



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, June 13, 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: Vice Mayor Kimberly Warmesley will participate in the meeting via teleconference from the following location: Hampton Inn LaX Airport, Lobby 11430 Acacia Ave, Hawthorne, California 90250

1. **CLOSED SESSION CALL TO ORDER/ROLL CALL**
2. **ADDITIONS TO CLOSED SESSION AGENDA**
3. **ANNOUNCEMENT OF CLOSED SESSION**
- 3.1 [23-0527](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Three

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: David Guidry City of Stockton, et al. (United States
Eastern District Court Case No.
2:21-CV-01238-TLN-JDP)

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 [23-0530](#) **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 [23-0531](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action:

City Manager

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

Department:

City Attorney

3.4 [23-0533](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action:

City Attorney

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

Department:

City Attorney

3.5 [23-0535](#) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE:

Recommended Action:

City Clerk

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

Department:

City Attorney

3.6 [23-0537](#) 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 [23-0609](#) ADOPT A RESOLUTION APPROVING THE DISPLAY OF THE PRIDE
FLAG IN COMMEMORATION OF PRIDE MONTH

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution authorizing the City of Stockton to display the Pride Flag from June 14, 2023, to June 21, 2023, in commemoration of Pride Month.

Department: City Clerk

Attachments: [Proposed Resolution - Pride Flag Display](#)

- 12.2 [23-0341](#) RATIFYING THE SAN JOAQUIN COUNCIL OF GOVERNMENTS'
ANNUAL FINANCIAL PLAN FOR FISCAL YEAR 2023-24

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to ratify the San Joaquin Council of Governments' Annual Financial Plan for Fiscal Year 2023-24.

Department: City Manager

Attachments: [Attachment A - SJCOG FY 2023-2024 Annual Financial Plan](#)

- 12.3 [23-0343](#) SUMMARY VACATION OF A PORTION OF PUBLIC RIGHT-OF-WAY
AT 1704 WEST FREMONT STREET

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving a summary vacation of a portion of the public right-of-way at 1704 West Fremont Street.
2. Authorizing the filing of Notice of Exemption No. 9-23 under the California Environmental Quality Act for a portion of the public right-of-way at 1704 West Fremont Street.
3. Authorizing the City Manager, or his designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this resolution.

Department: Economic Development

Attachments: [Attachment A - Vicinity Map - 1704 West Fremont](#)

[Attachment B - Aerial Map - 1704 West Fremont](#)

[Proposed Resolution - 1704 West Fremont Abandonment](#)

[Exhibit 1 - Legal Description - 1704 West Fremont](#)

[Exhibit 2 - Plat - 1704 West Fremont](#)

[Exhibit 3 - NOE9-23 Response - 1740 West Fremont](#)

12.4 [23-0481](#)

**RESOLUTION AUTHORIZING AN AGREEMENT WITH PENDULUM
STUDIO LLC, TO COMPLETE CONSTRUCTION DRAWINGS FOR
MAJOR LEAGUE BASEBALL REQUIRED UPGRADES TO THE
BANNER ISLAND BALL PARK**

Recommended Action:

RECOMMENDATION

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

1. Authorizing the City Manager, or designee, to execute an agreement with Pendulum Studios, LLC (Pendulum) (Exhibit 1 to the proposed Resolution), to develop construction drawings for the Banner Island Ball Park upgrades required to meet the new Major League Baseball (MLB) stadium standards;
2. Authorizing the City Manager, or designee, to consolidate project funding as follows, transfer \$150,000 from CIP Project #EED8601 (Reso. 2021-06-22-1602, Attachment A), and one-time FY 2021-22 year-end funding (\$500,000, Reso. 2021-11-16-1501, Recommended Project #33, Attachment B) into existing CIP Project EV23607, designated for the Banner Island Ballpark Upgrade;
3. Finding an exception to the competitive bidding process pursuant to SMC Section 3.68.070 through use of a competitive request for proposals; and
4. Authorizing the City Manager, or designee, to take all appropriate actions to carry out the purpose and intent of this Resolution.

