

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF DECEMBER 12, 2023**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 4:03 PM

Roll Call

Present:

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

Absent:

Michele Padilla.

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

- 3.1 **23-1132 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Number of Cases: Six Name of Case: Karla Heneby v. City of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UCR-2022-9993) Name of Case: Fire Captain Dwight Lindsey, (Workers' Compensation Appeals Board Case Nos. ADJ14384664; ASJ14384663; and ADJ116192016) Name of Case: Yachne Noah v. City of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UNPI-2022-9992) Name of Case: Angela Pelligra v. City of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UCR-2022-9859) Name of Case: Kurt Wilson v. City Council of Stockton, et al. (San Joaquin County Superior Court Case No. STK-CV-UVM-2019-12404) Name of Case: Fire Captain Dennis Zuck, (Workers' Compensation Appeals Board Case Nos. ADJ17312464 and ADJ17407969) This Closed Session is authorized pursuant to section 54956.9(d)(1) of the Government Code.

Legislation Text

- 3.2 **23-1133 CONFERENCE WITH LABOR NEGOTIATOR**

Legislation Text

- 3.3 **23-1134 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Legislation Text

3.4 **23-1135 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** Attachment B

Legislation Text

3.5 **23-1136 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Legislation Text

3.6 **23-1137 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 4:03 PM. The Council returned from Closed Session and adjourned at 4:30 PM.

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

Roll Call

Present:

Michael Blower
Brando Villapudua
Susan Lenz
Kevin J Lincoln II
Kimberly Warmesley
Daniel Wright

Absent:

Michele Padilla.

7. **INVOCATION/PLEDGE TO FLAG**

The Invocation was provided by Kyler Tevis, Communications Director Oasis Church and the Pledge of Allegiance was led by Councilmember Wright.

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

9. **ADDITIONS TO REGULAR SESSION AGENDA**

None

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

16.2 **23-1169 CONTINUED ADOPTION OF AN ORDINANCE AMENDING TITLE 16 OF THE STOCKTON MUNICIPAL CODE TO ESTABLISH NEW LOGISTIC WAREHOUSE STANDARDS**

Legislation Text

Attachment A - CA Attorney General Approved Agreement

Attachment B - Sierra Club Approved Agreement

Attachment C - Outreach and Comment Summary

Attachment D - Proposed Ordinance (Option A)

Attachment E - Proposed Ordinance (Option B)

Attachment F - Proposed Ordinance (Option C)

Attachment G - Ordinance Option Comparison Table

Attachment H - Option B Feasibility Analysis

Attachment I - Option C Feasibility Analysis

Attachment J - Approved PC Resolution

Attachment K - Public Comment

PPT - 16.2 - Amending SMC Title 16 - Warehouse Standards

Approved Ordinance 2023-12-12-1602

Council Correspondence - Public Comments

Approve **Ordinance 2023-12-12-1602**

Accepting the proposed ordinance exempt pursuant to California Environmental Quality Act (CEQA) Section 15061(b)(3) (Common Sense Exemption), and that no future environmental review is required for proposed code amendments pursuant to CEQA Section 15183 (Consistency with General Plan and Community Plan); and adopt an Ordinance Amending Title 16 (Development Code) of the Stockton Municipal Code (SMC) Chapter 16.80 (Standards for Specific Land Uses) to add a new Section 16.80.390 (Logistic Warehouse) under option C as currently written with direction to staff to perform a feasibility analysis as to applicability size and the environmental justice proposed amendments; and then bring that back in 6 months with a feasibility analysis, recommending adoption as appropriate following Planning Commission review and recommendations at the no later than the first Council meeting in July 2024.

Moved by: Susan Lenz, seconded by Michael Blower.

Vote: Motion carried 6-0

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

Absent: Michele Padilla.

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

Ralph White - nomination process

Mike De Anda - contract negotiation

Henry Torres - workers strike, contract negotiations

Mark Moreno - employee retention

Nathan Castanon - contract negotiation

Temo Aguilar - labor standards; prequalification language for future projects

Mary Elizabeth - code enforcements, rental housing units; public review of projects; climate change

Jason Lee - Hollywood Cares Christmas toy giveaway December 23rd 12PM-4PM at Aspire Elementary School; thanked Clerk Department; labor negotiator

Pat Barrett - labor negotiation; South Stockton community

Bryant Bowers - contract negotiation

Natasha Brown - District six

12. **CONSENT AGENDA**

Approve the Consent Agenda with a single vote, save for item 12.2 which was considered separately.

Moved by: Kimberly Warmasley, seconded by Michael Blower.

Vote: Motion carried 6-0

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

Absent: Michele Padilla.

