

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF NOVEMBER 6, 2018**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 4:01 PM

Roll Call

Present:

Jesus Andrade
Christina Fugazi
Elbert Holman
Susan Lofthus

Absent:

Susan Lenz, Michael Tubbs, and Daniel Wright.

NOTE: Councilmember Wright arrived to Closed Session at 4:03 PM

NOTE: Mayor Tubbs arrived to Closed Session at 4:03 PM

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 18-4908 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Seven

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: James Nance, Workers' Compensation Appeals Board, Case No. ADJ11450745

Name of Case: Paul Singh, et al. v. City of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UCR-2016-003660)

ATTACHMENT B
Name of Case: Filiberto Valencia, Sr., et al. v. City of Stockton, et al. (United States District Court, Eastern District Case No. 2:16-CV-02081-JAM-AC); Filiberto Valencia Sr., et al. v. City of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UP12018-4830)

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

Legislation Text

3.2 18-4915 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.

Department: City Attorney

Legislation Text

3.3 18-4916 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Recommended Action: City Manager

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

Department: City Attorney

Legislation Text

3.4 18-4917 CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Number of Case: One

Based on existing facts and circumstances, there is significant exposure to litigation pursuant to Government Code section 54956.9(b).

Legislation Text

4. PUBLIC COMMENT

None

5. RECESS TO CLOSED SESSION

ATTACHMENT B

The Council recessed to Closed Session at 4:03 PM. The Council returned from Closed Session and recessed at 4:30 PM.

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

Roll Call

Present:

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

Absent:

Susan Lenz.

7. INVOCATION/PLEDGE TO FLAG

The Pledge of Allegiance was led by Vice Mayor Holman. Bob Klein of the First Unitarian Universalist Church provided the invocation.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney John M. Luebberke announced there was no reportable action taken during Closed Session this evening.

9. ADDITIONS TO REGULAR SESSION AGENDA

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

10.1 PROCLAMATION: CAREGIVER APPRECIATION MONTH

Recipient - Mary Nicholson, Executive Director, Healings in Motion

Mary Nicholson, Executive Director, Healings in Motion - thanked Mayor Tubbs, City Council, and City of Stockton for the acknowledgement; shared experience with care giving

10.2 PROCLAMATION: LAW ENFORCEMENT RECORDS AND SUPPORT PERSONNEL DAY

Recipients - Stockton Police Chief Eric Jones, Captain Antonio Sajor, Jr., and Police Services Manager Matthew Meadows

Antonio Sajor, Captain, Stockton Police Department - thanked Mayor Tubbs and City Council; spoke to the work of the Police Department's records team

11. CONSENT AGENDA

Approve the Consent Calendar with a single vote save item 11.4 which was considered separately. ATTACHMENT B

Moved by: Daniel Wright, seconded by Susan Lofthus.

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

11.4 18-4731 AWARD A PURCHASE AGREEMENT FOR PARKING PAYMENT MACHINES TO IPS GROUP, INC.

Legislation Text

Proposed Resolution - Parking Payment Machines Purchase Agreement

Exhibit 1 - Purchase Agreement

Approved Resolution PA 2018-11-06-1104

Approve Resolution 2018-11-06-1104:

1) Awarding a Purchase Agreement in the amount not-to-exceed \$750,000, between the City and IPS Group, Inc. for the purchase, installation, and on-going software support of parking payment machines for the City's Parking Operation.

2) Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

3) Authorizing the Executive Director of the Parking Authority of the City of Stockton to execute the Purchase Agreement.

4) Authorizing the Executive Director to approve the appropriation of funds, in the amount of \$100,000 from the Parking Authority of the City of Stockton fund balance (Fund 419) to be used for the purchase of on-street payment machines.

5) Authorizing the Executive Director of the Parking Authority of the City of Stockton to take appropriate actions to carry out the purpose and intent of this resolution.

Moved by: Christina Fugazi , seconded by Daniel Wright.

