

**MINUTES**  
**CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT**  
**AGENCY/PUBLIC FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT**  
**MEETING OF APRIL 26, 2016**

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Council Chamber - City Hall, 425 N. El Dorado Street, Stockton, California

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**NOTE:** Closed Session was cancelled for this evening.

**~~1. CLOSED SESSION CALL TO ORDER/ROLL CALL~~**

**~~2. ADDITIONS TO CLOSED SESSION AGENDA~~**

**~~3. ANNOUNCEMENT OF CLOSED SESSION~~**

**~~3.1 16-2573 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION~~**

~~Number of Cases: Four~~

~~Name of Case: Wells Fargo Bank v. City of Stockton (San Joaquin County Superior Court Case No. 39-2012-00277662)~~

~~Name of Case: Wells Fargo Bank, National Association, as Indenture Trustee v. City of Stockton (San Joaquin County Superior Court Case No. 39-2012-00280741)~~

~~Name of Case: In re City of Stockton, California - Debtor (United States Bankruptcy Court, Eastern District of California Case No. 2012-32118)~~

~~Name of Case: Richard Price, et al. v. City of Stockton, Redevelopment Agency, et al. (United States District Court, Eastern District Case No. CIV.S-02-0065 LKK JFM)~~

~~This Closed Session is authorized pursuant to Section 54956.9(a) of the Government Code.~~

**~~3.2 16-2574 CONFERENCE WITH LABOR NEGOTIATOR~~**

~~Agency Designated Representative: — City Manager Kurt Wilson~~

~~Employee Organizations: Unrepresented Units, Stockton City Employees' Association, Operating Engineer's Local 3, Mid-Management/Supervisory Level Unit, Unrepresented Management/Confidential, Law Department, Stockton Police Management Association, Stockton Firefighters Local 456 International Association of Firefighters, Stockton Fire Management, Stockton Police Officers' Association (SPOA)~~

~~This Closed Session is authorized pursuant to Section 54957.6(a) of the Government Code.~~

**~~3.3 16-2575 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:~~**

~~City Manager~~

~~This Closed Session is authorized pursuant to Government Code Section 54957.~~

**~~3.4 16-2588 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION~~**

~~Number of Cases: One~~

~~Based on existing facts and circumstances, there is significant exposure to litigation pursuant to Government Code Section 54956.9(c).~~

**~~4. PUBLIC COMMENT\*~~**

**~~5. RECESS TO CLOSED SESSION~~**

**6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:31 PM**

Roll Call

Present:

Michael Blower  
Christina Fugazi  
Elbert Holman  
Susan Lofthus  
Anthony Silva  
Michael Tubbs  
Daniel Wright

**7. INVOCATION/PLEDGE TO FLAG**

Pastor Bob Hughes of the Wesleyan Evangelical Church provided the Invocation. The Pledge of Allegiance was led by Councilmember Blower.

**8. REPORT OF ACTION TAKEN IN CLOSED SESSION**

Closed Session was cancelled this evening.

**9. ADDITIONS TO REGULAR SESSION AGENDA**

None

**10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS**

10.1 Proclamation: Bike to Work Day May 11, 2016

Recipient: Kari McNickel, Program Specialist for Commute Connection

10.2 Proclamation: Letter Carriers Stamp Out Hunger Food Drive Day May 14, 2016

Recipient: Angela King, Partner Relations Coordinator for Emergency Food Bank and Family Services

## **11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS**

Tocan Nguyen - shared personal political views

Jeremy Terhnre - thanked Council for their consideration of PUENTES receiving a Community Development Block Grant (CDBG); grant important for families living in Boggs Tract to increase food stability and create jobs

Kathleen Gapusan - apologized for previous behavior at Council meetings; spoke to Reinvent South Stockton and asked how city is held accountable for funds spent

James Young - asked city to cut weeds by the #61 bus stop

Susan Mora Loyko, Chairwoman of the Board for PUENTES - thanked Council for their consideration to include PUENTES in the CDBG program; spoke to importance of local farming

## **12. CONSENT AGENDA**

Approve the Consent Agenda with a single vote, save item 12.7 which was considered separately.

