

January 9, 2023 – 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
Paul Akinjo, Vice Mayor
Minnie Diallo
Diane Lazard
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.



January 9, 2023 – Regular Meeting Agenda – 7:00 p.m.

IMPORTANT NOTICE REGARDING THIS MEETING & COVID-19

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. Please adhere to COVID-19 and social distancing guidelines. This meeting will also be available for public participation by teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/s/1605660006?pwd=SHB5VVZpRUNLeXdlb3RSWkVuLzhNZz09>

- ✚ 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: 160 566 0006 / Passcode: 316341
- ✚ 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, JANUARY 9, 2023
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

AGENDA

PLEASE NOTE: There will be no Closed Session. The Regular Meeting will commence at 7:00 p.m.

1. PRELIMINARY

- 1.1 CALL TO ORDER
- 1.2 ROLL CALL
- 1.3 INVOCATION
- 1.4 PLEDGE OF ALLEGIANCE
- 1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER
- 1.6 INFORMATIONAL ITEM(S) – None
- 1.7 DECLARATION OF CONFLICT(S) OF INTEREST

2. PRESENTATIONS

- 2.1 ECONOMIC DEVELOPMENT QUARTERLY UPDATE
- 2.2 LATHROP POLICE DEPARTMENT SIX MONTH 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 Special Council Meeting of December 12, 2022

4.3 APPROVAL OF MINUTES
Approve Minutes for the Regular Council Meeting of December 12, 2022

4.4 APPROVE OUT-OF-STATE TRAVEL FOR CITY STAFF TO PARTICIPATE IN THE IAMC SPRING FORUM IN APRIL 2023
Adopt Resolution Authorizing Out-of-State Travel for the Economic Development Administrator to Attend and Represent the City of Lathrop at the Industrial Asset Management Council's Spring 2023 Forum in Biloxi, Mississippi from March 31, 2023 – April 5, 2023

CEQA STATUS: Staff has determined that this is not a Project as defined in Section 15378 of the CEQA Guidelines

4.5 APPROVE OUT-OF-STATE TRAVEL AUTHORIZING THE PARKS, RECREATION, AND MAINTENANCE SERVICES DIRECTOR AND RECREATION MANAGER TO ATTEND THE REC C.A.M.P. (COMMUNITY ARCHITECTURE MANAGEMENT AND PLANNING) CONFERENCE IN BOULDER, COLORADO
Adopt Resolution Authorizing Out-of-State Travel for the Parks, Recreation, and Maintenance Services Director and Recreation Manager to Attend the REC C.A.M.P. (Community Architecture Management and Planning) Conference, June 5 - 9, 2023, in Boulder, Colorado

CEQA STATUS: Exempt According to California Environmental Quality Act Article § 15061(b)(3), by the "Common Sense Exemption"

4.6 APPROVE PROFESSIONAL TECHNICAL SERVICES AND SUPPORT AGREEMENT WITH MCC CONTROLS LLC DBA PRIMEX FOR THE SCADA SYSTEM FOR CITYWIDE INFRASTRUCTURE

Adopt Resolution Approving a Professional Technical Services and Support Agreement with MCC Controls LLC dba Primex for the City of Lathrop's Supervisory Control and Data Acquisition (SCADA) System for Citywide Infrastructure

CEQA STATUS: Not a Project as defined in Section 15378 of the State CEQA Guidelines

4.7 APPROVE A MEMORANDUM OF UNDERSTANDING (MOU) RELATED TO FUNDING FOR THE MOSSDALE TRACT AREA PROJECTS BETWEEN SJAFCA, THE CITY OF STOCKTON, AND THE CITY OF MANTECA; DELEGATE AUTHORITY FOR THE CITY MANAGER TO EXECUTE

Adopt Resolution Approving a Memorandum of Understanding (MOU) Related to Funding for the Mossdale Tract Area Projects Between SJAFCA, the City of Stockton, and the City of Manteca; Delegate Authority for the City Manager to Execute

CEQA STATUS: Exempt according to California Environmental Quality Act Article 5 §15061 (b) (3), Common Sense Exemption

4.8 APPROVE AMENDED AGREEMENT AND LEASE BETWEEN THE CITY OF LATHROP AND TESLA, INC FOR THE CROSSROADS PARKING LOT

Adopt Resolution Approving an Amended Agreement and Lease between Tesla, Inc. and the City of Lathrop for Crossroads Parking

