

**CITY OF LATHROP  
CITY COUNCIL SPECIAL MEETING  
ADJOURNED REGULAR MEETING  
MONDAY, JANUARY 29, 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 Special Meeting and Regular Adjourned Meeting commenced at 7:05 p.m.**

**1. PRELIMINARY**

- 1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 7:05 p.m.
- 1.2 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Elliott;  
Councilmembers: Akinjo and Dresser  
  
Absent: Councilmember Salcedo
- 1.3 INVOCATION – Pastor Bill Barnett, Grace Community Church, provided the invocation.
- 1.4 PLEDGE OF ALLEGIANCE – Pastor Bill Barnett 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 - None**

**3. CITIZEN'S FORUM**

Pat Withrow (Escalon, CA) spoke related to the City of Lathrop Police Services agreement with the San Joaquin County Sheriff's Office; spoke in support of the City continuing to use law enforcement services provided by the County; and requested Council hold their final decision until after the June 5, 2018 Primary Election. Mayor Dhaliwal asked City Attorney Salvador Navarrete to provide an overview of First Amendment Rights. Dan Thompson (Grupe Real Estate, Stockton, CA) representing Dan Doyle, spoke related a potential real estate transaction between Mr. Doyle and the Central Lathrop Specific Plan Developer.

Dan Doyle (Lathrop, CA) spoke related to an upcoming meeting scheduled with the City to discuss a potential real estate transaction of his property and the Central Lathrop Specific Plan Developer; and requested consideration of rezoning of his property. A question and answer period ensued. City Manager Stephen Salvatore provided additional information. Irene Torres (Lathrop, CA) spoke on various matters concerning the Lathrop Road Widening Project, including traffic safety; location of her property line; the City's right-a-way; opening of the second lane on Lathrop Road, and requested documents related to public utility easements and as-built plans. City Attorney Salvador Navarrete and City Manager Stephen Salvatore provided additional information. Margaret Luevano (Lathrop, CA) spoke on various matters concerning the Lathrop Road Widening Project; expressed discontent with the sidewalk improvements fronting her property; and expressed concern with traffic safety on Lathrop Road. A question and answer period ensued. Sharon Land (Lathrop, CA) read a letter expressing discontent with the Lathrop Road Widening Project; including RV access to her property; delivery access; and public parking near her property.

#### **4. CONSENT CALENDAR**

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

Ayes: Akinjo, Dresser, Elliott, and Dhaliwal  
Noes: None  
Absent: Salcedo  
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 December 11, 2017.

##### **4.3 APPROVAL OF MINUTES**

Approved Minutes for the Regular Council Meeting of December 18, 2017.

##### **4.4 \*SECOND READING AND ADOPTION OF ORDINANCE 18-384 ADOPTING A MUNICIPAL CODE AMENDMENT TO UPDATE VARIOUS SECTIONS TO STREAMLINE PROCEDURES, MINOR CLARIFICATIONS AND INCORPORATE UPDATED POLICIES**

**Adopted Ordinance 18-384** adopting various amendments to the Lathrop Municipal Code to modernize, simplify, and streamline various sections of Title 17 "Zoning", Section 10.25.030 and 10.25.100 of Title 10 "Vehicles and Traffic", Section 16.12.070 of Title 16 "Subdivisions", Section 8.16.020 of Title 8 "Health and Safety", and repeal of Chapter 8.25 of Title 8 "Health and Safety".

- 4.5 \*SECOND READING AND ADOPTION OF ORDINANCE 18-385 ADOPTING AN ORDINANCE OF THE LATHROP CITY COUNCIL TO AMEND CHAPTER 2.36 "PURCHASING SYSTEM" AND CHAPTER 3.30 "INFORMAL BIDDING" OF LATHROP MUNICIPAL CODE TO INCREASE CITY MANAGER'S APPROVAL LIMITS AND MODIFY PROCEDURES

**Adopted Ordinance 18-385** adopting an amendment to Chapter 2.36 "Purchasing System" and Chapter 3.30 "Informal Bidding" of the Lathrop Municipal Code to increase City Manager's approval limits and modify procedures.

- 4.6 \*CAPITAL FACILITY FEE FUNDS REPORT FOR FISCAL YEAR 2016 2017

Reviewed and accepted the Capital Facility Fee Funds Report for Fiscal Year 2016-2017.

- 4.7 \*APPROVE TASK ORDER NO. 8 WITH 4LEAF, INC. FOR INTERIM CHIEF BUILDING OFFICIAL CONSULTANT SERVICES

**Adopted Resolution 18-4333** approving Task Order No. 8 to the Master Professional Consulting Services Agreement with 4Leaf, Inc. dated September 21, 2015 for Interim Chief Building Official consulting services.

