

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, DECEMBER 9, 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 6:15 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 6:15 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)

- 1 Potential Case(s)

1.2.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to Government Code Section 54956.8  
Property: 145 Warren Avenue (APN 196-050-70)  
Agency Negotiator: Stephen Salvatore, City Manager  
Negotiating Parties: David Brandt  
Under Negotiation: Price and Terms of Negotiations

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

1.2.3 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported approval of purchase agreement in the amount of \$2,200 to acquire 470 square feet of 145 Warren Avenue, pursuant to Item 1.2.2; reported that direction was provided for Item 1.2.1; no other reportable action taken.

1.3 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Salcedo;  
Councilmembers: Akinjo, Lazard and Torres-O'Callaghan.

Absent: None.

1.4 INVOCATION – Pastor Troy Stein, New Life Church, provided the invocation.

- 1.5 PLEDGE OF ALLEGIANCE – Pastor Troy Stein led the pledge of allegiance.
- 1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER – None.
- 1.7 INFORMATIONAL ITEM(S) – None
- 1.8 DECLARATION OF CONFLICT(S) OF INTEREST

Councilmember Lazard reported conflict of interest with Items 4.7 and 4.18; due to her employment with Dell’Osso Farms.

## **2. PRESENTATIONS**

- 2.1 PROCLAMATION - Declaring December as Homeless Youth Awareness Month

Vice Mayor Salcedo read a proclamation declaring December 2019 as Homeless Youth Awareness Month.

- 2.2 CERTIFICATE OF RECOGNITION – Presented to the Lathrop High School Spartans Girls’ Volleyball Team

Mayor Dhaliwal, accompanied by the City Council, presented certificates of recognition to the Lathrop High School Spartans Girls’ Volleyball Team recognizing their “14-0” successful season. The following students were recognized: Thracylie Acoba, Desiree Ambatali, Rylie Asuncion, Ke’Mya Barnett, Charlene Bernal, LaNicia Ellis, Jahsita Fa’ali’i, Alondra Guzman, Sydney Hanks, Hailey Hunter, Godwina Ogbeide, Krystle Sakay, Jennifer Santillan, Liliana Avila and Alaba Olaleye.

- 2.3 CERTIFICATE OF RECOGNITION – Presented to Manteca Unified School District:

Councilmember Torres O’Callaghan and Councilmember Akinjo, accompanied by the City Council, presented certificates of recognition to Manteca Unified School District Music Teacher Michael Mulidor and Choir Director Elizabeth VanEerde for their contributions to local school programs and community events.

- 2.4 CERTIFICATES OF RECOGNITION – Presented to Lathrop Police Services:
  - Deputy Joel Grubb
  - Deputy Jimmy Claude
  - Deputy Chris Ly

Item 2.4 was pulled by staff; rescheduled to a future meeting.

## 2.5 INTRODUCTION OF NEW EMPLOYEES:

Public Works Director Michael King introduced Utility Operator II Roneel Singh and Maintenance Worker II Moses Vasquez. Councilmembers welcomed the new employees.

## 2.6 MAYOR'S COMMITTEE REPORT(S)

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

- *Art Committee featured Artist*  
Announced art display in the Council Chamber by artists Patty Oliver and Dan Voller, paintings to be displayed through January 2020.
- *Christmas Tree Lighting*  
Reported event held December 1, 2019; at the Lathrop Community Center; over 400 participants; and choir performances by local Lathrop schools.
- *Breakfast with Santa*  
Reported event held December 7, 2019; at the Lathrop Community Center; over 150 participants; provided crafts, games and Santa photo booth.
- *"Music and Magic of Christmas" Themed Parade*  
Announced parade scheduled December 14, 2019, starting at 11:00 a.m. on Fifth Street.
- *Parks & Recreation Master Plan*  
Announced community engagement workshop December 13, 2019, at 6:00 p.m. in the Lathrop Council Chamber to discuss the 2020 Parks and Recreation Master Plan.

