1. CLOSED SESSION CALL TO ORDER/ROLL CALL (4:32 PM)

Roll Call
Present:
- Councilmember Burgos Medina
- Councilmember Holman
- Councilmember Miller
- Councilmember Tubbs
- Councilmember Zapien
- Vice Mayor Canepa

Absent:
- Mayor Silva.

Note: Mayor Silva arrived to Closed Session at 4:39 p.m.

2. ADDITIONS TO CLOSED SESSION AGENDA

3. ANNOUNCEMENT OF CLOSED SESSION

3.1 14-0290 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 14-0289 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.

3.3 14-0364 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

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

5. RECESS TO CLOSED SESSION (4:36 PM)

The Council recessed to Closed Session at 4:36 p.m. The Council returned from Closed Session and recessed at 5:05 p.m.

6. REGULAR SESSION CALL TO ORDER/ROLL CALL (5:32 PM)

Roll Call
Present:
   Councilmember Burgos Medina
   Councilmember Holman
   Councilmember Miller
   Councilmember Tubbs
   Councilmember Zapien
   Vice Mayor Canepa
   Mayor Silva

7. INVOCATION/PLEDGE TO FLAG

Chaplain Brian Cochran of AseraCare Hospice 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 reported that pursuant to California Government Code 54957.1, the Council met in Closed Session to discuss the initiation of litigation in two potential cases. The Council has authorized the initiation of litigation. Once the action has been formally commenced, information about the action, the defendants and related details will be disclosed to any person inquiring about the actions, unless to do so would jeopardize the City's ability to effectuate service of process on one or more of the parties, or jeopardize the City's ability to successfully conclude existing settlement negotiations.
9. ADDITIONS TO REGULAR SESSION AGENDA**

10. PROCLAMATIONS, COMMENDATIONS, OR INVITATIONS

10.1 CERTIFICATE: The World of Outlaws Sprint Car Series and Tony Steward Event
RECIPIENT: Tony and Carol Nocetti

10.2 CERTIFICATE: St Mary's Sock Drive
RECIPIENT: Hannah Noel Ketcherside

10.3 CERTIFICATE: Pi Kappa Alpha UOP Students Hunger & Homelessness
RECIPIENTS: Andrew Powel & Alex Howard

10.4 CERTIFICATE: Plural Music
RECIPIENT: Joseph Quijano & Marselus Cayton

10.5 PROCLAMATION: Association Student Body President UOP
RECIPIENT: Marselus Cayton

10.6 PROCLAMATION: Sexual Assault Awareness Month
RECIPIENT: Candy Kebe, Woman's Center & Youth and Family Services

10.7 PROCLAMATION: National Donate Life Month
RECIPIENT: June Wallace and Zona Zaragoza on behalf of California Transplant Donor Network

10.8 PROCLAMATION: With Much Appreciation
RECIPIENT: Officer Joe Silva of the Stockton Police Department

10.9 PROCLAMATION: 30th Anniversary of Calvary First Assembly of God
RECIPIENT: Pastor Peter Jalillie of Calvary First Assembly of God

10.10 PROCLAMATION: April 2014 Conserve Water Month
RECIPIENT: Regina Rubier of City of Stockton Municipal Utilities Department

PowerPoint Slide

11. CITIZENS’ COMMENTS, ANNOUNCEMENTS, OR INVITATIONS*

Tocan Nguyen shared her personal political views

Vincent Hernandez - thanked Mayor Silva for clean up in Gateway area; spoke to an experience with a community group regarding Crosstown Freeway area; requested follow up regarding case filed through ASK Stockton

Cassandra Epperson - spoke about her experience at the Stockton Animal Shelter

Eileen McFall - asked the community for more awareness of protocols at the Stockton Animal Shelter; would like to see changes at the facility
Velma Wilson - Soweto Gospel Choir will be performing at the Bob Hope Theater Sunday April 6; asked the community to show support for this event.

Betty Ramirez - introduced student from Cesar Chavez High who shared information about events within the City of Stockton; thanked Tony Washington for efforts with Apollo Night Friday May 2, 2014.