12.1 **23-0860 AUTHORIZE AN AGREEMENT WITH BMO BANK N.A. (FORMERLY BANK OF THE WEST) FOR UTILITY BILLING REMITTANCE PROCESSING SERVICES (LOCKBOX SERVICES)**

Motion 2023-12-12-1201:

1. Authorizing the City Manager to execute an agreement with BMO Bank N.A. (formerly Bank of the West) ("Bank") to provide utility billing remittance processing services (also known as lockbox services) through June 30, 2027, in the amount of \$64,500 per year.
2. Approving findings pursuant to Stockton Municipal Code section 3.68.070 for 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 - Agreement - Bank of the West

Attachment B - Agreement - BMO Lockbox Services

12.2 **23-1108 ADOPT A RESOLUTION TO ACCEPT A ROUND 1 ADAPTATION PLANNING GRANT PROGRAM AWARD IN THE AMOUNT OF \$650,000** Attachment B

Legislation Text

Attachment A - APGP R1 Planning Grant Agreement

Proposed Resolution - APGP R1 Planning Grant

Approved Resolution 2023-12-12-1202

The following persons spoke to the following item: Pat Barrett, Johathan Pruitt, Esperanz Vielma, and Alicia Valenzuela

Approve Resolution 2023-12-12-1202:

1. Authorizing the City Manager to execute a grant agreement in the amount of \$650,000 with the California Governor's Office of Planning and Research (OPR)
2. Authorizing the City Manager to appropriate grant revenues and expenditures in the amount of \$650,000
3. Authorizing the City Manager to execute and manage sub-agreements with co-applicants in amounts consistent with the Grant Agreement.

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 Kimberly Warmsley.

Vote: Motion carried 6-0

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

Absent: Michele Padilla.

12.3 **23-1077 APPROVE A MOTION TO APPLY FOR, ACCEPT, AND APPROPRIATE GRANT FUNDING FROM THE CALIFORNIA INTERAGENCY COUNCIL ON HOMELESSNESS (CAL ICH) FOR ROUND FIVE OF THE HOMELESS HOUSING, ASSISTANCE AND PREVENTION (HHAP) GRANT PROGRAM**

Motion 2023-12-12-1203:

1. Authorizing staff to apply for, accept and appropriate Round 5 of the Homeless Housing, Assistance and Prevention Grant (HHAP 5) Program
2. Approving and authorizing the City Manager, or designee, to enter into a Standard Agreement for HHAP 5 funds with all its exhibits or other necessary documents consistent with the motion; and authorize the City Manager to approve consultant contracts that exceed the Stockton Municipal Code Section 3.68.060 spending limits to carry out application planning and administrative portions of the grant where necessary
3. Approving findings pursuant to Stockton Municipal Code Section 3.68.070 that support an exception to the competitive bidding process; and,

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

Legislation Text

12.4 23-1060 APPROVE MOTION TO EXECUTE A ONE (1) YEAR STANDARD AGREEMENT BETWEEN PROFORCE LAW ENFORCEMENT (PROFORCE) AND THE CITY OF STOCKTON (CITY) FOR THE GLOCK FIREARMS AND RED DOT OPTICS IN AN AMOUNT NOT TO EXCEED \$184,826 (PUR 24-012)

Motion 2023-12-12-1204:

1. Authorizing the City Manager to execute a one-time purchase from ProForce, in an amount not to exceed \$184,826

2. Authorizing and Directing the City Manager to make any and all expenditures and appropriations on behalf of the City as appropriate and necessary to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - ProForce Law Enforcement Agreement

12.5 23-1062 ADOPT RESOLUTION TO AUTHORIZE THE SWENSON PARK GOLF COURSE FENCE REPLACEMENT PROJECT

Resolution 2023-12-12-1205:

1. Approving Notice of Exemption No. NOE60-23 under the California Environmental Quality Act for the Swenson Park Golf Course Fence Replacement, Project No. WB24033.

2. Approving reallocation of Council Discretionary Funding, in the amount of \$25,000, from the Pixie Woods Suspension Bridge Replacement, Project No. WP22039, to the Swenson Park Golf Course Fence Replacement, Project No. WB24033.

3. Awarding a Construction Contract, in the amount of \$230,720, to Arrow Fence Company of Rocklin, CA, for the Swenson Park Golf Course Fence Replacement, Project No. WB24033.

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 - NOE60-23

Exhibit 2 - Construction Contract

Approved Resolution 2023-12-12-1205

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

15.1 23-1144 STOCKTON POLICE DEPARTMENT TRAFFIC SAFETY UPDATE

RECOMMENDATION This is an informational item only. No action to be taken.

