

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, OCTOBER 11, 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 6:01 p.m. The Regular Meeting reconvened at 7:12 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:01 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 REAL PROPERTY NEGOTIATORS: Pursuant to Government Code Section 54956.8
Property: 16490 McKinley Avenue (APN: 198-100-09)
Agency Negotiator: Stephen J. Salvatore, City Manager
Negotiating Parties: 1694 McLouise, LLC
Under Negotiation: Price and Terms of Negotiations
City Project: CIP PS 15-02

1.2.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to Government Code Section 54956.8
Property: 1909 E. Louise Avenue (APN: 198-100-10)
Agency Negotiator: Stephen J. Salvatore, City Manager
Negotiating Parties: 342 Sycanda, LLC
Under Negotiation: Price and Terms of Negotiations
City Project: CIP PS 15-02

1.2.4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to Government Code Section 54956.8
Properties: 18800 Christopher Way (APN 198-130-35), 18800 Christopher Way (APN 198-130-36) and No address, Christopher Way (APN 198-130-59)
Agency Negotiator: Stephen J. Salvatore, City Manager
Negotiating Parties: PG&E
Under Negotiation: Price and Terms of Negotiations

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:12 p.m.

1.2.5 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided to staff in regards to all matters under 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 Juan Carlos Garcia, Called with a Purpose Church, provided the invocation in Spanish, with translation in English.

Pastor Garcia introduced himself and announced that Spanish-speaking religious services are offered at the same location as Grace Community Church, located at 850 J Street, Lathrop.

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 –

Councilmember Lazard declared a conflict of interest with Item 4.18, due to her employment with Dell’Osso Farms

2. PRESENTATIONS

2.1 PROCLAMATION DECLARING INDIGENOUS PEOPLES’ DAY OCTOBER 11, 2021

Vice Mayor Torres-O’Callaghan read a Proclamation declaring October 11, 2021 as Indigenous Peoples’ Day.

2.2 ECONOMIC DEVELOPMENT UPDATE

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

2.3 LATHROP POLICE DEPARTMENT PROJECT UPDATE, GG 21-11

New City of Lathrop Police Department, Chief of Police Raymond Bechler introduced himself and provided a brief summary of his previous work history. Chief Bechler and City Consultant Dr. Merlin Switzer (Municipal Resource Consulting Group) provided the presentation, which included a recruitment update, community outreach efforts, communications/dispatch update, police vehicle update, and other related milestones. A question and answer period ensued throughout the presentation. City Consultant Dan Drummond (Municipal Resource Consulting Group), City Manager Stephen Salvatore and City Attorney Salvador Navarrete provided additional information.

2.4 MAYOR'S COMMITTEE REPORT(S)

- Parks & Recreation Update on Committee Events and Programs

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

- *Past Special Events*

Reported on past special events: 9/11 Tribute, held on September 11, 2021 at the Veterans Memorial honoring First Responders.

- *Upcoming Special Events*

Provided an overview on various upcoming events: Trunk or Treat and Movie in the Park, scheduled for October 23, 2021 at the Generations Center; Veterans Day Celebration, scheduled for November 11, 2021 at the Veterans Memorial at 11:00 a.m.; and Christmas Tree Lighting, scheduled for December 1, 2021 at Valverde Park at 6:30 p.m.

- *Senior Center Programs*

Provided an overview on various upcoming events: Bingo & Costume Contest, scheduled for October 25, 2021; and Drug Take Back at the Senior Center, scheduled for October 23, 2021.

- *Leisure Classes*

Provided an overview on upcoming classes, which included Adult Self Defense classes, Paint Night, Dance Lessons for Kids, Youth Karate, Tennis Camp, Basic Dog & Puppy Training, Zumba Fitness, and Zumba & Yoga Fitness.

- *Youth Development*

Provided an overview on upcoming youth workshops, which included Fall Break Camp, DIY Halloween T-shirt Workshop, Kids' Night Out Halloween Party, Kids' Craft, Art Exploration Program, and Advent Ornament Craft Kit Workshop.

- *Teens*
Provided an overview on upcoming teen events and workshops, which included Career Workshop for Grades 7th thru 12th, Teen Halloween Party, and Saturdays @ the GRIND for Grades 7th thru 9th.
- *Youth Sports Programs*
Provided an overview on upcoming sports programs, which included Jr. NBA, Mini Movers Football, Mini Movers Multi Sport, and NFL Flag Football.
- *Adult Sports Programs*
Provided an overview on upcoming sports programs, which included Adult Volleyball Drop-in and Adult Basketball League.
- *Maintenance Services*
Provided an overview on various Maintenance Services activities, which included weed abatement completed on the corner of Sadler Oak at Inland Passage, mowing of the South Lathrop Sewer and Storm Plant completed, tumbleweed removal completed along main roads, graffiti and right-of-way debris weekly cleanup, street repairs, installed lighted crosswalk signs at Lathrop Elementary School, three way stop and crosswalk signs installed on Golden Spike at Open Range, completion of the citywide speed limit sign change out; and completed a streetlight outage - night sweep report.
- *Solid Waste & Recycling*
Provided an overview on Solid Waste & Recycling activities, which included how to schedule bulk trash pick-up by appointment, and information on proper disposal of acceptable bulk items.

