

# October 9, 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  
Stephen Sealy, Interim 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.



**October 9, 2023 – Regular Meeting Agenda – 7:00 p.m.**



Printed on Recycled Paper

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/1616066264?pwd=ZIRoYXhDVzRFWHEzcE8waHI3OUdLZz09>**

- ✦ 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: 161 606 6264 / Passcode: 782222
- ✦ 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, OCTOBER 9, 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 INTRODUCTION PROCLAMATION HONORING NATIONAL HISPANIC HERITAGE MONTH
- 2.2 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 Regular Council Meeting of August 14, 2023
- 4.3 **SECOND READING AND ADOPTION OF ORDINANCE 23-448 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING TITLE 2 "ADMINISTRATION AND PERSONNEL", CHAPTER 2.36 "PURCHASING SYSTEM", SECTION 2.36.110 "EXCEPTIONS TO PURCHASING PROCEDURES AND LIMITS"**  
Waive Full Reading and Adopt Ordinance 23-448 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
- 4.4 **TREASURER'S REPORT FOR JUNE 2023**  
Approve Quarterly Treasurer's Report for June 2023
- 4.5 **PLANNING FEE WAIVER REQUEST BY THRIVE CHURCH (TUP-23-105)**  
Adopt Resolution Waiving the Temporary Use Permit Application Processing and Document Retention Fees for the Thrive Church, in the Combined Amount of \$392
- 4.6 **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 Scott Brooks Gymnasium on October 20, 2023 from 10:00 a.m. to 10:00 p.m. for a Registration Night Event
- 4.7 **APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR LIFT UP YOUR HEAD THERAPEUTIC GROUP HOMES, INC.**  
Adopt Resolution Approving a Facility Fee Waiver Request from Lift Up Your Head Therapeutic Group Homes, Inc, for the Use of the Lathrop

Senior Center on December 16, 2023 from 10:00 a.m. to 7:00 p.m. to Host a Christmas Luncheon

- 4.8 APPROVE THE NAMING OF NEW CITY PARK  
Adopt Resolution Naming the New Acres Community Neighborhood Park after Missionary Minnie Lee Cotton
- 4.9 APPROVE CONTRACT WITH HOLT OF CALIFORNIA INC. FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE AND APPROVE BUDGET AMENDMENT  
Adopt Resolution Approving a Contract with Holt of California Inc. for Citywide Generator and Fire Pump Maintenance and Approve Budget Amendment
- 4.10 APPROVE CONTRACT CHANGE ORDER NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE BUDGET AMENDMENT  
Adopt Resolution Approving Contract Change Order No. 31 with David Silva, dba Silva Landscape for Landscape Irrigation Systems Maintenance Services and Approve Budget Amendment
- 4.11 APPROVE APPOINTMENT OF A PUBLIC MEMBER TO THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY BOARD OF DIRECTORS  
Adopt Resolution Appointing a Public Member to the San Joaquin Area Flood Control Agency Board of Directors and to the Enhanced Infrastructure Financing District Public Financing Authority
- 4.12 APPROVE PURCHASE AND INSTALLATION OF SWARCO MCCAIN, INC. PRODUCTS FOR CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01 AND APPROVE BUDGET AMENDMENT  
Adopt Resolution Approving the Purchase and Installation of Swarco McCain Inc. Products for the Citywide Traffic Systems and Safety Upgrades Project, CIP PS 23-01 and Approve Budget Amendment
- 4.13 AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR CONSTRUCTION OF LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02 AND APPROVE BUDGET AMENDMENT  
Adopt Resolution to Award a Construction Contract to DSS Company dba Knife River Construction for Construction of Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02 and Approve Budget Amendment
- 4.14 AWARD CONSTRUCTION CONTRACT TO DIRT DYNASTY, INC. FOR CONSTRUCTION OF SIDEWALK INFILL AT "J" STREET AND 5TH STREET INTERSECTION, CIP PS 23-09

Adopt Resolution to Award a Construction Contract to Dirt Dynasty, Inc. for Construction of Sidewalk Infill at "J" Street and 5th Street Intersection, CIP PS 23-09

- 4.15 ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN THE CLSP AREA, AND APPROVE BUDGET AMENDMENT AND CHANGE ORDERS FOR MAINTENANCE

Adopt Resolution Accepting Public Improvements with Associated Conditions for Stanford Place, Spartan Way at Central Pacific, and Phase 1D Park Improvements from Lathrop Land Acquisition, LLC, Located within the CLSP Area, and Approving Budget Amendment and Change Orders for Maintenance

- 4.16 CREATE CIP PK 24-26, EAGLE'S LANDING PARK, APPROVE REIMBURSEMENT AGREEMENT WITH D.R. HORTON, AND APPROVE BUDGET AMENDMENT FOR NEIGHBORHOOD PARK WITHIN TRACT 4151

Adopt Resolution Creating CIP PK 24-26, Eagle's Landing Park, Approving Reimbursement Agreement with D.R. Horton, and Approving Budget Amendment for Neighborhood Park within Tract 4151

