



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, July 28, 2020

4:00 PM

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

Closed Session 4:00 PM :: Regular Session 5:30 PM

During this time of local health concerns, City Hall has limited socially-distanced seating available to the public. Due to these concerns, you are strongly encouraged to watch the meeting online and you can submit your public comments electronically.

1. You can view the live meeting at <http://www.stocktongov.com/government/Meetings/councilMeetings.html> or cable tv Channel 97.
2. eComment - click <https://stockton.granicusideas.com/meetings> to submit an eComment(s). Only one comment per agenda item, per person will be read into the record.
3. Email – City.Clerk@stocktonca.gov if you prefer to email your comments in. Only one comment per agenda item, per person will be read into the record.
4. Public comment voicemail - (209) 937-8459 if you wish to leave your public comment in the form of a voicemail, it will be transcribed and emailed to the City Clerk. Only one comment per agenda item, per person will be read into the record.

1. **CLOSED SESSION CALL TO ORDER/ROLL CALL**
2. **ADDITIONS TO CLOSED SESSION AGENDA**
3. **ANNOUNCEMENT OF CLOSED SESSION**
- 3.1 [20-6798](tel:206798) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Two

Name of Case: City of Stockton v. San Joaquin County Emergency
Medical Services Agency (San Joaquin County
Superior Court Case No.
STK-CV-UWM-2020-04909)

Name of Case: Kurt Wilson v. City Council of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UWM-2019-12404)

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

Department: City Attorney

3.2 [20-6800](#) CONFERENCE WITH LABOR NEGOTIATOR

Recommended Action: Agency Designated Representative: City Manager Harry Black

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 [20-6802](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager, City Attorney, City Clerk

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

Department: City Attorney

3.4 [20-6804](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Recommended Action: 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

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 [20-6862](#) ACCEPT THE FISCAL YEAR 2019-20 THIRD QUARTER BUDGET
UPDATE AND APPROVE THE RECOMMENDED BUDGET
AMENDMENTS

Recommended Action: RECOMMENDATION

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

1. Accept this budget status report on the results of the third quarter of Fiscal Year (FY) 2019-20.
2. Authorize the budget amendments to the FY 2019-20 Annual Budget in the General Fund and Downtown Marina Fund.

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

Department: Administrative Services

Attachments: [Attachment A - FY19-20 Third Quarter Budget Update](#)
[Attachment B - FY19-20 Third Quarter Revenues](#)
[Attachment C - FY19-20 Third Quarter Update](#)
[Proposed Resolution - 3rd Quarter Budget Update](#)

11.2 [20-6757](#) RESOLUTION TO ADOPT THE SUMMARY VACATION OF A
PORTION OF PUBLIC UTILITY EASEMENTS AT CORNERSTONE II

Recommended Action:

RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Approving the summary vacation of a portion of public utility easements at Cornerstone II.
2. Authorizing the filing of a Notice of Exemption No. 31-20 under the California Environmental Quality Act for the vacation of a public utility easements at Cornerstone II.
3. Authorizing the City Manager, or designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this resolution.

Department: Economic Development

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

[Attachment B - Aerial Map](#)

[Proposed Resolution - Summary Vacation](#)

[Exhibit 1 - Lot 49 Legal description](#)

[Exhibit 2 - Lot 49 Plat](#)

[Exhibit 3 - Lot 67 Legal description](#)

[Exhibit 4 - Lot 67 Plat](#)

[Exhibit 5 - Notice of Exemption 31-20](#)

11.3 [20-6205](#)

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
LEASE AMENDMENT WITH LOCAL AGENCY FORMATION
COMMISSION AT 509 WEST WEBER AVENUE**

Recommended Action:

RECOMMENDATION

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

- 1) Authorize a Lease Amendment to the lease with Local Agency Formation Commission for office space in the Waterfront Towers (509 West Weber Avenue).
- 2) Authorize the City Manager, or designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this resolution.