3. CITIZEN'S FORUM

Michael B (zoom speaker) requested City Council to reconsider discussing the commercial cannabis dispensary matter at a future meeting. There was a second request to speak by Chris Stokes (zoom speaker), the speaker appeared to have technical difficulties, unable to unmute their phone.

4. CONSENT CALENDAR

On a motion by Councilmember Akinjo, seconded by Mayor Dhaliwal, the City Council approved the Consent Calendar, except Item 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

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 Meeting of August 2, 2021, and Regular Council Meeting of August 9, 2021.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 21-427 BY TITLE ONLY AMENDING LATHROP MUNICIPAL CODE TITLE 8 "HEALTH & SAFETY", CHAPTER 8.16 "GARBAGE COLLECTION AND DISPOSAL" TO INCLUDE "MANDATORY ORGANIC WASTE DISPOSAL REDUCTION" TO ENSURE STATE REGULATION COMPLIANCE FOR RESIDENTIAL AND COMMERCIAL GENERATORS

Waived full reading and adopted **Ordinance 21-427** by title only amending Lathrop Municipal Code Title 8 "Health & Safety", Chapter 8.16 "Garbage Collection and Disposal" to include "Mandatory Organic Waste Disposal Reduction" to ensure State regulation compliance for residential and commercial generators.

4.4 TREASURER'S REPORT FOR JUNE 2021

Pulled by Councilmember Diallo. A question and answer period ensued. Finance Director Cari James and Deputy Finance Director Thomas Hedegard provided additional information.

Approved Quarterly Treasurer's Report for June 2021.

4.5 ANNUAL REVIEW AND ADOPTION OF THE CITY'S INVESTMENT POLICY

Pulled by Councilmember Diallo. A question and answer period ensued. Finance Director Cari James and Deputy Finance Director Thomas Hedegard provided additional information.

Adopted **Resolution 21-4962** approving the Annual Investment Policy for Fiscal Year 2021/22.

4.6 APPROVE OUT OF STATE TRAVEL FOR THE ECONOMIC DEVELOPMENT ADMINISTRATOR TO PARTICIPATE IN A TARGET INDUSTRY SPECIFIC CONFERENCE IN DECEMBER 2021

Adopted **Resolution 21-4963** approving out-of-state travel for the Economic Development Administrator to attend the International Council of Shopping Centers (ICSC) 2021 Conference in Las Vegas, Nevada from December 5, 2021 to December 7, 2021.

4.7 CHRISTMAS PARADE TEMPORARY STREET CLOSURE

Adopted **Resolution 21-4964** approving temporary street closures for the Lathrop Christmas Parade on December 11, 2021.

4.8 AUTHORIZE PURCHASE OF HEAVY EQUIPMENT FOR THE PARKS, RECREATION AND MAINTENANCE SERVICES DEPARTMENT

Pulled by Councilmember Lazard. A question and answer period ensued. Deputy Director of Parks, Recreation and Maintenance Services Todd Sebastian provided additional information.

Adopted **Resolution 21-4965** approving the purchase of seventeen (17) units of heavy equipment for the Parks, Recreation and Maintenance Services Department.

4.9 AUTHORIZE BUDGET AMENDMENT FOR THE PURCHASE OF ADDITIONAL CITY VEHICLES FOR PUBLIC WORKS, UTILITIES, STREET AND MAINTENANCE SERVICES

Adopted **Resolution 21-4966** approving the purchase of three (3) City vehicles from American Chevrolet for Maintenance Services and Utility Operations & Maintenance.

4.10 AUTHORIZE BUDGET AMENDMENT TO FUND A MAINTENANCE WORKER I/II POSITION FOR THE PARKS, RECREATION AND MAINTENANCE SERVICES DEPARTMENT

Adopted **Resolution 21-4967** approving the funding for a Maintenance Worker I/II position.

4.11 AWARD CONSTRUCTION CONTRACT TO G&G BUILDERS, INC. FOR THE MANUEL VALVERDE PARK SHELTER IMPROVEMENTS, CIP PK 22-08 AND RELATED BUDGET AMENDMENT

Adopted **Resolution 21-4968** awarding a Construction Contract to G&G Builders, Inc. for the Manuel Valverde Park Shelter Improvements, CIP PK 22-08, and approving related budget amendment.

