



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, September 27, 2016

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 [16-2961](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Recommended Action: Number of Cases: Five

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: R.T. Nuu, et al. v. City of Stockton, et al. (United States District Court, Eastern District Case No. 2:15-CV-00430-TLN-DB)

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

Department: City Attorney

3.2 [16-2962](#) 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 [16-2963](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

3.4 [16-2964](#) 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 [16-2548](#) APPROVE COOPERATIVE PURCHASING AGREEMENTS THROUGH THE STATE OF CALIFORNIA, NASPO VALUEPOINT, AND THE NATIONAL JOINT POWERS ALLIANCE TO OBTAIN A VARIETY OF GOODS AND SERVICES AT A DISCOUNT

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve findings and authorize the execution of seven agreements to provide the City access to preferential pricing programs awarded through competitive processes by three cooperative purchasing groups. The seven agreements will allow the City to obtain a variety of goods and services at a discount through competitively priced leveraged procurement agreements. 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: Administrative Services

Attachments: [Attachment A - Coop Agreements Summary](#)
[Attachment B - Template for Coop Agreements](#)
[Attachment C - Grainger Agreements](#)
[Attachment D - Fastenal Agreement](#)
[Attachment E - MSC Agreements](#)
[Attachment F - Motion Industries Agreement](#)
[Attachment G - Miracle Playsystems Agreement](#)
[Attachment H - FMP Agreement](#)
[Attachment I - Dell Agreement](#)

12.2 [16-2955](#) 2016 CONFLICT OF INTEREST CODE AMENDMENT

Recommended Action: RECOMMENDATION

It is recommended that City Council adopt a resolution to amend the City's Conflict of Interest Code by adding and deleting certain designated positions.

Department: City Clerk

Attachments: [Attachment A - 2016 Conflict of Interest Code - Amendments](#)
[Proposed Resolution - Adopting 2016 Conflict of Interest Code](#)
[Exhibit 1 - 2016 Conflict of Interest Code](#)

12.3 [16-3040](#) APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: Approve minutes from the City Council Meeting of September 13, 2016.

Department: City Clerk

Attachments: [2016-09-13 - City Council Minutes](#)

**12.4 [16-3021](#) ADOPT COUNCIL POLICY FOR EXPENDITURE OF MAYOR AND
COUNCIL DISCRETIONARY FUNDING**

Recommended Action: RECOMMENDATION

It is recommended that by motion action the City Council adopt a Council Policy establishing guidelines for the expenditure of funding appropriated specifically for the Mayor and Council for discretionary uses.

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

Attachments: [Proposed Resolution - Mayor and Council Discretionary Funding Policy](#)
[Exhibit 1 - Mayor and Council Discretionary Funding Policy](#)

**12.5 [16-2974](#) ADOPT A MOTION TO APPOINT EMILY OESTREICHER AND DR.
TABIA LEE TO THE STOCKTON ARTS COMMISSION**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to appoint Emily Oestreicher and Dr. Tabia Lee to the Stockton Arts Commission.

Department: Community Services

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

**12.6 [16-2981](#) APPROVE MOTION AUTHORIZING CITY MANAGER TO EXECUTE
AN AGREEMENT BETWEEN THE CITY OF STOCKTON AND SMG
TO PROVIDE EMERGENCY MEDICAL SERVICES AT FACILITIES
MANAGED BY SMG**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion authorizing the City Manager to execute a professional services agreement between the City of Stockton and SMG, a Pennsylvania general partnership, for the Stockton Fire Department to provide emergency medical services for various events held at the Stockton Arena and other facilities managed by SMG.

It is further recommended that the motion authorize the City Manager to take appropriate actions to carry out the purpose and intent of this motion.

Department: Fire

Attachments: [Attachment A - Agreement with SMG for Emergency Medical Services](#)

**12.7 [16-2982](#) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH HDR
ENGINEERING, INC. FOR THE ASSET MANAGEMENT AND
MASTER PLAN FOR THE GRAVITY SEWER COLLECTION SYSTEM
PROJECT (PUR 16-001)**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to authorize the City Manager to execute a Professional Services Agreement with HDR Engineering, Inc. of Folsom, California, in the amount of \$332,000 for the Asset Management and Master Plan for the Gravity Sewer Collection System Project (PUR 16-001).

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 motion.

