

February 8, 2021 – 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
Jennifer Torres-O'Callaghan, Vice Mayor
Paul Akinjo
Minnie Diallo
Diane Lazard

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.



FEBRUARY 8, 2021 – Regular Meeting Agenda – 7:00 p.m.

IMPORTANT NOTICE REGARDING THIS MEETING & COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which allows Council Meetings to be conducted telephonically. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allows for the public to participate in any meeting of the City Council by electronic means.

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20, dated March 17, 2020, regarding the COVID-19 pandemic. In accordance with Executive Order N-29-20, the public may view the meeting on television and/or online. 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>

This meeting will be available for public participation by video/teleconference via Cisco Webex at the following link:

📌 Event address for attendees (copy and paste link on browser):

<https://cityoflathrop.webex.com/cityoflathrop/onstage/g.php?MTID=ef1f742df143f2809f57029b5d144926a>

📌 Please register at the bottom of the page, at least thirty minutes (30 min.) prior to the meeting.

📌 For audio only: +1-408-418-9388 Access code: 187 770 1827 / No need to call-in if using webex audio.

In accordance with Executive Orders listed above, guidance from the California Department of Public Health on gatherings, and to protect our employees and the public, remote public participation is allowed in the following ways:

- Public comment/questions will be accepted by email to City Clerk Teresa Vargas at Tvargas@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.
- During the meeting, those joining by teleconference (Cisco Webex link listed above), will be allowed to speak prior to the close of public comment on an item, and read into the record during public comment. If you are using this method, send a "chat" message to the City Clerk (meeting host) indicating the item number you wish to speak on.

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>

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

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, FEBRUARY 8, 2021
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 6:30 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)

- 2 Potential Case(s)

1.2.2 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6
Agency Negotiator: Stephen J. Salvatore, City Manager
Employee Organization: Service Employees International Union (SEIU) Local 1021

1.2.3 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6
Agency Negotiator: Stephen J. Salvatore, City Manager
Employee Organization: Lathrop Mid-Managers and Confidential Employees Association (LMCEA)

1.2.4 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6
Agency Negotiator: Stephen J. Salvatore, City Manager
Unrepresented Employees: Chief Building Official, City Clerk, City Engineer, Director of Administrative Services, Director of Community Development, Director of Finance, Director of Parks and Recreation, Director of Public Works and Human Resources Manager

RECONVENE

1.2.5 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 FEBRUARY AS BLACK HISTORY MONTH
- 2.2 ECONOMIC DEVELOPMENT UPDATE
- 2.3 UTILITY BILLING ASSISTANCE PROGRAM REVIEW
- 2.4 REGIONAL CANNABIS UPDATE
- 2.5 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 Meeting of December 14, 2020 and Regular Meeting of January 11, 2021.
- 4.3 DECLARE CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZE THEIR DISPOSAL
Council to Consider the Following:
 1. Adopt a Resolution Declaring Certain Vehicles and Equipment Surplus Property and Authorizing Their Disposal; and
 2. Adopt a Resolution Approving a Donation Policy for Surplus City Vehicles Valued Less Than \$1,500
- 4.4 GRAND JURY REPORT RESPONSE
Accept Grand Jury Report, Case #0119 on Homelessness and Direct the City Attorney to Submit a Letter to the Presiding Judge of the San Joaquin County Superior Court Responding to the Finding and Recommendations of the Grand Jury
- 4.5 RECEIVE FINAL REPORT AND ADOPT THE CITY OF LATHROP PARKS AND RECREATION MASTER PLAN
Adopt Resolution Adopting the City of Lathrop Parks and Recreation Master Plan
- 4.6 CREATE CIP PS 21-08 MANTHEY ROAD AND SADLER OAK DRIVE REHABILITATION AND APPROVE RELATED BUDGET AMENDMENT
Adopt Resolution Approving the Creation of CIP PS 21-08 Manthey Road and Sadler Oak Drive Rehabilitation and Approve Related Budget Amendment
- 4.7 APPROVAL OF FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 141 LOTS IN TRACT 4063 VILLAGE "EE" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS
Adopt Resolution Approving Final Map for Tract 4063 Village "EE" within the Lakeside West District, Totaling 141 Single Family Lots, City of Lathrop CFD Annexation No. 17, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- 4.8 APPROVAL OF FINAL MAP, COMMON USE AGREEMENT, OFFER OF DEDICATION, CFD ANNEXATION AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 34 LOTS IN TRACT 4068 VILLAGE "OO" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS

Adopt Resolution Approving Final Map for Tract 4068 Village "OO" within the Lakeside West District, Totaling 34 Single Family Lots, a Common Use Agreement with Island Reclamation District No. 2062, Offer of Dedication for Public Utility Easements, City of Lathrop CFD Annexation No. 18, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE CENTRAL LATHROP SPECIFIC PLAN NEIGHBORHOOD PARK CAPITAL FACILITY FEE UPDATE STUDY AND THE FEES RECOMMENDED THEREIN
Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt a Resolution Approving the Central Lathrop Specific Plan Neighborhood Park Capital Facility Fee Update Study and the Fees Recommended Therein

5.2 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 and TA-20-138.

The City Council to Consider the Following:

1. Hold a Public Hearing; and
2. First Reading and Introduction of an Ordinance Adopting Various Amendments to the Lathrop Municipal Code (LMC) to Modernize, Simplify, and Streamline Various Sections of Title 17, The Zoning Code Title 8, Health and Safety, Title 10, Vehicles and Traffic, Title 12, Streets, Sidewalks and Public Places, and Title 15, Buildings and Construction. The amendments to the Municipal Code include the following:
 - Chapter 8.20 (Noise)
 - New Chapter 8.26 (Sidewalk Vendors)
 - Chapter 8.27 (Vending from Pushcarts, Wagons & Motorized Food Wagons)
 - Chapter 10.25 (Vehicle Parking in Yards of Residential Areas)
 - Chapter 12.12 (Improvements and Dedications)
 - Chapter 15.56 (Floodplain Management)
 - Chapter 17.04 (General Provisions)
 - Chapter 17.16 (General Requirements and Exceptions)
 - Chapter 17.32 (R One-Family Residential District)
 - Chapter 17.36 (RM Multifamily Residential District)
 - Chapter 17.44 (C Commercial District)
 - Chapter 17.62 (Central Lathrop Zoning District)
 - Chapter 17.76 (Off-Street Parking and Loading)
 - Chapter 17.84 (Signs)
 - Chapter 17.92 (Landscaping and Screening Standards)
 - Chapter 17.104 (Architectural Design Review)
 - Chapter 17.116 (Nonconforming Uses and Structures)

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL – Appointment of One (1) Member to the Measure C Oversight Committee with Term Expiring June 30, 2021, Plus New Three (3) Year Term Expiring June 30, 2024 Due to Unscheduled Vacancy
- Two (2) Applications Received
- 6.2 MAYOR DHALIWAL REFERRAL – Appointment of One (1) Member to the Parks and Recreation Commission with Term Expiring June 30, 2021, plus New Three (3) Year Term Expiring June 30, 2024 Due to Unscheduled Vacancy
- Two (2) Applications Received
- 6.3 MAYOR DHALIWAL REFERRAL – Receive update on the 2x2 Committee with Banta Elementary School District and the City of Lathrop
- 6.4 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)
- *Central Valley Executive Committee/LOCC (Akinjo/Diallo)*
 - *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 (Zavala)*
 - *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)*
- 6.5 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, CMC, City Clerk