

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY/PUBLIC FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF SEPTEMBER 26, 2023**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 4:00PM

Roll Call

Present:

Michael Blower
Brando Villapudua
Michele Padilla
Susan Lenz
Kevin J Lincoln II
Kimberly Warmsley

Absent:

Daniel Wright.

Note: Councilmember Wright arrived to Closed Session at 4:03 PM.

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 23-0751 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Two

Name of Case: Laura Dinges v. City of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UPI-2019-17043)

Name of Case: Kurt Wilson v. City Council of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UVM-2019-12404)

This Closed Session is authorized pursuant to section 54956.9(d)(1) of the Government Code.

Legislation Text

3.2 23-0752 CONFERENCE WITH LABOR NEGOTIATOR

Legislation Text

3.3 23-0754 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

3.4 23-0756 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

3.5 23-0758 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

3.6 23-0760 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(d)(2).

Legislation Text

4. CLOSED SESSION PUBLIC COMMENT

None

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:01 PM. The Council returned from Closed Session and adjourned at 4:20 PM

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

Roll Call

Present:

Michael Blower
Brando Villapudua
Michele Padilla
Susan Lenz
Kevin J Lincoln II
Kimberly Warmsley
Daniel Wright

7. INVOCATION/PLEDGE TO FLAG

The Pledge was led by Councilmember Villapudua. The Invocation was provided by Pastor Weston Rapozo of Calvary Chapel Stockton.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

Lori Asuncion, City Attorney - reported in the matter of Laura Dinges vs. City of Stockton, et al San Joaquin County Superior Court Case #STKCVUPI2019-17043, City Council voted unanimously 7-0 to settle in the amount of \$650,000 dollars

9. ADDITIONS TO REGULAR SESSION AGENDA***

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

10.1 PROCLAMATION: CODE ENFORCEMENT OFFICER APPRECIATION WEEK

Recipients: Almarosa Vargas and Code Enforcement Officers

Almarosa Vargas - thanked City of Stockton and Councilmembers

11. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

Pat Barrett - AdHoc Committee

Rudy Hurtado - street clean up; crime in City

Zoyla Moreno - district six issues; Measure A

Cerissa Simmons - downtown shooting

Diana Buettner - time limit for speakers

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote save for items 12.5 and 12.6 which were considered separately.

Moved by: Daniel Wright, seconded by Kimberly Warmsley.

Vote: Motion carried 7-0

Yes: Michael Blower, Brando Villapudua, Michele Padilla, Susan Lenz, Kevin J Lincoln II, Kimberly Warmsley, and Daniel Wright.

12.1 23-0874 APPROVAL OF CITY COUNCIL MINUTES

Motion 2023-09-26-1201 approving the minutes from the City Council meetings of August 3, 2023 and August 22, 2023.

[Legislation Text](#)

[Attachment A - 2023-08-03 Minutes.pdf](#)

[Attachment B - 2023-08-22 Minutes .pdf](#)

12.2 23-0835 APPROVE A MOTION AUTHORIZING A SERVICE AGREEMENT WITH XYLEM DEWATERING SOLUTIONS INC., DBA WACHS WATER SERVICES FOR HYDRANT INSPECTION SERVICES

Motion 2023-09-26-1202:

1. Authorizing the City Manager to execute a three-year service agreement in the amount of \$363,050 with Xylem Dewatering Solutions Inc., dba Wachs Water

Services to provide hydrant inspection services.

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

Legislation Text

Attachment A - Hydrant Inspection Agreement

12.3 23-0822 ADOPT A RESOLUTION TO AUTHORIZE CONTRACT AMENDMENT NO. 3 WITH KEMIRA WATER SOLUTIONS, INC. TO PURCHASE FERRIC AND FERROUS CHLORIDE FOR WASTEWATER TREATMENT

Resolution 2023-09-26-1203 authorizing contract Amendment No. 3 (Exhibit 1 to the Resolution) in the amount of \$2,003,771 with Kemira Water Solutions, Inc. to accept the annual price adjustments and increase funding to purchase ferric chloride and ferrous chloride for wastewater treatment.

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

Legislation Text

Proposed Resolution

Exhibit 1 - Contract Amendment

Approved Resolution 2023-09-26-1203

12.4 23-0814 APPROVE RESOLUTION ACCEPTING A DRIVING UNDER THE INFLUENCE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT AWARD FROM THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY IN THE AMOUNT OF \$500,000

Resolution 2023-09-26-1204:

1. Authorizing the City Manager, or designee, to accept a Driving Under the Influence Selective Traffic Enforcement Program grant award from the State of California Office of Traffic Safety in the amount of \$500,000;

2. Authorizing the City Manager, or designee, to execute Grant Agreement PT24202 and all related documents to carry out the purpose and intent of the grant award;

3. Amending the Fiscal Year 2023-24 Annual Budget to increase the Police Grants & Special Programs revenue and expenditure appropriation by \$500,000; and