Legislation Text

PPT - 15.1 - Traffic Safety Update

15.2 23-0890 ADOPT RESOLUTION TO AUTHORIZE TRANSFER AND APPROPRIATION OF FUNDS FOR THE CALIFORNIA STREET ROAD DIET PROJECT

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution

PPT - 15.2 - California Street Road Diet

Approved Resolution 2023-12-12-1502

Approve Resolution 2023-12-12-1502:

1. Transferring funds totaling \$846,305 from various projects to the California Street Road Diet, Project No. WT18005/Federal Project No. ATPSB1L-5008(194).

a. \$20,800 from the High Friction Surface Treatment, Project No. WT16022.

b. \$125,005 from the Bicycle Master Plan Program, Project No. WT17003.

c. \$260,000 from the Rule 20A Street Lighting Program, Project No. WT15021.

d. \$244,500 from the Traffic Signal Modification Program, Project No. WT15029.

e. \$196,000 from the California and Vine Rectangular Rapid Flashing Beacon Improvements, Project No. WT21018.

2. Appropriating funds in the amount of \$549,695 from the Public Facility Fee Air Quality Fund Balance to the California Street Road Diet, Project No. WT18005/Federal Project No. ATPSB1L-5008(194).

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

Moved by: Daniel Wright, seconded by Kimberly Warmsley.

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

Absent: Michele Padilla.

15.3 23-1106 APPROVE MOTION TO AUTHORIZE PROFESSIONAL SERVICES CONTRACT AMENDMENT NO. 7, EXECUTE AMENDMENT NO. 2, AND AUTHORIZE CONTRACT CHANGE ORDER NO. 7 FOR THE NEW CITY HALL RENOVATIONS AND RELOCATION PROJECT

Legislation Text

Attachment A - Vicinity Map

Attachment B - Amendment No. 7

Attachment C - Amendment No. 2

Attachment D - CCO No. 7

PPT - 15.3 - New City Hall Renovations and Relocation

Approve **Motion 2023-12-12-1503:**

1. Authorizing the City Manager to execute Professional Services Contract Amendment No. 7 in the amount of \$820,000 with Indigo | Hammond + Playle Architects, LLP, for design support during construction for the New City Hall Renovations and Relocation, Project No. E016015.

2. Authorizing the City Manager to execute Amendment No. 2 to the Professional Services Contract with Griffin Structures, Inc., in the amount of \$288,464, for construction management services for the New City Hall Renovations and Relocation, Project No. E016015.

3. Authorizing the City Manager to execute Contract Change Order No. 7 in the amount of \$93,261.41 with Roebbelen Contracting, Inc. for construction of the New City Hall Renovations and Relocation, Project No. E016015.

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

Moved by: Daniel Wright, seconded by Kimberly Warmsley.

Vote: Motion carried 6-0

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

Absent: Michele Padilla.

16. HEARINGS

16.1 23-0659 ADOPT A RESOLUTION APPROVING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN 2024 DEVELOPMENT FEE SCHEDULE

Attachment A - SJMSCP Staff Report

Attachment B - Habitat Fee Areas

Attachment C - Regional Preserve Areas

Proposed Resolution

PPT - 16.1 - SJC Habitat Fees

Approved Resolution 2023-12-12-1601

Approve **Resolution 2023-12-12-1601** approving the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan 2024 development fee schedule.

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 Kimberly Warmsley.

Vote: Motion carried 6-0

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

Absent: Michele Padilla.

17. CITY MANAGER'S UPDATE

Harry Black, City Manager - City website release date

18. COUNCIL COMMENTS

Councilmember Blower - Food Bank Holiday Food Box giveaway December 19th 7am-1PM; thanked Councilmember Wright and Vice Mayor Warmsley

Councilmember Wright - California Associations League of Councils Of Government retreat report; community input

Councilmember Villapudua - thanked community members; Stockton Christmas Tree Lighting event; District five holiday event December 14th 5 PM; Food Pantry giveaway December 19th 11:30 AM; thanked City Staff and fellow Councilmembers

Vice Mayor Warmsley - transformative climate communities; Green Energy Program; Youths; parks; validate staff work; concerns of Ralph White

Councilmember Villapudua - thanked Councilmember Blower

Mayor Lincoln - thanked Councilmembers and staff; civic engagement

Councilmember Wright - public comment process

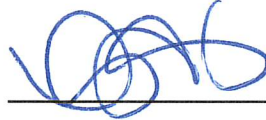
19. ADJOURNMENT - 8:54 PM

1. **23-0991 CITY OF STOCKTON BOARDS AND COMMISSIONS LOCAL APPOINTMENT LIST FOR CALENDAR YEAR 2024**

Informational item only. No action taken.

Legislation Text

2024 Local Appointment List - Maddy Act.pdf



ELIZA R. GARZA, CMC
STOCKTON CITY CLERK