

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, MARCH 8, 2021
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

IMPORTANT NOTICE REGARDING THIS MEETING & COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which allowed Council Meetings to be conducted telephonically. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allowed the public to participate in any meeting of the City Council by electronic means. This meeting was conducted by utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20, dated March 17, 2020, regarding the COVID-19 pandemic.

PLEASE NOTE: There was a Closed Session, which commenced at 6:02 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 6:02 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)

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

1.2.2 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided by consensus in regards to Item 1.2; 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 Tesia Gampon, New Life Church, provided the invocation.
- 1.5 PLEDGE OF ALLEGIANCE – Pastor Gampon led the pledge of allegiance.
- 1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

City Manager Stephen Salvatore thanked the community for their patience during the Louise Avenue street improvements and construction activity. Mayor Dhaliwal recognized March 8 as International Women’s Day.

- 1.7 INFORMATIONAL ITEM(S) – None
- 1.8 DECLARATION OF CONFLICT(S) OF INTEREST – None

2. PRESENTATIONS

2.1 LATHROP-MANTECA FIRE DISTRICT TO PROVIDE INFORMATION & PROJECT UPDATES

Fire Chief Gene Neely provided the presentation, including an overview of the organization, current administration projects, expansions and upgrades to existing stations, new projected stations, Measure C funded projects and staffing, and an overview of their paramedic program.

2.2 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:

- *Special Events*

Provided information on upcoming special events: Facebook/Virtual Easter Egg Hunt to be held every Thursday in March; Donuts with the Easter Bunny to be held on March 27, 2021; and Family Portraits to be held on April 24, 2021.

- *Youth Development Programs*

Provided an overview on various programs: Take Home Easter Craft Kits, Kid’s Club Elementary School Programs, and The GRIND at the Generations Center Teen Lounge Programs.

- *Senior Programs*

Provided an overview on Brown Bag & Commodities Program; Free AARP Tax Aide Program for 50 and over, and Park and Play Bingo at the Senior Center.

- *Sports Programs*

Announced upcoming events: Fitness Fun for Grades K-6, Mini Movers for Ages 3-5, Teen Hoop Outdoor Clinic for Ages 14-17, and Adult Cornhole Social League for Ages 18 and over.

For additional information or program registration, the public was advised to visit the city's website at www.ci.lathrop.ca.us/parksrec or call (209) 941-7370.

3. CITIZEN'S FORUM

City Clerk Teresa Vargas announced public comment letters submitted by Nellie Zavala reporting her attendance to the San Joaquin County Commission on Aging teleconference meeting held March 1, 2021; and Frank and Christine Mendes expressing concern related to increased traffic on McKinley Avenue and requested a traffic/speed study for the area. Adriana Lopez (Lathrop, CA) expressed concern related to a traffic incident on February 22, 2021, on Lathrop Road near her property.

4. CONSENT CALENDAR

On a motion by Councilmember 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 APPROVAL OF MINUTES

Approved Minutes for the Regular Council Meeting of February 8, 2021.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 21-418 BY TITLE ONLY AMENDING OF TITLE 17, ZONING, TITLE 8, HEALTH AND SAFETY, TITLE 10, VEHICLES AND TRAFFIC, TITLE 12, STREETS, SIDEWALKS AND PUBLIC PLACES, AND TITLE 15, BUILDINGS AND CONSTRUCTION (TA-20-71 and TA-20-138) OF THE LATHROP MUNICIPAL CODE

Waived full reading and **adopted Ordinance 21-418** by title only amending 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 (TA-20-71 and TA-20-138) of the Lathrop Municipal Code.

4.4 TREASURER'S REPORT FOR DECEMBER 2020

Approved Quarterly Treasurer's Report for December 2020.

4.5 2021 ONE VOICE TRIP PROJECT NOMINATIONS

Adopted **Resolution No. 21-4837** approving staff recommended project nominations for the 2021 San Joaquin One Voice trip.

4.6 APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH LANCE, SOLL & LUNGHARD, LLP FOR PROFESSIONAL AUDITING SERVICES

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

Adopted **Resolution No. 21-4838** approving a Professional Services Agreement with Lance, Soll & Lunghard, LLP, for professional auditing services.

4.7 APPROVE AMENDMENT NO. 3 AND TASK ORDER NO. 20 WITH 4LEAF, INC., FOR INTERIM CHIEF BUILDING OFFICIAL CONSULTING SERVICES

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

Adopted **Resolution No. 21-4839** approving Amendment No. 3 to extend the term of the Master Agreement, and Task Order No. 20 to provide interim Chief Building Official Consulting Services, pursuant to the Master Consulting Agreement dated September 21, 2015, with 4Leaf, Inc.

4.8 APPROVE AMENDMENT NO. 2 WITH CONDOR EARTH TECHNOLOGIES, LLC. TO PROVIDE PROFESSIONAL ENGINEERING AND PROJECT MANAGEMENT SUPPORT

Adopted **Resolution No. 21-4840** approving Amendment No. 2 with Condor Earth Technologies, LLC, to provide professional engineering and project management support.