Department: Municipal Utilities

Attachments: [Attachment A - Professional Services Agreement](#)

**12.8 [16-2978](#) AWARD A CONSTRUCTION CONTRACT TO SCHRADER
MECHANICAL, INC. FOR THE OUTFALL CONTROLS
IMPROVEMENTS - PROJECT NO. M14010**

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 Outfall Controls Improvements, Project No. M14010.

2. Award a Construction Contract in the amount of \$259,638.12 to Schrader Mechanical, Inc. of Lodi, CA for the Outfall Controls Improvements, Project No. M14010 (Exhibit 1 to Resolution).

3. Approve the filing of Notice of Exemption No. CE014-16 under the California Environmental Quality Act (CEQA) for the Outfall Controls Improvements, Project No. M14010 (Exhibit 2 to Resolution).

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

Department: Municipal Utilities

Attachments: [Proposed Resolution - Outfall Controls](#)

[Exhibit 1 - Outfall Construction Contract M14010](#)

[Exhibit 2 - Notice of Exemption CE014-16](#)

**12.9 [16-2921](#) APPROVE PROFESSIONAL SERVICES AGREEMENTS FOR BSCC
GRANT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a motion authorizing the Professional Services Agreements with Friends Outside, Fathers and Families of San Joaquin, and the Urban Institute associated with the approved Strengthening Law Enforcement and Community Relations Grant.

Department: Police

Attachments: [Attachment A - Professional Services Agreement Friends Outside](#)
[Attachment B - Professional Services Agreement FFSJ](#)
[Attachment C - Professional Services Agreement Urban Institute](#)

**12.10 [16-2933](#) APPROVE MOTION TO AUTHORIZE THE NEWCASTLE ROAD AND
SOUTH AIRPORT WAY WATER TRANSMISSION MAIN, PHASE 2
(PROJECT NO. M07004)**

Recommended Action: RECOMMENDATION

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

1. Approve findings which support and justify an exception to the competitive bid process.

2. Award a Professional Services Contract with Carlson, Barbee and Gibson, Inc. (CBG) of San Ramon, CA, in the amount of \$169,700, to revise and update the environmental documents, plans, and specifications for the Newcastle Road and South Airport Way Water Transmission Main, Phase 2 (Project No. M07004).

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](#)

**12.11 [16-2909](#) APPROVE RESOLUTION TO AUTHORIZE THE HARRISON
ELEMENTARY SAFETY IMPROVEMENTS (PROJECT NO.
PW7065/FEDERAL PROJECT NO. SRTSL-5008(119))**

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. CE014-16 under the California Environmental Quality Act (CEQA) for the Harrison Elementary Safety Improvements (Project No. PW7065/Federal Project No. SRTSL-5008(119)).
2. Approve the plans and specifications for the Harrison Elementary Safety Improvements (Project No. PW7065/Federal Project No. SRTSL-5008(119)).
3. Award a Construction Contract in the amount of \$498,884 to McFadden Construction, Inc. of Stockton, CA, for the Harrison Elementary Safety Improvements (Project No. PW7065/Federal Project No. SRTSL-5008(119)).

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 - Site Plan Map](#)

[Proposed Resolution - Harrison Elementary](#)

[Exhibit 1 - Notice of Exemption CE014-16](#)

[Exhibit 2 - Construction Contract](#)

12.12 [16-2910](#)

**APPROVE RESOLUTION TO AUTHORIZE THE HAMMER LANE
WIDENING PHASE 3B, PROJECT NO. PW1427**

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 Hammer Lane Widening Phase 3B, Project No. PW1427.
2. Execute Amendment No. 1 to the Cooperative Agreement between the City of Stockton and San Joaquin County (County) (A-16-217).
3. Appropriate \$189,224 from Amendment No. 1 to the City-County Cooperative Agreement to the Hammer Lane Widening Phase 3B, Project No. PW1427.
4. Award a Construction Contract in the amount of \$5,645,461.65 to DSS Company dba Knife River Construction for the Hammer Lane Widening Phase 3B, Project No. PW1427.

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 - Vicinity Map](#)

[Proposed Resolution - Hammer Lane Widening Phase 3B](#)

[Exhibit 1 - Amendment Number 1](#)

[Exhibit 2 - Construction Contract](#)

12.13 [16-2913](#) APPROVE THE 2016 REVISION TO THE STANDARD PLANS AND SPECIFICATIONS FOR THE CITY OF STOCKTON

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution authorizing the City Manager to approve the 2016 revision to the Standard Plans and Specifications for the City of Stockton.

