



# 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)*

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Tuesday, June 5, 2018

4:00 PM

Council Chamber, City Hall, 425 N. El Dorado  
Street, Stockton CA

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### SPECIAL CLOSED SESSION 4:00 PM :: SPECIAL SESSION 5:30 PM

1. SPECIAL CLOSED SESSION CALL TO ORDER/ROLL CALL
2. ADDITIONS TO SPECIAL CLOSED SESSION AGENDA
3. ANNOUNCEMENT OF SPECIAL CLOSED SESSION
- 3.1 [18-4641](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Six

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.

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CIV.S-02-0065 LKK JFM)

Name of Case: Dionne Smith-Downs, et al. v. City of Stockton  
(United States District Court, Eastern District Case  
No. 2:10-CV-02495 MCE CKD)

Name of Case: Jovy Tarangco, et al. v. City of Stockton (San  
Joaquin County Superior Court Case No.  
STK-CV-UPI-2009-0013652)

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

Department: City Attorney

4. **PUBLIC COMMENT\***
5. **RECESS TO SPECIAL CLOSED SESSION**
6. **SPECIAL SESSION CALL TO ORDER/ROLL CALL**
7. **INVOCATION/PLEDGE TO FLAG**
8. **REPORT OF ACTION TAKEN IN SPECIAL CLOSED SESSION**
9. **ADDITIONS TO SPECIAL SESSION AGENDA\*\***
10. **RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS**
11. **CONSENT AGENDA**
- 11.1 [18-4540](#) **AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENTS  
FOR REVENUE AUDIT AND CONSULTING SERVICES**

**Recommended Action:**

**RECOMMENDATION**

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

1. Authorize the City Manager to execute a five-year agreement between the City and Hinderliter, de Llamas & Associates (HdL) to provide the revenue audit and consulting services for the City's Sales and Use and Transaction and Use Taxes.
2. Authorize the City Manager to execute a five-year agreement between the City and HdL Software, LLC to provide the revenue audit and consulting services for the City's Business License Tax and Transient Occupancy Tax.
3. Authorize the City Manager to execute a five-year agreement between the City and HdL Coren & Cone to provide the revenue audit and consulting services for Property Tax.
4. Authorize the City Manager to execute a five-year agreement with MuniServices, LLC (MuniServices) to provide the revenue audit and consulting services for the City's Utility User Tax.
5. Authorize the City Manager to execute a five-year agreement with MuniServices, LLC to provide the revenue audit and consulting services for the City's Franchise fees.
6. 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 Council adopt a resolution appointing the City Manager, or his designee, to represent the City with authority to examine sales tax and transaction and use tax records, and further designating Hinderliter, de Llamas & Associates as the City's consultant representative with authority to examine sales and use tax and transactions and use tax records, receive allocation and/or registration information, and identify uses of that data for specific governmental functions of the City.

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:** Administrative Services

**Attachments:** [Attachment A - Agreement - Hinderliter, de Llamas](#)  
[Attachment B - Agreement - HdL Software, LLC](#)  
[Attachment C - Agreement - HdL Coren and Cone](#)  
[Attachment D - Agreement - MuniServices - UUT Tax Services](#)  
[Attachment E - Agreement - MuniServices - Franchise Fee Services](#)  
[Proposed Resolution - Revenue Audit and Consulting Services](#)

11.2 [18-4588](#)

**AMEND THE PROFESSIONAL SERVICES MASTER AGREEMENT  
FOR ON-CALL PLANNING CONSULTING SERVICES WITH  
MICHAEL BAKER INTERNATIONAL, INC. TO ADD \$500,000 FOR A  
REVISED TOTAL AMOUNT UP TO \$1,000,000**

**Recommended Action:**

**RECOMMENDATION**

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

1. Approve findings that support of an exception to the competitive bidding requirement pursuant to Stockton Municipal Code 3.68.070; and
2. Authorize the City Manager to execute an amendment to the Professional Services Master Agreement for On-call Planning Consultant Services Contract with Michael Baker International, Inc. to increase the maximum compensation by \$500,000, for a revised amount not to exceed \$1 million; and
3. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

**Department:** Community Development

**Attachments:** [Attachment A - MBI Contract Amendment](#)  
[Attachment B - MBI Professional Services Contract](#)

**11.3     [18-4499](#)     **AMENDMENT TO THE PROFESSIONAL SERVICES MASTER AGREEMENT FOR ON-CALL BUILDING SERVICES****

**Recommended Action:**

**RECOMMENDATION**

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

1. Authorize the City Manager to execute an Amendment to Professional Services Master Agreement 2017-06-20-1103-NP to increase the overall contract amount by \$520,000, bringing the total to \$1,000,000 for the three-year contract term; and
2. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

