

# SEPTEMBER 9, 2019 – City Council Regular Meeting – 7:00 p.m.



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

## City Council

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

## City Staff

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

## General Order of Business

1. Preliminary
  - Call to Order
  - Closed Session
  - Roll Call
  - Invocation
  - Pledge of Allegiance
  - Announcements by Mayor/City Mgr.
  - Informational Items
  - Declaration of Conflict of Interest
2. Presentations
3. Citizen's Forum
4. Consent Calendar
5. Scheduled Items
  - Public Hearings
  - Appeals
  - Referrals and Reports from Commissions and Committees
  - All Other Staff Reports and/or Action Items
  - Study Sessions
6. Council Communications
7. Adjournment

## Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested residents, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken.

## Consent Calendar

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



**SEPTEMBER 9, 2019 – Regular Meeting Agenda – 7:00 p.m.**



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## Addressing the Council

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

## Citizen's Forum

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

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

**This City Council Agenda may be accessed by computer or any smart device at the following Worldwide Web Address: [www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us) LIVE STREAMING & CLOSED CAPTIONING – Available, please visit the City Council Webpage or use the following URL <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>**

## Information

Copies of the Agenda are available in the lobby at the Lathrop City Hall, 390 Towne Centre Drive, Lathrop, on Thursday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available for review in the City Clerk's Office. This agenda was posted at the following locations: City Hall, Community Center, Generations Center, Senior Center, and "J" Street and River Islands Fire Department Offices. The meetings of the Lathrop City Council are broadcast on Lathrop Comcast Cable Television Channel 97.

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

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

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

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

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, SEPTEMBER 9, 2019,  
7:00 P.M.  
COUNCIL CHAMBER, CITY HALL  
390 Towne Centre Drive  
Lathrop, CA 95330**

**AGENDA**

**PLEASE NOTE: There will be a Closed Session commencing at 5:45 p.m. The Regular Meeting will reconvene at 7:00 p.m., or immediately following the Closed Session, whichever is later.**

**1. PRELIMINARY**

1.1 CALL TO ORDER

1.2 CLOSED SESSION

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

- 1 Potential Case

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

- Title(s): City Manager, City Attorney

**RECONVENE**

1.2.3 REPORT FROM CLOSED SESSION

1.3 ROLL CALL

1.4 INVOCATION

1.5 PLEDGE OF ALLEGIANCE

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

**2. PRESENTATIONS**

2.1 NATIONAL NIGHT OUT COMMUNITY PARTNER AWARD

2.2 PRESENTATION PROVIDED BY THE ECONOMIC DEVELOPMENT  
ASSOCIATION OF SAN JOAQUIN COUNTY

2.3 MAYOR'S COMMITTEE REPORT(S)  
Parks & Recreation Update on Committee Events and Programs

**3. CITIZEN'S FORUM**

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

**4. CONSENT CALENDAR**

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

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS  
Waive the Reading of Ordinances and Resolutions on Agenda Unless  
Otherwise Requested by the Mayor or a Councilmember

4.2 APPROVAL OF MINUTES  
Approve Minutes for the Regular Council Meeting of August  
12, 2019

4.3 TREASURER'S REPORT FOR JUNE 2019  
Approve Quarterly Treasurer's Report for June 2019

4.4 SECOND READING AND ADOPTION OF ORDINANCE 19-406 AMENDING  
TITLE 2, CHAPTER 2.36 PURCHASING SYSTEM AND TITLE 3, CHAPTER 3.30  
INFORMAL BIDDING OF THE LATHROP MUNICIPAL CODE TO UPDATE THE  
CHAPTERS IN ACCORDANCE WITH THE CALIFORNIA UNIFORM PUBLIC  
CONSTRUCTION COST ACCOUNTING ACT

Second Reading and Adoption of Ordinance No. 19-406 Amending Title 2, Chapter 2.36 Purchasing System and Title 3, Chapter 3.30 Informal Bidding of the Lathrop Municipal Code to Update the Chapters in Accordance with the California Uniform Public Construction Cost Accounting Act

4.5 SECOND READING AND ADOPTION OF ORDINANCE 19-407 AMENDING TITLE 3, CHAPTER 3.32 COUNTY FACILITY FEE, SECTION 3.32.150 SUNSET CLAUSE

Second Reading and Adoption of Ordinance No. 19-407 Amending Title 3, Chapter 3.32 County Capital Facility Fees, Section 3.32.150 Sunset Clause of the Lathrop Municipal Code to Remove the Sunset Clause of the County Facilities Fee Program

4.6 SECOND READING AND ADOPTION OF ORDINANCE 19-408 ADOPTING MUNICIPAL CODE TEXT AMENDMENT NO. TA-19-78

Second Reading and Adoption of Ordinance No. 19-408 Amending Title 17 of the Lathrop Municipal Code by Adding Chapter 17.13 to Allow the Creation of Easements by Covenant

4.7 RESOLUTION DECLARING ONE MOTORCYCLE, FIVE VEHICLES, AND VARIOUS VEHICLE COMPONENTS AS SURPLUS PROPERTY AND AUTHORIZING DISPOSAL BY AUCTION, RECYCLE, OR DONATION

Adopt Resolution Declaring One Motorcycle, Five Vehicles, and Various Vehicle Components as Surplus Property and Authorizing Disposal by Auction, Recycle, or Donation

4.8 APPROVE PROFESSIONAL SERVICES AGREEMENT FOR SOFTWARE IMPLEMENTATION, HARDWARE, AND SOFTWARE LICENSES WITH TYLER TECHNOLOGIES, INC.

