

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF JANUARY 27, 2015

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL (4:02 PM)

Roll Call

Present:

Christina Fugazi

Elbert Holman

Susan Lofthus

Anthony Silva

Absent:

Michael Tubbs, Moses Zapien, and Daniel Wright.

Councilmember Tubbs arrived to Closed Session at 4:03 p.m.

2. ADDITIONS TO CLOSED SESSION AGENDA

None.

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 14-1340 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 14-1341 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 14-1342 CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Number of Cases: Three Based on existing facts and circumstances, there is significant exposure to litigation pursuant to Government Code Section 54956.9(b).

3.4 15-1391 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

City Manager This Closed Session is authorized pursuant to Government Code Section 54957.

4. PUBLIC COMMENT*

Tocan Nguyen - shared her personal political views

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:07 p.m. The Council returned from Closed Session and recessed at 5:15 p.m.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL (5:33 PM)

Roll Call

Present:

Christina Fugazi

Elbert Holman

Susan Lofthus

Michael Tubbs

Anthony Silva

Daniel Wright

Absent:

Moses Zapien.

City Clerk announced that Councilmember Zapien is absent due to illness.

7. INVOCATION/PLEDGE TO FLAG

Reverend Dwight Williams provided the Invocation. The Pledge of Allegiance was led by Councilmember Wright.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

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

9. ADDITIONS TO REGULAR SESSION AGENDA**

None.

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.01 PROCLAMATION: Honor and Thank

RECIPIENT: Benjamin J. Reddish, Jr.

10.02 PROCLAMATION: H.O.P.E Appreciation Day, January 27, 2015

RECIPIENTS: Glen and Audrey Jose

Glen Jose - thanked the Council, thanked Vice-Mayor Fugazi for participation

10.03 CERTIFICATE OF RECOGNITION: 14 Years of Service and Happy Birthday

RECIPIENT: Shirley Ortiz (Reyes)

10.04 CERTIFICATE OF RECOGNITION: TOYS FOR TOTS

RECIPIENTS: Combat Logistics Battalion 23, Transportation Service Company: Captain Nicole L. Porter, First Sergeant Brian R. Drechsler, Staff Sergeant Kyle J. Bronson, Staff Sergeant Matthew T. Mumper, Staff Sergeant Bryan L. Bradley, Sergeant Donald E. Delasota, Sergeant Cody R. Kimbrell, Sergeant Brandon L. Wilson, Sergeant Troy L. Woodie, Sergeant Joseph L. Meyers, Sergeant Travis J. Menacher, and Sergeant Sean M. Washington

Lisett Valadez, Sharde Norman H.O.P.E., and Arianna Carter H.O.P.E

Staff Sargent Kyle J Bronson - thanked City Council and H.O.P.E, spoke to Toys for Tots history and success.

10.05 PROCLAMATION: For being First African American Teacher in Stockton Unified School District, and Recent Birthday

RECIPIENT: Wilhelmina Henry

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote.

Moved by: Daniel Wright, seconded by Elbert Holman.

Vote: Motion carried 6-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Anthony Silva, and Daniel Wright.

Absent: Moses Zapien.

12.1 **14-1266 APPROVE BALANCING CONTRACT CHANGE ORDER NO. 11 WITH KNIFE RIVER CONSTRUCTION FOR THE ARCH ROAD SANITARY SEWER TRUNK LINE, PROJECT NO. M09106**

Motion 2015-01-27-1201 authorizing the City Manager to execute a contract change order in the amount of \$55,001.09, with Knife River Construction of Stockton, California, for additional contract work for the Arch Road Sanitary Sewer Trunk Line, Project No. M09106.

Legislation Text

Attachment A - CCO No. 11 - Arch Road Sanitary Sewer Trunk Line

12.2 **14-1271 PARTICIPATION IN THE CALIFORNIAFIRST PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM**

Resolution 2015-01-27-1202 related to the City's participation in the CaliforniaFIRST Property Assessed Clean Energy (PACE) Program:

1. Authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the Stockton city boundaries, and authorizing related actions.
2. Authorizing the City Manager, or his designee, to execute all documents and take any actions necessary and appropriate to carry out the intent of this resolution.

