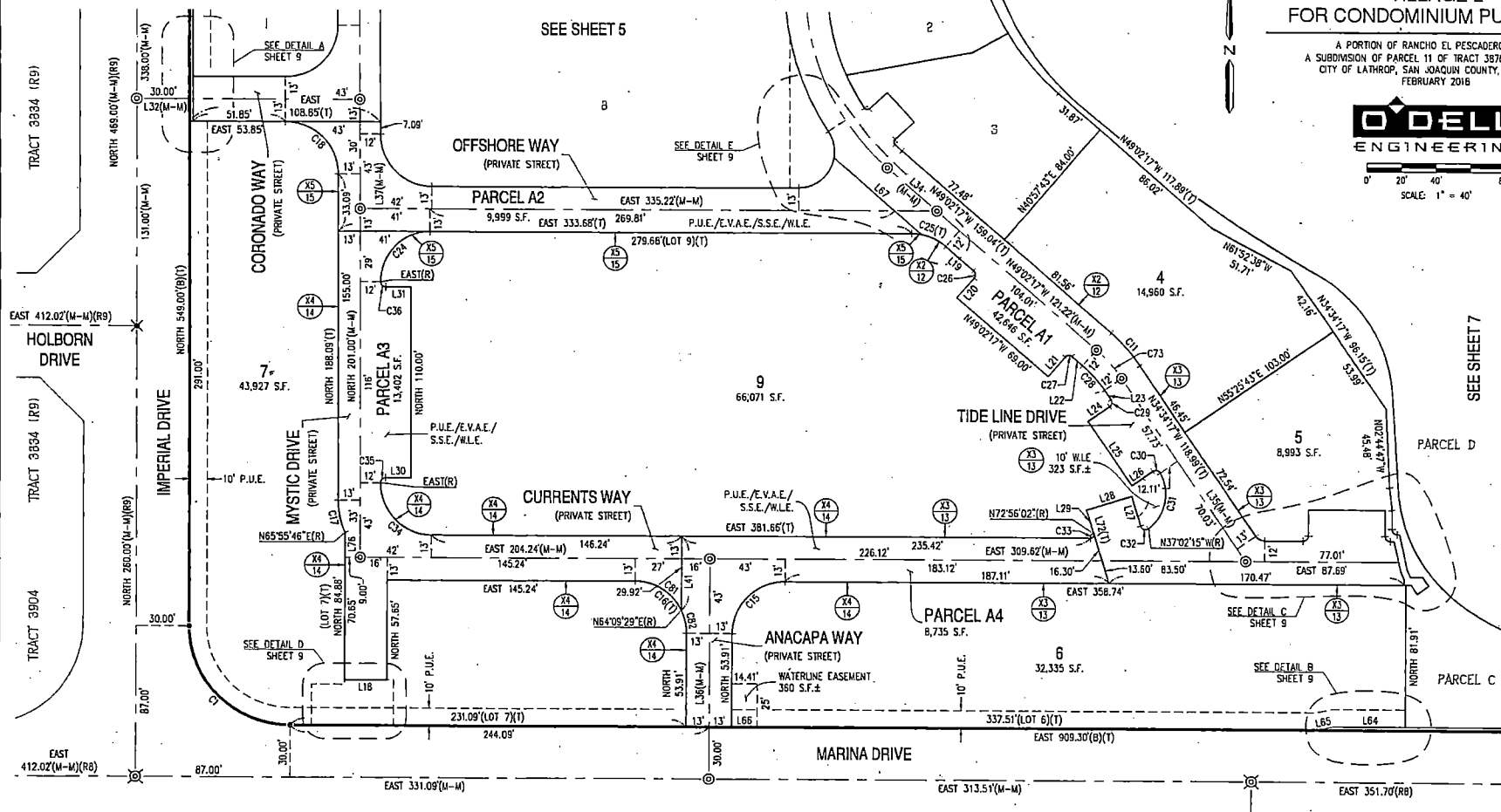
VILLAGE L

FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
FEBRUARY 2016



0' 20' 40' 80'
SCALE: 1" = 40'



NOTES

1. 1 1/2" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1'00" INTO THE RIGHT-OF-WAY, ALONG PROLONGATION OF SIDE LOT LINES, OR AS NOTED.
2. 5/8" REBAR WITH CAP "PLS 7788" TO BE SET AT ALL REAR LOT CORNERS, UNLESS OTHERWISE NOTED.
3. SEE SHEET 2 FOR ADDITIONAL NOTES.
4. SEE SHEET 3 FOR EXISTING EASEMENTS, BASIS OF BEARINGS, AND REFERENCES.
5. SEE SHEET 8 FOR LINE AND CURVE TABLES.
6. SEE SHEET 5 FOR LEGEND.

TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



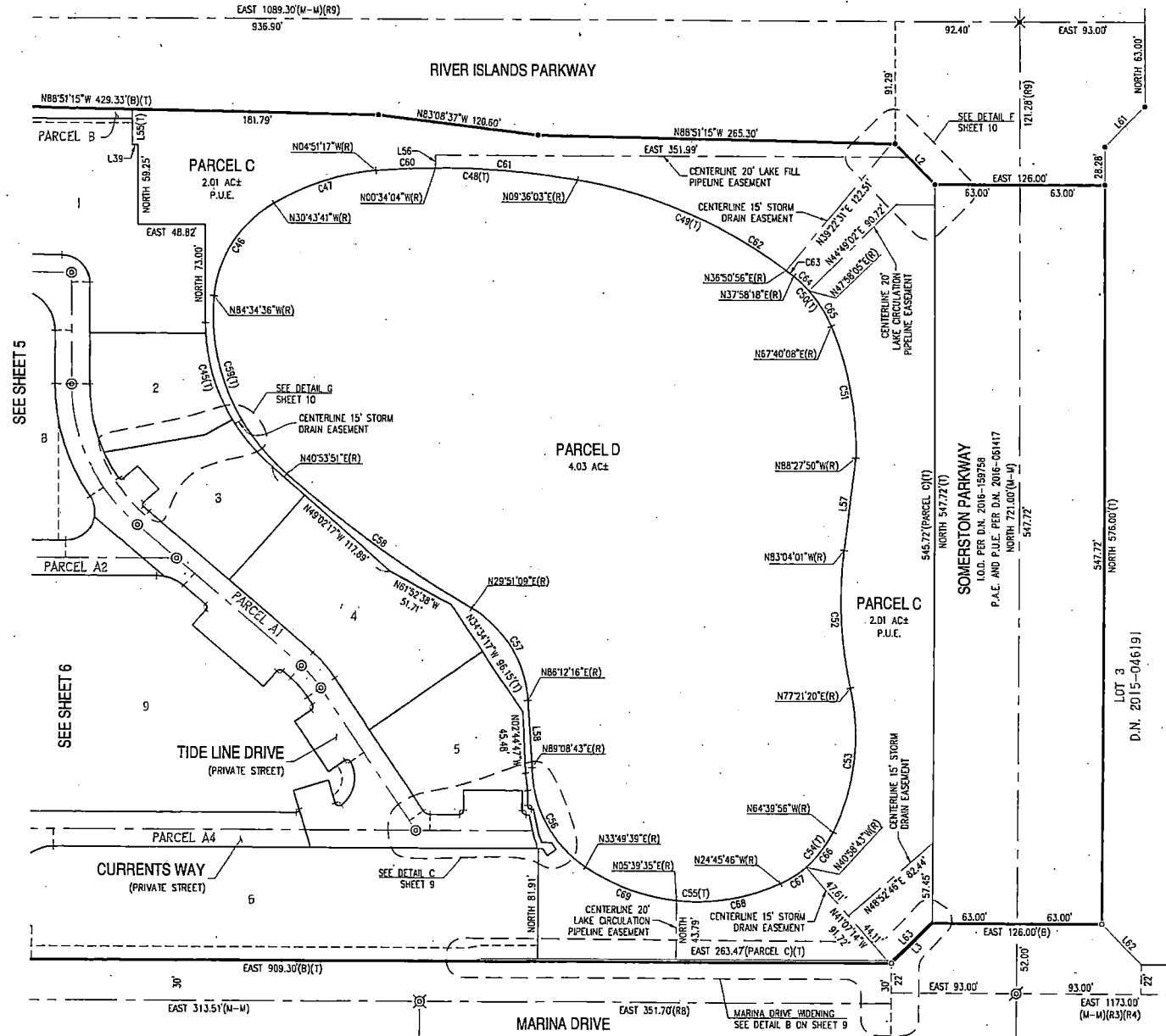
0' 25' 50' 100'
 SCALE: 1" = 50'

EASEMENT NOTES

1. THE 60' WIDE ROADWAY EASEMENT KNOWN AS COHEN ROAD PER 408 OR 55, WITHIN TRACT 3836, IS ABANDONED BY THIS FINAL MAP - PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.
2. THE RECLAIMED WATER LINE EASEMENT PER D.N. 2006-119380, WITHIN TRACT 3836, IS ABANDONED BY THIS FINAL MAP - PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

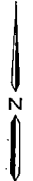
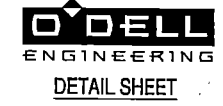
NOTES

1. 1.17" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1.00' INTO THE RIGHT-OF-WAY, ALONG PROLONGATION OF SIDE LOT LINES, OR AS NOTED.
2. 5/8" REBAR WITH CAP "PLS 7788" TO BE SET AT ALL REAR LOT CORNERS, UNLESS OTHERWISE NOTED.
3. SEE SHEET 2 FOR ADDITIONAL NOTES.
4. SEE SHEET 3 FOR EXISTING EASEMENTS, BASIS OF BEARINGS, AND REFERENCES.
5. SEE SHEET 8 FOR LINE AND CURVE TABLES.
6. SEE SHEET 5 FOR LEGEND.



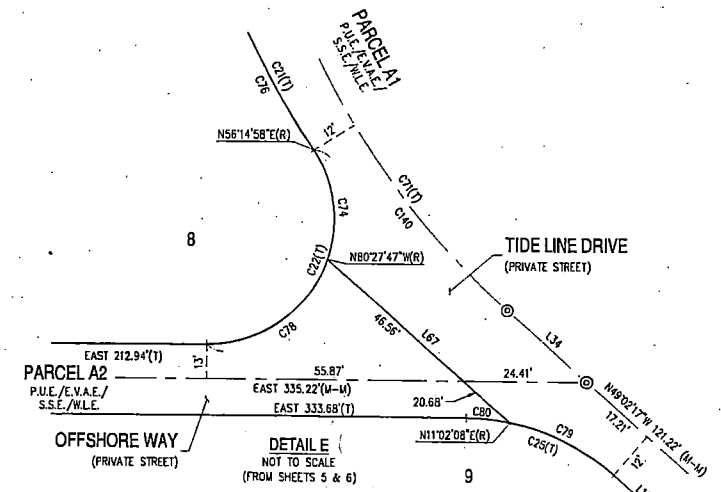
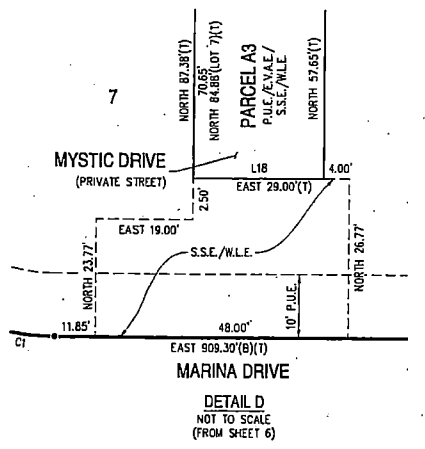
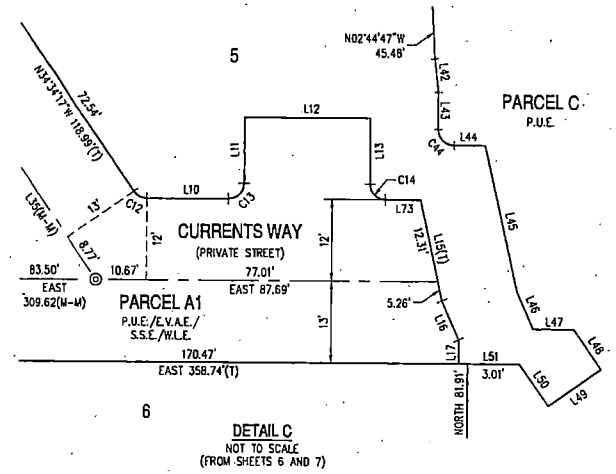
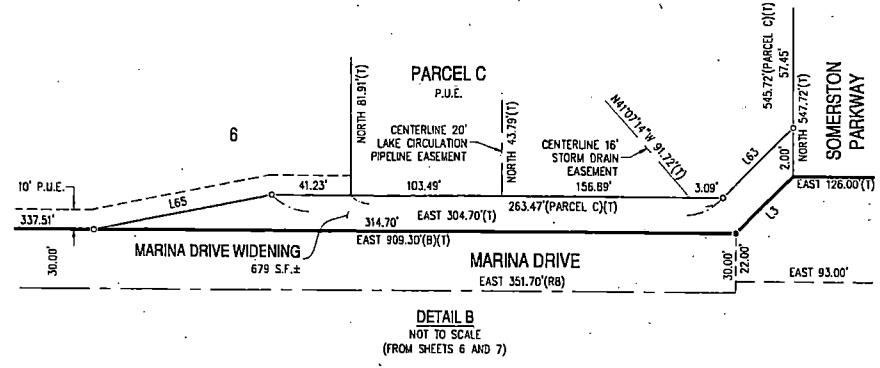
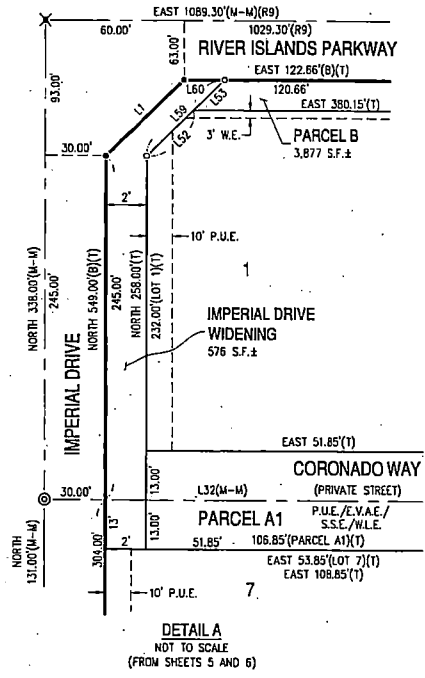
TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



NOTES

1. 1.17" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1.00' INTO THE RIGHT-OF-WAY, ALONG PROLONGATION OF SIDE LOT LINES, OR AS NOTED.
2. 5/8" REBAR WITH CAP "PLS 7788" TO BE SET AT ALL REAR LOT CORNERS, UNLESS OTHERWISE NOTED.
3. SEE SHEET 2 FOR ADDITIONAL NOTES.
4. SEE SHEET 3 FOR EXISTING EASEMENTS, BASIS OF BEARINGS, AND REFERENCES.
5. SEE SHEET 5 FOR LEGEND.
6. REFER TO SHEETS 11 THROUGH 16 FOR DETAILS OF ADDITIONAL EASEMENTS AFFECTING LOTS 1 THROUGH 9.



TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

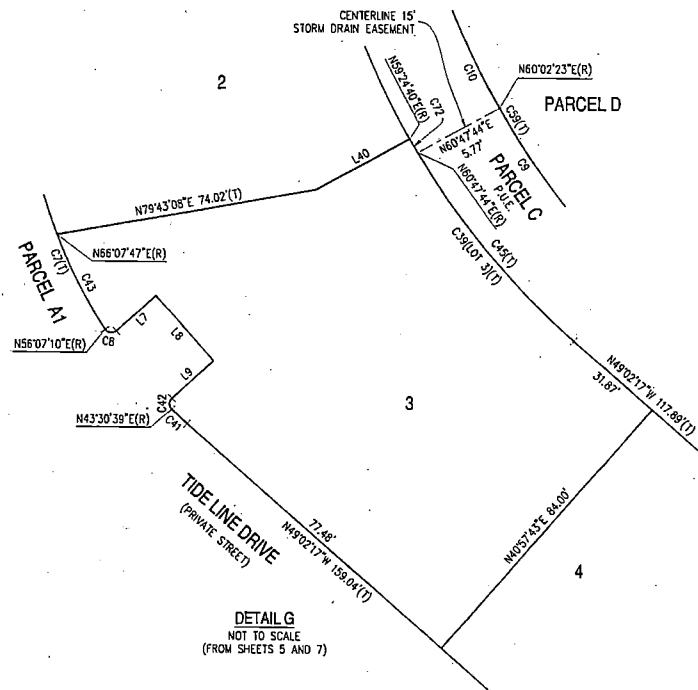
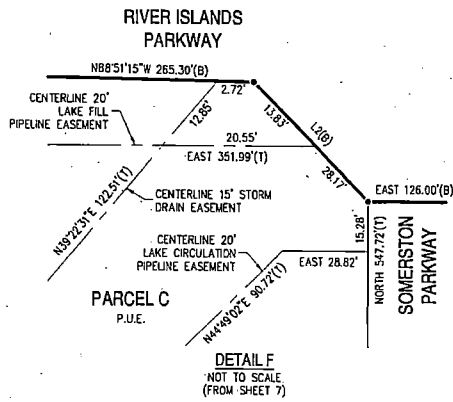
A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



DETAIL SHEET

NOTES

1. 1.17" BRASS DISK STAMPED "PLS 7788" TO BE SET ON CONCRETE SIDEWALK 1.00' INTO THE RIGHT-OF-WAY, ALONG PROLONGATION OF SIDE LOT LINES, OR AS NOTED.
2. 5/8" REBAR WITH CAP "PLS 7788" TO BE SET AT ALL REAR LOT CORNERS, UNLESS OTHERWISE NOTED.
3. SEE SHEET 2 FOR ADDITIONAL NOTES.
4. SEE SHEET 3 FOR EXISTING EASEMENTS, BASIS OF BEARINGS, AND REFERENCES.
5. SEE SHEET 5 FOR LEGEND.
6. REFER TO SHEETS 11 THROUGH 16 FOR DETAILS OF ADDITIONAL EASEMENTS AFFECTING LOTS 1 THROUGH 9.

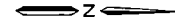


TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 MAP 55)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



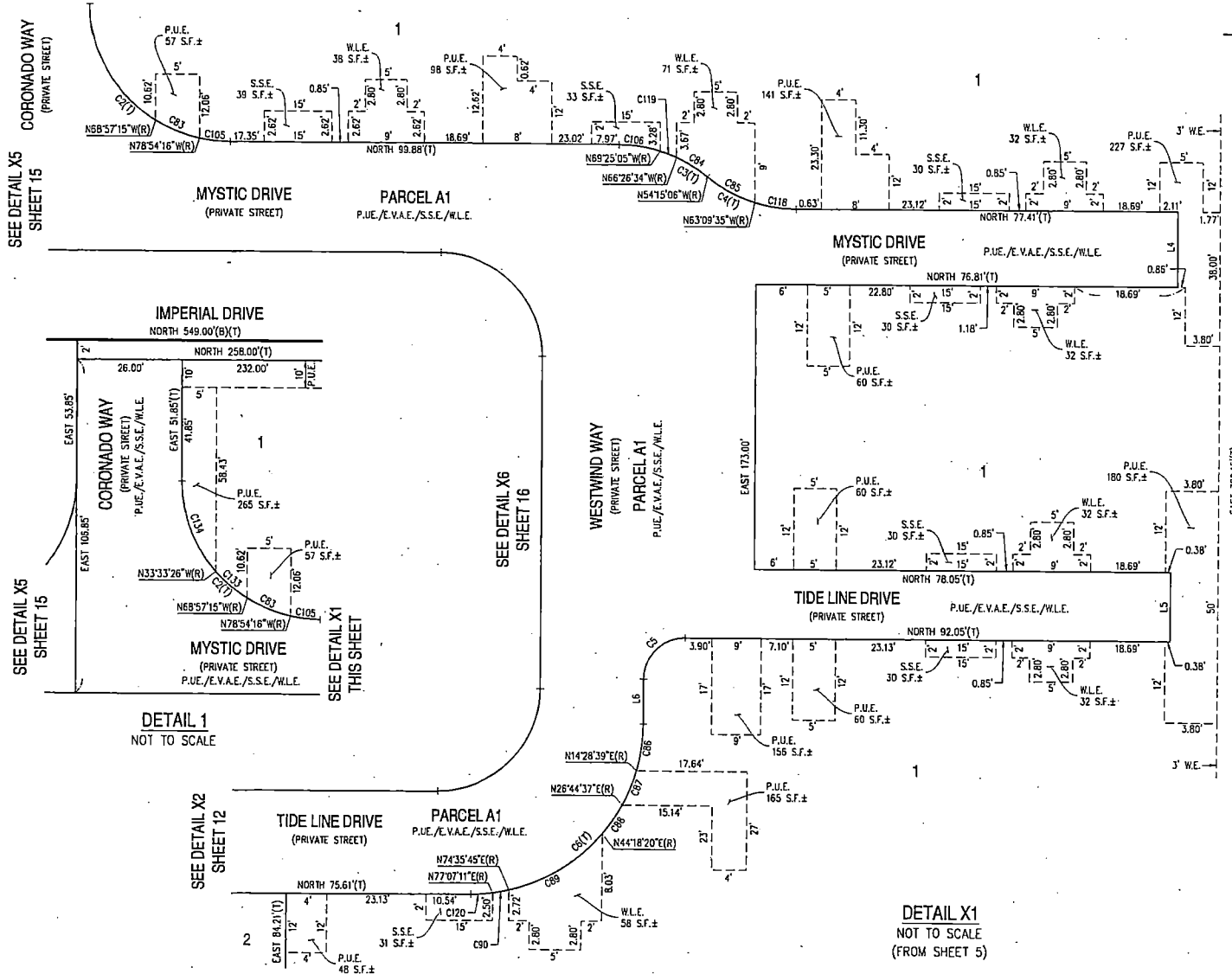
ADDITIONAL EASEMENT
DETAIL SHEET



NOTES

1. SEE SHEET 5 FOR LEGEND.
2. SEE SHEET 8 FOR LINE AND CURVE TABLES.
3. DIMENSIONS INTERSECT AT RIGHT ANGLES (90 DEGREES) AND ARE CARDINAL EAST OR NORTH, UNLESS OTHERWISE SHOWN.

SEE DETAIL 1
THIS SHEET



SEE DETAIL X5
SHEET 15

SEE DETAIL X5
SHEET 15

DETAIL 1
NOT TO SCALE

SEE DETAIL X2
SHEET 12

SEE DETAIL X6
SHEET 16

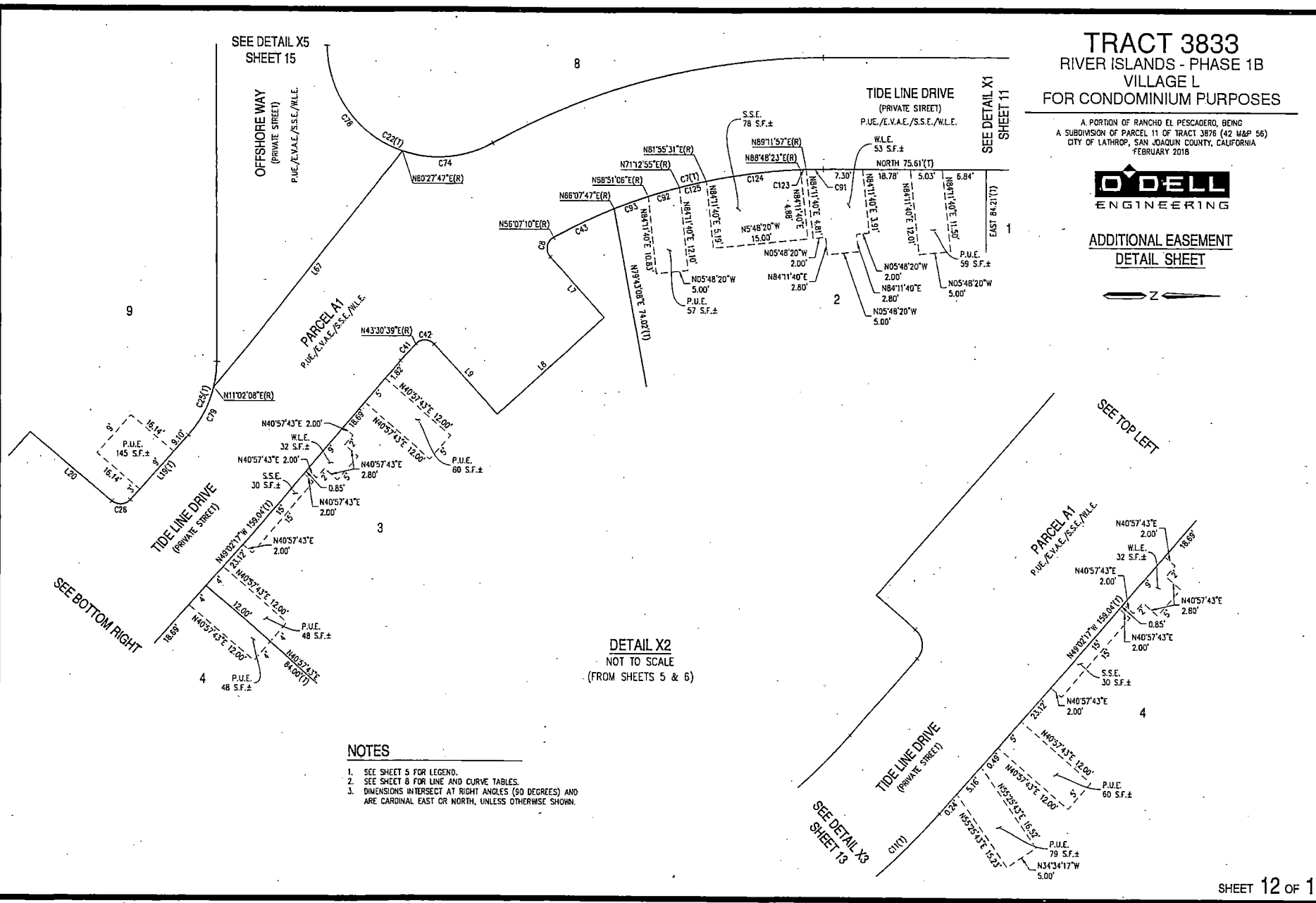
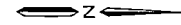
DETAIL X1
NOT TO SCALE
(FROM SHEET 5)

TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



ADDITIONAL EASEMENT
DETAIL SHEET



DETAIL X2
 NOT TO SCALE
 (FROM SHEETS 5 & 6)

- NOTES**
- SEE SHEET 5 FOR LEGEND.
 - SEE SHEET 8 FOR LINE AND CURVE TABLES.
 - DIMENSIONS INTERSECT AT RIGHT ANGLES (90 DEGREES) AND ARE CARDINAL EAST OR NORTH, UNLESS OTHERWISE SHOWN.

TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

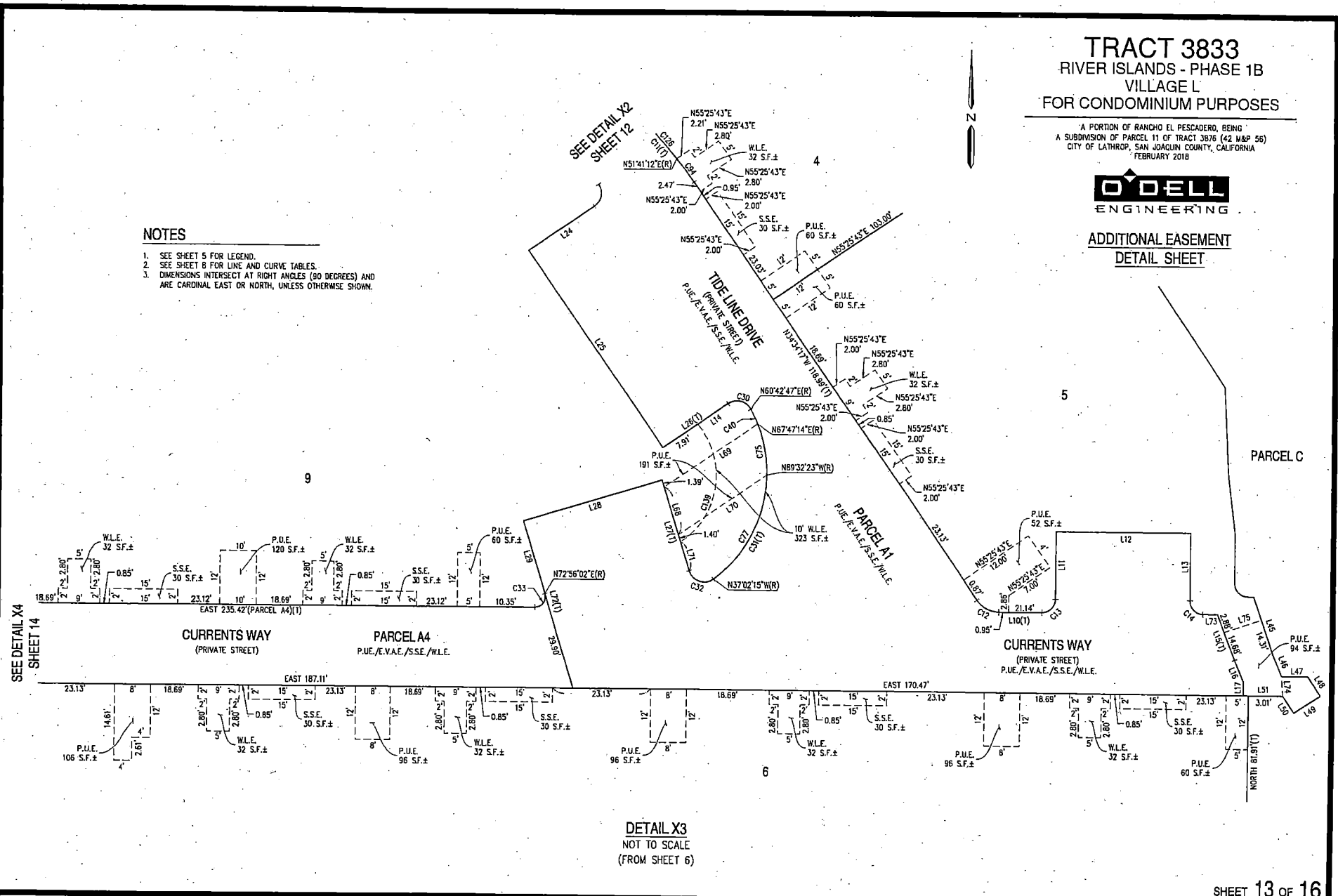
A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



**ADDITIONAL EASEMENT
 DETAIL SHEET**

NOTES

1. SEE SHEET 5 FOR LEGEND.
2. SEE SHEET 8 FOR LINE AND CURVE TABLES.
3. DIMENSIONS INTERSECT AT RIGHT ANGLES (90 DEGREES) AND ARE CARDINAL EAST OR NORTH, UNLESS OTHERWISE SHOWN.



DETAIL X3
 NOT TO SCALE
 (FROM SHEET 6)

TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

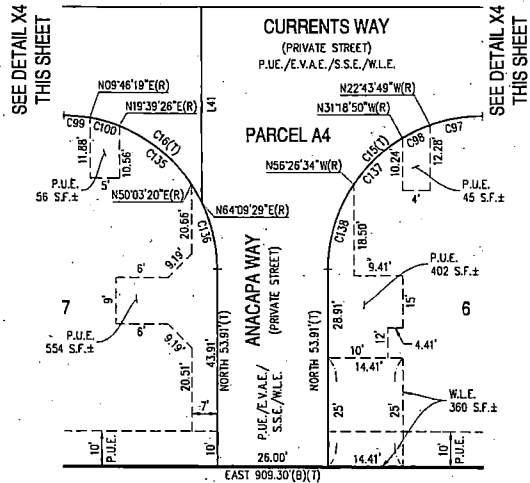
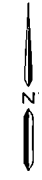
A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018.



ADDITIONAL EASEMENT
DETAIL SHEET

NOTES

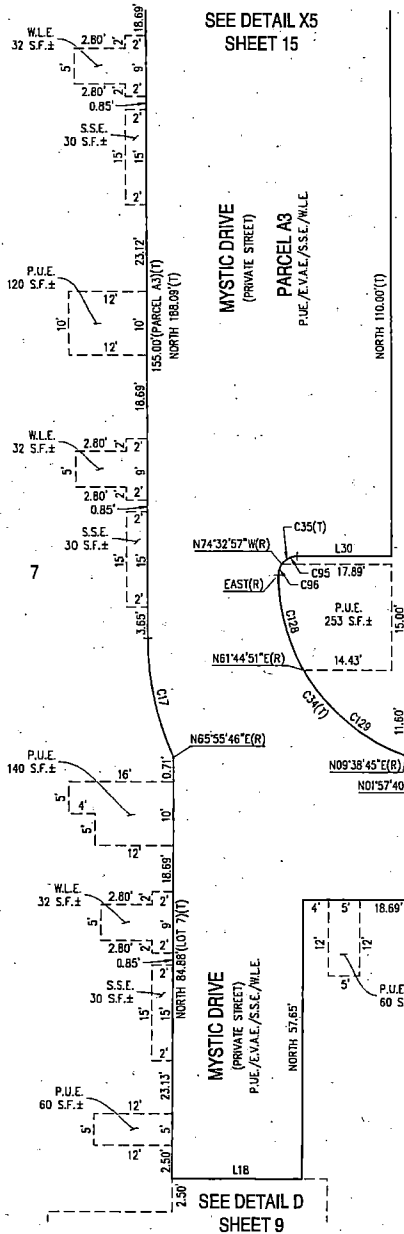
1. SEE SHEET 5 FOR LEGEND.
2. SEE SHEET 8 FOR LINE AND CURVE TABLES.
3. DIMENSIONS INTERSECT AT RIGHT ANGLES (90 DEGREES) AND ARE CARDINAL EAST OR NORTH, UNLESS OTHERWISE SHOWN.



DETAIL 2
 NOT TO SCALE

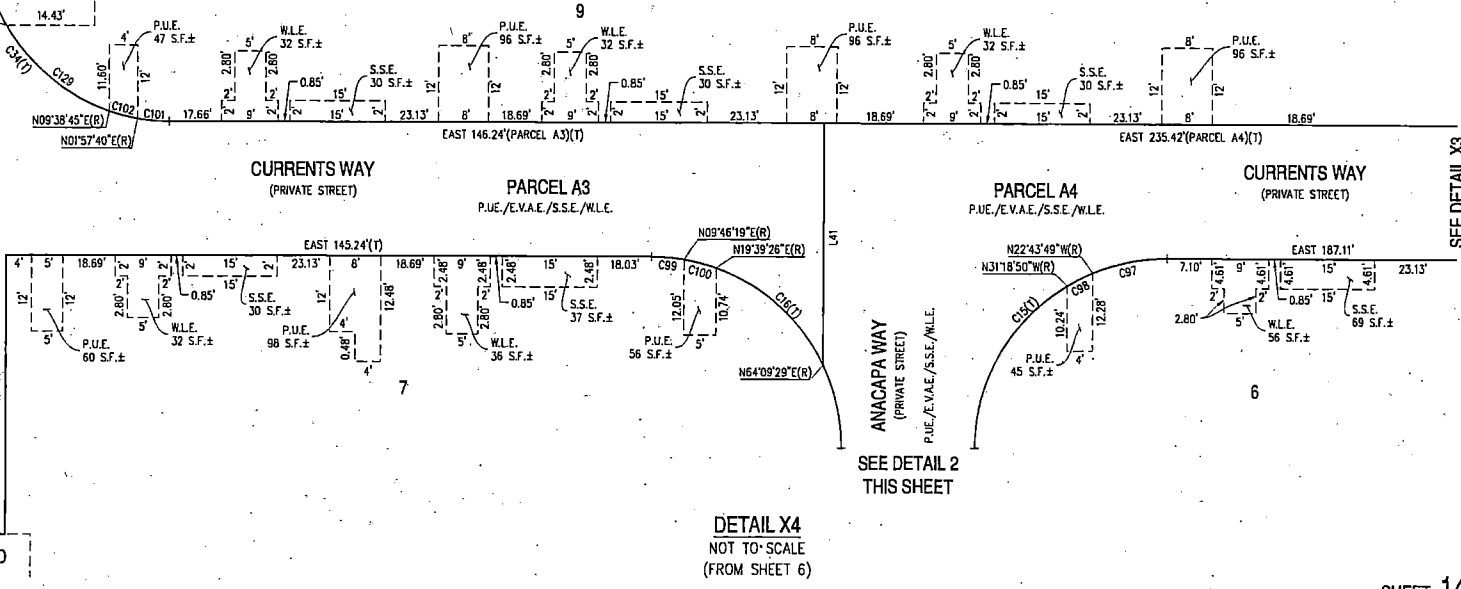
SEE DETAIL X4
 THIS SHEET

SEE DETAIL X4
 THIS SHEET



SEE DETAIL X5
 SHEET 15

SEE DETAIL D
 SHEET 9



DETAIL X4
 NOT TO SCALE
 (FROM SHEET 6)

SEE DETAIL X3
 SHEET 13

TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



ADDITIONAL EASEMENT
DETAIL SHEET



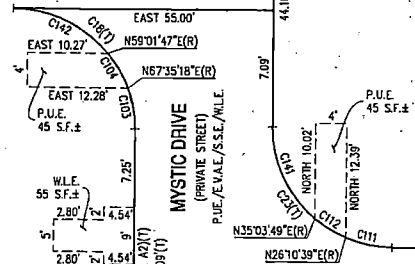
NOTES

1. SEE SHEET 5 FOR LEGEND.
2. SEE SHEET 8 FOR LINE AND CURVE TABLES.
3. DIMENSIONS INTERSECT AT RIGHT ANGLES (90 DEGREES) AND ARE CARDINAL EAST OR NORTH, UNLESS OTHERWISE SHOWN.

SEE DETAIL X6
 SHEET 16

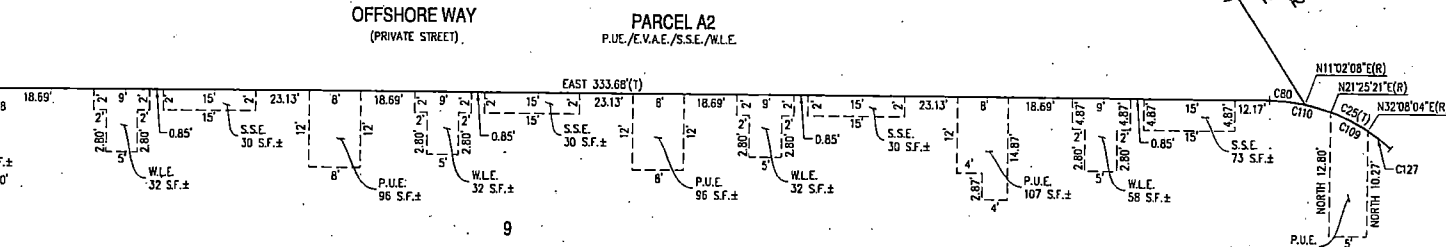
SEE DETAIL X1
 SHEET 11

CORONADO WAY
 (PRIVATE STREET)
PARCEL A1
 P.U.E./E.V.A.E./S.S.E./W.L.E.



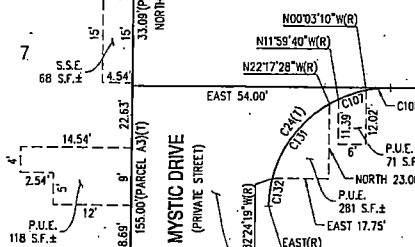
OFFSHORE WAY
 (PRIVATE STREET)

PARCEL A2
 P.U.E./E.V.A.E./S.S.E./W.L.E.



SEE DETAIL X4
 SHEET 14

PARCEL A3
 P.U.E./E.V.A.E./S.S.E./W.L.E.



DETAIL X5
 NOT TO SCALE
 (FROM SHEETS 5 & 6)

SEE DETAIL X2
 SHEET 12

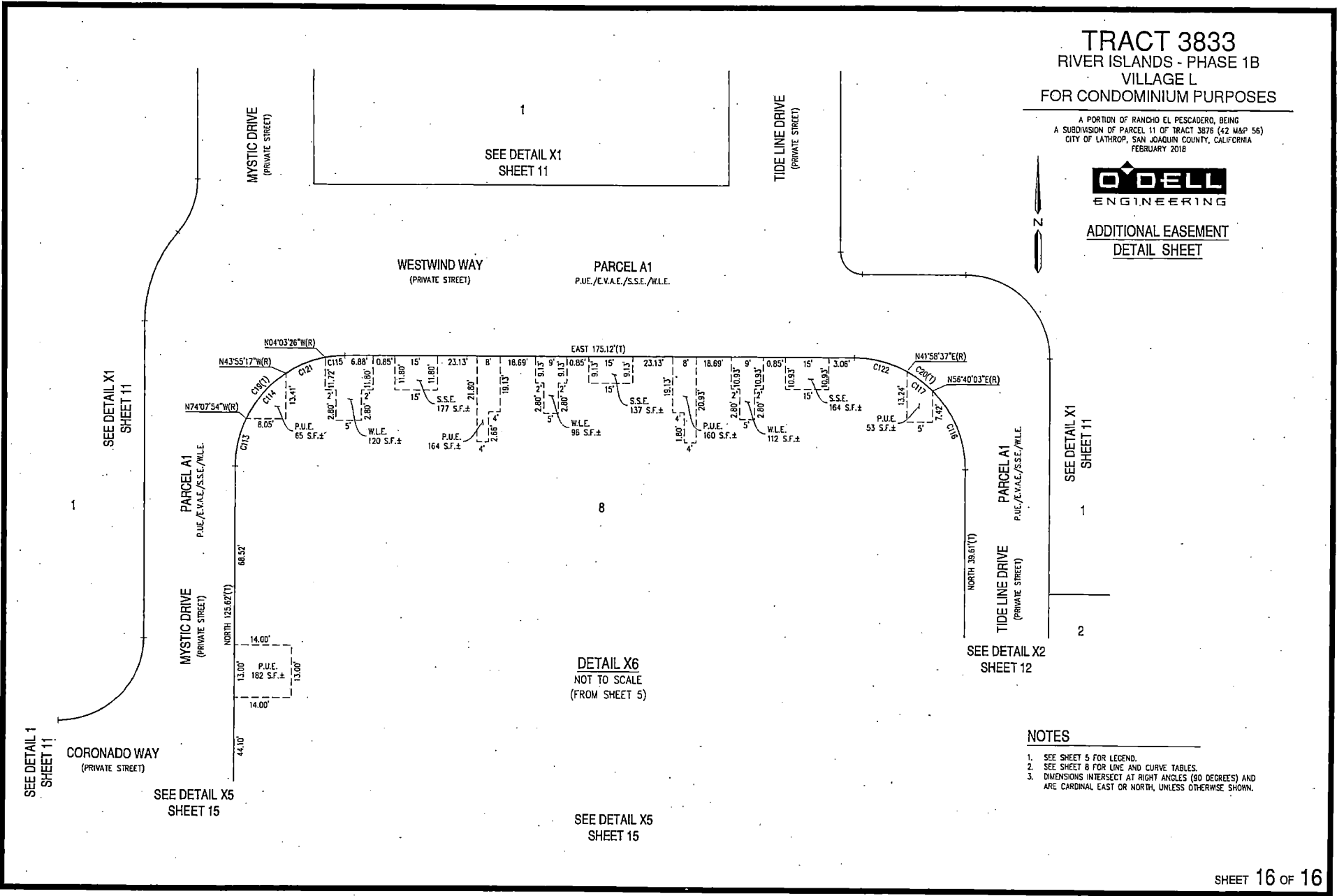
TIDE LINE DRIVE
 (PRIVATE STREET)

TRACT 3833
RIVER ISLANDS - PHASE 1B
VILLAGE L
FOR CONDOMINIUM PURPOSES

A PORTION OF RANCHO EL PESCADERO, BEING
 A SUBDIVISION OF PARCEL 11 OF TRACT 3876 (42 M&P 56)
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
 FEBRUARY 2018



ADDITIONAL EASEMENT
DETAIL SHEET



- NOTES**
1. SEE SHEET 5 FOR LEGEND.
 2. SEE SHEET 8 FOR LINE AND CURVE TABLES.
 3. DIMENSIONS INTERSECT AT RIGHT ANGLES (90 DEGREES) AND ARE CARDINAL EAST OR NORTH, UNLESS OTHERWISE SHOWN.

EXHIBIT B

VILLAGE L VICINITY MAP

TRACT 3835

RIVER ISLANDS PARKWAY

PARCEL B

PARCEL C

**TRACT 3833/
VILLAGE L**

LAKE 8

IMPERIAL DRIVE

CORONADO WAY

MYSTIC DRIVE

PARCEL A1

WESTWIND WAY

8

TIDE LINE DRIVE

PARCEL A2

OFFSHORE WAY

7

9

PARCEL A3

ANACAPA WAY

PARCEL A4

CURRENTS WAY

6

PARCEL A1

3

4

5

2

MARINA DRIVE

SOMERSTON PARKWAY

TRACT 3829

**VILLAGE L
VICINITY MAP
MARCH 2018**

EXHIBIT C

CITY INSURANCE REQUIREMENTS

1. Subdivider shall obtain commercial general liability insurance companies licensed to do business in the State of California with an A.M. Best Company rating Insurance rating of no less than A:VII which provides coverage for bodily injury, personal injury and property damage liability in the amount of at least \$1,000,000 for each occurrence and \$2,000,000 in the aggregate.

Said insurance coverage shall be evidenced by a certificate of insurance with policy endorsements, executed by an authorized official of the insurers. All parties to the Subdivision Improvement Agreement must be named insured on the policy. The policy endorsements to be attached to the certificate must provide all the following:

a. Name the City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents as additional insured as respects to any liability arising out of the activities of the named insured. A CG 2010 or CG 2026 endorsement form or the equivalent is the appropriate form.

b. State that "the insurance coverage afforded by this policy shall be primary insurance as respects to the City of Lathrop, its officers, employees and agents. Any insurance or self-insurance maintained by the City of Lathrop, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to any loss."

c. Include a statement that, "the insurer will provide to the City of Lathrop at least thirty (30) days prior notice of cancellation or material change in coverage." The above language can be included on the additional insured endorsement form or on a separate endorsement form.

d. The policy must contain a cross liability or severability of interest clause.

e. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/13/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Willis Insurance Services of California, Inc. c/o 26 Century Blvd P.O. Box 305191 Nashville, TN 372305191 USA	CONTACT NAME: PHONE (A/C, No, Ext): 1-877-945-7378 FAX (A/C, No): 1-888-467-2378 E-MAIL ADDRESS: certificates@willis.com	
	INSURER(S) AFFORDING COVERAGE INSURER A: United Specialty Insurance Company	NAIC# 12537
INSURED River Islands Development, LLC 73 W Stewart Rd Lathrop, CA 95330	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER: W5496253** **REVISION NUMBER:**

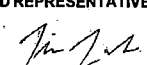
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	BTO1517776	06/19/2015	03/19/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 OTHER: \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ OTHER: \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ OTHER: \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Re: River Islands - Phase 1B Tract 3833 Village L for Condominium Purposes

City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents are included as Additional Insureds as respects to General Liability.

General Liability policy shall be Primary and Non-contributory with any other insurance in force for or which may be

CERTIFICATE HOLDER City of Lathrop 390 Towne Centre Drive Lathrop, CA 95330	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	---

AGENCY CUSTOMER ID: _____

LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page 2 of 2

AGENCY Willis Insurance Services of California, Inc.		NAMED INSURED River Islands Development, LLC 73 W Stewart Rd Lathrop, CA 95330	
POLICY NUMBER See Page 1		EFFECTIVE DATE: See Page 1	
CARRIER See Page 1	NAIC CODE See Page 1		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

purchased by Additional Insured.

UNITED SPECIALTY INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY – PLEASE READ IT CAREFULLY

USIC VEN 016 11 10 07

**Named Insured: River Islands Development, LLC
Policy Number: BTO1517776**

**PRIMARY AND NON-CONTRIBUTING INSURANCE
(Third Party's Sole Negligence)**

This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART**

The following is added to Section IV – Commercial General Liability Conditions, Paragraph 4:

Section IV: Commercial General Liability Conditions

4. Other Insurance:

- d. Notwithstanding the provisions of sub-paragraphs a, b, and c of this paragraph 4, with respect to the Third Party shown below, it is understood and agreed that in the event of a claim or "suit" arising out of the Named Insured's sole negligence, this insurance shall be primary and any other insurance maintained by the additional insured named as the Third Party below shall be excess and non-contributory.

The Third Party to whom this endorsement applies is:

City of Lathrop, its officers, City Council,
boards and commissions and members thereof,
its employees and agents
390 Towne Centre Drive
Lathrop, CA 95330

Absence of a specifically named Third Party above means that the provisions of this endorsement apply "as required by written contractual agreement with any Third party for whom you are performing work."

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

UNITED SPECIALTY INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

USIC VEN 078 03 11 07

**Named Insured: River Islands Development, LLC
Policy Number: BTO1517776**

THIRD PARTY CANCELLATION NOTICE

This endorsement shall not serve to increase our limits of insurance, as described in **SECTION III - LIMITS OF INSURANCE.**

This endorsement modifies Conditions provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

If we cancel this policy for any reason other than nonpayment of premium, we will mail notification to the persons or organizations shown in the schedule below (according to the number of days listed below) once the Named Insured has been notified.

If we cancel this coverage for nonpayment of premium, we will mail a copy of such written notice of cancellation to the name and address below at least 10 days prior to the effective date of such cancellation.

Our failure to provide such advance notification will not extend the policy cancellation date nor negate cancellation of the policy.

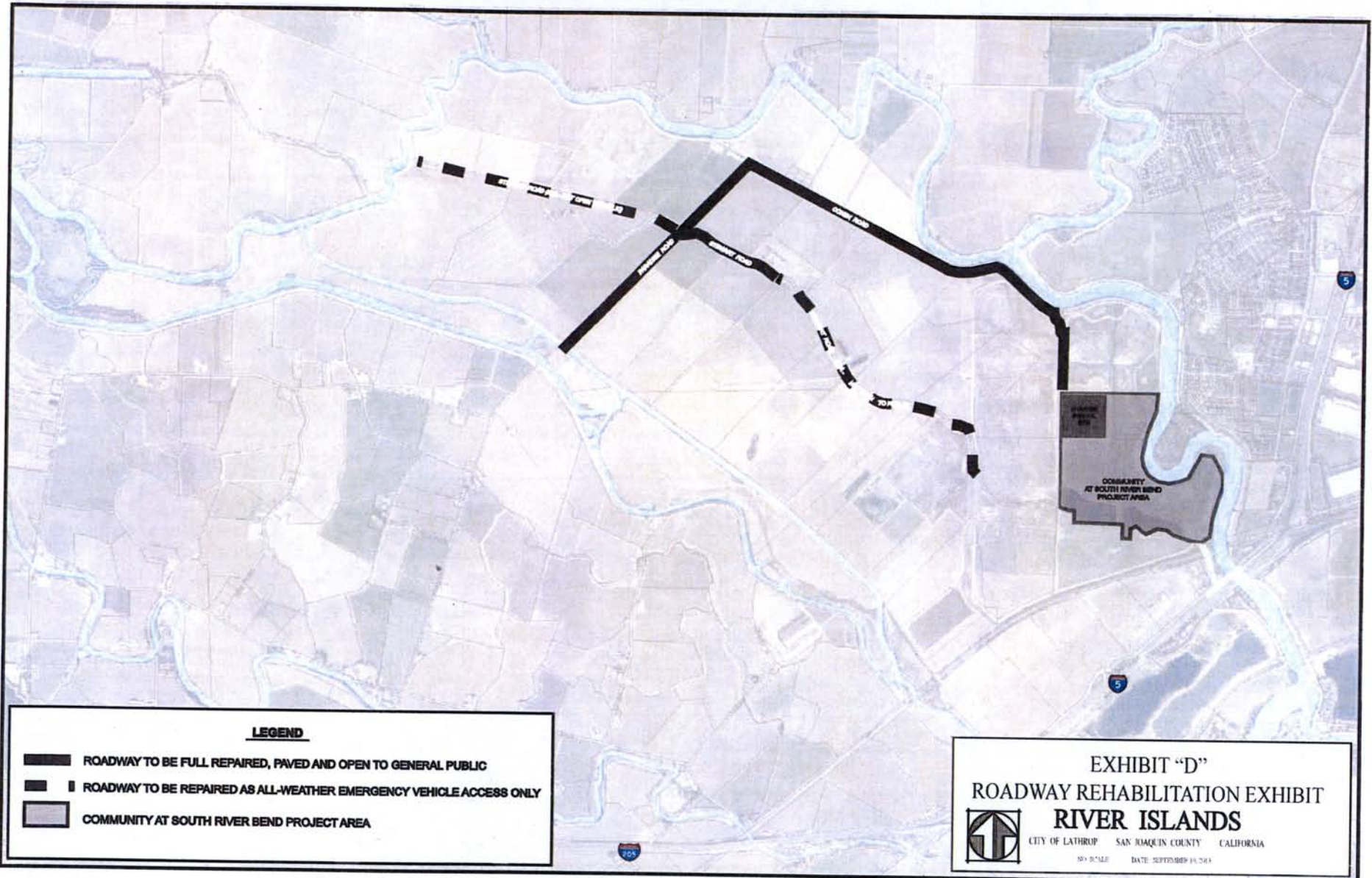
SCHEDULE

<u>Name and Address of Other Person/Organization</u>	<u>Number of Days Notice</u>
City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents 390 Towne Centre Drive Lathrop, CA 95330	30 Days

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

EXHIBIT D

COHEN/PARADISE/STEWART REHABILITATION MAP



LEGEND




-  ROADWAY TO BE FULL REPAIRED, PAVED AND OPEN TO GENERAL PUBLIC
-  ROADWAY TO BE REPAIRED AS ALL-WEATHER EMERGENCY VEHICLE ACCESS ONLY
-  COMMUNITY AT SOUTH RIVER BEND PROJECT AREA

EXHIBIT "D"
ROADWAY REHABILITATION EXHIBIT
RIVER ISLANDS

CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA

NO SCALE DATE: SEPTEMBER 14, 2013

EXHIBIT E
UNFINISHED AND DEFERRED IMPROVEMENT COST ESTIMATE



ENGINEER'S BOND ESTIMATE
COST TO COMPLETE
RIVER ISLANDS - PHASE 1B
VAN DAELE HOMES CASTAWAY (114 UNITS)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

February 23, 2018
Job No.: 33330

Item	Description	Quantity	Unit	Unit Price	Amount
COST TO COMPLETE (PRIVATE)					
1	Street Work & Landscaping (0% Completion)	1	LS	\$ 450,000.00	\$ 450,000.00
SUBTOTAL COST TO COMPLETE (PRIVATE)					\$ 450,000.00
COST TO COMPLETE (PUBLIC)					
2	Storm Drain (95% Completion)	1	LS	\$ 10,000.00	\$ 10,000.00
3	Sanitary Sewer (90% Completion)	1	LS	\$ 25,000.00	\$ 25,000.00
4	Water Supply (80% Completion)	1	LS	\$ 50,000.00	\$ 50,000.00
5	Joint Trench (10% Completion)	1	LS	\$ 300,000.00	\$ 300,000.00
SUBTOTAL COST TO COMPLETE (PUBLIC)					\$ 385,000.00
TOTAL COST TO COMPLETE					\$ 835,000.00

Notes:

- 1) Estimate for cost to complete based on Hale Construction Inc's cost to complete summary sheet for Van Daele Homes Castaway received on February 23, 2018.

EXHIBIT F

TRACT 3833 IMPROVEMENTS COST ESTIMATE

DRAFT ENGINEER'S OPINION OF PROBABLE COST
VAN DAELE HOMES CASTAWAY
RIVER ISLANDS - TRACT 3833
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

12/18/2017
 Job No.: 25503-76

Item	Description	Quantity	Unit	Unit Price	Amount
ON-SITE IMPROVEMENTS					
<u>SITE PREPARATION</u>					
1	Mobilization ⁵	1	LS	\$ 80,000.00	\$ 80,000.00
2	Clearing, Grubbing, Stripping, and Site Preparation	8	AC	\$ 1,000.00	\$ 8,000.00
3	Erosion Control	8	AC	\$ 2,500.00	\$ 20,000.00
Subtotal Site Preparation					\$ 108,000.00
<u>GRADING</u>					
4	Earthwork	16,900	CY	\$ 5.00	\$ 84,500.00
5	Finish Pads	38	EA	\$ 800.00	\$ 30,400.00
Subtotal Grading					\$ 114,900.00
<u>ROADWAY</u>					
6	Fine Grading	88,900	SF	\$ 0.45	\$ 40,005.00
7	4.5" AC	66,900	SF	\$ 2.25	\$ 150,525.00
8	8" AB	66,900	SF	\$ 1.20	\$ 80,280.00
9	Curb & Gutter (Vertical)	1,760	LF	\$ 15.00	\$ 26,400.00
10	Curb & Gutter (Rolled)	3,240	LF	\$ 15.00	\$ 48,600.00
11	Sidewalk (PCC)	12,300	SF	\$ 5.00	\$ 61,500.00
12	Curb Ramp	8	EA	\$ 2,500.00	\$ 20,000.00
13	Traffic Signing & Striping	2,600	LF	\$ 5.00	\$ 13,000.00
14	Dewatering (Budget)	2,600	LF	\$ 75.00	\$ 195,000.00
Subtotal Roadway					\$ 635,310.00
<u>STORM DRAIN</u>					
15	8" HDPE	660	LF	\$ 28.00	\$ 18,480.00
16	10" HDPE	600	LF	\$ 30.00	\$ 18,000.00
17	12" HDPE	1,300	LF	\$ 32.00	\$ 41,600.00
18	15" HDPE	650	LF	\$ 34.00	\$ 22,100.00
19	18" HDPE	100	LF	\$ 46.00	\$ 4,600.00
20	24" HDPE	220	LF	\$ 65.00	\$ 14,300.00
21	Catch Basins (Type A over Type I MH Base)	8	EA	\$ 2,800.00	\$ 22,400.00
22	Catch Basins (Oldcastle CB 2424)	4	EA	\$ 1,200.00	\$ 4,800.00
23	Catch Basins (Oldcastle U21S Sectional)	11	EA	\$ 1,200.00	\$ 13,200.00
24	Manholes (Type I)	6	EA	\$ 3,000.00	\$ 18,000.00
25	Field Inlets	16	EA	\$ 1,200.00	\$ 19,200.00
26	Connect to Existing	3	EA	\$ 1,700.00	\$ 5,100.00
Subtotal Storm Drain					\$ 201,780.00

Item	Description	Quantity	Unit	Unit Price	Amount
<u>SANITARY SEWER</u>					
27	8" PVC	2,110	LF	\$ 28.00	\$ 59,080.00
28	Manholes	17	EA	\$ 4,000.00	\$ 68,000.00
29	Sanitary Sewer Services ⁶	38	EA	\$ 2,500.00	\$ 95,000.00
30	Connect to Existing	1	EA	\$ 3,000.00	\$ 3,000.00
Subtotal Sanitary Sewer					\$ 225,080.00
<u>POTABLE WATER</u>					
31	8" PVC	2,500	LF	\$ 32.00	\$ 80,000.00
32	8" GV	13	EA	\$ 1,550.00	\$ 20,150.00
33	Blow-Off	6	EA	\$ 4,000.00	\$ 24,000.00
34	ARV	2	EA	\$ 2,500.00	\$ 5,000.00
35	Fire Hydrants	2	EA	\$ 4,000.00	\$ 8,000.00
36	Water Services ⁷	38	EA	\$ 4,000.00	\$ 152,000.00
37	Connect to Existing	6	EA	\$ 4,000.00	\$ 24,000.00
Subtotal Potable Water					\$ 313,150.00
SUBTOTAL ON-SITE IMPROVEMENTS CONSTRUCTION COST					\$ 1,599,000.00

OFF-SITE IMPROVEMENTS (IMPERIAL DRIVE & MARINA DRIVE)

DEMOLITION

38	Traffic Control (Budget)	1	LS	\$ 10,000.00	\$ 10,000.00
39	Demolition (Budget)	1	LS	\$ 20,000.00	\$ 20,000.00
	a) Remove Ex Temp. BOV	1	EA	\$ -	\$ -
	b) Remove Ex 15± LF of 8" W stub	15	LF	\$ -	\$ -
	c) Remove Ex AC Pavement	3,660	SF	\$ -	\$ -
	d) Remove Ex Sidewalk	1,090	SF	\$ -	\$ -
	e) Remove Ex Curb & Gutter	180	LF	\$ -	\$ -
	f) Remove Ex Curb Ramp	2	EA	\$ -	\$ -
	g) Remove Ex 15" SD Pipe	35	LF	\$ -	\$ -
	h) Relocate Ex ARV	1	EA	\$ -	\$ -
	i) Relocate Ex Fire Hydrant	1	EA	\$ -	\$ -
	j) Abandon Ex 8" SS Stub	5	EA	\$ -	\$ -
	k) Abandon Ex 15" SD Stub	4	EA	\$ -	\$ -
	l) Abandon Ex 8" W Stub	5	EA	\$ -	\$ -
Subtotal Demolition					\$ 30,000.00

Item	Description	Quantity	Unit	Unit Price	Amount
<u>ROADWAY</u>					
40	4.5" AC	1,900	SF	\$ 2.25	\$ 4,275.00
41	5.5" AC	350	SF	\$ 2.75	\$ 962.50
42	8" AB	2,250	SF	\$ 1.20	\$ 2,700.00
43	Fine Grading	4,600	SF	\$ 0.45	\$ 2,070.00
44	Curb & Gutter (Vertical)	80	LF	\$ 15.00	\$ 1,200.00
45	Driveway	2	EA	\$ 3,000.00	\$ 6,000.00
46	Sidewalk (PCC)	570	SF	\$ 5.00	\$ 2,850.00
47	Survey Monuments	2	EA	\$ 300.00	\$ 600.00
48	Traffic Signing & Striping	230	LF	\$ 5.00	\$ 1,150.00
49	Conform to Existing	4	EA	\$ 1,000.00	\$ 4,000.00
Subtotal Roadway					\$ 25,807.50
<u>STORM DRAIN</u>					
50	15" Storm Drain (Class III RCP)	40	LF	\$ 34.00	\$ 1,360.00
51	Catch Basins (Type A over Type I MH Base)	1	EA	\$ 2,800.00	\$ 2,800.00
Subtotal Storm Drain					\$ 4,160.00
<u>POTABLE WATER</u>					
52	8" PVC	30	LF	\$ 32.00	\$ 960.00
53	8" GV	3	EA	\$ 1,550.00	\$ 4,650.00
54	Connect to Existing	1	EA	\$ 4,000.00	\$ 4,000.00
Subtotal Potable Water					\$ 9,610.00
SUBTOTAL OFF-SITE IMPROVEMENTS CONSTRUCTION COST					\$ 70,000.00
TOTAL CONSTRUCTION COST					\$ 1,669,000.00

Notes:

- 1) Unit prices are based on estimated current construction costs and no provision for inflation is included.
- 2) Joint trench and electrolier costs are excluded.
- 3) Landscaping cost is excluded
- 4) Soundwall cost is excluded.
- 5) Mobilization assumed to be 5% of construction cost.
- 6) Unit price assumed to include one 6" sanitary sewer lateral, four sewer cleanouts, and three 4" sanitary sewer laterals to each pod.
- 7) Unit price assumed to include one 2" water service and one water manifold with three 1" water meters and one 1-1/2" fire service for each pod.

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

ATTACHMENT 

March 22, 2018

Via Email and First Class Mail

Old Republic Title Company
3558 Deer Park Drive, Suite 106
Stockton, CA 95219
Attn: Karen Sayles

Re: Recordation of Final Map 3833; Escrow No. 1211046648

Dear Karen:

This letter constitutes the joint escrow instructions ("**Escrow Instructions**") of River Islands Development, LLC, a California limited liability company, ("**RID**") and the City of Lathrop ("**City**") in connection with the above-referenced escrow ("**Escrow**"). The Escrow was opened in connection with recordation of the above-referenced final map ("**Final Map**"). Recordation of the Final Map is subject to the conditions set forth below. The transactions described in these Escrow Instructions are referred to as the "**Transaction**." Old Republic Title Company is referred to as "you" or "**ORTC**."

A. Date for Closings

The Final Map will be recorded at the time designated by RID as set forth below. The Final Map can only be recorded after the City has approved the map in writing. The closing date for the Transaction is intended to occur by April 30, 2018, at the time designated in writing by RID, subject to satisfaction of the conditions set forth below (each, a "**Closing**"). If the Final Map has not been recorded by December 30, 2018, ORTC will return the Final Map to the City.

B. Documents to be Delivered and Recordation Documents

In connection with the Transaction, you have in your possession or will receive the following documents from City for recordation in the Official Records of San Joaquin County, California ("**Official Records**").

B.1. One original Final Map for Tract 3833, executed and acknowledged by the City.

B.2. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities).

B.3. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services).

B.4. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services).

B.5. Quitclaim Deed to abandon a portion of Cohen Road

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

The documents listed in Items B.1, B.2, B.3, and B.4 above are referred to as the "**Recordation Documents**." The Recordation Documents shall be recorded in the order referred to above. The date on which the Recordation Documents are recorded in the Official Records is the Recordation Date.

Prior to recording the Recordation Documents, please confirm that you have received copies or originals of the following documents: (i) Unanimous Approval of Annexation to a Community Facilities District and Related Matters, City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities); (ii) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services); (iii) Consent to, and Ballot in favor of, Annexation of Real Property to Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance); and (iv) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2016-1 (River Islands Supplemental). The original City of Lathrop Unanimous Approval must be delivered to the City of Lathrop. The original Consents and Ballots for River Islands Public Financing Authority CFD No. 2013-1 and Island Reclamation District No. 2013-1 must be delivered to:

Karna Harrigfeld at Herum\Crabtree\Suntag, 5757 Pacific Ave., Suite 222, Stockton, CA 95207. Copies should be sent via email to Cari James (cjames@ci.lathrop.ca.us), Cindy Yan at Goodwin Consulting Group, cindy@goodwinconsultinggroup.net, Susan Dell'Osso (sdelloso@riverislands.com) and Debbie Belmar (dbelmar@riverislands.com) together with conformed copies of the amendments to notices of special tax that are recorded as part of the Recordation Documents.

C. Funds and Settlement Statement

You also have received, or will receive from RID, prior to the recordation of the Recordation Documents, in immediately available funds, the following amounts, in accordance with the settlement statement prepared by you and approved in writing by both RID and City ("**Settlement Statement**"): recordation costs, escrow fees and other amounts as set forth in the Settlement Statement. Such costs, fees and other amounts are the sole responsibility of RID.

C.1 Funds to be wire transferred directly to the entity set forth below, immediately upon recordation of the Final Map, in accordance with the wire transfer instructions for each entity are set forth below:

a. The amount of **\$48,662.32**, payable to the City pursuant to that certain Agreement to Settle Litigation Regarding River Islands at Lathrop (as amended, the "**Sierra Club Agreement**"), constituting the amount of **\$3,076** multiplied by **15.82** acres (or portion thereof) included in the Final Map, is to be transferred to the City upon recordation of the Final Map. The City's wire instructions are set forth below.

The amounts set forth in Section C are referred to as the "**Closing Funds**."

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

D. Closing Requirements

When the following has occurred, you are authorized to close the Escrow at the time(s) and in accordance with the process set forth below:

D.1. You have delivered copies of your Settlement Statement by email transmission to (a) Susan Dell'Osso (sdelloso@riverslands.com); (b) Debbie Belmar (dbelmar@riverislands.com); (c) Stephen Salvatore (ssalvatore@ci.lathrop.ca.us); (d) Salvador Navarrete (snavarrete@ci.lathrop.ca.us); (e) Cari James (cjames@ci.lathrop.ca.us) and (f) Glenn Gebhardt (ggebhardt@ci.lathrop.ca.us), and have confirmation (by telephone or email) from Susan Dell'Osso and Stephen Salvatore or Glenn Gebhardt that the Settlement Statement is accurate and acceptable;

D.2. You have not received any instructions contrary to these Escrow Instructions;

D.3. The Recordation Documents and all other documents described herein as being held by you or delivered to you have been received by you and have been fully executed and, where applicable, acknowledged, and you have attached all legal descriptions or have confirmed that all exhibits and legal descriptions are attached;

D.4. You are prepared to record the Recordation Documents, as designated, release funds in accordance with the Settlement Statement and complete the Transaction in compliance with these Escrow Instructions;

D.5. You have delivered a copy of these instructions, executed by an authorized signatory of ORTC with authority to bind ORTC, and initialed all pages, by email transmission (with original hard copy to follow by U.S. Mail) to Debbie Belmar and Glenn Gebhardt at the email addresses set forth above; and

D.6. You have received confirmation (by email or other writing) from Susan Dell'Osso and Stephen Salvatore or Glenn Gebhardt to record the Recordation Documents and complete the Transaction.

E. Closing Process and Priorities

When you have fully satisfied all of the closing requirements set forth in Section D, then you are authorized and instructed to do the following in the chronological order given:

E.1. Date the Recordation Documents to be recorded;

E.2. Record the Final Map and the Recordation Documents in the Official Records;

E.3. Pay the costs associated with the Transaction;

E.4. Refund any funds delivered to you by RID that are not disbursed at the time of the final Closing pursuant to these Escrow Instructions to the following entity and address:

River Islands Development, LLC
73 W. Stewart Road
Lathrop, CA 95330
Attn: Susan Dell'Osso

E.5. Notify Susan Dell'Osso, Debbie Belmar, Stephen Salvatore, Glenn Gebhardt and Jose Molina (JMolina@sjgov.org) of the completion of the Transaction;

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

E.6. Within five (5) business days after each Recordation Date, deliver by overnight delivery via recognized, national, overnight delivery carrier to: (1) Susan Dell'Osso, River Islands Development, LLC, 73 W. Stewart Road, Lathrop, CA 95330; and (2) Mr. Salvador Navarrete, City Attorney, City of Lathrop, 390 Towne Centre Drive, Lathrop, CA 95330:

(A) a certified copy of the Recordation Documents, showing all recording information of the Recordation Documents; and

(B) a certified copy of the final Settlement Statement.

F. Additional Instructions

When assembling the final documents, signature pages from all parties shall be inserted into each respective final document in creating fully executed counterparts.

Please acknowledge receipt of these instructions and your agreement to act as Escrow agent in connection with this Transaction in accordance with these Escrow Instructions, by executing and dating a copy of these Escrow Instructions where indicated below, initialing all pages and returning it to both of the undersigned.

The Escrow Instructions may be modified only in a writing signed by both of the undersigned.

Very truly yours,

Susan Dell'Osso
Vice President and Secretary
River Islands Development, LLC

Stephen J. Salvatore
City Manager
City of Lathrop

ESCROW INSTRUCTIONS

ACKNOWLEDGEMENT AND AGREEMENT:

Receipt of the foregoing Escrow Instructions from RID and the City is hereby acknowledged. The undersigned agrees, for itself, and on behalf of ORTC, to proceed in strict accordance with these Escrow Instructions. The undersigned represents and warrants to RID and the City that the undersigned is authorized to execute this Acknowledgement and Agreement, for itself, and on behalf of ORTC.

Old Republic Title Company

By: _____
Its: _____
Date: _____

B2

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

City Clerk
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Recorded for the benefit of the City of Lathrop
pursuant to Government Code Section 27383

FIFTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

City of Lathrop
Community Facilities District No. 2013-1
(River Islands Public Services and Facilities)
Annexation No. 5

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned City Clerk of the City of Lathrop (the "City"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the City Council of the City on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying principal and interest on bonds, the proceeds of which are being used to finance the acquisition and construction of all or a portion of the public facilities authorized to be funded by the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities) (the "CFD"), and to pay costs of the public services and facilities authorized to be funded by the CFD, both as described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on November 18, 2013 as Document No. 2013-143754, and said special tax is to be levied according to the Rate and Method of Apportionment of Special Tax set forth in Exhibit B to the Notice of Special Tax Lien, to which recorded Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference. An Amended Notice of Special Tax Lien reflecting the Amended Rate and Method of Apportionment of Special Tax was subsequently recorded at the County Recorder on October 23, 2015 as Document No. 2015-127760.

This Fifth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities) certain real property identified in Exhibit A hereto and shown within the future annexation area on the boundary map of the community facilities district recorded on June 1, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 42 (Document No. 2013-136637), in the Office of the County Recorder, which map is the final boundary map of the community facilities district.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Fifth Amendment to Notice of Special Tax Lien, together with the name(s) of the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Finance Director, City of Lathrop, 390 Towne Centre Drive, Lathrop, California 95330; Telephone: (209) 941-7327.

Dated: _____, 2017.

By: _____
City Clerk,
City of Lathrop

EXHIBIT A

CITY OF LATHROP
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)
ANNEXATION NO. 5
ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND
WITHIN ANNEXATION NO. 5 TO CITY OF LATHROP
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)

Name(s) of Property Owner(s)	San Joaquin County Assessor's Parcel No.
RIVER ISLANDS DEVELOPMENT, LLC 2999 OAK RD #400 WALNUT CREEK CA 94597	210-210-11

**UNANIMOUS APPROVAL
of Annexation to a Community Facilities District
and Related Matters**

**CITY OF LATHROP
Community Facilities District No. 2013-1
(River Islands Public Services and Facilities)**

To the Honorable City Council,
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Members of the City Council:

This constitutes the Unanimous Approval (the "Unanimous Approval") of River Islands Development, LLC, the record owner(s) (the "Property Owner") of the fee title to the real property identified below (the "Property") contemplated by Section 53339.3 et seq. of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") to annexation of the Property to the "City of Lathrop, Community Facilities District No. 2013-1 (River Islands Public Services and Facilities)" (the "CFD"), and it states as follows:

1. Property Owner. This Unanimous Approval is submitted by the Property Owner as the record owner(s) of fee title to the Property. The Property Owner has supplied to the City current evidence of its ownership of fee title to the Property.

2. Approval of Annexation. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the annexation of the Property to the CFD. The CFD was formed to finance the municipal services and facilities (the "Services and Facilities") described in Exhibit A hereto and made a part hereof.

3. Approval of Special Tax and the Facilities and Services. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the levy of special taxes (the "Special Taxes") on the Property to finance the Services and Facilities, according to the Amended Rate and Method of Apportionment of Special Taxes for the CFD attached hereto as Exhibit B and made a part hereof (the "Rate and Method"). Exhibit B includes the cost estimate for the Facilities and Services. The City will create a special account into which the Special Taxes will be deposited, when collected. The City will prepare the annual report required by Government Code Section 50075.3.

4. Approval of the Appropriations Limit. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the appropriations limit established for the CFD.

5. **Waivers and Vote.** The Property Owner hereby confirms that this Unanimous Approval constitutes its approval and unanimous vote as described herein and as contemplated by Section 53339.3 et seq. of the Act and Article XIII A of the California Constitution. The Property Owner hereby waives all other rights with respect to the annexation of the Property, the levy of the Special Taxes on the Property and the other matters covered in this Unanimous Approval.

6. **Recordation of Amendment to Notice of Special Tax Lien.** The Notice of Special Tax Lien for the CFD was recorded in the Office of the County Recorder of the County of San Joaquin, State of California on November 18, 2013, as Document No. 2013-143754 in the Office of the County Recorder of the County of San Joaquin, and amended as referred to in the Amended Notice of Special Tax Lien recorded on October 23, 2015 as Document No. 2015-127760. The Property Owner hereby authorizes and directs the City Clerk to execute and cause to be recorded in the office of the County Recorder of the County of San Joaquin an amendment to the Notice of Special Tax Lien for the CFD as required by Section 3117.5 of the California Streets and Highways Code. The amendment to the Notice of Special Tax Lien shall include the Rate and Method as an exhibit thereto.

7. **Authority Warranted.** The Property Owner warrants to the City that the presentation of this Unanimous Approval, any votes, consents or waivers contained herein, and other actions mandated by the City for the annexation of the Property to the CFD shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Property Owner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property.

8. **Due Diligence and Disclosures.** The Property Owner agrees to cooperate with the City and its attorneys and consultants and to provide all information and disclosures required by the City about the Special Taxes to purchasers of the Property or any part of it.

9. **Agreements.** The Property Owner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions described in this Unanimous Approval, including any cash deposit required to pay for the City's costs in annexing the Property to the CFD.

10. **The Property.** The Property is identified as follows:

Assessor's Parcel No. 210-210-11

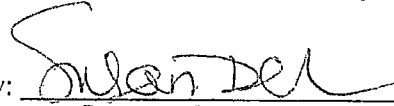
Property Address: N/A

By executing this Unanimous Approval, the Property Owner agrees to all of the above.

Tax Zone #: 1

Property Owner

RIVER ISLANDS DEVELOPMENT, LLC
a California limited liability company

By: 
Name: Susan Dell'Osso
Title: Vice President + Secretary

Notice Address:

River Islands Development, LLC
73 Stewart Road
Lathrop, CA 95330

(Attach acknowledgment)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

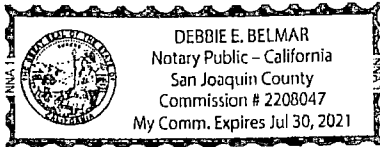
State of California)
County of San Joaquin)

On August 28, 2017 before me, Debbie E. Belmar, a Notary Public,
Date

personally appeared Susan Dell’Osso, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Debbie E. Belmar
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer’s Name: _____
 Corporate Officer – Title(s): _____
 Partner – Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer’s Name: _____
 Corporate Officer – Title(s): _____
 Partner – Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

EXHIBIT A

**CITY OF LATHROP
Community Facilities District No. 2013-1
(River Islands Public Services and Facilities)**

DESCRIPTION OF AUTHORIZED SERVICES AND FACILITIES

Services

The services to be funded, in whole or in part, by the community facilities district (CFD) include all direct and incidental costs related to providing public services and maintenance of public infrastructure within the River Islands area including the area initially included in the CFD, as well as any future annexation area of the CFD and areas adjacent to the foregoing. More specifically, the services shall include, but not be limited to: (i) police protection services, including City contracts with the San Joaquin Sheriff's Office or other police services providers, or costs of a City police department if and when one is established, (ii) maintenance of open space, including trails and habitat areas, with services to include, but not be limited to, irrigation and vegetation control; (iii) maintenance of roads and roadways, with services to include, but not be limited to, regularly scheduled street sweeping, repair of public streets, striping of streets and repair and repainting of sound walls and other appurtenances; (iv) storm protection services, including, but not limited to, the operation and maintenance of storm drainage systems, (v) landscaping in public areas and in the public right of way along public streets, including, but not limited to, irrigation, tree trimming and vegetation maintenance and control; and (vi) any other public services authorized to be funded under Section 53313 of the California Government Code that are not already funded by another community facilities district on the property within the CFD.

The CFD may fund any of the following related to the services described in the preceding paragraph: obtaining, constructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the services, payment of insurance costs and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services. The services to be financed by the CFD are in addition to those provided in the territory of the CFD before the date of formation of the CFD and will not supplant services already available within that territory when the District is created.

Facilities

The CFD may also fund all or any portion of the costs of the following facilities to be located within or in the vicinity of the CFD:

Roadway and related improvements, including, but not limited to, construction of the roadways currently identified on Vesting Tentative Map No. 3694 as Stewart Road, Golden Valley Parkway, South River Islands Parkway, North River Islands Parkway, Broad Street, Commercial Street, J8 Street, B5 Street, B6 Street and C1 Street, as well as other backbone and

arterial streets, including, but not limited to, grading, fill, pavement section, curb gutter and sidewalk, joint trench, water, sewer, reclaimed water, storm drainage, and other utility improvements necessary for, or incidental to, road construction. Roadway improvements may also include landscaping, street lights and signage, and traffic signals and striping.

Bradshaw's Crossing Bridge improvements, including, but not limited to, design, construction, utility connections, mitigation payments, right-of-way acquisition, and other improvements required for, or incidental to, construction of the bridge.

Water infrastructure, including, but not limited to, tanks, pump stations, distribution lines, and other improvements necessary for, or incidental to, the delivery of potable or reclaimed water.

Sewer infrastructure, including, but not limited to, treatment facilities, sanitary sewer collection lines and force mains, effluent holding and storage, pump stations, lift stations, and other improvements necessary for, or incidental to, the delivery of sanitary sewer service.

Public landscaping and recreational features along rivers, lakes, within parks, and along and including pathways.

Offsite public infrastructure, including, but not limited to, the extension of sanitary sewer lines and payment of license fees (e.g., to Caltrans or UPRR) and any other incidental fees or exactions.

The facilities authorized to be funded by the CFD shall include the costs of design, engineering, surveys, reports, environmental mitigation, soils testing, permits, plan check, inspection fees, impact fees, insurance, construction management, and any other costs or appurtenances related to any of the foregoing.

Administrative Expenses

The administrative expenses to be funded by the CFD include the direct and indirect expenses incurred by the City of Lathrop (City) in carrying out its duties with respect to the CFD including, but not limited to, the levy and collection of the special taxes, the fees and expenses of attorneys, any fees of the County of San Joaquin related to the CFD or the collection of special taxes, an allocable share of the salaries of any City staff directly related thereto and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from its general fund with respect to the CFD or the services authorized to be financed by the CFD, and expenses incurred by the City in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the City in any way related to the CFD.

Other

The incidental expenses that may be funded by the CFD include, in addition to the administrative expenses identified above, the payment or reimbursement to the CFD of all costs associated with the establishment and ongoing administration of the CFD.

EXHIBIT B

**CITY OF LATHROP
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)**

AMENDED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

Special Taxes applicable to each Assessor's Parcel in the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities) shall be levied and collected according to the tax liability determined by the City or its designee, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in the CFD, unless exempted by law or by the provisions of Section F below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless a separate rate and method of apportionment of Special Tax is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Accessory Unit" means a second residential unit of limited size (e.g., granny cottage, second unit) that shares a Parcel with a single-family detached unit.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Division 2 of Title 5 of the California Government Code.

"Administrative Expenses" means any or all of the following: expenses of the City in carrying out its duties with respect to the CFD, including, but not limited to, the levy and collection of Special Taxes, the fees and expenses of its legal counsel, costs related to annexing property into the CFD, charges levied by the County in connection with the levy and collection of Special Taxes, costs related to property owner inquiries regarding the Special Taxes, costs associated with appeals or requests for interpretation associated with the Special Taxes and this Amended RMA, costs associated with foreclosure and collection of delinquent Special Taxes and all other costs and expenses of the City and County in any way related to the establishment or administration of the CFD.

"Administrator" means the person or firm designated by the City to administer the Special Taxes according to this Amended RMA.

"Amended RMA" means this Amended Rate and Method of Apportionment of Special Tax.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on a County Assessor's Parcel map with an assigned County Assessor's Parcel number.

“Authorized Facilities” means the public facilities authorized to be financed, in whole or in part, by Facilities Special Taxes collected within the CFD, pursuant to the documents adopted by the City Council at CFD Formation.

“Authorized Services” means those services that are authorized to be funded by Services Special Taxes collected within the CFD, pursuant to the documents adopted by the City Council at CFD Formation.

“CFD” means the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities).

“CFD Formation” means the date on which the Resolution of Formation to form CFD No. 2013-1 was adopted by the City Council.

“City” means the City of Lathrop.

“City Council” means the City Council of the City of Lathrop.

“County” means the County of San Joaquin.

“Developed Property” means, in any Fiscal Year, the following:

- for Single Family Detached Property, all Parcels of Taxable Property for which a Final Map was recorded on or prior to June 30 of the preceding Fiscal Year
- for Multi-Family Property and Single Family Attached Property, all Parcels of Taxable Property for which a building permit for new construction of a residential structure was issued on or prior to June 30 of the preceding Fiscal Year
- for Non-Residential Property, all Parcels of Taxable Property for which a building permit for new construction of a structure was issued on or prior to June 30 of the preceding Fiscal Year.

“Development Agreement” means the 2003 Amended and Restated Development Agreement dated February 4, 2003 and recorded on March 31, 2003 in the San Joaquin County Recorder’s Office as Document No. 2003-069319, as has been amended and as may be amended in the future.

“Escalation Factor” means, in any Fiscal Year, the lesser of (i) the increase from the prior Fiscal Year, if any, in the Local Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers, or (ii) four percent (4%). The CPI used shall be as determined by the Bureau of Labor Statistics from April to April beginning with the period from April 2013 to April 2014.

“Facilities Special Tax” means a special tax levied in any Fiscal Year after the Trigger Event has taken place to pay the Facilities Special Tax Requirement.

“Facilities Special Tax Requirement” means the amount necessary in any Fiscal Year after the Trigger Event to pay the costs of Authorized Facilities to be funded directly from Facilities Special Tax proceeds.

“Final Map” means a final map, or portion thereof, approved by the City and recorded by the County pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq) that creates SFD Lots. The term “Final Map” shall not include any large lot subdivision map, Assessor’s Parcel Map, or subdivision map or portion thereof, that does not create SFD Lots, including Assessor’s Parcels that are designated as remainder parcels.

“Fiscal Review Process” means the River Islands Annual Fiscal Review Process, which is required pursuant to the Development Agreement, and which process is described in detail in Exhibit B of the Development Agreement.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Maximum Facilities Special Tax” means the greatest amount of Facilities Special Tax that can be levied on a Parcel in any Fiscal Year after the Trigger Event, as determined in accordance with Section C.2 below.

“Maximum Services Special Tax” means the greatest amount of Services Special Tax that can be levied on a Parcel in any Fiscal Year, as determined in accordance with Section C.1 below.

“Maximum Special Taxes” means, collectively, the Maximum Facilities Special Tax and the Maximum Services Special Tax that can be levied on a Parcel in any Fiscal Year.

“Multi-Family Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit or use permit has been issued or is expected to be issued for construction of a residential structure with five or more Units that share a single Assessor’s Parcel number, are offered for rent to the general public, and cannot be purchased by individual homebuyers.

“Non-Residential Property” means all Assessor’s Parcels of Taxable Property for which a building permit was or is expected to be issued for an office, commercial, retail, industrial or mixed-use building, as determined by the City.

“Non-Residential Square Footage” means the net leasable square footage used by or designated for non-residential uses within a building as reflected on the condominium plan, site plan, building permit for new construction, or other such document. If a structure on a Parcel of Non-Residential Property includes Units, such Units shall be categorized and taxed as Residential Property, and the square footage of such Units shall not be counted as Non-Residential Square Footage for purposes of determining the Maximum Special Taxes pursuant to Section C below.

“Proportionately” means that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property.

“Public Property” means any property within the boundaries of the CFD that is owned by or irrevocably offered for dedication to the federal government, State of California, County, City, or other local governments or public agencies.

“Residential Property” means, collectively, Single Family Detached Property, Single Family Attached Property, and Multi-Family Property. If a building includes both Units and Non-Residential Square Footage, the Units within the building shall be categorized as Residential Property for purposes of this Amended RMA.

“Services Special Tax” means a special tax levied in any Fiscal Year to pay the Services Special Tax Requirement.

“Services Special Tax Requirement” means the amount of revenue needed in any Fiscal Year to pay for: (i) Authorized Services, (ii) Administrative Expenses, and (iii) amounts needed to cure any delinquencies in the payment of Services Special Taxes which have occurred or (based on delinquency rates in prior years) may be expected to occur in the Fiscal Year in which the tax will be collected. In any Fiscal Year, the Services Special Tax Requirement shall be reduced by surplus amounts available (as determined by the City) from the levy of the Services Special Tax in prior Fiscal Years, including revenues from the collection of delinquent Services Special Taxes and associated penalties and interest.

“SFD Lot” means an individual residential lot, identified and numbered on a recorded Final Map, on which a building permit was or is permitted to be issued for construction of a single family detached unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated pursuant to an approved tentative map.

“Single Family Attached Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a residential structure consisting of two or more Units that share common walls, have separate Assessor’s Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Units are purchased and subsequently offered for rent by the owner of the unit), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

“Single Family Detached Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a Unit that does not share a common wall with another Unit. An Accessory Unit that shares a Parcel with a single-family detached unit shall not be considered a separate Unit for purposes of this Amended RMA.

“Special Taxes” means, collectively, the Facilities Special Tax and the Services Special Tax.

“Taxable Property” means all of the Assessor’s Parcels within the boundaries of the CFD which are not exempt from the Special Taxes pursuant to law or Section F below.

“Tax Zone” means a mutually exclusive geographic area within which Special Taxes may be levied pursuant to this Amended RMA. *All of the property within CFD No. 2013-1 at the time*

of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to the CFD, and separate Maximum Special Taxes shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor's Parcels included within a new Tax Zone established when such Parcels are annexed to the CFD shall be identified by Assessor's Parcel number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

"Unanimous Approval Form" means that form executed by the record owner of fee title to a Parcel or Parcels annexed into the CFD that constitutes the property owner's approval and unanimous vote in favor of annexing into the CFD and the levy of Special Taxes against his/her Parcel or Parcels pursuant to this Amended RMA.

"Trigger Event" will be deemed to have occurred in any Fiscal Year if, on or before June 30 of the prior Fiscal Year, the City has made a finding that, for the third year in a row, the Fiscal Review Process has demonstrated that fiscal surpluses will be generated to the City's general fund from development within the River Islands Master Plan area, and, as part of the Fiscal Review Process in each of the prior three years, the Services Special Tax revenue factored into the fiscal analysis was based on the Services Special Tax being levied at only 47.43% of the Maximum Services Special Tax that could have been levied in each of those three years. Once the Trigger Event has occurred, the reduced Services Special Taxes and the Facilities Special Taxes determined pursuant to Sections C.1 and C.2 shall be the applicable Maximum Special Taxes in all future Fiscal Years regardless of the results of future Fiscal Review Processes.

"Unit" means a single family detached unit or an individual unit within a duplex, triplex, halfplex, fourplex, condominium, townhome, live/work, or apartment structure.

B. DATA FOR ADMINISTRATION OF SPECIAL TAXES

On or about July 1 of each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels of Developed Property within the CFD. The Administrator shall also determine: (i) within which Tax Zone each Parcel is located; (ii) which Parcels of Developed Property are Residential Property and Non-Residential Property; (iii) the Non-Residential Square Footage of buildings on each Parcel of Non-Residential Property; (iv) for Single Family Detached Property, the square footage of each SFD Lot, (v) by reference to the condominium plan, site plan, or other document, the number of Units on each Parcel of Single Family Attached Property and Multi-Family Property; (vi) whether the Trigger Event has occurred; and (vii) the Services Special Tax Requirement and, if the Trigger Event has occurred, the Facilities Special Tax Requirement for the Fiscal Year. To determine the square footage of each Parcel of Single Family Detached Property, the Administrator shall reference Assessor's Parcel Maps or, if the square footage is not yet designated on such maps, the small lot subdivision map recorded to create the individual lots.

In any Fiscal Year, if it is determined that: (i) a parcel map for property in the CFD was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new parcels created by the parcel map, and (iii) a building permit was issued on or prior to June 30 of the prior Fiscal Year

for development on one or more of the newly-created parcels, the Administrator shall calculate the Special Taxes for Units and/or Non-Residential Square Footage within the subdivided area and levy such Special Taxes on the master Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAXES

1. Services Special Tax, Tax Zone 1

Table 1 below identifies the Maximum Services Special Tax for Developed Property within Tax Zone 1, both before and after the Trigger Event; a different Maximum Services Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone.

TABLE 1
Maximum Services Special Tax
Tax Zone 1

<i>Type of Property</i>	<i>Lot Size</i>	<i>Maximum Services Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2013-14)*</i>	<i>Maximum Services Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2013-14)*</i>
<u>Residential Property:</u>			
Single Family Detached Property	Greater than 7,000 SqFt	\$328.74 per SFD Lot	\$155.91 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$265.42 per SFD Lot	\$125.88 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$243.51 per SFD Lot	\$115.49 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$206.98 per SFD Lot	\$ 98.16 per SFD Lot
Single Family Detached Property	Less than 4,000 SqFt	\$192.37 per SFD Lot	\$ 91.23 per SFD Lot
Single Family Attached Property	Not Applicable	\$ 0.00 per Unit	\$ 0.00 per Unit
Multi-Family Property	Not Applicable	\$ 0.00 per Unit	\$ 0.00 per Unit
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

** On July 1, 2014 and on each July 1 thereafter, all figures shown in Table 1 above shall be increased by the Escalation Factor.*

2. *Facilities Special Tax, Tax Zone 1*

Table 2 below identifies the Maximum Facilities Special Tax for Developed Property within Tax Zone 1 both before and after the Trigger Event; a different Maximum Facilities Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone.

TABLE 2
Maximum Facilities Special Tax
Tax Zone 1

<i>Type of Property</i>	<i>Lot Size</i>	<i>Maximum Facilities Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2013-14)*</i>	<i>Maximum Facilities Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2013-14)*</i>
<u>Residential Property:</u>			
Single Family Detached Property	Greater than 7,000 SqFt	\$ 0.00 per SFD Lot	\$172.83 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$ 0.00 per SFD Lot	\$139.54 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$ 0.00 per SFD Lot	\$128.02 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$ 0.00 per SFD Lot	\$108.82 per SFD Lot
Single Family Detached Property	Less than 4,000 SqFt	\$ 0.00 per SFD Lot	\$101.14 per SFD Lot
Single Family Attached Property	Not Applicable	\$ 0.00 per Unit	\$ 0.00 per Unit
Multi-Family Property	Not Applicable	\$ 0.00 per Unit	\$ 0.00 per Unit
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

*** On July 1, 2014 and on each July 1 thereafter until the first Fiscal Year after the Trigger Event, all figures shown in Table 2 above shall be increased by the Escalation Factor. On July 1 of the first Fiscal Year after the Trigger Event, and on each July 1 thereafter, the Maximum Facilities Special Taxes shall increase by two percent (2%) of the amount in effect in the prior Fiscal Year.**

3. *Maximum Special Taxes for Mixed-Use Buildings*

If, in any Fiscal Year, the Administrator determines that a Parcel of Developed Property is built or proposed to be built with both Units and Non-Residential Square Footage, the Maximum Special Tax for the Parcel shall be the sum of (i) the aggregate Maximum Special Taxes for all Units on the Parcel, and (ii) the Maximum Special Taxes determined for all of the Non-Residential Square Footage on the Parcel.

D. METHOD OF LEVY OF THE SPECIAL TAXES

1. Services Special Tax

Each Fiscal Year, the Administrator shall determine the Services Special Tax Requirement for the Fiscal Year, and the Services Special Tax shall be levied on each Parcel of Developed Property within the CFD in the amount of either (i) the Maximum Services Special Tax, or (ii) the Proportionately determined percentage of the Maximum Services Special Tax required to generate the Services Special Tax Requirement, whichever is less.

2. Facilities Special Tax

Each Fiscal Year after the Trigger Event, the Administrator shall determine the Facilities Special Tax Requirement for the Fiscal Year, and the Facilities Special Tax shall be levied on each Parcel of Developed Property within the CFD in the amount of either (i) the Maximum Facilities Special Tax, or (ii) the Proportionately determined percentage of the Maximum Facilities Special Tax required to generate the Facilities Special Tax Requirement, whichever is less.

E. MANNER OF COLLECTION OF SPECIAL TAXES

The Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the City may directly bill, collect at a different time or in a different manner, and/or collect delinquent Special Taxes through foreclosure or other available methods.

The Facilities Special Tax shall be levied for thirty (30) Fiscal Years, beginning the first Fiscal Year after the Trigger Event has taken place. Under no circumstances may the Facilities Special Tax on a Parcel in residential use be increased in any Fiscal Year as a consequence of delinquency or default in payment of the Facilities Special Tax levied on another Parcel or Parcels by more than ten percent (10%) above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults. The Services Special Tax may be levied and collected in perpetuity.

F. EXEMPTIONS

No Special Taxes shall be levied on Public Property or any other Parcels in the CFD that are not Residential Property or Non-Residential Property, as defined herein.

G. INTERPRETATION OF SPECIAL TAX FORMULA

The City may interpret, clarify, and/or revise this Amended RMA to correct any inconsistency, vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties or any definition applicable to the CFD, by resolution or ordinance. The City, upon the request of an owner of land within the CFD which is not Developed Property, may also amend this Amended RMA in any manner acceptable to the City, by resolution or

ordinance following a public hearing, upon the affirmative vote of such owner to such amendment and without the vote of owners of any other land within the CFD, provided such amendment only affects such owner's land.

B3

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

Secretary
Island Reclamation District No. 2062
73 West Stewart Road
Lathrop, CA 95330

Recorded for the benefit of Island
Reclamation District No. 2062 pursuant
to Government Code Section 27383

FIFTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

Island Reclamation District No. 2062
Community Facilities District No. 2013-1
(Levee and Lake Maintenance Services)
Annexation No. 5

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned Secretary of Island Reclamation District No. 2062 (the "IRD 2062"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Trustees of IRD 2062 on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on October 3, 2013 as Document No. 2013-126695, and said special tax is to be levied according to the Amended and Restated Rate and Method of Apportionment of Special Tax set forth in that certain First Amendment to Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089987, to which recorded Notice of Special Tax Lien and recorded First Amendment to Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

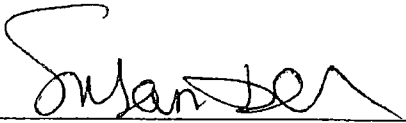
This Fifth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) certain real property identified in Exhibit A hereto and shown within the future annexation area on the boundary map of the community facilities district recorded on August 29, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 41 (Document No. 2013-111318, in the Office of the County Recorder, which map is the final boundary map of the community facilities district.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Fifth Amendment to Notice of Special Tax Lien, together with the name(s) of

the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to IRD 2062 are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of Island Reclamation District No. 2062, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: August 28, 2017.

By: 
President,
Island Reclamation District No. 2062

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

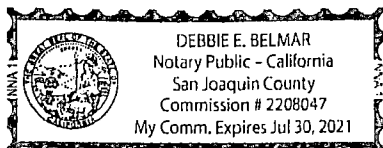
CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Joaquin)

On August 28, 2017 before me, Debbie E. Belmar, a Notary Public,
Date

personally appeared Susan Dell'Osso, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Debbie E. Belmar
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

EXHIBIT A

ISLAND RECLAMATION DISTRICT NO. 2062
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(LEVEE AND LAKE MAINTENANCE SERVICES)
ANNEXATION NO. 5

ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN
ANNEXATION NO. 5 TO ISLAND RECLAMATION DISTRICT NO. 2062
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(LEVEE AND LAKE MAINTENANCE SERVICES)

<u>Name(s) of Property Owner(s)</u>	<u>San Joaquin County Assessor's Parcel No.</u>
RIVER ISLANDS DEVELOPMENT LLC 2999 OAK RD #400, WALNUT CREEK CA 94597	210-210-11

CONSENT TO, AND BALLOT IN FAVOR OF, ANNEXATION OF REAL PROPERTY TO ISLAND RECLAMATION DISTRICT NO. 2062 COMMUNITY FACILITIES DISTRICT NO. 2013-1 (LEVEE AND LAKE MAINTENANCE SERVICES)

To: Board of Trustees of Island Reclamation
District No. 2062, in its capacity as the
legislative body for Island Reclamation
District No. 2062 Community Facilities
District No. 2013-1 (Levee and Lake
Maintenance Services)

The undersigned hereby states and certifies, under penalty of perjury, as follows:

1. The undersigned is the owner (the "Owner"), or the legally authorized representative of the Owner, of fee title to the real property identified by San Joaquin County Assessor's parcel number(s) listed below (the "Property"), and possesses all legal authority necessary to execute this consent to, and ballot in favor of (the "Consent and Ballot"), the annexation of the Property to Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) (the "CFD").

2. The Owner understands that the Board of Trustees of Island Reclamation District No. 2062 (the "Board") has conducted proceeding pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Law") to form the CFD to finance various services (the "Services") described in Exhibit A hereto. The Owner also understands that the proceedings for the formation of the CFD authorized the Board to levy an annual special tax (the "Special Tax") on property in the CFD as specified in the Amended and Restated Rate and Method of Apportionment of Special Taxes (the "Rate and Method") for the CFD, a copy of which is attached hereto as Exhibit B, and authorized the annexation of property to the CFD, without additional public hearings, upon approval of the fee title owner of the property to be annexed as permitted by Section 53339.7(a) of the Law.

The Owner has been advised that a Notice of Special Tax Lien was recorded against the real property initially included within the boundaries of the CFD in the Office of the San Joaquin County Recorder (the "County Recorder") on October 3, 2013 as Document No. 2013-126695, and a First Amendment to Notice of Special Tax Lien was recorded against the real property initially included within the boundaries of the CFD in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089987 (collectively, the "Notice of Special Tax Lien").

3. The Owner hereby irrevocably consents to, approves, and votes (for purposes of Article XIII A of the California Constitution) in favor of the annexation of the Property to Tax Zone 1 of the CFD (as such Tax Zone is described in the Notice of Special Tax Lien), and irrevocably consents to, approves and votes in favor of the annual levy of the Special Tax on the Property pursuant to the Rate and Method to finance the Services. The Owner acknowledges

that the Secretary of Island Reclamation District No. 2062 will record, or cause to be recorded, against the Property in the Office of the County Recorder an amendment to the Notice of Special Tax Lien as required by Section 3117.5 of the California Streets and Highways Code, which will impose a continuing lien on the Property to secure each levy of the Special Tax, and that under the Law said lien (a) will be coequal with the lien for ad valorem real property taxes levied by the County of San Joaquin on the Property, and (b) will be senior to any lien of any mortgage on the Property whether such mortgage lien was recorded prior to or after the recordation of the amendment to the Notice of Special Tax Lien.

4. The Owner hereby irrevocably waives any right the Owner may otherwise have to protest or challenge the validity of the proceedings of the Board to form the CFD and to authorize the annexation of any property (including the Property) to the CFD, and any necessity, requirement or right for further public hearings or any election pertaining to the annexation of the Property to the CFD or the levy of the Special Tax on the Property.

5. The Owner hereby agrees to provide written notice of the annexation of the Property to the CFD, and of the authority of the Board to levy the Special Tax on the Property pursuant to the Rate and Method, to any subsequent purchaser of the Property to the extent required by applicable law.

The Property subject to this Consent and Ballot, and to be annexed to the CFD, consist of the following San Joaquin County Assessor's Parcel(s):

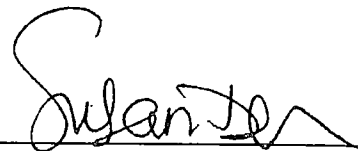
210-210-11

The full legal name of the fee title Owner of the Property is:

River Islands Development, LLC

The foregoing Consent and Ballot is hereby executed on August 28, 2017, in Lathrop, California.

By: _____


(signature)

Susan Dell'Osso

(type name of person executing
Consent and Ballot)

Its: _____

Vice President and Secretary

(insert legal capacity of person
executing Consent and Ballot)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

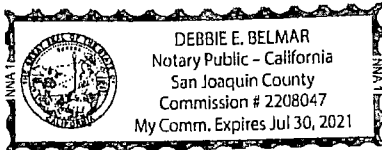
CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Joaquin)

On August 28, 2017 before me, Debbie E. Belmar, a Notary Public,
Date

personally appeared Susan Dell'Osso, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Debbie E. Belmar
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer -- Title(s): _____

Partner -- Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer -- Title(s): _____

Partner -- Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

EXHIBIT A

ISLAND RECLAMATION DISTRICT NO. 2062 COMMUNITY FACILITIES DISTRICT NO. 2013-1 (LEVEE AND LAKE MAINTENANCE SERVICES)

DESCRIPTION OF SERVICES ELIGIBLE TO BE FUNDED BY THE DISTRICT

Services:

The services to be funded, in whole or in part, by the community facilities district (the "District") include all direct and incidental costs related to providing for the maintenance of lakes and levees within the River Islands area including the area initially included in the District, as well as any future annexation area of the District and areas adjacent to the foregoing. More specifically, the services shall include, but not be limited to, the maintenance of: (i) levees in urban and rural areas, including but not limited to squirrel and rodent abatement, vegetation control and repairs and renovations; (ii) lakes and their storm drainage and recreational functions, including but not limited to maintenance of pumps, intake and outfall structures, aeration systems and vegetation along lake edge areas; and (iii) other public services authorized to be funded under Section 53313(e) of the California Government Code. The District may fund any of the following related to the services described in the preceding sentence: obtaining, constructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the services, payment of insurance costs and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services.

The services to be financed by the District are in addition to those provided in the territory of the District before the date of creation of the District, and will not supplant services already available within that territory when the District is created.

Administrative Expenses:

The administrative expenses to be funded by the District include the direct and indirect expenses incurred by Island Reclamation District No. 2062 (the "RD") in carrying out its duties with respect to the District (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of the County of San Joaquin related to the District or the collection of special taxes, an allocable share of the salaries of any RD staff directly related thereto and a proportionate amount of the RD's general administrative overhead related thereto, any amounts paid by the RD from its general fund with respect to the District or the services authorized to be financed by the District, and expenses incurred by the RD in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the RD in any way related to the District.

Other:

The incidental expenses that may be funded by the District include, in addition to the administrative expenses identified above, the payment or reimbursement to the RD of all costs associated with the establishment and administration of the District.

EXHIBIT B

ISLAND RECLAMATION DISTRICT 2062 COMMUNITY FACILITIES DISTRICT NO. 2013-1 (LEVEE AND LAKE MAINTENANCE SERVICES)

AMENDED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in the Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) shall be levied and collected according to the tax liability determined by the Board of Trustees or its designee, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 2013-1, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless a separate rate and method of apportion of Special Tax is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"**Accessory Unit**" means a second residential unit of limited size (e.g., granny cottage, second unit) that shares a Parcel with a single-family detached unit.

"**Acre**" or "**Acreage**" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other parcel map recorded with the County.

"**Act**" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Division 2 of Title 5 of the California Government Code.

"**Administrative Expenses**" means any or all of the following: the expenses of RD 2062 in carrying out its duties with respect to CFD No. 2013-1 including, but not limited to, levying and collecting the Special Tax, fees and expenses of legal counsel, charges levied by the County Auditor's Office, Tax Collector's Office, and/or Treasurer's Office, costs related to annexing property into the CFD, costs related to property owner inquiries regarding the Special Tax, and all other costs and expenses of RD 2062, Lathrop Irrigation District, and the River Islands Public Financing Authority in any way related to the establishment or administration of the CFD.

"**Administrator**" means the person or firm designated by RD 2062 to administer the Special Tax according to the Amended RMA.

"**Amended RMA**" means this Amended Rate and Method of Apportionment of Special Tax.

"**Assessor's Parcel**" or "**Parcel**" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor designating parcels by Assessor's Parcel number.

"Association Property" means any property within the CFD that is owned by a homeowners association or property owners association, excluding Association Property under the pad or footprint of a Residential Unit.

"Authorized Services" means the public services authorized to be funded by the CFD as set forth in the documents adopted by the Board when the CFD was formed.

"Board of Trustees" or "Board" means the Board of Trustees of RD 2062.

"CFD" or "CFD No. 2013-1" means the Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services).

"CFD Formation" means the date on which the Resolution of Formation to form CFD No. 2013-1 was adopted by the Board of Trustees.

"City" means the City of Lathrop.

"City Council" means the City Council of the City of Lathrop.

"County" means the County of San Joaquin.

"Developed Property" means, in any Fiscal Year, the following:

- for Single Family Detached Property, all Parcels of Taxable Property for which a Final Map was recorded on or prior to June 30 of the preceding Fiscal Year
- for Multi-Family Property and Single Family Attached Property, all Parcels of Taxable Property for which a building permit for new construction of a residential structure was issued on or prior to June 30 of the preceding Fiscal Year
- for Non-Residential Property, all Parcels of Taxable Property for which a building permit for new construction of a structure was issued on or prior to June 30 of the preceding Fiscal Year.

"Escalation Factor" means, in any Fiscal Year, the lesser of (i) the increase from the prior Fiscal Year, if any, in the Local Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers, or (ii) four percent (4%). The CPI used shall be as determined by the Bureau of Labor Statistics from April to April beginning with the period from April 2013 to April 2014.

"Final Map" means a final map, or portion thereof, recorded by the County pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) that creates

individual lots on which building permits for new construction may be issued without further subdivision and for which no further subdivision is anticipated pursuant to a tentative map approved for the property or, if no tentative map has been approved, pursuant to a then current specific plan or other land use plan for the property.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Maximum Special Tax" means the greatest amount of Special Tax that can be levied in any Fiscal Year determined in accordance with Section C below.

"Multi-Family Property" means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit or use permit has been issued for construction of a residential structure with five or more Units that share a single Assessor's Parcel number, are offered for rent to the general public, and cannot be purchased by individual homebuyers.

"Non-Residential Property" means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a structure that will be used for any non-residential purpose.

"Proportionately" means the following: (i) for Developed Property, the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor's Parcels of Developed Property; and (ii) for Undeveloped Property, the ratio of the actual Special Tax to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property.

"Public Property" means any property within the boundaries of CFD No. 2013-1 that is owned by or irrevocably offered for dedication to the federal government, State of California, County, City, or other local government or public agency.

"RD 2062" means Island Reclamation District 2062.

"Residential Property" means, in any Fiscal Year, collectively, Single Family Detached Property, Single Family Attached Property, and Multi-Family Property. Notwithstanding the foregoing, if a building permit is issued for a structure that includes both Residential Units and non-residential uses, the Residential Units within the building will be categorized as Residential Property, and a Special Tax shall be calculated separately for the Residential Units and Non-Residential Property on the Parcel, as set forth in Section C.1.c below.

"Residential Unit" means an individual single-family detached unit, an individual residential unit within a duplex, halfplex, triplex, fourplex, townhome, live/work or condominium structure, or an individual apartment unit.

"SFD Lot" means an individual residential lot, identified and numbered on a recorded Final Map, on which a building permit was or is permitted to be issued for construction of a single family detached unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated pursuant to an approved tentative map.

"Single Family Attached Property" means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a residential structure consisting of two or more Units that share common walls, have separate Assessor's Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor's Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Units are purchased and subsequently offered for rent by the owner of the unit), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

"Single Family Detached Property" means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a Unit that does not share a common wall with another Unit. An Accessory Unit that shares a Parcel with a single-family detached unit shall not be considered a separate Unit for purposes of this Amended RMA.

"Special Tax" means a Special Tax levied in any Fiscal Year to pay the Special Tax Requirement.

"Special Tax Requirement" means the amount of revenue needed in any Fiscal Year to pay for the following: (i) Authorized Services; (ii) Administrative Expenses; and (iii) amounts needed to cure any delinquencies in the payment of Special Taxes which have occurred or, based on delinquency rates in prior years, may be expected to occur in the Fiscal Year in which the Special Tax will be collected.

"Taxable Property" means all Assessor's Parcels within the boundaries of CFD No. 2013-1 that are not exempt from the Special Tax pursuant to law or Section E below.

"Tax Zone" means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this Amended RMA. All of the property within CFD No. 2013-1 at the time of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to the CFD, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor's Parcels included within a new Tax Zone established when such Parcels are annexed to the CFD shall be identified by Assessor's Parcel number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

"Unanimous Approval Form" means that form executed by the record owner of fee title to a Parcel or Parcels annexed into the CFD that constitutes the property owner's approval and unanimous vote in favor of annexing into the CFD and the levy of the Special Tax against his/her Parcel or Parcels pursuant to this Amended RMA.

"Undeveloped Property" means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2013-1 that are not Developed Property.

B. DATA FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels of Taxable Property within the CFD. The Administrator shall also determine: (i) whether each Assessor's Parcel of Taxable Property is Developed Property or Undeveloped Property; (ii) in which Tax Zone each Assessor's Parcel is located; and (iii) the Special Tax Requirement for the then-current Fiscal Year.

In any Fiscal Year, if it is determined that (i) a Final Map for a portion of property in the CFD was recorded after the last date upon which the Assessor will incorporate the newly-created Parcels into the then current tax roll, and (ii) because of the date the Final Map was recorded, the Assessor does not yet recognize the new Parcels created by the Final Map, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the original Parcel that was subdivided by recordation of the Final Map.

C. MAXIMUM SPECIAL TAXES

1. Developed Property

a. Residential Property

The Maximum Special Tax for Fiscal Year 2013-14 for all Parcels of Residential Property within Tax Zone 1 shall be \$81 per SFD Lot or Residential Unit. All of the property within the CFD at the time of CFD Formation is within Tax Zone 1; a different Maximum Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Residential Property shall be increased by the Escalation Factor.

b. Non-Residential Property

The Maximum Special Tax for Fiscal Year 2013-14 for Non-Residential Property within Tax Zone 1 shall be \$640 per Acre. All of the property within the CFD at the time of CFD Formation is within Tax Zone 1 a different Maximum Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Non-Residential Property shall be increased by the Escalation Factor.

c. Mixed-Use Property

If, in any Fiscal Year, the Administrator determines that a Parcel of Developed Property is built or proposed to be built with both Residential Units and non-residential uses, the Maximum Special Tax for the Parcel shall be the sum of (i) the Maximum Special Tax for Residential Property multiplied by all Residential

Units on the Parcel, and (ii) the Maximum Special Tax for Non-Residential Property multiplied by the full Acreage of the Parcel. After the aggregate Maximum Special Tax has been determined for a Parcel, such Maximum Special Tax shall be escalated beginning the next Fiscal Year and each Fiscal Year thereafter by the Escalation Factor.

2. Undeveloped Property

The Maximum Special Tax for Fiscal Year 2013-14 for all Parcels of Undeveloped Property within Tax Zone 1 shall be \$736 per Acre. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Undeveloped Property shall be increased by the Escalation Factor.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement for that Fiscal Year and levy the Special Tax on all Parcels of Taxable Property as follows:

Step 1: The Special Tax shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year until the amount levied is equal to the Special Tax Requirement;

Step 2: If additional revenue is needed after Step 1, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year until the amount levied, when combined with the amount levied pursuant to Step 1, is equal to the Special Tax Requirement.

The Special Taxes for CFD No. 2013-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that RD 2062 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

E. EXEMPTIONS

Notwithstanding any other provision of this Amended RMA, no Special Tax shall be levied on Parcels of Association Property or Public Property, except as otherwise provided in the Act.

F. INTERPRETATION OF SPECIAL TAX FORMULA

RD 2062 reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to RD 2062's discretion. Interpretations may be made by RD 2062 by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Amended RMA.

G. APPEAL OF SPECIAL TAX LEVY

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the Administrator not later than one calendar year after having paid the Special Tax that is disputed. The Administrator shall promptly review the appeal and, if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and decide the appeal. If the property owner disagrees with the Administrator's decision relative to the appeal, the owner may then file a written appeal with the Board whose subsequent decision shall be binding. If the decision of the Administrator (if the appeal is not filed with the Board) or the Board (if the appeal is filed with the Board) requires the Special Tax to be modified or changed in favor of the property owner, no cash refund shall be made for prior years' Special Tax levies, but an adjustment shall be made to the next Special Tax levy(ies). This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

34

Quint & Thimmig LLP

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

Karna E. Harrigfeld, Secretary
River Islands Public Financing Authority
73 West Stewart Road
Lathrop, CA 95330

Recorded for the benefit of the River Islands
Public Financing Authority pursuant to
Government Code Section 27383

FIFTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

River Islands Public Financing Authority
Community Facilities District No. 2013-1
(River Islands Public Services)
Annexation No. 5

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned Secretary of the River Islands Public Financing Authority (the "Authority"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Directors of the Authority on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on October 3, 2013 as Document No. 2013-126691, and said special tax is to be levied according to the Amended and Restated Rate and Method of Apportionment of Special Tax set forth in that certain First Amendment to Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089986, to which recorded Notice of Special Tax Lien and recorded First Amendment to Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Fifth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) certain real property identified in Exhibit A hereto and shown within the future annexation area on the boundary map of the community facilities district recorded on August 29, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 40 (Document No. 2013-111317, in the Office of the County Recorder, which map is the final boundary map of the community facilities district.

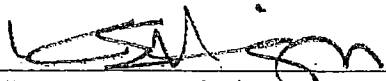
The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Fifth Amendment to Notice of Special Tax Lien, together with the name(s) of

18016.00:RIPFA:14224

the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of the River Islands Public Financing Authority, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: 9/25, 2017.

By: 
Karna E. Harrigfeld, Secretary,
River Islands Public Financing Authority

NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of San Joaquin } ss.

On September 26, 2017, before me, Julie Lynn Sanchez, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Karna E. Hurrigfeld
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Julie Lynn Sanchez [Seal]
Notary Public

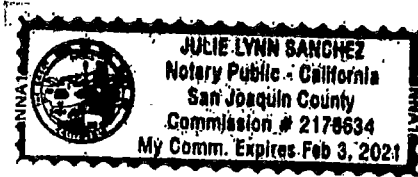


EXHIBIT A

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES)
ANNEXATION NO. 5**

**ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN
ANNEXATION NO. 5 TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY
COMMUNITY FACILITIES DISTRICT NO. 2013-1
(RIVER ISLANDS PUBLIC SERVICES)**

<u>Name(s) of Property Owner(s)</u>	<u>San Joaquin County Assessor's Parcel No.</u>
RIVER ISLANDS DEVELOPMENT LLC 2999 OAK RD #400, WALNUT CREEK CA 94597	210-210-11

**RECORDING REQUESTED BY
AND AFTER RECORDATION RETURN TO:**

Secretary
River Islands Public Financing Authority
73 West Stewart Road
Lathrop, CA 95330

Recorded for the benefit of the River Islands
Public Financing Authority pursuant to
Government Code Section 27383

NOTICE OF CANCELLATION OF SPECIAL TAX LIEN


River Islands Public Financing Authority
Community Facilities District No. 2016-1
(River Islands Supplemental)

Reference is made to Amendment No. 2 to Notice of Special Tax Lien for the River Islands Public Financing Authority Community Facilities District No. 2016-1, recorded on April 6, 2017, under Recorder's Serial No. 2017-038888. Amendment No. 2 to the Notice of Special Tax Lien was recorded pursuant to the requirements of the Mello-Roos Community Facilities Act of 1982, as amended (commencing with Government Code Section 53311), and established a lien for special taxes levied on the hereinafter described parcels.

The obligation to pay the referenced special tax has been cancelled and permanently satisfied for the parcels described below and is thereby released from the special tax lien previously recorded against such parcels. This Notice of Cancellation of Special Tax Lien does not affect, or extend to, any properties other than as specified below.

Assessor's Parcel Numbers: see EXHIBIT A
Owner(s) on record: see EXHIBIT A
Property descriptions: see EXHIBIT A

Dated: 9/25, 2017

By: 
Karna E. Harrigfeld, Secretary
River Islands Public Financing Authority

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

)
) ss
)

COUNTY OF SAN JOAQUIN

On September 25, 2017, before me, Julie Lynn Sanchez, Notary Public, personally appeared Karna E. Harrigfeld, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Julie Lynn Sanchez

Julie Lynn Sanchez,
Notary Public



Exhibit A

**River Islands Public Financing Authority
Community Facilities District No. 2016-1
(River Islands Supplemental)**

Assessor's

Parcel Number

Name(s) of Owner(s)

Property Description

Assessor's Parcel Number	Name(s) of Owner(s)	Property Description
210-210-11	RIVER ISLANDS DEVELOPMENT, LLC	16-FM PT OF 213-310-32 PER RIVER ISLANDS- PHASE 1B

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RECORDING REQUESTED BY:

Old Republic Title Company

Escrow No.: 1314000104

APN No.: 210-210-15

WHEN RECORDED MAIL TO

River Islands Development, LLC
73 West Stewart Road
Lathrop, CA 95330

SPACE ABOVE THIS LINE FOR RECORDERS USE

Quitclaim Deed

The undersigned grantor(s) declare(s):

Documentary transfer tax is

- computed on full value of property conveyed, or
- computed on full value less value of liens and encumbrances remaining at time of sale.
- Unincorporated area: City of Lathrop
- Realty not sold.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
The City of Lathrop, a municipal corporation

hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to
River Islands Development, LLC, a California limited liability company

that property in City of Lathrop, San Joaquin County, State of California, described as:
See "Exhibit A" attached hereto and made a part hereof.

Mail Tax Statements to Grantee at address above

The City of Lathrop,
a municipal corporation

By: _____
Name: Stephen J. Salvatore
Its: City Manager

Date: _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of _____
County of _____

On _____ before me, _____ a Notary Public, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

Name: _____
(Typed or Printed)

(Seal)

MARCH 16, 2018
JN 25501

EXHIBIT A
LEGAL DESCRIPTION
COHEN ROAD THROUGH TRACT 3833
RIVER ISLANDS
LATHROP, CALIFORNIA

CERTAIN REAL PROPERTY SITUATE IN THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE PUBLIC ROAD KNOWN AS COHEN ROAD, AS DESCRIBED IN THE INDENTURE BETWEEN RECLAIMED ISLAND LANDS COMPANY, A CORPORATION, AND THE COUNTY OF SAN JOAQUIN, RECORDED OCTOBER 18, 1934, IN BOOK 408 OF OFFICIAL RECORDS, PAGE 95, IN THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER, WITHIN TRACT 3833, AS SAID TRACT 3833 IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 3833, RIVER ISLANDS, PHASE 1B, VILLAGE L, FOR CONDOMINIUM PURPOSES", FILED _____, 201____, IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, IN THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER.

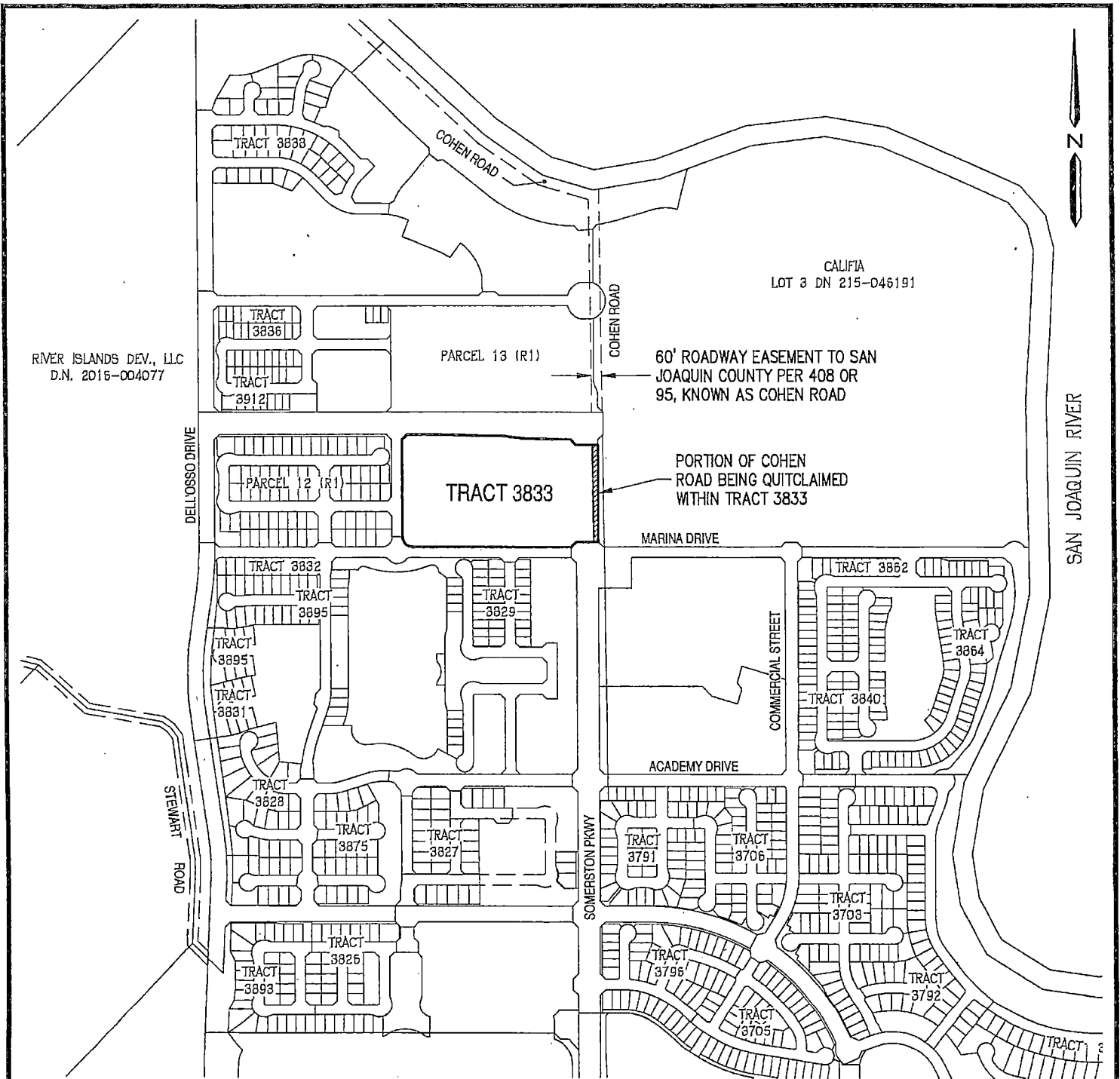
ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

Paul Kittredge
PAUL KITTREDGE
PROFESSIONAL LAND SURVEYOR
CALIFORNIA NO. 5790

4/2/18
DATE





RIVER ISLANDS DEV., LLC
D.N. 2016-004077


CALIFA
LOT 3 DN 215-046191

SAN JOAQUIN RIVER

60' ROADWAY EASEMENT TO SAN
JOAQUIN COUNTY PER 408 OR
95, KNOWN AS COHEN ROAD

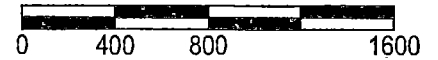
PORTION OF COHEN
ROAD BEING QUITCLAIMED
WITHIN TRACT 3833

LEGEND

 DENOTES PORTION OF COHEN
ROAD BEING QUITCLAIMED

 TRACT 3833 BOUNDARY

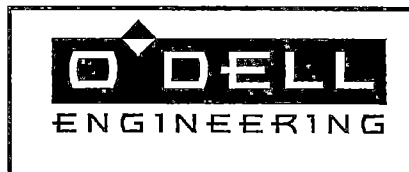
(R1) DENOTES RECORD DATA PER TRACT 3876
(42 MAPS & PLATS 56)



SCALE: 1" = 800'

EXHIBIT A

PROJECT: RIVER ISLANDS				2 OF 2
DESCRIPTION: COHEN ROAD WITHIN TRACT 3833				
SCALE:	1"=800'	DATE:	2018-03-16	
JOB NO.:	25501			
FILE:	25500 PLAT-COHEN ROAD QUITCLAIM.DWG			



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**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: **AUTHORIZE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WSP FOR THE MANTHEY ROAD BRIDGE REPLACEMENT PROJECT PS 12-04**

RECOMMENDATION: **Adopt a Resolution Authorizing Amendment No. 2 with WSP for Additional Preliminary Engineering and Environmental Compliance Services for the Manthey Road Bridge Replacement Project PS 12-04**

SUMMARY:

WSP, formally Parsons Brinckerhoff, was hired by the City to provide Preliminary Engineering and Environmental Compliance Services for the Manthey Road Bridge Replacement Project, Capital Improvement Project (CIP) PS 12-04. Additional services are needed to expand technical studies, continue the Extended Phase I (XPI) cultural survey and prepare a higher class of action for National Environmental Policy Act (NEPA) compliance. WSP provided a scope to complete these additional services in the amount of \$330,957.

