



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

**Tuesday, March 5, 2024
6:00 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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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 be 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

INVOCATION/FLAG SALUTE: Tim Kemptner, New Hope

AGENDA REVIEW AND SUPPLEMENTAL REPORTS: City Clerk

DISCLOSURE OF EX PARTE COMMUNICATIONS: City Council

A. PRESENTATIONS:

- A.1. [24-058](#)** Proclamation Declaring March 2024 as Women's History Month.

Attachments: [Attachment 1 - Proclamation](#)

- A.2. [24-128](#)** Proclamation presented to the Irish American Unity Conference recognizing March 2024, as Irish American Heritage Month.

Attachments: [Attachment 1 - Proclamation](#)

B. PUBLIC COMMENT:

C. CONSENT ITEMS:

City Manager:

- C.1. [23-574](#)** Approve an agreement with His Way Refuge Center starting February 1, 2024 through June 30, 2024, for the operation of the Unsheltered Emergency Center for an amount not-to-exceed \$299,260 and authorize the City Manager to sign the agreement and any associated documents.

Attachments: [Attachment 1 - Professional Services Agreement](#)

- C.2. [24-136](#)** Approve Amendment No. 2 (Contract C2023-98) with Bockmon and Woody Electric, Inc. increasing the compensation amount by \$9,294.31 for a total compensation amount not-to-exceed of \$116,869.31 and authorize the City Manager to sign the agreement and any associated documents.

Attachments: [Attachment 1 - Original Agreement \(C2023-98\)](#)

[Attachment 2 - Amendment No. 1](#)

[Attachment 3 - Amendment No. 2](#)

Development Services:

- C.3. [24-117](#)** Adopt a resolution approving a Contract Amendment No. 2 with e-PlanSoft for Electronic Plan Review software (C2020-20) for the Development Services Department in the amount of \$62,500 for a total not-to-exceed contract amount of \$332,500; and authorizing the City Manager to sign and take all necessary steps to effectuate the amendment

Attachments: [Attachment 1 - Resolution](#)

[Attachment 2 - eplansoft Contract Amendment No. 2](#)

Engineering:

- C.4. [23-444](#)** Schedule a Public Hearing for the Villa Ticino West Unit 1 & 2 Area of Benefit for no sooner than four weeks from March 5, 2024.

Attachments: [Attachment 1 - Villa Ticino West Unit 1 & 2 Area of Benefit Report](#)

[Attachment 2 - Area Map](#)

- C.5. [24-081](#)** Adopt a resolution approving the 2024 Final Water Master Plan and authorizing the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution.

Attachments: [Attachment 1 - Resolution](#)

[Attachment 2 - Final Water Master Plan](#)

- C.6. [24-082](#)** Adopt a resolution approving the 2024 Wastewater Master Plan and authorizing the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Final Wastewater Master Plan](#)

- C.7. [24-088](#)** Adopt a resolution determining T&S Construction, Inc. as the lowest responsive and responsible bidder for the Nile Garden - Well 30 Construction CIP No's. 21026 & 21034; awarding the construction contract to T&S Construction, Inc. in the amount of \$4,925,000; approving Amendment No. 1 for construction management and inspection services with Brown & Caldwell in the amount of \$674,044; approve a project contingency total of 10% not-to-exceed \$560,000; all subject to execution of an amendment to the SWRCB's Agreement Number D1902047 associated with the SWRCB Project Number 3910005-001C for an additional \$3,411,043 in grant funding; authorizing the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Location Map](#)
[Attachment 3 - Bid Tabulations](#)
[Attachment 4 - Agreement for Construction](#)
[Attachment 5 - Amendment No. 1 with Brown & Caldwell](#)
[Attachment 6 - List of Subcontractors](#)

- C.8. [24-115](#)** Adopt a resolution approving Plans and Specifications for the Traffic Signal Update Project CIP No. 17058 HSIPL 5242 (034), authorizing a Call for Bids, and authorizing the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution (Categorically exempt from NEPA pursuant to Title 23 United States Code Section 326 and Title 23 Code of Federal Regulations 771.117 FHWA categorical exclusions (c) (26), and Categorically Exempt under CEQA pursuant to 14 Cal. Code Regs. § 15301(c), Class 1 "Existing Facilities").

