

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, SEPTEMBER 11, 2023
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

PLEASE NOTE: There was a Closed Session, which commenced at 6:01 p.m. The Regular Meeting reconvened at 7:04 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:01 p.m.

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 THREAT TO PUBLIC SERVICES OR FACILITIES: Consultation with: Legal Counsel and Police Chief Pursuant to Government Code Section 54957, Regarding Safety Protocols for Potential Public Threats

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:04 p.m.

1.2.3 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided pursuant to all matters under Item 1.2; no other reportable action taken.

1.3 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Akinjo; and Councilmembers Diallo, Lazard and Torres-O'Callaghan

Absent: None

1.4 INVOCATION – Pastor Don Britton, Grace Community Church, provided the invocation. Following the invocation, Mayor Dhaliwal requested a moment of silence honoring the lives lost on September 11, 2001.

1.5 PLEDGE OF ALLEGIANCE – Pastor Don Britton led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

Mayor Dhaliwal announced the Annual First Responders BBQ scheduled Wednesday, September 13, 2023, at Valverde Park.

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

City Clerk Teresa Vargas announced that Consent Item 4.10 (Dell-Osso Farms Agreement) will be removed from Regular Consent Items, and considered under the River Islands Consent Items.

Councilmember Lazard declared a conflict of interest with Items 4.10, 4.20, 4.21, 4.22, and 4.23, due to her employment with Dell’Osso Farms. Councilmember Diallo declared a conflict of interest with Items 4.10, 4.20, 4.21, 4.22, and 4.23, due to an agreement with the River Islands Development.

2. PRESENTATIONS

2.1 INTRODUCTION OF NEW EMPLOYEES

City Engineer Brad Taylor introduced Veronica Albarran, Junior Engineer, in the Public Works Department. Police Chief Raymond Bechler introduced Tracie Shea, Lieutenant, in the Police Department.

2.2 POLICE DEPARTMENT EMERGENCY EVACUATION TRAINING PRESENTATION

School Resource Officer Clinton Armstrong provided an educational presentation regarding evacuations during emergencies. A question and answer period followed the presentation.

3. CITIZEN’S FORUM

Gavin Cline (in person speaker), Legislative Representative for Congress Member John Duarte, provided an overview of various legislative updates and activities for California’s 13th District. Mansoor Fazel (in person speaker) commented on potential business opportunities; requested that the City Council consider allowing the operation of smoking bar / hookah lounge businesses in the city. City Council consensus provided staff direction to bring back the matter for discussion at a future Council Meeting, no other action taken on the matter.

4. CONSENT CALENDAR

**Due to conflicts of interest declared under Item 1.8, Item 4.10 was removed from the Regular Consent Calendar and was considered under the River Islands Consent Items.*

***City Clerk Teresa Vargas announced Item 4.3 would be pulled off the agenda, due to a scheduling conflict with another previously scheduled community event.*

On a motion by Councilmember Torres-O'Callaghan, seconded by Councilmember Lazard, the City Council approved Items 4.1 through 4.19, except Item 4.3 and Item 4.10 of the Consent Calendar, by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: ***Dhaliwal (*Item 4.2 only*)

****The City of Lathrop City Council Handbook of Rules and Procedures, page 13, Chapter IV, Section 8(5) applies to abstentions without identified legal disqualifications.*

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waived 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

Approved Minutes for the Regular Council Meeting of July 10, 2023.

4.3 **TABLE SPONSORSHIP AT STOCKTON CHAMBER OF COMMERCE'S 56TH ANNUAL INDUSTRIAL BARBECUE

Ratify City Participation and Table Sponsorship at the Stockton Chamber Of Commerce Barbecue, to be held September 13, 2023

4.4 ECONOMIC DEVELOPMENT RELATED MEMBERSHIPS AND SPONSORSHIPS

Adopted **Resolution 23-5359** authorizing participation in membership organizations and sponsorship opportunities that promote and enhance the City of Lathrop's economic development goals.

