

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF SEPTEMBER 18, 2018

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 4:01 PM

Roll Call

Present:

Elbert Holman

Susan Lenz

Michael Tubbs

Daniel Wright

Jesús M. Andrade

Christina Fugazi

Susan Lofthus

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 18-4853 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

3.2 18-4854 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

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

Legislation Text

3.3 18-4855 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

3.4 18-4852 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: David Draper, Jr., et al. v. City of Stockton (San Joaquin County Superior Court Case No. STK-CV-UWM-2018-4155)

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

Legislation Text

4. PUBLIC COMMENT

None

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:02 PM. The Council returned from Closed Session and recessed at 5:00 PM

6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:38 PM

Roll Call

Present:

Elbert Holman

Susan Lenz

Michael Tubbs

Daniel Wright

Jesús M. Andrade

Christina Fugazi

Susan Lofthus

7. INVOCATION/PLEDGE TO FLAG

The Pledge of Allegiance was led by Councilmember Andrade. Kulbir Kaur from the Stockton Sikh Temple provided the invocation

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

None

9. ADDITIONS TO REGULAR SESSION AGENDA

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

10.1 18-4858 CERTIFICATE OF RECOGNITION: STOCKTON HEAT CELEBRATION OF 2018-19 SEASON

Stockton Heat Celebration of 2018-19 Season

Legislation Text

Recipient: Brian Petrovek, Chief Executive Officer of the Stockton Heat Hockey Club - accepted the certificate and thanked Mayor Tubbs and City Council for the recognition

10.2 18-4859 CERTIFICATE OF RECOGNITION: STOCKTON KINGS CELEBRATION OF 2018-19 SEASON

Stockton Kings Celebration of 2018-19 Season

Legislation Text

Recipient: Dustin Toms, Vice President of Business Operations of the Stockton Kings National Basketball Association G League team - accepted the certificate and thanked Mayor Tubbs and City Council for the recognition

10.3 CERTIFICATE OF RECOGNITION: American Legion Auxiliary's California Girls State, 75th Session

American Legion Auxiliary's California Girls State, 75th Session

Recipients: Delegates of the American Legion Auxiliary California Girls State 75th Session

The following individuals accepted the certificate and thanked the city for this recognition: Mary Adame, American Legion Auxiliary, Karl Ross Unit #16, Stephanie Matsumoto, Magdalen Marcus, Chloe Porath, Maria Guadalupe Castillo and Giana Duncan

Document filed - Mary Adame 2018-09-18 American Legion Auxiliary

11. CONSENT AGENDA

Approve the Consent Agenda save items 11.1, 11.4, 11.5, 11.7, 11.13, and 11.14 which were considered separately

Moved by: Jesús M. Andrade, seconded by Daniel Wright.

Vote: Motion carried 7-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, Christina Fugazi , and Susan Lofthus.

11.1 18-4390 APPOINTMENTS TO THE MAYOR'S TASK FORCE FOR PERSONS WITH DISABILITIES

Legislation Text

Attachment A - Redacted Applications

Proposed Resolution - Appointments to Task Force

Approved Resolution 2018-09-18-1101

Don Aguillard - spoke to Mayor's Task Force for Persons with Disabilities; thanked Mayor Tubbs and Council for support

Approve **Resolution 2018-09-18-1101** appointing members to the Mayor's Task Force for Persons with Disabilities for a term commencing immediately and ending December 31, 2019.

Moved by: Christina Fugazi , seconded by Susan Lenz.

Vote: Motion carried 7-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, Christina Fugazi , and Susan Lofthus.

11.2 18-4669 ADOPT A RESOLUTION DECLARING AND CERTIFYING THE RESULTS OF THE JUNE 5, 2018, CITY OF STOCKTON, PRIMARY MUNICIPAL ELECTION

Resolution 2018-09-18-1102 accepting the results of the June 5, 2018, City of Stockton, Primary Municipal Election as certified by the San Joaquin County Registrar of Voters.