Antoine Guyton Sr. - spoke about his family’s history of recognition within the community; shared his experience meeting Mayor Silva.

Diana Buettner - shared her frustration with the articles that have been published in the Stockton Record.

James Young - thanked Mayor Silva for taking him out to lunch; invited City Council to attend First Nazarene Church, 915 Rosemarie Lane at 10:45 with him this Sunday; shared his prayers for all City Management; would like to help the City.

Aaron Spoor - expressed his concern regarding Chloramine treatments used in local drinking water.

12. CONSENT AGENDA

City Clerk Bonnie Paige - announced that Agenda Item 16.2 would not be heard as it was continued from the regular Council meeting of March 18, 2014 to April 15, 2014.

Council passed a Motion to adopt the Consent Agenda with a single vote, save item 12.4 which was considered separately.

Moved by: Councilmember Burgos Medina, seconded by Vice Mayor Canepa.

Vote: Motion carried 7-0

Yes: Councilmember Burgos Medina, Councilmember Holman, Councilmember Miller, Councilmember Tubbs, Councilmember Zapien, Vice Mayor Canepa, and Mayor Silva.

12.1 13-1002 IMAGING STORAGE AND HOSTED/OFF-SITE DOCUMENT MANAGEMENT SERVICES WITH NEKO INDUSTRIES, INC.

Motion 2014-04-01-1201 to approve the findings supporting an exception to competitive bidding, and authorizing the City Manager to approve an extension of the Hyland OnBase Online Hosted Solution Agreement with NEKO Industries, Inc. of Roseville for a one-year term from April 1, 2014 to March 31, 2015, in an amount not to exceed $222,684 using the County of Sonoma cooperative purchasing agreement with NEKO Industries, Inc. It is further recommended that Council ratify expenditures in the amount of $55,671 to NEKO Industries, Inc. for January, February, and March 2014 maintenance and license fees, and authorize the City Manager to take all appropriate actions to carry out the purpose and intent of this motion.
12.2 13-1050 APPROVE CONTRACT BALANCING CHANGE ORDER FOR GEORGE REED, INC. FOR THE 2012 STREET OVERLAY, PROJECT NO. 10-15, (PROPOSITION 1B FUNDED)

Motion 2014-04-01-1202 to authorize the City Manager to execute a contract balancing change order in the amount of $92,054.83 with George Reed, Inc. for additional contract work on the 2012 Street Overlay, Project No. 10-15. 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.

Legislation Text

Attachment A - Contract Balancing Change Order for the 2012 Street Overlay, Project No. 10-15 (Proposition 1B Funded)

12.3 14-0269 APPROVE CONTRACT CHANGE ORDER NO. 2 FOR THE MCKINLEY AVENUE BRIDGE EROSION REPAIRS, PROJECT NO. 08-18

Motion 2014-04-01-1203 to authorize a Contract Change Order No. 2 with ADKO Engineering, Inc. in the amount of $18,900 (federal funds) to finalize the plans and specifications for the McKinley Avenue Bridge Erosion Repairs, Project No. 08-18. It is further recommended that the City Manager be authorized to take appropriate actions to carry out the purpose and intent of this motion.

Legislation Text

Attachment A - Vicinity Map - Approve Contract Change Order No. 2 for the McKinley Avenue Bridge Erosion Repairs, Project No. 08-18

Attachment B - CCO No. 2 with ADKO Engineering - Approve Contract Change Order No. 2 for the McKinley Avenue Bridge Erosion Repairs, Project No. 08-18

12.4 14-0275 APPROVE PLANS AND SPECIFICATIONS; AWARD CONSTRUCTION CONTRACT AND AUTHORIZE THE PURCHASE OF PAVEMENT MARKING MATERIALS FOR THE 2014 SPEED HUMP, SPEED CUSHION, AND SPEED TABLE (PROJECT NO. 14-01)

Legislation Text

Attachment A - NTMP Vertical Measure Information Sheet

Attachment B - 2008 Revised Traffic Calming Process

Attachment C - Listing of Neighborhoods and Neighborhood Maps
Motion 2014-04-01-1204:
1. Approving plans and specifications and authorizing the City Manager to execute a construction contract with Rodgers Construction and Engineering Company, Inc., in the amount of $278,655, for the 2014 Speed Hump, Speed Cushion, and Speed Table (Project No. 14-01). It is further recommended that the motion authorize the City Manager to approve up to two one-year extensions to this contract.

