

# June 12, 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](http://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  
Juliana Burns, Human Resources Director  
Rick Caguiat, 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.



**June 12, 2023 – Regular Meeting Agenda – 7:00 p.m.**



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See Reverse

## **IMPORTANT NOTICE REGARDING THIS MEETING**

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. This meeting will also be available for public participation by teleconference via ZoomGov at the following link:

**<https://www.zoomgov.com/j/1601485151?pwd=bm5DRXd5YW5vR0M4YkNCTWhTUkpMQT09>**

- ✦ 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: 160 148 5151 / Passcode: 149014
- ✦ 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](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, JUNE 12, 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 begin 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 RECOGNITION OF LATHROP HIGH SCHOOL PRINCIPAL GREG LELAND FOR 38 YEARS OF SERVICE AS A DEVOTED EDUCATOR AND SCHOOL ADMINISTRATOR
- 2.2 RECOGNITION OF BENNIE GATTO FOR 34 YEARS OF EXCEPTIONAL PUBLIC SERVICE TO THE CITY OF LATHROP COMMUNITY
- 2.3 PROCLAMATION DECLARING JUNE 2023 AS PRIDE MONTH
- 2.4 PROCLAMATION DECLARING JUNE 19, 2023 AS CELEBRATION OF JUNETEENTH NATIONAL FREEDOM DAY
- 2.5 PRESENTATION REGARDING UTILITY PAYMENT LATE FEES AND WATER SERVICE DISCONNECT/ RECONNECT FEES



### **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 April 10, 2023, and Consolidated Meeting of May 8, 2023
- 4.3 AWARD AGREEMENT TO THE MANTECA BULLETIN FOR PUBLICATION OF LEGAL ADVERTISEMENTS  
Adopt Resolution Awarding Agreement to the Manteca Bulletin for Publication of Legal Advertisements for the Period of July 1, 2023 through June 30, 2024
- 4.4 AWARD CONSTRUCTION CONTRACT TO D.L. FALK CONSTRUCTION, INC. FOR THE LATHROP POLICE DEPARTMENT PROPERTY AND EVIDENCE BUILDING ASSOCIATED WITH CIP GG 21-13 CORPORATION YARD IMPROVEMENTS  
Adopt Resolution Awarding a Construction Contract to D.L. Falk Construction, Inc. for the Lathrop Police Department Property and Evidence Building Associated with CIP GG 21-13 Corporation Yard Improvements

- 4.5 AWARD CONSTRUCTION CONTRACT TO STOCKBRIDGE GENERAL CONTRACTING, INC. FOR SHILLING AVENUE BASIN PARK, CIP PK 22-34 AND APPROVE BUDGET AMENDMENT  
Adopt Resolution Awarding a Construction Contract to Stockbridge General Contracting, Inc. for the Shilling Avenue Basin Park, CIP PK 22-34 and Approve Budget Amendment
- 4.6 DECLARE END OF DROUGHT EMERGENCY AND DISCONTINUE LEVEL 2 WATER SHORTAGE RESPONSE ACTIONS OF THE CITY OF LATHROP WATER SHORTAGE CONTINGENCY PLAN  
Adopt Resolution Declaring the End of the Drought Emergency and Discontinuation Level 2 Water Shortage Response Actions of the City of Lathrop Water Shortage Contingency Plan
- 4.7 AUTHORIZE ACCEPTANCE OF CALAPP GRANT FUND AWARD FROM THE CALIFORNIA ENERGY COMMISSION FOR THE HARDWARE, TRAINING, AND IMPLEMENTATION OF SOLARAPP+  
Adopt Resolution Authorizing the Acceptance of CalAPP Grant Fund Award from the California Energy Commission for the Hardware, Training and Implementation of SolarAPP+ for the Building Department
- 4.8 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY A. TEICHERT & SON, INC., DBA TEICHERT CONSTRUCTION FOR RECYCLED WATER RIVER DISCHARGE, CIP WW 20-17  
Adopt Resolution Accepting Public Improvements Constructed by A. Teichert & Son, Inc., dba Teichert Construction for Recycled Water River Discharge, CIP WW 20-17, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds
- 4.9 APPROVE OUT-OF-STATE TRAVEL FOR CITY STAFF TO PARTICIPATE IN THE IAMC FALL FORUM IN SEPTEMBER 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 Fall Forum in Boise, Idaho from September 7, 2023 through September 12, 2023
- 4.10 APPROVE FACILITY FEE WAIVER REQUEST FROM UNITED BACARRENEOS OF AMERICA  
Adopt Resolution Approving the Facility Fee Waiver Request from United Bacarreneos of America for a Celebration of the City Sister Relationship Established April 15, 2003, and Use of the Scott Brooks Gymnasium on July 22, 2023

