

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF APRIL 7, 2015

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL (4:02 PM)

Roll Call

Present:

Christina Fugazi

Elbert Holman

Susan Lofthus

Michael Tubbs

Moses Zapien

Anthony Silva

Absent:

Daniel Wright.

Councilmember Wright arrived to Closed Session at 4:06 pm

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 15-1551 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 15-1552 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.

3.3 15-1396 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

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

3.4 15-1553 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).

3.5 15-1589 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Number of Parcels: Two

Address: 2441 West Charter Way, Stockton, CA
APN: 163-340-09 and 163-330-04, 05
Owner: Heitman Holdings, Inc.

Address: 2501 Navy Drive, Stockton, CA
APN: 163-320-01
Owner: City of Stockton

Agency Negotiators: Micah Runner, Economic Development Director
Joe Mulligan, Senior Real Property Agent

Under Negotiation: Price and Terms

This Closed Session is authorized pursuant to Section 54956.8 of the Government Code.

4. PUBLIC COMMENT*

Tocan Nguyen - shared her personal political views

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:07 pm. The Council returned from Closed Session and recessed at 4:45 pm.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL (5:30 PM)

Roll Call

Present:

Christina Fugazi

Elbert Holman

Susan Lofthus

Michael Tubbs

Moses Zapien

Anthony Silva

Daniel Wright

7. INVOCATION/PLEDGE TO FLAG

Pastor Tony Byrd of Second Baptist Church provided the Invocation. A student led the Pledge of Allegiance.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

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

9. ADDITIONS TO REGULAR SESSION AGENDA**

None

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.1 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin - Special Youth Recognition Award

RECIPIENT - James Rankins, Chavez High School Athlete

10.2 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin, Special Youth Recognition Award

RECIPIENT - Eugene Parrish

Eugene Parrish - spoke to community service

10.3 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin - Woman of Color Award

RECIPIENT - Parlisha Watts-Andrews, Gospel Singer, Dance Instructor, and Public Speaker

Parlisha Watts-Andrews - spoke to community service

10.4 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin - A Lifetime Service to the Black Chamber

RECIPIENT - Ms. Paulette Amous Gross

10.5 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin - Woman of Color Award

RECIPIENT - Patricia Miller, Senior Community Service Officer at City of Stockton

10.6 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin - Woman of Color Award

RECIPIENT - Dr. Ines Ruiz-Huston, Latino/a Community Outreach Coordinator at University of the Pacific

10.7 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin - Man About Town Award

RECIPIENT - Tom Patti, Delta Cranes Equipment

Tom Patti - spoke to community participation in Council meetings

10.8 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin - Man About Town Award

RECIPIENT - Benjamin J. Reddish, Jr., Co-President Transitional Careers and Management Services, Mentor, Student Counselor, Co-Founder-Esquire Club, Inc.

Benjamin Reddish, Jr - spoke to involvement in community

10.9 PROCLAMATION - National Public Safety Telecommunications Week - April

12- 18, 2015

RECIPIENTS - Stockton Police Department and Stockton Fire Department

Richard Luttrell, Dispatch Center Manager - thanked community for the opportunity to serve

Robert Applegate, Police Telecommunications Supervisor - spoke to Stockton Police Department Telecommunications Center

10.10 CERTIFICATE OF RECOGNITION - Constant devotion to public safety dispatching, consistent excellence in customer service, and the continued pursuit of our goal of protecting life and property, while maintaining the highest level of professionalism

RECIPIENTS - Employees of the Stockton Police and Fire Departments Telecommunication Divisions

10.11 PROCLAMATION - Sexual Assault Awareness Month, April 2015

RECIPIENT - Joelle Gomez, CEO Women's Center, Youth and Family Services

Kathleen Serna, accepting Proclamation on behalf of Joelle Gomez - spoke to Sexual Assault Awareness; April 17th Take Back the Night Event; April 29th Denim Day

10.12 PROCLAMATION

RECIPIENT - Reverend Dr. Willie Douglas

Reverend Dr. Willie Douglas, African American Chamber of Commerce of San Joaquin, Vice- President - spoke to service; thanked the community for the recognition; called the Acting President of the African American Chamber of Commerce to speak

Brandie Owusu-Spencer, African American Chamber of Commerce of San Joaquin, Acting President - thanked the community for recognition, spoke to direction of community

10.13 PROCLAMATION - National Library Week, April 12-18, 2015

RECIPIENT - John Alita, Community Services Department Director and Suzy Daveluy, Community Services Deputy Director/City Librarian

John Alita, Community Services Director - spoke to community library support, introduced newly appointed Deputy Director Suzy Daveluy; thanked community for recognition

10.14 CERTIFICATE OF RECOGNITION

RECIPIENT - Gwendolyn Primous

Gwendolyn Primous - thanked Council, spoke to personal vision and triumphs

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote, save items 12.2 and 12.3 which were considered separately.

