



City of Stockton

City Council/Successor
Agency of the
Redevelopment
Agency/Public Financing
Authority/Parking Authority
Concurrent Agenda

Meeting Agenda - Final

City Council/Successor Agency to the Redevelopment Agency/Public Financing Authority/Parking Authority Concurrent

Michael D. Tubbs Mayor/Chair
Daniel R. Wright Vice Mayor/Vice Chair (District 2)
Sol Jobrack (District 1)
Paul Canepa (District 3)
Susan Lenz (District 4)
Christina Fugazi (District 5)
Jesus M. Andrade (District 6)

Tuesday, August 11, 2020

4:00 PM

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

Closed Session 4:00 PM :: Regular Session 5:30 PM

During this time of local health concerns, City Hall has limited socially-distanced seating available to the public. Due to these concerns, you are strongly encouraged to watch the meeting online and you can submit your public comments electronically.

1. You can view the live meeting at <http://www.stocktongov.com/government/Meetings/councilMeetings.html> or cable tv Channel 97.
2. eComment - click <https://stockton.granicusideas.com/meetings> to submit an eComment(s). Only one comment per agenda item, per person will be read into the record.
3. Email – City.Clerk@stocktonca.gov if you prefer to email your comments in. Only one comment per agenda item, per person will be read into the record.
4. Public comment voicemail - (209) 937-8459 if you wish to leave your public comment in the form of a voicemail, it will be transcribed and emailed to the City Clerk. Only one comment per agenda item, per person will be read into the record.

1. **CLOSED SESSION CALL TO ORDER/ROLL CALL**
2. **ADDITIONS TO CLOSED SESSION AGENDA**
3. **ANNOUNCEMENT OF CLOSED SESSION**
- 3.1 [20-6887](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Number of Cases: Three

Name of Case: L.F., a minor et al. v. City of Stockton (United States District Court, Eastern District Case No. 2:17-CV-01648-KJM-DB)

Name of Case: City of Stockton v. San Joaquin County Emergency
Medical Services Agency (San Joaquin County
Superior Court Case No.
STK-CV-UWM-2020-04909)

Name of Case: Kurt Wilson v. City Council of Stockton, et al. (San
Joaquin County Superior Court Case No.
STK-CV-UWM-2019-12404)

This Closed Session is authorized pursuant to section 54956.9(a)
of the Government Code.

Department: City Attorney

3.2 [20-6888](#) **CONFERENCE WITH LABOR NEGOTIATOR**

Recommended Action: Agency Designated Representative: City Manager Harry Black

Employee Organizations: Unrepresented Units, Stockton City Employees'
Association, Operating Engineer's Local 3, Mid-Management/Supervisory
Level Unit, Unrepresented Management/Confidential, Law Department,
Stockton Police Management Association, Stockton Firefighters Local 456
International Association of Firefighters, Stockton Fire Management,
Stockton Police Officers' Association (SPOA)

This Closed Session is authorized pursuant to section 54957.6(a) of the
Government Code.

Department: City Attorney

3.3 [20-6889](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Recommended Action: City Manager

This Closed Session is authorized pursuant to Government Code Section
54957.

Department: City Attorney

3.4 [20-6768](#) **CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Recommended Action: Number of Cases: Two
Based on existing facts and circumstances, there is significant exposure
to litigation pursuant to Government Code Section 54956.9(b).

Department: City Attorney

4. **PUBLIC COMMENT***

5. **RECESS TO CLOSED SESSION**

- 6. REGULAR SESSION CALL TO ORDER/ROLL CALL
- 7. INVOCATION/PLEDGE TO FLAG
- 8. REPORT OF ACTION TAKEN IN CLOSED SESSION
- 9. ADDITIONS TO REGULAR SESSION AGENDA***
- 10. RECOGNITIONS, ANNOUNCEMENTS, OR REPORTS
- 11. CONSENT AGENDA

11.1 [20-6944](#) APPROVAL OF CITY COUNCIL MINUTES

Recommended Action: RECOMMENDATION

Approve the minutes from the special City Council meeting of December 19, 2019 and the City Council meetings of January 14, 2020, February 4, 2020, and April 28, 2020.

