

**MINUTES  
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT  
AGENCY/PUBLIC FINANCING AUTHORITY/PARKING AUTHORITY  
CONCURRENT  
MEETING OF JULY 28, 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 - 4:00 PM**

Note: Mayor Tubbs participated via WebEx teleconference.

Councilmember Canepa arrived to Closed Session at 4:02 p.m.

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 20-6798 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Two

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: 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 20-6800 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 20-6802 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

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

**3.4 20-6804 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 4:00 PM. The Council returned from Closed Session and recessed at 5:25 PM.

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

Note: Mayor Tubbs participated via WebEx teleconference.

Mayor Tubbs arrived to Regular Session at 5:33 P.M.

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 Fugazi.

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

Assistant City Attorney Lori Asuncion 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, 11.10, and 11.11 which were considered separately.

**Moved by:** Paul Canepa, seconded by Jesus Andrade.

**Vote:** Motion carried 6-0

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

**Absent:** Michael Tubbs.

**11.10 20-6300 ADOPT RESOLUTION TO AUTHORIZE THE BRIDGE REHABILITATION AND REPLACEMENT PROJECT**

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution - Bridge Rehab and Replacement

Exhibit 1 - Final Initial Study/Mitigated Negative Declaration

Approved Resolution 2020-07-28-1110

Approve **Resolution 2020-07-28-1110**:

1. Adopting the Final Initial Study/Mitigated Negative Declaration under the California Environmental Quality Act for the Bridge Rehabilitation and Replacement, Project No. PW1603/Federal Project No. BPMP-5008(157).

2. Approving the plans and specifications for the Bridge Rehabilitation and Replacement, Project No. PW1603/Federal Project No. BPMP-5008(157).

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

**Moved by:** Christina Fugazi , 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.

**11.11 20-6473 APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR THE CENTRAL STOCKTON ROAD DIET AND STRIPING CONNECTIONS PROJECT**

Legislation Text

Attachment A - Vicinity Map

Attachment B - Professional Services Contract

Approve **Motion 2020-07-28-1111**:

1. Awarding a Professional Services Contract to W-Trans, of Santa Rosa, CA, in the amount of \$146,276, for design of the Central Stockton Road Diet and Striping Connections, Project No. PW1811.

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

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

**Moved by:** Christina Fugazi , 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 20-6862 ACCEPT THE FISCAL YEAR 2019-20 THIRD QUARTER BUDGET UPDATE AND APPROVE THE RECOMMENDED BUDGET AMENDMENTS**

Legislation Text

Attachment A - FY19-20 Third Quarter Budget Update

Attachment B - FY19-20 Third Quarter Revenues

Attachment C - FY19-20 Third Quarter Update

Proposed Resolution - 3rd Quarter Budget Update

Approved Resolution 2020-07-28-1101

Powerpoint

**Approve Resolution 2020-07-28-1101:**

1. Accepting this budget status report on the results of the third quarter of Fiscal Year (FY) 2019-20.
2. Authorizing the budget amendments to the FY 2019-20 Annual Budget in the General Fund and Downtown Marina Fund.

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

**Moved by:** Paul Canepa, 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 20-6757 RESOLUTION TO ADOPT THE SUMMARY VACATION OF A PORTION OF PUBLIC UTILITY EASEMENTS AT CORNERSTONE II**

**Resolution 2020-07-28-1102:**

1. Approving the summary vacation of a portion of public utility easements at Cornerstone II.
2. Authorizing the filing of a Notice of Exemption No. 31-20 under the California Environmental Quality Act for the vacation of a public utility easements at Cornerstone II.
3. Authorizing the City Manager, or designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this

resolution.

