



City of Stockton

City Council/Successor
Agency of the
Redevelopment
Agency/Public Financing
Authority/Parking Authority
Concurrent Agenda

Meeting Agenda - Final

City Council/Successor Agency to the Redevelopment Agency/Public Financing Authority/Parking Authority Concurrent

Michael D. Tubbs Mayor/Chair
Daniel R. Wright Vice Mayor/Vice Chair (District 2)
Sol Jobrack (District 1)
Paul Canepa (District 3)
Susan Lenz (District 4)
Christina Fugazi (District 5)
Jesus M. Andrade (District 6)

Tuesday, September 15, 2020

4:00 PM

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

Closed Session 4:00 PM :: Regular Session 5:30 PM

During this time of local health concerns, City Hall has limited socially-distanced seating available to the public. Due to these concerns, you are strongly encouraged to watch the meeting online and you can submit your public comments electronically.

1. You can view the live meeting at <http://www.stocktongov.com/government/Meetings/councilMeetings.html> or cable tv Channel 97.
2. eComment - click <https://stockton.granicusideas.com/meetings> to submit an eComment(s). Only one comment per agenda item, per person will be read into the record.
3. Email – City.Clerk@stocktonca.gov if you prefer to email your comments in. Only one comment per agenda item, per person will be read into the record.
4. Public comment voicemail - (209) 937-8459 if you wish to leave your public comment in the form of a voicemail, it will be transcribed and emailed to the City Clerk. Only one comment per agenda item, per person will be read into the record.

1. **CLOSED SESSION CALL TO ORDER/ROLL CALL**
2. **ADDITIONS TO CLOSED SESSION AGENDA**
3. **ANNOUNCEMENT OF CLOSED SESSION**
- 3.1 [20-6926](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Four

Name of Case: City of Stockton v. San Joaquin County Emergency
Medical Services Agency (San Joaquin County
Superior Court Case No.
STK-CV-UWM-2020-04909)

Name of Case: State of California ex rel. OnTheGO Wireless, LLC
v. Cellco Partnership d/b/a Verizon Wireless, et al.
(Sacramento County Superior Court Case No.
34-2012-00127517)

Name of Case: Stockton East Water District, a political subdivision
of the State of California v. City of Stockton, et al.
(San Joaquin County Superior Court Case No.
STK-CV-UOCT-2017-13066)

Name of Case: Kurt Wilson v. City Council of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UWM-2019-12404)

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

Department: City Attorney

3.2 [20-6927](#) **CONFERENCE WITH LABOR NEGOTIATOR**

Recommended Action: Agency Designated Representative: City Manager Harry Black

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.

Department: City Attorney

3.3 [20-6928](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Recommended Action: City Manager

This Closed Session is authorized pursuant to Government Code section
54957.

Department: City Attorney

3.4 [20-6988](#) **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).

Department: City Attorney

4. PUBLIC COMMENT*
5. RECESS TO CLOSED SESSION
6. REGULAR SESSION CALL TO ORDER/ROLL CALL
7. INVOCATION/PLEDGE TO FLAG
8. REPORT OF ACTION TAKEN IN CLOSED SESSION
9. ADDITIONS TO REGULAR SESSION AGENDA***
10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS
11. CONSENT AGENDA
- 11.1 [20-6995](#) APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the City Council meetings of December 17, 2019, July 14, 2020, and July 28, 2020.

Department: City Clerk

Attachments: [Attachment A - 2019-12-17 Minutes for Approval](#)
[Attachment B - 2020-07-14 Minutes for Approval](#)
[Attachment C - 2020-07-28 Minutes for Approval](#)

- 11.2 [20-6913](#) ADOPT A RESOLUTION TO APPROVE AUGMENTED STATE CENSUS FUNDING AND AMENDMENT TO THE AGREEMENT WITH EL CONCILIO TO PERFORM ADDITIONAL HARD-TO-COUNT ACTIVITIES FOR THE CITY OF STOCKTON

Recommended Action: RECOMMENDATION

It is recommended that City Council adopt a Resolution:

1. To accept augmented State Census Funding, increasing the program amount by \$98,461, to \$422,318;
2. Increase the existing agreement with El Concilio by \$97,961 to provide essential support to complete the Census work; and
3. Appropriate revenues and expenditures in the amount of the agreements to the Special Purpose Grant Fund Non-Departmental Budget.

It is also recommended that the City Manager be authorized to take actions necessary to carry out the intent of this Resolution.

