

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY/PUBLIC FINANCING AUTHORITY/PARKING AUTHORITY
CONCURRENT - REVISED
MEETING OF JULY 14, 2020**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 4:30 PM

Roll Call

Present:

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

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 20-6797 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Eight 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: Police Officer George Camacho (Workers' Compensation Appeals Board Case Nos. ADJ12821752 and ADJ12821752) Name of Case: City of Stockton v. San Joaquin County Emergency Medical Services Agency (San Joaquin County Superior Court Case No. STK-CV-UWM-2020-04909) Name of Case: Joseph Green, et al. v. City of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UPI-2011-14340) Name of Case: Kurt Wilson v. City Council 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 20-6799 CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: City Manager Harry Black
 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 20-6801 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

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

Legislation Text

3.4 20-6803 CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

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

Legislation Text

4. PUBLIC COMMENT

None

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:31 PM. The Council returned from Closed Session and recessed at 4:41 PM.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:30 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 Canepa.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

Assistant City Attorney Lori Asuncion reported that there was no reportable action taken in Closed Session this evening.

9. ADDITIONS TO REGULAR SESSION AGENDA

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

None

11. CONSENT AGENDA

Approve the Consent Agenda except for item 11.2, which was considered separately.

Moved by: Paul Canepa, 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.

11.1 20-6847 APPROVAL OF CITY COUNCIL MINUTES

Motion 2020-07-14-1101: approving the minutes from the special City Council meetings of June 10, 2020, June 11, 2020 and the City Council meeting of June 23, 2020

Legislation Text

Attachment A - 2020-06-10 Minutes for Approval -Special

Attachment B - 2020-06-11 Minutes for Approval -Special

Attachment C - 2020-06-23 Minutes for Approval

11.2 20-6837 ADOPT THE FISCAL YEAR 2020-21 INTERNAL AUDIT PROGRAM

Legislation Text

Attachment A - FY 2020-21 Internal Audit Program

Approve **Motion 2020-07-14-1102** adopting the Fiscal Year (FY) 2020-21 Internal Audit Program as recommended by the Council Audit Committee after removing TBD Efficiency Study (\$45,000) and Contingency (\$25,000) from the Potential FY 20-21 Internal Audit Projects.

Moved by: Susan Lenz, 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.

11.3 20-6544 UPDATED SPHERE OF INFLUENCE PLAN/MUNICIPAL SERVICE REVIEW REPORT FOR SUBMITTAL TO THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION

Resolution 2020-07-14-1103:

1. Accepting the updated Sphere of Influence/Municipal Service Review (SOI/MSR) Report for submittal to the San Joaquin Local Agency Formation Commission (LAFCO) consistent with State Law; and
2. Authorizing the City Manager to file an application for the Stockton Sphere of Influence/Municipal Service Review Report with LAFCO.

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

Legislation Text

Attachment A - General Plan Map

Proposed Resolution - 2020 SOI-MSR Update

Exhibit 1 - SOI-MSR

Approved Resolution 2020-07-14-1103

11.4 20-6617 AMENDMENT TO UPDATE STANDARD CONDITIONS APPLICABLE TO REVOCABLE PERMITS

Resolution 2020-07-14-1104:

1. Approving an amendment to the Standard Conditions Applicable to Revocable Permits to modify and update conditions; and

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

Legislation Text

Attachment A - 00-0554 Resolution

Attachment B - Proposed Amendment (Redline)

Proposed Resolution

Exhibit 1 - Proposed Amendment

Approved Resolution 2020-07-14-1104

11.5 20-6718 FINAL MAP AND SUBDIVISION AGREEMENT FOR BD HOMES PROJECT

Resolution 2020-07-14-1105:

1. Approving the final map for BD Homes, Tract No. 4034.
2. Authorizing the City Manager to execute the subdivision agreement, accept on behalf of the public all offers of dedication, and record the final map for BD Homes, Tract No. 4034.

