

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF JULY 26, 2016

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

The CLOSED SESSION of the City Council of the City of Stockton 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 16-2872 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 16-2875 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 16-2876 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:~~

City Manager

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

~~**3.4 16-2877 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***~~

~~**5. RECESS TO CLOSED SESSION**~~

6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:31 PM

Roll Call

Present:

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

7. INVOCATION/PLEDGE TO FLAG

Alexandria Contreras of Voice of Hope Ministries provided the Invocation. The Pledge of Allegiance was led by Tino Adame, Karl Ross Post 16.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

None.

9. ADDITIONS TO REGULAR SESSION AGENDA**

None.

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.1 PROCLAMATION/COMMENDATION/CERTIFICATE:
RECIPIENT: Girls State Delegation

Recipients:

Gloria Togan
Adela Celine Lopez
Kirynd Weddles
Anne Loewen
Alyssa Martinez

Marina Georgies

Mary Adame, Ladies Auxiliary Karl Ross Unit 16 - accepted the certificates on behalf of the Girls State Delegation.

**10.2 PROCLAMATION/COMMENDATION/CERTIFICATE:
RECIPIENT: Summer Youth Employment Program**

Vice Mayor Fugazi introduced the item with the aid of a PowerPoint presentation (attached).

PowerPoint Presentation

Glenn Jose, Founder and President of Helping Other People to Expand (HOPE) - spoke to the hard work of the Project HOPE volunteers.

Daniella Andrade
Anthonnee Calbert
Alondra Flores
Jessie Gutierrez
Donald Jackson
Daisy Macedo
Richard Murray
Jermaine Perry
Kenyon Pierce
Adrian Ramirez
Julian Ramirez
Savannah Scott
Isaac Valdez
Alexandra Vargas

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

Tino Adame, Karl Ross Post 16 - spoke to an event on the waterfront; spoke regarding Karl Ross Post advocacy for mental health, after hours mental healthcare for veterans, and levees in Weston Ranch.

Cary Martin - spoke regarding Karl Ross Post American Legion in Stockton; noted agreement with the City for Karl Ross Post 16 to take responsibility for the flag at the American Legion Park; noted that on June 20, 2016 the Karl Ross Post received support from the American Hearing Aid Society; sought volunteers for upcoming flag event, asking those interested to call (209) 598-1022.

Vincent Sayles - shared personal beliefs.

Frank Colli - expressed concern for the City of Stockton, the state of California, and the United States; spoke regarding a prostitution and drug smuggling ring.

Ron Green - provided a proposal suggesting that the new Veterans Affairs clinic in San Joaquin County be named after Warren H. Atherton (document filed).

Document Filed by Ron Green - Warren H. Atherton Proposal

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote, save 12.12 which was considered separately.

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.

12.1 16-2687 ACCEPT BY MOTION THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED JUNE 30, 2016

Motion 2016-07-26-1201 accepting the Quarterly Investment Report for the quarter ended June 30, 2016.

Legislation Text

Attachment A - Quarterly Investment Report for Quarter Ended 6-30-16

12.2 16-2883 APPROVAL OF CITY COUNCIL MINUTES

Motion 2016-07-26-1202 approving the minutes from the City Council meeting of June 7, 2016 and the Special City Council meeting of June 13, 2016.

Legislation Text

2016-06-07 Minutes for Approval

2016-06-13 Special Minutes for Approval

12.3 16-2817 DESIGNATING VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD OCTOBER 5-7, 2016

Motion 2016-07-26-1203 designating Councilmember Elbert Holman to serve as voting delegate and Vice Mayor Christina Fugazi as alternate representing the City at the League of California Cities Annual Conference to be held October 5-7, 2016.

Legislation Text

Attachment A - League of Cities Correspondence

12.4 16-2769 APPROVE A MOTION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH RECLAMATION DISTRICT 17, CITIES OF LATHROP AND MANTECA, AND SAN JOAQUIN COUNTY TO ACHIEVE 200-YEAR LEVEL OF FLOOD PROTECTION FOR THE RECLAMATION DISTRICT 17 AREA

Motion 2016-07-26-1204 authorizing the City Manager to execute a Memorandum of Understanding between Reclamation District 17, San Joaquin County, and the Cities of Lathrop and Manteca to achieve 200-year level of flood protection for the Reclamation District 17 area and authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the motion.

