



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, September 29, 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 [20-7058](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Three

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: Ralph Lee White v. City Council of Stockton, et al.
(San Joaquin County Superior Court Case No.
STK-CV-URC-2017-10472)

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 [20-7060](#) **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 [20-7061](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Recommended Action: City Manager

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

Department: City Attorney

3.4 [20-7062](#) **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 [20-7146](#) **APPROVAL OF CITY COUNCIL MINUTES**

Recommended Action: RECOMMENDATION

Approve the minutes from the City Council meetings of August 11, 2020.

Department: City Clerk

Attachments: [Attachment A - 2020-08-11 Minutes for Approval](#)

11.2 [20-7129](#) **APPROVE MAYORAL NOMINATION TO THE SAN JOAQUIN
LOCAL AGENCY FORMATION COMMISSION**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution naming Vice Mayor Dan Wright as the City of Stockton representative on the San Joaquin Local Agency Formation Commission.

Department: City Clerk

Attachments: [Proposed Resolution - Mayoral nomination to LAFCO](#)

11.3 [20-6846](#) **ADOPT A RESOLUTION APPROVING A THIRD AMENDMENT TO
THE MOSS GARDEN EAST - TRACT NO. 3632 SUBDIVISION
AGREEMENT**

Recommended Action: RECOMMENDATION

Staff recommends that the City Council adopt a resolution:

1. Approving a Third Amendment to the Moss Garden East- Tract No. 3632 Subdivision Agreement to revise conditions.

2. Authorizing the City Manager 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 - Recommending Approval](#)
[Exhibit 1 - Third Amendment](#)

11.4 [20-6971](#) **ADOPT A RESOLUTION APPROVING THE 2020 ANNUAL
PROGRESS REPORT TO CONFIRM 200-YEAR URBAN LEVEL OF
FLOOD PROTECTION ADEQUATE PROGRESS FINDING FOR THE
MOSSDALE TRACT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a Resolution approving the 2020 Annual Progress Report to confirm the 200-year urban level of flood protection adequate progress finding for the Mossdale Tract.

Department: Community Development

Attachments: [Attachment A - Mossdale Tract Boundary Map](#)
[Attachment B - SB 5 Overview](#)
[Attachment C - 200-Year Floodplain Map](#)
[Proposed Resolution - Mossdale Tract Adequate Progress](#)
[Exhibit 1 - Engineer's Report](#)
[Exhibit 2 - Annual Progress Report 2020](#)

11.5 [20-7052](#) **APPROVE A MOTION AWARDED A PROFESSIONAL SERVICES
AGREEMENT TO GRAY QUARTER, INC. AND A PROFESSIONAL
SERVICES AGREEMENT TO BYRNE SOFTWARE TECHNOLOGIES,
INC. FOR ACCELA PERMIT SOFTWARE TECHNICAL SUPPORT
AND ENHANCEMENT**

Recommended Action: RECOMMENDATION

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

1. Award a three-year Professional Services Agreement to Gray Quarter, Inc. of Atascadero, California, for Accela improvements and advanced technical services for a total not-to-exceed contract amount of \$225,000.
2. Award a three-year Professional Services Agreement to Byrne Software Technologies, Inc. of Chesterfield, Missouri, for Accela Software Support Services for a total not-to-exceed contract amount of \$125,000.
3. Authorize the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of this motion.

Department: Community Development

Attachments: [Attachment A - Byrne Software Technologies Contract](#)
[Attachment B - Gray Quarter Inc Contract](#)

11.6 [20-6789](#) **MOTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID
AND EXECUTE A CONTRACT WITH HALCYON BEHAVIORAL FOR
EMPLOYEE ASSISTANCE PROGRAM (EAP) SERVICES**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a motion authorizing the City Manager to award a bid and execute a Professional Services Contract and all supporting documents with Halcyon Behavioral for Employee Assistance Program (EAP) services.

