

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, JULY 12, 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 no Closed Session. The Regular Meeting commenced at 7:02 p.m.

1. PRELIMINARY

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

Absent: Lazard
- 1.3 INVOCATION – Senior Pastor Don Britton, Grace Community Church, provided the invocation.
- 1.4 PLEDGE OF ALLEGIANCE – Senior Pastor Britton led the pledge to 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 LATHROP POLICE DEPARTMENT PROJECT UPDATE, GG 21-11

City Consultant Dan Drummond (Municipal Resource Consulting Group) provided a verbal progress report on the Lathrop Police Department transition project, which included an overview of the Police Chief recruitment process, overview of the selection process, community survey results, and an update on dispatch communication options. A question and answer period followed. City Consultant Marcie Scott (Municipal Resource Consulting Group) provided additional information regarding the recruitment.

2.2 ECONOMIC DEVELOPMENT UPDATE

Economic Development Administrator Shelley Burcham provided a presentation related to economic development activity for the period of April 1, 2021 to June 30, 2021.

2.3 INFORMATION ON OPTIONS FOR CANNABIS REGULATION AND TAXATION

City Attorney Salvador Navarrete provided the presentation, which included a recap on the cannabis updated previously presented on February 8, 2021, information on various surrounding cities regarding their regulation of the sale of commercialized cannabis, and information on the various State license types and descriptions. A question and answer period ensued throughout the presentation. A consensus of the majority of Council directed staff to agendize the matter to a Special Meeting scheduled for August 2, 2021, for further discussion the matter, including development of potential regulations to allow for the sale of commercialized cannabis, and the application and selection process.

2.4 MAYOR'S COMMITTEE REPORT(S)

- Parks & Recreation Update on Committee Events and Programs

Parks, Recreation and Maintenance Services Deputy Director Todd Sebastian reported the following past and upcoming events and programs:

- *Past Special Events*

Reported on past special events: Memorial Day Drive-in Event and Summer Movies in the Park.

- *Upcoming Special Events*

Provided an overview on various upcoming events: Family Fun Night, scheduled for August 6th, 6:00 p.m. to 8:30 p.m. at Mossdale Community Park; and Backyard Camp Out, scheduled for August 14th, registration available at: www.ci.lathrop.ca.us/parksrec

- *Special Announcements*

The City's Parks, Streets and Building Maintenance Services Division, formerly in Public Works, is now part of the Parks and Recreation Department. The newly combined divisions now form the Parks, Recreation & Maintenance Services Department.

- *Senior Programs*

Provided an overview on the reopening of the Senior Center and the Senior Center Open House event, event held on June 22, which included over 300 participants.

- *Leisure Classes*

Provided an overview on upcoming classes, which included Youth Karate, Tennis Camp, Paint Night, Puppy Training, Yoga Fitness, Zumba Fitness, and Skyhawk's Sports Camp.

- *Youth Development*

Provided an overview on upcoming youth workshops, which included Camp Lathrop, Out-of-a-Box Summer Fun, and Summer @ the Grind.

- *Sports Programs*

Provided an overview on upcoming sports programs, which included Jr. NBA, Junior Giants, NFL Flag, Adult Volleyball, and Mini Movers T-ball.

- *Maintenance Services*

Provided an overview on Maintenance Services activities, which included enhanced fleet maintenance services, and the completion of crack sealing in the Woodfield and Stonebridge neighborhoods.

- *Solid Waste & Recycling*

Provided an overview on Solid Waste & Recycling activities, which included the updated recycle bins with yellow lids were replaced at each city facility to differentiate solid waste from recycling, a product purchasing list was created for all departments that contains 30% or more post-consumer recyclable materials, created a training video for city staff to encourage recycling.

3. CITIZEN'S FORUM

Adriana Flores Lopez (in person speaker) expressed various concerns, including the San Joaquin Council of Governments involvement in regional transportation projects, commercial truck routes involving major arterial roads such as Lathrop Road, City of Manteca's CenterPoint Project, and CHP assistance for illegal truck routes compliance in residential areas. James Cadell (in person speaker) expressed various concerns, including the Roth Road realignment near his property, prior meetings with city staff regarding improvements on his property, code cases and recorded liens on his property.

