

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, FEBRUARY 10, 2020
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 6:02 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 6:02 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 to staff in regards to Item 1.2; no other reportable action was taken.

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

Absent: None

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

Mayor Dhaliwal announced the passing of former Lathrop-Manteca Fire District Chief Fred Manding. Mayor Dhaliwal held a moment of silence after the invocation in honor of Chief Manding.

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

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

Mayor Dhaliwal announced a proclamation declaring February 2020 as Black History Month to Lathrop. Parks and Recreation Commissioner Minnie Jordan read the proclamation. Following the reading of the proclamation, Harman Garcha was awarded a scholarship provided by the Lathrop Black Caucus. Ms. Garcha commented on the matter.

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

Councilmember Lazard declared a conflict of interest with Item 4.6, due to her employment with Dell’Osso Family Farms.

2. PRESENTATIONS - None

3. CITIZEN’S FORUM

City Clerk Teresa Vargas announced information received for public comment from Nellie Zavala (San Joaquin Commission on Aging) related to affordable solar energy and grid alternatives programs. Ms. Vargas also announced a public comment letter received on February 10, 2020, from Christine Mendes, regarding various concerns related to the Lathrop Gateway Business Park Specific Plan development project. Christine Mendes (18401 S. McKinley Avenue) expressed various concerns related with the developer of the Lathrop Gateway Business Park Specific Plan development project, dust control, truck routes, legal notices related to the project, and mailing address issues. Frank Mendes (18401 S. McKinley Avenue) expressed concerns with sand near his property, suggested planting ground cover in the area to control the dust; commented on an irrigation agreement with the city; and reported issues with crime around his property.

4. CONSENT CALENDAR

On a motion by Vice Mayor Salcedo, seconded simultaneously by Mayor Dhaliwal and Councilmember Torres-O’Callaghan, the City Council approved the Consent Calendar, except *Item 4.6, by the following roll call vote, unless otherwise indicated:

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

**Item 4.6 was voted on by the City Council separately, following the vote of the Consent Calendar, due to declared conflict of interest by Councilmember Lazard on Item 1.8.*

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

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

4.2 APPROVAL OF MINUTES

Councilmembers Lazard and Akinjo abstained from voting on Item 4.2 due to absence during the January 13, 2020, City Council Meeting.

Approved Minutes for the Regular Council Meeting of January 13, 2020.

4.3 2020 ONE VOICE TRIP PROJECT NOMINATIONS

Adopted **Resolution 20-4676** approving staff recommended project nominations for the 2020 San Joaquin One Voice trip.

4.4 APPROVE UPDATE TO POLICY TO GUIDE STAFF INTERPRETATION OF DEVELOPMENT IMPACT FEES AS THEY RELATE TO ACCESSORY DWELLING UNITS TO CONFORM TO STATE LAW

Pulled by Councilmember Akinjo for further clarification on the item. Public Works Director Michael King and Community Development Director Mark Meissner responded to the questions.

Adopted **Resolution 20-4677** approving an update to a policy to guide staff interpretation of development impact fees as they relate to accessory dwelling units to conform to State Law.

4.5 RESCIND INITIAL REJECTION OF LOTS, ROADWAYS AND EASEMENTS IN FINAL MAPS FOR TRACT 3789 AND TRACT 3533 AND ACCEPT LOTS, ROADWAYS AND EASEMENTS UPON ACCEPTANCE OF IMPROVEMENTS AT A LATER DATE IN THE CLSP AREA

Adopted **Resolution 20-4678** rescinding initial rejection of lots, roadways and easements in Final Maps for Tract 3789 and Tract 3533, and accepting lots, roadways and easements upon acceptance of improvements at a later date in the Central Lathrop Specific Plan (CLSP) Area.

RIVER ISLANDS CONSENT ITEM(S)

Councilmember Lazard recused herself, following the vote of the consent calendar (Items 4.1 to 4.5), and left the chamber at 8:07 p.m., prior to the vote of Item 4.6, due to declared conflict of interests as noted in Item 1.8.

