

**MINUTES  
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT  
AGENCY/PUBLIC FINANCING AUTHORITY/PARKING AUTHORITY  
CONCURRENT  
MEETING OF MARCH 23, 2021**

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

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

Roll Call

Present:

Paul Canepa

Christina Fugazi

Sol Jobrack

Susan Lenz

Kevin J Lincoln II

Kimberly Warmsley

Daniel Wright

**2. ADDITIONS TO CLOSED SESSION AGENDA**

None

**3. ANNOUNCEMENT OF CLOSED SESSION**

**3.1 21-0128 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Two Name of Case: Deputy Fire Chief II Matthew Duaime (Workers' Compensation Board Case No. ADJ12150548) Name of Case: Kurt Wilson v. City Council of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UWM-2019-12404) This Closed Session is authorized pursuant to section 54956.9(a) of the Government Code.

Legislation Text

**3.2 21-0130 CONFERENCE WITH LABOR NEGOTIATOR**

Agency Designated Representative: City Manager Harry Black 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.

Legislation Text

**3.3 21-0132 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

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

Legislation Text

**3.4 21-0134 CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Number of Cases: 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**

The Council recessed to Closed Session at 4:31 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:

Paul Canepa  
Christina Fugazi  
Sol Jobrack  
Susan Lenz  
Kevin J Lincoln II  
Kimberly Warmesley  
Daniel Wright

**7. INVOCATION/PLEDGE TO FLAG**

The Pledge of Allegiance was led by Councilmember Jobrack.

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

City Attorney John Luebberke reported that there was no reportable action taken during Closed Session this evening

**9. ADDITIONS TO REGULAR SESSION AGENDA**

None

**10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS**

**10.2 21-0210 COMMENDATION: THE GREATER STOCKTON CHAMBER OF COMMERCE AND CENTRAL VALLEY ASSOCIATION OF REALTORS - 2020 STOCKTONIAN OF THE YEAR**

Recipient: Mrs. Reddish

Legislation Text

**10.3 21-0214 PROCLAMATION: AMERICAN RED CROSS MONTH - MARCH 2021**

Legislation Text

**10.1 21-0162 COMMENDATION: 50 YEARS OF SERVICE TO THE UNIVERSITY OF THE PACIFIC AND THE COMMUNITY**

RECIPIENT: Dr. Eugene Pearson

Legislation Text

Dr. Eugene Pearson - thanked the Council for the Commendation and reflected on his great career

Christopher Callahan, Pacific President - thanked the Council for honoring Dr. Eugene Pearson

**10.4 21-0209 PROCLAMATION: MAY 2021 ASIAN AMERICAN PACIFIC ISLANDER HERITAGE MONTH**

Recipient: Linda Clarano

Legislation Text

**10.5 21-0211 PROCLAMATION: MAY 2021 DENUNCIATION ANTI-ASIAN HATE**

Legislation Text

Recipient: Val Acoba

Val Acoba -thanked the Council for this Proclamation; anti- racism;  
cultural diversity of Stockton

**10.6 21-0212 PROCLAMATION: MARCH 23, 2021 VIETNAM WAR ERA  
VETERANS RECOGNITION DAY**

Legislation Text

Receipient: Mayor Lincoln

Sam Pachuca, Stockton Veterans of Foreign Wars - thanked the Council  
for the Proclamation; military recognitions

**10.7 21-0213 PROCLAMATION: NATIONAL SOCIAL WORK MONTH -  
MARCH 2021**

Legislation Text

Recipient: Gauri Sanchez

Gauri Sanchez - thanked Council for the Proclamation; mental health,  
social work

**10.8 PROCLAMATION: INTERNATIONAL WOMEN'S DAY - MARCH 8, 2021**

**11. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA**

Kathleen Gapusan - Item 16.2, marijuana legislation, Planning  
Commission

Cynthia Gail Boyd - police department; civil rights

The follow persons submitted electronic public comment: Babara  
Barrigan Barrea; Katya Evanhoe; Sharon Jarvis; Brenda Martinez Oriz;  
Midtown Stockton

Electronic Public Comment

**12. CONSENT AGENDA**

Approve the Consent Agenda with a single vote

**Moved by:** Daniel Wright, seconded by Paul Canepa.

**Vote:** Motion carried 7-0

**Yes:** Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Kevin J  
Lincoln II, Kimberly Warmesley, and Daniel Wright.

**12.1 21-0200 ADOPT A RESOLUTION APPROVING THE DISPLAY OF THE GREEK FLAG IN COMMEMORATION OF THE 200TH ANNIVERSARY OF GREEK INDEPENDENCE DAY**

**Resolution 2021-03-23-1201** authorizing the City of Stockton to display the Greek Flag from March 25, 2021 to March 29, 2021.

