

# January 13, 2020 – City Council Regular Meeting – 7:00 p.m.



City Council Chamber  
390 Towne Centre Drive  
Lathrop, California  
(209) 941-7200  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

## City Council

Sonny Dhaliwal, Mayor  
Martha Salcedo, Vice Mayor  
Paul Akinjo  
Diane Lazard  
Jennifer Torres-O'Callaghan

## City Staff

Stephen Salvatore, City Manager  
Salvador Navarrete, City Attorney  
Teresa Vargas, City Clerk  
Glenn Gebhardt, City Engineer  
Michael King, Public Works Director  
Cari James, Finance & Administrative Services Director  
Mark Meissner, Community Development Director  
Zachary Jones, Parks & Recreation Director  
Ryan Biedermann, Chief of Police

## 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.



**January 13, 2020 – Regular Meeting Agenda – 7:00 p.m.**

## Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Purple speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name and address. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker form). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said. If you challenge the nature of a proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

## Citizen's Forum

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Citizen's Forum section. Please submit your purple speaker card to the City Clerk prior to the commencement of Citizen's Forum. **Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker form) and each speaker may only speak once on this agenda item.

**To leave a voice message for the Mayor and all Councilmembers simultaneously, dial (209) 941-7220. To send an e-mail for the Mayor and all Councilmembers simultaneously, [citycouncil@ci.lathrop.ca.us](mailto:citycouncil@ci.lathrop.ca.us)**

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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 the Lathrop-Manteca Fire District "J" Street and Somerston Parkway Offices. The meetings of the Lathrop City Council are broadcast on Lathrop Comcast Cable Television Channel 97.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility and/or accommodations to this meeting. [28 CFR 35.102-35.104 ADA Title II] Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (209) 941-7230.

Information about the City or items scheduled on the Agenda may be referred to:

Address: City of Lathrop City Clerk  
390 Towne Centre Drive, Lathrop, CA 95330  
Telephone: (209) 941-7230

*Your interest in the conduct of your City's business is appreciated.*

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, JANUARY 13, 2020  
7:00 P.M.  
COUNCIL CHAMBER, CITY HALL  
390 Towne Centre Drive  
Lathrop, CA 95330**

**AGENDA**

**PLEASE NOTE: There will be a Closed Session commencing at 6:00 p.m. The Regular Meeting will reconvene at 7:00 p.m., or immediately following the Closed Session, whichever is later.**

**1. PRELIMINARY**

1.1 CALL TO ORDER

1.2 CLOSED SESSION

1.2.1 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation -  
Significant Exposure to Litigation Pursuant to Government Code  
Section 54956.9(b)

- 3 Potential Case(s)

1.2.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to  
Government Code Section 54956.8  
Property: APNs 192-040-34 and 192-040-36 (Addresses Not Available)  
Agency Negotiator: Stephen Salvatore, City Manager  
Negotiating Parties: Lathrop Land Acquisition, LLC  
Under Negotiation: Price and Terms of Negotiations

1.2.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to  
Government Code Section 54956.8  
Property: 99 River Islands Parkway / APN 192-040-45  
Agency Negotiator: Stephen Salvatore, City Manager  
Negotiating Parties: Muhammad Bilal & Assim Ashraf Ali  
Under Negotiation: Price and Terms of Negotiations

**RECONVENE**

1.2.4 REPORT FROM CLOSED SESSION

1.3 ROLL CALL

1.4 INVOCATION

1.5 PLEDGE OF ALLEGIANCE

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

**2. PRESENTATIONS**

2.1 ECONOMIC DEVELOPMENT UPDATE

**3. CITIZEN'S FORUM**

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under Citizen's Forum. Please submit a purple speaker card to the City Clerk prior to the commencement of Citizen's Forum. Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The City Council can, however, allow its members or staff to briefly (no more than five (5) minutes) respond to statements made, to ask questions for clarification, make a brief announcement or report on his or her own activities. (See California Government Code Section 54954.2(a)). Unless directed otherwise by a majority of the City Council, all questions asked and not answered at the meeting will be responded to in writing within 10 business days. ALL PUBLIC COMMENTS MUST BE MADE IN COMPLIANCE WITH THE LATHROP CITY COUNCIL HANDBOOK OF RULES AND PROCEDURES!!

**4. CONSENT CALENDAR**

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless the Mayor, Councilmember, or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately.

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waive the Reading in Full of Ordinances and Resolutions on Agenda and Adopt by Reading of Title Only, Unless Otherwise Requested by the Mayor or a Councilmember

4.2 APPROVAL OF MINUTES

Approve Minutes for the Regular Council Meeting of December 9, 2019

4.3 SECOND READING AND ADOPTION OF ORDINANCE 20-411 CONSIDER MUNICIPAL CODE TEXT AMENDMENT TA-19-141

Waive Full Reading, Read by Title Only, and Adopt Ordinance 20-411 Amending the Zoning Code, Title 17 of the Lathrop Municipal Code, to Implement the Housing Element of the General Plan. The Amendments to the Municipal Code Include the Following:

- Sections 17.36.020 And 17.62.032, and Table 17.61.1 are Revised to Limit Development of Single Family Units on Sites Designated for High Density Residential Uses
- Section 17.68.010 is Revised to Permit Manufactured Housing in the Same Manner as Single Family Homes

- Section 17.36.050.D is Revised to Identify Densities for the RM Zone that are Consistent with the Densities Allowed in the General Plan Land Use Element
- 4.4 SECOND READING AND ADOPTION OF ORDINANCE 20-412 TO CONSIDER PROHIBITING PEDESTRIAN USE OF MOBILE ELECTRONIC DEVICES IN CROSSWALKS  
Waive Full Reading, Read by Title Only, and Adopt Ordinance 20-412 Amending the Lathrop Municipal Code by Adding Chapter 8.48 to Title 8 to Prohibit Pedestrian Use of Mobile Electronic Devices in Crosswalks
- 4.5 OUT-OF-STATE TRAVEL APPROVAL FOR THE ECONOMIC DEVELOPMENT ADMINISTRATOR TO PARTICIPATE IN TWO SEPARATE TARGET INDUSTRY SPECIFIC CONFERENCES IN MAY 2020  
Adopt a Resolution Authorizing Out-of-State Travel for the Economic Development Administrator to Attend and Represent the City of Lathrop at the Industrial Asset Management Council (IAMC) 2020 Spring Forum in Biloxi, Mississippi from May 2, 2020 to May 6, 2020, and the International Council of Shopping Centers (ICSC) RECON 2020 Conference in Las Vegas, Nevada from May 17, 2020 to May 19, 2020
- 4.6 RATIFY THE PURCHASE OF SURVEILLANCE EQUIPMENT FOR CIP GG 19-07 FOR CITYWIDE SURVEILLANCE SYSTEM  
Adopt a Resolution Ratifying the Purchase of Surveillance Equipment from ICU Technologies, LLC for CIP GG 19-07 Citywide Surveillance System
- 4.7 APPROVE AGREEMENT WITH TYLER TECHNOLOGIES FOR BRAZOS ELECTRONIC CITATION SOFTWARE, HARDWARE, AND IMPLEMENTATION SERVICES  
Adopt a Resolution Approving the Following:
  1. Amendment to the Agreement with Tyler Technologies for Brazos E-Citation Software, Hardware, and Implementations Services; and
  2. Agreement with Tiburon for Data Integration and Services
- 4.8 REJECT ALL BIDS FOR CIP WW 19-01 WOODFIELD SEWER PUMP STATION UPGRADES AND RE-ADVERTISE FOR BIDS  
Adopt Resolution Rejecting all Bids for CIP WW 19-01 Woodfield Sewer Pump Station Upgrades and Authorize Staff to Re-advertise for Bids
- 4.9 ACCEPT PUBLIC IMPROVEMENTS FOR LATHROP ROAD AND OLD HARLAN ROAD FROM CFT NV DEVELOPMENTS, LLC, OWNER OF PANDA EXPRESS LOCATED AT 15099 OLD HARLAN ROAD AND APPROVE A REIMBURSEMENT AGREEMENT WITH CFT NV DEVELOPMENTS, LLC, FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD  
Adopt Resolution Accepting Public Improvements for Lathrop Road and Old Harlan Road from CFT NV Developments, LLC, Owner of Panda Express Located at 15099 Old Harlan Road and Approve a Reimbursement Agreement with CFT NV Developments, LLC, for Gravity Sewer Main in Old Harlan Road

- 4.10 ACCEPT PUBLIC IMPROVEMENTS FOR CLSP STORM DRAINAGE FORCE MAIN FROM SAYBROOK CLSP, LLC  
Adopt Resolution Accepting Public Improvements for CLSP Storm Drainage Force Main from Saybrook CLSP, LLC
- 4.11 CAPITAL FACILITY FEE FUNDS REPORT FOR FY 2018 2019  
Review and Accept the Capital Facility Fee Funds Report for Fiscal Year 2018-2019
- 4.12 ACCEPT VARIOUS OFFSITE PUBLIC IMPROVEMENTS FROM SOUTH LATHROP LAND, LLC  
Adopt Resolution Accepting Various Offsite Improvements from South Lathrop Land, LLC., in the South Lathrop Specific Plan Area
- 4.13 APPROVE CONSTRUCTION CONTRACT AND EQUIPMENT PURCHASE ORDER FOR WATER METER IMPROVEMENTS, AND RELATED BUDGET AMENDMENT  
Adopt Resolution Approving Construction Contract with Soracco, Inc. for Water Meter Improvements and Service Line Investigation, Pursuant to CIP PW 20-04 Water Meter Improvements and CIP PW 20-05 Lead User Service Lines Replacement, Equipment Purchase Order for Badger Meter Inc., and Approve Related Budget Amendment
- 4.14 APPROVE ADDITIONAL FUNDS AND CONTRACT CHANGE ORDER WITH VSS INTERNATIONAL, INC. FOR THE PAVEMENT MAINTENANCE REPAIR PROGRAM CIP PS 18-01 PHASE II  
Adopt Resolution Approving Additional Funds and Contract Change Order with VSS International, Inc., for the Pavement Maintenance Repair Program CIP PS 18-01 Phase II

**5. SCHEDULED ITEMS - None**

**6. COUNCIL COMMUNICATIONS**

- 6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)
- *Central Valley Executive Committee/LOCC (Akinjo/Salcedo)*
  - *Council of Governments (Dhaliwal/Lazard)*
  - *Integrated Waste Management Solid Waste Division (Akinjo/Torres-O'Callaghan)*
  - *Reclamation District 17 Joint Powers Authority (Salvatore)*
  - *San Joaquin Partnership Board of Directors (Salvatore)*
  - *San Joaquin County Commission on Aging (Zavala)*
  - *San Joaquin Valley Air Pollution Control District (Akinjo/Dhaliwal)*
  - *Water Advisory Board (Torres-O'Callaghan/Lazard)*
  - *Tri Valley-San Joaquin Valley Regional Rail Authority (Akinjo)*
  - *San Joaquin Area Flood Control Agency (Akinjo & Lazard)*
- 6.2 MAYOR & COUNCILMEMBER COMMENT(S)

**7. ADJOURNMENT**

  
Teresa Vargas, CMC, City Clerk

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, DECEMBER 9, 2019,  
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 at 6:15 p.m. The Regular Meeting reconvened at 7:06 p.m.**

**1. PRELIMINARY**

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:15 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)

- 1 Potential Case(s)

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

Property: 145 Warren Avenue (APN 196-050-70)

Agency Negotiator: Stephen Salvatore, City Manager

Negotiating Parties: David Brandt

Under Negotiation: Price and Terms of Negotiations

**RECONVENE** – Mayor Dhaliwal reconvened the meeting at 7:06 p.m.

1.2.3 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported approval of purchase agreement in the amount of \$2,200 to acquire 470 square feet of 145 Warren Avenue, pursuant to Item 1.2.2; reported that direction was provided for Item 1.2.1; no other reportable action taken.

1.3 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Salcedo;  
Councilmembers: Akinjo, Lazard and Torres-O’Callaghan.

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.
- 1.7 INFORMATIONAL ITEM(S) – None
- 1.8 DECLARATION OF CONFLICT(S) OF INTEREST

Councilmember Lazard reported conflict of interest with Items 4.7 and 4.18; due to her employment with Dell’Osso Farms.

## **2. PRESENTATIONS**

- 2.1 PROCLAMATION - Declaring December as Homeless Youth Awareness Month

Vice Mayor Salcedo read a proclamation declaring December 2019 as Homeless Youth Awareness Month.

- 2.2 CERTIFICATE OF RECOGNITION – Presented to the Lathrop High School Spartans Girls’ Volleyball Team

Mayor Dhaliwal, accompanied by the City Council, presented certificates of recognition to the Lathrop High School Spartans Girls’ Volleyball Team recognizing their “14-0” successful season. The following students were recognized: Thracylie Acoba, Desiree Ambatali, Rylie Asuncion, Ke’Mya Barnett, Charlene Bernal, LaNicia Ellis, Jahsita Fa’ali’i, Alondra Guzman, Sydney Hanks, Hailey Hunter, Godwina Ogbeide, Krystle Sakay, Jennifer Santillan, Liliana Avila and Alaba Olaleye.

- 2.3 CERTIFICATE OF RECOGNITION – Presented to Manteca Unified School District:

Councilmember Torres O’Callaghan and Councilmember Akinjo, accompanied by the City Council, presented certificates of recognition to Manteca Unified School District Music Teacher Michael Mulidor and Choir Director Elizabeth VanEerde for their contributions to local school programs and community events.

- 2.4 CERTIFICATES OF RECOGNITION – Presented to Lathrop Police Services:
  - Deputy Joel Grubb
  - Deputy Jimmy Claude
  - Deputy Chris Ly

Item 2.4 was pulled by staff; rescheduled to a future meeting.



## 2.5 INTRODUCTION OF NEW EMPLOYEES:

Public Works Director Michael King introduced Utility Operator II Roneel Singh and Maintenance Worker II Moses Vasquez. Councilmembers welcomed the new employees.

## 2.6 MAYOR'S COMMITTEE REPORT(S)

Parks and Recreation Director Zach Jones reported the following past and upcoming events and programs:

- *Art Committee featured Artist*  
Announced art display in the Council Chamber by artists Patty Oliver and Dan Voller, paintings to be displayed through January 2020.
- *Christmas Tree Lighting*  
Reported event held December 1, 2019; at the Lathrop Community Center; over 400 participants; and choir performances by local Lathrop schools.
- *Breakfast with Santa*  
Reported event held December 7, 2019; at the Lathrop Community Center; over 150 participants; provided crafts, games and Santa photo booth.
- *"Music and Magic of Christmas" Themed Parade*  
Announced parade scheduled December 14, 2019, starting at 11:00 a.m. on Fifth Street.
- *Parks & Recreation Master Plan*  
Announced community engagement workshop December 13, 2019, at 6:00 p.m. in the Lathrop Council Chamber to discuss the 2020 Parks and Recreation Master Plan.

## 3. CITIZEN'S FORUM

City Clerk Teresa Vargas announced public comment email/letter previously submitted (December 6, 2019) by Christine Mendes; the email was distributed to the City Council via their tablets and copies were made available to the public during the meeting. Christine Mendes and Frank Mendes (18401 S. McKinley Avenue) spoke on various concerns related to the Lathrop Gateway Business Park Specific Plan development project. City Manager Stephen Salvatore provided an overview of previous conversations with Mr. Frank Mendes.

## 4. CONSENT CALENDAR

On a motion by Councilmember Akinjo, seconded by Vice Mayor Salcedo, the City Council approved the Consent Calendar, except \*\* Items 4.7, 4.14 and 4.18, by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: Dhaliwal (Item 4.2 only, due to absence)

*\* Prior to the reading of the consent calendar, City Clerk Teresa Vargas announced that a public comment letter was received, dated December 9, 2019, addressing Consent Item 4.4 and Scheduled Item 5.1, submitted by Martin Harris with Terra Land Group, LLC; the email was distributed to the City Council via their tablets (same process as the agenda) and copies were made available for the public at the beginning of the meeting.*

*\*\* Pulled Items: Items 4.7 and 4.18 – The City Council voted on these items separately, following the vote of the Consent Calendar, due to declared conflict of interest by Councilmember Lazard on Item 1.8. Item 4.14 was pulled off consent calendar by staff; no other action taken on this item.*

*\*\*\* Item 4.16 - City Clerk City Clerk Teresa Vargas announced revised Attachment C, revised Final Map for Tract 3811.*

#### 4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waived the reading in full of ordinances and resolutions on agenda and adopted by reading of title only, unless otherwise requested by the Mayor or a Councilmember.

#### 4.2 APPROVAL OF MINUTES

Mayor Dhaliwal abstained from vote on Item 4.2, due to absence during the October 14<sup>th</sup> Regular Meeting.

Approved Minutes for the Regular Council Meeting of October 14, 2019.

#### 4.3 APPROVAL OF MINUTES

Approved Minutes for the Special Council Meeting of November 21, 2019.

#### 4.4 \*SECOND READING AND ADOPTION OF ORDINANCE 19-410 BY TITLE ONLY TO REPEAL AND REPLACE LATHROP MUNICIPAL TO TITLE 15 (BUILDING AND CONSTRUCTION) TO INCORPORATE THE 2019 CALIFORNIA BUILDING STANDARDS CODE

Waived full reading and adopted **Ordinance 19-410** by title only to repeal and replace Lathrop Municipal Code Title 15 (Building and Construction) to incorporate the 2019 California Building Standards Code.

#### 4.5 TREASURER'S REPORT FOR DECEMBER 2019

Approved Quarterly Treasurer's Report for December 2019.

4.6 DELINQUENT UTILITY TURN OFFS

Adopted **Resolution 19-4651** to Suspend Service Disconnections for Delinquent Accounts Scheduled on December 18, 2019.

4.7 \*\*COMMUNITY FACILITIES DISTRICTS ANNUAL BOND ACCOUNTABILITY REPORT FOR FY 2018/19

Moved Item 4.7 from Consent Calendar and voted on during the River Islands Consent Items.

Received Report for Bonded and Non Bonded Community Facilities Districts.

4.8 RESOLUTION DECLARING CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZING THEIR DISPOSAL

Adopted **Resolution 19-4652** declaring certain vehicles and equipment surplus property and authorizing their disposal.

4.9 PURCHASE/ REPLACEMENT OF THREE POLICE VEHICLES AND ONE POLICE MOTORCYCLE

Adopted **Resolution 19-4653** approving the purchase of three replacement police vehicles from Chase Chevrolet and one police motorcycle from Long Beach BMW.

4.10 MODIFICATION OF COMPENSATION FOR PLANNING COMMISSION

Adopted **Resolution 19-4654** modifying compensation for the members of the Planning Commission.

4.11 RECOMMENDATION TO CHANGE "SOUTH HARLAN ROAD" TO "OLD HARLAN ROAD"

Adopted **Resolution 19-4655** approving street name modification to change "South Harlan Road" to "Old Harlan Road".

4.12 CREATE CIP GG 20-19 FOR IRRIGATION AND LANDSCAPE IMPROVEMENTS IN MOSSDALE VILLAGE

Adopted **Resolution 19-4656** approving the creation of CIP GG 20-19 for irrigation and landscape improvements in Mossdale Village and related budget amendment.

4.13 APPROVE TASK ORDER NO. 16 WITH 4LEAF, INC., FOR PROFESSIONAL SERVICES IN THE BUILDING DIVISION

Adopted **Resolution 19-4657** approving Task Order No. 16 to the Master Professional Consulting Services Agreement with 4Leaf, Inc., for professional services and related budget amendment.

- 4.14 \*\*APPROVE A CONSTRUCTION CONTRACT FOR SANITARY SEWER PUMP STATION UPGRADES, PURSUANT TO CIP WW 19-01 WOODFIELD SEWER PUMP STATION UPGRADES AND RELATED BUDGET AMENDMENT

Item 4.14 pulled by staff; removed from the consent calendar. No further action taken on this item.

Adopt Resolution Approving Construction Contract with Telstar Instruments for Sanitary Sewer Pump Station Upgrades, Pursuant to CIP WW 19-01 Woodfield Sewer Pump Station Upgrades and Related Budget Amendment

- 4.15 ACCEPT PUBLIC IMPROVEMENTS FOR CLSP STORM DRAINAGE RIVER OUTFALL STRUCTURE FROM SAYBROOK CLSP, LLC AND RESCIND INITIAL REJECTION OF ROADWAYS AND EASEMENTS IN FINAL MAP FOR TRACT 3533 AND ACCEPT ROADWAYS AND EASEMENTS UPON ACCEPTANCE OF IMPROVEMENTS AT A LATER DATE

Pulled by Councilmember Akinjo, requested additional information on the process of rescinding initial rejection of roadways and easements. City Engineer Glenn Gebhardt provided the information.

Adopted **Resolution 19-4658** accepting public improvements for the CLSP storm drainage river outfall structure from Saybrook CLSP, LLC., rescinding initial rejection of roadways and easements in Final Map for Tract 3533 and accepting roadways and easements upon acceptance of improvements at a later date.

- 4.16 \*\*\*APPROVAL OF FINAL MAPS AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 418 SINGLE-FAMILY LOTS IN TRACTS 3808, 3809, 3810, 3811 AND 3812 WITHIN STANFORD CROSSING PHASE 1A OF CENTRAL LATHROP SPECIFIC PLAN, OFFERS OF DEDICATION AND RELEASE OF DEFERRED FRONTAGE IMPROVEMENT AGREEMENT (DFIA) 17-01

City Clerk Teresa Vargas announced revised Final Map for Tract 3811, labeled as "Attachment C".

Adopted **Resolution 19-4659** approving Final Maps for Tracts 3808, 3809, 3810, 3811 and 3812 within Stanford Crossing Phase 1A, totaling 418 single-family lots, a Subdivision Improvement Agreement with Saybrook CLSP, LLC/Lathrop Land Acquisition, LLC, Offers of Dedication and release of Deferred Frontage Improvement Agreement 17-01.

- 4.17 ACCEPT PUBLIC IMPROVEMENTS FOR LOUISE AVENUE AND MCKINLEY AVENUE FROM SUKHCHAIN GILL, OWNER OF A&A INTERMODAL LOCATED AT 1850 E. LOUISE AVENUE

Adopted **Resolution 19-4660** accepting public improvements for Louise Avenue and McKinley Avenue from Sukhchain Gill, owner of A&A Intermodal located at 1850 E. Louise Avenue.

RIVER ISLANDS CONSENT ITEM(S)

Councilmember Lazard recused herself, following the vote of the consent calendar (Items 4.1 to 4.17 (except Item 4.7)), and left the chamber at 8:10 p.m., prior to the vote of Items 4.7 and 4.18, due to declared conflict of interest as noted in Item 1.8.

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Salcedo, the City Council approved Items 4.7 and 4.18, by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: Lazard

4.18 \*\*APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 52 LOTS IN TRACT 3995 VILLAGE "T" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 19-4661** approving Final Map for Tract 3995 Village "T" within the Lakeside East District, 52 single-family lots, Subdivision Improvement Agreement with River Islands Development, LLC.

5. SCHEDULED ITEMS

Councilmember Lazard returned to the dais after Item 4.18, at 8:12 p.m. for the remainder of the meeting.

5.1 \*PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT AND ADOPTION OF THE IWRMP PW 10-10 AND WW 15-08

Director of Public Works Michael King introduced City Consultant Elise Carroll, Senior Planner with De Novo Planning Group. Mr. King provided the presentation. A question and answer period followed. Ms. Carroll and City Manager Stephen Salvatore responded to questions of the Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Torres-O'Callaghan, seconded by Vice Mayor Salcedo, the City Council considered the following:

1. Held a public hearing; and
2. Adopted **Resolution 19-4662** certifying the Environmental Impact Report (SCH# 2019029106), including the adoption of findings of fact and statement of overriding considerations and adoption of the Integrated Water Resources Master Plan PW 10-10 and WW 15-08.

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: None

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER GENERAL PLAN AMENDMENT GPA-19-140 TO UPDATE THE CITY'S HOUSING ELEMENT

Director of Community Development Mark Meissner introduced City Consultant Beth Thompson, Principal with De Novo Planning Group. Ms. Thompson provided the presentation. A question and answer period followed. Mr. Meissner and Ms. Thompson responded to questions of the Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Vice Mayor Salcedo, seconded by Councilmember Lazard, the City Council considered the following:

1. Held a public hearing; and
2. Adopted **Resolution 19-4663** recommending the City Council amend the General Plan to replace the Adopted Housing Element with the 2019 Housing Element Update.

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: None

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE TEXT AMENDMENT TA-19-141

Director of Community Development Mark Meissner and City Consultant Beth Thompson, Principal with De Novo Planning Group provided the presentation. A question and answer period followed. Mr. Meissner and Ms. Thompson responded to questions of the Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Vice Mayor Salcedo, seconded by Councilmember Lazard, the City Council considered the following:

1. Held a public hearing; and
2. Held first reading and introduced an ordinance to amend the Zoning Code, Title 17 of the Lathrop Municipal Code, to implement the Housing Element of the General Plan. The amendments to the Lathrop Municipal Code included the following:
  - Sections 17.36.020 And 17.62.032, and Table 17.61.1 are Revised to Limit Development of Single Family Units on Sites Designated for High Density Residential Uses.
  - Section 17.68.010 is Revised to Permit Manufactured Housing in the Same Manner as Single Family Homes.
  - Section 17.36.050.D. is Revised to Identify Densities for the RM Zone that are Consistent with the Densities Allowed in the General Plan Land Use Element.

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: None

5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE PROHIBITING PEDESTRIAN USE OF MOBILE ELECTRONIC DEVICES IN CROSSWALKS AND A RESOLUTION APPROVING RELATED BUDGET AMENDMENT

City Attorney Salvador Navarrete provided the presentation. A question and answer period ensued throughout the presentation. Police Chief Biedermann responded to questions of the Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Mayor Dhaliwal, seconded by Councilmember Lazard, the City Council considered the following:

1. Held old a public hearing; and
2. Held first reading and introduced an ordinance of the Lathrop Municipal Code to add Chapter 8.48 to Title 8 to prohibit pedestrian use of mobile electronic devices in crosswalks, as amended by the City Council to approve Option 1, allowing Lathrop Police Services to issue warnings, and removal of any associated penalty/fines from the ordinance; and
3. Adopted **Resolution 19-4664** approving a budget amendment for the purchase of signs prohibiting/discouraging pedestrian use of mobile electronic devices in crosswalks.

During roll call vote, Councilmember Akinjo declared abstention without identified legal disqualification, therefore, the City of Lathrop City Council Handbook of Rules and Procedures, page 13, Chapter IV, Section B(5) applies.

Ayes: Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: Akinjo

5.5 REVIEW AND PROVIDE DIRECTION ON PARK IMPROVEMENTS FOR SANGALANG PARK

Director of Parks and Recreation Zach Jones provided the presentation. A question and answer period ensued throughout the presentation.

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Salcedo, the City Council adopted **Resolution 19-4665** creating CIP PK 20-18, park improvements at Sangalang Park and authorized related budget amendment, as amended by Council to include a budget amendment of \$20,000 from Measure C funds, with approval of the Measure C Oversight Committee, for the creation of construction drawings and documents for the following improvements:

- Removal and replacement of the existing play structure.
- Installation of an additional restroom adjacent to the play structure.
- Installation of a six element water play splash pad

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal

Noes: None

Absent: None

Abstain: None

#### 5.6 FIVE-YEAR WATER AND SEWER RATE PLAN REVIEW

Director of Finance and Administration Services Cari James provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information.

On a motion by Mayor Dhaliwal, simultaneously seconded by Councilmember Akinjo and Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 19-4665** postponing the scheduled rate increase for both the water and wastewater funds for 2020.

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal

Noes: None

Absent: None

Abstain: None

## 6. COUNCIL COMMUNICATIONS

### 6.1 MAYOR DHALIWAL REFERRAL – Consider Installation of Exercise Equipment at Crescent Park

Mayor Dhaliwal provided an overview. A question and answer period ensued. Council consensus directed staff to agendize the matter to a future meeting.

### 6.2 MAYOR DHALIWAL REFERRAL - Appointment of One (1) Member to the Youth Advisory Committee with Term Expiring May 31, 2020

- Two (2) Applications Received

Mayor Dhaliwal made the following appointment:

**Youth Advisory Commission**  
Cheyenne Rains

**Term Expires**  
May 31, 2020



On a motion by Councilmember Akinjo, seconded by Councilmember Lazard, the City Council approved the appointments made by Mayor Dhaliwal as noted above.

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan, and Dhaliwal  
Noes: None  
Absent: None  
Abstain: None

6.3 MAYOR DHALI WAL REFERRAL – Appointment of Vice Mayor for 2020

Mayor Dhaliwal reappointed Vice Mayor Salcedo as Vice Mayor for 2020.

6.4 MAYOR DHALI WAL REFERRAL – Mayor and Councilmember Assignments for 2020

Council consensus directed the City Clerk to keep assignments for 2020 unchanged from 2019:

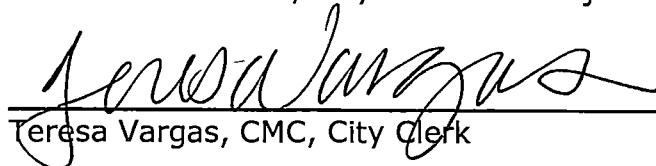
<u>Assignment</u>	<u>Delegate</u>	<u>Alternate</u>
Central Valley Executive Committee	Akinjo	Salcedo
Council of Governments	Dhaliwal	Lazard
Integrated Waste Mgmt. Task Force	Akinjo	Torres-O'Callaghan
Reclamation District 17 JPA	Salvatore	N/A
SJC Commissions on Aging	Zavala	N/A
SJ Partnership Board of Directors	Salvatore	N/A
SJ Valley Air Pollution Control District	Akinjo	Dhaliwal
Water Advisory Board	Torres-O'Callaghan	Lazard
Tri Valley-SJV Regional Rail	Akinjo	N/A
SJA Flood Control Agency	Akinjo/Lazard	N/A
2x2 Meetings with Manteca	Dhaliwal	Torres-O'Callaghan
2x2 Meetings with LMFD	Dhaliwal	Akinjo
2x2 Meetings with MUSD	Dhaliwal	Torres-O'Callaghan
2x2 Committee for LPS Review	Dhaliwal	Akinjo

6.5 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) – None

6.6 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo expressed gratitude for Council's action to postpone the scheduled water and sewer rate increases in 2020. Councilmember Torres-O'Callaghan requested information related to the construction of the lighted crosswalk improvements on Spartan Way. Mayor Dhaliwal invited the public to attend the Christmas Parade scheduled for December 14, 2019. Councilmembers wished everyone a Merry Christmas and Happy New Year.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:51 p.m.

  
Teresa Vargas, CMC, City Clerk

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**ITEM 4.3**

**CITY MANAGER'S REPORT  
JANUARY 13, 2020 CITY COUNCIL REGULAR MEETING**

**ITEM:** **SECOND READING AND ADOPTION OF ORDINANCE 20-411 CONSIDER MUNICIPAL CODE TEXT AMENDMENT TA-19-141**

**RECOMMENDATION:** **Waive Full Reading, Read by Title Only, and Adopt Ordinance 20-411 Amending the Zoning Code, Title 17 of the Lathrop Municipal Code, to Implement the Housing Element of the General Plan. The Amendments to the Municipal Code Include the Following:**

- **Sections 17.36.020 And 17.62.032, and Table 17.61.1 are Revised to Limit Development of Single Family Units on Sites Designated for High Density Residential Uses**
- **Section 17.68.010 is Revised to Permit Manufactured Housing in the Same Manner as Single Family Homes**
- **Section 17.36.050.D is Revised to Identify Densities for the RM Zone that are Consistent with the Densities Allowed in the General Plan Land Use Element**

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**RECOMMENDED ACTION:**

The City Council to conduct second reading and adopt Ordinance 20-411 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP ADOPTING MUNICIPAL CODE TEXT AMENDMENT TA-19-141 TO AMEND THE ZONING ORDINANCE, TITLE 17 OF THE LATHROP MUNICIPAL CODE, TO IMPLEMENT THE HOUSING ELEMENT OF THE GENERAL PLAN


**SUMMARY:**

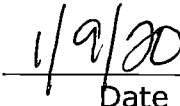
On December 9, 2019, the City Council approved the introduction and first reading of the subject Ordinance by the following vote:

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: None

The Ordinance will take effect 30 days after adoption.

**SUBMITTED BY:**

  
Teresa Vargas, City Clerk

  
Date

## **ORDINANCE NO. 20-411**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP ADOPTING MUNICIPAL CODE TEXT AMENDMENT TA-19-141 TO AMEND THE ZONING ORDINANCE, TITLE 17 OF THE LATHROP MUNICIPAL CODE, TO IMPLEMENT THE HOUSING ELEMENT OF THE GENERAL PLAN**

**WHEREAS**, the City of Lathrop Planning Commission held a duly noticed public meeting on November 20, 2019, at which they adopted PC Resolution No. 19-12 recommending the City Council adopt Municipal Code Text Amendment TA-19-141 pursuant to the Lathrop Municipal Code; and

**WHEREAS**, the City of Lathrop City Council held a duly noticed public hearing at a regular meeting on December 9, 2019 to review and consider Municipal Code Text Amendment TA-19-141; and

**WHEREAS**, the proposed text amendment is Citywide and affects all applicable properties in the City; and

**WHEREAS**, Chapter 17.124 of the Lathrop Municipal Code mandates the transmittal of a recommendation to the City Council by resolution; and

**WHEREAS**, the proposed text amendment is exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061 by the "General Rule" that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment; and

**WHEREAS**, the City Council finds that the proposed text amendment is consistent with applicable provisions of the Lathrop General Plan and will implement the City's Housing Element goals by clarifying development standards and removing constraints to housing development as described in the Staff Report; and

**WHEREAS**, proper notice of this public hearing 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 based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council adopt Municipal Code Text Amendment No. TA-19-141 as shown in Attachments "2", "3", "4", "5" and "6", incorporated by reference herein.

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

Section 1. The Lathrop Municipal Code is hereby amended as shown in Municipal Code Text Amendment No. TA-19-141 as shown in Attachments "2", "3", "4", "5", and "6", incorporated by reference herein.

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. 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 30 days from and after the date of its passage.

Section 5. Publication. 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.

**THIS ORDINANCE** was regularly introduced at a meeting of the City Council of the City of Lathrop on the 9<sup>th</sup> day of December, 2019 and was **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Lathrop on this 13<sup>th</sup> day of January, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Sonny Dhaliwal, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Teresa Vargas, City Clerk

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Salvador Navarrete, City Attorney

New text is shown by underline; deleted text is shown by ~~strikethrough~~

**Chapter 17.36 RM MULTIFAMILY RESIDENTIAL DISTRICT**

**17.36.20 Permitted uses.**

A. One-family dwellings limited to:

1. a single family dwelling replacing an existing single family dwelling on a one for one basis,
2. a single family dwelling on an existing lot of 8,000 square feet or less, or
3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households; Multifamily dwellings;

B. A small family day care home, a substance abuse recovery facility or a small residential care home, as provided in Section 17.32.020;

C. Fenced or enclosed swimming pools for either individual, family or communal use on an exclusive noncommercial basis; provided, that no swimming pool shall be located within a utility easement or a front yard;

D. Incidental and accessory structures and uses located on the same site with a permitted use;

E. Other uses which are added to this list according to the procedure in Section 17.16.020;

F. The keeping of animals in accordance with the standards of Chapter 17.28;

G. Emergency shelters, in accordance with the provisions of Chapter 17.74. (Ord. 16-365 § 1; Ord. 92-96; Ord. 92-73)

New text is shown by underline; deleted text is shown by ~~strikethrough~~

## Chapter 17.62 CENTRAL LATHROP ZONING DISTRICTS

### 17.62.032 Permitted Uses

- A. One-family dwellings limited to:
  - 1. a single family dwelling replacing an existing single family dwelling on a one for one basis,
  - 2. a single family dwelling on an existing lot of 8,000 square feet or less, or
  - 3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households;  
Multifamily dwellings;
  
- B. Two or more single-family dwellings proposed for the same site limited to:
  - 1. one of the single family dwellings is replacing an existing single family dwelling on a one for one basis,
  - 2. the dwellings are on an existing lot of 8,000 square feet or less, or
  - 3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households;
  
- C. Multi-family dwellings, flats, townhouses or apartments;
  
- D. Duplexes;
  
- E. Artist's studios; live/work units;
  
- F. A small family day care home, a substance abuse recovery facility, or a small residential care home as provided in Section 17.32.020 of the Lathrop Zoning Code;
  
- G. Fenced or enclosed swimming pools for either individual, family or communal use or an exclusive non-commercial basis, provided that no swimming pool shall be located within a utility easement or a front yard;
  
- H. Incidental and accessory structures and uses on the same site as a permitted use;
  
- I. Neighborhood parks;
  
- J. Open space;
  
- K. Public or private playgrounds;



Attach 3 CLSP - Mark Up

Central Lathrop Zoning District

HR-CL: High Density Residential – Chapter 17.62.032 Mark-Up

L. The keeping of animals in accordance with Chapter 17.28 of the Lathrop Zoning Code;

M. Other uses added to this list according to the procedures in Section 17.16.020 of the Lathrop Zoning Code. (Ord. 16-365 § 1; Ord. 04-245 § 3)

Attach 4 ST & RI Zoning District Table

17.61.1 Table: Stewart Tract /River  
Islands Zoning Districts and Permitted Use  
Z STDRC design review fees.

New text is shown by underline; deleted text is shown by ~~strikethrough~~

**Chapter 17.61 RIVER ISLANDS ZONING DISTRICTS**

**TABLE 17.61.1**

**Stewart Tract—River Islands Zoning Districts and Permitted Uses <sup>1</sup>**

<b>Land Use</b>	<b>RL-RI</b>	<b>RM-RI</b>	<b>RH-RI<sup>2</sup></b>	<b>MU</b>	<b>CR</b>	<b>CN</b>	<b>RCO</b>
<b>AGRICULTURAL USES</b>							
Raising of field crops (including cotton), vegetables, horticultural specialties and rangelands					<b>C</b>		<b>P</b>
Raising of fruit and nut trees, vines and cotton on land for which Swainson's Hawk Mitigation has been paid					<b>P</b>		<b>P</b>
Raising of fruit and nut trees, vines and cotton on land for which Swainson's Hawk Mitigation has not been paid							
Raising of livestock					<b>C</b>		
Breeding, hatching, raising and fattening of fowl and/or rabbits					<b>C</b>		
Barns, stables and other farm-type out-buildings					<b>C</b>		
Coops for fowl; bee-keeping structures					<b>C</b>		
<b>RESIDENTIAL USES</b>							
SF detached	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>			
SF attached	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>			
MF attached	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>C</b>		
Mobile homes	<b>PA</b>	<b>C</b>					
Second housing units	<b>PA</b>	<b>PA</b>	<b>PA</b>				
Apartments/hotels			<b>C</b>	<b>P</b>			
Small family day care home (eight or fewer children)	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>			

17.61.1 Table: Stewart Tract /River  
 Islands Zoning Districts and Permitted Use  
 Z STDRC design review fees.

Large family day care home (nine to fourteen children)	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>			
Private garages and carports when not on the same lot as a residential unit	<b>PA</b>	<b>PA</b>	<b>PA</b>	<b>PA</b>			
Recreation rooms and hobby rooms or shops when not on the same lot as a residential unit	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>			
Residential care home, small	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>			
Residential care home, large		<b>C</b>					
Storehouses; garden structures; greenhouses	<b>PA</b>	<b>PA</b>	<b>PA</b>	<b>PA</b>			
Fenced or enclosed private swimming pools or tennis courts	<b>PA</b>	<b>PA</b>	<b>PA</b>	<b>PA</b>			
Home occupations	<b>PA</b>	<b>PA</b>	<b>PA</b>	<b>PA</b>			
Model home display areas	<b>PA</b>	<b>PA</b>	<b>PA</b>	<b>PA</b>			
<b>COMMERCIAL USES</b>							
Adult entertainment				<b>C</b>			
Apparel				<b>P</b>	<b>C</b>	<b>P</b>	
Arcades				<b>C</b>		<b>C</b>	
Art and antiques				<b>P</b>			
Arts and crafts schools/colleges				<b>P</b>	<b>C</b>		
Art galleries	<b>C</b>	<b>C</b>	<b>C</b>	<b>P</b>	<b>C</b>	<b>P</b>	
Art supply				<b>P</b>		<b>P</b>	
Auction rooms				<b>P</b>			
Auto and motorcycle dealerships				<b>C</b>	<b>C</b>		
Automobile and tractor repair and maintenance				<b>C</b>	<b>C</b>		
Automobile supply (no repair or installation				<b>C</b>		<b>P</b>	
Bakery goods				<b>P</b>	<b>P</b>	<b>P</b>	
Banks and other lending institutions				<b>P</b>	<b>P</b>	<b>P</b>	
Banquet facility				<b>P</b>	<b>C</b>		
Bars, cocktail lounges, nightclubs				<b>C</b>			
Barbershops and beauty shops				<b>P</b>		<b>P</b>	
Bicycle shops				<b>P</b>		<b>P</b>	
Billiard and pool halls				<b>P</b>			
Blacksmiths				<b>P</b>			
Blueprint and photocopy				<b>P</b>	<b>C</b>		
Boat sales and services				<b>P</b>		<b>C</b>	
Book binderies				<b>P</b>			

17.61.1 Table: Stewart Tract /River  
 Islands Zoning Districts and Permitted Use  
 Z STDRC design review fees.

Books and rental libraries				P		P	
Bowling alleys				C		PA	
Business, professional and trade schools and colleges				P	C		
Cafeterias				P	P		
Camera equipment and supplies				P		P	
Candy and confectionaries				P		P	
Card rooms				C			
Carpenters/cabinetmakers				P			
Carpeting and flooring				P			
Catering				P	C		
Christmas tree or pumpkin sales				PA		P	
Clothing cleaning (Pick-up and delivery, dry cleaning within enclosed machines; self-serve laundromats)				P	P	P	
Clothing and costume rental				P			
Convenience stores (max. 5,000 square feet)				P	C	P	
Commercial small business offices (not more than 8,000 square feet)				P	P	P	
Copying and mailing businesses				P	P	P	
Dairy products				P		P	
Dance halls				C			
Day spas				P			
Department stores				P	C		
Drapery				P		P	
Drive-through restaurants, pharmacies and dry cleaning				C	C	C	
Drugs				P		P	
Dry goods				P		P	
Electrical small appliance repair				P		P	
Employment agencies				P	P	P	
Exterminators				C			
Factory outlets				C			
Farmers' markets				C			
Florists				P	P	P	
Food market; delicatessen				P	P	P	
Furniture stores				P			
Garden supplies and nurseries				P		P	

17.61.1 Table: Stewart Tract /River  
 Islands Zoning Districts and Permitted Use  
 Z STDRC design review fees.

(provided that all equipment, supplies, merchandise other than plants and mulch shall be kept within completely enclosed building)							
Gifts, novelties and souvenirs				<b>P</b>		<b>P</b>	
Glass installation				<b>P</b>			
Gunsmith				<b>P</b>			
Gymnasium and health studios				<b>C</b>	<b>C</b>		
Hardware				<b>P</b>		<b>P</b>	
Health foods				<b>P</b>		<b>P</b>	
Hobby supplies				<b>P</b>		<b>P</b>	
Home furnishings				<b>P</b>			
Home improvement supplies				<b>P</b>			
Hospitals and sanitariums				<b>C</b>	<b>C</b>		
Hotels and motels				<b>PA</b>	<b>PA</b>		
Household repair shops				<b>P</b>		<b>P</b>	
Ice dispensers (outdoor)				<b>P</b>		<b>P</b>	
Inns (temporary accommodations with accessory recreation and commercial facilities)				<b>PA</b>	<b>PA</b>		
Interior decoration				<b>P</b>			
Jewelry				<b>P</b>			
Kennels				<b>C</b>	<b>P</b>		
Kiosks				<b>C</b>	<b>C</b>		
Leather goods and luggage				<b>P</b>			
Liquor (packaged)				<b>C</b>			
Locksmith				<b>P</b>		<b>P</b>	
Massage (with city license)				<b>C</b>			
Medical and orthopedic supplies				<b>P</b>			
Meeting halls				<b>P</b>			
Messenger offices				<b>P</b>			
Millinery				<b>P</b>			
Musical instruments & supplies				<b>P</b>			
Music and dance studios				<b>P</b>			
News and magazine stands				<b>P</b>	<b>P</b>	<b>P</b>	
Office and business machines stores				<b>P</b>	<b>P</b>		
Outdoor cafes				<b>P</b>	<b>P</b>	<b>P</b>	
Paint and wallpaper				<b>P</b>			
Pet and bird stores and pet grooming (but not pet				<b>P</b>			

17.61.1 Table: Stewart Tract /River  
 Islands Zoning Districts and Permitted Use  
 Z STDRC design review fees.

boarding)							
Pawn shops				C			
Photographic supplies				P			
Photographic studios				P	P		
Picture framing				P			
Post/delivery offices				P	P	P	
Pressing of wearing apparel				P	P	P	
Printing				P	P	P	
Private clubs and lounges				PA		PA	
Publishers				P			
Public and private non-profit charitable institutions				P			
Radio, television and film broadcasting/studios				P	P		
Radio, television and audio-visual equipment sales and repair				P			
Reading rooms				P			
Retail stores larger than 75,000 square feet				C	C		
Restaurants, including cafes				P	P	P	
Scientific instrument stores				P			
Secretarial services				P	P		
Self-service laundry and dry cleaning				P		P	
Self-service carwash				C			
Service station, excluding automotive repair services not included in the definition of "service station", provided that all operations, except the sale of gasoline, shall be conducted in a building enclosed on three sides				C	C	C	
Self-storage facilities				C	C		
Shoes				P		P	
Shoe repair				P		P	
Skating rinks				P			
Small animal hospitals and clinics; veterinarian offices				C	P	C	
Soda fountains				P	P	P	
Sporting goods (excluding incidental boat sales, resales and camper sales)				P			
Sports arenas within				C	C		

17.61.1 Table: Stewart Tract /River  
Islands Zoning Districts and Permitted Use  
Z STDRC design review fees.

buildings							
Stamps and coins				P			
Stationers				P	P	P	
Storage buildings incidental to a permitted use				PA	PA	PA	
Supermarkets				P			
Tailoring and dressmaking				P		P	
Taxidermists				P			
Theaters and auditoriums, including movie theaters and performing arts				PA	C		
Thrift shops; second hand stores				C			
Theme parks				C	C		
Tobacconists				P			
Tool or cutlery sharpening or grinding				P		P	
Toys				P			
Transit stations				C	C	C	
Travel agents				P	P	P	
Upholsterers				P			
Variety stores				P		P	
Vending machines within enclosed areas				P	P	P	
Video stores (subject to the limitation of Chapter 5.08)				P		P	
Warehouse style retail					C		
Wedding chapels				P			
<b>OFFICE USES</b>							
Professional offices, business and administrative offices		C	C	P	P	P	
Research & development offices				P	P		
Financial services				P	P		
<b>INDUSTRIAL USES</b>							
Warehousing					X		
Light industrial and related uses					X		
Heavy industrial and related uses					X		
<b>MEDICAL USES</b>							
Elderly care facilities; assisted living facilities; nursing homes and rest homes except as provided				C	C	C	

17.61.1 Table: Stewart Tract /River  
 Islands Zoning Districts and Permitted Use  
 Z STDRC design review fees.

under Section 17.34.040							
Medical clinic				C	C	P	
Medical or dental office building				P	P	P	
Medical and orthopedic appliance stores				P			
<b>CIVIC/COMMUNITY USES</b>							
Bus depots; transit stations (with storage elsewhere)				C	C	C	
City offices				P	PA	PA	
Administrative centers and courts				P	P		
Community center	C	C	C	P	P		
Convention centers				C	C		
Fire station	C	C	C	C	C	C	
Libraries	C	C	C	C	C		
Mortuaries, columbariums and crematoriums				C	C		
Police station	C	C	C	C	C		
Post office				P	C		
Religious facilities and schools	C	C	C	C	C	PA	
Private schools and other educational facilities	C	C	C	C	C	PA	
Public schools and other educational facilities	C	C	C	C	C	PA	
Public and private charitable institutions	C	C	C	C	C		
Substance abuse recovery facility for six or fewer persons	P	P	P				
State authorized, certified or licensed family care facility, foster home or group home serving six or fewer persons	P (sm) C (lg)	P (sm) C (lg)	P (sm) C (lg)				
<b>PARKS &amp; OPEN SPACE</b>							
Boat dock - individual	P	P	P	P	P	P	
Boat dock - group	C	C	C	C	C	C	
Boat rental facility	C	C	C	C	C	P	
Gas dock and associated gasoline storage facilities				C		C	
Pony rings, race tracks, riding stables							C
Public and private parks and playgrounds and such	P	P	P	P	P	PA	C



17.61.1 Table: Stewart Tract /River  
 Islands Zoning Districts and Permitted Use  
 Z STDRC design review fees.

buildings, structures and facilities appropriate to such uses							
Public or private golf courses	PA	PA	PA		PA		
Private recreation facilities, other	C	C	C	C	C		
Wildlife Preserves					C		PA
OTHER							
Incidental and accessory structures and uses located on the same site as permitted use	PA	PA	PA	PA	PA	PA	
Expansion or remodeling of an existing nonconforming use of a structure or land, up to 50% of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with assessed valuation of less than two hundred dollars (\$200) and nonconforming fences, walls and hedges	C	C	C	C	C	C	C
Expansion, remodeling or additions to a conditional use not considered an incidental or accessory use as defined in Section 17.04.080	C	C	C	C	C	C	C
Incidental and accessory structures and uses located on the same site as a conditional use	C	C	C	C	C	C	C
Gas/electrical transmission lines subject to provisions of Section 17.108.080; electrical substations; gas regulator stations	P	PA	PA	PA	PA	PA	C
Communications equipment buildings	P	PA	PA	PA	PA	PA	C
Enclosed temporary materials storage yards	PA	PA	PA	PA	PA	PA	

17.61.1 Table: Stewart Tract /River  
 Islands Zoning Districts and Permitted Use  
 Z STDRC design review fees.

Flood control, water pumping stations/reservoirs; elevated pressure tanks; irrigation ditches/ canals; settling and water conservation recharge basins; drainage ponds; streets & roads as necessary for access to permitted uses	P	P	P	P	P	P	P
Parking lots and garages improved in conformity with the standards prescribed for off-street parking facilities			C	P	P	C	
Underground storage tanks for petroleum or oils				P			
Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020	PA	PA	PA	PA	PA	PA	PA

1 P = Permitted uses; PA = Permitted but administrative approval required; C = Conditional uses, administrative approval required; X = Prohibited use

2 Single family detached dwellings are limited to:

- a. a single family home replacing an existing single family unit on a one for one basis,
- b. a single family home on an existing lot of 8,000 square feet or less, or
- c. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households.

