

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, JULY 8, 2024
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 7:04 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Councilmember Akinjo called the meeting to order at 7:04 p.m.

1.2 ROLL CALL Present: Councilmembers: Akinjo, Lazard and Torres-O’Callaghan.

 Absent: Mayor Dhaliwal and Vice Mayor Diallo

1.3 INVOCATION - Roger Slate, Outreach Minister with Grace Community Church, provided the invocation.

1.4 PLEDGE OF ALLEGIANCE – Outreach Minister Roger Slate led the pledge of allegiance.

1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

Government Services Director and City Clerk Teresa Vargas announced the beginning of the Nomination Period for the 2024 Municipal Election, commencing Monday, July 15, 2024, at 8 a.m. through Friday, August 9, 2024, at 5 p.m. Candidates are encouraged to call the City Clerk’s Department at (209) 94-7230 to make an appointment to pick up nomination papers during this time.

Chief of Police Stephen Sealy announced the National Night Out community event, scheduled for Tuesday, August 6, 2024, from 6 p.m. to 8 p.m.

1.6 INFORMATIONAL ITEM(S) – None.

1.7 DECLARATION OF CONFLICT(S) OF INTEREST – None.

2. PRESENTATIONS

2.1 PROCLAMATION DECLARING JULY AS PARKS AND RECREATION MONTH

Councilmember Akinjo presented a proclamation declaring July 2024 as Parks and Recreation Month to members of the Parks and Recreation Department.

2.2 INTRODUCTION OF NEW EMPLOYEES

Chief of Police Stephen Sealy introduced Police Lieutenant Krystal Pronske. Lieutenant Pronske expressed appreciation for her employment with the City of Lathrop.

2.3 PRESENTATION REGARDING THE AMERICANS WITH DISABILITIES ACT (ADA) TRANSITIONAL PLAN UPDATE

City Engineer Brad Taylor introduced City Accessibility Consultant Lena Roper with MIG Consultants. Ms. Roper provided the presentation, which included, but not limited to, ADA Title II requirements for public entities, public engagement, public programs and policies, evaluation of city facilities, project prioritization and plan structure.

2.4 PRESENTATION REGARDING THE BROADBAND INFRASTRUCTURE MASTER PLAN PROJECT, CIP GG 24-24

City Council consensus approved staff's request to move presentation for Item 2.4 to the Regular Meeting of September 9, 2024.

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. Lawrence Abbott made several comments related to the beautification of the city's storm drain ponds, weed abatement maintenance, planting of additional trees, and requested consideration of access to perform volunteer weed abatement and beautification services on city owned storm drain ponds.

4. CONSENT CALENDAR

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

Ayes:	Lazard, Torres-O'Callaghan and Akinjo
Noes:	None
Absent:	Dhaliwal 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 City Council Meeting of May 13, 2024, and the Special Meeting of June 3, 2024.

4.3 APPROVE ESTABLISHING THE CITY OF LATHROP POET LAUREATE PROGRAM

Adopted **Resolution 24-5579** establishing the City of Lathrop Poet Laureate Program and authorizing the City Manager to execute a Grant Funding Agreement with the Library & Literacy Foundation for San Joaquin County.

4.4 APPROVE OUT OF STATE TRAVEL AUTHORIZING THE PARKS AND RECREATION DIRECTOR TO ATTEND TWO (2) OUT OF STATE MEETINGS IN HIS ROLE AS A REGENT OF THE BOARD OF THE NATIONAL RECREATION AND PARK ASSOCIATION, REVENUE DEVELOPMENT AND MANAGEMENT SCHOOL

Adopted **Resolution 24-5580** authorizing out of state travel for the Parks and Recreation Director to attend the National Recreation and Park Association, Revenue Development and Management School Midyear Meeting August 5-6, 2024, in Denver Colorado and March 10-14, 2025, in Wheeling, West Virginia.

4.5 APPROVE OUT OF STATE TRAVEL FOR COUNCIL MEMBERS TO ATTEND "EXPERIENCIA PUERTO RICO 2024", AS MEMBERS OF THE NATIONAL LEAGUE OF CITIES SMALL CITIES COUNCIL

Adopted **Resolution 24-5581** authorizing out of state travel for two (2) Council Members to attend "Experiencia Puerto Rico 2024" in San Juan, Puerto Rico, August 26-28, 2024, as members of the National League of Cities Small Cities Council.

4.6 APPROVE OUT OF STATE TRAVEL FOR COUNCIL MEMBERS TO ATTEND THE 2024 NATIONAL LEAGUE OF CITIES CITY SUMMIT

Adopted **Resolution 24-5582** authorizing out of state travel for four (4) Council Members to attend the 2024 National League of Cities City Summit in Tampa Bay, Florida, November 13 -16, 2024.

