

September 14, 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

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.



SEPTEMBER 14, 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=e109ff1d7f9c5a7904c49b3fce5d6c13b>
 - ✚ 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: 146 911 5193
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
- 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

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, SEPTEMBER 14, 2020
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

AGENDA

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 NEW EMPLOYEE INTRODUCTION
 - Angel Abarca, Assistant Engineer
 - Bellal Nabizadah, Junior Engineer
- 2.2 MAYOR'S COMMITTEE REPORT(S)
Parks & Recreation Update on Committee Events and Programs

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 Meetings of June 8, 2020
- 4.3 **2020 CONFLICT OF INTEREST CODE BIENNIAL AMENDMENT**
Adopt Resolution Adopting an Amended Conflict of Interest Code
- 4.4 **TREASURER'S REPORT FOR JUNE 2020**
Approve Quarterly Treasurer's Report for June 2020
- 4.5 **APPROVE CONSTRUCTION CONTRACT FOR RIVER ISLANDS PARKWAY WIDENING, CIP PS 06-06**
Adopt Resolution Approving a Construction Contract with McGuire and Hester for the Construction of River Islands Parkway Widening, CIP PS 06-06, and Related Budget Amendment
- 4.6 **APPROVE CONSTRUCTION CONTRACT FOR CITY HALL PARKING LOT IMPROVEMENTS CIP GG 20-22**
Adopt Resolution Approving a Construction Contract with McFadden Construction Inc. for the Construction of the City Hall Parking Lot Improvements CIP GG 20-22
- 4.7 **TASK ORDER NO. 4 WITH WOODARD & CURRAN COMPANY FOR CIP RW 19-16 RECYCLED WATER PROGRAM EXPANSION AND ASSOCIATED BUDGET AMENDMENT**
Adopt a Resolution Approving Task Order No. 4 to the Master Agreement with Woodard & Curran Company for CIP RW 19-16 to Provide Recycled Water Expansion Permitting Support and Associated Budget Amendment
- 4.8 **APPROVE REIMBURSEMENT TO SAYBROOK CLSP, LLC FOR IMPROVEMENTS CONSTRUCTED IN CENTRAL LATHROP PHASE 1B**
Adopt a Resolution Approving Reimbursement to Saybrook CLSP, LLC for Improvements Constructed in Central Lathrop Phase 1B and Associated Budget Amendment

- 4.9 APPROVE RESERVE WASTEWATER TREATMENT CAPACITY TRANSFER FROM SOUTH LATHROP LAND, LLC TO LATHROP LAND ACQUISITION, LLC THROUGH THE CITY

Adopt Resolution Approving the Transfer of Reserve Wastewater Treatment Capacity in the Consolidated Treatment Facility from South Lathrop Land, LLC to Lathrop Land Acquisition, LLC through the City and an Associated Transfer Agreement

- 4.10 APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM

Adopt a Resolution Approving an Application to the Statewide Park Development and Community Revitalization Program for Sangalang Park Revitalization

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO ANNEX TERRITORY TO THE EXISTING IMPROVEMENT AREA NO. 5 OF COMMUNITY SERVICES DISTRICT NO 2018-1 (CENTRAL LATHROP SPECIFIC PLAN FACILITIES) ("CFD"), UNDER THE MELLO ROOS COMMUNITY FACILITIES ACT OF 1982, SECTIONS 53311 ET SEQ., CALIFORNIA GOVERNMENT CODE (THE "ACT").

The City Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution of Authorizing Annexation of Territory, Authorizing the Levy of a Special Tax Therein and Submitting Levy of Tax to Qualified Electors; Improvement Area No. 5 of Community Facilities District No. 2018-1 (Central Lathrop Specific Plan Facilities) as provided in the Act and described in the Resolution of Intention adopted August 10, 2020; and
3. Adopt Resolution Declaring Results of Special Annexation Election, Determining Validity of Prior Proceedings and Directing Recording of Amended Notice of Special Tax Lien: Improvement Area No. 5 of Community Facilities District No. 2018-1 (Central Lathrop Specific Plan Facilities).

- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO ANNEX TERRITORY TO THE EXISTING COMMUNITY SERVICES DISTRICT NO 2019-2 (CENTRAL LATHROP CITY SERVICES) ("CFD"), UNDER THE MELLO ROOS COMMUNITY FACILITIES ACT OF 1982, SECTIONS 53311 ET SEQ., CALIFORNIA GOVERNMENT CODE (THE "ACT")

The City Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution of Authorizing Annexation of Territory, Authorizing the Levy of a Special Tax Therein and Submitting Levy of Tax to Qualified Electors; Community Facilities District No. 2019-2 (Central Lathrop City Services), as provided in the Act and described in the Resolution of Intention adopted August 10, 2020; and

3. Adopt Resolution Declaring Results of Special Annexation Election, Determining Validity of Prior Proceedings and Directing Recording of Amended Notice of Special Tax Lien; Community Facilities District No. 2019-2 (Central Lathrop City Services).
- 5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE ADDING SECTION 13.26.170 DENTAL AMALGAM-MERCURY SOURCE CONTROL PROGRAM TO CHAPTER 13.26 SEWER USE AND INDUSTRIAL WASTEWATER REGULATIONS OF THE LATHROP MUNICIPAL CODE
The City Council to Consider the Following:
 1. Hold a Public Hearing; and
 2. Introduction and First Reading of an Ordinance Adding Section 13.26.170 Dental Amalgam-Mercury Source Control Program to Chapter 13.26 Sewer Use and Industrial Wastewater Regulations
 - 5.4 ADOPTION OF THRESHOLDS OF SIGNIFICANCE AND SCREENING CRITERIA FOR THE PURPOSE OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) RELATED TO VEHICLE MILES TRAVELED (VMT)
Adopt a Resolution to 1) Find the Action Exempt from the California Environmental Quality Act, 2) Adopt the Proposed Thresholds of Significance and Screening Criteria for the Purpose of Analyzing Transportation Impacts Under CEQA Related to Vehicle Miles Traveled, and 3) Find that the Previous Thresholds of Significance Regarding Level of Service Shall Continue for the Purpose of Reviewing Non-CEQA Related Impacts for Discretionary Planning Approvals in Accordance with the General Plan
 - 5.5 CROSSROADS SEWER RATES
Adopt a Resolution Approving the Decrease of Crossroads Sewer Rates
 - 5.6 FISCAL YEAR (FY) 2019/20 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO THE FISCAL YEAR 2020/21 BUDGET
Adopt Resolution Approving the FY 2019/20 Year-End Report and Related Budget Amendments and Amending the FY 2020/21 Budget

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/

Teresa Vargas, CMC,
City Clerk