

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

Tuesday, April 18, 2023

4:00 PM

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

- 1. CLOSED SESSION CALL TO ORDER/ROLL CALL
- 2. ADDITIONS TO CLOSED SESSION AGENDA
- 3. ANNOUNCEMENT OF CLOSED SESSION
- 3.1 23-0328 CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION

Number of Cases: Four

Name of Case: Police Officer James Nance (Workers'

Compensation Appeals Board Case Nos.

ADJ8798757, ADJ10582775, and ADJ9894525)

Name of Case: Police Lieutenant Augustin Telly, (Workers'

Compensation Appeals Board Case Nos.

ADJ13360734, ADJ3086370, and ADJ16894783)

Name of Case: Stockton East Water District v. City of Stockton,

et al. (San Joaquin County Superior Court Case

No. STK-CV-UOCT-2017-13066)

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.

<u>Department:</u> City Attorney

Note: This item was revised by the Office of the City Attorney on April 14, 2023

3.2 23-0329 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 23-0330 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

This Closed Session is authorized pursuant to Government Code section

54957.

Department: City Attorney

3.4 <u>23-0331</u> PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Attorney

This Closed Session is authorized pursuant to Government Code section

54957

Department: City Attorney

3.5 <u>23-0332</u> PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Clerk

This Closed Session is authorized pursuant to Government Code section

54957.

Department: City Attorney

3.6 <u>23-0333</u> 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).

<u>Department:</u> City Attorney

4. CLOSED SESSION PUBLIC COMMENT*

5. RECESS TO CLOSED SESSION

6. RE	GULAR	SESSION	CALL TO	ORDER	/ROLL	CALL
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- 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 23-0384 PROCLAMATION: NATIONAL DONATE LIFE MONTH

Department: Office of the Mayor

10. 2 23-0386 PROCLAMATION: ASSOCIATION OF FILIPINO AMERICANS IN

EDUCATION

Department: Office of the Mayor

10. 3 23-0387 CERTIFICATE OF RECOGNITION: WESTON RANCH BOYS

BASKETBALL TEAM

Department: Office of the Mayor

- 11. PUBLIC COMMENTS* MATTERS NOT ON THE AGENDA
- 12. CONSENT AGENDA
- 12.1 23-0372 APPROVAL OF CITY COUNCIL MINUTES

RECOMMENDATION

Approve the minutes from the City Council meetings of February 15, 2023, February 22, 2023, March 1, 2023, and March 21, 2023

Department: City Clerk

Attachments: Attachment A - 2023-02-15

Attachment B – 2023-02-22

Attachment C – 2023-03-01

Attachment D – 2023-03-21

12.2 23-0293 PRELIMINARILY APPROVE THE 2023-24 STOCKTON

CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT 2005-1 ANNUAL ENGINEERS' REPORT, THE PROPOSED FISCAL YEAR 2023-24 BUDGET, AND SET A PUBLIC HEARING

FOR JUNE 6, 2023

Recommended Action:

RECOMMENDATION

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

- Preliminarily approve the Fiscal Year (FY) 2023-24 Annual Engineers' Report for the Stockton Consolidated Storm Drainage Maintenance Assessment District 2005-1.
- 2. Preliminarily approve the FY 2023-24 proposed budgets for each zone.
- 3. Approve setting a Public Hearing for June 6, 2023.
- 4. Authorize the City Clerk to publish notice of the public hearing.

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: Attachment A - District Zones Location Map

Attachment B - Summary of Zone Budgets

Proposed Resolution

12.3 23-0295

PRELIMINARILY APPROVE THE 2023-24 ANNUAL ASSESSMENTS FOR INDUSTRIAL STORM DRAINAGE BASIN MAINTENANCE DISTRICTS AND ANNUAL ENGINEERS' REPORT, THE PROPOSED FISCAL YEAR 2023-24 BUDGET, AND SET A PUBLIC HEARING FOR JUNE 6, 2023

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt six resolutions of intention to:

- 1. Preliminarily approve the Fiscal Year (FY) 2023-24 annual assessments for the six Storm Drainage Basin Maintenance Districts proposed budgets.
- 2. Preliminarily approve and confirm the Engineer's estimate of the itemized costs and expenses of the maintenance and incidental expenses contained in the proposed budget.
- 3. Approve setting a Public Hearing for June 6, 2023, for the following industrial storm drainage basin districts:
- * Western Pacific Industrial Park Storm Drainage Basin Maintenance District, Project Number 81-1 (Western Pacific)
- * Charter Way Industrial Site Storm Drainage Basin Maintenance District, Project Number 86-4 (Charter Way)
- * Arch Road Industrial Park Storm Drainage Basin Maintenance District, Project Number 84-2 (Arch Road)
- * Airport Gateway Center Storm Drainage Basin Maintenance District (Airport Gateway)
- * Stockton Airport Business Center Storm Drainage Basin Maintenance District, Project Number 84-1 (Stockton Airport)
- * North Newcastle Storm Pump Station and Basin Maintenance District, Project Number 20-1 (North Newcastle)
- 4. Authorize the City Clerk to publish notice of the public hearing.

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 resolutions.

Department:

Municipal Utilities

Attachments:

Attachment A - Storm Drainage Basin Districts Map

Attachment B - 2023-2024 Industrial District Budget Draft

Proposed Resolution - Western Pacific Prelim

Proposed Resolution - Charter Prelim

Proposed Resolution - Arch Road Prelim

Proposed Resolution - Airport Gateway Prelim

Proposed Resolution - Airport Bus Prelim

Proposed Resolution - North Newcastled Prelim

12.4 <u>23-0327</u>

ADOPT A RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH PUMP REPAIR SERVICE COMPANY TO REPLACE WELL 30 PUMP WORKS

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to execute a Professional Services Agreement in the amount of \$340,400 with Pump Repair Service Company to provide and install a submersible pump and

motor for Well 30.

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

<u>Department:</u> Municipal Utilities

<u>Attachments:</u> <u>Proposed Resolution</u>

Exhibit 1 - Contract

12.5 23-0335 AUTHORIZE ADDITION OF NEW PLANT MAINTENANCE WORKER POSITIONS TO THE MUNICIPAL UTILITIES DEPARTMENT - MCLEOD LAKE CLEANUP PROGRAM

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to authorize three (3) new represented Plant Maintenance Worker positions for the Municipal Utilities Department McLeod Lake Cleanup Program.

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: Municipal Utilities

12.6 23-0310 APPROVE RESOLUTION ACCEPTING FUNDING FROM THE STATE OF CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS, AND AMEND THE FISCAL YEAR 2022-23 ANNUAL BUDGET

Recommended Action: RECOMMENDATION

It is recommended City Council adopt a resolution:

1. Accepting funds from the State of California in the amount of \$275,918.49 for the purpose of improving officer wellness and expanding mental health sources;

2. Appropriating revenue and expenditure budget in the Police Special Revenue Fund; and

3. Authorizing the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of this resolution.

Department: Police

Attachments: Proposed Resolution - CA Assembly Bill 178 Funds

12.7 23-0154 ADOPT RESOLUTION TO AUTHORIZE THE 2020-21 SANITARY SEWER MAINTENANCE HOLE REHABILITATION PROJECT

Recommended Action: RECOMMENDATION

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

- 1. Approve Notice of Exemption No. NOE4-22 under the California Environmental Quality Act for the 2020-21 Sanitary Sewer Maintenance Hole Rehabilitation, Project No. UW20011.
- 2. Approve the plans and specifications for the 2020-21 Sanitary Sewer Maintenance Hole Rehabilitation, Project No. UW20011.
- 3. Award a Construction Contract in the amount of \$357,990.91 to Lamassu Utility Services, Inc. of Loomis, CA, for the 2020-21 Sanitary Sewer Maintenance Hole Rehabilitation, Project No. UW20011.

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

12.8 <u>23-0189</u> ADOPT RESOLUTION TO AUTHORIZE THE GREATER DOWNTOWN BIKE AND PEDESTRIAN CONNECTIVITY PROJECT

Recommended Action: RECOMMENDATION

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

- 1. Authorize staff to request funding for design from the California Transportation Commission;
- 2. Approve Notice of Exemption No. NOE04-23 under the California Environmental Quality Act for the Greater Downtown Bike and Pedestrian Connectivity, Project No. WT22051/Project No. ATPSB1L-5008(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 this resolution.