## 3. CITIZEN'S FORUM

City Clerk Teresa Vargas announced public comment email/letter previously submitted (December 6, 2019) by Christine Mendes; the email was distributed to the City Council via their tablets and copies were made available to the public during the meeting. Christine Mendes and Frank Mendes (18401 S. McKinley Avenue) spoke on various concerns related to the Lathrop Gateway Business Park Specific Plan development project. City Manager Stephen Salvatore provided an overview of previous conversations with Mr. Frank Mendes.

## 4. CONSENT CALENDAR

On a motion by Councilmember Akinjo, seconded by Vice Mayor Salcedo, the City Council approved the Consent Calendar, except \*\* Items 4.7, 4.14 and 4.18, by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Lazard, Salcedo, Torres-O'Callaghan and Dhaliwal  
Noes: None  
Absent: None  
Abstain: Dhaliwal (Item 4.2 only, due to absence)

*\* Prior to the reading of the consent calendar, City Clerk Teresa Vargas announced that a public comment letter was received, dated December 9, 2019, addressing Consent Item 4.4 and Scheduled Item 5.1, submitted by Martin Harris with Terra Land Group, LLC; the email 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.*

*\*\* Pulled Items: Items 4.7 and 4.18 – The City Council voted on these items separately, following the vote of the Consent Calendar, due to declared conflict of interest by Councilmember Lazard on Item 1.8. Item 4.14 was pulled off consent calendar by staff; no other action taken on this item.*

*\*\*\* Item 4.16 - City Clerk City Clerk Teresa Vargas announced revised Attachment C, revised Final Map for Tract 3811.*

#### 4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waived the reading in full of ordinances and resolutions on agenda and adopted by reading of title only, unless otherwise requested by the Mayor or a Councilmember.

#### 4.2 APPROVAL OF MINUTES

Mayor Dhaliwal abstained from vote on Item 4.2, due to absence during the October 14<sup>th</sup> Regular Meeting.

Approved Minutes for the Regular Council Meeting of October 14, 2019.

#### 4.3 APPROVAL OF MINUTES

Approved Minutes for the Special Council Meeting of November 21, 2019.

#### 4.4 \*SECOND READING AND ADOPTION OF ORDINANCE 19-410 BY TITLE ONLY TO REPEAL AND REPLACE LATHROP MUNICIPAL TO TITLE 15 (BUILDING AND CONSTRUCTION) TO INCORPORATE THE 2019 CALIFORNIA BUILDING STANDARDS CODE

Waived full reading and adopted **Ordinance 19-410** by title only to repeal and replace Lathrop Municipal Code Title 15 (Building and Construction) to incorporate the 2019 California Building Standards Code.

#### 4.5 TREASURER'S REPORT FOR DECEMBER 2019

Approved Quarterly Treasurer's Report for December 2019.

4.6 DELINQUENT UTILITY TURN OFFS

Adopted **Resolution 19-4651** to Suspend Service Disconnections for Delinquent Accounts Scheduled on December 18, 2019.

4.7 \*\*COMMUNITY FACILITIES DISTRICTS ANNUAL BOND ACCOUNTABILITY REPORT FOR FY 2018/19

Moved Item 4.7 from Consent Calendar and voted on during the River Islands Consent Items.

Received Report for Bonded and Non Bonded Community Facilities Districts.

4.8 RESOLUTION DECLARING CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZING THEIR DISPOSAL

Adopted **Resolution 19-4652** declaring certain vehicles and equipment surplus property and authorizing their disposal.

4.9 PURCHASE/ REPLACEMENT OF THREE POLICE VEHICLES AND ONE POLICE MOTORCYCLE

Adopted **Resolution 19-4653** approving the purchase of three replacement police vehicles from Chase Chevrolet and one police motorcycle from Long Beach BMW.

4.10 MODIFICATION OF COMPENSATION FOR PLANNING COMMISSION

Adopted **Resolution 19-4654** modifying compensation for the members of the Planning Commission.

4.11 RECOMMENDATION TO CHANGE "SOUTH HARLAN ROAD" TO "OLD HARLAN ROAD"

Adopted **Resolution 19-4655** approving street name modification to change "South Harlan Road" to "Old Harlan Road".