CEQA STATUS: Not a Project as Defined in Section 15378 of the CEQA Guidelines

4.9 APPROVE CONTRACT CHANGE ORDER NO. 1 WITH WEST COAST ARBORISTS, INC. FOR GRID C TREE PRUNING AND MAINTENANCE

Adopt Resolution Approving Contract Change Order No.1 with West Coast Arborists, Inc. for Stonebridge Grid C Tree Pruning and Maintenance

CEQA STATUS: Not a Project as defined in Section 15378 of the State CEQA Guidelines

4.10 RATIFY CONTRACT CHANGE ORDER NO. 14, 15 AND 25; APPROVE CONTRACT CHANGE ORDER NO. 23, 26, 27, 28 AND 29 WITH DAVID SILVA, DBA SILVA LANDSCAPE; AND APPROVE RELATED BUDGET AMENDMENTS

Adopt Resolution Ratifying Contract Change Order No. 14, 15, and 25; Approve Contract Change Order No. 23, 26, 27, 28, and 29 with David Silva, dba Silva Landscape for Park Landscape and Streetscape Maintenance; and Approve Related Budget Amendments

CEQA STATUS: Not a Project as defined in Section 15378 of the State CEQA Guidelines

- 4.11 CREATE CAPITAL IMPROVEMENT PROJECT (CIP) GG 23-11, LATHROP ANIMAL SHELTER, AND APPROVE INTER-FUND LOAN
Adopt Resolution Creating CIP GG 23-11, Lathrop Animal Shelter, and Approving Inter-fund Loan

CEQA STATUS: The City finds this is not a project as defined in Section 15378 of State CEQA Guidelines

- 4.12 ACCEPT PUBLIC IMPROVEMENTS ASSOCIATED WITH SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR TRACT 4062 AND EP NO. 2022-09 FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN CLSP NEIGHBORHOOD 1C (TRACT 4062), AND APPROVE BUDGET AMENDMENT FOR MAINTENANCE CONTRACTS
Adopt Resolution Accepting Public Improvements Associated with SIA for Tract 4062 and Encroachment Permit No. 2022-09 from Lathrop Land Acquisition, LLC, Located within CLSP Neighborhood 1C (Tract 4062) and Approving Budget Amendment for Maintenance Contracts with David Silva, dba Silva Landscape, and St. Francis Electric, LLC

CEQA STATUS: Not a Project as defined in Section 15378 of the State CEQA Guidelines

- 4.13 AUTHORIZE FUNDING OF FIVE (5) ADDITIONAL POLICE OFFICER POSITIONS FOR THE LATHROP POLICE DEPARTMENT AND RELATED BUDGET AMENDMENTS
Adopt Resolution Authorizing the Funding of Five (5) Additional Police Officer Positions, Amending the Position Control Roster, Amending the Sworn Compensation Plan and Related Budget Amendments

CEQA STATUS: Not a Project as Defined in Section 15378 of the State CEQA Guidelines

5. SCHEDULED ITEMS

- 5.1 ESTABLISH A FAÇADE AND SIGNAGE IMPROVEMENT GRANT PROGRAM LIMITED TO RETAIL AND OFFICE BUILDING USES WITHIN SPECIFIED CITY BOUNDARIES, AUTHORIZE USE OF MEASURE D PROGRAM FUNDING, AND APPROVE RESPECTIVE BUDGET AMENDMENT

Council to Discuss and Consider Adopting a Resolution to Establish a Façade and Signage Improvement Grant Program and Authorize Its Funding with the Use of Measure D Program Funds Pursuant to a Budget Amendment

CEQA STATUS: The project is exempt according to the California Environmental Quality Act (CEQA) Article 5, § 15061(b)(3), by the "Common Sense Exemption"

5.2 CITY COUNCIL DISCUSSION REGARDING REGULATION AND LIMITATION OF HOTEL 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 Limitation of Hotel Establishments

CEQA STATUS: The project is exempt according to the California Environmental Quality Act (CEQA) Article 5, § 15061(b)(3), by the "Common Sense Exemption"

6. COUNCIL COMMUNICATIONS

6.1 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)*

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
Government Services Director/
City Clerk