None of the above applies when the box is blank.

(Ord. 16-365 § 1)

New text is shown by underline; deleted text is shown by ~~strikethrough~~

**Chapter 17.68 MANUFACTURED HOUSING**

**17.68.010**

**Application.**

“The provisions of this chapter shall apply to all single-family ~~dwellings~~ manufactured housing and mobilehomes on permanent foundations, which shall be allowed subject to the same permit requirements and standards as a single family home in all districts that allow single family homes and shall also be subject to the standards identified in Section 17.68.020 listed as permitted uses ~~within any zoning district that permits residential uses.~~”

New text is shown by underline; deleted text is shown by ~~strikethrough~~

### Chapter 17.36. MULTIFAMILY RESIDENTIAL DISTRICT

#### **17.36.50 Property development standards.**

- A. Fences, walls and hedges shall conform to the provisions of Chapter 17.92.
- B. Site Area. The minimum site area in the RM-3, RM-2 and RM-1.5 districts shall be six thousand (6,000) square feet. The minimum site area in the RM-MH8 district shall be five acres (see Section 17.72.030)
- C. Site Area Per Dwelling Unit. The minimum site area shall be as follows:

District	Area per Unit
RM-MH8	3,000 sq. ft.
RM-3	3,000 sq. ft.
RM-2	2,000 sq. ft.
RM-1.5	1,500 sq. ft.

- D. “Density. The allowable density for the RM multifamily residential districts shall be as identified below a minimum of eight to a maximum of fifteen (15) dwelling units per net acre, per the city’s general plan:
  - RM-MH8: a minimum of one (1) and a maximum of eight (8) units per acre
  - RM-3: a minimum of eight (8) and a maximum of fifteen (15) units per acre
  - RM-2: a minimum of sixteen (16) and a maximum of twenty-five (25) units per acre
  - RM-1.5: a minimum of sixteen (16) and a maximum of twenty-five (25) units per acre
- E. Frontage, Width and Depth of Site.
  - 1. Each site, other than for a mobilehome in a mobilehome park, shall not have less than fifty (50) feet of frontage on a public street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet, provided the width of the site, as measured along the front yard setback line, is at least sixty (60) feet.
  - 2. The minimum width of each site, other than for a mobilehome park, shall be fifty (50) feet.
  - 3. The minimum depth of each site, other than for a mobilehome in a mobilehome park, shall be eighty (80) feet.

**CITY MANAGER'S REPORT  
JANUARY 13, 2020 CITY COUNCIL REGULAR MEETING**

**ITEM: SECOND READING AND ADOPTION OF ORDINANCE 20-412 TO CONSIDER PROHIBITING PEDESTRIAN USE OF MOBILE ELECTRONIC DEVICES IN CROSSWALKS**

**RECOMMENDATION: Waive Full Reading, Read by Title Only, and Adopt Ordinance 20-412 Amending the Lathrop Municipal Code by Adding Chapter 8.48 to Title 8 to Prohibit Pedestrian Use of Mobile Electronic Devices in Crosswalks**

**RECOMMENDED ACTION:**

The City Council to conduct second reading and adopt Ordinance 20-412 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP ADDING CHAPTER 8.48 ("PEDESTRIAN USE OF MOBILE ELECTRONIC DEVICES") TO TITLE 8 ("HEALTH AND SAFETY") TO THE LATHROP MUNICIPAL CODE

**SUMMARY:**

On December 9, 2019, the City Council approved the introduction and first reading of the subject Ordinance by the following vote:

*During roll call vote, Councilmember Akinjo declared abstention without identified legal disqualification, therefore, the City of Lathrop City Council Handbook of Rules and Procedures, page 13, Chapter IV, Section B(5) applies.*

Ayes: Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: Akinjo

The Ordinance will take effect 30 days after adoption.

**SUBMITTED BY:**

  
Teresa Vargas, City Clerk

  
Date

**ORDINANCE NO. 20-412**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP ADDING CHAPTER 8.48 ("PEDESTRIAN USE OF MOBILE ELECTRONIC DEVICES") TO TITLE 8 ("HEALTH AND SAFETY") TO THE LATHROP MUNICIPAL CODE**

**WHEREAS**, Section VII of Article XI of the California Constitution provides that a City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

**WHEREAS**, a number of national university and safety studies, including a 2012 study conducted by the Harborview Injury Prevention and Research Center, University of Washington, reveal that approximately one in three pedestrians use their mobile electronic devices or text messages while crossing busy streets; and

**WHEREAS**, according to the Safe Kids Worldwide advocacy group approximately half of students age 15 to 19 report they use a mobile device when walking to and from school; and

**WHEREAS**, a study by the journal, Injury Prevention, has determined that an increase in the use of headphones by pedestrians in environments with moving vehicles has led to a dramatic rise in the number of injuries, with teenagers, young adults and men the most at risk and that the wearing of headphones may have played a direct part in the injury accidents, as the users could not hear or were distracted from warning that they were in danger; and

**WHEREAS**, pedestrians now account for 15 percent of all vehicle-related fatalities;

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

**Section 1.** Add Chapter 8.48 ("Pedestrian Use of Mobile Electronic Devices") to Title 8 ("Health and Safety") of the Lathrop Municipal Code as follows:

**8.48.010 Definitions.**

As used in this section, the following definitions shall apply. For purposes of this chapter, these definitions shall supersede any other definitions of the same terms elsewhere in this Code.

**Emergency Responders** include, but not limited to, public safety officers of either municipal or county police department or fire department, emergency medical technicians, paramedics, private ambulance service responders, emergency management workers, and federal and state law enforcement and fire service officers on duty and responding to an emergency service request.

**Mobile Electronic Devices** means any handheld, head- or body-mounted, or portable electronic equipment capable of providing wireless and/or data communication between two or more persons or a device for providing amusement, including but not limited to a cellular phone, smart phone, text messaging device, paging device, personal digital assistant, laptop computer, video game, video/audio player, digital photographic device, or any other similar electronic device.

**Pedestrian** means a person who is afoot or who is using and of the following: (1) a means of conveyance propelled by human power other than a bicycle; or (2) an electronic personal mobility device.

**Personal Audio Equipment** means any device placed in, on or around a person's ear capable of providing an audible sound, including but not limited to headphones or ear buds.

**Viewing** means looking in the direction of the screen of a mobile electronic device.

#### **8.48.020 Prohibition against Pedestrian Use of Mobile Electronic Devices.**

- A. No pedestrian shall cross a street or highway while engaged in a phone call, viewing a mobile device or with both ears covered or obstructed by personal audio equipment.
- B. Upon presenting evidence, it is an affirmative defense to any citation for a violation of subsection (A) that the cited person was engaged in, or making a "911" emergency communication with a mobile electronic device.
- C. Emergency responders viewing a mobile electronic device, or whose ears are covered or obstructed by audio equipment, while in the performance and scope of his or her official duties are exempt from subsection (A).
- D. Persons, whose disability necessitates the use of a mobile electronic device or personal audio equipment to safely cross a street or highway, are exempt from subsection (A).

#### **8.48.030 Violation.**

- A. A violation of this chapter shall constitute an infraction. Conviction of an infraction under this chapter shall be punishable by no jail time and no fine.

**Section 2. 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 3.** - Effective Date. This Ordinance shall take legal effect 30 days from and after the date of its passage.

**Section 4.** - Publication. Within fifteen days of the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance, to be published in full accordance with Section 36933 of the Government Code.

**THIS ORDINANCE** was regularly introduced at a meeting of the City Council of the City of Lathrop on the 9<sup>th</sup> day of December, 2019 and was **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Lathrop on this 13<sup>th</sup> day of January, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Sonny Dhaliwal, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Teresa Vargas, City Clerk

\_\_\_\_\_  
Salvador Navarrete, City Attorney



**ITEM:** **OUT-OF-STATE TRAVEL APPROVAL FOR THE ECONOMIC DEVELOPMENT ADMINISTRATOR TO PARTICIPATE IN TWO SEPARATE TARGET INDUSTRY SPECIFIC CONFERENCES IN MAY 2020**

**RECOMMENDATION:** **Adopt a Resolution Authorizing Out-of-State Travel for the Economic Development Administrator to Attend and Represent the City of Lathrop at the Industrial Asset Management Council (IAMC) 2020 Spring Forum in Biloxi, Mississippi from May 2, 2020 to May 6, 2020, and the International Council of Shopping Centers (ICSC) RECON 2020 Conference in Las Vegas, Nevada from May 17, 2020 to May 19, 2020**

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**SUMMARY:**

In efforts to market the City of Lathrop for attraction of new job generating businesses and retail establishments that complement the needs and desires of its residents, the Economic Development Administrator requests approval to travel out-of-state for two separate target industry specific conferences – Industrial Asset Management Council (IAMC) and International Council of Shopping Centers (ICSC).

IAMC's 2020 Spring Forum offers access to Fortune 500 commercial-industrial companies and their corporate real estate executives. ICSC RECON 2020 is an annual international conference focused on the attraction of retail establishments and shopping center developers.

**BACKGROUND:**

On January 14, 2019, the City Council approved funding for a full-time Economic Development Administrator position to carry out economic development activities, including marketing the City for attraction of commercial businesses, retail businesses, services and other vital outlets for the success of our community.

Attending conferences such as IAMC and ICSC RECON provide access to key decision makers, site selection consultants, developers, company representatives, and retailers, while providing an opportunity to showcase the City of Lathrop as a potential location for their business.

IAMC is a member driven organization that focuses on the Corporate Real Estate professional. IAMC holds two forums each year, which allow professional growth, networking, and opportunities to share information. In addition to Corporate Real Estate professionals, IAMC also provides access to industrial developers, national real estate brokers, and site selecting consultants. IAMC Spring 2020 will be held in Biloxi, Mississippi from May 2, 2020 to May 6, 2020. Expenses for this Out-of-

State conference will include airfare, transportation, hotel, food and sponsorship of a TeamCalifornia hosted dinner event. See EXHIBIT "A" for information on the IAMC Spring 2020 Forum. Registration for this event will be paid through an augmented participation agreement between the City of Lathrop and the San Joaquin Partnership for marketing services.

ICSC Recon is an annual international event held each year in Las Vegas, Nevada. Staff will arrange meetings prior to the conference with shopping center developers, real estate brokers, and retailers for the purpose of showcasing site opportunities in Lathrop. Expenses for this Out-of-State conference will include registration, airfare, transportation, hotel, and food. See EXHIBIT "B" for information on the ICSC RECON 2020 Conference.

**REASON FOR RECOMMENDATION:**

Staff requests the City Council to adopt the resolution authorizing Out-of-State Travel for the Economic Development Administrator to participate in the IAMC Spring 2020 Forum in Biloxi, Mississippi and the ICSC RECON 2020 event in Las Vegas Nevada on the respective dates in May 2020 for purposes of marketing, outreach, and business attraction.

**FISCAL IMPACT:**

The total cost of both conferences will be approximately \$5,150, broken down as follows:

IAMC	\$3,550
ICSC	\$1,600

All expenses relating to these conferences are within the City Manager Department's Economic Development Division FY 2019-2020 budget as approved by City Council.

**ATTACHMENTS:**


- A. Resolution
- B. IAMC Spring 2020 Forum Information
- C. ICSC RECON 2020 Conference Information

**CITY MANAGER'S REPORT**  
**JANUARY 13, 2020 CITY COUNCIL REGULAR MEETING**  
**OUT-OF-STATE TRAVEL FOR ECONOMIC DEVELOPMENT ADMINISTRATOR**

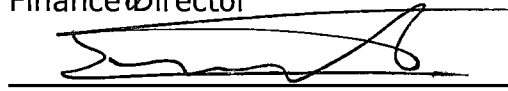
**APPROVALS:**

  
\_\_\_\_\_  
Shelley Burcham  
Economic Development Administrator

12/13/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Cari James  
Finance Director

12/13/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

12-16-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

12-20-19  
\_\_\_\_\_  
Date

**RESOLUTION NO. 20-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AUTHORIZE OUT-OF-STATE TRAVEL FOR THE ECONOMIC DEVELOPMENT ADMINISTRATOR TO ATTEND AND REPRESENT THE CITY OF LATHROP AT THE INDUSTRIAL ASSET MANAGEMENT COUNCIL 2020 SPRING FORUM IN BILOXI, MISSISSIPPI FROM MAY 2, 2020 TO MAY 6, 2020, AND THE INTERNATIONAL COUNCIL OF SHOPPING CENTERS (ICSC) RECON 2020 CONFERENCE IN LAS VEGAS, NEVADA FROM MAY 17, 2020 TO MAY 19, 2020**

**WHEREAS**, City Council approved funding for a full-time Economic Development Administrator position to carry out economic development activities on behalf of the City; and

**WHEREAS**, staff has identified two targeted industry opportunities to market the City for the attraction of businesses and retail establishments; and

**WHEREAS**, funding identified for marketing events has been considered and approved within the FY 2020-2021 budget.

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Lathrop, authorizes out-of-state travel for the Economic Development Administrator to attend and represent the City of Lathrop at the Industrial Asset Management Council 2020 Spring forum in Biloxi, Mississippi from May 2, 2020 to May 6, 2020, and the International Council of Shopping Centers RECON 2020 Conference in Las Vegas, Nevada from May 17, 2020 to May 19, 2020.

**PASSED AND ADOPTED** by the City Council of the City of Lathrop at a regular meeting on the 13<sup>th</sup> day of January, 2020 by the following vote:

AYES:

NOES:

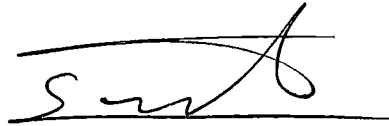
ABSTAIN:

ABSENT:

\_\_\_\_\_  
SONNY DHALIWAL, MAYOR

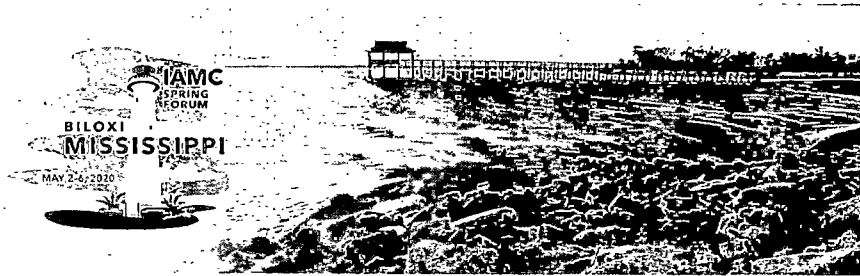
ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_

\_\_\_\_\_  
Teresa Vargas, City Clerk

\_\_\_\_\_  
Salvador Navarrete, City Attorney



**Agility & Flexibility: Maximizing Opportunities in Corporate Real Estate**

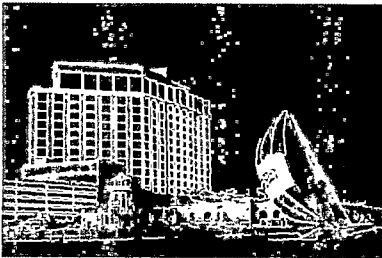
As top executives place increasing emphasis on the ability to respond quickly to changing business and economic conditions, do you see the need for a company's corporate real estate portfolio to be agile? From flexible working technologies, how can you and your team optimize your portfolio to be a flexible and effective partner in the light of shifting organizational needs?

The Forum will focus on these and many other key topics, featuring inspiring and informative thought leaders and an interactive Q&A session. Key topics include:

- Technology Adoption
- Lease Administration
- Cost Reduction
- Outsourcing Model and Strategies
- Construction Management
- Site Selection
- Facilities Management
- Site and Property Disposition
- Global Operations
- Transactions Management

Join IAMC this spring to explore best practices in maximizing opportunities in corporate real estate. Register today!

The official venue for the Spring 2020 Forum is:



**Beau Rivage\***

875 Beach Blvd., Biloxi, MS 39530 | 888.667.6667

Southern hospitality defines Beau Rivage. This Southern beauty offers you a world you'll love including distinctive dining, superstar entertainment and endless excitement along the Gulf Coast.

**IAMC Negotiated Room Rate:**

Friday & Saturday: \$159 (plus taxes/fees) per night  
 Sunday, Monday & Tuesday: \$139 (plus taxes/fees) per night  
 A \$10/night resort fee is included in the rate.

NOTE: You may book dates at the conference rate up to 3 days prior to or after the official conference dates based on availability.

**Holding Charge:**

The Beau Rivage requires a deposit equal to one night at the IAMC group rate at the time of booking. A different form of payment may be used at check in.

If you have any questions regarding this, please feel free to contact Spencer Bauer at [spencer.bauer@iamc.org](mailto:spencer.bauer@iamc.org)

**Cancellation Policy:** March 27th is the last day to cancel Forum registration and receive a refund, less a \$100 administration fee.

**\*Please Note:**

You must cancel each hotel reservation by 72 hours prior to check in to avoid a one-night cancellation fee. "No-shows" and early departures are charged a full night's room and tax.

**REGISTRATION FEES**

**IAMC Members**

Member Type	By Jan. 31	By Mar. 27	After Mar. 27
Corporate Member	\$735	\$785	\$885
<b>1st Time Corporate Member Special</b> <i>(Registration plus membership dues for 1 year)</i>	\$1,085	\$1,135	\$1,235
1st Economic Developer/Service Provider Company Member Rep*	\$1,085	\$1,145	\$1,245
2nd Economic Developer/Service Provider Company Member Rep*	\$1,305	\$1,355	\$1,455
Academic Member	\$475	\$525	\$625
Retired Member	\$475	\$525	\$625

\*Limit of two (2) attendees from each economic developer/service provider member organization

City Manager's Report  
January 13, 2020 City Council Regular Meeting  
Out-of-State Travel for Economic Development Administrator

EXHIBIT "B"

SCHEDULE

Saturday, May 2, 2020

- 8:00 am - 1:00 pm **Volunteer Service Project**
- 1:00 pm - 6:00 pm **Registration**
- 2:30 pm - 5:00 pm **Board of Directors Meeting**
- 5:00 pm - 6:00 pm **Early Arrivals Reception**

Sunday, May 3, 2020

- 8:30 am - 6:00 pm **Registration**
- 7:00 am - 12:00 pm **Leadership Seminar: The Science of Emotional Intelligence - The Missing Ingredient Behind Building A Highly Engaged Organizational Culture**  
IAMC Faculty Member Sara Ross, Director of Innovation for the Institute for Health and Human Potential (IHHP)  
*Requires separate registration which will open on April 8*
- 7:00 am - 12:00 pm **College of Fellows Leadership Masterclass: Leadership from the Mission Control Room to the Board Room**  
Paul Sean Hill, 25-Year Veteran of NASA's Iconic Mission Control  
*Open to IAMC Fellows Only. Requires separate registration which will open on April 8*
- 12:15 pm - 1:45 pm **Concurrent Interest Group Meetings & Working Lunch\***  
Distribution, Business Impacts, Portfolio Management, or Manufacturing
- 2:00 pm - 4:00 pm **Research Roundtable\***
- 4:15 pm - 5:15 pm **New Member & First-Time Attendee Reception**
- 5:30 pm - 9:00 pm **Welcome Reception & Dinner**
- 9:00 pm - 10:30 pm **Hospitality Lounge**

Monday, May 4, 2020

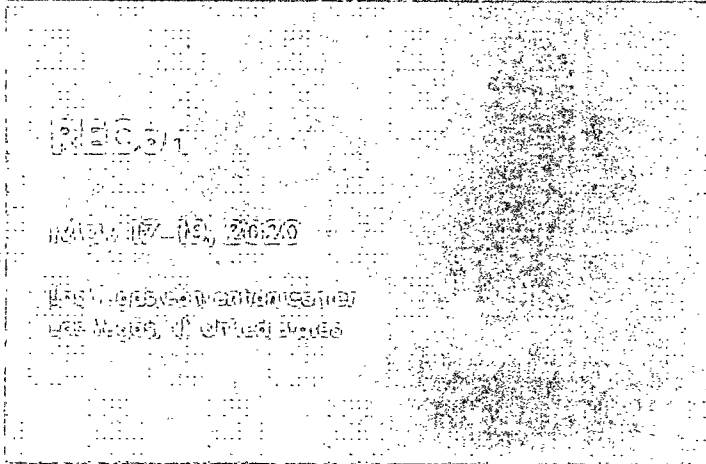
- 7:00 am - 7:45 am **Fun Run**
- 8:00 am - 9:00 am **Breakfast**
- 9:15 am - 10:30 am **General Session 1: Build Your Life Resume**  
Jesse Itzler, Author of *Living with A SEAL*, Co-Founder of Marquis Jet and an Owner of the Atlanta Hawks
- 10:30 am - 11:00 am **Networking Break**
- 11:00 am - 12:15 pm **IAMC Info Exchange**  
An IAMC Signature Program
- 12:30 pm - 1:30 pm **Lunch**
- 1:45 pm - 3:00 pm **Get Some Help!**  
An IAMC Signature Program
- 3:15 pm - 4:45 pm **Peer-to-Peer Corporates: Corporate Real Estate Leaders Talking Business**  
An IAMC Signature Program
- 3:15 pm - 4:15 pm **Peer-to-Peer Associates: Trends & Forecasts Knowledge Share**  
An IAMC Signature Program
- 5:30 pm - 6:30 pm **Networking Reception**
- 9:30 pm - 11:00 pm **Hospitality Lounge**

Tuesday, May 5, 2020

- 8:00 am - 8:45 am **Breakfast**
- 9:00 am - 10:30 am **General Session 2: Does This Economic Cycle Still Have Legs? What Are the Risks and Opportunities Ahead?**  
Bernard Baumohl, Chief Global Economist at the Economic Outlook Group
- 10:40 am - 11:25 am **Concurrent Workshops T1-T4**
- 11:35 am - 12:15 pm **Concurrent Workshops T5-T8**
- 12:30 pm - 1:45 pm **Awards Lunch & Leadership Fellows Graduation**
- 2:00 pm - 3:00 pm **General Session 3: CEO Spotlight**  
Bill Concannon, CEO of Global Workplace Solutions, CBRE
- 3:15 pm - 4:00 pm **Committee Meetings**
- 5:30 pm - 6:30 pm **Networking Reception**
- 9:30 pm - 11:00 pm **Hospitality Lounge**

Wednesday, May 6, 2020

- 8:00 am - 9:00 am **Breakfast**
- 9:00 am - 10:00 am **General Session 4: Beyond the Lone Ranger, Listerine and the Energizer Bunny - The New Meaning of Perseverance**  
Bonnie St. John, Paralympic Ski Medalist & Rhodes Scholar



**Discover More.**

**Deal making begins Sunday, May 17, at 12:30 pm, and ends Tuesday, May 19, at 5 pm.**

Maximize your time in Las Vegas by hitting the deal making floor early. At RECon 2020, you will get:

- Three days of deal making
- Perspectives from industry experts and visionary key notes
- Live programming and interviews on the show floor
- Professional development and career-building opportunities
- Curated destinations showcasing emerging brands, food & beverage companies, health & wellness providers, outlet centers and more

Register early to get discounts and start planning your time in Las Vegas.

In partnership with onPeak, we are offering discounted rates at select Las Vegas hotels for RECon 2020. Click [here](#) to conveniently book your stay, plus find the most affordable hotel options. Note, onPeak is the only official hotel provider endorsed by ICSC, and we encourage you to book through them early for the best selection and price.

Registration Fees			
	Early Bird (Dec. 13, 2019)	Advance (Apr. 24, 2020)	On-Site
<b>Member</b>	\$630	\$680	\$950
<b>Non-Member</b>	-	\$1,370	\$1,650

Deal Making Hours:
• Sun., May 17: 12:30 pm – 5:00 pm
• Mon., May 18: 8:00 am – 5:00 pm
• Tue., May 19: 8:00 am – 5:00 pm



**CITY MANAGER'S REPORT  
JANUARY 13, 2020 CITY COUNCIL REGULAR MEETING**

**ITEM: RATIFY THE PURCHASE OF SURVEILLANCE  
EQUIPMENT FOR CIP GG19-07 FOR CITYWIDE  
SURVEILLANCE SYSTEM**

**RECOMMENDATION: Adopt a Resolution Ratifying the Purchase of  
Surveillance Equipment from ICU Technologies, LLC  
for CIP GG19-07 Citywide Surveillance System**

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**SUMMARY:**

At the April 8, 2019 City Council Meeting, Council discussed and approved a resolution creating CIP GG19-07 for a Citywide Surveillance System. The surveillance system is intended to proactively identify crime as it occurs in the City, such as identifying stolen or wanted vehicles, enhancing citizen safety and help prevent crime.

City staff was tasked to conduct research on existing surveillance technology. Over a period of several months, staff has researched the efficiency, benefits, challenges and opportunities provided by this technology. Staff has surveyed other agencies with surveillance technology already in place to gain in-depth knowledge on the process and its many uses, concluding that Automated License Plate Recognition (ALPR) systems offer reliable crime prevention tools to law enforcement.

The proposed surveillance system uses cameras mounted on stationary locations and/or trailers to record video and license plate information. Stationary locations would include various entry points, including near highway entrances and other known roadways that are used to access the City. Surveillance cameras will be install at the following intersections:

- Golden Valley Parkway and River Islands Parkway
- Harlan Road and Louise Avenue
- Harlan Road and Lathrop Road
- Lathrop Road and 5<sup>th</sup> Street
- McKinley Avenue and Lathrop Road

Other intersection options may be Golden Valley Parkway and Lathrop Road once the traffic signal is installed and Louise Avenue and McKinley once the intersection improvements are complete. The City's intent is to utilize the system to proactively identify crime as it occurs in the City.

In September 2019, the first ALPR and surveillance cameras were installed at River Islands Parkway and Golden Valley Parkway. This camera system has registered an average of 530,000 vehicles per month traveling through this intersection. In addition, the cameras have also recorded traffic accidents and other questionable

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activities. Law enforcement has been able to view the camera footage to assist them with their investigations.

In December 2019, the City ordered the additional cameras necessary for the remaining intersections, and a portable trailer. Tonight, Staff is requesting Council adopt a resolution to ratify the purchase of surveillance equipment from ICU Technologies, LLC in a sum not-to-exceed \$525,000.

**BACKGROUND:**

With the advancement of today's technology, neighboring cities have already deployed surveillance technology to support law enforcement agencies with the battle against crime. At the April 8, 2019 City Council Meeting, Council approved the creation of CIP GG19-07 to move forward with the implementation of a citywide surveillance system. The system is intended to enhanced crime prevention and public safety. Staff identified the need of six (6) high speed video cameras to be place in strategic intersections (primarily high traffic areas) and a camera equipped mobile trailer that can be deployed to deter crime. The cost of the equipment and installation for all locations is \$625,000 and is included in the FY 19/20 & FY 20/21 biennial budget for CIP GG19-07.

Staff made inquiries and determined ICU Technologies, LLC meets the hardware specifications of the City's ideal surveillance system. ICU Technologies, LLC is a General Services Administration (GSA) certificate holder. This program, administered by the United States Government, provides government agencies with discounted pricing schedules and establishes purchasing contracts with vendors through a competitive bidding process. GSA's competitive bidding process is in conformance with the Office of Procurement, Department of General Services of the State of California exemption; as described in Lathrop Municipal Code Section 2.36.110.

**REASON FOR RECOMMENDATION:**

The proposed Surveillance System procured through ICU Technologies, LLC for CIP GG19-07 for Citywide Surveillance System represents an effort to utilize technology to enhance crime prevention and citizens' safety.

**FISCAL IMPACT:**

At the April 8, 2019 City Council Meeting, Council approved the creation of CIP GG19-07 and authorized \$625,000 for the purchase and installation of surveillance equipment. There are sufficient funds available in CIP GG19-07 to cover the purchase of the Surveillance Equipment through ICU Technologies, LLC.

**ATTACHMENTS:**

- A. Resolution Ratifying the Purchase of Surveillance Equipment From ICU Technologies, LLC for CIP GG19-07 Citywide Surveillance System

**CITY MANAGER'S REPORT  
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PURCHASE OF SURVEILLANCE EQUIPMENT FOR CIP GG19-07**

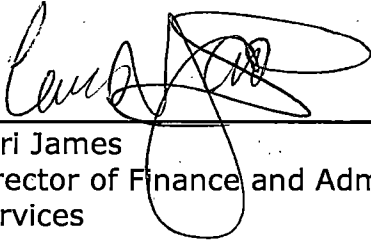
**APPROVALS:**



Chia Lor  
Management Analyst II

1/7/2020

Date



Cari James  
Director of Finance and Administrative  
Services

1/7/2020

Date



Salvador Navarrete  
City Attorney

1-8-20

Date



Stephen Salvatore  
City Manager

1-8-20

Date

**RESOLUTION NO. 20-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP  
RATIFYING THE PURCHASE OF SURVEILLANCE EQUIPMENT FROM ICU  
TECHNOLOGIES, LLC FOR CIP GG19-07 CITYWIDE SURVEILLANCE SYSTEM**

**WHEREAS**, over the last several months, staff has been exploring options to purchase a citywide surveillance system; and

**WHEREAS**, agencies throughout the region are increasingly installing surveillance systems to enhance citizen safety and help prevent crime; and

**WHEREAS**, the surveillance system will assist laws enforcement with identifying stolen or wanted vehicles, sexual predators, and missing persons, to name a few; and

**WHEREAS**, in an effort to utilize technology to enhance crime prevention and citizen safety, the proposed System will encompass a combination of stationary and mobile surveillance equipment; and

**WHEREAS**, at the April 8, 2019 City Council Meeting, Council discussed and approved a resolution creating CIP GG19-07 for a Citywide Surveillance System.; and

**WHEREAS** staff made inquiries and determined ICU Technologies, LLC meets the hardware specifications of the City's ideal surveillance system; and

**WHEREAS**, ICU Technologies, LLC is a General Services Administration (GSA) certificate holder; and

**WHEREAS**, this program, administered by the United States Government, provides government agencies with discounted pricing schedules and establishes purchasing contracts with vendor's through a competitive bidding process; and

**WHEREAS**, GSA's competitive bidding process is in conformance with the Office of Procurement, Department of General Services of the State of California exemption; as described in Lathrop Municipal Code Section 2.36.110;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Lathrop does hereby ratify the Purchase of Surveillance Equipment in a not to exceed Amount of \$525,000 from ICU Technologies, LLC for CIP GG19-07 Citywide Surveillance System:

The foregoing resolution was passed and adopted this 13<sup>th</sup> day of January, 2020, 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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**ITEM: TYLER TECHNOLOGIES BRAZOS ELECTRONIC  
CITATION SOFTWARE, HARDWARE, AND  
IMPLEMENTATION SERVICES**

**RECOMMENDATION: Adopt a Resolution Approving the Following:**

- 1) Amendment to the Agreement with Tyler Technologies for Brazos E-citation Software, Hardware, and Implementation Services; and**
- 2) Agreement with Tiburon for Data Integration and Services**

---

**SUMMARY:**

Lathrop Police Services currently utilizes traditional handwritten ticket books to issue and record citations. This method is now considered obsolete. New electronic citation technology is now available, and is a more efficient and accurate way of performing traffic stops.

Staff has researched Tyler Technologies Brazos software. The software is robust, can be customized, and streamlines current processes. Tonight, staff recommends that the City Council approve an amendment to the existing agreement with Tyler Technologies to include Brazos E-citation software, hardware, and services, with a not to exceed amount of \$56,000. In addition, an Agreement with Tiburon is needed for electronic data transfer services in an amount not to exceed \$18,480. Total funding, in the amount of \$74,480, for the recommended software, hardware, and services has been included in the FY 19/20 Police Services Budget.

**BACKGROUND:**

Lathrop Police Services currently utilizes traditional handwritten ticket books to issue and record citations. Electronic citation processing is a safer, more efficient and accurate method of performing traffic citation stops. Agencies throughout the region are increasingly utilizing electronic citation and accident report technology which minimizes the time spent issuing citations and preparing accident reports. In addition electronic citation processing reduces the time officers spend outside his/her vehicle, which means increased safety for officers.

Tyler Technologies Brazos e-citation software has been reviewed by Police Services and Information Technology staff. The Brazos software allows for the collection of data and processing of citation and accident reports through one or more of the following methods:

- o Swiping the magnetic strip on a driver's license

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TYLER TECHNOLOGIES BRAZOS SOFTWARE**

**PAGE 2**

- Scanning VIN barcodes and vehicle registration with a mobile device
- Capturing data using keyboard, touch screen, video, audio, and photo
- Printing and sharing contact and insurance information
- Creation of tow slips for damaged and impounded vehicles
- Transferring data
- Printing of citations and accident reports

In addition, Brazos Electronic Citation software offers other valuable benefits such as:

- Reduced paper waste
- Improved processing by reducing redundant data entry
- Fast and easy data transfer to the courts and records management systems
- Increased officer productivity

An agreement with Tiburon is also required in order to import data to the courts and records management systems.

Staff recommends that the City Council approve an amendment to the existing agreement with Tyler Technologies to include Brazos software, hardware, and services, with a not to exceed amount of \$56,000 and an Agreement with Tiburon for electronic data import services for \$18,480, which includes a \$2,250 one year annual maintenance fee. Funding for both agreements would be \$74,480 and is included in the FY 19/20 Police Services Budget.

Brazos annual maintenance fees will be waived for the first year. Beginning in FY20/21 Brazos annual maintenance fees will be \$16,148 and shall increase no more than 5% for 5 years.

**REASON FOR RECOMMENDATION:**

New electronic ticketing and accident report technology is available which streamlines the law enforcement process of issuing citations and preparing accident reports. The new technology reduces paper waste, ensures accurate data collection and reduces the time officers spend on the roadside. Reduced time on the roadside means better safety for officers.

**FISCAL IMPACT:**

Funds are budgeted and available in account 2220-40-16-450-20-00.

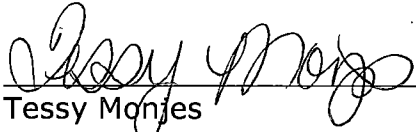
**ATTACHMENTS:**

- A. Resolution Approving 1) an Amendment to the Agreement with Tyler Technologies for Brazos E-citation Software, Hardware, and Implementation Services and 2) an Agreement with Tiburon for Data Integration and Services
- B. Agreement Amendment with Tyler Technologies
- C. Agreement with Tiburon



**CITY MANAGER'S REPORT  
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TYLER TECHNOLOGIES BRAZOS SOFTWARE**

**APPROVALS:**



Tessy Monjes  
Management Analyst II

1-8-20

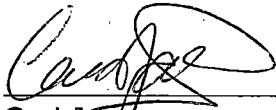
Date



Ryan Biedermann  
Chief of Police

1-8-20

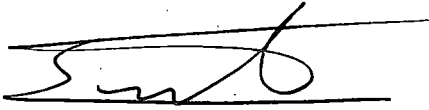
Date



Cari James  
Director of Finance and  
Administrative Services

1-8-20

Date



Salvador Navarrete  
City Attorney

1-8-20

Date



Stephen Salvatore  
City Manager

1-8-20

Date

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP  
 APPROVING THE AMENDMENT TO THE AGREEMENT WITH TYLER  
 TECHNOLOGIES FOR BRAZOS E-CITATION SOFTWARE, HARDWARE, AND  
 IMPLEMENTATION SERVICES AND APPROVING AN AGREEMENT WITH  
 TIBURON FOR DATA INTEGRATION AND SERVICES**

**WHEREAS**, Lathrop Police Services currently utilizes traditional handwritten ticket books to issue and record citations; and

**WHEREAS**, new electronic citation technology is available which is a safer, more efficient, and accurate way of performing traffic stops; and

**WHEREAS**, staff has researched Tyler Technologies Brazos software and found that it is robust, customizable, and will streamline current processes; and

**WHEREAS**, Tyler Technologies has provided an amendment to the existing agreement for Brazos software, hardware, and implementation services with a not to exceed amount of \$56,000; and

**Whereas**, an agreement with Tiburon for data import services is \$18,480, which includes one year annual maintenance fee of \$2,250; and

**WHEREAS**, the total expense for both agreements is \$74,480 and included in the FY 2019/20 Police Services Budget; and

**WHEREAS**, second year annual maintenance fees for Brazos E-Citation software is \$16,148 and shall increase no more than 5% for the first five years; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Lathrop does hereby approve an amendment, attached to City Manager Report, to the agreement with Tyler Technologies for Brazos E-citation software, hardware, and implementation services; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the City Council of the City of Lathrop does hereby approve an agreement, attached to City Manager Report, with Tiburon for data integration and services.

The foregoing resolution was passed and adopted this 13th day of January 2016, by the following vote of the City Council, to wit:

20  
AYES:

NOES:

ABSENT:

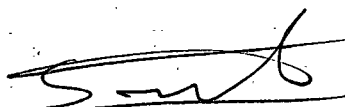
ABSTAIN:

\_\_\_\_\_  
Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Teresa Vargas, City Clerk

  
\_\_\_\_\_  
Salvador Navarrete, City Attorney



## AMENDMENT

This amendment ("Amendment") is effective as of the date of signature of the last party to sign as indicated below ("Amendment Effective Date"), by and between Tyler Technologies, Inc., a Delaware corporation with offices at 840 West Long Lake Road, Troy, MI 48098 ("Tyler") and City of Lathrop, with offices at 390 Towne Centre Drive, Lathrop, CA 95330-9358 ("Client").

WHEREAS, Tyler and the Client are parties to a License Agreement with an effective date of September 17, 2019 (the "Agreement");

WHEREAS, Tyler and Client now desire to amend the Agreement;

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, Tyler and the Client agree as follows:

1. The software and services set forth in Exhibits 1-4 to this Amendment are hereby added to the Agreement.
2. The terms and conditions contained in Exhibit 2, including the associated schedules thereto, only apply to the Brazos Components listed in the Amendment Investment Summary.
3. The following payment terms, as applicable, shall apply:
  - a. *License Fees:* License fees are invoiced upon the Amendment Effective Date.
  - b. *Maintenance and Support Fees:* Year 1 maintenance and support fees are waived one (1) year from the Effective Date. Year 2 maintenance and support fees, at the rate listed in the Amendment Investment Summary, are payable one year from the Amendment Effective Date. Subsequent maintenance and support fees are invoiced annually in advance of each anniversary thereof. Tyler will not increase annual maintenance fees on the Tyler Software by more than 5% per year in years three through five. Beginning in year 6, annual maintenance and support fees will be at our then current rates. *Professional Services:* Professional services are billed as delivered and invoiced as incurred. Payment for Professional Services are due 45 days after the date of invoice.
  - c. *Hosting Fees:* Hosting Fees for the Tyler Software identified on the Amendment Investment Summary are waived for one year from the Effective Date. Subsequent Hosting Fees, at Tyler's then-current rates, are invoiced annually in advance on the anniversary of the Amendment Effective Date, and will renew automatically for additional one (1) year terms at our then-current Hosting Services fee, unless terminated in writing by either party at least thirty (30) days prior to the end of the then-current term.
 

*Third Party Hardware:* Third Party Hardware costs are invoiced upon delivery.

*Third Party Services:* Third Party Services fees are invoiced upon delivery.
  - d. *Expenses:* The service rates in the Amendment Investment Summary do not include travel expenses. Expenses will be billed as incurred and only in accordance with our then-current Business Travel Policy, plus a 10% travel agency processing fee. Our current Business Travel Policy is attached as Exhibit 3. Copies of receipts will be provided on an exception basis for an administrative fee. Receipts for mileage or miscellaneous items less than twenty-five dollars are not available.
4. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement.

5. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, a duly authorized representative of each party has executed this Amendment as of the date of signature of the last party to sign as indicated below.

