



# 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)*

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Tuesday, July 12, 2016

4:00 PM

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

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**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 [16-2812](#) 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      [16-2813](#)      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      [16-2814](#)      PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Recommended Action:      City Manager

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

Department: City Attorney

**3.4      [16-2815](#)      CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**

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 [16-2837](#) JUNE 7, 2016 PRIMARY MUNICIPAL ELECTION RESULTS

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council adopt a resolution declaring the results of the June 7, 2016 Primary Municipal Election.

**Department:** City Clerk

**Attachments:** [Proposed Resolution - Certifying Election Results](#)

[Exhibit 1 - Election Results Registrar Certification](#)

[Exhibit 2 - Election Results by Precinct](#)

12.2 [16-2750](#) APPROVE BY MOTION A SINGLE FAMILY HOUSING  
REHABILITATION LOAN FOR 27 WEST CHURCHILL STREET

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council by motion:

1. Approve a \$110,000 CalHome Loan to Jerry Ruff for repairs to his home located at 27 West Churchill 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 - CalHome Loan Agreement](#)

12.3 [16-2564](#) APPROVE RESOLUTION TO EXECUTE OPERATING AGREEMENT  
BETWEEN SAN JOAQUIN COUNTY REGIONAL FIRE DISPATCH  
AUTHORITY AND CITY OF STOCKTON FOR THE PROVISION OF  
EMERGENCY AND NON-EMERGENCY DISPATCH SERVICES AND  
ADMINISTRATIVE SUPPORT

**Recommended Action:**

**RECOMMENDATION**

It is recommended that the City Council approve and adopt a resolution authorizing the City Manager to enter into an Operating Agreement between the San Joaquin County Regional Fire Dispatch Authority ("SJCRFDA"); comprised of the Lathrop-Manteca Fire District, City of Lodi, City of Manteca, City of Tracy, and City of Stockton for the provision of emergency and non-emergency fire dispatch services. It is further recommended that the City Manager take appropriate actions to carry out the purpose and intent of this resolution.

**Department:** Fire

**Attachments:** [Attachment A - Management Partners Report - Regional Fire Dispatch](#)  
[Attachment B - Fully Executed Joint Powers Agreement](#)  
[Proposed Resolution - SJCRFDA COS Operating Agreement](#)  
[Exhibit 1 - SJCRFDA COS Operating Agreement](#)

**12.4      [16-2774](#)      **APPROVE RESOLUTION TO ACCEPT GRANT AND EXECUTE  
STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC  
BEVERAGE CONTROL STANDARD AGREEMENT 16G-LA49****

**Recommended Action:**

**RECOMMENDATION**

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

1. Authorize the acceptance of grant funding from the State of California Department of Alcoholic Beverage Control, in the amount of \$100,000, for the Grant Assistance to Local Law Enforcement Agencies Project; and
2. Authorize the City Manager to execute, on behalf of the City of Stockton, 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 agreement.

**Department:** Police

**Attachments:** [Proposed Resolution - Standard Agreement 16G-LA49 - ABC 2016-2017](#)  
[Exhibit 1 - Standard Agreement 16G-LA49 - ABC 2016-2017](#)

**12.5      [16-2799](#)      **MODIFY PREVIOUSLY APPROVED AFFORDABLE HOUSING AND  
SUSTAINABLE COMMUNITIES PROGRAM GRANT APPLICATION  
PER DIRECTION FROM THE CALIFORNIA DEPARTMENT OF  
HOUSING AND COMMUNITY DEVELOPMENT****

**Recommended Action:**

**RECOMMENDATION**

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

1. Rescind Resolution No. 2016-05-24-1205 previously adopted on May 24, 2016.

2. Adopt a new resolution to include additional information requested by the California Department of Housing and Community Development (HCD).

3. Authorize the City Manager to submit a joint application with Visionary Home Builders (Visionary) to the Strategic Growth Council (SGC) for the Hunter Street Apartments project.

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:** Public Works

**Attachments:** [Attachment A - Resolution](#)

[Proposed Resolution - Grant Application](#)

**12.6**     [16-2586](#)

**APPROVE RESOLUTION TO FILE THE NOTICE OF EXEMPTION NO. CE003-15, APPROVE THE PLANS AND SPECIFICATIONS, AND AWARD A CONSTRUCTION CONTRACT TO ROBERT BURNS CONSTRUCTION, INC. FOR THE FIRE STATION NO. 10 DRIVEWAY AND PARKING LOT (PROJECT NO. PW1412)**

**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. CE003-15 under the California Environmental Quality Act (CEQA) for the Fire Station No. 10 Driveway and Parking Lot (Project No. PW1412).
2. Approve the plans and specifications for the Fire Station No. 10 Driveway and Parking Lot (Project No. PW1412).
3. Transfer funding from the Fire Station No. 6 Apparatus Bay Exhaust Fan Installation (Project No. PW1511) in the amount of \$30,000 to the Fire Station No. 10 Driveway and Parking Lot (Project No. PW1412), and cancel the Fire Station No. 6 Apparatus Bay Exhaust Fan Installation project.
4. Award a Construction Contract in the amount of \$119,090.75 to Robert Burns Construction, Inc. of Stockton, CA, for the Fire Station No. 10 Driveway and Parking Lot (Project No. PW1412).