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

Legislation Text

Proposed Resolution - Grant Agreement PT24202

Exhibit 1 - Grant Agreement - PT24202

Approved Resolution 2023-09-26-1204

12.5 ~~23-0721~~ ~~ADOPT A RESOLUTION TO AUTHORIZE THE PLAYGROUND EQUIPMENT REPLACEMENT PROJECT~~

Legislation Text

Attachment A - Vicinity Map

Attachment B - Playground Renderings

Proposed Resolution

Exhibit 1 - Contract - Miracle Construction

Exhibit 2 - Contract - Yosso Group

Exhibit 3 - Contract - Ross Recreation

Approved Resolution 2023-09-26-1205

Approve Resolution 2023-09-26-1205:

1. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
2. Approving the plans and specifications for the Playground Equipment Replacement, Project No. WP22026.
3. Awarding a Construction Contract in the amount of \$139,998.57 to Miracle Construction Company, Inc., DBA Miracle Playsystems of Alamo, CA, to provide and install a playground at Brooking Park.
4. Awarding a Construction Contract in the amount of \$246,499.00 to Yosso Group, Inc., DBA Specified Play Equipment Co. of Burlingame, CA, to provide and install a playground at Panella Park.
5. Awarding a Construction Contract in the amount of \$139,954.62 to Ross Recreation of Santa Rosa, CA, to provide and install a playground at Weber Park.

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

Moved by: Kimberly Warmsley, seconded by Daniel Wright.

Vote: Motion carried 7-0

Yes: Michael Blower, Brando Villapudua, Michele Padilla, Susan Lenz, Kevin J Lincoln II, Kimberly Warmsley, and Daniel Wright.

12.6 23-0730 APPROVE MOTION TO AUTHORIZE THE PACIFIC GAS AND ELECTRIC EXTENSION AGREEMENT FOR THE MCKINLEY PARK RENOVATION PROJECT

Legislation Text

Attachment A - Vicinity Map

Attachment B - Gas & Electric Extension Agreement

Approve **Motion 2023-09-26-1206** approving and authorizing the City Manager to execute the Gas and Electric Extension Agreement with Pacific Gas and Electric in the amount of \$135,632.34, for the electrical and gas upgrades for the McKinley Park Renovation, Project No. WR21017.

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

Moved by: Kimberly Warmsley, seconded by Daniel Wright.

Vote: Motion carried 7-0

Yes: Michael Blower, Brando Villapudua, Michele Padilla, Susan Lenz, Kevin J Lincoln II, Kimberly Warmsley, and Daniel Wright.

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

15.1 23-0731 COMMUNITY WELL-BEING CRISIS INTERVENTION PROJECT UPDATE

Informational only. No action taken.

Legislation Text

PPT - 15.1 - Mobile Community Response Data

15.2 23-0853 ACCEPT THE FISCAL YEAR 2022-23 THIRD QUARTER BUDGET STATUS UPDATE AND AUTHORIZE BUDGET AMENDMENTS

Legislation Text

Attachment A - FY22-23 Q3 Budget Update General Fund

Attachment B - FY22-23 Q3 Revenue Summary

Attachment C - FY22-23 Q3 Report for Other Major Funds

Proposed Resolution - FY22-23 Third Quarter Budget Update

PPT - 15.2 - FY22-23 Third Quarter Budget Update

Approved Resolution 2023-09-26-1502

The following person(s) spoke on this item: Motecuzoma Sanchez

Approve Resolution 2023-09-26-1502:

1. Accepting this budget status report on the financial results for the Third Quarter of Fiscal Year (FY) 2022-23.
2. Authorizing two budget amendments increasing appropriations in the Workers' Compensation Internal Service Fund (ISF) and in the Storm Drain Maintenance District Fund for additional claim and repair expenses.
3. Authorizing the continuation of up to \$9,060,939 in FY 2022-23 budget appropriations to FY 2023-24 for the completion of identified programs.

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

Moved by: Susan Lenz, seconded by Daniel Wright.

Vote: Motion carried 7-0

Yes: Michael Blower, Brando Villapudua, Michele Padilla, Susan Lenz, Kevin J Lincoln II, Kimberly Warmsley, and Daniel Wright.

15.3 23-0886 DISCUSSION AND DIRECTION REGARDING THE PLACEMENT OF A CHARTER AMENDMENT FOR ARTICLES XI AND XI-A, ON THE NOVEMBER 5, 2024, GENERAL ELECTION BALLOT

RECOMMENDATION Staff recommends that the City Council consider, discuss, and provide direction via motion on whether to draft an amendment to the Charter, granting authority over the City's Public Information Office to the City Manager, for submission to the voters on the November 5, 2024, election ballot. If Council directs staff to draft the amendment and move forward with the process for submission to the voters, there will be two required public hearings and a final meeting at which Council will adopt a resolution to place the Charter Amendment on the 2024 election ballot.