Adopt a Resolution Approving:

- Agreement with Tyler Technologies, Inc., for Energov Software Implementation Services
- Purchase of Hardware and Software Licenses
- Creation of CIP GG 20-15 for Energov Development Services Module
- Related Budget Amendment

4.9 APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH GREENPLAY, LLC TO PREPARE THE CITY'S PARKS AND RECREATION MASTER PLAN

Adopt a Resolution to Approve a Professional Services Agreement with GreenPlay, LLC to Prepare the City's Parks and Recreation Master Plan (CIP PK 19-13)

4.10 FISCAL YEAR 2019-2020 REQUESTS FOR FEE WAIVER

Adopt Five Resolutions Approving Facility Fee Waiver requests from the Lathrop Lions Club, Lathrop Little League, Lathrop Community Volunteer Club, the Lathrop Sunrise Rotary Club, and the Thrive Church

*RIVER ISLANDS CONSENT ITEM(S)*

4.11 APPROVE A MS4 STORM DRAINAGE PERMIT AGREEMENT WITH RECLAMATION DISTRICT 2062

Adopt Resolution Approving an Agreement with Island Reclamation District No. 2062 ("RD 2062") for the Discharge of Storm Waters from the River Islands at Lathrop Project under the City of Lathrop Small MS4 General Permit

**4.12 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 24 LOTS IN TRACT 3990 VILLAGE "U" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS**

Adopt Resolution Approving Final Map for Tract 3990 Village "U" within the Lakeside East District, Totaling 24 Single-Family Lots, Subdivision Improvement Agreement with River Islands Development, LLC

**4.13 APPROVAL OF FINAL MAP, CUA WITH ISLAND RECLAMATION DISTRICT 2062 AND SIA FOR 44 LOTS IN TRACT 4015 VILLAGE "W" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS**

Adopt Resolution Approving Final Map for Tract 4015 Village "W" within the Lakeside East District, Totaling 44 Single-Family Lots, City of Lathrop Annexation No. 10 to (CFD) 2013-1, Common Use Agreement with Island Reclamation District 2062 for a Portion of Capricorn Court and Subdivision Improvement Agreement with River Islands Development, LLC

**4.14 ACCEPT OFF-SITE IMPROVEMENTS CONSTRUCTED BY TEICHERT & SONS, INC., DBA TEICHERT CONSTRUCTION, ON MANTHEY ROAD, HARLAN ROAD AND HOWLAND ROAD**

Adopt Resolution Accepting Off-Site Improvements Constructed by Teichert Construction under Contract with Developer River Islands Development, LLC, on Manthey Road, Harlan Road and Howland Road and Authorize the Release of the Performance Bond Associated with Encroachment Permit No. 2018-16

**5. SCHEDULED ITEMS**

***RIVER ISLANDS SCHEDULED ITEM(S)***

**5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ISSUANCE OF REVENUE ANTICIPATION NOTES BY THE RIVER ISLANDS PUBLIC FINANCING AUTHORITY**

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt a Resolution Making Findings with Respect to Public Benefit and Approving the Issuance of Revenue Anticipation Notes by the River Islands Public Financing Authority

***GENERAL SCHEDULED ITEM(S)***

**5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING THE SPEED LIMITS IN THE CITY OF LATHROP, TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS, SECTION 10.08.030 OF THE LATHROP MUNICIPAL CODE**

City Council to Consider the Following:

1. Hold a Public Hearing; and

2. Introduction and First Reading of an Ordinance Amending Section 10.08.030 of the Lathrop Municipal Code Relating to Speed Limits on Harlan Road Between Roth Road and Slate Street, Johnson Ferry Road Between Colonial Trail and Golden Spike Trail, Louise Avenue Between Harlan Road and 5th Street and Roth Road between I-5 and East City Limits

- 5.3 FISCAL YEAR (FY) 2018/19 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO THE FISCAL YEAR 2019/20 BUDGET  
Adopt Resolution Approving the FY 2018/19 Year-End Report and Related Budget Amendments and Amending the FY 2019/20 Budget

- 5.4 APPROVE MEMORANDUM OF UNDERSTANDING WITH SAN JOAQUIN COUNTY, SOUTH SAN JOAQUIN IRRIGATION DISTRICT, AND OTHER COUNTYWIDE AGENCIES TO PARTICIPATE IN THE INTEGRATED REGIONAL WATER MANAGEMENT PLAN  
Adopt Resolution Approving Memorandum of Understanding with San Joaquin County, South San Joaquin Irrigation District, and Other Countywide Agencies to Participate in the Integrated Regional Water Management Plan, and Appoint a Primary and Secondary City Council Representative

## **6. COUNCIL COMMUNICATIONS**

- 6.1 MAYOR & COUNCILMEMBER REFERRAL(S)


- 6.1.1 MAYOR DHALI WAL REFERRAL: Discussion Regarding the Installation of Exercise Equipment at Crescent Park

- 6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

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

- 6.3 MAYOR & COUNCILMEMBER COMMENT(S)

## **7. ADJOURNMENT**

  
Teresa Vargas, CMC  
City Clerk

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