4.12 CREATE CIP GG 20-19 FOR IRRIGATION AND LANDSCAPE IMPROVEMENTS IN MOSSDALE VILLAGE

Adopted **Resolution 19-4656** approving the creation of CIP GG 20-19 for irrigation and landscape improvements in Mossdale Village and related budget amendment.

4.13 APPROVE TASK ORDER NO. 16 WITH 4LEAF, INC., FOR PROFESSIONAL SERVICES IN THE BUILDING DIVISION

Adopted **Resolution 19-4657** approving Task Order No. 16 to the Master Professional Consulting Services Agreement with 4Leaf, Inc., for professional services and related budget amendment.

4.14 **\*\*APPROVE A CONSTRUCTION CONTRACT FOR SANITARY SEWER PUMP STATION UPGRADES, PURSUANT TO CIP WW 19-01 WOODFIELD SEWER PUMP STATION UPGRADES AND RELATED BUDGET AMENDMENT**

Item 4.14 pulled by staff; removed from the consent calendar. No further action taken on this item.

Adopt Resolution Approving Construction Contract with Telstar Instruments for Sanitary Sewer Pump Station Upgrades, Pursuant to CIP WW 19-01 Woodfield Sewer Pump Station Upgrades and Related Budget Amendment

4.15 **ACCEPT PUBLIC IMPROVEMENTS FOR CLSP STORM DRAINAGE RIVER OUTFALL STRUCTURE FROM SAYBROOK CLSP, LLC AND RESCIND INITIAL REJECTION OF ROADWAYS AND EASEMENTS IN FINAL MAP FOR TRACT 3533 AND ACCEPT ROADWAYS AND EASEMENTS UPON ACCEPTANCE OF IMPROVEMENTS AT A LATER DATE**

Pulled by Councilmember Akinjo, requested additional information on the process of rescinding initial rejection of roadways and easements. City Engineer Glenn Gebhardt provided the information.

Adopted **Resolution 19-4658** accepting public improvements for the CLSP storm drainage river outfall structure from Saybrook CLSP, LLC., rescinding initial rejection of roadways and easements in Final Map for Tract 3533 and accepting roadways and easements upon acceptance of improvements at a later date.

4.16 **\*\*\*APPROVAL OF FINAL MAPS AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 418 SINGLE-FAMILY LOTS IN TRACTS 3808, 3809, 3810, 3811 AND 3812 WITHIN STANFORD CROSSING PHASE 1A OF CENTRAL LATHROP SPECIFIC PLAN, OFFERS OF DEDICATION AND RELEASE OF DEFERRED FRONTAGE IMPROVEMENT AGREEMENT (DFIA) 17-01**

City Clerk Teresa Vargas announced revised Final Map for Tract 3811, labeled as "Attachment C".

Adopted **Resolution 19-4659** approving Final Maps for Tracts 3808, 3809, 3810, 3811 and 3812 within Stanford Crossing Phase 1A, totaling 418 single-family lots, a Subdivision Improvement Agreement with Saybrook CLSP, LLC/Lathrop Land Acquisition, LLC, Offers of Dedication and release of Deferred Frontage Improvement Agreement 17-01.

4.17 **ACCEPT PUBLIC IMPROVEMENTS FOR LOUISE AVENUE AND MCKINLEY AVENUE FROM SUKHCHAIN GILL, OWNER OF A&A INTERMODAL LOCATED AT 1850 E. LOUISE AVENUE**

Adopted **Resolution 19-4660** accepting public improvements for Louise Avenue and McKinley Avenue from Sukhchain Gill, owner of A&A Intermodal located at 1850 E. Louise Avenue.

## RIVER ISLANDS CONSENT ITEM(S)

*Councilmember Lazard recused herself, following the vote of the consent calendar (Items 4.1 to 4.17 (except Item 4.7)), and left the chamber at 8:10 p.m., prior to the vote of Items 4.7 and 4.18, due to declared conflict of interest as noted in Item 1.8.*

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Salcedo, the City Council approved Items 4.7 and 4.18, by the following roll call vote, unless otherwise indicated:

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

### 4.18 \*\*APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 52 LOTS IN TRACT 3995 VILLAGE "T" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 19-4661** approving Final Map for Tract 3995 Village "T" within the Lakeside East District, 52 single-family lots, Subdivision Improvement Agreement with River Islands Development, LLC.

