

March 11, 2024 – 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
Minnie Diallo, Vice Mayor
Paul Akinjo
Diane Lazard
Jennifer Torres-O'Callaghan

City Staff

Stephen Salvatore, City Manager
Salvador Navarrete, City Attorney
Stephen Sealy, Chief of Police
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

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.



March 11, 2024 – 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/1608811913?pwd=ZDJTRXVta0hBOFY4VzIrRjdLUVVjQT09>

- ✚ 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: 160 881 1913 / Passcode: 294382
- ✚ 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 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, MARCH 11, 2024
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 6:15 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 Existing Litigation-
Pursuant to Government Code Section 54956.9(d)(1):

- 15700 South McKinley Avenue Industrial Park Association
vs. City of Lathrop, San Joaquin County Superior Court,
Case No. STK-CV-UBC-2019-0004954

1.2.2 CONFERENCE WITH LEGAL COUNSEL Anticipated Litigation-
Significant Exposure to Litigation Pursuant to Government Code
Section 54956.9(d)(2):

- 1 Potential Case

1.2.3 LIABILITY CLAIMS

Pursuant to Government Code Section 54956.95(a)

- Claimant: Steven Schneider
Agency Claimed Against: City of Lathrop
- Claimant: Qi Wei Chen
Agency Claimed Against: City of Lathrop
- Claimant: Dolores Dominguez
Agency Claimed Against: City of Lathrop
- Claimant: Naomi Valenzuela
Agency Claimed Against: City of Lathrop

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 - None

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 January 08, 2024
- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 24-456 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING LATHROP MUNICIPAL CODE TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS SECTION 10.08.030 “SPEED LIMITS”

Waive Full Reading and Adopt Ordinance 24-456 Amending Lathrop Municipal Code Title 10 Vehicles and Traffic, Chapter 10.08 Speed Limits Section 10.08.030 "Speed Limits"

- 4.4 REVIEW OF THE CAPITAL FACILITY FEE FUNDS REPORT FOR FY 2022 2023
Review of the Capital Facility Fee Funds Report for Fiscal Year 2022-2023
- 4.5 ACCEPTANCE OF THE CITY OF LATHROP ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2023
Adopt Resolution Accepting the City of Lathrop Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ending June 30, 2023
- 4.6 APPROVE OUT OF STATE TRAVEL FOR THE CHIEF OF POLICE TO ATTEND THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP) 2024 CONFERENCE AND EXPOSITION IN BOSTON, MASSACHUSETTS
Adopt Resolution Authorizing the Chief of Police to Attend the International Association of Chiefs of Police (IACP) 2024 Annual Conference and Exposition in Boston, MA, October 19 – 22, 2024
- 4.7 APPROVE OUT OF STATE TRAVEL FOR TWO CITY ISD ENGINEERS TO ATTEND THE DEFCON 32 CONFERENCE IN LAS VEGAS, NEVADA
Adopt Resolution Approving Out Of State Travel for Two City ISD Engineers to Attend the Defcon 32 Conference in Las Vegas, Nevada from August 8 –11, 2024
- 4.8 APPROVE OUT OF STATE TRAVEL FOR TWO CITY STAFF MEMBERS TO ATTEND THE TYLER CONNECT 2024 CONFERENCE, IN INDIANA
Adopt Resolution Authorizing Out of State Travel for the Senior Management Analyst and Customer Service Supervisor to Attend the Tyler Connect 2024 Conference in Indianapolis, Indiana from May 19-22, 2024
- 4.9 APPROVE AN AGREEMENT FOR A RAPID EMERGENCY RESPONSE SYSTEM AND RELATED BUDGET AMENDMENT
Adopt Resolution Approving an Agreement for a Rapid Emergency Response System and Related Budget Amendment
- 4.10 APPROVE PURCHASE OF SOFTWARE AND ENTERPRISE LICENSE AND APPROVE MAINTENANCE SERVICE AGREEMENT WITH SWARCO MCCAIN, INC. ASSOCIATED WITH THE CITYWIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01

Adopt Resolution Approving the Purchase of Software and Enterprise License and Approve a Maintenance Service Agreement with Swarco McCain, Inc. Associated with the Citywide Traffic Systems and Safety Upgrades Project, CIP PS 23-01

