

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, JANUARY 13, 2025
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 6:30 p.m. The Regular Meeting reconvened at 7:02 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Akinjo called the meeting to order at 6:30 p.m. and adjourned to Closed Session following the Oath of Office.

1.2 OATH OF OFFICE TO APPOINTED COUNCILMEMBER STEPHEN DRESSER BY CITY CLERK TERESA VARGAS

City Clerk Teresa Vargas administered the Oath of Office to Appointed Councilmember Stephen Dresser.

1.3 CLOSED SESSION

1.3.1 LIABILITY CLAIM: Pursuant to Government Code Section 54956.95

- Claimant: Angela Victoria
Agency Claimed Against: City of Lathrop

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

1.3.2 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided pursuant to matters under Item 1.3; the City Council denied the claim. There was no other reportable action taken.

1.4 ROLL CALL

Present: Mayor Akinjo; Vice Mayor Torres-O’Callaghan;
and Councilmembers: Diallo, Dresser and Lazard

Absent: None

1.5 INVOCATION - Elder Larry Belfield, with New Life Church, provided the invocation.

1.6 PLEDGE OF ALLEGIANCE – Elder Belfield led the pledge of allegiance.

1.7 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

City Manager Stephen Salvatore and Lathrop-Manteca Fire District (LMFD) Chief David Bramell announced the deployment of the new Advanced Life Support Program enhancing the emergency medical response services provided by LMFD.

1.8 INFORMATIONAL ITEM(S) - None

1.9 DECLARATION OF CONFLICT(S) OF INTEREST - None

2. PRESENTATIONS - None

2.1 PRESENTATION - PROJECT STATUS UPDATE ON THE CONSOLIDATED TREATMENT FACILITY (CTF) PHASE 3 EXPANSION (CIP WW 22-38)

Assistant City Manager Michael King provided the presentation, which included background information on the Consolidated Treatment Facility, completed components of the expansion, upcoming work and the remaining project timeline.

2.2 PRESENTATION - UPDATE ON THE AVA COMMUNITY ENERGY ENROLLMENT PLAN

Assistant City Manager Michael King provided the presentation, which included an overview of the Ava Community Energy project and the implementation timeline of the service to the Lathrop community. A question and answer period followed the presentation. Ava Representative Hector Aguiniga (in person speaker), and City Attorney Salvador Navarrete, Community Development Director Rick Caguiat, provided additional information related to the energy service implementation.

3. CITIZEN'S FORUM - None

4. CONSENT CALENDAR

Prior to the vote of the Consent Calendar, Councilmember Diallo left the dais for the remainder of the meeting at 7:50 p.m.

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

Ayes: Dresser, Lazard, Torres-O'Callaghan and Akinjo
Noes: None
Absent: Diallo
Abstain: Dresser (*Item 4.2 only)

**Councilmember Dresser abstained from voting on Item 4.2, due to not being an appointed member of the City Council during that timeframe.*

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 City Council Meeting of December 9, 2024 (Municipal Election Certification).

4.3 SECOND READING AND ADOPTION OF ORDINANCE 25-461 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP MUNICIPAL CODE (LMC) TO UPDATE TITLE 3, CHAPTER 3.30 INFORMAL BIDDING THRESHOLDS AND SERVICE DEFINITIONS IN ACCORDANCE WITH THE UPDATED ASSEMBLY BILL 2192 (AB 2192) (2024) AMENDMENTS TO THE PUBLIC CONTRACT CODE

Waived full reading and adopted **Ordinance 25-461** amending the Lathrop Municipal Code (LMC) to updating Title 3, Chapter 3.30 informal bidding thresholds and service definitions in accordance with the updated AB 2192 (2024) amendments to the Public Contract Code.

4.4 ACCEPTANCE OF THE CITY OF LATHROP ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2024

Adopted **Resolution 25-5706** accepting the City of Lathrop Annual Comprehensive Financial Report (ACFR) for Fiscal Year ending June 30, 2024.

4.5 REVIEW OF THE CAPITAL FACILITY FEE FUNDS REPORT FOR FY 2023-2024

Reviewed of the Capital Facility Fee Funds Report for Fiscal Year 2023-2024.