Tyler Technologies, Inc:

City of Lathrop, CA

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**Exhibit 1**  
**Amendment Investment Summary**

The following Amendment Investment Summary details the software, products, and services to be delivered by us to you under the Agreement. This Amendment Investment Summary is effective as of the Amendment Effective Date

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Quoted By: Seth Dinehart  
 Quote Expiration: 12/31/2019  
 Quote Name: Lathrop Police Department - Brazos eCitation  
 Quote Number: 2019-69424-3  
 Quote Description: Purchase 25 eCitation Licenses, eCrash Licenses, AB953 Module and CHP180 Module with Brother RJ4230 Printers

Sales Quotation For  
 City of Lathrop Police Department  
 15597 7th St  
 Lathrop, CA 95830  
 Phone: +1 (209) 858-5551

**Tyler Software**

Description	Quantity	License	Software Total	Year One Maintenance
Brazos Interface: Full Court Court Case Mgmt System	1	\$3,250	\$3,250	\$683
Interface: Tiburon Records Mgmt System	1	\$3,250	\$3,250	\$683
eCitation - Brazos Rapid Extension Framework - PDA	26	\$20,000	\$20,000	\$4,368
Task: Field Interview	1	\$3,250	\$3,250	\$683
<b>Sub-Total:</b>			<b>\$30,550</b>	<b>\$6,417</b>
<b>Less Discount:</b>			<b>\$5,980</b>	
<b>TOTAL:</b>			<b>\$24,570</b>	<b>\$6,417</b>

**Tyler Software and Related Services - Annual**

Description	Quantity	Unit Price	Annual Fee
Brazos State Compliant Crash Report Software with Drawing Tool	26	\$282	\$7,592
Brazos Hosting Fee	1	\$2,190	\$2,190
<b>TOTAL:</b>			<b>\$9,781</b>

**Professional Services**

Description	Quantity	Unit Price	Extended Price
Brazos Project Mgmt (plus per diem as needed if not remote)	1	\$3,000	\$3,000
Set Up & Config	1	\$10,000	\$10,000
Training	1	\$3,000	\$3,000
Standard Crash Training Package	1	\$1,500	\$1,500
State Compliant Crash Report Config & Set Up	1	\$2,500	\$2,500
<b>TOTAL:</b>			<b>\$28,000</b>

**Third Party Hardware, Software and Services**

Description	Quantity	Unit Price	Unit Discount	Total Price	Maintenance
LB3634 / Brother, Pocketjet, Rugged Jet, AC Charger	14	\$42	\$0	\$588	\$0
RDM0205 / Brother, Rugged Jet, Paper, Thermal, premium, 36 rolls per case	3	\$193	\$0	\$589	\$0
LB3630 / Brother, Rugged Jet, Vehicle Adapter-Cigarette Plug	14	\$23	\$0	\$322	\$0
Brother, Warranty, Mobile, 1 year (not valid on Rugged Jet Printers)	14	\$26	\$0	\$364	\$0
RJ4230BL / Brother, Printer, Rugged Jet RJ4230BL, Bluetooth	14	\$569	\$0	\$7,966	\$0
<b>TOTAL:</b>				<b>\$9,829</b>	

**Summary**

	One Time Fees	Recurring Fees
Total Tyler Software	\$24,570	\$6,417
Total Tyler Annual	\$0	\$9,731
Total Tyler Services	\$20,000	\$0
Total Third Party Hardware, Software and Services	\$9,639	\$0
<b>Summary Total</b>	<b>\$54,209</b>	<b>\$16,148</b>

**Comments**

**Brazos Purchase Proposal Includes:**

**26 eCitation Licenses to be installed on iOS devices**

**26 eCrash Licenses to be installed on iOS devices.**

**FI Module**

**AB953 Module (Included as part of eCitation Package)**

**CHP180 Module (Included as part of eCrash Package)**

**Interface to Tiburon RMS**

**Interface to JSI Full Court CMS System**

**14 Brother Rugged Jet RJ4230 Printers with Charging Hardware**

**Agency is responsible for paying applicable CA state taxes. Contract total does not include tax. Tyler will invoice Client for the License fees listed above upon delivery of the software. Maintenance and Hosting Fees listed above will be invoiced upon one (1) year from the effective date and annually thereafter on the anniversary of that date. The first year's maintenance and hosting fees are waived.**





## Exhibit 2

### Additional Terms for Brazos Components

We will provide you with the Brazos components of Tyler Software indicated in the Amendment Investment Summary. The terms and conditions contained in this document only apply to our provision of those applications. Capitalized terms not otherwise defined will have the meaning assigned to such terms in your License and Services Agreement.

1. Additional Definitions. The following definitions shall apply to this Exhibit:

- 1.1. **"Brazos Components"** means the Brazos software components of Tyler Software identified in the Amendment Investment Summary.
- 1.2. **"Hosting Services"** means the hosting services Tyler will provide for the Brazos Components for the fees set forth in the Amendment Investment Summary. Terms and Conditions for the Hosting Services are set forth in this exhibit.
- 1.3. **"SLA"** means the service level agreement applicable to the Hosting Services for the Brazos Components. A copy of Tyler's current SLA is attached hereto as Schedule 1 to this exhibit.
- 1.4. **"Third Party Services"** means the services provided by third parties, if any, identified in the Amendment Investment Summary.

2. Hosting Terms for Brazos Components.

- 2.1. We will either host or engage Third Party Services in order to host the Brazos Components set forth in the Amendment Investment Summary for the fees set forth therein. You agree to pay those fees according to the terms of the Invoicing and Payment Policy. In exchange for those fees, we agree to provide the Hosting Services according to the terms and conditions set forth in this Exhibit, and the other applicable terms of this Amendment. If you fail to pay those fees, we reserve the right to suspend delivery of the applicable Hosting Services after advance written notice to you of our intention to do so.
- 2.2. In our sole discretion, we may elect to migrate the Hosting Services to a replacement system (including our own) and will undertake reasonable efforts to complete such transfer during maintenance windows as set forth in the SLA. We will provide you with advance written notice of any such transfer, and in any event we will provide you with written notice after such transfer has occurred. You agree to provide all reasonable assistance and access in connection with any such transfer. In the event the Brazos Components are transferred to our data center and we provide hosting services directly to you, the terms of the SLA will also apply.
- 2.3. The initial term for the Hosting Services is one (1) year. Thereafter, the term may renew for additional one (1) year terms upon mutual agreement of the parties. Client may indicate its agreement to renew by timely payment of a renewal invoice issued by Tyler.
- 2.4. Where applicable, we will perform or cause to have performed upgrades of the applications, hardware, and operating systems that support the Hosting Services. Tyler will notify Client before performing any upgrades that will impact end users. These upgrades are performed in commercially reasonable timeframes and in coordination with third-party releases and certifications. We will make available information on industry-standard minimum requirements and supported browsers for accessing the Hosting Services.



## Exhibit 2 Schedule 1 Service Level Agreement

### Agreement Overview

This SLA outlines the information technology service levels that we will provide to you to ensure the availability of the Hosting Services that you have requested us to provide. All other support services are documented in the applicable Support Call Process, attached hereto as Schedule 1 to this exhibit. All defined terms not defined below have the meaning set forth in the Agreement.

### Definitions

*Attainment:* The percentage of time a service is available during a billing cycle, with percentages rounded to the nearest whole number.

*Client Error Incident:* Any service unavailability resulting from your applications, content or equipment, or the acts or omissions of any of your service users or third-party providers over whom we exercise no control.

*Downtime:* Those minutes during which the applicable software products are materially unavailable for your use. Downtime does not include those instances in which only a Defect is present. "Defect" means a failure of the Tyler Software to substantially conform to our then-current Documentation.

*Service Availability:* The total number of minutes in a billing cycle that a given service is capable of receiving, processing, and responding to requests, excluding maintenance windows, Client Error Incidents and Force Majeure.

### Service Availability

The Service Availability of the applicable software products is intended to be 24/7/365. We set Service Availability goals and measures whether we have met those goals by tracking Attainment.

### Client Responsibilities

Whenever you experience Downtime, you must make a support call according to the procedures outlined in the applicable Support Call Process exhibit. You may escalate through the hosting hotline. You will receive a support incident number. Any Downtime is measured from the time we intake your support incident.

To track attainment, you must document, in writing, all Downtime that you have experienced during a billing cycle. For purposes of this Service Level Agreement, billing cycle shall be based on each calendar quarter. You must deliver such documentation to Tyler within thirty (30) days of a billing cycle's end.

The documentation you provide must substantiate the Downtime. It must include, for example, the support incident number(s) and the date, time and duration of the Downtime(s).

### Tyler Responsibilities

When our support team receives a call from you that a Downtime has occurred or is occurring, we will work with you to identify the cause of the Downtime (including whether it may be the result of a Client Error Incident or Force Majeure). We will also work with you to resume normal operations.

Upon timely receipt of your Downtime report, outlined above, we will compare that report to our own outage logs and support tickets to confirm that a Downtime for which Tyler was responsible indeed occurred.

We will respond to your Downtime report within thirty (30) days of receipt. To the extent we have confirmed Downtime for which we are responsible, we will provide you with the relief set forth below.

**Client Relief**

When a Service Availability goal is not met due to your confirmed Downtime, we will provide you with relief that corresponds to the percentage amount by which that goal was not achieved, as set forth in the Client Relief Schedule below.

Notwithstanding the above, the total amount of all relief that would be due under this SLA will not exceed 5% of the fee for any one billing cycle. Issuing of such credit does not relieve us of our obligations under the Agreement to correct the problem which created the service interruption. A correction may occur in the billing cycle following the service interruption. In that circumstance, if service levels do not meet the corresponding goal for that later billing cycle, your total credits will be doubled, with equal relief being provided in that later billing cycle.

Client Relief Schedule

Targeted Attainment	Actual Attainment	Client Relief
100%	98-99%	Remedial action will be taken at no additional cost to you.
100%	95-97%	Remedial action will be taken at no additional cost to you. 4% credit of fee for affected billing cycle will be posted to next billing cycle
100%	<95%	Remedial action will be taken at no additional cost to you. 5% credit of fee for affected billing cycle will be posted to next billing cycle

You may request a report from us that documents the preceding billing cycle's Service Availability, Downtime, any remedial actions that have been/will be taken, and any credits that may be issued. That report is available by contacting the hosting hotline through the support portal(s).

**Applicability**

The commitments set forth in this SLA do not apply during maintenance windows, Client Error Incidents, and Force Majeure. "Force Majeure" means an event beyond the reasonable control of you or us, including, without limitation, governmental action, war, riot or civil commotion, fire, natural disaster, or any other cause that could not with reasonable diligence be foreseen or prevented by you or us.

We perform maintenance during limited windows that are historically known to be reliably low-traffic times. If and when maintenance is predicted to occur during periods of higher traffic, we will provide advance notice of those windows and will coordinate to the greatest extent possible with you. When maintenance is scheduled to occur, we will provide approximately two (2) weeks' advance written notice to the contact information that you supply on your notification form. When emergency maintenance is scheduled, you will receive an email at that same contact point.

**Force Majeure**

You will not hold us responsible for meeting service levels outlined in this SLA to the extent any failure to do so is caused by Force Majeure. In the event of Force Majeure, we will file with you a signed request that said failure be excused. That writing will include the details and circumstances supporting our request for relief with clear and convincing evidence pursuant to this provision. You will not unreasonably withhold your acceptance of such a request.

**Support Reports**

Tyler will provide Client with a report before January 31 of each year with a summary of all support tickets created during the previous calendar year (January 1 through December 31).



## Exhibit 2 Schedule 2 Support Call Process

### ***Support Channels***

Tyler Technologies, Inc. provides the following channels of software support:

- (1) Tyler Community – an on-line resource, Tyler Community provides a venue for all Tyler clients with current maintenance agreements to collaborate with one another, share best practices and resources, and access documentation.
- (2) On-line submission (portal) – for less urgent and functionality-based questions, users may create unlimited support incidents through the customer relationship management portal available at the Tyler Technologies website.
- (3) Email – for less urgent situations, users may submit unlimited emails directly to the software support group.
- (4) Telephone – for urgent or complex questions, users receive toll-free, unlimited telephone software support.

### ***Support Resources***

A number of additional resources are available to provide a comprehensive and complete support experience:

- (1) Tyler Website – [www.tylertech.com](http://www.tylertech.com) – for accessing client tools and other information including support contact information.
- (2) Tyler Community – available through login, Tyler Community provides a venue for clients to support one another and share best practices and resources.
- (3) Knowledgebase – A fully searchable depository of thousands of documents related to procedures, best practices, release information, and job aides.
- (4) Program Updates – where development activity is made available for client consumption.

### ***Support Availability***

Tyler's Brazos eCitations solutions offers 24/7 support of the product and software. Unless it is specifically stated in the Agreement, 24/7 support does not apply to other Tyler Software.

### ***Issue Handling***

#### ***Incident Tracking***

Every support incident is logged into Tyler's Customer Relationship Management System and given a unique incident number. This system tracks the history of each incident. The incident tracking number is used to track and reference open issues when clients contact support. Clients may track incidents, using the incident number, through the portal at Tyler's website or by calling software support directly.

#### ***Incident Priority***

Each incident is assigned a priority number, which corresponds to the client's needs and deadlines. The client is responsible for reasonably setting the priority of the incident per the chart below. The goal of this structure is to help the client clearly understand and communicate the importance of the issue and to describe expected responses and resolutions.

Priority Level	Characteristics of Support Incident	Resolution Targets
1 Critical	Support incident that causes (a) complete application failure or application unavailability; (b) application failure or unavailability in one or more of the client's remote location; or (c) systemic loss of multiple essential system functions.	Tyler shall provide an initial response to Priority Level 1 incidents within one (1) business hour of receipt of the support incident. Tyler shall use commercially reasonable efforts to resolve such support incidents or provide a circumvention procedure within one (1) business day. Tyler's responsibility for lost or corrupted data is limited to assisting the client in restoring its last available database.
2 High	Support incident that causes (a) repeated, consistent failure of essential functionality affecting more than one user or (b) loss or corruption of data.	Tyler shall provide an initial response to Priority Level 2 incidents within four (4) business hours of receipt of the support incident. Tyler shall use commercially reasonable efforts to resolve such support incidents or provide a circumvention procedure within ten (10) business days. Tyler's responsibility for loss or corrupted data is limited to assisting the client in restoring its last available database.
3 Medium	Priority Level 1 incident with an existing circumvention procedure, or a Priority Level 2 incident that affects only one user or for which there is an existing circumvention procedure.	Tyler shall provide an initial response to Priority Level 3 incidents within one (1) business day of receipt of the support incident. Tyler shall use commercially reasonable efforts to resolve such support incidents without the need for a circumvention procedure with the next published maintenance update or service pack. Tyler's responsibility for lost or corrupted data is limited to assisting the client in restoring its last available database.
4 Non-critical	Support incident that causes failure of non-essential functionality or a cosmetic or other issue that does not qualify as any other Priority Level.	Tyler shall provide an initial response to Priority Level 4 incidents within two (2) business days. Tyler shall use commercially reasonable efforts to resolve such support incidents, as well as cosmetic issues, with a future version release.

#### *Incident Escalation*

Tyler Technology's software support consists of four levels of personnel:

- (1) Level 1: front-line representatives
- (2) Level 2: more senior in their support role, they assist front-line representatives and take on escalated issues
- (3) Level 3: assist in incident escalations and specialized client issues
- (4) Level 4: responsible for the management of support teams for either a single product or a product group

If a client feels they are not receiving the service needed, they may contact the appropriate Software Support Manager. After receiving the incident tracking number, the manager will follow up on the open issue and determine the necessary action to meet the client's needs.

On occasion, the priority or immediacy of a software support incident may change after initiation. Tyler encourages clients to communicate the level of urgency or priority of software support issues so that we can respond appropriately.

A software support incident can be escalated by any of the following methods:

- (1) Telephone – for immediate response, call toll-free to either escalate an incident's priority or to escalate an issue through management channels as described above.
- (2) Email – clients can send an email to software support in order to escalate the priority of an issue
- (3) On-line Support Incident Portal – clients can also escalate the priority of an issue by logging into the client incident portal and referencing the appropriate incident tracking number.

*Remote Support Tool*

Some support calls require further analysis of the client's database, process or setup to diagnose a problem or to assist with a question. Tyler will, at its discretion, use an industry-standard remote support tool. Support is able to quickly connect to the client's desktop and view the site's setup, diagnose problems, or assist with screen navigation. More information about the remote support tool Tyler uses is available upon request.



## **Exhibit 3 Business Travel Policy**

### **1. Air Travel**

#### **A. Reservations & Tickets**

Tyler's Travel Management Company (TMC) will provide an employee with a direct flight within two hours before or after the requested departure time, assuming that flight does not add more than three hours to the employee's total trip duration and the fare is within \$100 (each way) of the lowest logical fare. If a net savings of \$200 or more (each way) is possible through a connecting flight that is within two hours before or after the requested departure time and that does not add more than three hours to the employee's total trip duration, the connecting flight should be accepted.

Employees are encouraged to make advanced reservations to take full advantage of discount opportunities. Employees should use all reasonable efforts to make travel arrangements at least two (2) weeks in advance of commitments. A seven (7) day advance booking requirement is mandatory. When booking less than seven (7) days in advance, management approval will be required.

Except in the case of international travel where a segment of continuous air travel is six (6) or more consecutive hours in length, only economy or coach class seating is reimbursable. Employees shall not be reimbursed for "Basic Economy Fares" because these fares are non-refundable and have many restrictions that outweigh the cost-savings.

#### **B. Baggage Fees**

Reimbursement of personal baggage charges are based on trip duration as follows:

- Up to five (5) days = one (1) checked bag
- Six (6) or more days = two (2) checked bags

Baggage fees for sports equipment are not reimbursable.

### **2. Ground Transportation**

#### **A. Private Automobile**

Mileage Allowance – Business use of an employee's private automobile will be reimbursed at the current IRS allowable rate, plus out of pocket costs for tolls and parking. Mileage will be calculated by using the employee's office as the starting and ending point, in compliance with IRS regulations. Employees who have been designated a home office should calculate miles from their home.

#### **B. Rental Car**

Employees are authorized to rent cars only in conjunction with air travel when cost, convenience, and the



specific situation reasonably require their use. When renting a car for Tyler business, employees should select a "mid-size" or "intermediate" car. "Full" size cars may be rented when three or more employees are traveling together. Tyler carries leased vehicle coverage for business car rentals; except for employees traveling to Alaska and internationally (excluding Canada), additional insurance on the rental agreement should be declined.

#### C. Public Transportation

Taxi or airport limousine services may be considered when traveling in and around cities or to and from airports when less expensive means of transportation are unavailable or impractical. The actual fare plus a reasonable tip (15-18%) are reimbursable. In the case of a free hotel shuttle to the airport, tips are included in the per diem rates and will not be reimbursed separately.

#### D. Parking & Tolls

When parking at the airport, employees must use longer term parking areas that are measured in days as opposed to hours. Park and fly options located near some airports may also be used. For extended trips that would result in excessive parking charges, public transportation to/from the airport should be considered. Tolls will be reimbursed when receipts are presented.

### 3. Lodging

Tyler's TMC will select hotel chains that are well established, reasonable in price, and conveniently located in relation to the traveler's work assignment. Typical hotel chains include Courtyard, Fairfield Inn, Hampton Inn, and Holiday Inn Express. If the employee has a discount rate with a local hotel, the hotel reservation should note that discount and the employee should confirm the lower rate with the hotel upon arrival. Employee memberships in travel clubs such as AAA should be noted in their travel profiles so that the employee can take advantage of any lower club rates.

"No shows" or cancellation fees are not reimbursable if the employee does not comply with the hotel's cancellation policy.

Tips for maids and other hotel staff are included in the per diem rate and are not reimbursed separately.

Employees are not authorized to reserve non-traditional short-term lodging, such as Airbnb, VRBO, and HomeAway. Employees who elect to make such reservations shall not be reimbursed.

### 4. Meals and Incidental Expenses

Employee meals and incidental expenses while on travel status within the continental U.S. are in accordance with the federal per diem rates published by the General Services Administration. Incidental expenses include tips to maids, hotel staff, and shuttle drivers and other minor travel expenses. Per diem rates are available at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem).

Per diem for Alaska, Hawaii, U.S. protectorates and international destinations are provided separately by the Department of Defense and will be determined as required.

#### A. Overnight Travel

For each full day of travel, all three meals are reimbursable. Per diems on the first and last day of a trip are governed as set forth below.

Departure Day

Depart before 12:00 noon  
Depart after 12:00 noon

Lunch and dinner  
Dinner

Return Day

Return before 12:00 noon  
Return between 12:00 noon & 7:00 p.m.  
Return after 7:00 p.m.\*

Breakfast  
Breakfast and lunch  
Breakfast, lunch and  
dinner

\*7:00 p.m. is defined as direct travel time and does not include time taken to stop for dinner.

The reimbursement rates for individual meals are calculated as a percentage of the full day per diem as follows:

- Breakfast 15%
- Lunch 25%
- Dinner 60%

**B. Same Day Travel**

Employees traveling at least 100 miles to a site and returning in the same day are eligible to claim lunch on an expense report. Employees on same day travel status are eligible to claim dinner in the event they return home after 7:00 p.m.\*

\*7:00 p.m. is defined as direct travel time and does not include time taken to stop for dinner.

**5. Internet Access – Hotels and Airports**

Employees who travel may need to access their e-mail at night. Many hotels provide free high speed internet access and Tyler employees are encouraged to use such hotels whenever possible. If an employee's hotel charges for internet access it is reimbursable up to \$10.00 per day. Charges for internet access at airports are not reimbursable.

**6. International Travel**

All international flights with the exception of flights between the U.S. and Canada should be reserved through TMC using the "lowest practical coach fare" with the exception of flights that are six (6) or more consecutive hours in length. In such event, the next available seating class above coach shall be reimbursed.

When required to travel internationally for business, employees shall be reimbursed for photo fees, application fees, and execution fees when obtaining a new passport book, but fees related to passport renewals are not reimbursable. Visa application and legal fees, entry taxes and departure taxes are reimbursable.

The cost of vaccinations that are either required for travel to specific countries or suggested by the U.S. Department of Health & Human Services for travel to specific countries, is reimbursable.

Section 4, Meals & Incidental Expenses, and Section 2.b., Rental Car, shall apply to this section.



**Exhibit 4**  
**Statement of Work**

# Statement of Work

## Brazos eCitation Software and Implementation Services

*Prepared for:*

**Lathrop PD, CA**

*Prepared by:*

Tyler Technologies, Inc.  
[www.tylertechnologies.com](http://www.tylertechnologies.com)

**October 14, 2019**



**Empowering people who serve the public<sup>®</sup>**

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## Acronyms

The following acronyms are used throughout the Statement of Work (SOW).

- **WP** – Work Plan
- **RMS** – Records Management System
- **CMS** – Court Management System
- **ECS** – Electronic Citation System
- **MDT** – Mobile Data Terminal (any laptop mobile platform running a standard operating system)
- **SYNC** – A process through which citation data is transmitted from the device to the Brazos server and through which new software for the MDT's are transmitted from the Brazos server to the device.

## Definitions

The following definitions are used throughout the SOW.

- **Acceptance of Deliverable** – Written notification from Lathrop PD to Tyler, signed by the responsible Lathrop PD Project Manager, indicating that the Deliverable has been evaluated and satisfies the Acceptance Criteria of each deliverable
- **Deliverables** - Any materials procured or prepared by Brazos or services provided by Tyler to Lathrop PD

## Project Scope & Summary

This Statement of Work provides the understanding of the objectives, approach, schedule, and deliverables for this engagement.

Any standard interfaces purchased are detailed in SOW Attachment D – Brazos Solutions Summary. It is important for the Client to read the portion of the attachment related to each interface purchased to understand its full functionality.

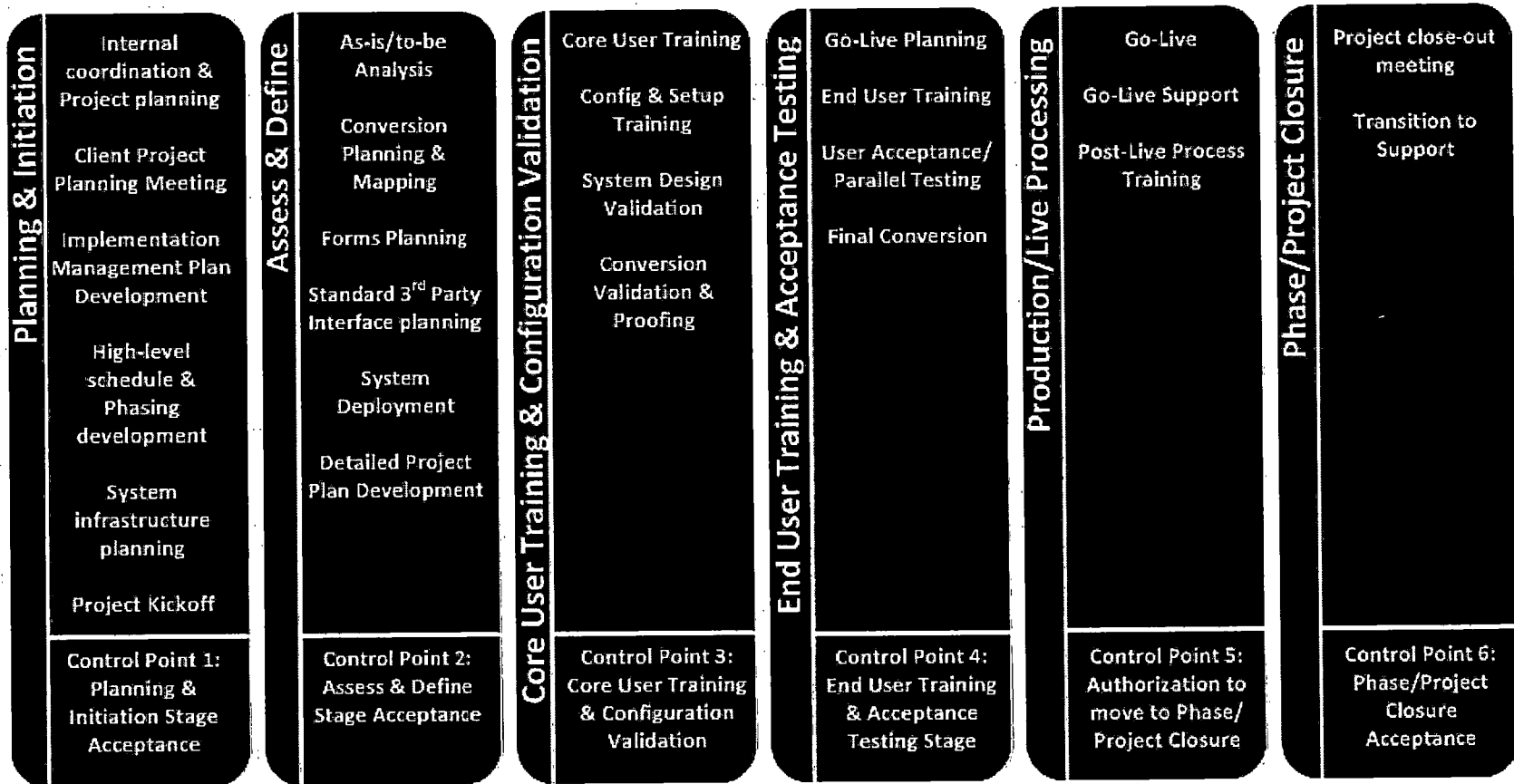
The **summary scope** of this project includes the following:

1. The ECS will, at a minimum, conform to the requirements as outlined in the executed proposal (2019-69424-3). Further details of how each requirement will be accomplished will be determined at the Kick-Off Meeting and subsequent requirements gathering meetings.
2. The ECS will provide the ability to add additional customized forms not specified in the executed Sales documentation (at an additional cost).
3. The ECS must enable officers to enter text notes.
4. The ECS must support the San Joaquin County Court citation numbering system (may need to submit sample citation to court for certification/approval).
5. The ECS must allow the agency to customize the layout of the citation printout as permitted by the San Joaquin County Court.
6. The ECS must create an electronic data file when a citation is completed and approved and provide the ability to transfer that data file which will then be made available for import into the CMS / RMS / 3<sup>rd</sup> Party systems as specified in the contract.
7. The ECS will include the Citation Entry Screen (CES) that will allow authorized users with the ability to enter data from manual (paper) citations into the ECS through the secure web portal.



# Implementation Stages

Tyler provides a well-defined, multi-stage roadmap which can be applied to a single-phase project or to projects with multiple phases. For multi-phase projects, the stages are repeated as necessary.



Each stage, as established above, is designed to provide a point at which a full review of the stage objectives is assessed for completeness. When a stage is complete, a Work-Acknowledgement Form [see SOW Attachment A (sample) – Work Acknowledgement Form] is completed and signed by the Client signifying acceptance of that stage and the beginning of the next stage. Each stage is dependent on the results of the previous stage, and therefore each stage of the methodology cannot begin until the previous stage is completed and approved.

## Data Conversion

Data Conversion is referenced in the Implementation stages methodology graphic; however, no data conversion is included within the scope of this project for Lathrop PD. The graphic is representative of the standard implementation methodology utilized throughout the various product lines offered by Tyler Technologies.

## Key Project Assumptions

- Client and Tyler shall review their responsibilities before work begins to ensure that Services can be satisfactorily completed.
- Client will provide Tyler with monitored access to its equipment, systems, and personnel to the extent needed to complete the defined Services.
- Client will provide work space for Tyler Services for work completed on Client premises.
- Tyler shall initially implement the most current version of the Tyler software at the time of the contract signing. During the implementation, Tyler will provide newer releases of the software that meet or exceed the version available at contract signing.
- Client will maintain primary responsibility for the scheduling of Client employees and facilities in support of project activities.
- Client shall provide Tyler with network access for remote installation and testing through industry standards such as Virtual Private Network (VPN) or other secure access methods.
- Client will allow users unauthenticated access the following web addresses to ensure adequate access to system resources:
  - 72.32.135.120 (syncsvc.brazostech.com) (ports 80 and 443)
  - 72.32.135.125 (syncsvc2.brazostech.com) (ports 80 and 443)
  - 98.129.131.213 (Reports2014.brazostech.com) (ports 80 and 443)
  - 72.32.135.124 (www.brazostech.com) (ports 80 and 443)
  - 72.32.135.122 (my.brazostech.com) (ports 80 and 443)
  - 207.182.213.55 (brazosupport.tylertech.com) (ports 80 and 443)
- Client is responsible for proper site preparation, hardware, software, and network configuration in accordance with Tyler specifications.

- Client has, or will provide, access licenses and documentation of existing system to any 3<sup>rd</sup> party system software which Tyler will be required to read, write or exchange data.
- Client has, or will provide, a development/testing environment for data conversion and interface testing as they are developed by Tyler.
- Tyler shall be responsible for implementing a functioning version of the application software (assuming Client has installed the proper hardware, software, and networking devices).
- All deliverables and timelines assigned to the Client will be held to the same standards of delivery as those assigned to Tyler Technologies.
- Installation of Hardware required in City Vehicles shall be completed by the participating agencies Personnel and facilities. They may decide to purchase mounts on their own or opt to purchase from Tyler.
- The Client will deploy initially on twenty six (26) iOS phones.
- Deployment of the Tyler Brazos ECS for the Client will utilize the existing Tyler hosted server environment with Amazon Web Services Gov Cloud.
- All Client personnel involved in the Project will participate fully in the training provided by Tyler Technologies.
- If an Interface to any CMS / RMS / Device systems are included in this Phase of the project, it should be reflected in the contract, and will include the synchronization of tables/files.  
***Interfaces included: Central Square Technologies Tiburon RMS and San Joaquin County Courts JSI Full Court CMS***

## Out of Scope

- **Custom interfaces.** Custom interfaces involve the development of a standard, repeatable process for transferring information into or out of the Tyler software. These interfaces may take the form of a user-initiated import/export program, an API, or a web service. There are no custom interfaces included in the scope of the agreement unless detailed in Attachment D – Brazos Solutions Summary.
- **Custom reports.** Custom reports involve the development of new reports that are not offered as part of the standard reporting package and modifications to existing reports. There are no custom reports included in the scope of the agreement unless detailed in Attachment D – Brazos Solutions Summary.
- **Undocumented requirements.** Undocumented requirements include requirements not specified in this Statement of Work and associated attachments.
- **Post System Acknowledgement Configuration.** System Acknowledgement requirements are met at the completion of End User Training and User Acceptance Testing stage. Any changes requested of the Tyler implementation team to alter the configuration, post acknowledgement of these milestones, must be documented through a Change Order and

may incur additional time and/or costs. Client may have access to built-in configuration tools, so, when available, is free to reconfigure or create a new configuration as required or desired. If assistance using these tools is required, additional change orders may apply.

## **Risk/Mitigation Strategy**

### **Unavailability/Incompatibility of Staff**

**Risk:** Tyler recognizes that individuals assigned to projects may become unavailable due to various causes. Further, Tyler recognizes that individuals sometimes clash for reasons of incompatibility. Tyler schedules team members based on all the projects to which those individuals are assigned. Unavailability may occur due to unforeseen circumstances such as family matters or the employee's departure from Tyler employment. Incompatibility creates intolerance in project objectives and tasks and creates unnecessary delays and can lead to project failure if not corrected.

**Mitigation:** In the event a Tyler project member is determined to be unavailable, a Tyler manager will consult with Client on alternatives such as a temporary replacement or substitute of the person. Likewise, a similar response is expected from the Client if their team member is unavailable.

Incompatibility is addressed first through attempts to resolve the compatibility issues between individuals. Failing resolution, team members must be replaced. In the event a Tyler team member is determined to be incompatible, Tyler will replace with a new team member and provide time to orient to the project before assuming their respective responsibilities.

### **Client Staff unavailability**

**Risk:** Delays in the project timeline will occur if appropriate Client staff is unavailable to meet with or respond to Tyler for timely decisions and or directions.

**Mitigation:** Client should ensure that staff assigned to this project is given sufficient priority and authority to work with Tyler while completing other Client responsibilities in a timely fashion. Decisions must be made in hours and days, not weeks.

### **Scope Changes**

**Risk:** Poorly defined projects always take longer than expected or cost more than expected because of poorly defined scope at the beginning of the project.

**Mitigation:** Both parties must ensure that the scope of the project is well stated and completely defined to the best of each party's knowledge. Functional requirements should be reviewed carefully to ensure completeness. Change Orders are required to document any subsequent impact on schedule and/or costs.

## Activity Focus

**Risk:** Activity Focus is the risk that minor activities consume time that should otherwise be dedicated to major activities of the project, with the end result of time and/or costs overrunning budget. This risk is sometimes associated with efforts that lead to scope changes. Examples include meetings of little substance or that go longer than they need, or time consumed investigating undocumented functionality or other activities not in scope.

**Mitigation:** Project Managers for both Parties must guard themselves to avoid focus drift by ensuring the focus is squarely on meeting deadlines, services, and configuration requirements of the implementation as planned and documented in the planning, assessment and definition stages.

## Achievable Goals

**Risk:** The expectations of this project are set too high or are not explicit or clear to Client Staff and thus not communicated to Tyler through Functional Requirements and clearly stated scope.

**Mitigation:** The parties must ensure, through the Contract and Task Orders, that the goals of the project are explicit, well defined and attainable, and that both parties have "signed off" on the requirements.

## Technology Age

**Risk:** This risk is highly dependent on the choice of Tyler products, the MDT's to be used for data capture, and whether the Client is hosting any of those products. If the Client will be hosting its own servers, the technology utilized should be robust enough to meet the Client's needs for several years into the future. Technology that barely meets minimum requirements today will be insufficient as the system and its needs grow.

**Mitigation:** Tyler will assist Client in determining optimal technology and plans to guard against premature obsolescence.

## Critical Success Factors

In order to successfully execute the services described herein, there are several critical success factors for the project that must be closely monitored. These factors are critical in setting expectations between the Client and Tyler, identifying and monitoring project risks, and promoting strong project communication.

- **Knowledge Transfer** - While Tyler cannot guarantee specific expertise for Client staff as a result of participating in the project, Tyler shall make reasonable efforts to transfer knowledge to the Client. It is critical that Client personnel participate in the analysis,

configuration and deployment of the Tyler software in order to ensure success and to transfer knowledge across the organization. After completion of the production phase, the Client will be responsible for administering the configuration and introduction of new processes in the Tyler system.

- **Dedicated Client Participation** – Tyler fully understands that Client staff members have daily responsibilities that shall compete with the amount of time that can be dedicated to the Tyler implementation project. However, it is critical that the Client understands and acknowledges that its staff must be actively involved throughout the entire duration of the project as defined in the Project Plan. Tyler shall communicate any insufficient participation of Client and Tyler resources, as well as the corresponding impact(s), through Project Status Reports.
- **Acknowledgement Process** – Acknowledgment must be based on criteria. The objectives and tasks of each stage of a project provide the basic criteria by which to judge acceptance of a stage is to be granted. Within each stage additional criteria will be developed by team members on which to judge future stages. For example, User Acceptance Testing will be based on criteria developed in earlier stages.

As resources are consumed, Tyler shall provide the Client with a Work Acknowledgement Form [see Attachment A-(Sample) Work Acknowledgement Form] to formalize receipt. The Work Acknowledgment Form is subsequently signed by the appropriate Client stakeholder(s) and faxed or emailed to Tyler. Timely and honest acceptance is required to maintain project momentum. Failure to properly establish acceptance criteria or failure to accept a properly completed stage will cause delays in the project.

In an effort to ensure quality and complete satisfaction with each stage of the project, Tyler's Professional Services Division has established the following rule: A Signed Work Acknowledgement Form (see Attachment A) is required upon completion and Client-acknowledgement of the resources consumed on the project. Stage signoff is also required before proceeding to the next stage in the process.

- **Managing Project Scope** - In an effort to implement the project on time and within budget, both Tyler and Client agree to limit the software and professional services to only those items identified in this Statement of Work. Expanded scope results in additional costs.

Change orders or contract addendums for additional items outside the scope of the defined project requirements must be submitted in advance and signed by project stakeholders before work can be accomplished on those items. Likewise, reductions of the defined scope will also require a Change Order.

## Future Amendments to Scope

Future changes in the project scope, beyond the capability of a Change Order, will assume the appropriate processes outlined in this Statement of Work and in the Agreement, unless future scope changes require a different or modified process. If no new Statement of Work is required,

then new functionality and payment requirements are provided for in an amendment to the initial Agreement.

## **Project Management**

Tyler performs ongoing project management services throughout the implementation in order to plan and monitor execution of the project. Project management includes the following tasks:

- Project plan
- Project document management
- Issue log management and escalation
- Status reporting
- Change order management
- Resource management
- Executive project oversight via Executive Sponsor and Project Review Committee

By mutual agreement, some project management tasks are shared between the Tyler Project team and the Client Project Manager/Stakeholders.

## **Staffing**

Every reasonable effort is made to maintain a consistent project team from Tyler for the duration of the project. Should the Client have concerns related to assigned resources, those concerns should be submitted to the Tyler Project Manager or Tyler Management Staff for review and consideration. Tyler will make staffing decisions based on appropriate skill set and other soft skills of resources deemed compatible to the success of the project.

### **Tyler Brazos Team**

#### **Project Manager – TBD**

As Project Manager, TBD will be responsible for establishing and administering controls to ensure the quality of deliverables are acceptable to the Client, monitoring project activities to ensure project schedules are met, and providing monthly Full Status Meetings. Project Manager will be able to authorize changes and will be expected to refer any problems or issues that cannot be resolved by on-site implementation staff to company management.

#### **Technical Lead – TBD**

The Technical Lead will be responsible for design and architecture of the Tyler Brazos software.

#### **Training Lead – TBD**

The Training Lead will be responsible for ensuring that all the Client personnel specified in this SOW are appropriately trained according to the requirements of their participation in the project.

### **Lathrop PD Team**

#### **Project Manager – TBD**

The Project Manager for the Client will be responsible for establishing and administering controls to ensure the quality of deliverables are acceptable to the Client. The Project Manager will also make decisions about any changes to the implementation plan or technical aspects of the system.

**Resource – Department Lead (POLICE) – TBD**

**Resource – Department Lead (COURT) – TBD**

**Resource – Department Lead (IT) – TBD**

## **Project Schedule**

Upon execution of the contract, the parties will subsequently collaborate during the project planning and initiation stage to determine a start date for services to be rendered. Upon initiation of these services, Tyler shall work with Client to collaboratively define a baseline or preliminary project schedule/plan. Given the fact that project schedules are working documents that change over the course of the project, Tyler shall work closely with Client to update, monitor, agree, and communicate any required changes to the project schedule. A Sample Project Schedule is included in Attachment E – Deliverables and Project Schedule.

## **Development Tools**

No special development tools are required for the Tyler software. Tyler source code is not accessible (unless through the requirements of an Escrow Agreement).

The configuration tools are built into the software, and the Client has full access. The Tyler implementation staff will use these same configuration tools to set up the system with the Client. The Client will receive training on the use of these tools. If assistance with using these tools is required, additional change orders may apply.

## **Documentation**

### **Tyler-provided documentation**

Over the course of the 6-stage implementation lifecycle, the Tyler project team will provide stage-specific documentation in a range of formats (both editable and non-editable). Examples include:

- Data collection documents (MS Excel and/or MS Word) for configuration
- Training documentation templates (MS Word and MS PowerPoint)



- Other documentation as required for the specifics of the project

### **Client-provided documentation**

A definitive list of Client-provided documentation is not possible until all aspects of the implementation are determined, usually in the beginning stages of the project. Certainly, the Client's assistance in completing the Tyler-provided forms and requests for configuration information is essential to a successful project. The Tyler Project Manager will provide the Client with details of the documentation necessary for each product to be successfully implemented. The list below is a sample of the types of documentation that is likely to be requested.

Documentation originated by the Client includes:

- Application Programming Interface documents (API's) for any third-party software system to which the Tyler software will interface and exchange data
- Legacy system data documentation and data, when applicable, in a format suitable for conversion into the Tyler System (please refer to section titled Data Conversion)
- Workflow documentation on the Client's current business processes
- Copies of pertinent ordinances or other controlling authorities
- Fee schedules, when applicable
- Copies of existing forms and other documents presented to the public and expected to be derived from the Tyler Software

### **Project Status Meetings**

Communication is crucial to the success of the project. Regular communication between Tyler and the Client staff are required.

#### ***Full Status Meetings***

Monthly Reports to the Client Staff (may be done remotely)

- Presented by Tyler project manager
- The full status meeting schedule will begin upon acceptance of the SOW
- Status of major activities
- Target dates for completion of remaining tasks
- Potential delays in reaching target dates and the basis for those delays
- Proposed revisions to the overall work schedule – if any

#### ***Progress Meetings***

Bi-weekly in writing – prepared by Tyler Project Manager

- Recap of previous period's work
- Preview of next period's tasks
- Status of major activities
- Target dates for completion of remaining tasks
- Potential delays in reaching target dates and the basis for those delays
- Proposed revisions to the overall work schedule – if any

### ***Communication Plan***

- The purpose of the Communication Plan is to define and document on-going communication commitments between Tyler and the Client. The Project Manager will provide a contact list to Tyler for each agency representative for direct communications with that respective agency. These individuals will be responsible for department policy, budget and overall strategic direction of the project.
- The Tyler Project Manager, will create, maintain, and distribute a contact list for all project team members. This list will be distributed to all team members as required or requested via email and will include phone extension, cell number, email addresses, etc. of all Tyler project team members, the Client project team members as applicable.

## **SOW Attachments Listing**

### **SOW Attachment A – (Sample) Work Acknowledgement Form**

This form provides the means for the Client to accept work provided or provide reason for denial of a work.

### **SOW Attachment B – (Sample) Change Order Form**

Any change in the project must have a completed and approved Change Order.

### **SOW Attachment C - Hardware / Software Requirements**

This document provides the recommended hardware/software requirements for the Tyler system. Performance using systems which do not meet these requirements may not have expected performance levels.

### **SOW Attachment D – Brazos Solutions Summary**

This document provides a summary description of the purpose and function of the Brazos applications included in the scope of this project.

### **SOW Attachment E – Deliverables and Project Schedule**

This document provides a summary description of the purpose and function of the Brazos applications included in the scope of this project.

## Attachment A – Work Acknowledgment

# Work Acknowledgment

Client: \_\_\_\_\_

Date: \_\_\_\_\_

Visit/Deliverable: \_\_\_\_\_

Accomplishments	Performed by	Notes

I am satisfied with the work performed for this stage, and/or deliverable.

I am NOT satisfied with the work performed for this stage, and/or deliverable.

