

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY CONCURRENT
MEETING OF SEPTEMBER 23, 2014**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL (4:01 PM)

Roll Call

Present:

Dyane Burgos Medina

Elbert Holman

Katherine Miller

Michael Tubbs

Moses Zapien

Anthony Silva

Absent:

Paul Canepa.

Vice Mayor Canepa arrived to Closed Session at 4:02 p.m.

2. ADDITIONS TO CLOSED SESSION AGENDA

None.

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 14-0866 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Four

Name of Case: Wells Fargo Bank v. City of Stockton (San Joaquin County Superior Court Case No. 39-2012-00277662)

Name of Case: Wells Fargo Bank, National Association, as Indenture Trustee v. City of Stockton (San Joaquin County Superior Court Case No. 39-2012-00280741)

Name of Case: In re City of Stockton, California - Debtor (United States Bankruptcy Court, Eastern District of California Case No. 2012-32118)

Name of Case: Richard Price, et al. v. City of Stockton, Redevelopment Agency, et al. (United States District Court, Eastern District Case No. CIV.S-02-0065 LKK JFM)

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

3.2 14-0874 CONFERENCE WITH LABOR NEGOTIATOR

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.

3.3 14-1072 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).

4. PUBLIC COMMENT*

None.

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:02 p.m. The Council returned from Closed Session and recessed at 4:55 p.m.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL (5:32 PM)

Roll Call

Present:

Dyane Burgos Medina
Elbert Holman
Katherine Miller
Michael Tubbs
Moses Zapien
Paul Canepa
Anthony Silva

7. INVOCATION/PLEDGE TO FLAG

The invocation was led by Dave Cicileo of Restore Stockton. The Pledge of Allegiance was led by Vice Mayor Canepa.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney John Luebberke announced that there was no reportable action taken this evening.

9. ADDITIONS TO REGULAR SESSION AGENDA**

None.

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.1 PROCLAMATION : Stockton History Month;

RECIPIENT: Denise Jefferson

Denise Jefferson - thanked council; spoke to Stockton history month events

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

LaCresia Hawkins representing Racial and Ethnic Approaches to Community Health (REACH) - spoke to programs created in efforts raise awareness on community health (document filed)

REACH Certificate Presented to City of Stockton

Document Filed - REACH Toolkit

James Young - would like to volunteer to help the Mayor at the Spooktacular Movie event on October 10th; he would like to volunteer at City Hall; is hopeful to get a job at the downtown movie theater

Martha Pulido - would like speed bumps installed near Rosa Park Elementary school

Sarah Williams - shared her concern for the mosaic murals from the former Police call center located in north Stockton

Bob Appler - invited the community the re-dedication of the Veteran's Memorial at the Civic Auditorium on Saturday, October 11th 1:00 p.m. (document filed)

Document Filed by Bob Appler

Ahmed Salim - expressed dedication towards improving the conditions of the public libraries

Community Partnership for Families - spoke to the success of events provided to the community; invited community to Voice for Change event on November 1, 2014 from 5-8 p.m. at the University Park Gymnasium

Luz Saucedo - spoke to the success of youth and adult sports activities in south Stockton

Sergio Quiroz - spoke in favor of supporting the Merlo Gym; spoke in support of Community Partnership

Tocan Nguyen - spoke to agenda item 12.5; opposed Partnership for Families; shared political views

12. CONSENT AGENDA

Approve the consent agenda with a single vote.

Moved by: Katherine Miller, seconded by Michael Tubbs.

Vote: Motion carried 7-0

Yes: Dyane Burgos Medina, Elbert Holman, Katherine Miller, Michael Tubbs, Moses Zapien, Paul Canepa, and Anthony Silva.

