

**MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC
FINANCING AUTHORITY/PARKING AUTHORITY CONCURRENT
MEETING OF DECEMBER 5, 2023**

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL - 4:05 PM

Roll Call

Present:

Michael Blower

Michele Padilla

Susan Lenz

Kevin J Lincoln II

Daniel Wright

Absent:

Brando Villapudua, and Kimberly Warmesley.

Note: Councilmember Villapudua arrived to Closed Session at 4:08 PM.

2. ADDITIONS TO CLOSED SESSION AGENDA

None

3. ANNOUNCEMENT OF CLOSED SESSION

- 3.1 23-1121 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Number of Cases: Four 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: 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) This Closed Session is authorized pursuant to section 54956.9(d) (1) of the Government Code.

Legislation Text

3.2 23-1122 CONFERENCE WITH LABOR NEGOTIATOR

Legislation Text

3.3 23-1123 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

3.4 23-1124 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

3.5 23-1125 PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Legislation Text

- 3.6 23-1126 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

- 3.7 23-1127 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF 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)(4).

Legislation Text

4. CLOSED SESSION PUBLIC COMMENT

Pat Barrett - South Stockton Air Quality

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:05 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
Michele Padilla
Susan Lenz
Kevin J Lincoln II
Kimberly Warmsley
Daniel Wright

Note: Vice Mayor Kimberly Warmsley participated in the meeting via teleconference from the following location: ACE Hotel Los Angeles, Business Center, 929 S. Broadway, Los Angeles, CA 90015

7. INVOCATION/PLEDGE TO FLAG

The Invocation was provided by Major Young, Salvation Army and the Pledge of Allegiance was led by Councilmember Padilla.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

None

9. ADDITIONS TO REGULAR SESSION AGENDA

Attachment A

None

10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS

10.1 STOCKTON STORM FC 2015 BOYS BLUE SOCCER TEAM

Recipient: Coach

Coach - thanked Council, City Manager

16.1 23-0978 ADOPT 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 - 16.1 - Amending SMC Title 16 - Warehouse Standards

Council Correspondence - Public Comments

The following persons spoke to the following item: Gloria Alonso, Pat Barrett, Margo Prauss, Jazmarie La Tour, Jasmine Leek, RC Thompson, Jonathan Pruitt, Ector Olivares, Espe Vielma, Eric Parfrey, Nate Knodt, Mary Elizabeth, Alicia Valenzuela, Sofia Canella-Torres, Roberto Contreras, Reverend Dwight Williams, Maria Velma, Lorie Diaz-Liddicoat, Frank Ferrol, Cassandra Leiva, Alyssa Leiva, Bob Gutierrez Maria Monroy, Mario Enriquez, Raul Hernandez, Liz Sutton, Jason Lindsey, Damaris Leiva, Mike Souza, Kevin DalPorto, Rob Mitchell Trevor Smith, Tamara Buenestro-Suguitan, Jeff Sanguinetti, and Miguel Pulido

Approve **Motion 2023-12-05-1601** to continue the Public Hearing until date certain of 12/12/2023.

Moved by: Daniel Wright, seconded by Susan Lenz.

Vote: Motion carried 7-0

Yes: Michael Blower, Brando Villapudua, Michele Padilla, Susan Lenz, Kevin J

11. PUBLIC COMMENTS - MATTERS NOT ON THE AGENDA

Darren Semore, OE3 representative - City Manager remarks; COMP study

Loren Celestine - employee retention; negotiation tactics

Mark Moreno - employee retention; negotiation tactics

Dean Fadeff, District Representative OE3 - contract negotiations

Matt Ellis - encampment; thanked Councilmember Padilla

Wasim Hassain - encampments

Jeff Gamboni - Victory Park Rose Garden

Cynthia Gail Boyd - town hall meeting, homicides

Mary Elizabeth - retail tobacco ordinance

Motecuzoma Sanchez - workers strike

Council Correspondence - Public Comments

12. CONSENT AGENDA

Approve the Consent Agenda with a single vote.

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 Warmesley, and Daniel Wright.

12.1 23-1162 APPOINTMENT TO THE CHARTER REVIEW ADVISORY COMMISSION

Resolution 2023-12-05-1201 ratifying the Councilmember Wright's appointment to the Charter Review Advisory Commission for a term commencing immediately ending December 31, 2024.

