C-1. CC/RD CALL TO ORDER / ROLL CALL - 3 P.M.

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

Absent/Excused:
Bestolarides, Councilmember

Councilmember Bestolarides arrived at 3:45 p.m.

C-2. CC/RD ANNOUNCEMENT OF CLOSED SESSION

C-2.1) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION
Number of Cases: Two
Based on existing facts and circumstances there is significant exposure to litigation pursuant to Government Code section 54956.9 (b)(3)(c)

C-3. CC/RD ADJOURN TO CLOSED SESSION

Council adjourned from recessed from closed session at 4:05 p.m. The Council reconvened to closed session after the regularly scheduled meeting.

1. CC/RD CALL TO ORDER/ROLL CALL (05:30 PM)

Roll Call (05:32 PM)
Present:
Bestolarides, Councilmember
Chapman, Councilmember
Lee, Councilmember
Martin, Councilmember
Nabors, Councilmember
Giovanetti, Vice Mayor
Chavez, Mayor

2. CC/RD REPORT OF ACTION TAKEN IN CLOSED SESSION (05:30 PM)

City Attorney Ren Nosky announced that the Council met on two potential litigation items and took no reportable action but will reconvene on the second item following the conclusion of the regular meeting.

3. INVOCATION/PLEDGE TO FLAG - Vice Mayor Giovanetti/Councilmember Martin (05:31 PM)

4. PROCLAMATIONS/COMMENDATIONS/CITY ANNOUNCEMENTS OR INVITATIONS (05:32 PM)

AGENDA ITEM 6.16

SCANNED
5. CITIZENS' COMMENTS, ANNOUNCEMENTS OR INVITATIONS* (05:46 PM)

Nguyen T. ToCan called to speak

Ms. Nguyen continued her complaints of cover-up, misuse of funds, air poisoning, and sexual, physical, medical, and chemical torture.

Rudy Hurtado called to speak and filed his written presentation (filed). (CM/Police Department to follow up)

Mr. Hurtado spoke on crime in his neighborhood. He said that they started a Neighborhood Watch but crime is getting worse and the police force cannot keep up with the increasing population and the increasing crime rate.

Paul Zumstein called to speak (CM/Police Department to follow up)

Mr. Zumstein agreed with Mr. Hurtado's statements and verified an incident that did not get an immediate response when 911 was called. He applauded the efforts related to revitalization of the Downtown area and said he would like to see these efforts expanded in other areas of the City.

James Young called to speak and filed bullet points of his presentation (filed). (CM/Police Department to follow up)

Mr. Young referred to speeding vehicles on Kentfield Road, the need for a speed enforcement trailer as children play in the area, and cars that do not stop for school buses. He asked that speed limit signs be posted.

Ann Johnston called to speak (filed a news article from the Manteca Bulletin dated February 14, 2006) (CM to follow up)

Ms. Johnston applauded the Council on recent actions. She referred to the news article related to street peddlers. She said that enforcement in Stockton has improved, but Manteca has taken effective action against illegal vendors, fining those who did not have the required permits up to $1,000. Ms. Johnston said that the Council should support the Stockton business community by reviewing this situation and strengthening the current ordinance related to illegal vendors.

Sophoan Sorn called to speak

Mr. Sorn, Director of Stockton Crossing Cultural Bridges, said that this project was launched last year to celebrate the City's dynamic culture, citizen diplomacy, and support of the Sister Cities Association. He invited everyone to the world premier of his documentary film, To: Iloilo & Battambang at 6 p.m., March 2, 2006 at the Civic Auditorium, celebrating the Filipino and Cambodian presence in the City.

Woody Alsbaugh called to speak

Mr. Alsbaugh voiced his objection to the plaque on the outside of City Hall, which refers to "Indians," stating it is discriminatory against Native Americans and Mexicans, who at one time were "classified as animals."

6. CC/RD CONSENT AGENDA (06:17 PM)

City Clerk Katherine Gong Meissner announced, related to Item 6.16 regarding the Civil Service Commission interviews on February 28, the start time is being changed to 4:20 p.m., following the Mosquito and Vector Control Board interviews at 4 p.m.

Bestolarides, Councilmember called to speak and asked questions pertaining to Item 6.20.

Interim City Manager J. Gordon Palmer, Jr. responded to the questions and announced that Item 6.20 was pulled from the Agenda and will return next week.

Martin, Councilmember called to speak and asked questions about Item 6.20.
6.01) **CC Resolution 06-0083** authorizing the Interim City Manager to execute a four-year lease agreement with DE LAGE LANDEnv FINANCIAL SERVICES as a leasing agent for SMILE BUSINESS PRODUCTS for two digital imaging/copier/printers for the City Attorney's Office in the amount of $742.14 per month plus tax, **CC Resolution 06-0084** authorizing a maintenance agreement with SMILE BUSINESS PRODUCTS for the implementation and support of said solution in the amount of $2,203.20 annually, and authorize the Interim City Manager to take the actions necessary to carry out the purpose and intent of the resolutions. (ATTY) (Pages 1-10)

6.02) **CC Resolution 06-0085** approving an owner-occupied Home Investment Partnership Loan in the amount of $81,530 to DELANN RICHARDSON of 3003 SOUTH BELLEVUE AVENUE and directing the Interim City Manager to take whatever actions are necessary and appropriate to carry out the intent of the resolution. (HD) (Pages 11-17)