Department: Public Works

<u>Attachments:</u> Attachment A - Project Area and Spot Improvements Maps

Proposed Resolution

Exhibit 1 - Notice of Exemption

12.9 <u>23-0190</u> AUTHORIZE SUBMITTAL OF GRANT APPLICATIONS FOR AQUATIC AND PARK FACILITIES, AND AMEND THE FISCAL YEAR 2022-23 ANNUAL BUDGET

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt three resolutions.

Resolution No. 1:

- 1. Authorize the City Manager to submit grant applications to the California State Parks Local Assistance Specified Grants via the California Department of Parks and Recreation Office of Grants and Local Services for three projects:
- * Victory Park Pool Replacement in the amount of \$500,000; and
- * McKinley Park Renovation in the amount of \$1,800,000; and
- * Fong Park Improvements in the amount of \$1,700,000.
- 2. Authorize the City Manager to accept the grant awards, conduct all negotiations, sign, and submit all documents including applications, amendments, and all payment requests, and make all necessary appropriations in compliance with and for the purposes stated in the grant applications.

Resolution No. 2:

1. Approve Notice of Exemption No. NOE03-23 under the California Environmental Quality Act (CEQA) for the renovation of aquatic facilities at Victory Park, McKinley Park, and Fong Park improvements.

Resolution No. 3:

- 1. Amend the Fiscal Year 2022-23 Annual Budget to appropriate additional funds from the California Department of Parks and Recreation Office of Grants and Local Services in the amount of:
- * \$500,000 to the Victory Park Pool Replacement, Project No. CR18020, for the replacement of the Victory Park pool; and
- * \$1,800,000 to the McKinley Park Renovation, Project No. WR21017, for the renovation of the McKinley Park pool; and
- * \$1,700,000 to the Fong Park Improvements, Project No. WP22035.

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: Proposed Resolution 1

Proposed Resolution 2

Exhibit 1- Notice of Exemption

Proposed Resolution 3

12.10 23-0281

PRELIMINARILY APPROVE THE FISCAL YEAR 2023-24 CENTRAL STOCKTON LIGHTING MAINTENANCE DISTRICT ANNUAL ENGINEER'S REPORT, PRELIMINARILY APPROVE THE PROPOSED FISCAL YEAR 2023-24 BUDGET, AND SET A PUBLIC HEARING FOR JUNE 6, 2023

Recommended Action:

RECOMMENDATION

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

- 1. Preliminarily approve the Central Stockton Lighting Maintenance District Annual Engineer's Report for the Fiscal Year 2023-24.
- 2. Preliminarily approve the proposed Fiscal Year 2023-24 budget.
- 3. Set a public hearing for June 6, 2023.
- 4. Authorize the City Clerk to publish notice of the public hearing.

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 - Map of Central Stockton Lighting Maintenance Asst District

Attachment B - Proposed FY 2023-24 Budget

Proposed Resolution

12.11 <u>23</u>-0282

PRELIMINARILY APPROVE THE FISCAL YEAR 2023-24 STOCKTON CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 96-2 ANNUAL ENGINEER'S REPORT, PROPOSED FISCAL YEAR 2023-24 BUDGET, AND SET A PUBLIC HEARING FOR JUNE 6, 2023

Recommended Action:

RECOMMENDATION

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

- 1. Preliminarily approve the Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 Annual Engineer's Report for the Fiscal Year 2023-24.
- 2. Preliminarily approve the proposed Fiscal Year 2023-24 budget.
- 3. Set a public hearing for June 6, 2023.
- 4. Authorize the City Clerk to publish notice of the public hearing.

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

Attachment A - Vicinity Map

Attachment B - Proposed FY 2023-24 Budget

Attachment C - Summary of Zones

Proposed Resolution

12.12 23-0379 MAYORAL APPOINTMENT OF VICE MAYOR

<u>Department:</u> Office of the Mayor <u>Attachments:</u> <u>Proposed Resolution</u>

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

15.1 23-0359 UNITED WAY - ARPA UPDATE

Recommended Action: RECOMMENDATION

Informational only. No action to be taken.

