

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, APRIL 9, 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 6:34 p.m. The Regular Meeting reconvened at 7:11 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:34 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)

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:09 p.m.

1.2.2 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided in regards to Item 1.2; no other reportable action was taken.

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

Absent: None

1.4 INVOCATION – Mayor Dhaliwal led a moment of silence.

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

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

City Manager Stephen Salvatore deferred announcements to City Clerk Teresa Vargas. Ms. Vargas announced the DEA Drug Take Back event scheduled for April 28, 2018, at the Lathrop Senior Center located at 15707 5th Street, from 10 a.m. to 2 p.m.; and a Community Visioning Workshop meeting scheduled for April 16, 2018, at the Lathrop City Hall Council Chamber, commencing at 6:00 p.m.

1.7 INFORMATIONAL ITEM(S) - None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST – None

2. PRESENTATIONS

2.1 PROCLAMATION RECOGNIZING SIKH COMMUNITY VAISAKHI CELEBRATION

Mayor Dhaliwal, accompanied by the City Council, provided the proclamation to members of the Sikh Community recognizing the Vaisakhi Celebration held of April 13, 2018.

2.2 CERTIFICATE OF RECOGNITION TO JAIME HERNANDEZ

Mayor Dhaliwal, accompanied by the Lathrop City Council, presented a plaque to Jaime Hernandez recognizing his 17 years of service and commitment with the Lathrop Jr. Spartans as Founder and President. The City Council expressed their appreciation and gratitude.

2.3 PRESENTATION UPDATE ON MANTHEY ROAD BRIDGE PROJECT PS 12-04 UPDATE

Senior Civil Engineer Michael King provided the presentation. The City Council received informational update related to the Manthey Road Bridge Project PS 12-04, including project history, funding summary, project summary, related environmental and technical studies, and the remaining project development phases. A question and answer period followed. No other reportable action taken.

2.4 MAYOR'S COMMITTEE REPORT(S)

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

- *Breakfast with the Bunny*
Scheduled for April 14, 2018, from 8:00 a.m. to 12:00 p.m. at Valverde Park.
- *Beautification Day – Earth Day Celebration*
Scheduled for April 21, 2018 at Valverde Park.
- *Volunteer Appreciation Dinner*
Scheduled for April 27, 2018 at 6:00 p.m. at Lathrop High School Cafeteria.
- *Mayor's Art Show – Art Piece Registration*
Art entries can be made on April 27, 2018, from 9:00 a.m. to 4:00 p.m. and April 28, 2018, from 9:00 a.m. to 12:00 p.m., at the Lathrop Council Chamber.

- *Mayor's Art Show Viewing*
Scheduled from April 30 to May 11, 2018, in the Lathrop Council Chamber.
- *Mayor's Art Show Reception*
Scheduled for May 11, 2018, at 5:00 p.m. in the Lathrop Council Chamber.

3. CITIZEN'S FORUM

Nellie Zavala (Commission on Aging) reported her attendance to the April 2, 2018, San Joaquin County Commission on Aging meeting, in which information and programs from the State of California Office of the Ombudsman was discussed. Beau Grisham (President of the Lathrop Jr. Spartans Youth Sports) provided information related to the Lathrop Jr. Spartans Youth Sports programs, and expressed need for funding contributions to sustain the programs. Hailey Salazar (Behind the Fire LMFD) invited the public to attend "Breakfast with the Firefighters" event scheduled on April 14, 2018, from 7:00 a.m. to 11 a.m. at the Lathrop Senior Center.

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, Dresser, Elliott, Salcedo, and Dhaliwal
Noes:	None
Absent:	None
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 March 12, 2018.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 18-390 APPROVING THE TRANSFER OF THE SOUTH LATHROP SPECIFIC PLAN DEVELOPMENT AGREEMENT, ADOPTED ON AUGUST 3, 2015, AND RICHLAND'S INTEREST IN THE PHASE 2 EXPANSION OF THE LATHROP CONSOLIDATED TREATMENT FACILITY FUNDING AGREEMENT, DATED NOVEMBER 21, 2016, FROM THE EXISTING AGREEMENT HOLDER, RICHLAND DEVELOPERS, INC., TO SOUTH LATHROP LAND, LLC.

