



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)
Michael C. Blower (District 4)
Michael D. Tubbs (District 6)

Tuesday, October 18, 2016

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 [16-3047](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Six

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: Jovy Tarangco v. City of Stockton (San Joaquin

County Superior Court Case No.
39-2009-00222403-CU-PO-STK)

Name of Case: Delta Stewardship Council Cases (Sacramento
County Superior Court Case - Judicial Council
Coordination Proceeding
No. 4758)

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

Department: City Attorney

3.2 [16-3048](#) CONFERENCE WITH LABOR NEGOTIATOR

Recommended Action: 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 [16-3049](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

**3.4 [16-3051](#) CONFERENCE WITH LEGAL COUNSEL - INITIATION OF
LITIGATION**

Recommended Action: Number of Cases: One

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

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 [16-3043](#) REPEAL CHAPTER 2.64 OF THE STOCKTON MUNICIPAL CODE
REGARDING EMPLOYMENT OF STOCKTON/SAN JOAQUIN
SPORTS COMMISSION EMPLOYEES

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt an Ordinance repealing Stockton Municipal Code Chapter 2.64 Employment of Stockton/San Joaquin Sports Commission Employees (Attachment A) in its entirety.

Department: City Clerk

Attachments: [Attachment A - Municipal Code Chapter 2.64](#)
[Attachment B - Resolution 11-0255 Disestablishing Sports Commission](#)
[Attachment C - Ordinance 010-11 CS Repealing SMC Chapter 2.98](#)
[Proposed Ordinance - Repealing SMC Chapter 2.64](#)

- 12.2 [16-3033](#) AUTHORIZE A CONTRACT WITH INDIGO HAMMOND+PLAYLE
ARCHITECTS, LLP FOR ARCHITECTURAL AND ENGINEERING
SERVICES AND APPROPRIATION OF FUNDS RELATING TO THE
DESIGN OF TENANT IMPROVEMENTS FOR THE STOCKTON
POLICE FACILITIES AT 22 E. MARKET STREET AND 22 E. WEBER
AVE

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1) Approving a contract with Indigo Hammond + Playle Architects, LLP in the amount of \$599,800 for architectural and engineering services and appropriating funds relating to the design of tenant improvements for the Stockton Police Department facilities at 22 E. Market Street and the 1st and 3rd floors of 22 E. Weber Avenue; and

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

Department: City Manager

Attachments: [Proposed Resolution - Indigo Architectural Services](#)

[Exhibit 1 - Indigo Contract Agreement](#)

12.3 [16-3026](#)

**FINALIZING THE DISPOSITION OF SUCCESSOR AGENCY REAL
PROPERTY BY TRANSFERRING HOUSING ASSETS, FUTURE
DEVELOPMENT AND GOVERNMENTAL USE PROPERTIES FROM
THE SUCCESSOR AGENCY TO THE CITY OF STOCKTON**

Recommended Action:

RECOMMENDATION

Successor Agency Action

It is recommended that the Successor Agency to the former Redevelopment Agency of the City of Stockton ("Successor Agency") adopt two resolutions:

1. Approving the filing of Notice of Exemption No. CE017-16 under the California Environmental Quality Act (CEQA) for the disposition of Successor Agency real property;
2. Approving the transfer of housing properties from the Successor Agency to the City of Stockton ("City");
3. Approving the transfer of certain Successor Agency-owned properties to the City for governmental use or future development; and
4. Authorizing the Executive Director, or his designee, to execute all documents, and take actions necessary and appropriate to carry out the purpose and intent of the resolutions.

City Council Action

It is recommended that the City Council adopt a resolution:

1. Approving the filing of Notice of Exemption No. CE017-16 under the California Environmental Quality Act (CEQA) for the disposition of Successor Agency real property;
2. Approving the acceptance of the properties transferred from the Successor Agency to the City via grant deed; and
3. Authorizing the City Manager, or his designee, to execute all documents and take actions necessary and appropriate to carry out the purpose and intent of the resolution.

Department: Economic Development

Attachments: [Attachment A - Housing Assets Approval](#)
[Attachment B - PMP Approval](#)
[Attachment C - Housing Properties Map](#)
[Attachment D - PMP Transfer Properties Map 1](#)
[Attachment E - PMP Transfer Properties Map 2](#)
[Proposed SA Resolution - Housing Properties](#)
[Exhibit 1 - Housing Asset Transfer Properties](#)
[Exhibit 2 - Notice of Exemption CE017-16](#)
[Proposed SA Resolution - PMP Transfer Properties](#)
[Exhibit 1 - PMP Transfer Properties](#)
[Exhibit 2 - Notice of Exemption](#)
[Proposed CC Resolution - Grant Deeds](#)
[Exhibit 1 - PMP Transfer Properties](#)
[Exhibit 2 - Notice of Exemption](#)

