

February 14, 2022 – City Council Regular Meeting – 7:00 p.m.



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

City Council

Sonny Dhaliwal, Mayor
Diane Lazard, Vice Mayor
Paul Akinjo
Minnie Diallo
Jennifer Torres-O'Callaghan

City Staff

Stephen Salvatore, City Manager
Salvador Navarrete, City Attorney
Teresa Vargas, Government Services
Director / City Clerk
Glenn Gebhardt, City Engineer
Michael King, Public Works Director
Cari James, Finance Director
Theresa Roland, Human Resources
Director
Mark Meissner, Community Development
Director
Zachary Jones, Parks, Recreation and
Maintenance Services Director
Raymond Bechler, Chief of Police
(Commission Start Date 7/1/2022)
Lieutenant Michael Alagna, Acting 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 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.



FEBRUARY 14, 2022 – Regular Meeting Agenda – 7:00 p.m.



Printed on Recycled Paper

See Reverse

IMPORTANT NOTICE REGARDING THIS MEETING & COVID-19

Executive Order N-29-20, issued by the Governor on March 17, 2020, set provisions which relaxed the teleconferencing requirements of the Brown Act to facilitate virtual meetings during the COVID-19 declared emergency, said provisions expired after September 30, 2021.

This public meeting will be conducted in person; all members of the City Council will attend in person. Members of the public are welcomed in person. COVID-19 and social distancing guidelines will be enforced. As a courtesy, this meeting will be available for public participation by teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/j/1607937773?pwd=aVNLYmdFSEZwUWloVWtEcEdHQUWpOZz09>

- ✚ During the meeting, those joining by ZoomGov, will be allowed to speak prior to the close of public comment on an item. If you are using this method, please "raise the hand" feature to inform the City Clerk (meeting host) you wish to speak on the matter. Please ensure your computer speaker and microphone are fully functional.
- ✚ For audio / calling in only, dial: +1 (669) 254-5252 or +1 (669) 216-1590
 - To request to speak (same as the "raise hand" feature) press *9 / When the City Clerk calls your name, press *6 to unmute.
- ✚ Meeting Webinar ID: 160 793 7773/ Passcode: 610413
- ✚ If you are not able to attend the meeting in person or virtually - Public comment/questions will be accepted by email to City Clerk Teresa Vargas at website_cco@ci.lathrop.ca.us or by calling (209) 941-7230
- ✚ Questions or comments must be submitted by 4:00 p.m., on the day of the meeting.
- ✚ To address City Council in person, please submit a purple card to the City Clerk indicating name, address, and number of the item upon which a person wishes to speak.

Council Meetings are live-streamed (with Closed Captioning) on Comcast Cable Channel 97, and on the City Council Webpage: <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>

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, or submit your request to speak via the "raise hand" feature in ZoomGov. 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. Please note, the Council Chamber has limited occupancy due to social distancing.

To leave a voice message for all Councilmembers simultaneously, dial (209) 941-7230. To send an e-mail for Councilmembers simultaneously email: citycouncil@ci.lathrop.ca.us. This City Council Agenda and meeting materials can be accessed by computer or any smart device at: <https://www.ci.lathrop.ca.us/meetings>

General Information

For reports citing supplemental documents relating to specific agenda items, these 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 and live streamed on the City's website.

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:

Teresa Vargas, MMC
Government Services Director / City Clerk
390 Towne Centre Drive
Lathrop, CA 95330
Telephone: (209) 941-7230

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, FEBRUARY 14, 2022
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

AGENDA

PLEASE NOTE: There will be a Closed Session commencing at 5:30 p.m. The Regular Meeting will reconvene at 7:00 p.m., or immediately following the Closed Session, whichever is later.

1. PRELIMINARY

1.1 CALL TO ORDER

1.2 CLOSED SESSION

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

- 3 Potential Case(s)

The following facts and circumstances known to plaintiff or plaintiffs
regarding (Gov. Code § 54956.9(e)(2))

- Complaints by Councilmember Minnie Diallo Regarding
Communications with City Manager Stephen J. Salvatore.

1.2.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to
Government Code Section 54956.8
Property: 7000 Michael Canlis Boulevard, French Camp, CA 95231
Agency Negotiator: Stephen J. Salvatore, City Manager
Negotiating Parties: County of San Joaquin
Under Negotiation: Lease / Use Agreement

RECONVENE

1.2.3 REPORT FROM CLOSED SESSION

1.3 ROLL CALL

1.4 INVOCATION

1.5 PLEDGE OF ALLEGIANCE

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

2. PRESENTATIONS

2.1 PROCLAMATION DECLARING FEBRUARY AS BLACK HISTORY MONTH

2.2 INTRODUCTION OF NEW EMPLOYEES

- Theresa Roland, Director of Human Resources
- Kyle Oki, Police Commander
- Stephen Sealy, Police Commander

2.3 LATHROP POLICE DEPARTMENT PROJECT UPDATE, CIP GG 21-11

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 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 January 10, 2022

- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 22-431 OF THE CITY OF LATHROP AMENDING VARIOUS SECTIONS TO THE LATHROP MUNICIPAL CODE TO MODERNIZE, SIMPLIFY, AND STREAMLINE VARIOUS SECTIONS OF TITLE 17, ZONING CODE, AND TITLE 10, VEHICLES AND TRAFFIC (TA-21-151)
Waive Full Reading and Adopt Ordinance 22-431 by Title Only To Update Various Sections to the Lathrop Municipal Code to Modernize, Simplify, and Streamline Various Sections of Title 17, Zoning Code, and Title 10, Vehicles and Traffic (TA-21-151)
- 4.4 TREASURER'S REPORT FOR DECEMBER 2021
Approve Quarterly Treasurer's Report for December 2021
- 4.5 OPPOSE 2022 BALLOT INITIATIVE 21-0042A1 "THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT"
Adopt Resolution to Oppose Initiative 21-0042A1 "The Taxpayer Protection and Government Accountability Act" State Ballot Measure Restricting Voters' Input and Local Taxing Authority
- 4.6 APPROVE TASK ORDER NO. 26 WITH 4LEAF, INC. FOR STAFF AUGMENTATION SERVICES IN THE BUILDING DIVISION
Adopt Resolution Approving Task Order No. 26 with 4LEAF, Inc. for Staff Augmentation Services in the Building Division Pursuant to Master Professional Services Consulting Agreement dated September 21, 2015 with 4LEAF, Inc.
- 4.7 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 271 LOTS IN TRACT 4105 WITHIN PHASE 1D OF THE CENTRAL LATHROP SPECIFIC PLAN
Adopt Resolution Approving Final Map for Tract 4105 within Phase 1D of the Central Lathrop Specific Plan, Totaling 271 Single Family Lots and Subdivision Improvement Agreement with Lathrop Land Acquisition, LLC
- 4.8 AWARD CONSTRUCTION CONTRACT TO DIRT DYNASTY, INC. FOR THE LATHROP ROAD AND HARLAN ROAD INTERSECTION IMPROVEMENTS, CAPITAL IMPROVEMENT PROJECT PS 21-06 AND APPROVE RELATED BUDGET AMENDMENT
Adopt Resolution Awarding a Construction Contract to Dirt Dynasty, Inc. for the Lathrop Road and Harlan Road Intersection Improvements, Capital Improvement Project (CIP) PS 21-06 and Approving Related Budget Amendment
- 4.9 AWARD CONSTRUCTION CONTRACT TO COMMERCIAL PUMP & MECHANICAL, INC. FOR WELL 10 TESTING, ANALYSIS AND MODIFICATIONS, CAPITAL IMPROVEMENT PROJECT PW 22-37 AND APPROVE RELATED BUDGET AMENDMENT

Adopt Resolution Awarding a Construction Contract to Commercial Pump & Mechanical, Inc. (CPM) for Well 10 Testing, Analysis and Modifications, Capital Improvement Project (CIP) PW 22-37 and Approve Related Budget Amendment

- 4.10 ACCEPT PUBLIC IMPROVEMENTS FOR STANFORD CROSSING PHASE 1B NEIGHBORHOOD PARK LOCATED IN CENTRAL LATHROP SPECIFIC PLAN AND AUTHORIZE THE RELEASE OF BONDS ASSOCIATED WITH EP NO. 2021-30

Adopt Resolution Accepting Public Improvements for Stanford Crossing Phase 1B Neighborhood Park Located in Central Lathrop Specific Plan and Authorize the Release of Bonds Associated with Encroachment Permit No. 2021-30

5. SCHEDULED ITEMS

- 5.1 REVIEW AND PROVIDE DIRECTION ON DESIGN OPTIONS FOR CIP PK 20-02 MILESTONE MANOR PARK REVITALIZATION

Review Design Options for CIP PK 20-02 Milestone Manor Park Revitalization Project and Approval of Associated Budget Amendment

- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP ACT (HOME) PROGRAM ALLOCATIONS FOR FISCAL YEAR 2022/2023

Council to Consider the Following:

- Hold a Public Hearing; and
- Adopt a Resolution Recommending the Allocation of the CDBG and HOME Funds for FY 2022/2023 for consideration by San Joaquin County and the US Department of Housing and Urban Development (HUD)

- 5.3 APPROVE THE SELECTION PROCESS AND THE ISSUANCE OF A REQUEST FOR PROPOSALS, REVISED MERIT BASED SELECTION CRITERIA, AND APPEAL PROCEDURES FOR A COMMERCIAL CANNABIS DISPENSARY IN THE CITY OF LATHROP

Council to Consider Approval of a Resolution Approving a Cannabis Dispensary Selection Process, Resolution to Adopt a Revised Merit-Based Selection Criteria, and Resolution to Adopt an Appeal Procedure and Applicable Rules for Commercial Cannabis Activities in the City of Lathrop

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL – Appointment of One (1) Member to the Measure C Oversight Committee, with Term Ending June 30, 2022, due to Unexpired Term Vacancy

- Three (3) Applications Received

6.2 COUNCILMEMBER DIALLO – Amendment to the City Council Handbook of Rules and Regulations to Consider Changes to the City Council Regular Meeting Schedule

6.3 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

- *Central Valley Executive Committee/LOCC (Akinjo/Diallo)*
- *Council of Governments (Lazard/Diallo)*
- *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)*
- *LAFCo (Diallo)*

6.4 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
Government Services Director/ City Clerk