

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, SEPTEMBER 10, 2018  
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 7:03 p.m.**

**1. PRELIMINARY**

1.1 CALL TO ORDER – Vice Mayor Elliott called the meeting to order at 7:03 p.m.

1.2 ROLL CALL - Present: Vice Mayor Elliott; Councilmembers: Dresser, and Salcedo.

Absent: Mayor Dhaliwal and Councilmember Akinjo

*Councilmember Akinjo arrived at 7:05 p.m., after roll call.*

1.3 INVOCATION – Pastor Trinity Neilson, New Life Church, provided the invocation.

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

1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER - None

1.6 INFORMATIONAL ITEM(S) - None

1.7 DECLARATION OF CONFLICT(S) OF INTEREST - None

**2. PRESENTATIONS**

2.1 NEW EMPLOYEE INTRODUCTION  
• Joel Madrigal, Meter Reader I

Assistant Public Works Director introduced Joel Madrigal, Meter Reader I, for the Public Works Department. Councilmembers welcomed the new employee.

2.2 RECEIVE INFORMATION FROM REPUBLIC SERVICES REGARDING RECENT RECYCLING MARKET CHANGES

City Manager Stephen Salvatore introduced Kevin Basso, General Manager for Republic Services, the City's residential and commercial garbage collector.

Assistant Public Works Director gave a brief overview of the item. Mr. Basso provided the presentation, which included an explanation the "China Sword" development; China's changes in acceptable criteria of imported recyclables and ban of mixed paper; market impacts to local jurisdictions; and long term plans to provide public education and outreach.

Councilmember Akinjo stepped down from the dais at 7:13 p.m., and returned at 7:14 p.m.

The presentation continued. A question and answer period ensued through the presentation.

### 2.3 MAYOR'S COMMITTEE REPORT(S)

Parks and Recreation Director Zach Jones reported on various past and upcoming committee events and programs, some highlighted events included:

- *Mother's Day "Tea Time" Themed Brunch*  
Held May 11, 2018, at the Lathrop Senior Center, sold out event in recognition of Mother's Day, over 60 attendees.
- *Father's Day Luncheon*  
Held June 15, 2018, at the Lathrop Senior Center, special presentation provided by the Department of Fish & Game, over 40 attendees.
- *El Concilio Senior Legal Service*  
Free paralegal services provided at the Lathrop Senior Center for seniors 50 years and over, include: wills, restraining orders, small claims, public assistance, social security forms, Medicare, housing and consumer affairs, grant deeds, evictions, elder abuse matters, durable power of attorney, and advance health care directives.
- *Seniors Walk with Ease Class*  
Six-week program held three times per week: Monday, Wednesday, and Friday, August 1 to September 12, from 9 a.m. to 10 a.m.
- *New Art Party Program*  
Senior Paint Day with Kat's Painting, over 12 attendees. Next class scheduled in November.
- *Junior NBA Program*  
Three division offered in the program with 14 teams, 140 registrants (41% increase from last year).

For information on future programs and events, please contact the Lathrop Parks and Recreation Department at (209) 941-7372.

### 3. CITIZEN'S FORUM

Nellie Zavala (Commission on Aging) reported her attendance to the September 4, 2018, San Joaquin County Commission on Aging meeting, in which opioid abuse amongst elderly citizens was discussed. Ms. Zavala also announced the Caregiver Conference scheduled for November 10, 2018. Jim Canale (Lathrop, CA) expressed concern with the city's water quality and utility rates.

### 4. CONSENT CALENDAR

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

Ayes: Akinjo, Dresser, Salcedo, and Elliott.  
Noes: None.  
Absent: Dhaliwal.  
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 Special Council Meeting of June 25, 2018, and the Regular Meeting of July 9, 2018.

#### 4.3 TREASURER'S REPORT – JUNE 2018

Approved Quarterly Treasurer's Investment Report for June 2018.

#### 4.4 2018 CONFLICT OF INTEREST CODE BIENNIAL AMENDMENT

Adopted **Resolution 18-4443** adopting an amended Conflict of Interest Code.

