

# November 18, 2024 – City Council Special 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  
Minnie Diallo, Vice Mayor  
Paul Akinjo  
Diane Lazard  
Jennifer Torres-O'Callaghan

## City Staff

Stephen Salvatore, City Manager  
Salvador Navarrete, City Attorney  
Michael King, Assistant City Manager  
Thomas Hedegard, Deputy City Manager  
Stephen Sealy, Chief of Police  
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 and Recreation  
Director

## 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.



**November 18, 2024 – Special 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/1600567465?pwd=ZazdF1rPzPReXtIS56Xu7jmbSMCwbo.1>

- ✦ During the meeting, those joining 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: 160 056 7465/ Passcode: 042827
- ✦ 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. Please refer to the Agenda Item or Public Comment Matter, and the date of the City Council Meeting, in your written communication.
- ✦ Questions or comments submitted by email 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 the City Council, a card must be submitted to the City Clerk indicating the 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 in speaking, 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 SPECIAL MEETING  
MONDAY, NOVEMBER 18, 2024  
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 5:45 p.m. The Special 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 LIABILITY CLAIM - Pursuant to Government Code Section 54956.95

Claimant: Fernando Flores

Agency Claimed Against: City of Lathrop

1.2.2 LIABILITY CLAIM - Pursuant to Government Code Section 54956.95

Claimant: Gerald Ray

Agency Claimed Against: City of Lathrop

1.2.3 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b) and 54956.9(e)(1)

- 1 Potential Case(s)

**RECONVENE**

1.2.4 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 PROCLAMATION DECLARING NOVEMBER AS SIKH AWARENESS AND APPRECIATION MONTH

2.2 PROCLAMATION DECLARING NOVEMBER 21, 2024, AS CHILDREN'S GRIEF AWARENESS DAY

2.3 INTRODUCTION OF NEW EMPLOYEES

Police Department

- Ramandeep Grewal, Police Records Assistant
- Gabrielle Embers-Hartman, Police Officer
- Alejandra Maldonado, Police Officer

Public Works Department

- Bryan Howe, Maintenance Worker
- Armando Mendoza, Maintenance Worker

**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 in speaking, 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 City Council majority, 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 City Council Meeting of October 14, 2024, and the Special City Council Meeting of October 21, 2024
- 4.3 TREASURER'S REPORT FOR SEPTEMBER 2024  
Approve Quarterly Treasurer's Report for September 2024
- 4.4 COMMUNITY FACILITIES DISTRICTS ANNUAL BOND ACCOUNTABILITY REPORT FOR FISCAL YEAR 2023-24  
Receive Report for Bonded and Non-Bonded Community Facilities Districts
- 4.5 RATIFY COUNCIL PARTICIPATION AT THE NAACP 2024 ANNUAL FREEDOM FUND BANQUET  
Adopt Resolution Ratifying Council Participation at the National Association for the Advancement of Colored People (NAACP) 2024 Annual Freedom Fund Banquet, November 16, 2024, at the Mercedes-Benz of Stockton, in Stockton, California
- 4.6 RATIFY SERVICE CONTRACT WITH MCC CONTROLS LLC DBA PRIMEX TO PROVIDE TECHNICAL SERVICES AND SUPPORT FOR CONTROL SYSTEMS HARDWARE AND SOFTWARE  
Adopt Resolution to Ratify a Service Contract with MCC Controls LLC dba Primex to Provide Technical Services and Support for Control Systems Hardware and Software
- 4.7 RATIFY THE SOFTWARE AS A SERVICE AGREEMENT WITH TYLER TECHNOLOGIES INC. FOR THE RENEWAL OF SOFTWARE SUBSCRIPTION LICENSING AND APPROVE BUDGET AMENDMENT  
Adopt Resolution to Ratify the Software as a Service Agreement with Tyler Technologies, Inc. for the Renewal of Software Subscription Licensing and Approve Budget Amendment
- 4.8 APPROVE CONTRACT CHANGE ORDER NO. 8 WITH D.L. FALK CONSTRUCTION, INC. FOR POLICE PROPERTY & EVIDENCE BUILDING, CIP 21-13, AND APPROVE BUDGET AMENDMENT  
Adopt Resolution Approving Contract Change Order No. 8 with D.L. Falk Construction, Inc. for Police Property & Evidence Building, CIP 21-13, and Approving Budget Amendment
- 4.9 APPROVE TEMPORARY STREET CLOSURES FOR THE LATHROP CHRISTMAS PARADE AND TREE LIGHTING ON DECEMBER 7, 2024, FOR THOMSEN ROAD, J STREET, AND 5TH STREET

