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
Elbert H. Holman Jr. Vice Mayor/Vice Chair (District 1)
Daniel R. Wright (District 2)
Susan Lofthus (District 3)
Susan Lenz (District 4)
Christina Fugazi (District 5)
Jesús M. Andrade (District 6)

Tuesday, June 20, 2017 **3:30 PM** **Council Chamber, City Hall, 425 N. El Dorado Street, Stockton CA**

Closed Session 3:30 PM :: Regular Session 5:30 PM

1. CLOSED SESSION CALL TO ORDER/ROLL CALL

2. ADDITIONS TO CLOSED SESSION AGENDA

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 17-3730 **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

3.2 17-3731 **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.

Department: City Attorney

3.3 17-3732 **CONFERENCE WITH LABOR NEGOTIATOR**

Recommended Action: 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.

Department: City Attorney

3.4 17-3733 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Recommended Action: City Manager

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

Department: City Attorney

3.5 17-3766 **PUBLIC EMPLOYEE APPOINTMENT**

Title: City Clerk

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

Department: City Attorney

4. PUBLIC COMMENT*

5. RECESS TO CLOSED SESSION

6. REGULAR SESSION CALL TO ORDER/ROLL CALL

7. INVOCATION/PLEDGE TO FLAG

The Invocation will be provided by Pastor Curtis Smith of the Destiny Christian Center

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

9. ADDITIONS TO REGULAR SESSION AGENDA**

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10. 1 17-3767 PRESENTATION BY STOCKTON POET LAUREATE TAMA BRISBANE

Department: City Manager

10. 2 17-3768 PROCLAMATION: IMMIGRANT HERITAGE MONTH IN STOCKTON - JUNE 2017

Recommended Action: RECOMMENDATION

Accepting: Dr. Ines Ruiz-Huston, Latino Community Outreach Coordinator, University of the Pacific

Department: Office of the Mayor

Attachments: Proclamation - Immigrant Heritage Month

11. CONSENT AGENDA

11.1 17-3757 APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the Regular City Council meeting of May 9, 2017, and the Special City Council meetings of May 23, 2017 and June 6, 2017.

Department: City Clerk

Attachments: 2017-05-09 City Council Meeting Minutes.pdf

2017-05-23 City Council Special Meeting Minutes.pdf

2017-06-06 - Special City Council Meeting Minutes

11.2 17-3699 DESIGNATING VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD SEPTEMBER 13-15, 2017

Recommended Action: RECOMMENDATION

It is recommended that the City Council by motion action designate Vice Mayor Elbert Holman to serve as a voting delegate and Council Member Christina Fugazi as an alternate representing the City at the League of California Cities Annual Conference to be held September 13-15, 2017.

Department: City Manager

Attachments: Attachment A - League of California Cities Correspondence

11.3 17-3482 **AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES MASTER AGREEMENT TO ESTABLISH A POOL OF QUALIFIED PROFESSIONAL SERVICES FIRMS FOR ON-CALL CONTRACT SUPPORT FOR BUILDING PLAN REVIEW AND INSPECTION, ENGINEERING PLAN REVIEW, AND FLOODPLAIN MANAGEMENT SERVICES**

Recommended Action: RECOMMENDATION

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

1. Execute a Professional Services Master Agreement with the following professional firms for on-call contract support for Building Plan Review and Inspection, Engineering Plan Review, and Floodplain Management Services:

a. 4LEAF, Inc. Fair Oaks, CA;
b. Bureua Veritas North America, Inc. Sacramento, CA;
c. CSG Consultants, Inc. Sacramento, CA;
d. West Coast Code Consultants, Inc. San Ramon, CA

2. Execute amendments to the Professional Services Master Agreement for individual projects in an amount not to exceed $480,000 across the entire vendor pool; and

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

Department: Community Development

Attachments: Proposed Resolution - Building Plan check - Inspection - On-Call Services