**Department:** Community Development

**Attachments:** [Attachment A - Professional Master Services Agreement 2017-06-20-1103-NP](#)  
[Attachment B - Amendment Master On-Call Building Services Agreement](#)  
[Proposed Resolution - On-Call Building Services](#)

**12.     ADMINISTRATIVE MATTERS**

**13.     UNFINISHED BUSINESS**

**14.     NEW BUSINESS**

**15.     HEARINGS\*\*\*\***

**15.1     [18-4632](#)     PUBLIC HEARING TO ADOPT THE FISCAL YEAR (FY) 2018-19**

**ANNUAL BUDGET; APPROVE THE 2018-2023 CAPITAL  
IMPROVEMENT PLAN; APPROVE THE FY 2018-19 FEE  
SCHEDULE; APPROVE THE FY 2018-19 CALIFORNIA  
CONSTITUTIONAL APPROPRIATIONS LIMIT; APPROVE  
INTERFUND LOANS; ADOPT THE FY 2018-19 ANNUAL BUDGET  
FOR THE PARKING AUTHORITY OF THE CITY OF STOCKTON; AND  
ADOPT THE FY 2018-19 ANNUAL BUDGET FOR THE SUCCESSOR  
AGENCY TO THE FORMER STOCKTON REDEVELOPMENT  
AGENCY**

**Recommended Action:**

**RECOMMENDATION**

It is recommended that the City Council approve two resolutions that:

1. Adopt the Fiscal Year (FY) 2018-19 Annual Budget, the 2018-2023 Capital Improvement Plan, the FY 2018-19 Fee Schedule, the FY 2018-19 California Constitutional (Gann) Appropriations Limit and other administrative, financial actions.

2. Approve two interfund loans including a loan in the amount of \$8,915,000 from the Workers' Compensation Internal Service Fund to the Parking Authority and a loan in the amount of \$3,482,423 from the Workers' Compensation Internal Service Fund to the Fleet Internal Service Fund with associate lease documents.

And it is recommended that the Stockton Public Finance Authority approve a resolution that:

1. Authorize a lease in the amount of \$12,397,422.39 with the City of Stockton in connection with the refinancing of the Stewart-Eberhardt Building (including adjacent parking structure) and 2007, 2015, and 2017 Fire Truck Leases and approves related assignment agreement and subleases.

And it is recommended that the Parking Authority of the City of Stockton (Parking Authority) approve two resolutions that:

1. Adopt the FY 2018-19 Annual Budget for the Parking Authority (Exhibit 1 to the Parking Authority resolution).

2. Approve an interfund loan in the amount of \$8,915,000 from the Workers' Compensation Internal Service Fund to the Parking Authority.

And it is recommended that the Successor Agency to the former Stockton Redevelopment Agency (Successor Agency) approve a resolution that:

1. Adopt the FY 2018-19 Annual Budget for the Successor Agency to the former Stockton Redevelopment Agency (Exhibit 1 to the Successor Agency resolution).

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 resolutions.

**Department:**

Administrative Services

**Attachments:** [Proposed Resolution 1 City - FY 2018-19 Budget Adoption](#)  
[Proposed Resolution 2 City - Interfund Loans](#)  
[Resolution 2 City Exhibits A-1 to A-4 Interfund Loan](#)  
[Resolution 2 City Exhibit 1 - Lease Agreement](#)  
[Resolution 2 City Exhibit 2 - Assignment Agreement](#)  
[Resolution 2 City Exhibit 3 - Sublease](#)  
[Proposed Resolution 3 SPFA - Interfund Lease](#)  
[Resolution 3 SPFA Exhibit 1 - Lease](#)  
[Resolution 3 SPFA Exhibit 2 - Assignment Agreement](#)  
[Resolution 3 SPFA Exhibit 3 - Sublease](#)  
[Proposed Resolution 4 Parking - FY 2018-19 Parking Authority Budget](#)  
[Resolution 4 Parking Exhibit 1 - FY 2018-19 Parking Authority Budget](#)  
[Proposed Resolution 5 Parking Authority - Interfund Loan](#)  
[Resolution 5 Parking Exhibit 1](#)  
[Resolution 6 - FY 2018-19 Successor Agency Budget](#)  
[Resolution 6 Exhibit 1 - FY 2018-19 Successor Agency Budget](#)

- 15.2     [17-4273](#)     **HOLD PUBLIC HEARING FOR APPROVAL OF THE ANNUAL  
ENGINEER'S REPORT, FISCAL YEAR 2018-19 ANNUAL BUDGET,  
AND CONFIRM AND LEVY ASSESSMENTS FOR THE STOCKTON  
CONSOLIDATED STORM DRAINAGE MAINTENANCE  
ASSESSMENT DISTRICT 2005-1**

**Recommended Action:**

**RECOMMENDATION**

The City Council at its meeting on May 15, 2018 preliminarily approved and confirmed the Engineer's estimate of costs and expenses of the Consolidated Storm Drainage Maintenance Assessment District 2005-1 and the annual assessments related thereto, and set a required public hearing for June 5, 2018.

