



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, July 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 [17-3796](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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: Sylvia Haynes, et al. v. Robert Johnson, et al.
(United States District Court, Eastern District
Case No. 2:15-CV-00565-WBS-DB)

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

Department: City Attorney

3.2 [17-3798](#) 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 [17-3800](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

3.4 [17-3802](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Number of Cases: Two

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

Department: City Attorney

**3.5 [17-3812](#) CONFERENCE WITH LEGAL COUNSEL - INITIATION OF
LITIGATION**

Number of Cases: Two

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

Department: City Attorney

3.6 [17-3822](#) **PUBLIC EMPLOYEE APPOINTMENT**

Title: City Clerk

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

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 [17-3820](#) **PRESENTATION - COMMUNITY PIPELINE SAFETY INITIATIVE -
STOCKTON**

Recommended Action: RECOMMENDATION

Information on the "Community Pipeline Safety Initiative - Stockton",
dated May 23, 2017, presented by Pacific, Gas & Electric. This item is
information only.

Department: City Manager

11. **CONSENT AGENDA**

11.1 [17-3656](#) **RESCIND CITY COUNCIL RESOLUTION 09-0147 AND REPLACE
WITH RESOLUTION AUTHORIZING THE REVISED CITYWIDE
RECORDS RETENTION SCHEDULE AND INCLUDING A BIENNIAL
UPDATE PROVISION**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to update and
revise the Citywide Records Retention Schedule and include a biennial
update provision. (Note: a hard copy of the revised Records Retention
Schedule including a red-line version is on file in the Office of the City
Clerk for review.)

Department: City Clerk

Attachments: [Proposed Resolution](#)

11.2 [17-3810](#) APPROVAL OF MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the City Council meeting of May 23, 2017.

Department: City Clerk

Attachments: [2017-05-23 - Minutes for Approval](#)

11.3 [17-3819](#) APPOINTMENT TO WATER ADVISORY GROUP

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution authorizing the appointment of Donald Strongman to the Council Water Committee's Water Advisory Group (WAG) for a term commencing immediately and expiring January 31, 2019.

Department: City Clerk

Attachments: [Attachment A - Redacted Application](#)

[Proposed Resolution - Appointment to the Water Advisory Group](#)

**11.4 [17-3612](#) APPROVE RESOLUTION TO APPOINT RENEE PUIG-HINK TO THE
DEVELOPMENT OVERSIGHT COMMISSION**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to appoint Renee Puig-Hink to the Development Oversight Commission as the Builders Exchange of Stockton Executive representative, for a term that will expire on October 20, 2019.

Department: Community Development

Attachments: [Proposed Resolution - Approve Appointment](#)

**11.5 [17-3817](#) RESCIND RESOLUTION OF INTENTION TO RENEW THE MIRACLE
MILE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

Recommended Action: RECOMMENDATION

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

1. Rescind the Resolution of Intention to Renew the Miracle Mile Property and Business Improvement District adopted by the City Council on May 23, 2017, and
2. Authorize the City Manager to take necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department: Economic Development

Attachments: [Proposed Resolution - Rescind MMPBID](#)
[Exhibit 1 - Resolution 2017-05-23-1402](#)
[2017-07-25 Notice](#)

**11.6 [17-3681](#) APPROVE MOTION TO AUTHORIZE PURCHASE OF
REPLACEMENT PHONE SYSTEM FOR CITY FACILITIES THROUGH
A COOPERATIVE PURCHASING AGREEMENT AND ACCEPT
FINDINGS FOR AN EXCEPTION TO THE COMPETITIVE BIDDING
PROCESS**

Recommended Action: RECOMMENDATION

Staff recommends the City Council approve a motion to:

1. Authorize the purchase of a cloud-based Cisco Voice Over Internet Protocol phone system to replace the current phone system used at City facilities, utilizing a San Joaquin County cooperative purchasing agreement with Telcion, at the cost not to exceed \$200,000 for the initial purchase (Attachments A and B), with future annual cost estimated at \$168,720 for the ongoing subscription to be included in the annual budget appropriation process;
2. Approve findings for an exception to the competitive bidding process; and
3. Authorize the City Manager to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Department: Information Technology

