

## August 10, 2020 – 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  
Martha Salcedo, Vice Mayor  
Paul Akinjo  
Diane Lazard  
Jennifer Torres-O'Callaghan

### City Staff

Stephen Salvatore, City Manager  
Salvador Navarrete, City Attorney  
Teresa Vargas, City Clerk  
Glenn Gebhardt, City Engineer  
Michael King, Public Works Director  
Cari James, Finance and  
Administrative Services Director  
Mark Meissner, Community  
Development Director  
Zachary Jones, Parks and Recreation  
Director  
Ryan Biedermann, 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.



**AUGUST 10, 2020 – Regular Meeting Agenda – 7:00 p.m.**



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See Reverse

## 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. 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.

## Public Participation

Attendance to this meeting is allowed with the following guidelines. However, in accordance with Executive Order N-25-20, guidance from the California Department of Public Health on gatherings, and to protect our employees and the public, public participation is allowed in the following additional ways:

- Attendance by video/teleconference is not mandatory, however, it is provided as an alternate participation method :

✚ **Event address: (copy and paste link on browser):**  
<https://cityoflathrop.webex.com/cityoflathrop/onstage/g.php?MTID=e44fb5cfb008155e3b3becfb0145d8a6f>

✚ Please log in and register at the bottom of the page, at least thirty minutes (30 min.) prior to the meeting.

✚ For audio only, call-in number: (408) 418-9388 Access code: 146 723 5309  
No need to call-in if using WebEx audio on your computer. If using WebEx audio, please use headphones to avoid background noise interference.

- Council Meetings are live-streamed on Comcast Cable Channel 97 and on the City's website at <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>

- Public comment/questions will be accepted by email to City Clerk Teresa Vargas at [Tvargas@ci.lathrop.ca.us](mailto:Tvargas@ci.lathrop.ca.us)
- In order to allow the City Council adequate time to review questions and comments, please submit written questions or comments by 3:00 p.m., on the day of the meeting.

If you have travelled internationally and/or you have had direct contact with someone who has travelled internationally or tested positive for Coronavirus (COVID-19), or you are experiencing symptoms such as coughing, sneezing, fever, sore throat, chills, muscle pain, headache, new loss of taste or smell, difficulty breathing/shortness of breath, or other flu-like symptoms, please DO NOT ATTEND this meeting in person.

If you are in the group of individuals who may be most vulnerable to COVID-19, including older adults and those with underlying health conditions, including but not limited to heart disease, lung disease, immune-compromised, diabetes, or other conditions that could interfere with your ability to fight COVID-19, please consider carefully before attending this meeting in person and keep a six-foot distance from others as much as possible.

To leave a voice message for the Mayor and all Councilmembers simultaneously, dial (209) 941-7230. To send an e-mail for the Mayor and all 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>**

**LIVE STREAMING & CLOSED CAPTIONING – Available, please visit the City Council Webpage: <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>**

### **Information**

Copies of the Agenda are available in the lobby at the Lathrop City Hall, 390 Towne Centre Drive, Lathrop, on Thursday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items 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.

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, City of Lathrop, City Clerk  
390 Towne Centre Drive, Lathrop, CA 95330 / Telephone: (209) 941-7230

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, AUGUST 10, 2020  
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)
- 2 Potential Case(s)

**RECONVENE**

1.2.2 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 NEW EMPLOYEE INTRODUCTION
- Clarisa Basa, Administrative Assistant II
  - Saira Tristan, Administrative Assistant II
  - Grace Manganaan, Administrative Assistant II
  - Trent DaDalt, Assistant Planner
  - Alex Gonzales, Utility Operator I

### **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 UNCOLLECTIBLE UTILITY AND MISCELLANEOUS CUSTOMER ACCOUNTS  
Approve Write-Off of Uncollectible Utility and Miscellaneous Accounts for Fiscal Year (FY) 2019/20
- 4.3 LATHROP TO OPT OUT OF STATE MANDATED CONGESTION MANAGEMENT PROGRAM  
Adopt a Resolution Exempting the City of Lathrop from State-Mandated Congestion Management Program in Conjunction with San Joaquin Council of Government Effort to Achieve Countywide Exemption
- 4.4 PROPOSED ANNEXATION OF TERRITORY INTO IMPROVEMENT AREA NO. 5 OF COMMUNITY FACILITIES DISTRICT 2018-1 (CENTRAL LATHROP SPECIFIC PLAN FACILITIES) AND COMMUNITY FACILITIES DISTRICT NO. 2019-2 (CENTRAL LATHROP CITY SERVICES)  
Council to Consider the Following:
  - 1. Adopt Resolution of Intention to Annex Territory to Improvement Area 5 of Community Facilities District No. 2018-1 (Central Lathrop Specific Plan Facilities) and to Authorize the Levy of Special Taxes Therein; and