6.03) **CC Resolution 06-0086** authorizing an amendment to the Professional Services Master Contract with CONDOR EARTH TECHNOLOGIES in the amount of $52,700 Pursuant to Resolution No. 05-0226 adopted on June 5, 2005, to evaluate groundwater monitoring data and prepare a technical report describing the localized impacts of wastewater treatment operations at the Regional Wastewater Control Facility. (MUD) (Pages 18-29)

6.04) **CC Resolution 06-0087** authorizing the Interim City Manager to execute a reimbursement agreement for the Northwest Reservoir and Pump Station Upgrades Project with PULTE HOMES CORPORATION in the amount of $2,850,000. (MUD-ACCT)(Pages 30-36)

6.05) **CC Resolution 06-0088** adopting findings and executing a contract with DOWNTOWN STOCKTON ALLIANCE for maintenance services in the downtown area for 2006 to commence upon approval of the contract in the amount of $104,153 and allowing for three one-year extensions, upon approval of City Manager. (P&R) (Pages 67-79)

6.06) **CC Resolution 06-0089** awarding contracts for maintenance for zones of the Stockton Consolidated Landscape Maintenance Assessment District No. 96-2. (P&R) (Pages 80-121)

   a) Approve specifications and award a contract for landscape maintenance for bid items/grounds maintenance project areas A, D and F to CREATIVE OUTDOOR ENVIRONMENTS, INC in the amount of $172,358, term to expire December 31, 2007, allowing for three one-year extensions, upon approval of City Manager;

   b) Approve specifications and award a contract for landscape maintenance for bid items/grounds maintenance project areas B and C to EAST BAY CONSTRUCTION in the amount of $367,158.04, term to expire December 31, 2007, allowing for three one-year extensions, upon approval of City Manager; and,

   c) Approve specifications and award a contract for landscape maintenance for bid item/grounds maintenance project area E to GREENLINE LANDSCAPING AND MAINTENANCE in the amount $20,922, term to expire December 31, 2007, allowing for three one-year extensions, upon approval of City Manager.

6.07) **CC Resolution 06-0090** authorizing the Interim City Manager to execute an agreement for Supplemental Police Services for a two-year period with the HOUSING AUTHORITY OF THE COUNTY OF SAN JOAQUIN as part of the Public Housing Drug Elimination Program Grant in the amount of $220,000 for 2006 and $242,000 for 2007. (PD)(Pages 122-135)

6.08) **CC Resolution 06-0091** authorizing the Interim City Manager to execute an amendment to the professional services master contract with MARK THOMAS AND COMPANY, INC. in the amount of $1,326,690 for Phase 1 (preliminary engineering and environmental documentation) of the North Stockton Railroad Grade Separations and Bridge Replacements, Project No. 05-17, involving two bridges and four grade separations, and to record any and all appropriations and transactions necessary to complete funding of the project. (PW-ACCT) (Pages 136-185)

6.09) **CC Resolution 06-0092** accepting an improperly executed Non-Collusion Affidavit, approving specifications and awarding a contract for the replacement purchase of One Cutaway Hi-cube Cargo Van to BIG VALLEY FORD in the amount of $27,271.08. (PW) (Pages 186-189)

6.10) **CC Resolution 06-0093** authorizing the Interim City Manager to execute Contract Change Order No. 1 to COLLINS ELECTRIC COMPANY INC., in the amount of $81,900 for purchase order #147906, repair of street light circuits damaged by theft and vandalism, and to record any and all appropriations and transactions necessary to complete funding of the project. (PW) (Pages 190-192)

6.11) **CC Resolution 06-0094** authorizing the Interim City Manager to execute a contract amendment with
HDR ENGINEERING, INC., in the amount of $3,151,089 for the preparation of final design plans, specifications, and estimate for the Sperry Road Extension Phase 2 (French Camp Road/Interstate 5) Interchange Reconstruction and Manthey Road Relocation, Project No. 99-01, and to record any and all appropriations and transactions necessary to complete funding of the project. (PW-ACCT) (Pages 193-268)

6.12) CC Resolution 06-0095 amending the "Stop Controlled Intersection Schedule", pursuant to the Stockton Municipal Code sections 10-011.2 and 10-011.3, to include TRANSWORLD DRIVE/QANTAS LANE INTERSECTION as a four-way stop. (PW) (Pages 269-273)

6.13) CC Resolution 06-0096 authorizing the Interim City Manager to execute the subdivision agreement, accepting on behalf of the public all offers of dedication, and authorizing recordation of the map for MEADOWLANDS Unit No. 2, located north of Lebaron Drive and west of Davis Road. (PW) (Pages 274-277)

6.14) CC Resolution 06-0097 approving the annual rate adjustment of a 1.4% increase allowed solid waste franchisees under Article 7.2 of the Amended Collection Service Agreement dated February 2, 2004. (PW) (Pages 278-289)

6.15) CC Resolution 06-0098 authorizing Contract Change Order No. 2 to VALI COOPER & ASSOCIATES, INC. in the amount of $14,408 for additional services due to overtime inspection requested by Granite Construction, Inc, and authorize the Interim City Manager to record any and all appropriations and transactions necessary to complete funding of the project. The $14,408 will be deducted from Granite Construction final payment. (PW) (Pages 290-297)

6.16) CC Schedule interviews for two vacancies on the STOCKTON CIVIL SERVICE COMMISSION at a Special Council meeting on Tuesday, February 28, 2006, beginning at 4:30 4:20 p.m. (CM) (Pages 298-310)

6.17) CC Schedule interviews for one vacancy on the STOCKTON PORT COMMISSION at a Special Council meeting on Tuesday, March 7, 2006, beginning at 4:20 p.m. (CM) (Pages 311-332)

6.18) CC Schedule interviews for one vacancy on the SAN JOAQUIN COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT BOARD at a Special Council meeting on Tuesday, February 28, 2006, beginning at 4:00 p.m. (CM) (Pages 333-351)

6.19) CC/ Approval of minutes of the Concurrent City Council/Redevelopment Agency RD meeting held on January 31, 2006. (CLERK) (Pages 352-359)

6.20) CC/ City Council Action RD Authorize the Interim City Manager to transfer $500,000 from the 679 Parkway City wide fund balances to pay costs associated with the WEBER POINT PEDESTRIAN BRIDGE PROJECT, including the Phase I scope of work with HDR Engineering, and future anticipated design engineering costs.