Legislation Text

Attachment A - Reso 99-0545

Attachment B - Reso 00-0122

Attachment C - Charter Amendments Redlined

The following person(s) spoke on this item: Motecuzoma Sanchez, Ralph White, Julie Dunning and Christina Fugazi

Council Direction: City Clerk is directed to bring back an action for the creation of a citizen advisory board including a recommended timeline and milestones that Council may approve regarding the charter amendment process. Council would like for each councilmember to appoint a representative and the Clerk is directed to include a set of criteria for selecting/appointing members based on general criteria used for other like bodies, considering the history of prior citizen charter review bodies. Council asked for an intentional and strategic process in which there is ample community engagement where the body prioritizes and focuses on Charter Section XI-A but continues its' work to review and address charter compliance overall.

16. HEARINGS**

16.1 23-0777 ADOPT A RESOLUTIONS CERTIFYING AN ENVIRONMENTAL IMPACT REPORT, INCLUDING A STATEMENT OF OVERRIDING CONSIDERATIONS, FINDINGS OF FACT, A MITIGATION AND MONITORING REPORTING PROGRAM, AND AN ERRATA TO THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTING A MASTER DEVELOPMENT PLAN; ADOPT AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT, FOR THE PROPOSED ST. JOSEPH'S MEDICAL CENTER OF STOCKTON HOSPITAL EXPANSION PROJECT AT 1800 NORTH CALIFORNIA STREET (APPLICATION NO. P21-0958)

Legislation Text

Attachment A - Location Map and Aerial Photo

Attachment B - General Plan Land Use Map

Attachment C - Zoning Map

Attachment D - SJMC DEIR

Attachment E - SJMC FEIR

Attachment F - CHB Resolutions

Attachment G - Public Comment Received

Attachment H - Community Outreach Summary

Proposed Resolution - FEIR

Exhibit 1 - SJMC FEIR

Exhibit 2- Findings, SOC, MMRP & Errata

Proposed Resolution - Master Development Plan

Exhibit 1 - MDP

Proposed Ordinance - Development Agreement

Exhibit 1 - Development Agreement

PPT - 16.1 - St Joseph's Medical Center Expansion Project

Approved Resolution 2023-09-26-1601-01

Approved Resolution 2023-09-26-1601-02

Approved Ordinance 2023-09-26-1601

The following person(s) spoke on this item: Lisa Vela

Approve **Resolution 2023-09-26-1601-01** certifying the Environmental Impact Report (SCH #2021120439), including a Statement of Overriding Considerations, Findings of Fact, Mitigation and Monitoring Reporting Program, and Errata to the Final Environmental Impact Report;

Resolution 2023-09-26-1601-02 approving a Master Development Plan, with Conditions of Approval;

Ordinance 2023-09-26-1601 approving a Development Agreement; and

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

Moved by: Susan Lenz, seconded by Daniel Wright.

Vote: Motion carried 7-0

Yes: Michael Blower, Brando Villapudua, Michele Padilla, Susan Lenz, Kevin J Lincoln II, Kimberly Warmsley, and Daniel Wright.

17. CITY MANAGER'S UPDATE

City Manager Harry Black - Saturday, September 30, 2023 from 9:00 AM - 12:00 PM, District 2 beautification event; October 12, 2023 Stockton Fire Department Engine Dedication

18. COUNCIL COMMENTS

Vice Mayor Warmsley - Transformation Climate Grant; Miner St grand opening; Park Reservations; October 27, 2023 Community Improvement Meeting; Victory Park and McKinley Park pools; Safe Routes for School; Ask Stockton; AdHoc Warehouse Committee; fiber optics outages; EBC participation update; thanked Amelia Ann Adams Whole Life Center, San Joaquin County Foundation and San Joaquin County Pathways Hubs; community self-check in, close meeting in honor of Murphy Lee Vaster Warmsley Sr

Councilmember Wright - Valley Voice Advocacy trip; League of California Cities Annual Conference; California Business Round Table; gun violence

Councilmember Padilla - public safety numbers, city resources for youth

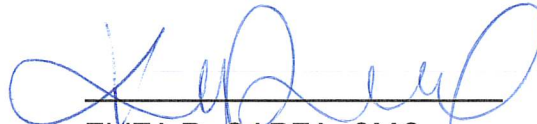
Councilmember Blower - attended multiple city events; congratulated Vice Mayor Warmsley and Councilmember Wright

Councilmember Lenz - Sister City Parma, Italy 25th Anniversary Dinner; Children's Museum Fiesta; disposal of firearms

Councilmember Villapudua - thanked City Manager, city staff, Chief of Police and Chief of Fire; St. Joseph's Project; Stockchella; thanked China Village

Mayor Lincoln - follow City Social Media pages for events; Mid-Autumn festival; Hispanic Heritage Month; California League of Cities Conference; public safety; thanked colleagues

19. ADJOURNMENT - 8:46 PM



ELIZA R. GARZA, CMC
STOCKTON CITY CLERK