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

Legislation Text

Attachment A Vicinity Map

Proposed Resolution

Exhibit 1 BD Homes Subdivision Agreement

Exhibit 2 Final Map

Approved Resolution 2020-07-14-1105

11.6 20-6712 APPROVE THE ALLOCATION OF 94 LOW-INCOME HOUSING UNITS TO VISIONARY HOME BUILDERS OF CALIFORNIA PURSUANT TO ARTICLE XXXIV OF THE CALIFORNIA CONSTITUTION

Resolution 2020-07-14-1106:

1. Approving the allocation of 94 low-income housing units to Visionary Home Builders of California's La Passeggiata Apartments project pursuant to Article XXXIV of the California Constitution.
2. Authorizing the City Manager, or designee, to take all necessary and

appropriate actions to carry out the purpose and intent of this Resolution.

Legislation Text

Proposed Resolution - Article 34

Approved Resolution 2020-07-14-1106

11.7 20-6679 AUTHORIZE THE THIRD AMENDMENT TO THE DOWNTOWN INFRASTRUCTURE INFILL INCENTIVE REIMBURSEMENT AGREEMENT WITH OPEN WINDOW PROJECT, LLC, PHASE I

Resolution 2020-07-14-1107:

1. Authorizing the Third Amendment to the Downtown Infrastructure Infill Incentive Reimbursement Agreement with Open Window Project, LLC, Phase I, to reduce the total reimbursement amount to \$4.95 million; and

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

Legislation Text

Attachment A - Reso 2016-10-18-1204

Attachment B - Reso 2017-05-09-1103

Attachment C - Reso 2017-10-03-1402

Attachment D - Reso 2019-07-30-1406

Attachment E - Revised Project Description

Proposed Resolution - Open Windows Agmt - 3rd Amendment

Exhibit 1 - 3rd Amendment

Approved Resolution 2020-07-14-1107

11.8 20-6687 APPROVE RESOLUTION OVERRULING PROTESTS, CONFIRMING ASSESSMENT OF DELINQUENT CODE ENFORCEMENT CHARGES, AND DIRECTING THE ASSESSMENTS BE PLACED ON THE SAN JOAQUIN COUNTY TAX ASSESSOR'S ROLL

Resolution 2020-07-14-1108: overruling protests and confirming the assessment of the delinquent charges listed in the "Delinquent Accounts 2020 Assessment List" stemming from code enforcement actions against the affected properties, and directing the assessments be placed on the San Joaquin County Tax Assessor's Roll.

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

Legislation Text

Attachment A - Admin Order for 2020 Assessment

Proposed Resolution - 2020 Assessment

Exhibit 1 - Delinquent Accounts 2020 Assessment

Approved Resolution 2020-07-14-1108

The following person spoke to the item - Mark Stebbins

11.9 20-6790 APPROVE RESOLUTION ACCEPTING A CORONAVIRUS SUPPLEMENTAL FUNDING PROGRAM GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, IN THE AMOUNT OF \$972,181

Resolution 2020-07-14-1109:

1. Authorizing the City Manager to accept a Coronavirus Emergency Supplemental Funding grant award allocation from the United States Department of Justice, Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) in the amount of \$972,181; and
2. Authorizing the City Manager to execute all grant award documents as required by the Bureau of Justice Assistance and accept applicable terms and conditions; and
3. Amending the Fiscal Year (FY) 2019-20 Annual Budget to increase the Police Grants & Special Programs revenue and expenditure appropriation by \$972,181; and
4. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Legislation Text

Proposed Resolution - 2020 DOJ BJA CESF Grant

Exhibit 1 - 2020 DOJ BJA CESF Grant

Approved Resolution 2020-07-14-1109

11.10 20-6860 ADOPT A RESOLUTION APPOINTING TWO MEMBERS TO THE MEASURE W OVERSIGHT COMMITTEE

Resolution 2020-07-14-1110: ratifying the selection of district appointees to fill vacancies on the Measure W Committee.

