

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF JANUARY 23, 2024**

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

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

Roll Call

Present:

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

Absent:

Susan Lenz, and Daniel Wright.

Note: Councilmember Lenze arrived at 4:09 PM

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 24-0032 CONFERENCE WITH LABOR NEGOTIATOR

Legislation Text

3.2 24-0033 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

3.3 24-0034 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

3.4 24-0035 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

3.5 24-0036 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Number of Cases: One Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate 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 4:49 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

Jill Denton, Executive Director of Youth For Christ San Joaquin provided the invocation and the Pledge of Allegiance was led by Patricia Barrett and Amaya Thompson.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney Lori Asuncion 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

None

11. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

Mike De Anda - OE3 contract negotiations

Mario Gardea, President of Stockton Firefighters Local 456 - restoration of services

Esperanza Vielma - thanked Councilmember Padilla, Neighborhood Services, Ask Stockton App

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote save for items 12.1, 12.4, 12.8, and 12.12 which were considered separately

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.

12.1 24-0038 APPOINTMENT TO THE CHARTER REVIEW ADVISORY COMMISSION

Legislation Text

Attachment A - Redacted Application.pdf

Proposed Resolution

Approved Resolution 2024-01-23-1201

Approve **Resolution 2024-01-23-1201** ratifying Councilmember Villapudua's appointment to the Charter Review Advisory Commission for a term commencing immediately ending December 31, 2026

Moved by: Kimberly Warmsley, seconded by Brando Villapudua.

Vote: Motion carried 7-0

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

12.2 24-0050 APPROVAL OF CITY COUNCIL MINUTES

Motion 2024-01-23-1202 approving the minutes from the City Council meetings of September 12, 2023, October 17, 2023, and October 24, 2023.

Legislation Text

Attachment A - 2023-09-12 Minutes.pdf

Attachment B - 2023-10-17 Minutes .pdf

Attachment C - 2023-10-24 Minutes .pdf

12.3 23-1186 APPROVE MOTION TO ADD ADDITIONAL FUNDING TO THE EXISTING CONTRACT WITH CO OCCUPATIONAL MEDICAL PARTNERS (COMP) FOR PRE-EMPLOYMENT HEALTH SERVICES

Motion 2024-01-23-1203 approving the addition of funding to the existing contract with Co-occupational Medical Partners (COMP) for the pre-employment health services

Legislation Text

Attachment A - COMP Services Agreement Amendment

12.4 23-0916 APPROVE A MOTION TO EXECUTE A CONTRACT WITH KLEAR.AI LLC TO IMPLEMENT AND MAINTAIN A RISK MANAGEMENT INFORMATION SYSTEM

Legislation Text

Attachment A - Klear.ai Contract

Approve **Motion 2024-01-23-1204:**

1. Approving entering into a service agreement with Klear.ai LLC to implement and maintain a Risk Management Information System (RMIS)
2. Authorizing the City Manager to execute a three (3) year service agreement with Klear.ai LLC to implement and maintain a Risk Management Information System (RMIS)
3. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process
4. Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Moved by: Michele Padilla, seconded by Susan Lenz.

Vote: Motion carried 7-0

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

12.5 23-0917 APPROVE A MOTION TO JUSTIFY EXCEPTION TO THE COMPETITIVE BID PROCESS AND ENTER INTO SERVICE AGREEMENTS WITH SIX PROVIDERS TO ESTABLISH A CITYWIDE TEMPORARY EMPLOYMENT SERVICES POOL

Motion 2024-01-23-1205:

1. Approving entering into service agreements with 22nd Century Tech Sled, Tryfacta, AppleOne, Info Jini Inc., Abacus, and Bolt Staffing to establish a citywide temporary employment services pool
2. Authorizing the City Manager to execute a three (3) year service agreement with the option of two (2), one (1) year extensions to establish a citywide temporary employment services pool
3. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process
4. Authorizing the City Manager to take necessary and appropriate actions to carry

out the purpose and intent of the motion.

Legislation Text

Attachment A - 22nd Century

Attachment B - Tryfacta

Attachment C - AppleOne

Attachment D - Info Jini Inc

Attachment E - Abacus Service Corp

Attachment F - Bolt

12.6 23-1191 APPROVE A WAIVER OF CUSTOMER CREDITS UNDER THE STATE WATER RESOURCES CONTROL BOARD WATER AND WASTEWATER ARREARAGE PAYMENT PROGRAM

Resolution 2024-01-23-1206 approving a waiver of customer credits applied under the State Water Resource Control Board Water and Wastewater Arrearage Payment Program.

