



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
Daniel R. Wright Vice Mayor/Vice Chair (District 2)
Sol Jobrack (District 1)
Paul Canepa (District 3)
Susan Lenz (District 4)
Christina Fugazi (District 5)
Jesus M. Andrade (District 6)

Tuesday, March 5, 2019

5:30 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 [19-5246](#) 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

- 3.2 [19-5247](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action:

City Manager

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

Department:

City Attorney

3.3 [19-5248](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Number of Cases: One

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

Department: City Attorney

3.4 [19-5264](#) CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

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

3.5 [19-5283](#) PUBLIC EMPLOYEE RECRUITMENT/APPOINTMENT:

Recommended Action: 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. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

11. CONSENT AGENDA

11.1 [19-5216](#) ACCEPT THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED DECEMBER 31, 2018

Recommended Action: RECOMMENDATION

It is recommended that the City Council accept by motion the Quarterly Investment Report for the quarter ended December 31, 2018.

Department: Administrative Services

Attachments: [Attachment A - Quarterly Investment Report – 12-31-2018](#)

[Attachment B - Report Certification](#)

11.2 [19-5239](#) APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the City Council meeting of January 15, 2019.

Department: City Clerk

Attachments: [2019-01-15 - Minutes for Approval](#)

11.3 [18-5036](#) APPOINTMENTS TO CITY COMMITTEES AND COMMISSIONS

Recommended Action: RECOMMENDATION

Resolution ratifying Councilmember appointments to the Measure A Citizens' Advisory Committee, Measure W Oversight Committee, and Water Advisory Group

Department: City Clerk

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

[Attachment B - Redacted Applications MW](#)

[Attachment C - Redacted Applications WAG](#)

[Proposed Resolution - Appointments](#)

11.4 [19-5282](#) INTERIM CITY CLERK COMPENSATION

Recommended Action: RECOMMENDATION

It is recommended that Council approve a motion to authorize a non-recurring payment of \$30,000 to the Interim City Clerk and award 3 weeks (120 hours) of vacation with no expiration on when those days can be used except that they must be used prior to the use of any traditionally accrued vacation days.

Department: City Manager

**11.5 [18-5074](#) FINAL MAP AND SUBDIVISION AGREEMENT FOR MARKETPLACE
AT WESTON RANCH, TRACT NO. 3749 PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Approve the final map; and
2. Authorize the City Manager to execute the subdivision agreement, accept on behalf of the public all offers of dedication, and record the final map for Marketplace at Weston Ranch, Tract No. 3749.

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

Department: Community Development

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

[Proposed Resolution - Marketplace at Weston Ranch](#)

[Exhibit 1 - Subdivision Agreement](#)

[Exhibit 2 - Tract Map 3749](#)

11.6 [19-5125](#)

**AN AMENDMENT TO SUBDIVISION AGREEMENT FOR NORCAL
LOGISTICS CENTER PROJECT, PHASE 2 PARCEL MAP AND
RELINQUISHMENT OF ACCESS RESTRICTION ALONG PROPERTY
FRONTAGE ON MARIPOSA ROAD**

Recommended Action:

RECOMMENDATION

It is recommended that City Council adopt a Resolution approving the following:

1. An amendment to the Subdivision Agreement for Norcal Logistics Center Project, Phase 2 Parcel Map to change conditions of approval; and
2. Relinquishment of access restriction along the entire property site frontage of Mariposa Road, as shown on Parcel Map Book 26, Page 119, San Joaquin County Records.
3. An Addendum to the Environmental Impact Report for NorCal Logistics Center Project (P12-110 certified by the City of Stockton on May 14, 2015).