Department: City Clerk

Attachments: [Attachment A - 2019-12-19 Minutes for Approval - Special](#)
[Attachment B - 2020-01-14 Minutes for Approval](#)
[Attachment C - 2020-02-04 Minutes for Approval](#)
[Attachment D - 2020-04-28 Minutes for Approval](#)

11.2 [20-6878](#) ACCEPT THE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED JUNE 30, 2020

Recommended Action: RECOMMENDATION

It is recommended that the City Council accept by motion the Quarterly Investment Report for the quarter ended June 30, 2020.

Department: Administrative Services

Attachments: [Attachment A - Quarterly Investment Report - 6-30-2020](#)
[Attachment B - Certification of Quarterly Investment Report](#)

11.3 [20-6850](#) RESOLUTION EXEMPTING THE CITY OF STOCKTON FROM THE STATE-MANDATED CONGESTION MANAGEMENT PROGRAM

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1. Electing to exempt the City of Stockton from the State-mandated Congestion Management Program in conjunction with the San Joaquin Council of Governments' collective effort to achieve Countywide exemption in accordance with California Government Code Section 65088.3.

2. Finding that the proposed action is exempt from the California Environmental Quality Act under section 15061(b)(3).

It is further recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of the resolution.

Department: Community Development

Attachments: [Attachment A - SJCOG Letter to Jurisdictions](#)
[Proposed Resolution - CMP Opt Out](#)

11.4 [20-6610](#) **ACQUISITION OF FEE INTEREST IN 759 WEST YETTNER ROAD
FOR MUNICIPAL UTILITIES WATER LINE EASEMENT FOR
VETERANS AFFAIRS MEDICAL FACILITY**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution:

1) Authorizing the acquisition of 759 West Yettner Road, an undeveloped 1.93-acre parcel adjacent to Municipal Utilities Department's (MUD) Weston Ranch Water Reservoirs south of French Camp Road, to facilitate the water utility services extension to the nearby U.S. Department of Veterans Affairs (VA) Medical Facility and for future operational use by MUD; and

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

Department: Economic Development

Attachments: [Attachment A - VA Facilities Map](#)
[Attachment B - Vicinity Map](#)
[Attachment C - Aerial Map](#)
[Proposed Resolution - Acquisition 759 W Yettner](#)
[Exhibit 1 - Purchase Agreement](#)

11.5 [20-6778](#) **APPROVE MOTION TO ENTER INTO A NEW CONTRACT WITH
APPLIED OFFICE FOR A THREE-YEAR CONTRACT FOR IT
COMPUTER TRAINING SERVICES**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to:

1. Award a Professional Services Contract to Applied Office for a term of three-years with the option of two one-year renewals for City-wide computer training services. The total contract amount is \$135,000 for the first three-years with two optional renewals estimated at \$45,000 per year;
2. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process; and
3. Authorize the City Manager to take necessary and appropriate actions to carry out the purpose and intent of this motion.

Department: Information Technology

Attachments: [Attachment A - Applied Office Proposal to PUR 20-010](#)
[Attachment B - Applied Office Executed Contract Package](#)
[Attachment C - Applied Office Fee Schedule to PUR 20-010](#)

11.6 [20-6874](#) **APPROVE RESOLUTION ACCEPTING A DRIVING UNDER THE INFLUENCE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT AWARD FROM THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY IN THE AMOUNT OF \$457,500**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a resolution:

1. Authorizing the City Manager to accept a Driving Under the Influence (DUI) Selective Traffic Enforcement Program (STEP) grant award from the State of California Office of Traffic Safety (OTS) in the amount of \$457,500;
2. Authorizing the City Manager to execute Grant Agreement PT21067 (Exhibit 1 to the Proposed Resolution) and all related documents, to carry out the purpose and intent of the grant award;
3. Amending the Fiscal Year (FY) 2020-21 Annual Budget to increase the Police Grants & Special Programs revenue and expenditure appropriation by \$457,500;
4. Authorizing the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Department: Police

Attachments: [Proposed Resolution - 2021 OTS STEP Grant](#)
[Exhibit 1 - 2021 OTS STEP Grant Agreement PT21067](#)

11.7 [20-6849](#) **ADOPT RESOLUTION TO AUTHORIZE THE LOCAL STREET RESURFACING PROGRAM - SLURRY SEAL, PROJECT NO.**

PW1914

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to:

1. Approve Notice of Exemption No. NOE33-20 under the California Environmental Quality Act for the Local Street Resurfacing Program FY 2019-20 SB1 - Slurry Seal, Project No. PW1914.
2. Approve the plans and specifications for the Local Street Resurfacing Program FY 2019-20 SB1 - Slurry Seal, Project No. PW1914.
3. Award a Construction Contract in the amount of \$608,608 to Intermountain Slurry Seal, Inc., of Reno, NV, for the Local Street Resurfacing Program FY 2019-20 SB1 - Slurry Seal, Project No. PW1914.
4. Reallocate available balance, not to exceed \$172,000, from the Local Street Resurfacing Program FY 2018-19 SB1, Project No. PW1814 (030-3079-640) to the Local Street Resurfacing Program FY 2019-20 SB1 - Slurry Seal, Project No. PW1914 (030-3079-640).

It is also recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Department: Public Works

Attachments: [Attachment A - Vicinity Map](#)

[Proposed Resolution](#)

[Exhibit 1 - NOE33-20](#)

[Exhibit 2 - Construction Contract](#)

11.8 [20-6685](#) **APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR PERSHING AVENUE SEWER TRUNK (CHURCH STREET TO NAVY DRIVE) PROJECT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to:

1. Award a Professional Services Contract to West Yost Associates, of Davis, CA, in the amount of \$449,465 for design of the Pershing Avenue Sewer Trunk (Church Street to Navy Drive), Project No. M17023.
2. Approve findings pursuant to Stockton Municipal Code section 3.68.070 in support of an exception to the competitive bidding process.

It is also recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Public Works

Attachments: [Attachment A - Vicinity Map](#)
[Attachment B - Professional Services Contract - M17023](#)

11.9 [20-6760](#) **REJECT BIDS FOR THE INSTALLATION AND UPGRADE OF
BICYCLE FACILITIES (CLASS II AND CLASS III) PROJECT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion rejecting all bids received for the construction of the Installation and Upgrade of Bicycle Facilities (Class II and Class III), Project No. PW1517, pursuant to Stockton Municipal Code section 3.68.160(B).

It is also recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Public Works

Attachments: [Attachment A - Vicinity Map](#)

11.10 [20-6461](#) **EASEMENT GRANT AND MEMORANDUM OF UNDERSTANDING
WITH THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY FOR
THE SMITH CANAL GATE PROJECT**

Recommended Action: RECOMMENDATION

It is recommended that the City Council adopt a resolution to:

1. Grant easements from parcel APN 133-060-010 to the San Joaquin Area Flood Control Agency and the Sacramento and San Joaquin Drainage District for the construction and maintenance of the Smith Canal Gate project.
2. Execute a Memorandum of Understanding with the San Joaquin Area Flood Control Agency to formalize general conditions for the granted easement.

It is also recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this resolution.

Department: Public Works

Attachments: [Attachment A - FEMA Effective FIRM 10-16-09](#)
[Attachment B - CEQA Docs - Smith Canal Gate Project](#)
[Attachment C - Project Overview](#)
[Attachment D - Legal Descriptions and Platts](#)
[Proposed Resolution - Grant and MOU with SJAFCA](#)
[Exhibit 1 - City-SJAFCA Easement Deed](#)
[Exhibit 2 - MOU - SJAFCA and City - Smith Canal](#)

11.11 [20-6539](#) **APPROVE MOTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE MINER AVENUE COMPLETE STREET IMPROVEMENTS**

Recommended Action: RECOMMENDATION

It is recommended that the City Council approve a motion to:

1. Award a Professional Services Contract to Salaber Associates, Inc., of Rancho Cordova, CA, in the amount of \$1,706,570, for construction management services for the Miner Avenue Complete Street Improvements, Project No. PW1732.

