

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY CONCURRENT
MEETING OF NOVEMBER 19, 2013**

COUNCIL CHAMBER - CITY HALL
425 N. EL DORADO ST, STOCKTON CA

1. CLOSED SESSION CALL TO ORDER/ROLL CALL (4:00 PM)

Roll Call

Present:

Councilmember Burgos Medina

Councilmember Holman

Councilmember Miller

Councilmember Tubbs

Councilmember Zapien

Vice Mayor Canepa

Absent:

Mayor Silva.

Note: Mayor Silva arrived to Closed Session at 4:15 p.m.

2. ADDITIONS TO CLOSED SESSION AGENDA

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 13-0895 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.

3.2 13-0896 CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: Interim 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.

3.3 13-0899 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).

3.4 13-0900 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: Two Based on existing facts and circumstances, there is significant exposure to litigation pursuant to Government Code Section 54956.9(c).

3.5 13-0898 CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: Teresia Zadroga-Haase City Manager This Closed Session is authorized pursuant to Section 54957.6(a) of the Government Code.

3.6 13-0897 PUBLIC EMPLOYEE APPOINTMENT

Title: City Manager This Closed Session is authorized pursuant to Government Code Section 54957.

4. PUBLIC COMMENT*

Tocan Nguyen shared her personal political views

5. RECESS TO CLOSED SESSION (4:06 PM)

The Council recessed to Closed Session at 4:06 p.m. The Council returned from Closed Session and recessed at 5:27 p.m.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL (5:32 PM)

Roll Call

Present:

Councilmember Burgos Medina
Councilmember Holman
Councilmember Miller
Councilmember Tubbs
Councilmember Zapien
Vice Mayor Canepa
Mayor Silva

7. INVOCATION/PLEDGE TO FLAG

Alexandria Contreras of Keys to Life Christian Fellowship provided the invocation. The Pledge of Allegiance was led by Vice Mayor Canepa.

Mayor Silva asked for a moment of silence for the victims of the typhoon that hit Philippines and acknowledged Stockton's Sister City Iloilo City, Philippines.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney John M. Luebberke announced that there was no reportable action taken during Closed Session this evening.

9. ADDITIONS TO REGULAR SESSION AGENDA**

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

Interim City Manager Kurt Wilson provided an update regarding the passage of Measures A and B.

Chief Jones spoke to police department efforts with regard to the passage of Measure A.

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

Arial Manchsen representing Alcoholics Anonymous (AA), shared personal political views

James Young requested that the City smooth sidewalks for wheelchair access; wished everyone a Happy Thanksgiving

David Garcia, Stockton Gateway Coalition requests the City's assistance with cleaning up the area and enforcing public intoxication laws at Center Street south of the Crosstown Freeway; is meeting with Councilmember Burgos Medina on November 20th (document filed)

Vincent Sayles shared his experience with rebounding; encouraged senior citizens to engage in more exercise

Tocan Nguyen spoke about Measure A and B; shared her personal political views

Deborah Gurley thanked the Council for the work done to clean up the south side; train station upgrade at Miner Street; invited the Council and public to the Martin Luther King Jr. celebration January 19, 2014 at 6:00 p.m. at the Civic Auditorium, and Youth Breakfast on January 20, 2014 at 7:00 a.m. (document filed)

[LINK TO: 2013-11-19 Council Meeting - Martin Luther King Jr. Event, D. Gurley \(filed\).pdf](#)

Joshua Lingard suggested using Measure A funds to expand web presence in the City in addition to hiring police officers

Carol Ornelas announced that Visionary Home Builders have applied for and was awarded tax credits of \$6.3 million towards an affordable housing building project to break ground in March 2014

Ramiro Reyes requested the removal of No Parking signs from in front of businesses along Martin Luther King Jr. Boulevard; suggested this would promote sales

tax revenue for the City

Cynthia Gail Boyd displayed a sign concerning bed bugs; spoke to the ongoing bed bug infestation at Franco Apartments; Housing Authority Board to meet November 20, at 4:00 p.m.; still waiting to meet with Councilmember Burgos

Trey Talaina, Carlos Owens, and Cristian Cecena Community Partnership for Families of San Joaquin shared their personal experiences of growing up; invited everyone to Winter function on December 13th (document filed)

[LINK TO: 2013-11-19 Council Meeting - Community Partnership Winter Event \(filed\).pdf](#)

Diana Buettner there is a Homeless Commission that will meet December 2, at 6:00 p.m., for more information contact Sharon Simas at 937-8499; encouraged the public to get involved to help solve Stockton's issues

12. CONSENT AGENDA

Council passed a motion to adopt the Consent Agenda with a single vote.