12.1 14-0766 ADOPT AMENDMENT OF THE "THROUGH STREET SCHEDULE" TO ADD B STREET FROM WEBER AVENUE TO MARKET STREET AND B STREET FROM HAZELTON AVENUE TO SCOTTS AVENUE; AND ADOPT AMENDMENT OF THE "STOP CONTROLLED INTERSECTION SCHEDULE - SECTION: B" TO MATCH CURRENT FIELD CONDITIONS

Resolution 2014-09-23-1201-01 authorizing an amendment of the "Through Street Schedule", pursuant to Stockton Municipal Code (SMC) Section 10.04.260 and California Vehicle Code (CVC) Section 21354, to add B Street from Weber Avenue to Market Street, and B Street from Hazelton Avenue to Scotts Avenue.

Resolution 2014-09-23-1201-02 authorizing an amendment to the "Stop Controlled Intersection Schedule", pursuant to SMC Section 10.04.280 and CVC Sections 21351.5 and 21354, to delete 18 intersections from this schedule to match current field conditions.

Legislation Text

Attachment A - Vicinity Map - B Street

Proposed Resolution - Amend Through Street Schedule

Exhibit 1 - Through Street Schedule

Proposed Resolution - Amend Stop Controlled Schedule

Exhibit 1 - Stop Controlled Intersection Schedule

Approved Resolution 2014-09-23-1201-01

Approved Resolution 2014-09-23-1201-02

12.2 14-0972 APPROVE AN AMENDMENT TO PROFESSIONAL SERVICES MASTER CONTRACT WITH BLACK AND VEATCH CORPORATION FOR THE PHASE 1 EVALUATION OF THE CITY OF STOCKTON'S COGENERATION FACILITY

Motion 2014-09-23-1202 authorizing the City Manager to execute an Amendment to Professional Services Master Contract for Design, Geotechnical Testing, Plan Review, and Surveying Services with Black and Veatch Corporation of Rancho Cordova in

the amount of \$88,600 to perform a Phase 1 evaluation of the City of Stockton Cogeneration Facility.

Legislation Text

Attachment A - Amendment to Professional Services Master Contract - Cogeneration Facility

12.3 14-0978 RESTORATION WORK AT STEWART-EBERHARDT BUILDING (SEB)

Motion 2014-09-23-1203 approving findings and payment in the amount of \$216,053.38 to Belfor USA Group, Inc. for remediation and restoration work at the Stewart-Eberhardt Building(SEB) for water damage caused by a ruptured water tank of February 1, 2014

Legislation Text

Attachment A - Final Invoice - Restoration Work at SEB

12.4 14-0992 ADOPTION OF A RECOGNIZED OBLIGATION PAYMENT SCHEDULE

SRD Resolution 2014-09-23-1204 adopting the Recognized Obligation Payment Schedule ("ROPS") for the period of January 1, 2015 through June 30, 2015, (Exhibit 1 to the Resolution) as required under Health and Safety Code Section 34177 (m).

Legislation Text

Attachment A - Resolution 11-0251

Attachment B - Resolution SRD 2013-09-24-1503

Attachment C - Resolution 2013-09-24-1503

Attachment D - Resolution SA 2014-06-24-1601

Proposed Resolution - Recognized Obligation Payment Schedule July-December

Exhibit 1 - ROPS 14-15B

Approved Resolution SRD 2014-09-23-1204

12.5 14-0998 AUTHORIZE AN AGREEMENT WITH BAE URBAN ECONOMICS, INC. FOR THE PREPARATION OF THE 2015-2020 CONSOLIDATED PLAN FOR THE CITY OF STOCKTON

Motion 2014-09-23-1205

1. Approving the execution of an agreement with BAE Urban Economics, Inc. in an amount not to

exceed \$73,000 for the preparation of the 2015-2020 Consolidated Plan for the City of Stockton; and

2. Authorizing the City Manager, or his designee, to take necessary and appropriate actions to carry out the purpose and intent of the motion.

