

**MINUTES**  
**CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC**  
**FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT**  
**MEETING OF MARCH 29, 2016**

---

Council Chamber, 2nd Floor - City Hall  
425 North El Dorado Street, Stockton CA 95202

---

**1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 3:30 PM**

Roll Call

Present:

Michael Blower  
Christina Fugazi  
Elbert Holman  
Susan Lofthus  
Anthony Silva  
Michael Tubbs

Absent:

Daniel Wright.

**2. ADDITIONS TO CLOSED SESSION AGENDA**

None

**3. ANNOUNCEMENT OF CLOSED SESSION**

**3.1 16-2424 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

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

**3.2 16-2425 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 16-2427 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.

**4. PUBLIC COMMENT**

None

**5. RECESS TO CLOSED SESSION - 3:31 PM**

**6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:30 PM**

Roll Call

Present:

Michael Blower  
Christina Fugazi  
Elbert Holman  
Susan Lofthus  
Anthony Silva  
Michael Tubbs  
Daniel Wright

**7. INVOCATION/PLEDGE TO FLAG**

Father Peter Sotiras of Saint Basil's Greek Orthodox Christian Church provided the Invocation. The Pledge of Allegiance was led by Councilmember Blower.

**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**

John Alita, Community Services Director - recognizing new members to Teen Leadership Council

Teen Leadership Council - Oath of Office given to:

Elijah Brown  
Celeste Buenrostro  
Mateo Danforth  
Alejandro Figueroa  
Karen Gomez  
Eric Guitierrez  
Joseph Guzman  
Ernesto Harwell

Sarah McCormick  
Marco Medina  
Ramon Mendez  
Hanalyn Menor  
Jackie Ochoa  
Alfredo Salmasan  
CJ Salmasan  
Kimberly Sanchez  
Naree Vang  
Xaixee Vang  
RJ Wright

10. 1 COMMENDATION: Recognition for dedication to the sport of Tennis and the Oak Park Tennis Complex

Recipient: Peter Juarez

Legislation Text

10.2 Commendation: Recognition for dedication and valuable contributions to downtown Stockton for more than 29 years

Recipient: Mary Leyva, known to Stockton as "Bunny"

Legislation Text

10.3 Commendation: Recognition by Stockton Police Department for community involvement

Recipients: Nicole Ramirez, Richard Finch, and David Yancy

10.4 Proclamation: Declaring March 29, 2016 Cal-Water Appreciation Day

Recipient: The following individuals were present to receive the Proclamation:  
John Freeman, District Manager at California Water Service Company  
Tim Treloar, Vice President of Operations and Water Quality  
Darren McCosker

10.5 Proclamation: Declaring March 7 through March 13, 2016 Multiple Sclerosis Awareness Week

Recipient: Tanishia Arbet

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

Mayor Silva - reminded Citizens of the Rules of Decorum for public comments; spoke to intent of public comments; structure of comments for meeting

## **12. CONSENT AGENDA**

Approve the Consent Agenda with a single vote, save items 12.13, 12.14, and 12.17



which were considered separately.

**Moved by:** Daniel Wright, seconded by Elbert Holman.

**Vote:** Motion carried 7-0

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

**12.1 16-2309 APPROVE RESOLUTION FOR THE FILING OF NOTICE OF EXEMPTION NO. CE007-14, APPROVING THE PLANS AND SPECIFICATIONS, AND AWARDED A CONSTRUCTION CONTRACT TO BOCKMON & WOODY ELECTRIC CO., INC. FOR THE ARCH ROAD FIBER OPTIC CONDUIT AND CABLING, PROJECT NO. PW7239**

Approve **Resolution 2016-03-29-1201** authorizing the City Manager to:

1. Approve the filing of Notice of Exemption No. CE007-14 under the California Environmental Quality Act (CEQA) for the Arch Road Fiber Optic Conduit and Cabling, Project No. PW7239.
2. Approve the plans and specifications for the Arch Road Fiber Optic Conduit and Cabling, Project No. PW7239.
3. Award a Construction Contract in the amount of \$172,279 to Bockmon & Woody Electric Co., Inc., of Stockton, CA, for the Arch Road Fiber Optic Conduit and Cabling, Project No. PW7239.

