

**MINUTES**  
**CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC**  
**FINANCING AUTHORITY/PARKING AUTHORITYCONCURRENT**  
**MEETING OF JUNE 23, 2015**

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

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NOTE: the Closed Session scheduled for 4:00 pm was canceled.

**~~1. CLOSED SESSION CALL TO ORDER/ROLL CALL~~**

**~~2. ADDITIONS TO CLOSED SESSION AGENDA~~**

**~~3. ANNOUNCEMENT OF CLOSED SESSION~~**

**~~3.1 15-1569 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 15-1570 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 15-1571 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 15-1572 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:~~

~~City Manager-~~

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

~~4. PUBLIC COMMENT\*~~

~~5. RECESS TO CLOSED SESSION~~

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

Roll Call

Present:

Christina Fugazi

Elbert Holman

Susan Lofthus

Anthony Silva

Michael Tubbs

Daniel Wright

Moses Zapien

**7. INVOCATION/PLEDGE TO FLAG**

Pastor Bud Locke from the Stockton Covenant Church provided the Invocation. 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 Closed Session this evening.

**9. ADDITIONS TO REGULAR SESSION AGENDA\*\***

None.

**10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS**

None.

**12. CONSENT AGENDA**

Approve the Consent Agenda with a single vote, save item 12.5 which was considered separately.

**Moved by:** Elbert Holman, seconded by Moses Zapien.

**Vote:** Motion carried 7-0

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

**12.1 15-1660 APPROVE PURCHASE OF ONE ON-ROAD TRACTOR TRUCK**

**Motion 2015-06-23-1201** approving the findings which support and justify an exception to the competitive bid process for the purchase of one 2016 Freightliner M-2 112 three-axle tractor truck from Delta Truck Center of French Camp, CA, in the amount of \$121,700.35.

Legislation Text

Attachment A - Quote Delta Truck Center

Attachment B - Quote Riverview International Trucks

**12.2 15-1659 APPROVE PURCHASE OF ONE TEN-WHEEL DUMP TRUCK**

**Motion 2015-06-23-1202** approving the findings which support and justify an exception to the competitive bid process for the purchase of one 2016 Freightliner M-2 106 three-axle dump truck from Delta Truck Center of French Camp, CA, in the amount of \$134,935.50.

Legislation Text

Attachment A - Quote from Delta Truck Center

Attachment B - Quote from Riverview International Trucks LLC

**12.3 15-1715 MOTION AUTHORIZING A CONTRACT TO PROVIDE AFTER SCHOOL PROGRAM SERVICES TO LODI UNIFIED SCHOOL DISTRICT**

**Motion 2015-06-23-1203** authorizing the City Manager to execute a Services Agreement (Attachment A) with the Lodi Unified School District (LUSD) for an Afterschool Safety and Enrichment Program during the 2015-2016 fiscal year for an amount, reimbursable to the City, not to exceed \$462,476.34. It is further recommended that the motion authorize the City Manager to take appropriate actions to carry out the purpose and intent of the motion.

Legislation Text

Attachment A - LUSD 2015-16 Afterschool Agreement

Attachment B - 2015-2016 ASP - LUSD Proposal 13 Sites

**12.4 15-1716 SALE OF CITY-OWNED PROPERTY LOCATED AT 1000 NORTH HUNTER STREET, STOCKTON**



**Resolution 2015-06-23-1204:**

1. Authorizing the sale of 1000 North Hunter Street (APN 139-040-19, 20,21, & 22) to the Philomathean Foundation; and
2. Authorizing the City Manager to execute the purchase agreement and any related documents and take any and all actions necessary and appropriate to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - Vicinity Map - Philomathean

Attachment B - Aerial Map - Philomathean

Attachment C - Property Photo

Attachment D - Original Agreement

Attachment E - Immediate Rehabilitation Repairs

Attachment F - Itemized Repair Costs

Proposed Resolution-Philomathean Foundation

Exhibit 1 to Resolution

Approved Resolution 2015-06-23-1204

**12.5 15-1730 RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STOCKTON AND THE STOCKTON POLICE OFFICERS' ASSOCIATION**

Legislation Text

Attachment A - SPOA MOU - redlined

Proposed Resolution

Exhibit 1 - SPOA MOU

Approved Resolution 2015-06-23-1205

Ted Gonzales - spoke to safety; Tam O'Shanter Police Substation

Gary Malloy - spoke to retention police officers

David Renison - spoke to Measure A expenditures; pension cost for police officers



Tocan Nguyen - spoke to public safety

Motecuzoma Sanchez - spoke to Measure A funds; cameras on police officers

**Resolution 2015-06-23-1205** approving the Stockton Police Officers' Association (SPOA) successor Memorandum of Understanding (MOU) effective July 1, 2014 through June 30, 2016. The City Council adoption will authorize the City Manager to: 1) execute the MOU; 2) amend the Fiscal Year (FY) 2015-16 Budget to appropriate additional funds; and 3) take actions appropriate to carry out the implementation of the MOU.