Exhibit 1 - Firm Statement of Qualifications

Exhibit 2 - Professional Services Master Agreement

11.4 17-3672 **APPROVE EXTENSION OF HYLAND ONBASE HOSTED SOLUTION AGREEMENT WITH NEKO INDUSTRIES, INC.**

Recommended Action: RECOMMENDATION

Staff recommends the City Council approve a motion to:

1. Authorize the City Manager to execute the Hyland OnBase Online Hosted Solution Agreement with NEKO Industries, Inc. in an amount not to exceed $222,684 for one year with an option for two additional one-year renewals using the County of Sonoma cooperative purchasing agreement with NEKO Industries, Inc. (Attachments A, B and C);

2. Approve findings for an exception to the competitive bidding process; and

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

Department: Information Technology

Attachments: Attachment A - Cooperative Purchasing Agreement

Attachment B - Letter from County of Sonoma extending Agreement

Attachment C - Agreement with NEKO Industries Inc.

11.5 17-3765 REFER ISSUES RELATING TO THE CANNABIS ORDINANCE TO THE COUNCIL LEGISLATION/ENVIRONMENTAL COMMITTEE

Recommended Action: RECOMMENDATION

Mayor Tubbs recommends that the City Council approve a motion to refer the issues of cleanup legislation relating to the City's existing cannabis ordinance, as well as new or amended legislation relating to cannabis packaging, business applications, manufacturing, transportation and delivery, zoning, testing, and other related issues to the Legislation/Environmental Committee.

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

Department: Office of the Mayor

11.6 17-3664 APPROVE SHOTSPOTTER FLEX FIXED-PRICE AGREEMENT BETWEEN THE CITY OF STOCKTON AND SHOTSPOTTER, INC.

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion authorizing the ShotSpotter Flex Fixed-Price Agreement, between the City of Stockton and ShotSpotter, Inc. (SST), for ShotSpotter Flex Gunfire Location, Alert and Analysis Service in the amount of $105,000, for a one-year term.

Department: Police

Attachments: Attachment A - ShotSpotter Flex Fixed Price Agreement

11.7 17-3479 APPROVE RESOLUTION TO AWARD CONTRACT FOR THE INSTALLATION OF EMERGENCY VEHICLE PREEMPTION AT VARIOUS LOCATIONS

Recommended Action: RECOMMENDATION

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

1. Approve the Notice of Exemption No. CE002-15 under the California Environmental Quality Act for the Installation of Emergency Vehicle Preemption at Various Locations (Project No. PW1211/Federal Project No. HSIPL-5008(125)).

2. Approve the plans and specifications for the Installation of Emergency Vehicle Preemption at Various Locations (Project No. PW1211/Federal Project No. HSIPL-5008(125)).

3. Accept and appropriate additional Highway Safety Improvement Program grant funds (Fund 308) in the amount of $143,160 to the Installation of Emergency Vehicle Preemption at Various Locations (Project No. PW1211/Federal Project No. HSIPL-5008(125)).

4. Appropriate $17,880 from Measure K Maintenance Fund balance (Fund 082) to the Installation of Emergency Vehicle Preemption at Various Locations (Project No. PW1211/Federal Project No. HSIPL-5008(125)).

5. Award a Construction Contract in the amount of $841,929 to Tim Paxin's Pacific Excavation, Inc. of Elk Grove, CA, for the Installation of Emergency Vehicle Preemption at Various Locations (Project No. PW1211/Federal Project No. HSIPL-5008(125)).

6. Approve Global Traffic Technologies Opticom Priority Control Systems Emergency Vehicle Preemption equipment and Central Management Software, and Siemens traffic signal controller and its SEPAC software as City standard equipment.

7. 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 resolution.