In an effort to ensure quality and complete satisfaction with each phase of the project Tyler Technology's Professional Services division has established the following rules:

1. Projects will not be allowed to move from one phase to another without a sign off indicating satisfaction with the work performed. The Tyler Technology project team will immediately stop all other tasks, complete the phase at hand, and obtain sign off before moving to the next phase.
2. Customer understands that any payment not received within 30 days of invoice will result in work stoppage. All related project tasks will be stopped until payment is received.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

(Please return signed copy to the Tyler Technologies project team)

## Attachment B – Change Order Form

# Change Order Form

Client: \_\_\_\_\_

Date: \_\_\_\_\_

Generated By: \_\_\_\_\_

Authorized By: \_\_\_\_\_

Change Overview:

--

Narrative Description of Change:

--

**Impact of Change:**

**Schedule Impact:** Delay of milestone & sub-tasks on Tyler Technologies Implementation Project Plan including:

Task	Proposed Date Changes

**Cost Impact:**

Change Detail	Credit	Debit	Total

Revision No.: \_\_\_\_\_

*No changes may be made to this project without the agreement of the Project Manager(s) and must be approved by the Project Director. Submit endorsed Change order to the Tyler Technologies Project Manager.*

Date Approved	Comments	Approved By	Signature

## **Attachment C – Hardware / Software Requirements**

### **Brazos eCitation – Hardware**

Since the system is being hosted by Amazon Web Services Gov Cloud, the only hardware requirements would be network access so the users can Sync the handheld devices.

We will provide a list of IP addresses during the project requirements gathering process that they will need to allow users to access hosted websites, and also sync to upload data and download changes.

Tyler's software is designed to operate on networks and operating systems that meet certain requirements. Systems that do not meet the required specifications may not provide reliable or adequate performance, and Tyler cannot guarantee acceptable results.

FYI - Changed in Tyler 9/24 version.

## Attachment D – Brazos Solutions Summary

### Brazos eCitation Applications

Tyler Technologies will work with the Client to deliver the Electronic Citation System (ECS). The system will be installed on iPhone's and allow officers to capture all information for citations/warnings, print a copy or copies of the citation for the violator, and electronically transfer all information into the respective Court/RMS/3<sup>rd</sup> Party system(s).

Tyler is committed to delivering a successful Electronic Citation System (ECS) project to our customers. Our implementation approach has been highly successful, and we feel that this process provides the best method to minimize risks and ensure a successful project. The key is to involve the customer in all phases of developing and implementing software specifically for them, to meet their specific needs. This process is comprised of the following:

- **Kick-off Meeting.** An on-site or conference call-style meeting (to be determined by Tyler) with the project owners to define roles, responsibilities, and outline the schedule. This meeting will also include review of all initial requirements of the SOW document and RFP and identification of areas within the SOW that will require modification/clarification.
- **Completion and acceptance of the final SOW document.** Tyler will update the SOW and provide it to the Client for review. The SOW will include all significant work tasks, steps, timeframes and deliverables required to complete Phase I, including software installation, interface customization, implementation, testing, and training.
- **Setup and Configuration.** Tyler Technologies will work with the Client to install the ECS client software, import offenses, layout the defendant's receipt, configure reports, and any other configuration required by the Client. The Client will perform any tasks related to enabling the department to install any vehicle-mounted hardware and setting up the printers prior to Tyler arriving onsite for the initial training.
- **Begin Pilot.** The pilot program should involve up to 14 key officers per 2-day session, with 1 of these 2-day sessions included in the contract. These users, designated by the Client, should adapt to this technology quickly. They will be given full software training in order to understand and become familiar with the technology. The training process includes going out on the street and writing warning-citations with a Tyler trainer to ensure comfort with the technology.
- **Operational Pilot.** The operational phase of the pilot begins once the officers are familiar with the technology and we have verified successful data transfer to any/all CMS and RMS systems specified in the contract. At this point the pilot officers will begin writing actual citations. This process serves two purposes: 1) validation of the entire process prior to engaging the entire police force, and 2) providing positive feedback to circulate within the department prior to full rollout.

- **Full Rollout.** The rollout process is primarily the training of all additional officers specified as participants in Phase I of the new system. The preferred process for training is to provide a classroom style of instruction, followed by a “hands on” session that may include DL checks, ride-alongs, etc., to ensure every officer has used the system in the field. It is the intent of this project that certain officers identified as train-the-trainers from the pilot project will be utilized at this stage to assist with the training of the additional officers.
- **Post Action.** Finally, after the full rollout, we will convene with the project owners to determine what went well and what improvements are required of the system, process, or any other aspect of the project. A full project review will be documented by Tyler and provided to the Client Project Manager.

The delivery and training processes are the most significant keys to the success of this project. We will jointly determine the Operational Pilot duration, depending upon officer success and satisfaction and their recommendations for deployment. When all parties agree, full rollout training and deployment will begin.

## Training

Tyler will provide all training associated with the Electronic Citation System (ECS) and will identify the Training Lead at the beginning of the project.

In order for this project to be successful, the officers need to know not only the basics of the software but first-level troubleshooting tips for the hardware and operating system as well. It is our experience that the officers must be proficient in the mobile hardware for this project to have the long-term success that the Client and Tyler are looking to achieve.

The delivery and training processes are the most significant key to the success of this project. The Tyler Training Lead will ensure that all levels of the Client personnel who utilize the Tyler Brazos Solution will receive adequate training. Tyler will incorporate measurement tools to assist in monitoring the end-users’ competence in using the system.

**Classroom Training.** The Train-the-Trainer course shall involve all officers specified to participate in the Operational Pilot (limit = 14 Officers). They will be given full software training in order to understand and become familiar with the technology. The training process includes producing several test citations with a trainer to ensure comfort with the application. Also provide training on how to setup existing printers to work with Brazos.

**Practical Application.** The practical application phase begins once the officers are familiar with the technology. At this point the pilot officers will begin writing real citations.

**Administrator Training.** The Tyler Brazos ECS provides powerful management tools with great ease of use for agency administrators and management. Tyler will provide sufficient training to designated management personnel for them to be able to utilize those tools as well as have a solid understanding of the capabilities of the system.



## **eCitation Client Software**

The Tyler Brazos ECS client software will be installed on 26 iPhone's allowing the officers to write, print, and push citations electronically to the Court software system(s). All ECS software is embedded on the Tablet/MDT/PDA and is completely functional with or without a network connection. The software will be configured for the Client and the Client will have the ability to define, approve and modify the layout of all screens and print jobs under the scope of this agreement.

The software will have the ability to:

- Allow officers to quickly and easily capture citation information.
- Print the citation in the field for the violator using a Bluetooth connection or USB to a mobile printer.
- Push citations via a network connection.
- The Client will have the ability to VOID a citation on the MDT/PDA, after save but before sync. Notations as to the reason for VOID can also be required.
- The citation number sequence shall follow a unique numbering system dictated by the Courts.
- Ticket types will consist of California Traffic, Criminal, Local Ordinances, Warnings.
- Charges identified will be specific to each Ticket type as further defined during the design phase.
- Ability for System Administrator to add/modify/delete statutes, codes, etc., as further defined during the design phase.

The applications included in the scope of this project are:

- eCitation
- Field Interview
- AB953
- eCrash
- CHP 180 Tow/Impound

## **ECS Server Software**

The Client will utilize the Amazon Web Services Gov Cloud Tyler Brazos ECS server for all reporting, interface and administrative functions. There are no limitations to the number of users of the system and any future hardware/software requirements or upgrades are the responsibility of the Client. The ECS server provides the following benefits:

- Access to add/change/delete any dropdown on the MDT/PDA (i.e. offenses, streets, officers, etc.).
- Access to all reports (i.e., Citation Detail and over 35 other standard reports).
- Configuration and management of all users of the ECS for both the server and the clients.
- View and query images of citations captured via the mobile devices via internet browser.
- Creation/modification of interfaces to new/existing systems.
- Citation Entry Screen (CES) for entry of either paper tickets or modification to previously captured information by an authorized court assigned user (Program should also have some type of tracking capabilities for changes made in the CES).

## **Synchronization (Device to ECS Server)**

The Tyler Brazos Solution allows officers to create, save, and print citations or other record types with or without network connectivity. When an officer creates a citation, it is saved to non-volatile memory on the device. The citation record can then be uploaded to the ECS server via one of the following methods:

- Real-time via cellular connection (aircard required)
- 802.x wireless connection to hotspots
- Ethernet LAN connection

The frequency and method of upload is defined and controlled by the Client via the Tyler Brazos web-based configuration tool, BuildIT. Once uploaded, the data are processed through the system according to the agency-specific workflow, which is also defined and controlled by the Client via BuildIT. All new updates and changes are also passed from the ECS Server to the device through this same process.

## **Attachment E – Project Deliverables and Project Schedule**

### **Project Deliverables**

#### **Existing Citation Process**

The existing process flow will be identified and documented in partnership with the Client and Tyler as a separate appendix during the design phase of the project.

#### **Proposed System**

The proposed process flow will be identified and documented in partnership with the Client and Tyler as a separate appendix during the design phase of the project

#### **Acceptance Testing Plan (ATP)**

The ATP will provide the Client with the testing plan for verification of the installed system, including interfaces, which will allow the Client to certify the ECS performs in accordance with the requirements. The testing plan will include strategies and test cases to assist with the verification. The Client will have the ability to certify the ATP prior to both the certification from Tyler as well as the beginning of the acceptance test.

#### **System Installation**

**TYLER BRAZOS ECS SERVER** – Tyler will host the ECS server, database server and verify operation of the system. Any hardware purchases required to meet system specifications are the responsibility of Lathrop PD.

**TYLER CLIENT SOFTWARE** – The Tyler Brazos Client Software will be installed on the MDT's/PDA's. The initial installation will be completed by Lathrop PD and/or Participating Agencies. If the Client elects to have Tyler perform the installation, the hardware will be sent to Tyler for off-site installation and verification at an additional cost.

**TYLER INTERFACES** – During the setup and configuration process, connectivity for any included interfaces will also be verified. The Client will provide Tyler personnel with the proper access to complete tasks required to complete this effort. Any installation requirements with regards to security or setup must be provided to Tyler one-week prior to the scheduled interface testing.

**HARDWARE IN VEHICLES** – Tyler will not install any hardware in the vehicles.

#### **Training**

**OPERATIONAL PILOT** – Tyler will provide full **Train-the-Trainer training** to the officers specified by the Client to participate in the pilot (limit = 14 Officers). The training will consist of two formal days of training.

- Day 1 should occur in a classroom setting where the officers will be thoroughly exposed to training that covers the hardware, operating systems, application, troubleshooting, and proper care/maintenance.
- Day 2 is focused on field training and includes Tyler personnel at the side of the Client officers, as the officers complete citations in “real world” environments.

This training may incorporate such tactics as DL checks, standard traffic stops, etc. to ensure that all the officers involved are exposed to several different types of scenarios and receive the maximum effective training. Upon completion of the field training portion, Tyler will train the officers on how to review their citations via the web-based tool and any workflow processes specified by the Client. Tyler will also train any specified supervisors in procedures for reviewing citations and voids, as well as statistical reports.

**FULL ROLLOUT** – The Client will provide full training to the officers specified to participate in Full rollout. The format of this training shall be the same as that of the Operational Pilot training. Select officers from the Operational Pilot group who have been identified as “ECS Trainers” will be utilized to assist in this training.

**SYSTEM ADMINISTRATOR** – Instructor-led, hands-on training will be provided for up to three (3) Client staff members who will ultimately be actively involved in administering the ECS.

### **Full Rollout**

Upon completion of the Pilot Project, the Client will initiate the full rollout of the ECS. Tyler will assist the Client by providing training materials, support and consultation to the Client training officers.

### **Milestones**

- 1) Contract Award
- 2) Contract Signature
- 3) Kick-Off Project
- 4) Sign-off of Work Plan by City
- 5) Order hardware
- 6) Setup Configuration of ECS (off-site)
- 7) Create ATP Plan
- 8) On-Site testing
- 9) Training of ‘Pilot Users’
- 10) Acceptance Testing by City
- 11) Final Acceptance
- 12) Full Rollout of Project

## Schedule

*This schedule is a sample draft only. It does not represent all tasks/activities relevant for this project and is intended to serve as an illustration only. It does not represent a commitment by Tyler or the Client and will be modified post Kick-Off Meeting.*

T – Tyler, PD – Lathrop PD, J – Joint (both are responsible)

Phase	Task	Activity	Description	Task Duration	Total Duration (Weeks)	Owner	Deliverables
1			<b>First Phase</b>				
	1		Contract Award	TBD		J	
	2		Contract Signature	TBD		PD	
	3		Kick-Off Project	TBD	TBD	J	Official Work Plan
		1	On-Site Meeting/Conference Call			J	
		2	Gather requirements from all project owners			J	
		3	Build official Work Plan			J	
		4	Verify Work Plan with hardware vendors			J	Work Plan to be signed off by Client
	4		Sign-off of Work Plan by Client	3 Days	2.5w	PD	
	5		Order hardware	TBD		T	
	6		Setup Configuration of ECS (off-site)	3 weeks	5.5w		
		1	Setup and Configure mobile software			T	
		2	Receive all incoming interface samples to load into mobile device from Client			PD	
		3	Setup and Configure all interfaces			T	Interface Documentation
		4	Layout the citation printouts			T	Sample Layouts for Approval
		6	Install mobile software onto Client hardware (off-site)			T	
		7	Test solution using VC hardware			T	
		8	Create sample interface files for Client system(s)			J	
		9	Test sample interface files			J	
		10	Approve sample interface files			PD	
	7		Create ATP Plan	1w			
		1	Build ATP Plan			T	
		2	Approve ATP Plan			PD	
	8		On-Site testing	TBD	6.5w		
		1	Test MDTs and connectivity to server			T	

		2	Test all interfaces for server			T	
		3	Test web-citation entry screen			T	
		4	Test web-based reporting			T	
		5	Certify ECS based upon ATP			T	
	9		<b>Training of 'Pilot Users'</b>	3d	7w		
		1	Train officers on Classroom Train-the-Trainer and Field Training			J	
		2	System Administrator Training			J	
		3	Court Training				
	10		<b>Acceptance Testing by Client</b>	32d	TBD		
		1	Evaluate Hardware				
		2	Compile and Evaluate hardware observations				
		3	Finalize hardware selection				
		4	Initial Acceptance Test for "go live"				
		5	Initiation of Final Acceptance Period	30d			
	11		<b>Final Acceptance</b>	1d		T	Client signs off on project
	12		<b>Full Rollout of First Phase</b>			TBD	
			Task are TBD				
	13		<b>End of Phase I</b>				Debrief of all project principals



**Proposal/Sales Quotation**

Quotation QUO-5973-7ILHK4 Quotation Date: 11/22/2019

**General & Client Information**

<p>Agency Name: San Joaquin County Sheriff's Office</p> <p>System Description: San Joaquin County Sheriff, CA - TC CAD/Brazos eCitation Integration</p> <p>Client Contact: Kevin Blanchard</p> <p>Contact Phone: (209) 468-4341</p> <p>Contact Email: kblanchard@sjgov.org</p> <p>Expiration Date: 1/22/2020</p> <p>Presented By: Randy Pulayya</p>	<p><b>Bill To:</b> 7000 S. Michael Canlis Blvd. French Camp, CA, United States, 95231</p> <p><b>Ship To:</b> 7000 S. Michael Canlis Blvd. French Camp, CA, United States, 95231</p>
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**Project Products & Services**

**Custom Solution(s)**

Product Name	Unit Price	Qty	Total Price
TC CAD/Brazos eCitation Integration	\$14,000.00	1	\$14,000.00

**Custom Solution(s) Total: \$14,000.00**

**Project Related Fee(s)**

Product Name	Unit Price	Qty	Total Price
Project Management	\$1,960.00	1	\$1,960.00

**Project Related Fee(s) Total: \$1,960.00**

**Annual Maintenance Fee(s) (Year 1)**

Product Name	Support Level	Total Price
TC CAD/Brazos eCitation Integration	24 X 7 Tib	\$2,520.00

**Annual Maintenance Fee(s) (Year 1) Total: \$2,520.00**

**Project Total: \$18,480.00**

Estimated Sales Tax: (State: at %)	Taxable sales: \$0.00	Subtotal: \$18,480.00
		Sales Tax Amount: \$0.00

**Quote Total: \$18,480.00**

## Summary Information & Project Notes

Central Square will utilize the TC RMS baseline Citation upload program in order to import citations into the traffic citation module. This quote includes manipulating the import file, set up and 3rd party testing. Attached is the baseline citation upload document.

## Terms and Conditions

### Payment terms are as follows

50% of all Software, Services, Support and fixed travel fees are due at time of order -and- 50% of all Software, Services, Support and fixed travel fees are due upon installation or completion of services (whichever comes later).

The Software is licensed for use by Client in accordance with the software licensing terms of the Software License Agreement currently in effect between Tiburon and Client. Acceptance, if applicable, for the Software will be defined in the applicable Statement of Work ('SOW'); otherwise, the Software licenses shall be deemed accepted on delivery.

Acceptance, if applicable, for the Tiburon Software licenses included in the Quotation will be defined in the Statement of Work. Any changes to scope of testing may result in a price increase for services.

The annual Software Support Services for the Tiburon Software licenses are provided for a period of twelve-months from the Installation date and shall be governed by the existing agreement for support and maintenance currently in effect between Tiburon and Client. Support fees will be prorated at renewal of the existing support term to adjust to the term to be co-terminous with the existing support agreement term.

### Sales Tax:

Any estimated sales and/or use tax has been calculated as of the date of quotation and is provided as a convenience for budgetary purposes. Tiburon reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing, at the then current rates. Your organization must provide Tiburon with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction, when your order is placed, if you are exempt from sales tax.



**General Terms:**

The items in this quotation are based upon meetings and communications with the Client and unless attached to a contract form the entirety of the deliverables from Tiburon.

The scope of Deliverables for this order will be limited to the Software, Services, and Support and Maintenance that is explicitly listed herein for the listed quantities.

This order provides Software licenses as well as required deployment services only for the environments that are explicitly listed herein (Production, Test, Training, Disaster Recovery, etc.). These software licenses do not apply to any other existing environments, or environments that may be implemented in the future. Except as expressly identified in this Quotation as a line item to be provided by TriTech, all required computer hardware, third party system/database software, peripherals, network components and third party items shall be provided by the Client. All such Client provided third party items must meet TriTech's recommended specifications.

Changes in the scope of certain components of the System may impact the cost and timelines for other areas of the Project.

All services will be performed during normal business hours, unless otherwise stated in this quotation for specific service deliverables.

Deployment and implementation of Tiburon Software and Services are based upon Client's provision and compliance with Tiburon's System Planning Document.

Tiburon reserves the right to adjust this Quotation as a result of changes including but not limited to project scope, deliverables (Tiburon Software, or third party software or hardware, including changes in the hardware manufacturer's specifications), services, interface requirements, and Client requested enhancements.

Quotation Issued by: Randy Pulayya  
Email:  
randy.pulayya@centralsquare.com  
Phone:

Send Purchase Orders To:

Tiburon  
c/o CentralSquare Technologies  
1000 Business Center Drive  
Lake Mary, FL 32746

Or Email: [tritechquotes@centralsquare.com](mailto:tritechquotes@centralsquare.com)  
Or Fax: (407) 304-3914

Remit Payments To:

Tiburon  
c/o CentralSquare Technologies  
1000 Business Center Drive  
Lake Mary, FL 32746

*Accepted for Client*

By signing below, you are indicating that you are authorized to obligate funds for your organization. To activate your order, check the appropriate box below and, either, (i) attach a copy of this quotation to your purchase order when it is remitted to Tiburon, or, (ii) if no additional authorizing paperwork is required for your organization to accept and pay an invoice, sign below and fax this quotation to 1-407-304-3914 or email to [tritechquotes@centralsquare.com](mailto:tritechquotes@centralsquare.com) to indicate your acceptance.

Purchase Order required and attached, reference PO# \_\_\_\_\_ on invoice.

No Purchase Order required to invoice.

**Please check one of the following:**

I agree to pay any applicable sales tax.

I am tax exempt. Please contact me if Tiburon does not have my current exempt information on file.

\_\_\_\_\_  
**Client Agency/Entity Name**

\_\_\_\_\_  
**Client Authorized Representative**

\_\_\_\_\_  
**Signature Client Authorized Representative**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date**

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**CITY MANAGER'S REPORT  
JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**

**ITEM:** **REJECT ALL BIDS FOR CIP WW 19-01  
WOODFIELD SEWER PUMP STATION  
UPGRADES AND RE-ADVERTISE FOR BIDS**

**RECOMMENDATION:** **Adopt Resolution Rejecting all Bids for CIP WW  
19-01 Woodfield Sewer Pump Station  
Upgrades and Authorize Staff to Re-advertise  
for Bids**

---

**SUMMARY:**

On July 9, 2018, City Council approved Capital Improvement Project (CIP) WW 19-01 Woodfield Sewer Pump Station Upgrades to accommodate additional flows from the North Harlan Road/Roth Road industrial area and to alleviate stress on the downstream Historic Lathrop system. Contract plans and specifications for this project were completed in September 2019 and were advertised for bid on October 2, 2019 according to the Public Contract Code and the Lathrop Municipal Code, Section 2.36.060.

On November 12, 2019, a total of four (4) bids were received and opened by the City Clerk. After review and evaluation of the bids, the apparent lowest bidder for the project was determined to be disqualified as they had an interest in more than one bid for the same work which is expressly prohibited by the bid specifications Section 00020. The lowest bidder had an interest as either the prime contractor or as a subcontractor on three of the four bids. Lathrop Municipal Code (LMC) 2.36.060(E) allows the City Council to reject all bids. Therefore, staff recommends rejecting all bids for the CIP WW 19-01 Woodfield Sewer Pump Station Upgrades so that the contract may be re-bid.

**BACKGROUND:**

Improvements to the Woodfield Sewer Pump Station are needed to accommodate additional flows from the North Harlan Road/Roth Road industrial area and to alleviate stress on the downstream Historic Lathrop system. The project will upgrade the Woodfield Sewer Pump Station with new pumps and establish a connection to an existing 10-inch force main that will allow its flow to be pumped to the Manteca Water Quality Control Facility (MWQCF) using existing mains that connect to the McKinley Avenue Sewer Pump Station.

In September 2019, staff completed the plans and specifications for the Woodfield Sewer Pump Station Upgrades. The project was advertised for bid through Stockton ARC in accordance with Lathrop Municipal Code Section 2.36.060.

**CITY MANAGER'S REPORT** **PAGE 2**  
**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**  
**REJECT ALL BIDS FOR CIP WW 19-01 WOODFIELD SEWER PUMP STATION**  
**UPGRADES**

**REASON FOR RECOMMENDATION:**

On November 12, 2019, a total of four (4) bids were received and opened by the City Clerk for the CIP WW 19-01 Woodfield Sewer Pump Station Upgrades project. The apparent low bidder was determined to be disqualified because they had an interest as either the prime contractor or as a sub-contractor on three of the four bids. LMC 2.36.060(E) authorizes City Council to reject all bids and re-advertise for bids. Therefore, staff recommends rejecting all bids for the CIP WW 19-01 Woodfield Sewer Pump Station Upgrades so the contract may be re-bid.

**FISCAL IMPACT:**


None.

**ATTACHMENTS:**


- A. Resolution Rejecting all Bids for CIP WW 19-01 Woodfield Sewer Pump Station Upgrades

**CITY MANAGER'S REPORT**  
**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**  
**REJECT ALL BIDS FOR CIP WW 19-01 WOODFIELD SEWER PUMP STATION**  
**UPGRADES**


**APPROVALS:**

  
\_\_\_\_\_  
Greg Gibson  
Senior Civil Engineer

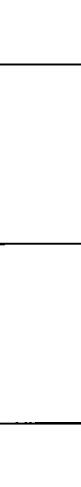
12/18/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Michael King  
Public Works Director


12-20-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Cari James  
Finance & Administrative  
Services Director

12/20/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

12-20-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

1.7.20  
\_\_\_\_\_  
Date

**RESOLUTION NO. 20-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP REJECTING ALL BIDS FOR CIP WW 19-01 WOODFIELD SEWER PUMP STATION UPGRADES AND AUTHORIZE STAFF TO RE-ADVERTISE FOR BIDS**

**WHEREAS**, on July 9, 2018, City Council approved the formation of Capital Improvement Project (CIP) WW 19-01 Woodfield Sewer Pump Station Upgrades to accommodate additional flows from the North Harlan Road/Roth Road industrial area and to alleviate stress on the downstream Historic Lathrop system; and

**WHEREAS**, contract plans and specifications for this project were completed in September 2019 and were advertised for bid on October 2, 2019 according to the Public Contract Code and the Lathrop Municipal Code, Section 2.36.060; and

**WHEREAS**, a total of four (4) bids were received and opened by the City Clerk on November 12, 2019; and

**WHEREAS**, upon review and evaluation of the bids, the apparent lowest bidder for the project was determined to be disqualified as they had an interest in more than one bid for the same work which is expressly prohibited by the bid specifications at Section 00020; and

**WHEREAS**, Lathrop Municipal Code 2.36.060(E) authorizes City Council to reject all bids and re-advertise for bids; and

**WHEREAS**, staff recommends rejecting all bids for the CIP WW 19-01 Woodfield Sewer Pump Station Upgrades so that the contract may be re-bid.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Lathrop hereby approves rejecting all bids for the CIP WW 19-01 Woodfield Sewer Pump Station Upgrades and authorize staff to re-advertise for bids.



The foregoing resolution was passed and adopted this 13<sup>th</sup> day of January 2020, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

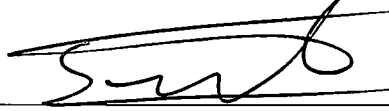
ABSENT:

\_\_\_\_\_  
Sonny Dhaliwal, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Vargas, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Salvador Navarrete, City Attorney

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**CITY MANAGER'S REPORT  
JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**

**ITEM: ACCEPT PUBLIC IMPROVEMENTS FOR LATHROP ROAD AND OLD HARLAN ROAD FROM CFT NV DEVELOPMENTS, LLC, OWNER OF PANDA EXPRESS LOCATED AT 15099 OLD HARLAN ROAD AND APPROVE A REIMBURSEMENT AGREEMENT WITH CFT NV DEVELOPMENTS, LLC, FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD**

**RECOMMENDATION: Adopt Resolution Accepting Public Improvements for Lathrop Road and Old Harlan Road from CFT NV Developments, LLC, Owner of Panda Express Located at 15099 Old Harlan Road and Approve a Reimbursement Agreement with CFT NV Developments, LLC, for Gravity Sewer Main in Old Harlan Road**

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**SUMMARY:**

CFT NV Developments, LLC, owner of Panda Express located at 15099 Old Harlan Road, has completed construction of the majority of offsite improvements in accordance with approved improvement plans with the exception of the slurry seal and striping on Old Harlan Road. CFT NV Developments, LLC has submitted an assignment of funds to the City in the amount of \$7,015 to guarantee the completion of the slurry seal and striping. The completed offsite improvements have been inspected by City staff and have been deemed complete and ready for acceptance. The cost to maintain these facilities will be covered through the street maintenance fund.

CFT NV Developments, LLC, is eligible for partial reimbursement from users who connect to the gravity sewer main that was installed as part of the public improvements. The proposed reimbursement agreement requires the City to initiate a Capital Facility Fee (CFF) study to ultimately collect appropriate CFF's from those who develop their property and connect to the gravity sewer main.

Staff requests that City Council accept the offsite improvements from CFT NV Developments, LLC and approve the proposed reimbursement agreement to allow City to initiate a CFF study to ultimately collect appropriate CFF's from those who develop their property and connect to the gravity sewer main in Old Harlan Road.

**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING****ACCEPT PUBLIC IMPROVEMENTS FOR LATHROP ROAD AND OLD HARLAN ROAD FROM CFT NV DEVELOPMENTS, LLC, OWNER OF PANDA EXPRESS LOCATED AT 15099 OLD HARLAN ROAD AND APPROVE A REIMBURSEMENT AGREEMENT WITH CFT NV DEVELOPMENTS, LLC, FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD****BACKGROUND:**

The City of Lathrop Planning Commission approved Site Plan Review 18-92 (SPR 18-92) by Resolution 19-01 on January 16, 2019 for a Panda Express Restaurant located at 15099 S. Harlan Road, as shown in Attachment B. The Panda Express restaurant development consists of a 2,200 sq. ft. building on a 0.97-acre site with drive-in and drive-through facilities and related site work including landscaping, lighting, storm water treatment devices and paving. Offsite improvements include sidewalk, curb and gutter, storm water drainage, water laterals, sewer gravity main and laterals, fire hydrants, paving, and striping along Old Harlan Road.

CFT NV Developments, LLC, owner of Panda Express located at 15099 Old Harlan Road, entered into Deferred Frontage Improvement Agreement 19-01 (DFIA 19-01), Doc No. 2019-077380, with the City of Lathrop to ensure their contribution to the ultimate design and construction of Lathrop Road. The ultimate design and construction of Lathrop Road will be deferred until the I-5 and Lathrop Road interchange upgrades are needed. CFT NV Developments, LLC dedicated the necessary right-of-way and public utility easements along both Lathrop Road and Old Harlan Road to accommodate the ultimate design of Lathrop Road by Resolution 19-4564 on May 13, 2019.

CFT NV Developments, LLC has completed construction of the majority of offsite improvements in accordance with approved improvement plans with the exception of the slurry seal and striping on Old Harlan Road. CFT NV Developments, LLC has submitted an assignment of funds to the City in the amount of \$7,015, [\$4,846 (slurry) + \$1000 (striping)] x 120% (contingency), to guarantee the completion of the slurry seal and striping. The assignment of funds will be utilized to complete the improvements if not completed within one year or released once the slurry seal and striping improvements are completed by CFT NV Developments, LLC, whichever comes first. The completed offsite improvements have been inspected by City staff and have been deemed complete and ready for acceptance. The cost to maintain these facilities will be covered through the street maintenance fund.

The approximate value of the improvements is \$641,127 as shown in Attachment C for this project, GASB 34 Report for Panda Express Offsite Improvements. CFT NV Developments, LLC has provided an assignment of funds to the City in the amount of \$64,113 (10% of the Improvements value) to guarantee replacement and/or repair of the improvements as a result of defective materials, equipment or defective workmanship for a period of one year from the date of acceptance.

**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING****ACCEPT PUBLIC IMPROVEMENTS FOR LATHROP ROAD AND OLD HARLAN ROAD FROM CFT NV DEVELOPMENTS, LLC, OWNER OF PANDA EXPRESS LOCATED AT 15099 OLD HARLAN ROAD AND APPROVE A REIMBURSEMENT AGREEMENT WITH CFT NV DEVELOPMENTS, LLC, FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD**

CFT NV Developments, LLC, is eligible for partial reimbursement from users who connect to the gravity sewer main that was installed as part of the public improvements. The proposed reimbursement agreement requires the City to initiate a Capital Facility Fee (CFF) study to ultimately collect appropriate CFF's from those who develop their property and connect to the gravity sewer main.

**REASON FOR RECOMMENDATION:**

The offsite improvements for Panda Express have been inspected by City staff and have been deemed complete and ready for acceptance. Staff has received the record drawings, which reflect how the project was built, and lien releases for the improvements constructed by CFT NV Developments, LLC. Staff recommends accepting the offsite improvements from CFT NV Developments, LLC.

In addition, staff recommends that City Council approve the proposed reimbursement agreement with CFT NV Developments, LLC, to initiate a CFF study to ultimately collect appropriate CFF's from those who develop their property and connect to the gravity sewer main in Old Harlan Road.

**FISCAL IMPACT:**

The City's maintenance costs will increase due to the additional improvements that will have to be maintained. The cost to maintain these facilities will be paid through the street maintenance fund.

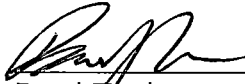
**ATTACHMENTS:**

- A. Resolution Accepting Public Improvements for Lathrop Road and Old Harlan Road from CFT NV Developments, LLC, Owner of Panda Express Located at 15099 Old Harlan Road and Approve a Reimbursement Agreement with CFT NV Developments, LLC, for Gravity Sewer Main in Old Harlan Road
- B. Location Map for Panda Express – 15099 Old Harlan Road
- C. Project GASB 34 Report Reflecting Approximate Value of Improvements
- D. Unconditional Waiver and Release on Final Payment
- E. Reimbursement Agreement for Gravity Sewer Main in Old Harlan Road

JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING

ACCEPT PUBLIC IMPROVEMENTS FOR LATHROP ROAD AND OLD HARLAN ROAD FROM CFT NV DEVELOPMENTS, LLC, OWNER OF PANDA EXPRESS LOCATED AT 15099 OLD HARLAN ROAD AND APPROVE A REIMBURSEMENT AGREEMENT WITH CFT NV DEVELOPMENTS, LLC, FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD

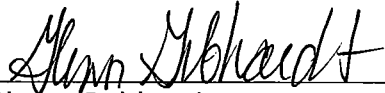
APPROVALS:

  
\_\_\_\_\_  
Brad Taylor  
Associate Engineer

12/13/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Michael King  
Director of Public Works

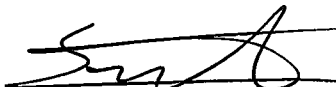
12-16-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Glenn Gebhardt  
City Engineer


12-17-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Cari James  
Finance & Administrative  
Services Director

12/20/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

12-17-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

1.2.20  
\_\_\_\_\_  
Date

**RESOLUTION NO. 20-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING PUBLIC IMPROVEMENTS FOR LATHROP ROAD AND OLD HARLAN ROAD FROM CFT NV DEVELOPMENTS, LLC, OWNER OF PANDA EXPRESS LOCATED AT 15099 OLD HARLAN ROAD AND APPROVE A REIMBURSEMENT AGREEMENT WITH CFT NV DEVELOPMENTS, LLC, FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD**

**WHEREAS**, the City of Lathrop Planning Commission approved Site Plan Review 18-92 (SPR 18-92) by Resolution 19-01 on January 16, 2019 for a Panda Express Restaurant located at 15099 S. Harlan Road; and

**WHEREAS**, offsite improvements include sidewalk, curb and gutter, storm water drainage, water laterals, sewer gravity main and laterals, fire hydrants, paving, and striping along Old Harlan Road; and

**WHEREAS**, CFT NV Developments, LLC, owner of Panda Express located at 15099 Old Harlan Road, entered into Deferred Frontage Improvement Agreement 19-01 (DFIA 19-01), Doc No. 2019-077380, with the City of Lathrop to ensure their contribution to the ultimate design and construction of Lathrop Road; and

**WHEREAS**, CFT NV Developments, LLC dedicated the necessary right-of-way and public utility easements along both Lathrop Road and Old Harlan Road to accommodate the ultimate design of Lathrop Road by Resolution 19-4564 on May 13, 2019; and

**WHEREAS**, CFT NV Developments, LLC has completed construction of the majority of offsite improvements in accordance with approved improvement plans with the exception of the slurry seal and striping on Old Harlan Road; and

**WHEREAS**, CFT NV Developments, LLC has submitted an assignment of funds to the City in the amount of \$7,015, [ \$4,846 (slurry) + \$1000 (striping) ] x 120% (contingency), to guarantee the completion of the slurry seal and striping. The assignment of funds will be utilized to complete the improvements if not completed within one year or released once the slurry seal and striping improvements are completed by CFT NV Developments, LLC, whichever comes first; and

**WHEREAS**, the completed offsite improvements have been inspected by City staff and have been deemed complete and ready for acceptance; and

**WHEREAS**, the approximate value of the improvements is \$641,127 as shown in the GASB 34 Report for Panda Express Offsite Improvements; and

**WHEREAS**, the cost to maintain these facilities will be covered through the street maintenance fund; and

**WHEREAS,** CFT NV Developments, LLC has provided an assignment of funds to the City in the amount of \$64,113 (10% of the Improvements value) to guarantee replacement and/or repair of the improvements as a result of defective materials, equipment or defective workmanship for a period of one year from the date of acceptance; and

**WHEREAS,** CFT NV Developments, LLC, is eligible for partial reimbursement from users who connect to the gravity sewer main that was installed as part of the public improvements. The proposed reimbursement agreement requires the City to initiate a Capital Facility Fee (CFF) study to ultimately collect appropriate CFF's from those who develop their property and connect to the gravity sewer main; and

**WHEREAS,** staff has received the record drawings, which reflect how the project was built, and lien releases for the improvements constructed by CFT NV Developments, LLC; and

**WHEREAS,** staff recommends accepting the offsite improvements from CFT NV Developments, LLC; and

**WHEREAS,** staff recommends that City Council approve the proposed reimbursement agreement with CFT NV Developments, LLC, to initiate a CFF study to ultimately collect appropriate CFF's from those who develop their property and connect to the gravity sewer main in Old Harlan Road.

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Lathrop that the completed offsite improvements are hereby accepted from CFT NV Developments, LLC and the reimbursement agreement with CFT NV Developments, LLC is approved.



The foregoing resolution was passed and adopted this 13<sup>th</sup> day of January 2020, 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

# Location Map for Panda Express



**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

Submitted by: CRM Architects  
CFT - Off-site Improvements

21-Nov-19

Item	Units	Total Quantities	Unit Price	Amount for Acceptance
<b>Miscellaneous Grading</b>				
Remove Existing AB and Native soil	EA	1	\$12,400.00	\$12,400.00
Subgrade Curb and Gutter with 12" AB	SF	1,150	\$7.57	\$8,700.00
Subgrade for Commercial Driveway with 12" AB	SF	237	\$14.77	\$3,500.00
Subgrade for Sidewalk	SF	2,850	\$3.34	\$9,510.00
<b>Concrete</b>				
Vertical Gurb and Gutter	LF	460	\$29.00	\$13,340.00
4" Sidewalk	SF	2,850	\$6.50	\$18,525.00
6" Commercial Driveway	SF	237	\$35.19	\$8,340.00
ADA Ramps	EA	3	\$700.00	\$2,100.00
Truncated Domes	EA	3	\$900.00	\$2,700.00
<b>Off-site Storm Drain</b>				
Connection to Existing Manhole	EA	1	\$2,500.00	\$2,500.00
48" Saddle Manhole	EA	2	\$12,750.00	\$25,500.00
12" HDPE	LF	132	\$35.00	\$4,620.00
2 x 2 Drain Inlet	EA	1	\$2,000.00	\$2,000.00
Curb Inlet	EA	1	\$2,880.00	\$2,880.00
<b>Off-site Sewer</b>				
Connection to Existing 10" Sewer	EA	1	\$5,500.00	\$5,500.00
48" Manhole	EA	5	\$7,500.00	\$37,500.00
12" Section of Base Rock	Tons	150	\$119.00	\$17,850.00
10" SDR 26 PVC	LF	751	\$100.00	\$75,100.00
6" Lateral	EA	2	\$5,000.00	\$10,000.00
6 1/2" AC	Tons	200	\$100.00	\$20,000.00
Saw Cutting	LF	8,700	\$1.00	\$8,700.00
Demo AC	SF	17,000	\$1.84	\$31,200.00
<b>Off-site Water</b>				
Cutin New 8X8 Tee with Valve	EA	2	\$13,000.00	\$26,000.00
8" Main	LF	40	\$200.00	\$8,000.00
<b>Paving</b>				
6" AC Paving over 12" AB over 12" Subgrade	SF	8,600	\$12.30	\$105,750.00
Slurry Seal	EA	1	\$16,500.00	\$16,500.00
Striping Plan	EA	1	\$12,200.00	\$12,200.00
<b>Miscellaneous</b>				
Mobilization	EA	1	\$13,000.00	\$13,000.00
Construction Water	EA	1	\$2,500.00	\$2,500.00
Traffic Control	EA	1	\$25,000.00	\$25,000.00
Overhead and Profit 15%	EA	1	\$79,712.25	\$79,712.25
Engineering	EA	1	\$30,000.00	\$30,000.00
<b>Total</b>				<b>\$641,127.25</b>

PANDA RESTAURANT GROUP

Form No.: 6104D

**UNCONDITIONAL WAIVER AND RELEASE ON  
FINAL PAYMENT**

**NOTICE TO CLAIMANT: THIS DOCUMENT WAIVES AND RELEASES LIEN, STOP PAYMENT NOTICE, AND  
PAYMENT BOND RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE  
RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID.  
IF YOU HAVE NOT BEEN PAID,  
USE A CONDITIONAL WAIVER AND RELEASES FORM.**

**Identifying Information**

Name of Claimant: DR Pipeline, Inc.  
Name of Customer: Rockwall Construction Company  
Job Location: Panda Express-15099 Old Harlan Road, Lathrop, CA 95330  
Owner: Panda Restaurant Group

**Unconditional Waiver and Release**

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. The claimant has been paid in full.

**Exceptions**

This document does not affect any of the following:

Disputed claims for extras in the amount of: \$ Zero

**Signature**

Claimant's Signature: *Stephanie J Neal*  
Claimant's Title: *Office Manager*  
Date of Signature: *12/19/19*

Please see attached for  
CA Civil Code Section 1189  
compliant acknowledgment.

# California All-Purpose Certificate of 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

S.S.

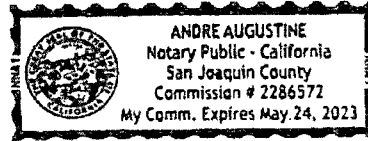
On December 19, 2019 before me, Andre Augustine, Notary Public

personally appeared Stephanie L. Nagel

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.



Andre Augustine  
Notary Public

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reinsertion of this acknowledgment to an unauthenticated document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Unconditional Waiver and Release containing 2 pages, and dated 12/19/19.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) Office Manager

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_

Method of Signer Identification
Proved to me on the basis of satisfactory evidence: <input checked="" type="checkbox"/> form(s) of identification <input type="checkbox"/> credible witness(es)
Notarial event is detailed in notary journal on: Page # <u>41</u> Entry # <u>2</u>
Notary contact: <u>(209) 639-2486</u>
Other <input type="checkbox"/> Additional Signer <input type="checkbox"/> Signer(s) Thumbprints(s)

**UNCONDITIONAL WAIVER AND RELEASE ON  
FINAL PAYMENT**

**NOTICE TO CLAIMANT: THIS DOCUMENT WAIVES AND RELEASES LIEN, STOP PAYMENT NOTICE, AND  
PAYMENT BOND RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE  
RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID.  
IF YOU HAVE NOT BEEN PAID,  
USE A CONDITIONAL WAIVER AND RELEASES FORM.**

**Identifying Information**

Name of Claimant: DR Pipeline, Inc.  
Name of Customer: Rockwall Construction Company  
Job Location: CFT I-5 & Lathrop Rd-15099 Old Harlan Road, Lathrop, CA 95330  
Owner: CFT NV Developments, LLC.

**Unconditional Waiver and Release**

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. The claimant has been paid in full.

**Exceptions**

This document does not affect any of the following:

Disputed claims for extras in the amount of: \$ Zero

**Signature**

Claimant's Signature: *Stephanie L Ng*  
Claimant's Title: *Office Manager*  
Date of Signature: 12/19/19

Please see attached for  
CA Civil Code Section 1189  
compliant acknowledgment.

# California All-Purpose Certificate of 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

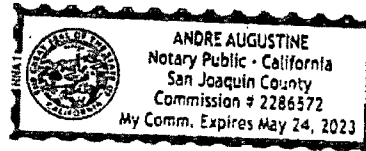
s.s.

On December 19, 2019 before me, Andre Augustine, Notary Public

personally appeared Stephanie L. Nagel

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.

Andre Augustine  
Signature of Notary Public

### OPTIONAL INFORMATION

*Although not information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an another and document and may prove useful to persons relying on the attached document.*

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Unconditional Waiver and Release containing 2 pages, and dated 12/19/19.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) Office Manager

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_

Method of Signer Identification	
Proved to me on the basis of satisfactory evidence:	
<input checked="" type="checkbox"/> Form(s) of identification	<input type="checkbox"/> credible witness(es)
Notarial event is detailed in notary journal on:	
Page # <u>41</u>	Entry # <u>1</u>
Notary contact: <u>(209) 638-2486</u>	
Other	
<input type="checkbox"/> Additional Signer	<input type="checkbox"/> Signer(s) Thumbprints(s)
<input type="checkbox"/> _____	

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**REIMBURSEMENT AGREEMENT FOR GRAVITY SEWER MAIN  
IN OLD HARLAN ROAD**

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This Reimbursement Agreement for the Reimbursement Agreement for the offsite work (“*Agreement*”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2020, (“*Effective Date*”) by and between the City of Lathrop (“*City*”), a municipal corporation of the State of California (“*City*”) and CFT NV Developments, LLC, a Nevada Limited Liability Company, (“*Developer*”). City and Developer may be collectively referred to herein as the “*Parties*” or individually as a “*Party*”.

**RECITALS**

WHEREAS, on January 16, 2019 the Planning Commission of the City of Lathrop approved the Site Plan Review (SPR-15-92) which established the conditions for the construction of a CFT Development at 15099 Old Harlan Road; and

WHEREAS, the Site Plan Review approval was subject to Public Works Condition of Approval No. 11 “Applicant shall be required to connect to sewer utility, obtain appropriate Interceptor Service Units (ISU’s) and pay all applicable connection, reimbursement and Area of Benefit fees.” Which has been modified to extend from Harlan Road; and

WHEREAS, pursuant of Lathrop Municipal Code 13.16.190, this Reimbursement Agreement establishes a mechanism to reimburse the Developer for a proportionate share of the incurred cost of oversizing the construction improvements to the Sanitary Sewer extension in Old Harlan Road. Such proportionate share shall be based on area of the land or lands of the future users, the wastewater generation factor as described in Section 5 - Sewer System Standards, City Standards 2014, and the wastewater generation of future users.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and understandings hereinafter set forth, City and Developer hereby set forth their agreement as follows:

**AGREEMENT**

1. Recitals. The recitals set forth above are true and correct and made a part of this Agreement.
2. Project. The Project consists of the construction of a Sanitary Sewer extension in Harlan Road as approved by the City Engineer (“*Project*”). Developer has designed, funded and constructed the Project in conformance with City Standards.
3. Reimbursement
  - (a) The Developer has completed the Project. City Council has accepted the improvements. Developer is eligible to be reimbursed for a portion of the Actual Costs as described in (b) below.
  - (b) “Actual Costs” includes those design costs, construction costs, and other costs for a total of \$260,337.00 as detailed in Exhibit A attached hereto.
  - (c) The Developer’s unreimbursable expenses associated with the off-site



## REIMBURSEMENT AGREEMENT FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD

improvements are defined as those expenses not associated with Sanitary Sewer extension in Old Harlan Road. Developer shall provide reasonable documentation of the actual costs incurred to construct the Sanitary Sewer extension, which may include, unconditional lien releases, invoices, and cancelled check.

