



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, December 6, 2016

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 [16-3119](#) **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 [16-3121](#) 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 [16-3123](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

**3.4 [16-3125](#) 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 [16-2973](#) APPROVE A PROFESSIONAL SERVICES CONTRACT WITH
MICHAEL BAKER INTERNATIONAL FOR PLANNING SERVICES IN
THE AMOUNT OF \$500,000, AND AMEND THE FISCAL YEAR
2016-2017 DEVELOPMENT SERVICES ANNUAL BUDGET**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Authorizing the City Manager to execute a Professional Services Contract with Michael Baker International in the amount of \$500,000 for planning services; and
2. Authorizing a budget amendment to the Fiscal Year 2016-2017 Development Services budget to increase appropriations by \$500,000 from available fund balance for this contract; and
3. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Department: Community Development

Attachments: [Attachment A - Professional Services Contract](#)
[Proposed Resolution - Planning Services Contract](#)

**12.2 [16-3082](#) APPROVE RESOLUTION TO AUTHORIZE THE SAN JOAQUIN TRAIL
(PROJECT NO. PW1442/ATPL 5008(139))**

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 San Joaquin Trail (Project No. PW1442/ATPL 5008(139)).
2. Award a Construction Contract in the amount of \$878,433 to McFadden Construction, Inc. of Stockton, CA, for the San Joaquin Trail (Project No. PW1442/ATPL 5008(139)).
3. Approve an Agreement between the City and the Greater Valley Conservation Corps (GVCC) in the amount of \$16,138.78.

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 - Resolution No 2015-01-13-1201](#)

[Proposed Resolution - San Joaquin Trail](#)

[Exhibit 1 - Agreement with Greater Valley Conservation Corps](#)

[Exhibit 2 - Construction Contract](#)

**12.3 [16-3094](#) APPROVE RESOLUTION TO AUTHORIZE THE TRAFFIC SIGNAL
HEADS VISIBILITY IMPROVEMENTS (PROJECT NO.
PW1422/FEDERAL PROJECT NO. HSIPL 5008(134))**

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. CE012-15 under the California Environmental Quality Act (CEQA) for the Traffic Signal Heads Visibility Improvements (8" to 12"), (Project No. PW1422/Federal Project No. HSIPL 5008(134)).

2. Approve the plans and specifications for the Traffic Signal Heads Visibility Improvements (8" to 12"), (Project No. PW1422/Federal Project No. HSIPL 5008(134)).

3. Award a Construction Contract in the amount of \$299,460 to St. Francis Electric, LLC, of San Leandro, CA, for the Traffic Signal Heads Visibility Improvements (8" to 12"), (Project No. PW1422/Federal Project No. HSIPL 5008(134)).

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 - CEQA and NEPA Determination Form](#)

[Proposed Resolution - Traffic Signal Visibility](#)

[Exhibit 1 - Notice of Exemption](#)

[Exhibit 2 - Construction Contract](#)

**12.4 [16-2960](#) AWARD A PROFESSIONAL SERVICES CONTRACT TO PARSONS
BRINCKERHOFF, INC. FOR CONSTRUCTION MANAGEMENT
SERVICES FOR THE HAMMER LANE WIDENING PHASE 3B,
PROJECT NO. PW1427**

Recommended Action:

RECOMMENDATION

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

1. Award a Professional Services Contract in the amount of \$846,641 for construction management services with Parsons Brinckerhoff, Inc. (Parsons) for the Hammer Lane Widening Phase 3B, Project No. PW1427.

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](#)

[Attachment B - Professional Services Contract](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

**15.1 [16-2854](#) ACCEPT PROGRESS AWARD ALLOCATION FOR PARTICIPATION
IN THE U.S. DEPARTMENT OF ENERGY SOLAR “SUNSHOT”
COMPETITION AND AMEND THE FISCAL YEAR 2016-17 ANNUAL
BUDGET**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council approve a resolution:

1. Authorizing the City Manager to accept the prize award allocation totaling \$17,974.51 for the City's participation in the U.S. Department of Energy Solar SunShot Competition and amend the FY 2016-17 Annual Budget. The funds are for energy efficient upgrades to the Permit Center or other city facilities; and

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

Department:

Community Development

Attachments:

[Attachment A - Sunshot Teaming Agreement](#)

[Attachment B - Amended Sunshot Teaming Agreement](#)

[Attachment C - Sunshot Alliance Change Prize Allocation for Stockton](#)

[Proposed Resolution - Accept Energy Solar Sunshot Award Progress Allocation](#)

16. HEARINGS****

16.1 16-3085 APPEAL OF THE PLANNING COMMISSION'S DENIAL OF THE

**REQUEST FOR A USE PERMIT TO ALLOW THE OFF-SALE OF BEER
AND WINE AT 836 E MINER AVENUE (P16-0263)**

This item will be continued to the Council meeting of December 13,
2016.

Department: Community Development

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
December 1, 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-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.