

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY/PUBLIC FINANCING AUTHORITY/PARKING AUTHORITY
CONCURRENT - REVISED
MEETING OF NOVEMBER 2, 2021**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 4:30 PM

Roll Call

Present:

Paul Canepa

Christina Fugazi

Kevin J Lincoln II

Kimberly Warmesley

Daniel Wright

Absent:

Sol Jobrack, and Susan Lenz.

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 21-0798 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Two Name of Case: Police Officer Nicholas Bertocchini (Workers' Compensation Appeals Board, Case Nos. ADJ 12153277 and ADJ13285768) 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.

Legislation Text

3.2 21-0799 CONFERENCE WITH LABOR NEGOTIATOR

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.

Legislation Text

3.3 21-0800 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

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

Legislation Text

3.4 21-0801 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).

Legislation Text

4. PUBLIC COMMENT

None

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:31 PM. The Council returned from Closed Session and recessed at 4:45 PM.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:31 PM

Roll Call

Present:

Paul Canepa

Christina Fugazi

Sol Jobrack

Kevin J Lincoln II

Kimberly Warmesley

Daniel Wright

Absent:

Susan Lenz.

7. INVOCATION/PLEDGE TO FLAG

The Pledge of Allegiance was led by Vice Mayor Fugazi

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney John M. Luebberke announced that there was no reportable action taken during Closed Session this evening.

9. ADDITIONS TO REGULAR SESSION AGENDA

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

10.1 21-0767 PROCLAMATION: FAMILY COURT AWARENESS

Legislation Text

10.2 21-0794 PRESENTATION: iHUB2 SAN JOAQUIN UPDATE

Legislation Text

Powerpoint

PRESENTERS: Brenna Garcia, Johnny Arguelles, Greg Diederich, Bob Gutierrez, Randy Saffold

10.3 PRESENTATION: 2021 VETERAN OF THE YEAR AWARD

RECIPIENT: Mayor Lincoln

Commander Emerson - presented Mayor Lincoln 2021 Veteran of the Year award

11. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

The following persons provided electronic public comment: Angela DeMoss, Kerri Patterson, Zoran Jovanovic, Kris Estrada, Catherine, Colleen Keenan, Anonymous and Chris Sosa

Electronic Public Comment

Miguel Guillen - Pershing Ave. traffic

Blondia Rubi - crematorium

Bill Kramer - traffic control

Katya Evanhoe - Pershing Ave. traffic

Diane Kramer - Pershing Avenue traffic

Barbara Kilian - Pershing Ave traffic

Julie Devincenzi - Pershing Ave speed limit, crosswalks

Charlene Wills - Pershing Ave traffic, speeding; trees

Patricia Barrett - Pershing Ave; homeless on the streets

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote save for items 12.3 which was voted on separately.

Moved by: Daniel Wright, seconded by Christina Fugazi .

Vote: Motion carried 6-0

Yes: Paul Canepa, Christina Fugazi , Sol Jobrack, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

Absent: Susan Lenz.

12.1 21-0710 ADOPT AN ORDINANCE AMENDING TITLE 1, CHAPTER 1.04, SECTION 1.04.080 AND TITLE 1, CHAPTER 1.44, SECTIONS 1.44.020, 1.44.030, 1.44.040, 1.44.050, 1.44.080, 1.44.090, AND 1.44.110 OF THE STOCKTON MUNICIPAL CODE, RELATING TO SERVICE OF NOTICES AND ADMINISTRATIVE HEARINGS

Ordinance 2021-11-02-1201 amending Title 1, Chapter 1.04, section 1.04.080 and Title 1, Chapter 1.44, sections 1.44.020, 1.44.030, 1.44.040, 1.44.050, 1.44.080, 1.44.090 and 1.44.110 of the Stockton Municipal Code relating to the service of notices and administrative hearings to ensure more orderly and efficient administrative hearing process in the City.

Legislation Text

Attachment A - Proposed Ordinance (redline)

Proposed Ordinance

Ordinance 2021-11-02-1201

12.2 21-0749 APPROVAL OF CITY COUNCIL MINUTES

Motion 2021-11-02-1202 approving the minutes from the City Council meeting of September 28, 2021 and the Special City Council meeting of October 12, 2021.

