



City of Stockton

City Council/Successor
Agency of the
Redevelopment
Agency/Public Financing
Authority/Parking Authority
Concurrent Agenda

Meeting Agenda - - Revised City Council/Successor Agency to the Redevelopment Agency/Public Financing Authority/Parking Authority Concurrent

Michael D. Tubbs Mayor/Chair
Elbert H. Holman Jr. Vice Mayor/Vice Chair (District 1)
Daniel R. Wright (District 2)
Susan Lofthus (District 3)
Susan Lenz (District 4)
Christina Fugazi (District 5)
Jesus M. Andrade (District 6)

Tuesday, November 6, 2018

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 [18-4908](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Seven

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: James Nance, Workers' Compensation Appeals
Board, Case No. ADJ11450745

Name of Case: *Paul Singh, et al. v. City of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UCR-2016-003660)*

Name of Case: Filiberto Valencia, Sr., et al. v. City of Stockton, et
al. (United States District Court, Eastern District
Case No. 2:16-CV-02081-JAM-AC); *Filiberto
Valencia Sr., et al. v. City of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UPI2018-4830)*

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

Department: City Attorney

This item was revised on 11-01-2018

3.2 [18-4915](#) **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 [18-4916](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Recommended Action: City Manager

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

Department: City Attorney

3.4 [18-4917](#) **CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Number of Case: One

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

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. **RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS**
11. **CONSENT AGENDA**
- 11.1 [18-4883](#) **ACCEPT THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED SEPTEMBER 30, 2018**
 - Recommended Action: RECOMMENDATION
 - It is recommended that the City Council accept by motion the Quarterly Investment Report for the quarter ended September 30, 2018.
 - Department: Administrative Services
 - Attachments: [Attachment A - Quarterly Investment Report - 09-30-2018](#)
[Attachment B - Certification of Quarterly Investment Report - 09-30-2018](#)
- 11.2 [18-4900](#) **ADOPT A RESOLUTION APPOINTING MEMBERS OF THE STRONG COMMUNITIES ADVISORY COMMITTEE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1) Ratifying the following appointments to the Strong Communities
Advisory Committee for terms commencing on appointment and ending
June 30, 2020:

Mas'ood Cajee, (Mayor Tubbs)
Kevin Redick, (Councilmember Wright)
Lorraine Lauper, (Councilmember Lenz)
Yvonne Trevino, (Councilmember Andrade)

Department: City Clerk

Attachments: [Attachment A - Ordinance 2016-06-07-1212](#)

[Attachment B - Redacted Applications](#)

[Proposed Resolution - Committee Appointments](#)

11.3 [18-4946](#) **APPROVAL OF CITY COUNCIL MINUTES**

Recommended Action: RECOMMENDATION

Approve the minutes from the City Council meeting of September 18, 2018.

Department: City Clerk

Attachments: [2018-09-18 - Minutes for Approval](#)

11.4 [18-4731](#) **AWARD A PURCHASE AGREEMENT FOR PARKING PAYMENT
MACHINES TO IPS GROUP, INC.**

Recommended Action:

RECOMMENDATION

It is recommended that the Parking Authority of the City of Stockton adopt a resolution to:

- 1) Award a Purchase Agreement in the amount not-to-exceed \$750,000, between the City and IPS Group, Inc. for the purchase, installation, and on-going software support of parking payment machines for the City's Parking Operation.
- 2) Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
- 3) Authorize the Executive Director of the Parking Authority of the City of Stockton to execute the Purchase Agreement.
- 4) Authorize the Executive Director to approve the appropriation of funds, in the amount of \$100,000 from the Parking Authority of the City of Stockton fund balance (Fund 419) to be used for the purchase of on-street payment machines.
- 5) Authorize the Executive Director of the Parking Authority of the City of Stockton to take appropriate actions to carry out the purpose and intent of this resolution.

