

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF MARCH 12, 2024**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 3:00 PM

Roll Call

Present:

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

Absent:

Kimberly Warmsley, and Daniel Wright.

Note: Vice Mayor Warmsley arrived to Closed Session at 3:01 PM.
Councilmember Wright arrived to Closed Session at 3:06 PM.

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

- 3.1 24-0143 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Number of Cases: Two Name of Case: Police Officer Jesus Gonzalez,
(Workers' Compensation Appeals Board Case Nos. ADJ7726226;
ADJ16712192; and ADJ16712191) Name of Case: Karen Sutherland, et al. v.
City of , et al. (United States District Court - Eastern District Case No. 2:21-CV-
01855-WBS-AC) This Closed Session is authorized pursuant to section
54956.9(d)(1) of the Government Code to discuss matters pertaining to
existing litigation.

Legislation Text

3.2 24-0144 CONFERENCE WITH LABOR NEGOTIATOR

Legislation Text

3.3 24-0145 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

3.4 24-0146 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

3.5 24-0149 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

- 3.6 24-0147 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Number of Cases: One The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which is available for inspection (54956.9(e)(3)).

Legislation Text

- 3.7 24-0254 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**
Number of Cases: Two Based on existing facts and circumstances, the Council has decided to initiate or is deciding to initiate litigation pursuant to Government Code section 54956.9(d)(4).

Legislation Text

4. CLOSED SESSION PUBLIC COMMENT

None

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 3:01 PM. The Council returned from Closed Session and adjourned at 5:22 PM.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:45 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

Robin McAvoy, Stockton First Baptist Church provided the Invocation and the Pledge of Allegiance was led by Councilmember Villapudua

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney Lori Asuncion reported that there was nothing to report this evening.

9. ADDITIONS TO REGULAR SESSION AGENDA

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

10.1 24-0252 PROCLAMATION: NATIONAL NUTRITION MONTH - MARCH 2024 and Registered Dietician Day

Legislation Text

Recipient: Pooja Vyas, Program Coordinator at San Joaquin County Public Health Services Women, Infants and Children Program

Pooja Vyas, Program Coordinator at San Joaquin County Public Health Services Women, Infants and Children Program - background on National Nutritional Month

10.2 24-0262 PROCLAMATION: PROCUREMENT MONTH - MARCH 2024; PROCUREMENT PROFESSIONALS' DAY - MARCH 13, 2024

Legislation Text

Recipient: Kimberly Trammel, Chief Financial Officer of the City of Stockton

Kimberly Trammel, Chief Financial Officer of the City of Stockton - acknowledged permit team

11. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

Pat Barrett - thanked councilmembers; warehouse ordinance, South Stockton

Ben Amador - thanked Office of Violence Prevention

Council Correspondence - Public Comments

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote save for items 12.2, 12.8, and 12.10 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 23-0932 AUTHORIZE THE CITY ATTORNEY TO EXECUTE AGREEMENTS WITH BOND AND DISCLOSURE COUNSEL FIRMS TO ESTABLISH A POOL FOR THE ISSUANCE OF MUNICIPAL DEBT

Resolution 2024-03-12-1201 authorizing the City Attorney to execute agreements with seven bond and disclosure counsel firms to establish a vendor pool to issue bonds and other municipal debt instruments for the financing of capital facilities and infrastructure and the refinancing of existing debt issuances.

Authorizing the City Attorney to take appropriate and necessary actions to carry out

the purpose and intent of the motion.

Attachment D

Legislation Text

Attachment A - Agreement - Jones Hall

Attachment B - Agreement - Orrick, Herrington and Sutcliffe LLP

Attachment C - Agreement - Arent Fox Schiff LLP

Attachment D - Agreement - Hawkins Delafield Wood LLP

Attachment E - Agreement - Norton Rose Fulbright US LLP

Attachment F - Agreement - Richards, Watson and Gershon

Attachment G - Agreement - Stradling Yocca Carlosn and Rauth LLP

Proposed Resolution

Approved Resolution 2024-03-12-1201

12.2 **24-0135 APPOINTMENT TO THE AVA COMMUNITY ENERGY ADVISORY COMMITTEE**

Legislation Text

Attachment A - Redacted Application

Proposed Resolution - AVA Appointment.doc

Approved Resolution 2024-03-12-1202

Approve **Resolution 2024-03-12-1202** appointing Davis Harper to fill a vacancy for the Ava Community Energy Advisory Committee for a two year term commencing immediately ending December 31, 2025

Moved by: Susan Lenz, 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.