2. Authorizing the City Manager to approve the purchase of pavement marking materials from Flint Trading, Inc., in the amount of $50,211.87, needed to complete the 2014 Speed Hump, Speed Cushion, and Speed Table (Project No. 14-01). 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: Councilmember Tubbs, seconded by Councilmember Holman.

Vote: Motion carried 7-0

Yes: Councilmember Burgos Medina, Councilmember Holman, Councilmember Miller, Councilmember Tubbs, Councilmember Zapien, Vice Mayor Canepa, and Mayor Silva.

12.5 14-0277 APPROVE AMENDMENT TO PROFESSIONAL SERVICES MASTER CONTRACT WITH KJELDSEN, SINNOCK & NEUDECK, INC. FOR THE DESIGN OF THE 2014 SANITARY SEWER REHABILITATION, PROJECT NO. M14006

Motion 2014-04-01-1205 to authorize the City Manager to execute an Amendment to Professional Services Master Contract with Kjeldsen, Sinnock & Neudeck, Inc. (KSN), in the amount of $45,000, to prepare plans and specifications for the 2014 Sanitary Sewer Rehabilitation project. 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.

Legislation Text

12.6 14-0278 APPROVE PURCHASE OF TRAFFIC SIGNAL MATERIALS FOR THE SOUTH STOCKTON STATE ROUTE 99 WIDENING PROJECT

Motion 2014-04-01-1206 to approve the findings and authorize an award of contracts for purchase of traffic signal materials for the South Stockton State Route 99 Widening Project to the following: 1. Jam Services, Inc. in the amount of $54,000.00 for purchase of four City of Stockton Standard Type P traffic signal cabinets, and to 2. CMP Telcom, Inc. in the amount of $39,533.41 to purchase traffic signal communication equipment. 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.

Legislation Text

Attachment A - City, Caltrans, and SJCOG Amendment No. 1 to Agreement 10-326 for the South Stockton State Route 99 Widening Project

Attachment B - Price Proposal from Jam Services, Inc. for the South Stockton State Route 99 Widening Project

Attachment C - Bid from CMP Telcom, Inc. for the South Stockton State Route 99 Widening Project

12.7 14-0280 GRANT AWARD FOR THE LAW ENFORCEMENT AND SPECIALIZED UNITS - VIOLENCE AGAINST WOMEN ACT PROGRAM

Resolution 2014-04-01-1207 approving grant funding from the California Governor's Office of Emergency Services in the amount of $193,268 for the Law Enforcement and Specialized Units - Violence Against Women Act Program; appropriate a 25% cash match in the amount of $64,423, for a total program cost of $257,691; and direct the City Manager to execute all required contracts or agreements with the granting agency, provide additional information and furnish such documents as may be required, execute all documents and amendments or extensions pertaining to the grant project, and make all required appropriations in compliance with, and for the purposes stated in, the project contract.

Legislation Text

Proposed Resolution - Cal OES VAWA

Approved - Resolution 2014-04-01-1207

12.8 14-0326 ISSUANCE OF REQUEST FOR PROPOSAL FOR THE CITY’S SELF-INSURED MODIFIED MEDICAL PLAN’S THIRD PARTY ADMINISTRATOR (TPA)

Motion 2014-04-01-1208 to approve findings and authorize the City Manager to issue a Request for Proposal (RFP) for the Third Party Administrator (TPA) for the City's self-funded Modified Medical Plan, as an exception to the competitive bidding process.

