MINUTES
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/PUBLIC FINANCING AUTHORITY CONCURRENT MEETING OF OCTOBER 21, 2014

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

1. CLOSED SESSION CALL TO ORDER/ROLL CALL (4:02 PM)

Roll Call
Present:
Dyane Burgos Medina
Elbert Holman
Katherine Miller
Michael Tubbs
Moses Zapien
Anthony Silva
Absent:
Paul Canepa.

Vice Mayor Canepa arrived to Closed Session at 4:03 p.m.

2. ADDITIONS TO CLOSED SESSION AGENDA

None.

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 14-0868 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Number of Cases: Four

Name of Case: Wells Fargo Bank v. City of Stockton (San Joaquin County Superior Court Case No. 39-2012-00277662)

Name of Case: Wells Fargo Bank, National Association, as Indenture Trustee v. City of Stockton (San Joaquin County Superior Court Case No. 39-2012-00280741)

Name of Case: In re City of Stockton, California - Debtor (United States Bankruptcy Court, Eastern District of California Case No. 2012-32118)

Name of Case: Richard Price, et al. v. City of Stockton, Redevelopment Agency, et al. (United States District Court, Eastern District Case No. CIV.S-
02-0065 LKK JFM)

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

3.2 14-0876 CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: City Manager Kurt Wilson

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.

4. PUBLIC COMMENT*

Tocan Nguyen - shared personal political views.

5. RECESS TO CLOSED SESSION

The Council recessed to Closed Session at 4:06 p.m. The Council returned from Closed Session and recessed at 5:05 p.m.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL (5:31 PM)

Roll Call
Present:
  Dyane Burgos Medina
  Elbert Holman
  Katherine Miller
  Michael Tubbs
  Moses Zapien
  Paul Canepa
  Anthony Silva

7. INVOCATION/PLEDGE TO FLAG

Chester Lum of the Journey Church provided the Invocation. The Pledge of Allegiance was led by Vice Mayor Canepa.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney John M. Luebberke announced that there was no reportable action taken during Closed Session this evening.
9. ADDITIONS TO REGULAR SESSION AGENDA**

None

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS


Dave Scheffer accepted the Proclamation on behalf of the Friends of the Library

11. CITIZENS’ COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

Cynthia Gail Boyd - Citizen’s Complaint (document filed); crime

Stockton Police Department Citizen Complaint Form - document filed by Cynthia Gail Boyd

Aaron Paradiso - supports cameras in police cars

Zoya Moreno - Thanked Councilmember Tubbs for his support in Weston Ranch; reminded folks to vote on November 4

Diana Buettner - urged Councilmember Tubbs to resign his office

Jackson - shared personal political views

Gary Malloy - supports admonishing Councilmember Tubbs; holding Councilmembers accountable

Pastor John Easter - spoke in support of Councilmember Tubbs

LaRoy Scott - diversity in the Police Department; panhandling in Stockton; tree limbs blocking street traffic at Oak Park

Michael Vallete - cameras on Police Officers

Lorenzo Martinez - urged Councilmember Tubbs to resign; expressed concern regarding crime in Districts 5 and 6

Eno Buto-Uko - supported the installation of positive message signs throughout the City of Stockton

Vincent Sayles - personal religious beliefs

Karen Anderson - spoke in support of Councilmember Tubbs; thanked Councilmember Burgos Medina for her concern about the Victory Park sidewalks that need repair; asked for support from Vice Mayor Canepa regarding a bill for a false alarm
Shamaya Slaugther - asked Councilmember Tubbs to resign

Richard Smith - supports treating all Councilmembers the same

Chris Cannon - spoke in support of Councilmember Tubbs

Michael Garcia - supports Councilmember Tubbs; safe place for kids to play; John Perry Park

Rev. Dennis Moore - asked for update regarding City support for upcoming Martin Luther King celebration; asked for proclamation for the event

Tocan Nguyen - shared personal political views

James Young - 25 shopping carts being left behind his apartment that need to be picked up

Ralph White - referenced the recent Bank of the West robbery and urged Council to set policy regarding police response

Bobby Bivens - Martin Luther King Celebration is a part of City of Stockton’s program for many years; there was a policy that the City sponsor the MLK Annual Celebration and contributed $20,000 per year to make sure it was successful; discrimination against African-Americans in businesses

Alejandra Gutierrez - spoke in support of Councilmember Tubbs

Andrew Lucero - spoke in support of Councilmember Tubbs

Youth Organizations of Community Partnerships for Families - Santio Ramirez, representing Youth Organizers spoke regarding homeless youth and extended an invitation to their annual event Let Homeless Youth Be Heard to be held November 1, 2014, 5 p.m. to 8 p.m. at the University Park Gymnasium, 612 E Magnolia St.