4.9 APPROVE THE CREATION OF CITY HALL RENOVATIONS CAPITAL IMPROVEMENT PROJECT GG 21-09 AND RELATED BUDGET AMENDMENT

Pulled by Councilmember Akinjo and Vice Mayor Torres-O'Callaghan. A question and answer period ensued.

Public Works Director Michael King and City Manager Stephen Salvatore provided the information. Vice Mayor Torres-O'Callaghan requested outdoor benches to create sitting areas for visitors.

Adopted **Resolution No. 21-4841** approving the creation of the City Hall Renovations Capital Improvement Project (CIP) GG 21-09, and related budget, as amended to include outdoor benches/public sitting areas.

- 4.10 RESCIND APPROVAL OF PARCEL MAP 20-02 (DATED MAY 2020) AND APPROVAL OF PARCEL MAP 20-02 (DATED MARCH 2021), DEDICATION OF PARCEL 5 IN FEE TO THE CITY, SUBDIVISION IMPROVEMENT AGREEMENT, AND OTHER OFFERS OF DEDICATION FOR THE NORTH CROSSROADS BUSINESS CENTER

Pulled by Councilmember Akinjo. A question and answer period ensued. City Engineer Glenn Gebhardt provided the information.

Adopted **Resolution No. 21-4842** rescinding City Council approval of Parcel Map 20-02 (dated May 2020), re-approving Parcel Map 20-02 (dated March 2021) for the North Crossroads Business Center, totaling five (5) lots, accepting dedication of Parcel 5 in fee to the City, and other offers of dedication and approving a Subdivision Improvement Agreement.

- 4.11 ACCEPT CIP PW 20-04 WATER METER IMPROVEMENTS CONSTRUCTED BY SORACCO, INC.

Adopted **Resolution No. 21-4843** accepting improvements constructed by Soracco, Inc., for the Water Meter Improvements, CIP PW 20-04, authorizing the filing of a Notice of Completion, and releasing contract retention and performance and payment bonds.

- 4.12 APPROVAL OF FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 95 LOTS IN TRACT 4067 VILLAGE "FF" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS

Adopted **Resolution No. 21-4844** approving Final Map for Tract 4067 Village "FF" within the Lakeside West District, totaling 95 single-family lots, City of Lathrop CFD Annexation No. 19, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC.

- 4.13 APPROVAL OF FINAL MAP, CFD ANNEXATION, IRREVOCABLE OFFERS OF DEDICATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 51 LOTS IN TRACT 4071 VILLAGE "NN" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS

City Clerk Teresa Vargas introduced correction on page 2 of the Resolution, the eight whereas was changed to "Stage 2B" from "Stage 2A"; the updated Resolution was uploaded to the agenda's website page and Councilmember's tablets for review.

Adopted **Resolution No. 21-4845** approving Final Map for Tract 4071 Village "NN" within the Lakeside West District, totaling 51 single-family lots, City of Lathrop CFD Annexation No. 20, Irrevocable Offers of Dedication and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC.

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP ACT (HOME) PROGRAM ALLOCATIONS FOR FISCAL YEAR 2021/2022

Economic Development Administrator Shelley Burcham provided the presentation. A question and answer period followed the presentation.

Mayor Dhaliwal opened the public hearing. Theresa Galano and Rob Mosqueda (representing the Women’s Center Youth and Family Services (WCYFS)) provided information related to the WCYFS program and requested Council consideration of the proposed funding allocation. City Clerk Teresa Vargas announced public comment letter submitted by Robert Munoz (representing San Joaquin Fair Housing) requesting Council consideration of the proposed funding allocation; and email comments provided by Carmen Matty-Cervantes (representing San Joaquin County Commission on Aging/Meals on Wheels Program) regarding meal services provided to the Lathrop community and request for continued funding of the Meals on Wheels program.

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

1. Held a Public Hearing; and
2. Adopted **Resolution No. 21-4846** approving the recommended allocation of the CDBG and HOME funds for FY 2021/2022, for consideration by San Joaquin County and the US Department of Housing and Urban Development (HUD):

<u>Public Service Organizations</u>	<u>Allocations</u>
San Joaquin Fair Housing	\$ 1,250.00
Emergency Food Bank of Stockton/San Joaquin	\$ 1,000.00
SJC Dept. of Aging (Meals on Wheel)	\$ 1,241.00
Give Every Child a Chance (GECAC)	\$ 5,451.80
City of Lathrop Activity Fee Assistance Program	\$ 5,000.00

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

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE LATHROP CONSOLIDATED TREATMENT FACILITY SURFACE WATER DISCHARGE PROJECT WW 20-17

Public Works Director Michael King introduced City Consultant Andrea Sheppard (Senior Environmental Project Manager, Ascent Environmental, Inc.). Mr. King provided the presentation. A question and answer period followed the presentation. City Attorney Salvador Navarrete 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 Vice Mayor Torres-O'Callaghan, the City Council:

1. Held a Public Hearing; and
2. Adopted **Resolution No. 21-4847** certifying the Final Environmental Impact Report (SCH# 2019110339), including the adoption of Findings of Fact and a Mitigation Monitoring and Reporting Program for the Lathrop Consolidated Treatment Facility Surface Water Discharge Project WW 20-17, and authorized staff to file a Notice of Determination.