Department: Economic Development

Attachments: [Attachment A - LAFCO Lease](#)

[Proposed Resolution - LAFCO Lease Amendment](#)

[Exhibit 1 - Lease Amendment - LAFCO 7-28-2020](#)

11.4 [20-6841](#)

**APPROVE A RESOLUTION AUTHORIZING THE CITY MANAGER TO
ACCEPT A GRANT FROM THE FEDERAL EMERGENCY**

**MANAGEMENT AGENCY FOR THE 2020 ASSISTANCE TO
FIREFIGHTERS GRANT-SUPPLEMENTAL**

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to accept a grant from the Federal Emergency Management Agency for the 2020 Assistance to Firefighters Grant-Supplemental in the amount of \$100,931.83; and
2. Authorize the City Manager to transfer \$10,093.18 from the General Fund grant match appropriation account to cover the required 10% local match; and
3. Authorize the City Manager to appropriate grant revenues, grant match and expenditures in the amount of \$111,025.01; and
4. Authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Fire

Attachments: [Proposed Resolution - Assistance to Firefighters Grant](#)

**11.5 [20-6476](#) CREATE A NEW CLASSIFIED/REPRESENTED CLASSIFICATION
OF FIRE TELECOMMUNICATOR CALL TAKER FOR THE
STOCKTON FIRE DEPARTMENT AND APPROVE THE SALARY
RANGE**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution creating a new classified/represented classification of Fire Telecommunicator Call Taker (Fire Call Taker) and approve the proposed salary range.

Department: Human Resources

Attachments: [Proposed Resolution - Fire Telecommunicator Call Taker](#)

**11.6 [20-6771](#) AWARD A CONSTRUCTION CONTRACT TO SLATER
WATERPROOFING, INC. FOR THE DIGESTER WALL REPAIRS**

Recommended Action:

RECOMMENDATION

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

1. Approve the filing of Notice of Exemption No. NOE26-20 under the California Environmental Quality Act (CEQA) for the Digester Wall Repairs, Project No. M43000 (Exhibit 1 to the Resolution).
2. Approve the project plans and specifications for the Digester Wall Repairs, Project No. M43000.
3. Award a Construction Contract in the amount of \$131,108 to Slater Waterproofing, Inc. of Montclair, California, for the Digester Wall Repairs, Project No. M43000 (Exhibit 2 to the Resolution).

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

Department: Municipal Utilities

Attachments: [Proposed Resolution - Slater Waterproofing Contract](#)

[Exhibit 1 - NOE](#)

[Exhibit 2 - Construction Contract](#)

11.7 [20-6796](#)

**ADOPT A RESOLUTION OF INTENTION TO ANNEX TERRITORY
AND THE FORMATION OF A NEW ZONE IN THE STOCKTON
CONSOLIDATED STORM DRAINAGE MAINTENANCE
ASSESSMENT DISTRICT**

Recommended Action:

RECOMMENDATION

It is recommended that the City Council approve a Resolution of Intention to:

1. Annex territory to a Municipal Improvement District and the formation of a Zone (Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, BD Homes Subdivision, Zone 15) to maintain and operate storm drainage improvements.
2. Specify that public interest would be served by establishing the Zone and levying annual assessments for the costs to maintain and operate the storm drainage improvements.
3. Preliminarily approve the Engineer's Report, approve a proposed boundary map, and appoint Engineer of Work.
4. Set date for the Public Hearing of Protests and provide for Property Owner Ballots on September 29, 2020 and direct the City Clerk to mail a public notice to the affected property owners at least forty-five days before the hearing date (to be mailed by August 14, 2020).

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: Municipal Utilities

Attachments: [Attachment A - Engineer's Report](#)

[Attachment B - Location Map](#)

[Attachment C - District 2005-1](#)

[Proposed Resolution - BD Homes - Zone 15](#)

[Exhibit 1 - Zone 15 Improvements to be Maintained](#)

11.8 [20-6807](#)

**AUTHORIZE TRANSIT-ORIENTED DEVELOPMENT HOUSING
PROGRAM APPLICATION WITH VISIONARY HOME BUILDERS OF
CALIFORNIA, INC. FOR LA PASSEGGIATA APARTMENT PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Approve the Notice of Exemption No. NOE35-20 under the California Environmental Quality Act for the La Passeggiata Apartment project.
2. Authorize the City Manager to submit a joint application with Visionary Home Builders of California, Inc. to the State of California Department of Housing and Community Development for funding under the Transit-Oriented Development Housing Program for the La Passeggiata Apartment project.