Adopt Resolution to Approve Temporary Street Closures for the Lathrop Christmas Parade and Tree Lighting on December 7, 2024, for Thomsen Road, J Street, and 5th Street

- 4.10 APPROVE OUT OF STATE TRAVEL AUTHORIZING THE PARKS AND RECREATION DIRECTOR AND MANAGER TO ATTEND THE REC C.A.M.P. (COMMUNITY ARCHITECTURE MANAGEMENT AND PLANNING) CONFERENCE IN DALLAS, TEXAS

Adopt Resolution to Authorize Out of State Travel for the Parks and Recreation Director and Manager to Attend the REC C.A.M.P. (Community Architecture Management and Planning) Conference, April 7-10, 2025, in Dallas, Texas

- 4.11 APPROVE OUT OF STATE TRAVEL AUTHORIZING THE PARKS, AND RECREATION DIRECTOR TO ATTEND THE GOVERNMENT FLEET EXPO AND CONFERENCE IN CHARLOTTE, NORTH CAROLINA

Adopt Resolution to Authorize Out of State Travel for the Parks and Recreation Director to Attend the 2025 Government Fleet Expo and Conference, June 23-27, 2025, in Charlotte, North Carolina

- 4.12 APPROVE 2025 FACILITY FEE WAIVER REQUESTS FOR LATHROP LITTLE LEAGUE, LATHROP LIONS CLUB, LATHROP SUNRISE ROTARY, AND ALCOHOLICS ANONYMOUS

1. Adopt Resolution to Approve a Facility Fee Waiver Request from Lathrop Little League; and
2. Adopt Resolution to Approve a Facility Fee Waiver Request from Lathrop Lions Club; and
3. Adopt Resolution to Approve a Facility Fee Waiver Request from Lathrop Sunrise Rotary; and
4. Adopt Resolution to Approve a Facility Fee Waiver Request from Alcoholics Anonymous

- 4.13 APPROVE A MASTER AGREEMENT WITH NBS GOVERNMENT FINANCE GROUP DBA NBS TO PROVIDE SPECIAL DISTRICT ADMINISTRATION SERVICES

Adopt Resolution to Approve a Master Agreement with NBS Government Finance Group to Provide Special District Administration Services

- 4.14 APPROVE PROFESSIONAL SERVICE AGREEMENT WITH PAVEMENT ENGINEERING, INC. FOR PAVEMENT ASSESSMENT AND MANAGEMENT SYSTEM AND APPROVE BUDGET AMENDMENT

Adopt Resolution to Approve a Professional Service Agreement with Pavement Engineering, Inc. for Pavement Assessment and Management System and Approve Budget Amendment

- 4.15 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH PACE, INC. FOR INTEGRATION SERVICES AND EQUIPMENT FOR CTF PHASE 3 EXPANSION, CIP WW 22-38 AND APPROVE BUDGET AMENDMENT

Adopt Resolution to Approve Professional Services Agreement with Pacific Advanced Civil Engineering, Inc. for Integration Services and Equipment for CTF Phase 3 Expansion, CIP WW 22-38 and Approve Budget Amendment

4.16 AUTHORIZE THE POSTPONEMENT OF DELINQUENT UTILITY TURN-OFFS  
Adopt Resolution to Approve the Suspension of Service Disconnections in the Month of December 2024 for All Delinquent Accounts

4.17 AUTHORIZE THE RELEASE OF CONTRACT RETENTION, AND PERFORMANCE AND PAYMENT BONDS FOR THE LATHROP ROAD RESIDENTIAL DRIVEWAY RECONSTRUCTION, CIP GG 24-27