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Invitation to Bid](#)
[Attachment 3 - Project Location Map](#)

Finance:

- C.9. [24-126](#)** Receive and file the quarterly investment report for the period ending December 31, 2023.

Attachments: [Attachment 1 - Investment Report December 31, 2023](#)

Legislative Services/City Clerk:

- C.10. [24-102](#)** Waive the second reading by substitution of the title and adopt an ordinance of the City Council of the City of Manteca, State of California, amending Ordinance No. 1501, the Zoning Ordinance, as amended, A Zoning Map change for the AGS Apartments Project (REZ 23-67 and PD 23-69).

Attachments: [Attachment 1 - Ordinance](#)
 [Attachment 2 - Ordinance Exhibit "A" - Rezone Map](#)

- C.11. [24-104](#)** Waive the second reading by substitution of the title and adopt an ordinance of the City Council of the City of Manteca, State of California, authorizing the levy of special taxes in a Community Facilities District, including certain Annexation Territory.

Attachments: [Attachment 1 - Ordinance](#)

- C.12. [24-103](#)** Approval of the February 20, 2024, Special and Regular Meeting Minutes.

Attachments: [Attachment 1 - Special Meeting Minutes February 20, 2024](#)
 [Attachment 2 - Regular Meeting Minutes February 20, 2024](#)

Public Works:

- C.13. [24-080](#)** Approve a three-year agreement with FGL Environmental Inc. in an amount not-to-exceed \$169,650 and authorize the City Manager to execute the agreement and any necessary documents.

Attachments: [Attachment 1 - Agreement](#)

D. PUBLIC HEARINGS:

- D.1. [24-057](#)** Adopt a resolution allocating 2024-25 Community Development Block Grant (CDBG) funds in the approximate amount of \$408,428 and 2024-25 Home Investment Partnership Act (HOME) funds in the approximate amount of \$146,529 to the Manteca Navigation Center/Affordable Housing project.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - FY 2024-2025 - CDBG Project Requests](#)

- D.2 [24-125](#)** Adopt a resolution adopting the Addendum to the previously certified Environmental Impact Report (SCH No. 2020019010) and making California Environmental Quality Act findings concerning significant impacts, mitigation measures and alternatives, and adopting the statements of overriding considerations concerning impacts of the

Manteca 2043 General Plan Amendment project (EIR Addendum prepared pursuant to 14 Cal. Code Regs. § 15164(a)-(b).); Adopt a Resolution making findings approving and adopting the Manteca 2043 General Plan Update originally adopted on July 18, 2023, with the revision discussed herein, and directing staff to submit the Ultimate Sphere of Influence (SOI) to the Local Agency Formation Commission (LAFCo) and direct staff to return with amendments to the Public Facilities Implementation Plan (PFIP) to reflect the General plan Update, including Action C-2e addressing the extension of Roth Road and certain design features; and direct staff to return in the future to address future annexation and zoning of the Affected Area; and 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 Table 17.22.1 of the Zoning Code; modifying Table 17.22.020-1, Allowed Uses and Required Entitlements For Manteca's Base Zoning Districts, of Title 17 of the Manteca Municipal Code.

Attachments:

[Attachment 1- City Council Resolution- Addendum](#)

[Attachment 2- Resolution "Exhibit A" Manteca General Plan EIR Addendum](#)

[Attachment 3- Resolution "Exhibit B" Findings of Fact and Statement of Override](#)

[Attachment 4- City Council Resolution- General Plan Amendment](#)

[Attachment 5- Resolution "Exhibit A"- Amendment to the 2043 General Plan](#)

[Attachment 6- City Council Ordinance- Zoning Amendment](#)

[Attachment 7- Ordinance "Exhibit A" Zoning Code Amendment- Table 17.22.020](#)

[Attachment 8- Planning Commission Staff Report](#)

[Attachment 9- Sierra Club Letter and Responses](#)

D.3 [24-142](#)

Item was noticed as a Public Hearing. The item is not a Public Hearing and is placed on the agenda under consent as item C.4

Schedule a Public Hearing for the Villa Ticino West Unit 1 & 2 Area of Benefit for no sooner than four weeks from March 5, 2024.

E. CITY MANAGER COMMENTS:

F. COUNCIL COMMENTS:

G. ADJOURNMENT:

The next regularly scheduled City Council meeting is March 19, 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 March 1, 2024, by 5:00 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.