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

Department: Community Development

Attachments: [Attachment A - Vicinity Map](#)
[Attachment B - Phase I Parcel Map Agreement and Map](#)
[Attachment C - Phase 2 Parcel Map Agreement and Map](#)
[Attachment D - Amendment Request Letter](#)
[Attachment E - Newcastle Road Extension](#)
[Attachment F - Mariposa Interim Improvement](#)
[Attachment G - Access Restriction Relinquishment](#)
[Attachment H - Addendum](#)
[Proposed Resolution - Amending Subdivision Agreement](#)
[Exhibit 1 - Amendment to Subdivison Agreement](#)

11.7 [19-5240](#) REJECT BIDS FOR THE STOCKTON BALLPARK SCOREBOARD

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion rejecting all bids received for the Stockton Ballpark Scoreboard replacement project (PUR 18-031), pursuant to Stockton Municipal Code 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: Economic Development

Attachments: [Attachmetn A - Bid Abstract](#)
[Attachment B - Resoloution 2018-08-21-1404](#)

**11.8 [18-5095](#) TEMPORARY CONSTRUCTION AND PERMANENT MAINTENANCE
EASEMENTS TO WOODBRIDGE IRRIGATION DISTRICT FOR A
WATER SUPPLY PIPELINE CONNECTION AT THE DELTA WATER
TREATMENT PLANT**

Recommended Action: RECOMMENDATION

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

1) Approve temporary construction and permanent maintenance easements to Woodbridge Irrigation District for installation and maintenance of a connecting water supply pipeline for the Delta Water Treatment Plant; and

2) Approve findings in accordance with the California Environmental Quality Act Guidelines Section 15050; and

3) Authorize the City Manager, or his designee, to take all necessary and appropriate actions to carry out the purpose and intent of this resolution.

Department: Municipal Utilities

Attachments: [Attachment A - 2008 Agreement](#)
[Attachment B - Aerial Map - DWTP](#)
[Attachment C - Proposed Easement Map](#)
[Proposed Resolution - Woodbridge Easement](#)
[Exhibit 1 - Pixley Lateral Pipeline IS-MND](#)
[Exhibit 2 - Notice of Determination](#)
[Exhibit 3 - Temporary Construction Easement Plat](#)
[Exhibit 4 - Easement Legal Description](#)
[Exhibit 5 - Permanent Easement Plat](#)
[Exhibit 6 - Permanent Easement Legal Description](#)
[Exhibit 7 - Proposed Easement Deed](#)
[Exhibit 1 to Exhibit 7](#)
[Exhibit 2 to Exhibit 7](#)

**11.9 [18-4956](#) APPROVE THE ENVIRONMENTAL COMPLIANCE PRE-APPROVED
ROTATING VENDOR LIST**

Recommended Action: RECOMMENDATION

It is recommended that 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 a list of rotating vendors to provide necessary environmental cleanup and abatement 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 - Environmental Vendor List](#)
[Exhibit 1 - Qualified Vendor List](#)

**11.10 [19-5201](#) APPROVE RESOLUTION ACCEPTING THE UNTESTED SEXUAL
ASSAULT EVIDENCE GRANT PROGRAM AWARD FROM THE
CALIFORNIA DEPARTMENT OF JUSTICE, OFFICE OF THE
ATTORNEY GENERAL, AND AMEND THE FISCAL YEAR 2018-19
ANNUAL BUDGET**

Recommended Action:

RECOMMENDATION

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

1. Authorize the City Manager to accept grant funding from the State of California Department of Justice (DOJ), in the amount of \$18,848, for the Untested Sexual Assault Evidence Grant Program; and
2. Authorize the City Manager to execute 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 contract; and
3. Amend the Fiscal Year (FY) 2018-19 Annual Budget to increase the Police Grants & Special Programs expenditure and revenue appropriation by a total of \$18,848; and
4. Authorize the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department: Police

Attachments: [Attachment A - Memorandum of Understanding](#)
[Proposed Resolution - Sexual Assault Evidence Grant](#)

11.11 [18-4986](#)

**APPROVE MOTION TO AMEND THE PROFESSIONAL SERVICES
CONTRACT FOR THE INSTALL PEDESTRIAN CROSSINGS AT
NINE INTERSECTIONS PROJECT**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council approve a motion to execute Amendment No. 1 to the Professional Services Contract with Bennett Engineering Services, Inc., in the amount of \$52,688.10, for design of the Install Pedestrian Crossings at Nine Intersections (Project No. PW1715/Federal Project No. HSIPL-5008(161)).

