

**CITY OF LATHROP  
CITY COUNCIL REGULAR MEETING  
MONDAY, SEPTEMBER 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 6:05 p.m. The Regular Meeting reconvened at 7:02 p.m.**

**1. PRELIMINARY**

1.1 CALL TO ORDER – Vice Mayor Salcedo called the meeting to order at 6:05 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

1.2.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to Government Code Section 54957

- Title(s): City Manager, City Attorney

**RECONVENE** – Vice Mayor Salcedo reconvened the meeting at 7:02 p.m.

1.2.3 REPORT FROM CLOSED SESSION

Vice Mayor Salcedo reported that the City Council provided direction in regards to Item 1.2.2; no other reportable action taken.

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

Absent: Mayor Dhaliwal.

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

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

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

Community Resource Officer Deputy Matt Dargy presented Item 2.1 under Item 1.6; Deputy Dargy presented the 2019 National Night Out Community Partner Award to the Lathrop Jr. Spartans Organization.

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST -

Councilmember Lazard reported conflict of interests with Items 4.11, 4.12, 4.13, 4.14 and 5.1, due to her employment with Dell’Osso Farms.

## 2. PRESENTATIONS

2.1 NATIONAL NIGHT OUT COMMUNITY PARTNER AWARD

Community Resource Officer Deputy Matt Dargy presented Item 2.1 under Item 1.6; Deputy Dargy presented the 2019 National Night Out Community Partner Award to the Lathrop Jr. Spartans Football Organization.

2.2 PRESENTATION PROVIDED BY THE ECONOMIC DEVELOPMENT ASSOCIATION OF SAN JOAQUIN COUNTY

City of Lathrop Economic Development Administrator Shelley Burcham introduced Economic Development Director Steven J. Lantsberger and Economic Development Analyst Ed Wanket from the Economic Development Association of San Joaquin. Mr. Lantsberger and Mr. Wanket provided the presentation regarding economic development activity surrounding the Lathrop business community. A question and answer period followed the presentation.

2.3 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 Council Chamber by Ed Cesena, paintings to be displayed through September 2019.
- *Comedy Under the Stars*  
Reported event held August 16, 2019, at the Lathrop Generations Center Amphitheater; over 60 participants.
- *Summer camp – Kids Club*  
Reported on the 2019 summer youth camps; 8 week long sessions; over 50 registered children.
- *NFL Flag Football Program/ Adult Basketball / Adult Volleyball*  
Reported on various sports programs made available during the 2019 season.
- *Treasure Fest Trip*  
Reported “treasure hunting” bus trip to San Francisco; over 52 participants.

- *Grandparents Day Event*

Reported "Cruise on the Mexican Riviera" themed event held September 5, 2019, at the Lathrop Senior Center; over 60 participants.

- *Mossdale Neighborhood Park*

Reported improvements currently under construction at Mossdale Neighborhood Park.

- *Movies in the Park*

Announced movie event featuring "Wonder Park" scheduled for September 20, 2019, at Michael Vega Park.

### 3. CITIZEN'S FORUM

Bill Tessendorf (Lathrop, CA) expressed concerned with blight on the empty lot (used for storm drain right-of-way) next to the Woodside Homes Development; requested Council consider developing the empty lot. City Manager Stephen Salvatore provided information regarding the area.

### 4. CONSENT CALENDAR

On a motion by Councilmember Torres-O'Callaghan, seconded by Councilmember Lazard, the City Council approved the Consent Calendar, except \*\* Items 4.11, 4.12, 4.13, and 4.14, by the following roll call vote, unless otherwise indicated:

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

*\*City Clerk Teresa Vargas announced that a public comment letter was received, dated August 12, 2019, addressing Consent Items 4.9, 4.11, 4.12, 4.13, and Scheduled Items 5.1, 5.3, and 5.4, 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.*

*\*\* Items 4.11, 4.12, 4.13, and 4.14 – The City Council voted on these items separately, following the vote of the Consent Calendar.*

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

Waived the full 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 August 12, 2019.

#### 4.3 TREASURER'S REPORT FOR JUNE 2019

Approved Quarterly Treasurer's Report for June 2019.

#### 4.4 SECOND READING AND ADOPTION OF ORDINANCE 19-406 AMENDING TITLE 2, CHAPTER 2.36 PURCHASING SYSTEM AND TITLE 3, CHAPTER 3.30 INFORMAL BIDDING OF THE LATHROP MUNICIPAL CODE TO UPDATE THE CHAPTERS IN ACCORDANCE WITH THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

Held second reading by title only and adopted **Ordinance 19-406** amending Title 2, Chapter 2.36 "Purchasing System" and Title 3, Chapter 3.30 "Informal Bidding" of the Lathrop Municipal Code to update the Municipal Code Chapters in accordance with the California Uniform Public Construction Cost Accounting Act.

