



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

**Tuesday, September 3, 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
SEPTEMBER 3, 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: Reverend Father Chad J. Wahl, Pastor of St. Anthony's Church

AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

A. PRESENTATIONS:

- A.1. [19-442](#) Present a Proclamation proclaiming September 2019, as Prostate Cancer Awareness Month.

Attachments: [Attachment 1 - Proclamation](#)

B. PUBLIC COMMENT:

C. CONSENT ITEMS:

- C.1. [19-407](#) Approve Amendment No. 1 to the 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 Amendment and all associated paperwork.

Attachments: [Attachment 1 - Amendment No. 1](#)
[Attachment 2 - Vicinity Map](#)

- C.2. [19-424](#) Adopt a resolution approving a budget appropriation in the amount of \$15,000 from the Capital Facility Reserves Fund, as outlined in the fiscal impact section, to fund a service agreement with Miller-Pezzoni & Associates, Inc. to design a generator connection for the Senior Center.

Attachments: [Attachment 1 - Resolution](#)

- C.3. [19-402](#) Authorize the Mayor to sign a letter of support for the Altamont Corridor Vision Phase 1

Attachments: [Attachment 1 - Letter of Support](#)

- C.4. [19-425](#) Adopt a resolution approving Industrial Disability Retirement Benefit on behalf of Police Officer Tular Eric Warner.

Attachments: [Attachment 1 - Resolution](#)

- C.5. [19-380](#) Waive the first reading by substitution of the title and introduce an ordinance adding new Chapter 13.34 to the Manteca Municipal Code to establish an Open Trench - Joint Trench Fiber Standard for Underground Utility Distribution Facilities and accept revisions to the current City Standard and Specifications document.

Attachments: [Attachment 1 - Ordinance](#)
[Attachment 2 - Standard and Specifications](#)

- C.6. [19-429](#) Receive proposed changes to the Municipal Pooling Authority (MPA) Joint Exercise of Power Agreement.

Attachments: [Attachment 1 - MPA JPA Redlined](#)
[Attachment 2 - MPA JPA Current Agreement](#)

- C.7. [19-421](#) Adopt a new Hacienda Avenue Traffic Calming Measure, and direct Public Works staff to carry out Phase 2 of the Manteca Traffic Calming Program implementing the steps in Phase 2 to install one traffic lump as a traffic calming measure for a portion of Hacienda Avenue.

Attachments: [Attachment 1 - City of Manteca Hacienda Ave Traffic Calming](#)

- C.8. [19-339](#) Approve the Special and Regular Meeting Minutes of August 20, 2019.

Attachments: [Attachment 1 - Special Meeting Minutes 8-20-19](#)
[Attachment 2 - Regular Meeting Minutes 8-20-19](#)

D. PUBLIC HEARINGS:

- D.1. [19-419](#) Waive the first reading by substitution of the title and introduce an ordinance amending Zoning Ordinance, Title 17, Sections 9.52.070 (Exemptions), 17.44.060 (Allowed Encroachments) and 17.58.050 (Noise Standards) to amend requirements regarding the location of emergency generators within the side yard setback.

Attachments: [Attachment 1 - Ordinance](#)
[Attachment 2 - Redline Ordinance](#)
[Attachment 3 - Planning Commission Staff Report](#)
[Attachment 4 - Planning Commission Resolution No. 1528](#)
[Attachment 5 - PowerPoint](#)

E. DISCUSSION ITEMS:

- E.1. [19-338](#) Adopt a resolution approving an appropriation of funding for City permitting, inspection, and utility fees for Free Public WiFi and approve the WiFi Master Agreement.

Attachments: [Attachment 1 - Presentation](#)
[Attachment 2 - Resolution](#)
[Attachment 3 - WiFi Fees Analysis](#)
[Attachment 4 - WiFi Master Agreement](#)

- E.2. [19-136](#) Receive an update on the Performance and Open Data Platform Selection.

Attachments: [Attachment 1 - PowerPoint Presentation](#)

- E.3. [19-445](#) Receive update regarding the pavement management program (PMP) and PMP projects.

Attachments: [Attachment 1 - PowerPoint Presentation](#)

- E.4. [19-432](#) Adopt a resolution authorizing the appropriation of \$80,000 for the Main Street: Yosemite Avenue to Atherton Drive Improvement Project as specified in the Fiscal Impact Section.

Attachments: [Attachment 1 - Resolution](#)
[Attachment 2 – Change Order](#)

- E.5. [19-436](#) Review the method of appointment for the City Clerk position and provide direction.

Attachments: [Attachment 1 - Ordinance 1125 City Clerk Appointment](#)
[Attachment 2 - Government Code Sections](#)
[Attachment 3 - Balanced Triangle](#)
[Attachment 4 - Understanding Your City's Departments](#)

- E.6. [19-413](#) Adopt a resolution Authorizing the RFP for a New City Hall Assessment

Attachments: [Attachment 1 - New City Hall RFP](#)
[Attachment 2 - Resolution](#)

- E.7. [19-400](#) Discussion regarding moving Code Enforcement from the Police Department to Community Development.

Attachments: [Attachment 1 - Fiscal Year Analysis 2018-19](#)

F. CITY MANAGER COMMENTS:

G. COUNCIL COMMENTS:

H. ADJOURNMENT:

The next scheduled City Council meeting is September 17, 2019, At 7:00 pm

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 August 28, 2019, by 6:00 pm.

/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.