

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF JANUARY 10, 2023**

Stockton Arena, 248 W Fremont St, Stockton, CA

Note: The CLOSED SESSION of the City Council of the City of Stockton scheduled for 4:00 PM was cancelled.

1. ~~CLOSED SESSION CALL TO ORDER/ROLL CALL~~
2. ~~ADDITIONS TO CLOSED SESSION AGENDA~~
3. ~~ANNOUNCEMENT OF CLOSED SESSION~~
 - 3.1 ~~22-1214 CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
Number of Cases: One 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 ~~22-1216 CONFERENCE WITH LABOR NEGOTIATOR~~

Legislation Text
 - 3.3 ~~22-1218 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:~~

Legislation Text
 - 3.4 ~~22-1220 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:~~

Legislation Text
 - 3.5 ~~22-1222 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:~~

Legislation Text
 - 3.6 ~~22-1224 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*~~

5. ~~RECESS TO CLOSED SESSION~~

6. **REGULAR SESSION CALL TO ORDER/ROLL CALL - 5:37 PM**

Roll Call

Present:

Susan Lenz
Kevin J Lincoln II
Kimberly Warmesley
Daniel Wright

7. **INVOCATION/PLEDGE TO FLAG**

Tashante McCoy gave the Invocation and the Pledge of Allegiance as led by Jordan Hill

OATH OF OFFICE/SWEARING IN CEREMONY

Swearing-In Ceremony: Michele Padilla

The Oath of Office for Councilmember: Elect Padilla was administered by her Virginia Padilla, mother. Certificate of Election presented by Eliza Garza, City Clerk

Councilmember Padilla: Thank you to those who provided support.

Swearing-In Ceremony: Michael Blower

The Oath of Office for Councilmember: Michael Blower was administered by her Caroline Blower, daughter. Certificate of Election presented by Eliza Garza, City Clerk

Councilmember Blower: Thank you to those who supported him, campaigns

Swearing-In Ceremony: Brando Villapudua

The Oath of Office for Councilmember: Brando Villapudua was administered by Carlos Villapudua, Assemblymen. Certificate of Election presented by Eliza Garza, City Clerk

Councilmember Villapudua: relationship with the Community, thank you to those who provided support

Roll Call

Present:

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

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

There was no Closed Session held this evening

Attachment B

9. ADDITIONS TO REGULAR SESSION AGENDA

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

None

11. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

Leslie Avasino - San Joaquin County Fair (document filed)

Leslie Avasino - Document Filed

Patricia Barrett - Walmart distribution center, health of South Stockton

Nancy Lamb - welcomed new Councilmembers

Mary Elizabeth - congratulating new Councilmembers, climate change

William Maxwell – *The Fight to Save The Town*

Cynthia Gail Boyd - flooding HWY99 at Dillard Road

Motec Sanchez - congratulated new Councilmembers, special interest group

Alexandra Heredia - NorCal Carpenter's Union, congratulated new Councilmembers

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote save for items 12.1, 12.2, 12.4, 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 22-1177 PUBLIC FACILITY FEE ANNUAL REPORTS FOR FISCAL YEAR 2021-22

Legislation Text

Attachment A - PFF Program Annual Report FY22

The following persons spoke to the following item: Mary Elizabeth

Approve **Motion 2023-01-10-1201** Accepting the Public Facilities Fee Program Annual Report for Fiscal Year 2021-22 (Attachment A) to comply with State reporting

requirements.

Attachment B

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 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.

12.2 23-0004 APPROVAL OF CITY COUNCIL MINUTES

Legislation Text

Attachment A - 2022-10-04 Minutes

Approve **Motion 2023-01-10-1202** Approving the minutes from the City Council meeting of October 4, 2022

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.

Recuse: Michele Padilla.

12.3 22-1033 ADOPT AN ORDINANCE AMENDING TWO SECTIONS OF TITLE 16 OF THE STOCKTON MUNICIPAL CODE TO COMPLY WITH THE STOCKTON 2040 GENERAL PLAN

Ordinance 2023-01-10-1203

1. Approving by motion, a finding that further environmental review is not required for the proposed amendments to Title 16 (Development Code) per the California Environmental Quality Act (CEQA) pursuant to 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of Title 14 of the California Code of Regulations (State CEQA Guidelines) and per Stockton Municipal Code Section 16.116.050; and

2. Adopting an Ordinance amending Title 16 (Development Code) of the Stockton Municipal Code (SMC) Sections 16.80.210 (Mobilehome Parks and Subdivisions) and 16.80.215 (Multi-Unit Residential).

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

Legislation Text

Attachment A - 04-05-2022 Staff Report

Attachment B - 07-12-2022 Staff Report

Attachment C - Proposed Ordinance - Redline Version

Approved Ordinance 2023-01-10-1203

12.4 22-1169 ADOPT A RESOLUTION TO APPROVE THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR FISCAL YEAR 2023-2024

Legislation Text

Attachment A - Resolution No. 11-0251

Attachment B - City Loans

Proposed Resolution - ROPS

Exhibit 1 - ROPS Report

Approved Resolution SRD 2023-01-10-1204

Approve Resolution SRD 2023-01-10-1204

1. Approving the Recognized Obligation Payment Schedule for the period of July 1, 2023, through June 30, 2024 (Exhibit 1 to the Resolution) as required under Health and Safety Code section 34177(o); and
2. Authorizing the Executive Director to take necessary and appropriate actions to carry out the purpose and intent of the resolution.