4.12 APPROVE TASK ORDER NO. 7 WITH CRANE TRANSPORTATION GROUP FOR THE PREPARATION OF THE 2022 TRAFFIC MONITORING PROGRAM AND ANALYSIS AND RELATED BUDGET AMENDMENT

Adopted **Resolution 21-4969** approving Task Order No. 7 with Crane Transportation Group for the preparation of the 2022 Traffic Monitoring Program and Analysis, pursuant to Master Consulting Agreement dated June 11, 2018, and approving related budget amendment.

4.13 APPROVE LATHROP POLICE DISPATCH AGREEMENT

Pulled by Councilmember Diallo and Vice Mayor Torres-O'Callaghan. A question and answer period ensued. City Consultants Michael Oliver and Dan Drummond (Municipal Resource Consulting Group) and Finance Director Cari James provided additional information.

Adopted **Resolution 21-4970** approving an Agreement between the City of Lathrop and the City of Ripon to provide dispatch services to the City of Lathrop.

4.14 APPROVE ANIMAL SHELTER SERVICES AGREEMENT WITH THE CITY OF MANTECA

Pulled by Vice Mayor Torres-O'Callaghan. A question and answer period ensued. Finance Director Cari James and Deputy Finance Director Thomas Hedegard provided additional information.

Adopted **Resolution 21-4971** approving an Animal Shelter Services Agreement with the City of Manteca.

4.15 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 191 LOTS IN TRACT 4062 WITHIN PHASE 1C OF THE CENTRAL LATHROP SPECIFIC PLAN

Adopted **Resolution 21-4972** approving Final Map for Tract 4062 within Phase 1C of the Central Lathrop Specific Plan, totaling 191 single-family lots and Subdivision Improvement Agreement with Lathrop Land Acquisition, LLC.

4.16 APPROVE REAL PROPERTY SALE AND EASEMENT DEEDS FOR THE OVERHEAD ELECTRICAL TRANSMISSION LINES ON CHRISTOPHER WAY AND D'ARCY PARKWAY WITH PG&E, AND RELATED BUDGET AMENDMENT

Adopted **Resolution 21-4973** approving real property sale and approval of Easement Deeds for the overhead electrical transmission lines on Christopher Way and D'Arcy Parkway with PG&E, and approving related budget amendment.

4.17 ACCEPT REMAINING PUBLIC IMPROVEMENTS FOR TRACT 4017, PHASE 1B1, IN THE CENTRAL LATHROP SPECIFIC PLAN AND RELEASE ASSOCIATED BONDS AND DEPOSIT SECURITY

Adopted **Resolution 21-4974** accepting remaining public improvements for Tract 4017, Phase 1B1 in the Central Lathrop Specific Plan, and approving release of associated bonds and deposit security.

RIVER ISLANDS CONSENT ITEM(S)

Councilmember Lazard recused herself, following the vote of the consent calendar (Items 4.1 to 4.17), and left the chamber at 8:55 p.m., prior to the vote of Item 4.18, due to declared conflict of interest as noted in Item 1.8.

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Torres-O'Callaghan, the City Council approved Item 4.18, by the following roll call vote, unless otherwise indicated:

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

4.18 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 47 LOTS IN TRACT 4053 VILLAGE "JJ2" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS

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

Adopted **Resolution 21-4975** accepting Final Map for Tract 4053 Village "JJ2" within the Lakeside West District, totaling 47 single-family lots and Subdivision Improvement Agreement with River Islands Stage 2B, LLC.

Councilmember Lazard returned to the chamber/dais after the vote of Items 4.18, at 8:57 p.m. for the remainder of the meeting.

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE SCANNELL PROPERTIES INDUSTRIAL PROJECT GENERAL PLAN AMENDMENT NO. GPA-20-139, REZONE NO. REZ-20-140, SITE PLAN REVIEW NO. SPR-20-141, AND TENTATIVE PARCEL MAP NO. TPM-20-142

Community Development Director Mark Meissner provided brief overview and introduced City Planning Consultant David Niskanen (JB Anderson Land Use Planning). Mr. Niskanen provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore, Environmental Consultant Josh Smith, De Novo Planning, and City Engineer Glenn Gebhardt provided additional information.

Mayor Dhaliwal opened the public hearing. Adriana Lopez (in person speaker) expressed various concerns related to traffic studies, environmental impact report, and the Reiter Property. Applicant Paul Starn, Scannell Properties, provided additional project information. Special Counsel for Scannell Properties Alicia Guerra, Buchalter, provided additional project information. There were no other speakers.

Mayor Dhaliwal closed the public hearing. The question and answer period continued. Community Development Director Mark Meissner, Planning Consultant David Niskanen, and Applicant Paul Starn responded to additional questions of the Council.

On a motion by Councilmember Akinjo, seconded by Mayor Dhaliwal, the City Council voted to approve the item by the following roll call vote:

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

MOTION FAILED.

