June 14 to June 21, 2005

CITY CLERK'S CORRESPONDENCE
(For City Council meeting June 28, 2005)

Items Received by City Clerk and Sent Electronically to Council:

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Date Sent Electronically</th>
<th>Correspondence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>06-16-05</td>
<td>From Jorge A Martinez, 720 East Barrymore Street, Stockton 95204-2232, (462-5822), dated June 10, 2005, re: undocumented aliens and law violations (em: CM, CA, PD).*</td>
</tr>
<tr>
<td>2.</td>
<td>06-16-05</td>
<td>From Jorge A Martinez, 720 East Barrymore Street, Stockton 95204-2232, (462-5822), dated May 7, 2005, re: allegations of racism at Weston Ranch High School (em: CM, CA, PD).*</td>
</tr>
<tr>
<td></td>
<td>06-17-05</td>
<td>From Jorge A Martinez, 720 East Barrymore Street, Stockton 95204-2232, (462-5822), dated June 10, 2005, re: difficulties encountered while attempting to start a Neighborhood Watch Program (em: CM, CA, PD).*</td>
</tr>
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Items Available Upon Request of or for Viewing in the City Clerk's Office:

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<td>2.</td>
<td>06-15-05</td>
<td>Notice of Public Hearings by San Joaquin Regional Transit District on 180-Day Emergency Service Reduction Continuation, to be held June 22, 2005, Manteca Public Library, Manteca 95336 at 12 p.m., and Margaret Troke Library, 502 West Benjamin Holt Drive, Stockton at 4 p.m., and Canlis Building Room 110, 24 South Hunter Street, Stockton at 5 p.m.; June 23 at Tracy Public Library, 20 East Eaton Avenue, Tracy, at 12 p.m. and Lathrop Public Library, 15461 7th Street, Lathrop at 5 p.m., June 24 at Maya Angelou Southeast Library, 2324 Pock Lane, Stockton at 12 p.m., June 27 at Ripon Public Library 430 West Main Street, Ripon, at 1 p.m. and Lodi Public Library, 201 West Locust Street, Lodi at 5 p.m.</td>
</tr>
<tr>
<td>3.</td>
<td>06-20-05</td>
<td>Agenda of Special Meeting of San Joaquin Regional Transit District Board of Directors, June 21, 2005, 1533 East Lindsay Street, Stockton at 3 p.m.</td>
</tr>
</tbody>
</table>
### Minutes Submitted for Approval:

<table>
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<tr>
<th>Item Number</th>
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<tr>
<td>1.</td>
<td></td>
<td>Council Special Study Session (Gleason Park Project) Minutes of May 19, 2005</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td>Concurrent Council/Redevelopment Agency Meeting Minutes of June 7, 2005</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td>Council Special Study Session (Gleason Park Project) Minutes of May 19, 2005</td>
</tr>
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* Response Sent
The City Council of the City of Stockton met on May 19, 2005 at the hour of 7:31 a.m., in a special session, with Mayor Chavez presiding.

**CALL TO ORDER/ROLL CALL**

Present: Councilmembers Bestolarides, Chapman, Lee, Martin, Nabors, Vice Mayor Giovannetti, and Mayor Chavez

Absent: None

**AGENDA ITEM II - PUBLIC COMMENT**

None

**AGENDA ITEM III - STUDY SESSION REGARDING - REGARDING GLEASON PARK**

Housing and Redevelopment Director Steve Pinkerton gave a brief chronology of all the public interaction that has occurred in the Gleason Park neighborhood in the past decade. He pointed out that the City received a state-wide award in 2001 from the California Redevelopment Association for the Weber Point project.

Mr. Pinkerton described the project area as stretching from Lafayette Street to Hazelton Street, and from California Street to Stanislaus Street. There has been a lot of activity in the last ten years involving the Housing and Redevelopment, Public Works, Parks and Recreation, and Community Development departments. The following agencies have also been involved: Mercy Charity Housing, ACLC Incorporated, and Stockton Unified School District (SUSD).

Mr. Pinkerton explained that a number of discussions between 1994 and 1996 resulted in stimulating the revitalization efforts in the Gleason Park area. The Chinese Community is a dominant part of the neighborhood and they spoke out about the City needing to take action. They and others were very interested in taking action in the neighborhood to change the entire health of the community. Through CDBG (Community Development Block Grant) dollars, the City conducted a needs assessment study that formed the basis for the City to begin putting dollars away to pay for infrastructure and other things in the neighborhood. In 1997, a needs assessment study was presented to the City Council and the Council communicated that it was time to take pro-active steps to start bringing infrastructure and development into the neighborhood. In June 1997, the Redevelopment Agency designated the initial three blocks of the Gleason Park Master Development Area (MDA) because Mercy Charities had expressed interest in doing a project in the neighborhood. Mr. Pinkerton explained that the relationship with Mercy Charities began when a Chinese bank out of San Francisco foreclosed on the old Holiday Inn on Weber Point; the City was interested in purchasing that land to consolidate its holdings on Weber Point. An architect related to Mercy Charities approached the bank to see if they would donate those proceeds to Mercy Charities, given that it was a Chinese bank and Gleason Park is predominantly a Chinese community, and suggested that the bank reinvest the money that the City used to purchase Weber Point, into the Gleason Park neighborhood. Mercy Charities California was the exclusive developer for the first two blocks.
Mr. Pinkerton stated that the Mercy Charities project was forced to move due to ground contamination from underground gas tanks on Block 4 resulting in the City's loss of developing the first block. He said that's why things have taken so long to progress in the area and noted that the City has worked around that. He said the Gleason Park Project will be a far superior project than what the City started out with in 1997/1998, and in his opinion, it will rival any community revitalization project in the state. One of the reasons is because of the incredible amount of community outreach that has taken place. Between 1997 and 2003, the City, Mercy Charities, and ACLC held numerous community meetings to obtain input from residents in the Gleason Park neighborhood. In April 1999, the Gleason Park Neighborhood Revitalization Strategy was completed. Between 2001 and 2005, the Stockton Unified School District (SUSD) held over a dozen meetings to allow for suggestions from the public on a new elementary school planned for the Gleason Park neighborhood. The new school will be named the Alex G. Spanos Elementary School.

Kitty Walker, Principal Analyst for HRD, stated that the emphasis of the presentation was to familiarize the Council with the specific project actions that will be presented at next Tuesday's Council meeting in addition to setting forth history context. The specific drivers to be presented are the Environmental Impact Report and the Development and Disposition Agreement (DDA) with SUSD. She noted that Art Hand from SUSD was available to entertain any questions at the conclusion of the presentation. She explained that staff has been working closely with SUSD on the Development Agreement for over a year. The school, the residential components, and the park are all part of the redevelopment of the designated six-block area. Staff believes that at the conclusion of this project, a very strong sense of community will be reestablished in the neighborhood that has been isolated since the construction of the cross-town freeway.

Ms. Walker stated that the following actions have already been completed:
- over a block and a half was acquired and cleared;
- the ALC - Vintage Plaza project is ready to begin construction;
- Edna Gleason Park – funding is in place, design and phasing is complete, final engineering and design contract is pending, and public art sculpture is approved;
- school conceptual design is complete;
- Mercy Housing concept design is complete; and
- Interior road abandonments have been determined and/or are approved.

