

# July 11, 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](http://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  
Michael King, Assistant City Manager  
Teresa Vargas, Government Services  
Director / City Clerk  
Brad Taylor, City Engineer  
Tony Fernandes, Information Systems Director  
Cari James, Finance Director  
Theresa Roland, Human Resources Director  
Mark Meissner, Community Development  
Director  
Todd Sebastian, Parks, Recreation and  
Maintenance Services Director  
Raymond Bechler, 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.



**JULY 11, 2022 – Regular Meeting Agenda – 7:00 p.m.**

## **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/1600013321?pwd=bzdTV1NQNEcrZ3FJaG5EOHNGZnp5dz09>**

- ✦ 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: 160 001 3321 / Passcode: 030828
- ✦ 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](mailto: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](mailto: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, JULY 11, 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 5:00 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

1.2.2 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)

- 2 Potential Case(s)

**RECONVENE**

1.2.3 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 RECOGNITION OF THE LATHROP HIGH SCHOOL BOYS VOLLEYBALL TEAM
- 2.2 FRONTIER COMMUNICATIONS PRESENTATION PROVIDED BY DOUGLAS MCALLISTER, VICE PRESIDENT, EXTERNAL AFFAIRS
- 2.3 INTRODUCTION OF NEW EMPLOYEES:

### Public Works Department

- Carlos Carrillo, Management Analyst
- Steven Hollenbeck, Assistant Engineer
- Jason Reyes, Construction Inspector
- Ed Short, Chief Building Official

### Police Department

- Jonathan Bengard, Police Officer
- Michael Bower, Police Officer
- Clinton Armstrong, Police Officer
- Coleman Elliott, Police Officer
- Nicole Valker-Taylor, Police Officer
- Nathanael Novello, Police Officer
- Amador Almanza, Police Officer
- Liliana Espinoza Hernandez, Community Services Officer
- Roberto Franco, Community Services Officer
- Earleen Chambers, Records Assistant

- 2.4 LATHROP POLICE DEPARTMENT PRESENTATION
- 2.5 PROCLAMATION RECOGNIZING THE IMPORTANCE OF ACCESS TO LOCAL PARKS, RECREATION, TRAILS, OPEN SPACE, AND FACILITIES FOR THE POSITIVE DEVELOPMENT OF THE LATHROP COMMUNITY AND CITIZENS, AND DECLARING JULY 2022 AS PARKS AND RECREATION MONTH
- 2.6 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 June 13, 2022
- 4.3 ACCEPT THE CITY OF LATHROP ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2021  
Adopt a Resolution Accepting the City of Lathrop Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ending June 30, 2021
- 4.4 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY AMERICAN PAVEMENT SYSTEMS, INC. FOR THE MANTHEY ROAD REHABILITATION, CIP PS 21-08  
Adopt Resolution Accepting Public Improvements Constructed by American Pavement Systems, Inc. for the Manthey Road Rehabilitation, CIP PS 21-08, Authorize the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds
- 4.5 ACCEPT PUBLIC IMPROVEMENTS FOR PHASE 1 OF THE GATEWAY DEVELOPMENT AND AUTHORIZE RELEASE OF BONDS ASSOCIATED WITH THE SUBDIVISION IMPROVEMENT AGREEMENT FOR PARCEL MAP 19-03  
Adopt Resolution Accepting Public Improvements for Phase 1 of the Gateway Development and Authorize the Release of Bonds Associated with the Subdivision Improvement Agreement for Parcel Map 19-03
- 4.6 ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR TRACT 4062, PHASE 1C, IN THE CENTRAL LATHROP SPECIFIC PLAN FROM LATHROP LAND ACQUISITION, LLC

Adopt Resolution Accepting Public Improvements with Associated Conditions for Tract 4062, Phase 1C, in the Central Lathrop Specific Plan from Lathrop Land Acquisition, LLC

- 4.7 MUNICIPAL SERVICE REVIEW UPDATE AND SPHERE OF INFLUENCE PLAN  
Adopt Resolution Authorizing Staff to Submit the Municipal Service Review Update and Sphere of Influence Plan to the San Joaquin Local Agency Formation Commission for Review and Approval
- 4.8 CREATE CAPITAL IMPROVEMENT PROJECT PS 23-01 CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, AND APPROVE RELATED BUDGET AMENDMENT  
Adopt Resolution Creating CIP PS 23-01 City-Wide Traffic Systems and Safety Upgrades Project, and Approve Related Budget Amendment
- 4.9 AMEND THE CITY OF LATHROP'S EMPLOYEE TRAVEL EXPENSE REIMBURSEMENT POLICY AND PROCEDURE  
Adopt a Resolution Amending the City of Lathrop Employee Travel/Expense Reimbursement Policy and Procedure
- 4.10 APPROVE THE RECLASSIFICATION OF ONE (1) PART-TIME SENIOR RECREATION LEADER POSITION TO A FULL TIME SENIOR RECREATION LEADER POSITION IN THE RECREATION DIVISION, AND ONE (1) FULL-TIME MAINTENANCE WORKER POSITION TO A FULL-TIME MAINTENANCE SUPERVISOR POSITION IN THE STREETS AND MAINTENANCE DIVISION OF THE PARKS, RECREATION, AND MAINTENANCE SERVICES DEPARTMENT  
Adopt a Resolution Approving the Reclassification of One (1) Part-Time Senior Recreation Leader Position to a Full-Time Senior Recreation Leader Position in the Recreation Division, and One (1) Full-Time Maintenance Worker to a Maintenance Supervisor in the Streets and Maintenance Division of the Parks, Recreation and Maintenance Services Department

