

September 12, 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
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.



SEPTEMBER 12, 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/1602142804?pwd=Y3lEd25vL3JtdDlnTWprM21iVEc2UT09>

- ✦ 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: 160 214 2804 / Passcode: 335206
- ✦ 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: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 Somerstons 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, SEPTEMBER 12, 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 5:30 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)

- 3 Potential Case(s)

1.2.2 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS: Pursuant to Government Code Section: 54956.8
Property: APN 192-040-56 (Addresses Not Available)
Agency Negotiator: Stephen Salvatore, City Manager
Negotiating Parties: Lathrop Land Acquisition, LLC
Under Negotiation: Price and Terms of Negotiations

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 PRESENTATION OF CERTIFICATES OF APPRECIATION TO THE NATIONAL NIGHT OUT 2022 BLOCK PARTY PARTICIPANTS

2.2 INTRODUCTION OF NEW EMPLOYEES:

Finance Department

- Amanda Pagan-Silva, Sr. Customer Service Representative
- Roopale Bulsara-Popal, Customer Service Supervisor
- La Sandra Sipp, Management Analyst

Public Works Department

- Monica Garcia, Administrative Assistant

Parks, Recreation & Maintenance Services Department

- Christopher McClain – Sr. Recreation Leader
- Amy Molson, Administrative Assistant
- Jason Bonilla, Streets & Maintenance Operations Manager

2.3 MAYOR'S COMMITTEE REPORT(S)

- Parks, Recreation & Maintenance Services Department Update on Committee Events and Programs

2.4 LATHROP POLICE DEPARTMENT STARTUP BUDGET UPDATE

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 August 8, 2022
- 4.3 SECOND READING AND ADOPTION OF ORDINANCE 22-439 OF THE CITY OF LATHROP AMENDING TITLE 9 "PUBLIC PEACE AND WELFARE" OF THE LATHROP MUNICIPAL CODE BY ADDING NEW CHAPTER 9.24 TITLED "PROPERTY AND EVIDENCE"
Waive Full Reading and Adopt Ordinance 22-439 by Title Only Amending Title 9 "Public Peace and Welfare" of the Lathrop Municipal Code by Adding New Chapter 9.24 Titled "Property and Evidence"
- 4.4 2022 CONFLICT OF INTEREST CODE BIENNIAL AMENDMENT
Adopt Resolution Adopting an Amended Conflict of Interest Code
- 4.5 UNCOLLECTIBLE UTILITY AND MISCELLANEOUS CUSTOMER ACCOUNTS
Approve Write-Off of Uncollectible Utility and Miscellaneous Accounts for Fiscal Year (FY) 2021/22
- 4.6 APPROVE AMENDMENTS TO EMPLOYEE CLASSIFICATIONS / JOB DESCRIPTIONS FOR VARIOUS DEPARTMENTS
Adopt Resolution to Approve Amendments to the Job Descriptions for Various Positions
- 4.7 APPROVE OUT-OF STATE TRAVEL FOR LATHROP POLICE DEPARTMENT STAFF TO PARTICIPATE IN THE RIMSCON 2022 CONFERENCE IN OCTOBER 2022
Adopt Resolution Approving Out-of-State Travel for Two Lathrop Police Department Staff Members to Attend the RIMSCON 2022 Conference in South Lake Tahoe, Nevada from October 10, 2022 to October 14, 2022
- 4.8 APPROVE CHANGE ORDER NO. 2 WITH NEXTGEN ALPHA UPFITTING FOR THE PURCHASE AND INSTALLATION OF POLICE VEHICLE EQUIPMENT FOR RETROFITTING OF EXISTING POLICE DEPARTMENT FLEET

Adopt Resolution Approving Change Order No. 2 with NextGen Alpha Upfitting for the Purchase and Installation of Police Vehicle Equipment for Retrofitting of Existing Police Department Fleet

