



# 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 26, 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 [16-2872](#) 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      [16-2875](#)      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      [16-2876](#)      PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Recommended Action:      City Manager

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

Department: City Attorney

**3.4      [16-2877](#)      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 [16-2687](#) ACCEPT BY MOTION THE QUARTERLY INVESTMENT REPORT  
FOR QUARTER ENDED JUNE 30, 2016

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council accept by motion the Quarterly Investment Report for the quarter ended June 30, 2016.

**Department:** Administrative Services

**Attachments:** [Attachment A - Quarterly Investment Report for Quarter Ended 6-30-16](#)

12.2 [16-2883](#) APPROVAL OF CITY COUNCIL MINUTES

**Recommended Action:** Approve minutes from the City Council meeting of June 7, 2016 and the Special City Council meeting of June 13, 2016.

**Department:** City Clerk

**Attachments:** [2016-06-07 Minutes for Approval](#)  
[2016-06-13 Special Minutes for Approval](#)

12.3 [16-2817](#) DESIGNATING VOTING DELEGATES FOR THE LEAGUE OF  
CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD  
OCTOBER 5-7, 2016

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council by motion action designate Council Member Elbert Holman to serve as voting delegate and Vice Mayor Christina Fugazi as alternate representing the City at the League of California Cities Annual Conference to be held October 5-7, 2016.

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

**Attachments:** [Attachment A - League of Cities Correspondence](#)

12.4 [16-2769](#) APPROVE A MOTION TO ENTER INTO A MEMORANDUM OF  
UNDERSTANDING WITH RECLAMATION DISTRICT 17, CITIES OF  
LATHROP AND MANTECA, AND SAN JOAQUIN COUNTY TO  
ACHIEVE 200-YEAR LEVEL OF FLOOD PROTECTION FOR THE  
RECLAMATION DISTRICT 17 AREA

**Recommended Action:**

**RECOMMENDATION**

It is recommended that the City Council approve a motion authorizing the City Manager to execute a Memorandum of Understanding between Reclamation District 17, San Joaquin County, and the Cities of Lathrop and Manteca to achieve 200-year level of flood protection for the Reclamation District 17 area.

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 motion.

**Department:** Community Development

**Attachments:** [Attachment A - RD 17 Vicinity Map](#)

[Attachment B - RD 17 MOU](#)

**12.5**     [16-2863](#)

**MOTION APPROVING A JOINT USE OPERATIONAL AGREEMENT  
WITH MANTECA UNIFIED SCHOOL DISTRICT FOR WESTON  
RANCH LIBRARY**

**Recommended Action:**

**RECOMMENDATION**

It is recommended that the City Council adopt a motion approving a joint use agreement with Manteca Unified School District for the operation and maintenance of the Weston Ranch Library. It is further recommended that this motion authorize the City Manager to take appropriate actions necessary to carry out the purpose and intent of this motion.

**Department:** Community Services

**Attachments:** [Attachment A - Weston Ranch Branch Library Agreement 2016](#)

**12.6**     [16-2772](#)

**AUTHORIZE AMENDMENT TO LEASE OF EXCESS LAND - DELTA  
WATER SUPPLY PROJECT SITE**

**Recommended Action:**

**RECOMMENDATION**

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

1. Authorize the City Manager to execute the First Amendment to Lease of Excess Land Delta Water Supply Project site;

2. Approve findings that support and justify an exception to the competitive bidding process; and

3. Authorize the City Manager, or his designee, to take all necessary and appropriate actions to carry out the purpose and intent of this resolution.