Legislation Text

Attachment A - Redacted Applications

Proposed Resolution - Appointments

Approved Resolution 2020-07-14-1110

12. ADMINISTRATIVE MATTERS

None

13. UNFINISHED BUSINESS

None

14. NEW BUSINESS

14.1 20-6764 MOTION TO AUTHORIZE AN APPLICATION FOR A CALIFORNIA VIOLENCE INTERVENTION AND PREVENTION GRANT

Legislation Text

Attachment A - BSCC CalVIP Grant Proposal

Attachment B - CalVIP Final Budget

Powerpoint

Approve **Motion 2020-07-14-1401:**

1. Ratifying the City Manager's authorization to apply for a California Violence Intervention and Prevention (CalVIP) Grant in the amount of \$1,499,917 and execute all related documents;
2. Approving the use of \$1,500,000 in funds to satisfy the 100 percent match requirement of the CalVIP Grant; and
3. Approving the list of community-based organizations and other agencies that volunteered to be sub-recipients of CalVIP Grant funds.

Authorized the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution. Final recommendations for appropriations will be presented to City Council if CalVIP grant funds are awarded.

Moved by: Paul Canepa, seconded by Jesus Andrade.

Vote: Motion carried 7-0

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

14.3 20-6672 APPROVE THE SAN JOAQUIN COMMUNITY RESPONSE TO HOMELESSNESS STRATEGIC PLAN

Legislation Text

Attachment A - Motion 2019-09-17-1401

Attachment B - 2020 San Joaquin Strategic Plan on Homelessness

Powerpoint

The following persons provided electronic public comment: Kristen Spracher-Birtwhistle, United Way of San Joaquin County and CoC Shelter Committee Chair

Electronic Public Comment

Approve **Motion 2020-07-14-1403:**

1. Approving the San Joaquin Community Response to Homelessness Strategic Plan.
2. Authorizing the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose and intent of this motion

Moved by: Daniel Wright, seconded by Susan Lenz.

Vote: Motion carried 7-0

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

- 14.2 20-6711 RESOLUTION AUTHORIZING THE CITY TO APPLY FOR, RECEIVE AND APPROPRIATE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM (PLHA) FUNDS FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PURSUANT TO SENATE BILL 2 (SB2)**

Legislation Text

Proposed Resolution - PHLA Funds Application

Exhibit 1 - PHLA Plan

Approved Resolution 2020-07-14-1402

Powerpoint

NOTE: A memorandum to the Council, dated July 13, 2020, regarding a revised resolution for Item 14.2 was distributed around the bench (document filed)

Around the Bench Memo

Approve **Resolution 2020-07-14-1402:**

1. Authorizing the City Manager, or designee, to apply for, accept and appropriate Permanent Local Housing Allocation (PLHA) grant funds in the amount up to \$2,053,716 per year for the next five (5) years for a total allocation of \$10,268,580 from the California Department of Housing and Community Development;
2. Approving the PLHA Plan of implementation of eligible housing activities as identified in Exhibit 1 to the resolution;
3. Authorizing the City Manager, or designee, to administer the City's entitlement of Permanent Local Housing Allocation (PLHA) funds, to enter into all required agreements to receive the PLHA funds, and amend the City's budget accordingly; and
4. Authorizing the City Manager, or designee, to take appropriate and necessary actions to carry out the purpose and intent of the resolution and motion.

Moved by: Paul Canepa, 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.

14.4 20-6844 APPROVE TEMPORARY MEMORANDUM OF UNDERSTANDING (MOU) AND UNREPRESENTED MANAGEMENT/CONFIDENTIAL AND LAW EMPLOYEES' COMPENSATION PLAN CHANGES TO LIFT VACATION ACCRUAL MAXIMUM (CAPS)

Legislation Text

Attachment A - Notification to Bargaining Units

Powerpoint

Approve Motion 2020-07-14-1404:

1. Approving the temporary MOU changes to lift Vacation Accrual Maximum (CAPS)
2. Authorizing the City Manager, or designee, to take the necessary and appropriate actions to carry out the purpose and intent of this motion

Moved by: Christina Fugazi , seconded by Jesus Andrade.

Vote: Motion carried 6-0

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

Absent: Sol Jobrack.

