

## February 10, 2020 – City Council Regular Meeting – 7:00 p.m.



City Council Chamber  
390 Towne Centre Drive  
Lathrop, California  
(209) 941-7200  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

### City Council

Sonny Dhaliwal, Mayor  
Martha Salcedo, Vice Mayor  
Paul Akinjo  
Diane Lazard  
Jennifer Torres-O'Callaghan

### City Staff

Stephen Salvatore, City Manager  
Salvador Navarrete, City Attorney  
Teresa Vargas, City Clerk  
Glenn Gebhardt, City Engineer  
Michael King, Public Works Director  
Cari James, Finance & Administrative  
Services Director  
Mark Meissner, Community  
Development Director  
Zachary Jones, Parks & Recreation  
Director  
Ryan Biedermann, Chief of Police

### General Order of Business

1. Preliminary
  - Call to Order
  - Closed Session
  - Roll Call
  - Invocation
  - Pledge of Allegiance
  - Announcements by Mayor/City Mgr.
  - Informational Items
  - Declaration of Conflict of Interest
2. Presentations
3. Citizen's Forum
4. Consent Calendar
5. Scheduled Items
  - Public Hearings
  - Appeals
  - Referrals and Reports from Commissions and Committees
  - All Other Staff Reports and/or Action Items
  - Study Sessions
6. Council Communications
7. Adjournment

### Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested residents, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken.

### Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or interested resident so requests, in which case the item will be removed from the Consent Calendar and considered separately.



**February 10, 2020 – Regular Meeting Agenda – 7:00 p.m.**



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## Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Purple speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name and address. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker form). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said. If you challenge the nature of a proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

## Citizen's Forum

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Citizen's Forum section. Please submit your purple speaker card to the City Clerk prior to the commencement of Citizen's Forum. **Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker form) and each speaker may only speak once on this agenda item.

**To leave a voice message for the Mayor and all Councilmembers simultaneously, dial (209) 941-7220. To send an e-mail for the Mayor and all Councilmembers simultaneously, [citycouncil@ci.lathrop.ca.us](mailto:citycouncil@ci.lathrop.ca.us)**

**This City Council Agenda may be accessed by computer or any smart device at the following Worldwide Web Address: [www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us) LIVE STREAMING & CLOSED CAPTIONING – Available, please visit the City Council Webpage or use the following URL <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>**

## Information

Copies of the Agenda are available in the lobby at the Lathrop City Hall, 390 Towne Centre Drive, Lathrop, on Thursday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available for review in the City Clerk's Office. This agenda was posted at the following locations: City Hall, Community Center, Generations Center, Senior Center, and the Lathrop-Manteca Fire District "J" Street and Somerston Parkway Offices. The meetings of the Lathrop City Council are broadcast on Lathrop Comcast Cable Television Channel 97.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility and/or accommodations to this meeting. [28 CFR 35.102-35.104 ADA Title II] Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (209) 941-7230.

Information about the City or items scheduled on the Agenda may be referred to:

Address: City of Lathrop City Clerk  
390 Towne Centre Drive, Lathrop, CA 95330  
Telephone: (209) 941-7230

*Your interest in the conduct of your City's business is appreciated.*

**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**

**AGENDA**

**PLEASE NOTE: There will be a Closed Session commencing at 6:00 p.m. The Regular Meeting will reconvene at 7:00 p.m., or immediately following the Closed Session, whichever is later.**

**1. PRELIMINARY**

1.1 CALL TO ORDER

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**

1.2.2 REPORT FROM CLOSED SESSION

1.3 ROLL CALL

1.4 INVOCATION

1.5 PLEDGE OF ALLEGIANCE

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST

**2. PRESENTATIONS - None**

**3. CITIZEN'S FORUM**

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under Citizen's Forum. Please submit a purple speaker card to the City Clerk prior to the commencement of Citizen's Forum. Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements.

The City Council can, however, allow its members or staff to briefly (no more than five (5) minutes) respond to statements made, to ask questions for clarification, make a brief announcement or report on his or her own activities. (See California Government Code Section 54954.2(a)). Unless directed otherwise by a majority of the City Council, all questions asked and not answered at the meeting will be responded to in writing within 10 business days. ALL PUBLIC COMMENTS MUST BE MADE IN COMPLIANCE WITH THE LATHROP CITY COUNCIL HANDBOOK OF RULES AND PROCEDURES!!

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

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless the Mayor, Councilmember, or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately.

- 4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS  
Waive 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  
Approve Minutes for the Regular Council Meeting of January 13, 2020
- 4.3 2020 ONE VOICE TRIP PROJECT NOMINATIONS  
Adopt Resolution 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  
Adopt Resolution 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  
Adopt Resolution 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)***

- 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

Adopt a Resolution 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

## **5. SCHEDULED ITEMS**

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

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution Recommending the Allocation of the CDBG and HOME Funds for Fiscal Year 2020-2021

### **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**

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduction and First Reading of an Ordinance Amendment to Section 3.20.070, Amount to be Paid and Timing of Payment, of the City of Lathrop Municipal Code; and
3. Adoption of a Resolution Approving a Capital Facility Fee Deferral Program

## **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

### **6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)**

- *Central Valley Executive Committee/LOCC (Akinjo/Salcedo)*
- *Council of Governments (Dhaliwal/Lazard)*
- *Integrated Waste Management Solid Waste Division (Akinjo/Torres-O'Callaghan)*
- *Reclamation District 17 Joint Powers Authority (Salvatore)*
- *San Joaquin Partnership Board of Directors (Salvatore)*
- *San Joaquin County Commission on Aging (Zavala)*
- *San Joaquin Valley Air Pollution Control District (Akinjo/Dhaliwal)*
- *Water Advisory Board (Torres-O'Callaghan/Lazard)*
- *Tri Valley-San Joaquin Valley Regional Rail Authority (Akinjo)*
- *San Joaquin Area Flood Control Agency (Akinjo & Lazard)*

### **6.3 MAYOR & COUNCILMEMBER COMMENT(S)**

## **7. ADJOURNMENT**

  
Teresa Vargas, CMC, City Clerk

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