Adopted **Ordinance 18-390** to assign and transfer the South Lathrop Development Agreement and Funding Agreement to South Lathrop Land, LLC.

4.4 SECOND READING AND ADOPTION OF ORDINANCE 18-391 AMENDING LATHROP MUNICIPAL CODE TITLE 13 "PUBLIC SERVICES", CHAPTER 13.09 "RECYCLED WATER SERVICE SYSTEM"

Adopted **Ordinance 18-391** approving an amendment to Title 13 "Public Services", Chapter 13.09 "Recycled Water Service System" necessary to update the recycled water system regulations to be consistent with the City's recycled water program.

4.5 PLANNING FEE WAIVER REQUEST BY NEW LIFE CHURCH (TUP-18-7)

Adopted **Resolution 18-4358** waiving the temporary use permit processing fee and storage fee for New Life Church, in the combined amount of \$392.

4.6 RESOLUTION SUPPORTING PROPOSITION 69 AND OPPOSING REPEAL OF "THE ROAD REPAIR AND ACCOUNTABILITY ACT" (SB 1 - BEALL)

Adopted **Resolution 18-4359** supporting Proposition 69 and opposing repeal of "The Road Repair and Accountability Act" (SB 1 - Beall), and authorizing the Mayor to sign approval to join the coalition to protect local transportation improvements.

4.7 UPDATE OF JOB CLASSIFICATIONS

Adopted **Resolution 18-4360** updating various job classifications for the Public Works Department Operations and Maintenance staff, the Projects and Programs Manager classification, Management Analyst I/II (Confidential) classification, and eliminating the Management Analyst I/II non-confidential classification position.

4.8 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 46 LOTS IN TRACT 3837 VILLAGE "P" WITHIN EAST VILLAGE OF RIVER ISLANDS

Adopted **Resolution 18-4361** approving Final Map for Tract 3837 Village "P" within East Village District, totaling 46 single family lots, Subdivision Improvement Agreement with River Islands Development, LLC, Acceptance of Quitclaim of Right of Way for Cohen Road, City of Lathrop Annexation No. 6 CFD 2013, and rejected the Irrevocable Offer of Dedication for Mulholland Drive.

4.9 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 114 CONDOMINIUM UNITS (9 LOTS) IN TRACT 3833 VILLAGE "L" WITHIN EAST VILLAGE OF RIVER ISLANDS

Adopted **Resolution 18-4362** approving Final Map for Tract 3833 Village "L" within East Village, Totaling 114 Single Family Condominium Units (9 Lots), Subdivision Improvement Agreement with River Islands Development, LLC, Quitclaim Deed to abandon a portion of Cohen Road, and City of Lathrop Annexation No. 5 CFD 2013.

- 4.10 AUTHORIZE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WSP FOR THE MANTHEY ROAD BRIDGE REPLACEMENT PROJECT PS 12-04

Adopted **Resolution 18-4363** approving Amendment No. 2 with WSP for additional Preliminary Engineering and Environmental Compliance Services for the Manthey Road Bridge Replacement Project, PS 12-04.

- 4.11 APPROVE INDUSTRIAL SOLID WASTE LICENSE FOR CAL-WASTE RECOVERY SYSTEM

Adopted **Resolution 18-4364** approving an Industrial Solid Waste License for Cal-Waste Recovery System.

- 4.12 ACCEPT IMPROVEMENTS TO THE MULTI PARK PROJECT FROM DOMINGUEZ LANDSCAPE SERVICES, INC.

Adopted **Resolution 18-4365** accepting improvements to the Multi-Park Project for Libby Park, Basin Park, South Linear Park, and the Towne Centre Drive traffic circle from Dominguez Landscape Services, Inc., and approving the filing of a Notice of Completion and release of contract retention.

- 4.13 ACCEPT IMPROVEMENTS FOR LAS-3 CONVERSION TO A PERCOLATION BASIN FOR CROSSROADS DECOMMISSIONING WW 15-20

Adopted **Resolution 18-4366** accepting improvements for the LAS-3 conversion to a percolation basin by Richland Crossroads for the Crossroads Decommissioning Project, WW 15-20.