These additional services are required by the California Department of Transportation (Caltrans) and were not anticipated in the original project scope. The Manthey Road Bridge Replacement Project is unable to move forward without the additional services that are being required by Caltrans to meet the NEPA requirements.

A large portion (88.53%) of the project costs are being funded through the Federal Highway Administration's (FHWA) Highway Bridge Program (HBP) with the remainder being funded through a combination of development impact fees and other local funds. The project costs, including the additional services, have been included in the FY 17/18 budget for the Manthey Road Bridge Replacement Project PS 12-04.

Staff recommends that Council authorize Amendment No. 2 with WSP for the additional services needed for the Manthey Road Bridge Replacement Project, CIP PS 12-04.

BACKGROUND:

The project will replace the existing Manthey Road Bridge across the San Joaquin River, located approximately 0.3 miles northeast of Stewart Road. The existing 539' bridge was built in 1926 and identified by Caltrans for rehabilitation or replacement to maintain public safety.

In 2012 the City applied for funding under the FHWA HBP and received authorization of funds in the amount of \$4,500,000 for Preliminary Engineering and Environmental Compliance Service related costs.

CITY MANAGER'S REPORT **PAGE 2**
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
AUTHORIZE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES
AGREEMENT WITH WSP FOR THE MANTHEY ROAD BRIDGE REPLACEMENT
PROJECT PS 12-04

The FHWA HBP Funds are being administered through the Caltrans. In March of 2013 the City received an Authorization to Proceed (E-76) from Caltrans.

In February 2014 Council authorized an agreement with Parsons Brinckerhoff (PB) for Preliminary Engineering and Environmental Compliance Services in the amount of \$1,411,350, to complete the first phase of the project. The first phase consists of preliminary engineering, a Project Report, and an Environmental Document that will be prepared in compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The completion of this phase will allow the project to proceed to right-of-way acquisition (if needed), final design and construction. In July 2015, Council authorized Amendment No. 1 to PB's contract in the amount of \$162,019 for the preparation of an Extended Phase I (XPI) cultural survey, a Feasibility Study, and a Water Quality Assessment Report, all additional requirements from Caltrans were not anticipated in the original project scope.

Additional services are needed to expand technical studies, continue the Extended Phase I (XPI) cultural survey and prepare a higher class of action for NEPA compliance. The additional services are described in more detail below:

Expand Technical Studies

In 2014 Caltrans approved the Preliminary Environmental Study (PES) form outlining the required technical studies. In 2016, Caltrans revised the PES form due to project complexity. The revised PES form included additions to the technical studies that were not anticipated in the original project scope. Additional services are needed to meet these additional requirements and coordinate their review with Caltrans. The technical studies being added or expanded on are listed below:

- Abbreviated Visual Impact Assessment (AVIA)
- Air Quality Study Report (AQSR)
- Natural Environmental Study (NES)
- Wetland Delineation
- Biological Assessment (BA)
- Community Impact Assessment (CIA)
- Archaeological Survey Report (ASR)

Extended Phase I (XPI) Cultural Survey

During the preliminary engineering phase, the project team became aware of an archaeological site within the project footprint that has previously yielded artifacts. Based on the record search results, Caltrans required the preparation of an Extended Phase I (XPI) cultural survey which was not included in the original project scope. In July 2015, Council authorized Amendment No. 1 which included preparation of the cultural survey.

Since the approval of Amendment No. 1 Caltrans modified their requirements generating the need for additional service to complete the XPI:

APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**AUTHORIZE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WSP FOR THE MANTHEY ROAD BRIDGE REPLACEMENT PROJECT PS 12-04**

- Increased Fieldwork: Amendment 1 assumed 8-10 excavations within the project footprint to determine the presence or absence of artifacts. Caltrans has increased the number of trenches to 15 and increased the size and depth of the trenches. In addition to trenching, Caltrans required that borings be conducted along Alternative Alignment 3 near the levee toe where there is the potential for future bridge abutments.
- Expansion of the architectural Area of Potential Effect (APE): In early 2017, Caltrans expanded the architectural APE to include additional properties to the east and south of the project site. Expansion of the APE will require additional services to perform field surveys and research for five additional historic properties in the expanded areas, to revise the Historic Resources Evaluation (HRER) report, and to revise the Finding of Effect (FOE) report.

Higher Class of Action for NEPA Compliance

As part of receiving federal funding through FHWA the project must be in compliance with NEPA. The environmental review under NEPA can involve three different levels of analysis:

1. Categorical Exclusion (CATEX)
2. Environmental Assessment/Finding of No Significant Impact (EA/FONSI)
3. Environmental Impact Statement (EIS)

The original scope of work anticipated that the project would need a Level 1 CATEX analysis to comply with NEPA. Due to the existence of cultural resources in the study area, Caltrans has determined that a higher class of action, an EA/FONSI, is needed to comply with NEPA. In conjunction with EA/FONSI, a joint IS/EA will need to be prepared. This document will analyze two build alternatives and a no-build alternative for the project.

REASON FOR RECOMMENDATION:

The Manthey Bridge Replacement Project cannot continue to move forward without the additional services that are being required by Caltrans. The additional services include expansion of technical studies, continuing the Extended Phase I (XPI) cultural survey and preparing a higher level of environmental assessment.

COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

This agenda item promotes Public Safety by improving an existing bridge that has been identified by Caltrans for replacement.

CITY MANAGER'S REPORT **PAGE 4**
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
AUTHORIZE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES
AGREEMENT WITH WSP FOR THE MANTHEY ROAD BRIDGE REPLACEMENT
PROJECT PS 12-04

FISCAL IMPACT:

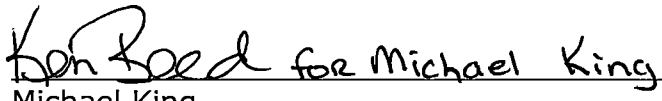
The cost of WSP Amendment No. 2 for additional services required by Caltrans in the amount of \$330,957.00 is eligible for reimbursement through the FHWA authorized funds approved on the E-76, received in March 2013. The reimbursable funds are sufficient to cover the project costs, including the additional services, and have been included in the FY 17/18 budget for the Manthey Road Bridge Replacement Project PS 12-04.

ATTACHMENTS:

- A. Resolution Authorizing Amendment No. 2 with WSP for Additional Preliminary Engineering and Environmental Compliance Services for the Manthey Road Bridge Replacement Project PS 12-04
- B. Amendment No. 2 with WSP for Additional Preliminary Engineering and Environmental Compliance Services


CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
AUTHORIZE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES
AGREEMENT WITH WSP FOR THE MANTHEY ROAD BRIDGE REPLACEMENT
PROJECT PS 12-04

APPROVALS:



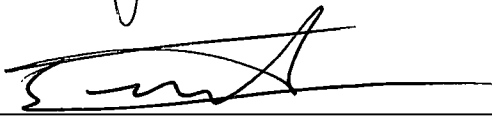
Michael King
Senior Civil Engineer

4-4-2018
Date




Cari James
Director of Finance

4/3/18
Date



Salvador Navarrete
City Attorney

4-3-18
Date



Stephen J. Salvatore
City Manager

4.4.18
Date

RESOLUTION NO. 18-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
AUTHORIZING AMENDMENT NO. 2 WITH WSP FOR ADDITIONAL
PRELIMINARY ENGINEERING AND ENVIRONMENTAL COMPLIANCE
SERVICES FOR THE MANTHEY ROAD BRIDGE REPLACEMENT PROJECT
PS 12-04**

WHEREAS, the Manthey Road Bridge was identified by the California Department of Transportation (Caltrans) for rehabilitation or replacement to maintain public safety; and

WHEREAS, in 2012 the City applied for funding under the Federal Highway Administration's (FHWA) Highway Bridge Program (HBP) and received authorization of funds in the amount of \$4,500,000 for Preliminary Engineering and Environmental Compliance Service related costs; and

WHEREAS, in February 2014 Council approved an agreement to Parsons Brinckerhoff, Inc. for Preliminary Engineering and Environmental Compliance Services in the amount of \$1,411,350; and

WHEREAS, in July 2015, Council authorized Amendment No. 1 to PB's contract in the amount of \$162,019 for the preparation of an Extended Phase I (XPI) cultural survey, a Feasibility Study, and a Water Quality Assessment Report, all additional requirements from Caltrans not anticipated in the original project scope; and

WHEREAS, Caltrans is requiring additional services to expand technical studies, continue the Extended Phase I (XPI) cultural survey and prepare a higher class of action for National Environmental Policy Act (NEPA) compliance; and

WHEREAS, the cost to complete these additional services is \$330,957; and

WHEREAS, the reimbursable funds are sufficient to cover the project costs, including the additional services, and have been included in the FY 17/18 budget for the Manthey Road Bridge Replacement Project PS 12-04; and

WHEREAS, the Manthey Bridge Replacement Project cannot continue to move forward without the additional services that are being required by Caltrans;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lathrop does hereby authorize Amendment No. 2 with WSP for additional Preliminary Engineering and Environmental Compliance Services in the amount of \$330,957.

The foregoing resolution was passed and adopted this 9th day of April 2018, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

AMENDMENT NO. 2**TO THE AGREEMENT FOR PROFESSIONAL CONSULTING
SERVICES BETWEEN THE CITY OF LATHROP AND
WSP****FOR THE MANTHEY ROAD BRIDGE REPLACEMENT PROJECT,
PS 12-04**

This Contract Amendment (hereinafter "AMENDMENT NO. 2") to the agreement between WSP and the City of Lathrop dated February 3, 2014, (hereinafter "AGREEMENT") dated for convenience this April 9, 2018, is by and between WSP ("CONSULTANT") and the CITY OF LATHROP, a California municipal corporation ("CITY");

RECITALS:

WHEREAS, CONSULTANT and CITY entered into an AGREEMENT to provide Professional Consulting Services for the Manthey Road Bridge Replacement Project, CIP PS 12-04 dated February 3, 2014; and

WHEREAS, AMENDMENT NO. 1 dated July 20, 2015 was issued for additional Professional Consulting Services for the Manthey Road Bridge Replacement Project, CIP PS 12-04; and

WHEREAS, AMENDMENT NO. 2 is now needed for additional Professional Consulting Services for the Manthey Road Bridge Replacement Project, CIP PS 12-04;

NOW, THEREFORE, CONSULTANT and CITY agree as follows:

- (1) **Scope of Service.** Section (1) of the AGREEMENT for Consulting is hereby amended to add the following:

CONSULTANT agrees to perform services in conformance with the scope of work and fee dated April 4, 2018, submitted by the CONSULTANT, attached hereto as Exhibit "A" and incorporated fully herein by this reference.

The aforementioned work is in addition to the scope of work in the original AGREEMENT dated February 3, 2014 and Amendment No. 1 dated July 20, 2015 for Professional Consulting Services. The agreement is hereby amended by adding Exhibit "A". CONSULTANT agrees to diligently perform these services in accordance with the upmost standards of its profession and the CITY'S satisfaction.

(2) Compensation. Section (2) of the AGREEMENT for Consulting Services is hereby amended as follows:

City hereby agrees to pay CONSULTANT an additional sum of \$330,957 for the Professional Consulting Services set forth in Exhibit "A". CONSULTANT shall be paid within thirty (30) days of receipt of billings containing all information contained in Paragraph 5 of the original AGREEMENT. Compensation for any task must be equal to or less than the percentage of task complete. In no event shall CONSULTANT be entitled to compensation for work not included in the original scope of work, and this AMENDMENT unless a written change order or authorization describing the extra work and payment terms has been executed by CITY'S Authorized Representative prior to the commencement of the work.

(3) Effective Date and Term

The effective date of AMENDMENT NO. 2 is April 9, 2018 and it shall terminate no later than June 30, 2019. All other terms of the original AGREEMENT shall remain in full force and effect.

(4) Applicability To Original Consultant AGREEMENT

All terms and conditions set forth in the AGREEMENT dated February 3, 2014 and Amendment No. 1 dated July 20, 2015 are still in effect and are incorporated by reference herein and said AGREEMENT is incorporated by reference herein.

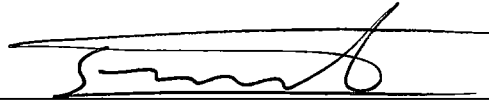
(5) Signatures

The individuals executing this AMENDMENT NO. 2 represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this AMENDMENT NO. 2 on behalf of the respective legal entities of the CONSULTANT and the CITY. This agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

CITY OF LATHROP – CONSULTING SERVICES AGREEMENT
WSP

Approved as to Form:

City of Lathrop
City Attorney



Salvador Navarrete

4-3-18

Date

Recommended for Approval:

City of Lathrop
Senior Civil Engineer

Michael King

Date

Accepted By:

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Stephen J. Salvatore
City Manager

Date

CONSULTANT:

WSP
2329 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833

Fed ID #

Business License #

Cheryl Creson, Vice President

Date



Date: 4/04/18

Department of Public Works
City of Lathrop
390 Towne Center Drive
Lathrop, Ca 95330
Attention: Michael King

RE: Manthey Road Bridge replacement project, Supplemental #2 request

Dear Michael,

Attached please find the scope of work and cost proposal for the supplement#2 for the above project. This supplement will accommodate the extension of project schedule and performing the environmental technical studies that were outside of the current scope of work.

Please don't hesitate to contact me with any questions.

Regards,
WSP USA Inc

A handwritten signature in black ink that reads "Ali Seyedmadani".

Ali Seyedmadani
Project Manager

Enclosed: Attachment A- Supplemental #2 scope and cost proposal



ATTACHMENT A

Scope of Work

1 Project Management (Meetings and Coordination)

Due to the complexity of project site and required coordination with Caltrans, environmental technical studies will require extensive coordination and review by Caltrans. Caltrans 2014 signed PES form was revised by Caltrans. The revised 2016 PES form indicated changes to technical studies that were not anticipated. In addition, due to known prehistoric archaeological site present in the project area, Caltrans has required extensive coordination and Extended Phase I (XPI) survey to determine the extent of project impact to the archaeological site. In addition, Caltrans has indicated that the NEPA CE documentation may not be adequate and a routine Environmental Assessment (EA) may be the required documentation. Based on this the project schedule has been extended to March 2019 for completion of NEPA EA documentation.

Based on the above schedule, it is assumed that monthly PDT teleconference meeting will be held. In addition, if requested by city in lieu of teleconference up to 8 in person meeting with City will be attended by the WSP and ICF staff.

ICF will work with Tremaine Associates to complete the cultural tasks necessary to implement/ complete the XP1.

7 Environmental Documentation

Project Description

Additional effort is required to review and edit new construction methods and environmental windows information for the environmental document to make it readily understood by the general public.

PES

The original contract assumed that ICF would prepare no more than two drafts of the PES and then finalize the PES after the field review. Two additional PES forms were prepared reflecting changes in the range of alternatives and to provide additional supporting information for Caltrans.

Further efforts may be necessary to remove another alternative at a later time. Caltrans generally requests support for this effort. ICF will prepare a revised PES to remove one alternative, if requested.

Technical Studies

Abbreviated Visual Impact Assessment (AVIA)

The VIA had undergone consecutive rounds of review with WSP and the City prior to and after the decision to remove the existing bridge under Alternative 3. ICF will revise the analysis to



reflect that Alternative 3 includes the demolition of the existing bridge and addresses an additional round of comments from WSP and the City. A final report will be provided to Caltrans for final approval.

Air Quality Study Report (AQSR/IAC)

ICF prepared the AQSR and IAC documentation prior to the January 2015 hiatus and both documents were reviewed by WSP. In May 2016, the IAC memo was updated and resubmitted the IAC to the City and to SJCOG. An AQSR was not required per the 2014 signed PES form. The 2016 PES form required an AQSR. ICF will revise the existing AQSR, which entailed remodeling construction and operations emissions due to the release of a new version of EMFAC.

Upon confirmation of the opening year, ICF will update the interagency consultation memo text for review by WSP and the City. ICF will address any comments from SJCOG, and track the interagency consultation process. This assumes minor text changes and coordination and no additional modeling. ICF will address any comments from SJCOG, and track the interagency consultation process. ICF will make minor revisions and submit the document to Caltrans. Two rounds of review at Caltrans is anticipated.

Natural Environmental Study (NES)

The first iteration of the NES was prepared in fall 2014. NES will be revised to include the following updates:

- Project description revisions, including information needed for NES analysis.
- Additional review of construction methods; reviewed revised trestle configuration.
- Because of changes to the pile driving assumptions (size and number of piles) required revisions to the pile driving table and re-doing the pile driving analysis.
- Additional construction methods changes (e.g., barges added, number of trestle piles changed).

ICF anticipates WSP and City review and two additional versions of the NES by Caltrans before it is completed. ICF will address comments in a response-to-comments table, discuss the revisions to be made with the City, and make changes in accordance with agreed responses, produce the revised NES, and submit it electronically to Caltrans. It is assumed one final hardcopy each will be submitted to Caltrans and the City.

Wetland Delineation

This document is complete and is an attachment to the NES. It is anticipated that Caltrans may have minor comments that will need to be addressed as part of the review of the NES.

Biological Assessment (BA)

ICF drafted an early version of the BA early in the project and it was submitted and reviewed by WSP. The draft BA was revised to be consistent with NES revisions and recent known agency preferences for USFWS and NMFS. The original scope assumed 2 drafts and 1 final BA. ICF anticipates 2 new reviews by WSP and the City, 1 additional review by Caltrans, and 1 additional reviews by USFWS and NMFS. ICF will revise the BA per comments provided by the



project team and reviewing agencies. It is assumed that no major re-calculations or substantial changes in the BA format will be required.

Community Impact Assessment (CIA)

The original scope of work assumed that a CIA memo would be prepared and the 2014 PES confirmed this level of document. ICF completed the document accordingly. The 2016 PES indicated that a full CIA report would be necessary. ICF expanded the CIA memo to a report format and submit the document to WSP and the City for review. After internal review by WSP and the City, ICF submitted the document to Caltrans and received minor comments in August 2017. ICF submitted the final CIA to Caltrans in August 2017.

Cultural Resources Study

Archaeological Survey Report (ASR)

Upon review of the archaeological Area of Potential Effects (APE) map, Caltrans requested that the archaeological APE be expanded to include the entire boundary of the archaeological resource CA-SJO-19. The APE boundaries for the project were changed which necessitated further revisions to both the Draft ASR related to text and figures.

Based on review comments by Caltrans, to complete the ASR the subcontractor needed to consult with Katherine Erolinda-Perez of the Northern Valley Yokut Tribe to resolve questions regarding resources within or adjacent to the APE.

XPI Workplan

Due to complexity of site and enlargement of APE area, the workplan development required extensive evaluation of various poorly mapped resources and older road alignments as well as determining the location of previous test locations were positioned in order to determine the horizontal and vertical distributions of findings relative to the project APE; the need to take into account the historic topography versus modern terrain modifications to better argue for the sensitivity of specific locations within the two alternatives; and the need to respond to several additional rounds of comments. Also, additional coordination and analysis was required to identify additional trench locations and boring locations to attain depths of 40 feet or greater below the surface in locations where deep impacts will occur (i.e., bridge abutments).

XPI Fieldwork

It was previously assumed that the subcontractor would excavate up to eight (8) backhoe trenches, (two [2] within the Alternative 1 footprint and six (6) within the Alternative 3 footprint) within the APE. It was previously assumed that the work would occur over a period of four (4) consecutive business days. Additional trenches and boring activities are detailed as follows:

Rotation 1 (Trenching)

Fifteen trenches are planned in zones with impacts up to 7 feet deep. These will measure 10 feet in length, ranging from 3 to 7 feet deep, depending upon planned depths of disturbance. Excavation will occur in 1-foot increments using a backhoe with a 3-foot wide flat bladed bucket. Should it be necessary to enter a trench greater than 5 feet deep, the trench sides will be benched to avoid the need to install shoring.



Presence or absence of archaeological material will be determined by screening samples of spoil through ¼-inch mesh, as well as examining the trench walls and inspecting spoils piles for any indication of shell, bone, soil discoloration, or fire affected rock. Artifacts, if any, after documenting and photographing, will be repatriated rather than collected. In the event human remains are found, work will stop in the vicinity of the find and archaeological and Native American monitors will follow the course of action prescribed in the Native American Coordination section of XPI work plan.

Each trench will be given a unique field designation and its location will be recorded using a GPS unit. A trench log will be prepared to record natural and/or cultural strata and document other observations. Representative portions of the trench walls will be photographed and profiled. Soil probes/hand augers will be placed at the bottom of trenches to sample an additional 2 feet if there is any reason to suspect cultural materials might be present. Trenches, upon completion, will be immediately backfilled. If a trench has not been completed at the close of work day, then sheets of plywood will be placed over the opening and the area enclosed by orange plastic netting. No open trenches not covered in this manner will be left unattended. Every effort will be made to return trenched areas to their original condition.

Trenching activities are anticipated to take five (5) consecutive business days.

Rotation 2 (Boring)

Bore sampling is not proposed for Alternative 1. Bore sampling would be conducted for Alternative 3 as follows:

- East Side of River: Boring for Alternative 3 on the east side of the river will only occur if findings from nearby trenches suggested that a cultural deposit is present.
- West Side of River: Thus, three bores are proposed to sample the native soils, just off the levee toe. Similar to the east side, bores will be excavated to a depth of 40 feet below the historic grade.

Boring activities are anticipated to take five (5) consecutive business days.

Historic Resources Evaluation Report (HRER)

Coordination with Caltrans previous personnel had taken place in the Fall of 2016, in which the architectural APE was agreed to require no further revisions and the draft HRER was prepared in accordance with the smaller architectural APE. As a result of staff changes at Caltrans an unanticipated additional revision of the architectural APE was requested by Caltrans on April 7, 2017. Substantial expansion of the architectural APE was requested to include additional properties to the east and south.

Field Surveys & Local Research

Based on ICF's desktop analysis of the expanded APE, five (5) new properties 45 years old or older will require formal documentation and evaluation for Section 106 and CEQA significance:

- UPRR Bridge
- UPRR Transcontinental RR segment
- Reclamation District 17 San Joaquin River levee
- Reclamation District 2062 San Joaquin River levee
- Dellosso/River Islands agricultural/industrial complex



An ICF architectural historian will conduct a field survey of the expanded APE to record buildings and structures and any related historic features through digital photography and written descriptions.

Resource Specific Research

An ICF architectural historian will conduct additional resource specific research on the Reclamation Districts 17 and 2062 San Joaquin River levees, and the UPRR Transcontinental RR segment and bridge at pertinent repositories, including but not limited to the California State Railroad Museum, the California History Room and Government Publications Section of the California State Library, and pertinent online archives and databases.

Prepare Finding of Effect Report

Based on recent consultation with the State Historic Preservation Officer regarding early flood control systems (levees), ICF assumes that the Reclamation Districts 17 and 2062 levees are likely to meet the criteria for listing in the National Register of Historic Places. Further, the segment of the Transcontinental Railroad and the Transcontinental Railroad Bridge are components of a California State Historic Landmark. For these reasons, a separate Finding of Effect (FOE) report will be necessary. Task 5 will also include FOE coordination meetings with Caltrans cultural PQS staff. Preparation and approval of the FOE, along with completion of tasks 1–4, will provide the necessary information and approvals to incorporate into the cultural resources section of the draft IS/EA.

- No more than 2 coordination phone meetings with Caltrans cultural PQS staff will be necessary.
- The FOE will address no more than 4 additional NRHP/CRHR eligible resources.
- Visual simulations (FOE report graphics) will be provided by WSP or the City of Lathrop.
- The finding for the project will be No Adverse Effect to historic properties. As such, ICF assumes preparation of a Memorandum of Agreement (MOA) to resolve (mitigate) adverse effects will not be necessary.

Noise

The NSR had undergone additional review and clarification with the WSP noise specialist. ICF revised the document to reflect the removal of the existing bridge under both alternatives. ICF will address Caltrans' comments from July 2017. ICF will provide the report to Caltrans for final approval and signature.

Optional (Contingency) Environmental Document – NEPA Environmental Assessment

Due to the potential for cultural resources in the study area and Caltrans' preliminary determination that a higher class of action NEPA document, an Environmental Assessment, could be necessary in the Preliminary Environmental Study, the City has requested that ICF prepare an optional scope or work that would include an EA instead of a CE. Accordingly, this optional scope assumes the NEPA Environmental Assessment will be prepared as part of a joint CEQA Initial Study/NEPA Environmental Assessment document. The following scope reflects work necessary to change the CEQA IS/MND into a joint IS/EA.

If Caltrans determines at the time the environmental document is initiated under Task 7.6.1 that an EA/FONSI is required for the project instead of a CE, then a joint IS/EA will be prepared.



The IS/EA will be prepared in conformance with the City of Lathrop's CEQA compliance procedures and Caltrans' Standard Environmental Reference (SER) and Caltrans' IS/EA Annotated Outline updated in August 2017. The joint IS/EA will be prepared analyzing two build alternatives, Alternative 1 and Alternative 3, and the No-Build Alternative. The document will include the following:

- Summary section describing each resource topic and mitigation measures.
- Chapter 1: Proposed Project. This chapter will include a detailed discussion of the purpose and need (a NEPA requirement), including any traffic data, and an expanded discussion of the rejected alternatives.
- Chapter 2: Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures. This chapter will include a full text discussion of resource topics relevant to the project and will incorporate data and results from approved technical studies. Each resource topic will include Regulatory Setting; Affected Environment; Environmental Consequences; and Avoidance, Minimization, and/or Mitigation Measures subheadings for each. Chapter 2 will include discussion of the build alternatives' Construction Impacts and Cumulative Impacts as either separate subsections, or as subsections under each resource topic.
- Chapter 3: California Environmental Quality (CEQA) Evaluation. This chapter will include the CEQA Guidelines Appendix G, CEQA Environmental Checklist. For each resource topic, a determination of no impact, less than significant, less than significant with mitigation, or significant impact will be checked and discussed for each alternative. In accordance with recent regulatory requirements and Caltrans' Annotated Outline, an analysis of Greenhouse Gas impacts will be included in this chapter.
- Chapter 4: Comments and Coordination. ICF will work with the City to gather and summarize coordination with local and state agencies, Native American groups, permitting agencies, and other applicable entities.
- Chapter 5: List of Preparers
- Chapter 6: Distribution List
- Appendices
 - Appendix B. Title VI Policy Statement
 - Appendix C. Summary of Relocation Benefits (if applicable)
 - Appendix D. Glossary of Technical Terms
 - Appendix E. Avoidance, Minimization, and/or Mitigation Summary
 - Appendix F. List of Acronyms
 - Appendix G. Required Consultation/Concurrence Documentation. This appendix will include results of the cultural resource studies and Biological Opinion.
 - Appendix H. Comment Letters and Responses.
 - List of Technical Studies.

Caltrans Environmental will require generalist, technical, senior, and office chief reviews prior to circulating the document for public review. District 10 will require electronic copies for review. Therefore, ICF anticipates minimal efforts for production and distribution of hard copies and we assume only 5 hard copies will be produced and delivered. ICF will produce 5 copies of binders of the technical studies for delivery to Caltrans and The City of Lathrop to assist with reviews.



For each submittal to Caltrans, ICF will prepare and include Caltrans' External Quality Control Certification Sheet and Caltrans' detailed Environmental Document Review Checklist to facilitate the review process and ensure consistency.

Deliverables

- Admin Draft IS/EA (4 rounds for Caltrans review)
- Admin Final IS/EA and draft mitigation monitoring plan (electronic)
- Final IS/EA (5 additional hard copies to Caltrans)

WSP

Supplement 2- 11/21/17 Manthey Road Bridge Project

	Project Manager	Project Engineer	Engineer III	Environmental Review	Environmental Review	Environmental Review	Sr. Supv. Planner	Financial	WSP Total Labor Hours	WSP unburden Labor Cost	WSP Labor Cost	ICF Hours	ICF Cost	Total Hours	Total Cost
MANTHEY ROAD BRIDGE REPLACEMENT PROJECT	Seyedmadani	Gomez	Moore	Lorrain Ahlquist	Stephanie Foell	Maisoon Alfaneh	Henry Ward	Pokrajac							
	\$112	\$79	\$51	\$90	\$70	\$50	\$59	\$50							
TASK															
1 Project Management	96	24	36	0	0	8	8	104	276	\$ 20,518	\$ 58,342	117	\$ 19,642	393	\$ 77,984
Project Management	48		12					104	164	\$ 11,150	\$ 31,716				
Project Meetings	48	24	24			8	8		112	\$ 9,360	\$ 26,626				
									0	\$ -					
7 Environmental Analysis	28	0	136	32	18	16	62	0	292	\$ 18,605	\$ 52,923	1064	\$ 166,578	1356	\$ 219,501
Cultural Resources - XPI Plan & field work	8		36				22		66	\$ 4,008	\$ 11,401	166	\$ 50,226		
ASR/HPSR & HRER	4		4		18		16		42	\$ 2,851	\$ 8,109	278	\$ 35,798		
Other Tech Studies	8		96	24		16			144	\$ 8,718	\$ 24,799	298	\$ 37,757		
									0	\$ -					
Task 7.X. NEPA EA (Optional)	8			8			24		40	\$ 3,028	\$ 8,614	322	\$ 42,797		
									0	\$ -					
Total for Supplemental Tasks	124	24	172	32	18	24	70	104	568	\$ 39,115	\$ 111,265	1181	\$ 186,220	1749	\$ 297,486
									OVERHEAD	\$ 62,036					
									FIXED FEE	\$ 10,115					
									DIRECT COSTS				\$ 33,471		\$ 33,471
									TOTAL COST	\$ 111,265			\$ 219,692		\$ 330,957

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**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING****ITEM: INDUSTRIAL SOLID WASTE REMOVAL
LICENSE FOR CAL-WASTE RECOVERY SYSTEMS****RECOMMENDATION: Approve A Resolution for an Industrial Solid Waste
Removal License for Cal-Waste Recovery Systems**

SUMMARY:

The Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 (AB939), has acknowledged that it is within the public interest to authorize and require local agencies to make adequate provisions for solid waste management. The process requires cities and other local agencies to implement plans for source reduction, reuse, and recycling as part of their integrated waste management practices.

In an effort to comply with said legislation, the City of Lathrop adopted Municipal Code Chapter 8.16 (Garbage collection and disposal). Lathrop Municipal Code Section 8.16.140 requires any company that collects industrial solid waste in the City of Lathrop to apply for an Industrial Solid Waste Removal License. Cal-Waste Recovery Systems (Cal-Waste) has completed the Industrial Solid Waste Removal application and provided staff with the required documentation, names and addresses of proposed customers, signed statement from customers, financial statement, certificate of insurance and a cash bond. Staff is requesting City Council to approve an Industrial Solid Waste License Removal for Cal-Waste with an expiration date of June 30, 2019 and can be renewed every year thereafter on July 1st.

BACKGROUND:

Lathrop Municipal Code 8.16.140, Section (A) requires any company who collects and removes industrial solid waste within the City of Lathrop to apply annually for an industrial solid waste removal license. Lathrop Municipal Code 8.16.140 also states that the contractor who provides both residential and commercial waste removal service shall not be required to pay the annual license fee.

Cal-Waste does not provide residential waste removal service within the City of Lathrop. Therefore, they are required to pay the license fee in the sum of \$2,500.00 and the standard eleven percent (11%) of their annual gross receipts and \$92 administration fee, which is by Lathrop Municipal Code 8.16.140.

CITY MANAGER'S REPORT **PAGE 2**
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
INDUSTRIAL SOLID WASTE REMOVAL LICENSE FOR CAL-WASTE RECOVERY SYSTEMS

REASON FOR RECOMMENDATION:

To continue our efforts to meet the terms of the AB939 legislation, and continue implementing plans for source reduction, reuse, and recycling as part of our integrated waste management practices, staff recommends that City Council approve the Industrial Solid Waste License Removal for Cal-Waste.

COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

This agenda item promotes Community Values by maintaining requirements for solid waste management within the City of Lathrop.

FISCAL IMPACT:

Annual gross receipt monies received from Cal-Waste will be deposited into the Franchise Tax-Solid Waste Industrial revenue account number 1010-15-10-319-05-05.

The license administration fee(s) in the sum of ninety-two dollars (\$92) received from Cal-Waste will be deposited into Public Works Administration account number 1010-50-01-341-01-01.

The annual license fee in the sum of two thousand five hundred dollars (\$2,500) received from Cal-Waste will be deposited into the Franchise Tax-Solid Waste Industrial revenue account number 1010-15-10-319-05-05.

ATTACHMENTS:

- A. Resolution Approving Industrial Solid Waste Removal License for Cal-Waste Recovery Systems


CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
INDUSTRIAL SOLID WASTE REMOVAL LICENSE FOR CAL-WASTE RECOVERY
SYSTEMS

APPROVALS:




Emilia Knox
Senior Administrative Assistant

March 30, 2018
Date



Salvador Navarrete
City Attorney

4-4-18
Date



Stephen J. Salvatore
City Manager

4.4.18
Date

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING AN INDUSTRIAL SOLID WASTE REMOVAL LICENSE FOR CAL-
WASTE RECOVERY SYSTEMS**

WHEREAS, Lathrop Municipal Code 8.16.140, Section (A) requires any company which collects and removes industrial solid waste within the City of Lathrop apply for an Industrial Solid Waste Removal License; and

WHEREAS, Cal-Waste Recovery Systems (Cal-Waste) has completed the Industrial Solid Waste Removal License and provided staff with the required documentation, names and addresses of proposed customers, signed statement from customers, financial statement and certificate of insurance and a cash bond; and

WHEREAS, Cal-Waste does not provide residential waste removal service within the City of Lathrop and therefore are required to pay a license fee in the sum of \$2,500.00 and standard (11%) of their annual gross receipts and \$92 administration fee, which is by Lathrop Municipal Code 8.16.140; and

WHEREAS, to continue our efforts to meet the terms of the AB939 legislation and continue implementing plans for source reduction, reuse, and recycling as part of their integrated solid waste management practices, staff recommends that City Council approve the Industrial Solid Waste Removal License for both Cal-Waste with an expiration date of June 30, 2019 and can be renewed every year thereafter on July 1st; and

WHEREAS, the following monies received from Cal-Waste will be deposited as follows:

- annual gross receipt monies received from these companies will be deposited into the Franchise Tax-Solid Waste Industrial revenue account number 1010-15-10-319-05-05
- license administration fee in the sum of \$92 received from these companies will be deposited into Public Works Administration account number 1010-50-01-341-01-01
- license fee in the sum of \$2,500 will be deposited into the Franchise Tax-Solid Waste Industrial revenue account number 1010-15-10-319-05-05

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lathrop authorizes the Industrial Solid Waste Removal License for Cal-Waste Recovery Systems.

The foregoing resolution was passed and adopted this 9th day of April 2018, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

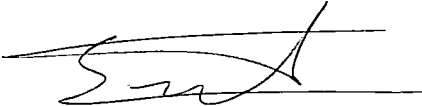
ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

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**CITY MANAGER'S REPORT
APRIL 09, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: **ACCEPT IMPROVEMENTS FOR MULTI PARKS PROJECT FROM DOMINGUEZ LANDSCAPE SERVICES, INC.**

RECOMMENDATION: **Adopt a Resolution Accepting Improvements from Dominguez Landscape Services, Inc. for the Multi Parks Project and Authorizing the Filing of a Notice of Completion and Release of Contract Retention**

SUMMARY:


Staff requests City Council approve a resolution accepting the Multi Parks Improvement Project from Dominguez Landscape Services, Inc. (Dominguez). The Multi Parks Improvement Project consists of four parks: the Basin Park CIP PK 07-07, Libby Park CIP PK 17-08, South Lathrop Linear Park CIP PK 17-11 and the Traffic Circle at Towne Centre and McKee Blvd CIP PK 18-07. The four parks were bundled together and bid as one project enabling the work to be performed by one contractor simultaneously, which decreased the time and money that was spent by the City to manage the project. Staff recommends City Council authorize a Notice of Completion to be filed with the San Joaquin County Clerk and release of contract retention to Dominguez in the amount of \$24,374.89, 45 days after recording the Notice of Completion.

BACKGROUND:

On July 17, 2017 City Council awarded a construction contract to Dominguez for the Multi Parks Project in the amount of \$442,924. On December 7, 2017, City Council approved a budget amendment to increase the budget for Libby Park PK 17-08 for security lighting and rubberized surfacing in the amount of \$29,230. On February 28, 2018 staff issued contract change order number one to Dominguez in the amount of 48,442.79. The Multi Parks Project consists of four parks the Basin Park CIP PK 07-07, Libby Park CIP PK 17-08, South Lathrop Linear Park CIP PK 17-11 and the Traffic Circle at Towne Centre and McKee Blvd CIP PK 18-07. Dominguez completed the Multi Park Project for \$491,366.79. The improvements were inspected by City staff for conformance with the contact plans and specifications, and the contractor provided the City with a one (1) year guarantee against defective workmanship and materials.

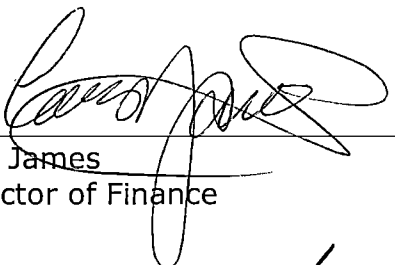
CITY MANAGER'S REPORT
APRIL 09, 2018 CITY COUNCIL REGULAR MEETING
ACCEPT IMPROVEMENTS FOR MULTI PARKS PROJECT FROM DOMINGUEZ
LANDCAPE SERVICES, INC.

APPROVALS:




Ken Reed
Senior Construction Manager

4-4-2018
Date




Cari James
Director of Finance

4/3/18
Date



Salvador Navarrete
City Attorney

4-4-18
Date



for Stephen J. Salvatore
City Manager

4/5/18
Date

RESOLUTION NO. 18 - _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
ACCEPTING THE MULTI PARKS PROJECT FROM DOMINGUEZ LANDSCAPE
SERVICES INC., AND FILE A NOTICE OF COMPLETION AND RELEASE
CONTRACT RETENTION**

WHEREAS, City Council approved a construction contract on July 17, 2017 to Dominguez Landscape Services, Inc. (Dominguez) for the Multi Parks Project in the amount of \$442,924; and

WHEREAS, on December 7, 2017 City Council approved a budget amendment to Libby Park PK 17-08 for security lighting and rubberized surfacing; and

WHEREAS, City staff issued contract change order number one to Dominguez on February 28, 2018 in the amount of \$48,442.79; and

WHEREAS, the Multi Parks Project consists of four parks the Basin Park CIP PK 07-07, Libby Park CIP PK 17-08, South Lathrop Linear Park CIP PK 17-11 and the Traffic Circle at Towne Centre and McKee Blvd CIP PK 18-07; and

WHEREAS, Dominguez completed the Multi Park Project for 491,366.79 and the project was inspected by City staff for conformance with contract plans and specifications and provide City with a (1) year guarantee against defective workmanship and materials;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop hereby accepts the Multi Parks Project from Dominguez and authorizes City staff to file Notice of Completion with the San Joaquin County Clerk and release of contract retention to Dominguez in the amount of \$24,374.89, 45 days after recording the Notice of Completion.

The foregoing resolution was passed and adopted this 9th day of April 2018 by the following vote of the City Council, to wit:

AYES:

NOES:

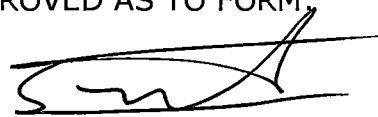
ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:



Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

RECORDING REQUESTED BY

CITY OF LATHROP

AND WHEN RECORDED MAIL TO

NAME City of Lathrop
City Clerk
STREET 390 Towne Centre Drive
ADDRESS Lathrop, CA 95330
CITY & STATE ZIP

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

1. That the interest or estate stated in paragraph 3 herein in the real property herein described is owned by:

NAME	STREET AND NO.	CITY	STATE
City of Lathrop	390 Towne Centre Drive	Lathrop	California

(If more than one owner of the interest stated, the name and address of each must be stated)
2. That the full name and address of the owner of said interest or estate, if there is only one owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of title or the stated owner, or if more than one owner, then of the stated owner and co-owners is: Multi Parks Project which included Basin Park CIP Pk 07-07, Libby Park PK 17-08, South Lathrop Linear Park CIP PK 17-11 and the Traffic Circle at Towne Centre Dr. and McKee Blvd. CIP PK 18-07.
4. That on the 9th day of April, 2018 a work of improvement on the real property herein described was completed.
5. That the name of the original contractor, if any, for said work of improvement was: Dominguez Landscape Services, Inc.
6. That the name and address of the transferor is:

NAME	STREET AND NO.	CITY	STATE
Dominguez Landscape Services, Inc.	8376 Rovana Circle	Sacramento	Ca 95828
7. That the real property herein referred to is situated in the City of Lathrop County of San Joaquin, State of California, and is described as follows:

Multi Parks Project which included Basin Park CIP Pk 07-07, Libby Park PK 17-08, South Lathrop Linear Park CIP PK 17-11 and the Traffic Circle at Towne Centre Dr. and McKee Blvd. CIP PK 18-07.

By: _____
City Manager

That the undersigned has knowledge of the contents herein and states under penalty of perjury that the foregoing is true and correct.

By: _____
City Clerk

CERTIFICATE OF ACCEPTANCE

This is to certify that the work described in the NOTICE OF COMPLETION dated **April 9, 2018** from **Dominguez Landscape Services, Inc.** to the **City of Lathrop**, a political corporation and/or governmental agency, is hereby accepted by the undersigned officer or agent on behalf of the City Council pursuant to authority conferred by minute action of the City Council adopted on **April 9, 2018**, and the grantee consents to recordation thereof by its duly authorized officer.

Dated _____ By _____
City Manager

**CITY OF LATHROP
PROJECT ACCEPTANCE
(GASB 34 REPORT)**

Submitted by: Ken Reed (Senior Construction Manager)

Date: 4-04-2018

Tract No.: Multi Park Project (Bain Park, Libby Park, Traffic Circle @ McKee, South Linear Park)

Basin Park

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
Sidewalk	SF	3135	\$ 14.00	\$ 43,890.00
Decomposed Granite	SF	1650	\$ 9.00	\$ 14,850.00
Exercise Equipment	EA	7	\$ 7,500.00	\$ 52,500.00
Park Ammenities (Tables, Benches etc.)	EA	1	\$ 46,145.00	\$ 46,145.00
Landscape	SF	1	\$ 25,220.00	\$ 25,220.00
Landscape Sod	SF	147000	\$ 0.50	\$ 73,500.00
Roadway Landscape	SF	1	\$ 29,700.35	\$ 29,700.35
Chain Link Fence	Height/LF	0	\$ 16.00	\$ -
Bike Path	Width/LF			
Totals				\$ 285,805.35

Traffic Circle

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
Signs	Each	4	\$ 4,000.00	\$ 16,000.00
Synthetic Turf	SF	1600	\$ 15.00	\$ 24,000.00
Minor Concrete	SF	1500	\$ 8.00	\$ 12,000.00
Landscape	LS	1	\$ 16,792.00	\$ 16,792.00
Totals				\$ 68,792.00

South Linear Dog Park

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
Minor Concrete	LF	350	\$ 13.81	\$ 4,833.00
Decomposed Granite	SF	3000	\$ 6.50	\$ 19,500.00
Hydro seed grass	SF	40000	\$ 0.30	\$ 12,000.00
Totals				\$ 36,333.00

Libby Park

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
Sidewalk	SF	3400	\$ 9.00	\$ 30,600.00
Security Lighting	LS	3	\$ 6,000.00	\$ 18,000.00
Rubberized surfacing	SF	1380	\$ 13.00	\$ 17,940.00
Ammenities	LS	1	\$ 33,896.44	\$ 33,896.44
Totals				\$ 100,436.44

Grand Total **\$ 491,366.79**

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**CITY MANAGER'S REPORT
APRIL 09, 2018 REGULAR CITY COUNCIL MEETING**

ITEM: ACCEPT IMPROVEMENTS FROM RICHLAND COMMUNITIES FOR LAND APPLICATION SITE NUMBER 3 (LAS-3) CONVERSION TO A PERCOLATION BASIN FOR CROSSROADS WASTE WATER TREATMENT PLANT DECOMMISSIONING CIP WW 15-20

RECOMMENDATION: Approve Resolution Accepting Improvements from Richland Communities for the LAS-3 Conversion to a Percolation Basin for Crossroads Wastewater Treatment Plant Decommissioning CIP WW 15-20

SUMMARY:

Richland Communities (Richland), the developer for the Crossroads Commerce Center has completed the conversion of Land Application Site No. 3 (LAS-3) to a percolation basin. The percolation basin is needed for the land disposal of recycled water generated by treatment of wastewater from the Crossroads and the South Lathrop Specific Plan (SLSP) development areas.

Richland Communities completed the conversion of LAS-3 to a percolation basin and the improvements have been inspected by City Staff and found to be complete. Staff is recommending Council accept the improvements for public use and release the bond funds set aside to guarantee this construction.

BACKGROUND:

The Crossroads Wastewater Treatment Plant (WWTP) Decommissioning project WW 15-20 was created in May 2015, to decommission the Crossroads WWTP and consolidate the facility with the Lathrop Consolidated Treatment Facility.

Richland, the developer for the Crossroads Commerce Center, has completed construction of the conversion of former LAS-3 to a percolation basin for the land disposal of recycled water generated by the Crossroads users and the SLSP development area. The costs for these improvements are shared by the City and Richland according to their respective pro-rata share of disposal capacity provided by the new percolation basin. The design land disposal capacity of the new percolation basin is 330,000 gpd, with 216,000 gpd (65.5%) allocated to the Crossroads users, and the remaining 114,000 gpd (34.5%) to Richland.

CITY MANAGER'S REPORT
APRIL 09, 2018 REGULAR CITY COUNCIL MEETING
ACCEPT IMPROVEMENTS FOR LAS-3 CONVERSION TO A PERCOLATION
BASIN FOR CROSSROADS WWTP DECOMMISSIONING WW 15-20

PAGE 2

RECOMMENDATION:

Staff is requesting that City Council adopt a resolution accepting the improvements from Richland for a percolation basin.

Richland has completed the conversion of LAS-3 to a percolation basin according to contract plans and specifications and was approved by the City of Lathrop Public Works Department. City Council's acceptance of these improvements will trigger the reimbursement to Richland from the Series B Bond funds that were held until the work was completed.

CITY COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

This agenda item promotes Economic Growth in the Crossroads Commerce Center by providing reduced sewer rates for the Crossroads users.

FISCAL IMPACT:

The Developer, Richland built and funded the LAS-3 conversion to a percolation basin, the City of Lathrop will reimburse Richland for a portion of the Construction costs from the Crossroads Series B Bond funds in the amount of \$647,720.

ATTACHMENTS:

- A. Resolution Accepting the Percolation Basin from Richland Communities
- B. GASB Report


CITY MANAGER'S REPORT
APRIL 09, 2018 REGULAR CITY COUNCIL MEETING
ACCEPT IMPROVEMENTS FOR LAS-3 CONVERSION TO A PERCOLATION
BASIN FOR CROSSROADS WWTP DECOMMISSIONING WW 15-20

APPROVALS:




Ken Reed
Senior Construction Manager

4-4-2018
Date




Glenn Gebhardt
City Engineer

4/4/18
Date



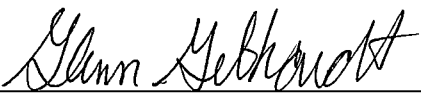
Cari James
Director of Finance

4/4/18
Date



Salvador Navarrete
City Attorney

4-4-18
Date



for Stephen J. Salvatore
City Manager

4/5/18
Date

RESOLUTION NO. 18-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP BY ACCEPTING IMPROVEMENTS FROM RICHLAND COMMUNITIES FOR THE LAS-3 CONVERSION TO A PERCOLATION BASIN FOR CROSSROADS WASTEWATER TREATMENT PLANT DECOMMISSIONING CIP WW 15-20

WHEREAS, Wastewater Treatment Plant (WWTP) Decommissioning project WW 15-20 was created in May 2015, to decommission the Crossroads WWTP and consolidate the facility with the Lathrop Consolidated Treatment Facility; and

WHEREAS, a percolation basin for the land disposal of recycled water generated by the Crossroads users and the South Lathrop Specific Plan development area was needed; and

WHEREAS, Richland Communities (Richland), the developer for the Crossroads Commerce Center has completed the conversion of Land Application Site No. 3 (LAS-3) to a percolation basin; and

WHEREAS, the work has been completed per the plans and specifications, inspected by City staff and meets the satisfaction of the Department of Public Works; and

WHEREAS, staff is recommending Council accept the improvements for public use and release the bond funds held by the City to guarantee this construction;

NOW, THEREFORE, BE IT RESOLVED, Richland has completed the conversion of the LAS-3 to a percolation basin according to contract plans and specifications approved by the City of Lathrop Public Works Department. City Council's acceptance of these improvements will trigger the reimbursement in the amount of \$647,720 to Richland from the Crossroads Series B Bond funds that were held until the work was completed.

The foregoing resolution was passed and adopted this 9th day of April 2018, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:


ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

**CITY OF LATHROP
PROJECT ACCEPTANCE
(GASB 34 REPORT)**

Date: 4/4/2018

Submitted by: Ken Reed (Senior Construction Manager)

Tract No.: LAS 3 Percolation Pond

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
Roadway Pavement	SF	480	\$ 4.50	\$ 2,160.00
Roadway Landscape	SF	18,661	\$ 4.00	\$ 74,644.00
1" Inch Potable Water Pipeline	LF	485	\$ 6.00	\$ 2,910.00
Eye Wash Station		1	\$ 2,500.00	\$ 2,500.00
12" Recycled Water Pipeline	LF	485	\$ 40.00	\$ 19,400.00
16" Recycled Water Pipeline		180	\$ 45.00	\$ 8,100.00
SD Field Inlets	EA	4	\$ 2,700.00	\$ 10,800.00
Recycled Water Pump Station	EA	1	\$210,000.00	\$ 210,000.00
No. of Pumps 4 HP 5				\$ -
Recycled Water Perk Basin	Acres	17	\$ 65,000.00	\$ 1,105,000.00

Note: Do not include sewer laterals or irrigation piping. Include storm drain pipe stub outs to property line only.

Grand total for the project \$ 1,435,514.00

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

**ITEM: APPROVE RECYCLED WATER USER AGREEMENT
WITH RECLAMATION DISTRICT 2062 (RD 2062)**

**RECOMMENDATION: Adopt a Resolution Approving a User Agreement with
RD 2062 for the Delivery and Use of Recycled Water
in the River Islands Development Area**

SUMMARY:

Council is requested to approve a recycled water user agreement with RD 2062 to establish terms for the delivery and use of recycled water generated by the Lathrop Consolidated Treatment Facility (LCTF) in the River Islands development area for public landscape irrigation purposes. The LCTF is regulated under the Regional Board Order R5-2016-0028 adopted by the Regional Board on April 21, 2016, and as amended at the Central Valley Regional Water Quality Control Board (CVRWQB) meeting on April 5th and 6th, 2018. A recycled water user agreement is required to be submitted to the CVRWQB as part of a Recycled Water User Report at least 60 days prior to using recycled water in any new use area.

BACKGROUND:

The City owns and operates the Lathrop Consolidated Treatment Facility (LCTF), a wastewater treatment and recycled water production plant at 18800 Christopher Way, Lathrop, San Joaquin County, California, which is within the jurisdiction of the Central Valley Region of the California Regional Water Quality Control Board (CVRWQCB). The City collects and treats wastewater generated within City's service area, and either discharges recycled water to agricultural land after winter storage or provides this recycled water for public landscape irrigation purposes.

RD 2062 is a public utility, irrigation and flood protection agency governed by the State of California Water Code on the Stewart Tract within the City, which owns certain facilities and pipelines that can deliver non-potable water for irrigation purposes within its jurisdiction, including recycled water when delivered by City under the terms of this Agreement.

The City is authorized to provide recycled water to users within its service boundary under Regional Board Order R5-2016-0028 adopted by the Regional Board on April 21, 2016, and as amended at the CVRWQCB meeting on April 5th and 6th, 2018.

RD 2062 desires to accept delivery of recycled water from City to be used and applied only in such ways as are specifically permitted pursuant to the Order, as modified and approved through this Agreement and RD 2062 may enter into separate user agreements to individual users for use of non-potable water for irrigation purposes, as long as those users adhere to the terms and conditions of the Order and as long as RD 2062 remains legally viable, unless otherwise approved by the City.

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
APPROVE RECYCLED WATER USER AGREEMENT WITH RD 2062**

PAGE 2

RD 2062's service area is coterminous with the development area of the River Islands at Lathrop master planned community, whose developers have contributed towards the construction of the LCTF, recycled water pipelines, storage ponds and other related infrastructure necessary to deliver recycled water to RD 2062 and such investment by River Islands' developers and by the River Islands Public Financing Authority (RIPFA) that has also contributed public funds towards the City's recycled water infrastructure provides the in-kind funding contribution for recycled water delivery without any additional charge, fee or tax.

RD 2062 is only authorized to provide recycled water to publicly owned property where RD 2062 or RIPFA provides landscape maintenance. Provision of recycled water to privately owned parcels shall require a separate agreement between the property owner and the Parties, should RD 2062's non-potable irrigation system is used or between the property owner and the City should the provision of Recycled Water come directly from the City's Recycled Water system.

The Parties acknowledge and agree under the terms of this agreement that Recycled Water generated from the LCTF shall not be permitted to be used or delivered to any property outside the corporate limits of the City of Lathrop.

RECOMMENDATION:

Council is requested to approve a recycled water user agreement with RD 2062 to establish terms for the delivery and use of recycled water generated by the Lathrop Consolidated Treatment Facility (LCTF) in the River Islands development area for public landscape irrigation purposes. A recycled water user agreement is required to be submitted to the CVRWQB as part of a Recycled Water User Report at least 60 days prior to using recycled water in any new use area.

COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

This agenda item promotes Economic Growth by providing recycled water and associated wastewater disposal capacity needed to serve new development projects.

FISCAL IMPACT

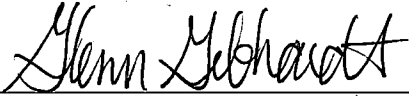
Costs associated with the non-potable system owned by RD 2062 and its connection to the City's recycled water system, along with monitoring, cross-connections, training and inspections shall be borne by RD 2062 as stipulated by this agreement.

ATTACHMENTS:

- A. Resolution Approving a User Agreement with RD 2062 for the Delivery and Use of Recycled Water in the River Islands Development Area
- B. Agreement with RD 2062 for the Delivery and Use of Recycled Water in the River Islands Development Area


**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
APPROVE RECYCLED WATER USER AGREEMENT WITH RD 2062**

APPROVALS:



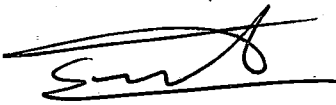
Glenn Gebhardt
City Engineer

4/3/18
Date



Cari James
Director of Finance

4/4/18
Date



Salvador Navarrete
City Attorney

4-4-18
Date



Stephen J. Salvatore
City Manager

4.4.18
Date

RESOLUTION NO. 18 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING A USER AGREEMENT WITH RD 2062 FOR THE DELIVERY AND
USE OF RECYCLED WATER IN THE RIVER ISLANDS DEVELOPMENT AREA**

WHEREAS, the City owns and operates the Lathrop Consolidated Treatment Facility (LCTF), a wastewater treatment and recycled water production plant at 18800 Christopher Way, Lathrop, San Joaquin County, California, which is within the jurisdiction of the Central Valley Region of the California Regional Water Quality Control Board (CVRWQCB).

WHEREAS, the City collects and treats wastewater generated within City's service area, and either discharges recycled water to agricultural land after winter storage or provides this recycled water for public landscape irrigation purposes; and

WHEREAS, RD 2062 is a public utility, irrigation and flood protection agency governed by the State of California Water Code on the Stewart Tract within the City, which owns certain facilities and pipelines that can deliver non-potable water for irrigation purposes within its jurisdiction, including recycled water when delivered by City under the terms of this Agreement.

WHEREAS, the City is authorized to provide recycled water to users within its service boundary under Regional Board Order R5-2016-0028 adopted by the Regional Board on April 21, 2016, and as amended at the CVRWQCB meeting on April 5th and 6th, 2018; and

WHEREAS, RD 2062 desires to accept delivery of recycled water from City to be used and applied only in such ways as are specifically permitted pursuant to the Order, as modified and approved through this Agreement and RD 2062 may enter into separate user agreements to individual users for use of non-potable water for irrigation purposes, as long as those users adhere to the terms and conditions of the Order and as long as RD 2062 remains legally viable, unless otherwise approved by the City; and

WHEREAS, RD 2062's service area is coterminous with the development area of the River Islands at Lathrop master planned community, whose developers have contributed towards the construction of the LCTF, recycled water pipelines, storage ponds and other related infrastructure necessary to deliver recycled water to RD 2062 and such investment by River Islands' developers and by the River Islands Public Financing Authority (RIPFA) that has also contributed public funds towards the City's recycled water infrastructure provides the in-kind funding contribution for recycled water delivery without any additional charge, fee or tax; and

WHEREAS, RD 2062 is only authorized to provide recycled water to publicly owned property where RD 2062 or RIPFA provides landscape maintenance. Provision of recycled water to privately owned parcels shall require a separate agreement between the property owner and the Parties, should RD 2062's non-potable irrigation

system is used or between the property owner and the City should the provision of Recycled Water come directly from the City's Recycled Water system; and

WHEREAS, the Parties acknowledge and agree under the terms of this agreement that Recycled Water generated from the LCTF shall not be permitted to be used or delivered to any property outside the corporate limits of the City of Lathrop.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Lathrop does hereby a recycled water user agreement with RD 2062 to establish terms for the delivery and use of recycled water generated by the Lathrop Consolidated Treatment Facility (LCTF) in the River Islands development area for public landscape irrigation purposes

The foregoing resolution was passed and adopted this 9th day of April 2018, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

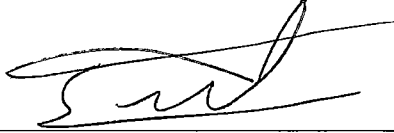
ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

USER AGREEMENT FOR THE DELIVERY AND USE OF RECYCLED WATER

This Agreement is made and entered into at Lathrop, California, this ___ day of April, 2018, by and between the City of Lathrop, a municipal corporation (City), and Island Reclamation District 2062, a California reclamation district (RD 2062), together the "Parties" and provides as follows:

RECITALS

- A. City owns and operates the Lathrop Consolidated Treatment Facility (LCTF), a wastewater treatment and Recycled Water production plant at 18800 Christopher Way, Lathrop, San Joaquin County, California, which is within the jurisdiction of the Central Valley Region of the California Regional Water Quality Control Board ("Regional Board"). City collects and treats wastewater generated within City's service area, and either discharges Recycled Water to agricultural land after winter storage or provides this Recycled Water for public landscape irrigation purposes.
- B. RD.2062 is a public utility, irrigation and flood protection agency governed by the State of California Water Code on the Stewart Tract within the City, that owns certain facilities and pipelines that can deliver non-potable water for irrigation purposes within its jurisdiction, including Recycled Water when delivered by City under the terms of this Agreement.
- C. City is authorized to provide Recycled Water to users within its service boundary under Regional Board Order R5-2016-0028 adopted by the Regional Board on April 21, 2016, and as anticipated to be amended on April 5th and 6th, 2018, together with all attachments thereto (all collectively referred to as "the Order"), a true and correct copy of which is attached hereto as Exhibit "A" and is incorporated herein.
- D. RD 2062 desires to accept delivery of Recycled Water from City to be used and applied only in such ways as are specifically permitted pursuant to the Order, as modified and approved through this Agreement and RD 2062 may enter into separate user agreements to individual users for use of non-potable water for irrigation purposes, as long as those users adhere to the terms and conditions of the Order and as long as RD 2062 remains legally viable, unless otherwise approved by the City.
- E. RD 2062's service area is coterminous with the development area of the River Islands at Lathrop master planned community, whose developers have contributed towards the construction of the LCTF, Recycled Water pipelines, storage ponds and other related infrastructure necessary to deliver Recycled Water to RD 2062 and such investment by River Islands' developers and by the River Islands Public Financing Authority ("RIPFA") that has also contributed public funds towards the City's Recycled Water infrastructure provides the in-kind funding contribution for Recycled Water delivery without any additional charge, fee or tax.

F. RD 2062 is only authorized to provide Recycled Water to publicly owned property where RD 2062 or RIPFA provides landscape maintenance, except as otherwise approved by the City. RD 2062 shall not provide Recycled Water to any public agency other than RIPFA without prior written permission from the City.

G. Provision of Recycled Water to privately owned parcels shall require a separate agreement between the property owner and both RD 2062 and the City, if provision of Recycled Water uses RD 2062's non-potable irrigation system. Provision of Recycled Water to privately owned parcels shall require a separate agreement between the property owner and the City only, should the provision of Recycled Water come directly from the City's Recycled Water system.

H. The Parties acknowledge and agree that Recycled Water generated from the LCTF shall not be permitted to be used or delivered to any property outside the corporate limits of the City of Lathrop.

I. City agrees to deliver to RD 2062, and RD 2062 agrees to accept from City, Recycled Water on the terms and conditions hereinafter set forth.

AGREEMENT

1. Definitions

The following terms shall have the meanings described below:

“Agreement” means this Agreement for the Delivery and Use of Recycled Water.

“Agronomic Rate” means the hydraulic loading reasonably necessary to satisfy the water uptake needs of the use area considering plant, soil, and climate demands.

“Regional Board” or “RWQCB” means the California Regional Water Quality Control Board, Central Valley Region.

“City” means City of Lathrop, a municipal corporation established pursuant to the laws of the State of California.

“Delivery Period” or “Irrigation Season” generally means April 1 thru October 31 of each year. Delivery Period may be adjusted in dry years.

“Delivery Quantity” means those amounts so specified in the Agreement in Section 4.

“Engineer” means the City of Lathrop's City Engineer.

“HCF” means hundred cubic feet (one HCF = 748 gallons).

“Lathrop Consolidated Treatment Facility” or “LCTF” means the City's wastewater treatment plant and Recycled Water facility located at 18800 Christopher Way, Lathrop, CA.

“Meter Station” means control valve and metering station located on RD 2062’s property and shall constitute the point of delivery. Meter Station(s) are depicted in Exhibit “B.”

“Irrigated Land” or “Land” means property designated by RD 2062 to be irrigated with Recycled Water in accordance with these Specifications and the Agreement.

“Order” means all of the following: (a) a National Pollutant Discharge Elimination System (NPDES) permit, or successor permit, establishing requirements for the City’s discharge of treated wastewater, (b) if separate, a Water Reclamation Permit, or successor permit, establishing requirements for reuse of Recycled Water, as may be issued, modified or reissued by the Regional Board or successor governmental entity or (c) if separate, Waste Discharge Requirements (WDRs) or successor permit, establishing the use and reuse of Recycled Water, as may be issued, modified or reissued by the Regional Board or successor governmental entity. It is understood by the Parties that only WDRs exist at this time, but one or more permits, including a NPDES permit for surface water discharge may be issued by the RWQCB in the future, which may affect the conditions regarding the delivery of Recycled Water as prescribed herein.

“Parties” means collectively, RD 2062 and the City of Lathrop.

“Property” means the property described in Exhibit “B”.

“Recycled Water” means water which, as a result of treatment of wastewater influent to Lathrop’s LCTF in accordance with the Order, is suitable for the direct beneficial uses allowable for Disinfected Tertiary Treated Wastewater as defined by Title 22, Division 4 of the California Code of Regulations, Section 60301.

“RD 2062’s Recycled Water System” means the facilities and infrastructure owned or to be owned by RD 2062 to facilitate the delivery of Recycled Water from RD 2062 to individual users.

“RD 2062” means the person or persons using Recycled Water provided by the City pursuant to the Agreement.

“River Islands Public Financing Authority” or “RIPFA” means the joint powers agreement between Lathrop Irrigation District (“LID”) and Island Reclamation District No. 2062 formed to provide public financing of infrastructure within the River Islands at Lathrop development area and RD 2062 service area and to provide maintenance of infrastructure owned by RD 2062, the City of Lathrop, RIPFA, LID or other public agencies on the Stewart Tract.

2. Term and Compensation

A. This Agreement shall become effective on the date first above written and shall remain in effect indefinitely, unless otherwise terminated in accordance with Section 14, below. Recitals G, H and I are hereby incorporated into the terms of the Agreement.

B. The Parties understand and agree that, during the term of this Agreement, the City and RD 2062 may mutually modify or replace this Agreement as necessary after the delivery of Recycled Water takes place to meet current field conditions not foreseen during the drafting of this Agreement.

C. The Parties understand and agree that delivery of Recycled Water to RD 2062 to be utilized by the Property as shown in Exhibit "B" and subsequently delivered to individual users by RD 2062 shall not require the payment of a user fee, rate or other charge. Costs associated with the non-potable system owned by RD 2062 and its connection to the City's Recycled Water System, along with monitoring, cross-connections and inspections shall be borne by RD 2062 as stipulated in this Agreement.

3. Quality of Recycled Water

A. The quality of the Recycled Water delivered pursuant to this Agreement shall substantially comply with the quality criteria established by the Order, although the Recycled Water's quality may vary within those criteria. City shall test the Recycled Water as required in the Order to ensure that it substantially complies with the quality criteria set forth in the Order. The results of this testing program shall be available to RD 2062 for its review upon request at any time during City's normal business hours. The results of said tests shall be maintained at City's LCTF and may be reviewed or a copy obtained by RD 2062 by telephoning or emailing City. An annual report of the test values shall be sent by mail to RD 2062 in accordance with the reporting requirements established in the Order.

4. Delivery Quantities, Rate and Pressure

A. As described in Section 4 below, the City shall deliver Recycled Water at a rate as provided in the approved water balance included as Exhibit "C" to this Agreement, as may be amended from time to time.

Such Recycled Water shall be delivered to the Meter Station at a pressure between 45 to 55 pounds per square inch (psi). Such Recycled Water may also be delivered less frequently than daily and at a greater rate, provided that RD 2062 agrees to such deliveries and such deliveries are consistent with all other terms of the Order. RD 2062 agrees that RD 2062 will put such water to reasonable and beneficial use in irrigating the Property. If desired by RD 2062, the City will in good faith attempt to provide RD 2062 with quantities of Recycled Water in excess of the minimum quantity identified above, but the City makes no representation that such water will be available.

B. RD 2062 represents and warrants that RD 2062 will carefully monitor the application of Recycled Water on the Property and will only apply such water at the appropriate agronomic rate. In no case shall the total annual delivery of Recycled Water to RD 2062 exceed the maximum rate agreed to by the Parties.

5. Delivery of Recycled Water

A. City will deliver the Recycled Water to RD 2062 through its Recycled Water pipeline system to Meter Station(s) on RD 2062's Property shown on Exhibit "B". City shall be responsible for the operation, maintenance and repair of its pipeline transporting Recycled Water to the Meter Station(s). RD 2062 shall be responsible for the purchase and installation of the Meter Station(s), with maintenance of the meters covered by the City's sewer fund. RD 2062 shall be responsible for the delivery of the Recycled Water to individual users by means of its non-potable water pipeline system as it leaves the Meter Station(s), some portions of which are located in City right of way.

B. RD 2062 shall be responsible for the installation, operation, maintenance and repair of piping, pumping facilities, flow monitoring and cross-connection devices for the use of raw or potable water on RD 2062's Property. All such facilities are subject to inspection by either the City or the Regional Board to ensure the protection of the public. In the event that either the City or the Regional Board reasonably determines that such facilities are not operating in a manner that protects the public and the groundwater, either the City or the Regional Board may order RD 2062 to make any necessary improvements/repairs to such facilities, at RD 2062's sole cost.

6. Designation of Site Supervisor and Required Training

A. RD 2062, in accordance with a separate agreement included as Exhibit "F" between RD 2062 and City, shall designate an individual as RD 2062's Site Supervisor who shall be RD 2062's coordinator and direct contact person between City and RD 2062 and Regional Board as necessary. The City shall provide the initial training for RD 2062/RIPFA, with RD 2062/RIPFA providing funding for this cost. RD 2062/RIPFA shall have the option to either train its personnel and provide the City with evidence of that training, or to allow the City to provide all training for its personnel at RD 2062/RIPFA's cost, if allowed by the Order.

RD 2062 agrees that the Site Supervisor shall be responsible for the proper operation of RD 2062's Recycled Water System, implementing the requirements of the Order and this Agreement relative to the onsite use of Recycled Water, monitoring of RD 2062's Recycled Water System for prevention of potential hazards, and coordination with City and the regulatory agencies, when necessary. RD 2062 shall notify City of the name, position and phone number of RD 2062's Site Supervisor at least 30 days prior to startup of RD 2062's Recycled Water System and shall promptly inform City of any change of designated Site Supervisor and/or contact information during the term of this Agreement.

B. The Site Supervisor shall be responsible for the avoidance of cross-connections during the installation, operation and maintenance of the RD 2062's pipelines and equipment. The Site Supervisor shall attend a training course, conducted by the City, specific to Recycled Water use, the Order, and prevention of cross-connections as part of the requirement stated in sub-section A.

C. The Site Supervisor shall communicate no less frequently than quarterly to inform the City of any system modifications, system irregularities, and to verify employee training.

Unusual occurrences which cause or threaten to cause any violation of this Agreement shall be promptly communicated to the City.

7. Compliance with Water Quality Control Board Order R5-2016-0028.

A. City and RD 2062 shall comply with all provisions and requirements of the Order, as it may subsequently be amended. RD 2062 acknowledges to City that RD 2062 is aware that the water delivered pursuant to this Agreement is Recycled Water to be used for only specified and limited uses, as detailed in this Agreement and the Order and RD 2062 acknowledges that it has received a copy of the Order. Further, RD 2062 acknowledges that it is familiar with and understands all of the provisions and requirements contained in the Order, and hereby agrees that those provisions and requirements are reasonable. RD 2062 covenants and warrants that it shall comply with all the provisions and requirements of the Order and this Agreement in the purchase and use of Recycled Water.

B. RD 2062 also shall comply with all of the additional provisions and requirements established by City, in the delivery and use of the Recycled Water, which are set forth in the City's Recycled Water Engineering Report, as further described in Exhibit "E", attached hereto and incorporated herein by this reference.

C. RD 2062 shall use the Recycled Water delivered hereunder only for those uses authorized by this Agreement, the City's Recycled Water Ordinance, consistent with the Order. The City Engineer shall be responsible for the enforcement of the Agreement, Order and Ordinance and any other applicable local law as administered by City.

D. The City shall have responsibility under the Agreement to Prepare Programmatic, Site-Specific and other Technical Reports; and Training Programs; as required by the Order. The City shall also have the responsibility to conduct all training required under such Training Programs required by the Order if such training is provided by the City, with RD 2062 providing the funding for such training. RD 2062 agrees to provide all relevant information necessary for the preparation of such reports in a timely manner, and to participate in Training Programs as further outlined in this Agreement.

8. Availability of Recycled Water; Interruption of Service.

A. Irrigation equipment downstream of Meter Station(s) on the Property shall be provided, replaced and repaired or cause to be provided, replaced and repaired as necessary by RD 2062, at RD 2062's discretion, provided that all such irrigation equipment shall be subject to inspection and repairs as provided in Section 5B above. RD 2062 shall complete all work and shall be responsible for all costs of construction, operation and maintenance of all other modifications and improvements on RD 2062's property, which are not the responsibility of the City. Such other modifications include marking and signing required by the Order, e.g.:

1. Placing of appropriate signs, to be provided by RD 2062, on the site perimeter that notify RD 2062 employees and the public of the use of Recycled Water on the site, with City verifying the wording, size and locations of all appropriate signs.

2. Marking all solenoid valve boxes on the RD 2062's Recycled Water System by placing an appropriate purple tag on the existing valve box lid, or by replacing with a new purple lid.

B. RD 2062 acknowledges and understands that the City's delivery of Recycled Water is subject to the Order and the waste discharge requirements imposed by the Regional Board and that the City does not intend to deliver Recycled Water to RD 2062 outside the Delivery Periods absent additional authorization from the Regional Board.

C. RD 2062 agrees to cooperate with City, at City's request, in the establishment of reasonable and mutually agreeable delivery schedules for the Recycled Water. RD 2062 recognizes that the requests of various users may overload the capacity of City's LCTF and delivery system and that City therefore may need to reduce the rates at which Recycled Water is delivered to the various users from time to time. In the event that the City reduces RD 2062's requested rate of delivery, City shall use reasonable efforts to restore the requested rate of delivery as soon as feasible and provide RD 2062 with that amount of water it would have received had its rate of delivery not been reduced.

D. City shall use reasonable efforts to ensure that service to RD 2062 is provided Recycled Water consistent with the established delivery schedules, and RD 2062 shall use its best efforts to accept Recycled Water as provided herein. However, both parties acknowledge that City's supply and delivery of Recycled Water and RD 2062's ability to take delivery of said water may occasionally be interrupted or curtailed due to causes outside of its control, including, but not limited to:

1. Acts of God
2. Power failures
3. Accident
4. Fire
5. Strikes, riots, war
6. Facility failure, facility repairs/improvements
7. Actions or decisions by a governmental agency
8. Any condition outside of a party's control.

Neither party shall be liable to the other for damages arising out of interruption or curtailment of service for these reasons. Insofar as feasible, the party whose performance hereunder is affected by such condition shall give the other party at least 72 hours advance notice of a temporary discontinuance or reduction in its delivery (in the case of City) or in its acceptance (in the case of RD 2062) of Recycled Water, except in the case of emergency, in which case notice need not be given. In the event of such discontinuance or reduction, the parties shall deliver or accept, as appropriate, upon resumption of service and as nearly as may be feasible, the quantity of Recycled Water that would have been delivered or accepted in the absence of such discontinuance or reduction.

9. Measurement of Delivered Recycled Water. All Recycled Water delivered pursuant to this Agreement shall be measured by the City at the Meter Station(s) or other appropriate facilities. City shall own, inspect, operate, maintain, repair and replace the measuring equipment. All determinations relative to the measuring of Recycled Water shall be made by the City. Upon request by RD 2062, the accuracy of a measurement shall be investigated by the City and any error appearing therein shall be adjusted. RD 2062 may inspect such measuring equipment for the purpose of determining the accuracy thereof.

10. Monitoring Reports. RD 2062 shall provide monitoring reports on the form prescribed by the City on a monthly basis or as otherwise required by the City and submit them to City by the fifth (5th) day of each month following the preceding month. Movement of Recycled Water off-site by spray or runoff shall be fully reported by RD 2062 in such reports, which shall also state what corrective action(s) were taken to prevent such movement from recurring.

11. Record Drawings. Following any onsite modifications and changes to RD 2062's Recycled Water System and/or non-potable water systems, RD 2062 shall provide City with record drawings showing the complete Recycled Water irrigation system and modifications and changes made by RD 2062 on Irrigated Land. RD 2062 shall provide City with record drawings each time RD 2062 modifies or changes RD 2062's Recycled Water System on the site during the term of this Agreement. The record drawings shall clearly show the locations of all pipelines, controllers, valves, fountains, buildings, structures, property boundaries, agriculture wells, domestic (drinking) wells, and any other features known or considered to be pertinent to or affected by the onsite use of Recycled Water.

12. Inspections. RD 2062 shall be required to conduct a self-inspection at least once per year while the Recycled Water system is in use. The results of this inspection must be documented and submitted in a written report. The Use Area Inspection Form included in Exhibit "D" should be used and must be signed by both the inspector and the Site Supervisor (who may be the same person). The Site Supervisor must submit the results to the City in the timeframe established by the City. Upon completion, the Site Supervisor must keep a copy of the report for their records. The City also reserves the right to make unannounced inspections of the use site's facilities, although at reasonable times.

13. Permission to Enter. RD 2062 hereby grants City, acting through its duly authorized employees, agents, or representatives, reasonable access to RD 2062's property for any necessary work associated with this Agreement, including, but not limited to, meter reading, monitoring of Recycled Water use by RD 2062, and/or repair of City-owned Meter Station equipment.

13. Termination.

A. Notice. Should one party breach any of the terms and conditions in this Agreement, written notice of such breach shall be given to the breaching party by the other party. If reasonable steps toward correcting the breaching conditions are not taken within 5 days from such notice, the other party may, in addition to any remedies provided in this Agreement and/or by law, terminate this Agreement on 30 days' written notice to the breaching party.

B. Termination. Notwithstanding subsections (A) above, City may terminate this Agreement immediately if:

1. City, at its sole determination, is or will be unable to deliver properly and adequately treated Recycled Water to RD 2062 for any reason whatsoever for a period greater than 30 days.

2. The RWQCB changes City's Order pertaining to discharge requirements for irrigation and City determines that it cannot reasonably meet any of the new RWQCB requirements.

3. City is ordered to cease delivery of Recycled Water to RD 2062 by a governmental authority of competent jurisdiction.

15. Hold Harmless and Indemnification. Each party hereto agrees to protect, indemnify, defend and hold harmless the other party and its directors, officers, employees, agents, successors and assigns from and against any and all actual or potential claims, liabilities, damages, losses, fines, penalties, judgments, awards, costs and expenses (including without limitation reasonable attorneys' fees and costs and all foreseeable, unforeseeable and consequential damages) asserted against, resulting to, imposed upon or incurred by said other party by reason of the first party's breach of any provisions of this Agreement or the Order. This indemnification shall survive the termination of this Agreement. To implement this provision, RD 2062 agrees to obtain and continue in force at all times during the life of this Agreement a comprehensive general liability insurance policy covering liability from the use of Recycled Water, or such other insurance policy reasonably acceptable to the City, that names the City, its elected officials, officers, employees, contractors, sub-contractors and agents as additional insureds by endorsement and that has a policy limit of at least \$2,000,000 million aggregate. million per occurrence.

16. Notices. Any notice, action, or demand by either party to the other in connection with this Agreement shall be deemed to have been fully given or made when such notice, action, or demand is written and deposited in a sealed envelope postage prepaid and addressed as designated below. Either party may change its address by giving the other party written notice of its new address.

City: City Clerk
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

RD 2062: President
RD 2062
73 W. Stewart Road
Lathrop, CA 95330

17. Entire Agreement. This Agreement shall constitute the entire agreement between the parties relating to the rights granted and obligations assumed in this Agreement. Any oral representations or modifications concerning this Agreement shall be of no force and effect unless contained in a subsequent written modification signed by both parties.

18. Amendments. This Agreement may not be amended except by a written instrument that is signed by both parties.

19. Interpretation. This Agreement shall be construed, interpreted, and applied according to the laws of the State of California.

20. Successors. This Agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties; provided that RD 2062 has complied with the Order, City Ordinances and this Agreement.

21. Attorneys' Fees. If either party commences an action at law or in equity, arbitration or other proceeding against the other party to enforce or interpret this Agreement, the prevailing party shall be entitled to recover from the losing party reasonable attorneys' fees and costs of such proceeding, in addition to any other amounts which may be awarded.

22. Severability. If any clause or provision of the Agreement is or becomes illegal, invalid, or unenforceable because of present or future laws, or any rules or regulations of any governmental body or entity, effective during its term, the intention of the parties is that the remaining parts of this Agreement shall remain in full force and effect if the fundamental purpose of the Agreement is not destroyed.

23. Exhibits to this Agreement. Exhibits A, B, C, D E and F are incorporated into this Agreement by this reference in their entirety. They shall be available for inspection in the Clerk's Office, 390 Towne Centre Drive, Lathrop, California 95330, during regular business hours.

24. Third-Party Beneficiaries. This Agreement shall not create any right or interest in any non-party or in any member of the public as a third-party beneficiary.

In Witness Thereof, this Agreement is entered into as of the date first above written.

RECLAMATION DISTRICT 2062

CITY OF LATHROP

By: Susan Dell'Osso 4/4/18
Susan Dell'Osso, President Date

By: _____
Stephen Salvatore, City Manager Date

APPROVED TO FORM:

By: _____
Salvador Navarrete, City Attorney Date

ATTEST:

By: _____
Teresa Vargas, City Clerk Date

EXHIBIT A
REGIONAL BOARD ORDER

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2016-0028

WASTE DISCHARGE REQUIREMENTS
AND
MASTER RECYCLING PERMIT

FOR

CITY OF LATHROP
LATHROP CONSOLIDATED TREATMENT FACILITY
SAN JOAQUIN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Central Valley Water Board) finds that:

1. On 12 June 2015, the City of Lathrop (City) submitted a Report of Waste Discharge (RWD) for its Consolidated Treatment Facility. The City currently operates two adjacent wastewater treatment facilities under separate WDRs: Consolidated Treatment Facility (CTF) and Crossroads Wastewater Treatment Facility (WWTF). The CTF receives primarily domestic wastewater from a large portion of the City. The Crossroads WWTF receives high strength process wastewater from the Crossroads Industrial Park. The City currently diverts all wastewater from the Crossroads Industrial Park to the CTF and is in the process of decommissioning the Crossroads WWTF. An addendum to the RWD was submitted on 17 December 2015. Additional information was submitted on 22 and 25 January 2016.
2. The City of Lathrop (hereafter "Discharger") owns and operates the CTF and is responsible for compliance with these Waste Discharge Requirements (WDRs). These WDRs include a Master Recycling Permit pursuant to Water Code section 13523.1(b)(1).
3. The CTF is located at 18800 Christopher Way in Lathrop in Section 35, TS1S, R6E, and Section 2, TS2S, R6E, MDB&M, as shown on Attachment A, which is attached hereto and made part of this Order by reference. The San Joaquin County Assessor's Parcel Numbers for the CTF and the Crossroad WWTF including associated effluent and emergency storage ponds are summarized below.

Description	Assessor's Parcel Number
Consolidated Treatment Facility (including Ponds S4 and S5)	198-130-35, 198-130-36, 198-130-45, 198-130-46, 198-130-47, 198-130-48
Pond S1	191-190-32
Pond S2	191-190-33
Pond S3	198-130-035
Pond S6	198-060-16, 198-060-17
Pond S16 (under construction)	213-290-02

Description	Assessor's Parcel Number
Crossroads WWTF	198-130-21, 198-130-22
Ponds A, B, and C	198-130-19, 198-130-20
LAS-3 (percolation ponds, under construction)	198-130-32

4. Order R5-2015-0006 which includes a Master Recycling Permit was adopted by the Central Valley Water Board on 5 February 2015 and prescribes requirements for the CTF. Order R5-2015-0006 allows an average dry weather flow of up to 0.75 million gallons per day (mgd) and an increase in increments of no less than 0.25 mgd up to a maximum allowable flow rate of 6.0 mgd upon approval by the Executive Officer. Due to the Crossroads WWTF closure and the diversion of its wastewater to the CTF, Order R5-2015-0006 will be rescinded and replaced with this Order.

Existing Facility and Discharge

5. The CTF was built in early 2004. The CTF treats primarily domestic wastewater from three existing and planned development areas within the City of Lathrop: Central Lathrop Specific Plan (CLSP), Mossdale, and River Islands. The development areas comprise approximately 8,400 acres of residential and commercial development, with a small number of commercial facilities discharging to the CTF.
6. The Crossroads WWTF, built in 1994, treats and disposes of commercial/industrial and domestic wastewater from the Crossroads Industrial Park. Tenants at the industrial park include manufacturing, food processing, distribution facilities, restaurants, and trucking companies. The wastewater is relatively high strength commercial/industrial wastewater with less than 10 percent of domestic wastewater. The average daily flow rate from the industrial park is approximately 0.15 mgd.
7. The City adopted an Industrial Sewer Use Ordinance (Ordinance) in December 2005. The Ordinance establishes pretreatment standards prior to discharging wastewater to the City's treatment facility. The Ordinance includes numerical limits for TDS as 700 mg/L, BOD as 400 mg/L, and nitrate as nitrogen as 250 mg/L (without mass limits).
8. The City established an Industrial Pretreatment Program that includes:
 - a. Identifying commercial users;
 - b. Routine and non-routine monitoring of commercial users, including sampling of their wastewater and identifying pollutants in their waste stream;
 - c. Issuing industrial wastewater discharge permits if required by the Ordinance;
 - d. Identifying non-compliant commercial users and issuing Notice of Violations as necessary; and
 - e. Advising commercial users on better business practice to comply with the Ordinance.

9. Three out of 27 Crossroads Industrial Park tenants have been issued an Industrial Wastewater Discharge Permit (permit) by the City. A permit was issued to a food processor that manufactures sausage, whose saline wastewater represented about 10 to 20 percent of the total influent flow to the Crossroad WWTF and approximately 25 to 35 percent of the overall WWTF's TDS load. The manufacturer's wastewater has an average TDS concentration approximately 3,600 mg/L. The permit sets TDS best management practice goals that the tenant can reasonably comply with: a maximum daily concentration of 4,700 mg/L and a monthly average concentration of 4,000 mg/L for TDS.
10. From 2007 to 2015, the sausage manufacturer has implemented the following salinity control measures and reduction efforts:
 - a. Elimination of the plant's meatball specialty line (2007 – 2008), a high salinity stream source;
 - b. Modification of operations to capture and separately dispose of the discharge from its water softener and broth from its crumbles production line (2007 – 2008);
 - c. Reduction in the use of caustic chemicals for cleaning (2007 – 2008);
 - d. Extension of the production shift on the crumbles specialty line to reduce the number of cleaning cycles by 40 percent (2007 – 2008);
 - e. Installation of various clean-in-place systems and chemical metering systems to ensure efficient use of cleaning chemicals (2008 - 2010);
 - f. Modifications to the crumbles production line to improve sanitation efforts (2009);
 - g. Modifications to the plant's pH monitoring system to allow for more efficient use of acid and caustic in the wastewater pre-treatment system (2009);
 - h. Installation of additional TDS meters to more closely monitor TDS concentrations in the plant's discharge (2011);
 - i. Increased vigilance on housekeeping measures including dry sweeping of materials in lieu of wet cleaning (2012);
 - j. Elimination of the plant's crumbles production line (2014 – 2015), a high TDS mass source; and
 - k. Implementation of various water conservation measures (2014 – 2015).
11. On 25 August 2015, the City began diverting wastewater from the Crossroads Industrial Park to the CTF based on the acknowledgment in the Central Valley Water Board letter entitled *Meeting Summary and Water Code 13267 Order for Technical Report, City of Lathrop Consolidated Wastewater Treatment Facility*, dated 6 August 2015. Components of the existing Crossroads WWTF planned for demolition are anticipated to occur between Spring of 2016 and Fall of 2017, with the exception of the solids handling facilities and effluent storage ponds that will be retained and incorporated into the CTF.

12. Wastewater treatment processes at the CTF include secondary treatment, tertiary filtration, and disinfection prior to storage and reuse for irrigation of agricultural and landscape Use Areas.
 - a. Raw wastewater undergoes screening and grit removal prior to entering the influent pump station.
 - b. A 950,000 gallon steel tank provides diurnal flow equalization and short-term emergency storage. Wastewater in the tank is automatically returned to the influent pump station as treatment capacity becomes available.
 - c. Additional short-term emergency storage of influent is available in Pond S4 which is lined and has a storage capacity of approximately 11 million gallons (mgal). Wastewater in Pond S4 is returned to the headworks (rotary drum screens) when treatment capacity is available.
 - d. From the influent pump station, wastewater is distributed evenly to two Membrane Bioreactor (MBR) treatment trains for a combined treatment capacity of 1.0 mgd as an average dry weather flow (ADWF). Each MBR train includes an anoxic basin, recirculation mixers, an aeration basin, anoxic pumps, aeration and membrane blowers and diffusers, membrane modules, a membrane tank, mixed liquor recycle pumps (RAS pumps), and filtrate pumps.
 - e. Tertiary treated effluent is then conveyed to the disinfection system. Disinfection is accomplished using sodium hypochlorite solution in a chlorine contact tank that provides more than 90 minutes of modal contact time. If disinfection fails, the effluent is rerouted back to the emergency storage basin and retreated. The City is in the process of seeking approval from the State Water Resources Control Board Division of Drinking Water (DDW) regarding the alternative criteria for disinfected tertiary recycled water as defined by California Code of Regulations, title 22 (Title 22) section 60301.230(a)(2).

13. Disinfected tertiary treated effluent is discharged into Pond S5 for immediate storage, and is then transferred to off-site storage ponds, Ponds S1, S2, S3, and S6. Off-site storage pond S16 is under construction to accommodate the plant expansion to 1.0 mgd. The Crossroads WWTF Effluent Storage Ponds A, B, and C will be available for off-site storage of CTF disinfected tertiary treated effluent once the initial pond sludge has been removed. The ponds are lined with at least 40-mil high-density polyethylene liner or concrete lined. A summary of the currently available storage ponds is provided below and their locations are shown on Attachments B and C, which are attached hereto and made part of this Order by reference.

Pond Number	Storage Capacity ¹ (mgal)	Pond Location
S1	41	Mosssdale
S2	15	Mosssdale
S3	21	Mosssdale
S5	28	CTF

Pond Number	Storage Capacity ¹ (mgal)	Pond Location
S6	34	McKinley Avenue
S16 (under construction)	55 ²	River Islands
A (former Crossroads WWTF effluent pond)	13.7	West of CTF
B (former Crossroads WWTF effluent pond)	10.8	West of CTF
C (former Crossroads WWTF effluent pond)	7.4	West of CTF
Total Storage Capacity:	226	

¹ Capacity at 2-feet of freeboard.

² Pond S16 will be constructed in two phases. The initial phase will provide approximately 55 mgal of storage capacity. The second phase will expand the pond an additional 23 mgal for a total volume of 78 mgal.

14. Additional information on existing and planned recycled water storage ponds is presented in the Information Sheet, which is attached hereto and made part of this Order by reference. An overview of the existing and planned storage ponds is shown on Attachment C.
15. Recycled water is pumped from the storage ponds as needed and conveyed to Use Areas for agricultural irrigation. For the purpose of this Order, 'Use Area(s)' as used herein means an area with defined boundaries where recycled water is used or discharged, as defined by California Code of Regulations, title 22 (Title 22) section 60301.920. Agricultural Use Areas are agricultural fields and are designated with an "A" followed by an identification number. Alfalfa and rye grass will be the primary crops grown. Use Areas A35, A35a, and A35b will be made available to accommodate the plant expansion to 1.0 mgd. A summary of the current agricultural Use Areas is identified in the table below.

Development Area	Agricultural Irrigation	
	Designation	Area (acres)
Mossdale	A23	12
River Islands	A28	31
	A30	35
	A31	95
	A35	22
	A35a	25
	A35b	22
	Total Acres:	242

16. There are approximately 200 acres of Use Areas available for public area landscape irrigation and over 2,100 acres of Use Areas available for agricultural irrigation located

within the four development areas of Northern Lathrop, CLSP, Mossdale, and River Islands. Public area landscape consists of roadway medians, parks, pond berms, and open spaces. Landscape Use Areas are designated with an "L" followed by an identification number. Landscape Use Areas will consist of trees, shrubs, and grass. Additional information on existing and planned Use Areas is presented in the Information Sheet. An overview of the existing and planned Use Areas is shown on Attachment D, which is attached hereto and made part of this Order by reference.

17. Waste activated sludge (WAS) generated from the CTF is pumped to the solids handling facility located at the adjacent Crossroads WWTF. The solids handling facility includes a 190,000 gallon aerobic sludge storage tank, two belt filter presses, and a concrete drying bed used for supplemental air drying of dewatered sludge when conditions permit. Only sludge from the CTF is sent to the solids storage tank. Dewatered cake from the filter press is then transferred either to a sludge haul truck or to the drying bed for supplemental drying when conditions permit. Air-dried sludge is temporarily stored on the drying bed until a sufficient volume has accumulated to warrant transporting the material to the City of Merced for land application.
18. The CTF is equipped with an electronic management and control system that provides remote monitoring, alarms, and notifications to prevent bypass or failure of the treatment processes. The alarms have backup power provided by a standby generator and an uninterruptable power supply.
19. A summary of the CTF influent flows from 2011 through 2015 is provided below.

Month	Average CTF Influent Flow (mgd)				
	2011	2012	2013	2014	2015 ¹
October	0.26	0.27	0.28	0.30	0.37
November	0.27	0.28	0.29	0.32	0.38
December	0.27	0.28	0.30	0.35	0.41
January	0.28	0.28	0.31	0.31	0.32
February	0.27	0.27	0.30	0.30	0.32
March	0.29	0.27	0.29	0.31	0.33
April	0.30	0.29	0.30	0.31	0.33
May	0.29	0.23	0.28	0.30	0.33
June	0.27	0.27	0.29	0.30	0.33
July	0.28	0.28	0.30	0.31	0.33
August	0.28	0.28	0.32	0.30	0.35
September	0.28	0.28	0.32	0.32	0.34
Annual Total (mgal)	102	100	109	113	126

NA denotes not available or not provided.

¹ Since 25 August 2015, all wastewater from the Crossroads Industrial Park is diverted to the CTF.

20. The average tertiary effluent quality from January 2011 through September 2013 is presented below for select constituents. Wastewater quality since diversion of all Crossroads' wastewater to the CTF is shown below.

Constituent	Average Effluent Quality, mg/L unless specified	
	Jan 2011 – Sep 2013	Aug 2015 – Nov 2015
BOD	< 2.3	< 2.0
TDS	688	720 ¹
Nitrate	7.0	NA
TKN	1.0	NA
Total Nitrogen	8.0	6.3
Chloride	194	NA
Sodium	181	NA
Sulfate	49.5	NA
Boron	0.4	NA
Iron	< 0.06	NA
Total Coliform Organisms, MPN/100 mL	< 2.0	< 1.8

NA denotes data not available or provided. RL denotes laboratory reporting limit and can vary between testing events.

¹ Flow-weighted average based on data from August 2015 through November 2015.

Planned Facility and Discharge

21. The City proposes the following Crossroads WWTF components to be retained and incorporated in the CTF.
- a. Influent pump station, piping, and associated Motor Control Centers.
 - b. Former chlorine contact basin.
 - c. Recycled water pump station.
 - d. Effluent Storage Ponds A, B, and C: Each pond is lined with high-density polyethylene and is approximately 12 feet deep. The total combined capacity of the storage ponds is approximately 97.7 acre-feet with two feet of freeboard. It is anticipated that the storage ponds will be pumped of all effluent, removed of all solids, and ready to accept CTF effluent for storage by September 2016.
 - e. Land application site LAS-3: LAS-3 is approximately 19.5 acres and will be converted into a future percolation pond(s) with an expected completion date by August 2016.
 - f. Sludge handling facility consisting of a sludge storage tank, two belt filter presses, and a 75-foot by 175-foot concrete drying bed.
 - g. Generator building.

h. Maintenance garage.

The wastewater treatment and disposal process is shown schematically on Attachment E, which is attached hereto and made part of this Order by reference.

22. Land application sites LAS-1 and LAS-2 at the Crossroads WWTF has been sold and plans are in place to develop the sites for industrial use. Wells KMW-1 and KMW-3 that once monitored groundwater quality near the two land application sites have been abandoned to accommodate future land development. Based on elevated salinity concentrations in the groundwater near LAS-2, the City was required to investigate and mitigate any impacts from its wastewater disposal operations. Two replacement wells (KMW-10 and KMW-11) were installed along the western edge of LAS-2. KMW-11 and KMW-10, installed on 9 and 10 December 2015, respectively, will monitor the effectiveness of the City's corrective action plan regarding the salinity impacts from past application of Crossroads WWTF effluent.
23. As needed to reduce impacts on the CTF's capacity, a portion of the CTF influent flow may be rerouted to the City of Manteca's wastewater collection system using the existing Mossdale interties. This rerouting is not strictly needed, but may be performed as needed to improve system efficiency and cost effectiveness.
24. The City has submitted the *Expansion Completion Report* dated 25 August 2015 confirming the completion of the 1.0 mgd facility expansion project. However, the City has not submitted the *Recycled Water Storage and Conveyance System Improvements Completion Report* and the *Recycled Water User Report* as required by Provisions H.1.e and H.1.f. of Order R5-2015-0006 to confirm the available storage and disposal capacity needed for a flow increase of 1.0 mgd.

The City anticipates the next CTF expansion to increase capacity from 1.0 to 1.5 mgd (CTF Phase 2 Expansion Project) with an expected completion date by March 2018. The 1.5 mgd expansion may consist of a new coarse and fine screening and grit removal headworks system; a new odor control system for the new headworks; a new influent, basin drain, mixed liquor suspended solids (MLSS) process and membrane filtration process structure; a new activated sludge treatment process, including associated valves, gates, mixers, pumps and process air diffuser; new aeration blowers; new membrane filtration units; new membrane scouring blowers; new waste activated sludge pumps; new emergency standby generator equipment; new motor control center equipment; upgraded central PLC and SCADA system; a new administration, lab, and maintenance building; a new equipment building; and miscellaneous site grading and storm water retention facilities. Additional recycled water storage capacity and Use Areas will be added as needed.

25. The 19 September 2014 water balance submitted for preparation of Order R5-2015-0006 determined the minimum recycled water storage volume and Use Areas needed for an average dry weather flow of 0.75 mgd, 1.0 mgd, and the long range projection at 6.0 mgd. The water balance showed recycled water storage

ponds are typically used during the winter months and then drawn down for irrigation purposes during the spring through fall.

26. The City relies entirely on water recycling for the disposal of treated effluent. Therefore, effluent storage and Use Areas must increase to accommodate increases in influent flows to the CTF. Based on the water balance, the required storage volume and Use Areas for the three influent flow scenarios is summarized below.

Storage Volume and Use Area Requirements	0.75 mgd		1.0 mgd		6.0 mgd
	Required	Available	Required	Available	Required
Storage Volume (acre-feet)	345	429	502	595	2,677
Storage Volume (mgal)	112	139	164	194 ¹	872
Use Areas (acres)	165	172	207	242 ²	1,381

¹ Based on total volume including Ponds S1, S2, S3, S5, S6, and Phase 1 of S16.

² Based on total acreage including Use Area A23, A28, A30, A31, A35, A35a, and A35b.

27. The immediately applicable flow limitation in this Order is based on the current treatment, storage, and disposal capacity. Under the conditions of the Master Recycling Permit, the Discharger may add new Use Areas and construct additional recycled water storage ponds defined as “planned” in the Findings and Information Sheet of this Order with Executive Officer approval of the technical reports submitted pursuant to the Provisions of this Order¹. The flow limits can be incrementally increased up to a future treatment capacity of 6.0 mgd pending certification of an environmental review pursuant to CEQA and Executive Officer approval of each CTF expansion phase technical report submitted pursuant to the Provisions of this Order.
28. The City has adopted a Recycled Water Ordinance to establish its authority to enforce rules and/or regulations for Users governing the design and construction of recycled water use facilities and the use of recycled water. Therefore, the Discharger may issue water recycling permits to Users of WWTF effluent.
29. Lathrop Municipal Code Title 13, Chapter 13.09 establishes the authority to enforce rules and/or regulations for Users governing the design and construction of recycled water use facilities and the use of recycled water. As such, the Discharger may issue water recycling permits to Users of treated effluent from the CTF. Future Use Areas not identified in the Findings and Information Sheet as “existing” will require Executive Officer approval of certain reports described in the Provisions of this Order to satisfy Water Code section 13264.

Site-Specific Conditions

30. The City's water supply comes from six deep municipal wells that extract groundwater from approximately 160 to 270 feet below ground surface (bgs). Water is drawn from

¹ Use Areas and recycle water storage ponds defined as “future” will also require certification of an environmental review pursuant to the California Environmental Quality Act (CEQA).

a 150-foot upper water-bearing interval overlying a 75 to 1,000 feet thick lower water-bearing zone in the Laguna Formation.

31. The City's potable water supply is supplemented with surface water from the Woodward Reservoir, which is distributed by the South San Joaquin Irrigation District as part of the South County Water Supply Program. Municipal supply water is treated prior to distribution to the community. A summary of the City's 2013 Drinking Water Consumer Confidence Report is presented below for select constituents.

Constituent	Potable Water Quality	
	Units	Concentration
Specific Conductivity	µmhos/cm	444 - 970
Total Dissolved Solids	mg/L	283 - 573
Nitrate as NO3	mg/L	8.3 – 28.7
Chloride	mg/L	32 - 108
Sodium	mg/L	41 - 75
Iron	mg/L	< 0.3
Manganese	mg/L	< 0.05 – 0.04
Hardness	mg/L	157 - 201
Total Coliform Organisms	MPN/100mL	< RL
Trihalomethanes	µg/L	9.8 – 31.8

RL denotes laboratory reporting limit and can vary between testing events.

32. Local topography at the CTF and existing and planned Use Areas is generally level and gently slopes toward the San Joaquin River and other tributaries. Ground surface elevation at the CTF is approximately 10 feet above mean sea level (MSL).
33. The CTF and Use Areas lie within the San Joaquin Delta Hydrologic Unit Area No. 544.00, as depicted on interagency hydrologic maps prepared by the Department of Water Resources in August 1986. Surface drainage is to the San Joaquin River, which flows north along the western boundary of CLSP and Mossdale. Other nearby surface water courses that drain into the San Joaquin River include Paradise Cut that borders River Islands to the southwest, and Old River, which divides Mossdale and River Islands.
34. According to Federal Emergency Management Agency (FEMA) flood zone mapping, areas immediately east of the San Joaquin River (i.e., the CTF, Northern Lathrop, CLSP, and Mossdale) are in Flood Zone X, which is outside of the currently-defined 100-year flood zone. A developed portion of River Islands bordered by Stewart Road on the west and south and the San Joaquin River on the east is also identified as within Flood Zone X. These areas are protected from the 100-year flood by levees, dikes, or other structures that may be subject to possible failure or overtopping during larger flood events. A portion of the western half of River Islands is in Zone AE,

which is within the 100-year floodplain. None of the current recycled water ponds are located within the 100-year floodplain. Any future recycled water storage ponds located within the 100-year floodplain will be designed such that the elevations of the tops of the berms of future recycled water storage ponds are at least 3 feet above the 100-year floodplain. As mandated by Senate Bill 5, the cities of Lathrop and Manteca are pursuing improvement of Reclamation District 17's (RD 17) levees to provide the new central valley standard of 200-year Urban Level of Flood Protection. This requires improvement of the entire 20 miles of RD 17 levees, including sections within the cities of Lathrop, Manteca, Stockton, and unincorporated San Joaquin County. Work will be started by July 2016, and will be completed by 2025.

35. The Lathrop area is underlain by alluvial deposits consisting of fine grained sand, silt, and clay. According to United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) data, near-surface soils in the CTF and Use Areas are classified primarily as Egbert, Merrit, Columbia, and Veritas series soils, among others. These soils are generally characterized as moderate to poorly drained floodplain deposits with low permeability rates. Based on the NRCS soil survey, the soils in the proposed Use Areas are sandy to silty clay loams. Published infiltration rates for the soils range from 0.06 to 6.0 in/hr.
36. Based on climate data from the California Irrigation Management Information System (CIMIS), the average annual precipitation for the nearby area (Manteca Station) is approximately 13 inches. The 100-year, 365-day precipitation event is approximately 22 inches, and the average reference evapotranspiration (ET_o) rate is approximately 52 inches per year.
37. Land uses surrounding the CTF include the Crossroads WWTF immediately to the south, the Crossroads Industrial Park to the north, and other commercial development to the east and south. Interstate highway 5 separates the Northern Lathrop, CLSP, Mossdale and River Islands development areas from the rest of the City. Surrounding land uses in these areas are primarily agricultural, but some areas have recently transitioned to residential, commercial, and industrial land uses.

Groundwater Conditions

38. Lathrop is located within the San Joaquin River Groundwater Basin, San Joaquin River Hydrologic Region. The CTF, Northern Lathrop, CLSP, and Mossdale developments are located within the western portion of the Eastern San Joaquin Subbasin, while River Islands is in the Tracy Subbasin. Water-bearing units of the two subbasins include undifferentiated deposits of alluvium and flood basin deposits of the Laguna Formation. The Plio-Pleistocene Laguna Formation consists of discontinuous lenses of fluvial sand and silt with lesser amounts of clay and gravel.
39. Shallow groundwater in the Lathrop area occurs within the alluvial flood plain deposits at depths of less than 15 feet bgs. The depth to groundwater is as little as a few feet below ground surface in some areas, especially near surface water bodies, including agricultural drainage ditches that divide portions of River Islands.

40. Shallow groundwater depth and flow conditions can vary depending on location, season, land use, nearby pumping (i.e. construction dewatering, agricultural irrigation, etc.), and the proximity and flow stage of nearby surface water bodies. As a result, changes in agricultural land use, irrigation practices, and regional pumping have likely altered the groundwater flow regime. In the Northern Lathrop, CLSP, Mosssdale, and River Islands areas, shallow groundwater generally flows laterally away from the San Joaquin River, Old River, and Paradise Cut, whereas the groundwater flow direction east of Interstate 5 is generally to the north-northwest, towards the river.
41. There are over 70 known existing groundwater monitoring wells near the CTF and the Northern Lathrop, CLSP, Mosssdale, and River Islands Use Areas. General groundwater quality was previously evaluated at each of the four development areas in preparation of Order R5-2015-0006. Due to the extreme spatial variability of TDS concentrations in shallow groundwater across the Lathrop development areas, the local variability in groundwater flow, and the characteristics of recycled water, the anti-degradation analysis focused on specific Use Areas that illustrate typical groundwater conditions within each development area that has or will have Use Areas. An intra-well analysis of selected compliance wells was identified in Order R5-2015-0006 for compliance with the groundwater limitations. The monitoring well network as identified in Order R5-2015-0006 including location and function is shown below. Monitoring wells KMW-10 and KMW-11, which monitor the underlying groundwater near former LAS-2, is included in the table below; as is monitoring wells KMW-4, KMW-6, KMW-8, and KMW-9, which monitoring groundwater near LAS-3. Well locations are shown on Attachments B, F, G, H, and I, which is attached hereto and made part of this Order by reference.

Land Development Area	Attachment	Water Level Monitoring	Water Quality Monitoring Compliance Wells
CTF Facility	B	MBRMW-1, MBRMW-2, MBRMW-3, MBRMW-4	---
Formerly LAS-2	B	KMW-10, KMW-11	KMW-10, KMW-11
LAS-3	B	KMW-2, KMW-4, KMW-6, KMW-8, KMW-9	KMW-2, KMW-4, KMW-6, KMW-8, KMW-9
Mosssdale	F	MWM-1, MWM-2, MWM-3, MWM-4, MWM-5, MWM-6, MWM-7, MWM-8 ¹ , MWM-9, MWM-11, MWM-12, MWM-13, MWM-15, MWM-17, MWM-19, MWM-20, MWM-21, MWM-22, MWM-23, MWM-24, MWM-25, MWM-27	MWM-12
River Islands	G	MWR-3, MWR-4, MWR-5, MWR-6 ² , MWR-7, MWR-8, MWR-9, MWR-10, MWR-11, MWR-12, MWR-23, MWR-24, MWR-25, MWR-26, MWR-27, MWR-28, MWR-29, MWR-30, MWR-31, MWR-32	MWR-24, MWR-28, MWR-32

Land Development Area	Attachment	Water Level Monitoring	Water Quality Monitoring Compliance Wells
Northern Lathrop	H	MW-N1, MW-N3, MW-N4, MW-N5 ¹ , MW-N6 ¹	---
Central Lathrop Specific Plan	H	CLSP-1, CLSP-2 ² , CLSP-3, CLSP-4 ³ , CLSP-8, CLSP-9, CLSP-10 ²	CLSP-1
Pond S6	I	RMW-1, RMW-2, RMW-3, RMW-4, RMW-5	---

¹ Well located on private property. City has no access to well. Abandon and replace well in accordance with Provision H.1.j as appropriate.

² Damaged well, City proposes to abandon. Replace well in accordance with Provision H.1.j as appropriate.

³ City proposes to abandon well. Replace well in accordance with Provision H.1.j as appropriate.

A well inventory was performed in October 2015 to identify existing well conditions. Based on the *Groundwater Monitoring Well Condition Survey Report and Destruction Plan* dated 27 January 2016, several wells were identified as damaged, missing, or abandoned. Wells MWM-8, MW-N5, and MW-N6 are located on private property and the City was unable to access these wells to determine current well conditions. The investigation confirmed wells CLSP-2, CLSP-10, and MWR-6 were damaged and the City has requested these wells be abandoned. Additionally, the City has requested that well CLSP-4 also be abandoned and not replaced due to close proximity to existing well MWM-19. In order to evaluate the pre-discharge groundwater conditions within any new Use Areas in accordance with Provision H.1.f, replacement wells may be required for wells identified as future compliance wells and proposed for abandonment.

42. Approximately 2,000 to 3,500 feet northeast and upgradient of LAS-2 was a former agricultural chemical production facility that consisted of unlined gypsum and wastewater ponds. The City has stated that the source of dissolved constituents including TDS, sulfate, and nitrate in groundwater within the vicinity of LAS-2 was likely caused by the unlined ponds at the former chemical production facility.
43. For the purpose of evaluating potential future groundwater degradation at a new discharge location, groundwater quality was evaluated at LAS-3. Well KMW-4 is located within LAS-3. Well KMW-6 is located near the east edge of LAS-3. Groundwater quality prior to discharge operations is based on samples collected on 29 January 2001 and 11 October 2002. Discharges of Crossroad's undisinfected secondary effluent to LAS-3 began in 2003.
44. Based on historical quarterly monitoring reports, KMW-6 was determined the background well. However, in January 2015, the City stated that the groundwater elevations were calculated based on a different datum and needed to be revised. In February 2015, the City conducted a well survey and submitted revised groundwater historical elevation data. Based on revised groundwater contour maps for eight quarters between 2013 through 2014, KMW-4 has slightly higher groundwater elevations than KMW-6. Although higher groundwater elevations were observed in

KMW-4, it is not appropriate to use KMW-4 as a background well because of its location within LAS-3 and likely influences from future wastewater discharges. In addition, the conversion of LAS-3 to percolation ponds(s) will likely cause localized groundwater mounding that will result in detectable wastewater constituents in KMW-6.

45. In anticipation of percolation pond(s) at LAS-3, the City installed wells KMW-8 and KMW-9 on 13 November 2014 to obtain groundwater data prior to discharge. KMW-8 is located immediately outside of the LAS-3 northwest boundary. KMW-9 is located east of LAS-3 and is expected to be an upgradient well. Based on the first data set collected on 18 November 2014, the groundwater elevation in KMW-9 was lower than the elevations in nearby wells KMW-4 and KMW-6, indicating flow is to the north-northwest and away from KMW-4. The City stated that northeastward groundwater flow near KMW-4 and KMW-9 is likely due to groundwater pumping northeast of KMW-9.
46. Groundwater quality near LAS-3 is presented below for select constituents.

Constituent	Potential WQO	Average Groundwater Quality ⁵ , mg/L					
		KMW-4		KMW-6		Pre-Discharge KMW-8 ⁹	Pre-Discharge KMW-9 ⁹
		Pre-Discharge ⁶	Current ⁷	Pre-Discharge ⁸	Current ⁷		
TDS	450 ¹ - 1,000 ⁴	3,840	2,430	NA	1,000	2,180	580
Nitrate as N	10 ²	80	50	20	20	20	9.7
TKN	none	0.9	0.5	60	30	<1	60
Chloride	106 ¹ - 500 ⁴	260	340	90	170	610	130
Sodium	69 ¹	400	450	70	140	350	90
Sulfate	250 ³ - 500 ⁴	1,450	750	210	290	300	100
Boron	0.7 ¹	1.4	1.3	0.3	0.4	0.8	0.3
Iron, dissolved	0.3 ³	0.01	0.19	0.01	0.07	0.11	0.04
Manganese, dissolved	0.05 ³	4	0.8	0.75	0.4	0.28	<0.01

WQO denotes Water Quality Objective. NA denotes not available or not provided.

¹ Lowest Agricultural Water Quality Goal.

² Primary Maximum Contaminant Level.

³ Secondary Maximum Contaminant Recommended Level.

⁴ Secondary Maximum Contaminant Upper Level.

⁵ For non-detect values, ½ of the laboratory detection limit was used to determine average.

⁶ TDS based on 29 January 2001 sample; boron, iron, and manganese based on 11 October 2002 sample; all other constituents, average based on 29 January 2001 and 11 October 2002 samples.

⁷ Average data collected quarterly from January 2007 through August 2014.

⁸ Based on 11 October 2002 sample.

⁹ Single monitoring event on 18 November 2014.

- a. In general, the underlying groundwater is high in salinity and nitrate. Pre-discharge data from KMW-4 show a TDS concentration that exceeds the secondary maximum recommended limit (MCL) of 1,000 mg/L and data following discharge operations show some improvement in groundwater quality. Chloride concentrations in KMW-4 and KMW-6 have increased since discharge operations began. Increasing sodium concentrations were observed in KMW-6 since 2013. The single sample from KMW-8 contained a high concentration of nitrate as expected, because high concentrations of nitrate were found in KMW-4 and KMW-6. The nitrate and TDS concentration in KMW-9 was much less than the average concentration in KMW-6, which historically has been considered the background well.
 - b. Groundwater data for KMW-4 and KMW-6 show iron concentrations have increased since discharge operations began. However, concentrations do not exceed 0.3 mg/L, the water quality objective for iron. The iron concentration in KMW-8 is similar to the average iron concentrations in KMW-4 and KMW-6. The iron concentration in KMW-9 was much less than the average concentration in KMW-6.
 - c. Prior to discharge operations, the manganese concentration in KMW-4 and KMW-6 exceeded the secondary MCL of 0.05 mg/L. Groundwater data show improvements in groundwater quality post discharge operations. KMW-8 contained a high manganese concentration, as expected, because high manganese concentrations were found in KMW-4 and KMW-6. The manganese concentration in KMW-9 was much less than the average concentration in KMW-6 and does not exceed the water quality objective.
 - d. The spatial variability in the wells warrants an intra-well analysis of compliance wells to determine if the discharge has caused groundwater degradation. Due to proximity of KMW-4 and KMW-6 to impending percolation pond(s) at LAS-3, KMW-4 and KMW-6 would serve as compliance wells, along with newly installed wells KMW-8 and KMW-9.
47. As stated in Finding 22, wells KMW-10 and KMW-11 were installed to monitor the effectiveness of the City's corrective action plan regarding the salinity impacts (particularly near LAS-2) from past application of Crossroads WWTF effluent. Analytical data for groundwater samples obtained on 15 December 2015 are shown below for select constituents.

Constituent	Potential WQO	Groundwater Data for New Wells (mg/L unless specified)		
		KMW-10	KMW-11	KMW-11 (D)
TDS	450 ¹ - 1,000 ⁴	4,100	2,750	2,890
Nitrate as N	10 ²	22	0.1	< 0.1
TKN	none	< 0.5	< 0.5	< 0.5

Constituent	Potential WQO	Groundwater Data for New Wells (mg/L unless specified)		
		KMW-10	KMW-11	KMW-11 (D)
Chloride	106 ¹ – 500 ⁴	920	600	630
Sodium	69 ¹	750	590	640
Sulfate	250 ³ -500 ⁴	1,040	750	760
Boron	0.7 ¹	1.2	1.1	1.2
Iron, dissolved	0.3 ³	0.1	6.0	7.3
Manganese, dissolved	0.05 ³	2.4	4.1	4.1

WQO denotes Water Quality Objective. D denotes duplicate sample.

- ¹ Lowest Agricultural Water Quality Goal.
- ² Primary Maximum Contaminant Level.
- ³ Secondary Maximum Contaminant Recommended Level.
- ⁴ Secondary Maximum Contaminant Upper Level.

Basin Plan, Beneficial Uses, and Regulatory Considerations

- 48. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition (hereafter Basin Plan) designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Board. Pursuant to California Water Code section 13263(a), waste discharge requirements must implement the Basin Plan.
- 49. Local drainage is to the San Joaquin River. The beneficial uses of the San Joaquin River, as stated in the Basin Plan, are municipal and domestic supply; agricultural supply; industrial service supply; industrial process supply; water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; wildlife habitat; and navigation.
- 50. The beneficial uses of underlying groundwater as set forth in the Basin Plan are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.
- 51. The Basin Plan establishes narrative water quality objectives for chemical constituents, tastes and odors, and toxicity in groundwater. It also sets forth a numeric objective for total coliform organisms.
- 52. The Basin Plan’s numeric water quality objective for bacteria requires that the most probable number (MPN) of coliform organisms over any seven-day period shall be less than 2.2 per 100 mL in MUN groundwater.
- 53. The Basin Plan’s narrative water quality objectives for chemical constituents, at a minimum, require waters designated as domestic or municipal supply to meet the

MCLs specified in Title 22 of the California Code of Regulations (hereafter Title 22). The Basin Plan recognizes that the Central Valley Water Board may apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.

54. The narrative toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, animal, plant, or aquatic life associated with designated beneficial uses.
55. Quantifying a narrative water quality objective requires a site-specific evaluation of those constituents that have the potential to impact water quality and beneficial uses. The Basin Plan states that when compliance with a narrative objective is required to protect specific beneficial uses, the Central Valley Water Board will, on a case-by-case basis, adopt numerical limitations in order to implement the narrative objective.
56. In the absence of specific numerical water quality limits, the Basin Plan methodology is to consider any relevant published criteria. General salt tolerance guidelines, such as *Water Quality for Agriculture* by Ayers and Westcot and similar references indicate that yield reductions in nearly all crops are not evident when irrigation water has an EC less than 700 $\mu\text{mhos/cm}$. There is, however, an eight- to ten-fold range in salt tolerance for agricultural crops and the appropriate salinity values to protect agriculture in the Central Valley are considered on a case-by-case basis. It is possible to achieve full yield potential with waters having EC up to 3,000 $\mu\text{mhos/cm}$ if the proper leaching fraction is provided to maintain soil salinity within the tolerance of the crop.

Antidegradation Analysis

57. State Water Resources Control Board Resolution 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereafter Resolution 68-16) prohibits degradation of groundwater unless it has been shown that:
 - a. The degradation is consistent with the maximum benefit to the people of the state.
 - b. The degradation will not unreasonably affect present and anticipated future beneficial uses.
 - c. The degradation does not result in water quality less than that prescribed in state and regional policies, including violation of one or more water quality objectives, and
 - d. The discharger employs best practicable treatment or control (BPTC) to minimize degradation.
58. Degradation of groundwater by some of the typical waste constituents associated with discharges from a municipal wastewater utility, after effective source control, treatment, and control measures are implemented, is consistent with the maximum benefit to the people of the state. The technology, energy, water recycling, and waste management advantages of municipal utility service far exceed any benefits derived

from reliance on numerous, concentrated individual wastewater systems, and the impact on water quality will be substantially less. The economic prosperity of valley communities and associated industry is of maximum benefit to the people of the State, and provides sufficient justification for allowing the limited groundwater degradation that may occur pursuant to this Order.

59. The Discharger has been monitoring groundwater quality at the CTF and near several of the Use Areas since 1999. Although some limited groundwater quality data that date back to 1945 is available, the hydrologic dynamics of such a large geographic area combined with a long history of both irrigated agriculture and land discharges of wastewater, it is not possible to determine pre-1968 groundwater quality. Therefore, determination of compliance with Resolution 68-16 for this discharge must be based on available local groundwater quality data.
60. As discussed in Finding 41, the anti-degradation analysis in Order R5-2015-0006 focused on specific Use Areas that illustrate typical groundwater conditions within each development areas that has or will have recycled water Use Areas. Information regarding the anti-degradation analysis for specific Use Areas can be found in the Information Sheet. For the purpose of evaluating potential future groundwater degradation at a new discharge location, this anti-degradation analysis focuses on LAS-3, the location of future percolation pond(s).
61. Constituents of concern from the treated effluent that have the potential to degrade groundwater include salts (primarily TDS, sodium and chloride). For the purpose of this evaluation, TDS is representative of overall salinity. Based on effluent quality and pre-discharge groundwater quality, elevated concentrations of nitrate in the groundwater are likely due to historical agricultural practices and not the result of wastewater discharges. In addition, elevated sulfate, boron, and manganese concentrations in the groundwater are likely naturally occurring and not the result of wastewater discharges. TDS and total nitrogen effluent quality is representative of the combined wastewater as a flow-weighted average based on data from August through November 2015. All other constituents are representative of the CTF effluent or Crossroads effluent.

Constituent	Potential WQO	Average Groundwater Quality ⁵ , mg/L				Effluent Quality, mg/L
		KMW-4		KMW-6		
		Pre-Discharge ⁶	Current ⁷	Pre-Discharge ⁸	Current ⁷	
TDS	450 ¹ - 1,000 ⁴	3,840	2,430	NA	1,000	720
Nitrate as N	10 ²	80	50	20	20	NA
TKN	none	0.9	0.5	60	30	NA
Total Nitrogen	none	73	NA	82	NA	6.3
Chloride	106 ¹ – 500 ⁴	260	340	90	170	NA
Sodium	69 ¹	400	450	70	140	NA
Sulfate	250 ³ -500 ⁴	1,450	750	210	290	NA

Constituent	Potential WQO	Average Groundwater Quality ⁵ , mg/L				Effluent Quality, mg/L
		KMW-4		KMW-6		
		Pre-Discharge ⁶	Current ⁷	Pre-Discharge ⁸	Current ⁷	
Boron	0.7 ¹	1.4	1.3	0.3	0.4	50 ⁹ / 190 ¹⁰
Iron, dissolved	0.3 ³	0.01	0.19	0.01	0.07	0.4 ⁹ / NA
Manganese, dissolved	0.05 ³	4	0.8	0.75	0.4	ND ⁹ / 0.01 ¹¹

WQO denotes Water Quality Objective. NA denotes not available or not provided. ND denotes non-detect.

¹ Lowest Agricultural Water Quality Goal.

² Primary Maximum Contaminant Level.

³ Secondary Maximum Contaminant Recommended Level.

⁴ Secondary Maximum Contaminant Upper Level.

⁵ For non-detect values, 1/2 of the laboratory detection limit was used to determine average.

⁶ TDS based on 29 January 2001 sample; total nitrogen, boron, iron, and manganese based on 11 October 2002 sample; all other constituents, average based on 29 January 2001 and 11 October 2002 samples.

⁷ Average data collected quarterly from January 2007 through August 2014.

⁸ Based on 11 October 2002 sample.

⁹ CTF effluent, average based on data collected from January 2011 through September 2013.

¹⁰ Crossroads effluent, average based on data collected from February 2007 through August 2014.

¹¹ Crossroads effluent, average based on 4 weekly samples from September through October 2014.

a. **Total Dissolved Solids.** Prior to wastewater discharge, the TDS concentration in KMW-4 was 3,840 mg/L. In general, the analytical data show an overall decreasing trend in KMW-4. However, the current TDS concentration continues to exceed the water quality objective. KMW-6 located within LAS-3, has historically been the background well with an average TDS concentration of 1,000 mg/L. The TDS concentrations in KMW-6 have ranged from 600 to 2,500 mg/L. Since 2010, TDS concentrations have increased in KMW-6. Based on data from January 2011 through September 2013, the TDS effluent concentration varied from 500 to 840 mg/L with an average of 690 mg/L.

For the purpose of this analysis, the water quality objective for TDS is 1,000 mg/L. The Basin Plan's Controllable Factors Policy is applicable because the pre-discharge groundwater quality exceeds the water quality objective. The Controllable Factors Policy does not allow further degradation of water quality in instances where other factors have already resulted in water quality objectives being exceeded.

The RWD states that the current Crossroads and CTF effluent when combined would result in a TDS effluent concentration ranging from 800 to 900 mg/L. Since rerouting all wastewater to the CTF in August 2015, TDS effluent concentrations during the months of August through November 2015 have ranged from 580 to 800 mg/L with a flow-weighted average of 720 mg/L. The City implements an Industrial Pretreatment Program (IPP) to prevent the introduction of pollutants into their sewer system. Through the City's IPP, significant industrial users were identified and have taken reasonable salinity source control measures to reduce the salinity concentrations in their waste stream.

This Order prohibits any further degradation of groundwater quality. A performance-based TDS effluent limit will restrict effluent salinity to ensure compliance with the Controllable Factors Policy. The effluent limit will allow flexibility for increases due to water conservations as the community grows. The groundwater limitations of this Order prohibit statistically significant increases in TDS concentrations in the groundwater compliance wells associated with LAS-3.

- b. **Nitrate.** For nutrients such as nitrate, the potential for degradation depends not only on the quality of the treated effluent, but the ability of the vadose zone below the percolation pond(s) to provide an environment conducive to nitrification and denitrification to convert the effluent nitrogen to nitrate and the nitrate to nitrogen gas before it reaches the water table. Pre-discharge nitrate concentration in KMW-4 was 80 mg/L. The current average nitrate concentration is 50 mg/L. In general, nitrate data from KMW-4 show a decreasing trend. Pre-discharge nitrate concentration in KMW-6 was 20 mg/L. The current average nitrate concentration in KMW-6 is approximately 20 mg/L and concentrations ranged from 9 to 40 mg/L. In general, nitrate data from KMW-6 show a decreasing trend.

For the purpose of this analysis, the Basin Plan's Controllable Factors Policy is applicable because the pre-discharge groundwater quality exceeds 10 mg/L, the water quality objective for nitrate. The Controllable Factors Policy does not allow further degradation of water quality in instances where other factors have already resulted in water quality objectives being exceeded.

Since rerouting the Crossroads wastewater to the CTF, the flow-weighted average total nitrogen effluent concentration is approximately 6.3 mg/L (based on four months of data in 2015). The average total nitrogen concentration when wastewater was predominately domestic from the Lathrop development areas was approximately 8.0 mg/L. Although conversion to a percolation pond will result in no nitrogen uptake from plants, the discharge is unlikely to cause nitrate pollution due to the low nitrate concentration in the effluent. To ensure compliance with the Controllable Factors Policy, the Order prescribes a total nitrogen effluent limit of 10 mg/L as a flow-weighted annual average. The groundwater limitations of this Order prohibit statistically significant increases in nitrate concentrations in the groundwater compliance wells associated with LAS-3.

- c. **Boron.** Pre-discharge groundwater quality in KMW-4 exceeds 0.7 mg/L the water quality objective for boron. Since adoption of the Order R5-2015-0006, the CTF effluent has not been analyzed for boron. However, based on monitoring data from January 2011 through September 2013, the average effluent boron concentration is approximately 0.4 mg/L. Historically, the Crossroads' effluent has not been analyzed for boron.

For the purpose of this analysis, the Basin Plan's Controllable Factors Policy is applicable because the pre-discharge groundwater quality exceeds the water quality objective for boron. The Controllable Factors Policy does not allow further

degradation of water quality in instances where other factors have already resulted in water quality objectives being exceeded.

Although wastewater from the Crossroads Industrial Park is now routed to the CTF, in consideration of the combined wastewater quality and groundwater conditions, the discharge is not likely to degrade groundwater with respect to boron. To ensure compliance with the Controllable Factors Policy, the Order requires groundwater monitoring for boron to verify that the discharge has not caused groundwater quality to get any worse.

- d. **Sulfate.** Pre-discharge groundwater quality in KMW-4 exceeds 500 mg/L, the water quality objective for sulfate. The average sulfate concentration in the CTF effluent based on monitoring data from January 2011 through September 2013 is approximately 50 mg/L. Order R5-2015-0006 does not require the CTF effluent to be analyzed for sulfate. The average sulfate concentration in the Crossroads' effluent is approximately 190 mg/L based on monitoring data from February 2007 through August 2014.

For the purpose of this analysis, the Basin Plan's Controllable Factors Policy is applicable because the pre-discharge groundwater quality exceeds the water quality objective for sulfate. The Controllable Factors Policy does not allow further degradation of water quality in instances where other factors have already resulted in water quality objectives being exceeded.

In consideration of the combined wastewater quality and groundwater conditions, the discharge is not likely to degrade groundwater with respect to sulfate. To ensure compliance with the Controllable Factors Policy, the Order requires groundwater monitoring for sulfate to verify that the discharge has not caused groundwater quality to get any worse.

- e. **Manganese.** Pre-discharge groundwater quality in KMW-4 and KMW-6 exceeds 0.7 mg/L, the water quality objective for manganese. Manganese has been non-detect in the CTF effluent based on monitoring data from January 2011 through September 2013. Order R5-2015-0006 does not require the CTF effluent to be analyzed for manganese. The average manganese concentration in the Crossroads' effluent is approximately 0.01 mg/L based on four weekly sampling events from September to October 2014.

For the purpose of this analysis, the Basin Plan's Controllable Factors Policy is applicable because the pre-discharge groundwater quality exceeds the water quality objective for manganese. The Controllable Factors Policy does not allow further degradation of water quality in instances where other factors have already resulted in water quality objectives being exceeded.

In consideration of the combined wastewater quality and groundwater conditions, the discharge is not likely to degrade groundwater with respect to manganese. To ensure compliance with the Controllable Factors Policy, the Order requires

groundwater monitoring for manganese to verify that the discharge has not caused groundwater quality to get any worse.

62. This Order establishes effluent and groundwater limitations for the CTF that will not unreasonably threaten present and anticipated beneficial uses or result in groundwater quality that exceeds water quality objectives set forth in the Basin Plan.

For TDS, nitrate, boron, sulfate and manganese, groundwater monitoring data show that groundwater is not high quality water and both pre-discharge and background groundwater quality exceeds the respective water quality objective. Where pre-discharge and background groundwater quality exceed the water quality objective, the Basin Plan's Controllable Factors Policy is applicable, which does not allow further degradation.

63. The Discharger provides treatment and control of the discharge that incorporates:
- a. City-wide Industrial Pretreatment program;
 - b. Tertiary treatment and disinfection;
 - c. Completely enclosed wastewater treatment systems;
 - d. Lined wastewater and emergency storage ponds;
 - e. Automatic alarms and backup power systems;
 - f. Certified wastewater treatment operators; and
 - g. Use of effluent to irrigate crops and landscaped areas using water and nutrient application rates consistent with plant needs.

The Central Valley Water Board considers these treatment and control practices to be BPTC for the waste discharges regulated by this Order.

64. This Order is consistent with Resolution 68-16 since it is unlikely that discharges regulated by this Order will result in any degradation over baseline conditions. In addition, the Board herein finds that this Order will ensure that discharges from the facility will not unreasonably affect present and anticipated beneficial uses or result in water quality less than water quality objectives, that the Discharger is implementing BPTC to minimize degradation, and that any limited degradation that may occur will be consistent with the maximum benefit to the people of the State.

Water Recycling Regulatory Considerations

65. Undisinfected domestic wastewater contains human pathogens that are typically measured using total or fecal coliform organism as indicator organisms. The State Water Resources Control Board Division of Drinking Water (formerly the California Department of Public Health Drinking Water Program), which has primary statewide responsibility for protecting water quality and the public health, has established statewide criteria in Title 22, section 60301 et seq. for the use of recycled water.

66. A 1998 Memorandum of Agreement (MOA) between DPH and the State Water Board on the use of recycled water establishes basic principles relative to the agencies and the regional water boards. In addition, the MOA allocates primary areas of responsibility and authority between these agencies, and provides for methods and mechanisms necessary to assure ongoing, continuous future coordination of activities relative to the use of recycled water in California. This Order implements the applicable portions of the Title 22 water recycling regulation in accordance with the MOA.
67. On 3 February 2009, the State Water Board adopted Resolution 2009-0011, *Adoption of a Policy for Water Quality Control for Recycled Water (Recycled Water Policy)*. The Recycled Water Policy promotes the use of recycled water to achieve sustainable local water supplies and reduce greenhouse gases.
68. On 23 April 2009, the Central Valley Water Board adopted Resolution R5-2009-0028, *In Support of Regionalization, Reclamation, Recycling and Conservation for Wastewater Treatment Plant*. Resolution R5-2009-0028 encourages water recycling, water conservation, and regionalization of wastewater treatment facilities. It requires the municipal wastewater treatment agencies to document:
 - a. Efforts to promote new or expanded wastewater recycling opportunities and programs;
 - b. Water conservation measures; and
 - c. Regional wastewater management opportunities and solutions (e.g., regionalization).

The distribution of disinfected tertiary recycled water by the Discharger is consistent with the intent of State Board Resolution 2009-0011 and Central Valley Water Board Resolution R5-2009-0028.

69. The Discharger submitted a *Title 22 Engineering Report* on 24 April 2014 to the Central Valley Water Board and the Division of Drinking Water pursuant to Title 22 for water recycling of disinfected tertiary recycled water as defined by Title 22, section 60301.230. The Title 22 Report stated that tertiary treated water will be applied to landscaped and agricultural areas located within "Mossdale Village, Stewart Tract, Paradise Cut, the CLSP area, and the agricultural lands located north of CLSP." DDW recommended in a letter to the Regional Water Quality Control Board dated 7 October 2014, that the Discharger be required to submit a Recycled Water Operations Plan to assure that the recycled water is produced, distributed, and used in conformance with the provisions of the DDW's Title 22 Water Recycling criteria. DDW's recommendations included the following:
 - a. Sections of the overall Recycled Water Operation Plan should specifically address recycled water Use Areas and the City's cross-connection program.

- b. The Recycled Water Operation Plan must include detailed and specific procedures for various aspects of the City's recycled water Use Area operations, which include conducting and documenting inspections, specific frequencies for inspections, when not to irrigate, emergency procedures, etc.
- c. The Recycled Water Operation Plan provide guidance to address unusual occurrences or emergencies, having clear and detailed operating procedures for field personnel to follow to ensure rapid problem recognition and resolution.

A Recycled Water Operation Plan was submitted to DDW on 20 August 2015. DDW reviewed and deemed the Plan complete in an email to the Regional Water Board on 28 January 2016.

- 70. Recycled water projects are limited to areas for which DDW has approved a Title 22 engineering report and for which prerequisites to discharge listed in Water Code section 13264(a) have been met. The Department of Public Health issued a letter on 3 August 2012 approving the Title 22 engineering reports for all the recycled water projects identified as "existing", "planned," and "future" in the Findings and Information Sheet of this Order.

Other Regulatory Considerations

- 71. In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
- 72. Based on the threat and complexity of the discharge, the facility is determined to be classified as 2A as defined below:
 - a. Category 2 threat to water quality: "Those discharges of waste that could impair the designated beneficial uses of the receiving water, cause short-term violations of water quality objectives, cause secondary drinking water standards to be violated, or cause a nuisance."
 - b. Category A complexity, defined as: "Any discharge of toxic wastes; any small volume discharge containing toxic waste; any facility having numerous discharge points and groundwater monitoring; or any Class 1 waste management unit."
- 73. Title 27 of the California Code of Regulations (hereafter Title 27) contains regulatory requirements for the treatment, storage, processing, and disposal of solid waste. However, Title 27 exempts certain activities from its provisions. Discharges regulated by this Order are exempt from Title 27 pursuant to provisions that exempt domestic sewage, wastewater, and reuse. Title 27, section 20090 states in part:

The following activities shall be exempt from the SWRCB-promulgated provisions of this subdivision, so long as the activity meets, and continues to meet, all preconditions listed:

(a) Sewage - Discharges of domestic sewage or treated effluent which are regulated by WDRs issued pursuant to Chapter 9, Division 3, Title 23 of this code, or for which WDRs have been waived, and which are consistent with applicable water quality objectives, and treatment or storage facilities associated with municipal wastewater treatment plants, provided that residual sludges or solid waste from wastewater treatment facilities shall be discharged only in accordance with the applicable SWRCB-promulgated provisions of this division.

(b) Wastewater - Discharges of wastewater to land, including but not limited to evaporation ponds, percolation ponds, or subsurface leachfields if the following conditions are met:

- (1) the applicable RWQCB has issued WDRs, reclamation requirements, or waived such issuance;
- (2) the discharge is in compliance with the applicable water quality control plan; and
- (3) the wastewater does not need to be managed according to Chapter 11, Division 4.5, Title 22 of this code as a hazardous waste.(...)

74. The discharge authorized herein (except for the discharge of residual sludge and solid waste), and the treatment and storage facilities associated with the discharge, are exempt from the requirements of Title 27 as follows:

- a. The MBR system; sludge handling facility; and Ponds S1, S2, S3, S4, S5, S6, S16, A, B and C are exempt pursuant to Title 27, section 20090(a) because they are treatment and storage facilities associated with a municipal domestic wastewater treatment plant.
- b. The recycled water Use Areas are exempt pursuant to Title 27, section 20090(b) because they are land discharge areas and:
 - i. The Central Valley Water Board is issuing WDRs.
 - ii. The discharge is in compliance with the Basin Plan, and;
 - iii. The treated effluent discharged to the ponds does not need to be managed as hazardous waste.

75. The U.S. EPA published *Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance* (hereafter "Unified Guidance") in 2009. As stated in the Unified Guidance, the document:

...is tailored to the context of the RCRA groundwater monitoring regulations ... [however, t]here are enough commonalities with other regulatory groundwater monitoring programs ... to allow for more general use of the tests and methods in

the Unified Guidance... Groundwater detection monitoring involves either a comparison between different monitoring stations ... or a contrast between past and present data within a given station... The Unified Guidance also details methods to compare background data against measurements from regulatory compliance points ... [as well as] techniques for comparing datasets against fixed numerical standards ... [such as those] encountered in many regulatory programs.

The statistical data analysis methods in the Unified Guidance are appropriate for determining whether the discharge complies with Groundwater Limitations of this Order.

76. The State Water Board adopted Order 2014-0057-DWQ (NPDES General Permit CAS000001) specifying waste discharge requirements for discharges of storm water associated with industrial activities, and requiring submittal of a Notice of Intent by all affected industrial dischargers. The CTF has a design capacity of more than 1.0 MGD, but all storm water from the CTF is collected and disposed of onsite. The Discharger is therefore not required to obtain coverage under NPDES General Permit CAS000001.
77. On 2 May 2006, the State Water Board adopted Statewide General Waste Discharge Requirements for Sanitary Sewer Systems General Order 2006-0003-DWQ (the General Order). The General Order requires all public agencies that own or operate sanitary sewer systems greater than one mile in length to comply with the Order. The Discharger's collection system exceeds one mile in length and the Discharger is enrolled under the General Order.
78. Water Code section 13267(b)(1) states:

In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region ... shall furnish, under penalty of perjury, technical or monitoring program reports which the board requires. The burden, including costs of these reports, shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

The technical reports required by this Order and the attached Monitoring and Reporting Program R5-____ are necessary to ensure compliance with these waste discharge requirements. The Discharger owns and operates the facility that discharges the waste subject to this Order.

79. The California Department of Water Resources sets standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards), as described in *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 74-81* (December 1981). These standards, and any more

stringent standards adopted by the state or county pursuant to Water Code section 13801, apply to all monitoring wells used to monitor the impacts of wastewater storage or disposal governed by this Order.

80. The City of Lathrop is the lead agency for purposes of implementing CEQA. The City has prepared a number of Environmental Impact Reports (EIRs) and addenda to EIRs for land development projects that include recycled water use within its jurisdiction that have been adopted in accordance with CEQA.

The Central Valley Water Board has considered the CEQA documents and has included requirements in this Order, including monitoring and reporting requirements to protect water quality and prevent nuisance. The proposed modifications to the CTF and recycled water disposal system expansion are consistent with the projects analyzed in the various CEQA documents. A list of CEQA documentation for each previously approved project that includes one or more Use Areas is included along with tables of existing and planned recycled water Use Area Parcel numbers in the Information Sheet. Compliance with this Order will mitigate or avoid significant impacts to water quality.

Future development projects involving recycled water Use Areas that are identified in this Order, but for which a CEQA environmental review has not yet been completed, are subject to CEQA review and Executive Officer approval prior to the first use of recycled water in any of those Use Areas. This includes future expansion of CTF capacity above 1.0 mgd. In all cases, compliance with this Order will mitigate or avoid significant impacts to water quality.

81. A Notice of Determination was issued on 7 July 2015 for the City of Lathrop Crossroads Decommissioning Project. The project involves decommissioning the Crossroads Wastewater Treatment Facility (WWTF) and rerouting all wastewater to the City's Consolidated Treatment Facility (CTF). The combined wastewater will be discharged to existing storage ponds, land application areas, or approved percolation ponds associated with the Crossroads WWTF and the CTF.
82. The United States Environmental Protection Agency (EPA) has promulgated biosolids reuse regulations in 40 CFR 503, Standard for the Use or Disposal of Sewage Sludge, which establishes management criteria for protection of ground and surface waters, sets application rates for heavy metals, and establishes stabilization and disinfection criteria.
83. The Central Valley Water Board is using the Standards in 40 CFR 503 as guidelines in establishing this Order, but the Central Valley Water Board is not the implementing agency for 40 CFR 503 regulations. The Discharger may have separate and/or additional compliance, reporting, and permitting responsibilities to the EPA.
84. Pursuant to Water Code section 13263(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

Public Notice

85. All the above and the supplemental information and details in the attached Information Sheet, which is incorporated by reference herein, were considered in establishing the following conditions of discharge.
86. The Discharger and interested agencies and persons have been notified of the Central Valley Water Board's intent to prescribe waste discharge requirements for this discharge, and they have been provided an opportunity to submit written comments and an opportunity for a public hearing.
87. All comments pertaining to the discharge were heard and considered in a public hearing.

IT IS HEREBY ORDERED that Order R5-2015-0006 and Order 5-01-251 are rescinded and, pursuant to Water Code sections 13263 and 13267, the City of Lathrop, its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the Water Code and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. Discharge of waste classified as 'hazardous', as defined in the California Code of Regulations, title 23, section 2510 et seq., is prohibited.
3. Treatment system bypass of untreated or partially treated waste is prohibited, except as allowed by Standard Provision E.2 of the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*. Temporary diversion of wastewater to emergency storage Pond S4 does not constitute a bypass provided that the wastewater is rerouted to the treatment system as soon as practical.
4. Discharge of waste at a location or in a manner different from that described in the Findings is prohibited.
5. The Discharger shall not allow toxic substances to be discharged into the wastewater treatment system such that biological treatment mechanisms are disrupted.

B. Flow Limitations

1. Effective immediately, influent flows to the CTF shall not exceed the following limits:

Influent Flow Measurement	Flow Limit
Total Annual Flow ¹	276 mgal
Average Dry Weather Flow ²	0.75 mgd

¹ As determined by the total flow for the calendar year.

² As determined by the total flow for the months of July through September, inclusive, divided by the number of days in those months.

2. **Effective on the date of the Executive Officer's approval** of each successive *CTF Expansion Completion Report* submitted pursuant to Provision H.1.h, influent flow limits greater than 0.75 mgd average dry weather flow and 276 mgal total annual flow will be allowed. Approval is subject to the following conditions:
 - a. The maximum allowable dry weather flow rate is 6.0 mgd.
 - b. Any expansion beyond 1.0 mgd average dry weather flow requires documentation of compliance with CEQA as appropriate.
 - c. Capacity expansion requests shall be made in increments of 0.25 mgd increments or greater.
 - d. The Discharger shall demonstrate through a water balance capacity analysis that sufficient effluent storage and disposal capacity is available at the proposed flow limit to ensure compliance with this Order.

C. Effluent Limitations and Mass Loading Limitations

1. **Effective immediately**, treated effluent discharged to the recycled water storage ponds shall not exceed the following limits:

Constituent	Limit	Basis of Compliance Determination
BOD ₅ ¹	10 mg/L	Monthly average
Total dissolved solids	950 mg/L	Flow-weighted annual average
Total nitrogen	10 mg/L	Flow-weighted annual average

¹ 5-day biochemical oxygen demand at 20°C.

2. The turbidity of the filtered effluent prior to disinfection shall not exceed 2.0 NTU as a daily average; shall not exceed 5 NTU more than 5 percent of the time during a 24 hour period; and shall never exceed 10 NTU.

3. Prior to discharge to the recycled water storage ponds, disinfected tertiary effluent shall not exceed the following limits for total coliform organisms:
 - a. The 7-day median concentration of total coliform bacteria measured in the disinfected effluent shall not exceed a most probable number (MPN) of 2.2 per 100 milliliters. Compliance with this requirement will be determined using the median result of the seven most recent sampling events.
 - b. The number of total coliform bacteria shall not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30-day period.
 - c. The number of total coliform bacteria shall not exceed an MPN of 240 per 100 milliliters at any time.

Compliance with this requirement shall be determined based on samples obtained at the sampling locations listed in the Monitoring and Reporting Program and shown on Attachment E.

4. The total nitrogen mass loading to the agricultural Use Areas shall not exceed the agronomic rate for the crop grown. Compliance with this requirement shall be determined using published nitrogen uptake rates for the vegetation/crops grown as specified in the Monitoring and Reporting Program.

D. Discharge Specifications

1. No waste constituent shall be released, discharged, or placed where it will cause a violation of the Groundwater Limitations of this Order.
2. Wastewater treatment, storage, and disposal shall not cause pollution or a nuisance as defined by Water Code section 13050.
3. The discharge shall remain within the permitted waste treatment/containment structures and recycled water Use Areas at all times except as specified in Water Recycling Specification F.5.
4. The Discharger shall operate all systems and equipment to optimize the quality of the discharge.
5. All treatment, storage and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
6. Public contact with wastewater at the CTF shall be prevented through such means as fences, signs, or acceptable alternatives.
7. Objectionable odors shall not be perceivable beyond the limits of the CTF property at an intensity that creates or threatens to create nuisance conditions.

8. As a means of discerning compliance with Discharge Specification D.7, the dissolved oxygen (DO) content in the upper one foot of any wastewater treatment or storage pond shall not be less than 1.0 mg/L for three consecutive sampling events. If the DO in any single pond is below 1.0 mg/L for three consecutive sampling events, the Discharger shall report the findings to the Regional Water Board in writing within 10 days and shall include a specific plan to resolve the low DO results within 30 days.
9. The Discharger shall operate and maintain all ponds sufficiently to protect the integrity of containment dams and berms and prevent overtopping and/or structural failure. Unless a California-registered civil engineer certifies (based on design, construction, and conditions of operation and maintenance) that less freeboard is adequate, the operating freeboard in any pond shall never be less than two feet (measured vertically from the lowest possible point of overflow). As a means of management and to discern compliance with this requirement, the Discharger shall install and maintain in each pond a permanent staff gauge with calibration marks that clearly show the water level at design capacity and enable determination of available operational freeboard.
10. Wastewater treatment, storage, and disposal ponds or structures shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow and infiltration during the winter while ensuring compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
11. On or about **1 October** of each year, available capacity shall at least equal the volume necessary to comply with Discharge Specifications D.9 and D.10.
12. All ponds and open containment structures shall be managed to prevent breeding of mosquitoes. Specifically:
 - a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
 - d. The Discharger shall consult and coordinate with the local Mosquito Abatement District to minimize the potential for mosquito breeding as needed to supplement the above measures.

13. Newly constructed or rehabilitated berms or levees (excluding internal berms that separate ponds or control the flow of water within a pond) shall be designed and constructed under the supervision of a California Registered Civil Engineer.
14. Wastewater contained in any unlined pond shall not have a pH less than 6.0 or greater than 9.0.

E. Groundwater Limitations

Release of waste constituents from any portion of the CTF shall not cause groundwater to:

1. Contain any of the specified constituents in a concentration statistically greater than the maximum allowable concentration tabulated below. The wells to which these requirements apply are specified in the Monitoring and Reporting Program.

Constituent	Use Area Location	Maximum Allowable Concentration
TDS	Mossdale, River Island	Current Groundwater Quality ¹
TDS	CLSP	1,000 mg/L
TDS	LAS-2, LAS-3	Current Groundwater Quality ¹
Nitrate as N	Mossdale, River Island, LAS-2	10 mg/L
Nitrate as N	CLSP ²	10 mg/L, Current Groundwater Quality ¹
Nitrate as N	Northern Lathrop, LAS-3	Current Groundwater Quality ¹
Boron	LAS-3	Current Groundwater Quality ¹
Sulfate	LAS-3	Current Groundwater Quality ¹
Manganese	LAS-3	Current Groundwater Quality ¹

¹ "Current Groundwater Quality" means the quality of groundwater as evidenced by monitoring completed as of 31 March 2016 and as determined in the report described in Provision H.1.b for each of the specified compliance monitoring wells listed in the Monitoring and Reporting Program.

² Nitrate as N concentrations are spatially variable within the CLSP area. The compliance wells to which the maximum allowable concentration applies to are specified in the Monitoring and Reporting Program.

2. Exceed a total coliform organism level of 2.2 MPN/100 mL over any seven-day period.
3. Except as specified in E.1 above, contain constituents in concentrations that exceed either the Primary or Secondary MCLs established in Title 22 of the California Code of Regulations.
4. Except as specified in E.1 above, contain taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses.

Compliance with these limitations shall be determined as specified in the Monitoring and Reporting Program using approved statistical methods.

F. Water Recycling Specifications

1. For the purpose of this Order, "Use Area" means an area with defined boundaries where recycled water is used or discharged.
2. Notwithstanding the following requirements, the production, distribution, and use of recycled water shall conform to an Engineering Report prepared pursuant to Title 22, section 60323 and approved by the Division of Drinking Water.
3. The recycled water shall be at least disinfected tertiary 2.2 recycled water as defined in Title 22, section 60301.
4. Recycled water shall be used in compliance with Title 22, section 60304. Specifically, uses of recycled water shall be limited to those set forth in Title 22, section(s) 60304(a), 60304(b), 60304(c), and 60304(d).
5. Tailwater runoff and spray of recycled water shall not be discharged outside of the Use Areas except in minor, incidental amounts that cannot reasonably be eliminated by implementation and good maintenance of best management practices.
6. Application rates of recycled water to the Use Area shall be reasonable and shall consider soil, climate, and plant demand. In addition, application of recycled water and use of fertilizers shall be at a rate that takes into consideration nutrient levels in recycled water and nutrient demand by plants. As a means of discerning compliance with this requirement:
 - a. Crops or landscape vegetation shall be grown on the Use Areas, and cropping activities shall be sufficient to take up the nitrogen applied, including any fertilizers and manure.
 - b. Hydraulic loading of recycled water and supplemental irrigation water (if any) shall be managed to:
 - i. Provide water only when water is needed and in amounts consistent with that need;
 - ii. Maximize crop nutrient uptake;
 - iii. Maximize breakdown of organic waste constituents in the root zone; and
 - iv. Minimize the percolation of waste constituents below the root zone.

The Central Valley Water Board recognizes that some leaching of salts is necessary to manage salt in the root zone of crops for production. Leaching shall

be managed to minimize degradation of groundwater, maintain compliance with the groundwater limitations of this Order, and prevent pollution.

7. The Discharger shall conduct periodic inspections of the recycled water Use Areas to determine compliance with the requirements of this Order. If an inspection reveals noncompliance or threat of noncompliance with this Order, the Discharger shall temporarily stop recycled water use immediately and implement corrective actions to ensure compliance with this Order.
8. Use Areas where public access is allowed shall be managed to avoid public contact with recycled water.
9. Discharge to the Use Areas shall not be performed during rainfall or when the ground is saturated.
10. Discharge of storm water runoff from the Use Areas to off-site land or surface water drainage courses is allowed if the Discharger complies with Water Recycling Specification F.9 above.
11. The irrigation with recycled water shall be managed to minimize erosion within the Use Areas.
12. The Use Areas shall be managed to prevent breeding of mosquitoes or other vectors.
13. Use Areas and recycled water impoundments shall be designed, maintained, and operated to comply with the following setback requirements:

Setback Definition	Minimum Irrigation Setback (feet)	Title 22 Reference Section
Edge of agricultural Use Area to manmade or natural surface water drainage course (does not apply to public landscaped Use Area)	25	Tertiary-2.2
Edge of Use Area to domestic water supply well	50 ¹	Tertiary-2.2 [ref: 22 CCR Section 60310(a)]
Toe of recycled water impoundment berm to domestic water supply well	100	Secondary-2.2 and Secondary-23 [ref: 22 CCR Section 60310(c)]
Edge of Use Area to residence	none	Tertiary-2.2 [ref: 22 CCR Section 60310(f)]

Setback Definition	Minimum Irrigation Setback (feet)	Title 22 Reference Section
Edge of Use Area using spray irrigation to public park, playground, school yard, or similar place of potential public exposure	none	Tertiary-2.2 [ref: 22 CCR Section 60310(f)]

¹ Except as allowed pursuant to Water Recycling Specification F.14 below.

14. Irrigation with disinfected tertiary recycled water shall not take place within 50 feet of any domestic water supply well unless all of the following conditions have been met and DDW has approved a variance pursuant to Title 22, section 60310(a):
 - a. A geological investigation demonstrates that an aquitard exists at the well between the uppermost aquifer being drawn from the ground and the surface.
 - b. The well contains an annular seal that extends from the surface into the aquitard.
 - c. The well is housed to prevent any recycled water spray from coming into contact with the wellhead facilities.
 - d. The ground surface immediately around the wellhead is contoured to allow surface water to drain away from the well.
 - e. The owner of the well approves of the elimination of the buffer zone requirement.
15. Spray irrigation with recycled water is prohibited when wind speed (including gusts) exceeds 30 mph.
16. Spray, mist, or runoff shall not enter dwellings, designated outdoor eating areas, or food handling facilities.
17. Drinking water fountains shall be protected against contact with recycled water spray, mist, or runoff.
18. Public contact with recycled water shall be controlled using fences, signs, and other appropriate means.
19. Use areas that are accessible to the public shall be posted with signs that are visible to the public and no less than four inches high by eight inches wide. Signs shall be placed at all areas of public access and around the perimeter of all Use Areas and at above-ground portions of recycled water conveyances to alert the public of the use of recycled water. All signs shall display an international symbol similar to that shown in Attachment J, which is attached and forms part of this Order, and shall include the following wording:

**“RECYCLED WATER – DO NOT DRINK”
 “AGUA DE DESPERDICIO RECLAMADA – NO TOME”**

Alternative language will be considered by the Executive Officer if approved by DDW.

20. All recycling equipment, pumps, piping, valves, and outlets shall be marked to differentiate them from potable water facilities. Quick couplers, if used, shall be different than those used in potable water systems.
21. Recycled water controllers, valves, and similar appurtenances shall be equipped with removable handles or locking mechanisms to prevent public access or tampering.
22. Hose bibs and unlocked valves, if used, shall not be accessible to the public.
23. No physical connection shall exist between recycled water piping and any potable water supply system (including domestic wells), or between recycled water piping and any irrigation well that does not have an approved air gap or reduced pressure principle device.
24. Horizontal and vertical separation between pipelines transporting recycled water and those transporting potable water shall comply with Title 22, section 64572, except to the extent that DDW has specifically approved a variance.
25. No physical connection shall be made or allowed to exist between any recycled water system and any separate system conveying potable water or auxiliary water source system.
26. A public water supply shall not be used as backup or supplemental source of water for a recycled water system unless the connection between the two systems is protected by an air gap separation which complies with the requirements of California Code of Regulations, title 17, sections 7602(a) and 7603(a).
27. All recycled water piping and appurtenances in new installations and appurtenances in retrofit installations shall be colored purple or distinctively wrapped with purple tape in accordance with California Health and Safety Code section 116815.
28. Any backflow prevention device installed to protect a public water system shall be inspected and maintained in accordance with Title 17, section 7605.

G. Solids Disposal Specifications

Sludge, as used in this document, means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screenings generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the CTF. Biosolids refers to sludge that has been treated and tested and shown to be capable of

being beneficially used as a soil amendment for agriculture, silviculture, horticulture, and land reclamation activities pursuant to federal and state regulations.

1. Sludge and solid waste shall be removed from screens, sumps, ponds, and clarifiers as needed to ensure optimal plant operation.
2. Any handling and storage of residual sludge, solid waste, and biosolids at the CTF shall be temporary (i.e., no longer than six months) and controlled and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate the groundwater limitations of this Order.
3. Residual sludge, biosolids, and solid waste shall be disposed of in a manner approved by the Executive Officer and consistent with Title 27, division 2. Removal for further treatment, disposal, or reuse at disposal sites (i.e., landfills, CTF, composting sites, soil amendment sites) operated in accordance with valid waste discharge requirements issued by a Regional Water Board will satisfy this specification.
4. Use of biosolids as a soil amendment shall comply with valid waste discharge requirements issued by a regional water board or the State Water Board except in cases where a local (e.g., county) program has been authorized by a regional water board. In most cases, this will mean the General Biosolids Order (State Water Resources Control Board Water Quality Order 2004-12-DWQ, "General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities"). For a biosolids use project to be covered by Order 2004-12-DWQ, the Discharger must file a complete Notice of Intent and receive a Notice of Applicability for each project.
5. Use and disposal of biosolids shall comply with the self-implementing federal regulations of 40 Code of Federal Regulations part 503, which are subject to enforcement by the U.S. EPA, not the Central Valley Water Board. If during the life of this Order, the State accepts primacy for implementation of part 503, the Central Valley Water Board may also initiate enforcement where appropriate.
6. Any proposed change in sludge use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

H. Provisions

1. The following reports shall be submitted pursuant to Water Code section 13267 and shall be prepared as described in Provision H.3:
 - a. **By 1 July 2016**, the Discharger shall submit documentation from the State Water Resources Control Board Division of Drinking Water regarding conditional approval under the alternative criteria for disinfected tertiary

recycled water as defined by California Code of Regulations, title 22 (Title 22) section 60301.230(a)(2).

- b. **By 1 August 2016**, the Discharger shall submit a *Revised Groundwater Limitations Compliance Assessment Plan*. The plan shall describe and justify the statistical methods that are proposed to determine compliance with the Groundwater Limitations of this Order for any compliance well listed in the Monitoring and Reporting Program. As described in the MRP, Compliance shall be determined annually based on intra-well statistical analysis that evaluates temporal trends based on all historic data collected at each well that uses methods prescribed in Title 27, section 20415(e)(7) and (8).
- c. **By 1 December 2016**, a *Well Destruction Report* shall be submitted to the Central Valley Water Board that describes in detail the methods used to abandon monitoring wells CLSP-2, CLSP-4, CLSP-10, and MWR-6 in accordance with the approved *Groundwater Monitoring Well Condition Survey Report and Destruction Plan* and includes copies of the well abandonment permits issued by the San Joaquin County Environmental Health Department.
- d. **By 1 October 2017**, the Discharger shall submit a report that certifies completion of the pond sludge removal from Effluent Storage Ponds A, B, and C. The report shall describe the sludge removal and sludge drying operations, provide the total volume of sludge removed and sludge disposal location, and certify that the ponds are fully functional and ready to receive treated wastewater. The report shall include a description of the liner condition after sludge removal including visual inspection of any material damage such as holes or tears, and any repairs and or testing performed prior to pond use.
- e. **At least 60 days** prior to operational use of any expansion of the recycled water system, including but not limited to new recycled water storage ponds, recycled water distribution system, and recycled water infrastructure improvements to deliver recycled water to new or expanded Use Areas, whether defined as "planned", "future" or undefined in this Order, the Discharger shall submit a *Recycled Water Storage and Conveyance System Improvements Completion Report*. The report shall document the construction of the improvements and certify that they are fully functional and ready to receive treated wastewater in compliance with the requirements of this Order. The report shall include design parameters, final dimensions and volumetric capacity (for ponds), and as-built drawings.

For each recycled water storage pond or Use Area not defined as "existing" or "planned" in the Findings and Information Sheet of this Order, the report shall include a copy of the certified CEQA document for the expansion project.

- f. **At least 60 days** prior to conveying recycled water to any new Use Area, whether defined as "planned", "future" or undefined in this Order, the Discharger shall submit a *Recycled Water User Report* to the Central Valley

Water Board and Division of Drinking Water. The report shall include the following:

- i. The site location including a map showing the specific boundaries of the use site and the County Assessor's Parcel Number(s) (if appropriate, if Parcel Number(s) are not appropriate to accurately describe the site location, the Discharger shall provide the Central Valley Water Board with enough information for the Central Valley Water Board to accurately determine the location of the proposed reclamation activities);
- ii. The name of the Use Area property owner and contact information;
- iii. The name of the User and contact information;
- iv. The specific use to be made of the recycled water, the Use Area acreage, the type of vegetation/crops to which the recycled water will be applied, and the anticipated volume of recycled water to be used;
- v. Identification of the on-site supervisor who is responsible for operation of the recycled water system;
- vi. Description of the recycled water management facilities and operations plan;
- vii. Plans and specifications that include the following:
 - 1) Pipe locations of the recycled, potable, and auxiliary non-potable water systems;
 - 2) Type and location of the outlets and plumbing fixtures that will be accessible to the public;
 - 3) The methods and devices to be used to prevent backflow of recycled water into the public water system; and
 - 4) Plan notes relating to recycled water specific installation and use requirements.
- viii. Certification that the new Use Area conforms to the Discharger's rules and regulations;
- ix. An assessment of whether groundwater monitoring is appropriate based on pre-discharge groundwater quality; the size of the proposed recycled water Use Area, and volume of recycled water to be received by the Use Area annually. For each new Use Area in the Northern Lathrop or CLSP development areas, the report shall also include a re-evaluation of pre-discharge groundwater conditions based on at least three quarterly groundwater monitoring events using the monitoring wells identified in the

MRP, or other locations approved by the Central Valley Water Board.
Parameters monitored shall be as specified in the MRP;

- x. A copy of the signed User Agreement; and
- xi. The results of the cross-connection control test performed in accordance with the American Water Works Association and the Drinking Water Program (Title 17, section 7605). The results shall include a certification that the Drinking Water Program was notified of the initial cross-connection control test and was provided an opportunity to be present.

A copy of the User agreement and the Discharger's rules and regulations governing the distribution and use of recycled water shall be maintained at the User's facilities and be available at all times for inspection by Regional Water Board staff, the Discharger, and Division of Drinking Water staff.

If, in the opinion of the Executive Officer, reclamation at a proposed new Use Area cannot be adequately regulated under the Master Recycling Permit, a Report of Waste Discharge may be requested and individual Water Recycling Requirements may be required.

- g. **At least 180 days** prior to any planned increase in influent flow to the CTF, the Discharger shall submit a *CTF Expansion Final Design Report* that documents the design of facility improvements and provides technical justification for the proposed flow limit increases. Incremental flow rate increases shall be no less than 0.25 mgd. The report shall include a water balance that demonstrates the treatment, storage and disposal capacity of the CTF and completed recycled water Use Areas. The water balance shall provide the following treatment and hydraulic capacity information:

- i. Design average dry weather flow for the months of July through September, inclusive;
- ii. Design wet weather flows based on a reasonable allowance for sewer system inflow and infiltration (I/I) during the 100 year, 365-day precipitation event, and
- iii. Total annual flow volume.

The water balance shall include documentation of, and technical support for, all data inputs used and shall consider at least the following.

- i. The as-built geometry of all new recycled water ponds and Use Areas;
- ii. A minimum of two feet of freeboard in each pond at all times;
- iii. Historical local pan evaporation data (monthly average values) used to estimate pond evaporation rates;

- iv. Local precipitation data (for the 100-year 365-day event distributed in accordance with mean monthly precipitation patterns) applied as direct precipitation onto all ponds and effluent recycling areas;
- v. Proposed wastewater generation rates based on historical flows and new development to be served by the expansion distributed equally by month;
- vi. Estimated I/I flows for the 100-year 365-day event based on historical flows, new development, and age and type of sewer pipes; and
- vii. Use Area crop evapotranspiration rates, including consideration of the required setbacks.

For each CTF expansion with a proposed flow limit greater than 1.0 mgd, the report shall include a copy of the certified CEQA document for the CTF expansion project.

- h. **At least 60 days** prior to any planned increase in influent flow to the CTF, the Discharger shall submit a *CTF Expansion Completion Report* that documents the completion of facility improvements described in the associated *CTF Expansion Final Design Report*. The report shall certify the construction of the facility as designed, or if modifications are made, provide an explanation of the reasons for the modifications. Any incremental flow increase will be granted upon Executive Officer's approval of the report.
- i. **At least 60 days** prior to commencing irrigation with recycled water on any Use Area not identified as "existing" or "planned" in this Order, the Discharger shall submit documentation that the Division of Drinking Water has approved a Title 22 Engineering Report for the project and documentation of compliance with CEQA.
- j. **At least 180 days** prior to initiation of recycled water use at Use Areas where existing monitoring wells listed as compliance wells for future use are proposed for abandonment, the Discharger shall submit a *Groundwater Monitoring Well Installation Workplan* that proposes replacement well(s) to ensure representative monitoring of the specified Use Area. The workplan shall be prepared in accordance with, and include the items listed in, the first section of Attachment K: "Requirements for Monitoring Well Installation Workplans and Monitoring Well Installation Reports", which is attached hereto and made part of this Order by reference. The groundwater monitoring wells shall be designed to yield samples representative of the uppermost portion of the first aquifer underlying the recycled water Use Areas.
- k. **At least 30 days** prior to the first sampling event for any new monitoring wells at planned Use Areas, the Discharger shall submit a *Groundwater Monitoring Well Installation Report* for any new groundwater monitoring wells constructed to comply with Provision H.1.j. The report shall be prepared in accordance

with, and including the items listed in, the second section of Attachment K: "Monitoring Well Workplan and Monitoring Well Installation Report Guidance", which is attached hereto and made part of this Order by reference. The report shall describe the installation and development of all new monitoring wells at planned Use Areas, explain any deviation from the approved workplan, and include a map with the new well locations.

2. A discharger whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment, collection, and disposal facilities. The projections shall be made in January, based on the three previous years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in four years, the discharger shall notify the Central Valley Water Board by **31 January**.
3. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall bear the professional's signature and stamp.
4. The Discharger shall submit the technical reports and work plans required by this Order for consideration by the Executive Officer, and incorporate comments the Executive Officer may have in a timely manner, as appropriate. Unless expressly stated otherwise in this Order, the Discharger shall proceed with all work required by the foregoing provisions by the due dates specified.
5. The Discharger shall comply with Monitoring and Reporting Program R5-2016-0028, which is part of this Order, and any revisions thereto as ordered by the Executive Officer. The submittal dates of Discharger self-monitoring reports shall be no later than the submittal date specified in the MRP.
6. The Discharger shall comply with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated 1 March 1991, which are attached hereto and made part of this Order by reference. This attachment and its individual paragraphs are commonly referenced as "Standard Provision(s)."
7. The Discharger shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports. On or before each report due date, the Discharger shall submit the specified document to the Central Valley Water Board or, if appropriate, a written report detailing compliance or noncompliance

with the specific schedule date and task. If noncompliance is being reported, then the Discharger shall state the reasons for such noncompliance and provide an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board in writing when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.

8. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Discharger when the operation is necessary to achieve compliance with the conditions of this Order.
9. The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with this Order.
10. The Discharger shall provide certified wastewater treatment plant operators in accordance with Title 23, division 3, chapter 26.
11. As described in the Standard Provisions, the Discharger shall report promptly to the Central Valley Water Board any material change or proposed change in the character, location, or volume of the discharge.
12. The Discharger shall report to the Central Valley Water Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act of 1986."
13. The Discharger shall comply with the requirements of the Statewide General Waste Discharge Requirements (General WDRs) for Sanitary Sewer Systems (Water Quality Order 2006-0003), the Revised General WDRs Monitoring and Reporting Program (Water Quality Order 2008-0002-EXEC), and any subsequent revisions thereto. Water Quality Order 2006-0003 and Order 2008-0002-EXEC require the Discharger to notify the Central Valley Water Board and take remedial action upon the reduction, loss, or failure of the sanitary sewer system resulting in a sanitary sewer overflow.
14. The Discharger shall not allow pollutant-free wastewater to be discharged into the wastewater collection, treatment, and disposal systems in amounts that significantly diminish the system's capability to comply with this Order. Pollutant-free wastewater means rainfall, groundwater, cooling waters, and condensates that are essentially free of pollutants.

15. At least **90 days** prior to termination or expiration of any lease, contract, or agreement involving disposal or recycling areas or off-site reuse of effluent, used to justify the capacity authorized herein and assure compliance with this Order, the Discharger shall notify the Central Valley Water Board in writing of the situation and of what measures have been taken or are being taken to assure full compliance with this Order.
16. In the event of any change in control or ownership of the CTF, the Discharger must notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
17. To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.
18. A copy of this Order including the MRP, Information Sheet, Attachments, and Standard Provisions, shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.
19. The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next

business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify that the foregoing is a full true, and correct copy of an Order adopted by the California Regional Water Quality Control Board on 21 April 2016.

- Original signed by -

PAMELA C. CREEDON, Executive Officer

LLA: 032916

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM R5-2016-0028

FOR

CITY OF LATHROP
LATHROP CONSOLIDATED TREATMENT FACILITY
SAN JOAQUIN COUNTY

This Monitoring and Reporting Program (MRP) is issued pursuant to Water Code Section 13267. The Discharger shall not implement any changes to this MRP unless and until the Central Valley Water Board adopts, or the Executive Officer issues, a revised MRP.

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. Except as specified otherwise in this MRP, grab samples will be considered representative of water, wastewater, soil, solids/sludges, and groundwater.

The time, date, and location of each sample shall be recorded on the sample chain of custody form. All analyses shall be performed in accordance with the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*, dated 1 March 1991 (Standard Provisions). Field test instruments (such as those used to measure pH, electrical conductivity, dissolved oxygen, wind speed, and precipitation) may be used provided that:

1. The operator is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated at the frequency recommended by the manufacturer;
3. The instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are submitted as described in the "Reporting" section of the MRP.

Laboratory analytical procedures shall comply with the methods and holding times specified in the following (as applicable to the medium to be analyzed):

- *Methods for Organic Chemical Analysis of Municipal and Industrial Wastewater* (EPA);
- *Test Methods for Evaluating Solid Waste* (EPA);
- *Methods for Chemical Analysis of Water and Wastes* (EPA);
- *Methods for Determination of Inorganic Substances in Environmental Samples* (EPA);
- *Standard Methods for the Examination of Water and Wastewater* (APHA/AWWA/WEF); and
- *Soil, Plant and Water Reference Methods for the Western Region* (WREP 125).

Approved editions shall be those that are approved for use by the United States Environmental Protection Agency or the California Department of Public Health's Environmental Laboratory

Accreditation Program (ELAP). The Discharger may propose alternative methods for approval by the Executive Officer. Where technically feasible, laboratory reporting limits shall be lower than the applicable water quality objectives for the constituents to be analyzed.

If monitoring consistently shows no significant variation in a constituent concentration or parameter after at least 8 consecutive monitoring events, the Discharger may request this MRP be revised to reduce monitoring frequency. The proposal must include adequate technical justification for reduction in monitoring frequency. The Discharger shall not implement any changes to this MRP unless and until the Central Valley Water Board adopts, or the Executive Officer issues, a revised MRP.

A glossary of terms used in this MRP is included on the last page.

INFLUENT MONITORING

Influent monitoring shall be performed at the headworks. Time of collection of the grab sample shall be recorded. Grab samples are considered adequately composited to represent the influent. Influent monitoring shall include, at a minimum, the following:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Flow ¹	gpd	Continuous Meter	Daily	Monthly
BOD ₅ ²	mg/L	Grab	Weekly	Monthly
Total Suspended Solids ³	mg/L	Grab	Weekly	Monthly

¹ Flow represents the daily flow rate.

² Five-day, 20° Celsius biochemical oxygen demand.

³ Total Suspended Solids shall be performed using a Whatman glass fiber filter with a nominal pore size of about 1.58 µm or equivalent.

EFFLUENT MONITORING

Effluent samples shall be collected at a location downstream of the disinfection system and upstream of any effluent storage pond and shall be representative of the volume and nature of the discharge. Analytical methods shall be selected to provide reporting limits below Water Quality Objectives for each constituent. Grab samples are considered adequately composited to represent the tertiary effluent.

Because recycled water is used for irrigation of public landscape areas¹, priority pollutant monitoring is required at the CTF. Priority pollutants are listed in Appendix A of 40 Code of

¹ Landscape areas are defined as parks; greenbelts; playgrounds; school yards; athletic fields; golf courses; cemeteries; residential landscaping; common areas; commercial landscaping (except eating areas); industrial landscaping (except eating areas); freeway, highway, and street landscaping.

Federal Regulations (CFR) Part 423. The frequency of monitoring corresponds to the flow rate of the recycled water use. Effluent monitoring shall include the following:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
BOD ₅ ¹	mg/L	Grab	Weekly	Monthly
Total Coliform Organisms	MPN/100 ml ²	Grab	Daily	Monthly
Turbidity	NTU ³	Meter	Continuous	Monthly
Total Dissolved Solids	mg/L	Grab	Monthly	Monthly
Total Nitrogen (as N)	mg/L	Grab	Monthly	Monthly
Total Suspended Solids ⁴	mg/L	Grab	Monthly	Monthly
pH	Standard	Grab	Monthly	Monthly
Priority Pollutants ⁵	mg/L	Grab	Annually ⁶	Annually

¹ Five-day, 20° Celsius biochemical oxygen demand.

² Using a minimum of 10 tubes or two dilutions.

³ NTU denotes Nephelometric Turbidity Units.

⁴ Total Suspended Solids shall be performed using a Whatman glass fiber filter with a nominal pore size of about 1.58 µm or equivalent.

⁵ Priority pollutants are listed in Appendix A of 40 Code of Federal Regulations (CFR) Part 423. Monitoring shall include, at a minimum, the constituents listed in Table 1 of this MRP.

⁶ Analysis for priority pollutants shall be performed once every five years (beginning with monitoring year 2016) if the annual flow rate is less than or equal to 1.0 mgal, otherwise the analysis shall be performed annually.

EFFLUENT STORAGE POND AND PERCOLATION POND MONITORING

The Discharger shall monitor all effluent storage ponds and percolation ponds in accordance with the following. Sampling will be conducted from permanent monitoring locations that will provide samples representative of the wastewater in the effluent equalization and storage ponds. Freeboard shall be measured vertically from the water surface to the lowest elevation of pond berm (or spillway/overflow pipe invert), and shall be measured to the nearest 0.10 feet. Liner condition is based on visible portions of the liner at the time of observation. Pond monitoring shall include, at a minimum, as specified below:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Dissolved Oxygen ¹	mg/L	Grab	Weekly	Monthly
Freeboard	0.1 feet	Measurement	Weekly	Monthly
Odors	--	Observation	Weekly	Monthly
Liner condition	--	Observation	Quarterly ²	Monthly
Berm condition	--	Observation	Quarterly ²	Monthly

¹ Samples shall be collected opposite the inlet at a depth of one foot from each pond in use. Samples shall be collected between 0700 and 0900 hours.

² Quarterly observations shall be submitted in the monthly monitoring report for the month during which the quarterly observation was made.

AGRICULTURAL RECYCLED WATER USE AREA MONITORING

Agricultural recycled water Use Areas are agricultural fields and are designated with an “A” followed by an identification number. Monitoring of the agricultural recycled water Use Areas shall be conducted during the irrigation season on days when irrigation occurs. The results shall be included in the monthly monitoring reports. Effluent monitoring results shall be used in calculations to determine loading rates at the Use Areas. Monitoring of each agricultural recycled water Use Area shall include the following:

Parameter	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Recycled Water Flow	Gal/day, Inches	Continuous	Daily	Monthly
Supplemental Irrigation Water Flow	Gal/day, Inches	Continuous	Daily	Monthly
Rainfall	Inches	Observation	Daily	Monthly
Acreage Applied	Acres	Calculated	Daily	Monthly
Total Water Application Rate	Gal/acre, Inches	Calculated	Daily	Monthly
Total Nitrogen Loading Rate	lbs/acre	Calculated	Monthly	Monthly

In addition, the Discharger shall inspect each agricultural Use Area as needed following irrigation events to identify any equipment malfunction or other circumstance that might allow recycled water to runoff the land application area and/or create ponding conditions that violate the Waste Discharge Requirements. Evidence of erosion, field saturation, irrigation runoff, or the presence of nuisance conditions (if any) shall be noted. A log of these inspections shall be kept at the facility and made available for review upon request.

LANDSCAPE RECYCLED WATER USE AREA MONITORING

Landscape recycled water Use Areas consists of roadway medians, parks, pond berms, and open spaces. Landscape Use Areas are designated with an “L” followed by an identification number. Monitoring of the landscape recycled water Use Areas shall be conducted during the irrigation season on days when irrigation occurs. The results shall be included in the monthly monitoring reports. Monitoring of the landscape recycled water Use Area shall include the following and the results for all Use Areas may be reported as aggregated totals:

Parameter	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Recycled Water Flow	Gals/day, Inches	Continuous	Monthly	Monthly
Rainfall	Inches	Observation	Monthly	Monthly
Acreage Applied	Acres	Calculated	Monthly	Monthly
Water Application Rate	Gal/acre	Calculated	Monthly	Monthly

In addition, the Discharger shall inspect landscape Use Areas following irrigation events as needed to identify any equipment malfunction or other circumstance that might allow recycled water to runoff the land application area and/or create ponding conditions that violate the Waste Discharge Requirements. Evidence of erosion, field saturation, irrigation runoff, or the presence of nuisance conditions (if any) shall be noted. A log of these inspections shall be kept at the facility and made available for review upon request.

GROUNDWATER MONITORING

The groundwater monitoring program applies to groundwater monitoring wells tabulated below and any wells subsequently installed under direction of the Central Valley Water Board. The following table lists all existing monitoring wells and designates the purpose of each well:

Land Development Area	Attachment	Water Level Monitoring	Water Quality Monitoring Compliance Wells
CTF Facility	B	MBRMW-1, MBRMW-2, MBRMW-3, MBRMW-4	---
Formerly LAS-2	B	KMW-10, KMW-11	KMW-10, KMW-11
LAS-3	B	KMW-2, KMW-4, KMW-6, KMW-8, KMW-9	KMW-2, KMW-4, KMW-6, KMW-8, KMW-9
Mossdale	F	MWM-1, MWM-2, MWM-3, MWM-4, MWM-5, MWM-6, MWM-7, MWM-8 ¹ , MWM-9, MWM-11, MWM-12, MWM-13, MWM-15, MWM-17, MWM-19, MWM-20, MWM-21, MWM-22, MWM-23, MWM-24, MWM-25, MWM-27	MWM-12

Land Development Area	Attachment	Water Level Monitoring	Water Quality Monitoring Compliance Wells
River Islands	G	MWR-3, MWR-4, MWR-5, MWR-6 ² , MWR-7, MWR-8, MWR-9, MWR-10, MWR-11, MWR-12, MWR-23, MWR-24, MWR-25, MWR-26, MWR-27, MWR-28, MWR-29, MWR-30, MWR-31, MWR-32	MWR-24, MWR-28, MWR-32
Pond S6	I	RMW-1, RMW-2, RMW-3, RMW-4, RMW-5	---

¹ Well located on private property. The City has no access to well. Abandon and replace well in accordance with Provision H.1.j as appropriate.

² Damaged well. The City proposes to abandon. Replace well in accordance with Provision H.1.j as appropriate.

The groundwater monitoring wells listed below are existing wells located near Use Areas that have not received recycled water. Groundwater monitoring shall be conducted prior to initiation of recycled water use in accordance with Provision H.1.f. In order to evaluate the pre-discharge groundwater conditions within any new Use Areas in accordance with H.1.f, replacement wells may be required for wells identified as future compliance wells and proposed for abandonment.

Land Development Area	Attachment	Water Level Monitoring	Water Quality Monitoring	
			Current Compliance Wells	Future Compliance Wells
Mossdale	F	---	---	MWM-13
Northern Lathrop	H	MW-N1, MW-N3, MW-N4, MW-N5 ¹ , MW-N6 ¹	---	MW-N1, MW-N3, MW-N4, MW-N5 ¹ , MW-N6 ¹
Central Lathrop Specific Plan	H	CLSP-1, CLSP-2 ³ , CLSP-3, CLSP-4 ² , CLSP-8, CLSP-9, CLSP-10 ³	CLSP-1	CLSP-2 ³ , CLSP-3, CLSP-4 ² , CLSP-8, CLSP-9, CLSP-10 ³

¹ Well located on private property. The City has no access to well. Abandon and replace well in accordance with Provision H.1.j as appropriate.

² The City proposes to abandon and not replace.

³ Damaged well. The City proposes to abandon. Replace well in accordance with Provision H.1.j as appropriate.

Prior to construction of any additional groundwater monitoring wells, the Discharger shall submit plans and specifications to the Regional Board for review and approval. Once installed, all new monitoring wells shall be added to the MRP, and shall be monitored on a quarterly basis for a minimum of eight consecutive quarters before a reduction in monitoring frequency can be considered.

Prior to sampling, depth to groundwater measurements shall be measured in each monitoring well to the nearest 0.01 feet. Groundwater elevations shall then be calculated to determine groundwater gradient and flow direction. Monitoring wells to be sampled shall be purged of at least three well volumes until temperature, pH, and electrical conductivity have stabilized. Low or no-purge sampling methods are acceptable, if described in an approved Sampling and Analysis Plan. Samples shall be collected and analyzed using standard EPA methods. Groundwater monitoring shall include, at a minimum, the following:

Constituent	Units	Type of Sample	Sampling and Reporting Frequency³
Depth to Groundwater	0.01 feet	Measurement	Semi-Annually
Groundwater Elevation ¹	0.01 feet	Calculated	Semi-Annually
Gradient	feet/feet	Calculated	Semi-Annually
Gradient Direction	degrees	Calculated	Semi-Annually
Total Dissolved Solids	mg/L	Grab	Semi-Annually
Nitrate as Nitrogen	mg/L	Grab	Semi-Annually
Total Coliform Organisms	MPN/100ml	Grab	Semi-Annually
Chloride	mg/L	Grab	Semi-Annually
Sodium	mg/L	Grab	Semi-Annually
Standard Minerals ²	mg/L	Grab	Annually

¹ Groundwater elevation shall be determined based on depth-to-water measurements using a surveyed measuring point elevation on the well and a surveyed reference elevation.

² Standard minerals shall include, at a minimum, the following elements/compounds: boron, calcium, magnesium, iron (dissolved), manganese (dissolved), potassium, sulfate, total alkalinity (including alkalinity series), and hardness.

³ Sample analyses from all new monitoring wells installed or included in the monitoring program after adoption of this Order to be conducted on a quarterly basis for eight consecutive monitoring events before a reduction in monitoring frequency can be considered.

APPLICABILITY OF GROUNDWATER LIMITATIONS

The Groundwater Limitations set forth in Section E of the WDRs shall apply to the specific compliance monitoring wells tabulated below. This table is subject to revision by the Executive Officer following construction of any new compliance monitoring wells.

Constituent	Use Area Location	Compliance Wells		Groundwater Limitation
		Current	Future ¹	
Total Dissolved Solids	Mossdale	MWM-12	MWM-13	Current Groundwater Quality ²
	River Island	MWR-24, MWR-28, MWR-32	--	
	CLSP	--	CLSP-1	1,000 mg/L
	LAS-2	KMW-10, KMW-11	--	Current Groundwater Quality ²
	LAS-3	KMW-2, KMW-4, KMW-6, KMW-8, KMW-9,	--	
Nitrate as N	Mossdale	MWM-12	--	10 mg/L
	River Island	MWR-24, MWR-28, MWR-32	--	
	CLSP	--	CLSP-1, CLSP-3, CLSP-8, CLSP-9, CLSP-10 ⁴	
	LAS-2	KMW-10, KMW-11	--	

Constituent	Use Area Location	Compliance Wells		Groundwater Limitation
		Current	Future ¹	
Nitrate as N	Northern Lathrop	--	MW-N1, MW-N3, MW-N4, MW-N5 ³ , MW-N6 ³ ,	Current Groundwater Quality ²
	CLSP	--	CLSP-2 ⁴ , CLSP-4 ⁵	
	LAS-3	KMW-2, KMW-4, KMW-6, KMW-8, KMW-9	--	
Boron	LAS-3	KMW-4	--	Current Groundwater Quality ²
Sulfate	LAS-3	KMW-4	--	Current Groundwater Quality ²
Manganese	LAS-3	KMW-4, KMW-6	--	Current Groundwater Quality ²

¹ Existing monitoring wells located near Use Areas that have not received recycled water. Groundwater monitoring shall be conducted prior to initiation of recycled water use in accordance with Provision H.1.f.

² "Current Groundwater Quality" means the quality of groundwater as evidenced by monitoring completed as of 31 March 2016 and as determined in the report described in Provision H.1.b for each of the specified compliance monitoring well listed above.

³ Well located on private property. The City unable to access well. Replace well in accordance with Provision H.1.j as appropriate.

⁴ Damaged well, City proposes to abandon. Replace wells in accordance with Provision H.1.j as appropriate.

⁵ The City proposes to abandon well and not replace.

SLUDGE MONITORING

The Discharger shall keep documentation regarding the quantity of biosolids generated by the treatment processes; any sampling and analytical data; the quantity of biosolids stored on site; and the quantity removed for disposal. If biosolids are transported off-site for disposal, then the Discharger shall submit documentation identifying the hauling company, the amount of biosolids transported, the date removed from the facility, the location of disposal, and copies of all analytical data required by the entity accepting the waste.

A composite sample of digested sludge shall be collected at least once per year in accordance with EPA's POTW Sludge Sampling and Analysis Guidance Document, August 1989; and

analyzed for cadmium, copper, nickel, chromium, lead, and zinc when sludge is removed from the wastewater treatment system for disposal.

A log shall be kept of sludge quantities generated and of handling and disposal activities. The frequency of entries is discretionary; however, the log should be complete enough to serve as a basis for part of the annual report. Documentation shall also indicate that steps were taken to reduce odor and other nuisance conditions. All records shall be stored onsite and available for review during inspections and submitted as part of the Annual Monitoring Report. Sampling records shall be retained for a minimum of five years.

WATER SUPPLY MONITORING

A sampling station shall be established where a representative sample of the municipal water supply can be obtained. Alternatively, the Discharger may submit a current Consumer Confidence Report for municipal supply water. Water supply monitoring shall include at least the following for each water source used during the previous year:

Constituents	Unit	Sampling Frequency
Total Dissolved Solids	mg/L	Annually
pH	Std. Unit	Annually
Standard Minerals ¹	mg/L	Annually

¹ Standard Minerals shall include, at a minimum, the following elements/compounds: boron, calcium, magnesium, sodium, potassium, chloride, nitrogen, sulfate, iron, manganese, total alkalinity (including alkalinity series), and hardness.

REPORTING

All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to:

centralvalleysacramento@waterboards.ca.gov

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to the following address:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, California 95670

To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any correspondence used to transmit documents to this office:

City of Lathrop Consolidated Treatment Facility, San Joaquin County		
Program: Non-15 Compliance	Order: R5-2016-0028	CIWQS Place ID: 271781

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., effluent, pond, etc.), and reported analytical result for each sample are readily discernible. The data shall be summarized in such a manner to clearly illustrate compliance with waste discharge requirements and spatial or temporal trends, as applicable. The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported to the Central Valley Water Board.

As required by the California Business and Professions Code sections 6735, 7835, and 7835.1, all Groundwater Monitoring Reports shall be prepared under the direct supervision of a Registered Professional Engineer or Geologist and signed by the registered professional.

A. Monthly Monitoring Reports

Daily, weekly, and monthly monitoring data shall be reported in the monthly monitoring report. Monthly reports shall be submitted to the Central Valley Water Board on the **1st day of the second month following sampling** (i.e. the January Report is due by 1 March). At a minimum, the reports shall include:

1. Tabulated influent wastewater flow monitoring data for each month of the calendar year, including average daily flow, cumulative flow to date, and comparison to the Flow Limitations of the WDRs;
2. Tabulated effluent monitoring data;
3. Tabulated effluent storage pond and percolation pond monitoring data;
4. Tabulated agricultural recycled water use area monitoring data. The mass of total nitrogen to each agricultural Use Area on an annual basis shall be calculated using the following formula and compared to published crop demand for the crops actually grown.

$$M = \sum_{i=1}^{12} \frac{(8.345(C_i V_i) + M_x)}{A}$$

Where:	M	=	mass of nitrogen applied to LAA in lb/ac/yr
	C_i	=	Monthly average concentration of total nitrogen for month i in mg/L
	V_i	=	volume of wastewater applied to the LAA during calendar month i in million gallons
	A	=	area of the LAA irrigated in acres
	i	=	the number of the month (e.g., January = 1, February = 2, etc.)
	M_x	=	nitrogen mass from other sources (e.g., fertilizer and compost) in pounds
	8.345	=	unit conversion factor

5. Tabulated landscape recycled water use area monitoring data;
6. A comparison of monitoring data to the flow limitations, effluent limitations, and discharge specifications and an explanation of any violation of those requirements;
7. A calibration log verifying calibration of all hand-held monitoring instruments and devices used to comply with the prescribed monitoring program; and
8. Copies of the laboratory analytical data reports shall be maintained by the Discharger and provided upon request by the Regional Water Board.

B. Semi-Annual Monitoring Reports

A Semi-Annual Monitoring Report shall be submitted to the Regional Water Board by the **1st day of the second month following the second and fourth calendar quarter** (i.e. the January-June report is due by August 1st) and shall include the following:

1. A narrative description of all preparatory, groundwater monitoring, sampling, and analytical testing activities. The narrative shall be sufficiently detailed to verify compliance with the WDR, this MRP, and the Standard Provisions and Reporting Requirements. The narrative shall be supported by field logs for each well documenting depth to groundwater; parameters measured before, during, and after purging; method of purging; calculation of casing volume; and total volume of water purged. Low or no-purge sampling methods are acceptable if described in an approved Sampling and Analysis Plan;
2. A groundwater elevation map;

3. Calculation of groundwater elevations, an assessment of groundwater flow direction and gradient on the date of measurement, comparison with previous flow direction and gradient data, and discussion of seasonal trends if any;
4. Cumulative data tables containing the water quality analytical results and depth to groundwater;
5. A scaled map showing relevant structures and features of the facility, the locations of monitoring wells and any other sampling stations, and groundwater elevation contours referenced to mean sea level datum; and
6. Copies of the laboratory analytical data reports shall be maintained by the Discharger and provided upon request by the Regional Water Board.

The Discharger shall establish a semi-annual sampling schedule for existing groundwater monitoring wells such that samples are obtained approximately every six months. For newly installed wells, the Discharger shall establish a quarterly sampling schedule such that samples are obtained approximately every three months. Any groundwater quarterly monitoring data shall be reported in the semi-annual report. A minimum of eight consecutive monitoring events shall be conducted before a reduction in monitoring frequency can be considered.

C. Annual Monitoring Report

An Annual Monitoring Report shall be submitted to the Central Valley Water Board by **1 February** each year and shall include the following:

1. Total annual influent flow and average dry weather flow for the calendar year and comparison to the Flow Limitations of the WDRs;
2. Flow-weighted annual average TDS and total nitrogen effluent concentration and comparison to the Effluent Limitations of the WDRs.
 - a. The flow-weighted average annual TDS effluent concentration shall be calculated using the following formula:

$$C_a = \frac{\sum_{1}^{12} [(C_{Pi} \times V_{Pi}) + (C_{Si} \times V_{Si})]}{\sum_{1}^{12} (V_{Pi} + V_{Si})}$$

- Where:
- C_a = Flow-weighted average annual TDS concentration in mg/L
 - i = the number of the month (e.g., January = 1, February = 2, etc.)
 - C_{Pi} = Monthly average process wastewater TDS concentration for calendar month i in mg/L
 - C_{Si} = Monthly average supplemental irrigation water TDS concentration for calendar month i in mg/L (considering each supplemental source separately)
 - V_{Pi} = volume of process wastewater applied to Use Area during calendar month i in million gallons
 - V_{Si} = volume of supplemental irrigation water applied to Use Area during calendar month i in million gallons (considering each supplemental source separately)

- b. The flow-weighted average annual total nitrogen effluent concentration shall be calculated using the following formula:

$$C_a = \frac{\sum_1^{12} [(C_{Pi} \times V_{Pi}) + (C_{Si} \times V_{Si})]}{\sum_1^{12} (V_{Pi} + V_{Si})}$$

- Where:
- C_a = Flow-weighted average annual total nitrogen concentration in mg/L
 - i = the number of the month (e.g., January = 1, February = 2, etc.)
 - C_{Pi} = Monthly average process wastewater total nitrogen concentration for calendar month i in mg/L
 - C_{Si} = Monthly average supplemental irrigation water total nitrogen concentration for calendar month i in mg/L (considering each supplemental source separately)
 - V_{Pi} = volume of process wastewater applied to Use Area during calendar month i in million gallons
 - V_{Si} = volume of supplemental irrigation water applied to Use Area during calendar month i in million gallons (considering each supplemental source separately)

3. Total precipitation for each month of the calendar year and annual total for the calendar year;
4. Tabulated recycled water Use Area monitoring for the calendar year including:
 - a. Summary tables of all recycled water, supplemental water, and total hydraulic loading for each recycled water Use Area for the calendar year with supporting data and calculations;

- b. A map identifying all Use Areas. Newly permitted recycled water Users and Use Areas shall be identified;
 - c. Tabulated total annual flow of recycled water discharged to each discrete Use Area for the calendar year; and
 - d. A summary of all inspections and enforcement activities initiated by the Discharger.
5. Analytical results for any annual groundwater monitoring.
6. A summary of the information on the generation, any sampling and analytical data, and disposal of sludge and/or solid waste during the calendar year.
7. Analytical results for any annual water supply monitoring. The Discharger's Consumer Confidence Report (or Annual Water Quality Report) may be submitted to comply with this requirement, if applicable.
8. An evaluation of the performance of the CTF, including discussion of capacity issues, system problems, and a forecast of the flows anticipated in the next year. The evaluation shall include the following:
 - a. Waste constituent reduction efforts implemented in accordance with any required workplan;
 - b. Other treatment or control measures implemented during the calendar year either voluntarily or pursuant to the WDRs, this MRP, or any other Order;
 - c. A discussion of anticipated pond sludge removal in the coming year, and if so, include anticipated schedule for cleaning, drying, and disposal; and
 - d. Based on monitoring data, an evaluation of the effectiveness of the treatment or control measures implemented to date.
 - e. Waste constituent reduction efforts implemented in accordance with any required workplan;
 - f. Other treatment or control measures implemented during the calendar year either voluntarily or pursuant to the WDRs, this MRP, or any other Order;
 - g. A discussion of anticipated pond sludge removal in the coming year, and if so, include anticipated schedule for cleaning, drying, and disposal; and
 - h. Based on monitoring data, an evaluation of the effectiveness of the treatment or control measures implemented to date.
9. An evaluation of the groundwater quality beneath the site and determination of compliance with the Groundwater Limitations of the WDRs based on statistical analysis for each constituent monitored for each compliance well in accordance with the approved Groundwater Limitations Compliance Assessment Plan. Where the Groundwater Limitation is the maximum allowable concentration of the "cumulative

groundwater quality” near the specified Use Area or land discharge area, “cumulative groundwater quality” shall be the intra-well statistical average from the first monitoring event after discharge began to the previous monitoring event of the current monitoring year for each of the specified compliance monitoring well. Include all calculations and data input/analysis tables derived from use of statistical software, as applicable.

10. A discussion of compliance and the corrective action taken, as well as any planned or proposed actions needed to bring the discharge into full compliance with the waste discharge requirements.
11. A discussion of the following:
 - a. Waste constituent reduction efforts implemented in accordance with any required workplan;
 - b. Other treatment or control measures implemented during the calendar year either voluntarily or pursuant to the WDRs, this MRP, or any other Order;
 - c. A discussion of anticipated pond sludge removal in the coming year, and if so, include anticipated schedule for cleaning, drying, and disposal; and
 - d. Based on monitoring data, an evaluation of the effectiveness of the treatment or control measures implemented to date.
12. A discussion of any data gaps and potential deficiencies/redundancies in the monitoring network or reporting program.

A letter transmitting the self-monitoring reports shall accompany each report. Such a letter shall include a discussion of requirement violations found during the reporting period, and actions taken or planned for correcting noted violations, such as operation or facility modifications. If the Discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. The transmittal letter shall contain the penalty of perjury statement by the Discharger, or the Discharger's authorized agent, as described in the Standard Provisions General Reporting Requirements Section B.3.

Table 1 Priority Pollutant Scan

<u>Inorganics</u> ¹	<u>Organics</u>	3-Methyl-4-Chlorophenol	Hexachlorobenzene
Antimony	Acrolein	Pentachlorophenol	Hexachlorobutadiene
Arsenic	Acrylonitrile	Phenol	Hexachlorocyclopentadiene
Beryllium	Benzene	2,4,6-Trichlorophenol	Hexachloroethane
Cadmium	Bromoform	Acenaphthene	Indeno(1,2,3-c,d)pyrene
Chromium (III)	Carbon tetrachloride	Acenaphthylene	Isophorone
Chromium (VI)	Chlorobenzene	Anthracene	Naphthalene
Copper	Chlorodibromomethane	Benzidine	Nitrobenzene
Lead	Chloroethane	Benzo(a)Anthracene	N-Nitrosodimethylamine
Mercury	2-Chloroethylvinyl Ether	Benzo(a)pyrene	N-Nitrosodi-n-Propylamine
Nickel	Chloroform	Benzo(b)fluoranthene	N-Nitrosodiphenylamine
Selenium	Dichlorobromomethane	Benzo(g,h,i)perylene	Phenanthrene
Silver	1,1-Dichloroethane	Benzo(k)fluoranthene	Pyrene
Thallium	1,2-Dichloroethane	Bis(2-chloroethoxy) methane	1,2,4-Trichlorobenzene
Zinc	1,1-Dichloroethylene	Bis(2-chloroethyl) ether	
Cyanide	1,2-Dichloropropane	Bis(2-chloroisopropyl) ether	
Asbestos	1,3-Dichloropropylene	Bis(2-Ethylhexyl)phthalate	<u>Pesticides</u>
	Ethylbenzene	4-Bromophenyl phenyl ether	Aldrin
	Methyl Bromide	Butylbenzyl Phthalate	alpha-BHC
<u>Dioxin Congeners</u>	Methyl Chloride	2-Chloronaphthalene	beta-BHC
2,3,7,8-TCDD	Methylene Chloride	4-Chlorophenyl Phenyl Ether	gamma-BHC (Lindane)
1,2,3,7,8-PentaCDD	1,1,2,2-Tetrachloroethane	Chrysene	delta-BHC
1,2,3,4,7,8-HexaCDD	Tetrachloroethylene (PCE)	Dibenzo(a,h)Anthracene	Chlordane
1,2,3,6,7,8-HexaCDD	Toluene	1,2-Dichlorobenzene	4,4'-DDT
1,2,3,7,8,9-HexaCDD	1,2-Trans-Dichloroethylene	1,3-Dichlorobenzene	4,4'-DDE
1,2,3,4,6,7,8-HeptaCDD	1,1,1-Trichloroethane	1,4-Dichlorobenzene	4,4'-DDD
OctaCDD	1,1,2-Trichloroethane	3,3'-Dichlorobenzidine	Dieldrin
1,2,3,7,8-PentaCDF	Trichloroethylene (TCE)	Diethyl phthalate	alpha-Endosulfan
2,3,4,7,8-PentaCDF	Vinyl chloride	Dimethyl phthalate	beta-Endosulfan
1,2,3,4,7,8-HexaCDF	2-Chlorophenol	Di-n-Butyl Phthalate	Endosulfan Sulfate
1,2,3,6,7,8-HexaCDF	2,4-Dichlorophenol	2,4-Dinitrotoluene	Endrin
1,2,3,7,8,9-HexaCDF	2,4-Dimethylphenol	2,6-Dinitrotoluene	Endrin Aldehyde
2,3,4,6,7,8-HexaCDF	2-Methyl-4,6-Dinitrophenol	Di-n-Octyl Phthalate	Heptachlor
1,2,3,4,6,7,8-HeptaCDF	2,4-Dinitrophenol	1,2-Diphenylhydrazine	Heptachlor epoxide
1,2,3,4,7,8,9-HeptaCDF	2-Nitrophenol	Fluoranthene	Polychlorinated biphenyls
OctaCDF	4-Nitrophenol	Fluorene	Toxaphene

¹ With the exception of wastewater samples, samples for metals analysis must first be filtered. If filtering in the field is not feasible, samples shall be collected in unpreserved containers and submitted to the laboratory within 24 hours with a request (on the chain of custody form) to immediately filter then preserve the sample.

² Samples to be analyzed for volatile compounds and phthalate esters shall be grab samples; the remainder shall be 24-hour composite samples.

GLOSSARY

BOD ₅	Five-day biochemical oxygen demand
CaCO ₃	Calcium carbonate
DO	Dissolved oxygen
EC	Electrical conductivity at 25° C
FDS	Fixed dissolved solids
NTU	Nephelometric turbidity unit
TKN	Total Kjeldahl nitrogen
TDS	Total dissolved solids
TSS	Total suspended solids
Continuous	The specified parameter shall be measured by a meter continuously.
24-hr Composite	Samples shall be a flow-proportioned composite consisting of at least eight aliquots over a 24-hour period.
Daily	Every day except weekends or holidays
Twice Weekly	Twice per week on non-consecutive days
Weekly	Once per week.
Twice Monthly	Twice per month during non-consecutive weeks
Monthly	Once per calendar month.
Bimonthly	Once every two calendar months (i.e., six times per year) during non-consecutive months.
Quarterly	Once per calendar quarter.
Semiannually	Once every six calendar months (i.e., two times per year) during non-consecutive quarters.
Annually	Once per year.
mg/L	Milligrams per liter
mL/L	Milliliters [of solids] per liter
µg/L	Micrograms per liter
µmhos/cm	Micromhos per centimeter
gpd	Gallons per day
mgd	Million gallons per day
MPN/100 mL	Most probable number [of organisms] per 100 milliliters
MTF	Multiple tube fermentation

INFORMATION SHEET

ORDER R5-2016-0028
CITY OF LATHROP
LATHROP CONSOLIDATED TREATMENT FACILITY
SAN JOAQUIN COUNTY

Current Facility Description

The City currently operates two adjacent wastewater treatment facilities under separate WDRs: Consolidated Treatment Facility (CTF) regulated under Order R5-2015-0006 and Crossroads Wastewater Treatment Facility (WWTF) regulated under Order 5-01-251. The CTF receives primarily domestic wastewater from a large portion of the City. The Crossroads WWTF receives high strength process wastewater from the Crossroads Industrial Park. The City currently diverts all wastewater from the Crossroads Industrial Park to the CTF and is in the process of decommissioning the Crossroads WWTF.

Communities serviced by the CTF includes Central Lathrop Specific Plan (CLSP), Mossdale Landing (Mossdale), and River Islands. The CTF provides secondary treatment, tertiary filtration, and disinfection prior to storage and discharge. The CTF currently has two Membrane Bioreactor (MBR) treatment trains for a combined treatment capacity of 1.0 million gallons per day (mgd) as an average dry weather flow (ADWF). Disinfected effluent is stored in lined storage ponds prior to discharge as recycled water for irrigation of agricultural and public landscape areas in the developments areas within the City of Lathrop.

Proposed Changes to the Facility and Discharge

With the closure of the Crossroads WWTF, the following Crossroads WWTF components will be retained and incorporated in the CTF: influent pump station, piping and associated motor control centers; former chlorine contact basin; recycled water pump station; effluent storage ponds A, B, and C; land application area site LAS-3; sludge handling facility; generator building; and maintenance garage.

LAS-1 and LAS-2 at the Crossroads WWTF have been sold and wells KMW-1 and KMW-3, that monitored groundwater near the two land application sites, have been abandoned. Based on elevated groundwater salinity concentrations near LAS-2, the City was required to investigate and mitigate any impacts from its wastewater disposal operations. Replacement wells KMW-10 and KMW-11 were installed along the western edge of LAS-2 to monitor the effectiveness of the City's corrective action plan regarding the salinity impacts from past application of Crossroads WWTF effluent.

The City has submitted the *Expansion Completion Report* dated 25 August 2015 confirming the completion of the 1.0 mgd facility expansion project. However, the City has not submitted the *Recycled Water Storage and Conveyance System Improvements Completion Report* and the *Recycled Water User Report* as required by Provisions H.1.e and H.1.f. of Order R5-2015-0006 to confirm the available storage and disposal capacity needed for the plant expansion to 1.0 mgd. The City anticipates the next CTF expansion to increase

capacity from 1.0 to 1.5 mgd with an expected completion date by the end of March 2018. Additional recycled water storage capacity and Use Areas will be added as needed.

Effluent Storage Ponds

The City currently uses five high-density polyethylene (HDPE)-lined effluent storage ponds (S1, S2, S3, S5, and S6) and a sixth pond (S16) is currently in construction. Table 1 provides a summary of existing and planned effluent storage ponds. A list of corresponding CEQA documentation with respect to each pond location is cross-referenced below the table.

Table 1: Existing and Planned Effluent Storage Ponds						
Site ID	APN	Development Area	Parcel Area (acres)	Capacity (mgal) ¹	Use Status	Project Level CEQA Completed ⁴
S1	191-190-32	Mossdale	13.26	41	Existing	a, b
S2	191-190-33	Mossdale	6.89	15	Existing	a, b
S3	198-130-35	Mossdale South	9.91	21	Existing	c
S5	198-130-47	East Lathrop	9.96	28	Existing	a
	198-130-48	East Lathrop	0.59		Existing	a
S6	198-060-16	East Lathrop	5.61	34	Existing	e
	198-060-17		6.06		Existing	e
S7	198-040-14	East Lathrop	18.15	57	Planned	f
S8	241-020-70	East Lathrop	60.59	182	Planned	d
S9	241-030-13	East Lathrop	159.92	457	Planned	d
S11	213-300-07	River Islands	72.5	102	Planned	h, j
	213-300-08		86.83		Planned	h, j
S12	213-300-07	River Islands	72.5	97	Planned	h, j
	213-300-08		86.83		Planned	h, j
S13	213-210-06	River Islands	290.81	116	Planned	a
S14	213-22-001	River Islands	96.16	90	Planned	h
S15	198-120-08	East Lathrop	116.99	135	Planned	a, f
	198-120-09		48.64		Planned	a, f
	198-140-16		19.96		Planned	a, f
S16	213-290-02	River Islands	121.88	78 ³	Near Term	a, h, k
S17				61	Planned	a, h, k
S18				71	Planned	a, h, k
S19	239-040-04	River Islands	142.25	55	Planned	f, h
S20				66	Planned	f, h
S21				67	Planned	f, h
S22				71	Planned	f, h
S23				74	Planned	f, h

Site ID	APN	Development Area	Parcel Area (acres)	Capacity (mgal) ¹	Use Status	Project Level CEQA Completed ⁴
S24	239-040-07	River Islands	137	65	Planned	f, h
S25				56	Planned	f, h
S26				63	Planned	f, h
S27				58	Planned	f, h
S28	191-220-14	CLSP	89.82	25	Planned	i
S29				95	Planned	i
S30	191-270-05	Northern Lathrop	20	172	Planned	g
	191-270-04		7.6		Planned	g
	191-260-22		31.4		Planned	g
Pond A, B, and C	198-130-19	Crossroads WWTF	9.8	32	Near Term	l
	198-130-20					
LAS-3	198-13-032	Crossroads WWTF	19.5	Unknown ²	Near Term	l

¹ Assuming two feet of freeboard.

² Currently a land application area to be developed into percolation pond(s) for future disposal capacity.

³ Pond S16 will be constructed in two phases. The initial phase will provide approximately 55 mgal of storage. The second phase will construct an additional 23 mgal.

⁴ Corresponding environmental documentation:

- a. City of Lathrop. 2002. Draft Environmental Impact Report for the Lathrop Water Recycling Plant No. 1 Phase 1 Expansion Project. December 31. Prepared by EDAW. AND City of Lathrop. 2003. Final Environmental Impact Report for the Lathrop Water Recycling Plant No. 1 Phase 1 Expansion Project. February 28. Prepared by EDAW.
- b. City of Lathrop. 2002. Draft Environmental Impact Report for the Mossdale Landing Urban Design Concept. SCH# 2001052059. 2002. Volume I: DEIR. August 29. Prepared by EDAW. AND City of Lathrop. Draft Environmental Impact Report for the Mossdale Landing Urban Design Concept. SCH# 2001052059. 2003. Volume I: DEIR. January. Prepared by EDAW.
- c. City of Lathrop. 2003. Public Review Draft Supplemental Environmental Impact Report for Mossdale Landing East. December 6. Prepared by InSite Environmental, Inc. AND City of Lathrop. 2004. Public Review Draft Supplemental Environmental Impact Report for Mossdale Landing East. January 30. Prepared by InSite Environmental, Inc.
- d. City of Lathrop. 2004. Draft Environmental impact Report for the CLSP (CLSP). SCH# 2003072132. July. Prepared by EDAW. and City of Lathrop. 2004. Final Environmental impact Report for the CLSP (CLSP). SCH# 2003072132. October. Prepared by EDAW.
- e. City of Lathrop. 2004. Addendum the Environmental Impact Report for the City of Lathrop Wastewater Recycling Plant No. 1 (SCH#2001122108) relative to the Nurisso Road Recycled Water Storage Ponds. November 17. Prepared by InSite Environmental, Inc.
- f. City of Lathrop. 2005. Addendum to the City of Lathrop Water, Wastewater, and Recycled Water Master Plan Environmental Impact Report. December 14. Prepared by EDAW.

- g. City of Lathrop. 2006. Addendum the Environmental Impact Report for the City of Lathrop Wastewater Recycling Plant No. 1 (SCH#2001122108) relative to the Frewert Road Recycled Water Storage Pond. May 5. Prepared by InSite Environmental. Prepared by InSite Environmental, Inc.
- h. City of Lathrop. 2002. Draft Subsequent Environmental Impact Report for the River Islands at Lathrop Project. Volume 1a. (SCH#1993112027). October 16. AND Prepared by EDAW. AND City of Lathrop. 2003. Draft Subsequent Environmental Impact Report for the River Islands at Lathrop Project. Volume 1a. #1993112027). January 22. Prepared by EDAW
- i. City of Lathrop. 2014. CLSP Environmental Impact Report Addendum II (SCH#2003072132). March. Prepared by Ascent.
- j. City of Lathrop. Initial Study for River Islands Disposal Fields Expansion. 2004. November. Prepared by the City of Lathrop Public Works Department.
- k. City of Lathrop. 2014. River Islands at Lathrop Project Subsequent Environmental Impact Report Addendum IV. SCH#1993112027. Prepared by Ascent.
- l. City of Lathrop. 7 July 2015, Notice of Determination for the City of Lathrop Crossroads Decommissioning Project.

The Discharger currently uses recycled water for agricultural irrigation in Mossdale and River Islands. The Discharger plans to expand using recycled water for agricultural irrigation in River Islands, CLSP, and the North Lathrop areas. Table 2 provides a summary of existing and planned agricultural irrigation Use Areas. A list of corresponding CEQA documentation with respect to each agricultural irrigation Use Area is cross-referenced below the table.

Table 2: Existing and Planned Agricultural Irrigation Use Areas						
Site ID	APN	Development Area	Parcel Area (acres)	Irrigated Area (acres)	Phase	Project Level CEQA Completed ¹
A 01	191-280-10	Northern Lathrop	49.49	42.1	Planned	d
A 02	191-280-09	Northern Lathrop	101.2	86.0	Planned	d
A 03	191-270-33	Northern Lathrop	58.56	49.8	Planned	d
	191-270-32	Northern Lathrop	8.2			d
A 04	191-260-25	Northern Lathrop	18.09	15.4	Planned	f
A 05	191-260-13	Northern Lathrop	19.52	16.6	Planned	f
A 06	191-250-03	Northern Lathrop	8.83	7.5	Planned	f
A 07	191-250-12	Northern Lathrop	9.48	8.1	Planned	f
A 08	191-250-06	Northern Lathrop	10.3	8.8	Planned	f
A 09	191-270-24	Northern Lathrop	95.18	80.9	Planned	d
	191-270-25	Northern Lathrop	3.26			d
A 10	191-260-27	Northern Lathrop	154.77	131.6	Planned	d
	191-270-26	Northern Lathrop	4.82			d
A 11	191-230-01	Northern Lathrop	40	34.0	Planned	d
A 12	191-230-02	Northern Lathrop	29.33	24.9	Planned	d
A 13	191-270-21	Northern Lathrop	95.54	81.2	Planned	f
A 17	191-260-21	Northern Lathrop	20	17.0	Planned	f

Table 2: Existing and Planned Agricultural Irrigation Use Areas

Site ID	APN	Development Area	Parcel Area (acres)	Irrigated Area (acres)	Phase	Project Level CEQA Completed ¹
A 18	191-260-28	Northern Lathrop	22.89	19.46	Planned	f
	191-260-29	Northern Lathrop	13.14			f
A 19	191-260-23	Northern Lathrop	12.75	10.8	Planned	f
A 20	191-220-04	CLSP	99.1	84.2	Planned	d
A 21	191-220-05	CLSP	313.88	266.8	Planned	d
A 23	191-190-49	Mossdale	12.4	10.5	Existing	a, h
A 28	213-300-09	River Islands	33.71	28.7	Existing	a, j
A 29	213-130-05	River Islands	231.4	444.2	Planned	a
	213-130-06	River Islands	74.7			a
	213-130-07	River Islands	12.5			a
	213-200-01	River Islands	153			a
	213-200-02	River Islands	229.42			a
A 30	213-210-06	River Islands	294.72	250.5	Existing	a, h
A 31	213-110-03	River Islands	151	128.4	Existing	a, f
A 32	213-110-02	River Islands	178.12	151.4	Planned	h
A 33	213-110-01	River Islands	221.21	188.0	Planned	h
A 34	213-210-06	River Islands	294.72	250.5	Planned	a, h
A 35	213-290-02	River Islands	25.44	21.6	Near Term	h, k
A35a	213-290-02	River Islands	121.8	25.5	Near Term	h, k
A35b	213-290-02	River Islands	121.8	22.1	Near Term	h, k
A 36	191-220-10	CLSP	5.15	34.5	Planned	i
	191-220-11		10.43			i
	191-220-12		0.96			i
	191-220-13		16.38			i
	191-220-37		7.72			i
A 37	191-220-15	CLSP	19.48	125.5	Planned	i
	191-220-17		9.80			i
	191-220-35		8.96			i
	191-220-18		19.61			i
	191-22014		89.82			i
A 38	191-220-44	CLSP	1.74	2.6	Planned	i
	191-220-45		1.26			i

¹ Corresponding environmental documentation:

- a. City of Lathrop. 2002. Draft Environmental Impact Report for the Lathrop Water Recycling Plant No. 1 Phase 1 Expansion Project. December 31. Prepared by EDAW. AND City of Lathrop. 2003. Final Environmental Impact Report for the Lathrop Water Recycling Plant No. 1 Phase 1 Expansion Project. February 28. Prepared by EDAW.
- b. City of Lathrop. 2002. Draft Environmental Impact Report for the Mossdale Landing Urban Design Concept. SCH# 2001052059. 2002. Volume I: DEIR. August 29. Prepared by EDAW. AND City of Lathrop. Draft Environmental Impact Report for the Mossdale Landing

Urban Design Concept. SCH# 2001052059. 2003. Volume I: DEIR. January. Prepared by EDAW.

- c. City of Lathrop. 2003. Public Review Draft Supplemental Environmental Impact Report for Mossdale Landing East. December 6. Prepared by InSite Environmental, Inc. AND City of Lathrop. 2004. Public Review Draft Supplemental Environmental Impact Report for Mossdale Landing East. January 30. Prepared by InSite Environmental, Inc.
- d. City of Lathrop. 2004. Draft Environmental impact Report for the CLSP (CLSP). SCH# 2003072132. July. Prepared by EDAW. AND City of Lathrop. 2004. Final Environmental impact Report for the CLSP (CLSP). SCH# 2003072132. October. Prepared by EDAW.
- e. City of Lathrop. 2004. Addendum the Environmental Impact Report for the City of Lathrop Wastewater Recycling Plant No. 1 (SCH#2001122108) relative to the Nurisso Road Recycled Water Storage Ponds. November 17. Prepared by InSite Environmental, Inc.
- f. City of Lathrop. 2005. Addendum to the City of Lathrop Water, Wastewater, and Recycled Water Master Plan Environmental Impact Report. December 14. Prepared by EDAW.
- g. City of Lathrop. 2006. Addendum the Environmental Impact Report for the City of Lathrop Wastewater Recycling Plant No. 1 (SCH#2001122108) relative to the Frewert Road Recycled Water Storage Pond. May 5. Prepared by InSite Environmental. Prepared by InSite Environmental, Inc.
- h. City of Lathrop. 2002. Draft Subsequent Environmental Impact Report for the River Islands at Lathrop Project. Volume 1a. (SCH#1993112027). October 16. AND Prepared by EDAW. AND City of Lathrop. 2003. Draft Subsequent Environmental Impact Report for the River Islands at Lathrop Project. Volume 1a. #1993112027). January 22. Prepared by EDAW
- i. City of Lathrop. 2014. CLSP Environmental Impact Report Addendum II (SCH#2003072132). March. Prepared by Ascent.
- j. City of Lathrop. Initial Study for River Islands Disposal Fields Expansion. 2004. November. Prepared by the City of Lathrop Public Works Department.
- k. City of Lathrop. 2014. River Islands at Lathrop Project Subsequent Environmental Impact Report Addendum IV. SCH#1993112027. Prepared by Ascent.

The Discharger plans to use recycled water for landscape irrigation in the Mossdale, River Islands, and CLSP residential areas. Table 3 provides a summary of existing and planned agricultural irrigation Use Areas. A list of corresponding CEQA documentation with respect to each agricultural irrigation Use Area is cross-referenced below the table.

Table 3: Existing and Planned Landscape Irrigation Use Areas

Site ID	APN(s)	Acres	Land Development Area	Land Use	Phase	Project Level CEQA Completed ¹
L01	191-220-35; 191-220-17	3.38	CLSP ²	Park	Planned	a, d
L02	191-22015	7.80	CLSP ²	K-8(2)	Planned	d
L03	191-22017	3.38	CLSP ²	Park	Planned	d
L04	191-21032	11.10	CLSP	Park	Planned	d
L05	191-21032; 191-210-07; 191-210-33; 191-210-07; 191-210-33; 191-210-23; 191-210-17	3.38	CLSP	Park	Planned	d
	191-210-05					
L07	191-210-23	3.75	CLSP	Park	Planned	d
L08	191-210-32	3.36	Mossdale	Park	Planned	a, b, d
L09	Right of Way	0.05	Mossdale	Median	Planned	a, d
L10	Right of Way	0.21	CLSP	Parkway	Planned	a, b, d
L11	Right of Way	0.74	Mossdale	Parkway	Planned	b
L12	Right of Way	0.05	Mossdale	Median	Planned	b
L13	Right of Way	0.45	Mossdale	Parkway	Planned	c
L14	191-330-09	6.00	Mossdale	Park	Planned	a, b
L15	Right of Way	0.10	Mossdale	Parkway	Planned	b
L16	Right of Way	0.23	Mossdale	Parkway	Planned	b
L17	Right of Way	0.04	Mossdale	Median	Planned	b
L18	Right of Way	0.26	Mossdale	Parkway	Planned	b
L19	191-540-61	1.20	Mossdale	Park	Planned	b
L20	191-350-04	6.20	Mossdale	Park	Planned	a, b
L21	Right of Way	0.29	Mossdale	Parkway	Planned	b
L22	191-210-17	3.38	Mossdale	Park	Planned	b
L23	Right of Way	0.14	Mossdale	Parkway	Planned	b
L24	Right of Way	0.91	Mossdale	Parkway	Planned	b
L25	Right of Way	0.04	Mossdale	Median	Planned	b
L26	Right of Way	0.40	Mossdale	Median	Planned	b
L27	191-360-68	0.75	Mossdale	Park	Planned	b
L28	Right of Way	0.32	Mossdale	Parkway	Planned	b
L29	Right of Way	0.34	Mossdale	Parkway	Planned	b
L30	Right of Way	0.10	Mossdale	Median	Planned	b
L31	Right of Way	0.09	Mossdale	Median	Planned	b
L32	Right of Way	0.04	Mossdale	Median	Planned	b
L33	191-380-67	1.05	Mossdale	Park	Planned	b
L34	Right of Way	0.06	Mossdale	Median	Planned	a
L35	Right of Way	0.10	Mossdale	Median	Planned	b
L36	Right of Way	0.10	Mossdale	Median	Planned	b
L37	Right of Way	0.03	Mossdale	Median	Planned	b
L38	Right of Way	0.09	Mossdale	Parkway	Planned	a
L39	Right of Way	0.37	Mossdale	Parkway	Planned	a
L40	Right of Way	0.28	Mossdale	Parkway	Planned	b
L41	Right of Way	0.18	Mossdale	Median	Planned	b
L42	Right of Way	0.31	Mossdale	Parkway	Planned	b
L43	191-190-32; 191-190-33	5.50	Mossdale	Pond Berm	Planned	a, b

Table 3: Existing and Planned Landscape Irrigation Use Areas

Site ID	APN(s)	Acres	Land Development Area	Land Use	Phase	Project Level CEQA Completed ¹
L44	Right of Way	2.30	Mossdale	Park/Median	Planned	a, b
L45	241-0020-52	2.10	Mossdale	Pond Berm	Planned	a, b
L46	198-060-16	3.00	Not Applicable ³	Pond Berm	Planned	e
L47	213-300-06	0.30	River Islands	Median	Planned	h
L48	213-300-06	6.00	River Islands	Park	Planned	h
L49	213-300-06	1.60	River Islands	Park	Planned	h
L50	213-300-06	0.20	River Islands	Median	Planned	h
L51	213-300-06	0.40	River Islands	Park	Planned	h
L52	213-300-06	0.40	River Islands	Park	Planned	h
L53	213-300-06	15.00	River Islands	Park	Planned	h
L54	213-300-06; 213-310-10	0.20	River Islands	Median	Planned	h
L55	213-300-06	0.50	River Islands	Median	Planned	h
L56	213-300-06	0.10	River Islands	Median	Planned	h
L57	213-300-06	0.40	River Islands	Median	Planned	h
L58	213-300-06	0.40	River Islands	Median	Planned	h
L59	213-300-06	1.50	River Islands	Median	Planned	h
L60	213-300-06	2.70	River Islands	Park	Planned	h
L61	213-300-06	1.20	River Islands	Median	Planned	h
L62	213-300-06	1.10	River Islands	Median	Planned	h
L63	213-300-08; 213-300-09; 213-300-11; 213-300-07; 213-300-06; 213-310-10	2.10	River Islands	Park	Planned	h
L64	213-310-10	0.40	River Islands	Median	Planned	h
L65	213-310-10	1.90	River Islands	Park	Planned	h
L66	213-310-10	2.00	River Islands	Park	Planned	h
L67	213-310-10; 213-310-09	2.30	River Islands	Park	Planned	h
L68	213-310-10	0.40	River Islands	Median	Planned	h
L69	213-310-10	0.90	River Islands	Park	Planned	h
L70	213-310-10; 213-310-08	2.50	River Islands	Park	Planned	h
L71	213-310-09	0.40	River Islands	Median	Planned	h
L72	213-310-09; 213-310-08	2.30	River Islands	Park	Planned	h
L73	213-310-09	2.00	River Islands	Park	Planned	h
L74	213-310-08	6.00	River Islands	Park	Planned	h
L75	213-310-08; 213-310-10	0.10	River Islands	Median	Planned	h
L76	213-310-10	0.50	River Islands	Median	Planned	h
L77	213-220-02	2.80	River Islands	Park	Planned	h
L78	213-220-02; 213-310-08	0.50	River Islands	Median	Planned	h
L79	213-230-05	1.10	River Islands	Park	Planned	h
L80	213-230-05	0.80	River Islands	Median	Planned	h
L81	213-230-06	4.40	River Islands	Park	Planned	h
L82	213-230-01	34.00	River Islands	Park	Planned	h
L83	213-220-02	1.10	River Islands	Park	Planned	h
L84	213-310-08	2.20	River Islands	Park	Planned	h
L85	191-200-13; 191-210-05	0.94	CLSP	Median	Planned	d
L86	191-200-13; 191-210-05	1.37	CLSP	Parkway	Planned	d
L87	191-200-13; 191-210-05	2.50	CLSP	Open Space	Planned	d

Table 3: Existing and Planned Landscape Irrigation Use Areas

Site ID	APN(s)	Acres	Land Development Area	Land Use	Phase	Project Level CEQA Completed ¹
L88	191-220-42	0.44	CLSP	Median	Planned	d
L89	191-220-42	0.64	CLSP	Parkway	Planned	d
L90	191-210-04; 191-220-42	0.41	CLSP	Median	Planned	d
L91	191-210-04; 191-220-42	0.96	CLSP	Parkway	Planned	d
L92	191-210-05	1.28	CLSP	Median	Planned	d
L93	191-210-05	1.82	CLSP	Parkway	Planned	d
L94	191-210-05	1.50	CLSP	Open Space	Planned	d
L95	191-210-05	0.13	CLSP	Median	Planned	d
L96	191-210-05	1.29	CLSP	Parkway	Planned	d
L97	191-210-05; 191-210-04	1.43	CLSP	Parkway	Planned	d
L98	191-200-13	1.11	CLSP	Parkway	Planned	d
L99	191-200-13	1.05	CLSP	Parkway	Planned	d
L100	191-210-05; 191-210-04	1.71	CLSP	Parkway	Planned	d

¹ Corresponding environmental documentation:

- a. City of Lathrop. 2002. Draft Environmental Impact Report for the Lathrop Water Recycling Plant No. 1 Phase 1 Expansion Project. December 31. Prepared by EDAW. AND City of Lathrop. 2003. Final Environmental Impact Report for the Lathrop Water Recycling Plant No. 1 Phase 1 Expansion Project. February 28. Prepared by EDAW.
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- d. City of Lathrop. 2004. Draft Environmental impact Report for the CLSP (CLSP). SCH# 2003072132. July. Prepared by EDAW. AND City of Lathrop. 2004. Final Environmental impact Report for the CLSP (CLSP). SCH# 2003072132. October. Prepared by EDAW.
- e. City of Lathrop. 2004. Addendum the Environmental Impact Report for the City of Lathrop Wastewater Recycling Plant No. 1 (SCH#2001122108) relative to the Nurisso Road Recycled Water Storage Ponds. November 17. Prepared by InSite Environmental, Inc.
- f. City of Lathrop. 2005. Addendum to the City of Lathrop Water, Wastewater, and Recycled Water Master Plan Environmental Impact Report. December 14. Prepared by EDAW.
- g. City of Lathrop. 2006. Addendum the Environmental Impact Report for the City of Lathrop Wastewater Recycling Plant No. 1 (SCH#2001122108) relative to the Frewert Road Recycled Water Storage Pond. May 5. Prepared by InSite Environmental. Prepared by InSite Environmental, Inc.

- h. City of Lathrop. 2002. Draft Subsequent Environmental Impact Report for the River Islands at Lathrop Project. Volume 1a. (SCH#1993112027). October 16. AND Prepared by EDAW. AND City of Lathrop. 2003. Draft Subsequent Environmental Impact Report for the River Islands at Lathrop Project. Volume 1a. #1993112027). January 22. Prepared by EDAW.
- i. City of Lathrop. 2014. CLSP Environmental Impact Report Addendum II (SCH#2003072132). March. Prepared by Ascent.
- j. City of Lathrop. Initial Study for River Islands Disposal Fields Expansion. 2004. November. Prepared by the City of Lathrop Public Works Department.
- k. City of Lathrop. 2014. River Islands at Lathrop Project Subsequent Environmental Impact Report Addendum IV. SCH#1993112027. Prepared by Ascent.

Because the proposed landscape Use Areas are typically small in application area, widely spaced, and typically receive small volumes of recycled water, the use of recycled water in these areas is unlikely to cause identifiable groundwater degradation as compared to baseline conditions.

Site-Specific Conditions

The City of Lathrop's water supply comes from six deep municipal wells that extract groundwater from approximately 160 to 270 feet below ground surface (bgs) and is supplemented with surface water from the Woodward Reservoir, which is distributed by the South San Joaquin Irrigation District (SSJID).

Local topography at the CTF and existing and planned recycled water Use Areas is generally level and gently slopes toward the San Joaquin River and other tributaries. Ground surface elevation at the CTF is approximately 10 feet above mean sea level (MSL).

According to Federal Emergency Management Agency (FEMA) flood zone mapping, areas immediately east of the San Joaquin River (i.e., the CTF, Northern Lathrop, CLSP, and Mossdale) are in Flood Zone X, which is outside of the currently-defined 100-year flood zone. A developed portion of River Islands bordered by Stewart Road on the west and south and the San Joaquin River on the east is also identified as within Flood Zone X. These areas are protected from the 100-year flood by levees, dikes, or other structures that may be subject to possible failure or overtopping during larger flood events. The western half of River Islands is in Zone AE, which is within the 100-year floodplain.

The average annual precipitation and 100-year annual precipitation is approximately 13 and 22 inches, respectively. The average reference evapotranspiration (ET_o) rate is approximately 52 inches per year. Surrounding land uses include agricultural, commercial, industrial, and residential developments.

Groundwater Conditions

Shallow groundwater in the Lathrop area occurs within the alluvial flood plain deposits at depths of less than 15 feet bgs. Shallow groundwater depth and flow conditions can vary depending on location, season, land use, nearby pumping (i.e. construction dewatering,

agricultural irrigation, etc.), and the proximity and flow stage of nearby surface water bodies and recycled water Use Area. As a result, changes in agricultural land use, irrigation practices, and regional pumping have likely altered groundwater flow and the distribution of salinity resulting from on-site or regional agricultural practices.

There are currently over 70 existing shallow groundwater monitoring wells near the CTF, Northern Lathrop, CLSP, Mossdale, and River Islands recycled water Use Areas. There are five monitoring wells near recycled water storage Pond S6 on East Lathrop Road. There are a total of six monitoring wells near LAS-2 and LAS-3. The current monitoring well network was installed to monitor shallow groundwater conditions near existing and planned recycled water storage, Use Areas, or percolation ponds. A well inventory was performed in October 2015 to identify existing well conditions. Based on the *Groundwater Monitoring Well Condition Survey Report and Destruction Plan* dated 27 January 2016, several wells were identified as damaged, missing, or abandoned. A summary of the existing groundwater monitoring well network is provided in Table 4, however many of these wells will only be used for the collection periodic water level measurements.

Well Name	Date Drilled	Well Depth (ft bgs)	Diameter (inches)	Screened Interval (ft bgs)	Current Status ¹	Proposed Use / Action
Mossdale						
MWM-01	05/16/05	21.5	4	10-20	Existing	Monitoring
MWM-02	05/16/05	21	4	10-20	Existing	Monitoring
MWM-03	07/01/05	21	4	10-20	Existing	Monitoring
MWM-04	05/16/05	21	4	10-20	Existing	Monitoring
MWM-05	05/17/05	21	4	10-20	Existing	Monitoring
MWM-06	05/17/05	21	4	10-20	Existing	Monitoring
MWM-07	05/17/05	21	4	10-20	Existing	Monitoring
MWM-08	05/16/05	21	4	10-20	Inaccessible	Unknown
MWM-09	05/19/05	30	4	18-29	Existing	Monitoring
MWM-10	11/30/01	21.5	2	5-20	Abandoned	--
MWM-11	05/18/05	21	4	10-20	Existing	Monitoring
MWM-12	06/20/05	21	4	10-20	Existing	Monitoring
MWM-13	05/20/05	21	4	10-20	Existing	Monitoring
MWM-14	05/17/05	21	4	10-20	Existing	Abandon
MWM-15	05/16/05	21	4	10-20	Existing	Monitoring
MWM-16	05/17/05	21	4	10-20	Existing	Abandon
MWM-17	05/16/05	21	4	10-20	Existing	Monitoring
MWM-18	05/16/05	21	4	10-20	Abandoned	--
MWM-19	05/18/05	21	4	10-20	Existing	Monitoring
MWM-20	05/18/05	21	4	10-20	Existing	Monitoring

Table 4: Groundwater Monitoring Well Details and Operational Status						
Well Name	Date Drilled	Well Depth (ft bgs)	Diameter (inches)	Screened Interval (ft bgs)	Current Status ¹	Proposed Use / Action
MWM-21	05/18/05	21	4	10-20	Existing	Monitoring
MWM-22	01/17/01	20	2	--	Existing	Monitoring
MWM-23	07/01/05	21	4	10-20	Existing	Monitoring
MWM-24	05/16/05	21	4	10-20	Existing	Monitoring
MWM-25	05/19/05	21	4	10-20	Existing	Monitoring
MWM-26	05/18/05	21	4	10-20	Existing	Abandon
MWM-27	04/21/09	24	4	13-23	Existing	Monitoring
River Islands						
MWR-01	12/02/98	20	2	5-20	Abandoned	--
MWR-02	12/02/98	20	2	5-20	Abandoned	--
MWR-03	12/09/98	20	2	5-20	Existing	Monitoring
MWR-04	12/09/98	20	2	5-20	Existing	Monitoring
MWR-05	12/02/98	20	2	5-20	Existing	Monitoring
MWR-06	12/02/98	20	2	5-20	Damaged	Abandon
MWR-07	12/02/98	20	2	5-20	Existing	Monitoring
MWR-08	12/09/98	20	2	5-20	Existing	Monitoring
MWR-09	12/09/98	20	2	5-20	Existing	Monitoring
MWR-10	12/02/98	20	2	5-20	Existing	Monitoring
MWR-11	12/02/98	20	2	5-20	Existing	Monitoring
MWR-12	12/02/98	20	2	5-20	Existing	Monitoring
MWR-13	Prior to 1999 ²	--	--	--	Damaged	Abandon
MWR-14	Prior to 1999 ²	--	--	--	Reported missing/destroyed ²	
MWR-15	Prior to 1999 ²	--	--	--	Existing-dry	Abandon
MWR-16	Prior to 1999 ²	--	--	--	Reported missing/destroyed ²	
MWR-17	Prior to 1999 ²	--	--	--	Reported missing/destroyed ²	
MWR-18	Prior to 1999 ²	--	--	--	Abandoned	--
MWR-19	Prior to 1999 ²	--	--	--	Reported missing/destroyed ²	
MWR-20	Prior to 1999 ²	--	--	--	Existing-dry	Abandon
MWR-21	Prior to 1999 ²	--	--	--	Reported missing/destroyed ²	
MWR-22	Prior to 1999 ²	--	--	--	Reported missing/destroyed ²	
MWR-23	08/15/05	22	4	11-21	Existing	Monitoring
MWR-24	08/15/05	21.5	4	10.5-20.5	Existing	Monitoring
MWR-25	08/15/05	22	4	11-21	Existing	Monitoring
MWR-26	08/15/05	21.7	4	11-21	Existing	Monitoring
MWR-27	08/16/05	22	4	11-21	Existing	Monitoring
MWR-28	08/16/05	22	4	11-21	Existing	Monitoring

Table 4: Groundwater Monitoring Well Details and Operational Status						
Well Name	Date Drilled	Well Depth (ft bgs)	Diameter (inches)	Screened Interval (ft bgs)	Current Status ¹	Proposed Use / Action
MWR-29	08/16/05	22	4	11-21	Existing	Monitoring
MWR-30	08/17/05	22	4	11-21	Existing	Monitoring
MWR-31	08/17/05	22	4	11-21	Existing	Monitoring
MWR-32	08/17/05	22.3	4	11.5-21.5	Existing	Monitoring
CTF Facility						
KMW-2	01/02/01	30	4	16-30	Existing	Monitoring
KMW-4 ³	01/02/01	25	4	--	Existing	Monitoring
KMW-6 ³	01/02/01	27.8	4	--	Existing	Monitoring
KMW-8 ³	11/13/14	31	4	15-30	Existing	Monitoring
KMW-9 ³	11/13/14	31	4	15-30	Existing	Monitoring
KMW-10 ³	12/10/15	30	4	15-30	Existing	Monitoring
KMW-11 ³	12/09/15	30	4	15-30	Existing	Monitoring
MBRMW-1	05/18/05	24	4	13-23	Existing	Monitoring
MBRMW-2	05/18/05	26	4	14-25	Existing	Monitoring
MBRMW-3	05/17/05	21	4	10-20	Existing	Monitoring
MBRMW-4	09/29/05	31	4	15-30	Existing	Monitoring
Pond S6						
RMW-1	03/31/04	30	2	15-30	Existing	Monitoring
RMW-2	03/30/04	30	2	15-30	Existing	Monitoring
RMW-3	03/30/04	30	2	15-30	Existing	Monitoring
RMW-4	09/27/05	31	4	15-30	Existing	Monitoring
RMW-5	09/27/05	31	4	15-30	Existing	Monitoring
Central Lathrop Specific Plan (CLSP)						
CLSP-1	01/22/03	16.5	2	6.5-16.5	Existing	Standby ⁵
CLSP-2	01/22/03	16.5	2	6.5-16.5	Damaged	Abandon
CLSP-3	01/22/03	16.5	2	6.5-19.5	Existing	Monitoring
CLSP-4	01/22/03	16.5	2	6.5-16.5	Existing	Abandon
CLSP-5	01/22/03	16.5	2	6.5-16.5	Abandoned	--
CLSP-6	01/14/03	16.5	2	6.5-16.5	Abandoned	--
CLSP-7	01/14/03	16.5	2	6.5-16.5	Abandoned	--
CLSP-8	01/14/03	16.5	2	6.5-16.5	Unknown	Unknown
CLSP-9	01/17/03	16.5	2	6.5-16.5	Existing	Monitoring
CLSP-10	01/17/03	16	2	6-16	Damaged	Abandon

Table 4: Groundwater Monitoring Well Details and Operational Status						
Well Name	Date Drilled	Well Depth (ft bgs)	Diameter (inches)	Screened Interval (ft bgs)	Current Status ¹	Proposed Use / Action
North Lathrop						
MW-N1	12/02/04	21.5	--	--	Unknown	Unknown
MW-N2	12/02/04	21.5	--	--	Unknown	Unknown
MW-N3	12/02/04	21.5	--	--	Existing	Standby ⁵
MW-N4	12/02/04	21.5	--	--	Existing	Standby ⁵
MW-N5	12/02/04	21.5	--	--	Inaccessible	Unknown
MW-N6	12/02/04	26.5	--	--	Inaccessible	Unknown
NMW-1	07/12/05	25.5	4	15.5-25.5	Unknown	Unknown
NMW-2	07/12/05	20	4	10-20	Existing	Standby ⁵
NMW-3	07/13/05	20	4	10-20	Existing	Standby ⁵
NMW-4	07/13/05	20	4	10-20	Unknown	Unknown
NMW-5	07/13/05	20	4	10-20	Unknown	Unknown
South Lathrop Specific Plan (SLSP)						
MW-S1	05/03/04	21	--	--	Existing	Standby ⁵
MW-S2	05/03/04	21	--	--	Existing	Standby ⁵
MW-S3	05/03/04	21	--	--	Existing	Standby ⁵
MW-S4	05/03/04	21	--	--	Existing	Standby ⁵
MW-S5	05/03/04	21	--	--	Existing	Standby ⁵

¹ Status as of October 2015.

² As documented in Monitoring Well Location Study, 13 January 2006, ENGEO.

³ Monitoring well associated with Crossroads Wastewater Treatment Facility.

⁴ Condition last observed in February 2007.

⁵ Well located where future recycled water storage or use areas are anticipated. Currently, no plans to construct specified storage or disposal features. Well may be utilized for future groundwater monitoring once initiation of recycled water use.

Groundwater monitoring data has been collected from many of these well locations for nearly ten years or more. The resulting groundwater monitoring data illustrate high spatial and temporal variability, as reflected by the variability of shallow groundwater gradient directions and water quality. Baseline groundwater conditions were identified as impacted by salinity constituents TDS, chloride, and sulfate; along with sulfates, iron, and manganese. Groundwater pollution is likely the result of local and regional long term agricultural practices. Thus, baseline conditions were used to evaluate pre-discharge groundwater quality.

Basin Plan, Beneficial Uses, and Regulatory Considerations

Local drainage is to San Joaquin River, which is a tributary to the Sacramento-San Joaquin Delta. The beneficial uses of San Joaquin River as stated in the Basin Plan, are municipal and domestic supply; agricultural supply; industrial process supply; industrial service

supply; water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; wildlife habitat; and navigation. The beneficial uses of underlying groundwater as set forth in the Basin Plan are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.

Antidegradation Analysis

Use Areas. Due to the extreme spatial variability of TDS concentrations in shallow groundwater across the Lathrop development areas, the local variability in groundwater flow, and the characteristics of recycled water, the anti-degradation analysis in Order R5-2015-0006 focused on specific Use Areas that illustrate typical groundwater conditions within each development areas that has or will have Use Areas.

As stated in Order R5-2015-006, constituents of concern that have the potential to degrade groundwater quality are salts (primarily TDS, sodium, and chloride) and nitrate, as discussed below. For the purpose of this evaluation, TDS is representative of overall salinity.

The following recycled water Use Areas were identified as representing typical groundwater conditions within their respective development area: River Islands Use Area A28, River Islands Use Areas A30/A31, Mossdale Use Area A23, Northern Lathrop planned Use Areas A1-13 and A17-19, and CLSP planned Use Areas L01 - L100. Each has an existing network of shallow groundwater monitoring wells and groundwater monitoring data collected prior to and, in the case of existing Use Areas, after initiation of recycled water discharge. Compliance wells are those that are located within recycled water Use Areas because those wells are most susceptible to water quality changes as a result of recycled water use.

- a. **River Islands – Use Area A28:** Groundwater quality in this existing Use Area is substantially more saline than the treated effluent. Pre-discharge groundwater monitoring data collected from monitoring well MWR-24 (located within recycled water Use Area A28) reflects average TDS, chloride, and sodium concentrations of 2,820 mg/L, 948 mg/L, and 1,010 mg/L, respectively. These average concentrations each exceed their corresponding water quality objectives.

Mean groundwater TDS concentrations in background monitoring wells for Area A28 (MWR-3, MWR-23, and MWR-25) currently range from 2,108 mg/L to 3,610 mg/L, which exceed both the average recycled water TDS concentration of 688 mg/L and the short-term maximum secondary MCL of 1,500 mg/L. Monitoring wells further distant around the perimeter of recycled water use Area A28 (MWR-1, MWR-4, MWR-15, and MWR-26) have mean TDS concentrations ranging from 1,090 mg/L to 1,484 mg/L. A comparison of average treated effluent and groundwater quality data for Use Area A28 is provided below.

Land Development Area: River Islands					
Recycled Water Use Area: A28			Irrigated Acres: 30.63		
Parameter ¹	Treated Effluent ²	Potential Compliance Well ³	Background Wells ³		Potential Water Quality Objective
		MWR-24	MWR-23	MWM-25	
TDS	688	5,741	2,361	2,108	450 ⁴ - 1,000 ⁵
Chloride	194	2,346	928	904	250 ⁴ - 500 ⁵
Sodium	181	655	407	347	69 ⁴
Nitrate nitrogen	7.0 ⁷	1.0	7.3	0.8	10 ⁶

- ¹ Monitoring data reported in milligrams per liter (mg/L).
- ² Mean effluent data (January 2011 through September 2013).
- ³ Average groundwater monitoring data (July 2006 through April 2014).
- ⁴ Lowest agricultural water quality goal.
- ⁵ Upper Secondary Maximum Contaminant Level.
- ⁶ Secondary Maximum Contaminant Level.
- ⁷ Effluent total nitrogen is used here to evaluate the threat of degradation with nitrate nitrogen.
- ⁸ Primary Maximum Contaminant Level.

TDS, chloride, and sodium concentrations both background and compliance wells greatly exceed the respective water quality objectives at this Use Area. Although compliance well concentrations for salinity constituents greatly exceed those in the background wells, this condition was apparent prior to any discharge to this Use Area. Since the discharge began in 2010, TDS concentrations in the compliance well improved somewhat but continue to exceed the water quality objective. Based on a comparison of treated effluent and groundwater quality trends, the use of recycled water in this area poses no threat of contributing to the existing condition of pollution.

Because salinity constituents in groundwater exceeded water quality objectives prior to the discharge, the Basin Plan's Controllable Factors Policy is applicable. The Controllable Factors Policy does not allow controllable factors, such as a discharge of waste, to cause further degradation of water quality where other uncontrollable factors have already caused exceedance of a water quality objective. This Order prohibits any further degradation of groundwater quality and includes a performance based TDS effluent limit that will restrict effluent salinity to ensure compliance with the Controllable Factors Policy.

Because there is no threat of further degradation, this Order does not require continued groundwater monitoring in this area.

River Islands – Use Areas A30 & A31: Groundwater quality in and around these two Use Areas is of lower quality than the treated effluent. Pre-discharge groundwater monitoring data collected from monitoring well MWR-28 (located within Use Area A30) has an average TDS concentration of 3,677 mg/L, and data from monitoring well MWR-32 (located within Use Area A31) has an average TDS concentration of 2,904 mg/L. These pre-discharge concentrations exceed the short-term maximum secondary MCL of 1,500 mg/L. Use Area A30 has received recycled water since 2010, but Use Area A31 has not yet received recycled water.

Mean groundwater TDS concentrations in A30's background monitoring wells (MWR-12 and MWR-27) currently range from 1,221 and 2,286 mg/L, which exceed both the average recycled water TDS concentration of 688 mg/L and the short-term maximum secondary MCL of 1,500 mg/L. Likewise, mean TDS concentrations in A31's background monitoring wells MWR-11, MWR-29, and MWR-31 range from 1,448 to 3,771 mg/L. A comparison of average treated effluent and groundwater quality data is provided below.

Land Development Area: River Islands				
Recycled Water Use Area: A30/A31			Irrigated Acres: 130.2	
Parameter ¹	Treated Effluent ²	Mean Analytical Results ³		Potential Water Quality Objective
		Potential Compliance Wells ⁴	Background Wells ⁵	
TDS	688	3,242	2,150	450 ⁶ – 1,000 ⁷
Chloride	194	1,194	756	250 ⁶ - 500 ⁷
Sodium	181	414	249	69 ⁶
Nitrate nitrogen	7.0 ⁹	1.3	1.9	10 ¹⁰

- ¹ All analytical data reported in milligrams per liter (mg/L).
- ² Mean effluent data (January 2011 through September 2013).
- ³ Average groundwater monitoring data (May 2010 through April 2014).
- ⁴ Compliance wells include MWR-28 (A30) and MWR-32 (A31).
- ⁵ Background wells include MWR-11, MWR-12, MWR-27, and MWR-31.
- ⁶ Lowest agricultural water quality goal.
- ⁷ Upper Secondary Maximum Contaminant Level.
- ⁸ Secondary Maximum Contaminant Level.
- ⁹ Effluent total nitrogen is used here to evaluate the threat of degradation with nitrate nitrogen.
- ¹⁰ Primary Maximum Contaminant Level.

TDS, chloride, and sodium concentrations in both background and compliance wells greatly exceed the respective water quality objectives at these two Use Areas. Although compliance well concentrations for salinity constituents greatly exceed those in the background wells, this condition was apparent prior to any discharge to Use Area A30. Groundwater salinity constituent concentrations in Use Areas A30

and A31 have been both spatially and temporally variable prior to and since the discharge to Use Area A30 began. TDS concentrations in A30 compliance well MWR-28 initially declined after discharge to A30 began in 2010 but then rebounded to pre-discharge conditions. In nearby A31 compliance well MWR-32, the TDS concentration trend is similar to that of MRW-28 even though there has been no discharge to Use Area A31. Based on a comparison of treated effluent and groundwater quality trends, the use or recycled water in this area poses no threat of contributing to the existing condition of pollution.

Because salinity constituents in groundwater exceeded water quality objectives prior to the discharge, the Basin Plan's Controllable Factors Policy is applicable. The Controllable Factors Policy does not allow controllable factors, such as a discharge of waste, to cause further degradation of water quality where other uncontrollable factors have already caused exceedance of a water quality objective. This Order prohibits any further degradation of groundwater quality and includes a performance based TDS effluent limit that will restrict effluent salinity to ensure compliance with the Controllable Factors Policy.

Because there is no threat of further degradation, this Order does not require continued groundwater monitoring in this area.

- b. **Mossdale – Use Area A23:** Groundwater quality in the Mossdale area is generally of lower quality than the treated effluent. Pre-discharge groundwater monitoring data collected from monitoring well MWM-12, which is located within recycled water Use Area A23, reflects mean TDS, chloride, and sodium concentrations of 2,820 mg/L, 948 mg/L, and 1,010 mg/L, respectively. These pre-discharge concentrations greatly exceed their corresponding water quality objectives.

Recycled water was discharged to Use Area A23 from May 2006 through September 2009. Post-discharge groundwater monitoring data collected from monitoring well MWM-12 from 2009 through 2014 reflects mean TDS, chloride, and sodium concentrations of 2,656 mg/L, 1,096 mg/L, and 1,019 mg/L, respectively, which indicates the discharge has caused no degradation. A comparison of average treated effluent and groundwater quality data are provided below.

Land Development Area: Mossdale					
Recycled Water Use Area: A23			Irrigated Acres: 11.52		
Parameter ¹	Treated Effluent ²	Compliance Well ³	Background Wells ³		Potential Water Quality Objective
		MWM-12	MWM-13	MWM-11	
TDS	688	2,811	2,035	3,110	450 ⁴ - 1,000 ⁵
Chloride	194	1,117	556	1,369	250 ⁴ - 500 ⁵
Sodium	181	1,007	702	658	69 ⁴
Sulfate	49.5	250	318	284	250 ⁶
Nitrate nitrogen	7.0 ⁷	3.4	3.7	0.4	10 ⁸

- ¹ Monitoring data reported in milligrams per liter (mg/L).
- ² Mean effluent data (January 2011 through September 2013).
- ³ Average groundwater monitoring data (July 2006 through April 2014).
- ⁴ Lowest agricultural water quality goal.
- ⁵ Upper Secondary Maximum Contaminant Level.
- ⁶ Secondary Maximum Contaminant Level.
- ⁷ Effluent total nitrogen is used here to evaluate the threat of degradation with nitrate nitrogen.
- ⁸ Primary Maximum Contaminant Level.

TDS, chloride, and sodium concentrations in both background and compliance wells greatly exceed the respective water quality objectives at this Use Area. Although compliance well concentrations for salinity constituents exceed those of the background wells, this condition was apparent prior to any discharge to this Use Area. Groundwater salinity concentrations in MWR-12 increased briefly during the discharge of recycled water to Use Area A23, but declined to pre-discharge levels in 2008, approximately one year before the use of recycled water stopped. After the discharge was discontinued, TDS concentrations decreased gradually to about 2,600 mg/L, but still remain above the upper Secondary Maximum Contaminant Level of 1,500 mg/L. Based on a comparison of treated effluent and groundwater quality trends, the use of recycled water in this area poses no threat of contributing to the existing condition of pollution.

Because salinity constituents in groundwater exceeded water quality objectives prior to the discharge, the Basin Plan's Controllable Factors Policy is applicable. The Controllable Factors Policy does not allow controllable factors, such as a discharge of waste, to cause further degradation of water quality where other uncontrollable factors have already caused exceedance of a water quality objective. This Order prohibits any further degradation of groundwater quality and includes a performance based TDS effluent limit that will restrict effluent salinity to ensure compliance with the Controllable Factors Policy.

Because there is no threat of degradation, this Order does not require continued groundwater monitoring in this area.

- c. **Northern Lathrop (Planned Use Areas):** Groundwater quality in North Lathrop is generally of lower quality than the treated effluent. Pre-discharge groundwater monitoring data collected from eleven monitoring wells (MW-N1 through MW-N6 and NMW-1 through NMW-5) between 2005 and 2006 show average TDS, chloride, sodium, and nitrate nitrogen concentrations that often greatly exceed the respective water quality objectives. Additionally, one monitoring well (NMW-4) exhibited TDS concentrations over ten times the Secondary Maximum Contaminant Level of 1,500 mg/L. A comparison of average treated effluent and groundwater quality data is provided below.

Land Development Area: Northern Lathrop (Planned Use Areas)				
Recycled Water Use Areas: A1 - A13 and A17 - 19			Irrigated Acres: 638.14	
Parameter ¹	Treated Effluent ²	Groundwater Concentrations ³		Potential Water Quality Objective
		Range	Mean	
TDS	688	910 - 18,000	2,740	450 ⁴ - 1,000 ⁵
Chloride	194	55 - 8,000	1,066	250 ⁴ - 500 ⁵
Sodium	181	126 - 1,800	495	69 ⁴
Sulfate	49.5	4.9 - 290	136	250 ⁶
Nitrate as N	7.0 ⁷	<0.1 - 102	29	10 ⁸

¹ Monitoring data reported in milligrams per liter (mg/L).

² Mean effluent data (January 2011 through September 2013).

³ Groundwater monitoring data MW-N1 through MW-N6 and NMW-1 through NMW-5 (January 2005 - July 2006).

⁴ Lowest agricultural water quality goal.

⁵ Upper Secondary Maximum Contaminant Level.

⁶ Secondary Maximum Contaminant Level.

⁷ Effluent total nitrogen is used here to evaluate the threat of degradation with nitrate nitrogen.

⁸ Primary Maximum Contaminant Level.

Where salinity constituent concentrations in groundwater exceeded water quality objectives prior to any discharge, the Basin Plan's Controllable Factors Policy is applicable. The Controllable Factors Policy does not allow controllable factors, such as a discharge of waste, to cause further degradation of water quality where other uncontrollable factors have already caused exceedance of a water quality objective.

Where pre-discharge concentrations meet water quality objectives, the Anti-degradation Policy applies and it is appropriate to allow degradation, but not exceedance of a water quality objective due to the use of recycled water. With few exceptions, pre-discharge TDS, chloride, sodium, and nitrate nitrogen concentrations

greatly exceed the respective water quality objectives throughout the Northern Lathrop development area. Based on a comparison of treated effluent and groundwater quality trends, the use of recycled water in this area poses no threat of contributing to the existing condition of pollution. In the limited areas where high quality groundwater exists, the discharge might cause degradation but is not likely to cause or contribute to exceedance of a water quality objective.

This analysis is based on data obtained between 2005 and 2006. However, current groundwater quality is not known and groundwater quality may change prior to initiation of water recycling in these areas. Therefore, updated pre-discharge groundwater monitoring is necessary before these Use Areas can receive recycled water.

- d. **CLSP (Planned Use Areas):** Approximately 199 acres of land within the CLSP development area have been identified as planned agricultural irrigation Use Areas. Pre-discharge groundwater quality indicates that shallow groundwater is generally of lower quality than the treated effluent. Pre-discharge groundwater monitoring data collected from ten monitoring wells (CLSP-1 through CLSP-10) between 2005 and 2006 show that average TDS, sodium, chloride, and nitrate nitrogen concentrations that greatly exceed the respective water quality objectives. A comparison of average treated effluent and groundwater quality data is provided below.