Legislation Text

Attachment A - RD 17 Vicinity Map

Attachment B - RD 17 MOU

12.5 16-2863 MOTION APPROVING A JOINT USE OPERATIONAL AGREEMENT WITH MANTECA UNIFIED SCHOOL DISTRICT FOR WESTON RANCH LIBRARY

Motion 2016-07-26-1205 approving a joint use agreement with Manteca Unified School District for the operation and maintenance of the Weston Ranch Library and authorizing the City Manager to take appropriate actions necessary to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Weston Ranch Branch Library Agreement 2016

12.6 16-2772 AUTHORIZE AMENDMENT TO LEASE OF EXCESS LAND - DELTA WATER SUPPLY PROJECT SITE

Resolution 2016-07-26-1206:

1. Authorizing the City Manager to execute the First Amendment to Lease of Excess Land Delta Water Supply Project site;
2. Approving findings that support and justify an exception to the competitive bidding process; and
3. Authorizing the City Manager, or his designee, to take all necessary and appropriate actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - Resolution No. 2014-08-12-1205

Attachment B - Vicinity Map

Attachment C - Aerial Map

Attachment D - Proposed Amendment Request

Attachment E - Resolution No. 05-0493

Proposed Resolution - Amendment to Lease of Excess Land (DWSP)

Exhibit 1 - Proposed Amendment

Legal ad - Notice to grant or sell - 11373 Lower Sac

Approved Resolution 2016-07-26-1206

12.7 16-2773 APPROVE SUMMARY VACATION AND DISPOSITION OF A PORTION OF WEST WEBER AVENUE

Resolution 2016-07-26-1207:

1. Authorizing summary vacation, and any interest therein, of a portion of West Weber Avenue; and

2. Authorizing the reservation of a public utility easement; and
3. Authorizing the filing of Notice of Exemption No. CE016-15 under the California Environmental Quality Act (CEQA) for the summary vacation and disposition of a street located on a portion of West Weber Avenue; and
4. Authorizing the disposition of a 2.58-acre portion of West Weber Avenue to the State of California, Department of Water Resources (DWR) in the amount of \$70,400; and
5. Authorizing the City Manager, or his designee, to execute the Right of Way Contract with the DWR; and
6. Authorizing the City Manager, or his designee, to take all the necessary and appropriate actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - Vicinity Map

Attachment B - Aerial Map

Attachment C - Westerly Portion of West Weber Avenue

Attachment D - DWR Owned Parcels

Attachment E - West Weber Avenue Cul-de-sac Improvements

Attachment F - Sierra Pacific Concurrence Letter

Proposed Resolution - Summary Vacation of a Portion of West Weber Avenue

Exhibit 1 - Plat

Exhibit 2 - Legal Description

Exhibit 3 - NOE

Exhibit 4 - Proposed ROW Contract

Legal ad - Notice to grant or sell - West Weber Avenue

Approved Resolution 2016-07-26-1207

12.8 16-2787 SCHEDULE PUBLIC HEARING AND AUTHORIZE INTENT TO VACATE A PORTION OF WASHINGTON STREET BETWEEN PORT ROAD 13 AND NAVY DRIVE

Resolution 2016-07-26-1208:

1. Authorizing staff to schedule a Public Hearing for August 23, 2016, for the proposed vacation of a portion of Washington Street between Port Road 13 and Navy Drive at the Port of Stockton;
2. Authorizing City intent to vacate a portion of Washington Street between Port Road 13 and Navy Drive at the Port of Stockton;
3. Authorizing the reservation of a public utility easement;
4. Authorizing the filing of Notice of Exemption No. CE010-16 under the California

Environmental Quality Act (CEQA) for the abandonment of Washington Street between Port Road 13 and Navy Drive; and