Legislation Text

Attachment A - Vicinity Map

Attachment B - Aerial Map

Proposed Resolution - Summary Vacation

Exhibit 1 - Lot 49 Legal description

Exhibit 2 - Lot 49 Plat

Exhibit 3 - Lot 67 Legal description

Exhibit 4 - Lot 67 Plat

Exhibit 5 - Notice of Exemption 31-20

Approved Resolution 2020-07-28-1102

**11.3 20-6205 RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AMENDMENT WITH LOCAL AGENCY FORMATION COMMISSION AT 509 WEST WEBER AVENUE**

**Resolution 2020-07-28-1103:**

- 1) Authorizing a Lease Amendment to the lease with Local Agency Formation Commission for office space in the Waterfront Towers (509 West Weber Avenue).
- 2) Authorizing the City Manager, or designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - LAFCO Lease

Proposed Resolution - LAFCO Lease Amendment

Exhibit 1 - Lease Amendment - LAFCO 7-28-2020

Approved Resolution 2020-07-28-1103

**11.4 20-6841 APPROVE A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE 2020 ASSISTANCE TO FIREFIGHTERS GRANT-SUPPLEMENTAL**

**Resolution 2020-07-28-1104:**

1. Authorizing the City Manager to accept a grant from the Federal Emergency Management Agency for the 2020 Assistance to Firefighters

Grant-Supplemental in the amount of \$100,931.83; and

2. Authorizing the City Manager to transfer \$10,093.18 from the General Fund grant match appropriation account to cover the required 10% local match; and
3. Authorizing the City Manager to appropriate grant revenues, grant match and expenditures in the amount of \$111,025.01; and
4. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Legislation Text

Proposed Resolution - Assistance to Firefighters Grant

Approved Resolution 2020-07-28-1104

**11.5 20-6476 CREATE A NEW CLASSIFIED/REPRESENTED CLASSIFICATION OF FIRE TELECOMMUNICATOR CALL TAKER FOR THE STOCKTON FIRE DEPARTMENT AND APPROVE THE SALARY RANGE**

**Resolution 2020-07-28-1105** creating a new classified/represented classification of Fire Telecommunicator Call Taker (Fire Call Taker) and approving the proposed salary range.

Legislation Text

Proposed Resolution - Fire Telecommunicator Call Taker

Approved Resolution 2020-07-28-1105

**11.6 20-6771 AWARD A CONSTRUCTION CONTRACT TO SLATER WATERPROOFING, INC. FOR THE DIGESTER WALL REPAIRS**

**Resolution 2020-07-28-1106:**

1. Approving the filing of Notice of Exemption No. NOE26-20 under the California Environmental Quality Act (CEQA) for the Digester Wall Repairs, Project No. M43000 (Exhibit 1 to the Resolution).
2. Approving the project plans and specifications for the Digester Wall Repairs, Project No. M43000.
3. Awarding a Construction Contract in the amount of \$131,108 to Slater Waterproofing, Inc. of Montclair, California, for the Digester Wall Repairs, Project No. M43000 (Exhibit 2 to the Resolution).

The City Manager is authorized to take appropriate actions to carry out

the purpose and intent of this resolution.

Legislation Text

Proposed Resolution - Slater Waterproofing Contract

Exhibit 1 - NOE

Exhibit 2 - Construction Contract

Approved Resolution 2020-07-28-1106

**11.7 20-6796 ADOPT A RESOLUTION OF INTENTION TO ANNEX TERRITORY AND THE FORMATION OF A NEW ZONE IN THE STOCKTON CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT**

**Resolution of Intention 2020-07-28-1107:**

1. Annexing territory to a Municipal Improvement District and the formation of a Zone (Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, BD Homes Subdivision, Zone 15) to maintain and operate storm drainage improvements.
2. Specifying that public interest would be served by establishing the Zone and levying annual assessments for the costs to maintain and operate the storm drainage improvements.
3. Preliminarily approving the Engineer's Report, approve a proposed boundary map, and appoint Engineer of Work.
4. Setting a date for the Public Hearing of Protests and providing Property Owner Ballots on September 29, 2020 and directing the City Clerk to mail a public notice to the affected property owners at least forty-five days before the hearing date (to be mailed by August 14, 2020).

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

Legislation Text

Attachment A - Engineer's Report

Attachment B - Location Map

Attachment C - District 2005-1

Proposed Resolution - BD Homes - Zone 15

Exhibit 1 - Zone 15 Improvements to be Maintained

Approved Resolution 2020-07-28-1107

**11.8**



**20-6807 AUTHORIZE TRANSIT-ORIENTED DEVELOPMENT HOUSING PROGRAM APPLICATION WITH VISIONARY HOME BUILDERS OF CALIFORNIA, INC. FOR LA PASSEGGIATA APARTMENT PROJECT**

**Resolution 2020-07-28-1108:**

1. Approving the Notice of Exemption No. NOE35-20 under the California Environmental Quality Act for the La Passeggiata Apartment project.
2. Authorizing the City Manager to submit a joint application with Visionary Home Builders of California, Inc. to the State of California Department of Housing and Community Development for funding under the Transit-Oriented Development Housing Program for the La Passeggiata Apartment project.

