

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, SEPTEMBER 14, 2020
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

Pursuant to the Governor's Executive Order N-25-20

On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which allowed the option to attend public meetings telephonically/teleconference during the COVID-19 pandemic. In accordance with the Executive Order N-25-20, guidance from the California Department of Public Health on gatherings, and to protect our employees and the public, remote public participation was allowed, but not mandatory. The meeting was available by Cisco Webex teleconference to the public, as well as reduced capacity in-person participation in accordance with social distancing guidelines.

PLEASE NOTE: There was no Closed Session. The Regular Meeting commenced at 7:02 p.m.

1. PRELIMINARY

- 1.1 CALL TO ORDER – Vice Mayor Salcedo called the meeting to order at 7:02 p.m.
- 1.2 ROLL CALL Present: Vice Mayor Salcedo; Councilmembers: Akinjo, Lazard and Torres-O’Callaghan

Absent: Mayor Dhaliwal
- 1.3 INVOCATION – Senior Pastor Donald R. Britton, Grace Community Church, provided the invocation.
- 1.4 PLEDGE OF ALLEGIANCE – Vice Mayor Salcedo let the pledge of allegiance.
- 1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER – None
- 1.6 INFORMATIONAL ITEM(S) – None
- 1.7 DECLARATION OF CONFLICT(S) OF INTEREST – None

2. PRESENTATIONS

- 2.1 NEW EMPLOYEE INTRODUCTION
 - Angel Abarca, Assistant Engineer

- Bellal Nabizadah, Junior Engineer

Public Works Director Michael King introduced Assistant Engineer Angel Abarca and Junior Engineer Bellal Nabizadah.

2.2 MAYOR’S COMMITTEE REPORT(S)

Parks and Recreation Director Zach Jones reported the following past and upcoming events and programs:

- *Virtual Classes*

Announced virtual leisure classes offered to the public, such as: karate, code ninjas, paint night, playwell lego, skyhawks, chess & play, and kidz love soccer.

- *Virtual Recreation Programs*

Announced virtual recreation leisure programs offered to the public, such as: virtual walking challenge, half dome from your home challenge, brown bag commodities program, “Live with Regina and Todd” live virtual broadcast, kid’s club for essential workers, and other youth development programs at the Lathrop Generations Center.

- *Virtual Special Events*

Reported on various virtual events, such as: National Night Out, “United we Draw” and the Backyard Campout events.

- *Upcoming Virtual Events*

Announced future virtual events: Veterans Day, BBQ Cook-off Challenge, and Family Game Nights.

3. CITIZEN’S FORUM

City Clerk Teresa Vargas announced that a public comment letter was received, dated September 9, 2020, submitted by Martin Harris with Terra Land Group, LLC, related to various area flood concerns.

4. CONSENT CALENDAR

On a motion by Councilmember Torres-O’Callaghan, seconded by Councilmember Lazard, the City Council approved the Consent Calendar, by the following roll call vote, unless otherwise indicated:

Ayes:	Akinjo, Lazard, Torres-O’Callaghan, and Salcedo
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 Regular Council Meetings of June 8, 2020.

4.3 2020 CONFLICT OF INTEREST CODE BIENNIAL AMENDMENT

Adopted **Resolution 20-4773** adopting an Amended Conflict of Interest Code.

4.4 TREASURER'S REPORT FOR JUNE 2020

Approved Quarterly Treasurer's Report for June 2020.

4.5 APPROVE CONSTRUCTION CONTRACT FOR RIVER ISLANDS PARKWAY WIDENING, CIP PS 06-06

Adopted **Resolution 20-4774** approving a Construction Contract with McGuire and Hester for the construction of River Islands Parkway widening, CIP PS 06-06, and related budget amendment.

4.6 APPROVE CONSTRUCTION CONTRACT FOR CITY HALL PARKING LOT IMPROVEMENTS CIP GG 20-22

Adopted **Resolution 20-4775** approving a Construction Contract with McFadden Construction Inc. for the construction of the City Hall parking lot improvements CIP GG 20-22.

