



City of Stockton

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

Meeting Agenda

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

Anthony Silva, Mayor/Chair
Christina Fugazi, Vice Mayor/Vice Chair
Elbert H. Holman Jr. (District 1)
Daniel R. Wright (District 2)
Susan Lofthus (District 3)
Moses Zapien (District 4)
Michael D. Tubbs (District 6)

Tuesday, March 3, 2015

4:00 PM

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

**** SPECIAL MEETING ****

Closed Session 4:00 PM | Special 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 [15-1494](#) **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

3.2 [15-1495](#) 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.

Department: City Attorney

3.3 [15-1496](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Number of Cases: Three

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

Department: City Attorney

3.4 [15-1497](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

City Manager

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

Department: City Attorney

4. PUBLIC COMMENT*

5. RECESS TO CLOSED SESSION

6. SPECIAL 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. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS
- 11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*
- 12. CONSENT AGENDA
- 13. ADMINISTRATIVE MATTERS
- 14. UNFINISHED BUSINESS
- 14.1 [15-1493](#) AMENDMENT TO THE \$2.5 MILLION FEDERAL AND STATE FUNDED LOAN FOR THE CAL WEBER 40 PROJECT, AMENDMENT TO THE AIR RIGHTS LEASE, APPROVAL OF A LICENSE AGREEMENT FOR THE USE OF THE LOT K PARKING LOT LOCATED AT 25 NORTH AMERICAN STREET, AND CONSIDERATION FOR APPROVAL OF ADDITIONAL OR ALTERNATIVE FUNDING SOURCES AND/OR LEASE AND LICENSE TERMS

Recommended Action: RECOMMENDATION

City Council Action

It is recommended that the City Council adopt a Resolution approving an amendment to the \$2,500,000 federal and state funded loan for the Cal Weber 40 project changing the borrower from DFA Development LLC to Cal Weber Associates LP.

Parking Authority Action

It is recommended that the Parking Authority adopt a Resolution:

1. Approving an amendment to the Air Rights Lease that changes the parties to the lease from the Council and DFA Development LLC to the Parking Authority and Cal Weber Associates LP, allows a longer lease period, and provides consistency with changes related to the License Agreement;
2. Approving a License Agreement between the Parking Authority and Cal Weber Associates LP for the use of the Lot K parking lot for a period of one year beginning March 15, 2015, for use as a construction staging area and for the construction of a parking deck above Lot K; and,
3. Authorizing the City Manager, or his designee, to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution.

Department: Economic Development

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

[Attachment B - Resolution 2014-06-24-1506](#)

[Attachment C - Rendering](#)

[Proposed Resolution - Council - Cal Weber 40 Amendment](#)

[Exhibit 1 to Council Resolution - Cal Weber 40 - Amended Loan Agreement](#)

[Proposed Resolution - Parking Authority - Cal Weber 40 Amendment](#)

[Exhibit 1 - Cal Weber 40 - Amended Air Lease Agreement](#)

[Exhibit 2 - Cal Weber 40 - License Agreement](#)

15. NEW BUSINESS

16. HEARINGS****

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

**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.

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.