



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

Michael D. Tubbs Mayor/Chair

Elbert H. Holman Jr. Vice Mayor/Vice Chair (District 1)

Daniel R. Wright (District 2)

Susan Lofthus (District 3)

Susan Lenz (District 4)

Christina Fugazi (District 5)

Jesús M. Andrade (District 6)

Tuesday, April 11, 2017

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 [17-3518](#) **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 [17-3520](#) 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 [17-3522](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

3.4 [17-3524](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Number of Cases: Three

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

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

10.1 [17-3530](#) PROCLAMATION: EARTH DAY APRIL 23, 2017

Recommended Action: Earth Day Festival at Victory Park, Sunday, April 23, 2017 from 11:00 am to 4:00 pm
Recipient: Bruce Giudici

Department: City Clerk

Attachments: [Proclamation - Earth Day](#)

10.2 [17-3540](#) PROCLAMATION: NATIONAL DONATE LIFE MONTH IN STOCKTON

Recommended Action: Recipients: Pastor Jimmy Cox, and Nadya Leyva on behalf of Donor Network West

Department: Office of the Mayor

Attachments: [Proclamation - National Donor Month](#)

10.3 [17-3541](#) CERTIFICATE OF RECOGNITION: NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK - STOCKTON POLICE DEPARTMENT TELECOMMUNICATORS

Recommended Action: Recipients: Dr. Melissa Murray, Police Services Manager and Robert Applegate, Communications Center Supervisor

Department: Office of the Mayor

Attachments: [Certificate - National Public Safety Telecommunications Week \(PD\)](#)

10.4 [17-3542](#) CERTIFICATE OF RECOGNITION: NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK - STOCKTON FIRE DEPARTMENT TELECOMMUNICATORS

Recommended Action: Recipient: Mark Duerr, Fire Captain, Emergency Communications Division Director

Department: Office of the Mayor

Attachments: [Certificate - National Public Safety Telecommunications Week \(FIRE\)](#)

10.5 [17-3543](#) PROCLAMATION: NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK IN STOCKTON

Recommended Action: April 9-15, 2017.

Department: Office of the Mayor

Attachments: [Proclamation - National Public Safety Telecommunications Week](#)

11. CONSENT AGENDA

11.1 [17-3509](#) COMMITTEE MINUTES FOR FILING

Recommended Action:

RECOMMENDATION

Approve the filing of the September 21, 2015, October 20, 2015 and March 9, 2016 Council Legislation/Environmental Committee meetings and the minutes of the Special Legislation/Environmental Committee meeting of May 3, 2016.

Department: City Clerk

Attachments: [2015-09-21 Council Legislation/Environmental Committee](#)
[2015-10-20 Council Legislation/Environmental Committee](#)
[2016-03-09 Council Legislation/Environmental Committee](#)
[2016-05-03 Council Legislation/Environmental Committee Special](#)

**11.2 [17-3442](#) AUTHORIZING A CONTRACT FOR LIBRARY BROADBAND
NETWORK EQUIPMENT FROM AMS.NET, INC.**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a motion:

1. Approving findings that support an exception to the competitive bidding process;
2. Authorizing the City Manager to execute an agreement with AMS.NET, Inc. for broadband network hardware equipment at a cost of \$122,674;
3. Authorizing up to \$20,000 for installation of equipment; and
4. Authorizing the City Manager to take appropriate actions necessary to carry out the purpose and intent of this motion.

Department: Community Services

Attachments: [Attachment A - Agreement with AMS](#)
[Attachment B - AMS Price Quote and Summary](#)

**11.3 [17-3404](#) APPROVAL OF THE 2017 STOCKTON TOURISM BUSINESS
IMPROVEMENT DISTRICT BUDGET AND SERVICE PLAN AND THE
2016 ANNUAL REPORT**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving the 2017 Annual Service Plan, Operating Budget and Assessment, and the 2016 Annual Report for the Stockton Tourism Business Improvement District.

Department: Economic Development

Attachments: [Proposed Resolution - 2017 STBID Budget and Service Plan](#)
[Exhibit 1 - Annual Service Plan 2017](#)
[Exhibit 2 - Annual Report 2016](#)
[Exhibit 3 - Budget 2017](#)

**11.4 [17-3405](#) MIRACLE MILE IMPROVEMENT DISTRICT PROPOSED 2017
ANNUAL OPERATING BUDGET, ASSESSMENT, AND 2016 ANNUAL
REPORT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution approving the proposed 2017 Operating Budget, Assessment, and 2016 Annual Report for the Property Based Improvement District commonly known as the Miracle Mile Improvement District, a nonprofit corporation.