Moved by: Vice Mayor Canepa, seconded by Councilmember Zapien.

Vote: Motion carried 7-0

Yes: Councilmember Burgos Medina, Councilmember Holman , Councilmember Miller, Councilmember Tubbs, Councilmember Zapien, Vice Mayor Canepa, and Mayor Silva.

12.1 13-0746 APPOINTMENTS TO THE MEASURE W OVERSIGHT COMMITTEE

Resolution 2013-11-19-1201 appointing Reverend Dwight Williams, Paul Cavanaugh, and Tracie Graves to the Measure W Oversight Committee for terms commencing immediately and expiring on December 31, 2015.

[Legislation Text](#)

[Attachment A - Applications](#)

[Approved Resolution 2013-11-19-1201 - Appointments to Measure W Oversight Committee](#)

Note: A memorandum dated November 19, 2013 addressed to the Honorable Mayor and Councilmembers from City Clerk Bonnie Paige was distributed around the bench and included Resolution 2013-11-19-1201 which had not been included in the agenda packet. (filed)

[LINK TO: 2013-11-19 Council Meeting Around the Bench Memo re Item 12.01.pdf](#)

12.2 13-0844 PURCHASE OF ONE HYDRO-VAC SEWER CLEANING UNIT

Motion 2013-11-19-1202 to approve findings and authorize the purchase of one Hydro-Vac sewer cleaning unit through the City of Merced's contract with 3T

Equipment Company, Inc. of Santa Rosa, CA in the amount of \$343,148.27.

Legislation Text

Attachment A - Letter from City of Merced

Attachment B - Quote from 3T Equipment Company

12.3 **13-0846 ISSUANCE OF REQUEST FOR PROPOSAL FOR INVESTMENT AND RECORDKEEPING ADMINISTRATIVE SERVICES TO SUPPORT THE CITY'S DEFERRED COMPENSATION PLANS**

Motion 2013-11-19-1203 approving findings and authorizing the City Manager to issue a Request for Proposal (RFP) for administrative services for the City's 457(b) and 401(a) Deferred Compensation plans, as an exception to the competitive bidding process.

Legislation Text

12.4 **13-0880 AMENDMENT TO THE SUTTER STREET APARTMENTS REHABILITATION LOAN WITH VISIONARY HOME BUILDERS TO INCREASE THE LOAN BY \$150,000 USING HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDING**

Motion 2013-11-19-1204 approving the following:

1. An amendment to the loan between the City of Stockton and Visionary Home Builders of California to increase the loan for the rehabilitation of the Sutter Street Apartments, located at 1120 North Sutter Street, by \$150,000; and
2. Authorizing the City Manager, or his designee, to execute all documents and take all necessary and appropriate actions to carry out the purpose and intent of the motion.

Legislation Text

Attachment A - Vicinity Map

Attachment B - Amendment to the Loan Agreement

Attachment C - Amendment to the Regulatory Agreement

Attachment D - Amended and Restated Promissory Note

Attachment E - Amended and Restated Deed of Trust

12.5 **13-0907 AWARD CONSTRUCTION CONTRACT TO STOCKTON FENCE AND MATERIALS COMPANY, INC. FOR ELECTRIC POWER GATES AT FIRE STATIONS #2 AND #4, PROJECT NO. 13-22**

Motion 2013-11-19-1205 adopting the specifications, and authorizing the City

Manager to execute a Construction Contract in the amount of \$39,698 to Stockton Fence and Materials Company, Inc., of Stockton, CA, for the Electric Power Gates at Fire Stations #2 and #4, Project No. 13-22.

Legislation Text

Attachment A - Vicinity Map

Attachment B - Contract with Stockton Fence and Materials Company, Inc.

12.6 13-0968 2014 CITY COUNCIL/SUCCESSOR AGENCY/STOCKTON PUBLIC FINANCING AUTHORITY MEETING CALENDAR

Motion 2013-11-19-1206 adopting the City Council, Successor Agency, and Stockton Public Financing Authority 2014 Concurrent City Council/Successor Agency/Stockton Public Financing Authority Meeting Calendar.

Legislation Text

Attachment A - 2014 Meeting and Closed Days Calendar

12.7 13-1000 APPROVE CITY-COUNTY COOPERATIVE AGREEMENT FOR BENJAMIN HOLT DRIVE AT PACIFIC AVENUE CROSSWALK INSTALLATION

Motion 2013-11-19-1207 authorizing the City Manager to execute a Cooperative Agreement between the City of Stockton (City) and San Joaquin County (County) related to the City's participation of \$41,830 toward installation of a crosswalk on Pacific Avenue at Benjamin Holt Drive.

