

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY/PUBLIC FINANCING AUTHORITY/PARKING AUTHORITY
CONCURRENT
MEETING OF DECEMBER 17, 2019**

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

The CLOSED SESSION of the City Council of the City of Stockton scheduled for 4:00 PM was cancelled.

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

~~2. ADDITIONS TO CLOSED SESSION AGENDA~~

~~3. ANNOUNCEMENT OF CLOSED SESSION~~

~~3.1 19-6106 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION~~

~~Number of Cases: Nine~~

~~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)~~

~~Name of Case: Joseph Lee Green, et al. v. City of Stockton (San Joaquin County Superior Court Case No. STK-CV-UPI-2011-0014340)~~

~~Name of Case: Dionne Smith-Downs, et al. v. City of Stockton, Redevelopment Agency, et al. (United States District Court, Eastern District Case No. 2:10-CV-02495-CKD)~~

~~Name of Case: County of San Joaquin, et al. v. Purdue Pharma L.P., et al. (San Joaquin County Superior Court Case No. STK-CV-UBT-2017-0005325)~~

~~Name of Case: Juan Francisco Martinez v. County of Los Angeles, et al. (United States District Court, Eastern District Case No. 2:18-cv-00964-TLN-AC)~~

~~Name of Case: Kurt Wilson v. City Council of City 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.~~

Legislation Text

~~**3.2 19-6107 CONFERENCE WITH LABOR NEGOTIATOR**~~

~~Agency Designated Representative: Interim City Manager Laurie Montes~~

~~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~~

Legislation Text

~~**3.3 19-6108 PUBLIC EMPLOYEE APPOINTMENT, EMPLOYEE EVALUATION OF PERFORMANCE, DISCIPLINE, OR DISMISSAL:**~~

~~City Manager~~

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

Legislation Text

~~**3.4 19-6109 CONFERENCE WITH LEGAL COUNSEL POTENTIAL LITIGATION**~~

~~Number of Cases: Two~~

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

Legislation Text

~~3.5 19-6110 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).~~

Legislation Text

~~4. PUBLIC COMMENT*~~

~~5. RECESS TO CLOSED SESSION~~

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

Roll Call

Present:

Jesus Andrade
Paul Canepa
Christina Fugazi
Sol Jobrack
Susan Lenz
Michael Tubbs
Daniel Wright

7. INVOCATION/PLEDGE TO FLAG

The Pledge of Allegiance was led by Councilmember Jobrack. Bishop Rufus Turner of Victory in Praise provided the Invocation.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney John M. Luebberke announced that there was no Closed Session this evening

9. ADDITIONS TO REGULAR SESSION AGENDA***

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

None

11. CONSENT AGENDA

Approve the Consent Agenda with a single vote, save item 11.6 which was considered separately.

Moved by: Daniel Wright, seconded by Paul Canepa.

Vote: Motion carried 7-0

Yes: Jesus Andrade, Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Michael Tubbs, and Daniel Wright.

11.1 19-6040 INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES OF MEASURES A AND B REVENUES AND EXPENDITURES FOR YEAR ENDED JUNE 30, 2019

Motion 2019-12-17-1101 accepting the Independent Accountant's Report on Applying Agreed-Upon Procedures of Measures A and B Revenues and Expenditures for the Year Ended June 30, 2019.

Legislation Text

Attachment A - Measure A Independent Accountants Report FY 18-19

11.2 19-6041 REPORT ON COMPLIANCE WITH THE PROPOSITION 111 APPROPRIATION LIMIT (GANN LIMIT), THE CORE REVENUES REPORT, THE MEASURE M STRONG COMMUNITIES TAX FUND AUDIT, AND THE MEASURE W PUBLIC SAFETY TAX FUND AUDIT FOR THE YEAR ENDED JUNE 30, 2019

Motion 2019-12-17-1102 accepting the Report on Compliance with the Proposition 111 Appropriation Limit (Gann Limit), the Report of Agreed-Upon Procedures Applied to Core Revenues, the Measure M Strong Communities Tax Fund Audit, and the Measure W Public Safety Tax Fund Audit, for the year ended June 30, 2019.

Legislation Text

Attachment A - 2019 Proposition 111 Appropriation Limit - GANN Limit

Attachment B - 2019 Report of Agreed Upon Procedures - Core Revenues

Attachment C - 2019 Measure M Strong Communities Tax Fund Audit

Attachment D - 2019 Measure W Public Safety Tax Fund Audit

11.3 19-6071 PUBLIC FACILITY FEE ANNUAL REPORTS FOR FISCAL YEAR 2018-19

Motion 2019-12-17-1103 accepting the Public Facilities Fee Program Annual Reports for Fiscal Year 2018-19 (Attachment A) to comply with State reporting requirements.