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution

Exhibit 1

Exhibit 2

Approved Resolution 2016-03-29-1201

**12.2 16-2335 APPROVE PURCHASE OF NINETEEN PICKUP TRUCKS AND VANS FROM STOCKTON NISSAN (PUR 15-027)**

Approve **Motion 2016-03-29-1202** authorizing the City Manager to:

1. Award the bid to Stockton Nissan of Stockton, California, for the replacement purchase of 19 pickup trucks and vans from Stockton Nissan of Stockton, California, in the amount of \$443,780.46.



Legislation Text

Attachment A - Replacement List

Attachment B - Bid from Stockton Nissan

**12.3 16-2377 APPROVE FINDINGS AND CONTRACT CHANGE ORDER NO. 1 WITH NOR-CAL CONCRETE, INC. FOR THE 2015 SIDEWALK, CURB, AND GUTTER REPAIR PROGRAM (PROJECT NO. PW1531)**

Approve **Motion 2016-03-29-1203** authorizing the City Manager to:

1. Approve findings pursuant to Stockton Municipal Code (SMC) section 3.68.070 in support of an exception to the competitive bidding process.
2. Execute Contract Change Order No. 1 for \$257,881 with Nor-Cal Concrete, Inc. to complete additional contract work under the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531).

Legislation Text

Attachment A - CCO No 1

Attachment B - Repair List

Attachment C - Curb Ramp List

**12.4 16-2476 APPROVE FINDINGS FOR EMERGENCY REPAIR OF WILSON WAY BRIDGE OVER MORMON SLOUGH**

Approve **Motion 2016-03-29-1204** to adopt findings pursuant to Stockton Municipal Code (SMC) section 3.68.070 in support of an exception to the competitive bidding process for the emergency repair of the Wilson Way Bridge over Mormon Slough. Final costs are not known; however, staff will return to the City Council for ratification of final expenditures.

Legislation Text

**12.5 16-2368 APPROVE SERVICE CONTRACT WITH EMERGENCY VEHICLE OUTFITTERS FOR PATROL VEHICLE BUILD (PUR 15-029)**

Approve **Motion 2016-03-29-1205** authorizing the City Manager to:

1. Execute a Service Contract with Emergency Vehicle Outfitters (EVO), of Elk Grove, CA, in the amount of \$439,656.33, for Patrol Vehicle Build (PUR 15-029).

Legislation Text

Attachment A - Service Contract

**12.6 16-2366 APPROVE CONTRACT CHANGE ORDER FOR WEATHERPROOFING TECHNOLOGIES, INC. FOR THE 2015-16 ROOF MAINTENANCE PROGRAM**

Approve **Motion 2016-03-29-1206** authorizing the City Manager to:

1. Execute a Contract Change Order for an amount not to exceed \$50,000 with Weatherproofing Technologies, Inc. (WTI) for the TremCare Leak Response Program, as described in the existing contract for City of Stockton 2015-16 Annual Roof Maintenance Program.

Legislation Text

Attachment A - Contract with WTI

Attachment B - Discount and Pricing

Attachment C - CCO 1

Attachment D - Terms and Conditions

Attachment E - Contract Extension

**12.7 16-2313 ACCEPT HIGHWAY SAFETY IMPROVEMENT PROGRAM CYCLE 7 GRANT AWARD FOR PUBLIC WORKS PROJECTS**

Approve **Motion 2016-03-29-1207** authorizing the City Manager to accept grant awards totaling \$2,058,060 from Cycle 7 of the federal Highway Safety Improvement Program (HSIP) for five Public Works projects.

Legislation Text

**12.8 16-2316 AUTHORIZE SALE OF CATERPILLAR GENERATOR AND STEINWAY & SONS PIANO VIA AUCTION AND REVIEW INFORMATIONAL ITEM TO PRESENT SURPLUS SALES DATA**

Adopt **Resolution 2016-03-29-1208**

1. Authorizing the sale via contracted auctioneer of a surplus Caterpillar Generator which will be sold "as is";

2. Authorizing the sale via contracted auctioneer of a Steinway & Sons grand piano which will be sold "as is"; and

3. Authorizing the City Manager to approve the sale of personal property valued at \$20,000 or more for each item to the highest bidder in an auction situation in advance of the event.

