



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 AuthorityConcurrent

Anthony Silva, Mayor/Chair
Christina Fugazi, Vice Mayor/Vice Chair (District 5)
Elbert H. Holman Jr. (District 1)
Daniel R. Wright (District 2)
Susan Lofthus (District 3)
Moses Zapien (District 4)
Michael D. Tubbs (District 6)

Tuesday, August 18, 2015

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 [15-1755](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Five

Name of Case: Wells Fargo Bank v. City of Stockton (San
Joaquin County Superior Court Case No.
39-2012-00277662)

Name of Case: Wells Fargo Bank, National Association, as
Indenture Trustee v. City of Stockton (San
Joaquin County Superior Court Case No.
39-2012-00280741)

Name of Case: In re City of Stockton, California - Debtor (United
States Bankruptcy Court, Eastern District of
California Case No. 2012-32118)

Name of Case: Richard Price, et al. v. City of Stockton,
Redevelopment Agency, et al. (United States
District Court, Eastern District Case No.
CIV.S-02-0065 LKK JFM)

Name of Case: Coalition for a Sustainable Delta, et al. v. City of

Stockton (U.S. District Court, Eastern District
Case No. 2:09-CV-00466 JAM DAD)

This Closed Session is authorized pursuant to Section 54956.9(a) of the
Government Code.

Department: City Attorney

3.2 [15-1767](#)

CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: City Manager Kurt Wilson

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 [15-1979](#)

**CONFERENCE WITH LEGAL COUNSEL - INITIATION OF
LITIGATION**

Number of Cases: Two

Based on existing facts and circumstances, there is significant exposure
to litigation pursuant to Government Code Section 54956.9(c).

Department: City Attorney

3.4 [15-1820](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

City Manager

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

Department: City Attorney

4. **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. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS
11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*
12. CONSENT AGENDA

- 12.1 [15-1796](#) APPROVE A PROFESSIONAL SERVICES CONTRACT FOR
ENGINEERING DESIGN SERVICES WITH TURLEY AND
ASSOCIATES MECHANICAL ENGINEERING GROUP, INC. FOR THE
MUNICIPAL UTILITIES DEPARTMENT HVAC UPGRADES AND
RE-ROOFING (PROJECT NOS. M15006, M15007, M15008, M15013,
AND M15014)

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion authorizing the City Manager to execute a Professional Services Contract with Turley and Associates Mechanical Engineering Group, Inc., in the amount of \$124,160, for the Municipal Utilities Department (MUD) Heating, Ventilation, and Air Conditioning (HVAC) Upgrades and Re-Roofing (Project Nos. M15006, M15007, M15008, M15013, and M15014).

It is further recommended that the motion authorize the City Manager 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](#)

- 12.2 [15-1839](#) SINGLE FAMILY HOUSING REHABILITATION LOAN FOR 103
MOSSWOOD AVENUE

Recommended Action: RECOMMENDATION

It is recommended that the City Council by motion:

1. Approve an \$89,900 Home Investment Partnerships (HOME) Loan to Patricia Ann Smith for repairs to her home located at 103 Mosswood Avenue; and

2. Authorize the City Manager, or his designee, to take necessary and appropriate actions to carry out the purpose and intent of the motion.

Department: Economic Development
Attachments: [Attachment A - Vicinity Map](#)
[Attachment B - Photos](#)
[Attachment C - Housing Program Guidelines](#)
[Attachment D - Resolution 08-0460](#)
[Attachment E - HOME Loan Agreement](#)

**12.3 [15-1863](#) SINGLE FAMILY HOUSING REHABILITATION LOAN FOR 2131
SOUTH SACRAMENTO STREET**

Recommended Action: RECOMMENDATION

It is recommended that the City Council by motion:

1. Approve an \$82,555 Home Investment Partnerships (HOME) Loan to Naomi C. Hau for repairs to her home located at 2131 South Sacramento Street; and
2. Authorize the City Manager, or his designee, to take necessary and appropriate actions to carry out the purpose and intent of the motion.

Department: Economic Development
Attachments: [Attachment A - Vicinity Map](#)
[Attachment B - Photos](#)
[Attachment C - Housing Program Guidelines](#)
[Attachment D - Resolution 08-0460](#)
[Attachment E - HOME Loan Agreement](#)

**12.4 [15-1849](#) RESOLUTION APPROVING FILING OF THE NOTICE OF
EXEMPTION NO. MUD-CE-2-15, AND AWARDDING A
CONSTRUCTION CONTRACT TO NMI INDUSTRIAL HOLDINGS, INC.
FOR THE EIGHTH STREET STORMWATER PUMP STATION TRASH
RACK REPAIR (PROJECT NO. M14019)**

Recommended Action:

RECOMMENDATION

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

1. Authorize the City Manager to approve the filing of Notice of Exemption No. MUD-CE-2-15 under the California Environmental Quality Act (CEQA) for the Eighth Street Stormwater Pump Station Trash Rack Repair (Exhibit 1 to Resolution.)