Ms. Walker said that the DDA with SUSD, the Environmental Impact Report, and a Shared Use Agreement between SUSD and Parks and Recreation will be presented to the Council on May 24, 2005. The Council will also be reviewing the Relocation Plan for the SUSD block. In addition, a Memorandum of Agreement (MOA) with the State Office of Historic Preservation will be prepared but will not be going before the Council because no federal monies are being used to build the school. The MOA will most likely go before the Council with the Mercy Charities project.

Ms. Walker said the historic issues were identified as a result of preparing the Environmental Impact Report. The implementation of the MOA is the primary mitigation tool to minimize any of the impacts that were identified as a result of building the project. To comply with the requirements of the proposed MOA, new projects were designed to have architectural "context" with the historic theme of the neighborhood. The Department will be preparing visual and historic documentation, the architectural features of a demolished craftsman four-plex home have been salvaged, and an archaeological excavation will be completed on Blocks 52 and 60; SUSD will be responsible for the excavation of the school block.

Referring to the map identifying the areas of impact, Ms. Walker said each parcel inside the boundary will be carefully surveyed and assessed for historic impacts and included in the mitigation measures. She reiterated that the main item before the Council on May 24, 2005 will be the DDA for the Alex G. Spanos Elementary School. As soon as the project is approved, the Agency will begin acquiring properties and abandon a portion of Church Street within the School Block. At the conclusion of the acquisition process, the Agency will merge the properties and convey it to SUSD. At that point, SUSD will be responsible for
clearing and preparing the site for construction and for the archeological excavation. SUSD is responsible for all on and off-site improvements and is exempt from building permit requirements.

Ms. Walker noted that the immediate neighborhood population will fill the school, minimizing the need for busing, parking, and bus drop-off space. She introduced Sharon Elizondo, Program Manager for HRD, who described the two housing projects in the area.

Councilmember Martin recalled that Brookside Elementary School was planned as a “walking” school, but parents driving to work continue to drop off their children at school. She said she does not buy-in that this project would be a “walking” neighborhood school.

Ms. Walker said the parking area is also designed as a drop-off/pick-up area and there are drop-off locations on California Street, but there are a smaller number of drop-off areas than normal.

Mr. Pinkerton noted that many families in this neighborhood don’t own vehicles and it will be different than many of the other schools in Stockton.

Ms. Walker stated that pedestrian enhancements of access will create a direct link from Mercy Housing to the school where individuals will be able to walk to school without crossing a street.

Mr. Pinkerton said one of the problems with the newer schools is they are located on islands where it is virtually impossible not to cross a street. In this project, the department endeavored to design plans to enable children to walk directly to school without crossing a street.

Ms. Walker pointed out that with the ACLC – Vintage Plaza projects, the American Street abandonment will become a widened pedestrian connection between the park and the three residential components, which is designed to facilitate walking to school.

Ms. Elizondo described the housing projects in the Gleason Park area:

1. ACLC Vintage Plaza - an in-fill project of sixteen detached single-family units with a garage and additional visitor parking located at Sonora Street between California and American Streets. This is a Planned Unit Development which will have a self-governing Home Owners Association.

2. The Mercy Charities Housing project - ninety-plus multi-family housing rentals located on the south half of Block 43 between American and Stanislaus Streets. The structures will be three-stories, maintaining a high roofline associated with Victorian housing and will replicate some of the features of the remaining Victorian homes on Block 61. The project will include a community center and a child care center for forty children. Mercy Charities is planning this project as a tax-credit project.

In response to Councilmember Martin’s question regarding applicants’ economic makeup, Ms. Elizondo responded that the project will be restricted to various levels of low-income working-force families. She added that the Vintage Plaza project was initially set to 80% of median income and they are currently looking at changing a portion of the structures to allow 120% of median income because this is in a redevelopment area.

Mr. Pinkerton said that basically equates to families earning $40,000 to $60,000 a year for Vintage Plaza and families earning $20,000 to $30,000 a year for Mercy Charities Housing. He added that the Mercy Charities Housing is set at up to 60% of median income, $30,000 a year, and is consistent with the tax credit guidelines, the County-wide median income is $55,000.
Councilmember Nabors asked if the people who are being relocated from this area will return to live in the area. Mr. Pinkerton replied that the relocation issue will be addressed in the next portion of the presentation.

Ron Palmquist, Supervising Real Property Agent with HRD, addressed the property acquisition and relocation issues and the benefits to the people who are relocating. New living accommodations were found for the displaced occupants according to strict rules, laws and guidelines. He explained that the Agency has already acquired Blocks 42 and 43, a total of 29 parcels, of which 19 were occupied. In addition, an entire block of properties will have to be acquired to accommodate the Gleason/SUSD project. He said the 20 parcels consist of 13 single-family residences, two multi-family, and five vacant land properties. Eighteen households will need relocation assistance.

Mr. Palmquist explained that the assemblage of land is very difficult in an in-fill area. He said the Agency is required to adhere to strict California law procedures when acquiring property. He made the following points:

- the Agency is required to inform property owners—they receive a notice early on, announcing the project and possible need for acquisition of their property and the need to conduct a fair market value appraisal
- the owner is given the right to accompany the appraiser
- fair market value is defined differently in a public agency acquisition and has a higher standard, than if the owner made an independent real estate transaction
- the Agency retains an independent appraiser and a very detailed summary of the appraisal is provided to the owner
- a thorough staff review is conducted once the appraisal is received
- an internal process is conducted, and just compensation is recommended which is reviewed by the Executive Director who will then authorize that written offers be made to the property owner
- a reasonable period of negotiations between the Agency and the property owner ensues in hopes of reaching an agreement; or if an impasse occurs the Agency will proceed with eminent domain proceedings

Mr. Palmquist explained that the eminent domain process gives the Agency the authority to acquire property if it is in the public's interest and for a public purpose, and is only used when an owner refuses to sell or an agreement on value cannot be reached. He said even then, the Agency is under obligation to pay fair market value. He pointed out that this process is strictly prescribed in the law and before that action can go forward, the Agency will hold a Hearing of Necessity to determine whether or not they can make findings that the project is in fact necessary for the public good and whether the property in question is necessary for the project and whether the project has been planned for the greatest public good and the least private injury. He noted that the findings have nothing to do with the value of the property. He said as soon as written offers are made to acquire the property, the owners become eligible for relocation benefits, but prior to that the law requires that the Agency prepare a Relocation Plan. The Plan is a report that considers the needs within the affected community. He said they are required to relocate families into comparable, decent, safe and sanitary housing, within the family's financial means or at 30% of their income. He said it is not uncommon to find a situation where a family is renting a home and paying rent that represents 40%-50% of their income. The Agency cannot perpetuate that situation when they move the family but must find them a comparable home, affordable to the family, for a minimum of 3½ years. In addition, other things such as the following may also occur:

- The Agency has to make up a replacement housing payment which could be significant.
- All moving costs for a professional mover are paid
- The homeowner is entitled to mortgage rate differential payments if they are buying a home
In summary, Mr. Pinkerton said that in project areas where housing is substandard, the Agency is not allowed to relocate the occupants to new substandard housing. In overcrowded housing situations, the Agency will find a larger unit to eliminate the overcrowding issue and provide rental differential as required. He said that in almost every relocation instance, the occupants were moved into superior housing and provided rent differential payment. The Agency will attempt to offer the new single-family homes of the project to qualified home owners in the neighborhood.

In answer to Councilmember Nabor’s question, Mayor Chavez stated that it is possible that some of the displaced families would be living in the new housing developments, but the relocation would probably take place over one year, before the units are ready. Mr. Pinkerton responded that the Agency is hopeful that the single-family homes will be available by the time occupants will be moving but it is unlikely that the new apartments would be ready because construction is occurring where occupants are now living.