Legislation Text

Attachment A - Professional Services Agreement

12.6 14-1000 MOTION APPROVING AND ACCEPTING PUBLIC ART FOR STUART GIBBONS PARK

Motion 2014-09-23-1206 approving the Public Art Advisory Committee recommendation to accept a gift of public art installed in the spring of 2014 at Stuart Gibbons Park and authorizing the City Manager to take appropriate actions to carry out the purpose and intent of the motion.

Legislation Text

Attachment A - Gibbons Park Mural

12.7 14-1004 WATER DAMAGE RESTORATION WORK AT CITY HALL

Motion 2014-09-23-1207 approving findings and payment in the amount of \$47,205.58 to Servpro of Stockton for remediation and restoration work in the City Hall basement for water damage caused by heavy rainfall and inadequate drainage on April 25, 2014.

Legislation Text

Attachment A - Purchase Order 185447 - Restoration Work at City Hall

Attachment B - Final Invoice from Servpro of Stockton

12.8 14-1023 APPROVE MAYORAL APPOINTMENTS TO THE HANDICAPPED ACCESS BOARD OF APPEALS

Motion 2014-09-23-1208 affirming the Mayoral Appointments to the Handicapped Access Board of Appeals.

Legislation Text

Attachment A - Applications

12.9 14-1025 ADOPT A RESOLUTION TO DECLARE A STAGE 1 WATER SHORTAGE

EMERGENCY

Resolution 2014-09-23-1209 declaring a Stage 1 Water Shortage Emergency in response to the Governor's Proclamation declaring a State of Emergency to exist in California due to severe drought conditions and the issuance of the State Water Resources Control Board Resolution resolving water suppliers increase their conservation measures and strategies for the foreseeable future.

Legislation Text

Attachment A - Governors Proclamation of a State of Emergency 1-17-2014

Attachment B - State Water Resources Control Board Resolution 2014-0038

Proposed Resolution - Water Shortage Emergency Resolution 2014

Approved Resolution 2014-09-23-1209

12.10 14-1030 APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES MASTER AGREEMENT WITH ROBERTSON-BRYAN, INC. TO SUPPORT PREPARATION OF TECHNICAL REPORTS FOR THE REGIONAL WATER QUALITY CONTROL BOARD

Motion 2014-09-23-1210 approving an amendment to the Professional Services Master Agreement with Robertson-Bryan, Inc. of Sacramento in the amount of \$79,138 to help prepare technical reports and provide other services as required under the new National Pollutant Discharge Elimination System Permit for the Regional Wastewater Control Facility (Attachment A - Amendment to Master Services agreement with Robertson-Bryan, Inc.).

Legislation Text

Attachment A - RBI Contract Amendment

12.11 14-1031 AUTHORIZE AN AGREEMENT WITH CALIFORNIA WATER/WASTEWATER AGENCY RESPONSE NETWORK (CalWARN)

Motion 2014-09-23-1211 authorizing the City Manager to execute the California Water/Wastewater Agency Response Network (CalWARN) 2007 Omnibus Mutual Assistance Agreement with the California Office of Emergency Services, the Department of Water Resources (DWR), the Department of Public Health and the California Utilities Emergency Association (CEUA) to facilitate and encourage mutual assistance agreements between water agencies (Attachment A - CalWARN Agreement).

Legislation Text

Attachment A - CalWARN Agreement

12.12 14-1075 APPROVAL OF CITY COUNCIL MINUTES

Motion 2014-09-23-1212 approving the City Council minutes of the September 9, 2014 City Council meeting.

Legislation Text

2014-09-09 City Council minutes

13. ADMINISTRATIVE MATTERS

None.

14. UNFINISHED BUSINESS

None.

15. NEW BUSINESS

15.1 14-0964 PUBLIC MEETING: STOCKTON TOURISM BUSINESS IMPROVEMENT DISTRICT RENEWAL

No action required.