Legislation Text

Attachment A - MUD Generator

Attachment B - Surplus Piano

Attachment C - Surplus Sales 2014

Attachment D - Surplus Sales 2015

Approved Resolution 2016-03-29-1208

Around the Bench Memo - Proposed Resolution 2016-03-29-1208

**12.9 16-2367 AUTHORIZE THE EXECUTION OF A THREE-YEAR CONTRACT WITH MGT OF AMERICA, INC. IN THE AMOUNT OF \$127,800 FOR CONSULTING SERVICES RELATED TO THE COST ALLOCATION PLAN**

Approve **Motion 2016-03-29-1209** executing a contract with MGT of America, Inc. for consulting services related to a study of central services overhead costs to develop a Total Cost Allocation Plan, Indirect Cost Recovery Rates, and a Cost Recovery Allocation Plan that complies with the Federal Office of Management and Budget (OMB) Circular A-87 to be used by the City.

Legislation Text

Attachment A - Professional Services Contract MGT of America

**12.10 16-2331 APPROVE PURCHASE OF EQUIPMENT FOR THE POLICE DEPARTMENT**

Approve **Motion 2016-03-29-1210** authorizing the purchase of Mobile Data Computers for the Police Department from CDW-G.

Legislation Text

Attachment A - Equipment Quotes

**12.11 16-2389 APPROVE AGREEMENT BETWEEN THE CITY AND THE SHERWOOD MANOR HOMEOWNERS ASSOCIATION FOR LEASE OF LAND ADJACENT TO SHERWOOD PARK (SHERWOOD PARK POOL AREA)**

Approve **Motion 2016-03-29-1211** authorizing the City Manager to execute a 15 year Lease Agreement (Attachment A) between the City and Sherwood Manor Homeowners Association for the operation of the Sherwood Park Pool. It is further recommended that the motion authorize the City Manager to take all necessary actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - 2016 Sherwood Park Pool Agreement



## **12.12 16-2460 APPROVE PARTICIPATION IN THE YGRENE ENERGY PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM**

Approve two resolutions related to the City's participation in the Ygrene Energy PACE Program:

1. **Resolution 2016-03-29-1212-01** Authorizing the inclusion of properties within the City's incorporated area in the California Home Finance Authority Community Facilities District No. 2014-1 (Clean Energy) to finance renewable energy generation, energy efficiency, water conservation and electric vehicle charging infrastructure improvements, and approving associate membership in the California Home Finance Authority (Joint Powers) (Exhibit 1 to Resolution 1);

2. **Resolution 2016-03-29-1212-02** Authorizing the inclusion of properties within the City's incorporated area in the California Home Finance Authority PACE Program to finance renewable energy generation, energy and water efficiency improvements, and electric vehicle charging infrastructure improvements and approving associate membership in California Home Finance Authority (Joint Powers) (Exhibit 1 to Resolution 2); and

3. 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 1 - Ygrene

Exhibit 1 - Agreement to Resolution 1

Proposed Resolution 2 - Ygrene

Exhibit 1 - Agreement to Resolution 2

Approved Resolution 2016-03-29-1212-01

Approved Resolution 2016-03-29-1212-02

## **12.13 16-2325 LOAN TO VISIONARY HOME BUILDERS FOR THE HUNTER STREET APARTMENTS, LOCATED AT 804 NORTH HUNTER STREET**

Legislation Text

Attachment A - Vicinity Map

Attachment B - Resolution 2015-06-09-1202

Attachment C - Loan Agreement

Proposed Resolution

Approved Resolution 2016-03-29-1213

## Public Comment

Tocan Nguyen - spoke to personal experience with homelessness

Approve **Resolution 2016-03-29-1213**:

1. Approving a \$1.28 million Neighborhood Stabilization Program (NSP) loan to Visionary Home Builders of California, Inc. for the purpose of renovating the Hunter Street Apartments located at 804 North Hunter Street; and
2. Authorizing the City Manager, or his designee, to execute all documents, including loan documents and subordination agreements, and take actions necessary and appropriate to carry out the purpose and intent of the resolution.