Councilmember Chapman asked if the Agency has received feedback from any of the occupants that were noticed, to which Mr. Palmquist replied that one of the requirements of the Relocation Plan is that it be made available to all residents within the project area and they have the right to form a committee and comment on that Plan collectively, or they can comment individually. He said they did not receive any comments and no one expressed any desire to form a Relocation Committee. He said the same type of outreach will be done with the housing project block that will follow but that Relocation Plan has not been completed as yet. He said they have personally gone out to speak with property owners and other notices have gone out to them with respect to the relocation.

In response to Councilmember Chapman’s question as to whether the occupants were made aware of the current Council Study Session by any other means, other than by the routine general public posting notification, Ms. Walker explained that all the property owners received a Notice of Availability with the EIR and four legal notices were published.

Mr. Palmquist added that a letter was mailed to each occupant that outlined dates by which to contact the Agency if they had any questions, concerns, or comments, but he did not receive any feedback. He said about 55% of the occupants received personal notices.

Councilmember Chapman asked if the Gleason Park occupants would be notified differently than the general public about the Project going before the Council next Tuesday, to which Mr. Palmquist replied that they would be notified in the same manner as the general public.

Mr. Pinkerton noted that over the past eight years Vice Mayor Giovanetti and former Vice Mayor Nomura personally spoke to almost all of the property owners, and there has not been much turn over in property since that time. He said there is no surprise that these activities are going forward. He said that some property owners have mixed feelings about the potential of buying a home in their own neighborhood.

Councilmember Chapman expressed that the Agency should take an extra step to notify the occupants. Mayor Chavez agreed and asked if there was another vehicle by which to notify the occupants, to which Mr. Pinkerton replied that notices can be posted as well as mailed. He said that most community meeting flyers are distributed by Community Service Officers throughout the community.

In reference to Fair Market Value, Councilmember Lee said that people always get more than if they sold the property independently. Mr. Pinkerton concurred adding that the Agency can save a lot of cost if both parties can reach a mutual agreement.

Mr. Palmquist added that property owners get a better deal working with the City than if they had sold their property independently, as all of the transaction costs are paid by the Agency.
Councilmember Lee said that these benefits would not satisfy a property owner who does not wish to sell. He said everyone needs to remember that this area was so bad that a park had to be closed, and added that the Gleason Park community is the perfect place for this marquee redevelopment project.

Councilmember Nabors asked if the relocated renter occupants would be given priority consideration for purchasing a home in the project area, to which Mr. Pinkerton replied that that is the normal procedure for all projects. He added that it is similar to what occurred with the relocated downtown hotel occupants and the opening of the Hotel Stockton. The relocated occupants were given first notification of the Hotel Stockton’s availability and a number have already moved in. Mr. Pinkerton said typically the occupants that are easily moved into the new housing fall within the income limits of the project. He said that many of the relocated occupants are not aware that they qualify for Section 8 assistance and when they are displaced they go to the top of the waiting list.

The Mayor noted that a project of this nature is dependent upon the screening process and the management component to run these projects successfully; for example, ACLC has excellent management and they have experienced virtually no problems with their projects.

In response to Vice Mayor Giovanetti’s question as to whether the Agency has recognizable commercial developers involved, Mr. Pinkerton replied that no commercial developers are involved, but the Agency still has plans for commercial development on Block 42. He said the challenge is trying to help the Oliveras family clean up their contaminated property. The Agency may reconsider making Block 43 residential.

The Vice Mayor asked if there were any opportunities to conduct some master planning to help direct the development, to which Mr. Pinkerton responded that the Agency has conducted a certain level of master planning but the project still has the environmental issues. The only business commercially viable in the area is a gas station or a liquor store which is not conducive for a school in an affordable housing project.

Vice Mayor Giovanetti asked the following questions:

1. Have the elevations for the residential units been developed?
   Mr. Pinkerton said the elevations were shown in DAT (Downtown Action Team) Update presentations but he would share them with the Council.

2. Has Mercy Charities done anything with their project’s architectural treatment?
   Mr. Pinkerton said that due to the number of revisions, Mercy Charities is very close.

3. Are there any resident restrictions?
   Mr. Pinkerton said the persons would have to be an owner-occupant at the time the City makes them the offer to qualify for the owner-occupant benefits, and if they decided to purchase a single-family unit outside the project, the Agency would have to help them purchase that unit.

Addressing the Council, Vice Mayor Giovanetti said that from a business point of view the people are receiving a good deal, but getting past the emotional issues is the challenge. He noted that the Council needs to keep the goal in mind because of the project’s importance and validity, adding that he anticipates that the public hearing might get emotional. He concurred with Councilmember Chapman and the Mayor that it is important that the Agency provide adequate noticing, even if it is only providing a flyer to every home. The Vice Mayor said the Agency has spent a tremendous amount of time trying to deal with the emotionally charged issues and continually attempting to sell the advantages of the project. He agreed with Councilmember Lee saying that it is a sad commentary to reach the conclusion that it was necessary to fence in a public park, but he believes this will eventually be a magazine cover redevelopment project.
Mr. Pinkerton reminded the Council that this ten year journey was not on purpose, but it was the nature of trying to take on such a large and complicated project with many issues. The Agency has attempted to accommodate many people along the way, such as adding some commercial along Lafayette, but listening to the community and attempting to do this project right has taken a lot longer than anticipated. He said he had hoped that the park would be under construction by this summer, that some of the commercial development would start in 2006, and that the elementary school be completed by fall 2007 with the Mercy Charities Housing following and noted that the Gleason Park Project will have the most impact on the individuals in the community. He hopes the Council could rest assured that these projects will have a tremendous impact and really change people’s lives for the better. He acknowledged that some of the issues will not be easy and there will be some emotional struggles but for the residents and the community, the Council’s struggles will be worth it.

ADJOURNMENT

By motion, the special meeting of May 19, 2005 was adjourned at 8:57 a.m.

[Signature]
KATHERINE GONG MEISSNER
CITY CLERK
OF THE CITY OF STOCKTON

Minutes approved ________________

Page 7 of 7 05-19-05
C-1. **CC/RD CALL TO ORDER / ROLL CALL - 4:45 p.m.**

Roll Call
Present:
Bestolarides, Councilmember
Martin, Councilmember
Chavez, Mayor
Nabors, Councilmember
Lee, Councilmember
Chapman, Councilmember
Giovanetti, Vice Mayor

City Attorney Ren Nosky reported that there was a need to add an item to the Agenda that arose after the posting of the regular agenda and cannot wait until the next regular meeting, concerning the Morada Area Association versus Holman Investors and City of Stockton. The item can be added onto the agenda pursuant to the Brown Act with a two-thirds vote.

MOTION: It was moved/seconded by Councilmember Bestolarides/Vice-Mayor Giovanetti that pursuant to Government Code Section 54954.2 (b)(2), there is a need for the City Council to take immediate action on the following matter which came to the attention of the City subsequent to the posting of the agenda for this meeting. Therefore, the following matter is added to the agenda for Closed Session:

Morada Area Association versus the City of Stockton, San Joaquin County Superior Court Case 024908. This Closed Session is authorized pursuant to Government Code Section 54956.9 (a).

MOTION: The motion was approved by a vote of 7 to 0.

