



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
Daniel R. Wright Vice Mayor/Vice Chair (District 2)
Sol Jobrack (District 1)
Paul Canepa (District 3)
Susan Lenz (District 4)
Christina Fugazi (District 5)
Jesus M. Andrade (District 6)

Tuesday, July 14, 2020

4:00 PM

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

Closed Session 4:00 PM :: Regular Session 5:30 PM

During this time of local health concerns, City Hall has limited socially-distanced seating available to the public. Due to these concerns, you are strongly encouraged to watch the meeting online and you can submit your public comments electronically.

1. You can view the live meeting at <http://www.stocktongov.com/government/oMeetings/councilMeetings.html> or cable tv Channel 97.
2. eComment - click <https://stockton.granicusideas.com/meetings> to submit an eComment(s). Only one comment per agenda item, per person will be read into the record.
3. Email – City.Clerk@stocktonca.gov if you prefer to email your comments in. Only one comment per agenda item, per person will be read into the record.
4. Public comment voicemail - (209) 937-8459 if you wish to leave your public comment in the form of a voicemail, it will be transcribed and emailed to the City Clerk. Only one comment per agenda item, per person will be read into the record.

1. **CLOSED SESSION CALL TO ORDER/ROLL CALL**
2. **ADDITIONS TO CLOSED SESSION AGENDA**
3. **ANNOUNCEMENT OF CLOSED SESSION**
- 3.1 [20-6797](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Eight

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: Police Officer George Camacho (Workers'
Compensation Appeals Board Case Nos.
ADJ12821752 and ADJ12821752)

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: Joseph Green, et al. v. City of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UPI-2011-14340)

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.

Department: City Attorney

Note: This item was amended on 2020-07-09 by Office of the City Attorney

3.2 [20-6799](#)

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 [20-6801](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

3.4 [20-6803](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Recommended Action: Number of Cases: 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 [20-6847](#) APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the special City Council meetings of June 10, 2020, June 11, 2020 and the City Council meeting of June 23, 2020

Department: City Clerk

Attachments: [Attachment A - 2020-06-10 Minutes for Approval -Special](#)
[Attachment B - 2020-06-11 Minutes for Approval -Special](#)
[Attachment C - 2020-06-23 Minutes for Approval](#)

11.2 [20-6837](#) **ADOPT THE FISCAL YEAR 2020-21 INTERNAL AUDIT PROGRAM**

Recommended Action: RECOMMENDATION

The Council Audit Committee recommends that by motion action the City Council adopt the Fiscal Year (FY) 2020-21 Internal Audit Program.

Department: City Manager

Attachments: [Attachment A – FY 2020-21 Internal Audit Program](#)

11.3 [20-6544](#) **UPDATED SPHERE OF INFLUENCE PLAN/MUNICIPAL SERVICE REVIEW REPORT FOR SUBMITTAL TO THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Accepting the updated Sphere of Influence/Municipal Service Review (SOI/MSR) Report for submittal to the San Joaquin Local Agency Formation Commission (LAFCO) consistent with State Law; and
2. Authorizing the City Manager to file an application for the Stockton Sphere of Influence/Municipal Service Review Report with LAFCO.

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

Department: Community Development

Attachments: [Attachment A - General Plan Map](#)
[Proposed Resolution - 2020 SOI-MSR Update](#)
[Exhibit 1 - SOI-MSR](#)

11.4 [20-6617](#) **AMENDMENT TO UPDATE STANDARD CONDITIONS APPLICABLE TO REVOCABLE PERMITS**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving an amendment to the Standard Conditions Applicable to Revocable Permits to modify and update conditions; and
2. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Department: Community Development

Attachments: [Attachment A - 00-0554 Resolution](#)

[Attachment B - Proposed Amendment \(Redline\)](#)

[Proposed Resolution](#)

[Exhibit 1 - Proposed Amendment](#)

11.5 [20-6718](#) **FINAL MAP AND SUBDIVISION AGREEMENT FOR BD HOMES PROJECT**

Recommended Action: RECOMMENDATION

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

1. Approve the final map for BD Homes, Tract No. 4034.
2. Authorize the City Manager to execute the subdivision agreement, accept on behalf of the public all offers of dedication, and record the final map for BD Homes, Tract No. 4034.

It is also 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 Vicinity Map](#)

[Proposed Resolution](#)

[Exhibit 1 BD Homes Subdivision Agreement](#)

[Exhibit 2 Final Map](#)

11.6 [20-6712](#) **APPROVE THE ALLOCATION OF 94 LOW-INCOME HOUSING UNITS TO VISIONARY HOME BUILDERS OF CALIFORNIA PURSUANT TO ARTICLE XXXIV OF THE CALIFORNIA CONSTITUTION**

Recommended Action: RECOMMENDATION

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

1. Approve the allocation of 94 low-income housing units to Visionary Home Builders of California's La Passeggiata Apartments project pursuant to Article XXXIV of the California Constitution.
2. Authorize the City Manager, or designee, to take all necessary and appropriate actions to carry out the purpose and intent of this Resolution.