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

11.1 18-4883 ACCEPT THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED SEPTEMBER 30, 2018

Motion 2018-11-06-1101 accepting the Quarterly Investment Report for the quarter

Legislation Text

Attachment A - Quarterly Investment Report - 09-30-2018

Attachment B - Certification of Quarterly Investment Report - 09-30-2018

11.2 18-4900 ADOPT A RESOLUTION APPOINTING MEMBERS OF THE STRONG COMMUNITIES ADVISORY COMMITTEE

Resolution 2018-11-06-1102:

1) Ratifying the following appointments to the Strong Communities Advisory Committee for terms commencing on appointment and ending June 30, 2020:

Mas'ood Cajee, (Mayor Tubbs)

Kevin Redick, (Councilmember Wright)

Lorraine Lauper, (Councilmember Lenz)

Yvonne Trevino, (Councilmember Andrade)

Legislation Text

Attachment A - Ordinance 2016-06-07-1212

Attachment B - Redacted Applications

Proposed Resolution - Committee Appointments

Approved Resolution 2018-11-06-1102

11.3 18-4946 APPROVAL OF CITY COUNCIL MINUTES

Motion 2018-11-06-1103 approving the minutes from the City Council meeting of September 18, 2018.

Legislation Text

2018-09-18 - Minutes for Approval

11.5 18-4965 RATIFICATION OF EXPENDITURES FOR EMERGENCY CLEAN-UP OF HAZARDOUS MATERIAL DISCHARGE AT CHERBOURG/MOSHER PUMP STATION

Motion 2018-11-06-1105 ratifying the expenditure of \$112,667.57 to Patriot Environmental Services, for emergency clean-up of a hazardous material discharge to the Cherbourg/Mosher Stormwater Pump Station.

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

Legislation Text

Motion 2018-11-06-1106:

1. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process; and
2. Authorizing the purchase of four (4) Automated License Plate Reader systems from LEHR; and
3. Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Automated License Plate Reader Quote

- 11.7 18-4888 ACCEPTING THE BID FROM HANGAR ONE AVIONICS, INC., AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO USE THE RECENTLY ACCEPTED \$3 MILLION AWARD FROM THE STATE OF CALIFORNIA FOR THE PURCHASE A NEW POLICE HELICOPTER IN THE AMOUNT OF \$2,767,415.49, AND PURCHASE ADDITIONAL ANCILLARY ITEMS NEEDED FOR AIR SUPPORT SERVICE AS INTENDED BY THE STATE AWARD

Motion 2018-11-06-1107:

1. Accepting the bid from Hangar One Avionics, Inc. and authorize the purchase of a new helicopter in the amount of \$2,767,415.49;
2. Authorizing the purchase of additional ancillary items needed for air support program; and
3. Authorizing the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of the motion.

Legislation Text

- 11.8 18-4895 APPROVE MOTION TO ACCEPT REQUEST TO TERMINATE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FEDERAL BUREAU OF INVESTIGATION (FBI) FOR USE OF A CLOSED-STORAGE SPACE, AND REFUND UNSPENT FUNDS IN THE AMOUNT OF \$93,767

Motion 2018-11-06-1108:

1. Authorizing the City Manager to accept request to terminate the MOU between the City of Stockton Police Department (SPD) and the Federal Bureau of Investigation (FBI) for use of a closed-storage space, and issue a refund in the amount of \$93,767.
2. Authorizing the City Manager to take all necessary and appropriate actions to carry out the purpose and intent of the motion.

Legislation Text

11.9 18-4789 APPROVE MOTION TO AWARD CONTRACT FOR THE TAM O'SHANTER DRIVE AND KNICKERBOCKER DRIVE ROUNDABOUT PROJECT

Motion 2018-11-06-1109:

1. Awarding a Professional Services Contract to Siegfried Engineering, Inc., of Stockton, CA, in the amount of \$104,000, for design services for the Tam O'Shanter Drive and Knickerbocker Drive Roundabout, Project No. PW1727/ Federal Project No. CML-5008(173).

2. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

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

11.10 18-4831 APPROVE MOTION TO AWARD CONTRACT FOR THE BRIDGE REHABILITATION AND REPLACEMENT PROGRAM PROJECT

Motion 2018-11-06-1110:

1. Awarding a Professional Services Contract to ADKO Engineering, Inc. of Roseville, CA, in the amount of \$202,973.33, for design services for the Bridge Rehabilitation and Replacement Program (Project No. PW1704/Federal Project No. BPMPL-5008(177)).

2. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

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

11.11 18-4840 APPROVE RESOLUTION TO AUTHORIZE THE 2017-18 SANITARY SEWER MAINTENANCE HOLE REHABILITATION PROJECT

Resolution 2018-11-06-1111:

1. Approving the Notice of Exemption No. CE023-18 under the California Environmental Quality Act for the 2017-18 Sanitary Sewer Maintenance Hole Rehabilitation, Project No. M18054.

