

January 10, 2022 – 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
Diane Lazard, Vice Mayor
Paul Akinjo
Minnie Diallo
Jennifer Torres-O'Callaghan

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.



JANUARY 10, 2022 – Regular Meeting Agenda – 7:00 p.m.



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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/1610774897?pwd=cmd0bWdyTk1lZlRRdElmVjZaYWZxUT09>

- ✚ 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: 161 077 4897 / Passcode: 089087
- ✚ 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, JANUARY 10, 2022
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)

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 ECONOMIC DEVELOPMENT UPDATE

2.2 AMERICAN RESCUE PLAN ACT (ARPA) UPDATE

2.3 LATHROP POLICE DEPARTMENT PROJECT UPDATE, CIP GG 21-11

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 December 13, 2021
- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 22-430 AMENDING TITLE 10, CHAPTER 10.24, SECTION 10.24.030 DESIGNATED NO PARKING AREAS OF THE LATHROP MUNICIPAL CODE
Waive Full Reading and Adopt Ordinance 22-430 by Title Only Amending Title 10, Chapter 10.24, Section 10.24.030 Designated No Parking Areas of the Lathrop Municipal Code
- 4.4 REVIEW OF THE CAPITAL FACILITY FEE FUNDS REPORT FOR FISCAL YEAR 2020-2021
Review of the Capital Facility Fee Funds Report for Fiscal Year 2020-2021

- 4.5 APPROVE COOPERATIVE AGREEMENTS WITH SAN JOAQUIN COUNCIL OF GOVERNMENTS
Adopt Resolution Approving Two Cooperative Agreements with San Joaquin Council of Governments for Funding Towards Active Transportation Projects CIP PS 22-17 and CIP PS 22-18
- 4.6 APPROVE INFORMATION SYSTEMS SERVER REPLACEMENTS AND SOFTWARE LICENSES
Adopt a Resolution Approving a Lease Purchase Agreement with Hewlett Packard Financial Services for End-of-Life Server Replacements and Software Licenses Provided by Solid Networks, Inc. for Disaster Recovery Site
- 4.7 APPROVE RESERVE WASTEWATER TREATMENT CAPACITY TRANSFER FROM CITY OF LATHROP TO SAYBROOK CLSP, LLC AND A RELATED BUDGET AMENDMENT
Adopt Resolution Approving the Sale and Transfer Agreement of 54,200 GPD Reserve Wastewater Treatment Capacity in the Consolidated Treatment Facility from City of Lathrop to Saybrook CLSP, LLC for Phase 1D1 Final Maps and a Related Budget Amendment

RIVER ISLANDS CONSENT ITEM(S)

- 4.8 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 43 LOTS IN TRACT 4090 VILLAGE "HH2" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS
Adopt Resolution Approving Final Map for Tract 4090 Village "HH2" within the Old River District, Totaling 43 Single Family Lots and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- 4.9 APPROVE FINAL MAP, COMMON USE AGREEMENT, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 62 LOTS IN TRACT 4092 VILLAGE "GG2" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS
Adopt Resolution Approving Final Map for Tract 4092 Village "GG2" within the Old River District, Totaling 62 Single Family Lots, a Common Use Agreement, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC

5. SCHEDULED ITEMS

- 5.1 APPROVE RESOLUTION OF INTENTION TO ESTABLISH THE PROPOSED "MOSSDALE TRACT ENHANCED INFRASTRUCTURE FINANCING DISTRICT"
Adopt Resolution of Intention Proposing to Establish an Enhanced Infrastructure Financing District to Finance the Construction and/or Acquisition of Capital Improvements, Establish a Public Financing Authority (PFA), Appoint 2 Lathrop Council Members and 2 Public Members to the PFA and Authorize Certain Other Actions Related Thereto