Redevelopment Action
Approve a contract with HDR Engineering, Inc., in the amount of $211,924 for preliminary engineering and design studies for the proposed WEBER POINT PEDESTRIAN BRIDGE. (RD-ACCT) (Pages 360-378)

NOTE: Item 6.20 was pulled from Consent and will be heard at the next regular meeting.

6.21) CC Resolution 06-0099 amending the mayoral appointments to various boards, commissions, and committees by appointing Mayor Ed Chavez, Vice-Mayor Gary Giovanetti and Councilmember Dan Chapman to serve as the City of Stockton representatives to the San Joaquin Council of Governments and Councilmember Steve Bestolarides to serve as the alternate member. (MAYOR) (Pages 379-383)

Motion: Approve 6. CC/RD CONSENT AGENDA
Moved by Chapman, Councilmember, seconded by Lee, Councilmember.

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

7. UNFINISHED BUSINESS - None (06:21 PM)

8. NEW BUSINESS - None, (06:21 PM)
9. PUBLIC HEARINGS** - None (06:21 PM)

10. COUNCIL/REDEVELOPMENT AGENCY COMMENTS AND COMMITTEE REPORTS (06:21 PM)

Nabors, Councilmember called to speak. (CM to follow up)

Councilmember Nabors requested that Interim City Manager Palmer have the road condition of Charter Way checked before, between, and after the underpass.

Councilmember Nabors noted street conditions are deteriorating quickly where streets are "patched" by contractors, citing South El Dorado Street between First and Second Streets as a particular area. She requested Interim City Manager Palmer have the jobs inspected and the contractors held in compliance with City code.

Martin, Councilmember called to speak (CM/Police Department to follow up)

Councilmember Martin stated she received a citizen's call regarding stray shopping carts in the Quail Lakes area. She requested Interim City Manager Palmer and Code Enforcement enact the applicable ordinance to have carts picked up by owners.

Council reconvened to closed session. (06:24 PM)

Council returned from Closed Session at 7:05 P.M. There was no reportable action taken.

11. ADJOURNMENT - 7:06 P.M.

KATHERINE GONG MEISSNER
CITY CLERK OF THE CITY OF STOCKTON
SECRETARY REDEVELOPMENT AGENCY
C-1. CC/RD CALL TO ORDER / ROLL CALL.

Present: Councilmembers Lee, Martin, Nabors, Vice Mayor Giovanetti and Mayor Chavez

Absent: Councilmembers Bestolarides and Chapman. (Councilmember Bestolarides arrived at 4:09 p.m.)

C-2. CC/RD ANNOUNCEMENT OF CLOSED SESSION

C-2.1) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Number of Cases: One

Name of Case: ANDAL v. CITY OF STOCKTON, et al.
Third District Court of Appeal Case No. C049104 (Verizon Case)

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

C-2.2) PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS:

City Auditor

City Clerk

This Closed Session is authorized pursuant to Government Code Section 54957

C-3. CC/RD ADJOURN TO CLOSED SESSION

The Council recessed to closed session at 4:04 p.m. The Council returned from closed session and recessed at 5:10 p.m.

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

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

Absent/Excused:
Councilmember Chapman
Councilmember Lee

(Note: Councilmember Lee joined the meeting at 5:31 p.m.)

2. CC/RD REPORT OF ACTION TAKEN IN CLOSED SESSION (05:30 PM)

City Attorney Ren Nosky announced that there was no reportable action taken in closed session.

3. INVOCATION/PLEDGE TO FLAG (05:30 PM)
Councilmember Bestolarides/Councilmember Lee

Councilmember Lee joined the meeting at 5:31 p.m.

4. PROCLAMATIONS/COMMENDATIONS/CITY ANNOUNCEMENTS OR INVITATIONS (05:31 PM)

4.01) Downtown Stockton Alliance Annual Report Presentation
Katherine Miller, Executive Director, Peggy Massey and John Fry
(Powerpoint Presentation filed) (05:31 PM)

Mayor Chavez called to speak and asked about the possibility putting on an event similar to Hot August Nights.

Vice Mayor Giovanetti called to speak and asked questions about the Art Walk.

4.02) Downtown Stockton Alliance and PG & E Presentation
Peggy Massey and Alicia Duer
(Video filed) (05:50 PM)

5. CITIZENS’ COMMENTS, ANNOUNCEMENTS OR INVITATIONS* (06:01 PM)

James Young called to speak

City Clerk Katherine Gong Meissner relayed to the Council that Mr. Young is reporting about broken fire hydrants, deep cracks in sidewalks, and the lack of some manhole covers in the Kentfield area.

