

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, MAY 10, 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 is conducted 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 6:34 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)

- 1 Potential Case(s)

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

1.2.2 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided in regards to Item 1.2; no other reportable action taken.

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

Absent: None

- 1.4 INVOCATION – Mayor Dhaliwal led a moment of silence honoring public safety officials.
- 1.5 PLEDGE OF ALLEGIANCE – Councilmember Lazard 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 – City Attorney Salvador Navarrete announced conflict of interests for Mayor Dhaliwal on Item 4.17 Landscape and Lighting Maintenance District No. 93-1 (Woodfield Park) and Councilmember Akinjo on Item 4.18 Stonebridge Landscaping Maintenance District, due to their residences within the subject areas.

## **2. PRESENTATIONS**

### **2.1 PRESENTATION REGARDING THE LATHROP POLICE DEPARTMENT PROJECT UPDATE, CIP GG ~~20-11-21-11~~**

City Consultants Mike Oliver, Merle Switzer, Dan Drummond, and Marcie Scott (Municipal Resource Group, LLC) and Pam Derby (CPS HR Consulting), provided the presentation related to the transition of the new Lathrop Police Department. Consultants provided an update on various components of the project, such as human resources, communication outreach, researching best practices, project milestones and implementation project schedule. A question and answer period ensued throughout the presentation.

San Joaquin County Sheriff Pat Withrow (in person speaker) commented on the matter, expressed various concerns regarding the transition, commented on a meeting with the Mayor, expressed reservations with working with the City Manager and renewing agreements between the Sheriff's Office and the City, and overhead charges/costs currently in legal dispute (between the City and County subject to Government Code 51350). Councilmember Akinjo expressed various concerns and requested clarification on comments made by Sheriff Withrow related to employment of the City Manager. City Attorney Salvador Navarrete responded to the matter. A question and answer period ensued. Vice Mayor Torres-O'Callaghan requested information regarding restricting personal attacks during public meetings. City Attorney Salvador Navarrete responded to the matter. Councilmember Diallo requested further clarification on the redaction of invoices previously discussed. Ashely Bounds (WebEx speaker) requested additional information regarding dispatch and storage options, personnel backgrounds during the recruitment process and training. City Consultants Merle Switzer, Dan Drummond and Mike Oliver provided additional information. Jose Garcia Martin (Webex speaker) requested information regarding the law enforcement transition for the City of Oakley.

City Consultant Mike Oliver provided additional information (shortly thereafter communication was lost with Mr. Garcia Martin). At the request of Rosita Jennings (WebEx speaker), City Clerk Teresa Vargas read her questions into the record, related to the current office space lease between the City and Sheriff's Office, and payments for the new police station building. City Manager Stephen Salvatore provided additional information. Jack Varella (in person speaker) spoke in support of continuing the law enforcement agreement with the San Joaquin Sheriff's Office and expressed concern with recruitments for the new police department. City Consultants Merle Switzer and Mike Oliver provided additional information. Jose Garcia Martin (WebEx speaker (reconnected)) commented on various matters related with the successful recruitment of laterals / experienced officers, and background checks, and comments made by Sheriff Withrow. Christina Laughlin (in person speaker) commented on various matters related to dispatch options, startup costs for dispatch services, training for new recruits and laterals, and project timeline. Consultants Merle Switzer, Dan Drummond and City Manager Stephen Salvatore provided additional information.

## 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:

- *Earth Day Recycling Event*

Reported event held April 24, 2021 at Valverde Park; offered the collection, recycling and or proper disposal of mattresses, batteries, confidential shredding, paint and E-Waste.

- *Upcoming Special Events*

Provided an overview on various upcoming events: Memorial Day Drive-in Event, and Summer Movies in the Park.

- *Senior Programs*

Provided an overview on Brown Bag & Commodities Program and the upcoming Senior Center Open House.

- *Classes and Activities*

Announced various upcoming classes: Basic Dog Obedience, Advanced Dog Obedience, Adult Paint Night, Youth Karate (ages 4-14), Dance Classes (ages 1-14), Kids Camp, Father's Day workshop, Junior Giants, Junior NBA, and Mini Movers T-Ball.

- *Maintenance Services*

Provided information regarding the Stonebridge Stormwater Basin Tree Removal.

### **3. CITIZEN'S FORUM**

*Council consensus directed staff to move Item 3 before Item 2.2.*

Linda Rose (in person speaker) expressed various concerns regarding traffic issues/speeding on 5th Street, requested increased patrol surveillance in the area and traffic calming measures to address the issues. Bennie Gatto (in person speaker) expressed concern with comments made by Sheriff Withrow (under Item 2.1) and echoed comments made by Mrs. Rose regarding speeding and traffic safety on 5<sup>th</sup> Street. 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 May 3, 2021.

