



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

**Tuesday, December 21, 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, Charlie Halford
Councilmember, David Breitenbucher
Councilmember, Jose Nuño
Councilmember, Gary Singh*

See last pages of agenda for information regarding meeting procedures.



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MANTECA CITY COUNCIL
DECEMBER 21, 2021
7:00 PM
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Manteca, CA 95337
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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) 456-8017.
- **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: Tim Kemptner, New Hope Church

AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

A. PRESENTATIONS:

- A.1. [21-602](#)** Certificates of Recognition presented to Public Safety Sales Tax Oversight Committee Members.

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

B. PUBLIC COMMENT:

C. CONSENT ITEMS:

- C.1.** [21-563](#) Adopt a resolution continuing the Proclamation of Local Emergency in response to the Coronavirus (COVID-19).

Attachments: [Attachment 1 - Resolution](#)

- C.2.** [21-488](#) Adopt a resolution authorizing a budget appropriation and contract with DeNovo Planning Group for the preparation of a Senate Bill 2 grant funded project to update planning documents, entitlement processes, and zoning ordinance that accelerate housing production.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - De Novo SB 2 Proposal](#)
[Attachment 3 - De Novo SB 2 Proposal Schedule](#)
[Attachment 4 - Professional Services Agreement](#)

- C.3.** [21-495](#) Adopt a resolution approving (1) an increase to the funding available for construction of the North Manteca Trunk Sewer, Zone 22 Project; (2) an agreement for Professional Services with NV5, Inc.; (3) Amendment No. 2 to the Agreement with Inferrera Construction Management Group, Inc.; and (4) authorize the City Manager or designee to sign the agreements and issue change orders as needed.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Location Map](#)
[Attachment 3 - Professional Services NV5](#)
[Attachment 4 - ICM Amendment 2 ltr to City 11.17.21 combined](#)

- C.4.** [21-548](#) Adopt a resolution accepting a Grant of Easement for public utilities from Raymus Resources LP on 2035 S. Main Street and 2185 S. Main Street.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Exhibit "A" to Resolution](#)

- C.5.** [21-557](#) Adopt a resolution approving the Improvement Agreement and Final Map for Shadowbrook Neighborhood 4, Tract 3981

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Shadowbrook Neighborhood 4 Improvement Agreement](#)
[Attachment 3 - Shadowbrook Neighborhood 4 Final Map](#)
[Attachment 4 - Location Map](#)

- C.6. [21-575](#) Adopt a resolution approving grading and construction of improvements, prior to filing of the Final Map, for the work included in the Trails of Manteca Unit Nos. 1-4 Subdivision Improvement Plans.

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

- C.7. [21-578](#) Adopt a resolution approving grading and construction of improvements, prior to filing of the Final Map, for the work included in the Villa Ticino West Unit 1 and Unit 2 Improvement Plans.

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

- C.8. [21-543](#) Adopt a resolution approving the Storm Water Management Zone 36 and 39 Flood Prevention Improvement Project Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigation Measure Reporting Program (MMRP); approve amendment 1 extending the term of Contract 2020-10 through December 31, 2022, and authorize the City Manager to sign.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Vicinity Map](#)
[Attachment 3 - Scope of Budget of Executed Contract](#)
[Attachment 4 - Notice of Availability](#)
[Attachment 5 - IS/MND and MMRP](#)
[Attachment 6 - Schedule](#)
[Attachment 7 - Amendment 1](#)

- C.9. [21-559](#) Approve Amendment No. 1 to a lease agreement with Mizuno Farms for the lease of the South Hays Road Property and authorize the Mayor to sign the same.

Attachments: [Attachment 1 - Amendment No. 1](#)
[Attachment 2 - Farmland Lease Agreement \(C2017-140\)](#)

- C.10. [21-595](#) Approve a Memorandum of Understanding between the City and the Mid-Manager's Association for the term of July 1, 2021 through June 30, 2022.

Attachments: [Attachment 1 - Memorandum of Understanding](#)

- C.11. [21-558](#) Waive the first reading by substitution of the title and introduce an ordinance amending Section 13.16.011 of the Manteca Municipal Code,

regarding the Industrial Sewer System Service Charge for Eckert Cold Storage.

Attachments:

[Attachment 1 - Ordinance](#)

[Attachment 2 - Redlined Ordinance O2020-04](#)

[Attachment 3 - Industrial Sewer System Service Charge Analysis](#)

C.12. [21-584](#)

Waive the first reading and substitution of the title and introduce and ordinance amending Chapter 2.28 Recreation and Parks Commission Section 2.28.020 Appointment and compensation.

Attachments:

[Attachment 1 - Ordinance](#)

[Attachment 2 - Redlined Ordinance](#)

C.13. [21-585](#)

Waive the final reading by substitution of the title and adopt an ordinance adding Chapter 5.64 to Title 5 Business Taxes, Permits And Regulations, Relating To Cannabis Businesses, amending Chapter 8.35, Adult Use And Medical Marijuana, Of Title 8, Health And Safety, And Amending Title 17, Zoning, To Allow For The Establishment Of Cannabis Retailers In The City, And Making A Finding Of Exemption Under CEQA Guidelines Section 15061(B)(3).

Attachments:

[Attachment 1 - Ordinance](#)

C.14. [21-586](#)

Waive the final reading and substitution of the title and adopt an ordinance amending Ordinance no. 1501, the zoning ordinance, as amended, to rezone for the Tesoro Boat and RV Storage facility located at 1821 Woodward Avenue, APN 224-050-03 (file no. REZ-20-114).