Department: Human Resources

Attachments: [Attachment A - Halcyon Contract and Service Agreement](#)

11.7 [20-7025](#) **APPROVE FINDINGS AND AWARD PURCHASING CONTRACT TO
PEN-LINK, LTD. IN AN AMOUNT NOT TO EXCEED \$172,800**

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to award a purchasing contract with Pen-Link, Ltd. for six additional software licenses and maintenance, in an amount not to exceed \$172,800; and
2. Approve findings pursuant to the Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process; and
3. It is further recommended that the City Manager is hereby authorized and directed to make any and all expenditures and appropriations on behalf of the City as appropriate and necessary to carry out the purpose and intent of this motion.

Department: Police

Attachments: [Attachment A - Pen-Link Ltd Agreement](#)

11.8 [20-6786](#) **ADOPT A RESOLUTION TO AWARD A PROFESSIONAL SERVICES
CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR
THE NORTHEAST STOCKTON LIBRARY AND COMMUNITY
CENTER**

Recommended Action: RECOMMENDATION

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

1. Approve the Notice of Exemption No. NOE32-20 under the California Environmental Quality Act for the Northeast Stockton Library and Community Center, Project No. PW1724.
2. Award a Professional Services Contract to Griffin Structures, Inc., of Santa Clara, CA, in the amount of \$890,000, for construction management services for the Northeast Stockton Library and Community Center, Project No. PW1724.
3. 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 resolution.

Department: Public Works

Attachments: [Attachment A - Vicinity Map](#)
[Proposed Resolution - NE Stockton Library](#)
[Exhibit 1 - Notice of Exemption](#)
[Exhibit 2 - Professional Services Contract](#)

**11.9 [20-6856](#) **APPROVE MOTION TO AUTHORIZE A MEASURE K RENEWAL
COOPERATIVE AGREEMENT FOR THE LOWER SACRAMENTO
ROAD WIDENING AND BRIDGE REPLACEMENTS PROJECT****

Recommended Action: RECOMMENDATION

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

1. Authorize the City Manager to execute a Measure K Renewal Cooperative Agreement between the City and San Joaquin Council of Governments for a total of \$4,000,000 for the preparation of the environmental clearance and final design for the Lower Sacramento Road Widening and Bridge Replacements, Project No. PW1907.

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 - Measure K Cooperative Agreement](#)

**11.10 [20-6857](#) **ADOPT RESOLUTION TO AWARD A PROFESSIONAL SERVICES
CONTRACT FOR THE INSTALL LEFT-TURN SIGNALS AT THREE
INTERSECTIONS PROJECT****

Recommended Action: RECOMMENDATION

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

1. Award a Professional Services Contract to Kimley-Horn and Associates, Inc., of Oakland, CA, in the amount of \$74,496.86, for design of the Install Left-Turn Signals at Three Intersections, Project No. PW1901/Federal Project No. HSIPL-5008(183).
2. Appropriate funds in the amount of \$22,140 from the Proportionate Share account to the Install Left-Turn Signals at Three Intersections, Project No. PW1901/Federal Project No. HSIPL-5008(183).
3. 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 resolution.

Department: Public Works

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

[Proposed Resolution](#)

[Exhibit 1 - Professional Services Contract](#)

11.11 [20-6881](#) **APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR THE OAK STREET SEWER TRUNK REHABILITATION PROJECT**

Recommended Action: RECOMMENDATION

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

1. Award a Professional Services Contract to West Yost Associates, of Davis, CA, in the amount of \$298,716, for design of the Oak Street Sewer Trunk Rehabilitation, Project No. M20016.
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 - Oak Street SS Rehab M20016](#)

[Attachment B- Contract - West Yost Associates](#)