2. Approve the plans, specifications, and addenda for the Eighth Street Stormwater Pump Station Trash Rack Repair.

3. Award a Construction Contract to NMI Industrial Holdings, Inc. of Sacramento, California, in the amount of \$84,207 for the Eighth Street Stormwater Pump Station Trash Rack Repair (Exhibit 2 to Resolution.)

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

Department: Municipal Utilities

Attachments: [Proposed Resolution - Eighth Street Stormwater PS](#)

[Exhibit 1 - 8th Street Notice of Exemption](#)

[Exhibit 2 - Construction Contract](#)

12.5 [15-1850](#)

**RESOLUTION APPROVING FILING OF THE NOTICE OF
EXEMPTION NO. MUD-CE-3-15, AND AWARDING A
CONSTRUCTION CONTRACT TO NMI INDUSTRIAL HOLDINGS, INC.
FOR THE WESTON RANCH STORMWATER PUMP STATION TRASH
RACK REPAIR (PROJECT NO. M13014)**

Recommended Action:

RECOMMENDATION

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

1. Authorize the City Manager to approve the filing of Notice of Exemption No. MUD-CE-3-15 under the California Environmental Quality Act (CEQA) for the Weston Ranch Stormwater Pump Station Trash Rack Repair (Exhibit 1 to Resolution.)

2. Approve the plans, specifications, and addenda for the Weston Ranch Stormwater Pump Station Trash Rack Repair.

3. Award a Construction Contract to NMI Industrial Holdings, Inc. of Sacramento, California, in the amount of \$124,049 for the Weston Ranch Stormwater Pump Station Trash Rack Repair Project (Exhibit 2 to Resolution.)

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

Department: Municipal Utilities

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

**12.6 [15-1891](#) RESOLUTION APPROVING THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY OF STOCKTON AND THE
STOCKTON POLICE MANAGEMENT ASSOCIATION**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt by Resolution the attached Stockton Police Management Association (SPMA) successor Memorandum of Understanding (MOU) effective July 1, 2014 through June 30, 2016. The City Council adoption will authorize the City Manager to: 1) execute the MOU; 2) amend the Fiscal Year (FY) 2015-16 Budget to appropriate additional funds; and 3) take actions appropriate to carry out the implementation of the MOU.

Department: Human Resources

Attachments: [Attachment A - SPMA MOU Redlined](#)
[Proposed Resolution](#)
[Exhibit 1 - SPMA MOU](#)

**12.7 [15-1911](#) RESOLUTION APPROVING THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY OF STOCKTON AND THE
TRADES AND MAINTENANCE UNIT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt by Resolution the attached Trades and Maintenance Unit (T&M) successor Memorandum of Understanding (MOU) effective July 1, 2014 through June 30, 2016. The City Council adoption will: 1) Authorize the City Manager to execute the MOU, 2) Amend the Fiscal Year (FY) 2015/2016 budget to appropriate additional funds, and 3) Take actions appropriate to carry out the implementation of the MOU.

Department: Human Resources

Attachments: [Attachment A - Trades and Maintenance MOU Redlined](#)
[Proposed Resolution - Trades and Maintenance MOU](#)
[Exhibit 1 - Trades and Maintenance MOU](#)

**12.8 [15-1929](#) RESOLUTION APPROVING MODIFICATIONS TO THE
UNREPRESENTED MANAGEMENT/CONFIDENTIAL AND LAW
EMPLOYEES' COMPENSATION PLAN**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt by resolution the attached modifications to the Unrepresented Management/Confidential and Law Employees' Compensation Plan. The City Council adoption will authorize the City Manager to execute the compensation plan modifications, amend the Fiscal Year (FY) 2015-16 annual budget to appropriate additional funds and authorize the City Manager to take actions appropriate to carry out the implementation of the Compensation Plan.

Department: Human Resources

Attachments: [Attachment A - Unrep Comp Plan - redlined](#)
[Proposed Resolution - Unrep Comp Plan](#)
[Exhibit 1 - Unrep Comp Plan](#)

12.9 [15-1919](#) LINDEN BRANCH LIBRARY PREMISE LEASE AGREEMENT

Recommended Action: RECOMMENDATION

It is recommended the City Council adopt a motion authorizing the City Manager to: execute a three year Commercial Property Lease Agreement (Attachment A) with Magnasco Investments, renewing the commercial space occupied by the Linden Branch Library, and to take appropriate actions to carry out the purpose and intent of the motion.

Department: Community Services

Attachments: [Attachment A - Lease Agreement](#)

12.10 [15-1922](#) GRANT AWARD FOR AVOID THE 10 DUI CAMPAIGN - SAN JOAQUIN COUNTY

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to: 1) authorize the City Manager to accept the grant award in the amount of \$345,000, make all necessary appropriations in compliance with and for the purposes stated in the grant application; and 2) execute the grant agreement and all related documents to carry out the purposes and intent of the grant award.

