



**REGULAR MEETING AGENDA
FOR THE CITY COUNCIL OF THE CITY OF MANTECA**

**Tuesday, December 17, 2019
7:00 PM**

City Hall Council Chambers

*1001 W. Center Street
Manteca, CA 95337
www.mantecagov.com*

CITY COUNCIL

*Mayor, Benjamin Cantu
Vice Mayor, Jose Nuño
Councilmember, David Breitenbucher
Councilmember, Debby Moorhead
Councilmember, Gary Singh*

See last pages of agenda for information regarding meeting procedures.



**REGULAR MEETING AGENDA
MANTECA CITY COUNCIL
DECEMBER 17, 2019
7:00 PM
1001 W. Center Street
Manteca, CA 95337
www.mantecagov.com**

CALL TO ORDER: Mayor Cantu

ROLL CALL: City Clerk

INVOCATION/FLAG SALUTE: Pastor Cynthia Jackson, Transformed Through Hope Ministries

AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

A. PRESENTATIONS:

- A.1. [19-660](#)** Certificate of Retirement honoring Glen Emerick, Senior Construction Inspector, for over 28 years of service to the City of Manteca.

Attachments: [Attachment 1 - Retirement Certificate](#)

- A.2. [19-653](#)** Certificate of Recognition presented to Manteca High Varsity Football Coaches and Team for the Sac-Joaquin Section Division III Championship Title.

Attachments: [Attachment 1 - Certificate of Recognition](#)

- A.3. [19-654](#)** Certificate of Recognition presented to Sierra High Varsity Football Coaches and Team for the Sac-Joaquin Section Division IV Championship Title.

Attachments: [Attachment 1 - Certificate of Recognition](#)

B. PUBLIC COMMENT:

C. CLOSED SESSION:

- C.1. [19-666](#)** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant exposure to litigation in three potential cases pursuant to Government Code section 54956.9(d)(2).

- C.2. [19-667](#)** PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE: Pursuant to Government Code section 54957.

D. CONSENT ITEMS:

- D.1. [19-630](#)** Adopt a resolution approving a budget appropriation in the amount of

\$43,000 and approve Change Order No. 5 with McFadden Construction, Inc. in the amount of \$61,734 for additional ADA improvements, curbing replacements, and additional irrigation components.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Change Order](#)

- D.2. [19-632](#) Adopt a resolution receiving the Annual and Five-Year Reports for City development fees, and making those findings contained in said reports the findings of the City Council.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - FY19 AB1600](#)

- D.3. [19-657](#) Adopt a resolution approving Grading and Construction of Improvements, prior to filing of the Final Map, for the work included in the Sundance, Unit No. 5, Grading and Improvement Plans.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Vicinity Map](#)
[Attachment 3 - Developer's Request Letter](#)

- D.4. [19-671](#) Adopt a resolution authorizing budget amendments and appropriations in the amount of \$140,000 increasing the Fire Station No. 5 Capital Improvement Project to cover unexpected costs related to fees and dirt hauling; authorize the City Manager to sign all necessary documents and approve contract amendments in accordance with the City Purchasing Policy.

Attachments: [Attachment 1 - Resolution](#)

- D.5. [19-642](#) Adopt a resolution accepting the Compressed Biogas Fueling Facility, Phase II project (CIP 17008) as complete; authorize the City Clerk to file a Notice of Completion; and authorize the release of retention withheld.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - NOC](#)

- D.6. [19-656](#) Approve an agreement with Inferrera Construction Management, not to exceed \$134,050, for additional construction management and inspection services for the Compressed Biogas Fueling Facility Project; and authorize the City Manager to sign the agreement and all necessary documents.

Attachments: [Attachment 1 - Agreement](#)

- D.7. [19-528](#) Approve an agreement with LDA Partners, Inc. not to exceed \$100,000 for the New City Call Master Plan.

Attachments: [Attachment 1 – Request for Proposal](#)
[Attachment 2 – LDA RFP Response](#)
[Attachment 3 - LDA Work Plan](#)
[Attachment 4 - Agreement](#)

D.8. [19-644](#) Accept a vehicle donation from the South San Joaquin Irrigation District for use by the Seniors Helping Area Residents and Police unit.

