

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, MARCH 11, 2019
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 – Mayor Dhaliwal called the meeting to order at 7:04 p.m.
- 1.2 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Salcedo;
Councilmembers: Akinjo and Torres-O’Callaghan

Absent: Councilmember Lazard
- 1.3 INVOCATION – Mayor Dhaliwal led a moment of silence.
- 1.4 PLEDGE OF ALLEGIANCE – Vice Mayor Salcedo led the pledge of allegiance.
- 1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

City Manager Stephen Salvatore introduced Assistant Public Works Director Michael King. Mr. King announced PG&E scheduled night work on Louise Avenue, between Harlan Road and 5th Street, commencing on March 18th through mid-May.
- 1.6 INFORMATIONAL ITEM(S) - None
- 1.7 DECLARATION OF CONFLICT(S) OF INTEREST - None

2. PRESENTATIONS

- 2.1 PROCLAMATION – DECLARING SUPPORT FOR A SUCCESSFUL 2020 CENSUS PARTNERSHIP, AS PART OF THE U.S. CENSUS BUREAU PARTNERSHIP AND ENGAGEMENT PROGRAM

Couper Condit, District Director for Assemblyman Heath Flora, 12th Assembly District, provided a Proclamation to the Lathrop City Council, declaring a 2020 Census Partnership.

2.2 PRESENTATION – COUNCIL TO RECEIVE REPORT FROM THE CITY'S CONSULTANT REGARDING THE STATUS OF THE GENERAL PLAN UPDATE PROCESS

City Consultant Ben Ritchie, Principal with De Novo Planning Group, provided an overview regarding the status of the General Plan update, including summary of completed tasks, feedback from public outreach efforts, discussion of Community Vision Report, and next steps. A question and answer period followed the presentation.

2.3 INTRODUCTION OF NEW EMPLOYEE(S):

- Shelley Burcham, Economic Development Administrator
- Anna Campos, Administrative Assistant
- Robert Comacho, Construction Inspector
- Nathan Chunn, Deputy Sheriff
- Jimmy Claude, Deputy Sheriff
- Marcial Gomez, Deputy Sheriff

City Manager Stephen Salvatore introduced Economic Development Administrator Shelley Burcham. Assistant Public Works Director Michael King introduced Construction Inspector Robert Comacho and Administrative Assistant Anna Campos. Lathrop Police Lieutenant Ryan Biedermann introduced Deputy Sheriff Nathan Chunn, Deputy Sheriff Jimmy Claude, and Deputy Sheriff Marcial Gomez. Councilmembers welcomed the new employees.

2.4 MAYOR'S COMMITTEE REPORT(S)

- Parks & Recreation Update on Committee Events and Programs

Parks and Recreation Director Zach Jones reported the following past and upcoming events and programs:

- *Art Committee featured Artist*
Announced art display in Council Chamber by Gary Wilson, paintings to be displayed through March 2019.
- *Senior Center Field Trip – Stockton Kings Game*
Reported event held on February 13, 2019.
- *Junior NBA Program at the Stockton Kings*
Reported Junior NBA day with the Stockton Kings; more than 250 participants.
- *Valentine's Day Dance*
Reported event held February 2, 2019, at the Lathrop Community Center; more than 80 tickets sold.
- *St. Patrick's Day Shenanigans*
Announced event scheduled for March 14, 2019, 2:30 p.m., at the Lathrop Generations Center.

- *Breakfast with the Bunny*
Announced event scheduled for April 13, 2019, at 2:30 p.m., at the Lathrop Community Center
- *Teen Hoop Basketball League*
Announced recreational league for youth, ages 13-17; weekly games; eight-week program; registration ends March 21, 2019.
- *Earth Day*
Announced event scheduled for April 27, 2019, at 9:00 a.m., at Mossdale Park.