2. Approving the plans and specifications for the 2017-18 Sanitary Sewer Maintenance

3. Awarding a Construction Contract in the amount of \$216,228 to SoCal Pacific Construction Corporation dba National Coating and Lining Company, of Murrieta, CA, for the 2017-18 Sanitary Sewer Maintenance Hole Rehabilitation, Project No. M18054.

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

Proposed Resolution - 2017-18 Sanitary Sewer Maintenance Hole Project

Exhibit 1 - Notice of Exemption

Exhibit 2 - Construction Contract

Approved Resolution 2018-11-06-1111

12. ADMINISTRATIVE MATTERS

None

13. UNFINISHED BUSINESS

13.1 18-4909 RECOMMENDATIONS OF THE CITY COUNCIL SALARY SETTING COMMISSION TO ADOPT AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.08 OF THE STOCKTON MUNICIPAL CODE TO SET THE SALARIES FOR THE STOCKTON CITY COUNCIL TO \$26,694.00, WITH NO BENEFITS, BEGINNING JANUARY 1, 2019 IN ACCORDANCE WITH ARTICLE IV, SECTION 410 OF THE CITY CHARTER

Legislation Text

Attachment A - Salary Setting Commission Recommendation Memo

Attachment B - Proposed Ordinance - Redline Version

Proposed Ordinance - Salary Setting

Approved Ordinance 2018-11-06-1301

PowerPoint presentation - 2018 Salary Setting Commission's Recommendation for Councilmember Salaries

The following person(s) spoke to the item: Brenda Vasquez; Diana Buettner; Ramiro Reyes; Bobby Bivens

Approve **Motion 2018-11-06-1301** approving the recommendations of the City Council Salary Setting Commission and adopting **Ordinance 2018-11-06-1301** setting the City Council's annual salary at \$26,694.00, with no benefits, effective January 1, 2019.

Moved by: Susan Lofthus, seconded by Jesus Andrade.

Vote: Motion carried 5-1

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

14. NEW BUSINESS

14.1 18-4919 ACCEPT FISCAL YEAR 2017-18 FOURTH QUARTER BUDGET STATUS UPDATE, AUTHORIZE BUDGET AMENDMENTS, AND MAKE ALLOCATIONS TO GENERAL FUND RESERVES

Legislation Text

Attachment A - FY 2017-18 Budget Update - Fourth Quarter Summary

Attachment B - FY 2017-18 Year End General Fund Revenue Summary

Attachment C - FY 2017-18 Year End Results in Other Major Funds

Proposed Resolution - FY 2017-18 4th Quarter Budget Update

Approved Resolution 2018-11-06-1401

PowerPoint presentation - 4th Quarter Report

The following person(s) spoke to the item: Michael Busby

Approve Resolution 2018-11-06-1401:

1. Accepting this budget status report on the unaudited results of the fourth quarter of Fiscal Year (FY) 2017-18.
2. Authorizing two budget appropriation carryovers from FY 2017-18 to FY 2018-19 in the following General Fund departments and amounts:
 - a. Fire Department for additional Training Academy expenses of \$50,000,
 - b. City Auditor for audit activities related to FY 2017-18 not yet completed in the amount of \$111,000
3. Authorizing four FY 2017-18 budget amendments for the following General Fund departments:
 - a. City Attorney's Office for additional Council directed code enforcement expenses incurred in excess of the budget of \$76,000,
 - b. Public Works Department to cover increased water costs of \$144,000,
 - c. Office of Violence Prevention to cover salary expenses for grant funding expected but not received in the amount of \$170,000, and
 - d. Allocate vacancy savings budget from Non-departmental - Other Administration category as shown below:

Department	Amount
------------	--------

City Clerk \$109,000

ATTACHMENT B

City Manager \$19,000

Economic Development \$11,338

Administrative Services \$111,000

Total \$250,338

4. Authorizing a \$24,100 increase to the FY 2017-18 Annual Budget in the Separation Pay Fund from the fund balance for greater than anticipated separation payouts.

