



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, September 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 [23-0750](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: One

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 [23-0743](#) **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 [23-0753](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Recommended Action: City Manager

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

Department: City Attorney

3.4 [23-0755](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Attorney

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

Department: City Attorney

3.5 [23-0757](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Clerk

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

Department: City Attorney

3.6 [23-0759](#) 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 [23-0781](#) ADOPT A MOTION APPROVING THE STOCKTON ARTS
COMMISSION RECOMMENDATION TO APPOINT JAZMARIE
LATOUR AS POET LAUREATE AND TAMA BRISBANE AS POET
LAUREATE EMERITUS**

Recommended Action: RECOMMENDATION

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

1. Approve the recommendation by the Stockton Arts Commission and appoint Jazmarie LaTour as the City of Stockton Poet Laureate for one two-year term effective October 1, 2023, through September 30, 2025, with an additional two-year mutual renewal option.

2. Approve the recommendation by the Stockton Arts Commission and appoint Tama Brisbane as City of Stockton Poet Laureate Emeritus.

It is further recommended that the motion authorize the City Manager to take necessary action to complete the intent of this motion including the execution of all necessary documents and agreements.

Department: Community Services

Attachments: [Attachment A - Poet Laureate Scope of Services](#)

**12.2 [23-0790](#) AUTHORIZE THE CITY MANAGER TO APPROVE A CONTRACT
RENEWAL WITH ATHENS ADMINISTRATORS TO PROVIDE
SERVICES AS THE THIRD-PARTY ADMINISTRATOR (TPA) FOR
THE CITY'S SELF-INSURED WORKERS' COMPENSATION
PROGRAM**

Recommended Action: RECOMMENDATION

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

1. Approve entering into the service agreement with Athens Insurance Services, Inc for provide services as the Third-Party Administrator (TPA) for the City's Self-funded Workers' Compensation Program:

2. Authorize the City manager to execute a three-year service agreement with the option of two (2), one (1) year extensions, for TPA services.

3. Approve findings for an exception to the competitive bidding process;
and

4. Authorize the City Manager to take all necessary and appropriate action to carry out the purpose and intent of this motion.

Department: Human Resources

Attachments: [Attachment A - Athens Contract 2023](#)

12.3 [23-0776](#) **MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF
STOCKTON AND THE WATER SUPERVISORY UNIT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt by resolution the attached successor Memorandum of Understanding (MOU) effective July 1, 2023 through June 30, 2026, with the following bargaining unit: Water Supervisory.

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, including implementation and funding of this successor MOU.

Department: Human Resources

Attachments: [Attachment A - Water Supervisory Unit MOU - Redline](#)

[Proposed Resolution](#)

[Exhibit 1 - Water Supervisory MOU](#)

[Exhibit 2 - Budget Amendment](#)

12.4 [23-0713](#) **ADOPT A RESOLUTION AUTHORIZING THE PURCHASE OF
MEMBRANE FILTERS FROM FILMTEC CORPORATION FOR THE
DELTA WATER TREATMENT PLANT**

Recommended Action: RECOMMENDATION

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

1. Approve findings pursuant to Stockton Municipal Code Section 3.68.070 for an exception to the competitive bidding process.
2. Authorize a purchase agreement with FilmTec Corporation for membrane filters in the amount of \$261,772.50.

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 - Quote](#)

12.5 [23-0746](#) **ADOPT A RESOLUTION AUTHORIZING A CONTRACT EXTENSION
FOR PROFESSIONAL STAFFING SERVICES FROM
WATERTALENT, LLC. AND AMEND THE FISCAL YEAR 2023-24**

ANNUAL BUDGET

Recommended Action: RECOMMENDATION

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

1. Approve findings pursuant to Stockton Municipal Code Section 3.68.070 in support of an exception to the competitive bidding process.
2. Authorize the City Manager to execute a five (5) year contract extension with waterTALENT, LLC. for a not-to-exceed amount of \$1,599,500.
3. Appropriate funds of \$200,000 from the Wastewater Utility Fund Balance and \$50,000 from the Water Utility Fund Balance to the respective Wastewater and Water Treatment Plant Operations, Special Services account for these services for the 2023-24 fiscal year.

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: Municipal Utilities

Attachments: [Proposed Resolution](#)
[Exhibit 1 - waterTALENT](#)

12.6 [23-0749](#) **AUTHORIZE A COOPERATIVE PURCHASE AGREEMENT WITH
CINTAS CORPORATION THROUGH OMNIA PARTNERS TO OBTAIN
CITYWIDE UNIFORM RENTAL AND LAUNDRY SERVICES**

Recommended Action: RECOMMENDATION

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

1. Approve findings pursuant to Stockton Municipal Code Section 3.68.070 in support of an exception to the competitive bidding process.
2. Authorize a four-year cooperative purchase agreement with Cintas Corporation to provide uniform rental and laundry services through a cooperative contract awarded by OMNIA partners, for a total not to exceed amount of \$1,354,200.

