

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, FEBRUARY 8, 2021  
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 6:34 p.m. The Regular Meeting reconvened at 7:00 p.m.**

**1. PRELIMINARY**

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:34 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)

- 2 Potential Case(s)

1.2.2 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6  
Agency Negotiator: Stephen J. Salvatore, City Manager  
Employee Organization: Service Employees International Union (SEIU) Local 1021

1.2.3 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6  
Agency Negotiator: Stephen J. Salvatore, City Manager  
Employee Organization: Lathrop Mid-Managers and Confidential Employees Association (LMCEA)

1.2.4 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6  
Agency Negotiator: Stephen J. Salvatore, City Manager  
Unrepresented Employees: Chief Building Official, City Clerk, City Engineer, Director of Administrative Services, Director of Community Development, Director of Finance, Director of Parks and Recreation, Director of Public Works and Human Resources Manager

**RECONVENE** – Mayor Dhaliwal reconvened the meeting at 7:00 p.m.

1.2.5 REPORT FROM CLOSED SESSION

City Attorney Salvador reported that direction was provided to the Agency Negotiator (City Manager) in regards to Items 1.2.2 through 1.2.4; approval was given to execute agreements extending Memorandums of Understanding to provide one (1) year extensions and three percent (3 %) Cost of Living Adjustments, effective July 1, 2021 through June 30, 2022, with Lathrop Mid-Managers and Confidential Employees Association (LMCEA) and Service Employees International Union (SEIU) Local 1021, and provide unrepresented staff with the same terms and conditions; no other reportable action was taken.

- 1.3 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Torres-O’Callaghan; Councilmembers: Akinjo, Diallo and Lazard.  
Absent: None.
- 1.4 INVOCATION – Pastor Mike Strong, Grace Community Church, provided the invocation.
- 1.5 PLEDGE OF ALLEGIANCE – Pastor Strong led the pledge of allegiance.
- 1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER – None
- 1.7 INFORMATIONAL ITEM(S) – None
- 1.8 DECLARATION OF CONFLICT(S) OF INTEREST – None

## **2. PRESENTATIONS**

### **2.1 PROCLAMATION DECLARING FEBRUARY AS BLACK HISTORY MONTH**

Vice Mayor Torres-O’Callaghan, accompanied by the City Council, presented a proclamation declaring February 2021 as Black History Month to Lathrop community members and students of the STEAM Academy Aretha Ollivant (5<sup>th</sup> Grade) and Arnelle Ollivant (3<sup>rd</sup> Grade), and Richard Barries, President of the Central Valley Chapter of National Organization of Black Law Enforcement Executives and Stockton Unified School District Interim Chief of Police.

### **2.2 ECONOMIC DEVELOPMENT UPDATE**

Economic Development Administrator Shelley Burcham provided a presentation related to economic development activity for the period of October 1, 2020 to December 31, 2020. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore and Community Development Director Mark Meissner provided additional information.

## 2.3 UTILITY BILLING ASSISTANCE PROGRAM REVIEW

Deputy Finance Director Thomas Hedegard provided a presentation regarding the City's current utility billing assistance program, which provides a 20% discount for fixed charges (monthly service fee, not actual consumption) of the water bill and a 10% discount for the entire portion of the sewer charges. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information regarding the matter.

## 2.4 REGIONAL CANNABIS UPDATE

City Attorney Salvador Navarrete provided the presentation, which included an overview of related approved State, County and local legislation and commercial cannabis projects. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore and Lathrop Police Chief Ryan Biedermann provided additional information. Council consensus directed the City Attorney to bring additional information on the matter for discussion at a future meeting.

## 2.5 MAYOR'S COMMITTEE REPORT(S)

- Parks & Recreation Update on Committee Events and Programs

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

- *Past Holiday Drive-in & Virtual Events*

Gave overview of past holiday events: Drive-in Tree Lighting; Drive-thru Donuts with Santa; Virtual Christmas Shoebox Parade; and Virtual Santa Stories.

- *Past Youth Development Programs*

Gave overview of the "Reading with Rec" story time program, provided every Thursday in December, for ages 3-6 years, at 11 am on Facebook Live, over 600 views.

- *Senior Programs*

Provided information on the Brown Bag & Commodities Program; essential bags for seniors providing over essential products including personal hygiene products, cleaning supplies and more, provided to over 250 Lathrop seniors; and the Christmas Dinner giveaway on December 19, 2020, over 300 meals provided.

- *Other Upcoming Special Events*

Announced upcoming events: Free tax preparation by AARP tax aid volunteers offered for 50 and over; Outdoor Fitness Program for Kinder - 6<sup>th</sup> Grade at Valverde Park, February 2-6, 2021; Jr. NBA Outdoor Clinic, ages 5-13, March 6 - April 17, 2021.

Director Jones urged the public to visit the city's website at [www.ci.lathrop.ca.us/parksrec](http://www.ci.lathrop.ca.us/parksrec) or call (209) 941-7370 for additional information or registration.