#### 4.5 SECOND READING AND ADOPTION OF ORDINANCE 19-407 AMENDING TITLE 3, CHAPTER 3.32 COUNTY FACILITY FEE, SECTION 3.32.150 SUNSET CLAUSE

Held second reading by title only and adopted **Ordinance 19-407** amending Title 3, Chapter 3.32 "County Capital Facility Fees", Section 3.32.150 "Sunset Clause" of the Lathrop Municipal Code to remove the sunset clause of the county facilities fee program.

#### 4.6 SECOND READING AND ADOPTION OF ORDINANCE 19-408 ADOPTING MUNICIPAL CODE TEXT AMENDMENT NO. TA-19-78

Held second reading by title only and adopted **Ordinance 19-408** amending Title 17 of the Lathrop Municipal Code by Adding Chapter 17.13 to allow the creation of easements by covenant.

#### 4.7 RESOLUTION DECLARING ONE MOTORCYCLE, FIVE VEHICLES, AND VARIOUS VEHICLE COMPONENTS AS SURPLUS PROPERTY AND AUTHORIZING DISPOSAL BY AUCTION, RECYCLE, OR DONATION

Pulled by Councilmember Akinjo. Administrative Services and Finance Director Cari James provided additional information.

Adopted **Resolution 19-4617** declaring one (1) motorcycle, five (5) vehicles, and various vehicle components as surplus property and authorizing disposal by auction, recycle, or donation.

#### 4.8 APPROVE PROFESSIONAL SERVICES AGREEMENT FOR SOFTWARE IMPLEMENTATION, HARDWARE, AND SOFTWARE LICENSES WITH TYLER TECHNOLOGIES, INC.

Pulled by Councilmember Akinjo. Information Technology Manager Tony Fernandes provided additional information.

Adopted **Resolution 19-4618** approving an agreement with Tyler Technologies, Inc., for Energov software implementation services; purchase of hardware and software licenses; created CIP GG 20-15 for Energov development services module; and approved related budget amendment.

4.9 \*APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH GREENPLAY, LLC TO PREPARE THE CITY'S PARKS AND RECREATION MASTER PLAN

Pulled by Councilmember Akinjo. Parks and Recreation Director Zach Jones provided additional information.

Adopted **Resolution 19-4619** approving a professional services agreement with GreenPlay, LLC, to prepare the City's Parks and Recreation Master Plan, CIP PK 19-13.

4.10 FISCAL YEAR 2019-2020 REQUESTS FOR FEE WAIVER

Adopted five (5) Resolutions approving facility fee waiver requests from the Lathrop Lions Club (**Resolution 19-4620**), Lathrop Little League (**Resolution 19-4621**), Lathrop Community Volunteer Club (**Resolution 19-4622**), Lathrop Sunrise Rotary Club (**Resolution 19-4623**), and Thrive Church (**Resolution 19-4624**).

*RIVER ISLANDS CONSENT ITEM(S)*

*Councilmember Lazard recused herself, following the vote of the consent calendar (Items 4.1 to 4.10), and left the chamber at 7:48 p.m., prior to the vote of Item 4.11, due to declared conflict of interest as noted in Item 1.8.*

On a motion by Councilmember Torres-O'Callaghan, seconded by Councilmember Akinjo, the City Council approved Items 4.11, 4.12, 4.13, and 4.14, by the following roll call vote, unless otherwise indicated:

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

4.11 \*/\*\*APPROVE A MS4 STORM DRAINAGE PERMIT AGREEMENT WITH RECLAMATION DISTRICT 2062

Adopted **Resolution 19-4625** approving an agreement with Island Reclamation District No. 2062 ("RD 2062") for the discharge of storm waters from the River Islands at Lathrop project under the City of Lathrop Small MS4 General Permit.

- 4.12 \*/\*\*APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (SIA) FOR 24 LOTS IN TRACT 3990 VILLAGE "U" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 19-4626** approving Final Map for Tract 3990 Village "U" within the Lakeside East District, totaling 24 single-family lots, Subdivision Improvement Agreement with River Islands Development, LLC.

- 4.13 \*/\*\*APPROVAL OF FINAL MAP, CUA WITH ISLAND RECLAMATION DISTRICT 2062 AND SIA FOR 44 LOTS IN TRACT 4015 VILLAGE "W" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS

Adopted **Resolution 19-4627** approving Final Map for Tract 4015 Village "W" within the Lakeside East District, totaling 44 single-family lots, City of Lathrop Annexation No. 10 to (CFD) 2013-1, Common Use Agreement with Island Reclamation District 2062 for a portion of Capricorn Court and Subdivision Improvement Agreement with River Islands Development, LLC.

