

October 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
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.



OCTOBER 10, 2022 – 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/1613751565?pwd=Zkd4WGJuV0x3WI dTSisrTjB2L0RtZz09>

- ✦ 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: 161 375 1565 / Passcode: 930848
- ✦ 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 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, OCTOBER 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 6:00 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 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b) and 54956.9(e)(1)

- 2 Potential Case(s)

1.2.2 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)

- 1 Potential Case(s). Owner of APN 241-400-28 alleges right to purchase City-owned real property identified as APN 241-400-27.

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) - NOTICE OF CANCELLATION OF PUBLIC HEARING

- On October 6, 2022, a Notice of Cancellation of Public Hearing was noticed for the following City Council agenda item scheduled for 7:00 p.m., Monday, October 10, 2022.

PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING THE SPEED LIMITS IN THE CITY OF LATHROP, TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS, SECTION 10.08.030 SPEED LIMITS OF THE LATHROP MUNICIPAL CODE

This notice was prepared and posted in accordance with Government Code Section 54955.1 on October 6, 2022. Once the new date has been established, the new Notice of Public Hearing will be noticed/published as required by law.

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

2. PRESENTATIONS

2.1 ECONOMIC DEVELOPMENT 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 September 12, 2022
- 4.3 TREASURER'S REPORT FOR JUNE 2022
Approve Quarterly Treasurer's Report for June 2022
- 4.4 AWARD JANITORIAL SERVICES CONTRACT TO KARLA'S JANITORIAL SERVICES AND SUPPLIERS
Adopt Resolution Awarding a Contract with Karla's Janitorial Services and Suppliers for Janitorial Services with Term Ending June 30, 2024, and Approve Related Budget Amendment
- 4.5 APPROVE CIP PK 23-08 AND THE PURCHASE OF NEW PARK AMENITIES INCLUDING BENCHES, TABLES, AND TRASH RECEPTACLES TO MEET CITY STANDARDS
Adopt a Resolution Approving CIP PK 23-08 and the Purchase of New Park Amenities Including Benches, Tables, and Trash Receptacles from Ross Recreation and Outdoor Creations to Meet City Standards and Approving Related Budget Amendments
- 4.6 APPROVE PURCHASE OF ITERIS PRODUCTS FOR CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01, AND APPROVE BUDGET AMENDMENT
Adopt Resolution Approving the Purchase of Iteris Products for the Citywide Traffic Systems and Safety Upgrades Project, CIP PS 23-01, and Approve Budget Amendment
- 4.7 APPROVE TASK ORDER NO. 6 WITH WOODARD & CURRAN FOR THE SURFACE WATER DISCHARGE PROJECT PERMITTING SUPPORT, CIP WW 20-17
Adopt Resolution Approving Task Order No. 6 with Woodard & Curran for Continued Permitting Support for the Consolidated Treatment Facility Surface Water Discharge Project, CIP WW 20-17
- 4.8 APPROVE TASK ORDER NO. 30 WITH 4LEAF, INC. FOR BUILDING INSPECTION SERVICES
Adopt Resolution Approving Task Order No. 30 with 4LEAF Inc. to Provide Building Inspection Services in the Building Department
- 4.9 APPROVE CONTRACT CHANGE ORDER WITH GEORGE REED, INC. AND RELATED BUDGET AMENDMENT ASSOCIATED WITH ROAD MAINTENANCE AND REHABILITATION, CIP PS 22-45

Adopt Resolution Approving a Contract Change Order with George Reed, Inc. and Related Budget Amendment Associated with Road Maintenance and Rehabilitation, CIP PS 22-45