3. CITIZEN'S FORUM

Nellie Zavala (Commission on Aging) reported attendance to the San Joaquin County Commission on Aging meeting held March 4, 2019. Dan Doyle (Lathrop, CA) expressed appreciation to staff for prompt response to repair work on the Dos Reis Pump Station; expressed concern with public comment letters submitted by Martin Harris and the City's cost to duplicate the letters for public access during meetings. Christine Mendes (Manteca, CA) expressed various concerns related to the Lathrop Gateway project, including improvements adjacent to the Mendes Family Trust property; notification to property owners near the project area; and the planning commission approval process. Adriana Lopez (Lathrop, CA) commented on Senate Bill No. 1000; requested information about future community meetings related to land use and environmental justice.

4. CONSENT CALENDAR

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

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

**A public comment letter was received addressing Items 4.3, 4.6, 4.10, and 4.12 of the Consent Calendar, and Item 5.1 of Scheduled Items, submitted by Martin Harris with Terra Land Group, LLC; the letter was distributed to the City Council and copies were made available for the public.*

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waived the reading of ordinances and resolutions on agenda unless otherwise requested by the Mayor or a Councilmember.

4.2 APPROVAL OF MINUTES

Approved Minutes for the Regular Council Meeting of January 14, 2019.

- 4.3 *SECOND READING AND ADOPTION OF ORDINANCE 19-402 APPROVING THE FIFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LATHROP, CALIFIA, LLC, AND RIVER ISLANDS DEVELOPMENT, LLC.

Held second reading and adopted **Ordinance 19-402** approving the Fifth Amendment to the Development Agreement between the City of Lathrop, Califia, LLC, and River Islands Development, LLC. (The Fifth Amendment addresses wastewater and potable water allocations for the project, on-going monitoring of actual wastewater and potable water usage, and restate commitments of the project to water conservation.)

- 4.4 ACCEPTANCE OF OFF-SITE IMPROVEMENTS CONSTRUCTED BY BUZZ OATES CONSTRUCTION, INC.

Adopted **Resolution 19-4517** accepting off-site improvements constructed by Buzz Oates Construction, Inc., at 19107, 18551, and 18601 Christopher Way, and authorized release of bonds associated with Encroachment Permit No. 2016-29.

- 4.5 APPROVE A REIMBURSEMENT AGREEMENT WITH LIT INDUSTRIAL LIMITED PARTNERSHIP FOR 6" SEWER FORCE MAIN IMPROVEMENTS ON HARLAN ROAD AND STONEBRIDGE LANE

Adopted **Resolution 19-4518** approving a Reimbursement Agreement with LIT Industrial Limited Partnership for design and construction of 6" sewer force main improvements, on Harlan Road to Stonebridge Lane, associated with the I-5 Logistics project.

- 4.6 *GENERAL PLAN HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2018

Adopted **Resolution 19-4519** accepting the General Plan Housing Element Annual Progress Report for calendar year 2018, and authorized staff to submit the report to the Governor's Office of Planning and Research and State Department of Housing and Community Development.

- 4.7 PLANNING FEE WAIVER REQUEST BY NEW LIFE CHURCH (TUP-19-20)

Adopted **Resolution 19-4520** waiving a temporary use permit application processing and document retention fees for New Life Church in the combined amount of \$392.

- 4.8 APPROVAL OF CONSTRUCTION CONTRACT FOR CIP PK 19-06 VALVERDE PARKING LOT REPAIRS

Adopted **Resolution 19-4521** approving Construction Contract with Cavanaugh Paving and Grading for the Valverde Parking Lot Repairs, CIP PK 19-06.

4.9 CITY OF LATHROP COMMUNITY FACILITIES DISTRICT 2019-1 (SOUTH LATHROP CITY SERVICES) INTENT TO LEVY

Adopted **Resolution 19-4522** declaring intention to establish Community Facilities District 2019-1 (South Lathrop City Services), and setting a public hearing date for April 8, 2019.

4.10 *COMMUNITY FACILITIES DISTRICT 2019-2 (CENTRAL LATHROP CITY SERVICES) FORMATION

Adopted **Resolution 19-4523** declaring intention to establish Community Facilities District 2019-2 (Central Lathrop City Services), and setting a public hearing date for April 8, 2019.