**Department:** Economic Development

**Attachments:**    [Attachment A - Resolution No. 2014-08-12-1205](#)  
[Attachment B - Vicinity Map](#)  
[Attachment C - Aerial Map](#)  
[Attachment D - Proposed Amendment Request](#)  
[Attachment E - Resolution No. 05-0493](#)  
[Proposed Resolution - Amendment to Lease of Excess Land \(DWSP\)](#)  
[Exhibit 1 - Proposed Amendment](#)

**12.7    [16-2773](#)    APPROVE SUMMARY VACATION AND DISPOSITION OF A  
PORTION OF WEST WEBER AVENUE**

**Recommended Action:**    RECOMMENDATION

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

1. Authorize summary vacation, and any interest therein, of a portion of West Weber Avenue; and
2. Authorize the reservation of a public utility easement; and
3. Authorize the filing of Notice of Exemption No. CE016-15 under the California Environmental Quality Act (CEQA) for the summary vacation and disposition of a street located on a portion of West Weber Avenue; and
4. Authorize the disposition of a 2.58-acre portion of West Weber Avenue to the State of California, Department of Water Resources (DWR) in the amount of \$70,400; and
5. Authorize the City Manager, or his designee, to execute the Right of Way Contract with the DWR; and
6. Authorize the City Manager, or his designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this resolution.

**Department:**    Economic Development

**Attachments:**    [Attachment A - Vicinity Map](#)  
[Attachment B - Aerial Map](#)  
[Attachment C - Westerly Portion of West Weber Avenue](#)  
[Attachment D - DWR Owned Parcels](#)  
[Attachment E - West Weber Avenue Cul-de-sac Improvements](#)  
[Attachment F - Sierra Pacific Concurrence Letter](#)  
[Proposed Resolution - Summary Vacation of a Portion of West Weber Avenue](#)  
[Exhibit 1 - Plat](#)  
[Exhibit 2 - Legal Description](#)  
[Exhibit 3 - NOE](#)  
[Exhibit 4 - Proposed ROW Contract](#)

**12.8      [16-2787](#)      SCHEDULE PUBLIC HEARING AND AUTHORIZE INTENT TO  
VACATE A PORTION OF WASHINGTON STREET BETWEEN PORT  
ROAD 13 AND NAVY DRIVE**

**Recommended Action:**      RECOMMENDATION

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

1. Authorize staff to schedule a Public Hearing for August 23, 2016, for the proposed vacation of a portion of Washington Street between Port Road 13 and Navy Drive at the Port of Stockton;
2. Authorize City intent to vacate a portion of Washington Street between Port Road 13 and Navy Drive at the Port of Stockton;
3. Authorize the reservation of a public utility easement;
4. Authorize the filing of Notice of Exemption No. CE010-16 under the California Environmental Quality Act (CEQA) for the abandonment of Washington Street between Port Road 13 and Navy Drive; and
5. Authorize the City Manager, or his designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this resolution.

**Department:**      Economic Development

**Attachments:**    [Attachment A - Vicinity Map](#)  
[Attachment B - Aerial Map](#)  
[Attachment C - Stockton Port District Property Map](#)  
[Attachment D - Resolution No. 08-0174](#)  
[Attachment E - Resolution No. 2014-02-25-1210](#)  
[Attachment F - Access Easement Agreement](#)  
[Proposed Resolution - Public Hearing and Vacation](#)  
[Exhibit 1 - Plat and Legal Descriptions](#)  
[Exhibit 2 - NOE](#)

**12.9      [16-2895](#)      LEASES WITH CALTRANS FOR THREE AREAS UNDER THE  
CROSSTOWN FREEWAY**

**Recommended Action:**      RECOMMENDATION

It is recommended that the Parking Authority Board adopt a resolution:

1. Authorizing the execution of the 2016 Lease, Lease Area No. 10-SJX004-0500-02 , State of California, Department of California (Caltrans) between the City of Stockton (Tenant) and the State of California, acting by and through its Department of Transportation (Landlord); and
2. Authorizing the execution of the 2016 Lease, Lease Area No. 10-SJX004-0600-02, State of California, Department of California (Caltrans) between the City of Stockton (Tenant) and the State of California, acting by and through its Department of Transportation (Landlord); and
3. Authorizing the execution of the 2016 Lease, Lease Area No. 10-SJX004-0900-03, State of California, Department of California (Caltrans) between the City of Stockton (Tenant) and the State of California, acting by and through its Department of Transportation (Landlord); and
4. Approving the filing of Notice of exemption No. CE011-16 under CEQA; and
5. Authorizing the City Manager, or his designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this resolution.

