



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 17, 2018

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 [18-4477](#) **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: Long Tran, et al. v. City of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UPI-2017-009084)

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

Department: City Attorney

3.2 [18-4478](#) 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 [18-4479](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

3.4 [18-4480](#) 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

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. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS
- 11. CONSENT AGENDA
- 11.1 [18-4485](#) APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the City Council meeting of February 27, 2018 and the Special City Council meeting of March 6, 2018.

Department: City Clerk

Attachments: [2018-02-27 - Minutes for Approval](#)

[2018-03-06 - Minutes for Approval](#)

- 11.2 [18-4446](#) ADOPT FINDINGS APPROVING AN EXCEPTION TO THE COMPETITIVE BID PROCESS TO ENTER INTO A COOPERATIVE AGREEMENT WITH FREEDMAN & KOSKI, INC. FOR THE DEVELOPMENT OF A SUSTAINABLE REGULATORY CANNABIS PROGRAM

Recommended Action: RECOMMENDATION

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

1. Adopt findings approving an exception to the competitive bid process and authorize the City Manager to execute a Cooperative Agreement with Freedman & Koski, Inc. in the amount of \$194,415 for development of a sustainable regulatory structure for personal use and commercial cannabis businesses within the City of Stockton; and

2. Authorize the City to take all necessary and appropriate actions to carry out the purpose and intent of the motion.

Department: Community Development

Attachments: [Attachment A - Freedman and Koski Coop Agreement](#)

- 11.3 [18-4435](#) APPROVE MOTION AUTHORIZING AN AMENDMENT TO AGREEMENT WITH TABLE COMMUNITY FOUNDATION FOR OPERATION OF MERLO GYMNASIUM

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a motion approving and authorizing an Amendment to the Operations Agreement with Table Community Foundation to extend the Agreement for two years and authorize the City Manager to take appropriate actions to carry out the purpose and intent of the motion.

Department: Community Services

Attachments: [Attachment A - Merlo Gymnasium Operations Agreement](#)

[Attachment B - Amendment to the Merlo Gymnasium Agreement](#)

11.4 [17-4233](#) APPROVE OPTION AGREEMENT WITH STAND

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Authorizing an Option Agreement with Stocktonians Taking Action to Neutralize Drugs for City-owned property at 2222 and 2244 South Airport Way; and

2. Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department: Economic Development

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

[Attachment B - Aerial Map](#)

[Proposed Resolution - STAND Option Agreement](#)

[Exhibit 1 - Option Agreement](#)

**11.5 [18-4458](#) ACCEPT THE 2018 ANNUAL HEALTH BENEFITS REPORT AND
ADOPT THE MONTHLY PREMIUM RATES FOR THE CITY'S HEALTH
PLANS FOR FISCAL YEAR 2018-2019**

Recommended Action: RECOMMENDATION

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

1. Accept the 2018 Annual Health Benefits Report for the City's medical, dental, and vision plans; and

2. Approve the recommended monthly premium rates for the City's health plans for Fiscal Year (FY) 2018-2019.

Department: Human Resources

Attachments: [Attachment A - City of Stockton 2018 Health Benefits Report](#)

**11.6 [18-4441](#) APPROVE MOTION TO AUTHORIZE PURCHASE OF
REPLACEMENT DATA STORAGE EQUIPMENT FOR 400 E MAIN**

DATA CENTER

Recommended Action: RECOMMENDATION

Staff recommends the City Council approve a motion:

1. Authorizing the purchase of replacement data storage equipment for the 400 E. Main data center, in the amount of \$179,293.06 (Attachment A).
2. Approving findings for an exception to the competitive bidding process; and
3. Authorizing 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 - Agreement - Kovarus](#)

11.7 [18-4418](#)

AWARD A CONTRACT TO MCC CONTROLS, LLC, DBA PRIMEX INC., FOR SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) ON-CALL SERVICES

Recommended Action: RECOMMENDATION

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

1. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process for the Supervisory Control and Data Acquisition (SCADA), Project No. PUR 17-023.
2. Award a Professional Services Contract to MCC Controls, LLC DBA Primex, Inc. (MCC), of Vacaville, in the amount of \$125,000 for Supervisory Control and Data Acquisition (SCADA) On-Call Services.