Diana Lowery called to speak

Ms. Lowery, Sister City President, thanked the Council for its support of the naming of a new park after the Sister City of Parma, Italy. She also thanked City staff, Deputy City Manager Johnny Ford, Director of Parks and Recreation Pamela Sloan, and Executive Assistant Punta Billedo, and the Parks and Recreation Committee for their support.

Virginia Noah called to speak - CM to follow up

Ms. Noah related that she received a phone call today from the School Transportation Department, informing her that her grandson had been in trouble on March 9. She voiced concern that she had just been notified. Her grandson has been suspended from school. As his guardian, she said that she wants to be informed immediately if there is an incident involving her grandson so she can take corrective action.

At the request of the Mayor, City Manager J. Gordon Palmer, Jr. said he would ensure that Ms. Noah is referred to the correct agency and that she is contacted by them.

To Can Nguyen called to speak

Ms. Nguyen continued her complaints of gang violence against her, false imprisonment, and conspiracy by Mental Health Services. She said she will be a spokesperson for the disabled and mentally ill and voiced her political views.

Sean Choate called to speak

Mr. Choate, who lives on East Weber Avenue, said that there is no parking available at his apartment.

Dennis Phillips called to speak

Mr. Phillips, who also resides at the Hotel Stockton on East Weber Avenue, acknowledged his neighbors present at the meeting, and stated that the problem with parking continues. He commended the Fire Department for its inspections of the Hotel and the Police Department for its assistance in the past. Mr. Phillips outlined suggestions on ways to improve housing Downtown. He again requested that tax money be used to alleviate the parking problem at the Hotel.

Andrew Chesley called to speak
Mr. Chesley, Executive Director of the San Joaquin Council of Governments (COG) said they have had a successful relationship with the City of Stockton, particularly related to Measure K. He said he will return to the Council to discuss the Measure K renewal and receive comments regarding the draft expenditure plan. The Board of Directors should consider adoption of the plan in April. COG will then return to the City Council in summer for adoption of the plan, which would appear on the November ballot. He thanked the City Council for their continued support.

Sylvia Kothe called to speak

Ms. Kothe, representing the League of Women Voters of San Joaquin County, announced the celebration of the second annual National Sunshine Week, which is a program to stimulate discussion about open government. Many sites, groups, and other facilities were engaged in open discussion and Delta College will present a taped teleforum followed by discussion on March 16, at the Cesar Chavez/Stewart Hazleton Room at 6:30 p.m. She urged all citizens to join the League and its co-sponsors in supporting activities related to open government.

Dwight Richards called to speak

Mr. Richards, President of the African-American Chamber of Commerce, spoke on Leadership Stockton, a project to help with refurbishing the Sierra Vista Community Center. The grand re-opening will be Saturday and Mr. Richards invited the Council to this event, distributing official invitations.

Sammy Nunes called to speak

Mr. Nunes, Director of Fathers Matter Central Valley, a community based, non-profit organization, asked for support for its activities and announced that a Father's Day award ceremony, "A Father's Day Wish," will be held. He shared statistics related to youth who grow up without fathers.

Norman Perez

Mr. Perez, a colleague of Mr. Nunes, distributed flyers related to "A Father's Day Wish," noting that the award ceremony will have nominees selected through essays by school children. The event will be held June 18, from 4 to 7 p.m. at the Radisson Hotel. Dinner will be provided and there will be live music. This is an event to celebrate and pay tribute to the role of fathers in society and also to inspire great parenting. He also noted that there is a Chairman position open on the Committee and would like to hear from the Council.

6. CC/RD CONSENT AGENDA

Mayor Chavez announced that Items 6.09 and 6.10 are being removed from the agenda for further action.

City Manager Palmer, Jr. informed the Mayor that Item 6.09, setting a hearing for an abandonment related to Fire Station No. 2, could be heard tonight.

City Clerk Meissner announced that Item 6.05, regarding the $240,000 loans of HELP (Housing Enabled by Local Partnership) funds to finance land and the $75,000 CHDO (Community Housing Development Organization) for predevelopment funds to ACLC (Asociacion Campesina Lazaro Cardenas), gives an address of 8512 Pock Lane, which was given by the bank. The correct address is 1921 Pock Lane.

(06:34 PM)

6.01) CC Motion scheduling interviews for two vacancies on the REDEVELOPMENT COMMISSION/RELOCATION APPEALS BOARD at a Special Council meeting on Tuesday, April 4, 2006, beginning at 3:50 p.m. (CM) (Pages 1-3)

6.02) CC Resolution 06-0128 approving findings and authorizing the Request for Proposal to hire a firm to prepare a comprehensive update of the City's Public Facilities Fees to be consistent with the proposed General Plan update and appoint Vice-Mayor Giovanetti to serve on the selection committee. (CM) (Pages 4-
6.03) CC Resolution 06-0129 authorizing an amendment to the Master Professional Service Contract not to exceed $260,000 to LESOVSKY DONALDSON ARCHITECTS for design of Fire House No. 13. (FD) (Pages 9-21)

6.04) CC Resolution 06-0130 approving a down payment assistance loan in the amount of $69,950 to ANAND AND JASWINDER SWAN for the purchase of a condominium unit located at 2807 Foxcreek Court; and directing the Interim City Manager to take whatever actions are necessary and appropriate to carry out the intent of the resolution. (HD) (Pages 22-25)

6.05) CC Resolution 06-0131 approving a $240,000 loan of H.E.L.P. funds to finance land and $75,000 HOME-CHDO loan for predevelopment funds (totaling $315,000) to ACLC, INC. for a proposed multi-family project located at 4747 1921 Pock Lane; and (2) authorizing the City Manager to execute all agreements. (HD) (Pages 26-31)

