



# 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

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Tuesday, May 23, 2023

4:00 PM

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

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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 [23-0401](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Four

Name of Case: Davion Barlow, et al. v. Officer Nicholas Fogal, et al., (United States Eastern District Court Case No. 2:22-CV-00551-TLN-DB)

Name of Case: Laura Dinges v. City of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UPI-2019-17043)

Name of Case: Gerardo Rodriguez Pacheco, et al. v. City of Stockton, et al., (United States Eastern District Court Case No. 2:20-CV-01404-TLN-KJN)

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 [23-0403](#) **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 [23-0405](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

**Recommended Action:** City Manager

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

**Department:** City Attorney

**3.4 [23-0407](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

**Recommended Action:** City Attorney

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

**Department:** City Attorney

**3.5 [23-0409](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

**Recommended Action:** City Clerk

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

**Department:** City Attorney

**3.6 [23-0411](#) 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 [23-0399](#) RESOLUTION APPROVING THE ADOPTION OF THE  
POST-EMPLOYMENT BENEFITS TRUST AGREEMENT BETWEEN  
PFM ASSET MANAGEMENT LLC (“PFM”) AS TRUST  
ADMINISTRATOR AND PRINCIPAL BANK (“PRINCIPAL BANK”) AS  
TRUSTEE

**Recommended Action:**

RECOMMENDATION

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

1. Authorize the City Manager to execute a five-year professional service agreement with the option of one one-year extension with PFM Asset Management LLC ("PFM") for Plan Administration and Investment Advisory services for the City's Irrevocable Pension 115 Trust;
2. Adopt the Post-Employment Benefits Trust Agreement between PFM as Trust Administrator and Principal Bank as Trustee;
3. Authorize the City Manager, or designee, to execute any Trust-related documents and agreements to signify its adoption including, but not limited to, an Adoption Agreement and Trust Administrative Services Agreement;
4. Approve, ratify, and confirm the appointment of Principal Bank as the Trustee and PFM as the Trust Administrator as of the effective date of the Adoption Agreement; and
5. Accept the Account Agreement between the City and Principal Bank as Trustee.
6. Approve findings pursuant to Stockton Municipal Code 3.68.070 in support of an exception to the competitive bidding process.

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

**Department:** Administrative Services

**Attachments:** [Proposed Resolution - Agreement with PFM](#)  
[Exhibit 1 - PFMAM 115 Trust Agreement](#)

**12.2     [23-0433](#)     AUTHORIZE CONTRACT WITH INFOSEND, INC. FOR UTILITY BILL  
PRINTING AND MAILING SERVICES**

**Recommended Action:** RECOMMENDATION

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

1. Authorize the City Manager to execute a four-year professional service agreement, with the option to for one one-year extension, with InfoSend, Inc. for utility bill printing and mailing services in an initial not to exceed amount of \$3,400,000, but subject to increases pursuant to the agreement.
2. Approve findings which support and justify an exception to the competitive bidding process pursuant to Stockton Municipal Code section 3.68.070(A)(3), where City held a competitive Request for Proposals.
3. Authorize the City Manager, or designee, to take appropriate and necessary actions to carry out the purpose and intent of the motion.

**Department:** Administrative Services

**Attachments:** [Attachment A - Agreement with InfoSend, Inc.](#)

**12.3**     [23-0487](#)     **ACCEPT THE SINGLE AUDIT AND INDEPENDENT AUDITORS' REPORTS AND THE REPORT ON INTERNAL CONTROLS FOR THE YEAR ENDED JUNE 30, 2022**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council accept by motion the Single Audit and Independent Auditors' Reports and the Report on Internal Control Related Matters Identified in the Audit for the year ended June 30, 2022.

