



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 26, 2019

5:30 PM

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

**** SPECIAL REVISED ****

1. SPECIAL SESSION CALL TO ORDER/ROLL CALL
2. INVOCATION/PLEDGE TO FLAG
3. ADDITIONS TO SPECIAL SESSION AGENDA**
4. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS
5. CONSENT AGENDA
6. ADMINISTRATIVE MATTERS
7. UNFINISHED BUSINESS
8. NEW BUSINESS
- 8.1 [19-5230](#) ADOPT A RESOLUTION TO CERTIFY THE REGIONAL
WASTEWATER CONTROL FACILITY MODIFICATIONS PROJECT
FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT FINDINGS OF
FACT, AND ADOPT MITIGATION MONITORING AND REPORTING
PROGRAM

Recommended Action:

RECOMMENDATION

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

1. Certify that the Final Environmental Impact Report prepared for the Regional Wastewater Control Facility Modifications Project has been completed in compliance with the California Environmental Quality Act and finds the Final Environmental Impact Report adequately addresses the environmental issues of the Regional Wastewater Control Facility Modifications Project; and
2. Approve the Final Environmental Impact Report, including that it identifies no significant and unavoidable impacts, adopting the Findings of Facts and adopting the Mitigation Monitoring and Reporting Program; and
3. Adopt findings that the Final Environmental Impact Report for the Regional Wastewater Control Facility Modifications Project reflects the independent judgment of the City Council, as lead agency.

It is further recommended that the City Manager is authorized to take such other actions as are appropriate to carry out the intent of this resolution.

Department: Municipal Utilities

Attachments: [Proposed Resolution - RWCF Modifications Project FEIR](#)
[Exhibit 1 - RWCF Modifications FEIR](#)
[Exhibit 2 - RWCF Modifications Findings](#)
[Exhibit 3 - RWCF Modifications MMRP](#)

8.2 [19-5229](#)

**AWARD PHASE 2A OF THE PROGRESSIVE DESIGN-BUILD
CONTRACT FOR THE REGIONAL WASTEWATER CONTROL
FACILITY (RWCF) MODIFICATIONS PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Award Phase 2A of the Progressive Design-Build Contract in the amount of \$6,026,561, between the City and AECOM/W.M. Lyles, Joint Venture (JV) for the 90% design and to advance the development of a guaranteed maximum price for the Regional Wastewater Control Facility (RWCF) Modifications Project, and
2. Authorize the City Manager to execute Amendment No. 1 and Attachment A to Amendment No. 1 to the Progressive Design-Build Contract.

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 resolution.

Department: Municipal Utilities

Attachments: [Proposed Resolution - RWCF Modifications Phase 2A](#)
[Exhibit 1 - Amendment 1 to Progressive Design-Build Contract](#)

8.3 [19-5204](#) **ADOPT A RESOLUTION AUTHORIZING A PUBLIC HEARING TO
CONSIDER INCREASES IN THE CITY'S WASTEWATER RATES
AND CHARGES AND AUTHORIZING AND DIRECTING THE CITY
MANAGER TO MAIL A NOTICE OF THE PUBLIC HEARING TO
CONSIDER THE PROPOSED INCREASES TO THE WASTEWATER
RATES AND CHARGES**

Recommended Action: RECOMMENDATION

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

1. Authorize a public hearing to be held in the future to consider increases in the City's wastewater rates and charges; and
2. Authorizing and directing the City Manager to mail a notice of the future public hearing to all City of Stockton Wastewater Utility customers and the record owners of property upon which the rates and charges are proposed for imposition. The public hearing shall be held not less than 45 days after the notice of the public hearing has been mailed.

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 - Draft Wastewater Rate Study Report](#)
[Proposed Resolution - Set Public Hearing - Wastewater Rates](#)

9. **HEARINGS******

10. **PUBLIC COMMENTS – MATTERS ON THE AGENDA**

11. **COUNCIL COMMENTS**

12. **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 March 22, 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.