5. Modifying appropriations for two Municipal Utilities Capital Projects as listed below:

a. Increase allocation for American Legion Park Pump Station Roof Repair Project (Project Number M13026) by \$53,000

b. Change funding source of Newcastle Road and South Airport Way Water Transmission Main, Phase 2 (Project Number M18053) and Water Well #10 (Project No. M17002) from bond proceeds to Water Utility fund balance

6. Allocating available fund balance to reserve categories consistent with the Council Reserve and Fund Balance Policy - General Fund Policy. The net increase in fund balance will be added to the current reserve levels, as displayed in Table 4, to achieve the total reserve amounts as follows:

Priority 1 Reserves

Working Capital \$36,777,000

Known Contingency \$37,240,000

Priority 2 Reserves

Risk-Based Reserves \$4,983,000

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

Moved by: Daniel Wright, seconded by Susan Lofthus.

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

14.2 18-4833 EXTENSION OF THE GREATER DOWNTOWN STOCKTON RESIDENTIAL AND CITY-WIDE AFFORDABLE HOUSING DEVELOPMENT PUBLIC FACILITIES FEE EXEMPTIONS

Attachment A - Resolution 2018-07-17-1302

Attachment B - Resolution 2016-01-12-1206

Attachment C - Resolution 2018-02-06-0504

Proposed Resolution - Residential and City-Wide Affordable Housing

Approved Resolution 2018-11-06-1402

PowerPoint presentation - City-Wide Affordable Housing Development Fee Exemptions

The following person(s) spoke off topic: Michael Busby

Approve **Resolution 2018-11-06-1402:**

1. Authorizing the extension of the Greater Downtown Stockton Residential and City-wide Affordable Housing Development Public Facilities Fee Exemptions until December 31, 2020.

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

Moved by: Susan Lofthus, seconded by Daniel Wright.

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

14.3 18-4876 APPROVE NEW HIRE STOCKTON PROGRAM TO SUPPORT HIRING AND TRAINING OF LOCAL RESIDENTS FROM ECONOMICALLY DISADVANTAGED AREAS

Legislation Text

Attachment A - Hire Stockton Census Tract Map

Proposed Resolution - Hire Stockton

Exhibit 1 - Hire Stockton Program Guidelines

Approved Resolution 2018-11-06-1403

PowerPoint presentation - Hire Stockton Program

The following person(s) spoke to the item: Bobby Bivens; Diana Buettner

Approve **Resolution 2018-11-06-1403:**

1. Approving the new Hire Stockton program to support the hiring and training of local Stockton residents from economically disadvantaged areas; and

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

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

15. HEARINGS

15.1 18-4889 CONDUCT A PUBLIC HEARING AND AUTHORIZE THE STOCKTON PUBLIC FINANCING AUTHORITY TO SELL LOCAL AGENCY REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$27,500,000, THE PROCEEDS OF WHICH WILL BE USED TO PURCHASE TWO LOCAL OBLIGATIONS ISSUED BY THE CITY OF STOCKTON TO (1) REFUND CITY OF STOCKTON ARCH ROAD EAST COMMUNITY FACILITIES DISTRICT NO. 99-02 2007 SPECIAL TAX BONDS AND (2) PROVIDE ADDITIONAL CITY CAPITAL FUNDING

Legislation Text

Attachment A - Description of Documents and Terms Used

Attachment B - Good Faith Estimate

Proposed Resolution 1 - City Authorizing Bond Issuance

Exhibit 1 to Resolution 1 - Fiscal Agent Agreement

Exhibit 2 to Resolution 1 - Escrow Agreement

Exhibit 3 to Resolution 1 - Preliminary Official Statement

Exhibit 4 to Resolution 1 - CFD Bonds Purchase Agreement

Exhibit 5 to Resolution 1 - CFD Construction Agreement

Proposed Resolution 2 - SPFA Authorizing Bond Issuance

Exhibit 1 to Resolution 2 - Indenture of Trust

Exhibit 2 to Resolution 2 - Preliminary Official Statement

Exhibit 3 to Resolution 2 - CFD Bonds Purchase Agreement

Exhibit 4 to Resolution 2 - Bond Purchase Agreement

Exhibit 5 to Resolution 2 - Escrow Agreement

Approved Resolution 2018-11-06-1501

Approved Resolution PFA 2018-11-06-1501

PowerPoint presentation - Plan of Finance/Refunding and Savings Analysis

Approve **Resolution 2018-11-06-1501** of the City of Stockton and **Resolution PFA 2018-11-06-1501** of the Stockton Public Financing Authority authorizing the issuance and sale of Stockton Public Financing Authority Revenue Bonds (City of Stockton Arch Road East Community Facilities District ("CFD") 99-02) Series 2018 (the "Revenue Bonds") in the estimated amount of \$24,510,000 (not to exceed \$27,500,000), and approving all necessary actions and approving all documents in connection with the refunding program for the City of Stockton Arch Road East CFD 99-02 District ("the District") as set forth