- 4.14 APPROVE RECYCLED WATER USER AGREEMENT WITH RECLAMATION DISTRICT 2062 (RD 2062)

Adopted **Resolution 18-4367** approving a User Agreement with RD 2062 for the delivery and use of recycled water in the River Islands development area.

- 4.15 APPROVE MEMORANDUM OF UNDERSTANDING (MOU) WITH STEWART TRACT GROUNDWATER SUSTAINABLE AGENCY (GSA) TO PURSUE A BASIN BOUNDARY MODIFICATION FOR THE SUSTAINABLE GROUNDWATER MONITORING ACT (SGMA) COMPLIANCE CIP PW 16-04

Adopted **Resolution 18-4368** approving a MOU between the City of Lathrop and Stewart Tract GSA regarding pursuing a Basin Boundary Modification Request in the Tracy Subbasin and Eastern San Joaquin Subbasin, PW 16-04.

- 4.16 HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2017

Pulled by Councilmember Akinjo. A questions and answer period ensued. Community Development Director Rebecca Schmidt provided the information.

Adopted **Resolution 18-4369** accepting the Housing Element Annual Progress Report for calendar year 2017, and authorizing the submittal of the report to the Governor's Office of Planning and Research and State Department of Housing and Community Development.

- 4.17 APPROVE AMENDMENT NO. 7 WITH PACIFIC ADVANCED CIVIL ENGINEERING, INCORPORATED (PACE) FOR ADDITIONAL DESIGN MODIFICATIONS FOR THE LATHROP CONSOLIDATED TREATMENT FACILITY (LCTF) PHASE 2 EXPANSION CIP WW 14-14

Adopted **Resolution 18-4370** approving Amendment No. 7 with PACE for additional design modifications for the LCTF Phase 2 Expansion, WW 14-14.

5. SCHEDULED ITEMS

- 5.1 CITY OF LATHROP AND CITY OF TRACY LAW ENFORCEMENT SERVICES EVALUATION

City Manager Stephen Salvatore introduced City Consultant Mike Oliver, President of Municipal Resource Group, LLC (MRG). Mr. Salvatore began the presentation with an overview and project background.

Finance Director Cari James and Mr. Oliver provided the remaining portion of the presentation, which included additional background information related to the Law Enforcement Services Agreement with the San Joaquin County Sheriff's Office, MRG project findings, overview of a proposed service model, projected cost of services, facility and staffing requirements, method of addressing projected long-term needs for the City of Lathrop, and potential next steps needed to develop and implement a new law enforcement services agreement with the City of Tracy Police Department. A question and answer period followed.

Jack Varrella (Lathrop, CA) withdrew request to speak. Reverend Lu Davis (Lathrop, CA) requested information related to police staffing levels proportional with the future growth of the City; expressed support for law enforcement options with the greater cost savings potential; and urged City to consider its own police department in the future as the City's population increases. Sherrie Kyle (Lathrop, CA) expressed concern with unresolved disputed overhead costs; and commented on the value of institutional knowledge by current County Sheriff Deputies. Michele Maddon (Lathrop, CA) expressed support for continuation of the law enforcement agreement with San Joaquin County Sheriff's Office; requested the City consider an additional consultant to provide additional review of law enforcement options. Christina Laughlin (Lathrop, CA) expressed concern with potential challenges the City may be faced with police recruitment; expressed support for continuation of the law enforcement agreement with San Joaquin County Sheriff's Office. Reverend Lu Davis (Lathrop, CA) returned to the lector commented on wage differences between City of Tracy and San Joaquin Sheriff's Office. The question and answer period continued.

Mayor Dhaliwal stepped down from the dais at 9:29 p.m. and returned at 9:29 p.m.

The question and answer period continued. Finance Director Cari James, City Consultant Mike Oliver, and Dan Drummond (MRG) provided additional information. Bennie Gatto (Lathrop, CA) commented on the importance of considering cost savings options; expressed concerns with increasing costs related to the San Joaquin County Sheriff's Office Law Enforcement Agreement. Michele Maddon (Lathrop, CA) returned to the lector, commented on previous comments made related to dispatch operations; reiterated request for additional consultant to provide separate evaluation of law enforcement options. City Manager Stephen Salvatore announced that the City would be coordinating a Special City Council Meeting/Study Session in May to further discuss the potential options related to a law enforcement service agreement between the City of Lathrop and City of Tracy.

