



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

Anthony Silva, Mayor/Chair
Christina Fugazi, Vice Mayor/Vice Chair (District 5)
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, July 21, 2015

4:00 PM

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

Closed Session 4:00 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 [15-1753](#) **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 [15-1765](#) **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 [15-1818](#) **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. 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. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.1 [15-1901](#) **PROCLAMATION: MEDICARE 50TH BIRTHDAY**

Recommended Action: RECIPIENTS: Margo Praus and Carol Bailey

Department: Office of the Mayor

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

12. CONSENT AGENDA

12.1 [15-1633](#) ADOPT ORDINANCE AMENDING SECTIONS OF TITLE 1 AND TITLE 10 OF THE CITY OF STOCKTON MUNICIPAL CODE CONCERNING PARKING ENFORCEMENT AND PARKING ENFORCEMENT OFFICERS

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt an Ordinance amending Sections of Title 1 and Title 10 of the City of Stockton Municipal Code to allow parking enforcement officers to enforce parking throughout the City of Stockton and clarify the authority of parking enforcement officers.

Department: Economic Development

Attachments: [Attachment A - Ordinance 2014-11-04-1201](#)

[Attachment B - Resolution 2015-01-27-1601](#)

[Attachment C - Ordinance - Redline Version](#)

[Proposed Ordinance - Parking Enforcement](#)

12.2 [15-1697](#) AN ORDINANCE AMENDING TITLE 15 OF THE STOCKTON MUNICIPAL CODE BY ADDING CHAPTER 15.78 TO EXPEDITE PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt an Ordinance amending Title 15 of the Stockton Municipal Code (SMC) to add Chapter 15.78 to expedite permitting procedures for small residential roof top solar systems.

Department: Community Development

Attachments: [Attachment A - Photovoltaic Checklist](#)

[Attachment B - Photovoltaic Installation Inspection Procedures](#)

[Proposed Ordinance - Amending Title 15](#)

12.3 [15-1707](#) ADOPT RESOLUTION TO APPLY FOR ELECTIVE COVERAGE OF STATE DISABILITY INSURANCE FOR MEMBERS OF THE MID-MANAGEMENT/SUPERVISORY LEVEL UNIT (B&C)

Recommended Action: RECOMMENDATION

It is recommended that the City Council: 1) Adopt a Resolution, in accordance with Mid-Management/Supervisory Level Unit (B&C) Memorandum of Understanding (MOU) Section 14.5 authorizing the City to apply for elective coverage of State Disability Insurance (SDI) for members of B&C, and 2) Provide the City Manager authority to execute the application for SDI, and take whatever actions are appropriate to carry out the implementation of SDI.

Department: Human Resources

Attachments: [Attachment A - Election Letter](#)
[Attachment B - EDD Application](#)
[Proposed Resolution - SDI Approval](#)

12.4 [15-1711](#) **ADOPT RESOLUTION TO APPROVE THE 2015 AMENDMENT TO THE REGIONAL TRAFFIC IMPACT FEE PROGRAM OPERATING AGREEMENT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution approving the 2015 Amendment to the Regional Traffic Impact Fee (RTIF) Program Operating Agreement.

Department: Public Works

Attachments: [Attachment A - Resolution 06-0169](#)
[Attachment B - SJCOG Board Staff Report](#)
[Attachment C - Agreement Revisions](#)
[Proposed Resolution](#)
[Exhibit 1 to Resolution](#)

12.5 [15-1733](#) **APPROVE PROFESSIONAL SERVICES CONTRACT WITH ALTA PLANNING & DESIGN FOR THE CITYWIDE SAFE ROUTES TO SCHOOL PLAN (PROJECT NO. PW1441/FEDERAL PROJECT NO. ATPLNI-5008(138))**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion authorizing the City Manager to execute a Professional Services Contract with Alta Planning & Design of Sacramento, California, in the amount of \$152,781.81, for the Citywide Safe Routes to School (SRTS) Plan (Project No. PW1441/Federal Project No. ATPLNI-5008(138)).

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

Department: Public Works

Attachments: [Attachment A - Caltrans Public Interest Finding](#)
[Attachment B - Professional Service Contract](#)

12.6 [15-1793](#) **ADOPT RESOLUTION OVERRULING PROTESTS, CONFIRMING ASSESSMENTS OF DELINQUENT CODE ENFORCEMENT CHARGES AND DIRECTING THE ASSESSMENTS BE PLACED ON THE COUNTY TAX ROLL**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution overruling protests, confirming the assessments of the delinquent charges listed in the "Delinquent Accounts 2015 Assessment List" (Exhibit 1) stemming from code enforcement actions, and directing the assessments be placed on the San Joaquin County tax roll.

Department: Police

Attachments: [Attachment A - Administrative Order](#)
[Proposed Resolution](#)
[Exhibit 1 - Delinquent Accounts 2015 Assessment](#)

12.7 [15-1833](#) **ADOPT A RESOLUTION APPROVING FINDINGS FOR AN EXCEPTION TO THE COMPETITIVE BID PROCESS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH LATHROP-MANTECA FIRE DISTRICT FOR THE PURCHASE AND ACQUISITION OF DISPATCH CONSOLES AND SUPPORT EQUIPMENT FOR STOCKTON FIRE DEPARTMENT EMERGENCY COMMUNICATIONS DIVISION**

Recommended Action: RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving findings which support and justify an exception to the competitive bidding process and authorizing the City Manager to enter into an Agreement with Lathrop-Manteca Fire District for the purchase, acquisition and installation of dispatch consoles and support equipment to replace existing equipment in City of Stockton's Fire Department Emergency Communications Division. Staff further recommends that Council authorize the City Manager to take the appropriate actions to carry out the purpose and intent of this resolution.

