

# November 13, 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 and Recreation  
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.



**November 13, 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/1619773111?pwd=YyszQ0N5U1BvY0pmOWg5aY1OXN5Zz09>

- ✦ 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: 161 977 3111 / Passcode: 222349
- ✦ 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, NOVEMBER 13, 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 5:30 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)

- 1 Potential Case(s)

1.2.2 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6  
Agency Negotiator: Stephen J. Salvatore, City Manager  
Unrepresented Employee: Stephen Sealy, Interim Police Chief

1.2.3 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6  
Agency Negotiator: Thomas Hedegard, Deputy City Manager  
Unrepresented Employee: Stephen J. Salvatore, City Manager

1.2.4 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6  
Agency Negotiator: Stephen J. Salvatore, City Manager  
Employee Organization: Lathrop Police Officer's Association

1.2.5 CONFERENCE WITH LEGAL COUNSEL Existing Litigation Pursuant to Government Code 54956.9(a)  
City of Lathrop vs. 3M Company, et. al., United States District Court of South Carolina, Charleston Division, Master Docket No. 2:18-mn-2873-RMG

## **RECONVENE**

### 1.2.6 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 PROCLAMATION DECLARING NOVEMBER AS SIKH AWARENESS AND APPRECIATION MONTH

2.2 PRESENTATION TO PROVIDE UPDATES ASSOCIATED WITH CAMERA SYSTEMS FOR CITY PARKS, CIP GG 22-35 AND TRAFFIC TECHNOLOGY, CIP PS 23-01

## **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 September 11, 2023
- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 23-449 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP ZONING MAP, MODIFYING TITLE 10 (VEHICLES AND TRAFFIC) OF THE LATHROP MUNICIPAL CODE, AND ADOPTING VARIOUS AMENDMENTS TO TITLE 17 (ZONING) OF THE LATHROP MUNICIPAL CODE FOR CONSISTENCY WITH THE 2022 LATHROP GENERAL PLAN UPDATE (TA-23-93)  
Waive Full Reading and Adopt Ordinance 23-449 Amending the Lathrop Zoning Map, Modifying Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and Adopting Various Amendments to Title 17 (Zoning) of the Lathrop Municipal Code for Consistency with the 2022 Lathrop General Plan Update (TA-23-93)
- 4.4 SECOND READING AND ADOPTION OF ORDINANCE 23-450 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING LATHROP MUNICIPAL CODE TITLE 12 "STREET, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.12 "IMPROVEMENTS AND DEDICATIONS", SECTION 12.12.060 "IMPROVEMENTS TO EXISTING BUILDINGS" TO MODIFY LANGUAGE TO REQUIRE FRONTAGE IMPROVEMENTS UPON ADDITION OF IMPROVEMENTS TO EXISTING SITES  
Waive Full Reading and Adopt Ordinance 23-450 Amending Lathrop Municipal Code Title 12 "Street, Sidewalks and Public Places", Chapter 12.12 "Improvements and Dedications", Section 12.12.060 "Improvements to Existing Buildings" To Modify Language to Require Frontage Improvements Upon Addition Of Improvements To Existing Sites
- 4.5 OUT-OF-STATE TRAVEL APPROVAL FOR CITY STAFF TO PARTICIPATE IN THE IAMC SPRING FORUM IN APRIL 2024 AND ICSC SHOW IN MAY 2024  
Adopt Resolution Authorizing Out-of-State Travel for City Staff to Attend and Represent the City of Lathrop as follows:
1. Economic Development Administrator Attendance at the Industrial Asset Management Council's Spring Forum in Greenville, South Carolina April 6, 2024 – April 10, 2024
  2. Economic Development Administrator and Community Development Director Attendance at the Innovating Commerce Serving Communities Conference in Las Vegas, Nevada May 19, 2024 – May 22, 2024