Department: Economic Development

Attachments: [Attachment A - Resolution 2021-06-22-1602](#)

[Attachment B - Resolution 2021-11-16-1501](#)

[Attachment C - Stockton 2021 Facility Audit Report](#)

[Attachment D - Ports Contract with Amendments 1 and 2](#)

[Proposed Resolution - Pedulum Contract](#)

[Exhibit 1 - Pendulum Contract](#)

12.5 [22-1092](#)

**APPROVE A MOTION TO JUSTIFY EXCEPTION TO THE
COMPETITIVE BID PROCESS AND ENTER INTO SERVICE
AGREEMENT WITH EMPOWER RETIREMENT, LLC, FOR
INVESTMENT AND RECORD KEEPING ADMINISTRATION
SERVICES FOR THE 457(B), 457(B) PART-TIME, TEMPORARY,
SEASONAL, AND 401(A) DEFERRED COMPENSATION PLANS**

Recommended Action:

RECOMMENDATION

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

1. Approve entering into the service agreements with Empower Retirement, LLC, for investment and record keeping administration services for the 457(b) Group Account Number 772929-01, 457(b) Part-Time Group Account Number 772932-01, Temporary, Seasonal employees, and 401(a) Group Account Number 772933-01 Deferred Compensation Plans.
2. Authorize the City Manager to execute a three-year service agreement with the option of two (2), one (1) year extensions, for fixed account investment and record-keeping and administration services: and
3. 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 City Manager be authorized to take necessary and appropriate actions to carry out the purpose and intent of the motion.

Department: Human Resources

Attachments: [Attachment A - 457\(b\)-401\(a\) Restated MSA](#)

12.6 [23-0334](#)

**AUTHORIZE THE PURCHASE OF MOTOROLA RADIOS FOR NEW
AND EXPANDED PROGRAMS UTILIZING THE COOPERATIVE
PURCHASING AGREEMENT WITH THE HOUSTON-GALVESTON
AREA COUNCIL**

Recommended Action:

RECOMMENDATION

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

1. Authorize the use of the Cooperative/Piggyback Purchase Agreement with Houston-Galveston Area Council (H-GAC) and the Motorola Solutions Inc. Communications System and Services Agreement for the purchase of Motorola radios for new and expanded department program additions, estimated at \$374,000 for initial purchases and an additional \$36,000 contingency for a total contract amount of \$410,000;
2. Authorize the City Manager to exercise available options to extend the term of the Agreement by written amendment, not to go beyond the term stated in the COOP fully executed amendment;
3. Approve findings pursuant to Stockton Municipal Code 3.68.070 in support of an exception to the competitive bidding process; and
4. Authorize the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Department: Information Technology

Attachments: [Attachment A - Coop Agreement with Motorola and H-GAC](#)
[Attachment B - Motorola Quotes](#)

**12.7 [23-0309](#) REJECT BIDS FOR THE WEBER POINT EVENTS CENTER SHADE
STRUCTURE REHABILITATION - PHASE 2 PROJECT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to reject all bids received for the Weber Point Events Center Shade Structure Rehabilitation - Phase 2, Project No. WP22033, pursuant to Stockton Municipal Code section 3.68.160(B).

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](#)

**12.8 [23-0324](#) ADOPT RESOLUTION TO AUTHORIZE THE PACIFIC AVENUE AND
MARCH LANE INTERSECTION MODIFICATIONS PROJECT**

Recommended Action: RECOMMENDATION

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

1. Approve the plans and specifications for the Pacific Avenue and March Lane Intersection Modifications, Project No. WT17025/Federal Project No. CML-5008(181).
2. Appropriate funds in the amount of \$180,000 from the Public Facility Fees Air Quality Fund Balance to the Pacific Avenue and March Lane Intersection Modifications, Project No. WT17025/Federal Project No. CML-5008(181).
3. Appropriate funds in the amount of \$20,000 from the Accessible Pedestrian Signals Program to the Pacific Avenue and March Lane Intersection Modifications, Project No. WT17025/Federal Project No. CML-5008(181).
4. Award a Construction Contract in the amount of \$650,839 to McFadden Construction, Inc. of Stockton, CA, for the Pacific Avenue and March Lane Intersection Modifications, Project No. WT17025/Federal Project No. CML-5008(181).