6.06) CC Resolution 06-0132 authorizing to formally name the park referred to as Villa Tuscany (Hatch) Park as PARMA SISTER CITY PARK. (P&R) (Pages 32-35)

6.07) CC Motion Scheduling a public hearing for March 28, 2006, to consider a recommendation of the JUSTICE ASSISTANCE GRANT ADVISORY BOARD for use of 2006 federal grant funds totaling $295,376. (PD) (Pages 36-37)

6.08) CC Resolution 06-0133 authorizing the amendment to the existing facade improvement forgivable loan with MCKEEGAN INVESTORS, LP, for the commercial property located at 520-534 East Weber Avenue increasing the loan amount an additional $3,830 for a total of $35,123. (RD) (Pages 38-43)

6.09) CC Resolution 06-0134 Scheduling a public hearing for April 11, 2006 to consider the abandonment of a portion of WEST HAZELTON AVENUE/SOUTH MADISON for Fire Station No. 2, located at 110 West Sonora Avenue. (RD) (Pages 44-50) (Hearing to be held April 11, 2006)

6.10) CC Approve payment in the amount of $900,000, plus interest at the State Treasurer's fund and rate and costs, and payment of CRYSTAL CREAM AND BUTTER COMPANY'S claim for relocation expenses in the amount of $70,000. (ATTY) (Page 51)

This item was removed from the agenda for further staff review.

6.11) RD Resolution R06-010 authorizing distribution of Requests for Proposal for relocation consulting services MERCY CHARITIES HOUSING PROJECT, located in the Gleason Park area. (RD) (Pages 52-57) (05:25 PM)

Motion: Approve the Consent Agenda absent 6.10.
Moved by Councilmember Bestolarides, seconded by Councilmember Martin.

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

7. UNFINISHED BUSINESS

8. NEW BUSINESS

8.01) CC/PFA Joint City Council/Public Financing Authority meeting to consider REFINANCING OF THE CITY OF STOCKTON 1999 CERTIFICATES OF PARTICIPATION (ESSENTIAL SERVICES BUILDING / PARKING FACILITY). (Pages 58-283) (06:36 PM)

1. Call to Order (Public Fanance Authority)
Mayor Chavez declared the Public Financing Authority meeting open.

Roll Call (06:37 PM)
Present:
Councilmember Bestolarides

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Councilmember Lee
Councilmember Martin
Councilmember Nabors
Vice Mayor Giovanetti
Mayor Chavez

Absent/Excused:
Councilmember Chapman

3. Consent Calendar (PFA)

3.01) Approval of Minutes of Public Financing authority meeting held October 4, 2005.

Motion: Approve the consent calendar.
Moved by Councilmember Martin, seconded by Vice Mayor Giovanetti.

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

4. New Business (PFA)

4.01 (PFA) and 8.01 (CC) Joint City Council/Public Financing Authority meeting to consider
REFINANCING OF THE CITY OF STOCKTON 1999 CERTIFICATES OF PARTICIPATION (ESSENTIAL SERVICES BUILDING / PARKING FACILITY). (Pages 58-283) (05:25 PM)

Administrative Services Director Mark Moses gave the staff report with the aid of a Powerpoint Presentation. (FILED)

Councilmember Bestolarides called to speak and asked questions about the 15% portion of the Public Facilities Fees (PFF). Mr. Moses addressed the 15-85 split relative to the PFF.

1. CC Resolution 06-0135 authorizing proceedings and agreements relating to the refinancing of the Stewart Eberhardt Building and adjacent parking structure, approving the issuance and sale of bonds by the Stockton Public Financing Authority, approving an Official Statement and authorizing official actions. (06:44 PM)

Motion: Approve 1. CC Resolution 06-0135 authorizing proceedings and agreements relating to the refinancing of the Stewart Eberhardt Building and adjacent parking structure, approving the issuance and sale of bonds by the Stockton Public Financing Authority, approving an Official Statement and authorizing official actions.
Moved by Vice Mayor Giovanetti, seconded by Councilmember Lee.

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

2. PFA Resolution PF06-001 authorizing the issuance of its Revenue Bonds in aggregate principal amount not-to-exceed $15.2 million in connection with the refinancing of the Stewart Eberhardt Building and adjacent parking structure, authorizing and directing execution of an Indenture of Trust, a Ground Lease, a Lease Agreement and an Escrow Agreement, authorizing the sale of the bonds, approving a Bond Purchase Contract and an Official Statement and authorizing official actions and execution of related documents. NOTE: Public Financing Authority agenda item 4.01 will be heard jointly at this time. (AS) (08:45 PM)

Motion: Approve 2. PFA Resolution PF06-001 authorizing the issuance of its Revenue Bonds in aggregate principal amount not-to-exceed $15.2 million in connection with the refinancing of the Stewart Eberhardt Building and adjacent parking structure, authorizing and directing execution of an Indenture of
Trust, a Ground Lease, a Lease Agreement and an Escrow Agreement, authorizing the sale of the bonds, approving a Bond Purchase Contract and an Official Statement and authorizing official actions and execution of related documents.
Moved by Councilmember Lee, seconded by Councilmember Nabors.

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

Mayor Chavez asked if there were comments from the public.

Motion: to adjourn Public Financing Authority meeting.
Moved by Councilmember Bestolarides, seconded by Councilmember Lee.