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE AMENDMENT TO UPDATE VARIOUS SECTIONS TO THE LMC TO MODERNIZE, SIMPLIFY, AND STREAMLINE VARIOUS SECTIONS OF TITLE 17, ZONING CODE, AND TITLE 10, VEHICLES AND TRAFFIC (TA-21-151)
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, Zoning Code, and Title 10, Vehicles and Traffic. The Amendments to the Municipal Code include the Following:
 - Chapter 10.24 (Parking): Allow Recreational Vehicles such as travel trailers, motorhomes, marine vessels, all-terrain vehicles, and similar vehicles to park on the street for the purposes of loading, unloading, cleaning, etc.
 - Chapter 17.16 (General Requirements and Exceptions): Update the code reference for the application type for temporary subdivision sales office.
 - Chapter 17.32 (R One-Family Residential District): Amend the Chapter to clarify that Large Family Day Care Home is a permitted use pursuant to Senate Bill 234.
 - Chapter 17.36 (RM Multifamily Residential District): Remove RM 1.5 from the Purpose and Application Section and Add Small and Large Family Day Care Home as a permitted use pursuant to Senate Bill 234.
 - Chapter 17.52 (Combining Districts): Update Section 17.52.030, Mossdale Village combining district (MV) to reference that development of property within the MV combining district are subject to the regulations found in the West Lathrop Specific Plan and the applicable Urban Design Concept.
 - New Chapter 17.57 (Mossdale Landing Zoning Districts): New Chapter to reference that the Mossdale Landing Zoning Districts are subject to the applicable Urban Design Concept.
 - Chapter 17.60 (Southeast Stewart Tract Zoning Districts): Remove Section 17.60.030, MX-ST, Mixed-Use Zoning District, Section 17.60.040, CR-ST, Regional Commercial Zoning District, and Section 17.60.050, R-REC-ST, Recreational Residential Zoning Districts as these Zoning Districts do not exist. Update Section 17.60.060, R-ST, Residential Zoning District to permit single-family residential uses and clustered housing consistent with a density in compliance with the City's General Plan.
 - Chapter 17.62 (Central Lathrop Zoning Districts): Amend the Chapter to clarify that Large Family Day Care Home is a permitted use in the VR-CL, Variable Density Residential District, HR-CL, High Density Residential, R/MU-CL, Residential/Mixed-Use Zoning District consistent with Senate Bill 234. Update Non-Residential Site Development Standards

to remove Lathrop Center District in Off-street parking and reference to Chapter 17.76, Off-street parking and loading and update the R/MU-CL, Residential/Mixed Use Zoning District Section to remove the VR-CL district reference from the permitted use list.

- Chapter 17.64 (Home Occupations): Amend the Chapter to allow Mobile Personal Services authorized by the State.
- Chapter 17.76 (Off-Street Parking and Loading): Add "utility trailer" to the list of recreational vehicles required to be stored within an enclosed side or rear yard or within a garage or carport.
- Chapter 17.80 (Accessory Dwelling Units): Amend Section 17.80.030(C) to clarify that doorway access for a detached accessory dwelling unit may front the street as long as the detached ADU is recessed from the main dwelling unit and amend Section 17.80.040 to provide provisions for utility connections for ADUs not contained within an existing structure.
- Chapter 17.97 (Wireless Communication Facilities): Clarify that Wireless Communication Facilities are subject to a Site Plan Review process, and a Conditional Use Permit.
- Chapter 17.100 (Site Plan Review): Amend the Chapter to update the code reference for revocation of a site plan.
- Chapter 17.108 (Administrative Approval of Certain Uses): Add temporary construction/laydown yard that is associated with a construction project to the list of temporary uses that are exempt from the Temporary Use Permit requirements (Section 17.108.090, Review of temporary uses).

5.3 CONSIDER CREATION OF CIP PW 22-36 FOR AQUIFER STORAGE AND RECOVERY, AND APPROVAL OF AGREEMENT WITH CAROLLO ENGINEERS, INC. AND RELATED BUDGET AMENDMENT

Council to Consider the Adoption of a Resolution Approving the Creation of Capital Improvement Project (CIP) PW 22-36 for the Aquifer Storage and Recovery, and Approve Professional Services Agreement with Carollo Engineers, Inc. and Approve Related Budget Amendment

5.4 REVIEW AND CONSIDER OPTIONS FOR ROUNDABOUT IMPROVEMENTS
Council to Consider Options for Roundabout Improvements near Mossdale Elementary School

6. COUNCIL COMMUNICATIONS

6.1 MAYOR DHALIWAL REFERRAL – Appointment of One (1) Member to the Measure C Oversight Committee, with Term Ending June 30, 2022, due to Unexpired Term Vacancy

- Three (3) Applications Received

6.2 COUNCILMEMBER DIALLO – Amendment to the City Council Handbook of Rules and Regulations to Consider Changes to the City Council Regular Meeting Schedule

6.3 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)*

6.4 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
City Clerk

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