4.6 APPROVE PROPOSED FISCAL YEAR 2025-26 AND FISCAL YEAR 2026-27 BIENNIAL BUDGET CALENDAR

City Council considered and approved the proposed Fiscal Year 2025-26 and Fiscal Year 2026-27 Biennial Budget Calendar.

4.7 APPROVE OUT OF STATE TRAVEL FOR THE MAYOR TO ATTEND THE U.S. CONFERENCE OF MAYORS 93RD WINTER MEETING

Adopted **Resolution 25-5707** authorizing out of state travel for the Mayor to attend the U.S. Conference of Mayors 93rd Winter Meeting in Washington, DC, January 17 -19, 2025.

4.8 APPROVE OUT OF STATE TRAVEL FOR CITY STAFF TO PARTICIPATE IN THE ICSC LAS VEGAS CONFERENCE IN MAY 2025

Pulled by Councilmember Dresser for additional information. Economic Development Administrator Shelley Burcham provided the information.

Adopted **Resolution 25-5708** authorizing out of state travel for two staff members to attend and represent the City of Lathrop at the Innovating Commerce Serving Communities (ICSC) 2025 Conference in Las Vegas, Nevada from May 18, 2025, to May 20, 2025.

4.9 APPROVE SERVICE CONTRACT WITH FRANK M. BOOTH INC. TO PROVIDE PREVENTATIVE MAINTENANCE SERVICES FOR THE CITY'S HVAC SYSTEMS

Adopted **Resolution 25-5709** approving Service Contract with Frank M. Booth Inc. to provide preventative maintenance services for the City's HVAC Systems.

4.10 APPROVE PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH ALEXANDER & ASSOCIATES, INC. FOR ON-CALL LAND SURVEY AND MAPPING SERVICES

Adopted **Resolution 25-5710** approving Professional Consulting Services Agreement with Alexander & Associates, Inc. to provide on-call land survey and mapping services.

4.11 APPROVE AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARK THOMAS FOR THE LOUISE AVENUE / INTERSTATE 5 INTERCHANGE PROJECT, CIP PS 06-06 AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 25-5711** approving Amendment No. 3 to the Professional Services Agreement with Mark Thomas for the Louise Avenue / Interstate 5 Interchange Project, CIP PS 06-06, related budget amendment.

- 4.12 RATIFY THE PURCHASE OF AUTOMATIC LICENSE PLATE RECOGNITION SURVEILLANCE SYSTEM SOFTWARE AND HARDWARE FROM VIGILANT SOLUTIONS, LLC. FOR CIP GG 19-07 CITYWIDE SURVEILLANCE SYSTEM AND APPROVE RELATED BUDGET AMENDMENT

Adopted **Resolution 25-5712** ratifying purchase of automatic license plate recognition surveillance system software and hardware from Vigilant Solutions, LLC., for CIP GG 19-07 Citywide Surveillance System Project, and related budget amendment.

- 4.13 CREATE CIP PS 25-16 FOR BULBOUTS ON 5TH STREET, AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION, AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 25-5713** creating CIP PS 25-16 Bulbouts Project on 5th Street, Awarding Construction Contract to DSS Company dba Knife River Construction, and approving related budget amendment.

- 4.14 CREATE CIP SD 25-17 EAST LATHROP STORMWATER MASTER PLAN, RATIFY PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS, INC., AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 25-5714** creating CIP SD 25-17 East Lathrop Water Stormwater Master Plan, ratifying Professional Services Agreement with Carollo Engineers, Inc., and approving related budget amendment.

5. SCHEDULED ITEMS

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AMENDMENTS TO VARIOUS CHAPTERS OF THE LATHROP MUNICIPAL CODE (LMC) TO MODERNIZE, SIMPLIFY, AND STREAMLINE VARIOUS SECTIONS IN TITLE 8, HEALTH AND SAFETY AND TITLE 17, ZONING (TA-24-161)

Community Development Director Rick Caguiat provided the presentation, which included a summary of various municipal code text amendments to provide consistency with local policies and State law. A question and answer period ensued throughout the presentation. Mayor Akinjo opened the Public Hearing. There were no speakers. Mayor Akinjo closed the public hearing.

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

1. Held a public hearing; and
2. Held First Reading and Introduction of an Ordinance adopting various amendments to the Lathrop Municipal Code (LMC) to modernize, simplify, and streamline various sections of Title 8, Health and Safety and Title 17, Zoning.

