



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 26, 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 [23-0751](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Two

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: 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 [23-0752](#) **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 [23-0754](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

3.4 [23-0756](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Attorney

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

Department: City Attorney

3.5 [23-0758](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Clerk

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

Department: City Attorney

3.6 [23-0760](#) 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

10.1 PROCLAMATION: CODE ENFORCEMENT OFFICER APPRECIATION WEEK

11. PUBLIC COMMENTS* – MATTERS NOT ON THE AGENDA

12. CONSENT AGENDA

12.1 [23-0874](#) APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the City Council meetings of August 3, 2023 and August 22, 2023.

Department: City Clerk

Attachments: [Attachment A – 2023-08-03 Minutes.pdf](#)
[Attachment B – 2023-08-22 Minutes .pdf](#)

12.2 [23-0835](#) APPROVE A MOTION AUTHORIZING A SERVICE AGREEMENT WITH XYLEM DEWATERING SOLUTIONS INC., DBA WACHS WATER SERVICES FOR HYDRANT INSPECTION SERVICES

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to execute a three-year service agreement in the amount of \$363,050 with Xylem Dewatering Solutions Inc., dba Wachs Water Services to provide hydrant inspection services.
2. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of 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: Fire

Attachments: [Attachment A - Hydrant Inspection Agreement](#)

12.3 [23-0822](#) ADOPT A RESOLUTION TO AUTHORIZE CONTRACT AMENDMENT NO. 3 WITH KEMIRA WATER SOLUTIONS, INC. TO PURCHASE FERRIC AND FERROUS CHLORIDE FOR WASTEWATER TREATMENT

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to authorize contract Amendment No. 3 (Exhibit 1 to the Resolution) in the amount of \$2,003,771 with Kemira Water Solutions, Inc. to accept the annual price adjustments and increase funding to purchase ferric chloride and ferrous chloride for wastewater treatment.

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

Department: Municipal Utilities

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

**12.4 [23-0814](#) **APPROVE RESOLUTION ACCEPTING A DRIVING UNDER THE
INFLUENCE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM
GRANT AWARD FROM THE STATE OF CALIFORNIA OFFICE OF
TRAFFIC SAFETY IN THE AMOUNT OF \$500,000****

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager, or designee, to accept a Driving Under the Influence Selective Traffic Enforcement Program grant award from the State of California Office of Traffic Safety in the amount of \$500,000;
2. Authorize the City Manager, or designee, to execute Grant Agreement PT24202 and all related documents to carry out the purpose and intent of the grant award;
3. Amend the Fiscal Year 2023-24 Annual Budget to increase the Police Grants & Special Programs revenue and expenditure appropriation by \$500,000; and
4. Authorize the City Manager, or designee, to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Department: Police

Attachments: [Proposed Resolution - Grant Agreement PT24202](#)
[Exhibit 1 - Grant Agreement - PT24202](#)

**12.5 [23-0721](#) **ADOPT A RESOLUTION TO AUTHORIZE THE PLAYGROUND
EQUIPMENT REPLACEMENT PROJECT****

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. Approve the plans and specifications for the Playground Equipment Replacement, Project No. WP22026.
3. Award a Construction Contract in the amount of \$139,998.57 to Miracle Construction Company, Inc., DBA Miracle Playsystems of Alamo, CA, to provide and install a playground at Brooking Park.
4. Award a Construction Contract in the amount of \$246,499.00 to Yosso Group, Inc., DBA Specified Play Equipment Co. of Burlingame, CA, to provide and install a playground at Panella Park.
5. Award a Construction Contract in the amount of \$139,954.62 to Ross Recreation of Santa Rosa, CA, to provide and install a playground at Weber Park.

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](#)

[Attachment B - Playground Renderings](#)

[Proposed Resolution](#)

[Exhibit 1 - Contract - Miracle Construction](#)

[Exhibit 2 - Contract - Yosso Group](#)

[Exhibit 3 - Contract - Ross Recreation](#)

12.6 [23-0730](#)

**APPROVE MOTION TO AUTHORIZE THE PACIFIC GAS AND
ELECTRIC EXTENSION AGREEMENT FOR THE MCKINLEY PARK
RENOVATION PROJECT**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council approve a motion to approve and authorize the City Manager to execute the Gas and Electric Extension Agreement with Pacific Gas and Electric in the amount of \$135,632.34, for the electrical and gas upgrades for the McKinley Park Renovation, Project No. WR21017.

