

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, JULY 8, 2019  
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 6:35 p.m. The Regular Meeting reconvened at 7:05 p.m.**

**1. PRELIMINARY**

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:35 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)
- 3 Potential Case(s)

**RECONVENE** – Mayor Dhaliwal reconvened the meeting at 7:05 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; Councilmembers: Akinjo, Lazard and Torres-O’Callaghan

   Absent:        Vice Mayor Salcedo

1.4 INVOCATION – Associate Pastor Ryan Strong, Grace Community Church, provided the invocation.

1.5 PLEDGE OF ALLEGIANCE – Associate Pastor Ryan Strong led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

City Manager Stephen Salvatore provided various announcements, including an overview of the City’s 30<sup>th</sup> Anniversary event and the debut of the City’s new website both on July 1, 2019; announced closed captioning features to be made available in the near future for televised public meetings; and a brief overview of the information related to the

city's emergency preparedness plan to be provided during Item 2.4. Mayor Dhaliwal recognized and welcomed Sheriff Pat Withrow.

1.7 INFORMATIONAL ITEM(S) - None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

Councilmember Lazard declared a conflict of interest on Items 4.15, 4.16 and 4.17, due to her employment with Dell'Osso Family Farms.

## **2. PRESENTATIONS**

2.1 CERTIFICATE OF RECOGNITION TO THE LATHROP LITTLE LEAGUE MINOR PHILLIES FOR THE 2019 MINOR LEAGUE CALIFORNIA DISTRICT 67 TOURNAMENT OF CHAMPIONS VICTORY

Mayor Dhaliwal introduced the item and welcomed the Lathrop Little League Minor Phillies. Coach Logan Orndoff provided an overview of the 2019 Lathrop Little League season and thanked all the coaches, parents, volunteers and players involved during the season. Parks and Recreation Director Zach Jones, accompanied by the City Council, presented Certificates of Recognition to the members of the Lathrop Little League Minor Phillies for the 2019 Minor League California District 67 Tournament of Champions victory.

2.2 PROCLAMATION DECLARING JULY AS PARKS MAKE LIFE BETTER MONTH

Councilmember Akinjo presented a proclamation declaring July 2019 as Parks Makes Life Better Month to Parks and Recreation Director Zach Jones.

2.3 INTRODUCTION OF NEW EMPLOYEE:

Parks and Recreation Director Zach Jones introduced Breann Loughran, Recreation Coordinator.

2.4 PRESENTATION PROVIDED BY PG&E ON PUBLIC SAFETY DURING PLANNED POWER OUTAGES

City Manager Stephen Salvatore introduced the item and explained that city staff would be providing an introductory presentation related to emergency preparedness prior to the PG&E presentation. Deputy Finance Director Vanessa Portillo and Lathrop-Manteca Fire District (LMFD) Chief Gene Neely provided an overview of the City's emergency preparedness plan, development of the city's incident response team and command system, partnership with local agencies to provide essential services, and provided information related to frequently asked questions during an extended power outage.

A question and answer period ensued throughout the staff presentation. City Manager Stephen Salvatore provided additional information. During the question and answer period, the City Council reached consensus directing the City Manager to bring back an actionable item for Council ratification of a purchase of a generator for the Lathrop Community Center, the purchase would be in preparation for the anticipated extended power outages. The question and answer period continued. Fire Chief Neely encouraged Lathrop residents that require power for medical devices to register with the LMF D for assistance during an extended outage. The question and answer period continued. Councilmembers expressed interest in hearing from the Manteca and Banta School Districts on their emergency plans for students and directed staff to contact each District.

Public Affairs Representative Dylan George, Pacific Gas and Electric, provided a presentation on public safety during planned outages, which included information on PG&E's community wildfire safety program, real-time monitoring and intelligence efforts, public safety power shutoffs and notification process, the process involved with restoring power, and efforts put in place to prepare PG&E customers. A question and answer period ensued throughout this presentation. Various members of the public (Jack Varella, Michelle Maddon, Bennie Gatto, Tina Moran, Brandy Perkins and other speakers (purple cards or names not provided for the record)) commented on the matter and expressed various concerns with the extended planned power outages.

