

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF DECEMBER 16, 2014**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL (4:06 PM)

Roll Call

Present:

Katherine Miller

Michael Tubbs

Moses Zapien

Paul Canepa

Absent:

Dyane Burgos Medina, Elbert Holman, and Anthony Silva.

Councilmember Holman arrived to Closed Session at 4:13 p.m.

2. ADDITIONS TO CLOSED SESSION AGENDA

None.

4. PUBLIC COMMENT*

Tocan Nguyen - shared her personal political views

3. ANNOUNCEMENT OF CLOSED SESSION

3.1

14-0872 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 14-0880 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 14-1245 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).

5. RECESS TO CLOSED SESSION (4:11 PM)

The Council recessed to Closed Session at 4:11 PM. The Council returned from Closed Session and recessed at 4:31 PM.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL (5:35 PM)

Roll Call

Present:

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

7. INVOCATION/PLEDGE TO FLAG

Councilmember Holman provided the Invocation. The Pledge of Allegiance was led by Vice Mayor Canepa.

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. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.1 - Mayor Silva presented plaque to Sal Ramirez thanking him for his service

10.2 - Mayor Silva presented Glenn Jose with a birthday gift

10.3 - Certificate of Recognition - California Girls State Program
Recipients : Alisha Hernandez, Adriana Juarez, Serina Cadena

10.4 - Council Presentations - Mayor Silva presented Councilmembers Burgos Medina, Miller and Canepa with plaques thanking them for their service to the City of Stockton

10.5 - Gary Prost, Field Representative for Honorable Jerry McNerney presented Councilmembers Burgos Medina, Canepa, and Miller with a Special Congressional Recognition for their hard work and dedication to the City

10.6 - Stephen Qualls, League of California Cities - presented Councilmember Miller with a plaque for her dedication to the Board of Directors of the League of California Cities

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

Gene Bigler - representing Joaquin Magazine, currently seeking support for Joaquin Magazine; Joaquin Magazine is selling Mexican Revolution Heritage calendars

Tino Adame, Karl Ross Post - noted involvement within the community; requested support for the 4th of July parade

Ramiro Reyes - expressed his concern regarding homeless children sleeping in the streets

Vincent Sayles - shared his religious beliefs

David Bregante - spoke to the appointment of citizens to the Charter Review Advisory Commission

Linda McCoy - expressed concern regarding the big rig trucks that park along Anderson Street

Mark Stebbins - spoke to business regulations; pedicabs; opposed regulating businesses stating that in his opinion that it would deter business

David Renison - thanked outgoing Councilmembers for service

Cynthia Gail Boyd - spoke to police involvement and discipline

Bobby Bivens - thanked Mayor and Council for contributions to National Association for the Advancement of Colored People fund raiser; presented awards to City Manager, Kurt Wilson; spoke to police force make up

Velma Harrell - requested supervised visits for her great grandson

Kathleen Gapusan - shared her concern regarding Councilmember conduct

James Young - wished outgoing Councilmembers well and said he would miss them

Tocan Nguyen - shared political views; homeless issues

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote save items 12.1, 12.2, 12.4, 12.11, and 12.14 which were considered separately.

Moved by: Dyane Burgos Medina, 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 14-1170 MID-YEAR APPROPRIATION AND AWARD A SERVICE CONTRACT TO WEST COAST ARBORISTS, INC. FOR THE WESTON RANCH TREE TRIMMING, PROJECT NO. PW 14-34

Legislation Text

Attachment A - Vicinity Map Weston Ranch Tree Trimming

Attachment B - Service Contract Weston Ranch Tree Trimming

Proposed Resolution - Weston Ranch Tree Trimming

Approved Resolution 2014-12-16-1201

Approve **Resolution 2014-12-16-1201** authorizing the City Manager to make a mid-year appropriation from Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 (the District), Zone B-2, Weston Ranch, Reserve for Continuing Appropriations, to Zone B-2, Maintenance and Repair Services.