Department: Public Works

Attachments: Attachment A - Vicinity Map

Proposed Resolution - Emergency Vehicle Preemption Locations

Exhibit 1 - Notice of Exemption

Exhibit 2 - Construction Contract

11.8 17-3508 APPROVE RESOLUTION TO AWARD CONTRACT FOR THE CALIFORNIA STREET AT LAFAYETTE STREET AND WASHINGTON STREET TRAFFIC SIGNAL MODIFICATION

Recommended Action: RECOMMENDATION

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

1. Approve the Notice of Exemption No. CE023-16 under the California Environmental Quality Act for the California Street at Lafayette Street and Washington Street Traffic Signal Modification (Project No. PW1314/Federal Project No. HSIPL-5008(131)).

2. Approve the plans and specifications for the California Street at Lafayette Street and Washington Street Traffic Signal Modification (Project No. PW1314/Federal Project No. HSIPL-5008(131)).

3. Appropriate $103,000 from Measure K Maintenance Fund balance to the California Street at Lafayette Street and Washington Street Traffic Signal Modification (Project No. PW1314/Federal Project No. HSIPL-5008(131)).

4. Award a Construction Contract in the amount of $663,236 to St. Francis Electric, LLC of San Leandro, CA, for the California Street at Lafayette Street and Washington Street Traffic Signal Modification (Project No. PW1314/Federal Project No. HSIPL-5008(131)).

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 - Vicinity Map

Attachment B - Site Map

Proposed Resolution - Traffic Signal Modification Contract

Exhibit 1 - Notice of Exemption

Exhibit 2 - Construction Contract

11.9 17-3577 **MOTION APPROVING THE SPECIFICATIONS AND AWARDING A SERVICE CONTRACT TO CALIFORNIA MATERIALS, INC. FOR TRUCK HAULING SERVICES FOR ASPHALT CONCRETE AND ASPHALT CONCRETE GRINDINGS**

Recommended Action: RECOMMENDATION

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

1. Approve the specifications for Truck Hauling Services for Asphalt Concrete and Asphalt Concrete Grindings, Project No. OM-17-103.

2. Award a Service Contract in the amount of $350,000 to the responsive bidder, California Materials, Inc., of Stockton, CA, and approve up to two one-year extensions to this contract.

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 - Contract with California Materials

12. ADMINISTRATIVE MATTERS

12.1 17-3653

EDIT TO THE JANUARY 24, 2017 CITY COUNCIL MINUTES TO CORRECT RESOLUTION NUMBERING FOR ITEM 12.12

Resolutions originally numbered 2017-01-24-1212, should be 2017-01-24-1212-01 and 2017-01-24-1212-02

Information only: No action required

Department: City Clerk

Attachments: Council Meeting Minutes 2017-01-24

13. UNFINISHED BUSINESS

14. NEW BUSINESS

14.1 17-3696 APPOINTMENTS TO THE STOCKTON PORT COMMISSION

Recommended Action: RECOMMENDATION

It is recommended that City Council adopt a resolution:

1. Appointing two members to fill two upcoming vacancies on the Stockton Port Commission, for a term commencing July 1, 2017 and ending January 15, 2021.

2. Extend the term of current Commissioner Sylvester Aguilar from his original end date of December 31, 2017 to a new term end date of January 15, 2018.

Department: City Clerk

Attachments: Attachment A - Harbors and Navigation Code

Attachment B - Redacted Applications

Proposed Resolution - Port Commission Appointment

14.2 17-3753 **APPOINTMENT TO THE STOCKTON CIVIL SERVICE COMMISSION**

Recommended Action: RECOMMENDATION

Adopt resolution appointing one member to the Civil Service Commission/Equal Employment Commission for a term commencing July 1, 2017 and ending June 30, 2020.