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 - Notice of Exemption](#)

[Exhibit 2 - Construction Contract](#)

**12.7     [16-2864](#)     MEMORANDA OF UNDERSTANDING WITH THE STOCKTON  
POLICE OFFICERS' ASSOCIATION AND THE FIRE SERVICES  
MANAGEMENT UNIT**

**Recommended Action:** To be delivered.

**Department:** Human Resources

**13.     ADMINISTRATIVE MATTERS**

**14.     UNFINISHED BUSINESS**

**15.     NEW BUSINESS**

**16.     HEARINGS\*\*\*\***

**16.1     [16-2636](#)     PUBLIC HEARING TO CONSIDER ADOPTION OF THE 2015 URBAN  
WATER MANAGEMENT PLAN**

**Recommended Action:**

**RECOMMENDATION**

At the conclusion of the public hearing, it is recommended that the City Council adopt a resolution approving and adopting the 2015 Urban Water Management Plan with any amendments adopted at the hearing and authorizing transmittal to the California Department of Water Resources.

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:** Municipal Utilities

**Attachments:** [Proposed Resolution - 2015 Urban Water Management Plan](#)  
[Exhibit 1 - 2015 DRAFT Urban Plan](#)

**16.2**     [16-2619](#)

**APPEAL OF THE PLANNING COMMISSION'S DENIAL OF THE REQUEST FOR A USE PERMIT TO ALLOW THE OFF-SALE OF BEER AND WINE IN AN EXISTING MINI-MART WITH GASOLINE SALES AND A VARIANCE TO REDUCE THE MINIMUM SEPARATION REQUIREMENT BETWEEN AN OFF-SALE ALCOHOLIC BEVERAGE ESTABLISHMENT AND AN ACADEMIC SCHOOL, FOR PROPERTY LOCATED AT 3440 EAST MAIN STREET (P15-0420)**

**Recommended Action:**

**RECOMMENDATION**

It is recommended that the City Council adopt a resolution to deny the appeal and uphold the Planning Commission's denial of the following requests:

1. A Use Permit to allow the off-sale of beer and wine in an existing mini-mart with gasoline sales; and
2. A Variance to allow a reduction of the required minimum 300-foot separation between an existing mini-mart with the proposed off-sale of beer and wine and a public academic school, for property located at 3440 East Main Street.

**Department:** Community Development

**Attachments:** [Attachment A - Location Map and Aerial Photograph](#)  
[Attachment B - Locations of Alcoholic Beverage Licenses](#)  
[Attachment C - Letter from SUSL and E-Mail from Area Resident](#)  
[Attachment D - Public Petitions to Support the Proposed Project](#)  
[Attachment E - Letter of Appeal](#)  
[Proposed Resolution - Denial to Use Permit and Variance](#)  
[Exhibit 1 - Site and Floor Plans](#)

**16.3**     [16-2758](#)

**APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A USE PERMIT TO ESTABLISH A TRANSITIONAL HOUSING FACILITY FOR A MAXIMUM OF 16 RESIDENTS IN AN EXISTING STRUCTURE AT 801 S. CALIFORNIA STREET (P15-0275) - NOTE: PUBLIC HEARING**

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**CONTINUED FROM COUNCIL MEETING OF MAY 10, 2016**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council adopt a resolution denying the appeal and upholding the Planning Commission's denial of the Use Permit to establish a transitional housing facility for a maximum of 16 residents in an existing structure at 801 S. California Street.

**Department:** Community Development Committee

**Attachments:** [Attachment A - Appeal Letter](#)

[Attachment B - Location Map](#)

[Attachment C - Site Plan and Floor Plan](#)

[Attachment D - Project Description](#)

[Attachment E - May 9, 2016 Letters of Opposition](#)

[Proposed Resolution - Use Permit Appeal - 801 South California Street](#)

**16.4     [16-2759](#)     APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A USE PERMIT TO UPGRADE FROM THE OFF-SALE OF BEER AND WINE TO THE OFF-SALE OF GENERAL ALCOHOLIC BEVERAGES IN AN EXISTING CONVENIENCE STORE AT 7906 N. EL DORADO STREET (P15-0453) - NOTE: PUBLIC HEARING CONTINUED FROM COUNCIL MEETING OF MAY 10, 2016**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council adopt a resolution denying the appeal and upholding the Planning Commission's denial of the request for a Use Permit to upgrade from the off-sale of beer and wine to the off-sale of general alcoholic beverages in an existing convenience store at 7906 N. El Dorado Street.

**Department:** Community Development

**Attachments:** [Attachment A - Appeal Letter](#)

[Attachment B - Location Map and Aerial Photograph](#)

[Attachment C - Locations of Active On-Sale and Off-Sale Alcohol Licenses](#)

[Attachment D - Attorney's Letter to Planning Commission](#)

[Attachment E - Petition of Support](#)

[Proposed Resolution - Use Permit Appeal - 7906 North El Doado Street](#)

[Exhibit 1 - Site and Floor Plans](#)

**17.     COUNCIL COMMENTS**

**18.     ADJOURNMENT**

**INFORMATIONAL ITEMS**



1      [16-2816](#)      **MEASURE W CITIZENS' OVERSIGHT COMMITTEE ANNUAL  
REPORT OF REVENUES AND EXPENDITURES FOR FISCAL YEAR  
2014-15**

**Recommended Action:**      RECOMMENDATION

This item is informational only and does not require City Council action.

**Department:**      Administrative Services

**Attachments:**      [Attachment A – Measure W Annual Report for FY 2014-15](#)

**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 July 6,  
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](http://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.*