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

**Vote:** Motion carried 7-0

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

## **12.14 16-2398 MIRACLE MILE IMPROVEMENT DISTRICT PROPOSED 2016 ANNUAL OPERATING BUDGET, ASSESSMENT, AND 2015 ANNUAL REPORT**

Legislation Text

Attachment A - MMID Boundary Map

Proposed Resolution MMID 2016

Exhibit 1 - MMID 2016 Budget

Exhibit 2 - MMID 2016 Assessments

Exhibit 3 - MMID 2015 Annual Report

Approved Resolution 2016-03-29-1214

Approve **Resolution 2016-03-29-1214** adopting the proposed 2016 Operating Budget, Assessment, and 2015 Annual Report for the Property Based Improvement District commonly known as the Miracle Mile Improvement District, a nonprofit corporation.

**Moved by:** Anthony Silva, seconded by Michael Blower.

**Vote:** Motion carried 7-0

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

## **12.15**

## **16-2402 APPROVAL OF THE 2016 STOCKTON TOURISM BUSINESS**

## IMPROVEMENT DISTRICT BUDGET AND SERVICE PLAN AND THE 2015 ANNUAL REPORT

Approve **Resolution 2016-03-29-1215** adopting the 2016 Annual Service Plan, Operating Budget and Assessment, and the 2015 Annual Report for the Stockton Tourism Business Improvement District.

Legislation Text

Proposed Resolution

Exhibit 1

Exhibit 2

Exhibit 3

Approved Resolution 2016-03-29-1215

### 12.16 16-2421 APPROVE SUPPLEMENT NO. 2 TO THE WATER SUPPLY AND COST ALLOCATION AGREEMENT WITH THE CALIFORNIA WATER SERVICE COMPANY, LINCOLN VILLAGE MAINTENANCE DISTRICT AND COLONIAL HEIGHTS MAINTENANCE DISTRICT

Approve **Motion 2016-03-29-1216** authorizing the City Manager to:

1. Execute Supplement No. 2 to the Stockton East Water District Treated Water Supply and Cost Allocation Agreement between the City of Stockton, California Water Service Company, Lincoln Village Maintenance District, and Colonial Heights Maintenance District.

Legislation Text

Attachment A - Supplement Number 2

Attachment B - Second Amended Contract

Attachment C - Allocation Agreement

Attachment D - Supplement Number 1

### 12.17 16-2438 ADOPT RESOLUTION TO APPROVE THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STOCKTON AND THE STOCKTON PROFESSIONAL FIRE FIGHTERS' LOCAL UNION 456 (FIRE UNIT)

Legislation Text

Attachment A-Fire Unit MOU Amendment - Redlined



Proposed Resolution-Fire Unit MOU Amendment

Exhibit 1 - Fire Unit MOU Amendment.pdf

Approved Resolution 2016-03-29-1217

Public Comment

Ned Leiba - cost of Memorandum of Understanding (MOU); asked where fiscal effect can be found in staff report; financial statements should show actual figures as well as budgeted figures

Approve **Resolution 2016-03-29-1217** adopting the attached Amendment to the Stockton Professional Fire Fighters' Local Union 456 ("Fire Unit") successor Memorandum of Understanding (MOU) effective July 1, 2015 through June 30, 2016. The City Council adoption will authorize the City Manager to: 1) execute the MOU Amendment; and 2) take actions appropriate to carry out the implementation of the MOU amendment.

**Moved by:** Elbert Holman, seconded by Christina Fugazi .

**Vote:** Motion carried 7-0

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

**12.18 16-2482 APPROVE RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO AN AGREEMENT FOR LEGAL SERVICES WITH THE FIRM OF BUCHALTER NEMER, INC.**

Approve **Resolution 2016-03-29-1218** adopting an Agreement for Legal Services with Buchalter Nemer, Inc.

Legislation Text

Proposed Resolution

Exhibit 1

Approved Resolution 2016-03-29-1218

**12.19 16-2483 MAYORAL APPOINTMENTS TO COUNCIL COMMITTEES AND COMMITTEE STRUCTURE/FUNCTION ROSTER**

Approve **Resolution 2016-03-29-1219** amending the Mayoral Appointments to Council Committees and Committee Structure/Function roster effective March 29, 2016.