Department: Economic Development

Attachments: [Proposed Resolution - Parking Payment Machines Purchase Agreement](#)
[Exhibit 1 - Purchase Agreement](#)

11.5 [18-4965](#) **RATIFICATION OF EXPENDITURES FOR EMERGENCY CLEAN-UP
OF HAZARDOUS MATERIAL DISCHARGE AT
CHERBOURG/MOSHER PUMP STATION**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council approve a motion ratifying the expenditure of \$112,667.57 to Patriot Environmental Services, for emergency clean-up of a hazardous material discharge to the Cherbourg/Mosher Stormwater Pump Station.

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 motion.

Department: Municipal Utilities

11.6 [18-4941](#) **EXPANSION OF POLICE LICENSE PLATE RECOGNITION
PROGRAM**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion:

1. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process; and
2. Authorizing the purchase of four (4) Automated License Plate Reader systems from LEHR; and
3. Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Department: Police

Attachments: [Attachment A - Automated License Plate Reader Quote](#)

11.7 [18-4888](#)

**ACCEPTING THE BID FROM HANGAR ONE AVIONICS, INC.,
AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY
ACTIONS TO USE THE RECENTLY ACCEPTED \$3 MILLION AWARD
FROM THE STATE OF CALIFORNIA FOR THE PURCHASE A NEW
POLICE HELICOPTER IN THE AMOUNT OF \$2,767,415.49, AND
PURCHASE ADDITIONAL ANCILLARY ITEMS NEEDED FOR AIR
SUPPORT SERVICE AS INTENDED BY THE STATE AWARD**

Recommended Action: RECOMMENDATION

It is recommended City Council approve a motion to:

1. Accept the bid from Hangar One Avionics, Inc. and authorize the purchase of a new helicopter in the amount of \$2,767,415.49;
2. Authorize the purchase of additional ancillary items needed for air support program; and
3. Authorize the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of the motion.

Department: Police

11.8 [18-4895](#)

**APPROVE MOTION TO ACCEPT REQUEST TO TERMINATE
MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FEDERAL
BUREAU OF INVESTIGATION (FBI) FOR USE OF A
CLOSED-STORAGE SPACE, AND REFUND UNSPENT FUNDS IN
THE AMOUNT OF \$93,767**

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to accept request to terminate the MOU between the City of Stockton Police Department (SPD) and the Federal Bureau of Investigation (FBI) for use of a closed-storage space, and issue a refund in the amount of \$93,767.

2. Authorize the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of the motion.

Department: Police

Attachments: [Attachment A - FBI Notice and MOU](#)

11.9 [18-4789](#) **APPROVE MOTION TO AWARD CONTRACT FOR THE TAM
O'SHANTER DRIVE AND KNICKERBOCKER DRIVE ROUNDABOUT
PROJECT**

Recommended Action: RECOMMENDATION

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

1. Award a Professional Services Contract to Siegfried Engineering, Inc., of Stockton, CA, in the amount of \$104,000, for design services for the Tam O'Shanter Drive and Knickerbocker Drive Roundabout, Project No. PW1727/ Federal Project No. CML-5008(173).

2. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

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

Department: Public Works

Attachments: [Attachment A - Vicinity Map](#)

[Attachment B - Professional Services Contract](#)

11.10 [18-4831](#) **APPROVE MOTION TO AWARD CONTRACT FOR THE BRIDGE
REHABILITATION AND REPLACEMENT PROGRAM PROJECT**

Recommended Action: RECOMMENDATION

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

1. Award a Professional Services Contract to ADKO Engineering, Inc. of Roseville, CA, in the amount of \$202,973.33, for design services for the Bridge Rehabilitation and Replacement Program (Project No. PW1704/Federal Project No. BPMPL-5008(177)).
2. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

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

Department: Public Works

Attachments: [Attachment A - Vicinity Map](#)
[Attachment B - Professional Services Contract](#)