Jasmine Sanchez, Youth Organizer - reflected on her life and how she has overcome hardships to achieve her educational goals

Carey Downs - Councilmember Tubbs is a role model to the young people in the community

Sammy Nunez, Boys and Men of Color - spoke in support of Councilmember Tubbs

Geraldine Hollis - shared life experience
LaJuana Bivens - spoke in support of Councilmember Tubbs; National Association for the Advancement of Colored People event; supports Martin Luther King Jr. celebration

Note: City Council took a break from public comments to consider the consent agenda

12. CONSENT AGENDA

Motion adopting the Consent Agenda with a single vote

Moved by: Dyane Burgos Medina, seconded by Katherine Miller.

Vote: Motion carried 7-0

Yes: Dyane Burgos Medina, Elbert Holman, Katherine Miller, Michael Tubbs, Moses Zapien, Paul Canepa, and Anthony Silva.

12.1 14-0225 LOGISTIC SYSTEMS COMPUTER AIDED DISPATCH LICENSE AND MAINTENANCE SERVICES FOR THE FIRE DEPARTMENT

Motion 2014-10-21-1201 accepting findings in support of an exception to the competitive bidding process and authorize a sole source agreement with Logistic Systems, Inc. (LOGISYS) in the amount of $54,430 for annual license and maintenance services for the Fire Computer Aided Dispatch (CAD) System.

Legislation Text
Attachment A - Resolution 96-0513
Attachment B - Resolution 04-0752
Attachment C - Resolution 08-0386
Attachment D - Resolution 2013-12-17-1208
Attachment E - Logisys Contract

12.2 14-0643 SUBMISSION OF QUARTERLY INVESTMENT REPORT AND APPROVAL OF THE CITY OF STOCKTON’S ANNUAL INVESTMENT POLICY NO. 700-7, AS AMENDED, AND ANNUAL DELEGATION OF INVESTMENT AUTHORITY TO THE CHIEF FINANCIAL OFFICER, ACTING IN THE CAPACITY OF TREASURER, FOR FISCAL YEAR 2014-15

Motion 2014-10-21-1202 accepting the quarterly Investment Report and;

Resolution 2014-10-21-1202:

1. Approving Investment Policy No. 700-7 as amended for the City of
Stockton,

2. Confirming the annual delegation of investment authority to the Chief Financial Officer, acting in the capacity of the Director of Administrative Services and Treasurer, for the period of Fiscal Year 2014-15.

Legislation Text

Attachment A - Portfolio Market Value Graphs
Attachment B - Portfolio Yield to Maturity Trend
Proposed Reso - Inv Policy and Authority Delegation for FY 2014-15
Exhibit 1 - Investment Policy 700-7
Approved Resolution 2014-10-21-1202

12.3 14-1165 APPOINTMENT TO THE PLANNING COMMISSION

Resolution 2014-10-21-1203 ratifying the appointment of Kim Tutt to the Planning Commission, as recommended by Councilmember Miller, for a term commencing upon appointment and ending January 31, 2017.

Legislation Text

Proposed Resolution - Appointment to Planning Commission
Kim A Tutt Redacted
Approved Resolution 2014-10-21-1203

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

11. CITIZENS’ COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

Micah Escalante Jr. - spoke in support of Councilmember Tubbs
Jasmine - spoke in support of Councilmember Tubbs
Arioanne Felisarta - thanked local leaders for hard work
Anthony Burgher - supported admonishing Councilmember Tubbs; diversity on the Police force
Motecuzoma Sanchez - code of conduct for Councilmembers; expressed
disappointment in Councilmember Tubbs

Charles Johnson - spoke in support of Councilmember Tubbs

LeRoy Watson - spoke in support of Councilmember Tubbs

Jerron Jordan - spoke in support of Councilmember Tubbs

Cameron Brown - spoke in support of Councilmember Tubbs

AngelAnn Flores - spoke in support of Councilmember Tubbs

Mohammed - spoke in support of Councilmember Tubbs; shared political views

15. NEW BUSINESS

15.1 14-1062 APPROVE PURCHASE OF FIFTY-TWO POLICE INTERCEPTOR UTILITY VEHICLES FROM BIG VALLEY FORD (PUR 14-021)

Legislation Text

Attachment A - Bid from Big Valley Ford - Purchase of 52 Police Interceptor Utility Vehicles

Powerpoint Presentation

Cynthia Gail Boyd - disposition of used police cars being replaced

Joe Ventura - expressed concern regarding Ford vehicle recalls and Police Officer safety

Carey Downs - asked if the new vehicles were going to be equipped with cameras

Motion 2014-10-21-1501 authorizing the purchase of 52 Ford Police Interceptor Utility Vehicles from Big Valley Ford of Stockton, California, in the amount of $1,565,738.60.

