



SPECIAL MEETING AGENDA

FOR THE CITY COUNCIL OF THE CITY OF MANTECA

Tuesday, July 16, 2024
4:00 PM

Council Chamber

*1001 W. Center Street
Manteca, CA 95337
www.manteca.gov*

CITY COUNCIL

*Mayor, Gary Singh
Vice Mayor, David Breitenbucher - District 3
Councilmember, Charlie Halford
Councilmember, Mike Morowit - District 4
Councilmember, Jose Nuño*

See last pages of agenda for information regarding meeting procedures.



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MANTECA CITY COUNCIL
JULY 16, 2024
4:00 PM
1001 W. Center Street
Manteca, CA 95337
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NOTICE AND CALL OF A SPECIAL MEETING OF THE MANTECA CITY COUNCIL

A Special Meeting for the City Council of the City of Manteca has been called at the date, time, and place identified above, for the purpose identified on this Agenda. This Special Meeting is called in accordance with California Government Code Section 54956.

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

• **Zoom Webinar:**

- To call or log into Zoom Webinar, please use the following:

Link: <https://us02web.zoom.us/j/82677268640>

Meeting ID: 826 7726 8640

Phone number: (669) 900 6833

- If you have questions on the Zoom Webinar process, please email:
mayorcouncilclerk@manteca.gov or call (209) 456-8017.

• **eComment** - <https://www.manteca.gov/departments/legislative-services-city-clerk/city-council-video> 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, Mail or Hand delivered to:**

mayorcouncilclerk@manteca.gov

Office of the City Clerk, 1001 W. Center St., Ste. G,
Manteca, CA 95337

- Communications will presented as a supplemental report and 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 Singh

ROLL CALL: City Clerk

FLAG SALUTE:

AGENDA REVIEW AND SUPPLEMENTAL REPORTS: City Clerk

DISCLOSURE OF EX PARTE COMMUNICATIONS: City Council

A. PUBLIC COMMENT:

Public comment is limited to only those items listed on this agenda. Government Code Section 54954.3(a)

B. CONSENT ITEMS:*City Attorney:*

- B.1. [24-359](#)** Waive the first reading by substitution of the title and introduce an Ordinance of the City Council of the City of Manteca, State of California, amending Chapter 5.48 "Firearms Sales" of the Manteca Municipal Code to align with the requirements and procedures of Chapter 5.04 "Business Licenses Generally" and Penal Code Sections 26700-26725.

Attachments: [Attachment 1 - Ordinance](#)
 [Attachment 2 - Ordinance with Redline](#)

Engineering:

- B.2. [24-334](#)** Adopt a resolution determining American Pavement Systems, Inc. to be the lowest responsive and responsible bidder for the 2024 Annual Pavement Maintenance Project CIP 24110; award a construction contract to American Pavement Systems, Inc. for an amount not-to-exceed \$1,515,162.50; approve project construction contingency not-to-exceed 20% (\$303,000) for a total project cost of \$1,818,162.50; and authorize the City Manager or their designee to execute the construction contract, approve change orders up to the total project cost, and take all appropriate actions necessary to carry out the purpose and intent of the resolution.

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

- B.3. [24-315](#)** Adopt a resolution approving the Improvement Agreement and Final Map for The Trails of Manteca Unit No. 5 (Tract 3737).

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - The Trails of Manteca Unit No. 5 Improvement Agreement](#)
 [Attachment 3 - The Trails of Manteca Unit No. 5 Final Map](#)
 [Attachment 4 - Vicinity Map](#)

- B.4. [24-350](#)** Adopt a resolution approving the Improvement Agreement and Final Map for Denali Unit No. 4, Tract 4152; authorizing the City Manager to sign and take all necessary steps to effectuate the Agreement; and authorizing the Mayor to sign the Final Map.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - Denali Unit No. 4 Improvement Agreement](#)
 [Attachment 3 - Denali Unit No. 4 Final Map](#)
 [Attachment 4 - Vicinity Map](#)

- B.5. [24-351](#)** Approve STAA Route for Intermodal Way and Roth Road; authorize staff to

install the appropriate signage; and authorize the City Engineer to take all steps necessary to finalize the STAA Route.

Attachments: [Attachment 1 - Proposed STAA Truck Route Map](#)

- B.6. [24-355](#)** Adopt a resolution approving grading and construction of improvements prior to filing of the Final Map for the Kiper at Indelicato Subdivision.

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

Finance:

- B.7. [24-345](#)** Approve and authorize the Mayor to sign the San Joaquin County Certification of Assessment relating to the collection and levying of special assessments for the City's Landscape Maintenance, Benefit Assessment, and Community Facility Districts.

Attachments: [Attachment 1 - Certification of Assessment](#)

- B.8. [24-364](#)** Receive and file the Fiscal Year 2021-22 audit report: Single Audit Report.

Attachments: [Attachment 1 - Fiscal Year 2021-22 Single Audit Report](#)
 [Attachment 2 - Management Rep Letter](#)
 [Attachment 3 - PB-CAP \(Corrective Action Plan for Current Year Findings\) FY22](#)
 [Attachment 4 - PBC-SSPAF \(Summary Schedule of Prior Audit Findings\)](#)

Human Resources:

- B.9. [24-353](#)** Adopt a resolution approving new job classifications: 1) Lead Parks/Landscape Maintenance Worker; and 2) Economic Development Analyst/Senior; and Updated Salary Matrices for the General Services/Operating Engineers Local Union No. 3 (OE3), and Mid Manager Association (MMA).