Land Development Area: CLSP (Planned Use Areas)				
Recycled Water Use Areas: L01 - L100			Irrigated Acres: 198.98	
Parameter ¹	Treated Effluent ²	Groundwater Concentrations ³		Potential Water Quality Objective
		Range	Mean	
TDS	688	308 – 4,160	1,727	450 ⁴ - 1,000 ⁵
Chloride	194	63 – 1,320	407	250 ⁴ - 500 ⁵
Sodium	181	62 – 1,250	407	69 ⁴
Nitrate nitrogen	7.0 ⁷	<0.01 - 26	10	10 ⁸

¹ Monitoring data reported in milligrams per liter (mg/L).

² Mean effluent data (August 2005 – September 2013).

³ Groundwater monitoring data from CLSP-1 through CLSP-10 (January 2005 – July 2006).

⁴ Lowest agricultural water quality goal.

⁵ Upper Secondary Maximum Contaminant Level.

⁶ Secondary Maximum Contaminant Level.

⁷ Effluent total nitrogen is used here to evaluate the threat of degradation with nitrate nitrogen.

⁸ Primary Maximum Contaminant Level.

With few exceptions, pre-discharge TDS, chloride, and sodium concentrations greatly exceed the respective water quality objectives throughout the CLSP development area.

In the limited areas where high quality groundwater exists, Use Areas A21 and A37, the discharge might cause degradation but is not likely to cause or contribute to exceedance of a water quality objective. Where pre-discharge concentrations meet water quality objectives, the Anti-degradation Policy applies and it is appropriate to allow degradation, but not exceedance of a water quality objective due to the use of recycled water

For all other planned Use Areas, salinity constituent concentrations in groundwater exceeded water quality objectives prior to any discharge, so the Basin Plan's Controllable Factors Policy is applicable. The Controllable Factors Policy does not allow controllable factors, such as a discharge of waste, to cause further degradation of water quality where other uncontrollable factors have already caused exceedance of a water quality objective.

This analysis is based on data obtained between 2005 and 2006. However, current groundwater quality is not known and groundwater quality may change prior to initiation of water recycling in these areas. Therefore, updated pre-discharge groundwater monitoring is necessary before these Use Areas can receive recycled water.

Groundwater in the western Lathrop area has been severely compromised through a combination of long term agricultural practices and regional drainage from the Central Valley into the San Joaquin Delta. The land development areas as described in Order R5-2015-0006 that receive recycled water are located in close proximity to surface water courses that influence shallow groundwater flow and water quality conditions, creating a complex hydrogeologic model.

The primary constituents of concern from the treated effluent that have the potential to degrade groundwater include salts (primarily TDS, sodium, and chloride). The presence of elevated iron and manganese in groundwater near the River Islands recycled water Use Areas indicates that reducing conditions not associated with the use of recycled water have mobilized these metals in shallow groundwater. Elevated concentrations of nitrate as nitrogen in North Lathrop are indicative of agricultural practices, as there has not been any discharge of recycled water in that area.

For TDS, sulfate, iron, manganese, and nitrate; groundwater monitoring data indicate that groundwater has not been degraded further by the discharge, and that the expanded discharge does not pose a threat of significant degradation in the future. This Order contains effluent limits that will ensure that the use of recycled water does not cause groundwater quality to get any worse. The use of recycled water at the Use Areas does not pose a threat of significant degradation because of the high quality of the effluent and the ability of landscaping and crops to consume nitrogen.

Based on the foregoing findings, this Order requires continued groundwater monitoring only for selected recycled water Use Areas that have the greatest potential to impact groundwater quality, and are of a sufficient size that such an impact will be recognizable above background conditions. Groundwater monitoring may also be required for new recycled water Use Areas, but not near existing or future lined effluent storage ponds.

LAS-3. For the purpose of evaluating potential future groundwater degradation at a new discharge location, groundwater quality was evaluated at LAS-3 in preparation of the 2016 WDRs. The primary constituents of concern from the treated effluent that have the potential to degrade groundwater include salts (primarily TDS, sodium, and chloride). Based on effluent quality and pre-discharge groundwater quality, elevated nitrate concentrations are likely the result of agricultural practices. In addition, elevated sulfate, boron, and manganese concentrations in groundwater near LAS-3 are likely natural occurring. This Order contains effluent limits that will ensure that the discharge of recycled water to percolation pond(s) does not cause groundwater quality to get any worse.

This Order includes groundwater limitations that implement Resolution 68-16 and the Controllable Factors Policy as applicable. If effluent or other future monitoring data indicate an increased threat to groundwater quality, groundwater monitoring may be required in other areas at the Executive Officer's discretion.

Legal Effect of Rescission of Prior WDRs or Orders on Existing Violations

The Board's rescission of prior waste discharge requirements and/or monitoring and reporting orders does not extinguish any violations that may have occurred during the time those waste discharge requirements or orders were in effect. The Central Valley Water Board reserves the right to take enforcement actions to address violations of prior prohibitions, limitations, specifications, requirements, or provisions of rescinded waste discharge requirements or orders as allowed by law.

Discharge Prohibitions, Specification, and Provisions

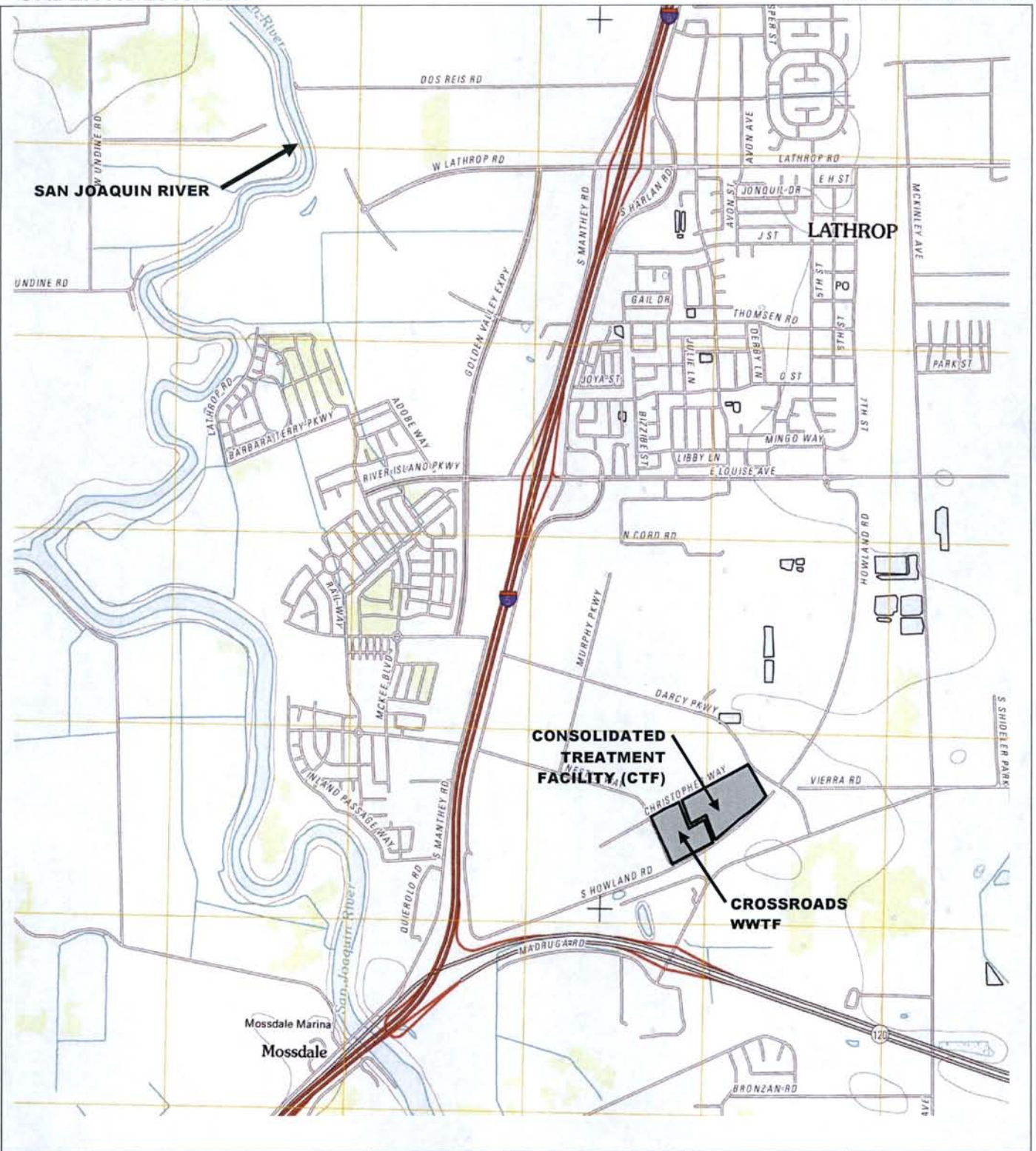
This Order establishes effluent and groundwater limitations for the CTF that will not unreasonably threaten present and anticipated beneficial uses or result in groundwater quality that exceeds water quality objectives set forth in the Basin Plan.

This Order restricts influent flows to the CTF as an average dry weather flow (ADWF) of 0.75 mgd. The flow limit can be increased up to a maximum of 6.0 mgd upon approval by the Executive Officer.

This Order contains effluent limits that ensure that the discharge will not cause exceedance of a water quality objective in groundwater and comply with Title 22. This Order prescribes groundwater limitations that ensure the discharge does not affect present and anticipated future beneficial uses of groundwater.


This Order is also a Master Recycling Permit with requirements consistent with the Water Code section 13523.1, including the requirement to establish and have authority to enforce rules and/or regulations for recycled water Users governing the design and construction of recycled water use facilities and the use of recycled water in accordance with water recycling criteria established in Title 22, California Code of Regulations and this Order.

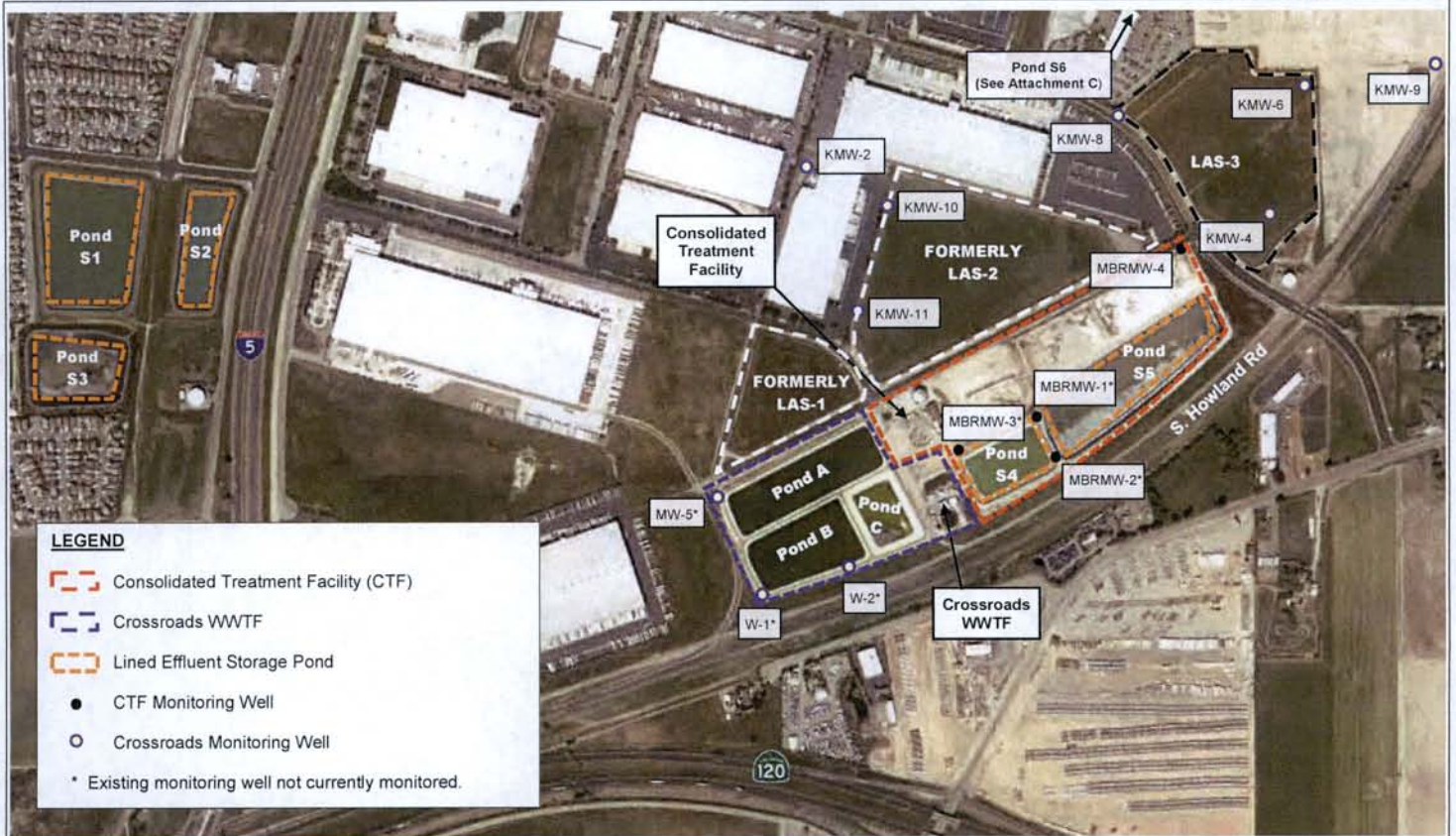
The Monitoring and Reporting Program is designed to verify compliance with effluent limitations and operational requirements of the WDRs.



Drawing Reference:
 USGS 7.5' Quadrangle
 Lathrop, CA
 City of Lathrop
 Best Practical Treatment and Control
 Evaluation Workplan, January 2005

LOCATION MAP
 CITY OF LATHROP
 CONSOLIDATED TREATMENT FACILITY
 SAN JOAQUIN COUNTY


 Approx. Scale:
 1" = 2,700'

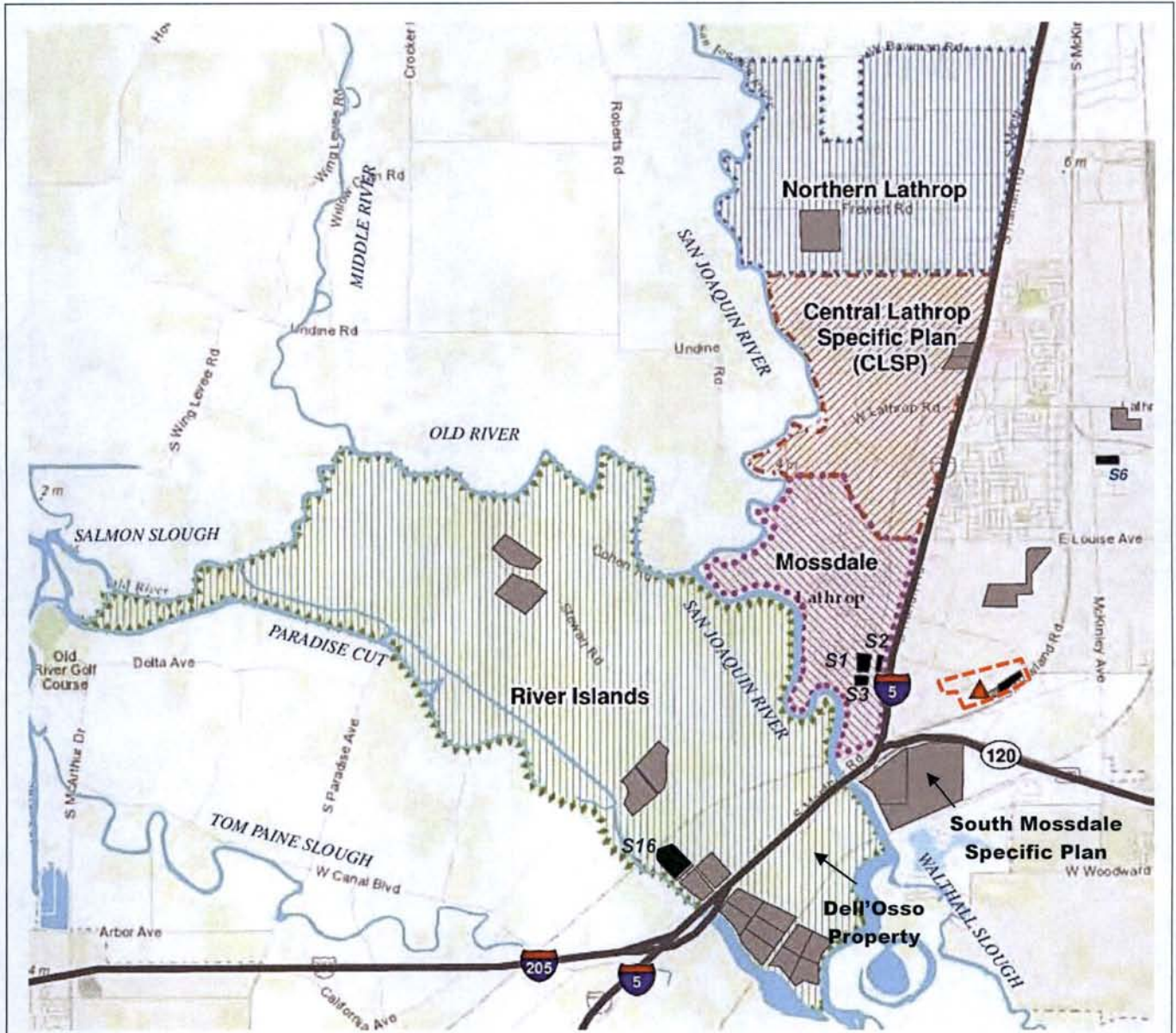


Drawing Reference:
 City of Lathrop
 Report of Waste Discharge, March 2014
 Modified from Google Earth, December 2014






Approx. scale
 1 in. = 850 ft.

CONSOLIDATED TREATMENT FACILITY MAP
 CITY OF LATHROP
 CONSOLIDATED TREATMENT FACILITY
 SAN JOAQUIN COUNTY



LEGEND



Development Areas with Recycled Water Use

-  CLSP
-  Mossdale
-  River Islands
-  Northern Lathrop



Consolidated Treatment Facility

Effluent Storage Pond

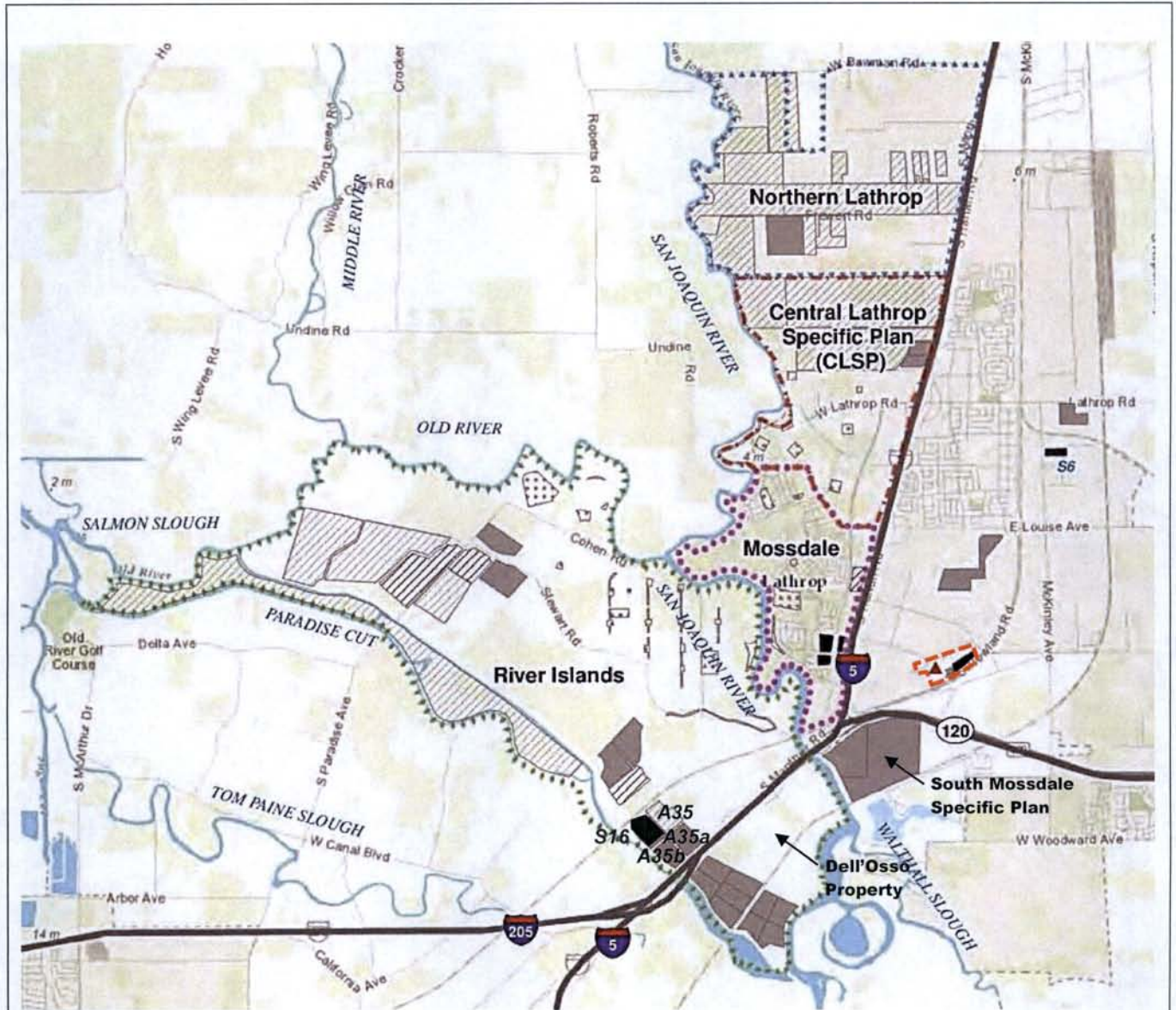
-  Existing
-  Planned

Drawing Reference:
 City of Lathrop
 Report of Waste Discharge
 March 2014

EFFLUENT STORAGE POND OVERVIEW
 CITY OF LATHROP
 CONSOLIDATED TREATMENT FACILITY
 SAN JOAQUIN COUNTY



approx. scale
 1 in. = 6,700 ft.



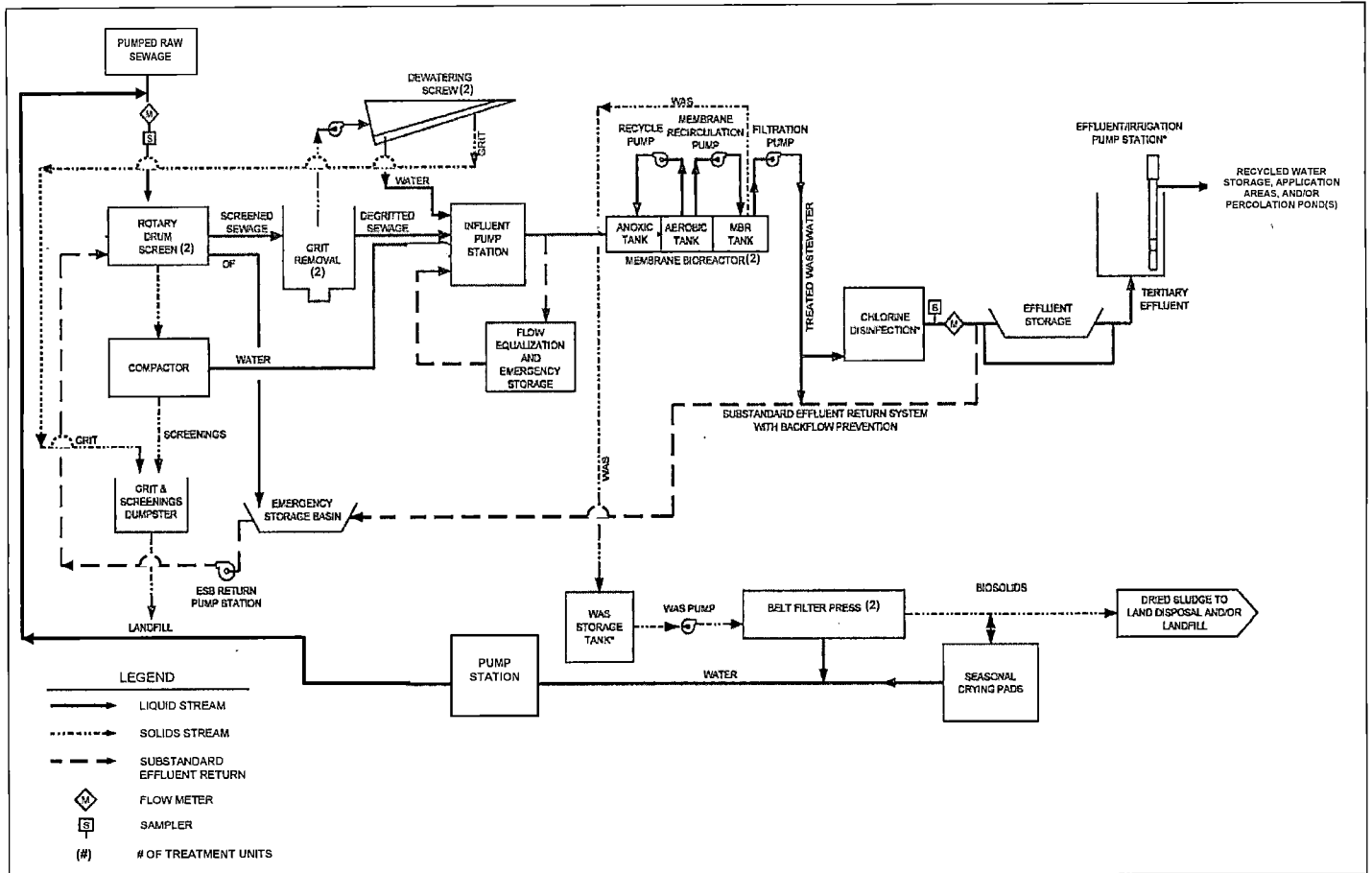
LEGEND

Development Areas with Recycled Water Use	Consolidated Treatment Facility	Agricultural Use Areas
CLSP	Effluent Storage Pond	Existing
Mossdale	Existing	Planned
River Islands	Planned	Landscape Use Areas
Northern Lathrop		Planned

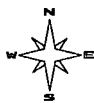
Drawing Reference:
 City of Lathrop
 Report of Waste Discharge
 March 2014

RECYCLED WATER USE AREA OVERVIEW
 CITY OF LATHROP
 CONSOLIDATED TREATMENT FACILITY
 SAN JOAQUIN COUNTY

approx. scale
 1 in. = 6,700 ft.



Approximate Scale:
Not to Scale



Drawing Reference:
Modified from Process Flow Schematic
City of Lathrop
RWD, June 2015

PROCESS FLOW SCHEMATIC
CITY OF LATHROP
CONSOLIDATED TREATMENT FACILITY
SAN JOAQUIN COUNTY



LEGEND

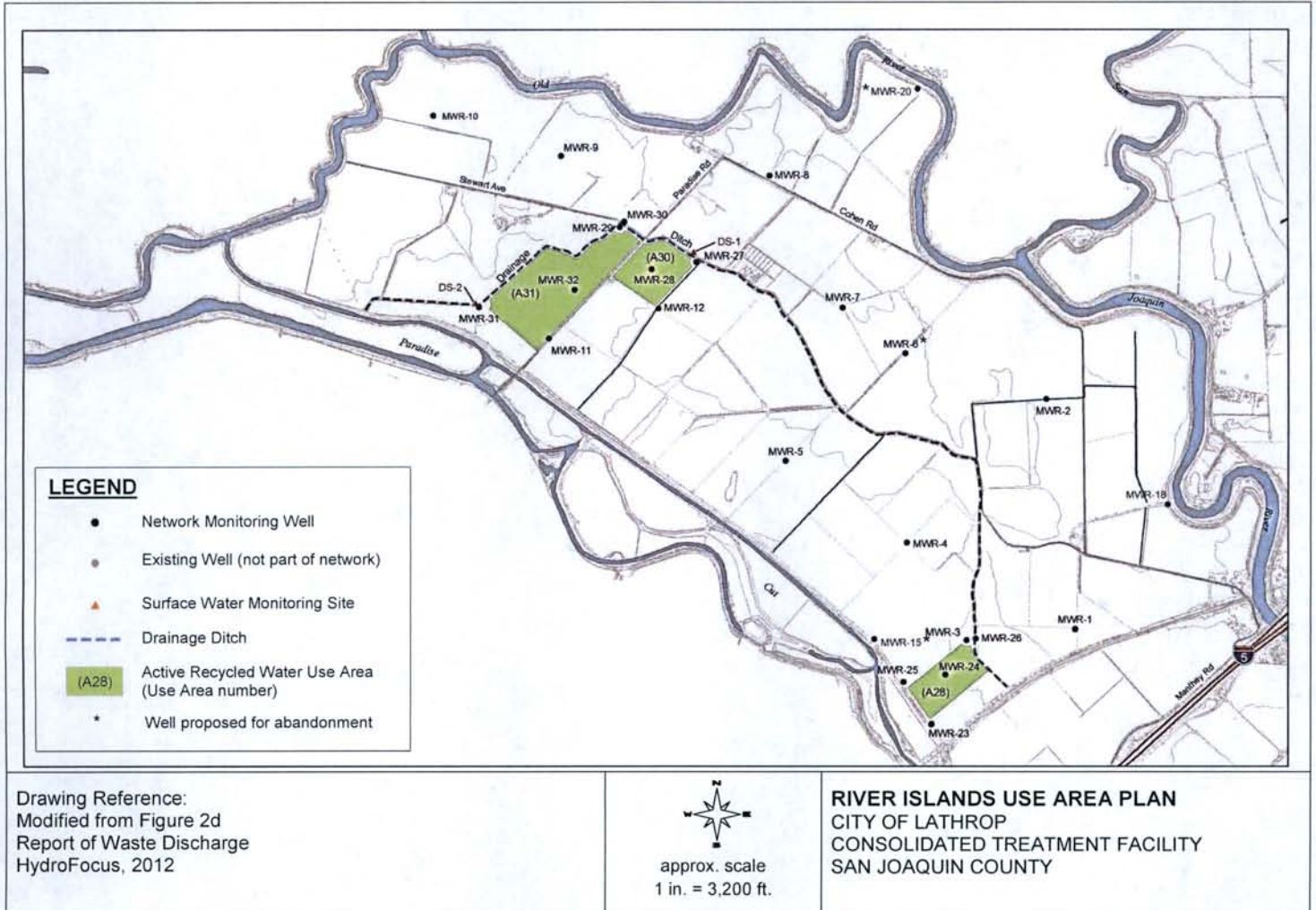
- Network Monitoring Well
- Existing Well (not part of network)
- (A28) Recycled Water Use Area (Use Area number)
- (S2) Lined Effluent Storage Pond (Pond number)
- * Well proposed for abandonment

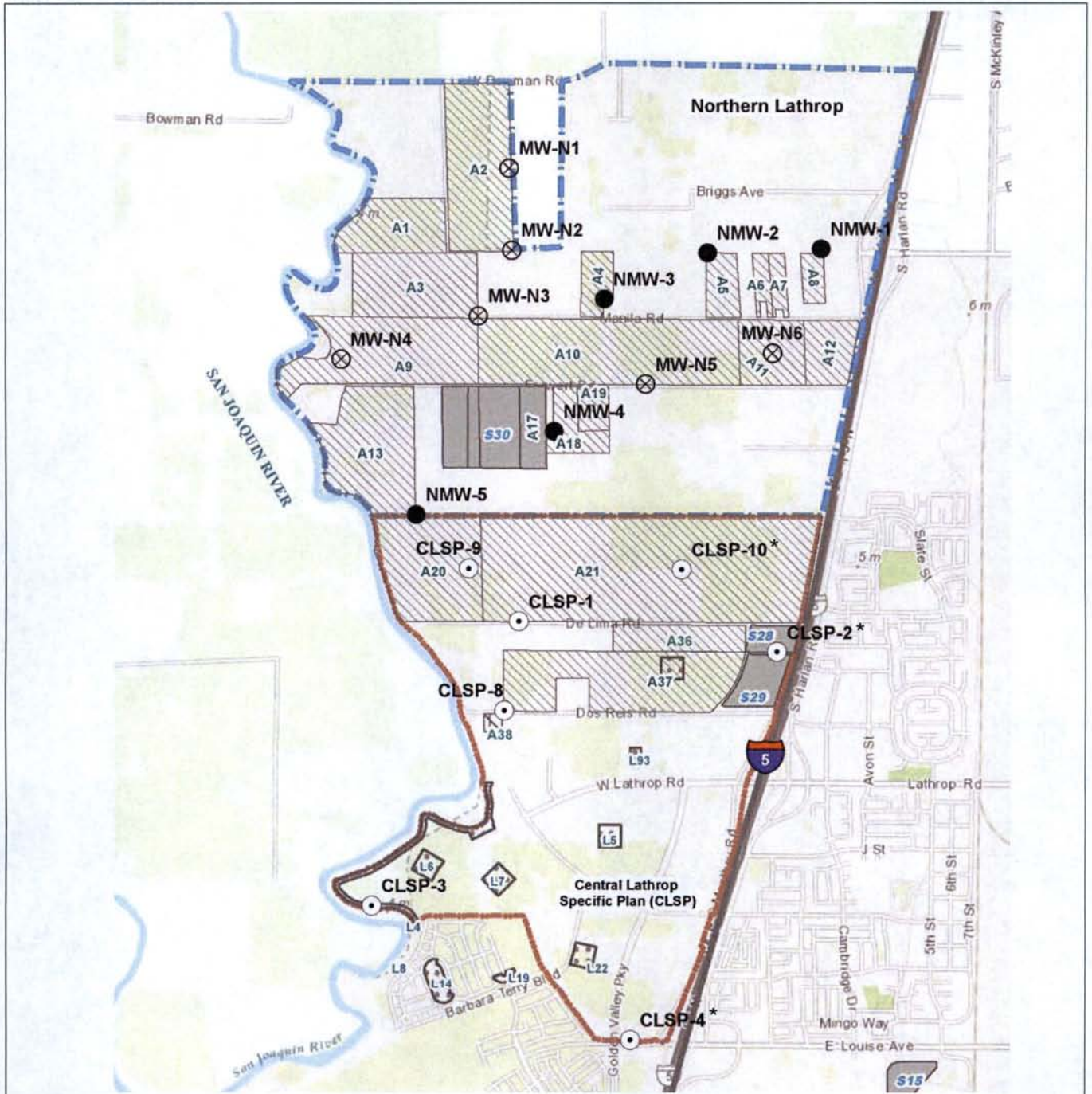
Not all Use Areas shown

Drawing Reference:
 Quarterly Monitoring Report
 HydroFocus, 2012

approx. scale
 1 in. = 1,300 ft.

MOSSDALE USE AREA PLAN
 CITY OF LATHROP
 CONSOLIDATED TREATMENT FACILITY
 SAN JOAQUIN COUNTY





LEGEND

Monitoring Locations

- CLSP Wells
- ⊗ MW-N Wells
- NMW Wells

Development Areas with Recycled Water Use

- ▭ CLSP
- ▭ Northern Lathrop

Effluent Storage Pond

- ▭ Existing
- ▭ Planned

Agricultural Use Areas

- ▭ Existing
- ▭ Planned

Landscape Use Areas

- ▭ Planned

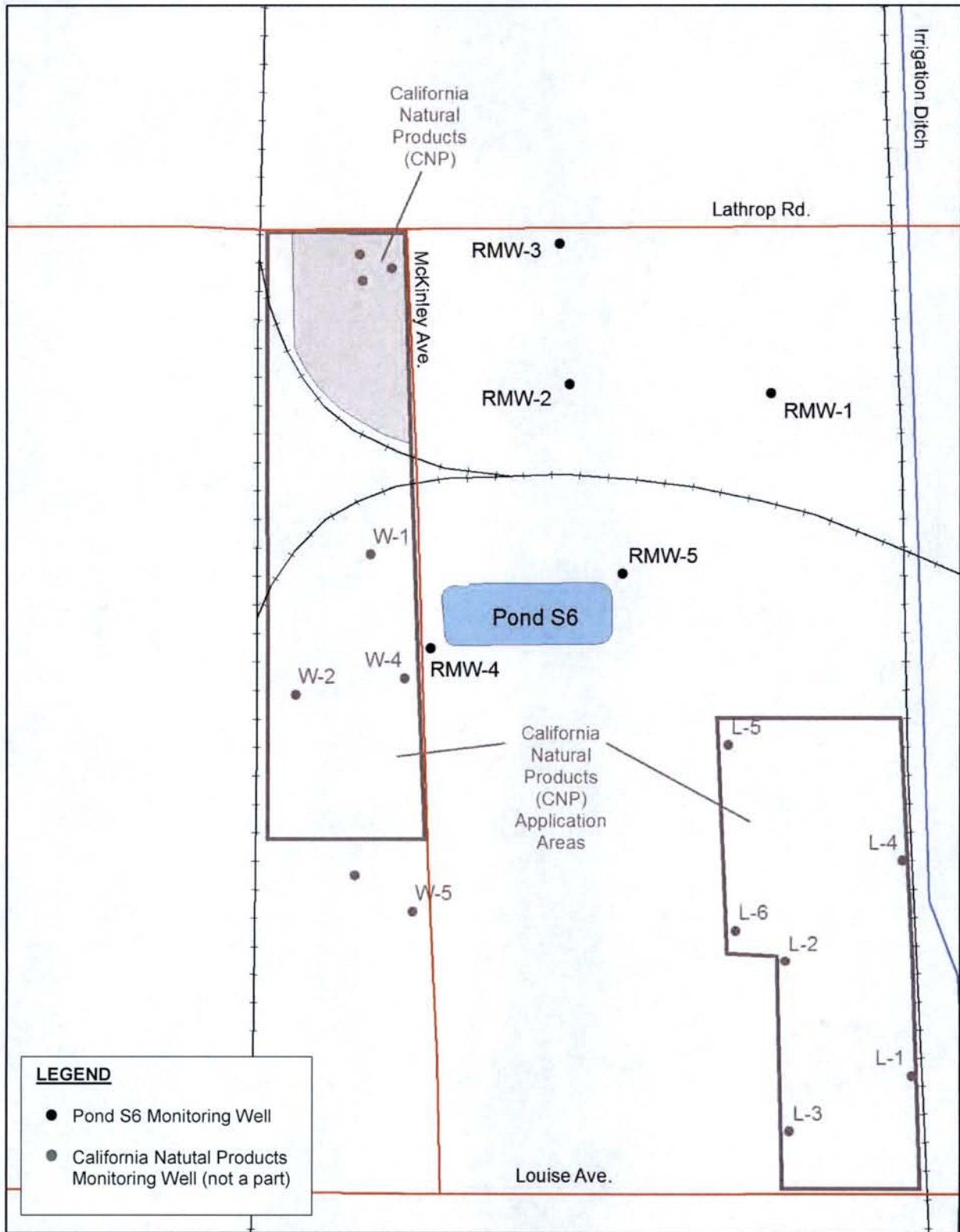
* Well proposed for abandonment

Drawing Reference:
City of Lathrop
Report of Waste Discharge
RMC, 2014



approx. scale
1 in. = 3,000 ft.

**PLANNED NORTH LATHROP AND
CLSP USE AREA SITE PLAN**
CITY OF LATHROP
CONSOLIDATED TREATMENT FACILITY
SAN JOAQUIN COUNTY




LEGEND

- Pond S6 Monitoring Well
- California Natutal Products Monitoring Well (not a part)

Drawing Reference:
 City of Lathrop
 Report of Waste Discharge
 March 2014

LATHROP ROAD / POND S6 AREA
 CITY OF LATHROP
 CONSOLIDATED TREATMENT FACILITY
 SAN JOAQUIN COUNTY



approx. scale
 1 in. = 795 ft.



INTERNATIONAL SYMBOL FOR NONPOTABLE WATER

ORDER R5-2016-0028
WASTE DISCHARGE REQUIREMENTS
AND
MASTER RECYCLING PERMIT
CITY OF LATHROP
LATHROP CONSOLIDATED TREATMENT FACILITY
SAN JOAQUIN COUNTY

ATTACHMENT J

ATTACHMENT K

REQUIREMENTS FOR MONITORING WELL INSTALLATION WORKPLANS AND MONITORING WELL INSTALLATION REPORTS

Prior to installation of groundwater monitoring wells, the Discharger shall submit a workplan containing, at a minimum, the information listed in Section 1 below. Wells may be installed after staff approves the workplan. Upon installation of the monitoring wells, the Discharger shall submit a well installation report that includes the information contained in Section 2 below. All workplans and reports must be prepared under the direction of, and signed by, a registered geologist or civil engineer licensed by the State of California.

SECTION 1 - Monitoring Well Installation Workplan and Groundwater Sampling and Analysis Plan

The monitoring well installation workplan shall contain the following minimum information:

A. General Information:

- Purpose of the well installation project.
- Brief description of local geologic and hydrogeologic conditions.
- Proposed monitoring well locations and rationale for well locations.
- Topographic map showing facility location, roads, and surface water bodies.
- Large scaled site map showing all existing on-site wells, proposed wells, surface drainage courses, surface water bodies, buildings, waste handling facilities, utilities, and major physical and man-made features.

B. Drilling Details:

- On-site supervision of drilling and well installation activities.
- Description of drilling equipment and techniques.
- Equipment decontamination procedures.
- Soil sampling intervals (if appropriate) and logging methods.

C. Monitoring Well Design (in narrative and/or graphic form):

Diagram of proposed well construction details:

- Borehole diameter.
- Casing and screen material, diameter, and centralizer spacing (if needed).
- Type of well caps (bottom cap either screw on or secured with stainless steel screws).
- Anticipated depth of well, length of well casing, and length and position of perforated interval.
- Thickness, position and composition of surface seal, sanitary seal, and sand pack.
- Anticipated screen slot size and filter pack.

D. Well Development (not to be performed until at least 48 hours after sanitary seal placement):

- Method of development to be used (i.e., surge, bail, pump, etc.).

Parameters to be monitored during development and record keeping technique.
Method of determining when development is complete.
Disposal of development water.

- E. Well Survey (precision of vertical survey data shall be at least 0.01 foot):
Identify the Licensed Land Surveyor or Civil Engineer that will perform the survey.
Datum for survey measurements.
List well features to be surveyed (i.e. top of casing, horizontal and vertical coordinates, etc.).
- F. Schedule for Completion of Work
- G. Appendix: Groundwater Sampling and Analysis Plan (SAP)
The Groundwater SAP shall be included as an appendix to the workplan, and shall be utilized as a guidance document that is referred to by individuals responsible for conducting groundwater monitoring and sampling activities.

Provide a detailed written description of standard operating procedures for the following:

- Equipment to be used during sampling.
- Equipment decontamination procedures.
- Water level measurement procedures.
- Well purging (include a discussion of procedures to follow if three casing volumes cannot be purged).
- Monitoring and record keeping during water level measurement and well purging (include copies of record keeping logs to be used).
- Purge water disposal.
- Analytical methods and required reporting limits.
- Sample containers and preservatives.
- Sampling:
 - General sampling techniques.
 - Record keeping during sampling (include copies of record keeping logs to be used).
 - QA/QC samples.
- Chain of Custody.
- Sample handling and transport.

SECTION 2 - Monitoring Well Installation Report

The monitoring well installation report must provide the information listed below. In addition, the report must also clearly identify, describe, and justify any deviations from the approved workplan.

- A. General Information:
Purpose of the well installation project.
Brief description of local geologic and hydrogeologic conditions encountered during installation of the wells.

Number of monitoring wells installed and copies of County Well Construction Permits.
Topographic map showing facility location, roads, surface water bodies.
Scaled site map showing all previously existing wells, newly installed wells, surface water bodies, buildings, waste handling facilities, utilities, and other major physical and man-made features.

B. Drilling Details (in narrative and/or graphic form):

On-site supervision of drilling and well installation activities.

Drilling contractor and driller's name.

Description of drilling equipment and techniques.

Equipment decontamination procedures.

Soil sampling intervals and logging methods.

Well boring log:

- Well boring number and date drilled.
- Borehole diameter and total depth.
- Total depth of open hole (same as total depth drilled if no caving or back-grouting occurs).
- Depth to first encountered groundwater and stabilized groundwater depth.
- Detailed description of soils encountered, using the Unified Soil Classification System.

C. Well Construction Details (in narrative and/or graphic form):

Well construction diagram, including:

- Monitoring well number and date constructed.
- Casing and screen material, diameter, and centralizer spacing (if needed).
- Length of well casing, and length and position of perforated interval.
- Thickness, position and composition of surface seal, sanitary seal, and sand pack.
- Type of well caps (bottom cap either screw on or secured with stainless steel screws).

E. Well Development:

Date(s) and method of development.

How well development completion was determined.

Volume of water purged from well and method of development water disposal.

Field notes from well development should be included in report.

F. Well Survey (survey the top rim of the well casing with the cap removed):

Identify the coordinate system and datum for survey measurements.

Describe the measuring points (i.e. ground surface, top of casing, etc.).

Present the well survey report data in a table.

Include the Registered Engineer or Licensed Surveyor's report and field notes in appendix.

EXHIBIT B
RD 2062 SERVICE BOUNDARY
"PROPERTY"

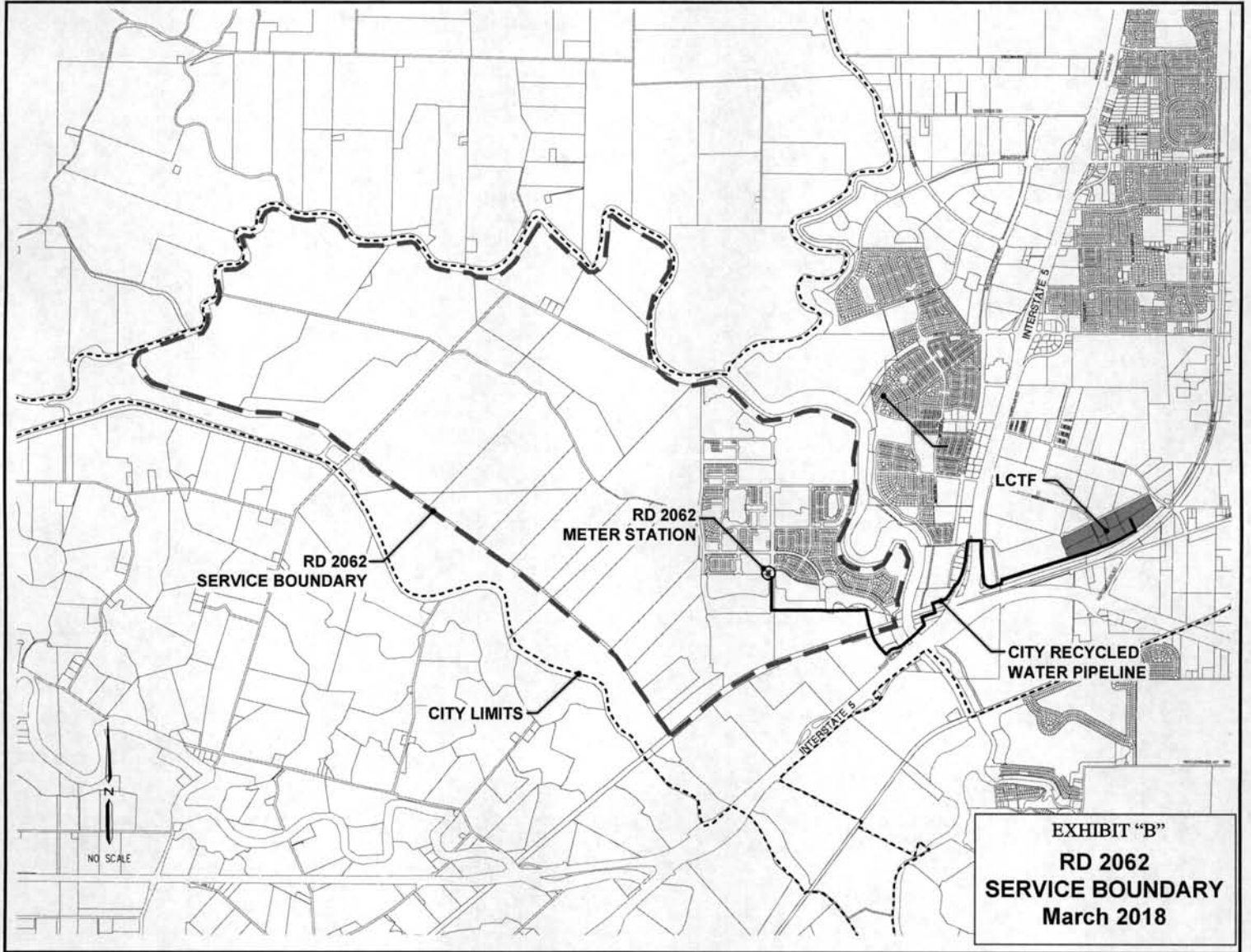


EXHIBIT C
APPROVED WATER BALANCE

**City of Lathrop Recycled Water System Optimization
Scenario 2**

Date: 4/4/2018

Messages	Optimization Summary	Results	Units	Solver Functi	Cell reference
Total Basin Volume meets minimum storage requirement	Annual Excess Flow Volume	0	ac-in	Target 1	O58
	Minimum Storage Volume	4,767	ac-in	Variable 1	C30
	September Net Volume	0	ac-in	Target 2	N54
	Total Application Area	92	ac	Variable 2	C32
	Instruction for Optimization Process				
Set Cell C30 and C32 to 0 to initialize the model (this action assumes all flows will go to river. Thus, Cell O58 will show total flow.)					
Step 1. Set Input variables in Yellow Cells (i.e., turn on/off the ponds that should be included in the analysis, change the general inputs and assumptions as needed)					
Step 2a. Use Solver function, input Cell O58 in the "set objectives" parameter; select 0 for "to value" parameter; input Cell C30 in the "by changing variable cells" parameter. Click the "Solve" button, and when wind					
Step 2b. Use Solver function, input Cell N54 in the "set objectives" parameter; select 0 for "to value" parameter; input Cell C32 in the "by changing variable cells" parameter. This will determine the total application a					
Step 3. For this action, look at column N, cells 46 through 53, and find the maximum net volume that would be in storage on any given month; insert that into the Minimum Pond Storage Required cell (C30). Both C					
Universal Step 4. Double check warning messages					
check if Message box (on the left side of this instruction box with the "Messages" heading) shows a warning regarding basin input is smaller than minimum required volume.					
check if Message Box for http://www.excel-easy.com/data-analysis/solver.html					
To truly optimize the storage pond and minimum pond storage required, select different storage basin combinations in "Storage Basin Summary" tab, ideally making Cell H38 = C30 on this balance.					
For help on Solver:					
Note: it should be noted that the " Total Application Area" parameter in Cell C32 should be compared to the summary of the disposal areas in the "disposal field summary" tab, in column "L," rows 3-5.					

Note: if total basin volume < minimum required, catchment area will be smaller as well, which introduces less rainfall capture and direct evaporation loss from the basins.
When warning appears, increase the number of selected long-term basins in GIS info summary so that the basin volume analyzed is larger than minimum requirement. Repeat the optimization process if necessary

General Inputs and Assumptions		Units
Average Dry Weather Wastewater Flow	0.41	MGD
Assumed I&I	8%	
Total Flow with both ADWF and I/I	0.45	MGD
Average/100-year Scenario	100-year	
Effective Rainfall Discount	0%	
Minimum Pond Storage Required	4,767	ac-in
Application Field Input and Assumptions		
Total Application Area	92	Acres
Weighted Land Use Efficiency	95%	
Vegetation Types	Rye Grass	Turf
% of Total App. Area	78.00%	7.00%
Leaching Requirement	10.0%	10.0%
Irrigation Efficiency	75%	80%
App. Area (ac)	72	6.4
	72	6.5
		14

Storage Basin Input and Assumptions				
Basin ID	Included in Analysis?	Max Storage (ac-in)	Catchment Area (Ac)	Max Storage MG
Existing		1,048	9	29
S1	N	0	0	0
S2	N	0	0	0
S3	N	0	0	0
S4	N	0	0	0
S5	Y	1,048	9	29
S6	N	0	0	0
S16	Y	3,719	24	101
Planned	N	0	0	0
Ultimate	N	0	0	0
Total		4,767	33	130
Total % of Area Used for Evap		95%	31	
Evaporation Discount Factor		95%		

413,897	Waste Water GPD	Approximate Date
1,592	Homes based on 260 gpd/du	Q4- 2019
1,689	Homes based on 245 gpd/du	Q1- 2020
River Islands Summary		
Current pond treatment capacity		
Storage	Acre-Feet	MG
Ponds- Actual	397	130
Required	397	130
Sprayfields		
Actual (1)		Acres
		71.76
Required		69
Notes		
1) 21.76 acres on Stewart tract + 50 acres on Dell'Osso		

100-year Irrigation Requirement														
Precipitation/Evaporation Data					Application Area				Storage Ponds					Excess Flow
Month	Days	Precip in.	Eff. Precip. in.	ET _o in.	Demand, in/ac			Inflow, ac-in		Outflow, ac-in		Volume, ac-in		Volume, ac-in
(1)	(2)	(3)	(4)	(5)	Rye Grass	Turf	Trees & Shrubs	WW	Precip.	Evap.	Irrigation	Change	Net	(15)
Jan	31	5.13	3.02	0.90	0.0	0.0	0.0	577	169	27	0	719	1,833	0.0
Feb	28	4.37	2.42	1.73	0.0	0.0	0.0	516	144	51	0	608	2,442	0.0
Mar	31	2.85	1.30	3.38	3.0	1.7	1.0	531	94	100	231	293	2,735	0.0
Apr	30	1.53	0.49	5.04	6.7	6.5	3.5	488	50	150	541	-152	2,583	0.0
May	31	1.38	0.41	6.45	8.9	7.9	4.8	501	45	192	715	-360	2,223	0.0
Jun	30	0.24	0.00	7.54	11.1	9.1	6.2	462	8	224	891	-645	1,578	0.0
Jul	31	0.05	0.00	8.02	11.8	10.4	6.6	474	2	238	952	-715	863	0.0
Aug	31	0.08	0.00	7.11	10.4	8.4	5.9	474	3	211	839	-574	289	0.0
Sep	30	0.28	0.00	5.19	7.6	5.3	4.3	463	9	154	607	-289	0	0.0
Oct	31	1.17	0.30	3.33	4.4	3.0	2.3	496	38	99	352	84	84	0.0
Nov	30	2.14	0.84	1.60	1.1	0.4	0.2	501	70	48	80	444	528	0.0
Dec	31	2.61	1.14	0.86	0.0	0.0	0.0	526	86	26	0	586	1,114	0.0
Annual Total	365	21.8	9.9	51.2	65.0	52.6	34.7	6,009	718	1,519	5,208	0	16,272	0
Monthly Average	30	1.8		4.3	5.4	4.4	2.9	501	60	127	434	0	1,356	0

EXHIBIT D
USE AREA INSPECTION FORM



City of Lathrop – Public Works Department

390 Towne Centre Drive, Lathrop, California 95330

Phone: (209) 941-7430 Fax: (209) 941-7449

Recycled Water Program

Use Area Inspection Form

Site Name: _____

Site Inspection Date: _____

Site Address: _____

RW Acct Number: _____

Use Area Type: Landscape Irrigation Agricultural Irrigation

Crop Type: _____

1. Indicate regular hours of irrigation system operation: From _____ to _____

Please complete 2-9		If you answer yes, list corrective action or explanation
2. Is there evidence of runoff recycled water from the site? If yes, show affected area(s) on a sketch and attach to this inspection form.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3. Is odor of wastewater origin emanating from the irrigation site? If present, indicate apparent sources, characterization, and direction of travel.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Is there evidence of ponding of recycled water, and evidence of mosquitoes breeding within the irrigation area due to ponding?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5. Are warning signs, tags, stickers, and above ground pipe markings properly posted to inform the public that irrigation water is recycled, which is not suitable for drinking?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6. Is there evidence of plugged, broken, or otherwise faulty drip irrigation system emitters, valves, or sprinklers? Additional comments:	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, indicate which apply: <input type="checkbox"/> Pop-up repair Date (mm/dd/yy): _____ <input type="checkbox"/> Rotor repair Date: _____ <input type="checkbox"/> Nozzle replacement Date: _____ <input type="checkbox"/> Lateral repair Date: _____ <input type="checkbox"/> Main-line repair Date: _____ <input type="checkbox"/> Quick coupler repair Date: _____ <input type="checkbox"/> Other Date: _____
7. Are the irrigation controls working properly?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8. Is there evidence of direct spraying of recycled water on streams, passing vehicles, buildings, domestic water facilities, or food handling facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
9. Has there been any construction or have there been any modifications done on the property within the last six months?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

INSPECTOR'S SIGN-OFF

By checking this box, I certify that I have performed the inspections described in the table above.

Inspector's Name _____

Signature _____

Date of Inspection _____



City of Lathrop – Public Works Department

390 Towne Centre Drive, Lathrop, California 95330

Phone: (209) 941-7430 Fax: (209) 941-7449

Recycled Water Program

Use Area Inspection Form

ON-SITE SUPERVISOR'S SIGN-OFF

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines.

By checking this box, I have read and agree to the statement above.

On-site Supervisor's Name _____

Signature _____

Date _____

CHANGE OF ON-SITE SUPERVISOR, OWNERSHIP, OR MANAGEMENT

If the on-site supervisor, property ownership, or management has changed since the last inspection, fill out this section.

New Owner/Mgmt: _____

New Contact: _____

Address: _____

City: _____

State: _____

Zip: _____

Email: _____

Phone: _____

New On-site Supervisor: _____

Address: _____

City: _____

State: _____

Zip: _____

Email: _____

Phone: _____

ADDITIONAL COMMENTS/INFORMATION

EXHIBIT E
CITY RECYCLED WATER ENGINEERING REPORT

**City of Lathrop Consolidated
Treatment Facility Engineering
Report for the Production,
Distribution, and Use of
Recycled Water**



Prepared for:
City of Lathrop

Prepared by:
Stantec Consulting Services Inc.

April 3, 2014

Sign-off Sheet

This document entitled City of Lathrop Consolidated Treatment Facility Engineering Report for the Production, Distribution, and Use of Recycled Water was prepared by Stantec Consulting Services Inc. for the account of City of Lathrop. The material in it reflects Stantec's best judgment in light of the information available to it at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the responsibilities of such third parties. Stantec Consulting Services Inc. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

Prepared by _____
(signature)

04/03/2014



Yulya Borroum, P.E.

Reviewed by _____
(signature)

Steve Beck, P.E.

CITY OF LATHROP CONSOLIDATED TREATMENT FACILITY ENGINEERING REPORT FOR THE PRODUCTION, DISTRIBUTION, AND USE OF RECYCLED WATER

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CITY OF LATHROP CONSOLIDATED TREATMENT FACILITY ENGINEERING REPORT FOR THE PRODUCTION, DISTRIBUTION, AND USE OF RECYCLED WATER

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CITY OF LATHROP CONSOLIDATED TREATMENT FACILITY ENGINEERING REPORT FOR THE PRODUCTION, DISTRIBUTION, AND USE OF RECYCLED WATER

Introduction
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1.0 Introduction

1.1 PURPOSE OF REPORT

This report is being submitted by the City of Lathrop (City) to the State of California Department of Public Health (CDPH) and the California Central Valley Regional Water Quality Control Board (Regional Board) to describe the proposed production, distribution, and use of recycled water for the planned expansions of the City of Lathrop Consolidated Treatment Facility (CTF) per the requirements of the State of California Water Recycling Criteria.

This report provides a description of the treatment facilities, use areas, and irrigation distribution system. This engineering report describes how the City will operate the treatment facilities and reclamation system to comply with all applicable rules and regulations. This engineering report also contains a contingency plan developed to minimize the possibility of untreated or inadequately treated wastewater being delivered to the reclamation areas. The report is organized, for ease of review, in accordance with the March 2001 DHS *Guidelines for the Preparation of an Engineering Report for the Production, Distribution, and Use of Recycled Water*.

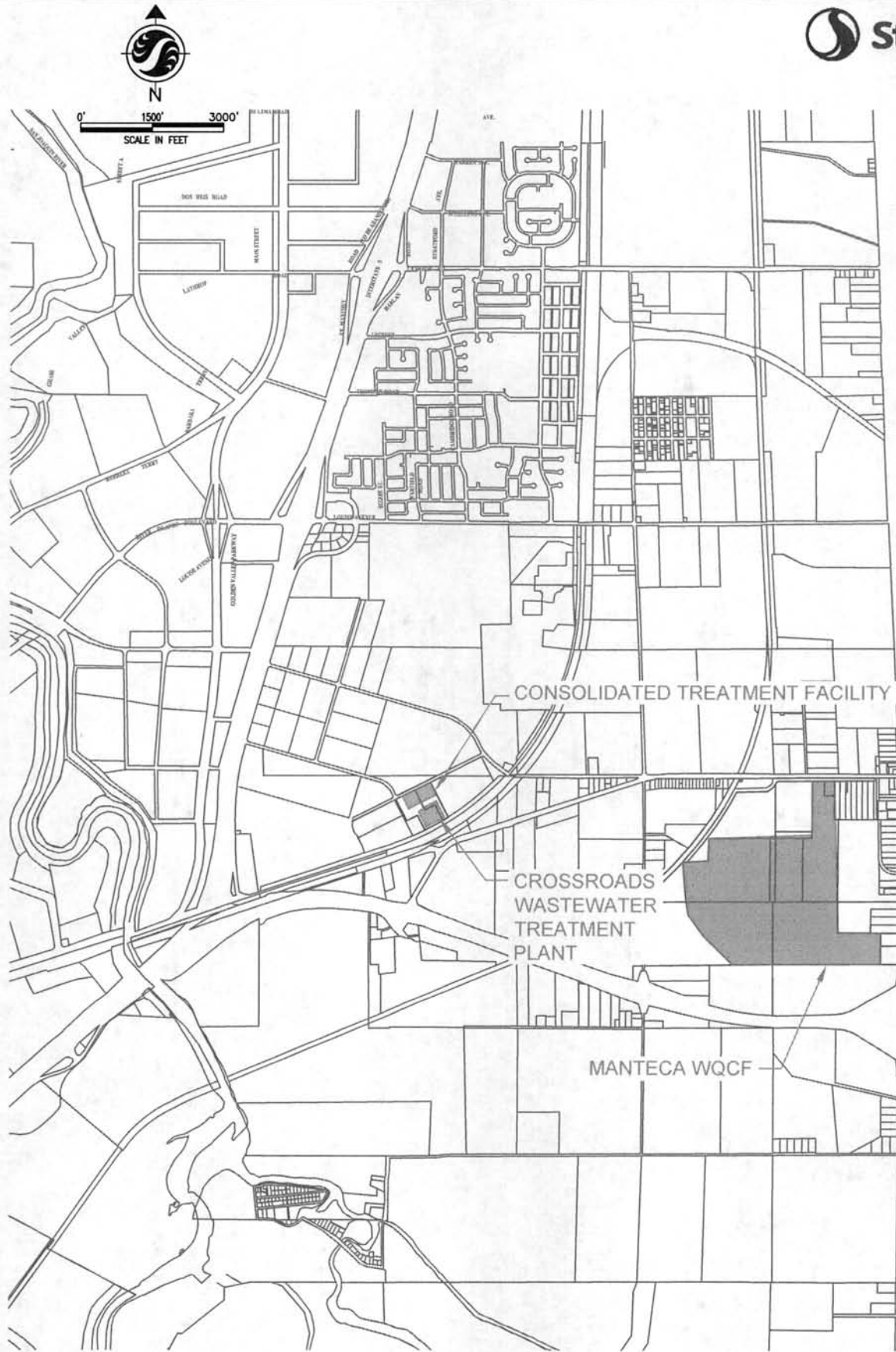
1.2 DESCRIPTION OF PROJECT

The City of Lathrop plans to increase its wastewater treatment capacity by expanding its Consolidated Treatment Facility (CTF). The first phase of the CTF, known as WRP-1, was completed in November 2004. The WRP-1 had a treatment capacity of 0.75 Mgal/d average annual flow (AAF). The 2013/14 expansion will increase treatment capacity of the CTF to 1.0 Mgal/d average dry weather flow (ADWF). Future facilities are likely to be constructed in various modular expansions. The location of the CTF is shown in Figure 1-1. The areas served by the CTF include residential and commercial development.

The City produces “disinfected tertiary recycled water” (hereinafter, “tertiary effluent”) that will meet the requirements of Section 60301.230 of California Code of Regulations, Chapter 3, Title 22. The City uses tertiary effluent to irrigate edible and nonedible crops and to irrigate landscape vegetation per Section 60304 of Title 22.

All treatment trains will consist of the following facilities: fine screening, grit removal, flow measurement, influent pumping, equalization and emergency storage, a membrane bioreactor (MBR) for biological treatment and filtration, hypochlorite disinfection, effluent pumping, effluent disposal, and solids handling. During the wet season, the effluent will be stored in storage basins and reused as irrigation water in the proposed agricultural lands and landscaped areas as needed. The solids generated at the CTF are pumped to the neighboring Crossroads WWTP for processing.





Y:\1640\p26m\16402043_city_of_lathrop_wpl_expen\16402043_report\drawings\FIGURE 1-1.dwg
 2017/07/18 10:58 AM By: Barton, Andy

FIGURE 1-1 LOCATION OF WASTEWATER TREATMENT FACILITY THE CITY OF LATHROP

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2.0 Recycled Water Project

2.1 GENERAL

The CTF is owned by the City of Lathrop. The proposed areas for the tertiary effluent storage basins (TSBs) and areas used to dispose of the CTF's final effluent, by landscape and agricultural irrigation, are owned by private parties, who lease them to the City. Thus the City has control of all the facilities associated with the production, storage, distribution, and use areas that are part of the proposed recycled water project.

The City is responsible for the planning, design, construction, and implementation of the proposed recycled water system, which includes the treatment, storage, distribution, and irrigation areas associated with the CTF. Table 2-1 describes the parties responsible for the different activities associated with this recycled water project.

Table 2-1 Responsible Parties Associated with Recycled Water Project

Responsible Party	Responsibilities
Director of Public Works	Responsible for managing the capital improvement projects and overseeing the recycled water systems.
Director of Finance	Responsible for all clerical, billing, and financing aspects of the project.
Treatment Facilities Manager/Superintendent	Supervises operators, evaluates day-to-day operations, and participates in the day-to-day operations and maintenance of the facilities. Oversees the personnel in charge of the operation of the recycled water irrigation system. Supervises, evaluates, and participates in the work of crews. Responsible for construction, repair, and maintenance work related to recycled water irrigation.
Public Works Staff Engineer	Responsible for meeting water-quality objectives and monitoring and reporting per Waste Discharge Requirements/Monitoring & Reporting Program. Also responsible for project management of CIPs and program oversight/

2.2 RULES AND REGULATIONS

The City has developed a set of rules and regulations in its ordinance for the recycled water system. (Chapter 13.09, Recycled Water Service System, City of Lathrop Code of Ordinances. The ordinance is enclosed in Appendix A.) The main rules and regulations of this ordinance are:

13.09.050 A. State and county regulations. The use of recycled water is strictly controlled by the California Department of Health Services (DHS) and the Central Valley Regional Water Quality Control Board (CVRWQCB). The documents governing the City recycled water system are the California Code of Regulations, Chapter 3 (Title 22) and the California Health and Safety Code.



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13.09.080. Rules and Regulations. It shall be unlawful for any person to:

- A. Contaminate the City's water supply either by cross-connection or otherwise. All recycled water service installations shall have an independent gate valve installed prior to connection to the building or the structure.*
- B. Waste water, use water to excess, or allow recycled water to flow to waters of the United States. All use must comply with the State of California Title 22 requirements for water reuse.*
- C. Supply recycled water in any way for use outside other premises to which the service is assigned, except by special consent of the Public Works Director.*
- D. Supply recycled water for resale, in any way, for use outside the premises to which the service is assigned except by permissions of the Public Works Director.*
- E. Fail to keep and maintain their service pipes and connections in good repair.*
- F. Interfere with the City's service lines, valves, or meters to construct a bypass around a meter or service.*

The City has also developed design and construction standards for its recycled water system. These standards are included in Section 7 of the City of Lathrop Design & Construction Standards manual (March, 2014). Construction standards related to cross-connections are included in Section 4, "Water System Standards." Copies of Sections 4 and 7 from the City's Construction Standards and correlated appendices were included in Appendix B of the 2006 Engineering Report.

2.3 PRODUCER, DISTRIBUTOR, AND USER

The City of Lathrop is the producer, distributor, and user of the recycled water system. The City owns the City of Lathrop CTF. The lands used for effluent storage and for agricultural irrigation is also owned by the City with exception of the land owned by River Island developers, who lease the land to the City to store and dispose the effluent produced at the CTF. The City maintains and operates all the components associated with the production, distribution, and use of the recycled water produced by the CTF.

2.4 RAW WASTEWATER

All wastewater treated by the Lathrop CTF originates from the existing residential and commercial community within the City of Lathrop. The primary source of the wastewater is municipal, with some commercial and light industrial. Anticipated raw wastewater quality and flows are summarized in Table 2-2.



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Table 2-2 Current and Future Projected Influent Flows and Loads

Parameter (a)	Units	Current Conditions	Project Design Criteria			
		2012	Influent	In-Plant Recycle	Total	Previous Total
Flow						
ADWF	Mgal/d	0.26	1.00	0.05	1.05	0.98
AAF	Mgal/d	0.28	1.08	0.05	1.13	1.05
PMF	Mgal/d	0.31	1.18	0.06	1.24	1.26
PDF	Mgal/d	0.53	2.05	0.10	2.15	2.00
PHF	Mgal/d	0.84	3.23	0.16	3.39	3.15
STPF	Mgal/d	Not Quantified	4.00	0.16	4.16	4.15
BOD and TSS Loads						
AAL	lb/day	830	3,190	160	3,350	3,108
PML	lb/day	1,079	4,150	208	4,358	4,043
PDL	lb/day	1,660	6,380	319	6,699	6,227
TKN Loads						
AAL	lb/day	125	480	24	504	473
PML	lb/day	162	620	31	651	609
PDL	lb/day	249	960	48	1,008	935
BOD and TSS Concentrations						
AAL with AAF	mg/L	355	355	355	355	355
PML with AAF	mg/L	462	462	462	462	462
PML with PMF	mg/L	420	420	420	420	385
TKN Concentrations						
AAL with AAF	mg/L	54	53	53	53	54
PML with AAF	mg/L	69	69	69	69	70
PML with PMF	mg/L	63	63	63	63	58

(a) ADWF = Average Dry Weather Flow, AAF = Average Annual Flow, PMF = Peak Month Flow
PDF = Peak Day Flow, PHF = Peak Hour Flow, STPF = Short-Term Peak Flow,
AAL = Average Annual Load, PML = Peak Month Load, PDL = Peak Day Load

2.5 TREATMENT PROCESSES

After the 2013/14 expansion the CTF will include an MBR system capable of processing 1.0 Mgal/d on an average dry weather flow (ADWF) basis. Future expansions of the CTF will include the addition of MBR modules similar to the ones already constructed at the CTF.

The City will compile and organize operations and maintenance information for all the unit processes from the information submitted by the equipment manufacturers. The City will consolidate all the operations and maintenance information for the overall facility into an operations and maintenance manual.

The final effluent produced by the CTF meets the requirements of Title 22 of the California Code of Regulations for unrestricted use of recycled water, which requires disinfected tertiary treated water for maximum flexibility for water reuse purposes. The CTF also complies with Title 22 process reliability requirements.

The main design parameters of the treatment components of the liquid treatment process at the CTF are presented in Table 2-3. The components added as part of the 2013/14 expansion are identified as such.



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Table 2-3 City of Lathrop Consolidated Treatment Facility Summary of Equipment

Headworks	
2	Drum screens, 3.75 Mgal/d capacity each (replaced during 2013/14 expansion)
2	Grit removal tanks, 8'6" dia. x 10'0" deep (existing)
2	Grit removal mechanisms, 3.75 Mgal/d capacity each (1 existing and 1 added during 2013/14 expansion)
1	Magnetic flow meter, 10.0 Mgal/d max flow (added during 2013/14 expansion)
5	Influent pumps, 60 gpm @ 50' TDH (3 existing and 2 added during 2013/14 expansion)
Flow Equalization	
1	Equalization tank, 950,000 gal (73'0" dia. x 32'0" deep) (existing)
1	Jet motive pump, 5,492 gpm @ 22' TDH (existing)
Membrane Bioreactor	
Anoxic Basins	
2	Anoxic basins, 69,250 gal, 23'0" x 23'0" x 17.5' deep (existing)
2	Anoxic mixers, 2.7 hp (existing)
2	Recycle anoxic pumps, 2,250 gpm @ 18.3' TDH (replaced during 2013/14 expansion)
Aeration Basins	
2	Aerobic basins, 192,000 gal, 23'0" x 64'0" x 17.5' deep (existing)
1	Fine bubble diffusion system, 424 fine bubble diffusers per tank (replaced during 2013/14 expansion)
3	Aeration blowers, 1,039 scfm @ 8.3 psi (existing)
2	Aeration blowers, 400 scfm @ 8.3 psi (added during 2013/14 expansion)
Membrane Basins	
2	Membrane basins, 11,100 gal, 13.5' x 11'0" x 10'0" deep (existing)
184	Membrane, 92 modules per basins (replaced during 2013/14 expansion)
3	Membrane recirculation pumps (RAS pumps), 1,920 gpm @ 21' TDH (existing)
3	Filtration/Permeate pumps, variable speed, 280 gpm @ 12' TDH to 760 gpm @ 40' TDH (existing)
3	Membrane operation blowers, 304 scfm @ 5.2 psi (existing)
Chlorine Contact Basin	
1	Chlorine contact basin, 86,000 gal, 41'6" x 30'0" x 9'6" deep, 5 passes (existing)
2	Sodium hypochlorite pumps, peristaltic, 8.0 gph (existing)
Emergency Storage	
1	Lined storage pond, 10.9 MG, 60 mil HDPE liner (converted to an Emergency Storage Basin (ESB) during the 2013/14 expansion)
2	ESB drain pumps, submersible, 350 gpm @ 22' TDH (added during 2013/14 expansion)
Effluent Pump Station	
2	Effluent pumps, vertical turbine, 1,450 gpm @ 153' TDH (existing)

A schematic of the process flow for the CTF is provided in Figure 2-1.



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The main components of the CTF process are described in the following sections.

2.5.1 Headworks

The existing concrete structure for the CTF headworks has a design capacity of 1.0 Mgal/d average dry weather flow (ADWF). These headworks include a screening system, grit removal, and flow measurement.

2.5.1.1 Screening

One rotary drum screen was used to remove particulate material larger than two millimeters from the incoming raw wastewater. It was determined that this screen is obsolete and needs repair. As part of the 2013/14 expansion the existing screen will be replaced with two new screens to provide redundancy.

In these systems, the wastewater enters the rotary drum screen through an inlet pipe, where it is gently fed to the inside of the drum. The liquid filtrate passes through the drum screen into a collection trough, leaving the screenings on the inside of the drum. Rotary drum screens contain an internal screw that transports screenings out of the drum to the screw compactor for washing and dewatering. The washed and compacted screenings are discharged into a dumpster for off-site disposal at a landfill.

2.5.1.2 Grit Removal

Currently at the CTF, a vortex or cyclone grit removal system is used to remove sand and inorganic particles from the effluent of the drum screen system. Removing these particles prevents them from entering downstream processes and potentially damaging or hindering equipment and/or process performance.

Although there are two existing grit removal basins, only one has been provided with mechanical equipment and is used. With the 2013/14 expansion, the second grit basin will be provided with mechanical equipment. The total grit removal system will include the following components:

- Two reinforced concrete grit tanks integrated into the headworks structure
- Two grit removal mechanisms each rated for 3.75 Mgal/d
- Two cyclone grit pumps, 7.5 HP each
- Two grit dewatering screws each rated for 165 gpm

In a cyclone grit removal system, the wastewater enters and exits tangentially to the circular grit tank. The rotating paddles of the cyclone grit concentrator control the flow velocity inside the grit tank and produce a toroidal flow that facilitates the separation of the grit from the wastewater. The constantly moving wastewater and the tank's sloped sides gradually move the settling grit toward the tank's lower section. The grit pump pumps the grit from the tank's bottom to the grit dewatering screw, where the grit is dewatered and transferred to a Dumpster for off-site disposal.



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2.5.1.3 Flow Measurement

A 12" Parshall flume was used in the past at the CTF. With the 2013/14 expansion a new 10-inch magnetic flow meter capable of measuring flows up to 10 Mgal/d will be installed to replace the Parshall flume. In addition the influent sampler will be relocated downstream of the magnetic flow meter to facilitate collection of representative influent samples.

2.5.2 Influent Pumping

The influent pump station pumps wastewater from the headworks to the MBR or, if flows are above the design peak-day flow, automatically diverts the excess fraction to the equalization tank.

2.5.2.1 Influent Pump Station Structure

The influent pump station structure of the CTF consists of a receiving channel or mixing chamber to distribute flows to two separate wet wells. This provision allows the isolation of a wet well for maintenance purposes. Each wet well has the capacity to accommodate five submersible pumps.

2.5.2.2 Influent Pump Station Pumps

Prior to the 2013/14 expansion, there were three submersible sewage pumps that have variable frequency drives for proper control of the incoming flows. Each pump can deliver approximately 650 gpm at 50 ft of total dynamic head. For the 2013/14 expansion to 1.0 Mgal/d, two additional pumps will be installed in the contiguous wet well. The new pumps each has a capacity of 1,060 gpm at 51.5 ft of total dynamic head. The influent pump station of the CTF has provisions for up to 10 submersible pumps (5 per wet well), which will provide a total reliable capacity of 8.4 Mgal/d.

2.5.3 Equalization and Emergency Storage

The existing 0.95 Mgal equalization storage tank is adequate for the proposed expansion. During the 2013/14 project, a new outlet modulating pinch valve and flow meter will be installed. Also, the overflow from this tank will be re-routed to the new emergency storage basin.

Flow equalization facilities limit the wastewater inflows to the treatment facilities to the design peak-day flow. Flow equalization allows downstream facilities to be designed for peak-day flows, instead of peak-hour flows. Flow equalization also provides a more consistent performance of downstream processes.

Title 22 requires that wastewater treatment plants meet reliability requirements for emergency storage of untreated or partially treated wastewater. Within the context of the CTF, there are two alternatives to meet these Title 22 reliability requirements:

- **Alternative 1:** An emergency storage facility with a capacity to store untreated or partially treated wastewater for at least 24 hours and with standby replacement equipment that can return the off-line treatment unit back to service within 24 hours.



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- **Alternative 2:** An emergency storage facility with capacity to store untreated or partially treated effluent for at least 20 days.

As part of the 2013/14 project, the effluent storage pond (10.9 Mgal) will be converted to a long-term emergency storage basin. The 10.9 Mgal storage volume is adequate to store influent wastewater for 20 days if a whole train is taken offline. A drain pump station will be provided to return any stored wastewater to the plant headworks. With the existing effluent storage being converted to emergency storage, treated effluent would be stored in the lined pond east of the existing effluent storage pond.

2.5.4 Biological Treatment and Filtration

The biological treatment and filtration capacity at the CTF was provided by means of an MBR, a USFilter/Jet Tech Products MemJet™ system with two independent treatment trains of 0.375 Mgal/d each (0.75 Mgal/d ADWF total).

Properly run, MBRs provide an effluent quality with a 5-day Biochemical Oxygen Demand (BOD₅) concentration of less than 10 mg/L, a total suspended solids concentration of less than 5 mg/L, and a total nitrogen concentration of less than 10 mg/L (NH₃-N < 2 mg/L). Typical effluent turbidities are expected to be less than 0.2 NTU. These turbidities will comply with Title 22 requirements for membrane filtration (turbidities equal or less than 0.2 NTU, 95 percent of the time within a 24-hour period and less than 0.5 NTU at all times).

Incoming wastewater from the influent pump station is distributed evenly to the operational MBR treatment trains. A splitter box distributes the flows to a given reactor to its available treatment trains. The effluent from the MBRs is directed to the disinfection system.

The two existing treatment trains of the MBR include an anoxic basin, recirculation mixers, an aeration basin, anoxic pumps, aeration and membrane blowers and diffusers, membrane modules, a membrane tank, mixed liquor recycle pumps (RAS pumps), and filtrate pumps. The MBR treatment components perform the following duties:

- Denitrification and initial biological oxygen demand (BOD) reduction in the anoxic basins. Mixers within the basins keep the solids suspended.
- Additional BOD removal, nitrification, and, if necessary, denitrification take place in the aeration basins, which are aerated to provide oxygen to treat the waste and mixed to keep the solids in suspension.
- Solids separation and final BOD removal and nitrification take place in the membrane basins. Aeration in the membrane basins scour the membranes to keep their surfaces from fouling.
- Filtration pumps draw water through the membranes and convey the treated effluent to the downstream processes. These pumps are also used to backwash the membranes and keep the membrane surfaces clean.



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- Return activated sludge (RAS) is withdrawn from the aeration basins of each MBR treatment train. The RAS from each MBR is combined into a common pipeline, and a fraction of the combined RAS, or waste activated sludge (WAS), is wasted to the solids-holding tank. The remaining fraction of RAS is returned to the splitter structure that feeds the different MBRs.

It was determined that the two anoxic, two aeration, and two membrane reactor basins are large enough to support the future design peak month load conditions. Also, the existing two duty and one standby mixed liquor recirculation pumps (RAS) pumps used to pump mixed liquor from the aeration basins to the membrane basins were determined to be adequately sized for the future design condition.

The two existing anoxic pumps that are used to pump nitrate-rich mixed liquor from the aeration basins to the anoxic basins for nitrate removal do not have adequate capacity to meet the target effluent nitrate concentration under future design loading conditions. Therefore, the existing anoxic pumps, which are rated for a combined total of 3.7 Mgal/d, will be replaced during the 2013/14 expansion with the two new pumps suitable for pumping 6.1 Mgal/d. Variable frequency drives will be provided to allow reducing pump output and power consumption during loading conditions less than the design peak.

The existing air diffusion system will be upgraded to meet future design peak oxygen requirements in the aeration basins. The existing membrane disks will be replaced with newer higher efficiency disks. Two new 400 scfm blowers will be added to the aeration system and will be mounted on a slab and under a canopy adjacent to the existing blower building. The CTF will now have five blowers as indicated in Table 2-3.

The existing membrane filtration system includes 8 racks of membrane modules in each of two membrane basins, two duty and one standby filtrate/permeate pumps, two duty and one standby membrane air scour blowers, and related appurtenances, and controls. The membrane filtration system was manufactured by US Filter (now Siemens) and was installed in 2004.

The US Filter membranes will be replaced with the GE membranes. The existing membrane basins, membrane air scour blowers, and filtrate/permeate pumps can be used with the GE membranes and new units are not needed. Two of the GE standard membrane cassettes will be installed in each of the two membrane basins during the 2013/14 expansion. Each cassette will contain 46 membrane modules, for a total of 184 modules. Each module will provide a membrane surface area of 370 square feet, for a total membrane area of 68,080 square feet.

The design criteria for the MBR system at the CTF is included in Table 2-4.

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Table 2-4 MBR Design Criteria

Item	Design Criteria
Number of Basins	2
Number of Racks or Cassettes Per Basin	2
Number of Modules Per Rack or Cassette	46
Membrane Area Per Module, ft ²	370
Total Membrane Area, ft ²	68,080
Design Flows with All Units in Service, Mgal/d	
Average	1.05
Peak Month	1.25
Peak Day	1.80
Peak Hour	1.80
Flux with All Units in Service, gfd	
Average	15.4
Peak Month	18.4
Peak Day	26.4
Peak Hour	26.4
Warranty, yrs	
Prorated	5
Cliff	2

2.5.5 Disinfection

The California Water Recycling Criteria Title 22 requires disinfected tertiary recycled water to meet the following criteria:

- The filtered wastewater has been disinfected by either:
 - A chlorine disinfection process following filtration that provides a CT (the product of total chlorine residual and modal contact time measured at the same point) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak dry weather design flow; or
 - A disinfection process that, when combined with the filtration process, has been demonstrated to inactivate and/or remove 99.999 percent of the plaque-forming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration.



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- The median concentration of total coliform bacteria measured in the disinfected effluent does not exceed an MPN of 2.2 per 100 milliliters utilizing the bacteriological results of the last 7 days for which analyses have been completed and the number of total coliform bacteria does not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30-day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 milliliters.

The active volume of the existing chlorine contact basin (CCB) is 86,000 gallons. Ideally, water entering a basin will travel from the inlet to the outlet in a time equal to the reactor volume divided by the flow rate, which is the theoretical contact time. Although the existing CCB is configured with a length to width ratio of about 34:1 to minimize short circuiting, some short-circuiting will still occur, such that the modal contact time (the time that corresponds to the maximum concentration in a tracer curve for a pulse-input tracer test) will be shorter than the theoretical contact time. Because no tracer tests have been performed on the CCB at the CTF, the ratio of modal contact time to the theoretical contact time is presumed to be 0.75.

In Table 2-5, estimated modal contact times and chlorine doses (based on a CT of 450 mg.min/L) are shown for design peak dry weather, peak month, peak day conditions. As indicated, an estimated modal time of 85 minutes can be achieved in the chlorine contact basin at the peak average dry weather flow. Although, this modal time is 5 minutes less than the required 90 minutes modal time per Title 22, six (6) minutes can be gained in the 700-foot effluent pipe from the CCB to the new effluent storage basin (assuming a velocity of 2.0 ft/second).

Table 2-5 Evaluation of Existing Chlorine Contact Basin under Different Flow Conditions

	Unit	Design Annual Average Flow	Design Average Day Peak Month Flow	Design Peak Day Flow
Flow	Mgal/d	1.09	1.26	2
Chlorine Contact Basin				
Volume	gal	86,000	86,000	86,000
Theoretical Contact Time	minutes	114	98	62
Estimated Modal Contact Time	minutes	85	74	46
Effluent Pipe				
Length	ft	700	700	700
Velocity	ft/sec	2	2	2
Estimated Contact Time	min	6	6	6
Total Contact Time		91	80	52
Chlorination				
Required Chlorine Residual	mg/L	5.3	6.1	9.7
CT	mg.min / L	450	450	450



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2.5.6 Effluent Pump Station

Effluent pump station houses two vertical turbine pumps. Each pump is a 75 HP pump capable of pumping 1,450 gpm against a head of 153 ft. One of the pumps is an operational pump. The second pump is provided as a backup.

2.5.7 Solids Handling and Disposal

The waste activated sludge (WAS) generated from the CTF is pumped to the solids handling facilities at the neighboring Crossroads WWTP, which also treats sludge produced by the Crossroads WWTP. The solids handling facilities include a sludge storage tank (190,000 gallon capacity), a belt filter press (BFP, maximum solids loading capacity of 600 lb/hr), and a concrete pad for air drying of the sludge (75 feet by 175 feet).

The existing solids storage tank has adequate capacity for future peak WAS production from the CTF. However, a second belt press will be added as part of the project. The new BFP will be slightly larger than the existing unit, based on an updated model, and will have a solids handling capacity of 750 lb/hr. With both BFPs in operation, the design sludge production could be handled in about 26 hours per week. With the large BFP out of service for maintenance or repair, the remaining unit would have to be operated about 60 hours per week (about 12 hours per day, five days per week).

2.5.8 Supporting Systems

2.5.8.1 Chemical Storage and Feed Systems

Sodium Hypochlorite

A 12 percent sodium hypochlorite solution is used in the existing MBR system for membrane cleaning and for effluent disinfection.

For membrane cleaning, the sodium hypochlorite is injected into a pipeline before being discharged into the five-pass chlorine contact tank. Sodium hypochlorite is added as required to maintain a 5 mg/L total chlorine residual in the effluent discharged from the chlorine contact basin.

The membranes maintenance cleaning procedure is recommended every 1 to 2 weeks and will likely depend on the season. During maintenance cleaning, a timed backwash is initiated, and a low concentration of sodium hypochlorite (approximately 200 ppm) is injected to the MBR membrane fibers. The membranes are allowed to soak for 15 minutes, and then another timed backwashing with the cleaning solution is performed. The membrane maintenance cleaning operation consists of three cycles of backwashing/soaking and requires approximately 18 gallons of 12 percent sodium hypochlorite.



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Clean-in-place (CIP) is performed when flow through the membranes starts to become restricted due to fouling. This operation is typically needed every 3 to 6 months, and the length of the chemical clean cycle lasts between 3 and 6 hours. The chlorine concentration required for a membrane CIP operation is 1,000 mg/L, and each procedure requires approximately 74 gallons of 12 percent sodium hypochlorite solution.

The storage and feed facilities at the CTF include two 5,000-gallon tanks to provide for storage of the sodium hypochlorite and two metering pumps (one duty, one standby) for effluent disinfection with a flow range between 1.5 and 8.0 gpm each. A third 1.5 hp pump is dedicated to membrane cleaning, with a flow range between 69 and 380 gph. The tanks and pumps are located on a concrete spill basin that is capable of containing the volume of one tank in the event of a tank failure or leak. The spill basin is sized to contain 110 percent of one tank volume (~5,750 gallons). The truck unloading area has also been designed and constructed to contain spills or leaks that might occur while delivering the product.

2.5.8.2 Plant Water System

The plant water system includes independent facilities to provide potable water and plant water for the CTF. The potable water supply is provided by the City of Lathrop's drinking water facilities. The water entering the treatment sites passes through a reduced pressure principle backflow preventer. This system covers the plant's potable water needs for general use and for fire protection. The plant water system is the water source for general cleaning/maintenance activities related to the wastewater treatment and solids-handling processes.

Emergency Electric Supply

The CTF has an independent emergency electric supply. When utility power is lost for any reason, a standby diesel generator starts automatically via an automatic transfer switch and provides backup power to the corresponding plant site. The fuel tank that feeds the standby generator is able to provide approximately 10 hours of operation at 100 percent load.

For more details on emergency electric supply refer to Section 2.6.3, Power Supply.2.6.3 Power Supply (Section 60337).

Instrumentation and Control

Every process and supporting system at the CTF is monitored and controlled remotely and locally by means of instrumentation and control systems located throughout the facility. The instrumentation and control systems include the following elements:

- Primary elements and indicating transmitters to take analytical measurements (e.g., pH, dissolved oxygen, etc.) and physical measurements (e.g., position level, flow, etc.)
- Control panels to locally or remotely control the different systems



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- Programmable logic controllers (PLC) to provide automatic sequences for the different pieces of equipment
- Supervisory control and data acquisition (SCADA) system for remote monitoring, control, and data acquisition
- Operator interface display (OID) devices to visually control and set up equipment parameters

The electrical power that drives equipment and its instrumentation and control systems is supplied by 480 V motor control centers (MCCs), 120/208 V panel boards, and 480 V power panel boards. MCC panels power large motors that require high voltage and high amperage. Panel boards power all other smaller motors and devices.

Manual switches and controls are provided on the MCC cubicle doors and at other field panels and field control stations (FCS) located closer to the equipment. Each manual station includes a variety of control switches and indicators.

In addition to the control panels, PLCs that are placed throughout the facility provide centrally located monitoring and control of the various treatment processes, with capabilities to implement complex control logic. PLCs receive signals from primary transmitters and send control signals to motors and other devices based on control logic programmed into the PLC. The operator can access the PLC controls and indicators through the SCADA system by viewing the OID on the computer screen.

The SCADA system is a graphic software package installed in a computer system that is connected to all the PLCs. The SCADA software provides features for developing graphic images that help the user understand the function and purpose of the various controls and indicators. Once these images are created, the operator can use the OID to control and monitor all equipment and devices connected to a PLC.

2.6 PLANT RELIABILITY FEATURES

This section describes the reliability features proposed to comply with Sections 60333–60355 of the Water Recycling Criteria.

2.6.1 Flexibility of Design (Section 60333)

The existing and planned facilities for each plant include treatment systems that use MBRs for biological treatment and filtration and chlorination facilities. Each MBR consists of two independent treatment trains divided by a common wall and fed by an integrated flow splitter box. Each treatment train is sized for an ADWF of 0.5 Mgal/d and includes an anoxic tank and mixing system, an aeration tank with fine bubble diffusers, an aeration blower, a recycle anoxic pump, a membrane recirculation pump, a membrane tank with submerged membrane racks, a membrane operating blower, and filtration pumps.



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The following is a list of the redundant/standby equipment that is provided for the CTF and maintained for each treatment train:

- Rotary drum screen and screenings compactor system
- Influent pump
- Aeration basin blower
- MBR anoxic pump
- MBR membrane recirculation (RAS) pump
- MBR filtration/permeate pump
- MBR membrane operating blower
- Sodium hypochlorite metering pump
- Effluent pump
- Irrigation pump (one for each irrigation pump station)
- Waste sludge aeration blower (one for each solids-holding tank)
- Belt filter press feed pump
- Belt filter press wash pump
- Emulsion polymer dosing pump

2.6.2 Alarms (Section 60335)

The CTF is equipped with plant-wide SCADA systems that will allow all plant operations to be monitored and controlled from a computer located in the administration building. The system also allows remote programming and monitoring (i.e., from a computer connected to the Internet). To protect the public's health, both high- and low-priority alarms are included. Low-priority alarms indicate a situation that does not compromise the plant's performance—corrective measures must be taken before a high-priority alarm activates, which indicates a problem that does compromise the plant's performance. All alarms are connected to its corresponding SCADA system in the administration building. Alarm conditions are displayed, logged, and printed out at the operator station. The alarms also have autodialer capabilities. The specific parties to be contacted via the autodialer include the facilities' superintendent, director of public works, and others, as appropriate. All alarms have independent power supplies (e.g., auto-charged battery backup systems) and therefore function even if the plant power is out. In general, alarms are activated if any mechanical equipment fails, if liquid levels in tanks or basins reach preset minimums or maximums, if monitored quality of treated wastewater approaches or exceeds preset values, or if diversion to the emergency storage occurs.

The main alarms for the CTF are presented in Table 2-6.

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Table 2-6 Alarm List for the CTF

	Alarm Condition	Priority
1	Normal power grid failure	Low
2	Failure of backup power supply	High
3	Failure of one (of two) mechanical screens	Low
4	Failure of both mechanical screens	High
5	Grit removal mechanism failure	Low
6	Low water level in influent pump station	Low
7	Low-low water level in influent pump station	High
8	High water level in influent pump station	Low
9	High-high water level in influent pump station	High
10	Failure of one influent pump	Low
11	Failure of multiple influent pumps	High
12	High water level in the equalization/emergency storage tank	Low
13	High-high water level in the equalization/emergency storage tank	High
14	Diversion to the equalization/emergency storage tank due to high inflow	Low
15	Diversion to the equalization/emergency storage tank due to process or effluent quality failure	High
16	Equalization basin blower failure	Low
17	Failure of one MBR recycle pump	Low
18	Failure of multiple MBR recycle pumps	High
19	Failure of one membrane recirculation pump	Low
20	Failure of multiple membrane recirculation pumps	High
21	Failure of one MBR filtrate pump	Low
22	Failure of multiple filtrate pumps	High
23	Anoxic basin mixer failure	Low
24	Low water level in anoxic basins	Low
25	High water level in anoxic basins	Low
26	Low water level in aeration basins	Low
27	High water level in aeration basins	Low
28	Low water level in membrane tanks	Low
29	High water level in membrane tanks	Low
30	Low-low water level in anoxic basins	High
31	High-high water level in anoxic basins	High
32	Low-low water level in aeration basins	High
33	High-high water level in aeration basins	High



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Alarm Condition		Priority
34	Low-low water level in membrane tanks	High
35	High-high water level in membrane tanks	High
36	Low membrane air flow	Low
37	Low-low membrane air flow	High
38	One membrane blower failure	Low
39	Multiple membrane blower failure	High
40	Low oxygen in aeration basins	Low
41	Low filtration temperature	Low
42	High filtration temperature	Low
43	One aeration basin blower failure	Low
44	Multiple aeration basin blower failure	High
45	Pre-aeration basin mixer failure	Low
46	Post-MBR turbidity ≥ 0.5 NTU	High
47	Post-MBR turbidity ≥ 0.2 NTU	Low
48	Post-MBR turbidity ≥ 0.2 NTU for more than 72 minutes in any 24-hr period	High
49	Low-level sodium hypochlorite tank	Low
50	Low-low-level sodium hypochlorite tank	High
51	High-level sodium hypochlorite tank	Low
52	High-high-level sodium hypochlorite tank	High
53	Single sodium hypochlorite pump failure	Low
54	Multiple sodium hypochlorite pump failure	High
55	Sodium hypochlorite mixer failure	Low
77	High turbidity (when the influent water turbidity reading exceeds a predetermined set point)	Low
78	High-high turbidity (when the influent water turbidity reading exceeds a predetermined set point)	High
79	Low water in effluent pump station	Low
80	Low-low water in effluent pump station	High
81	High water in effluent pump station	Low
82	High-high water in effluent pump station	High
83	Failure of one effluent pump	Low
84	Failure of multiple effluent pumps	High
85	Low water in irrigation pump station	Low
86	Low-low water in irrigation pump station	High
87	High water in irrigation pump station	Low



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	Alarm Condition	Priority
88	High-high water in irrigation pump station	High
89	Failure of one irrigation pump	Low
90	Failure of multiple irrigation pumps	High
91	Emergency diversion from effluent pump station	High
92	High water level in tertiary effluent storage basins	Low
93	High-high water level in tertiary effluent storage basins	High

Staffing Hours

The staff includes: a facilities manager, three O&M Technicians and approximately half a FTE of administrative, technical and maintenance support. The plant is staffed Monday through Friday from 7:00 a.m. through 3:00 p.m. Saturdays, Sundays and holidays are staffed with one operator for four hours each of those days. During the off hours, including holidays, there is an operator on-call.

2.6.3 Power Supply (Section 60337)

There is one standby generator for the CTF. In case of a power failure at the CTF, an alarm will be activated, and a standby generator will be activated automatically. The standby generator is designed to operate all treatment processes of the plant and the yard and administration building lighting.

The standby generator is rated for standby service at 650kW/813kVA, 0.8PF, 480V, 3-phase, 60Hz. The standby generator includes the following features:

- Diesel-engine-driven electric generating set
- Engine-alternator control console
- Automatic transfer switch to initiate automatic engine start/stop and load switching
- A 10-hour fuel supply sub-base fuel tank and rupture basin
- Weather protective skintight generator enclosure

2.6.4 Primary Treatment (Section 60339)

The CTF does not have primary treatment.

2.6.5 Emergency Storage or Disposal (Section 60341)

Under California regulations, the CTF should be provided with an emergency storage basin to store the volume of wastewater that could not be treated during 20 days with one treatment train off-line. As part of the 2013/14 expansion the effluent storage pond (10.9 Mgal) will be converted to a long-term emergency storage basin. The 10.9 Mgal storage volume is adequate to store influent wastewater for 20 days if a whole train is taken offline. A drain pump station would be provided to return any stored wastewater to the plant headworks.



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2.6.6 Biological Treatment, Secondary Sedimentation, Coagulation, and Filtration (Sections 60345–60351)

The existing MBR system at the CTF provides biological treatment (Section 60345) and filtration (Section 60351). These systems do not require and, thus, will not include secondary sedimentation (Section 60347) and coagulation (Section 60349).

MBR systems are inherently reliable because the chances of a physical membrane failure is relatively remote. However, if such a failure occurs, the continuous effluent turbidity monitoring system would automatically raise an alarm and shut down the MBR process, initiating emergency storage of the incoming wastewater. Additional reliability features include:

- Alarms for loss of power, low and high water level in membrane tanks, low filtration flow rate, low and high filtration temperature, low membrane air flow, low backwash water level, process valve actuator failure, filtrate pressure test failure, filtrate flow test failure, membrane blower failure, membrane recirculation pump failure, air compressor failure, and clean-in-place system failure.
- In addition, dual anoxic, aeration, and membrane basins/tanks allow operation even when one train within the MBR system is not in operation.

2.6.7 Disinfection (Section 60353)

The hypochlorite disinfection system is able to convey the required design chlorine dose under worst-case operating conditions (e.g., peak-day flow, water quality) to the pathogens passing through the disinfection system. Two sodium hypochlorite pumps are provided. One of the pumps will act as a standby.

2.6.8 Additional Reliability Features (Section 60355)

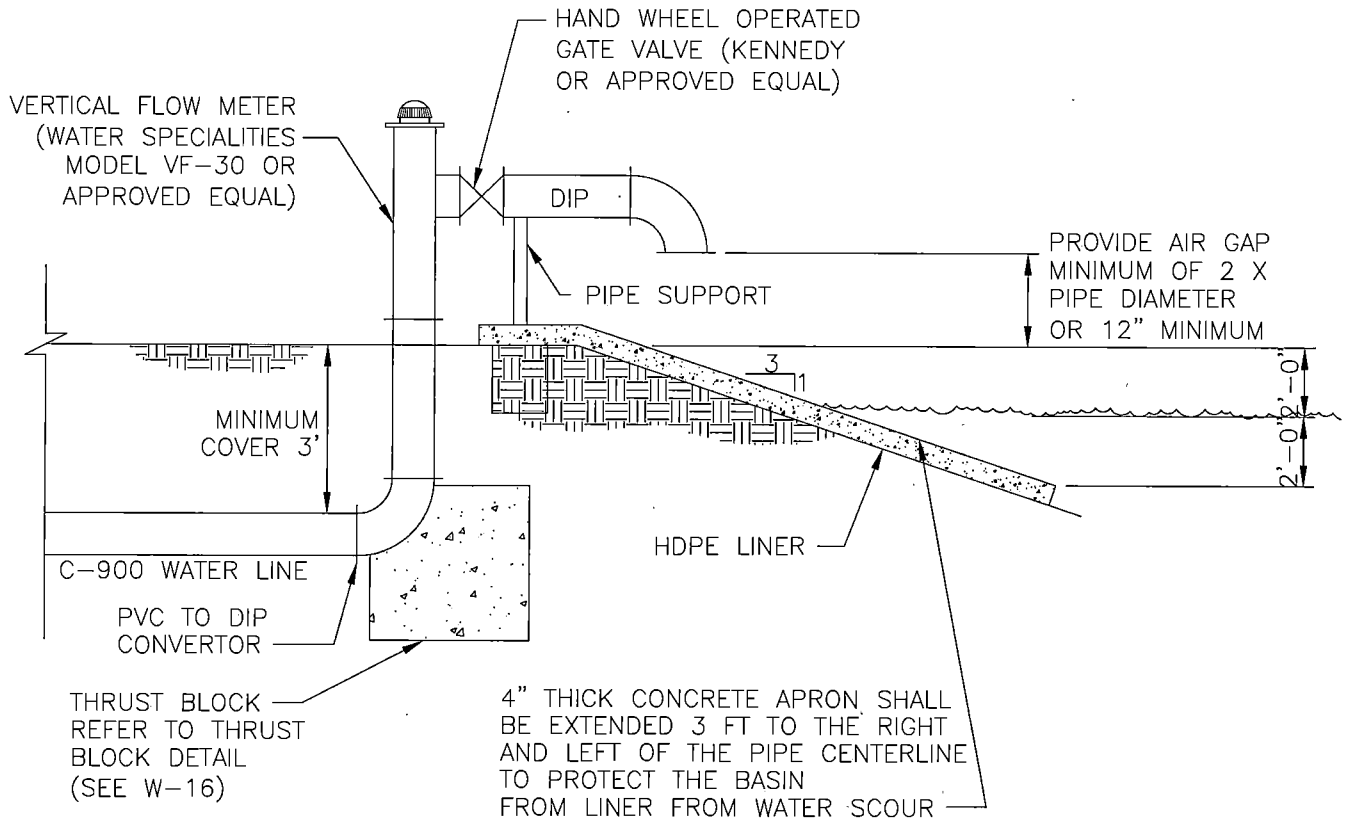
- All pump stations will be designed to pump peak-hour flows when the largest pump is out of service.
- All chemical metering pump systems will be designed to meet peak demands with largest pump out of service.
- All pumping systems associated with solids storage and dewatering will be designed to meet peak demands with largest pump out of service.
- The waste sludge aeration blower may be out of service for days without impacting effluent quality.

2.7 SUPPLEMENTAL WATER SUPPLY

The amount of recycled water currently available is adequate to meet the irrigation demand of the landscaped and agricultural application.

If in the future supplemental water is used to supplement reclaimed water impoundments, air gaps will be provided per City Standard Detail RW-4 (See Figure 2-2). The use area area cross-connection control and backflow prevention program will also be implemented as described in Section 4 of this report.





NOTE:

1. AIR GAP MEASURED FROM THE TOP OF THE BASIN VERICALLY TO THE BOTTOM OF THE DIP ELBOW
2. APPURTENANCES ABOVE GROUND SHALL BE PAINTED PURPLE CONFORMING TO AWWA C105 SPECIFICATIONS AND HEALTH AND SAFETY CODE 116815 TO INDICATE RECLAIMED WATER.

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Approved by: <i>Joseph Payne</i>		
City Of Lathrop Public Works Director		
No	Revised	Date

CITY OF LATHROP
DEPARTMENT OF PUBLIC WORKS

SUPPLEMENTAL WATER SUPPLY

WITH AIR GAP TO RECYCLED WATER STORAGE POND



STANDARD DETAIL

Replaces County Standard Drawing No.

FEBRUARY 2007

Drawing No:

RW - 4

Figure 2-2
Air Gap System for Supplemental Water Supply

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2.8 MONITORING AND REPORTING

The operation of the CTF will be monitored in accordance with the requirements of the future Waste Discharge Requirements and Title 22 of the CCR. All *ex situ* biological and physicochemical analyses will be performed by a laboratory approved by the CDPH. Sampling and analytical equipment will be calibrated per manufacturer guidelines or more often if deemed necessary.

2.8.1 Influent Monitoring

An influent magnetic flow meter will be placed before the headworks screen during the 2013/14 expansion. The meter's readings will be recorded and totaled automatically. In addition to the flow measurements, weekly 24-hour composite samples of influent are collected and analyzed for biological oxygen demand (BOD₅) and suspended solids. The samples are collected right before the headworks.

2.8.2 Effluent Monitoring

The CTF effluent flow is measured, recorded, and totaled. Effluent water quality will be grab-sampled just downstream of the disinfection systems. The samples are to be analyzed for total coliform, turbidity, BOD₅, total suspended solids, total dissolved solids concentration, sodium, chloride, total nitrogen, nitrate-nitrogen, total Kjeldahl nitrogen, standard minerals, and pH. The Regional Board determines the sampling frequency. Coliform bacteria in the effluent is measured at least daily, and effluent turbidity is measured continuously per Title 22 requirements.

Monitoring and operation records are maintained at the administration building. Summaries of the records are submitted to the Regional Board, per the Waste Discharge Requirements/ Monitoring & Reporting Program.

2.9 CONTINGENCY PLAN

A contingency plan has been developed to prevent inadequately treated effluent from being delivered to the tertiary storage basins (TSBs) or to reclamation sites that are irrigated with effluent from the CTF. The following conditions will produce final effluent diversion to the equalization tank and/or emergency storage basin:

- Incoming flows are higher than influent pump station capacity;
- Failure of the membrane process as indicated by a turbidity measurement higher than 0.2 NTU (turbidimeter will provide continuous reading);
- Failure of the disinfection process as indicated by a failure of the hypochlorite pumps;
- Any other equipment or process failure that produces a loss of treatment capacity large enough to prevent treatment of the incoming flows.

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Under normal operating conditions, disinfected effluent will be directed toward the TSBs. If any of the failures described above is detected by the monitoring equipment, the diversion of effluent flow to emergency storage will be automatically initiated by actuated motorized valves. The minimum equalization and emergency storage volumes that will be provided are detailed in Section Equalization and Emergency Storage (Section 2.5.3) Emergency Storage or Disposal (Section 60341). After the problem causing the diversion is corrected, the effluent will be redirected to the TSBs or reclamation fields.

All substandard effluent stored in the 10.9 MG ESB or equalization storage tank will be returned to the influent pump station for retreatment during off-peak-flow periods. The drain and centrate flows from the different processes of each plant will be returned to the influent pump station via the corresponding plant's drain pump station. The rate of return flow from emergency storage will be set so that the combined inflow to the CTF and all return flows do not exceed the peak-day flow, which is the basis for the design of the MBR and disinfection systems. In case of a power failure, a standby diesel generator will automatically start and will power all essential equipment.

The diversion of substandard effluent to emergency storage will occur automatically via automatic valves. In the event that this automatic system fails to operate as intended, operations staff would initiate manual diversion to the emergency storage. In the unlikely event when both equalization tank and emergency storage basin are full, the operations staff will immediately divert the wastewater or substandard effluent to any empty TSB and will proceed to shut down the effluent distribution system. The City will immediately notify by telephone the reclamation sites' responsible parties, the Regional Board, and the CDPH. This telephone notification will be followed by a written account of the problem(s) and the corrective actions taken.

3.0 Recycled Water Transmission and Distribution Systems

3.1 OVERVIEW

The City owns and maintains all potable water lines, recycled water lines, and sewer lines within the recycled water service area and use areas.

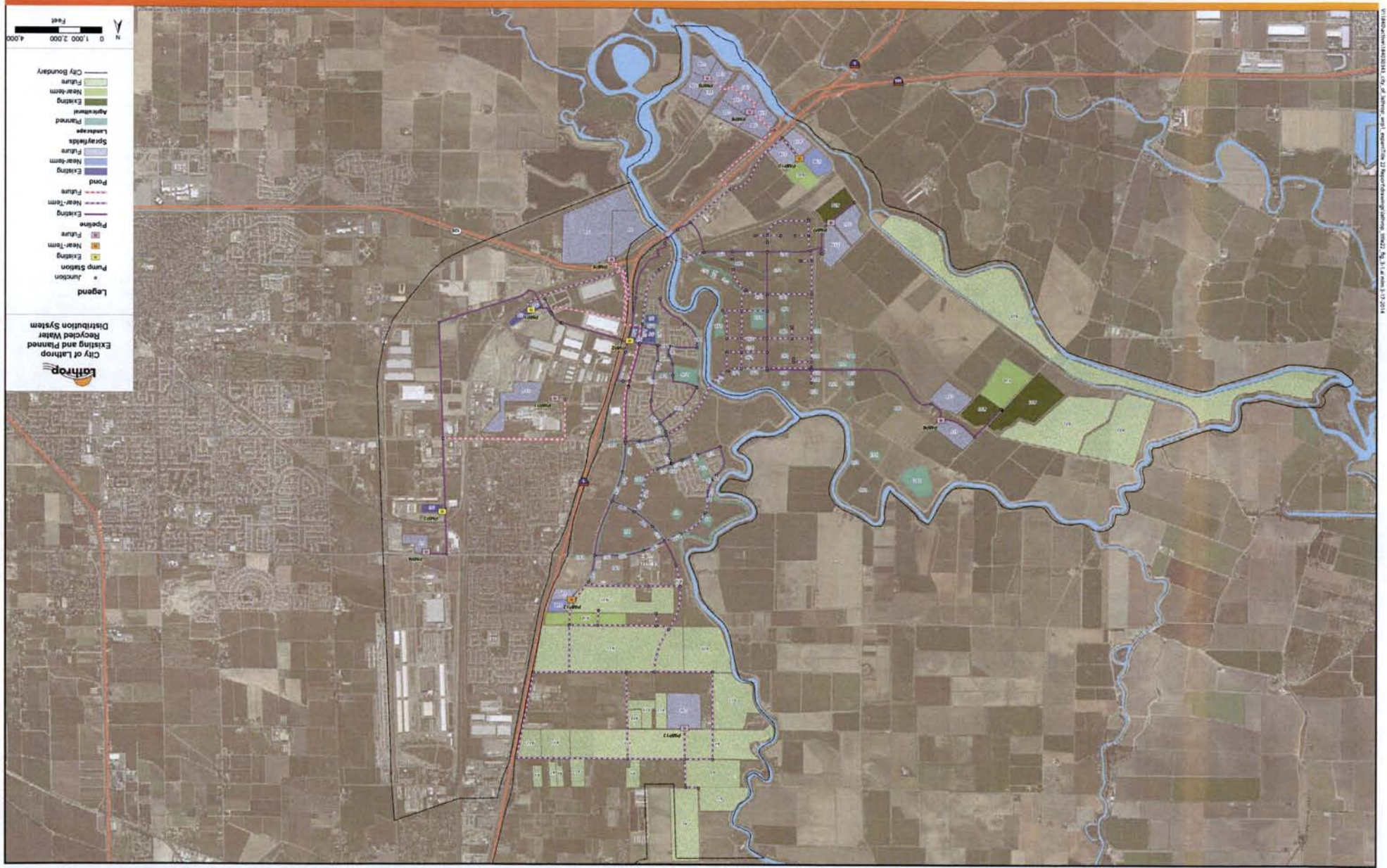
At present, the City has a water recycling system that includes tertiary storage basins (TSBs), recycled water pipelines, recycled water pump stations, and application sites within the City of Lathrop area known as Mossdale. This system is used to dispose of the effluent from the Consolidated Treatment Facility (CTF).

TSBs are used to store treated recycled water during low irrigation water demand periods (primarily winter). The recycled water is then used to provide water during the high irrigation demand periods (primarily summer). The TSBs are emptied annually by the end of September to provide effluent storage for the next year. Each TSB has a pump station, flow meter and a flow control valve.

The City manages all the recycled water pipelines, recycled water pump stations, effluent storage areas (tertiary storage basins), and effluent disposal areas (landscaped and agricultural sites for land disposal of effluent), which are controlled with a SCADA system that is independent of the SCADA systems of the CTF and operated by City staff. The location of the storage facilities, transmission facilities, and use areas are shown in Figure 3-1.



Figure 3-1
Location of the CTF Irrigation Parcels, Storage Reservoirs, and Reclaimed Water Pipelines



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As described in Section 7, Article 5.6 E.1 of the City of Lathrop Ordinance No. 04-241, pipes conveying recycled water are colored purple or distinctively wrapped in purple tape (per Health and Safety Code 116815). Conveyance appurtenances (controllers, valves, etc.) are equipped with warning signs. All appurtenances are of the type or are secured in such a manner that only authorized personnel can operate them.

Storage and use areas are appropriately signed (more details in Section 4). The pipelines that conform the recycled water distribution network are:

- comply with the California Waterworks Standards;
- designed to meet the separation requirements of AWWA and Appendix J of the 1994 Uniform Plumbing Code; and
- comply with the recycled water system standards of the City of Lathrop.

Additional design features are discussed in Section 4.7.

3.2 EXISTING AND PLANNED RECYCLED WATER DISTRIBUTION SYSTEM

The capacities of the TSBs serving the existing and planned recycled water system are provided in Table 3-1. The main features of the pump stations used in the existing and planned recycled system are presented in Table 3-2. Near-term facilities will accommodate additional flows once the capacity of the CTF is expanded to 1 mgd. Wastewater flow from build-out condition will be supported by long-term facilities listed in these tables. See Figure 3-1 for the location of these facilities and a layout of the distribution system.

Table 3-1 Existing and Planned Tertiary Effluent Storage Basins (TSBs)

Basin ID	Maximum Storage Volume (MG)	Phase
S1	41	Existing
S2	15	Existing
S3	21	Existing
S4	12	Existing
S5	28	Existing
S6	34	Existing
S7	57	Long-Term
S8	182	Long-Term
S9	457	Long-Term
S11	102	Long-Term



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Basin ID	Maximum Storage Volume	Phase
	(MG)	
S12	97	Long-Term
S13	116	Long-Term
S14	90	Long-Term
S15	135	Long-Term
S16	78	Near-Term
S17	61	Long-Term
S18	71	Long-Term
S19	55	Long-Term
S20	66	Long-Term
S21	67	Long-Term
S22	71	Long-Term
S23	74	Long-Term
S24	65	Long-Term
S25	56	Long-Term
S26	63	Long-Term
S27	58	Long-Term
S28	37	Near-Term
S29	76	Long-Term
S30	172	Long-Term
Total (Existing)	151	
Total (Near Term)	267	
Total (Future)	2,457	



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Table 3-2 Existing and Planned Recycled Water Pump Stations

Pump Station Code	Total Reliable Capacity	Phase
	(gpm)	
PMP1	2,900	Existing
PMP2	1,800	Existing
PMP3	1,800	Existing
PMP4	TBD	Long-Term
PMP5	TBD	Long-Term
PMP6	TBD	Long-Term
PMP7	TBD	Long-Term
PMP8	TBD	Long-Term
PMP9	TBD	Long-Term
PMP10	TBD	Near-Term
PMP11	TBD	Long-Term
PMP12	TBD	Near-Term
PMP13	TBD	Long-Term

The effluent from the chlorine contact basin in the CTF is discharged by gravity to S5 for intermediate storage. S5 is a lined basin with a capacity of 28.5 Mgal. This TSB is drained by a recycled water pump station (PMP-1) located at the CTF that transfers recycled water to off-site TSBs S1, S2, S3 and S6. After the expansion S16 and S 28 will also be available for transfer of recycled water from the CTF. S4, S5, and PMP-1 are connected and operated by a SCADA system located at the CTF. After the expansion S4 and S5 will be isolated from each other, and the S4 will be converted to an Emergency Storage Basin.

The CTF also contains a 3,000 gallon hydropneumatic tank to maintain system pressures during low flow conditions to avoid excessive cycling of the pumps. S1 S2, and S3, located within the Mossdale development approximately 1 mile northwest of the CTF, are drained by pump station PMP-2. S6, located approximately 2 miles northeast of the CTF, is drained by pump station PMP-3. The off-site TSBs and associated pump stations are controlled by a separate SCADA system and are managed by City of Lathrop irrigation operations staff.

A recycled water pump station (PMP-2) at S2 supplies recycled water from S1, S2, and S3. This pump station houses constant speed pumps. For pumping rates lower than the pump’s minimum rating, a hydropneumatic tank located at the CTF supplies water to the existing recycled water system. This hydropneumatic tank is designed to meet low-flow demands and to provide protection from surge during pump start-up and shutdown.

The recycled water distribution system pressure is intended to be maintained at 45 psi to provide sufficient pressure to sprinkler heads at the landscape irrigation sites. During periods of high demand,



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PMP-2 and PMP-3 supply recycled water to the distribution system. If the distribution system pressure exceeds the desirable delivery pressure, pressure relief/sustaining valves open to direct recycled water from the distribution system into the TSBs.

The existing CTF reclamation distribution system is sized to meet irrigation demands for the existing planned urban landscape areas within River Islands and Central Lathrop Specific Plan areas. The agriculture fields within River Islands are typically irrigated over two to three days period each week. Urban landscape irrigation takes place at night between 10:00 p.m. and 6:00 a.m. The existing recycled water system is also sized to meet irrigation demands for the future planned urban landscape areas, without additional facilities. The existing pump stations and the reclamation distribution system are sized to meet the irrigation demands of the agricultural fields planned for the CTF.

4.0 Use Areas

4.1 IRRIGATION

Recycled water produced by the CTF will be applied to landscaped and agricultural areas located within Mossdale Village, Stewart Tract, Paradise Cut, the CLSP area, and the agricultural lands located north of CLSP. Basic data on these application areas and associated vegetation and irrigation type were submitted to the CDPH in the 2006 Title 22 Report as presented in Table 4-1 below. Three of the parcels identified in the 2006 report are no longer available for reclaimed water use. The location of these areas is shown in Figure 3-1.

The landscaped areas will be irrigated with recycled water to maintain ornamental turf, shrubs, and trees. The agricultural areas will be irrigated with recycled water to produce edible crops (carrots, tomatoes, asparagus, watermelons, and others) and nonedible crops (alfalfa and other fodder crops).

The City will be responsible for the distribution and use of the recycled water at the use areas. Other regulatory agencies with jurisdiction over the recycled water use include the CDPH, the Regional Board, and the San Joaquin County Environmental Health Department. The specific personnel designated for the production, distribution, and use of the recycled water are provided in Table 2-1.

The following measurements will be used to minimize the amount of recycled water runoff at the use areas:

- No irrigation during and within the first 24 hours after a rainfall event.
- Irrigation systems, including siphon, sprinkler, and flood irrigations, will be inspected daily during the irrigation season.
- Spray irrigation will not take place when winds are above 30 mph.
- All tailwater runoff will be captured and reapplied to the fields.



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Table 4-1 Application Areas and Uses

Site ID	APN	Parcel Area (Acres)	Irrigated Area (Acres)	Recycled Water Application Type	Land Use
A 01	19128010	49.49	42.1	Irrigation	Agricultural Fields
A 02	19128009	101.2	86.0	Irrigation	Agricultural Fields
A 03	19127033	58.56	49.8	Irrigation	Agricultural Fields
	19127032	8.2		Irrigation	Agricultural Fields
	19127030	31.8		Irrigation	Agricultural Fields
A 04	19126025	18.09	15.4	Irrigation	Agricultural Fields
A 05	19126013	19.52	16.6	Irrigation	Agricultural Fields
A 06	19125003	8.83	7.5	Irrigation	Agricultural Fields
A 07	19125012	9.48	8.1	Irrigation	Agricultural Fields
A 08	19125006	10.3	8.8	Irrigation	Agricultural Fields
A 09	19127024	95.18	80.9	Irrigation	Agricultural Fields
	19127025	3.26		Irrigation	Agricultural Fields
	19127010	21.65		Irrigation	Agricultural Fields
A 10	19126027	154.77	131.6	Irrigation	Agricultural Fields
A 10	19127026	4.82		Irrigation	Agricultural Fields
A 11	19123001	40	34.0	Irrigation	Agricultural Fields
A 12	19123002	29.33	24.9	Irrigation	Agricultural Fields
A 13	19127021	95.54	81.2	Irrigation	Agricultural Fields
A 17	19126021	20	17.0	Irrigation	Agricultural Fields
A 18	19126028	22.89	19.46	Irrigation	Agricultural Fields
	19126029	13.14		Irrigation	Agricultural Fields
A 19	19126023	12.75	10.8	Irrigation	Agricultural Fields
A 20	19122004	99.1	84.2	Irrigation	Agricultural Fields
A 21	19122005	313.88	266.8	Irrigation	Agricultural Fields
A 23	19119049	12.4	10.5	Irrigation	Agricultural Fields
A 28	21330009	33.71	28.7	Irrigation	Agricultural Fields
A 29	21313005	231.4	444.2	Irrigation	Agricultural Fields
	21313006	74.7		Irrigation	Agricultural Fields
	21313007	12.5		Irrigation	Agricultural Fields
	21320001	153		Irrigation	Agricultural Fields
	21320002	229.42		Irrigation	Agricultural Fields



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Site ID	APN	Parcel Area (Acres)	Irrigated Area (Acres)	Recycled Water Application Type	Land Use
A 30	21321006	294.72	250.5	Irrigation	Agricultural Fields
A 31	21311003	151	128.4	Irrigation	Agricultural Fields
A 32	21311002	178.12	151.4	Irrigation	Agricultural Fields
A 33	21311001	221.21	188.0	Irrigation	Agricultural Fields
A34	21321006	294.72	250.5	Irrigation	Agricultural Fields
A35	21329002	25.44	21.6	Irrigation	Agricultural Fields
A36	19122010	5.15	34.5	Irrigation	Agricultural Fields
	19122011	10.43		Irrigation	Agricultural Fields
	19122012	0.96		Irrigation	Agricultural Fields
	19122013	16.38		Irrigation	Agricultural Fields
	19122037	7.72		Irrigation	Agricultural Fields
A37	19122015	19.48	125.5	Irrigation	Agricultural Fields
	19122017	9.80		Irrigation	Agricultural Fields
	19122035	8.96		Irrigation	Agricultural Fields
	19122018	19.61		Irrigation	Agricultural Fields
	19122014	89.82		Irrigation	Agricultural Fields
A38	19122044	1.74	2.6	Irrigation	Agricultural Fields
	19122045	1.26		Irrigation	Agricultural Fields
L 01	19122017	9.8	3.38	Irrigation	Park
L 02	19122015	19.5	7.8	Irrigation	K-8 (2)
L 03	19122014	9.8	3.38	Irrigation	Park
L 04	19121032	16.39	11.1	Irrigation	Park
L 05	19121013	24.48	3.38	Irrigation	Park
L 05	19121015	272.3		Irrigation	
L 05	19121024	17.02		Irrigation	
L 06	19121033	19.52	3.75	Irrigation	Park
L 07	19121023	19.53	3.75	Irrigation	Park
L 07	19121020	5.09		Irrigation	
L 07	19121022	20.9		Irrigation	
L 08	19133011	3.36	3.36	Irrigation	Park
L 09	City ROW	-	0.05	Irrigation	Median
L 10	City ROW	-	0.21	Irrigation	Parkway
L 11	City ROW	-	0.74	Irrigation	Parkway



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Site ID	APN	Parcel Area (Acres)	Irrigated Area (Acres)	Recycled Water Application Type	Land Use
L 12	City ROW	-	0.05	Irrigation	Median
L 13	City ROW	-	0.45	Irrigation	Parkway
L 14	19133009	6.8	6	Irrigation	Park
L 15	City ROW	-	0.1	Irrigation	Parkway
L 16	City ROW	-	0.23	Irrigation	Parkway
L 17	City ROW	-	0.04	Irrigation	Median
L 18	City ROW	-	0.26	Irrigation	Parkway
L 19	19154061	1.43	1.43	Irrigation	Park
L 20	19135004	20.2	6.2	Irrigation	Park
L 21	City ROW	-	0.29	Irrigation	Parkway
L 22	19120021	17.02	3.38	Irrigation	Park
L 22	19120024	15.33		Irrigation	
L 22	19120025	4.51		Irrigation	
L 23	City ROW	-	0.14	Irrigation	Parkway
L 24	City ROW	-	0.91	Irrigation	Parkway
L 25	City ROW	-	0.04	Irrigation	Median
L 26	City ROW	-	0.4	Irrigation	Median
L 27	19136068	0.75	0.75	Irrigation	Park
L 28	City ROW	-	0.32	Irrigation	Parkway
L 29	City ROW	-	0.34	Irrigation	Parkway
L 30	City ROW	-	0.1	Irrigation	Median
L 31	City ROW	-	0.09	Irrigation	Median
L 32	City ROW	-	0.04	Irrigation	Median
L 33	City ROW	-	1.05	Irrigation	Median
L 34	19138067	0.06	0.06	Irrigation	Median
L 35	City ROW	-	0.1	Irrigation	Median
L 36	City ROW	-	0.1	Irrigation	Median
L 37	City ROW	-	0.03	Irrigation	Median
L 38	City ROW	-	0.09	Irrigation	Parkway
L 39	City ROW	-	0.37	Irrigation	Parkway
L 40	City ROW	-	0.28	Irrigation	Parkway
L 41	City ROW	-	0.18	Irrigation	Median
L 42	City ROW	-	0.31	Irrigation	Parkway



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Site ID	APN	Parcel Area (Acres)	Irrigated Area (Acres)	Recycled Water Application Type	Land Use
L 43	City ROW	-	5.5	Irrigation	Pond Berm
L 44	City ROW	-	2.3	Irrigation	Park/Median
L 45	City ROW	-	2.1	Irrigation	Pond Berm
L 46	City ROW	-	3	Irrigation	Pond Berm
L 47	City ROW	-	0.3	Irrigation	Parkway
L 48	21331010	343.4	6	Irrigation	Park
L 49	21331010	343.4	1.6	Irrigation	
L 50	City ROW	-	0.2	Irrigation	Median
L 51	21331010	343.4	0.4	Irrigation	
L 52	21331010	343.4	0.4	Irrigation	Park
L 52	21331003	16.44	0.4	Irrigation	Park
L 53	21331004	11.77	15	Irrigation	Park
L 54	City ROW	-	0.2	Irrigation	Median
L 55	City ROW	-	0.5	Irrigation	Median
L 56	City ROW	-	0.1	Irrigation	Median
L 57	City ROW	-	0.4	Irrigation	Median
L 58	City ROW	-	0.4	Irrigation	Median
L 59	City ROW	-	1.5	Irrigation	Median
L 60	21330006	98.51	2.7	Irrigation	Park
L 60	21331007	32.12		Irrigation	
L 61	City ROW	-	1.2	Irrigation	Median
L 62	City ROW	-	1.1	Irrigation	Median
L 63	21330011	124.85	2.1	Irrigation	Park
L 64	City ROW	-	0.4	Irrigation	Median
L 65	21331010	343.4	1.9	Irrigation	Park
L 66	21331010	343.4	2	Irrigation	Park
L 67	21331010	343.4	2.3	Irrigation	Park
L 67	21331009	77.44		Irrigation	
L 68	City ROW	-	0.4	Irrigation	Median
L 69	21331010	343.4	0.9	Irrigation	Park
L 70	21331008	108.18	2.5	Irrigation	Park
L 70	21331010	343.4		Irrigation	
L 71	City ROW		0.4	Irrigation	Median



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Site ID	APN	Parcel Area (Acres)	Irrigated Area (Acres)	Recycled Water Application Type	Land Use
L 72	21331008	108.18	2.3	Irrigation	Park
L 73	21331009	78.44	2	Irrigation	Park
L 74	21331008	108.18	6	Irrigation	Park
L 75	City ROW	-	0.1	Irrigation	Median
L 76	City ROW	-	0.5	Irrigation	Median
L 77	21331008	108.18	2.8	Irrigation	Park
L 77	21322002	195.94	2.8	Irrigation	Park
L 78	City ROW	-	0.5	Irrigation	Median
L 79	21323005	95.47	1.1	Irrigation	Park
L 79	City ROW	-	1.1	Irrigation	Park
L 80	City ROW	-	0.8	Irrigation	Median
L 81	21323006	89.79	4.4	Irrigation	Park
L 82	21323001	90.62	34	Irrigation	Park
L 82	21323002	2		Irrigation	
L 83	21322002	195.94	1.1	Irrigation	Park
L 84	21331008	108.18	2.2	Irrigation	Park
L 85	City ROW	-	0.94	Irrigation	Median
L 86	City ROW	-	1.37	Irrigation	Parkway
L 87	City ROW	-	2.5	Irrigation	Open Space
L 88	City ROW	-	0.44	Irrigation	Median
L 89	City ROW	-	0.64	Irrigation	Parkway
L 90	City ROW	-	0.41	Irrigation	Median
L 91	City ROW	-	0.96	Irrigation	Parkway
L 92	City ROW	-	1.28	Irrigation	Median
L 93	City ROW	-	1.82	Irrigation	Parkway
L 94	City ROW	-	1.5	Irrigation	Open Space
L 95	City ROW	-	0.13	Irrigation	Median
L 96	City ROW	-	1.29	Irrigation	Parkway
L 97	City ROW	-	1.43	Irrigation	Parkway
L 98	City ROW	-	1.11	Irrigation	Parkway
L 99	City ROW	-	1.05	Irrigation	Parkway
L 100	City ROW	-	1.71	Irrigation	Parkway



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A map with the use areas for this project is provided in Figure 3-1. The following information is also presented in this map:

- Location of all existing and planned TSBs and recycled water pump stations that serve both CTF.
- Location of recycled water lines within the zones served by CTF.
- The location of all existing and planned landscaped and agricultural sites to be irrigated with recycled water.
- The location of all known active monitoring wells.