Legislation Text

Proposed Resolution - CaliforniaFirst PACE Program

Approved Resolution 2015-01-27-1202

12.3 **14-1291 "ONE VOICE" PROJECT PRIORITIES FOR FEDERAL FISCAL YEAR 2015-16**

Motion 2015-01-27-1203 authorizing the submittal of three projects to the San Joaquin Council of Governments (SJCOG) for proposed federal funding as part of the annual "One Voice" trip to Washington, D.C.

It is further recommended that the motion authorize the City Manager to execute associated agreements and undertake any other actions that may be appropriate to accept and receive the funding in the event that the funding requests are successful.

Legislation Text

12.4 **14-1300 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STOCKTON AND THE MID-MANAGEMENT/SUPERVISORY LEVEL UNIT (B&C)**

Motion 2015-01-27-1204 adopting the attached Mid-Management/Supervisory Level Unit (B&C) successor Memorandum of Understanding (MOU) effective July 1, 2014 through June 30, 2016. The City Council adoption authorizes the City Manager to execute the MOU and also authorizes the City Manager to take actions appropriate to carry out the implementation of the MOU.

Legislation Text

Attachment A - MOU

Attachment B - MOU redline version

12.5 14-1307 SALE OF CITY-OWNED PROPERTY LOCATED AT 3120 MONTE DIABLO AVENUE AND A PORTION OF APN 133-060-01, STOCKTON, CA, TO THE STOCKTON ROD AND GUN CLUB

Resolution 2015-01-27-1205:

1. Authorizing the sale of City-owned property located at 3120 Monte Diablo Avenue and a portion of Assessor Parcel Number (APN) 133-060-01 to the Stockton Rod and Gun Club;
2. Authorizing the City Manager to execute the purchase agreement and any related documents.

Legislation Text

Attachment A - Vicinity Map - Rod & Gun

Attachment B - Aerial Map - Rod & Gun

Proposed Resolution -Rod & Gun

Exhibit 1 - Rod & Gun

Approved Resolution 2015-01-27-1205

12.6 14-1337 REJECTION OF BIDS IN RESPONSE TO REQUEST FOR PROPOSALS (PUR 10-040, 10-052, 12-016, 12-074, 13-048, 13-054, 14-017, 14-020)

Motion 2015-01-27-1206 authorizing the City Manager to reject all bids for the following requests for proposals:

Parking Automation Equipment (PUR 10-040), Day Labor Center (PUR 10-052), Quality Assurance Services for Fire Department Medical Services Tasks (PUR 12-016), Fuel Management System (PUR 12-074), Plumbing Maintenance, Repairs, Modifications and Improvements (PUR 13-048), Painting of the East Channel Street Parking Garage (PUR 13-054), Roof Replacement for Municipal Utility Department buildings (PUR 14-017), and Commercial Pool Service at Multiple Pool Facilities (PUR 14-020).

Legislation Text

12.7 15-1390 APPOINTMENTS TO CITY COMMITTEES AND COMMISSIONS

Resolution 2015-01-27-1207 ratifying Councilmember appointments to the Planning Commission and the Measure A Citizens' Advisory Committee.

Legislation Text

Attachment A - Committee Applications

Proposed Resolution - Committee Appointments

Approved Resolution 2015-01-27-1207

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

James Young - requested someone come out to trim his tree; expressed desire for a job and to help the city.