4.7 TASK ORDER NO. 4 WITH WOODARD & CURRAN COMPANY FOR CIP RW 19-16 RECYCLED WATER PROGRAM EXPANSION AND ASSOCIATED BUDGET AMENDMENT

Adopted **Resolution 20-4776** approving Task Order No. 4 to the Master Agreement with Woodard & Curran Company for CIP RW 19-16 to provide recycled water expansion permitting support and associated budget amendment.

4.8 APPROVE REIMBURSEMENT TO SAYBROOK CLSP, LLC FOR IMPROVEMENTS CONSTRUCTED IN CENTRAL LATHROP PHASE 1B

City Clerk Teresa Vargas noted clerical error to the agenda title for Item 4.8, correcting the title to read "Phase 1A" not "Phase 1B".

Adopted **Resolution 20-4777** approving reimbursement to Saybrook CLSP, LLC for improvements constructed in Central Lathrop Phase ~~1B~~ 1A and associated budget amendment.

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

City Clerk Teresa Vargas noted clerical error to the agenda title for Item 4.9, correcting the title to read "Saybrook CLSP, LLC" not "Lathrop Land Acquisition, LLC".

Adopted **Resolution 20-4778** approving the transfer of reserve wastewater treatment capacity in the consolidated treatment facility from South Lathrop Land, LLC to ~~Lathrop Land Acquisition, LLC~~, Saybrook CLSP, LLC, through the City and an associated transfer agreement.

4.10 APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM

Adopted **Resolution 20-4779** approving an application to the Statewide Park Development and Community Revitalization Program for Sangalang Park revitalization improvements.

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO ANNEX TERRITORY TO THE EXISTING IMPROVEMENT AREA NO. 5 OF COMMUNITY SERVICES DISTRICT NO 2018-1 (CENTRAL LATHROP SPECIFIC PLAN FACILITIES) ("CFD"), UNDER THE MELLO ROOS COMMUNITY FACILITIES ACT OF 1982, SECTIONS 53311 ET SEQ., CALIFORNIA GOVERNMENT CODE (THE "ACT").

Finance Director Cari James provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information.

Vice Mayor Salcedo opened the public hearing. There were no speakers. Vice Mayor Salcedo closed the public hearing. The question and answer period continued. City Manager Stephen Salvatore and Finance Director Cari James responded to questions of the City Council.

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council:

1. Held a Public Hearing; and
2. Adopt **Resolution 20-4780** of authorizing Annexation of Territory, authorizing the Levy of a Special Tax Therein and submitting Levy of Tax to Qualified Electors; Improvement Area No. 5 of Community Facilities District No. 2018-1 (Central Lathrop Specific Plan Facilities) as provided in the Act and described in the Resolution of Intention adopted August 10, 2020.

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

City Clerk Teresa Vargas opened the ballot(s) and announced the results of the election:

For CFD 2018-1 (Central Lathrop Specific Plan Facilities) Improvement Area 5: 100% of the votes were "yes" which included one (1) vote, from Evergreen-Golden Valley & River Islands, LLC/Evergreen Development Company-2020, LLC).

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council:

3. Adopt **Resolution 20-4781** declaring results of Special Annexation Election, determining validity of prior proceedings and directing recording of Amended Notice of Special Tax Lien: Improvement Area No. 5 of Community Facilities District No. 2018-1 (Central Lathrop Specific Plan Facilities).

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

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO ANNEX TERRITORY TO THE EXISTING COMMUNITY SERVICES DISTRICT NO 2019-2 (CENTRAL LATHROP CITY SERVICES) ("CFD"), UNDER THE MELLO ROOS COMMUNITY FACILITIES ACT OF 1982, SECTIONS 53311 ET SEQ., CALIFORNIA GOVERNMENT CODE (THE "ACT")

Finance Director Cari James provided a brief overview. A question and answer period ensued. City Manager Stephen Salvatore provided additional information regarding the difference CFD 2019-2 (district used to support services in CLSP) and 2018-1 (district used to support capital infrastructure; facilities in CLSP).