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](#)
[Attachment C - Contract Change Order No. 1](#)
[Attachment D - Amendment No. 1](#)

11.12 [19-5127](#)

**APPROVE RESOLUTION TO AUTHORIZE THE STREET
RESURFACING ON FEDERAL-AID STREETS FISCAL YEAR 2016-17**

PROJECT

Recommended Action:

RECOMMENDATION

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

1. Approve the Notice of Exemption No. CE027-18 under the California Environmental Quality Act for the Street Resurfacing on Federal-Aid Streets Fiscal Year 2016-17 (Project No. PW1610/Federal Project No. STPL-5008(172)).
2. Approve the plans and specifications for the Street Resurfacing on Federal-Aid Streets Fiscal Year 2016-17 (Project No. PW1610/Federal Project No. STPL-5008(172)).
3. Appropriate funds in the amount of \$31,200 from the Water Utility fund balance (421-0000-287) to the Street Resurfacing on Federal-Aid Streets Fiscal Year 2016-17 (Project No. PW1610; 427-3062-640).
4. Appropriate funds in the amount of \$18,000 from the Wastewater Utility fund balance (431-0000-287) to the Street Resurfacing on Federal-Aid Streets Fiscal Year 2016-17 (Project No. PW1610; 431-3062-640).
5. Award a Construction Contract in the amount of \$4,677,754 to George Reed, Inc. of Modesto, CA, for the Street Resurfacing on Federal-Aid Streets Fiscal Year 2016-17 (Project No. PW1610/Federal Project No. STPL-5008(172)).

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 - Project Location Map](#)
[Proposed Resolution - FY16-17 Street Resurfacing](#)
[Exhibit 1 - Environmental Categorical Exemption](#)
[Exhibit 2 - Contract with George Reed Inc.](#)

11.13 [19-5139](#)

APPROVE RESOLUTION TO AUTHORIZE THE LOCAL STREET RESURFACING PROJECT

Recommended Action:

RECOMMENDATION

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

1. Approve Notice of Exemption No. CE031-18 under the California Environmental Quality Act for the Local Street Resurfacing, Project No. PW1532.
2. Approve the plans and specifications for the Local Street Resurfacing, Project No. PW1532.
3. Appropriate funds in the amount of \$31,236.91 from additional P-Sharing Funding (686-237.67-40) to the Local Street Resurfacing, Project No. PW1532 (301-3061-640.20-62).
4. Award a Construction Contract in the amount of \$412,563.10 to California Pavement Maintenance Company, Inc. of Sacramento, CA, for the Local Street Resurfacing, Project No. PW1532.

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 Maps](#)
[Proposed Resolution - Local Street Resurfacing Project](#)
[Exhibit 1 - Notice of Exemption](#)
[Exhibit 2 - Construction Contract with CA Pavement](#)

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

14.1 [18-4627](#) APPOINTMENTS TO THE STOCKTON PARKS AND RECREATION COMMISSION

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a Resolution appointing two Commissioners to fill vacant positions on the Parks and Recreation Commission for a four-year term commencing immediately and ending December 31, 2022.

Department: City Clerk

Attachments: [Attachment A - Redacted Applications](#)
[Proposed Resolution - Parks and Recreation Appointment](#)

14.2 [19-5284](#) APPOINTMENT TO THE STOCKTON CIVIL SERVICE COMMISSION

Recommended Action: RECOMMENDATION

Adopt resolution appointing two members to the Civil Service Commission/Equal Employment Commission for an existing term commencing immediately and ending December 31, 2021.

Department: City Clerk

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

[Proposed Resolution - CSC Appointment](#)

14.3 [18-4866](#) ADOPT THE 2019 STATE AND FEDERAL LEGISLATIVE PROGRAMS

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt by motion the 2019 State Legislative Program and 2019 Federal Legislative Program and authorize the City Manager to pursue the objectives outlined in these Programs through advocacy efforts in Sacramento and Washington, D.C.

