

July 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
Rick Caguiat, 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.



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



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See Reverse

IMPORTANT NOTICE REGARDING THIS MEETING

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. This meeting will also be available for public participation by teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/j/1619689329?pwd=RndqV2NKM2djQk hFSGREb1gvN0pYQT09>

- ✦ 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: 161 968 9329 / Passcode: 386323
- ✦ 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, JULY 10, 2023
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)

- Potential Case(s)

1.2.2 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS: Pursuant To Government Code Section 54956.8

Property: APNs 192-020-44 & 192-020-45

Agency Negotiator: Stephen Salvatore, City Manager

Negotiation Parties: Saybrook, CLSP, LLC

Under Negotiation: Price and Terms of Negotiations

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

- City Attorney
- City Manager

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 PRESENTATION OF ARTWORK DONATION FROM THE MARTIN FAMILY TO THE LATHROP MAYOR’S ART SHOW AND SALE COMMITTEE
- 2.2 PRESENTATION OF CERTIFICATES OF APPRECIATION TO THE LATHROP-MANTECA FIRE DEPARTMENT, AND CITY OF LATHROP PUBLIC WORKS, POLICE, AND PARKS, RECREATION & MAINTENANCE SERVICES DEPARTMENTS FOR THEIR INVOLVEMENT IN THE PREPARATION OF THE ANNUAL JULY 1 CELEBRATION EVENT
- 2.3 PROCLAMATION DECLARING JULY 2023 AS PARKS AND RECREATION MONTH
- 2.4 QUARTERLY ECONOMIC DEVELOPMENT PRESENTATION
- 2.5 POLICE DEPARTMENT PRESENTATION REGARDING PRIORITY ONE CALL TYPES AND UPDATED RESPONSE TIMES

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 June 12, 2023
- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 23-446 OF THE CITY COUNCIL OF THE CITY OF LATHROP LEVYING SPECIAL TAXES WITHIN CITY OF LATHROP COMMUNITY FACILITIES DISTRICT NO. 2023-1 (RIVER ISLANDS PUBLIC SERVICES AND FACILITIES #2)
Waive Full Reading and Adopt Ordinance 23-446 Levying Special Taxes within City Of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities #2)
- 4.4 APPROVE UPDATES TO THE PERSONNEL RULES AND REGULATIONS
Adopt Resolution to Approve Updates to the Personnel Rules and Regulations
- 4.5 APPROVE THE CREATION OF A DEPUTY CITY MANAGER POSITION
Adopt Resolution Creating a Deputy City Manager Position at Grade 90, Approving the Job Description, Updating the Grade Step Table, Unfunding the Deputy Finance Director Position, and Approving the Related Budget Amendment
- 4.6 APPROVE OUT OF STATE TRAVEL FOR TWO (2) LATHROP POLICE DEPARTMENT SCHOOL RESOURCE OFFICERS TO ATTEND THE G.R.E.A.T OFFICER TRAINING IN JULY 2023
Adopt Resolution Approving Out of State Travel for Two (2) Lathrop Police Department School Resource Officers to Attend the Gang Resistance Education and Training (G.R.E.A.T) Officer Training in Scottsdale, Arizona from July 24, 2023 to July 28, 2023
- 4.7 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH SOLID NETWORKS INC. FOR INFORMATION TECHNOLOGY MAINTENANCE AND SUPPORT SERVICES
Adopt Resolution Approving a Professional Services Agreement with Solid Networks, Inc. for Information Technology Maintenance and Support Services
- 4.8 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH EKI ENVIRONMENT & WATER, INC., FOR PFAS IN GROUNDWATER STUDY, CIP PW 20-16 GROUNDWATER TREATMENT IMPROVEMENTS

Adopt Resolution Approving a Professional Services Agreement with EKI Environment & Water, Inc., for PFAS Characterization and Evaluation of Planned PFAS Treatment for CIP PW 20-16 Groundwater Treatment Improvements

- 4.9 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH EKI ENVIRONMENT & WATER, INC., FOR MONITORING WELL NETWORK ABANDONMENT FOR CIP RW 24-16 RECYCLED WATER SYSTEM DECOMMISSIONING AND BUDGET AMENDMENT

Adopt Resolution Approving a Professional Services Agreement with EKI Environment & Water, Inc., for Monitoring Well Network Abandonment for CIP RW 24-16 Recycled Water System Decommissioning and Budget Amendment

- 4.10 APPROVE WASTEWATER TREATMENT CAPACITY TRANSFER FROM SOUTH LATHROP LAND, LLC TO D.R. HORTON, INC. THROUGH THE CITY
Adopt Resolution Approving the Transfer of Wastewater Treatment Capacity in the Consolidated Treatment Facility from South Lathrop Land, LLC to D.R. Horton, Inc. through the City and an Associated Transfer Agreement

- 4.11 RATIFY CITY MANAGER'S APPROVAL OF AN AGREEMENT WITH SOLID NETWORKS, INC. FOR EQUIPMENT REQUIRED FOR THE CAD-RIMS TRANSFER PROJECT

Adopt Resolution Ratifying the City Manager's Approval of an Agreement with Solid Networks, Inc. for Equipment Required for CAD-RIMS Transfer Project

