

August 14, 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
Thomas Hedegard, Deputy 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 &
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.



August 14, 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/1606101039?pwd=RndQa3ILOVU3TTdWcGNKVG5LVjd0QT09>

- ✦ 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: 160 610 1039 / Passcode: 776727
- ✦ 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, AUGUST 14, 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 PRESENTATION OF ARTWORK DONATION FROM JIM, SANDY AND VANESSA GATTO TO THE CITY OF LATHROP FOR THE JOYCE GATTO ART GALLEY AT CITY HALL
- 2.2 PROCLAMATION DECLARING AUGUST AS NATIONAL BREASTFEEDING AWARENESS MONTH
- 2.3 INTRODUCTION OF NEW EMPLOYEES

Finance Department

- Christopher Hathcox, Customer Services Representative

Police Department

- Chantal Ezell, Police Officer
- Vatche Tatarian, Police Officer
- Ranjit Dosanjh, Community Services Supervisor
- Tracie Shea, Lieutenant

Public Works Department

- Dominic Maraspini, Maintenance Services Supervisor

2.4 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 Special Meeting of June 13, 2023 and Special Meeting of June 14, 2023

4.3 SECOND READING AND ADOPTION OF ORDINANCE 23-447 OF THE CITY COUNCIL OF THE CITY OF LATHROP TO IMPLEMENT A COMMUNITY CHOICE AGGREGATION PROGRAM TO PROVIDE ELECTRIC SERVICES IN THE CITY OF LATHROP

Waive Full Reading and Adopt Ordinance 23-447 Implementing a Community Choice Aggregation Program to Provide Electric Services in the City Of Lathrop

- 4.4 COMPLETE ANNUAL PERFORMANCE REVIEW PROCESS FOR CITY MANAGER AND CITY ATTORNEY
Adopt Resolution Approving Amendment No. 4 to the City Manager Employment Agreement, Amendment No. 3 to the City Attorney Employment Agreement
- 4.5 DECLARE CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZE THEIR DISPOSAL
Adopt Resolution Declaring Certain Vehicles and Equipment Surplus Property and Authorizing Their Disposal
- 4.6 APPROVE PURCHASES OF A DUMP TRUCK & VARIOUS HEAVY CONSTRUCTION EQUIPMENT
Adopt Resolution Approving the Purchases of a Dump Truck & Various Heavy Construction Equipment
- 4.7 APPROVE WRITE-OFF OF UNCOLLECTIBLE UTILITY AND MISCELLANEOUS CUSTOMER ACCOUNTS FOR FISCAL YEAR 2022-23
Adopt Resolution to Approve Write-Off of Uncollectible Utility and Miscellaneous Accounts for Fiscal Year (FY) 2022-23
- 4.8 APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR THE LATHROP LIONS CLUB
Adopt Resolution Approving a Facility Fee Waiver Request from the Lathrop Lions Club for the Use of a Valverde Park Shelter on October 21, 2023 to Host a Breast Cancer Walk
- 4.9 APPROVE ADDITIONAL INDUSTRIAL SOLID WASTE LICENSE FOR FISCAL YEAR 2023-24
Adopt Resolution to Approve Annual Industrial Solid Waste License for Tony & Sons Trucking for Fiscal Year 2023-24
- 4.10 APPROVE AMENDMENT NO. 1 WITH MIG INC. TO UPDATE THE ADA SELF-EVALUATION AND TRANSITION PLAN
Adopt Resolution Approving Amendment No. 1 with MIG Inc. to Update the ADA Self- Evaluation and Transition Plan
- 4.11 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 95 LOTS IN TRACT 4151 WITHIN THE MOSSDALE VILLAGE AREA
Adopt Resolution Approving Final Map for Tract 4151 within the Mossdale Village Area, Totaling 95 Single Family Lots and Subdivision Improvement Agreement with D.R. Horton BAY, Inc.

