



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

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, November 17, 2015

4:00 PM

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

Closed Session 4:00 PM :: Regular Session 5:30 PM

- 1. CLOSED SESSION CALL TO ORDER/ROLL CALL**
- 2. ADDITIONS TO CLOSED SESSION AGENDA**
- 3. ANNOUNCEMENT OF CLOSED SESSION**
- 3.1 [15-1761](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Four

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)

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

Department: City Attorney

3.2 [15-1773](#) 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 [15-1826](#) 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 [15-2030](#) RESOLUTION APPROVING THE FILING OF NOTICE OF EXEMPTION NO. CE005-15, APPROVING THE PLANS AND SPECIFICATIONS, APPROPRIATING FUNDS, AND AWARDING A CONSTRUCTION CONTRACT TO NOR-CAL CONCRETE, INC. FOR THE 2015 SIDEWALK, CURB, AND GUTTER REPAIR PROGRAM (PROJECT NO. PW1531)

Recommended Action: RECOMMENDATION

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

1. Approve the filing of Notice of Exemption No. CE005-15 under the California Environmental Quality Act (CEQA) for the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531).
2. Approve the plans and specifications for the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531).
3. Reallocate the remaining Transportation Development Act (TDA) and Measure K funding accumulated from unspent annual awards from the Sidewalk, Curb, and Gutter Repair Program (Project No. PW9969) in the amount of \$637,403 to the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531).
4. Reallocate the TDA unspent funding from the Curb Ramp Repair project (Project No. PW1304) in the amount of \$185,000 to the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531).
5. Appropriate additional TDA funding in the amount of \$19,782 for Fiscal Year (FY) 2014-15 as apportioned by the San Joaquin Council of Governments (SJCOG) to the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531).
6. Award a Construction Contract in the amount of \$1,252,950 to the lowest bidder, Nor-Cal Concrete, Inc. of Suisun City, CA, for the subject project.

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

Department: Public Works

Attachments: [Attachment A - Curb Gutter and Sidewalk Repair List](#)
[Attachment B - Curb Ramp Installation List](#)
[Proposed Resolution](#)
[Exhibit 1 - Notice of Exemption](#)
[Exhibit 2 - TDA FY 2014-15](#)
[Exhibit 3 - Construction Contract](#)

**12.2 [15-2064](#) APPROVE A PROFESSIONAL SERVICES CONTRACT WITH
ECHELON TRANSPORTATION GROUP, INC. FOR THE CALAVERAS
RIVER BICYCLE AND PEDESTRIAN PATH (PROJECT NO.
PW1437/FEDERAL PROJECT NO. ATPL-5008(143))**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion authorizing the City Manager to execute a Professional Services Contract with Echelon Transportation Group, Inc. (Echelon), in the amount of \$87,852, for the Calaveras River Bicycle and Pedestrian Path (Project No. PW1437/Federal Project No. ATPL-5008(143)).

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](#)

**12.3 [15-2065](#) APPROVE A PROFESSIONAL SERVICES CONTRACT WITH
KJELDSSEN, SINNOCK & NEUDECK, INC. FOR THE SAN JOAQUIN
TRAIL (PROJECT NO. PW1442/ FEDERAL PROJECT NO.
ATPL-5008(139))**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion authorizing the City Manager to execute a Professional Services Contract with Kjeldsen, Sinnock & Neudeck, Inc. (KSN), in the amount of \$88,046.20, for the San Joaquin Trail (Project No. PW1442/Federal Project No. ATPL-5008(139)).

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 with KSN](#)

12.4 [15-2091](#) MOTION ADOPTING THE SPECIFICATIONS, AND AWARDDING A

**SUPPLY CONTRACT TO GEORGE REED, INC. FOR THE
PURCHASE OF HOT MIX ASPHALT, PROJECT NO. O&M-16-004**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion that adopts the specifications for the Purchase of Hot Mix Asphalt, Project No. O&M-16-004, and authorizes the City Manager to execute a Supply Contract in the amount of \$725,490 to the lowest responsive bidder, George Reed, Inc., of Modesto, CA.

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 - Supply Contract](#)

**12.5 [15-2092](#) MOTION ADOPTING THE SPECIFICATIONS, AND AWARDED A
SERVICE CONTRACT TO ANRAK CORPORATION FOR ASPHALT
CONCRETE COLD PLANING, PROJECT NO. O&M-16-006**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion that adopts the specifications for Asphalt Concrete Cold Planing, Project No. O&M-16-006, and authorizes the City Manager to execute a Service Contract in the amount of \$118,125 to Anrak Corporation of Sacramento, CA.

