



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

**Tuesday, October 5, 2021
7:00 PM**

City Hall Council Chambers

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

CITY COUNCIL

*Mayor, Benjamin Cantu
Vice Mayor, Gary Singh
Councilmember, David Breitenbucher
Councilmember, Charlie Halford
Councilmember, Jose Nuño*

See last pages of agenda for information regarding meeting procedures.



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Members of the public that wish to submit public comments may do so by several different methods. Public Comment may be submitted in the following ways.

- **In Person:**
 - The City Council Chambers are open to the public in accordance with CDPH and CalOsha guidelines.
- **Zoom Webinar:**
 - To call or log into Zoom Webinar, please use the following:
Meeting ID: 826 7726 8640
Phone number: (669) 900 6833
 - To speak during an item you must use the Raise Your Hand feature. If dialing in, press *9 to Raise Your Hand.
 - Please remain muted until called upon
 - If you have questions on the Zoom Webinar process, please email:
mayorcouncilclerk@ci.manteca.ca.us or call (209) 456-8013.
- **eComment - <https://www.ci.manteca.ca.us/CityClerk/Pages/City-Council-Video.aspx> to submit eComment(s).**
 - New users must follow the instructions to create an account.
 - Only one comment per agenda item.
 - eComment may be submitted at any time up to the item being heard during the Council Meeting.
 - 500 character limit
- **Email mayorcouncilclerk@ci.manteca.ca.us**
 - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
 - Public Comment over 250 words will be made part of the official record.
- **Mail: Office of the City Clerk, 1001 W. Center St., Ste. G, Manteca, CA 95337**
 - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
 - Public Comment over 250 words will be made part of the official record.
- **Hand delivered to: Office of the City Clerk, 1001 W. Center St., Ste. G, Manteca, CA 95337**
 - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
 - Public Comment over 250 words will be made part of the official record.

**Note: For written public comments indicate in the subject line the agenda item number or if the item is related to general public comment.*

CALL TO ORDER: Mayor Cantu

ROLL CALL: City Clerk

INVOCATION/FLAG SALUTE: Rabbi Shalom Bochner, Congregation Beth Shalom

AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

A. PRESENTATIONS:

- A.1. [21-239](#) Proclamation recognizing the week of October 11-15, 2021, as Code Enforcement Officer Appreciation Week**

Attachments: [Attachment 1 - Proclamation](#)

B. PUBLIC COMMENT:

C. CONSENT ITEMS:

- C.1.** [21-348](#) Adopt a resolution continuing the Proclamation of Local Emergency in response to the Coronavirus (COVID-19).

Attachments: [Attachment 1 - Resolution](#)

- C.2.** [21-413](#) Adopt a resolution to approve side letter agreements to the existing Memorandum of Understanding with Operating Engineers Local No. 3 (OE3)

Attachments: [Attachment 1 - OE3 Holiday Side Letter](#)
[Attachment 2 - OE3 Labor Day Side Letter](#)
[Attachment 3 - OE3 Memorial Day Side Letter](#)
[Attachment 4 - Resolution](#)

- C.3.** [21-415](#) Adopt a resolution for a budget appropriation in the amount of \$176,256 and Approve Amendment No. 2 to the Professional Services Agreement with DeNovo Planning Group for \$176,256 to complete the Comprehensive General Plan Update.

Attachments: [Attachment 1 - Memo from DeNovo Planning Group](#)
[Attachment 2 - Professional Services Agreement Amendment](#)
[Attachment 3 - Resolution](#)

- C.4.** [21-439](#) Adopt a resolution and approve side letter agreements to existing Memorandums of Understanding for COVID-19 Vaccine Incentive

Attachments: [Attachment 1 - Public Safety Mid Managers Side Letter](#)
[Attachment 2 - Confidential Mid Managers Side Letter](#)
[Attachment 3 - Resolution](#)

- C.5.** [21-403](#) Adopt a new Hacienda Avenue Traffic Calming Measure, and direct Engineering staff to carry out Stage 2 of the Manteca Traffic Calming Program and implement the steps in Stage 2 to install a second traffic lump as a traffic calming measure for a portion of Hacienda Avenue.

Attachments: [Attachment 1 - City of Manteca Hacienda Traffic Calming](#)

- C.6.** [21-414](#) Approve Amendment No. 1 to the Professional Services Agreement with the Local Government Commission (LGC) to provide management of the Sustainable Communities Planning Grant.

Attachments: [Attachment 1 - Amendment to the Professional Services Agreement with LGC](#)

- C.7. [21-433](#) Approve letter to the San Joaquin County Board of Supervisors and the County Administrator in support of Assisted Outpatient Treatment/Laura's Law.

Attachments: [Attachment 1 - April Letter](#)
[Attachment 2 - October Letter](#)

- C.8. [21-420](#) Waive the final reading by substitution of the title and adopt an Ordinance amending the Municipal Code by creating zoning definitions for a Liquor Store (Section 17.24.020.E.16) and Tobacco Shop (Section 17.24.020.E.28); and, amending Table 17.30.020-1, Allowed Uses and Permit Requirements in the Central Business District Overlay Zone, showing Liquor Store, Massage Therapy, Tobacco Related Uses and Tobacco Shop as uses not allowed ("N") within Zones 1 and 2; and showing Alcoholic Beverage Sale as a use permitted by right ("A") in both Zones 1 and 2.

Attachments: [Attachment 1 - Ordinance](#)

- C.9. [21-064](#) Approval of City Council Meeting Minutes.

Attachments: [Attachment 1 - Regular Minutes of 9/21/2021](#)

D. PUBLIC HEARINGS:

- D.1. [21-356](#) Adopt a resolution approving, with conditions, an appeal filed by Robinson Oil Company regarding the Planning Commission's denial of a Minor Use Permit (UPN-19-110) and Site Plan and Design Review (SPC-19-109) for a Rotten Robbie fueling station and convenience store located on the southeast corner of Airport Way and Wawona Street, 1014 South Airport Way (APN 221-190-51).

Attachments: [Attachment 1 - Project Location Map](#)
[Attachment 2 - Planning Commission Resolution of Denial](#)
[Attachment 3 - April 6, 2021 City Council Staff Report](#)
[Attachment 4 - City Council Resolution of Approval](#)
[Attachment 5 - Site Plan](#)
[Attachment 6 - Conditions of Approval](#)
[Attachment 7 - Initial Study and Negative Declaration](#)

- D.2. [21-416](#) Public Hearing No. 1 Under the California Voting Rights Act Regarding the Composition of the City's Voting Districts Pursuant to Elections Code Section 10010

Attachments: [Attachment 1 - PowerPoint from Consultant NDC](#)
[Attachment 2 - PowerPoint from Consultant Tripepi Smith](#)

E. DISCUSSION ITEMS:

- E.1. [21-423](#)** Receive presentation and Authorize staff to begin acquisition proceedings for 682 S. Main St.

Attachments: [Attachment 1 - PowerPoint](#)

- E.2. [21-431](#)** Receive a presentation and financial update and file the FY 2021-22 budget-to-actual statements as of 8/31/2021.

Attachments: [Attachment 1 - Revenue Budget Report](#)
[Attachment 2 - Expense Budget Report](#)

F. CITY MANAGER COMMENTS:

G. COUNCIL COMMENTS:

H. ADJOURNMENT:

The next scheduled City Council meeting is October 19, 2021, at 7:00 p.m.

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 September 30, 2021, by 6:00 p.m.

/s/ Cassandra Candini-Tilton

CASSANDRA CANDINI-TILTON
DIRECTOR OF LEGISLATIVE SERVICES / 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.