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 - Primex - Professional Services Agreement](#)

11.8 [18-4420](#)

RESOLUTION APPROVING THE AWARD OF A CONTRACT TO HDR ENGINEERING, INC. FOR THE WASTEWATER COST OF SERVICE RATE STUDY AND AMEND THE FISCAL YEAR 2017-18 ANNUAL BUDGET

Recommended Action:

RECOMMENDATION

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

1. Award a Professional Services Contract to HDR Engineering, Inc. of Folsom, CA in the amount of \$175,040 for the Wastewater Cost of Service Rate Study, Project No. PUR 17-024.
2. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
3. Appropriate \$175,040 from the Wastewater Utility Fund fund balance (431-0000-287) to the Wastewater Current Operating Expense Account (431-4331-574).

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: Municipal Utilities

Attachments: [Proposed Resolution - Wastewater Rate Study](#)

[Exhibit 1 - Contract - Wastewater Cost of Service Rate Study](#)

**11.9 [17-4265](#) APPROVE CONTRACT CHANGE ORDER WITH GOODFELLOW TOP
GRADE CONSTRUCTION, LLC FOR THE THORNTON ROAD
WIDENING PROJECT**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council approve a motion authorizing the City Manager to execute Contract Change Order No. 24, in the amount of \$150,000, with Goodfellow Top Grade Construction, LLC for the Thornton Road Widening, Project No. PW1428.

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 - Thornton Road Widening Change Order No. 24](#)

**11.10 [18-4306](#) APPROVE MOTION TO AWARD CONTRACT FOR DESIGN OF THE
BUS RAPID TRANSIT, PHASE V ALONG SEGMENTS OF WEBER
AVENUE, MINER AVENUE, WILSON WAY, FREMONT STREET,
FILBERT STREET, AND MAIN STREET**

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 Kimley-Horn and Associates, Inc., of Oakland, CA, in the amount of \$185,593.99, for design services for the Bus Rapid Transit, Phase V along segments of Weber Avenue, Miner Avenue, Wilson Way, Fremont Street, Filbert Street, and Main Street, Project No. PW1516/ Federal Project No. CML-5008(149).

2. Approve findings pursuant to Stockton Municipal Code 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 Maps](#)

[Attachment B - Professional Services Contract](#)

11.11 [18-4320](#) APPROVE PURCHASE OF EIGHT NEW TRUCKS FROM CHASE CHEVROLET (PUR 17-042)

Recommended Action:

RECOMMENDATION

It is recommended that the City Council approve a motion to approve the purchase of eight new Chevrolet Colorado trucks from Chase Chevrolet, of Stockton, CA, in the amount of \$208,257.82.

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 - Bid Chase Chevrolet](#)

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

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

14.1 [18-4517](#) TEAM LEASE AGREEMENT BETWEEN SBH DEVELOPMENT LLC, A DELAWARE LLC (SACRAMENTO KINGS) AND CITY OF STOCKTON FOR THE USE OF THE STOCKTON ARENA AS HOME COURT FOR THEIR NBA G LEAGUE TEAM

Recommended Action: Materials related to this item will be published at a later date.

Department: Economic Development

**14.2 [18-4464](#) RECOMMENDATIONS OF THE CITY COUNCIL SALARY SETTING
COMMISSION TO ADOPT AN ORDINANCE AMENDING TITLE 2,
CHAPTER 2.08 OF THE STOCKTON MUNICIPAL CODE TO SET THE
SALARIES FOR THE STOCKTON CITY COUNCIL TO \$26,694, WITH
NO BENEFITS, BEGINNING JANUARY 1, 2019 IN ACCORDANCE
WITH ARTICLE IV, SECTION 410 OF THE CITY CHARTER**

Recommended Action: RECOMENDATION

It is recommended that the City Council approve the recommendations of the City Council Salary Setting Commission (Commission) and adopt an ordinance setting the City Council's annual salary at \$26,694, with no benefits, effective January 1, 2019.

Department: Human Resources

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

[Attachment B - Proposed Ordinance - Redline](#)

[Proposed Ordinance - Amending Sections 2.08.040 and 2.08.060](#)

**14.3 [18-4403](#) RESOLUTION TO APPROVE THE FISCAL YEAR 2018-19 PROJECT
LIST FOR THE ROAD REPAIR AND ACCOUNTABILITY ACT OF
2017, AND SUBMITTAL OF REPORTS TO THE CALIFORNIA
TRANSPORTATION COMMISSION**

Recommended Action: RECOMMENDATION

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

1. The Fiscal Year 2018-19 project list for the Road Repair and Accountability Act of 2017.

2. Submittal of reports to the California Transportation Commission related to the Road Repair and Accountability Act of 2017.