### **4. CONSENT CALENDAR**

On a motion by Mayor Dhaliwal, seconded by Councilmember Lazard, the City Council approved the Consent Calendar, except \*Items 4.17 and 4.18, by the following roll call vote, unless otherwise indicated:

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

*\* Items 4.17 and 4.18 were voted on separately from the Consent Calendar, due to conflict of interested noted under Item 1.8*

#### **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 Special Council Meeting of March 22, 2021 and Regular Council Meeting of April 12, 2021.

#### **4.3 TREASURER'S REPORT FOR MARCH 2021**

Pulled by Councilmember Diallo. A question and answer period ensued. City Attorney Salvador Navarrete and Deputy Finance Director Thomas Hedegard provided additional information.

Approved the Quarterly Treasurer's Report for March 2021.

#### **4.4 HOMELESSNESS RESPONSE PLAN**

Pulled by Councilmember Diallo and Vice Mayor Torres-O'Callaghan. A question and answer period ensued. City Attorney Salvador Navarrete provided additional information.

Adopted **Resolution 21-4863** approving the Homelessness Guiding Principles to address homelessness within the community.

4.5 RATIFY SAN JOAQUIN COUNCIL OF GOVERNMENTS' ANNUAL FINANCIAL PLAN

Adopted **Resolution 21-4864** ratifying the San Joaquin Council of Governments (SJCOG) Annual Financial Plan for FY 2021-22.

4.6 RATIFY MASTER CONSULTING AGREEMENT, TASK ORDER NO. 1, AND APPROVE TASK ORDER NO. 2, WITH CPS HR CONSULTING FOR THE RECRUITMENT AND SELECTION OF PERSONNEL ASSIGNED TO THE NEW LATHROP POLICE DEPARTMENT, GG 21-11

Pulled by Councilmember Diallo. A question and answer period ensued. Christina Laughlin (in person speaker) commented on the matter and requested additional information related to body cameras and law enforcement policies and procedures, appointment process of the Police Chief, and communication between the City and Sheriff's Office. City Consultants Mike Oliver, Merle Switzer, Dan Drummond, and Marcie Scott (Municipal Resource Group, LLC) and City Manager Stephen Salvatore provided additional information.

*Immediately following the discussion on Item 4.6, City Clerk Teresa Vargas announced that the Council Chamber conference call into WebEx had dropped at approximately 10:45 p.m., and audio was lost for all WebEx listeners (streaming and Channel 97 feed remain intact) Mayor Dhaliwal recessed the meeting at 10:52 p.m., to allow staff to reinstate the WebEx conference call line and replace the CD in the recording equipment. Mayor Dhaliwal reconvened the meeting at 11:05 p.m. The City Council continued their discussions of the Consent Calendar.*

Adopted **Resolution 21-4865** ratifying a Master Consultant Agreement and Task Order No. 1, and approving Task Order No. 2 between the City of Lathrop and CPS HR Consulting, for the recruitment and selection of personnel assigned to the new Lathrop Police Department, GG 21-11.

4.7 CREATE POLICE CHIEF POSITION

Pulled by Councilmember Diallo. A question and answer period ensued. City Consultants Mike Oliver, Merle Switzer, and Marcie Scott (Municipal Resource Group, LLC) provided additional information.

Adopted **Resolution 21-4866** approving the creation of a Police Chief position, job description, amending the grade step table and position control roster.

4.8 PARTIAL ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR TRACT 4017, PHASE 1B1, IN THE CENTRAL LATHROP SPECIFIC PLAN

Pulled by Vice Mayor Torres-O'Callaghan and Councilmember Akinjo. A question and answer period ensued. City Engineer Glenn Gebhardt provided additional information.

Adopted **Resolution 21-4867** partially accepting public improvements for Tract 4017, Phase 1B1, in the Central Lathrop Specific Plan.

4.9 ACCEPTANCE OF PUBLIC IMPROVEMENTS CONSTRUCTED BY MCGUIRE AND HESTER FOR CIP PS 06-06 RIVER ISLANDS PARKWAY WIDENING (PHASE I)

Adopted **Resolution 21-4868** accepting public improvements constructed by McGuire and Hester for CIP PS 06-06 River Islands Parkway Widening (Phase I), authorized the filing of a Notice of Completion, release of Contract Retention, and release of Performance and Payment Bonds.

4.10 ACCEPTANCE OF PUBLIC IMPROVEMENTS, RIGHT-OF-WAY EASEMENT, AND PUBLIC UTILITY EASEMENT FOR THE TRU BY HILTON DEVELOPMENT AND AUTHORIZE THE RELEASE OF BONDS ASSOCIATED WITH EP NO. 2019-34

Adopted **Resolution 21-4869** accepting public improvements, Right-of-Way Easement, and Public Utility Easement for the Tru by Hilton Development located at 161 E. Louise Avenue and authorized the release of Bonds associated with Encroachment Permit No. 2019-34.