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 - Service Contract](#)

**12.6 [15-2066](#) LOAN TO SAN JOAQUIN HOUSING INVESTMENT GROUP, LLC FOR
THE REHABILITATION OF THE EL MONTE APARTMENTS, 1225
WEST EL MONTE STREET**

Recommended Action: RECOMMENDATION

It is recommended that City Council adopt a resolution:

1. Approving a \$1,365,000 Neighborhood Stabilization Program (NSP) loan to San Joaquin Housing Investment Group, LLC (SJHIG) for the purpose of rehabilitating property located at 1225 West El Monte Street;
2. Approving the El Monte Apartments Relocation Plan; and
3. Authorizing the City Manager, or his designee, to execute all documents and take all necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department: Economic Development

Attachments: [Attachment A - Resolution 2013-05-07-1204](#)

[Attachment B - Vicinity Map](#)

[Attachment C - Photos](#)

[Proposed Resolution - NSP Loan](#)

[Exhibit 1 - Loan Agreement](#)

[Exhibit 2 - Relocation Plan](#)

**12.7 [15-2121](#) AUTHORIZE MODIFICATIONS TO THE LOANS PROVIDED TO
VISIONARY HOME BUILDERS OF CALIFORNIA FOR THE DIAMOND
COVE TOWNHOMES LOCATED AT 5343 AND 5358 CARRINGTON
CIRCLE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council by motion:

1. Authorize modifications to the loans provided to Visionary Home Builders of California for the Diamond Cove Townhomes to extend the terms of the loans, allow subordination to new financing, and allow the assumption of the loans by Carrington Circle Apartments, LP; and
2. Authorize the City Manager, or his designee, to execute all documents, including the Loan Modifications, Subordination Agreement, and Assignment and Assumption Agreement, and take actions necessary and appropriate to carry out the purpose and intent of the motion.

Department: Economic Development

Attachments: [Attachment A - Resolutions 99-0206 and 99-0589](#)

[Attachment B - Vicinity Map](#)

[Attachment C - Resolution 09-0156](#)

[Attachment D - Amendment to Diamond Cove HOME Loan](#)

[Attachment E - Amendment to Diamond Cove CDBG-R Loan Docs](#)

[Attachment F - Diamond Cove - Subordination Agreement](#)

[Attachment G - Assignment and Assumption Agreement HOME](#)

[Attachment H - Assignment and Assumption Agreement CDBG-R Loan](#)

**12.8 [15-2096](#) PURCHASE OF COMPUTER AIDED DISPATCH/RECORDS
MANAGEMENT SYSTEM UPGRADE FOR THE POLICE
DEPARTMENT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a motion approving the findings to support the purchase of an upgrade to the current Computer Aided Dispatch/Records Management System, by TriTech, Inc. in the amount of \$734,303, authorize the Information Technology Department to purchase equipment to support the upgrade, in the amount of \$254,405, and authorize a project contingency in the amount of \$186,292, for a total project cost not to exceed \$1,175,000.

Department: Police

Attachments: [Attachment A - TriTech System Implementation Terms and Conditions](#)

**12.9 [15-2009](#) AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH
CALIFORNIA PARTNERSHIP FOR SAFE COMMUNITIES**

Recommended Action: RECOMMENDATION

It is recommended, in association with the Marshall Plan Project for Public Safety, that the City Council approve a motion authorizing the City Manager to execute an Amendment to Professional Services Agreement with the California Partnership for Safe Communities in the amount of \$175,000; in order to continue support for the implementation of the Operation Ceasefire program, the goal of which is to reduce the number of firearms and gun violence in Stockton.

Department: Police

Attachments: [Attachment A - CPSC Amendment No 3](#)

12.10 [15-2128](#) APPOINTMENT TO WATER ADVISORY GROUP

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution authorizing the appointment of Alexis Stevens to the Council Water Committee's Water Advisory Group for a term commencing immediately and expiring January 31, 2019.

Department: City Clerk

Attachments: [Attachment A - Redacted Applications](#)

[Proposed Resolution - Appointment to the Water Advisory Group](#)

**12.11 [15-2164](#) 2016 CITY COUNCIL/SUCCESSOR AGENCY/STOCKTON PUBLIC
FINANCING AUTHORITY/STOCKTON PARKING AUTHORITY
MEETING CALENDAR**

Recommended Action: RECOMMENDATION

It is recommended that the City Council, Successor Agency, Stockton Public Financing Authority and Stockton Parking Authority adopt by motion action the 2016 Concurrent City Council/Successor Agency/Stockton Public Financing Authority/Stockton Parking Authority Meeting Calendar.