- 4.12 APPROVE AMENDMENT NO. 1 WITH LDA PARTNERS, INC. FOR THE LATHROP POLICE DEPARTMENT PROPERTY AND EVIDENCE BUILDING, CIP GG 21-13 CORP YARD IMPROVEMENTS
Adopt Resolution Approving Amendment No. 1 with LDA Partners, Inc., for the Lathrop Police Department Property and Evidence Building, CIP GG 21-13 Corp Yard Improvements
- 4.13 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH LDA PARTNERS, INC. FOR THE LATHROP ANIMAL CENTER, CIP GG 23-11
Adopt Resolution Approving a Professional Services Agreement with LDA Partners, Inc., for Design and Construction Services for the Lathrop Animal Center, CIP GG 23-11
- 4.14 RATIFY AMENDMENT NO. 2 WITH CAROLLO ENGINEERS, INC. FOR AQUIFER STORAGE AND RECOVERY, CIP PW 22-36
Adopt Resolution Ratifying Amendment No. 2 with Carollo Engineers, Inc., for Aquifer and Storage Recovery, CIP PW 22-36
- 4.15 RATIFY CITY MANAGER APPROVAL OF AGREEMENTS WITH AXON ENTERPRISE, INC., FOR THE PURCHASE OF TEN (10) AXON IN-CAR VIDEO SOLUTIONS AND PURCHASE OF EIGHT (8) ADDITIONAL OFFICER SAFETY PLAN 7 BUNDLES FOR THE POLICE DEPARTMENT
Adopt Resolution to Ratify the City Manager's Action to Approve Agreements with Axon Enterprise, Inc., for the Purchase of Ten (10) Axon Fleet In-Car Video Solution and its Supporting Information, Services and Training, and Purchase of Eight (8) Additional Officer Safety Plan 7 Bundles for the Police Department
- 4.16 ACCEPT FUNDING FROM LOCAL AGENCY TECHNICAL ASSISTANCE GRANT AWARD, CREATE CIP GG 24-24 FOR BROADBAND INFRASTRUCTURE, APPROVE RELATED BUDGET AMENDMENT, AND RATIFY AN AGREEMENT WITH MAGELLAN BROADBAND FOR THE DEVELOPMENT OF A MASTER PLAN FOR BROADBAND INFRASTRUCTURE
Adopt Resolution to Accept Funding From Local Agency Technical Assistance Grant Award, Create CIP GG 24-24 for Broadband Infrastructure, Approve Budget Related Amendment, and Ratify an Agreement with Magellan Broadband for the Development of a Master Plan for Broadband Infrastructure
- 4.17 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY DIRT DYNASTY, INC. FOR THE LATHROP AND HARLAN ROAD INTERSECTION IMPROVEMENTS, CIP PS 21-06
Adopt Resolution Accepting Public Improvements Constructed by Dirt Dynasty, Inc. for the Lathrop Road and Harlan Road Intersection Improvements, CIP PS 21-06, Authorize the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds

- 4.18 AWARD CONSTRUCTION CONTRACT TO GEORGE REED, INC., FOR CONSTRUCTION OF CLASS II BIKEWAYS TO ACE STATION, CIP PS 22-18 AND APPROVE BUDGET AMENDMENT
Adopt Resolution to Award a Construction Contract to George Reed, Inc., for Construction of Class II Bikeway to Ace Station, CIP PS 22-18 and Approve Budget Amendment
- 4.19 AWARD SERVICE CONTRACT TO ALL STEEL FENCE, INC. FOR GATE PREVENTATIVE MAINTENANCE AND EMERGENCY ON-CALL GATE & FENCE REPAIR SERVICES WITH AND APPROVE BUDGET AMENDMENT
Adopt Resolution Awarding a Service Contract to All Steel Fence, Inc. for Fence and Gate Preventative Maintenance and Emergency On-Call Gate & Fence Repair Services and Approving Budget Amendment
- 4.20 CREATE CIP GG 24-25 CITY FACILITIES FENCING IMPROVEMENTS, AWARD A CONSTRUCTION CONTRACT TO ALL STEEL FENCE, INC., AND APPROVE BUDGET AMENDMENT
Adopt Resolution to Create CIP GG 24-25 City Facilities Fencing Improvements, Award Construction Contract to All Steel Fence, Inc., and Approve Budget Amendment

RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)

- 4.21 APPROVE THE REVISED RIVER ISLANDS PHASE TWO PARKS AND OPEN SPACE MASTER PLAN
Adopt Resolution Approving the Revised River Islands Phase Two Parks and Open Space Master Plan

CEQA STATUS: The Proposed Project Falls within the Scope of the Previously Certified Subsequent Environmental Impact Report (SEIR) (SCH No. 1993112027) for the River Islands at Lathrop Phase Two Project; Therefore, No Further Environmental Review Is Required In Accordance With The California Environmental Quality Act

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE USE OF AN AUTOMATED ENFORCEMENT SYSTEM IN THE CITY OF LATHROP PURSUANT TO SECTION 21455 OF THE CALIFORNIA VEHICLE CODE
City Council to Consider the Following:
1. Hold a Public Hearing; and
 2. Public Hearing (Published Notice) to Consider the Use of an Automated Enforcement System in the City of Lathrop Pursuant to Section 21455 of the California Vehicle Code

- 5.2 ESTABLISH DROUGHT TOLERANT LANDSCAPING GRANT GUIDELINES
Council to Consider Adopting a Resolution to Establish Drought Tolerant Landscaping Grant Program Guidelines for Residential Properties in the City of Lathrop

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL: Set Application Deadline for Appointment of One (1) Representative to the San Joaquin County Commission on Aging with 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 (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/Torres-O'Callaghan)*
- *LAFCo (Diallo)*

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
Government Services Director
City Clerk