Legislation Text

Proposed Resolution - Flag Display

Approved Resolution 2021-03-23-1201

**12.2 21-0036 APPROVE A MOTION TO UTILIZE CALNET NEXTGEN PARTICIPATING AGREEMENT FOR CELLULAR VOICE AND DATA SERVICES**

**Motion 2021-03-23-1202:**

1. Authorizing the City Manager to utilize the State of California CALNET NextGeneration (NextGen) contract (Attachment A) for AT&T Mobility cellular voice and data services for the remainder of the contract, which expires on June 30, 2023, and exercise any optional extensions to this agreement;
2. Authorizing the City Manager to utilize the State of California contract with AT&T for Public Safety (FirstNet) broadband services (Attachment B) for the remainder of the contract, which expires on October 21, 2023, and exercise any optional extensions to this agreement;
3. Authorizing the City Manager to utilize the State of California CALNET NextGen contract for Verizon Wireless cellular voice and data services (Attachment C) for the remainder of the contract, which expires on June 30, 2023, and exercise any optional extensions to this agreement;
4. Authorizing the City Manager to utilize the State of California CALNET NextGen contract for Verizon Wireless CALNET First Responder Cellular Services (FirstNet) (Attachment C) for the remainder of the contract, which expires on June 30, 2023, and exercise any optional extensions to this agreement;
5. Authorizing the City Manager to enter into these agreements in the estimated amount of \$3,783,218;
6. Approving findings that support and justify an exception to the competitive bid process; and
7. Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - ATT CALNET NextGen Cellular

Attachment B - ATT CALNET NextGen FirstNet

Attachment C - Verizon CALNET NextGen Cellular FirstNet

**13. ADMINISTRATIVE MATTERS**

None

**14. UNFINISHED BUSINESS**

None

**15. NEW BUSINESS**

**15.1 21-0082 APPROVE THE 2021 STOCKTON TOURISM BUSINESS IMPROVEMENT DISTRICT BUDGET AND SERVICE PLAN, AND 2020 ANNUAL REPORT**

Legislation Text

Proposed Resolution - TBID Visit Stockton 2021

Exhibit 1 - TBID Visit Stockton 2021 Service Plan

Exhibit 2 - TBID Visit Stockton 2020 Annual Report

Exhibit 3 - TBID Visit Stockton 2021 Budget

Approved Resolution 2021-03-23-1501

Powerpoint

**Approve Resolution 2021-03-23-1501:**

1. Approving the 2021 Annual Service Plan for the Stockton Tourism Business Improvement District.
2. Approving the 2021 Operating Budget and Assessment for the Stockton Tourism Business Improvement District.
3. Approving the 2020 Annual Report for the Stockton Tourism Business Improvement District.
4. Authorizing the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose of this resolution.

**Moved by:** Paul Canepa, seconded by Christina Fugazi .

**Vote:** Motion carried 7-0

**Yes:** Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Kevin J

Lincoln II, Kimberly Warmesley, and Daniel Wright.

**15.2 21-0089 APPROVE DOWNTOWN STOCKTON ALLIANCE PROPOSED 2021 ANNUAL OPERATING BUDGET AND THE 2020 ANNUAL REPORT**

Legislation Text

Proposed Resolution - DSA Budget and Annual Report

Exhibit 1 - DSA 2021 Budget

Exhibit 2 - DSA 2020 Annual Report

Approved Resolution 2021-03-23-1502

Powerpoint

**Approve Resolution 2021-03-23-1502:**

1. Approving the 2021 Operating Budget of the Downtown Stockton Alliance, a non-profit corporation, which operates the Downtown Stockton Management District;
2. Approving the 2020 Annual Report; and
3. Authorizing the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose of this resolution.

**Moved by:** Christina Fugazi , seconded by Paul Canepa.

**Vote:** Motion carried 7-0

**Yes:** Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

**15.3 21-0088 MIRACLE MILE IMPROVEMENT DISTRICT PROPOSED 2021 ANNUAL OPERATING BUDGET AND 2020 ANNUAL REPORT**

Legislation Text

Attachment A - MMID Boundary Map

Proposed Resolution - 2021 MMID

Exhibit 1 - MMID 2021 Budget

Exhibit 2 - MMID 2020 Annual Report

Approved Resolution 2021-03-23-1503

Powerpoint

**Approve Resolution 2021-03-23-1503:**

1. Approving the proposed 2021 Operating Budget for the Property Based Improvement District commonly known as the Miracle Mile Improvement District.
2. Approving the 2020 Annual Report for the Miracle Mile Improvement District.
3. Authorizing the City Manager, or designee, to take necessary and appropriate actions to carry out the purpose of this resolution.

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

**Vote:** Motion carried 7-0

**Yes:** Paul Canepa, Christina Fugazi, Sol Jobrack, Susan Lenz, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

**15.4 21-0090 COMMUNITY CHOICE AGGREGATION FEASIBILITY STUDY INFORMATIONAL PRESENTATION**

This item was informational only. No action was taken.