- 4.11 APPROVE AGREEMENT TO ADOPT ALTERNATIVE METHOD OF MEETING REQUIREMENTS OF DEVELOPMENT AGREEMENT WITH SOUTH LATHROP LAND, LLC FOR THE SOUTH LATHROP COMMERCE CENTER  
Adopt Resolution Approving Agreement to Adopt Alternative Method of Meeting Requirements of Section 7.04.7.1 of the Development Agreement with South Lathrop Land, LLC for the South Lathrop Commerce Center
- 4.12 APPROVE PROGRAM SUPPLEMENT AGREEMENT WITH CALTRANS FOR FEDERAL FUNDING TOWARD LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02  
Adopt Resolution Approving Program Supplement Agreement with Caltrans for Federal Funding Towards Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02 and Authorize the City Manager to Execute the Agreement
- 4.13 APPROVE CONTRACT CHANGE ORDER NO. 1 WITH TIM PAXIN'S PACIFIC EXCAVATION INC. DBA PACIFIC EXCAVATION FOR THE FIBER OPTIC SPLICING AND TERMINATIONS INTO THE TRAFFIC SIGNAL NETWORK CABINETS, CIP PS 23-01  
Adopt Resolution Approving Contract Change Order No. 1 with Tim Paxin's Pacific Excavation Inc. dba Pacific Excavation for the Fiber Optic Splicing and Terminations into the Traffic Signal Network Cabinets, CIP PS 23-01
- 4.14 APPROVE THE PRELIMINARY ENGINEER'S REPORT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2023-24 FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 93-1 (WOODFIELD PARK)  
Adopt Resolution Approving the Preliminary Engineer's Report for Landscape and Lighting Maintenance District No. 93-1 (Woodfield Park) and Declaring Intention to Levy Annual Assessments for Fiscal Year 2023-24

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

- 4.15 APPROVE QUITCLAIM DEED TO TRANSFER OPEN SPACE PARCEL (APN 210-590-04) TO ISLAND RECLAMATION DISTRICT NO. 2062  
Adopt Resolution Approving a Quitclaim Deed to Transfer an Open Space (APN 210-590-04) to Island Reclamation District No. 2062
- 4.16 ACCEPT PUBLIC IMPROVEMENTS FROM RIVER ISLANDS DEVELOPMENT, LLC FOR VILLAGE "U", TRACTS 3989 AND 3990  
Adopt Resolution Accepting Public Improvements from River Islands Development, LLC for Village "U", Tracts 3989 and 3990

## **5. SCHEDULED ITEMS**

### **5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO FORM COMMUNITY FACILITIES DISTRICT 2023-1 (RIVER ISLANDS PUBLIC SERVICES AND FACILITIES #2)**

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution of Formation of the Community Facilities District 2023-1 (River Islands Public Services and Facilities #2);
3. Adopt Resolution Calling Special Election for the Community Facilities District No. 2023-1 (River Islands Public Services and Facilities #2);
4. Adopt Resolution Declaring Results of Special Election and Direct Recording of Notice of Special Tax Lien for the Community Facilities District No. 2023-1 (River Islands Public Services and Facilities #2); and
5. Introduce Ordinance Levying Special Taxes Within Community Facilities District No. 2013-1 (River Islands Public Services and Facilities #2)

### **5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER FISCAL YEAR 2023-24 ASSESSMENTS FOR LATHROP INDUSTRIAL LIGHTING MAINTENANCE DISTRICT; RESIDENTIAL LIGHTING MAINTENANCE DISTRICT; MOSSDALE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT; STORM DRAIN ZONE 1 AND 1A**

