

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, DECEMBER 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 6:46 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 6:46 p.m.

1.2 CLOSED SESSION

1.2.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to Government Code Section 54956.8
Property Address: APN 192-040-57 & 192-040-56 (Addresses Not Available)
Agency Negotiator: Stephen J. Salvatore, City Manager
Negotiating Parties: Ashraf H. Ali
Under Negotiations: Price and Terms of Payment

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

1.2.2 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that the City Council met in Closed Session pursuant to Item 1.2; approved Settlement Terms that allows the City of Lathrop to sell two parcels (APN 192-040-57 & 192-040-56) for the exact price that the City of Lathrop paid when purchased. There was 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 – Lead Pastor Troy Stein, New Life Church, provided the invocation.

1.5 PLEDGE OF ALLEGIANCE – Pastor Troy Stein led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

Mayor Dhaliwal commented on the Lathrop Christmas Parade, held on December 9, 2023, and expressed appreciation to staff for organizing the event.

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST – None

2. PRESENTATIONS

2.1 PRESENTATION TO PROVIDE AN UPDATE ON THE VALLEY LINK RAIL PROJECT

Kevin Sheridan, Executive Director & CEO, with the Tri-Valley – San Joaquin Valley Regional Rail Authority, provided the presentation, which included a project overview and timelines of the Mountain House to Lathrop alternatives, Dublin and Pleasanton Station, project funding, and compliance with SB 746 for Hydrogen Production Facilities. A question and answer period followed the presentation.

2.2 PRESENTATION TO PROVIDE UPDATES ASSOCIATED WITH CAMERA SYSTEMS FOR CITY PARKS, CIP GG 22-35 AND TRAFFIC TECHNOLOGY, CIP PS 23-01

City Engineer Brad Taylor and Information Systems Director Tony Fernandes provided the presentation, which included an overview of the progress of CIP PS 23-01, citywide traffic systems and safety upgrades to maintain and improve the reliability, safety and function of various traffic control devices within the City of Lathrop. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information.

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. Troy Stein (in person speaker), provided information regarding "Without Permission" Organization aimed at combating sex trafficking crimes; encouraged awareness collaboration with Lathrop Police Department. Ben Jex (zoom speaker) commented on a CalMatters article regarding "Armed & Prohibited Persons System", in which he stated is a database of legal gun owners later deemed too dangerous to be armed. Christina Laughlin (zoom speaker) expressed concern with the Police Department sworn staffing and overtime levels.

At the request of Council, Interim Chief Stephen Sealy provided information regarding current staffing and overtime levels. Lawrence Abbott (zoom speaker) requested City Council consideration to waive liability insurance requirements for volunteers to plant vegetation in City ponds.

After Item 3 (Citizens Forum), City Council consensus directed staff to move Item 6.1 (Appointment of Vice Mayor for 2024), Item 6.2 (Mayor and Councilmember Assignments for 2024) and Item 6.3 (Mayor & Councilmember Committee Reports), before Item 4 (Consent Calendar).

4. CONSENT CALENDAR

On a motion by Vice Mayor Akinjo, seconded by Councilmember Lazard, the City Council approved 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:	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 SECOND READING AND ADOPTION OF ORDINANCE 23-451 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING TITLE 2, CHAPTER 2.08, SECTION 2.08.010 TITLED "CITY MANAGER", OF THE LATHROP MUNICIPAL CODE, TO MODIFY AUTHORITY TO APPOINT AND REMOVE THE POLICE CHIEF

Waived full reading and adopted **Ordinance 23-451** amending Title 2, Chapter 2.08, Section 2.08.010 titled "City Manager", of the Lathrop Municipal Code, to modify authority to appoint and remove the Police Chief.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 23-452 OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING THE CENTRAL LATHROP SPECIFIC PLAN (CLSP) PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT TO MODIFY CHAPTER 17.62, CENTRAL LATHROP ZONING DISTRICTS TO ADD ARTICLE 6, IL-CL: LIMITED INDUSTRIAL ZONING DISTRICTS AND MODIFY SECTION 17.62.120 B OF THE LATHROP MUNICIPAL CODE (TA-23-104)

Waived full reading and adopted **Ordinance 23-452** approving the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and Code Text Amendment to modify Chapter 17.62, Central Lathrop Zoning Districts to add Article 6, IL-CL: Limited Industrial Zoning Districts and modify Section 17.62.120 B of the Lathrop Municipal Code (TA-23-104).

4.4 AMENDMENT NO. 5 TO THE CITY MANAGER EMPLOYMENT AGREEMENT

Adopted **Resolution 23-5425** approving Amendment No. 5 to the City Manager Employment Agreement to allow payout of a portion of accumulated sick leave balance.