Department: Economic Development

Attachments: [Proposed Resolution - Article 34](#)

**11.7 [20-6679](#) **AUTHORIZE THE THIRD AMENDMENT TO THE DOWNTOWN
INFRASTRUCTURE INFILL INCENTIVE REIMBURSEMENT
AGREEMENT WITH OPEN WINDOW PROJECT, LLC, PHASE I****

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Authorizing the Third Amendment to the Downtown Infrastructure Infill Incentive Reimbursement Agreement with Open Window Project, LLC, Phase I, to reduce the total reimbursement amount to \$4.95 million; and
2. Authorizing the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department: Economic Development

Attachments: [Attachment A - Reso 2016-10-18-1204](#)

[Attachment B - Reso 2017-05-09-1103](#)

[Attachment C - Reso 2017-10-03-1402](#)

[Attachment D - Reso 2019-07-30-1406](#)

[Attachment E - Revised Project Description](#)

[Proposed Resolution - Open Windows Agmt - 3rd Amendment](#)

[Exhibit 1 - 3rd Amendment](#)

**11.8 [20-6687](#) **APPROVE RESOLUTION OVERRULING PROTESTS, CONFIRMING
ASSESSMENT OF DELINQUENT CODE ENFORCEMENT
CHARGES, AND DIRECTING THE ASSESSMENTS BE PLACED ON
THE SAN JOAQUIN COUNTY TAX ASSESSOR'S ROLL****

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a resolution overruling protests and confirming the assessment of the delinquent charges listed in the "Delinquent Accounts 2020 Assessment List" stemming from code enforcement actions against the affected properties, and directing the assessments be placed on the San Joaquin County Tax Assessor's Roll.

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: Police

Attachments: [Attachment A - Admin Order for 2020 Assessment](#)

[Proposed Resolution - 2020 Assessment](#)

[Exhibit 1 - Delinquent Accounts 2020 Assessment](#)

11.9 [20-6790](#) **APPROVE RESOLUTION ACCEPTING A CORONAVIRUS
SUPPLEMENTAL FUNDING PROGRAM GRANT AWARD FROM THE
UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE
PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, IN THE AMOUNT
OF \$972,181**

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to accept a Coronavirus Emergency Supplemental Funding grant award allocation from the United States Department of Justice, Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) in the amount of \$972,181; and

2. Authorize the City Manager to execute all grant award documents as required by the Bureau of Justice Assistance and accept applicable terms and conditions; and

3. Amend the Fiscal Year (FY) 2019-20 Annual Budget to increase the Police Grants & Special Programs revenue and expenditure appropriation by \$972,181; and

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

Department: Police

Attachments: [Proposed Resolution - 2020 DOJ BJA CESF Grant](#)

[Exhibit 1 - 2020 DOJ BJA CESF Grant](#)

11.10 [20-6860](#) **ADOPT A RESOLUTION APPOINTING TWO MEMBERS TO THE
MEASURE W OVERSIGHT COMMITTEE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution ratifying the selection of district appointees to fill vacancies on the Measure W Committee.

Department: City Clerk

Attachments: [Attachment A - Redacted Applications](#)
[Proposed Resolution - Appointments](#)

Note: This item was added on 2020-07-09 by Office of the City Clerk

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

**14.1 [20-6764](#) MOTION TO AUTHORIZE AN APPLICATION FOR A CALIFORNIA
VIOLENCE INTERVENTION AND PREVENTION GRANT**

Recommended Action: RECOMMENDATION

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

1. Ratify the City Manager's authorization to apply for a California Violence Intervention and Prevention (CalVIP) Grant in the amount of \$1,499,917 and execute all related documents;
2. Approve the use of \$1,500,000 in funds to satisfy the 100 percent match requirement of the CalVIP Grant; and
3. Approve the list of community-based organizations and other agencies that volunteered to be sub-recipients of CalVIP Grant funds.

It is recommended that the motion authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution. Final recommendations for appropriations will be presented to City Council if CalVIP grant funds are awarded.

Department: City Manager

Attachments: [Attachment A - BSCC CalVIP Grant Proposal](#)
[Attachment B - CalVIP Final Budget](#)

**14.2 [20-6711](#) RESOLUTION AUTHORIZING THE CITY TO APPLY FOR, RECEIVE
AND APPROPRIATE PERMANENT LOCAL HOUSING ALLOCATION
PROGRAM (PLHA) FUNDS FROM THE CALIFORNIA DEPARTMENT
OF HOUSING AND COMMUNITY DEVELOPMENT PURSUANT TO
SENATE BILL 2 (SB2)**

Recommended Action: RECOMMENDATION

It is recommended that City Council adopt a resolution to:

1. Authorize the City Manager, or designee, to apply for, accept and appropriate Permanent Local Housing Allocation (PLHA) grant funds in the amount up to \$2,053,716 per year for the next five (5) years for a total allocation of \$10,268,580 from the California Department of Housing and Community Development;
2. Approve the PLHA Plan of implementation of eligible housing activities as identified in Exhibit 1 to the resolution;
3. Authorize the City Manager, or designee, to administer the City's entitlement of Permanent Local Housing Allocation (PLHA) funds, to enter into all required agreements to receive the PLHA funds, and amend the City's budget accordingly; and
4. Authorize the City Manager, or designee, to take appropriate and necessary actions to carry out the purpose and intent of the resolution and motion.