Approve **Motion 2014-12-16-1201** adopting plans and specifications, and authorizing the City Manager to execute a Service Contract with West Coast Arborists, Inc., of Stockton, CA, in the amount of \$92,926, for the Weston Ranch Tree Trimming, Project No. PW 14-34.

It is further recommended that the motion authorize the City Manager to take appropriate actions to carry out the purpose and intent of this motion and

resolution.

Moved by: Michael Tubbs, seconded by Moses Zapien.

Vote: Motion carried 7-0

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

12.2 **14-1184 AWARD A CONTRACT FOR PARKING MANAGEMENT AND OPERATIONS AS PART OF BANKRUPTCY NEGOTIATIONS AND SETTLEMENT AGREEMENT**

Legislation Text

Attachment A - RFP PUR 14-026

Attachment B - Boundary Map Downtown Parking District

Attachment C - Management Agreement

Attachment D - Resolution 2013-12-17-1209

Approve **Motion PA 2014-12-16-1202:**

1. Approving an agreement between the Parking Authority and SP Plus Corporation for Parking Management and Operations services in the Downtown Parking District; and
2. Authorizing the Executive Director to take all appropriate actions to carry out the purpose and intent of this motion.

Moved by: Michael Tubbs, seconded by Paul Canepa.

Vote: Motion carried 7-0

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

12.3 **14-1202 APPROVE AMENDMENT TO PROFESSIONAL SERVICES MASTER CONTRACT WITH SIEGFRIED ENGINEERING, INC. FOR THE DESIGN OF THE 2015 SANITARY SEWER REHABILITATION, PROJECT NO. M15005**

Motion 2014-12-16-1203 authorizing the City Manager to execute an Amendment to Professional Services Master Contract with Siegfried Engineering, Inc., of Stockton, CA, in the amount of \$49,900, to prepare plans and specifications for the 2015 Sanitary Sewer Rehabilitation project.

It is further recommended that the motion authorize the City Manager to take appropriate actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Vicinity Map - 2015 Sanitary Sewer Rehab

Attachment B - Amendment with Siegfried Engineering

12.4 **14-1229 MOTION APPROVING AND ACCEPTING PUBLIC ART FOR MCKINLEY PARK COMMUNITY CENTER WALL**

Legislation Text

Attachment A - McKinley Mural Design

Approve **Motion 2014-12-16-1204** approving the Public Art Advisory Committee (PAAC) recommendation to accept a gift of public art installed at McKinley Park Community Center wall and authorizing the City Manager to take appropriate actions to carry out the purpose and intent of the motion.

Moved by: Michael Tubbs, seconded by Paul Canepa.

Vote: Motion carried 7-0

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

12.5 **14-1230 APPROVE FINDINGS JUSTIFYING AN EXCEPTION TO THE COMPETITIVE BIDDING PROCESS TO ALLOW SMG TO ENTER INTO A CONTRACT WITH AMERICAN CHILLER SERVICES IN THE AMOUNT OF \$58,000 FOR THE REPAIR AND REBUILD OF ONE OF THE TWO CHILLERS AT THE STOCKTON ARENA**

Motion 2014-12-16-1205 approving the findings which support and justify an exception to the competitive bidding process to allow SMG to enter into a contract with American Chiller Services in the amount of \$58,000 for the rebuild and repair of one of two chillers at the Stockton Arena as approved in the 2014-2019 Capital Improvement Plan.

Legislation Text

12.6 **14-1231 APPROVE FINDINGS JUSTIFYING AN EXCEPTION TO THE COMPETITIVE BIDDING PROCESS AND ALLOW SMG TO ENTER INTO CONTRACTS WITH VENDORS NOT TO EXCEED \$236,000 FOR THE PURCHASE OF POINT-OF-SALE SYSTEMS AND RELATED COMPONENTS FOR SMG STOCKTON ENTERTAINMENT VENUES**

Motion 2014-12-16-1206 approving the findings for an exception to the competitive bidding process to allow SMG to enter into contracts with vendors for a total amount not to exceed \$236,000 for purchase of Point-of-Sale Systems (POS) and related components for three of the four Stockton entertainment venues operated by SMG.