Moved by: Elbert Holman, seconded by Christina Fugazi .

Vote: Motion carried 7-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Moses Zapien, Anthony Silva, and Daniel Wright.

12.1 15-1484 APPROVE AGREEMENT WITH ALFA LAVAL, INC. TO REBUILD A BELT FILTER PRESS AT THE REGIONAL WASTEWATER CONTROL FACILITY

Motion 2015-04-07-1201 approving findings for an exception to the competitive bid process and authorizing an agreement in the amount of \$252,000 with Alfa Laval, Inc. of Houston, Texas to rebuild a belt filter press at the Regional Wastewater Control Facility. It is further recommended that the City Manager be authorized to take appropriate action to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Contract with Alfa Laval

12.2 15-1502 2014 ANNUAL REPORT FOR THE STOCKTON TOURISM BUSINESS IMPROVEMENT DISTRICT

Legislation Text

Attachment A - Resolution 2015-01-13-1205 - 2015 Annual Service Plan

Attachment B - 2014 Annual Report of Activities

Attachment C - 2014 Financial Report

Attachment D - Resolution 2014-11-04-1601-01

Michael Harris - spoke to funding for tourism; marketing Stockton

Approve **Motion 2015-04-07-1202** approving the 2014 Annual Report for the

Stockton Tourism Business Improvement District.

Moved by: Elbert Holman, seconded by Daniel Wright.

Vote: Motion carried 7-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Moses Zapien, Anthony Silva, and Daniel Wright.

12.3 15-1510 LONG RANGE PROPERTY MANAGEMENT PLAN

Legislation Text

Attachment A - Property Management Plan

Attachment B - Council Resolution No. 11-0251

Proposed Successor Agency Resolution - LRPMP

Approved Resolution SRD 2015-04-07-1203

Michael Harris - provided study from Black History Month; sale of City property of historical significance

Document Filed by Michael Harris

Former Redevelopment Agency of the City of Stockton (Successor Agency) Action

Approve **Resolution SRD 2015-04-07-1203** recommending that the Stockton Successor Agency Oversight Board (Oversight Board) approve the Long Range Property Management Plan (LRPMP).

Moved by: Daniel Wright, seconded by Moses Zapien.

Vote: Motion carried 7-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Moses Zapien, Anthony Silva, and Daniel Wright.

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.15 CERTIFICATE OF RECOGNITION - African American Chamber of Commerce & Foundation of San Joaquin - Man About Town Award

RECIPIENT - Louis Johnson, University of Pacific Student, Mentor, Activist

Louis Johnson - spoke to work he has completed in Stockton; future plans;

thanked Councilmember Tubbs for his mentorship

12.4 15-1541 AGREEMENT FOR LEGAL SERVICES WITH JONES HALL

Resolution 2015-04-07-1204 approving an Agreement for Legal Services with Jones Hall.

Legislation Text

Proposed Resolution - Legal Services Agreement with Jones Hall

Exhibit 1 - Legal Services Agreement

Approved Resolution 2015-04-07-1204

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

Gary Malloy - supported reduction of Mayor's salary; did not support changing salary in the middle of a term; opposed healthcare benefits for the Council

James Saunders - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

James Clark - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Norm Cassin - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Toby Beach -spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Eric Parsons - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Melissa Michael - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Tom Zanutto - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Rudy Quinones - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Henry Torres - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Loren Celestine - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Mike De Anda - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Chris DeVore - spoke to personal experience as a Municipal Utilities Department (MUD) worker; contract negotiations

Michael Eggener - spoke to experience with Municipal Utilities Department (MUD) workers and contract negotiations.