Department: Police

Attachments: [Proposed Resolution - 2015-16 AVOID Grant](#)
[Exhibit 1 - 2015-16 AVOID Grant Agreement](#)

12.11 [15-1923](#) GRANT AWARD FOR DUI STEP GRANT

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution to: 1) authorize the City Manager to accept a grant award from the State of California Office of Traffic Safety in the amount of \$395,420, and make all necessary appropriations in compliance with and for the purposes stated in the grant application; and 2) execute the grant agreement and all related documents to carry out the purposes and intent of the grant award.

Department: Police

Attachments: [Proposed Resolution - STEP Grant](#)
[Exhibit 1 - 2015-16 STEP Grant Agreement](#)

12.12 [15-1924](#)

APPROVE A MOTION APPROVING FINDINGS WHICH SUPPORT AND JUSTIFY AN EXCEPTION TO THE COMPETITIVE BID PROCESS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH OJO TECHNOLOGY FOR MAINTENANCE OF THE CITYWIDE SECURITY AND TRAFFIC VIDEO MONITORING SYSTEM

RECOMMENDATION

Staff recommends the City Council adopt a motion approving findings which support and justify an exception to the competitive bid process and authorize the City Manager to execute a three-year agreement, including an option for two one-year extensions, with Ojo Technology in the amount of \$209,978 for year one and \$194,980 per year for years two and three for the maintenance of the Citywide Security and Traffic Video Monitoring System. The price of optional extensions will be negotiated and approved through the annual budget process if the extensions are exercised. Staff further recommend that the motion authorize the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of this motion

Department: Information Technology

Attachments: [Attachment A - Agreement with Ojo for Camera Maintenance](#)

12.13 [15-1992](#)

APPROVAL OF CITY COUNCIL MINUTES

Recommended Action:

RECOMMENDATION

Approve minutes of the July 7, 2015 City Council Meeting.

Department: City Clerk

Attachments: [Attachment A - 2015-07-07 Minutes for Approval](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

**15.1 [15-1815](#) DISCUSS SCHEDULING A PUBLIC HEARING TO CONSIDER THE
STOCKTON ECONOMIC STIMULUS PLAN**

This item was placed on the agenda at the request of Mayor Anthony Silva. Additional information is outlined in the attached materials.

Department: Office of the Mayor

Attachments: [Stockton Economic Stimulus Plan](#)

16. HEARINGS****

**16.1 [15-1745](#) PUBLIC HEARING: AMENDMENT TO THE FISCAL YEAR 2015-2016
FEE SCHEDULE RELATED TO COMMUNITY DEVELOPMENT
PERMIT PROCESSING FEES**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution amending the Fiscal Year 2015-2016 Fee Schedule related to Community Development Permit Processing Fees as part of the City's overall efforts to reform, restructure, and reduce the City's development-related impact, permit, and processing fees.

Department: Community Development

Attachments: [Attachment A - Proposed Revisions to FY 2015-16 Fee Schedule](#)

[Attachment B - Fee Revenue Forecast](#)

[Attachment C - Sample Fee Model Scenarios](#)

[Proposed Resolution- Fee Schedule Amendment](#)

[Exhibit 1 - FY 2015-16 Amended Fee Schedule](#)

**16.2 [15-1914](#) TEFRA PUBLIC HEARING: CREATIVE EDUCATION SUPPORT
ORGANIZATION, LLC**

Recommended Action:

RECOMMENDATION

At the conclusion of the public hearing, it is recommended that the City Council adopt a resolution approving the issuance of the California Statewide Communities Development Authority School Facilities Revenue Bonds in an amount not to exceed \$10,000,000, on behalf of Creative Education Support Organization, LLC, a California limited liability company (the "Borrower"), the sole member of which is initially Creative Child Care, Inc., a California nonprofit public benefit corporation.

These bonds do not represent a debt of the City, nor do they obligate the City in any way.

Department:

Economic Development

Attachments:

[Proposed Resolution-TEFRA Creative Ed Support Org](#)

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

**1 [15-1925](#) UPDATE TO RECORDS RETENTION SCHEDULE - REVISED
7/21/2015**

City Council Resolution 09-0147 authorizes updates to the Records Retention Schedule be made without further action by the City Council, but must obtain the consent of the City Clerk, City Manager and City Attorney. This memo is being provided as an information only item to document the latest update to the Citywide records retention schedule. The current version of the retention schedule is on file in the Office of the City Clerk.

Department:

City Clerk

**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.*

****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.*

***Speakers should hold comments on items listed as a Hearing until the Hearing is opened. If a large number of people desire to speak at a Hearing, the Mayor/Chair may reduce the amount of time allocated to each speaker to three (3) minutes.*

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 disabled 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) 937-8459, 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.

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.