

# September 11, 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](http://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 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.



**September 11, 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/1600527364?pwd=QWxVUU9MMW1QMEU4aVhIOEdxTlcyQT09>**

- ✦ 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: 160 052 7364 / Passcode: 118180
- ✦ 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: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](mailto: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, SEPTEMBER 11, 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 6:00 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) and 54956.9(e)(1)

- 2 Potential Case(s)

1.2.2 CONFERENCE THREAT TO PUBLIC SERVICES OR FACILITIES: Consultation with: Legal Counsel and Police Chief Pursuant to Government Code Section 54957, Regarding Safety Protocols for Potential Public Threats

**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 INTRODUCTION OF NEW EMPLOYEES

Public Works Department

- Veronica Albarran, Junior Engineer

Police Department

- Tracie Shea, Lieutenant

2.2 POLICE DEPARTMENT EMERGENCY EVACUATION TRAINING 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 Regular Council Meeting of July 10, 2023

4.3 TABLE SPONSORSHIP AT STOCKTON CHAMBER OF COMMERCE’S 56TH ANNUAL INDUSTRIAL BARBECUE

Ratify City Participation and Table Sponsorship at the Stockton Chamber Of Commerce Barbecue, to be held September 13, 2023

- 4.4 ECONOMIC DEVELOPMENT RELATED MEMBERSHIPS AND SPONSORSHIPS  
Approve Resolution Authorizing Participation in Membership Organizations and Sponsorship Opportunities that Promote and Enhance the City of Lathrop's Economic Development Goals
- 4.5 PLANNING FEE WAIVER REQUEST BY GLOBAL SEVA FOUNDATION (TUP-23-95)  
Adopt Resolution Waiving the Temporary Use Permit Application Processing and Document Retention Fees for the Global Seva Foundation, in the Combined Amount of \$392
- 4.6 AUTHORIZE ACCEPTANCE OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT FUND AWARD FROM THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS)  
Adopt Resolution Authorizing the Chief of Police to Accept the Selective Traffic Enforcement Program (STEP) Grant Fund Award of \$60,000 from the State of California Office of Traffic Safety (OTS)
- 4.7 APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR MITRA USA  
Adopt Resolution Approving a Facility Fee Waiver Request from Mitra USA for the Use of the Scott Brooks Gymnasium on October 13, 2023 from 4:00 p.m. to 10:00 p.m. to Host a Cultural Event
- 4.8 APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR LATHROP LITTLE LEAGUE  
Adopt Resolution Approving a Facility Fee Waiver Request from Lathrop Little League for the Use of Mossdale Park Baseball Fields from September 11, 2023 through November 4, 2023 for Fall Baseball Clinics
- 4.9 APPROVE OUT OF STATE TRAVEL FOR THE 2023 NATIONAL LEAGUE OF CITIES CITY SUMMIT  
Adopt Resolution Authorizing Out of State Travel for the 2023 National League of Cities City Summit Trip to Atlanta, Georgia, from November 15-18, 2023
- 4.10 APPROVE AGREEMENT TO PROVIDE LAW ENFORCEMENT SERVICES FOR THE ANNUAL PUMPKIN MAZE EVENT AT DELL'OSSO FARMS  
Adopt Resolution Approving Agreement to Provide Law Enforcement Services to Dell'Osso Farms, LLC, for the Annual Pumpkin Maze Event on September 30, 2023 through October 31, 2023

- 4.11 APPROVE AGREEMENT TO PROVIDE LAW ENFORCEMENT SERVICES FOR THE AMERICAN HEART ASSOCIATION'S 209 HEART & STROKE WALK EVENT  
Adopt Resolution Approving Agreement to Provide Law Enforcement Services to the American Heart Association for the 209 Heart & Stroke Walk Event on October 7, 2023
- 4.12 APPROVE OUT OF STATE TRAVEL FOR THE POLICE DEPARTMENT RECORDS SUPERVISOR TO ATTEND THE RIMSCON 2023 CONFERENCE IN OCTOBER 2023  
Adopt Resolution Approving Out of State Travel for the Police Department Records Supervisor to Attend the RIMSCON 2023 Conference in South Lake Tahoe, Nevada from October 9, 2023 to October 13, 2023
- 4.13 APPROVE PURCHASE OF A CHEVROLET SILVERADO 3500 SPRAY RIG FOR THE PARKS, RECREATION AND MAINTENANCE SERVICES DEPARTMENT  
Adopt Resolution Approving the Purchase of a Chevrolet Silverado 3500 Spray Rig for the Parks, Recreation and Maintenance Services Department
- 4.14 APPROVE WASTEWATER TREATMENT CAPACITY TRANSFER FROM SOUTH LATHROP LAND, LLC TO LATHROP LAND ACQUISITION, LLC, THROUGH THE CITY  
Adopt Resolution Approving the Transfer of Wastewater Treatment Capacity in the Consolidated Treatment Facility from South Lathrop Land, LLC to Lathrop Land Acquisition, LLC through the City and an Associated Transfer Agreement
- 4.15 APPROVE AMENDMENT NO. 1 WITH DOKKEN ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES FOR THE HARLAN ROAD REALIGNMENT AT ROTH ROAD, CIP PS 14-04  
Adopt Resolution Approving Amendment No. 1 with Dokken Engineering for Professional Engineering Services for the Harlan Road Realignment at Roth Road, CIP PS 14-04
- 4.16 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY AMERINE SYSTEMS, INC. FOR CITY HALL LANDSCAPE RENOVATIONS, CIP GG 21-09  
Adopt Resolution to Accept Public Improvements Constructed by Amerine Systems, Inc. for the City Hall Landscape Renovation, CIP GG 21-09, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds

- 4.17 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY TIM PAXIN'S PACIFIC EXCAVATION, INC. DBA PACIFIC EXCAVATION FOR STREETLIGHTS ASSOCIATED WITH LOUISE AVENUE LANDSCAPE, CIP GG 21-15  
Adopt Resolution to Accept Public Improvements Constructed by Tim Paxin's Pacific Excavation, Inc. dba Pacific Excavation for Streetlights Associated with Louise Avenue Landscape, CIP GG 21-15, Authorize the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds
- 4.18 AWARD SERVICE CONTRACT TO SWEEPING CORPORATION OF AMERICA OF CALIFORNIA, LLC FOR STREET SWEEPING SERVICES  
Adopt Resolution Awarding a Service Contract to Sweeping Corporation of America of California, LLC for Street Sweeping Services
- 4.19 RATIFY CITY MANAGER APPROVAL OF CONSTRUCTION CONTRACT WITH LUMA ENGINEERING INC. FOR THE CITY OF LATHROP FACILITIES ADA IMPROVEMENTS, CIP GG 23-14 AND APPROVE BUDGET AMENDMENT  
Adopt Resolution to Ratify City Manager's Action to Approve Construction Contract with Luma Engineering Inc. for the City of Lathrop Facilities ADA Improvements, CIP GG 23-14 and Approve Budget Amendment

***RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)***

- 4.20 APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 105 LOTS IN TRACT 4155 UNIT 1 WITHIN WEST VILLAGE DISTRICT OF RIVER ISLANDS  
Adopt Resolution Approving Final Map for Tract 4155 Unit 1 within the West Village District, Totaling 105 Single Family Lots, CFD Annexation No. 4, Irrevocable Offer of Dedication and Subdivision Improvement Agreement with River Islands Development Area 1, LLC, F/K/A River Islands Employment Center, LLC
- 4.21 APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 68 LOTS IN TRACT 4172 VILLAGE 1 WITHIN WEST VILLAGE DISTRICT OF RIVER ISLANDS  
Adopt Resolution Approving Final Map for Tract 4172 Village 1 within the West Village District, Totaling 68 Single Family Lots, CFD Annexation No. 2, and Subdivision Improvement Agreement with River Islands Development Area 2, LLC, and River Islands Stage 2A, LLC



- 4.22 APPROVE CONSOLIDATED JOINT COMMUNITY FACILITIES AGREEMENT WITH RIVER ISLANDS PUBLIC FINANCING AUTHORITY FOR THE AUTHORITY'S COMMUNITY FACILITIES DISTRICTS  
Adopt Resolution Approving a Consolidated Joint Community Facilities Agreement with River Islands Public Financing Authority (RIPFA) for the Authority's Community Facilities Districts
- 4.23 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 ADOPTING AN ORDINANCE AMENDING THE LATHROP MUNICIPAL CODE TITLE 2 "ADMINISTRATION AND PERSONNEL", CHAPTER 2.36 "PURCHASING SYSTEM", SECTION 2.36.110 "EXCEPTIONS TO PURCHASING PROCEDURES AND LIMITS"  
City Council to Consider the Following Items:
1. Hold a Public Hearing; and
  2. First Reading and Introduction of an Ordinance Amending Title 2, Chapter 2.36 "Purchasing System", Section 2.36.110 "Exceptions To Purchasing Procedures and Limits" by Adding a New Section ("D") to Allow Cooperative Purchasing Agreements
- 5.2 ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR CIP PW 22-36 AQUIFER STORAGE AND RECOVERY  
Adopt Resolution Adopting the Mitigated Negative Declaration for the City of Lathrop Aquifer Storage and Recovery Project, CIP PW 22-36 in Accordance with the California Environmental Quality Act Requirements
- 5.3 GRAND JURY REPORT RESPONSE  
Accept Grand Jury Report on School Safety in San Joaquin County and Direct the City Attorney to Submit a Letter to the Presiding Judge of the San Joaquin County Superior Court Responding to the Finding and Recommendation of the Grand Jury Report

- 5.4 PROVIDE DIRECTION ON LATHROP ROAD RESIDENTIAL DRIVEWAY RECONSTRUCTION AND CREATE CIP GG 24-27  
Adopt Resolution Creating CIP GG 24-27 Lathrop Road Residential Driveway Reconstruction and Approve 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 (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)*
- 6.2 MAYOR & COUNCILMEMBER COMMENT(S)

## **7. ADJOURNMENT**

*/Teresa Vargas/*

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Teresa Vargas, MMC  
Government Services Director  
City Clerk