Attachments: [Attachment A - San Joaquin Cooperative Agreement with Telcion](#)
[Attachment B - Agreement - Telcion Communications Group](#)

**11.7 [17-3749](#) APPROVE AN AMENDMENT TO PROFESSIONAL SERVICES
CONTRACT FOR INTERIM MANAGEMENT SERVICES WITH
INTERWEST CONSULTING GROUP, INC.**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a motion authorizing the City Manager to execute Contract Change Order #2 to the agreement with Interwest Consulting Group, Inc. for assistance in the capacity of Interim Deputy Director of Water Resources for \$100,000.

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. The total contract amount is not to exceed \$174,999.

Department: Municipal Utilities

Attachments: [Attachment A - Contract](#)
[Attachment B - Contract Change Order #1](#)
[Attachment C - Contract Change Order #2](#)

11.8 [17-3788](#) **AWARD A CONTRACT FOR GOODS AND SERVICES TO CALCHEM ENTERPRISES FOR THE PURCHASE OF ALUMINUM CHLOROHYDRATE FOR WATER TREATMENT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to award a five-year contract with CalChem Enterprises of Modesto, CA for the purchase of aluminum chlorohydrate for water treatment.

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

Department: Municipal Utilities

Attachments: [Attachment A - Aluminum Chlorohydrate Contract](#)

11.9 [17-3789](#) **APPROVE RECOMMENDATION TO REJECT BID BY AIR PRODUCTS & CHEMICALS AND AWARD A CONTRACT TO MATHESON TRI-GAS FOR THE PURCHASE OF LIQUID OXYGEN FOR WATER TREATMENT**

Recommended Action: RECOMMENDATION

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

1. Reject the bid submitted by Air Products & Chemicals, of Allentown, PA as nonresponsive pursuant to Stockton Municipal Code Section 3.68.160(B).

2. Award a five (5) year contract to Matheson Tri-Gas, Inc. of Lisle, IL, the next lowest bidder, for the purchase of liquid oxygen for water treatment.

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

Department: Municipal Utilities

Attachments: [Attachment A - Exceptions from Air Products & Chemicals](#)
[Attachment B - Liquid Oxygen Contract](#)

11.10 [17-3736](#) **APPROVE RESOLUTION ACCEPTING A LAW ENFORCEMENT ASSISTANCE PROGRAM GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, AUTHORIZE THE EXECUTION OF STANDARD AGREEMENT 17G-LA51 AND AMEND THE FISCAL YEAR 2017-18 ANNUAL BUDGET**

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 for the Police Department's ABC public education and enforcement program;
2. Amend the Fiscal Year 2017-18 Annual Budget to increase the Police Grants & Special Programs expenditure and revenue appropriation by \$100,000; and
3. 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 - ABC Grant](#)

[Exhibit 1 - 2017-18 Dept of ABC grant agreement - unsigned](#)

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

**14.1 [17-3785](#) CONSIDER APPEAL OF THE COMMUNITY DEVELOPMENT
DIRECTOR'S DECISION TO ISSUE A HISTORIC DEMOLITION OR
RELOCATION PERMIT FOR 625 E. MARKET STREET**

Recommended Action:

RECOMMENDATION

Staff recommends that the City Council discuss the Director's decision and determine whether to appeal the decision to the Planning Commission.

Department:

Community Development

Attachments:

[Attachment A - Architects Letter](#)

[Attachment B - Directors Decision](#)

[Attachment C - Wesley Swanson Letter](#)

[Attachment D - Tod Ruhstaller Historical Significance Report](#)

14.2 [17-3661](#) FOOD AND AGRICULTURE ACTION PLAN

Recommended Action:

RECOMMENDATION

Information only. No Council action is required.