Legislation Text

Attachment A - Redacted Application

Proposed Resolution

Approved Resolution 2023-12-05-1201

12.2 23-0909 APPROVE MOTION TO AMEND THE THREE-YEAR STANDARD AGREEMENT BETWEEN THE CITY OF STOCKTON AND JACK ROBERSON FOR THE CALIFORNIA VIOLENCE INTERVENTION AND PREVENTION (CALVIP) GRANT

Motion 2023-12-05-1202:

1. Amending a standard agreement with Jack Roberson of Mora Learning Institute (MLI) to assume the lead technical assistance role and provide direct support and consulting to the OVP director, staff, and CalVIP sub-recipients for the overall implementation of the CalVIP Cohort 4 initiative in the not-to-exceed amount of \$290,000.
2. Authorizing the City Manager to move CalVIP funds between approved sub-recipients as necessary.
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 - Approved Resolution

Attachment B - 2022-25 CalVIP Grant Agreement

Attachment C - Contract Amendment 1

12.3 23-0953 RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE STATE OF CALIFORNIA BOARD OF STATE COMMUNITY CORRECTIONS, IN THE AMOUNT OF \$9,174 FOR THE CALIFORNIA VIOLENCE INTERVENTION AND PREVENTION (CALVIP) MENTAL HEALTH SERVICES FOR FRONT LINE WORKERS GRANT FOR THE PERIOD JULY 1, 2023, THROUGH JUNE 30, 2025, AND AUTHORIZING EXECUTION OF GRANT AGREEMENT

Resolution 2023-12-05-1203:

1. Authorizing the City Manager to accept grant funding from the State of California Board of State Community Corrections California Violence Intervention and Prevention (CalVIP) Grant
2. Authorizing all required appropriations and expenditures in compliance with and for the purposes stated in the project agreement over a two year period
3. The grant funds received hereunder shall not be used to supplant expenditures controlled by this body
4. Authorizing and directing the City Manager, or designee, to execute on behalf of the City of Stockton all required contracts or agreements with the granting agency, providing additional information and furnishing such documents as may be required, executing all documents and amendments or extensions pertaining to the grant project
5. Authorizing the City Manager, or designee, to take appropriate and necessary actions to carry out the purpose and intent of the resolution.

Legislation Text

Attachment A - CALVIP April 2023 Application

Approved Resolution 2023-12-05-1203

12.4 23-0993 APPROVE A MOTION ACCEPTING THE 2023 ANNUAL PROGRESS REPORT TO CONFIRM 200-YEAR URBAN LEVEL OF FLOOD PROTECTION FINDING FOR RECLAMATION DISTRICT 2042 AREA

Motion 2023-12-05-1204:

1. Accepting the 2023 Annual Progress Report to confirm the 200-year urban level of flood protection adequate progress finding for the Reclamation District 2042 boundary area

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

Legislation Text

Attachment A - RD2042 Map

Attachment B - SB 5 Overview

Attachment C - 200 Yr Floodplain Map

Attachment D - 2023 Annual Progress Report

12.5 23-0012 ADOPT A RESOLUTION TO ACCEPT AND APPROPRIATE FUNDING FOR THE CALIFORNIA DEPARTMENT OF TRANSPORTATION SUSTAINABLE TRANSPORTATION PLANNING GRANT AWARDED TO SAN JOAQUIN COUNCIL OF GOVERNMENTS

Resolution 2023-12-05-1205:

1. Authorizing the City Manager, or designee, to accept the grant suballocation from SJCOG as a subrecipient, contribute the local match requirement, execute and submit all documents including agreements, amendments, and payment requests, and make all necessary appropriations in compliance with and for the purposes stated in the grant award and application; and

2. 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 - Caltrans Grant

Approved Resolution 2023-12-05-1205

12.6 23-1059 APPROVE A MOTION TO EXECUTE CONTRACT AMENDMENT NO. TWO WITH UKG KRONOS SYSTEMS, LLC (FORMERLY KRONOS INCORPORATED) FOR THE TELESTAFF SCHEDULING SOLUTION

Motion 2023-12-05-1206:

1. Authorizing the City Manager to execute Contract Amendment No. Two to the UKG Kronos Systems, LLC (formerly Kronos Incorporated) Agreement in an amount not to exceed \$28,645.05.