Mayor Dhaliwal directed the City Engineer and Community Development to meet with Mr. Cadell regarding improvements to his property and permit application. Irene Torres (in person speaker) expressed concerns related to commercial truck traffic near her property on Lathrop Road. Margaret Louvano (in person speaker) expressed concerns related to recent improvements on Lathrop Road near her property. Mayor Dhaliwal directed Public Works to meet with Ms. Torres and Ms. Louvano regarding their concerns. Mary Meninga (in person speaker) expressed concerns related to commercial truck traffic on Lathrop Road

4. CONSENT CALENDAR

On a motion by Vice Mayor Torres-O'Callaghan, seconded by Mayor Dhaliwal, the City Council approved the Consent Calendar, including amendments to Item 4.9, by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Diallo, Torres-O'Callaghan, and Dhaliwal
Noes: None
Absent: Lazard
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 Special Council Meetings of June 2, 2021 and June 3, 2021

4.3 SECOND READING AND ADOPTION OF ORDINANCE 21-421 BY TITLE ONLY AMENDING THE 2003 WEST LATHROP SPECIFIC PLAN FOR THE RIVER ISLANDS MODIFIED PHASE 2 PROJECT (SPA-20-34)

Waived full reading and adopted **Ordinance 21-421** by title only amending the 2003 West Lathrop Specific Plan for the River Islands Modified Phase 2 Project (SPA-20-34).

4.4 SECOND READING AND ADOPTION OF ORDINANCE 21-422 BY TITLE ONLY AMENDING THE ZONING MAP AND ZONING CODE TEXT FOR THE RIVER ISLANDS MODIFIED PHASE 2 PROJECT (REZ-20-35)

Waived full reading and adopted **Ordinance 21-422** by title only amending the Zoning Map and Zoning Code Text for the River Islands Modified Phase 2 Project (Rez-20-35).

- 4.5 SECOND READING AND ADOPTION OF ORDINANCE 21-423 BY TITLE ONLY FINDING CONSISTENCY WITH THE LATHROP GENERAL PLAN AND 2020 WEST LATHROP SPECIFIC PLAN AND APPROVAL OF THE SIXTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LATHROP, CALIFIA, LLC., AND RIVER ISLANDS DEVELOPMENT, LLC. (DA-20-39)

Waived full reading and adopted **Ordinance 21-423** by title only finding consistency with the Lathrop General Plan And 2020 West Lathrop Specific Plan and approval of the Sixth Amendment to the Development Agreement between the City Of Lathrop, Califia, LLC., and River Islands Development, LLC (DA-20-39).

- 4.6 SECOND READING AND ADOPTION OF ORDINANCE 21-424 BY TITLE ONLY AMENDING LATHROP MUNICIPAL CODE TITLE 13, CHAPTER 13.08 WATER CONSERVATION AND RATIONING IN ACCORDANCE WITH THE CITY OF LATHROP URBAN WATER MANAGEMENT PLAN 2020 AND WATER SHORTAGE CONTINGENCY PLAN

Waived full reading and adopted **Ordinance 21-424** by title only amending Lathrop Municipal Code Title 13, Chapter 13.08 Water Conservation and Rationing in accordance with the City of Lathrop Urban Water Management Plan 2020 and Water Shortage Contingency Plan.

- 4.7 SECOND READING AND ADOPTION OF ORDINANCE 21-425 OF THE CITY OF LATHROP LEVYING SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2021-1 (GATEWAY BUSINESS PARK CITY SERVICES)

Waived full reading and adopted **Ordinance 21-425** by title only levying special tax within Community Facilities District No. 2021-1 (Gateway Business Park City Services) of the City of Lathrop.

- 4.8 CALPERS 457 PLAN ADOPTION

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

Adopted **Resolution 21-4920** approving the adoption of California Public Employee's Retirement System Deferred Compensation Plan (CalPERS 457 Plan).