Legislation Text

12.9 14-0327 ACCEPT THE ANNUAL ACTUARIAL REPORT ON THE CITY’S SELF-FUNDED MEDICAL PLANS AND ADOPT BY MOTION THE RECOMMENDATIONS OF THE SEGAL COMPANY FOR PREMIUM RATES FOR 2014/2015

Motion 2014-04-01-1209 to accept the annual Actuarial report for the City's self-funded medical, dental, and vision plans for the period ending June 30, 2013 as presented in the Segal Company report dated March 11, 2014, and adopt the recommended monthly premium rates for the City’s current self-funded health plans and the fully-insured Kaiser medical plan for fiscal year 2014-2015 (effective July 1, 2014) for medical coverage.
offered to City employees and retirees (Attachment A).

Legislation Text


12.10 14-0328 APPROVE AN AGREEMENT WITH ELECTRICAL AND CONTROL SYSTEM ENGINEERING, INC., DBA ARCSINE ENGINEERING FOR THE REGIONAL WASTEWATER CONTROL FACILITY SCADA MASTER PLAN AND SYSTEM INTEGRATION PROJECT

Motion 2014-04-01-1210 to authorize the City Manager to execute a Professional Services Agreement with Electrical and Control System Engineering, Inc., dba ArcSine Engineering of Redding, California in the amount of $787,144 to complete the Regional Wastewater Control Facility Supervisory Control and Data Acquisition Master Plan and System Integration Project, and approve an appropriation of $830,000 from the Wastewater Retained Earnings account to the CIP Wastewater Sanitary account.

Legislation Text

Attachment A - Professional Services Agreement

12.11 14-0329 INFORMATIONAL REPORT ON THE AFFORDABLE CARE ACT (ACA)

It is recommended that the City Council receive this informational report on the current status of the Affordable Care Act (ACA) as it relates to the City of Stockton’s delivery of benefits for our employees.

Legislation Text

Attachment A - ACA Matrix_1.pdf

13. ADMINISTRATIVE MATTERS

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

15.1 14-0373 RESOLUTION RECOGNIZING THE IMPORTANCE AND URGENCY OF COMMUNITY PARTICIPATION IN IMPROVING THE LIFE OUTCOMES OF BOYS AND MEN OF COLOR IN SAN JOAQUIN COUNTY
Proposed Resolution Supporting BMoC Summit 2014

Approved - Resolution 2014-04-01-1501

Sammy Nunez Correspondence Regarding Agenda Item 15.1

Adopting Resolution 2014-04-01-1501 supporting the San Joaquin County for Boys and Men of Color 2014 Summit and recognizing the importance of community participation in improving the life outcomes of boys and men of color in San Joaquin County.

Moved by: Councilmember Burgos Medina, seconded by Councilmember Holman.

Vote: Motion carried 7-0

Yes: Councilmember Burgos Medina, Councilmember Holman, Councilmember Miller, Councilmember Tubbs, Councilmember Zapien, Vice Mayor Canepa, and Mayor Silva.

16. HEARINGS***

16.1 14-0221 VACATION OF A PORTION OF NAVY DRIVE BETWEEN THE BURLINGTON NORTHERN AND SANTA FE RAILROAD CROSSING AND WASHINGTON STREET AND RESERVING A PUBLIC UTILITY EASEMENT ALONG NAVY DRIVE, WITH ACTIONS RELATED THERETO

Legislation Text

Attachment A - Navy Drive Vicinity Map

Attachment B - Navy Drive Aerial Map

Proposed Resolution - Navy Drive Abandonment

Exhibit 1 - Navy Drive Abandonment

Exhibit 2 - Navy Drive Abandonment

Exhibit 3 - Navy Drive Abandonment

Exhibit 4 - Release of Easement (BNSF)

PowerPoint Presentation

Approved - Resolution 2014-04-01-1601

Conducted a public hearing with public comment from Steve Escobar and upon conclusion passed Resolution 2014-04-01-1601 vacating a portion of Navy Drive between the Burlington Northern and Santa Fe (BNSF) railroad crossing and Washington Street at the Port of Stockton and reserving a public utility easement along Navy Drive from the BNSF property to Washington Street, with actions related thereto.
Moved by: Vice Mayor Canepa, seconded by Councilmember Miller.

Vote: Motion carried 7-0

Yes: Councilmember Burgos Medina, Councilmember Holman, Councilmember Miller, Councilmember Tubbs, Councilmember Zapien, Vice Mayor Canepa, and Mayor Silva.