- 4.8 APPROVE TASK ORDER NO. 9 WITH MUNICIPAL RESOURCE GROUP, LLC

**Adopted Resolution 18-4334** approving Task Order No. 9 with Municipal Resource Group, LLC to evaluate potential law enforcement alternatives and related budget amendments.

- 4.9 RATIFY AGREEMENT WITH EKI ENVIRONMENT & WATER, INC. FOR BASIN BOUNDARY MODIFICATION FOR SUSTAINABLE GROUNDWATER MANAGEMENT ACT COMPLIANCE CIP PW 16-04

**Adopted Resolution 18-4335** ratifying an Agreement with EKI Environment & Water, Inc., to provide technical support services for a basin boundary modification for Sustainable Groundwater Management Act Compliance CIP PW 16-04.

- 4.10 RATIFY AMENDMENT NO. 1 WITH EKI ENVIRONMENT & WATER, INC. FOR WASTEWATER MASTER PLAN UPDATE WW 15-08 AND A RELATED BUDGET AMENDMENT

**Adopted Resolution 18-4336** ratifying Amendment No. 1 with EKI Environment & Water, Inc., for a wastewater flow monitoring study to support the Wastewater System Master Plan Update WW 15-08 and approved related budget amendment.

4.11 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 25 LOTS IN TRACT 3912 VILLAGE "O" WITHIN EAST VILLAGE DISTRICT

**Adopt Resolution 18-4337** approving Final Map for Tract 3912 Village "O" within East Village District, totaling 25 single family lots and a Subdivision Improvement Agreement with River Islands Development, LLC.

4.12 APPROVE STREET NAME RECOMMENDATIONS ASSOCIATED WITH THE STANFORD CROSSING PROJECT

**Adopted Resolution 18-4338** approving the two street name changes:

- "Lathrop Road" to "Spartan Way" from existing Land Park Drive to Barbara Terry Boulevard; and
- "Land Park Drive" to "Stanford Crossing" from north of Spartan Way to Golden Valley Parkway

## 5. SCHEDULED ITEMS

5.1 \*URGENCY ORDINANCE MAKING FINDINGS AND EXTENDING AN EXISTING TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF COMMERCIAL CANNABIS ACTIVITIES FOR A PERIOD OF 22 MONTHS AND 15 DAYS

Community Development Director Rebecca Schmidt provided the presentation, including a summary of recently adopted Urgency Ordinance imposing a 45-day moratorium; and gave an overview of the proposed Urgency Ordinance extending the existing temporary moratorium on the establishment and operation of commercial cannabis activities, to become effective immediately for a period not to exceed 22 months and 15 days. A question and answer period ensued. City Attorney Salvador Navarrete provided additional information. Mayor Dhaliwal opened the public hearing. Justin Danner (The People's Remedy, Patterson, CA) withdrew request to speak and deferred comments to Item 5.2. There were no other speakers. Mayor Dhaliwal closed the public hearing. Councilmembers commented on the matter.

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

1. Held a Public Hearing; and
2. Adopted **Urgency Ordinance 18-386** making findings and extending an existing temporary moratorium on the establishment and operation of commercial cannabis activities for a period of 22 months and 15 days.

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

5.2 \*PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE TO PROHIBIT COMMERCIAL CANNABIS ACTIVITIES IN THE CITY OF LATHROP

Community Development Director Rebecca Schmidt provided the presentation. A question and answer period ensued throughout the presentation. City Attorney Salvador Navarrete provided additional information.

Mayor Dhaliwal opened the public hearing. Justin Danner (The People's Remedy, Patterson, CA) spoke in support of commercial cannabis activities in the City of Lathrop. Alex Monceaux (GRD, Tracy, CA) spoke in support of commercial cannabis activities the City of Lathrop. A question and answer period ensued. City Attorney Salvador Navarrete and Police Chief James Hood provided additional information. Alan Monceaux (GRD, Tracy, CA) spoke in support of commercial cannabis activities in the City of Lathrop; provided information related to his cannabis distribution company. Bennie Gatto (Lathrop, CA) spoke in opposition to commercial cannabis activities in the City of Lathrop. There were no other speakers. Mayor Dhaliwal closed the public hearing.

