



City of Stockton

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

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

Tuesday, December 12, 2023

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 [23-1132](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Six

Name of Case: Karla Heneby v. City of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UCR-2022-9993)

Name of Case: Fire Captain Dwight Lindsey, (Workers'
Compensation Appeals Board Case Nos.
ADJ14384664; ASJ14384663; and
ADJ116192016)

Name of Case: Yachne Noah v. City of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UNPI-2022-9992)

Name of Case: Angela Pelligra v. City of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UCR-2022-9859)

Name of Case: Kurt Wilson v. City Council of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UVM-2019-12404)

Name of Case: Fire Captain Dennis Zuck, (Workers'

Compensation Appeals Board Case Nos.
ADJ17312464 and ADJ17407969)

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

Department: City Attorney

3.2 [23-1133](#) CONFERENCE WITH LABOR NEGOTIATOR

Recommended Action: 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.

Department: City Attorney

3.3 [23-1134](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

3.4 [23-1135](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Attorney

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

Department: City Attorney

3.5 [23-1136](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Clerk

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

Department: City Attorney

3.6 [23-1137](#) 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(d)(2).

Department: City Attorney

4. **CLOSED SESSION 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. **PUBLIC COMMENTS* – MATTERS NOT ON THE AGENDA**
12. **CONSENT AGENDA**
- 12.1 [23-0860](#) **AUTHORIZE AN AGREEMENT WITH BMO BANK N.A. (FORMERLY BANK OF THE WEST) FOR UTILITY BILLING REMITTANCE PROCESSING SERVICES (LOCKBOX SERVICES)**

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to execute an agreement with BMO Bank N.A. (formerly Bank of the West) ("Bank") to provide utility billing remittance processing services (also known as lockbox services) through June 30, 2027, in the amount of \$64,500 per year.

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

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

Department: Administrative Services

Attachments: [Attachment A - Agreement - Bank of the West](#)
[Attachment B - Agreement - BMO Lockbox Services](#)

**12.2 [23-1108](#) ADOPT A RESOLUTION TO ACCEPT A ROUND 1 ADAPTATION
PLANNING GRANT PROGRAM AWARD IN THE AMOUNT OF
\$650,000**

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to execute a grant agreement in the amount of \$650,000 with the California Governor's Office of Planning and Research (OPR), and;
2. Authorize the City Manager to appropriate grant revenues and expenditures in the amount of \$650,000, and;
3. Authorize the City Manager to execute and manage sub-agreements with co-applicants in amounts consistent with the Grant Agreement.

It is also recommended that the City Council authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution.

Department: City Manager

Attachments: [Attachment A - APGP R1 Planning Grant Agreement](#)
[Proposed Resolution - APGP R1 Planning Grant](#)

**12.3 [23-1077](#) APPROVE A MOTION TO APPLY FOR, ACCEPT, AND
APPROPRIATE GRANT FUNDING FROM THE CALIFORNIA
INTERAGENCY COUNCIL ON HOMELESSNESS (CAL ICH) FOR
ROUND FIVE OF THE HOMELESS HOUSING, ASSISTANCE AND
PREVENTION (HHAP) GRANT PROGRAM**

Recommended Action: RECOMMENDATION

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

1. Authorize staff to apply for, accept and appropriate Round 5 of the Homeless Housing, Assistance and Prevention Grant (HHAP 5) Program;
2. Approve and authorize the City Manager, or designee, to enter into a Standard Agreement for HHAP 5 funds with all its exhibits or other necessary documents consistent with the motion; and authorize the City Manager to approve consultant contracts that exceed the Stockton Municipal Code Section 3.68.060 spending limits to carry out application planning and administrative portions of the grant where necessary;
3. Approve findings pursuant to Stockton Municipal Code Section 3.68.070 that support an exception to the competitive bidding process; and,
4. Authorize the City Manager, or designee, to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Economic Development

12.4 [23-1060](#) APPROVE MOTION TO EXECUTE A ONE (1) YEAR STANDARD AGREEMENT BETWEEN PROFORCE LAW ENFORCEMENT (PROFORCE) AND THE CITY OF STOCKTON (CITY) FOR THE GLOCK FIREARMS AND RED DOT OPTICS IN AN AMOUNT NOT TO EXCEED \$184,826 (PUR 24-012)

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to execute a one-time purchase from ProForce, in an amount not to exceed \$184,826;
2. It is further recommended that the City Manager is hereby authorized and directed to make any and all expenditures and appropriations on behalf of the City as appropriate and necessary to carry out the purpose and intent of this motion.