Legislation Text

Attachment A - 2021-09-28 Minutes

Attachment B - 2021-10-12 Minutes - Special

12.3 21-0751 ADOPT A RESOLUTION APPOINTING A MEMBER OF THE MEASURE A CITIZENS' ADVISORY COMMITTEE

Legislation Text

Attachment A - Redacted Application

Proposed Resolution

Approved Resolution 2021-11-02-1203

Approve as amended **Motion 2021-11-02-1203** ratifying the appointment of Eric Smith Jr. to the Measure A Citizens' Advisory Committee for a term beginning immediately upon appointment and ending June 1, 2025.

Moved by: Sol Jobrack, seconded by Paul Canepa.

Vote: Motion carried 6-0

Yes: Paul Canepa, Christina Fugazi , Sol Jobrack, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

Absent: Susan Lenz.

12.4 21-0770 2022 CITY COUNCIL/SUCCESSOR AGENCY/STOCKTON PUBLIC FINANCING AUTHORITY/STOCKTON PARKING AUTHORITY MEETING CALENDAR

Motion 2021-11-02-1204 approving the 2022 Concurrent City Council/Successor Agency/Stockton Public Financing Authority/Stockton Parking Authority Meeting Calendar.

Legislation Text

Attachment A - 2022 Meeting and Closed Days Calendar

12.5 21-0661 ADOPT A RESOLUTION APPROVING THE 2021 ANNUAL PROGRESS REPORT TO CONFIRM 200-YEAR URBAN LEVEL OF FLOOD PROTECTION ADEQUATE PROGRESS FINDING FOR THE MOSSDALE TRACT

Resolution 2021-11-02-1205 approving the 2021 Annual Progress Report to confirm the 200-year urban level of flood protection adequate progress finding for the Mossdale Tract.

Legislation Text

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 - 2021 Adequate Progress Report

Approved Resolution 2021-11-02-1205

12.6 21-0666 ADOPT A RESOLUTION APPROVING A FINAL MAP AND SUBDIVISION AGREEMENT FOR WESTLAKE VILLAGES, UNIT NO. 13 - VILLAGE G (TRACT NO. 3587) PROJECT

Resolution 2021-11-02-1206:

1. Approving the final map for Westlake Villages, Unit No. 13 - Village G, Tract No. 3587; and

2. Authorizing the City Manager to execute the subdivision agreement, accept on behalf of the public all offers of dedication, and record the final map for Westlake Villages, Unit No. 13 - Village G, Tract No. 3587.

Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution.

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution - Westlake Village G

Exhibit 1 - Westlake 13 (Village G) Map Agreement

Exhibit 2 - Westlake 13 (Village G) Final Map

Approved Resolution 2021-11-02-1206

12.7 21-0667 ADOPT A RESOLUTION APPROVING A FINAL MAP AND SUBDIVISION AGREEMENT FOR WESTLAKE VILLAGES, UNIT NO. 14 - VILLAGE H (TRACT NO. 3588) PROJECT

Resolution 2021-11-02-1207:

1. Approving the final map for Westlake Villages, Unit No. 14 - Village H, Tract No. 3588; and

2. Authorizing the City Manager to execute the subdivision agreement, accept on behalf of the public all offers of dedication, and record the final map for Westlake Villages, Unit No. 14 - Village H, Tract No. 3588.

Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution.

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution

Exhibit 1 - Westlake 14 (Village H) Map Agreement

Exhibit 2 - Westlake 14 (Village H) Final Map

Approved Resolution 2021-11-02-1207

12.8 21-0664 TERMINATION OF TEMPORARY CONSTRUCTION EASEMENT AT 2560 HALL AVENUE

Resolution 2021-11-02-1208:

1. Authorizing the execution of a Quitclaim Deed to terminate one Temporary Construction Easement for the property located at 2560 Hall Avenue.
2. Authorizing the City Manager, or designee, to take all necessary and appropriate actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - No. 193629 - Final Order of Condemnation