Legislation Text

Attachment A - 2016 Mayoral Appointment Roster - Redline

**13. ADMINISTRATIVE MATTERS**

None

**14. UNFINISHED BUSINESS**

None

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

Tom Patti - shared information about Memorial Day Event in Manteca; requested use of portable show trailer at event

Bob Appler, Service Officer VFW Post 52 - requested approval to use portable show trailer at Manteca event; support gold star families

**15. NEW BUSINESS**

**15.2 16-2474 ANIMAL BILL OF RIGHTS**

Legislation Text

Animal Bill of Rights

Dr. Julie Damron, DVM - gave a report to Council with the aid of a PowerPoint Presentation (filed).

PowerPoint Presentation - Animal Bill of Rights

Tocan Nguyen - spoke in opposition; rights of men, women and children compared to animals

Dr. Mary Ann Cox, Commission on Animal Services - encouraged Council to form oversight committee and pass the Animal Bill of Rights

Dr. Beth - acknowledged that improvements have been made but time and effort still needed

Stephanie Pirrone, Director TnT Small Animal Rescue - spoke to changes already in place; treatment of animals a direct reflection of what occurs in community; ability to care for animals after hours

Dr. Richard Turner, owner All Creatures Veterinary Emergency Clinic - spoke to improvements Shelter has made in day to day operations; need for improvements in

after-hours care

Document Filed by Dr. Richard Turner - Doctor of Veterinary Medicine Association (DVMA) Invoice

Adopt intent of Animal Bill of Rights for 2016-2017 as presented; any items that have financial impact will come back to Council for separate consideration

**Moved by:** Anthony Silva, seconded by Christina Fugazi .

**Vote:** Motion carried 7-0

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

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

David - addressed traffic issues at Miner and El Dorado; would like traffic cameras at the intersection

Joan Alston, Restoration for Life Charities - collaborate with city to get homeless off the street; shared informational packets regarding homeless issue (filed)

Documents filed by Joan Alston - brochures provided by Restoration for Life Charities

Aaron Paradiso - spoke to availability of Police body camera footage; bring issue to public's attention

Teresa Smith - spoke to police brutality; harassment from city

Douglas Vigil - shared information on a Deaf Community Event on May 7, 2016

Tocan Nguyen - spoke to homelessness; animal rights

Ned Leiba - request for proposals (RFP) for Measure A Audit, expressed opinion that time frame to respond too short; expressed view that RFP request is a non-audit, and is in opposition to the desire of the Measure A Committee and direction of the City Council

Dionnne Smith Downs - commented on police brutality in Stockton; death of James Rivera

## **15.6 16-2419 ADOPT A RESOLUTION APPROVING A WATER PROPOSITION 218 PUBLIC NOTICE AND PROTEST HEARING**

Legislation Text

Proposed Resolution - 2016 Water Rate Study

Exhibit 1 - Proposition 218 Notice of Public Hearing



Exhibit 2 - Water Rate Increase 2016-FINAL.pdf

Approved Resolution 2016-03-29-1506

Bob Granberg, Acting Director Municipal Utilities - introduced Shawn Koorn

Shawn Koorn, Associate Vice President HDR Engineering, INC - gave report with the aid of a PowerPoint presentation (filed)

PowerPoint Presentation - Water Rate Study Summary and Recommendations

Public Comment

Gary Malloy - did not support inter-fund transfers; supports rate increase over fund transfers; dangerous if enterprise fund not self supporting

Ned Leiba - asked that enterprise financial statements be available at the public hearing; suggested General Fund took \$20 mil from Enterprise Funds

Xavier Delano - spoke to chloramines issue; favored chloramines treatment

Approve **Resolution 2016-03-29-1506** accepting the recommendations of the Council Water Committee and the Water Advisory Group to authorize the City Manager to begin the Proposition 218 Public Notice and Protest Hearing Process and schedule a Public Hearing for the May 24, 2016, Council Meeting to consider adoption of the proposed water rate increases.

