

**CITY OF LATHROP  
CITY COUNCIL SPECIAL MEETING  
MONDAY, NOVEMBER 19, 2018  
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 5:35 p.m. The Special Meeting reconvened at 7:05 p.m.**

**1. PRELIMINARY**

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 5:35 p.m.

1.2 CLOSED SESSION

1.2.1 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)

- 5 Potential Cases

1.2.2 CONFERENCE WITH LEGAL COUNSEL: Existing Litigation Pursuant to Government Code 54956.9(a)

- City of Lathrop vs. TCN Properties, L.P., et al., San Joaquin County Superior Court, Case No. STK-CV-UF-2017-0001082

1.2.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to Government Code 54957

- City Manager
- City Attorney

**RECONVENE** – Mayor Dhaliwal reconvened the meeting at 7:05 p.m.

1.2.4 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that the City Council met in Closed Session pursuant to Item 1.2 and provided staff with appropriate direction; no other reportable action was taken.

1.3 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Elliott;  
Councilmembers: Akinjo and Salcedo

Absent: Councilmember Dresser

1.4 INVOCATION – Mayor Dhaliwal led a moment of silence honoring victims of the California fires and Thousand Oaks Borderline Bar and Grill shooting.

1.5 PLEDGE OF ALLEGIANCE – Vice Mayor Elliott led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

Mayor Dhaliwal expressed his condolences related to the passing of Councilmember Dresser's younger brother.

1.7 INFORMATIONAL ITEM(S) - None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST - None

## 2. PRESENTATIONS

2.1 PROCLAMATION – DECLARING NOVEMBER AS SIKH AWARENESS MONTH

Vice Mayor Elliott, on behalf of the City Council, presented the Proclamation to members of the Sikh community declaring November 2018 as Sikh Awareness Month. Daljit S. Goraya (Lathrop, CA) commented on the matter.

2.2 PROCLAMATION – DECLARING NOVEMBER AS HOMELESS YOUTH AWARENESS MONTH

Councilmember Salcedo on behalf of the City Council, presented the Proclamation to Lacey Agbulos (Women's Center-Youth & Family Services). Ms. Agbulos provided information on resources available.

2.3 PRESENTATION – OVERVIEW OF THE LAW ENFORCEMENT AGAINST DRUGS "L.E.A.D" PROGRAM PROVIDED TO DETER YOUTH AND ADULTS FROM DRUG USE, DRUG RELATED CRIMES, BULLYING, AND VIOLENCE

City Clerk Teresa Vargas announced that Item 2.3 was moved to the Regular Meeting of December 10, 2018.

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 committee events and programs:

- *Veteran's Day Celebration*

Reported event held on November 11, 2018 at Valverde Park

- *Breakfast with Santa*

Announced event scheduled for December 1, 2018, starting at 9:00 a.m. at the Lathrop Community Center

- *Christmas Tree Lighting Event*

Announced event scheduled for December 1, 2018, starting at 6:00 p.m. at the Lathrop Community Center

- *Christmas Parade*  
Announced event scheduled for December 8, 2018, starting at 11:00 a.m. at the Lathrop Community Center
- *Holiday Light Contest*  
Registration ends December 13, 2018, judging will take place the week of December 17, 2018

### 3. CITIZEN'S FORUM

Craig Weis (Lathrop, CA) commented on the Measure C presentation provided during the Council Meeting of October 8, 2018.

### 4. CONSENT CALENDAR

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

Ayes:	Akinjo, Elliott, Salcedo, and Dhaliwal
Noes:	None
Absent:	Dresser
Abstain:	None

#### 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 October 8, 2018.

#### 4.3 TREASURER'S REPORT SEPTEMBER 2018

Approved Quarterly Treasurer's Investment Report for September 2018.

#### 4.4 DELINQUENT UTILITY TURN OFFS

Crais Weis (Lathrop, CA) expressed concern with the reconnection fees applied to terminated accounts due to non-payment; requested information related to the City's use of fees collected on delinquent accounts. Finance Director Cari James provided the information.

Adopted **Resolution 18-4472** suspending service disconnections for delinquent accounts scheduled on December 12, 2018.

#### 4.5 FUNDING FOR A MAINTENANCE WORKER I/II IN THE PUBLIC WORKS DEPARTMENT

Adopted **Resolution 18-4473** to approve funding for a Maintenance Worker I/II position.

4.6 CHRISTMAS PARADE TEMPORARY STREET CLOSURE

Adopted **Resolution 18-4474** approving temporary street closures for the Lathrop Christmas Parade on December 8, 2018.

4.7 ACCEPT IMPROVEMENTS FOR THE 5<sup>TH</sup> STREET SIDEWALK IMPROVEMENTS CIP PS 15-19

Adopted **Resolution 18-4475** accepting improvements from McFadden Construction, Inc. and Sinclair General Engineering Construction, Inc. for the 5th Street Sidewalk Improvement Project CIP PS 15-19 and authorizing the filing of a Notice of Completion.