**Department:** Administrative Services

**Attachments:** [Attachment A - 2022 Single Audit and Independent Auditors Reports](#)

**12.4**     [23-0499](#)     **APPROVAL OF CITY COUNCIL MINUTES**

**Recommended Action:** RECOMMENDATION

Approve the minutes from the City Council meetings of March 7, 2023, and March 28, 2023, and April 4, 2023

**Department:** City Clerk

**Attachments:** [Attachment A - 2023-03-07 Minutes](#)

[Attachment B - 2023-03-28 Minutes](#)

[Attachment C - 2023-04-04 Minutes](#)

**12.5**     [23-0467](#)     **ADOPT A RESOLUTION IDENTIFYING TERMS AND CONDITIONS FOR FIRE DEPARTMENT ADMINISTRATIVE SUPPRESSION PERSONNEL COMPENSATION FOR PROVIDING RESPONSE TO THE CALIFORNIA OFFICE OF EMERGENCY SERVICES INCIDENTS AWAY FROM THEIR OFFICIAL DUTY STATION OUTSIDE OF THE CITY OF STOCKTON**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council approve and adopt a resolution to add Administrative Fire Battalion Chief, Administrative Fire Captain, Administrative Fire Fighter Engineer, and Administrative Fire Fighter to the current list of approved Fire Department personnel classification titles assigned to mutual aid incident response to the California Office of Emergency Services away from the official duty station outside the City of Stockton and San Joaquin County.

**Department:** Fire

**Attachments:** [Proposed Resolution](#)

12.6 [23-0391](#)

**AWARD A CONSTRUCTION CONTRACT TO INSITUFORM  
TECHNOLOGIES, LLC FOR THE BROOKSIDE NORTH STORM  
PUMP STATION DISCHARGE PIPES REHABILITATION AND AMEND  
FISCAL YEAR 2022-23 ANNUAL BUDGET**

**Recommended Action:** RECOMMENDATION

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

1. Approve the filing of Notice of Exemption No. NOE 7-23 under the California Environmental Quality Act (CEQA) for the Brookside North Storm Pump Station Discharge Pipes Rehabilitation, Project No. US20028 (Exhibit 1 to the Resolution).
2. Approve the project Plans and Specifications for the Brookside North Storm Pump Station Discharge Pipes Rehabilitation, Project No. US20028 (Exhibit 2 to the Resolution).
3. Award a construction contract of \$173,702 to Insituform Technologies, LLC, of Chesterfield, MO, for the Brookside North Storm Pump Station Discharge Pipes Rehabilitation, Project No. US20028 (Exhibit 3 to the Resolution).
4. Reappropriate funds in the amount of \$105,000 from the completed capital project Storm Drain Pump Stations and Force mains Cathodic Protection Repairs Project US16010 to the Brookside North Storm Pump Station Discharge Pipes Rehabilitation, Project No. US20028.

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:** Municipal Utilities

**Attachments:** [Proposed Resolution](#)

[Exhibit 1 - Notice of Exemption](#)

[Exhibit 2 - Plans & Specifications](#)

[Exhibit 3 - Construction Contract](#)

**12.7**     [23-0413](#)            **APPROVE VENDOR POOL LIST FOR PROPERTY NUISANCE  
ABATEMENT AND EMERGENCY BOARD-UP SERVICES**

**Recommended Action:**     RECOMMENDATION

It is recommended that City Council approve a motion to:

1. Authorize the City Manager to execute a five-year contract with six contractors to establish a vendor pool list providing necessary property nuisance abatement and emergency board-up services.
2. Approve findings pursuant to Stockton Municipal Code Section 3.68.070 in support of an exception to the competitive bidding process; and
3. It is further recommended that the motion authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the motion.

**Department:**     Police

**Attachments:**     [Attachment A - RFSOQ Vendor Ranking](#)  
[Attachment B - Rotating List Abatement](#)  
[Attachment C - Rotating List Emergency](#)  
[Attachment D - Standard Agreement](#)

**12.8**     [23-0365](#)            **APPROVE MOTION TO AUTHORIZE ASPHALT CONCRETE COLD  
PLANING THROUGH DECEMBER 2024**

**Recommended Action:**     RECOMMENDATION

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

1. Approve the specifications for Asphalt Concrete Cold Planing through December 2024, Project No. WD23003.
2. Award a Service Contract in the amount of \$352,125 to Pavement Recycling Systems, Inc. of Jurupa Valley, CA, for Asphalt Concrete Cold Planing through December 2024, Project No. WD23003.
3. Authorize the City Manager to execute up to two one-year extensions to this Service Contract.