Legislation Text

Proposed Resolution - Certifying Election Results

Exhibit 1 - 2018 Election Results Certification

Exhibit 2 - Election Summary Report

Approved Resolution 2018-09-18-1102

11.3 18-4679 APPROVE AN AGREEMENT WITH GRANICUS FOR AGENDA SUPPORT SOFTWARE SERVICES

Motion 2018-09-18-1103:

1. Approving findings for an exception to the competitive bidding process;
2. Authorizing the City Manager to execute a contract with Granicus, LLC for agenda support software services in an amount up to \$313,650 for a term of three years with two potential one-year extensions; and
3. Authorizing the City Manager to take necessary and appropriate action to carry out the purpose and intent of the motion.

Legislation Text

Attachment A - Granicus Contract

11.4 18-4700 ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, SECTION 15.04.260 OF THE STOCKTON MUNICIPAL CODE TO STREAMLINE BUILDING PERMIT APPLICATION SUBMITTALS

Legislation Text

Attachment A - Proposed Ordinance - Redline Version

Proposed Ordinance - Permit Applications

Approved Ordinance 2018-09-18-1104

Approve **Ordinance 2018-09-18-1104** amending Title 15, Chapter 15.04, Section 15.04.260 of the Stockton Municipal Code to Streamline Building Permit Application Submittals.

Moved by: Daniel Wright, seconded by Christina Fugazi .

Vote: Motion carried 7-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, Christina Fugazi , and Susan Lofthus.

11.5 18-4715 APPROVE 200-YEAR URBAN LEVEL OF FLOOD PROTECTION ADEQUATE PROGRESS FINDING FOR MOSSDALE TRACT - WESTON RANCH AREA

Legislation Text

Attachment A - Mossdale Tract Map

Attachment B - SB 5 Overview

Attachment C - 200-Year Floodplain Map

Proposed Resolution - Mossdale Tract

Exhibit 1A - Engineer Report 1-11

Exhibit 1B - RD 17 2017 Adequate Progress Report Update

Exhibit 1C - Agreement for Initial Funding for Mossdale Tract

Exhibit 1D - RD 17 2018 Adequate Progress Report Update

Approved Resolution 2018-09-18-1105

Approve **Resolution 2018-09-18-1105** approving 200-Year Urban Level of Flood Protection Adequate Progress Finding for Mossdale Tract - Weston Ranch Area

Moved by: Jesús M. Andrade, seconded by Susan Lofthus.

Vote: Motion carried 7-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, Christina Fugazi, and Susan Lofthus.

11.6 18-4770 SUMMARY VACATION AND ABANDONMENT OF A PORTION OF FORMER SOUTH AMERICAN STREET PUBLIC RIGHT OF WAY SOUTH OF MORMON SLOUGH AND RESERVATION OF PUBLIC UTILITY EASEMENT

Resolution 2018-09-18-1106:

1. Approving a summary abandonment of a portion of the former South American Street public right-of-way south of Mormon Slough;
2. Authorizing the reservation of a public utility easement;
3. Authorizing the filing of Notice of Exemption No. CE17-18 under the California Environmental Quality Act for a portion of the former South American Street public right-of-way south of Mormon Slough; and
4. Authorizing the City Manager, or his 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

Attachment C - Letter Approving Proposed Abandonment

Proposed Resolution - Mormon Slough Summary Vacation

Exhibit 1 - Plat

Exhibit 2 - Legal Description

Exhibit 3 - Notice of Exemption CE17-18

Approved Resolution 2018-09-18-1106

11.7 18-4765 APPOINTMENT OF CITY CLERK

Legislation Text

Proposed Resolution - City Clerk Appointment

Exhibit 1 - Employment Contract

Approved Resolution 2018-09-18-1107

Approve **Resolution 2018-09-18-1107** affirming the appointment of Jose Jasso as City Clerk for the City of Stockton and authorizing the Mayor, on behalf of the City Council, to execute an employment contract with Jose Jasso setting forth the terms and

conditions of employment of this appointment effective November 1, 2018; and amend the salary schedule.

Moved by: Elbert Holman, seconded by Susan Lofthus.

Vote: Motion carried 7-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, Christina Fugazi, and Susan Lofthus.

11.8 18-4788 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 2018-09-18-1108:

1. Providing intent to annex territory to a Municipal Improvement District and the Formation of a Zone (Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, Calaveras Estates IV, Zone 14) to maintain and operate storm drainage improvements.
2. Specifying that the 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 the date for the Public Hearing of Protests and provide for Property Owner Ballots on November 6, 2018, and direct the City Clerk to mail a public notice to the affected property owner at least forty-five days before the hearing date (to be mailed by September 21, 2018).
5. Authorizing the City Manager to take appropriate and necessary action to carry out the purpose and intent of the Resolution.

