

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, APRIL 10, 2023  
7:00 P.M.  
COUNCIL CHAMBER, CITY HALL  
390 Towne Centre Drive  
Lathrop, CA 95330**

**MINUTES**

**PLEASE NOTE: There was no Closed Session. The Regular Meeting commenced at 7:05 p.m.**

**1. PRELIMINARY**

- 1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 7:05 p.m.
- 1.2 ROLL CALL                  Present:        Mayor Dhaliwal; Vice Mayor Akinjo; and Councilmembers: Diallo, Lazard and Torres-O’Callaghan  
  
   Absent:        None
- 1.3 INVOCATION – Mayor Dhaliwal held a moment of silence honoring the victims of the Old National Bank shooting in Louisville, Kentucky.
- 1.4 PLEDGE OF ALLEGIANCE – Councilmember Torres-O’Callaghan led the pledge of allegiance.
- 1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER  
  
     City Manager Stephen Salvatore provided an overview of the San Joaquin County river and snowmelt levels. Mayor Dhaliwal announced Councilmember Torres-O’Callaghan’s birthday.
- 1.6 INFORMATIONAL ITEM(S) – NONE
- 1.7 DECLARATION OF CONFLICT(S) OF INTEREST  
  
     Councilmember Lazard declared conflict of interest with Items 4.21 and 4.22, due to her employment with Dell’Osso Farms. Councilmember Diallo declared conflict of interest with Item 4.9, as a member of the Juneteenth Committee, and Items 4.21 through 4.22, due to an agreement with the River Islands Development.

## **2. PRESENTATIONS**

### **2.1 CERTIFICATE OF RECOGNITION TO THE LATHROP HIGH SCHOOL GIRLS BASKETBALL TEAM**

Mayor Dhaliwal, on behalf of the City Council, presented Certificates of Recognition to the Lathrop High School Girls Basketball Team and Coaches for their outstanding athletic season and finishing 1<sup>st</sup> in the Western Athletic Conference League for the 2022-2023 season.

### **2.2 RECOGNITION OF MARK MEISSNER, DIRECTOR OF COMMUNITY DEVELOPMENT, FOR OVER 33 YEARS OF PUBLIC SERVICE**

City Manager Stephen Salvatore announced the retirement of Director of Community Development Mark Meissner effective May 4, 2023, and provided an overview of career accomplishments during with tenure with the City of Lathrop. Councilmembers thanked Mr. Meissner for his contributions to the Lathrop community. Mr. Meissner provided a farewell speech and expressed appreciation to Councilmembers and staff.

### **2.3 INTRODUCTION OF NEW EMPLOYEES:**

Parks, Recreation and Maintenance Services Director introduced new employees assigned to the Parks, Recreation and Maintenance Services Department: Maintenance Services Supervisor Frank Rivera, Maintenance Worker Austin Fox, Sr. Recreation Leader Andrea Brown, and Sr. Recreation Leader Harpreet Banwait. Assistant City Manager Michael King introduced new employee assigned to the Public Works Department: Maintenance Worker Gilbert Gaeta. Police Chief Raymond Bechler introduced new employees assigned to the Police Department: Police Officer Aaron Vanlue, and Police Officer Taylor Dominguez.

### **2.4 QUARTERLY ECONOMIC DEVELOPMENT PRESENTATION**

Economic Development Administrator Shelley Burcham provided the presentation covering economic development activity from January 2023 to March 2023.

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

Jim Hilson (in person speaker) expressed concern with actions displayed at the last public meeting, encouraged harmonious working relationships.

#### **4. CONSENT CALENDAR**

*\*Due to conflict of interest with Item 4.9, declared under Item 1.7, Council consensus provided direction to move Item 4.9, before the consideration of Item 4.1 through 4.20. The resolution numbers reflect the change in Council direction.*

Councilmember Diallo stepped down from the dais at 7:57 p.m., before the consideration of Item 4.9

On a motion by Councilmember Torres-O'Callaghan, seconded by Councilmember Lazard, the City Council approved Item 4.9, by the following roll call vote:

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

Councilmember Diallo returned to the dais at 8:04 p.m., for the consideration of the remainder of the Consent Calendar.

