

ITEM 4.2

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, MARCH 11, 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 6:19 p.m. The Regular Meeting reconvened at 7:03 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:19 p.m.

1.2 CLOSED SESSION

1.2.1 CONFERENCE WITH LEGAL COUNSEL Existing Litigation-
Pursuant to Government Code Section 54956.9(d)(1):

- 15700 South McKinley Avenue Industrial Park Association vs. City of Lathrop, San Joaquin County Superior Court, Case No. STK-CV-UBC-2019-0004954

1.2.2 CONFERENCE WITH LEGAL COUNSEL Anticipated Litigation-
Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2):

- 1 Potential Case

1.2.3 LIABILITY CLAIMS

Pursuant to Government Code Section 54956.95(a)

- Claimant: Steven Schneider
Agency Claimed Against: City of Lathrop
- Claimant: Qi Wei Chen
Agency Claimed Against: City of Lathrop
- Claimant: Dolores Dominguez
Agency Claimed Against: City of Lathrop
- Claimant: Naomi Valenzuela
Agency Claimed Against: City of Lathrop

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:03 p.m.

1.2.4 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided pursuant to matters under Item 1.2; the City Council approved settlement agreement with the City receiving \$150,000 pursuant to Item 1.2.1; approved rejection of all liability claims under Item 1.2.3 by a vote of 3-0; and provided staff direction on all other items. No other reportable action was taken.

1.3 ROLL CALL Present: Mayor Dhaliwal; Councilmembers Lazard and Torres-O'Callaghan.

Absent: Councilmember Akinjo and Vice Mayor Diallo.

1.4 INVOCATION – Pastor Troy Stein, New Life Church, provided the invocation.

1.5 PLEDGE OF ALLEGIANCE – Pastor Stein led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER –

*City Manager Stephen Salvatore pulled Item 5.2, citing that staff required additional time to complete further research; and provided an overview on traffic flow changes on Louise Avenue and McKinley Avenue due to construction activity commencing in the next couple of weeks. Additional information can be found on the city's website, under [Road Closures and Road Work](#).

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST - None

2. PRESENTATIONS - None

3. CITIZEN'S FORUM

City Clerk Teresa Vargas announced public comment letter received by Ernesto Rodriguez, dated March 11, 2024. Alex Barba (in person speaker) expressed appreciation for traffic mitigation efforts enhancing traffic safety; spoke against approving additional projects generating commercial truck traffic. Gavin Duarte (in person speaker) Legislative Representative for Congress Member John Duarte, provided an overview of various legislative updates and activities for California's 13th District. Ernie (Ernesto) Rodriguez (zoom speaker) commented on his public comment letter regarding City Council decorum.

4. CONSENT CALENDAR

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

Ayes: Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: Akinjo and Diallo
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 January 08, 2024.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 24-456 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING LATHROP MUNICIPAL CODE TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS SECTION 10.08.030 "SPEED LIMITS"

Waived second reading in full and adopted **Ordinance 24-456** amending Lathrop Municipal Code Title 10 Vehicles and Traffic, Chapter 10.08 Speed Limits Section 10.08.030 "Speed Limits".

4.4 REVIEW OF THE CAPITAL FACILITY FEE FUNDS REPORT FOR FY 2022 2023

Reviewed and accepted the Capital Facility Fee Funds Report for Fiscal Year 2022-2023.

4.5 ACCEPTANCE OF THE CITY OF LATHROP ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2023

Adopted **Resolution 24-5470** accepting the City of Lathrop Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ending June 30, 2023.

4.6 APPROVE OUT OF STATE TRAVEL FOR THE CHIEF OF POLICE TO ATTEND THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP) 2024 CONFERENCE AND EXPOSITION IN BOSTON, MASSACHUSETTS

Adopt **Resolution 24-5471** authorizing the Chief of Police to attend the International Association of Chiefs of Police (IACP) 2024 Annual Conference and Exposition in Boston, MA, October 19 – 22, 2024.

- 4.7 APPROVE OUT OF STATE TRAVEL FOR TWO CITY ISD ENGINEERS TO ATTEND THE DEFCON 32 CONFERENCE IN LAS VEGAS, NEVADA

Adopt **Resolution 24-5472** approving out of state travel for two City ISD Engineers to attend the Defcon 32 Conference in Las Vegas, Nevada from August 8–11, 2024.