Legislation Text

12.7 **14-1232 ADOPT A MOTION REAPPOINTING GARY PUTNAM AND DAVID HARRINGTON TO THE PUBLIC ART ADVISORY COMMITTEE**

Motion 2014-12-16-1207 reappointing Gary Putnam and David Harrington to the Public Art Advisory Committee as recommended by the Stockton Arts Commission with terms that will begin on January 1, 2015, and end December 31, 2017.

Legislation Text

Attachment A - Candidate Applications

12.8 **14-1239 ADOPT A MOTION TO APPOINT DONNA ARMSTRONG AND CRAIG VINCENT TO THE STOCKTON ARTS COMMISSION**

Motion 2014-12-16-1208 appointing Donna Armstrong and Craig Vincent to the Stockton Arts Commission.

Legislation Text

Attachment A - SAC Applications Redacted

12.9 **14-1240 APPROVE CONSTRUCTION CONTRACT WITH MCI ENGINEERING, INC. FOR THE 2014 ON-CALL LARGE DIAMETER SEWER REPAIR SERVICES PROJECT - RE-BID**

Motion 2014-12-16-1209 approving the specifications, and authorizing the City Manager to execute a construction contract with MCI Engineering, Inc. of Stockton, in the amount of \$1,118,450 for the 2014 On-Call Large Diameter Sewer Repair Services Project - Re-Bid.

Legislation Text

Attachment A - Contract Sewer Repair Services

12.10 **14-1241 APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES MASTER AGREEMENT WITH ROBERTSON-BRYAN, INC FOR WASTEWATER DISCHARGE PERMIT COMPLIANCE AND PROGRAM SUPPORT SERVICES**

Motion 2014-12-16-1210 authorizing the City Manager to execute an Amendment to the Professional Services Master Agreement with Robertson-Bryan, Inc. to provide National Pollutant Discharge Elimination System (NPDES) Wastewater Discharge Permit compliance and program support services in the amount of \$2,126,941 for the length of the permit with possible annual extensions until new permit issuance in 2019.

Legislation Text

12.11 14-1243 APPROVAL OF LOANS TO VISIONARY HOME BUILDERS FOR THE GRAND VIEW VILLAGE PROJECT

Legislation Text

Attachment A - Vicinity Map

Attachment B - Conceptual Plan

Attachment C - Miner Avenue Streetscape

Attachment D - Loan Agreement

Proposed Resolution Grand View Village

Approved Resolution 2014-12-16-1211

Adopt Resolution 2014-12-16-1211:

1. Approving a \$330,000 Community Development Block Grant (CDBG) loan to Visionary Home Builders of California (Visionary) for the purpose of acquiring property located at 228 and 240 North Hunter Street for development of the Grand View Village affordable housing project;
2. Approving a \$137,547 Community Housing Development Organization (CHDO) predevelopment loan through the HOME Investment Partnerships Program (HOME) for predevelopment costs related to the project;
3. Approving the allocation of 100 low-income housing units to the Grand View Village project pursuant to Article XXXIV of the California Constitution; and
4. Authorizing the City Manager, or his designee, to execute all documents and take all necessary and appropriate actions to carry out the purpose and intent of the resolution.

Moved by: Katherine Miller, seconded by Dyane Burgos Medina.

Vote: Motion carried 7-0

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

12.12 14-1259 APPROVAL OF CITY COUNCIL MINUTES

Motion 2014-12-16-1212 approving the minutes of October 21, 2014 and November 4, 2014 City Council meetings.

Legislation Text

2014-10-21 City Council Minutes

2014-11-04 City Council Minutes

12.13 14-1270 NOVEMBER 4, 2014 GENERAL MUNICIPAL ELECTION RESULTS

Resolution 2014-12-16-1213 accepting the results of the November 4, 2014 General Municipal Election as certified by the San Joaquin County Registrar of Voters.