- 4.9 APPROVE COMMUNITY WORKFORCE AND TRAINING AGREEMENT WITH THE SAN JOAQUIN BUILDING AND CONSTRUCTION TRADES COUNCIL FOR THE CORPORATION YARD AND EVIDENCE FACILITY RETROFIT PROJECT, GG 21-13
Adopt Resolution Approving a Community Workforce and Training Agreement with the San Joaquin Building and Construction Trades Council, for the Corporation Yard and Evidence Facility Retrofit Project, GG 21-13
- 4.10 APPROVE AMENDMENT NO. 1 WITH WGR SOUTHWEST, INC. FOR PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM PROGRAM, RCP SD 22-32 AND RELATED BUDGET AMENDMENT
Adopt Resolution Approving Amendment No. 1 with WGR Southwest, Inc. to Provide Support Services for Phase II Small Municipal Separate Storm Sewer System Program, Regulatory Compliance Program (RCP) SD 22-32 and Related Budget Amendment
- 4.11 APPROVE AMENDMENT NO. 1 TO THE PUBLIC INFRASTRUCTURE CREDIT AND REIMBURSEMENT AGREEMENT RELATING TO THE CENTRAL LATHROP SPECIFIC PLAN AREA
Adopt Resolution Approving Amendment No. 1 to the Public Infrastructure Credit and Reimbursement Agreement with Saybrook CLSP, LLC and Lathrop Land Acquisition, LLC Relating to the Central Lathrop Specific Plan Area
- 4.12 APPROVE RELOCATION OF RIVER PARK NORTH AND APPROVE THE NAMING OF TWO NEW PARKS
Adopt a Resolution to Relocate River Park North and Approve the Naming of two New Neighborhood Parks in Central Lathrop as Lions Park and Rotary Park
- 4.13 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY RTC CONSTRUCTION MANAGEMENT, INC. DBA R.L. FRIEND CONSTRUCTION, INC. FOR WATER SYSTEM REPAIRS, CIP PW 21-07
Adopt Resolution Accepting Public Improvements Constructed by RTC Construction Management, Inc. dba R.L. Friend Construction, Inc. for Water System Repairs CIP PW 21-07, Authorize the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds

- 4.14 ACCEPT PUBLIC OFFSITE LANDSCAPE IMPROVEMENTS FROM SOUTH LATHROP LAND, LLC
Adopt Resolution Accepting Offsite Landscape Improvements from South Lathrop Land, LLC in the South Lathrop Specific Plan Area
- 4.15 CREATE CIP PS 23-04 FOR THE JOHNSON FERRY STREETLIGHT INSTALLATION, AND APPROVE RELATED BUDGET AMENDMENT
Adopt Resolution Approving the Creation of Capital Improvement Project, PS 23-04 Johnson Ferry Streetlight Installation and Awarding a Construction Contract to Bockmon & Woody Electric Co. Inc., and Related Budget Amendment
- 4.16 AWARD CONSTRUCTION CONTRACT TO ODYSSEY LANDSCAPING, INC. FOR MOSSDALE IRRIGATION & LANDSCAPE IMPROVEMENTS, CIP GG 20-19, AND LOUISE AVE & LATHROP RD LANDSCAPE IMPROVEMENTS, CIP GG 21-15, AND APPROVE BUDGET AMENDMENT
Adopt Resolution Awarding Construction Contract to Odyssey Landscaping, Inc. for the Mossdale Irrigation and Landscape Improvements, CIP GG 20-19, and Louise Ave & Lathrop Rd Landscape Improvements, CIP GG 21-15, and Approve Budget Amendment
- 4.17 AWARD CONSTRUCTION CONTRACT TO PACIFIC EXCAVATION, INC. FOR STREETLIGHTS FOR LOUISE AVENUE LANDSCAPE, CIP GG 21-15, AND APPROVE BUDGET AMENDMENT
Adopt Resolution Awarding Construction Contract to Pacific Excavation, Inc., for Streetlight Improvements for the Louise Ave Landscape Portion of CIP GG 21-15, and Approve Budget Amendment

RIVER ISLANDS CONSENT ITEM(S)