Department: City Manager

Attachments: [Attachment A - State Contract - California Complete Count 2020](#)

[Attachment B - Amended State Contract](#)

[Attachment C - El Concilio Contract](#)

[Attachment D - Amended El Concilio Contract](#)

[Attachment E - Strategic Plan Executive Summary](#)

[Proposed Resolution - Census 2020](#)

11.3 [20-6945](#) APPROVAL OF AN ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR A WATER SUPPLY ASSESSMENT AND FINAL APPROVAL FOR CANCELLATION OF WILLIAMSON ACT CONTRACT FOR THE SANCHEZ-HOGGAN PROJECT (APNS 181-100-09, 179-200-27) (P19-0691)

Recommended Action: RECOMMENDATION

Staff recommends the City Council:

- a) Adopt a resolution certifying an Addendum to the Sanchez-Hoggan Project Environmental Impact Report (EIR) #2020020006 pursuant to the California Environmental Quality Act (CEQA) Section 15164 that addresses Water Supply Assessment; and
- b) Adopt a Resolution approving the Final Williamson Act Contract Cancellation for the Sanchez Parcel (APN 181-100-09) (P19-0691).

Department: Community Development

Attachments: [Attachment A - WA Cancellation Submittal](#)

[Proposed Resolution - Addendum](#)

[Exhibit 1- Addendum](#)

[Exhibit 2- WSA](#)

[Proposed Resolution - Final WA](#)

11.4 [20-6953](#) **APPROVE A COOPERATIVE PURCHASE AGREEMENT WITH
LIFE-ASSIST, INC. THROUGH NATIONAL PURCHASING
PARTNERS, LEAGUE OF OREGON CITIES FOR PROCUREMENT
OF MEDICAL AND PHARMACEUTICAL SUPPLIES, EQUIPMENT
AND RELATED SERVICES**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to:

1. Authorize the City Manager to execute an initial three (3) year cooperative purchase agreement (Attachment A) with Life-Assist, Inc. to purchase medical and pharmaceutical supplies, equipment, and related services through a cooperative contract with National Purchasing Partners, League of Oregon Cities for an initial amount not to exceed \$390,000, with three (3) optional one-year renewals for an estimated cost of \$130,000 per year; and
2. Approve findings pursuant to Stockton Municipal Code Section 3.68.070 in support of an exception to the competitive bidding process; and
3. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Fire

Attachments: [Attachment A - Life-Assist, Inc. Cooperative Agreement](#)

11.5 [20-7055](#) **TERMINATION OF SAN JOAQUIN COUNTY REGIONAL FIRE
DISPATCH AUTHORITY AMENDED AND RESTATED JOINT
EXERCISE OF POWER AGREEMENT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution authorizing the City Manager to terminate the Amended and Restated Joint Exercise of Power Agreement (JPA) (Exhibit 1 to the Resolution) with the San Joaquin County Regional Fire Dispatch Authority effective June 30, 2021, pending a majority vote of the JPA Board. Alternatively, should either Council or the JPA Board not vote to terminate, the City of Stockton (COS) will issue notice that it desires to withdraw from the JPA and will issue notice to terminate its contracted dispatch services to the JPA members pursuant to the terms of the Amended and Restated Joint Exercise of Power Agreement.

It is further recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Department: Fire

Attachments: [Proposed Resolution - JPA](#)
[Exhibit 1 - Amended & Restated Joint Exercise of Power Agreement](#)

11.6 [20-6922](#) **APPROVE A CONTRACT WITH ALPINE HELICOPTER SERVICE, INC. OF WOODBRIDGE, FOR HELICOPTER AERIAL SPRAYING SERVICES FOR MOSQUITO AND VECTOR CONTROL AT THE REGIONAL WASTEWATER CONTROL FACILITY**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to:

1. Approve the Specifications and Addenda for Mosquito and Vector Control at the Regional Wastewater Control Facility (PUR 20-008), and
2. Authorize a five-year contract with Alpine Helicopter Service, Inc. of Woodbridge for Helicopter Aerial Spraying Services for Mosquito and Vector Control at the Regional Wastewater Control Facility, for a total not-to-exceed contract amount of \$363,000.

It is also recommended that the motion authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Municipal Utilities

Attachments: [Attachment A - Contract with Alpine Helicopter Service](#)
[Attachment B - Alpine Helicopter Service Cost Estimate](#)

11.7 [20-6908](#) **REJECT ALL BIDS FOR THE THORNTON AND DAVIS ROADS SANITARY SEWER PUMP STATION REHABILITATION AND THE DON AVENUE AND SANTIAGO WAY SANITARY SEWER PUMP STATION REHABILITATION**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to reject all bids received for construction of the Thornton and Davis Roads Sanitary Sewer Pump Station Rehabilitation, Project No. M13009, and the Don Avenue and Santiago Way Sanitary Sewer Pump Station Rehabilitation, Project No. M13010, pursuant to Stockton Municipal Code (SMC) section 3.68.160(B).