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

9. PUBLIC HEARINGS**

9.01 CC Hearing to consider public comments/testimony regarding the Initial Study/Negative Declaration and Zoning requests of DAN MCMANUS, ET AL., as follows: (CD) (Pages 284-319)
NOTE: At the conclusion of the public hearing it is recommended that the City Council take the following actions: (06:46 PM)

1) Adopt a Resolution approving Initial Study/Negative Declaration (IS21-05) and adopting the findings for the "Proposed Auto Storage Zoning Project;" and

2) Adopt an Ordinance approving a zoning (Z-11-05) from unzoned to IG (Industrial, General), for property located on the west side of UNION STREET, between PARK and OAK STREETS.

City Clerk Meissner requested that this item be removed from the agenda as the public hearing was not properly noticed. She asked that this item be rescheduled to the meeting of April 11, 2006. (06:46 PM)

Motion: Approve that the public hearing be rescheduled to April 11, 2006.
Moved by Councilmember Bestolarides, seconded by Councilmember Martin.

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

10. COUNCIL/REDEVELOPMENT AGENCY COMMENTS AND COMMITTEE REPORTS (06:47 PM)

Councilmember Nabors (CM to follow up) (06:47 PM)

Councilmember Nabors requested that City Manager Palmer provide a report of what steps are being taken to eradicate graffiti and apprehend offenders.

City Manager Palmer replied that there are two graffiti patrol units and that graffiti is acknowledged as an on-going problem.

Councilmember Nabors stated that the Columbus Park Neighborhood Group is concerned with the increased traffic violations and panhandling taking place on Harrison Street near McDonalds. The group has requested patrols be increased to deter the activities.

Councilmember Nabors requested that the Charter Way to I-5 area be closely watched to ensure citizens feel welcome to patronize the opening of a new motel and car wash.
City Manager Palmer said he will follow up with the Police Chief.

Councilmember Martin (CM to follow up) (06:50 PM)

Councilmember Martin stated she has received calls regarding the status of the Easter Seals building sale, proposed use, and maintenance of the heated pool.

City Manager Palmer replied that the City is exploring the options available. He said the information and options would be available to Council very soon.

Mayor Chavez (06:52 PM)

The Mayor responded to Councilmember Nabors's question regarding graffiti. He said the Police Department has a graffiti investigation unit and a graffiti hotline where people can call anonymously to report graffiti as it's occurring. Mayor Chavez noted that the Police Department will provide more specific information on arrests and incidents.

Mayor Chavez announced that the Vice Mayor will be conducting the meeting on March 21, 2006 as he will be with the Sister City group in Parma, Italy.

Mayor Chavez reported that the Permit Center Ad Hoc Committee has completed its study of the Permit Center's functions, the permit process, and a model city. He requested that Councilmember Bestolarides and the Community Planning Development Committee consider this information. Mayor Chavez passed this information to City Manager Palmer.

Mayor Chavez stated he met with the Permit Center Ad Hoc Committee regarding animal regulations and shelters. Mayor Chavez passed this information to City Manager Palmer.

11. ADJOURNMENT (06:54 PM)

[Signature]

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

Page 7 of 7
The City Council of the City of Stockton met on March 28, 2006 at the hour of 9:00 a.m., in a Special Joint Session, with the San Joaquin County Board of Supervisors, 222 East Weber Avenue, with Chair Seiglock presiding.

CALL TO ORDER/ROLL CALL

Present: Stockton City Councilmembers: Bestolarides, Chapman, Nabors, Vice Mayor Giovanetti, and Mayor Chavez

Board of Supervisors Members: Steven Gutierrez, Victor Mow, Dario Marenco, and Chairman Jack Sieglock

Absent: Councilmembers Leslie Martin and Clem Lee; Board of Supervisors member Leroy Ornelas

PUBLIC COMMENT - [None]

JOINT MEETING WITH THE SAN JOAQUIN COUNTY BOARD OF SUPERVISORS REGARDING THE APPOINTMENT TO THE SAN JOAQUIN REGIONAL TRANSIT BOARD

Chairman Seiglock welcomed the City of Stockton Council Members. He explained that the Transit District Board is composed of five-members, one position being shared between the Board of Supervisors and the City Council.

It was explained that a majority vote must be received to appoint one of the three applicants. Each of the applicants, Jonie D. Bauer, James S. Barbour and Carol Ann Pinkins, gave a presentation reflecting their interest in serving on the board and responded to questions asked of them by Board and Council Members.

MOTION: M/S Supervisor Mow/Vice Mayor Giovanetti to appoint Joni D. Bauer to the San Joaquin Regional Transit Board. The motion was carried by a vote of 5 to 4.

MOTION: M/S Councilmember Nabors/Chapman to reappoint James S. Barbour to the San Joaquin Regional Transit Board. The motion failed by a vote of 3 to 6.

ADJOURNMENT

There being no further business, the Special Joint Meeting of the City Council and the San Joaquin County Board of Supervisors of March 28, 2006 was adjourned at 9:15 a.m.

ATTACHMENTS TO AGENDA: WRITTEN COMMUNICATIONS – [None]

KATHERINE GONG MEISSNER
CITY CLERK
OF THE CITY OF STOCKTON

SIGNED BY: [Signature]
DORA M. SIDRIAN, DEPUTY CLERK

Minutes Approved:
C-1. CC/RD CALL TO ORDER / ROLL CALL - 4:25 P.M.