12.3 **24-0189 RATIFY APPOINTMENT TO PLANNING COMMISSION**

Note: This item was removed by staff

Legislation Text

Attachment A - Redacted Application

Proposed Resolution - PC Appointment

12.4 **24-0239 APPROVAL OF CITY COUNCIL MINUTES**

Motion 2024-03-12-1204 approving the minutes from the City Council meetings of December 5, 2023, December 12, 2023, December 19, 2023, and January 23, 2024.

Attachment A - 2023-12-05 Minutes.pdf

Attachment B - 2023-12-12 Minutes .pdf

Attachment C - 2023-12-19 Minutes.pdf

Attachment D - 2024-01-23 Minutes.pdf

12.5 24-0091 ADOPT A RESOLUTION AUTHORIZING CONTRACT AMENDMENT NO. 4 WITH SNF POLYDYNE, INC. FOR THE PURCHASE OF WASTEWATER TREATMENT POLYMER

Resolution 2024-03-12-1205:

1. Approving findings pursuant to Stockton Municipal Code Section 3.68.070 in support of an exception to the competitive bidding process.
2. Authorizing the City Manager to execute a two (2) year contract extension with SNF Polydyne, Inc. for a not-to-exceed amount of \$6,386,500.

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

Legislation Text

Proposed Resolution

Exhibit 1 - Amendment 4 - SNF Polydyne

Approved Resolution 2024-03-12-1205

12.6 24-0102 AWARD A CONSTRUCTION CONTRACT TO SAK CONSTRUCTION LLC FOR THE BROOKSIDE SOUTH STORMWATER PUMP STATION DISCHARGE PIPE REHABILITATION

Resolution 2024-03-12-1206:

1. Approving the filing of Notice of Exemption No. NOE 31-23 under the California Environmental Quality Act (CEQA) for the Brookside South Storm Pump Station Discharge Pipes Rehabilitation, Project No. US24006 (Exhibit 1 to the Resolution).
2. Approving the project Plans and Specifications for the Brookside South Storm Pump Station Discharge Pipes Rehabilitation, Project No. US24006.
3. Awarding a construction contract of \$153,555 to SAK Construction LLC, of O'Fallon, MO, for the Brookside South Storm Pump Station Discharge Pipes Rehabilitation, Project No. US24006 (Exhibit 2 to the Resolution).

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

Legislation Text

Proposed Resolution

Exhibit 1 - Notice of Exemption

Approved Resolution 2024-03-12-1206

12.7 24-0104 ADOPT A RESOLUTION TO AUTHORIZE A CONTRACT AMENDMENT WITH SWIFTCOMPLY FOR A STORMWATER MODULE SOFTWARE LICENSE

Resolution 2024-03-12-1207 authorizing an amendment to the five-year contract with SwiftComply of Pleasanton, California (Exhibit 1 to the Resolution) to incorporate a stormwater module into the Environmental Control Enforcement Software for a total amount not-to-exceed \$384,640.

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

Legislation Text

Attachment A - Contract No 424000022

Proposed Resolution

Exhibit 1 - Contract Amendment No 1

Exhibit 2 - Scope of Work Amendment No 1

Approved Resolution 2024-03-12-1207

12.8 24-0181 ADOPT RESOLUTION TO AUTHORIZE THE DIGITAL CAMERA REPLACEMENT PROJECT

Legislation Text

Attachment A - Digital Camera Locations

Attachment B - Assignment Letter

Proposed Resolution

Exhibit 1 - Notice of Exemption

Exhibit 2 - Construction Contract

Approved Resolution 2024-03-12-1208

Approve **Resolution 2024-03-12-1208**:

1. Approving Notice of Exemption No. NOE52-23 under the California Environmental Quality Act for the Digital Camera Replacement, Project No. WARP506.
2. Approving the details and specifications for the Digital Camera Replacement, Project No. WARP506.
3. Awarding a Construction Contract in the amount of \$512,365.94 to Convergent Technologies LLC of Stockton, CA, for the Digital Camera Replacement, Project No. WARP506.
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. Attachment D

Moved by: Michele Padilla, seconded by Kimberly Warmesley.

Vote: Motion carried 7-0

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

12.9 24-0049 ADOPT RESOLUTION TO PURCHASE EQUIPMENT UTILIZED BY THE PUBLIC WORKS DEPARTMENT

Resolution 2024-03-12-1209:

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 use of Cooperative Purchasing Agreements through Sourcewell Contract Nos. 110421-EEC, 110421-ALT, and 040621-PII to provide the City access to preferential pricing of equipment from Elliot Equipment Company, Altec Industries, Inc., and Petersen Industries, Inc.

