

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, APRIL 8, 2024
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 6:48 p.m. The Regular Meeting reconvened at 7:02 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:48 p.m.

1.2 CLOSED SESSION

1.2.1 LIABILITY CLAIMS

Pursuant to Government Code Section 54956.95(a)

- Claimant: Rumanti Marsh
Agency Claimed Against: City of Lathrop

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:02 p.m.

1.2.2 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that the City Council met in Closed Session pursuant to Item 1.2, and unanimously denied the claim with a 3-0 vote.

1.3 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Diallo; and Councilmember Torres-O’Callaghan

Absent: Councilmembers Akinjo and Lazard

1.4 INVOCATION – Omar Khweiss, General Manager, San Joaquin County Mosquito & Vector Control District, provided the invocation.

1.5 PLEDGE OF ALLEGIANCE – Mr. Khweiss led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

Assistant City Manager Michael King announced that Item 5.3 would be pulled from the agenda; staff to conduct further research and agendize the matter to a future meeting.

City Engineer Brad Taylor provided information on new pedestrian safety enhancements at the intersection of River Islands Parkway and Golden Valley Parkway, which included the City of Lathrop's first 'Blank Out' sign installation.

1.7 INFORMATIONAL ITEM(S)

- SAN JOAQUIN COUNTY MOSQUITO & VECTOR CONTROL DISTRICT UPDATE ON THE 2023 INVASIVE *Aedes aegypti* "YELLOW FEVER MOSQUITO"

General Manager Omar Khweiss and Entomologist Shaoming Huang Ph.D., San Joaquin County Mosquito & Vector Control District, provided the presentation on the new 2023 Invasive *Aedes aegypti* "Yellow Fever Mosquito" species. Mr. Khweiss also reported that at the present time there were no known cases in the City of Lathrop.

1.8 DECLARATION OF CONFLICT(S) OF INTEREST - None

2. PRESENTATIONS

2.1 CERTIFICATE OF RECOGNITION PRESENTED TO KULWANT SINGH DHALIWAL AS GLOBAL AMBASSADOR FOR WORLD CANCER CARE CHARITABLE SOCIETY

Mayor Dhaliwal, and the City Council, provided a certificate of recognition presented to Global Ambassador Kulwant Singh Dhaliwal for his charitable work representing the World Cancer Care Charitable Society.

2.2 CERTIFICATE OF RECOGNITION PRESENTED TO JASS SANGHA AS AMBASSADOR FOR UNITED STATES CANCER CARE CHARITABLE SOCIETY

Mayor Dhaliwal, and the City Council, provided a certificate of recognition presented to Ambassador Jass Sangha for her charitable work representing the United States Cancer Care Charitable Society.

3. CITIZEN'S FORUM

Gavin Cline (in person speaker), Legislative Representative for Congress Member John Duarte, provided an overview of various legislative updates and activities for California's 13th District.

(Requested to speak following the reading of the Consent Calendar) Desiree Garrido (zoom speaker) expressed concern with the addition of more fast-food restaurants, and lack of family entertainment options and affordable housing

within the city. Kevin-Manuela Howard (zoom speaker) commented on concerns expressed by Ms. Garrido, and requested information regarding head of household jobs and additional freeway access for commuters.

4. CONSENT CALENDAR

On a motion by Vice Mayor Diallo, seconded by Councilmember Torres-O'Callaghan, the City Council approved the Consent Calendar, by the following roll call vote, unless otherwise indicated:

Ayes: Diallo, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: Akinjo and 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 Regular Council Meeting of February 12, 2024.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 24-457 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP MUNICIPAL CODE (LMC) TO REGULATE SHORT-TERM RENTALS AND BICYCLE VIOLATIONS BY ADDING NEW CHAPTERS TO TITLE 5, BUSINESS LICENSES AND REGULATIONS, AND TITLE 9, PUBLIC PEACE AND WELFARE

Pulled by Vice Mayor Diallo. A question and answer period ensued. Chief of Police Stephen Sealy and City Attorney Salvador Navarrete provided additional information regarding the enforcement process for those using bicycles and violating the California Vehicle Code.

Waived full reading and adopted **Ordinance 24-457** amending the Lathrop Municipal Code (LMC) regulating short-term rentals and bicycle violations by adding new Chapters to Title 5, Business Licenses and Regulations, and Title 9, Public Peace and Welfare.

4.4 RATIFY THE PURCHASE WITH CDW-G FOR A CYBER SECURITY RELATED SOFTWARE SUBSCRIPTION

Adopted **Resolution 24-5490** ratifying the purchase with CDW-G for a cyber-security related software subscription.

- 4.5 RATIFY THE AGREEMENT WITH ICU TECHNOLOGIES INC. FOR THE CAMERA SURVEILLANCE SYSTEM FOR THE LATHROP POLICE DEPARTMENT EVIDENCE BUILDING, CIP GG 21-13

City Clerk Teresa Vargas announced correction to contract amount; announced the amount requested was would be reduced from \$249,919 to \$133,045. A reduction of approximately \$116,874.