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

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING THE FINAL INITIAL STUDY WITH MITIGATED NEGATIVE DECLARATION FOR THE HARLAN ROAD REALIGNMENT AT ROTH ROAD CIP PS 14-04 AND APPROVE THE HARLAN ROAD PRECISE PLAN LINE

Public Works Director Michael King introduced City Consultant Juann Ramos (Project Engineer, Dokken Engineering). Mr. King provided the presentation. A question and answer period followed the presentation. City Manager Stephen Salvatore and City Consultant Juann Ramos provided additional information.

Mayor Dhaliwal opened the public hearing. City Clerk Teresa Vargas announced public comment letter opposing/objecting the project as proposed, submitted by Brett S. Jolley (McKinley, Conger, Jolley & Galarneau, LLP), representing Robert "Matt" Julien and Rebecca Julien, property owners of real property located at 10980 S. Harlan Rd. Robert "Matt" Julien spoke on the matter; opposed/objected the project as proposed.

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

1. Held a Public Hearing;
2. Adopted **Resolution No. 21-4848** certifying and adopting the Final Initial Study with Mitigated Negative Declaration for the Harlan Road Realignment at Roth Road CIP PS 14-04 and authorized staff to File a Notice of Determination; and
3. Approved the Harlan Road Precise Plan Line.

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

5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING TITLE 2 "ADMINISTRATION AND PERSONNEL" OF THE LATHROP MUNICIPAL CODE BY ADDING A NEW CHAPTER TITLED "ELECTRONIC RECORDS AND SIGNATURES" TO ESTABLISH A POLICY FOR THE PROPER USE OF ELECTRONIC/DIGITAL SIGNATURES

City Clerk Teresa Vargas 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 Torres-O'Callaghan, the City Council:

1. Held a Public Hearing; and
2. Held first reading and introduced an ordinance amending Title 2 "Administration and Personnel" of the Lathrop Municipal Code by adding new Chapter 2.50 titled "Electronic Records and Signatures" to establish a policy for the proper use of electronic/digital signatures for specific city related documents.
3. Adopted **Resolution No. 21-4849** approving policy regulations for the use and interpretation of the proposed ordinance adding Chapter 2.50 titled "Electronic Records and Signatures".

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

5.5 BIENNIAL BUDGET FISCAL YEAR (FY) 2020 – 2021 MID-YEAR REPORT (YEAR 2)

Deputy Finance Director Thomas Hedegard provided the presentation. A question and answer period followed the presentation. Finance Director Cari James provided additional information.

On a motion by Mayor Dhaliwal, seconded by Councilmember Lazard, the City Council adopted **Resolution No. 21-4850** approving the Mid-Year Budget Report for Year 2 of the Biennial Budget Fiscal Year 2020/21 and related budget augmentation request.

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 Local Agency Formation Commission (LAFCo) for a Term of Four (4) Years, Commencing May 2021 and Ending May 2025.

Mayor Dhaliwal made the following appointment:

<u>Local Agency Formation Commission (LAFCo)</u>	<u>Term</u>
Mayor Sonny Dhaliwal	May 2021 to May 2025

On a motion by Councilmember Diallo, seconded by Vice Mayor Torres-O’Callaghan, 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

Mayor Dhaliwal announced that he would be stepping down from the San Joaquin Council of Government (SJCOG) Board of Directors in April, and requested a referral for the next Regular Meeting to appoint a new Delegate/Alternate to the SJCOG Board of Directors. Council consensus agreed and directed the City Clerk to agendize the matter to the Regular Meeting in April.

- 6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Akinjo reported his attendance to recent San Joaquin Area Flood Control Agency (SJAFCA) and Tri Valley-San Joaquin Valley Regional Rail Authority public meetings. City Manager Stephen Salvatore announced that Councilmembers Akinjo and Lazard were presented with recognition awards from SJAFCA for their work and support in getting Assembly Bill 838 (Eggman) signed into law, related to the 200 year standard of flood protection implementation timeline.

- 6.3 MAYOR & COUNCILMEMBER COMMENT(S)

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo expressed appreciation to the community and staff for their efforts in following COVID protocols and working towards reopening our local economy. Councilmember Lazard thanked those in attendance and expressed appreciation to staff for the recent improvements on Golden Valley Parkway. Councilmember Diallo expressed appreciation to staff for their work in providing a local vaccination clinic. Vice Mayor Torres-O'Callaghan thanked the public for continuing to follow COVID safety protocols. Mayor Dhaliwal echoed similar sentiments regarding public health protocols and thanked staff for their work in preserving the fiscal health of the city.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:42 p.m.


Teresa Vargas, CMC
City Clerk