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

Legislation Text

Attachment A - Vicinity Map

Attachment B - Aerial Map

Attachment C - Stockton Port District Property Map

Attachment D - Resolution No. 08-0174

Attachment E - Resolution No. 2014-02-25-1210

Attachment F - Access Easement Agreement

Proposed Resolution - Public Hearing and Vacation

Exhibit 1 - Plat and Legal Descriptions

Exhibit 2 - NOE

Approved Resolution 2016-07-26-1208

12.9 16-2895 LEASES WITH CALTRANS FOR THREE AREAS UNDER THE CROSSTOWN FREEWAY

Resolution 2016-07-26-1209:

1. Authorizing the execution of the 2016 Lease, Lease Area No. 10-SJX004-0500-02 , State of California, Department of California (Caltrans) between the City of Stockton (Tenant) and the State of California, acting by and through its Department of Transportation (Landlord); and

2. Authorizing the execution of the 2016 Lease, Lease Area No. 10-SJX004-0600-02, State of California, Department of California (Caltrans) between the City of Stockton (Tenant) and the State of California, acting by and through its Department of Transportation (Landlord); and

3. Authorizing the execution of the 2016 Lease, Lease Area No. 10-SJX004-0900-03, State of California, Department of California (Caltrans) between the City of Stockton (Tenant) and the State of California, acting by and through its Department of Transportation (Landlord); and

4. Approving the filing of Notice of exemption No. CE011-16 under CEQA; and

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

Legislation Text

Attachment A - Resolution 97-0230

Attachment B - Resolution 06-0514

Attachment C - Lease Area No.10-SJX004-0500-02

Attachment D - Lease Area No.10-SJX004-0600-02

Attachment E - Lease Area No. 10-SJX004-0900-03

Attachment F - Aerial Map

Attachment G - Vicinity Map

Attachment H - Resolution 2013-12-17-1209

Attachment I - Notice of Exemption

Proposed Resolution - CalTrans Lots

Exhibit 1 - 10-SJX004-0500-02

Exhibit 2 - 10-SJX004-0600-02

Exhibit 3 - 10-SJX004-0900-03

Exhibit 4 - NOE - HWY 4 Caltrans Leases

Approved Resolution 2016-07-26-1209

12.10 16-2882 RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING WITH THE FIRE UNIT AND MODIFICATIONS TO THE UNREPRESENTED MANAGEMENT/CONFIDENTIAL AND LAW EMPLOYEES' COMPENSATION PLAN

Resolution 2016-07-26-1210:

1. Authorizing the approval of the Fire Unit Memorandum of Understanding effective July 1, 2016 through June 30, 2019;
2. Authorizing the approval of the amended Unrepresented Management/Confidential and Law Employees' Compensation Plan (Unrepresented Compensation Plan); and
3. Authorizing the City Manager to take all appropriate and necessary actions to carry out the purpose and intent of the resolution, including implementation and funding of the successor Fire Unit MOU and amended Unrepresented Compensation Plan.

Legislation Text

Attachment A - Fire Unit MOU - redlined

Attachment B - Unrepresented Compensation Plan - redlined

Proposed Resolution - Fire Unit MOU

Exhibit 1 - Fire Unit MOU

Exhibit 2 - Unrepresented Compensation Plan

Exhibit 3 - Financial Impact Summary - Fire Unit

Approved Resolution 2016-07-26-1210

12.11 16-2776 RESOLUTION OVERRULING PROTESTS, CONFIRMING ASSESSMENTS OF DELINQUENT CODE ENFORCEMENT CHARGES, AND DIRECTING THE ASSESSMENTS BE PLACED ON THE SAN JOAQUIN COUNTY TAX ROLL

Resolution 2016-07-26-1211 overruling protests, confirming assessment of the

delinquent charges listed in the "Delinquent Accounts 2016 Assessment List" stemming from code enforcement actions, and directing that the assessments be placed on the San Joaquin County tax roll.