11.11 [18-4840](#) APPROVE RESOLUTION TO AUTHORIZE THE 2017-18 SANITARY SEWER MAINTENANCE HOLE REHABILITATION PROJECT

Recommended Action: RECOMMENDATION

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

1. Approve the Notice of Exemption No. CE023-18 under the California Environmental Quality Act for the 2017-18 Sanitary Sewer Maintenance Hole Rehabilitation, Project No. M18054.
2. Approve the plans and specifications for the 2017-18 Sanitary Sewer Maintenance Hole Rehabilitation, Project No. M18054.
3. Award a Construction Contract in the amount of \$216,228 to SoCal Pacific Construction Corporation dba National Coating and Lining Company, of Murrieta, CA, for the 2017-18 Sanitary Sewer Maintenance Hole Rehabilitation, Project No. M18054.

It is also 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 - 2017-18 Sanitary Sewer Maintenance Hole Project](#)
[Exhibit 1 - Notice of Exemption](#)
[Exhibit 2 - Construction Contract](#)

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

- 13.1 [18-4909](#) **RECOMMENDATIONS OF THE CITY COUNCIL SALARY SETTING COMMISSION TO ADOPT AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.08 OF THE STOCKTON MUNICIPAL CODE TO SET THE SALARIES FOR THE STOCKTON CITY COUNCIL TO \$26,694.00, WITH NO BENEFITS, BEGINNING JANUARY 1, 2019 IN ACCORDANCE WITH ARTICLE IV, SECTION 410 OF THE CITY CHARTER**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve the recommendations of the City Council Salary Setting Commission and adopt an ordinance setting the City Council's annual salary at \$26,694.00, with no benefits, effective January 1, 2019.

Department: Human Resources

Attachments: [Attachment A - Salary Setting Commission Recommendation Memo](#)

[Attachment B - Proposed Ordinance - Redline Version](#)

[Proposed Ordinance - Salary Setting](#)

14. NEW BUSINESS

- 14.1 [18-4919](#) **ACCEPT FISCAL YEAR 2017-18 FOURTH QUARTER BUDGET STATUS UPDATE, AUTHORIZE BUDGET AMENDMENTS, AND MAKE ALLOCATIONS TO GENERAL FUND RESERVES**

Recommended Action:

RECOMMENDATION

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

1. Accept this budget status report on the unaudited results of the fourth quarter of Fiscal Year (FY) 2017-18.

2. Authorize two budget appropriation carryovers from FY 2017-18 to FY 2018-19 in the following General Fund departments and amounts:
a. Fire Department for additional Training Academy expenses of \$50,000,
b. City Auditor for audit activities related to FY 2017-18 not yet completed in the amount of \$111,000

3. Authorize four FY 2017-18 budget amendments for the following General Fund departments:
a. City Attorney's Office for additional Council directed code enforcement expenses incurred in excess of the budget of \$76,000,
b. Public Works Department to cover increased water costs of \$144,000,
c. Office of Violence Prevention to cover salary expenses for grant funding expected but not received in the amount of \$170,000, and
d. Allocate vacancy savings budget from Non-departmental - Other Administration category as shown below:

Department	Amount
City Clerk	\$109,000
City Manager	\$19,000
Economic Development	\$11,338
Administrative Services	\$111,000
Total	\$250,338

4. Authorize a \$24,100 increase to the FY 2017-18 Annual Budget in the Separation Pay Fund from the fund balance for greater than anticipated separation payouts.

5. Modify appropriations for two Municipal Utilities Capital Projects as listed below:
a. Increase allocation for American Legion Park Pump Station Roof Repair Project (Project Number M13026) by \$53,000
b. Change funding source of Newcastle Road and South Airport Way Water Transmission Main, Phase 2 (Project Number M18053) and Water Well #10 (Project No. M17002) from bond proceeds to Water Utility fund balance

6. Allocate available fund balance to reserve categories consistent with the Council Reserve and Fund Balance Policy - General Fund Policy. The net increase in fund balance will be added to the current reserve levels, as displayed in Table 4, to achieve the total reserve amounts as follows:

Priority 1 Reserves	
Working Capital	\$36,777,000
Known Contingency	\$37,240,000

Priority 2 Reserves
Risk-Based Reserves \$ 4,983,000

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.