On a motion by Vice Mayor Akinjo, seconded by Councilmember Torres-O'Callaghan, the City Council approved the Consent Calendar, Items 4.1 through 4.20, except Item 4.9, by the following roll call vote:

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 January 23, 2023, and Regular Meeting of February 13, 2023.

##### **4.3 SECOND READING AND ADOPTION OF ORDINANCE 23-444 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP MUNICIPAL CODE TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS SECTION 10.08.030 "SPEED LIMITS"**

Waived full reading and adopted **Ordinance 23-444** amending Lathrop Municipal Code Title 10 "Vehicles and Traffic", Chapter 10.08 "Speed Limits Section", 10.08.030 "Speed Limits."

- 4.4 ACCEPTANCE OF THE CITY OF LATHROP ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2022

Adopted **Resolution 23-5244** accepting the City of Lathrop Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ending June 30, 2022.

- 4.5 APPROVE MEMORANDUM OF UNDERSTANDING WITH LATHROP POLICE OFFICERS ASSOCIATION, ADOPT A BENEFIT PLAN FOR THE UNREPRESENTED CLASSIFICATIONS OF COMMANDER AND LIEUTENANT, AND ADOPT A RECRUITMENT INCENTIVE PLAN FOR SWORN CLASSIFICATIONS

Adopted **Resolution 23-5245** approving a Memorandum of Understanding (MOU) with the Lathrop Police Officers Association (LPOA), adopting a benefit plan for the unrepresented Commander and Lieutenant Classifications, and adopting a recruitment incentive plan.

- 4.6 APPROVE OF OUT-OF-STATE TRAVEL FOR ONE (1) LATHROP POLICE DEPARTMENT SERGEANT TO ATTEND CANINE PROGRAM MANAGEMENT COURSE IN MAY 2023

Adopted **Resolution 23-5246** approving out-of-state travel for one (1) Lathrop Police Department Sergeant to attend the Canine Program Management Course in South Lake Tahoe, Nevada from May 2, 2023 to May 4, 2023.

- 4.7 APPROVE AMENDMENT NO. 2 WITH ROBERT HALF INTERNATIONAL, INC. TO PROVIDE PROFESSIONAL SERVICES IN THE BUILDING DEPARTMENT FOR THE ENERGOV IMPLEMENTATION

Adopted **Resolution 23-5247** approving Amendment No. 2 with Robert Half International, Inc., to provide professional services in the Building Department for the Energov implementation project.

- 4.8 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH BUTLER AMUSEMENTS, INC. TO PROVIDE LAW ENFORCEMENT SERVICES FOR ANNUAL CARNIVAL EVENT ON APRIL 20, 2023 THROUGH APRIL 23, 2023

Adopted **Resolution 23-5248** approving Professional Services Agreement with Butler Amusement, Inc. to provide law enforcement services for their annual carnival event on April 20, 2023 through April 23, 2023.

- 4.9 APPROVE COMMUNITY PARTNERSHIP AGREEMENT BETWEEN THE CITY OF LATHROP AND THE JUNETEENTH COMMITTEE TO COMMEMORATE THE JUNETEENTH NATIONAL INDEPENDENCE DAY FEDERAL HOLIDAY

*\*Due to conflict of interest with Item 4.9, declared under Item 1.7, Council consensus provided direction to move Item 4.9, before the consideration of Item 4.1 through 4.20. The resolution numbers reflect the change in Council direction.*

Jose Garcia Martin (in person speaker) expressed support for the item.

Adopted **Resolution 23-5243** approving a Community Partnership Agreement between the City of Lathrop and the Juneteenth Committee to commemorate the Juneteenth National Independence Day Federal Holiday.

- 4.10 APPROVE FISCAL YEAR 2023-24 PROJECT LIST ASSOCIATED WITH SENATE BILL 1

Adopted **Resolution 23-5249** approving a list of projects for Fiscal Year 2023-24, funded by Senate Bill 1, the Road Repair and Accountability Act of 2017.

- 4.11 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ROBERTSON-BRYAN, INC., FOR THE CITY'S INDUSTRIAL PRETREATMENT PROGRAM

Adopted **Resolution 23-5250** approving a Professional Services Agreement with Robertson-Bryan, Inc., for the City's Industrial Pretreatment Program.