**Moved by:** Elbert Holman, seconded by Susan Lofthus.

**Vote:** Motion carried 7-0

**Yes:** Michael Blower, Christina Fugazi, Elbert Holman, Susan Lofthus, Anthony Silva, Michael Tubbs, and Daniel Wright.

### **12.1 16-2576 APPROVAL OF CITY COUNCIL MINUTES**

**Motion 2016-04-26-1201** approving the minutes from the January 26, 2016 City Council meeting.

Legislation Text

**NOTE:** Minutes from the 2016-01-26 City Council meeting were included in the online posting when the agenda was published, however, they were not included in the hard copy packets that were printed and distributed. The minutes were distributed in an Around the Bench Memo by Assistant City Clerk Bret Hunter.

**12.2 16-2351 APPROVE MAYORAL APPOINTMENTS TO THE MEASURE W COMMITTEE**

Approve **Resolution 2016-04-26-1202** ratifying the Mayor's recommendations to fill three vacancies on the Measure W Committee for one term commencing immediately and ending December 31, 2016 and two terms commencing immediately and ending December 31, 2017.

Legislation Text

Attachment A - Redacted Applications

Proposed Resolution - Appointing Three Members

Approved Resolution 2016-04-26-1202

**12.3 16-2356 APPROVE A TRANSFER OF FUNDS FROM PROPORTIONATE SHARE ACCOUNT TO MEASURE K MAINTENANCE FUND BALANCE AND APPROPRIATE MEASURE K MAINTENANCE FUNDS TO PROJECTS**

Approve **Resolution 2016-04-26-1203** authorizing the City Manager to:

1. Approve the reimbursement to the Measure K fund balance (Fund 082) from the Proportionate Share Accounts (Fund 686) in the amount of \$2,365,565.91 to allow the City to deliver additional and/or existing priority projects needed in the City of Stockton.

2. Appropriate Measure K (Fund 082) in the amount of \$2,150,000 to help fund various pedestrian/bicycle, traffic, and roadway projects with the remaining \$215,565.91 added to Measure K fund (Fund 082) balance.

3. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - Detailed Account Balances

Attachment B - Vicinity Map

Proposed Resolution - Measure K Fund Transfers and Appropriations

Approved Resolution 2016-04-26-1203

**12.4 16-2391 APPROVE A PROFESSIONAL SERVICES CONTRACT WITH NV5 FOR THE PERSHING AVENUE SEWER TRUNK LINE REHABILITATION, PROJECT NO. M16003**

Approve **Motion 2016-04-26-1204** authorizing the City Manager to execute a Professional Services Contract with NV5, of Manteca, CA, in the amount of \$158,692, for the Pershing Avenue Sewer Trunk Line Rehabilitation, Project No. M16003.

Legislation Text

Attachment A - Vicinity Map

Attachment B - Professional Services Contract

**12.5 16-2448 ACCEPT BY MOTION THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED MARCH 31, 2016**

Approve **Motion 2016-04-26-1205** accepting the Quarterly Investment Report for the quarter ended March 31, 2016.

Legislation Text

Attachment A - Quarterly Investment Report - Quarter Ended 3-31-16

**12.6 16-2507 APPROVE RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STOCKTON AND THE STOCKTON FIREFIGHTERS' LOCAL 456 FIRE SERVICES MANAGEMENT UNIT**

Approve **Resolution 2016-04-26-1206** adopting the attached Stockton Firefighters' Local 456, Fire Services Management Unit successor Memorandum of Understanding (MOU) effective July 1, 2015 through June 30, 2016. The City Council adoption will: 1) Authorize the City Manager to execute the MOU, 2) Amend the Fiscal Year (FY) 2015/2016 budget to appropriate additional funds, and 3) Take actions appropriate to carry out the implementation of the MOU.