On a motion by Vice Mayor Salcedo, seconded by Councilmember Torres-O'Callaghan, the City Council approved Item 4.6, by the following roll call vote, unless otherwise indicated:

4.6 *APPROVE TASK ORDER NO. 3 AND TASK ORDER NO. 4 FOR ASCENT ENVIRONMENTAL, INC. TO PREPARE A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT, AND TO UPDATE THE WEST LATHROP SPECIFIC PLAN, AND RIVER ISLANDS URBAN DESIGN CONCEPT FOR THE RIVER ISLANDS PHASE 2 PROJECT

Adopted **Resolution 20-4679** approving Task Order No. 3 and Task Order No. 4 for Ascent Environmental, Inc., to prepare a subsequent Environmental Impact Report, and updates to the West Lathrop Specific Plan and River Islands Urban Design Concept to support the River Islands Phase 2 project.

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

5. SCHEDULED ITEMS

Councilmember Lazard returned to the dais after Item 4.6, at 8:11 p.m. for the remainder of the meeting.

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER CDBG AND HOME FUNDING ALLOCATIONS FOR FISCAL YEAR 2020-2021

Economic Development Administrator Shelley Burcham provided the presentation. A questions and answer period ensued throughout the presentation. City Attorney Salvador Navarrete and City Manager Stephen Salvatore provided additional information.

Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing. The question and answer period continued.

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

1. Held a public hearing; and
2. Adopted **Resolution 20-4680** as presented recommending the allocation of the CDBG and HOME funds for Fiscal Year 2020-2021.

During roll call vote, Vice Mayor Salcedo and Councilmember Torres-O'Callaghan declared abstention, therefore, the City of Lathrop City Council Handbook of Rules and Procedures, page 13, Chapter IV, Section B(5) applies.

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

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN AMENDMENT TO TITLE 3, CHAPTER 3.20, SECTION 3.20.070(A), AMOUNT TO BE PAID AND TIMING OF PAYMENT, OF THE LATHROP MUNICIPAL CODE TO ELIMINATE THE OPTION OF CAPITAL FACILITY FEE DEFERRAL FOR RESIDENTIAL DEVELOPMENTS UNTIL OCCUPANCY IN PLACE OF ESTABLISHING A FEE DEFERRAL PROGRAM BY RESOLUTION AND APPROVAL OF A CAPITAL FACILITY FEE DEFERRAL PROGRAM BY RESOLUTION

Public Works Director Michael King provided the presentation. A question and answer period followed the presentation. City Manager Stephen Salvatore provided additional information.

Mayor Dhaliwal opened the public hearing. Adriana Flores (Lathrop, CA) inquired about setting timeline on occupancy to avoid empty buildings. City Attorney Salvador Navarrete provided additional information. There were no other speakers. Mayor Dhaliwal closed the public hearing. The question and answer period continued.

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

1. Held a public hearing; and
2. Introduced and held first reading of an ordinance amending Section 3.20.070, titled "Amount to be Paid and Timing of Payment", of the City of Lathrop Municipal Code; and
3. Adopted **Resolution 20-4681** approving a Capital Facility Fee Deferral Program.

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

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL - Appointment of One (1) Member to the Measure C Oversight Advisory Committee with Term Expiring June 30, 2022
- One (1) Application Received

Mayor Dhaliwal made the following appointment:

<u>Measure C Oversight Advisory Committee</u>	<u>Term Expires</u>
Jeremy Aguilar	June 30, 2020

On a motion by Councilmember Akinjo, seconded by Vice Mayor Salcedo, the City Council approved the appointment made by Mayor Dhaliwal as noted above.

6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Akinjo reported attendance to the League of California Cities Community Survives Policy Committee Meetings in Sacramento held January 23, 2020. Parks & Recreation Director Zach Jones announced art display in the Council Chamber by artist Sheryl Bloomfield, painting to be displayed through February 2020.

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmembers thanked those in attendance. Councilmember Torres-O'Callaghan commented on the success of the lighted crosswalk near Lathrop High School; requested an update on the light near Spartan Way and Golden Valley Parkway. Public Works Director Michael King provided the information. Vice Mayor Salcedo also expressed appreciation for the lighted crosswalk improvements and wished everyone a Happy Valentines Day.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 9:02 p.m.



Teresa Vargas, CMC
City Clerk