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

It is recommended that the City Manager be authorized to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Department: Public Works

Attachments: [Attachment A - Vicinity Map](#)
[Attachment B - Contract - Salaber Associates - PW1732](#)

12. **ADMINISTRATIVE MATTERS**

13. **UNFINISHED BUSINESS**

14. **NEW BUSINESS**

14.1 [20-6779](#) **ADOPT RESOLUTION AUTHORIZING AN INITIAL ISSUANCE OF SPECIAL TAX BONDS TO BE ISSUED FOR AND ON BEHALF OF THE CITY OF STOCKTON COMMUNITY FACILITIES DISTRICT NO. 2018-2 (WESTLAKE VILLAGES II), APPROVE AND DIRECT THE EXECUTION OF A FISCAL AGENT AGREEMENT, APPROVING THE FORM OF PRELIMINARY OFFICIAL STATEMENT, APPROVE SALE OF SUCH BONDS, AND APPROVE OTHER RELATED DOCUMENTS AND ACTIONS**

Recommended Action: RECOMMENDATION

It is recommended that City Council adopt a resolution to authorize the issuance and sale of Special Tax Bonds, payable from Special Taxes, for and on behalf of the City of Stockton Community Facilities District No. 2018-2 (Westlake Villages II) in the estimated amount of \$9,300,000 (not-to-exceed \$9,630,000), and directing the execution of a Fiscal Agent agreement, approving the bond sale, and approving all necessary actions and approving all documents in connection with the issuance.

Department: Administrative Services

Attachments: [Attachment A - Docs Being Approved & Terms Used](#)
[Attachment B - Good Faith Estimate](#)
[Proposed Resolution - Westlake II CFD 2018-2](#)
[Exhibit 1 - Fiscal Agt Agmt Westlake II CFD 2018-2](#)
[Exhibit 2 - Preliminary Official Statement](#)
[Exhibit 3 - Bond Purchase Agreement](#)
[Exhibit 4 - Acquisition Agreement](#)

14.2 [20-6870](#) **DESIGNATING VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD OCTOBER 7-9, 2020**

Recommended Action: RECOMMENDATION

It is recommended that the City Council, by motion action, designate two members to serve as voting delegates representing the City at the League of California Cities Annual Conference to be held October 7-9, 2020, one member as delegate and one member as alternate.

Department: City Manager

Attachments: [Attachment A - 2020 LCC Correspondence](#)

14.3 [20-6936](#) **UPDATE FROM THE OFFICE OF PERFORMANCE AND DATA ANALYTICS**

Recommended Action: RECOMMENDATION

No action to be taken.

This will be an informal presentation to update Mayor and Council on activities in the Office of Performance and Data Analytics (OPDA).

Department: City Manager

15. **HEARINGS****

16. **PUBLIC COMMENTS* – MATTERS NOT ON THE AGENDA**

17. **CITY MANAGER'S COVID-19 UPDATE**

18. **COUNCIL COMMENTS**

19. **ADJOURNMENT**

CERTIFICATE OF POSTING

I declare, under penalty of perjury, that I am employed by the City of Stockton and that I caused this agenda to be posted in the City Hall notice case on August 4, 2020, in compliance with the Brown Act.

**Eliza R. Garza, CMC
City Clerk**

By: _____

Deputy

**Citizens may comment on any subject within the jurisdiction of the City Council/Successor Agency to the Redevelopment Agency/Public Finance Authority/Parking Authority, including items on the Agenda. Each speaker is limited to three minutes. Speakers must submit "Request to Speak" cards to the City Clerk, and be prepared to speak when called. No speaker cards will be received after the close of the Citizen's Comments portion of the meeting.*

***Speakers should hold comments on items listed as a Hearing until the Hearing is opened. If a large number of people desire to speak at a Hearing, the Mayor/Chair may reduce the amount of time allocated to each speaker to three (3) minutes.*

****Additions to the Agenda - Government Code Section 54954.2(b)(2), allows members of the City Council present at the meeting to take immediate action, with either a two-thirds or unanimous vote, to place an item on the agenda that action must be taken and that the item came to the attention of the City subsequent to the agenda being posted.*

All proceedings before this meeting body are conducted in English. The City of Stockton does not furnish language interpreters and, if one is needed, it shall be the responsibility of the person needing one.

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Stockton to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the Office of the City Clerk located at 425 North El Dorado Street, Stockton, California 95202 during normal business hours or by calling (209) 937-8459, at least 5 days in advance of the hearing/meeting. Advance notification within this guideline will enable the City/Agency to make reasonable arrangements to ensure accessibility.

Materials related to an item on this agenda submitted to City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 425 North El Dorado Street, Stockton, California 95202, during normal business hours. Such documents are also available on the City's website at www.stocktongov.com subject to staff's ability to post the documents before the meeting.

CHALLENGING CITY DECISIONS: The time limit within which to commence any lawsuit or legal challenge to any quasi-judicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-judicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Stockton, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.