



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, March 12, 2024

3:00 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 [24-0143](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Two

Name of Case: Police Officer Jesus Gonzalez, (Workers'
Compensation Appeals Board Case Nos.
ADJ7726226; ADJ16712192; and ADJ16712191)

Name of Case: Karen Sutherland, et al. v. City of , et al. (United
States District Court - Eastern District Case No.
2:21-CV-01855-WBS-AC)

This Closed Session is authorized pursuant to section 54956.9(d)(1) of
the Government Code to discuss matters pertaining to existing litigation.

Department: City Attorney

- 3.2 [24-0144](#) 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 [24-0145](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

3.4 [24-0146](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Clerk

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

Department: City Attorney

3.5 [24-0149](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Attorney

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

Department: City Attorney

3.6 [24-0147](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Number of Cases: One

The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which is available for inspection (54956.9(e)(3)).

Department: City Attorney

3.7 [24-0254](#) CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: Two

Based on existing facts and circumstances, the Council has decided to initiate or is deciding to initiate litigation pursuant to Government Code section 54956.9(d)(4).

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 [24-0252](#) PROCLAMATION: NATIONAL NUTRITION MONTH - MARCH 2024

Department: Office of the Mayor
 - 10.2 [24-0262](#) PROCLAMATION: PROCUREMENT MONTH - MARCH 2024;
PROCUREMENT PROFESSIONALS' DAY - MARCH 13, 2024

Department: Office of the Mayor
11. PUBLIC COMMENTS* – MATTERS NOT ON THE AGENDA
12. CONSENT AGENDA
 - 12.1 [23-0932](#) AUTHORIZE THE CITY ATTORNEY TO EXECUTE AGREEMENTS
WITH BOND AND DISCLOSURE COUNSEL FIRMS TO ESTABLISH A
POOL FOR THE ISSUANCE OF MUNICIPAL DEBT

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a resolution authorizing
the City Attorney to execute agreements with seven bond and disclosure
counsel firms to establish a vendor pool to issue bonds and other
municipal debt instruments for the financing of capital facilities and
infrastructure and the refinancing of existing debt issuances.

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

Department: Administrative Services

Attachments: [Attachment A - Agreement - Jones Hall](#)
[Attachment B - Agreement - Orrick, Herrington and Sutcliffe LLP](#)
[Attachment C - Agreement - Arent Fox Schiff LLP](#)
[Attachment D - Agreement - Hawkins Delafield Wood LLP](#)
[Attachment E - Agreement - Norton Rose Fulbright US LLP](#)
[Attachment F - Agreement - Richards, Watson and Gershon](#)
[Attachment G - Agreement - Stradling Yocca Carlosn and Rauth LLP](#)
[Proposed Resolution](#)

12.2 [24-0135](#) APPOINTMENT TO THE AVA COMMUNITY ENERGY ADVISORY COMMITTEE

Recommended Action: RECOMMENDATION

Adopt a resolution appointing Davis Harper to fill a vacancy for the Ava Community Energy Advisory Committee for a two year term commencing immediately ending December 31, 2025

Department: City Clerk

Attachments: [Attachment A - Redacted Application](#)
[Proposed Resolution - AVA Appointment.doc](#)

12.3 [24-0189](#) RATIFY APPOINTMENT TO PLANNING COMMISSION

Recommended Action: RECOMMENDATION

It is recommended that City Council adopt a resolution ratifying an appointment to the Stockton Planning Commission to fill a vacated term representing Council District 1. The partial term will begin upon appointment and end January 31, 2027.

Department: City Clerk

Attachments: [Attachment A - Redacted Application](#)
[Proposed Resolution - PC Appointment](#)

12.4 [24-0239](#) APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the City Council meetings of December 5, 2023, December 12, 2023, December 19, 2023, and January 23, 2024.