C-2. **CC/RD ANNOUNCEMENT OF CLOSED SESSION**

C-2.1) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

No. of Properties: Eight

Property Address: 9895 Deep Water Ln
Owner: Daniel & Angie Sanchez, Tr.
APN: APN # 071-410-83

Property Address: 4451 Curlew St
Owner: Michael Joachim
APN: APN # 071-410-84

Property Address: 4433 Curlew St
Owner: Jesse N. & Marie E. Robles
APN: APN # 071-410-85

Property Address: 4409 Curlew St
Owner: Shelly Phillips
APN: APN # 071-410-86

Closed Session Agenda
June 7, 2005
Property Address: 4327 Curlew
Owner: Mary Haddad
APN: APN # 071-410-87

Property Address: 4311 Curlew St
Owner: James K & Cindy Scheublein
APN: APN# 071-410-88

Property Address: 4215 Curlew St
Owner: Jesse Castellon, Sr
APN: APN # 071-410-89

Property Address: 4203 Curlew St
Owner: Peter & Sharon Guidice
APN: APN # 071-410-91

City Negotiators: Mark Lewis, Steve Pinkerton, and Ron Palmquist
Under Negotiation: Price and Terms

This Closed Session is authorized pursuant to Government Code section 54956.8.

The following item was added to closed session pursuant to the motion above:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision (a) of Section 54956.9)

Number of cases: One
Name of case: Morada Area Association v. City of Stockton (San Joaquin County Superior Court Case No. CV 024908)

This closed session is authorized pursuant to Government Code section 54956.9(a)

C-3.  CC/RD  ADJOURN TO CLOSED SESSION (4:45 p.m.)

The Council returned from Closed Session and recessed at 5:25 p.m.

1.  CC/RD  CALL TO ORDER/ROLL CALL (05:29 PM)

Roll Call (05:30 PM)
Present:
Bestolarides, Councilmember
Martin, Councilmember
Chavez, Mayor
Nabors, Councilmember
Lee, Councilmember
Chapman, Councilmember
Giovanetti, Vice Mayor

2.  CC/RD  REPORT OF ACTION TAKEN IN CLOSED SESSION - None. (05:30 PM)

3.  INVOCATION/PLEDGE TO FLAG - Vice-Mayor Giovanetti/Councilmember Martin (05:29 PM)

    PROCLAMATIONS/COMMENDATIONS/CITY ANNOUNCEMENTS OR INVITATIONS - None (05:31 PM)

5.  CITIZENS' COMMENTS, ANNOUNCEMENTS OR INVITATIONS* (05:31 PM)
Bill Loyko (05:32 PM)

Mr. Loyko said that he mistakenly made comments at the last public hearing on Measure W and CPI (Consumer Price Index). On Measure W, he said that he stated that the City was obtaining 40 officers and 40 fire fighters. He said that he realizes that the goal is to attain these figures, not to get them all in the first year. He commended the Police Department for being able to hire 28 officers and wished the Fire Department the same success. On the CPI, he said that he had made a comment on this issue related to the budget, but after reviewing the MOUs, (Memoranda of Understanding) he found that they refer to a time period from November to November with a 3.7% increase. However, he noted that Social Security is only increasing its Cost of Living Adjustment by 2.7%. He said that one should be aware of the fact that Social Security recipients are not getting the increases that are in the employees' MOUs.

Regarding Public Facility Impact Fees, Mr. Loyko said that his issues is not how much the fees will be, but that they be spent on what they are collected for, which has not always been done in the past, such as the $13 million of Parks and Community Centers dollars spent on the Events Center. He said that money collected for water and stormwater, is based on reinvested earnings and the interest is being drained from those accounts and is being spent for non-water-related items. This will cause rates to increase or will create a larger debt service. He asked that Enterprise Funds be left in that fund so there is money for the Delta Water Supply Project.

Mr. Loyko said that the Super Senior Golf Fee for 80 year olds should be free.

Vic Harris (05:37 PM)

Mr. Harris referred to newspaper articles from the last two weeks related to racial problems. He said that a committee should be formulated to curtail racial violence.

ToCan Nguyen (05:38 PM)

Ms. Nguyen continued her allegations of conspiracy and abuse by police, racial minorities, Court judges, and other government agencies, including Mental Health Services.

Kathryn Mecca (05:44 PM)

Ms. Mecca again addressed her concerns about Robinhood Drive, stating that there is still truck traffic in that area, which is residential. She also said that a City bus without riders was also using the street. She voiced her concern about the traffic and asked that the Council make an effort to address these problems. She mentioned that she was told that pick-up trucks are allowed to tow other vehicles on Robinhood Drive. Ms. Mecca also protested the 35 mile an hour speed limit on Robinhood Drive.

6. CC/RD CONSENT AGENDA City Council: 6.04, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07, 6.08, 6.09, 6.10, 6.11, 6.12, 6.14, 6.15, 6.16, 6.17, 6.18
Concurrent City Council / Redevelopment Agency: 6.21
Redevelopment Agency: 6.19, 6.20

Agenda Items 6.01, 6.02, 6.04, 6.05 and 6.15 were removed from the consent calendar and heard as Items 7.01, 7.02, 7.03, 7.04 and 7.05 respectively. (05:48 PM)

6.01 – CC Approving and appoint the following ten candidates to serve a two year term beginning June 7, 2005, and ending May 31, 2007, to represent the metropolitan area of Stockton as commissioners of the YOUTH ADVISORY COMMISSION:
   Aaron Brown — Westen Ranch High School
   Elizabeth Clark — Middle College High School
   Ryan Crawford — Lincoln High School
   Elise Davis — Stockton Christian School
   Sonny Coles — IBLM High School
   Ben Her — Tokay High School
   Dougies Martin — St. Mary's High School
   Keonna Robinson — Westen Ranch High School
Zephyrhills Smith — Franklin High School
Michael Tubbs — Franklin High School
— In accordance with the Youth Advisory Commission by laws, which expanded the Commission to 28 members, the fellow twelve commissioners will serve a one-year term beginning June 7, 2006, and ending May 31, 2006.
Terrance Anfield — IBML High School
Charmeeveh Bailey — Weber Institute High School
Brandy Dunlap — Dist. 5 Representative
Michelle Lopez — Lincoln High School
Daniel Luceo — Edison High School
Samantha McGarr — Dist. 3 Representative
Chanel Murray — St. Mary's High School
Jamani Perry — Westlake Ranch High School
Jamari Perry — Westlake Ranch High School
Roslyn Tojamo — Edison High School
Cristina Vargas — Franklin High School
Kristin Yeakel — Dist. 1 Representative
(P&R)(Pages 1–9)

This item was removed from consent and heard as Agenda Item 7.01.

6.02) CC — Authorize the issuance and sale of special tax refunding bonds of the City for the District designated as “City of Stockton South Stockton Community Facilities District No. 00-1-2005 Special Tax Refunding Bonds” and approving related agreements and actions with respect thereto. (AS)(Pages 4–16)

This item was removed from consent and heard as Agenda Item 7.02.

6.03) CC 2004 Water Conservation Program and 2005 Forecast - approve a motion to maintain the City of Stockton’s WATER CONSERVATION PROGRAM at the voluntary Stage 1 level. (MUD)(Pages 17–23)

   LINK TO 2005-06-07 Council Agenda Item 6.03

6.04) CC — Create the CITY OF STOCKTON CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT NO. 2005-1, RIVERBEND ZONE 1 for all stormwater post-construction treatment units required under the city’s Stormwater Quality Control Criteria Plan.
   a) Resolution of Intention to create a Municipal Improvement District and the formation of a zone for the maintenance and operation of storm drainage improvements, accepting petition of property owners, providing for annual assessments for the costs and expenses thereof, approving a proposed boundary map and appointing Engineer of Work. (THOMPSON HYSSELL ENGINEERS, A DIVISION OF THE KEITH COMPANIES, INC.).
   b) Preliminary approval of Engineer’s Report, schedule date for Public Hearing of Protests and provide for property owner ballots. (MUD)(Hearing to be held July 26, 2006.)(Pages 24–34)

This item was removed from consent and heard as Agenda Item 7.03.