(d) The Developer shall not have the right to reimbursement for sums contributed by the Developer in excess of the Reimbursable Costs of \$184,708.11, which includes the cost based on paid invoices and cost to establish the CFF less the cost share for the Developer project.

(e) Lathrop Municipal Code 13.16.19 states:

Where an applicant for sewer service is so located that it is necessary to construct or cause to be constructed a new main, service line, pump, lift station or other sewer facilities, or to expand or replace such facilities, the applicant shall be responsible for such work. The city may require that such work be oversized in order to provide for future use by others of such work, and, in the event the city so requires, the cost of such oversizing shall be determined, and the city may require future users of such facilities to reimburse the original builder for a proportionate share of the cost of such oversizing. Such proportionate share shall be based on frontage of the land or lands of the future user, will be collected at the time of connection to the works, and reimbursed to the original builder within thirty (30) days of collection. In no event shall the city be liable for reimbursement to the original builder unless and until such reimbursement is collected from the new users. In no event shall the city be liable for failure to make such collection. No such collection or reimbursement will be made after ten (10) years from the date of completion of the original work or works.

(f) Lathrop Municipal Code 3.20.040 states:

The fees imposed by the city pursuant to this title shall be used to pay for the cost of providing specified public facilities, as described in implementing resolutions. As described in each implementing resolution, the specified public facilities will be categorized into separate and distinct sets of public facilities based upon the type of public facility to be provided, the geographical area served by the public facility, or other identifying features. Each separate set of specified public facilities described in an implementing resolution shall be referred to in this title as a "public facility category."

(g) Based on the above, the City shall establish a Community Facilities Fee (CFF), with the cost to establish the CFF paid by the Developer and included in the reimbursement, to collect reimbursement from developers of properties benefited by the Project for a period of twenty-five (25) years. The aforementioned twenty-five (25) year period shall begin on the effective date of CFF. Developer is entitled only to the reimbursement sums collected by City pursuant to this section.

4. City to Use Best Efforts to Perform Agreement. City agrees to use its best efforts, and take

## REIMBURSEMENT AGREEMENT FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD

all reasonable and necessary actions to provide reimbursement fees as mentioned in reimbursement item 3(g), above.

5. Counterparts. This Agreement may be executed in counterparts, and each fully executed counterpart will be considered an original document.
6. Partial Invalidity. If any term or provision of this Agreement shall be deemed to be invalid or unenforceable to any extent, the remainder of this Agreement will not be affected thereby, and each remaining term and provision of this Agreement will be valid and be enforced to the fullest extent permitted by law.
7. Waivers. No waiver of any breach of any covenant or provision contained herein will be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision contained herein. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act except those of the waiving party, which will be extended by a period of time equal to the period of the delay.
8. Successors and Assigns. This Agreement is binding upon and insures to the benefit of the permitted successors and assigns of the parties hereto.
9. Entire Agreement. This Agreement constitutes the entire contract between the parties hereto with respect to the subject matter hereof and may not be modified except by an instrument in writing signed by the party to be charged.
10. Time is of the Essence. City and Developer hereby acknowledge and agree that time is strictly of the essence with respect to each and every term, condition, obligation and provision hereof.
11. Construction and Survival of Provisions. This Agreement has been prepared jointly by the parties and their professional advisors. City and Developer and their respective advisors believe that this Agreement is the product of all their efforts that expresses their agreement and that it should not be interpreted in favor of or against either Developer or City. The parties further agree that this Agreement will be constructed to effectuate the normal and reasonable expectations of a sophisticated City and Developer.
12. Governing Law. The parties hereto expressly agree that this Agreement will be governed by, interpreted under, and constructed and enforced in accordance with the laws of the State of California.
13. No Recordation. No memorandum or other document relating to this Agreement shall be recorded without the prior written consent of City.
14. Indemnification. Developer, on its own behalf, and on behalf of any successor(s) in interest, agrees to defend and indemnify City against any third party action, claim, counterclaim, suit or demand (collectively, "Claims") that challenge(s) City's approval and/or implementation of this Agreement. Said indemnification shall include the costs of City to defend, pay and satisfy any such Claims including necessary expenses of investigation, attorneys' fees and costs.

**REIMBURSEMENT AGREEMENT FOR GRAVITY SEWER MAIN IN OLD HARLAN ROAD**

IN WITNESS WHEREOF, City and Developer have executed this Agreement as of the Effective Date.

**DEVELOPER**

CFT NV Developments, LLC  
1120 North Town Center Drive  
Suite #150  
Las Vegas, NV. 89144

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Charlie Shen

Title: \_\_\_\_\_

**CITY**

CITY OF LATHROP, a municipal corporation in  
the County of San Joaquin, State of California

By: \_\_\_\_\_

Date: \_\_\_\_\_

Stephen J. Salvatore  
City Manager

APPROVED AS TO FORM BY THE CITY OF LATHROP CITY ATTORNEY:

By: \_\_\_\_\_

Date: 12-17-19

Salvador Navarrete  
City Attorney

### Gravity Sewer Main Cost - Old Harlan Road

\$	260,337.00	Costs based on paid invoices
\$	4,715.00	Cost to establish CFF
\$	265,052.00	Actual Total
\$	80,343.89	Unreimbursable
\$	184,708.11	Reimbursable

**Cost Spread Method**

Cost will be divided into fair share reimbursements as determined by parcel area and City wastewater generation factors for the parcels listed below or any subdivision thereof. The gravity main was designed to convey the flows from parcels that have frontage along the gravity main included herein Exhibit A. Wastewater Generation Factors are from Section 5 - Sewer System Standards, City Standards 2014. The unreimbursable amount is based on the installers parcel size and associated wastewater generation factor.

**Current Parcel Listing and Fair Share Amount**

APN	Address	Dir	Street	Des	Area (acre)	General Plan Land Use Classification	Wastewater Generation Factor (gpd/acre)	Wastewater Generation (gpd)	Percent (%) of Total Wasterwater Generation	Fair Share Cost
19611027	15099		Old Harlan	RD	0.83	Community Commercial	590	489.7	25.9%	\$ 68,748
19611028	15099		Old Harlan	RD	0.14	Community Commercial	590	82.6	4.4%	\$ 11,596
19611029	15099		Old Harlan	RD	0.69	Community Commercial	590	407.1	21.6%	\$ 57,152
19611030	15099		Old Harlan	RD	0.49	Community Commercial	590	289.1	15.3%	\$ 40,586
19611005	15151		Old Harlan	RD	0.36	Community Commercial	590	212.4	11.3%	\$ 29,818
19611006	15215		Old Harlan	RD	0.22	Community Commercial	590	129.8	6.9%	\$ 18,222
19611017	15235		Old Harlan	RD	0.47	Community Commercial	590	277.3	14.7%	\$ 38,930
<b>Total</b>					<b>3.20</b>			<b>1,888</b>	<b>100%</b>	<b>\$ 265,052</b>

**CITY MANAGER'S REPORT  
JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**

**ITEM: ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR CLSP  
STORM DRAINAGE FORCE MAIN FROM SAYBROOK  
CLSP, LLC**

**RECOMMENDATION: Adopt Resolution Accepting Public Improvements for  
CLSP Storm Drainage Force Main from Saybrook  
CLSP, LLC**

---

**SUMMARY:**

Saybrook CLSP, LLC (Saybrook), the developer for the Central Lathrop Specific Plan (CLSP) has completed construction of the CLSP storm drainage force main in accordance with approved improvement plans. The force main improvements have been inspected by City staff and have been deemed complete and ready for acceptance. The cost to maintain these facilities will be covered through user fees collected and CLSP CFD 2019-2.

Staff requests that City Council accept the storm drainage force main from Saybrook CLSP, LLC.

**BACKGROUND:**

In 2006, construction of the CLSP sanitary sewer and storm drain pump station was initiated by Richland Planned Communities for the CLSP Tract 3533 development project, but not completed nor accepted by the City. In 2013, Saybrook acquired land within the CLSP area and completed improvements for the CLSP low flow sewer and storm drain improvements that were accepted by the City Council on July 20, 2015. In May 2018, the City agreed to a design standard change which allowed the pump station to be modified slightly so that the pump configuration could be altered to the satisfaction of the City Engineer. The City accepted the CLSP sanitary sewer and storm drain pump station on May 13, 2019.

The storm drainage force main recommended for acceptance is a component of the CLSP sanitary sewer and storm drain pump station that will be used to convey storm water from the CLSP area to the San Joaquin River outfall structure. Saybrook has now completed construction of the storm drainage force main in accordance with the approved Backbone Infrastructure Improvement Plans for Tract 3533 dated February 2006 and Development Agreement dated December 6, 2016, recorded as Document No. 2017-007992 by Ordinance 16-370. Staff has inspected and confirmed that the storm drainage force main improvements were constructed to City specifications.

**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING****ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR CLSP STORM DRAINAGE FORCE MAIN FROM SAYBROOK CLSP, LLC**

The approximate value of the improvements is \$1,518,492 as shown in Attachment C for this project, GASB 34 Report for CLSP Storm Drainage Force Main. Saybrook completed the improvements at-risk and therefore was not required to provide performance and labor and materials bonds. Saybrook has provided Maintenance and Warranty Bond No. 070209752 in the amount of \$265,152 to guarantee replacement and/or repair of the improvements as a result of defective materials, equipment or defective workmanship for a period of one year from the date of acceptance.

**REASON FOR RECOMMENDATION:**

The CLSP storm drainage force main improvements have been inspected by City staff and have been deemed complete and ready for acceptance. Staff has received the record drawings, which reflect how the project was built, and lien releases for the improvements constructed by Saybrook. Staff recommends accepting the CLSP storm drainage force main improvements from Saybrook.

**FISCAL IMPACT:**

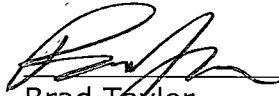
The City's maintenance costs will increase due to the additional improvements that will have to be maintained. The cost to maintain these facilities will be paid through user fees collected and CLSP CFD 2019-2.

**ATTACHMENTS:**

- A. Resolution Accepting Public Improvements for CLSP Storm Drainage Force Main from Saybrook CLSP, LLC
- B. Location Map of CLSP Storm Drainage Force Main
- C. Project GASB 34 Report Reflecting Approximate Value of Improvements
- D. Unconditional Lien Release from Teichert Construction

**CITY MANAGER'S REPORT**  
**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**  
**ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR CLSP STORM DRAINAGE**  
**FORCE MAIN FROM SAYBROOK CLSP, LLC**


**APPROVALS:**

  
\_\_\_\_\_  
Brad Taylor  
Associate Engineer

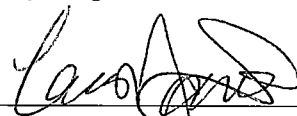
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Date

  
\_\_\_\_\_  
Michael King  
Director of Public Works


12-12-17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Glenn Gebhardt  
City Engineer

12/12/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Cari James  
Finance & Administrative  
Services Director

12/16/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

12-16-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

12-20-19  
\_\_\_\_\_  
Date

**RESOLUTION NO. 20-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING PUBLIC IMPROVEMENTS FOR CLSP STORM DRAINAGE FORCE MAIN FROM SAYBROOK CLSP, LLC**

**WHEREAS**, in 2006, construction of the CLSP sanitary sewer and storm drain pump station was initiated by Richland Planned Communities for the CLSP Tract 3533 development project, but not completed nor accepted by the City; and

**WHEREAS**, in 2013, Saybrook CLSP, LLC (Saybrook) acquired land within the CLSP area and completed improvements for the CLSP low flow sewer and storm drain improvements that were accepted by the City Council on July 20, 2015; and

**WHEREAS**, in May 2018, the City agreed to a design standard change which allowed the pump station to be modified slightly so that the pump configuration could be altered to the satisfaction of the City Engineer; and

**WHEREAS**, the City accepted the CLSP sanitary sewer and storm drain pump station on May 13, 2019. The storm drainage force main improvements recommended for acceptance are components of the CLSP sanitary sewer and storm drain pump station; and

**WHEREAS**, Saybrook has completed construction of the storm drainage force main in accordance with the approved Backbone Infrastructure Improvement Plans for Tract 3533 dated February 2006 and Development Agreement dated December 6, 2016, recorded as Document No. 2017-007992 by Ordinance 16-370; and

**WHEREAS**, the approximate value of the improvements is \$1,518,492 as shown in the GASB 34 Report for the project; and

**WHEREAS**, Saybrook completed the improvements at-risk and therefore was not required to provide performance and labor and materials bonds; and

**WHEREAS**, Saybrook has provided Maintenance and Warranty Bond No. 070209752 in the amount of \$265,152 to guarantee replacement and/or repair of the improvements as a result of defective materials, equipment or defective workmanship for a period of one year from the date of acceptance.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lathrop that the completed CLSP storm drainage force main improvements are hereby accepted from Saybrook CLSP, LLC.



The foregoing resolution was passed and adopted this 13<sup>th</sup> day of January 2020, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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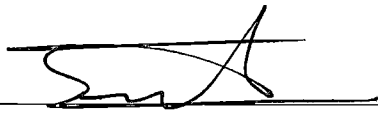
Sonny Dhaliwal, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Teresa Vargas, City Clerk



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Salvador Navarrete, City Attorney

Location Map of CLSP Storm Drainage Force Main



**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

Date: 11/8/2019

Submitted by: MacKay & Soms

Tract No.: 3533 (72"SDFM from pump station to outfall)

Sprayfield

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Cost</u>	<u>Cost</u>
72" SDFM	LF	2792	\$ 538.50	\$ 1,503,492.00
Manway access	EA	3	\$ 5,000.00	\$ 15,000.00

**GRAND TOTAL:**

**\$ 1,518,492.00**

**UNCONDITIONAL WAIVER AND RELEASE ON FINAL PAYMENT**

**NOTICE TO CLAIMANT: THIS DOCUMENT WAIVES AND RELEASES LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL WAIVER AND RELEASE FORM.**

---

**Identifying Information**


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Name of Claimant: Teichert Construction

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Name of Customer: Saybrook CLSP, LLC

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Job Location: 72" STORM DRAIN FORCE MAIN, Lathrop Road and Land Park Drive, Lathrop, CA

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Owner: Saybrook CLSP, LLC and Lathrop Land Acquisition, LLC

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**Unconditional Waiver and Release**

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for all labor and service provided, and equipment and material delivered, to the customer on this job. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. The claimant has been paid in full.

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**Exceptions**


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This document does not affect any of the following:  
Disputed claims for extras in the amount of: \$ 0.00

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**Signature**


---

Claimant's Signature: 

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Claimant's Title: Jennifer Jones-Dickens, Credit Analyst

---

Date of Signature: 11/26/2019

---

7/1/12

To: **City of Lathrop**  
**390 Towne Centre Drive**  
**Lathrop, CA 95330**

**NOTICE OF WAIVER AND RELEASE**

Saybrook CLSP, LLC has received Unconditional Waiver and Release On Final Payment forms from contractor(s) it engaged for construction of the following improvement:

**72" Storm Drain Forcemain Improvement**

Copies of those documents are attached to this Notice.

Those documents waive and release lien, stop payment notice, and payment bond rights the claimants had for all labor and service provided, and equipment and material delivered, for the work of improvement listed above. The change orders listed under Exceptions are unrelated to the work of improvement listed above.

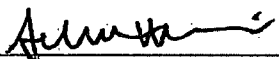
In addition, CLSP certifies:

- 1) To the best of its knowledge, any and all persons entitled to record mechanics lien, stop payment notices or payment bond claims for labor, service, equipment, or material provided to the work of improvement identified above have been paid in full; and
- 2) That it has not received any notice or claim from any persons entitled to record mechanics lien, stop payment notices or payment bond claims for labor, service, equipment, or material provided to the work of improvement identified above.

SAYBROOK CLSP, LLC

Date: 12/9/19

By: Saybrook Fund Investors, LLC  
Its: Managing Member

By:   
Jeffrey M. Wilson

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**CITY MANAGER'S REPORT  
JANUARY 13, 2020 CITY COUNCIL REGULAR MEETING****ITEM: CAPITAL FACILITY FEE FUNDS REPORT FOR  
FY 2018-2019****RECOMMENDATION: Review and Approve the Capital Facility Fee  
Funds Report for Fiscal Year 2018-2019**

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**SUMMARY:**

Pursuant to Government Code Section 66006 et seq., the City of Lathrop is required to provide an annual overview of fees collected by the Capital Facility Fee (CFF) program as a result of new development. This report presents the background for each fee and shows the fee schedules and history for last year. The information provided is required by the Government Code to be made available for public review and subsequently reviewed by City Council at the next regular meeting after being made public.

**BACKGROUND:**

The City's Capital Facility Fee (CFF) program was first instituted on October 10, 1990 to provide adequate capital facility improvements to serve new development within the City. Since then, the CFF program has been amended to ensure that new development pays its proportionate share of improvement costs needed as a result of new development.

In 2003, the CFF program was amended to include a broad range of capital facility fees and establish fees for a new development planned for the area West of I-5, mainly River Islands and Mossdale Landing. The 2005 CFF Update established fees for new development in the Central Lathrop Specific Plan (CLSP) area and followed with revisions in 2007, adding the offsite roadway intersection improvements and the surface water supply fee components for the CLSP area. The North Lathrop Study completed in 2010 updated the CFF program and introduced the North Lathrop Transportation Impact Fee for new development impacting the Roth Road/I-5 interchange and the associated frontage roads in the North Lathrop area. In 2017 the Interim Urban Level of Flood Protection Development (ULOP) Impact Fee Nexus Study established the Interim Levee Fee as a part of the implementation of the financing plan for the Reclamation District 17 Urban Level of Flood Protection Levee System Improvements. In February 2018, the CFF program was amended to include the South Lathrop Specific Plan area to the CFF program. To ensure that CFF rates keep up with the rising costs of infrastructure, facilities, and land, the CFF program was updated in May 2018 adjusting existing fees for inflation and updating project cost for the West/Central Lathrop Regional Transportation CFF, Surface Water Supply CFF, and the Water System CFF and establishing a new Sewer/Recycled Water System CFF for the CLSP area.

**CITY MANAGER'S REPORT  
JANUARY 13, 2020 CITY COUNCIL REGULAR MEETING  
CAPITAL FACILITY FEES FUND REPORT FOR FY 2018-2019**

**PAGE 2**

In February 2019, the Central Lathrop Specific Plan Capital Facilities Fees were updated to adjust existing fees for inflation and update project costs and fees for the West/Central Lathrop Regional Transportation CFF and the Sewer/Recycled Water System CFF including establishing a new In-Lieu Community Parks Dedication Fee.

The CFF program provides a source of revenue by which new development within the City will contribute their fair share of the costs that directly impact the need to construct infrastructure or expand community public facilities to meet growth needs. The City's CFF program funds improvements in the following categories:

1. Transportation
  - a. Local
  - b. Regional
2. Culture and Leisure
3. Municipal Services
4. Storm Drainage
5. Administration
6. San Joaquin County Multi-Species Habitat
7. Environmental Mitigation
8. Park-In-Lieu
9. Water
10. Surface Water
11. Sewer

The Annual CFF report (Attachment A), required by California Government Code 66006 et seq., was developed to identify the balances of fees in the Capital Facility Fee funds. The annual report provides the following information for each fee:

- a detailed description
- the fee amount
- beginning and ending balances for the fiscal year
- fees collected and interest earned
- transfers, refunds, and expenditures

The expenditures have been further broken down to identify the public improvements on which the fees were expended and the amount of expenditures for each improvement.

The Five-Year CFF Fund Report provides an overview of the improvement projects identified in the CFF program. The report lists the estimated cost for each project and the approximate date available. The fees and project costs are adjusted annually based on the annual changes to the Engineering News-Record Construction Cost Index (ENR CCI). The annual adjustment utilizing the ENR CCI ensures the current cost of construction and appropriate fees reflect the effects of inflation.



**CITY MANAGER'S REPORT  
JANUARY 13, 2020 CITY COUNCIL REGULAR MEETING  
CAPITAL FACILITY FEES FUND REPORT FOR FY 2018-2019**

**PAGE 3**

**REASON FOR RECOMMENDATION:**

The attached report was made public on December 21, 2019; section 66006 of the California Government Code requires a detailed report regarding collection and expenditure of fees in the CFF program. Under the California Government Code, the report is required to be made public. City Council shall review the information made available to the public at its next regular scheduled meeting.

**FISCAL IMPACT:**

The cost for this item was staff time and materials to complete the attached report.

**ATTACHMENTS:**

- A. Capital Facility Fee Funds Report for report period Fiscal Year 2018-2019
- B. Five Year Capital Facility Funds Report for report period: July 1, 2018 to June 30, 2019.

**CITY MANAGER'S REPORT  
JANUARY 13, 2020 CITY COUNCIL REGULAR MEETING  
CAPITAL FACILITY FEES FUND REPORT FOR FY 2018-2019**

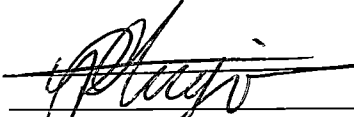
**APPROVALS:**

  
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Yesenia Linnell  
Senior Management Analyst

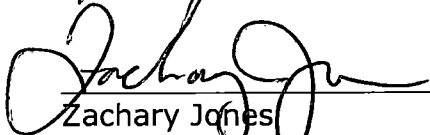
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Date

  
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Michael King  
Director of Public Works


12-18-19  
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Date

*for*   
\_\_\_\_\_  
Mark Meissner  
Director of Community Development

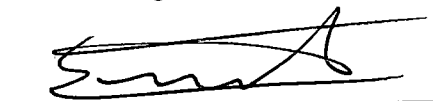
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Zachary Jones  
Director of Parks & Recreation

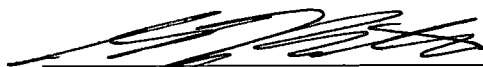
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Date

  
\_\_\_\_\_  
Cari James  
Finance & Administrative  
Services Director

12/18/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

12-18-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

1.7.20  
\_\_\_\_\_  
Date

# City of Lathrop

## Capital Facility Fee Funds Report 2018 – 2019

Made Pursuant to Government Code  
Section 66000 et seq.

Made Available for Public Review on:  
December 20, 2019

City Council Agenda Date:  
January 13, 2020

For further information, please contact:  
Yesenia Linnell, Public Works Department  
(209) 941-7430



### Capital Facility Fee Fund Listing

Regional Transportation Impact Fee – 2230 .....	3
Local Transportation Impact Fee – 2250 .....	5
Culture and Leisure Capital Facility Fee – 2260 .....	7
Municipal Services Capital Facility Fee – 2270.....	10
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Administration Capital Facility Fee – 2290.....	16
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**Regional Transportation Impact Fee – 2230**

**1. Fee Information**

a. Description and History of Fee: This fee was collected to fund street improvements for Lathrop’s regional roadways. The fee originated in 1990 and was adopted by Lathrop City Council on October 10, 1990. The Regional Transportation Fee was calculated in coordination with the San Joaquin County Council of Governments to provide countywide transportation improvements for street and highway projects identified in the Congestion Management Program (CMP). Improvements to both Lathrop and Interstate 5 are included in the CMP.

The fee was reevaluated in the November 1, 1994 CFF Update and was updated to reflect the effects of inflation. In addition, the McKinley Avenue and Yosemite Avenue Intersection Improvements were added to the CFF. Updates to the Regional fee were also done in September of 2003 and again in August of 2005. The 2003 and 2005 studies included adjusting the previous Capital Facility Fee in Historic Lathrop (East) to reflect the effects of inflation.

The San Joaquin Regional Transportation Impact Fee (RTIF) is automatically adjusted on an annual basis at the beginning of each fiscal year (July 1) based on the Engineering News Record California Construction Code Index (CCCI).

b. Amount of Fee: The Regional Transportation Fee was changed to the San Joaquin Regional Transportation Impact Fee (RTIF) as of February 20, 2006. Funds collected as a result of the newly adopted fee are reported in Funds 2340 and 2360. **As of February 20, 2006, the Regional Transportation Fee is no longer collected.**

Land Use Type	Unit	FY 18/19
Residential (Single-Family)	DUE	\$-0-
Residential (Multi-Family)	DUE	\$-0-
Retail	Sq. Ft	\$-0-
Office	Sq. Ft	\$-0-
Commercial/Industrial	Sq. Ft	\$-0-



**2. Fund Information (During Reporting Period)**

	<u>Source</u>	<u>Amount</u>
a.	Beginning Fund Balance as of July 1, 2018	-
b.	Fees Collected	-
c.	Interest Earned	-
d.	Expenditures	-
e.	Transfer Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	-

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2230 expended during the reporting period? No

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2230 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2230 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Regional Transportation Impact Fee Fund 2230 does not currently have funds appropriated to any Capital Improvement Program (CIP) Projects for Fiscal Year 2019-20. Please refer to the City’s 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-2024.



## Local Transportation Impact Fee – 2250

### 1. Fee Information

a. Description and History of Fee: This fee is collected to fund street improvements for existing city streets to accommodate for increased road usage due to new development. The Crossroads fee is an exception in that it is collected to reimburse the developer for infrastructure that was built with the original project. The fee originated in 1990 and was adopted by the Lathrop City Council on October 10, 1990. The original fee was designed to fund the widening of local roads from two lanes to four lanes as well as the addition of traffic signals and turning lanes to increase the capacity of intersections. In 1990 the Engineering Report for the Lathrop Traffic Mitigation Fee identified an estimated 6.4 million in signal system, intersection and road widening improvements.

An update to the fee was adopted by the Lathrop City Council and adopted on November 1, 1994. The update included the same projects that were included in the original CFF, with the exception of Louise Avenue and the addition of the McKinley Avenue Mainline Improvements. The widening and improvements of Louise Avenue between Harlan Road and Fifth Street were completed prior to the 1994 update (with CFF funds as a contributing source) which is why Louise Avenue was omitted from the 1994 update.

The Local Transportation CFF was reevaluated in September 2, 2003 and again in August 1, 2005. The studies included adjusting the previous Capital Facility Fee in Historic Lathrop (East) to reflect the effects of inflation.

On August 3, 2015 City Council approved entitlements for the South Lathrop Specific Plan (SLSP) area. The entitlements required an update to the CFF program to establish fees to fund the improvements for the SLSP area. The SLSP CFF Study “Nexus Study” adopted on March 12, 2018 identified approximately 65.8 million in interchange improvements, road widening improvements, and railroad crossing improvements.

b. Amount of Fee: The amount of the fee varies by land use type and location.

<u>East Lathrop/North Harlan</u> <u>Land Use Type</u>	<u>Unit</u>	<u>July 1, 2018 to</u> <u>Dec. 31, 2018</u>	<u>Jan. 1, 2019 to</u> <u>June 30, 2019</u>
Single Family Residential	DU	\$3,558	\$3,661
Multi-Family Residential	DU	\$2,616	\$2,692
Commercial	1,000 sqft	\$4,859	\$4,999
Industrial	1,000 sqft	\$1,431	\$1,472

<u>Crossroads</u> <u>Land Use Type</u>	<u>Unit</u>	<u>July 1, 2018 to</u> <u>Dec. 31, 2018</u>	<u>Jan. 1, 2019 to</u> <u>June 30, 2019</u>
Commercial	Acre	\$29,417	\$30,263
Industrial	1,000 sqft	\$ 1,068	\$ 1,099



South Lathrop Specific Plan Land Use Type	Unit	July 1, 2018 to Dec. 31, 2018	Jan. 1, 2019 to June 30, 2019
Industrial/ Limited Industrial	1,000 sqft	\$ 4,516	\$ 4,639
Office Commercial	1,000 sqft	\$15,631	\$16,057
Retail Commercial	1,000 sqft	\$15,631	\$16,057
Warehouse	1,000 sqft	\$ 466	\$ 479

**2. Fund Information (During Reporting Period)**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 2,655,574
b.	Fees Collected	\$ 2,210,930
c.	Interest Earned	\$ 96,622
d.	Expenditures	\$ -
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 4,963,126

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2250 expended during the reporting period? No

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2250 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2250 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Local Transportation Impact Fee Fund 2250 currently has funds appropriated to the Capital Improvement Program (CIP) Project listed below for Fiscal Year 2019-20. Please refer to the City’s 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.

Project	Amount	% of Improvements
Louise Avenue & I-5, PS 06-06	\$ 500,000	19
120 & Yosemite Interchange, PS 17-09	\$1,100,000	96
Total	\$1,600,000	





## Culture and Leisure Capital Facility Fee – 2260

### 1. Fee Information

a. Description and History of Fee: The Culture and Leisure Capital Facility Fee is collected to fund costs for the completion of Neighborhood, Community and Linear Parks, a Library, Cultural Center, Senior Center and Community Center.

The Culture and Leisure Capital Facility Fee was first implemented with the adoption of the October 10, 1990 CFF Study Report. The original fee collected funds merely for Parks and a Library. The Capital Facility Fee program was reevaluated in 1994 and in addition to a park and library component, a component for a cultural center was added. Adopting this change increased the fee for both Single Family (from \$1,627 to \$1,789) and Multi-Family (from \$1,084 to \$1,295) residential dwelling units.

In September of 2003, the City Council again adopted a revision to the Culture and Leisure CFF. This amendment to the CFF was implemented to capture the new direction in which the City was headed. The City has since approved planned communities, that combined exceed 17,000 new homes, for Mossdale Landing, Central Lathrop Specific Plan Area and River Islands. These communities have pushed Lathrop's population well over the 12,980 projection for year 2010 (as of January 2011, the City of Lathrop's population was estimated at over 18,656) hence the need for an increase in facilities. The 2003 update increased the fee significantly for both Single Family and Multi-Family residential dwelling units and added a Senior Center to the list of facilities.

The 2005 update to the Culture and Leisure CFF split the fee into two separate components; Parks and Facilities. This was done to ensure enough monies were collected for both areas of culture and leisure as well as to ensure the importance of both sub-components. This update also included an increase to capture the effects of inflation.

The Culture and Leisure CFF was reevaluated May 3, 2018 adjusting the previous CFF to reflect the effects of inflation. The studies also included adjusting the total library space to 31,100 square feet at build out as well as a reduction in the library square footage standard to 475 square feet per 1,000 residents. Additionally, the 5.76 acre of land associated with the Generation Center was added to the CFF program with no net increase to the CFF rates for the Culture and Leisure Facility sub-component.



b. Amount of Fee: The amount of the fee varies by land use type and location.

	Accounting Period			
	July 1, 2018 to December 31, 2018		January 1, 2019 to June 30, 2019	
Land Use Type (Unit)	Historical Lathrop North Harlan Mossdale Village	Central Lathrop	Historical Lathrop North Harlan Mossdale Village	Central Lathrop
Single Family (DU)				
Parks	\$5,526	\$6,072	\$5,685	\$6,247
Facilities	\$3,386	\$3,386	\$3,483	\$3,483
Multi-Family (DU)				
Parks	\$3,947	\$4,338	\$4,060	\$4,463
Facilities	\$2,417	\$2,417	\$2,487	\$2,487

	Accounting Period			
	July 1, 2018 to Dec. 31, 2018		January 1, 2019 to June 30, 2019	
Land Use Type (Unit)	Mossdale Landing	Stewart Tract	Mossdale Landing	Stewart Tract
Single Family (DU)				
Parks	\$5,524	-	\$5,683	-
Facilities	\$2,218	\$3,386	\$2,282	\$3,483
Multi-Family (DU)				
Parks	\$3,945	-	\$4,059	-
Facilities	\$1,584	\$2,417	\$1,629	\$2,487

**2. Fund Information (During Reporting Period)**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 7,702,352
b.	Fees Collected	\$ 1,108,555
c.	Interest Earned	\$ 176,913
d.	Expenditures	-
e.	Transfers Out	(\$1,112,000)
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 7,875,820



**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2260 expended during the reporting period? No

**2e. Transfers and Loans: Description of Transfers and Loans made from fund.**

Were funds from Fund 2260 transferred or loaned during the reporting period? Yes

A total of \$1,112,000 was transferred from Fund 2260 to the Construction of Mossdale Neighborhood Park Project PK 19-03.

**2f. Refunds: Description of refunds made during reporting period.**

Were funds from Fund 2260 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Culture and Leisure Capital Facility Fee Fund 2260 does not currently have funds appropriated to any Capital Improvement Program (CIP) Projects for Fiscal Year 2019-20. Please refer to the City's 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-2024.

## Municipal Services Capital Facility Fee – 2270

### 1. Fee Information

a. Description and History of Fee: The Municipal Services Capital Facility Fee is collected to fund costs related to a new City Hall, Police Station, Corporation Yard and Animal Shelter needed to support the growth of the City.

The Municipal (City) Services Capital Facility Fee (CFF) was first implemented with the adoption of the October 10, 1990 CFF Study Report. The original fee collected monies to fund a new city hall, police station and a corporation yard for field staff (operations and maintenance). The Capital Facility Fee program was reevaluated in 1994 and in addition to the facilities previously adopted with the original study; a component for an Animal Control Facility was added. Adopting this change increased the fee for residential land use types as well as for commercial and industrial.

In September of 2003, the City Council again adopted a revision to the Municipal Services CFF. This amendment to the CFF was implemented to ensure that the City was collecting enough monies to fund the facilities needed to accommodate new development as the existing facilities (excluding city hall) do not meet the City's service level standards.

- The City currently contracts with the City of Manteca for its animal control shelter facilities since Lathrop does not have one of its own.
- The City's Police Services Department, which is currently contracted with the San Joaquin County Sheriff's Department, is too small to expand for the City's anticipated growth. At build out there will not be enough room to expand for the projected 1.5 sworn peace officers per 1,000 residents.
- The Corporation Yard facility that houses most of the City's field staff (maintenance and operations) as well as much of the city's equipment and vehicles is too small to accommodate for growth.

A 2005 update to the Municipal Services CFF increased the fee to reflect the effects of inflation. Additionally, a Performing Arts Center was added to accommodate the City's growing population and a Wireless Network was added to ensure that the City is keeping up with technology to offer residents and employees the highest level of service.

On August 3, 2015 City Council approved entitlements for the South Lathrop Specific Plan (SLSP) area. The entitlements required an update to the CFF program to establish fees to fund the improvements for the SLSP area. The SLSP CFF Study "Nexus Study" adopted on March 12, 2018 identified SLSP will also be subject fund future development fair share of the cost of municipal buildings and facilities.



b. About the Fee: The amount of the fee varies by land use type and location. The fees are as follows:

<b>Accounting Period</b>		
	<b>July 1, 2018 to December 31, 2018</b>	<b>January 1, 2019 to June 30, 2019</b>
<u>Land Use Type (Unit)</u>	East Lathrop/ North Harlan/ Mossdale Village/ Crossroads/ Central Lathrop/ Stewart Tract	East Lathrop/ North Harlan/ Mossdale Village/ Crossroads/ Central Lathrop/ Stewart Tract
Single Family (DU) Residential	\$3,793	\$3,902
Multi-Family (DU) Residential	\$2,709	\$2,787
Service Retail (Per 1,000 sq. ft.)	\$2,471	\$2,543
Other Non- Residential (Per 1,000 sq. ft.)	\$1,496	\$1,539

<b>Accounting Period</b>		
	<b>July 1, 2018 to December 31, 2018</b>	<b>January 1, 2019 to June 30, 2019</b>
<u>Land Use Type</u>	Mossdale Landing	Mossdale Landing
Single Family Residential	\$3,725	\$3,833
Multi-Family Residential	\$2,662	\$2,738
Service Retail per 1,000 sf.	\$2,419	\$2,488
Other Non- Residential per 1,000 sf.	\$1,464	\$1,506

<b>Accounting Period</b>		
	<b>July 1, 2018 to December 31, 2018</b>	<b>January 1, 2019 to June 30, 2019</b>
<u>Land Use Type</u>	South Lathrop Specific Plan	South Lathrop Specific Plan
Service Retail per 1,000 sf.	\$2,471	\$2,543
Other Non- Residential per 1,000 sf.	\$1,464	\$1,539



**2. Fund Information (During Reporting Period)**

	<u>Source</u>	<u>Amount</u>
a.	Beginning Fund Balance as of July 1, 2018	\$ 7,155,684
b.	Fees Collected	\$ 4,321,170
c.	Interest Earned	\$ 212,076
d.	Expenditures	(\$ 381,454)
e.	Transfers Out	(\$ 830,000)
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 10,477,476

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2270 expended during the reporting period? Yes

A total of \$381,454 was expended from Fund 2270 to service debt for the City Hall Facility.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2270 transferred or loaned during the reporting period? Yes

A total of \$830,000 was transferred from Fund 2270 to Police Building Project, GG 19-08.

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2270 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Municipal Services Fee Fund 2270 currently has funds appropriated to the Capital Improvement Program (CIP) Project listed below for Fiscal Year 2019-20. Please refer to the City’s 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.

<u>Project</u>	<u>Amount</u>	<u>% of Improvements</u>
Police Building, GG 19-08	\$4,170,000	95
Total	\$4,170,000	



## Storm Drainage Capital Facility Fee – 2280

### **1. Fee Information**

a. Description and History of Fee: This Storm Drainage Capital Facility Fee (CFF) is collected to fund storm drainage improvements to support new development. The Crossroads fee is an exception in that it is collected to reimburse the developer for infrastructure that was built with the original project.

On February 20, 1987, San Joaquin County Ordinance Number 3297 established a fee of \$1,000 per gross acre of land to reimburse the costs of establishing the storm drain system known as “City Service Zone 1”. This fee was to be updated every year by the Engineering News Record (ENR) Construction Cost Index for inflation.

On July 7, 1992, the City adopted a Storm Drain Master Plan which identified the facilities in place, existing deficiencies, and needed improvements for terminal storm drainage in areas of the existing City and surrounding area. Storm drainage CFFs were established in 1994. The City’s only terminal storm drain system consisted of the former County Service area 4, Zones A & B (designed by the County), which included most of the populated areas of the City at that time. This system has been expanded on several occasions as a result of new growth and has been re-designated as “Storm Drain City Zone 1”.

The Storm Drainage Capital Facility Fee was reevaluated in September 2, 2003 and again in August 1, 2005. The studies included adjusting the previous Capital Facility Fee in Historic Lathrop (East) to reflect the effects of inflation. Additionally, new CFF fees were established for the Mossdale development area to be used as funding for the improvement the development community would be constructing.

New development that occurs in the areas surrounding City Zone 1 must pay a fee to the Area of Benefit District No. 6, which was established by San Joaquin County (Ord. 3297) to reimburse the capital costs of constructing the trunk and outfall lines of the current system.

On August 3, 2015 City Council approved entitlements for the South Lathrop Specific Plan (SLSP) area. The entitlements required an update to the CFF program to establish fees to fund the improvements for the SLSP area. The SLSP CFF Study “Nexus Study” adopted on March 12, 2018 identified approximately 1.7 million to construct an outfall facility that would be allocated equally to the three developments that will benefit from this facility.



b. Amount of Fee: The amount of the fee varies by land use type and location.

Land Use Type	Unit	July 1, 2018 to December 31, 2018			January 1, 2019 to June 30, 2019		
		East Lathrop	North Harlan	Mossdale	East Lathrop	North Harlan	Mossdale
Low Density Residential	DU	\$894	\$894	\$341	\$919	\$919	\$351
Medium Density Residential	DU	-	-	\$234	-	-	\$241
High Density Residential	DU	-	-	\$183	-	-	\$188
Village Commercial	Acre	-	-	-	-	-	-
Service Commercial	Acre	\$6,144	\$6,144	\$4,231	\$6,321	\$6,321	\$4,353
Freeway Commercial	Acre	\$11,025	\$11,025	\$4,231	\$11,343	\$11,343	\$4,353
Neighborhood Commercial	Acre	\$2,729	\$2,729	\$4,231	\$2,808	\$2,808	\$4,353
Limited Industrial Zone 5	Acre	\$8,576	\$8,576	-	\$8,823	\$8,823	-
Limited Industrial Other Zones	Acre	\$4,780	\$4,780	-	\$4,918	\$4,918	-
General Industrial	Acre	\$5,804	\$5,804	-	\$5,971	\$5,971	-
Transit Station (Lathrop Road)	Acre	\$5,461	\$5,461	-	\$5,619	\$5,619	-
Fire Station (Yosemite)	Acre	\$6,144	\$6,144	-	\$6,321	\$6,321	-
Area of Benefit 6	Acre	\$2,383	-	-	\$2,451	-	-

<u>Crossroads Land Use Type</u>	<u>Unit</u>	<u>July 1, 2018 to Dec. 31, 2018</u>	<u>Jan. 1, 2019 to June 30, 2019</u>
Onsite	Acre	\$12,732	\$13,099
Offsite	Acre	\$ 7,260	\$ 7,469

<u>South Lathrop Specific Plan Land Use Type</u>	<u>Unit</u>	<u>July 1, 2018 to Dec. 31, 2018</u>	<u>Jan. 1, 2019 to June 30, 2019</u>
Office Commercial	1,000 sqft	\$380	\$390
Limited Warehouse	1,000 sqft	\$129	\$133
Warehouse	1,000 sqft	\$129	\$133





**2. Fund Information (During Reporting Period)**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 543,521
b.	Fees Collected	\$ 13,188
c.	Interest Earned	\$ 11,609
d.	Expenditures	(\$ 8,230)
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 560,088

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2280 expended during the reporting period? Yes

A total of 8,230 was expensed from Fund 2280 to reimbursed developers for constructing public improvements.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2280 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2280 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Storm Drainage Capital Facility Fee Fund 2290 does not currently have funds appropriated to any Capital Improvement Program (CIP) Projects for Fiscal Year 2019-20. Please refer to the City’s 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-2024.



**Administration Capital Facility Fee – 2290**

**1. Fee Information**

- a. Description and History of Fee: The purpose of the capital facility fee program is to provide a source of revenue by which new development within the City will contribute a fair and proportionate share of the cost of providing infrastructure and community facilities commensurate with the benefits received. Under Government Code Section 66000 et seq., the City is required to separately account for revenues and expenditures within the capital facilities fee funds and is allowed to apply an appropriate fee for administration of Transportation, Municipal Services, Culture and Leisure, and Regional Levee Fees as identified in the report titled “City of Lathrop Capital Facilities Fees, As Amended September 2, 2003” and the “Mossdale Tract Area Regional Urban Level of Flood Protection Levee Impact Fee, Nexus Study, Adopted by SJAFCA, Resolution No. 18-21, November 8, 2018”.
- b. Amount of Fee: This fee is calculated as a percentage of the capital facilities fees charged prior to issuance of the building permit. Currently the fee is 3% of all capital facility fees applicable to the project.

**2. Fund Information (During Reporting Period)**

	<u>Source</u>	<u>Amount</u>
a.	Beginning Fund Balance as of July 1, 2018	\$ 548,153
b.	Fees Collected	\$ 408,576
c.	Interest Earned	\$ 17,162
d.	Expenditures	-
e.	Transfers Out	\$(100,000)
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 873,890

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2290 expended during the reporting period? No

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2290 transferred or loaned during the reporting period? Yes

A total of \$100,000 was transferred from Fund 2290 to cover the Capital Facility Fee Program administration costs.



**2f. Description of refunds made during reporting period.**

Were funds from Fund 2290 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Administration Capital Facility Fee Fund 2290 does not currently have funds appropriated to any Capital Improvement Program (CIP) Projects for Fiscal Year 2019-20. Please refer to the City's 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-2024.



**Environmental Mitigation Capital Facility Fee – 2310**

**1. Fee Information**

a. Description and History of Fee: One of the environmental mitigation measures required in relation to development on the west side of Interstate 5 is the protection of habitat for the Riparian Brush Rabbit. To meet this requirement, land in the “oxbow” along the San Joaquin River was acquired, fenced, and maintained as protected habitat. This fee will be used to acquire the land and construct a fence needed to protect the rabbit as identified in the report titled “City of Lathrop Capital Facilities Fees, As Amended September 2, 2003.” Ongoing maintenance costs are to be funded through an endowment or other means, and are not included herein.

b. Amount of Fee: The amount of the fee varies by land use type and location and is only applicable to the Mossdale Landing area.