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 – Contract with Pavement Recycling Systems](#)

**12.9**     [23-0390](#)            **APPROVE MOTION TO AWARD A SERVICE CONTRACT FOR CITY  
OF STOCKTON ELEVATOR MAINTENANCE AND REPAIR**

## SERVICES

**Recommended Action:** RECOMMENDATION

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

1. Award a five-year Service Contract in the amount not to exceed \$209,120 to KONE, Inc. of Sacramento, CA, for City of Stockton Elevator Maintenance and Repair Services, Project No. OM-23-087.

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

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 - Service Contract](#)  
[Attachment B - Funding Accounts for Contract](#)

**12.10** [23-0480](#)

### **APPROVE A MOTION TO EXECUTE PROFESSIONAL SERVICES AGREEMENTS WITH DR ASSOCIATES INTERNATIONAL AND THE GUMSHOE GROUP FOR PRE-EMPLOYMENT BACKGROUND AND PERSONNEL INVESTIGATION SERVICES**

**Recommended Action:** RECOMMENDATION

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

1. Authorize the City Manager, or designee, to execute a Professional Services Agreement with DR Associates International to provide preemployment background and personnel investigation services for the City of Stockton Fire and Police Departments in the amount not to exceed \$475,000 for a five-year term;

2. Authorize the City Manager, or designee, to execute a Professional Services Agreement with The Gumshoe Group to provide preemployment background and personnel investigation services for the City of Stockton Fire and Police Departments in the amount not to exceed \$100,000 for a five-year term;

3. Approve findings 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:** Fire

**Attachments:** [Attachment A - DR Associates Agreement](#)  
[Attachment B - Gumshoe Group Agreement](#)



**13. ADMINISTRATIVE MATTERS**

**14. UNFINISHED BUSINESS**

**15. NEW BUSINESS**

**15.1 [23-0523](#) PRESENTATION ON THE VALLEY LINK RAIL PROJECT**

**Recommended Action:** RECOMMENDATION

Informational presentation by the Tri-Valley - San Joaquin Valley Regional Rail Authority on the Valley Link Rail Project.

**Department:** City Manager

**Attachments:** [PPT - 15.1 - Valley Link Rail Project](#)

**15.2 [23-0392](#) APPROVE THE 2023 STOCKTON TOURISM BUSINESS IMPROVEMENT DISTRICT BUDGET AND SERVICE PLAN, AND 2022 ANNUAL REPORT**

**Recommended Action:** RECOMMENDATION

It is recommended that the Stockton City Council adopt a Resolution:

1. Approving the 2023 Annual Service Plan for the Stockton Tourism Business Improvement District;
2. Approving the 2023 Operating Budget and Assessment for the Stockton Tourism Business Improvement District;
3. Approving the 2022 Annual Report for the Stockton Tourism Business Improvement District; and
4. Authorizing the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose of this resolution.

**Department:** Economic Development

**Attachments:** [Proposed Resolution - Visit Stockton](#)

[Exhibit 1 - 2023 Annual Service Plan](#)

[Exhibit 2 - 2023 Annual Budget](#)

[Exhibit 3 - 2022 Annual Report](#)

[PPT - 15.2 - Visit Stockton Council Update](#)

**15.3 [23-0383](#) CONSIDER BALLOTS FOR THE PROPOSED SAN JOAQUIN AREA FLOOD CONTROL AGENCY LEVEE CONSTRUCTION AND MAINTENANCE ASSESSMENT DISTRICT FORMATION AS RELATED TO CITY-OWNED PROPERTIES**

**Recommended Action:**

RECOMMENDATION

Consider ballots for the proposed San Joaquin Area Flood Control Agency (SJAFCFA) Levee Construction and Maintenance Assessment District (LCMA) formation, as related to City-owned properties, and authorize the City Manager to execute ballots for City-owned properties in response to the proposed annual assessment.

**Department:** City Manager

**Attachments:** [Attachment A - Summary of Assessments and Map for City of Stockton Parcels](#)

[Attachment B - City of Stockton Ballots](#)

[Attachment C - Ballot Notice and Information Guide](#)

[Attachment D - Lower San Joaquin River Feasibility & Environmental](#)

[Attachment E - LCMA Preliminary Engineer's Report](#)

[Proposed Resolution](#)

[PPT - 15.3 - SJAFCFA - Levee Construction and Maintenance Assessment](#)

**16. HEARINGS\*\***

- 16.1 [23-0417](#) HOLD PUBLIC HEARING TO APPROVE THE ANNUAL BUDGET AND ASSESSMENT ROLLS FOR THE 2023-24 HOLIDAY PARK MAINTENANCE DISTRICT**

**Recommended Action:**

RECOMMENDATION

This scheduled noticed public hearing is being held to consider public comments and testimony regarding the Holiday Park Maintenance District 2023-24 proposed Assessment budget and the levy of assessments.