- 4.8 APPROVE OUT OF STATE TRAVEL FOR TWO CITY STAFF MEMBERS TO ATTEND THE TYLER CONNECT 2024 CONFERENCE, IN INDIANA

Adopt **Resolution 24-5473** authorizing out of state travel for the Senior Management Analyst and Customer Service Supervisor to attend the Tyler Connect 2024 Conference in Indianapolis, Indiana, from May 19-22, 2024.

- 4.9 APPROVE AN AGREEMENT FOR A RAPID EMERGENCY RESPONSE SYSTEM AND RELATED BUDGET AMENDMENT

Adopt **Resolution 24-5474** approving an Agreement for a Rapid Emergency Response System, and related budget amendment.

- 4.10 APPROVE PURCHASE OF SOFTWARE AND ENTERPRISE LICENSE AND APPROVE MAINTENANCE SERVICE AGREEMENT WITH SWARCO MCCAIN, INC. ASSOCIATED WITH THE CITYWIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01

Adopt **Resolution 24-5475** approving the purchase of Software and Enterprise License, and approve a Maintenance Service Agreement with Swarco McCain, Inc., associated with the Citywide Traffic Systems and Safety Upgrades Project, CIP PS 23-01.

- 4.11 CREATE CIP PS 24-32 FOR MOSSDALE PAVEMENT PREVENTATIVE MAINTENANCE AND APPROVE BUDGET AMENDMENT

Adopt **Resolution 24-5476** creating CIP PS 24-32 for Mosssdale Pavement Preventative Maintenance, and approving budget amendment.

- 4.12 AWARD SERVICE CONTRACT TO BEAR ELECTRICAL SOLUTIONS, INC. FOR ON-CALL ELECTRICAL SERVICES FOR FISCAL YEAR 2023-2024

Adopt **Resolution 24-5477** awarding a Service Contract to Bear Electrical Solutions, Inc. for on-call electrical services for Fiscal Year 2023-2024.

- 4.13 AWARD CONSTRUCTION CONTRACT TO TRIP STOP SIDEWALK REPAIR INC. FOR CITYWIDE SIDEWALK IMPROVEMENTS, CIP PS 24-08

Adopt **Resolution 24-5478** awarding Construction Contract to Trip Stop Sidewalk Repair Inc., for citywide sidewalk improvements, CIP PS 24-08.

- 4.14 AUTHORIZE ACCEPTANCE OF AN SB 1383 LOCAL ASSISTANCE GRANT PROGRAM FROM THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)

Adopt **Resolution 24-5479** authorizing the acceptance of an SB 1383 Local Assistance Grant, from the Department of Resources, Recycling, and Recovery (CalRecycle), to Reduce Organic Waste.

- 4.15 APPROVE ADDITIONAL INDUSTRIAL SOLID WASTE LICENSES FOR RA RA TRUCKING, INC., CALIFORNIA MATERIALS, INC., AND CAL-WASTE RECOVERY SYSTEMS FOR THE REMAINDER OF FISCAL YEAR 2023-24

Rudy Vaccarezza (in person speaker), representing Cal-Waste, spoke in support of the item.

1. Adopt **Resolution 24-5480** approving Annual Industrial Solid Waste License for Ra Ra Trucking, Inc., for the remainder of Fiscal Year 2023-24;
2. Adopt **Resolution 24-5481** approving Annual Industrial Solid Waste License for California Materials, Inc., for the remainder of Fiscal Year 2023-24; and
3. Adopt **Resolution 24-5482** approving Annual Industrial Solid Waste License for Cal-Waste Recovery Systems, for the remainder of Fiscal Year 2023-24.

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO ADOPT AN ORDINANCE TO AMEND 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

Chief of Police Stephen Sealy provided the presentation. A question and answer period followed. Mayor Dhaliwal opened the public hearing. Michael Ross (zoom speaker) requested to speak; when called to speak, caller was unable to unmute the phone. Ernie (Ernesto) Rodriguez (zoom speaker) requested additional information regarding enforcement procedures and the impounding of bicycles, including electric bicycles. There were no other speakers. Mayor Dhaliwal closed the public hearing.

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

1. Held a public hearing; and
2. Waived first reading and introduced an ordinance amending the Lathrop Municipal Code 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". The new Chapters included the following:
 - Chapter 5.10 (Short-Term Rental Prohibition): adding new Chapter to prohibit short-term vacation rentals; and
 - Chapter 9.28 (Bicycles Used in Violation of the California Vehicle Code): adding new Chapter to regulate bicycles used in violation of the California Vehicle Code.