Department: Economic Development

Attachments: [Proposed Resolution - PHLA Funds Application](#)
[Exhibit 1 - PHLA Plan](#)

14.3 [20-6672](#) **APPROVE THE SAN JOAQUIN COMMUNITY RESPONSE TO HOMELESSNESS STRATEGIC PLAN**

Recommended Action: RECOMMENDATION

It is recommended that the City Council by Motion:

1. Approve the San Joaquin Community Response to Homelessness Strategic Plan.
2. Authorize the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose and intent of this motion

Department: Economic Development

Attachments: [Attachment A - Motion 2019-09-17-1401](#)
[Attachment B - 2020 San Joaquin Strategic Plan on Homelessness](#)

14.4 [20-6844](#) **APPROVE TEMPORARY MEMORANDUM OF UNDERSTANDING (MOU) AND UNREPRESENTED MANAGEMENT/CONFIDENTIAL AND LAW EMPLOYEES' COMPENSATION PLAN CHANGES TO LIFT VACATION ACCRUAL MAXIMUM (CAPS)**

Recommended Action: RECOMMENDATION

It is recommended that the City Council by Motion:

1. Approve the temporary MOU changes to lift Vacation Accrual Maximum (CAPS)
2. Authorize the City Manager, or designee, to take the necessary and appropriate actions to carry out the purpose and intent of this motion

Department: Human Resources

Attachments: [Attachment A - Notification to Bargaining Units](#)

Note: This item was added on 2020-07-09 by Human Resources Department

14.5 [20-6845](#) **APPROVE BY MOTION RECOMMENDATIONS FOR USE OF
\$27,170,185 OF CARES ACT FUNDING**

Recommended Action: RECOMMENDATION

It is recommended that City Council approve by motion:

1. The recommended distribution of funds between categories of need identified by the City Manager,
2. Authorize the City Manager to appropriate funding upon receipt of funds, acceptance of application, or other authorizing documentation from the state,
3. Give the City Manager the authority to determine the specific allocation of funds among community partners and execute each of the contracts, and
4. Give the City Manager authority to reallocate funds among approved priority goals and partners as needed to maximize the impact and benefit to the Stockton community.

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

Department: City Manager

Note: This item was added on 2020-07-09 by Office of the City Manager

15. HEARINGS**

15.1 [20-6713](#) **PUBLIC HEARING: ADOPT A RESOLUTION TO APPROVE
AMENDMENTS TO THE 2020-2025 CONSOLIDATED PLAN,
2020-2021 ANNUAL ACTION PLAN, AND CITIZEN PARTICIPATION
PLAN; ACCEPT AND APPROPRIATE CARES ACT COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND
EMERGENCY SOLUTIONS GRANT- (ESG) FUNDS**

Recommended Action:

RECOMMENDATION

It is recommended that at the conclusion of the public hearing the City Council adopt a resolution to:

1. Amend the 2020-2025 Consolidated Plan, 2020-2021 Annual Action Plan, and the City's Citizen Participation Plan (attached as Exhibits 1, 2 and 3 to the Resolution) with any modifications deemed appropriate.
2. Approve and accept the CARES Act Community Development Block Grant funding allocation of \$2,016,786 and the ESG-CV1 and ESG-CV2 for a combined allocation of \$7,050,104, and authorize the execution of the Cares Act Agreement with the Department of Housing and Urban Development to accept grant funding.
3. Authorize the City Manager, or designee to execute all required documents and forward them to the U.S. Department of Housing and Urban Development.
4. Authorize the City Manager to reallocate funds among approved activities and partners as needed to maximize impact and benefit to the Stockton community.
5. Authorize the City Manager, or designee, to appropriate grant funds and associated expenditures, execute contracts above the current \$75,000 spending cap for funds accepted under this Resolution, and to take necessary and appropriate actions to carry out the purpose and intent of this Resolution.

Department: Economic Development

Attachments: [Proposed Resolution - CARES Act](#)

[Exhibit 1 - 2020-2025 Consolidation Plan](#)

[Exhibit 2 - 20-21 Action Plan](#)

[Exhibit 3 - Citizen Participation Amendment](#)

16. PUBLIC COMMENTS* – MATTERS NOT ON THE AGENDA

17. CITY MANAGER'S COVID-19 UPDATE

18. COUNCIL COMMENTS

19. ADJOURNMENT

INFORMATIONAL ITEMS

1. [20-6851](#) COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Recommended Action: RECOMMENDATION

Information item only. No action required.

Department: City Clerk

Attachments: [Audit Committee 2020-03-09](#)

[Legislation Environmental Committee 2020-02-03](#)

[Measure A Citizens Advisory Committee 2020-01-23](#)

[Strong Communities Advisory Committee 2020-02-13](#)

[Water Committee 2020-01-09](#)

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 July 9, 2020, in compliance with the Brown Act.

Eliza R. Garza, CMC
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.*

***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.*

****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.

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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.