

**MINUTES  
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT  
AGENCY/PUBLIC FINANCING AUTHORITY/PARKING AUTHORITY  
CONCURRENT  
MEETING OF MAY 12, 2020**

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

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

Note: Councilmembers Andrade, Canepa, Fugazi, Lenz, Vice Mayor Wright and Mayor Tubbs participated via WebEx teleconference.

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 20-6574 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: Kurt Wilson v. City Council of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UVM-2019-12404) This Closed Session is authorized pursuant to section 54956.9(a) of the Government Code.

Legislation Text

**3.2 20-6576 CONFERENCE WITH LABOR NEGOTIATOR**

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 20-6578 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

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

Legislation Text**3.4 20-6580 CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

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

Legislation Text**4. PUBLIC COMMENT**

The following person submitted electronic public comment; forwarded to Council as Correspondence: Cynthia Boyd

Electronic Public Comment**5. RECESS TO CLOSED SESSION**

The Council recessed to Closed Session at 4:32 pm. The Council returned from Closed Session and recessed at 4:41 PM.

**6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:28 PM**

Note: Councilmembers Andrade, Canepa, Fugazi, Lenz, Vice Mayor Wright and Mayor Tubbs participated via WebEx teleconference.

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 Vice Mayor Wright.

**8. REPORT OF ACTION TAKEN IN CLOSED SESSION**

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

**9. ADDITIONS TO REGULAR SESSION AGENDA\*\*\***

None

**10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS**

None

**11. CONSENT AGENDA**

Approve the Consent Agenda with a single vote, save items 11.1 and 11.3 which were considered separately.

**Moved by:** Daniel Wright, seconded by Paul Canepa.

**Vote:** Motion carried 7-0

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

**11.1 20-6456 ACCEPT THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED MARCH 31, 2020**

Legislation Text

Attachment A - Quarterly Investment Report

Attachment B - Certification of Quarterly Investment Report

Approve **Motion 2020-05-12-1101** accepting the Quarterly Investment Report for the quarter ended March 31, 2020.

**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.

**11.2 20-6496 AWARD CONTRACT FOR GENERAL AUCTION SERVICES**

**Motion 2020-05-12-1102:**

1. Authorizing the sale of City surplus personal property through First Capitol Auction, Inc. of Vallejo, CA.
2. Authorizing the City Manager to execute a five-year Standard Agreement between the City of Stockton and First Capitol Auction, Inc. of Vallejo, CA.

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

Legislation Text

Attachment A - First Capitol Auction Agreement

Attachment B - First Capitol Auction Fee Schedule

**11.3 20-6403 AUTHORIZE THE CITY MANAGER TO APPROVE A CONTRACT WITH SEDGWICK ADMINISTRATORS (SEDGWICK) AS THIRD-PARTY ADMINISTRATOR (TPA) FOR THE CITY'S SELF-INSURED WORKERS' GENERAL LIABILITY PROGRAM**

Legislation Text

Attachment A - Sedgwick Agreement

Attachment B - Sedgwick Agreement Scope

Approve **Motion 2020-05-12-1103** approving the City Manager to execute a contract agreement with Sedgwick for services as the TPA for the City's self-funded General Liability Program. Authorizing the City Manager to take all necessary and appropriate action to carry out the purpose and intent of this agreement.

**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.

**11.4 20-6411 AWARD A CONSTRUCTION CONTRACT TO GOLDEN BAY FENCE PLUS IRON WORKS, INC. FOR THE 14 MILE SLOUGH**

## **RESERVOIR SITE FENCING AND AMEND THE FISCAL YEAR 2019-20 ANNUAL BUDGET**

### **Resolution 2020-05-12-1104:**

1. Approving the filing of Notice of Exemption No. NOE14-20 under the California Environmental Quality Act (CEQA) for the 14 Mile Slough Reservoir Site Fencing, Project No. M07033 (Exhibit 1 to the Resolution).

2. Approving the project plans and specifications for the 14 Mile Slough Reservoir Site Fencing, Project No. M07033.

3. Amending the Fiscal Year 2019-20 Annual Budget to appropriate \$49,791 from the Water Utility Fund Balance Account No. 421-0000-287 to the Municipal Water Utility - Capital Improvement Program Water Well/Reservoir Site Improvement Account No. 427-7620-670, CIP No. M07033, for the 14 Mile Slough Reservoir Site Fencing, Project No. M07033.

4. Awarding a \$302,431 Construction Contract to Golden Bay Fence Plus Iron Works, Inc., of Stockton, California, for the 14 Mile Slough Reservoir Site Fencing, Project No. M07033 (Exhibit 2 to the Resolution).

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

Legislation Text

Proposed Resolution

Exhibit 1 - NOE

Exhibit 2 - Contract

Approved Resolution 2020-05-12-1104

## **11.5 20-6416 AWARD A CONSTRUCTION CONTRACT TO MAGGIORA BROS. DRILLING INC. FOR THE ABANDONMENT OF WATER WELLS NO. 1, 9, 11 AND 16 AND AMEND THE FISCAL YEAR 2019-20 ANNUAL BUDGET**

### **Resolution 2020-05-12-1105:**

1. Approving the filing of Notice of Exemption No. NOE12-20 under the California Environmental Quality Act (CEQA) for the Abandonment of Water Wells No. 1, 9, 11 and 16, Project No. M18004 (Exhibit 1 to the Resolution).