Mayor Dhaliwal recessed the meeting at 9:27 p.m. and reconvened at 9:35 p.m.

### **3. CITIZEN'S FORUM**

San Joaquin County Sheriff Pat Withrow commented on his continued support and assistance to the City, including providing a temporary office location for the Police Services Department during the construction of the new facility, brief overview of current staffing levels and ongoing labor negotiations with San Joaquin County and the Sheriff's Office.

### **4. CONSENT CALENDAR**

On a motion by Mayor Dhaliwal, seconded by Councilmember Lazard, the City Council approved the Consent Calendar, except \*\*\*Items, 4.15, 4.16 and 4.17, by the following roll call vote, unless otherwise indicated:

Ayes:	Akinjo, Lazard, Torres-O'Callaghan, and Dhaliwal
Noes:	None
Absent:	Salcedo
Abstain:	None

*\* Prior to the reading of the consent calendar, City Clerk Teresa Vargas announced that a public comment letter was received, dated July 8, 2019, addressing Items 4.5, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15, 4.16, and 4.17 of the Consent Calendar, and Item 5.1 of Scheduled Items, submitted by Martin Harris with Terra Land Group, LLC; the letter was distributed to the City Council via their tablets (same process as the agenda) and copies were made available for the public at the beginning of the meeting.*

*\*\*City Clerk Teresa Vargas amended Items 4.2 and 4.3, to clarify method of distribution for information or documents received for the City Council (related to items on the agenda) after the agenda is published.*

*\*\*\* Items 4.15, 4.16 and 4.17 – The City Council voted on the items separately, following the vote of the Consent Calendar.*

#### 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 June 10, 2019, as amended by the City Clerk to clarify method of distribution for information or documents received for the City Council (related to items on the agenda) after the agenda is published.

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

Approved Minutes for the Special Council Meeting of June 12, 2019, as amended by the City Clerk to clarify method of distribution for information or documents received for the City Council (related to items on the agenda) after the agenda is published.

#### 4.4 GRANT APPLICATION TO PURCHASE TWO ALTERNATIVE FUEL CITY VEHICLES

Adopted **Resolution 19-4593** authorizing the submittal of a grant application to San Joaquin Valley Air Pollution Control District (SJVSPCD) and authorized the purchase of two alternative fuel vehicles.

#### 4.5 \*APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM

Adopted **Resolution 19-4594** approving the application for the Statewide Park Development and Community Revitalization Program for the Lathrop Community Sports Park.

4.6 RATIFY CITY MANAGER'S ACTION TO EXTEND JANITORIAL SERVICES CONTRACT WITH KOREAN PROFESSIONAL BUILDING MAINTENANCE

Adopted **Resolution 19-4595** to ratify City Manager's action to extend the contract with Korean Professional Building Maintenance for janitorial services.

4.7 TPX COMMUNICATIONS SERVICES AGREEMENT

Adopted **Resolution 19-4596** authorizing a service agreement with TPX Communications for data, fax, and telephone services at city facilities.

4.8 CREATE CIP PS 20-13 CITYWIDE PAVEMENT MARKINGS AND STRIPING PROGRAM AND APPROVE A CONSTRUCTION CONTRACT

Adopted **Resolution 19-4597** creating CIP PS 20-13 Citywide Pavement Markings and Striping Program and approved a construction contract with Chrisp Company, and approved related budget amendment.

4.9 \*APPROVE CONSTRUCTION CONTRACT FOR CIP PK 19-03 MOSSDALE SOUTH NEIGHBORHOOD PARK

Adopted **Resolution 19-4598** approving a construction contract with WABO Landscape and Construction, Inc., for construction of CIP PK 19-03 Mossdale South Neighborhood Park, and approved related budget amendment.