- 4.7 APPROVE THE PURCHASE OF FOUR (4) VEHICLES FROM PHIL LONG FORD OF DENVER AND TWO (2) VEHICLES FROM AMERICAN CHEVROLET OF MODESTO

Adopted **Resolution 24-5583** approving the purchase of four (4) vehicles from Phil Long Ford of Denver, and **Resolution 24-5584** approving the purchase of two (2) vehicles from American Chevrolet of Modesto.

- 4.8 APPROVE ANNUAL INDUSTRIAL SOLID WASTE LICENSE FOR TESLA, INC., FOR FISCAL YEAR (FY) 2024-25

Adopted **Resolution 24-5585** approving Annual Industrial Solid Waste License for Tesla, Inc., for FY 2024-25.

- 4.9 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 66 LOTS IN TRACT 3225 WITHIN THE MOSSDALE LANDING AREA

Adopted **Resolution 24-5586** approving Final Map for Tract 3225 within the Mossdale Landing Area, totaling 66 single-family lots and Subdivision Improvement Agreement with K. Hovnanian Homes Northern California, Inc.

- 4.10 ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR EP NO. 2023-102, LOCATED ON GOLDEN VALLEY PARKWAY BETWEEN RIVER ISLANDS PARKWAY AND SPARTAN WAY, FROM LATHROP LAND ACQUISITION, LLC, APPROVE BUDGET AMENDMENT, RESCIND PREVIOUS APPROVAL OF CHANGE ORDER, AND APPROVE CHANGE ORDER NO. 33 FOR LANDSCAPE MAINTENANCE SERVICES WITH SILVA LANDSCAPE

Adopted **Resolution 24-5587** accepting public improvements with associated conditions for Encroachment Permit No. 2023-102, located on Golden Valley Parkway, between River Islands Parkway and Spartan Way, from Lathrop Land Acquisition, LLC., approving budget amendment, rescind previous approval of Change Order No. 32, and approving Change Order No. 33 for landscape maintenance services with Silva Landscape.

- 4.11 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR LATHROP ROAD PAVEMENT REPAIR, CIP PS 24-35

Adopted **Resolution 24-5588** accepting public improvements constructed by DSS Company, dba Knife River Construction, for Lathrop Road pavement repair, CIP PS 24-35, authorizing the filing of a Notice of Completion, releasing contract retention, and releasing Performance and Payment Bonds.

- 4.12 AWARD CONSTRUCTION CONTRACT TO MARINA LANDSCAPE, INC. FOR CONSTRUCTION OF THE GREEN PARK IMPROVEMENTS, CIP PK 22-12 AND APPROVE BUDGET AMENDMENT

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

Adopted **Resolution 24-5589** awarding Construction Contract to Marina Landscape, Inc. for the Green Park improvements, CIP PK 22-12, and approving budget amendment.

- 4.13 AWARD ADDITIONAL SCOPE OF WORK TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION AND APPROVE BUDGET AMENDMENT TO CONSTRUCT SIDEWALK IMPROVEMENTS AT THE LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION PROJECT, CIP PS 15-02

Adopted **Resolution 24-5590** awarding additional scope of work to DSS Company, dba Knife River Construction, and approving budget amendment to construct sidewalk improvements at the Louise Avenue and McKinley Avenue Intersection Project, CIP PS 15-02.

- 4.14 AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR CONSTRUCTION OF YOSEMITE AVENUE PAVEMENT REHABILITATION, CIP PS 24-31 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 24-5591** awarding Construction Contract to DSS Company, dba Knife River Construction, for construction of Yosemite Avenue pavement rehabilitation, CIP PS 24-31, and approving a budget amendment.

- 4.15 RATIFY CITY MANAGER'S EXECUTION OF CONTRACT CHANGE ORDER NO. 2 AND ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY LUMA ENGINEERING CONTRACTORS, INC. FOR PARK WEST SHADE SHELTER

Adopted **Resolution 24-5592** ratifying City Manager's execution of Contract Change Order No. 2, accepting public improvements constructed by Luma Engineering Contractors, Inc., for the Park West shade shelter, authorizing the filing of a notice of completion, and releasing contract retention and Performance and Payment Bonds.

RIVER ISLANDS CONSENT ITEM(S)

City Attorney Salvador Navarrete explained that any potential conflict for Item 4.16 is insignificant, as the approval discretion lies within the authority and control of the City Engineer. The City Engineer has deemed the improvements completed per the approved plans and specifications. Therefore, approval of the C2 Community Park

Improvements by the City Council serves to the benefit of the public and does not change or alter the existing River Islands development agreement.