**12.4 [16-3016](#) DOWNTOWN INFRASTRUCTURE INFILL INCENTIVE PROGRAM
REIMBURSEMENT AGREEMENT WITH OPEN WINDOW PROJECT,
LLC**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Authorizing a Downtown Infrastructure Infill Incentive Reimbursement Agreement with Open Window Project, LLC for \$1.8 million; and
2. Authorizing the City Manager to execute future reimbursements up to an additional \$2 million if appropriations are made to the downtown incentive program in subsequent fiscal years; and
3. 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 2015-07-07-1502](#)
[Attachment B - Project Description](#)
[Proposed Resolution - Open Window Project Infrastructure Incentive Program](#)
[Exhibit 1 - Open Window Project Reimbursement Agreement](#)

**12.5 [16-2699](#) APPROVE A MOTION ADOPTING FINDINGS SUPPORTING A SOLE
SOURCE EXCEPTION TO THE COMPETITIVE BIDDING PROCESS
AND APPROVING A CHANGE ORDER TO TIBURON/TRITECH
SYSTEM IMPLEMENTATION TERMS AND CONDITIONS TO
INCLUDE PURCHASE OF FIRE COMPUTER AIDED DISPATCH
MODULE WITH ASSOCIATED TRAINING, PROJECT AND**

MAINTENANCE FEES

Recommended Action: RECOMMENDATION

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

1. Approve a change order to the Stockton Police Tiburon/TriTech System Implementation contract to include the Computer Aided Fire Dispatch module, along with associated additional Interface Modules, Staff Training and Project and Maintenance Fees for a total project cost not to exceed \$597,718.
2. Approve findings that support and justify an exception to the competitive bidding process consistent with Stockton Municipal Code requirements.
3. Appropriate \$163,718 from the Computer Internal Service Fund 502 fund balance.
4. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the motion.

Department: Fire

Attachments: [Attachment A - TriTech-Tiburon Change Proposal](#)
[Attachment B - TriTech-Tiburon Sales Quotation](#)

**12.6 [16-3019](#) ADOPT A RESOLUTION TO EXCLUDE THE FLEET MANAGER
CLASSIFICATION FROM THE CIVIL SERVICE SYSTEM**

Recommended Action: RECOMMENDATION

It is recommended that City Council adopt a resolution to exclude the Fleet Manager classification from the Civil Service system.

Department: Human Resources

Attachments: [Proposed Resolution - Fleet Manager Position](#)
[Exhibit 1 - Mid-Management Positions Covered](#)

**12.7 [16-3012](#) AWARD A CONSTRUCTION CONTRACT TO COLLICUTT ENERGY
SERVICES, INC. FOR COGENERATION ENGINES NO. 1 & NO. 4
OVERHAUL AND SOURCE TEST - PROJECT NO. M16009**

Recommended Action:

RECOMMENDATION

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

1. Reject all bids for the Cogeneration Engine No. 1 Overhaul and Source Test, Project No. M09102, previously received on August 14, 2014 for the project advertisement of Cogeneration Engine No. 1 only.
2. Approve the filing of Notice of Exemption No. MUD-CE-5-15 under the California Environmental Quality Act (CEQA) for the Cogeneration Engines No. 1 & No. 4 Overhaul and Source Test, Project No. M16009 (Exhibit 1).
3. Approve the project specifications and addenda for the Cogeneration Engines No. 1 & No. 4 Overhaul and Source Testing, Project No. M16009.
4. Award a construction contract in the amount of \$1,087,922 to Collicutt Energy Services, Inc. of West Sacramento for the Cogeneration Engines No. 1 and No. 4 Overhaul and Source Test, Project No. M16009 (Exhibit 2).

It is further 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 - Cogeneration Engines 1 and 4](#)
[Exhibit 1 - NOE - Cogen Engines 1 and 4](#)
[Exhibit 2 - Construction Contract - Collicutt](#)

12.8 [16-2994](#)

**RESOLUTION ADOPTING FINDINGS TO SUPPORT A SOLE
SOURCE EXCEPTION TO THE COMPETITIVE BIDDING
REQUIREMENT TO PURCHASE THE VISIONX COMPARISON
MICROSCOPE FOR FIREARMS EXAMINATION FROM ULTRA
ELECTRONICS FORENSICS TECHNOLOGY**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution adopting findings to support a sole source exception to the competitive bidding requirement to purchase the VisionX Comparison Microscope for firearms examination from Ultra Electronics Forensic Technology, Inc. in the amount of \$98,273.

Department: Police

Attachments: [Proposed Resolution - VisionX Microscope](#)
[Exhibit 1 - VisionX Budgetary Proposal](#)

12.9 [16-3065](#)

**STATE OF CALIFORNIA BOARD OF STATE COMMUNITY
CORRECTIONS GRANT RESOLUTION AMENDMENT**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council approve a resolution amending the previously approved Resolution 2016-06-28-1205 for the State of California Board of State Community Corrections Strengthening Law Enforcement and Community Relations Grant to include four additional assurances set forth by the granting agency.

