



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

**Tuesday, September 21, 2021  
7:00 PM**

## **City Hall Council Chambers**

*1001 W. Center St.  
Manteca, CA 95337  
[www.mantecagov.com](http://www.mantecagov.com)*

## **CITY COUNCIL**

*Mayor, Benjamin Cantu  
Vice Mayor, Gary Singh  
Councilmember, David Breitenbucher  
Councilmember, Charlie Halford  
Councilmember, Jose Nuño*

See last pages of agenda for information regarding meeting procedures.



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MANTECA CITY COUNCIL  
SEPTEMBER 21, 2021  
7:00 PM  
1001 W. Center St.  
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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 the following ways.

- In Person:
  - The City Council Chambers are open to the public in accordance with CDPH and CalOsha guidelines.
- Zoom Webinar:
  - To call or log into Zoom Webinar, please use the following:  
Meeting ID: 826 7726 8640  
Phone number: (669) 900 6833
  - To speak during an item you must use the Raise Your Hand feature. If dialing in, press \*9 to Raise Your Hand.
  - Please remain muted until called upon
  - If you have questions on the Zoom Webinar process, please email:  
[mayorcouncilclerk@ci.manteca.ca.us](mailto:mayorcouncilclerk@ci.manteca.ca.us) or call (209) 456-8013.
- eComment - <https://www.ci.manteca.ca.us/CityClerk/Pages/City-Council-Video.aspx> 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 [mayorcouncilclerk@ci.manteca.ca.us](mailto:mayorcouncilclerk@ci.manteca.ca.us)
  - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
  - Public Comment over 250 words will be made part of the official record.
- Mail: Office of the City Clerk, 1001 W. Center St., Ste. G, Manteca, CA 95337
  - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
  - Public Comment over 250 words will be made part of the official record.
- Hand delivered to: Office of the City Clerk, 1001 W. Center St., Ste. G, Manteca, CA 95337
  - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
  - Public Comment over 250 words will 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 Cantu**

**ROLL CALL: City Clerk**

**INVOCATION/FLAG SALUTE: Ken Worley, New Hope Church**

**AGENDA REVIEW AND SUPPLEMENTAL REPORTS:**

**A. PRESENTATIONS:**

- A.1. [21-409](#)** Present a proclamation proclaiming September 2021 as Senior Center Month.

Attachments:      [Attachment 1 - Proclamation](#)

**B. PUBLIC COMMENT:**

**C. CONSENT ITEMS:**

- C.1. [21-347](#)**      Adopt a resolution continuing the Proclamation of Local Emergency in response to the Coronavirus (COVID-19).

Attachments:      [Attachment 1 - Resolution](#)

- C.2. [21-371](#)**      Adopt a resolution authorizing the City Manager or designee to execute utility easements and all associated documents with Pacific Gas & Electric for the State Route 120 / McKinley Ave Interchange project

Attachments:      [Attachment 1 - Resolution](#)  
[Attachment 2 - Utility Easement Deed #1](#)  
[Attachment 3 - Utility Easement Deed #2](#)  
[Attachment 4 - Location Map](#)

- C.3. [21-406](#)**      Adopt a resolution approving grading and construction of improvements, prior to filing of the Final Map, for the work included in the Denali Improvement Plans

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

- C.4. [21-407](#)**      Adopt a resolution, as the land use agency, relying upon the 2021 Annual Adequate Progress Report Update provided by the San Joaquin Area Flood Control Agency (SJAFCFA), validating the July 5, 2016, Finding of Adequate Progress in the Reclamation District 17 Mossdale Tract Area.

Attachments:      [Attachment 1 - Resolution](#)  
[Attachment 2 - Exhibit "A" to Resolution: 2021 Annual Adequate Progress Repo](#)  
[Attachment 3 - SJAFCFA letter of transmittal to CVFPB](#)

- C.5. [21-417](#)**      Adopt a resolution authorizing the City Clerk to commence the process of transitioning from At-Large to By-District Elections for City Councilmembers.

Attachments:      [Attachment 1 - Resolution](#)

- C.6. [21-408](#)**      Adopt a resolution approving an agreement with the City of Lathrop for the term October 1, 2021 through September 30, 2022 for Animal Shelter Services.

**Attachments:**      [Attachment 1 - Resolution](#)  
                                 [Attachment 2 - Agreement](#)

- C.7. [21-359](#)      Approve a request from Raymus Homes and Atherton Homes to name the neighborhood park in Griffin Park (Phase A) subdivision Willie Weatherford Park.

**Attachments:**      [Attachment 1 - Formal Park Naming Request](#)  
                                 [Attachment 2 - Support Signatures](#)  
                                 [Attachment 3 - Park Location Map](#)

- C.8. [21-412](#)      Receive and file the FY 2021-21 Q3 Quarterly Treasurer's Report and the FY 2020-21 Q4 Quarterly Treasurer's Report

**Attachments:**      [Attachment 1 - Investment Report March 31, 2021](#)  
                                 [Attachment 2 - Investment Report June 30, 2021](#)

- C.9. [21-397](#)      Waive the final reading and substitution of the title and adopt an ordinance amending 2.08.020 Residence Requirements.

**Attachments:**      [Attachment 1 - Ordinance](#)

- C.10. [21-399](#)      Waive the final reading and substitution of the title and adopt an ordinance amending Title 17, Section 17.22.020, Table 17.22.020-1 to allow Medical Office use in the Business Industrial Park (BIP) Zoning District designation citywide.

**Attachments:**      [Attachment 1 - Ordinance](#)

- C.11. [21-063](#)      Approval of City Council Meeting Minutes.

**Attachments:**      [Attachment 1 - Special Minutes 9-7-2021](#)  
                                 [Attachment 2 - Regular Minutes 9-7-2021](#)  
                                 [Attachment 3 - Special Minutes 9-14-2021](#)

#### **D. PUBLIC HEARINGS:**

- D.1. [21-391](#)      Waive the first reading by substitution of the title and introduce an Ordinance amending the Municipal Code by creating zoning definitions for a Liquor Store (Section 17.24.020.E.16) and Tobacco Shop (Section 17.24.020.E.28); and, amending Table 17.30.020-1, Allowed Uses and Permit Requirements in the Central Business District Overlay Zone, showing Liquor Store, Massage Therapy, Tobacco Related Uses and Tobacco Shop as uses not allowed ("N") within Zones 1 and 2; and showing Alcoholic Beverage Sale as a use permitted by right ("A") in both Zones 1 and 2.

**Attachments:**      [Attachment 1 – Map of CBD Overlay Zone Area](#)  
                                 [Attachment 2 - Definitions Redline Copy](#)  
                                 [Attachment 3 - Redlined Zoning Table 1730020-1](#)  
                                 [Attachment 4 - Proposed Ordinance](#)

**E. DISCUSSION ITEMS:**

- E.1. [21-392](#)      Provide direction to staff on the creation of an environmental commission.
- E.2. [21-394](#)      City Council Ad Hoc Homeless Committee Appointment and  
                         Consideration of formation of a Homeless Subcommittee or Commission.

**F. CITY MANAGER COMMENTS:**

**G. COUNCIL COMMENTS:**

**H. ADJOURNMENT:**

*The next scheduled City Council meeting is October 5, 2021, 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 September 16, 2021, by 7:00 p.m.*

*/s/ Cassandra Candini-Tilton*

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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.mantecagov.com](http://www.mantecagov.com); you may also contact the City Clerk for information by email at [mayorcouncilclerk@mantecagov.com](mailto: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](mailto: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.