The City Manager is authorized to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Legislation TextAttachment A - PFF Annual Financial Report FY19**11.4 19-6143 CONSOLIDATION OF THE 2020 PRIMARY AND GENERAL MUNICIPAL ELECTIONS****Resolution 2019-12-17-1104:**

1. Authorizing the City Clerk to call for and consolidate the March 3, 2020, primary municipal election and the November 3, 2020, general municipal election with the respective statewide direct primary and general elections;
2. Adopting a fee, as set by the San Joaquin Registrar of Voters, for the printing and handling of the Candidate's Statement of Qualifications;
3. Adopting the deadlines for filing of any direct arguments and rebuttal arguments as set by the San Joaquin Registrar of Voters, which deadlines shall coincide with the City Clerk's Office posted hours of operation for both the primary and general elections;
4. Authorizing the San Joaquin County Registrar of Voters to conduct the elections on behalf of the City of Stockton.

Legislation TextProposed Resolution - Ordering Consolidated Elections.docApproved Resolution 2019-12-17-1104**11.5 19-6009 2019 ANNUAL PROGRESS REPORT TO CONFIRM 200-YEAR URBAN LEVEL OF FLOOD PROTECTION FINDING FOR RECLAMATION DISTRICT 2042 AREA**

Motion 2019-12-17-1105 accepting the 2019 Annual Progress Report to confirm the 200-year urban level of flood protection adequate progress finding for the Reclamation District 2042 boundary area.

Legislation TextAttachment A - RD 2042 MapAttachment B - SB 5 OverviewAttachment C - 200-Year Floodplain MapAttachment D - 2019 Annual Progress Report**11.6 19-6011 INCREASE COMMUNITY DEVELOPMENT DEPARTMENT POSITIONS TO ADDRESS COUNCIL PRIORITIES AND AMEND THE FISCAL YEAR 2019-20 ANNUAL BUDGET**

Resolution 2019-12-17-1106:

1. Allocating five new Community Development positions; and
2. Appropriating \$411,000 in the Fiscal Year 2019-20 annual budget from Fund 048-Community Development Fund balance; and

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

Legislation Text

Proposed Resolution - Community Development Positions

Approved Resolution 2019-12-17-1106

Approve Resolution 2019-12-17-1106:

1. Allocating five new Community Development positions; and
2. Appropriating \$411,000 in the Fiscal Year 2019-20 annual budget from Fund 048-Community Development Fund balance; and

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

Moved by: Christina Fugazi , seconded by Sol Jobrack.

Vote: Motion carried 7-0

Yes: Jesus Andrade, Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Michael Tubbs, and Daniel Wright.

11.7 19-6126 AMEND THE PROFESSIONAL SERVICES MASTER AGREEMENT FOR ON-CALL PLANNING CONSULTING SERVICES WITH LAND LOGISTICS AND APPROVE FINDINGS FOR AN EXCEPTION TO THE COMPETITIVE BIDDING REQUIREMENT

Resolution 2019-12-17-1107:

1. Approving Amendment No. 1 to Professional Services Contract with Land Logistics for on-call strategic planning consultant services to increase the maximum compensation by \$60,000, for a revised total amount not to exceed \$101,692.50;
2. Approving findings that support an exception to the competitive bidding requirement pursuant to Stockton Municipal Code 3.68.070; and

The City Manager is authorized to take appropriate and necessary actions

to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - 2018 Professional Services Contract

Attachment B - 2019 Professional Services Contract

Attachment C - Permit Activity and Forecast

Proposed Resolution - Land Logistics Amendment

Exhibit 1 - Standard Agreement Amendment No. 1

Approved Resolution 2019-12-17-1107

11.8 19-5995 AUTHORIZE A CONTRACT WITH INDIGO ' HAMMOND + PLAYLE ARCHITECTS, LLP, FOR PHASE II, ARCHITECTURAL DESIGN AND ENGINEERING/CONSTRUCTION DRAWINGS FOR TENANT IMPROVEMENTS TO THE WATERFRONT TOWERS FOR THE RELOCATION OF CITY HALL

Motion 2019-12-17-1108:

1) Approving the findings and the execution of a contract with Indigo ' Hammond + Playle Architects, LLP, in the amount of \$1,392,900 for Phase II, architectural design and engineering/construction drawings for tenant improvements to the Waterfront Towers for the relocation of City Hall; and

2) Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Resolution - 2018-10-16-1105

Attachment B - Professional Services Agreement - Indigo

11.9 19-6122 ACCEPT AMENDMENT NO. 2 TO THE GALLAGHER BENEFIT SERVICES, INC. AGREEMENT

Motion 2019-12-17-1109:

1. Accepting Amendment No. 2 to the Gallagher Benefit Services, Inc. Agreement to extend Employee Navigator through 10/1/2020 for \$60,000; and

2. Modifying the original scope to incorporate the Employee Navigator as professional services under the Agreement, which shall be included in the extension if the option is exercised.