4.5 PLANNING FEE WAIVER REQUEST BY GLOBAL SEVA FOUNDATION (TUP-23-95)

Adopted **Resolution 23-5360** waiving the Temporary Use Permit application processing and document retention fees for the Global Seva Foundation, in the combined amount of \$392.

4.6 AUTHORIZE ACCEPTANCE OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT FUND AWARD FROM THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS)

Adopted **Resolution 23-5361** authorizing the Police Chief to accept the Selective Traffic Enforcement Program (STEP) Grant Fund Award of \$60,000 from the State of California Office of Traffic Safety (OTS).

4.7 APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR MITRA USA

Adopted **Resolution 23-5362** approving a Facility Fee Waiver Request from Mitra USA for the use of the Scott Brooks Gymnasium on October 13, 2023 from 4:00 p.m. to 10:00 p.m. to host a cultural event.

4.8 APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR LATHROP LITTLE LEAGUE

Adopted **Resolution 23-5363** approving a Facility Fee Waiver Request from Lathrop Little League for the use of Mossdale Park baseball fields from September 11, 2023 through November 4, 2023, for baseball clinics.

4.9 APPROVE OUT OF STATE TRAVEL FOR THE 2023 NATIONAL LEAGUE OF CITIES CITY SUMMIT

Adopted **Resolution 23-5364** authorizing Out of State Travel for the 2023 National League of Cities City Summit Trip to Atlanta, Georgia, from November 15-18, 2023.

4.10 *APPROVE AGREEMENT TO PROVIDE LAW ENFORCEMENT SERVICES FOR THE ANNUAL PUMPKIN MAZE EVENT AT DELL'OSSO FARMS

**Due to conflicts of interest declared under Item 1.8, Item 4.10 was removed from the Regular Consent Calendar and was considered under the River Islands Consent Items. The resolution number reflects the order in which the item was approved.*

Pulled by Councilmember Torres-O'Callaghan. A question and answer period ensued. Police Chief Bechler provided the information.

Adopted **Resolution 23-5374** approving Agreement to provide law enforcement services to Dell'Osso Farms, LLC, for the Annual Pumpkin Maze Event on September 30, 2023 through October 31, 2023.

- 4.11 APPROVE AGREEMENT TO PROVIDE LAW ENFORCEMENT SERVICES FOR THE AMERICAN HEART ASSOCIATION'S 209 HEART & STROKE WALK EVENT

Adopted **Resolution 23-5365** approving Agreement to provide law enforcement services to the American Heart Association for the 209 Heart & Stroke Walk Event on October 7, 2023.

- 4.12 APPROVE OUT OF STATE TRAVEL FOR THE POLICE DEPARTMENT RECORDS SUPERVISOR TO ATTEND THE RIMSCON 2023 CONFERENCE IN OCTOBER 2023

Adopted **Resolution 23-5366** approving out of state travel for the Police Department Records Supervisor to attend the RIMSCON 2023 Conference in South Lake Tahoe, Nevada from October 9, 2023 to October 13, 2023.

- 4.13 APPROVE PURCHASE OF A CHEVROLET SILVERADO 3500 SPRAY RIG FOR THE PARKS, RECREATION AND MAINTENANCE SERVICES DEPARTMENT

Adopted **Resolution 23-5367** approving the purchase of a Chevrolet Silverado 3500 pray Rig for the Parks, Recreation and Maintenance Services Department.

- 4.14 APPROVE WASTEWATER TREATMENT CAPACITY TRANSFER FROM SOUTH LATHROP LAND, LLC TO LATHROP LAND ACQUISITION, LLC, THROUGH THE CITY

Adopted **Resolution 23-5368** approving the transfer of wastewater treatment capacity in the Consolidated Treatment Facility from South Lathrop Land, LLC to Lathrop Land Acquisition, LLC through the City and an associated transfer agreement.

- 4.15 APPROVE AMENDMENT NO. 1 WITH DOKKEN ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES FOR THE HARLAN ROAD REALIGNMENT AT ROTH ROAD, CIP PS 14-04

Pulled by Vice Mayor Akinjo. A question and answer period ensued. City Engineer Brad Taylor provided the information.

