

December 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 Director
Mark Meissner, Community Development
Director
Zachary Jones, Parks, Recreation and
Maintenance Services Director
Raymond Bechler, Chief of Police
(Commission Start Date 7/1/2022)
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.



DECEMBER 13, 2021 – Regular Meeting Agenda – 7:00 p.m.



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See Reverse

IMPORTANT NOTICE REGARDING THIS MEETING & COVID-19

Executive Order N-29-20, issued by the Governor on March 17, 2020, set provisions which relaxed the teleconferencing requirements of the Brown Act to facilitate virtual meetings during the COVID-19 declared emergency, said provisions expired after September 30, 2021.

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. COVID-19 and social distancing guidelines will be enforced. As a courtesy, this meeting will be available for public participation by teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/j/1616636066?pwd=TWNKUUtnRC9YSdu di9icFpCSWJwQT09>

- ✦ 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: 161 663 6066 / Passcode: 890029
- ✦ 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.

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, DECEMBER 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 6:15 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)
- 3 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 PROCLAMATION DECLARING DECEMBER 9, 2021, AS COACH PHILLY BAIRD DAY

- 2.2 MAYOR'S COMMITTEE REPORT(S)
- Parks, Recreation & Maintenance Services 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 Meeting of November 8, 2021
- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 21-428 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 (TA-21-116)
Waive Full Reading and Adopt Ordinance 21-428 by Title Only 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 (TA-21-116)
- 4.4 SECOND READING AND ADOPTION OF ORDINANCE 21-429 APPROVING THE ZONING MAP AMENDMENT FOR THE SCANNELL PROPERTIES INDUSTRIAL PROJECT (REZ-20-140)

Waive Full Reading and Adopt Ordinance 21-429 by Title Only Approving The Zoning Map Amendment For The Scannell Properties Industrial Project (REZ-20-140)

- 4.5 TREASURER'S REPORT FOR SEPTEMBER 2021
Approve Quarterly Treasurer's Report for September 2021
- 4.6 COMMUNITY FACILITIES DISTRICTS ANNUAL BOND ACCOUNTABILITY REPORT FOR FY 2020/21
Receive Report for Bonded and Non Bonded Community Facilities Districts
- 4.7 RATIFY THE PURCHASE OF MOBILE AND PORTABLE COMMUNICATION RADIOS FOR CIP GG 21-11 LATHROP POLICE DEPARTMENT
Adopt a Resolution Ratifying the Purchase of Mobile and Portable Communication Radios from La Rue Communications for CIP GG 21-11 Lathrop Police Department
- 4.8 APPROVE UPDATED SALARY SCHEDULE FOR FISCAL YEAR 2021/22 AND JOB CLASSIFICATION FOR UTILITY OPERATIONS SUPERINTENDENT
Adopt Resolution Approving the City of Lathrop Salary Schedule as of January 1, 2022, in Accordance with California Code of Regulations, Title 2, Section 570.5, and an Update to the Job Classification for the Utility Operations Superintendent
- 4.9 APPROVE SERVICE AGREEMENT WITH WAVE BUSINESS SOLUTION, LLC FOR TELECOMMUNICATION AND INTERNET SERVICES
Adopt a Resolution Approving Service Agreement with Wave Business Solution, LLC to provide Telecommunication and Internet Services to the City of Lathrop
- 4.10 APPROVE TASK ORDER NO. 25 WITH 4LEAF, INC., FOR BUILDING INSPECTION SERVICES
Adopt a Resolution Approving Task Order No. 25 with 4LEAF, Inc., to Provide Building Inspection Services Pursuant to Master Professional Services Consulting Agreement dated September 21, 2015 with 4LEAF, Inc.
- 4.11 APPROVE AMENDMENT NO. 1 WITH SORACCO, INC. FOR ON-CALL CONSTRUCTION SERVICES FOR WET UTILITY AND STREET REPAIR SERVICES
Adopt a Resolution Approving Amendment No. 1 with Soracco, Inc. for On-Call Construction Services for Wet Utility and Street Repairs
- 4.12 APPROVE AMENDMENT NO. 7 TO THE WASTEWATER TREATMENT PLANT OPERATION AND MAINTENANCE AGREEMENT WITH VEOLIA WATER WEST OPERATING SERVICES, INC.
Adopt a Resolution Approving Amendment No. 7 to the Wastewater Plant Operation and Maintenance Agreement with Veolia Water West Operating Services, Inc. and Related Budget Amendment