Jennifer Rodriguez (in person speaker) inquired about the pricing of the equipment being requested. Chief of Police Stephen Sealy provided additional information.

Adopted **Resolution 24-5491** ratifying the Agreement with ICU Technologies, Inc., for the Camera Surveillance System for the Lathrop Police Department Evidence Building, CIP GG 21-13.

- 4.6 RATIFY THE SERVICE CONTRACT WITH ICU TECHNOLOGIES INC. FOR THE CAMERA SURVEILLANCE SYSTEMS FOR PHASE II OF MAJOR CITY PARKS SURVEILLANCE, CIP GG 22-35

Adopted **Resolution 24-5492** ratifying a Service Contract with ICU Technologies, Inc., for the Surveillance Systems in Phase II of the Major City Parks Surveillance Project, CIP GG 22-35.

- 4.7 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH BUTLER AMUSEMENTS, INC. FOR THE LATHROP POLICE DEPARTMENT TO PROVIDE LAW ENFORCEMENT SERVICES FOR ANNUAL CARNIVAL EVENT ON APRIL 18, 2024 THROUGH APRIL 21, 2024

Pulled by Councilmember Torres-O'Callaghan. A question and answer period ensued. Chief of Police Stephen Sealy provided additional information regarding traffic and parking enforcement for the event.

Adopted **Resolution 24-5493** approving a Professional Services Agreement with Butler Amusement, Inc., for the Lathrop Police Department to provide Law Enforcement Services for the Annual Carnival Event, held April 18, 2024 through April 21, 2024.

- 4.8 APPROVE TASK ORDER NO. 12 WITH GOODWIN CONSULTING GROUP, INC. FOR CITYWIDE CFF UPDATE, CIP GG 22-01 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 24-5494** approving Task Order No. 12 with Goodwin Consulting Group, Inc., for the Citywide Capital Facilities Fees Update, CIP GG 22-01, and approve budget amendment.

- 4.9 APPROVE AMENDMENTS NO. 3 AND NO. 4 WITH RBI TO PROVIDE ADDITIONAL STUDIES AND PERMIT COMPLIANCE SUPPORT SERVICES FOR THE SURFACE WATER DISCHARGE PROJECT, CIP WW 20-17 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 24-5495** approving Amendments No. 3 and No. 4 with Robertson-Bryan Inc., to provide additional studies and NPDES permit compliance support services for the Consolidated Treatment Facility Surface Water Discharge Project, CIP WW 20-17, and approve budget amendment.

- 4.10 APPROVE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH BKF ENGINEERS FOR THE EAST LATHROP WATER MAIN AND LATERAL UPGRADES, CIP PW 24-12

Adopted **Resolution 24-5496** approving a Professional Engineering Services Agreement with BKF Engineers, for the East Lathrop Water Main and Lateral Upgrades, CIP PW 24-12.

- 4.11 ACCEPT THE GENERAL PLAN HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2023

Adopted **Resolution 24-5497** accepting the General Plan Housing Element Annual Progress Report for calendar Year 2023, and authorizing staff to submit the report to the Governor's Office of Planning and Research, and the State Department of Housing and Community Development.

- 4.12 ACCEPT PUBLIC IMPROVEMENTS ASSOCIATED WITH EP NO. 2022-99, LOCATED AT 18580 CHRISTOPHER WAY FROM NEW CINGULAR WIRELESS PCS, LLC DBA AT&T

Adopted **Resolution 24-5498** accepting public improvements associated with Encroachment Permit No. 2022-99, located at 18580 Christopher Way from New Cingular Wireless PCS, LLC dba AT&T.

- 4.13 AUTHORIZE PARTICIPATION AND ALLOCATION OF FUNDING FOR THE REGIONAL EARLY ACTION PLANNING (REAP 2.0) GRANTS FUNDS AWARDED TO SAN JOAQUIN COUNCIL OF GOVERNMENTS ON BEHALF OF THE SAN JOAQUIN COUNTY MEMBER AGENCIES

Adopted **Resolution 24-5499** authorizing application for, and receipt of, REAP 2.0 Grant Program Funds through the San Joaquin Council of Governments.

4.14 AWARD CONSTRUCTION CONTRACT TO KNIFE RIVER FOR THE CONSTRUCTION OF PAVEMENT REHABILITATION, CIP PS 24-29 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 24-5500** awarding Construction Contract to DSS Company, dba Knife River Construction for Construction, for CIP PS 24-29, pavement rehabilitation project, and approving the related budget amendment.

4.15 CREATE CIP GG 24-33 SCADA INTEGRATION AND MAINTENANCE, RATIFY THE PROFESSIONAL SERVICE AGREEMENT WITH MCC CONTROLS LLC, DBA PRIMEX AND APPROVE RELATED BUDGET AMENDMENTS

Adopted **Resolution 24-5501** creating CIP GG 24-33, SCADA integration and maintenance, ratifying a Professional Service Agreement with MCC Controls, LLC, dba Primex and, approving the related budget amendment.

