



# 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)*

*Michael C. Blower (District 4)*

*Michael D. Tubbs (District 6)*

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Tuesday, June 7, 2016

4:00 PM

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

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**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 [16-2734](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Five

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: R.T. Nuu, et al. v. City of Stockton, et al. (United  
States District Court, Eastern District Case No.  
2:15-CV-00430-TLN-KJN)

This Closed Session is authorized pursuant to Section 54956.9(a) of the  
Government Code.

**Department:** City Attorney

**3.2     [16-2735](#)     **CONFERENCE WITH LABOR NEGOTIATOR****

**Recommended Action:**     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     [16-2736](#)     **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:****

**Recommended Action:**     City Manager

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

**Department:** City Attorney

**3.4     [16-2737](#)     **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).

**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

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS\*

12. CONSENT AGENDA

12.1 [16-2578](#) REJECT BID FOR PURCHASE OF SIX ONE-TON SERVICE BODY  
PICKUP TRUCKS (PUR 15-031)

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council approve a motion rejecting the single bid that was received for the purchase of six one-ton service body pickup trucks (PUR 15-031).

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

**Department:** Public Works

**Attachments:** [Attachment A - Chase Chevrolet Bid](#)

12.2 [16-2587](#) APPROVE MOTION AUTHORIZING A SECOND AMENDMENT TO  
AGREEMENT WITH FAMILY RESOURCE AND REFERRAL CENTER  
OF SAN JOAQUIN FOR OPERATION OF THE GARY AND JANICE  
PODESTO TEEN IMPACT CENTER

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council adopt a motion approving and authorizing a Second Amendment to the Agreement with Family Resource and Referral Center of San Joaquin to renew agreement for the Operation of the Gary and Janice Podesto Teen Impact Center for five years and authorize the City Manager to take appropriate actions to carry out the purpose and intent of the motion.

**Department:** Community Services

**Attachments:** [Attachment A - 2011 Operations Agreement Podesto Teen Center - FRRRC](#)

[Attachment B - Operations Agreement Podesto Teen Center](#)

[Attachment C 2nd Amenment](#)

12.3 [16-2592](#) AWARD A CONSTRUCTION CONTRACT TO MOZINGO  
CONSTRUCTION, INC. FOR THE 2014 SANITARY SEWER  
REHABILITATION PROJECT, PHASE 1 (PROJECT NO. M14006)

**Recommended Action:** RECOMMENDATION

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

1. Approve the filing of Notice of Exemption No. CE001-16 under the California Environmental Quality Act (CEQA) for the 2014 Sanitary Sewer Rehabilitation Project, Phase 1 (Project No. M14006).
2. Adopt the plans and specifications for the 2014 Sanitary Sewer Rehabilitation Project, Phase 1 (Project No. M14006).
3. Award a Construction Contract in the amount of \$572,885 to Mozingo Construction, Inc., of Oakdale, CA, for the 2014 Sanitary Sewer Rehabilitation Project, Phase 1 (Project No. M14006).

It is further recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

**Department:** Public Works

**Attachments:** [Attachment A - Vicinity Map](#)  
[Proposed Resolution - 2014 Sanitary Sewer Rehabilitation](#)  
[Exhibit 1 - 2014 Sanitary Sewer Rehabilitation Exemption](#)  
[Exhibit 2 - Mozingo Construction Contract](#)

**12.4**     [16-2595](#)     **APPROVE THE COOPERATIVE PRICING AGREEMENT WITH E-Z GO TEXTRON FOR GOLF CARTS LEASED THROUGH WELLS FARGO FINANCIAL LEASING, INC.**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council adopt a motion approving findings that support an exception to the competitive bidding process and authorize the City Manager to utilize a national cooperative agreement issued by the city of Tucson Arizona, and administered by the National Intergovernmental Purchasing Alliance Company (NIPA), to lease 100 E-Z Go Textron electric golf carts for 36 months in the amount of \$357,123 using the E-Z Go lease agent, and approve an agreement with Wells Fargo Financial Leasing, Inc., and to take appropriate actions necessary to carry out the purpose and intent of the motion.

**Department:** Community Services

**Attachments:** [Attachment A - Contract EZGO](#)  
[Attachment B - City of Stockton NIPA Registration](#)  
[Attachment C - EZ Go Quote](#)  
[Attachment D - Lease Docs Packet](#)

**12.5**     [16-2645](#)     **EXECUTE CONTRACT AGREEMENTS TO PURCHASE WATER AND WASTEWATER TREATMENT CHEMICALS THROUGH THE BAY AREA CHEMICAL CONSORTIUM**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council approve a motion to:

1. authorize the City Manager to execute contracts for the purchase of chemicals for water and wastewater treatment for Fiscal Year 2016-2017, and
2. approve findings of an exception to the competitive bidding process.

It is also recommended that the motion authorize the City Manager to take appropriate and necessary actions to carry out the purpose and the motion.