Legislation Text

Proposed Resolution Certifying 2014 General Election Results

Exhibit 1 - Certificate of Election

Exhibit 2 - Statement of Votes

Approved Resolution 2014-12-16-1213

12.14 14-1295 CHARTER REVIEW ADVISORY COMMISSION MEMBERSHIP

Legislation Text

Attachment A - Bivens and Edwards Applications

Proposed Resolution - Appointing Members to the CRAC

This item was tabled for discussion at a later date.

Moved by: Anthony Silva, seconded by Elbert Holman.

Vote: Motion carried 4-3

Yes: Elbert Holman, Moses Zapien, Paul Canepa, and Anthony Silva.

No: Dyane Burgos Medina, Katherine Miller, and Michael Tubbs.

13. ADMINISTRATIVE MATTERS

None.

14. UNFINISHED BUSINESS

None.

15. NEW BUSINESS

15.1

**14-1209 ADOPTION OF AN ORDINANCE AMENDING STOCKTON
MUNICIPAL CODE SECTION 10.12.220 REGARDING ACCESS BY**

BICYCLES TO LISTED ZONING DISTRICTS, AMENDING THE TITLES OF THE LISTED ZONING DISTRICTS AND DELINEATING EXEMPTIONS FOR PUBLIC SAFETY BICYCLES AND LAWFULLY OPERATING PEDICABS.

Legislation Text

Attachment A - Ordinance Redlined Version

Proposed Ordinance - Municipal Code Amendment

Approve **Ordinance 2014-12-16-1501** adopting amendments to Stockton Municipal Code section 10.12.220 which would delete obsolete zoning districts and replace them with current zoning districts, clarify access by bicycles and pedicabs to specified areas and provide an exemption for public safety bicycles.

Moved by: Elbert Holman, seconded by Moses Zapien.

Vote: Motion carried 7-0

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

Approved Ordinance 2014-12-16-1501

15.2 14-1260 ADOPTING THE 2015 STATE AND FEDERAL LEGISLATIVE PROGRAMS

Legislation Text

Attachment A - 2015 State Legislative Program redline

Attachment B - 2015 Federal Legislative Program redline

Attachment C - 2015 State Legislative Program Final

Attachment D - 2015 Federal Legislative Program

PowerPoint Presentation

Approve **Motion 2014-12-16-1502** adopting the 2015 State and Federal Legislative Programs and authorize the City Manager to pursue the objectives outlined in these programs through advocacy efforts in Sacramento and Washington, D.C.

Moved by: Dyane Burgos Medina, and no seconder required.

Vote: Motion carried 7-0

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

16. HEARINGS***

None.

17. COUNCIL COMMENTS

Councilmember Miller - spoke to her time on the Council

Vice Mayor Canepa - spoke to his time on the Council

Councilmember Burgos Medina - spoke to her time on the Council

Councilmember Holman - shared safe and sane New Years Eve celebration information, thanked outgoing Council

Councilmember Tubbs - south Stockton safety meeting; Dec 20th Merlo Gym; community follow up event; thanked outgoing Council

Vice Mayor Canepa - closed the meeting by thanking his family

18. ADJOURNMENT (8:39 PM)

INFORMATIONAL ITEMS

1 14-1227 CURRENTLY RECRUITING FOR VARIOUS BOARDS AND COMMISSIONS

Legislation Text

2 14-1301 CITY OF STOCKTON BOARDS AND COMMISSIONS LOCAL APPOINTMENT LIST FOR CALENDAR YEAR 2015

This notice is given in compliance with the requirements of the Maddy Act, California Government Code Section 54970 et. seq.

Legislation Text

2015 Local Appointments List Maddy Act



BONNIE PAIGE, CMC
CITY CLERK, CITY OF STOCKTON