2. Adopt Resolution of Intention to Annex Territory to Community Facilities District No. 2019-2 (Central Lathrop City Services) and to Authorize the Levy of Special Taxes Therein
- 4.5 APPROVE TASK ORDER NO. 7 FOR DE NOVO PLANNING GROUP TO PREPARE AN ENVIRONMENTAL IMPACT REPORT FOR THE SINGH PETROLEUM INVESTMENT PROJECT  
Adopt a Resolution Approving Task Order No. 7 for De Novo Planning Group to Prepare an Environmental Impact Report for the Singh Petroleum Investment Project
- 4.6 APPROVE PROFESSIONAL TECHNICAL SERVICES AND SUPPORT AGREEMENT WITH MCC CONTROLS LLC DBA PRIMEX FOR SCADA SYSTEM  
Adopt a Resolution Approving a Professional Technical Services and Support Agreement with MCC Controls LLC DBA PRIMEX for the City of Lathrop's Supervisory Control and Data Acquisition (SCADA) System
- 4.7 SSJID WATER SUPPLY DEVELOPMENT AND OPERATING AGREEMENT  
Adopt Resolution Approving a Water Supply Development and Operating Agreement with the South San Joaquin Irrigation District
- 4.8 APPROVE CONSTRUCTION CONTRACT FOR LOUISE AVENUE PAVEMENT REHABILITATION CIP PS 18-01  
Adopt Resolution Approving a Construction Contract with DSS Company dba Knife River Construction for the Construction of Louise Avenue Pavement Rehabilitation CIP PS 18-01 and Related Budget Amendment

*RIVER ISLANDS CONSENT ITEM(S)*

- 4.9 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 33 LOTS IN TRACT 3998 VILLAGE "Y" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS  
Adopt Resolution Approving Final Map for Tract 3998 Village "Y" within the Lakeside East District, Totaling 33 Single Family Lots and a Subdivision Improvement Agreement with River Islands Stage 2A, LLC
- 4.10 RATIFY REVISIONS TO FINAL MAP TRACTS 4021 VILLAGE S AND 4022 VILLAGE CC AND ASSOCIATED DOCUMENTS  
Adopt Resolution Ratifying Revisions to Final Map Tracts 4021 Village S and 4022 Village CC and Associated Documents to Recognize River Islands Stage 2A, LLC as the Property Owner

**5. SCHEDULED ITEMS**

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE AMENDMENT TO UPDATE VARIOUS SECTIONS OF THE LMC TO STREAMLINE PROCEDURES, MINOR CLARIFICATIONS, AND INCORPORATE UPDATED POLICIES TEXT AMENDMENT NO. TA-20-71  
Council to Consider the Following:

1. Hold a Public Hearing; and
2. First Reading and Introduce an Ordinance Adopting Various Amendments to the Lathrop Municipal Code (LMC) to Modernize, Simplify, and Streamline Sections of Title 17, The Zoning Code, Title 8, Health and Safety, Title 10, Vehicles and Traffic, and Title 12, Streets, Sidewalks and Public Places. The amendments to the Municipal Code include the following:
  - Chapter 8.27 (Vending from Pushcarts, Wagons and Motorized Food Wagons)
  - New Chapter 8.26 (Sidewalk Vendors)
  - Chapter 10.25 (Vehicle Parking in Yards of Residential Areas)
  - Chapter 17.32 (R One-Family Residential District)
  - Chapter 17.36 (RM Multifamily Residential District)
  - Chapter 17.92 (Landscaping and Screening Standards)
  - Chapter 17.104 (Architectural Design Review)
  - Chapter 17.62 (CO-CL: Commercial Office Zoning District)
  - Chapter 17.16 (General Requirements and Exceptions)
  - Chapter 17.84 (Signs)
  - Chapter 8.20 (Noise)
  - Chapter 17.44 (C Commercial District)
  - Chapter 12.12 (Improvements and Dedications)

## **6. COUNCIL COMMUNICATIONS**

### **6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)**

- *Central Valley Executive Committee/LOCC (Akinjo/Salcedo)*
- *Council of Governments (Dhaliwal/Lazard)*
- *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 (VACANT)*
- *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)*

### **6.2 MAYOR & COUNCILMEMBER COMMENT(S)**

## **7. ADJOURNMENT**

*/Teresa Vargas/*

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Teresa Vargas, CMC,  
City Clerk