#### 4.5 OUT-OF-STATE TRAVEL APPROVAL FOR THE 2018 SAN JOAQUIN AREA FLOOD CONTROL AGENCY (SJAFCA) WASHINGTON, D.C. ADVOCACY TRIP

City Clerk Teresa Vargas confirmed receipt of a public comment letter received for Item 4.5 submitted by Martin Harris, Terra Land Group, LLC.; and confirmed distribution to the City Council and copies for the public.

Marin Harris (Terra Land Group, LLC.) read a letter to Council; expressed various concerns related to levee modifications, drainage pathways, and storm water runoff.

Adopted **Resolution 18-4444** authorizing out-of-state travel for Council Member Dresser, representing the City of Lathrop as a SJAFCA Board Member, to attend the 2018 fall advocacy trip in Washington, D.C., from September 25, 2018 to September 27, 2018.

4.6 AGREEMENT WITH SAN JOAQUIN COUNTY ECONOMIC DEVELOPMENT ASSOCIATION

Pulled by Councilmember Dresser. A question and answer period ensued. Economic Development Director of the Economic Development Association of San Joaquin County Steven Lantsberger responded to questions from the Council.

Adopted **Resolution 18-4445** approving an agreement with the San Joaquin County Economic Development Association to provide economic development services to the City of Lathrop, including amending the proposed agreement to provide quarterly progress reports to the City Council.

4.7 APPROVE STREET NAME RECOMMENDATIONS ASSOCIATED WITH THE SOUTH LATHROP COMMERCE CENTER PROJECT

Pulled by Councilmember Dresser. A question and answer period ensued. Community Development Director Mark Meissner provided additional information.

Marin Harris (Tuff Boy Sales, Inc.) spoke on the matter; requested to keep his current address. Community Development Director Mark Meissner clarified that the proposed change would not affect the numerical portion of local addresses. Mike Brown (Lathrop, CA), expressed support for the matter.

Adopted **Resolution 18-4446** approving the following: street name change from "Guthmiller Road" to "Yosemite Avenue"; and replace the suffix of Yosemite "Avenue" with Yosemite "Court".

4.8 ACCEPT IMPROVEMENTS FOR CIP PS 02-24 LATHROP ROAD WIDENING AND PS 17-12 HARLAN ROAD PAVEMENT REHABILITATION FROM TEICHERT CONSTRUCTION, INC.

City Clerk Teresa Vargas announced revisions to the proposed resolution for Item 4.8, to update the budget allocations for CIPs PS 17-12 and PS 02-24, relating to the increase in expenditures for each project. Ms. Vargas confirmed that the budget amount requested did not change from the originally published agenda item.

Adopted **Resolution 18-4447** accepting improvements from Teichert Construction, Inc. for PS 02-24 Lathrop Road Widening and PS 17-12 Harlan Road pavement rehabilitation; authorized related budget amendment; authorized the filing of a notice of completion and release of contract retention.

4.9 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 39 LOTS IN TRACT 3903 VILLAGE "H" WITHIN EAST VILLAGE OF RIVER ISLANDS

Adopted **Resolution 18-4448** approving Final Map for Tract 3903 Village "H" within East Village, totaling 39 single family lots and a Subdivision Improvement Agreement with River Islands Development, LLC.

4.10 APPROVAL OF ANNEXATION NO. 7 OF VILLAGE "D" TO THE CITY OF LATHROP COMMUNITY FACILITIES DISTRICT NO. 2013-1 OF THE RIVER ISLANDS DEVELOPMENT AT LATHROP

Pulled by Councilmember Akinjo. Glenn Gebhardt provided additional information.

Adopted **Resolution 18-4449** approving the Seventh Amendment to the Notice of Special Tax Lien for the City Community Facilities District No. 2013 (River Islands Public Services and Facilities) Annexation No. 7 Village "D" at River Islands Development at Lathrop.

4.11 ACCEPTANCE OF SOUTH LATHROP COMMERCE CENTER (PARCEL MAP 17-01) OFF-SITE PUBLIC IMPROVEMENTS

City Clerk Teresa Vargas confirmed receipt of a public comment letter received for Items 4.11 and 5.1 submitted by Martin Harris, Terra Land Group, LLC.; and confirmed distribution to the City Council and copies for the public.

Marin Harris (Terra Land Group, LLC.) read a letter to Council; expressed various concerns related to flooding and storm water drainage. Jeff Hill (Applicant - South Lathrop Land, LLC) provided additional information related to the South Lathrop Commerce Center project improvements. City Manager Stephen Salvatore and City Engineer Glenn Gebhardt provided additional information.