The use areas will be designed following all the guidelines of Section 60310 of Title 22:

1. No irrigation with disinfected tertiary recycled water will take place within 50 ft of any domestic water supply.
2. No impoundment of disinfected tertiary recycled water will occur within 100 ft of any domestic water supply.
3. No irrigation with disinfected secondary-2.2 or disinfected secondary-23 recycled water will take place within 100 ft of any domestic water supply.
4. No irrigation with undisinfected secondary recycled water will take place within 150 ft of any domestic water supply.

Any use of recycled water will comply with the following:

1. Any irrigation runoff will be confined to the recycled water use area, unless the runoff does not pose a public health threat and is authorized by the CDPH and the Regional Board.
2. The use area irrigation systems will be designed in such a way that spray, mist, or runoff will not enter dwellings, designated outdoor eating areas, or food-handling facilities.
3. Where present, drinking water fountains will be protected against contact with recycled water spray, mist, or runoff.
4. No spray irrigation of any recycled water, other than disinfected tertiary recycled water, shall take place within 100 feet of a residence or a place where public exposure could be similar to that of a park, playground, or school yard.
5. All use areas that are accessible to the public and where recycled water is used will be posted with signs that are visible to the public (in a size no less than 4 inches high by 8 inches wide) and that include the following wording (or equivalent): "RECYCLED WATER—DO NOT DRINK".



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In this project, there will be no drinking water fountains and designated outdoor eating areas in the agricultural sites and landscaped corridors and medians. If outdoor drinking fountains are used in the parks and schools, they will be located away from the reclaimed water irrigated area and protected from sprays and mists by a housing structure or other physical means.

The signage is consistent with Section 60310(g) of Title 22. Figure 4-1 presents the signage that the City uses to notify the public of the use of recycled water on use areas. The signs have a purple (Pantone 512) background with high-contrast lettering. Placement of signage provides adequate means of notification to inform workers and the public that recycled water is being used. The specific location and distance between signage is location specific and is determined *in situ*. However, notification signs are posted in at least the following locations:

- Around the perimeter of the use areas
- In the vicinity of street intersections adjacent to the recycled water use area
- At the boundaries of landscaped corridors
- Any other area deemed necessary by CDPH to provide adequate notification to the public of recycled water use

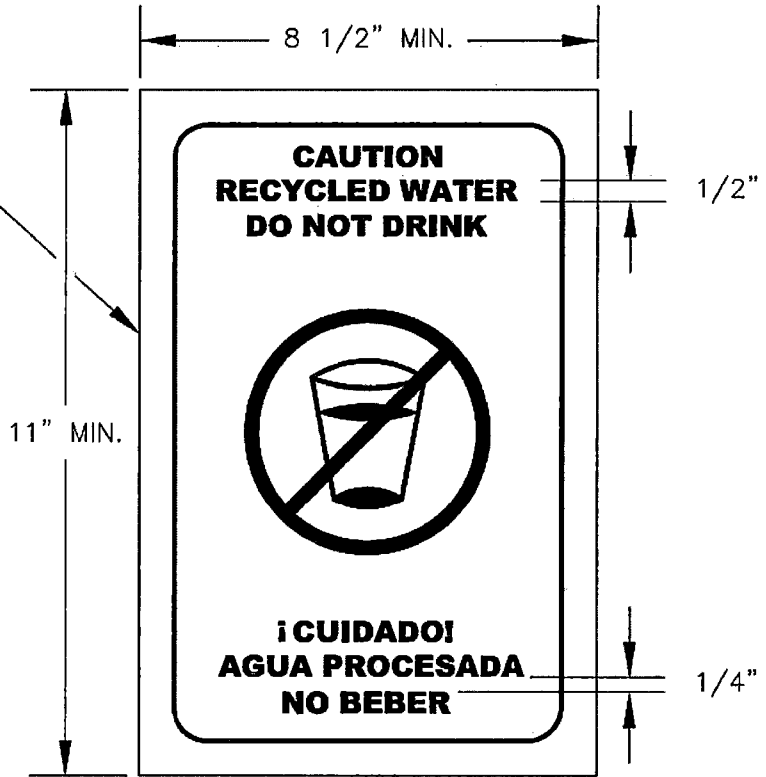
The landscaped and agricultural areas have unrestricted access (i.e., they do not have any physical barrier impeding the access into the use area). However, as mentioned above, staff associated with the operation of the use areas and the general public are notified of the use of recycled water via advisory signs designating the nature of the irrigation area.

The City implements a cross-connection control plan based on guidance provided by the CDPH and the American Water Works Association (hereinafter, AWWA). The City's specific plan and proposal are discussed in Section 5.

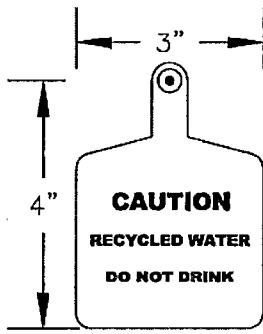
The use areas are graded to minimize ponding. Once in operation, the use areas are monitored for ponding when checking the irrigation system. The agricultural fields are bermed, and the tailwater drains toward a tailwater pump that returns the collected water to the irrigation system. Thus, no recycled water drains outside the application area.

The landscape irrigation takes place at night between 10:00 p.m. and 6:00 a.m. The agricultural fields are irrigated during the daytime or night, depending on how long it takes to irrigate the fields.

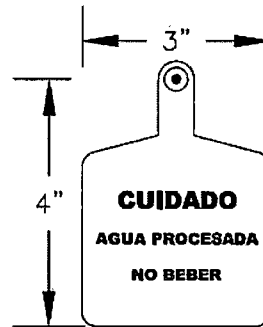
APPLY TEX-COTE GRAFFITI
 GUARD® 21st CENTURY
 COATINGS GRAFF-IT-OFF® OR
 APPROVED EQUAL SHALL BE
 APPLIED TO ALL SIGNS



NOTE:
 SIGN BACKGROUND COLOR SHALL BE PURPLE
 (PANTONE 512) AND TEXT SHALL BE BLACK
 PER AWWA GUIDELINES.



FRONT



BACK

NOTE:
 TAGS MADE OF PURPLE (PANTONE 512) WEATHERPROOF PLASTIC.

Approved by:

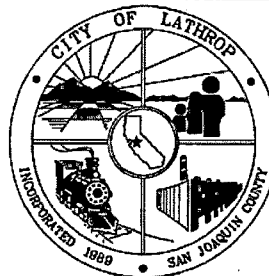
Joseph Payne

City Of Lothrop
 Public Works Director

No	Revised	Date

CITY OF LATHROP
 DEPARTMENT OF PUBLIC WORKS

**RECYCLED WATER
 CAUTION SIGN AND TAG**



**STANDARD
 DETAIL**

FEBRUARY 2007
 Drawing No:
RW - 3

V:\1840\active\18400843_city_of_lathrop_vrpl_expan\title 22 Report\drawings\lathrop_title_22_fig_4-1.lai min 3-24-2014

Figure 4-1
 Recycled Water Use Warning Sign City of Lathrop

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4.2 IMPOUNDMENTS

The locations of the TSBs or impoundments are shown in Figure 3-1. The TSBs are used to store disinfected tertiary effluent produced during the wet season to be used for irrigation during the dry season. There is no other allowed use of these TSBs. The number, capacity, and phasing for the TSBs planned for this project are described in depth in Section 3. The TSBs are fenced and have signs posted around their perimeter.

TSBs are sized to accommodate the ultimate effluent produced by the CTF and the rainfall collected over their surface areas during a 100-year rainfall year. This is the design criteria used by the Regional Board for storage of municipal effluent.

The existing TSBs are designed in accordance with the City's Recycled Water System Design and Construction Standards. The TSBs are constructed as open reservoirs and are lined with 40 mil high-density polyethylene (HDPE).

If a situation arises where the impoundment levees are at risk of being breached, it will probably occur in the March-to-April period, which is when the wet season is ending and the irrigation season is about to begin. In this highly unusual situation, the City will notify the Regional Board and will take several preventive steps, including:

- notifying the community of a critical need to reduce wastewater flows (i.e., curb water usage in the home);

If these measures do not correct the pending "overflow" situation, then City staff will override the automatic controls of the irrigation system and will over irrigate the use areas. In this highly unlikely event, the City will monitor for runoff into surface water bodies and will submit a report to the Regional Board describing the situation, its causes, any known impacts, and any improvements to be made to the overall facilities based on the situation. Thus, under normal circumstances, no drainage from the TSBs is expected.

4.3 COOLING

Recycled water from the CTF will not be used in any cooling system.

4.4 GROUNDWATER RECHARGE

The recycled water produced by the CTF will be used for irrigation purposes and is not intended for groundwater injection or recharge. However, not all the applied disinfected tertiary effluent will be used by the vegetation that populates the used area. Depending on the irrigation method used (flood, siphon, sprinklers), the fraction of applied water that will percolate and reach the first recoverable groundwater will be approximately 20 to 35 percent of total volume applied.

4.5 DUAL-PLUMBED USE AREAS

There are no dual-plumbed systems in the use areas of the proposed recycled water system.



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4.6 OTHER INDUSTRIAL USES

With the exception of the recycled water used for process operations and some minor landscape irrigation within the CTF, currently there are no industrial users.

4.7 USE AREA DESIGN

Current and future use areas will comply with the June 2001 version of the Water Recycling Criteria (Title 22, Chapter 3, Article 4). In particular, all the setbacks applicable in Section 60310 (described in Section 4-1) will be implemented.

Current agricultural fields are bermed and include a tailwater pump to return the collected water to the irrigation system. This design feature will be included in all sites irrigated by flood or siphon irrigation systems.

The use areas will be designed to protect domestic water distribution systems from the recycled water in accordance with the City's construction standards for recycled water systems and the California Waterworks Standards. The facilities' design will minimize the chance of recycled water leaving the designated use area.

The following are other design features to be included in all use areas:

- There will be no hose bibs in the recycled water distribution system.
- The quick couplers, where required, will be different from quick couplers in the potable water system.
- All storage facilities will be identified by signs that read "CAUTION: RECLAIMED WATER — DO NOT DRINK" and will include the universal symbol for "do not drink". The signs will have black lettering on a purple (Pantone 512) field.
- All exposed and aboveground piping, fittings, pumps, valves, etc., will be purple (Pantone 512) and will be marked with a purple tag reading "CAUTION: RECLAIMED WATER — DO NOT DRINK".
- All buried distribution piping in the use areas, including service lines, valves, and other appurtenances, will be identified using one of the following options:
 - Colored purple (Pantone 522) and embossed or integrally stamped or "CAUTION: RECLAIMED WATER — DO NOT DRINK".
 - Installed with a purple (Pantone 512) polyethylene vinyl wrap.
- Any time that a reclaimed water pipe is replaced, the replacement pipe will be either purple pipe or it will be wrapped in purple plastic sleeve.
- Any potable water line installed within a use area will comply with the California Waterworks Standards; will have backflow prevention device where it enters the use area.



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4.8 USE AREA INSPECTIONS AND MONITORING

As discussed previously, the irrigation system and use areas will be designed to prevent problems of ponding, runoff, and overspray. The irrigated lands will be inspected monthly during the irrigation season. The major responsibility of this inspection will be to assess the health of crops and proper function of the irrigation system. If runoff, overspray, or misting problems are detected, the problem will be corrected by modifying the irrigation system for that particular site (e.g., sprinkler heads), irrigation rate, site layout, vegetation, etc. Ongoing modifications to the system are expected and will be driven primarily by the ongoing inspections and monitoring of the agricultural lands personnel.

If required by the Regional Board, the City will also monitor shallow groundwater quality in and around the use areas as directed in the Monitoring and Reporting Program that will be issued as part of the Regional Board's permit for this wastewater treatment and reclamation facility.

The City's director of Public Works or his designee will perform quarterly use area inspections during the first year of operation of any given use area. These initial quarterly inspections will ensure the City that all recycled water uses comply with all permit requirements. Based on the results of the first four quarterly inspections, the frequency of future inspections will be determined but shall be no less than once per year.

At the minimum, inspections will include visual examination of all recycled water backflow-prevention devices, pump rooms, exposed piping, valves, pressure-reducing stations, points of connections, sprinklers, controllers, storage facilities, fences, signs, etc. The inspections shall also include a visual check of the entire recycled water system to verify that no cross-connections have been made.

A preventive maintenance program will be implemented that will include the following:

- Regular inspections as indicated above
- A procedure to address problems identified during the inspections
- A contingency plan to address emergency repairs
- Accurate records-keeping system of all inspections, modifications, and repairs. Maintenance and inspection records for the recycled water system, signed and dated by the City's inspector, shall be properly kept by the City. Copies of these records should be submitted to regulatory agencies as required.
- A maintenance program for backflow prevention assemblies that includes at least annual testing by a tester certified by the American Backflow Prevention Association (ABPA) or by AWWA.

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4.9 EMPLOYEE TRAINING

All new employees of the areas that use the recycled effluent as well as all new employees involved in the production and distribution of the recycled effluent will receive training and a ready reference manual to facilitate compliance with (1) California Laws Related to Recycled Water and (2) the Waste Discharge Requirements from the Regional Board. The City of Lathrop will be in charge of providing this training by a person(s) designated by the Director of Public Works.

The training program will be simple and direct and will include the following elements:

- Origin and quality of recycle water. In particular, the training should provide a clear understanding of the following:
 - That recycled water, although highly treated, is nonpotable and may never be used for human consumption
 - That recycled water is safe if common sense is used and appropriate regulations are followed
- What type of recycled water is being produced and used at the use areas
- How the irrigation control system works
- Why effluent is not allowed to run off outside the use areas. Employees must understand that conditions such as recycled water ponding and runoff are not allowed.
- What to look for on the monitoring rounds
- How to report an unusual situation
- What facilities are in the use area and where they are located (GIS based information).

All cross-connections between recycled water piping and other piping are prohibited. Personnel must understand that there is never to be a direct connection between the recycled water system and any other piping system.

CITY OF LATHROP CONSOLIDATED TREATMENT FACILITY ENGINEERING REPORT FOR THE PRODUCTION, DISTRIBUTION, AND USE OF RECYCLED WATER

Cross-Connection Control Plan
April 3, 2014

5.0 Cross-Connection Control Plan

5.1 INTRODUCTION

The State of California requires that the recycled water supplier protects the potable water system from contamination by implementing a cross-connection program that addresses Sections 7585 through 7605 of Title 17 of the CCR.

This section presents the City's plan to prevent cross-connections between the recycled water system and the other underground pipes in the vicinity of the reclaimed water system and to comply with current state requirements. This plan is based on the Recycled Water User Manual developed by Los Angeles County Recycled Water Advisory Committee and the City of Lathrop Recycled Water System Standards.

5.2 PROTECTION OF POTABLE WATER SYSTEM

Air-gap systems will be used on the premises where the public water system is used to supplement the recycled water supply. In this project, this applies to all the standpipes in the agricultural areas that will be irrigated by recycled water and, during dry years, with potable groundwater as well. Air gaps will also be used in instances in which landscaped irrigation is supplemented with potable water.

Reduced pressure backflow principle devices (RPPD) will be installed in the potable water system in any other areas in which potable and recycled water systems coexist.

5.3 INITIAL CROSS-CONNECTION TEST

Prior to retrofit work or construction, an initial cross-connection inspection and pressure testing will be coordinated by the City, who will notify all appropriate health agencies. The purpose of the pressure test is to determine if there are any connections between the existing irrigation system and the potable water system prior to construction. This test will include the following:

1. Potable water will be used during the initial testing of the on-site recycled water system; the potable water supply will be separated from the proposed recycled water system by an approved reduced pressure principle backflow prevention assembly until the system has been checked for cross-connections.
2. The recycled water system will be completely drained and will remain deactivated for an adequate period of time based on site-specific characteristics.
3. At the end of the shutdown period, all of the recycled water outlets throughout the entire site will be tested for cross-connections by checking each outlet for flow.



CITY OF LATHROP CONSOLIDATED TREATMENT FACILITY ENGINEERING REPORT FOR THE PRODUCTION, DISTRIBUTION, AND USE OF RECYCLED WATER

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4. The recycled water system will then be checked at the quick couplers (located on the normally pressurized main irrigation line) or by cycling the irrigation clocks (observing the spray decrease) to determine if there is any flow. If there is no flow detected in any of the outlets that would suggest a cross-connection, the recycled water connection may then be activated.
5. The potable water to the use site will be shut off at the potable water meter. The potable water system will be completely drained and remain deactivated for an adequate period of time based on site-specific characteristics.
6. At the end of the shutdown period, all of the use site's potable water fixtures will be tested for cross-connections by operating each fixture and checking for flow.
7. The potable water inlet will then be checked to detect if there is backpressure or significant backflow. If no flow is detected at the inlet or in any of the fixtures that would suggest a cross-connection, the potable water connection may then be reactivated.

During the lifetime of the recycled water system, the City will periodically inspect the recycled water system to ensure compliance with all applicable rules and regulations. Additionally, the City will perform periodic inspections of the system for cross-connections (including shutdown test, if appropriate), depending on the use-site characteristics.

5.4 FINAL CROSS-CONNECTION TEST

On sites where both in the future recycled and potable water are present, a cross-connection test will be performed using potable water supplied through an approved backflow prevention device before connecting the user's on-site recycled water system to the City's recycled water distribution system. This on-site test is to ensure the absolute separation of the recycled and potable water systems. The City will coordinate the scheduling of the cross-connection test. Periodic testing using the same procedures may be required in the future, depending on the use site's characteristics.

As an alternative to the pressure test, a dye test may be performed by charging the recycled water system with potable water containing a food-grade colored dye. The unpressurized potable water system is then checked for any evidence of the colored dye. If the dye is found, a cross-connection exists. This test itself will be done in a way that does not create a cross-connection.

Upon the successful completion of one of the above tests, insuring no cross-connections between the potable and recycled water systems, the user's irrigation system may be connected by the City to the recycled water distribution system.

CITY OF LATHROP CONSOLIDATED TREATMENT FACILITY ENGINEERING REPORT FOR THE PRODUCTION, DISTRIBUTION, AND USE OF RECYCLED WATER

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5.5 PERIODIC CROSS-CONNECTION TESTING (PCCT)

On sites where both in the future both recycled and potable water are present periodic cross-connection shutdown testing will be done at least once every 4 years, unless visual inspections or major on-site water system changes reveal a need for more frequent testing. The City, in coordination with the CDPH, will determine if more frequent testing is necessary.

This test will follow the same procedures used for the final cross-connection test (either a shutdown or dye test). All provisions of Title 17, Chapter 5, Section 7601-7605 of the California Code of Regulations concerning protection of drinking water systems against cross-connections and backflow must be strictly complied with.

5.6 EMERGENCY CROSS-CONNECTION RESPONSE PLAN

In the event that a backflow incident or cross-connection is suspected or occurs, the following procedures will be implemented immediately:

1. Keep the potable water system pressurized and, if possible, post "DO NOT DRINK" signs at all potable water fixtures and outlets.
2. Immediately shut down the recycled water supply to the facility at the meter.
3. Notify the CDPH by phone. This notification is to be followed by a written notice within 24 hours. The written notice is to include an explanation of the nature of the cross-connection, the date and time discovered, and the steps taken to mitigate the cross-connection(s).
4. Collect water samples from the potable water system and perform a 24-hour bacteriological analysis (as instructed by the Recycled Water Agency). Water samples should be collected from the closest possible point to the cross-connection.
5. Identify the cause and location(s) of backflow and eliminate the cross-connection(s).
6. Conduct a cross-connection test in coordination with the CDPH to verify that all cross-connections have been eliminated.
7. Obtain approval from the CDPH before returning the recycled water system to service.
8. If the bacteriological analysis conducted in Step 4 is positive, flush the potable water system and disinfect it by maintaining a chlorine residual of at least 50 mg/L for 24 hours. Otherwise proceed to Step 11.
9. Flush the potable water system after 24 hours and perform standard bacteriological analysis.
10. If the results from Step 9 are acceptable, proceed to Step 11. Otherwise, repeat Steps 8 and 9.
11. Obtain final approval from the CDPH before removing signs.



CITY OF LATHROP CONSOLIDATED TREATMENT FACILITY ENGINEERING REPORT FOR THE PRODUCTION, DISTRIBUTION, AND USE OF RECYCLED WATER

Appendix A City of Lathrop Recycled Water System Ordinance
April 3, 2014

Appendix A City of Lathrop Recycled Water System Ordinance



ORDINANCE NO. 04-241
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP
ADDING CHAPTER 13.09 TO THE LATHROP CODE OF ORDINANCES
FOR THE RECYCLED WATER SERVICE SYSTEM

WHEREAS, the City Council of the City of Lathrop ("City Council") finds that the new City of Lathrop WRP-1 MBR Expansion wastewater treatment facility constructed for planned development will produce recycled water that must be disposed of through a new recycled water service system; and

WHEREAS, the City Council has also found that as part of the State Regional Water Quality Control Boards Waste Discharge Requirements for WRP-1 MBR Expansion facility, and to ensure public safety and welfare, the City needs to adopt an ordinance for the Recycled Water Service System; and

WHEREAS, a public hearing was noticed in the Manteca Bulletin on August 10, August 15, August 30 through September 3, and September 9 through September 14, 2004 has required by the Government Code §6062a.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP
DOES HEREBY ORDAIN AS FOLLOWS:

Section 1.

Chapter 13.09 is hereby added to the Lathrop Code of Ordinances for the Recycled Water Service System:

Chapter 13.09

RECYCLED WATER SERVICE SYSTEM

Sections

- 13.09.010 Water recycling policy.**
- 13.09.020 Definitions.**
- 13.09.030 Water recycling master plan.**
- 13.09.040 Supplemental use of potable water.**
- 13.09.050 Recycled water use.**
- 13.09.060 Management of recycled water system.**
- 13.09.070 Recycled water services - Meters.**
- 13.09.080 Rules and regulations.**
- 13.09.090 Interpretation of title.**
- 13.09.100 Public Works Director to keep records of permits.**
- 13.09.110 Recycled water outside of city boundaries.**
- 13.09.120 Contractors – Work to comply with city regulations.**
- 13.09.130 City not responsible for duty of care.**
- 13.09.140 Tampering with city recycled water system prohibited.**
- 13.09.150 Installation and connection costs.**

- 13.09.160 Metered and unmetered services.**
- 13.09.170 Charges for metered and unmetered services.**
- 13.09.180 Appeals.**
- 13.09.190 Compliance.**
- 13.09.200 Warrants unnecessary.**
- 13.09.210 Violations.**

13.09.010 Water recycling policy.

It is the policy of the City of Lathrop that recycled water determined to be available pursuant to Section 13550 of the Water Code, as may be amended from time to time, shall be used for nonpotable uses within the designated Recycled Water Use Areas set forth within the jurisdiction wherever there is not an alternative higher or better use for the recycled water, its use is economically justified, financially and technically feasible, and consistent with legal requirements, preservation of public health, safety and welfare, and the environment.

13.09.020 Definitions.

"Agricultural purposes" include the growing of field and nursery crops, row crops, trees, and vines and the feeding of fowl and livestock.

"Artificial lake" means a human-made lake, pond, lagoon, or other body of water that is used wholly or partly for landscape, scenic, or non-contact recreational purposes.

"City" means the City of Lathrop.

"Commercial landscape irrigation" means any building for office or commercial uses with water requirements which include, but are not limited to, landscape irrigation and decorative fountains.

"Construction water" means water used for dust control during construction.

"Consumer" means any person who uses recycled water supplied by the city.

"Council" means the city council of the city of Lathrop.

"CVRWQCB" shall mean Central Valley Regional Water Quality Control Board.

"DHS" shall mean California Department of Health Services.

"Governmental agency" means an agency which exercises authority and performs functions of a political unit responsible for the direction and supervision of public business and affairs.

"Greenbelt areas" means an area including, but not limited to, golf courses, cemeteries, parks, open space, and landscaping.

"Industrial process water" is water used by any industrial facility with process water requirements which include, but are not limited to, rinsing, washing, cooling and circulation, or construction, including any facility regulated by the industrial waste discharge ordinance of the city.

"Onsite recycled water supervisor" means the designated party operating recycled water facilities on behalf of the owner.

"Owner" means that person or entity identified by the tax rolls of the county as the holder of the legal title to the property.

"Potable water" shall mean water which conforms to the federal, state and local standards for human consumption.

"Professional" means following a profession for gain or livelihood.

"Public Works Director" means the duly appointed manager of the recycled water system of the City or his or her designee.

"Recycled water" shall mean water which, as a result of treatment of wastewater, is suitable for a direct beneficial use or controlled use that would not otherwise occur. (See Water Code Section 13050(n).)

"Recycled water distribution and dual plumbed system" means a piping system intended for the delivery of recycled water only and which is separate from any potable water distribution system.

"Residential irrigation" means residential or multi-family front or backyard irrigation dual plumbed within the development area.

"Utility bill" means the monthly statement issued by the City which reflects the costs of services rendered on behalf of customers during the preceding thirty (30) day period.

"Waste discharge" means water deposited, released, or discharged into a sewer system from any commercial, industrial, or residential source which contains levels of any substance which may cause substantial harm to any water treatment or reclamation facility or which may prevent any use of reclaimed water authorized by law, provided levels exceed those found in water actually delivered to the source of the waste discharge by the city of Lathrop.

13.09.030 Water recycling master plan.

A. The city shall periodically update the Recycled Water Master Plan (RWMP) and reevaluate the potential for recycled water use within the service area. The RWMP generally designates those areas within which recycled water service has been determined to be reasonably available.

B. Mandatory Recycled Water Use. Greenbelt irrigation, agricultural irrigation, commercial irrigation, filling of artificial lakes, or industrial processes shall be limited to the use of recycled water.

13.09.040 Supplemental use of potable water.

At the discretion of the City, potable water or another appropriate source of water may be used to supplement the recycled water distribution system when sufficient recycled water sources are not available. All off-site and on-site distribution facilities shall be constructed and inspected to be suitable for recycled water use regardless of the type of water provided to the distribution system.

13.09.050 Recycled water use.

A. State and county regulations. The use of recycled water is strictly controlled by the California Department of Health Services (DHS) and the Central Valley Regional Water Quality Control Board (CVRWQCB). The documents governing the City recycled water system are Title 22, California Code of Regulations, Chapter 3 (Title 22), California Health and Safety Code,

and the Master Reclamation Permit Order No. 5-01-146 (MRP) issued to the City by the CVRWQCB.

B. Authorized uses of recycled water. In the City service areas, uses of recycled water may include, but are not limited to, commercial landscape irrigation, residential or multi-family dual plumbed landscape irrigation, greenbelts, construction water, industrial process water, and artificial lakes.

C. User Recycled Water Plan (URP) and Engineer's Report. All sites using recycled water are required to have a User Recycled Water Plan or an Engineer's Report which describes the use, method of supervision, specific requirements, and other pertinent information. For all commercial sites, a User Recycled Water Plan approved by the City and DHS is required. For all residential sites, an Engineer's Report approved by the City and DHS is required. For sample of User Recycled Water Plan refer to Section 7 of the City of Lathrop Standards.

13.09.060 Management of recycled water system.

The management, control, and care of the recycled water system of the city shall be vested in the Public Works Director.

A. City operated facilities. Operation of all City owned facilities, including pipelines, reservoirs, pumping stations, valves, connections, treatment facilities, other appurtenances, and property up to and including the City's meter, shall be under the exclusive management and control of the City.

B. On-site customer owned facilities. The operation and surveillance of on-site facilities are the responsibility of the owner or designated party acting as the on-site recycled water supervisor. On-site facilities shall be provided by the applicant, owner, or customer at their sole expense. The applicant, owner, or customer shall retain ownership of all such facilities. On-site facilities shall conform to the City's Recycled Water System Standards and applicable City Rules and Regulations. Plans shall be prepared and submitted to the City for approval prior to commencing construction. Prior to commencement of service, the system shall be inspected and approved in accordance with the City's Standards and the URP or Engineer's Report.

13.09.070 Recycled water services – Meters.

A. Water from the recycled water system shall be delivered to the consumers thereof both inside and outside the corporate limits of the City in accordance with the terms of this chapter and not otherwise. The City will furnish the services complete from its main water recycled line to the property line. The consumers shall furnish and install all piping on the owner's premises, including a shut-off valve, to the City's connection. In case of metered services, it must be a type approved by the Public Works Director, and include a meter box and steel cover, and must be installed and paid for by the owner/consumer. A valve must be installed on the outlet side of all meters. Such meters must be maintained by the owner/consumer, at his or her cost, to assure proper working conditions. Accuracy is subject to review by the City.

B. Recycled water used for any type of irrigation or sprinkling must be turned off immediately upon failure or discontinuance of the electrical power normally provided for furnishing regular recycled water service, and shall not be turned on, or used for any type of irrigation or sprinkling until normal electrical energy or power shall have been restored.

C. The connection fees and schedule of recycled water rates adopted by the City will be charged against all installed meters unless a written request for discontinuance of service is made by the owner of the premises to the Public Works Director.

D. Access by the City to service connections of recycled water meters must be provided at all times. A City inspector or other authorized employee of the City shall be admitted at all reasonable hours to all parts of any premises supplied with recycled water, except to the interior of the dwellings, but including the meter box, to see that the regulations contained in this chapter are observed.

E. All sprinkler systems installed for the irrigation of lawns, gardens, and flower beds shall be so designed and installed so that recycled water shall not be sprayed, or permitted to be sprayed, over or upon a paved or unpaved sidewalk, nor will potable sprinklers be permitted on the sidewalk.

F. No connection of any kind shall be made to the City's recycled water system where a well or some other outside water source is present.

G. All recycled water mains or recycled water lines, other than individual service lines, shall be located in an exclusive easement dedicated to the City, which easement shall be located ten (10) feet behind the property line bordering on the public street or right-of-way. All recycled water mains or recycled water lines, other than individual service lines to be located in exclusive easements, shall be located on the west side in north/south easements and on the south side in east/west easements.

13.09.080 Rules and regulations.

It shall be unlawful for any person to:

- A. Contaminate the City's water supply either by cross-connection or otherwise. All recycled water service installations shall have an independent gate valve installed prior to connection to the building or the structure.
- B. Waste water, use water to excess or allow recycled water to flow to waters of the United States. All use must comply with the State of California Title 22 requirements for water reuse.
- C. Supply recycled water in any way for use outside other premises to which the service is assigned, except by special consent of the Public Works Director.
- D. Supply recycled water for resale, in any way, for use outside the premises to which the service is assigned except by permission of the Public Works Director.
- E. Fail to keep and maintain their service pipes and connections in good repair.
- F. Interfere with the City's service lines, valves or meters to construct a bypass around a meter or service.

13.09.090 Interpretation of title.

The public works director is empowered to make interpretations of this title regarding the necessity, type, manner or method in which materials or meters shall be installed. Interpretations may be appealed by the owner/consumer to the council. Interpretations and appeals shall be in writing and a copy thereof filed in the city's office. (Prior code § 53.05)

13.09.100 Public Works Director to keep records of permits.

The Public Works Director shall keep complete records of all permits issued and other official work performed under the provisions of this title.

13.09.110 Recycled water service outside of city boundaries.

Recycled water from the City water system may be delivered to consumers outside the boundaries of the city herein provided. No recycled water service extension shall be made outside the corporate limits except by written agreement between the City and the owner/consumer, and shall be in compliance with all county zoning ordinances. If pursuant to such an agreement, the City installs such recycled water service extension, all costs of installation, plus twenty percent (20%) shall be charged to the owner/consumer. If the owner/consumer plans private installation, the size, type and quality of materials and location of mains shall be specified by the Public Works Director, and the plans therefore shall, prior to commencement of installation, have been approved by the Public Works Director. The installation construction shall be performed by a licensed contractor, approved by the Public Works Director.

13.09.120 Contractors - Work to comply with city regulations.

A. When it has been determined that work within and without the City shall be contracted out, or put out to bid, the Public Works Director shall prepare the standard specifications the City expects from the contractor and/or subcontractor, including, but not limited to statements of work; period of performance; site inspection; excavation and backfill; base material; forms; reinforcement and concrete; curing; plans; specifications; profiles and modifications; and performance and acceptance. Any contractor and/or subcontractor shall comply with all state and county laws, ordinances, rules, and regulations pertaining to the cutting of pavement, backfilling and repaving thereof and shall obtain permits and pay all fees required by the department having jurisdiction prior to the issuance of consent to proceed by the Public Works Director.

B. Prior to accepting any work, and prior to the use thereof, the work shall be tested and shall complete in full compliance with all requirements of the City's standard specifications and to the satisfaction of the Public Works Director. Final payment will be made within 35 days upon recordation of notice of completion of work performed, as ordered by the City Council.

13.09.130 City not responsible for duty of care.

This title is not intended to and shall not be construed or given effect in a manner that imposes upon the City within or without the city any duty of care so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

13.09.140 Tampering with the city recycled water system prohibited.

It shall be unlawful for any person to interfere with the City service lines, valves or meters or to construct a bypass around a meter or service.

13.09.150 Installations and connection costs.

A. Service Connection Fees. Service connection fees shall be established from time to time by the city council by ordinance. Such fees shall be paid by the owner/consumer for all new service connections prior to the time of connection and for any change in type or size prior to the time of change.

B. Advance Deposit. Prior to the installation of a new service connection, or any change in type or size, or change in the use of the premises, the owner/consumer shall deposit with the City a sum equal to the applicable charge set forth in the council's resolution advance deposit against the cost of installation. Upon completion of the installation, the City shall determine its cost of installation and shall refund that portion of the advance deposit which exceeds the cost, or bill the owner/consumer for any cost in excess of the advance deposit.

13.09.160 Metered services.

All owners/consumers shall pay the rates specified in the City's schedule of recycled water rates for services inside and outside of the City's corporate limits.

13.09.170 Charges for metered and unmetered recycled water services.

A. All recycled water delivered through meters and single service connections shall be charged monthly in accordance with the schedule of recycled water rates as amended and approved by the City Council.

B. If a meter shall be found out of order, the monthly charge for water shall be determined by the Public Works Director based upon previous water consumption records.

C. If an owner/consumer has more than one meter, a separate minimum charge will be made for each meter as well as the amount of recycled water registered for each meter.

D. Compound meters shall not be constructed to be a single meter. The Public Works Director will determine the minimum charge rate for compound meters on a case-by-case basis.

E. The rate for any owner/consumer using temporary meters for any purpose, which are installed for less than one month, shall be charged according to the schedule of recycled water rates, plus the cost of installation. When a meter is not installed, the rate shall be determined by the Public Works Director.

F. A schedule of recycled water rates billing shall be furnished to each customer at the beginning of each fiscal year. Any charges for recycled water on the utility bill, as defined in Section 13.09.010, shall be due and payable upon presentation. If such charges are not paid by the last day of the month in which they are billed, the late charges set forth in Section 13.20.050 shall be added.

G. If a recycled water bill has not been paid by the nineteenth day following its mailing, the service shall be subject to disconnect. The procedure specified in Public Utilities Code 10010.1 shall be followed when service is disconnected. Personal checks will not be accepted for service subject to disconnect as a result of nonpayment. All unpaid charges, penalties, and fees shall be a lien upon the parcel of real property to which water service was provided.

H. At the direction of the finance director, small claims court proceedings may begin on all accounts which remain unpaid. (Ord. 00-183 § 3: prior code § 54.03)

I. When an owner/consumer applies to the City to replace a meter with one of a smaller or larger size, the City shall make such change, upon payment to the City of fees.

J. Water service shall be billed monthly to the users of the water system in accordance with the following schedule:

1. Monthly service charge by meter size.

Meter Size	Monthly Service Charge
5/8" meter	\$ 4.80
3/4" meter	\$ 6.90
1" meter	\$ 11.10
1 1/2" meter	\$ 21.65
2" meter	\$ 34.30
3" meter	\$ 63.75
4" meter	\$ 105.90
6" meter	\$ 211.55
8" meter	\$ 338.05

2. Uniform commodity rate. The uniform commodity rate shall be one dollar and twenty cents (\$1.32) per one thousand (1,000) gallons or any portion thereof for all meter sizes.

13.09.180 Appeals

Any recycled water service customer who considers an action taken by the public works director under the provisions of this chapter to have been erroneously taken may appeal such action and decision to the City council in the following manner:

A. All appeals shall be filed in writing with the clerk of the City and shall state the nature of the appeal or request and the basis upon

which the decision of the public works director is considered to be in error.

- B. Such appeals, to be effective, must be received by the clerk of the City not later than ten (10) business days following the date that the public works director has given notice of such action from which the appeal is being taken and be accompanied by a fee of fifty dollars (\$50.00). The fee of fifty dollars (\$50.00) will be refunded if the appeal is granted.
- C. The City clerk shall schedule the appeal for consideration by the City council at the next regularly scheduled council meeting.
- D. The decision of the City council on the appeals shall be final.

13.09.190 Compliance.

The enforcing authority shall have the right, and is hereby authorized and empowered, to enter upon private property for the purpose of enforcing the provisions of this title or for other purposes consistent therewith. The enforcing authority shall be given prompt access upon oral notification to the responsible person and upon exhibiting suitable evidence of his or her identity and authority; provided, however, except in an emergency, a warrant issued pursuant to Part 3 of Title 13 of the Code of Civil Procedure of the State (Sections 1822.50 through 1822.57 inclusive), or its subsequent counterparts, shall first be secured when entry or access thereto is denied. Refusal to admit such members when a warrant is not required shall be a misdemeanor. Neither the enforcing authority nor the City shall be liable for any damage from any reasonable entry.

13.09.200 Warrants unnecessary.

The enforcing authority may enter upon private property without a warrant for the following purposes:

- A. When he or she has the express permission of the owner or occupant of the premises;
- B. When he or she has probable cause to believe there is immediate harm to the public and/or water is gushing; or
- C. When he or she has probable cause to believe that there exists in any building or upon any premises or property any condition which may be in violation of this title.

13.09.210 Violations of this chapter.

A. Any person who shall violate any of the provisions of this title shall be guilty of a misdemeanor. A misdemeanor may be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail for no longer than six months, or by both such fine and imprisonment. Any person violating any section of this chapter shall be regarded as committing a separate offense on each day of such violation.

B. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this title shall be deemed to be a public nuisance and shall be subject to the administrative procedures set for in Chapter 1.12.

Section 2. This ordinance does not affect the prosecutions for ordinance violations committed prior to the effective date of this ordinance, does not waive any fee or penalty due and unpaid on the effective date of this ordinance, and does not affect the validity of any bond or cash deposit posted, filed, or deposited pursuant to the requirements of any ordinance.

Section 3. Severability. If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 4. Effective Date. This Ordinance shall take legal effect thirty (30) days after adoption.

Section 5. Publication. Within fifteen days of the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance or summary thereof, to be published once in the Manteca Bulletin a newspaper of general circulation, published in San Joaquin County, State of California, along with a notice setting forth the date of adoption and the title of this Ordinance, and with the names of the members of the City of Lathrop City Council voting for and against the same.


THIS ORDINANCE was regularly introduced at a meeting of the City Council of the City of Lathrop on the 21st day of September, 2004, and was passed and adopted at a regular meeting on the 5th day of October, 2004 by the following vote:

AYES: Oliver, Griffith, Dresser, Rhodes

NOES: None

ABSENT: Beltran

ABSTAIN: None



Gloryanna Rhodes, Mayor

APPROVED AS TO FORM:

ATTEST:


Susan Burns Cochran, City Attorney
Nancy Rustigian, City Clerk

I do hereby certify that the foregoing ordinance was passed and adopted by the City Council of the City of Lathrop at a (Regular/Special) meeting held on the ___ day of ___, 2004 by the foregoing vote, and was published in the Manteca Bulletin by reference on the ___ day of ___, 2004.

EXHIBIT F
RECYCLED WATER PROGRAM
USER AGREEMENT FORM



Recycled Water User Agreement

January 2018

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Recycled Water User Agreement

1 Purpose

The purpose of this Recycled Water User Agreement (User Agreement) is to facilitate the addition of qualified users to the City of Lathrop's recycled water distribution system. The User Agreement is a legal agreement between the City of Lathrop (City) and Users of the recycled water to ensure the safe use of recycled water. The User Agreement will need to be signed by both parties prior to recycled water delivery and acts as the Permit to allow recycled water to be delivered to the User.

2 Requirements

The following six steps must be taken by the potential User (unless specified otherwise) to enter into a User Agreement. The User Agreement must be executed **at least 60 days prior** to conveying recycled water to any new Use Area.

Step 1 – User Application (Not Applicable for River Islands)

- Complete the Recycled Water User Application included as an appendix of the Recycled Water User Guide. As part of the User Application, potential users must include two (2) sets of plans stamped by a registered landscape architect or a registered civil engineer.
- Deliver the completed User Application, application fee, and stamped plans to the address below.

City of Lathrop

Attention: Recycled Water Program Manager
Department of Public Works
390 Towne Centre Drive
Lathrop, CA 95330

For further information please call (209) 941-7430.

Step 2 – Plan Review and Approval

- The plans must conform to the guidelines set forth in the Plan Checklist and Standard Notes included as an appendix of the Recycled Water User Guide. The City will complete a plan check to ensure that the design conforms to existing rules and regulations, including but not limited to:
 - City of Lathrop Design and Construction Standards
 - City of Lathrop Recycled Water Ordinance
 - California Regional Water Quality Control Board Central Valley Region (RWQCB) Order R5-2016-0028 Waste Discharge Requirements and Master Recycling Permit for the City of Lathrop
 - State of California State Water Resources Control Board Division of Drinking Water
- The City will return plans to the potential user for corrections. After all corrections are made, the Potential User will resubmit the marked plan checked prints along with two (2) sets of the final plans. If no more corrections are to be made, the City will approve the original plans,

Recycled Water User Agreement

notify the Potential User, and provide a copy of the approved plans to the RWQCB and the State Division of Drinking Water (DDW).

- The potential user may begin construction, according to the approved plans, contingent upon any other required permits or approvals being obtained. **All onsite construction work must be inspected by the City and State DDW (if required by the State) (see Step 3) before backfilling any buried piping.** If any new reclaimed or potable water piping is installed before plan check approval and/or inspection, all or any portion of the piping system may be required to be exposed and corrected as necessary.
- A construction meter for potable water and appropriate backflow prevention device may be required for temporary water and system testing (see Step 3) before recycled water can be served.
- Any necessary deviations from the approved plans must be approved by the City.

Step 3 – Site Inspection and Cross Connection Testing

- The City is responsible for Site Inspection and Cross Connection Testing.
- Potential Users are responsible for contacting the City to schedule inspection. To request Site Inspection and Cross Connection Testing, contact:

City of Lathrop

Attention: Recycled Water Program Manager
Department of Public Works
390 Towne Centre Drive
Lathrop, CA 95330

For further information please call (209) 941-7430.

- A pre-construction meeting may be requested by the Potential User with a representative of the City and State DDW (if required by the State). This meeting is to cover the plan's general notes, specific construction job requirements, and address any questions from the potential user.
- The City will conduct the Site Inspection and Cross Connection Test (see Construction Inspection Checklist and Cross Connection Certification Form included in the appendices of the Recycled Water User Guide) utilizing potable water supplied through an approved backflow prevention device on dual source sites. During this walk-through flow adjustments are made, tagging is inspected, coverage is checked, and a cross connection test is conducted to verify that construction was performed correctly. The City will generate a punch list of corrections to be made if necessary.
- A follow-up walk through will be called for after all corrections from the first walk-through are completed by the potential user, if required.

Recycled Water User Agreement

Step 4 – Site Supervisor Training

- The User shall designate a Site Supervisor who shall complete a Site Supervisor training class. Please contact the City for details on the training class. If the City has not scheduled a Site Supervisor training class within 60 days of the User's preferred start of service date, the City may provide a field training to the Site Supervisor.

Step 5 – User Agreement

- Upon completion of Steps 1 – 4, sign and return this User Agreement to the City (address above).

Submission of the User Agreement implies knowledge of and consent to all requirements, rules, and responsibilities set forth by the City, RWQCB, and State DDW. Submission of the User Agreement implies consent to guidelines set forth in the City's Design and Construction Standards and the Recycled Water User Guide.

- Once the User Agreement is signed and returned, the User will be granted permission for the normal operation of the system by letter of approval from the City. The User Agreement must be executed at least 60 days before the User's preferred start-of-service-date. At that time, the recycled water meter can be installed, potable water severed, and conversion made to recycled water.

Step 6 – Annual Site Inspection and Operation Time

- The City requires that recycled water Users conduct a self-inspection inspection at least once per year while the recycled water system is in use. The results of this inspection must be documented and submitted in a written report. The Use Area Inspection Form is included in the appendices of the Recycled Water User Guide and must be signed by both the inspector and the Site Supervisor (who may be the same person). The Site Supervisor must submit the results to the City in the timeframe established by the City. Upon completion, the Site Supervisor must keep a copy of the report for their records. See Recycled Water User Guide for additional inspection and monitoring details.
- The City also reserves the right to make unannounced inspections of the use site's facilities, although at reasonable times.
- The User must operate landscape irrigation only during the hours of 10 pm to 6 am to minimize wind drift and public contact. Agricultural irrigation may be used during the day as required.

Recycled Water User Agreement

3 Governing Agencies

City of Lathrop

Department of Public Works
390 Towne Centre Drive
Lathrop, CA 95330
(209) 941-7430
publicworks@ci.lathrop.ca.us

State of California State Water Resources Control Board Division of Drinking Water

District 10 - Stockton
31 E. Channel Street
Room 270
Stockton CA 95202
(209) 948-7696

Central Valley Regional Water Quality Control Board

11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114
Phone: (916) 464-3291
Fax: (916) 464-4645



City of Lathrop – Public Works Department

390 Towne Centre Drive, Lathrop, California 95330

Phone: (209) 941-7430 Fax: (209) 941-7449

Recycled Water Program

User Agreement

The undersigned individuals or entities have knowledge of and consent to the requirements, rules, and responsibilities regarding the use of recycled water (reclaimed water) distributed by the City of Lathrop, set forth in the Recycled Water User Guide and the City of Lathrop's Recycled Water Ordinance. Signature of the User Agreement implies consent to guidelines set forth in this document.

Recycled Water User

Property Owner: RIVER ISLANDS PUBLIC FINANCING AUTHORITY

Address: 73 W. STEWART ROAD
LATIHP, CA 95330

Phone: 209-879-7900

Site Supervisor: RYAN ALAMEDA

Address: (SAME AS ABOVE)

Phone:

PROPERTY OWNER

Name Print: Jeffrey K Shields

Signature: Jeffrey K. Shields

Date: 4-3-18

SITE SUPERVISOR

Name Print: Ryan Alameda

Signature: Ryan Alameda

Date: 4-3-18

The parties listed below have approved the User Agreement for the above Recycled Water User and agree to grant permission for the normal operation of the Recycled Water User's system.

City of Lathrop Dept. of Public Works
Name:

Signature:

Phone:

Date:

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**CITY MANAGER'S REPORT
APRIL 9, 2018 REGULAR CITY COUNCIL MEETING**

ITEM: **APPROVE MEMORANDUM OF UNDERSTANDING (MOU) WITH STEWART TRACT GROUNDWATER SUSTAINABLE AGENCY (GSA) TO PURSUE A BASIN BOUNDARY MODIFICATION FOR THE SUSTAINABLE GROUNDWATER MONITORING ACT (SGMA) COMPLIANCE CIP PW 16-04**

RECOMMENDATION: **Adopt a Resolution to Approve MOU Between City of Lathrop and Stewart Tract GSA Regarding Pursuing a Basin Boundary Modification Request in the Tracy Subbasin and Eastern San Joaquin Subbasin CIP PW 16-04**

SUMMARY:

The City overlies two groundwater subbasins of the San Joaquin Valley Basin designated by the Department of Water Resources (DWR); the Tracy Subbasin, and the Eastern San Joaquin Subbasin (ESJS). DWR has established a process for local agencies to revise boundaries of groundwater basins or subbasins that would allow the City to consolidate fully into the Tracy Subbasin. Consolidation of the City into the Tracy Subbasin is desired to more effectively achieve Sustainable Groundwater Management Act (SGMA) compliance. Staff requests Council to approve a Memorandum of Understanding (MOU) between City of Lathrop and Stewart Tract Groundwater Sustainability Agency (GSA) to pursue a Basin Boundary Modification Request (BBMR) in the Tracy Subbasin and Eastern San Joaquin Subbasin.

BACKGROUND:

In 2014 the Sustainable Groundwater Management Act (Water Code Section 10720 et seq.) (SGMA) was enacted and requires local agencies to form a Groundwater Sustainability Agency (GSA). The City's water service area overlies two groundwater subbasins of the San Joaquin Valley Basin as published by the Department of Water Resource's (DWR's) Bulletin 118 - the Tracy Subbasin and the Eastern San Joaquin Subbasin, the two basins are separated by the San Joaquin River.

The City has formed the City of Lathrop GSA, an exclusive GSA for its jurisdiction within the Eastern San Joaquin Subbasin. RD 2062 and a portion of RD 2107 service areas are located within the City on the Stewart Tract, bounded by the San Joaquin River Paradise Cut and Old River. RD 2062 and RD 2107 have formed the Stewart Tract GSA, an exclusive GSA overlaying the portion of the City within the Tracy Subbasin.

**CITY MANAGER'S REPORT
APRIL 9, 2018 REGULAR CITY COUNCIL MEETING
APPROVE MOU WITH RD 2062 TO PURSUE BASIN BOUNDARY
MODIFICATION FOR SGMA COMPLIANCE CIP PW 16-04**

PAGE 2

As authorized by SGMA (Chapter 3) and Rules and Regulation promulgated by DWR (at Title 23, Division 2, Chapter 1.5, Subchapter 1 of the California Code of Regulation, "Basin Boundary Regulation"), local agencies may request that basin boundaries be modified.

On January 29, 2018, Council approved an agreement with EKI Environment & Water, Inc. (EKI) to assist with preparing the Basin Boundary Modification Request. EKI is preparing for the City a draft basin boundary modification request which argues, among other things, that including the entire City within the Tracy Subbasin would promote sustainable groundwater management, which is consistent with the standards by which a jurisdictional modification of a basin may be approved by DWR under the Basin Boundary Regulations.

Working with the City and the Stewart Tract GSA, EKI has prepared a MOU between City of Lathrop and the Stewart Tract GSA to pursue a BBMR in the Tracy Subbasin and Eastern San Joaquin Subbasin.

Both parties to the MOU believe that a basin boundary modification to align the boundaries of the Tracy Subbasin and the Eastern San Joaquin Subbasin with the City's boundary under the Basin Boundary Regulations for purposes of SGMA compliance is appropriate to pursue, subject to the conditions of this MOU.

RECOMMENDATION:

Consolidation of the City into the Tracy Subbasin is desired to more effectively achieve SGMA compliance. Staff requests Council to approve a MOU between City of Lathrop and Stewart Tract GSA to pursue a BBMR in the Tracy Subbasin and Eastern San Joaquin Subbasin.

FISCAL IMPACT:


No fiscal impacts are immediately associated with this action.

ATTACHMENTS:

- A. Resolution Approving a MOU Between City of Lathrop and the Stewart Tract GSA Pursuing a BBMR in the Tracy Subbasin and Eastern San Joaquin Subbasin CIP PW 16-04
- B. MOU Between City of Lathrop and the Stewart Tract GSA Regarding Pursuing a BBMR in the Tracy Subbasin and Eastern San Joaquin Subbasin
- C. Map of Tracy Subbasin and Eastern San Joaquin Subbasin

**CITY MANAGER'S REPORT
APRIL 9, 2018 REGULAR CITY COUNCIL MEETING
APPROVE MOU WITH RD 2062 TO PURSUE BASIN BOUNDARY
MODIFICATION FOR SGMA COMPLIANCE CIP PW 16-04**

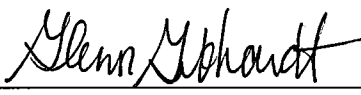
APPROVALS:



Greg Gibson
Senior Civil Engineer.

03/28/18

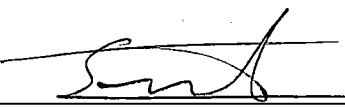
Date



Glenn Gebhardt
City Engineer

3/28/18


Date



Salvador Navarrete
City Attorney

3-28-18

Date



Stephen J. Salvatore
City Manager

4-2-18

Date

RESOLUTION NO. 18-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF
LATHROP AND ISLAND RECLAMATION DISTRICT 2062 REGARDING
PURSUING A BASIN BOUNDARY MODIFICATION REQUEST IN THE TRACY
SUBBASIN AND EASTERN SAN JOAQUIN SUBBASIN CIP PW 16-04**

WHEREAS, in 2014 the Sustainable Groundwater Management Act (Water Code Section 10720 et seq.) (SGMA) was enacted and each of the Parties is a "local agency" as therein defined and therefore eligible to form or be part of a Groundwater Sustainability Agency (GSA); and

WHEREAS, the City's water service area overlies two groundwater subbasins of the San Joaquin Valley Basin as published by the Department of Water Resource's (DWR's) Bulletin 118 – the Tracy Subbasin and the Eastern San Joaquin Subbasin, the shared boarder of which is delineated along the San Joaquin River; and

WHEREAS, RD 2062 and RD 2107 have formed the Stewart Tract GSA, exclusive GSA overlaying the portion of the City within the Tracy Subbasin; and

WHEREAS, all of RD 2062's and a portion of RD 2107 service areas are located within the City on the Stewart Tract, bounded by the San Joaquin Paradise River Cut and Old River; and

WHEREAS, the City has formed the City of Lathrop GSA, an exclusive GSA for its jurisdiction within the Eastern San Joaquin Subbasin; and

WHEREAS, as authorized by SGMA (Chapter 3) and Rules and Regulation promulgated by DWR (at Title 23, Division 2, Chapter 1.5, Subchapter 1 of the California Code of Regulation, "Basin Boundary Regulation"), local agencies may request that basin boundaries be modified; and

WHEREAS, EKI Environment & Water, Inc. is preparing for the City a draft Basin Boundary Modification Request (BBMR) which argues, among other things, that including the entire City within the Tracy Subbasin would promote sustainable groundwater management, which is consistent with the standards by which a jurisdictional modification of a basin may be approved by DWR under the Basin Boundary Regulations; and

WHEREAS, working with the City and the Stewart Tract GSA, EKI has prepared a Memorandum of Understanding (MOU) between City of Lathrop and Island Reclamation District 2062 to pursue a BBMR in the Tracy Subbasin and Eastern San Joaquin Subbasin; and

WHEREAS, the Parties believe that a basin boundary modification to align the boundaries of the Tracy Subbasin and the Eastern San Joaquin Subbasin with the City's boundary under the Basin Boundary Regulations for purposes of SGMA compliance is appropriate to pursue, subject to the conditions of this MOU.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop hereby approves a Memorandum of Understanding between city of Lathrop and the Stewart Tract GSA regarding pursuing a Basin Boundary Modification Request in the Tracy Subbasin and Eastern San Joaquin Subbasin.

The foregoing resolution was passed and adopted this 9th day of April, 2018, by the following vote of the City Council, to wit:

AYES:

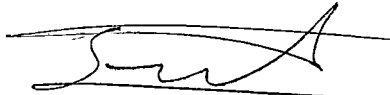
NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

ATTEST:

Teresa Vargas, City Clerk

**Memorandum of Understanding
Between City of Lathrop and Stewart Tract GSA
Regarding Pursuing a Basin Boundary Modification Request
in the Tracy Subbasin and Eastern San Joaquin Subbasin**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into by and between **City of Lathrop (“City”)** and **Stewart Tract GSA**, collectively the “Parties”, this _____ day of _____ 2018.

WHEREAS, in 2014 the Sustainable Groundwater Management Act (Water Code Section 10720 et seq.) (“SGMA”) was enacted and each of the Parties is a “local agency” as therein defined and therefore eligible to form and/or be part of a Groundwater Sustainability Agency (“GSA”); and

WHEREAS, the City’s water service area overlies two groundwater subbasins of the San Joaquin Valley Basin as published by the Department of Water Resource’s (“DWR’s”) Bulletin 118 – the Tracy Subbasin and the Eastern San Joaquin Subbasin, the shared boarder of which is delineated along the San Joaquin River; and

WHEREAS, RD 2062 and RD 2107 has formed the Stewart Tract GSA, an exclusive GSA overlaying the portion of the City within the Tracy Subbasin; and

WHEREAS, all of RD 2062’s and a portion of RD 2107 service areas are located within the City on the Stewart Tract, bounded by the San Joaquin Paradise Cut and Old River; and

WHEREAS, the City has formed the City of Lathrop GSA, an exclusive GSA for its jurisdiction within the Eastern San Joaquin Subbasin; and

WHEREAS, as authorized by SGMA (Chapter 3) and Rules and Regulation promulgated by DWR (at Title 23, Division 2, Chapter 1.5, Subchapter 1 of the California Code of Regulation, “Basin Boundary Regulation”), local agencies may request that basin boundaries be modified; and

WHEREAS, EKI Environment & Water, Inc. is preparing for the City a draft basin boundary modification request which argues, among other things, that including the entire City within the Tracy Subbasin would promote sustainable groundwater management, which is consistent with the standards by which a jurisdictional modification of a basin may be approved by DWR under the Basin Boundary Regulations; and

WHEREAS, the Parties believe that a basin boundary modification to align the boundaries of the Tracy Subbasin and the Eastern San Joaquin Subbasin with the City’s boundary under the Basin Boundary Regulations for purposes of SGMA compliance is appropriate to pursue, subject to the conditions of this MOU.

NOW, THEREFORE, the Parties agree as follows:

1. The Parties support the filing of a jurisdictional-based basin boundary modification to align the boundaries of the Tracy Subbasin and the Eastern San Joaquin Subbasin with the City’s boundary under the Basin Boundary Regulations.
2. The City shall act as the Requesting Agency in filing the basin boundary modification request with DWR, as provided in the Basin Boundary Regulations, and RD 2062 will cooperate to provide information necessary and appropriate for such filing.

3. If the proposed basin boundary revision is approved by DWR following the process prescribed by the Basin Boundary Regulations, the Parties shall cooperate in the timely formation of a multi-agency GSA covering the areas of the current City of Lathrop GSA and the Stewart Tract GSA and thereafter in the development of a Groundwater Sustainability Plan in the Tracy Subbasin, as provided by SGMA.

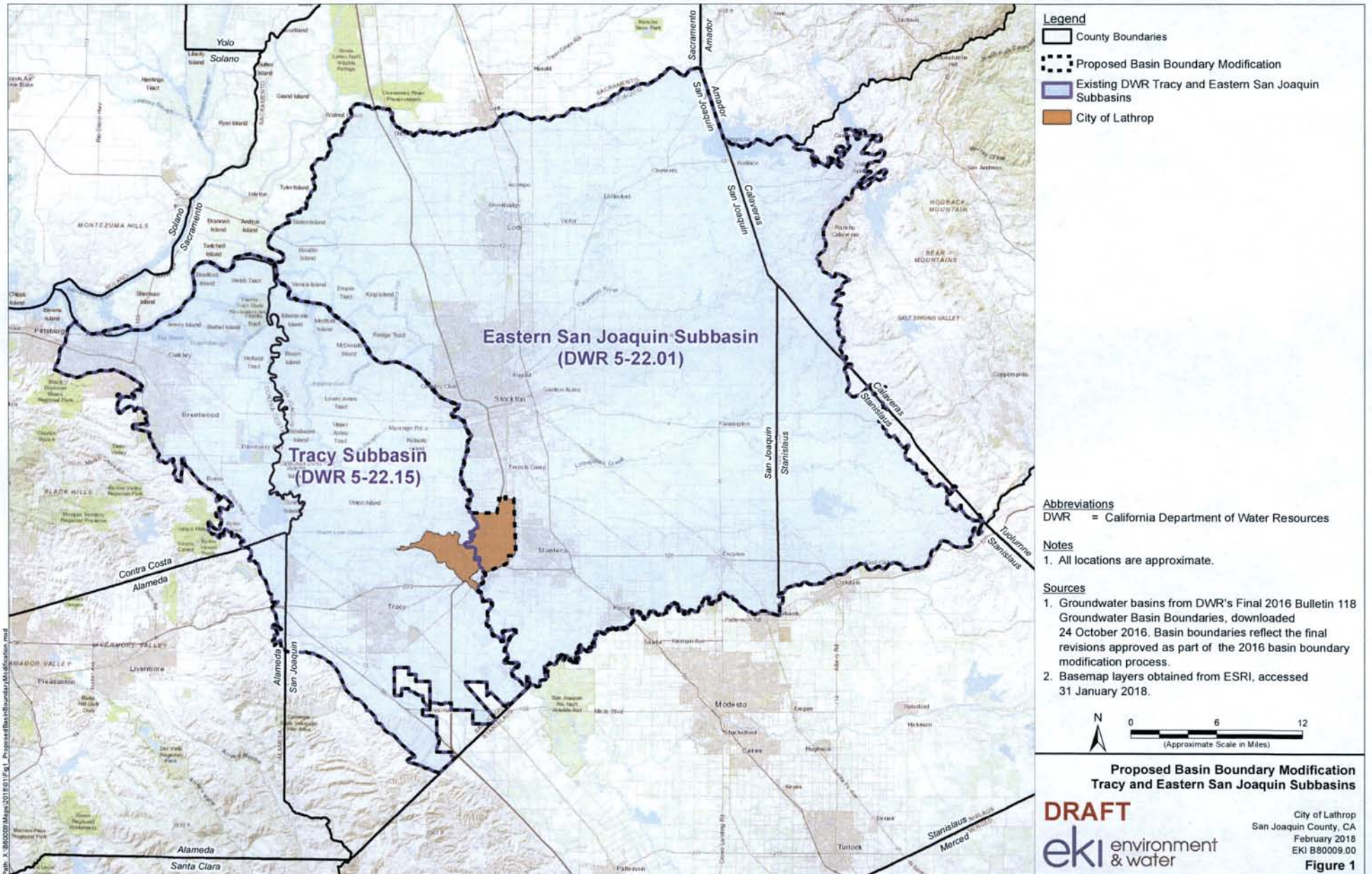
IN WITNESS WHEREOF, the Parties have executed this MOU.

City of Lathrop

By _____

Stewart Tract GSA

By _____



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**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING****ITEM: HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR
CALENDAR YEAR 2017****RECOMMENDATION: Adopt a Resolution to accept the Housing Element
Annual Progress Report for Calendar Year 2017 and
authorize staff to submit the report to the Governor's
Office of Planning and Research and State
Department of Housing and Community
Development (HCD).**

SUMMARY:

Each year, California Cities are required to prepare an annual progress report on the status of implementing the General Plan Housing Element and submit the report to HCD. Using a report form provided by HCD, the annual report provides a snapshot of housing unit production across affordability levels, and provides an update on housing program implementation. The annual report must be considered by the Council at a public meeting, during which the City should receive any public comments.

BACKGROUND:

Under California Government Code Section 65400, the City is required to prepare a General Plan Housing Element Annual Progress Report for submittal to the City Council, Governor's Office of Planning and research and State Housing and Community Development Department by April 1st of each year. The purpose of the annual report is to provide the City Council and HCD with a progress of the General Plan Housing Element's implementation status.

The annual report is also meant to provide the City Council with an opportunity to identify any General Plan Housing Element modifications that may be necessary to improve its implementation and effectiveness.

At the conclusion of the public meeting, the Planning Commission voted unanimously (5-0) to recommend the City Council accept the Housing Element Annual Progress Report for Calendar Year 2017 and authorize staff to submit the report to OPR and HCD (Attachment 3).

ANALYSIS:

Staff has prepared the 2017 Lathrop Housing Element Annual Progress Report, included as Attachment 2.

New Home Construction

The City of Lathrop issued building permits for 297 above moderate residential housing units in 2017, all of which were single family residences. The majority of the building permits were issued for the River Islands area (277 permits out of 297). The following table shows the breakdown of the location in which the 297 building permits were issued. As shown below, no building permits were issued for very low-, low-, and/or moderate-income categories.

Location	Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project
				Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income	
River Islands	Tim Lewis - Shoreline Tract 3861 & 3859	SF	O				5	5
	Brookfield - Windrift Tract 3703	SF	O				3	3
	Richmond American - Sand Pointe Tract 3834	SF	O				32	32
	Van Daele - Latitude Tract 3836	SF	O				25	25
	Van Daele - Summer House Tract 3828 and 3875	SF	O				47	47
	Kiper - Beacon Bay Tract 3829	SF	O				30	30
	Kiper - Tract 3840, 3862, and 3864	SF	O				62	62
	New Home - Tidewater Tract 3826 and 3893	SF	O				36	36
	Tim Lewis - Crystal Cove Tract 3832 and 3895	SF	O				37	37

Location	Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project
				Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income	
Historic Lathrop	Infill Lot - 1320 O St.	SF	O				1	1
	Fitzpatric Homes Tract 3456 and 3471	SF	O				19	19
	(9) Total of Moderate and Above Moderate from Table A3 ▶ ▶ ▶ ▶ ▶ ▶					0	0	0
	(10) Total by income Table A/A3 ▶ ▶						297	297

+Note: SF = Single Family

Housing Element Programs

The City made progress in implementing the Goals and Programs of the Housing Element. The following programs were implemented in 2017:

1. Housing Element Program 2g. Accessory Dwelling Units:

Continue to encourage developers to include second dwelling units as an integral part of their project and to plan for second dwelling units in the design of their projects.

Action: On December 18, 2017, the City Council adopted Ordinance No. 18-384, amending the Zoning Code to be consistent with State Law regarding accessory dwelling units.

2. Housing Element Program 5b. Housing Information:

Provide housing information to all interested agencies, developers, residents, and non-profit groups. City staff will assist with Zoning and General Plan inquiries as well as provide contact information between the San Joaquin Urban County Consortium, San Joaquin Housing Authority, housing developers, and non-profit groups.

Action: The City’s Community Development Department website was updated in 2017 to include additional information on Specific Plans, information related to the City’s Zoning Map and General Plan Map, Municipal Service Review (MSR) and housing information. Although this program is ongoing, the update to the City’s website provides additional information related to housing to interested parties.

O Street Apartments Construction

Construction Progress continues on the rehabilitation of 20 units on "O" Street.

BEFORE



AFTER





CEQA Review:

The proposed Housing Element Annual Progress Report for Calendar Year 2016 is not considered a project as prescribed by the California Environmental Quality Act (CEQA).

RECOMMENDATION:

The Planning Commission and staff recommend that the City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, take the following actions:

Adopt the proposed resolution to accept the Housing Element Annual Progress Report for Calendar Year 2017 and authorize staff to submit the report to the Governor's Office of Planning and Research (OPR) and State Department of Housing and Community Development (HCD).

COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

Promotes Economic Growth by keeping the General Plan current and in compliance with State Law. The Housing Element is considered to be a primary policy document to guide the development, rehabilitation and preservation of housing for all economic segments of the local population. The Housing Element Annual Progress Report is a report on the City's progress in implementing the Policies and Programs in the Housing Element as well as the City's Fair Share of the Regional Housing Needs Allocation (RHNA).

FISCAL IMPACT:

The request has no fiscal impact to the City other than staff time to prepare the report.

ATTACHMENT:

1. Resolution for Housing Element Annual Progress Report for Calendar Year 2017
2. Housing Element Annual Progress Report for Calendar Year 2017
3. Planning Commission Resolution No. 18-3

APPROVALS:

RSchmidt

Rebecca Schmidt
Community Development Director

3/22/18

Date

[Signature]

Salvador Navarrete
City Attorney

3-22-18

Date

[Signature]

Stephen J. Salvatore
City Manager

3-22-18

Date

RESOLUTION NO. 18-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
ACCEPTING THE HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR
CALENDAR YEAR 2017 AND AUTHORIZING STAFF TO SUBMIT THE
REPORT TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
AND THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT**

WHEREAS, California Government Code Section 65400(2) requires the planning agency to provide an annual report to the City Council, the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD) regarding progress toward implementation of the housing element of the general plan; and

WHEREAS, planning staff has prepared an annual progress report for the calendar year 2017, utilizing the prescribed forms and instructions provided by HCD; and

WHEREAS, the Planning Commission held a public meeting and adopted Resolution No. 18-3, recommending City Council accept the report and authorize staff to submit the report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development; and

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop based on substantial evidence in the administrative record of proceedings, its findings above and pursuant to its independent review and consideration, hereby receive and accept the annual progress report on the Housing Element, attached and incorporated by reference herein, and authorize staff to forward the report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development pursuant to Government Code Section 65400(2).

PASSED AND ADOPTED by the City Council of the City of Lathrop at a regular meeting on the 9th day of April, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

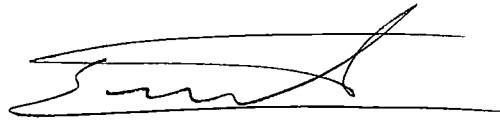
ABSENT:

SONNY DHALIWAL, MAYOR

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction City of Lathrop
 Reporting Period 1/1/2017 - 12/31/2017

Table A
Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information						Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions			
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
Tim Lewis - Shoreline Tract 3861 & 3859	SF	O				5	5				
Brookfield - Windrift Tract 3703	SF	O				3	3				
Richmond American - Sand Pointe Tract 3834	SF	O				32	32				
Van Daele - Latitude Tract 3836	SF	O				25	25				
Van Daele - Summer House Tract 3828 and 3875	SF	O				47	47				
Kiper - Beacon Bay Tract 3829	SF	O				30	30				
Kiper - Tract 3840, 3862, and 3864	SF	O				62	62				
New Home - Tidewater Tract 3826 and 3893	SF	O				36	36				
Tim Lewis - Crystal Cove Tract 3832 and	SF	O				37	37				
Infill Lot - 1320 O St.	SF	O				1	1	1			
Fitzpatric Homes Tract 3456 and 3471	SF	O				19	19	19			
(9) Total of Moderate and Above Moderate from Table A3					0	0	0				
(10) Total by income Table A/A3						297	297	20			
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction City of Lathrop
Reporting Period 1/1/2017 - 12/31/2017

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate						0	

* Note: This field is voluntary

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Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2014	2015	2016	2017							Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted	1,019											1,019
	Non-deed restricted												
Low	Deed Restricted	759											759
	Non-deed restricted												
Moderate	Deed Restricted	957											957
	Non-deed restricted												
Above Moderate		2,421	190	343	170	297						1,000	1,421
Total RHNA by COG. Enter allocation number:		5,156	190	343	170	297						1,000	4,156
Total Units ▶ ▶ ▶													
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

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Table C
Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
<p>Program 1a. To ensure adequate sites for extremely low, very low, low, moderate and above moderate income housing are available throughout the planning period to meet the City's RHNA, the City will continue to biennially update the inventory of residential sites (Appendix A). The update shall remove sites that have been developed and add any newly designated residential sites.</p>	<p>Goal 1. Promote the available and quality of housing affordable to all income levels and household types, including extremely low, very low, and low income households and special needs groups, through maintaining and inventory of adequate housing sites and supporting funding opportunities.</p>	<p>Update inventory on a biennial basis</p>	<p>The City continues to maintain the inventory of residential sites (Appendix A of the Housing Element). As development occurs, the inventory will be updated and published. Inventory developed as part of the Housing Element will be maintained through the Housing Element Planning Period.</p>
<p>Program 1b. Continue to monitor the amount of land zoned for both single-family and multifamily development and ensure that land use and zoning decisions do not reduce sites available for affordable housing.</p>	<p>Goal 1</p>	<p>Ongoing</p>	<p>This program is ongoing. The City will ensure that land use and zoning decisions do not reduce sites available for affordable housing. The City will discourage high density residential sites from being down-zoned and/or general plan amendments that would result in lower base density. No proposals to down-zone in 2017.</p>
<p>Program 1c. Continue to encourage development of well-designed and innovative projects that provide for the development of compatible residential, commercial, industrial, institutional, and/or public uses with a single project or neighborhood by continuing to implement the West Lathrop and Central Lathrop Specific Plans, which encourage mixed use development as well as a range of uses through allowing higher building intensities, reduced parking requirements, reduced set-back and yard requirements, allow for a higher building height, and greater floor area ratios.</p>	<p>Goal 1</p>	<p>Ongoing</p>	<p>The City continues to encourage well designed and innovative projects within the West Lathrop and Central Lathrop Specific Plans. The West Lathrop Specific Plan continues to be built-out and as development occurs, the City reviews Architecture, Landscaping, and Development Plan for consistency with the West Lathrop Specific Plan and the River Islands Urban Design Concept as well as associated neighborhood specific Architecture Design Guidelines and Standards. The City is encourage that development within the Central Lathrop Specific Plan will begin within the Housing Element Planning Period.</p>
<p>Program 1d. Support affordable or special needs (including senior, disabled, developmentally disabled, farmworker, homeless, large family, and single family head of family) housing projects applications for federal, state, and/or regional programs, including CDBG, HOME, project-based Section 8/211, Low Income Tax Credit, and HCD grant programs, that may be used for the development and on-going affordability of lower income and special needs housing.</p>	<p>Goal 1</p>	<p>Ongoing</p>	<p>The City continues to support affordable or special needs housing projects. As applications for such developments are received, the City will assist applicant(s) in preparing and submitting grant applications for funding. No affordable or special needs housing grants were submitted in 2017.</p>

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Program 1e. Retain available County-administered HOME and CDBG funds to operate a First Time Homebuyer program for low income households.	Goal 1	Biennially (by Dec. 31 st of 2017, 2019, 2121, and 2023	The City, in coordination with the other Jurisdictions in San Joaquin County, receives CDBG funding. The City will use grant monies to fund the First Time Home Buyer program. No Action in 2017.
Program 1f. Continue to consider regional development through working with SJCOG and local jurisdictions to plan for high quality regional development, including adequate affordable housing, and by reviewing SJCOG data and online resources to track regional development.	Goal 1	Ongoing	The City continues to monitor and support development within San Joaquin. The City works closely with the City of Manteca and San Joaquin County to ensure development is compatible with adjacent jurisdictions and uses. The City will continue to encourage regional development. The City commented on three (3) San Joaquin County projects referral in 2017.
Program 1g. Continue to address housing and services for homeless persons on a regional level through participation in the County Continuum of Care.	Goal 1	Ongoing	The City continues to be part of the County Continuum of Care. This program is ongoing.
Program 1h. Actively support efforts of homeless service providers in establishing a short-term bed facility for segments of the homeless population, including specialized groups such as the mentally ill, and chronically disabled, and work with homeless housing/service providers to apply for Emergency Shelter Grant funds, administered through the County Continuum of Care.	Goal 1	Ongoing	The City continues to support efforts of homeless service providers. The City is part of the County Continuum of Care and will assist developers, parties and the County to apply for Emergency Shelter Grant Funds, as needed.
Program 1i. Maintain information regarding homeless shelters and services available to City residents. This information shall be available at City Hall, the Lathrop Community Center, the Library, and on the City's website.	Goal 1	Ongoing	The City maintains information regarding homeless shelters and services available. This information is readily available at City Hall.
Program 1j. Continue to address regional housing issues, including lower income and special housing, in coordination with San Joaquin County and neighboring jurisdictions. The City shall participate with San Joaquin County's efforts to establish a task force or committee to oversee the development of a County Farmworker Housing Plan.	Goal 1	Ongoing	The City will participate in County efforts to develop a Farmworker Housing Plan. No Action in 2017.
Program 1k. Continue to work with the San Joaquin Housing Authority by providing housing information requested by the Housing Authority in a timely manner. Encourage the Housing Authority to issue more vouchers to City residents in need and to make efforts to increase the use of vouches for rental of single family homes due to the City's limited supply of multifamily housing.	Goal 1	Ongoing	The City will provide any information the San Joaquin County Housing Authority needs and/or requests. No Action in 2017.

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Program 1l. Continue to permit Planned Development District zoning that promotes a variety of housing types in the City through the utilization of innovative development techniques and flexible standards, such as: zero lot lines, clustering of dwelling units, narrower streets, increased densities, and fewer dedication requirements.	Goal 1	Ongoing	As development occurs and development applications are received, the City will review and make recommendations towards Planned Development Zoning. In addition, as inquiries are received on particular properties, the City will evaluate whether a Planned Development Zoning would benefit the project. No Planned Development Rezone requests were processed in 2017.
Program 1m. Facilitate the development of market rate rental housing and affordable for-sale and rental housing, including housing for extremely low, very low, and low income groups and special needs populations.	Goal 1	Ongoing	The City did not receive an application for market-rate and/or housing for extremely low, very low, and low income groups and special needs populations in 2017.
Program 1n. Through the San Joaquin County consortium, continue to coordinate in contacting developers on a regular basis and provide the Urban County consortium with a list of available sites that are ready for development.	Goal 1	Ongoing	As discussed in Program 1a, the City maintains an inventory of available sites for development. The City has not yet contacted developers to discuss available sites. No Action in 2017.
Program 1o. Encourage a range of housing types for the developmentally disabled through coordination with the Valley Mountain regional Center to identify needed housing types, such as independent living opportunities and group homes and other facilities that provide assistance to residents.	Goal 1	Ongoing	No Action in 2017.
Program 1p. Encourage development of affordable and multifamily housing, including housing for special needs through outreach to affordable housing developers. The City shall contact affordable housing developers on an annual basis to solicit interest in developing affordable and/or special housing.	Goal 1	Annual	This program was not completed in 2017. City staff will reach out to affordable housing developers in 2018.
Program 2a. Continue to offer pre-application meetings to all developers with various City staff representing numerous City departments (e.g. planning, building, engineering, etc.) to discuss project design, city standards, necessary public improvements, and funding strategies.	Goal 2. Remove constraints that hinder the development of housing, including housing for extremely low, very low, low, and moderate income households, and housing for special needs groups, including senior, disabled, developmentally disabled, single parent, large family, farmworkers, and homeless populations.	Ongoing	The City continues to offer and conduct pre-application reviews of development projects within the City. This program has been successful. The City conducted five (5) Pre-Application meetings in 2017.
Program 2b. Provide incentives to encourage the development of special needs and affordable housing.	Goal 2	Ongoing	As development applications are received, the City will evaluate the possible incentives that may be provided to reduce the cost of the affordable housing development. No affordable housing development applications were received in 2017.

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<p>Program 2c. Continue to monitor average processing times for discretionary development permits on a biennial basis and regularly review the Zoning Code and the City's development project processing procedures to identify changes to further reduce housing costs and average permit processing time. Where changes are feasible to implement, update the Zoning Code and amend the City's processing procedures to reduce housing costs and processing times.</p>	<p style="text-align: center;">Goal 2</p>	<p>Review project processing and zoning code on a biennial basis</p>	<p>The City continues to monitor processing times for each type of entitlement application. As needed, the City will update the Zoning Code to amend procedures. No Action in 2017.</p>
<p>Program 2d. Review affordable housing and in-fill projects for eligible CEQA exemptions and exempt those projects that are eligible from further CEQA review.</p>	<p style="text-align: center;">Goal 2</p>	<p>Ongoing</p>	<p>The City evaluates each Project, as defined by the CEQA Guidelines for possible exemptions. This program is ongoing and is evaluated on a case-by-case basis.</p>
<p>Program 2e. Review all updates and revisions to the City's ordinances, codes, policies, and procedures to ensure that they do not constrain "reasonable accommodation" for disabled persons.</p>	<p style="text-align: center;">Goal 2</p>	<p>Biennial basis</p>	<p>Staff continues to monitor updates and revisions to the City's ordinances, codes, policies, and procedures. No update in 2017 constrained reasonable accommodation for disabled persons.</p>
<p>Program 2f. Amend Title 17 to allow for the location of Single Room Occupancy (SRO) uses as a conditional use in Multiple Family Residential (RM) district and adopt development standards that allow and accommodate the inclusion of new SRO's.</p>	<p style="text-align: center;">Goal 2</p>	<p>Concurrent with HE</p>	<p style="text-align: center;">This program was completed in 2016.</p>
<p>Program 2g. Continue to encourage developers to include second dwelling units as an integral part of their project and to plan for second dwelling units in the design of their projects.</p>	<p style="text-align: center;">Goal 2</p>	<p>Ongoing</p>	<p>The City continues to encourage second dwelling units (now known as Accessory Dwelling Units). On December 18, 2017, the City Council adopted Ordinance No. 18-384, amending the Zoning Code to be consistent with State Law. This program is ongoing.</p>
<p>Program 2h. Encourage developers to take advantage of density bonuses and incentives for affordable housing and senior housing projects that are provided by the City consistent with the requirements of State law. The City's Zoning Code shall be reviewed and where necessary brought into conformance with Government Code Section 65915 pertaining to granting of density bonuses.</p>	<p style="text-align: center;">Goal 2</p>	<p>Ongoing and adopt revisions concurrent with HE</p>	<p>The Zoning amendment portion of the program has been completed (2016). No density bonuses were granted in 2017.</p>
<p>Program 2i. Amend the Zoning code to allow emergency shelters by right in the City's Multiple Family Residential (RM) and Professional Office (PO) zone districts without discretionary action.</p>	<p style="text-align: center;">Goal 2</p>	<p>Adopt revisions concurrent with HE</p>	<p style="text-align: center;">This program was completed in 2016.</p>
<p>Program 2k. Address the special housing needs of large families to alleviate overcrowding in the City by facilitating the construction of housing that includes 3- and 4-bedroom units affordable to extremely low-, very low-, and low-income families.</p>	<p style="text-align: center;">Goal 2</p>	<p>Ongoing</p>	<p>As development applications are received, the City will encourage the development of 3- and 4- bedroom units affordable to extremely low-, very low-, and low-income families. No affordable housing applications were received in 2017.</p>

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Program 2l. Support female-headed households with the permitting of child day care facilities as outlined in Chapter 17 of the Municipal Code	Goal 2	Ongoing	This program was completed in 2016.
Program 2m. Amend the Municipal Code to develop formal procedures for reasonable accommodation for housing and persons with disabilities in accordance with fair housing and disability laws.	Goal 2	Adopt revisions concurrent with HE	This program was completed in 2016.
Program 2n. Require developers of new housing to use the HCD New Home Universal Design Option Checklist to disclose to buyers accessible	Goal 2	Ongoing	No Action in 2017.
Program 2o. Revise the Zoning Code to allow manufactured housing to be constructed on a permanent foundation in all zoning districts that allow residential uses and to remove the minimum floor area and minimum width requirements from Section 17.68.020.	Goal 2	Adopt revisions concurrent with HE	This program was not completed in 2017. This program will be completed in 2018.
Program 2p. Revise the Zoning Code to accommodate employee housing, including housing for agricultural employees consistent with State law.	Goal 2	Adopt revisions concurrent with HE	This program was completed in 2016.
Program 2q. Revise the Zoning Code to allow the approving party (Community Development Director for permitted uses, Planning Commission for conditional uses) to reduce parking requirements for projects serving disabled persons where there is a demonstrated reduction in parking need.	Goal 2	Adopt revisions concurrent with HE	This program was completed in 2016.
Program 2r. Revise the Zoning Code to define "family" as two or more related persons living in a dwelling unit or a group of individuals living together in a dwelling unit as the functional equivalent of a family where the residents may share living expenses and responsibilities.	Goal 2	Adopt revisions concurrent with HE	This program was completed in 2016.
Program 2s. In compliance with State law (Government Code Section 65589.7), the City will establish written policies and procedures that grant priority for water and sewer to proposed development that includes housing affordable to lower-income households.	Goal 2	Adopt procedures within 18 months of Housing Element adoption.	The City has not established written policies and procedures that grant priority for water and sewer to proposed development that includes housing affordable to lower-income households. This program was not completed in 2017.

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<p>Program 2t. Update the West Lathrop Specific Plan to permit heights of up to 40 feet in the RM-MV zone.</p>	<p>Goal 2</p>	<p>Within 18 months of Housing Element adoption.</p>	<p>No Action in 2017.</p>
<p>Program 2u. Support multifamily housing on sites that accommodate lower income households by revising the Zoning Ordinance to only permit development of single family units on lower income sites, including all of the sites identified in Table 62.</p>	<p>Goal 2</p>	<p>Within 18 months of Housing Element adoption</p>	<p>No Action in 2017.</p>
<p>Program 3a. Continue to participate in the San Joaquin Urban county consortium to receive and use HOME and CDBG funds to provide housing rehabilitation loans and emergency repair loans or grants, administered through the San Joaquin county Rehabilitation Program, for lower income households and to provide services for lower income populations, including extremely low income, homeless/at-risk of homelessness, seniors, and youth.</p>	<p>Goal 3: Preserve the availability of existing housing opportunities and to conserve as well as enhance the quality of existing dwelling units and residential neighborhoods.</p>	<p>Annual review of CDBG and Home fund allocations; ongoing distribution of materials</p>	<p>The City continues to participate in the San Joaquin urban county consortium to receive and use HOME and CDBG funds. Program is ongoing.</p>
<p>Program 3b. Review the Zoning Code and potential funding sources to identify methods of providing incentives for rehabilitation of existing residential units and to encourage re-investment in the Historic Lathrop Overlay District and in older neighborhoods east of I-5.</p>	<p>Goal 3</p>	<p>Implement within 18 months of Housing Element adoption</p>	<p>No Action in 2017. This program is expected to be completed within the program timeframe.</p>
<p>Program 3c. Continue to employ a full-time code compliance officer who will vigorously enforce the building and zoning codes in locations where dilapidation, blight, and/or health and safety violations may be occurring.</p>	<p>Goal 3</p>	<p>Ongoing</p>	<p>The City has hired a contract Code Enforcement Officer part-time. The Community Development Department, Planning Division works closely with the Code Enforcement Office as it relates to Zoning Code violations.</p>
<p>Program 3d. Continue to coordinate the housing rehabilitation program with code compliance efforts to encourage property owners to maintain dwelling units in safe and habitable conditions. Regularly review housing conditions and update the housing stock condition data gathered for the Housing Element Update to determine specific locations or neighborhoods require targeted code enforcement and work to provide, when funding is available, targeted rehabilitation or replacement assistance.</p>	<p>Goal 3</p>	<p>Ongoing coordination; biennial review of housing conditions</p>	<p>The City will coordinate with the Code Enforcement Officer as needed. The City will review housing conditions as rehabilitation programs are completed and rehabilitation proposals are reviewed.</p>

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<p>Program 3e. Continue to participate in the San Joaquin Urban County consortium to provide funding and support for the rehabilitation of mobile homes, when adequate funds are available.</p>	<p style="text-align: center;">Goal 3</p>	<p style="text-align: center;">Ongoing</p>	<p style="text-align: center;">No Action in 2017.</p>
<p>Program 3f. Support the application of multifamily housing owners for federal or state funds to rehabilitate existing dwelling units. When appropriate and feasible, provide technical assistance to the project applicant with the funding applications.</p>	<p style="text-align: center;">Goal 3</p>	<p style="text-align: center;">Ongoing</p>	<p>This program will be implemented on a case-by-case basis. As applications are received, City staff will work with affordable housing developers to secure grant funding for rehabilitation efforts.</p>
<p>Program 3g. Regularly review the City's eligibility for Federal and State home repair, renovation, and replacement programs annually and apply for programs, as appropriate.</p>	<p style="text-align: center;">Goal 3</p>	<p style="text-align: center;">Ongoing</p>	<p>The city will regularly review the City's eligibility for Federal and State home repair, renovation, and replacement programs. This will be an ongoing program.</p>
<p>Program 4a. Continue to encourage the enforcement of federal and state fair housing standards. The City will provide fair housing information to interested citizens and will make fair housing materials from the California Department of Fair Housing and Employment and the federal Office of Fair Housing and Equal Opportunity available at City Hall, the Library, the Community Center, and on the City's website in both English and Spanish.</p>	<p>Goal 4. Ensure that all existing and future housing opportunities are open and available to all members of the community without discrimination on the basis of race, color, religion, sex, national origin or ancestry, marital status, age, household composition or size, or any other arbitrary factors.</p>	<p style="text-align: center;">Ongoing</p>	<p>Fair housing information is available for citizens. As additional information is received, the City will update the fair housing information that is available.</p>
<p>Program 4b. Require all recipients of locally administered housing funds to acknowledge their understanding of fair housing law, affirm their commitment to the law, and to provide fair housing opportunities for all persons.</p>	<p style="text-align: center;">Goal 4</p>	<p style="text-align: center;">Ongoing</p>	<p>As housing projects are completed, this program will be implemented. No locally administered housing funds were used in 2017.</p>
<p>Program 5a. Continue to maintain membership in the San Joaquin Housing Authority to qualify City residents for Section 8 Housing Choice Vouchers and other assistance administered by the Housing Authority. The City shall provide information on the availability of Housing Authority programs to interested parties.</p>	<p>Goal 5. Coordinate local housing efforts with appropriate federal, state, regional, and local governments and/or agencies and to cooperate in the implementation of intergovernmental housing programs to ensure maximum effectiveness in solving local and regional housing problems.</p>	<p style="text-align: center;">Ongoing</p>	<p>This program is ongoing. The City will continue to maintain membership in the San Joaquin Housing Authority and will encourage additional Section 8 Housing Choice Vouchers and other assistance administered by the Housing Authority.</p>
<p>Program 5b. Provide housing information to all interested agencies, developers, residents, and non-profit groups. City staff will assist with Zoning and General Plan inquiries as well as provide contact information between the San Joaquin Urban County Consortium, San Joaquin Housing Authority, housing developers, and non-profit groups.</p>	<p style="text-align: center;">Goal 5</p>	<p style="text-align: center;">Ongoing</p>	<p>Housing information is readily available to all interested agencies, developers, residents and non-profit groups. The City's CDD Website was update din 2017 and includes additional information related to housing availability, vacant sites, etc.</p>

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General Comments:

Construction is progressing on the rehabilitation of twenty (20) units on "O" Street. Below are a before and after photo of the "O" Street project.



**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 18-3**

**A RESOLUTION OF THE PLANNING COMMISSISON OF THE CITY OF LATHROP
RECOMMENDING CITY COUNCIL RECEIVE AND ACCEPT THE HOUSING
ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2017 AND
AUTHORIZE STAFF TO SUBMIT THE REPORT TO THE GOVERNOR'S OFFICE OF
PLANNING AND RESEARCH AND THE CALIFORNIA DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT**

WHEREAS, California Government Code Section 65400(2) requires the planning agency to provide an annual report to the City Council, the Governor's Office of Planning and Research (OPR), and the State Department of Housing and Community Development (HCD) regarding progress toward implementation of the housing element of the general plan; and

WHEREAS, planning staff has prepared an annual progress report for the calendar year 2017, utilizing the prescribed forms and instructions provided by HCD; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council receive and accept the annual progress report on the Housing Element, attached and incorporated by reference herein, and authorize staff to forward the report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development pursuant to Government Code Section 65400(2).

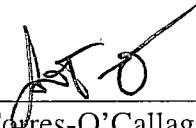
PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a regular meeting on the 21st day of March, 2018 by the following vote:

AYES: Torres-O'Callaghan, Lazard, Gatto, Freeman, Ishihara

NOES: None

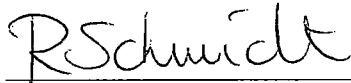
ABSTAIN: None

ABSENT: None



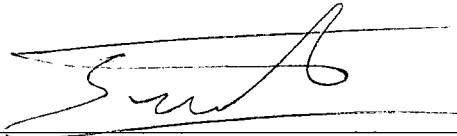
Jennifer Torres-O'Callaghan, Chair

ATTEST:



Rebecca Schmidt, Secretary

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

**CITY MANAGER'S REPORT
APRIL 09, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: **APPROVE AMENDMENT NO. 7 WITH PACIFIC ADVANCED CIVIL ENGINEERING, INCORPORATED (PACE) FOR ADDITIONAL DESIGN MODIFICATIONS FOR THE LATHROP CONSOLIDATED TREATMENT FACILITY (LCTF) PHASE 2 EXPANSION CIP WW 14-14**

RECOMMENDATION: **Adopt a Resolution Approving Amendment No. 7 with PACE for Additional Design Modifications for the LCTF Phase 2 Expansion CIP WW 14-14**

SUMMARY:

The Lathrop Consolidated Treatment Facility (LCTF) Phase 2 Expansion Project, CIP WW 14-14 was created to increase the existing capacity and address deficiencies in the existing plant, including systems that have been incorporated from the decommissioned Crossroads Wastewater Treatment Plant (WWTP). Additional modifications are needed to the Crossroads recycled water pump station, S-5 pump station and the Crossroads sewer lift station to allow the recycled water system to be utilized from the Lathrop Consolidated Treatment Facility (LCTF).

Staff requested a proposal from PACE to perform the assessment for the design modifications to enable recycled water system to connect directly to the LCTF. Amendment No. 7 is needed to proceed with the additional design modifications under their existing agreement to the LCTF Phase 2 Expansion CIP WW 14-14.

Staff is requesting City Council adopt a resolution approving Amendment No. 7 to the existing agreement to the LCTF Phase 2 Expansion in the amount of \$280,267 for the additional design modifications to the Crossroads recycled water pump station, Crossroads Sewer lift station and S-5 pump station.

BACKGROUND:

The Crossroads WWTP previously provided service to the Crossroads Commerce Center. In 2015 the plant was decommissioned and waste water flows were rerouted to LCTF.

CITY MANAGER'S REPORT
APRIL 09, 2018 CITY COUNCIL REGULAR MEETING
APPROVE AMENDMENT NO. 7 WITH PACE FOR ADDITIONAL DESIGN
MODIFICATIONS FOR LCTF PHASE 2 EXPANSION CIP WW 14-14

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The design modifications will enable the sewer lift station to properly supply the crossroads flows directly to the LCTF and allow the S-5 pump station to communicate directly to the SCADA control system and the Crossroads recycled water pump station to communicate and be controlled from the new SCADA system.

The modifications include an upgrade to the SCADA control system, motor drives for the Crossroads recycled water pump station, S-5 pump station and the Crossroads sewer lift station.

The cost for PACE to provide these design modifications is \$280,267 and will be paid for using funds allocated to the LCTF Phase 2 Expansion CIP WW 14-14.

RECOMMENDATION:

Staff is requesting City Council adopt a resolution approving Amendment No. 7 to the existing agreement to PACE for the LCTF Phase 2 Expansion in the amount of \$280,267 for the additional design modifications to the Crossroads recycled water pump station.

COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

This agenda item promotes Economic Growth by providing recycled water and associated wastewater disposal capacity needed to serve new development projects.

FISCAL IMPACT

The cost for PACE to provide these design services is \$280,267 and will be paid using funds allocated to the LCTF Phase 2 Expansion CIP WW 14-14.

ATTACHMENTS:

- A. Resolution Approving Amendment No. 7 with PACE for Additional Design Modifications for the LCTF Phase 2 Expansion CIP WW 14-14
- B. Amendment No. 7 with Pacific Advanced Civil Engineering, Inc. for Design Modifications for the Lathrop Consolidated Treatment Facility Phase 2 Expansion CIP WW 14-14


**CITY MANAGER'S REPORT
APRIL 09, 2018 CITY COUNCIL REGULAR MEETING
APPROVE AMENDMENT NO. 7 WITH PACE FOR ADDITIONAL DESIGN
MODIFICATIONS FOR LCTF PHASE 2 EXPANSION CIP WW 14-14**

APPROVALS:



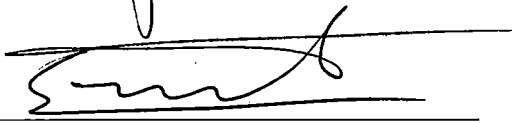
Ken Reed
Senior Construction Manager

4-4-2018
Date




Cari James
Director of Finance

4/5/18
Date



Salvador Navarrete
City Attorney

4-5-18
Date



for Stephen J. Salvatore
City Manager

4/5/18
Date



RESOLUTION NO. 18-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING AMENDMENT NO. 7 WITH PACIFIC ADVANCED CIVIL
ENGINEERING, INC. (PACE) FOR ADDITIONAL DESIGN MODIFICATIONS
FOR THE LATHROP CONSOLIDATED TREATMENT FACILITY PHASE 2
EXPANSION CIP WW 14-14**

WHEREAS, the Lathrop Consolidated Treatment Facility (LCTF) Phase 2 Expansion Project, CIP WW 14-14 was created to increase the existing capacity and address any current deficiencies in the existing plant, including systems that have been incorporated from the decommissioned Crossroads Wastewater Treatment Plant (WWTP); and

WHEREAS, additional modifications are needed to the Crossroads recycled water pump station, S-5 pump station and the Crossroads sewer lift station to allow the recycled water system to be utilized from the Lathrop Consolidated Treatment Facility (LCTF): and

WHEREAS, PACE has provided a proposal to perform the assessment and design for these modifications for a cost of \$280,267; and

WHEREAS, Amendment No. 7 is needed to proceed with the additional design modifications under their existing agreement to the LCTF Phase 2 Expansion CIP WW 14-14; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop hereby approves Amendment No. 7 to the existing agreement to PACE for the LCTF Phase 2 Expansion in the amount of \$280,267 for the additional design modifications to the Crossroads recycled water pump station.

BE IT FURTHER RESOLVED, the cost for PACE to provide these design services is \$280,267 and will be paid using funds allocated to the LCTF Phase 2 Expansion CIP WW 14-14.

The foregoing resolution was passed and adopted this 9th day of April 2018 by the following vote of the City Council, to wit:

AYES: \

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

AMENDMENT NO. 7**TO THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
WITH PACIFIC ADVANCED CIVIL ENGINEERING, INC.****FOR DESIGN MODIFICATIONS FOR THE LATHROP CONSOLIDATED
TREATMENT FACILITY PHASE 2 EXPANSION,
PROJECT CIP WW 14-14**

This Contract Amendment (hereinafter "AMENDMENT") to the Agreement between **Pacific Advanced Civil Engineering, Inc.**, and the City of Lathrop dated February 2, 2015 (hereinafter "AGREEMENT") dated for convenience this 9th day of April, 2017 is by and between **Pacific Advanced Civil Engineering, Inc.** ("CONSULTANT") and the CITY OF LATHROP, a California municipal corporation ("CITY");

RECITALS:

WHEREAS, CONSULTANT is specially trained, experienced, and competent to perform Engineering Design Services, which are required by this agreement; and

WHEREAS, CITY selected the CONSULTANT pursuant to said qualifications; and

WHEREAS, CONSULTANT and CITY entered into an AGREEMENT for engineering design services for Phase II of the Lathrop Consolidated Treatment Facility Expansion dated February 2, 2015; and

WHEREAS, CITY issued Amendment No. 1 dated October 19, 2015 for additional professional engineering services for a Chlorine Contact Basin Revalidation Study; and

WHEREAS, CITY issued Amendment No. 2 dated March 7, 2016 were needed to reassess the Design Capacity and Biological Model from 2.5 MGD to 1.5 MGD for the Lathrop Consolidated Treatment Facility; and

WHEREAS, CITY issued Amendment No. 3 dated November 9, 2016 to supply distinct contract documents alternatives for the construction bid package for the Lathrop Consolidated Treatment Facility Phase 2 expansion; and

WHEREAS, CITY issued Amendment No. 4 dated November 21, 2016 for construction management services for Phase 2 expansion work; and

WHEREAS, CITY issued Amendment No. 5 dated December 18, 2017 for construction management services for Phase 2 expansion work; and

CITY OF LATHROP – CONSULTING SERVICES AGREEMENT
Pacific Advanced Civil Engineering

WHEREAS, CONSULTANT provided scope of work attached hereto as Exhibit A for Amendment No. 6 for additional design modifications, Operator training, project closeout and provide additional design to automate the S5 pump station; and

WHEREAS, CONSULTANT is willing to render such Professional Consulting Services, as hereinafter defined, on the following terms and conditions;

NOW, THEREFORE, CONSULTANT and the CITY agree as follows:

AMENDMENT NO. 6 to AGREEMENT

(1) Scope of Service. Section (1) of the Agreement for Consulting Services is hereby amended as follows:

CONSULTANT agrees to perform Engineering Services in accordance with the scope of work and fee proposal provided by CONSULTANT, attached hereto as Exhibit "A" in addition to the scope of work in the original AGREEMENT dated February 2, 2015, Amendment No. 1 dated October 19, 2015, Amendment No. 2 dated March 7, 2016, Amendment No. 3 dated November 9, 2016, Amendment No. 4 dated November 21, 2016, Amendment 5 dated September 18, 2017, and Amendment 6 dated December 18, 2017. CONSULTANT agrees to diligently perform these services in accordance with the upmost standards of its profession and to CITY'S satisfaction.

(2) Compensation. Section (2) of the Agreement for Consulting Services is hereby amended as follows:

CITY hereby agrees to pay CONSULTANT a sum not to exceed **\$2,476,083** (\$1,500,146 for the original AGREEMENT, \$140,840 for AMENDMENT No. 1, \$66,886 for Amendment No. 2 dated March 7, 2016, Amendment No.3 for \$24,966, Amendment No. 4 for \$318,228, Amendment No. 5 not to exceed \$29,550, Amendment No 6 for \$115,200 and Amendment No. 7 for \$280,267) on a time and material basis in accordance with the payment schedule included in the original scope of work and the Agreement hereafter referred to as Exhibit "A" and incorporated herein by reference notwithstanding any contrary indication which may be contained in CONSULTANT's proposal. CONSULTANT shall be paid any uncontested sum due and payable within thirty (30) days of receipt of billings containing all information pursuant to Paragraph 5 of the original AGREEMENT. Compensation for any task must be equal to or less than the percentage of task complete. In no event shall CONSULTANT be entitled to compensation for work not included in the original scope of work or this AMENDMENT unless a written change order or authorization describing the extra work and payment terms has been executed by CITY's authorized representative prior to the commencement of the work.

CITY OF LATHROP – CONSULTING SERVICES AGREEMENT
Pacific Advanced Civil Engineering

(3) Effective Date and Term.

The effective date of Amendment No. 7 is April 9, 2018. All other terms of the original AGREEMENT and Amendments No. 1, No. 2, No. 3, No. 4, No. 5, No. 6 and No. 7 shall remain in full force and effect.

(4) Applicability to Original Consultant Agreement

All terms and conditions set forth in the AGREEMENT dated February 2, 2015 and Amendment No. 1 dated October 19, 2015, Amendment No. 2 dated March 7, 2016, Amendment 3 dated November 9, 2016, Amendment 4 dated November 21, 2016, Amendment 5 dated September 18, 2017 and Amendment 6 dated December 18, 2017 are still in effect and are incorporated by reference herein and said AGREEMENT is incorporated by reference herein.

(5) Notice to Proceed

Prior to commencing work under this AMENDMENT, CONSULTANT shall receive a written "Notice to Proceed" from CITY. A Notice to Proceed shall not be issued until all necessary bonds and insurances have been received. City shall not be obligated to pay CONSULTANT for any services prior to issuance of the Notice to Proceed. A Notice to Proceed may be phased and direct the CONSULTANT to proceed with only specific Tasks within the scope of work and fee proposal provided by CONSULTANT, attached hereto as Exhibit "A" and incorporated herein by reference. A Notice to Proceed shall not be issued until necessary funding is received by the CITY from developers.

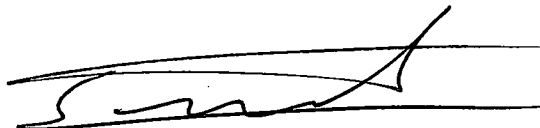
(6) Signatures

The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the CONSULTANT and the CITY. This agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

**CITY OF LATHROP – CONSULTING SERVICES AGREEMENT
Pacific Advanced Civil Engineering**

Approved as to Form:

City of Lathrop
City Attorney



Salvador Navarrete 4-5-18
Date

Recommended for Approval:

City of Lathrop
Project Manager

Ken Reed Date

Accepted By:

City Manager
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Stephen J. Salvatore Date

CONSULTANT:

PACE
17520 Newhope St., Ste. 200
Fountain Valley, CA 92708

Fed ID # 33-0265538

Business License # 20319

Signature Date

(Print Name and Title)



AUTHORIZATION FOR CHANGE ORDER

TO: City of Lathrop – Public Works Dept. 390 Towne Centre Drive Lathrop, CA 95330 (209) 941-7499	ATTN: DATE: PROJECT: C.O.AUTHORIZATION #:	Ken Reed Rev. March 19, 2018 A713 22R
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The following was not included in the original contract. We are requesting authorization for additional budget.

OBJECTIVE:

Provide turn-key services for the procurement, installation, configuration, programming and commissioning to upgrade the PLC and motor controls and associated new field instrumentation, as identified here-in, for three existing pumping stations at the existing City of Lathrop Consolidated Treatment Facility (CTF). The three pump stations; Crossroads Sewer Lift Station, WRP1 Recycled Water Transfer Pump Station, and the WRP1 Irrigation Pump Station will be used for process operations of the completed CTF.

The Crossroads Sewer Lift Station currently consists of two 10HP submersible pumps which are controlled by an existing Allen Bradley SLC500 PLC and two control cabinet mounted VFDs. As part of the CTF construction, two additional 10HP pumps will be added. Our scope of work will be to supply, install, configure and program a new Allen Bradley CompactLogix PLC, HMI and four (4) new VFDs within the existing MCC enclosure, located adjacent to the plant. The new PLC will provide Ethernet IP communication via copper or fiber, to the new CTF SCADA system. Communication conduit and cabling from the station to the connection to the CTF SCADA network is by others.

The WRP1 Recycled Water Transfer Pump Station consists of two 110HP (to be verified) submersible pumps which are currently not in use. The pump are controlled by an existing Allen Bradley SLC500 PLC and two cabinet mounted soft-starters. This station was constructed approximately 15 years ago for another application and will be upgraded to be used as a transfer pumping station between the on-site final effluent storage basins. Due to the age of the pumps and significant change in hydraulic operating conditions for the new application, it is contemplated that the existing pumps will be replaced with smaller 40 to 50HP units. Our scope of work will be to supply, install, configure and program a new Allen Bradley CompactLogix PLC, HMI and two (2) new VFDs. The new PLC and HMI will be installed in the existing control cabinet and the drives will be supplied as new free-standing enclosures with independent filtered fan cooling. The new PLC will provide Ethernet IP communication via copper or fiber, to the new CTF SCADA system. Communication conduit and cabling from the station to the connection to the CTF SCADA network is by others.

The WRP1 Irrigation Pump Station consists of two 75HP turbine pumps which are controlled by an existing Modicon Momentum PLC and two cabinet mounted full-voltage starters. The Modicon equipment is a legacy system and is not compatible with the new Allen Bradley CompactLogix PLC control system at the CTF. Additionally, the current on/off operation causes

considerable cycling of the irrigation pumps. Therefore, our scope of work will be to upgrade the station to constant pressure control by supplying, installing, configuring and programming a new Allen Bradley PLC, HMI and two (2) new VFDs. The new PLC and HMI will be installed in the existing control cabinet and the drives will be supplied as new free-standing enclosures with independent filtered fan cooling. The new PLC will provide Ethernet IP communication via copper or fiber, to the new CTF SCADA system. (Communication conduit and cabling from the station to the connection to the CTF SCADA network is by others.) Communication will be by Ethernet point to point radio.

SCOPE OF WORK:

A. Consultant agrees to perform the following services:

Task 60 Equipment Procurement

PACE shall prepare an Engineering Submittal Package for all modification, equipment and materials supplied under this Scope of Work. PACE shall not proceed with ordering of equipment or materials for the project without an approved submittal or written authorization from the Client to proceed based on pre-selection and lead-times.

PACE shall procure the following required project components and materials:

PLC Control Panels

PACE shall provide all hardware, software, labor and materials required to supply, install, configure and program three (3) complete CompactLogix PLC control systems within the existing control cabinets at three (3) pump stations. Each control system shall consist of the following major components:

- (1) Allen Bradley CompactLogix L43 Processor
- (1) Allen Bradley CompactLogix PA-3 PLC Power Supply
- (1) Allen Bradley CompactLogix 1768-ENTB Ethernet Communication Card
- (1) Allen Bradley CompactLogix 1769-IQ32 32pt Digital Input Expansion Card
- (1) Allen Bradley CompactLogix 1769-OB32 32pt Digital Output Expansion Card
- (1) Allen Bradley CompactLogix 1769-IF4 4pt Analog Input Expansion Card
- (1) Allen Bradley CompactLogix 1769-OF4 4pt Analog Output Expansion Card
- (1) C-more 10" Color Touchscreen HMI EA9-T10WCL
- (1) Hirshmann SPIDER-4TX-1FX or SPIDER-8TX-1FX Unmanaged Ethernet Switch
- (2) Rhino 120W / 24VDC Aux Power Supplies
- (1) Rhino 20A 24VDC Power Supply Redundancy Module
- (1) 1500VA Standard UPS unit

Variable Frequency Drives (VFDs)

PACE shall supply, install, configure and program the following VFDs required for the project. All drives shall be NEMA 1 Danfoss Type FC202 units with fused disconnect switch and have a factory installed Ethernet IP communication card. The four 10 HP units at the Crossroads Lift Station will be installed within pre-fabricated MCC buckets to fit the existing MCC structure or will be NEMA 4X units with integral fused disconnect switches for wall mounting adjacent to the



existing MCC. All other units will be individually mounted in NEMA 3R enclosures and supplied with integral fused disconnects, input and output line reactors, HOA switches and lights and filtered fan cooling.

Drive Description		
Crossroads Lift Station	HP	Quant
Pump 1 - MCC Mount	10	1
Pump 2 - MCC Mount	10	1
Pump 3 - MCC Mount	10	1
Pump 4 - MCC Mount	10	1
Effluent Transfer Pump Station		
Pump 1 - NEMA 3R Floor Enclosure w/ Fan	50	1
Pump 2 - NEMA 3R Floor Enclosure w/ Fan	50	1
Effluent Irrigation Pump Station		
Pump 1 - NEMA 3R Floor Enclosure w/ Fan	75	1
Pump 2 - NEMA 3R Floor Enclosure w/ Fan	75	1

Field Instrumentation

PACE shall supply, install and configure the following new level instrumentation required at the Crossroads Lift Station location. In addition, PACE will supply one (1) 8" and one (1) 12" magnetic flow meters for installation by others. Where appropriate, based on the plans, existing instrumentation will be reused.

DESCRIPTION	QTY	TAG	MFR	MODEL #
INFLUENT PUMP STATION LEVEL PROBES	2	LSL/LSH-01001/2	FLOWLINE	LU10-1305-50
INFLUENT PUMP STATION LEVEL TRANSDUCER	1	LT-01001	PROSENSE	SLT2-010-L40
INFLUENT PUMP STATION LEVEL TRANSDUCER 2	1	LT-01002	SIEMENS	SITRANS LUT420 + XPS-15
8" PRESSATE FLOW METER	1	FT-XXXXX	TOSHIBA	GF63020ANBA1
8" CROSSROADS RECYCLE FLOW METER	1	FT-XXXXX	TOSHIBA	GF63020ANBA1
12" CROSSROADS RECYCLE FLOW METER	1	FT-XXXXX	TOSHIBA	GF63030ANBA1

Task 61 Configuration and Programming

PLC Control Panels

In conformance with the requirements of the project, PACE shall prepare and submit a proposed Sequence of Operation description for approval by the Client prior to programming each of the PLC and/or HMI systems.



Based on the Client's approval of the Sequence of Operation, PACE shall provide all required configuration and programming to implement the approved sequences and graphics for the system.

PACE shall conduct a functional test of the completed programming for each PLC and HMI to ensure that the hardware and programming are operational prior to deployment on-site.

PACE has included 8 additional hours (1 day) of PLC/HMI integration time to perform additional programming requested by the Client after deployment of the system. The intent of this work is to add and/or modify the system programming based on unforeseen or additional needs of the client that were not captured facility during design or during the submittal approval process.

Task 62 Product Installation

Once PACE has acquired, tested, configured and programmed the new PLCs, HMIs and VFDs in our scope of work, PACE shall deliver and install said equipment and components to the site for installation. PACE will contract the services of a State Licensed C-10 Electrician to perform installation and modification to the motor control systems, installation of all new conduit and wire required and termination of all three-phase circuits. PACE's Instrumentation & Controls (I&C) staff will perform the installation, modification and termination of the PLC / HMI and field instrumentation systems.

For the pump stations that are currently in use, PACE will provide temporary controls to allow the stations to maintain functionality during installation of the new equipment. PACE will coordinate and schedule operational outages with the City and the City's contract operator in advance of said outages.

PACE shall be responsible for coordinating with the City's IT Services for the network configuration of the PC to connect to the site's workgroup and provide network access. It shall be the City's responsibility to coordinate and install required networking cabling and hardware to connect the new PLCs to the CTF SCADA network. Additionally, it shall be the City's responsibility to coordinate and complete addition / programming of the SCADA system to add the three stations to this system.

Task 63 Start-up & Commissioning Services

PACE shall provide the services of its Instrumentation & Controls staff for the purpose of commissioning the PACE supplied Controls, Drives and Field Instrumentation systems. PACE anticipates start-up of the systems can be completed within 1 week (5 consecutive working days).

PACE will work with the City and the City's Contract Operator to commission and adjust the control systems to operate based on the requirements set forth in the approved project documents.

Task 64 System Training Services

PACE shall provide the services of its Controls & Instrumentation staff for the purpose of providing up to 8 hours of on-site training on the proper operation and maintenance of the completed control and instrumentation systems. This training is assumed to take place at the completion of the Start-up & Commissioning Services, consecutive with this work.

System Warranty

PACE shall provide a warranty on all equipment supplied under this contract for a period of 1 year from substantial completion of the project or 18 months from the delivery of equipment, whichever occurs first. The warranty shall include on-site and off-site troubleshooting, replacement or repair of defective equipment or programming.

Modifications and/or programming, which are in addition to the functionality of the completed PLC/HMI systems, but requested by the Client, will be completed for additional fee on a Time & Expense Basis.

PROPOSED FEE:

PACE will bill a total fixed fee amount of \$280,267 which includes all taxes and reimbursable expenses. PACE will complete the work outlined herein and invoice the Client in a total of Five (5) installment draws as follows:

- 20% of the Contracted Amount due with Notice to Proceed
- 20% of the Contracted Amount due upon Approval of Submittals
- 40% of the Contracted Amount due upon Delivery of Equipment
- 15% of the Contracted Amount due upon Substantial Completion
- 5% of the Contracted Amount due upon Final Completion

<u>DESCRIPTION</u>	<u>FIX FEE</u>
Equipment & Hardware Supply	\$168,364
Integration & Start-up Services	<u>\$111,903</u>
TOTAL PROPOSED FEE:	\$280,267

The Proposed Fee can be allocated by station site as follows, assuming all work is performed concurrently as a single project:

Crossroads Sewer Lift Station	\$ 86,877
WRP1 Recycled Water Transfer Pump Station	\$ 96,510
WRP1 Irrigation Pump Station	\$ 96,880

Estimated By: Andrew T. Komor 03/19/2018
Andrew T. Komor, P.E. Date

AGREED TO AND ACCEPTED BY:

By: _____ _____
City of Lathrop Date

ASSUMPTIONS AND EXCLUSIONS:

The Client's responsibilities shall include providing PACE with the base data and project information in a timely manner, coordination and management of other team consultants and contractors to assure that the project schedule can be met, and prompt payment of invoices in accordance with the terms and conditions included herein. The specific items that are to be provided by the Client (City) or the City's Contractor or other consultants include the following:

1. Contractor input pertaining to project design issues and requirements including scheduling.
2. Any other data that directly impacts PACE ability to perform the design in an efficient and economic manner.



Any proposed project changes, which affect work in progress or previously completed will be justification for additional compensation.

No surveying or construction staking is included.

Local government approval meetings, hearings, etc., and preparation of presentation graphics will be under separate work authorization, if required.

This proposal is valid for 60 days from the date of issue.

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

**ITEM: CITY OF LATHROP AND CITY OF TRACY LAW
ENFORCEMENT SERVICES EVALUATION**

**RECOMMENDATION: Receive a Report by Municipal Resource Group
(MRG) Regarding the Provision of Contract Law
Enforcement Services by the City of Tracy to the
City of Lathrop and Consider Adoption of a
Resolution Authorizing Task Order #10 with MRG**

SUMMARY:

Municipal Resource Group, LLC (MRG), has assisted the City in various departments for special projects over the past several years. The specialized project assistance that MRG provides helps control staffing costs and increases productivity as we only use the services to augment our staff as needed. MRG has provided a high level of quality services for City projects such as, staff training, police services analysis, assistance with special tax audits, project management for Measure C, financial analysis for Well 21 and key operation/organization enhancements to the Finance Department.

Unsustainable law enforcement costs have driven the City to evaluate and assess its current contract and review other alternatives to ensure the safety of its residents through affordable and reliable public safety services.

In 2010, 2013 and 2017, the City contracted with MRG to perform an extensive review of the City's Law Enforcement Services. The reviews included possible modifications of the San Joaquin County's contract, contracting with other public agencies for law enforcement services, review of pending development impacts on current law enforcement activities and potential innovative law enforcement techniques.

Continued cost increases have raised the question whether the City can control costs more effectively through an alternate service provider that will deliver equal or greater quality services to our residents. In August 2017, Council authorized MRG to do an initial evaluation of the City's current law enforcement contract and provide options to assist the City with controlling costs.

At the December 18, 2017 Council Meeting, Council directed Staff to continue to work with MRG and the City of Tracy to develop a service program to provide law enforcement services to the City of Lathrop. MRG has evaluated the feasibility of the City of Tracy providing contract law enforcement services to the City of Lathrop.

Working extensively with both cities' staff, MRG has developed the attached report (Attachment "C"), which provides a detailed analysis, findings and a recommendation that the cities proceed to develop an agreement for services. The MRG analysis shows that the City of Tracy will be able to provide expanded law enforcement services to the City of Lathrop for a significantly lower cost.

CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
MUNICIPAL RESOURCE GROUP LAW ENFORCEMENT SERVICES EVALUATION
AND TASK ORDER #10

At their April 3, 2018 City Council Meeting, the City of Tracy City Council authorized its staff to move forward with developing a contract with the City of Lathrop to provide law enforcement services.

Tonight, Staff is requesting the City Council authorize staff to move forward with developing a contract with the City of Tracy to provided law enforcement services to the City of Lathrop and authorize Task Order #10 (Attachment "B") with MRG to assist the City with development of a services agreement and related materials for law enforcement services with the City of Tracy in the amount of \$51,200. Funds are available in the Measure C Public Safety Reserve to fund this task order. If authorized, Staff anticipates returning to Council in June or July 2018 with a contact for review and approval.

BACKGROUND:

Since the City's incorporation, the San Joaquin County Sheriff's Office (SJCSO) has provided comprehensive law enforcement services including traffic enforcement and crime prevention programs. The current Adopted Budget for Fiscal Year 17/18 and 18/19 estimates the contract for law enforcement services to be \$7.2 million and \$7.7 million, respectively. Despite significant costs hikes, increasing contract demands, and unsuccessful negotiation attempts, the City has extended its law enforcement services contract with SJCSO multiple times ensuring continuity of public safety services for its residents. During the latest contract extension with SJCSO, City leadership began contemplating alternative options available to provide law enforcement services to its residents.

The City contracted with MRG to conduct a comprehensive study and present available options to the City Council for review. The review included possible modifications of the San Joaquin County's contract, contracting with other public agencies for law enforcement services, review of pending development impacts on current law enforcement activities and potential innovative law enforcement techniques. Continued cost increases primarily due to retirement and post-retirement cost, which are largely out of the County's control and County overhead costs, have raised the question whether the City can control costs more effectively through an alternate service provider that will deliver equal or greater quality services to our residents.

As indicated in the attached MRG report, the staff of the two cities has been meeting and reviewing the potential for development of a law enforcement services agreement between the two agencies. The study evaluates the costs of service; impacts on the City of Tracy; additional facilities and staff required to implement contract services. The report also outlines the start-up timeline and actions needed to begin law enforcement service provision on July 1, 2019.

The report concludes the following:

- The City of Tracy currently provides outstanding law enforcement services to Tracy residents and businesses;

- The start-up costs, ongoing annual costs and any facilities costs would be fully borne by the City of Lathrop;
- Both cities would benefit from a larger, more fully staffed organization;
- The City of Tracy would benefit directly and in a timely manner due to staff increases that would serve Tracy residents and businesses;
- Due to the cost reduction of moving to a contract with the City of Tracy, Lathrop would amortize its start-up costs over a period of 5 to 6 years;
- It is feasible for the City of Tracy to provide full law enforcement services to Lathrop on July 1, 2019.

The MRG report contains comprehensive budget information and a timeline for implementation.

After the City Council receives the report and public input, discusses the project's impacts and if it decides to continue the process, it may direct staff to work with the City of Tracy to develop a draft services agreement for consideration.

The City of Tracy's City Council received the report from MRG at their April 3, 2018 City Council meeting. They directed staff to work with the City of Lathrop to develop a draft services agreement for consideration.

REASON FOR RECOMMENDATION:

Staff recommends the City Council consider the MRG report, take public input, review and discuss the proposed next steps and provide direction to staff to initiate development of a law enforcement services agreement between the City of Tracy and the City of Lathrop.

FISCAL IMPACT:

As outlined in the MRG report the staff of both cities have worked together to develop accurate estimates of all the costs associated with this project. The basic goal of the fiscal analysis has been to insure that the full costs of services are borne by the City of Lathrop and that all impacts on the City of Tracy are fully mitigated.

Tracy Police services cost are projected to be \$1.0 million per year less than the current agreement with SJCSO. The annual Tracy costs are significantly lower, despite the fact that the proposed Tracy budget includes one additional sworn officer and two new Community Service Officers.

Due to long recruitment and training lead times, some positions will need to be hired 12 months in advance of the start date in order to ensure the staff members are fully trained by July 1, 2019. The initial start-up costs is estimated to be \$5.3 million. It

CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
MUNICIPAL RESOURCE GROUP LAW ENFORCEMENT SERVICES EVALUATION
AND TASK ORDER #10

Page 4

is anticipated that Lathrop would recover the initial start-up cost in a little over five year.

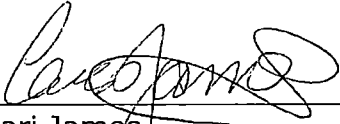
MRG has submitted a proposal to assist the City with the development of a law enforcement service agreement between the City of Lathrop and the City of Tracy. A budget amendment for \$51,200 from the Measure C Public Safety Reserve fund is needed for this Task Order.