The Amendments Include the Following:

- Chapter 8.40 (Unlawful Camping): Add Recreational Vehicles and Trailers to the Definition of "Camp Facilities" and Update the Number of Days Overnight Camping is Permitted on Private Residential Properties from One (1) to Two (2) Consecutive Nights.
- Chapter 17.04 (General Provisions): Move Definition of "Assembly Use" to be in Alphabetical Order.
- Chapter 17.23 (P/QP Public-Quasi Public District): Add Language to Clarify that a Public-Quasi Public Zoned Property Must be Fully Developed Pursuant to City Requirements Prior to Being Occupied.
- Chapter 17.32 (R One-Family Residential District): Update the Permitted Use Section Reference to Title 6 (Animals) and Remove "Mobilehomes" as a Permitted Use with an Administrative Approval.
- Chapter 17.36 (RM Multi-Family Residential District): Update the Permitted Use Section to Reference Title 6 (Animals), Remove "Mobilehomes" as a Permitted Use with an Administrative Approval, and Clarify Site Improvements and Design Review Requirements.
- Chapter 17.38 (Historic Lathrop Overlay District): Update the Historic Overlay District Map to be Consistent with the Zoning Map.
- Chapter 17.44 (C Commercial District): Clarify that Temporary Sidewalk Sales and Use of Public Right-of-Way for Display and Sales of Merchandise Conform to the Provisions of Chapter 8.25 (Sidewalk Vendors) and Clarify Site Improvements and Design Review Requirements.
- Chapter 17.48 (I Industrial District): Clarify that an Industrial Zoned Property Must be Fully Developed Pursuant to City Requirements Prior to Being Occupied.
- Chapter 17.57 (Mossdale Landing Zoning): Remove "Adult Novelty Stores" as a Conditional Use in the CS-MV, Service Commercial, CH-MV, Highway Commercial (Mossdale Landing) and CS-MV, Service Commercial (Mossdale Landing East) Zoning Districts. Clarify Site Improvements and Design Review Requirements in Various Sections.

- Chapter 17.58 (Lathrop Gateway Business Park Zoning Districts): Modify Reference to the Appropriate Section (Article 5, Development Standards) and Clarify Site Improvements and Design Review Requirements.
- Chapter 17.59 (South Lathrop Zoning Districts): Clarify Site Improvements and Design Requirements in the CO-SL, Commercial Office and IL-SL, Limited Industrial Zoning Districts.
- Chapter 17.62 (Central Lathrop Zoning Districts): Prohibit Duplex on Residential/Mixed Use Zoning District East of Golden Valley Parkway, Update the Permitted Use Section to Reference Title 6 (Animals), and Clarify Site Improvements and Design Review Requirements in Various Sections.
- Chapter 17.92 (Landscaping and Screening Standards): Add Language to Implement Senate Bill 1383 Promoting Use of Recycled Mulch and Compost.
- Chapter 17.100 (Site Plan Review): Add Language to Clarify that a Property Must be Fully Developed Pursuant to City Requirements Prior to Being Occupied.

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

5.2 REVIEW MICROTRANSIT RFP RESULTS AND PROVIDE DIRECTION ON TRANSIT

Deputy City Manager Thomas Hedegard provided the presentation, which included a project summary, an overview of microtransit services, the Request for Proposal (RFP) process, summary of proposals received, and funding proposed for the transit program. City Manager Stephen Salvatore provided additional information.

On a motion by Mayor Akinjo, seconded by Vice Mayor Torres-O'Callaghan, the City Council adopted **Resolution 25-5715**, reviewing the Microtransit RFP results, provided direction and approved Microtransit Option B with Unified Transit, and authorized the City Manager to execute related agreement, by the following roll call vote, unless otherwise indicated:

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

5.3 ESTABLISH A FINANCIAL INCENTIVE PROGRAM LIMITED TO NEW RETAIL ESTABLISHMENTS LOCATING IN THE CITY EAST OF INTERSTATE 5 AND APPROVE BUDGET AMENDMENT

Economic Development Administrator Shelley Burcham provided the presentation, which included an overview of the proposed retail incentive program and the eligibility process and incentive options.