### 3. CITIZEN'S FORUM

City Clerk Teresa Vargas announced public comment letter submitted by Nellie Zavala reporting her attendance to the San Joaquin County Commission on Aging teleconference meeting held February 1, 2021.

### 4. CONSENT CALENDAR

On a motion by Councilmember Lazard, seconded by Mayor Dhaliwal, 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 adopted by reading of title only, unless otherwise requested by the Mayor or a Councilmember.

#### 4.2 APPROVAL OF MINUTES

Approved Minutes for the Regular Meeting of December 14, 2020 and Regular Meeting of January 11, 2021.

#### 4.3 DECLARE CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZE THEIR DISPOSAL

The City Council considered the following:

1. Adopted **Resolution 21-4830** declaring certain vehicles and equipment surplus property and authorized their disposal; and
2. Adopted **Resolution 21-4831** approving a donation policy for surplus city vehicles valued less than \$1,500.

#### 4.4 GRAND JURY REPORT RESPONSE

Pulled by Councilmember Akinjo. A question and answer period ensued. City Attorney Salvador Navarrete provided additional information.

The City Council accepted the Grand Jury Report, Case #0119 on homelessness and directed the City Attorney to submit a letter to the Presiding Judge of the San Joaquin County Superior Court responding to the finding and recommendations of the Grand Jury.

4.5 RECEIVE FINAL REPORT AND ADOPT THE CITY OF LATHROP PARKS AND RECREATION MASTER PLAN

Adopted **Resolution 21-4832** adopting the City of Lathrop Parks and Recreation Master Plan.

4.6 CREATE CIP PS 21-08 MANTHEY ROAD AND SADLER OAK DRIVE REHABILITATION AND APPROVE RELATED BUDGET AMENDMENT

Pulled by Councilmember Akinjo. A question and answer period ensued. Director of Public Works Michael King provided additional information.

Adopted **Resolution 21-4833** approving the creation of CIP PS 21-08 Manthey Road and Sadler Oak Drive rehabilitation and approved related budget amendment.

4.7 APPROVAL OF FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 141 LOTS IN TRACT 4063 VILLAGE "EE" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 21-4834** approving Final Map for Tract 4063 Village "EE" within the Lakeside West District, totaling 141 single-family lots, City of Lathrop CFD Annexation No. 17, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC.

4.8 APPROVAL OF FINAL MAP, COMMON USE AGREEMENT, OFFER OF DEDICATION, CFD ANNEXATION AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 34 LOTS IN TRACT 4068 VILLAGE "OO" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 21-4835** approving Final Map for Tract 4068 Village "OO" within the Lakeside West District, totaling 34 single-family lots, a Common Use Agreement with Island Reclamation District No. 2062, Offer of Dedication for Public Utility Easements, City of Lathrop CFD Annexation No. 18, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC.

## 5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE CENTRAL LATHROP SPECIFIC PLAN NEIGHBORHOOD PARK CAPITAL FACILITY FEE UPDATE STUDY AND THE FEES RECOMMENDED THEREIN

Public Works Director Michael King provided the presentation. A question and answer period ensued throughout the presentation. Mr. King announced a correction to the proposed fees listed on the agenda packet. The proposed fees were published as follows:

<b>Land Use</b>	<b>New Proposed CLSP Neighborhood Park Fee</b>
Single Family	\$4,656
Multi-Family	\$3,325

The corrected proposed fees were presented as follows:

<b>Land Use</b>	<b>New Proposed CLSP Neighborhood Park Fee</b>
Single Family	\$4,113
Multi-Family	\$2,938

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

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

1. Held a public hearing; and
2. Adopted Resolution 21-4836, as amended with corrected fees as listed above, approving the Central Lathrop Specific Plan Neighborhood Park Capital Facility Fee Update Study and the fees recommended therein.

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

**5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE AMENDMENT TO UPDATE VARIOUS SECTIONS OF THE LMC TO STREAMLINE PROCEDURES, MINOR CLARIFICATIONS, AND INCORPORATE UPDATED POLICIES TEXT AMENDMENT NO. TA-20-71 and TA-20-138.**

Community Development Director Mark Meissner provided the presentation. Mr. Meissner announced a correction to the proposed Ordinance listed on the agenda packet. The proposed Ordinance listed the Chapter codification for “New Chapter 8.26 (Sidewalk Vendors)” incorrectly and the corrected Chapter codification was introduced as “New Chapter 8.25 (Sidewalk Vendors)”.

Vice Mayor Torres-O’Callaghan expressed interest amending the proposed New Chapter 8.25 (Sidewalk Vendors), Section 8.25.060(B) (Violation Penalty) to incorporate an informational warning for persons/vendors operating/engaging in sidewalk vending without a valid City permit prior to the first monetary citation fee.

The question and answer period continued throughout the presentation.