Attachments:

[Attachment 1 - City Council Ordinance](#)

[Attachment 2 - Exhibit "A" to Ordinance - Legal Description](#)

[Attachment 3 - Exhibit "B" to Ordinance - Plat Map](#)

C.15. [21-530](#)

Receive and file the Annual Report by the Public Safety Sales Tax Oversight Committee.

Attachments:

[Attachment 1 - 2021 Committee Report](#)

[Attachment 2 - 2021 Finance Memo](#)

C.16. [21-243](#)

Receive and file the 2022 Local Appointments List highlighting upcoming term vacancies occurring in the next year on City boards, commissions, and committees.

Attachments:

[Attachment 1 - 2022 Local Appointments List](#)

C.17. [21-069](#)

Approval of City Council Meeting Minutes.

- Attachments:** [Attachment 1 - Special Meeting Minutes 11-23-2021](#)
[Attachment 2 - Special Meeting Minutes 11-30-2021](#)
[Attachment 3 - Special Meeting Minutes 12-07-2021](#)
[Attachment 4 - Regular Meeting Minutes 12-07-2021](#)
[Attachment 5 - Special Meeting Minutes 12-15-2021](#)

D. PUBLIC HEARINGS:

- D.1. [21-524](#)** Waive the first reading by substitution of the title and introduce ordinance, amending the Planned Development Amendment (PDA-20-125) to remove the age restriction from Shadowbrook Neighborhood 6 and combine Neighborhood 6 with Neighborhood 7.

- Attachments:** [Attachment 1 - Planning Commission Staff Report](#)
[Attachment 2 - City Council Ordinance](#)
[Attachment 3 - Exhibit "A" - Project Plan Set](#)
[Attachment 4 - Exhibit "B" - Conditions of Approval](#)
[Attachment 5 - PowerPoint](#)

- D.2. [21-526](#)** Adopt a resolution approving a Tentative Subdivision Map for the Paradise Villas Townhomes located at 339 Pestana Avenue (File No. PD 20-120, REZ 20-121, SDJ 20-118), and waive the first reading by substitution of the title and introduce an ordinance approving a Rezone and a Planned Development Overlay for Paradise Villas Townhomes.

- Attachments:** [Attachment 1 - Planning Commission Staff Report](#)
[Attachment 2 - City Council Ordinance](#)
[Attachment 3 - Exhibit "A" to Ordinance: Tentative Map](#)
[Attachment 4 - Exhibit "B" to Ordinance: Conditions of Approval](#)
[Attachment 5 - City Council Resolution](#)
[Attachment 6 - Exhibit "A" to Resolution: Final Plans](#)
[Attachment 7 - Exhibit "B" to Resolution: Conditions of Approval](#)
[Attachment 8 - PowerPoint Presentation](#)

- D.3. [21-587](#)** Waive the first reading and substitution of the title and introduce an ordinance amending Manteca Municipal Code Chapter 1.08 - Elections to add Sections 1.08.060 - General election - District Elections and 1.08.070 - General election - Election Schedule.

- Attachments:** [Attachment 1 - Ordinance](#)
[Attachment 2 - Exhibit "A" Map to Ordinance](#)
[Attachment 3 - PowerPoint](#)

- D.4. [21-547](#)** ** Previously noticed to be heard; will be heard at the January 18, 2022, City Council Meeting.**

Adopt a resolution granting Applicant's appeal and overturning the Planning Commission's denial of the Site Plan and Design Review Application, Raymus Office and Storage Building (File No. SPC-21-74).

- D.5.** [21-550](#) ** Previously noticed to be heard; will be heard at the January 18, 2022, City Council Meeting. **

Adopt a resolution 1) approving the Engineer's Report for the Southwest Manteca Regional Sewer Lift Station Improvements Area of Benefit and forming the Southwest Manteca Regional Sewer Lift Station Improvements Area of Benefit District, 2) approving the Improvement Agreement for the Southwest Manteca Regional Sewer Lift Station, and 3) accepting a Grant Deed at 2368 W. Woodward Avenue from John & Tamela Kist and Edward & Lorie Machado for an 20,439 square foot portion of the property along the future Joshua Street right-of-way.

E. DISCUSSION ITEMS:

- E.1.** [21-532](#) Waive the first reading by substitution of the title and introduce an ordinance adding Chapters 3.40 and 3.42 to the Municipal Code regarding short-term rentals.

Attachments: [Attachment 1 - Ordinance](#)

- E.2.** [21-601](#) Make recommendations and appointments for the 2022 City Council Board, Commission, and Committee appointments.

Attachments: [Attachment 1 - Appointment Overview](#)
[Attachment 2 - Roster](#)

F. INFORMATIONAL ITEMS:

- F.1.** [21-525](#) Receive and file: updates on key elements of Senate Bill 1383 (SB 1383 - Short-Lived Climate Pollutants: Organic Waste Methane Emissions Reductions) and updates on the City's implementation planning process for SB 1383.

G. CITY MANAGER COMMENTS:

H. COUNCIL COMMENTS:

I. ADJOURNMENT:

The next regularly scheduled City Council meeting is Tuesday, January 18, 2022, 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 Thursday, December 16, 2021 at 6:30 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.