4.10 \*APPROVE AGREEMENTS WITH EKI AND WOODARD & CURRAN TO ADD MOSSDALE URBAN USE AREAS FOR CIP RW 19-16 RECYCLED WATER PROGRAM EXPANSION AND RELATED BUDGET AMENDMENT

Adopted **Resolution 19-4599** approving Task Order No. 2 to the respective Master Agreements with EKI and Woodard and Curran to add Mossdale urban use areas for the CIP RW 19-16 Recycled Water Program expansion, and approve related budget amendment.

4.11 \*APPROVE A CONSTRUCTION CONTRACT FOR PAVEMENT MAINTENANCE AND REPAIRS, PURSUANT TO CIP PS 18-01 CITYWIDE ROAD MAINTENANCE AND REPAIR PROGRAM (PHASE II), AND RELATED BUDGET AMENDMENT

Adopted **Resolution 19-4600** approving Construction Contract with VSS International, Inc., for pavement maintenance and repairs, pursuant to CIP PS 18-01 Citywide Road Maintenance and Repair Program (Phase II), and approved related budget amendment.

4.12 \*ACCEPT THE CLSP RECYCLED WATER IMPROVEMENTS, RECORD ASSOCIATED GRANT DEEDS AND IRREVOCABLE OFFERS OF DEDICATIONS AND AUTHORIZE THE RELEASE OF BONDS ASSOCIATED WITH ENCROACHMENT PERMIT NO. 2017-46

Adopted **Resolution 19-4601** accepting the Central Lathrop Specific Plan recycled water pond, pump station, sprayfield, and offsite conveyance system improvements; authorized recording of Grant Deeds and Irrevocable Offer of Dedications of Easements from Saybrook CLSP, LLC for the Central Lathrop Specific Plan development project; and authorized the release of bonds associated with Encroachment Permit No. 2017-46.

- 4.13 \*ACCEPTANCE OF GRAVITY SEWER MAIN AND SANITARY SEWER PUMP STATION, APPROVE AN OFFER OF DEDICATION FOR PORTIONS OF APN: 196-03-03, APPROVE A REIMBURSEMENT AGREEMENT WITH PILOT TRAVEL CENTERS LLC, AND AUTHORIZE THE RELEASE OF BONDS ASSOCIATED WITH ENCROACHMENT PERMIT NO. 2017-26

Adopted **Resolution 19-4602** accepting the gravity sewer main and sanitary sewer pump station constructed by Mark III Construction, Inc., in Roth Road and Harlan Road and Offer of Dedication for portions of APN: 196-03-03; and approved reimbursement agreement with Pilot Travel Centers LLC, and authorized the release of bonds associated with Encroachment Permit No. 2017-26

- 4.14 \*VALIDATE THE JUNE 20, 2016 FINDING OF ADEQUATE PROGRESS IN THE MOSSDALE TRACT AREA

Adopted **Resolution 19-4603** Acting as the Land Use Agency Validating the June 20, 2016, Urban Level of Flood Protection (ULOP) Finding of Adequate Progress in the Mossdale Tract Area (Formally referred as Reclamation District 17 Basin)

#### RIVER ISLANDS CONSENT ITEMS

*Councilmember Lazard recused herself, following the vote of the consent calendar (Items 4.1 to 4.14), and left the chamber at 9:47 p.m., prior to the vote of Items 4.15 through 4.17, due to declared conflict of interest as noted in Item 1.8.*

On a motion by Councilmember Torres O'Callaghan, seconded by Mayor Dhaliwal, the City Council approved Items, 4.15 through 4.17, by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Torres-O'Callaghan, and Dhaliwal  
Noes: None  
Absent: Salcedo  
Abstain: Lazard

- 4.15 \*/\*\*\*APPROVAL OF A JOINT COMMUNITY FACILITIES AGREEMENT WITH RIVER ISLANDS PUBLIC FINANCING AUTHORITY FOR RIVER ISLANDS PHASE 2 COMMUNITY FACILITIES DISTRICT 2019-1

Adopted **Resolution 19-4604** approving a Joint Community Facilities Agreement between City of Lathrop and River Islands Public Financing Authority (RIPFA) Community Facilities District No. 2019-1 (phase 2 public improvements).