**Moved by:** Moses Zapien, seconded by Elbert Holman.

**Vote:** Motion carried 7-0

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

## 12.6 15-1731 FOURTH AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE SAN FRANCISCO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Motion 2015-06-23-1206** amending the current Memorandum of Understanding (MOU) between the San Francisco Society for the Prevention of Cruelty to Animals (SF SPCA) and the City of Stockton (City) to provide a payment of \$160,000 to the SF SPCA to help contribute toward SF SPCA's employee costs for the remaining term of the MOU from July 1, 2015 through June 30, 2016.

Legislation Text

Attachment A - Fourth Amendment to the MOU SF SPCA

## 12.7 15-1732 PURCHASE REPLACEMENT CISCO NETWORK EQUIPMENT

**Motion 2015-06-23-1207:**

1) Approving the findings which support and justify an exception to the competitive bid process for the purchase of replacement Cisco network equipment by authorizing the City Manager to execute an agreement with CDW Government, LLC (CDW-G) in the amount of \$322,513 using our membership in the National Intergovernmental Purchasing Alliance Company (National IPA) and accessing the contract terms through the City of Tucson cooperative purchasing agreement with CDW-G (Attachments A and B); and

2) Authorizing additional purchases from CDW-G for technology equipment through the City of Tucson cooperative purchasing agreement with CDW-G, in an amount not to exceed \$500,000 annually for fiscal years 15/16, 16/17 and 17/18, using our membership in the National IPA and accessing the contract terms through the City of Tucson cooperative purchasing agreement with CDW-G, including any extensions of those

agreements; and

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

Legislation Text

Attachment A - Contract CDW-G

Attachment B - Contract Cisco Network Equipment

**12.8 15-1737 JOINT EXERCISE OF POWER AGREEMENT BETWEEN LATHROP-MANTECA FIRE DISTRICT, CITY OF LODI, CITY OF MANTECA AND CITY OF STOCKTON CREATING THE SAN JOAQUIN COUNTY REGIONAL FIRE DISPATCH AUTHORITY**

**Resolution 2015-06-23-1208** authorizing the City Manager to enter into a Joint Exercise of Power Agreement between the Lathrop-Manteca Fire District, City of Lodi, City of Manteca, and City of Stockton creating the San Joaquin County Regional Fire Dispatch Authority (SJCRFDA).

Legislation Text

Attachment A - Stockton Regional Fire Dispatch Threshold Analysis

Proposed Resolution - Fire Dispatch JPA

EXHIBIT 1 - Fire Dispatch JPA Agreement

Approved Resolution 2015-06-23-1208

**12.9 15-1748 MOTION APPROVING A THREE YEAR OPERATING AGREEMENT FOR MERLO GYMNASIUM**

**Motion 2015-06-23-1209** authorizing the City Manager to execute a three year agreement (Attachment A) with Table Community Foundation in the amount of \$85,000 per year for the operation of the Merlo Gymnasium.

Legislation Text

Attachment A - Merlo Gym Operating Agreement

**12.10 15-1810 NOMINEES FOR THE CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES FACILITY CITIZENS' ADVISORY COMMITTEE**

**Motion 2015-06-23-1210** approving the list of names for submission to the California Correctional Health Care Services Facility (Facility), for selection by the Warden, of two representatives to serve on the Citizens' Advisory Committee (CAC).

Legislation Text

Attachment A - Redacted Applications

Attachment B - Penal Code 5056

Attachment C - DOM Section 101090-11-3

Attachment D - Letter from CA Health Care Facility

## **12.11 15-1813 APPROVAL OF CITY COUNCIL MINUTES**

**Motion 2015-06-23-1211** approving minutes of the May 26 & 27, 2015 City Council Special Budget Study Session and the June 9, 2015 City Council Meeting.

Legislation Text

2015-05-26 City Council Study Session

2015-05-27 City Council Study Session

2015-06-09 City Council

## **12.12 15-1678 AMENDMENT TO PROFESSIONAL SERVICES MASTER CONTRACT WITH CSG CONSULTANTS, INC. FOR FIRE PREVENTION SERVICES, INCLUDING: PLAN REVIEWS; FIRE CODE/PERMIT INSPECTIONS; MANAGEMENT SERVICES AND CONSULTATION SERVICES**

**Motion 2015-06-23-1212** authorizing the City Manager to execute an Amendment to the Professional Services Master Contract with CSG Consultants, Inc. for fire prevention services, including: plan reviews; fire code/permit inspections; management services and consultation for a two (2) year period in the amount of \$180,000 per fiscal year. It is further recommended that the City Manager be authorized to take appropriate actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - RFI Fire Prevention Services

Attachment B - CSG Amendment to Master Contract Final

Attachment B - Exhibit A - CSG Consultants Inc Proposal

## **12.13 15-1530 AMENDMENTS TO PROFESSIONAL SERVICES MASTER CONTRACTS WITH 4LEAF, INC. AND CSG CONSULTANTS, INC. FOR BUILDING PLAN CHECK, INSPECTION, ENGINEERING SERVICES, AND FLOOD PLAIN MANAGEMENT**

**Motion 2015-06-23-1213** approving amendments to the professional services master



contracts with 4Leaf, Inc. ("4Leaf") and CSG Consultants, Inc. ("CSG") for the provision of plan check, inspection, engineering services, and flood plain management to the Building and Life Safety Division of the Community Development Department. Each contract will be amended to extend services for a two (2) year period. The 4Leaf contract amendment will be in the amount of \$82,000 per year and the CSG contract amendment will be in the amount of \$160,000 per year.