below and approving use of the proceeds of the Revenue Bonds to purchase an ^{ATTACHMENT B} estimated \$24,510,000 (not to exceed \$27,500,000) amount of Special Tax Refunding Bonds Series 2018A and Special Tax Bonds, Series 2018B issued by the City of Stockton (the "Local Obligations") (Attachment A).

Moved by: Christina Fugazi , seconded by Jesus Andrade.

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

15.2 18-4802 APPROVE THE SAN JOAQUIN MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN 2019 DEVELOPMENT FEE SCHEDULE

Legislation Text

Attachment A - 2019 Fees and Analysis

Proposed Resolution - SJMSCP Development Fee Schedule

Approved Resolution 2018-11-06-1502

PowerPoint presentation - SJ County Multi-Species Habitat Conservation and Open Space Development Fee

Approve **Resolution 2018-11-06-1502** approving the San Joaquin Multi-Species Habitat Conservation and Open Space Plan 2019 development fee schedule.

Moved by: Susan Lofthus, seconded by Elbert Holman.

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

15.3 18-4892 HOLD A PUBLIC HEARING TO ANNEX TERRITORY AND TO FORM A NEW ZONE IN THE STOCKTON CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT NO. 2005-1

Legislation Text

Attachment A - Engineers Report

Attachment B - Assessment Diagram

Proposed Resolution - Zone 14 Formation - Assessment District 2005-1

Exhibit 1 - Signed Consent and Waiver

Approved Resolution 2018-11-06-1503

PowerPoint presentation - Calaveras Estates IV Annexation to Calaveras Estates, Zone 14

City Clerk's Certificate Regarding Assessment Ballots - Calaveras Estates IV - Zone 14

ATTACHMENT B

Eliza Garza, Senior Deputy City Clerk - read statement on behalf of Deputy City Manager/Interim Stockton City Clerk Christian Clegg certifying the results of the balloting (document filed)

Approve Resolution 2018-11-06-1503:

1. Overruling any and all public hearing protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the Resolution of Intention.
2. Approving annexing the territory to Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, Calaveras Estates IV and forming Zone 14 therein, to maintain and operate storm drainage improvements.
3. Specifying that the public interest would be served by establishing Zone 14 and levying annual assessments for the costs to maintain and operate the storm drainage improvements.
4. Confirming and finally approving the proposed boundary map and Engineer's Report and order recording of the assessment diagram.

Authorizing and directing the City Manager or his designee to execute all documents, including, but not limited to, agreements and amendments.

Authorizing the City Manager to take appropriate and necessary action to carry out the purpose and intent of the Resolution.

Moved by: Daniel Wright, seconded by Elbert Holman.

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

15.4 18-4870 CALAVERAS ESTATES UNIT NO. IV ANNEXATION TO CALAVERAS ESTATES UNIT NO. 2, ZONE D-4 OF THE STOCKTON CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 96-2

Legislation Text

Attachment A - Vicinity Map

Attachment B - Request to Annex from Florsheim Homes

Proposed Resolution - Calaveras Estates

Exhibit 1 - Consent and Waiver

Approved Resolution 2018-11-06-1504

PowerPoint presentation - Calaveras Estates IV Annexation to Calaveras Estates Unit No. 2, Zone D-4

City Clerk's Certificate Regarding Assessment Ballots - Calaveras Estates IV Annexation to Consolidated Landscape District 96-2