2. Approving the project plans and specifications for the Abandonment of Water Wells No. 1, 9, 11 and 16, Project No. M18004.

3. Amending the Fiscal Year 2019-20 Annual Budget to appropriate \$311,500 from the Water Utility Fund Balance Account No. 421-0000-287 to the Municipal Water Supply - Capital Improvement Program - Wells Abandonment, Account No. 427-7617-670 for the Abandonment of Water Wells No. 1, 9, 11 and 16, Project No. M18004.

4. Awarding a Construction Contract in the amount of \$484,899 to Maggiora Bros. Drilling, Inc. of Watsonville, CA, for the Abandonment of Water Wells No. 1, 9, 11 and 16, Project No. M18004 (Exhibit 2 to the Resolution).

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

Legislation Text

Proposed Resolution

Exhibit 1 - NOE

Exhibit 2 - Contract

Approved Resolution 2020-05-12-1105

**11.6 20-6420 APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH PUMP REPAIR SERVICE COMPANY TO REPLACE WELL 10R PUMP WORKS AND AMEND THE FISCAL YEAR 2019-20 ANNUAL BUDGET**

**Resolution 2020-05-12-1106:**

1. Amending the Fiscal Year 2019-20 Annual Budget to appropriate funds in the amount of \$266,554 from the Water Utility Fund Balance account (421-0000-287) to the Water Well Production Capital Outlay account (421-4235-606).

2. Approving a Professional Services Agreement in the amount of \$266,553.41 with Pump Repair Service Company to provide and install a submersible pump and motor for Well 10R.

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

Legislation Text

Attachment A - Bid Abstract

Attachment B - Proposal

Proposed Resolution

Exhibit 1 - Contract

Approved Resolution 2020-05-12-1106

**11.7 20-6422 APPROVE CONTRACT WITH SNF POLYDYNE, INC. OF RICEBORO, GEORGIA, FOR THE PURCHASE OF POLYMERS FOR WASTEWATER TREATMENT**

**Motion 2020-05-12-1107** authorizing the City Manager to execute a contract with SNF Polydyne, Inc. of Riceboro, GA, in the not-to-exceed amount of \$1,650,000, for the purchase of polymer for Wastewater Treatment (PUR 19-043).

Legislation Text

Attachment A - Contract with SNF Polydyne

**11.8 20-6428 AWARD A CONSTRUCTION CONTRACT TO GSE CONSTRUCTION COMPANY INC. FOR THE NORTH STOCKTON PIPELINE SODIUM HYPOCHLORITE SYSTEM**

**Resolution 2020-05-12-1108:**

1. Approving the filing of Notice of Exemption No. NOE11-20 under the California Environmental Quality Act (CEQA) for the North Stockton Pipeline Sodium Hypochlorite Injection System, Project No. M17012 (Exhibit 1 to the Resolution).

2. Approving the project plans and specifications for the North Stockton Pipeline Sodium Hypochlorite Injection System, Project No. M17012.

3. Awarding a Construction Contract in the amount of \$1,319,500 to GSE Construction Company Inc., of Livermore, California, for the North Stockton Pipeline Sodium Hypochlorite Injection System, Project No. M17012 (Exhibit 2 to the Resolution).

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

Legislation Text

Proposed Resolution

Exhibit 1 - NOE

Exhibit 2 - Contract

Approved Resolution 2020-05-12-1108

**11.9 20-6304 PROFESSIONAL SERVICES CONTRACT FOR THE RAISED MEDIAN AT EL DORADO STREET**

**Motion 2020-05-12-1109:**

1. Awarding a Professional Services Contract to Siegfried Engineering,

Inc., of Stockton, CA, in the amount of \$90,600, for design of the Raised Median at El Dorado Street, Project No. PW1718/Federal Project No. HRRRL-5008(163).

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

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

Legislation Text

Attachment A - Vicinity Map

Attachment B - Professional Services Contract

**11.10 20-6348 APPROVE RESOLUTION TO AUTHORIZE THE 2019-20 LOCAL STREET RESURFACING - CRACK SEALING PROJECT**

**Resolution 2020-05-12-1110:**

1. Approving the Notice of Exemption No. NOE04-20 under the California Environmental Quality Act for the 2019-20 Local Street Resurfacing - Crack Sealing, Project No. PW1914.
2. Approving the plans and specifications for the 2019-20 Local Street Resurfacing - Crack Sealing, Project No. PW1914.
3. Awarding a Construction Contract in the amount of \$348,900 to Graham Contractors, Inc. of San Jose, CA, for the 2019-20 Local Street Resurfacing - Crack Sealing, Project No. PW1914.

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

Legislation Text

Attachment A - Project Location Map

Proposed Resolution

Exhibit 1 - NOE04-20

Exhibit 2 - Contract with Graham Contractors, Inc.