6.05) CC — Adopt the Initial Study/Final Mitigated Negative Declaration (IS25-04) and adopt the Findings and Mitigation Monitoring and Reporting Program and issue a Notice to Proceed for the construction of the Stockton Regional Wastewater Control Facility Utility Crossing
   a) Adopt the Initial Study/Mitigated Negative Declaration and adopt the Findings and Mitigation Monitoring and Report Program for the Stockton Regional Wastewater Control Facility Utility Crossing Project.
   b) Authorize the City Manager to award a Notice to Proceed to OMI/THAMES WATER, INC. for the construction of the Stockton Regional Wastewater Control Facility Utility Crossing Project. (MUD) (ACCT) (Pages 35-42)

This item was removed from consent and heard as Agenda Item 7.04. (05:42 PM)

6.06) CC Resolution 05-0219 authorizing the City Manager to enter into an agreement with the San Joaquin Area Flood Control Agency (SJAFCA) to accept transfer of ownership of the SJAFCA Detention
Basin No. 2 located at 2960 Morada Lane to the City of Stockton (MUD) (Pages 42 – 54) (06:43 PM)

LINK TO 2005-06-07 Council Agenda Item 6.06

LINK TO 2005-06-07 Council Resolution 05-0219 Agenda Item 6.06

6.07) CC Resolution 05-0220 authorizing an amendment to the Master Professional Services Contract with KLEINFELDER, INC. (selected from the City’s vendor pool) in the amount of $230,840 for construction inspection and administration during the construction of THE DETENTION BASIN SOCCER COMPLEX. (P&R) (Pages 55 – 62) (06:43 PM)

LINK TO 2005-06-07 Council Agenda Item 6.07

LINK TO 2005-06-07 Council Resolution 05-0220 Agenda Item 6.07

6.08) CC Resolution 05-0221 authorizing an amendment to the Master Professional Services Contract with KLEINFELDER, INC. (selected from the City’s vendor pool) in the amount of $422,110 for construction inspection and administration during the construction of the PANELLA PARK COMMUNITY CENTER. (P&R) (Pages 63 – 77) (06:44 PM)

LINK TO 2005-06-07 Council Agenda Item 6.08

LINK TO 2005-06-07 Council Resolution 05-0221 Agenda Item 6.08

6.09) CC Resolution 05-0222 authorizing an amendment to the master contract with LESOVSKY DONALDSON ARCHITECTS (selected from the City’s vendor pool) in the amount of $410,000 for design services and construction document preparation for the development of the PANELLA PARK COMMUNITY CENTER. (P&R) (Pages 78 – 94) (06:45 PM)

LINK TO 2005-06-07 Council Agenda Item 6.09

LINK TO 2005-06-07 Council Resolution 05-0222 Agenda Item 6.09

6.10) CC Resolution 05-0223 approving the HOLIDAY PARK IMPROVEMENT ASSOCIATION’S proposed budget for the 2006-2007 fiscal year; authorizing the Administrative Services Officer to assess those parcels within the HOLIDAY PARK ASSESSMENT DISTRICT. (P&R) (Pages 95 – 104) (06:46 PM)

LINK TO 2005-06-07 Council Agenda Item 6.10

LINK TO 2005-06-07 Council Resolution 05-0223 Agenda Item 6.10


LINK TO 2005-06-07 Council Agenda Item 6.11

LINK TO 2005-06-07 Council Resolution 05-0224 Agenda Item 6.11

6.12) CC Resolution 05-0225 approving an amendment to the Master Professional Services Contract for Design Survey Services in the amount of $114,424 to CALLANDER ASSOCIATES LANDSCAPE ARCHITECTURE (selected from the City’s vendor pool) for site design and survey, preparation of construction documents and construction administration for renovation of nine playgrounds utilizing State Proposition 40 grant funding. (P&R) (Pages 125 – 138) (06:48 PM)

LINK TO 2005-06-07 Council Agenda Item 6.12

LINK TO 2005-06-07 Council Resolution 05-0225 Agenda Item 6.12

6.13) CC Resolution 05-0226 authorizing the execution of professional services master contracts with a pool of qualified firms for Design, Geotechnical Testing, Plan Review, and Survey Services; Construction Management and Inspection Services; Roofing, Electrical, and Mechanical Design Services; and Preparation
of Generalized and Specialized CEQA and NEPA studies and authorize the City Manager to execute all contracts and record any and all appropriations and transactions that may be necessary. (PW)(Pages 139 – 164) (06:48 PM)

LINK TO 2005-06-07 Council Agenda Item 6.13

LINK TO 2005-06-07 Council Resolution 05-0226 Agenda Item 6.13

6.14) CC Resolution 05-0227 authorizing the City Manager to appropriate the funds needed to install an “in-pavement flashing warning system” in conjunction with a crosswalk at the intersection of El Dorado Street / Lindsay Street (PW)(ACCT)(Pages 165 – 168) (06:49 PM)

LINK TO 2005-06-07 Council Agenda Item 6.14

LINK TO 2005-06-07 Council Resolution 05-0227 Agenda Item 6.14

6.15) CC — Approve an agreement between the City of Stockton and the County of San Joaquin regarding detachment of Rural Fire Districts upon annexation of property to the City of Stockton. (GM)(Pages 169 – 174)

This item was removed from consent and heard as Agenda Item 7.05. (06:49 PM)

6.16) CC Resolution 05-0228 authorizing the assessment of the delinquent charges listed in Exhibit A, “Delinquent Accounts That Will Receive Notices Combined Past Due Amounts” to the San Joaquin County tax roll. (PD)(Pages 175 – 204) (06:49 PM)

LINK TO 2005-06-07 Council Agenda Item 6.16

LINK TO 2005-06-07 Council Resolution 05-0228 Agenda Item 6.16

6.17) CC Resolution 05-0229 authorizing a Home Investment Partnership (HOME) Loan in the amount of $143,700 and a Community Development Block Grant in the amount of $5,000 to S. ALLEN HARRIS AND DENISE HARRIS - 1633 Julian Street
a) Approve an owner-occupied Home Investment Partnership (HOME) loan in the amount of $143,700;

b) Approve a Community Development Block Grant in the amount of $5,000; and,

c) Direct the City Manager to take whatever actions are necessary and appropriate to carry out the intent of the resolution. (HRD)(Pages 205 – 209) (06:50 PM)

LINK TO 2005-06-07 Council Agenda Item 6.17

LINK TO 2005-06-07 Council Resolution 05-0229 Agenda Item 6.17

6.18) CC Resolution 05-0230 authorizing a Home Investment Partnership (HOME) Loan in the amount of $148,490 to ROSELYN GUZMAN – 709 East Sonora Street

a) Approving an owner-occupied Home Investment Partnership (HOME) loan in the amount of $148,490; and,

b) Directing the City Manager to take whatever actions are necessary and appropriate to carry out the intent of the resolution. (HRD)(pages 210 – 214) (06:51 PM)

