

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, AUGUST 14, 2023
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

PLEASE NOTE: There was no Closed Session. The Regular Meeting commenced at 7:00 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Vice Mayor Akinjo called the meeting to order at 7:00 p.m.

1.2 ROLL CALL Present: Vice Mayor Akinjo; Councilmembers Diallo, Lazard, and Torres-O’Callaghan

Absent: Mayor Dhaliwal

1.3 INVOCATION – Pastor Don Britton, Grace Community Church, provided the invocation.

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

1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

City Manager Stephen Salvatore announced that Item 5.1 would be pulled off the agenda; staff to analyze the information further and agendaize the matter to a future meeting.

1.6 INFORMATIONAL ITEM(S) – None

1.7 DECLARATION OF CONFLICT(S) OF INTEREST

Councilmember Lazard declared a conflict of interest with Item 4.21, due to her employment with Dell’Osso Farms. Councilmember Diallo declared a conflict of interest Item 4.21, due to an agreement with the River Islands Development. City Clerk Teresa Vargas announced that Item 4.21 would be moved to the next regular City Council meeting due to lack of quorum.

2. PRESENTATIONS

2.1 PRESENTATION OF ARTWORK DONATION FROM JIM, SANDY AND VANESSA GATTO TO THE CITY OF LATHROP FOR THE JOYCE GATTO ART GALLEY AT CITY HALL

Jim and Sandy Gatto presented the City Council with a piece of artwork painted by the dearly departed Joyce Gatto, titled the "The Pink Lady". Sandy Gatto provided the meaningful background story behind the painting of the "The Pink Lady" artwork. Bennie Gatto commented on the matter and expressed his late wife's affection for the arts and the Lathrop community. The City Council expressed their gratitude and sentiments to the Gatto family.

2.2 PROCLAMATION DECLARING AUGUST AS NATIONAL BREASTFEEDING AWARENESS MONTH

Councilmember Torres-O'Callaghan provided the presentation to Director of Patient Education & Programs Erin Garcia with the Community Medical Centers.

2.3 INTRODUCTION OF NEW EMPLOYEES

Finance Director Cari James introduced new Finance Department employee Christopher Hathcox, Customer Services Representative.

Police Chief Ray Bechler introduced new Police Department employees Chantal Ezell, Police Officer, Vatche Tatarian, Police Officer, and Ranjit Dosanjh, Community Services Supervisor. Lieutenant Tracie Shea was not available for introduction.

Assistant City Manager Michael King introduced new Public Works Department employee Dominic Maraspini, Maintenance Services Supervisor.

2.4 POLICE DEPARTMENT PRESENTATION REGARDING PRIORITY ONE CALL TYPES AND UPDATED RESPONSE TIMES

Police Chief Bechler provided an informational presentation regarding priority one call types and related response times for the months of June and July. A question and answer period ensued throughout the presentation. Christina Laughlin (zoom speaker) commented on the matter, requested additional information related to the dispatching of domestic violence calls.

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. Margaret Luevano (in person speaker) expressed concern with the completed Lathrop Road roadway improvements and the existing configurations of her driveway. City Manager Stephen Salvatore provided additional information, and requested coordination from Ms. Luevano on obtaining the Property Access Agreement to perform repairs. City Council consensus directed staff to bring back an item for consideration of repairs to Ms. Luevano's driveway. Jack Sagisi and Emerson Castillo (in person speakers) representing United Bacarreños of America expressed appreciation to the City Council for their participation in the cultural event honoring the sister city relationship with Bacarra, Ilocos Norte, Philippines, held July 22, 2023. City Clerk Teresa Vargas announced public comment letter submitted by Christina Laughlin requesting information regarding the Police Department K9 program.

4. CONSENT CALENDAR

On a motion by Vice Mayor Akinjo, seconded by Councilmember Lazard, the City Council approved the Consent Calendar, Items 4.1 through 4.20, by the following roll call vote, unless otherwise indicated:

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

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 Special Meeting of June 13, 2023 and Special Meeting of June 14, 2023.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 23-447 OF THE CITY COUNCIL OF THE CITY OF LATHROP TO IMPLEMENT A COMMUNITY CHOICE AGGREGATION PROGRAM TO PROVIDE ELECTRIC SERVICES IN THE CITY OF LATHROP

Waived full reading and adopted **Ordinance 23-447** implementing a Community Choice Aggregation Program to provide electric services in the City Of Lathrop.

4.4 COMPLETE ANNUAL PERFORMANCE REVIEW PROCESS FOR CITY MANAGER AND CITY ATTORNEY

Adopted **Resolution 23-5341** approving Amendment No. 4 to the City Manager Employment Agreement, and Amendment No. 3 to the City Attorney Employment Agreement.

4.5 DECLARE CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZE THEIR DISPOSAL

Adopted **Resolution 23-5342** declaring certain vehicles and equipment surplus property and authorizing their disposal.

