

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, JUNE 11, 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 6:08 p.m. The Regular Meeting reconvened at 7:06 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:08 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)

- 2 Potential Case(s)

1.2.2 Public Employee Performance Evaluation Pursuant to Government Code Section 54957

- City Manager
- City Attorney

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:06 p.m.

1.2.3 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided; no reportable action 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 to honor public safety officers.

1.5 PLEDGE OF ALLEGIANCE – Councilmember Salcedo led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

City Manager Stephen Salvatore announced a Special City Council Meeting scheduled for June 25, 2018, at 6:00 p.m., to discuss a potential law enforcement service agreement between the City of Lathrop and the City of Tracy Police Department, and a police station construction agreement between the City of Lathrop and River Islands Development.

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

Mayor Dhaliwal reported a conflict of interest with Item 5.7 due to his residence being in close proximity to Woodfield Park. City Attorney Salvador Navarrete recommended that he abstain from voting on the matter.

2. PRESENTATIONS

2.1 NEW EMPLOYEE INTRODUCTIONS

- Maria Lamas, Administrative Assistant
- Felix Ajayi, Project Manager

Senior Civil Engineer Michael King introduced Public Works Administrative Assistant Maria Lamas and Public Works Project Manager Felix Ajayi. Councilmembers welcomed the new employees.

2.2 MAYOR'S COMMITTEE REPORT(S)

Parks and Recreation Director Zach Jones provided an update on past and upcoming City events and programs, including:

- *Mother's Day Event*
Event held on May 11, 2018, at the Lathrop Senior Center, over 60 attendees.
- *Memorial Day Ceremony*
Event held on May 28, 2018, at Valverde Park Veterans Memorial.
- *Father's Day Brunch*
Event scheduled for June 15, 2018, at 12:00 p.m., at the Lathrop Senior Center.
- *Movie Night*
"Despicable Me 3" showing held on June 1, 2018, at Sangalang Park, over 200 attendees.
- *Upcoming Movie Nights*
"Paddington 2" scheduled for June 15, 2018, at Valverde Park, "Coco" scheduled for July 13, 2018, at Park West, and "Sherlock Gnomes" scheduled for July 27, 2018, at Mossdale Park. All movies will begin at dusk.

- *City's Anniversary Celebration*

Event scheduled for July 1, 2018, at 6:00 p.m., at the Lathrop Generations Center. Live music, fireworks, and food vendors will be available.

3. **CITIZEN'S FORUM**

Nellie Zavala (Commission on Aging) reported her attendance to the San Joaquin County Commission on Aging meeting held on June 4, 2018, and provided an overview on adult protective services. City Clerk Teresa Vargas confirmed receipt of a public comment letter received for Citizen's Forum from Martin Harris, representing WL Harris Properties, LLC, requesting consideration of the formation of a General Plan Advisory Committee, and confirmed distribution to the City Council and copies for the public.

4. **CONSENT CALENDAR**

On a motion by Councilmember Salcedo, seconded by Councilmember Elliott, 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 May 14, 2018.

4.3 **GENERAL MUNICIPAL ELECTION – NOVEMBER 6, 2018**

The City Council:

1. Adopted **Resolution 18-4398** calling for the holding of a General Municipal Election on Tuesday, November 6, 2018;
2. Adopted **Resolution 18-4399** requesting the County of San Joaquin to consolidate the General Municipal Election with the Statewide General Election; and
3. Adopted **Resolution 18-4400** approving regulations pertaining to the candidate statements.

4.4 **GANN APPROPRIATION LIMIT FOR FISCAL YEAR 2018/19**

Pulled by Councilmember Akinjo. Finance Director Cari James provided the information.

Adopted **Resolution 18-4401** determining the total annual appropriations subject to limitation, for Fiscal Year 2018/19.

4.5 APPOINTMENT OF COUNCILMEMBER AKINJO AS THE VOTING DELEGATE FOR 2018 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Appointed Councilmember Akinjo as the City's voting delegate for the 2018 League of California Cities annual conference, September 12 – 14, Long Beach.

4.6 AGREEMENT FOR PUBLICATION OF LEGAL ADVERTISEMENTS

Adopted **Resolution 18-4402** awarding an agreement to the Manteca Bulletin for publication of legal advertisements for the period of July 1, 2018 through June 30, 2019.

4.7 CITY ANNIVERSARY CELEBRATION TEMPORARY STREET CLOSURE

Adopted **Resolution 18-4403** approving temporary street closures for the Lathrop anniversary celebration on July 1, 2018.

4.8 APPROVE A MASTER AGREEMENT AND TASK ORDERS 1 AND 2 WITH CRANE TRANSPORTATION GROUP

Adopted **Resolution 18-4404** approving a Master Agreement with Crane Transportation Group and Task Orders 1 and 2 for traffic monitoring and analysis services.