ATTACHMENTS:

- A. Resolution
- B. Task Order #10
- C. Municipal Resource Group Law Enforcement Services Evaluation

CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
MUNICIPAL RESOURCE GROUP LAW ENFORCEMENT SERVICES EVALUATION
AND TASK ORDER #10

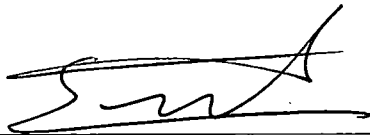
APPROVALS:



Cari James
Director of Finance

4/5/18

Date



Salvador Navarrete
City Attorney

4-5-18

Date



Stephen Salvatore
City Manager

4.5.18

Date

RESOLUTION NO. 18 - _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING TASK ORDER NO. 10 WITH MUNICIPAL RESOURCE GROUP, LLC,
ASSIST WITH THE DEVELOPMENT OF A SERVICES AGREEMENT AND
RELATED MATERIALS FOR LAW ENFORCEMENT SERVICES WITH THE CITY
OF TRACY AND RELATED BUDGET AMENDMENTS**

WHEREAS, Municipal Resource Group, LLC (MRG), has assisted the City in various departments for special projects over the past several years; and

WHEREAS, the City has contracted with San Joaquin County for law enforcement services since incorporation, the City is seeking to ensure that its Law Enforcement Services are configured to maximize service to the Community, utilize cost-effective technological advances to address service challenges and that the City's Law Enforcement cost remain in conformance with current and future financial resources; and

WHEREAS, in 2010, 2013 and 2017, the City contracted with MRG to perform an extensive review of the City's Law Enforcement Services; and

WHEREAS, the review included possible modifications to the contract with San Joaquin County; contracting with other public agencies for law enforcement services; review of pending development impacts on current law enforcement activities and potential innovative law enforcement techniques; and

WHEREAS, at the December 18, 2017 Council Meeting, Council directed Staff to continue to work with MRG and the City of Tracy to develop a service program to provide law enforcement service to the City of Lathrop; and

WHEREAS, MRG has submitted a proposal for \$51,200, to assist the City with the development of a services agreement and related materials for law enforcement services by the City of Tracy;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby approve Task Order No. 10 with MRG and the following budget amendment from the Measure C Public Safety Reserve Fund:

Increase Expenditure	
1060-1910-420-0100	\$51,200

The foregoing resolution was passed and adopted this 9th day of April 2018, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

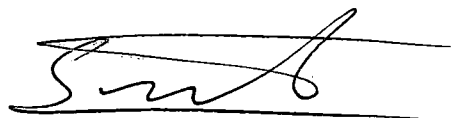
ABSTAIN:

Sonny Dhaliwal, Mayor

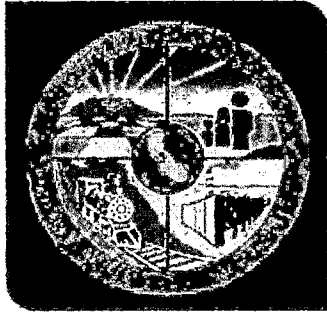
ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney



City of Lathrop

***Proposal to Assist the City of Lathrop Develop a Services Agreement
Contract and Related Materials for Law Enforcement Services by the
City of Tracy***



Municipal Resource Group, LLC

**675 Hartz Avenue, Suite 300
Danville, CA 94526
925.314.3889**

ATTACHMENT ⁰⁰ B ⁰⁰



April 5, 2018

Mr. Stephen Salvatore, City Manager
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Dear Mr. Salvatore,

As we discussed, Municipal Resource Group has developed this proposal to assist the cities of Lathrop and Tracy develop a services contract and supporting materials for provision of law enforcement services to the City of Lathrop by the City of Tracy. Our proposal includes addressing the Peer Review study being conducted on behalf of Tracy; developing a final term sheet and services agreement; financial and operational standards; meetings with both staffs and assistance with staff reports/presentations to both City Councils. We estimate the Project will take approximately 90 days to complete.

If you have any questions regarding the proposal I am available to discuss them at your convenience.

Sincerely,

Mike Oliver, President
Municipal Resource Group, LLC



CITY OF LATHROP LAW ENFORCEMENT SERVICE AGREEMENT AND RELATED INFORMATION DEVELOPMENT PROPOSAL

PROPOSED SERVICES:

Working with the cities of Lathrop and Tracy complete the various documents, research materials, presentation materials and manage the process of completion of the documents essential to the City of Lathrop and Tracy entering into an agreement by July 1, 2018 to agreeing to the City of Tracy providing law enforcement services to the City of Lathrop on July 1, 2019.

Project Team:

Mike Oliver (MO), Dan Drummond (DD), Craig Whittom (CW), Cari James (CJ)

KEY PROJECT ELEMENTS AND RESPONSIBLE PARTIES:

Management Partners peer review—Mike Oliver, Lead

1. *Participate in meetings and calls with Management Partners to address their questions regarding the MRG Law Enforcement Report and substantiating documents.*
2. *Research and respond to any issues identified by Management Partners that effect the MRG Report.*
3. *Revise the MRG Law Enforcement Report as required.*

Prepare for and Conduct 12 Weekly Project Status Conference Calls—Mike Oliver, Lead

1. *Conference calls to be conducted weekly, beginning April 9th week and ending June 12th week.*
2. *Prepare agendas for, conduct and prepare follow-up itemizations for 12 weekly conference calls;*
3. *Follow-up with involved parties as needed to insure critical project elements are being completed in a timely fashion;*
4. *Provide regular updates to the City Managers of both cities.*



Completion of the Lathrop/Tracy Financial Cost Projections—Lead, Craig Whittom

1. *Work with, participate in meetings and calls with Tracy and Lathrop staff to identify and address the remaining cost projections that need clarification;*
2. *Prepare the final financial attachments for the Law Enforcement Services Agreement;*
3. *Revise the MRG Law Enforcement Report as needed.*

Completion of the Lathrop—Tracy Term Sheet—Craig Whittom, Lead

1. *Prepare agendas for, participate in and prepare summary meeting notes for two meetings with the Lathrop and Tracy City Attorneys and city staffs to complete an updated Term Sheet;*
2. *Prepare a final Term Sheet for City that will be the basis of the Law Enforcement Services Agreement..*

Support the Development of the Tracy-Lathrop Law Enforcement Services Agreement, Craig Whittom, Lead

1. *Prepare agendas for, participate in and prepare summary meeting notes for three meetings to support the development of the Law Enforcement Services Agreement;*
2. *Review draft agreement language drafted by the Lathrop and/or Tracy City Attorneys and facilitate the negotiation and completion of the document by the cities.*

Participate in the development of the Lathrop Police Facility Plans for the City of Lathrop-Dan Drummond, Lead

1. *Participate in the planning meetings with City of Lathrop and Tracy staff; the project architectural team and the responsible development company representatives;*
2. *Provide input as needed, address the functionality of the proposed project and the long-term needs of the City of Lathrop Police Department.*

Develop required reports for City Staff, City Council, etc. – Mike Oliver, Lead

1. *Develop draft and final agenda reports, PowerPoint presentations, staff reports as needed for Tracy and Lathrop;*
2. *Respond to questions, inquires from City staff*

Participate in City Council Meetings/Worksessions on the proposed Services Agreement – Mike Oliver, Lead

1. *Prepare for and attend up to four City Council meetings as required.*

PROJECT TIMELINE



Based on our initial understandings of the work product and the project scope we anticipate that we will be able to conduct the various activities described in the Proposed Services section within 90 days of project approval by the City of Lathrop.

PROJECT COSTS

The project cost estimate is based on an anticipated project length of approximately three months. We have allocated our staff costs based on an estimated numbers of hours per week during the engagement. The costs are summarized below:

Consulting Costs:	Approximate Hours/Week		
Dan Drummond	5 hours/week/57 hours	\$180.00/hourly rate	\$15,480.00
Mike Oliver	7 hours/week/88 hours	\$225.00/hourly rate	\$19,800.00
Craig Whittom	7.75 hours/week/93.5 hours	\$200.00/hourly rate	<u>\$18,700.00</u>
		Consulting Subtotal:	\$49,240.00
Mileage (3,042 miles @ \$.545/mile)			\$ 1,657.00
Supplies/Support			<u>250.00</u>
		Mileage/Miscellaneous	\$ 1,907.00
		TOTAL PROJECT COSTS	\$51,147.00

**CITY OF LATHROP
&
CITY OF TRACY
LAW ENFORCEMENT SERVICES EVALUATION**

Prepared by
Municipal Resource Group, LLC
675 Hartz Avenue, Suite 300
Danville, CA 94526
925.314.3889

March 28, 2018

ATTACHMENT "C"



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III. NEXT STEPS AND PROJECT TIMELINE	8
IV. CONCLUSION.....	10

Attachments

- 1 City of Lathrop Law Enforcement Service Plan
- 2 Draft Staff Positions and Annual Cost
- 3 Draft Annual Cost Budget
- 4 San Joaquin County Sheriff Budget (FY 2017-18)
- 5 Draft Startup Cost Budget

I. PROJECT OVERVIEW

The City of Lathrop (Lathrop) has contracted for law enforcement services with the San Joaquin County Sheriff since the City's incorporation. The Sheriff's Office provides the full range of law enforcement services to Lathrop residents, businesses and schools. During the past five years, the cost of these services has increased significantly due to employee retirement, overhead and new Officer start-up charges. Lathrop has engaged Municipal Resource Group, LLC (MRG) to explore the causes of these cost increases and explore opportunities to reduce costs and evaluate alternative service delivery models.

On December 18, 2017 MRG presented a report to the Lathrop City Council evaluating the feasibility of Lathrop contracting for law enforcement services with the Cities of Manteca and Tracy. The report recommended that Lathrop evaluate the costs and service opportunities available if the City of Tracy (Tracy) assumed responsibilities for provision of the full array of law enforcement services for Lathrop. At that meeting, the Lathrop City Council directed its staff to engage MRG to conduct an in-depth evaluation of the feasibility, costs and service implications of contracting with Tracy for the provision of these services.

In conducting the evaluation, MRG met and exchanged information with key staff members from both Cities, including:

- City of Lathrop staff—City Manager, City Attorney, Finance Director, Police Chief and staff, and Information Services Manager;
- City of Tracy staff—City Manager, City Attorney, Finance Director, Budget Manager, Police Chief, Human Resources Director, Public Works Director, Information Services Director, and numerous Police staff;
- San Joaquin County—Sheriff's Office staff, the County Auditor Controller, County Counsel's Office and the County Administrator's Office; and
- Outside resources were consulted, including actuarial experts, employee recruitment and retention firms, and other county Sheriff's Offices who contract for law enforcement services with cities. MRG also communicated with a number of cities with county-provided law enforcement services, as well as the Cities of Oakley and Citrus Heights, who developed their own in-house law enforcement services.

This report contains the findings, conclusions, recommendations and next steps developed by synthesizing the input from the numerous meetings, consultations and the participation of the key parties involved.

II. FINDINGS AND CONCLUSIONS

Project Parameters

MRG established the following parameters to evaluate the feasibility of Lathrop contracting with Tracy for its law enforcement services in comparison to the current services provided by the San Joaquin County Sheriff's Office:

1. Would the law enforcement services provided by Tracy be fully comparable to, and as comprehensive as the existing Sheriff's Office services;
2. Does Tracy have the capacity (staff competencies, facilities and infrastructure) to enable it to expand to provide services to Lathrop;
3. Would providing law enforcement services to Lathrop enhance Tracy's organizational mission and enhance the existing services provided to the Tracy community; and
4. How would the start-up, annual and long-term costs of law enforcement services provided by Tracy compare to continuing to contract with the San Joaquin County Sheriff's Office for those services.

Project Findings

MRG used the comparison evaluation parameters described above to model its findings. In summary, our findings are:

1. *We found that Tracy's law enforcement services, if expanded to serve Lathrop, would be fully comparable to and as comprehensive as the existing Sheriff's Office services and, as proposed, would provide an expansion of services from the current levels.*

In order to draw an accurate comparison, working with Tracy staff, we created a document entitled, "City of Lathrop Law Enforcement Service Plan" (**Attachment 1**), which describes the services that would be provided to Lathrop. These services fully replicate the existing service levels (patrol, detectives, traffic, School Resource Officers, etc.), and provide enhancements through the addition of one sworn Officer and the addition of two non-sworn Community Service Officers (CSOs). The CSOs are trained personnel who take lower-level reports, do crime scene work, work on neighborhood-level issues, and provide traffic control and other duties. These CSO support services would allow the sworn staff to focus on higher-level enforcement and prevention activities.

The Tracy-provided services would include the full range of law enforcement support activities, including dispatch, records processing and maintenance, information technology, vehicle maintenance, administrative management and support, and community-focused programs currently provided to Tracy residents and businesses.

In addition to the Tracy Police Department's functional law enforcement roles and responsibilities, we found the Department leadership extremely well trained, versed in community policing programs and conducting excellent public outreach programs. The

Department leadership and Tracy Executive and Management-level staff have been heavily engaged in this project and enthusiastic supporters of expanding their scope to serve Lathrop.

2. *We found that Tracy has the capacity (staff competencies, facilities and infrastructure) to enable it to expand to provide services to Lathrop and provide an enhanced level of service to Tracy residents and businesses.*

In assessing Tracy's capacities, we examined a number of areas of City operations to determine whether the organization is capable of providing the expanded services in question. A key area of review included the existing and potential additional staff required to support the addition of some 26 sworn and up to 6 non-sworn positions to the City's services.

Working with the Tracy staff, we concluded that additional personnel are required to provide support, additional levels of technical assistance, and dispatch services to the Lathrop-serving staff. We created a summary entitled, "Draft Staff Positions and Annual Cost" (**Attachment 2**), which clearly indicates the new positions necessary to provide the services, the staff costs, the percentage of costs borne by Lathrop, and the residual costs to be borne by Tracy.

In a number of areas, partial personnel costs are shared between the two Cities because the demand for a full-time position in either City is not justified. The Tracy community would receive expanded services because Lathrop would be paying a portion of the additional staff member. The Staffing Summary also identifies the portion of the additional staff that would impact the Tracy budget. We have also identified a number of areas of benefit which Tracy would be able to charge Lathrop for portions of existing positions when those staff members are working on issues related to the Lathrop agreement. Examples of this include the City Manager's Office, the City Attorney's Office, the Human Resources Department and the Finance Department, and are discussed in the next section. The cost offsets are included in the "Draft Annual Cost Budget" (see **Attachment 3**).

3. *We found that the Tracy Police staff concluded that provision of law enforcement services to Lathrop would be beneficial to its organizational mission and would enhance its existing services to the Tracy community.*

We found that a number of operating areas, including dispatch (facility expansion and staffing), records management, and Officer support services (professional standards, range master, training officer, crime analysis and administrative support), would be significantly expanded beyond the impacts of the additional workload created by serving Lathrop. In addition, the expanded Police Department would provide promotional opportunities for the existing Tracy Officers for the positions of Corporal, Sergeant and Lieutenant. The infrastructure improvements required by the added services provided to Lathrop would support future growth in Tracy.

The Tracy staff expansion is also proposed to include a Deputy Chief position to assist with management of both Lathrop and Tracy operations. Overall, the Tracy Police staff are enthused about the opportunities presented by a potential services agreement with Lathrop.

A number of other departments would be affected by the assumption of Lathrop Police services, including Human Resources (recruitment, personnel management), the Finance Department

(budgeting, financial reporting, and additional accounting), the City Attorney’s Office (legal issues associated with law enforcement activities) and the City Manager’s Office (additional external service obligations and general management). In order to address these impacts and ensure the activities are fully compensated for these departments, the Draft Annual Cost Budget includes \$225,000 for these departmental charges.

In determining whether the start-up, annual and longer-term costs of Tracy-provided law enforcement services, when compared with continuing to contract with the San Joaquin County Sheriff’s Office, were more or less expensive, we created four documents to provide the basis for comparison and analysis. These are included as **Attachments 2, 3, 4 and 5**, and are:

- Draft Staff Positions and Annual Cost;
- Draft Annual Cost Budget;
- Estimated Annual Cost Budget – San Joaquin County/Lathrop Police Services; and
- Draft Startup Cost Budget.

To simplify the analysis and ensure comparability of costs, we created the following table to illustrate the basis for the conclusions we reached. See **Attachment 3** for details on the Draft Annual Cost Budget.

Table 1 summarizes the annual costs in current-year dollars (FY 2017-2018) for San Joaquin County Sheriff’s Office-provided services (see **Attachment 4**) and in 2017-2018 dollars for Tracy-provided services. Projected start-up costs for Tracy services are estimated as \$5,229,010, and are shown separately; the San Joaquin County startup costs are annual payments for prior charges.

Table 1
ANNUAL POLICE SERVICES COST COMPARISON:
SAN JOAQUIN COUNTY AND CITY OF TRACY

San Joaquin County 2017/18		Projected Tracy 2017/18	
Cost Category	Cost	Cost Category	Cost
Salary & Benefits	\$4,999,320	Salary & Benefits	\$4,626,765
Overtime	\$ 295,977	Overtime/Training	\$ 230,000
Other Direct Costs	\$ 400,707	Admin. Direct Costs	\$ 225,000
Indirect Costs	\$ 748,053	Allocated Costs	\$ 842,821
Overhead	\$ 365,178	Overhead	\$ 0
Start-up Costs	\$ 71,833	Start-up Costs	\$ 0
Services & Supplies	\$ 212,619	Services & Supplies	\$ 139,560
Total	\$7,093,687	Total	\$6,064,146

As illustrated in **Table 1**, the estimated annual costs for the Tracy Police services are approximately \$1.0 million per year less than the current agreement with the San Joaquin County Sheriff’s Office. The cost difference is based on the lower per-employee costs, reduced overhead charges and indirect staff and other costs. The annual costs would be significantly

lower than the existing costs, despite the fact that the proposed Tracy budget includes one additional sworn Officer and two new CSO positions.

The last budget document is the “Draft Startup Cost Budget” (see **Attachment 5**), which was prepared based on consultations with Tracy and Lathrop staffs. This comprehensive cost estimate contains all related activities accrued prior to starting law enforcement services to Lathrop. The specific cost centers are outlined below, but an explanatory note is required. The costs are based on the extensive recruitment, employment and training effort required to have 26 sworn and up to 6 non-sworn employees fully functional and ready to begin work on July 1, 2019.

Due to long recruitment and training lead times, some positions need to be hired 12 months in advance of the start date in order to ensure the staff members are fully trained by July 1, 2019. Lateral transfers and academy graduates would not require the full 12 months of training. Capacity constraints and compliance with State training requirements necessitate careful staging throughout the year prior to the start date to ensure new employees are fully trained and functional.

The Draft Startup Cost Budget contains a significant number of lateral transfers and new Officers at the beginning of the 12-month period to ensure the Tracy Police Department would have the capacity to train later, less experienced recruits. The lateral transfer Officers would, shortly after being hired, have completed their orientation period, and would be available to augment Tracy’s law enforcement activities until the July 1, 2019 implementation date. This approach would add up to six more fully trained Officers serving Tracy during the pre-service period.

In summary, the significant Draft Startup Cost Budget elements include:

- Sworn Officer positions;
- Non-sworn positions (CSOs, records, crime analyst);
- On boarding costs (Academy tuition, incentive/referral program, background psychological exam/physical exam);
- Services and supplies (vehicle equipment, Officer equipment, promotional exams workstations, computers for Officers, body cams);
- Facility improvements (Tracy Communications Center expansion, IT equipment for new Lathrop Police facility, additional dispatch consoles/radios/support equipment); and
- Contributions to the 4850 Liability Fund (includes funding of a reserve for Officer-related injury payments).

As shown in the Draft Startup Cost Budget, the total one-time costs are estimated to be \$5,251,590. Using the estimated start-up costs in calculating the payback period, the costs would be recovered in slightly over five years.

Cost Estimates

The cost estimates for the San Joaquin County Sheriff's Office reflect the current FY 2017-18 budget. The estimated Tracy costs were developed with Tracy staff and based upon current-year salary and benefit costs. MRG used top of the salary range rates for salary and benefit cost estimates (e.g. all positions are assumed to be hired at the highest salary step) to ensure costs are not underestimated.

Both Cities would experience cost increases by July 1, 2019 (e.g. health care cost growth, pension cost growth, Other Post Employment Benefit cost growth, and increases that may result from new labor agreements). MRG did not attempt to forecast the specific increases. However, in light of the funding status of the San Joaquin County pension fund and the fact that Lathrop would only pay the normal cost of the pension and its share of the UAL over the course of the agreement, it is expected that pension increases would be significantly less if Lathrop contracts with Tracy.

The San Joaquin County Employees' Retirement Association (SJCERA) serves the County's employees and several other smaller special districts. The current retirement rates are significantly higher than Tracy's current or projected rates. Additionally, the SJCERA retirement system is the second lowest funded 1937 Act system in the State. The Board of Supervisors is currently considering increasing the contribution rates for all participants, which would affect the contract costs for Lathrop. Tracy recently engaged an actuarial firm to review its pension liabilities, and the report indicated that Tracy would not have dramatic increases in its rates in the foreseeable future.

Project Conclusions

Based on the examination of the parameters, the fiscal data for the start-up and ongoing operations, and capital costs, we have concluded the following:

1. *The cities of Lathrop and Tracy would both benefit if Tracy provides law enforcement services to Lathrop.* Tracy has the capacity, infrastructure and staffing to be able to provide the services within the budget estimates. Tracy would also have expanded capacity to provide law enforcement and other services to its residents and businesses.
2. *Based on our meetings with the San Joaquin County Sheriff and County staff, it does not appear that the County is modifying its costs or organizational structure to reduce service costs.* We have met with the County a number of times to gain clarification of its "overhead" charges, which we believe are inappropriately calculated. The County has provided no evidence that it is in conformance with the applicable Government Code section 51350, which restricts overhead charges. Tracy has acknowledged the applicability of a similar constraint for cities providing contract services, and is only proposing to charge for directly related costs and not for general purpose overhead costs.

3. *In our meetings with Tracy, we have been able to satisfactorily define and address issues involving future cost liabilities associated with the provision of law enforcement services.* Tracy and Lathrop have agreed to address pension liabilities going forward with appropriate direct charges as they accrue. Lathrop would fund a reserve to ensure that the costs for on-the-job injuries of the Tracy Officers serving Lathrop are adequately funded.

4. *It is feasible for Tracy to be prepared to assume provision of law enforcement services for Lathrop on July 1, 2019.* As discussed in the following “Next Steps and Project Timeline” section, our conversations with the Cities and the San Joaquin County Sheriff’s Office staff indicate that the transfer of services could be jointly and cooperatively designed and implemented.

III. NEXT STEPS AND PROJECT TIMELINE

Next Steps

During our engagement, we have worked with both Tracy and Lathrop staff to identify the elements necessary for Tracy to provide full law enforcement services beginning on July 1, 2019. This presumes the City Councils of Tracy and Lathrop approve a service agreement by July 1, 2018.

In delineating the Next Steps, a number of key issues were identified and methods to address them developed. The major issues include:

1. *Development of a comprehensive overview agreement for law enforcement services.* We reviewed a number of city-county law enforcement contracts to develop a "Draft Agreement Term Sheet," which provides the framework for an agreement between the two cities. The document comprehensively outlines the services to be provided, length of the agreement (proposed to be a 10-year term with a 24-month opt out after year five), services costs, staffing configuration, insurance requirements, budgeting and performance standards, and a host of other areas. The "Draft Agreement Term Sheet" has been reviewed by the City Attorneys and staffs of both Cities, and would form the basis for negotiation of the final agreement.
2. *Staff recruitment, training and integration into Tracy's operations.* The transfer of services would require Tracy to recruit and train 26 Officers to serve in the Lathrop Police Department. The solution we identified assumes an aggressive recruitment program for new recruits, post-academy graduates and lateral transfers, as well as the additional dispatch positions required to staff the expanded dispatch facility. In addition, there would be a number of promotional examinations conducted within the Tracy Police Department to ensure staffing for the Corporal, Sergeant and Lieutenant positions.

Because of the competitive environment in sworn Officer recruiting, we recommend the retention of a capable human resources consulting firm to assist in developing an effective marketing and recruitment program.

3. *Development of facilities for the law enforcement activities is a crucial item on the implementation timeline.* Lathrop currently leases space for its County-provided services. That space is proposed to be replaced by the City with a newly constructed Police facility on River Islands Parkway. The project would be constructed by a development company as an in-lieu-of-fee project, and would conform to the City's specifications. The facility is in the design phase and is expected to be complete by July 1, 2019. In order to house the new recruits and Officers Tracy acquires prior to the July 1 date, Tracy would modify its locker room facilities and other related equipment storage areas for temporary use. If the new Lathrop facility is not complete on July 1, 2019, sworn staff would use the Tracy Police facility to dress for their assignments and pick-up vehicles and equipment, as is done by the County in the current services contract. The existing Lathrop Police facility would continue to serve the public.

A second essential construction project involves expansion of the existing Tracy Communications Center to facilitate the addition of the dispatch consoles required to serve Lathrop. The expansion would provide space for four additional consoles, two of which would be installed and be operational, leaving room for future service expansion. Lathrop would pay the full cost of four new dispatchers, which would be more than adequate to serve Lathrop.

As described above, it is our opinion the essential facilities and staffing could be acquired and developed to be in service on July 1, 2019.

Timeline

The “Law Enforcement Timeline” below describes the critical path items that need to be completed before July 1, 2019.

- April 3 and 9, 2018—MRG report and recommendations presented to the City Councils of Tracy and Lathrop;
- By May 1, 2018—Both Cities direct staff to negotiate an agreement for law enforcement services and bring it to the Councils for consideration;
- By July 1, 2018—Law Enforcement Services Agreement is approved by both Cities;
- July 1, 2018—June 30, 2019—Officer, dispatcher and support staff recruitments, training and field services are conducted. Full complement of staff on board and operational by July 1, 2019.
- July 1, 2018—June 30, 2019—Communications Center is designed, bid, constructed and furnished, and new dispatchers and staff are functional.
- By June 30, 2019—Police Facility designed, bid, constructed, furnished and equipped and operational. The Police Facility is currently in the design phase.
- July 1, 2018—June 30, 2019—All Police-related equipment, vehicles, computers, radios, etc. are specified and ordered in time to provide services as needed.
- May 1, 2019—June 30, 2019—Lathrop’s new Police services Community Engagement Program is implemented, preparing for the July 1 start date.
- July 1, 2019—Transition to Lathrop Police services provided by Tracy.

IV. CONCLUSION

Based on the input and participation of the staffs of Lathrop and Tracy, it is MRG's conclusion that it is feasible for Tracy to assume provision of law enforcement services for Lathrop on July 1, 2019. These services would provide focused, municipally based and community-oriented law enforcement services to the residents and businesses in Lathrop.

We also have concluded that the services provided by Tracy would be less expensive than the current San Joaquin County services, and that the significant start-up costs would be amortized over a five-year+ basis, effectively providing significant cost savings for Lathrop over the 10-year service period.

It is also clear that the additional services the Tracy Police Department would undertake would enhance the service levels to the Tracy community due to provision of additional staff Lathrop would contribute on an ongoing basis.

City of Lathrop Law Enforcement Service Plan

The City of Tracy will provide full service municipal police services to the City of Lathrop. The services will encompass general law enforcement and public safety functions normally provided in cities within California. The services include the enforcement of State statutes and City codes and ordinances. The Lathrop Police Department's principal responsibility will be protecting life and property while preserving the public peace. The Community Policing philosophy, which encompasses partnerships and problem solving, will be one of the primary values of the Department.

Officers will respond to calls for service, investigate crimes, make necessary and appropriate arrests, seek prosecution of criminal acts, and engage in crime prevention strategies with community stakeholders. Traffic safety, which includes education, engineering, and enforcement, will be a high priority. Community outreach will focus on youth, cultural, and neighborhood groups.

These services consist of, but are not limited to:

- Patrol, including Canine Officers and Field Training Officers
- Traffic Safety, including Motor Officers
- Investigations including on-site detectives and supplemental detectives for major or specialized cases
- Crime Scene Investigation
- School Resource Officers
- Community Services Officers (Non-sworn)
- Community Policing: partnering with community groups to address issues
- Specialized Services, such as SWAT, Critical Incident management and negotiations
- Crime Prevention
- Crime Analysis
- Police Administrative functions

In addition, the City Tracy will provide all typical law enforcement support services including:

- Dispatch: 911 and non-emergency calls
- Police Records: processing reports and citations, and public information
- Property and Evidence services
- Vehicle maintenance

- Provision and maintenance of officer related equipment

To provide the service levels described above requires approximately twenty-seven (27) Peace Officer positions, two Community Services Officers, and a still undetermined number of other support and specialized positions. It is anticipated that the majority of the new staff would be lateral hires from other departments. The new contract services will be branded as the Lathrop Police Department with unique uniform patches, business cards, and vehicle markings.

There will be extensive emphasis on community engagement prior to the initiation of service and during the first year that will continue into future years. The activities will cultivate positive relationships among community members and police staff. One of the primary areas of focus will be with youth both at school and in community based activities. Other areas of focus will be with neighborhood and business groups and the faith-based community. There are a number of strategies that will be utilized including:

- Chiefs Community Advisory Board
- Town Hall Meetings
- Neighborhood & Business Watch
- Coffee with a Cop
- School Resource Officers
- Participation in youth sports activities
- Partnering with community, fraternal, and faith based groups
- Police Department open house and Safety Fair
- Traffic safety events
- Holiday Season community event; i.e., shop with a cop or food drive
- Police volunteer program

The Police Department will emphasize that each officer and staff member recognize that daily activities and contacts with community members are essential to establishing an atmosphere of trust and transparency with the community they serve. Each contact is an opportunity to create a positive impression, enhance community relations, and gain a partner in public safety. These actions support the Lathrop-Tracy Police Department's mission of being; A Professional Organization Entrusted by Our Community to Ensure a Safe and Prosperous Environment While Enhancing The Quality of Life.

Draft Staff Positions and Annual Cost (with FY 2017-18 salary/benefit rates)				
Tracy / Lathrop Police Services				
3/7/18 DRAFT MRG				
Permanent Staff Positions				
<u>Tracy Police Department Sworn</u>	<u># of Positions</u>	<u>Annual Salary + Benefit Cost of Position (a)</u>	<u>Estimated Total Annual Cost</u>	<u>Allocation methodology</u>
Deputy Chief	0.5	\$ 265,749	\$ 132,874	Allocation agreed to by cities
Captain	1.0	\$ 221,362	\$ 221,362	N/A (position fully dedicated to Lathrop)
Lieutenant	1.0	\$ 203,234	\$ 203,234	N/A (position fully dedicated to Lathrop)
Sergeant	4.0	\$ 167,956	\$ 671,825	N/A (position fully dedicated to Lathrop)
Corporal (FTO)	2.0	\$ 155,327	\$ 310,654	N/A (position fully dedicated to Lathrop)
K9 Officer	2.0	\$ 151,032	\$ 302,063	N/A (position fully dedicated to Lathrop)
Officer	10.0	\$ 143,257	\$ 1,432,572	N/A (position fully dedicated to Lathrop)
Motors	2.0	\$ 147,580	\$ 295,159	N/A (position fully dedicated to Lathrop)
Detectives	2.0	\$ 148,287	\$ 296,573	N/A (position fully dedicated to Lathrop)
School Resource Officer	2.0	\$ 148,287	\$ 296,573	N/A (position fully dedicated to Lathrop)
Professional Standards Officer (portion of 1 position)	0.23	\$ 154,799	\$ 35,604	23% (% of Lathrop sworn positions [27] to total Tracy positions [117])
Training Officer (portion of 1 position)	0.23	\$ 140,689	\$ 32,358	23% (% of Lathrop sworn positions [27] to total Tracy positions [117])
Rangemaster (portion of 1 position)	0.23	\$ 138,955	\$ 31,960	23% (% of Lathrop sworn positions [27] to total Tracy positions [117])
Total PD Sworn costs	27.2	-	\$ 4,262,811	
<u>Tracy Police Department Non-Sworn</u>	<u># of Positions</u>	<u>Annual Salary + Benefit Cost of Position</u>	<u>Estimated Annual Cost</u>	<u>Allocation methodology</u>
Community Services Officer	2.0	\$ 97,378	\$ 194,756	N/A (position fully dedicated to Lathrop)
Dispatcher	4.0	\$ 117,558	\$ -	No direct position charge. Full costs of Dispatch proportionally allocated in Annual Cost budget.
Records Assistant	0.23	\$ 98,875	\$ 22,741	23% (% of Lathrop sworn positions [27] to total Tracy positions [117]) of one new position
Chief Administrative Assistant	no increase in # of positions	N/A	N/A	N/A
Crime Analyst	0.23	\$ 119,070	\$ 27,386	If adding full or part-time position, % of Lathrop sworn positions

<u>Tracy Police Department Sworn</u>	<u># of Positions</u>	<u>Annual Salary + Benefit Cost of Position (a)</u>	<u>Estimated Total Annual Cost</u>	<u>Allocation methodology</u>
Information Systems Technician II	1.0	\$ 119,070	\$ 119,070	N/A
Total PD Non-Sworn Costs	7.46		\$ 363,953	
(a) Includes PERS Normal Cost only during start up and first year.				
Lathrop staffing				
	<u># of Positions</u>			
Police Office Manager	1.0	Cost not part of Service Agreement - City of Lathrop budgets separately		
Sr. Administrative Assistant	1.0	Cost not part of Service Agreement - City of Lathrop budgets separately		
Management Analyst	1.0	Cost not part of Service Agreement - City of Lathrop budgets separately		
	3.0			
Labor Charges only when Services are Provided				
SWAT				
Crime Scene Investigations				
Supplemental Detectives				
Hostage Negotiations				
Special investigations (large narcotics)				
Directed enforcement unit (gangs)				
Traffic fatalities				
Animal services support				

Draft Annual Cost Budget (with FY 2017-18 salary/benefit rates)
Tracy / Lathrop Police Services
 3/7/18 DRAFT MRG

<u>Cost Category</u>	<u>Estimated Cost</u>	<u>Source of Cost Items</u>
STAFF COSTS (Budgeted Positions)		
Total Staff Costs from Staff Positions Worksheet	\$ 4,626,765	Staff Positions Worksheet

NON-STAFF COSTS

Services and Supplies

PD service and supplies (27 x \$2000)	\$ 54,000	MRG estimate based on SJC costs and CCC allocation to contract
Cell phone service (26 x \$540)	\$ 14,040	Jennifer Hillman e-mail 1/23/18
Vehicle gasoline	\$ 60,000	City of Lathrop most recent annual costs
On-line reporting service (COPLOGIC)	\$ 11,520	LM e-mail 2/16/18

Non-Admin. Departments Allocated Charges

Evidence Handling	\$ 92,821	MRG estimate. Tracy 2017 # of pieces of evidence (9,470), Division cost (\$900,000) and Lathrop annual pieces of evidence (1,000)
Dispatch Operations	\$ 600,000	MRG estimate. Lathrop share of Dispatch Operations Division costs based on calls for service.
Vehicle maintenance	\$ 60,000	City of Lathrop most recent annual cost paid to SJC.
IT maintenance	\$ 90,000	CJ e-mail / chart 3/1/18

Training

Post and Non-Post training (sworn and non-sworn)	\$ 30,000	Estimate discussed during 2/28/18 meeting
Overtime	\$ 200,000	Estimate based on SJC FY 2017-18 budget

As-Needed Services

SWAT	\$ -	
Crime Scene Investigations	\$ -	
Supplemental Detectives	\$ -	
Hostage Negotiations	\$ -	
Special investigations (large narcotics)	\$ -	
Directed enforcement unit (gangs)	\$ -	
Traffic fatalities	\$ -	
Animal services support	\$ -	

CAPITAL / EQUIPMENT COSTS

Annual vehicle replacement costs	N/A	
Other equipment costs	N/A	

Administrative Departments Direct Charges

Overhead Allocation	\$ -	
City Manager's Office Direct Charge	\$ 50,000	
City Attorney's Office Direct Charge	\$ 50,000	
Human Resources Department Direct Charge	\$ 50,000	
Finance Department Direct Charge	\$ 75,000	

City of Lathrop Non-contract costs

SIR Insurance Cost		Currently being developed

Revenue Estimates

Asset Seizure	N/A	
COPS grant	N/A	

Total Annual Cost Estimate

\$ 6,064,146

**Estimated Annual Cost Budget (with FY 2017-18 salary/benefit rates) - San Joaquin County / Lathrop Police Service:
2/8/18 DRAFT MRG**

<u>Cost Category</u>	<u>Source of Cost Items</u>	<u>Estimated Cost</u>	<u>Notes</u>
Staff Costs			
Salary and Benefits	CJ e-mail 2/1/18 Fwd CT e-mail 8/29/17	\$ 4,999,320	
Overhead	CJ e-mail 2/1/18 Fwd CT e-mail 8/29/17	\$ 365,178	
Overtime	CJ e-mail 2/1/18 Fwd CT e-mail 8/29/17	\$ 295,977	Includes \$54,768 OTS traffic grant?
Other Direct Costs	CJ e-mail 2/1/18 Fwd CT e-mail 8/29/17	\$ 400,707	Health insurance for retirees, seervices and supplies, centrally budgeted expenses
Indirect Costs	CJ e-mail 2/1/18 Fwd CT e-mail 8/29/17	\$ 748,053	Communications, Records, Evidence, Detective, SWAT
Start-up Costs	CJ e-mail 2/1/18 Fwd CT e-mail 8/29/17	\$ 71,833	For Existing Positions
Services and Supplies			
Other Charges	CJ e-mail 2/1/18 Fwd CT e-mail 8/29/17	\$ 212,619	Vehicle maintenance, gas, mileage, training
Capital / Equipment Costs			
Revenue Estimates			
Total Annual Cost Estimate		\$ 7,093,687	

Draft Startup Cost Budget (with FY 2017-18 salary/benefit rates) - Tracy / Lathrop Police Services
3/7/18 DRAFT MRG

<u>Cost Category</u>	<u># of Positions</u>	<u>Annual Salary + Benefit Cost of Position</u>	<u># of months</u>	<u>% of year</u>	<u>Estimated Startup Cost</u>	<u>Source of Estimated Cost</u>
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STAFF COSTS (Budgeted Positions)

Tracy Police Department Sworn

Deputy Chief	0.5	\$ 265,749	0	0%	\$ -	Discussed during 2/28/18 meeting
Captain	1	\$ 221,362	10	83%	\$ 184,468	MRG 2/25/18 estimate re: months
Lieutenant	1	\$ 203,234	3	25%	\$ 50,808	MRG 2/25/18 estimate re: months

Sergeant	4	\$ 167,956	1	8%	\$ 55,985	MRG 2/25/18 estimate re: months
Corporal (FTO)	2	\$ 155,327	10	83%	\$ 258,879	MRG 2/25/18 estimate re: months
K9 Officer	2	\$ 151,032	0	0%	\$ -	MRG 2/25/18 estimate re: months
Officers (6 Recruits Academy)	6	\$ 143,257	12	100%	\$ 779,543	MRG 2/25/18 estimate re: months
Officers (4 Recruits Post Academy)	4	\$ 143,257	6	50%	\$ 286,514	MRG 2/25/18 estimate re: months
Officers (8 Recruits Lateral Transfer)	8	\$ 143,257	9	75%	\$ 859,543	MRG 2/25/18 estimate re: months
Officers (7 Recruits Lateral Transfer)	7	\$ 143,257	6	50%	\$ 501,400	MRG 2/25/18 estimate re: months

Motors	2	\$ 147,580	0	0%	\$ -	MRG 2/25/18 estimate re: months
Detectives	2	\$ 148,287	0	0%	\$ -	MRG 2/25/18 estimate re: months
School Resource Officer	2	\$ 148,287	0	0%	\$ -	MRG 2/25/18 estimate re: months

Professional Standards Officer (portion)	0.23	\$ 154,799	0	0%	\$ -	MRG 2/25/18 estimate re: months
Training Officer (portion)	0.12	\$ 140,689	0	0%	\$ -	MRG 2/25/18 estimate re: months
Rangemaster (portion)	0.23	\$ 138,955	0	0%	\$ -	MRG 2/25/18 estimate re: months

Total PD Sworn costs **\$ 2,977,141**

Tracy Police Department Non-Sworn

Community Services Officer	2	\$ 97,378	3	25%	\$ 48,689	MRG estimate re: months
Dispatcher	4	\$ 117,558	4	33%	\$ 156,744	MRG estimate re: months
Records Assistant	1	\$ 98,875	3	25%	\$ 24,719	MRG estimate re: months
Crime Analyst	1	\$ 119,070	3	25%	\$ 29,767	MRG estimate re: months
Information Systems Technician II	1	\$ 119,070	1	8%	\$ 9,923	MRG estimate re months

Total PD Non-Sworn Costs **\$ 269,842**

Tracy Other Department

Public Works Equipment Mechanic II	0.3	\$ 115,819	0	0%	\$ -	
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Total Other Department Costs **\$ -**

<u>Staff On-boarding Costs</u>	<u># of Exams</u>	<u>One time cost</u>			
Police Academy Tuition				\$ 30,000	LM e-mail 2/26/18
Incentive program				\$ 75,000	Discussed during 2/28/18 meeting
Referral program				\$ 20,000	Discussed during 2/28/18 meeting
Background, Psyche and Medical	40	\$ 3,200		\$ 128,000	City of Tracy 2/28/218 estimate

Total Other Department Costs **\$ 223,000**

<u>Cost Category</u>	<u># of Positions</u>	<u>Annual Salary + Benefit Cost of Position</u>	<u># of months</u>	<u>% of year</u>	<u>Estimated Startup Cost</u>	<u>Source of Estimated Cost</u>
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Total City of Tracy Startup Staff Cost Estimate \$ 3,469,983

NON-STAFF STARTUP COSTS

Services and Supplies / Maintenance

Vehicle maintenance / gas	\$ 15,000	CW estimate 3/1/18
Maintenance	\$ 31,000	CJ spreadsheet distributed 1/22/18
Services and Supplies	\$ 25,000	CW estimate 2/23/18

Officer Gear

New Officer gear (26 x \$8,798.51)	\$ 228,761	Jennifer Hillman e-mail 2/5/18
New CSO gear (2 x \$3,998.14)	\$ 7,996	Jennifer Hillman e-mail 1/23/18
New Motor Officer gear	\$ 32,518	Jennifer Hillman e-mail 1/23/18
K9 Officer gear	\$ 23,000	Jennifer Hillman e-mail 1/23/18

Training

Promotional training Corporal (2 x \$2,400)	\$ 4,800	Jennifer Hillman e-mail 1/23/18
Promotional training Sergeant (4 x \$2,400)	\$ 9,600	Jennifer Hillman e-mail 1/23/18
Promotional training Lieutenant (1 x \$3,600)	\$ 3,600	Jennifer Hillman e-mail 1/23/18
Spec Assign. Training Detective	\$ 4,800	Jennifer Hillman e-mail 1/23/18
Spec Assign. Training SRO	\$ 1,200	Jennifer Hillman e-mail 1/23/18
Spec Assign. Training Traffic	\$ 2,400	Jennifer Hillman e-mail 1/23/18
Spec Assign. Training Accident recon.	\$ 2,400	Jennifer Hillman e-mail 1/23/18
Spec Assign. Training Vehicle insp.	\$ 1,200	Jennifer Hillman e-mail 1/23/18

CAPITAL / EQUIPMENT COSTS

Field / Car retrofit costs

M7 Computer	N/A	MRG (MM e-mail 2/14/18)
Lehr	N/A	MRG (MM e-mail 2/14/18)
Mobile Client License	N/A	MRG (MM e-mail 2/14/18)
Client License	N/A	MRG (MM e-mail 2/14/18)
BWC Storage	N/A	MRG (MM e-mail 2/14/18)
Ticket Writers, Printers, Chargers	N/A	MRG (MM e-mail 2/14/18)
Programming	N/A	MRG (MM e-mail 2/14/18)
Install Radios and Mobile Computers	N/A	MRG (MM e-mail 2/14/18)
In Unit and Portable Radio purchase (\$4,500 for 29 radios)	\$ 130,500	Beth Lyon e-mail 2/28/18
Predictive Policing software	\$ 16,725	LM e-mail 2/26/18
Vehicle retrofit costs (\$8,500 for 18 vehicles)	\$ 153,000	BL e-mail 3/1/18 / CJ input

IT Equipment for Lathrop Facility

Building IT related equipment	\$ 250,000	CJ e-mail /chart 3/1/18

Dispatch

Cost Category	Annual Salary		# of months	% of year	Estimated Startup Cost	Source of Estimated Cost
	# of Positions	+ Benefit Cost of Position				
911 Viper Call Taking Positions					\$ 50,000	MRG (MM e-mail 2/2/18)
Dispatch Workstation Furniture					\$ 30,000	MRG (MM e-mail 2/2/18)
Antenna, repeater and line kit install					\$ 70,000	MRG (MM e-mail 2/2/18)
Radio Dispatch Consoles and Air Phone					\$ 130,000	MRG (MM e-mail 2/2/18)
CAD System Install, training, software					\$ 76,107	BL 3/6/18 e-mail
Custom CAD Interface(s), add WS equipment					NA	MRG (MM e-mail 2/2/18)
Dispatch Center Expansion					\$ 223,000	MRG (MM e-mail 2/2/18)

Records

Work station					\$ 15,000	MRG (MM e-mail 2/2/18)
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TRACY PUBLIC WORKS FACILITIES IMPROVEMENTS

Vehicle bay improvements					N/A	
PD Building improvements if temp. staffing location (e.g. lockers)					\$ 25,000	

LATHROP FACILITIES IMPROVEMENTS

Modifications to Fire Dept. fueling facility					N/A	CJ input
Corp. yard improvements					N/A	
Office improvements					N/A	

Other

Bodycam docking stations					\$ 7,500	Jennifer Hillman e-mail 1/23/18
4850 Allocation					\$ 200,000	MRG estimate 2/23/18

CONSULTANT COSTS

CPS - marketing and outreach					\$ 22,500	Discussed during 2/28/18 meeting
Other Consultant					\$ -	TBD by Lathrop - part of non-transition budget
Promotional exams (3 x \$13,000)					\$ 39,000	Judy Carlos e-mail 2/2/18

REIMBURSEMENTS / GRANTS

State 911 reimbursement					\$ (50,000)	MRG (MM e-mail 2/2/18)
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Total Non-Staff Startup Cost Estimate **\$ 1,781,607**

Total Staff + Non-Staff Startup Cost Estimate **\$ 5,251,590**

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**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: REGIONALIZATION OF WASTEWATER SYSTEM PRESENTATION BY PATRICK PULUPA EXECUTIVE OFFICER, CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD AND APPROVAL OF CONTRACT WITH ROBERTSON-BRYAN, INC

RECOMMENDATION: Council to Receive Information and Consider Adoption of Resolution Authorizing Contract with Robertson-Bryan, Inc. to Evaluate the Feasibility and Efficacy of Regionalization of Lathrop and Manteca Wastewater Facilities, and Creation of CIP WW 18-09

SUMMARY:

The City of Lathrop has approached the Central Valley Regional Water Quality Control Board (Central Valley Board) to consider a surface water discharge permit to the San Joaquin River. The Central Valley Board has indicated that the City needs to explore regionalization with the City of Manteca before they would consider Lathrop's own discharge permit. Patrick Pulupa, the Executive Officer of the Central Valley Board, will provide Council with information regarding regionalization and explain why it is important to explore.

Robertson-Bryan, Inc. (RBI) has submitted a proposal to provide an evaluation on the feasibility and efficacy of regionalizing the City of Lathrop and the City of Manteca's wastewater facilities. Staff recommends Council authorize the City Manager to sign a contract for \$28,300 with RBI and to create CIP WW18-09 (Wastewater Regionalization). This project will be funded by development who benefits from the additional sewer capacity.

BACKGROUND:

The City of Lathrop currently produces recycled water that meets the requirements for landscape irrigation and disposes of unused recycled water (i.e., treated wastewater effluent) on land. Recent projections of the amount of treated wastewater effluent to be discharged have indicated that the current discharge to land is not sustainable as lands become developed in the future. This is the case even with an increase in projected recycled water demand and the 14.7% capacity at the Manteca Water Quality Control Facility (WQCF) that Manteca has allocated to Lathrop. Therefore, to accommodate planned and approved growth into the future, the City of Lathrop needs to develop a surface water discharge for treated effluent and/or needs to discuss further regionalization opportunities with the City of Manteca. The need for discharge is greatest in the winter months during low irrigation demands and least in the summer months where the City maximizes its use of recycled water for irrigation.

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
REGIONALIZATION OF WASTEWATER SYSTEM**

Manteca. The need for discharge is greatest in the winter months during low irrigation demands and least in the summer months where the City maximizes its use of recycled water for irrigation.

The Central Valley Water Board has indicated that the City of Lathrop needs to explore regionalization with the City of Manteca before the Regional Water Board would consider Lathrop's own surface water discharge permit. Manteca's current discharge facility is located in close proximity to Lathrop's Consolidated Treatment Facility.

Mr. Pulupa's presentation will provide Council with the Central Valley Board's perspective and preference for regionalization.

In addition, Robertson-Bryan, Inc. (RBI) has provided the City a proposal to evaluate the feasibility and efficacy of regionalizing the City of Lathrop and the City of Manteca's Wastewater facilities.

FISCAL IMPACT

The cost of the RBI agreement for \$28,300 will be fully funded by development. A budget amendment to the following accounts will be needed to allocate funds to the project:

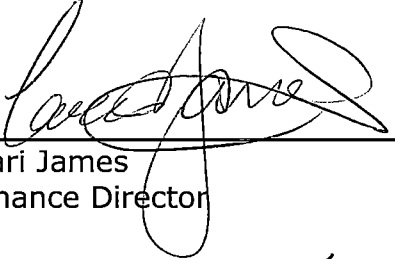
Increase Revenue 2710-8000-372-0100	\$28,300
Increase Transfer Out 2710-9900-990-9010	\$28,300
Increase Transfer In 6090-9900-393-0000 WW18-09	\$28,300
Increase Expense 6090-8000-420-0100 WW18-09	\$28,300

ATTACHMENTS:

- A. Resolution Authorizing a Contract with Robertson-Bryan, Inc. to Evaluate the Feasibility and Efficacy of Regionalization of Lathrop and Manteca Wastewater Facilities
- B. RBI Agreement and Proposal letter for Phase I Services to Evaluate the Feasibility and Efficacy of Regionalization of Lathrop and Manteca Wastewater Facilities

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING
REGIONALIZATION OF WASTEWATER SYSTEM**

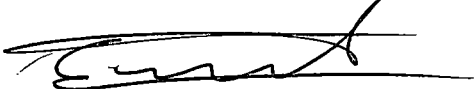
APPROVALS:



Cari James
Finance Director

4/4/18


Date



Salvador Navarrete
City Attorney

4-4-18

Date



Stephen J. Salvatore
City Manager

4-4-18

Date

The foregoing resolution was passed and adopted this 9th day of April, 2018, by the following vote of the City Council, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

RESOLUTION NO. 18-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
AUTHORIZING A CONTRACT WITH ROBERTSON-BRYAN, INC. TO EVALUATE
FEASIBILITY OF EFFICACY OF REGIONALIZATION OF LATHROP AND
MANTECA WASTEWATER FACILITIES**

WHEREAS, the City of Lathrop has approached the Central Valley Regional Water Quality Control Board (Central Valley Board) to consider a surface water permit to the San Joaquin River; and

WHEREAS, the Central Valley Board has indicated that the City needs to explore regionalization with the City of Manteca before they would consider Lathrop's own discharge permit ; and

WHEREAS, Robertson-Bryan, Inc. (RBI) has submitted a proposal to provide an evaluation on the feasibility and efficacy of regionalizing the City of Lathrop and the City of Manteca's wastewater facilities; and

WHEREAS, the cost of the agreement is not to exceed \$28,300 and will be funded by development;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby authorize a contract with Robertson-Bryan, Inc. in the amount of \$28,300 and the following budget amendment:

Increase Revenue	
2710-8000-372-0100	\$28,300
Increase Transfer Out	
2710-9900-990-9010	\$28,300
Increase Transfer In	
6090-9900-393-0000 WW18-09	\$28,300
Increase Expense	
6090-8000-420-0100 WW18-09	\$28,300

**CITY OF LATHROP PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF LATHROP AND ROBERTSON-BRYAN, INC.**

**FOR
EVALUATION OF WASTEWATER TREATMENT FACILITIES AND
OPERATIONS CONSULTING SERVICES**

THIS CONSULTANT SERVICES AGREEMENT, dated the 9th day of April 2018, is by and made and entered into by and between Robertson-Bryan, Inc. ("CONSULTANT") and the CITY OF LATHROP, a California municipal corporation ("CITY");

RECITALS:

WHEREAS, CONSULTANT is specially trained, experienced, and competent to perform professional wastewater treatment facilities and operations evaluation services required by this agreement; and

WHEREAS, CONSULTANT was selected by CITY pursuant to said qualifications; and

WHEREAS, CONSULTANT is willing to render such professional services, as hereinafter defined, on the following terms and conditions;

NOW, THEREFORE, CONSULTANT and the CITY agree as follows:

AGREEMENT

(1) Scope of Service.

CONSULTANT agrees to provide professional wastewater treatment facilities and operations evaluation services in accordance with the scope of work and fee proposal submitted by the CONSULTANT, attached as Exhibit "A" and incorporated herein by reference. CONSULTANT agrees to diligently perform these services in accordance with the standards of its profession and CITY'S satisfaction.

(2) Compensation.

CITY hereby agrees to pay CONSULTANT a sum not to exceed \$28,300 as described in Exhibit "A".

CONSULTANT shall be paid within thirty (30) days of receipt of billings containing all information contained in Paragraph 5 below. In no event shall CONSULTANT be entitled to compensation for work not included in Exhibit "A", unless a written change order or authorization describing the extra work and payment terms has been executed by CITY's Authorized Representative prior to the commencement of the work.

(3) Effective Date and Term.

The effective date of this Agreement is April 9, 2018, and it shall terminate no later than June 30, 2019.

(4) Independent Contractor Status.

It is expressly understood and agreed by both parties that CONSULTANT, while engaged in carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and not an employee of the CITY. CONSULTANT expressly warrants not to represent, at any time or in any manner, that CONSULTANT is an employee of the CITY.

(5) Billings.

CONSULTANT'S bills shall include date, date due, a list of all tasks performed by deliverable, a total amount due, the amounts previously billed, the net amount due on the invoice, and the balance remaining on the agreement and the CONSULTANT'S signature. Except as specifically authorized by CITY, CONSULTANT shall not bill CITY for duplicate services performed by more than one person. In no event shall CONSULTANT submit any billing for an amount in excess of the maximum amount of compensation provided in section (2) for listed services or for the entire Agreement, unless modified by a properly executed change order.

(6) Advice and Status Reporting.

CONSULTANT shall provide the CITY with timely reports, orally or in writing, of all significant developments arising during performance of its services hereunder, and shall furnish to CITY such information as is necessary to enable CITY to monitor the performance of this Agreement. CONSULTANT shall clarify with the CITY any details of the design that are not specifically understood.

(7) Assignment of Personnel.

CONSULTANT shall assign only competent personnel to perform services pursuant to this Agreement. If CITY asks CONSULTANT to remove a person assigned to the work called for under this Agreement, CONSULTANT agrees to do so immediately, regardless of the reason, or the lack of a reason, according to the CITY'S request.

The services shall be performed by, or under the direct supervision, Consultant's Authorized Representative: **Michael D. Bryan**. CONSULTANT shall not replace its Authorized Representatives without the prior written approval by the CITY.

(8) Assignment and Subcontracting.

It is recognized by the parties hereto that a substantial inducement to CITY for entering into this Agreement was, and is, the professional reputation and competence of CONSULTANT. Neither this Agreement nor any interest therein may be assigned by CONSULTANT without the prior written approval of CITY'S authorized representative. CONSULTANT shall not subcontract any portion of the performance contemplated and provided for herein, other than the subcontractors noted in the proposal, without prior written approval of the CITY'S authorized representative.

(9) Insurance.

On or before beginning any of the services or work called for by any term of this Agreement, CONSULTANT, at its own cost and expense, shall carry, maintain for the duration of the Agreement, and provide proof thereof that is acceptable to the CITY the insurance specified in subsections (a) through (c) below with insurers and under forms of insurance satisfactory in all respects to the CITY. CONSULTANT shall not allow any subcontractor to commence work on any subcontract until all insurance required of the CONSULTANT has also been obtained for the subcontractor. Verification of this insurance shall be submitted and made part of this Agreement prior to execution.

- (a) Workers' Compensation. CONSULTANT shall, at CONSULTANT'S sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by CONSULTANT. Said Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than one million dollars. In the alternative, CONSULTANT may rely on a self-insurance program to meet these requirements provided that the program of self-insurance complies fully with the provisions of the California Labor Code. The insurer, if insurance is provided, or the CONSULTANT, if a program of self-insurance is provided, shall waive all rights of subrogation against the CITY for loss arising from work performed under this Agreement.
- (b) Commercial General and Automobile Liability Insurance. CONSULTANT, at CONSULTANT'S own cost and expense, shall maintain commercial general and automobile liability insurance for the period covered by this Agreement in an amount not less than one million dollars per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability

form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting there from, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

Coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (ed. 11/88) and Insurance Services Office Automobile Liability form CA 0001 (ed. 12/90) Code 1 (any auto).

Each of the following shall be included in the insurance coverage or added as an endorsement to the policy:

- (i) CITY, its officers, employees, agents, and volunteers are to be covered as insured with respect to each of the following: liability arising out of activities performed by or on behalf of CONSULTANT, including the insider's general supervision of CONSULTANT; products and completed operations of CONSULTANT; premises owned, occupied or used by CONSULTANT. The coverage shall contain no special limitations on the scope of protection afforded to CITY, its officers, employees, agents, or volunteers.
- (ii) The insurance shall cover on an occurrence or an accident basis, and not on a claims made basis.
- (iii) An endorsement must state that coverage is primary insurance and that no other insurance affected by the CITY will be called upon to contribute to a loss under the coverage.
- (iv) Any failure of CONSULTANT to comply with reporting provisions of the policy shall not affect coverage provided to CITY and its officers, employees, agents, and volunteers.
- (v) Insurance is to be placed with California-admitted insurers with a Best's rating of no less than A: VII.
- (vi) Notice of cancellation or non-renewal must be received by CITY at least thirty days prior to such change.

- (c) Deductibles and Self-Insured Retentions. CONSULTANT shall disclose the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement. During the period covered by this Agreement, upon express written authorization of the CITY's authorized representative, CONSULTANT may increase such deductibles or self-insured retentions with respect to CITY, its officers, employees, agents, and volunteers. The CITY's authorized representative may condition approval of an increase in deductible or self-insured retention levels upon a requirement that CONSULTANT procure a bond guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.
- (d) Notice of Reduction in Coverage. In the event that any coverage required under subsections (a), (b), or (c) of this section of the Agreement is reduced, limited, or materially affected in any other manner, CONSULTANT shall provide written notice to CITY at CONSULTANT'S earliest possible opportunity and in no case later than five days after CONSULTANT is notified of the change in coverage.
- (e) In addition to any other remedies CITY may have if CONSULTANT fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, CITY may, at its sole option:
- (i) Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
 - (ii) Order CONSULTANT to stop work under this Agreement or withhold any payment which becomes due to CONSULTANT hereunder, or both stop work and withhold any payment, until CONSULTANT demonstrates compliance with the requirements hereof;
 - (iii) Terminate this Agreement.

Exercise of any of the above remedies, however, is an alternative to other remedies CITY may have and is not the exclusive remedy for CONSULTANT'S breach.

(10) Indemnification - CONSULTANT'S Responsibility.

As to the CONSULTANT'S work hereunder, it is understood and agreed that (a) CONSULTANT has the professional skills necessary to perform the work, that (b) CITY relies upon the professional skills of CONSULTANT to perform the work in a skillful and professional manner, and (c) CONSULTANT thus agrees to so perform.

Acceptance by CITY of the work performed under this Agreement does not operate as a release of said CONSULTANT from such professional responsibility for the work performed. It is further understood and agreed that CONSULTANT is apprised of the scope of the work to be performed under this Agreement and CONSULTANT agrees that said work can and shall be performed in a fully competent manner in accordance with the standard of care applicable to CONSULTANT'S profession.

CONSULTANT shall indemnify, defend, and hold CITY, its officers, employees, agents, and volunteers harmless from and against any and all liability, claims, suits, actions, damages, and causes of action arising out of any personal injury, bodily injury, loss of life, or damage to property, or any violation of any federal, state, or municipal law or ordinance, to the extent caused by the willful misconduct or negligent acts or omissions of CONSULTANT, its employees, subcontractors, or agents, or on account of the performance or character of this work, except for any such claim arising out of the negligence or willful misconduct of the CITY, its officers, employees, agents, or volunteers. It is understood that the duty of CONSULTANT to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance of insurance certificates and endorsements required under this Agreement does not relieve CONSULTANT from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply whether or not such insurance policies shall have been determined to be applicable to any of such damages or claims for damages.

(11) Licenses.

If a license of any kind, which term is intended to include evidence of registration, is required of CONSULTANT, its employees, agents, or subcontractors by federal or state law, CONSULTANT warrants that such license has been obtained, is valid and in good standing, and CONSULTANT shall keep it in effect at all times during the term of this Agreement, and that any applicable bond has been posted in accordance with all applicable laws and regulations.

(12) Business Licenses.

CONSULTANT shall obtain and maintain a CITY of Lathrop Business License until all Agreement services are rendered and accepted by the CITY.

(13) Termination.

Either CITY or CONSULTANT may cancel this Agreement upon 30 days written notification to the other party. In the event of termination, the CONSULTANT shall be entitled to compensation for services performed to the effective date of termination; provided, however, that the CITY may condition payment of such compensation upon CONSULTANT'S delivery to the CITY of any or all documents, photographs, computer software, video and audio tapes, and other materials provided to CONSULTANT or prepared by or for CONSULTANT or the CITY in connection with this Agreement.

(14) Funding.

CONSULTANT agrees and understands that renewal of this agreement in subsequent years is contingent upon action by the City Council consistent with the appropriations limits of Article XIII (B) of the California Constitution and that the Council may determine not to fund this agreement in subsequent years.

(15) Notices.

All contracts, appointments, approvals, authorizations, claims, demands, Change Orders, consents, designations, notices, offers, requests and statements given by either party to the other shall be in writing and shall be sufficiently given and served upon the other party if (1) personally served, (2) sent by the United States mail, postage prepaid, (3) sent by private express delivery service, or (4) in the case of a facsimile transmission, if sent to the telephone FAX number set forth below during regular business hours of the receiving party and followed with two (2) Days by delivery of a hard copy of the material sent by facsimile transmission. Personal service shall include, without limitation, service by delivery and service by facsimile transmission.

To City: City of Lathrop
City Clerk
390 Towne Centre Drive
Lathrop, CA 95330

Copy to: City of Lathrop
Finance Department
390 Towne Centre Drive
Lathrop, CA 95330

(209) 941-7320
FAX: (209) 941-7339

To Consultant: Robertson-Bryan, Inc.
9888 Kent Street
Elk Grove Ca 95624

Phone: (916) 714-1801

(16) Miscellaneous.

- (a) Consent. Whenever in this Agreement the approval or consent of a party is required, such approval or consent shall be in writing and shall be executed by a person having the express authority to grant such approval or consent.
- (b) Controlling Law. The parties agree that this Agreement shall be governed and construed by and in accordance with the Laws of the State of California.
- (c) Definitions. The definitions and terms are as defined in these specifications.
- (d) Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Agreement, which directly results from an Act of God or an act of a superior governmental authority.
- (e) Headings. The paragraph headings are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.
- (f) Incorporation of Documents. All documents constituting the Agreement documents described in Section 1 hereof and all documents which may, from time to time, be referred to in any duly

executed amendment hereto are by such reference incorporated in the Agreement and shall be deemed to be part of this Agreement.

- (g) **Integration.** This Agreement and any amendments hereto between the parties constitute the entire Agreement between the parties concerning the Project and Work; there are no other prior oral or written agreements between the parties that are not incorporated in this Agreement.
- (h) **Modification of Agreement.** This Agreement shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.
- (i) **Provision.** Any agreement, covenant, condition, clause, qualification, restriction, reservation, term or other stipulation in the Agreement shall define or otherwise control, establish or limit the performance required or permitted or to be required of or permitted by either party. All provisions, whether covenants or conditions, shall be deemed to be both covenants and conditions.
- (j) **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is void or unenforceable, the provisions of this Agreement not so affected shall remain in full force and effect.
- (k) **Status of CONSULTANT.** In the exercise of rights and obligations under this Agreement, CONSULTANT acts as an independent contractor and not as an agent or employee of CITY. CONSULTANT shall not be entitled to any rights and benefits accorded or accruing to the City Council members, officers or employees of CITY, and CONSULTANT expressly waives any and all claims to such right and benefits.
- (l) **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of, and shall apply to and bind, the successors and assigns of the parties.
- (m) **Time of the Essence.** Time is of the essence of this Agreement and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. If the time in which an act is to be performed falls on a Saturday, Sunday or any Day observed as a legal holiday by CITY, the time for performance shall be extended to the following Business Day.

- (n) Venue. In the event that suit is brought by either party hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin or in the United States District Court for the Eastern District of California.
- (o) Recovery of Costs. The prevailing party in any action brought to enforce the terms of this Agreement or arising out of this Agreement may recover its reasonable costs, including reasonable attorney's fees, incurred or expended in connection with such action against the non-prevailing party.

(17) General Contractor Responsibilities.

Neither the professional activities of CONSULTANT, nor the presence of CONSULTANT or CONSULTANT'S sub-consultants shall relieve the Consultant of its obligations, duties and responsibilities.

CITY agrees that the CITY, CONSULTANT and its sub-consultants shall be indemnified by the General Contractor and shall be made additional insured under the General Contractor' general liability insurance policy and that a Waiver of Subrogation in favor of CONSULTANT will be provided under the General Contractor's Workers Compensation policy. CITY will require General Contractor to provide evidence of such insurance to CITY and CONSULTANT prior to General Contractor beginning work on the project.

(18) Notice to Proceed.

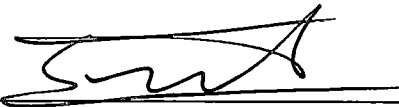
Prior to commencing work under this agreement, CONSULTANT shall receive a written "Notice to Proceed" from CITY. A Notice to Proceed shall not be issued until all necessary bonds and insurances have been received. City shall not be obligated to pay CONSULTANT for any services prior to issuance of the Notice to Proceed.

(19) Signatures.

The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the CONSULTANT and the CITY. This agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

Approved as to Form:

City of Lathrop
City Attorney



Salvador Navarrete, Date
City Attorney 4-4-18

Recommended By:

City of Lathrop
Finance Department

Cari James Date
Director of Finance

Accepted By:

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Stephen J. Salvatore Date
City Manager

CONSULTANT:

Robertson-Bryan, Inc.
9888 Kent Street
Elk Grove CA 95624

Michael D. Bryan, Ph.D. Date
Managing Partner

Fed ID # _____
Lathrop Bus License No. _____

March 28, 2018

Mr. Stephen Salvatore
City Manager
City of Lathrop
390 Towne Centre Dr.
Lathrop, CA 95330

Subject: Proposal for Phase I Services to Evaluate the Feasibility and Efficacy of Regionalization of Lathrop and Manteca Wastewater Facilities

Dear Mr. Salvatore:

Per your request, please accept this proposal for Robertson-Bryan, Inc. (RBI) to provide professional services to evaluate the feasibility and efficacy of regionalization of wastewater treatment facilities/operations with the City of Manteca (Manteca). RBI proposes to perform this work in two phases. The initial phase, Phase I, would allow the City of Lathrop (City) to understand the feasibility and opportunities for regionalization by preliminarily identifying facility, operations, and compliance efficiencies that could be realized by various aspects of further regionalization. Phase II would consist of a more detailed evaluation, including a more detailed discussion on the specifics of a regional approach in specific areas. The Phase II effort will consider preliminary costs for the regionalization and provide a forum for negotiations among the parties.

BACKGROUND

The City currently produces recycled water that meets the requirements for landscape irrigation and disposes of unused recycled water (i.e. treated wastewater effluent) on land. Recent projections of the amount of treated wastewater effluent to be discharged have indicated that the current discharge to land is not sustainable, even with an increase in projected recycled water demand. Therefore, the City needs to develop a surface water discharge for treated effluent during those times periods were the volume of effluent exceeds the recycled water demand. The need for discharge is greatest in the winter months during low irrigation demands and least in the summer months where the City maximizes its use of recycled water for irrigation.

The City has approached the Central Valley Regional Water Quality Control Board (Central Valley Water Board) to consider a surface water discharge to the San Joaquin River (SJR). The Central Valley Water Board has indicated that the City needs to explore regionalization with Manteca before they would consider Lathrop's own discharge, separate from Manteca's discharge, into the same receiving water body.

SCOPE OF WORK

RBI will complete the Phase I work according to the following tasks.

TASK 1: DATA COMPILATION AND REVIEW

RBI will compile and review the following information to facilitate the Phase I study:

- Planned and approved growth in both Cities (e.g., General Plan)
- Available wastewater flow projections in accordance with the General Plans and other documents (e.g., Wastewater Master Plans)
- Description of current and planned infrastructure for each City to assess the available capacity and treatment standards
- Other documents that provide insight into regionalization opportunities

TASK 2: EXPLORE POTENTIAL REGIONALIZATION OPPORTUNITIES

RBI will develop potential opportunities that would be beneficial to both Cities. These opportunities will be developed in discussions with both Cities and others, as needed. They could include:

- Shared outfall into the SJR with shared compliance cost
- Shared treatment facilities
- Shared collection facilities
- Contracted treatment capacity (i.e., one City contracts to the other City for treatment)
- Contracted collection capacity (i.e., one City contracts to the other City for collection in specific areas)
- Shared responsibility for costs associated with regional studies (e.g., Delta Regional Monitoring Program)

RBI will explore these opportunities by discussions with staff from both Cities and other jurisdictions that have regionalized (e.g., South Placer Wastewater Authority)

TASK 3: DEVELOP SPECIFIC FEASIBLE OPPORTUNITIES

RBI will further develop the opportunities for regionalization into those that are feasible. Feasibility will be based on:

- Willingness of the Cities to engage regionally
- Preliminary rough estimates of actual cost savings
- Ability to contract and develop agreements

This task will be completed by meeting with Cities' staff with RBI's experienced Principal Engineer. Up to two meetings with staff or contract operators with each City is anticipated.

TASK 4: MEETINGS AND DOCUMENTATION

Upon completion of the Task 3, RBI will attend up to two (2) meetings with the Cities' staff to confirm those regionalization opportunities to be included in the Draft Technical Memorandum (TM). RBI will prepare the Draft TM based on our discussion at the meetings. The Draft TM will be submitted for review to staff and RBI will prepare a Final TM. For budget purposes, 5 hours are budgeted for each staff member preparing for and attending meetings with each City's staff.

Deliverables:

- *Preparation of Agendas for meetings*
- *Draft TM*
- *Final TM*

TASK 5: PROJECT MANAGEMENT

Project management time shall primarily be used by the Principal-in-charge and the designated Project Manager to coordinate and direct the project activities to assure that all tasks are conducted efficiently, effectively, and timely and that invoices are prepared appropriately. In addition, this task provides time for project coordination by phone, email, and fax with other project team members, review of preliminary work products, budget and schedule tracking, and other duties to coordinate and administer the project.

IV. SCHEDULE

RBI can begin providing professional services associated with the tasks defined herein upon receipt of a contract or written authorization to proceed.

V. CONTRACT AND BILLING ARRANGEMENT

RBI recommends a time-and-materials contract, not to exceed the amount shown in Attachment 1 without written authorization, to provide the professional services outlined herein. RBI will invoice the City monthly according to its 2018 rates (Attachment 2) for all RBI work activities completed in the prior month.

If you have any questions regarding this proposal, please do not hesitate to contact me at (916) 714-1802. We look forward to assisting you with this important investigation.

Sincerely,



Michael D. Bryan, Ph.D.
Managing Partner

Attachment 1: Project Phase I Budget
Attachment 2: 2018 Fee Schedule

ATTACHMENT 1

Project Budget

	Managing Partner	Principal Engineer	Project Engineer I	RBI Subtotal
PROFESSIONAL SERVICES				
Task 1: Data Compilation and Review	2	8	16	\$ 5,498
Task 2: Explore Potential Regionalization Opportunities	2	8	8	\$ 4,106
Task 3: Develop Specific Feasible Opportunities	8	8	16	\$ 7,208
Task 4: Meetings and Documentation	10	20	2	\$ 8,558
Task 5: Project Management	2	8		\$ 2,714
Total Hours:	24	52	42	
Rate:	\$ 285	\$ 268	\$ 174	
Labor Subtotal:	\$ 6,840	\$ 13,936	\$ 7,308	\$ 28,084
DIRECT EXPENSES				
Mileage				\$ 200
Direct Expenses Subtotal				\$ 200
TOTAL BUDGET				\$ 28,284

ATTACHMENT 2 2018 Fee Schedule

Charges for project work performed by Robertson-Bryan, Inc. (RBI) will be calculated and billed at the hourly rates shown below.

PROFESSIONAL SERVICES	RATE/HOUR
◆ Managing Partner	\$285.00
◆ Principal Engineer/Scientist	\$268.00
◆ Resource Director	\$242.00
◆ Associate	\$232.00
◆ Senior Engineer/Scientist II	\$226.00
◆ Senior Engineer/Scientist I	\$217.00
◆ Project Engineer/Scientist III	\$201.00
◆ Project Engineer/Scientist II	\$191.00
◆ Project Engineer/Scientist I	\$174.00
◆ Staff Engineer/Scientist II	\$162.00
◆ Staff Engineer/Scientist I	\$148.00
◆ Technical Analyst	\$142.00
◆ Graphics/GIS	\$130.00
◆ Administrative Assistant	\$93.00
◆ Intern	\$60.00

Up to ten percent (10%) of subcontractor charges will be added to cover administrative costs. Hourly rates will be increased by a minimum of fifty percent (50%) for depositions, trials, and hearings. Rates will be adjusted annually on December 16th.

INVOICING AND PAYMENTS

Invoices will be issued on a monthly basis for all work performed on a project. Payment is due upon receipt of the invoice.

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL REGULAR MEETING**

ITEM: **CITY COUNCIL AFFIRMATION OF THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SIXTH ADDENDUM TO THE RIVER ISLANDS SEIR, RIVER ISLANDS VTM TRACT 3765, PRELIMINARY DEVELOPMENT PLAN, AND PRECISE PLAN LINE**

RECOMMENDATION: **Adopt a Resolution affirming the Planning Commission's recommendation to adopt the Sixth Addendum to the River Islands Subsequent EIR, approve the amended River Islands Vesting Tentative Map Tract 3765 (Large Lot), approve the revised Preliminary Development Plan for Stage 2B of Tract 3694, and approve the revised River Islands Precise Plan Line for Stage 2A of Tract 3694.**

SUMMARY:

The proposed project involves amendment of Vesting Tentative Map Tract 3765 (Large Lot) previously approved in 2012. The proposed revision will reflect changes made to the boundaries between Tract 3694 (Phase 1) and Tract 3765 (Phase 2) areas, as well as two new alternatives to the flood protection system. The project also includes amendment to the Phase 1 Tract 3694 Preliminary Development Plan (PDP) previously approved in 2003, specifically in the areas of Lakeside and Old River Road District in Stage 2B. The applicant also submitted a Precise Plan line for River Islands Parkway from Somerston Parkway to the terminus of the Stage 2A area of Phase 1.

BACKGROUND:

On March 21, 2018, the Planning Commission held a public hearing and voted unanimously (4-0), with Commissioner Lazard abstaining, to recommend the City Council approve the Sixth Addendum to the River Islands SEIR, amended VTM Tract 3765, revised PDP and revised River Islands Parkway Precise Plan Line (Attachment #2), subject to the Conditions of Approval.

In 2003, the River Islands project received various major entitlements including the certification of a subsequent EIR (SEIR), revised West Lathrop Specific Plan (WLSP), Urban Design Concept (UDC) and Phase 1 Preliminary Development Plan (PDP).

In 2007, the River Islands project received approval for Vesting Tentative Map Tract 3694 in Phase 1 which provides development of 4,284 residential units. In 2012, the River Islands project received approval for Vesting Tentative Map Tract 3765 (Large Lot) which is located in the Phase 2 area of the project reserved for future development. In 2015, the River Islands project received approval to amend the previously approved Phase 1 VTM Tract 3694, with modifications to the lake system, circulation, open space and rearrangement of land uses within the Town Center.

The current proposal is to revise the previously approved VTM Tract 3765 (Large Lot) in Phase 2, a revised Preliminary Development Plan for the Lakeside and Old River District in Stage 2B of Phase 1, and a Precise Plan Line for River Islands Parkway for Stage 2A of Phase 1.

According to Section 16.12.060 of the LMC, the City Council shall review the decision of the Planning Commission and may affirm, reverse or modify the decision.

ANALYSIS:

Vesting Tentative Map Tract 3765 (Large Lot)

As previously stated, the River Islands project received approval in 2012 for Vesting Tentative Map Tract 3765 (Large Lot) located in the Phase 2 area. Tract 3765 is considered a "large lot" subdivision that will adjust the parcel lines of existing parcels to create larger blocks for future subdivision and to create parcels for proposed backbone infrastructure (such as major roads and levees). Tract 3765 will create large lots or parcels for future subsequent small lot tentative maps prior to development in Phase 2.

In 2015, the applicant revised the Phase 1 VTM Tract 3694. Since the development boundaries between Phase 1 and Phase 2 have been modified, the Phase 2 Large Lot Tract 3765 needs to be updated to be consistent with the revised layout (Attachment 5). Additionally, the applicant has proposed two minor alternatives to the flood protection system that was first proposed with the original Large Lot Tract 3765. These alternatives were analyzed in the Sixth Addendum to the River Islands SEIR.

The proposed update to the Large Lot Tract 3765 consists of 36 parcels, constituting 3,060 acres and creates 39 lots that would assist the developer in future small lot vesting tentative map proposals for Phase 2. Changes in alternatives and phasing of flood protection improvements originally addressed in 2012 is proposed to be modified. The applicant is not proposing any major modifications to the Phase 2 development proposal as approved in the WLSP, SEIR and subsequent addendums. The proposal only seeks to add two alternatives to existing flood protection system elements approved in 2012.

These alternatives do not change the findings regarding flood protection contained within the 2012 Third Addendum to the River Islands SEIR which covers the existing Large Lot Tract 3765 and create no additional impacts or mitigations. The two alternatives are listed below:

1. Creation of a Cross-Levee Setback: The original Large Lot Tract 3765 proposed a 500-foot long trestle along the UPRR right of way that would have allowed historic flood flows from the Southeast Stewart Tract area through the River Islands project site. In lieu of this improvement, the applicant would construct a 3,600 foot long setback to the proposed Cross-Levee that would accommodate flood flows that could potentially enter the project site from Southeast Stewart Tract via the existing 48" box culverts in the UPRR embankment. Hydraulic analysis by MBK Engineers, the District Engineers for Reclamation District 2062 indicates that there is no significant difference in flood flows accommodated with the Cross-Levee setback versus the trestle. The report from MBK Engineers is included as Attachment 6.
2. Revisions to Paradise Cut Set-Back Levee: The applicant is proposing an alternative to the "undulated" location of the proposed Paradise Cut Set-Back Levee, which would "straighten out" the levee from the proposed location with a decreased setback of generally 100 feet. Coupled with planned land leveling within the agricultural areas of Paradise Cut which would lower the existing ground elevations, the amount of flood waters accommodated with this alternative are virtually the same as with the original proposal. This alternative is also included in the MBK Engineers report as Attachment 6.

Preliminary Development Plan

The original Preliminary Development Plan (PDP) for the Phase 1 VTM Tract 3694 was approved in 2003. The PDP is a planning document that sets the neighborhood layout, open space program and circulation plan for districts within River Islands. The applicant is proposing an update to the existing PDP relative to the Lakeside District while providing a new PDP for the Old River Road District. The update is in response to the City's approval of the amendment to Phase 1 VTM Tract 3694 in 2015 and the City's finding of conformity for the Stage 2A sub-planning area of Phase 1 in 2016. Both actions adjusted the development envelope of Phase 1, increasing the Phase 1 area by about 200 acres.

The proposed Lakeside and Old River Road District PDP would include 1180 total dwelling units (1080 single family and 100 multifamily), over 21 acres of parks and nearly 40 acres of lakes. The two districts encompass the Stage 2A and Stage 2B portions of Phase 1, with the Old River District mainly being developed with Phase 2, since the area would be considered a remainder area for the Phase 1 VTM. It will also contain a major segment of River Islands Parkway. The PDP areas will "straddle" phases with a portion of the district being included for development in Phase 2. With this amendment, all the Lakeside District would now be developed in Phase 1 and the Old River Road District with Phase 2. With this PDP, the total number of dwelling units approved for the Tract 3694 Phase 1 VTM would remain the same, with 4,284 total units planned at Phase 1 buildout. A summary of land uses and acreages are shown in Attachment 7.

River Islands Parkway Precise Plan Line (Somerton Parkway to Paradise Road)

The applicant is proposing a Precise Plan Line for River Islands Parkway as it transverses a portion of the Phase 1 area of the River Islands project. The River Islands Parkway segment from McKee Boulevard to Bradshaw's Crossing Bridge was adopted in 2007. In 2014, the River Islands Parkway Precise Plan from Bradshaw's Crossing Bridge to Somerton Parkway was adopted.

The applicant is making this proposal in accordance with Condition #59 for the Phase 1 Vesting Tentative Map Tract 3694, which requires a Precise Plan Line for River Islands Parkway prior to approval of a final map that abuts the roadway. Since the applicant will be proposing final maps for recordation in the Stage 2A sub-planning area of Phase 1 later this year, the segment from Somerton Parkway to the terminus of the Stage 2A area is necessary. For consistency, the Lathrop Municipal Code Section 12.12.120 also requires a Precise Plan Line prior to the dedication of lands for street or highway purposes and prior to the issuance of building permits.

The proposed 2018 Precise Plan Line for River Islands Parkway ("2018 Plan") sets the right of way alignment for River Islands Parkway from Somerton Parkway to the terminus of the Stage 2A area and the beginning of the Stage 2B area as shown in Attachment 8. Another precise plan line for Stage 2B will be proposed after the Letter of Map Revision (LOMR) for the Stage 2B area is approved by the Federal Emergency Management Agency (FEMA). The 2018 Plan is very similar to the previous (2007 & 2014) approved plan lines in that it sets right of way widths, lane assignments, cross-sections and other details necessary for the City to accept dedication of right of way and improvements regarding River Islands Parkway. The Planning Commission is tasked to review the proposed River Islands Parkway Precise Plan Line for consistency with the General Plan and the West Lathrop Specific Plan and recommend approval to the City Council.

River Islands Development (RID) owns all of the property surrounding the proposed roadway alignment. It was therefore not required to notice other property owners or hold a public hearing since the only property owner affected was RID, and they are the project proponent. If the recommended resolution is adopted, RID will dedicate River Islands Parkway right-of-way and improvements to the City as it develops its project in this area in accordance with the adopted precise plan line.

Stewart Tract Design Review Committee

In accordance with the West Lathrop Specific Plan, new developments within River Islands is subject for review by the Stewart Tract Design Review Committee (STDRC) for consistency with the General Plan, West Lathrop Specific Plan, River Islands Urban Design Concept. Per the Draft Minutes of the STDRC on-line meeting held on March 8, 2018 (Attachment 9), the STDRC recommended approval of the proposed amendment to VTM Tract 3765 (Large Lot) in Phase 2, and the revised Preliminary Development Plan for the Lakeside and Old River District in Stage 2B of Phase 1.

Conditions of Approval

Planning staff routed the project plans to the Building Division, Public Works Department, Lathrop-Manteca Fire District, and Lathrop Police Services to ensure compliance with applicable codes and requirements. As a result, staff developed a consolidated list of conditions that closely follow the requirements in conjunction with the 2012 VTM Tract 3765 approval with the addition of Condition #18a and amended Condition #36 related to the Urban Level of Protection (ULOP) 200-year flood protection (Attachment 3). Staff finds that the proposed project has been properly conditioned to meet the City's standards and requirements as well as consistency with the Lathrop General Plan and West Lathrop Specific Plan.

General Plan and Zoning Consistency

The proposed amendments to the VTM Tract 3765 (Large Lot), the revised Preliminary Development Plan for Stage 2B of Tract 3694, and the revised River Islands Parkway Precise Plan for Stage 2A are consistent with the Goals, Policies and Implementation strategies of the General Plan and the West Lathrop Specific Plan. The project has been reviewed by staff for consistency with the Lathrop Zoning Ordinance (LMC Chapter 17), and no potential conflicts or concerns have been identified.

Public Notice

As part of the Planning Commission action, a Notice of Public Hearing was advertised in the Manteca Bulletin on March 10, 2018. Staff also mailed the public hearing notice on March 9, 2018 to notify property owners located within a 300-foot radius from the subject property. In addition, the City Council agenda was posted at the Council Chambers bulletin board and three other locations accessible to the public. The City Council action does not require a public hearing. On March 20, 2018, staff received a letter from Bettencourt Farming, L.P. listed as Attachment #11.

The Planning Commission considered the letter and public comments prior to making a formal action.

CEQA REVIEW:

The environmental impacts of the River Islands project as a whole was addressed in a certified Subsequent Environmental Impact Report (SEIR) in 2003 (SCH 1993112027). The SEIR addressed the range of potential environmental impacts associated with development of the project and prescribed mitigation measures for any environmental impacts determined to be significant or potentially significant. A Mitigation Monitoring and Reporting Plan (MMRP) incorporating these measures was adopted and is applied as appropriate to development activities in River Islands.

When a project changes, the changes are subject to consideration under California Environmental Quality Act (CEQA). Rather than revising a project EIR, an addendum can be prepared when only minor technical changes or additions are needed to make the existing EIR adequate. An addendum does not require circulation for public review as did the original SEIR. If this is not the case, and there is substantial new information or major project changes that involve new or more severe environmental effects, a subsequent or supplemental EIR must be prepared.

Since 2003, the SEIR has been updated by City adoption of five addenda, the latest in 2015. The City's consultant, Ascent Environmental, author of the SEIR, has drafted a Sixth Addendum to the River Islands SEIR (Attachment 10). The Sixth Addendum considers the changed conditions associated with the proposed project and whether the SEIR adequately addresses the potential environmental effects of these changes. The analysis described in the Sixth Addendum indicates that the project would not:

- Result in any new significant environmental effects,
- Substantially increase the severity of previously identified effects,
- Result in mitigation measures or alternatives previously found to be infeasible becoming feasible, and
- Result in availability/implementation of mitigation measures or alternatives that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the environment.

The City adopted the MMRP for the project in conjunction with the certification of the SEIR in 2003. The Sixth Addendum does not directly modify the mitigation measures, therefore, the existing adopted MMRP will remain in place and in full force.

Staff recommends that the City Council consider the Sixth Addendum to the River Islands SEIR and adopt the document as the appropriate environmental document for the project. The addendum will become part of the River Islands SEIR if adopted by the City Council.

RECOMMENDATION:

The Planning Commission and staff recommend that the City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, adopt a Resolution for the following actions:

1. Adopt the Sixth Addendum to the River Islands Subsequent EIR,
2. Approve the amended River Islands Vesting Tentative Map Tract 3765 (Large Lot), subject to the attached Conditions of Approval,
3. Approve the revised Preliminary Development Plan for Stage 2B of Tract 3694,
4. Approve the revised River Islands Precise Plan for Stage 2A of Tract 3694.

COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

The proposed Resolution promotes Economic Growth by supporting and encouraging development, and promotes Team Work between the public, Council and City staff by working together to share the same vision.

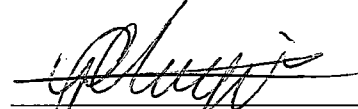
FISCAL IMPACT:

All application processing fees and costs are charged to the applicant. The request has no fiscal impact to the City.

ATTACHMENT:


1. City Council Resolution Approving the Sixth Addendum to the RI SEIR, VTM Tract 3765, PDP & Precise Plan Line.
2. Planning Commission Resolution No. 18-4
3. Conditions of Approval dated March 21, 2018
4. Vicinity Map
5. Amended Vesting Tentative Map Tract 3765 (Large Lot)
6. MBK Engineers Report
7. Revised Preliminary Development Plan for Stage 2B of Tract 3694
8. Revised River Islands Parkway Precise Plan for Stage 2A
9. STDRC Draft Minutes of March 8, 2018
10. Sixth Addendum to the River Islands SEIR
11. Letter from Bettencourt Farming, L.P. received March 20, 2018

APPROVALS:



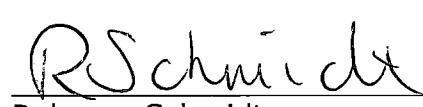
Rick Caguiat
Senior Planner

3/29/18
Date



Mark Meissner
Assistant Community Development Director

3/29/18
Date



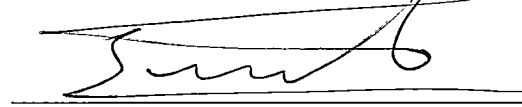
Rebecca Schmidt
Community Development Director

3/29/18
Date




Glenn Gebhardt
City Engineer

3/30/18
Date



Salvador Navarrete
City Attorney

4-2-18
Date



Stephen J. Salvatore
City Manager

4-2-18
Date

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP AFFIRMING THE PLANNING COMMISSION RECOMMENDATION TO ADOPT THE SIXTH ADDENDUM TO THE RIVER ISLANDS SUBSEQUENT EIR, APPROVE AN AMENDMENT TO VESTING TENTATIVE SUBDIVISION MAP TRACT 3765, APPROVE REVISION TO THE PRELIMINARY DEVELOPMENT PLAN FOR STAGE 2B OF TRACT 3694 AND APPROVE THE RIVER ISLANDS PARKWAY PRECISE PLAN LINE FOR STAGE 2A OF TRACT 3694 (VTM-17-116 & PDP-18-36)

WHEREAS, the Applicant, River Islands Development LLC (RID), has filed an application for an amendment to Vesting Tentative Subdivision Map Tract No. 3765 (Large Lot), revision to the Preliminary Development Plan for Stage 2B of VTM Tract 3694, and a River Islands Parkway Precise Plan for Stage 2A of VTM Tract 3694; and

WHEREAS, RID has filed applications with the City of Lathrop for the above listed requests that together constitute the proposed Project consistent with the Lathrop General Plan and Lathrop Municipal Code (LMC), which includes both the Zoning Code and Subdivision Code; and

WHEREAS, the proposed amendment to VTM Tract 3765 is consistent with the requirements of the West Lathrop Specific Plan (WLSP) and River Islands Urban Design Concept (UDC) as amended by the project; and

WHEREAS, notice of the Planning Commission public hearing held on March 21, 2018 for the project was duly published as required by law on March 10, 2018 in the Manteca Bulletin and mailed out to property owners located within a 300-foot radius from the project area on March 9, 2018; and

WHEREAS, the above listed requests is considered a "Project" as defined by the California Environmental Quality Act (CEQA) and requires consideration of its potential environmental effects as required by CEQA; and

WHEREAS, the potential environmental effects of the River Islands project as a whole have been considered in detail in a Subsequent Environmental Impact Report (SEIR), which was first certified by the City of Lathrop in 2003 (SCH 1993112027) and has been updated periodically through the adoption of 5 addendums, most recently in 2015; and

WHEREAS, a Sixth Addendum to the SEIR has been prepared in conjunction with the City's evaluation of the project, which finds that the project will not involve any new or substantially more severe environmental effects than were identified in the certified SEIR and that no new, subsequent or supplemental EIR is required for the proposed project under CEQA; and

WHEREAS, a Mitigation Monitoring and Reporting Plan (MMRP) has been adopted, remains in effect, and does not require revisions to address mitigation requirements associated with the project; and

WHEREAS, the proposal has been reviewed by City staff and is consistent with the City of Lathrop General Plan and West Lathrop Specific Plan; and

WHEREAS, all elements of the project have been reviewed by the Stewart Tract Design Review Committee (STDRC) and recommended to the City for approval; and

WHEREAS, the Preliminary Development Plan is a planning document that sets the neighborhood layout, open space program and circulation plan for districts within River Islands; and

WHEREAS, the proposed revision of the Preliminary Development Plan for VTM Tract 3694 is consistent with the objectives, policies, general land uses and programs specified in the West Lathrop Specific Plan and River Islands Urban Design Concept; and

WHEREAS, the Condition of Approval for VTM Tract 3694 requires the master developer to propose and have an approved precise plan line for certain major roadways in its development, including River Islands Parkway; and

WHEREAS, staff has reviewed the proposed precise plan line and believes it is conceptually consistent with the West Lathrop Specific Plan, the River Islands Urban Design Concept, and Vesting Tentative Map VTM Tract 3694; and

WHEREAS, proper notice of this public meeting was given in all respects as required by law; and

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. This Resolution incorporates, and by this reference makes a part hereof, the proposed revised VTM Tract 3765, substantially in the form on file with the Community Development Department; and

Section 2. Vesting Tentative Map Findings. Pursuant to Sections 66473.5 and 66474 of the Subdivision Map Act and Sections 16.12.010 through 16.12.080 of the City of Lathrop Municipal Code, the City Council finds and determines as follows:

a. The amended VTM Tract 3765 is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan.

b. The design or improvement of the proposed subdivision on the VTM Tract 3765 is consistent with the General Plan, the West Lathrop Specific Plan ("Specific Plan"), and the Infrastructure Master Plan for River Islands because adequate infrastructure and services can be extended to VTM Tract 3765 and will be available to serve the future demand for services generated by the subdivision, including water, sanitary sewer, storm drain facilities and roadways with the approval of subsequent small lot vesting tentative maps.

c. The amended VTM Tract 3765 is consistent with the objectives, policies, general land uses and programs specified in the Specific Plan because it is compatible with the uses authorized and the regulations prescribed for the land use districts in which the Phase 2 Property is located.

d. The amended VTM Tract 3765 is physically suitable for the proposed density of development as discussed in Findings a. and c. above.

e. The amended VTM Tract 3765 is physically suitable for the types of and densities of development proposed because the proposed development is planned to respect and enhance the site's natural form and environmental attributes and the proposed Project is designed to avoid areas of potential geologic instability, sensitive vegetation and wildlife resources, and significant cultural resources. The potential for regional subsidence or uplift is considered very low because of the absence of active faults underlying the central portion of the San Joaquin Valley, where VTM Tract 3765 is located, and the lack of sufficient ground motion to induce regional subsidence. No active faults are mapped across the project site by the California Geological Survey or the United States Geological Survey. Based on the results of the geotechnical study of the VTM Tract 3765, roads, residential, recreational, commercial, mixed-use, schools and other public facilities shall be designed to avoid or significantly minimize exposure to identified soils constraints. Recommendations presented in the geotechnical study have been included in the design of the facilities. With respect to sensitive vegetation and wildlife resources and significant cultural resources, extensive open space and habitat conservation areas are included in the Project design to avoid or mitigate impacts to such resources.

f. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat because all potential impacts related to terrestrial biology and fisheries have been mitigated to a less-than-significant level as set forth more specifically in Chapter 4 of the Final SEIR. Specific measures incorporated into the River Islands Project development for VTM Tract 3765 include participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, participation in the West Lathrop Specific Plan Habitat Management Plan and Section 2091 Management Agreement for Swainson's Hawk, participation in the City's Section 10(a) permit, and consultation with the United States Fish and Wildlife Service and the California Department of Fish and Game.

g. The design of the subdivision or type of improvements is not likely to cause serious public health problems because the River Islands Project will not involve the use, storage, or disposal of hazardous materials nor engage in hazardous activities. The River Islands project incorporates extensive landscaped buffers to ensure that that development of VTM Tract 3765 will also be buffered from adjacent agricultural uses. The design of the subdivision ensures the development of adequate water, sewer, fire, police and solid waste services within the River Islands Project. The construction, equipping and manning of fire stations will assure capability to deal effectively with emergency service demands resulting from natural or man-made disasters or other causes. Prior to preparation of the Specific Plan, hydrologic and engineering analyses were done to assess the prevailing subsurface conditions of VTM Tract 3765 and the condition and function of the adjacent levees. Based on these analyses, engineering concepts for the design and construction of the levee system, the storm drainage system and the system of roads and utilities have been incorporated into the Specific Plan. The Project approvals ensure that the levees for River Islands will be substantially reinforced and expanded to create new broad high ground areas around the Project perimeter.

h. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

i. The developable acreage within the VTM Tract 3765 is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965, because such contracts which governed VTM Tract 3765 have either been previously cancelled or have expired with the passage of time pursuant to a previously recorded Notice of Non-Renewal.

j. The amended VTM Tract 3765 is in conformity with the provisions of the law and of Title 16 of the Lathrop Municipal Code.

k. The amended VTM Tract 3765 is consistent with the City of Lathrop Zoning Map and Ordinance;

l. VTM Tract 3765 is not subject to the provisions of Government Code Section 66474.4 regarding Williamson Act contracts, since notices of nonrenewal recorded on the Tract 3765 Property have either resulted in contracts expiring with the passage of time or have terms of less than three years from the date of this resolution.

Section 3. Delta Plan Findings. Based on the entire record before it, the City finds that the overall River Islands Project and VTM Tract 3765, along with prior approvals for River Islands, including the 2003 West Lathrop Specific Plan, Urban Design Concept, and VTM Tract 3694 are exempt from any land use action, review or recommendation as defined by the Sacramento-San Joaquin Delta Reform Act of 2009 (Water Code §85000, *et. seq.*). Further, as provided in Water Code §85057.5, the City Council finds that the River Islands Project is not a "covered action" under the Delta Reform Act because:

1. The River Islands Project is a project and plan activity undertaken by a local public agency (the City of Lathrop) to implement the 2003 Amended West Lathrop Specific Plan and the project is located, in whole or in part, in the Delta. (Water Code §85057.5(b)(6)(A));
2. A Notice of Determination for the River Islands Project was filed, pursuant to §21152 of the Public Resources Code, on January 29, 2003, prior to September 30, 2009 (Water Code §85057.5(b)(6)(B)); and
3. The River Islands Project, including approvals for the 2003 West Lathrop Specific Plan, Urban Design Concept, Tract 3221 VTM, Tract 3491 VTM, and Tract 3694 VTM were approved prior to the effective date of the Delta Plan, since the Delta Plan as of the date of this resolution has not yet been approved and is not yet in effect. This exemption shall also apply to VTM Tract 3765 if its approval is prior to the effective date of the Delta Plan (Water Code §85057.5(b)(7)(A)).

Even if the Delta Stewardship Council adopts the Delta Plan, VTM Tract 3765 is exempt from review on the basis that the River Islands Project is consistent with the Metropolitan Transportation Commission's final greenhouse gas emission reduction targets and sustainability communities strategy or alternative planning strategy that the California Air Resources Board has determined will achieve greenhouse gas emission targets under SB 375.

Further, the City Council finds that approval of VTM Tract 3765 is consistent with any vested rights established by the River Islands Project approvals, and specifically the development agreement, whether created by statute or by common law.

Section 4. The VTM Tract 3765 for the Phase 2 Property is subject to the conditions set forth in the Conditions of Approval dated March 21, 2018 incorporated herein by this reference.

Section 5. Based on the findings set forth in this Resolution, the Sixth Addendum to Subsequent Final Environmental Impact Report Resolution and the evidence in the Staff Report, the City Council hereby approves VTM Tract 3765 for the Phase 2 Property of the River Islands at Lathrop project, substantially in the form on file with the Community Development Department.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its findings above, including the staff report and associated attachments, and pursuant to its independent review and consideration, does hereby adopt the Sixth Addendum to the River Islands SEIR, approve an amendment to Vesting Tentative Subdivision Map Tract No. 3765 (Large Lot) subject to the attached Conditions of Approval, approve revision to the Preliminary Development Plan for Stage 2B of VTM Tract 3694, and approve the River Islands Parkway Precise Plan for Stage 2A of VTM Tract 3694.

PASSED AND ADOPTED by the City Council of the City of Lathrop at a regular meeting on the 9th day of April, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:


ABSENT:

SONNY DHALIWAL, MAYOR

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 18-4**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING CITY COUNCIL ADOPTION OF THE SIXTH ADDENDUM TO THE
RIVER ISLANDS SUBSEQUENT EIR, APPROVAL OF AN AMENDMENT TO VESTING
TENTATIVE SUBDIVISION MAP TRACT 3765, REVISION TO THE PRELIMINARY
DEVELOPMENT PLAN FOR STAGE 2B OF TRACT 3694 AND RIVER ISLANDS
PARKWAY PRECISE PLAN FOR STAGE 2A OF TRACT 3694**

(VTM-17-116 & PDP-18-36)

WHEREAS, the Applicant, River Islands Development LLC (RID), has filed an application for an amendment to Vesting Tentative Subdivision Map Tract No. 3765 (Large Lot), revision to the Preliminary Development Plan for Stage 2B of VTM Tract 3694, and a River Islands Parkway Precise Plan for Stage 2A of VTM Tract 3694; and

WHEREAS, RID has filed applications with the City of Lathrop for the above listed requests that together constitute the proposed Project consistent with the Lathrop General Plan and Lathrop Municipal Code (LMC), which includes both the Zoning Code and Subdivision Code; and

WHEREAS, the proposed amendment to VTM Tract 3765 is consistent with the requirements of the West Lathrop Specific Plan (WLSP) and River Islands Urban Design Concept (UDC) as amended by the project; and

WHEREAS, notice of the Planning Commission public hearing for the project was duly published as required by law on March 10, 2018 in the Manteca Bulletin and mailed out to property owners located within a 300-foot radius from the project area on March 9, 2018; and

WHEREAS, the above listed requests is considered a "Project" as defined by the California Environmental Quality Act (CEQA) and requires consideration of its potential environmental effects as required by CEQA; and

WHEREAS, the potential environmental effects of the River Islands project as a whole have been considered in detail in a Subsequent Environmental Impact Report (SEIR), which was first certified by the City of Lathrop in 2003 (SCH 1993112027) and has been updated periodically through the adoption of 5 addendums, most recently in 2015; and

WHEREAS, a Sixth Addendum to the SEIR has been prepared in conjunction with the City's evaluation of the project, which finds that the project will not involve any new or substantially more severe environmental effects than were identified in the certified SEIR and that no new, subsequent or supplemental EIR is required for the proposed project under CEQA; and

WHEREAS, a Mitigation Monitoring and Reporting Plan (MMRP) has been adopted, remains in effect, and does not require revisions to address mitigation requirements associated with the project; and

WHEREAS, the proposal has been reviewed by City staff and is consistent with the City of Lathrop General Plan and West Lathrop Specific Plan; and

WHEREAS, all elements of the project have been reviewed by the Stewart Tract Design Review Committee (STDRC) and recommended to the City for approval; and

WHEREAS, the Preliminary Development Plan is a planning document that sets the neighborhood layout, open space program and circulation plan for districts within River Islands; and

WHEREAS, the proposed revision of the Preliminary Development Plan for VTM Tract 3694 is consistent with the objectives, policies, general land uses and programs specified in the West Lathrop Specific Plan and River Islands Urban Design Concept; and

WHEREAS, the Condition of Approval for VTM Tract 3694 requires the master developer to propose and have an approved precise plan line for certain major roadways in its development, including River Islands Parkway; and

WHEREAS, staff has reviewed the proposed precise plan line and believes it is conceptually consistent with the West Lathrop Specific Plan, the River Islands Urban Design Concept, and Vesting Tentative Map VTM Tract 3694; and

WHEREAS, proper notice of this public meeting was given in all respects as required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop does hereby make the following findings:

Section 1. This Resolution incorporates, and by this reference makes a part hereof, the proposed revised VTM Tract 3765, substantially in the form on file with the Community Development Department; and

Section 2. Vesting Tentative Map Findings. Pursuant to Sections 66473.5 and 66474 of the Subdivision Map Act and Sections 16.12.010 through 16.12.080 of the City of Lathrop Municipal Code, the Planning Commission finds and determines as follows:

a. The amended VTM Tract 3765 is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan.

b. The design or improvement of the proposed subdivision on the VTM Tract 3765 is consistent with the General Plan, the West Lathrop Specific Plan (“Specific Plan”), and the Infrastructure Master Plan for River Islands because adequate infrastructure and services can be extended to VTM Tract 3765 and will be available to serve the future demand for services generated by the subdivision, including water, sanitary sewer, storm drain facilities and roadways with the approval of subsequent small lot vesting tentative maps.

c. The amended VTM Tract 3765 is consistent with the objectives, policies, general land uses and programs specified in the Specific Plan because it is compatible with the uses authorized and the regulations prescribed for the land use districts in which the Phase 2 Property is located.

d. The amended VTM Tract 3765 is physically suitable for the proposed density of development as discussed in Findings a. and c. above.

e. The amended VTM Tract 3765 is physically suitable for the types of and densities of development proposed because the proposed development is planned to respect and enhance the site’s natural form and environmental attributes and the proposed Project is designed to avoid areas of potential geologic instability, sensitive vegetation and wildlife resources, and significant cultural resources. The potential for regional subsidence or uplift is considered very low because of the absence of active faults underlying the central portion of the San Joaquin Valley, where VTM Tract 3765 is located, and the lack of sufficient ground motion to induce regional subsidence. No active faults are mapped across the project site by the California Geological Survey or the United States Geological Survey. Based on the results of the geotechnical study of the VTM Tract 3765, roads, residential, recreational, commercial, mixed-use, schools and other public facilities shall be designed to avoid or significantly minimize exposure to identified soils constraints. Recommendations presented in the geotechnical study have been included in the design of the facilities. With respect to sensitive vegetation and wildlife resources and significant cultural resources, extensive open space and habitat conservation areas are included in the Project design to avoid or mitigate impacts to such resources.

f. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat because all potential impacts related to terrestrial biology and fisheries have been mitigated to a less-than-significant level as set forth more specifically in Chapter 4 of the Final SEIR. Specific measures incorporated into the River Islands Project development for VTM Tract 3765 include participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, participation in the West Lathrop Specific Plan Habitat Management Plan and Section 2091 Management Agreement for Swainson’s Hawk, participation in the City’s Section 10(a) permit, and consultation with the United States Fish and Wildlife Service and the California Department of Fish and Game.

g. The design of the subdivision or type of improvements is not likely to cause serious public health problems because the River Islands Project will not involve the use, storage, or disposal of hazardous materials nor engage in hazardous activities. The River Islands project incorporates extensive landscaped buffers to ensure that that development of VTM Tract 3765 will also be buffered from adjacent agricultural uses. The design of the subdivision ensures the development of adequate water, sewer, fire, police and solid waste services within the River Islands Project. The construction,

equipping and manning of fire stations will assure capability to deal effectively with emergency service demands resulting from natural or man-made disasters or other causes. Prior to preparation of the Specific Plan, hydrologic and engineering analyses were done to assess the prevailing subsurface conditions of VTM Tract 3765 and the condition and function of the adjacent levees. Based on these analyses, engineering concepts for the design and construction of the levee system, the storm drainage system and the system of roads and utilities have been incorporated into the Specific Plan. The Project approvals ensure that the levees for River Islands will be substantially reinforced and expanded to create new broad high ground areas around the Project perimeter.

h. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

i. The developable acreage within the VTM Tract 3765 is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965, because such contracts which governed VTM Tract 3765 have either been previously cancelled or have expired with the passage of time pursuant to a previously recorded Notice of Non-Renewal.

j. The amended VTM Tract 3765 is in conformity with the provisions of the law and of Title 16 of the Lathrop Municipal Code.

k. The amended VTM Tract 3765 is consistent with the City of Lathrop Zoning Map and Ordinance;

l. VTM Tract 3765 is not subject to the provisions of Government Code Section 66474.4 regarding Williamson Act contracts, since notices of nonrenewal recorded on the Tract 3765 Property have either resulted in contracts expiring with the passage of time or have terms of less than three years from the date of this resolution.

Section 3. Delta Plan Findings. Based on the entire record before it, the City finds that the overall River Islands Project and VTM Tract 3765, along with prior approvals for River Islands, including the 2003 West Lathrop Specific Plan, Urban Design Concept, and VTM Tract 3694 are exempt from any land use action, review or recommendation as defined by the Sacramento-San Joaquin Delta Reform Act of 2009 (Water Code §85000, *et. seq.*). Further, as provided in Water Code §85057.5, the City Council finds that the River Islands Project is not a "covered action" under the Delta Reform Act because:

1. The River Islands Project is a project and plan activity undertaken by a local public agency (the City of Lathrop) to implement the 2003 Amended West Lathrop Specific Plan and the project is located, in whole or in part, in the Delta. (Water Code §85057.5(b)(6)(A));
2. A Notice of Determination for the River Islands Project was filed, pursuant to §21152 of the Public Resources Code, on January 29, 2003, prior to September 30, 2009 (Water Code §85057.5(b)(6)(B)); and

3. The River Islands Project, including approvals for the 2003 West Lathrop Specific Plan, Urban Design Concept, Tract 3221 VTM, Tract 3491 VTM, and Tract 3694 VTM were approved prior to the effective date of the Delta Plan, since the Delta Plan as of the date of this resolution has not yet been approved and is not yet in effect. This exemption shall also apply to VTM Tract 3765 if its approval is prior to the effective date of the Delta Plan (Water Code §85057.5(b)(7)(A)).

Even if the Delta Stewardship Council adopts the Delta Plan, VTM Tract 3765 is exempt from review on the basis that the River Islands Project is consistent with the Metropolitan Transportation Commission's final greenhouse gas emission reduction targets and sustainability communities strategy or alternative planning strategy that the California Air Resources Board has determined will achieve greenhouse gas emission targets under SB 375.

Further, the City Council finds that approval of VTM Tract 3765 is consistent with any vested rights established by the River Islands Project approvals, and specifically the development agreement, whether created by statute or by common law.

Section 4. The VTM Tract 3765 for the Phase 2 Property is subject to the conditions set forth in the Conditions of Approval dated March 21, 2018 incorporated herein by this reference.

Section 5. Based on the findings set forth in this Resolution, the Sixth Addendum to Subsequent Final Environmental Impact Report Resolution and the evidence in the Staff Report, the Planning Commission hereby approves VTM Tract 3765 for the Phase 2 Property of the River Islands at Lathrop project, substantially in the form on file with the Community Development Department.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its findings above, including the staff report and associated attachments, and pursuant to its independent review and consideration, does hereby recommend the City Council adopt the Sixth Addendum to the River Islands SEIR, amendment to Vesting Tentative Subdivision Map Tract No. 3765 (Large Lot), revision to the Preliminary Development Plan for Stage 2B of VTM Tract 3694, and a River Islands Parkway Precise Plan for Stage 2A of VTM Tract 3694, subject to the attached Conditions of Approval.


PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Regular Meeting on the 21st day of March, 2018 by the following vote:

AYES: Torres-O'Callaghan, Gatto, Freeman, Ishihara

NOES: None

ABSENT: None

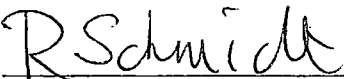
ABSTAIN: Lazard



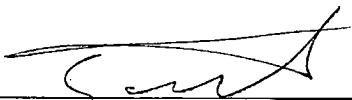
Jennifer Torres-O'Callaghan, Chair

ATTEST:

APPROVED AS TO FORM:



Rebecca Schmidt, Secretary



Salvador Navarrete, City Attorney

Conditions of Approval – March 21, 2018

**REVISED TRACT MAP 3765
LARGE LOT
VESTING TENTATIVE MAP (VTM-17-116)
RIVER ISLANDS AT LATHROP**

CONDITIONS OF APPROVAL

These conditions shall apply to the **Revised Tract Map No. 3765** Large Lot --Vesting Tentative Map – River Islands at Lathrop (the "Large Lot Vesting Tentative Subdivision Map" or the "Large Lot Map"). The property that is subject to this Large Lot Vesting Tentative Subdivision Map (the "Subject Property") consists of a portion of the River Islands at Lathrop project known as "River Islands" and located in the West Lathrop Specific Plan area. These Conditions of Approval shall apply to the Subject Property and to Califia, LLC and Califia's successors in interest, hereinafter referred to as "applicant." The River Islands project shall be developed in accordance with "Applicable Law" as defined in 2003 River Islands Project Amended and Restated Development Agreement ("Development Agreement"), **including but not limited to the terms of the 2003 Amended West Lathrop Specific Plan ("WLSP") and the Subsequent Approvals.**

General Requirements

1. The applicant shall comply with all conditions of approval adopted by the City Council in approving the revised Large Lot Vesting Tentative Subdivision Map.
2. In the event clarification is required for these Conditions of Approval, the Community Development Director and Public Works Director shall have the authority either to administratively clarify the intent and wording of these Conditions of Approval without the requirement of a public hearing or to refer questions regarding the interpretation of these Conditions of Approval to the City Council. If applicant takes issue with the clarification provided administratively, applicant shall have the right to appeal the administrative clarification to the City Council. The Community Development Director and the Public Works Director also shall have the authority to make minor modifications to these conditions without a public hearing provided such administrative modifications are made at the request of applicant and are consistent with and in furtherance of the underlying intent of the condition being modified.
3. In accordance with Section 8.05.02 of the Development Agreement, "When conducting the environmental review for any application for an Approval, City shall review the Mitigation Monitoring Program adopted in connection with the 2003 Amended West Lathrop Specific Plan EIR (the "MMP") to determine if any mitigation measure contained in the MMP should be incorporated into the design of, or added as a condition of approval to, such Approval."

4. By accepting the benefits covered under this Large Lot Vesting Tentative Subdivision Map, the applicant acknowledges the defense and indemnity obligations set forth in Section 15.05 of the Development Agreement which proposes as follows:

"Section 15.05. Defense and Indemnity. Califia shall defend and indemnify City from and against any and all damages, claims, costs and liabilities arising out of the personal injury or death of any third party, or damage to the property of any third party, to the extent such damages, claims, costs or liabilities result from the construction of the Project by Califia or by Califia's contractors, subcontractors, agents or employees. Nothing in this Section 15.05 shall be construed to mean that Califia shall defend or indemnify City from or against any damages, claims, costs or liabilities arising from, or alleged to arise from, activities associated with the maintenance or repair by City or any other public agency of improvements that have been offered for dedication and accepted by City or such other public agency. City and Califia may from time to time enter into subdivision improvement agreements, as authorized by the Subdivision Map Act, which agreements may include defense and indemnity provisions different from those contained in this Section 15.05. In the event of any conflict between such provisions in any such subdivision improvement agreement and the provisions set forth above, the provisions of such subdivision improvement agreement shall prevail."

5. By accepting the benefits conferred under this Large Lot Vesting Tentative Subdivision Map, the applicant acknowledges all the conditions imposed and accepts this Vesting Tentative Map subject to those conditions and with full awareness of the provisions of "Applicable Law" as defined in Article 4 of the Development Agreement, including those "Uniform Codes and Standard Specifications" applicable to the Project in accordance with Section 4.03 of the Project Development Agreement.
6. By accepting the benefits conferred under this Large Lot Vesting Tentative Subdivision Map, the applicant waives any challenge as to the validity of these Vesting Tentative Map conditions.
7. The applicant shall be entitled to prepare and submit a single Large Lot Final Subdivision Map or multiple Large Lot Final Subdivision Maps provided such Final Map or Maps shall be in substantial compliance with this Large Lot Vesting Tentative Subdivision Map, shall be timely filed, and shall be consistent with "Applicable Law" as defined in Article 4 of the Development Agreement. The size and content of Final Maps shall be as specified in the Subdivision Map Act and applicable City standards.
8. Each Large Lot Final Subdivision Map Parcel resulting from this Large Lot Vesting Tentative Subdivision Map shall be provided with access by way of existing right-of-way, an Irrevocable Offer of Dedication, or an easement shown on the Large Lot Final Subdivision Map(s).

9. The applicant shall pay all "Existing Project Fees" as defined in Section 5.04.02(b) of the Project Development Agreement.
10. Prior to recordation of any Large Lot Final Subdivision Map, the applicant shall cause the reapportionment or segregation of any existing or future assessments on the parcels covered by the map.
11. If the City is required to enforce any of the conditions of approval, the affected applicant or property owner shall pay all of the City's reasonable costs of such enforcement.

Building Services

12. In accordance with the provisions of Section 4.03 of the Development Agreement, Uniform Codes and Standard Specifications shall be applied to the development of land subject to this Large Lot Vesting Tentative Subdivision Map.
13. A completed and approved wet fire hydrant system, or other system approved by the Building Official, meeting with LMFD standards, and all-weather fire access roads shall be in place prior to any flammable or combustible material (such as wood) being brought onto building sites. The applicant may tie into the water system to meet fire flow requirements before such connections are otherwise required to address domestic supply needs. Fire access roads shall meet the San Joaquin County Fire Chiefs Fire Access Road Standard and shall remain accessible until alternative access acceptable to the LMFD is provided by way of public streets.
14. In accordance with the provisions of State law, the applicant "shall pay all required filing fees of the Department of Fish and Game ("DF&G"). The DF&G fees shall be submitted to the Planning Division prior to filing of any required Notice of Determination, along with any fee required by the County Clerk/Recorder. Proof of fee payment may be required prior to the filing of a Final Subdivision Map."

Public Works

15. The applicant shall adhere to the City's adopted Right to Farm Ordinance that recognizes the on-going agricultural uses in the area.
16. In accordance with current City standards, all public utilities easements (PUEs); public water, sewer, or storm drain easements; and public access easements shall be open and accessible at all times.
17. In accordance with the provisions of the WLSP, all public infrastructure shall be reviewed and approved by the Stewart Tract Design Review Committee.

18. The City and applicant acknowledge that flood protection facilities for Stewart Tract and Paradise Cut may be proposed for improvement and/or expansion by Reclamation District 2062 ("RD 2062") without necessity to fulfill or otherwise satisfy the conditions of approval of this Large Lot Map and shall only be subject to the City's applicable standards and regulations for issuance of a grading permit independent of this project.
 - a. All development areas within the Phase 2 map shall be provided with 200-year flood protection in accordance with Urban Level of Protection (ULOP) guidelines established by the California State Department of Water Resources. All new levee improvements shall be designed to provide this level of protection for all areas intended for construction of residential or commercial buildings.

PRIOR TO GRADING

General Requirements

19. Prior to approval a grading plan that included proposed collector and/or arterial streets, the applicant shall submit a Geotechnical Report as required by the Director of Public Works. The report shall include seasonal groundwater elevations, highest recorded groundwater elevation, adjusted for irrigation impacts, soil compaction requirements and recommendations for street structural sections, including a street pavement design for areas with a high water table.
20. Unless grading is associated with flood protection improvements that may be constructed by Reclamation District 2062 ("RD 2062") independent of the grading that may be needed for the development of the River Islands Project, grading may not be commenced on any portion of the **Subject Property** that is subject to this Large Lot Vesting Tentative Subdivision Map unless and until either (a) the applicant submits and the Building Official, City Engineer and Director of Public Works approves a Large Lot Rough Grading Plan for that portion of the **Subject Property** that will be impacted by the proposed grading or (b) the applicant proposes and the Director of Public Works approves an alternative approach to the commencement of grading in the absence of an approved Rough Grading Plan. The Large Lot Rough Grading Plan shall include the estimated cut and fill requirement for the entire area on the **Subject Property** to be graded. The geologist/geotechnical engineer shall sign the Large Lot Rough Grading Plan confirming all applicable recommendations of the Geotechnical Report are incorporated in the plan. The Large Lot Rough Grading Plan may be amended with the approval of the Building Official, City Engineer and Public Works Director based on final grading plans as the project is constructed.

21. Prior to the approval of each set of improvement plans, the applicant shall submit a detailed dewatering plan that makes provision for the disposal of the dewatering spoils resulting from construction trenching.

Building Services

22. The applicant shall obtain a demolition permit for any structure to be demolished. All underground structures shall be abated, back-filled, inspected and approved by San Joaquin County Environmental Health Services or the City of Lathrop Building Official, as applicable.
23. All septic tanks, wells, leach fields and related items located within the boundaries of an area to be graded in conjunction with a Large Lot Final Subdivision Map shall be abandoned and destroyed in a manner approved by the San Joaquin County Department of Environmental Health Services. Water wells located outside the Large Lot Final Subdivision Map area that the applicant chooses to abandon, shall be destroyed in a manner approved by the San Joaquin County Department of Environmental Health Services. The City of Lathrop Director of Public Works may allow for temporary use of existing wells and similar water facilities during construction of the project. Such facilities shall not be used as a potable water supply without the approval of the Director of Public Works.
24. Prior to issuance of a demolition or grading permit adjacent to developed residential property, a letter shall be submitted to the Building Official from a licensed pest control contractor certifying that the subject site will be treated to prevent the migration of rodents onto adjacent property. The letter shall describe the site to be treated (address, lot #, etc.), the method and/or chemical to be used in treating the site, and an estimate of the length of time the treatment will be effective. Grading shall not begin until the treatment is completed.
25. The applicant shall submit plans and obtain Stewart Tract Design Review Committee (STDRC) approval for all separate building permits for retaining walls over four feet in height as well as walls and fencing over six feet in height.
26. The applicant shall complete a Special Inspector Approval Packet for any project requiring an on-site inspector to monitor grading, construction and/or development. The applicant shall deposit funds with the City to cover the full cost of an inspector prior to any land disturbance. The Building Official, City Engineer or Director of Public Works, as appropriate, shall approve the amount and hire the inspector.

Public Works

27. The applicant shall provide a Risk Level Assessment and submit a Notice of Intent (**NOI**) to comply with the NPDES General Permit for storm water discharges associated with construction. A copy of the Storm Water Pollution Prevention Plan (SWPPP) and water discharge identification number for the NPDES General Permit shall be filed with the Building Official, City Engineer and Director of Public Works prior to any construction on the site.
28. Upon completion of grading activities, the site shall be in compliance with the conditions of the NPDES General Permit and the Storm Water Pollution Prevention Plan (SWPPP). Erosion control measures and devices shall be installed at perimeter openings and slopes. Newly graded surfaces not immediately involved in construction shall have an approved method of erosion control. Building permits shall not be issued until the Building Official, City Engineer and Public Works Director has determined the site is in compliance with the NPDES General Permit and the Storm Water Pollution Prevention Plan (SWPPP).
29. Applicant shall prepare and implement a construction debris recycling program. Such program shall be approved by the Department of Public Works prior to issuance of grading permits. At a minimum, such plans shall include information regarding provision of various methods to be used to segregate construction debris and measures to monitor success of the program.

Planning Services

30. All areas to be graded and left undeveloped shall have a revegetation plan or alternative dust control program as approved by the Community Development Director/City Engineer.

Public Safety

31. Prior to placing any building material on the site, a fire protection site plan shall be submitted to the LMFD. The fire protection site plan shall include access and turnaround areas, yard storage areas, hazardous material use and storage areas and the arrangement and location of underground fire service mains, control valves, fire hydrants unless these facilities have been shown on approved street improvement plans. All material storage areas shall be fenced with at least a 6 foot high chain link fence with at least two 20-foot gated openings for fire access. Fencing details shall be shown on fire protection plans. All required LMFD fees shall be paid prior to commencement of any activity or work.

32. Prior to placing any building material on the site, a security plan shall be submitted to and approved by the Police Services Department. The security plan shall provide for fencing, night lighting and private security of contractor's storage yards at all times when material is on the site or on-going construction activity is occurring. A security lighting plan shall be included for all commercial areas. The plan shall include illumination of exterior doors with a minimum of 1foot candle of light at ground level during darkness with vandal-proof fixtures.

PRIOR TO MAP RECORDATION

General Requirements

33. The following sub-sections of the Development Agreement shall apply to rights of way dedications when such dedications are necessary due to a proposal to construct new arterial streets:
 - a. To the extent that rights-of-way or other interests in real property owned by Califia within the Project Site are needed for the construction, operation or maintenance of Project Facilities and Infrastructure, Califia shall dedicate such right-of-way or other interest in real property to City at the time such land is actually needed for such Project Facilities and Infrastructure. Califia shall not be required to provide land for improvements needed for other projects or areas other than the Project or the Project Site except to the extent such land is needed for the oversizing of Project Facilities and Infrastructure as described above and City establishes a mechanism to provide appropriate credits or reimbursements to Califia as described in Section 6.04.02 of the Development Agreement.
 - b. Any public improvements constructed by Califia and dedicated to City, and any right-of-way or other real property dedicated to City, shall be dedicated (i) free and clear of any liens unacceptable to the City and (ii) except as otherwise agreed to by City, in a condition free of any toxic materials; provided, however, that City shall be responsible for the condition of any real property acquired by eminent domain.

Public Works

34. The applicant shall include on each Large Lot Final Subdivision Map an irrevocable offer to dedicate all street rights of way as shown on that portion of the Vesting Tentative Map that is the subject of the Large Lot Final Subdivision Map.
35. The applicant shall provide or guarantee the provision of adequate all-weather access to any proposed storm drain basin, sprayfield or storage ponds for the purpose of maintenance with the approval of each Large Lot Final Subdivision Map requiring the use of such facilities.

36. The applicant shall provide a Storm Drainage and Flood Protection Plan for all lakes, bio-retention facilities, flood protection structures and facilities and similar infrastructure, including the phasing of such facilities for approval of the City Engineer and Public Works Director prior to the first Large Lot Final Map recordation that includes such infrastructure. Prior to approval of any final map that creates a buildable lot, or any building permit, 200-year flood protection in accordance with Urban Level of Protection (ULOP) guidelines shall be completed or guaranteed.
37. Any proposed above-ground utility structures and appurtenances shall be installed a minimum of 10 feet behind street face of curb unless an alternative approach is approved by the Community Development Director/City Engineer. The perimeter of major above-ground infrastructure facilities, including electrical substations, shall be substantially landscaped. The above ground utility structures and appurtenances shall be screened with landscaping to the satisfaction of the Community Development Director and City Engineer. The landscape screen shall not interfere with the utility companies' or emergency access.

Planning Division

38. The street names and the theme for all street name signage, including traffic signal signage, directional signs, and other permanent fixtures depicting street names shall be submitted to the City for STDRC review and approval at the time improvement plans for public streets are submitted to the Community Development Department for review and approval. The applicant shall fund the costs for developing street name sign designs. The applicant shall not be required to adhere to the City Standards and Details for such signage, but may be required to update such Standards and Details based upon the program for signage approved by the STDRC.

Public Safety

39. In accordance with previous approvals for the River Islands Project, should the applicant enter into a mitigation agreement with the Lathrop Manteca Fire District, the City shall make a good faith effort to work with the respective parties to implement the agreement.