**Moved by:** Michael Tubbs, seconded by Daniel Wright.

**Vote:** Motion carried 6-1

**Yes:** Michael Blower, Christina Fugazi , Elbert Holman, Susan Lofthus, Michael Tubbs, and Daniel Wright.

**No:** Anthony Silva.

**NOTE:**

Meeting went into Recess - 7:43 PM

Meeting Reconvened - 7:58 PM

**15.1 16-2503 GENERAL FUND RESERVE POLICY UPDATE**

Legislation Text

Attachment A - Current City Council Policy 700-4

Attachment B - Recommended City Council Policy 700-4

Proposed Resolution

Scott Carney, Deputy City Manager - gave staff report to Council with the aid of a PowerPoint Presentation (filed).

PowerPoint presentation - Reserve and Fund Balance Policy-General Fund

Public Comment

Ned Leiba - spoke to attachment B; current financial statements; long range financial plan

Approve **Resolution 2016-03-29-1501** adopting a revised City Council Policy No 700-4 "Reserve - General Fund" and change the title to "Reserve and Fund Balance Policy - General Fund". It is further recommended that the City Manager be authorized to take appropriate and necessary action to carry out the purpose and intent of the resolution.

**Moved by:** Elbert Holman, seconded by Susan Lofthus.

**Vote:** Motion carried 5-2

**Yes:** Michael Blower, Elbert Holman, Susan Lofthus, Michael Tubbs, and Daniel Wright.

**No:** Christina Fugazi, and Anthony Silva.

**15.3 16-2489 ADOPT A RESOLUTION ESTABLISHING A CHILDREN'S BILL OF RIGHTS**

Legislation Text

Proposed Resolution - Children's Bill of Rights

Exhibit 1 - Children's Bill of Rights

Approved Resolution 2016-03-29-1503

Public Comment

Kay Ruhstaller, Executive Director Family Resource and Referral Center - representing San Joaquin Children's Alliance; congratulated Council for creation of Children's Bill of Rights; shared information on Funding the Next Generation statewide event Monday May 9, 2016

Document filed by Kay Ruhstaller - San Joaquin Children's Alliance

Document filed by Kay Ruhstaller - Funding the Next Generation's 2nd Statewide Conference

Approve **Resolution 2016-03-29-1503** adopting a Children's Bill of Rights.

**Moved by:** Anthony Silva, seconded by Michael Blower.

**Vote:** Motion carried 7-0

**Yes:** Michael Blower, Christina Fugazi, Elbert Holman, Susan Lofthus, Anthony Silva,

Michael Tubbs, and Daniel Wright.

**15.4 16-2392 APPROVE FINDINGS AND CONTRACT CHANGE ORDER NO. 1 WITH WEST COAST ARBORISTS, INC. FOR TREE REMOVAL SERVICES (PROJECT NO. O&M 16-007)**

Legislation Text

Attachment A - CCO No 1

Gordon Mackay, Public Works Director - gave the staff report with aid of a PowerPoint Presentation (filed).

PowerPoint Presentation - Contract Change Order No. 1 with West Coast Arborists

Approve **Motion 2016-03-29-1504** authorizing the City Manager to:

1. Approve findings pursuant to Stockton Municipal Code (SMC) section 3.68.070 in support of an exception to the competitive bidding process.
2. Execute Contract Change Order No. 1 for \$250,000 with West Coast Arborists, Inc. for Tree Removal Services (Project No. O&M 16-007).

**Moved by:** Christina Fugazi , seconded by Daniel Wright.

**Vote:** Motion carried 7-0

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

**15.5 15-2255 AUTHORIZE THE ALLOCATION OF STRONG NEIGHBORHOODS INITIATIVE REDEVELOPMENT REVENUE BOND PROCEEDS, AUTHORIZE A REIMBURSEMENT AGREEMENT, AND AMEND THE FISCAL YEAR 2015-2016 BUDGET TO FUND PUBLIC AND CAPITAL IMPROVEMENT PROJECTS LOCATED WITHIN THE NORTH STOCKTON AND MERGED MIDTOWN REDEVELOPMENT PROJECT AREAS**

Legislation Text

Attachment A - North Stockton Project Area Map

Attachment B - Merged Midtown Project Area Map

Attachment C - Resolution 2015-04-21-1501-01

Proposed Resolution - SNI Bond Proceeds

Exhibit 1 - Reimbursement Agreement

Approved Resolution 2016-03-29-1505



**NOTE:** Councilmember Blower recused himself from this agenda item due to a potential conflict of interest and left the Chamber during discussion and voting.

