



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, November 14, 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

Note: Councilmember Susan Lenz will participate in the meeting via teleconference from the following location: Westin New York Times Square, Lobby, 270 West 42nd St. New York, New York 10036

1. **CLOSED SESSION CALL TO ORDER/ROLL CALL**
2. **ADDITIONS TO CLOSED SESSION AGENDA**
3. **ANNOUNCEMENT OF CLOSED SESSION**
- 3.1 [23-1044](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Four

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: 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)

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

Department: City Attorney

3.2 [23-1045](#) 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 [23-1046](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: Charter Review Advisory Commission

3.4 [23-1047](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Attorney

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

Department: City Attorney

3.5 [23-1048](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Clerk

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

Department: City Attorney

3.6 [23-1049](#) 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 [23-0933](#) **ACCEPT THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED SEPTEMBER 30,2023**

Recommended Action: RECOMMENDATION

It is recommended that the City Council accept by motion the Quarterly Investment Report for the quarter ended September 30, 2023.

Department: Administrative Services

Attachments: [Attachment A - Combined Quarterly Investment Reports](#)
[Attachment B - Certification of Quarterly Investment Report](#)
 - 12.2 [23-1067](#) **APPOINTMENTS TO THE CHARTER REVIEW ADVISORY COMMISSION**

Recommended Action: RECOMMENDATION

Resolution ratifying the Mayor and Council's appointments to the Charter Review Advisory Commission for a term commencing immediately and Districts 2, 4, 5, and Mayoral appointments ending December 31, 2024, and Districts 1, 3, and 5 ending December 31, 2026.

Note: Redacted Applications and Resolution to be provided.

Department: City Clerk
 - 12.3 [23-0915](#) **2024 CITY COUNCIL/SUCCESSOR AGENCY/STOCKTON PUBLIC FINANCING AUTHORITY/STOCKTON PARKING AUTHORITY MEETING CALENDAR**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council, Successor Agency, Stockton Public Financing Authority, and Stockton Parking Authority adopt by motion the 2024 Concurrent City Council/Successor Agency/Stockton Public Financing Authority/Stockton Parking Authority Meeting Calendar.

Department: City Manager

Attachments: [2024 Meeting and Closed Days Calendar](#)

**12.4 [23-0872](#) ADOPT RESOLUTION TO AUTHORIZE THE WEBER POINT EVENTS
CENTER SHADE STRUCTURE REHABILITATION - PHASE 2
PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Approve Notice of Exemption No. NOE36-22 under the California Environmental Quality Act for the Weber Point Events Center Shade Structure Rehabilitation - Phase 2, Project No. WP22033.
2. Approve the plans and specifications for the Weber Point Events Center Shade Structure Rehabilitation - Phase 2, Project No. WP22033.
3. Award a Construction Contract in the amount of \$798,910 to McFadden Construction, Inc. for the Weber Point Events Center Shade Structure Rehabilitation - Phase 2, Project No. WP22033.

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 - Notice of Exemption](#)

[Exhibit 2 - Construction Contract](#)

**12.5 [23-0875](#) ADOPT RESOLUTION TO AUTHORIZE THE STREETLIGHT POLE
REPLACEMENT FY 2022-23 SB1 PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Approve Notice of Exemption No. NOE38-23 under the California Environmental Quality Act for the Streetlight Pole Replacement FY 2022-23 SB1, Project No. WD23006.
2. Approve the plans and specifications for the Streetlight Pole Replacement FY 2022-23 SB1, Project No. WD23006.
3. Award a Construction Contract in the amount of \$223,300 to St. Francis Electric, LLC of San Leandro, CA, for the Streetlight Pole Replacement FY 2022-23 SB1, Project No. WD23006.

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 - Notice of Exemption](#)
[Exhibit 2 - Construction Contract](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

- 15.1 [23-0955](#) APPROVE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH COMMUNITY MEDICAL CENTERS OF STOCKTON TO UTILIZE FUNDS RECEIVED THROUGH THE NATIONAL OPIOID SETTLEMENT AGREEMENTS**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
2. Awarding a Professional Services Contract to Community Medical Centers (CMC) of Stockton, CA in the Not-to-Exceed amount of \$4,500,000 for three years to utilize funds received through the National Opioid Settlement in order to remediate and provide activities that end, reduce, and/or lessen the effects of the opioid epidemic in communities.
3. Authorizing the City Manager to accept and appropriate all funds allocated to the City of Stockton under the Opioid Settlement Agreement Funds.

It is also recommended that the City Manager, or designee, be authorized to take appropriate actions to carry out the purpose and intent of this resolution.

Department: City Manager

Attachments: [Attachment A - List of Opioid Remediation Uses](#)
[Attachment B - CA DHCS Payment Information](#)
[Proposed Resolution - Opioid Settlement Agreement Funds.docx](#)
[Exhibit 1 - CMC Agreement for Opioid Settlement Funds](#)
[PPT - 15.1 Opioid Settlement Fund.pdf](#)

15.2 [23-0992](#) STOCKTON DIAMOND GRADE SEPARATION PROJECT - EMINENT DOMAIN

Recommended Action:

RECOMMENDATION

Informational only. No action to be taken.

Department: Public Works

Attachments: [PPT 15.2 Stockton Diamond Grade Separation](#)

16. HEARINGS**

16.1 [23-1066](#) PUBLIC HEARING FOR THE DISCUSSION OF THE PROPOSED MEASURE A SUNSET EXTENSION

Recommended Action:

RECOMMENDATION

It is recommended that the City Council hold the first required public hearing to discuss an extension of the 3/4 Cent General Transaction and Use Tax previously approved by voters at the November 5, 2013 election (Measure A).

Department: Administrative Services

Attachments: [Attachment A - Recommended Findings Based on Evidence for Measure A Extension](#)
[Attachment B - Ordinance No. 2013-07-09-1601](#)
[Attachment C - Marshall Plan June 5, 2013 Staff Rpt](#)
[Attachment D - Successor MOU Appendices](#)
[PPT - 16.1 Measure A Public Hearing Presentation](#)

17. CITY MANAGER'S UPDATE

18. COUNCIL COMMENTS

19. ADJOURNMENT

INFORMATIONAL ITEMS

**1. [23-0970](#) MEASURE A FISCAL YEAR 2018-19, FISCAL YEAR 2019-20, AND
FISCAL YEAR 2020-21 ANNUAL REPORTS UPDATE**

Recommended Action: RECOMMENDATION

This is an informational item submitting Annual Reports for Fiscal Year (FY) 2018-19, FY 2019-20, and FY 2020-21 to the City Council as required by the "City of Stockton Transaction and Use Tax Ordinance Citizens' Oversight Committee Charter."

Department: Administrative Services

Attachments: [Attachment A - DRAFT FY2018-19 Annual Report](#)
[Attachment B - DRAFT FY2019-20 Measure A Annual Report](#)
[Attachment C - DRAFT FY2020-21 Measure A Annual Report](#)

2. [23-1042](#) COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Recommended Action: RECOMMENDATION

Information item only. No action required.

Department: City Clerk

Attachments: [Audit 2023-06-12](#)
[CSC 2023-06-15](#)
[CSC 2023-07-20](#)
[CSC 2023-08-17](#)
[Planning Commission 2023-04-27](#)
[Planning Commission 2023-05-25.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 November 9, 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.