Department: Police

Attachments: [Proposed Resolution - BSCC Grant](#)

12.10 [16-3067](#)

**GRANT AWARD FOR THE SEXUAL ASSAULT LAW ENFORCEMENT
SPECIALIZED UNIT PROGRAM**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution to accept grant funding from the California Office of Emergency Services in the amount of \$204,500 for the Sexual Assault Specialized Response Unit Program; appropriate a 25 percent cash match in the amount of \$68,167, for a total program cost of \$272,667, and authorize the City Manager to execute all required contracts or agreements with the granting agency, provide additional information and furnish such documents as may be required, execute all documents and amendments or extensions pertaining to the grant project, and make all required appropriations in compliance with, and for the purposes stated in the project contract, and to take all necessary and appropriate actions to carry out the purpose and intent of the Resolution.

Department: Police

Attachments: [Attachment A - Agreement](#)

[Proposed Resolution - Sexual Assault Specialized Unit Program](#)

12.11 [16-2952](#)

**APPROVE RESOLUTION TO AUTHORIZE THE 2015 SANITARY
SEWER MAINTENANCE HOLE REHABILITATION (PROJECT NO.
M16005)**

Recommended Action:

RECOMMENDATION

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

1. Approve the filing of Notice of Exemption No. CE015-16 under the California Environmental Quality Act (CEQA) for the 2015 Sanitary Sewer Maintenance Hole Rehabilitation (Project No. M16005).
2. Approve the plans and specifications for the 2015 Sanitary Sewer Maintenance Hole Rehabilitation (Project No. M16005).
3. Award a Construction Contract in the amount of \$392,050 to SoCal Pacific Construction Corporation dba National Coating and Lining Company (SoCal), of Murrieta, CA, for the 2015 Sanitary Sewer Maintenance Hole Rehabilitation (Project No. M16005).

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 - 2015 Sanitary Sewer Maintenance Hole Rehab](#)

[Exhibit 1 - Notice of Exemption](#)

[Exhibit 2 - Construction Contract](#)

12.12 [16-2970](#)

**APPROVE RESOLUTION TO AUTHORIZE THE TENANT
IMPROVEMENTS FOR POLICE ADMINISTRATION AT THE
STEWART/EBERHARDT BUILDING, PROJECT NO. PW1535**

Recommended Action:

RECOMMENDATION

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

1. Approve the plans and specifications for the Tenant Improvements for Police Administration at the SEB, Project No. PW1535.
2. Award a Construction Contract in the amount of \$1,044,000 to Marko Construction Group, Inc. of Fresno, CA, for the Tenant Improvements for Police Administration at the SEB, Project No. PW1535.

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 - Police Administration Tenant Improvement](#)

[Exhibit 1 - Construction Contract](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

15.1 [16-3015](#) AUTHORIZATION TO PROCEED WITH REFINANCING WATER BONDS

Recommended Action:

RECOMMENDATION

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

1. Authorize the City Manager to proceed with activities related to refinancing certain water bonds, subject to subsequent approval by the City Council of the final refinancing documents,
2. Approve findings for exemptions from competitive bidding requirements to appoint an underwriter for the refinancing transaction, and
3. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the motion.

Department:

Administrative Services

Attachments:

[Attachment A - CCO 8 Del Rio](#)

15.2 [16-2993](#) APPROVAL OF EXCLUSIVE NEGOTIATING RIGHTS AGREEMENTS WITH STOCKTONIANS TAKING ACTION TO NEUTRALIZE DRUGS AND 1501 S. AIRPORT WAY, LLC FOR RETAIL DEVELOPMENT OF INFILL PROPERTIES IN SOUTH STOCKTON

Recommended Action:

RECOMMENDATION

It is recommended the City Council adopt two resolutions:

Resolution 1

Approving a 180-day Exclusive Negotiating Rights Agreement between the City of Stockton and Stocktonians Taking Action to Neutralize Drugs (STAND) for the proposed development of a mixed-use retail center located at 2222 & 2244 South Airport Way (South Airport Way & Eighth Street) (Attachment A - Vicinity Map Project 1).

Resolution 2

Approving a 180-day Exclusive Negotiating Rights Agreement between the City of Stockton and 1501 S. Airport Way, LLC for the proposed development of a retail center located at 1670 South Union Street & 1501 South Airport Way (South Airport Way & Second Street - Attachment B - Vicinity Map Project 2).

Department: Economic Development
Attachments: [Attachment A - Vicinity Map Project 1](#)
[Attachment B - Vicinity Map Project 2](#)
[Proposed Resolution - ENRA STAND](#)
[Exhibit 1 ENRA - STAND - Airport and 8th](#)
[Proposed Resolution - ENRA Airport LLC](#)
[Exhibit 1 ENRA - 1501 S Airport Way](#)

16. HEARINGS****

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

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
October 13, 2016, in compliance with the Brown Act.

Bonnie Paige, CMC

By: _____
Deputy

**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.

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.