**Department:**      Economic Development

**Attachments:**    [Attachment A - Resolution 97-0230](#)  
[Attachment B - Resolution 06-0514](#)  
[Attachment C - Lease Area No.10-SJX004-0500-02](#)  
[Attachment D - Lease Area No.10-SJX004-0600-02](#)  
[Attachment E - Lease Area No. 10-SJX004-0900-03](#)  
[Attachment F - Aerial Map](#)  
[Attachment G - Vicinity Map](#)  
[Attachment H - Resolution 2013-12-17-1209](#)  
[Attachment I - Notice of Exemption](#)  
[Proposed Resolution - CalTrans Lots](#)  
[Exhibit 1 - 10-SJX004-0500-02](#)  
[Exhibit 2 - 10-SJX004-0600-02](#)  
[Exhibit 3 - 10-SJX004-0900-03](#)  
[Exhibit 4 - NOE - HWY 4 Caltrans Leases](#)

**12.10    [16-2882](#)    RESOLUTION APPROVING THE MEMORANDUM OF  
UNDERSTANDING WITH THE FIRE UNIT AND MODIFICATIONS TO  
THE UNREPRESENTED MANAGEMENT/CONFIDENTIAL AND LAW  
EMPLOYEES' COMPENSATION PLAN**

**Recommended Action:**    RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Authorizing the approval of the Fire Unit Memorandum of Understanding effective July 1, 2016 through June 30, 2019;
2. Authorizing the approval of the amended Unrepresented Management/Confidential and Law Employees' Compensation Plan (Unrepresented Compensation Plan); and
3. Authorizing the City Manager to take all appropriate and necessary actions to carry out the purpose and intent of the resolution, including implementation and funding of the successor Fire Unit MOU and amended Unrepresented Compensation Plan.

**Department:**    Human Resources

**Attachments:**    [Attachment A - Fire Unit MOU - redlined](#)  
[Attachment B - Unrepresented Compensation Plan - redlined](#)  
[Proposed Resolution - Fire Unit MOU](#)  
[Exhibit 1 - Fire Unit MOU](#)  
[Exhibit 2 - Unrepresented Compensation Plan](#)  
[Exhibit 3 - Financial Impact Summary - Fire Unit](#)

**12.11    [16-2776](#)    RESOLUTION OVERRULING PROTESTS, CONFIRMING**



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**ASSESSMENTS OF DELINQUENT CODE ENFORCEMENT  
CHARGES, AND DIRECTING THE ASSESSMENTS BE PLACED ON  
THE SAN JOAQUIN COUNTY TAX ROLL**

**Recommended Action:** RECOMMENDATION

It is recommended that the City Council approve a resolution overruling protests, confirming assessment of the delinquent charges listed in the "Delinquent Accounts 2016 Assessment List" stemming from code enforcement actions, and directing that the assessments be placed on the San Joaquin County tax roll.

**Department:** Police

**Attachments:** [Attachment A - Blanket Administrative Order and Exhibit](#)  
[Proposed Resolution - 2016 Tax Roll Assessment](#)  
[Exhibit 1 - Delinquent Accounts 2016 Assessment List](#)

**12.12    [16-2745](#)    APPROVE PLANS AND SPECIFICATIONS, EXECUTE A  
COOPERATIVE AGREEMENT WITH SAN JOAQUIN COUNTY, AND  
AWARD A CONSTRUCTION CONTRACT TO GOODFELLOW TOP  
GRADE CONSTRUCTION, LLC FOR THE THORNTON ROAD  
WIDENING, PROJECT NO. PW1428**

**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 Thornton Road Widening, Project No. PW1428.
2. Execute a Cooperative Agreement between the City of Stockton and San Joaquin County.
3. Appropriate \$2,045,000 from the County Cooperative Agreement to the Thornton Road Widening project (PW1428).
4. Award a Construction Contract in the amount of \$11,618,705 to Goodfellow Top Grade Construction, LLC for the Thornton Road Widening, Project No. PW1428.