D.9. [19-548](#) Approve revised plans and specifications, and authorize a Call for Bids for the North Manteca Sewer Trunk, Zone 22 Project.

Attachments: [Attachment 1 - Invitation to Bidders](#)

D.10. [19-659](#) Waive the final reading and substitution of the title and adopt an ordinance amending Manteca Municipal Code Title 13 Public Services, Chapter 20.110 Fats, oils and grease (FOG) control and subchapter “L” FOG Disposal at Water Quality Control Facility (WQCF), establishing commercial rate schedule.

Attachments: [Attachment 1 - Ordinance](#)
[Attachment 2 - Exhibit "A" - Updated Fee Schedule](#)

D.11. [19-662](#) Receive and file the 2020 Local Appointments List highlighting upcoming term vacancies occurring in the next year on City boards, commissions, and committees.

Attachments: [Attachment 1 - 2020 Local Appointments List](#)

D.12. [19-675](#) Consider adoption of the 2020 City Council meeting calendar.

Attachments: [Attachment 1- 2020 Council Calendar](#)

D.13. [19-574](#) Approve the Special and Regular Meeting Minutes of October 2019.

Attachments: [Attachment 3 - 10-08-19 Special](#)
[Attachment 4 - 10-15-19 Regular](#)
[Attachment 5 - 10-15-19 Special](#)
[Attachment 6 - 10-22-19 Special](#)

E. PUBLIC HEARINGS:

E.1. [19-633](#) Adopt a resolution approving the Engineer’s Report for the Tony B. Marshall Park Area of Benefit and forming the Tony B. Marshall Park Area of Benefit District.

- Attachments:** [Attachment 1 - Resolution](#)
[Attachment 2 - Engineer's Report](#)
[Attachment 3 - Area of Benefit District Map](#)

F. DISCUSSION ITEMS:

- F.1. [19-661](#)** Provide direction to staff as to proceed, or not proceed, in developing an ordinance banning vaping for underage teens in partnership with, and in support of, the San Joaquin County District Attorney's Office.

- Attachments:** [Attachment 1 - Overview of Issue](#)

- F.2. [19-532](#)** Receive 10 year historical traffic safety and enforcement data and provide direction related to the addition of three traffic officers.
- F.3. [19-652](#)** Provide direction to staff on future use of the property at 555 Industrial Park Drive and direct staff to obtain site analyses on two or three preferred locations for a Homeless Navigation Center.

- Attachments:** [Attachment 1 - Site Comparison Table](#)
[Attachment 2 - Suggested Sites Location Map](#)
[Attachment 3 - Maps: 255 Northgate Dr.](#)
[Attachment 4 - Maps: 225 W. Center St.](#)
[Attachment 5 - Maps: 224 W. Center St.](#)
[Attachment 6 - Maps: 128 N. Garfield Ave.](#)
[Attachment 7 - Maps: 603, 605, 611, & 617 E. Yosemite Ave.](#)
[Attachment 8 - Maps: 200 Block of E. Wetmore St.](#)
[Attachment 9 - Maps: 555 Industrial Parkway Dr.](#)
[Attachment 10 - Maps: 1140 Bessemer Ave.](#)

- F.4. [19-668](#)** Receive update regarding the Lathrop Road Improvement Project; and provide direction on funding strategies

- Attachments:** [Attachment 1 - PowerPoint Presentation](#)

- F.5. [19-669](#)** Receive update regarding the new transportation projects for the Regional Transportation Plan and provide direction on project strategies.

- Attachments:** [Attachment 1 - Exhibit for Interchanges](#)

G. CITY MANAGER COMMENTS:**H. COUNCIL COMMENTS:****I. ADJOURNMENT:**

I hereby certify that the agenda for the above stated meeting was posted at a location accessible to members of the public at City Hall, 1001 W. Center Street, Manteca, CA on December 13, 2019, by 1:00 p.m.

/s/ Olivia Nashed

OLIVIA NASHED
DEPUTY CITY CLERK

MEETING DATES:

The City Council meets regularly on the first and third Tuesday of each month; additional meetings may be scheduled as needed.