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 Map](#)
[Proposed Resolution - LPA TOD](#)
[Exhibit 1 - NOE35-20](#)

11.9 [20-6668](#)

**APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES
CONTRACT FOR THE SYSTEMIC SAFETY ANALYSIS REPORT
PROGRAM**

Recommended Action:

RECOMMENDATION

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

1. Award a Professional Services Contract to Kittelson and Associates, Inc., of Oakland, CA, in the amount of \$179,980.78, for the preparation of the Systemic Safety Analysis Report Program, Project No. PW1813.
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 - Professional Services Contract](#)

11.10 [20-6300](#)

**ADOPT RESOLUTION TO AUTHORIZE THE BRIDGE
REHABILITATION AND REPLACEMENT PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Adopt the Final Initial Study/Mitigated Negative Declaration under the California Environmental Quality Act for the Bridge Rehabilitation and Replacement, Project No. PW1603/Federal Project No. BPMP-5008(157).

2. Approve the plans and specifications for the Bridge Rehabilitation and Replacement, Project No. PW1603/Federal Project No. BPMP-5008(157).

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 Map](#)

[Proposed Resolution - Bridge Rehab and Replacement](#)

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

11.11 [20-6473](#)

**APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES
CONTRACT FOR THE CENTRAL STOCKTON ROAD DIET AND
STRIPING CONNECTIONS PROJECT**

Recommended Action:

RECOMMENDATION

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

1. Award a Professional Services Contract to W-Trans, of Santa Rosa, CA, in the amount of \$146,276, for design of the Central Stockton Road Diet and Striping Connections, Project No. PW1811.

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 Map](#)

[Attachment B - Professional Services Contract](#)

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

15. HEARINGS**

**15.1 [20-6785](#) PUBLIC HEARING TO APPROVE A RESOLUTION OVERRULING
PROTESTS, ADOPTING THE DELINQUENT UTILITY SERVICE
ASSESSMENT REPORT, AND DIRECTING THE ASSESSMENTS BE
PLACED ON THE SAN JOAQUIN COUNTY
TREASURER/TAX-COLLECTOR'S TAX ROLL**

Recommended Action:

RECOMMENDATION

Conduct a public hearing to consider all objections or protests to the proposed Delinquent Utility Service Charges, 2020 Assessment Report ("2020 Assessment Report") for delinquent water, sewer, solid waste collection, and stormwater service charges ("utility service charges") incurred by property owners.

After the public hearing, if a majority protest does not exist, it is recommended that the City Council approve a resolution to:

1. Overrule all public protests;
2. Confirm the unpaid utility service charges set forth in the 2020 Assessment Report;
3. Adopt the 2020 Assessment Report;
4. Direct the assessments to be placed on the San Joaquin County Treasurer-Tax Collector's Tax Roll; and
5. Authorize the City Manager to take any necessary and appropriate actions to carry out the purpose and intent of the resolution.

Department: Administrative Services

Attachments: [Attachment A - 2020 Assessment Report Admin Order](#)
[Proposed Resolution - 2020 Assessment](#)
[Exhibit 1 - 2020 Assessment List as of June 30, 2020](#)

**15.2 [20-6733](#) GENERAL PLAN AMENDMENT, REZONE AND ADDENDUM TO A
MITIGATED NEGATIVE DECLARATION TO ALLOW
CONSTRUCTION OF A NEW AUTOMATED CAR WASH, LOCATED
AT 2910 EIGHT MILE ROAD (APPLICATION NO. P19-0411)**

Recommended Action:

RECOMMENDATION

Staff recommends the City Council adopt:

1. A resolution adopting an Addendum to a previously approved Mitigated Negative Declaration;
2. A resolution approving a General Plan Land Use Map Amendment to change a portion of APN 070-670-01 from High-Density Residential to Commercial; and
3. An ordinance approving a Zoning Map Amendment to change a portion of APN 070-670-01 from RH (Residential, High-Density) to CG (Commercial, General).

Department: Community Development

Attachments: [Attachment A - Project Location](#)

[Attachment B - Project Plans](#)

[Attachment C - Planning Commission Action](#)

[Proposed Resolution - MND Addendum](#)

[Exhibit 1 - MND Addendum](#)

[Proposed Resolution - General Plan Amendment](#)

[Exhibit 1 - General Plan Amendment](#)

[Proposed Ordinance - Rezone](#)

[Exhibit 1 - Rezone](#)

16. PUBLIC COMMENTS* – MATTERS NOT ON THE AGENDA
17. CITY MANAGER'S COVID-19 UPDATE
18. COUNCIL COMMENTS
19. ADJOURNMENT

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 July 21, 2020, in compliance with the Brown Act.

**Eliza R. Garza, 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.*

***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.*

****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.*

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.