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING THE LATHROP ACTIVE TRANSPORTATION PLAN, CIP PS 22-17

City Engineer Brad Taylor and City Consultant Todd Tregenza, GHD Engineers, provided the presentation, which included a summary of projects that included bicycle, pedestrian and safe routes to school(s) through the Active Transportation Program (ATP), amongst other related matters. A question and answer period ensued following the presentation. Mayor Dhaliwal opened the public hearing. Manuela Howard (zoom speaker) expressed concern with the bike lanes and traffic congestion issues on Lathrop Road. There were no other speakers. Mayor Dhaliwal closed the public hearing. A brief question and answer period ensued amongst City Council and staff. The

On a motion by Councilmember Torres-O'Callaghan, seconded by Mayor Dhaliwal, the City Council considered the following:

1. Held a public hearing; and
2. Adopted **Resolution 24-5502** certifying and adopting the Lathrop Active Transportation Plan, CIP PS 22-17, by the following roll call vote, unless otherwise indicated.

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

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO FORM COMMUNITY FACILITIES DISTRICT NO. 2024-1 (EAGLES LANDING SERVICES)

Finance Director Cari James provided the presentation regarding the formation of the Community Facilities District No. 2024-1 (Eagles Landing Services), amongst other related matters. A question and answer period ensued following the presentation. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing. A brief question and answer period ensued amongst City Council and staff.

The City Council considered the following items, and voted on each item separately in the following order:

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Diallo, the City Council:

1. Held a public hearing; and
2. Adopted **Resolution 24-5503** of formation of the Community Facilities District 2024-1 (Eagles Landing Services), by the following roll call vote, unless otherwise indicated.

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

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Diallo, the City Council:

3. Adopted **Resolution 24-5504** calling Special Election for the Community Facilities District No. 2024-1 (Eagles Landing Services), by the following roll call vote, unless otherwise indicated.

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

City Clerk Teresa Vargas opened the ballot(s) and announced the results of the election:

For City of Lathrop Community Facilities District No. 2024-1 (Eagles Landing Services): 100% of the votes were "yes" which included eight (8) votes, from qualified landowner, D.R. Horton BAY, Inc., a Delaware corporation.

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Diallo, the City Council:

4. Adopted **Resolution 24-5505** declaring results of Special Election and directing the recording of Notice of Special Tax Lien for the Community Facilities District No. 2024-1 (Eagles Landing Services), unless otherwise indicated.

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

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Diallo, the City Council:

5. Introduced an ordinance levying special taxes within Community Facilities District No. 2024-1 (Eagles Landing Services), by the following roll call vote, unless otherwise indicated.

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

5.3 DISCUSS AND CONSIDER OPTIONS TO INSTALL A FENCE OR WALL ON MCKEE BOULEVARD FROM RIVER ISLANDS PARKWAY TO TOWNE CENTRE DRIVE

During Item 1.6, Assistant City Manager Michael King announced that Item 5.3 would be pulled from the agenda; staff to conduct further research and agendize the matter to a future meeting.

After Item 5.2, prior to Item 6, Vice Mayor Diallo asked further clarification on why staff pulled Item 5.3 off the agenda. Vice Mayor Diallo asked the City Council to reconsider hearing the item. A question and answer period ensued. City Attorney Salvador Navarrete and Assistant City Manager Michael King provided additional information. City Council consensus directed staff to provide the staff report. Mr. King provided a verbal presentation. The question and answer period continued. City Attorney Salvador Navarrete, Assistant City Manager Michael King, and Community Development Director Rick Caguiat provided additional information. Mayor Dhaliwal expressed support for Option 1. Vice Mayor Diallo favored allocating the funds to new projects to address lack of student transportation options to/from schools. Councilmember Torres-O'Callaghan expressed interest in alternate bussing options for students and seniors.

The City Council discussed and considered options to install a fence or wall on McKee Boulevard, from River Islands Parkway to Towne Centre Drive. There was no action taken on options to install a fence or wall on McKee Boulevard, from River Islands Parkway to Towne Centre Drive. The City Council directed staff to bring back options to address transportation options for students to/from school.

6. COUNCIL COMMUNICATIONS

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Vice Mayor Diallo reported her swearing in to the Ava Board of Directors, and attendance to her first board meeting. Councilmember Torres-O'Callaghan reported her attendance to a recent Water Advisory Board Meeting.

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Torres-O'Callaghan wished Lathrop High School students a happy prom weekend. Vice Mayor Diallo expressed appreciation to staff, and fellow Council Members for the discussion on transportation options for students. Mayor Dhaliwal wished everyone a goodnight.

7. ADJOURNMENT – there being no further business, Mayor Dhaliwal adjourned the meeting at 9:09 p.m.



Teresa Vargas, MMC
Government Services Director
City Clerk