



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

**Tuesday, June 4, 2019
7:00 PM**

City Hall Council Chambers

*1001 W. Center Street
Manteca, CA 95337
www.mantecagov.com*

CITY COUNCIL

*Mayor, Benjamin Cantu
Vice Mayor, David Breitenbucher
Councilmember, Debby Moorhead
Councilmember, Jose Nuño
Councilmember, Gary Singh*

See last pages of agenda for information regarding meeting procedures.



**REGULAR MEETING AGENDA
MANTECA CITY COUNCIL
JUNE 4, 2019
7:00 PM
1001 W. Center Street
Manteca, CA 95337
www.mantecagov.com**

CALL TO ORDER: Mayor Cantu

ROLL CALL: City Clerk

INVOCATION/FLAG SALUTE: Bradley and Noel Moorhead

AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

A. PRESENTATIONS:

- A.1. [19-216](#)** Proclamation presented to Society for disABILITIES recognizing June 2019 as Disability Awareness Month.

Attachments: [Attachment 1 - Proclamation](#)

- A.2. [19-223](#)** Certificates of Recognition presented to Sierra High School Varsity Baseball Team

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

B. PUBLIC COMMENT:

C. CONSENT ITEMS:

- C.1. [19-242](#)** Adopt a resolution accepting CenterPoint Intermodal Center Off-Site Improvements; approving exoneration of the Performance Bond; and approving exoneration of the Labor and Materials Bond six (6) months after the date of acceptance.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Location Map](#)
[Attachment 3 - Construction Inspector's Memorandum](#)

- C.2. [19-259](#)** Adopt a resolution accepting the CenterPoint Water Circulation Pump improvements and Irrigation Well Improvements; and accepting a Grant of Easement over the Water Circulation Pump and a Grant of Easement over the Irrigation Well that serves landscaping in the public right of way.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - Grant of Easement](#)
 [Attachment 3 - Location Map](#)

- C.3. [19-244](#)** Adopt a resolution accepting public improvements for Sundance Unit No. 3, Tract No. 3885; approving exoneration of the Performance Bond; and approving exoneration of the Labor and Materials Bond six (6) months after the date of acceptance.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - Vicinity Map](#)
 [Attachment 3 - City Construction Inspector Memorandum](#)

- C.4. [19-257](#)** Adopt a resolution acknowledging an Irrevocable Offer of Dedication for an approximately 3.45 acres located on a portion of 1529 S. Union Road (APN 226-160-05) to be used for park and storm drain purposes, in fee title, from Bianchi Ranch Partners, LLC.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - Irrevocable Offer of Dedication](#)
 [Attachment 3 - Location Map](#)

- C.5. [19-260](#)** Adopt a resolution approving Grading and Construction of Improvements prior to filing of the Final Map for the work included in the Sundance, Unit No. 4, Grading and Improvement Plans.

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

- C.6. [19-262](#)** Adopt a resolution ratifying the San Joaquin Council of Government's 2019-20 Annual Financial Plan.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - Exhibit "A" to Resolution: Annual Financial Plan](#)
 [Attachment 3 - COG Resolution](#)
 [Attachment 4 - Letter](#)

- C.7. [19-263](#)** Adopt a resolution accepting an Easement and approving a Maintenance Agreement for On-site Stormwater Facilities with CenterPoint Properties Trust to maintain the storm drain basin and associated pump station at 2952 Intermodal Way.

Attachments: [Attachment 1 - Resolution](#)
 [Attachment 2 - Easement and Agreement to Maintain On-site Stormwater Facilities](#)
 [Attachment 3 - Location Map](#)

- C.8. [19-275](#)** Adopt resolutions declaring the City's intention to levy annual assessments and approving the Preliminary Engineer's Annual Levy Report for the City's Benefit Assessment Districts and Landscape Maintenance Districts for Fiscal Year 2019-20.

Attachments: [Attachment 1 - Resolution of Intention](#)
[Attachment 2 - Resolution Approving Reports](#)
[Attachment 3 - LMD Report FY 2019-20](#)
[Attachment 4 - BAD Report FY 2019-20](#)

- C.9. [19-233](#)** Adopt a resolution approving the sale of the Parking Parcel to BMW Management, LLC.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Agreement of Purchase and Sale](#)

- C.10. [19-279](#)** Waive the final reading by substitution of the title and adopt an ordinance of the City Council of the City of Manteca amending Manteca Municipal Code, Title 5 Business Taxes, Licenses and Regulations, Chapter 5.24 Card Rooms.