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 No 07-0382](#)  
[Attachment B - Vicinity Map](#)  
[Proposed Resolution - Thornton Road Widening](#)  
[Exhibit 1 - City-County Cooperative Agreement](#)  
[Exhibit 2 - Construction Contract](#)

**13. ADMINISTRATIVE MATTERS**

**14. UNFINISHED BUSINESS**

**15. NEW BUSINESS**

**15.1    [16-2896](#)        CONSIDER IMPLEMENTATION OF A COMMUNITY WORKFORCE  
TRAINING AGREEMENT FOR THE CITY OF STOCKTON**

**Recommended Action:**    RECOMMENDATION OF THE LEGISLATION/ENVIRONMENTAL  
COMMITTEE

It is recommended that the Council consider the revised Community  
Workforce Training Agreement (Agreement).

**Department:**    City Manager

**Attachments:**    [Attachment A - CWTA Agreement](#)  
[Attachment B - CWTA Agreement Redlined](#)  
[Attachment C - CWTA Agreement - Additional Staff Recommended Edits](#)

**15.2    [16-2898](#)        DISCUSSION OF HOMELESSNESS SOLUTIONS**

**Recommended Action:**    RECOMMENDATION

None. Information only.

Summary

At the May 24, 2016 Council meeting, Mayor Silva submitted a proposal  
for homeless services and requested staff analysis. This report provides  
background information regarding Stockton's homeless population and  
discusses the research conducted to develop the requested analysis.  
Council should consider this information carefully along with a companion  
item on this agenda that seeks direction regarding the Legislative  
Committee's work on tiny and micro houses.

**Department:**    City Manager

**Attachments:**    [Attachment A - Local Area Service Providers](#)  
[Attachment B - City Manager's Committee on Homeless Policy](#)  
[Attachment C - Definitions](#)  
[Attachment D - Biannual Point In Time Count](#)  
[Attachment E – Charter Article XX Section 2000 and 2001](#)  
[Attachment F - Code Violations](#)

15.3    [16-2899](#)    **RECOMMENDATION OF THE LEGISLATIVE COMMITTEE TO  
CONSIDER THE ADOPTION OF AN ORDINANCE AMENDING  
TITLE 5, CHAPTER 5.16, SECTION 5.16.010, CHAPTER 5.76,  
SECTION 5.76.010, TITLE 16, CHAPTER 16.80, SECTION  
16.80.020.A, SECTION 16.80.310, AND CHAPTER 16.240,  
SECTION 16.240.020 OF THE STOCKTON MUNICIPAL  
CODE TO INCORPORATE TINY AND MICRO HOUSES**

**Recommended Action:**    RECOMMENDATION

It is recommended that the City Council:

1. Consider the recommendation of the Legislative Committee regarding the adoption of an ordinance amending the Stockton Municipal Code to incorporate tiny and micro houses, and
2. Provide direction to staff and Legislative Committee regarding desired analyses, public outreach, ordinance revisions and other related policy actions, if any.

**Department:**    City Manager

**Attachments:**    [Attachment A - Legislative Committee Staff Report](#)  
[Attachment B - SMC - Redline Version](#)  
[Attachment C - Map of Proposed Micro Locations](#)

**16.    HEARINGS\*\*\*\***

16.1    [16-2798](#)    **PUBLIC HEARING FOR THE 2016 EDWARD BYRNE MEMORIAL  
JUSTICE ASSISTANCE GRANT PROGRAM AWARD**

Recommended Action:

RECOMMENDATION

It is recommended, at the conclusion of the public hearing, that the City Council adopt a resolution:

1. Approving Amendment No. 5 to the Inter-local Memorandum of Understanding between the City of Stockton and the County of San Joaquin for the Edward Byrne Memorial Justice Assistance Grant Program Award;
2. Approving the recommended use of funds (\$383,843) as stated in the JAG Program 2016 Funding Recommendations;
3. Approving the appropriation of grant funds upon receipt of an executed Grant Agreement; and
4. Authorizing the City Manager to execute all grant award documents as required by the U.S. Department of Justice Bureau of Justice Assistance.

Department:

Police

Attachments:

[Proposed Resolution - Amendment No. 5 JAG 2016](#)

[Exhibit 1 - Amendment No. 5 JAG 2016](#)

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 July 21, 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.*