4.11 APPROVE JOINT COMMUNITY FACILITIES AGREEMENT WITH RIVER ISLANDS PUBLIC FINANCING AUTHORITY

Adopted **Resolution 21-4870** approving a Joint Community Facilities Agreement with River Islands Public Financing Authority for Community Facilities District No. 2020-1 (Stage 2B Public Improvements) and No. 2021-1 (Public Improvements).

4.12 APPROVE TASK ORDER NO. 21 WITH 4LEAF, INC., FOR BUILDING INSPECTION SERVICES

Adopted **Resolution 21-4871** approving Task Order No. 21 with 4LEAF, Inc., to provide building inspection services pursuant to Master Professional Services Consulting Agreement dated September 21, 2015 with 4LEAF, Inc.

4.13 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH EKI ENVIRONMENT & WATER, INC., FOR WASTE DISCHARGE REQUIREMENTS PERMIT COMPLIANCE

Adopted **Resolution 21-4872** approving an Agreement with EKI Environment & Water, Inc., for Groundwater Monitoring and Reporting Service for Waste Discharge Requirements Permit Compliance for the Lathrop Consolidated Treatment Facility for FY 2021-2022.

4.14 APPROVE THE 2021 REQUEST FOR FEE WAIVER

Adopted **Resolution 21-4873** approving the facility fee waiver request from Lathrop Little League.

4.15 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 43 LOTS IN TRACT 4030 VILLAGE "S2" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 21-4874** approving Final Map for Tract 4030 Village "S2" within the Lakeside East District of River Islands, totaling 43 Single Family Detached Units (43 Lots) and a Subdivision Improvement Agreement with River Islands Stage 2A, LLC.

4.16 APPROVE THE PRELIMINARY ENGINEER'S REPORT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2021/22 FOR INDUSTRIAL LIGHTING MAINTENANCE DISTRICT; RESIDENTIAL LIGHTING MAINTENANCE DISTRICT; MOSSDALE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT; STORM DRAIN DISTRICT ZONE 1; AND STORM DRAIN DISTRICT ZONE 1A

Council to considered the following:

1. Adopted **Resolution 21-4875** approving the Preliminary Engineer's Report for the Industrial Lighting Maintenance District and declaring intention to levy annual assessments for Fiscal Year 2021/22;
2. Adopted **Resolution 21-4876** approving the Preliminary Engineer's Report for the Residential Lighting Maintenance District and declaring intention to levy annual assessments for Fiscal Year 2021/22;
3. Adopted **Resolution 21-4877** approving the Preliminary Engineer's Report for the Mossdale Landscape and Lighting Maintenance District and declaring intention to levy annual assessments for Fiscal Year 2021/22; and
4. Adopted **Resolution 21-4878** approving the Preliminary Engineer's Report for the Storm Drain Districts Zones 1 and 1A and declaring intention to levy annual assessments for Fiscal Year 2021/22.

*Mayor Dhaliwal recused himself, following the vote of the Consent Calendar (Items 4.1 to 4.16), and left the chamber at 11:19 p.m., prior to the vote of Item 4.17, due to conflict of interest noted under Item 1.8. Vice Mayor Torres-O'Callaghan presided over the meeting during Item 4.17.*

4.17 \*APPROVE THE PRELIMINARY ENGINEER’S REPORT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2021/22 FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 93-1 (WOODFIELD PARK)

On a motion by Councilmember Lazard, seconded by Councilmember Akinjo, the City Council adopted **Resolution 21-4879** approving the Preliminary Engineer’s Report for Landscape and Lighting Maintenance District No. 93-1 (Woodfield Park) and declaring intention to levy annual assessments for Fiscal Year 2021/22, by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Diallo, Lazard, and Torres-O’Callaghan  
Noes: None  
Absent: None  
Abstain: Dhaliwal (noted under Item 1.8)

*Mayor Dhaliwal returned to the chamber/dais after the vote of Item 4.17, at 11:21 p.m.*

*Councilmember Akinjo recused himself, following the vote of the Item 4.17, and left the chamber at 11:21 p.m., prior to the vote of Item 4.18, due to conflict of interest noted under Item 1.8.*

4.18 \*APPROVE THE PRELIMINARY ENGINEER’S REPORT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2021/22 FOR STONEBRIDGE LANDSCAPING MAINTENANCE DISTRICT AND STONEBRIDGE DRAINAGE AND LIGHTING DISTRICT

On a motion by Councilmember Lazard, seconded by Vice Mayor Torres-O’Callaghan, the City Council adopted **Resolution 21-4880** approving a Resolution Approving the Preliminary Engineer’s Report for the Stonebridge Landscaping Maintenance District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2021/22; and adopted **Resolution 21-4881** approving the Preliminary Engineer’s Report for the Stonebridge Drainage & Lighting District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2021/22, by the following roll call vote, unless otherwise indicated:

Ayes: Diallo, Lazard, Torres-O’Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: Akinjo (noted under Item 1.8)

*Councilmember Akinjo to the chamber/dais after the vote of Item 4.18, at 11:23 p.m.*

4.19 CITY OF LATHROP COMMUNITY FACILITIES DISTRICT 2021-1 (GATEWAY BUSINESS PARK CITY SERVICES) INTENT TO LEVY AND FUTURE ANNEXATION AREA



Adopted **Resolution 21-4882** declaring intention to establish Community Facilities District 2021-1 (Gateway Business Park City Services), establish future annexation area and setting a Public Hearing Date for June 14, 2021.

**5. SCHEDULED ITEMS**

**5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING THE SPEED LIMITS IN THE CITY OF LATHROP, TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS, SECTION 10.08.030 SPEED LIMITS OF THE LATHROP MUNICIPAL CODE**

Public Works Director Michael King provided the presentation. A question and answer period ensued throughout the presentation. City Traffic Consultant Fred Choa (Fehr and Peers) provided additional information.

Council consensus directed staff to change the proposed speed limit on Lathrop Road, from Golden Valley Parkway to Interstate 5, from the proposed 35 mph to 25 mph; all segments that go through Spartan Way to 25 mph; River Islands Parkway, from McKee Boulevard to San Joaquin River Bridge, from the proposed 45 mph to 35 mph; and Lathrop Road, from 5<sup>th</sup> Street to McKinley Avenue, to remain at the current limit of 40 mph.

Mayor Dhaliwal opened the public hearing. Adriana Lopez (in person speaker) thanked the Council for the changes made to the proposed speed limits, and expressed concern over signage placed on 5<sup>th</sup> Street for 45 mph. Michelle Anderson (in person speaker) expressed concern with safety for students walking to school; and expressed concern with lack of enforcement ability in Council recommended 25 mph areas (common pedestrian routes for students) were the traffic survey recommended higher/different speed limits. Mayor Dhaliwal closed the public hearing.

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

1. Held a Public Hearing; and
2. Introduced and held first reading of an ordinance of the City Council of the City of Lathrop amending Section 10.08.030 "Speed Limits" of the Lathrop Municipal Code, as amended to change the proposed speed limit on Lathrop Road, from Golden Valley Parkway to Interstate 5, from the proposed 35 mph to 25 mph; all segments that go through Spartan Way to 25 mph; River Islands Parkway, from McKee Boulevard to San Joaquin River Bridge, from the proposed 45 mph to 35 mph; and Lathrop Road, from 5<sup>th</sup> Street to McKinley Avenue, to remain at the current limit of 40 mph.

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

5.2 DISCUSS CIP GG 21-15 LOUISE AVENUE AND LATHROP ROAD LANDSCAPE IMPROVEMENTS AND APPROVE RELATED BUDGET AMENDMENT

Public Works Director Michael King provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information. Adriana Lopez (in person speaker) expressed concern with existing landscaping on Lathrop Road.

On a motion by Councilmember Lazard, seconded by Mayor Dhaliwal, the City Council discussed and adopted **Resolution 21-4883** approving the creation of Capital Improvement Project (CIP) GG 21-15 Louise Avenue Landscape Improvements and approved related budget amendment.

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

*Immediately following the discussion on Item 5.2, City Clerk Teresa Vargas announced that the Council Chamber conference call into WebEx had dropped, and audio was lost for all WebEx listeners. Mayor Dhaliwal paused the meeting to allow Information Technology to rejoin the call. After attempting to reconnect, staff was unable to connect to WebEx. Streaming of the meeting and the Channel 97 live feed remain intact. Due to the technical difficulties, Council consensus provided that Item 6 (Council Communications), be deferred to the next regular meeting.*

**6. COUNCIL COMMUNICATIONS**

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

- Central Valley Executive Committee/LOCC (Akinjo/Diallo)
- Council of Governments (Lazard/Diallo)
- Integrated Waste Management Solid Waste Division (Akinjo/Torres-O'Callaghan)
- Reclamation District 17 Joint Powers Authority (Salvatore)
- San Joaquin Partnership Board of Directors (Salvatore)
- San Joaquin County Commission on Aging (Zavala)
- San Joaquin Valley Air Pollution Control District (Akinjo/Dhaliwal)
- Water Advisory Board (Torres-O'Callaghan/Lazard)
- Tri Valley-San Joaquin Valley Regional Rail Authority (Akinjo)
- San Joaquin Area Flood Control Agency (Akinjo & Lazard)
- LAFCo (Dhaliwal)

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

**7. ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 12:20 a.m.

  
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Teresa Vargas, CMC, City Clerk