

September 13, 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, Government Services
Director / 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, Recreation and
Maintenance Services Director
Lieutenant Michael Alagna, Acting 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 13, 2021 – Regular Meeting Agenda – 7:00 p.m.



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See Reverse

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 in person and by utilizing teleconferencing/electronic means consistent with State of California Executive Order N-29-20, dated March 17, 2020, and recent State Orders 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 teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/j/1618769673?pwd=bU5yT2NCV29RaEhik1V5WEIza25pUT09>

- ✚ 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
 - 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: 161 876 9673/ Passcode: 670724
- ✚ 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.

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

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, SEPTEMBER 13, 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 5:30 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 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to Government Code Section 54957

- City Manager
- City Attorney

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 NATIONAL NIGHT OUT COMMUNITY APPRECIATION AWARDS

2.2 RECOGNITION TO SAN JOAQUIN COUNTY SHERIFF'S CAPTAIN RYAN BIEDERMANN, FOR HIS SERVICES AS LATHROP'S FORMER POLICE CHIEF

- 2.3 INTRODUCTION AND OATH OF OFFICE OF NEWLY APPOINTED LATHROP POLICE CHIEF RAYMOND BECHLER (COMMISSION STARTING JULY 1, 2022)
- 2.4 INNOVATION IN THE VALLEY: AN UPDATE ON IHUB SAN JOAQUIN

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 Special Council Meeting of July 7, 2021 and Regular Council Meeting of July 12, 2021
- 4.3 AUTHORIZE THE PURCHASE OF 12 NEW POLICE VEHICLES FOR THE NEW LATHROP POLICE DEPARTMENT
Adopt a Resolution Authorizing the Purchase of 12 New Police Vehicles for the New Lathrop Police Department in a Not to Exceed Amount of \$505,200
- 4.4 AWARD CONSTRUCTION CONTRACT TO BENTON FENCE & DRILLING, INC. FOR THE GENERATIONS CENTER SKATE PARK FENCE, CIP PK 22-13 AND APPROVE RELATED BUDGET AMENDMENT
Adopt a Resolution Awarding a Construction Contract to Benton Fence & Drilling, Inc. for the Generations Center Skate Park Fence, CIP PK 22-13, and Approve Related Budget Amendment

- 4.5 ACCEPTANCE OF PUBLIC IMPROVEMENTS CONSTRUCTED BY MIKE BROWN ELECTRIC CO. FOR TRAFFIC SIGNAL INSTALLATION – INTERSECTION OF GOLDEN VALLEY PARKWAY & SPARTAN WAY, CIP PS 18-03
Adopt a Resolution Accepting Public Improvements Constructed by Mike Brown Electric Co. for Traffic Signal Installation – Intersection of Golden Valley Parkway & Spartan Way, CIP PS 18-03, Authorize the Filing of a Notice of Completion, Release of Contract Retention, Release of Performance and Payment Bonds, and Approve Related Budget Amendment
- 4.6 ACCEPTANCE OF PUBLIC IMPROVEMENTS CONSTRUCTED BY DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR LOUISE AVENUE PAVEMENT REHABILITATION, CIP PS 18-01 AND APPROVAL OF RELATED BUDGET AMENDMENT
Adopt a Resolution Accepting Public Improvements Constructed by DSS Company dba Knife River Construction for Louise Avenue Pavement Rehabilitation, CIP PS 18-01, Authorize the Filing of a Notice of Completion, Release of Contract Retention, Release of Performance and Payment Bonds, and Approve Related Budget Amendment
- 4.7 ACCEPTANCE OF PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR TRACT 4018, PHASE 1B2, IN THE CENTRAL LATHROP SPECIFIC PLAN FROM LATHROP LAND ACQUISITION, LLC
Adopt a Resolution Accepting Public Improvements with Associated Conditions for Tract 4018, Phase 1B2, in the Central Lathrop Specific Plan from Lathrop Land Acquisition, LLC
- 4.8 APPROVAL OF PROFESSIONAL CONSULTING SERVICES AGREEMENT FOR ON-CALL GIS SERVICES WITH CONDOR EARTH TECHNOLOGIES, INC. AND A RELATED BUDGET AMENDMENT
Adopt a Resolution Approving a Professional Consulting Services Agreement with Condor Earth Technologies, Inc. to Provide On-Call GIS Services and a Related Budget Amendment
- 4.9 APPROVAL OF TASK ORDER NO. 24 WITH 4LEAF, INC., FOR INTERIM CHIEF BUILDING OFFICIAL CONSULTING SERVICES
Adopt a Resolution Approving Task Order No. 24 to Provide Interim Chief Building Official Consulting Services, Pursuant to Master Consulting Agreement dated September 21, 2015 with 4Leaf, Inc.
- 4.10 APPROVAL OF PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH LDA PARTNERS, INC. FOR THE CITY’S MUNICIPAL CORPORATION YARD IMPROVEMENTS, CIP GG 21-13
Adopt a Resolution Approving a Professional Consulting Services Agreement with LDA Partners, Inc. to Provide Design Engineering Services for the City’s Municipal Corporation Yard Improvements, CIP GG 21-13