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 - Original Agreement

Attachment B - Amendment 1

Attachment C - Amendment 2

12.7 23-1088 APPROVE MOTION TO EXECUTE A FIVE-YEAR MASTER SERVICE AGREEMENT WITH LEXIPOL, LLC FOR POLICY MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$179,700

Motion 2023-12-05-1207:

1. Authorizing the City Manager to execute a five-year Master Service Agreement with Lexipol, LLC (Lexipol), in an amount not to exceed \$179,688.70.

2. Approving findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process

3. 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 - Master Service Agreement

12.8 23-0891 AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH LAW ENFORCEMENT PSYCHOLOGICAL SERVICES, INC. TO PROVIDE PRE-EMPLOYMENT PSYCHOLOGICAL EVALUATION SERVICES

Motion 2023-12-05-1208 authorizing the City Manager to:

1. Executing a five (5) year contract with Law Enforcement Psychological Services, Inc. to provide pre-employment psychological testing for police and fire department candidates.

2. Approving exception to the competitive bidding process pursuant to Stockton Municipal Code section 3.68.070.

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 - Proposed Contract with LEPS

12.9 23-1075 ACCEPT THE FINAL 2022-23 SAN JOAQUIN COUNTY CIVIL GRAND JURY REPORT AND APPROVE THE CITY OF STOCKTON RESPONSE CASE NO. 0322 SCHOOL SAFETY IN SAN JOAQUIN COUNTY: DEVELOPING A CULTURE OF SAFETY

Motion 2023-12-05-1209 accepting the final 2022-23 San Joaquin County Civil Grand Jury Report and approving by motion the City's response to the School Safety in San Joaquin County: Developing a Culture of Safety investigation (Case No. 0322).

Legislation Text

Attachment A - 2022-23 SJC Grand Jury Final Report

Attachment B - SPD Response Letter

12.10 23-0894 ADOPT RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT AND APPROPRIATE FUNDS FOR THE DOWNTOWN EAST-WEST CONNECTION PROJECT

Resolution 2023-12-05-1210:

1. Awarding a Professional Services Contract to Siegfried Engineering, Inc. of Stockton, CA, in the amount of \$258,500, for design of the Downtown East-West Connection, Project No. WT22050/ATPL-5008(199).

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 \$20,000 from the Public Facilities Fee Air Quality Fund Balance to the Downtown East-West Connection, Project No. WT22050/ATPL-5008(199).

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 - Professional Services Contract

Approved Resolution 2023-12-05-1210

12.11 23-0897 REJECT BIDS FOR THE CITYWIDE SIDEWALK REPAIR PROJECT

Motion 2023-12-05-1211 rejecting all bids received for the Citywide Sidewalk Repair, Project No. WD22053, pursuant to Stockton Municipal Code section 3.68.160(B).

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

Legislation Text

Attachment B - Location List

12.12 23-0905 ADOPT RESOLUTION TO AUTHORIZE THE ADA CURB RAMP INSTALLATION PROJECT

Resolution 2023-12-05-1212:

1. Approving Notice of Exemption No. NOE39-23 under the California Environmental Quality Act for the ADA Curb Ramp Installation, Project No. WD23004.

2. Approving the plans and specifications for the ADA Curb Ramp Installation, Project No. WD23004.

3. Awarding a Construction Contract in the amount of \$785,000 to Terocons, Inc. of San Francisco, CA, for the ADA Curb Ramp Installation, Project No. WD23004.

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

Legislation Text

Attachment A - Location List

Attachment B - Vicinity Map

Proposed Resolution

Exhibit 1 - Notice of Exemption

Exhibit 2 - Construction Contract

Approved Resolution 2023-12-05-1212

12.13 23-0785 ADOPT RESOLUTION TO AUTHORIZE SUBMITTAL OF A GRANT AGREEMENT UNDER THE FISCAL YEAR 2022 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM

Resolution 2023-12-05-1213:

1. Authorizing the City Manager to execute a Grant Agreement under the Federal Fiscal Year 2022 Safe Streets and Roads for All Grant Program with the U.S. Department of Transportation Federal Highways Administration.