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 - Gas & Electric Extension Agreement](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

**15.1 [23-0731](#) COMMUNITY WELL-BEING CRISIS INTERVENTION PROJECT
UPDATE**

Recommended Action: RECOMMENDATION

Informational only; no action to be taken.

Department: City Manager

Attachments: [PPT - 15.1 - Mobile Community Response Data](#)

**15.2 [23-0853](#) ACCEPT THE FISCAL YEAR 2022-23 THIRD QUARTER BUDGET
STATUS UPDATE AND AUTHORIZE BUDGET AMENDMENTS**

Recommended Action: RECOMMENDATION

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

1. Accept this budget status report on the financial results for the Third Quarter of Fiscal Year (FY) 2022-23.
2. Authorize two budget amendments increasing appropriations in the Workers' Compensation Internal Service Fund (ISF) and in the Storm Drain Maintenance District Fund for additional claim and repair expenses.
3. Authorize the continuation of up to \$9,060,939 in FY 2022-23 budget appropriations to FY 2023-24 for the completion of identified programs.

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: Administrative Services

Attachments: [Attachment A - FY22-23 Q3 Budget Update General Fund](#)

[Attachment B - FY22-23 Q3 Revenue Summary](#)

[Attachment C - FY22-23 Q3 Report for Other Major Funds](#)

[Proposed Resolution - FY22-23 Third Quarter Budget Update](#)

[PPT - 15.2 - FY22-23 Third Quarter Budget Update](#)

15.3 [23-0886](#) DISCUSSION AND DIRECTION REGARDING THE PLACEMENT OF

**A CHARTER AMENDMENT FOR ARTICLES XI AND XI-A, ON THE
NOVEMBER 5, 2024, GENERAL ELECTION BALLOT**

Recommended Action: RECOMMENDATION

Staff recommends that the City Council consider, discuss, and provide direction via motion on whether to draft an amendment to the Charter, granting authority over the City's Public Information Office to the City Manager, for submission to the voters on the November 5, 2024, election ballot.

If Council directs staff to draft the amendment and move forward with the process for submission to the voters, there will be two required public hearings and a final meeting at which Council will adopt a resolution to place the Charter Amendment on the 2024 election ballot.

Department: City Attorney

Attachments: [Attachment A - Reso 99-0545](#)

[Attachment B - Reso 00-0122](#)

[Attachment C - Charter Amendments Redlined](#)

16. HEARINGS**

- 16.1 [23-0777](#) **ADOPT A RESOLUTIONS CERTIFYING AN ENVIRONMENTAL IMPACT REPORT, INCLUDING A STATEMENT OF OVERRIDING CONSIDERATIONS, FINDINGS OF FACT, A MITIGATION AND MONITORING REPORTING PROGRAM, AND AN ERRATA TO THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTING A MASTER DEVELOPMENT PLAN; ADOPT AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT, FOR THE PROPOSED ST. JOSEPH'S MEDICAL CENTER OF STOCKTON HOSPITAL EXPANSION PROJECT AT 1800 NORTH CALIFORNIA STREET (APPLICATION NO. P21-0958)**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council:

1. Adopt a Resolution certifying the Environmental Impact Report (SCH #2021120439), including a Statement of Overriding Considerations, Findings of Fact, Mitigation and Monitoring Reporting Program, and Errata to the Final Environmental Impact Report;
2. Adopt a Resolution approving a Master Development Plan, with Conditions of Approval;
3. Adopt an Ordinance approving a Development Agreement; and
4. Authorize the City Manager to take any and all necessary and appropriate actions to carry out the purpose and intent of these actions.

Department: Community Development

Attachments: [Attachment A - Location Map and Aerial Photo](#)

[Attachment B - General Plan Land Use Map](#)

[Attachment C - Zoning Map](#)

[Attachment D - SJMC DEIR](#)

[Attachment E - SJMC FEIR](#)

[Attachment F - CHB Resolutions](#)

[Attachment G - Public Comment Received](#)

[Attachment H - Community Outreach Summary](#)

[Proposed Resolution - FEIR](#)

[Exhibit 1 - SJMC FEIR](#)

[Exhibit 2- Findings, SOC, MMRP & Errata](#)

[Proposed Resolution - Master Development Plan](#)

[Exhibit 1 - MDP](#)

[Proposed Ordinance - Development Agreement](#)

[Exhibit 1 - Development Agreement](#)

[PPT - 16.1 - St Joseph's Medical Center Expansion Project](#)

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 September 21, 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.