On a motion by Councilmember Akinjo, seconded by Councilmember Dresser, the City Council received a report related to the evaluation of law enforcement services options compiled by MRG and City staff, considered provisions of a potential agreement for law enforcement services by the City of Tracy to the City of Lathrop, and adopted **Resolution 18-4371** authorizing Task Order #10 with MRG to prepare a potential law enforcement service agreement between the City of Lathrop and City of Tracy to be considered at a future City Council Meeting, and after the Study Session to be scheduled in May.

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

5.2 REGIONALIZATION OF WASTEWATER SYSTEM PRESENTATION BY PATRICK PALUPA EXECUTIVE OFFICER, WITH THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD, AND APPROVAL OF CONTRACT WITH ROBERTSON-BRYAN, INC

City Manager Stephen Salvatore introduced Patrick Palupa, Executive Officer, with the Central Valley Regional Water Quality Control Board, and Michael Bryan, Ph.D., with Robertson-Bryan, Inc. Mr. Salvatore provided an overview of the item.

Mayor Dhaliwal stepped down from the dais at 9:59 p.m. Mayor Dhaliwal returned to the dais at 10:04 p.m.

Mr. Palupa and Mr. Bryan provided the remaining portion of the presentation, which included environmental concerns related to the Sacramento – San Joaquin Delta, concerns for proposed discharge to the San Joaquin River, and the Central Valley Water Board support of regionalization of wastewater services between the City of Lathrop and City of Manteca. A question and answer period ensued throughout the presentation.

On a motion by Councilmember Salcedo, seconded by Councilmember Dresser, the City Council received information related to regionalization of wastewater systems between Lathrop and Manteca, and adopted **Resolution 18-4372** authoring an agreement with Robertson-Bryan, Inc. to evaluate the feasibility and efficacy of regionalization of Lathrop and Manteca wastewater facilities, and the creation of CIP WW 18-09.

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

5.3 CITY COUNCIL AFFIRMATION OF THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SIXTH ADDENDUM TO THE RIVER ISLANDS SEIR, RIVER ISLANDS VTM TRACT 3765, PRELIMINARY DEVELOPMENT PLAN, AND PRECISE PLAN LINE

Community Development Director Rebecca Schmidt provided the presentation. Susan Dell'Osso (River Islands Development) provided additional project information related to the Paradise Cut set-back levee.

Mayor Dhaliwal stepped down from the dais at 10:44 p.m. and returned at 10:44 pm.

On a motion by Vice Mayor Elliott, seconded by Councilmember Akinjo, the City Council adopted **Resolution 18-4373** affirming the Planning Commission's recommendation to adopt the Sixth Addendum to the River Islands Subsequent EIR, approved the amended River Islands Vesting Tentative Map Tract 3765 (Large Lot), approved the revised Preliminary Development Plan for Stage 2B of Tract 3694, and approved the revised River Islands Precise Plan Line for Stage 2A of Tract 3694.

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

5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AMEND LATHROP MUNICIPAL CODE, TITLE 10 "VEHICLES AND TRAFFIC", CHAPTER 10.24 "PARKING", SECTION 10.24.160 "VIOLATION PENALTY" TO ADD PAYMENT PLAN OPTIONS

Police Services Office Manager Carole Terras provided the presentation. A question and answer period followed. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing. A question and answer period ensued.

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 Section 10.24.160 entitled "Violation Penalty" to add payment plan options.

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

6. COUNCIL COMMUNICATIONS

6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Dresser reported his attendance to recent regional meetings, including the San Joaquin Regional Rail Commission meeting, in which he was appointed as the new Chair, and the San Joaquin Area Flood Control Agency.

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmembers thanked those in attendance.

7. ADJOURNMENT – there being no further business, Mayor Dhaliwal adjourned the meeting at 11:03 p.m.


Teresa Vargas, CMC, City Clerk