Approved Resolution 2020-05-12-1110

**11.11 20-6382 AUTHORIZE THE PERSHING AVENUE SEWER TRUNK LINE REHABILITATION PROJECT**

**Resolution 2020-05-12-1111:**

1. Approving the Notice of Exemption No. CE026-18 under the California Environmental Quality Act for the Pershing Avenue Sewer Trunk Line Rehabilitation, Project No. M16003.

2. Approving the plans and specifications for the Pershing Avenue Sewer Trunk Line Rehabilitation, Project No. M16003.

3. Transferring funds in the amount of \$989,244 from the Wastewater Utility fund balance (431-0000-287) to the Wastewater/Sanitary Sewer Deficiency Improvements (437-7787-670) for the Pershing Avenue Sewer Trunk Line Rehabilitation, Project No. M16003.

4. Awarding a Construction Contract in the amount of \$1,969,630 to California Trenchless Inc. of Hayward, CA, for the Pershing Avenue Sewer Trunk Line Rehabilitation, Project No. M16003.

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

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution

Exhibit 1 - Notice of Exemption CE026-18

Exhibit 2 - Construction Contract

Approved Resolution 2020-05-12-1111

## **12. ADMINISTRATIVE MATTERS**

None

## **13. UNFINISHED BUSINESS**

None

## **14. NEW BUSINESS**

### **14.1 20-6418 ORDINANCE AMENDING TITLE 5, CHAPTER 5.98.020 RELATED TO THE CANNABIS REGULATORY PROGRAM'S WORKFORCE DIVERSITY PROGRAM**

**Note:** This item was withdrawn and will be moved to a later meeting date

Legislation Text

Attachment A - Proposed Ordinance (redlines)

Attachment B - Kelley Dr Neighborhood Option 1

Attachment C - Kelley Dr Neighborhood Option 2

Proposed Ordinance - Workforce Diversity Program

**14.2 20-6474 AMEND TITLE 15 OF THE STOCKTON MUNICIPAL CODE TO ADOPT THE 2019 CALIFORNIA CODE OF REGULATIONS, TITLE 24 APPENDICES RELATED TO EMERGENCY HOUSING**

Legislation Text

Attach A - CBC Appendix O - Emergency Housing

Attach B - CRC Appendix X - Emergency Housing

Attach C - Proposed Ordinance - Redline

Attach D - Emergency Housing Map

Proposed Ordinance - Amend SMC Title 15

Approved Ordinance 2020-05-12-1402

Approve **Ordinance 2020-05-12-1402** amending Title 15 of the Stockton Municipal Code (SMC), Sections 15.08.010 and 15.10.010 to incorporate Appendix O of the 2019 Edition of the California Building Code and Appendix X of the 2019 Edition of the California Residential Code related to Emergency Housing structures and facilities.

**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 20-6421 AMENDMENT TO THE ASM (SMG) OPERATING AGREEMENT AND INCREASE APPROVED FISCAL YEAR 2019/20 VENUES FUND OPERATING BUDGET**

Legislation Text

Attachment A - Resolution 2019-11-05-1401

Attachment B - Resolution Reso 11-0022

Proposed Resolution - ASM 2nd Amendment

Exhibit 1 - Second Amendment

Approved Resolution 2020-05-12-1403

**Approve Resolution 2020-05-12-1403:**

1) Authorizing the City Manager to execute an Amendment to the Agreement with ASM Global (C-11-093 NP, resolution 11-0022) including \$1.26 million in contribution from ASM to the Venue operation over the next

six years and including an additional 2-year extension option through June 2033.

2) Authorizing a \$550,000 transfer and associated budget appropriation from the General Fund to the Entertainment Venues Fund.

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

**Moved by:** Susan Lenz, seconded by Paul Canepa.

**Vote:** Motion carried 7-0

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

**15. HEARINGS**

None

**16. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA**

The following person submitted electronic public comment; forwarded to Council as Correspondence: Lolis Ramirez

Electronic Public Comment

**17. CITY MANAGER'S COVID-19 UPDATE**

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

COS COVID19 Council Report

**18. COUNCIL COMMENTS**

Councilmember Fugazi - Project Room Key; meal delivery to the homeless, screening for COVID; thanked Police Department for traffic monitoring on Harding at Pacific; thanked Fire Department for work on area fires; thanked Staff for new street markings outside City Hall; United and SkyWest stopped service at Stockton Airport; thanked City Manager for transition

Councilmember Lenz - thanked Councilmember Fugazi for information on Project Room Key; thanked City Manager for information on trash clean up along the waterways; thanked Police Department for increased traffic enforcement in district;

Councilmember Jobrack - Major League baseball starting in July, effect on Minor League; thanked City Manager, Police Department, Public

Works Department, Fire Department; work on fire on the levy within District

Councilmember Canepa - complaints about smell of 5 Mile Slough, weir project on Alexandria

Mayor Tubbs - thanked City Councilmembers for their leadership, City Staff for being responsive; CARES Act, San Joaquin County allocation, reach out to Supervisor on how they intend to spend \$3 million

**19. ADJOURNMENT - 6:21 PM**



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ELIZA R. GARZA, CMC  
STOCKTON CITY CLERK