**Department:** Municipal Utilities

**Attachments:** [Attachment A - Contract - Univar-Citric Acid](#)

[Attachment B - Contract - Thatcher-Ferric Chloride](#)

[Attachment C - Contract - Univar-Sodium Bisulfite](#)

[Attachment D - Contract - Brenntag-Sodium Hydroxide](#)

[Attachment E - Contract - Univar-Sodium Hypochlorite](#)

[Attachment F - Contract - Sierra Chemical-Sulfur Dioxide](#)

[Attachment G - Contract - Pacific Coast-Sulfuric Acid](#)

[Attachment H - Contract - Polydyne WE-906](#)

[Attachment I - Contract - Polydyne NW-127](#)

[Attachment J - Contract - CalChem CC2000](#)

**12.6**     [16-2660](#)     **AMENDMENTS TO LOANS FOR THE GRAND VIEW VILLAGE,  
ANCHOR VILLAGE, AND CAL WEBER 40 PROJECTS**

**Recommended Action:** RECOMMENDATION

It is recommended that City Council adopt a resolution:

- 1) Approving an amendment to the loans for the Anchor Village and Grand View Village housing projects to allow the expenditure of a portion of previously approved loans;
- 2) Approving an amendment to the loan to the Cal Weber 40 project to increase the loan by \$525,000 using Low-Moderate Income Housing Funds; and
- 3) Authorizing the City Manager, or his designee, to execute all documents, including loan documents and subordination agreements, and to take actions necessary and appropriate to carry out the purpose and intent of the resolution.

**Department:** Economic Development

**Attachments:** [Attachment A - Resolution 2015-06-09-1202](#)  
[Attachment B - Vicinity Map](#)  
[Attachment C - Resolution 2014-06-24-1506](#)  
[Attachment D - Resolution 2014-12-16-1211](#)  
[Attachment E - Miner Avenue Streetscape](#)  
[Attachment F - Resolution 2015-07-07-1208](#)  
[Attachment G - Cal Weber Rendering](#)  
[Attachment H - Anchor Village Loan Agreement](#)  
[Attachment I - Grand View Village Construction Loan Agreement](#)  
[Attachment J - Cal Weber 40 Loan Agreement Amd](#)  
[Proposed Resolution - Amendment of Loans](#)

12.7 [16-2661](#) **AUTHORIZE FACADE IMPROVEMENT FORGIVABLE LOAN OF \$99,500 TO PINK OCEAN HOSPITALITY, LLC FOR THE PROPERTY LOCATED AT 33 NORTH CENTER STREET**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Authorizing a Facade Improvement Forgivable Loan to Pink Ocean Hospitality, LLC, for the commercial property located at 33 North Center Street in the amount of \$99,500; and
2. Authorizing the City Manager, or his designee, to take all actions necessary and appropriate to carry out the purpose and intent of the resolution.

**Department:** Economic Development

**Attachments:** [Attachment A - Vicinity Map](#)  
[Attachment B - Property Photos](#)  
[Attachment C - Color Rendering of Proposed Improvements](#)  
[Proposed Resolution - 33 North Center Facade Improvement Loan](#)

12.8 [16-2671](#) **SAN JOAQUIN COUNCIL OF GOVERNMENTS' ANNUAL FINANCIAL PLAN FOR FISCAL YEAR 2016-17**

**Recommended Action:** RECOMMENDATION

It is recommended that by motion action the City Council ratify the San Joaquin Council of Governments' Annual Financial Plan for Fiscal Year 2016-17.

**Department:** City Manager

**Attachments:** [Attachment A - SJCOG 2016-17 Annual Financial Plan](#)

12.9 [16-2693](#) **MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF STOCKTON AND THE STOCKTON CITY EMPLOYEES'**

**ASSOCIATION, TRADES AND MAINTENANCE UNIT, OPERATIONS  
AND MAINTENANCE UNIT, WATER SUPERVISORY UNIT, AND  
MODIFICATIONS TO THE UNREPRESENTED  
MANAGEMENT/CONFIDENTIAL AND LAW EMPLOYEES'  
COMPENSATION PLAN**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council adopt by resolution the attached successor Memoranda of Understanding (MOU's) effective July 1, 2016 through June 30, 2019, and amended Unrepresented Compensation Plan, with the following groups:

1. Stockton City Employees' Association (SCEA);
2. Trades and Maintenance Unit (T&M);
3. Operations and Maintenance Unit (O&M);
4. Water Supervisory Unit; and
5. Unrepresented Management/Confidential and Law Employees'

It is further recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of the resolution, including implementation and funding of these successor MOU's, and Compensation Plan.