- 4.6 COMMUNITY FACILITIES DISTRICTS ANNUAL BOND ACCOUNTABILITY REPORT FOR FY 2022/23  
Receive Report for Bonded and Non Bonded Community Facilities Districts
- 4.7 APPROVE ANNUAL REVIEW AND ADOPTION OF THE CITY'S INVESTMENT POLICY  
Adopt Resolution Approving the Annual Investment Policy for Fiscal Year 2023/24
- 4.8 APPROVE TEMPORARY STREET CLOSURE FOR THE LATHROP CHRISTMAS PARADE ON DECEMBER 9, 2023 FOR THOMSEN ROAD, CAMBRIDGE DRIVE, J STREET, AND 5TH STREET  
Adopt Resolution Approving Temporary Street Closures for the Lathrop Christmas Parade on December 9, 2023, for Thomsen Road, Cambridge Drive, J Street, and 5th Street
- 4.9 APPROVE 2024 FACILITY FEE WAIVER REQUESTS FOR LATHROP LITTLE LEAGUE, LATHROP COMMUNITY VOLUNTEER CLUB, LATHROP LIONS CLUB, LATHROP SUNRISE ROTARY, ALCOHOLICS ANONYMOUS, NEW LATHROP NEIGHBORHOOD WATCH, MITRA USA, AND LIFT YOUR HEAD UP THERAPEUTIC GROUP HOMES, INC.  
Staff Requests the City Council to Adopt the Following Eight Resolutions:
- Adopt Resolution Approving Facility Fee Waiver request from Lathrop Little League;
  - Adopt Resolution Approving Facility Fee Waiver request from Lathrop Community Volunteer Club;
  - Adopt Resolution Approving Facility Fee Waiver request from Lathrop Lions Club;
  - Adopt Resolution Approving Facility Fee Waiver request from Lathrop Sunrise Rotary;
  - Adopt Resolution Approving Facility Fee Waiver request from Alcoholics Anonymous;
  - Adopt Resolution Approving Facility Fee Waiver request from New Lathrop Neighborhood Watch;
  - Adopt Resolution Approving Facility Fee Waiver request from Mitra USA; and
  - Adopt Resolution Approving Facility Fee Waiver from Lift Your Head Up Therapeutic Group Homes, Inc.
- 4.10 APPROVE PURCHASE OF TWO NEW POLICE VEHICLES, APPROVAL OF CHANGE ORDER NO. 4 WITH NEXTGEN ALPHA UPFITTING  
Adopt Resolution Approving the Purchase of Two 2023 Police Chevrolet Tahoes from American Chevrolet of Modesto, Approving Change Order No. 4 with NextGen Alpha Upfitting for the Purchase and Installation of Police Vehicle Equipment

- 4.11 APPROVE PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH DOKKEN ENGINEERING TO COMPLETE THE PROJECT INITIATION DOCUMENT PHASE FOR THE ROTH ROAD AND I-5 INTERCHANGE, CIP PS 14-04  
Adopt Resolution Approving a Professional Consulting Services Agreement with Dokken Engineering to Complete the Project Initiation Document Phase for the Roth Road and I-5 Interchange, CIP PS 14-04
- 4.12 ACCEPT PUBLIC IMPROVEMENTS ASSOCIATED WITH EP NO. 2019-35, LOCATED AT 231 AND 240 TOWNE CENTRE DRIVE FROM BLUE MOUNTAIN CONSTRUCTION SERVICES, INC.  
Adopt Resolution Accepting Public Improvements Associated with Encroachment Permit No. 2019-35, Located at 231 and 240 Towne Centre Drive, from Blue Mountain Construction Services, Inc.
- 4.13 ACCEPT PUBLIC IMPROVEMENTS ASSOCIATED WITH EP NO. 2022-133, LOCATED ON MOSSDALE ROAD FROM BROWN SAND, INC.  
Adopt Resolution Accepting Public Improvements Associated with Encroachment Permit No. 2022-133, Located on Mossdale Road from Brown Sand, Inc.
- 4.14 RATIFY THE PURCHASE OF AUTOMATIC LICENSE PLATE RECOGNITION SURVEILLANCE SYSTEM SOFTWARE AND HARDWARE FROM VIGILANT SOLUTIONS, LLC. FOR CIP GG 19-07 CITYWIDE SURVEILLANCE SYSTEM  
Adopt Resolution to Ratify the Purchase of Automatic License Plate Recognition Surveillance System Software and Hardware from Vigilant Solutions, LLC, for CIP GG 19-07 Citywide Surveillance System