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 - Proposed Changes](#)

[Attachment B - New Numbering System](#)

[Proposed Resolution - Standard Plans and Specifications](#)

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

15.1 [16-2928](#) **APPROVAL OF PRELIMINARY OFFICIAL STATEMENT AND CONTINUING DISCLOSURE CERTIFICATE RELATING TO REFUNDING OF SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF STOCKTON, CITY OF STOCKTON ENFORCEABLE OBLIGATIONS THROUGH THE ISSUANCE OF ONE OR MORE SERIES (NOT TO EXCEED \$130,000,000 AGGREGATE PAR AMOUNT) OF SUCCESSOR AGENCY 2016 TAX ALLOCATION REFUNDING BONDS, AND CITY OF STOCKTON AND PUBLIC FINANCING AUTHORITY OF THE CITY OF STOCKTON APPROVAL OF CERTAIN REFUNDING AGREEMENTS RELATING THERETO**

Recommended Action: RECOMMENDATION

It is recommended that the City Council, the Stockton Public Financing Authority, and the Successor Agency adopt the following:

- 1) Resolution of the City of Stockton (the "City") approving the refunding and termination of certain obligations relating to the Redevelopment Activities of the Former Redevelopment Agency of the City of Stockton, authorizing the execution and delivery of the Arena Refunding Agreement and the Ambac Refunding Agreement, delegating to the City Manager or his designee, the power to complete said documents and refunding. It is further recommended that the City Manager or his designee, be authorized to take appropriate and necessary actions to carry out the purpose and intent of the resolution.
- 2) Resolution of the Stockton Public Financing Authority authorizing the refunding and termination of certain obligations relating to the Redevelopment Activities of the Former Redevelopment Agency of the City, authorizing the execution and delivery of the Ambac Refunding Agreement, delegating to the Executive Director of the Authority or his designee the power to complete said documents and refunding, and authorizing the taking of all other necessary actions in connection therewith. It is further recommended that the Executive Director or his designee, be authorized to take appropriate and necessary actions to carry out the purpose and intent of the resolution.
- 3) Resolution of the Successor Agency of the City approving a form of Preliminary Statement and Continuing Disclosure Certificate in connection with the sale and delivery of its tax allocation refunding bonds and authorizing other actions in connection therewith.

Department: Administrative Services

Attachments: [Attachment A - Savings Analysis Presentation](#)
[Attachment B - Preliminary Certificate](#)
[Attachment C - Complete Set of Bond Numbers](#)
[Attachment D - Refunding Agreements](#)
[Proposed Resolution - City - Refunding Approval](#)
[Proposed Resolution - Public Financing Authority - Refunding Approval](#)
[Proposed Resolution - Successor Agency - Refunding Approval](#)

15.2 [16-3034](#) HOMELESSNESS SANITARY AND HYGIENE SOLUTIONS

Recommended Action: RECOMMENDATION

It is recommended that the City Council evaluate the analysis of six actions to address hygiene issues related to homeless camps and allocate the \$250,000 one-time appropriation of General Fund dollars accordingly.

Department: City Manager

16. HEARINGS****

**16.1 [16-2967](#) AMENDMENT TO TITLE 16 OF THE STOCKTON MUNICIPAL CODE
RELATED TO ELECTRIC VEHICLE CHARGING STATIONS**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt an ordinance amending Title 16 of the Stockton Municipal Code (SMC) (the Development Code) to permit and incentivize provision of electric vehicle charging stations. This ordinance amendment would bring the city in conformance with State mandates (AB1236) requiring jurisdictions to streamline the permitting of electric vehicle charging stations.

Department: Community Development

Attachments: [Attachment A - Proposed Ordinance - Redline Version](#)
[Proposed Ordinance - Electircal Vehicle Charging](#)

**16.2 [16-3003](#) TEFRA PUBLIC HEARING: CONDUIT FINANCING FOR THE
UNIVERSITY OF THE PACIFIC PROJECT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving the issuance of revenue bonds by the California Municipal Finance Authority ("CMFA"), a joint exercise of powers authority and public entity of the State of California, in an amount not to exceed \$38,000,000, (the "Bond"), on behalf of the University of Pacific (the "UOP"), to finance and refinance all or a portion of the acquisition, construction, improvement and equipping of educational and related facilities located at 3601 Pacific Avenue, in the City of Stockton, California (the "Project").

a. Note: The bonds will not represent a debt of the city, nor do they obligate the City in any way.

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

Department: Economic Development

Attachments: [Attachment A - Vicinity map](#)

[Proposed Resolution-TEFRA UOP](#)

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
09/22/2016, 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.