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 - Construction Contract](#)

**12.9 [23-0326](#) APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES
CONTRACT FOR THE EIGHT MILE ROAD PRECISE ROAD PLAN**

Recommended Action: RECOMMENDATION

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

1. Award a Professional Services Contract to Siegfried Engineering, Inc. of Stockton, CA, in the amount of \$741,000, to prepare environmental documents and Precise Road Plan for the Eight Mile Road Precise Road Plan, Project No. WT21013.

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

It is 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 - Professional Services Contract](#)

**12.10 [23-0354](#) ADOPT RESOLUTION TO AUTHORIZE THE 2016 SANITARY SEWER
REHABILITATION PROJECT**

Recommended Action: RECOMMENDATION

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

1. Approve Notice of Exemption No. NOE09-20 under the California Environmental Quality Act for the 2016 Sanitary Sewer Rehabilitation, Project No. UW16006.

2. Approve the plans and specifications for the 2016 Sanitary Sewer Rehabilitation, Project No. UW16006.

3. Transfer funds in the amount of \$488,000 from the Wastewater Utility Fund Balance to the 2016 Sanitary Sewer Rehabilitation, Project No. UW16006.

4. Award a Construction Contract in the amount of \$1,297,130 to California Trenchless, Inc. of Hayward, CA, for the 2016 Sanitary Sewer Rehabilitation, Project No. UW16006.

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 - Contract - CWTA - California Trenchless](#)

**12.11 [23-0361](#) ADOPT RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS FOR
THE MARCH LANE/EAST BAY MUD BICYCLE AND PEDESTRIAN
PATH CONNECTIVITY IMPROVEMENTS PROJECT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to transfer funds in the amount of \$20,000 from the Bicycle Master Plan Program, Project No. WT17003, to the March Lane/East Bay MUD Bicycle and Pedestrian Path Connectivity Improvements, Project No. WT17022/Federal Project No. ATPCML-5008(179).

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](#)

**12.12 [23-0397](#) ADOPT RESOLUTION TO AUTHORIZE THE CALIFORNIA STREET
ROAD DIET PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Approve Notice of Exemption No. NOE18-21 under the California Environmental Quality Act for the California Street Road Diet, Project No. WT18005/Federal Project No. ATPSB1L-5008(194).
2. Approve the plans and specifications for the California Street Road Diet, Project No. WT18005/Federal Project No. ATPSB1L-5008(194).
3. Appropriate funds in the amount of \$1,377,143.09 from the Measure K Non-Competitive Bicycle, Pedestrian, and Safe Routes to School Program funds to the California Street Road Diet, Project No. WT18005/Federal Project No. ATPSB1L-5008(194).
4. Award a Construction Contract in the amount of \$9,446,626 to George Reed, Inc. of Modesto, CA, for the California Street Road Diet, Project No. WT18005/Federal Project No. ATPSB1L-5008(194).

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

16. HEARINGS**

- 16.1 [23-0468](#) HOLD PUBLIC HEARING FOR APPROVAL OF THE ANNUAL ENGINEER'S REPORT, FY 2023-24 ANNUAL BUDGET, AND CONFIRM AND LEVY ASSESSMENTS FOR THE STOCKTON CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT 2005-1**

Recommended Action:

RECOMMENDATION

The City Council, at its meeting on April 18, 2023, preliminarily approved and confirmed the Engineer's estimate of costs and expenses of the Consolidated Storm Drainage Maintenance Assessment District 2005-1 and the annual assessments related thereto and set the required public hearing.

It is recommended that the City Council now conduct the public hearing to consider public comment and testimony regarding the approval and adoption of the annual budgets and assessment rolls for the District.

After the public hearing, if a majority protest based on assessment amount does not exist, it is recommended that the City Council adopt a resolution to:

1. Overrule all public hearing protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in the District in each zone.

2. Approve and adopt the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1 (District) Annual Engineer's Report for the Fiscal Year (FY) 2023-24, which contains the budget for each zone.

3. Confirm and levy the assessments for each zone as set forth in the Report.

4. File the assessments of a copy thereof, certified by the City Clerk or other City official, with the San Joaquin County Auditor and cause the assessments to be entered on the FY 2023-24 tax roll as set forth in the Annual Engineer's Report on file with the City Clerk.