- 4.11 APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH WGR SOUTHWEST, INC. TO PROVIDE SMALL CONSTRUCTION PROJECT INSPECTION SUPPORT FOR THE CITY'S STORM WATER DISCHARGE PERMIT SD 22-32 AND RELATED BUDGET AMENDMENT
Adopt a Resolution Approving a Professional Services Agreement with WGR Southwest, Inc., to Provide Small Construction Project Inspection Support for the Phase II Small MS4 Storm Water Discharge Permit Regulatory Compliance Program SD 22-32 and Related Budget Amendment
- 4.12 APPROVAL OF RESERVE WASTEWATER TREATMENT CAPACITY TRANSFER FROM CITY OF LATHROP TO SAYBROOK CLSP, LLC AND A RELATED BUDGET AMENDMENT
Adopt a Resolution Approving the Sale and Transfer Agreement of Reserve Wastewater Treatment Capacity in the Consolidated Treatment Facility from City of Lathrop to Saybrook CLSP, LLC and a Related Budget Amendment

RIVER ISLANDS CONSENT ITEM(S)

- 4.13 APPROVAL OF FINAL MAP, COMMON USE AGREEMENT AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 59 LOTS IN TRACT 4069 VILLAGE "OO2" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS
Adopt a Resolution Approving Final Map for Tract 4069 Village "OO2" within the Lakeside West District, Totaling 59 Single Family Lots, a Common Use Agreement and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- 4.14 APPROVAL OF FINAL MAP, COMMON USE AGREEMENT, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 48 LOTS IN TRACT 4089 VILLAGE "HH1" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS
Adopt a Resolution Approving Final Map for Tract 4089 Village "HH1" within the Old River District, Totaling 48 Single Family Lots, a Common Use Agreement, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- 4.15 APPROVAL OF FINAL MAP, COMMON USE AGREEMENT, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 48 LOTS IN TRACT 4091 VILLAGE "GG1" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS
Adopt a Resolution Approving Final Map for Tract 4091 Village "GG1" within the Old River District, Totaling 48 Single Family Lots, a Common Use Agreement, CFD Annexation No. 24, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER TENTATIVE SUBDIVISION MAP TSM-21-15 AND MINOR VARIANCE MV-21-70 FOR THE WARREN AVENUE SUBDIVISION PROJECT

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt a Resolution Approving Tentative Subdivision Map (TSM-21-15) and Minor Variance (MV-21-70) for the Proposed Warren Avenue Subdivision Project

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO ADOPT AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF LATHROP AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt an Urgency Ordinance of the City Council of the City of Lathrop, California, Authorizing an Amendment to the Contract Between the City Council of the City of Lathrop and the Board of Administration of the California Public Employees' Retirement System

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER FIRST READING AND INTRODUCTION OF AN ORDINANCE AMENDING LATHROP MUNICIPAL CODE TITLE 8 "HEALTH & SAFETY", CHAPTER 8.16 "GARBAGE COLLECTION AND DISPOSAL" TO INCLUDE "MANDATORY ORGANIC WASTE DISPOSAL REDUCTION" TO ENSURE STATE REGULATION COMPLIANCE FOR RESIDENTIAL AND COMMERCIAL GENERATORS