Tocan Nguyen - shared personal experience; expressed personal political views

Linda Allman - shared experience with homeless; supported installing portable restrooms

William Maxwell - spoke in support of reopening the Fair Oaks Library; provided update on Stockton Arts Foundation grant awards

Anthony Burgher - spoke in support of Stockton Catholic schools; spoke in support of body cameras for Police and dash cameras in Police cars

Sofia Colon - spoke in support of reopening the Fair Oaks Library

Richard Soto - spoke in support of reopening the Fair Oaks Library

Motecuzoma Sanchez - spoke in support of reopening the Fair Oaks Library

Markis Sosa - spoke in support of reopening the Fair Oaks Library

Gervis Joshua - spoke in support of reopening the Fair Oaks Library

Kathleen Gapusan - spoke in support of reopening the Fair Oaks Library

Daniel Paradiso - spoke in support of reopening the Fair Oaks Library; spoke to Police action

Teresa Smith - spoke to Police brutality

Sarah Hawkins - spoke to Police department issues

Aaron Paradiso - spoke to body cameras on Police officers

Kevin Blanel Sr. - spoke to police department issues

Dionne Smith - spoke to Police brutality; James Rivera

Ramiro Reyes - shared personal story of experience with police

Michael Valleti - spoke to personal experience with police

Anthony Paradiso - spoke against police action

Danielle Paradiso - spoke to personal feelings regarding police officers

James Smith - shared experience from arrest

Darnell - spoke to police action

13. ADMINISTRATIVE MATTERS

None.

14. UNFINISHED BUSINESS

None.

15. NEW BUSINESS

15.1 15-1369 AMENDING THE STOCKTON MUNICIPAL CODE TO REFLECT AMENDMENTS TO THE CITY CHARTER

Legislation Text

Attachment A - June 10 2014 Staff Report

Attachment B - Redline Ordinance Changes Reflecting Charter Amendments

Proposed Ordinance - Amending Chapter 3 68

Proposed Ordinance - Amending Chapter 2 78

Approve **Ordinance 2015-01-27-1501-01** amending Chapter 2.78, Sections 2.78.030 and 2.78.040 of the Stockton Municipal Code relating to the Fire Department

Moved by: Elbert Holman, seconded by Susan Lofthus.

Vote: Motion carried 6-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Anthony Silva, and Daniel Wright.

Absent: Moses Zapien.

Approve **Ordinance 2015-01-27-1501-02** amending Chapter 3.68, Articles I and II, Sections 3.68.020, 3.68.040, 3.68.060, 3.69.070, and 3.68.100 of the Stockton Municipal Code relating to the expenditure authority of the City Manager and City contracting and purchasing procedures.

Moved by: Susan Lofthus, seconded by Daniel Wright.

Vote: Motion carried 6-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Anthony Silva, and Daniel Wright.

Absent: Moses Zapien.

Legislation Text

Approved Ordinance 2015-01-27-1501-01

Approved Ordinance 2015-01-27-1501-02

16. HEARINGS***

16.1 14-1311 ALLOCATE POSITIONS FOR PARKING ENFORCEMENT AND MANAGEMENT AND APPROVE A REVISED PARKING FUND BUDGET

Legislation Text

Attachment A - Resolution 2013-12-17-1209

Proposed Resolution - Parking Enforcement and Management

Exhibit 1 - FY 2014-15 Revised Parking Budget

Exhibit 2 - Revised Parking Fee Schedule

Proposed Resolution - Parking Authority

Exhibit 1 - FY 2014-15 Revised Parking Budget

Approve **Resolution 2015-01-27-1601**

1. Allocating four positions in the Economic Development Department:
 - a. Three classified positions - One Supervising Parking Enforcement Officer, and two Parking Enforcement Officers
 - b. One unclassified position - Program Manager III;
2. Amending the Parking Fund's 2014-15 Fiscal Year Budget;
3. Amending the Parking Fee Schedule; and
4. Authorizing the City Manager to take appropriate actions to carry out the purpose and intent of this resolution.

Moved by: Elbert Holman, seconded by Christina Fugazi .

Vote: Motion carried 6-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Anthony Silva, and Daniel Wright.

Absent: Moses Zapien.

Approve **Resolution PA 2015-01-27-1601:**

1. Establishing the Parking Authority Budget for Fiscal Year 2014-15;
2. Authorizing the City Manager to take appropriate actions to carry out the purpose and intent of this resolution.

Moved by: Daniel Wright, seconded by Anthony Silva.

Vote: Motion carried 6-0

Yes: Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, Anthony Silva, and Daniel Wright.

Absent: Moses Zapien.

