

April 10, 2023 – 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
Paul Akinjo, Vice Mayor
Minnie Diallo
Diane Lazard
Jennifer Torres-O'Callaghan

City Staff

Stephen Salvatore, City Manager
Salvador Navarrete, City Attorney
Michael King, Assistant City Manager
Teresa Vargas, Government Services
Director / City Clerk
Brad Taylor, City Engineer
Tony Fernandes, Information Systems Director
Cari James, Finance Director
Juliana Burns, Human Resources Director
Mark Meissner, Community Development
Director
Todd Sebastian, Parks, Recreation and
Maintenance Services Director
Raymond Bechler, 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.



April 10, 2023 – Regular Meeting Agenda – 7:00 p.m.



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See Reverse

IMPORTANT NOTICE REGARDING THIS MEETING & COVID-19

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. Please adhere to COVID-19 and social distancing guidelines. This meeting will also be available for public participation by teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/j/1612312064?pwd=YTIKUWhyaU5QOUVWMFZGZINqMXJBUT09>

- ✚ 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: 161 231 2064/ Passcode: 978984
- ✚ 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](mailto: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, APRIL 10, 2023
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

AGENDA

PLEASE NOTE: There will be no Closed Session. The Regular Meeting will begin at 7:00 p.m.

1. PRELIMINARY

- 1.1 CALL TO ORDER
- 1.2 ROLL CALL
- 1.3 INVOCATION
- 1.4 PLEDGE OF ALLEGIANCE
- 1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER
- 1.6 INFORMATIONAL ITEM(S) – NONE
- 1.7 DECLARATION OF CONFLICT(S) OF INTEREST

2. PRESENTATIONS

- 2.1 CERTIFICATE OF RECOGNITION TO THE LATHROP HIGH SCHOOL GIRLS BASKETBALL TEAM
- 2.2 RECOGNITION OF MARK MEISSNER, DIRECTOR OF COMMUNITY DEVELOPMENT, FOR OVER 33 YEARS OF PUBLIC SERVICE
- 2.3 INTRODUCTION OF NEW EMPLOYEES:

Parks, Recreation and Maintenance Services Department

- Frank Rivera, Maintenance Services Supervisor
- Austin Fox, Maintenance Worker
- Andrea Brown, Sr. Recreation Leader
- Harpreet Banwait, Sr. Recreation Leader

Public Works Department

- Gilbert Gaeta, Maintenance Worker

Lathrop Police Department

- Aaron Vanlue, Police Officer
- Taylor Dominguez, Police Officer

2.4 QUARTERLY ECONOMIC DEVELOPMENT PRESENTATION

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 Special Council Meeting of January 23, 2023, and Regular Meeting of February 13, 2023

- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 23-444 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP MUNICIPAL CODE TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS SECTION 10.08.030 "SPEED LIMITS"
Waive Full Reading and Adopt Ordinance 23-444 Amending Lathrop Municipal Code Title 10 Vehicles and Traffic, Chapter 10.08 Speed Limits Section 10.08.030 "Speed Limits"
- 4.4 ACCEPTANCE OF THE CITY OF LATHROP ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2022
Adopt Resolution Accepting the City of Lathrop Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ending June 30, 2022
- 4.5 APPROVE MEMORANDUM OF UNDERSTANDING WITH LATHROP POLICE OFFICERS ASSOCIATION, ADOPT A BENEFIT PLAN FOR THE UNREPRESENTED CLASSIFICATIONS OF COMMANDER AND LIEUTENANT, AND ADOPT A RECRUITMENT INCENTIVE PLAN FOR SWORN CLASSIFICATIONS
Adopt Resolution Approving a Memorandum of Understanding (MOU) with the Lathrop Police Officers Association (LPOA), Adopt a Benefit Plan for the Unrepresented Commander and Lieutenant Classifications, and Adopt a Recruitment Incentive Plan
- 4.6 APPROVE OF OUT-OF-STATE TRAVEL FOR ONE (1) LATHROP POLICE DEPARTMENT SERGEANT TO ATTEND CANINE PROGRAM MANAGEMENT COURSE IN MAY 2023
Adopt Resolution Approving Out-of-State Travel for One (1) Lathrop Police Department Sergeant to Attend the Canine Program Management Course in South Lake Tahoe, Nevada from May 2, 2023 to May 4, 2023
- 4.7 APPROVE AMENDMENT NO. 2 WITH ROBERT HALF INTERNATIONAL, INC. TO PROVIDE PROFESSIONAL SERVICES IN THE BUILDING DEPARTMENT FOR THE ENERGОВ IMPLEMENTATION
Adopt Resolution Approving Amendment No. 2 with Robert Half International, Inc. to provide Professional Services in the Building Department for the Energov Implementation
- 4.8 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH BUTLER AMUSEMENTS, INC. TO PROVIDE LAW ENFORCEMENT SERVICES FOR ANNUAL CARNIVAL EVENT ON APRIL 20, 2023 THROUGH APRIL 23, 2023
Adopt Resolution Approving Professional Services Agreement with Butler Amusement, Inc. to Provide Law Enforcement Services for their Annual Carnival Event on April 20, 2023 through April 23, 2023