Legislation Text

Attachment A - Fire Services Management MOU - redlined

Proposed Resolution - Fire Services Management MOU

Exhibit 1 - Fire Services Management MOU

Approved Resolution 2016-04-26-1206

**12.7 16-2557 RESOLUTION TO RECOGNIZE THE NOVEMBER 1984 ANTI-SIKH VIOLENCE IN INDIA AS "GENOCIDE"**

Legislation Text

Attachment A - 1984 Sikh Genocide Report - Official UN Copy

Proposed Resolution - 1984 Sikh Genocide

Approved Resolution 2016-04-26-1207

Public Comment

Members of the Sikh Community gave prayers and spoke to 1984 Genocide

Approve **Resolution 2016-04-26-1207** acknowledging November 1984 Anti-Sikh Violence in India as Genocide

**Moved by:** Christina Fugazi , seconded by Michael Blower.

**Vote:** Motion carried 7-0

**Yes:** Michael Blower, Christina Fugazi , Elbert Holman, Susan Lofthus, Anthony Silva, Michael Tubbs, and Daniel Wright.

**13. ADMINISTRATIVE MATTERS**

None

**14. UNFINISHED BUSINESS**

None

**15. NEW BUSINESS**

**15.1 16-2572 AUTHORIZATION TO PROCEED WITH REFINANCING BONDS FOR PUBLIC BENEFIT**

Legislation Text

Attachment A - Del Rio Advisor CCO 7

Matt Paulin, Chief Financial Officer (CFO) City of Stockton - gave report to Council with the aid of a PowerPoint presentation (filed)

PowerPoint Presentation - 15.1 Authorization to Proceed with Refinancing Bonds for Public Benefit

Approve **Motion SRD 2016-04-26-1501** to:

1. Authorize the City Manager to proceed with activities related to refinancing certain Redevelopment/Successor Agency and Land Based 1913/1915 Act and Mello Roos bonds subject to subsequent approval by the City Council/Successor Agency Board of the final refunding proposal,
2. Approve findings for exemptions from competitive bidding requirements to reappoint underwriters for the refunding transactions, and
3. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the motion.

**Moved by:** Susan Lofthus, seconded by Daniel Wright.

**Vote:** Motion carried 7-0

**Yes:** Michael Blower, Christina Fugazi , Elbert Holman, Susan Lofthus, Anthony Silva, Michael Tubbs, and Daniel Wright.

**15.2 16-2577 APPROVE CONTRACT CHANGE ORDER NO. 2 TO THE CONTRACT WITH USA POOLS OF CALIFORNIA FOR POOL WATER AND FILTER SYSTEM MAINTENANCE (PROJECT NO. 15-33)**

Legislation Text

Attachment A - Contract Change Order 2

Gordon Mackay, Public Works Director - provided report to Council with the aid of a PowerPoint presentation (filed)

PowerPoint Presentation - Pool Water and Filter System Maintenance (Project NO. 15-33)

Approve **Motion 2016-04-26-1502** authorizing the City Manager to execute Contract Change Order No. 2, with USA Pools of California, in the amount of \$90,000 to perform pool maintenance-related repairs under the Pool Water and Filter System Maintenance project (Project No. 15-33).

**Moved by:** Anthony Silva, seconded by Christina Fugazi .

**Vote:** Motion carried 7-0

**Yes:** Michael Blower, Christina Fugazi , Elbert Holman, Susan Lofthus, Anthony Silva, Michael Tubbs, and Daniel Wright.