Department: Administrative Services

Attachments: [Attachment A - FY 2017-18 Budget Update - Fourth Quarter Summary](#)
[Attachment B - FY 2017-18 Year End General Fund Revenue Summary](#)
[Attachment C - FY 2017-18 Year End Results in Other Major Funds](#)
[Proposed Resolution - FY 2017-18 4th Quarter Budget Update](#)

14.2 [18-4833](#) **EXTENSION OF THE GREATER DOWNTOWN STOCKTON
RESIDENTIAL AND CITY-WIDE AFFORDABLE HOUSING
DEVELOPMENT PUBLIC FACILITIES FEE EXEMPTIONS**

Recommended Action: RECOMMENDATION

It is recommended the City Council adopt a resolution:

1. Authorizing the extension of the Greater Downtown Stockton Residential and City-wide Affordable Housing Development Public Facilities Fee Exemptions until December 31, 2020.
2. Authorizing the City Manager, or his designee, to take all necessary and appropriate actions to carry out the purpose and intent of this resolution.

Department: Economic Development

Attachments: [Attachment A - Resolution 2018-07-17-1302](#)
[Attachment B - Resolution 2016-01-12-1206](#)
[Attachment C - Resolution 2018-02-06-0504](#)
[Proposed Resolution - Residential and City-Wide Affordable Housing](#)

14.3 [18-4876](#) **APPROVE NEW HIRE STOCKTON PROGRAM TO SUPPORT HIRING
AND TRAINING OF LOCAL RESIDENTS FROM ECONOMICALLY
DISADVANTAGED AREAS**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving the new Hire Stockton program to support the hiring and training of local Stockton residents from economically disadvantaged areas; and
2. Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department: Economic Development

Attachments: [Attachment A - Hire Stockton Census Tract Map](#)
[Proposed Resolution - Hire Stockton](#)
[Exhibit 1 - Hire Stockton Program Guidelines](#)

15. HEARINGS****

- 15.1 [18-4889](#) CONDUCT A PUBLIC HEARING AND AUTHORIZE THE STOCKTON PUBLIC FINANCING AUTHORITY TO SELL LOCAL AGENCY REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$27,500,000, THE PROCEEDS OF WHICH WILL BE USED TO PURCHASE TWO LOCAL OBLIGATIONS ISSUED BY THE CITY OF STOCKTON TO (1) REFUND CITY OF STOCKTON ARCH ROAD EAST COMMUNITY FACILITIES DISTRICT NO. 99-02 2007 SPECIAL TAX BONDS AND (2) PROVIDE ADDITIONAL CITY CAPITAL FUNDING**

Recommended Action: RECOMMENDATION

Conduct a Public Hearing and Adopt Resolutions of the City of Stockton and the Stockton Public Financing Authority authorizing the issuance and sale of Stockton Public Financing Authority Revenue Bonds (City of Stockton Arch Road East Community Facilities District ("CFD") 99-02) Series 2018 (the "Revenue Bonds") in the estimated amount of \$24,510,000 (not to exceed \$27,500,000), and approving all necessary actions and approving all documents in connection with the refunding program for the City of Stockton Arch Road East CFD 99-02 District ("the District") as set forth below and approving use of the proceeds of the Revenue Bonds to purchase an estimated \$24,510,000 (not to exceed \$27,500,000) amount of Special Tax Refunding Bonds Series 2018A and Special Tax Bonds, Series 2018B issued by the City of Stockton (the "Local Obligations") (Attachment A).