Department: City Clerk

Attachments: [Attachment A – 2023-12-05 Minutes.pdf](#)
[Attachment B - 2023-12-12 Minutes .pdf](#)
[Attachment C - 2023-12-19 Minutes.pdf](#)
[Attachment D - 2024-01-23 Minutes.pdf](#)

12.5 [24-0091](#) ADOPT A RESOLUTION AUTHORIZING CONTRACT AMENDMENT

**NO. 4 WITH SNF POLYDYNE, INC. FOR THE PURCHASE OF
WASTEWATER TREATMENT POLYMER**

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 two (2) year contract extension with SNF Polydyne, Inc. for a not-to-exceed amount of \$6,386,500.

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 - Amendment 4 - SNF Polydyne](#)

**12.6 [24-0102](#) AWARD A CONSTRUCTION CONTRACT TO SAK CONSTRUCTION
LLC FOR THE BROOKSIDE SOUTH STORMWATER PUMP STATION
DISCHARGE PIPE REHABILITATION**

Recommended Action: RECOMMENDATION

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

1. Approve the filing of Notice of Exemption No. NOE 31-23 under the California Environmental Quality Act (CEQA) for the Brookside South Storm Pump Station Discharge Pipes Rehabilitation, Project No. US24006 (Exhibit 1 to the Resolution).
2. Approve the project Plans and Specifications for the Brookside South Storm Pump Station Discharge Pipes Rehabilitation, Project No. US24006.
3. Award a construction contract of \$153,555 to SAK Construction LLC, of O'Fallon, MO, for the Brookside South Storm Pump Station Discharge Pipes Rehabilitation, Project No. US24006 (Exhibit 2 to the Resolution).

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

Department: Municipal Utilities

Attachments: [Proposed Resolution](#)
[Exhibit 1 - Notice of Exemption](#)
[Exhibit 2 - Construction Contract](#)

12.7 [24-0104](#) ADOPT A RESOLUTION TO AUTHORIZE A CONTRACT

AMENDMENT WITH SWIFTCOMPLY FOR A STORMWATER MODULE SOFTWARE LICENSE

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to authorize an amendment to the five-year contract with SwiftComply of Pleasanton, California (Exhibit 1 to the Resolution) to incorporate a stormwater module into the Environmental Control Enforcement Software for a total amount not-to-exceed \$384,640.

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

Department: Municipal Utilities

Attachments: [Attachment A - Contract No 424000022](#)

[Proposed Resolution](#)

[Exhibit 1 - Contract Amendment No 1](#)

[Exhibit 2 - Scope of Work Amendment No 1](#)

12.8 [24-0181](#) ADOPT RESOLUTION TO AUTHORIZE THE DIGITAL CAMERA REPLACEMENT PROJECT

Recommended Action: RECOMMENDATION

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

1. Approve Notice of Exemption No. NOE52-23 under the California Environmental Quality Act for the Digital Camera Replacement, Project No. WARP506.
2. Approve the details and specifications for the Digital Camera Replacement, Project No. WARP506.
3. Award a Construction Contract in the amount of \$512,365.94 to Convergent Technologies LLC of Stockton, CA, for the Digital Camera Replacement, Project No. WARP506.
4. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

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

Department: Public Works

Attachments: [Attachment A - Digital Camera Locations](#)
[Attachment B - Assignment Letter](#)
[Proposed Resolution](#)
[Exhibit 1 - Notice of Exemption](#)
[Exhibit 2 - Construction Contract](#)

**12.9 [24-0049](#) ADOPT RESOLUTION TO PURCHASE EQUIPMENT UTILIZED BY
THE PUBLIC WORKS DEPARTMENT**

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 use of Cooperative Purchasing Agreements through Sourcewell Contract Nos. 110421-EEC, 110421-ALT, and 040621-P11 to provide the City access to preferential pricing of equipment from Elliot Equipment Company, Altec Industries, Inc., and Petersen Industries, Inc.
3. Authorize the City Manager to execute a contract in the amount of \$442,625.02 with Elliot Equipment Company through affiliated vendor, Nixon-Egli Equipment Company of Tracy, CA, to purchase one crane truck.
4. Authorize the City Manager to execute a contract in the amount of \$176,634.36 with Altec Industries, Inc. of Bakersfield, CA, to purchase one chipper truck.
5. Authorize the City Manager to execute a contract in the amount of \$289,615.60 with Petersen Industries, Inc. through affiliated vendor, Municipal Maintenance Equipment, Inc. of Sacramento, CA, to purchase one grapple truck.