**Department:** Human Resources

**Attachments:** [Attachment A - SCEA MOU- redlined](#)  
[Attachment B - Trades & Maintenance MOU - redlined](#)  
[Attachment C - Operations & Maintenance MOU- redlined](#)  
[Attachment D - Water Supervisory Unit MOU- redlined](#)  
[Attachment E - Unrepresented Employee Compensation Plan - redlined](#)  
[Proposed Resolution - 2016-19 Bargaining Unit MOU](#)  
[Exhibit 1 - SCEA MOU](#)  
[Exhibit 2 - Trades & Maintenance MOU](#)  
[Exhibit 3 - Operations & Maintenance MOU](#)  
[Exhibit 4 - Water Supervisory Unit MOU](#)  
[Exhibit 5 - Unrepresented Employee Compensation Plan](#)  
[Exhibit 6 - Budget Amendment](#)

12.10 [16-2702](#)

**MOTION AUTHORIZING A CONTRACT FOR LIBRARY SOFTWARE,  
EQUIPMENT, AND SUPPORT BY SIRSIDYNIX CORPORATION**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council adopt a motion approving findings that support an exception to the competitive bidding process and authorize the City Manager to execute a four-year agreement with SirsiDynix Corporation, for applications, hardware, installation, maintenance, and support for a total of \$702,503. It is further recommended that this motion authorize the City Manager to take appropriate actions necessary to carry out the purpose and intent of this motion.

**Department:** Community Services

**Attachments:** [Attachment A - SirsiDynix Agreement](#)  
[Attachment B - Library 4-Year SirsiDynix Expenditure Projection](#)

**12.11**    [16-2711](#)    **APPROVAL OF CITY COUNCIL MINUTES**

**Recommended Action:** Approve minutes from the Special City Council meetings of April 6, 2016 and May 18, 2016 and the minutes from the April 12, 2016 and May 10, 2016 regularly scheduled City Council meetings.

**Department:** City Clerk

**Attachments:** [2016-04-06 Special Minutes for Approval](#)  
[2016-05-18 Special Minutes for Approval](#)  
[2016-04-12 Minutes for Approval](#)  
[2016-05-10 Minutes for Approval](#)

**12.12**    [16-2748](#)    **ADOPT RESOLUTION MAKING MINOR AMENDMENTS TO A FUNDING PROPOSAL FOR CITY OF STOCKTON LIBRARY AND RECREATION SERVICES ON THE NOVEMBER 8, 2016 BALLOT**

**Recommended Action:** RECOMMENDATION

Adopt a resolution making minor amendments to the ballot measure seeking voter approval of a special transactions and use sales tax of one-quarter cent for 16 years, for the provision of library and recreation services.

**Department:** City Manager

**Attachments:** [Attachment A - Redline Library and Recreation TUT Ordinance](#)  
[Proposed Resolution - Library Tax Ballot Measure](#)  
[Exhibit 1 - Library and Recreation TUT Ordinance](#)

**13. ADMINISTRATIVE MATTERS**

**14. UNFINISHED BUSINESS**

**15. NEW BUSINESS**

**15.1**    [16-2706](#)    **APPOINTMENT TO SAN JOAQUIN REGIONAL TRANSIT DISTRICT**

**BOARD**

**Recommended Action:** RECOMMENDATION

Adopt a resolution appointing one commissioner to fill the vacancy on the San Joaquin Regional Transit District Board for a term commencing July 1, 2016, and ending June 30, 2020.

**Department:** City Clerk

**Attachments:** [Attachment A - Redacted Applications](#)

[Proposed Resolution - SJRTD Appointment](#)

**15.2**     [16-2744](#)     **ADOPT AN ORDINANCE PROMOTING HEALTHY COMMUNITIES  
FOR HEALTHY KIDS**

**Recommended Action:** RECOMMENDATION

The Legislation and Environmental Committee recommends that the City Council adopt an ordinance amending Title 5 of the Stockton Municipal which promotes healthy communities for healthy kids by establishing default beverages offered with restaurant children's meals.

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

**Attachments:** [Attachment A - May 3 Healthy Communities Presentation.pdf](#)

[Attachment B - Support Letters for Health Communities Ordinance.pdf](#)

[Proposed Ordinance - Amending Title 5, and Adding Chapter 5.70](#)

**15.3**     [16-2749](#)     **CONSIDER PLACING ON THE NOVEMBER 8, 2016 GENERAL  
ELECTION BALLOT AN INITIATIVE AMENDING THE STOCKTON  
MUNICIPAL CODE TO ALLOW MEDICAL MARIJUANA  
DISPENSARIES AND CULTIVATION**

**Recommended Action:** RECOMMENDATION

This item was placed on the agenda at the request of Mayor Anthony Silva and Vice-Mayor Christina Fugazi.

**Department:** City Clerk

**Attachments:** [Attachment A - Ballot Title and Summary](#)

[Attachment B - Proposed Ordinance Purpose and Intent](#)

**16. HEARINGS\*\*\*\***

**17. COUNCIL COMMENTS**

**18. ADJOURNMENT**

**INFORMATIONAL ITEMS**

**CERTIFICATE OF POSTING**

**I declare, under penalty of perjury, that I am employed by the City of Stockton  
and that I caused this agenda to be posted in the City Hall notice case on June 2,  
2016, in compliance with the Brown Act.**

**Bonnie Paige, CMC**

**By: \_\_\_\_\_**

**Deputy**

*\*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.*

*Materials related to an item on this agenda submitted to City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 425 North El Dorado Street, Stockton, California 95202, during normal business hours. Such documents are also available on the City's website at [www.stocktongov.com](http://www.stocktongov.com) subject to staff's ability to post the documents before the meeting.*

*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.*