At the conclusion of the public hearing, if a majority protest does not exist, it is recommended that the City Council adopt a resolution to:

1. Override any and all public hearing protests.
2. Approve the Annual Budget for Holiday Park Budget for FY2023-24.
3. Confirm and approve the assessment of \$46,598 for the Holiday Park Maintenance District for FY2023-24.
4. Authorize the City of Stockton Chief Financial Officer to assess those parcels within the assessment district.
5. Certify the assessments meet the requirements pertaining to the levy of annual assessments.
6. Approve a subsidy in the amount of \$116,735 from the Strong Communities Fund (210-000) to continue operations and maintenance of the facility.
7. Authorize the City Manager to take appropriate actions to carry out the purpose and intent of the resolution.

**Department:** Community Services

**Attachments:** [Attachment A - Holiday Park Budget](#)

[Attachment B - Holiday Park Assessment District Map](#)

[Proposed Resolution - Holiday Park 2023-2024](#)

[PPT - 16.1 - Holiday Park Maintenance District Assessment](#)

16.2 [23-0275](#)

**APPROVE A FINDING FOR ENVIRONMENTAL REVIEW AND ADOPT A RESOLUTION INTENDING TO AMEND THE GENERAL PLAN LAND USE MAP AND AN ORDINANCE AMENDING THE STOCKTON CITYWIDE ZONING MAP FOR COMPLIANCE WITH THE GENERAL PLAN AND STATE LAW**

**Recommended Action:** RECOMMENDATION

Staff recommends that the City Council:

1. Find no further environmental review is required per California Environmental Quality Act (CEQA) Guidelines Section 15183 (Consistency with a Community Plan or General Plan); and
2. Approve a Resolution amending the Stockton General Plan Land Use Map for multiple properties; and
3. Adopt an Ordinance amending the Citywide Zoning Map for multiple properties.

It is also recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of these approvals.

**Department:** Community Development

**Attachments:** [Attachment A - Proposed Property Amendment List](#)  
[Attachment B - Proposed General Plan Land Use Maps of Properties](#)  
[Attachment C - Proposed Zoning Maps of Properties](#)  
[Attachment D - Neighborhood Meeting Notice](#)  
[Attachment E - Planning Commission Support Letter](#)  
[Attachment F - Planning Commission Approved Resolution](#)  
[Proposed Resolution - GPLU Map](#)  
[Exhibit 1 - GPLUM](#)  
[Exhibit 2 - Property List](#)  
[Ordinance - Proposed Zoning Map Amendments](#)  
[Exhibit 1- Zoning](#)  
[Exhibit 2- Property List](#)  
[PPT - 16.2 - GP Zoning Amendment](#)

**16.3**     [23-0360](#)     **PUBLIC HEARING TO ACCEPT THE ECONOMIC DEVELOPMENT  
SUBSIDY 2022 ANNUAL REPORT**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council, by motion:

1. Accept the Economic Development Subsidy 2022 Annual Report, which includes all subsidies the City has provided to developers for economic development purposes over \$100,000; and
2. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

**Department:** Community Development

Attachments: [Attachment A - Government Code 53083](#)  
[Attachment B - AB 562 Annual Report 2022](#)  
[PPT - 16.3 - Economic Subsidy Presentation](#)

17. CITY MANAGER'S UPDATE

18. COUNCIL COMMENTS

19. ADJOURNMENT

INFORMATIONAL ITEMS

**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 May 17, 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 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.*

*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](http://stockton.granicusideas.com/meetings)*
- 2. Email - you may email your comments to [city.clerk@stocktonca.gov](mailto: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](mailto:City.Clerk@stocktonca.gov). b) Address only issues over which the meeting body has jurisdiction. c) Each speaker will be limited to one 3-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](http://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.*