Legislation Text

Attachment A - Location Map

Attachment B - Engineer Report

Proposed Resolution - Annex Territory

Exhibit 1 - Calaveras Estates IV - Improvements to be Maintained

Approved Resolution 2018-09-18-1108

11.9 18-4760 ANNEXATION OF CALAVERAS ESTATES UNIT NO. IV TO CALAVERAS ESTATES UNIT NO. 2, ZONE D-4 OF THE STOCKTON CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 96-2, AND SET A PUBLIC HEARING FOR NOVEMBER 6, 2018

Resolution 2018-09-18-1109:

1. Annexing territory to the existing Calaveras Estates Unit No. 2, Zone D-4, Stockton

2. Finding that the improvements to be installed and/or maintained in the territory to be annexed are generally those maintained in Calaveras Estates Unit No.2, Dama Estates, and Calaveras Estates Unit No. 3, Zone 4
3. Levying and collecting an annual assessment for maintenance and operation of improvements and for costs and expenses.
4. Setting a public hearing for November 6, 2018.
5. Setting forth mailed property owner ballot procedures and publishing the notice of public hearing.
6. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - Annexation Map

Attachment B - Request to Annex from Florsheim Homes

Proposed Resolution - Annexation of Calaveras Estates IV

Exhibit 1 - Annexation of Calaveras Estates IV

Approved Resolution 2018-09-18-1109

11.10 18-4757 AWARD A CONTRACT TO ODYSSEY LANDSCAPE FOR MUNICIPAL UTILITIES DEPARTMENT LANDSCAPE MAINTENANCE SERVICES

Legislation Text

Attachment A - Contract with Odyssey Landscape

NOTE: Councilmember Lofthus recused herself from this agenda item due to a potential conflict of interest and left the Chamber at 5:48 PM

Approve **Motion 2018-09-18-1110:**

1. Ratifying the Specifications and Addenda for City of Stockton Request for Sealed Bid to Provide Landscape Maintenance for Municipal Utilities Department Facilities (PUR 18-004), and
2. Authorizing the City Manager to award a five-year contract for Municipal Utilities Department Facilities Landscape Maintenance Services to Odyssey Landscape of Lodi, for a total contract amount of \$511,030 (Attachment A).
3. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Moved by: Elbert Holman, seconded by Susan Lenz.

Vote: Motion carried 6-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, and Christina Fugazi .

Recuse: Susan Lofthus.

NOTE: Councilmember Lofthus returned to the Chamber at 5:52 PM

11.11 18-4816 APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN SAN JOAQUIN COUNTY AND THE CITY OF STOCKTON FOR THE SHARED COST OF AN EXPLOSIVE ORDNANCE DETAIL ROBOT AND AUTHORIZE PAYMENT IN THE AMOUNT OF \$195,052 TO REMOTEC, INC. FOR CITY'S SHARE OF COSTS

Motion 2018-09-18-1111:

1. Authorizing a Memorandum of Understanding between San Joaquin County and the City of Stockton expiring July 31, 2019; and
2. Authorizing payment to Remotec, Inc. for the City's share of costs for the purchase of an explosive ordnance detail robot in the amount of \$195,052; and
3. Authorizing the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of the motion.

Legislation Text

Attachment A - San Joaquin County Bid

Attachment B - San Joaquin County Agreement

11.12 18-4758 APPROVE RESOLUTION TO AUTHORIZE THE PURCHASE OF 23 POLICE INTERCEPTOR UTILITY VEHICLES

Resolution 2018-09-18-1112:

1. Approving the purchase of 23 Police Interceptor Utility Vehicles from Big Valley Ford, of Stockton, CA, in the amount of \$776,869.85.
2. Appropriating funds in the amount of \$776,869.85 from the Fleet Internal Service Fund (501-0000-101) to the Fleet Internal Service Fund Fiscal Year 2018-19 operating account (501-5060-670).
3. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - Big Valley Ford Bid