Attachments: [Attachment 1 - Ordinance](#)

- C.11. [19-256](#)** Public Notice of Intent to Adopt an Initial Study/ Mitigated Negative Declaration for the WQCF Alternative Energy Development - Solar Project.

Attachments: [Attachment 1 - Notice of Intent](#)

- C.12. [19-255](#)** Approve a Revocable License Agreement between the City and the Woodbridge Owners Association for construction of a soundwall across the Maple Valley Street stub; authorize the City Manager to sign the License Agreement and all associated documents.

Attachments: [Attachment 1 - Revocable License Agreement](#)
[Attachment 2 - Vicinity Map - Maple Valley Stub](#)
[Attachment 3 - Street Elevation - Maple Valley Stub](#)

- C.13. [19-185](#)** Approve the Special and Regular Meeting Minutes of April 16, 2019, and the Regular Meeting Minutes of May 21, 2019.

Attachments: [Attachment 1 - Special Mtg Minutes 4-16-19](#)
[Attachment 2 - Regular Mtg Minutes 4-16-19](#)
[Attachment 3 - Regular Mtg Minutes 5-21-19](#)

D. PUBLIC HEARINGS:

- D.1. [19-197](#)** Adopt a Resolution accepting the Planning Commission's Findings that the

Griffin Park Tentative Subdivision Map is consistent with the Griffin Park Master Plan; Exempt the Tentative Map from further review pursuant to the California Environmental Quality Act; and Approve the Griffin Park Tentative Subdivision Map, SDJ-18-53.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 - Conditions of Approval](#)
[Attachment 3 - Griffin Park Vicinity Map](#)
[Attachment 4 - Griffin Park Subdivision and Phasing Plan](#)
[Attachment 5 - Planning Commission Staff Report](#)
[Attachment 6 - Planning Commission Resolution](#)
[Attachment 7 - 500 Year Flood Map](#)
[Attachment 8 - 1997 Flood Map](#)
[Attachment 9 - Major Street Master Plan](#)
[Attachment 10 - Agricultural Mitigation Fee Information](#)

E. DISCUSSION ITEMS:

- E.1. [19-238](#) Receive logo voting results and provide direction on the City logo.

Attachments: [Attachment 1 - Voting Results](#)

- E.2. [19-272](#) Authorize the City Manager to execute an Actual Cost Contract with Pacific Gas and Electric (PG&E) for the relocation of PG&E facilities impacted by the SR120 / Union Road Interchange project

Attachments: [Attachment 1 - DRAFT Actual Cost Contract](#)
[Attachment 2 - Letter from Department of Transportation](#)

- E.3. [19-258](#) Receive a presentation from the Manteca Development Group regarding the Family Entertainment Zone and provide direction to City Staff whether certain elements and properties should be included in the Exclusive Negotiating Agreement.

Attachments: [Attachment 1 - Properties within the FEZ](#)
[Attachment 2 - Recreational Facilities](#)
[Attachment 3 - PowerPoint](#)

- E.4. [19-252](#) Waive the first reading by substitution of the title and adopt an ordinance repealing and replacing Municipal Code, Title 9 Public Peace, Morals and Welfare, Chapter 9.28 Massage Establishments and Masseurs.

Attachments: [Attachment 1 - Current Code Language](#)
[Attachment 2 - Ordinance](#)

- E.5. [19-277](#) Receive an update on the PG&E Public Safety Power Shutoff Policy

F. INFORMATIONAL ITEMS:

- F.1.** [19-266](#) Receive and file letter of support SB 54 (Allen) & AB 1080 (Gonzalez); informational item.

Attachments: [Attachment 1 - Letter of Support SB 54 \(Allen\)](#)
 [Attachment 2 - Letter of Support AB 1080 \(Gonzalez\)](#)

- F.2.** [19-280](#) Receive and file letters of support for AB 1732 (Flora and McGuire); informational item.

Attachments: [Attachment 1- Letter of Support AB 1732 Flora](#)
 [Attachment 2 - Letter of Support AB 1732 McGuire](#)

G. CITY MANAGER COMMENTS:**H. COUNCIL COMMENTS:****I. ADJOURNMENT:**

The next scheduled City Council meeting is June 18, 2019, 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 May 30, 2019, by 5:30 p.m.

/s/ Lisa Blackmon

LISA BLACKMON
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.