Department: Administrative Services

Attachments: [Attachment A - Description of Documents and Terms Used](#)
[Attachment B - Good Faith Estimate](#)
[Proposed Resolution 1 - City Authorizing Bond Issuance](#)
[Exhibit 1 to Resolution 1 - Fiscal Agent Agreement](#)
[Exhibit 2 to Resolution 1 - Escrow Agreement](#)
[Exhibit 3 to Resolution 1 - Preliminary Official Statement](#)
[Exhibit 4 to Resolution 1 - CFD Bonds Purchase Agreement](#)
[Exhibit 5 to Resolution 1 - CFD Construction Agreement](#)
[Proposed Resolution 2 - SPFA Authorizing Bond Issuance](#)
[Exhibit 1 to Resolution 2 - Indenture of Trust](#)
[Exhibit 2 to Resolution 2 - Preliminary Official Statement](#)
[Exhibit 3 to Resolution 2 - CFD Bonds Purchase Agreement](#)
[Exhibit 4 to Resolution 2 - Bond Purchase Agreement](#)
[Exhibit 5 to Resolution 2 - Escrow Agreement](#)

15.2 [18-4802](#) **APPROVE THE SAN JOAQUIN MULTI-SPECIES HABITAT
CONSERVATION AND OPEN SPACE PLAN 2019 DEVELOPMENT
FEE SCHEDULE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a Resolution approving the San Joaquin Multi-Species Habitat Conservation and Open Space Plan 2019 development fee schedule.

Department: Community Development

Attachments: [Attachment A - 2019 Fees and Analysis](#)
[Proposed Resolution - SJMSCP Development Fee Schedule](#)

15.3 [18-4892](#) **HOLD A PUBLIC HEARING TO ANNEX TERRITORY AND TO FORM
A NEW ZONE IN THE STOCKTON CONSOLIDATED STORM
DRAINAGE MAINTENANCE ASSESSMENT DISTRICT NO. 2005-1**

Recommended Action:

RECOMMENDATION

The City Council, at its meeting on September 18, 2018, adopted a Resolution of Intention to Annex Territory to a Municipal Improvement District and the Formation of a Zone for the Maintenance and Operation of Storm Drainage Improvements, Providing for Annual Assessments for the Costs and Expenses Thereof, Approving a Proposed Boundary Map and Appointing Engineer of Work (the "Resolution of Intention"), and set a required Public Hearing for November 6, 2018.

It is recommended that the City Council conduct a public hearing to consider public comment and testimony regarding the annexation of territory to and the formation of a new zone in the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1 (the "District").

After the public hearing, if a majority protest based on the Resolution of Intention does not exist, it is recommended that the City Council adopt a resolution to:

1. Overrule any and all public hearing protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the Resolution of Intention.
2. Approve annexing the territory to Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, Calaveras Estates IV and forming Zone 14 therein, to maintain and operate storm drainage improvements.
3. Specify that the public interest would be served by establishing Zone 14 and levying annual assessments for the costs to maintain and operate the storm drainage improvements.
4. Confirm and finally approve the proposed boundary map and Engineer's Report and order recording of the assessment diagram.

It is also recommended that the City Manager or his designee be authorized and directed to execute all documents, including, but not limited to, agreements and amendments.

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

Department: Municipal Utilities

Attachments: [Attachment A - Engineers Report](#)
[Attachment B - Assessment Diagram](#)
[Proposed Resolution - Zone 14 Formation - Assessment District 2005-1](#)
[Exhibit 1 - Signed Consent and Waiver](#)

**ESTATES UNIT NO. 2, ZONE D-4 OF THE STOCKTON
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT
DISTRICT NO. 96-2**

Recommended Action:

RECOMMENDATION

This public hearing is to consider public comments and testimony regarding annexation of the Calaveras Estates Unit No. IV subdivision to Calaveras Estates Unit No. 2, Zone D-4, of the Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 and levy of assessment.