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

5.2 DISCUSS AND CONSIDER AWARD OF CONSTRUCTION CONTRACT TO DIRT DYNASTY, INC. FOR LATHROP ROAD RESIDENTIAL DRIVEWAY RECONSTRUCTION, CIP GG 24-27 AND APPROVE BUDGET AMENDMENT

**Item 5.2 removed from agenda, pursuant to notice under Item 1.6.*

Discuss and Consider Adopting a Resolution to Award Construction Contract to Dirt Dynasty, Inc. for the Lathrop Road Residential Driveway Reconstruction, CIP GG 24-27 and Approve Budget Amendment

5.3 BIENNIAL BUDGET FISCAL YEAR 2023-24 MID-YEAR REPORT (YEAR 1)

Deputy City Manager Thomas Hedegard and Finance Director Cari James provided the presentation. A question and answer period ensued throughout the presentation. Recreation Manager Melissa Stathakopoulos provided additional information regarding the request for swing gates at the Generation Center.

On a motion by Mayor Dhaliwal, seconded simultaneously by Councilmembers Lazard and Torres-O'Callaghan, the City Council adopted **Resolution 24-5483** approving the Mid-Year Budget Report for Year 1 of the Biennial Budget FY 2024 and FY 2025, and related budget and position requests.

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

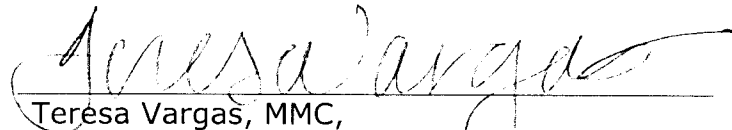
6. COUNCIL COMMUNICATIONS

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) – None

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmembers thanked those in attendance. Councilmember Torres-O’Callaghan thanked recreation staff for assisting in the opening of the Lathrop High School food pantry, and wished students a happy spring break. Mayor Dhaliwal announced his attendance to the Lathrop Little League opening ceremony, and expressed his appreciation to the Lathrop Little League Board Members for organizing the event.

7. ADJOURNMENT – There being no further business, Mayor Dhaliwal adjourned the meeting at 7:49 p.m.



Teresa Vargas, MMC,
Government Services Director
City Clerk



**CITY OF LATHROP
CITY COUNCIL SPECIAL MEETING
MONDAY, MARCH 25, 2024, 5:30 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive, Lathrop, CA 95330**

AGENDA MINUTES

PLEASE NOTE: There was a Closed Session commencing at 5:19 p.m. The Special Meeting reconvened at 5:42 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 5:19 p.m.

1.2 CLOSED SESSION

1.2.1 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.8

- Property: APN : 210-210-01 (Address Not Available)
Agency Negotiator: Stephen J. Salvatore, City Manager
Negotiating Parties: River Islands Development, LLC.
Under Negotiations: Price and Terms of Negotiation

RECONVENE – Mayor Dhaliwal reconvened the meeting at 5:42 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. Those participating in Closed Session were Mayor Dhaliwal, and Council Members Akinjo and Torres-O’Callaghan. Mr. Navarrete reported that Councilmember Lazard did not participate in Closed Session due to a conflict of interest of receiving \$500 or more, from Dell’Osso Farms, in the last twelve months. Mr. Navarrete also reported that Vice Mayor Diallo did not participate in Closed Session due to a lease agreement currently under review for potential conflict with the River Islands Development. The participating City Council Members approved a settlement agreement paying \$17 per square foot for the subject property under Item 1.2.1. (Vote: 3-0)

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

Absent: None.

- 1.4 PLEDGE OF ALLEGIANCE – Vice Mayor Diallo led the pledge of allegiance.
- 1.5 DECLARATION OF CONFLICT(S) OF INTEREST

Vice Mayor Diallo declared a conflict of interest with Items 2.1, 2.2, 2.3, 2.4 and Item 2.5, due to an agreement with River Islands Development. Councilmember Lazard declared a conflict of interest with Items 2.1, 2.2, 2.3, 2.4 and Item 2.5 due to her employment with Dell’Osso Farms. (See Item 1.2 for additional information)

Before the presentation of the consent and items, Lathrop resident Irene Torres (in person speaker) requested to speak on a matter related to the driveway of her residential property.