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

- 4.17 RESCIND PREVIOUS APPROVAL AND APPROVE MODIFIED FINAL MAP FOR TRACT 4131 VILLAGE "KK" AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 75 LOTS WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS

Adopt Resolution Rescinding Previous Approval and Approving Modified Final Map for Tract 4131 Village "KK" within the Old River District, Totaling 75 Multi-Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC

- 4.18 APPROVE FINAL MAP, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 95 LOTS IN TRACT 4130 VILLAGE "II" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS

Adopt Resolution Approving Final Map for Tract 4130 Village "II" within the Old River District, Totaling 95 Single Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC

- 4.19 APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 29 LOTS IN TRACT 4173 VILLAGE 41 UNIT 1 WITHIN LAKE HARBOR WEST DISTRICT OF RIVER ISLANDS

Adopt Resolution Approving Final Map for Tract 4173 Village 41 Unit 1 within the Lake Harbor West District, Totaling 29 Single Family Lots, Annexation into CFD 2023-1, and Subdivision Improvement Agreement with River Islands Development Area 1, LLC

## 5. SCHEDULED ITEMS

*(Please Note - A discussion item was noticed for a Public Hearing to consider an ordinance to amend the Lathrop Municipal Code Title 2 (Administration and Personnel), Chapter 2.04 (City Council), Section 2.04.020 (Compensation of City Council), to increase City Council Compensation in Accordance with new Senate Bill 329 (Dodd). This item is being pulled by staff, this item will not be presented, there is no current action requested at this time.)*

### 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE GENERAL PLAN AND ZONING CONSISTENCY PROJECT (TA-23-93)

City Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183.
3. Adopt Resolution to Amend the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's) for Consistency with the 2022 Lathrop General Plan Update.
4. First Reading and Introduction of an Ordinance to Amend the Lathrop Zoning Map, Modify Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and Adopt Various Amendments to Title 17 (Zoning) of the Lathrop Municipal Code for Consistency with the 2022 Lathrop General Plan Update

### 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE CENTRAL LATHROP SPECIFIC PLAN PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT NO. TA-23-104

City Council to Consider the Following:

1. Hold a Public Hearing;
2. Adopt Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and
3. First Reading and Introduction of an Ordinance to Approve the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and Code Text Amendment to Modify Chapter 17.62, Central Lathrop Zoning Districts to add Article 6, IL-CL: Limited Industrial Zoning Districts and Modify Section 17.62.120 B of the Lathrop Municipal Code

### 5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER CONDITIONAL USE PERMIT NO. CUP-23-08 AND SITE PLAN REVIEW NO. SPR-23-09 FOR THE ASHLEY FURNITURE PROJECT

City Council to Consider the Following:

1. Hold a Public Hearing;
2. Adopt Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section



21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and

3. Adopt Resolution to Approve a Conditional Use Permit and Site Plan Review for the Ashley Furniture Project to Allow for the Construction of an Approximately 1.5 Million Square Foot Concrete Tilt-Up Building Located within the Central Lathrop Specific Plan Phase 2 Area

- 5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING AN ORDINANCE AMENDING THE LATHROP MUNICIPAL CODE TITLE 12 "STREETS, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.12 "IMPROVEMENTS AND DEDICATIONS", SECTION 12.12.060 "IMPROVEMENTS TO EXISTING BUILDINGS"

City Council to Consider the Following Items:

1. Hold a Public Hearing; and
2. First Reading and Introduction of an Ordinance Amending Title 12 "Streets, Sidewalks and Public Places", Chapter 12.12 "Improvements and Dedications", Section 12.12.060 "Improvements to Existing Buildings" to Modify the Language to Require Frontage Improvements Upon Addition of Improvements to Existing Sites

- 5.5 REVIEW AND CONSIDER TRAFFIC SAFETY ENHANCEMENT OPTIONS FOR RIVER ISLANDS PARKWAY AT THE INTERSECTIONS OF BOSCH AVENUE AND IMPERIAL DRIVE, CIP PS 24-07

Council to Consider Options for Traffic Safety Enhancement for River Islands Parkway at the Intersections of Bosch Avenue and Imperial Drive, CIP PS 24-07

- 5.6 CITY COUNCIL DISCUSSION REGARDING REGULATION AND PERMIT OPTIONS FOR HOOKAH LOUNGE

City Council to Discuss and Provide Staff Direction as to Whether to Prepare an Ordinance for Review by the Planning Commission and Subsequent Consideration of the City Council, for Regulation and Permit Options for Hookah Lounge Establishments

- 5.7 FISCAL YEAR (FY) 2022-23 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO THE FISCAL YEAR 2023-24 BUDGET

Adopt Resolution Approving the FY 2022-23 Year-End Report and Related Budget Amendments and Amending the FY 2023-24 Budget

## **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/*

---

Teresa Vargas, MMC  
Government Services Director  
City Clerk