Roll Call
Present:
Councilmember Chapman
Councilmember Lee
Councilmember Martin
Councilmember Nabors
Mayor Chavez

Absent/Excused:
Councilmember Bestolarides
Vice Mayor Giovanetti

C-2. CC/RD ANNOUNCEMENT OF CLOSED SESSION

C-2.1) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION
Number of Cases: Two

Based on existing facts and circumstances whether to initiate litigation pursuant to Government Code section 54956.9 (c)

City Attorney Ren Nosky announced the following:

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 City staff subsequent to the posting of the agenda for this meeting. That matter is conference with legal counsel - existing litigation re the United States District Court for the Eastern District of California - Keller versus City of Stockton. This Closed Session is authorized pursuant to Government Code Section 54956.9(a). The matter can be added to the agenda by a two-thirds vote of the entire Council, which would be five members for a unanimous vote today.

C-2.2) United States District Court matter of Keller versus City of Stockton pursuant to Government Code 54954.2 (b)(2)

Motion: Add C-2.2) United States District Court matter of Keller versus City of Stockton to the Closed Session Agenda pursuant to Government Code 54954.2(b)(2)
Moved by Councilmember Martin, seconded by Councilmember Chapman.

Vote: Motion carried 5-0.
Yes: Councilmember Chapman; Councilmember Lee; Councilmember Martin; Councilmember Nabors; Mayor Chavez
Absent: Councilmember Bestolarides; Vice Mayor Giovanetti

C-3. CC/RD ADJOURN TO CLOSED SESSION
Council adjourned from Closed Session at 5:02 P.M. and recessed.

1. CC/RD CALL TO ORDER/ROLL CALL (05:30 PM)
Roll Call (05:30 PM)
Present:
Councilmember Chapman
Councilmember Lee
Councilmember Martin
Councilmember Nabors
Mayor Chavez

Absent/Excused:
Councilmember Bestolarides
Vice Mayor Giovanetti

2. CC/RD REPORT OF ACTION TAKEN IN CLOSED SESSION (05:30 PM)

Mr. Nosky announced that the Council took no reportable action with respect to two items that were agendized in Closed Session; however, the Council voted earlier 5 to 0 to add a Closed Session item pursuant to Government Code 54954.2 (b)(2), that item being the United States District Court matter of Keller versus City of Stockton. That matter will trail and be considered by the City Council following the end of the regular meeting.

3. INVOCATION/PLEDGE TO FLAG - Mayor Chavez/Councilmember Lee (05:31 PM)

4. PROCLAMATIONS/COMMENDATIONS/CITY ANNOUNCEMENTS OR INVITATIONS (05:32 PM)

4.01 Asparagus Festival Presentation-Doug Wilhoit, Asparagus Festival Board President; Kate Lewis, Executive Director (05:32 PM)

4.02 Proclamation: April 2006 - Sexual Assault Awareness Month
Recipient: Lori Thompson, Women's Center (05:34 PM)

4.03 Proclamation: Public Health Week
Dr. Dale Bishop, San Joaquin County (05:35 PM)

5. CITIZENS' COMMENTS, ANNOUNCEMENTS OR INVITATIONS* (05:37 PM)

Nguyen T. ToCan called to speak

Ms. Nguyen continued her on-going complaints against actions of the Council, the Police Department, County Mental Health, and other public entities. She repeated her claims of being tortured for twenty years and voiced her political views.

Bobby Bivens called to speak

Mr. Bivens, President of the local branch of the NAACP (National Association for the Advancement of Colored People), spoke on the Mayor's plan for economic development. He voiced his hope that inclusion of African-Americans occurs and that African-American investment bankers are used for project management. He said that he would like to see the City create a local neighborhood hiring initiative, particularly in South Stockton, to train minorities for City projects and to use African-American developers, contractors, and subcontractors. He asked that the City look at its staffing and in the community for qualified African-Americans to fill management positions.

6. CC/RD CONSENT AGENDA (05:48 PM)

6.01 CC Resolution 06-0171 approving the receipt of $400,000 from FEDERAL EMERGENCY MANAGEMENT AGENCY and approve the expenditure of that funding for Metropolitan Medical Response System program specific items.(FD)(Pages 1 - 3)

6.02 CC Resolution 06-0172 approving a loan for $32,500 in Community Development Block Grant funds to ASOCIACION CAMPESINA LAZARO CARDENAS, INC. for the purchase of a .17 acre of land designated as Assessor's Parcel Number 171-110-03 for future construction of multi-family rental units as part of the
ACLC-owned land at 1921 Pock Lane, and authorize the City Manager to execute all agreements with the necessary standard CDBG development terms, as approved to form by the City Attorney.(HD)(Pages 4 - 8)

6.03) CC Resolution 06-0173 approving Change Order No. 1 in the amount of $16,184 to the contract amendment with CONSOLIDATED ENGINEERING Laboratories for inspection services associated with the Edmund S. "Ed" Coy Parking Structure.(RD)(Pages 9 - 15)

6.04) CC Resolution 06-0174 OAKMORE MEADOWS, UNIT NO. 3 - TRACT NO. 2504 - Authorizing the City Manager to execute the subdivision agreement, accepting on behalf of the public all offers of dedication, and authorizing recordation of the map. (PW)(Pages 16 - 19)

6.05) CC Resolution 06-0175 authorizing the City Manager to execute an agreement with SAN JOAQUIN COUNTY to share in the costs to maintain and operate the traffic signal system at the intersection of French Camp Road, E.W.S. Woods Boulevard, and Wolfe Road.(PW)(Pages 20 - 25)

6.06) CC Resolution 06-0176 authorizing execution of an agreement with BAND CAMP for use of Silver Lake for operation of a Band Camp.(P & R)(Pages 26 - 33)

6.07) RD Resolution R06-013 designating parcels located at 1742, 1808, 1834, and 1856 E! Pinal Drive as the EL PINAL MASTER DEVELOPMENT AREA; and directing the Executive Director to solicit proposals for development from the property owners within the affected area based on the attached Master Developer Request For Proposals.(RD)(Pages 34 - 48)

6.08) CC Approval of minutes of Concurrent City Council / Redevelopment Agency RD meeting held on March 7, 2006. (CLERK)
(Pages 49 - 56)

Motion: Approve 6. CC/RD CONSENT AGENDA
Moved by Councilmember Lee, seconded by Councilmember Chapman.