## **16. HEARINGS**

### **16.1 16-2461 PUBLIC HEARING: 2016-2017 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, AND EMERGENCY SOLUTION GRANT PROGRAMS AND REVISED CITIZEN PARTICIPATION PLAN**

Legislation Text

Attachment A - Applications Received

Resolution 1 - 2016-17 Action Plan

Exhibit 1 to Reso 1 - 2016-2017 Action Plan

Exhibit 2 2016-17 Sources and Uses

Exhibit 3 2016 Citizen Participation Plan

Resolution 2 - 2016-17 Action Plan - General Fund

Approved Resolution 2016-04-26-1601-01

Approved Resolution 2016-04-26-1601-02

**NOTE:** Councilmember Wright recused himself from this agenda item due to a potential conflict of interest and left the Chamber during discussion and voting.

Micah Runner, Economic Development Director - provided report to Council with the aid of a PowerPoint presentation (filed)

PowerPoint Presentation - Annual Action Plan and Revised Citizen Participation Plan

#### Public Comment

Ann Johnston - thanked Council for funding consideration; shared information on Read to Me, Stockton! program and registration information (documents filed)

Document filed by Ann Johnston - Read to Me, Stockton! Status Report

Document filed by Ann Johnston - Read to Me, Stockton! Brochure

Fred Sheil, Administrator STAND - provided an update on current

developments South East Stockton; tremendous example of what can be accomplished in community; thanked Council for proposed funding

Tocan Nguyen - opposes funding for group organizations

Approve **Resolution 2016-04-26-1601-01**

- 1) Approving the 2016-2017 Annual Action Plan with any modifications deemed appropriate by the Council;
- 2) Approving the revised Citizen Participation Plan; and
- 3) Authorizing the City Manager, or his designee, to execute all documents and forward them to the U.S. Department of Housing and Urban Development and to take actions necessary and appropriate to carry out the purpose and intent of the resolution.

**Moved by:** Michael Blower, seconded by Elbert Holman.

**Vote:** Motion carried 6-0

**Yes:** Michael Blower, Christina Fugazi , Elbert Holman, Susan Lofthus, Anthony Silva, and Michael Tubbs.

**Recuse:** Daniel Wright.

Approve **Resolution 2016-04-26-1601-02** Approving the allocation of \$240,000 of General Fund dollars to five community based organizations.

**Moved by:** Elbert Holman, seconded by Susan Lofthus.

**Vote:** Motion carried 6-0

**Yes:** Michael Blower, Christina Fugazi , Elbert Holman, Susan Lofthus, Anthony Silva, and Michael Tubbs.

**Recuse:** Daniel Wright.

**17. COUNCIL COMMENTS**

Councilmember Blower - reported on trip to Washington D.C. for San Joaquin Area Flood Control Agency (SJAFCOA)

Councilmember Holman - reported on trip to Washington D.C.; activities with One Voice for San Joaquin Council of Governments (SJCOG) while in D.C.; thought trip went very well

Councilmember Tubbs - met with Sierra Health Foundation over the weekend and shared information on building healthy communities in Stockton; will be representing Stockton Thursday April 28 at the Select Committee to Engage at

Risk Youth; youth activities in South Stockton

Councilmember Wright - thanked CDBG Committee, Fred Sheil for STAND, and Ann Johnston for Read to Me! Stockton for their work; reported on Stockton Unified 37th annual Kennedy Games at Cesar Chavez High School; quarterly StockMarket event in Stockton will now be monthly

Vice Mayor Fugazi - reported on Leadership Stockton class project at Stockton Police Department and thanked them for work done; Community Workforce Training Agreement (CWTA) on upcoming agenda; shared experience taking her students on a tour of the water treatment plant

Councilmember Holman - will be in Sacramento tomorrow, April 27, 2016 for League of California Cities Legislation Day

**18. ADJOURNMENT - 7:23 PM**

**INFORMATIONAL ITEMS**

**1 15-2283 COUNCIL COMMITTEE / BOARDS & COMMISSION MINUTES**

Information only, no action required.

Legislation Text

2015-06-10 Measure W Oversight Committee Minutes

  
BONNIE PAIGE, CMC  
CITY CLERK, CITY OF STOCKTON