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

On a motion by Vice Mayor Torres-O'Callaghan, seconded by Mayor Dhaliwal, the City Council considered the following:

1. Held a public hearing; and
2. Introduced and held first reading of an ordinance, as amended below, adopting various amendments to the Lathrop Municipal Code (LMC) to modernize, simplify, and streamline various sections of Title 17, The Zoning Code Title 8, Health and Safety, Title 10, Vehicles and Traffic, Title 12, Streets, Sidewalks and Public Places, and Title 15, Buildings and Construction. The amendments to the Municipal Code include the following:
  - Chapter 8.20 (Noise)
  - New Chapter ~~8.26~~ 8.25 (Sidewalk Vendors)
    - i. *Amend Section 8.25.060(B) (Violation Penalty) to incorporate a Notice of Violation for 1<sup>st</sup> violation prior to the first monetary citation fee.*
  - Chapter 8.27 (Vending from Pushcarts, Wagons & Motorized Food Wagons)
  - Chapter 10.25 (Vehicle Parking in Yards of Residential Areas)
  - Chapter 12.12 (Improvements and Dedications)
  - Chapter 15.56 (Floodplain Management)
  - Chapter 17.04 (General Provisions)
  - Chapter 17.16 (General Requirements and Exceptions)
  - Chapter 17.32 (R One-Family Residential District)
  - Chapter 17.36 (RM Multifamily Residential District)
  - Chapter 17.44 (C Commercial District)
  - Chapter 17.62 (Central Lathrop Zoning District)
  - Chapter 17.76 (Off-Street Parking and Loading)
  - Chapter 17.84 (Signs)
  - Chapter 17.92 (Landscaping and Screening Standards)
  - Chapter 17.104 (Architectural Design Review)
  - Chapter 17.116 (Nonconforming Uses and Structures)

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

## **6. COUNCIL COMMUNICATIONS**

- 6.1 MAYOR DHALI WAL REFERRAL – Appointment of One (1) Member to the Measure C Oversight Committee with Term Expiring June 30, 2021, Plus New Three (3) Year Term Expiring June 30, 2024 Due to Unscheduled Vacancy
  - Two (2) Applications Received

Mayor Dhaliwal made the following appointment:

<u>Measure C Oversight Committee</u>	<u>Term Expires</u>
Cesar Albano	June 30, 2024

On a motion by Vice Mayor Torres-O'Callaghan, seconded by Councilmember Diallo, the City Council approved the appointment made by Mayor Dhaliwal as noted above.

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

6.2 MAYOR DHALIWAL REFERRAL – Appointment of One (1) Member to the Parks and Recreation Commission with Term Expiring June 30, 2021, plus New Three (3) Year Term Expiring June 30, 2024 Due to Unscheduled Vacancy

- Two (2) Applications Received

Mayor Dhaliwal made the following appointment:

<u>Parks and Recreation Commission</u>	<u>Term Expires</u>
James Smith	June 30, 2024

On a motion by Vice Mayor Torres-O'Callaghan, seconded by Councilmember Lazard, the City Council approved the appointment made by Mayor Dhaliwal as noted above.

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

6.3 MAYOR DHALIWAL REFERRAL – Receive update on the 2x2 Committee with Banta Elementary School District and the City of Lathrop

City Clerk Teresa Vargas announced that the Banta Elementary School District would be presenting the proposed 2x2 Committee at their next Regular Board Meeting, scheduled for February 11, 2021. Mayor Dhaliwal announced appointments made at the January 11, 2021, Regular Meeting delegating Vice Mayor Torres-O'Callaghan and Councilmember Lazard as 2x2 Members to the Committee with Banta Elementary School District.

6.4 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Vice Mayor Torres-O'Callaghan reported her attendance to a recent Water Advisory Board Meeting; Councilmember Akinjo reported his attendance to



recent League of California Cities Environmental Quality Policy Committee and San Joaquin Area Flood Control Agency Meetings.

6.5 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo commented on looking forward to all the upcoming legislative work ahead in 2021, and thanked those in attendance. Councilmember Lazard commented on the temporary modification to the turning signal on Golden Valley Parkway and River Islands Parkway causing traffic to backup under the overpass. City Manager Stephen Salvatore mentioned that all lanes would be open soon, as the road improvements were near the striping phase. Councilmember Diallo thanked students Aretha Ollivant and Arnelle Ollivant, and Stockton Unified School District Interim Police Chief Richard Barries for attending the meeting and participating in Item 2.1. Vice Mayor Torres-O'Callaghan, expressed appreciation to the Deputy Officers involved in solving the Lathrop High School robbery case, and the Lathrop-Manteca Fire District for their work in keeping the community safe during the recent storm. Mayor Dhaliwal expressed condolences to Planning Commissioner Stephen Dresser for the recent loss of his mother and to the Dimas Family for the recent passing of Lathrop community member, volunteer and former Senior Advisory Commissioner Anna Dimas.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:31 p.m. in memory of Planning Commissioner Stephen Dresser's mother, Delores Rose Dresser, and Lathrop community member, volunteer and former Senior Advisory Commissioner Anna Dimas.

  
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Teresa Vargas, CMC, City Clerk