Department: Economic Development

Attachments: [Attachment A - MMID Boundary Map](#)
[Proposed Resolution - MMID 2017](#)
[Exhibit 1 - MMID 2017 Budget](#)
[Exhibit 2 - MMID Assessments](#)
[Exhibit 3 - MMID 2016 Annual Report](#)

**11.5 [16-3014](#) APPROVE A MOTION ADOPTING FINDINGS AND AUTHORIZING
THE CITY MANAGER TO EXECUTE A CONTRACT FOR
TEMPORARY STAFFING AND RELATED SERVICES WITH ACRO
SERVICE CORPORATION THROUGH A COOPERATIVE PURCHASE
AGREEMENT WITH U.S. COMMUNITIES**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion adopting findings and authorizing the City Manager to execute a contract for temporary staffing services with ACRO Service Corporation (ACRO) through a Cooperative Purchase Agreement with U.S. Communities Government Purchasing Alliance (U.S. Communities), and to take appropriate and necessary action to carry out the purpose and intent of this agreement.

Department: Human Resources

Attachments: [Attachment A - Cooperative Purchase Agreement with ACRO](#)
[Attachment B - Competitive Bid Process with Maricopa County](#)
[Attachment C - Competitive Bid Process with Maricopa County - Q and A](#)
[Attachment D - U.S. Communities and Maricopa County Contract](#)

**11.6 [17-3466](#) ACCEPT BY MOTION THE RECOMMENDATION OF THE CITY
COUNCIL SALARY SETTING COMMISSION TO MAKE NO
CHANGES TO THE SALARY AND BENEFITS OF THE MAYOR IN**

**ACCORDANCE WITH ARTICLE IV, SECTION 410 OF THE CITY
CHARTER**

Recommended Action: RECOMMENDATION

It is recommended that the City Council accept by motion the recommendation of the City Council Salary Setting Commission (Commission) to make no changes to the salary and benefits for the Mayor of the City of Stockton as currently established by Sections 2.08.010 and 2.08.020 of the Stockton Municipal Code.

Department: Human Resources

Attachments: [Attachment A - Salary Setting Commission Recommendation Memo.pdf](#)

**11.7 [17-3302](#) APPROVING THE MAJOR MECHANICAL, PUMP, AND ELECTRIC
MOTOR REBUILD PRE-APPROVED VENDOR LISTS**

Recommended Action: RECOMMENDATION

It is recommended the City Council adopt a resolution to:

1. Approve findings pursuant to Stockton Municipal Code (SMC) section 3.68.070 in support of an exception to the competitive bid process.

2. Approve an initial list of rotating vendors to provide necessary major mechanical, pump and electric motor rebuild services to the Municipal Utilities Department.

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: Municipal Utilities

Attachments: [Proposed Resolution - Municipal Utilities Vendor List](#)

[Exhibit 1 - Rotating Vendor List](#)

**11.8 [17-3353](#) APPROVE PURCHASE OF 11 NEW PICKUP TRUCKS FROM NISSAN
OF STOCKTON (PUR 16-011)**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to approve the purchase of 11 new Nissan Frontier pickup trucks from Nissan of Stockton, of Stockton, CA, in the amount of \$245,110.58.

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 - Quote from Nissan of Stockton](#)

[Attachment B - List of Pickup Trucks to be Replaced](#)

11.9 [17-3380](#) **APPROVE RESOLUTION TO AUTHORIZE THE TAM O'SHANTER
DRIVE AND CASTLE OAKS DRIVE ROUNDABOUT INSTALLATION
(PROJECT NO. PW1443/FEDERAL PROJECT NO. CML-5008(146))**

Recommended Action: RECOMMENDATION

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

1. Approve the Notice of Exemption No. CE005-17 under the California Environmental Quality Act (CEQA) for the Tam O'Shanter Drive and Castle Oaks Drive Roundabout Installation (Project No. PW1443/Federal Project No. CML-5008(146)).
2. Approve the plans and specifications for the Tam O'Shanter Drive and Castle Oaks Drive Roundabout Installation (Project No. PW1443/Federal Project No. CML-5008(146)).
3. Appropriate \$147,000 from Measure K Maintenance (Fund 082) fund balance to the Tam O'Shanter Drive and Castle Oaks Drive Roundabout Installation (Project No. PW1443/Federal Project No. CML-5008(146)).
4. Award a Construction Contract in the amount of \$547,842.10 to A.M. Stephens Construction Co., Inc. of Lodi, CA, for the Tam O'Shanter Drive and Castle Oaks Drive Roundabout Installation (Project No. PW1443/Federal Project No. CML-5008(146)).

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 - Tam OShanter and Castle Oaks Roundabout](#)
[Exhibit 1 - Notice of Exemption](#)
[Exhibit 2 - Construction Contract](#)

11.10 [17-3382](#) **REJECT ALL BIDS FOR CONSTRUCTION OF THE FREMONT
SQUARE SIDEWALK RECONSTRUCTION (PROJECT NO.
PW1438/ATPL-5008(140))**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion rejecting all bids received for construction of the Fremont Square Sidewalk Reconstruction (Project No. PW1438/ ATPL-5008(140)) pursuant to Stockton Municipal Code (SMC) section 3.68.160(B).