Attachment B - 2560 Hall Avenue map

Proposed Resolution - 2560 Hall Avenue TCE

Exhibit 1 - Quitclaim Deed - 2560 Hall Avenue

Approved Resolution 2021-11-02-1208

12.9 21-0668 APPROVE BY MOTION THE SINGLE AVAILABLE SOURCE PURCHASE OF MOTOROLA RADIOS AND SERVICES

Motion 2021-11-02-1209:

1. Approving the execution of a 10-year Communication System and Services Agreement and Radio Upgrade Program Addendum (RUA) between the City and Motorola Solutions, Inc. (Attachment A), that allows for streamlined purchases and replacements of the City's P25 trunked radios for a contract value estimated at \$7,500,000; and

2. Approving findings pursuant to Stockton Municipal Code 3.68.070 in support of an exception to the competitive bidding process.

Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Motorola Subscriber Radios Contract

12.10

**21-0625 TERMINATE THE EASTERN SAN JOAQUIN COUNTY
GROUNDWATER BASIN AUTHORITY JOINT EXERCISE OF POWERS
AGREEMENT**

Motion 2021-11-02-1210 authorizing the City Manager to execute a letter agreement indicating concurrence with the termination of the Eastern San Joaquin Groundwater Basin Authority Joint Exercise of Powers Agreement.

Legislation Text

Attachment A - Letter Agreement

**12.11 21-0630 ADOPT RESOLUTION TO EXPAND SERVICE CAPACITY
LEVELS AND SERVICE OPTIONS FOR SMALL FRONT LOAD
COMPACTOR SERVICES FOR THE COLLECTION OF SOLID WASTE,
ORGANICS, AND RECYCLING**

Resolution 2021-11-02-1211:

1. Amending the Solid Waste, Organics, and Recyclables Collection and Street Sweeping Services Rate Schedule for Mobile Homes, Multi-Family and Commercial Customers, as follows:

- a. To offer 5 and 6 cubic yard front load compactor capacities; and,
- b. Expand weekly service options.

Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - Rate Schedule

Exhibit 1 - Council Policy Chapter 3.02

Attachment B - Rate Schedule Revised

Proposed Resolution

Exhibit 1 - Service Rates

Approved Resolution 2021-11-02-1211

**12.12 21-0750 ADOPT A RESOLUTION CONFIRMING UPDATES TO CITY
COUNCIL POLICY CHAPTER 3.02 CITY COUNCIL AND MAYORAL
APPOINTMENTS TO COMMITTEES, BOARDS, AND COMMISSIONS
AS IT RELATES TO THE APPOINTMENT PROCESS**

Resolution 2021-11-02-1212 approving the redline line changes to the City Council Policy Manual Chapter 3.02 that were approved by motion on

June 28, 2016.

Legislation Text

Attachment A - Redline Council Policy Chapter 3.02

Proposed Resolution - Council Policy Chapter 3.02

Exhibit 1 - Council Policy Chapter 3.02

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

- 15.1 21-0492 AUTHORIZE THE EXECUTION OF AN INSTALLMENT SALE AGREEMENT BETWEEN THE CITY OF STOCKTON AND THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD UNDER THE CLEAN WATER ACT STATE REVOLVING FUND PROGRAM IN THE AMOUNT OF \$46,800,000 TO ASSIST IN THE FINANCING OF THE PLANNING, DESIGN, AND CONSTRUCTION OF THE REGIONAL WASTEWATER CONTROL FACILITY MODIFICATIONS PROJECT AND AUTHORIZE AND DIRECT ADDITIONAL ACTIONS WITH RESPECT THERETO**

Legislation Text

Attachment A - Sample SRF Loan Amortization

Attachment B - Installment Sale Agreement

Proposed Resolution

Approved Resolution 2021-11-02-1501

PPT - 15.1 - SRF

Approve **Resolution 2021-11-02-1501** authorizing the execution of an installment sale agreement (SRF Loan) between the City of Stockton and the California State Water Resources Control Board under the Clean Water Act State Revolving Fund (SRF) Program in the amount of \$46,800,000 to assist in the financing of the planning, design, and construction of the Regional Wastewater Control Facility (RWCF) Modifications Project (CIP UW16022).

Authorizing the City Manager to increase the funding appropriations based on the loan amount and take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Moved by: Daniel Wright, seconded by Christina Fugazi .