Adopted **Resolution 18-4450** accepting South Lathrop Commerce Center (Parcel Map 17-01) off-site public improvements.

## 5. SCHEDULED ITEMS

5.1 APPROVAL OF PARCEL MAP 17-01, SUBDIVISION IMPROVEMENT AGREEMENT, MEMORANDUM OF AGREEMENT FOR JOINT USE WITH RECLAMATION DISTRICT 17 (RD 17), EASEMENT DEED TO RD 17, AND JOINT ESCROW INSTRUCTIONS FOR SOUTH LATHROP COMMERCE CENTER

*During the Consent Calendar, City Clerk Teresa Vargas confirmed receipt of a public comment letter received for Items 4.11 and 5.1 submitted by Martin Harris, Terra Land Group, LLC.; and confirmed distribution to the City Council and copies for the public.*

City Engineer Glenn Gebhardt provided the presentation. A question and answer period ensued throughout the presentation.

Jeff Hill (Applicant - South Lathrop Land, LLC) provided additional information related to the project; expressed appreciation to staff for their assistance in moving the project forward; and thanked City Manager Stephen Salvatore for making himself available for commercial companies looking to interview Lathrop for a potential site location. Marin Harris (Terra Land Group, LLC.) expressed various concerns related to flooding and storm water drainage; read a letter received from the Department Water Resources related to flood risks near his property.

On a motion by Councilmember Akinjo, seconded by Vice Mayor Elliott, the City Council adopted **Resolution 18-4451** approving the South Lathrop Commerce Center Parcel Map 17-01, totaling nine (9) lots, and approving Subdivision Improvement Agreement, Memorandum of Agreement for Joint Use with RD 17, Easement Deed to RD 17, and related joint escrow instructions.

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

## 5.2 FISCAL YEAR END 2017/18 BUDGET REPORT AND RELATED AMENDMENTS AND AMEND THE FISCAL YEAR 2018/19 BUDGET

Finance and Administrative Services Director Cari James provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information, and announced that staff would bring an item to Council in October to provide an overview of the General and Measure C funds, including a summary of projects funded by each fund. The question and answer period continued.

On a motion by Councilmember Dresser, seconded by Councilmember Salcedo, the City Council adopted **Resolution 18-4452** amending the Fiscal Year 2017/18 and 2018/19 budget as adopted on June 13, 2017 by Resolution No. 17-4249.

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

## 5.3 GRAND JURY REPORT RESPONSE

City Attorney Salvador Navarrete provided the presentation. A question and answer period ensued throughout the presentation.

Relating to Grand Jury Finding 4.1, Council consensus directed staff to draft an ethics policy, as a supplemental to the adopted City Council Handbook, affirming compliance with State and Federal ethics requirements for the City Council and Department Head level positions.

Relating to Grand Jury Finding 7.1, 7.2.1, and 7.3, Council consensus approved the proposed response, respectfully disagreeing with the Grand Jury findings relating to code enforcement in the City of Lathrop.

Lt Toby Farnsworth responded to questions from the Council concerning parking citations.

On a motion by Vice Mayor Elliott, seconded by Councilmember Dresser, the City Council accepted Grand Jury Report and directed the City Attorney to submit a letter to the Presiding Judge of the San Joaquin County Superior Court responding to the findings and recommendations of the Grand Jury report.

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

## **6. COUNCIL COMMUNICATIONS**

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) - None

6.2 MAYOR & COUNCILMEMBER COMMENT(S) -

Councilmember Akinjo acknowledged celebratory events for City Clerk Teresa Vargas and Vice Mayor Elliott. Councilmember Salcedo echoed comments provided by Councilmember Elliott; thanked those in attendance. Councilmember Dresser announced the community BBQ event honoring first responders, scheduled for September 12, 2018 at 5 p.m.; commented on the recent peace march in the City of Manteca. Vice Mayor Elliott commented on recent crime activity throughout the city and homelessness activity in local parks.

**7. ADJOURNMENT** - There being no further business, Vice Mayor Elliott adjourned the meeting at 9:58 p.m.

  
Teresa Vargas, CMC  
City Clerk