Sharon Land (Lathrop, CA/ purple card not provided) requested to speak after the closure of the public hearing, spoke in support of medicinal cannabis. City Attorney Salvador Navarrete confirmed that the City abides with State approved regulations related to medicinal cannabis. Jennifer Luis (purple card not provided) requested to speak after the closure of the public hearing; provided information and spoke in favor of medicinal cannabis. There were no other requests to speak. Mayor Dhaliwal closed the second public hearing. Councilmembers commented on the matter.

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

1. Held a Public Hearing; and
2. Introduced an Ordinance to modify Chapter 17.18 and add a new Chapter 5.26 to the Lathrop Municipal Code to prohibit the establishment and operation of commercial cannabis activities in the City of Lathrop.

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

5.3 \*REQUEST TO APPROVE AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT (JEPA) FOR THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY (SJAFCA) TO ADD THE CITY OF LATHROP AND THE CITY OF MANTECA AS MEMBERS AND APPOINT TWO BOARD MEMBERS

*Mayor Dhaliwal stepped down from the dais at 8:53 p.m.*

City Engineer Glenn Gebhardt provided the presentation.

*Mayor Dhaliwal returned to the dais at 8:55 p.m.*

A question and answer period followed after the presentation.

On a motion by Councilmember Dresser, seconded by Councilmember Akinjo, the City Council adopted **Resolution 18-4339** approving an Amended and Restated Joint Exercise of Powers Agreement (JEPA) for the San Joaquin Area Flood Control Agency (SJAFCA) to add the City of Lathrop and the City of Manteca as Members.

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

Mayor Dhaliwal appointed Vice Mayor Elliott and Councilmember Dresser as the two Board Members to the San Joaquin Area Flood Control Agency.

On a motion by Councilmember Akinjo, seconded by Mayor Dhaliwal, the City Council ratified Mayor Dhaliwal's appointments.

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

*A public comment letter was received for Item 5.2 prior to the meeting, dated January 29, 2018, by Martin Harris representing Terra Land Group, LLC, an electronic copy was distributed to the City Council, and hard copies were made available to the public at the beginning of the meeting.*

5.4 APPLICATION FOR STATE OF CALIFORNIA LAND AND WATER CONSERVATION FUND GRANT APPLICATION FOR THE LATHROP COMMUNITY SPORTS PARK

Parks and Recreation Director Zach Jones provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information. Council consensus agreed to pursue the grant opportunity and directed staff to continue discussions with the Rock Family on Dos Reis Road.

On a motion by Councilmember Dresser, seconded by Councilmember Akinjo, the City Council adopted **Resolution 18-4340** authorizing the submission of an application for the State of California Land and Water Conservation Funds for the Lathrop Community Sports Park Project.

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

## 6. COUNCIL COMMUNICATIONS

### 6.1 \*MAYOR DHALI WAL REFERRAL – Update Appointment of Alternate Representative to the New Tri-Valley – San Joaquin Valley Regional Rail Authority Board of Directors

Mayor Dhaliwal provided an overview. City Manager provided additional information. Mayor Dhaliwal updated the appointment of the alternate Representative to the new Tri-Valley – San Joaquin Valley Regional Rail Authority Board of Directors, and appointed Councilmember Dresser as the new alternative, replacing former alternate representative City Manager Stephen Salvatore.

On a motion by Vice Mayor Elliott, seconded by Mayor Dhaliwal, the City Council ratified Mayor Dhaliwal's appointment.

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

### 6.2 MAYOR DHALI WAL REFERRAL – Solar Lighting Improvements at Mossdale Park

Mayor Dhaliwal provided an overview. Council consensus directed staff to agendize the item.

### 6.3 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Akinjo reported his attendance to the League of California Cities Policy Executive Committee held January 18, 2018, in which revenue and taxation matters were discussed. Councilmember Akinjo also reported his attendance to the new Tri-Valley – San Joaquin Valley Regional Rail Authority Board of Directors meeting held on January 17, 2018 in Livermore, in which new board members were sworn into office. City Manager Stephen Salvatore provided additional information related to Assembly Bill No. 758, approved to establish the Tri-Valley – San Joaquin Valley Regional Rail Authority for purposes of providing connectivity between the Bay Area Rapid Transit and the Altamont Corridor Express commuter rail service in the Tri-Valley.

6.4 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Dresser encouraged public input and thanked those in attendance. Councilmember Akinjo thanked those in attendance. Vice Mayor Elliott thanked those on attendance, wished Deputy Grubb a speedy recovery, and encouraged residents to report any suspicious activity to Lathrop Police Services. Mayor Dhaliwal expressed condolences to the Acosta Family for the loss of Mr. Aurelio Acosta.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:39 p.m. in memory of Aurelio Acosta.

  
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Teresa Vargas, CMC  
City Clerk