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

Moved by: Dyane Burgos Medina, seconded by Katherine Miller.

Vote: Motion carried 7-0

Yes: Dyane Burgos Medina, Elbert Holman, Katherine Miller, Michael Tubbs, Moses Zapien, Paul Canepa, and Anthony Silva.

15.2 14-1143 APPOINTMENTS TO THE STOCKTON PARKS AND RECREATION COMMISSION
Legislation Text

Parks & Rec Application Packet Redacted 2014-10-14

Proposed Resolution - Parks and Recreation Appointment

Approved Resolution 2014-10-21-1502


Moved by: Paul Canepa, seconded by Katherine Miller.

Vote: Motion carried 7-0

Yes: Dyane Burgos Medina, Elbert Holman, Katherine Miller, Michael Tubbs, Moses Zapien, Paul Canepa, and Anthony Silva.

15.3 14-1161 FISCAL YEAR 2013-14 SECOND AND THIRD QUARTERS BUDGET STATUS UPDATE

Legislation Text

Attachment A - 2013-14 Quarter Budget Update General Fund

Attachment B - 2013-14 Bankruptcy Fund Forecast

Powerpoint Presentation

Motion 2014-10-21-1503 approving the Second and Third Quarters of Fiscal Year 2013-14 budget status report.

Moved by: Elbert Holman, seconded by Katherine Miller.

Vote: Motion carried 7-0

Yes: Dyane Burgos Medina, Elbert Holman, Katherine Miller, Michael Tubbs, Moses Zapien, Paul Canepa, and Anthony Silva.

16. HEARINGS***

16.1 14-1064 PUBLIC HEARING: APPROVE A SALES TAX INCENTIVE AGREEMENT BETWEEN THE CITY OF STOCKTON AND BERBERIAN EUROPEAN MOTORS, INC.

Legislation Text

Attachment A - Resolution No. 2013-12-17-1502

Proposed Resolution - Sales Tax Incentive Agreement
Exhibit 1 - Incentive Agreement - Berberian

Powerpoint Presentation

Approved Resolution 2014-10-21-1601

Mike Hakeem, Attorney at Law, representing the applicant - spoke in support of the proposed agreement

Gary Malloy - supported the City being flexible with local business

Resolution 2014-10-21-1601:

1. Approving the execution of a Sales Tax Incentive Agreement between the City of Stockton and Berberian European Motors, Inc.; and,

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

Moved by: Paul Canepa, seconded by Elbert Holman.

Vote: Motion carried 7-0

Yes: Dyane Burgos Medina, Elbert Holman, Katherine Miller, Michael Tubbs, Moses Zapien, Paul Canepa, and Anthony Silva.

17. COUNCIL COMMENTS

Councilmember Zapien - thanked Financial Center Credit Union for new location in south Stockton

Vice Mayor Canepa - Children’s Museum luncheon event; homeless shelter semiannual fundraising dinner; thanked University of the Pacific pharmacy students for flu shot; spoke in support of Councilmember Tubbs

Councilmember Miller - Financial Center Credit Union new location ground breaking; El Concilio Gala event; November 29, 2014 National Association for the Advancement of Colored People Freedom Fund Gala; thanked University of the Pacific pharmacy students

Councilmember Holman - thanked Financial Center Credit Union for new location; appointed by League of California Cities as Public Safety Policy committee member; Little Manila documentary event

Councilmember Burgos Medina - thanked Financial Center Credit Union for new location; thanked interns for hard work and dedication

Mayor Silva - algae and water hyacinth problem; Mayor’s campaign to end bullying; thanked Joel Wrugler with Point Break; thanked Victory Outreach for anti-gang play; Quail Lakes candidate forum; expressed concern about
not having a Mayoral staff; bankruptcy update; Stockton Arts Commission awards; Delta College building dedication; Mayor’s Clergy luncheon; flu shot

18. ADJOURNMENT (8:59 PM)

INFORMATIONAL ITEMS

1 14-1008 ANNUAL BOARD AND COMMISSION REPORT FOR THE MEASURE W OVERSIGHT COMMITTEE FOR THE PERIOD COVERING AUGUST 1, 2013 THROUGH JULY 31, 2014

Report of Chair Phillip Herrera for the 12 month period ending July 31, 2014.

Legislation Text

Measure W Oversight Committee Annual Report

2 14-1120 ANNUAL BOARD AND COMMISSION REPORT FOR THE CULTURAL HERITAGE BOARD FOR THE PERIOD COVERING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014

Report of Chair Wesley Swanson for the 12-month period ending September 30, 2014.

Legislation Text

Attachment A - Cultural Heritage Board Annual Report

[Signature]

BONNIE PAIGE, CMC
CITY CLERK