

July 8, 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.



July 8, 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/1616653941?pwd=34RtmhDNkg9hvMtekReYtRXrcIUJA.1>

- ✦ 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: 161 665 3941 / Passcode: 910578
- ✦ 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. Please reference the Agenda Item or Public Comment Matter, and the date of the City Council Meeting, in your written communication.
- ✦ Questions or comments submitted by email 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, JULY 8, 2024
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 commence 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 PROCLAMATION DECLARING JULY AS PARKS AND RECREATION MONTH
- 2.2 INTRODUCTION OF NEW EMPLOYEES
 - Police Department
 - Krystal Pronske, Police Lieutenant
- 2.3 PRESENTATION REGARDING THE AMERICANS WITH DISABILITIES ACT (ADA) TRANSITIONAL PLAN UPDATE
- 2.4 PRESENTATION REGARDING THE BROADBAND INFRASTRUCTURE MASTER PLAN PROJECT, CIP GG 24-24

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 City Council Meeting of May 13, 2024, and the Special Meeting of June 3, 2024

4.3 APPROVE ESTABLISHING THE CITY OF LATHROP POET LAUREATE PROGRAM

Adopt Resolution Establishing the City of Lathrop Poet Laureate Program and Authorizing the City Manager to Execute a Grant Funding Agreement with the Library & Literacy Foundation for San Joaquin County

4.4 APPROVE OUT OF STATE TRAVEL AUTHORIZING THE PARKS AND RECREATION DIRECTOR TO ATTEND TWO (2) OUT OF STATE MEETINGS IN HIS ROLE AS A REGENT OF THE BOARD OF THE NATIONAL RECREATION AND PARK ASSOCIATION, REVENUE DEVELOPMENT AND MANAGEMENT SCHOOL

Adopt Resolution Authorizing Out of State Travel for the Parks and Recreation Director to Attend the National Recreation and Park Association, Revenue Development and Management School Midyear Meeting August 5-6, 2024, in Denver Colorado and March 10-14, 2025, in Wheeling, West Virginia

- 4.5 APPROVE OUT OF STATE TRAVEL FOR COUNCIL MEMBERS TO ATTEND "EXPERIENCIA PUERTO RICO 2024", AS MEMBERS OF THE NATIONAL LEAGUE OF CITIES SMALL CITIES COUNCIL

Adopt Resolution Authorizing Out of State Travel for the Two (2) Council Members to Attend "Experiencia Puerto Rico 2024" in San Juan, Puerto Rico, August 26-28, 2024, as Members of the National League of Cities Small Cities Council

- 4.6 APPROVE OUT OF STATE TRAVEL FOR COUNCIL MEMBERS TO ATTEND THE 2024 NATIONAL LEAGUE OF CITIES CITY SUMMIT

Adopt Resolution Authorizing Out of State Travel for Four (4) Council Members to Attend the 2024 National League of Cities City Summit in Tampa Bay, Florida, November 13 -16, 2024

- 4.7 APPROVE THE PURCHASE OF FOUR (4) VEHICLES FROM PHIL LONG FORD OF DENVER AND TWO (2) VEHICLES FROM AMERICAN CHEVROLET OF MODESTO

Adopt Resolution Approving the Purchase of Four (4) Vehicles from Phil Long Ford of Denver, and Resolution Approving the Purchase of Two (2) Vehicles from American Chevrolet of Modesto

- 4.8 APPROVE ANNUAL INDUSTRIAL SOLID WASTE LICENSE FOR TESLA, INC., FOR FISCAL YEAR (FY) 2024-25

Adopt Resolution Approving Annual Industrial Solid Waste License for Tesla, Inc., for FY 2024-25

- 4.9 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 66 LOTS IN TRACT 3225 WITHIN THE MOSSDALE LANDING AREA

Adopt Resolution Approving Final Map for Tract 3225 within the Mossdale Landing Area, Totaling 66 Single Family Lots and Subdivision Improvement Agreement with K. Hovnanian Homes Northern California, Inc.

- 4.10 ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR EP NO. 2023-102, LOCATED ON GOLDEN VALLEY PARKWAY BETWEEN RIVER ISLANDS PARKWAY AND SPARTAN WAY, FROM LATHROP LAND ACQUISITION, LLC, APPROVE BUDGET AMENDMENT, RESCIND PREVIOUS APPROVAL OF CHANGE ORDER, AND APPROVE CHANGE ORDER NO. 33 FOR LANDSCAPE MAINTENANCE SERVICES WITH SILVA LANDSCAPE

Adopt Resolution Accepting Public Improvements with Associated Conditions for Encroachment Permit No. 2023-102 Located on Golden Valley Parkway Between River Islands Parkway and Spartan Way, from Lathrop Land Acquisition, LLC., Approve Budget Amendment, Rescind Previous Approval of Change Order No. 32, and Approve Change Order No. 33 for Landscape Maintenance with Silva Landscape