- 4.9 ADOPT LATHROP POLICE DEPARTMENT POSITIONS

Pulled by Vice Mayor Torres-O'Callaghan and Councilmember Diallo. A question and answer period ensued. City Consultants Merle Switzer and Marcie Scott (Municipal Resource Group, LLC), and City Attorney Salvador Navarrete provided additional information.

Adopted **Resolution 21-4921** approving the creation of Police Department positions, job descriptions, sworn compensation plan, amended grade step table, and position control roster, as amended to reflect updated language on the Police Chief job description related to the additional requirements section, to state incumbents should be currently employed as sworn peace officers or retired sworn peace officers, in good standing, at the time employment offer is made.

4.10 ADOPTION OF 2021 ADEQUATE PROGRESS FINDING TOWARD PROVISION OF 200-YEAR URBAN LEVEL OF FLOOD PROTECTION FOR ISLAND RECLAMATION DISTRICT 2062 (RIVER ISLANDS PHASES 1 AND 2)

Adopted **Resolution 21-4922** adopting the 2021 Adequate Progress Findings toward providing a 200-Year Urban Level of Flood Protection in Phases 1 and 2 Levees of Island Reclamation District 2062 by the Year 2025, acting as the Land Use Agency.

4.11 VALIDATION OF THE JUNE 20, 2016 FINDING OF ADEQUATE PROGRESS IN THE MOSSDALE TRACT AREA

Adopted **Resolution 21-4923** validating the June 20, 2016, Urban Level of Flood Protection Finding of Adequate Progress in the Mossdale Tract Area (Formally referred as Reclamation District 17 Basin), acting as the Land Use Agency.

4.12 AWARD CONSTRUCTION CONTRACT FOR CIP PS 06-06 RIVER ISLANDS PARKWAY WIDENING – PHASE 2 AND APPROVE RELATED BUDGET AMENDMENT

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

Adopted **Resolution 21-4924** awarding a Construction Contract to DSS Company dba Knife River Construction for CIP PS 06-06 River Islands Parkway Widening Project Phase 2, and approving related budget amendment.

4.13 APPROVAL OF TASK ORDERS NO. 22 AND NO. 23 WITH 4LEAF, INC. FOR PLAN CHECK AND STAFF AUGMENTATION SERVICES IN THE BUILDING DIVISION

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

Adopted **Resolution 21-4925** approving Task Orders No. 22 and No. 23 with 4LEAF, Inc., to provide Plan Check and Staff Augmentation Services in the Building Division Pursuant to Master Professional Services Consulting Agreement dated September 21, 2015 with 4LEAF, Inc.

4.14 APPROVAL OF TASK ORDER NO. 8 WITH INTERWEST CONSULTING GROUP, INC. FOR PLAN CHECK SERVICES IN THE BUILDING DIVISION

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

Adopted **Resolution 21-4926** approving Task Order No. No. 8 to provide plan check services in the Building Division pursuant to Master Consulting Agreement dated July 18, 2016 with Interwest Consulting Group, Inc.

4.15 APPROVAL OF NON-DISTURBANCE AND CONSENT AGREEMENT AND THIRD AMENDMENT TO THE SPRAYFIELD LEASE AGREEMENT DATED JULY 12, 2021, BETWEEN THE CITY OF LATHROP AND CALIFIA, LLC

Adopted **Resolution 21-4927** approving a Non-Disturbance and Consent Agreement and Third Amendment to the Sprayfield Lease Agreement dated July 12, 2021, between the City of Lathrop and Califia, LLC with option to purchase sprayfields.

4.16 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 80 LOTS IN TRACT 4056 VILLAGE "DD2" WITHIN LAKESIDE EAST WEST DISTRICT OF RIVER ISLANDS

City Clerk Teresa Vargas announced corrected to title, citing the location was Lakeside West District of River Islands.

Adopted **Resolution 21-4928** approving Final Map for Tract 4056 Village "DD2" within the Lakeside East West District, totaling 80 single-family lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC.