Adopted **Resolution 23-5369** approving Amendment No. 1 with Dokken Engineering, for professional engineering services for the Harlan Road Realignment at Roth Road, CIP PS 14-04.

- 4.16 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY AMERINE SYSTEMS, INC. FOR CITY HALL LANDSCAPE RENOVATIONS, GG 21-09

Adopted **Resolution 23-5370** accepting public improvements constructed by Amerine Systems, Inc. for the city hall landscape renovation, CIP GG 21-09, authorizing the filing of a Notice of Completion, releasing contract retention, and releasing Performance & Payment Bonds.

- 4.17 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY TIM PAXIN'S PACIFIC EXCAVATION, INC. DBA PACIFIC EXCAVATION FOR STREETLIGHTS ASSOCIATED WITH LOUISE AVENUE LANDSCAPE, CIP GG 21-15

Adopted **Resolution 23-5371** accepting public improvements constructed by Tim Paxin's Pacific Excavation, Inc. dba Pacific Excavation, for streetlights associated with the Louise Avenue landscaping project, CIP GG 21-15, authorizing the filing of a Notice of Completion, releasing contract retention, and releasing Performance & Payment Bonds.

- 4.18 AWARD SERVICE CONTRACT TO SWEEPING CORPORATION OF AMERICA OF CALIFORNIA, LLC FOR STREET SWEEPING SERVICES

Pulled by Vice Mayor Akinjo. A question and answer period ensued. City Engineer Brad Taylor provided the information.

Adopted **Resolution 23-5372** awarding a Service Contract to Sweeping Corporation of America of California, LLC, for street sweeping services.

- 4.19 RATIFY CITY MANAGER APPROVAL OF CONSTRUCTION CONTRACT WITH LUMA ENGINEERING INC. FOR THE CITY OF LATHROP FACILITIES ADA IMPROVEMENTS, CIP GG 23-14 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5373** ratifying City Manager's approval of Construction Contract with Luma Engineering Inc. for the City of Lathrop Facilities ADA Improvements, CIP GG 23-14, and budget amendment.

RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)

Councilmember Lazard and Councilmember Diallo recused themselves at 7:52 p.m., following the vote of the consent calendar, prior to the vote of Item 4.10, Item 4.20, Item 4.21, Item 4.22, and Item 4.23 due to declared conflict of interested as noted on Item 1.8.

On a motion by Councilmember Torres-O’Callaghan, seconded by Vice Mayor Akinjo, the City Council approved Items 4.10 4.20, 4.21, 4.22, and 4.23 by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Torres-O’Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: Diallo and Lazard

4.20 APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 105 LOTS IN TRACT 4155 UNIT 1 WITHIN WEST VILLAGE DISTRICT OF RIVER ISLANDS

Adopted **Resolution 23-5375** approving Final Map for Tract 4155 Unit 1 within the West Village District, Totaling 105 Single Family Lots, CFD Annexation No. 4, Irrevocable Offer of Dedication and Subdivision Improvement Agreement with River Islands Development Area 1, LLC, F/K/A River Islands Employment Center, LLC.

4.21 APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 68 LOTS IN TRACT 4172 VILLAGE 1 WITHIN WEST VILLAGE DISTRICT OF RIVER ISLANDS

Adopted **Resolution 23-5376** approving Final Map for Tract 4172 Village 1 within the West Village District, Totaling 68 Single Family Lots, CFD Annexation No. 2, and Subdivision Improvement Agreement with River Islands Development Area 2, LLC, and River Islands Stage 2A, LLC.

4.22 APPROVE CONSOLIDATED JOINT COMMUNITY FACILITIES AGREEMENT WITH RIVER ISLANDS PUBLIC FINANCING AUTHORITY FOR THE AUTHORITY’S COMMUNITY FACILITIES DISTRICTS

Pulled by Vice Mayor Akinjo. A question and answer period ensued. Deputy City Manager Thomas Hedegard and City Attorney Salvador Navarrete provided additional information.