5. Approve the Annual Report providing for various Amendments to the several Zone Assessment Diagrams showing segregated parcels created since the last Annual Report and directing the City Clerk to deliver said assessment to the Superintendent of Streets of the City, along with all Amendments to the Assessment Diagrams attached, with a certificate of such confirmation and of the date thereto, and that said Superintendent of Streets shall record all said Amendments to the Assessment Diagrams and assessment in a suitable book to be kept for that purpose.

6. Authorize the City Clerk to file in the office of the County Recorder a copy of the Amendments to the Assessment Diagrams, after the recording of the assessment and the Amendments to the Assessment Diagrams in the office of the Superintendent of Streets.

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

Department: Municipal Utilities

Attachments: [Attachment A - Consolidated District Zones Location Map](#)
[Attachment B - Summary of Consolidated District Budget 2023-24](#)
[Proposed Resolution Consolidated District 2023-24](#)
[PPT - 16.1 - Consolidated Storm Drainage Maint Assessment Dist](#)

16.2 [23-0469](#)

**HOLD PUBLIC HEARING FOR APPROVAL OF THE ENGINEER'S
REPORT, FISCAL YEAR 2023-24 ANNUAL BUDGETS, AND
ASSESSMENTS FOR INDUSTRIAL STORM DRAINAGE BASIN
MAINTENANCE DISTRICTS**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council conduct the public hearing called for at its meeting on April 18, 2023, to consider public comment and testimony regarding the approval and adoption of the annual budgets and assessment rolls for the six districts listed below (each, a "District").

At the conclusion of the public hearing, if less than fifty percent of the owners of the assessable lands within a district file a protest of the proposed levy of annual maintenance assessments, it is recommended that the City Council adopt resolutions to:

1. Overrule all public hearing protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in each District, provided, as to each District, no majority protest exists.
2. Approve and adopt the preliminary Fiscal Year (FY) 2023-24 annual budget for each District.
3. Confirm and levy FY 2023-24 assessments for each of the following six industrial storm drainage basin maintenance Assessment Districts (Districts).
 - 1) Western Pacific Industrial Park Storm Drainage Basin Maintenance District, Project Number 81-1 (Western Pacific)
 - 2) Charter Way Industrial Site Storm Drainage Basin Maintenance District, Project Number 86-4 (Charter Way)
 - 3) Arch Road Industrial Park Storm Drainage Basin Maintenance District, Project Number 84-2 (Arch Road)
 - 4) Airport Gateway Center Storm Drainage Basin Maintenance District (Airport Gateway)
 - 5) Stockton Airport Business Center Storm Drainage Basin Maintenance District, Project Number 84-1 (Stockton Airport)
 - 6) North Newcastle Storm Pump Station and Basin Maintenance District, Project Number 20-1 (North Newcastle)
4. Approve and adopt the Engineer's Report (Report) showing the FY 2023-24 assessments and the adjusted drainage acres to be used in assessing the costs and expenses in connection therewith as the method of assessment to be used to pay the costs and expenses of the maintenance and operation.
5. Approve, confirm, and levy the assessments, as described in the Report, of the annual amount of costs and expenses to maintain and operate the improvements upon the several subdivisions of land in each District, in proportion to the estimated benefits to be received by said

subdivisions from the operation of said improvements and of the related incidental expenses as described in each respective Report.

It is further 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](#)

[Proposed Resolution Charter Way Industrial](#)

[Proposed Resolution Arch Road Industrial](#)

[Proposed Resolution Airport Gateway Center](#)

[Proposed Resolution Stockton Airport Business](#)

[Proposed Resolution North Newcastle](#)

[PPT - 16.2 - Storm Drainage Basin Maintenance Districts](#)

16.3 [23-0396](#)

**ADOPT THE BUDGET FOR THE FISCAL YEAR 2023-24 STOCKTON
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT
DISTRICT NO. 96-2**

Recommended Action:

RECOMMENDATION

This public hearing is to consider public comments and testimony regarding the Fiscal Year (FY) 2023-24 Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 (Consolidated Landscape District) Annual Engineer's Report, budget, and levy of assessments.