4.5 AUTHORIZE THE POSTPONEMENT OF DELINQUENT UTILITY TURN-OFFS

Adopted **Resolution 23-5426** approving the suspension of service disconnections in the month of December 2023 for all delinquent accounts.

4.6 APPROVE SUBMITTAL OF LOUISE AVENUE AND INTERSTATE 5 INTERCHANGE, CIP PS 06-06 FOR THE 2024 SJCOG ONE VOICE PROJECT NOMINATIONS

Adopted **Resolution 23-5427** approving submittal of Louise Avenue and Interstate 5 Interchange, CIP PS 06-06 for the 2024 San Joaquin Council of Governments One Voice Project Nominations.

4.7 APPROVE OUT OF STATE TRAVEL FOR CITY STAFF TO ATTEND THE 2024 WORLD OF CONCRETE TRADESHOW

Adopted **Resolution 23-5428** authorizing out of state travel for the Senior Construction Manager to attend the 2024 World of Concrete Tradeshow in Las Vegas, Nevada.

4.8 ANIMAL CENTER STAFFING RECOMMENDATIONS

Adopted **Resolution 23-5429** removing the Animal Shelter Supervisor Job Description and creating the Animal Center Manager Job Description, Amending the Grade / Step Table and Position Control Roster and Associated Budget Amendment.

4.9 APPROVE INTERAGENCY AGREEMENT BETWEEN THE CITY OF LATHROP AND MANTECA UNIFIED SCHOOL DISTRICT TO PROVIDE SCHOOL RESOURCE OFFICER SERVICES

Adopted **Resolution 23-5430** approving an Interagency Agreement between the City of Lathrop and Manteca Unified School District to provide School Resource Officer services, with terms and conditions ending June 2026.

- 4.10 APPROVE TASK ORDER NO. 31 WITH 4LEAF, INC. FOR BUILDING INSPECTION SERVICES FOR THE BUILDING DEPARTMENT

Adopted **Resolution 23-5431** approving Task Order No. 31 with 4LEAF Inc., to provide building inspection services in the Building Department pursuant to Master Professional Services Consulting Agreement dated September 21, 2015 with 4LEAF, Inc.

- 4.11 APPROVE TASK ORDER NO. 32 WITH 4LEAF, INC. FOR PERMITTING SERVICES IN THE BUILDING DEPARTMENT

Adopted **Resolution 23-5432** approving Task Order No. 32 with 4LEAF, Inc. for permitting services in the Building Department pursuant to Master Professional Services Consulting Agreement dated September 21, 2015 with 4LEAF, Inc.

- 4.12 APPROVE TASK ORDER NO. 33 WITH 4LEAF, INC. FOR PLAN CHECK SERVICES FOR THE BUILDING DEPARTMENT

Adopted **Resolution 23-5433** approving Task Orders No. 33 with 4LEAF, Inc., to provide plan check services for the Building Department pursuant to Master Professional Services Consulting Agreement dated September 21, 2015 with 4LEAF, Inc.

- 4.13 APPROVE A SERVICE CONTRACT WITH CALIFORNIA SALES ORGANIZATION, LLC FOR EVIDENCE STORAGE AND PROCESSING EQUIPMENT FOR THE PROPERTY AND EVIDENCE BUILDING, CIP GG 21-13 CORPORATION YARD IMPROVEMENTS

Adopted **Resolution 23-5434** approving a Service Contract with California Sales Organization, LLC for Evidence Storage and Processing Facilities for the Property and Evidence Building, CIP GG 21-13 Corporation Yard Improvements.

- 4.14 APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARK THOMAS FOR THE LOUISE AVENUE / INTERSTATE 5 INTERCHANGE PROJECT, CIP PS 06-06 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5435** approving Amendment No. 2 to the Professional Services Agreement with Mark Thomas for the Louise Avenue / Interstate 5 Interchange Project, CIP PS 06-06, and approve Budget Amendment.

- 4.15 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY BOCKMON & WOODY ELECTRIC COMPANY, INC. FOR CAMERA SYSTEMS FOR CITY PARKS, CIP GG 22-35

Adopted **Resolution 23-5436** accepting public improvements constructed by Bockmon & Woody Electric Company, Inc. for camera systems for City Parks, CIP GG 22-35, authorizing the filing of a Notice of Completion, release of contract retention, and release of Performance and Payment Bonds.

- 4.16 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY NOR-CAL CONCRETE COMPANY, INC. FOR TEMPORARY ANIMAL CENTER CONCRETE, CIP GG 23-06

Adopted **Resolution 23-5437** accepting public improvements constructed by Nor-Cal Concrete Company for the temporary Animal Center concrete, CIP GG 23-06, authorizing the filing of a Notice of Completion, release of contract retention, and release of Performance and Payment Bonds.