## 5. SCHEDULED ITEMS

*Councilmember Lazard returned to the dais after Item 4.18, at 8:12 p.m. for the remainder of the meeting.*

### 5.1 \*PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT AND ADOPTION OF THE IWRMP PW 10-10 AND WW 15-08

Director of Public Works Michael King introduced City Consultant Elise Carroll, Senior Planner with De Novo Planning Group. Mr. King provided the presentation. A question and answer period followed. Ms. Carroll and City Manager Stephen Salvatore responded to questions of the Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Torres-O'Callaghan, seconded by Vice Mayor Salcedo, the City Council considered the following:

1. Held a public hearing; and
2. Adopted **Resolution 19-4662** certifying the Environmental Impact Report (SCH# 2019029106), including the adoption of findings of fact and statement of overriding considerations and adoption of the Integrated Water Resources Master Plan PW 10-10 and WW 15-08.

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

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER GENERAL PLAN AMENDMENT GPA-19-140 TO UPDATE THE CITY'S HOUSING ELEMENT

Director of Community Development Mark Meissner introduced City Consultant Beth Thompson, Principal with De Novo Planning Group. Ms. Thompson provided the presentation. A question and answer period followed. Mr. Meissner and Ms. Thompson responded to questions of the Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Vice Mayor Salcedo, seconded by Councilmember Lazard, the City Council considered the following:

1. Held a public hearing; and
2. Adopted **Resolution 19-4663** recommending the City Council amend the General Plan to replace the Adopted Housing Element with the 2019 Housing Element Update.

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

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE TEXT AMENDMENT TA-19-141

Director of Community Development Mark Meissner and City Consultant Beth Thompson, Principal with De Novo Planning Group provided the presentation. A question and answer period followed. Mr. Meissner and Ms. Thompson responded to questions of the Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Vice Mayor Salcedo, seconded by Councilmember Lazard, the City Council considered the following:

1. Held a public hearing; and
2. Held first reading and introduced an ordinance to amend the Zoning Code, Title 17 of the Lathrop Municipal Code, to implement the Housing Element of the General Plan. The amendments to the Lathrop Municipal Code included the following:
  - Sections 17.36.020 And 17.62.032, and Table 17.61.1 are Revised to Limit Development of Single Family Units on Sites Designated for High Density Residential Uses.
  - Section 17.68.010 is Revised to Permit Manufactured Housing in the Same Manner as Single Family Homes.
  - Section 17.36.050.D. is Revised to Identify Densities for the RM Zone that are Consistent with the Densities Allowed in the General Plan Land Use Element.



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

5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE PROHIBITING PEDESTRIAN USE OF MOBILE ELECTRONIC DEVICES IN CROSSWALKS AND A RESOLUTION APPROVING RELATED BUDGET AMENDMENT

City Attorney Salvador Navarrete provided the presentation. A question and answer period ensued throughout the presentation. Police Chief Biedermann responded to questions of the Council. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Mayor Dhaliwal, seconded by Councilmember Lazard, the City Council considered the following:

1. Held old a public hearing; and
2. Held first reading and introduced an ordinance of the Lathrop Municipal Code to add Chapter 8.48 to Title 8 to prohibit pedestrian use of mobile electronic devices in crosswalks, as amended by the City Council to approve Option 1, allowing Lathrop Police Services to issue warnings, and removal of any associated penalty/fines from the ordinance; and
3. Adopted **Resolution 19-4664** approving a budget amendment for the purchase of signs prohibiting/discouraging pedestrian use of mobile electronic devices in crosswalks.

During roll call vote, Councilmember Akinjo declared abstention without identified legal disqualification, therefore, the City of Lathrop City Council Handbook of Rules and Procedures, page 13, Chapter IV, Section B(5) applies.