2. Authorizing the City Manager, or designee, to submit future Safe Streets and Roads for All Grant Program applications and execute all necessary implementation related documents and agreements with the U.S. Department of Transportation Federal Highways Administration.

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

Legislation Text

Proposed Resolution - SS4A

Approved Resolution 2023-12-05-1213

12.14 23-0830 APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR THE EQUINOA PARK PHASE II PROJECT

Motion 2023-12-05-1214:

1. Awarding a Professional Services Contract to Callander Associates of Gold River, CA, in the amount of \$198,942, for design of the Equinoa Park Phase II, Project No. WP13173.

2. 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 motion.

Legislation Text

Attachment A - Vicinity Map

Attachment B - Professional Services Contract

12.15 23-0833 ADOPT RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT AND APPROPRIATE FUNDS TO THE CANNERY PARK PROJECT

Resolution 2023-12-05-1215:

1. Awarding a Professional Services Contract to O'Dell Engineering of Modesto, CA, in the amount of \$222,542, for design of Cannery Park, Project No. WP13270.

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 \$125,000 from the Public Facilities Fee Parkland Fund Balance to Cannery Park, Project No. WP13270.

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 - Professional Services Contract

Approved Resolution 2023-12-05-1215

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

15. NEW BUSINESS**15.1 23-0965 UPDATE ON CLEAN CITY INITIATIVE**

Informational item only. No action taken.

Legislation Text

PPT - 15.1 - Update - Clean City Initiative

16. HEARINGS**16.2 23-1104 PUBLIC HEARING FOR THE CONSIDERATION OF THE PROPOSED MEASURE A SUNSET EXTENSION; ADOPTION OF AN ORDINANCE EXTENDING THE TERM OF THE TAX MEASURE; AND ADOPTION OF A RESOLUTION AMENDING THE ANNUAL BUDGET**

Legislation Text

Attachment A - Ordinance No. 2013-07-09-1601

Proposed Resolution

Proposed Ordinance

Approved Resolution 2023-12-05-1602

Approved Ordinance 2023-12-05-1602

Exhibit 1 - LRFP With and Without Measure A

Exhibit 2 - Services Restored Using General Fund

Exhibit 3 - Services Threatened by Sunset of Measure A

Exhibit 4 - Methodology Used - Salary Comp Studies

Exhibit 5 - Successor MOU Appendices

PPT - 16.2 - Measure A Extension

The following persons spoke to the following item: Sharee Wilburn, Mister Lee, James Stutz, Clifford Rayasa, Junior, Christine DeHoyos, Damian, Jorge Mendoza, Michael Huiras, Ned Leiba, Cynthia Gail Boyd, Ernesto Gonzalez, Joshua Rayasa, Rev. E.L. Williams, Christina Fugazi, Dan Offield, and Motecuzoma Sanchez.

Approve

1. Ordinance 2023-12-05-1602: adopting findings and extending the sunset of the tax measure

2. Resolution 2023-12-05-1602: amending the authorized positions in the FY 2023-24 Annual Budget.

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

Moved by: Daniel Wright, seconded by Susan Lenz.

Attachment A

Vote: Motion carried 6-1

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

No: Michele Padilla.

17. CITY MANAGER'S UPDATE

None

18. COUNCIL COMMENTS

Councilmember Padilla - traffic; abandoned animals; volunteering; safety in district

Councilmember Blower - Holiday Tree Lighting; Stockton Lantern Festival
November 24, 2023 - December 14, 2023

Councilmember Wright -Charter Review Advisory Committee appointee; Holiday
Tree Lighting; League of California Cities Annual State Board Meeting; California
Council of Government Annual Retreat; traffic tickets

Councilmember Lenz - ATHENA awards; pedestrians, speeding; Stockton Lantern
Festival November 24, 2023 - December 14, 2023.


Mayor Lincoln - community involvement

Vice Mayor Warmesley - pedestrian safety, traffic enforcement; League of California
Cities Annual State Board Meeting; Emergency Food Bank Thanksgiving food box
giveaway; Annual Run for Turkey

19. ADJOURNMENT - 10:05 PM

INFORMATIONAL ITEMS

None



Eliza R. Garza, CMC
Stockton City Clerk