OLD RIVER

CITY LIMITS

RIVER ISLANDS PROJECT SITE

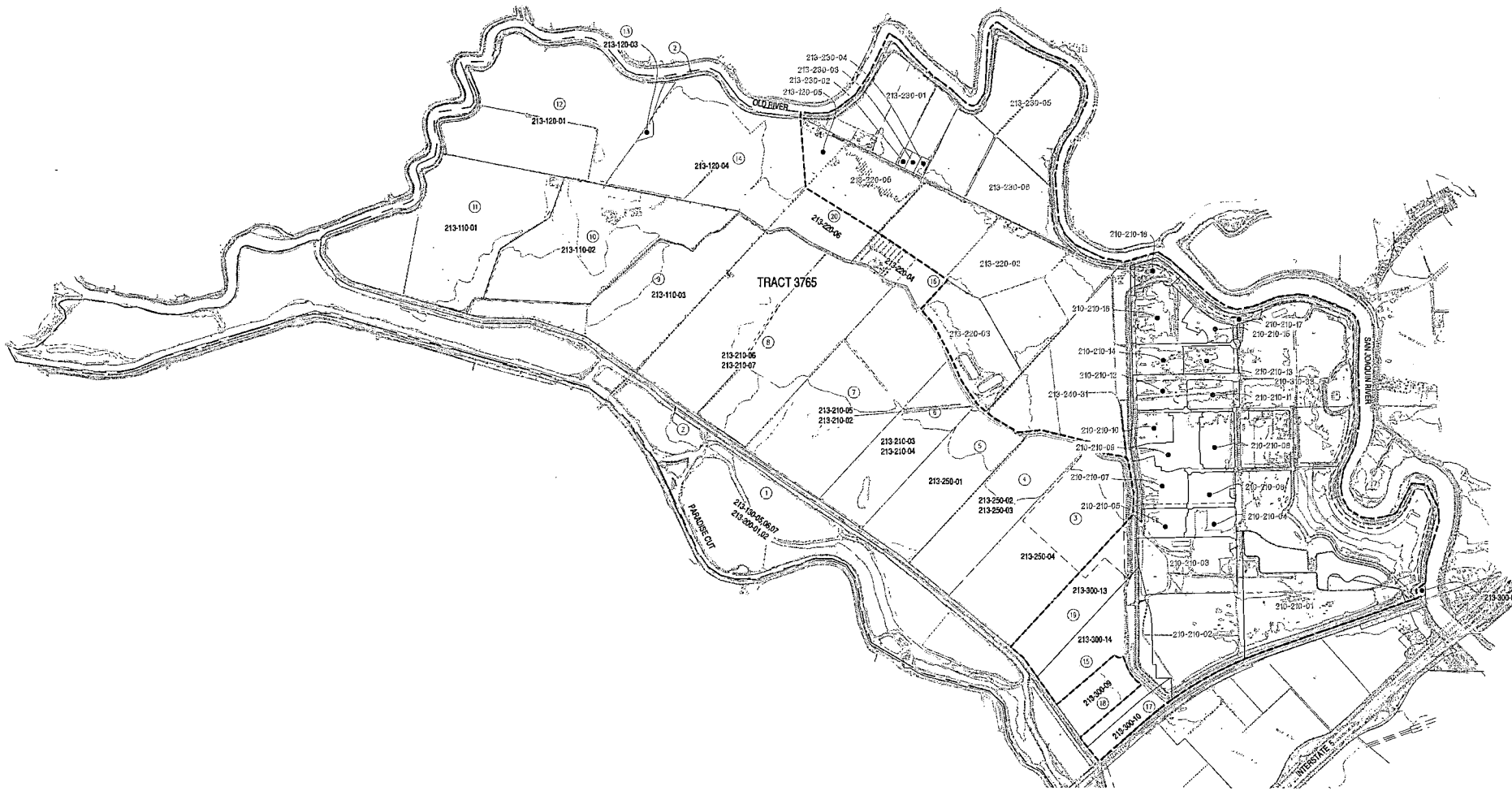
PARADISE CUT

SAN JOAQUIN RIVER

ATTACHMENT 1
VICINITY MAP
RIVER ISLANDS AT LATHROP
MAY 4, 2015



ATTACHMENT 4



LEGEND:
 --- RIVER ISLANDS BOUNDARY
 - - - - TRACT 3765 LIMITS
 - - - - EXISTING LOT LINES
 (10) EXISTING PARCELS

**TRACT 3765 - EXISTING PARCELS
 LARGE LOT VESTING TENTATIVE MAP
 RIVER ISLANDS**
 CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA

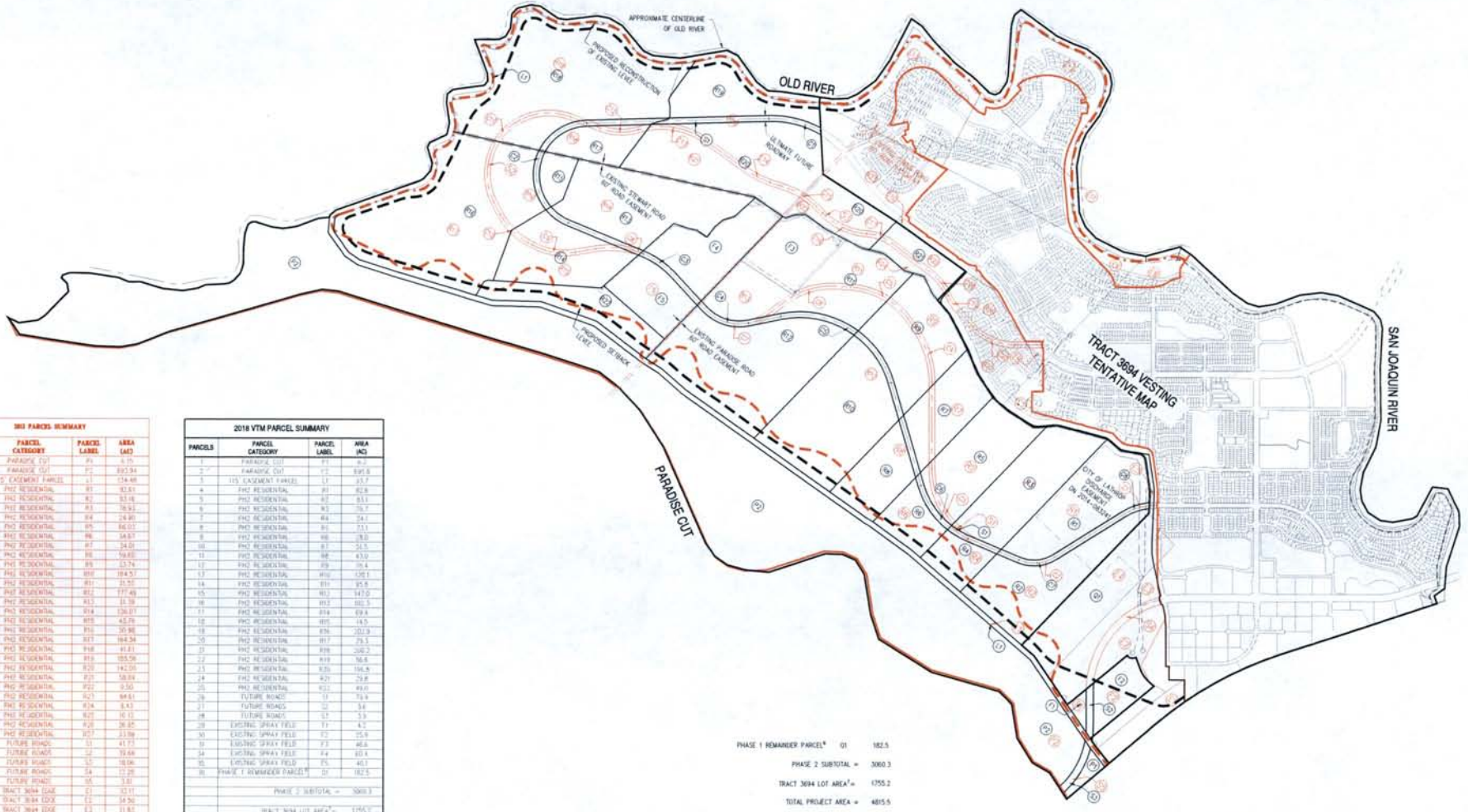


0' 1000' 3000' 4000'
 SCALE: 1" = 1000'
 MARCH 5, 2018



SHEET NUMBER
 1
 OF 2 SHEETS

ATTACHMENT 10 5



2018 PARCELS SUMMARY			
PARCELS	PARCEL CATEGORY	PARCEL LABEL	AREA (AC)
1	PARADISE LOT	01	0.15
2	PARADISE LOT	02	892.94
3	LOT CEMENTATION PARCELS	03	124.48
4	PH2 RESIDENTIAL	04	42.63
5	PH2 RESIDENTIAL	05	33.18
6	PH2 RESIDENTIAL	06	38.93
7	PH2 RESIDENTIAL	07	24.90
8	PH2 RESIDENTIAL	08	66.02
9	PH2 RESIDENTIAL	09	34.87
10	PH2 RESIDENTIAL	10	24.05
11	PH2 RESIDENTIAL	11	59.83
12	PH2 RESIDENTIAL	12	23.74
13	PH2 RESIDENTIAL	13	38.87
14	PH2 RESIDENTIAL	14	31.52
15	PH2 RESIDENTIAL	15	77.49
16	PH2 RESIDENTIAL	16	22.78
17	PH2 RESIDENTIAL	17	38.87
18	PH2 RESIDENTIAL	18	43.78
19	PH2 RESIDENTIAL	19	30.98
20	PH2 RESIDENTIAL	20	68.28
21	PH2 RESIDENTIAL	21	41.81
22	PH2 RESIDENTIAL	22	105.59
23	PH2 RESIDENTIAL	23	142.00
24	PH2 RESIDENTIAL	24	58.84
25	PH2 RESIDENTIAL	25	0.50
26	PH2 RESIDENTIAL	26	88.63
27	PH2 RESIDENTIAL	27	0.43
28	PH2 RESIDENTIAL	28	10.12
29	PH2 RESIDENTIAL	29	38.87
30	PH2 RESIDENTIAL	30	21.06
31	FUTURE ROADS	31	41.73
32	FUTURE ROADS	32	38.84
33	FUTURE ROADS	33	38.86
34	FUTURE ROADS	34	12.75
35	FUTURE ROADS	35	3.81
36	TRACT 3694 L&D	36	0.11
37	TRACT 3694 L&D	37	14.94
38	TRACT 3694 L&D	38	11.82
39	TRACT 3694 L&D	39	17.31
40	TRACT 3694 L&D	40	2.50
41	TRACT 3694 L&D	41	14.54
42	TRACT 3694 L&D	42	20.84
43	TRACT 3694 L&D	43	2.88
44	TRACT 3694 L&D	44	3.20
45	TRACT 3694 L&D	45	0.87
46	TRACT 3694 L&D	46	1.82
47	TRACT 3694 L&D	47	30.20
48	TRACT 3694 L&D	48	46.71
49	EXISTING SPRAY FIELD	49	4.18
50	EXISTING SPRAY FIELD	50	25.90
51	EXISTING SPRAY FIELD	51	48.53
52	EXISTING SPRAY FIELD	52	80.40
53	EXISTING SPRAY FIELD	53	89.08
PHASE 2 SUBTOTAL =			1,400.75
TRACT 3694 LOT AREA =			1,400.76
TOTAL PROJECT AREA =			4,353.49

2018 VTM PARCEL SUMMARY			
PARCELS	PARCEL CATEGORY	PARCEL LABEL	AREA (AC)
1	PARADISE LOT	01	0.15
2	PARADISE LOT	02	892.94
3	LOT CEMENTATION PARCELS	03	124.48
4	PH2 RESIDENTIAL	04	42.63
5	PH2 RESIDENTIAL	05	33.18
6	PH2 RESIDENTIAL	06	38.93
7	PH2 RESIDENTIAL	07	24.90
8	PH2 RESIDENTIAL	08	66.02
9	PH2 RESIDENTIAL	09	34.87
10	PH2 RESIDENTIAL	10	24.05
11	PH2 RESIDENTIAL	11	59.83
12	PH2 RESIDENTIAL	12	23.74
13	PH2 RESIDENTIAL	13	38.87
14	PH2 RESIDENTIAL	14	31.52
15	PH2 RESIDENTIAL	15	77.49
16	PH2 RESIDENTIAL	16	22.78
17	PH2 RESIDENTIAL	17	38.87
18	PH2 RESIDENTIAL	18	43.78
19	PH2 RESIDENTIAL	19	30.98
20	PH2 RESIDENTIAL	20	68.28
21	PH2 RESIDENTIAL	21	41.81
22	PH2 RESIDENTIAL	22	105.59
23	PH2 RESIDENTIAL	23	142.00
24	PH2 RESIDENTIAL	24	58.84
25	PH2 RESIDENTIAL	25	0.50
26	PH2 RESIDENTIAL	26	88.63
27	PH2 RESIDENTIAL	27	0.43
28	PH2 RESIDENTIAL	28	10.12
29	PH2 RESIDENTIAL	29	38.87
30	PH2 RESIDENTIAL	30	21.06
31	FUTURE ROADS	31	41.73
32	FUTURE ROADS	32	38.84
33	FUTURE ROADS	33	38.86
34	FUTURE ROADS	34	12.75
35	FUTURE ROADS	35	3.81
36	TRACT 3694 L&D	36	0.11
37	TRACT 3694 L&D	37	14.94
38	TRACT 3694 L&D	38	11.82
39	TRACT 3694 L&D	39	17.31
40	TRACT 3694 L&D	40	2.50
41	TRACT 3694 L&D	41	14.54
42	TRACT 3694 L&D	42	20.84
43	TRACT 3694 L&D	43	2.88
44	TRACT 3694 L&D	44	3.20
45	TRACT 3694 L&D	45	0.87
46	TRACT 3694 L&D	46	1.82
47	TRACT 3694 L&D	47	30.20
48	TRACT 3694 L&D	48	46.71
49	EXISTING SPRAY FIELD	49	4.18
50	EXISTING SPRAY FIELD	50	25.90
51	EXISTING SPRAY FIELD	51	48.53
52	EXISTING SPRAY FIELD	52	80.40
53	EXISTING SPRAY FIELD	53	89.08
PHASE 2 SUBTOTAL =			3,000.3
TRACT 3694 LOT AREA =			4,353.2
TOTAL PROJECT AREA =			4,815.5

LEGEND: INFORMATION SHOWN IN BLACK IS IN REFERENCE TO THE PHASE 2 TRACT 3694 LARGE LOT VESTING TENTATIVE MAP THAT IS BEING PROPOSED TO SUPERSEDE WHAT WAS APPROVED IN 2012.

- PHASE 2 LARGE LOT BOUNDARY
- TRACT 3694 BOUNDARY
- PROPOSED LOT LINES
- EXISTING LOT LINES
- APPROXIMATE CENTERLINE OF SETBACK LEVEL
- PROPOSED PHASE 2 PARCELS

LEGEND: INFORMATION SHOWN IN RED IS IN REFERENCE TO THE PHASE 2 TRACT 3694 LARGE LOT VESTING TENTATIVE MAP APPROVED IN 2012.

- PHASE 2 LARGE LOT BOUNDARY
- TRACT 3694 BOUNDARY
- PROPOSED LOT LINES
- EXISTING LOT LINES
- APPROXIMATE CENTERLINE OF SETBACK LEVEL
- PROPOSED PHASE 2 PARCELS

**TRACT 3765
VTM COMPARISON EXHIBIT
RIVER ISLANDS**
CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA

SCALE: 1"= 1000'
MARCH 14, 2018

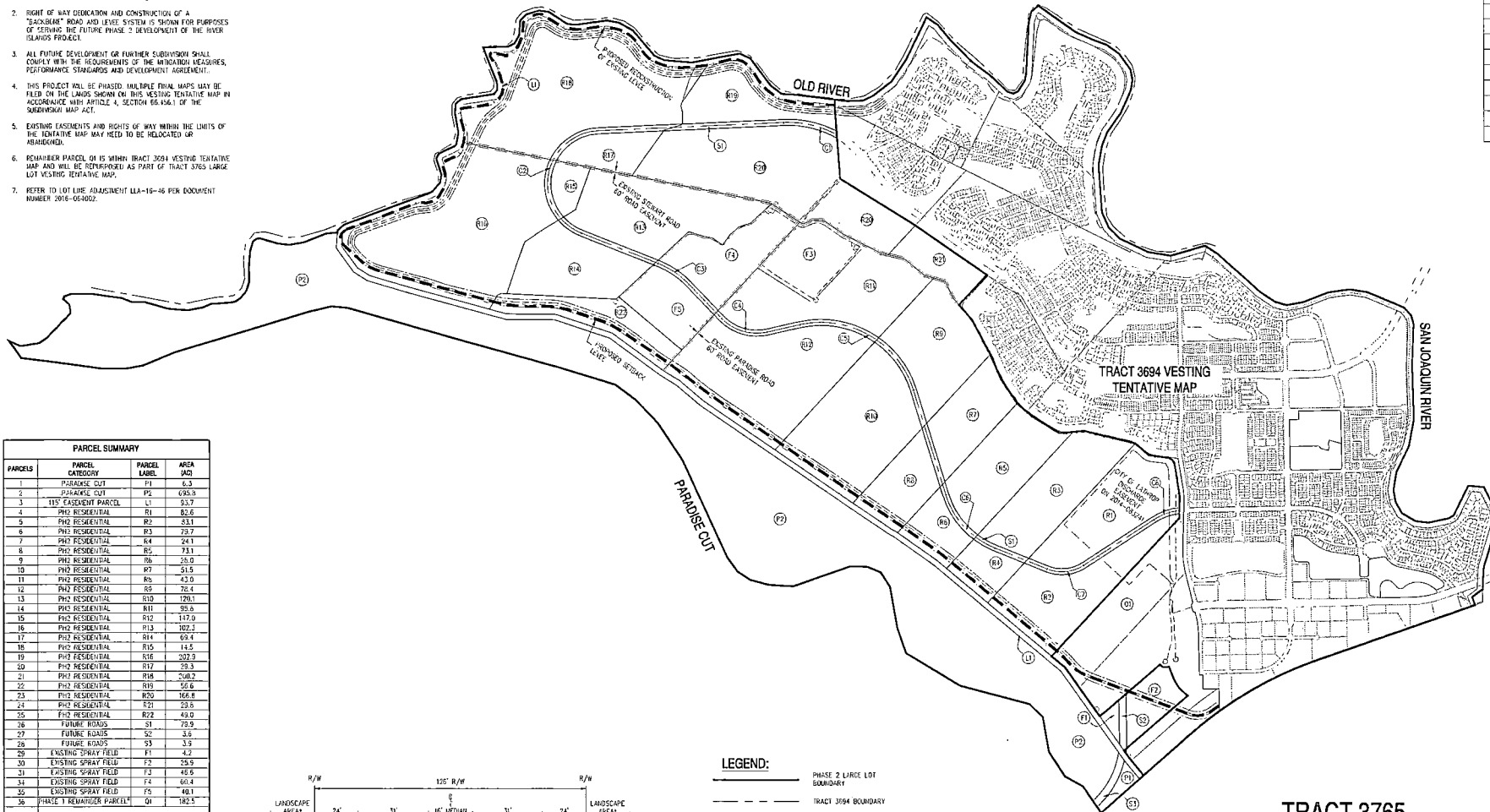
O'DELL ENGINEERING

SHEET NUMBER
1
OF 1 SHEETS

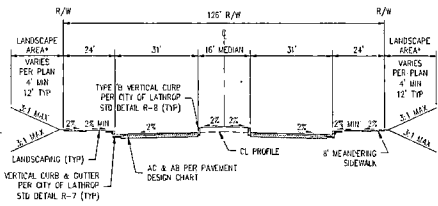
NOTES:

1. FUTURE ROADWAY PARCELS S1, S2, AND S3 WILL PROVIDE PUBLIC ACCESS TO PROPOSED PHASE 2 PARCELS.
2. RIGHT OF WAY DEDICATION AND CONSTRUCTION OF A "BACKLASH" ROAD AND LEVEE SYSTEM IS SHOWN FOR PURPOSES OF SETTING THE FUTURE PHASE 2 DEVELOPMENT OF THE RIVER ISLANDS PROJECT.
3. ALL FUTURE DEVELOPMENT OR FURTHER SUBDIVISION SHALL COMPLY WITH THE REQUIREMENTS OF THE MINIMUM LEASURES, PERFORMANCE STANDARDS AND DEVELOPMENT AGREEMENT.
4. THIS PROJECT WILL BE PHASED. MULTIPLE FINAL MAPS MAY BE FILED ON THE LANDS SHOWN ON THIS TENTATIVE MAP IN ACCORDANCE WITH ARTICLE 4, SECTION 65.156.1 OF THE SUBDIVISION MAP ACT.
5. EXISTING EASEMENTS AND RIGHTS OF WAY WITHIN THE LIMITS OF THE TENTATIVE MAP MAY NEED TO BE RELOCATED OR ABANDONED.
6. REMAINDER PARCEL Q1 IS WITHIN TRACT 3594. TENTATIVE MAP AND WILL BE REFERENCED AS PART OF TRACT 3765 LARGE LOT VESTING TENTATIVE MAP.
7. REFER TO LOT LINE ADJUSTMENT LLA-16-16 PER DOCUMENT NUMBER 2016-06-002.

FUTURE RIVER ISLANDS PARKWAY CENTERLINE			
CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	2100.00	31°10'00"	1162.41'
C2	1160.00	155°56'03"	2993.72'
C3	1800.00	21°44'00"	775.52'
C4	1000.00	58°50'11"	1076.82'
C5	2000.00	89°30'30"	2394.89'
C6	1750.00	50°53'39"	1954.47'
C7	825.00	55°04'31"	793.01'
C8	1203.00	26°37'00"	563.04'



PARCEL SUMMARY			
PARCELS	PARCEL CATEGORY	PARCEL LABEL	AREA (AC)
1	PARADISE CUT	P1	6.3
2	PARADISE CUT	P2	608.9
3	115' CASEMENT PARCEL	L1	53.7
4	PH2 RESIDENTIAL	R1	82.6
5	PH2 RESIDENTIAL	R2	23.1
6	PH2 RESIDENTIAL	R3	23.7
7	PH2 RESIDENTIAL	R4	24.1
8	PH2 RESIDENTIAL	R5	73.1
9	PH2 RESIDENTIAL	R6	23.0
10	PH2 RESIDENTIAL	R7	51.5
11	PH2 RESIDENTIAL	R8	43.0
12	PH2 RESIDENTIAL	R9	71.4
13	PH2 RESIDENTIAL	R10	120.7
14	PH2 RESIDENTIAL	R11	95.6
15	PH2 RESIDENTIAL	R12	147.0
16	PH2 RESIDENTIAL	R13	102.3
17	PH2 RESIDENTIAL	R14	69.4
18	PH2 RESIDENTIAL	R15	14.5
19	PH2 RESIDENTIAL	R16	202.3
20	PH2 RESIDENTIAL	R17	29.3
21	PH2 RESIDENTIAL	R18	248.2
22	PH2 RESIDENTIAL	R19	52.6
23	PH2 RESIDENTIAL	R20	166.8
24	PH2 RESIDENTIAL	R21	23.8
25	PH2 RESIDENTIAL	R22	43.0
26	FUTURE ROADS	S1	72.9
27	FUTURE ROADS	S2	3.6
28	FUTURE ROADS	S3	3.5
29	EXISTING SPRAY FIELD	F1	4.2
30	EXISTING SPRAY FIELD	F2	25.5
31	EXISTING SPRAY FIELD	F3	48.5
32	EXISTING SPRAY FIELD	F4	60.4
33	EXISTING SPRAY FIELD	F5	48.1
34	PHASE 1 REMAINDER PARCEL	Q1	182.5
PHASE 2 SUBTOTAL =			3260.3
TRACT 3694 LOT AREA =			1755.2
TOTAL PROJECT AREA =			4515.5



ULTIMATE RIVER ISLANDS PARKWAY

NOT TO SCALE

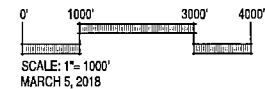
NOTES: ROADWAY SECTION MAY BE PHASED AS DETERMINED BY THE CITY UPON TRAFFIC DEMAND FOR THE DEVELOPMENT AREA.

LEGEND:

- PHASE 2 LARGE LOT BOUNDARY
- TRACT 3594 BOUNDARY
- - - PROPOSED LOT LINES
- EXISTING LOT LINES
- - - APPROXIMATE CENTERLINE OF RECONSTRUCT LEVEE
- - - APPROXIMATE CENTERLINE OF SETBACK LEVEE
- ⑪ PROPOSED PHASE 2 PARCELS

TRACT 3765
LARGE LOT VESTING TENTATIVE MAP
RIVER ISLANDS

CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA



SHEET NUMBER
2
OF 2 SHEETS

River Islands at Lathrop, Phase 2

Hydraulic Impact Analysis of "No Action" Alternatives

Prepared by: Michael Archer, P.E.

Date: August 16, 2017

MBK Engineers was asked by River Islands at Lathrop (River Islands) to evaluate the hydraulic impacts of variations on the "No Action" scenario evaluated in 2012 for Section 408 and EIS purposes, and documented in *River Islands at Lathrop Hydraulic Impact Analysis*, MBK Engineers, March 16, 2012, revised July 28, 2014.

The impacts of the "No Action" scenarios will be measured against current conditions, i.e., Phase 1 Stage 2a.

The 2012 "No Action" scenario is shown in Figure 1, and was described in the 2012/2014 reports as follows:

"Modified Condition, Cumulative with No Federal Action ("No Action"): This scenario evaluates hydraulic impacts for flood protection which could be built without triggering a Federal action. This scenario consists of a FEMA accredited interior levee that does not come in contact with Federal Project levee or any waters of the U.S., as shown in Figure 4¹. Urban levees are assumed to have a minimum of three feet of freeboard on the 200-year flood event."

Three new "No Action" alternatives were evaluated:

1. Existing condition for UPRR embankment; i.e., two 4 ft. by 8 ft. box culverts, no trestle. Interior levee along Paradise Cut parallels existing levee, and is set back 100 feet from existing levee, measured at levee toe. Treatment at Paradise Road is unchanged from 2012 scenario: embankment with 40 ft. wide by 4 ft. high opening. Agricultural area within the Paradise Cut floodway downstream of the UPRR west branch degraded approximately 2 feet.
2. Same as Alternative 1 except interior levee along Paradise Cut is set back 200 feet from existing levee, measured at levee toe.
3. Same as Alternative 1 except interior levee along Paradise Cut follows original proposed Phase 2 alignment.

The new "No Action" alternatives are shown schematically in Figure 2.

¹ Figure 1 in this memo is same as Figure 4 in 2012/2014 report.

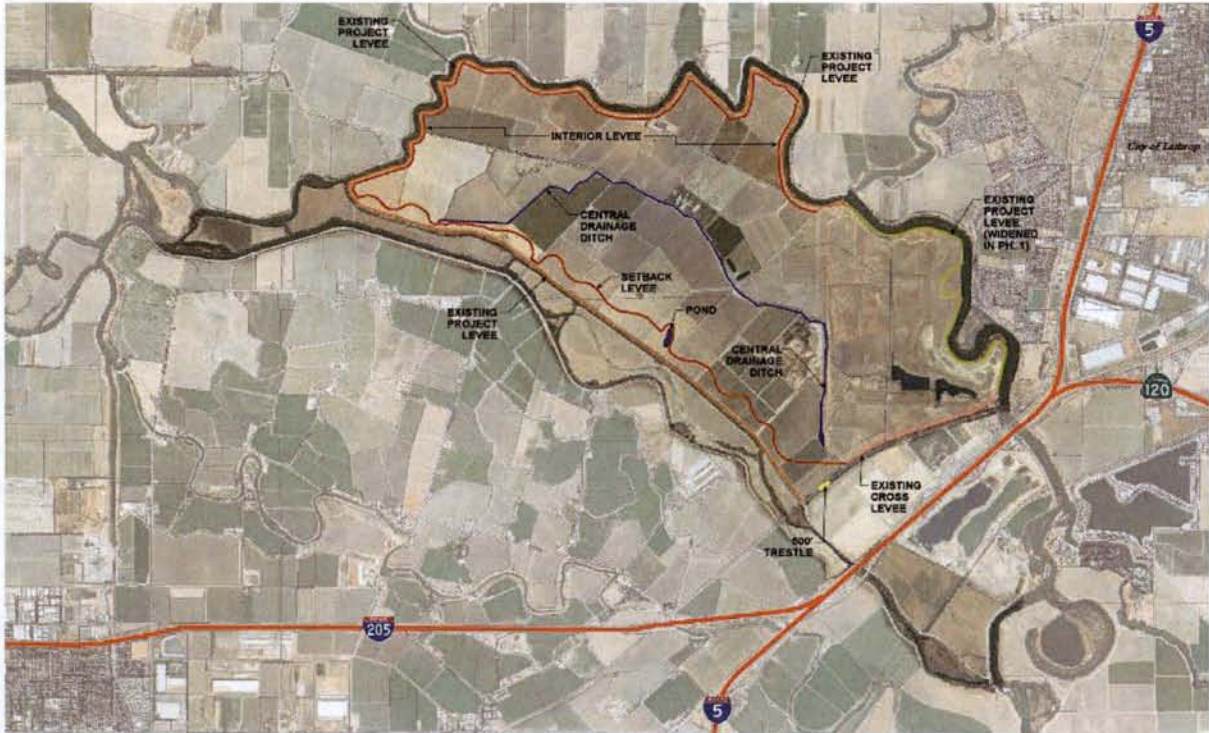


Figure 1. River Islands at Lathrop 2012 "No Action" Scenario

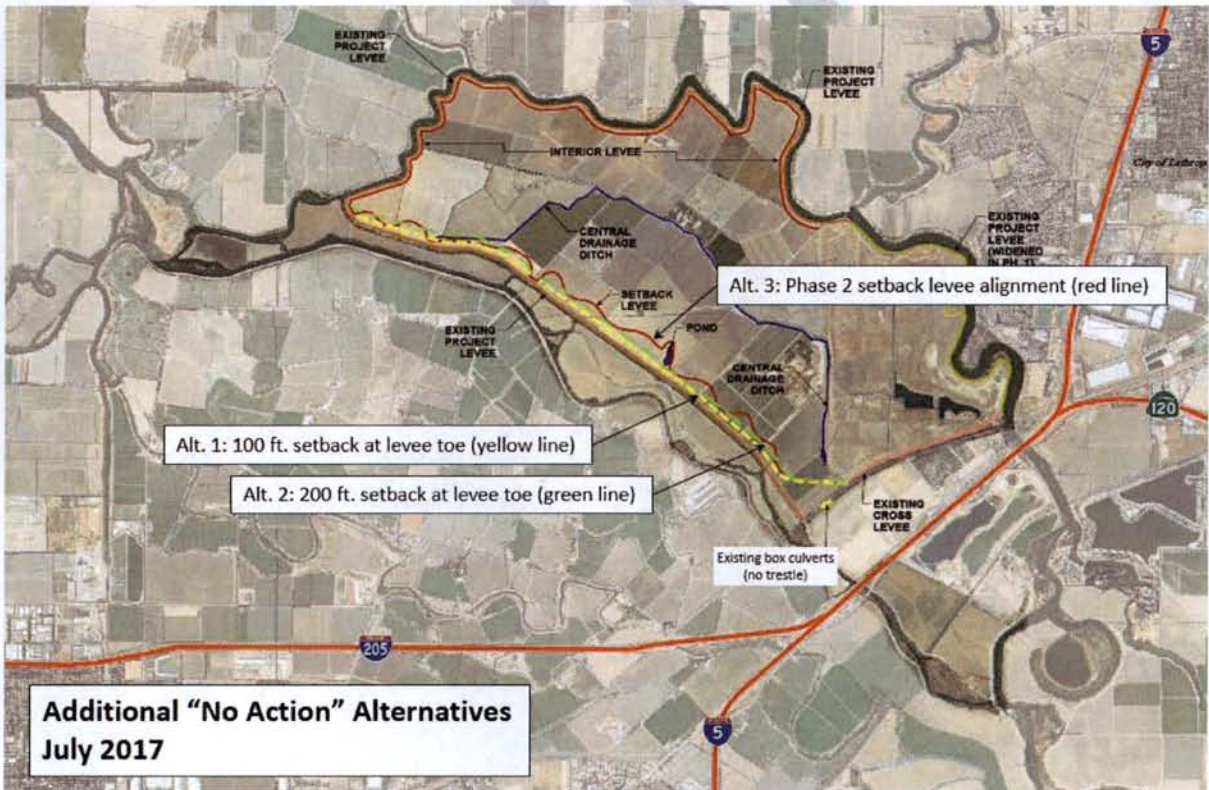


Figure 2. Additional River Islands at Lathrop "No Action" Scenarios

This analysis used the 2012 hydraulic model used for Section 408 and EIS hydraulic impact analyses. The river reaches in the model are shown in Figure 3. The modeled floodplain area is shown in Figure 4.

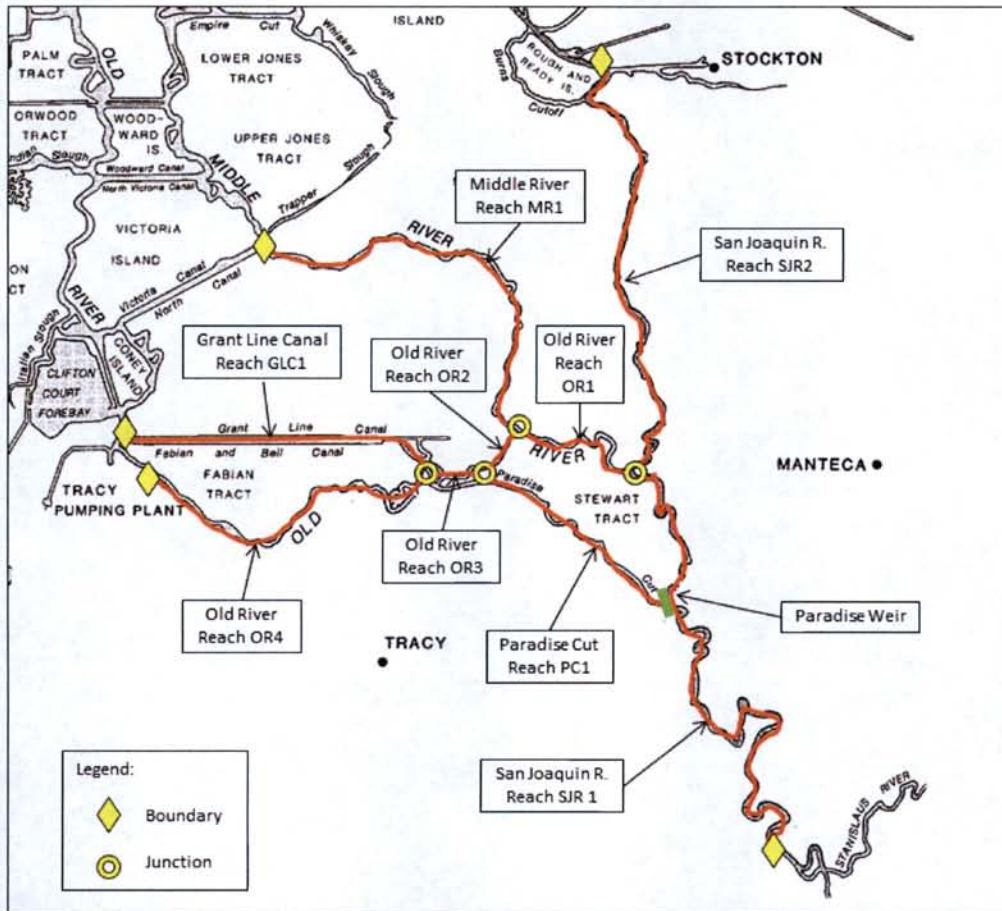


Figure 3. Lower San Joaquin River HEC-RAS Model River Reach Schematic

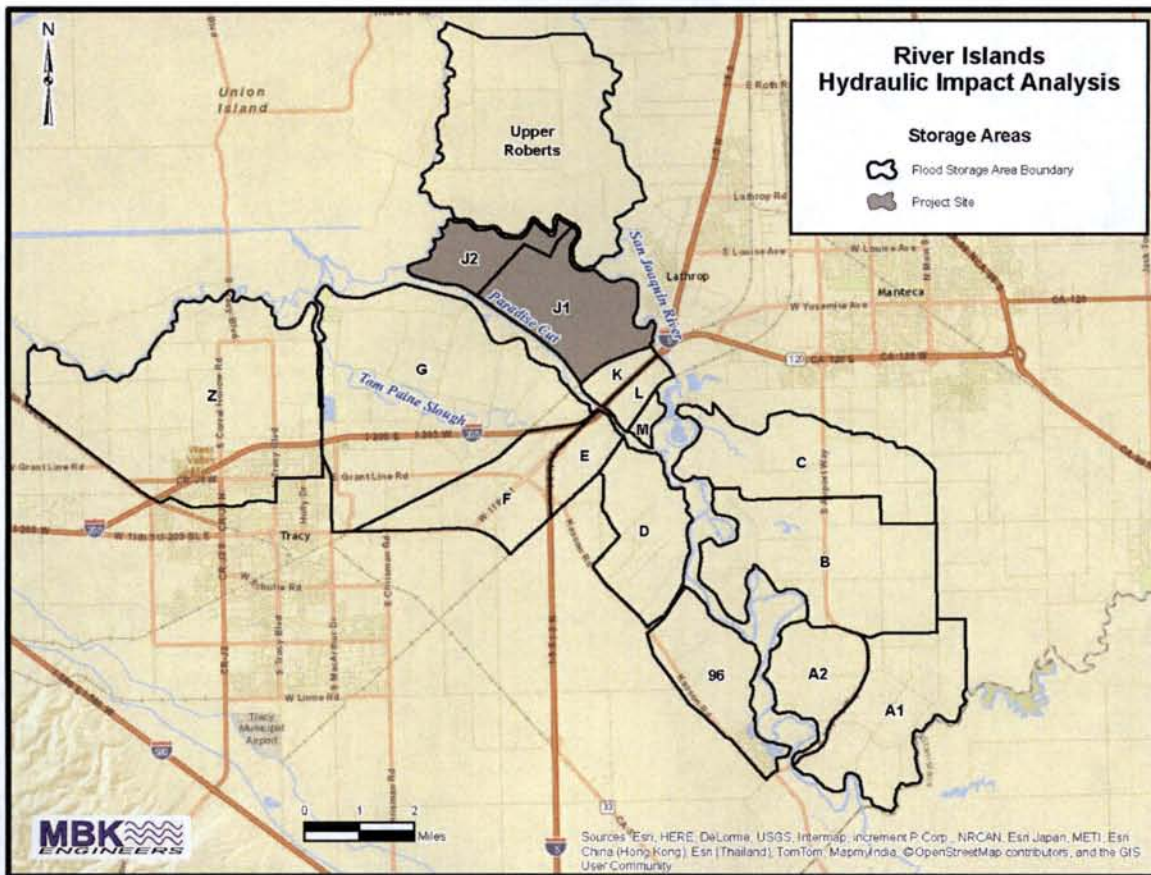


Figure 4. Lower San Joaquin River HEC-RAS Model Floodplain Storage Areas Schematic

The 2012 analysis included analyses for two levee performance assumptions:

1. Levees fail when water reaches the top of levee.
2. Levees do not fail and act as weirs if overtopped.

The analysis presented herein used levee performance assumption 1. The levee failure assumption is more realistic and therefore a more appropriate assumption for hydraulic impact analysis, whereas the “no failure” assumption is a conservative assumption more appropriate for levee design analysis.

The levee failure assumption is also applied to railroad embankments and dry land levees.

The RD 2107 and RD 2062 flood reduction cuts included in the RD 2062 emergency action plan are included in the modeling. The RD 2107 flood reduction cut is located on the Paradise Cut north levee between I-5 and the UPRR west branch, and is initiated approximately 2 hours after RD 2107 starts flooding due to levee failure. The RD 2062 flood reduction cut is located on the Paradise Cut north levee near the west end of the RD, and is initiated approximately 4 hours after failure of the UPRR west branch embankment separating RD 2062 and RD 2107. The RD 2062 flood reduction cut is not explicitly included in the model for the new “No Action” alternatives because relief breaches occur naturally at several locations on the Paradise Cut levee due to overtopping starting less than 6 hours after initial inundation of Stewart Tract.

Hydraulic impacts were evaluated for the following flood events, using the Sacramento and San Joaquin River Basins Comprehensive Study hydrology, San Joaquin River at Vernalis storm centering:

- 50-year
- 100-year
- 200-year
- 500-year

The Stewart Tract levees do not fail in the 50-year and 100-year flood event simulations (i.e., flood stages do not reach or exceed the top of levee elevations), so hydraulic effects of the three “No Action” alternatives are the same in these flood events. This is because the three “No Action” alternative differ only within Stewart Tract.

Results

The purpose of this analysis was to evaluate how the new “No Action” effect flood conditions relative to current conditions.

In the 50-year and 100-year flood events, the “No Action” alternatives have virtually no effect (plus or minus 0.01 feet at the most) on the computed maximum water surface elevations in all modeled reaches with the exception of Paradise Cut. The maximum WSE in Paradise Cut is reduced by up to 0.74 feet in the 50-year event and 0.51 feet in the 100-year event, as shown in Figure 5. This impact is due to the agricultural area degrade within Paradise Cut.

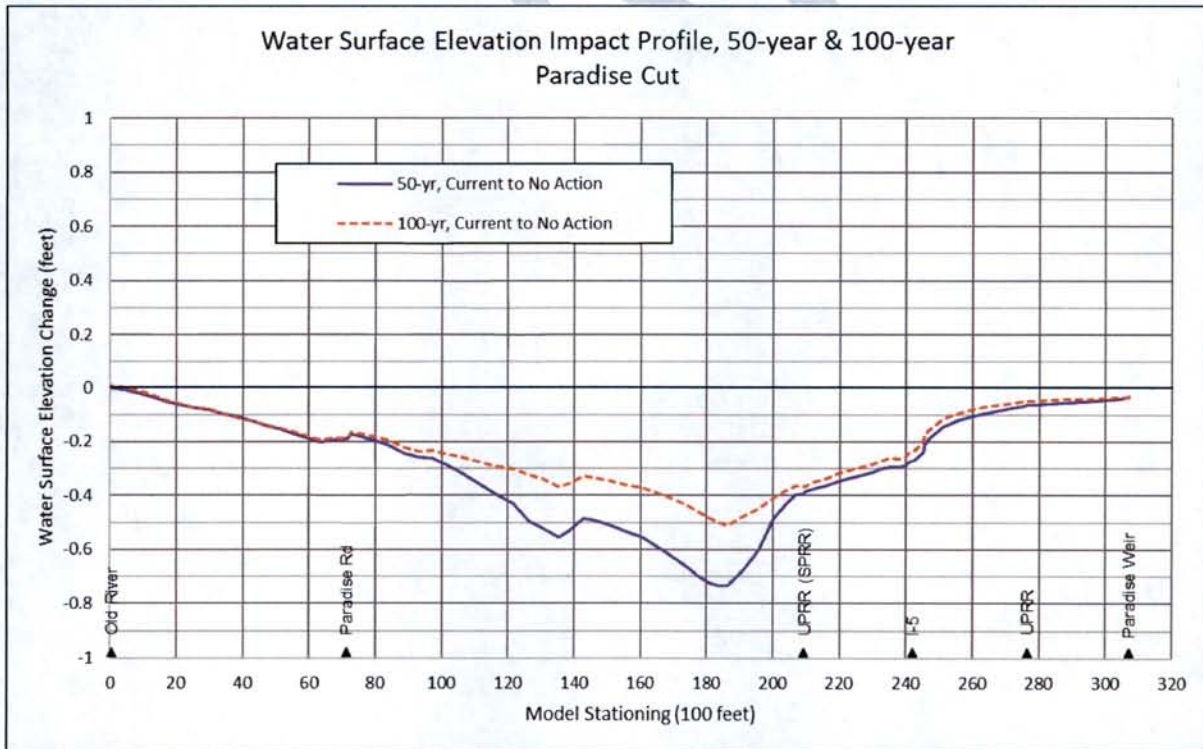


Figure 5. Change in maximum WSE due to “No Action” alternatives, Paradise Cut, 50-year and 100-year flood events.

Profile plots showing the effects of the “No Action” alternatives on the 200-year flood event maximum WSE’s in the river channels are shown in Figures 6 through 10. Similar plots for the 500-year flood event are shown in Figures 11 through 15.

The effects of the “No Action” alternatives on the peak flood stages in the floodplains are shown in Figures 16 and 17.

The “No Action” alternatives would have beneficial effects in flood events in which the Stewart Tract levees do not fail (see Figure 5).

As can be seen in the following figures, in extreme flood events in which Stewart Tract levees fail, the “No Action” alternatives have little to no effect on the San Joaquin River and on Old River upstream of Middle River. Effects are more significant on Old River (maximum WSE increase of 0.45 feet), Grant Line Canal (maximum WSE increase of 0.23 feet), and Middle River (maximum WSE increase of 0.18 feet), but are most significant on Paradise Cut (maximum WSE increase of 1.12 feet). The reason for this is the reduced available space for flood water storage in RD 2062. The available flood water storage space in the “No Action” alternatives is smallest in Alternative 1 and greatest in Alternative 3, though the difference is not enough to significantly change the effects on the peak WSE’s.

It appears that the amount of flood space in RD 2062 would have to be significantly increased to significantly reduce the effects on the peak WSE’s. It may be that the beneficial effect of the “No Action” alternatives in the more frequent flood events would offset the potential adverse effects in extreme flood events significantly greater than the system design flood.

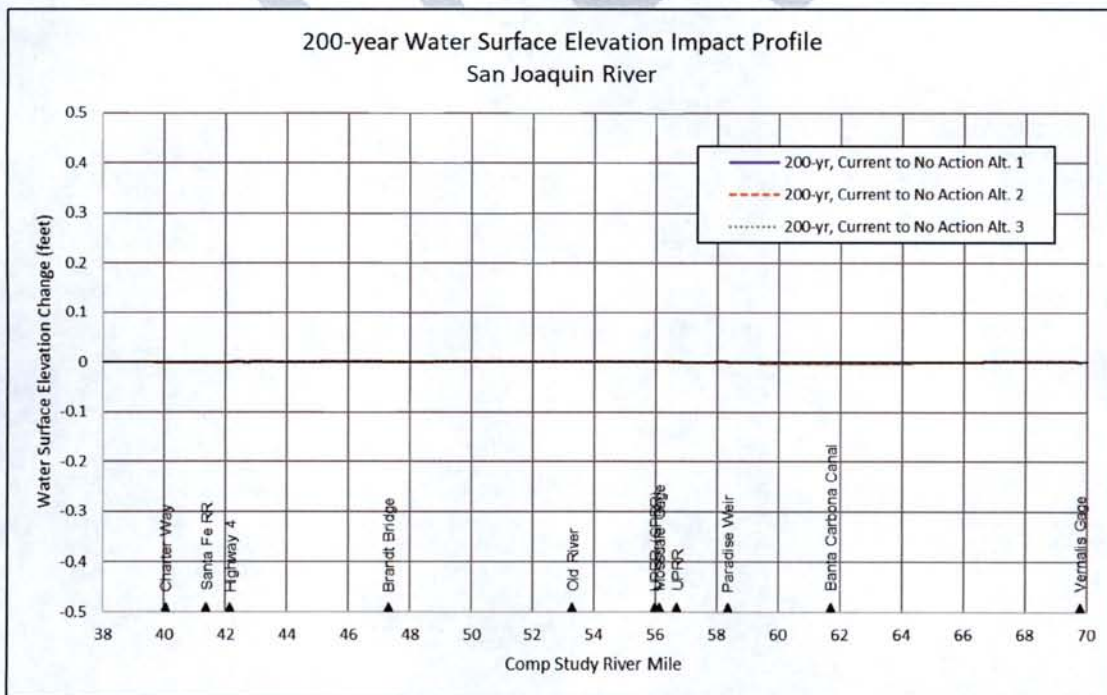


Figure 6. Effect of “No Action” Alternatives on Maximum Computed 200-year Water Surface Elevation, San Joaquin River

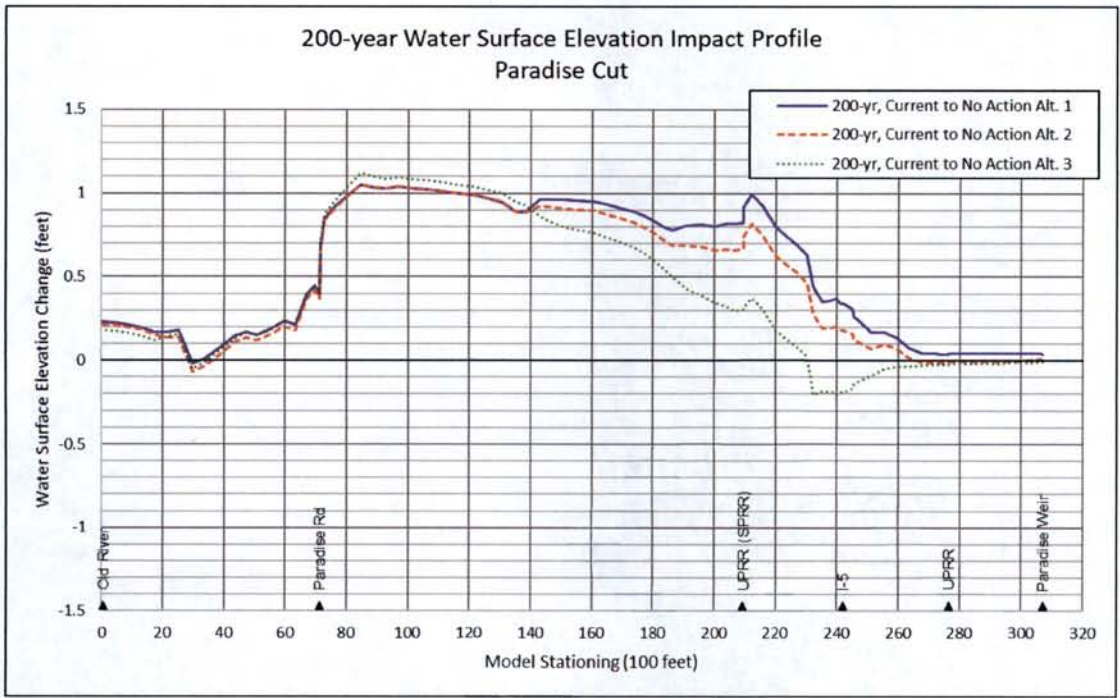


Figure 7. Effect of “No Action” Alternatives on Maximum Computed 200-year Water Surface Elevation, Paradise Cut

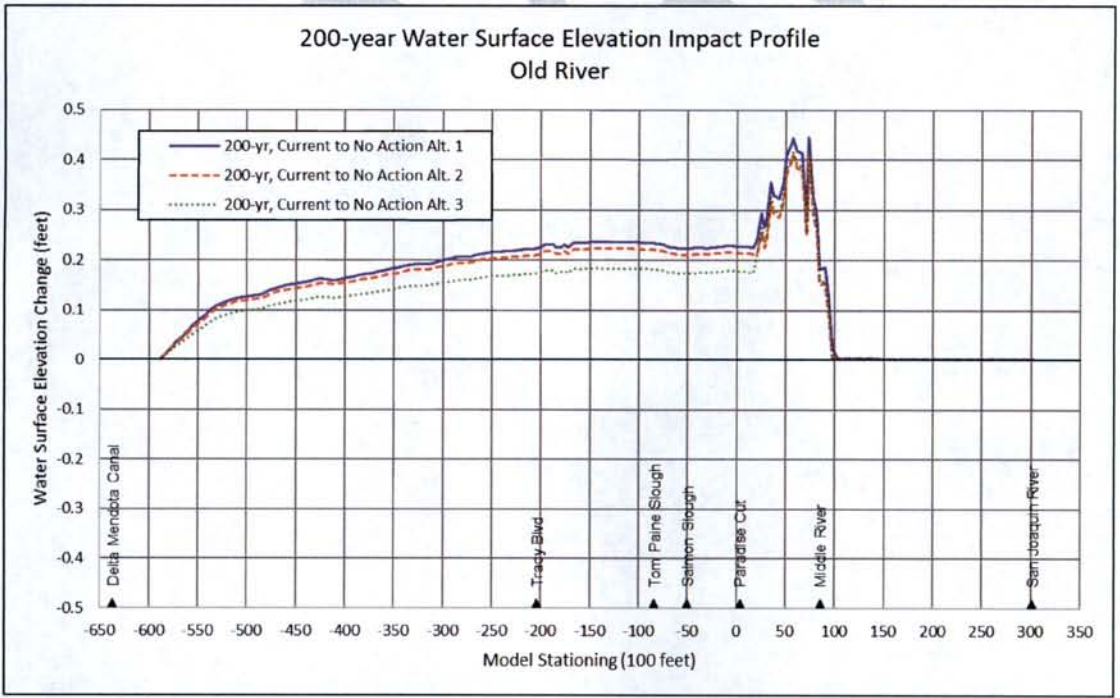


Figure 8. Effect of “No Action” Alternatives on Maximum Computed 200-year Water Surface Elevation, Old River

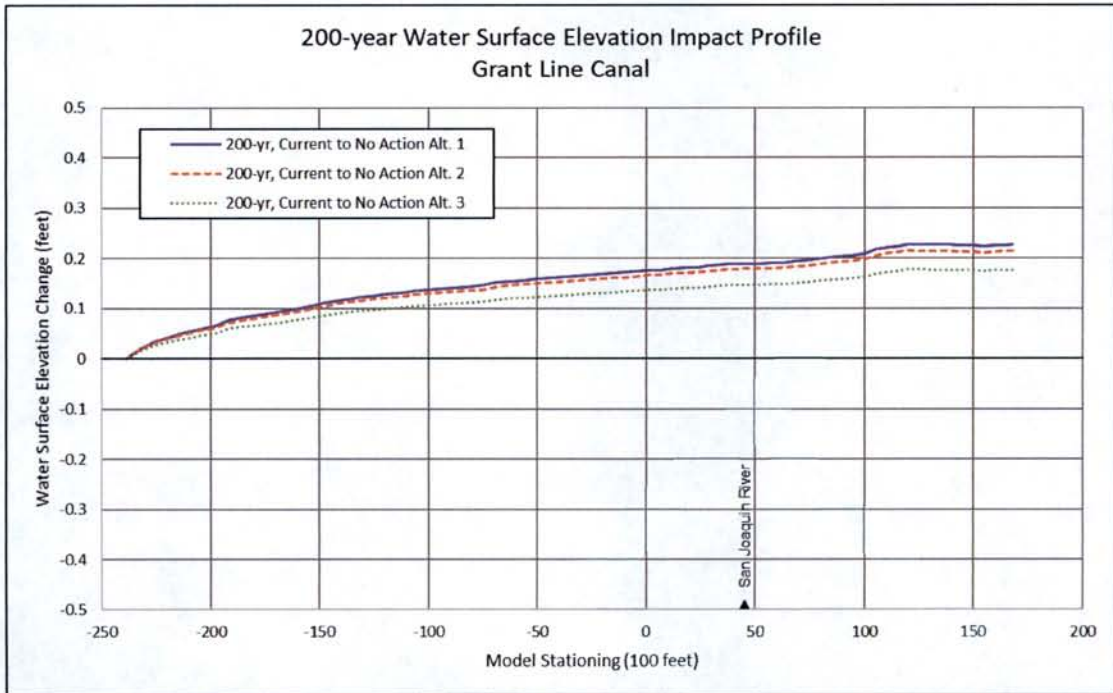


Figure 9. Effect of “No Action” Alternatives on Maximum Computed 200-year Water Surface Elevation, Grant Line Canal

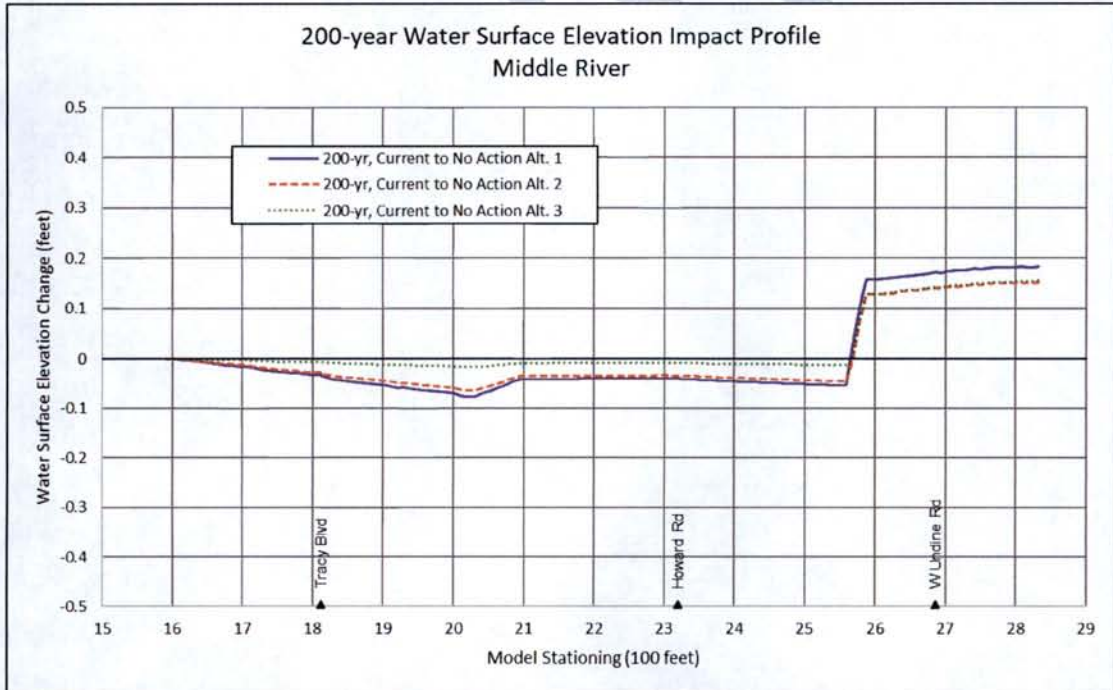


Figure 10. Effect of “No Action” Alternatives on Maximum Computed 200-year Water Surface Elevation, Middle River

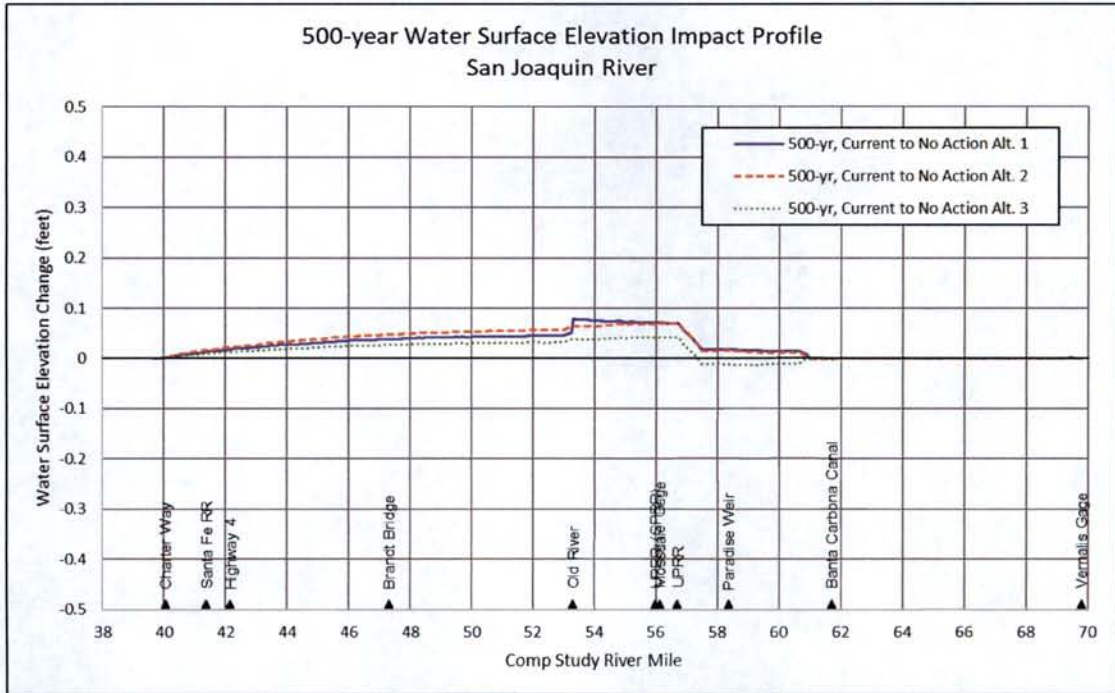


Figure 11. Effect of "No Action" Alternatives on Maximum Computed 500-year Water Surface Elevation, San Joaquin River

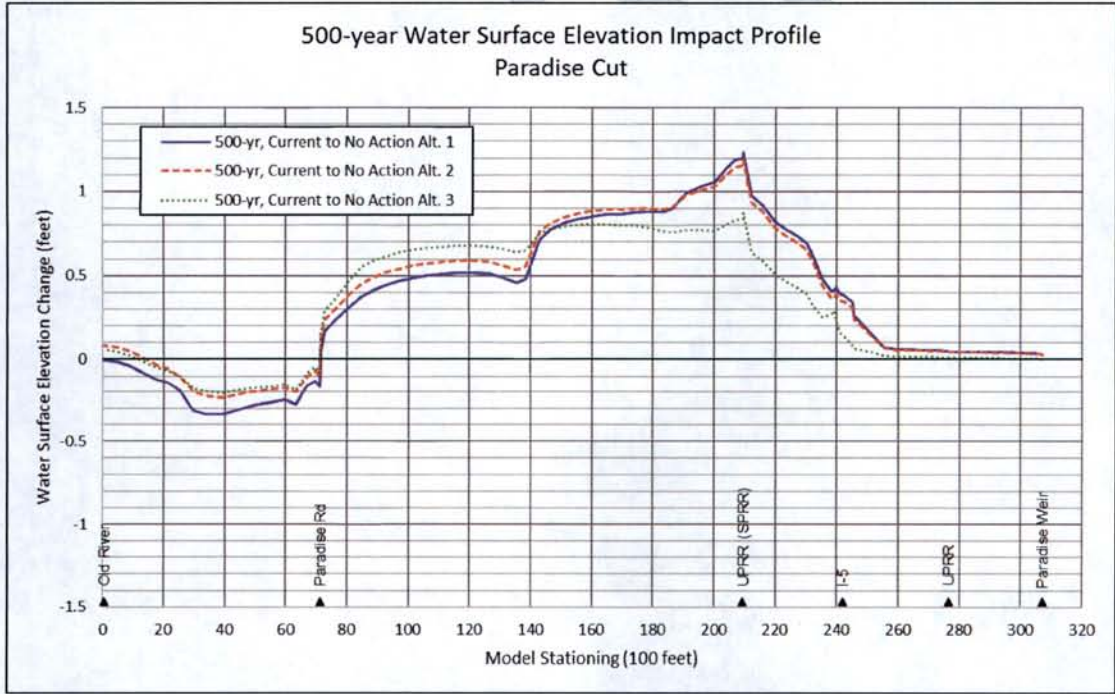


Figure 12. Effect of "No Action" Alternatives on Maximum Computed 500-year Water Surface Elevation, Paradise Cut

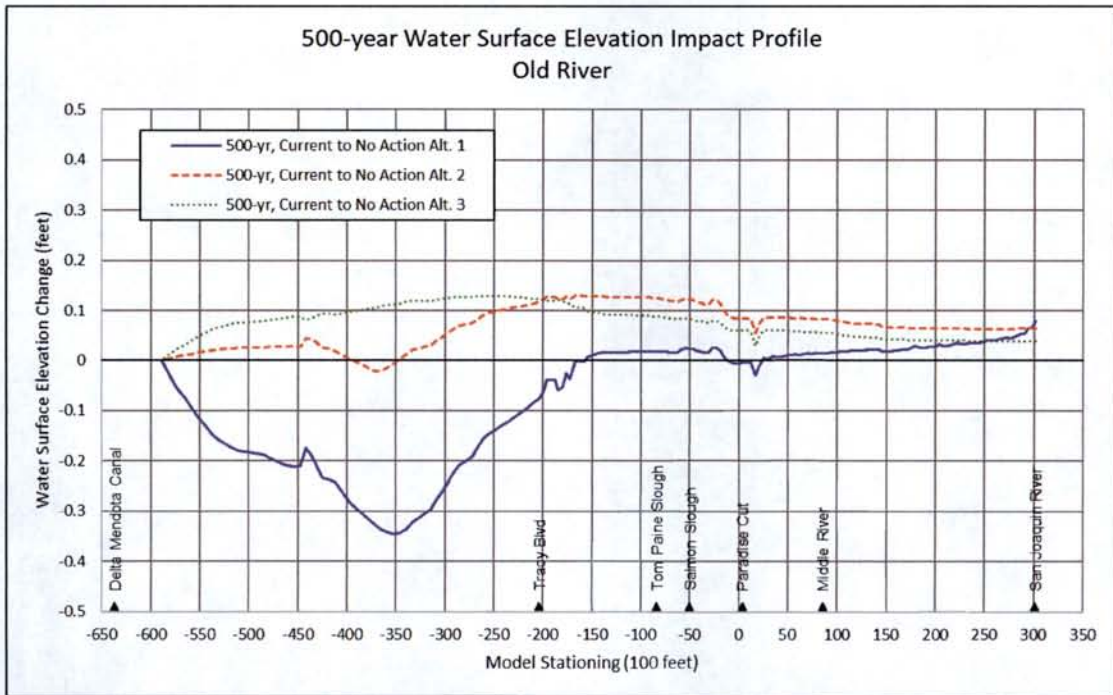


Figure 13. Effect of “No Action” Alternatives on Maximum Computed 500-year Water Surface Elevation, Old River

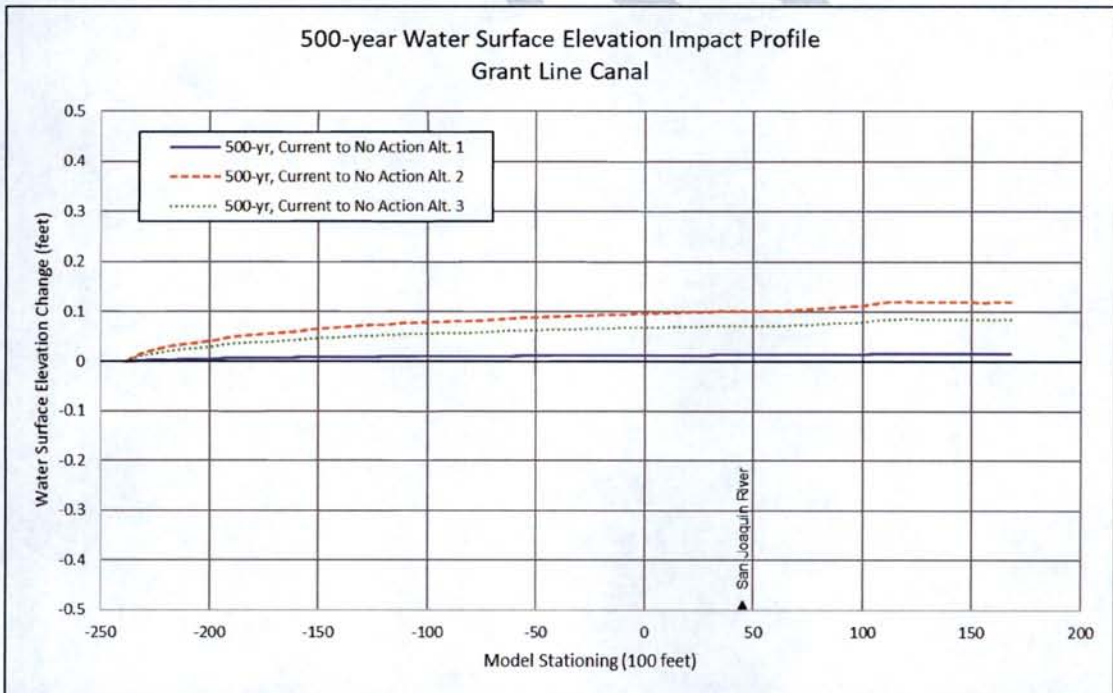


Figure 14. Effect of “No Action” Alternatives on Maximum Computed 500-year Water Surface Elevation, Grant Line Canal

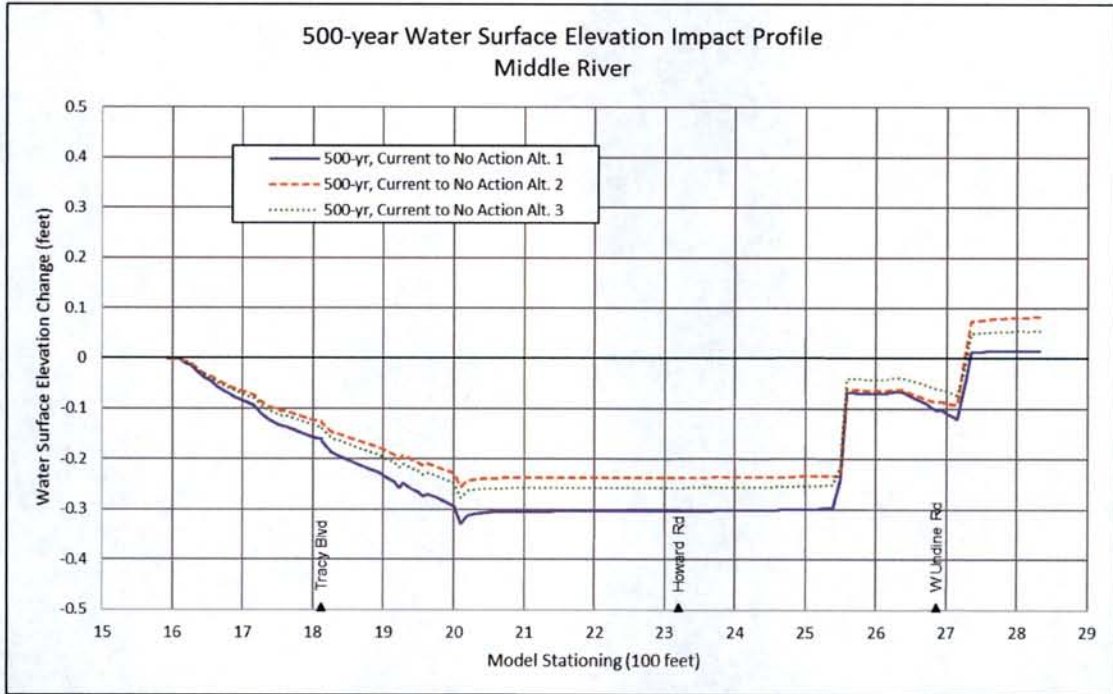


Figure 15. Effect of "No Action" Alternatives on Maximum Computed 500-year Water Surface Elevation, Middle River

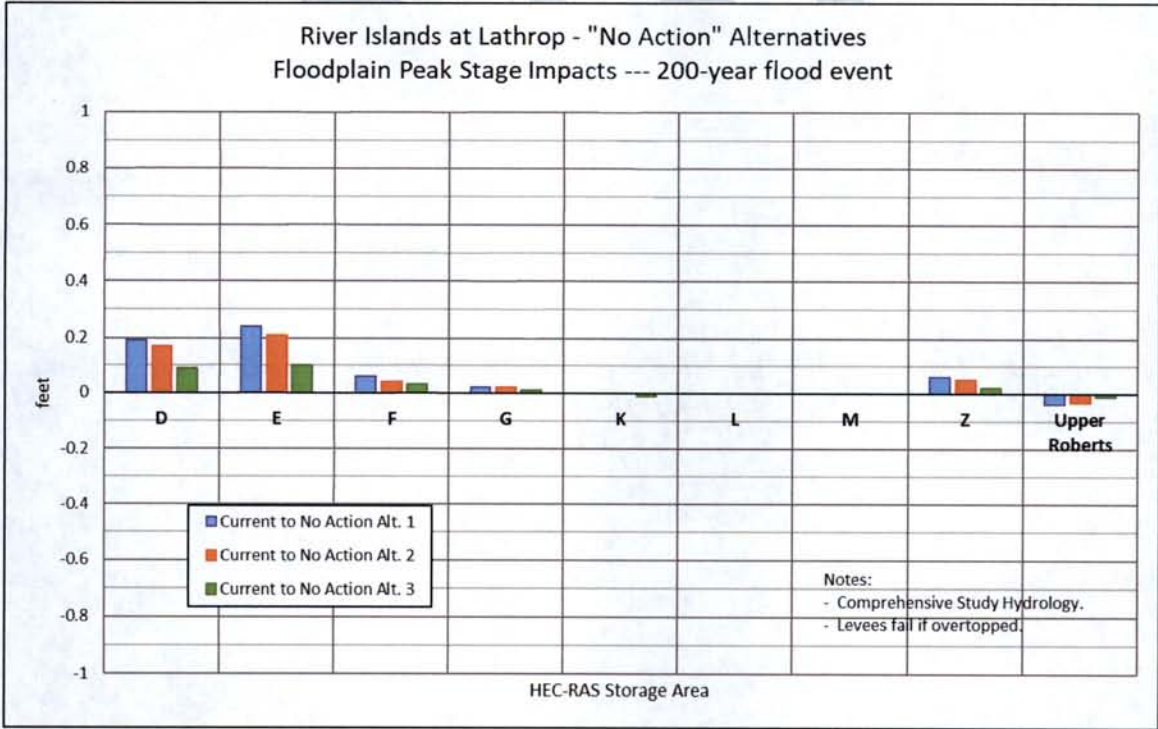


Figure 16. Effect of "No Action" Alternatives on Maximum Computed 200-year Water Surface Elevations in Floodplains (see Figure 4 for Storage Area locations)

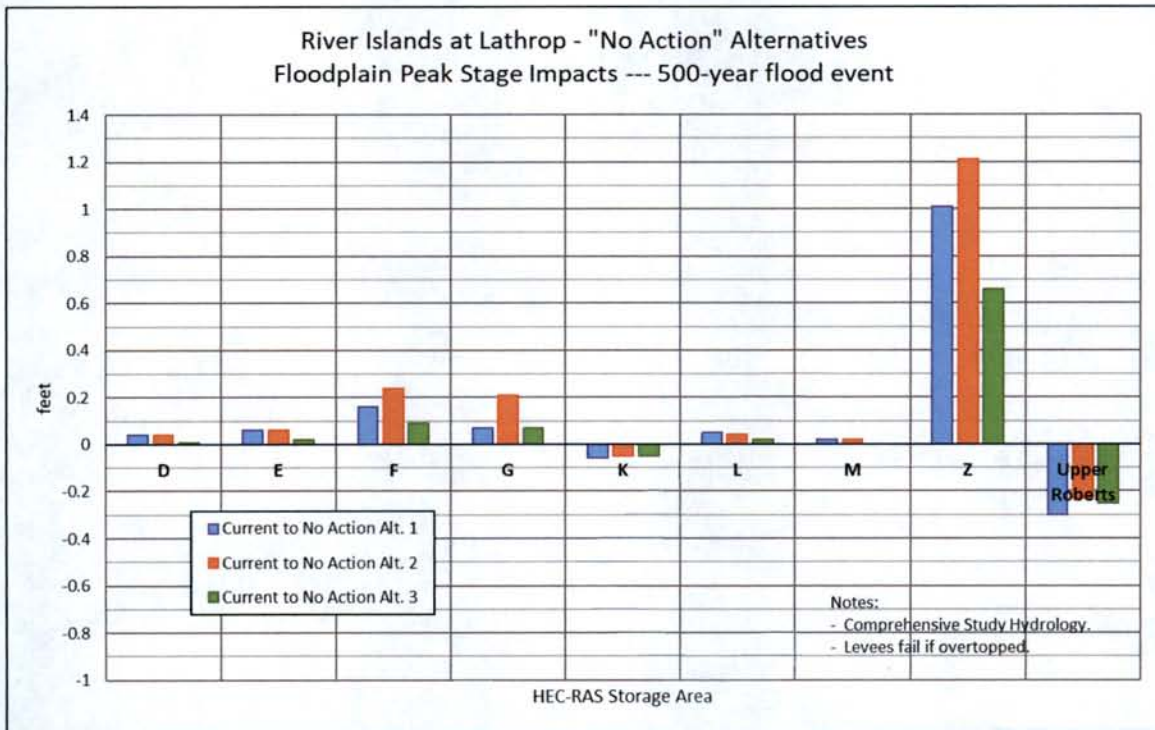
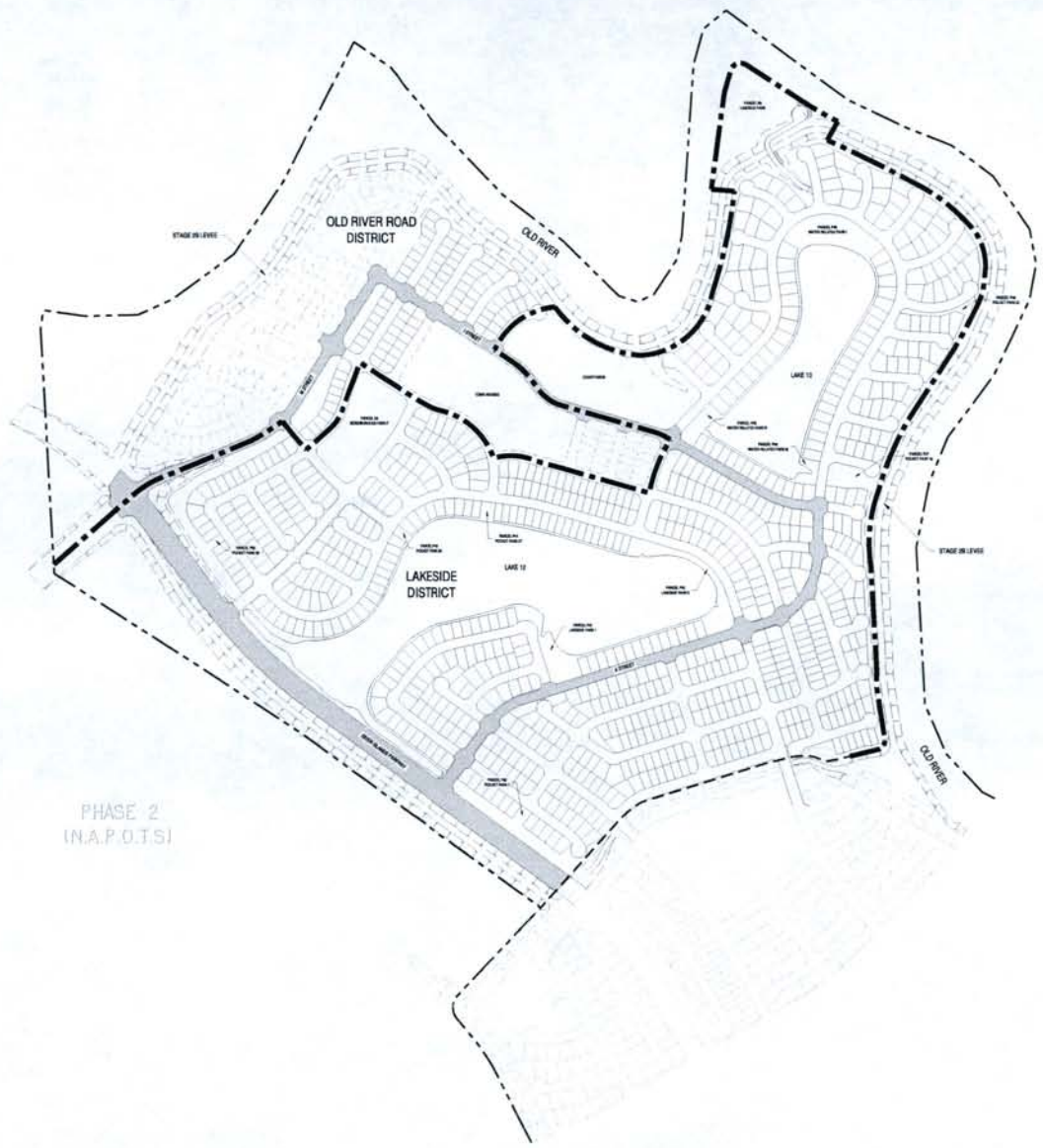


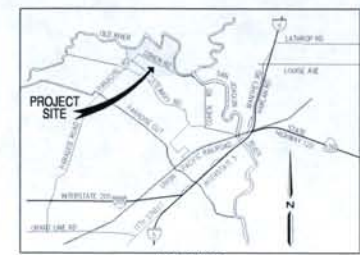
Figure 17. Effect of "No Action" Alternatives on Maximum Computed 500-year Water Surface Elevations in Floodplains (see Figure 4 for Storage Area locations)

DRAFT

PROPOSED USE		LAKESIDE DISTRICT			OLD RIVER ROAD DISTRICT						TOTAL		
		MINIMUM LOT SIZE	NO. OF DWELLING UNITS	ACRES (AC)	DENSITY (UNITS/AC)	CURRENT PROPOSED			FUTURE			NO. OF DWELLING UNITS	ACRES (AC)
						NO. OF DWELLING UNITS	ACRES (AC)	DENSITY (UNITS/AC)	NO. OF DWELLING UNITS	ACRES (AC)	DENSITY (UNITS/AC)		
SINGLE FAMILY	45'X100'	89	16.7	5.3	-	-	-	-	-	-	89	16.7	
SINGLE FAMILY	47'X100'	54	9.4	5.7	-	-	-	23	4.1	5.6	77	13.5	
SINGLE FAMILY	50'X80'	0	-	-	91	14.0	6.5	-	-	-	91	14	
SINGLE FAMILY	50'X100'	120	22.5	5.3	-	-	-	-	-	-	120	22.5	
SINGLE FAMILY	52'X100'	155	31.9	4.9	-	-	-	-	-	-	155	31.9	
SINGLE FAMILY	55'X100'	94	20.8	4.5	-	-	-	110	24.2	4.5	204	45	
SINGLE FAMILY	58'X100'	140	30.7	4.6	-	-	-	-	-	-	140	30.7	
SINGLE FAMILY	60'X100'	77	19.7	3.9	-	-	-	-	-	-	77	19.7	
SINGLE FAMILY	70'X100'	69	22.2	3.1	-	-	-	-	-	-	69	22.2	
SINGLE FAMILY	COURTYARDS	58	8.5	7.1	-	-	-	-	-	-	58	8.5	
MULTI FAMILY	TOWN HOUSES	0	-	-	-	-	-	100	10.3	9.7	100	10.3	
SUB-TOTAL		856	182.4	4.7	91	14.0	6.5	233	38.6	6.0	1180	235.0	
POCKET PARK	-	-	11.0	-	-	-	-	-	-	-	-	11.0	
NEIGHBORHOOD PARK	-	-	10.7	-	-	-	-	-	-	-	-	10.7	
LAKE	-	-	39.1	-	-	-	-	-	-	-	-	39.1	
STREETS	-	-	21.8	-	-	3.4	-	-	-	-	-	25.2	
SUB-TOTAL		-	82.6	-	-	3.4	-	-	-	-	-	86.0	
TOTAL											1180	321.0	



PHASE 2
(N.A.P.O.T.S)



VICINITY MAP

ROADWAY SUMMARY

PROPOSED	LAKESIDE DISTRICT		OLD RIVER ROAD DISTRICT		TOTAL
	ACRES (AC)	ACRES (AC)	ACRES (AC)	ACRES (AC)	
STREETS	27.8	3.4		25.2	

NOTE:
1. ALL CONSIDERATIONS AND ACTIONS ARE PRELIMINARY AND SUBJECT TO CHANGE UPON FINAL APPROVAL BY THE CITY OF LATHROP.

LEGEND

- DISTRICT BOUNDARY
- PHASE 1 (TRACT BOUNDARY)
- STAGE 2B LIMIT LINE
- STREET

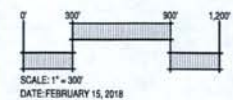
NOTE:
1. AREAS OUTSIDE OF PHASE 1 (TRACT BOUNDARY) ARE NOT A PART OF THIS SET (D.P.L.P.).
2. TOTAL # TOTAL OF 222 UNITS INCLUDING 176 FROM ISLAND 20, 108 FROM ISLAND 9 AND 38 FROM ISLAND 21 TO BE IN THE FUTURE PHASE.

DRAFT

**PRELIMINARY
STAGE 2B DEVELOPMENT PLAN
LAKESIDE & OLD RIVER ROAD DISTRICT
CIRCULATION SYSTEM DIAGRAM**

RIVER ISLANDS

CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA



SCALE: 1" = 300'
DATE: FEBRUARY 15, 2018

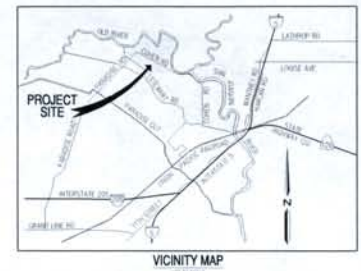
O'DELL
ENGINEERING
6200 Stoneridge Mall Road, Suite 330
Pleasanton, CA 94566
PH: 925.223.8340 odellengineering.com

SHEET NO.
3
OF
3



PHASE 2
(N.A.P.O.T.S.)

PARK ID	PARK NAME	AREA (AC)
P01	LAKESIDE PARK	4.1
P02	NEIGHBORHOOD PARK E	4.4
P03	POCKET PARK 1	0.18
P04	LAKESIDE PARK 2	1.35
P05	LAKESIDE PARK 3	2.1
P06	POCKET PARK 2L	0.18
P07	POCKET PARK 2R	0.22
P08	WATER RELATED PARK W	0.27
P09	WATER RELATED PARK M	5.49
P10	POCKET PARK 1L	0.45
P11	POCKET PARK 2	0.75
P12	WATER RELATED PARK S	5.5
P13	POCKET PARK 3L	0.12
TOTAL		25.7



STAGE 2B LOTTING SUMMARY

PROPOSED USE	SQUARE FEET	LAKESIDE DISTRICT			OLD RIVER ROAD DISTRICT						TOTAL		
		NO. OF DWELLING UNITS	ACRES	DENSITY	NO. OF DWELLING UNITS	ACRES	DENSITY	NO. OF DWELLING UNITS	ACRES	DENSITY	NO. OF DWELLING UNITS	ACRES	
SMALL FAMILY	85 x 100'	80	10.7	7.5	-	-	-	-	-	-	-	80	10.7
SMALL FAMILY	47' x 100'	24	4.4	5.7	-	-	-	25	4.1	5.8	77	11.0	
SMALL FAMILY	50' x 90'	-	-	-	90	14.0	6.5	-	-	-	90	14.0	
SMALL FAMILY	40' x 100'	118	22.5	8.2	-	-	-	-	-	-	118	22.5	
SMALL FAMILY	32' x 100'	165	31.9	4.4	-	-	-	-	-	-	165	31.9	
SMALL FAMILY	30' x 100'	84	20.8	4.5	-	-	-	100	24.2	4.5	184	45.0	
SMALL FAMILY	50' x 100'	140	30.7	4.6	-	-	-	-	-	-	140	30.7	
SMALL FAMILY	60' x 100'	77	19.7	3.8	-	-	-	-	-	-	77	19.7	
SMALL FAMILY	70' x 100'	66	22.5	3.1	-	-	-	-	-	-	66	22.5	
SMALL FAMILY	COURTYARDS	78	8.5	7.1	-	-	-	-	-	-	78	8.5	
MULTI-FAMILY	COURTYARDS	-	-	-	-	-	-	100	10.0	8.7	100	10.0	
SUB-TOTAL		599	101.4	6.7	76	14.0	6.1	222	38.0	6.0	1197	125.4	
POCKET PARK		-	-	-	-	-	-	-	-	-	-	-	
NEIGHBORHOOD PARK		-	-	-	-	-	-	-	-	-	-	-	
LAKE		-	-	-	-	-	-	-	-	-	-	-	
TRENCH		-	-	-	3.4	-	-	-	-	-	3.4	-	
SUB-TOTAL		-	-	-	3.4	-	-	-	-	-	3.4	-	
TOTAL		-	-	-	110.4	-	-	-	-	-	110.4	-	

NOTE: LOT CONFIGURATION AND LOTS SIZES ARE PRELIMINARY AND SUBJECT TO CHANGE UNTIL FINAL APPROVAL BY THE CITY OF LATHROP.

LEGEND

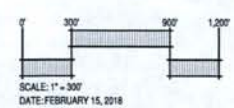


NOTES:
 1. AREA OUTSIDE OF PHASE 2 (TRACT 30340 BOUNDARY) ARE NOT A PART OF THIS SITE PLAN.
 2. ASSUME A TOTAL OF 222 UNITS INCLUDING 120 FROM RELEASE 01, 100 FROM RELEASE 4 AND 22 FROM RELEASE 21 TO BE IN THE FUTURE PHASE.

DRAFT

PRELIMINARY
STAGE 2B DEVELOPMENT PLAN
LAKESIDE & OLD RIVER ROAD DISTRICT
NEIGHBORHOOD STRUCTURE DIAGRAM
AND LOTTING PLAN
RIVER ISLANDS

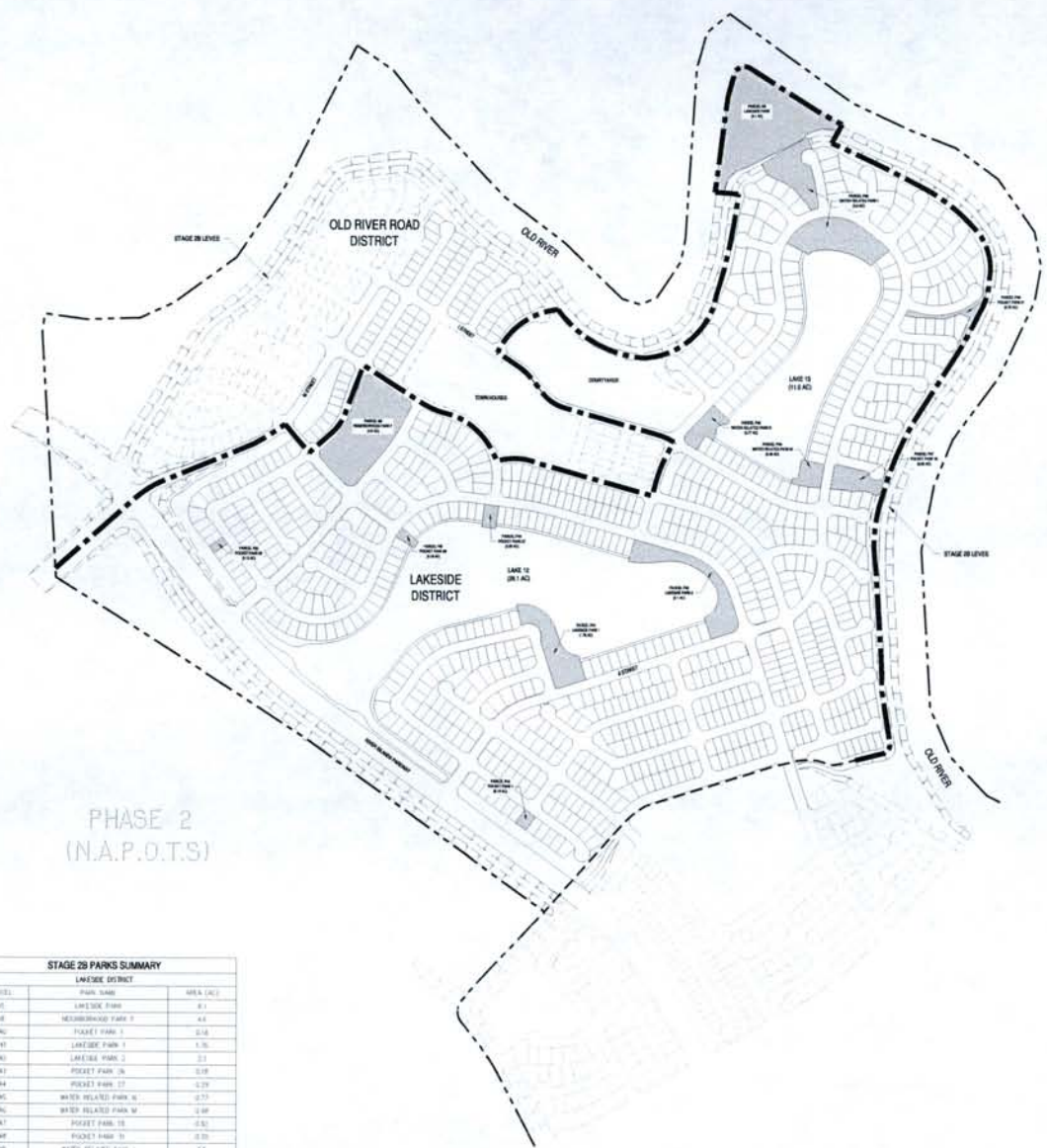
CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA



SCALE: 1" = 300'
 DATE: FEBRUARY 15, 2018

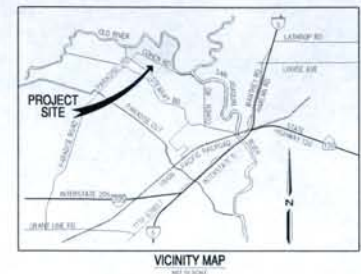
O'DELL
ENGINEERING
 6200 Stoneridge Mall Road, Suite 330
 Pleasanton, CA 94586
 Ph 925.223.8340 odellengineering.com

SHEET NO.
 1
 OF
 3



PHASE 2
(N.A.P.O.T.S)

LAKESIDE DISTRICT		
PARK ID	PARK NAME	AREA (AC)
PK1	LAKESIDE PARK	8.1
PK2	NEIGHBORHOOD PARK 1	4.4
PK3	POCKET PARK 1	0.12
PK4	LAKESIDE PARK 2	1.76
PK5	LAKESIDE PARK 3	2.1
PK6	POCKET PARK 2A	0.19
PK7	POCKET PARK 2B	0.29
PK8	WATER RELATED PARK 1	0.77
PK9	WATER RELATED PARK 2	0.49
PK10	POCKET PARK 3	0.21
PK11	POCKET PARK 4	0.29
PK12	WATER RELATED PARK 3	0.5
PK13	POCKET PARK 5	0.12
TOTAL		21.7



OPEN SPACE SUMMARY

	LAKESIDE DISTRICT	OLD RIVER ROAD DISTRICT	TOTAL
PROPOSED			
LAND	ACRES	ACRES	ACRES
POCKET PARK	11.0	-	11.0
NEIGHBORHOOD PARK	16.1	-	16.1
LAND	16.1	-	16.1
STREETS	3.8	3.4	7.2
TOTAL	30.9	3.4	34.3

NOTE: LOT CONFIGURATION AND LAND USES ARE PRELIMINARY AND SUBJECT TO CHANGE UPON FINAL APPROVAL BY THE CITY OF LATHROP.

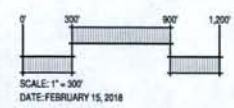
LEGEND

- DISTRICT BOUNDARY
- PHASE 1 TRACT BOUNDARY
- STAGE 2B LIMIT LINE
- OPEN SPACE

NOTES:
 1. AREA OUTSIDE OF PHASE 1 TRACT BOUNDARY ARE NOT A PART OF THIS SET (SHEETS 1-13).
 2. AROUND A TOTAL OF 233 UNITS INCLUDING 110 FROM PHASE 1C, 100 FROM WILKIE 8 AND 23 FROM WILKIE 21 TO BE IN THE FUTURE PHASE.

DRAFT

**PRELIMINARY
 STAGE 2B DEVELOPMENT PLAN
 LAKESIDE & OLD RIVER ROAD DISTRICT
 OPEN SPACE DIAGRAM
 RIVER ISLANDS
 CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA**



**ODELL
 ENGINEERING**
 6200 Stoneridge Mall Road, Suite 330
 Pleasanton, CA 94588
 Ph: 925.223.8340 odellengineering.com

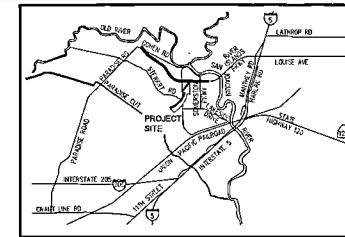
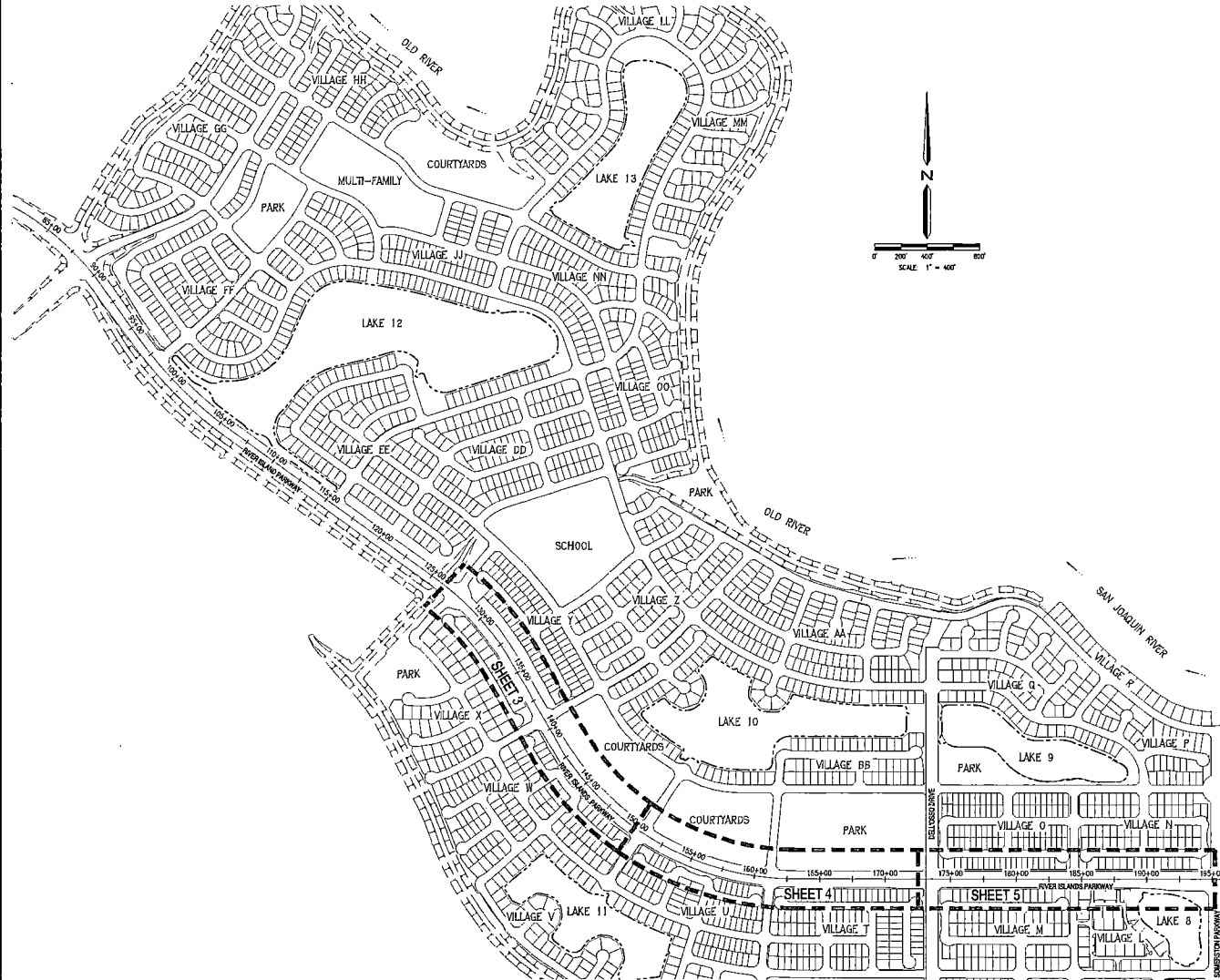
SHEET NO.
 2
 OF
 3

RIVER ISLANDS

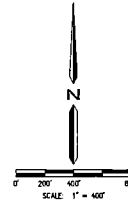
STAGE 2A RIVER ISLANDS PARKWAY

PRECISE PLANS

CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA



VICINITY MAP
NOT TO SCALE



SHEET INDEX	
SHEET	DESCRIPTION
1	COVER SHEET
2	DETAILS
3	RIVER ISLANDS PARKWAY (128+00 - 158+00)
4	RIVER ISLANDS PARKWAY (158+00 - 174+75)
5	RIVER ISLANDS PARKWAY (174+75 - 194+30)

PLAN REVISIONS:		
REV. NO.	DATE	APPROVE SHEET/NO. OF SHEETS

O'DELL
ENGINEERING
Modesto Palo Alto Pleasanton
6200 Stoneridge Mall Road, Suite 330
Pleasanton, CA 94588
Ph 925.220.8340 odellengr.com

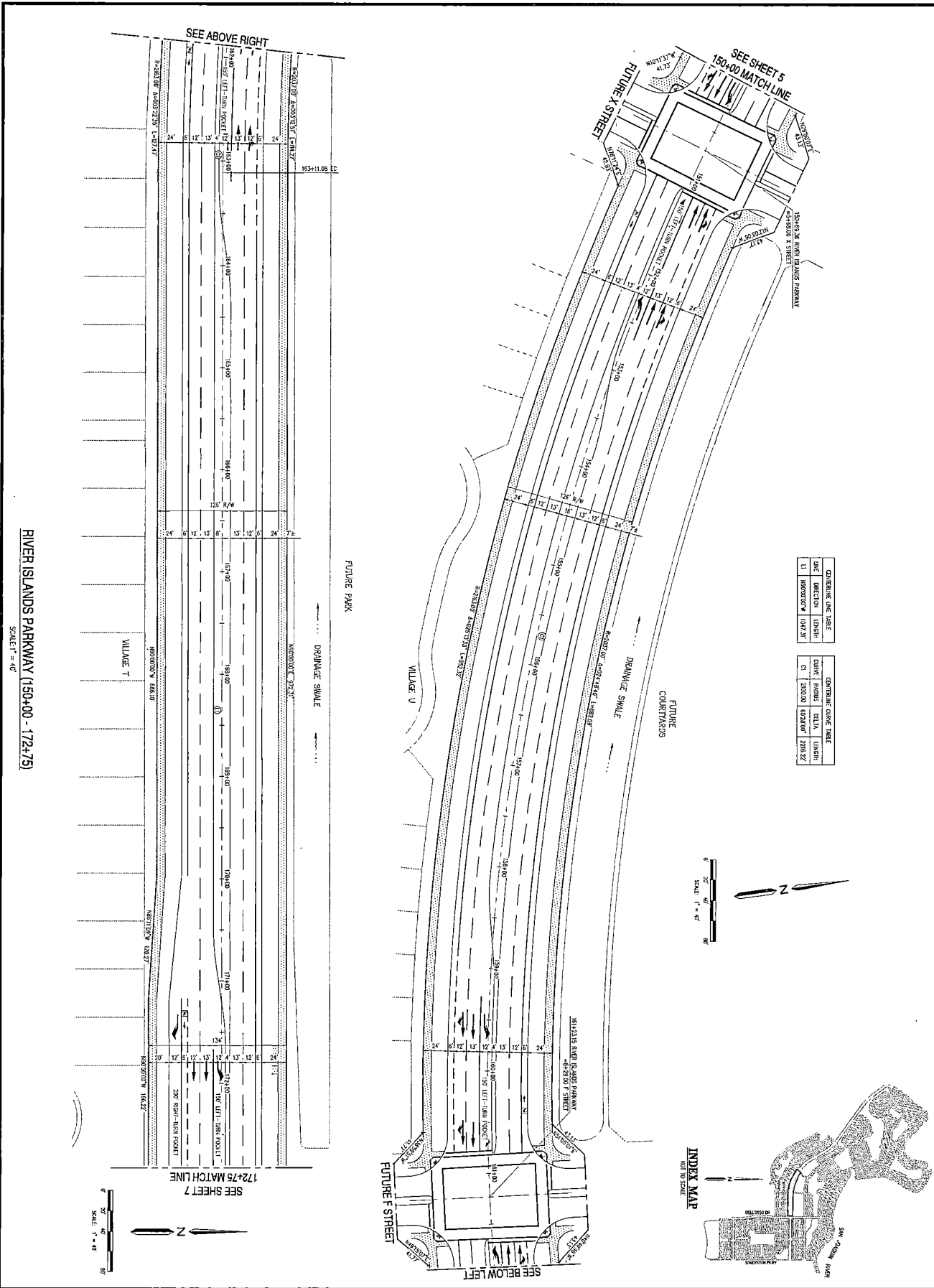
STAGE 2
PRELIMINARY
RIVER ISLANDS
RIVER ISLANDS PARKWAY
PRECISE PLANS
SAN JOAQUIN COUNTY
CITY OF LATHROP
CALIFORNIA

COVER SHEET

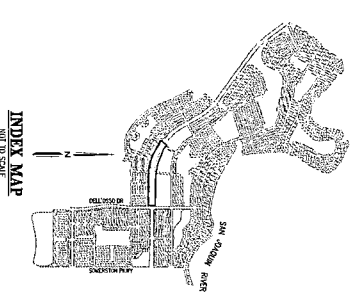
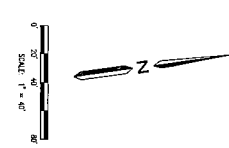


APPROVED: _____
DESIGNED: JAZ
DRAWN: JLL
CHECKED: JAZ
SCALE: N/A
DATE: 03-08-2019
JOB NO.: 25360
FILE NO.: P01.PWG

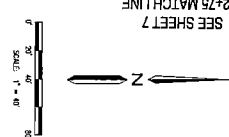
SHEET NO.
1
OF
5



CONTRIBUTOR LINE TABLE		CONTRIBUTOR CURB TABLE	
LINE	DESCRIPTION	LINE	DESCRIPTION
U	150+00 TO 172+75	CU	150+00 TO 172+75



RIVER ISLANDS PARKWAY (150+00 - 172+75)
SCALE: 1" = 40'



NO.	DATE	BY	DESCRIPTION
1	02-04-2011	ALJ	DESIGN
2	02-04-2011	ALJ	REVISION
3	02-04-2011	ALJ	REVISION
4	02-04-2011	ALJ	REVISION
5	02-04-2011	ALJ	REVISION

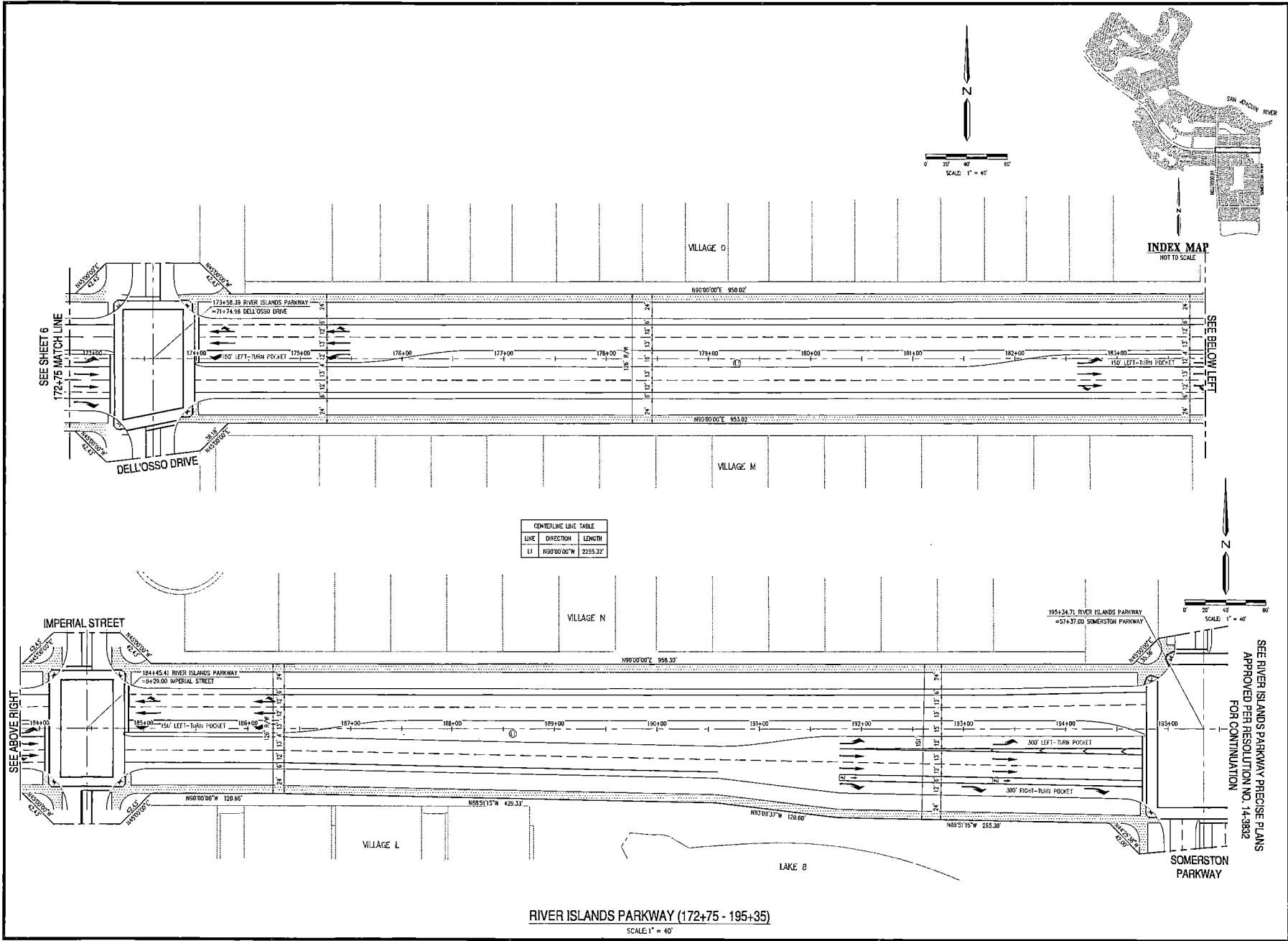
RIVER ISLANDS PARKWAY
(150+00 - 172+75)

STAGE 2

PRELIMINARY
RIVER ISLANDS
RIVER ISLANDS PARKWAY
PRECISE PLANS

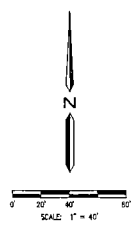
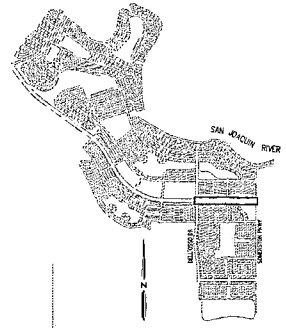
CITY OF LATHROP
SAN JOAQUIN COUNTY
CALIFORNIA

OBELL
ENGINEERING
3000 Old River Road, Suite 300
Presidents, CA 95368
Phone: 925.231.3400
www.obell-engineering.com



CENTERLINE TABLE		
LINE	DIRECTION	LENGTH
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RIVER ISLANDS PARKWAY (172+75 - 195+35)
SCALE: 1" = 40'



PLAN REVISIONS		
REV. NO.	DATE	APPROVE SHEET/REVISIONS

O'DELL
ENGINEERING
Modesto Palo Alto Pleasanton
8200 Stoneridge Mall Road, Suite 530
Pleasanton, CA 94588
Ph 925.223.6340 odelengineering.com

STAGE 2
PRELIMINARY
RIVER ISLANDS PARKWAY
RIVER ISLANDS PARKWAY
PRECISE PLANS
SAN JOAQUIN COUNTY
CITY OF PATRICK
CALIFORNIA

RIVER ISLANDS PARKWAY
(172+75 - 195+35)



APPROVED:
SEE RIVER ISLANDS PARKWAY PRECISE PLANS
APPROVED PER RESOLUTION NO. 14-0882
FOR CONTINUATION

DESIGNED:	JAZ
DRAWN:	JLL
CHECKER:	JAZ
SCALE:	1" = 40'
DATE:	03-08-2018
JOB NO.:	25500
FILE NO.:	1907.0190

SHEET NO.
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**STEWART TRACT DESIGN REVIEW COMMITTEE (STDRC)
MINUTES**

Thursday, March 8, 2018
Via Email

1. **CALL TO ORDER** – The meeting was held electronically via email. Ramon Batista provided documents to the STDRC members on Thursday, March 8, 2018 regarding item 3. All three STDRC members acknowledged receipt of the documents.

Attendees – John Anderson, Nancy Rice, Phil Wong – STDRC
Ramon Batista – River Islands

2. **APPROVAL OF PRIOR MEETING MINUTES** – No minutes were provided for review for this meeting
3. **ACTION ITEMS**

3.1 Review and Recommendation of an Updated Vesting Tentative Map Tract 3765 (Large Lot Map – River Islands Development, LLC/Califia, LLC) and Amended Lakeside District/Old River Road District Preliminary Development Plan (PDP – River Islands Development, LLC)

Ramon Batista provided an email that included a proposed update to the existing Vesting Tentative Map Tract 3765. Mr. Batista also provided a comparison exhibit that showed the differences between the existing/approved 2012 Tract 3765 VTM and the proposed 2018 Tract 3765 VTM (updated map). Mr. Batista also explained that the proposal was being made in response to two main items: 1. Change in the development envelope between Phases 1 and 2 due to the 2015 update of the Phase 1 Tract 3694 VTM and a finding of conformity made to the same Phase 1 VTM in 2016 for the Stage 2A sub-development area that increased acreage in the Phase 1 area and correspondingly decreased acreage in the Phase 2 area. The amended Tract 3765 map also reflects changes in circumstances to the "No Action" land use and flood protection alternative in the River Islands Draft Environmental Impact Statement (DEIS). The amended Tract 3765 VTM reflects these circumstances in the "straightened" Paradise Cut levee versus the current "undulated" levee. Both levee alternatives are setback from the existing Paradise Cut levee.

73 West Stewart Road

Lathrop, California 95330

209. 879.7900

RiverIslands.com

Chair Anderson provided a comment regarding River Islands Parkway alignment, observing that it has changed between alternatives. In responding email, Mr. Batista responded that some of the changes are based on previous Phase 1 changes to the alignment and that precise plan lines have been adopted to set the actual right of way of River Islands Parkway. This process will continue in Phase 2. Mr. Batista also included additional exhibits to illustrate this fact, including copies of previous precise plan lines and conceptual district diagram from the West Lathrop Specific Plan.

Chair Anderson also provided comments on the new PDP. His comments included a request for clarification of the adjacent districts to Lakeside and that only 13% of the Lakeside District was designated for multi-family use we would hope more acres could be dedicated for Multi-family uses. Mr. Batista's response was that there were actually more multifamily units in the proposed PDP than the existing one and that the total number of units in Phase 1 would not be changed with the proposal, with a similar overall mix of single family and multi family units. He stated that the majority of medium and high-density development was proposed for the Town Center, which is consistent with the WLSP and current approval.

Emails from STDRC Member Rice and Wong had no additional comments and recommended approval of the amended Tract 3765 and Lakeside/Old River Road PDP.

Chair Anderson provided his recommendation for approval as follows:

- 1) I recommend approval of the PDP for Stage 2B as presented and dated February 15, 2018 which covers a portion of the Lakeside District and the Old River Road District. I am told that the adjustment in the boundary line between the two planning Districts is handled administratively by the City. I also understand that the City will accept the mapping of Stage 2A properties without formal action of a revised PDP to correspondent with the conformity letter of 2016.
- 2) I recommend approval of the revised large lot VTM (2012-2018) to correspond with the adjustment of River Islands Parkway to match the City's approved Precise Plan Line.

4. OTHER BUSINESS

None.

5. ADJOURNMENT

Adjournment was on March 13, 2018 with the final email approvals for the proposal, 3-0.

ASCENT
ENVIRONMENTAL

**River Islands at Lathrop Project
Subsequent Environmental Impact Report
Addendum VI**

State Clearinghouse No. 1993112027

PREPARED FOR:
City of Lathrop
Community Development Department/
Planning Division
390 Towne Centre Drive
Lathrop, CA 95330

March 2018

**River Islands at Lathrop Project
Subsequent Environmental Impact Report
Addendum VI**

State Clearinghouse No. 1993112027

PREPARED FOR:

**City of Lathrop
Community Development/Planning Department
390 Towne Centre Drive
Lathrop, CA 95330**

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**Rick Caguiat
Senior Planner, Community Development Department
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PREPARED BY:

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455 Capitol Mall, Suite 300
Sacramento, California 95814**

CONTACT:

**Sean Bechta
Senior Project Manager
916.444.7301**

March 2018

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ACRONYMS AND ABBREVIATIONS

AEP	Annual Exceedance Probability
BMP	best management practice
City	City of Lathrop
EIS	Environmental Impact Statement
EOP	Emergency Operations Plan
FEMA	Federal Emergency Management Agency
I-5	Interstate 5
NEPA	National Environmental Protection Act
NMFS	National Oceanic and Atmospheric Administration, National Marine Fisheries Service
RD 2062	Reclamation District 2062
RD 2107	Reclamation District 2107
SCSWSP	South San Joaquin Irrigation District South County Surface Water Supply Project
SEIR	Subsequent Environmental Impact Report
SJMSP	San Joaquin Multi-Species Habitat Conservation and Open Space Plan
UPRR	Union Pacific Railroad
USACE	U.S. Army Corps of Engineers
VTM	vesting tentative map
WLSP	West Lathrop Specific Plan
WRP	Water Recycling Plan

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1 INTRODUCTION

1.1 BACKGROUND AND ACTION TRIGGERING THE ADDENDUM

On January 28, 2003, the City of Lathrop (City) certified the Subsequent Environmental Impact Report (SEIR) for the River Islands at Lathrop Project and approved various entitlements, such as amendments to the Lathrop General Plan and West Lathrop Specific Plan (WLSP), cancellation of existing Williamson Act contracts on various parcels, and approval of a vesting tentative map (VTM). The entire project site covers approximately 4,905 acres on Stewart Tract and Paradise Cut (Exhibit 1-1). The proposed project includes, among other uses, an Employment Center, a Town Center, residential districts, golf courses, dock facilities, various flood management elements, construction of a lake system and other water features, and preservation, restoration, and creation of terrestrial and aquatic habitats (Exhibit 1-2). Project construction is split among two primary development phases, Phase 1 and Phase 2, following an approximately 20-year buildout schedule (Exhibit 1-3). The VTM approved at the time of SEIR certification is identified as the Tract 3221 VTM, which is the identifier given by San Joaquin County for the map. The Tract 3221 VTM generally encompasses the Phase 1 development area identified in the SEIR and subdivided approximately 1,500 acres of Stewart Tract to support development in this area.

1.1.1 Overview of Prior Addenda

There have been five previous addenda prepared for the River Islands at Lathrop SEIR:

- ▲ In 2005, the First Addendum was prepared to address a revised VTM, known as Tract 3491. This amendment to the original Tract 3221 VTM evaluated subdividing approximately 1,500 acres of the Stewart Tract to support development of Phase 1a and Phase 1 of the River Islands project.
- ▲ In 2007, a Second Addendum was prepared to address additional modifications to the VTM (now identified as Tract 3694), which evaluated subdividing approximately 1,793 acres of Stewart Tract to support development of Phase 1 of the project.
- ▲ In 2012, a Third Addendum was prepared to address: (1) the adoption of the Tract 3765 VTM, a large lot vesting subdivision map for development of Phase 2 of the River Islands project consistent with the West Lathrop Specific Plan; and (2) implementation of project modifications reflected in the Environment Impact Statement prepared by the U.S. Army Corps of Engineers (USACE) for Phase 2 of the River Islands at Lathrop Project;
- ▲ In 2014, a Fourth Addendum analyzed the placement of recycled water storage and disposal sites on Stewart Tract, immediately south of the project area analyzed in the SEIR.
- ▲ In 2015, a Fifth Addendum was prepared for another amendment to the Phase 1 Tract 3694 VTM (see second addendum), which analyzed minor modification to the boundaries of some zoning districts, adjustments to the alignments of some roadways, a change in the mix of single-family and multi-family housing units, increasing the number of multi-family units by approximately 140, but not altering the total unit count of 4,284 residential units in Tract 3694, replacing canals between internal lakes with paseos, open space, and parkland; changed the internal lake configuration from a “Central Lake” to smaller decentralized lakes connected hydraulically by underground pipe (“lake system”); placed a possible Lathrop Landing Marina on the water side of the San Joaquin River project levee, rather than in a back bay; made minor changes to park land and open space locations with a small net increase in the acreage of land within the parks and open space land use category; and refined the implementation of Mitigation Measure 4.4-m related to peak hour vehicle trips on the Manthey Road/Interstate 5 (I-5) interchange and timing for completion of the River Islands Parkway bridge.

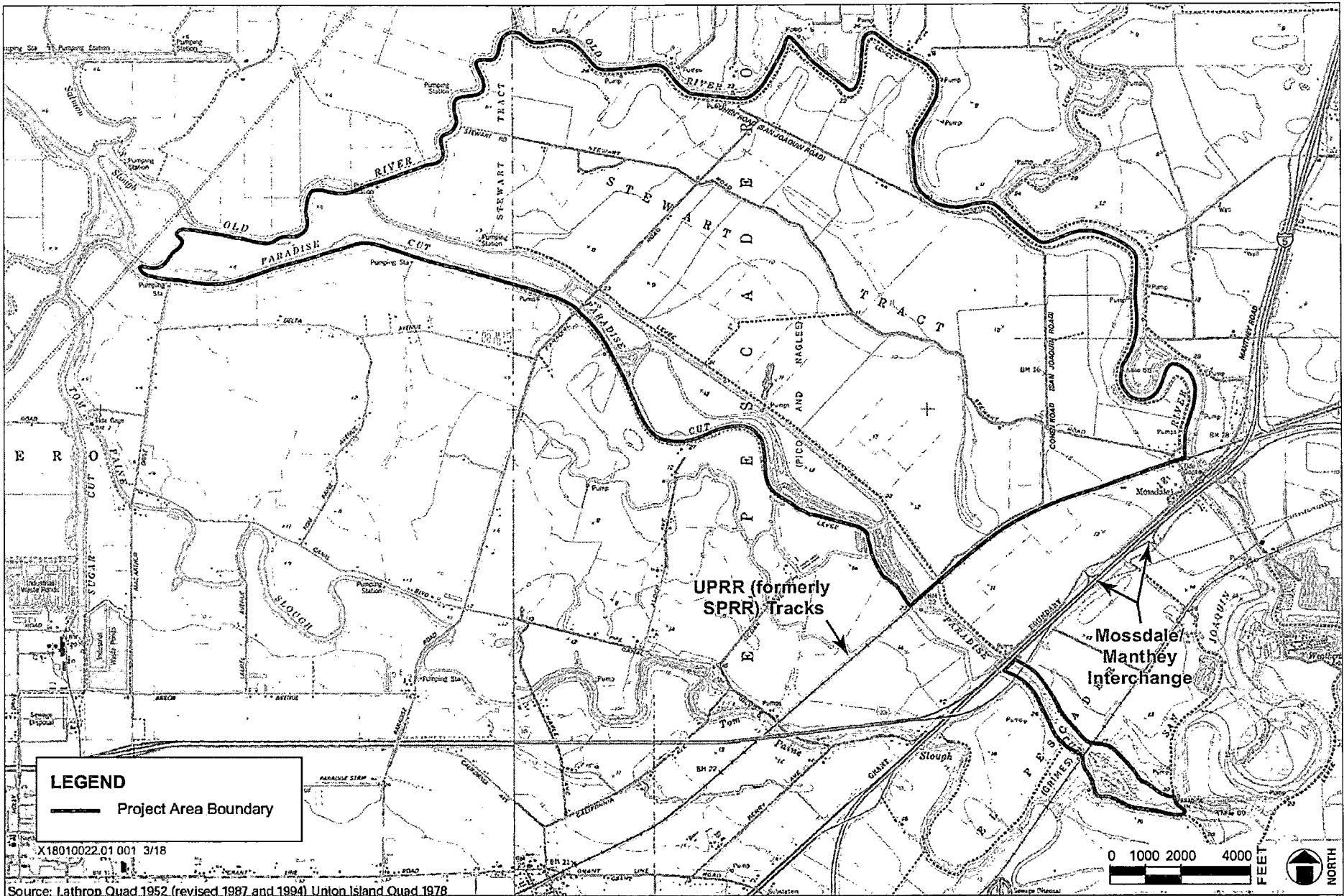


Exhibit 1-1

Project Vicinity



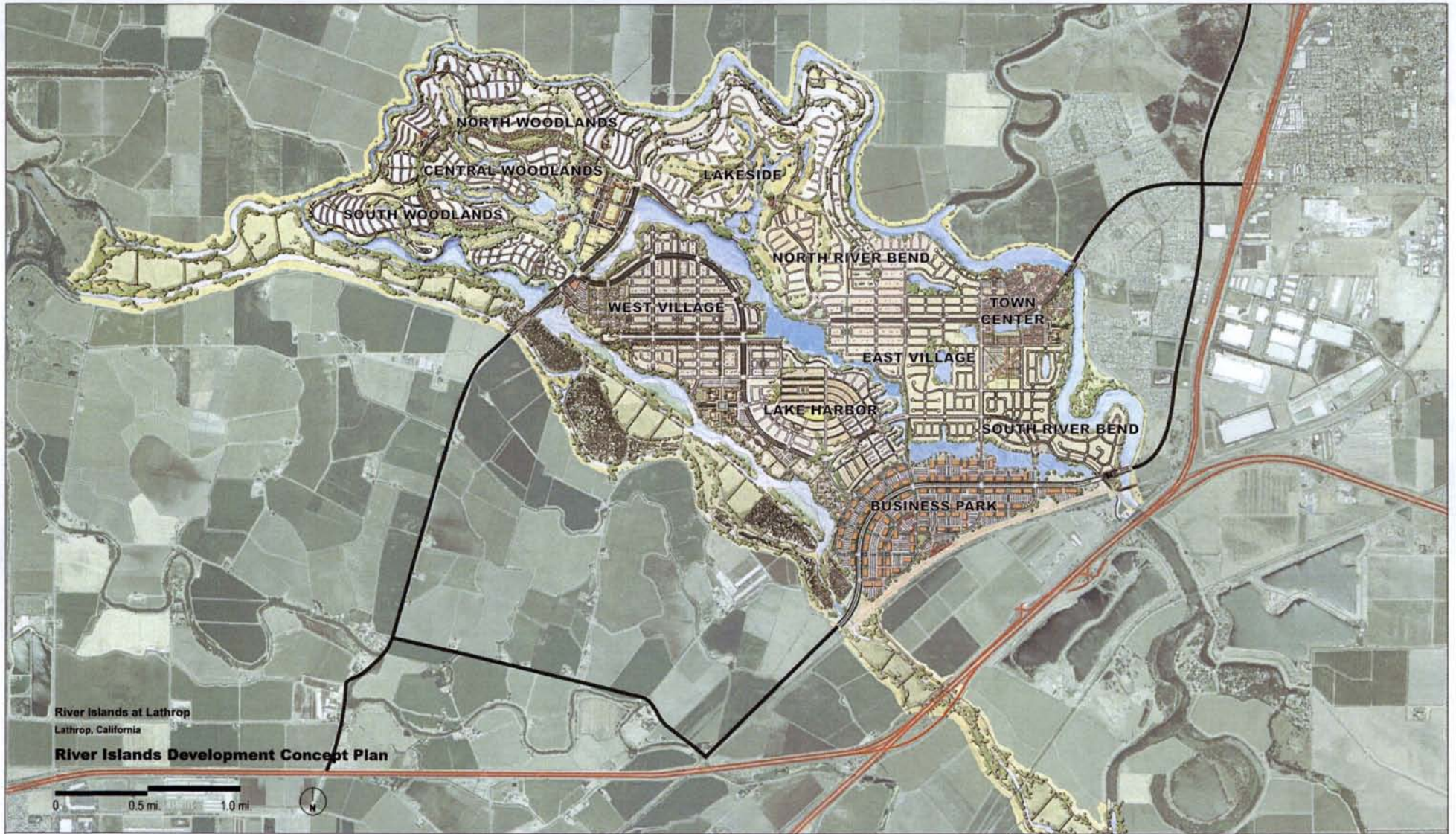


Exhibit 1-2

Development Concept Plan



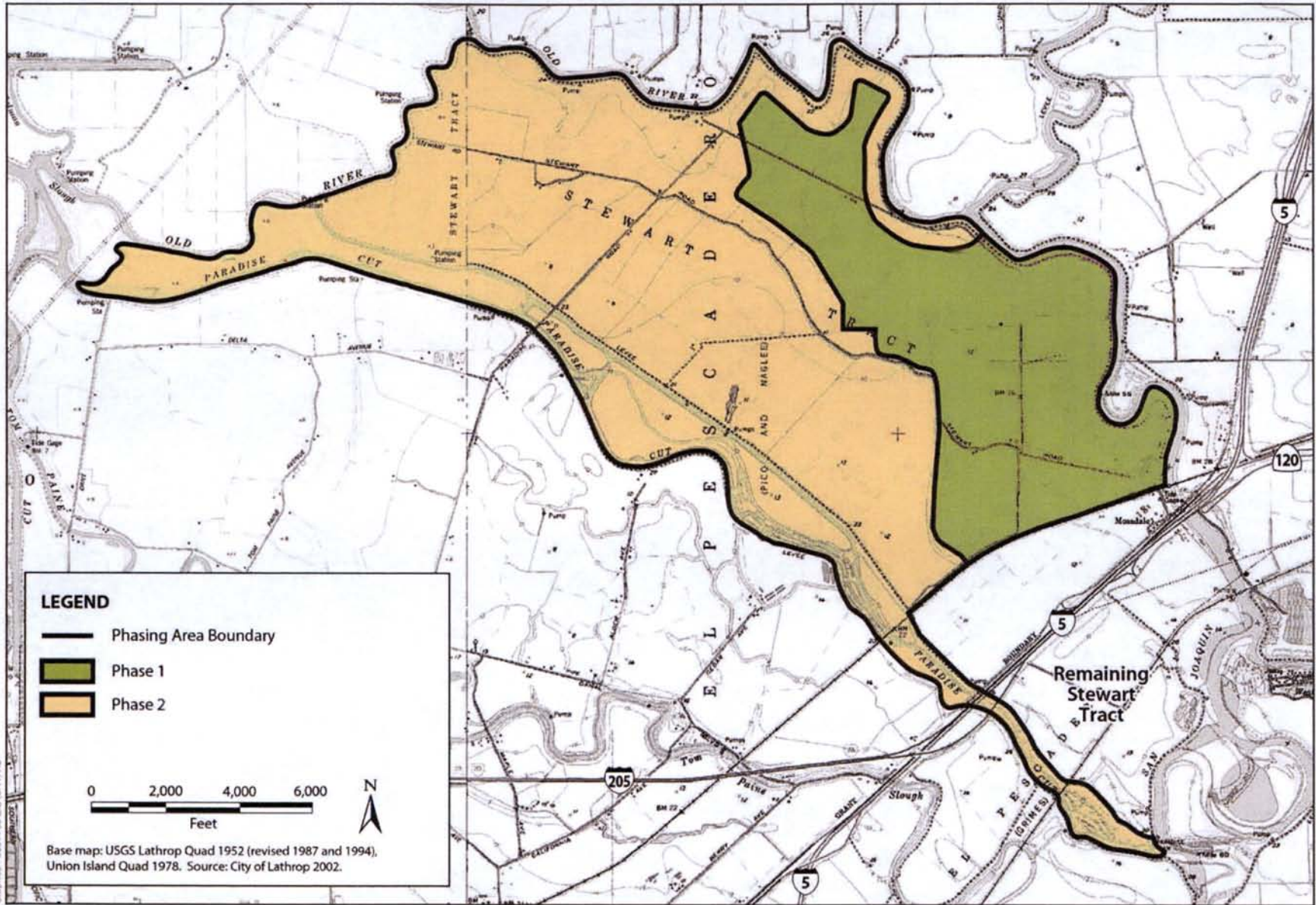


Exhibit 1-3

Development Phasing

This sixth addendum to the SEIR for the River Islands project (“Sixth Addendum”) will analyze minor changes to the Tract 3765 map first approved in 2012 and addressed in the third addendum and other minor project modifications described further in Chapter 2, Description of the Proposed Action.