4.8 ACCEPT IMPROVEMENTS FOR MOSSDALE TRAIL LIGHTING CIP PK 18-10 FROM T&S INTERMODAL MAINTENANCE, INC.

Adopted **Resolution 18-4476** accepting improvements from T&S Intermodal Maintenance, Inc. for CIP PK 18-10 Mosssdale Trail Lighting, authorizing the filing of a Notice of Completion, and the release of contract retention.

4.9 RESOLUTION OF INTENTION TO VACATE A PORTION OF MADRUGA ROAD TO SOUTH LATHROP LAND, L.L.C.

Adopted **Resolution 18-4477** approving the City's intention to vacate 9,789 square feet of Madrugua Road to South Lathrop Land, L.L.C.

4.10 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 89 LOTS IN TRACT 3999 VILLAGE "BB" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 18-4478** approving final map for Tract 3999 Village "BB" within the Lakeside East District, totaling 89 single-family lots and a Subdivision Improvement Agreement with River Islands Development, LLC, and Irrevocable Offer of Dedication for portions of Garden Farms Avenue, Bosch Avenue, and Oberlin Avenue.

4.11 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 103 LOTS IN TRACT 4001 VILLAGE "AA" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 18-4479** approving final map for Tract 4001 Village "AA" within the Lakeside East District, totaling 103 single-family lots, Common Use Agreement with Island Reclamation District 2062 for a portion of Riverfront Drive, Subdivision Improvement Agreement with River Islands Development, LLC, and Irrevocable Offer of Dedication for Riverfront Drive and Bosch Avenue.

4.12 COMMUNITY FACILITIES DISTRICTS ANNUAL BOND ACCOUNTABILITY REPORT FOR FY 2017/18

Received FY 17-18 accountability report for bonded and non-bonded Community Facilities Districts.

**5. SCHEDULED ITEMS**

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER PROPOSED COMMUNITY FACILITIES DISTRICTS NOS. 2018-1 AND 2018-2 (CENTRAL LATHROP SPECIFIC PLAN FACILITIES) CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

City Attorney Salvador Navarrete provided the presentation. Mayor Dhaliwal opened the public hearing for the proceedings of two districts, Community Facilities District No. 2018-1 & 2018-2 (Central Lathrop Specific Plan Facilities). City Clerk Teresa Vargas confirmed receipt of a public comment letter received for Item 5.1 submitted by Martin Harris, Terra Land Group, LLC; and confirmed distribution to the City Council and copies for the public. City Attorney Salvador Navarrete announced that Bond Counsel Dave Fama, Jones Hall, was present and available for questions. A question and answer period ensued amongst the Council. City Attorney Salvador Navarrete provided the information. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

1. Held a Public Hearing (for CFD 2018-1 & CFD 2018-2); and
2. Adopted **Resolution No. 18-4480** Forming a Community Facilities District and Five Improvement Areas and Levying a Special Tax to Refinance the Cost of Certain Public Facilities in and for Such District (for CFD 2018-1).

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

3. Adopted **Resolution No. 18-4481** Determining Necessity to Incur Bonded Indebtedness for a Community Facilities District and Five Improvement Areas Therein (for CFD 2018-1).

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

4. Adopted **Resolution No. 18-4482** Calling Special Election for a Community Facilities District and Five Improvement Areas Therein (for CFD 2018-1).

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

5. Adopted **Resolution No. 18-4483** Forming a Community Facilities District and Levying a Special Tax to Refinance the Cost of Certain Public Facilities in and for Such District (for CFD 2018-2).

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

6. Adopted **Resolution No. 18-4484** Determining Necessity to Incur Bonded Indebtedness for a Community Facilities District (for CFD 2018-2).

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

7. Adopted **Resolution No. 18-4485** Calling Special Election for a Community Facilities District (for CFD 2018-2)

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

City Clerk Teresa Vargas opened the ballots and announced the results of the election:

For CFD 2018-1 Improvement Area 1: 100% of the votes were "yes", which included a total of 94 votes;

For CFD 2018-1 Improvement Area 2: 100% of the votes were "yes", which included a total of 62 votes;

For CFD 2018-1 Improvement Area 3: 100% of the votes were "yes", which included a total of 115 votes;

For CFD 2018-1 Improvement Area 4: 100% of the votes were "yes", which included a total of 98 votes;

For CFD 2018-1 Improvement Area 5: 100% of the votes were "yes", which included a total of 134 votes; and

For CFD 2018-2: 100% of the votes were "yes", which included a total of 503 votes.

Mayor Dhaliwal announced that the results of the elections being unanimously in favor of the levy of the special taxes in both Districts, the establishment of the appropriations limits and the incurring of bonded indebtedness for each District. The Council then proceeded with the final actions for the Districts.