Legislation Text

Attachment A - Blanket Administrative Order and Exhibit

Proposed Resolution - 2016 Tax Roll Assessment

Exhibit 1 - Delinquent Accounts 2016 Assessment List

Approved Resolution 2016-07-26-1211

12.12 16-2745 APPROVE PLANS AND SPECIFICATIONS, EXECUTE A COOPERATIVE AGREEMENT WITH SAN JOAQUIN COUNTY, AND AWARD A CONSTRUCTION CONTRACT TO GOODFELLOW TOP GRADE CONSTRUCTION, LLC FOR THE THORNTON ROAD WIDENING, PROJECT NO. PW1428

Legislation Text

Attachment A - Resolution No 07-0382

Attachment B - Vicinity Map

Proposed Resolution - Thornton Road Widening

Exhibit 1 - City-County Cooperative Agreement

Exhibit 2 - Construction Contract

Approved Resolution 2016-07-26-1212

Councilmember Holman - requested that the item be pulled from the consent calendar to make a comment.

Eric Alvarez, Deputy Director of Public Works/City Engineer - responded to a question from Councilmember Holman.

Approve **Resolution 2016-07-26-1212** authorizing the City Manager to:

1. Approve the plans and specifications for the Thornton Road Widening, Project No. PW1428.
2. Execute a Cooperative Agreement between the City of Stockton and San Joaquin County.
3. Appropriate \$2,045,000 from the County Cooperative Agreement to the Thornton Road Widening project (PW1428).
4. Award a Construction Contract in the amount of \$11,618,705 to Goodfellow Top Grade Construction, LLC for the Thornton Road Widening, Project No. PW1428.

The City Manager is further authorized to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Moved by: Elbert Holman, 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.

13. ADMINISTRATIVE MATTERS

14. UNFINISHED BUSINESS

15. NEW BUSINESS

Motion to move agenda items 15.2 - Discussion of Homelessness Solutions and 15.3 - Recommendation to Incorporate Tiny and Micro Houses to the August 23, 2016 City Council Meeting.

Moved by: Anthony Silva, seconded by Christina Fugazi .

Vote: Motion carried 5-2

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

No: Michael Tubbs, and Daniel Wright.

15.1 16-2896 CONSIDER IMPLEMENTATION OF A COMMUNITY WORKFORCE TRAINING AGREEMENT FOR THE CITY OF STOCKTON

Legislation Text

Attachment A - CWTA Agreement

Attachment B - CWTA Agreement Redlined

Attachment C - CWTA Agreement - Additional Staff Recommended Edits

PowerPoint Presentation

The following people spoke in support of the agreement:

Daniel Cardozo, Attorney representing San Joaquin County Building and Construction Trades Council

Andel Ahmed, representative for Congressman Jerry McNerney - read a letter from Congressman McNerney

Sheila Goulart, Director of YouthBuild

Gina Vongkao, YouthBuild graduate

Rudlege Palmer, YouthBuild graduate

Jose Vargas, YouthBuild graduate

Greg Armstrong, Executive Director of the National Electrical Contractors Association and San Joaquin Partnership Board Member

Michael Mark, Sheet Metal Workers Apprenticeship graduate

Gary Peifer (document filed)

Sal Rotolo

Nicholas Weathers, California representative for Homeless to Hardhats

Eric Melendez, sheet metal worker

Raul Hernandez

Matt Richard, sheet metal worker

Tom Amato, People and Congregations Together (PACT)
Brian Gini, Collins Electrical Vice President and Branch Manager

The following people spoke in opposition to the agreement:

Bobby Bivens, President of the Stockton Branch of the National Association for the Advancement of Colored People (NAACP) (document filed)

Nicole Goehring (document filed)

Todd Moody, Associated Builders and Contractors (ABC) Northern California Chapter Instructor

Richard St. Angelo, ABC Northern California Chapter

Clint Harless, small business owner

Melvin Jones, United States Air Force veteran

Lucio Campos, ABC Northern California Electrical Apprentice

Gary Malloy

Reverend Murray, 2nd Vice President of the Stockton NAACP

James Young - expressed desire to help the City and volunteer

Mayor Silva left the dais at 6:50 p.m. and returned at 6:55 p.m.

The following documents were filed during the meeting:

Document Filed by Gary Peifer

Document Filed by Bobby Bivens

Document Filed by Nicole Goehring

The following documents were received prior to the meeting:

Document Filed by Amanda Huch

Document Filed by Casey Fargo

Document Filed by Eric Christen

Document Filed by Greg Feere

Document Filed by Sam Kharufeh

Document Filed by Scott Kronland

Scott Carney, Deputy City Manager - provided the staff report.