4.9 ADOPT ADEQUATE PROGRESS FINDINGS TOWARD PROVISION OF 200-YEAR URBAN LEVEL OF FLOOD PROTECTION FOR RECLAMATION DISTRICT 2062 (RIVER ISLANDS)

During the reading of the Consent Calendar, City Clerk Teresa Vargas confirmed receipt of a public comment letter received from Martin Harris, representing Terra Land Group, LLC, related to Item 4.9, and Ms. Vargas also confirmed distribution to the City Council and copies for the public.

Adopted **Resolution 18-4405**, acting as the Land Use Authority, adopting adequate progress findings toward providing a 200-Year Urban Level of Flood Protection in Phase 1 (Stages 1, 2A and 2B) Area by the Year 2025.

4.10 TRANSPORTATION DEVELOPMENT ACT CLAIM FOR FISCAL YEAR 2017/18

Adopted **Resolution 18-4406** authorizing the filing of a Transportation Development Act claim for Local Transportation Funds for Fiscal Year 2017/18.

4.11 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 74 LOTS IN TRACT 3835 VILLAGE "N" WITHIN EAST VILLAGE OF RIVER ISLANDS

Adopted **Resolution 18-4407** approving Final Map for Tract 3835 Village "N" within East Village, totaling 74 single family lots and a Subdivision Improvement Agreement with River Islands Development, LLC, and City of Lathrop Annexation No. 7 CFD 2013.

4.12 INDUSTRIAL SOLID WASTE LICENSE RENEWAL FOR FISCAL YEAR 2018/19

Adopted **Resolution 18-4408** approving annual industrial solid waste license renewal for Stockton Scavengers Association and Delta Container Corporation.

4.13 CREATE CIP PK 18-10 MOSSDALE COMMUNITY PARK TRAIL LIGHTING AND AWARD A CONSTRUCTION CONTRACT TO T & S INTERMODAL MAINTENANCE, INC.

Adopted **Resolution 18-4409** approving the creation of CIP PK 18-10 Mossdale Community Park trail lighting, award construction contract to T & S Intermodal Maintenance Inc., and approve related budget amendment.

4.14 AGREEMENT WITH H2O URBAN SOLUTIONS, INC. FOR WATER SYSTEM OPERATIONS SUPPORT SERVICES AND A RELATED BUDGET AMENDMENT

Adopted **Resolution 18-4410** approving an agreement with H2O Urban Solutions, Inc. for water system operations support services for Fiscal Year 2018/19 and a related budget amendment.

4.15 APPROVE PURCHASE OF SURPLUS WATER METER EQUIPMENT FROM THE CITY OF MERCED

Pulled by Councilmember Akinjo. Senior Civil Engineer Michael King provided the information.

Adopted **Resolution 18-4411** approving the purchase of surplus water meter equipment from the City of Merced associated with CIP PW 13-08 water improvements.

4.16 APPROVE TASK ORDER NO. 9 WITH 4LEAF, INC. FOR INTERIM CHIEF BUILDING OFFICIAL CONSULTANT SERVICES

Adopted **Resolution 18-4412** approving Task Order No. 9 to the Master Professional Consulting Services Agreement with 4Leaf, Inc. for interim Chief Building Official consultant services.

5. SCHEDULED ITEMS

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER TENTATIVE PARCEL MAP FOR THE NORTH CROSSROADS BUSINESS CENTER PROJECT

Community Development Director Mark Meissner provided the presentation. A question and answer period followed. Mayor Dhaliwal opened the public hearing. Dana Parry (Applicant), representing Reynolds and Brown, spoke on the matter and provided additional information related to the project. There were no other speakers. Mayor Dhaliwal closed the Public Hearing.

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

1. Held a Public Hearing; and
2. Adopted **Resolution 18-4413** affirming the Planning Commission's recommendation to approve the Tentative Parcel Map for the North Crossroads Project (TPM-18-18).

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

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER GENERAL PLAN AMENDMENT AND ZONING MAP AMENDMENT FOR THE LBA NORTH PROJECT

Community Development Director Mark Meissner provided the presentation. A question and answer period followed. Kevin Coleman (Applicant), representing Net Development Co., responded to questions from the Council. Mayor Dhaliwal opened the public hearing. At the beginning of the public hearing, City Clerk Teresa Vargas confirmed receipt of public comment letter received from Kevin Coleman (Applicant), representing Net Development Co., and confirmed distribution to the City Council and copies for the public. City Clerk Teresa Vargas also confirmed receipt of public comment letters received from Steve Herum (Herum, Crabtree, Suntag Attorneys) representing Pacific Edge Development and Lathrop Business Park, LLC and confirmed distribution to the City Council and copies for the public. Packet received prior to the meeting was made available for public inspection. Kevin Coleman (Applicant), representing Net Development Co., provided information related to the project. Steve Herum (Herum, Crabtree, Suntag Attorneys) representing Pacific Edge Development and Lathrop Business Park, LLC, spoke in opposition to the project. Kevin Coleman (Applicant), representing Net Development Co., returned to the lector to provide additional information related to the project. There were no other speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Akinjo second by Mayor Dhaliwal, the City Council:

1. Held a Public Hearing;
2. Adopted **Resolution 18-4414** adopting the Initial Study and Negative Declaration for the LBA North Project;
3. Adopted **Resolution 18-4415** approving the General Plan Map Amendment from freeway commercial to general industrial for the LBA North Project (GPA-18-22); and
4. Introduced and held first reading of an ordinance approving a zoning map amendment from highway commercial to general industrial for the LBA North Project (REZ-18-23).

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

5.3 PUBLIC HEARING (PUBLIC NOTICE) TO CONSIDER MUNICIPAL CODE TEXT AMENDMENT NO. TA-18-56

Community Development Director Mark Meissner provided the presentation. A question and answer period followed. City Attorney Salvador Navarrete provided additional information. The question and answer period continued. Mayor Dhaliwal opened the public hearing. Bennie Gatto (Lathrop, CA) spoke in support of establishing reasonable regulations. There were no other speakers. Mayor Dhaliwal closed the public hearing.

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

1. Held a public hearing; and
2. Introduced and held and first reading an ordinance adopting amendments to the Lathrop Municipal Code Title 17 "Zoning Code", Chapter 17.84 "Signs", with the specific purpose of establishing content neutrality for temporary noncommercial signage, including removal of the four (4) sign limitation on private properties to unlimited signs with owner's permission.

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

5.4 PUBLIC HEARING (PUBLIC NOTICE) AND INTRODUCTION OF AN ORDINANCE ADDING LATHROP MUNICIPAL CODE CHAPTER 13.22 ENTITLED "STATE VIDEO SERVICE FRANCHISES"

Finance Director Cari James introduced City Consultant Sue Buske (The Buske Group). Finance Director Cari James provided the presentation. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing. A question and answer period ensued. City Consultant Sue Buske responded to questions of the Council.

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

1. Held a Public Hearing; and
2. Introduced and held first reading of an ordinance adding Lathrop Municipal Code Chapter 13.22 "State Video Service Franchises".

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

5.5 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING LATHROP MUNICIPAL CODE TITLE 15 BUILDINGS AND CONSTRUCTION, CHAPTER 15.18 CALIFORNIA FIRE CODE ADOPTED, SECTION 15.18.030 ENTITLED APPLICATION TO THE CITY TO CLARIFY DESIGNATED FIRE CODE OFFICIAL

City Attorney Salvador Navarrete provided the presentation. A question and answer period ensued. Lathrop-Manteca Fire District Chief Gene Neely responded to questions from the City Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

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

1. Held a Public Hearing; and
2. Introduced and held first reading of an ordinance amending Lathrop Municipal Code Title 15 "Buildings and Construction", Chapter 15.18 "California Fire Code Adopted", Section 15.18.030 "Application to the City", to clarify designated Fire Code Official.

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

5.6 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER FISCAL YEAR 2018/19 ASSESSMENTS FOR INDUSTRIAL LIGHTING MAINTENANCE DISTRICT; RESIDENTIAL LIGHTING MAINTENANCE DISTRICT; MOSSDALE LANDSCAPE AND LIGHTING DISTRICT; STONEBRIDGE LANDSCAPING MAINTENANCE DISTRICT; STONEBRIDGE DRAINAGE AND LIGHTING DISTRICT; STORM DRAIN DISTRICT ZONE 1; AND STORM DRAIN DISTRICT ZONE 1A

Finance Director Cari James provided the presentation. A question and answer period ensued. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