Legislation Text

Attachment A - 4Leaf Contract Amendment

Exhibit A to 4Leaf Contract Amendment

Attachment B - CSG Contract Amendment

Exhibit A to CSG Contract Amendment

**12.14 15-1632 MOTION ACCEPTING SMG STOCKTON BUSINESS PLAN FOR FISCAL YEAR 2015-2016**

**Motion 2015-06-23-1214** accepting the Fiscal Year 2015-2016 Business Plan submitted by SMG Stockton (Attachment A).

Legislation Text

Attachment A - SMG Stockton Business Plan 2015-2016

**13. ADMINISTRATIVE MATTERS**

None.

**14. UNFINISHED BUSINESS**

None.

**15. NEW BUSINESS**

None.

**16. HEARINGS**

**11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS\***

Elizabeth Wong Fontana - Pedi Cab services on the Promenade; permit fees

Document Filed - Elizabeth Wong Fontana

Vincent Sayles - shared personal religious beliefs

Ted Gonzales - Community Action Center

Document Filed - Ted Gonzales

Steven Bojorques - community passion center; unemployment

Ramiro Reyes - public safety

Teresa Smith - police brutality

Aaron Paradiso - Blitz Team; police cameras

Danielle Paradiso - public safety

Daniel Paradiso - Blitz Team; affordable housing

Rebecca Danis - trees being taken down; blight

Tocan Nguyen - shared personal beliefs

Kathleen Gapusan - charter review revision

Motecuzoma Sanchez - Code Enforcement; SMG contract

## **16.1 15-1712 GENERAL PLAN AMENDMENT TO MODIFY EXISTING AND INCORPORATE NEW GOALS, POLICIES, AND IMPLEMENTATION MEASURES RELATED TO 200-YEAR FLOOD RISK AND PROTECTION**

Legislation Text

Attachment A - Hydrologic Regions Map

Attachment B - Draft 200-Year Floodplain Map

Attachment C - General Plan Amendment - Redline Version

Attachment D - Findings

Attachment E - Planning Commission Resolution

Proposed Resolution - General Plan Amendment

Exhibit 1 to the Resolution

Powerpoint Presentation

Approved Resolution 2015-06-23-1601

Adopt **Resolution 2015-06-23-1601** accepting the Planning Commission's recommendation and a General Plan Amendment to modify existing and incorporate new goals, policies, and implementation measures related to 200-year flood risk and protection

to comply with state law requirements by the statutory deadline of July 2, 2015.

**Moved by:** Christina Fugazi , seconded by Susan Lofthus.

**Vote:** Motion carried 7-0

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

## **16.2 15-1738 PUBLIC HEARING FOR THE 2015 JUSTICE ASSISTANCE GRANT**

Legislation Text

Proposed Resolution 2015 JAG

Exhibit 1 - Amendment No 4 JAG MOU

Powerpoint Presentation

Approved Resolution 2015-06-23-1602

Adopt **Resolution 2015-06-23-1602:**

1. Approving Amendment No. 4 to the Interlocal Memorandum of Understanding between the City of Stockton and County of San Joaquin for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award (MOU);
2. Approving the recommended use of funds (\$361,609) as stated in the JAG Program 2015 Funding Recommendations;
3. Approving the appropriation of grant funds upon receipt of an executed Grant Agreement; and
4. Authorizing the City Manager to execute all grant award documents as required by the United States Department of Justice Bureau of Justice Assistance.

**Moved by:** Daniel Wright, seconded by Susan Lofthus.

**Vote:** Motion carried 7-0

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

## **17. COUNCIL COMMENTS**

Councilmember Wright - All American city award; prayer vigil for victims of Charleston

Vice Mayor Fugazi - U.S. Department of Arts & Culture; Table Foundation annual legacy football and life skills camp

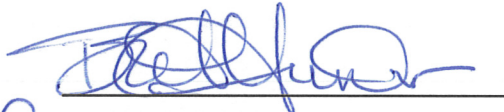


Councilmember Tubbs - drought; Summer Succession Diversity; Annual Book Club at Maya Angelou Library; member of Community Partnership with Families; rules of decorum; All American City award; ask to adjourn in memory of Charleston

Councilmember Holman - Measure A and Measure B funds; ask to adjourn with a moment of silence for the victims of Charleston; Congressional Medal of Honor recipient Richard Pitman to receive a stamp named after him at Arch Rd Post Office

**18. ADJOURNMENT IN MEMORY OF THE CHARLELSTON SHOOTING VICTIMS (7:28 PM)**

**INFORMATIONAL ITEMS**

  
for BONNIE PAIGE, CMC  
CITY CLERK, CITY OF STOCKTON