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - Lead Parks/Landscape Maintenance Worker job description](#)
 [Attachment 3 - Economic Development Analyst/Senior job description](#)
 [Attachment 4 - OE3 Salary Matrix - updated July 16, 2024](#)
 [Attachment 5 - MMA Salary Matrix - updated July 16, 2024](#)

Information Technology and Innovation:

- B.10. [24-352](#)** Adopt a resolution to enter into a cooperative agreement utilizing the Sourcewell Cooperative Purchasing Agreement to acquire multi-functional copier equipment, related supplies, and maintenance services with Konica Minolta Inc. and its authorized dealer for Manteca, CA, Caltronics Business

Systems for a 36-month lease.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - Caltronics Lease Agreement](#)
 [Attachment 3 - Sourcewell Cooperative Agreement](#)

Legislative Services/City Clerk:

B.11. [24-360](#) Approval of the June 18, 2024, Special and Regular Meeting Minutes.

Attachments: [Attachment 1 - Special Meeting Minutes June 18, 2024](#)
 [Attachment 2 - Regular Meeting Minutes June 18, 2024](#)

Police Department:

B.12. [24-348](#) Adopt a resolution accepting a grant from the California Highway Patrol, Cannabis Tax Fund Grant Program (CTFGP) in the amount of \$351,139.97 for Fiscal Year 2024/2025; appropriating funds as noted in the fiscal impact section and authorizing the Chief of Police to take all necessary steps to effectuate the agreement, including any extensions or amendments.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - CHP Intent to Award letter](#)

Public Works:

B.13. [24-274](#) Adopt a resolution authorizing the City Manager or their designee to execute San Joaquin Valley Air Pollution Control District Alternative Fuel Vehicle Grant applications and all associated documents and to perform any necessary budget amendments if awarded grant funding.

Attachments: [Attachment 1 - Resolution](#)

C. DISCUSSION ITEMS:

C.1. [23-459](#) Receive City Manager's Recommendation to place a measure on the November 2024 Ballot. Adopt resolutions (1) Requesting the submission of a measure before the electorate of the City of Manteca; (2) Requesting consolidation of the measure with the General Election; (3) Setting priorities for submitting arguments regarding the City Measure and directing the City Attorney to prepare an Impartial Analysis; (4) Providing for the filing of rebuttal arguments regarding the City Measure; (5) the City Council to create and make appointments to a subcommittee to draft wording for the Argument in Favor and the Rebuttal for the Arguments Against; and (6) Waving the first reading by substitution of the title and introducing an ordinance of the City of Manteca, State of California imposing a transactions and use tax to be administered by the California

Department of Tax and Fee Administration.

Attachments: [Attachment 1 - Proposed Ordinance](#)
[Attachment 2 - Resolution calling for transactions and use tax to be submitted to](#)
[Attachment 3 - Resolution requesting consolidation of elections](#)
[Attachment 4 - Resolution for written arguments](#)
[Attachment 5 - Resolution for rebuttals](#)
[Attachment 6 - PowerPoint](#)

C.2. [24-371](#) Receive and File 4th of July After Action Report.

Attachments: [Attachment 1 - PowerPoint](#)

D. CITY MANAGER COMMENTS:

E. COUNCIL COMMENTS:

F. CLOSED SESSION:

F.1. [24-358](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - (Govt. Code § 54956.9 (d)(1)) - Lutzow v. City of Manteca, Case No.: STK-CV-UOE-2021-0006054 (San Joaquin Superior Court).

F.2. [24-362](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - (Govt. Code § 54956.9(d)(2)) - One (1) case. The receipt of a claim pursuant to a written communication from a potential plaintiff or plaintiffs threatening litigation, of which the non-exempt claim or communication is available for public inspection. Govt. Code § 54956.9(e)(3).

G. REPORT ON ACTION TAKEN IN CLOSED SESSION: City Attorney

H. ADJOURNMENT:

The next regularly scheduled City Council meeting is August 20, 2024, at 6:00 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 July 11, 2024, by 8:00 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.manteca.gov; you may also contact the City Clerk for information by email at mayorcouncilclerk@manteca.gov; by calling (209) 456.8017; or in person at 1001 W. Center St., Ste. G, 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@manteca.gov. 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.) and the City's Decorum Policy. 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. Consistent with SB 1100 the Mayor and City Councilmembers shall warn an individual that their behavior is disrupting the meeting and their failure to cease their behavior may result in removal. There will be order for the removal of the individual if they do not "promptly" cease their disruptive behavior.

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, the Mayor shall then inform the speaker that they have fifteen (15) seconds to wrap up their comment. If the Mayor does not do so, any other member of the City Council and/or City staff present may also make this reminder. 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. A public comment speaker may only speak once per item. A majority of the City Council (by motion) may elect to increase the time limit by an additional one (1) minute on an item/segment, or decrease the time limit by one (1) minute on an item/segment; provided, however, such a decision must be made by a motion of the City Council prior to the beginning of the segment – i.e., once public comment has begun on an item/segment, the City Council shall not adjust the time limit. All public comment speakers, regardless of whether or not a minute is added to or taken away from the public comment period, shall be afforded the same amount of time to speak. On closed session items, all public comment speakers shall have only three (3) minutes to speak on all items, regardless of the number of items on the closed session agenda.

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 five (5) 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. Upon the request of the applicant/appellant, and approval by motion of the majority of the City Council, the applicant/appellant may receive an additional five (5) minutes of rebuttal time. The City Council may direct questions on such matters to both City staff and the applicant/appellant at any juncture, and without impacting the time limits of the applicant/appellant. 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.