- 4.17 RATIFY THE ORIGINAL SERVICE CONTRACT AND CONTRACT CHANGE ORDER NO. 1, AND APPROVE CONTRACT CHANGE ORDER NO. 2 WITH HARDWARE COMMUNICATIONS FOR ADDITIONAL FIBER OPTIC COMMUNICATION WIRING FOR CIP GG 22-03 CITYWIDE FIBER OPTIC COMMUNICATION

Adopted **Resolution 23-5438** ratifying the original Service Contract, Contract Change Order No. 1, and approve Contract Change Order No. 2 with Hardware Communications, for additional fiber optic communication wiring for CIP GG 22-03, Citywide Fiber Optic Communication Project.

- 4.18 RATIFY CITY MANAGER'S EXECUTION OF AN EMERGENCY SERVICE CONTRACT WITH CONCO WEST, INC. FOR CTF CHLORINE TANK REPLACEMENT AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5439** ratifying City Manager's execution of an Emergency Service Contract with Conco West, Inc. for CTF Chlorine Tank Replacement and Approving Budget Amendment.

At the conclusion of the vote of the Consent Calendar, Councilmember Diallo left for the remainder of the meeting at 8:12 p.m.

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP UPDATING THE MILITARY EQUIPMENT LIST FOR MILITARY EQUIPMENT USE POLICY NO. 706, FOR THE USE OF MILITARY EQUIPMENT BY THE LATHROP POLICE DEPARTMENT, IN COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 7070-7075, ASSEMBLY BILL 481

Interim Chief of Police Stephen Sealy provided the presentation. A question and answer period ensued throughout the presentation. City Attorney Salvador Navarrete and City Clerk Teresa Vargas provided additional information. Mayor Dhaliwal opened the public hearing. Ben Jex (zoom speaker) commented on limiting excessive militarization of the police department; however, he supported the request of the equipment presented. Adriana Lopez (zoom speaker) requested information on the maintenance needs of the equipment presented; however, she supported the request of the equipment presented. There were no other speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Torres-O'Callaghan, seconded by Councilmember Lazard the Council to consider the following items:

1. Held a public hearing;
2. Waived first reading and introduced an ordinance amending Chapter 9.20, titled "Military Equipment Use Policy", of Title 9 "Public Peace and Welfare" of the Lathrop Municipal Code by amending Section 9.20.050 titled "Active Policies" to update existing Military Equipment List for Military Equipment Use Policy No. 706, by incorporating funding, acquisition, and use of new Military Equipment for the Lathrop Police Department, in compliance with California Government Code Sections 7070-7075, Assembly Bill (Chieu); and
3. Adopted **Resolution 23-5440** accepting Annual Military Equipment Report.

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

- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.24, SECTION 10.24.030 DESIGNATED NO PARKING AREAS OF THE LATHROP MUNICIPAL CODE

City Engineer Brad Taylor provided the presentation. A question and answer period followed the presentation.

Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Lazard, seconded by Vice Mayor Akinjo, the City Council to consider the following:

1. Held a public hearing; and
2. Waived first reading and introduced an ordinance of the City Council of the City of Lathrop amending Title 10, Chapter 10.24, Section 10.24.030, to designate no parking areas of the Lathrop Municipal Code.

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

6. COUNCIL COMMUNICATIONS

After Item 3 (Citizens Forum), City Council consensus directed staff to move Item 6.1 (Appointment of Vice Mayor for 2024), Item 6.2 (Mayor and Councilmember Assignments for 2024) and Item 6.3 (Mayor & Councilmember Committee Reports), before Item 4 (Consent Calendar).

6.1 MAYOR DHALI WAL REFERRAL – Appointment of Vice Mayor for 2024

Mayor Dhaliwal appointed Councilmember Minnie Diallo as Vice Mayor for 2024.

6.2 MAYOR DHALI WAL REFERRAL – Mayor and Councilmember Assignments for 2024

Mayor Dhaliwal requested Council consideration on maintaining the same assignments as 2023. Council consensus directed the City Clerk to keep assignments for 2024 unchanged from prior year.

6.3 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) - None

6.4 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Torres-O'Callaghan expressed appreciation for Lathrop-Manteca Fire District, Lathrop Police Department and staff for organizing the annual Christmas parade, tree lighting ceremony, and Cocoa with Santa events. Vice Mayor Akinjo expressed similar sentiments. Councilmembers also wished everyone a safe and happy holiday. Mayor Dhaliwal expressed condolences to the Freeman Family for the loss of their beloved Mac Freeman, former Mayor, Councilmember and Planning Commissioner of the City of Lathrop.

Mayor Dhaliwal added that Mr. Freeman authored two books on the history of Lathrop, and he was considered a local historian.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 8:48 p.m., in memory of Former City of Lathrop Mayor Mac Freeman.

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

Teresa Vargas, MMC
Government Services Director
City Clerk