Department: Police

Attachments: [Attachment A - ProForce Law Enforcement Agreement](#)

12.5 [23-1062](#) ADOPT RESOLUTION TO AUTHORIZE THE SWENSON PARK GOLF COURSE FENCE REPLACEMENT PROJECT

Recommended Action: RECOMMENDATION

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

1. Approve Notice of Exemption No. NOE60-23 under the California Environmental Quality Act for the Swenson Park Golf Course Fence Replacement, Project No. WB24033.
2. Approve reallocation of Council Discretionary Funding, in the amount of \$25,000, from the Pixie Woods Suspension Bridge Replacement, Project No. WP22039, to the Swenson Park Golf Course Fence Replacement, Project No. WB24033.
3. Award a Construction Contract, in the amount of \$230,720, to Arrow Fence Company of Rocklin, CA, for the Swenson Park Golf Course Fence Replacement, Project No. WB24033.

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](#)
[Exhibit 1 - NOE60-23](#)
[Exhibit 2 - Construction Contract](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

15.1 [23-1144](#) STOCKTON POLICE DEPARTMENT TRAFFIC SAFETY UPDATE

Recommended Action: RECOMMENDATION

This is an informational item only. No action to be taken.

Department: Police

Attachments: [PPT - 15.1 - Traffic Safety Update](#)

**15.2 [23-0890](#) ADOPT RESOLUTION TO AUTHORIZE TRANSFER AND
APPROPRIATION OF FUNDS FOR THE CALIFORNIA STREET
ROAD DIET PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Transfer funds totaling \$846,305 from various projects to the California Street Road Diet, Project No. WT18005/Federal Project No. ATPSB1L-5008(194).

a. \$20,800 from the High Friction Surface Treatment, Project No. WT16022.

b. \$125,005 from the Bicycle Master Plan Program, Project No. WT17003.

c. \$260,000 from the Rule 20A Street Lighting Program, Project No. WT15021.

d. \$244,500 from the Traffic Signal Modification Program, Project No. WT15029.

e. \$196,000 from the California and Vine Rectangular Rapid Flashing Beacon Improvements, Project No. WT21018.

2. Appropriate funds in the amount of \$549,695 from the Public Facility Fee Air Quality Fund Balance to the California Street Road Diet, Project No. WT18005/Federal Project No. ATPSB1L-5008(194).

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](#)

[PPT - 15.2 - California Street Road Diet](#)

15.3 [23-1106](#)

APPROVE MOTION TO AUTHORIZE PROFESSIONAL SERVICES CONTRACT AMENDMENT NO. 7, EXECUTE AMENDMENT NO. 2, AND AUTHORIZE CONTRACT CHANGE ORDER NO. 7 FOR THE NEW CITY HALL RENOVATIONS AND RELOCATION PROJECT

Recommended Action:

RECOMMENDATION

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

1. Authorize the City Manager to execute Professional Services Contract Amendment No. 7 in the amount of \$820,000 with Indigo | Hammond + Playle Architects, LLP, for design support during construction for the New City Hall Renovations and Relocation, Project No. E016015.
2. Authorize the City Manager to execute Amendment No. 2 to the Professional Services Contract with Griffin Structures, Inc., in the amount of \$288,464, for construction management services for the New City Hall Renovations and Relocation, Project No. E016015.
3. Authorize the City Manager to execute Contract Change Order No. 7 in the amount of \$93,261.41 with Roebbelen Contracting, Inc. for construction of the New City Hall Renovations and Relocation, Project No. E016015.

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 - Amendment No. 7](#)

[Attachment C - Amendment No. 2](#)

[Attachment D - CCO No. 7](#)

[PPT - 15.3 - New City Hall Renovations and Relocation](#)

16. HEARINGS**

**16.1 [23-0659](#) ADOPT A RESOLUTION APPROVING THE SAN JOAQUIN COUNTY
MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE
PLAN 2024 DEVELOPMENT FEE SCHEDULE**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan 2024 development fee schedule.