Legislation Text

Attachment A - Resolution 10-0407

Attachment B - Resolution 2014-09-09-1202

Attachment C - Management District Program

Powerpoint Presentation

Gary Malloy - noted obligation to provide public reporting regarding operational expenses; requested a report at next meeting; delinquent hotel payments

Wes Rhea - updated the City Council on upcoming reporting timeline; noted that annual reports are available online

15.2 14-1053 PROCEDURES FOR FILLING CITY COUNCIL VACANCY - DISTRICT 2

Legislation Text

Attachment A - Procedures for Filing a City Council Vacancy

Attachment B - Application for City Council Appointment

Approve **Motion 2014-09-23-1502** accepting the procedures for filling the upcoming vacant District 2 City Council seat with the direction to move the recruitment one week sooner and to include a written portion to the process.

Moved by: Dyane Burgos Medina, seconded by Moses Zapien.

Vote: Motion carried 5-2

Yes: Dyane Burgos Medina, Katherine Miller, Michael Tubbs, Moses Zapien, and Anthony Silva.

No: Elbert Holman, and Paul Canepa.

15.3 14-1068 CITY COUNCIL STRATEGIC TARGET FUND ALLOCATION FOR FY14/15

No action taken. Item tabled pending Study Session to be scheduled in October 2014.

Legislation Text

Attachment A - FY 2014-15 Strategic Work Plan

Attachment B - Proposal Summaries

Powerpoint Presentation

Virginia Gorman - shared concern for the priority of Merlo Gym and the South Side Summit to the City

Nicholas Mueller, San Joaquin County Regional Conservation Corps - spoke to the efforts that the Conservation Corps to clean up the local community; offered a potential partnership with the City of Stockton

David Childs, Community Partnership - spoke in support of the Merlo Gym

Fred Sheil - advocated for the Reinvent South Stockton summit program and Merlo Gym

Robina Asgher - spoke in support of Reinvent South Stockton Summit and Merlo Gym

Reverend Dwight Williams - spoke in favor of supporting the Reinvent South Stockton and Merlo Gym projects

16. HEARINGS***

None.

17. COUNCIL COMMENTS

Vice Mayor Canepa - thanked Stockton Police Officers for efforts in dealing with the

online gaming parlors; inquired about water conservation numbers and library material fines; requested closing the meeting in memory of Chris Schrimpl

Councilmember Holman - attended the 50 year anniversary of Central Methodist Church; 50 year celebration for the Stockton Library; spoke to enhanced library services

Councilmember Burgos Medina - attended the 50 year library celebration; invitation to Adelita Awards event at the Mexican Heritage Center on Saturday September 27, 2014 at 6:00 p.m.

Councilmember Tubbs - thanked Council and staff for hard work

Councilmember Miller - represented Area Flood Control Agency in Washington, DC; wished husband happy 37th anniversary

Councilmember Zapien - spoke to the success of the Record Family Day event; thanked students at Stockton Collegiate School

Mayor Silva - hosting a town hall meeting October 6, 2014 at First Baptist Church; Mayor's Campaign to End Bullying meeting on October 8, 2014 at the Waterfront Hotel; the Mayor's Clergy Lunch October 15, 2014; last movie night at Weber Point October 10 2014; last day to register to vote October 20, 2014; 50th anniversary of library; vintage car show last week; thanked staff for recent Small Business Expo event; upcoming 2x2 meetings; cleanup of McCloud Lake; spoke to the increased the homeless issue

18. ADJOURNMENT (7:56 PM)

In memory of long-time Stocktonian, Chris Schrimpl

INFORMATIONAL ITEMS

1 14-1059 ANNUAL BOARD AND COMMISSION REPORT FOR THE STOCKTON ARTS COMMISSION FOR THE PERIOD COVERING SEPTEMBER 1, 2013 THROUGH AUGUST 31, 2014

Report of Chair Alicia Arong for the 12 month period ending August 31, 2014.

Legislation Text

Stockton Arts Commission Annual Report



BONNIE PAIGE, CMC
CITY CLERK, CITY OF STOCKTON