The City Manager is authorized to take all appropriate and necessary

actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Gallagher Benefits Services, Inc. Agreement

Attachment B - Amendment 1 - Gallagher Employee Navigator

Attachment C - Amendment 2 - Gallagher Employee Navigator

11.10 19-6072 APPROVE MOTION TO EXECUTE A THREE-YEAR AGREEMENT WITH FORENSIC TECHNOLOGY, INC. IN AN AMOUNT NOT TO EXCEED \$92,695

Motion 2019-12-17-1110:

1. Authorizing the City Manager to execute a three-year agreement with Forensic Technology, Inc. for its SafeGuard Warranty and Protection Plan, in an amount not to exceed \$92,695.
2. Approving findings pursuant to the Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
3. The City Manager is authorized and directed to make any and all expenditures and appropriations on behalf of the City as appropriate and necessary to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Forensic Technology Inc. Agreement

12. ADMINISTRATIVE MATTERS

None

13. UNFINISHED BUSINESS

None

14. NEW BUSINESS

14.1 19-6039 INDEPENDENT AUDIT OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2019, AND APPROVE A RESOLUTION AUTHORIZING A DEPOSIT INTO THE CITY OF STOCKTON PUBLIC AGENCY POST EMPLOYMENT BENEFITS TRUST

Legislation Text

Attachment A - FY 2018-19 CAFR

Powerpoint

Proposed Resolution - PARS Trust Deposit December 2019

Approved Resolution 2019-12-17-1401

Approve **Motion 2019-12-17-1401** approving the independent audit of the Comprehensive Annual Financial Report for the year ended June 30, 2019, and approving Resolution 2019-12-17-1402 authorizing a remittance to Public Agency Retirement Services (PARS) for deposit to the City of Stockton Public Agency Post Employment Benefits Trust (Trust).

Moved by: Susan Lenz, seconded by Daniel Wright.

Vote: Motion carried 7-0

Yes: Jesus Andrade, Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Michael Tubbs, and Daniel Wright.

14.2 19-6142 CONSIDERATION OF APPOINTMENT OF CITY COUNCILMEMBER

Legislation Text

Attachment A - District 4 Insufficient Candidates Publication

Proposed Resolution - Appointment of Councilmember

Approved Resolution 2019-12-17-1402

Approve the City Clerk Certification that there are not more candidates than offices to be elected, and;

Resolution 2019-12-17-1402 appointing incumbent Susan H. Lenz and removing District 4 from the ballot in the Primary and General Municipal Elections.

Moved by: Sol Jobrack, seconded by Christina Fugazi .

Vote: Motion carried 6-0

Yes: Jesus Andrade, Paul Canepa, Christina Fugazi , Sol Jobrack, Michael Tubbs, and Daniel Wright.

Recuse:Susan Lenz.

15. HEARINGS

15.1 19-6034 ISSUANCE AND SALE OF STOCKTON PARKING AUTHORITY REVENUE BONDS, DESIGNATED AS "SERIES 2020," IN AN AMOUNT NOT TO EXCEED \$30,000,000 TO REFUND THE INSTALLMENT SALE AGREEMENT, PARKING GARAGES AND DOWNTOWN PARKING DISTRICT FACILITIES (THE "2015

AGREEMENT") AND TO FURTHER FINANCE CAPITAL IMPROVEMENTS OF THE PARKING SYSTEM

Legislation Text

Attachment A - Description of Documents and Terms Used

Attachment B - Good Faith Estimates

Powerpoint

Proposed Resolution 1 - 2020 Parking Revenue Bonds

Proposed Resolution 2 - 2020 Parking Revenue Bonds

Exhibit 1 to Proposed Resos 1 and 2 - Indenture

Exhibit 2 to Proposed Resos 1 and 2 - Installment Purchase Agreement

Exhibit 3 to Proposed Resos 1 and 2 - Bond Purchase Agreement

Exhibit 4 to Proposed Resos 1 and 2 - Preliminary Official Statement

Exhibit 5 to Proposed Resos 1 and 2 - Associate Membership Agreement

Exhibit 6 to Proposed Resos 1 and 2 - Continuing Disclosure Certificate

Exhibit 7 to Proposed Reso 2 - Assignment Agreement - CFD Revenues

Proposed Resolution 3 - City Council - CFD Assignment Agreement

Exhibit 1 to Proposed Reso 3 - Assignment Agreement

Approved Public Financing Authority Resolution PFA 2019-12-17-1501

Approved Parking Authority Resolution PA 2019-12-17-1501

Approved Council Resolution 2019-12-17-1501

Approve Resolution of the Stockton Public Financing Authority PFA 2019-12-17-1501: Authorizing the issuance and sale of Parking Authority Revenue Bonds, Series 2020 in an aggregate principal amount not to exceed \$30,000,000; approving the form of an Indenture, an Installment Purchase Agreement, a Bond Purchase Agreement, a Preliminary Official Statement and an Associate Membership Agreement; and authorizing the taking of certain actions in connection therewith.