Note that Section 15182 of the CEQA Guidelines outlines a process where an EIR is not needed for residential projects undertaken pursuant to, and in conformity with, a specific plan if the project meets various requirements described in Section 15182. The amended West Lathrop Specific Plan was approved in 2003 and the Specific Plan contemplates the same residential mixed-use development that would be implemented within the various VTMs associated with the River Islands project. However, because the River Islands project also includes non-residential uses and there are some minor changes or additions to the SEIR certified for the amended West Lathrop Specific Plan, the City of Lathrop has decided to not rely solely on the Specific Plan exemption. Accordingly, the City has prepared addenda to the prior River Islands SEIR rather than using the Section 15182 exemption, and within each addendum has included an analysis to confirm that there would be no new significant or substantially more severe environmental impacts. The City anticipates continuing this approach where modifications to the River Islands project consistent with the use of addenda for CEQA compliance are proposed.

1.1.2 Phase 2 Overview and Proposed Changes to Tract 3765 VTM

In May 2010, Califia, LLC submitted a large lot VTM for the second phase of development on the Stewart Tract. Identified as the Tract 3765 VTM, it would subdivide 25 existing parcels in the Phase 2 area into 55 large lots and would encompass 2,470 total acres. The proposal was considered a “large lot subdivision,” since it would create “blocks” of land that could be incrementally developed by the applicant or subsequent home builder/developers that could purchase these blocks of land. The Tract 3765 VTM would also set the alignment of major roadways in the Phase 2 area (River Islands Parkway, Golden Valley Parkway and Paradise Road) and clarify the phasing of flood protection improvements for the overall River Islands project. As previously described, a Third Addendum was prepared under CEQA in 2012. The Third Addendum addressed: (1) the original adoption of the Tract 3765 VTM, a large lot vesting subdivision map for development of Phase 2 of the River Islands project consistent with the West Lathrop Specific Plan; and (2) implementation of project modifications reflected in the Environmental Impact Statement (EIS) prepared by USACE for Phase 2 of the River Islands at Lathrop Project, defined as the “NEPA Modifications.”

This Sixth Addendum will analyze minor changes in the existing Tract 3765 VTM (“Updated Tract 3765 VTM”) with regards to the development envelope between Phase 2 and Phase 1 (Tract 3694 VTM), along with a minor change in the National Environmental Protection Act (NEPA) Modifications, which include a change in the location and length of the extended Cross Levee, along with a change in configuration of the proposed Paradise Cut Setback Levee. The Updated Tract 3765 VTM submitted to the City for review would only revise the following items when compared to the approved Tract 3765 VTM:

- ▲ Modification of the Development Envelope: City administrative actions regarding the Phase 1 Tract 3694 VTM have caused changes in the boundary and development envelope of Phase 2 relative to Phase 1. This includes the finding of substantial conformance made by the City for the Stage 2A sub-development area of Phase 1, which “shifted” the boundary of Phase 1 and Phase 2 in a southerly direction from what was approved with the Original Tract 3765 VTM. The result is a decrease of approximately 145 acres within the Phase 2 area. Additionally, the proposed Cross Levee setback more particularly described in this section, would decrease the Phase 2 area by approximately 20 acres in the Employment Center District, but would not affect the overall anticipated amount of office and commercial development of the project overall. Similarly, while the development envelope for both Phase 1 and Phase 2 will change with the Updated Tract 3765 proposal, the total number of dwelling units for the project would not change (11,000) and the total number of units within each phase staying the same (4,284 for Phase 1 and 6,716 for Phase 2). The boundaries between the two phases will also not affect construction sequencing of improvements, only the geographic location of the improvements. It is important to note also, that the Employment Center District will also contain the same amount of development as first envisioned

(approximately 4 million square feet of office/commercial space), despite a decrease in overall acreage (approximately 55 acres).

- ▲ **Modification of the Cross Levee Extension (Setback):** The Original Tract 3765 assumed that a 500-foot-long trestle along the Union Pacific Railroad (UPRR) right of way would be constructed that would have allowed historic flood flows from the Southeast Stewart Tract area in Reclamation District 2107 (RD 2107) through and into the River Islands project site within the Islands Reclamation District 2062 (RD 2062) flood protection area. Since the timing of this improvement is not controlled by the reclamation districts, the City or the applicant, it must be assumed that the existing 48-inch box culverts in the UPRR embankment would remain in place and the applicant and RD 2062 would need to accommodate flood flows from the RD 2107 area without benefit of a trestle. The result is a modification of the applicant's proposed extension of the Cross Levee first built with Stage 1 of the River Islands project in 2005 to accommodate the eventual flood flows from RD 2017. The Cross Levee would be setback as much as 3,600 feet from the UPRR railroad embankment and reinforced with revetment on the waterside slope to mitigate for initial flood flow velocities that would could potentially impact the waterside slope in the form of erosion and scour. This modified Cross Levee would divert flows into a widened Paradise Cut channel and eventually back into the Old River system in a similar fashion proposed in the 2012 Original Tract 3765 VTM. The existing 48" box culverts in the UPRR embankment are assumed to fail in a 100 year or above flood scenario, with the flood flows overtopping and possibly breaking the existing UPRR embankment, similar to what occurred in the flood event of 1997, which was a less than 100-year flood event. Before installation of the existing box culverts, there historically was a railroad trestle in that location. However, it has been recognized that the railroad trestle, while it was in place, never passed flood flows from RD 2107 to RD 2062. The trestle was constructed after a flood that occurred prior to 1997 flood, and it burned down and was replaced with fill prior to the 1997 flood.

It is important to note also, that there is an increased capacity in Paradise Cut from land leveling that has occurred within Paradise Cut from previous farming operations, which helps accommodate 100-year and above flood flows. Exhibit 2-1 (see Chapter 2, Description of the Proposed Action) shows the proposed Cross Levee extension as a heavy dashed line in the southwest corner of the project site connecting the Cross Levee paralleling the UPRR tracks to the remainder of the setback levee system for Phase 2. A hydraulic analysis by MBK Engineers, the District Engineers for RD 2062, included in Appendix A to this addendum, indicates that there is no significant difference in flood flows accommodated with the Updated NEPA Modifications (new Cross Levee location, lowered and widened Paradise Cut Channel). It is important to note in particular, that in a 200-year flooding event, most of the surrounding area near the Project site is completely inundated due to failures and overtopping of upstream levees. Any additional flood waters in the Paradise Cut channel has no additional adverse effect on the downstream levee systems as a result.

- ▲ **Revisions to Paradise Cut Set-Back Levee:** the applicant is proposing an alternative to the "undulated" location of the proposed Paradise Cut Set-Back Levee, which would be "straightened out" from the original configuration and average setback of 100 feet from the existing Federal project levee. Coupled with the lower elevation of Paradise Cut than existed at the time of the original 2012 Tract 3765 VTM, the amount of flood waters accommodated with this alternative are virtually the same as with the original undulated levee/trestle combination analyzed in the Third Addendum. However, since there is a possibility of higher initial flood velocities with the Updated NEPA Modifications, MBK Engineers recommends revetment along the Cross Levee waterside slope as previously mentioned and the staging of fill material to be used as check dams in the Paradise Cut channel to slow flood waters between the Paradise Cut setback levee and the existing Federal project levee. This action would be included the RD 2062 Emergency Operations Plan (EOP), along with planned controlled levee breaches at Paradise Cut and Old River that are already included in the EOP.

Commitments to widening Paradise Weir, lowering of an earthen bench near in Paradise Cut near the weir, and setting back the Paradise Cut levee, as described in the SEIR and modified in the Third Addendum

(identified as the “Paradise Cut Setback and Upper Paradise Cut Improvements in the Third Addendum”) are unchanged by this Sixth Addendum.

1.1.3 NEPA Process Overview

In June 2005, USACE published a Notice of Intent to prepare an EIS evaluating Phase 2 of the River Islands Project pursuant to the NEPA. The NEPA evaluation was initiated in response to Califia LLC’s application for an individual permit under Section 404 of the Clean Water Act. Proposed alterations to existing Federal project levees as part of the project’s flood protection improvement modifications would also require USACE authorization under 33 USC 408. The EIS only addresses Phase 2 of the River Islands at Lathrop project because Phase 1 can be completed without any USACE authorizations (or other federal authorizations triggering NEPA).

Although a final EIS has not yet been circulated and a record of decision not yet rendered, the 2012 Tract 3765 VTM proposals analyzed the minor differences between the project description included in the SEIR and the project description included in the EIS. These differences in the proposed project between the EIS and the SEIR, were referred to as “NEPA modifications” or “project modifications,” and were evaluated in the third addendum. With this Sixth Addendum, the changes to the flood protection program noted above would be dubbed the “Updated NEPA Modifications”, since they are part of the No Action Alternative under the EIS. These Updated NEPA Modifications are described in greater detail in Chapter 2, Description of the Proposed Action.

1.2 CEQA GUIDELINES REGARDING THE ADDENDUM TO THE SEIR

If, after certification of an EIR, altered conditions, changes, or additions to a project occur, CEQA provides four mechanisms to address these changes: an SEIR, a supplement to an EIR, an addendum to an EIR, and a subsequent mitigated negative declaration.

Section 15162 of the State CEQA Guidelines describes the conditions under which an SEIR would be prepared. In summary, when an EIR has been certified for a project, no SEIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- (1) substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;
- (2) substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR.
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.

- (D) Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15163 of the State CEQA Guidelines states that a lead agency may choose to prepare a supplement to an EIR rather than an SEIR if:

- (1) any of the conditions described above for Section 15162 would require the preparation of an SEIR, and
- (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

Section 15164 of the State CEQA Guidelines states that a lead agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described above for Section 15162 calling for preparation of an SEIR have occurred.

The Updated Tract 3765 VTM is consistent with the WLSP zoning and land use designations and would not deviate from any previously approved entitlements for the River Islands project (e.g., the certified SEIR and previous Addenda). The ultimate number of dwelling units, commercial and office space, public schools and other improvements would remain the same as previously proposed for the entirety of the Project. The differences between the River Islands project, as described in the 2003 SEIR and the previous addenda to the SEIR, as compared to the development proposal in the Updated Tract 3765 VTM application and the revised NEPA modifications, constitute changes consistent with Section 15164 that may be addressed in an addendum to an EIR. As described in Chapter 2 of this document, "Description of the Proposed Action," and Chapter 3, "Affected Environment, Environmental Consequences, and Mitigation Measures," none of the conditions described above for Section 15162 calling for preparation of an SEIR have occurred. The Tract 3765 VTM development proposal and the NEPA modifications do not deviate appreciably from conditions included in required project entitlements. In addition, the 2003 SEIR and resulting Mitigation Monitoring and Reporting Program are still valid for assessing and mitigating identified impacts as a result of the project.

Changes to the project associated with the Updated Tract 3765 VTM proposal and Updated NEPA Modifications, as well as any altered conditions since certification of the SEIR in January 2003, and all subsequent addendums from 2005 to 2012 and will:

- ▲ not result in any new significant environmental effects, and
- ▲ not substantially increase the severity of previously identified effects.

In addition, no new information of substantial importance has arisen that shows:

- ▲ the project will have new significant effects,
- ▲ the project will have substantially more severe effects,
- ▲ that mitigation measures or alternatives previously found to be infeasible would in fact be feasible, or
- ▲ that mitigation measures or alternatives that are considerably different from those analyzed in the SEIR would substantially reduce one or more significant effects on the environment.

Because minor clarifications to the SEIR for the River Islands project are necessary to address the Updated Tract 3765 VTM development proposal and the Updated NEPA modifications, none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of an SEIR or subsequent mitigated negative declaration have occurred, and an addendum to the SEIR for the River Islands project, consistent with Section 15164 of the State CEQA Guidelines, is the appropriate mechanism to address the Updated Tract 3765 VTM development proposal and the Updated NEPA Modifications.

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2 DESCRIPTION OF THE PROPOSED ACTION

2.1 INTRODUCTION

The proposed modifications to the River Islands project evaluated in this Sixth Addendum are:

- ▲ Adoption of Updated Tract 3765 VTM: minor modification to the boundaries of Tract 3765 to be consistent with past modifications to the adjacent 3694 VTM; retaining the existing 48-inch box culverts in the UPRR embankment rather than installing the previously considered trestle at this location to be installed in the UPRR embankment to replace the existing box culverts
- ▲ Updated NEPA Modifications: replace the previously approved “undulated” location of the proposed Paradise Cut Set-Back Levee, with a “straightened out” levee 100 feet from the toe of the existing levee; and removal of soil from Paradise Cut.

For the remainder of this analysis, unless otherwise noted, the term Phase 1 is intended to refer to both Phase 1a and Phase 1b (also known as Stages 1 and 2, respectively, of Phase 1) as described in the SEIR and previous addenda.

For purposes of this Sixth Addendum, the proposed Phase 2 actions associated with the Tract 3765 VTM are referred to as the “Updated Tract 3765 VTM development proposal,” or the “Updated Tract 3765 VTM”. Phase 2 actions and modifications that are included in the current NEPA review process are referred to as “Updated NEPA Modifications” or “revised project modifications”. The combination of the Updated Tract 3765 VTM proposal and the Updated NEPA Modifications are often collectively referred to as the “proposed project” or “Project.” When referring to any project elements or phases as described in the SEIR, the previous addenda to the SEIR for Tracts 3491 and 3694, or current project approvals, the terms “SEIR,” “previous addendum to the SEIR,” “previous addendum,” or “current project approvals” are included in the relevant text.

Consistent with the purpose of this addendum, as described in Section 1.2, “CEQA Guidelines Regarding the Addendum to the SEIR,” the project description provided below is intended, in large part, to highlight clarifications, actions, and modifications associated with the Updated Tract 3765 VTM proposal and Updated NEPA Modifications when compared to the current project approvals associated with the implementation of Phase 2 of the River Islands project. Overall project development at full buildout is not altered by the proposed project modifications or the Tract 3765 VTM proposal. Typically, where current project approvals are the same as the Updated Tract 3765 VTM proposal and Updated NEPA Modifications, the similarities are not emphasized in this project description.

2.2 LOCATION AND SETTING

Conditions related to the location and setting for the proposed project have not changed from what is described in the previous addenda or the certified SEIR. However, it should be noted that Section 3.1, “Location and Setting,” in the SEIR describes the location of the River Islands Project site in its entirety, whereas the Updated Tract 3765 VTM development proposal and revised NEPA modifications only encompass a portion of the project site associated with Phase 2 of project development.

2.3 PROJECT BACKGROUND

Information included in the SEIR related to Stewart Tract planning history, previous development plans for Stewart Tract, and previous environmental documents remains accurate and applicable. Background information relevant to this Sixth Addendum is supplemented by the certification of the SEIR, the previous addenda addressing the Tract 3491 VTM, Tract 3694 VTM and Tract 3765 VTM, and associated approvals and entitlements, which were summarized previously in Section 1.1, "Background and Action Triggering the Addendum."

2.4 PROJECT GOALS AND OBJECTIVES

There are no changes in project goals and objectives related to the Updated Tract 3694 VTM proposal or the revised NEPA modifications.

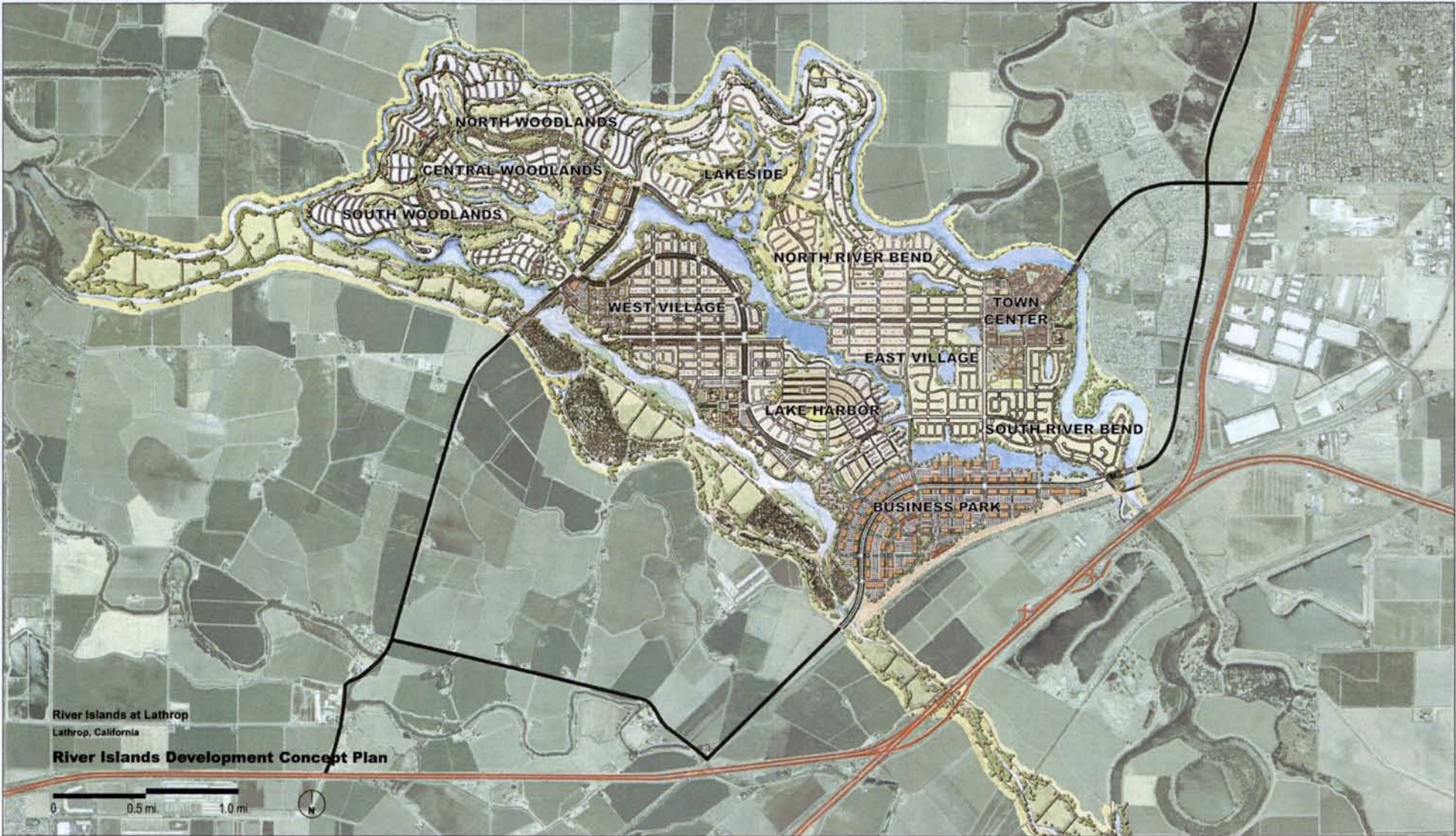
2.5 PROJECT DESCRIPTION

2.5.1 The Updated Tract 3765 VTM

The Updated Tract 3765 VTM proposal includes the subdivision of approximately 3,060 acres of land comprising Phase 2 of the River Islands project (Exhibit 2-1), as well as "remainder land" that was included in the Phase 1 Tract 3694 VTM; these designated remainders were not subdivided into individual lots with the Tract 3694 VTM but were proposed for subdivision of large lots with the 2012 Tract 3765 VTM proposal. Land uses included in this large lot vesting tentative map are RL-RI (residential low), RM-RI (residential medium), RH-RI (residential high), NC-RI (neighborhood commercial), RCO-OS (resource conservation/open space) and CR-RI (employment center). The Tract 3765 VTM area includes the following development districts: West Village, Employment Center (portion), Lakeside (portion), Old River (portion), Woodlands, Lake Harbor and Paradise Cut (see Exhibit 1-2 for general district locations). The Updated Tract 3765 VTM proposal is consistent with previously approved Preliminary Development Plans (PDPs) for each of the Lakeside and Old River districts. With certain City actions regarding the Tract 3694 VTM, including a change in the Phase 1 development footprint with a finding of consistency for the Stage 2A portion of Phase 1, there is a resulting change in the development envelope for the Updated Tract 3765 VTM.

The Updated Tract 3765 VTM contains 25 parcels to be subdivided into 35 large lots and a remainder that will eventually contain 6,716 residential units, consisting of 6,184 single-family units and 532 multifamily units. The Updated Tract 3765 VTM proposal does not include the construction of individual units or creation of individual building lots at this time but would include extension and construction of certain infrastructure in anticipation of this development. This could include flood protection improvements, roadways, utilities and similar "backbone" improvements. With a subsequent small lot vesting tentative map (similar to the Tract 3694 VTM for Phase I), a portion of the Employment Center District, a Neighborhood Commercial area, additional residential areas, lakes and water features, schools, and parks and trails would be built.

The differences between the Updated Tract 3765 VTM proposal and the River Islands project evaluated in the SEIR and current project approvals are divided into two categories: (1) modification of development envelope and (2) flood protection alternatives.



River Islands at Lathrop
Lathrop, California

River Islands Development Concept Plan

Exhibit 2-1

Development Concept Plan



MODIFICATION OF THE DEVELOPMENT ENVELOPE

In the River Islands SEIR, Phase 2 of the project included development of the West Village, Lakeside and Woodlands Districts. With the changes approved with the Tract 3694 VTM and Second Addendum, minor changes were made to the districts affected by Phase 1 development. Further, the City made findings of consistency for the Stage 2A area of the Phase 1, which further changed the development footprint of the Lakeside and Old River Districts, and as a result, the development envelope for Phase 2. Phase 2, as reflected in the Updated Tract 3765 VTM includes a portion of the Lakeside and Old River Districts, all of the Lake Harbor District, a portion of the Employment Center District, along with the West Village and Woodlands Districts that remain unchanged from the SEIR and WLSP. This action is consistent with the WLSP and related approvals, which allow for the “shifting” of the timing of development and infrastructure in the various districts, depending on market conditions, improvement phasing and other factors.

In the River Islands SEIR, Phase 2 of the project covered approximately 2,159 acres encompassing the West Village, Lakeside and Woodlands Districts. The previous Phase 1 proposals (Tract 3491 VTM and Tract 3694 VTM) modified acreages for the project overall (since these proposals envisioned different development envelopes for Phase 1, affecting Phase 2). Subsequently, the Tract 3694 VTM and Second Addendum modified the Phase 1 boundary to cover approximately 1,793 acres encompassing the East Village and Town Center districts and portions of the Old River Road, Lakeside, and Employment Center districts. The findings of consistency for Stage 2A now has Phase 1 encompassing 1,755 acres. The resulting acreage available for development within Phase 2 is now 3,060 acres of which approximately 182 acres were designated remainders under the Tract 3694 VTM. With the Updated Tract 3765 VTM proposal, the available building envelope would slightly decrease from the 2012 Tract 3765 Proposal because of modifications in the Phase 1 building envelope.

The Tract 3765 VTM area also includes existing sprayfield areas used for recycled water disposal associated with the development of Phase 1 of approximately 226 acres. These areas will remain in use for recycled water disposal on an interim basis as part of existing agreements with the City of Lathrop but would eventually be developed in the future for residential and non-residential development as alternative sites for the disposal areas are acquired and permitted. The underlying land use designation and zoning of the affected properties as established by the WLSP, and proposed development as indicated in the SEIR, are not proposed to change with this proposal.

FLOOD PROTECTION ALTERNATIVES

In the Original Tract 3765 proposal, it was assumed that there would be a restoration of flood flows from RD 2107 into the project area as a result of the replacement of the existing box culverts in the UPRR embankment with a trestle. The trestle was designed to mitigate for the loss of flood storage and allow for Paradise Cut flood protection improvements to be deferred to the end of Phase 2. Phasing of other levee improvements for Old River and Paradise Cut could also be modified in accordance with the WLSP and related approvals, including the construction of seepage berms with reconstructed levee segments initially, and the placement of engineered fill in addition to these improvements at a later date to create the project's superlevees as defined in the SEIR and previous addenda.

In the Third Addendum to the SEIR, adopted with the approval of the Original Tract 3765 VTM, timing relating to the Paradise Cut improvements were assumed to be delayed with the No Action alternative required by the EIS. In this Sixth Addendum, this timing assumption does not change. The change in assumptions relate to the possible modification of the existing box culverts in the UPRR rail line embankment with placement of a trestle (an improvement that the applicant has no control over the timing or implementation) and the location of the Cross Levee and Paradise Cut setback levee. The Updated Proposal would setback the Cross Levee from the UPRR rail line near the box culverts to accommodate the flood flows from RD 2107, whether or not a trestle is ever built. Additionally, the setback levee along Paradise Cut would be “straightened out” from its undulating form first proposed in the original SEIR and previous addenda; see Exhibit 2-1. These improvements would be coupled with the additional flood capacity within Paradise Cut gained by previous

land leveling within the area for agricultural purposes that created a lower original ground elevation. The updated flood protection alternative provides virtually the same flood protection benefits and impacts as previously proposed with the Original Tract 3765 Proposal as determined by the MBK Engineers hydraulic study included in Appendix A. The applicant also proposes revetment to address initial flood flow velocities, along with emergency actions of the RD 2062 for placement a check dams between the new straightened out Paradise Cut setback levee and the existing Federal Paradise Cut levee. RD 2062 would store fill material in locations near the channel that can be quickly placed as check dams between the proposed setback levee and the existing Federal Project levee in an emergency condition.

2.5.2 Updated NEPA Modifications

The Third Addendum, as previously approved by the City for the Original Tract 3765 VTM, included the following modifications associated with the River Islands EIS (“NEPA modifications”): (1) elimination of back bays and avoidance of special aquatic features, (2) modification of boat docks, (3) greater detail regarding bridge construction, and (4) flood protection improvements. The Sixth Addendum only updates item 4 of the NEPA modifications, regarding flood protection improvements as described above; the other three elements remain unchanged. Updated flood protection alternatives analyzed in this Sixth Addendum are described as the Updated NEPA Modifications, discussed further in the environmental analysis provided in Chapter 3, “Affected Environment, Environmental Consequences, and Mitigation Measures” of the Sixth Addendum.

With the Updated Tract 3765 VTM proposal, flood protection improvements for Phase 2 are proposed to be modified as reflected in the EIS and the Original Tract 3765 VTM proposal. The ultimate flood protection program would remain unchanged (meeting both 100-year Federal Emergency Management Agency (FEMA) and 200-year State flood protection standards) and the major tenets of the overall flood protection system would remain unchanged (i.e. Paradise Cut improvements, superwide levees, levee benching, etc.).

NO ACTION FLOOD PROTECTION OPTION

The No Action Alternative in the EIS contemplates that Califia, LLC could provide flood protection for the Phase 2 area without requiring any federal authorizations. Under this scenario, levees would be built inland from the existing federal levees without contacting the federal levee system (“levee within a levee”); without affecting delineated wetland features; and without requiring any federal funding, permits, or authorizations for any other improvement. However, if this alternative were to be implemented, it is assumed to be an interim phase of providing flood protection until the project as described in the SEIR and the EIS Proposed Action could be fully implemented. If, through the current NEPA review and Federal permitting processes, Califia LLC were not provided the requested Federal permits and authorizations, they would construct the No Action alternative while continuing to pursue Federal authorizations. It is assumed that the necessary Federal authorizations could eventually be obtained, and the full project as described in the SEIR and the EIS Proposed Action would be implemented.

It should be noted that the RD 2107 and RD 2062 flood reduction cuts included in the RD 2062 EOP are included in MBK Engineer’s hydraulic modeling; this is the same as was assumed with the 2012 Tract 3765 VTM. The RD 2107 flood reduction cut is located on the Paradise Cut north levee between I-5 and the UPRR west branch and is initiated approximately 2 hours after RD 2107 starts flooding because of levee failure. The RD 2062 flood reduction cut is located on the Paradise Cut north levee near the west end of RD 2062 and is initiated approximately 4 hours after failure of the UPRR west branch embankment separating RD 2062 and RD 2107. The RD 2062 flood reduction cut is not explicitly included in the model for the new “No Action” alternatives because relief breaches occur naturally at several locations on the Paradise Cut levee due to overtopping starting less than 6 hours after initial inundation of Stewart Tract. What is new to the EOP, is the possible placement of check dams between the interior Paradise Cut interior levee and the existing federal levee along Paradise Cut should flood velocities need to be attenuated to prevent scour and undermining of the levee system.

Under the No Action Alternative, Califia LLC would pay applicable San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) fees for habitat areas affected by constructing levees, implement applicable SJMSCP impact minimization measures, and implement planned non-native species controls in Paradise Cut (e.g., feral cat control) to address potential effects on state and federally-listed threatened and endangered species. Areas that could remain in an undeveloped state (e.g. farmed) would not need to be mitigated (fees paid) initially until these areas were designated for urban developed and removed from agricultural operations.

CHANGES TO THE NO ACTION PROTECTION OPTION

Since it is anticipated that the construction of the UPRR trestle will not occur in the short-term, if ever, the project applicant has proposed setting back the Cross Levee up to 2,500 feet from its original location to accommodate potential flood flows from the RD 2107 area. Historically, flood flows from this area have inundated portions of RD 2062, regardless of what structure within the UPRR rail line was in place. During the 1997 flood event, 36-inch box culverts placed in the railroad embankment by UPRR just a year prior to the flood event were overwhelmed as rising flood waters eventually overtopped and then broke the UPRR embankment, allowing flood waters to pass into RD 2062. If a trestle is not constructed, this type of failure would likely occur again during a flood event that impounds flood waters against the UPRR embankment. The project applicant and RD 2062 would plan to accommodate these flows with the cross-levee setback, which would let flood waters be diverted into Paradise Cut with no additional impacts than originally approved with the Original Tract 3765 proposal. As with the Original Tract 3765 VTM approval, an interior levee, utilizing the approved Conditional Letter of Map Revision from FEMA dated March 10, 2005, could be built first to allow incremental development along with the setback levees on Paradise Cut, which would be straightened out under the Updated Proposal. Letters of Map Revision issued by FEMA would then be obtained for the new interior levee system. Alternatively, utilizing one or more Letters of Map Revision for Fill for high ground plateaus could also be utilized. Either way, Phase 2 development could occur with the ultimate Paradise Cut improvements deferred until buildout. Either of these incremental improvements could be constructed in advance of the Paradise Cut Improvements and would not need any Federal approvals or permitting.

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3 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES, AND MITIGATION MEASURES

3.1 APPROACH TO ENVIRONMENTAL ANALYSIS

As stated previously in Section 1.2, “CEQA Guidelines Regarding the Addendum to the SEIR,” the City has determined that, in accordance with Section 15164 of the State CEQA Guidelines, minor technical changes or additions to the SEIR and previous addenda are necessary to address the Updated Tract 3765 VTM Proposal and Updated NEPA modifications. Consequently, this Sixth Addendum to the SEIR is prepared for the Updated Tract 3765 VTM proposal and Updated NEPA modifications.

To prepare an addendum to an EIR, as opposed to an SEIR or a supplement to an EIR (Sections 15162 and 15163 of the State CEQA Guidelines), none of the conditions described in Section 15162 calling for preparation of a SEIR must have occurred. In summary, an addendum requires that the revised project or altered circumstances since approval of the previous CEQA document:

- ▲ will not result in any new significant environmental effects,
- ▲ will not substantially increase the severity of previously identified effects,
- ▲ will not result in mitigation measures or alternatives previously found to be infeasible being categorized as feasible, and
- ▲ will not result in availability/implementation of mitigation measures or alternatives that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the environment.

The analysis of environmental effects provided below follows the general format used in the SEIR. The environmental analysis first evaluates for each environmental topic area (e.g., land use, traffic, air quality) whether there are any changes in the regulatory background, existing conditions, or circumstances in which the project is undertaken that would result in new or substantially more severe environmental impacts. The addendum then evaluates the differences between the Tract 3765 VTM proposal and the prior River Islands project approvals that warrant minor changes or additions to the SEIR. In this instance prior project approvals encompass those associated with the SEIR and the two previous addenda prepared for the Tract 3491 VTM and Tract 3694 VTM, and the term “SEIR” includes both the SEIR itself and the two previous addenda. The Addendum then evaluates the differences between the Updated NEPA Modifications and the prior River Islands project approvals that warrant minor changes or additions to the SEIR.

The environmental effects of the project differences, if any, are identified and an assessment is made as to whether these differences would result in new significant impacts, substantial changes in the severity of previously identified environmental impacts, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives that would trigger the need for subsequent environmental review for the Updated Tract 3765 VTM Proposal and Updated NEPA Modifications based on the various criteria for subsequent environmental review included in Sections 15162 and 15164 of the State CEQA Guidelines.

3.2 LAND USE CONSISTENCY AND COMPATIBILITY

3.2.1 Updated Tract 3694 VTM

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the Tract 3491 VTM in 2005, and Tract 3964 VTM in 2007, original Tract 3765 VTM and update to the Tract 3694 VTM in 2015 no changes to the regulatory background or existing conditions have occurred involving land use issues that would trigger the need for subsequent environmental review for the Updated Tract 3765 VTM proposal.

California Senate Bill X71 (Ch. 5, Stats. 09-10, 7th Ex, Sess.) was enacted and took effect on February 3, 2010, after certification of the River Islands SEIR, leading to the adoption of the Delta Plan on May 16, 2013 by the Delta Stewardship Council. Subsequently its 14 regulatory policies were approved by the Office of Administrative Law, a state agency that ensures the regulations are clear, necessary, legally valid, and available to the public. The Delta Plan became effective with legally-enforceable regulations on September 1, 2013. While the Delta Plan influences and in some cases guides land use policy within the legal Delta, the River Islands Project is considered exempt from the Delta Plan and is not considered a covered action under Water Code section 85057.5. Specifically, the River Islands Project is a project located within the Secondary Zone of the Delta and since its approval by the City of Lathrop in 2003 (and the prior approval of the Gold Rush City Project in 1996), it has been included in the SJCOG Clean Air Plan and considered within the San Joaquin Valley as an area slated for development. This development is considered in alternative planning strategies to achieve greenhouse gas emission reductions.

Further, the City of Lathrop has approved and is undertaking this project in the Secondary Zone. The City of Lathrop filed a Notice of Determination in February 2003 for the approval of the River Islands Specific Plan and associated development approvals, including the River Islands Development Agreement, long before the effective date of the Delta Plan. In this regard, the Delta Protection Act provides that when the Delta Plan is adopted, nothing in the application of the plan shall conflict with or extinguish any vested rights. Moreover, the River Islands Project includes habitat restoration such as the restoration and preservation proposed in Paradise Cut, and it would be consistent with the conservation measures included in the Bay Delta Conservation Plan.

Consequently, because of the reasons, the River Islands Project is exempt from the Delta Plan under the Delta Protection Act, the River Islands Project does not conflict with the plan.

Project land uses under the Updated Tract 3765 VTM proposal are consistent with those included in the WLSP and existing approvals. Although the development envelope under the Updated Tract 3765 VTM is modified in some areas relative to existing approvals due to the City's administrative action in Stage 2 of Phase 1, the overall development scenario remains the same. No additional housing units or other development beyond the total development considered in the SEIR and other approvals would be constructed. The Updated No Action Alternative (through the Updated NEPA Modifications), does reduce the overall development footprint for the entirety of the Project, flexibility within the Project approvals, including the WLSP allow the full anticipated development to occur.

Therefore, conclusions in the SEIR and subsequent addenda related to consistency with applicable land use plans, policies, and regulations; consistency with applicable habitat conservation plans or natural community conservation plans; and lack of division of an established community, would also apply to the Updated Tract 3765 VTM.

3.2.2 Updated NEPA Modifications

The Updated NEPA Modifications result in minor project changes and clarifications that do not affect land use consistency conclusions. Reduction in the acreage within the Employment Center District specifically, as a result of the relocated Cross Levee do not preclude full buildout of non-residential development within the anticipated Business Park. The same is true for the added detail now available regarding bridge design and construction methods, which would allow the future Golden Valley Parkway Bridge to span over the existing Federal Project Levee in the form of a causeway. Although in some ways the proposed flood protection improvement modifications alter the timing and order of the original improvements identified in SEIR and addenda, the third addendum allowed for the advancement of the No Action flood improvements to precede other EIS related improvements (e.g. eco-restoration efforts) and the desired levels of flood protection are still maintained for new and existing land uses and the type and amount of development included in the River Islands project is not altered. Although changes in the phasing of flood control improvements and project development would occur, payment

of fees under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) would be made at appropriate times and applicable impact avoidance and minimization measures would be implemented. Therefore, conclusions in the SEIR and subsequent addenda related to consistency with applicable land use plans, policies, and regulations; consistency with applicable habitat conservation plans or natural community conservation plans; and lack of division of an established community, would also apply to the Updated NEPA Modifications.

Because land uses included in the Updated Tract 3765 VTM (which also reflect the NEPA modifications) are considered consistent with those evaluated in the SEIR, they can also be considered consistent with the Lathrop General Plan and the WLSP, just as the original VTM land uses were found to be consistent. The Updated Tract 3765 VTM proposal and updated NEPA modifications would not require any additional amendments to these plans beyond those already approved for the River Islands project.

3.2.3 Conclusion

In summary, any differences between the Updated Tract 3765 VTM proposal and Updated NEPA modifications described in this Addendum and the previously approved development proposals and SEIR are considered minor and would not result in new significant land use impacts, significant changes in the severity of previously identified land use impacts, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to land use.

3.3 POPULATION, EMPLOYMENT, AND HOUSING

3.3.1 Updated Tract 3964 VTM

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the Tract 3491 VTM in 2005, Tract 3964 VTM in 2007, the Original Tract 3765 in 2012, and updated Tract 3694 VTM in 2015 no changes to the regulatory background or existing conditions relative to population, employment, and housing have occurred that trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal.

The SEIR and previous addenda identify impacts related to population growth and housing demand during project construction as being less than significant. The extent, type, and pace of development are similar under the Updated Tract 3765 VTM proposal and the development scenario described in the SEIR and previous addenda. Therefore, the number of construction jobs generated by project development during

peak construction periods would not be appreciably different between the various scenarios. Impacts related to population growth and housing demand during project construction would remain less than significant under the Updated Tract 3765 proposal.

The Updated Tract 3765 VTM proposal would not change the total number of housing units as identified in existing project approvals (4,284 units in Phase 1 and 6,716 units in Phase 2). However, under the modifications under Updated Tract 3694 VTM, Phase 2 would have to accommodate a higher number of multi-family units than originally assumed under the SEIR, since Phase 1 has a higher number of single-family units relative to multifamily units. Project approvals for Tract 3694 included 3,226 single-family units and 1,058 multifamily units. The Tract 3694 VTM included 3,741 single-family units, and 543 multifamily units. The Updated Tract 3694 approved in 2015 included 3,611 single-family units and 673 multi-family units. The split between single-family and multifamily units would be altered correspondingly during Phase 2 of project development to result in the 1,629 multifamily units and 9,371 single-family units (11,000 total units) identified in the SEIR at project buildout. Therefore, the difference in unit mix associated with the Updated Tract 3694 VTM would only apply to Phase 1 of the project. The additional multifamily units addressed in the subsequent small lot vesting tentative map would be analyzed in any subsequent project level CEQA review at that time.

Job-generating land uses were also altered under the Tract 3694 VTM, since the SEIR and previous addenda concentrated these uses in the Town Center and Employment Center. Under Tract 3694, only 60 percent of the Employment Center would be constructed and the remaining 40 percent would be developed in Phase 2. While the total buildout of the Town Center would be unaffected by the Updated Tract 3765 VTM Proposal, the Employment Center would be 55 acres smaller than the original project approvals. However, the WLSP and applicable zoning for the Employment Center allow for a slightly more intensive non-residential development that will allow the same amount of development within the Employment Center as originally envisioned (e.g. 4 million square feet of office and commercial space). Additionally, the assumptions included in the 2007 office absorption analysis prepared for the project by ESG would not be affected. Therefore, the Updated Tract 3765 VTM proposal would have approximately the same employee-generation potential as the SEIR development scenario. Therefore, impacts related to generation of employment, which are identified as less than significant in the SEIR and previous addenda, would remain less than significant under the Updated Tract 3765 VTM proposal.

3.3.2 Updated NEPA Modifications

The Updated NEPA Modifications include the relocated Cross Levee that leads to the reduction of the development envelope of the Employment Center, but for the reasons described for Updated Tract 3765 VTM, the Updated NEPA Modifications would not alter the type and amount of development in the overall River Islands Project and therefore would not affect factors such as housing availability, housing demand, and generation of employment. Although the timing of construction of some flood protection improvements would be altered, the same general system of levee and other flood protection improvements would ultimately be implemented, and construction jobs generated during peak construction periods would not be appreciably different from that identified in the SEIR and addenda.

3.3.3 Conclusion

Because the Updated Tract 3765 VTM and Updated NEPA modifications do not alter the type or amount of development at project buildout, any changes in the proposal are considered minor and would not result in new significant impacts related to population, employment, and housing; significant changes in the severity of previously identified impacts related to population, employment, and housing; or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to population, employment, and housing.

3.4 TRAFFIC

3.4.1 Updated Tract 3765

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the Tract 3491 VTM in 2005, Tract 3694 VTM in 2007, Original Tract 3765 VTM in 2012 and updated Tract 3694 VTM in 2015, no changes to the regulatory background relative to traffic have occurred that trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal.

Some changes to existing traffic conditions have occurred since completion of the SEIR in 2003 and adoption of the two previous VTMs, in that some planned transportation infrastructure improvements have been implemented and some traffic generating land uses have been developed since that time. However, these changes are consistent with the traffic model assumptions used in the SEIR and would not alter the results of the model or the impact analysis for the Updated Tract 3765 VTM proposal.

Since the Updated Tract 3765 VTM proposal does not directly create housing or employment generating uses (these would occur with a subsequent small lot VTM), there are no new traffic or transportation related effects created by the proposal. However, even if one considers the development proposed within the Updated Tract 3765 VTM, traffic generation during construction and operation would not change because the amount and type of development is consistent with that evaluated in the SEIR and subsequent addenda. In addition, the traffic infrastructure associated with the project, such as the proposed River Islands Parkway, Golden Valley Parkway, and Paradise Road configurations and uses, would be unchanged from the SEIR and previous approvals.

Although not expected, if the implementation of the Updated Tract 3765 VTM proposal were to alter the rate of trip generation due to alterations in phasing (i.e., more or less trips during some point in project implementation compared to earlier estimates), this would not alter the significance of traffic impacts because of the mitigation measures included in the SEIR. As described on pages 4.4-71 through 4.4-75 of the Draft SEIR, there are several regional and local traffic fee and monitoring programs that the River Islands project would be subject to. Fees are collected based on development and use of fees by local agencies for infrastructure improvements is based on the amount of fees collected from various sources, and in many cases, monitoring of traffic conditions to determine the need for a planned improvement. Any slight alterations in the timing of various types of development associated with the Updated Tract 3765 VTM proposal would not alter the effectiveness or implementation of the fee collection and mitigation programs as they respond directly to the volume and type of development that occurs and the trip generation that triggers the need for transportation infrastructure improvements.

Overall, capacity and function of the traffic network would be unchanged under the Updated Tract 3765 VTM. Because there would be no change in traffic generation or capacity or function of the roadway network, there would be no change in traffic impacts from those described in the SEIR and subsequent addenda.

3.4.2 Updated NEPA Modifications

Modifications to the flood protection improvements included in the Updated NEPA Modification would not change traffic generation or the capacity and function of the roadway network. Although further detail is available regarding the design and construction methods for project bridges (which are critical elements of the transportation network), this detail would not change the lane count, capacity, or function of these bridges as described in the SEIR and subsequent addenda. Therefore, the added bridge detail that may be necessary to construct the Golden Valley Parkway bridge over Paradise Cut would not alter the analysis or conclusions regarding traffic impacts.

As described below in Section 3.5, "Air Quality", the flood protection improvement modifications would generally be neutral regarding any increases or decreases in earth moving efforts compared to the SEIR and subsequent addenda. Therefore, the Updated NEPA Modifications would also not result in a substantial change in construction traffic. In addition, the anticipated phasing/staging of flood protection improvements would spread construction activity, and therefore construction traffic, over many more years than assumed in the SEIR and subsequent addenda. Therefore, annual construction vehicle trips would likely be less than described in these documents, and construction traffic impacts could be less.

3.4.3 Conclusion

Because the Updated Tract 3765 VTM and Updated NEPA modifications do not alter traffic generation or the capacity and function of the project roadway network, these actions would not result in any new significant traffic impacts, significant changes in the severity of previously identified traffic impacts, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to traffic.

3.5 AIR QUALITY

3.5.1 Updated Tract 3765

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no major changes to the regulatory background or existing conditions relative to air quality have occurred that trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal.

As mentioned above in Section 3.3, "Population, Employment, and Housing," and described elsewhere in this document, the extent, type, and pace of development are not appreciably different under the Updated Tract 3765 VTM compared to development scenarios described in the SEIR and previous addenda. Therefore, construction related and operational air emissions and associated air quality impacts (e.g., emissions of regional criteria pollutants during construction, potential for increases in odorous emissions, increases in stationary-source toxic air contaminants) also would not be appreciably different.

3.5.2 Updated NEPA Modifications

Similar conclusions regarding air quality impacts also apply to the Updated NEPA Modifications. Elimination of back bays, avoidance of special aquatic features, further detail on bridge construction, and flood protection improvement modifications would not change operational air emissions (both stationary and mobile source emissions) associated with the project. Flood protection improvement modifications would likely require decreased earth moving when compared to the original project approvals with the No-Action Flood Protection option. As with the 2012 Tract 3765 VTM, the proposed flood protection improvement modifications included as the Updated NEPA Modifications will result primarily in a change in phasing/timing of levee improvements rather than a change in overall construction effort. Rather than the total flood protection improvement scenario described in the SEIR being completed before any project development, it would be completed in stages concurrently (and some portions potentially after) project development. This staging of flood protection improvements would spread construction emissions over many more years than assumed in the SEIR and subsequent addenda. Therefore, annual construction emissions would likely be less than described in these documents, while overall emissions would not be appreciably different.

Although further detail is available regarding the design and construction methods for the Golden Valley Parkway Bridge over Paradise Cut, this detail does not change the lane count, capacity, or function of this

bridge or overall construction effort assumed in the SEIR and subsequent addenda. Therefore, the added bridge detail does not alter the analysis or conclusions regarding stationary, mobile source, or construction related air emissions.

3.5.3 Conclusion

Because the Updated Tract 3765 VTM and Updated NEPA Modifications do not appreciably alter mobile source, stationary source, or construction related emissions (and in some cases may reduce annual emissions), including odors and toxic air contaminants, these actions would not result in any new significant air quality impacts, significant changes in the severity of previously identified air quality impacts, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to air quality.

3.6 NOISE

3.6.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no major changes to the regulatory background or existing conditions relative to noise have occurred that trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. There are however, newer standards issued by the California Department of Fish and Wildlife for noise impacts when constructing structures in rivers and streams under certain specific conditions and locations. These standards are intended to protect special-status fish species that may occur in waterways affected by construction and would be applied to bridges constructed as part of the River Islands project. There are few, if any, special-status fish species in Paradise Cut that would be affected by the bridge construction. Further, the Golden Valley Parkway Bridge would be constructed as a causeway that would span over the existing project levees with less impact in the waterway than with previously proposed construction methodologies. Therefore, these new California Department of Fish and Wildlife actions would not result in any new significant noise impacts, significant changes in the severity of previously identified noise impacts, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to noise impacts.

As described previously, the extent, type, and pace of development (e.g., homes, job generating land uses) supported by the Updated Tract 3765 VTM proposal and Updated NEPA Modifications are consistent with the development scenarios described in the SEIR and the previous addenda. Therefore, noise associated with the construction and operation of these categories of development would not appreciably differ from that described in the SEIR and previous addenda. Under the Updated Tract 3765 VTM and Updated NEPA Modifications, construction of flood protection improvements would be spread over a greater number of years, but the total construction effort would not be appreciably different, resulting in reduced annual construction activity for flood protection improvements. In addition, construction and operations related traffic generation and overall traffic impacts under the Updated Tract 3765 VTM proposal and Updated NEPA modifications would not be appreciably different from those identified in the SEIR and previous addenda, and the Tract 3765 VTM proposal would not result in new or substantially more severe traffic impacts. Therefore, noise generation from construction activities, stationary sources, and mobile sources under the Updated Tract 3765 VTM proposal also would not be appreciably different from noise generation identified in the SEIR and previous addenda. Project development also would not place new noise sensitive receptors in locations not already anticipated in the SEIR and subsequent addenda.

Impacts related to construction noise, which are considered significant in the SEIR and previous addenda, would also be significant under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. The same mitigation measures identified in the SEIR would reduce these impacts to less-than-significant levels.

Impacts related to increases in traffic noise levels identified as less than significant in the SEIR and previous addenda would remain less than significant under the Updated Tract 3765 VTM proposal and Updated NEPA modifications.

The SEIR and previous addenda identify a significant and unavoidable noise impact resulting from some project areas potentially being exposed to exterior noise levels exceeding City standards. This condition is created by existing noise sources, primarily I-5 and the UPRR line along the projects southeastern boundary. Exterior areas around homes on high-ground corridors near I-5 and the Head of Old River are considered most likely to be exposed to this impact, but these areas are located in Phase 1. The Updated Tract 3765 and Updated NEPA Modifications do not propose any development of housing or non-residential uses in the Phase 1 area (this development was the subject of the Tract 3491 VTM), so no new sensitive receptors would be affected by these existing noise sources. Therefore, the previously identified significant and unavoidable noise impact is not associated with the Updated Tract 3765 VTM and Updated NEPA Modifications.

3.6.2 Conclusion

Implementation of the Updated Tract 3765 VTM proposal and Updated NEPA modifications would not result in any new significant noise impacts, significant changes in the severity of previously identified noise impacts, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to noise issues.

3.7 GEOLOGY, SOILS, AND MINERAL RESOURCES

3.7.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background or existing conditions relative to geology, soils, and mineral resources have occurred that trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The Updated Tract 3765 VTM proposal and Updated NEPA Modifications include the same land uses and development types as those analyzed in the SEIR and previous addenda. Therefore, risks associated with seismic hazards (including ground shaking, liquefaction, ground lurching, soil settlement, lateral spreading, and landslide) would not be appreciably different between those identified in the SEIR and past addenda and for the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. The Updated Tract 3765 VTM and Updated NEPA Modifications would not result in new or substantially more severe geology, soils, and mineral resources impacts relative to the impact mechanisms listed above. Potential for damage to project facilities resulting from shrink-swell soils and corrosive soils also would not be appreciably different between the SEIR and past addendum development scenarios and the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. The Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in new or substantially more severe geology, soils, and mineral resources impacts relative to these impact mechanisms. Impacts identified in the SEIR and previous addenda related to seismic hazards, shrink swell-soils, and corrosive soils; the level of significance of those impacts (before and after mitigation); and applicable mitigation measures, would also apply to the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

There are no potentially significant sand deposits designated as MRZ-2 by the California Department of Conservation, Division of Mines and Geology in the Phase 2 area. Therefore, there are no impacts related to this issue associated with the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

Impacts related to construction-related soil erosion would occur under the any River Islands development scenario. In the SEIR and previous addenda, this impact is considered less than significant. The potential for construction-related soil erosion would not be appreciably different under the Updated Tract 3765 VTM proposal and Updated NEPA modifications which would have a similar construction effort as past development scenarios for constructing the Cross Levee and Paradise Cut setback levee, supporting only a slightly modified development approach (e.g., straightening out the Paradise Cut levee). Therefore, this impact would remain less than significant under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

3.7.2 Conclusion

Implementation of the Updated Tract 3765 VTM proposal and Updated NEPA modifications would not result in any new significant impacts related to geology, soils, and mineral resources; significant changes in the severity of previously identified impacts related to geology, soils, and mineral resources; or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to geology, soils, and mineral resources.

3.8 HYDROLOGY AND WATER QUALITY

3.8.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background relative to hydrology and water quality have occurred that trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

With the passage of Senate Bill 5, the Central Valley Flood Protection Act in 2008, local land use agencies must determine through the making of findings that urbanized areas be provided a 200-year level of flood protection (i.e., flood protection be able to withstand water surface elevations associated with the 1-in-200 Annual Exceedance Probability [AEP] event). Because the River Islands flood control system will provide 200-year flood protection, plus include an additional 3-feet of levee freeboard above the 1-in-200 AEP water surface elevation, the project is consistent with the legislative requirements. In addition, the project is consistent with, and supports current flood protection planning efforts resulting from the legislation in question, such as the project's planned improvements to Paradise Cut that increase the flood protection function of this feature.

In 2016, the City Council made findings that RD 2062 has made adequate progress towards meeting the 200-year flood protection. The Council made the same findings in 2017 (these findings are required annually), which included the Stage 2A area interior levees.

As stated previously, development planned within the Updated Tract 3765 VTM area is consistent with that evaluated in the SEIR and past addenda; therefore, the development itself would not alter impacts, mitigation, or conclusions in these past documents related to hydrology and water quality. Similarly, the design and construction methods for the Golden Valley Parkway bridge are consistent with assumptions used in the SEIR and previous addenda and do not alter impacts, mitigation, or conclusions in these past documents related to hydrology and water quality.

Elements of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications that could alter project effects on hydrology and water quality include modified timing/phasing of flood protection improvements, location of the Cross Levee and setback levees of Paradise Cut and the lack of reliance on a UPRR trestle as part of the updated No-Action Flood Protection Improvement Option.

It should be noted that previously approved elements of the No Action Flood Improvement Option, including the construction of waterside bench areas and timing of Paradise Cut eco-restoration elements are not affected by the Updated Tract 3765 VTM proposal and were determined to not increase any impacts previously identified from that evaluated in the SEIR and previous addenda.

Where the Updated Tract 3765 VTM proposal and Updated NEPA Modifications could alter hydrologic conditions, such as modifying the location of the Cross Levee, straightening of the Paradise Cut setback levee and removing reliance on the restoration of a trestle in the UPRR rail line paralleling the Cross Levee, these modifications have been incorporated into updated hydraulic/hydrologic modeling for the project (MBK 2018) and provided as Appendix A to this addendum.

Table 3-1 compares the modeling results from the SEIR with the updated modeling results performed by MBK Engineers incorporating the Updated Tract 3765 VTM proposal and Updated NEPA Modifications along the San Joaquin River. As seen in the two two columns in Table 3-1 titled “2012 to 2018 change”, the change in the impacts from 2012 to 2018 ranges from +0.01 feet to -0.08 feet (roughly +1/8 inch to -1.0 inch).

Tables 3-2, 3-3, 3-4, and 3-5 compare impact changes for Paradise Cut, Old River, Grant Line Canal and Middle River respectively.

Table 3-1 Summary of Maximum WSE Impacts and 2012 to 2018 Impact Change, San Joaquin River

Impact Scenario	Flood Event	Max WSE Increase (feet)			Max WSE Decrease (feet)		
		2012	2018	2012 to 2018 Change	2012	2018	2012 to 2018 Change
Existing to No Action	50	0	0	0	0	-0.08	-0.08
	100	0	0	0	-0.01	-0.04	-0.03
	200	+0.01	0	-0.01	-0.01	-0.03	-0.02
	500	+0.03	+0.03	0	0	-0.03	0.03
Existing to With Project	50	0	0	0	-0.16	-0.16	0
	100	0	0	0	-0.05	-0.05	0
	200	+0.01	+0.01	0	-0.04	-0.04	0
	500	+0.42	+0.42	0	-0.02	-0.02	-0.01
Base to No Action	50	0	0	0	0	-0.08	-0.08
	100	0	0	0	-0.01	-0.04	-0.03
	200	+0.01	0	-0.01	-0.01	-0.03	-0.02
	500	+0.03	+0.04	+0.01	0	0	0

Table 3-2 Summary of Maximum WSE Impacts and 2012 to 2018 Impact Change, Paradise Cut

Impact Scenario	Flood Event	Max WSE Increase (feet)			Max WSE Decrease (feet)		
		2012	2018	2012 to 2018 Change	2012	2018	2012 to 2018 Change
Existing to No Action	50	0	-0.05 a	-0.05	0	-0.84	-0.84
	100	0	-0.04 a	-0.04	-0.01	-0.61	-0.60
	200	+1.85	+1.63	-0.22	-0.05	-0.05	0
	500	+0.91	+0.96	+0.05	-0.37	-0.70	-0.33

Table 3-2 Summary of Maximum WSE Impacts and 2012 to 2018 Impact Change, Paradise Cut

Impact Scenario	Flood Event	Max WSE Increase (feet)			Max WSE Decrease (feet)		
		2012	2018	2012 to 2018 Change	2012	2018	2012 to 2018 Change
Existing to With Project	50	+0.05	+0.05	0	-1.15	-1.15	0
	100	+0.12	+0.12	0	-0.73	-0.73	0
	200	+1.63	+1.63	0	0	-0.04	-0.04
	500	+1.08	+1.07	-0.01	-0.65	-0.68	-0.03
Base to No Action	50	0	-0.05 ^a	-0.05	0	-0.84	-0.84
	100	0	-0.04 ^a	-0.04	-0.01	-0.61	-0.60
	200	+1.84	+1.64	-0.20	-0.02	-0.01	+0.01
	500	+0.94	+1.01	+0.07	-0.33	-0.63	-0.30

Notes: ^a No WSE increase in this scenario, therefore the minimum WSE decrease is shown.

Table 3-3 Summary of Maximum WSE Impacts and 2012 to 2018 Impact Change, Old River

Impact Scenario	Flood Event	Max WSE Increase (feet)			Max WSE Decrease (feet)		
		2012	2018	2012 to 2018 Change	2012	2018	2012 to 2018 Change
Existing to No Action	50	0	+0.03	+0.03	0	-0.28	-0.28
	100	0	+0.05	+0.05	-0.01	-0.21	-0.20
	200	+0.39	+0.43	+0.04	0	-0.08	-0.08
	500	+0.07	+0.22	+0.15	-0.26	-0.37	-0.11
Existing to With Project	50	+0.02	+0.02	0	-0.10	-0.10	0
	100	+0.09	+0.09	0	0	0	0
	200	+0.49	+0.44	-0.05	0	0	0
	500	+0.37	+0.35	-0.02	-0.27	-0.30	-0.03
Base to No Action	50	0	+0.03	+0.03	0	-0.28	-0.28
	100	0	+0.05	+0.05	-0.01	-0.21	-0.20
	200	+0.43	+0.52	+0.09	0	-0.08	-0.08
	500	+0.13	+0.29	+0.16	-0.22	-0.31	-0.09

Table 3-4 Summary of Maximum WSE Impacts and 2012 to 2018 Impact Change, Grant Line Canal

Impact Scenario	Flood Event	Max WSE Increase (feet)			Max WSE Decrease (feet)		
		2012	2018	2012 to 2018 Change	2012	2018	2012 to 2018 Change
Existing to No Action	50	0	+0.03	+0.03	0	0	0
	100	0	+0.04	+0.04	0	0	0
	200	+0.24	+0.41	+0.17	0	0	0
	500	+0.04	+0.04	0	0	0	0

Table 3-4 Summary of Maximum WSE Impacts and 2012 to 2018 Impact Change, Grant Line Canal

Impact Scenario	Flood Event	Max WSE Increase (feet)			Max WSE Decrease (feet)		
		2012	2018	2012 to 2018 Change	2012	2018	2012 to 2018 Change
Existing to With Project	50	+0.02	+0.02	0	0	0	0
	100	+0.08	+0.08	0	0	0	0
	200	+0.44	+0.39	-0.05	0	0	0
	500	+0.07	+0.03	-0.04	0	0	0
Base to No Action	50	0	+0.03	+0.03	0	0	0
	100	0	+0.04	+0.04	0	0	0
	200	+0.28	+0.50	+0.22	0	0	0
	500	+0.08	+0.11	+0.03	0	0	0

Table 3-5 Summary of Maximum WSE Impacts and 2012 to 2018 Impact Change, Middle River

Impact Scenario	Flood Event	Max WSE Increase (feet)			Max WSE Decrease (feet)		
		2012	2018	2012 to 2018 Change	2012	2018	2012 to 2018 Change
Existing to No Action	50	0	0	0	0	-0.19	-0.19
	100	0	0	0	0	-0.12	-0.12
	200	+0.20	+0.18	-0.02	0	-0.55	-0.55
	500	+0.29	+0.57	+0.28	-0.29	-0.43	-0.14
Existing to With Project	50	0	0	0	-0.03	-0.03	0
	100	+0.03	+0.03	0	0	0	0
	200	+0.24	+0.24	0	-0.39	-0.39	0
	500	+0.54	+0.50	-0.04	-0.20	-0.20	0
Base to No Action	50	0	0	0	0	-0.19	-0.19
	100	+0.01	0	-0.01	0	-0.12	-0.12
	200	+0.20	+0.18	-0.02	-0.01	-0.56	-0.55
	500	+0.33	+0.63	+0.30	-0.29	-0.44	-0.15

Impact Comparison - Paradise Cut

- ▲ Existing to No Action: In the 50-year and 100-year flood events, there was no WSE increase with the 2012 scenario and a 0.01 foot decrease for the 100-year flood events. With the 2018 scenario, there is a reduction in the WSE of up to 0.84 feet (50-year flood event). This is due to the agricultural area degrade within Paradise Cut, and there are no Stewart Tract levee breaches in these flood events. In the 200-year and 500-year flood events, the 2018 scenario only shows an increase in the WSE relative to the 2012 scenario for the 500-year event, 0.05 feet (3/5 inch)
- ▲ Existing to With Project: No change, or reductions in impacts.
- ▲ Base to No Action: Changes to impacts are similar to what is shown for Existing to No Action.

Impact Comparison - Old River

- ▲ Existing to No Action: Maximum increases in WSE range from 0.03 feet (1/3 inch) for the 50-year flood event to 0.15 feet (1 4/5 inch) for the 500-year flood event. These increases primarily occur downstream of Middle River. Maximum decreases in WSE range from 0.28 feet (3 1/3 inches) for the 50-year flood event to 0.08 feet (1 inch) for the 200-year flood event.
- ▲ Existing to With Project: No changes in impacts in the 50-year and 100-year flood events. In the 200-year and 500-year flood events, there is a very small decrease in the WSE impacts of up to 0.05 feet (3/5 inch).
- ▲ Base to No Action: Changes to impacts are similar to what is shown form Existing to No Action.

Impact Comparison - Grant Line Canal

- ▲ Existing to No Action: No decreases in WSE for all flood events and no increase for the 500-year flood event. Increases in WSE ranging from 0.03 feet (1/3 inch) for the 50-year flood even to 0.17 feet (2 inches) for the 200-year flood event.
- ▲ Existing to With Project: No changes in impacts in the 50-year and 100-year flood events. In the 200-year and 500-year flood events, there is a very small decrease in the WSE impacts of up to 0.05 feet (3/5 inch).
- ▲ Base to No Action: In the 200-year flood event, the WSE impacts see an increase of up to 0.22 feet (2 2/3 inches). In the 50-, 100, and 500-year flood events, there is a very small increase in the WSE impacts of up to 0.04 feet (1/2 inch).

Impact Comparison - Middle River

- ▲ Existing to No Action: Deceases in impacts in the 50-year and 100-year flood events of 0.19 feet (2 1/4 inches) and 0.12 feet (1 2/5 inches) respectively. In the 200-year flood event there are also decreases in WSE relative to the 2012 scenario ranging from 0.02 feet (1/4 inch) to 0.55 feet (6 3/5 inches) depending on the location along Middle River. In the 500-year flood event, upstream of Howard Road there is an increase in the WSE impact of up to 0.28 feet (3 1/3 inch), and an decrease in the impact of 0.14 feet (1 2/3 inche) downstream of Howard Road.
- ▲ Existing to With Project: No changes in impacts in all flood events except the 500-year, which has a 0.04 foot (1/2 inch) decrease relative to the 2012 scenario.
- ▲ Base to No Action: Changes to impacts are similar to what is shown form Existing to No Action

In all cases, particularly for the more frequent 1 in 50 AEP and 1 in 100 AEP events, the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would either not result in any increased flood stage elevations than those identified in the 2012 SEIR, or only minor increases. For 200-year and 500-year flood events, there are some decreases in elevations when compared to the 2012 analysis and some minor increases. Where there are increases, there are is sufficient freeboard in the levees to where the increase can be accommodated (see Appendix A). Further, in the 200-year scenario, much of the area south and west of the Project Site is completely inundated and there is no effect from the Updated NEPA Modifications under such a scenario (Appendix A).

As with the 2012 analysis, it is important to note that the flooding events assumed in the SEIR analysis anticipated levee failures three feet from the top of levee in some locations upstream of the project site. With the updated analysis, the hydrologic modeling assumptions are more conservative; the modeling shows failures at top of levee, or the more extreme assumption of no failures while overtopping (the latter is the assumption utilized by USACE when evaluating projects in the Delta at this time). Were the SEIR modeling to

use the same levee failure assumptions as the updated modeling, increases in flood stage elevation shown in the above tables would occur in fewer locations, would be substantially less, and in many cases increases in flood stage elevation would convert to decreases. Where decreases in flood stage elevation are shown in the tables, these decreases would be greater. Given these conditions, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not change the less than significant impact conclusions in the SEIR related to alterations in flood stage elevations.

The development scenario evaluated in the SEIR and previous addenda use the Central Lake and the Grand Canal to detain stormwater before discharging it to Paradise Cut. Stormwater best management practices (BMPs) would be implemented such as use of water treatment wetlands (bio-retention basins) adjacent to the stormwater detention water bodies to treat stormwater before it reaches the detention areas. In the case of the water treatment wetlands, water from the stormwater detention water bodies would be regularly cycled through the treatment wetlands to maintain water quality in the detention water bodies. This same scenario would continue unchanged under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications and stormwater would be stored in lakes as is the case in the Phase 1 area. There would be no new significant impact or substantially more severe significant impact.

Under the development scenario analyzed in the SEIR, Phase 2 of project development would include approximately 100 acres of water features to be used for stormwater treatment and management (i.e., Central Lake, Grand Canal, water treatment wetlands). This area, in conjunction with other stormwater BMPs, was considered sufficient to:

- ▲ detain project-generated stormwater volumes consistent with regulatory standards,
- ▲ maintain interior lake water quality to such a level that water quality impacts associated with discharges from the lake to the Delta would be considered less than significant, and
- ▲ allow a lake-level management regime such that diversions to the lake from the Delta and discharges from the lake to the Delta would result in less-than-significant, and in some cases beneficial, impacts related to Delta hydrology and water quality.

The stormwater management system continues to have sufficient capacity to store and treat stormwater generated by the project while meeting the same performance criteria described in the SEIR and previous addenda. There would be no new significant impact or substantially more severe significant impact.

The SEIR identifies a potentially significant impact related to excavations during construction intersecting shallow groundwater, resulting in releases of sediments or contaminants into the groundwater. This impact is considered less than significant after mitigation. The Updated Tract 3765 VTM proposal and Updated NEPA Modifications do not appreciably alter the type and extent of proposed development requiring excavations that might intersect groundwater. Therefore, the potential for adverse effects to groundwater during construction of the Tract 3765 VTM proposal and NEPA modifications would not differ substantially from what is described in the SEIR and previous addenda, and the same mitigation measures identified in the SEIR and previous addenda would also reduce this impact to a less-than-significant level under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The SEIR and previous addenda also identify potential impacts to groundwater quality through contaminants entering groundwater via the Central Lake and the human-made Paradise Cut Canal and increases in total dissolved solids in City wells resulting from withdrawals of groundwater to serve the River Islands project. These impacts are all considered less than significant in the SEIR and previous addenda. The Updated Tract 3765 VTM proposal and Updated NEPA Modifications have the same potential for contaminants to enter the lake system (i.e., the same type and extent of development that would generate contaminants) and the same methods and capacity to treat/remove these contaminants with treatment wetlands and other BMPs. Therefore, potential impacts to groundwater quality from operation of these water bodies, which are considered less than significant for the SEIR and previous addenda, would remain less than significant for the Updated Tract 3765 VTM scenario and Updated NEPA modifications. Although the Updated Tract 3765

VTM proposal does not include construction of homes or non-residential uses at this time, if one were to consider the development ultimately planned for the Updated Tract 3765 VTM area, it is not appreciably different from what described in the SEIR and previous addenda. As a result, the demand for potable water under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not differ appreciably from what is assumed in the SEIR and previous addenda, and impacts related to increases in total dissolved solids in City wells resulting from withdrawals of groundwater to serve the River Islands project would remain less than significant.

An impact related to water consumption resulting from the River Islands project making water unavailable to other users is also identified in the SEIR and previous addenda. The impact is considered less-than-significant. Again, because the development that would ultimately occur within Updated Tract 3765 VTM area and related water demand would not appreciably differ from that described in the SEIR and previous addenda, this impact would remain less than significant.

3.8.2 Conclusion

In summary, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant impacts related to hydrology and water quality, significant changes in the severity of previously identified impacts related to hydrology and water quality, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to hydrology and water quality.

3.9 HAZARDOUS MATERIALS AND PUBLIC HEALTH

3.9.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background or existing conditions relative to hazardous materials and public health has occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal or Updated NEPA Modifications.

The SEIR and previous addenda identify hazardous materials and public health impacts related to storage, use, and transport of hazardous materials during project construction and operation (less than significant); potential exposure of construction workers, residents, and others to hazardous materials that may currently be on the project site (significant); and use of recycled water to irrigate public areas at the project site (less than significant). The single significant impact among these three identified in the SEIR and previous addenda—the potential exposure of construction workers, residents, and others to hazardous materials that may currently be on the project site—would be reduced to a less-than-significant level with mitigation.

The Updated Tract 3765 VTM proposal and Updated NEPA Modifications include the same land uses already considered in the SEIR and previous addenda; therefore, the Updated Tract 3765 proposal and Updated NEPA Modifications would not alter the potential for project operations to use, store, transport, or generate hazardous materials or introduce land uses that would have greater sensitivity to hazardous materials. The Updated Tract 3765 VTM proposal and Updated NEPA Modifications do not include any construction methods that would result in additional storage, use, transport, or generation of hazardous materials relative to construction methods assumed in the SEIR and previous addenda. Therefore, the less-than-significant impact in the SEIR and previous addenda related to this topic would remain less than significant under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

Similarly, because there would be no substantial changes in the land uses and construction methods under the Updated Tract 3765 VTM proposal and Updated NEPA modifications compared to those included in the

SEIR and previous addenda, the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant or substantially more severe impacts related to potential exposure of construction workers, residents, and others to hazardous materials that may currently be present on the project site. This impact would remain significant under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications and would be reduced to a less-than-significant level using the same mitigation measures identified in the SEIR.

Finally, proposed development associated with the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would make the same use of recycled water on the same land uses as considered in the SEIR and previous addenda. Therefore, potential health risk impacts associated with the use of recycled water, which are considered less than significant in the SEIR, would also be considered less than significant under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

3.9.2 Conclusion

Implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant impacts related to hazardous materials and public health, significant changes in the severity of previously identified impacts related to hazardous materials and public health, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to hazardous materials and public health.

3.10 PUBLIC SERVICES

3.10.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs no changes to the regulatory background or existing conditions relative to public services have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The SEIR and previous addenda identify public service impacts related to obstruction of roadways during construction that potentially slows emergency vehicle access, increased demand for fire protection facilities and services, increased demand for water-related emergency facilities and services, increased demand for water flows for fire suppression (fire flow), increased demand for police protection facilities and services, increased demand for animal control facilities and services, and increased demand for school facilities and services. All of these impacts are considered significant and would be reduced to a less-than-significant level with mitigation. The SEIR and previous addenda also identify a public services impact related to increased generation of solid waste and an associated increase in demand for landfill capacity. However, this impact is considered less than significant because of sufficient available capacity at existing landfills.

There are no substantial changes in the land uses and construction methods under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications compared to those included in the SEIR and previous addenda. The Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant or substantially more severe impacts related to demand for, or provision, of public services; obstruction of roadways during construction that could slow emergency vehicle access; and generation of waste requiring disposal in a landfill. The same mitigation measures identified in the SEIR that would reduce significant impacts to less than significant levels would achieve the same result under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

3.10.2 Conclusion

In summary, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant impacts related to public services, significant changes in the severity of previously identified impacts related to public services, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to public services.

3.11 PUBLIC UTILITIES

3.11.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background relative to public utilities have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The SEIR and previous addenda identified public utilities impacts related to:

- ▲ demand for potable water (significant),
- ▲ environmental impacts associated with the development of new city wells (less than significant based on previously adopted mitigation identified in the City's Water, Wastewater, and Recycled Water Master Plan EIR),
- ▲ demand for wastewater treatment capacity (significant),
- ▲ environmental impacts associated with the expansion of Water Recycling Plan (WRP) #1 and construction of WRPs #2 and #3 (significant),
- ▲ demand for recycled water storage and disposal capacity during Phases 1a and 1 of project development (less than significant),
- ▲ demand for recycled water storage and disposal capacity for Phase 2 of project development (significant), and
- ▲ stormwater/surface runoff management (less than significant).

Of the four significant impacts that are identified above, all but one of them (the environmental impact associated with the expansion of WRP #1 and construction of WRPs #2 and #3) could be reduced to less-than-significant levels with mitigation adopted as part of the River Islands Project. As stated in the Second Addendum prepared for the River Islands Project, since certification of the SEIR and related project approvals, the South San Joaquin Irrigation District South County Surface Water Supply Project (SCSWSP) has been completed. The SEIR identified a significant impact related to water supply, not because the City did not have rights to sufficient water to serve the project and existing and future development in the City, but because the SCSWSP had not been completed at that time and water deliveries from this source were not available. Because the SCSWSP has been completed and the City is receiving water deliveries from South San Joaquin Irrigation District, the significant water supply impact identified in the SEIR is no longer applicable, or would be considered less than significant if the SEIR were prepared today.

The Updated Tract 3765 VTM proposal does not include development at this time; however, if one were to consider future development within the Updated Tract 3765 VTM area, as well as any project modifications associated with the NEPA modifications, development that would result in demands for potable water,

wastewater, recycled water, and urban storm drainage would be the same as evaluated in the SEIR and previous addenda. At full project buildout under the Updated Tract 3765 VTM proposal and incorporating the Updated NEPA Modifications, demand for public utilities, methods for the provision of public utilities, and the capacity of public utility systems serving the project would be the same as described in the SEIR and previous addenda. Public utilities impacts identified in the SEIR and previous addenda, as well as mitigation measures and the effectiveness of mitigation measures, would be the same under the Updated Tract 3765 VTM and Updated NEPA Modifications.

3.11.2 Conclusion

In summary, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in new significant impacts related to public utilities, significant changes in the severity of previously identified impacts related to public utilities, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to public utilities.

3.12 RECREATION

3.12.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background or existing conditions relative to recreation resources have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background or existing conditions relative to recreation resources have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The SEIR and previous addenda identified recreation impacts related to demand for neighborhood and community parks, reduced recreational boating opportunities, and consistency with the open space designations. The impact related to reduced recreational boating opportunities is less than significant; the remaining two impacts are beneficial.

The Updated Tract 3765 VTM proposal does not include development at this time; however, if one were to consider future development within the Tract 3765 VTM area, as well as any project modifications associated with the Updated NEPA Modifications, development that would result in demands for recreation facilities would be the same as evaluated in the SEIR and previous addenda. The total acreage of parks and similar recreational facilities would also be the same (or greater). Therefore, there would be no change in impacts related to demand for neighborhood and community parks and consistency with open space designations and these impacts would remain beneficial under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

3.12.2 Conclusion

In summary, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in new significant impacts related to recreation, significant changes in the severity of previously identified impacts related to recreation, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to recreation.

3.13 AGRICULTURAL RESOURCES

3.13.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background relative to agricultural resources have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

As stated in the second Addendum prepared for the River Islands Project, since certification of the SEIR and related project approvals, all Williamson Act contracts that apply to lands included in the SEIR Phase 1 development area and the Tract 3694 VTM development proposal area have been cancelled. For contracts that are still in affect within the Phase 2 area (i.e., Tract 3765 VTM area); however, Notices of Non-Renewal have been filed with San Joaquin County and these contracts will expire before any development begins. Therefore, cancellation of contracts (versus expiration of contracts), which is considered significant in the SEIR, would not occur. Approval of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not alter impacts related to Williamson Act contract cancellations as described in the SEIR and previous addenda, and delays in implementation of development in the Phase 2 area (which are unrelated to consideration of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications) would result in lessening of this impact as contracts expire rather than being cancelled.

The SEIR and previous addenda also identified agricultural resource impacts related to conversion of important farmland (significant) and adjacent landowner/user conflicts (potentially significant). No mitigation is available to reduce impacts related to the conversion of important farmland to a less-than-significant level; therefore, this impact is considered significant and unavoidable. Impacts related to adjacent landowner/user conflicts can be reduced to less than significant with mitigation identified in the SEIR.

The Updated Tract 3765 VTM proposal does not include development at this time; however, if one were to consider future development within the Tract 3765 VTM area, as well as any project modifications associated with the NEPA modifications, the overall development footprint and resulting conversion of important farmland to a non- agricultural use is the same as described in the SEIR and previous addenda. Because of the similarities in the development footprint, type of development, and staging of development, potential conflicts between ongoing agricultural activities and adjacent new development under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not be appreciably different from that described in the SEIR and previous addenda.

No mitigation is available to reduce impacts related to the conversion of important farmland to a less-than-significant level (i.e., no new important farmland can be created to replace what is lost); therefore, this impact is considered significant and unavoidable and was covered in the City's previous approval of the project with the SEIR in 2003. For the same reasons described in the SEIR and previous addenda, this impact would remain significant and unavoidable under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

Impacts associated with potential conflicts between ongoing agricultural activities and adjacent new development identified as significant in the SEIR and previous addenda would remain significant under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. The mitigation measures identified in the SEIR to reduce the impact to a less- than-significant level would also reduce the impact to less than significant under the Updated Tract 3765 VTM and Updated NEPA Modifications.

3.13.2 Conclusion

Implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant impacts related to agricultural resources, significant changes in the severity of previously identified impacts related to agricultural resources, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to agricultural resources.

3.14 TERRESTRIAL BIOLOGY

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background or existing conditions relative to terrestrial biology have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The SEIR and previous addenda identified terrestrial biology impacts related to the following categories of effects:

- ▲ general biological resources (less than significant);
- ▲ special-status plants (potentially significant);
- ▲ Valley elderberry longhorn beetle (significant);
- ▲ giant garter snake (significant);
- ▲ western pond turtle (potentially significant);
- ▲ Swainson's hawk (significant);
- ▲ Aleutian Canada goose and greater sandhill crane (less than significant);
- ▲ burrowing owl (significant);
- ▲ colonial nesting birds (less than significant);
- ▲ ground-nesting or streamside/lakeside-nesting birds (potentially significant);
- ▲ birds nesting in isolated trees or shrubs outside of riparian habitat (potentially significant);
- ▲ birds nesting along riparian corridors (significant);
- ▲ snowy egret, American white pelican, double-crested cormorant, and white-faced ibis (less than significant);
- ▲ ferruginous hawk, mountain plover, merlin, and long-billed curlew (less than significant);
- ▲ common tree-nesting raptors (significant);
- ▲ special-status bats (less than significant);
- ▲ riparian brush rabbit (significant);
- ▲ jurisdictional waters of the United States and riparian habitat (significant);
- ▲ wildlife corridors (significant); and
- ▲ biological resources associated with off-site facilities (potentially significant).

All impacts identified as significant or potentially significant would be reduced to less than significant with mitigation identified in the SEIR.

The Updated Tract 3765 VTM proposal and Updated NEPA Modifications do not appreciably alter the type or extent of development included in the project compared to the SEIR and previous addenda; therefore, with limited exceptions, at full buildout, impacts on terrestrial biological resources resulting from construction and operation of project development and the implementation and effectiveness of associated mitigation measures would not be different from that described in the SEIR and previous addenda. One exception is impacts on jurisdictional waters of the United States. With the avoidance of special aquatic features included in the Updated NEPA Modifications, the overall acreage of fill of jurisdictional waters would be less than that described in the SEIR. Effects on wildlife species associated with avoidance of this pond (e.g., western pond turtle) would also be reduced.

The No Action Flood Protection Option of Updated NEPA Modifications, when implemented, could alter the timing of impacts and mitigation described in the SEIR. However, these alterations in timing were analyzed in

the Third Addendum, which was adopted in 2012. In the SEIR, it was assumed that the Paradise Cut canal and setback levee would be completed prior to development in the Phase 2 area, providing a physical separation between habitat and special-status species in Paradise Cut (e.g., riparian brush rabbit) and potential indirect effects from adjacent development (e.g., entrance of humans and pets into Paradise Cut, introduction of feral cats into Paradise Cut). If the Updated NEPA Modifications were implemented, Phase 2 development could occur prior to the physical barriers of the Paradise Cut canal and setback levee being in place, increasing potential indirect adverse effects of development on terrestrial biological resources in Paradise Cut. However, the applicant would be required to pay applicable SJMSCP fees in a phased in basis (development area by development area), implement applicable SJMSCP impact minimization measures concurrently with fee payment, and implement planned non-native species controls in Paradise Cut between new development areas and existing habitat areas (e.g., feral cat control). These measures would reduce indirect effects of project development on terrestrial biological resources in Paradise Cut to within the range described in the SEIR and previous addenda; no new significant impacts would occur and there would not be a substantial increase in any previously identified significant impacts.

The potential reduction or elimination of the lowering of the bench immediately downstream of the Weir and replacing it with an additional setback levee placed 150-250 feet to north of the existing levee is also included in the Updated NEPA Modification flood protection improvement modifications, in the Upper Paradise Cut improvement area near the Paradise Weir. The bench area in question supports habitat for riparian brush rabbit and removal of vegetation and soil to lower the bench is considered a significant impact on this species in the SEIR. This impact would be mitigated to a less than significant level through restoration of habitat on the bench and elsewhere in Paradise Cut and other measures. A reduction in the level of lowering as part of the flood protection improvement modifications would still remove the habitat and the impacts and mitigation would be the same as described in the SEIR. If the acreage of area lowered were reduced or the lowering were eliminated, the impact to riparian brush rabbit would also be reduced or eliminated. This is the same scenario approved with the 2012 Third Addendum to the SEIR.

3.14.1 Conclusion

In summary, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant impacts related to terrestrial biology, significant changes in the severity of previously identified impacts related to terrestrial biology, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to terrestrial biology.

3.15 FISHERIES

3.15.1 Updated Tract 3765 and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the existing conditions relative to fisheries have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

As stated in the Second Addendum prepared for the River Islands Project, since certification of the SEIR and related project approvals, the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) proposed listing populations of North American green sturgeon south of the Eel River as threatened under the federal Endangered Species Act (ESA). The listing proposal was released on April 5, 2005 and was identified in the First Addendum addressing the Tract 3491 VTM. On April 7, 2006, after certification of the First Addendum, NMFS made a decision on the listing proposal released the previous year and listed the green sturgeon as threatened under the ESA. The green sturgeon was identified as a state and federal Species of Concern when the SEIR was certified. As identified in the SEIR, the green sturgeon is

expected to forage in, and migrate through, the lower San Joaquin River and south Delta, which would include waterways around the River Islands project site. However, the species has not been reported in, nor is it expected to spawn in, the River Islands area due to a lack of suitable spawning habitat. Although the green sturgeon now receives a greater level of protection under the ESA than when the SEIR was certified and First Addendum was adopted, the change in listing status does not alter any impact conclusions or mitigation measures in the SEIR or previous addenda. Green sturgeon would use waterways in the project area in the same manner as salmonid species (salmon and steelhead) known to inhabit the project vicinity: for migration, and to a smaller extent, for foraging. Therefore, impacts identified in the SEIR and previous addendum related to salmonid species protected under the ESA would apply to green sturgeon in the same manner currently described in these documents. Mitigation measures identified in the SEIR and previous addendum related to listed salmonid species would also apply to green sturgeon and would be equally effective in reducing significant impacts to less-than-significant levels. Therefore, where the SEIR identifies no significant unavoidable impacts related to listed salmonids (or other special status fish species), the same conclusion would apply to green sturgeon.

The SEIR and/or the previous addenda identified fisheries impacts related to:

- ▲ RID Area construction sediment (less than significant),
- ▲ levee breaching (significant),
- ▲ bridge and utility crossings (significant),
- ▲ the Paradise Cut Bridges (significant),
- ▲ dock construction (less than significant),
- ▲ structural habitat features (ranges from less than significant to beneficial),
- ▲ entrainment in project pumps (beneficial),
- ▲ maintenance dredging of back bays (significant),
- ▲ habitat modification in Paradise Cut (beneficial),
- ▲ diversion of chinook salmon smolts (less than significant),
- ▲ creation of new fish habitat in the RID Area (beneficial),
- ▲ introduction of exotic fish into the Delta (less than significant), and
- ▲ increased water consumption (less than significant).

All the significant impacts listed above would be reduced to less than significant with mitigation identified in the SEIR.

As stated previously in the evaluation of hydrology and water quality, impacts related to construction sediment in the project development area (i.e., RID Area) contributing to water quality contamination would not be altered appreciably by the Updated Tract 3765 VTM proposal or Updated NEPA Modifications as the construction footprint (with minor modifications such as the elimination of back bays) and the type of development are not altered relative to that evaluated in the SEIR and previous addenda. This impact mechanism, as it relates to fisheries (i.e., RID Area construction sediment), would continue to result in a less than significant impact under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The Updated Tract 3765 VTM proposal does not alter planned utility crossings and bridges associated with the project and therefore would not alter fisheries impacts associated with these facilities. The Updated NEPA Modifications do not affect project utility crossings but provide further detail regarding the design and construction of project bridges; however the bridge details still remain consistent with the assumptions regarding the bridges in the SEIR and previous addenda. A portion of the additional bridge details consist of specific measures to minimize fisheries impacts. Therefore, fishery impacts associated with bridge and utility crossings and the Paradise Cut Bridges would be consistent with those described in the SEIR and previous addenda and could be lessened. These impacts would remain significant and would continue to be reduced to a less than significant level with mitigation.

The fisheries related structural habitat features identified in the SEIR that would result in less than significant to beneficial impacts (e.g., habitat plantings) would not be substantially altered by the Updated

Tract 3765 VTM proposal and Updated NEPA Modifications. The impact would continue to range from less than significant to beneficial. No new significant adverse impact would occur.

The beneficial fisheries impact identified in the SEIR related to entrainment in project pumps primarily results from the replacement of multiple existing agricultural water intake pumps along the San Joaquin River, Old River, and Paradise Cut with two screened pump facilities to support water levels in the project's lake system. This modification of water intake infrastructure is included, unchanged, in the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. The beneficial impact identified in the SEIR and previous addenda would continue under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. No new significant adverse impact would occur.

As described previously in the evaluation of hydrology and water quality, the operation and performance of the Central Lake as a stormwater management and water quality system would not be appreciably altered by the Updated Tract 3765 VTM proposal and Updated NEPA modifications. Therefore, fisheries impacts described in the SEIR and previous addenda related to central lake operation (water discharges to the Delta and altered hydrology from water discharges) would not differ appreciably from implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. These impacts would remain beneficial, or less than significant, and no new significant impacts would occur.

A beneficial fisheries impact is identified in the SEIR related to planned habitat modifications in Paradise Cut (e.g., riparian habitat plantings enhancing/creating shaded riverine aquatic habitat). Although these habitat modifications may be delayed or somewhat reduced under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications (e.g., Paradise Cut improvements that provide space for new riparian vegetation are delayed, compliance with USACE vegetation management policies results in less land available for riparian vegetation planting than originally anticipated), substantial beneficial habitat modifications would still occur, resulting in the beneficial effect identified in the SEIR and previous addenda. No new significant impacts would occur because past "less-than-significant" conclusions for fisheries are not dependent on the beneficial effects of habitat improvements in Paradise Cut.

The less than significant fisheries impact identified in the SEIR related to diversion of chinook salmon smolts involves the potential for increased flows entering Paradise Cut from the San Joaquin River to carry with them additional salmon smolts that would be diverted from the San Joaquin River to Old River (a less desirable course for migration to the open ocean). Changes in flows (timing and volume) are not considered sufficient to divert a substantial number of smolts relative to existing conditions and the impact is considered less than significant. The Updated Tract 3765 VTM proposal and Updated NEPA Modifications do not appreciably alter the planned function of Paradise Cut as a flood control feature and the frequency and volume of flows into the cut would not differ appreciably from those described in the SEIR and previous addenda. Therefore, this impact would remain less than significant under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. No new significant impacts would occur.

Fisheries impacts identified in the SEIR and previous addenda related to the creation of new fish habitat in the RID Area (beneficial) and introduction of exotic fish into the Delta (less than significant) both center on the construction and operation of the project's lake system. Creation of the lakes would provide a new water body suitable for fish and would therefore create new fish habitat. The lake system could also become a source for exotic fish species (e.g., project residents release non-native fish into the lake) that could leave the lake and enter the Delta. However, this impact is considered less than significant because there is not a direct hydrologic connection between the lake system and nearby Delta waterways, and adult fish, juveniles, and eggs are not expected to survive passing through pumps that would move water from the lake system to outfalls in Paradise Cut when needed. As stated previously, the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not alter the operation and performance of the lake system. Therefore, these impacts would remain beneficial and less than significant, respectively, under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. No new significant impacts would occur.

As stated previously in the analysis of hydrology and water quality, although the Updated Tract 3765 VTM proposal does not include construction of homes or non-residential uses at this time, if one were to consider

the development ultimately planned for the Updated Tract 3765 VTM area compared to that contemplated in the Amended West Lathrop Specific Plan (i.e., the most current River Islands proposal), it is not appreciably different from what described in the SEIR and previous addenda. As a result, the demand for potable water under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not differ appreciably from what is assumed in the SEIR and previous addenda. Therefore, fisheries impacts identified in the SEIR related to increased water consumption would not be altered under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications and the impact would remain less than significant. No new significant impacts would occur.

The Updated Tract 3765 VTM proposal and Updated NEPA Modifications do not generate new fishery impact mechanisms beyond those already included in the SEIR and previous addenda and described above.

3.15.2 Conclusion

In summary, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant impacts related to fisheries, significant changes in the severity of previously identified impacts related to fisheries, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to fisheries.

3.16 CULTURAL RESOURCES

3.16.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the VTMs, no changes to the regulatory background relative to cultural resources have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The SEIR identifies impacts to an archeological site identifies as site RI-1 (described as impacts to “recorded archeological sites”) as potentially significant. The site is located in the Phase 1 development area and would not be affected by the Updated Tract 3765 VTM proposal (covers the Phase 2 development area) or the Updated NEPA Modifications. Therefore, impacts to this site and the implementation/effectiveness of mitigation measures would not be altered by the Updated Tract 3765 VTM proposal and the Updated NEPA Modifications.

The SEIR and previous addenda identify additional cultural resources impacts related to listed archeological sites (significant), historic properties (significant), undiscovered/unrecorded archeological sites (potentially significant), undiscovered/unrecorded human remains (significant), and off-site resources (significant). All these impacts would be reduced to less-than-significant levels with mitigation.

Cultural resources impacts related to undiscovered/unrecorded resources and off-site resources address the potential to encounter currently unknown resources in the River Islands Development Area (RID Area [i.e., area proposed for development within the Steward Tract]) or within off-site utility corridors because of these resources either being below the ground surface or not yet being encountered during surveys. Because the potential still exists to encounter currently unknown cultural resources during construction of development associated with the Updated Tract 3765 VTM proposal and construction of the NEPA Modifications, significant impacts identified in the SEIR related to this issue would still be considered significant under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications. The mitigation measures identified in the SEIR for these impacts would also reduce the impacts to less-than significant levels under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

Impacts identified in the SEIR and previous addenda related to listed archeological sites and historic properties involve the degradation of visual character in the vicinity of historic/archeological resources resulting from project development. This impact is considered significant and would be reduced to a less than significant level with mitigation. Historic/archeological resources considered in these impacts include the railroad drawbridge crossing the San Joaquin River just north of the Manthey Road bridge; the landing place for the sail launch Comet (a California historic landmark), which is on the San Joaquin River near the railroad drawbridge; and the agricultural silo complex just southwest of the railroad drawbridge. Construction of modern structures near these sites could degrade remaining views that reflect the historic context of the sites and is considered a significant impact. Under the development scenario described in the SEIR, views of the railroad drawbridge and the Comet landing site would be adversely affected by the Golden Valley Parkway bridge over the San Joaquin River and houses on the high-ground corridor north of the bridge; these are Phase 1 impacts that are not applicable to the Phase 2 area comprising the Updated Tract 3765 VTM proposal. The Updated NEPA modifications provide greater detail regarding the design and construction methods for the Golden Valley Parkway bridge over the San Joaquin River. These additional details are consistent with assumptions used in the SEIR and previous addenda and do not alter the intensity or nature of this impact or the implementation or effectiveness of mitigation. Mitigation measures included in the SEIR would continue to reduce this impact to a less than significant level with the Updated NEPA Modifications.

Under the development scenarios described in the SEIR and the previous addenda, views of the agricultural silo complex would be adversely affected by construction of modern buildings in the portion of the Employment Center north and northwest of the silos. This is an area included in Phase 1 of project development. The Updated Tract 3765 VTM proposal and the Updated NEPA Modifications do not include development in this area and would not affect this impact.

3.16.2 Conclusion

In summary, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant impacts related to cultural resources, significant changes in the severity of previously identified impacts related to cultural resources, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to cultural resources.

3.17 AESTHETIC RESOURCES

3.17.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background or existing conditions relative to aesthetic resources have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The SEIR and previous addenda identify aesthetic resources impacts related to views of the site from surrounding lands (less than significant), views from I-5 and the I-5/I-205/State Route 120 merge segment (less than significant), views for recreational boaters (less than significant), nighttime views (less than significant), views of the grain silos and the railroad bridge (less than significant), and design and function of walls and fences/consistency with the WLSP (potentially significant). The one potentially significant impact would be reduced to less than significant with mitigation identified in the SEIR.

The Updated Tract 3765 VTM proposal includes the same development types in the same district locations as described in the SEIR and previous addenda. Proposed walls and fences included in the project area are also the same. Development in the Tract 3765 VTM area visible from various vantage points, as well as effects on nighttime views, would not differ from what is described in the SEIR and previous addenda and

impacts related to these issues would remain less than significant. The potentially significant impact associated with the function of walls and fences and consistency with the WLSP would be the same and would continue to be reduced to a less than significant level with the same mitigation.

Although the Updated NEPA Modifications involve levee work, they do not alter levee heights; therefore, project views would not change via this mechanism. The Updated NEPA Modifications provide greater detail regarding the design and construction methods for project bridges. These additional details are consistent with assumptions used in the SEIR and previous addenda and do not alter the aesthetic effects of the bridges.

3.17.2 Conclusion

In summary, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant impacts related to aesthetic resources, significant changes in the severity of previously identified impacts related to aesthetic resources, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to aesthetic resources.

3.18 GROWTH-INDUCING IMPACTS

3.18.1 Updated Tract 3765 VTM and Updated NEPA Modifications

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background or existing conditions related to growth-inducing impacts have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

As described in various sections above, at full buildout of the River Islands project, land uses under the Updated Tract 3765 VTM proposal and Updated NEPA modifications are the same or differ only slightly from those described in the SEIR and previous addenda. No changes are proposed regarding the number and type of dwelling units, population and employee-generating land uses (i.e., dwelling units), and job-generating land uses (Town Center, Employment Center). Therefore, the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in a substantial change in the overall growth-inducing impacts from those described in the SEIR related to fostering economic or population growth or the construction of additional housing and the provision of services since these changes do not create any new development and do not change buildout development assumptions from the SEIR or previous approvals.

3.18.2 Conclusion

Overall, implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant growth-inducing impacts, significant changes in the severity of previously identified growth-inducing impacts, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to growth-inducing impacts.

3.19 CUMULATIVE IMPACTS

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background related to cumulative impacts have occurred that

would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

Regarding existing conditions, since 2003 a number of projects listed in the cumulative impacts section of the SEIR have either been completed, or construction is underway (e.g., Hampton Inn Hotel, Best Western (now Holiday Inn Express) Hotel, Trailer Proz, Walgreen's, Save Mart shopping center and others). However, because CEQA requires that a cumulative impact analysis consider past, present, and reasonably foreseeable future projects, that some projects that were considered "future projects" in the SEIR are now complete or under construction does not affect their consideration in the cumulative-impact analysis.

In some instances (e.g., Central Lathrop Specific Plan), more detail is now available regarding a related project than was available when the SEIR was certified in 2003. However, the cumulative analysis in the SEIR included both a list approach (list of projects) and a plan approach (using development assumptions included in applicable general plans, specific plans, and the SJMSCP), resulting in a thorough and comprehensive consideration of local and regional development in the evaluation of cumulative impacts.

Therefore, additional details or minor modifications regarding a specific project included in the cumulative impact analysis would not alter the overall conclusions in the analysis. As indicated in the cumulative impacts analysis in the SEIR and repeated in the previous addenda, implementing the River Islands project would contribute to significant cumulative impacts related to traffic; air quality; noise; geology, soils, and mineral resources; public services; public utilities; agricultural resources; fisheries; and odor. It also would potentially contribute to significant surface water quality impacts. As described in the SEIR and repeated in the previous addenda, these impacts are a product of cumulative growth, and no feasible mitigation is available to reduce these impacts to less-than-significant levels; therefore, these cumulative impacts are considered significant and unavoidable.

As described in various sections above, land uses under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications are the same or differ only slightly from those described in the SEIR and previous addenda. Therefore, project contributions to cumulative impacts under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not be substantially greater than those described in the SEIR and previous addendum. Implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in any new significant cumulative impacts, significant changes in the severity of previously identified cumulative impacts, or significant changes in the effectiveness or applicability of mitigation measures and project alternatives related to cumulative impacts.

3.20 ALTERNATIVES

Since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the previous VTMs, no changes to the regulatory background or existing conditions relative to project alternatives have occurred that would trigger the need for subsequent environmental review of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The River Islands SEIR includes analysis of three alternatives, a No-Project (No-Development) Alternative, a No Project (WLSP) Alternative, and an Environmental Constraints (50% Development) Alternative. The alternatives analysis in the SEIR also describes several other alternatives that were considered, but then rejected from further consideration.

Impacts associated with the alternatives evaluated in the SEIR were compared against impacts resulting from full project buildout. Alternatives were also evaluated for their ability to meet project goals and objectives. Implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications does not alter the evaluation of full buildout of the River Islands project because the SEIR fully evaluated the impacts of development of the entire River Islands project. Full project buildout under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would be virtually the same as the full buildout

described in the SEIR, with minor refinements and modifications addressed in this addendum (e.g., elimination of back bays, modifications to boat docks, avoidance of special aquatic features) that do not alter the conclusions in the SEIR and subsequent addenda. Therefore, the comparison of impacts associated with the proposed project and impacts associated with each project alternative included in the SEIR would not be altered under the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

The Updated Tract 3765 VTM proposal and Updated NEPA Modifications include/support the same project goals and objectives as described in the SEIR and previous addenda and do not conflict with these goals and objectives. Therefore, the feasibility of alternatives relative to their ability to meet these goals and objectives would be the same under the SEIR and all other development scenarios. Implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications would not result in alternatives previously found to be infeasible being categorized as feasible.

3.21 CONCLUSION

Based on the analysis of the categories of environmental impacts evaluated above, the Updated Tract 3765 VTM proposal and Updated NEPA Modifications result in none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a SEIR. In summary, the Updated Tract 3765 VTM proposal, the NEPA modifications, and any altered circumstances or new information of substantial importance since certification of the River Islands SEIR and related project approvals in 2003, and adoption of the Tract 3491 VTM in 2005, the adoption of the Tract 3694 VTM in 2007, and an updated Tract 3694 VTM in 2015:

- ▲ would not result in any new significant environmental effects,
- ▲ would not substantially increase the severity of previously identified effects,
- ▲ would not result in mitigation measures or alternatives previously found to be infeasible becoming feasible,
- ▲ would not result in availability/implementation of mitigation measures or alternatives that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the environment.

These conclusions confirm that this Addendum to the River Islands SEIR is the appropriate document to record and evaluate the minor project modifications associated with implementation of the Updated Tract 3765 VTM proposal and Updated NEPA Modifications.

4 LIST OF PREPARERS

Ascent Environmental

Gary Jakobs, AICP Principal-in-Charge
Sean Bechta..... Project Manager
Kristi Black..... Environmental Planner
Gayiety Lane Production Specialist

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5 REFERENCES

MBK Engineers. 2018 (March 9). *Hydraulic Impact Analysis for River Islands at Lathrop, Update for New Existing Condition and Revised No Action Scenario*. Technical Memorandum.

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March 19, 2018

RECEIVED
MAR 20 2018
CITY OF LATHROP
COM. DEV. DEPT.

Lathrop City Council Planning Commission:
390 Towne Centre Drive
Lathrop, CA 95330

This letter is in reference to the recent letter that Lathrop City Council sent to us (attached).

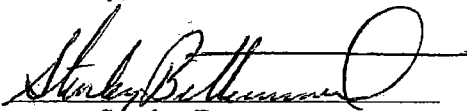
We feel that your choice of location for your Vesting Tentative Map Tract 3765 Amendment No. VTM-17-116 Preliminary Development Plan for Stage 2B of Tract 3694 River Islands Parkway Precise Plan is very poor. This area is a flood plain, and it is a part of California's rich farming ground, that provides employment for the residents of California and food for feeding the world.

Building in a flood plain will probably entice the developer to make his side of the Old River levee higher, thus leaving the farmers on the opposite side of the Old River levee with a levee that will not withstand a flood year. We are right up against that levee, with 173 acres at 15,665, 15,590, 16,000 and 16,480 S. Wing Levee Road, Stockton, CA.

We want to continue to farm and feed the residents of the U.S.A. and the world. We feel that a big development so close by is something that the area doesn't need. There are plenty of empty homes, stores, and factories everywhere a person looks in Stockton and in the whole state of California.

We hope that you will side with our opinion.

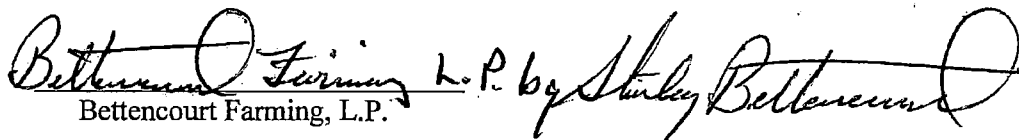
Sincerely,


Stanley Bettencourt


Joanne Bettencourt


Leslie Bettencourt


Andrew Bettencourt


Bettencourt Farming, L.P.

PUBLIC NOTICE

Notice is hereby given that the Planning Commission of the City of Lathrop will hold a Regular Meeting in the City Council Chambers at City Hall, 390 Towne Centre Drive, Lathrop, California, at 6:00 p.m., on Wednesday, March 21, 2018, to hold a public hearing regarding the following matter. ALL persons having an interest in this matter are invited to be present to testify in person, or to submit statements either in person at the meeting or in writing prior to the hearing.

Project: Vesting Tentative Map Tract 3765 Amendment No. VTM-17-116
Preliminary Development Plan for Stage 2B of Tract 3694
River Islands Parkway Precise Plan

Description: Consider adoption of a Resolution recommending the City Council approve the following: revision to the previously approved Vesting Tentative Map Tract 3765 (Large Lot), a Preliminary Development Plan for Stage 2B of Tract 3694, and revision to the River Islands Parkway Precise Plan.

Location: The proposed site is located within the Stewart Tract area of the West Lathrop Specific Plan, more specifically situated northwest of Interstate 5 and bounded on the east by the San Joaquin River, to the north by Old River, to the south by the Union Pacific Railroad.

Applicant: River Islands Development, LLC
73 W. Stewart Road
Lathrop, CA 95330

CEQA: The environmental impacts of the River Islands project as a whole are addressed in a certified Subsequent Environmental Impact Report (SEIR) (SCH 1993112027). The City has determined that the potential environmental effects of the project have been addressed in the certified SEIR as documented in the Sixth Addendum to the SEIR.

If you challenge the project and entitlements or its environmental documentation 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 Planning Commission at, or prior to, the public hearing.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (209) 941-7290. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

For more information contact the Community Development Department, 390 Towne Centre Drive, Lathrop, CA 95330. Phone: (209) 941-7290. Fax: (209) 941-7268. E-mail: website_cdd@ci.lathrop.ca.u

**CITY MANAGER'S REPORT
APRIL 9, 2018 CITY COUNCIL MEETING**

ITEM: **PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AMEND LATHROP MUNICIPAL CODE, TITLE 10, CHAPTER 10.24, SECTION 10.24.160 ENTITLED "PARKING VIOLATION - PENALTY" TO ADD PAYMENT PLAN OPTIONS**

RECOMMENDATION: **Council to Consider the Following:**

- 1. Public Hearing; and**
- 2. Introduction and First Reading of an Ordinance Amending Lathrop Municipal Code Section 10.24.160 Entitled "Parking Violation – Penalty" to Add Payment Plan Options**

SUMMARY:

On October 13, 2017, State Assembly Bill 503 was approved by the Governor of the State of California and will take effect July 1, 2018. The Bill requires California Public Agencies to offer a payment plan option for indigent persons and to provide notice of the payment plan and the process related to the determination of indigence. The Bill also requires a California Public Agency to rescind the filing of a DMV Registration Hold for one-time only, if the registered owner/lessee subsequently enrolls in a payment plan, thereby removing barriers that prevent Californians from registering their vehicles.

BACKGROUND:

Existing law requires an agency that processes notices of parking violations and notices of delinquent parking violations to proceed under only one of 3 specified options, including filing an itemization of unpaid parking penalties with the Department of Motor Vehicles, for collection of those fees with the registration of the vehicle. Prior to Senate Bill 503, State law required the DMV to refuse to renew the registration of a vehicle if the registered owner or lessee has been mailed a notice of delinquent parking violations, which can cause penalties exceeding 100 percent of the original registration fee, thereby making vehicle registration fees unaffordable.

REASON FOR RECOMMENDATION:

AB503 allows vehicle owners/lessees, who are able to provide proof of indigence within 60 days of the issuance of a notice of parking violation or within 10 days after an administrative hearing, to schedule a payment plan without increased fines and late payment penalties. Enrolling in a payment plan allows vehicle owners/lessees to register their vehicles or to file an affidavit of non-use to prevent penalties from making vehicle registration fees unaffordable.

City of Lathrop Notice of Parking Violation will be revised to include information regarding the availability of payment plan options, the timeframe to apply, a person's right to a determination of indigence, a webpage link and a phone number to access more information on the program. The cost of printing new citations will require an expenditure of approximately \$1,800 which is available in the 17/18 FY Budget. Staff recommends amending the City of Lathrop Ordinance to comply with State Assembly Bill 503.

COUNCIL GOAL(S) ADVANCED BY THIS AGENDA ITEM:

This item furthers Council's goal, Community Values, as it is sound public policy to remove barriers that prevent indigent persons with parking citation fines from registering their vehicles.


FISCAL IMPACT:

How the payment plan option will affect the City's parking citation revenue is yet to be seen.

ATTACHMENTS:

- A: An Ordinance to Amend Lathrop Municipal Code Section 10.24.160 "Parking Violation – Penalty" to Include Payment Plan Options

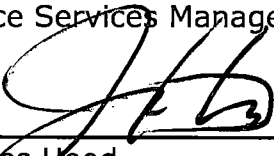
APPROVALS:



Carole Terras
Police Services Manager

3/13/18

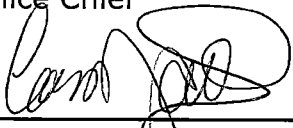
Date



James Hood
Police Chief

3/13/18

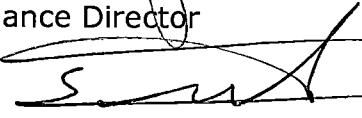
Date



Cari James
Finance Director

3/12/18

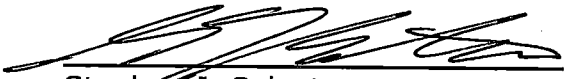
Date



Salvador Navarrete
City Attorney

3-16-18

Date



Stephen J. Salvatore
City Manager

3-31-18

Date

ORDINANCE NO. 18 - _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP
ADOPTING AN AMENDMENT TO LATHROP MUNICIPAL CODE, TITLE 10,
CHAPTER 10.24, SECTION 10.24.160 "PARKING VIOLATION – PENALTY"
TO COMPLY WITH STATE ASSEMBLY BILL 503 AND ADOPT
PAYMENT PLAN OPTIONS**

WHEREAS, State Assembly Bill 503 was approved by the Governor on October 13, 2017 to remove barriers that prevent Californians from registering their vehicles if they have been mailed a notice of delinquent parking penalties; and

WHEREAS, adding the cost of parking violations to the cost of registering a motor vehicle can prevent indigent Californians from being able to afford their registration fees; and

WHEREAS, AB503 enables owners/lessees who are able to prove indigence to set up a payment plan without increased fines and allows owners/lessees to file an affidavit of non-use to prevent penalties exceeding 100 percent of the original registration fee; and

WHEREAS, the City Council believes it is sound public policy to remove barriers that prevent indigent persons with parking citation fines from registering their vehicles;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment.

Chapter 10.24.160 of the LMC is hereby amended as follows:

10.24.160 Violation—Penalty.

Pursuant to California Vehicle Code Section 40203.5, the following parking penalties are established by ordinance or resolution by the city council:

- A. Lathrop Municipal Code: Chapter 10.24.
- B. California Vehicle Code: A violation of any California Vehicle Code section shall be punishable at the rate of fifty-five dollars (\$55.00) per violation unless otherwise specified. A violation of California Vehicle Code Section 22500(1) or California Vehicle Code Section 22507.8 shall be punishable at the rate of two-hundred eighty-five dollars (\$285.00) for each violation.
- C. Any person, firm, or corporation violating any of the provisions of Section 10.24.150 shall be deemed guilty of a misdemeanor, and upon conviction thereof; shall be punishable as provided in Section 1.16.010.

D. A violation of any other parking control or restriction not otherwise contained in this chapter shall be punishable at the rate of fifty-five dollars (\$55.00) per violation unless otherwise specified.

E. Two types of Payment Plans are available for payment of parking fines.

Indigent Payment Plan

If approved, a \$5.00 fee will be added to the citation and all late charges and penalty assessments excluding state surcharges will be waived, contingent upon providing proof of indigence. Community service is not offered as an option, in lieu of payment. Acceptable proof of indigence shall be one of the following:

Supplementation of Social Security / State Supplementary Payment:

Provide a copy of 2 most recent benefit check stubs or statements and certification from county Social Services office.

CalWORKS / Tribal TANF:

Provide a copy of Golden State Advantage Card (EBT)

SNAP:

Provide a copy of Golden State Advantage Card (EBT)

County Relief / General Relief / General Assistance, CAPI:

Provide a copy of County Service Office Verification

IHSS and Medi-Cal:

Provide a copy of Medi-cal Card

Income 125% Federal Poverty Level (FPL):

Provide a copy of last income tax forms, paystub and bank statement showing income.

Non-Indigent Payment Plan

If approved for a Non-Indigent Payment Plan, a \$25.00 fee will be added to the citation. Individuals seeking to place their parking citation on a payment plan, exclusive of indigence status are not required to submit supporting documentation. Community Service is not offered as an option, in lieu of payment. (Ord. 09-294 §§ 2, 3; Ord. 09-293 §§ 2, 3; Ord. 04-231 §§ 2, 3; Ord. 93-104 Ord. 18-)

Section 2. Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 4. Effective Date. This Ordinance shall become effective on July 1, 2018.

Section 5. Publication. The City Clerk shall certify to the introduction of this ordinance and shall publish a summary thereof and post a certified copy of the full ordinance in the office of the City Clerk at least five days prior to the adoption of the proposed ordinance; and within fifteen days after adoption, the City Clerk shall publish a summary of the ordinance with the names of the members of the City of Lathrop City Council voting for and against the same.

The foregoing Ordinance was introduced on the 9th day of April 2018, and adopted this 14th day of May, 2018 by the following vote:

AYES:

NOES:

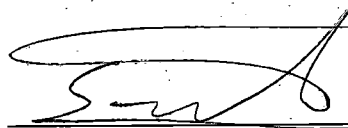
ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:



Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

**Data Ticket’s Draft AB503 Scope of Work
and Considerations for a July 1, 2018 Implementation**

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Data Ticket's Draft AB503 Scope of Work and Considerations for a July 1, 2018 Implementation

AB503 Definition:

Assembly Bill 503 was approved by the Governor of California on October 13, 2017. The Bill requires California Public Agencies to offer a payment plan option for indigent persons, notice of the payment plan and the process related to indigency determination in a specified manner prior to the processing of any registration hold.

Moreover, the Bill requires a California Public Agency to rescind the filing of a CA DMV Registration Hold for one time only if the registered owner or lessee subsequently enrolls in a payment plan, as specified.

Finally, the Bill defines the dollar value a California Public Agency can charge for a Payment Plan for both an Indigent Person and a Non-Indigent Person and it defines the dollar amount and timeframe during which a citation must be paid.

Payment Plan Options

This document assumes the Agency will accept requests for payment plans via the following methods:

1. Mail-in requests to the City whereby a citation recipient may mail their request and supporting documentation into City Hall for processing by City Personnel.
2. Mail-in requests to Data Ticket whereby a citation recipient may mail their request and supporting documentation into Data Ticket's PO Boxes for scanning, attaching to a citation and automatic hold.
3. Online requests made via a citation recipient that automatically places the citation on a pending payment plan hold (not yet approved)
4. Walk-in requests made directly at the City

Mail-in requests to Data Ticket's PO Box will be accepted; however, in the event a request is received by Data Ticket, it will be forwarded to the City for review. A fee will be assessed for the scanning and attaching of documentation that is \$0.75 per citation.

This document addresses the changes required of our Citation Processing Center website to accommodate the 4 types of requests identified above as well as additional changes required by AB503.

Citizen-Facing Website Changes

Purpose

The purpose of this section of the document is to design a series of webpages for citizens who must be made aware of payment plan options, pursuant to AB503.

**Data Ticket's Draft AB503 Scope of Work
and Considerations for a July 1, 2018 Implementation**

The City may elect to host documentation on its website regarding the payment plan offerings and /or may elect to provide a link to the Citation Processing Center's website for the actual request of the payment plan.

DECISION NEEDED BY THE CITY

Citation Search Results Page

The pages below assume the citizen has already searched for their citation on the Citation Processing Center website and now have an additional menu item by which to better understand payment plan options and request a payment plan.

This webpage menu items below will be accessed from the search results page of www.CitationProcessingCenter.com after a citation has been located. A new menu item will be presented to the user titled "Alternative Payment Options".

This new menu item will only be made available if the citation meets the timing requirements of either being within the 60 days from issuance date or within 10 days of a Hearing Disposition, whichever is later.

Citation Search Results Webpage	
Current Menu Items	Future Menu Items
<p>SEARCH CITATION</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">Pay Citation by Credit/Debit Card</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">Appeal Citation</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">New Search</div>	<p>SEARCH CITATION</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">Pay Citation by Credit/Debit Card</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">Appeal Citation</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">New Search</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">Alternative Payment Options</div>

Once the user clicks on the "Alternative Payment Options" link, they will be taken to a new webpage that describes the City's alternative payment options. The content for that page has been drafted and provided below for the City's review and update.

Alternative Payment Options page

Description:

**Data Ticket's Draft AB503 Scope of Work
and Considerations for a July 1, 2018 Implementation**

Assembly Bill 503 requires the Issuing Agency to provide alternative payment options to recipients of parking citations. Those options have been provided below for your information:

Payment Plan Option:

Within 60 days of citation issuance or within 10 days of hearing determination, whichever is later, you may apply for a payment plan. A payment plan provides the option to pay your parking citation in \$25.00 increments. Unpaid parking citations shall be paid off within 18 months of citation date. There shall be no prepayment penalty for paying off the balance of an unpaid citation prior to the payment period expiring.

The City charges a processing fee for each payment plan which is described in the section marked "Fees" below.

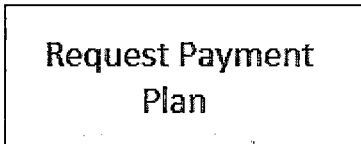
To request a Payment Plan, please click on the Request Payment Plan link below or follow the instructions below for submitting documentation via US Mail or in person.

By Mail:

Parking Citations
PO Box 10479
Newport Beach, CA 96258

In Person:

City Location
City's Address
City, CA Zip



When the user clicks on the "Request Payment Plan" link above, a new webpage will be provided that provides the information required to request a payment plan.

Payment Plan Webpage

This page will present the user with an option to apply for a payment plan due to indigency or simply to apply for a payment plan outside of the indigency requirement. The page will describe the City's guidelines for claiming indigence and what is required to prove indigence.

Two types of payment plan options are made available to individuals seeking such an arrangement. **The below information may be provided in a table format**

**Data Ticket's Draft AB503 Scope of Work
and Considerations for a July 1, 2018 Implementation**

Indigent Payment Plan

If approved for an Indigent Payment Plan, a \$5.00 fee will be added to the citation and all late fees and penalty assessments, exclusive of any state surcharges described in Section 70372, 76000, and 76000.3 of the Government Code shall be waived if the individual applying for the payment plan claims indigency and the individual provides the appropriate documentation proving indigency. Waived late fees and penalty assessments may be reinstated if the person falls out of compliance with the payment plan.

Individuals seeking to place their parking citation on a payment plan due to indigence must provide proof of indigency in **one of the following manners.** ~~These are just examples I have provided below. The City must have a policy that defines the types of proof that will be accepted.~~

Supplementation of Social Security / State Supplementary Payment:

You will be required to provide your 2 most recent benefit check stubs or statements and certification from county Social Services office.

CalWORKS / Tribal TANF:

You will be required to provide a copy of your Golden State Advantage Card (EBT)

SNAP:

You will be required to provide a copy of your Golden State Advantage Card (EBT)

County Relief / General Relief / General Assistance, CAPI:

You will be required to provide a copy of your County Service Office Verification

IHSS and Medi-Cal:

You will be required to provide a copy of your Medi-cal Card

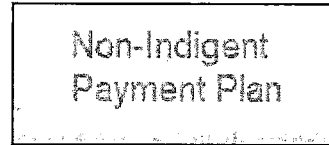
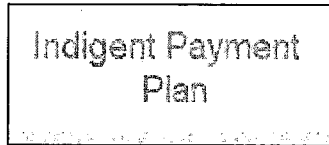
Income 125% of less of Federal Poverty Level (FPL):

You will be required to provide a copy of your last income tax forms, paystub and bank statement showing income.

Non-Indigent Payment Plan

If approved for an Non-Indigent Payment Plan, a \$25.00 fee will be added to the citation. Individuals seeking to place their parking citation on a payment plan, exclusive of indigency status are not required to submit supporting documentation.

Data Ticket's Draft AB503 Scope of Work and Considerations for a July 1, 2018 Implementation



Indigent Payment Plan

If the user selects the Indigent Payment Plan link above, the page will present the user with the ability to complete their payment plan request by filling in contact information and 3 Options to upload documentation. Next to each upload option will be a drop-down menu from which the user must select which type of proof they are providing. This feature will provide the ability to us to track what is most often submitted as well as run possible statistics regarding what is typically selected and then approved or denied.

An area will also be provided for the user to submit optional comments.

There will be some wording added to the webpage to advise the user regarding next steps, including the review and approval or denial of the request. Wording will also be provided to advise the requestor of the \$5.00 Payment Plan fee that will be added to the citation IF it is approved for a payment plan with indigent status.

If the user selects the Non-Indigent Payment Plan link above, the page will present the user with the ability to complete their payment plan request by filling in contact information.

An area will also be provided for the user to submit optional comments.

There will be some wording added to the webpage to advise the user regarding next steps, including the review and approval or denial of the request. Wording will also be provided to advise the requestor of the \$25.00 Payment Plan fee that will be added to the citation IF it is approved for a payment plan with non-indigent status.

Both requests will be submitted, and the citation will be placed on a hold pending the outcome of the payment plan review by the City.

Client-Facing Website Changes

Menu Item Change

Once the user submits either Payment Plan request option, the City will have access to view pending requests on a new webpage titled Payment Plan Administration. This webpage will be accessed via a new menu item located on the top of the menu items as depicted below:

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Under the Payment Plans menu item, users will see the following menu items:

1. Home
2. Request payment plan (this feature will be removed from the Payments & Refunds menu item under which it currently resides)

Payment Plan Homepage

When selected, the user will be taken to a new webpage that is similar in look to the Permit Homepage. This page will provide the City with the ability to:

1. View pending payment plan requests
2. Payment Plan Hold
3. Setup Payment Plan

Pending Payment Plan Requests

This section of the webpage will display in a table the following information:

1. Citation Number
2. Citation Date
3. Payment Plan Request Date
4. Registered Owner Name
5. Payment Plan Type
6. An attachment icon for each attachment supplied proving indigence
7. A comments icon that when clicked displays in pop-up any comments entered by the payment plan requestor or keyed by City Personnel
8. The ability to Approve or Deny the request

When City Personnel review a pending payment plan request, they will have the option to Approve or Deny the request.

If the user clicks the "Approve" link and the payment plan type is Indigent, the system will automatically remove any fees and penalties from the citation amount due and add a \$12.50 State Surcharge fee to the citation balance. The citation line item will also be removed from the Pending Payment Plan section and moved to the Setup Payment Plan Requests section of the Permit homepage.

If the user clicks the "Approve" link and the payment plan type is Non-Indigent, the system will not remove any fees and penalties from the citation amount due nor will it add a \$12.50 State Surcharge fee to the citation balance. The citation line item will also be removed from the Pending

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Payment Plan section and moved to the Setup Payment Plan Requests section of the Permit homepage.

If the user clicks the "Deny" link, a pop-up will be presented to the user to enter a reason for the denial. The citation line item will be removed from the Pending Payment Plan section. A Payment Plan denial letter will be automatically generated and provided to our noticing vendor for printing.

Setup Payment Plan Requests

This section of the Payment Plan homepage will display in a table the following information:

1. Citation Number
2. Citation Date
3. Payment Plan Request Date
4. Payment Plan Approval Date
5. Payment Plan Type
6. A payment plan icon

When the payment plan icon is clicked, the user will be presented with a Payment Plan feature that allows the user to view the amount due on the citation and enter a First Payment Date and a # of Installments field. When entered, the user will be able to display the payment schedule by clicking the Calculate Payment Plan button. If the user is satisfied with the payment plan, he/she may click the "Create Payment Plan" button. This action will automatically save the payment plan and send the payment plan letter details to our noticing vendor to communicate with the requestor.

Please see a screen shot of the proposed feature below:

The screenshot shows a form titled "Enter Payment Plan". It contains three input fields: "* Total Payment Amount:" with the value "49.00", "* First Payment Date:" with the value "01/23/2018", and "* # of Installments:" with the value "2". Below these fields is a table with the following data:

Installment Number	Date Due	Amount Due
1	01/23/2018	\$24.50
2	02/23/2018	\$24.50

At the bottom of the form are three buttons: "Calculate Payment Plan", "Create Payment Plan", and "Reset".

Payment Plan Hold

In the event a citation recipient has mailed in or walked-in their payment plan request to either the City or to Data Ticket, Personnel will access the Payment Plan Hold webpage under the Payment Plan menu. This feature will provide the user with the ability to search for a citation. Once a citation has been located, the individual will have the ability to upload supporting documentation and click a "Save" button which will automatically place the citation on a Payment Plan Hold.

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This process will not mean the citation has been approved for a payment plan, but it will automatically place the citation in the Pending Payment Plan Requests section of the Payment Plan Homepage so the user or a separate user can review and approve or deny the payment plan process.

Payment Plan Holds will not have an expiration date so if they are not addressed, they will not escalate, notices will not be sent, and no processing will take place.

Reporting Changes

Enhanced reporting capabilities will be developed above and beyond what is currently available to City Personnel. We will work with the City to identify and develop these reports.

Re-Enrollment of Payment Plans

Individuals who have been on an Indigent Payment Plan and fall out of compliance with the Payment Plan must be offered a 1-time additional payment plan option at the cost of \$5.00.

There is no stated timeframe for this occurrence to take place. It is suggested the City define this timeframe. The issue surrounding this 1-time offering is that a DMV Hold will most likely have been placed (costing the City \$4.00) and that DMV Hold must be rescinded if the individual requests a 2nd Indigent Payment Plan. If the individual does not pay, the City will have sent

Citation Changes

Per AB503, the following is required to be printed on each citation:

- Information regarding availability of a payment plan option and the timeframe to apply for such a payment plan
- A person's right to an indigency determination and the timeframe
- A webpage link and phone number for more information on the program

IVR Changes

Given the requirement of AB503 to provide a telephone number for more information on the program, we will be developing an additional IVR Option within our IVR Solution and will provide our wording as an example to the City.