4.11 ACCEPTANCE OF FRONTAGE IMPROVEMENTS CONSTRUCTED BY TEICHERT & SONS, DBA TEICHERT CONSTRUCTION, AT 2131 & 2301 E. LOUISE AVENUE AND APPROVE A REIMBURSEMENT AGREEMENT WITH DPIF CA 1 LATHROP, LLC, FOR GRAVITY SEWER MAIN ON E. LOUISE AVENUE AND MCKINLEY AVENUE ASSOCIATED WITH THE LOGISTICENTER PROJECT

Adopted **Resolution 19-4524** accepting frontage improvements constructed by Teichert & Sons, DBA Teichert Construction, at 2131 and 2301 E. Louise Avenue, approved Reimbursement Agreement with DPIF CA 1 Lathrop, LLC, for design and construction of a 10" and 12" gravity sewer main on E. Louise Avenue and McKinley Avenue, associated with the Logisticenter project.

4.12 *APPROVAL OF PUBLIC ACCESS AND UTILITIES EASEMENTS TO SERVE LATHROP-MANTECA FIRE DISTRICT STATION NO. 35

Adopted **Resolution 19-4525** approving Access and Utility Easements, rejecting Irrevocable Offers of Street Dedication, and approving Improvement Agreement for frontage improvements associated with the Lathrop-Manteca Fire District Fire Station No. 35.

4.13 APPROVE PROFESSIONAL SERVICES AGREEMENT FOR DESIGN ENGINEERING SERVICES FOR THE LOUISE AVENUE / MCKINLEY AVENUE INTERSECTION IMPROVEMENT PROJECT PS 15-02

Adopted **Resolution 19-4526** approving Professional Services Agreement with Associated Engineering Group, for design engineering services, associated with the Louise Avenue and McKinley Avenue intersection improvements, CIP PS 15-02.

5. SCHEDULED ITEMS

- 5.1 *APPROVE THREE REIMBURSEMENT AGREEMENTS WITH SOUTH LATHROP LAND LLC FOR PUBLIC FACILITIES AND INFRASTRUCTURE IMPROVEMENTS TO BE INSTALLED CONCURRENTLY WITH THE DEVELOPMENT OF THE SOUTH LATHROP COMMERCE CENTER PROJECT

Assistant Public Works Director Michael King introduced Principal Engineer Jay Davidson. Mr. Davidson provided the presentation. A question and answer period followed. City Manager Stephen Salvatore provided additional project information.

On a motion by Vice Mayor Salcedo, seconded by Councilmember Akinjo, the City Council adopted **Resolution 19-4527** approving three Reimbursement Agreements with South Lathrop Land, LLC, for the following improvements:

1. South Lathrop Regional Outfall structure and related facilities;
2. Public infrastructure relating to the South Lathrop Commerce Center benefitting properties within the South Lathrop Specific Plan Area; and
3. Public infrastructure relating to the South Lathrop Commerce Center benefitting properties outside the South Lathrop Specific Plan Area.

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

- 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER CDBG AND HOME FUNDING ALLOCATIONS FOR FY 2019/2020

Community Development Director Mark Meissner provided the presentation. A question and answer period ensued throughout the presentation. Parks and Recreation Director Zach Jones, City Attorney Salvador Navarrete, and Senior Administrative Assistant Maria Hermosilla responded to questions from the Council.

Mayor Dhaliwal opened the public hearing. Michele Anderson (Lathrop, CA) expressed support for equal allocations amongst Give Every Child a Chance, Boys and Girls Club, and Parks and Recreation. City Manager Stephen Salvatore provided additional information regarding Council consideration of potential funding allocations. Christine Mendes opposed the use of City funds to offset the necessary funds to provide equal allocation amongst some of the service organizations; expressed support in requesting additional CDBG funds from the County. There were no other speakers. Mayor Dhaliwal closed the public hearing.