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 - Vehicle Replacement List](#)
[Attachment B - Quote from Nixon-Egli \(Crane\)](#)
[Attachment C - Quote from Altec \(Chipper\)](#)
[Attachment D - Quote from MME \(Grapple\)](#)
[Proposed Resolution](#)
[Exhibit 1 - Cooperative Purchase Agreement-Nixon-Egli](#)
[Exhibit 2 - Cooperative Purchase Agreement - Altec](#)
[Exhibit 3 - Cooperative Purchase Agreement - Petersen](#)

12.10 [24-0068](#) **ADOPT RESOLUTION TO AWARD A PROFESSIONAL SERVICES
CONTRACT AND APPROPRIATE FUNDS FOR THE STREET
RESURFACING ON FEDERAL-AID STREETS FISCAL YEAR 2023-24
PROJECT**

Recommended Action: RECOMMENDATION

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

1. Award a Professional Services Contract to CSG Consultants, Inc. of Foster City, CA, in the amount of \$398,360, for design of the Street Resurfacing on Federal-Aid Streets Fiscal Year 2023-24, Project No. WD24028/HIPSTPL-5008(207).

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

3. Appropriate funds in the amount of \$221,030 from the Measure K Fund Balance to the Street Resurfacing on Federal-Aid Streets Fiscal Year 2023-24, Project No. WD24028/HIPSTPL-5008(207).

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 - Professional Services Contract](#)

13. **ADMINISTRATIVE MATTERS**

14. **UNFINISHED BUSINESS**

15. **NEW BUSINESS**

15.1 [24-0089](#) **COMMUNITY MEDICAL CENTERS PROJECT UPDATES:
COMMUNITY WELL-BEING CRISIS INTERVENTION PROJECT AND
OPIOID SETTLEMENT AGREEMENTS**

Recommended Action: RECOMMENDATION

Informational only; no action to be taken.

Department: City Manager's Office

Attachments: [PPT - 15.1 - Community Medical Centers Project Updates](#)

15.2 [23-1171](#) **OFFICE OF VIOLENCE PREVENTION ANNUAL UPDATE**

Recommended Action: RECOMMENDATION

Information only. No action to be taken.

Department: City Manager
Attachments: [PPT - 15.2 - OVP Annual Update](#)

**15.3 [24-0228](#) ADOPT A RESOLUTION APPROVING RECOMMENDED
ADJUSTMENTS TO THE AMERICAN RESCUE PLAN ACT
PROGRAMS AND PROJECTS**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution approving the recommended adjustments to the American Rescue Plan Act Programs and Projects:

- a. Allocate \$65,000 to complete work already in progress on the Arena Scoreboard Project
- b. Allocate \$300,000 to add an additional year of services to the Non-Profit Capacity Building Program
- c. Allocate \$300,000 for the Essential Worker Premium Payment shortfall adjustment
- d. Allocate \$200,000 to support a co-location Data Center as part of the City's Disaster Readiness Plan
- e. Allocate \$1 million to complete the Emergency Generator Installation Project, adding six firehouse locations
- f. Allocate \$4.124 million to support the Stockton Animal Shelter Renovation Project revised budget estimate
- g. Allocate \$2,011,000 to the Revenue Loss Fund
- h. Allocate \$2,000,000 to the Council Contingency Fund
- i. Authorize the City Manager to reallocate funds among approved ARPA projects to meet the obligation deadlines and close out completed projects.