Attachment B - Vehicle Replacement List

Proposed Resolution - Police Vehicle Purchase

Approved Resolution 2018-09-18-1112

11.14 18-4725 APPROVE RESOLUTION TO AWARD CONTRACT FOR THE DESIGN OF MINER AVENUE COMPLETE STREET IMPROVEMENTS

Legislation Text

Attachment A - Vicinity Map

Attachment B - Public Interest Finding

Proposed Resolution - Miner Avenue Design

Exhibit 1 - Professional Services Contract

Approved Resolution 2018-09-18-1114

Approve Resolution 2018-09-18-1114:

1. Awarding a Professional Services Contract to Siegfried Engineering, Inc., of Stockton, CA, in the amount of \$989,776.56, for design services for the Miner Avenue Complete Street Improvements (Project No. PW1607/Federal Project No. ATP 5008 (158); Project No. PW1732/Federal Project No. ATP 5008(170); and Project No. PW1515/Federal Project No. CML 5008(148)).
2. Reallocating the Local Street Repair 2016 (PW1538) project funding to the Miner Avenue Complete Street Improvements Phase 3 (PW1732) project in the amount of \$1,000,000 (082-3020-640).
3. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
4. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Moved by: Christina Fugazi , seconded by Elbert Holman.

Vote: Motion carried 7-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, Christina Fugazi , and Susan Lofthus.

11.13 18-4808 AMEND THE PROFESSIONAL SERVICES CONTRACT FOR SOLID WASTE AND RECYCLING DIVISION ASSISTANCE WITH HF&H CONSULTANTS, LLC TO ADD \$125,000 FOR A REVISED TOTAL AMOUNT NOT TO EXCEED \$175,000

Legislation Text

Attachment A - Professional Services Contract

Attachment B - Article 3 Collection Services Agreement

Proposed Resolution - HFH Consultants LLC

Exhibit 1 - HFH Consultants - Amendment 1

PowerPoint Presentation - Professional Services Contract HFH Consultants, LLC

Approved Resolution 2018-09-18-1113

The following individuals spoke to the item: Ken Guertin, Abel Hurtado, Sonny Alcala, Lee Story, Esau Hernandez, Robert Nicewonger, Mike Hakeem, Alex

NOTE: Council direction to staff was that it does not wish a Request for Proposal (RFP) to be prepared at this time but would allow the consultant to be retained to engage in negotiations and return to council with results obtained whether it is positive or a Request for Proposal (RFP) is needed

Approve **Resolution 2018-09-18-1113:**

1. Approving the following findings which support an exception to the competitive bidding process pursuant to Stockton Municipal Code section 3.68.070(A)(3)
 - a. The City does not have sufficient staff expertise to undertake all aspects of the negotiating process
 - b. HF&H Consultants, LLC has extensive experience and knowledge of the City's current franchise agreements, and is the most qualified to assist with negotiations
 - c. Awarding the current contract to HF&H Consultants, LLC following solicitation of competitive proposals in accordance with Stockton Municipal Code section 3.68.070(A)(3)
2. Approving execution of Amendment No. 1 to the Professional Services Contract with HF&H Consultants, LLC for Solid Waste and Recycling Division Assistance to increase the maximum compensation by \$125,000, for a revised amount not to exceed \$175,000, a copy of which is attached as Exhibit 1 and incorporated by this reference
3. Approving the appropriation of funds in the amount of \$175,000 from Fund 047 - Solid Waste fund balance to the Fiscal Year 2018-19 Solid Waste operating budget
4. Authorizing the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution

Moved by: Michael Tubbs, seconded by Christina Fugazi .

Vote: Motion carried 7-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, Christina Fugazi , and Susan Lofthus.

12. ADMINISTRATIVE MATTERS

None

13. UNFINISHED BUSINESS

None

15.2 18-4742 AMENDMENT TO TITLE 5, CHAPTERS 5.98 AND 5.100, AND TITLE 16, CHAPTERS 16.20, 16.80, AND 16.240 RELATED TO THE CANNABIS REGULATORY PROGRAM TO ALLOW ADULT-USE CANNABIS FOR EXISTING DISPENSARIES