Moved by: Susan Lenz, seconded by Michael Blower.

Vote: Motion carried 7-0

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

12.5 22-1179 APPROVE SUBMITTAL OF A SUSTAINABLE GROUNDWATER MANAGEMENT GRANT APPLICATION TO THE DEPARTMENT OF WATER RESOURCES

Legislation Text

Proposed Resolution

Approved Resolution 2023-01-10-1205

The following persons spoke to the following item: Mary Elizabeth

Approve **Resolution 2023-01-10-1205** Approving submittal of a grant application to the Department of Water Resources for the 2021 Sustainable Groundwater Management Grant Program.

Authorizing the City Manager to take 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

12.6 22-0972 ADOPT RESOLUTION TO AUTHORIZE CONTRACT CHANGE ORDER NO. 2 AND APPROPRIATE AND TRANSFER FUNDING FOR THE ALEXANDRIA AND FIVE MILE SLOUGH CULVERT REPLACEMENT PROJECT

Legislation Text

Attachment A - Vicinity Map

Proposed Resolution

Exhibit 1 - Contract Change Order No. 2

Approved Resolution 2023-01-10-1206

Approve Resolution 2023-01-10-1206

1. Appropriating additional funds in the amount of \$245,000 from the Measure K Maintenance fund balance to the Alexandria and Five Mile Slough Culvert Replacement, Project No. WT19018.
2. Transferring funds in the amount of \$375,000 from Project No. WT21016, Grant Match Project, to the Alexandria and Five Mile Slough Culvert Replacement, Project No. WT19018.
3. Authorizing Construction Contract Change Order No. 2 in the amount of \$470,000 with Sinclair General Engineering Construction, Inc., for the Alexandria and Five Mile Slough Culvert Replacement, Project No. WT19018.

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

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.

12.7 23-0043 MAYORAL APPOINTMENTS TO COUNCIL COMMITTEES AND COMMITTEE STRUCTURE/FUNCTION ROSTER

Resolution 2023-01-10-1207 Approving a resolution amending the Mayoral Appointments to Council Committees and Committee Structure/Function roster effective immediately.

Legislation Text

Proposed Resolution

Exhibit 1

Approved Resolution 2023-01-10-1207

Note: A memorandum to the Council, dated January 10, 2023 regarding Item 12.7 was distributed around the bench and filed

Around the bench memo

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

None

16. HEARINGS

16.1 22-1186 ADOPT AN ORDINANCE AMENDING MULTIPLE SECTIONS OF TITLE 16 OF THE STOCKTON MUNICIPAL CODE FOR WAREHOUSE RETAIL STORES ("BIG BOX")

Legislation Text

Attachment A - Big Box Ordinance #018-07

Attachment B - Proposed Ordinance - redlined

Attachment C - Zones Allowing Warehouse Retail Stores

Attachment D - Approved Planning Commission Resolution

Proposed Ordinance

Approved Ordinance 2023-01-10-1601

PPT - 2023 01 10 Code Amendment Warehouse Retail Stores - 16.1

Approve Ordinance 2023-01-10-1601

1. Finding no further environmental review is required for proposed code amendments pursuant to the California Environmental Quality Act (CEQA) section 15183 (consistency with General Plan and Community Plan)

2. Adopting an Ordinance Amending Title 16 (Development Code) of the Stockton Municipal Code (SMC) Section 16.20.020 (Allowable Lane uses and permit requirements), Section 16.24.090 (CG "commercial, general" zoning district standards), Section 16.24.100 (CD "commercial, downtown) zoning district standards), and Section 16.24.110 (CL "commercial, large-scale" zoning district standards) with one modification, to allow big box warehouse retail stores in the commercial downtown.

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

Moved by: Daniel Wright, seconded by Kimberly Warmasley.

Vote: Motion carried 7-0

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

17. CITY MANAGER'S UPDATE

None

18. COUNCIL COMMENTS

Councilmember Warmasley - welcomed new Council, thanked City staff for work during the storms

Councilmember Wright - welcomed new Councilmembers, thanked City staff

Councilmember Lenz - welcomed new Councilmembers, commended City staff

Councilmember Padilla - thanked City staff

Councilmember Blower - excited to work with staff and Councilmembers

Councilmember Villapudua - thank you to Christina Fugazi, excited to work with Councilmembers

Mayor Lincoln - Happy New Year to the community, welcoming new Councilmembers, thanked City staff

19. ADJOURNMENT - 7:18 PM

INFORMATIONAL ITEMS

1. 23-0028 COUNCIL COMMITTEE/BOARD AND COMMISSION MINUTES

Informational item only. No action taken

Legislation Text

CSC 2022-05-19

CSC 2022-06-16

CSC 2022-07-21

CSC 2022-08-18

PC 2022-05-26

PC 2022-06-09



Eliza R. Garza, CMC
Stockton City Clerk