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

Department: City Manager
Attachments: [Attachment A - February 2024 ARPA Workshop Materials](#)
[Proposed Resolution - 2024 ARPA Adjustments](#)
[PPT - 15.3 - 2024 ARPA Recommendations](#)

16. HEARINGS**

**16.1 [24-0044](#) PUBLIC HEARING TO APPROVE AN OFFICE AND INDUSTRIAL
SALES TAX INCENTIVE AGREEMENT BETWEEN THE CITY OF
STOCKTON AND HOME DEPOT USA, INC., AND AMEND THE
OFFICE AND INDUSTRIAL SALES TAX INCENTIVE PROGRAM
GUIDELINES**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving the execution of an Office and Industrial Sales Tax Incentive Agreement between the City of Stockton and Home Depot USA, Inc.;
2. Amending the Office and Industrial Sales Tax Incentive program guidelines to better support the City in attracting and retaining businesses and to facilitate easier engagement with enterprises;
3. Establishing a Redevelopment Unrestricted Sub-fund within the General Fund as a mechanism for use in the City's redevelopment efforts including acquisition, blight abatement, demolition, and other actions that support the City's development;
4. Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department:

Economic Development

Attachments:

[Attachment A - Resolution 2014-06-24-1505](#)

[Attachment B - Resolution 2014-08-12-1604](#)

[Proposed Resolution - THD](#)

[Exhibit 1 - OIST Program Guidelines](#)

[Exhibit 2 - Agreement THD](#)

[PPT - 16.1 - Industrial Sales Tax Incentive](#)

16.2 [23-1010](#)

**ADOPT AN ORDINANCE FOR PREZONING AND ADOPT A
RESOLUTION AUTHORIZING ANNEXATION REQUESTS FOR A
PROPOSED CONVENIENCE STORE WITH FUELING STATION AND
TWO QUICK-SERVE RESTAURANTS AT 3568 ARCH ROAD (APN
181-120-01) (P20-0011)**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council:

1. Find that the proposed project is exempt from CEQA in accordance with the provisions of CEQA Guidelines Section 15183 (Projects); and
2. Adopt an Ordinance for the Prezoning of APN 181-120-01 to Commercial, General (CG); and
3. Adopt a Resolution authorizing the filing of an annexation application with the San Joaquin Local Agency Formation Commission; and
4. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution and ordinance.

Department:

Community Development

Attachments: [Attachment A - Location Map and Aerial Photo](#)
[Attachment B - General Plan Map](#)
[Attachment C - Zoning Map](#)
[Attachment D - Project Plans](#)
[Attachment E - Planning Commission Resolutions](#)
[Ordinance - Prezoning](#)
[Exhibit 1 - Prezone Description](#)
[Proposed Resolution - Annexation](#)
[Exhibit 1 - Arch Road City Services Plan](#)
[Exhibit 2 - Annexation Map](#)
[Exhibit 3 - MOU](#)
[Exhibit 4 - Draft Detachment Agreement](#)
[PPT - 16.2 - Pre-Zone Annex 3568 Arch Rd](#)

17. CITY MANAGER'S UPDATE

18. COUNCIL COMMENTS

19. ADJOURNMENT

INFORMATIONAL ITEMS

1. [24-0246](#) COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Recommended Action: RECOMMENDATION

Information item only. No action required.

Department: City Clerk

Attachments: [PC 2023-07-27.pdf](#)
[PC 2023-08-10.pdf](#)
[PC 2023-08-24.pdf](#)
[PC 2023-09-14.pdf](#)
[PC 2023-09-21.pdf](#)
[PC 2023-09-28.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 March
7, 2024, 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. Email - you may email your comments to city.clerk@stocktonca.gov*
- 2. Voicemail - you can leave a voice message by dialing (209) 937-8459.*
- 3. 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.