Legislation Text

Attachment A - Detailed Project Outline

Attachment B - Summary of Findings

Attachment C - Proposed Redline Ordinance

Attachment D - Amended Fee Schedule

Attachment E - Resolution 2018-08-23-0602

Proposed Ordinance - Adult Use Cannabis

Proposed Resolution - Fee Change

PowerPoint Presentation - Item 15.2 Amendment to Title 5 & 16

Approved Ordinance 2018-09-18-1502

Approved Resolution 2018-09-18-1502

Public Comment

The following individuals spoke to the item: Julie Cox, Christina Gilbert, Kelly Dextraze, Layla Rabah, Victoria Hernandez, Isaac Sison, Max Moreno, Van Ha To-Cowell, Mark Palmer, Bobby Bivens, Paul Castro, Ralph White, Jennifer Israel Dietrich, Douglas Chloupek, Vincent Sayles, Corey Travis, Kathleen Gapusan, David Draper, Jr., Cymone Reyes, Motec Sanchez, and Lee Neves

The following individuals spoke to matters not related to this item: Diana Buettner, James Young and Linda Sandoval

Zach Drivon - supported amending the cannabis ordinance to allow adult use sales for both cultivation and retail operations (document filed)

Document filed - Zach Drivon 2018-09-18

Approve **Motion 2018-09-18-1502**: Amending Section 5.100-080 to allow no more than five (5) active Operators Permits for dispensaries

Moved by: Michael Tubbs, seconded by Susan Lenz.

Vote: Motion carried 7-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, Christina Fugazi, and Susan Lofthus.

Approve **Ordinance 2018-09-18-1502**:

1. Amending the Stockton Municipal Code, Title 5, Chapter 5.98 and 5.100, and Title 16, Chapter 16.20, 16.80 and 16.240, to allow the sale of Adult-Use Cannabis in existing medical cannabis dispensaries and to also;

2. Amending Section 5.100-080 to allow no more than five (5) active Operators Permits for dispensaries

Approve **Resolution 2018-09-18-1502**:

1. Amending the FY 2018-19 Fee Schedule to add the Amendment to the Application for Permit to Operate Fee in the amount of \$257, effective October 18, 2018

2. Amending the FY 2018-19 Fee Schedule to remove the term "Medical" from "Medical Cannabis Business"

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

Moved by: Michael Tubbs, seconded by Daniel Wright.

Vote: Motion carried 6-1

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, and Susan Lofthus.

No: Christina Fugazi .

14. NEW BUSINESS

14.1 18-4803 ANNIE EDWARDS WAGNER EDUCATIONAL FUND

Legislation Text

Proposed Resolution - Annie Edwards Wagner Scholarship Fund

Exhibit 1 - Annie Edwards Wagner Educational Fund - Transfer Agreement

Approved Resolution 2018-09-18-1401

NOTE: Meeting went to recess at 8:59 PM

NOTE: Councilmember Lofthus left the meeting at 8:59 PM

NOTE: Meeting reconvened from recess at 9:05 PM

Approve **Resolution 2018-09-18-1401:**

1. Authorizing the City Manager to execute an agreement transferring the Annie Edwards Wagner Educational Fund to the Stockton Unified School District.

2. Authorizing the City Manager to take such other actions as are necessary and appropriate to complete this transaction.

Moved by: Susan Lenz, seconded by Elbert Holman.

Vote: Motion carried 6-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, and Christina Fugazi .

Absent: Susan Lofthus.

14.2 18-4832 APPROVE RESPONSE TO THE 2017-18 CIVIL GRAND JURY REPORT RELATED TO CODE ENFORCEMENT, CASE NO. 0117, AND MUNICIPALITY ETHICS POLICIES, CASE NO. 0917

Legislation Text

Attachment A - Grand Jury Report No. 0117 Code Enforcement

Attachment B - Grand Jury Report No. 0917 Ethics Policy

Attachment C - Grand Jury Response - Code Enforcement and Ethics Policies

Attachment D - Ethics and Conflict of Interest Policies

Public Comment

Anthony Vignolo - spoke to code enforcement performance, grand jury process
(document filed)

Document filed - Anthony Vignolo 2018-09-18

Approve **Motion 2018-09-18-1402:**

1. Adopting the City Council's responses to the 2017-18 Civil Grand Jury Report for Investigating Case No. 0117 relating to Code Enforcement and Case No. 0917 relating to Municipality Ethics Policies, and
2. Directing the City Manager to sign the response on behalf of the City Council and to transmit the response to the Presiding Judge of the San Joaquin County Superior Court.