On a motion by Vice Mayor Torres-O'Callaghan, seconded by Councilmember Lazard, the City Council discussed and adopted **Resolution 25-5716** establishing a Retail Incentive Program, and approving a budget allocation of \$1,000,000 of Measure D funds for the proposed program, and up to \$250,000 eligibility per project application for new construction, by the following roll call vote, unless otherwise indicated:

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

5.4 CITY COUNCIL DISCUSSION REGARDING KEEPING FOWL WITHIN CITY LIMITS

Police Chief Police Stephen Sealy provided the presentation, which included an overview of existing municipal code language for the city and neighboring agencies, and recent public concerns on the keeping of fowl.

On a motion by Vice Mayor Torres-O'Callaghan, seconded by Councilmember Dresser, the City Council discussed the matter and directed staff to agendize a future Public Hearing to consider amending the municipal code to remove the lot size requirement for keeping fowl, to allow residents with smaller lots in permissible areas to possess fowl as long as enclosure setbacks and sanitary conditions are Maintained.

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

5.5 DISCUSS OUT OF STATE TRAVEL FOR THE 2025 NATIONAL LEAGUE OF CITIES CONGRESSIONAL CITY CONFERENCE

Government Services Director and City Clerk Teresa Vargas provided the presentation, which included an overview of the National League of Cities (NLC) organization, details regarding the 2025 NLC Congressional City Conference, and options for Council consideration.

A question and answer period followed the presentation. City Attorney Salvador Navarrete provided additional information.

On a motion by Vice Mayor Torres-O’Callaghan, seconded by Councilmember Dresser, the City Council adopted **Resolution 25-5717** authorizing Option 2, out of state travel for Mayor Akinjo and Councilmember Diallo for the 2025 National League of Cities Congressional City Conference to Washington D.C., from March 8-12, 2025, and approving related budget amendment.

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

6. COUNCIL COMMUNICATIONS

6.1 MAYOR AKINJO REFERRAL – Mayor and Councilmember Assignments for 2025

Mayor Akinjo made the following appointments for 2025 City Council Assignments:

| <u>Assignment</u> | <u>Delegate</u> | <u>Alternate</u> |
|--|-------------------------------------|--------------------|
| Central Valley Executive Committee | Akinjo | Diallo |
| Council of Governments BOD | Akinjo | Diallo |
| Integrated Waste Mgmt. Task Force | Dresser | Torres-O’Callaghan |
| Reclamation District 17 JPA | Salvatore | N/A |
| SJC Commissions on Aging | Vacant | N/A |
| SJ Partnership Board of Directors | Salvatore | N/A |
| SJ Valley Air Pollution Control District | Dresser | Akinjo |
| SJC Water Advisory Board | Torres-O’Callaghan | Lazard |
| Tri Valley-SJV Regional Rail BOD | Akinjo | N/A |
| SJA Flood Control Agency | *Dresser/Lazard /Torres-O’Callaghan | |
| Ava Community Energy | Diallo | Dresser |
| LAFCo | Diallo | n/a |

| <u>Assignment</u> | <u>Delegate</u> | <u>Delegate</u> |
|-----------------------------------|--------------------|--------------------|
| 2x2 Meetings with City of Manteca | Akinjo | Torres-O’Callaghan |
| 2x2 Meetings with LMFd | Diallo | Akinjo |
| 2x2 Meetings with Manteca USD | Diallo | Torres-O’Callaghan |
| 2x2 Committee for Banta SD | Torres-O’Callaghan | Lazard |
| 2x2 Economic Development Review | Torres-O’Callaghan | Lazard |

**Two delegates required, and one alternate.*

6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) – None

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Dresser expressed appreciation on his appointment and invited the public to reach out to him as needed. Vice Mayor Torres-O'Callaghan expressed concern for the Santa Ana community experiencing intense wildfires and expressed appreciation to local firefighters dispatched to the Santa Ana area. Mayor Akinjo expressed similar sentiments related to the wildfires and thanked those in attendance.

- 7. ADJOURNMENT** – There being no further business, Mayor Akinjo adjourned the meeting at 9:39 p.m., in memory of the lost lives in the Southern California fires.



Teresa Vargas, MMC
Government Services Director
City Clerk