- 4.9 APPROVE COMMUNITY PARTNERSHIP AGREEMENT BETWEEN THE CITY OF LATHROP AND THE JUNETEENTH COMMITTEE TO COMMEMORATE THE JUNETEENTH NATIONAL INDEPENDENCE DAY FEDERAL HOLIDAY
Adopt Resolution Approving a Community Partnership Agreement between the City of Lathrop and the Juneteenth Committee to Commemorate the Juneteenth National Independence Day Federal Holiday
- 4.10 APPROVE FISCAL YEAR 2023-24 PROJECT LIST ASSOCIATED WITH SENATE BILL 1
Adopt Resolution Approving a List of Projects for Fiscal Year 2023-24 Funded By Senate Bill 1, the Road Repair and Accountability Act of 2017
- 4.11 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ROBERTSON-BRYAN, INC., FOR THE CITY'S INDUSTRIAL PRETREATMENT PROGRAM
Adopt Resolution Approving a Professional Services Agreement with Robertson-Bryan, Inc., for the City's Industrial Pretreatment Program
- 4.12 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH FGL ENVIRONMENTAL FOR WATER QUALITY LABORATORY SERVICES FOR THE CITY'S DRINKING WATER PROGRAM AND CTF WASTEWATER PERMIT COMPLIANCE
Adopt Resolution Approving a Professional Services Agreement with FGL Environmental for Water Quality Laboratory Services for the City of Lathrop's Drinking Water Program and Consolidated Treatment Facility Wastewater Permit Compliance
- 4.13 APPROVE CONTRACT CHANGE ORDER NO. 3 AND NO. 4 WITH CUSHMAN CONTRACTING CORPORATION FOR THE CTF DECHLORINATION FACILITY OF SURFACE WATER DISCHARGE, CIP WW 20-17 AND APPROVE BUDGET AMENDMENT
Adopt Resolution Approving Contract Change Order No. 3 and No. 4 with Cushman Contracting Corporation for the CTF Dechlorination Facility of Surface Water Discharge, CIP WW 20-17 and Approving Budget Amendment
- 4.14 APPROVE PURCHASE FROM ZIMA CORPORATION FOR HEADWORKS EQUIPMENT FOR THE CONSOLIDATED TREATMENT FACILITY PHASE 3 EXPANSION, CIP WW 22-38 AND APPROVE BUDGET AMENDMENT
Adopt Resolution Approving a Purchase from Zima Corporation for Headworks Equipment for the Consolidated Treatment Facility Phase 3 Expansion, CIP WW 22-38 and Approve Budget Amendment
- 4.15 RATIFY SAN JOAQUIN COUNCIL OF GOVERNMENTS' ANNUAL FINANCIAL PLAN
Adopt Resolution Ratifying the San Joaquin Council of Governments (SJCOG) Annual Financial Plan for FY 2023-24