Micah Runner, Economic Development Director - gave staff report with aid of a PowerPoint Presentation (filed).

PowerPoint Presentation - Strong Neighborhoods Initiative Revenue Bonds Proceeds Allocation

Kevin Huber, Grupe Commercial - spoke to expansions at California State University (CSU) campus; hiring of new Dean; large investment by company in community

Approve **Resolution 2016-03-29-1505:**

1. Approving the allocation of \$5,237,814 in Strong Neighborhoods Initiative Redevelopment Revenue Bond Proceeds to fund public and capital improvement projects within the North Stockton and Merged Midtown Redevelopment Project Areas;
2. Amending the Fiscal Year (FY) 2015-16 Budget;
3. Authorizing the City Manager to execute a Reimbursement Agreement with Grupe Commercial Company for capital infrastructure improvements relating to University Park; and
4. Authorizing the City Manager to appropriate expenditures and transfers, make associated transfers, and take appropriate and necessary actions to carry out the purpose and intent of this resolution.

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

**Vote:** Motion carried 6-0

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

**Recuse:** Michael Blower.

## **16. HEARINGS**

### **16.1 16-2399 TEFRA PUBLIC HEARING FOR THE VILLAGE EAST APARTMENTS LOCATED AT 2501 EAST LAFAYETTE STREET**

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution - Village East Apartments

Approved Resolution 2016-03-29-1601

Micah Runner, Economic Development Director - gave presentation to Council with

aid of a PowerPoint Presentation (filed).

PowerPoint Presentation - Tefra Public Hearing for the Village East Apartments

Approve **Resolution 2016-03-29-1601:**

1. Approving the issuance of Multifamily Revenue bonds by California Public Finance Authority (CalPFA) in an amount not to exceed \$16 million on behalf of New Village East, LP, a California limited partnership;

Note: Bonds will not represent a debt of the City, nor do they obligate the City in any way.

2. Authorizing the City to become a member of CalPFA; and

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

**Moved by:** Elbert Holman, seconded by Michael Blower.

**Vote:** Motion carried 7-0

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

## **16.2 16-2394 PUBLIC HEARING REGARDING PROPOSED CHARTER AMENDMENTS TO BE PLACED ON THE 2016 GENERAL ELECTION BALLOT**

Legislation Text

Attachment A - Article II, VI, VII and XI - Current

Attachment B - Article II, VI, VII, XI - Redline

Attachment C - Ordinance - Districts Transition Example

Attachment D - Article IV The City Council - Current

Attachment E - Article IV The City Council - Redline

Attachment F - Article IV Section 410 Compensation - Current

Attachment G - Article IV Section 410 Compensation Redline

Attachment H - Article V Section 510 City Council Actions - Current

Attachment I - Article V Section 510 City Council Actions - Redline

Attachment J - Article XI The Mayor Section 1102 - Current

Attachment K - Article XI The Mayor Section 1102 - Redline

Attachment L - Article XV City Auditor - Current

Attachment M - Article XV City Auditor - CRAC's Redline Version

Attachment N - Article XV City Auditor - Staff's Redline Version

Attachment O - Article XIX Budget and Fiscal Affairs - Current

Attachment P - Article XIX Budget and Fiscal Affairs - Redline

Attachment Q - Proposed Ordinance - Budget and Fiscal

Attachment R - Ballot Measure Timeline

Scott Carney, Deputy City Manager - gave the staff report with aid of a PowerPoint presentation (filed)

PowerPoint Presentation - Proposed Charter Amendments for 2016 General Election Ballot

### Public Comment

Dale Stocking, member Charter Review Advisory Committee (CRAC) - suggested discussing seven proposals separately; spoke in support of the following proposed Charter changes: Article IV SEC 410; favored CRAC proposal for City Auditor amendments, specifically as it relates to .15% funding of the office; spoke in support of Charter budget amendments

Marcie Bayne, member CRAC - opposed combining all amendments into a single ballot measure; spoke in support of district voting; favored increasing number of council districts; spoke in support of CRAC Auditor proposal

Peter Viri, member CRAC - spoke in support of CRAC Auditor amendments, noting CRAC vote of 15-0 in support of amendment; opposed proposed amendments to SEC 1102(n) regarding Mayoral appointment of three staff members