5. SCHEDULED ITEMS

5.1 AUTHORIZE NOTICE OF INTENT TO ADOPT THE GROUNDWATER SUSTAINABILITY PLAN FOR THE TRACY SUBBASIN

Public Works Director Michael King provided the presentation, which included an overview of the Sustainable Groundwater Management Act requirements, overview of reliable groundwater supplies, city's current standing the Act compliance plan process and related timeline. A question and answer period followed. City Manager Stephen Salvatore provided additional information on the matter.

On a motion by Vice Mayor Torres-O'Callaghan, seconded by Councilmember Diallo, the City Council adopted **Resolution 21-4929** authorizing a Notice of Intent to Adopt the Groundwater Sustainability Plan for the Tracy Subbasin, by the following roll call vote, unless otherwise indicated:

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

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL – Appoint One (1) Member to the San Joaquin County Mosquito & Vector Control District Board of Trustees, with Term Ending December 31, 2024, due to Unexpired Term Vacancy
- One (1) Application Received

Mayor Dhaliwal made the following appointment:

<u>SJC Mosquito & Vector Control District</u>	<u>Term Expires</u>
Marianne Hope G. Datoc	December 31, 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, Torres-O’Callaghan, and Dhaliwal
Noes: None
Absent: Lazard
Abstain: None

- 6.2 MAYOR DHALIWAL REFERRAL – Appoint Eleven of Thirteen (11 of 13) Members to the Youth Advisory Commission, with Term Ending May 31, 2022
- Eleven (11) Applications Received

<u>Youth Advisory Commission</u>	<u>Term Expires</u>
Amanpreet Atwal	May 31, 2022
Sarah Winkleblech	May 31, 2022
Justice Castaneda	May 31, 2022
Aidan Flores	May 31, 2022
John Wall Jr.	May 31, 2022
Emily Banh	May 31, 2022
Kimberly Auman	May 31, 2022
T’Ar Belvine	May 31, 2022
Jayden Wall	May 31, 2022
Pranav Vemparala	May 31, 2022
Juan Manuel Serrano	May 31, 2022

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

Mayor Dhaliwal requested a referral on the next Regular Meeting agenda to discuss extending the Senior Advisory Commission terms expiring June 30, 2021, for year due to the COVID-19 pandemic. Council consensus agreed on the referral.

6.3 COUNCILMEMBER DIALLO REFERRAL – Social Media Policy

Councilmember Diallo provided an overview, requested that the City's Facebook account be used to promote attendance to City Council meetings and related information, and requested the creation of an Instagram account. A question and answer period ensued. City Clerk Teresa Vargas, City Attorney Salvador Navarrete, and City Manager Stephen Salvatore provided additional information. A discussion was had regarding the City's Social Media Policy, public records requests related to social media postings and government doctrine platforms, such as Nextdoor.

6.4 COUNCILMEMBER DIALLO REFERRAL – Shopping Cart Retrieval Program

Councilmember Diallo provided an overview, requested a shopping cart retrieval program and consideration of an ordinance regulating shopping cart wheel locks and cart retrieval requirements for existing and new retail stores that have anywhere from six (6) or more shopping carts available for customers carts. City Manager Stephen Salvatore and City Attorney Salvador Navarrete provided additional information. A question and answer period ensued. Council directed staff to work with retailers on an agreed shopping cart retrieval program and posting of CA Business and Professions Code 22435, et seq., regulating Shopping Cart Theft on entry/exits points of the business establishment.

6.5 VICE MAYOR TORRES-O'CALLAGHAN REFERRAL - Surveillance Camera(s) Installation at City Parks

Vice Mayor Torres-O'Callaghan provided an overview citing public safety measures and vandalism prevention. Council consensus directed staff to agendize the matter to a future City Council meeting.

6.6 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

City Manager Stephen Salvatore and Councilmember Akinjo reported on the \$20M award to the Valley Link Sustainable Blueprint Project from the Community Project Funds.

6.7 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo commented on the importance of regional stakeholder participation on regional projects. Councilmember Diallo expressed her condolences to a local family for their loss. Vice Mayor Torres-O'Callaghan expressed similar sentiments. Mayor Dhaliwal commented on the upcoming National Night Out event.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 11:00 p.m.



Teresa Vargas, CMC
City Clerk