4.16 ACCEPT C2 COMMUNITY PARK IMPROVEMENTS ASSOCIATED WITH THE SIA FOR TRACT 3794 FROM RIVER ISLANDS CUSTOM HOMESITES, LLC. LOCATED WITHIN THE LAKESIDE EAST DISTRICT OF RIVER ISLANDS

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 24-5593** accepting C2 Community Park improvements, associated with the Subdivision Improvement Agreement for Tract 3794 from River Islands Custom Homesites, LLC, located within the Lakeside East District of River Islands, by the following roll call vote:

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

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER A GENERAL PLAN AMENDMENT, PRE-ZONE, CONDITIONAL USE PERMIT, SITE PLAN REVIEW, AND ANNEXATION FOR THE SINGH PETROLEUM PROJECT

Community Development Director Rick Caguiat and Planning Consultant David Niskanen with JB Anderson Planning provided the presentation. A question and answer period followed. City Engineer Brad Taylor provided additional information related to the Roth Road realignment and interchange improvements.

Councilmember Akinjo opened the public hearing. Melvin Higginbotham (in-person speaker), architect representing Singh Petroleum (applicant), provided additional information related to the project. Mike Hakeem (in-person speaker), legal representative for the applicant provided additional information related to the project. There were no other speakers. Councilmember Akinjo closed the public hearing. At the request of the City Council, JD Hightower, Executive Officer for San Joaquin Local Agency Formation Commission, provided information regarding the annexation process.

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

1. Held a public hearing;

2. Adopted **Resolution 24-5594** certifying the Final Environmental Impact Report (FEIR) (SCH# 2022120596), CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project;
3. Adopted **Resolution 24-5595** approving a General Plan Amendment of APN: 191-250-06 to FC, Freeway Commercial (GPA-20-60);
4. Introduced First Reading of an Ordinance for Zoning Map Amendment related to the Pre-Zoning of the Subject Annexation Area (REZ-20-61);
5. Adopted **Resolution 24-5596** approving a Conditional Use Permit and Site Plan Review to Allow for the Development of a Travel Plaza on the Subject Properties (CUP-20-62 and SPR-20-63); and
6. Adopt **Resolution 24-5597** directing staff to file an application with San Joaquin Local Agency Formation Commission for the Annexation of 22.42-acres (ANX-20-64), by the following roll call vote:

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

5.2 DISCUSS PROPOSED COMMEMORATIVE LIGHTING POLICY FOR THE CITY OWNED PALM TREES

Community Development Director Rick Caguiat provided the presentation. A question and answer period followed. Councilmember Torres-O'Callaghan requested adding protocol for lighting palm trees commemorating fallen first responders, in which red lights would commemorate fallen firefighters and blue lights would commemorate fallen police officers. JD Hightower (in person speaker) requested Council consideration of lighting the palm trees red, white, and blue on June 14, commemorating National Flag Day.

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council discussed and adopted **Resolution 24-5598** approving the revised Commemorative Lighting Policy for the City Owned Palm Trees, which included protocols for lighting palm trees commemorating fallen first responders (red lights commemorating fallen firefighters and blue lights commemorating fallen police officers) and lighting the palm trees red, white, and blue on June 14, commemorating National Flag Day.

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

6. COUNCIL COMMUNICATIONS

6.1 COUNCILMEMBER TORRES-O'CALLAGHAN REFERRAL –Discuss Installing Traffic Signal at Central Pacific and Spartan Way, Near the High School

Councilmember Torres-O'Callaghan provided a summary of the referral. A question and answer period ensued. City Engineer Brad Taylor provided additional information regarding the feasibility of the traffic signal. Council consensus accepted the referral. The item will be agendaized during a future meeting.

6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Torres-O'Callaghan reported her attendance to the National League of Cities Hispanic Elected Local Officials (HELO) and Small Cities Conferences.

Councilmember Akinjo reported his attendance to meetings of the San Joaquin Area Flood Control Agency and provided an update on the successful passage of the Mossdale Overlay Assessment District.

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Torres-O'Callaghan expressed appreciation to both Chief Sealy and Chief Bramell for July 4th response times and proactive enforcement and prevention on illegal firework activity. Councilmembers Akinjo and Lazard echoed similar sentiments.

7. ADJOURNMENT – There being no further business, Councilmember Akinjo adjourned the meeting at 8:47 p.m.



Teresa Vargas, MMC
Government Services Director
City Clerk