Council to Consider the Following:

1. Hold a Public Hearing; and
2. First Reading and Introduction of an Ordinance Amending the Lathrop Municipal Code Title 8 "Health and Safety", Chapter 8.16 Entitled, "Garbage and Collection Disposal", Section 8.16.010 Entitled "Definitions" and Adding a New Section 8.16.290 Entitled "Mandatory Organics Waste Disposal Reduction" and Section 8.16.300 Entitled "Violations"

5.4 FISCAL YEAR (FY) 2020/21 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS

Adopt Resolution Approving the FY 2020/21 Year-End Report and Related Budget Amendments

5.5 CITY COUNCIL TO RECEIVE PROJECT STATUS FOR CIP WW 20-17 SURFACE WATER DISCHARGE PROJECT, AND CONSIDER APPROVAL OF RELATED DEVELOPER FUNDING AGREEMENTS, CONSTRUCTION CONTRACTS, PROFESSIONAL CONSULTING SERVICES AGREEMENT, RATIFICATION OF EQUIPMENT AND MATERIAL PURCHASES, RATIFICATION OF OUTFALL PERMIT AGREEMENT, AND RELATED BUDGET AMENDMENT

Adopt a Resolution Related to CIP WW 20-17 Surface Water Discharge Project:

- Approving Funding Agreements with River Islands Development, LLC, Saybrook CLSP, LLC, and Richland Crossroads, L.P.,
- Awarding Construction Contract to Cushman Contracting Corporation for Dechlorination Facilities,
- Awarding Construction Contract to Teichert & Son, Inc. dba Teichert Construction for Pipeline and River Outfall Construction,
- Approving Professional Consulting Services Agreement with TRC Engineers, Inc. for Professional Engineering Consulting Services and Construction Management,
- Ratifying Equipment and Material Purchases,
- Ratifying Outfall Permit Agreement with Reclamation District 17, and Approving Related Budget Amendment

5.6 DISCUSS INSTALLATION OF CAMERA SURVEILLANCE SYSTEM FOR MAJOR CITY PARKS

Council to Discuss, Provide Direction to Staff and Adopt a Resolution Authorizing Installation and Budget Amendment Necessary for a Camera Surveillance System for Major City Parks

5.7 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER A RESOLUTION REMOVING LATHROP ROAD, BETWEEN HARLAN ROAD AND MCKINLEY AVENUE, AS AN APPROVED TRUCK ROUTE PURSUANT TO LATHROP MUNICIPAL CODE 10.16.030

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt a Resolution Removing Lathrop Road Between Harlan Road and McKinley Avenue as an Approved Truck Route Pursuant to LMC 10.16.030

5.8 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER A MUNICIPAL CODE AMENDMENT TO AMEND TITLE 5, BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.04, BUSINESS LICENSES GENERALLY, CHAPTER 5.26, PROHIBITION AGAINST COMMERCIAL CANNABIS, AND TITLE 17, ZONING, CHAPTER 17.18, PROHIBITED CANNABIS ACTIVITIES (TA-21-116)

Council to Consider the Following:

1. Hold a Public Hearing; and
2. First Reading and Introduction of an Ordinance Amending Title 5, Business Licenses and Regulations, Chapter 5.04, Business Licenses Generally, Chapter 5.26, Prohibition Against Commercial Cannabis, and Title 17, Zoning, Chapter 17.18, Prohibited Cannabis Activities

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL - Appointment of One (1) Member of the City Council to the Local Agency Formation Commission (LAFCo) as an Alternate Member, with Term Ending May 1, 2023. *This appointment will be considered for approval from the San Joaquin County City Selection Committee in late September.*
- 6.2 MAYOR DHALI WAL REFERRAL - Appointment of One (1) Member to the Measure C Oversight Committee with Term Expiring June 30, 2024
- One (1) Application Received
- 6.3 MAYOR DHALI WAL REFERRAL - Appointment of Four (4) Members to the Youth Advisory Commission with Term Expiring May 31, 2022
- Five (5) Applications Received
- 6.4 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 (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)*
 - *LAFCo (Dhaliwal)*
- 6.5 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, CMC
City Clerk