3. Authorizing the City Manager to execute a contract in the amount of \$442,625.02 with Elliot Equipment Company through affiliated vendor, Nixon-Egli Equipment Company of Tracy, CA, to purchase one crane truck.

4. Authorizing the City Manager to execute a contract in the amount of \$176,634.36 with Altec Industries, Inc. of Bakersfield, CA, to purchase one chipper truck.

5. Authorizing the City Manager to execute a contract in the amount of \$289,615.60 with Petersen Industries, Inc. through affiliated vendor, Municipal Maintenance Equipment, Inc. of Sacramento, CA, to purchase one grapple truck.

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

Legislation Text

Attachment A - Vehicle Replacement List

Attachment B - Quote from Nixon-Egli (Crane)

Attachment C - Quote from Altec (Chipper)

Attachment D - Quote from MME (Grapple)

Proposed Resolution

Exhibit 1 - Cooperative Purchase Agreement-Nixon-Egli

Exhibit 2 - Cooperative Purchase Agreement - Altec

Exhibit 3 - Cooperative Purchase Agreement - Petersen

Approved Resolution 2024-03-12-1209

12.10 24-0068 ADOPT RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT AND APPROPRIATE FUNDS FOR THE STREET RESURFACING

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution

Exhibit 1 - Professional Services Contract

Approved Resolution 2024-03-12-1210

Approve **Resolution 2024-03-12-1210**:

1. Awarding a Professional Services Contract to CSG Consultants, Inc. of Foster City, CA, in the amount of \$398,360, for design of the Street Resurfacing on Federal-Aid Streets Fiscal Year 2023-24, Project No. WD24028/HIPSTPL-5008(207).
2. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.
3. Appropriating funds in the amount of \$221,030 from the Measure K Fund Balance to the Street Resurfacing on Federal-Aid Streets Fiscal Year 2023-24, Project No. WD24028/HIPSTPL-5008(207).

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.

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

15.1 24-0089 COMMUNITY MEDICAL CENTERS PROJECT UPDATES: COMMUNITY WELL-BEING CRISIS INTERVENTION PROJECT AND OPIOID SETTLEMENT AGREEMENTS

Informational only. No action taken.

Legislation Text

PPT - 15.1 - Community Medical Centers Project Updates

15.2 23-1171 OFFICE OF VIOLENCE PREVENTION ANNUAL UPDATE

Informational only. No action taken.

Legislation Text

PPT - 15.2 - OVP Annual Update

The following persons spoke to the item: Pat Barrett, and Toni McNeil

15.3 24-0228 ADOPT A RESOLUTION APPROVING RECOMMENDED ADJUSTMENTS TO THE AMERICAN RESCUE PLAN ACT PROGRAMS AND PROJECTS

Legislation Text

Attachment A - February 2024 ARPA Workshop Materials

Proposed Resolution - 2024 ARPA Adjustments

Approved Resolution 2024-03-12-1503

PPT - 15.3 - 2024 ARPA Recommendations

Approve **Resolution 2024-03-12-1503** approving adjustments to the American Rescue Plan Act Programs and Projects:

- a. Allocating \$65,000 to complete work already in progress on the Arena Scoreboard Project
- b. Allocating \$300,000 to add an additional year of services to the Non-Profit Capacity Building Program
- c. Allocating \$300,000 for the Essential Worker Premium Payment shortfall adjustment
- d. Allocating \$200,000 to support a co-location Data Center as part of the City's Disaster Readiness Plan
- e. Allocating \$1 million to complete the Emergency Generator Installation Project, adding six firehouse locations
- f. Allocating \$4.124 million to support the Stockton Animal Shelter Renovation Project revised budget estimate
- g. Allocating \$2,011,000 to the Revenue Loss Fund
- h. Allocating \$2,000,000 to the Council Contingency Fund
- i. Authorizing the City Manager to reallocate funds among approved ARPA projects to meet the obligation deadlines and close out completed projects.

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

Moved by: Daniel Wright, 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

Attachment B
16.1 24-0044 PUBLIC HEARING TO APPROVE AN OFFICE AND INDUSTRIAL SALES TAX INCENTIVE AGREEMENT BETWEEN THE CITY OF STOCKTON AND HOME DEPOT USA, INC., AND AMEND THE OFFICE AND INDUSTRIAL SALES TAX INCENTIVE PROGRAM GUIDELINES

Resolution 2024-03-12-1601:

1. Approving the execution of an Office and Industrial Sales Tax Incentive Agreement between the City of Stockton and Home Depot USA, Inc.
2. Amending the Office and Industrial Sales Tax Incentive program guidelines to better support the City in attracting and retaining businesses and to facilitate easier engagement with enterprises
3. Establishing a Redevelopment Unrestricted Sub-fund within the General Fund as a mechanism for use in the City's redevelopment efforts including acquisition, blight abatement, demolition, and other actions that support the City's development
4. Authorizing the City Manager to take necessary and appropriate actions to carry out the purpose and intent of the resolution.