Legislation Text

Attachment A - Project Area Map

Attachment B - City-County Cooperative Agreement

12.8 13-0976 APPROVAL OF MINUTES

Motion 2013-11-19-1208 approving the minutes of the October 22, 2013 City Council/ Successor Agency to the Redevelopment Agency/Public Financing Authority Concurrent meeting; and, minutes of the November 2, 2013 Special City Council Closed Session meeting.

Legislation Text

Minutes - October 22, 2013 City Council Meeting

Minutes - November 2, 2013 Special City Council Meeting

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

15.1 13-0840 CREATE TWO NEW CLASSIFIED/REPRESENTED CLASSIFICATIONS FOR THE COMMUNITY DEVELOPMENT DEPARTMENT

Legislation Text

Proposed Resolution - Creating New Classified Positions

Approved Resolution 2013-11-19-1501 - Creating New Classified Positions

Councilmember Holman spoke to the Urban Land Institute study bringing attention to the need for updated front counter processes

Councilmember Miller thanked staff for work done; questioned how many staff could be cross trained and eager to stay with organization

Councilmember Tubbs thanked staff for work done

Councilmember Burgos Medina thanked staff for improvements made

Motion adopting Resolution 2013-11-19-1501 creating two new classified/represented classifications and establishing the salary range for Community Development Technician and Senior Community Development Technician.

Moved by: Councilmember Burgos Medina, seconded by Vice Mayor Canepa.

Vote: Motion carried 7-0

Yes: Councilmember Burgos Medina, Councilmember Holman , Councilmember Miller, Councilmember Tubbs, Councilmember Zapien, Vice Mayor Canepa, and Mayor Silva.

16. HEARINGS***

None

17. COUNCIL COMMENTS

Vice Mayor Canepa thanked HOPE Ministries and other community efforts, sponsored well organized food giveaway at the Civic Auditorium; Leadership Stockton sponsored Pins for the Park bowling fundraiser for Fremont Park and raised \$35,000

Councilmember Burgos Medina acknowledged students present and encouraged

leadership roles; attended Cal Water food voucher giveaway; thanked Elena Kelly for putting Stockton on the front lines for human rights with Transgender Day of Remembrance; El Concilio 45th Anniversary; Welcome Home Resource Fair November 27, Downtown; free Tune in Tune Up smog event, November 23, at Stockton Fairgrounds

Councilmember Zapien informed citizens about the free legal clinic November 20, 4:30-5:30 at Kress Legal Center; congratulations to Councilmember Holman for NAACP Award

Councilmember Miller spoke to the League of California Cities report to the Council; results of all local tax revenue measures voted on in the State (reports available in the City Manager's office)

Councilmember Tubbs attended an event sponsored by the Black Catholic Alliance, Diocese of Stockton, group, known as "SISTAHS" on November 8th, met guest speaker Immaculee Ilibagiza, a New York Times best-selling author who survived the Rwandan Holocaust; last week was Hmong New Year; Happy Veteran's Day to all Veterans; thanks to the PHI BETA KAPPA fraternity, he was made an honorary member; congratulated Councilmember Holman and other community activists being honored this Saturday at the NAACP event; acknowledged the students; happy Thanksgiving to all; thanked those involved in Project Ceasefire

Councilmember Holman thanked Cal Water for the food voucher event; spoke to being awarded by the NAACP and congratulated the others who are also being awarded; expressed pride in Police Department and community involvement

Mayor Silva thanked the Servants of Christ and HOPE Ministries for the turkey giveaway; attended the Hmong New Year celebration; thanked Sharon Simas for her work over the past eleven months; recent launch of Truth About Drugs Program; congratulated Councilmember Zapien on his appointment as President of the San Joaquin County Bar Association; Disclosure Statement gained approval in bankruptcy court; spoke to hiring of police officers; encouraged citizens to vote; thanked Interim City Manager Kurt Wilson for the work he is doing; attended the Manteca Unified School District and City of Stockton 2x2 meeting; called for help with the water hyacinth clean up; need better results with the homeless situation; spoke to the press release regarding the City Manager search, opposed moving on to a new recruitment until the Charter language can be clarified

18. ADJOURNMENT (6:50 PM)



BONNIE PAIGE, CMC
CITY CLERK OF THE CITY OF STOCKTON