The question and answer period continued. Council consensus directed staff to require attendance from applicants to future public hearings. Furthermore, the City Council directed staff to remove the requested allocation to the Lathrop Parks & Recreation Activity Assistance Program, and approved a revised allocation to GECAC.

Remove \$5,000 City of Lathrop allocation, and spread amongst other organizations. GECAC will get \$5,000 (requested amount to all other organizations; approve step 2 and 3

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

1. Held a Public Hearing; and
2. Adopted **Resolution 19-4528**, as amended, approving the following service agency allocations of the CDBG and HOME funds for FY 2019/2020, Step 2 (\$79,200 of the non-service allocation funds to the City of Lathrop Senior Center rehabilitation project), and Step 3 (\$19,970 HOME program funds to the City of Lathrop housing rehabilitation loan program):

SERVICE ORGANIZATION ALLOCATIONS

<u>Organizations</u>	<u>Allocations</u>
San Joaquin Fair Housing	\$ 1,000.00
Emergency Stockton Food Bank (MFM)	\$ 1,000.00
Human Services Agency (Meals on Wheel)	\$ 1,000.00
Give Every Child a Chance (GECAC)	\$ 5,000.00
Boys & Girls Club of Manteca & Lathrop	\$ 5,000.00
Total Allocation (15% of \$78,164)	<u>\$ 13,000.00</u>

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

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF ENERGY COST SAVINGS FINDINGS AND ENTERING INTO A SOLAR POWER PURCHASE AGREEMENT AND SOLAR UTILITY EASEMENTS AGREEMENT WITH GENERAL ELECTRIC INTERNATIONAL, INC., AUTHORIZING FILING A CEQA NOTICE OF EXEMPTION AND CIP GG 19-10 SOLAR ENERGY PROJECT

City Consultants Brandon Hartman, Project Manager, and David Burdick, Asset Manager, TerraVerde Renewable Partners, LLC, provided the presentation. City Attorney Salvador Navarrete and Senior Construction Manager Ken Reed provided additional information. 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 Vice Mayor Salcedo, seconded by Mayor Dhaliwal, the City Council considered the following:

1. Held Public Hearing pursuant to Government Code Section 4217.12; and
2. Adopted **Resolution 19-4529** approving the energy cost savings findings and entering into a Solar Power Purchase Agreement and Solar Utility Easements Agreement with General Electric International, Inc., authorized filing CEQA Notice of Exemption, and created CIP GG 19-10, Solar Energy Project.

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

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL: Appointment of One (1) Member to the Measure C Oversight Committee with Term Expiring June 30, 2022; This Appointment Completes an Unexpired Term Vacancy Ending June 30, 2019, and a Regular Three (3) Year Term

Mayor Dhaliwal made the following appointment:

Measure C Oversight Committee

Michele Anderson

Term Expires

June 30, 2022

On a motion by Vice Mayor Salcedo, seconded by Mayor Dhaliwal, the City Council approved the appointment made by Mayor Dhaliwal as noted above.

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

Council consensus directed the City Clerk to advertise and set application deadline of April 1, 2019, for the unscheduled vacancy left by Ms. Anderson in the Parks & Recreation Commission.

- 6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Akinjo reported attendance to two public meetings in Mountain House and City of Tracy, related to the Valley Link project, and announced future public meeting in the City of Lathrop scheduled for April 6, 2019.

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo commented on the City's development projects. Councilmember Jennifer Torres-O'Callaghan invited the public to attend the Make-A-Wish reveal for Lathrop Resident Keannue Linnell, scheduled for Friday, March 15, 2019, at 1:30 p.m. at the Lathrop High School. Councilmember Salcedo expressed appreciation to Michele Anderson for being a devoted volunteer in the community. Mayor Dhaliwal thanked those in attendance; commented on newly hired employees, and upcoming PG&E streetlight work near Lathrop High School.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:49 p.m.


Teresa Vargas, CMC
City Clerk