Moved by: Michael Tubbs, seconded by Elbert Holman.

Vote: Motion carried 6-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, and Christina Fugazi .

Absent: Susan Lofthus.

15. HEARINGS

15.1 18-4764 ADOPTION OF AN INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION AND APPROVAL OF GENERAL PLAN AMENDMENT, REZONING AND DESIGN REVIEW FOR THE DEVELOPMENT OF THE PROPOSED ASSISTED LIVING AND MEMORY CARE FACILITY ON THE NORTH SIDE OF SMITH CANAL AND WEST OF FONTANA AVENUE

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - 200-year Flood Protection Analysis

Attachment C - Revised Site Plan

Attachment D - Concerned Correspondence from Neighbors

Attachment E - Community Meeting Notice

Attachment F - Second Neighborhood Meeting Notice Support Letter

Attachment G - Planning Commission Resolution

Proposed Resolution - Recommending Approval

Exhibit 1 - Addendum

Exhibit 2 - General Plan Map

Exhibit 3 - Design Review - Site Floor Plans and Building Elevations

Proposed Ordinance - Amending Title 16

Exhibit 1 - Legal Description and Map

PowerPoint Presentation - Item 15.1

Approved Resolution 2018-09-18-1501

Approved Ordinance 2018-09-18-1501

Public Comment

The following individuals spoke to this item: Julie Cox, Crystal Holt, Tom Gotelli, Robin Shannon, Elisabeth Barajas

Charlie Simpson, owner, Basecamp Environmental - authored the initial mitigation study; spoke to traffic impacts of project

David Rishwain, attorney for applicant - spoke to project

Approve Resolution 2018-09-18-1501:

1. Adopting an Initial Study/Proposed Mitigated Negative Declaration for the Tuscany Cove Assisted Living and Memory Care Project (P17-0758);
2. Approving a General Plan Amendment of the site from Low-Density Residential to High-Density Residential designation; and
3. Approving the Design Review for the project to ensure compliance with all applicable provisions of the Citywide Design Review Guidelines.

Adopt Ordinance 2018-09-18-1501:

1. Rezoning a 4.3-acres site from RL, Residential, Low-Density to RH, Residential, High-Density.
2. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution and ordinance

Moved by: Susan Lenz, seconded by Christina Fugazi .

Vote: Motion carried 6-0

Yes: Elbert Holman, Susan Lenz, Michael Tubbs, Daniel Wright, Jesús M. Andrade, and Christina Fugazi .

Absent: Susan Lofthus.

16. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

Bill Ries Knight - spoke to sound monitors outside the chamber; new parking meters; city trees; surplus books from a school district

Matthew Morgan, Community Center for the Blind and Visually Impaired - shared Dining in the Dark event invitation, Saturday, October 13, 2018, 5:30 PM at Church of the Presentation 6715 Leesburg Place, Stockton, CA; White Cane Awareness Day 2018, October 15, 2018, 11:00 AM - 2:00 PM at 2453 Grand Canal Boulevard Suite 5, Stockton, CA (document filed)

Document filed - Matthew Morgan 2018-09-18

17. COUNCIL COMMENTS

Vice Mayor Holman - congratulated all for efforts bringing Amazon to community; shared experience attending Central Valley Policy Committee trip to Washington D.C.; San Joaquin Area Flood Control Agency trip to Washington DC next week with Councilmember Andrade

Councilmember Wright - shared experience attending California League of Cities Conference

NOTE: Mayor Tubbs left the meeting at 9:57pm

Councilmember Fugazi - thanked Vice Mayor Holman, Councilmember Wright and Councilmember Andrade for reporting out on conference experiences; stated clarification on vote for item 15.2, in support of adult use; spoke to transparency and supporting non-profits

Councilmember Andrade - spoke to importance of Item 11.5 for Weston Ranch community, thanked all who worked with San Joaquin Area Flood Control Agency; city dedicating funds for scholarship

Councilmember Lenz - shared information on Miracle Mile Wine Stroll, Thursday, September 20, 2018, 5:00-8:00 PM

18. ADJOURNMENT - 10:09 PM



CHRISTIAN CLEGG
DEPUTY CITY MANAGER
INTERIM CITY CLERK/CITY OF STOCKTON