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

- 4.15 APPROVE AGREEMENT BETWEEN THE CITY OF LATHROP AND RIVER ISLANDS ACADEMIES TO PROVIDE SCHOOL RESOURCE OFFICER SERVICES  
Adopt Resolution Approving Agreement between the City of Lathrop and River Islands Academies to Provide School Resource Officer Services for the 2023-2024 School Year
- 4.16 APPROVE ABANDONMENT OF RECYCLED WATERLINE EASEMENT IN THE RIVER ISLAND DEVELOPMENT AREA  
Adopt Resolution Approving Abandonment of Recycled Waterline Easement in the River Islands Development Area (a portion of APNs 213-110-03; 213-210-06; 213-220-01 thru 04; 213-300-01 and 02)
- 4.17 ACCEPT PUBLIC IMPROVEMENTS FOR VILLAGES IN THE STAGE 2A AND 2B AREAS OF THE RIVER ISLANDS PROJECT FROM RIVER ISLANDS DEVELOPMENT, LLC



Adopt Resolution to Accept Public Improvements for Villages in the Stage 2A and 2B Areas of the River Islands Project from River Islands Development, LLC

## **5. SCHEDULED ITEMS**

### **5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER APPROVING CITYWIDE TRUCK ROUTE LISTING PURSUANT TO LATHROP MUNICIPAL CODE 10.16.030**

The City Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution Approving Citywide Truck Route Listing Pursuant to Lathrop Municipal Code 10.16.030

### **5.2 CONTINUED DISCUSSION FROM OCTOBER 9, 2023 REGULAR MEETING REGARDING THE CENTRAL LATHROP SPECIFIC PLAN PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT NO. TA-23-104**

The Council to Consider the Following:

1. Testimony Presented During the Public Hearing Held October 9, 2023;
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 CONTINUED DISCUSSION FROM OCTOBER 9, 2023 REGULAR MEETING REGARDING CONDITIONAL USE PERMIT NO. CUP-23-08 AND SITE PLAN REVIEW NO. SPR-23-09 FOR THE ASHLEY FURNITURE PROJECT**

The Council to Consider the Following:

1. Testimony Presented During the Public Hearing Held October 9, 2023;
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 THE 2024 SJMSCP DEVELOPMENT FEE ANNUAL ADJUSTMENT

The Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution Approving an Annual Adjustment to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Development Fee for 2024

5.5 PUBLIC HEARING (PUBLISHED NOTICE) OF THE CITY COUNCIL TO CONSIDER ISSUANCE OF PHASE 2 REVENUE ANTICIPATION NOTES BY THE RIVER ISLANDS PUBLIC FINANCING AUTHORITY

The Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution of the City Council of the City of Lathrop Making Findings With Respect to and Approving the Issuance of Phase 2 Revenue Anticipation Notes by the River Islands Public Financing Authority

5.6 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP UPDATING MUNICIPAL CODE SECTION 2.08.010, TITLED CITY MANAGER, TO MODIFY AUTHORITY TO APPOINT AND REMOVE THE POLICE CHIEF; AND CONSIDER ADOPTING A RESOLUTION AMENDING THE POLICE CHIEF JOB DESCRIPTION, UPDATING THE SALARY GRADE STEP TABLE, AND APPROVING EMPLOYMENT CONTRACT WITH STEPHEN SEALY

Council to Consider the Following Items:

1. Hold a Public Hearing;
2. First Reading and Introduction of an Ordinance Amending Title 2 Titled "Administration and Personnel", Chapter 2.08 Titled "City Manager", Section 2.08.010 Titled "City Manager" To Modify Authority to Appoint and Remove the Police Chief; and
3. Adopt Resolution Approving an Amendment to the Police Chief Job Description, Salary Grade Step Table, and Employment Contract with Stephen Sealy

## 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