Adopted **Resolution 23-5377** approving a Consolidated Joint Community Facilities Agreement with River Islands Public Financing Authority (RIPFA) for the Authority’s Community Facilities Districts.

4.23 APPROVE THE REVISED RIVER ISLANDS PHASE TWO PARKS AND OPEN SPACE MASTER PLAN

Pulled by Vice Mayor Akinjo. A question and answer period ensued. Community Development Director Rick Caguiat provided additional information.

Adopted **Resolution 23-5378** approving the Revised River Islands Phase Two Parks and Open Space Master Plan.

CEQA STATUS: The Proposed Project fell within the Scope of the Previously Certified Subsequent Environmental Impact Report (SEIR) (SCH No.1993112027) for the River Islands at Lathrop Phase Two Project; therefore, no further Environmental Review was required in accordance with the California Environmental Quality Act.

Councilmember Lazard and Councilmember Diallo returned to the dais at 8:02 p.m.

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING AN ORDINANCE AMENDING THE LATHROP MUNICIPAL CODE TITLE 2 "ADMINISTRATION AND PERSONNEL", CHAPTER 2.36 "PURCHASING SYSTEM", SECTION 2.36.110 "EXCEPTIONS TO PURCHASING PROCEDURES AND LIMITS"

Assistant City Manager Michael King provided the presentation. A question and answer period followed. City Manager Stephen Salvatore provided additional information. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Lazard, seconded by Mayor Dhaliwal, the City Council considered the following:

1. Held a public hearing; and
2. Waived first reading and introduced an ordinance amending Title 2, Chapter 2.36 "Purchasing System", Section 2.36.110 "Exceptions To Purchasing Procedures and Limits" by adding new Section ("D") to allow Cooperative Purchasing Agreements.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.2 ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR CIP PW 22-36 AQUIFER STORAGE AND RECOVERY

Assistant City Manager Michael King provided the presentation. A question and answer period followed.

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 23-5379** adopting the Mitigated Negative Declaration for the City of Lathrop Aquifer Storage and Recovery Project, CIP PW 22-36 in accordance with the California Environmental Quality Act Requirements.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.3 GRAND JURY REPORT RESPONSE

City Attorney Salvador Navarrete provided the presentation. A question and answer period ensued. Police Chief Bechler provided additional information.

On a motion by Mayor Dhaliwal, seconded by Councilmember Torres-O'Callaghan, the City Council accepted the Grand Jury Report on School Safety in San Joaquin County, and directed 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.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.4 PROVIDE DIRECTION ON LATHROP ROAD RESIDENTIAL DRIVEWAY RECONSTRUCTION AND CREATE CIP GG 24-27

Assistant City Manager Michael King provided the presentation. A question and answer period followed. Adriana Lopez (zoom speaker) spoke in support of the item, and requested clarification on how the proposed project would affect her adjacent property. Irene Torres (zoom speaker) requested clarification on the scope of work and timeline of the project.

On a motion by Mayor Dhaliwal, seconded by Councilmember Diallo, City Council adopted **Resolution 23-5380** creating CIP GG 24-27, Lathrop Road Residential Driveway Reconstruction, and approving related budget amendment.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

6. COUNCIL COMMUNICATIONS

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) – None.

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Torres-O'Callaghan complimented the Touch-a-Truck event; expressed appreciation for those that participated. Councilmember Diallo expressed appreciation to Assistant City Manager Michael King for his work related to Item 5.4, and expressed appreciation to Lathrop-Manteca Fire District and Lathrop Police Department. Councilmember Lazard and Vice Mayor Akinjo thanked those in attendance and wished all a good night. Mayor Dhaliwal encouraged the public to attend the Annual First Responders BBQ scheduled Wednesday, September 13, 2023, at Valverde Park.

7. ADJOURNMENT – There being no further business, Mayor Dhaliwal adjourned the meeting at 8:46 p.m., in memory of the victims from the terror attacks of September 11, 2001.



Teresa Vargas, MMC
Government Services Director
City Clerk