- 4.10 ACCEPT PUBLIC IMPROVEMENTS FROM CFT NV DEVELOPMENTS, LLC ASSOCIATED WITH EP NO. 2020-15
Adopt Resolution Accepting Public Improvements from CFT NV Developments, LLC Associated with Encroachment Permit No. 2020-15
- 4.11 CREATE CIP GG 23-07 FOR PUBLIC TRANSIT SERVICES, APPROVE MOU WITH RTD FOR A COMMUNITY NEEDS PUBLIC TRANSIT AND APPORTIONMENT STUDY, AND APPROVE BUDGET AMENDMENT
Adopt Resolution Creating CIP GG 23-07 for Public Transit Services, Approving a Memorandum of Understanding with San Joaquin Regional Transit District for a Community Needs Public Transit and Apportionment Study, and Approving Budget Amendment
- 4.12 APPROVAL OF OUT-OF-STATE TRAVEL FOR FIVE LATHROP POLICE DEPARTMENT SWAT OFFICERS TO PARTICIPATE IN THE CALIFORNIA ASSOCIATION OF TACTICAL OFFICERS (CATO) ANNUAL TRAINING CONFERENCE IN NOVEMBER 2022
Adopt Resolution Approving Out-of-State Travel for Five Lathrop Police Department SWAT Officers to Participate in the California Association of Tactical Officers (CATO) Annual Training Conference in Reno, Nevada from November 9, 2022 to November 12, 2022
- 4.13 APPROVE AMENDMENTS TO EMPLOYER- EMPLOYEE ORGANIZATION RELATIONS RESOLUTION AND APPROVE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1021 SIDE LETTER
Adopt Resolution to Approve Amendments to the Employer-Employee Organization Relations Resolution and Approve Service Employees International Union Local 1021 Side Letter

RIVER ISLANDS CONSENT ITEM(S)

- 4.14 APPROVE THE RIVER ISLANDS PHASE 2 WEST VILLAGE PRECISE PLANS FOR RIVER ISLANDS PARKWAY AND CAMBAY PARKWAY AND A COMMON USE AGREEMENT WITH RD 2062
Adopt Resolution Approving the River Islands Phase 2 West Village Precise Plans for River Islands Parkway and Cambay Parkway and a Common Use Agreement with Reclamation District 2062

5. SCHEDULED ITEMS

**See Informational Item 1.7 – for information related to Notice of Cancellation of Public Hearing for Item to Consider an Ordinance Amending the Speed Limits in the City of Lathrop.*

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE 2023 SJMSCP DEVELOPMENT FEE ANNUAL ADJUSTMENT
Council to Consider the Following:
1. Hold a Public Hearing; and
 2. Adopt a Resolution Approving an Annual Adjustment to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Development Fee for 2023
- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER VESTING TENTATIVE SUBDIVISION MAP VTM-22-100 FOR THE QUEIROLO ROAD SUBDIVISION PROJECT
Council to Consider the Following:
1. Hold a Public Hearing; and
 2. Adopt a Resolution Approving Vesting Tentative Subdivision Map (VTM-22-100) for the Proposed Queirolo Road Subdivision Project to Create 85 Single-Family Residential Lots
- 5.3 CREATION OF CAPITAL IMPROVEMENT PROJECT (CIP) GG 23-06 TEMPORARY ANIMAL SHELTER, RATIFICATION OF EMERGENCY PURCHASE OF TWO 6-KENNEL ANIMAL SHELTERS, AND APPROVAL OF EMERGENCY PURCHASE OF 18-KENNEL ANIMAL SHELTER AND RELATED BUDGET AMENDMENT
Adopt Resolution Creating Capital Improvement Project (CIP) GG 23-06 Temporary Animal Shelter, Ratifying Emergency Purchase of Two 6-Kennel Animal Shelters, and Approving Emergency Purchase of 18-Kennel Animal Shelter from Horizon Structures and Related Budget Amendment
- 5.4 FISCAL YEAR (FY) 2021-22 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO THE FISCAL YEAR 2022-23 BUDGET
Adopt Resolution Approving the FY 2021/22 Year-End Report and Related Budget Amendments and Amending the FY 2022/23 Budget
- 5.5 REVIEW AND CONSIDER TRAFFIC CALMING OPTIONS FOR JOHNSON FERRY ROAD AND THE INTERSECTION OF THOMSEN ROAD / WARFIELD ROAD
Council to Consider Options for Traffic Calming Improvements for Johnson Ferry Road and at the Intersection of Thomsen Road / Warfield Road

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL - Appointment of One (1) Member to the Youth Advisory Commission, with Term Ending, May 31, 2023
- One (1) Application Received / Nine (9) Commission Member Vacancies Available
- 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