Note: Councilmember Jobrack left the WebEx at 8:13 pm due to technical issues

Note: Councilmember Jobrack joined the meeting at 8:19 pm

14.5 20-6845 APPROVE BY MOTION RECOMMENDATIONS FOR USE OF \$27,170,185 OF CARES ACT FUNDING

Legislation Text

The following person provided electronic public comment: Guest User

Electronic Public Comment

The following person spoke to the item: Kathleen Gapuson

Approve **Motion 2020-07-14-1405:**

1. Approving the recommended distribution of funds between categories of need identified by the City Manager,
2. Authorizing the City Manager to appropriate funding upon receipt of funds, acceptance of application, or other authorizing documentation from the state,
3. Giving the City Manager the authority to determine the specific allocation of funds among community partners and execute each of the contracts, and
4. Giving the City Manager authority to reallocate funds among approved priority goals and partners as needed to maximize the impact and benefit to the Stockton community.

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

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.

15. HEARINGS

15.1 20-6713 PUBLIC HEARING: ADOPT A RESOLUTION TO APPROVE AMENDMENTS TO THE 2020-2025 CONSOLIDATED PLAN, 2020-2021 ANNUAL ACTION PLAN, AND CITIZEN PARTICIPATION PLAN; ACCEPT AND APPROPRIATE CARES ACT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND EMERGENCY SOLUTIONS GRANT- (ESG) FUNDS

Legislation Text

Proposed Resolution - CARES Act

Exhibit 1 - 2020-2025 Consolidation Plan

Exhibit 2 - 20-21 Action Plan

Exhibit 3 - Citizen Participation Amendment

Approved Resolution 2020-07-14-1501

Powerpoint

The following person provided electronic public comment - Mary Elizabeth

Electronic Public Comment

The following person spoke to this item - Elizabeth Mowry-Hull (document filed)

Document Filed by Elizabeth Mowry-Hull - Animal Protection League

Approve Resolution 2020-07-14-1501:

1. Amending the 2020-2025 Consolidated Plan, 2020-2021 Annual Action Plan, and the City's Citizen Participation Plan (attached as Exhibits 1, 2 and 3 to the Resolution) with any modifications deemed appropriate.
2. Approving and accepting the CARES Act Community Development Block Grant funding allocation of \$2,016,786 and the ESG-CV1 and ESG-CV2 for a combined allocation of \$7,050,104, and authorizing the execution of the Cares Act Agreement with the Department of Housing and Urban Development to accept grant funding.
3. Authorizing the City Manager, or designee to execute all required documents and forward them to the U.S. Department of Housing and Urban Development.
4. Authorizing the City Manager to reallocate funds among approved activities and partners as needed to maximize impact and benefit to the Stockton community.
5. Authorizing the City Manager, or designee, to appropriate grant funds

and associated expenditures, execute contracts above the current \$75,000 spending cap for funds accepted under this Resolution, and to take necessary and appropriate actions to carry out the purpose and intent of this Resolution.

Moved by: Jesus Andrade, 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.

17. CITY MANAGER'S COVID-19 UPDATE

City Manager Harry Black - weekly COVID-19 update (document filed)

COS COVID19 Council Report

16. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

The following persons provided electronic public comment: Cynthia Gail Boyd; Guest Users

Electronic Public Comment

Peter Barajas - City services

Denise Friday - Loyalty and Family Incorporated, non profit organization

18. COUNCIL COMMENTS

Councilmember Fugazi - addressed comments from Cynthia Gail Boyd, profanity during Council Comments; Animal Protection League, NOFA applicants, spay and neuter homeless pets; Stockton Arts Commission, community arts projects; Victory Park Restore our Pool Event; thanked Councilmember Andrade, CARES209, Ready to Work; rules regarding homeless fires, vandalism, housing

Councilmember Wright - small business support; thanked Police Department, Public Works Department, City Managers Office, Carmax clean up; County maintaining the SR99 Frontage road; use of masks; public comments by Elizabeth Hull, funding for Animal Protection League

Councilmember Canepa - thanked community for emails; fireworks; social distancing, masks, caring for humankind

19. ADJOURNMENT - 8:28 PM

INFORMATIONAL ITEMS

1. **20-6851 COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES**

Information item only. No action taken.

Legislation Text

Audit Committee 2020-03-09

Legislation Environmental Committee 2020-02-03

Measure A Citizens Advisory Committee 2020-01-23

Strong Communities Advisory Committee 2020-02-13

Water Committee 2020-01-09



ELIZA R. GARZA, CMC
STOCKTON CITY CLERK