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

Legislation Text

Proposed Resolution

Approved Resolution 2024-01-23-1206

12.7 24-0029 APPROVE MOTION TO AUTHORIZE A FUNDS TRANSFER AGREEMENT FOR THE MIRACLE MILE PEDESTRIAN CROSSING IMPROVEMENTS, INCLUDING PEDESTRIAN CROSSING UPGRADES IMPROVEMENTS, PUBLIC SAFETY IMPROVEMENTS, AND REVITALIZATION IMPROVEMENTS

Motion 2024-01-23-1207 authorizing the City Manager to execute a Funds Transfer Agreement between the City of Stockton and the California Department of Transportation for a total of \$20,000,000 for the Miracle Mile Pedestrian Crossing Improvements, including Pedestrian Crossing Upgrades Improvements, Public Safety Improvements, and Revitalization Improvements.

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 - Caltrans Agreement

Council Correspondence - Public Comments

12.8 23-1131 ADOPT RESOLUTION TO AWARD A SERVICE CONTRACT FOR PARKS MAINTENANCE AND JANITORIAL PROJECT

Legislation Text

Proposed Resolution

Exhibit 1 - Contract for Services

Approved Resolution 2024-01-13-1208

Approve **Resolution 2024-01-23-1208**:

1. Awarding a three-year Service Contract, in the amount not to exceed \$4,871,952.53 annually, for a total of \$14,615,857.59, to Al Fresco Landscaping, Inc. of Hollister, CA, for the Parks Maintenance and Janitorial, Project No. OM-23-039.
2. Authorizing the City Manager to execute two optional one-year extensions to this Service Contract.
3. Amending the Fiscal Year 2023-24 Budget to increase expenditure appropriations as follows:
 - a. Increasing the Public Works' Parks General Fund operating budget by \$499,740.
 - b. Increasing the Economic Development Department's operating budget by \$100,260 for maintenance of Pixie Woods.
4. 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 resolution.

Moved by: Michele Padilla, 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.

12.9 23-1148 APPROVE MOTION TO PURCHASE MISCELLANEOUS EQUIPMENT

Motion 2024-01-23-1209:

1. Approving the specifications for the Request for Bids for Miscellaneous Equipment, Project No. OM-23-111.
2. Awarding a Purchase Agreement for one forklift from Holt of California of West Sacramento, CA, in the amount of \$79,607.83.
3. Awarding a Purchase Agreement for one brush chipper from Cal-Line Equipment, Inc. of Livermore, CA, in the amount of \$83,383.26.
4. Awarding a Purchase Agreement for two bucket trucks from Altec Industries, Inc.

of Dixon, CA, in the amount of \$471,206.82.

5. Awarding a Purchase Agreement for one trailer-mounted excavator and one power rodder from Owen Equipment Sales of Fairfield, CA, in the amount of \$693,383.94.

6. Awarding a Purchase Agreement for two sewer camera vans from Jack Dohney Company of Northville, MI, in the amount of \$855,040.03.

7. Awarding a Purchase Agreement for one valve-turning truck from E.H. Wachs - A Division of ITW of Lincolnshire, IL, in the amount of \$164,582.83.

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

Legislation Text

Attachment A - Equipment Replacement List

Attachment B - Holt of California

Attachment C - Cal-Line Equipment

Attachment D - Altec Industries, Inc.

Attachment E - Owen Equipment Sales

Attachment F - Jack Doheny Company

Attachment G - EH Wachs - A Division of ITW

12.10 23-1165 ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND SUBMIT THE TRANSPORTATION DEVELOPMENT ACT CLAIM FOR FISCAL YEAR 2023-24

Resolution 2024-01-23-1210 authorizing the City Manager or his designee to:

1. Executing and submitting a claim to the San Joaquin Council of Governments for the Transportation Development Act tax revenue for the 2023-24 fiscal year.
2. Receiving and depositing the proceeds in Transportation Development Act Fund 245 pursuant to State of California requirements.

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

Legislation Text

Proposed Resolution

Approved Resolution 2024-01-23-1210

12.11 23-1173 ADOPT RESOLUTION TO AUTHORIZE THE STREETLIGHT KNOCKDOWN REPAIRS PHASE 7 PROJECT

Resolution 2024-01-23-1211:

1. Approving Notice of Exemption No. NOE58-23 under the California Environmental Quality Act for the Streetlight Knockdown Repairs Phase 7, Project No. OM-23-016.

2. Approving the plans and specifications for the Streetlight Knockdown Repairs Phase 7, Project No. OM-23-016.

3. Awarding a Construction Contract in the amount of \$122,723 to Ray's Electric of Oakland, CA, for the Streetlight Knockdown Repairs Phase 7, Project No. OM-23-016.