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 - RMRA Approved FY 2017-18 Projects](#)

[Proposed Resolution - RMRA Project List for FY 2018-19](#)

[Exhibit 1 - RMRA Project List for FY 2018-19](#)

15. HEARINGS****

15.1 [18-4376](#) **ADOPTION OF AN INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION, REZONE FROM INDUSTRIAL GENERAL TO
COMMERCIAL GENERAL AND DESIGN REVIEW APPROVAL FOR A
CONVENIENCE STORE WITH THE OFF-SALE OF BEER AND WINE,
CAR WASH, AND TRUCK FUELING STATION AT 4607 S. AIRPORT
WAY**

Recommended Action: RECOMMENDATION

Staff recommends that the City Council adopt a Resolution to:

1. Adopt an Initial Study/Proposed Mitigated Negative Declaration for the Airport Sperry ARCO Station Project; and
2. Approve the Design Review for the project to ensure compliance with all applicable provisions of the City's Design Review Guidelines.

It is also recommended that the City Council adopt an Ordinance for the Rezoning of a 2.22-acre site from Industrial General to Commercial General.

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 - Location Map and Aerial Photograph](#)

[Attachment B - General Plan Map](#)

[Attachment C - Site Plan and Proposed Elevations](#)

[Attachment D - Community Outreach Meeting Information](#)

[Attachment E - Resolution 2018-02-08-0501](#)

[Attachment F - Notice of Intent and Proposed Mitigated Neg Dec](#)

[Proposed Resolution - 4607 S Airport Way](#)

[Exhibit 1 - Final Initial Study and Mitigated Negative Declaration](#)

[Exhibit 2 - Approved Design Review Elevations](#)

[Proposed Ordinance - Airport Sperry Rezone](#)

15.2 [18-4394](#) **TEFRA PUBLIC HEARING FOR THE HUNTER STREET
APARTMENTS LOCATED AT 804 NORTH HUNTER STREET**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving the issuance of multifamily housing revenue bonds by the California Statewide Communities Development Authority in an amount not to exceed \$30,000,000 on behalf of Visionary Home Builders of California.

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

2. Authorizing the City Manager, or his designee, to take actions that are necessary and appropriate to carry out the purpose and intent of the resolution.

Department: Economic Development

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

[Proposed Resolution - TEFRA Hunter Street](#)

16. PUBLIC COMMENTS – MATTERS NOT ON THE AGENDA

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

1 [18-4349](#) COUNCIL COMMITTEE / BOARDS & COMMISSION MINUTES

Recommended Action:

RECOMMENDATION

Information only. No action required.

Department: City Clerk

Attachments: [2017-08-30 - Legislation/Environmental Committee Meeting Minutes](#)

[2017-05-31 - Measure A Committee Minutes](#)

[2017-09-20 - Measure A Committee Minutes](#)

[2017-07-19 - Measure W Oversight Committee Minutes](#)

[2017-08-30 - Measure W Oversight Committee Minutes](#)

[2017-05-31 - Water Advisory Group Minutes](#)

[2017-09-06 - Water Advisory Group Minutes](#)

[2017-09-19 - Water Advisory Group Minutes](#)

[2017-09-20 - Water Advisory Group Minutes](#)

[2017-10-04 - Water Advisory Group Minutes](#)

[2018-01-03 - Water Advisory Group Minutes](#)

2 [18-4502](#) **2017 ANNUAL REPORT - SAN JOAQUIN COUNTY MOSQUITO AND
VECTOR CONTROL DISTRICT**

Report summarizes the operations and fiscal status of the District for this
past year.

Recommended Action: RECOMMENDATION

Information only, no action required.

Department: City Clerk

Attachments: [2017 Report for the SJ County Mosquito & Vector Control District](#)

3 [18-4504](#) **2017 ANNUAL REPORT - SAN JOAQUIN VALLEY AIR POLLUTION
CONTROL DISTRICT**

Annual Report on the District's Air Toxic Program for the past year.

Recommended Action: RECOMMENDATION

Information only, no action required.

Department: City Clerk

Attachments: [2017 SJ Valley Air Pollution Control District](#)

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 9, 2018, in
compliance with the Brown Act.**

**Bret Hunter, CMC
City Clerk**

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-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.