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: Community Development

Attachments: [Attachment A - SJMSCP Staff Report](#)
[Attachment B - Habitat Fee Areas](#)
[Attachment C - Regional Preserve Areas](#)
[Proposed Resolution](#)
[PPT - 16.1 - SJC Habitat Fees](#)

**16.2 [23-1169](#) CONTINUED ADOPTION OF AN ORDINANCE AMENDING TITLE 16
OF THE STOCKTON MUNICIPAL CODE TO ESTABLISH NEW
LOGISTIC WAREHOUSE STANDARDS**

Recommended Action: RECOMMENDATION

It is recommended that the City Council:

1. Find the proposed ordinance is exempt pursuant to the California Environmental Quality Act (CEQA) Section 15061(b)(3) (Common Sense Exemption), and that no future environmental review is required for proposed code amendments pursuant to CEQA Section 15183 (Consistency with General Plan and Community Plan); and

2. Adopt an Ordinance Amending Title 16 (Development Code) of the Stockton Municipal Code (SMC) Chapter 16.80 (Standards for Specific Land Uses) to add a new Section 16.80.390 (Logistic Warehouse), including one of the Options below:

Option A - Standards that reflect Memorandum of Agreement with the State of California Attorney General; or

Option B - Standards that reflect the Memorandum of Agreement with adjustments consistent with the Agreement requirements; or

Option C - Standards that reflect industry recommendations.

Department: Community Development

Attachments: [Attachment A - CA Attorney General Approved Agreement](#)
[Attachment B - Sierra Club Approved Agreement](#)
[Attachment C - Outreach and Comment Summary](#)
[Attachment D - Proposed Ordinance \(Option A\)](#)
[Attachment E - Proposed Ordinance \(Option B\)](#)
[Attachment F - Proposed Ordinance \(Option C\)](#)
[Attachment G - Ordinance Option Comparison Table](#)
[Attachment H - Option B Feasibility Analysis](#)
[Attachment I - Option C Feasibility Analysis](#)
[Attachment J - Approved PC Resolution](#)
[Attachment K - Public Comment](#)
[PPT - 16.2 - Amending SMC Title 16 - Warehouse Standards](#)

17. CITY MANAGER'S UPDATE

18. COUNCIL COMMENTS

19. ADJOURNMENT

INFORMATIONAL ITEMS

**1. [23-0991](#) CITY OF STOCKTON BOARDS AND COMMISSIONS LOCAL
APPOINTMENT LIST FOR CALENDAR YEAR 2024**

Recommended Action: This notice is given in compliance with the requirements of the Maddy Act,
California Government Code Section 54970 et. seq.
This item is information only; no action required.

Department: City Clerk

Attachments: [2024 Local Appointment List - Maddy Act.pdf](#)

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 December 7, 2023, in compliance with the Brown Act.

**Eliza R. Garza, CMC
City Clerk**

By: _____

Deputy

PUBLIC COMMENTS

**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 two 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.*

***Speakers should hold comments on items listed as a Hearing until the Hearing is opened.*

The City of Stockton invites public comments in multiple forms. You provide your comments by using one of these methods:

- 1. e-Comment - follow the e-comment link on the City's agenda page stockton.granicusideas.com/meetings*
- 2. Email - you may email your comments to city.clerk@stocktonca.gov*
- 3. Voicemail - you can leave a voice message by dialing (209) 937-8459.*
- 4. In-Person Comments - a) Speakers must submit "request to speak cards" to the Clerk prior to the Public Comment portion of the agenda. No speaker cards will be accepted after the close of Public Comment. Please redirect any inquiries to City.Clerk@stocktonca.gov. b) Address only issues over which the meeting body has jurisdiction. c) Each speaker will be limited to one 2-minute comment opportunity. Donating time is not authorized. d) Your time will be displayed on the speaker podium for convenience.*

**All written and voicemail public comments received by the Clerk's Office 90 minutes prior to the meeting start time will be forwarded to the meeting body members as correspondence and attached the minutes. All comments received after that time will be forwarded as correspondence the following business day.*

****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.*

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 a person with a disability 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) 937-8458, 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.