Councilmember Holman - shared concerns regarding the Community Workforce Training Agreement.

John Luebberke, City Attorney - clarified rationale behind adding additional provisions in response to a question from Councilmember Holman.

Vice Mayor Fugazi - noted the number of times the item has been previously discussed; spoke regarding the lack of women in the trades; spoke in support of moving forward with the agreement.

Councilmember Wright - thanked those who attended the meeting and shared comments; spoke to previous conversations with union representative Sal Rotolo;

agreed that work is still ahead to diversify the workforce; spoke in support of the Community Workforce Agreement.

Approve **Motion 2016-07-26-1501** approving the Community Workforce Training Agreement (Attachment A) with the addition of a provision for a review after 18 months.

Moved by: Anthony Silva, seconded by Christina Fugazi .

Vote: Motion carried 6-1

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

No: Elbert Holman.

Councilmember Lofthus - asked for clarification on various portions of the Community Workforce Training Agreement.

Deputy City Manager, Scott Carney addressed concerns raised by Councilmember Lofthus.

Councilmember Tubbs - asked if the agreement would apply to every Public Works project and what the timeframe is; spoke to concerns from the NAACP; encouraged trades to continue to diversify the workforce; proposed that the motion to approve be amended to add a "review provision" after 18 months.

Scott Carney, Deputy City Manager - responded to the questions from Councilmember Tubbs, noting the agreement would apply to projects of 1 million dollars or more and would be active for 3 years.

15.2 16-2898 DISCUSSION OF HOMELESSNESS SOLUTIONS

This item was rescheduled to the August 23, 2016 City Council meeting.

Legislation Text

Attachment A - Local Area Service Providers

Attachment B - City Manager's Committee on Homeless Policy

Attachment C - Definitions

Attachment D - Biannual Point In Time Count

Attachment E - Charter Article XX Section 2000 and 2001

Attachment F - Code Violations

15.3 16-2899 RECOMMENDATION OF THE LEGISLATIVE COMMITTEE TO CONSIDER THE ADOPTION OF AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.16, SECTION 5.16.010, CHAPTER 5.76, SECTION 5.76.010, TITLE 16, CHAPTER 16.80, SECTION 16.80.020.A, SECTION 16.80.310, AND CHAPTER 16.240, SECTION 16.240.020 OF THE STOCKTON MUNICIPAL CODE TO INCORPORATE TINY AND MICRO HOUSES

This item was rescheduled to the August 23, 2016 City Council meeting.

Legislation Text

Attachment A - Legislative Committee Staff Report

Attachment B - SMC - Redline Version

Attachment C - Map of Proposed Micro Locations

16. HEARINGS****

16.1 16-2798 PUBLIC HEARING FOR THE 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AWARD

Legislation Text

Proposed Resolution - Amendment No. 5 JAG 2016

Exhibit 1 - Amendment No. 5 JAG 2016

Approved Resolution 2016-07-26-1601

PowerPoint Presentation

Approve **Resolution 2016-07-26-1601**:

1. Approving Amendment No. 5 to the Inter-local Memorandum of Understanding between the City of Stockton and the County of San Joaquin for the Edward Byrne Memorial Justice Assistance Grant Program Award;
2. Approving the recommended use of funds (\$383,843) as stated in the JAG Program 2016 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 U.S. Department of Justice Bureau of Justice Assistance.

Moved by: Susan Lofthus, seconded by Michael Tubbs.

Vote: Motion carried 7-0

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

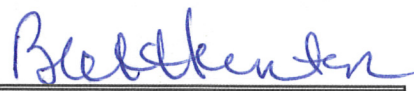
17. COUNCIL COMMENTS

Vice Mayor Fugazi - encouraged everyone to participate in National Night Out.

18. ADJOURNMENT - 8:04 PM

INFORMATIONAL ITEMS

None.


BONNIE PAIGE, CMC
for
BONNIE PAIGE, CMC
CITY CLERK, CITY OF STOCKTON