	July 1, 2018 to December 31, 2018	January 1, 2019 to June 30, 2019
Low Density Residential	\$199	\$205
Medium Density Residential	\$113	\$116
High Density Residential	\$ 41	\$ 42
Village Commercial	\$954	\$981
Service Commercial	\$954	\$981
Freeway Commercial	\$954	\$981
Waterfront Resort Commercial	\$954	\$981

**2. Fund Information During Reporting Period**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	-
b.	Fees Collected	\$ 1,817
c.	Interest Earned	\$ 9
d.	Expenditures	(\$ 1,826)
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	-



**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2310 expended during the reporting period? Yes

A total of 1,826 was expensed from Fund 2310 to reimburse developers for constructing public improvements.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2310 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2310 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-2020: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Environmental Mitigation Fund 2310 does not currently have funds appropriated to any Capital Improvement Program (CIP) Projects for Fiscal Year 2019-20. Please refer to the City's 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-2024.



**Regional Levee Impact Fee – 2315**

**1. Fee Information**

a. Description and History of Fee: In 2007, the legislature passed California State Bill 5 (SB5), which requires the state to develop and adopt a comprehensive Central Valley Flood Protection Plan (CVFPP), The CVFPP was approved by the Central Valley Flood Protection Board in June 2012. In January 2017, Lathrop City Council approved the Interim Urban Levee of Flood Protection Levee Impact Fee (Nexus Study), Ordinance No. 17-374, adding the fee to the Capital Facility Fee Program to fund the design and construction of levee system improvements to provide 200-year flood protection to the Reclamation District 17 area.

On December 10, 2018, Lathrop City Council approved the Regional Levee Impact Fee Collection Agreement with San Joaquin Area Flood Control Agency (SJAFC) and Cities of Lathrop, Manteca, Stockton and San Joaquin County for the collection of the San Joaquin Area Flood Control Agency Mossdale Tract Area Regional Urban Levee Flood Protection Development Impact Fee. Replacing the Interim Urban Levee of Flood Protection Levee Impact Fee as a result. The Regional Levee Impact Fee is collected by the Land Use Agencies in accordance with the agreement for collection of the San Joaquin Area Flood Control Agency Mossdale Tract Area Regional Urban Level of Flood Protection Development Impact Fee.

b. Amount of Fee: The amount of the fee varies by planned new development land use type.

	Per Gross Developable	Levee Impact July 1, 2018 to December 31, 2018	Levee Impact January 1, 2019 to June 30, 2019	Admin Fee January 1, 2019 to June 30, 2019
Single Family – Residential	Acre	\$17,054	\$18,148	\$544
Multi-Family - Residential	Acre	\$18,667	\$16,525	\$496
Commercial	Acre	\$19,236	\$17,187	\$516
Industrial	Acre	\$15,080	\$14,300	\$429

**2. Fund Information During Reporting Period**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 73,298
b.	Fees Collected	\$1,643,922
c.	Interest Earned	\$ 281
d.	Expenditures	(\$1,716,248)
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 1,254



**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2315 expended during the reporting period? Yes

A total of \$1,716,248 was expensed from Fund 2315 and transmitted to SJAFCA pursuant to the approved Regional Levee Impact Fee Collection Agreement for the Mossdale Tract Area Regional Urban Levee Flood Protection Development Impact Fee.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2315 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2315 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-2020: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Regional Levee Impact Fee Fund 2370 will not have funds appropriated to any Capital Improvement Program (CIP) Projects. Its purpose is to collect and transmit the development impact fee to SJAFCA to fund construction of the development impact fee projects identified in the Mossdale Tract Area Regional Urban Level of Flood Protection Levee Impact Fee Study "Final Nexus Study" adopted November 8, 2018, SJAFCA, Resolution No. 18-21.



**West Central Lathrop Transportation Capital Facility Fee – 2320**

**1. Fee Information**

a. Description and History of Fee: The West/Central Lathrop Regional Transportation Fee is a supplemental fee collected, in conjunction with the original 1997 WLSP (West Lathrop Specific Plan) Regional Transportation Fee, in order to fund traffic improvements needed as a result of new development. Negotiations between developers and City staff concluded that a West/Central Lathrop Regional Traffic Impact Fee would be added to the Capital Facilities Fee (CFF) Program that would help to fund projects identified in the 1997 WLSP Regional Fee as well as to fund newly added improvements.

The W/C Lathrop Regional Transportation Fee was derived as a result of a traffic study performed by TJKM Transportation Consultants that evaluated trips to / from the regional areas of Lathrop to / from five major service areas within Lathrop: Central Lathrop Specific Plan Area, Mossdale Village, River Islands, Historic Lathrop and area outside of the city limits.

The West Central Lathrop Transportation CFF was reevaluated January 23, 2019. After further review City staff found the project cost were consistent with current cost estimates to construct the improvements with exception of the Louise Avenue Interchange and the Paradise Avenue Interchange improvements. As a result, the fee study includes adjusting the previous CFF to reflect the effects of inflation as well as an increase to the rates for Central Lathrop, Mossdale Village and River Islands.

b. Amount of Fee: The amount of the fee varies by land use type and location.

July 1, 2018 to December 31, 2018					
Land Use Type	Unit	Mossdale Village	Mossdale Landing, ML East, ML South	Central Lathrop	River Islands – Stewart Tract
Single Family	DU	\$ 3,473	\$ 2,624	\$ 3,273	\$ 3,807
Multi-Family	DU	\$ 2,142	\$ 1,613	\$ 2,010	\$ 2,335
Retail Commercial	1,000 sf	\$ 5,502	\$ 4,159	\$ 4,169	\$ 6,330
Service/Office Commercial	1,000 sf	\$ 4,983	\$ 3,769	\$ 3,046	\$ 3,492

January 1, 2019 to June 30, 2019					
Land Use Type	Unit	Mossdale Village	Mossdale Landing, ML East, ML South	Central Lathrop	River Islands – Stewart Tract
Single Family	DU	\$ 3,573	\$ 2,699	\$ 3,658	\$ 4,113
Multi-Family	DU	\$ 2,204	\$ 1,659	\$ 2,245	\$ 2,525
Retail Commercial	1,000 sf	\$ 5,660	\$ 4,279	\$ 4,661	\$ 6,835
Service/Office Commercial	1,000 sf	\$ 5,126	\$ 3,878	\$ 3,405	\$ 3,774





**2. Fund Information (During Reporting Period)**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 4,756,355
b.	Fees Collected	\$ 1,373,218
c.	Interest Earned	\$ 113,566
d.	Expenditures	(\$ 2,556)
e.	Transfers Out	(\$ 503,406)
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 5,737,178

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2320 expended during the reporting period? Yes

A total of \$2,556 was expensed from Fund 2320 to reimbursed developers for constructing public improvements.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2320 transferred or loaned during the reporting period? Yes

A total of \$503,406 was transferred from Fund 2320 to the Manthey Road Bridge Replacement Project PS 12-04.

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2320 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The West Central Lathrop Transportation Capital Facility Fee Fund 2320 does not currently have funds appropriated to any Capital Improvement Program (CIP) Projects for Fiscal Year 2019-20. Please refer to the City’s 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.



**West Lathrop Specific Plan Regional Transportation Impact Fee – 2330**

**1. Fee Information**

a. Description and History of Fee: The West Lathrop Specific Plan (WLSP) Regional Transportation Impact Fee is collected from planned communities in the Central Lathrop area, Mossdale Village area and the River Islands area to fund regional road improvements needed as a result of new development west of Interstate 5.

The original fee was first developed in 1997 by the Fee Development Committee which is comprised of representatives from the City of Lathrop, San Joaquin Council of Governments, Caltrans, The Crane Transportation Group and Califia (a River Islands affiliate). The Committee was to evaluate existing transportation facilities to determine if they were sufficient to accommodate for new growth and, if insufficient, to identify the need for additional street infrastructure.

Upon determining a transportation level of service (LOS), the development projections for the City and project level impacts, a list of transportation system improvements was compiled. This list of improvements was utilized to determine a fee to fund the necessary improvement projects.

The West Central Lathrop Transportation CFF was reevaluated May 3, 2018. After further review City staff found the project cost were consistent with current cost estimates to construct the improvements with exception of the Louise Avenue Interchange and the Paradise Avenue Interchange improvements. As a result, the fee study includes adjusting the previous CFF to reflect the effects of inflation as well as an increase to the rates for Central Lathrop, Mossdale Village and River Islands.

b. Amount of Fee: The amount of the fee for the West Lathrop Specific Plan Regional Transportation Fee varies by land use type.

Land Use Type	Unit	July 1, 2018 to December 31, 2018	January 1, 2019 to June 30, 2019
Single Family	DU	\$ 343	\$ 353
Multi Family	DU	\$ 401	\$ 413
Retail Commercial	1,000 sf	\$ 1,918	\$ 1,973
Service Commercial	1,000 sf	\$ 532	\$ 547

**2. Fund Information During Reporting Period**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 365,998
b.	Fees Collected	\$ 158,635
c.	Interest Earned	\$ 8,022
d.	Expenditures	(\$ 360)
e.	Transfers Out	(\$ 200,000)
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 322,294



**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2330 expended during the reporting period? Yes

A total of \$360 was expensed from Fund 2330 to reimburse developers for constructing public improvements.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2330 transferred or loaned during the reporting period? Yes

A total of \$200,000 was transferred from Fund 2330 to the Manthey Road Bridge Replacement Project PS 12-04.

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2330 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The West Lathrop Specific Plan Regional Transportation Impact Fee Fund 2330 does not currently have funds appropriated to the Capital Improvement Program (CIP) Project for Fiscal Year 2019-20. Please refer to the City's 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.



**Lathrop Local East – 2340 and Lathrop Local West - 2360**

**1. Fee Information**

a. Description and History of Fee: The Regional Transportation Impact Fee (RTIF) San Joaquin County was adopted by City Council on December 20, 2005. This fee was adopted to address traffic volumes exceeding the capacity of the regional network of highways and arterials existing in San Joaquin County. It was determined that existing funding sources, including federal, state, and local sources, will be inadequate to construct the Regional Transportation Network needed to avoid unacceptable levels of traffic congestion and related adverse impacts.

The City of Lathrop has an existing local and regional transportation capital facilities fee (CFF) system in place which began with the West Lathrop Regional Transportation Impact Fee adopted in 1997. In 2003, the City created the West/Central Lathrop Regional Transportation CFF which picked up where the WLSP RTIF ended, by providing for other transportation improvements needed to meet the increase in development in West and Central Lathrop Specific Plan areas. Several other transportation-related CFFs (as covered in this report) have been created to address improvements as areas have developed.

The San Joaquin RTIF effectively updates and is incorporated into the WLSP RTIF. RTIF – Lathrop Local East (Fund 234) was created to account for fees collected from new development in East Lathrop under the new schedule. RTIF – Lathrop Local West (Fund 236) also accounts for fees collected for new development in West Lathrop under the San Joaquin RTIF fee schedule. Both funds will be used in accordance with the RTIF Operating Agreement in their prospective areas.

b. Amount of Fee: The amount of the fee varies by land use type and location. The fees are as follows:

Land Use Type	Unit	July 1, 2018 to December 31, 2018	January 1, 2019 to June 30, 2019
Single Family	DU	\$ 3,312	\$ 3,406
Multi Family	DU	\$ 1,987	\$ 2,044
Commercial/Industrial	1,000 sf	\$ 1,000	\$ 1,030
Service/Office Commercial	1,000 sf	\$ 1,660	\$ 1,710
Retail Commercial	1,000 sf	\$ 1,320	\$ 1,360
Warehouse	1,000 sf	\$ 420	\$ 430



**2a. Fund 234 – RTIF – Lathrop Local East**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 88,672
b.	Fees Collected	\$ 1,028,170
c.	Interest Earned	\$ 21,080
d.	Expenditures	(\$ 436)
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 1,137,486

**2c. Fund 236 – RTIF – Lathrop Local West**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 3,701,864
b.	Fees Collected	\$ 803,360
c.	Interest Earned	\$ 85,277
d.	Expenditures	(\$ 436)
e.	Transfers Out	(\$ 503,406)
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 4,086,659

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2340 and 2360 expended during the reporting period? Yes

A total of \$436 was expended from Fund 2340 and \$436 was expended from Fund 2360 to reimburse SJCOG for 3<sup>rd</sup> party costs pursuant to Section 6.4 of the RTIF Operating Agreement to regionally implement the RTIF program.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2340 and 2360 transferred or loaned during the reporting period? Yes

A total of \$503,406 was transferred from Fund 2360 to the Manthey Road Bridge Replacement Project PS 12-04.

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2340 and 2360 refunded during this reporting period? No



**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Lathrop Local East Fee Fund 2340 and Lathrop Local West Fee Fund 2360 do not currently have funds appropriated to the Capital Improvement Program (CIP) Project for Fiscal Year 2019-20. Please refer to the City's 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.



**Regional Transportation Impact Fee San Joaquin County – 2350**

**1. Fee Information**

a. Description and History of Fee: The Regional Transportation Impact Fee (RTIF) San Joaquin County was adopted by City Council on December 20, 2005. This fee was adopted to address traffic volumes exceeding the capacity of the regional network of highways and arterials existing in San Joaquin County. It was determined that existing funding sources, including federal, state, and local sources, will be inadequate to construct the Regional Transportation Network needed to avoid unacceptable levels of traffic congestion and related adverse impacts.

The Regional Transportation Impact Fee San Joaquin County (Fund 235) meets the agreement requirement to pay ten (10) percent of the total fee revenue collected to the County of San Joaquin for the purpose of funding RTIF Capital Projects within the County. Fund 235 has been set up to account for this revenue which is paid on a quarterly basis per the RTIF Operating Agreement.

b. Amount of Fee: The amount of the fee varies by land use type and location. Only 10 percent of the fee is placed in Fund 2350 (See Funds 2340 and 2360). The fund amounts are as follows:

**2. Fund 235 – RTIF SJ County 10%**

	<u>Source</u>	<u>Amount</u>
a.	Beginning Fund Balance as of July 1, 2018	\$ 75,676
b.	Fees Collected	\$ 249,188
c.	Interest Earned	\$ 2,631
d.	Expenditures	(\$ 327,495)
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ -

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2350 expended during the reporting period? Yes

A total of \$327,495 was expended from Fund 2350 and paid to the County of San Joaquin for the portion of fee dedicated to RTIF Capital Projects within the County.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2320 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2320 refunded during this reporting period? No



**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Regional Transportation Impact Fee (RTIF) Fund 2350 will not have funds appropriated to any Capital Improvement Program (CIP) Projects. Its purpose is to account for the amount that is paid to the County of San Joaquin for the portion of the fee dedicated to RTIF Capital Projects within the County.





**Regional Transportation Impact Fee**  
**San Joaquin Council of Governments 15% – 2370**

**1. Fee Information**

a. Description and History of Fee: The Regional Transportation Impact Fee (RTIF) Program Operating Agreement establishes the distribution of fee revenue collected by the participating agencies. Ten (10) percent of the fees collected by the City of Lathrop and each of the other participating agencies pass directly on to the San Joaquin Council of Governments (SJCOG) on a quarterly basis. This revenue is used to fund state highway improvements on the RTIF Project List. Another five (5) percent is paid directly to SJCOG on a quarterly basis to fund transit improvements on the RTIF Project List. Fund 237 was set up to account for this 15 percent of collected revenue to be passed on to SJCOG.

b. Amount of Fee: The amount of the fee is 15 percent of all fees collected under the RTIF Program (See Funds 2340 and 2360).

**2. Fund Information – RTIF SJCOG 15%**

	<u>Source</u>	<u>Amount</u>
a.	Beginning Fund Balance as of July 1, 2018	\$ 113,514
b.	Fees Collected	\$ 373,782
c.	Interest Earned	\$ 3,947
d.	Expenditures	(\$ 491,243)
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ -

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2370 expended during the reporting period? Yes

A total of \$491,243 was expended from Fund 2370 and paid to the San Joaquin Council of Governments (SJCOG) on a quarterly basis per the RTIF Operating Agreement.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2370 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2370 refunded during this reporting period? No



**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Regional Transportation Impact Fee San Joaquin Council of Governments (SJCOG) Fund 2370 will not have funds appropriated to any Capital Improvement Program (CIP) Projects. Its purpose is to account for the amount that is paid to SJCOG on a quarterly basis per the RTIF operating Agreement.



**Offsite Roadway Improvements Capital Facility Fee – 2380**

**1. Fee Information**

- a. Description and History of Fee: The Offsite Roadway Improvements Fee was adopted by Lathrop City Council on May 29, 2007. The purpose of the fee is to establish a funding mechanism to pay for the offsite roadway improvements applicable to the Land Park Portion of the Central Lathrop Specific Plan (CLSP) area. The fee is collected to fund an estimated 8.5 million of buildout improvements at six intersections (Roth Road/McKinley Avenue, Lathrop Road/5<sup>th</sup> Street, Lathrop Road/Airport Road, Louise Avenue/McKinley Avenue, Louise Avenue/Airport Road, and Yosemite Avenue/McKinley Avenue) impacted by the proposed CLSP development located east of Interstate 5. The calculations used for the CLSP offsite intersection CFFs are based on the assumptions and methodology used to calculate the West/Central Lathrop Regional Transportation CFF in the 2003 and 2005 CFF studies. The CLSP fair share of offsite intersection costs was allocated to each type of land use based on the adjusted number of afternoon peak hour trips. The cost allocated to each land use type were then divided by the number of units of development to arrive at the appropriate fee for each unit of new development.
- b. Amount of Fee: The amount of the fee varies by land use type and location.

Central Lathrop Land Use Type	Unit	July 1, 2018 to December 31, 2018	January 1, 2019 to June 30, 2019
Single Family	DU	\$ 142	\$150
Multi Family	DU	\$ 88	\$ 92
Retail Commercial	1,000 sf	\$ 182	\$191
Service/Office Commercial	1,000 sf	\$ 133	\$140

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2380 expended during the reporting period? No

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2380 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2380 refunded during this reporting period? No



**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Offsite Roadway Improvements Fee Fund 2380 does not currently have funds appropriated to any Capital Improvement Program (CIP) Projects for Fiscal Year 2019-20. Please refer to the City's 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.



**North Lathrop Transportation Capital Facility Fee – 2420**

**1. Fee Information**

a. Description and History of Fee: The North Lathrop Transportation Fee was established in January 2011. The purpose of the North Lathrop Transportation Fee is to establish a funding mechanism to pay for the planning, design, land acquisition, administration (including construction management and program management), and construction of the interchange and frontage road improvements (including streets, intersection relocations and traffic signals). The North Lathrop Study Area boundaries include the City of Lathrop, City of Manteca, and unincorporated San Joaquin County that are impacting the Roth/I5 Interchange and associated frontages

b. Amount of Fee: The amount of the fee varies by land use type and location.

July 1, 2018 to June 30, 2019		
Land Use Type	Unit	City of Lathrop N Lathrop Transportation
CLSP Residential	DU	\$ 647.57
CLSP Commercial	1,000 sf	\$ 3,546.23
N Lathrop Area – Residential	DU	\$ 766.87
N Lathrop Area – Commercial	1,000 sf	\$ 50,726.56
Gordon Trucking – Industrial	Acre	\$ 20,236.65
LN Industrial Building	1,000 sf	\$ 1,080.58
KSC Travel Center- Highway Commercial	Acre	\$ 103,022.98
<b>Other Lathrop Projects – Residential</b>	DU	\$ 747.20
Highway Commercial	1,000 sf	\$ 80,946.63

July 1, 2018 to June 30, 2019		
Land Use Type	Unit	City of Manteca N Lathrop Transportation
Center Point- Light Industrial	1,000 sf	\$ 815.33
<b>Other Manteca Projects – Light Industrial</b>	1,000 sf	\$ 1,357.99
Retail	1,000 sf	\$ 23,046.70

July 1, 2018 to June 30, 2019		
Land Use Type	Unit	San Joaquin County N Lathrop Transportation
Intermodal facility – Light Industrial	Acre	\$ 47,883.93
<b>Other SJ County Projects – Residential</b>	Acre	\$ 2,294.35
Retail	Acre	\$ 84,626.02
Light Industrial	Acre	\$ 7,132.36



**2. Fund Information during Reporting Period**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 452,649
b.	Fees Collected	-
c.	Interest Earned	\$ 9,674
d.	Expenditures	-
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 462,323

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 2420 expended during the reporting period? No

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 2420 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 2420 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The North Lathrop Transportation Fee Fund 2420 currently has funds appropriated to the Capital Improvement Program (CIP) Project listed below for Fiscal Year 2019-20. Please refer to the City’s 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.

Project	Amount	% of Improvements
Roth Road/I-5 Improvements, PS 14-04	\$457,269	76
Total	\$457,269	



**Park in Lieu – 3410**

**1. Fee Information**

a. Description and History of Fee: This fee is collected under the authority of the Quimby Act, California Government Code Section 66477, to fund the acquisition of parkland needed to support new residential development. The fee is only charged in cases where parkland is not dedicated as part of a subdivision. The locations of the projects to be funded are generally described in the “Comprehensive General Plan and Environmental Impact Report for the City of Lathrop, California, December 1991.”

b. Amount of Fee: The amount of the fee varies from project to project but is always equal to the market value of the land for which the fee is being paid in lieu. Dedication (or payment of fees) is required in an amount necessary to provide five (5) acres of parkland per 1,000 new residents. An average rate of 3.59 people per household, results in park dedication of approximately one (1) acre of land for every 55.71 dwelling units.

**2. Fund Information (During Reporting Period)**

	<u>Source</u>	<u>Amount</u>
a.	Beginning Fund Balance as of July 1, 2018	\$ 263,353
b.	Fees Collected	-
c.	Interest Earned	\$ 5,629
d.	Expenditures	-
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 268,982

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 3410 expended during the reporting period? No

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 3410 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 3410 refunded during this reporting period? No



**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Park in Lieu Fee Fund 3410 currently does not have funds appropriated to the Capital Improvement Program (CIP) Project for Fiscal Year 2019-20. Please refer to the City's 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.



## Water Capital Facility Fee – 5610

### 1. Fee Information

a. Description and History of Fee: The Water Capital Facility Fee is collected to fund improvements to water facilities in support of new development as well as to upgrade and maintain the City's existing system. A water component, based on the city's planned development, was not added to the Capital Facility Fee Program until the 1994 update as the City's updated General Plan was not yet complete. The 1994 study, added a fee based on land usage and type appropriate for the City's future growth to fund and maintain new and existing water facilities. The Capital Facility Fee Program was updated in 2003 to reflect the direction in which the city was headed (and reevaluated in 2005 to show the impacts of inflation). The 2003 and 2005 studies identified facilities to accommodate for growth west of Interstate 5 as well as growth and improvements in Historic Lathrop.

At the present time, Lathrop obtains water supplies from the underlying groundwater basin using five active wells. Along with the five wells, the City's existing water system includes four above ground storage tanks, four booster pump stations, and over 77 miles of distribution pipelines.

Four separate water system Capital Facility Fees have been set up to address the current underground water supply.

- ✓ An updated water system CFF for East Lathrop based on a system buy-in approach since the water system in that area is largely built out;
- ✓ An incremental cost for West/Central Lathrop to reflect the cost of adding arsenic treatment to groundwater wells and for a portion of the cost of a standby well to provide additional water system reliability for the entire City;
- ✓ An incremental cost CFF for the Mossdale Landings developments associated with the cost of a 1.0 MG storage reservoir;
- ✓ A reimbursement CFF for the Crossroads area.

On August 3, 2015 City Council approved entitlements for the South Lathrop Specific Plan (SLSP) area. The entitlements required an update to the CFF program to establish fees to fund the improvements for the SLSP area. The SLSP CFF Study "Nexus Study" adopted on March 12, 2018 identified approximately 3.3 million to construct the water system facilities. SLSP's fair share of the cost is 30% and the remainder of the 3.3 million cost would be funded by other developments that will benefit from this facility. The Water Capital Facility Fee was reevaluated May 3, 2018. The studies included adjusting the previous Capital Facility Fee to reflect the effects of inflation.



b. Amount of Fee: The amount of the fee varies by meter size and location. The current fees are as follows:

July 1, 2018 to December 31, 2018					
Meter Size	East Lathrop	Crossroads	North Harlan	Mossdale Village/Landing – Central Lathrop & Stewart Tract	Mossdale Landing (Storage)
5/8	\$ 3,456	\$ 4,256	\$ 3,248	\$ 756	\$ 895
1 FS	\$ 3,456	N/A	\$ 3,248	\$ 756	\$ 895
¾	\$ 5,185	\$ 6,384	\$ 4,872	\$ 1,134	\$ 1,343
1	\$ 8,640	\$ 10,640	\$ 8,120	\$ 1,891	\$ 2,238
1 ½	\$ 17,279	\$ 21,279	\$ 16,239	\$ 3,781	\$ 4,475
2	\$ 27,647	\$ 34,046	\$ 25,983	\$ 6,050	\$ 7,162
3	\$ 51,838	\$ 63,836	\$ 48,718	\$ 11,345	\$ 13,428
4	\$ 86,397	\$ 106,393	\$ 81,196	\$ 18,908	\$ 22,380
6	\$ 172,793	\$ 212,787	\$ 162,392	\$ 37,817	\$ 44,759
8	\$ 276,469	\$ 340,459	\$ 259,827	\$ 60,508	\$ 71,615
10	\$ 501,100	\$ 617,082	\$ 470,936	\$ 109,669	\$ 129,802

January 1, 2019 to June 30, 2019					
Meter Size	East Lathrop	Crossroads	North Harlan	Mossdale Village/Landing – Central Lathrop & Stewart Tract	Mossdale Landing (Storage)
5/8	\$ 1,266	\$ 1,432	\$ 1,190	\$ 778	\$ 921
1 FS	\$ 1,266	N/A	\$ 1,190	\$ 778	\$ 921
¾	\$ 1,900	\$ 2,148	\$ 1,785	\$ 1,167	\$ 1,382
1	\$ 3,167	\$ 3,580	\$ 2,975	\$ 1,946	\$ 2,303
1 ½	\$ 6,332	\$ 7,159	\$ 5,952	\$ 3,890	\$ 4,604
2	\$ 10,131	\$ 11,455	\$ 9,522	\$ 6,224	\$ 7,368
3	\$ 18,998	\$ 21,478	\$ 17,854	\$ 11,671	\$ 13,814
4	\$ 31,662	\$ 35,797	\$ 29,757	\$ 19,453	\$ 23,025
6	\$ 63,324	\$ 71,594	\$ 59,512	\$ 38,905	\$ 46,048
8	\$ 101,318	\$ 114,550	\$ 95,219	\$ 62,249	\$ 73,677
10	\$ 183,639	\$ 207,623	\$ 172,585	\$ 112,826	\$ 133,539



The amount of the fee rates in the SLSP development area are per 1,000 square feet of building space. The current fees are as follows:

<u>South Lathrop Specific Plan</u> <u>Land Use Type</u>	<u>Unit</u>	<u>July 1, 2018 to</u> <u>Dec. 31, 2018</u>	<u>Jan. 1, 2019 to</u> <u>June 30, 2019</u>
Office Commercial	1,000 sqft	\$ 988	\$989
Limited Warehouse	1,000 sqft	\$ 467	\$468
Warehouse	1,000 sqft	\$ 133	\$134

**2. Fund Information during Reporting Period**

	<u>Source</u>	<u>Amount</u>
a.	Beginning Fund Balance as of July 1, 2018	\$ 1,862,179
b.	Fees Collected	\$ 516,377
c.	Interest Earned	\$ 45,534
d.	Expenditures	(\$ 16,578)
e.	Transfers Out	-
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 2,407,512

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 5610 expended during the reporting period? Yes

A total of \$16,578 was expensed from Fund 5610 to reimbursed developers for constructing public improvements.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 5610 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 5610 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Water Capital Facility Fee Fund 5610 currently does not have funds appropriated to the Capital Improvement Program (CIP) Project for Fiscal Year 2019-20. Please refer to the City’s 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.



## Surface Water Capital Facility Fee – 5640

### 1. Fee Information

a. Description and History of Fee: The Surface Water Supply Capital Facility Fee is collected to fund The City of Lathrop’s proportionate share of costs related to the South County Surface Water Supply Project (SCSWSP) with the South San Joaquin Irrigation District (SSJID).

The South County Surface Water Supply Project is a joint project between the Cities of Lathrop, Manteca, Escalon and Tracy that built a water treatment facility (the Nick C. DeGroot Treatment Facility), a pipeline to transport raw water from the Woodward Reservoir to the treatment facility and additional pipelines to transport the treated water to the participating cities.

Prior to the SCSWSP the city obtained all of its water supplies from the underlying groundwater basin using wells. With new development and recognizing the limitations of the groundwater resources the SCSWSP was needed. The City issued COPs in 2000 to help pay for the planning, engineering, and design costs associated with the project. Additionally, revenue bonds were issued in 2003 with a par value of \$32,530,000 to fund construction costs for the city’s capacity.

On August 3, 2015 City Council approved entitlements for the South Lathrop Specific Plan (SLSP) area. The entitlements required an update to the CFF program to establish fees to fund the improvements for the SLSP area. The SLSP CFF Study “Nexus Study” adopted on March 12, 2018 identified that the SLSP is also subject to the Surface Water Impact fee. The Surface Water Capital Facility Fee was reevaluated May 3, 2018. The studies included adjusting the previous Capital Facility Fee to reflect the effects of inflation.

b. Amount of Fee: The amount of the fee varies by land use type and location.

<b>July 1, 2018 to December 31, 2018</b>			
<b>Meter Size</b>	<b>East Lathrop, North Harlan, &amp; Crossroads</b>	<b>West Central Lathrop</b>	<b>Mossdale Village</b>
5/8	\$ 747	\$ 3,692	\$ 3,476
1” FS	\$ 747	\$ 3,692	\$ 3,476
¾	\$ 1,122	\$ 5,538	\$ 5,213
1	\$ 1,869	\$ 9,230	\$ 8,689
1 ½	\$ 3,739	\$ 18,460	\$ 17,378
2	\$ 5,981	\$ 29,536	\$ 27,805
3	\$ 11,214	\$ 55,380	\$ 52,135
4	\$ 18,692	\$ 92,300	\$ 86,891
6	\$ 37,382	\$ 184,600	\$ 173,783
8	\$ 59,812	\$ 295,360	\$ 278,053
10	\$ 108,408	\$ 535,340	\$ 503,971



January 1, 2019 to June 30, 2019			
Meter Size	East Lathrop, North Harlan, Crossroads, & SLSP	West Central Lathrop	Mossdale Village
5/8	\$ 2,635	\$ 5,768	\$ 4,261
1" FS	\$ 2,635	\$ 5,768	\$ 4,261
3/4	\$ 3,953	\$ 8,652	\$ 6,392
1	\$ 6,588	\$ 14,420	\$ 10,653
1 1/2	\$ 13,177	\$ 28,840	\$ 21,305
2	\$ 21,083	\$ 46,144	\$ 34,088
3	\$ 39,531	\$ 86,520	\$ 63,915
4	\$ 65,885	\$ 144,200	\$ 106,525
6	\$ 131,770	\$ 288,400	\$ 213,050
8	\$ 210,832	\$ 461,440	\$ 340,880
10	\$ 382,132	\$ 836,360	\$ 617,845

**2. Fund Information during Reporting Period**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 20,214
b.	Fees Collected	\$ 296,855
c.	Interest Earned	\$ 4,176
d.	Expenditures	-
e.	Transfers Out	\$ (49,500)
f.	Refunds	-
g.	Ending Fund Balance as of June 30, 2019	\$ 271,744

**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 5640 expended during the reporting period? No

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 5640 transferred or loaned during the reporting period? Yes

A total of \$49,500 was transferred from Fund 5640 to cover debt service on existing surface water improvements.



**2f. Description of refunds made during reporting period.**

Were funds from Fund 5640 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-2020: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Surface Water Supply Fund Fee 5640 does not currently have funds appropriated to any Capital Improvement Program (CIP) Projects. The fund pays for the costs related to the South County Surface Water Supply Program Project.



**Sewer Capital Facility Fee – 6030**

**1. Fee Information**

a. Description and History of Fee: The Sewer Capital Facilities Fees, adopted in 1993, are collected in order to fund new sewer facilities to accommodate new development as well as to provide improvements to the city’s existing facilities. The Crossroads fee is an exception in that it is collected to reimburse the developer for infrastructure that was built with the original project. Lathrop’s existing facilities consist of: 14.7% capacity of the Manteca Water Quality Control Facility to service the Historic Lathrop area, and the Consolidated Treatment Facility (CTF) to service development west of Interstate 5 and for businesses located within the Crossroads development area. The CTF represents a consolidation of the two previous Lathrop treatment facilities, the Membrane Biological Reactor (MBR) Treatment Facility and the Water Recycling Plant (WRP1). An update to the Sewer Capital Facilities Fee was implemented in 2003 and again in 2005 to show the effects of inflation.

The city plans to expand the capacity of the existing CTF plant to accommodate for future growth in the Mossdale Landing and River Islands areas and for Richland Communities development.

On August 3, 2015 City Council approved entitlements for the South Lathrop Specific Plan (SLSP) area. The entitlements required an update to the CFF program to establish fees to fund the improvements for the SLSP area. The SLSP CFF Study “Nexus Study” adopted on March 12, 2018 identified that the SLSP is also subject to the Sewer Capital Facility Fee. The fee was reevaluated in January 23, 2019 CFF update and was updated to reflect the effects of inflation. In addition, the CLSP Sewer/Recycled Water Facilities CFF was added to the CFF program.

b. Amount of Fee: The amount of the fee varies by land use type and location.

July 1, 2018 to December 31, 2018					
Meter Size	East Lathrop & North Harlan	Crossroads	Central Lathrop and Stewart Tract (recycled Water Outfall)	Mossdale Sewer Collect/ Recycle Dist.	Mossdale, and Mossdale Village (Recycled Water Outfall)
5/8	\$ 5,538		\$ 45	\$ 1,083	\$ 45
1” FS	\$ 5,538		\$ 45	\$ 1,083	\$ 45
3/4	\$ 8,306		\$ 69	\$ 1,623	\$ 69
1	\$ 13,844		\$ 114	\$ 2,706	\$ 114
1 ½	\$ 27,688		\$ 227	\$ 5,410	\$ 227
2	\$ 44,301		\$ 363	\$ 8,657	\$ 363
3	\$ 83,064		\$ 683	\$ 16,232	\$ 683
4	\$ 138,440		\$ 1,138	\$ 27,052	\$ 1,138
6	\$ 276,879		\$ 2,275	\$ 54,104	\$ 2,275
8	\$ 443,007		\$ 3,640	\$ 86,566	\$ 3,640
10	\$ 802,950		\$ 6,598	\$156,903	\$ 6,598
ISU	\$ 8,466				
GPD		\$40.95			



January 1, 2019 to June 30, 2019					
Meter Size	East Lathrop & North Harlan	Crossroads	Central Lathrop and Stewart Tract (Recycled Water Outfall)	Mossdale Sewer Collect/ Recycle Dist.	Mossdale, Mossdale Village, and SLSP (Recycled Water Outfall)
5/8	\$ 5,697		\$ 47	\$ 1,114	\$ 47
1" FS	\$ 5,697		\$ 47	\$ 1,114	\$ 47
3/4	\$ 8,545		\$ 71	\$ 1,670	\$ 71
1	\$ 14,242		\$ 118	\$ 2,784	\$ 118
1 ½	\$ 28,485		\$ 234	\$ 5,566	\$ 234
2	\$ 45,576		\$ 374	\$ 8,906	\$ 374
3	\$ 85,455		\$ 702	\$ 16,699	\$ 702
4	\$ 142,425		\$ 1,171	\$ 27,831	\$ 1,171
6	\$ 284,850		\$ 2,341	\$ 55,662	\$ 2,341
8	\$ 455,759		\$ 3,745	\$ 89,058	\$ 3,745
10	\$ 826,064		\$ 6,788	\$161,419	\$ 6,788
ISU	\$ 8,710				
GPD		\$42.12			

Central Lathrop Land Use Type	Unit	July 1, 2018 to Dec. 31, 2018	Jan. 1, 2019 to June 30, 2019
Single Family - Residential	DU	\$ -	\$2,661
Multi-Family - Residential	DU	\$ -	\$2,262
Commercial		\$ -	\$ 601
Industrial		\$ -	\$ 601

**3. Fund Information during Reporting Period**

	Source	Amount
a.	Beginning Fund Balance as of July 1, 2018	\$ 1,573,745
b.	Fees Collected	\$ 336,417
c.	Interest Earned	\$ 38,987
d.	Expenditures	(\$ 8,409)
e.	Transfers Out	-
f.	Refunds	-
g.	Prior Year Adjustments	-
h.	Ending Fund Balance as of June 30, 2019	\$ 1,940,741





**2d. Expenditure Summary: Identification of each improvement on which reportable fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that was funded with reportable fees:**

Were funds from Fund 6030 expended during the reporting period? Yes

A total of \$8,409 was expensed from Fund 6030 to reimbursed developers for constructing public improvements.

**2e. Description of Transfers and Loans made from fund.**

Were funds from Fund 6030 transferred or loaned during the reporting period? No

**2f. Description of refunds made during reporting period.**

Were funds from Fund 6030 refunded during this reporting period? No

**3. Planned Projects for Fiscal Year 2019-20: Identification of each improvement on which reportable fees will be expended and the amount of the expenditures on each improvement, including the total percentage of the cost of each project of the district that will be funded with reportable fees:**

The Sewer Capital Facility Fee Fund 6030 currently has no funds appropriated to any Capital Improvement Program (CIP) Projects for Fiscal Year 2019-20. Please refer to the City's 2019-2024 Capital Improvement Program adopted by City Council June 12, 2019, Resolution 19-4590.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Transportation Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund street improvements on the east side of Interstate 5. The projects to be funded are listed in the report titled "City of Lathrop Capital Facility Fees, as amended September 2, 2003. A portion of this fee is set aside for use on regional street improvements.

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

New development creates additional traffic on city streets. In order to provide for adequate capacity in the roadway system, improvements are needed. This fee will pay for those improvements.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

**CFF Fund 2230 - Reg Traff**  
**Impact Fee, 2250 Traffic**  
**Mitigation & 2340 SJ RTIF \***

Improvements	Cost of Improvement	Funding Anticipated to Complete Financing								
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other			2230	2250	2340
		%	Funding	Date Available [1]	%	Funding	Date Available			
Lathrop/Stratford Intersection Widening	178,515	100%	178,515	2018				X	X	
Lathrop/Avon Intersection Widening	178,515	100%	178,515	2018				X	X	
Lathrop/5th Street Intersection Widening	89,258	100%	89,258	2018				X	X	
Lathrop/McKinley Intersection Widening	89,258	100%	89,258	2030				X	X	
Louise/McKinley Intersection Widening	178,515	100%	178,515	2030					X	
McKinley/Yosemite/Vierra Intersection Widening	178,515	100%	178,515	2030					X	
Traffic Signal - Louise Avenue and McKinley	284,584	100%	284,584	2011					X	
Traffic Signal - Lathrop and Stratford	247,938	100%	247,938	2018				X	X	
Traffic Signal - Lathrop and McKinley	247,938	100%	247,938	2030				X	X	
Traffic Signal - Lathrop and Avon	247,938	100%	247,938	2030				X	X	
Traffic Signal - McKinley & Yosemite/Vierra	247,938	100%	247,938	2030					X	
Grade Separation - Lathrop @ UPRR	11,165,610	22%	2,492,548	2008	78%	\$ 8,673,062	2008	X	X	
Grade Separation - Lathrop @ SPRR	19,478,501	0%	0	2018	100%	\$ 19,478,501	2018	X	X	X
Harlan Road (Roth to Louise) Widening	516,537	100%	516,537	2030					X	
Lathrop Road (UPRR to SPRR) Widening	278,931	100%	278,931	2018				X	X	X
Roth Road (UPRR to SPRR) Widening	402,899	100%	402,899	2030					X	
Roth Road /I-5 Interchange	4,545,527	100%	4,525,086	2035					X	X
Lathrop Road /I-5 Interchange	14,497,133	100%	14,497,133	2035				X	X	X
Louise Avenue/I-5 Interchange	11,811,140	100%	11,811,140	2025				X	X	

\*Note: Fund 223 was closed as of Feb. 20,2006. Revenues for these projects will now come from Funds 234 and 236 as a result of the change from Regional Transportation Fee to San Joaquin Regional Transportation Impact Fee (RTIF).

[1] Dates shown were based on the 2005 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Culture and Leisure Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to funds parks, a library facility, senior center and cultural center needed to accommodate new development. The projects to be funded are listed in the report titled " City of Lathrop, Capital Facilities Fees, as amended September 2, 2003."

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

New development creates additional need for recreational facilities such parks, libraries, cultural and senior centers. This fee will pay for those improvement needed to provide these facilities.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

<b>CFF Fund 2260 - Culture and Leisure</b>		Funding Anticipated to Complete Financing					
Improvements	Cost of Improvement	Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other		
		%	Funding	Date Available [1]	%	Funding	Date Available
Neighborhood Parks [1]	\$ 49,388,797	100%	\$ 49,388,797	2030			
Community Parks [1]	\$ 64,357,262	100%	\$ 64,357,262	2030			
Linear Parks and Bikeways [1]	\$ 20,004,513	100%	\$ 20,004,513	2030			
Specialized Community Park Facilities[2]	\$ 22,480,130	100%	\$ 22,480,130	2030			
Library [2]	\$ 18,787,332	100%	\$ 18,787,332	2030			
Senior Center [2]	\$ 11,717,909	100%	\$ 11,717,909	2030			
Community Center Expansion [2]	\$ 4,163,480	100%	\$ 4,163,480	2030			

\*Note: A portion of the Culture and Leisure Improvements have been completed. Ten percent (10%) of the Mossdale CFF revenue collected is reimbursed to the developer/builder for the cost of the project.

[1] Dates shown were based on the 2005 CFF Update projections.

[2] Dates shown were based on the 2018 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Municipal Services Capital Facilities Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund a city hall, police station, corporation yard and animal control shelter needed to accommodate for new development. The projects to be funded are listed in the report titled "City of Lathrop, Capital Facilities Fees, as amended September 2, 2003."

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

New development creates additional need for city services including a larger city hall, police station, corporation yard and animal shelter. This fee will pay for those improvement needed to provide these facilities.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

CFF Fund 2270 - City Services		Funding Anticipated to Complete Financing					
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other		
Improvements	Cost of Improvement	%	Funding	Date Available [1]	%	Funding	Date Available
Police Facility	\$ 39,029,751	100%	\$ 39,029,751	2020			
Animal Control Shelter	\$ 8,508,295	100%	\$ 8,508,295	2030			
City Hall	\$ 28,898,444	100%	\$ 28,898,444	2030			
Corporation Yard	\$ 15,827,463	100%	\$ 15,827,463	2013			
Performing Arts Center	\$ 7,932,876	100%	\$ 7,932,876	2030			
Wireless Network	\$ 1,897,817	100%	\$ 1,897,817	2030			

[1] Dates shown were based on the 2005 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Storm Drainage Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund storm drain improvements needed to accommodate new development. The projects to be funded are listed in the report titled "City of Lathrop, Capital Facilities Fees, as amended September 2, 2003."

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

New development will create additional storm drainage run-off, which varies by the type of use (coverage of ground with impervious surfaces varies greatly depending on land use). This fee is calculated to spread the cost of needed storm drainage facilities based on the amount of water run-off is likely to occur from each type of land use.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

<b>CFF Fund 2280 - Storm Drain</b>		Funding Anticipated to Complete Financing					
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other		
Improvements	Cost of Improvement	%	Funding	Date Available [1]	%	Funding	Date Available
Mossdale Village Outfall *	\$ 1,784,641	100%	\$ 1,784,641	2030			
Trunkline "A-1" Improvements	\$ 3,337,828	100%	\$ 3,337,828	2030			
Trunkline "C" Improvements	\$ 5,410,013	100%	\$ 5,410,013	2030			

\*Note: Project was completed and accepted by the City on December 6, 2005. All Mossdale CFF revenue collected is reimbursed to the developer/builder for the cost of the project.

[1] Dates shown were based on the 2005 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Administration Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to defer the administrative costs of collecting and accounting for the funds collected for Transportation, City Services, and Culture and Leisure as identified in the report titled "City of Lathrop, Capital Facility Fee, as amended September 2, 2003."

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

Costs are incurred in collection of and accounting for the fees described above. These cost are reimbursed through this 2% fee.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

<b>CFF Fund 2290 - Administration</b>		Funding Anticipated to Complete Financing					
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other		
Improvements	Cost of Improvement	%	Funding	Date Available [1]	%	Funding	Date Available
CFF Report Update (Bi Annually)	\$ 75,913	100%	\$ 75,913	2020			

[1] Dates shown were based on the 2005 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Environmental Mitigation Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected from development on the west side of Interstate 5 in order to preserve the habitat of the Riparian Brush Rabbit as required by the environmental mitigation measures. This fee will be used to acquire the land and construct a fence needed to protect the rabbit.

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

New development on the west side of Interstate 5 will endanger the Riparian Brush Rabbit thus creating the need to protect it. This fee was created solely for that reason.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

<b>CFF Fund 2310 - Environmental Mitigation</b>		<b>Funding Anticipated to Complete Financing</b>					
Improvements	Cost of Improvement	Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other		
		%	Funding	Date Available [1]	%	Funding	Date Available
Rabbit Habitat Mitigation	\$ 728,454	100%	\$ 728,454	2030			

\*Note: Project was completed. All Mossdale CFF revenue collected is reimbursed to the developer/builder for the cost of the project.