Cynthia Summers, Chairman of CRAC - spoke in support of CRAC recommendations; expressed concern for staff proposal of SEC 1500; urged Council to consider CRAC recommendations verses staff recommendations

Councilmember Tubbs - thanked CRAC for work done; favored district voting changes; asked for background regarding adding additional Council districts; suggested adding staff to assist Councilmembers verses adding additional districts; discuss making Councilmembers full-time verses part-time; urged working with external auditor to continue independence

Peter Viri, member CRAC - clarified budget allocation for auditing service; internal auditor verses external auditor

Councilmember Wright - asked for clarification regarding SEC 410 as it would relate to mid-term salary changes to Councilmembers; asked for more information regarding 1102(n) mayoral appointments

Councilmember Holman - favored additional staff to assist Councilmembers; spoke to size of Stockton



Councilmember Tubbs - asked for discussion at the next Council meeting to explore adding an additional staff member for each Councilmember verses making Councilmember positions full time; financial impact of this change

Bobby Bivens - spoke to changes to Mayor's salary; urged voter outreach; supported district voting; supported staff for Councilmembers and increasing number of Councilmembers

Ned Leiba - noted improved financial reporting; expressed opinion regarding use of external auditor as City Auditor is accountable to City Manager staff, not City Council

After discussion the City Council gave direction to City staff to further examine the financial impact of the Charter Amendments.

**16.3 16-2330 APPEAL OF THE PLANNING COMMISSION'S DENIAL OF THE REQUEST FOR A USE PERMIT TO ALLOW THE OFF-SALE OF BEER AND WINE IN AN EXISTING MEAT MARKET AND BAKERY AT 944 WATERLOO ROAD (P15-339)**

Legislation Text

Attachment A - Appeal Letter

Attachment B - Location Map and Aerial Photograph

Attachment C - Site and Floor Plans

Attachment D - Locations of Active Alcoholic Beverage Licenses

Attachment E - Photos of Buildings

Attachment F - Public Petitions

Proposed Resolution

David Kwong, Community Development Director - gave staff report with the aid of a PowerPoint presentation (filed).

PowerPoint Presentation - Use Permit denial 944 Waterloo Road

Public Comment

Juan Diaz - disputed information provided by staff, noting use permits either not active or being transferred; questioned sale of liquor license in the same area after current denial; spoke to current licenses that have transferred out of the area (document filed).

Document filed by Juan Diaz - California Department of Alcoholic Beverage Control License Query Summary

Document filed by Juan Diaz - Landmaster Parcel Information

Eduardo Buenrostro, owner - spoke to number of employees and increasing profits; permit not related to crime level; hours of operation; location near bigger retailers who all have licenses

Approve **Motion 2016-03-29-1603** directing staff to come back with findings to overturn the Planning Commission's denial of the request for a Use Permit to allow the off-sale of beer and wine in an existing meat market and bakery at 944 Waterloo Road.

**Moved by:** Susan Lofthus, seconded by Anthony Silva.

**Vote:** Motion carried 5-2

**Yes:** Michael Blower, Christina Fugazi, Susan Lofthus, Anthony Silva, and Daniel Wright.

**No:** Elbert Holman, and Michael Tubbs.

## 17. COUNCIL COMMENTS

Councilmember Lofthus - timing of public comment; educating citizens to matters being discussed before Council; Council has a duty to educate citizens in a timely and transparent manner before action is taken

Councilmember Wright - 2x2 meeting this Thursday March 31; Audit Committee meeting April 11th; congratulate Council on passing Children's Bill of Rights

Vice Mayor Fugazi - Make a Wish Foundation event Thursday March 31; Stockton is Magnificent event at Delta College Saturday April 2, from 11 AM to 3 PM

## 18. ADJOURNMENT - 10:02 PM

### INFORMATIONAL ITEMS

#### 1 15-2283 COUNCIL COMMITTEE / BOARDS & COMMISSION MINUTES Information only, no action required.

Information only, no action required.

Legislation Text

2015-06-10 Measure W Oversight Committee Minutes

  
BONNIE PAIGE, CMC  
CITY CLERK, CITY OF STOCKTON