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

8. Adopted **Resolution No. 18-4486** Declaring Results of Special Elections for a Community Facilities District and Directing Recording of Notice of Special Tax Lien (for CFD 2018-1)

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

9. Adopted **Resolution No. 18-4487** Declaring Results of Special Elections for a Community Facilities District and Directing Recording of Notice of Special Tax Lien (for CFD 2018-2)

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

Mayor Dhaliwal opened the public hearing for the introduction and first reading of an ordinance related to the levying special taxes within City of Lathrop Community Facilities District No. 2018-1 (Central Lathrop Specific Plan Facilities). There were no speakers. Mayor Dhaliwal closed the public hearing.

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

- 10. Held a Public Hearing; and
- 11. Introduced and held first reading of an Ordinance of the City Council of the City of Lathrop Levying Special Taxes Within City of Lathrop Community Facilities District No. 2018-1 (Central Lathrop Specific Plan Facilities).

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

Mayor Dhaliwal opened the public hearing for the introduction and first reading of an ordinance related to the levying special taxes within City of Lathrop Community Facilities District No. 2018-2 (Central Lathrop Specific Plan Facilities). There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Vice Mayor Elliott, seconded by Councilmember Salcedo, the City Council:

- 12. Held a Public Hearing; and
- 13. Introduced and held first reading of an Ordinance of the City Council of the City of Lathrop Levying Special Taxes Within City of Lathrop Community Facilities District No. 2018-2 (Central Lathrop Specific Plan Facilities)

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

The City Council considered and took the following actions to authorize the issuance of bonds:

On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

- 14. Adopted **Resolution No. 18-4488** Authorizing the Issuance of Special Tax Bonds for and on Behalf of Each Improvement Area of a Community Facilities District, Approving and Directing Execution of Indentures, Approving Sale of Such Bonds, and Approving Other Related Documents and Actions (for CFD 2018-1).

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None



On a motion by Mayor Dhaliwal, seconded by Councilmember Salcedo, the City Council:

15. Adopted **Resolution No. 18-4489** Authorizing the Issuance of Special Tax Bonds for and on Behalf of a Community Facilities District, Approving and Directing the Execution of an Indenture, Approving the Sale of Such Bonds, and Approving Other Related Documents and Actions (for CFD 2018-2).

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

## 5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER UNMET TRANSIT NEEDS FOR FY 19-20

Assistant Public Works Director Michael King introduced Assistant Regional Planner Michelle Prince (San Joaquin Council of Governments). Mr. King provided the presentation. A question and answer period ensued. Mayor Dhaliwal opened the public hearing. Christine Mendes (Manteca, CA) and Debra Williams (Manteca, CA) withdrew their request to speak on the matter. City Clerk Teresa Vargas confirmed receipt of a public comment letter received for Item 5.2 submitted by Martin Harris, Terra Land Group, LLC; and confirmed distribution to the City Council and copies for the public. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Salcedo, seconded by Mayor Dhaliwal, the City Council held a public hearing to receive public testimony regarding unmet transit needs within the City of Lathrop (Transportation Development Act requirements for transit funds). No other action taken.

## 6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL: Appointment of One (1) Member to the Senior Advisory Commission with Term Expiring June 30, 2019, due to Unexpired Term Vacancy
- One (1) Application Received

Mayor Dhaliwal made the following appointment:

**Senior Advisory Commission**  
Robert Long

**Term Expires**  
June 30, 2019

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

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

- 6.2 MAYOR DHALI WAL REFERRAL: Appointment of One (1) Member to the Planning Commission with Term Expiring June 30, 2019, due to Unexpired Term Vacancy
- Six (6) Applications Received

Mayor Dhaliwal made the following appointment:

**Planning Commission**

Ash Ramilay

**Term Expires**

June 30, 2019

Ray Mendes (Manteca, CA) requested clarification on the selection process. Mayor Dhaliwal provided the information. Debra Williams (Manteca, CA) expressed support for consideration of applicant Christine Mendes.

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

Ayes: Akinjo, Elliott, Salcedo, and Dhaliwal  
Noes: None  
Absent: Dresser  
Abstain: None

- 6.3 COUNCILMEMBER DRESSER REFERRAL: Traffic Calming Measures for the Lathrop Acres Area

Mayor Dhaliwal moved Item 6.3 to the next regular meeting due to Councilmember Dresser's absence.

- 6.4 COUNCILMEMBER DRESSER REFERRAL: Review of Recreational Vehicle and Boat Parking Regulations, and Potential Revisions to Ordinance Language

Mayor Dhaliwal moved Item 6.4 to the next regular meeting due to Councilmember Dresser's absence.

- 6.5 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) – None

6.6 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo commented on the success of the Veteran's Day celebration event; expressed sympathy for the California fire victims. Councilmember Salcedo echoed Councilmember Akinjo's comments and wished everyone a Happy Thanksgiving. Vice Mayor Elliott commented on the success of the Veteran's Day celebration event; thanked Deputy Dominguez for his role as keynote speaker and the volunteers that assisted with the event; thanked volunteers and first responders involved in the California fire rescue missions. Mayor Dhaliwal also echoed similar sentiments; expressed sympathy for the California fire victims and the loss of Councilmember Dresser's younger brother.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 8:19 p.m.



Teresa Vargas, CMC  
City Clerk