Legislation Text

Attachment A - Resolution 2014-06-24-1505

Attachment B - Resolution 2014-08-12-1604

Proposed Resolution - THD

Exhibit 1 - OIST Program Guidelines

Exhibit 2 - Agreement THD

Approved Resolution 2024-03-12-1601

PPT - 16.1 - Industrial Sales Tax Incentive

Around the bench memo

Note: A memo dated March 12, 2024 from Economic Development Department relating to the agenda Item 16.1 Public Hearing to Approve an Office and Industrial Sales Tax Incentive Agreement Between the City of Stockton and Home Depot USA, INC., and Amend the Office and Industrial Sales Tax Incentive Program Guidelines was distributed around the bench.

16.2 23-1010 ADOPT AN ORDINANCE FOR PREZONING AND ADOPT A RESOLUTION AUTHORIZING ANNEXATION REQUESTS FOR A PROPOSED CONVENIENCE STORE WITH FUELING STATION AND TWO QUICK-SERVE RESTAURANTS AT 3568 ARCH ROAD (APN 181-120-01) (P20-0011)

Legislation Text

Attachment A - Location Map and Aerial Photo

Attachment B - General Plan Map

Attachment C - Zoning Map

Attachment D - Project Plans

Ordinance - Rezoning

Exhibit 1 - Prezone Description

Proposed Resolution - Annexation

Exhibit 1 - Arch Road City Services Plan

Exhibit 2 - Annexation Map

Exhibit 3 - MOU

Exhibit 4 - Draft Detachment Agreement

Approved Ordinance 2024-03-12-1602

Approved Resolution 2024-03-12-1602

PPT - 16.2 - Pre-Zone Annex 3568 Arch Rd

Council Correspondence - Public Comments

The following persons spoke to the item: Pat Barrett

Approve **Resolution 2024-03-12-1602**:

1. Finding that the proposed project is exempt from CEQA in accordance with the provisions of CEQA Guidelines Section 15183 (Projects)
2. Adopting an Ordinance for the Rezoning of APN 181-120-01 to Commercial, General (CG)
3. Adopting a Resolution authorizing the filing of an annexation application with the San Joaquin Local Agency Formation Commission
4. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of the resolution and ordinance.

Moved by: Susan Lenz, 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.

17. CITY MANAGER'S UPDATE

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

18. COUNCIL COMMENTS

Councilmember Blower - The Naked Rib catering; Dancing with the Cats and Dogs event, Animal Protection League, mobile spay and neuter clinic; Stockton Terminal and Eastern Branch Completion; Builders Exchange Industry update; 48th Annual Susan B Anthony Awards; Hope Church Crab Feed; Haven of Peace Crab Feed; Congratulations Terri Hull Chairman of Planning Commission; Grand opening University Of the Pacific Pickle Ball Courts; Certification of Recognition to family of Dorothy L. Jones; StocktonCon; Rotary Read In; Stockton CNG Station Grand

Opening; 55th annual law enforcement of the year; Dorothy Clair retired from Ranch Coffee Shop; Venture Rails Car Lunch Event; Church Street Clean Up; Grupe Park Pickle Ball Players; Chinese New Year Festival; District 3 neighborhood traffic management program kick off meetings

Vice Mayor Warmsley - Dancing with the Stars; thanked Officer Miles; social media post, Officer Yanez, extra mile to recover a stolen vehicle; Women's Collective Award; applauded Doctor returning from Gaza, 152 days of humanitarian crisis in Gaza

Councilmember Padilla - Ad-Hoc Homelessness Committee meeting; responsible pet owner

Councilmember Wright - thanked Chief McFadden, City Manager Black, retail theft task force meeting; Hamas, unprovoked attack, retaliation of Israel, ceasefire in Gaza

19. ADJOURNMENT - 8:55 PM

INFORMATIONAL ITEMS

1. 24-0246 COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Informational item only. No action taken.

Legislation Text

PC 2023-07-27.pdf

PC 2023-08-10.pdf

PC 2023-08-24.pdf

PC 2023-09-14.pdf

PC 2023-09-21.pdf

PC 2023-09-28.pdf



ELIZA R. GARZA, CMC
STOCKTON CITY CLERK