12. ADMINISTRATIVE MATTERS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

- 14.1 [20-7042](#) **AUTHORIZE THE EXECUTION BY THE CITY AND THE STOCKTON PUBLIC FINANCING AUTHORITY OF A LOAN AGREEMENT (“WIFIA LOAN AGREEMENT OR WIFIA LOAN”) WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) UNDER THE WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT PROGRAM (“WIFIA”) IN THE AMOUNT OF \$108,000,000, THE ISSUANCE BY THE STOCKTON PUBLIC FINANCING AUTHORITY OF A WIFIA BOND TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY IN SAID AMOUNT, AND THE AUTHORIZED OFFICERS TO APPROVE ALL RELATED DOCUMENTS AND TAKE ALL NECESSARY ACTIONS TO CARRY OUT THE PURPOSE AND INTENT OF THE RESOLUTIONS TO ASSIST IN THE FINANCING OF THE PLANNING, DESIGN AND CONSTRUCTION OF THE REGIONAL WASTEWATER CONTROL FACILITY MODIFICATIONS PROJECT (CIP NO. M16022) (“RWCF MODIFICATIONS PROJECT”)**

Recommended Action: RECOMMENDATION

It is recommended that the City Council and the Stockton Public Financing Authority adopt resolutions:

1. Authorizing entrance into, and approving the forms of, a WIFIA Loan Agreement and an Installment Purchase Contract for the wastewater system in aggregate principal amount not to exceed \$108,000,000, and authorizing the taking of certain actions in connection therewith.
2. Authorizing issuance and sale of wastewater revenue bonds, series 2020 in an aggregate principal amount not to exceed \$108,000,000; authorizing entrance into, and approving the forms of a WIFIA Loan Agreement, an Installment Purchase Contract and an Indenture for the Wastewater System related thereto; and authorizing the taking of certain actions in connection therewith.
3. Authorizing the City Manager to carry out all actions necessary to carry out the purpose and intent of the resolutions.

Department: Municipal Utilities

Attachments: [Attachment A - Historical and Projected Pro Forma Debt Service Coverage](#)
[Proposed Resolution - 1](#)
[Proposed Resolution - 2](#)
[Exhibit 1 - WIFIA Loan Agreement](#)
[Exhibit 2 - 2020 Installment Purchase Contract](#)
[Exhibit 3 - 2020 Indenture](#)

15. HEARINGS**

- 15.1 [20-6986](#) **HOLD A PUBLIC HEARING TO ANNEX TERRITORY AND TO FORM
A NEW ZONE IN THE STOCKTON CONSOLIDATED STORM
DRAINAGE MAINTENANCE ASSESSMENT DISTRICT NO. 2005-1**

Recommended Action:

RECOMMENDATION

The City Council, at its meeting on July 28, 2020, adopted a Resolution of Intention to Annex Territory to a Municipal Improvement District and the Formation of a Zone for the Maintenance and Operation of Storm Drainage Improvements, Providing for Annual Assessments for the Costs and Expenses Thereof, Approving a Proposed Boundary Map and Appointing Engineer of Work (the "Resolution of Intention"), and set a required Public Hearing for September 29, 2020.

It is recommended that the City Council conduct a public hearing to consider public comment and testimony regarding the annexation of territory to and the formation of a new zone in the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1 (the "District").

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

1. Overrule all public hearing protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the Resolution of Intention.
2. Approve annexing the territory to Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, BD Homes Subdivision and forming Zone 15 therein, to maintain and operate storm drainage improvements.
3. Specify that the public interest would be served by establishing Zone 15 and levying annual assessments for the costs to maintain and operate the storm drainage improvements.
4. Confirm and finally approve the proposed boundary map and Engineer's Report and order recording of the assessment diagram.

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

It is further recommended that the Resolution authorize the City Manager to take appropriate and necessary action to carry out the purpose and intent of the Resolution.

Department: Municipal Utilities

Attachments: [Attachment A - Engineer's Report](#)
[Attachment B - Assessment Diagram](#)
[Proposed Resolution](#)

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 September 22, 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.