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

1. Held a Public Hearing; and
2. Adopt **Resolution 18-4416** approving the Final Engineer's Report and ordering the levy and collection of assessments for the City of Lathrop Industrial Lighting Maintenance District for Fiscal Year 2018/19; Maximum Assessment for the District for Fiscal Year 2018/19 not to exceed Zone A \$7.52; Zone B \$38.35; Zone C \$7.52, and Proposed Annual Assessment for Fiscal Year 2018/19 Zone A \$7.52; Zone B \$38.35; Zone C \$7.52;
3. Adopt **Resolution 18-4417** approving the Final Engineer's Report and ordering the levy and collection of assessments for the City of Lathrop Residential Lighting Maintenance District for Fiscal Year 2018/19; Maximum Assessment for the District for Fiscal Year 2018/19 not to exceed Zone A \$41.16; Zone B \$44.10; Zone C \$29.00; Zone D \$53.94; Zone E \$56.71; Zone F \$32.62; Zone G \$7.46, and Proposed Annual Assessment for Fiscal Year 2018/19 Zone A \$41.16; Zone B \$44.10; Zone C \$29.00; Zone D \$53.94; Zone E \$56.71; Zone F \$32.62; Zone G \$7.46;
4. Adopt **Resolution 18-4418** approving the Final Engineer's Report and ordering the levy and collection of assessments for the Mossdale Landscape and Lighting Maintenance District for Fiscal Year 2018/19; Maximum Assessment for Fiscal Year 2018/19 not to exceed \$268.06, and Proposed Annual Assessment for Fiscal Year 2018/19 \$260.25;
5. Adopt **Resolution 18-4419** approving the Final Engineer's Report and ordering the levy and collection of assessments for the Stonebridge Landscape Maintenance District and the Stonebridge Drainage & Lighting District for Fiscal Year 2018/19; Maximum Assessments for each District for Fiscal Year 2018/19 not to exceed \$397.99, and Proposed Annual Assessments for Fiscal Year 2018/19 for each District \$225.06; and
6. Adopt **Resolution 18-4420** approving the Final Engineer's Report and ordering the levy and collection of assessments for the Storm Drain District Zone 1 and Storm Drain District Zone 1A for Fiscal Year 2018/19; Proposed Annual Assessment for Fiscal Year 2018/19 for Storm Drain Zone 1 not to exceed \$112.52, and Proposed Annual Assessment for Fiscal Year 2018/19 for Storm Drain Zone 1A not to exceed \$199.92.

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

5.7 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER FISCAL YEAR 2018/19 ASSESSMENTS FOR THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 93-1 WOODFIELD PARK MAINTENANCE ZONE

Mayor Dhaliwal left the dais citing conflict reported during Item 1.8, and announced that Vice Mayor Elliott would precede over the item.

Finance Director Cari James provided the presentation. A question and answer period ensued. City Attorney Salvador Navarrete provided additional information. Vice Mayor Elliott opened the public hearing. Adriana Lopez (Lathrop, CA) requested additional information related the tax assessment process. Sharon Worden (Lathrop, CA) requested additional information reacted to the fees assessed. There were no other speakers. Vice Mayor Elliott closed the public hearing.

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

1. Held a Public Hearing; and
2. Adopted **Resolution 18-4421** approving the Final Engineer's Report and ordering the levy and collection of assessments for the Landscape and Lighting Maintenance District No. 93-1 Woodfield Park Maintenance Zone for Fiscal Year 2018/19

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

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALI WAL REFERRAL: Appointment of Two (2) Members to the Planning Commission with Terms Expiring June 30, 2022
- Six (6) applications were presented for consideration.

Mayor Dhaliwal made the following appointments:

<u>Planning Commission</u>	<u>Term Expires</u>
Diane Lazard	June 30, 2022
Jennifer Torres-O'Callaghan	June 30, 2022

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 Three (3) Members to the Senior Advisory Commission with Terms Expiring June 30, 2021

- Three (3) applications were presented for consideration.

Mayor Dhaliwal made the following appointments:

<u>Senior Advisory Commission</u>	<u>Term Expires</u>
Vada Klingman	June 30, 2021
Gerald Rose	June 30, 2021
Delores Lewis	June 30, 2021

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

Mayor Dhaliwal recused himself from voting on Item 6.3, due to son being an applicant. Mayor Dhaliwal left for the remainder of the meeting at 8:50 p.m. Vice Mayor Elliott precede over the remainder of the meeting.

6.3 MAYOR DHALI WAL REFERRAL: Appointment of Thirteen (13) Members to the Youth Advisory Commission with Terms Expiring May 31, 2019

- Eleven (11) applications were presented for consideration.

Vice Mayor Elliott made the following appointments:

<u>Youth Advisory Commission</u>	<u>Term Expires</u>
Juan Manuel Serrano	May 31, 2019
Junior Dhaliwal	May 31, 2019
Micaela Estavillo	May 31, 2019
Andrea Solis	May 31, 2019
Lizette Contreras	May 31, 2019
Harman Garcha	May 31, 2019
Funmilola Olamijulo	May 31, 2019
Mandeep Garcha	May 31, 2019
Mushda Nawabi	May 31, 2019
Taminya Nawabi	May 31, 2019
John Wall Jr.	May 31, 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, Salcedo, and Elliott
Noes: None
Absent: Dresser
Abstain: Dhaliwal

6.4 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Akinjo reported his attendance to recent League of California Cities Central Valley Executive Committee and Tri Valley-San Joaquin Valley Regional Rail Authority meetings. Vice Mayor Elliott reported his attendance to a recent San Joaquin County Area Flood Control Agency

6.5 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmembers thanked those in attendance.

7. **ADJOURNMENT** – There being no further business, Vice Mayor Elliott adjourned the meeting 8:56 pm



Teresa Vargas, CMC, City Clerk