- 4.13 APPROVE PARCEL MAP 21-02, SUBDIVISION IMPROVEMENT AGREEMENT FOR PHASE 2 OF THE LATHROP GATEWAY BUSINESS PARK
Adopt a Resolution Approving the Lathrop Gateway Business Park Parcel Map 21-02 and Approving Subdivision Improvement Agreement with Yosemite Lathrop 2, LLC for Phase 2 of the Lathrop Gateway Business Park
- 4.14 APPROVE RECOMMENDATION TO CHANGE "TALBOTT COURT" TO "MONTELENA COURT"
Adopt a Resolution Approving Street Name Modification to Change "Talbot Court" to "Montelena Court" Located within Tract 4018 in Stanford Crossing
- 4.15 ACCEPT PUBLIC UTILITY EASEMENT DEDICATIONS ASSOCIATED WITH SONIC DRIVE-IN AND DUTCH BROTHERS LOCATED AT 15107 AND 15135 OLD HARLAN ROAD
Adopt a Resolution Accepting Dedication of Public Utility Easements from CFT NV Development, LLC for the I-5 Off-Ramp and Old Harlan Road Associated with the Sonic Drive-in and Dutch Brothers Located at 15107 and 15135 Old Harlan Road

RIVER ISLANDS CONSENT ITEM(S)

- 4.16 APPROVE SUMMARY VACATION OF A PORTION OF THE SLOPE AND DRAINAGE EASEMENT ADJACENT TO DELL'OSSO DRIVE WITHIN RIVER ISLANDS
Adopt a Resolution Approving the Summary Vacation of a Portion of the Slope and Drainage Easement Adjacent to Dell'Osso Drive within River Islands
- 4.17 APPROVAL OF FINAL MAP, COMMON USE AGREEMENT, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 46 LOTS IN TRACT 4094 VILLAGE "LL2" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS
Adopt a Resolution Approving Final Map for Tract 4094 Village "LL2" within the Lakeside West District, Totaling 46 Single Family Lots, a Common Use Agreement, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- 4.18 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 8 LOTS IN TRACT 4111 VILLAGE "S5" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS
Adopt a Resolution Approving Final Map for Tract 4111 Village "S5" within the Lakeside East District, Totaling 8 Single Family Lots and Subdivision Improvement Agreement with River Islands Stage 2A, LLC
- 4.19 ACCEPTANCE OF PUBLIC ROADWAY IMPROVEMENTS FROM RIVER ISLANDS DEVELOPMENT, LLC ON PARADISE ROAD BETWEEN PARADISE CUT AND RIVER ISLANDS PARKWAY AND RELEASE OF ASSOCIATED BONDS AND CONSTRUCTION GUARANTEES

Adopt a Resolution Accepting Public Roadway Improvements from River Islands Development, LLC on Paradise Road between Paradise Cut and River Islands Parkway and Releasing Associated Bonds and Construction Guarantees

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE FINAL TRACY SUBBASIN GROUNDWATER SUSTAINABILITY PLAN AND APPROVAL OF AMENDMENT NO. 1 TO THE TRACY SUBBASIN MEMORANDUM OF AGREEMENT

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt a Resolution Approving the Final Groundwater Sustainability Plan for the Tracy Subbasin for Management of the City of Lathrop Jurisdictional Area and Approve Amendment No. 1 to the Tracy Subbasin Memorandum of Agreement

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.24, SECTION 10.24.030 DESIGNATED NO PARKING AREAS OF THE LATHROP MUNICIPAL CODE

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduction and First Reading of an Ordinance of the City Council of the City of Lathrop to Consider Amending Title 10, Chapter 10.24, Section 10.24.030 Designated No Parking Areas of the Lathrop Municipal Code

5.3 RECEIVE UPDATE ON CIP GG 22-35 CAMERA SURVEILLANCE SYSTEMS FOR MAJOR CITY PARKS AND CONSIDER THE ADOPTION OF PUBLIC SAFETY VIDEO SURVEILLANCE SYSTEM POLICY

Council to Receive Update on CIP GG 22-35 Camera Surveillance Systems for Major City Parks and Consider the Adoption of Public Safety Video Surveillance System Policy

5.4 CONSIDER AMENDING THE HANDBOOK OF RULES AND PROCEDURES OF THE LATHROP CITY COUNCIL TO REVISE CHAPTER III – DECORUM

Council to Consider Adopting a Resolution Amending the Handbook of Rules and Procedures of the Lathrop City Council Chapter III - Decorum, by Adding Section G, Titled "Use of Electronic Communication Devices During City Council Meetings"

6. COUNCIL COMMUNICATIONS

6.1 COUNCILMEMBER DIALLO REFERRAL – Discuss Removal of the Roundabout In Front of Mossdale School, and Replace with Stop Signs and Lighted Crosswalk

- 6.2 MAYOR DHALIWAL REFERRAL – Set Application Deadline for One (1) Member to the Measure C Oversight Committee, with Term Ending June 30, 2022, due to Unexpired Term Vacancy
- 6.3 MAYOR DHALIWAL REFERRAL – Appointment of Vice Mayor for 2022
- 6.4 MAYOR DHALIWAL REFERRAL – Mayor and Councilmember Assignments for 2022
- 6.5 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 (Diallo)*
- 6.6 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
City Clerk