Robert Granados, Retired Stockton Police Officer - spoke to health benefits; council wages

Gwendolyn Primous, Dome of Hope - spoke to acquiring the property between 9th & 8th street for the Dome of Hope organization; supported low income housing

Ramiro Reyes - supported maintaining Mayor's salary at current level; Flamingo Club

Tocan Nguyen - spoke to Municipal Utilities Department; water quality; supported 50% cut in pay for Council; employee health benefits

Joe Ventura Jr. - spoke in support of the Stockton Police Department; expressed concern over recent new report on recall for new police vehicles; asked for increased patrol at West Lane Plaza; supports Chief Jones

Anthony Burgher - urged staff to read Department of Justice reports; spoke in support of Community Policing

Vincent Sayles - shared religious beliefs; exercise regimen

David Bregante - spoke to flow of traffic on North El Dorado Street; favored reducing speed limit

Roy Hoggard - shared information regarding the drought

Lerelene Taylor - spoke to candlelight vigil for Madison Market victims on May 15th

James Young - shared Easter celebration experience

Judy Bowen - shared experience of hardship

Jordan Mitchell, Community Partnership for Families of San Joaquin - invited Council to upcoming event

15. NEW BUSINESS

15.3 15-1529 RECOMMENDATIONS OF THE CITY COUNCIL SALARY SETTING COMMISSION TO ADOPT ORDINANCES AMENDING TITLE 2, CHAPTER 2.08 OF THE STOCKTON MUNICIPAL CODE TO SET THE SALARIES AND BENEFITS FOR THE MAYOR AND CITY COUNCIL OF THE CITY OF STOCKTON FOR THE PERIOD BEGINNING JULY 1, 2015, IN ACCORDANCE WITH ARTICLE IV, SECTION 410 OF THE CITY CHARTER

Legislation Text

Attachment A - Salary Setting Commission Recommendation Memo

Attachment B - Redline Changes Sec 2-08-010

Attachment C - Redline Changes Sec 2-08-050

Proposed Ordinance - Amending Section 2-08-010

Proposed Ordinance - Amending Section 2-08-050

Powerpoint Presentation

Marcie Bayne - expressed concern that the Commission met insufficient time to make a decision to reduce salary; Salary Commission Meetings were not held at a time conducive to public attendance; opposed health benefits for Council Members; supported returning the recommendation back to the Salary Setting Commission

Ralph White - opposed use of Mayor's salary reduction to cover health benefit costs; favored maintaining the Mayor's current salary; supported sending the recommendation back to the Salary Setting Commission

Dale Stocking, Concerned Citizen Coalition - spoke to changes made to Article IV, SEC 410 of the Charter; noted specific statements in 410; noted Mayor Johnston did not take salary increases tied to County Supervisor's salary; spoke to timeframe for Council and Mayor salary change; noted Charter wording for proceeding to vote on Item 15.3

Anthony Burgher - spoke to the Salary Setting Commission's recommendation's impact to the General Fund; fiscal responsibility

Kathleen Gapusan - clarification regarding Salary Setting Commission meeting time frame

Ralph White - spoke in favor of sending the recommendation back to the Commission

Approve **Motion 2015-04-07-1503** returning recommendation to Salary Setting Commission for validation of numbers presented

Moved by: Christina Fugazi , seconded by Daniel Wright.

Vote: Motion carried 5-2

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Anthony Silva, and Daniel Wright.

No: Michael Tubbs, and Moses Zapien.

15.1 15-1368 ACCEPT THE ANNUAL ACTUARIAL REPORT ON THE CITY'S SELF-FUNDED MEDICAL PLANS AND ADOPT BY MOTION THE RECOMMENDATIONS OF THE SEGAL COMPANY FOR PREMIUM RATES FOR 2015/2016

Legislation Text

Attachment A - FINAL Actuary Report

Powerpoint Presentation

Approve **Motion 2015-04-07-1501** accepting the annual Actuarial report for the City's self-funded medical, dental, and vision plans for the period ending June 30, 2014, as presented in the Segal Company report dated March 26, 2015, and adopt by motion the recommended monthly premium rates for the City's current self-funded health plans and the fully-insured Kaiser medical plan for fiscal year 2015-2016 (effective July 1, 2015) for medical coverage offered to City employees and retirees (Attachment A).

Moved by: Elbert Holman, seconded by Moses Zapien.