It is recommended that the City Council now conduct a public hearing to consider public comment and testimony regarding the approval and adoption of the annual budgets and assessment rolls for the District.

After the public hearing, if a majority protest based on assessment amount does not exist, it is recommended that the City Council adopt a resolution to:

1. Overrule any and all public hearing protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in the District in each zone.
2. Approve and adopt the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1 (District) Annual Engineer's Report for the FY 2018-19, which contains the budget for each zone.
3. Confirm and levy the assessments for each zone as set forth in the report.
4. File the assessments or a copy thereof certified by the City Clerk or other City official, with the San Joaquin County Auditor and cause the assessments to be entered on the 2018-19 tax roll as set forth in the Annual Engineer's Report on file with the City Clerk.
5. Approve the Annual Report providing for various Amendments to the several Zone Assessment Diagrams showing segregated parcels created since the last Annual Report and directing the City Clerk to deliver to the Superintendent of Streets of the City said assessment, together with all Amendments to the Assessment Diagrams attached with a certificate of such confirmation and of the date thereof, and that said Superintendent of Streets shall record all said Amendments to the Assessment Diagrams and assessment in a suitable book to be kept for that purpose.
6. Authorize after the recording of the assessment and the Amendments to the Assessment Diagrams in the office of the Superintendent of Streets, the City Clerk to file in the office of the County Recorder a copy of the Amendments to the Assessment Diagrams.

It is also recommended that the City Manager or his designee is authorized and directed to execute all documents, including, but not limited to, agreements and amendments.

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:** [Attachment A - District Zone Location Map](#)

[Attachment B - Consolidated District Budget-FY2018-19](#)

[Proposed Resolution - Consolidated District Public Hearing](#)

**15.3**     [17-4274](#)

**PUBLIC HEARING ON THE ENGINEER'S REPORT, FY 2018-19  
ANNUAL BUDGETS AND ASSESSMENTS FOR INDUSTRIAL  
STORM DRAINAGE BASIN MAINTENANCE DISTRICTS**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council conduct the public hearing called for at its May 15th meeting to consider public comment and testimony regarding the approval and adoption of the annual budgets and assessment rolls for the five districts listed below (each, a "District").

At the conclusion of the public hearing, if less than fifty percent of the owners of the assessable lands within a district file a protest of the proposed levy of annual maintenance assessments, it is recommended that the City Council adopt resolutions to:

1. Overrule any and all public hearing protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in each District, provided, as to each District, no majority protest exists.

2. Approve and adopt the preliminary FY 2018-19 annual budget for each District.

3. Confirm and levy FY 2018-19 assessments for each of the following five industrial storm drainage basin maintenance assessment districts.

\* Western Pacific Industrial Park Storm Drainage Basin Maintenance District, Project Number 81-1 (Western Pacific)

\* Charter Way Industrial Site Storm Drainage Basin Maintenance District, Project Number 86-4 (Charter Way)

\* Arch Road Industrial Park Storm Drainage Basin Maintenance District, Project Number 84-2 (Arch Road)

\* Airport Gateway Center Storm Drainage Basin Maintenance District (Airport Gateway)

\* Stockton Airport Business Center Storm Drainage Basin Maintenance District, Project Number 84-1 (Stockton Airport)

4. Approve and adopt the Report showing the 2018-19 assessments and the adjusted drainage acres to be used in assessing the costs and expenses in connection therewith as the method of assessment to be used to pay the costs and expenses of the maintenance and operation.

5. Approve, confirm and levy the assessments as set forth in the Report of the annual amount of costs and expenses of the maintenance and operation of the improvements, upon the several subdivisions of land in each District in proportion to the estimated benefits to be received by said subdivisions, respectively, from the operation of said improvements and of the expenses incidental thereto, as set forth in each respective Report.

It is also recommended that the City Manager or his designee is authorized and directed to execute all documents, including, but not limited to, agreements and amendments.

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

**Department:** Municipal Utilities

**Attachments:** [Attachment A - Location Map](#)

[Attachment B - Storm Drainage Basin District Budgets](#)

[Attachment C - Proposed Budget and Fund Balance Projection](#)

[Proposed Resolution - Western Pacific](#)

[Proposed Resolution - Charter Way](#)

[Proposed Resolution - Arch Road Industrial](#)

[Proposed Resolution - Airport Gateway](#)

[Proposed Resolution - Stockton Airport](#)

- 15.4     [18-4548](#)     **ADOPT THE BUDGET FOR THE FISCAL YEAR 2018-19 STOCKTON  
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT  
DISTRICT NO. 96-2**

**Recommended Action:**

**RECOMMENDATION**

This public hearing is to consider public comments and testimony regarding the Fiscal Year (FY) 2018-19 Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 (Consolidated Landscape District) Annual Engineer's Report, budget, and levy of assessments.