4.6 APPROVE PURCHASES OF A DUMP TRUCK & VARIOUS HEAVY CONSTRUCTION EQUIPMENT

Adopted **Resolution 23-5343** approving the purchases of a dump truck & various heavy construction equipment.

4.7 APPROVE WRITE-OFF OF UNCOLLECTIBLE UTILITY AND MISCELLANEOUS CUSTOMER ACCOUNTS FOR FISCAL YEAR 2022-23

Pulled by Vice Mayor Akinjo. A question and answer period ensued. Finance Director Cari James provided the information.

Adopted **Resolution 23-5344** approving Adopt Resolution to Approve Write-Off of Uncollectible Utility and Miscellaneous Accounts for Fiscal Year (FY) 2022-23

4.8 APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR THE LATHROP LIONS CLUB

Adopted **Resolution 23-5345** approving a Facility Fee Waiver Request from the Lathrop Lions Club for the Use of a Valverde Park Shelter on October 21, 2023 to host a Breast Cancer Walk.

4.9 APPROVE ADDITIONAL INDUSTRIAL SOLID WASTE LICENSE FOR FISCAL YEAR 2023-24

Pulled by Vice Mayor Akinjo. A question and answer period ensued. Parks, Recreation and Maintenance Services Director Todd Sebastian provided the information.

Adopted **Resolution 23-5346** approving an Annual Industrial Solid Waste License for Tony & Sons Trucking for Fiscal Year 2023-24.

- 4.10 APPROVE AMENDMENT NO. 1 WITH MIG INC. TO UPDATE THE ADA SELF-EVALUATION AND TRANSITION PLAN

Adopted **Resolution 23-5347** approving Amendment No. 1 with MIG Inc. to update the ADA Self- Evaluation and Transition Plan.

- 4.11 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 95 LOTS IN TRACT 4151 WITHIN THE MOSSDALE VILLAGE AREA

Adopted **Resolution 23-5348** approving Final Map for Tract 4151 within the Mossdale Village Area, totaling 95 single-family lots and Subdivision Improvement Agreement with D.R. Horton BAY, Inc.

- 4.12 APPROVE AMENDMENT NO. 1 WITH LDA PARTNERS, INC. FOR THE LATHROP POLICE DEPARTMENT PROPERTY AND EVIDENCE BUILDING, CIP GG 21-13 CORP YARD IMPROVEMENTS

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

Adopted **Resolution 23-5349** approving Amendment No. 1 with LDA Partners, Inc., for the Lathrop Police Department Property and Evidence Building, CIP GG 21-13 Corp Yard Improvements.

- 4.13 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH LDA PARTNERS, INC. FOR THE LATHROP ANIMAL CENTER, CIP GG 23-11

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

Adopted **Resolution 23-5350** approving Professional Services Agreement with LDA Partners, Inc., for design and construction services for the Lathrop Animal Center, CIP GG 23-11.

- 4.14 RATIFY AMENDMENT NO. 2 WITH CAROLLO ENGINEERS, INC. FOR AQUIFER STORAGE AND RECOVERY, CIP PW 22-36

Adopted **Resolution 23-5351** ratifying Amendment No. 2 with Carollo Engineers, Inc., for the Aquifer and Storage Recovery Project, CIP PW 22-36.

- 4.15 RATIFY CITY MANAGER APPROVAL OF AGREEMENTS WITH AXON ENTERPRISE, INC., FOR THE PURCHASE OF TEN (10) AXON IN-CAR VIDEO SOLUTIONS AND PURCHASE OF EIGHT (8) ADDITIONAL OFFICER SAFETY PLAN 7 BUNDLES FOR THE POLICE DEPARTMENT

Adopted **Resolution 23-5352** ratifying Agreements with Axon Enterprise, Inc., for the purchase of ten (10) Axon fleet in-car video solution and its supporting information, services and training, and purchase of eight (8) additional officer safety plan 7 bundles for the Police Department.

- 4.16 ACCEPT FUNDING FROM LOCAL AGENCY TECHNICAL ASSISTANCE GRANT AWARD, CREATE CIP GG 24-24 FOR BROADBAND INFRASTRUCTURE, APPROVE RELATED BUDGET AMENDMENT, AND RATIFY AN AGREEMENT WITH MAGELLAN BROADBAND FOR THE DEVELOPMENT OF A MASTER PLAN FOR BROADBAND INFRASTRUCTURE

Pulled by Vice Mayor Akinjo. A question and answer period ensued. Information Systems Director Tony Fernandes provided the information.

Adopted **Resolution 23-5353** accepting grant funding from the Local Agency Technical Assistance Grant Award, creating CIP GG 24-24 for Broadband Infrastructure, approving budget amendment, and ratifying an Agreement with Magellan Broadband for the development of a Master Plan for Broadband Infrastructure.

- 4.17 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY DIRT DYNASTY, INC. FOR THE LATHROP AND HARLAN ROAD INTERSECTION IMPROVEMENTS, CIP PS 21-06

Adopted **Resolution 23-5354** accepting public improvements constructed by Dirt Dynasty, Inc. for the Lathrop Road and Harlan Road intersection improvements, CIP PS 21-06, authorizing the filing of a Notice of Completion, and releasing contract retention and Performance and Payment Bonds.

- 4.18 AWARD CONSTRUCTION CONTRACT TO GEORGE REED, INC., FOR CONSTRUCTION OF CLASS II BIKEWAYS TO ACE STATION, CIP PS 22-18 AND APPROVE BUDGET AMENDMENT

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

Adopted **Resolution 23-5355** awarding Construction Contract to George Reed, Inc., for construction of Class II Bikeway to Ace Station, CIP PS 22-18, and approve budget amendment.

- 4.19 AWARD SERVICE CONTRACT TO ALL STEEL FENCE, INC. FOR GATE PREVENTATIVE MAINTENANCE AND EMERGENCY ON-CALL GATE & FENCE REPAIR SERVICES WITH AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5356** awarding Service Contract to All Steel Fence, Inc., for fence and gate preventative maintenance and emergency on-call gate and fence repair services, and approving budget amendment.

- 4.20 CREATE CIP GG 24-25 CITY FACILITIES FENCING IMPROVEMENTS, AWARD A CONSTRUCTION CONTRACT TO ALL STEEL FENCE, INC., AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5357** creating CIP GG 24-25 City Facilities Fencing Improvements, awarding Construction Contract to All Steel Fence, Inc., and approving budget amendment.

RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)

Under Item 1.7, City Clerk Teresa Vargas announced that Item 4.21 would be moved to the next regular City Council meeting due to lack of quorum. No action taken on Item 4.21.

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

Adopt Resolution Approving the Revised River Islands Phase Two Parks and Open Space Master Plan

CEQA STATUS: The Proposed Project Falls 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 Is Required In Accordance With The California Environmental Quality Act

5. SCHEDULED ITEMS

Under Item 1.5, City Manager Stephen Salvatore announced that Item 5.1 would be pulled off the agenda; staff to analyze the information further and agendize the matter to a future meeting. No action taken on Item 5.1.

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE USE OF AN AUTOMATED ENFORCEMENT SYSTEM IN THE CITY OF LATHROP PURSUANT TO SECTION 21455 OF THE CALIFORNIA VEHICLE CODE

City Council to Consider the Following:

1. Hold a Public Hearing; and

2. Public Hearing (Published Notice) to Consider the Use of an Automated Enforcement System in the City of Lathrop Pursuant to Section 21455 of the California Vehicle Code

5.2 ESTABLISH DROUGHT TOLERANT LANDSCAPING GRANT GUIDELINES

Deputy City Manager Thomas Hedegard provided the presentation regarding an income-based drought tolerant landscaping grant utilizing American Rescue Plan Act (ARPA) funds. The presentation also included information on grant award guidelines and application process. A question and answer period ensued throughout the presentation. Community Development Director Rick Caguait provided additional information.

On a motion by Councilmember Diallo, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 23-5358** establishing a Drought Tolerant Landscaping Grant Program and Guidelines for Residential Properties in the City of Lathrop, by the following roll call vote, unless otherwise indicated:

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

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL: Set Application Deadline for Appointment of One (1) Representative to the San Joaquin County Commission on Aging with Term Ending June 30, 2026, due to Unexpired Term Vacancy

City Clerk Teresa Vargas provided an overview. City Council consensus directed the City Clerk to set the application deadline to August 31, 2023, for appointment consideration during the September City Council Regular Meeting.

- 6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Diallo and Torres-O'Callaghan reported their attendance to a 2x2 meeting with Manteca Unified School District representatives; topics discussed included students attending schools outside of Lathrop, school bussing and transportation for students from the Central Lathrop development area, test scores, School Resource Officers, and new schools for the City of Lathrop. Vice Mayor Akinjo reported his attendance to a recent San Joaquin Area Flood Control Agency Board of Directors meeting.

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

City Manager Stephen Salvatore recognized employees Cathy Long and Liliana Espinoza and contract employee Mariah Walty for their work with social media announcements promoting dog adoptions. Councilmembers thanked those in attendance. Vice Mayor Akinjo encouraged adoptions of shelter animals in need of a permanent home. Councilmember Torres-O'Callaghan expressed appreciation to staff for their work on dog adoptions and the end of summer community event.

7. **ADJOURNMENT** – There being no further business, Vice Mayor Akinjo adjourned the meeting 8:58 p.m.

A handwritten signature in black ink, appearing to read "Teresa Vargas", written over a horizontal line.

Teresa Vargas, MMC
Government Services Director
City Clerk

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