Vote: Motion carried 7-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Moses Zapien, Anthony Silva, and Daniel Wright.

15.2 15-1472 ACCEPT PACIFIC GAS & ELECTRIC REBATE FUNDS, APPROVE PURCHASE OF LED STREET LIGHT LUMINARIES WITH JAM SERVICES, INC. FOR THE PHASE 2 STREET LIGHT CONVERSION, AND APPROVE CONTRACT CHANGE ORDER NO. 2 WITH NET ELECTRIC, INC. FOR THE

CITYWIDE ARTERIAL ROADWAY - LED STREET LIGHTS (PW1430)

Legislation Text

Attachment A - Vicinity Map of Phase 1 LED Street Light Conversion

Attachment B - Vicinity Map of Phase 2 LED Street Light Conversion

Attachment C - Agreement with JAM Services for LED Street Light Conversion

Attachment D - Contract Change Order No. 2

Proposed Resolution - LED Street Light Conversion

Powerpoint Presentation

Approved Resolution 2015-04-07-1502

Approve **Resolution 2015-04-07-1502**:

1. Accepting rebate funds totaling approximately \$389,000 from the Pacific Gas & Electric (PG&E) LED Street Light Rebate Program and the Fiscal Year 2014-15 Budget shall be amended to appropriate the amount of \$389,000 to the Citywide Arterial Roadway – LED Street Lights (PW1430), Fund 301.
2. Authorizing the purchase of 2,108 light emitting diode street light luminaires in the amount of \$420,482.76, through a sole source contract with JAM Services, Inc., of Livermore, CA, pursuant to Stockton Municipal Code section 3.68.070 (B), because the cost is lower than the previous low price available through the cooperative purchase agreement and the cost estimates received from two other suppliers. Additionally, JAM Services, Inc. has provided excellent, timely delivery of services to date and the applicable deadlines provided by PG&E regarding the remaining availability of the rebates necessitate moving forward as soon as possible with the purchase of these materials in order to secure the highest cost savings for the City.
3. Executing a Contract Change Order in the amount of \$123,300 with Net Electric, Inc., of San Leandro, CA, for additional contract work for the 2014 LED Arterial Street Light Conversion (PW1430).
4. Taking whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

Moved by: Christina Fugazi , seconded by Susan Lofthus.

Vote: Motion carried 7-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Moses

Zapien, Anthony Silva, and Daniel Wright.

16. HEARINGS****

None

17. COUNCIL COMMENTS

Councilmember Wright - expressed appreciation for selection of Suzy Daveluy for Community Services Deputy Director; expressed Congratulations

Vice Mayor Fugazi - thanked Councilmembers who attended McKinley Park event; Easter Sunrise Service; Mid-Town Neighborhood Group events 4pm April 9 at El Dorado School, April 11th at 1pm; National Transportation Infrastructure Day 10am April 9th, RTD tour; increase in RTD ridership; Maya Angelou Library Postal Stamp Dedication April 11 at 11am

Councilmember Tubbs - thanked all who attended McKinley Park event; April 25th 9:30am to 3pm South Stockton Summit at the Fairgrounds; Fathers and Families All America City application, Stockton one of 15 finalists; visit to Washington D.C.; April 11th, Opportunity Nation Summit at the Dorothy Jones Center

Vice Mayor Fugazi - Sikh Parade April 12th on Grant Street; Asparagus Festival April 17-19th; Cal-Mex 60th Anniversary Opening Game 12pm April 19th at Stribley Park

Mayor Silva - April 10th and 11th 7pm to 1:30 am, Cambodian New Years at Asia Palace

Councilmember Holman - noted upcoming absence for himself and Councilmember Zapien at April 21st Council Meeting due to attendance at One Voice event in Washington D.C.

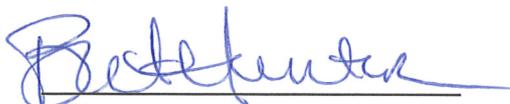
10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.16 PROCLAMATION - California Safe Digging Month - April 2015

RECIPIENTS - Dillon George

Dillon George - thanked Council for recognition; spoke to Safe Digging procedure; call 811 before digging

18. ADJOURNMENT (8:55 PM)


for **BONNIE PAIGE, CMC**
CITY CLERK, CITY OF STOCKTON