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the City of Lathrop Industrial Lighting Maintenance District for FY 2023-24; Maximum Assessment for Fiscal Year 2023-24 not to exceed Zone A \$8.59; Zone B \$43.79; Zone C \$8.59; and Proposed Annual Assessment for Fiscal Year 2023-24 Zone A \$8.59; Zone B \$43.79; Zone C \$8.59;
3. Adopt Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the City of Lathrop Residential Lighting Maintenance District for FY 2023-24; Maximum Assessment for Fiscal Year 2023-24 not to exceed Zone A \$49.89; Zone B \$53.46; Zone C \$35.15; Zone D \$65.39; Zone E \$68.74; Zone F \$39.54; Zone G \$9.04, and Proposed Annual Assessment for Fiscal Year 2023-24 Zone A \$49.89; Zone B \$53.46; Zone C \$35.15; Zone D \$65.39; Zone E \$68.74; Zone F \$39.54; Zone G \$9.04;



4. Adopt Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Mossdale Landscape and Lighting Maintenance District for FY 2023-24; Maximum Assessment for Fiscal Year 2023-24 not to exceed \$310.75 and Proposed Annual Assessment for Fiscal Year 2023-24 \$310.75; and
5. Adopt Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Storm Drain Zone 1 and Zone 1A for Fiscal Year 2023-24; Proposed Annual Assessment for Fiscal Year 2023-24 for Storm Drain Zone 1 not to exceed \$112.52 and Proposed Annual Assessment for Fiscal Year 2023-24 for Storm Drain Zone 1A not to exceed \$199.92

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER FISCAL YEAR 2023-24 ASSESSMENTS FOR THE STONEBRIDGE LANDSCAPING DISTRICT; AND THE STONEBRIDGE DRAINAGE & LIGHTING MAINTENANCE DISTRICT

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Stonebridge Landscaping District for FY 2023-24; Maximum Assessment for Fiscal Year 2023-24 not to exceed \$507.95 and Proposed Annual Assessment for Fiscal Year 2023-24 is \$426.05
3. Adopt Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Stonebridge Drainage & Lighting District for FY 2023-24; Maximum Assessment for Fiscal Year 2023-24 not to exceed \$507.95 and Proposed Annual Assessment for Fiscal Year 2023-24 is \$315.25

5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER A RESOLUTION TO ADOPT THE CITY OF LATHROP BIENNIAL CAPITAL IMPROVEMENT PLAN BUDGET FOR FISCAL YEARS 2023-2024 and 2024-2025

City Council to Consider the Following:

1. Hold a Public Hearing; and
2. Consider a Resolution to Adopt the City of Lathrop Biennial Capital Improvement Plan Budget for Fiscal Years 2023-2024 and 2024-2025

## 6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL – Appointment of Two (2) of Members to the Planning Commission, with Term Ending June 30, 2027
- Four (4) Applications Received / Two (2) Vacancies Available

- 6.2 MAYOR DHALI WAL REFERRAL – Appointment of One (1) Member to the Parks and Recreation Commission, with Term Ending June 30, 2026
- One (1) Application Received / One (1) Vacancy Available
- 6.3 MAYOR DHALI WAL REFERRAL – Appointment of Three (3) Members to the Youth Advisory Commission, with Term Ending May 31, 2024
- Five (5) Applications Received / Three (3) Vacancies Available
- 6.4 MAYOR DHALI WAL REFERRAL – Appointment of One (1) Representative to the San Joaquin County Commission on Aging with Term Ending June 30, 2026
- One (1) Application Received / One (1) Vacancy Available
- 6.5 MAYOR DHALI WAL REFERRAL – Discussion on Historic Lathrop Beautification Options
- 6.6 COUNCILMEMBER DIALLO REFERRAL: Discussion Regarding Artist No Longer Have To Pay \$35 Fee For Business License As They Don't Sell Anything
- 6.7 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 (Unexpired Vacancy)*
  - *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)*
- 6.8 MAYOR & COUNCILMEMBER COMMENT(S)

## **7. ADJOURNMENT**

/Teresa Vargas/

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Teresa Vargas, MMC  
Government Services Director  
City Clerk