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: Municipal Utilities

Attachments: [Proposed Resolution](#)
[Exhibit 1- Cooperative Agreement](#)

12.7 [23-0678](#) **ADOPT RESOLUTION FOR THE SINGLE AVAILABLE SOURCE
PURCHASE OF BRUSH RIGS**

Recommended Action: RECOMMENDATION

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

1. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
2. Authorize the purchase of four brush rigs plus upfitting of an existing brush rig for the Fire Department in the amount of \$1,478,198 with DEROTIC Emergency Equipment of Rancho Cordova, CA.

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 - Derotic Quotes for Brush Rigs](#)
[Attachment B - Equipment Replacement List](#)
[Proposed Resolution](#)

12.8 [23-0839](#) **ADOPT A RESOLUTION APPOINTING A MEMBER TO THE
MEASURE W OVERSIGHT COMMITTEE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution ratifying the appointment of Mario Enriquez to the Measure W Oversight Committee for a term beginning immediately and ending on January 31, 2025.

Department: City Clerk

Attachments: [Attachment A - Redacted Application.pdf](#)
[Proposed Resolution.docx](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

15.1 [23-0825](#) **ADOPT A MOTION TO ALLOCATE AND APPROPRIATE GRANT AND
GENERAL FUND CONTINGENCY FUNDING FOR A THREE-YEAR
OPERATIONS SUBSIDY FOR ST. MARY'S DINING ROOM**

Recommended Action: RECOMMENDATION

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

1. Allocate and appropriate \$5,380,000 of General Fund Contingency, Homeless Housing Assistance and Prevention (HHAP) and American Rescue Plan Act (ARPA) funds for a three-year, campus-wide shelter operations subsidy to St. Mary's Dining Room.
2. Authorize the City Manager, or designee, to enter into a contract with St. Mary's Dining Room for the operations of the shelter campus for a period of three years, with option to renew.
3. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
4. Authorize the City Manager, or designee, to enter into and execute any associated documents and take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Economic Development

Attachments: [Attachment A - Stockton Shelter Assignment and Assumption](#)
[Attachment B - Sublease Amendment](#)
[Attachment C - Agreement for Shelter Operation Services](#)
[PPT - 15.1 - St Marys Dining Room Update](#)

15.2 [23-0836](#) **ADOPT A RESOLUTION TO ACCEPT AND APPROPRIATE A
ROUND 4 TRANSFORMATIVE CLIMATE COMMUNITIES
IMPLEMENTATION GRANT AWARD IN THE AMOUNT OF
\$24,165,510**

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 \$24,165,510 with the California Strategic Growth Council, and;
2. Authorize the City Manager to appropriate grant revenues and expenditures in the amount of \$24,165,510, and;
3. Authorize the City Manager to execute and manage sub-agreements with co-applicants in amounts consistent with the Grant Agreement, and;
4. Authorize the allocation of four (4) grant-funded limited term positions within the City Manager's Office to oversee the administration of the grant.

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 - TCC Round 4 Implementation Grant Agreement](#)
[Attachment B - Stockton Rising Summary Budget Overview](#)
[Attachment C - TCC Project Area Map](#)
[Proposed Resolution](#)
[PPT - 15.2 - TCC Round 4](#)

16. HEARINGS**

- 16.1 [23-0719](#) **PUBLIC HEARING AUTHORIZING THE CONTINUED USE, FUNDING, AND ACQUISITION, FOR MILITARY EQUIPMENT ESTABLISHED IN THE MILITARY EQUIPMENT USE POLICY AS MANDATED BY CHAPTER 12.8 (COMMENCING WITH SECTION 7070) TO DIVISION 7 OF TITLE 1 OF THE GOVERNMENT CODE, RELATING TO MILITARY EQUIPMENT**

Recommended Action: RECOMMENDATION

It is recommended, at the conclusion of the public hearing, that the City Council, as governing body of the City of Stockton, by motion:

1. Authorize Stockton Police Department (SPD) to continue the use of military equipment as defined by Assembly Bill 481 (AB 481) and approved via City Ordinance 2022-04-05-1601.
2. Approve 2023 Intended Acquisitions, as outlined in the 2023 AB 481 Annual Report, published July 31, 2023.

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

Department: Police

Attachments: [Attachment A - Ordinance No. 2022-04-05-1601](#)
[Attachment B - Stockton PD Annual Report AB 481](#)
[PPT - 16.1 - Assembly Bill 481](#)

17. CITY MANAGER'S UPDATE

18. COUNCIL COMMENTS

19. ADJOURNMENT

INFORMATIONAL ITEMS

- 1 [23-0791](#) **COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES**

Recommended Action:

RECOMMENDATION

Information item only. No action required.

Department:

City Clerk

Attachments:

[CSC 2023-05-18.pdf](#)

[Legislation 2023-04-19.pdf](#)

[Legislation 2023-05-17.pdf](#)

[PC 2023-03-23.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 September 6, 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-adjudicative 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-adjudicative 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.