

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT SPECIAL
MEETING OF JUNE 28, 2016

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 4:30 PM

Roll Call

Present:

Christina Fugazi

Anthony Silva

Daniel Wright

Michael Blower

Absent:

Elbert Holman, Susan Lofthus, and Michael Tubbs.

2. ADDITIONS TO CLOSED SESSION AGENDA

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 16-2808 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.

3.4 16-2811 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).

3.3 16-2810 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

City Manager

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

3.2 16-2809 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.

4. PUBLIC COMMENT

Mary Elizabeth - spoke to Animal Shelter issues; asked for clarification regarding number of contracts and funds allocated in budget; shared proposal for creating a committee to oversee shelter plans (document filed)

Document filed by Mary Elizabeth - City of Stockton Animal Control Budget and San Joaquin County Partnership

Tocan Nguyen - shared personal political views

5. RECESS TO CLOSED SESSION

NOTE: Councilmember Holman arrived to Closed Session at 4:34 PM
Councilmember Lofthus arrived to Closed Session at 4:36 PM

The Council recessed to Closed Session at 4:40 p.m. The Council returned from Closed Session and recessed at 5:20 PM.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:39 PM

Roll Call

Present:

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

7. INVOCATION/PLEDGE TO FLAG

The Pledge of Allegiance was led by Councilmember Holman.

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

None

11. CITIZENS' COMMENTS, ANNOUNCEMENTS, OR INVITATIONS

None

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote, save items 12.3, 12.4, 12.5, and 12.7 which were considered separately

Moved by: Anthony Silva, 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 16-2653 APPROVE BY MOTION THE SECOND AMENDMENT TO THE AGREEMENT WITH CB MERCHANT SERVICES

Motion 2016-06-28-1201 to:

1. Approve the findings for exemptions from competitive bidding requirements to extend the Agreement with CB Merchant Services; and

2. Authorize the City Manager to execute the Second Amendment to the Agreement with CB Merchant Services to provide collection services through September 30, 2017.

Legislation Text

Attachment A - Agreement with CB Merchant Services

Attachment B - 1st Amendment to the Agreement with CB Merchant Services

Attachment C - 2nd Amendment to the Agreement with CB Merchant Services

Attachment D - Addendum to the Agreement with CB Merchant Services

12.2 16-2731 AMEND CITY COUNCIL POLICY CHAPTER 3.02 CITY COUNCIL AND MAYORAL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES AS IT RELATES TO THE APPOINTMENT PROCESS

Motion 2016-06-28-1202 approving suggested changes to the board and commission

appointment process as reviewed and recommended by Council Legislation Environmental Committee at their March 9, 2016 meeting.

Legislation Text

Attachment A - Redline Council Policy Chapter 3 02

Attachment B - Process Survey

Attachment C - Redline Council Policy 3 02 030

Attachment D - Proposed Council Policy Chapter 3 02

Attachment E - Proposed Council Policy Chapter 3 02 030

12.3 16-2746 AWARD A CONTRACT FOR ANNUAL AUDIT SERVICES TO THE PUN GROUP, LLP FOR THE FISCAL YEARS 2015-16, 2016-17, AND 2017-18 WITH TWO ONE-YEAR OPTIONS TO EXTEND

Legislation Text

Attachment A - Professional Services Contract for Audit Services

Public Comment

Ned Leiba - spoke in favor of the Requests for Proposals (RFPs) on item 12.3 and selection of The Pun Group; expressed opinion that RFPs on 12.4 should be made public

Approve **Motion 2016-06-28-1203** authorizing the City Manager to award and enter into an agreement for annual audit and report preparation services with the firm of The Pun Group, LLP, for an amount not to exceed \$942,726 for the three (3) fiscal years ended June 30, 2016, 2017, and 2018. The proposed contract includes the option of two one-year contract extensions for audits of the fiscal years ending June 30, 2019, and 2020. The combined five year contract award is for an amount not to exceed a total of \$1,619,289.

Moved by: Anthony Silva, 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.

12.4 16-2801 AWARD A CONTRACT FOR MEASURE A ADDITIONAL AUDIT SERVICES TO EADIE AND PAYNE, LLP

Legislation Text

Attachment A - Measure A Audit Services

Councilmember Wright - spoke to selection process; noted Selection Committee's consensus that the chosen Request for Proposal (RFP) from Eadie and Payne, LLP was far superior

Public Comment

Ned Leiba - respects decision to award contract; spoke to document language; would like all RFP information to be made public

Approve **Motion 2016-06-28-1204** authorizing the City Manager to award and enter into an agreement for Measure A additional audit services with the firm of Eadie and Payne, LLP, for an amount not to exceed \$86,000 for the three (3) fiscal years ended June 30, 2015, 2016 and 2017. The proposed contract includes the option of two one-year contract extensions for audits of the fiscal years ending June 30, 2018 and 2019. The combined five-year contract award is for an amount not to exceed a total of \$146,000.

Moved by: Michael Tubbs, seconded by Elbert Holman.

Vote: Motion carried 5-2

Yes: Michael Blower, Elbert Holman, Susan Lofthus, Michael Tubbs, and Daniel Wright.
No: Christina Fugazi, and Anthony Silva.

12.5 16-2788 STATE OF CALIFORNIA BOARD OF STATE COMMUNITY CORRECTIONS GRANT AWARD

Legislation Text

Proposed Resolution - BSCC Grant

Approved Resolution 2016-06-28-1205

Attachment A - BSCC Standard Agreement - Strengthening Grant

Public Comment

Tocan Nguyen - opposed lateness of meeting

Approve **Resolution 2016-06-28-1205**

1. Authorizing the acceptance of grant funding from the State of California Board of State Community Corrections Strengthening Law Enforcement and Community Relations Grant; and
2. Authorizing the allocation of a grant funded Administrative Analyst position to the Police Department's Fiscal Year 2016-17 Budget; and
3. Authorizing all required appropriations in compliance with and for the purposes stated in the project agreement including appropriations in the amount of \$600,000 from the Grant Revenue budget, \$19,000 from the General Fund Match Budget, and \$101,000 as part of the Police Department annual budget development; and
4. Authorizing the City Manager to execute, on behalf of the City of Stockton, all required contracts or agreements with the granting agency, provide additional information and furnish such documents as may be required, execute all documents and amendments or extensions pertaining to the grant project, and take any and all necessary and appropriate actions to carry out the purpose and intent of the resolution.

Staff to return to Council with proposed distribution figures for the Community Partner Contracts amount of \$240,000

Moved by: Anthony Silva, 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.

12.6 16-2790 APPROVE RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO AN AGREEMENT FOR LEGAL SERVICES WITH THE FIRM OF HERUM/CRABTREE/SUNTAG

Resolution 2016-06-28-1206 approving an Agreement for Legal Services with Herum/Crabtree/Suntag.

Legislation Text

Proposed Resolution - Legal Services Agreement

Exhibit 1 - Legal Services Agreement - Herum Crabtree Suntag

Approved Resolution 2016-06-28-1206

12.7 16-2791 AUTHORIZE RATIFICATION FOR AN INCREASE OF \$42,000 FOR SERVICES RENDERED IN PURCHASE ORDER VALUE AND AN ALLOWANCE OF \$30,000 WITH WEST COAST ARBORISTS, INC. FOR EMERGENCY TREE SERVICES (PURCHASE ORDER NO. 190497)

Legislation Text

Approve **Motion 2016-06-28-1207** authorizing the City Manager to:

1. Authorize a ratification for an increase in the value of Purchase Order (PO) No. 190497 with West Coast Arborists, Inc. (WCA) for emergency tree services by \$42,000 for services rendered.
2. Authorize an additional allowance of \$30,000 for anticipated emergency tree service requests through June 30, 2016 for a total increase of an additional \$72,000 to PO 190497.

Mayor Silva asked that staff look into possible Cal Grants for tree removal targeting distressed cities

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.

12.8 16-2818 APPROVAL OF CITY COUNCIL MINUTES

Motion 2016-06-28-1208 approving minutes from the City Council meeting of May 24, 2016.

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

- 15.1 16-2755 AUTHORIZE THE STOCKTON PUBLIC FINANCING AUTHORITY ("SPFA") TO SELL LOCAL AGENCY REVENUE BONDS ("REVENUE BONDS") IN AN AMOUNT NOT TO EXCEED \$42,000,000, THE PROCEEDS OF WHICH WILL BE USED TO REFUND 2005 REVENUE BONDS AND TO ACQUIRE THE RELATED TRANSFERRED LOCAL OBLIGATIONS AND TO PURCHASE REFUNDING LOCAL OBLIGATIONS ISSUED BY THE CITY OF STOCKTON TO REFUND BONDS ISSUED FOR OTHER LAND SECURED DISTRICTS OF THE CITY.**

AUTHORIZE THE CITY OF STOCKTON TO SELL REFUNDING ASSESSMENT AND SPECIAL TAX BONDS FOR CERTAIN SPECIAL DISTRICTS AND TO SELL THE REFUNDING BONDS TO THE SPFA AS DESCRIBED ABOVE.

Legislation Text

Proposed City Resolution - Reassessment for District 2003-01

Proposed City Resolution - Reassessment Report for District 2016-1

Proposed City Resolution - Reassessments for District 2003-03

Proposed City Resolution - Reassessment Report for District 2016-2

Proposed City Resolution - Sale of Refunding Bonds for Reassessed Districts

Proposed City Resolution - CFD LOB Issuances

Proposed SPFA Resolution - Issuance of Revenue Bonds

Attachment A - Stockton Indenture JPA Bonds

Attachment B - Bond Purchase Agreement for Revenue Bonds

Attachment C - CFD Refunding Bonds Purchase Agreement

Attachment D - Refunding Assessment Bond Purchase Agreement

Attachment E - Preliminary Official Statement

Attachment F - Escrow Deposit and Trust Agreement

Attachment G - AD Fiscal Agent Agreements

Attachment H - CFD Fiscal Agent Agreements

Attachment I - Continuing Disclosure Certificate

Attachment J - Savings Summary

Attachment K - Reassessment Report - March Lane-Holman Dist 2016-1

Approved Resolution 2016-06-28-1501-01

Approved Resolution 2016-06-28-1501-02

Approved Resolution 2016-06-28-1501-03

Approved Resolution 2016-06-28-1501-04

Approved Resolution 2016-06-28-1501-05

Approved Resolution 2016-06-28-1501-06

Public Finance Authority Approved Resolution PFA 2016-06-28-1501

Matt Paulin, Chief Financial Officer - gave a report to Council with the aid of a PowerPoint Presentation (filed)

PowerPoint presentation - Item 15.1 Revenue Bonds (Assesment and Special Tax Districts Refundings), Series 2016A

Approve **Resolution 2016-06-28-1501-01** of intention to levy reassessments and to issue refunding bonds upon the security thereof for the City of Stockton Reassessment District No. 2016-1 (March Lane/Holman)

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.

Approve **Resolution 2016-06-28-1501-02** adopting reassessment report, confirming and ordering the reassessment pursuant to summary proceedings and directing actions with respect thereto for the City of Stockton Reassessment District No. 2016-1 (March Lane/Holman)

Moved by: Daniel Wright, 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.

Approve **Resolution 2016-06-28-1501-03** intention to levy reassessments and to issue refunding bonds upon the security thereof for the City of Stockton Reassessment District No. 2016-2 (Waterford Estates East Phase II)

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.

Approve **Resolution 2016-06-28-1501-04** adopting reassessment report, confirming and ordering the reassessment pursuant to summary proceedings and directing actions with

respect thereto for the City of Stockton Reassessment District No. 2016-2 (Waterford Estates East Phase II)

Moved by: Susan Lofthus, 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.

Approve **Resolution 2016-06-28-1501-06** authorizing the issuance and sale of special tax refunding bonds for four community facilities districts, and approving and authorizing related documents and actions.

Moved by: Daniel Wright, 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.

Approve **Resolution 2016-06-28-1501-05** authorizing the issuance and sale of Refunding Bonds, and directing the execution of Fiscal Agent Agreements and an Escrow Deposit and Trust Agreement, and approving and authorizing related documents and actions.

Moved by: Christina Fugazi , 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.

Approve **Resolution PFA 2016-06-28-1501** of the Board of Directors of the Stockton Public Financing Authority authorizing the issuance and sale of its local agency revenue bonds in one or more series, and approving and authorizing related documents and actions.

Moved by: Michael Blower, 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.

15.2 16-2686 REFUNDING OF SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF STOCKTON, CITY OF STOCKTON ENFORCEABLE OBLIGATIONS THROUGH THE ISSUANCE OF ONE OR MORE SERIES (NOT TO EXCEED \$130,000,000 AGGREGATE PAR AMOUNT) OF SUCCESSOR AGENCY 2016 TAX ALLOCATION REFUNDING BONDS

Legislation Text

Attachment A - Savings Analysis Presentation

Attachment B - Indenture of Trust, Bond Purchase Contract, Escrow Agreement

Attachment C - Complete set of Bond Numbers

Proposed Resolution - Stockton RDA 2016 Refunding Bonds

Successor Agency Approved Resolution SRD 2016-06-28-1502.pdf

Matt Paulin, Chief Executive Officer - gave a report to Council with the aid of a PowerPoint Presentation (filed)

PowerPoint Presentation - Item 15.2 Successor Agency to the Redevelopment Agency 2016 Tax Allocation Refunding Bonds

Approve **Resolution SRD 2016-06-28-1502** authorizing the taking of all necessary actions and approving all documents in connection with the refunding of enforceable obligations currently payable from tax increment revenue of the Successor Agency, as set forth below, authorizing the issuance and sale of Successor Agency's 2016 Tax Allocation Refunding Bonds (the 2016 "Bonds") in one or more series not to exceed \$130,000,000 (current issuance estimate of \$113,085,000), including the approval of the form of an indenture of trust, escrow agreement, bond purchase contract, certain refunding agreements, the modification of adopted budgets to accommodate the refunding, and authorizing certain other actions in connection therewith.

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.

15.3 16-2821 CONSIDER PLACING BEFORE THE VOTERS AT THE NOVEMBER 8, 2016, ELECTION TWO MEASURES THAT WOULD OVERTURN THE CURRENT BAN ON MEDICAL CANNABIS DISPENSARIES AND CULTIVATION AND WOULD INCREASE THE BUSINESS LICENSE TAX ON MEDICAL CANNABIS BUSINESSES

Legislation Text

Proposed Resolution - Medical Marijuana Measure

Exhibit 1 - Proposed Ordinance Medical Cannabis Cultivation

Proposed Resolution - Calling Election for Med Marijuana Tax Measure

Exhibit 1 - Proposed Ordinance Medical Cannabis Business

Approved Resolution 2016-06-28-1503-01

Approved Resolution 2016-06-28-1503-02

Gary Winuk, Attorney for Proponent - spoke in support of the Measures; provided written amendments to the proposed Measure (document filed).

Document filed by Gary Winuk - Written Amendments to Proposed Measure

Document filed by Gary Winuk - City Council Agenda Item 15.3 Medical Cannabis Ballot Measure - Additional Amendments from Proponents

Public Comment

Zach Drivon - thanked the City Attorney's office for their hard work and thoughtfulness in drafting the Ordinance; spoke in favor of the proposed Ordinance noting room left for possible future changes mandated by the State and leaving Council room to incorporate those changes

Gerardo Zuniga - spoke in support of the Ordinance as presented by the City Attorney's office

Kathleen Gapusan - spoke in support; would like to keep this item local and not have the State involved

Tocan Nguyen - spoke in opposition

Bobby Bivens - reiterated his suggestion to reinstate prior Ordinance

Motion accepting the measure as presented by the City Attorney with the addition of Amendment 2 - Local Ownership Ties and Amendment 3 - Local Sourcing of Cannabis as presented by the proponents

Moved by: Anthony Silva. Motion did not receive a second and it was lost.

NOTE: After further discussion Mayor Silva withdrew his Motion

Gary Winuk, Attorney for Proponent - spoke to collection of tax revenue if cultivators and dispensaries are consolidated; City's proposal bans dispensary owners from cultivating and bans local cultivators from applying for business licenses; policy goal is for Stockton to gather tax revenue; local sourcing is wanted by the proponents

Motion accepting the measure as presented by the City Attorney, removing language concerning a "ban" from proposed language (Section 5.100.070 A11).

Moved by: Christina Fugazi , seconded by Anthony Silva.

Vote: Motion failed 3-4

Yes: Christina Fugazi , Anthony Silva, and Daniel Wright.

No: Michael Blower, Elbert Holman, Susan Lofthus, and Michael Tubbs.

Approve **Resolution 2016-06-28-1503-01** submitting to the qualified voters at the November 8, 2016 municipal election a ballot measure proposing amendments to chapters 5.100, 16.20, 16.80 and 16.240 of the Stockton Municipal Code; requesting that the San Joaquin County Board of Supervisors add these amendments to the ballot for the November 8, 2016 election; directing the City Attorney to prepare an impartial analysis of the measure; authorizing arguments and the filing of rebuttal arguments for or against the measure; authorizing the City Manager to appropriate funds necessary to pay the City of Stockton's cost of placing the measure on the ballot; and directing the City Clerk to take steps necessary to place the measure on the ballot and to cause the measure to be printed

Moved by: Michael Tubbs, seconded by Susan Lofthus.

Vote: Motion carried 4-3

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

No: Christina Fugazi , Elbert Holman, and Anthony Silva.

Approve **Resolution 2016-06-28-1503-02** submitting to the qualified voters of the City of Stockton at the November 8, 2016 municipal election a ballot measure to amend chapters 5.98 and 5.99 of the Stockton Municipal Code to increase the City's medical cannabis business license tax rate, and to make other conforming changes in light of new state law; and directing and authorizing additional steps necessary to place the measure on the ballot

Moved by: Michael Tubbs, 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.

16. HEARINGS

16.1 16-2742 PROPOSITION 218 PUBLIC PROTEST HEARING TO CONSIDER WATER RATE INCREASES

Affidavits of posting, mailing and/or publication were filed in the office of the City Clerk.

NOTE: This item was heard at the beginning of the meeting to allow staff time to tally any additional protests received and return to Council with a final count

Legislation Text

Proposed Resolution - 2017 Water Rate Adjustments

Exhibit 1 - Stockton MUD - 2016 Water Rate Study Final Report

Approved Resolution 2016-06-28-1601

Robert Granberg, Acting Municipal Utilities Director - gave a report to Council with the aid of a PowerPoint Presentation (filed)

PowerPoint Presentation - Public Hearing on Proposed Adjustments to Water Rates

Public Comment

Ruth Davis - opposes water rate increase; expressed concern that the proposed increase figures are not accurate; spoke to size of meters and billing periods

Ned Leiba - expressed concern regarding the numbers being presented and noted the need to tie the proposed rate increase to Stockton's Financial Statement

Jemal Guillory - read a letter opposing the rate increase; filed protest

Tocan Nguyen - spoke to water quality

Steve Lipell - spoke in opposition to the water rate increase

Pamela Makelke - spoke to the proposed water rate increase by the San Joaquin County Board of Supervisors; addressed differences in mailers

Steve Colangelo - spoke in opposition to the rate increase

John M. Luebberke, City Attorney - clarified that protests must include service address, customer's name and signature to be counted appropriately; addressed Jemal Guillory's earlier comments and clarified that Mr. Guillory was reading from the Assessment provision of Proposition 218 and Stockton utilized the Fees provision which requires a majority protest

Note: At the close of the Public Hearing, the City Clerk tabulated all protests

Bonnie Paige, City Clerk - announced for the record that 91,640 notices were mailed, 364 protests were received, however, a majority protest does not exist. Clerk's Certificate Results of Tabulation filed.

Document filed by City Clerk Bonnie Paige - Certificate of Protests filed

Approve **Resolution 2016-06-28-1601:**

1. Adopting the final May, 2016 Water Rate Study as prepared by HDR Engineering, Inc.;
2. Approving the water rates adjustments as identified in the Report, and amending the City of Stockton 2016-2017 Fee Schedule to reflect those adjustments for the current fiscal year.
3. Declaring and adopting a Stage 1 Drought Surcharge; and
4. Authorizing the City Manager to take all appropriate and necessary actions to carry out the purpose and intent of the resolution.

Moved by: Elbert Holman, seconded by Daniel Wright.

Vote: Motion carried 5-2

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

No: Christina Fugazi, and Anthony Silva.

17. COUNCIL COMMENTS

None

18. ADJOURNMENT - 8:09 PM

INFORMATIONAL ITEMS

None



BONNIE PAIGE, CMC
CITY CLERK, CITY OF STOCKTON