After the public hearing, if owners of more than 50 percent of the area of assessable lands within the Consolidated Landscape District have not protested the proposed levy of annual maintenance assessments, it is recommended that the City Council adopt a resolution to:

1. Overrule any and all protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in the Consolidated Landscape District in each zone.
2. Approve and adopt the Consolidated Landscape District's Annual Engineer's Report for the FY 2018-19 containing the budget for each zone, and confirming and levying the assessments for each zone as set forth in the Annual Engineer's Report.
3. Certifying that the special assessment(s), fee(s), or charge(s) to be placed on the 2018-2019 Secured Property Tax bill by the City of Stockton are certified to meet the requirements of Proposition 218 that added Articles XIIC and XIID to the California State Constitution.
4. Confirm that the assessments of the annual amount of costs and expenses for the maintenance and operation of the improvements, upon the assessable lands in the Consolidated Landscape District, as contained in the Annual Engineer's Report, shall be levied and collected for FY 2018-19. The assessments comply with all laws pertaining to the levy of the annual assessment (State of California Streets and Highways Code Section 22500). The assessments are levied without regard to property valuation. The purpose of the assessments is to pay the costs and expenses for maintenance and operation of public parks and landscape improvements in public rights-of-way and public open spaces.
5. Authorize the City Manager or designee, on behalf of the City Clerk, to file the assessments or a copy thereof certified by the City Clerk, with the San Joaquin County Auditor and cause the assessments to be entered on the 2018-19 tax roll for the parcels in the Consolidated Landscape District and each Zone within the Consolidated Landscape District as set forth in the Annual Engineer's Report on file with the City Clerk.

It is also recommended that the City Manager or his designee is authorized and directed to execute all documents, including, but not limited to, agreements and amendments.

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](#)

[Attachment B - Proposed FY 2018-19 Budget](#)

[Attachment C - Summary of Zones](#)

[Proposed Resolution - Landscape Maintenance](#)

15.5     [18-4546](#)

**ADOPT THE BUDGET FOR THE FISCAL YEAR 2018-19 CENTRAL  
STOCKTON LIGHTING MAINTENANCE ASSESSMENT DISTRICT**

**Recommended Action:**

**RECOMMENDATION**

This public hearing is to consider public comments and testimony regarding the Fiscal Year (FY) 2018-19 Central Stockton Lighting Maintenance Assessment District (District) Annual Engineer's Report, budget, and levy of assessments.

After the public hearing, if owners of more than 50 percent of the area of assessable lands within the District have not protested the proposed levy of annual maintenance assessments, it is recommended that the City Council adopt a resolution to:

1. Overrule any and all protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in the District in each zone.
2. Approve and adopt the District's Annual Engineer's Report for the FY 2018-19 containing the budget for each zone, and confirming and levying the assessments for each zone as set forth in the Annual Engineer's Report.
3. Certify that the special assessment(s), fee(s), or charge(s) to be placed on the 2018-19 Secured Property Tax bill by the City of Stockton are certified to meet the requirements of Proposition 218 that added Articles XIIIC and XIID to the California State Constitution.
4. Confirm that the assessments of the annual amount of costs and expenses for the maintenance and operation of the improvements, upon the assessable lands in the District, as contained in the Annual Engineer's Report, shall be levied and collected for FY 2018-19. The assessments are in compliance with all laws pertaining to the levy of the annual assessment (State of California Streets and Highways Code Section 22500). The assessments are levied without regard to property valuation. The purpose of the assessments is to pay the costs and expenses for administration, maintenance, and operation of the Central Stockton Lighting Maintenance Assessment District, Zone 4, Oxford Manor.
5. Authorize the City Manager or designee, on behalf of the City Clerk, to file the assessments or a copy thereof certified by the City Clerk, with the San Joaquin County Auditor and cause the assessments to be entered on the 2018-19 tax roll for the parcels in the District, Zone 4, Oxford Manor, as set forth in the Annual Engineer's Report on file with the City Clerk.

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

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Attachments: [Attachment A - District Map](#)  
[Attachment B - Proposed FY 2018-19 Budget](#)  
[Proposed Resolution - Lighting Maintenance](#)

**16. PUBLIC COMMENTS – MATTERS NOT ON THE AGENDA**

**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 June 1, 2018, in  
compliance with the Brown Act.

**Bret Hunter, CMC**  
**City Clerk**

By: \_\_\_\_\_

**Deputy**

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*\*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.*