It is also recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Municipal Utilities

11.8 [20-6909](#) **APPROVE FINDINGS AND RATIFY FINAL EXPENSES FOR EMERGENCY BYPASS PUMPING AND REPAIR SERVICES FOR SANITARY SEWER MAINTENANCE HOLE AND PIPELINES ALONG**

MARCH LANE

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to accept findings and ratify the emergency expenditure of \$237,174.40 to Rain-for-Rent Inc. of Stockton and Pipe and Plant Solutions Inc. of Oakland, for emergency bypass pumping and repair services for sanitary sewer maintenance hole and pipelines along March Lane.

It is also recommended that the City Manager be authorized to take appropriate actions to carry out the purpose and intent of this motion.

Department: Municipal Utilities

11.9 [20-6911](#) **AWARD A PROFESSIONAL SERVICES AGREEMENT TO THE HACH COMPANY FOR WATER UTILITY INSTRUMENTATION SERVICES**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to award a three-year Professional Services Agreement to the Hach Company of Loveland, CO, in the not-to-exceed amount of \$82,145.61 for Water Utility instrumentation services.

It is also recommended that the City Manager be authorized to take appropriate actions to carry out the purpose and intent of this resolution.

Department: Municipal Utilities

Attachments: [Attachment A - Bid Document - PUR 20-016](#)

[Proposed Resolution - Instrumentation Services](#)

[Exhibit 1 - Contract](#)

11.10 [20-6678](#) **APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR ON-CALL ENVIRONMENTAL SERVICES FOR THE DOWNTOWN FUEL TANK REMOVAL, LEAK ASSESSMENT PROJECT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to:

1. Award a Professional Services Contract to AdvancedGeo, Inc., of Stockton, CA, in the amount not to exceed \$150,000, for on-call environmental services for the Downtown Fuel Tank Removal, Leak Assessment, Project No. PW1425.

2. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

It is also recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Public Works

Attachments: [Attachment A - Vicinity Map](#)

[Attachment B - Professional Services Contract](#)

11.11 [20-6848](#) **ADOPT RESOLUTION TO AUTHORIZE THE SIDEWALK, CURB, AND
GUTTER REPAIR PROGRAM FY 2019-20 SB1 PROJECT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to:

1. Approve Notice of Exemption No. NOE23-20 under the California Environmental Quality Act for the Sidewalk, Curb, and Gutter Repair Program FY 2019-20 SB1, Project No. PW1915.
2. Approve the plans and specifications for the Sidewalk, Curb, and Gutter Repair Program FY 2019-20 SB1, Project No. PW1915.
3. Award a Construction Contract in the amount of \$1,045,560 to FBD Vanguard Construction, Inc., of Livermore, CA, for the Sidewalk, Curb, and Gutter Repair Program FY 2019-20 SB1, Project No. PW1915.

It is also recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Department: Public Works

Attachments: [Attachment A - List of Locations](#)

[Attachment B - Project Map](#)

[Proposed Resolution - PW1915](#)

[Exhibit 1 - NOE23-20](#)

[Exhibit 2 - Construction Contract](#)

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

14.1 [20-6993](#) **ADOPT RESOLUTION TO AWARD CONTRACT FOR COMMUNITY
CHOICE AGGREGATION FEASIBILITY STUDY**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a resolution to:

1. Authorize the City Manager to award a contract to MRW & Associates, LLC, in the amount of \$92,750.00 to complete a community choice aggregation (CCA) feasibility study.
2. Approve findings pursuant to Stockton Municipal Code Section 3.68.070(A)(3) in support of an exception to the competitive bidding process.

It is also recommended that the resolution authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution.

Department: City Manager

Attachments: [Attachment A - CCA Feasibility Study Agreement](#)
[Proposed Resolution - Community Choice Aggregation Feasibility Study](#)

14.2 [20-6976](#) **UPDATE FROM THE HOMELESS OUTREACH TRAINING (HOT) TEAM**

Recommended Action: RECOMMENDATION

No action to be taken.

Department: Fire

14.3 [20-6866](#) **APPROVE A MOTION TO ADOPT THE 2020 STATE AND FEDERAL LEGISLATIVE PROGRAM**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt by motion the 2020 State and Federal Legislative Programs and authorize the City Manager to pursue the objectives outlined in these Programs through advocacy efforts in Sacramento and Washington, D.C.

