

ATTACHMENT 1

RESOLUTION NO. R2024-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, ACTING AS THE LAND USE AGENCY, VALIDATING THE JULY 5, 2016, URBAN LEVEL OF FLOOD PROTECTION FINDING OF ADEQUATE PROGRESS IN THE MOSSDALE TRACT AREA

WHEREAS, Senate Bill 5 (SB5) and related companion bills require cities and counties in the California Central Valley to comply with the Central Valley Flood Protection Plan or make findings of “Adequate Progress” toward providing 200-year flood protection; and

WHEREAS, on July 5, 2016, and on July 5, 2017, the City Council approved an Adequate Progress Finding Report toward provision of 200-year Urban Level of Flood Protection (ULOP) in the Mossdale Tract Area; and

WHEREAS, this allowed the City of Manteca to continue to issue, within the Mossdale Tract Area, discretionary permits to commercial and industrial uses and ministerial permits (building permits) for new residential units for a period of 10 years subject to annual validation of that finding; and

WHEREAS, effective January 16, 2018, the Joint Exercise of Powers Agreement establishing the San Joaquin Area Flood Control Agency (SJAFCA) was amended to include the Cities of Manteca and Lathrop; and

WHEREAS, with this modification to SJAFCA membership, SJAFCA has taken over the role of Local Flood Management Agency (LFMA) for the Mossdale Tract Area and preparation of the Annual Adequate Progress Report Update (AAPR) to support all land use agencies within the Mossdale Tract Area; and

WHEREAS, subsequently, the City of Manteca has annually adopted the SJAFCA approved AAPR to validate the prior findings of Adequate Progress, thus allowing the City to continue issuing discretionary and ministerial permits within the Mossdale Tract Area; and

WHEREAS, based on SJAFCA’s approval and issuance of the 2023 AAPR Update (Exhibit “A”) for 200-year ULOP in the Mossdale Tract Area, staff requests that the City Council adopt a resolution validating prior findings of Adequate Progress made by the City on July 5, 2016; and

WHEREAS, the City Council has considered all information related to this matter as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff and any information provided during public meetings.

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NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manteca, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.
2. The City Council of the City of Manteca, acting as the land use agency, hereby validates and reaffirms the July 5, 2016, finding of Adequate Progress toward providing a 200-year Urban Level of Flood Protection in the Mossdale Tract Area.
3. Based upon the hereby referenced and incorporated substantial evidence in the record, the City Council of the City of Manteca hereby validates and affirms that the Adequate Progress Finding adopted, pursuant to SB 5 and its companion legislation, shall serve as the Adequate Progress Finding for the City of Manteca's approval of any and all discretionary permits and approvals issued pursuant to State Planning and Zoning Law, the California Subdivision Map Act, Development Agreement Law to any commercial and industrial uses and any and all ministerial permits (building permits) for new residential homes for a period of 10 years, subject to ongoing validation of that finding, as applied to urban development in the Mossdale Tract Area which urban development is approved in accordance with local and State laws; and
4. Based upon the hereby referenced and incorporated substantial evidence in the record, hereby and above referenced reports, and all documents comprising the record of proceedings, affected land use decisions for development in Mossdale Tract Area will have 200-year flood protection by 2040.
5. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the 21st day of October 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk