

**MINUTES**  
**CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC FINANCING**  
**AUTHORITY/PARKING AUTHORITY CONCURRENT - REVISED TIMESTAMPED**  
**MEETING OF MAY 23, 2017**

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

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

Roll Call

Present:

Jesús Andrade  
Christina Fugazi  
Elbert Holman  
Susan Lofthus  
Michael Tubbs  
Daniel Wright

Absent:

Susan Lenz.

**2. ADDITIONS TO CLOSED SESSION AGENDA**

None

**3. ANNOUNCEMENT OF CLOSED SESSION**

**3.1 17-3586 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Five

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)

Name of Case: In Re Municipal Derivatives Antitrust Litigation, San Francisco County Superior Court JCCP No. 4555

This Closed Session is authorized pursuant to Section 54956.9(a) of the Government Code.

Legislation Text

**3.2 17-3588 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

This Closed Session is authorized pursuant to Section 54957.6(a) of the Government Code.

Legislation Text

**3.3 17-3590 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

City Manager

This Closed Session is authorized pursuant to Government Code Section 54957

Legislation Text

**3.4 17-3680 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

City Clerk

This Closed Session is authorized pursuant to Government Code Section 54957

Legislation Text

**4. PUBLIC COMMENT**

None

**5. RECESS TO CLOSED SESSION - 4:33 PM**

The Council recessed to Closed Session at 4:33 PM. The Council returned from Closed Session and recessed at 4:45 PM.

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

Roll Call

Present:

Jesús Andrade

Christina Fugazi

Elbert Holman

Susan Lofthus

Michael Tubbs

Daniel Wright

Absent:

Susan Lenz.

**7. INVOCATION/PLEDGE TO FLAG**

Rev. Dr. Kim L. Nelson, First Presbyterian Church provided the Invocation. The Pledge of Allegiance was led by Vice Mayor Holman.

**8. REPORT OF ACTION TAKEN IN CLOSED SESSION**

Assistant City Attorney Susana Alcala Wood announced that the Mayor and Council met in Closed Session to discuss one item of pending litigation. Council has authorized to proceed forward with settlement and finalization of this matter will be available in the future.

Mayor Tubbs - announced City Clerk Bonnie Paige retiring effective July 15, 2017

**9. ADDITIONS TO REGULAR SESSION AGENDA**

None

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

**10.1 Commendation**

Recipient: Carnegie Medal recipient Humberto Sanchez for his extraordinary act of heroism and fearlessly representing the spirit of Stockton

Commendation: Humberto Sanchez

**10.2 Proclamation: Stroke Awareness Month**

Recipient: Mary Nicholson, Founding Director of Healings in Motion

Proclamation: Stroke Awareness Month

Mary Nicholson - acknowledged anniversary of late husband Ernest Nicholson's passing; shared information on Brain Health to Beat Stroke Walk, Saturday June 3, 2017, 7:00 AM - 12:00 PM, McLeod Lake Weber's Point

**10.3 Proclamation: National Gun Violence Awareness Day**

Recipient: Julie Schardt, Board Member of Cleveland School Remembers - Brady Chapter

Proclamation: National Gun Violence Awareness Day

Julie Schardt - thanked Mayor Tubbs and Councilmembers for acknowledging importance of awareness; shared information on Wear Orange Rally, Friday June 2, 2017 De Carli Plaza, 4:30 - 5:30 PM (document filed)

Document filed by Julie Schardt - Wear Orange Rally

**10.4 Proclamation: National Public Works Week**

Recipients:

Gordon Mackay, Director of Public Works  
Eric Alvarez, Deputy Director of Public Works  
Jodi Almassy, Deputy Director of Public Works

Proclamation: National Public Works Week

Gordon Mackay, Director of Public Works - thanked Council for the recognition on behalf of his staff

**11. CONSENT AGENDA**

Approve Consent Agenda with a single vote, save item 11.6 which was considered separately

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

**Vote:** Motion carried 6-0

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

Absent: Susan Lenz.

**11.1 17-3602 ACCEPT THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED MARCH 31, 2017**

**Motion 2017-05-23-1101** accepting the Quarterly Investment Report for the quarter ended March 31, 2017.

Legislation Text

Attachment A - Quarterly Investment Report

**11.2 17-3322 APPROVE A PROFESSIONAL SERVICES CONTRACT WITH TRUEPOINT SOLUTIONS INC. FOR SUPPORT AND MAINTENANCE OF ACCELA PERMITTING SOFTWARE**

**Motion 2017-05-23-1102:**

1. Authorizing the City Manager to execute a three-year Professional Services Agreement with TruePoint Solutions Inc., of Loomis, CA, in the amount not to exceed \$100,000 for on-call support and maintenance for the City's Accela permitting software.

2. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Professional Services Agreement

**11.3 17-3657 APPROVE MAYORAL APPOINTMENTS TO THE MEASURE W COMMITTEE**

**Resolution 2017-05-23-1103** ratifying the Mayor's recommendations appointing Richard Walker and Julia S. Cox on the Measure W Committee for one term commencing immediately and ending December 31, 2018.

Legislation Text

Attachment A - Redacted Applications

Proposed Resolution - Appointing Two Members

Approved Resolution 2017-05-23-1103

**11.4 17-3678 APPROVE MAYORAL NOMINATION TO THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION**

**Resolution 2017-05-23-1104** adopting the nomination of Councilmember Jesús Andrade as the City of Stockton representative on the San Joaquin Local Agency Formation Commission.

Legislation Text

Proposed Resolution - Mayoral nomination to LAFCO

Approved Resolution 2017-05-23-1104

**11.5 17-3514 APPROVE ANIMAL SERVICES MEDICAL SUPPLY PURCHASES**

**Motion 2017-05-23-1105** approving findings in support of a sole source exception to the Competitive bidding process pursuant to Stockton Municipal Code section 368.070(A)(4) for the annual purchase of medicine and medical supplies for the Animal Shelter from MWI Veterinary Supply, Inc. in the amount of \$215,000.

**11.6 17-3566 APPROVE PURCHASE OF OFFICE FURNITURE FOR THE STEWART/EBERHARDT BUILDING FOURTH FLOOR TENANT IMPROVEMENT PROJECT**

Legislation Text

Attachment A - Durst Contract Interiors Quote

Attachment B - Haworth Amendment 9

Approve **Motion 2017-05-23-1106** adopting findings to support an exception to the competitive bidding requirement and authorize the purchase of office furniture from Durst Contract Interiors, Inc. for the Stewart/Eberhardt Building Fourth Floor Tenant Improvement (PW1535) project.

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

**Vote:** Motion carried 5-1

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

**No:** Christina Fugazi .

**Absent:** Susan Lenz.

**11.7 17-3446 APPROVE RESOLUTION TO AUTHORIZE THE RAPID FLASHING BEACONS INSTALLATION PROJECT AT NINE SCHOOL CROSSING LOCATIONS**

**Resolution 2017-05-23-1107:**

1. Approving the Notice of Exemption No. CE021-14 under the California Environmental Quality Act (CEQA) for the Rapid Flashing Beacons Cycle 5 (Install Flashing Beacons; Upgrade Crosswalks and Signs), Project No. PW1313/Federal Project No. HSIPL-5008(124).
2. Approving the plans and specifications for the Rapid Flashing Beacons Cycle 5 (Install Flashing Beacons; Upgrade Crosswalks and Signs), Project No. PW1313/Federal Project No. HSIPL-5008(124).
3. Accepting and appropriating additional Highway Safety Improvement Program (HSIP) Grant funds in the amount of \$120,000 to the Rapid Flashing Beacons Cycle 5 (Install Flashing Beacons; Upgrade Crosswalks and Signs), Project No. PW1313/Federal Project No. HSIPL-5008 (124).
4. Appropriating \$217,000 from Measure K Maintenance Fund to the Rapid Flashing Beacons Cycle 5 (Install Flashing Beacons; Upgrade Crosswalks and Signs), Project No. PW1313/Federal Project No. HSIPL-5008(124).
5. Awarding a Construction Contract in the amount of \$473,563 to Pacific Infrastructure Construction, LLC of Vacaville, CA, for the Rapid Flashing Beacons Cycle 5 (Install Flashing Beacons; Upgrade Crosswalks and Signs), Project No. PW1313/Federal Project No. HSIPL-5008 (124).
6. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Legislation Text

Attachment A - Vicinity Map

Attachment B - Rectangular Rapid Flashing Beacon Example

Proposed Resolution - Rapid Flashing Beacons

Exhibit 1 - Notice of Exemption CE021-14

**11.8 17-3488 APPROVE MOTION TO AUTHORIZE THE NAVY DRIVE AT I-5 SEWER TRUNK LINE**

**Motion 2017-05-23-1108:**

1. Awarding a Professional Services Contract to West Yost Associates of Davis, CA, in the amount of \$129,194, for design services for the Navy Drive at I-5 Sewer Trunk Line (Project No. M17026).
2. Approving findings pursuant to Stockton Municipal Code (SMC) section 3.68.070 in support of an exception to the competitive bidding process.
3. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Vicinity Map

Attachment B - Professional Services Contract

**12. ADMINISTRATIVE MATTERS**

None

**13. UNFINISHED BUSINESS**

None

**14. NEW BUSINESS**

**14.1 17-3558 APPROVE RENEWAL OF THE DOWNTOWN STOCKTON PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

Legislation Text

Proposed Resolution DSA PBID Renewal

Exhibit 1 - DSA Boundary Map

Exhibit 2 - DSA Management Plan

Exhibit 3 - Notice of Public Hearing

Approved Resolution 2017-05-23-1401

PowerPoint Presentation - Renewal Downtown Stockton PBID - Item 14.1

The following people spoke in support of the Renewal of the Downtown Stockton Property Business Improvement District:

Gio Trinchera, Board Member, Downtown Stockton Alliance

Mahala Burns, Chairman of the Board, Downtown Stockton Alliance

Cindi Fargo, Chief Executive Officer, Downtown Stockton Alliance (document filed)

Document filed by Cindi Fargo - Downtown Stockton Alliance

Jared Rusten

**Approve Resolution 2017-05-23-1401:**

1. Renewing the Downtown Stockton Property and Business Improvement District;
2. Accepting Petitions of Property Owners;
3. Preliminarily approving the Management District Plan and Engineer's Report;
4. Approving the proposed Boundary Map;
5. Setting a date for a Public Hearing of Protest for July 25, 2017;
6. Providing for Property Owner Ballots; and
7. Authorizing the City Manager to sign the ballot for City-owned property.

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

**Vote:** Motion carried 6-0

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

**Absent:** Susan Lenz.

**14.2 17-3406 APPROVE RENEWAL OF THE MIRACLE MILE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

Legislation Text

Proposed Resolution

Exhibit 1 - MMPBID Map

Exhibit 2 - MMPBID MDP

Exhibit 3 - MMPBID Notice

Approved Resolution 2017-05-23-1402

PowerPoint Presentation - Renewal Miracle Mile PBID Item 14.2

The following people spoke in support to the Renewal of the Miracle Mile Property and Business Improvement District:

Kevin Shawver

Denise Jefferson, former Executive Director, Miracle Mile Improvement District

Greg Bahr

Terry Hull, Chief Executive Officer, Property Management Experts (document filed)

Document filed by Terry Hull - Stockton Police Department Miracle Mile Report

John Lambeth, Attorney at Law, Civitas (document filed)

Document filed by John Lambeth - Miracle Mile Improvement District

Kevin Dougherty, Board Member, Miracle Mile Improvement District

Jeffrey Gamboni

Les Fong

Phillip Herrera

Nate Knodt

The following people spoke in opposition to the Renewal of the Miracle Mile Property and Business Improvement District:

Teddy Southern

Charles Hastings - attorney representing property owners Pat Craig and Kelly Jacobs; requests transparency in the petition process relative to petition validation

Peter Martin

Mimi Nguyen; Executive Director Miracle Mile Improvement District - explained appointment process to the Miracle Mile Improvement District board; process for petition distribution

John Lambeth, Attorney at Law, Civitas - explained petition and ballot process

Approve **Resolution 2017-05-23-1402:**

1. Approving the renewal of the Miracle Mile Property and Business Improvement District;
2. Accepting Petition of Property Owners;
3. Preliminarily approving the Management District Plan and Engineer's Report;
4. Approving the proposed Boundary Map;
5. Setting a date for a Public Hearing of Protest for July 25, 2017;
6. Providing for property owner ballots; and
7. Authorizing the City Manager to sign the ballot for City-owned property

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

**Vote:** Motion carried 6-0

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

**Absent:** Susan Lenz.

## **15. HEARINGS**

None

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

**Miscellaneous:**

Denise Bradley

Deandrea Jordan



Yolanda Huang (document filed)

Document filed by Black Lives Matter Stockton Chapter

Dionne Smith Downs

Denise Friday

Lareesha Brown

James Young

**Lincoln High School Entrepreneurship and Business Management students:**

Shadraya Austin

Jackson Phipps

**Police:**

Teresa Smith

James Smith

Aaron Paradiso

Melvin Kelley

Danny Ferria

**17. COUNCIL COMMENTS**

Councilmember Wright - requested council recognition for and gave congratulations to academic pentathlon team at Rio Calaveras Elementary School; requested meeting close in memory of Alameda County Sheriff Deputy Phillip Sroeuy Khin

Councilmember Fugazi - access to City websites need to be beefed up; appreciated case workers and case manager outreach efforts for Cal Park Magnolia Area; requested information on criteria and scope and sequence of efforts; spoke to joint meeting with San Joaquin County Board of Supervisors and the funds remaining for homeless mitigation efforts

Mayor Tubbs - responded to Councilmember Fugazi's request for information regarding outreach workers in Cal Park Magnolia area; requested and received information on the Office of Violence Prevention Role Model Mentor Training event

Vice Mayor Holman - thanked Tama Brisbane for representing Stockton at the "I Have a Dream" celebration in Atlanta; requested staff add her to next Council meeting to share experience

Councilmember Lofthus - shared experience at United Way's Power of One event, inspirational speech from key note speaker, Denise Manning

Mayor Tubbs - spoke to the nine federal agencies visit to South Stockton Promise Zone; closed the meeting in honor of Sheriff Deputy Phillip Sroeuy Khin

**18. ADJOURNMENT - 9:03 PM**



BONNIE PAIGE, CMC  
CITY CLERK, CITY OF STOCKTON