Department: Information Technology

Attachments: [Proposed Resolution - Agreement with Lathrop-Manteca Fire District](#)
[Exhibit 1 - Agreement with LMF to Procure Equipment](#)

12.8 [15-1836](#) **DESIGNATING VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD SEPTEMBER 30 - OCTOBER 2, 2015**

Recommended Action: RECOMMENDATION

It is recommended that the City Council by motion action designate Council Member Elbert Holman to serve as voting delegate and Council Member Moses Zapien as alternate representing the City at the League of California Cities Annual Conference to be held September 30 - October 2, 2015.

Department: City Council/Successor Agency to the Redevelopment Agency/Public Financing Authority/Parking AuthorityConcurrent

Attachments: [Attachment A - League of California Cities Correspondence](#)

12.9 [15-1862](#) **APPROVE RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STOCKTON AND THE STOCKTON FIREFIGHTERS' LOCAL 456 FIRE UNIT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt by Resolution the attached Stockton Firefighters' Local 456 Fire 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.

Department: Human Resources

Attachments: [Attachment A- Fire Unit MOU- Redlined](#)

[Proposed Resolution - Fire Unit MOU](#)

[Exhibit 1 - Fire Unit MOU](#)

12.10 [15-1866](#) **APPROVE AGREEMENT BETWEEN CITY OF STOCKTON AND COUNTY OF SAN JOAQUIN FOR PROPERTY TAX ALLOCATION UPON ANNEXATION AND DEFERRED ANNEXATION AGREEMENT FOR THE AIRPARK 599 PROJECT**

Recommended Action: RECOMMENDATION

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

1. the City Manager to execute an Agreement with the County of San Joaquin for Property Tax Allocation Upon Annexation (Exhibit 1); and
2. the City Manager to execute a Deferred Annexation Agreement with the County of San Joaquin for the Airpark 599 Project (Exhibit 2).

Department: Economic Development

Attachments: [Proposed Resolution - Tax Allocation](#)

[Exhibit 1 - Tax Allocation Agreement](#)

[Exhibit 2 - Deferred Annexation Agreement](#)

12.11 [15-1876](#) **APPROVAL OF CITY COUNCIL MINUTES**

Recommended Action: RECOMMENDATION

Approve minutes of the June 23, 2015 City Council Meeting.

Department: City Clerk

Attachments: [Attachment A - 2015-06-23 Minutes for Approval](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

**15.1 [15-1795](#) APPROVE STOCKTON ARTS COMMISSION RECOMMENDATION
OF TAMA BRISBANE AS THE CITY OF STOCKTON POET
LAUREATE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a motion approving a recommendation by the Stockton Arts Commission naming Tama Brisbane as the City of Stockton Poet Laureate for Fiscal Year (FY) 2015-2016. It is further recommended that the motion authorize the City Manager to take necessary actions to complete the intent of this motion including the execution of all necessary documents and agreements.

Department: Community Services

Attachments: [Attachment A - Scope of Service](#)

**15.2 [15-1856](#) RADIO EQUIPMENT INVENTORY REPORT - MOTOROLA RADIO
PURCHASES**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a motion to accept the recommendations presented in the City of Stockton Radio Equipment Inventory Report by Trott Communications Group Inc. (Trott Report); approve findings which support and justify an exception to the competitive bid process and authorize the use of the cooperative purchasing agreement with the Houston-Galveston Area Council for the purchase of Motorola radio equipment; authorize the purchase of Fiscal Year (FY) 2015-16 public safety radio system equipment from Motorola Solutions, Inc. in an amount not to exceed \$1,500,000; and authorize the City Manager to take appropriate actions to carry out the purpose and intent of the motion.

Department: Information Technology

Attachments: [Attachment A - Stockton Inventory Report 03-04-2015](#)
[Attachment B - Radio Replacement Schedule Graphs.pdf](#)
[Attachment C - HGAC Motorola Contract](#)
[Attachment D - Motorola Solutions - Delta Wireless Letter.pdf](#)
[Attachment E - Agreement COS - Delta Wireless](#)

15.3 [15-1797](#) **ADOPT RESPONSE TO THE 2014-2015 CIVIL GRAND JURY
REPORT FOR STOCKTON MUNICIPAL UTILITIES
DEPARTMENT: *STRUGGLING IN THE MUD*, CASE NO. 1412**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt by motion the City Council's Response to the 2014-2015 Civil Grand Jury Report for Investigating Case No. 1412 relating to the operations of Municipal Utilities Department (MUD); direct the City Manager to sign the response on behalf of the City Council and to transmit the response to the Presiding Judge of the San Joaquin County Superior Court.

Department: Municipal Utilities

Attachments: [Attachment A - 2014-2015 Grand Jury Report - Case No 1214](#)
[Attachment B - Response Letter Grand Jury Case No 1214](#)

16. HEARINGS****

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

1 [15-1726](#) **ANNUAL BOARD AND COMMISSION REPORT FOR THE MEASURE
A CITIZENS' ADVISORY COMMITTEE FOR THE PERIOD COVERING
JANUARY 1, 2014 THROUGH DECEMBER 31, 2014**

Report of Chair Joseph H. Johnson for the 12 month period ending December 31, 2014 for Committee review and acceptance to submit to the City Council.

Department: City Clerk

Attachments: [Measure A Report - Attendance](#)

2 [15-1841](#) **MEASURE W CITIZENS' OVERSIGHT COMMITTEE ANNUAL
REPORT OF REVENUES AND EXPENDITURES FOR FISCAL YEAR
2013-14**

Recommended Action: RECOMMENDATION

This item is informational only and does not require City Council action.

Department: Administrative Services

Attachments: [Attachment A - Measure W Annual Report for FY 2013-14](#)

**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.