Department: Economic Development

Attachments: PPT - 15.1 - United Way ARPA Update

15.2 23-0258 ADOPT A RESOLUTION TO APPROVE THE MIRACLE MILE COMMUNITY IMPROVEMENT DISTRICT PROPOSED 2023 ANNUAL

OPERATING BUDGET AND 2022 ANNUAL REPORT

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

- 1. Approving the proposed 2023 Operating Budget for the Miracle Mile
- Community Improvement District;
- 2. Approving the 2022 Annual Report for the former Miracle Mile Property and Business Improvement District; and
- 3. Authorizing the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose of this resolution.

Department: Economic Development

Attachments: Attachment A - SMC Ordinance No. 2022-03-22-1211

Attachment B - Resolution No. 2022-09-13-1602

Attachment C - Resolution No. 2022-07-12-1203

Attachment D - MMCID Boundary Map

Proposed Resolution - MMCID 2023

Exhibit 1 - MMID 2023 Operating Budget

Exhibit 2 - Miracle Mile Annual Report 2022

PPT - 15.2 - MMID Budget and Annual Report

15.3 23-0262 ADOPT A RESOLUTION TO APPROVE THE DOWNTOWN STOCKTON PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

2023 ANNUAL OPERATING BUDGET AND 2022 ANNUAL REPORT

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving the 2022 Annual Report and 2023 Operating Budget for the Downtown Stockton Property and Business Improvement District; and

2. Authorizing the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose of this resolution.

<u>Department:</u> Economic Development

Attachments: Proposed Resolution - DSA Budget and Annual Report

Exhibit 1 - DSA Budget 2023

Exhibit 2 - DSA 2022 Annual Report PPT - 15.3 - DSA Annual Report

16. HEARINGS**

16.1 <u>23-0276</u> PUBLIC HEARING: FY 2023-24 ANNUAL ACTION PLAN FOR THE

COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, AND EMERGENCY SOLUTIONS GRANT

PROGRAMS

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

- 1. Approving the FY 2023-24 Annual Action Plan and Sources and Uses of Funds for the Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant Programs; and
- 2. Authorizing the City Manager, or designee, to execute and submit all documents to the U.S. Department of Housing and Urban Development, execute contracts with sub-recipients, and to take actions necessary and appropriate to carry out the purpose and intent of the resolution.

Department: Economic Development

Attachments: Attachment A - Grant Applications Recieved

Proposed Resolution - 2023-2024 Annual Action Plan

Exhibit 1 - DRAFT 2023-2024 Annual Action Plan

Exhibit 2 - 2023-2024 Sources and Uses Draft

PPT - 16.1 - 2023-2023 Annual Action Plan

16.2 23-0241 ADOPT AN ORDINANCE AMENDING TITLE 16 OF THE STOCKTON MUNICIPAL CODE TO CREATE REGULATIONS PERTAINING TO FOOD TRUCK PARKS AND COMMISSARIES

Recommended Action: RECOMMENDATION

It is recommended that the City Council:

1. Find no further environmental review is required for the proposed code amendments pursuant to the California Environmental Quality Act (CEQA) section 15183 (consistency with General Plan and Community Plan); and

2. Adopt an Ordinance amending Title 16 (Development Code) of the Stockton Municipal Code to create regulations pertaining to food truck

parks and commissaries.

<u>Department:</u> Community Development

<u>Attachments:</u> Attachment A - Ad Hoc Committee Roster

Attachment B - Notes from Initial Ad Hoc Committee Review

Attachment C - Proposed Ordinance Red-Lined Version

Attachment D - Approved Planning Commission Reso 2023-02-23-0501

Proposed Ordinance

PPT - 16.2 - Food Truck Park and Commissary Developments

- 17. CITY MANAGER'S UPDATE
- 18. COUNCIL COMMENTS
- 19. ADJOURNMENT

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 April 12, 2023, in compliance with the Brown Act.

Eliza R. Garza, CMC City Clerk

By:			
	Depu	ıtv	

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
- 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 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 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

April 18, 2023

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.