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](#)

**11.11 [17-3385](#) APPROVE MOTION TO AUTHORIZE THE MYRTLE STREET
SANITARY SEWER REHABILITATION (PROJECT NO. M17024)**

Recommended Action: RECOMMENDATION

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

1. Award a Professional Services Contract to West Yost Associates of Davis, CA, in the amount of \$103,014, for design services for the Myrtle Street Sanitary Sewer Rehabilitation (Project No. M17024).

2. Approve findings pursuant to Stockton Municipal Code (SMC) section 3.68.070 in support of an exception to the competitive bidding process.

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 with West Yost](#)

**11.12 [17-3290](#) APPROVE RESOLUTION TO AUTHORIZE THE CESAR CHAVEZ
LIBRARY PUBLIC RESTROOM RENOVATION AND ADA
COMPLIANCE (PROJECT NO. PW1408)**

Recommended Action:

RECOMMENDATION

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

1. Approve the Notice of Exemption No. CE024-16 under the California Environmental Quality Act (CEQA) for the Cesar Chavez Library Public Restroom Renovation and Americans with Disabilities Act (ADA) Compliance (Project No. PW1408).
2. Reject the low bid from T. Amaral's Done Right Construction (T. Amaral's) of Livermore, CA, for the Cesar Chavez Library Public Restroom Renovation and ADA Compliance (Project No. PW1408).
3. Approve the plans and specifications for the Cesar Chavez Library Public Restroom Renovation and ADA Compliance (Project No. PW1408).
4. Award a Construction Contract in the amount of \$250,000 to Art's Construction Company, Inc. of Fresno, CA, for the Cesar Chavez Library Public Restroom Renovation and ADA Compliance (Project No. PW1408).

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 Map](#)

[Attachment C - Letter from COS to T. Amaral](#)

[Proposed Resolution - Chavez Library Restroom Renovation](#)

[Exhibit 1 - Notice of Exemption](#)

[Exhibit 2 - Construction Contract](#)

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

- 14.1 [17-3501](#) ACCEPT THE ANNUAL HEALTH BENEFITS REPORT AND ADOPT THE MONTHLY PREMIUM RATES FOR THE CITY'S HEALTH PLANS FOR FISCAL YEAR 2017/2018**

Recommended Action:

RECOMMENDATION

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

1. Accept the annual Health Benefits Report for the City's medical, dental, and vision plans for the period ending June 30, 2017, and
2. Approve the recommended monthly premium rates for the City's health plans for Fiscal Year (FY) 2017-18.

Department: Human Resources

Attachments: [Attachment A - Annual Report ending 6-30-16 \(signed\)](#)

14.2 [17-3308](#)

**APPROVE RESOLUTION TO AUTHORIZE THE NEIGHBORHOOD
TRAFFIC CALMING PROGRAM (2017 SPEED HUMP, SPEED
CUSHION, AND SPEED TABLE), PROJECT NO. PW1608**

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 Neighborhood Traffic Calming Program (2017 Speed Hump, Speed Cushion, and Speed Table), Project No. PW1608.
2. Award a Construction Contract to Robert Burns Construction, Inc. of Stockton, CA, in the amount of \$361,607.50 with two optional one-year extensions, for the Neighborhood Traffic Calming Program (2017 Speed Hump, Speed Cushion, and Speed Table), Project No. PW1608.

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 - Vertical Measures Information Sheet](#)

[Attachment B - Revised Traffic Calming Process](#)

[Attachment C - Listing of Neighborhoods and Maps](#)

[Proposed Resolution - 2017 Traffic Calming Program](#)

[Exhibit 1 - 2017 Traffic Calming - Construction Contract](#)

15. HEARINGS****

16. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

1 [17-3528](#) COUNCIL COMMITTEE / BOARDS & COMMISSION MINUTES

Recommended Action: Information only, no action required.

Department: City Clerk

Attachments: [2016-09-29 - Measure A Citizens' Advisory Committee Minutes](#)

2 [17-3529](#) COUNCIL COMMITTEE / BOARDS & COMMISSION MINUTES

Recommended Action: Information only, no action required.

Department: City Clerk

Attachments: [2016-01-07 - Development Oversight Commission Minutes](#)

3 [17-3534](#) COUNCIL COMMITTEE / BOARDS & COMMISSION MINUTES

Recommended Action: These minutes were approved at the Measure A Citizens' Advisory Committee meeting of March 29, 2017 with a revision under item 4.1 to include Committee Member's request for Staff to report back with Crime Statistics Data and are presented here for information only.

Department: City Clerk

Attachments: [2016-12-07 - Measure A Citizens' Advisory Meeting](#)

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 April 5, 2017 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.