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

5.5 REVIEW AND PROVIDE DIRECTION ON PARK IMPROVEMENTS FOR SANGALANG PARK

Director of Parks and Recreation Zach Jones provided the presentation. A question and answer period ensued throughout the presentation.

On a motion by Mayor Dhaliwal, seconded by Vice Mayor Salcedo, the City Council adopted **Resolution 19-4665** creating CIP PK 20-18, park improvements at Sangalang Park and authorized related budget amendment, as amended by Council to include a budget amendment of \$20,000 from Measure C funds, with approval of the Measure C Oversight Committee, for the creation of construction drawings and documents for the following improvements:

- Removal and replacement of the existing play structure.
- Installation of an additional restroom adjacent to the play structure.
- Installation of a six element water play splash pad

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

#### 5.6 FIVE-YEAR WATER AND SEWER RATE PLAN REVIEW

Director of Finance and Administration Services Cari James provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information.

On a motion by Mayor Dhaliwal, simultaneously seconded by Councilmember Akinjo and Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 19-4665** postponing the scheduled rate increase for both the water and wastewater funds for 2020.

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

## 6. COUNCIL COMMUNICATIONS

### 6.1 MAYOR DHALIWAL REFERRAL – Consider Installation of Exercise Equipment at Crescent Park

Mayor Dhaliwal provided an overview. A question and answer period ensued. Council consensus directed staff to agendize the matter to a future meeting.

### 6.2 MAYOR DHALIWAL REFERRAL - Appointment of One (1) Member to the Youth Advisory Committee with Term Expiring May 31, 2020

- Two (2) Applications Received

Mayor Dhaliwal made the following appointment:

**Youth Advisory Commission**  
Cheyenne Rains

**Term Expires**  
May 31, 2020

On a motion by Councilmember Akinjo, seconded by Councilmember Lazard, the City Council approved the appointments made by Mayor Dhaliwal as noted above.

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

6.3 MAYOR DHALIWAL REFERRAL – Appointment of Vice Mayor for 2020

Mayor Dhaliwal reappointed Vice Mayor Salcedo as Vice Mayor for 2020.

6.4 MAYOR DHALIWAL REFERRAL – Mayor and Councilmember Assignments for 2020

Council consensus directed the City Clerk to keep assignments for 2020 unchanged from 2019:

| <u>Assignment</u>                        | <u>Delegate</u>    | <u>Alternate</u>   |
|--|--------------------|--------------------|
| Central Valley Executive Committee       | Akinjo             | Salcedo            |
| Council of Governments                   | Dhaliwal           | Lazard             |
| Integrated Waste Mgmt. Task Force        | Akinjo             | Torres-O'Callaghan |
| Reclamation District 17 JPA              | Salvatore          | N/A                |
| SJC Commissions on Aging                 | Zavala             | N/A                |
| SJ Partnership Board of Directors        | Salvatore          | N/A                |
| SJ Valley Air Pollution Control District | Akinjo             | Dhaliwal           |
| Water Advisory Board                     | Torres-O'Callaghan | Lazard             |
| Tri Valley-SJV Regional Rail             | Akinjo             | N/A                |
| SJA Flood Control Agency                 | Akinjo/Lazard      | N/A                |
| 2x2 Meetings with Manteca                | Dhaliwal           | Torres-O'Callaghan |
| 2x2 Meetings with LMFD                   | Dhaliwal           | Akinjo             |
| 2x2 Meetings with MUSD                   | Dhaliwal           | Torres-O'Callaghan |
| 2x2 Committee for LPS Review             | Dhaliwal           | Akinjo             |

6.5 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) – None

6.6 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo expressed gratitude for Council's action to postpone the scheduled water and sewer rate increases in 2020. Councilmember Torres-O'Callaghan requested information related to the construction of the lighted crosswalk improvements on Spartan Way. Mayor Dhaliwal invited the public to attend the Christmas Parade scheduled for December 14, 2019. Councilmembers wished everyone a Merry Christmas and Happy New Year.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:51 p.m.

  
Teresa Vargas, CMC, City Clerk