INFORMATION AVAILABLE FOR CITY COUNCIL MEETINGS:

Information and documents related to items on this agenda are available on the City's website at www.mantecagov.com; you may also contact the City Clerk for information by email at mayorcouncilclerk@mantecagov.com; by calling (209) 456.8017; or in person at 1001 W. Center St., Ste. B, Manteca. Any documents related to an agenda item that are provided to a majority of the City Council after distribution of the agenda packet are reported by the City Clerk at the meeting under "Supplemental Reports" and are available for public inspection.

CITY POLICY TO FACILITATE ACCESS TO PUBLIC MEETINGS:

The City of Manteca complies with all applicable requirements of the Americans with Disabilities Act and California law, and does not discriminate against any person with a disability. If any person has a disability and requires information or materials in an appropriate alternative format (or any other reasonable accommodation), contact the City Clerk at (209) 456.8017 or email at mayorcouncilclerk@mantecagov.com. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. For TTY/ Speech-to-Speech users, dial 7-1-1 for the California Relay Service, for text-to-speech, speech-to-speech, and Spanish-language services 24 hours a day, 7 days a week. In making any request to the City for assistance, please provide advance notice of at least three (3) business days prior to the meeting.

CONDUCT OF CITY COUNCIL MEETINGS:

Meetings are conducted in accordance with the requirements of state law (the "Ralph M. Brown Act," California Government Code Sections 54950, et seq.). Members of the public may address the Council at designated times and are expected to conduct themselves with courtesy and respect. Speakers should direct comments to the Mayor and City Councilmembers, not the audience. Speakers are expected to yield the floor when the time limit is identified and comply with the City's Rules of Order. Speaking times are limited to no more than three (3) minutes per person, with the exception of certain hearings and appeals, or at the discretion of the Mayor or City Council.

PUBLIC COMMENT (INCLUDING CONSENT ITEMS AND DISCUSSION ITEMS):

The public may directly address the City Council on any subject within the Council's subject matter jurisdiction, including any matter that is not on the agenda. Speaking time is limited to no more than three (3) minutes per person, unless modified at the discretion of the Mayor or City Council. If the matter is not on the agenda, or if the matter is a consent item or discussion item, submit a speaker card or request to speak during the Public Comment portion of the meeting. Speaker cards are not required if the speaker otherwise makes a clear and timely request to address the Council, but do promote the efficient and orderly progress of the meeting. Information on Speaker Cards is subject to disclosure under the California Public Records Act.

CONSENT ITEMS:

These items are considered routine and may be approved by a single vote. Only the Mayor or a majority of the City Council may authorize public input after the consent calendar is introduced.

DISCUSSION ITEMS:

Only the Mayor or a majority of the City Council may authorize public input after a discussion item is introduced.

PUBLIC HEARINGS/APPEALS:

During any public hearing or appeal, any person may directly address the City Council. Applicants (or appellants) are allowed ten (10) minutes to present testimony at the beginning of the public hearing, and if needed, five (5) minutes to present rebuttal at the end of the public hearing. All other speakers will be limited to three (3) minutes.

INFORMATIONAL ITEMS:

The Informational Items section of the agenda is a place for City Council and the public to receive general information that does not require action.

CLOSED SESSION:

The City Council is authorized to meet in closed session, without attendance by the public, on limited confidential topics such as pending litigation, real property negotiations, or personnel or labor matters.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The California Environmental Quality Act ("CEQA") is the state law that requires the City to evaluate and document the potential environmental consequences of discretionary decision. (See, California Public Resources Code Sections 21000 - 21189.3; and the "CEQA Guidelines" at California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 - 15387). For each item that requires a CEQA determination by City Council, there is a reference to that determination on this agenda, and more information regarding the CEQA analysis is included in the documents that accompany this Agenda. To the extent that City staff determines that particular items are not subject to CEQA, there will be no indication of a CEQA action on this Agenda.

CHALLENGES TO DECISIONS MADE BY THE CITY COUNCIL:

If a person wishes to file a legal challenge to any decision made by the City Council, you may be limited to raising only those issues which you or someone else raised during the meeting, or in a written communication received by the City Clerk prior to or during the meeting. In addition, a legal challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies. The time limit to commence any legal challenge may be subject to strict timing requirements, and failure to comply with applicable timing requirements may result in a legal challenge being barred. Any lawsuit or legal challenge to any quasi-adjudicative decision made by the City Council is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by City Council must be filed no later than the 90th day following the date on which such decision becomes final.