After the public hearing, if the ballots cast in favor of the annexation and levy of assessment, in terms of dollars of assessment, exceed those cast against, it is recommended that the City Council adopt a resolution to:

1. Accept the written Consent and Waiver submitted by all owners of the property subject to the annexation of territory to the assessment maintenance district and levy of assessment.
2. Overrule any and all protests or objections, including all written protests not withdrawn in writing before the conclusion of the public hearing, to the proposed annexation and levy of assessment.
3. Declare the ballot measure has been submitted to the voters of land proposed for annexation and after the tabulation of the assessment ballots submitted and not withdrawn, that a majority protest against the annexation and levy of assessment does not exist because the assessment ballots submitted in opposition to the assessment, in terms of dollars of assessment, did not exceed the ballots submitted in favor of the assessment.
4. Approve the Annexation Boundary Map and Assessment Diagram.
5. Based on the oral and documentary evidence offered and received at the public hearing, this Council expressly finds and determines that:
 - a. The territory to be annexed will be specially benefited by the maintenance of the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the subdivisions of land, respectively; and
 - b. There is substantial evidence to support, and the weight of the evidence preponderates in favor of, the finding and determination as to special benefits.
6. Order the territory annexed to Calaveras Estates Unit No. 2, Zone D-4, Stockton Consolidated Landscape Maintenance Assessment District No. 96-2.
7. Order the improvements be maintained, confirm the formula and method of assessment, and that the maximum Fiscal Year (FY) 2018-19 annual assessment is established in the amount of \$1,156.46 per dwelling unit equivalent factor (dueF).
8. Finds, determines, and orders that the maximum annual assessment

set forth in Section 7 shall be annually increased in an amount equal to the greater of: (1) three percent, or (2) the annual percentage increase of the Local Consumer Price Index (CPI). The CPI applied is the San Francisco-Oakland-San Jose County Area for all Urban Consumers as developed by the U.S. Bureau of Labor Statistics for a similar period.

9. Finds, determines, and orders that the actual FY 2019-20 levy on each dueF will be determined at the City of Stockton's FY 2019-20 annual Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 budget proceedings.

10. Directs the City Clerk to comply with Section 22641 of the Streets and Highways Code. The County Auditor/Controller is requested to comply with the provisions of Section 22645 of the Streets and Highways Code in the collection of installments of these assessments on the assessment roll for taxes.

It is also recommended that the City Manager or his designee is authorized and directed to execute all documents, including, but not limited to, agreements and amendments.

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](#)

[Attachment B - Request to Annex from Florsheim Homes](#)

[Proposed Resolution - Calaveras Estates](#)

[Exhibit 1 - Consent and Waiver](#)

16. PUBLIC COMMENTS – MATTERS NOT ON THE AGENDA

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

1 [18-4747](#) COUNCIL COMMITTEE / BOARDS AND COMMISSION MINUTES

Recommended Action: RECOMMENDATION

Information only. No action required.

Department: City Clerk

- Attachments:** [2018-06-21 - Civil Service Commission Minutes](#)
[2018-05-24 - Planning Commission Minutes](#)
[2018-07-26 - Planning Commission Minutes](#)
[2018-08-02 - Planning Commission Minutes](#)
[2018-07-19 - Civil Service Commission Minutes](#)
[2018-05-29 - Measure A Committee Minutes](#)
[2018-08-16 - Civil Service Commission Minutes](#)
[2018-08-23 - Planning Commission Minutes](#)
[2015-08-19 - Climate Action Plan Advisory Committee Minutes](#)
[2016-03-17 - Climate Action Plan Advisory Committee Minutes](#)
[2018-08-02 - Climate Action Plan Advisory Committee Minutes](#)
[2018-09-20 - Civil Service Commission Minutes](#)
[2018-07-09 - Council Audit Committee Minutes](#)

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 November 1, 2018, in compliance with the Brown Act.

**Christian Clegg
Deputy City Manager/Interim City Clerk**

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 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-judicative 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-judicative 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.