- 4.14 \*\*ACCEPT OFF-SITE IMPROVEMENTS CONSTRUCTED BY TEICHERT & SONS, INC., DBA TEICHERT CONSTRUCTION, ON MANTHEY ROAD, HARLAN ROAD AND HOWLAND ROAD

Pulled by Councilmember Akinjo. Assistant Public Works Director Michael King provided additional information.

Adopted **Resolution 19-4628** accepting off-site improvements constructed by Teichert Construction under Contract with Developer River Islands Development, LLC, on Manthey Road, Harlan Road and Howland Road and authorized the release of the Performance Bond associated with Encroachment Permit No. 2018-16.

## 5. SCHEDULED ITEMS

### *RIVER ISLANDS SCHEDULED ITEM(S)*

- 5.1 \*PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ISSUANCE OF REVENUE ANTICIPATION NOTES BY THE RIVER ISLANDS PUBLIC FINANCING AUTHORITY

Administrative Services and Finance Director Cari James provided the presentation. A question and answer period followed. President of the River Islands Development Susan Dell'Osso provided additional information related to the proposed item. Vice Mayor Salcedo opened the public hearing. There were no speakers. Vice Mayor Salcedo 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 19-4629** making findings with respect to public benefit and approving the issuance of revenue anticipation notes by the River Islands Public Financing Authority.

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

*GENERAL SCHEDULED ITEM(S)*

*Councilmember Lazard returned to the dais after Item 5.1, at 7:57 p.m. for the remainder of the meeting*

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING THE SPEED LIMITS IN THE CITY OF LATHROP, TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS, SECTION 10.08.030 OF THE LATHROP MUNICIPAL CODE

Assistant Public Works Director Michael King introduced traffic consultant, Principal Fred Choa with Fehr and Peers. Mr. King provided the presentation. Vice Mayor Salcedo opened the public hearing. There were no speakers. Vice Mayor Salcedo closed the public hearing. A question and answer period followed the presentation. Deputy Dargy was asked to provided information related to speed limit enforcement. Mr. Choa and Mr. King also provided additional information related to the matter.

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. Introduced and held first reading of an ordinance amending Section 10.08.030 of the Lathrop Municipal Code relating to speed limits on Harlan Road Between Roth Road and Slate Street, Johnson Ferry Road between Colonial Trail and Golden Spike Trail, Louise Avenue between Harlan Road and 5th Street and Roth Road between I-5 and East City limits.

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

5.3 \*FISCAL YEAR (FY) 2018/19 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO THE FISCAL YEAR 2019/20 BUDGET

Finance and Administrative Services Director 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 Councilmember Akinjo, seconded by Councilmember Lazard, the City Council adopted **Resolution 19-4630** approving the FY 2018-19 Year End Report, approved related budget amendments and amended the FY 2019-20 budget accordingly.

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

5.4 \*APPROVE MEMORANDUM OF UNDERSTANDING WITH SAN JOAQUIN COUNTY, SOUTH SAN JOAQUIN IRRIGATION DISTRICT, AND OTHER COUNTYWIDE AGENCIES TO PARTICIPATE IN THE INTEGRATED REGIONAL WATER MANAGEMENT PLAN

Assistant Public Works Director Michael King provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information. Councilmembers Torres-O'Callaghan and Lazard volunteered to represent the city in the new governance group.

On a motion by Councilmember Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 19-4631** approving a Memorandum of Understanding with San Joaquin County, South San Joaquin Irrigation District, and other countywide agencies to participate in the Integrated Regional Water Management Plan, and appointed Councilmember Torres-O'Callaghan as the primary representative and Councilmember Lazard as the secondary representative.

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

## 6. COUNCIL COMMUNICATIONS

6.1 MAYOR & COUNCILMEMBER REFERRAL(S)

6.1.1 MAYOR DHALIWAL REFERRAL: Discussion Regarding the Installation of Exercise Equipment at Crescent Park

Due to Mayor Dhaliwal's absence, Council consensus directed staff to move Item 6.1.1 to the next regular meeting.

6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) - None

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Torres-O'Callaghan requested an update on the lighted crosswalk project near Lathrop High School and expressed concern with unfinished sidewalk improvements near the Starbucks development. Councilmember Akinjo requested an update on the development of the new Panda Express. Councilmember Lazard commented on the street improvements near the Savemart shopping center, related the Panda Express development.



City Manager Stephen Salvatore, Assistant Public Works Director Michael King and Community Development Director Mark Meissner responded to questions of the Council. Vice Mayor Salcedo thanked those in attendance and adjourned the meeting.

- 7. ADJOURNMENT** – There being no further business, Vice Mayor Salcedo adjourned the meeting at 9:18 p.m.



Teresa Vargas, CMC  
City Clerk