[1] Dates shown were based on the 2005 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Transportation Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund street improvements on the west side of Interstate 5. The projects to be funded are listed in the report titled "City of Lathrop Capital Facility Fees, as amended September 2, 2003. A portion of this fee is set aside for use on regional street improvements.

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

New development creates additional traffic on city streets. In order to provide for adequate capacity in the roadway system, improvements are needed. This fee will pay for those improvements.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

**CFF Fund 2320 Reg Trans  
 Impact Fee, 2330 WLSP Reg  
 Trans & 2360 SJ RTIF**

Improvements	Cost of Improvement	Funding Anticipated to Complete Financing						1997 RTIF	2003 CFF	2003 CFF
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other					
		%	Funding	Date Available [1]	%	Funding	Date Available			
Arbor Ave from Macarthur to Paradise Ave	\$ 13,849,108	7%	\$ 979,230	2030	93%	\$ 12,869,878		X		
GVP Paradise Ave to Paradise Cut	\$ 45,772,851	69%	\$ 31,458,162	2030	31%	\$ 14,314,689	X	X	X	
GVP Paradise Cut to SJ River	\$ 31,439,045	72%	\$ 22,548,536	2030	28%	\$ 8,890,509	X	X	X	
GVP SJ River to River Edge Ave	\$ 4,173,236	73%	\$ 3,059,756	2030	27%	\$ 1,113,480	X	X	X	
GVP River Edge Ave to River Island Pkwy	\$ 8,527,479	73%	\$ 6,247,282	2030	27%	\$ 2,280,197	X	X	X	
GVP RIP to Lathrop Road	\$ 9,163,017	73%	\$ 6,733,999	2030	27%	\$ 2,429,018	X	X	X	
GVP Lathrop Road and CLSP no. boundary	\$ 7,183,999	70%	\$ 5,040,526	2030	30%	\$ 2,143,473	X	X	X	
GVP CLSP no. boundary to Roth Road	\$ 2,167,066	74%	\$ 1,611,274	2030	26%	\$ 555,791	X	X	X	
Roth Road Interchange Improvements	\$ 1,139,344	4%	\$ 47,055	2030	96%	\$ 1,092,288		X		
Lathrop Road Interchange Improvements	\$ 38,448,069	74%	\$ 28,595,884	2030	25%	\$ 9,467,704	X	X	X	
Lathrop Road from GVP to I-5	\$ 1,452,085	4%	\$ 63,594	2030	96%	\$ 1,388,490		X		
Louise Ave Interchange Improvements	\$ 40,552,787	17%	\$ 6,784,481	2030	83%	\$ 33,768,306		X		
RIP from I-5 to GVP	\$ 1,148,394	27%	\$ 310,632	2030	73%	\$ 837,762		X		
RIP from GVP to McKee Ave	\$ 2,298,799	18%	\$ 410,500	2030	82%	\$ 1,888,299		X		
RIP from McKee Ave to SJ River	\$ 15,091,023	13%	\$ 1,950,539	2030	87%	\$ 13,140,484		X		
RIP from SJ River to Broad Street	\$ 2,409,415	13%	\$ 309,369	2030	87%	\$ 2,100,046		X		
Broad St. from RIP to So. RIP	\$ 3,690,548	16%	\$ 579,416	2030	84%	\$ 3,111,132		X		
So. RIP from GVP to Broad St.	\$ 3,571,887	35%	\$ 1,241,448	2030	65%	\$ 2,330,439		X		



Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Transportation Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund street improvements on the west side of Interstate 5. The projects to be funded are listed in the report titled "City of Lathrop Capital Facility Fees, as amended September 2, 2003. A portion of this fee is set aside for use on regional street improvements.

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

New development creates additional traffic on city streets. In order to provide for adequate capacity in the roadway system, improvements are needed. This fee will pay for those improvements.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

**CFF Fund 2320 Reg Trans  
 Impact Fee, 2330 WLSP Reg  
 Trans & 2360 SJ RTIF**

Funding Anticipated to Complete Financing									
---	--	--	--	--	--	--	--	--	--

Improvements	Cost of Improvement	Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other			1997	2003	2003 CFF
		%	Funding	Date Available [1]	%	Funding	Date Available	RTIF	CFE	
Broad St. from So. RIP to GVP	\$ 2,774,447	9%	\$ 252,475	2030	91%	\$ 2,521,972				X
Paradise Ave interchange Improvements	\$ 31,522,509	67%	\$ 21,121,623	2030	33%	\$ 10,400,886	X			X
Paradise Ave from GVP to Paradise Cut	\$ 1,492,309	7%	\$ 104,461	2030	93%	\$ 1,387,848				X
Macarthur Dr. interchange Improvements	\$ 16,719,088	4%	\$ 728,952	2030	96%	\$ 15,990,136				X
Macarthur Dr. from 1-205 to Arbor Ave	\$ 2,074,551	7%	\$ 145,219	2030	93%	\$ 1,929,332				X
Traffic Signal at Macarthur Dr. & Arbor Ave.	\$ 714,981	6%	\$ 45,402	2030	94%	\$ 669,579				X
Traffic Signal at GVP and Paradise Ave.	\$ 714,981	8%	\$ 58,558	2030	92%	\$ 656,423				X
Traffic Signal at GVP and RIP	\$ 714,981	27%	\$ 190,543	2030	73%	\$ 524,438				X
Traffic Signal at GVP and Lathrop Road	\$ 714,981	9%	\$ 62,419	2030	91%	\$ 652,562				X
Traffic Signal at RIP and Broad St.	\$ 419,335	12%	\$ 52,041	2030	88%	\$ 367,294				X
Traffic Signal at Broad St. and So. RIP	\$ 419,335	15%	\$ 61,768	2030	85%	\$ 357,567				X
Traffic Signal at GVP and Broad St.	\$ 419,335	15%	\$ 62,775	2030	85%	\$ 356,560				X
Traffic Signal at GVP and So. RIP	\$ 419,335	22%	\$ 93,386	2030	78%	\$ 325,948				X

[1] Dates shown were based on the 2019 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Transportation Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund offsite roadway improvements for the Land Park, Central Lathrop Project Area. The projects to be funded are listed in the report titled "City of Lathrop Capital Facility Fees, as amended May 29, 2007.

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? YES

If yes, describe the reasonable relationship between the fee and its purpose.

New development creates additional traffic on city streets. In order to provide for adequate capacity in the roadway system, improvements are needed. This fee will pay for those improvements.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

**CFF Fund 2380 - CLSP Offsite Roadway Improvements**

Improvements	Cost of Improvement	Funding Anticipated to Complete Financing						
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other			
		%	Funding	Date Available [1]	%	Funding	Date Available	2380
Roth Road/McKinley Ave	1,416,532	16%	226,645	2030	84%	\$ 1,189,887		
Lathrop Road/5th Street	1,256,722	21%	263,912	2030	79%	\$ 992,810		
Lathrop Road/Airport Road	2,255,125	17%	383,371	2030	83%	\$ 1,871,754		
Louise Avenue/McKinley Avenue	2,482,786	9%	223,451	2030	91%	\$ 2,259,335		
Louise Avenue/Airport Road	2,781,504	8%	222,520	2030	92%	\$ 2,558,984		
Yosemite Avenue/McKinley Avenue	1,954,151	10%	195,415	2030	90%	\$ 1,758,735		

[1] Dates shown were based on the 2007 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Transportation Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund needed improvements to the Roth Road Interchange and frontage roads. The project to be funded is listed in the report titled "City of Lathrop Capital Facility Fees, as amended January 3, 2011.

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

New development creates additional traffic on city streets. In order to provide for adequate capacity in the roadway system, improvements are needed. This fee will pay for those improvements.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

**CFF Fund 2420 - North Lathrop Transportation**

Improvements	Cost of Improvement	Funding Anticipated to Complete Financing						2420		
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other					
		%	Funding	Date Available [1]	%	Funding	Date Available			
Roth Road/I-5 Interchange Improvements	36,340,281	48%	17,443,335	2036	52%	\$ 18,896,946				

[1] Dates shown were based on the 2011 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)

Name of Fund: Park in Lieu

Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee:

This fee is collected in order to fund acquisition of parkland needed to support new residential development. The fee is only charged in the event that adequate parkland is not dedicated by the developer as part of the subdivision in accordance with the Quimby Act. The location of the projects to be funded are generally described in the "comprehensive General Plan and Environmental Impact Report for the City of Lathrop, December, 1991."

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

According to the General Plan, the standard for park development is 2 acres of Neighborhood Parks per 1,000 residents and 3 acres of Community Parks per 1,000 residents. According to State Law, the City can require up to 5 acres of park land to be dedicated per every 1,000 people provided that the City already has that much park land within its planning area. In 1991, when the General Plan was adopted, the City had more than 5 acres per 1,000 people and, with additional parks developed since that time, has maintained that ratio. The dedication (or in-lieu) requirement is still valid.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

**CFF Fund 3410 - Park in Lieu**

Improvements		Funding Anticipated to Complete Financing					
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other		
Cost of Improvement		%	Funding	Date Available [1]	%	Funding	Date Available

[1] Dates shown were based on the 2005 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Water Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund improvements for existing water facilities as well as create new facilities needed in order to accommodate new development. The projects to be funded are listed in the report titled "City of Lathrop, Capital Facility Fee, as amended September 2, 2003.

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

The fee is based on the total amount of improvements to the water system including the creation of new water sources needed to serve the anticipated growth of the City. These costs were then transferred into per-gallon-per-day costs and allocated to the different land uses based on the average daily consumption rates. For non-residential uses, individual calculations will be made based on the estimated water usage.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

CFF Fund 5610 - Water Connection Fees		Funding Anticipated to Complete Financing					
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other		
Improvements	Cost of Improvement	%	Funding	Date Available [1]	%	Funding	Date Available
Existing Water System Buy In [2]	\$ 17,271,583	100%	\$ 17,271,583	2030	8%	\$ 1,467,293	
Well Improvements for W/C Lathrop [1]	\$ 41,152,270	100%	\$ 41,152,270	2030			
Water Storage for ML * and LS	\$ 2,833,062	100%	\$ 2,833,062	2030			

\*Note: The Mossdale Water Tank was completed. All Mossdale CFF revenue collected is reimbursed to the developer/builder for the cost of the project.

[1] Dates shown were based on the 2005 CFF Update projections.

[2] Dates shown were based on the 2018 CFF Update projections.

Five Year Capital Facilities Fee Fund Report  
 (Report Made Pursuant to Government Code Section 66000 et. seq.)  
 Name of Fund: Sewer Capital Facility Fee  
 Report Period: July 1, 2018 to June 30, 2019

1. Purpose of Fee: This fee is collected in order to fund improvements for existing sewer facilities as well as create new facilities needed in order to accommodate new development. The projects to be funded are listed in the report titled "City of Lathrop, Capital Facility Fee, as amended September 2, 2003.

2. Are the assumptions utilized in the development of the Capital Facility Fee still valid? **YES**

If yes, describe the reasonable relationship between the fee and its purpose.

The current fee is based on the total amount of improvements needed to serve the projected level of development divided by the number of gallons of sewage to be treated. The fees are then based on the average number of gallons for single family and multiple family with individual calculations made for each non-residential use based on estimated usage.

If no, what have you done or what are you doing to insure that a reasonable relationship exists between the fee and its purpose?

**CFF Fund 6030 - Sewer Connection Fees**

Improvements	Cost of Improvement	Funding Anticipated to Complete Financing					
		Source: Capital Facility Fee			Source: Measure K, Developer Contribution, Other		
		%	Funding	Date Available [1]	%	Funding	Date Available
Existing Sewer Collection Syst Buy In [1]	\$ 19,227,756	100%	\$ 19,227,756	2030	46%	\$ 8,930,986	
Recycled Water Outfall W/C Lathrop [1]	\$ 1,261,669	100%	\$ 1,261,669	2030			
Portion of Pump Station&Force Mains [2]	\$ 5,664,539	100%	\$ 5,664,539	2030			
Sanitary Sewer Mains [2]	\$ 3,043,948	100%	\$ 3,043,948	2030			
Recycled Water Mains [2]	\$ 3,306,409	100%	\$ 3,306,409	2030			
Additional Pump Station Cost [2]	\$ 796,434	100%	\$ 796,434	2030			
Estimated Additional Sewer Work [2]	\$ 3,683,509	100%	\$ 3,683,509	2030			
Sewer/Recycled Water System MV [1]	\$ 4,150,906	100%	\$ 4,150,906	2030	46%	\$ 1,911,136	

\*Note: A portion of the Sewer Capital Improvements have been completed. Ten percent (10%) of the Mossdale CFF revenue collected is reimbursed to the developer/builder for the cost of the project.

[1] Dates shown were based on the 2005 CFF Update projections.

[2] Dates shown were based on the 2019 CFF Update projections.

**CITY MANAGER'S REPORT  
JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING****ITEM: ACCEPT VARIOUS OFFSITE IMPROVEMENTS FROM  
SOUTH LATHROP LAND, LLC****RECOMMENDATION: Adopt Resolution Accepting Various Offsite  
Improvements from South Lathrop Land, LLC in the  
South Lathrop Specific Plan Area**

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**SUMMARY:**

South Lathrop Land, LLC (SLL); the developer for the South Lathrop Commerce Center (SLCC) Project, has constructed several offsite improvements in accordance with their Subdivision Improvement Agreement (SIA) for Parcel Map 17-01, dated September 10, 2018. City staff has inspected the off-site improvements and has deemed the improvements complete according to the approved plans and specifications.

In accordance with the three reimbursement agreements for public infrastructure constructed by SLL, the City is to perform an audit of the actual costs of the public improvements being considered for reimbursement once the improvements have been completed and are ready for City Council acceptance. In an effort to keep the project moving and allow staff to operate and maintain the new infrastructure, staff requests City Council accept the various offsite improvements in the South Lathrop Specific Plan Area from South Lathrop Land, LLC while still performing the necessary audit. Once the audit is complete, staff will ensure reimbursements match actual costs.

The Performance Bond No. K13490624 in the amount of \$27,338,888.50 and Labor and Materials Bond No. K13490624 in the amount of \$13,669,444.25 are to remain in place for work not completed including landscaping, linear park and sidewalk and to guarantee any warranty work that may be required within one (1) year of Council acceptance.

**BACKGROUND:**

On July 20, 2015, the South Lathrop Specific Plan (SLSP) was adopted by City Council and annexed to the City of Lathrop on June 14, 2016. The SLSP annexation includes a 99-acre portion of the Lathrop Gateway Business Park Specific Plan and encompasses a 315-acre area that includes commercial office uses, limited industrial uses and open space.

On April 18, 2016, City Council approved South Lathrop Commerce Center Vesting Tentative Parcel Map No. VTM 15-94 with Conditions of Approval for development consistent with SLSP. The SLCC Project is generally located at the southeast portion of the City limits bounded by State Route 120 to the north, San Joaquin River to the west, and the Union Pacific Railroad to the south.

**CITY MANAGER'S REPORT  
 JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING  
 ACCEPT VARIOUS OFFSITE IMPROVEMENTS FROM SLL**

On March 2, 2018, South Lathrop Land, LLC (SLL) purchased all of Richland Developers, Inc.'s land holdings and entitlements in SLSP so that SLL could take on the role of the master developer and build the infrastructure and improvements as shown and outlined in the previously approved Specific Plan and consistent with the related Development Agreement.

On July 9, 2018, City Council approved the "South Lathrop Regional Outfall Permit Agreement" between the City of Lathrop, Reclamation District 17 (RD 17) and SLL for construction, operation, and maintenance of the South Lathrop Regional Outfall Structure.

SLL has constructed several offsite improvements in accordance with their Subdivision Improvement Agreement and Development Agreement including the backbone infrastructure improvements, regional outfall structure, storm drain pump station, sanitary sewer pump station, traffic signal, and highway interchange improvements as listed in Table 1.

**Table 1: Offsite Improvements**

<b>IMPROVEMENTS</b>	<b>PLAN</b>	<b>DATE</b>	<b>BONDS</b>
Backbone Infrastructure Improvements	Improvement Plans PM 17-01 Backbone Infrastructure South Lathrop Commerce Center	August 2018	Labor and Materials Bond No. K13490624 for \$13,669,444.25  Performance Bond No. K13490624 for \$27,338,888.50
Regional Outfall Structure	South Lathrop Regional Outfall	June 2018	Labor and Materials Bond No. K13490624 for \$13,669,444.25  Performance Bond No. K13490624 for \$27,338,888.50
Storm Drain Pump Station	City of Lathrop South Lathrop Commerce Center Storm Water Pump Station	July 2018	Labor and Materials Bond No. K13490624 for \$13,669,444.25  Performance Bond No. K13490624 for \$27,338,888.50
Sanitary Sewer Pump Station	City of Lathrop Commerce Center Sewer Pump Station	January 2018	Labor and Materials Bond No. K13490624 for \$13,669,444.25  Performance Bond No. K13490624 for \$27,338,888.50
Traffic Signal	Improvement Plans PM 17-01 South Lathrop Commerce Center Yosemite Avenue/Glacier Street Traffic Signal	August 2018	Labor and Materials Bond No. K13490624 for \$13,669,444.25  Performance Bond No. K13490624 for \$27,338,888.50
Highway Interchange	Project Plans for Construction On State Highway In San Joaquin County On State Route 120	June 2019	Labor and Materials Bond No. K13490624 for \$13,669,444.25  Performance Bond No. K13490624 for \$27,338,888.50



The Performance Bond No. K13490624 in the amount of \$27,338,888.50 and Labor and Materials Bond No. K13490624 in the amount of \$13,669,444.25 provided with the SIA will remain in place to guarantee work not completed and to guarantee any warranty work that may be required within one (1) year of Council acceptance. Normally, the City would release the performance bond and labor and materials bond once the improvements are accepted by Council and require a one-year warranty bond to secure SLL's obligation to repair construction defects encountered during the one-year warranty bond period. The approximate value of the improvements being accepted is \$18,279,720, as shown in the GASB 34 report, included as Attachment C. Staff has inspected the off-site improvements and has deemed the improvements complete in accordance with the approved plans and specifications.

On March 11, 2019, the City entered into three Reimbursement Agreements with SLL for 1) South Lathrop Regional Outfall Structure and Related Facilities, 2) Public Infrastructure Relating to South Lathrop Commerce Center Benefitting Properties Within South Lathrop Specific Plan Area, and 3) Public Infrastructure Relating to South Lathrop Commerce Center Benefitting Properties Outside South Lathrop Specific Plan Area. The Reimbursement Agreements allow the City to perform an audit of the actual costs of the public improvements being considered for reimbursement once the improvements have been completed and are ready for City Council acceptance. In an effort to keep the project moving and allow the City to operate and maintain the new infrastructure, staff requests City Council accept the various offsite improvements in the South Lathrop Specific Plan Area from South Lathrop Land, LLC while still performing the necessary audit. Once the audit is complete, staff will ensure reimbursements match actual costs. SLL has provided a letter to the City, included as Attachment E, that acknowledges staff will complete the audit after Council acceptance.

**REASON FOR RECOMMENDATION:**

SLL has completed its obligation to construct the off-site improvements and therefore staff requests that the City Council accept the improvements.

**FISCAL IMPACT:**

The City's maintenance costs will increase due to the additional improvements that will have to be maintained. The cost to maintain these facilities will be paid through the newly established CFD No. 2019-01.

**ATTACHMENTS:**

- A. Resolution Accepting Various Offsite Improvements from South Lathrop Land, LLC in the South Lathrop Specific Plan Area
- B. Location Map for the South Lathrop Specific Plan Area

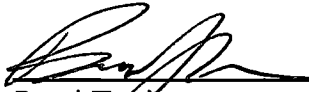
**CITY MANAGER'S REPORT  
JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING  
ACCEPT VARIOUS OFFSITE IMPROVEMENTS FROM SLL**

**PAGE 4**

- C. Project GASB 34 Report Reports Reflecting Approximate Value of Improvements
- D. Unconditional Waiver and Release on Final Payments
- E. Letter from South Lathrop Land, LLC Regarding the Reimbursement Agreements – dated January 7, 2020

**CITY MANAGER'S REPORT  
JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING  
ACCEPT VARIOUS OFFSITE IMPROVEMENTS FROM SLL**

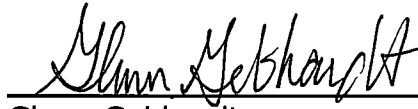
**APPROVALS:**

  
\_\_\_\_\_  
Brad Taylor  
Associate Engineer

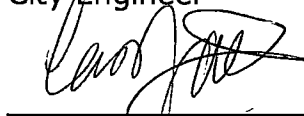
1/7/2020  
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Date

  
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Michael King  
Director of Public Works

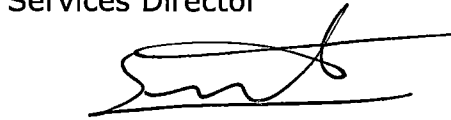
1-7-20  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Glenn Gebhardt  
City Engineer


1-8-2020  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Cari James  
Finance & Administrative  
Services Director

1-8-2020  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

1-8-20  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

1-9-20  
\_\_\_\_\_  
Date

**RESOLUTION NO. 20-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING VARIOUS OFFSITE IMPROVEMENTS FROM SOUTH LATHROP LAND, LLC IN THE SOUTH LATHROP SPECIFIC PLAN AREA**

**WHEREAS**, on July 20, 2015, the South Lathrop Specific Plan was adopted by City Council and annexed to the City of Lathrop on June 14, 2016; and

**WHEREAS**, on April 18, 2016, City Council approved South Lathrop Commerce Center Vesting Tentative Parcel Map No. VTM 15-94 with Conditions of Approval for development consistent with the South Lathrop Specific Plan; and

**WHEREAS**, on March 2, 2018, South Lathrop Land, LLC (SLL) purchased all of Richland Developers, Inc.'s land holdings and entitlements in the South Lathrop Specific Plan so that South Lathrop Land, LLC could take on the role of the master developer and build the infrastructure and improvements as shown and outlined in the previously approved Specific Plan and consistent with the related Development Agreement; and

**WHEREAS**, on July 9, 2018, City Council approved the "South Lathrop Regional Outfall Permit Agreement" between the City of Lathrop, Reclamation District 17 (RD 17) and South Lathrop Land, LLC for construction, operation, and maintenance of the South Lathrop Regional Outfall Structure; and

**WHEREAS**, South Lathrop Land, LLC has constructed several offsite improvements in accordance with their Subdivision Improvement Agreement and Development Agreement including the backbone infrastructure improvements, regional outfall structure, storm drain pump station, sanitary sewer pump station, traffic signal, and highway interchange improvements as listed in Table 1 within the City Manager's Report; and

**WHEREAS**, The Performance Bond No. K13490624 in the amount of \$27,338,888.50 and Labor and Materials Bond No. K13490624 in the amount of \$13,669,444.25 provided with the SIA will remain in place to guarantee work not completed and to guarantee any warranty work that may be required within one (1) year of Council acceptance; and

**WHEREAS**, the approximate value of the improvements being accepted is \$18,279,720, as shown in the GASB 34 report, included as Attachment C to the City Manager's Report of January 13, 2020; and

**WHEREAS**, staff has inspected the off-site improvements and has deemed the improvements complete in accordance with the approved plans and specifications; and

**WHEREAS**, on March 11, 2019, the City entered into three Reimbursement Agreements with SLL for 1) South Lathrop Regional Outfall Structure and Related Facilities, 2) Public Infrastructure Relating to South Lathrop Commerce Center Benefitting Properties Within South Lathrop Specific Plan Area, and 3) Public Infrastructure Relating to South Lathrop Commerce Center Benefitting Properties Outside South Lathrop Specific Plan Area; and

**WHEREAS**, the Reimbursement Agreements allow the City to perform an audit of the actual costs of the public improvements being considered for reimbursement once the improvements have been completed and are ready for City Council acceptance; and

**WHEREAS**, in an effort to keep the project moving and allow staff to operate and maintain the new infrastructure, staff request City Council accept the various offsite improvements in the South Lathrop Specific Plan Area from South Lathrop Land, LLC while still performing the necessary audit. Once the audit is complete, staff will ensure reimbursements match actual costs; and

**WHEREAS**, SLL has provided a letter to the City that acknowledges staff will complete the audit after Council acceptance.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lathrop that the completed offsite improvements including the backbone infrastructure improvements, regional outfall structure, storm drain pump station, sanitary sewer pump station, traffic signal, and highway interchange improvements as listed in Table 1 within the City Manager’s Report for the South Lathrop Specific Plan Area are accepted.

The foregoing resolution was passed and adopted this 13<sup>th</sup> day of January 2020, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Sonny Dhaliwal, Mayor

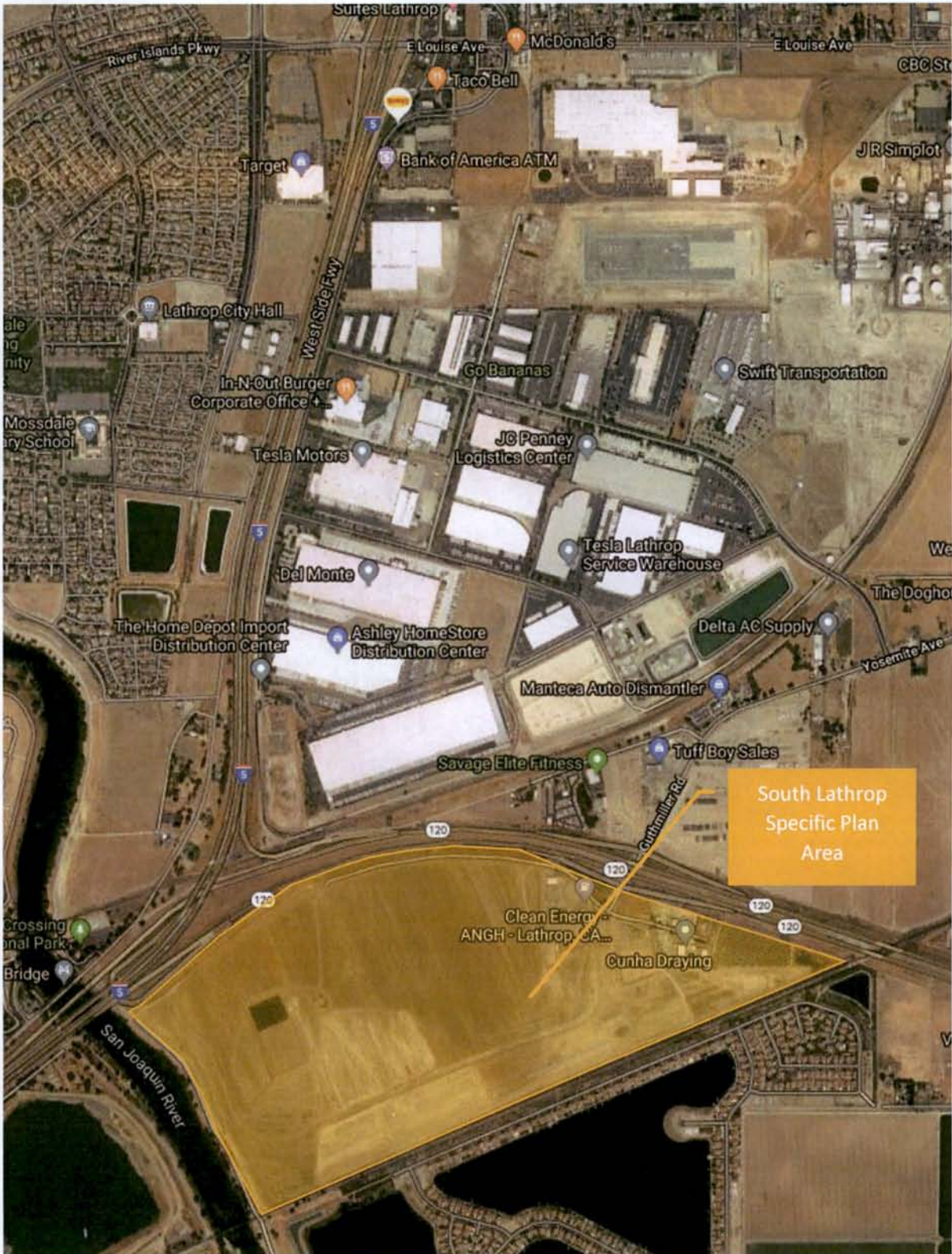
**ATTEST:**

\_\_\_\_\_  
Teresa Vargas, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Salvador Navarrete, City Attorney

LOCATION MAP FOR THE SOUTH LATHROP SPECIFIC PLAN AREA



**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

Date: 11/20/2019

Submitted by: MacKay & SomsTract No.: 3782 (Backbone)

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Cost</u>	<u>Cost</u>
Street pavement section (8" AC / 16" AB)	SF	556492	\$ 6.60	\$ 3,672,847.20
Concrete Intersection (7"AC / 4" AB)	SF	34874	\$ 20.00	\$ 697,480.00
All weather roadway section (6"AB)	SF	82717	\$ 1.40	\$ 115,803.80
Street monuments	EA	26	\$ 550.00	\$ 14,300.00
			Subtotal:	\$ 4,500,431.00
Standard catch curb and gutter	LF	23630	\$ 2.00	\$ 47,260.00
Median curb	LF	696	\$ 20.00	\$ 13,920.00
Concrete Sidewalk (4"Concrete/4"AB)	SF	24357	\$ 5.00	\$ 121,785.00
Accessible Ramp w/ Truncated Domes	EA	8	\$ 2,500.00	\$ 20,000.00
Driveway approach (6"Conc./4"AB)	SF	896	\$ 8.00	\$ 7,168.00
			Subtotal:	\$ 210,133.00
12" Perforated HDPE Storm drain pipe	LF	2248	\$ 24.00	\$ 53,952.00
12" RCP Storm drain pipe	LF	3607	\$ 28.00	\$ 100,996.00
15" RCP Storm drain pipe	LF	4503	\$ 30.00	\$ 135,090.00
24" RCP Storm drain pipe	LF	4175	\$ 46.00	\$ 192,050.00
36" RCP Storm drain pipe	LF	302	\$ 106.00	\$ 32,012.00
48" RCP Storm drain pipe	LF	7723	\$ 180.00	\$ 1,390,140.00
60" RCP Storm drain pipe	LF	77.3	\$ 255.00	\$ 19,711.50
72" RCP Storm drain pipe	LF	710	\$ 330.00	\$ 234,300.00
84" RCP Storm drain pipe	LF	4459	\$ 455.00	\$ 2,028,845.00
48" SD Pipe (Force Main)	LF	3721	\$ 180.00	\$ 669,780.00
Storm drain manhole	EA	4	\$ 4,500.00	\$ 18,000.00
Modified Saddle Manhole	EA	70	\$ 15,000.00	\$ 1,050,000.00
Storm drain catch basin	EA	108	\$ 2,800.00	\$ 302,400.00
Storm drain field inlet	EA	25	\$ 2,500.00	\$ 62,500.00
Levee toe drain cleanout	EA	13	\$ 350.00	\$ 4,550.00
Modified Saddle CB	EA	1	\$ 15,000.00	\$ 15,000.00
			Subtotal:	\$ 6,309,326.50
6" PVC Sanitary sewer pipe	LF	1286	\$ 20.00	\$ 25,720.00
8" PVC Sanitary sewer pipe	LF	2674	\$ 25.00	\$ 66,850.00
10" PVC Sanitary sewer pipe	LF	2623	\$ 30.00	\$ 78,690.00
12" PVC Sanitary sewer pipe	LF	1012	\$ 35.00	\$ 35,420.00
15" PVC Sanitary sewer pipe	LF	836	\$ 45.00	\$ 37,620.00
6" SS Pipe (Force Main)	LF	2795	\$ 25.00	\$ 69,875.00
Manholes (including reset to finish grade)	EA	20	\$ 4,500.00	\$ 90,000.00
			Subtotal:	\$ 404,175.00



12" PVC Domestic main incl. valves & fittings	LF	11811	\$	42.00	\$	496,062.00
10" PVC Domestic main incl. valves & fittings	LF	1343	\$	40.00	\$	53,720.00
8" PVC Domestic main incl. valves & fittings	LF	125	\$	38.00	\$	4,750.00
4" PVC Domestic main incl. valves & fittings	LF	848	\$	30.00	\$	25,440.00
2" PVC Domestic/Irrigation stub (including valve)	EA	5	\$	750.00	\$	3,750.00
Blow-off assemblies	EA	24	\$	800.00	\$	19,200.00
Fire Hydrants (Including valve and run)	EA	52	\$	4,500.00	\$	234,000.00
Bacteria Sample Station	EA	1	\$	4,000.00	\$	4,000.00

Subtotal: \$ 840,922.00

Storm Basin fencing (8' high, chain link)	LF	4847	\$	40.00	\$	193,880.00
Electroliers	EA	77	\$	3,500.00	\$	269,500.00

Subtotal: \$ 463,380.00

**GRAND TOTAL:**

**\$ 12,728,367.50**

**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

Project Name: South Lathrop Regional Outfall Structure (ROS)

Submitted by: PACE

Date: 11/19/2019

Parcel Map: 1701

	<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
1	Concrete Pad and Thrust Blocks	CY	20	\$ 800	\$ 16,000
2	Storm Outfall Structure	CY	75	\$ 1,000	\$ 75,000
3	36" Butterfly Valve in Valve Box	each	6	\$ 28,000	\$ 168,000
4	8" Vent Pipe Galv Steel	each	6	\$ 2,000	\$ 12,000
5	36" Tideflex Check Valves	each	2	\$ 18,000	\$ 36,000
6	36" Sch 30 Steel Pipe plus Fittings	LF	400	\$ 300	\$ 120,000
7	Steel Pipe Manifold	each	1	\$ 3,000	\$ 3,000
8	18"-24" Rip Rap Material and Installation	CY	900	\$ 300	\$ 270,000
9	10"minus Rip Rap Material and Installation	CY	150	\$ 200	\$ 30,000
10	Armoredflex Matt L-70	SF	1250	\$ 15	\$ 18,750
11	Railing, Fence and Bollards	Lot	1	\$ 4,000	\$ 4,000
<b>Total:</b>					<b>\$ 752,750.00</b>

**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

Project Name: South Lathrop Sewer Pump Station

Submitted by: PACE

Date: 11/19/2019

Parcel Map: 1701

	<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
1	wet well precast concrete vault & hatches	each	1	\$ 150,000	\$ 150,000
2	valve box precast concrete vault & hatch	each	1	\$ 80,000	\$ 80,000
3	concrete slab pavement, equipment pads	yd3	15	\$ 800	\$ 12,000
4	15" C905 PVC sewer main	LF	15	\$ 400	\$ 6,000
5	6" PVC drainage pipe	LF	25	\$ 40	\$ 1,000
6	6" drain grate	each	2	\$ 1,200	\$ 2,400
7	1 1/2" PVC water line, hose bibs & backflow	lump sum	1	\$ 3,500	\$ 3,500
8	Sewer submersible pumps including rails	each	3	\$ 50,000	\$ 150,000
9	6" check and plug valves, 2" air valves	each	8	\$ 4,000	\$ 32,000
10	chemical injection Systems w/tanks etc	lump sum	1	\$ 80,000	\$ 80,000
11	valve vault drain line and fittings	lump sum	1	\$ 6,000	\$ 6,000
12	6" DI piping	lump sum	1	\$ 20,000	\$ 20,000
13	6" flowmeters	each	1	\$ 10,000	\$ 10,000
14	level and pressure transducers	each	2	\$ 3,000	\$ 6,000
15	backup switches and floats	each	4	\$ 1,000	\$ 4,000
16	MCC, VFDs	each	1	\$ 80,000	\$ 80,000
17	Misc J, pull, gutter boxes, disconnects	each	5	\$ 3,000	\$ 15,000
18	local conduit and wire	lump sum	1	\$ 35,000	\$ 35,000
19	lighting / receps	lump sum	1	\$ 20,000	\$ 20,000
20	PLC control hardware	lump sum	1	\$ 20,000	\$ 20,000

**Total: \$ 732,900.00**

**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

Project Name: South Lathrop Stormwater Pump Station

Submitted by: PACE

Date: 11/19/2019

Parcel Map: 1701

	<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
1	wet well cast-in-place concrete	yd3	500	\$ 1,000	\$ 500,000
2	concrete slab pavement, equipment pads	yd3	40	\$ 800	\$ 32,000
3	Yard Piping to water quality basin	LF	300	\$ 200	\$ 60,000
4	SD/WQ High Flow Pump	each	4	\$ 200,000	\$ 800,000
5	WQ Low Flow pump including rail	each	1	\$ 40,000	\$ 40,000
6	Discharge piping and valves	lump sum	1	\$ 300,000	\$ 300,000
7	3/4" clear opening inlet screen	lump sum	1	\$ 350,000	\$ 350,000
8	Standby power generator	lump sum	1	\$ 200,000	\$ 200,000
9	Air Compressor for knife gate valve control	each	1	\$ 7,000	\$ 7,000
10	16" Pressure Relief Valve	each	1	\$ 45,000	\$ 45,000
11	SCADA Equipment	each	1	\$ 50,000	\$ 50,000
12	level and pressure transducers	each	5	\$ 3,500	\$ 17,500
13	backup switches and floats	each	2	\$ 2,500	\$ 5,000
14	yard electrical power	LF	100	\$ 200	\$ 20,000
15	SES	each	1	\$ 60,000	\$ 60,000
16	MCC	each	1	\$ 200,000	\$ 200,000
17	Misc j, pull, gutter boxes, disconnects	each	25	\$ 3,000	\$ 75,000
18	local conduit and wire	lump sum	1	\$ 100,000	\$ 100,000
19	lighting / receps	lump sum	1	\$ 20,000	\$ 20,000
	PLC control hardware	lump sum	1	\$ 50,000	\$ 50,000

**Total: \$ 2,931,500.00**

**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

Date: 12/03/2019

Submitted by: Fehr & Peers

Tract No.: 3782 (Traffic Signal)

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Cost</u>	<u>Cost</u>
1-1/2"C steel conduit in trench	LF	100	\$ 10.60	\$ 1,060.00
1-1/2"C steel terminate conduit	EA	9	\$ 43.50	\$ 391.50
2"C pvc conduit in trench	LF	1190	\$ 3.20	\$ 3,808.00
2"C pvc terminate conduit	EA	44	\$ 205.80	\$ 9,055.20
3"C pvc conduit in trench	LF	1250	\$ 5.90	\$ 7,375.00
3"C pvc terminate conduit	EA	32	\$ 218.20	\$ 6,982.40
4"C pvc conduit in trench	LF	40	\$ 5.30	\$ 212.00
4"C pvc terminate conduit	EA	4	\$ 77.20	\$ 308.80
Conduit Subtotal:				\$ 29,192.90
#14 solid copper conductor	LF	14095	\$ 0.75	\$ 10,571.25
#10 solid copper conductor	LF	6410	\$ 1.20	\$ 7,692.00
#6 stranded copper conductor	LF	120	\$ 2.25	\$ 270.00
#2 stranded copper conductor	LF	180	\$ 5.65	\$ 1,017.00
detector lead-in cable (dlc)	LF	5015	\$ 1.65	\$ 8,274.75
pull rope	LF	1825	\$ 1.05	\$ 1,916.25
Conductors Subtotal:				\$ 29,741.25
#5 pull box w/ standard cover	EA	13	\$ 617.00	\$ 8,021.00
#6 pull box w/ standard cover	EA	12	\$ 912.00	\$ 10,944.00
extension for #6 pull box	EA	1	\$ 105.00	\$ 105.00
Pull Boxes Subtotal:				\$ 19,070.00
332 Cabinet w/ 2070 Controller w/ foundation	EA	1	\$ 36,152.00	\$ 36,152.00
Battery backup system	EA	1	\$ 4,094.00	\$ 4,094.00
type III-a service w/ foundation	EA	1	\$ 6,515.00	\$ 6,515.00
Controllers/Cabinets/Service Equipment Subtotal:				\$ 46,761.00
type a/b loop	EA	6	\$ 545.00	\$ 3,270.00
preformed loop	EA	36	\$ 3,253.00	\$ 117,108.00
detector handhole (type a)	EA	10	\$ 554.00	\$ 5,540.00
Detectors Subtotal:				\$ 125,918.00
150w equivalent LED luminaire	EA	6	\$ 950.00	\$ 5,700.00
Lighting Equipment Subtotal:				\$ 5,700.00
type 15ts standard w/ foundation	EA	3	\$ 6,965.00	\$ 20,895.00
type 1 standard w/ foundation	EA	1	\$ 2,827.00	\$ 2,827.00
type 16-3-100 standard w/ foundation	EA	1	\$ 10,336.00	\$ 10,336.00
type 19-3-100 standard w/ foundation	EA	1	\$ 15,762.00	\$ 15,762.00
type 29-5-100 standard w/ foundation	EA	1	\$ 17,447.00	\$ 17,447.00

type 61-5-100 standard w/ foundation	EA	1	\$ 23,169.00	\$	23,169.00
			Signal Standards Subtotal:	\$	90,436.00
type mas/mat signal mount	EA	6	\$ 546.00	\$	3,276.00
type mas-4b/4c signal mount	EA	2	\$ 195.00	\$	390.00
type sv-1/sv-1-t signal mount	EA	3	\$ 736.00	\$	2,208.00
type sv-2/sv-2-t signal mount	EA	3	\$ 522.00	\$	1,566.00
type sv-3-t signal mount	EA	1	\$ 739.00	\$	739.00
complete 3-12" signal head (ball indications and ba	EA	18	\$ 1,042.00	\$	18,756.00
complete 4-12" signal head (ball indications and ba	EA	2	\$ 1,365.00	\$	2,730.00
Internally Illuminated Street Name Sign (IISNS)	EA	4	\$ 3,437.00	\$	13,748.00
			Signal Mounting Subtotal:	\$	43,413.00
ped signal head	EA	6	\$ 581.00	\$	3,486.00
ppb and sign	EA	6	\$ 420.00	\$	2,520.00
42" ppb post and foundation	EA	1	\$ 1,471.00	\$	1,471.00
			Pedestrian Equipment Subtotal:	\$	7,477.00
4 Channel EVP Phase Selector (Opticom 764)	EA	1	\$ 3,178.00	\$	3,178.00
Single EVP Optical Detector (Opticom 711)	EA	4	\$ 1,552.00	\$	6,208.00
EVUC (Opticom 138)	LF	960	\$ 1.70	\$	1,632.00
			EVP Equipment Subtotal:	\$	11,018.00

**GRAND TOTAL:**

**\$ 408,727.15**

**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

Date: 12/2/2019

Submitted by: MacKay & Soms

Tract No.: SLSP - West Yosemite Improvements - Caltrans

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Cost</u>		<u>Cost</u>
Class 2 Aggregate Base	CY	2960	\$	145.00	\$ 429,200.00
Hot Mix Asphalt (Type A)	TON	1600	\$	145.00	\$ 232,000.00
Hot Mix Asphalt Dyke (Type A)	LF	555	\$	5.00	\$ 2,775.00
Cold Plane Asphalt concrete pavement	SQ. YD	2900	\$	10.00	\$ 29,000.00
Chain Link Fence	LF	328	\$	25.00	\$ 8,200.00
Delineator (Class 1)	EA	5	\$	65.00	\$ 325.00
Pavement Marker (Retroreflective)	EA	134	\$	10.00	\$ 1,340.00
Object Marker	EA	1	\$	75.00	\$ 75.00
Roadside Sign	EA	19	\$	350.00	\$ 6,650.00
Thermoplastic Traffic Stripe	LF	4970	\$	2.00	\$ 9,940.00
Thermoplastic Pavement Marking	SF	995	\$	6.00	\$ 5,970.00
<b><u>GRAND TOTAL:</u></b>					<b>\$ 725,475.00</b>

**COPY**

**City of Lathrop**

**NOTICE OF WAIVER AND RELEASE**

**South Lathrop Land, LLC (“SLL”)** provides the following Notice of Waiver and Release for construction of the following improvement(s) performed by or on behalf of SLL, and which improvements are being dedicated to the City of Lathrop, and contingent upon the City of Lathrop’s acceptance of SLL’s dedication:

1. Backbone Infrastructure Improvements
2. Regional Outfall Structure
3. Storm Drain Pump Station
4. Sanitary Sewer Pump Station
5. Traffic Signal at Yosemite Avenue and Glacier Street
6. SR-120 Interchange Improvements

SLL certifies:

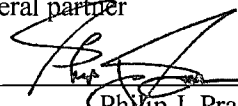
- 1) To the best of its knowledge, any and all persons entitled to record mechanics lien, stop payment notices or payment bond claims for labor, service, equipment, or material provided to works of improvement identified above have been paid in full; and
- 2) That it has not received any notice or claim from any persons entitled to record mechanics lien, stop payment notices or payment bond claims for labor, service, equipment, or material provided to the works of improvement identified above.

Following the City of Lathrop’s acceptance of the dedication of the completed works of improvement identified above, SLL shall indemnify and hold the City of Lathrop, its elective and appointive boards, commissions, officers and employees harmless from mechanics liens, stop payment notices or payment bond claims any persons are entitled to for labor, service, equipment, or material provided to the completed works of improvement identified above.