Approve **Resolution 2018-11-06-1504:**

1. Accepting the written Consent and Waiver submitted by all owners of the property subject to the annexation of territory to the assessment maintenance district and levy of assessment.
2. Overruling any and all protests or objections, including all written protests not withdrawn in writing before the conclusion of the public hearing, to the proposed annexation and levy of assessment.
3. Declaring the ballot measure has been submitted to the voters of land proposed for annexation and after the tabulation of the assessment ballots submitted and not withdrawn, that a majority protest against the annexation and levy of assessment does not exist because the assessment ballots submitted in opposition to the assessment, in terms of dollars of assessment, did not exceed the ballots submitted in favor of the assessment.
4. Approving the Annexation Boundary Map and Assessment Diagram.
5. Based on the oral and documentary evidence offered and received at the public hearing, this Council expressly finds and determines that:
 - a. The territory to be annexed will be specially benefited by the maintenance of the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the subdivisions of land, respectively; and
 - b. There is substantial evidence to support, and the weight of the evidence preponderates in favor of, the finding and determination as to special benefits.
6. Ordering the territory annexed to Calaveras Estates Unit No. 2, Zone D-4, Stockton Consolidated Landscape Maintenance Assessment District No. 96-2.
7. Ordering the improvements be maintained, confirm the formula and method of assessment, and that the maximum Fiscal Year (FY) 2018-19 annual assessment is established in the amount of \$1,156.46 per dwelling unit equivalent factor (dueF).
8. Finding, determining, and ordering that the maximum annual assessment set forth in Section 7 shall be annually increased in an amount equal to the greater of: (1) three percent, or (2) the annual percentage increase of the Local Consumer Price Index (CPI). The CPI applied is the San Francisco-Oakland-San Jose County Area for all Urban Consumers as developed by the U.S. Bureau of Labor Statistics for a similar period.
9. Finding, determining, and ordering that the actual FY 2019-20 levy on each dueF will be determined at the City of Stockton's FY 2019-20 annual Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 budget proceedings.
10. Directing the City Clerk to comply with Section 22641 of the Streets and Highways Code. The County Auditor/Controller is requested to comply with the provisions of Section 22645 of the Streets and Highways Code in the collection of installments of

Authorizing and directing the City Manager or his designee to execute all documents, including, but not limited to, agreements and amendments.

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

Moved by: Elbert Holman, seconded by Jesus Andrade.

Vote: Motion carried 6-0

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

Absent: Susan Lenz.

16. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

Beverly Lewis Clarke, President, Assistance League of Stockton - requested commendation from Council (document filed)

Document filed by Beverly Lewis Clarke - Assistance League Thrift Shop

Steven Turner - pornography

Dorothy Nicolas, Assistance League - homelessness; Assistance League of Stockton funding (document filed)

Document filed by Dorothy Nicolas - Address to City Council

Michael Busby - Parks and Recreation Department budget

Brenda Vazquez - homelessness

Bobby Bivens, President, National Association for the Advancement of Colored People (NAACP) Stockton Branch - annual NAACP Freedom Fund Dinner; State NAACP Convention

Diana Buettner - sidewalks on California Street; Americans with Disabilities Act (ADA) compliance

Kathleen Gapusan - homelessness

17. COUNCIL COMMENTS

Councilmember Fugazi - homeless program for Assistance League of Stockton; homeless forum at First Baptist Church; Oak Park Senior Center 50th Anniversary Courtyard Beautification, Nov 9, 2018, from 2:00 PM to 5:00 PM, www.lovestockton.com; Hmong New Year at the San Joaquin County Fairgrounds, November 10 and 11, 2018; Veteran's Day Celebration at the Fox Theater, Sunday November 11, 2018, breakfast served at 9:00 AM, event starting at 10:30 AM; thanked all who voted; polling locations available at www.sjc.rov.org;

Councilmember Wright - Strong Communities Advisory Committee appointments; City of Stockton Board and Commission application

18. ADJOURNMENT - 7:12 PM

INFORMATIONAL ITEMS

1. 18-4747 COUNCIL COMMITTEE / BOARDS AND COMMISSION MINUTES

RECOMMENDATION

Information only. No action required.

Legislation Text

2018-06-21 - Civil Service Commission Minutes

2018-05-24 - Planning Commission Minutes

2018-07-26 - Planning Commission Minutes

2018-08-02 - Planning Commission Minutes

2018-07-19 - Civil Service Commission Minutes

2018-05-29 - Measure A Committee Minutes

2018-08-16 - Civil Service Commission Minutes

2018-08-23 - Planning Commission Minutes

2015-08-19 - Climate Action Plan Advisory Committee Minutes

2016-03-17 - Climate Action Plan Advisory Committee Minutes

2018-08-02 - Climate Action Plan Advisory Committee Minutes

2018-09-20 - Civil Service Commission Minutes

2018-07-09 - Council Audit Committee Minutes


for **CHRISTIAN CLEGG**
INTERIM STOCKTON CITY CLERK