16.2 APPEAL OF THE PLANNING COMMISSION’S DENIAL OF THE REQUEST FOR A USE PERMIT TO UPGRADE THE OFF-SALE OF BEER AND WINE TO THE OFF-SALE OF GENERAL ALCOHOLIC BEVERAGES IN AN EXISTING 1,500 SQUARE-FOOT CONVENIENCE STORE AT 4511 PACIFIC AVENUE (P13-163)

It is recommended that the City Council adopt a resolution denying the appeal and upholding the Planning Commission’s denial of the request for a Use Permit to upgrade the off-sale of beer and wine (Type 20 License) to the off-sale of general alcoholic beverages (Type 21 License) in an existing convenience store at 4511 Pacific Avenue.

Note: Item 16.2 was printed on the agenda in error. Council continued this item to April 15, 2014 at their March 18, 2014 meeting.

Legislation Text

Attachment A - Appeal Letter

Attachment B - Project Location Maps

Attachment C - November 14, 2013 Planning Commission Staff Report

Attachment D - Findings for Denial

Proposed Resolution-Affirming Planning Commission’s Denial

17. COUNCIL COMMENTS

Mayor Silva - enjoyed the lunch at Municipal Utilities Department; ensured citizens that the City Council is taking measures to improve conditions at the animal shelter; thanked KAT Country for “I Love Stockton” event; Delta College radio interview; visit to Mary Hill School discussion about Cesar Chavez; City Council’s participation in the Cesar Chavez March with Delores Huerta; a key to the City was presented to Delores Huerta; first Homeless Taskforce meeting; Wednesday April 2, Mayor’s Youth Advisory Council 6:00 p.m. at the Waterfront Hotel 110 W. Fremont Street; Monday April 7, Mayor’s Town Hall meeting 6:30 p.m. at Calvary First Assembly of God Church, 8407 Kelly Drive; Clergy Breakfast; Thursday April 10, Taskforce for People with Disabilities; job fair Thursday April 17th; Stockton Asparagus Festival April 25-27

Vice Mayor Canepa - noted opening of Regional Transportation District Maintenance Facility; opening of the ACE Train Maintenance Facility; crosstown extension ground breaking; breaking ground for construction of the courthouse

Councilmember Holman - noted construction projects going on within the City; noted absence from Council meeting as he and Councilmember Zapien will be attending One
Voice trip to Washington D.C.

Councilmember Tubbs - Safe travels to Councilmembers Zapien and Holman; congratulated the four mothers in Weston Ranch for recognition for efforts in "Let’s Move Weston Ranch" to teach the youth healthier eating habits and how to be more active; thanked organizers of the Delores Huerta event; thanked migrant workers; thanked Councilmember Zapien for invitation to the Rotary Club event; Measure A tax going into effect; April 10th from 12:30-2:00 p.m. hearing for Boys and Men of Color at Health Plan of San Joaquin; Man About Town Awards Dinner Friday April 4 at 6:00 p.m. Best Western Heritage Hotel 111 E. March Lane; NAACP Prayer Breakfast Saturday April 5 at 7:30 a.m. Robert Cabral Agriculture Center 2101 E Earnheart Avenue

Councilmember Burgos Medina - Delores Huerta event; Earth Day Celebration Sunday April 6 at Victory Park 10:00 a.m. - 4:00 p.m.; April 13th Nagar Kirtan Sikh Parade 10:00 a.m. - 12:00 p.m. at the Sikh Temple 1930 South Grant Street; April 13th South Side Clean Up event; Tune In and Tune Up event Friday April 5th at the Fair Grounds

Councilmember Miller - Regional Transit District Center ground breaking; thankful for the partnership with RTD; ACE train maintenance center; Mexican American Heritage Center prayer breakfast; 34th annual Women’s Center luncheon; Stockton Convention and Visitor’s Bureau tourism awards; 23rd of April encouraged Council to attend Legislation Action Day in Sacramento

18. ADJOURNMENT

Bonnie Paige, CMC
City Clerk, City of Stockton