- 4.11 CREATE CIP PS 24-32 FOR MOSSDALE PAVEMENT PREVENTATIVE MAINTENANCE AND APPROVE BUDGET AMENDMENT
Adopt Resolution Creating CIP PS 24-32 for Mosssdale Pavement Preventative Maintenance and Approving Budget Amendment
- 4.12 AWARD SERVICE CONTRACT TO BEAR ELECTRICAL SOLUTIONS, INC. FOR ON-CALL ELECTRICAL SERVICES FOR FISCAL YEAR 2023-2024
Adopt Resolution Awarding a Service Contract to Bear Electrical Solutions, Inc. for On-Call Electrical Services for Fiscal Year 2023-2024
- 4.13 AWARD CONSTRUCTION CONTRACT TO TRIP STOP SIDEWALK REPAIR INC. FOR CITYWIDE SIDEWALK IMPROVEMENTS, CIP PS 24-08
Adopt Resolution to Award Construction Contract to Trip Stop Sidewalk Repair Inc. for Citywide Sidewalk Improvements, CIP PS 24-08
- 4.14 AUTHORIZE ACCEPTANCE OF AN SB 1383 LOCAL ASSISTANCE GRANT PROGRAM FROM THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)
Adopt Resolution Authorizing the Acceptance of an SB 1383 Local Assistance Grant from the Department of Resources, Recycling, and Recovery (CalRecycle) to Reduce Organic Waste
- 4.15 APPROVE ADDITIONAL INDUSTRIAL SOLID WASTE LICENSES FOR RA RA TRUCKING, INC., CALIFORNIA MATERIALS, INC., AND CAL-WASTE RECOVERY SYSTEMS FOR THE REMAINDER OF FISCAL YEAR 2023-24
 - 1. Adopt Resolution to Approve Annual Industrial Solid Waste License for Ra Ra Trucking, Inc., for the Remainder of Fiscal Year 2023-24
 - 2. Adopt Resolution to Approve Annual Industrial Solid Waste License for California Materials, Inc., for the Remainder of Fiscal Year 2023-24
 - 3. Adopt Resolution to Approve Annual Industrial Solid Waste License for Cal-Waste Recovery Systems, for the Remainder of Fiscal Year 2023-24

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO ADOPT AN ORDINANCE TO AMEND THE LATHROP MUNICIPAL CODE (LMC) TO REGULATE SHORT-TERM RENTALS AND BICYCLE VIOLATIONS BY ADDING NEW CHAPTERS TO TITLE 5, BUSINESS LICENSES AND REGULATIONS, AND TITLE 9, PUBLIC PEACE AND WELFARE

The City Council to Consider the Following:

4. Hold a Public Hearing; and
5. First Reading and Introduction of an Ordinance to Amend the Lathrop Municipal Code (LMC) to Regulate Short-Term Rentals and Bicycle Violations by Adding New Chapters to Title 5, Business Licenses and Regulations, and Title 9, Public Peace and Welfare. The New Chapters Include The Following:
 - Chapter 5.10 (Short-Term Rental Prohibition): Add new Chapter to Prohibit Short-Term Vacation Rentals.
 - Chapter 9.28 (Bicycles Used in Violation of the California Vehicle Code): Add New Chapter To Regulate Bicycles Used In Violation Of The California Vehicle Code

- 5.2 DISCUSS AND CONSIDER AWARD OF CONSTRUCTION CONTRACT TO DIRT DYNASTY, INC. FOR LATHROP ROAD RESIDENTIAL DRIVEWAY RECONSTRUCTION, CIP GG 24-27 AND APPROVE BUDGET AMENDMENT
Discuss and Consider Adopting a Resolution to Award Construction Contract to Dirt Dynasty, Inc. for the Lathrop Road Residential Driveway Reconstruction, CIP GG 24-27 and Approve Budget Amendment
- 5.3 BIENNIAL BUDGET FISCAL YEAR 2023–24 MID-YEAR REPORT (YEAR 1)
Adopt Resolution Approving the Mid-Year Budget Report for Year 1 of the Biennial Budget FY 2024 and FY 2025 and Related Budget and Position Requests

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, City Clerk