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

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution - LPA TOD

Exhibit 1 - NOE35-20

Approved Resolution 2020-07-28-1108

**11.9 20-6668 APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR THE SYSTEMIC SAFETY ANALYSIS REPORT PROGRAM**

**Motion 2020-07-28-1109:**

1. Awarding a Professional Services Contract to Kittelson and Associates, Inc., of Oakland, CA, in the amount of \$179,980.78, for the preparation of the Systemic Safety Analysis Report Program, Project No. PW1813.
2. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

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

Legislation Text

Attachment A - Professional Services Contract

**12. ADMINISTRATIVE MATTERS**

None

**13. UNFINISHED BUSINESS**

None

**14. NEW BUSINESS**

None

**15. HEARINGS**

**15.1 20-6785 PUBLIC HEARING TO APPROVE A RESOLUTION OVERRULING PROTESTS, ADOPTING THE DELINQUENT UTILITY SERVICE ASSESSMENT REPORT, AND DIRECTING THE ASSESSMENTS BE PLACED ON THE SAN JOAQUIN COUNTY TREASURER/TAX-COLLECTOR'S TAX ROLL**

Legislation Text

Attachment A - 2020 Assessment Report Admin Order

Proposed Resolution - 2020 Assessment

Exhibit 1 - 2020 Assessment List as of June 30, 2020

Approved Resolution 2020-07-28-1501

Powerpoint

Approve **Resolution 2020-07-28-1501**:

1. Overruling all public protests;
2. Confirming the unpaid utility service charges set forth in the 2020 Assessment Report;
3. Adopting the 2020 Assessment Report;
4. Directing the assessments to be placed on the San Joaquin County Treasurer-Tax Collector's Tax Roll; and
5. Authorizing the City Manager to take any necessary and appropriate actions to carry out the purpose and intent of the resolution.

**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.

**15.2 20-6733 GENERAL PLAN AMENDMENT, REZONE AND ADDENDUM TO A MITIGATED NEGATIVE DECLARATION TO ALLOW CONSTRUCTION OF A NEW AUTOMATED CAR WASH, LOCATED AT 2910 EIGHT MILE ROAD (APPLICATION NO. P19-0411)**

Legislation Text

Attachment A - Project Location

Attachment B - Project Plans

Attachment C - Planning Commission Action

Proposed Resolution - MND Addendum

Exhibit 1 - MND Addendum

Proposed Resolution - General Plan Amendment

Exhibit 1 - General Plan Amendment

Proposed Ordinance - Rezone

Exhibit 1 - Rezone

Approved Resolution 2020-07-28-1502-01

Approved Resolution 2020-07-28-1502-02

Approved Ordinance 2020-07-28-1502

Powerpoint

NOTE: A memorandum to the Council, dated July 27, 2020, regarding a motion for a resolution for Item 15.2 was distributed around the bench (document filed)

Around the Bench Memo

NOTE: Councilmember Canepa recused himself and left the Chamber 6:19 PM

The follow persons submitted electronic public comment: Tom Maccia; Melinda Hoang; Maria Barber; Anonymous; Lewis Gale; Om Chaudhary; Dean Plassaras

Electronic Public Comment

**Approve Resolution 2020-07-28-1502:**

1. Adopting an Addendum to a previously approved Mitigated Negative Declaration;
2. Approving a General Plan Land Use Map Amendment to change a portion of APN 070-670-01 from High-Density Residential to Commercial;

Councilmember Fugazi - small business relief grant; cannabis revenue, ordinance, lottery of applicants

Councilmember Canepa - supported Councilmember Fugazi's cannabis request

Vice Mayor Wright - COVID

**19. ADJOURNMENT - 7:09 PM in memory of victims of COVID**



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ELIZA R. GARZA, CMC  
STOCKTON CITY CLERK