4.16 \*/\*\*\*ACCEPTANCE OF PREVIOUSLY REJECTED ROADWAY AND EASEMENT DEDICATIONS FOR RIVER ISLANDS STAGES 1A, 1B AND 2A

Pulled by Councilmember Akinjo for additional clarification on the item in regards to previously rejected roadway and easement dedications. City Engineer Glenn Gebhardt provided the information.

Adopted **Resolution 19-4605** accepting previously rejected roadway and easement dedications for eight final maps in Stages 1A, 1B and 2A for the River Islands development area.

4.17 \*/\*\*\*ADOPT THE ADEQUATE PROGRESS FINDINGS TOWARD PROVISION OF 200-YEAR URBAN LEVEL OF FLOOD PROTECTION FOR RECLAMATION DISTRICT 2062 (RIVER ISLANDS)

Adopted **Resolution 19-4606**, acting as the Land Use Agency, adopting adequate progress findings toward providing a 200-Year Urban Level of Flood Protection in Phase 1 (Stage 1, 2A and 2B) area levees of Reclamation District 2062 by the Year 2025.

## 5. SCHEDULED ITEMS

Councilmember Lazard returned to the dais at 9:51 p.m., for the remainder of the meeting.

5.1 \*PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTION OF THE CENTRAL LATHROP SPECIFIC PLAN CAPITAL FACILITIES FEES AND CITY FEES STUDY AND THE FEES RECOMMENDED THEREIN

Assistant Public Works Director Michael King introduced Principal Engineer Jay Davidson. Mr. Davidson provided the presentation. A question and answer period followed the presentation. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Akinjo, seconded by Councilmember Torres O'Callaghan, the City Council considered the following:

1. Held a Public Hearing; and
2. Adopted **Resolution 19-4607** adopting the Central Lathrop Specific Plan capital facilities fees, city fees study, and the fees recommended therein.

Ayes: Akinjo, Lazard, Torres-O'Callaghan, and Dhaliwal

Noes: None

Absent: Salcedo

Abstain: None

5.2 LIGHTED CROSSWALK ON SPARTAN WAY AND RELATED BUDGET AMENDMENT

Assistant Public Works Director Michael King provided the presentation. A question and answer period followed.

Michelle Maddon (Lathrop, CA) expressed support for the project, installation of a pushbutton and overhead warning lights. The question and answer period continued. City Engineer Glenn Gebhardt provided additional information.

On a motion by Mayor Dhaliwal, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 19-4608** approving Option 1, as amended to include the installation of a lighted crosswalk, signage, manual pedestrian pushbutton, and overhead signage on existing street light pole on Spartan Way, and approved related budget amendment of \$40,000 associated with traffic calming measures CIP PS 18-02.

Ayes: Akinjo, Lazard, Torres-O'Callaghan, and Dhaliwal  
Noes: None  
Absent: Salcedo  
Abstain: None

## 6. COUNCIL COMMUNICATIONS

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

- *Water Advisory Board (Torres-O'Callaghan/Lazard)*

Councilmember Torres-O'Callaghan reported on a potential water tax to be considered at the next regular Water Advisory Board meeting.

### 6.2 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo expressed appreciation to the Lathrop Police Services staff for proactive policing and Parks & Recreation staff for organizing recent community events. Councilmember Lazard, Torres-O'Callaghan and Mayor Dhaliwal all expressed similar sentiments, including appreciation to staff for the information presented related to emergency preparedness, encouraged the public to stay informed and prepared for potential extended power outages.

## 7. ADJOURNMENT – There being no further business, Mayor Dhaliwal adjourned the meeting at 10:25 p.m.

  
Teresa Vargas, CMC  
City Clerk