Vote: Motion carried 6-0

Yes: Paul Canepa, Christina Fugazi , Sol Jobrack, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

Absent: Susan Lenz.

15.2 21-0471 ADOPT ORDINANCE APPROVING THE RECOMMENDATION TO INCREASE THE CITY MANAGER ADMINISTRATIVE EXPENDITURE LIMIT FOR BIDDING, CONTRACTING AND PURCHASING; AND APPROVE RESOLUTION TO RESTATE AND FURTHER CLARIFY THE ADMINISTRATIVE CONTRACT CHANGE ORDER AUTHORITY

Legislation Text

Attachment A - Expenditure Authority Executive Summary

Attachment B - Proposed Ordinance 3.68 - Redlined

Proposed Ordinance - 3.68 - Expenditure Authority

Proposed Resolution - Contract Change Order Authority

Approved Ordinance 2021-11-02-1502

Approved Resolution 2021-11-02-1502

PPT 15.2 Expenditure Authority

Approve **Ordinance 2021-11-02-1502:**

1. Approving an increase to the expenditure limits in the Stockton Municipal Code Chapter 3.68 Bidding, Contracting and Purchasing Procedures; and
2. Increasing the City Manager's administrative expenditure authority to one hundred thousand dollars (\$100,000).

Resolution 2021-11-02-1502:

3. Restating and further clarifying the administrative change order contract authority.
4. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Moved by: Sol Jobrack, seconded by Paul Canepa.

Vote: Motion carried 5-1

Yes: Paul Canepa, Sol Jobrack, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

No: Christina Fugazi .

Absent: Susan Lenz.

16. HEARINGS

16.1 21-0577 APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A COMMISSION USE PERMIT AND DESIGN REVIEW TO ALLOW THE OPERATION OF A CREMATORIUM AT THE FRISBIE-WARREN & CARROLL FUNERAL HOME BUSINESS AT 809 NORTH CALIFORNIA STREET (APN 139-173-14) (P18-0500)

This item was pulled by the Community Development Department at the request of the Applicant on 2021-10-28

Legislation Text

Attachment A - Location Map

Attachment B - Appeal Request

Attachment C - Site Plan and Elevations

Attachment D - Historic Resources Analysis

Attachment E - Noise Assessment

Attachment F - Health Risk Assessment

Attachment G - Resolution 2021-07-22-0301

Proposed Resolution

Exhibit 1 - Site Plan and Elevations

16.1 - PPT - Crematorium Use Permit

17. CITY MANAGER'S UPDATE

City Manager Harry Black - video presentation

<https://youtu.be/IN-3k1lb5uA>

18. COUNCIL COMMENTS

Councilmember Warmesley - ghost guns, Council Legislative/Environmental Committee Ordinance; Stockton unified school district, investing in youth; McKinley Park cleanup; Covid 19 testing, booster shots, flu shots; November 20, 2021 Freedom Writers Event at 6:00 PM; Fairview Community Investment; Ask Stockton updates

Councilmember Jobrack - Pershing Ave, traffic mitigation; debriefing item rain storm outcome

Councilmember Wright - Monday, November 8, 2021 5:00 - 6:00 PM office hours, (209) 937-8279, district2@stocktonca.gov; congratulated son and daughter in law on their marriage

Councilmember Fugazi - Pershing Ave; CAFTA requirements, American Rescue Plan Act funds, 3X3 meeting; clean ups, sloughs; Office of Emergency Services; vacant lots, illegal selling; crosswalks

Councilmember Canepa - speed trailers; SJCOG, CALTRANS; flooding, stormwater drainage; hyacinth; birthdays; President Callahan's swearing in ceremony University of Pacific

Mayor Lincoln - coffee with constituents; public engagement

19. ADJOURNMENT - 7:56 PM

INFORMATIONAL ITEMS

1. 21-0772 COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Information item only. No action taken.

Legislation Text

Redistricting Advisory Commission 2021-08-09

Redistricting Advisory Commission 2021-08-30

Redistricting Advisory Commission 2021-10-04

Strong Communities 2021-05-04

Water Advisory Group 2021-02-03

Water Advisory Group 2021-04-07



ELIZA R. GARZA, CMC
STOCKTON CITY CLERK