- 4.16 RATIFY CITY MANAGER'S EXECUTION OF A CONSTRUCTION CONTRACT WITH NOR-CAL CONCRETE COMPANY FOR TEMPORARY ANIMAL SHELTER CONCRETE, CIP GG 23-06 AND APPROVE BUDGET AMENDMENT
Adopt Resolution Ratifying City Manager's Execution of a Construction Contract with Nor-Cal Concrete Company for the Temporary Animal Shelter Concrete, CIP GG 23-06 and Approving Budget Amendment
- 4.17 RATIFY CITY MANAGER'S SIGNATURE AND APPROVE OPTION AND TOWER LEASE AGREEMENT WITH VERIZON WIRELESS FOR USE OF CITY OWNED TOWER
Adopt Resolution Ratifying City Manager's Signature and Approving Option and Tower Lease Agreement with Verizon Wireless for Use of City Tower
- 4.18 RATIFY THE PURCHASE OF CAMERA SURVEILLANCE SYSTEMS FOR MAJOR CITY PARKS, CIP GG 22-35
Adopt a Resolution Ratifying a Service Contract with ICU Technologies, Inc. and Approve Purchase of Hardware and Services for Network Infrastructure from Various Vendors for Major City Parks CIP 22-35
- 4.19 CREATE CIP PS 23-18 FOR MCKINLEY AVENUE PAVEMENT REHABILITATION, AND APPROVE BUDGET AMENDMENT
Adopt Resolution Creating CIP PS 23-18 for McKinley Avenue Pavement Rehabilitation and Approving Budget Amendment
- 4.20 GRAND JURY REPORT RESPONSE UPDATE
Direct the City Attorney to Submit a Letter to the Presiding Judge of the San Joaquin County Superior Court Responding with an Update to the Findings and Recommendations of the Grand Jury Report on Cybersecurity

RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)

- 4.21 AUTHORIZE THE FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2023-1 (RIVER ISLANDS PUBLIC SERVICES AND FACILITIES #2)
Adopt Resolution of Intention to Establish City of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities #2) and a Future Annexation Area to Finance Public Services and Facilities

4.22 ACCEPT PUBLIC IMPROVEMENTS FROM RIVER ISLANDS DEVELOPMENT, LLC FOR TRACTS 3994, 3995, 4015, 4016, 4020, 4021, 4030, 4031, 4060, 4111, AND ACCEPT RIVER ISLANDS PARKWAY WITH ASSOCIATED CONDITION

Adopt Resolution to Approve Public Improvements from River Islands Development, LLC for Tracts 3994, 3995, 4015, 4016, 4020, 4021, 4030, 4031, 4060, 4111, and Approve River Islands Parkway with Associated Condition

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE AMENDMENT TO (1) ADOPT AN ORDINANCE TO ADD CHAPTER 17.78 HOTEL LIMITATIONS AND MODIFY SECTION 17.62.072 OF THE CENTRAL LATHROP COMMERCIAL OFFICE ZONING DISTRICT OF THE LATHROP MUNICIPAL CODE; (2) ADOPT A RESOLUTION AMENDING THE PERMITTED AND CONDITIONAL LAND USE LIST FOR MOSSDALE LANDING, MOSSDALE LANDING EAST, AND MOSSDALE LANDING SOUTH URBAN DESIGN CONCEPTS TO REGULATE AND LIMIT HOTEL DEVELOPMENT IN THE CENTRAL LATHROP SPECIFIC PLAN AND MOSSDALE VILLAGE (TA-23-32)

Council to Consider the Following:

1. Hold a Public Hearing; and
2. First Reading and Introduce an Ordinance to Add Chapter 17.78 Hotel Limitations and modify Section 17.62.072 of the Central Lathrop Commercial Office Zoning District of the Lathrop Municipal Code; and
3. Adopt a Resolution Amending the Permitted and Conditional Land Use List for Mossdale Landing, Mossdale Landing East, and Mossdale Landing South Urban Design Concepts to Regulate and Limit Hotel Development in the Central Lathrop Specific Plan and Mossdale Village

5.2 RECEIVE UPDATE FOR AQUIFER STORAGE AND RECOVERY, APPROVE AMENDMENT NO. 1 WITH CAROLLO ENGINEERS, INC. CIP PW 22-36 AND APPROVE BUDGET AMENDMENT

Adopt Resolution Approving Amendment No. 1 with Carollo Engineers, Inc. for the Aquifer Storage and Recovery, CIP PW 22-36 and Approving Budget Amendment

CEQA STATUS: Staff has determined the CEQA status for the project to date as exempt according to California Environmental Quality Act Article 18 §15262, "Feasibility and Planning Studies"

6. COUNCIL COMMUNICATIONS

6.1 MAYOR DHALIWAL REFERRAL: Set Application Deadline for Appointment of One (1) Representative to the San Joaquin County Commission on Aging with Existing Term Ending June 30, 2023, in addition to a Full Three (3) Year Term Ending June 30, 2026, due to Unexpired Term Vacancy

6.2 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 (Unexpired Vacancy)*
- *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)*

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
Government Services Director/
City Clerk