- 4.12 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH FGL ENVIRONMENTAL FOR WATER QUALITY LABORATORY SERVICES FOR THE CITY'S DRINKING WATER PROGRAM AND CTF WASTEWATER PERMIT COMPLIANCE

Adopted **Resolution 23-5251** approving a Professional Services Agreement with FGL Environmental for water quality laboratory testing services for the City of Lathrop's Drinking Water Program and Consolidated Treatment Facility Wastewater Permit Compliance.

- 4.13 APPROVE CONTRACT CHANGE ORDER NO. 3 AND NO. 4 WITH CUSHMAN CONTRACTING CORPORATION FOR THE CTF DECHLORINATION FACILITY OF SURFACE WATER DISCHARGE, CIP WW 20-17 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5252** approving Contract Change Order No. 3 and No. 4 with Cushman Contracting Corporation for the CTF Dechlorination Facility of surface water discharge, CIP WW 20-17, and approving budget amendment.

- 4.14 APPROVE PURCHASE FROM ZIMA CORPORATION FOR HEADWORKS EQUIPMENT FOR THE CONSOLIDATED TREATMENT FACILITY PHASE 3 EXPANSION, CIP WW 22-38 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5253** approving a purchase from Zima Corporation for headworks equipment for the Consolidated Treatment Facility, phase 3 expansion, CIP WW 22-38, and approving budget amendment.

- 4.15 RATIFY SAN JOAQUIN COUNCIL OF GOVERNMENTS' ANNUAL FINANCIAL PLAN

Adopted **Resolution 23-5254** ratifying the San Joaquin Council of Governments (SJCOG) Annual Financial Plan for FY 2023-24.

- 4.16 RATIFY CITY MANAGER'S EXECUTION OF A CONSTRUCTION CONTRACT WITH NOR-CAL CONCRETE COMPANY FOR TEMPORARY ANIMAL SHELTER CONCRETE, CIP GG 23-06 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5255** ratifying City Manager's execution of a construction contract with Nor-Cal Concrete Company for the Temporary Animal Shelter Concrete, CIP GG 23-06 and approving budget amendment.

- 4.17 RATIFY CITY MANAGER'S SIGNATURE AND APPROVE OPTION AND TOWER LEASE AGREEMENT WITH VERIZON WIRELESS FOR USE OF CITY OWNED TOWER

Adopted **Resolution 23-5256** ratifying City Manager's signature and approving option and tower lease agreement with Verizon Wireless for use of City tower.

- 4.18 RATIFY THE PURCHASE OF CAMERA SURVEILLANCE SYSTEMS FOR MAJOR CITY PARKS, CIP GG 22-35

Adopted **Resolution 23-5257** ratifying a service contract with ICU Technologies, Inc. and approve purchase of hardware and services for network infrastructure from Various Vendors for major City parks, CIP 22-35.

4.19 CREATE CIP PS 23-18 FOR MCKINLEY AVENUE PAVEMENT REHABILITATION, AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5258** creating CIP PS 23-18 for McKinley Avenue pavement rehabilitation and approving budget amendment.

4.20 GRAND JURY REPORT RESPONSE UPDATE

Directed the City Attorney to submit a letter to the Presiding Judge of the San Joaquin County Superior Court responding with an update to the findings and recommendations of the Grand Jury report on cybersecurity.

**RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)**

*Councilmember Lazard and Councilmember Diallo recused themselves at 8:06 p.m., following the vote of the consent calendar, prior to the vote of Item 4.20, due to declared conflict of interested as noted on Item 1.7.*

On a motion by Mayor Dhaliwal, seconded by Councilmember Torres-O'Callaghan, the City Council approved Items 4.21 and 4.22, by the following roll call vote, unless otherwise indicated:

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

4.21 AUTHORIZE THE FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2023-1 (RIVER ISLANDS PUBLIC SERVICES AND FACILITIES #2)

Adopted **Resolution 23-5259** of intention to establish City of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities #2) and a future annexation area to finance public services and facilities.

4.22 ACCEPT PUBLIC IMPROVEMENTS FROM RIVER ISLANDS DEVELOPMENT, LLC FOR TRACTS 3994, 3995, 4015, 4016, 4020, 4021, 4030, 4031, 4060, 4111, AND ACCEPT RIVER ISLANDS PARKWAY WITH ASSOCIATED CONDITION

Adopted **Resolution 23-5260** to approve public improvements from River Islands Development, LLC for Tracts 3994, 3995, 4015, 4016, 4020, 4021, 4030, 4031, 4060, 4111, and approve River Islands Parkway with associated condition.