- 4.12 ACCEPT INTERSECTION IMPROVEMENTS ASSOCIATED WITH THE SIA FOR PM 19-03 FROM LATHROP GATEWAY 1, LLC, LOCATED AT THE INTERSECTION OF MCKINLEY AVENUE AND YOSEMITE AVENUE

Adopt Resolution Accepting Intersection Improvements Associated with the Subdivision Improvements Agreement for Parcel Map 19-03 from Lathrop Gateway 1, LLC, Located at the Intersection of McKinley Avenue and Yosemite Avenue

- 4.13 ACCEPT STREET LANDSCAPE IMPROVEMENTS LOCATED ON BARBARA TERRY BOULEVARD AND STANFORD CROSSING FROM LATHROP LAND ACQUISITION LLC

Adopt Resolution Accepting Street Landscape Improvements on Barbara Terry Boulevard and Stanford Crossing Related to Encroachment Permit Number 2022-16 from Lathrop Land Acquisition LLC

- 4.14 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY MARINA LANDSCAPE FOR APOLINAR SANGALANG PARK IMPROVEMENTS, CIP PK 20-18

Adopt Resolution Accepting Public Improvements Constructed by Marina Landscape, Inc. for the Apolinar Sangalang Park Improvements, CIP PK 20-18, Authorize the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds

4.15 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY GEORGE REED, INC. FOR FISCAL YEAR 2022/23 CITYWIDE ROAD MAINTENANCE AND REHABILITATION, CIP PS 22-45 AND APPROVE BUDGET AMENDMENT
Adopt Resolution Accepting Public Improvements Constructed by George Reed, Inc. for Fiscal Year 2022/23 Citywide Road Maintenance and Rehabilitation, CIP PS 22-45, Authorize the Filing of a Notice of Completion, Release of Contract Retention, Release of Performance and Payment Bonds, and Approve Budget Amendment

4.16 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY CUSHMAN CONSTRUCTION CORPORATION FOR THE CTF DECHLORINATION FACILITY, ASSOCIATED WITH CIP WW 20-17 RECYCLED WATER RIVER DISCHARGE PROJECT
Adopt Resolution Accepting Public Improvements Constructed by Cushman Construction Corporation for the CTF Dechlorination Facility, Associated with CIP WW 20-17 Recycled Water River Discharge Project, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds

4.17 REJECT ALL BIDS FOR CONSTRUCTION OF LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02 AND RE-ADVERTISE FOR BIDS
Adopt Resolution to Reject All Bids for Construction of Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02 and Authorize Staff to Re-Advertise for Bids

RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)

4.18 ADOPT 2023 ADEQUATE PROGRESS FINDING TOWARD PROVISION OF 200-YEAR URBAN LEVEL OF FLOOD PROTECTION FOR ISLAND RECLAMATION DISTRICT 2062 (RIVER ISLANDS PHASES 1 AND 2)
Adopt Resolution Adopting 2023 Adequate Progress Findings Toward Providing a 200-Year Urban Level of Flood Protection in Phases 1 and 2 Levees of Island Reclamation District 2062 by the Year 2025, Acting as the Land Use Agency

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING AN ORDINANCE TO IMPLEMENT A COMMUNITY CHOICE AGGREGATION PROGRAM AND ADOPTING RESOLUTION TO APPROVE A JOINT POWERS AGREEMENT WITH EAST BAY COMMUNITY (EBCE) AUTHORITY TO PROVIDE ELECTRIC SERVICES IN THE CITY OF LATHROP
City Council to Consider the Following:
1. Hold a Public Hearing; and
 2. First Reading and Introduction of an Ordinance to Implement a Community Choice Aggregation Program to Provide Electric Services in the City of Lathrop
 3. Adopt Resolution to Approve a Joint Powers Agreement with East Bay Community (EBCE) Authority to Provide Electric Services in the City of Lathrop
- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER FISCAL YEAR 2023-24 ASSESSMENTS FOR THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 93-1 WOODFIELD PARK MAINTENANCE ZONE
Council to Consider the Following:
1. Hold a Public Hearing; and
 2. Adopt Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Landscape and Lighting Maintenance District No. 93-1 Woodfield Park Maintenance Zone for FY 2023-24; Proposed Annual Assessment for Fiscal Year 2023-24 not to exceed \$123.90
- 5.3 APPOINTMENT OF VOTING DELEGATE/ALTERNATE FOR 2023 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE
Approve Appointment of the City's Voting Delegate and Alternate for the 2023 League of California Cities Annual Conference, September 20-22, 2023, at the Sacramento SAFE Credit Union Convention Center
- 5.4 PROVIDE DIRECTION FOR HISTORIC LATHROP BEAUTIFICATION AND CREATE CIP GG 24-23
Adopt Resolution Creating CIP GG 24-23 Historic Lathrop Beautification Project and Approving Related Budget Amendment

6. COUNCIL COMMUNICATIONS

6.1 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 (Ince)*
- *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/Torres-O'Callaghan)*
- *LAFCo (Diallo)*

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
Government Services Director
City Clerk