Vice Mayor Salcedo opened the public hearing. There were no speakers. Vice Mayor Salcedo closed the public hearing.
Public hearing / no speakers

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council:

1. Held a Public Hearing; and
2. Adopted **Resolution 20-4782** authorizing Annexation of Territory, authorizing the Levy of a Special Tax Therein and submitting Levy of

Tax to Qualified Electors; Community Facilities District No. 2019-2 (Central Lathrop City Services), as provided in the Act and described in the Resolution of Intention adopted August 10, 2020.

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

City Clerk Teresa Vargas opened the ballot(s) and announced the results of the election:

For CFD 2019-2 (Central Lathrop City Services): 100% of the votes were "yes" which included one (1) vote, from Evergreen-Golden Valley & River Islands, LLC/Evergreen Development Company-2020, LLC).

A question and answer period ensued. City Clerk Teresa Vargas responded to the questions.

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council:

3. Adopt **Resolution 20-4783** Declaring Results of Special Annexation Election, Determining Validity of Prior Proceedings and Directing Recording of Amended Notice of Special Tax Lien; Community Facilities District No. 2019-2 (Central Lathrop City Services).

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

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE ADDING SECTION 13.26.170 DENTAL AMALGAM-MERCURY SOURCE CONTROL PROGRAM TO CHAPTER 13.26 SEWER USE AND INDUSTRIAL WASTEWATER REGULATIONS OF THE LATHROP MUNICIPAL CODE

Public Works Director Michael King provided the presentation. A question and answer period followed. City Manager Stephen Salvatore provided additional information.

Vice Mayor Salcedo opened the public hearing. There were no speakers. Vice Mayor Salcedo closed the public hearing.

On a motion by Councilmember Torres-O'Callaghan, seconded by Councilmember Lazard, the City Council:

1. Held a Public Hearing; and

2. Introduced and held first reading of an ordinance adding Section 13.26.170 Dental Amalgam-Mercury Source Control Program to Chapter 13.26 Sewer Use and Industrial Wastewater Regulations.

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

5.4 ADOPTION OF THRESHOLDS OF SIGNIFICANCE AND SCREENING CRITERIA FOR THE PURPOSE OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) RELATED TO VEHICLE MILES TRAVELED (VMT)

Community Development Director Mark Meissner introduced City Planning Consultant David Niskanen (JB Anderson Planning). Mr. Niskanen provided the presentation. A question and answer period followed.

On a motion by Councilmember Akinjo, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 20-4784**:

- 1) Finding the action exempt from the California Environmental Quality Act;
- 2) Adopting the proposed thresholds of significance and screening criteria for the purpose of analyzing transportation impacts under CEQA related to vehicle miles traveled, and
- 3) Finding that the previous thresholds of significance regarding level of service shall continue for the purpose of reviewing non-CEQA related impacts for discretionary planning approvals in accordance with the General Plan.

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

5.5 CROSSROADS SEWER RATES

Finance Director Cari James provided the presentation. A question and answer period followed the presentation. City Manager Stephen Salvatore provided additional information regarding the history of the consolidated treatment facility. Councilmembers commented on the matter.

On a motion by Councilmember Torres-O'Callaghan, seconded by Councilmember Lazard, the City Council adopted **Resolution 20-4785** approving the decrease of the Crossroads area sewer rates.

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

5.6 FISCAL YEAR (FY) 2019/20 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO THE FISCAL YEAR 2020/21 BUDGET

Accounting Manager Thomas Hedegard provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information regarding the various cost saving and productivity measures implemented throughout the years. Councilmembers commented on the matter.

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 20-4786** approving the FY 2019/20 Year-End Report and related budget amendments and amending the FY 2020/21 Budget.

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

6. COUNCIL COMMUNICATIONS

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Akinjo gave an updated on recent developments related to the Tri Valley-San Joaquin Valley Regional Rail Authority.

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo expressed his best wishes for peace and unity amongst the various communities experiencing civil unrest and indifference with their local law enforcement agencies. Councilmember Lazard expressed appreciation to staff. Councilmember Torres-O'Callaghan urged the community to remain vigilant of COVID-19 and continue practicing recommended guidelines. Vice Mayor Salcedo echoed similar sentiments and thanked those in attendance.

7. ADJOURNMENT – There being no further business, Vice Mayor Salcedo adjourned the meeting at 8:48 p.m.


Teresa Vargas, CMC
City Clerk