Department: City Manager

Attachments: [Attachment A - 2020 State Legislative Program - Redline](#)
[Attachment B - 2020 State Legislative Program - Final](#)
[Attachment C - 2020 Federal Legislative Program - Redline](#)
[Attachment D - 2020 Federal Legislative Program - Final](#)

15. HEARINGS**

15.1 [19-5904](#) **ADOPTION OF AN ORDINANCE THAT MEETS OBJECTIVE 1 IN THE FOOD AND AGRICULTURE ACTION PLAN WITH THE CREATION OF FORMAL URBAN AGRICULTURE REGULATIONS VIA**

**AMENDMENTS TO TITLES 5, 6, 8, 13, AND 16 OF THE STOCKTON
MUNICIPAL CODE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council:

1. Adopt an Ordinance Amending Title 5, Chapter 5.08, Section 5.08.250; Title 6, Chapter 6.04, Section 6.04.430; Title 8, Chapter 8.04, Section 8.04.010; Chapter 8.68, Section 8.68.040; Title 13, Chapter 13.04, Section 13.04.015; Title 16, Chapter 16.20, Section 16.20.020; Chapter 16.80, Sections 16.80.020, 16.80.060, 16.80.130, 16.80.135, 16.80.260, 16.80.280, 16.80.285, 16.80.350; Chapter 16.136, Section 16.136.030, Chapter 16.152, Section 16.152.040, Chapter 16.164, Section 16.164.030; and Chapter 16.240, Section 16.240.020 of the Stockton Municipal Code, Relating to Urban Agriculture
2. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this ordinance and resolution.

Department: Community Development

Attachments: [Attachment A - Food and Agriculture Plan](#)

[Attachment B - PC Reso 2020-07-23-0501](#)

[Attachment C - Urban Ag Ord \(redlines\)](#)

[Attachment D - Summary of Proposed Amendments](#)

[Proposed Ordinance - Urban Ag](#)

**15.2 [20-6861](#) **ADOPT AN ORDINANCE AMENDING THE ZONING DESIGNATION
FOR AN EXISTING COMMERCIAL BUILDING AT 1825 SOUTH EL
DORADO STREET (APN 165-074-35) (APPLICATION NO. P19-0328)****

Recommended Action: RECOMMENDATION

Staff recommends the City Council adopt an Ordinance amending the zoning designation for an existing, vacant commercial building at the southwest corner of South El Dorado Street and West 4th Street (APN 165-074-35) from Residential, Low Density to Commercial, General (CG), to allow rehabilitation and use of a currently underutilized property.

Department: Community Development

Attachments: [Attachment A - Location Map & Aerial Photo](#)

[Attachment B - Zoning Map](#)

[Attachment C - General Plan Land Use Map](#)

[Attachment D - Planning Commission Reso 2020-06-25-0501-01](#)

[Proposed Ordinance](#)

16. PUBLIC COMMENTS* – MATTERS NOT ON THE AGENDA

17. CITY MANAGER'S COVID-19 UPDATE

18. COUNCIL COMMENTS

19. ADJOURNMENT

INFORMATIONAL ITEMS

1. [20-6947](#) COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Recommended Action: RECOMMENDATION

Information item only. No action required.

Department: City Clerk

Attachments: [Planning Commission 2020-04-09](#)

[Planning Commission 2020-04-23](#)

[Planning Commission 2020-05-14](#)

[Planning Commission 2020-05-28](#)

CERTIFICATE OF POSTING

I declare, under penalty of perjury, that I am employed by the City of Stockton and that I caused this agenda to be posted in the City Hall notice case on September 8, 2020, in compliance with the Brown Act.

Eliza R. Garza, CMC
City Clerk

By: _____

Deputy

**Citizens may comment on any subject within the jurisdiction of the City Council/Successor Agency to the Redevelopment Agency/Public Finance Authority/Parking Authority, including items on the Agenda. Each speaker is limited to three minutes. Speakers must submit "Request to Speak" cards to the City Clerk, and be prepared to speak when called. No speaker cards will be received after the close of the Citizen's Comments portion of the meeting.*

***Speakers should hold comments on items listed as a Hearing until the Hearing is opened. If a large number of people desire to speak at a Hearing, the Mayor/Chair may reduce the amount of time allocated to each speaker to three (3) minutes.*

****Additions to the Agenda - Government Code Section 54954.2(b)(2), allows members of the City Council present at the meeting to take immediate action, with either a two-thirds or unanimous vote, to place an item on the agenda that action must be taken and that the item came to the attention of the City subsequent to the agenda being posted.*

All proceedings before this meeting body are conducted in English. The City of Stockton does not furnish language interpreters and, if one is needed, it shall be the responsibility of the person needing one.

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Stockton to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the Office of the City Clerk located at 425 North El Dorado Street, Stockton, California 95202 during normal business hours or by calling (209) 937-8459, at least 5 days in advance of the hearing/meeting. Advance notification within this guideline will enable the City/Agency to make reasonable arrangements to ensure accessibility.

Materials related to an item on this agenda submitted to City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 425 North El Dorado Street, Stockton, California 95202, during normal business hours. Such documents are also available on the City's website at www.stocktongov.com subject to staff's ability to post the documents before the meeting.

CHALLENGING CITY DECISIONS: The time limit within which to commence any lawsuit or legal challenge to any quasi-judicative decision made by the City 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-judicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Stockton, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.