Department: City Manager

Attachments: [Attachment A - 2019 State Leg Program - Redline](#)

[Attachment B - 2019 State Leg Program - Final](#)

[Attachment C - 2019 Federal Leg Program - Redline](#)

[Attachment D - 2019 Federal Leg Program - Final](#)

15. HEARINGS****

15.1 [19-5169](#) ORDINANCE AMENDING TITLE 5, CHAPTERS 5.98, 5.99, AND 5.100; TITLE 16, CHAPTER 16.20, SECTION 16.20.020; CHAPTER 16.64, SECTION 16.64.040; CHAPTER 16.80, SECTION 16.80.195; AND CHAPTER 16.240, SECTION 16.240.020 RELATED TO THE CANNABIS REGULATORY PROGRAM

Recommended Action:

RECOMMENDATION

It is recommended that the City Council:

1. Adopt an ordinance amending the Stockton Municipal Code, Title 5, Chapters 5.98, 5.99, and 5.100 and Title 16, Chapters 16.20, 16.64, 16.80, and 16.240, related to the City's Cannabis Regulatory Program, and
2. Approve a Resolution amending the FY 2018-19 Fee Schedule to introduce and amend fees based on the proposed Stockton Municipal Code amendments.

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 ordinance and resolution.

Department: Community Development

Attachments: [Attachment A - Summary Table of Other Cities Permit Caps](#)
[Attachment B - Proposed Ordinance - Redline](#)
[Attachment C - Equity Program Memorandum](#)
[Proposed Ordinance - Cannabis Regulatory Program](#)
[Proposed Resolution - Fee Schedule Amendment](#)
[Exhibit 1 - FY 2018-19 Fee Schedule Changes - Cannabis](#)

15.2 [19-5152](#)

**CONDUCT A PUBLIC HEARING AND AMEND THE ESTABLISHED
UNDERGROUND UTILITY DISTRICT IN THE STOCKTON
DOWNTOWN AREA**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council:

1. Conduct a public hearing to determine whether public necessity, health, safety, or welfare requires an amendment of the established underground utility district in the Stockton downtown area bound by Miner Avenue, Sutter Street, Weber Avenue, and Aurora Street.
2. Adopt a resolution authorizing the amended boundary to be added to the established underground utility district in the Stockton downtown area. The amended district will be bound by Miner Avenue, Sutter Street, Weber Avenue, and the western boundary of the Union Pacific Railroad Corridor.
3. Authorize the City Manager to approve the filing of Notice of Exemption No. CE01-19 under the California Environmental Quality Act for the amended Underground Utility District in the Stockton downtown area.
4. Authorize the City Clerk to notify all affected utilities and real property owners within the amended area by mail of the adoption of the resolution within ten (10) days of its adoption.

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 - SMC Chapter 13.36](#)

[Proposed Resolution - Downtown Underground Utility District](#)

[Exhibit 1 - Vicinity Map](#)

[Exhibit 2 - Downtown Underground Utility District](#)

[Exhibit 3 - Notice of Exemption](#)

16. PUBLIC COMMENTS – MATTERS NOT ON THE AGENDA

17. COUNCIL COMMENTS

18. ADJOURNMENT

INFORMATIONAL ITEMS

1 [19-5249](#) COUNCIL COMMITTEE/BOARDS AND COMMISSION MINUTES

Recommended Action:

RECOMMENDATION

Information item only. No action required.

Department:

City Clerk

Attachments: [2018-09-26 - Council Water Committee Minutes](#)
[2018-11-19 - Civil Service Commission Minutes](#)
[2018-11-29 - Civil Service Commission Minutes](#)
[2018-12-20 - Civil Service Commission Minutes](#)
[2018-11-14 - Cultural Heritage Board Minutes](#)
[2018-11-14 - Development Oversight Commission Minutes](#)
[2018-11-21 - MTF For Persons With Disabilities Minutes](#)
[2018-10-22 - Council Audit Committee Minutes](#)
[2018-11-15 - Planning Commission Minutes](#)
[2018-12-05 - Cultural Heritage Board Minutes](#)
[2019-01-02 - Cultural Heritage Board Minutes](#)

**2 [19-5223](#) CIVIL SERVICE/EQUAL EMPLOYMENT COMMISSION'S 2018
ANNUAL REPORT**

Recommended Action: RECOMMENDATION

Informational item only. No action is necessary.

Department: Human Resources

Attachments: [Attachment A - Commission's 2018 Annual Report to Council](#)
[Attachment B - Commission's 2018 Attendance Report](#)

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 February 27, 2019, in
compliance with the Brown Act.**

**Christian Clegg
Deputy City Manager/Interim 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.