Department: Economic Development

Attachments: [Attachment A - Stockton Food and Ag Action Plan 2017](#)

14.3 [17-3707](#) APPROVE RESIDENTIAL NEIGHBORHOOD REINVESTMENT PROGRAM

Recommended Action: RECOMMENDATION

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

1. Approve the Residential Neighborhood Reinvestment Program Guidelines;
2. Authorize the City Manager to execute Residential Neighborhood Reinvestment Agreements in accordance with the terms of the Residential Neighborhood Reinvestment Program Guidelines; and
3. Authorize the City Manager to take necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department: Economic Development

Attachments: [Proposed Resolution](#)

[Exhibit 1 - Program Guidelines](#)

14.4 [17-3746](#) APPROVE RESOLUTION TO APPROVE THE ELECTION TO JOIN AND PARTICIPATE IN THE EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY JOINT EXERCISE OF POWERS AGREEMENT, AUTHORIZE EXECUTION OF THE AGREEMENT AND APPOINT REPRESENTATIVES TO THE BOARD OF DIRECTORS

Recommended Action: RECOMMENDATION

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

1. Approve the election to join and participate in the Eastern San Joaquin Groundwater Authority and the Joint Exercise of Powers Agreement.
2. Authorize execution of the Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Agreement on behalf of the City of Stockton to include future amendments.
3. Appoint City of Stockton representatives to the Board of Directors of the Eastern San Joaquin Groundwater Authority pursuant to the Joint Exercise of Powers Agreement and execute the designation form.
4. Authorize the City Manager to issue payment of \$5,000 for membership and administrative costs in the Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Agreement.

It is further recommended that the City Manager be authorized to take all appropriate actions to carry out the purpose and intent of this motion including future modifications and amendments to the Joint Exercise of Powers Agreement.

Department: Municipal Utilities
Attachments: [Attachment A - GSA Boundary Map](#)
[Proposed Resolution](#)
[Exhibit 1 - Joint Powers Agreement](#)
[Exhibit 2 - JPA Designation Form](#)

15. HEARINGS****

- 15.1 [17-3700](#) APPROVAL OF A REZONING OF A 0.90-ACRE SITE FROM INDUSTRIAL, GENERAL TO INDUSTRIAL, LIMITED FOR THE ESTABLISHMENT OF A PLANNED RELIGIOUS FACILITY AT 6343 TAM O'SHANTER DRIVE**

Recommended Action: RECOMMENDATION

Staff recommends that the City Council accept the Planning Commission's recommendation to adopt an ordinance for approval to rezone a 0.90-acre site from Industrial, General to Industrial, Limited for the establishment of a religious facility, in accordance with the findings of fact detailed herein.

Department: Community Development
Attachments: [Attachment A - Location Map and Aerial Photograph](#)
[Attachment B - Rezoning Map](#)
[Attachment C - Community Outreach Meeting Information](#)
[Proposed Ordinance - Recommend Approval to Rezone](#)

16. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

- 1 [17-3755](#) COUNCIL COMMITTEE / BOARDS & COMMISSION MINUTES**

Recommended Action: RECOMMENDATION

Information only, no action required.

Department: City Clerk

Attachments: [2017-05-18 Civil Service Commission Minutes](#)
[2017-04-13 Council Water Committee Minutes](#)
[2017-05-17 Mayors Task Force For Persons with Disabilities Minutes](#)
[2017-01-26 Planning Commission Minutes](#)
[2017-03-23 Planning Commission Minutes](#)
[2017-04-27 Planning Commission Minutes](#)

2 [17-3821](#) COUNCIL AUDIT COMMITTEE REPORTS FOR FILING

Recommended Action: RECOMMENDATION

Audit reports accepted for filing at the Council Audit Committee meeting of June 19, 2017.

Information only, no action required.

Department: City Clerk

Attachments: [Attachment A - Internal Audit Status Report, dated 6-19-17](#)
[Attachment B - Payroll and Timekeeping Final Report, dated 6-13-17](#)

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 June 30, 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.