LINK TO 2005-06-07 Council Agenda Item 6.18

LINK TO 2005-06-07 Council Resolution 05-0230 Agenda Item 6.18

6.19) RD NORTH STOCKTON REDEVELOPMENT PROJECT AREA TO INCLUDE CANNERY PARK PROJECT

RD Resolution R05-0222
a) Accepting and approving the Preliminary Plan for the Amendment to the North Stockton Redevelopment Project Area to include the Cannery Park Project;

b) Authorizing staff to proceed with the preparation of the First Amendment to the Redevelopment Plan for the North Stockton Redevelopment Project Area to include the Cannery Park Project Area, pursuant to the California Community Redevelopment Law (“CRL”);

c) Authorizing staff to prepare any necessary environmental documentation for the Plan Amendment
pursuant to the California Environmental Quality Act ("CEQA"). (H&RD)(Pages 215 – 229) (06:52 PM)

LINK TO 2005-06-07 Council Agenda Item 6.19

LINK TO 2005-06-07 RD Resolution R05-022 Agenda Item 6.19

6.20) **RD Resolution R05-023** authorizing the Executive Director to transmit the First Amendment to the Redevelopment Plan for the North Stockton Redevelopment Project Area to include the Cannery Park Project Area and the Preliminary Report on the Plan Amendment. (H&RD)(Pages 230 – 232) (06:53 PM)

LINK TO 2005-06-07 Council Agenda Item 6.20

LINK TO 2005-06-07 RD Resolution R05-023 Agenda Item 6.20

6.21) CC/RD Approval of minutes of Concurrent Council/Redevelopment Agency Meeting held May 217, 2005* and May 24, 2005. (CLERK)(Pages 233 – 251)

*City Clerk Note: The agenda listed these minutes as May 7, 2005 originally, which is a typographical error (there was no meeting held on May 7); the correct date of the minutes is May 17, 2005.

LINK TO 2005-06-07 Council Agenda Item 6.21

Motion: Approve 6. CC/RD CONSENT AGENDA City Council: 6.01, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07, 6.08, 6.09, 6.10, 6.11, 6.12, 6.14, 6.15, 6.16, 6.17, 6.18
Concurrent City Council / Redevelopment Agency: 6.21
Redevelopment Agency: 6.19, 6.20
Moved by Martin, Councilmember, seconded by Chapman, Councilmember.

Vote: Motion carried 7-0
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

7. **UNFINISHED BUSINESS (05:49 PM)**

7.01 (formerly 6.01) CC approving and appointing the following ten candidates to serve a two-year term beginning June 7, 2005, and ending May 31, 2007, to represent the metropolitan area of Stockton as commissioners of the YOUTH ADVISORY COMMISSION. (05:49 PM)

LINK TO 2005-06-07 Council Agenda Item 6.01 7.01


In accordance with the Youth Advisory Commission by-laws, which expanded the Commission to 28 members, the follow twelve commissioners will serve a one-year term beginning June 7, 2005, and ending May 31, 2006: Terrance Anfield - IBML High School Charmesha Bailey - Weber Institute High School Brandy Dunlap - Dist. 5 Representative Michelle Lopez - Lincoln High School Daniel Luces - Edison High School Samantha McGirr - Dist. 3 Representative Chanel Murray - St. Mary's High School Jamani Perry - Weston Ranch High School Jamari Perry - Weston Ranch High School Rosslyn Tejano - Edison High School Cristina Vargas - Franklin High School Kristin Yeakel - Dist. 1 Representative (P&R) (Pages 1 – 3)

Motion: Approve 7.01 (formerly 6.01) CC Resolution 05-0231 appointing the candidates to the Youth Advisory Commission as follows:

Those serving a two-year term beginning June 7, 2005, and ending May 31, 2007:
Aaron Brown - Weston Ranch High School Elizabeth Clark - Middle College High School Ryan Crawford -

Those serving a one year term beginning June 7, 2005 and ending May 31, 2006:
Terrance Anfield - IBML High School Charmesha Bailey - Weber Institute High School Brandy Dunlap - Dist. 5 Representative Michelle Lopez - Lincoln High School Daniel Luces - Edison High School Samantha McGirr - Dist. 3 Representative Chanel Murray - St. Mary's High School Jamani Perry - Weston Ranch High School Jamari Perry - Weston Ranch High School Rosslyn Tejamo - Edison High School Cristina Vargas - Franklin High School Kristin Yeakel - Dist. 1 Representative

Moved by Martin, Councilmember, seconded by Nabors, Councilmember.

Vote: Motion carried 7-0.
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

LINK TO 2005-06-07 Council Resolution 05-0231 Agenda Item 6.01 7.01

The following Councilmembers and staff members spoke on this matter: (05:52 PM)

Councilmember Martin (05:52 PM)

Peni Basalusal - Parks and Recreation Department (05:53 PM)

Councilmember Nabors (05:54 PM)

Gina Delucchi - Parks and Recreation Department (05:55 PM)

Martin, Councilmember left the meeting at 06:00 PM

7.02 (formerly 6.02) CC Resolution authorizing the issuance and sale of special tax refunding bonds of the City for the District designated as “City of Stockton South Stockton Community Facilities District No. 90-1 2005 Special Tax Refunding Bonds” and approving related agreements and actions with respect thereto. (AS) (Pages 4 – 16) (05:59 PM)

LINK TO 2005-06-07 Council Agenda Item 6.02 7.02

Motion: Approve 7.02 (formerly 6.02) CC Resolution 05-0232 authorizing the issuance and sale of special tax refunding bonds of the City for the District designated as “City of Stockton South Stockton Community Facilities District No. 90-1 2005 Special Tax Refunding Bonds” and approving related agreements and actions with respect thereto. (AS) (Pages 4 – 16)
Moved by Lee, Councilmember, seconded by Bestolarides, Councilmember.

Vote: Motion carried 6-0.
Yes: Bestolarides, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor Absent: Martin, Councilmember

LINK TO 2005-06-07 Council Resolution 05-0232 Agenda Item 6.02 7.02

Martin, Councilmember joined the meeting at 06:01 PM

7.03 (formerly 6.04) CC Create the CITY OF STOCKTON CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT NO. 2005-1, RIVERBEND ZONE 1 for all stormwater post-construction treatment units required under the city’s
Stormwater Quality Control Criteria Plan.

a) Resolution of intention to create a Municipal Improvement District and the formation of a zone for the maintenance and operation of storm drainage improvements, accepting petition of property owners, providing for annual assessments for the costs and expenses thereof, approving a proposed boundary map and appointing Engineer of Work (THOMPSON-HYSELL ENGINEERS, A DIVISION OF THE KEITH COMPANIES, INC.).

b) Preliminarily approving the Engineer’s Report, scheduling the date for Public Hearing of Protests and providing for property owner ballots. (MUD) (Hearing to be held July 26, 2005.) (Pages 24 – 34) (06:01 PM)

LINK TO 2005-06-07 Council Agenda Item 6.04 7.03

LINK TO 2005-06-07 Council Resolution 05-0233 Agenda Item 6.04 7.03 a

LINK TO 2005-06-07 Council Resolution 05-0234 Agenda Item 6.04 7.03 b

Councilmember Nabors (06:02 PM)

Note: The motion to approve these resolutions was taken concurrently with Items 7.04 and 7.05. See the motion under Item 7.05.