Adopt Resolution to Release the Contract Retention, and Performance and Payment Bonds from Dirt Dynasty, Inc. for the Lathrop Road Residential Driveway Reconstruction, CIP GG 24-27

4.18 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR PAVEMENT REHABILITATION, CIP PS 24-29

Adopt Resolution to Accept Public Improvements Constructed by DSS Company dba Knife River Construction for the Pavement Rehabilitation CIP PS 24-29, and Authorize the Filing of a Notice of Completion, Release of Contract Retention, Release of Performance and Payment Bonds, and File a One-Year Maintenance Warranty Bond

4.19 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY MG & JC CONCRETE, INC. FOR CTF SERVICE DRIVEWAY, CIP WW 22-38

Adopt Resolution to Accept Public Improvements Constructed by MG & JC Concrete, Inc. for CTF Service Driveway, CIP WW 22-38, and Authorize the Filing of a Notice of Completion, Release of Contract Retention, Release of Performance and Payment Bonds, and File a One-Year Maintenance Warranty Bond

4.20 CREATE CIP PS 25-15 FOR STREET LIGHTS ON MCKINLEY AVENUE, AWARD CONSTRUCTION CONTRACT TO BEAR ELECTRICAL SOLUTIONS, LLC, AND APPROVE BUDGET AMENDMENT

Adopt Resolution to Create Capital Improvement Project PS 25-15 for Street Lights on McKinley Avenue, Award a Construction Contract to Bear Electrical Solutions, LLC, and Approve a Budget Amendment

*RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)*

4.21 APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 33 LOTS IN TRACT 4244 VILLAGE 28 UNIT 1 WITHIN WEST VILLAGE DISTRICT OF RIVER ISLANDS

Adopt Resolution to Approve Final Map for Tract 4244 Village 28 Unit 1 within the West Village District, Totaling 33 Single Family Lots, Annexation into CFD 2023-1, and a Subdivision Improvement Agreement with River Islands Development Area 1, LLC



- 4.22 ACCEPT N8 AND N9 PUBLIC PARK IMPROVEMENTS WITH CONDITIONS WITHIN TRACTS 4020 AND 4089 FROM RIVER ISLANDS  
Adopt Resolution to Accept N8 and N9 Public Park Improvements with Conditions within Tracts 4020 and 4089 from River Islands

## 5. SCHEDULED ITEMS

- 5.1 DISCUSSION OF POSSIBLE FINANCIAL INCENTIVE PROGRAM(S) TO ATTRACT ENTERTAINMENT RETAIL BUSINESSES TO LATHROP  
Council to Consider Incentive Options Presented, Discuss, and Provide Staff Direction to Establish an Entertainment Incentive Program Based on Use of Measure D Funding
- 5.2 APPROVE TIME EXTENSION REQUEST FOR THE ASHLEY FURNITURE PROJECT  
Adopt Resolution to Approve a Two (2) Year Time Extension Request for the Ashley Furniture Project Conditional Use Permit No. CUP-23-08 and Site Plan Review No. SPR-23-09 (TE-24-175)
- 5.3 CANNABIS REVENUE ALLOCATION  
Adopt Resolution Approving the Cannabis Revenue Allocation

## 6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)
- *Ava Community Energy (Diallo/Torres-O'Callaghan)*
  - *Central Valley Executive Committee/LOCC (Akinjo/Diallo)*
  - *Council of Governments (Dhaliwal/Diallo)*
  - *Integrated Waste Management Solid Waste Division (Akinjo/Torres-O'Callaghan)*
  - *Local Agency Formation Commission (LAFCo) (Diallo)*
  - *Reclamation District 17 Joint Powers Authority (Salvatore)*
  - *San Joaquin Partnership Board of Directors (Salvatore)*
  - *San Joaquin County Commission on Aging (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/Torres-O'Callaghan)*
- 6.2 MAYOR & COUNCILMEMBER COMMENT(S)

## 7. ADJOURNMENT

*/Teresa Vargas/*

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Teresa Vargas, MMC  
Government Services Director, City Clerk