*Councilmember Lazard and Councilmember Diallo returned to the dais at 8:08 p.m.*

## **5. SCHEDULED ITEMS**

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE AMENDMENT TO (1) ADOPT AN ORDINANCE TO ADD CHAPTER 17.78 HOTEL LIMITATIONS AND MODIFY SECTION 17.62.072 OF THE CENTRAL LATHROP COMMERCIAL OFFICE ZONING DISTRICT OF THE LATHROP MUNICIPAL CODE; (2) ADOPT A RESOLUTION AMENDING THE PERMITTED AND CONDITIONAL LAND USE LIST FOR MOSSDALE LANDING, MOSSDALE LANDING EAST, AND MOSSDALE LANDING SOUTH URBAN DESIGN CONCEPTS TO REGULATE AND LIMIT HOTEL DEVELOPMENT IN THE CENTRAL LATHROP SPECIFIC PLAN AND MOSSDALE VILLAGE (TA-23-32)

Assistant Community Development Director Rick Caguiat provided the presentation. A question and answer period followed. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

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

1. Held a public hearing; and
2. Waived first reading in full and introduced an ordinance to add Chapter 17.78 "Hotel Limitations" and modified Section 17.62.072 of the Central Lathrop Commercial Office Zoning District of the Lathrop Municipal Code; and
3. Adopted **Resolution 23-5261** amending the permitted and conditional land use list for Mossdale Landing, Mossdale Landing East, and Mossdale Landing South urban design concepts to regulate and limit hotel development in the Central Lathrop Specific Plan and Mossdale Village.

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

- 5.2 RECEIVE UPDATE FOR AQUIFER STORAGE AND RECOVERY, APPROVE AMENDMENT NO. 1 WITH CAROLLO ENGINEERS, INC. CIP PW 22-36 AND APPROVE BUDGET AMENDMENT



Assistant City Manager Michael King introduced City Consultant Justin Peterson, PE, Project Manager and Associate Vice President, with Carollo Engineers. Mr. Peterson provided the presentation. A question and answer period ensued throughout the presentation. Assistant City Manager Michael King and City Manager Stephen Salvatore provided additional information on the matter.

Paul Camarena (in person speaker) requested information regarding the planned water capacity of the stored wells. Christina Laughlin (zoom speaker) requested information on the annual maintenance costs and potential water contamination as a result of flooding.

On a motion by Mayor Dhaliwal, seconded by Councilmember Diallo, the City Council approved adopted **Resolution 23-5262** approving amendment no. 1 with Carollo Engineers, Inc. for the aquifer storage and recovery, CIP PW 22-36 and approving budget amendment.

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

*CEQA STATUS: Staff has determined the CEQA status for the project to date as exempt according to California Environmental Quality Act Article 18 §15262, "Feasibility and Planning Studies"*

## **6. COUNCIL COMMUNICATIONS**

- 6.1 MAYOR DHALIWAL REFERRAL: Set Application Deadline for Appointment of One (1) Representative to the San Joaquin County Commission on Aging with Existing Term Ending June 30, 2023, in addition to a Full Three (3) Year Term Ending June 30, 2026, due to Unexpired Term Vacancy

City Council consensus directed the City Clerk to set the application deadline to May 1, 2023, with appointment during the May City Council Regular Meeting.

- 6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

No reports provided.

### 6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Torres-O'Callaghan congratulated those students with upcoming graduations. Councilmember Diallo requested an update on Shilling Park, expressed concern with bicyclists not obeying traffic laws, and requested follow-up on a recent referral regarding the recruitment of the HR Director. Assistant City Manager Michael King provide information related to Shilling Park, and City Clerk Teresa Vargas announced the HR Director position was no longer vacant. Vice Mayor Akinjo provided information on recent SJAFCA meetings. Mayor Dhaliwal announced Councilmember Diallo's appointment to a voting member of LAFCo, expressed concern with traffic violations in River Islands and Historical Lathrop, and wished Councilmember Torres-O'Callaghan a happy birthday.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:03 p.m.

A handwritten signature in black ink, appearing to read 'Teresa Vargas', written over a horizontal line.

Teresa Vargas, MMC  
Government Services Director/  
City Clerk