After the public hearing, if owners of more than 50 percent of the area of assessable lands within the Consolidated Landscape District have not protested the proposed levy of annual maintenance assessments, it is recommended that the City Council adopt a resolution to:

1. Overrule any and all protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in the Consolidated Landscape District in each zone.
2. Approve and adopt the Consolidated Landscape District's Annual Engineer's Report for the FY 2023-24 containing the budget for each zone and confirm and levy the assessments for each zone as set forth in the Annual Engineer's Report.
3. Certify that the special assessment(s), fee(s), or charge(s) to be placed on the FY 2023-24 Secured Property Tax bill by the City of Stockton are certified to meet the requirements of Proposition 218 that added Articles XIIIC and XIID to the California State Constitution.
4. Confirm that the assessments of the annual amount of costs and expenses for the maintenance and operation of the improvements upon the assessable lands in the Consolidated Landscape District, as contained in the Annual Engineer's Report, shall be levied and collected for FY 2023-24. The assessments are in compliance with all laws pertaining to the levy of the annual assessment (State of California Streets and Highways Code Section 22500). The assessments are levied without regard to property valuation. The purpose of the assessments is to pay the costs and expenses for maintenance and operation of public parks and landscape improvements in public rights-of-way and public open spaces.
5. Authorize the City Manager or designee, on behalf of the City Clerk, to file the assessments or a copy thereof certified by the City Clerk with the San Joaquin County Auditor and cause the assessments to be entered on the 2023-24 tax roll for the parcels in the Consolidated Landscape District and each zone within the Consolidated Landscape District as set forth in the Annual Engineer's Report on file with the City Clerk.

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 - Proposed FY 2023-24](#)
 [Attachment C - Summary of Zones](#)
 [Proposed Resolution](#)
 [PPT - 16.3 - Consolidated Landscape Maint Assessment Dist](#)

**16.4 [23-0394](#) ADOPT THE BUDGET FOR THE FISCAL YEAR 2023-24 CENTRAL
STOCKTON LIGHTING MAINTENANCE ASSESSMENT DISTRICT**

Recommended Action:

RECOMMENDATION

This public hearing is to consider public comments and testimony regarding the Fiscal Year (FY) 2023-24 Central Stockton Lighting Maintenance Assessment District (District) Annual Engineer's Report, budget, and levy of assessments.

After the public hearing, if owners of more than 50 percent of the area of assessable lands within the District have not protested the proposed levy of annual maintenance assessments, it is recommended that the City Council adopt a resolution to:

1. Overrule any and all protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in the District in each zone.
2. Approve and adopt the District's Annual Engineer's Report for the FY 2023-24 containing the budget for each zone and confirm and levy the assessments for each zone as set forth in the Annual Engineer's Report.
3. Certify that the special assessment(s), fee(s), or charge(s) to be placed on the FY 2023-24 Secured Property Tax bill by the City of Stockton are certified to meet the requirements of Proposition 218 that added Articles XIIIC and XIID to the California State Constitution.
4. Confirm that the assessments of the annual amount of costs and expenses for the maintenance and operation of the improvements upon the assessable lands in the District, as contained in the Annual Engineer's Report, shall be levied and collected for FY 2023-24. The assessments are in compliance with all laws pertaining to the levy of the annual assessment (State of California Streets and Highways Code Section 22500). The assessments are levied without regard to property valuation. The purpose of the assessments is to pay the costs and expenses for administration, maintenance, and operation of the Central Stockton Lighting Maintenance Assessment District, Zone 4, Oxford Manor.
5. Authorize the City Manager or designee, on behalf of the City Clerk, to file the assessments or a copy thereof certified by the City Clerk with the San Joaquin County Auditor and cause the assessments to be entered on the 2023-24 tax roll for the parcels in the District, Zone 4, Oxford Manor, as set forth in the Annual Engineer's Report on file with the City Clerk.

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 Lighting District](#)

[Attachment B - Proposed FY 2023-24 Budget](#)

[Proposed Resolution](#)

[PPT - 16.4 - Central Stockton Lighting Maint Assessment Dist](#)

17. CITY MANAGER'S UPDATE

18. COUNCIL COMMENTS

19. ADJOURNMENT

INFORMATIONAL ITEMS

1. [23-0552](#) COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Recommended Action: RECOMMENDATION

Information item only. No action required.

Department: City Clerk

Attachments: [Audit 2023-01-30](#)

[Audit 2023-03-20](#)

[Leg 2023-03-15](#)

[WAG 2022-07-06](#)

[WAG 2022-09-07](#)

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 June 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 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-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.