#### **RIVER ISLANDS CONSENT ITEM(S)**

- 4.11 APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 75 LOTS IN TRACT 4131 VILLAGE "KK" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS  
Adopt Resolution Approving Final Map for Tract 4131 Village "KK" within the Old River District, Totaling 75 Single Family Lots, CFD Annexation No. 25, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- 4.12 ADOPT 2022 ADEQUATE PROGRESS FINDING TOWARD PROVISION OF 200-YEAR URBAN LEVEL OF FLOOD PROTECTION FOR ISLAND RECLAMATION DISTRICT 2062 (RIVER ISLANDS PHASES 1 AND 2)  
Adopt Resolution Adopting 2022 Adequate Progress Findings toward providing a 200-Year Urban Level of Flood Protection in Phases 1 and 2 Levees of Island Reclamation District 2062 by the Year 2025, Acting as the Land Use Agency

## 5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING AND APPROVAL OF THE MOSSDALE TRACT ENHANCED INFRASTRUCTURE FINANCING DISTRICT (MOSSDALE TRACT EIFD) INFRASTRUCTURE FINANCING PLAN (IFP)  
Conduct a Public Hearing and Consider Adoption of a Resolution Approving the Mossdale Tract Enhanced Infrastructure Financing District (Mossdale Tract EIFD) Infrastructure Financing Plan (IFP)
- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE WEST/CENTRAL LATHROP REGIONAL TRANSPORTATION AND CENTRAL LATHROP SPECIFIC PLAN CAPITAL FACILITY FEE UPDATE STUDIES AND THE FEES RECOMMENDED THEREIN  
City Council to Consider the Following:
1. Hold a Public Hearing; and
  2. Adopt a Resolution Approving the West/Central Lathrop Regional Transportation and Central Lathrop Specific Plan Capital Facility Fee Update Studies and the Fees Recommended Therein
- 5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER APPROVAL OF A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT FOR THE CENTRAL CALIFORNIA GREENS PROJECT  
Council to Consider the Following:
1. Hold a Public Hearing; and
  2. Adopt a Resolution Approving a Conditional Use Permit for the Central California Greens Project to Operate a Cannabis Retail Dispensary and Delivery Facility in an Existing Multi-Tenant Building (CUP-22-58).
  3. First Reading and Introduce an Ordinance to Approve a Development Agreement Between the City of Lathrop and Central California Greens, Inc. (DA-22-81)
- 5.4 REVIEW AND CONSIDER TRAFFIC CALMING IMPROVEMENTS AT BARBARA TERRY BOULEVARD AND ADOBE WAY, JOHNSON FERRY ROAD AND VICTORIAN TRAIL, AND JOHNSON FERRY ROAD AND FORTY NINER TRAIL  
Council to Consider Options for Traffic Calming Improvements at Barbara Terry Boulevard and Adobe Way, Johnson Ferry Road and Victorian Trail, And Johnson Ferry Road and Forty Niner Trail
- 5.5 DISCUSS AND APPROVE AN OPTION AND LAND LEASE AGREEMENT FOR THE CONSTRUCTION OF A NEW WIRELESS COMMUNICATIONS TOWER  
Discuss and Adopt Resolution Approving an Option and Land Lease Agreement for the Construction of a New Wireless Communications Tower



## 6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL - Appointment of Two (2) Members to the Parks and Recreation Commission with Term Ending June 30, 2025
- Two (2) Applications Received
- 6.2 MAYOR DHALIWAL REFERRAL - Appointment of Two (2) Members to the Planning Commission with Term Ending June 30, 2026
- Two (2) Applications Received
- 6.3 MAYOR DHALIWAL REFERRAL - Appointment of One (1) Member to the Measure C Oversight Committee with Term Ending June 30, 2025
- One (1) Application 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 (Diallo)*
- 6.5 MAYOR & COUNCILMEMBER COMMENT(S)

## 7. ADJOURNMENT

*/Teresa Vargas/*

---

Teresa Vargas, MMC  
Government Services Director/City Clerk