2. SCHEDULED CONSENT ITEM(S)

**City Council consensus directed staff to present Item 2.6, before Items 2.1 through 2.5.*

Councilmember Lazard and Vice Mayor Diallo recused themselves at 6:01 p.m., following the vote on Scheduled Item 2.6, due to declared conflict of interests noted on Item 1.5.

On a motion by Councilmember Akinjo, seconded by Mayor Dhaliwal, the City Council approved the Consent Calendar, by the following roll call vote, unless otherwise indicated:

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

- 2.1 RESCIND PREVIOUS APPROVAL AND APPROVE MODIFIED FINAL MAP FOR TRACT 4131 VILLAGE “KK” AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 75 SINGLE FAMILY LOTS WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS

Pulled by Councilmember Akinjo. A question and answer period ensued. City Engineer Brad Taylor and River Islands Development President Susan Dell’Osso provided additional information.

Adopted **Resolution 24-5485** rescinding previous approval and approving modified Final Map for Tract 4131 Village “KK” within the Old River District, totaling 75 single family lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC.

- 2.2 APPROVE FINAL MAP, COMMON USE AGREEMENT, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR MULTI-FAMILY AND COMMERCIAL LOTS IN TRACT 4167 WITHIN THE TOWN CENTER DISTRICT OF RIVER ISLANDS

Adopted **Resolution 24-5486** approving Final Map for Tract 4167 within the Town Center District, for multi-family and commercial lots, a Common Use Agreement with Island Reclamation District 2062, Annexation into CFD 2023-1, and a Subdivision Improvement Agreement with Califia, LLC and River Islands Custom Homesites, LLC.

- 2.3 APPROVE FINAL MAP, CFD ANNEXATION, IRREVOCABLE OFFER OF DEDICATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 87 LOTS IN TRACT 4178 VILLAGE 40 WITHIN LAKE HARBOR WEST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 24-5487** approving Final Map for Tract 4178 Village 40 within the Lake Harbor West District, totaling 87 single family lots, Annexation into CFD 2023-1, an Irrevocable Offer of Dedication, and Subdivision Improvement Agreement with River Islands Development Area 1, LLC.

- 2.4 APPROVE LARGE LOT FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 23 UNDEVELOPABLE PARCELS IN TRACT 4205 WITHIN THE WOODLANDS EAST DISTRICT OF RIVER ISLANDS

Pulled by Councilmember Akinjo. A question and answer period ensued. City Engineer Brad Taylor and River Islands Development President Susan Dell'Osso provided additional information.

Adopted **Resolution 24-5488** approving a large lot final map for Tract 4205 within the Woodlands East District, totaling 23 undevelopable parcels, and Subdivision Improvement Agreement with Califia, LLC.

SCHEDULED ITEM(S)

- 2.5 DISCUSS MODIFICATION TO THE RIVER ISLANDS PHASE 2 PARKS AND OPEN SPACE MASTER PLAN TO ADJUST THE C2 COMMUNITY PARK ACREAGE FROM 22.50 ACRES TO 21.59 ACRES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE LETTER OF AGREEMENT FOR FIRST PRIORITY USE FOR THE AUXILIARY GYM

Parks and Recreation Director Todd Sebastian provided the presentation. A question and answer period followed the presentation. River Islands Development President Susan Dell'Osso provided additional information.

On a motion by Councilmember Torres-O'Callaghan, seconded by Councilmember Akinjo, the City Council adopted **Resolution 24-5489** approving modification to the River Islands Phase 2 Parks and Open Space Master Plan to adjust the C2 Community Park acreage from 22.50 acres to 21.59 acres, and authorize the City Manager to execute the Letter Agreement for first priority use for the Auxiliary Gym, by the following roll call vote, unless otherwise indicated:

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

2.6 HEALTH BENEFITS FOR CITY COUNCILMEMBERS

*Deputy City Manager Thomas Hedegard provided the presentation. A question and answer period ensued throughout the presentation.

On a motion by Vice Mayor Diallo, seconded by Councilmember Lazard, the City Council adopted **Resolution 24-5484** offering city paid health benefits to City Councilmembers, at the rate of Contract/Appointed Employees, listed as "Option B" (\$2,525 for year 2024), and approving related budget amendment, by the following roll call vote, unless otherwise indicated:

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

- 3. ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 6:21 p.m.



Teresa Vargas, MMC
Government Services Director
City Clerk

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