4.11 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR LATHROP ROAD PAVEMENT REPAIR, CIP PS 24-35

Adopt Resolution Accepting Public Improvements Constructed by DSS Company dba Knife River Construction for Lathrop Road Pavement Repair, CIP PS 24-35, Authorizing the Filing of a Notice of Completion, the Release of Contract Retention, and the Release of Performance and Payment Bonds

4.12 AWARD CONSTRUCTION CONTRACT TO MARINA LANDSCAPE, INC. FOR CONSTRUCTION OF THE GREEN PARK IMPROVEMENTS, CIP PK 22-12 AND APPROVE BUDGET AMENDMENT

Adopt Resolution Awarding a Construction Contract to Marina Landscape, Inc. for the Green Park Improvements, CIP PK 22-12 and Approve Budget Amendment

4.13 AWARD ADDITIONAL SCOPE OF WORK TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION AND APPROVE BUDGET AMENDMENT TO CONSTRUCT SIDEWALK IMPROVEMENTS AT THE LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION PROJECT, CIP PS 15-02

Adopt Resolution to Award Additional Scope of Work to DSS Company dba Knife River Construction and Approve Budget Amendment to Construct Sidewalk Improvements at the Louise Avenue and McKinley Avenue Intersection Project, CIP PS 15-02

4.14 AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR CONSTRUCTION OF YOSEMITE AVENUE PAVEMENT REHABILITATION, CIP PS 24-31 AND APPROVE BUDGET AMENDMENT

Adopt Resolution Awarding a Construction Contract to DSS Company dba Knife River Construction for Construction of Yosemite Avenue Pavement Rehabilitation, CIP PS 24-31 and Approve Budget Amendment

4.15 RATIFY CITY MANAGER'S EXECUTION OF CONTRACT CHANGE ORDER NO. 2 AND ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY LUMA ENGINEERING CONTRACTORS, INC. FOR PARK WEST SHADE SHELTER

Adopt Resolution Ratifying City Manager's Execution of Contract Change Order No. 2, Accepting Public Improvements Constructed by Luma Engineering Contractors, Inc. for Park West Shade Shelter, Authorizing the Filing of a Notice of Completion and Release of Contract Retention and Performance and Payment Bonds

RIVER ISLANDS CONSENT ITEM(S)

- 4.16 ACCEPT C2 COMMUNITY PARK IMPROVEMENTS ASSOCIATED WITH THE SIA FOR TRACT 3794 FROM RIVER ISLANDS CUSTOM HOMESITES, LLC. LOCATED WITHIN THE LAKESIDE EAST DISTRICT OF RIVER ISLANDS
Adopt Resolution Accepting C2 Community Park Improvements Associated with the Subdivision Improvement Agreement for Tract 3794 from River Islands Custom Homesites, LLC, Located within the Lakeside East District of River Islands

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER A GENERAL PLAN AMENDMENT, PRE-ZONE, CONDITIONAL USE PERMIT, SITE PLAN REVIEW, AND ANNEXATION FOR THE SINGH PETROLEUM PROJECT
Council to Consider the Following:
1. Hold a Public Hearing;
 2. Adopt Resolution Certifying the Final Environmental Impact Report (FEIR) (SCH# 2022120596), CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project;
 3. Adopt Resolution Approving a General Plan Amendment of APN: 191-250-06 to FC, Freeway Commercial (GPA-20-60);
 4. Introduce and Conduct First Reading of an Ordinance for Zoning Map Amendment related to the Pre-Zoning of the Subject Annexation Area (REZ-20-61);
 5. Adopt Resolution to Approve a Conditional Use Permit and Site Plan Review to Allow for the Development of a Travel Plaza on the Subject Properties (CUP-20-62 and SPR-20-63); and
 6. Adopt Resolution to Direct Staff to File an Application with San Joaquin Local Agency Formation Commission for the Annexation of 22.42-acres (ANX-20-64)
- 5.2 DISCUSS PROPOSED COMMEMORATIVE LIGHTING POLICY FOR THE CITY OWNED PALM TREES
City Council to Discuss and Consider Adopting a Resolution Approving the Commemorative Lighting Policy for the City Owned Palm Trees

6. COUNCIL COMMUNICATIONS

6.1 COUNCILMEMBER TORRES-O'CALLAGHAN REFERRAL –
Discuss Installing Traffic Signal at Central Pacific and Spartan Way, Near
the High School

6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

- *Ava Community Energy (Diallo/Torres-O'Callaghan)*
- *Central Valley Executive Committee/LOCC (Akinjo/Diallo)*
- *Council of Governments (Dhaliwal/Diallo)*
- *Integrated Waste Management Solid Waste Division (Akinjo/Torres-O'Callaghan)*
- *Local Agency Formation Commission (LAFCo) (Diallo)*
- *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)*

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
Government Services Director
City Clerk