Resolution of the Stockton Parking Authority PA 2019-12-17-1501: Approving an Indenture, an Installment Purchase Agreement, a Continuing Disclosure Certificate, a Bond Purchase Agreement, a Preliminary Official Statement, a CFD Revenues Assignment Agreement and an Associate Membership Agreement; and authorizing the taking of certain actions in connection with the prepayment of the 2015 Installment Sale Agreement and the issuance by the Stockton Public Financing Authority of its Parking Revenue Bonds, Series 2020 in the aggregate principal amount not to exceed \$30,000,000.

Resolution of the City Council of the City of Stockton 2019-12-17-1501:

Approving the assignment of the special tax revenues of Community Facilities District No. 2001-1 (Downtown Parking) to the Parking Authority of the City of Stockton and a CFD Revenues Assignment Agreement; and authorizing the taking of certain actions in connection with respect therewith.

Authorizing Authorized Officers as specified to take any necessary and appropriate actions to carry out the purpose and intent of the resolutions.

Moved by: Jesus Andrade, seconded by Paul Canepa.

Vote: Motion carried 7-0

Yes: Jesus Andrade, Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Michael Tubbs, and Daniel Wright.

15.2 19-6098 TEFRA PUBLIC HEARING FOR THE GRAND VIEW VILLAGE APARTMENTS LOCATED AT 228, 240 AND 250 N. HUNTER STREET AND 241 N. SAN JOAQUIN STREET

Legislation Text

Attachment A - Vicinity Map

Powerpoint

Proposed Resolution - TEFRA - Grand View Village

Approved Resolution 2019-12-17-1502

Approve Resolution 2019-12-17-1502:

1. Approving the issuance of multifamily housing revenue bonds by the California Municipal Finance Authority for the benefit of VCOR Limited Partnership, a California limited partnership, to provide for the financing of the Grand View Village Apartments project in an amount not to exceed \$32,000,000, for the acquisition, construction, improvement and equipping of 75-unit rental housing facility for low-income households, to be located in Stockton at 228, 240 and 250 N. Hunter Street, and 241 N. San Joaquin Street.

Note: The bonds will not be a debt of the City, nor will they obligate the City in any way.

2. Authorizing the City Manager, or designee, to take actions that are necessary and appropriate to carry out the purpose and intent of the resolution.

Moved by: Daniel Wright, seconded by Christina Fugazi .

Vote: Motion carried 7-0

Yes: Jesus Andrade, Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Michael Tubbs, and Daniel Wright.

16. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

Martin Valero - cameras in home; videos released

Antwoine Guyton - homeless, needing a job

Melinda Kadow - use permit for Navy Drive

Rikki Kadow - use permit for Navy Drive

Bobby Bivens - housing discrimination, January 18th NAACP 5-10K run

17. COUNCIL COMMENTS

Councilmember Fugazi - Discover Academy Graduation; Community Foundation Gift of Giving; Congratulated Chief Edwards; warming fires; follow up on Cannabis tax revenue; holiday season, reach out to others

Councilmember Lenz - parking meters by the movie theater, extending timeframes; Waste Management to work with neighbors; thanked Councilmembers

Councilmember Canepa - congratulated Councilmember Lenz; toy give away; homelessness short term emergency housing; Happy Holidays

Mayor - congratulated Councilmember Lenz; Congratulated Fire Chief Edwards; Happy Holidays; thanked everyone; moment of silence for baby Kevin

18. ADJOURNMENT - 6:31 PM in memory of baby Kevin

INFORMATIONAL ITEMS

1. 19-6128 CITY OF STOCKTON BOARDS AND COMMISSIONS LOCAL APPOINTMENT LIST FOR CALENDAR YEAR 2020

This notice is given in compliance with the requirements of the Maddy Act, California Government Code Section 54970 et. seq.

This item is information only; No action taken.

Legislation Text

2020 Local Appointment List - Maddy Act

2. 19-6129 COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Information item only. No action taken

Legislation Text

Salary Setting Commission 2018-03-21

Climate Action Plan Advisory Committee 2018-09-20

Council Water Committe 2019-03-12

Council Water Committe 2019-04-11

Council Water Committe 2019-09-12



ELIZA R. GARZA, CMC
STOCKTON CITY CLERK