- 4.18 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH DELL'OSSO FARMS, LLC. TO PROVIDE LAW ENFORCEMENT SERVICES FOR THE PUMPKIN MAZE EVENT, OCTOBER 1, 2022 THROUGH OCTOBER 31, 2022
Adopt Resolution Approving Professional Services Agreement with Dell'Osso Farms, LLC, to Provide Law Enforcement Services for the Pumpkin Maze Event, October 1, 2022 through October 31, 2022
- 4.19 APPROVE THE RIVER ISLANDS PHASE ONE PARKS AND OPEN SPACE MASTER PLAN
Adopt a Resolution Approving the River Islands Phase One Parks and Open Space Master Plan
- 4.20 APPROVE TWO RIVER ISLANDS COMMUNITY PARK DESIGNS
Adopt Resolution Approving Two New River Islands Community Park Designs for Lathrop Landing Community Park and STEAM Academy Community Park

- 4.21 ACCEPT PUBLIC IMPROVEMENTS INCLUDING WATER TANK, BOOSTER PUMPS, AND SEWER PUMP STATION, APPROVE COMMON USE AGREEMENT WITH RD 2062, ACCEPT IRREVOCABLE OFFER OF DEDICATION FOR STORM DRAIN EASEMENT, AND GRANT DEED FOR PORTION OF PARCEL 1 OF TRACT 3876 (EMPLOYMENT CENTER) FROM RIVER ISLANDS DEVELOPMENT, LLC
Accept Public Improvements, Including Water Tank, Booster Pumps, and Sewer Pump Station, Approve Common Use Agreement with RD 2062, Accept Irrevocable Offer of Dedication for Storm Drain Easement, and Grant Deed for Portion of Parcel 1 of Tract 3876 (Employment Center) from River Islands Development, LLC

5. SCHEDULED ITEMS

- 5.1 RECEIVE UPDATE ON CIP GG 22-35 CAMERA SURVEILLANCE SYSTEMS FOR MAJOR CITY PARKS, AND REQUEST APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH IXII GROUP, INC. TO PROVIDE CONSULTING SERVICES RELATED TO TECHNOLOGY PLATFORMS AND EQUIPMENT ASSOCIATED WITH GATHERING VIDEO DATA AT VARIOUS LOCATIONS WITHIN THE CITY, CIP GG 22-35
Council to Receive Update on CIP GG 22-35 Camera Surveillance Systems for Major City Parks and Adopt Resolution Approving Professional Services Agreement with IXII Group, Inc. to Provide Consulting Services Related to Technology Platforms and Equipment Associated with Gathering Video Data at Various Locations within the City, CIP GG 22-35
- 5.2 PUBLIC HEARING AND APPROVAL OF THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY'S MOSSDALE TRACT AREA REGIONAL URBAN LEVEL OF FLOOD PROTECTION DEVELOPMENT IMPACT FEE UPDATE NEXUS STUDY AND RELATED COLLECTION AGREEMENT
City Council to Consider the Following:
1. Hold a Public Hearing; and
 2. Adopt Resolution Approving the Nexus Study; and
 3. Adopt Resolution Delegating Authority to the City Manager to Execute the Amended Collection Agreement with the San Joaquin Area Flood Control Agency, San Joaquin County and the Cities of Manteca and Stockton
- 5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE REGIONAL URBAN LEVEL OF FLOOD PROTECTION DEVELOPMENT LEVEE IMPACT FEE IN THE MOSSDALE TRACT AREA
City Council to Consider the Following:
1. Hold a Public Hearing; and
 2. Adopt Resolution Approving the Regional Urban Level of Flood Protection Development Levee Impact Fee in the Mossdale Tract Area

- 5.4 GRAND JURY REPORT RESPONSE
Accept Grand Jury Report on Cybersecurity and Direct the City Attorney to Submit a Letter to the Presiding Judge of the San Joaquin County Superior Court Responding to the Findings and Recommendations of the Grand Jury Report
- 5.5 CITY COUNCIL DISCUSSION REGARDING REGULATION AND PERMIT OPTIONS FOR TATTOO/BODY ART ESTABLISHMENTS
City Council to Discuss and Provide Staff Direction as to Whether to Prepare an Ordinance for Review by the Planning Commission and Subsequent Consideration of the City Council, for Regulation and Permit Options for Tattoo/Body Art Establishments

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL - Appointment of Four (4) Members to the Youth Advisory Commission, with Term Ending, May 31, 2022
- Four (4) Applications Received / Thirteen (13) Commission Member Vacancies
- 6.2 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)*
- 6.3 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
Government Services Director/City Clerk