**South Lathrop Land, L.L.C.,**  
**a Delaware limited liability company**

By: CHI West 109 South Lathrop Land, L.P.,  
a Delaware limited partnership,  
its managing member

By: CHI LTH GP, L.L.C.,  
a Delaware limited liability company,  
its general partner

By:   
Philip J. Prassas  
Vice President



**COPY**

January 7, 2020

Stephen Salvatore  
 City Manager  
**City of Lathrop**  
 390 Towne Centre Drive  
 Lathrop, CA 95330

**RE: REIMBURSEMENT AGREEMENTS**

- a) For Public Infrastructure Benefitting Properties Outside of South Lathrop Specific Plan Area;
- b) For Public Infrastructure Benefitting Properties within South Lathrop Specific Plan Area;
- c) For South Lathrop Regional Outfall Structure and Related Facilities; and
- d) For Transportation Related Capital Facilities Fees for South Lathrop Commerce Center.  
 (collectively the "**Reimbursement Agreements**")

Dear Steve:

This letter shall serve to memorialize the parties understanding relative to the status of the Reimbursement Agreements that were previously approved by the City Council.

To assist both parties, South Lathrop Land, LLC ("**Developer**") and the City of Lathrop ("**City**"), to these Reimbursement Agreements, the City Staff is completing the preparation of their Staff Report for the upcoming January 13, 2020 City Council Meeting but has not had the minimum time proscribed in the Reimbursement Agreements to review and audit the receipts and back-up documentation that has been presented by Developer so as to substantiate the costs incurred in completing the various infrastructure improvements referenced in the Reimbursement Agreements.

The costs include, but are not limited to, the actual costs to construct these improvements, including all costs associated with entitlement, permitting, land acquisition, engineering, environmental review, design, environmental monitoring, SWPPP, legal, material costs, construction management overhead and other related and applicable costs as described in further detail in the Reimbursement Agreements.

The City Staff is prepared to recommend to the City Council as part of their Staff Report that the City Council approve the Developer's completion of all of the infrastructure improvements fully outlined in these Reimbursement Agreements and furthermore for the City to take over ownership of these improvements, including but not limited to, the on-going operation, financial and insurance obligations and maintenance of these improvements. The costs for the operation and maintenance of these improvements, to the extent required, are being funded from the CFD that was specifically put-in-place to provide the financial support for this effort. Nothing stated herein is intended to circumvent the obligations of Developer, as it relates to the Developer's obligation to provide the City with a one-year labor and material warranty, as outlined in the Development Agreement ("**DA**") referenced in the Reimbursement Agreements.

If the City Council approves the recommendations outlined in the City Staff Report, then Developer's obligations to construct certain specified Public Facilities and Infrastructure (as defined in the DA) and Developer's obligation to oversize certain Public Facilities and Infrastructure, will be deemed (with the exception of those improvements shown on the **Outstanding Improvements** in "**Exhibit A**") to be one hundred percent (100%) completed and Developer will have fulfilled this obligation and Developer shall have no further obligation to the City as it relates to this DA requirement.

City Staff is in agreement that the reconciliation of all of the costs referenced in the Reimbursement Agreements will be completed by City Staff within 30 days of today's date, to be extended if staff determines that Developer's submittals are incomplete, and furthermore, that any funds owed by the City to Developer, as outlined in these Reimbursement Agreements shall be paid to Developer (within 10 business days of City's confirmation of reimbursable costs).

This letter reflects the understanding between the parties as evidenced by their approvals shown below.

**AGREED & ACCEPTED:**

**South Lathrop Land, L.L.C.,  
a Delaware limited liability company**

**City of Lathrop,  
a municipal corporation of the State  
of California**

By: CHI West 109 South Lathrop Land, L.P.,  
a Delaware limited partnership,  
its managing member

By: \_\_\_\_\_  
Stephen Salvatore  
City Manager

By: CHI LTH GP, L.L.C.,  
a Delaware limited liability company,  
its general partner

By: \_\_\_\_\_  
Philip J. Prassas  
Vice President

**EXHIBIT A**  
**Outstanding Improvements**

1. Streetscape landscape not completed throughout South Lathrop Commerce Center;
2. Sidewalks not constructed throughout South Lathrop Commerce Center; and
3. Linear Park

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**CITY MANAGER'S REPORT  
JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**

**ITEM:** **APPROVE A CONSTRUCTION CONTRACT, EQUIPMENT PURCHASE ORDER FOR WATER METER IMPROVEMENTS AND RELATED BUDGET AMENDMENT**

**RECOMMENDATION:** **Adopt Resolution Approving Construction Contract with Soracco, Inc. for Water Meter Improvements and Service Line Investigation, Pursuant to CIP PW 20-04 Water Meter Improvements and CIP PW 20-05 Lead User Service Lines Replacement, Equipment Purchase Order to Badger Meter Inc., and Approve a Related Budget Amendment**

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**SUMMARY:**

On February 4, 2013, City Council approved Capital Improvement Project (CIP) PW 13-08 Water Meter Improvements to accommodate wireless transmission of the water meter data to the City's network for the ease of meter reading. The first and second phases of the project replaced approximately 1,375 faulty meters. Phase three of the project installed an additional 700 residential water meters. Phase four of the CIP PW 13-08, now CIP PW 20-04, will upgrade approximately 3,506 additional water meters with registers and endpoints that will allow for the wireless transmission and reading of water meter data.

Senate Bill 427 requires community water systems to investigate their service line inventory and report back to the State Water Resources Control Board, Division of Drinking Water (SWRCB - DDW). The work under the PW 20-04 Water Meters Improvements contract includes a field investigation of user service lines that is needed to meet the Senate Bill 427 requirements. A budget amendment is requested to decrease appropriations from the Water CIP Fund (5690) PW 20-05 and increase appropriations in the Water CIP Fund (5690) PW 20-04 in the amount of \$72,000.

Contract plans and specifications for this project were completed in October 2019 and advertised for bid on November 13, 2019 according to the California Public Contract Code and Lathrop Municipal Code, Section 2.36.060. A total of two (2) bids were received and opened on December 17, 2019, and Soracco, Inc., was determined to be the lowest, responsible bidder, with a bid price of \$436,760.

Staff requests City Council approve a construction contract with Soracco, Inc., for Water Meter Improvements and an investigation of user service lines for \$436,760 and a 10% contingency in the amount of \$43,676 for a total cost not to exceed \$480,436. Staff also requests City Council approve an equipment purchase order with

**CITY MANAGER'S REPORT** **PAGE 2**  
**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**  
**APPROVE A CONSTRUCTION CONTRACT AND EQUIPMENT PURCHASE ORDER**  
**FOR CIP PW 20-04 AND RELATED BUDGET AMENDMENT**

Badger Meter Inc. for the registers and endpoints for a cost of \$404,736 (Attachment C) and related budget amendment. Staff desires to purchase the water meter equipment directly from Badger Meter for several reasons: 1) the City desires to use the same water meter equipment that exists throughout the City; 2) Badger Meter Inc. is the only authorized vendor for this water meter equipment on the West Coast and 3) the City will save costs because Badger Meter Inc. has provided a discounted rate (ten percent) to the City for the bulk purchase, and the City will avoid any mark-up costs added on the equipment purchase by a Contractor.

**BACKGROUND:**

On February 4, 2013, City Council authorized the creation of CIP PW 13-08, and the purchase of new water meters, ancillary equipment and software from National Meter and Automation, Inc., to replace approximately 1,375 water meters that were failing to generate electronic readings as a part of phases one and two. The new water meters, meter readers, antennae, and software increased the accuracy of metering water consumption and billing, reduced field staff time by allowing readings to be taken from a remote location, and helped staff assist customers with leak detection.

On September 16, 2013, City Council adopted Resolution No. 13-3526 accepting the improvements associated with phase one and two of PW 13-08 Water Meter Improvements contract with Pacific Meter. An additional 700 residential water meters were replaced at a later date by City staff associated with phase three.

Phase four of CIP 20-04 Water Meter Improvements will upgrade approximately 3,506 additional water meters to complete the project. The upgrade consists of the replacement of registers and endpoint to allow for wireless reading of water meter data. Phase four of the Water Meter Improvements CIP also addresses broken meter box replacement, angle stop replacement, and the inclusion of CIP PW 20-05 Lead User Service Lines Replacement.

CIP PW 20-05 Lead User Service Lines Replacement was created to address Senate Bill 427. Community water systems are required by Senate Bill 427 (H&S Code 116885) to submit the results of a user service line inventory to the State Water Resources Control Board, Division of Drinking Water (SWRCB - DDW). Once the investigation is completed, staff will coordinate with SWRCB - DDW to ensure that the City's water system continues to meet all State regulations.

In October 2019, staff completed the plans and specifications for the Water Meter Improvements CIP and were advertised for bid on November 13, 2019 according to the California Public Contract Code and Lathrop Municipal Code, Section 2.36.060. A total of two (2) bids were received on December 17, 2019 that were determined to be responsive and responsible. The bid results are summarized below.

**CITY MANAGER'S REPORT** **PAGE 3**  
**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**  
**APPROVE A CONSTRUCTION CONTRACT AND EQUIPMENT PURCHASE ORDER**  
**FOR CIP PW 20-04 AND RELATED BUDGET AMENDMENT**

*Table 1: Summary of Bid Results*

<b>Contractor</b>	<b>Total Bid</b>
Soracco, Inc.	\$436,760
Lawrence Backhoe Service, Inc.	\$491,352

Staff reviewed the bids and determined that the lowest responsive and responsible bidder is Soracco, Inc., with a bid price of \$436,760. Staff requests that City Council adopt a resolution approving a construction contract with Soracco, Inc. in the amount of \$436,760. Staff also requests City Council authorize a 10% construction contingency of \$43,676 and authorize staff to spend the contingency as necessary to achieve the goals of the project for a total cost not to exceed \$480,436. Furthermore, staff requests approval for the equipment purchase order (PO) with Badger Meter Inc., for endpoints and registers that are needed to upgrade the water meters in the amount of \$404,736.

**REASON FOR RECOMMENDATION:**

The installation of new registers and endpoints will increase accuracy of metering water consumption and billing, reduce field staff time by allowing readings to be taken from a remote location and help staff assist customers with leak detection. Staff requests that City Council adopt a resolution approving a construction contract with Soracco, Inc., in the amount of \$436,760 and a 10% construction contingency of \$43,676 for a total cost not to exceed \$480,436. Furthermore, staff requests approval for the equipment PO for endpoints and registers in the amount of \$404,736.

**FISCAL IMPACT:**

The proposed contract with Soracco, Inc., is for \$436,760. A 10% contingency is requested in the amount of \$43,676 for a total cost not to exceed \$480,436 which was included in the FY 19/20 Budget for CIP PW 20-04 Water Meter Improvements. The work under this contract includes a field investigation of user service lines in the amount of \$72,000. However, to properly track project expenditures, staff requests City Council approve a budget amendment closing out PW 20-05 and transferring the remaining balance of \$72,000 from Water CIP Fund (5690) PW 20-05 to PW 20-04 as follows:

**CITY MANAGER'S REPORT** **PAGE 4**  
**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**  
**APPROVE A CONSTRUCTION CONTRACT AND EQUIPMENT PURCHASE ORDER**  
**FOR CIP PW 20-04 AND RELATED BUDGET AMENDMENT**

Decrease Appropriation

5690-8000-420-12-00	PW 20-05	\$60,000
(Water CIP Construction Contracts)		

5690-8000-420-85-00	PW 20-05	\$3,000
(Water CIP Project Management)		

5690-8000-420-84-00	PW 20-05	\$6,000
(Water CIP Design and Engineering)		

5690-8000-420-01-00	PW 20-05	\$3,000
(Water CIP Miscellaneous)		

Increase Appropriation

5690-8000-420-12-00	PW 20-04	\$72,000
(Water CIP Construction Contracts)		

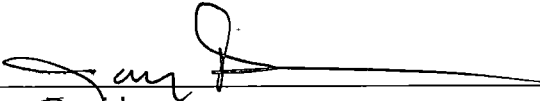
**ATTACHMENTS:**

- A. Resolution Approving Construction Contract with Soracco, Inc. for Water Meter Improvements and Service Line Investigation, Pursuant to CIP PW 20-04 Water Meter Improvements and CIP PW 20-05 Lead User Service Lines Replacement, Equipment Purchase Order to Badger Meter Inc., and Approve a Related Budget Amendment
- B. Construction Contract with Soracco, Inc., for Water Meter Improvements, CIP PW 20-04
- C. Badger Meter Purchase Order Quote

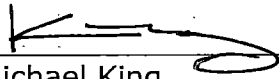


**APPROVE A CONSTRUCTION CONTRACT AND EQUIPMENT PURCHASE ORDER  
FOR CIP PW 20-04 AND RELATED BUDGET AMENDMENT**

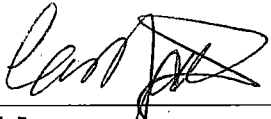
**APPROVALS:**

  
\_\_\_\_\_  
Jay Davidson  
Principal Engineer


1-7-20  
Date

  
\_\_\_\_\_  
Michael King  
Public Works Director

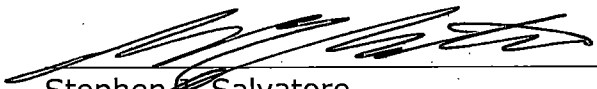
1-7-20  
Date

  
\_\_\_\_\_  
Cari James  
Finance & Administrative  
Services Director

1-8-2020  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

1-7-20  
Date

  
\_\_\_\_\_  
Stephen S. Salvatore  
City Manager

1-9-20  
Date

## RESOLUTION NO. 20-

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING CONSTRUCTION CONTRACT WITH SORACCO, INC. FOR WATER METER IMPROVEMENTS AND SERVICE LINE INVESTIGATION, PURSUANT TO CIP PW 20-04 WATER METER IMPROVEMENTS AND CIP PW 20-05 LEAD USER SERVICE LINES REPLACEMENT, EQUIPMENT PURCHASE ORDER TO BADGER METER INC., AND APPROVE A RELATED BUDGET AMENDMENT**

**WHEREAS**, on February 4, 2013, City Council approved Capital Improvement Project (CIP) PW 13-08 Water Meter Improvements to accommodate wireless transmission of the water meter data to the City's network for the ease of meter reading; and

**WHEREAS**, the first and second phases of the project replaced approximately 1,375 faulty meters. Phase three of the project installed an additional 700 residential water meters; and

**WHEREAS**, phase four of the CIP PW 13-08 Water Meter Improvements, now CIP PW 20-04, will upgrade approximately 3,506 additional water meters to complete the project; and

**WHEREAS**, phase four also includes an investigation for lead user service lines pursuant to CIP PW 20-05; and

**WHEREAS**, contract plans and specifications for this project were completed in October 2019 and advertised for bid on November 13, 2019 according to the California Public Contract Code and Lathrop Municipal Code, Section 2.36.060; and

**WHEREAS**, a total of two (2) bids were received and opened by the City Clerk on December 17, 2019; and

**WHEREAS**, upon review and evaluation of the bids, the lowest responsive and responsible bidder for the project was determined to be Soracco, Inc., with a base bid amount of \$436,760; and

**WHEREAS**, staff also requests City Council to authorize a 10% contingency in the amount of \$43,676, and authorize staff to spend the contingency as necessary to achieve the goals of the project for a total cost not to exceed \$480,436; and

**WHEREAS**, furthermore, staff requests approval of a sole source purchase for the equipment purchase order (PO) to Badger Meter Inc. for endpoints and registers that are needed to upgrade the water meters in the amount of \$404,736; and

**WHEREAS**, to properly track project expenditures, staff requests City Council approve a budget amendment closing out PW 20-05 and transferring the remaining balance of \$72,000 from Water CIP Fund (5690) PW 20-05 and increase appropriations in the Water CIP Fund (5690) PW 20-04; and

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Lathrop hereby approves a construction contract with Soracco, Inc., for Water Meter Improvements and Lead Service Lines Investigation, Pursuant to CIP PW 20-04 Water Meter Improvements and CIP PW 20-05 Lead User Service Lines Replacement for a cost of \$436,760; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the City Council of the City of Lathrop does hereby approve a 10% construction contingency in the amount of \$43,676 for a total construction cost not to exceed \$480,436 and authorizes staff to spend this amount, as necessary, to accomplish the goals of the project; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the City Council of the City of Lathrop does hereby approve a sole source equipment purchase order (PO) for endpoints and registers that are needed to upgrade the water meters in the amount of \$404,736; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the City Council of the City of Lathrop does hereby approve a budget amendment closing out PW 20-05 and transferring the remaining balance of \$72,000 from Water CIP Fund (5690) PW 20-05 and increase appropriations in the Water CIP Fund (5690) PW 20-04 as follows:

<u>Decrease Appropriation</u>		
5690-8000-420-12-00 (Water CIP Construction Contracts)	PW 20-05	\$60,000
5690-8000-420-85-00 (Water CIP Project Management)	PW 20-05	\$3,000
5690-8000-420-84-00 (Water CIP Design and Engineering)	PW 20-05	\$6,000
5690-8000-420-01-00 (Water CIP Miscellaneous)	PW 20-05	\$3,000
<u>Increase Appropriation</u>		
5690-8000-420-12-00 (Water CIP Construction Contracts)	PW 20-04	\$72,000

The foregoing resolution was passed and adopted this 13<sup>th</sup> day of January 2020, 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:**



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Salvador Navarrete, City Attorney

Construction Contract

CONTRACT

THIS CONSTRUCTION CONTRACT (hereinafter "Contract"), dated this \_\_\_\_ day of \_\_\_\_\_, 2020, is entered into by and between the City of Lathrop, a municipal corporation of the State of California (hereinafter "City"), and Sorroco, Inc. (hereinafter "Contractor"), whose Taxpayer Identification Number is \_\_\_\_\_.

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

CONTRACT DOCUMENTS

All Contract Documents, and each and every provision thereof, relating to this Contract are hereby made a part of and incorporated by reference into this Contract. Contract Documents include, but are not limited to, Notice Inviting Bids, Instructions to Bidders, Bid Form, Construction Contract, Payment Bond to Accompany Contract, Performance Bond to Accompany Contract, General Conditions, Supplemental Conditions and Technical Specifications, Working Details and Plans, All Addenda and Change Orders, City of Lathrop Department of Public Works Design and Construction Standards (edition current at time of bidding), Caltrans Standard Specifications and Standard Plans (edition current at time of award) as well as all modifications incorporated by the City into those documents before the execution of this Contract.

Any and all obligations of the City and the Contractor are fully set forth and described therein. All of the above documents are intended to cooperate so that any work called for in one and not mentioned in the other or vice versa is to be executed the same as if mentioned in all said documents. Unless incorporated herein by express reference, Sections 1 through 9, inclusive, of the Caltrans Standard Specifications are hereby expressly excluded from these contract documents and nothing set forth herein shall be deemed to incorporate Sections 1 through 9, inclusive, by implication.

THE WORK

The Contractor agrees to furnish all work, labor, tools, materials, transportation, equipment, services and other means of construction necessary to perform and complete in a good and workmanlike manner, those certain improvements entitled:

Water Meter Improvements CIP No. PW 20-04

as called for, and in the manner designated in, and in strict conformity with the Specifications.

The work to perform under this contract is generally as, but not necessarily limited to: the installation of approximately 3,506 TRACE endpoints, 3,506 HR-E LCD Encoder 9-dial registers; replacement of Christy boxes and lids where needed, corp stops, 1/2" galvanized wire and 3/4" drain rock crushed rock. The installation of all material except corp stops shall be supplied by the City. Additional work under this contract includes providing both paper work order and data in

## Construction Contract

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electronic format as required by the City, scheduling the work as not to interfere with meter reading and billing cycle, notifying the occupant at least 48 hours prior to shut-off and immediately prior to shutting off the service, and clean existing boxes of all dirt and debris.

The work performed and completed as required in the Specifications shall be under the sole direction and control of the Contractor, and subject to inspection and approval of the City, or its representatives. The City hereby designates as its representative for the purpose of this Contract the following named person: Robert McGinnis, senior construction inspector.

### CONTRACT PRICE

The City agrees to pay and the Contractor agrees to accept, in full payment for the work above agreed to be done, the sum of Four Hundred and Thrity-Six Thousand Seven Hundred Sixty dollars (\$436,760) subject to additions and deductions as provided in the Contract Documents. If applicable, the sum includes base bid and accepted alternate bid items numbered N/A. If applicable, all other alternate bid items are rejected by City, and are not included in this Contract. (See Bid Schedule.)

### TIME FOR PERFORMANCE

The Contractor shall commence work within ten (10) days of the Notice to Proceed, and diligently prosecute the work to completion within ninety (90) working days of said Notice to Proceed.

### PERMITS; COMPLIANCE WITH LAW

The Contractor shall, at its expense, obtain all necessary permits and licenses, easements, etc., for the construction of the project, give all necessary notices, pay all fees required by law, and comply with all laws, ordinances, rules and regulations relating to the work and to the preservation of the public health and safety.

### BID SCHEDULE

BID ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	EXTENDED TOTAL
1	Mobilization	1	LS	\$35,000	\$35,000
2	Water Meter Retrofit – Endpoints	3,506	EA	\$33.50	\$117,451
3	Water Meter Retrofit – Registers	3,506	EA	\$33.50	\$117,451
4	Water Meter Retrofit – Consumer	50	EA	\$322.06	\$16,103

**Construction Contract**

5	Meter Box/Lid Replacement Meter "DIG-UP"	1,040	EA	\$82.33	\$85,623
6	Field Investigation to Update Lead Service Line Inventory	35	EA	\$1861.92	\$65,132
<b>TOTAL BASE BID:</b>				<b>\$436,760</b>	
<b>TOTAL BASE BID IN WORDS: Four Hundred Thirty-Six Thousand Seven Hundred Sixty Dollars</b>					

LS = LUMP SUM; EA = EACH

**TOTAL BID AMOUNT:           \$436,760**

**INSPECTION BY CITY**

The Contractor shall at all times maintain proper facilities and provide safe access for inspection by the City to all parts of the work, and to the shops wherein the work is in preparation. Where the Specifications require work to be specially tested or approved, it shall not be tested or covered up without timely, written approval by the City. Should any such work be covered up without such notice, approval, or consent, it must, if required by City, be uncovered for examination at the Contractor's expense.

**NOTICE**

Any notice from one party to the other under the Contract shall be in writing and shall be dated and signed by the party giving such notice or by a duly authorized representative of such party. Any such notice shall not be effective for any purpose whatsoever unless served in the following manner.

If the notice is given to the City, by personal delivery thereof to the City's Director of Public Works, or by depositing the same in the United States mail, enclosed in a sealed envelope, addressed to the City's Director of Public Works, postage prepaid and certified;

If the notice is given to the Contractor, by personal delivery thereof to said Contractor or to its duly authorized representative at the site of the project, or by depositing the same in the United States mail, enclosed in a sealed envelope, addressed to the Contractor at the address set forth in the Contractor's Bid postage prepaid and certified; or

If the notice is given to the surety or any other person, by personal delivery to such surety or other person, or by depositing the same in the United States mail, enclosed in a sealed envelope, addressed to such surety or other person, as the case may be, at the address of such surety or person last communicated by it to the party giving the notice, postage prepaid and certified.

**ACCIDENT PREVENTION**

Precaution shall be exercised at all times for the protection of persons (including employees) and property. The safety provisions of applicable laws, building and construction codes shall be observed. Machinery, equipment, and other hazards shall be guarded or eliminated in accordance with the safety provisions of the Construction Safety Orders issued by the Occupational Safety and Health Standards Board of the State of California.

**CONTRACTOR'S WARRANTY**

The City shall not, in any way or manner, be answerable or suffer loss, damage, expense or liability for any loss or damage that may happen to said building, work, or equipment or any part thereof, or in, on, or about the same during its construction and before acceptance. Contractor unqualifiedly warrants all work and materials to be free of defects whether performed or installed by it or by any subcontractor or supplier in the project which is the subject of this Contract, unless a lesser quality is expressly authorized in the Plans and Specifications, in which event Contractor unqualifiedly warrants such lesser quality. Contractor further warrants that the work as performed by Contractor, subcontractor, or supplier will conform with the Plans and Specifications or any written authorized deviations therefrom.

**LIQUIDATED DAMAGES**

Liquidated damages are as provided in Part V, Section D-8 of the General Conditions of the Contract.

**APPRENTICES**

The Contractor's attention is directed to the provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code concerning employment of apprentices by the Contractor or any subcontractor under him. In addition, Contractor shall obtain a certificate of apprenticeship before employing any apprentice pursuant to Sections 1777.5, 1777.6 and 1777.7 of the California Labor Code.

Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, ex officio the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

Knowing violations of Section 1777.5 will result in forfeiture not to exceed one hundred dollars (\$100) for each calendar day of non-compliance pursuant to Section 1777.7.

**HOURS OF WORK**

Eight (8) hours of work in any calendar day shall constitute a legal day's work. The Contractor and each subcontractor shall forfeit, as penalty to the City, twenty-five dollars (\$25) for each worker employed in the execution of work on the Project by the Contractor or any subcontractor under him for each calendar day during which such worker is required or permitted



to work more than eight (8) hours in any one calendar day and forty (40) hours in any calendar week in violation of the provisions of the Labor Code, and in particular, Section 1810 to Section 1815, thereof, inclusive, except that work performed by employees of the Contractor and his subcontractors in excess of eight hours per day at not less than one and one half times the basic rate of pay, as provided in Labor Code section 1815.

**PAYROLL RECORDS**

Pursuant to Labor Code section 1776, as amended from time to time, the Contractor and each subcontractor shall keep records showing the name, address, social security number, work classification, straight time and overtime hours paid each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker or other employee employed by him or her in connection with the work. The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the Division.

The payroll records shall be certified and shall be available for inspection at all reasonable hours at the principal office of the Contractor on the following basis:

A certified copy of the employee's payroll records shall be made available for inspection or furnished to such employee or his or her authorized representative on request.

A certified copy of all payroll records shall be made available for inspection or furnished upon request, or as required by Labor Code section 1771.7 to the City, the Division of Labor Standards Enforcement and the Division of Apprenticeship Standards of the Department of Industrial Relations.

A certified copy of all payroll records shall be made available upon request to the public for inspection or copies thereof made; provided, however, that if request by the public shall be made through either the City, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement, if as requested, payroll records have been provided pursuant to paragraph (b), the requesting party shall, prior to being provided the records, reimburse the cost of preparation by the Contractor, subcontractors and the entity through which the request was made. The public shall not be given access to such records at the principal office of the Contractor.

The Contractor shall file a certified copy of the payroll records with the entity that requested such records within ten (10) calendar days after receipt of a written request.

Any copy of records made available for inspection as copies and furnished upon request to the public or the City, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement, shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of the Contractor or any subcontractor performing work on the Project shall not be marked or obliterated.

## Construction Contract

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The Contractor shall inform the City of the location of the payroll records, including the street address, city and county, and shall, within five (5) calendar days, provide a notice of a change of location and address.

In the event of noncompliance with the requirements of this section, the Contractor shall have ten (10) calendar days in which to comply subsequent to receipt of written notice specifying in what respects the Contractor must comply with this section. Should noncompliance still be evident after such ten (10) calendar day period, the Contractor shall, as a penalty to the City, forfeit twenty-five dollars (\$25) for each calendar day, or portion thereof, for each worker until strict compliance is effectuated. Upon the request of the Division of Labor Standards Enforcement, such penalties shall be withheld from payments due Contractor.

### PREVAILING WAGES

The Contractor is aware of the requirements of California Labor Code Sections 1720 *et seq.* and 1770 *et seq.*, as well as California Code of Regulations, Title 8, section 16000 *et seq.* (“Prevailing Wage Laws”) which require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects. Since this Contract involves an applicable “public works” or “maintenance” project, as defined by the Prevailing Wage Laws, and since the total compensation is \$1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. The Contractor shall obtain a copy of the prevailing rates of per diem wages applicable to the work to be performed by subcontractors from the website of the Division of Labor Statistics and Research of the Department of Industrial Relations located at <http://www.dir.ca.gov/dlsr/PWD/index.htm>. In the alternative, the City shall provide Contractor with a copy of the prevailing rates of per diem wages applicable to the work to be performed by subcontractors. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to perform work on the Project available to interested parties upon request, and shall post copies at the Contractor’s principal place of business and at the Project site. Contractor shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

The Contractor and each subcontractor shall forfeit as a penalty to the City not more than fifty dollars (\$50) for each calendar day, or portion thereof, for each worker paid less than the stipulated prevailing rate for any work done by him, or by any subcontract under him, in violation of the provisions of the California Labor Code. The difference between such stipulated prevailing wage rate and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the stipulated prevailing wage rate shall be paid to each worker by the Contractor.

**SEVERABILITY**

Nothing contained in the Contract shall be construed so as to require the commission of any act contrary to law. Should a conflict arise between any provision contained herein and any present or future statute, law, ordinance or regulation contrary to which the parties have no legal right to contract or act, the latter shall prevail and the provision of this Contract which is affected shall be curtailed and limited but only to the extent necessary to bring it within the requirements of the law. If such curtailment or limitation is not possible, the affected provision shall be of no force and effect. Except as aforesaid, such illegality shall not affect the validity of this Contract.

**COMPLETE AGREEMENT**

This Contract supersedes any and all agreements, either oral or in writing, between the Parties with respect to the subject matter herein. Each party to this Contract acknowledges that no representation by any party which is not embodied herein or any other agreement, statement, or promise not contained in this Contract shall be valid and binding.

**INTERPRETATION**

The parties hereto acknowledge and agree that each has been given the opportunity to independently review this Contract with legal counsel, and/or has the requisite experience and sophistication to understand, interpret and agree to the particular language of the provisions of the Contract.

In the event of a controversy or dispute between the parties concerning the provisions herein, this document shall be interpreted according to the provisions herein and no presumption shall arise concerning the draftsmanship of such provision.

**APPLICABLE LAW**

The parties hereto understand and agree that the terms of this Contract, and its Exhibits, have been negotiated and executed within the State of California and shall be governed by and construed under the laws of the State of California.

In the event of a dispute concerning the terms of this Contract, the parties hereto expressly agree that the venue for any legal action shall be with the appropriate court in the County of San Joaquin, State of California.

**AUTHORITY TO EXECUTE**

Each signatory to this Contract warrants that he or she is authorized to enter into this Contract on behalf of his or her principal.

**Construction Contract**

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**IN WITNESS WHEREOF**, the parties have duly executed this Agreement on the date first above stated in Lathrop, California.

**CONTRACTOR:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**CITY OF LATHROP**

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Salvador Navarrete, City Attorney

RECOMMENDED FOR APPROVAL:

By: \_\_\_\_\_  
Michael King, Public Works Director

APPROVED:

By: \_\_\_\_\_  
Stephen Salvatore, City Manager


**Badger Meter**
**QUOTATION**

940 Riverside Pkwy. Ste. 30  
West Sacramento, CA. 95605  
PHONE: 707-575-0700  
FAX: 707-575-3786

CREATED DATE: December 19, 2019  
QUOTED BY: Kathy Richards  
REQUESTED BY: Greg Gibson / Larry Backert  
PHONE: 209-9410-7475  
EMAIL: [ggibson@ci.lathrop.ca.us](mailto:ggibson@ci.lathrop.ca.us)

**BILL TO:** City of Lathrop  
390 Town Centre Dr.  
Lathrop, Ca. 95330  
Customer # 0040831

**SHIP TO:** City of Lathrop  
390 Town Centre Dr.  
Lathrop, Ca. 95330

EFFECTIVE DATES: 11/11/2019 - 6/30/20

SALESPERSON	PROPOSAL SUBJECT	SHIPPING TERMS	PAYMENT TERMS
Kathy Richards	ORION Upgrade	Prepay/No Charge For Shipments > \$25,000 FCA Factory/Warehouse	Net 30 Days

QTY	PRODUCT DESCRIPTION	UNIT PRICE	AMOUNT
2332	HR-E LCD Encoder 9-dial register, Nicor connector	\$ 69.50	
-2332	less 10% discount	\$ 6.95	
		\$ 62.55	\$ 145,866.60
2080	ORION SE Pit ORION Ass'y, Nicor connector	\$ 120.90	
-2080	less 10% discount	\$ 12.10	
2080	Thru lid mounting kits	incl.	
		\$ 108.80	\$ 226,304.00
<b>SUBTOTAL</b>			\$ 372,170.60
<b>SALES TAX</b>			\$ 32,564.93
<b>FREIGHT</b>			Add
<b>TOTAL</b>			\$ 404,735.53

Sales Tax: 8.75% San Joaquin County  
Note: Sales Tax charged at rate in effect at time of order

Est. Lead Time: Stock to 2 weeks ARO

**Notes and Assumptions:**

Badger Meter continues to improve and redesign our products to provide our customers with state-of-the-art technology solutions. Therefore, Badger Meter reserves the right to provide our newest product solutions as an alternative to the proposed products, provided the replacement products meet the following requirements: are substantially similar to and are at least of equal quality and performance to, are in conformance with the requirements in the applicable specifications, meet the actual needs or are otherwise suitable for the intended use, and are priced at an amount that does not exceed the price of the quoted products.

**THANK YOU FOR YOUR BUSINESS!!**

This quotation is an offer, made subject to the terms & conditions found on our website:

[www.badgermeter.com/Company/Legal/Sales-terms.aspx](http://www.badgermeter.com/Company/Legal/Sales-terms.aspx)

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**CITY MANAGER'S REPORT  
JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**

**ITEM: APPROVE ADDITIONAL FUNDS AND CONTRACT CHANGE ORDER WITH VSS INTERNATIONAL, INC. FOR THE PAVEMENT MAINTENANCE REPAIR PROGRAM CIP PS 18-01 PHASE II**

**RECOMMENDATION: Adopt Resolution Approving Additional Funds and Contract Change Order with VSS International, Inc., for the Pavement Maintenance Repair Program CIP PS 18-01 Phase II**

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**SUMMARY:**

On July 8, 2019, City Council approved a construction contract with VSS International, Inc. (VSS), for Capital Improvement Project (CIP) PS 18-01 Citywide Road Maintenance and Repair Program (PMRP) Phase II for the maintenance of City streets. The scope of work included Asphalt Rubber and Aggregate Membrane (ARAM) rubberized chip seal, type II microsurface with black rock, crack sealing and subsequent restriping.

During construction, staff recognized that D'Arcy Parkway, Murphy Parkway and Tesla Way were in far worse condition than originally inspected. With inclement weather on the way and the increased traffic load from semi-trucks, it was imperative to add additional quantities to the construction contract for crack sealing to avoid costly repairs in the future.

Staff requests City Council approve an additional \$230,329 in funding for VSS's contract and a contract change order with VSS for \$305,441 to compensate them for the additional crack sealing along D'Arcy Parkway, Murphy Parkway and Tesla Way.

**BACKGROUND:**

In 2018, City Council approved Capital Improvement Project PS 18-01 Citywide Road Maintenance and Repair Program which includes the Pavement Maintenance and Repair Program, Phase II, for the maintenance of the City's streets. Contract plans and specifications for this project were completed in April 2019 and were advertised for bid on May 20, 2019 according to the Public Contract Code and the Lathrop Municipal Code, Section 2.36.060.

On July 8, 2019, City Council approved a construction contract with VSS for PMRP Phase II for the maintenance of City streets in the amount of \$751,120 and a 10% construction contingency of \$75,112 for a total construction authorization of \$826,232. The scope of work included ARAM rubberized chip seal, type II microsurface with black rock, crack sealing and subsequent restriping. Below are the maintenance areas by application:

**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING****APPROVE ADDITIONAL FUNDS AND CONTRACT CHANGE ORDER WITH VSS INTERNATIONAL, INC., FOR THE PAVEMENT MAINTENANCE REPAIR PROGRAM CIP PS 18-01 PHASE II*****Chip Seal & Type II Microsurface***

1. S. Harlan Road – E. Louise to the Taco Bell Intersection
2. S. Harlan Road – 14440 S. Harlan Road to 300-ft South of Stonebridge Lane
3. E. Louise Avenue – South I-5 Off-ramp to North I-5 On-ramp

***Type II Microsurface***

1. River Islands Parkway & McKee Boulevard Segments
2. River Islands Phase 1A

***Crack Sealing***

1. Crossroads – D'Arcy Parkway, Murphy Parkway & Tesla Way
2. Harlan Road – E. Louise to Slate Street

During construction, staff recognized that D'Arcy Parkway, Murphy Parkway and Tesla Way were in far worse condition than originally inspected. With inclement weather on the way and the increased traffic loading from semi-trucks, it was imperative to add additional quantities to the construction contract for crack sealing to avoid costly repairs in the future.

An additional 107,930 linear feet of crack sealing was needed to ensure that moisture did not infiltrate the subbase; thereby, costing the City more in rehabilitation costs at a later date. Also, by VSS performing the extra work, it avoided the City having to pay an additional mobilization cost.

Staff requests City Council approve an additional \$230,329 in funding for VSS's contract and a contract change order with VSS for \$305,441 to compensate them for the additional crack sealing along D'Arcy Parkway, Murphy Parkway and Tesla Way.

**REASON FOR RECOMMENDATION:**

Given the conditions at the time and opportunity for cost savings, staff approved the additional work and staff now recommends that City Council approve the additional funding for VSS's contract and a contract change order with VSS for an amount of \$230,329 to close out the project.

**FISCAL IMPACT:**

Adequate funds have been allocated to CIP PS 18-01 PMRP Phase II in FY 19/20 budget to close out the project.



**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**


**APPROVE ADDITIONAL FUNDS AND CONTRACT CHANGE ORDER WITH VSS INTERNATIONAL, INC., FOR THE PAVEMENT MAINTENANCE REPAIR PROGRAM CIP PS 18-01 PHASE II**

**ATTACHMENTS:**

- A. Resolution Approving Additional Funds and Contract Change Order with VSS International, Inc., for the Pavement Maintenance Repair Program CIP PS 18-01 Phase II
- B. Change Order No. 1 with VSS International, INC., for the Pavement Maintenance Repair Program CIP PS 18-01 Phase II

**CITY MANAGER'S REPORT** **PAGE 4**  
**JANUARY 13, 2020, CITY COUNCIL REGULAR MEETING**  
**APPROVE ADDITIONAL FUNDS AND CONTRACT CHANGE ORDER WITH VSS**  
**INTERNATIONAL, INC., FOR THE PAVEMENT MAINTENANCE REPAIR**  
**PROGRAM CIP PS 18-01 PHASE II**

**APPROVALS:**

  
\_\_\_\_\_  
Jay Davidson  
Principal Engineer


12-18-19  
Date

  
\_\_\_\_\_  
Michael King  
Public Works Director

12-19-19  
Date

  
\_\_\_\_\_  
Cari James  
Finance & Administrative  
Services Director

12/20/19  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

12-19-19  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

1-9-20  
Date

**RESOLUTION NO. 20-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING ADDITIONAL FUNDS AND CONTRACT CHANGE ORDER WITH VSS INTERNATIONAL, INC., FOR THE PAVEMENT MAINTENANCE REPAIR PROGRAM CIP PS 18-01 PHASE II**

**WHEREAS**, in 2018, City Council approved Capital Improvement Project (CIP) PS 18-01 City-Wide Road Maintenance and Repair Program (PMRP) to ensure the maintenance and repair of deteriorating City streets; and

**WHEREAS**, on July 8, 2019, City Council approved a construction contract with VSS International, Inc. (VSS), in the amount of \$751,120 and a 10% construction contingency of \$75,112 for a total construction authorization of \$826,232; and

**WHEREAS**, the scope of work for PMRP Phase II included Asphalt Rubber and Aggregate Membrane (ARAM) rubberized chip seal, type II microsurface with black rock, crack sealing and subsequent restriping; and

**WHEREAS**, during construction, staff recognized that D'Arcy Parkway, Murphy Parkway and Tesla Way were in far worse condition than originally inspected; and

**WHEREAS**, with inclement weather on the way and the increased traffic loading from semi-trucks, it was imperative to add additional quantities for crack sealing to avoid costly repairs in the future; and

**WHEREAS**, an additional 107,930 linear feet of crack sealing was needed to ensure that moisture did not infiltrate the subbase; thereby, costing the City more in rehabilitation costs at a later date; and

**WHEREAS**, by VSS performing the extra work, it avoided the City having to pay an additional mobilization cost; and

**WHEREAS**, staff requests City Council approve an additional \$230,329 in funding for VSS's contact and a contract change order with VSS for \$305,441 to compensate them for the additional crack sealing along D'Arcy Parkway, Murphy Parkway and Tesla Way.

**NOW THEREFORE, BE IT RESOLVED**, the City Council of the City of Lathrop does hereby approve an additional \$230,329 in funding for VSS's contact and the contract change order with VSS, pursuant to CIP PS 18-01 Phase II, for a total of \$305,441.

The foregoing resolution was passed and adopted this 13<sup>th</sup> day of January 2020, 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

**CONTRACT CHANGE ORDER NO. 1****Pavement Maintenance Repair Program (CIP PS 18-01 Ph II)**

Date: 1-07-2020

Contractor: VSS International, Inc.  
 Address: 3785 Channel Street  
 West Sacramento, CA 95691

Contract Execution Date: July 8, 2019

This contract change order augments or changes the following:

(ADDITIONS and DEDUCTIONS) (TO and FROM) CONTRACT (Balancing CCO)

Pursuant to the provisions of the Contract Documents, you are hereby directed to make the herein described changes to the plans and specifications, and scope of work contracted for within the terms of the agreement between the **City of Lathrop** and VSS International, Inc. dated July 8, 2019.

**I. CHANGES IN THE SPECIFICATIONS**

A. None

**II. ADDITIONS / DEDUCTIONS FROM CONTRACT****BID SCHEDULE**

BID ITEM	DESCRIPTION	UNITS	QTY	UNIT PRICE	TOTAL
5	Type II Micro surfacing w. Black Rock	SF	<106,263>	0.20	<21,252.60>
6	Crack Seal/ Crack Fill	LF	60,850	2.83	172,205.50
11	Caltrans Striping Detail#22- Centerline (Thermo)	LF	<4,415>	4.86	<21,456.90>
12	8' Stop Legend (Thermo)	SF	201	10.80	2,170.80
13	Cal Tran Striping Detail #38A-8" white line (Thermo)	LF	<3,674>	4.05	<14,878.80>
14	Arrow Type III (L) (Thermo)	SF	270	10.80	2,916.00
15	Arrow Type III (R) (Thermo)	SF	<42>	10.80	<453.60>
16	No Trucks Marking	SF	<60>	10.80	<648.00>

17	Arrow Type II (R) (Thermo)	SF	<45>	10.80	<486.00>
18	Arrow Type I (24") (Thermo)	SF	<268>	10.80	<2,894.40>
19	Arrow Type VI Drop Arrow	SF	<210>	10.80	<2,268.00>
20	4" Parking Stall Lines or Edge Lines	LF	<3,644>	3.51	<12,790.44>
21	12" white Crosswalk Line (Thermo)	LF	2843	10.80	30,704.40
22	Bike Lane Legend	SF	<16>	10.8	172.80
23	Cal Trans Striping Detail #8 Lane lines (Thermo)	LF	<1,912>	1.62	<3,097.44>
24	Cal Trans Striping Detail #11 (Thermo)	LF	<300>	1.62	<486.00>
25	8" Turn Lane Line (Thermo)	LF	5,026	4.05	20,355.30
26	Install Blue Fire Hydrant RPM	EA	61	16.20	988.20
30	8' Stop Legend	SF	<33>	10.80	<356.40>
31	12" White Crosswalk Line (Thermo)	SF	851	1.08	919.08
32	Cal Trans Striping Detail #22 Centerline	LF	<3511>	4.86	<17,063.46>
33	8" Turn Lane Line	LF	30	4.05	121.50
34	Slow School Zone	EA	<2>	1,018.35	<2,036.70>
35	CCO Additional Striping	LS	1	16,456	16,456.00
36	CCO Additional Striping	LS	1	122,043.90	122,043.90
37	CCO Blackout Paint	LS	1	3,402.30	3,402.30
38	CCO Night Work	LS	1	29,500	29,500.00
39	CCO Type II Micro W Black Rock	SF	5,000	0.80	4,000.00

TOTAL ADDITIONAL COST FROM THIS CHANGE ORDER	\$305,441
TOTAL ADDITIONAL COST FROM PREVIOUS CHANGE ORDERS	\$0.00
ORIGINAL CONTRACT AMOUNT	\$751,120
REVISED CONTRACT AMOUNT AFTER THIS CHANGE ORDER	\$1,056,560.54

**III. DESCRIPTION OF WORK**

Balancing Change Order

**IV. TIME OF COMPLETION**

No additional working days are being added to the contract.

Working days specified in contract:

Submitted By: \_\_\_\_\_ Date \_\_\_\_\_  
Ken Reed  
Senior Construction Manager

Recommended By: \_\_\_\_\_ Date \_\_\_\_\_  
Michael King  
Director of Public Works

Approved As  
To Form: \_\_\_\_\_ Date \_\_\_\_\_  
Salvador Navarrete  
City Attorney

Approved By: \_\_\_\_\_ Date \_\_\_\_\_  
Stephen J. Salvatore  
City Manager

Accepted By  
Contractor: \_\_\_\_\_ Date \_\_\_\_\_  
VSS International Inc.

\_\_\_\_\_  
Print Name and Title

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