Department: City Council/Successor Agency to the Redevelopment Agency/Public Financing Authority/Parking AuthorityConcurrent

Attachments: [Attachment A - 2016 Meeting and Closed Days Calendar](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

15.1 [15-2181](#) **CONSIDER IMPLEMENTATION OF A COMMUNITY WORKFORCE TRAINING AGREEMENT FOR THE CITY OF STOCKTON**

Recommended Action: RECOMMENDATION

Recommendation of the Legislation/Environmental Committee

The Council Legislation/Environmental Committee recommends that Council direct the City Manager to work with the coalition of stakeholders to discuss the administration of a Community Workforce Training Agreement and to provide the Council with a recommendation for the final agreement.

Recommendation of the City Manager

The Committee recommendation is to direct the City Manager to negotiate with Union representatives and return with a mutually agreeable product. While the City Manager, based on a cursory review of the Committee proposal, has taken no position on the viability, impacts, or appropriateness of such an agreement, the proposed process presents some logistical challenges worth considering. Advice and analysis from the City Manager generally comes in the form of a recommendation based on the totality of circumstances from the view point of what is best for the organization. Negotiations, on the other hand, are the product of what is tolerable among parties rather than what is in the best interest of a single party. The proposed process would represent a departure from the traditional perspective because it would require the City Manager to propose something that may or may not be in the best interest of City. Additional concerns would be the length of time and negotiating parameters within which the process would take place. Similar to labor negotiations with Unions, it is difficult to predict the timeline or outcome of such a negotiating process.

As a result, the staff recommendation is to refer the item back to the Committee for further consideration along with the appropriate legal analysis to determine what, if any, impact will occur.

Department: City Manager

Attachments: [Attachment A - Sample Community Workforce Training Agreement](#)
[Attachment B - Example Spreadsheet of Rates for San Joaquin County](#)

15.2 [15-2182](#) **DISCUSSION OF DENSITY INCREASES IN THE GREATER DOWNTOWN STOCKTON AREA TO ENCOURAGE INFILL, MIXED USE, AND TRANSIT-ORIENTED DEVELOPMENT PROJECTS**

Recommended Action: RECOMMENDATION

This is an informational and discussion item. The City Manager requests Council input and direction as to whether it is appropriate, given our staffing levels and resources, to allocate time to analyze downtown infill projects requesting higher densities than currently allowed.

Department: Community Development

Attachments: [Attachment A - Land Use and Circulation Diagram](#)

[Attachment B - Table 3-1 Development Intensity Standards](#)

[Attachment C - City of Sacramento Land Use and Urban Design](#)

**15.3 [15-2173](#) DISCUSSION TO CONSIDER AMENDING OR REPEALING THE
STOCKTON BIG BOX ORDINANCE ADOPTED BY CITY COUNCIL
ON AUGUST 14, 2007**

Recommended Action: RECOMMENDATION

This is an informational and discussion item. The City Manager requests Council input and direction as to whether it is an appropriate time, given our staffing levels and resources, to allocate time to evaluate applications for warehouse retail development that would require repeal of the "Big Box Ordinance" adopted on August 14, 2007.

Department: City Council/Successor Agency to the Redevelopment Agency/Public
Financing Authority/Parking AuthorityConcurrent

16. HEARINGS****

**16.1 [15-2068](#) RESOLUTION APPROVING AN AMENDMENT TO THE SAN
JOAQUIN MULTI-SPECIES HABITAT CONSERVATION AND OPEN
SPACE PLAN DEVELOPMENT FEE SCHEDULE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a Resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fee Schedule. Findings for the above-recommended action are incorporated into the Resolution.

Department: Community Development

Attachments: [Attachment A - 2016 Fee Study Property List](#)

[Attachment B - SJMSCP Fee Evaluation Spreadsheet](#)

[Proposed Resolution](#)

[Exhibit 1 - 2016 Development Fees](#)

**16.2 [15-2170](#) ADOPT A RESOLUTION AUTHORIZING A PUBLIC FACILITY FEE
REDUCTION PROGRAM
(Public Hearing Continued from November 3, 2015)**

Recommended Action: RECOMMENDATION

Consider adoption of a resolution to implement the new Public Facilities Fee (PFF) program reduction discussed November 3, 2015.

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

Department: Community Development

Attachments: [Attachment A - Comparison of Proposals](#)
[Proposed Resolution - November 3 2015 Council Proposal](#)
[Proposed Resolution - Alternative Proposal](#)

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

**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-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.