Approved Resolution 2015-01-27-1601

Approved Resolution PA 2015-01-27-1601

17. COUNCIL COMMENTS

Mayor Silva - thanked security; San Joaquin Asparagus Festival April 17-19th; January 28th Mayor's Clergy Lunch; January 28th at 6pm CRAC meeting; Youth Commission meeting; homeless commission meeting

Councilmember Lofthus - thanked security; spoke to attendance at League of CA Cities Conference for Councilmembers and Mayors; January 19th MLK Day festivities; thanked Mayor for her appointment to the Stockton Convention and Visitors Bureau; spoke to success of Restaurant Week; attendance at January 21st Ag Venture; thanked Sergeant Pete Smith of Stockton Police Department for ride along with Cease Fire Task Force Team; thanked police officers for service; attendance at Delta Coalition meeting with iHUB San Joaquin; March 27-28th 1st Annual Water Hackathon; San Joaquin County Historical Museum California Women's Suffrage Movement Exhibit Wednesdays through Saturdays until March 15th; running January 27-30th, the Art Against Violence Exhibit at The Mexican Heritage Center and Gallery; thanked The Mexican Heritage Center for creatively addressing violence in the community

Councilmember Tubbs - supported enforcing three minute speaker time limit equally and urged the Mayor to read rules of conduct for public comment; thanked Ministers of Communities United for MLK event; thanked Wilhelmina Henry for her service; Selma movie free for 7th- 9th grade students to watch; spoke to Fair Oaks Library cost and usage; body cameras for Police; murder of 16-year old and noted the need for additional work

Councilmember Holman - attendance public safety policy committee meeting with League of CA Cities; updated Council on issues discussed; Intercity Productions events; MLK celebration; partnership with WOW working with kids on how to express themselves with words, free every Saturday morning at 10am 4960 N El Dorado St;

introduced District 1 Planning Commissioner Sol Jobrack; supported Councilmember Tubbs in working towards taking better control of the meeting; supported further discussion regarding Fair Oaks Library

Vice Mayor Fugazi - enjoyed new councilmember conference; attendance at MLK celebration; encouraged public to contact her; high school student volunteers at Ag Venture event; noted upcoming events - Stockton Cares Project Feb 8th at St. Mary's; Feb 12th 5pm - 7pm SF Giants Trophy event; Rotary Read In on Feb 26th; supported literacy and exploration of reopening Fair Oaks Library

Councilmember Wright - expressed concern about decorum at the Council meeting and supported Councilmember Tubbs comments; expressed public acceptance of Kathleen Gapusan's apology; thanked Councilmembers Fugazi and Tubbs regarding information for free Selma movie - will be sending students; League of California Cities conference; attended MLK Prayer Breakfast and expressed recognition for several presenters; supported reopening Fair Oaks Library and supported needs analysis; pleased with City participation in the PACE Clean Energy program; noted passing of Ernie Banks

Mayor Silva - closed the meeting in honor of Melissa Galvin.

18. ADJOURNMENT (8:07 PM)

INFORMATIONAL ITEMS

1 14-1227 CURRENTLY RECRUITING FOR VARIOUS BOARDS AND COMMISSIONS

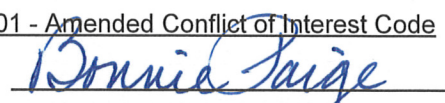
Legislation Text

2 15-1402 ANNUAL FILING PERIOD FOR STATEMENTS OF ECONOMIC INTEREST - FORM 700

NOTIFICATION This item is to serve as notification to department staff, board and commission members, and elected and appointed officials, of the filing requirement and approaching deadline for the annual Statement of Economic Interest Statement (Form 700) filing. Completed statements are required to be filed with the Office of the City Clerk by April 1, 2015, as set by the Fair Political Practices Commission. The reporting period covered is January 1, 2014 through December 31, 2014.

Legislation Text

Attachment A - Resolution 2014-09-09-1201 - Amended Conflict of Interest Code


BONNIE PAIGE, CMC
CITY CLERK, CITY OF STOCKTON