Department: City Clerk

Attachments: Attachment A - Redacted Applications

Proposed Resolution - CSC Appointment

15. HEARINGS****

15.1 17-3745 **HOLD PUBLIC HEARING ADOPTING THE FISCAL YEAR (FY) 2017-18 ANNUAL BUDGET; APPROVING THE 2017-2022 CAPITAL IMPROVEMENT PLAN; APPROVING THE FY 2017-18 FEE SCHEDULE; APPROVING THE FY 2017-18 CALIFORNIA CONSTITUTIONAL APPROPRIATIONS LIMIT; ADOPTING THE FY 2017-18 ANNUAL BUDGET FOR THE PARKING AUTHORITY OF THE CITY OF STOCKTON; AND ADOPTING THE FY 2017-18 ANNUAL BUDGET FOR THE SUCCESSOR AGENCY TO THE FORMER STOCKTON REDEVELOPMENT AGENCY**

Recommended Action: RECOMMENDATION

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

* Adopts the FY 2017-18 Annual Budget, the 2017-2022 Capital Improvement Plan, the FY 2017-18 Fee Schedule, the FY 2017-18 California Constitutional (Gann) Appropriations Limit and other administrative, financial actions.

And it is recommended that the Parking Authority of the City of Stockton (Parking Authority) approve a resolution that:

* Adopts the FY 2017-18 Annual Budget for the Parking Authority (Exhibit 1 to the Parking Authority resolution).

And it is recommended that the Successor Agency to the former Stockton Redevelopment Agency (Successor Agency) approve a resolution that:

* Adopts the FY 2017-18 Annual Budget for the Successor Agency to the former Stockton Redevelopment Agency (Exhibit 1 to the Successor Agency resolution).

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

Department: City Manager

Attachments: Proposed Budget Resolution - FY 2017-18 Annual Budget

Exhibit 1 - City Resolution

Proposed Resolution - FY 2017-18 Parking Authoriting Budget

Exhbiti 1 - Parking Authority

Proposed Resolution - FY 2017-18 Successor Agency Budget

Exhibit 1 - Successor Agency

15.2 17-3629 **HOLD PUBLIC HEARING TO APPROVE THE ANNUAL BUDGET AND ASSESSMENT ROLLS FOR THE 2017-18 HOLIDAY PARK MAINTENANCE DISTRICT**

Recommended Action: RECOMMENDATION

This scheduled public hearing is being held to consider public comments and testimony regarding the Holiday Park Maintenance District 2017-18 Proposed Assessment budget and the levy of assessments.

At the conclusion of the public hearing, it is recommended that Council adopt a resolution authorizing the City Manager to:

1. Overrule any all protests.
2. Approve the Annual Budget for the Holiday Park Pool Recreation Association for the fiscal year 2017-18.
3. Confirm the assessment of $46,598 for the Holiday Park Maintenance District for the fiscal year 2017-18.
4. Authorize the City of Stockton Chief Financial Officer to assess those parcels within the assessment district.
5. Authorize the City Manager to take appropriate actions to carry out the purpose and intent of the resolution.
6. Certify the assessments meet the requirements pertaining to the levy of annual assessments.

Department: Community Services

Attachments: Attachment A - Holiday Park Maintenance District Assessment Area

Attachment B - Holiday Park Recreation Association Proposed Budget 17-18

Proposed Resolution - Holiday Park Maintenance District FY 2017-18 Budget

15.3 17-3472 PUBLIC HEARING: 2017-2018 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, AND EMERGENCY SOLUTION GRANT PROGRAMS

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving the 2017-2018 Annual Action Plan with any modifications deemed appropriate by the Council; and

2. 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.

Department: Economic Development

Attachments: Attachment A - CDBG 17-18 Application Breakdown

Proposed Resolution - CDBG 2017-2018 Action Plan

Exhibit 1 - Draft Action Plan

Exhibit 2 - 2017-18 Sources and Uses

16. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

1 17-3755 **COUNCIL COMMITTEE / BOARDS & COMMISSION MINUTES**

Recommended Action: RECOMMENDATION

Information only, no action required.

Department: City Clerk

Attachments: 2017-04-13 Council Water Committee Minutes

2017-01-26 Planning Commission Minutes

2017-03-23 Planning Commission Minutes

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 June 16, 2017, in compliance with the Brown Act.

Bonnie Paige, CMC

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.*

****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.*

***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.*

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-adjudicative 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-adjudicative 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.