The City Council continued their discussion on the matter.

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

- Held a public hearing;
- ~~Adopt a Resolution Adopting the Initial Study and Mitigated Negative Declaration for the Scannell Properties Industrial Project;~~
- ~~Adopt a Resolution Approving a General Plan Amendment from SC, Service Commercial to GI, General Industrial;~~
- ~~First Reading and Introduce an Ordinance to Approve a Zoning Map Amendment from CS, Service Commercial to IG, General Industrial;~~
- ~~Adopt a Resolution Approving the Site Plan Review for the Scannell Properties Industrial Project to Construct Three (3) Industrial Warehouse Buildings Totaling 191,160 sq. ft. in Size; and~~
- ~~Adopt a Resolution Approving a Vesting Tentative Parcel Map to Subdivide an Existing 18.2 Acre Parcel into Four (4) Parcels: Parcel 1 is 6.54 acres, Parcel 2 is 5.58 acres, Parcel 3 is 3.50 acres, and Parcel 4 is 2.52 acres.~~
- Continued the matter to the meeting of November 8, 2021, and directed staff to bring back additional options mitigating the traffic issues raised during the meeting.

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

5.2 CONSIDER CREATION OF CIP PK 22-34 SHILLING AVENUE PARK PROJECT AND APPROVE RELATED BUDGET AMENDMENT

Director of Parks, Recreation and Maintenance Services Zach Jones provided the presentation. A question and answer period followed. City Manager Stephen Salvatore and City Attorney Salvador Navarrete provided additional information.

On a motion by Mayor Dhaliwal, seconded by Councilmember Akinjo, the City Council adopted **Resolution 21-4976** approving creating CIP PK 22-34 for the Shilling Avenue Park Project, and authorizing related budget amendment.

Ayes: Akinjo, Lazard, Torres-O'Callaghan, and Dhaliwal
Noes: None
Absent: None
Abstain: Diallo (due to residential property potentially being near the project site)

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL – Appointment of One (1) Member to the Measure C Oversight Committee with Term Expiring June 30, 2022, Due to Unscheduled Vacancy
- One Application Received

Mayor Dhaliwal made the following appointments:

<u>Measure C Oversight Committee</u>	<u>Term Expires</u>
Gene Neely	June 30, 2022

On a motion by Councilmember Lazard, seconded by Councilmember Akinjo, the City Council approved the appointment made by Mayor Dhaliwal as noted above.

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

- 6.2 MAYOR DHALIWAL REFERRAL – Appointment of One (1) Member to the Senior Advisory Commission with Term Expiring June 30, 2024
- One Application Received

Mayor Dhaliwal made the following appointments:

<u>Senior Advisory Commission</u>	<u>Term Expires</u>
Syble M. Tompkins	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

6.3 MAYOR DHALI WAL REFERRAL – Consider Installation of Rubberized Surface in City Parks

Mayor Dhaliwal provided an overview of the referral requesting to bring back a discussion item to consider installation of rubberized surface in City parks. A question and answer period ensued regarding parks in the River Islands development area. Council consensus directed staff to bring back the matter at a future meeting.

6.4 COUNCILMEMBER DIALLO – Consider City Council Monthly Stipend Increase

Councilmember Diallo provided an overview of the referral requesting to bring back a discussion item to consider an increase to the monthly City Council stipend. A question and answer period ensued regarding the matter. Deputy Finance Director Thomas Hedegard and City Attorney Salvador Navarrete provided additional information. There was no consensus to bring back the matter at a future meeting.

There was a brief pause of the City Council discussion during Item 6.4, to allow the City Hall conference phone line to reconnect with zoom. The pause lasted approximately less than a minute, at 10:44 p.m.

6.5 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Diallo reported her attendance to her first LAFCo meeting. Vice Mayor Torres-O'Callaghan reported her attendance to a recent Water Advisory Board meeting. Councilmember Akinjo reported his attendance to the Annual League of California Cities Conference. Councilmember Lazard reported recent activities of the San Joaquin Area Flood Control Agency.

6.6 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo commented on City projects, and expressed appreciation for the hard work by the City Council and staff. Councilmember Lazard welcomed newly appointed Measure C Committee Member Neely. Councilmember Diallo expressed appreciation for her appointment to LAFCo, commented on her attendance to the first Annual League of California Cities Conference, and expressed appreciation to staff for the detailed staff reports.

Vice Mayor Torres-O'Callaghan wished students a happy Fall Break, and provided the public the (209) 992-0028 on-call number for afterhours utility and storm related emergencies. Mayor Dhaliwal commented on his nine years of service as Mayor and expressed appreciation to staff, and current and past Council members for their work to improve the City.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the 10:55 p.m.



Teresa Vargas, CMC
City Clerk