Legislation Text

Attachment A - Stockton CCA Feasibility Study

Attachment B - Figure ES-4

Powerpoint

The following persons provided public comment: Clay Sandidge; Taylor Williams; Julie Gill; Shawn Marshall

The follow persons submitted electronic public comment: Guest Users; Richard Abood; Paul Plathe; Dave Atherton; Liszet Burgeuno; Danica Foronda; Justina Caras; Margo Praus; Susan Schnieder, PHD; Kenda Templeton; David Harper; Wood Hastings; Yoli Park; Jonathan Pruit

Electronic Public Comments

**15.5 21-0100 ADOPT RESOLUTION TO AUTHORIZE REMOVAL OF CITY STREET TREES AND STUMPS**

Legislation Text

Attachment A - Stump Removal Map and List

Attachment B - Tree Removal Map and List

Proposed Resolution - Removal of City Trees and Stumps

Exhibit 1 - NOE04-21



Exhibit 2 - Construction Contract

Approved Resolution 2021-03-23-1505

Powerpoint

Approve **Resolution 2021-03-23-1505:**

1. Approving the Notice of Exemption No. NOE04-21 under the California Environmental Quality Act for Removal of City Street Trees and Stumps, Project No. WP21024.
2. Approving the specifications for Removal of City Street Trees and Stumps, Project No. WP21024.
3. Awarding a Construction Contract in the amount of \$622,650 to The Original Mowbray's Tree Service, Inc. of San Bernardino, CA, for Removal of City Street Trees and Stumps, Project No. WP21024.

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

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

**Vote:** Motion carried 7-0

**Yes:** Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

**15.6 21-0145 APPOINTMENT TO THE STOCKTON CIVIL SERVICE COMMISSION**

Legislation Text

Attachment A - Redacted Applications - SCS

Proposed Resolution - CSC Appointment

Approved Resolution 2021-03-23-1506

Approve **Resolution 2021-03-23-1506** appointing Rene Bayardo to the Civil Service Commission/Equal Employment Commission for a term effective immediately and ending June 30, 2023.

**Moved by:** Paul Canepa, seconded by Daniel Wright.

**Vote:** Motion carried 7-0

**Yes:** Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

**16. HEARINGS**

**16.1 20-7584 ADOPT THE 2020 GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORTS AND AUTHORIZE STAFF TO SEND THE REPORTS TO THE STATE**

Legislation Text

Attachment A - 2020 General Plan APR

Attachment B - 2020 Housing Element APR

Powerpoint

Approve **Motion 2021-03-23-1601** adopting the 2020 Annual Progress Reports (APRs) for the Envision Stockton 2040 General Plan and the 2015-2023 Housing Element and authorize Staff to send the reports to the State of California Department of Housing and Community Development (HCD) and the Office of Planning and Research (OPR) as required by State Law.

**Moved by:** Daniel Wright, seconded by Sol Jobrack.

**Vote:** Motion carried 7-0

**Yes:** Paul Canepa, Christina Fugazi, Sol Jobrack, Susan Lenz, Kevin J Lincoln II, Kimberly Warmesley, and Daniel Wright.

**16.2 21-0052 APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS, ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS, AND A WAIVER OF CANNABIS BUSINESS LOCATION REQUIREMENTS - AT 6709 PLYMOUTH ROAD, SUITES C & D (APPLICATION NO. P20-0596)**

Legislation Text

Attachment A - Location Map

Attachment B - Appeal Letter

Attachment C - Proposed Site Plan

Attachment D - Neighborhood Context Information

Attachment E - Existing Retail Storefront Businesses

Attachment F - Resolution 2021-01-14-0302

Proposed Resolution - CC Approval of P20-0596

Exhibit 1 - Proposed Plans

Approved Resolution 2021-03-23-1602

Powerpoint

The following persons provided public comment: Sara Pressler; Cynthia Morgan Reed; Robert Borello

The follow persons submitted electronic public comment: Judy Kane, Holly B; Michael Murray; Krystah Carlisle; Audrey Faucett; Maddi Ousa; Jose Reyes; Stephanie Cortez; D'Adrea Davie

Electronic Public Comment

Document filed by Cynthia Morgan Reed - supplemental letter

Document filed by Jeff Sanguinetti - letter regarding appeal

Approve **Resolution 2021-03-23-1602** denying the appeal and upholding the decision of the Planning Commission

**Moved by:** Christina Fugazi , seconded by Paul Canepa.

**Vote:** Motion carried 6-1

**Yes:** Paul Canepa, Christina Fugazi , Sol Jobrack, Susan Lenz, Kevin J Lincoln II, and Kimberly Warmesley.

**No:** Daniel Wright.

**17. CITY MANAGER'S UPDATE**

None

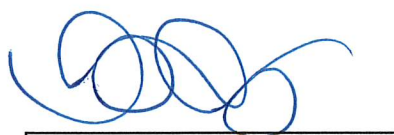
**18. COUNCIL COMMENTS**

Councilmember Fugazi - thanked woman working for the City of Stockton; AB 617; Stockton diamond project, informational zoom meeting April 6, 2021 6:00 PM - 7:30 PM; thanked Public Works, clean up; Stockton Hot Teams; rental assistance program; bicyclists; Ask Stockton tutorial; loads of hope, washing machines for homeless

Councilmember Canepa - thanked Councilmember Fugazi, reusable water bottles; thanked Councilmember Warmesley, International Woman's day; Village Marina, gold star

Mayor Lincoln - Village West, thanked city staff

**19. ADJOURNMENT - 10:51 PM**



ELIZA R. GARZA, CMC  
STOCKTON CITY CLERK