



REGULAR MEETING AGENDA

FOR THE CITY COUNCIL OF THE CITY OF MANTECA

Tuesday, April 2, 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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MANTECA CITY COUNCIL
APRIL 2, 2024
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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 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

INVOCATION/FLAG SALUTE: Dan Mahaffie, Sequoia Church

AGENDA REVIEW AND SUPPLEMENTAL REPORTS: City Clerk

DISCLOSURE OF EX PARTE COMMUNICATIONS: City Council

A. PRESENTATIONS:

- A.1. [24-124](#)** Present a Proclamation proclaiming April as Donate Life Month.

Attachments: [Attachment 1 - Proclamation](#)

B. PUBLIC COMMENT:

C. CONSENT ITEMS:

City Manager:

- C.1. [24-181](#)** Adopt the Fiscal Year 2024-25 City Council Goals & Priorities Work Plan.

Attachments: [Attachment 1 – FY 2024-2025 Priorities/ Needs List and Council Ranking Resul](#)
[Attachment 2 – FY 2024-2025 City Council Goals & Priorities Work Plan](#)

Engineering:

- C.2. [24-152](#)** Adopt a resolution approving a professional services agreement with Sanderson Bellecci Co. to provide engineering design and environmental services for the Safe Route to School Pedestrian Safety Improvement CIP 23006 for an amount of \$260,630, approving a project contingency of 5% \$13,035 for a total not-to-exceed of \$ 273,665; 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 - Agreement](#)
[Attachment 3 - Project Location Map](#)

- C.3. [24-153](#)** Adopt a resolution approving the construction Contract Change Order No. 1 with Chrisp Company in the amount of \$253,427.11 for the Retroreflective Traffic Sign Project CIP No. 16027 HSIPL-5242(033), approving a project construction contingency of 1.7% (\$32,851.89) for a total not-to-exceed construction budget of \$1,925,000, approve an amendment to the FY 2023-24 Capital Improvement Program and FY 2023-24 Annual Budget, and authorize the City Manager or designee to complete and execute all associated documents, and take all appropriate actions necessary to carry out the purpose and intent of the resolution.

Attachments: [Attachment 1 – Resolution](#)
[Attachment 2 – Agreement with Chrisp Company](#)
[Attachment 3 – Contract Change Order No. 1](#)
[Attachment 4 – Project Location Map](#)

- C.4. [23-521](#)** Adopt a resolution accepting Public Improvements for the Southwest Manteca Regional Sewer Lift Station; approving exoneration of the Performance Bonds; approving exoneration of the Labor and Materials Bonds six (6) months after the date of acceptance; and approving exoneration of the Warranty Bonds twelve (12) months after the date of acceptance.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Construction Inspector Memorandum](#)

- C.5. [24-167](#)** Adopt a resolution approving the Improvement Agreement for “The Crossing - Manteca” retail shopping center located at 1527 S. Airport Way for Diamond Galaxy Partners LLC.

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

Finance:

- C.6. [24-143](#)** Receive and file the Fiscal Year 2020-21 audit report: Single Audit Report.

Attachments: [Attachment 1 - Fiscal Year 2020-21 Single Audit Report](#)
 [Attachment 2 - Management Rep Letter](#)
 [Attachment 3 - PB-CAP \(Corrective Action Plan for Current Year Findings\) FY21](#)

Legislative Services/City Clerk:

- C.7. [24-174](#)** Approval of the March 19, 2024, Special and Regular Meeting Minutes.

Attachments: [Attachment 1 - Special Meeting Minutes March 19, 2024](#)
 [Attachment 2 - Regular Meeting Minutes March 19, 2024](#)

Public Works:

- C.8. [24-160](#)** Adopt a resolution approving an amendment the Capital Improvement Program and budget transfer, increasing the Fiscal Year 2024 Capital budget for Trimax Mower CIP No. 24032 by \$4,200 for a new project total not-to-exceed \$60,000 for the Parks Department.

Attachments: [Attachment 1 - Resolution](#)

D. DISCUSSION ITEMS:

- D.1. [24-141](#)** Adopt a resolution approving an amendment to contract between the Board of Administration California Public Employees Retirement System (CalPERS) and the City Council of Manteca to provide provisions of Retirement Law (Government Code) section 20516, Employee Cost Sharing and waive the first readying of substitution of the tile and introduce an ordinance of the City Council of the City of Manteca, state of California, adding chapter 2.48.045 to the Manteca Municipal Code to amend the contract between the California Public Employee Retirement System and the City of Manteca per government code section 20516.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Exhibit "A" to the Resolution - Amendment to CalPERS Contract](#)
[Attachment 3 - Exhibit "B" to the Resolution - Certification of Governing Body's /](#)
[Attachment 4 - Exhibit "C" to the Resolution - Certification of Compliance Gover](#)
[Attachment 5 - Exhibit "D" to the Resolution Certification of Employee Election I](#)
[Attachment 6 - Cost Sharing Ballots - MPOA and MPSMA \(C10022\)](#)
[Attachment 7 - Ordinance](#)

- D.2. [24-150](#)** Adopt a resolution to form the Downtown Manteca Community Benefit District and authorize the City Manager to sign the ballot for City-owned property in favor of the district formation.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Exhibit "A" to the Resolution - Management District Plan includin](#)

- D.3. [24-180](#)** Receive and File update on Senate Bill 329 pertaining to City Council Compensation.

Attachments: [Attachment 1 - Updated Government Code 36516 per SB 329](#)

E. CITY MANAGER COMMENTS:

F. COUNCIL COMMENTS:

G. ADJOURNMENT:

The next regularly scheduled City Council meeting is Tuesday, April 16, 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 Thursday, March 28, 2024, 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.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.