7.04 (formerly 6.05) CC Adopt the Initial Study/Final Mitigated Negative Declaration (IS25-04) and adopt the Findings and Mitigation Monitoring and Reporting Program and issue a Notice to Proceed for the construction of the Stockton Regional Wastewater Control Facility Utility Crossing

a) CC Adopt the Initial Study/Mitigated Negative Declaration and adopting the Findings and Mitigation Monitoring and Report Program for the Stockton Regional Wastewater Control Facility Utility Crossing Project;

b) CC Authorize the City Manager to award a Notice to Proceed to OMI/THAMES WATER, INC. for the construction of the Stockton Regional Wastewater Control Facility Utility Crossing Project. (MUD) (ACCT) (Pages 35-42) (06:02 PM)

LINK TO 2005-06-07 Council Agenda Item 6.05 7.04

LINK TO 2005-06-07 Council Resolution 05-0235 Agenda Item 6.05 7.04 a

LINK TO 2005-06-07 Council Resolution 05-0236 Agenda Item 6.05 7.04 b

Councilmember Nabors (06:03 PM)

Note: The motion to approve these resolutions was taken concurrently with Items 7.03 and 7.05. See the motion under Item 7.05.

7.05 (formerly 6.15) CC Approve an agreement between the City of Stockton and the County of San Joaquin regarding detachment of Rural Fire Districts upon annexation of property to the City of Stockton. (CM) (Pages 169 - 174) (06:03 PM)

LINK TO 2005-06-07 Council Agenda Item 6.15 7.05

LINK TO 2005-06-07 Council Resolution 05-0237 Agenda Item 6.15 7.05

Councilmember Nabors (06:03 PM)
Councilmember Martin commented on agenda Item 6.13. (06:04 PM)

Note: The motion to approve this resolution was taken concurrently with Items 7.03 and 7.04 as listed below.

Motion: Approve Items 7.03, 7.04 and 7.05 as follows:

7.03 (formerly 6.04) regarding the CITY OF STOCKTON CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT NO. 2005-1, RIVERBEND ZONE 1 as follows:

a) CC Resolution 05-0233 of Intention to create a Municipal Improvement District and the formation of a zone for the maintenance and operation of storm drainage improvements, accepting petition of property owners, providing for annual assessments for the costs and expenses thereof, approving a proposed boundary map and appointing Engineer of Work (THOMPSON-HYSELL ENGINEERS, A DIVISION OF THE KEITH COMPANIES, INC.).

b) Resolution 05-0234 Preliminarily approving the Engineer's Report, scheduling the date for Public Hearing of Protests and providing for property owner ballots.

7.04 (formerly 6.05) relative to the construction of the Stockton Regional Wastewater Control Facility Utility Crossing as follows:

a) CC Resolution 05-0235 adopting the Initial Study/Mitigated Negative Declaration and adopting the Findings and Mitigation Monitoring and Report Program for the Stockton Regional Wastewater Control Facility Utility Crossing Project;

b) CC Resolution 05-0236 authorizing the City Manager to award a Notice to Proceed to OMI/THAMES WATER, INC. for the construction of the Stockton Regional Wastewater Control Facility Utility Crossing Project.

7.05 (formerly 6.15) CC Resolution 05-0237 approving an agreement between the City of Stockton and the County of San Joaquin regarding detachment of Rural Fire Districts upon annexation of property to the City of Stockton.

Moved by Martin, Councilmember, seconded by Nabors, Councilmember.

Vote: Motion carried 7-0.
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

8. NEW BUSINESS - None (06:06 PM)

9. PUBLIC HEARINGS** (06:06 PM)

9.01) CC Public hearing to consider the proposed annexation of RIVERBEND to existing HUNTER RIDGE ZONE A-7 - STOCKTON CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 96-2.

At the conclusion of the public hearing, it is recommended, assuming that the annexation ballots voted in favor of annexation and the levy of an annual maintenance assessment exceeded those voted against the annexation and levy of an annual maintenance assessment, a resolution be adopted overruling all protests, annexing territory to Zone A-7, approving the Engineer's Report, and confirm the maximum annual assessment for costs of operation and maintenance of improvements in Zone A-7, Hunter Ridge, of the Stockton Consolidated Landscape Maintenance Assessment District No. 96 2 in the amount of $493.36 per dueF (dwelling unit equivalent Factor), subject to an annual escalator. (P&R) (Pages 252 – 260) (06:06 PM)
Mayor Chavez declared the public hearing open.

Parks and Recreation Director Pamela Sloan introduced Project Manager David Kroll, Parks and Recreation Department, who gave the staff report with the aid of a Powerpoint Presentation (filed).

LINK TO 2005-06-07 Council Agenda Item 9.01 Powerpoint

Notice of Public Hearing, Certificate of Mailing, and Ballot Procedure are on file in the office of the City Clerk.

No one desired to be heard, therefore, Mayor Chavez declared the public hearing closed.

City Clerk Katherine Meissner opened and tabulated the assessment ballots. The results were certified as follows:
Total yes: $276,281.60
Total no: -0-
The assessment ballots cast "Yes" equal 92% of the total assessment ballots cast.

Motion: Approve 9.01) CC Resolution 05-0238 overruling all protests, annexing territory to Zone A-7, approving the Engineer’s Report, and confirm the maximum annual assessment for costs of operation and maintenance of improvements in Zone A-7, Hunter Ridge, of the Stockton Consolidated Landscape Maintenance Assessment District No. 96 2 in the amount of $493.36 per dueF (dwelling unit equivalent Factor), subject to an annual escalator. Moved by Martin, Councilmember, seconded by Giovanetti, Vice Mayor.

Vote: Motion carried 7-0.
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

LINK TO 2005-06-07 Council Resolution 05-0238 Agenda Item 9.01

9.02) CC Public hearing to consider the proposed annexation of Silver Springs and Gold Springs to NORTH STOCKTON PROJECTS ZONE C-2 OF THE STOCKTON CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 96-2.

At the conclusion of the public hearing, it is recommended, assuming that the annexation ballots voted in favor of annexation and the levy of an annual maintenance assessment exceeded those voted against the annexation and levy of an annual maintenance assessment, a resolution be adopted overruling all protests, annexing territory to Zone C-2, approving the Engineer’s Report, and confirm the maximum annual assessment for costs of operation and maintenance of improvements in Zone C-2, Hunter Ridge, of the Stockton Consolidated Landscape Maintenance Assessment District No. 96 2 in the amount of $157.35 per dueF (dwelling unit equivalent Factor), subject to an annual escalator. (P&R) (Pages 261 – 269) (06:10 PM)

Mayor Chavez declared the public hearing open.

Project Manager David Kroll, Parks and Recreation Department, gave the staff report with the aid of a Powerpoint presentation (filed).

LINK TO 2005-06-07 Council Agenda Item 9.02 Powerpoint

Notice of Public Hearing, Certificate of Mailing, and Notice of Ballot Procedure is on file in the office of the City Clerk.

Public Comment:

ToCan Nguyen (06:12 PM)
Mayor Chavez declared the public hearing closed.

City Clerk Katherine Meissner opened and tabulated the assessment ballots and certified the results as follows:
Total Yes: $60,579.75
Total No: -0-
The assessment ballots cast "Yes" equal 100% of the total assessment ballots cast.

Motion: Approve 9.02) CC Resolution 05-0239 overruling all protests, annexing territory to Zone C-2, approving the Engineer's Report, and confirm the maximum annual assessment for costs of operation and maintenance of improvements in Zone C-2, Hunter Ridge, of the Stockton Consolidated Landscape Maintenance Assessment District No. 96 2 in the amount of $157.35 per dueF (dwelling unit equivalent Factor), subject to an annual escalator.
Moved by Chapman, Councilmember, seconded by Martin, Councilmember.