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

Exhibit 1 - Notice of Exemption

Exhibit 2 - Construction Contract

Approved Resolution 2024-101-23-1211

12.12 24-0072 ADOPT AN ORDINANCE AMENDING CHAPTER 5.104 TO THE STOCKTON MUNICIPAL CODE RELATED TO TOBACCO RETAILERS

Legislation Text

Attachment A - Proposed Ordinance Red-lined Version

Proposed Ordinance

Approved Ordinance 2023-01-23-1212

Council Correspondence - Public Comments

The following people spoke to the following item: Philip Herrera, Kimberly Bankston-Lee, Ryan McClinton, Gurneel Boparai (Document Filed), Pat Barrett, Gagan, and Gil

Approve **Motion 2024-01-23-1212:**

1. Adopting an ordinance 2024-01-23-1212 amending Chapter 5.104 to the Stockton Municipal Code relating to tobacco retailers, creating additional exemptions to the Chapter 5.104 distancing restrictions.

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

Moved by: Michael Blower, seconded by Susan Lenz.

Vote: Motion carried 5-2

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

No: Michele Padilla, and Daniel Wright.

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

15.1 24-0048 ACCEPT THE FISCAL YEAR 2022-23 FOURTH QUARTER BUDGET STATUS UPDATE, AUTHORIZE BUDGET AMENDMENTS, AND MAKE ALLOCATIONS TO GENERAL FUND RESERVES

Legislation Text

Attachment A - FY22-23 GF Year-End Budget Update

Attachment B - FY22-23 GF Year-End Revenues

Attachment C - Recommended Projects

Attachment D - FY22-23 Year-End Other Fund Summary

Proposed Resolution - FY22-23 4th Quarter

PPT - 15.1 - FY22-23 Year End Budget Update

Approved Resolution 2024-01-23-1501

Council Correspondence - Public Comments

Approve **Resolution 2024-01-23-1501:**

1. Accepting this budget status report on the unaudited results of the fourth quarter of Fiscal Year (FY) 2022-23.

2. Allocating the General Fund Vacancy Savings budget reduction for FY 2022-23 from Other Administration (Non-Departmental) category to the following departments:

Reduce Expenditure Budget:

Department Amount

a. City Clerk \$37,000

b. City Manager \$125,000

c. Office of Violence Prevention \$67,000

d. City Attorney \$93,000

e. Economic Development \$107,000

Increase Expenditure Budget:

Other Administration \$429,000

3. Authorizing a reserve for future appropriation of \$925,000 from FY 2022-23 ending balance in the General Fund to reimburse the United States Department of Housing and Urban Development for costs deemed ineligible associated with Oak Park Ice Arena improvements.

4. Authorizing a reserve for future appropriation of \$1,469,000 from FY 2022-23 available funds for the estimated increase in the Assured Guaranty Settlement contingent payments for a total reserve of \$3,600,000.

5. Authorizing a FY 2022-23 General Fund appropriation of \$21,450,000 for Council priority projects including restoration of Fire Station 7, parks maintenance, and the Victory Park Pool. Additionally, the \$4,000,000 assigned to Council Priority Project Funds is to be referred to Budget/Finance/Economic Development Committee to develop a recommendation to the full Council.

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 \$48,300,000

Known Contingency \$68,000,000

Priority 2 Reserves

Risk-Based Reserves \$10,800,000

7. Authorizing a FY 2022-23 budget amendment increasing expenditure and revenue appropriations in the Downtown Marina Fund by \$8,500.

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

Moved by: Kimberly Warmsley, seconded by Michael Blower.

Vote: Motion carried 7-0

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

16. HEARINGS

None

17. CITY MANAGER'S UPDATE

City Manager Black reported that there was nothing further to report this evening

18. COUNCIL COMMENTS

Vice Mayor Warmsley - thanked Public Works Department; Regional Wastewater Control Facility; thanked Mel Lytle, Director of Municipal Utilities

Councilmember Padilla - Lantern Festival; Police Department staff; Fire Station Seven; treacherous weather conditions

Councilmember Villapudua - Cleveland School hosted a vigil at Central United Methodist Church; thanked Carlos Villapudua, City Manager; January 30, 2024, 5:00PM Van Buskirk Community Center Gym Floor Ribbon Cutting Ceremony; thanked fellow Councilmembers

Councilmember Wright - Ava Community Energy Position; thanked city staff for clean ups of encampments; Business Education Alliance Symposium; political civility; congratulated daughter and fiancé on their engagement

Councilmember Blower - Annual Employee Service Awards luncheon; Jackson 3 Foundation Inaugural Gala; Dr.Martin Luther King Jr. Celebration at Civic Auditorium; San Joaquin County Hispanic Chamber of Commerce Business Economic Forecast Conference; Cleveland School hosted a vigil at Central United Methodist Church; Lodi Association of Realtor dinner; Fire Truck Seven

19. ADJOURNMENT - 7:23 PM



Eliza R. Garza, CMC
Stockton City Clerk