Vote: Motion carried 7-0.
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

LINK TO 2005-06-07 Council Resolution 05-0239 Agenda Item 9.02

9.03) CC Amend the Administrative Services fee section of the City's 2005-2006 Service Fee Schedule by incorporating Motorized Food Wagon Operating Permit Fee. It is also recommended that a related amendment be approved to the MOTORIZED FOOD WAGON ORDINANCE dealing with non-substantive changes. (CM) (Pages 270 - 274) (06:14 PM)

Mayor Chavez declared the public hearing open.
Affidavits of publication and posting are on file in the office of the City Clerk.

Program Manager Dennis Smallie of the City Manager's Office gave the staff report with the aid of a Powerpoint Presentation (filed). He also filed revised copies of the following:
1) revised hard copy of the Powerpoint presentation containing a revision to Slide 11; and
2) revised copy of the proposed Ordinance.

LINK TO 2005-06-07 Council Agenda Item 9.03 Powerpoint

The following Councilmembers asked questions to which the staff responded: (06:21 PM)
Mayor Chavez asked if there is currently a background check. (06:21 PM)
Vice-Mayor Giovanetti asked if this included ice-cream trucks. (06:22 PM)
Deputy City Attorney Lori Whittaker responded that there are separate regulations for ice-cream vendors. (06:22 PM)
Councilmember Martin inquired about drivers licenses. (06:23 PM)
Councilmember Chapman (06:27 PM)
Councilmember Nabors (06:28 PM)
City Attorney Ren Nosky (06:31 PM)
Mayor Chavez (06:34 PM)

Mayor Chavez declared the Public Hearing closed.

Motion: Approve 9.03) CC Ordinance 007-05 C.S. effective July 7, 2005, amending Chapter 7, Part 1, of the
Stockton Municipal Code by amending Division 9, Sections 7-049.2 and 7-049.3, regarding Motorized Food Wagons.
Moved by Chapman, Councilmember, seconded by Martin, Councilmember.

Vote: Motion carried 7-0.
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

LINK TO 2005-06-07 Council Ordinance 007-05 CS Agenda Item 9.03

9.04) CC/RD Continued hearing to consider public comments/testimony regarding:

a) The proposed 2005-06 City of Stockton Budget and Fee Adjustments;
b) The 2005-10 Capital Improvement Projects (CIP); and,
c) The proposed 2005-06 Stockton Redevelopment Agency Budget.
(CM) (Pages 275 – 280) (06:35 PM)

City Clerk Katherine Meissner announced that the public comment period was closed on May 24, 2005, however, Mayor Chavez opened the public hearing once again for comments at this time.

The staff report was presented by City Manager Mark Lewis with the aid of a Powerpoint Presentation (filed). In addition, he filed the following:

1) Memorandum dated April 18, 2005 to Mark Lewis, City Manager, from Laurie Montes, Budget Officer, Subject: 05-06 Budget - Key Issues;
2) Memorandum dated June 2, 2005 to the Mayor and City Council, from City Manager Mark Lewis, Deputy City Manager Christine Tien, and Budget Officer Laurie Montes; Subject: 05-06 Budget Resolution.

LINK TO 2005-06-07 Council Agenda Item 9.04 Powerpoint

The following public members and Councilmembers asked questions and the staff responded: (07:06 PM)

Kevin Sharrar, CEO BIA of the Delta, Letter to Mayor and Councilmember regarding Public Facilities Fees (filed). (07:06 PM)

Mayor Chavez (07:09 PM)
City Manager Mark Lewis (07:10 PM)
Eileen St. Yves (07:12 PM)
Vice-Mayor Giovanetti (07:15 PM)
Councilmember Lee (07:16 PM)
Ursula Meyer (07:17 PM)
Patty Wong, Interim Library Director (07:23 PM)

Bestolarides, Councilmember left the meeting at 07:26 PM

ToCan Nguyen (07:26 PM)

Bestolarides, Councilmember joined the meeting at 07:31 PM

Tom Ruemmler (07:31 PM)
Vice-Mayor Giovanetti (07:40 PM)
Kevin Huber, CEO Grupe Company (07:42 PM)
Vice-Mayor Giovanetti (07:47 PM)
Doug Wilhoit, CEO Stockton Chamber of Commerce (07:48 PM)
Randy Ruby, Executive Director Builder's Exchange (07:50 PM)

Mayor Chavez declared the public hearing closed. (07:50 PM)

Mayor Chavez shared a letter addressed to the Council from Mike Locke, CEO San Joaquin Partnership (filed). (07:51 PM)

Councilmember Nabors (07:51 PM)
Councilmember Lee (07:52 PM)
Councilmember Bestolarides (07:56 PM)
Councilmember Chapman (08:06 PM)
Councilmember Martin (08:09 PM)
Vice-Mayor Giovanetti (08:13 PM)

Mayor Chavez (08:13 PM)

Mayor Chavez declared the Public Hearing closed.

Motion: Approve a) CC Resolution 05-0240 approving the following:
   1) proposed 2005-06 City of Stockton Budget
   2) 2005-2010 CIP
   3) authorizing Fee Adjustments
   4) authorizing various fund transfers and administrative actions
Moved by Giovanetti, Vice Mayor, seconded by Martin, Councilmember.

Vote: Motion carried 7-0.
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

LINK TO 2005-06-07 Council Resolution 05-0240 Agenda Item 9.04 a

Motion: Approve b) CC Resolution 05-0241 making of benefit findings pursuant to California Redevelopment Law in connection with adoption of the Redevelopment Agency's FY05-06 Budget
Moved by Giovanetti, Vice Mayor, seconded by Martin, Councilmember.

Vote: Motion carried 7-0.
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

LINK TO 2005-06-07 Council Resolution 05-0241 Agenda Item 9.04 b

Motion: Approve c) RD Resolution R05-024 adopting a budget for fiscal year 2005-06 Stockton Redevelopment Agency. (CM) (Pages 275 – 280)
Moved by Giovanetti, Vice Mayor, seconded by Lee, Councilmember.

Vote: Motion carried 7-0.
Yes: Bestolarides, Councilmember; Martin, Councilmember; Chavez, Mayor; Nabors, Councilmember; Lee, Councilmember; Chapman, Councilmember; Giovanetti, Vice Mayor

LINK TO 2005-06-07 RD Resolution R05-024 Agenda Item 9.04 c
10. COUNCIL/REDEVELOPMENT AGENCY COMMENTS AND COMMITTEE REPORTS
(08:18 PM)

Mayor Chavez (08:18 PM)

1. The Mayor, addressing his colleagues on the Council, requested that the meeting be adjourned in memory of S. Edward Griffith, a long-time City employee a number of years ago and City Manager from 1984 to 1987. He said that those who knew Ed knew he was an outstanding man.

Vice Mayor Giovanetti voiced his agreement with the Mayor's request to adjourn in memory of Mr. Griffith, as did Councilmember Martin.

2. Mayor Chavez, referring to Mr. Harris' earlier comments about problems in the community relative to hate crimes, reminded everyone that there is a Hate Crimes Task Force, established a few years ago, comprised of City and County agencies and school districts throughout the County. The Mayor voiced his assurance that they will come together to address these issues.

11. ADJOURNMENT - In memory of former City Manager S. Edward Griffith. (08:19 PM)

[Signature]

KATHERINE GONG MEISSNER
CITY CLERK OF THE CITY OF STOCKTON
SECRETARY REDEVELOPMENT AGENCY