Vote: Motion carried 5-0.
Yes: Councilmember Chapman; Councilmember Lee; Councilmember Martin; Councilmember Nabors; Mayor Chavez
Absent: Councilmember Bestolarides; Vice Mayor Giovanetti

7. UNFINISHED BUSINESS - None

8. NEW BUSINESS - None

9. PUBLIC HEARINGS** - None

10. COUNCIL/REDEVELOPMENT AGENCY COMMENTS AND COMMITTEE REPORTS
(05:48 PM)

Councilmember Martin (CM to follow up)

Councilmember Martin read the following memo sent to Councilmembers from Fire Chief Hittle updating the rain situation in Stockton:

"This memo is written to update you on the recent storm and weather related situation affecting Stockton. The City of Stockton Office of Emergency Services and San Joaquin Office of Emergency Services are in constant communication with the recent storm and weather conditions. To date the following issues are being addressed: San Joaquin Office of Emergency Services is monitoring all reservoirs surrounding the Stockton area for any controlled releases. All major river systems such as the San Joaquin River and Mokelumne River are at monitoring stage for flooding. The Stockton East Water District is monitoring the Mormon Slough and the Diverting Canal for problems, that is if there are any breaches or water level issues. The week long forecast predicts a break in the weather system with another system to arrive on Friday, April 7th of this year. The concern is local flooding of small streams, rivers and street flooding. The City of Stockton has implemented precautionary measures for flooding to include contact with the City's Corporation Yard for heavy equipment readiness and release of Corp Yard personnel".
Councilmember Martin requested the above information be posted on the City's website and released to The Record for public information.

Councilmember Lee

Councilmember Lee commended the Stockton Police Department and Stockton Unified School District personnel for controlling the recent protest regarding immigration issues before Congress. He stated he personally talked to protestors and concluded their passion was greater than their depth of understanding of the issues. He noted Edison High School acted positively to keep students on campus by holding forums to intelligently discuss the issues.

Councilmember Lee referenced a case before a federal court trying Police Officers who protected a child. He rendered his full support for the Police Department and Police Officers. He stated "He was ashamed the system would put good public servants, who have followed policy and done their job, in jeopardy with absolutely groundless punitive awards."

The Council adjourned to Closed Session - 5:59 P.M.

The Council returned from Closed Session at 6:15 P.M. No reportable action was taken.

11. ADJOURNMENT - 6:15 P.M.

KATHERINE GONG MEISSNER
CITY CLERK OF THE CITY OF STOCKTON
SECRETARY REDEVELOPMENT AGENCY
MINUTES
CONCURRENT CITY COUNCIL/ REDEVELOPMENT AGENCY
APRIL 25, 2006

CITY HALL
CITY COUNCIL CHAMBERS
STOCKTON, CALIFORNIA

6.1. GG/RD—CALL TO ORDER / ROLL CALL

Roll call was not taken because the closed session scheduled for 4 P.M. was cancelled.

C-2. CC/RD ANNOUNCEMENT OF CLOSED SESSION

C-2.1) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Subdivision (a) of Section 54956.0)

Number of cases: One

Name of case: County of San Joaquin v. City of Stockton, et al.
(Stanislaus County Superior Court Case No. 379456)

This closed session is authorized pursuant to Government Code section 54956.0(e)

The closed session was cancelled.

6.3. GG/RD—ADJOURN TO CLOSED SESSION

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

Roll Call (05:29 PM)
Present:
Councilmember Bestolarides
Councilmember Chapman
Councilmember Lee
Councilmember Martin
Councilmember Nabors
Vice Mayor Giovanetti
Mayor Chavez

2. CC/RD REPORT OF ACTION TAKEN IN CLOSED SESSION - None.

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

4. PROCLAMATIONS/COMMENDATIONS/CITY ANNOUNCEMENTS OR INVITATIONS
(05:30 PM)

4.01 Proclamation: Earth Day Festival
Recipient: Susan Mora Lovko, MUD, Stormwater Outreach Coordinator
Bruce Giudici, Treasurer, Peace & Justice Network (05:30 PM)

5. CITIZENS' COMMENTS, ANNOUNCEMENTS OR INVITATIONS* (05:37 PM)

Linda Sison called to speak (CM/PD to follow up)

Ms. Sison said that she has a handicapped sign displayed in her vehicle but was cited for having the parking meter run out. She contacted the Police Department who told her that her sign was not displayed and she could fight the ticket. The fine was $20 and to have the ticket reviewed by the City and dismissed cost $20. Her second complaint was that the handicapped ramps on sidewalks were blocked at the Asparagus Festival. Her third complaint was that her car was impounded because it was used by an unauthorized person. She was willing to pay the $300 impound fee but was told by the officer in charge that she could not retrieve her car for 30 days. She was then told that her car was involved in a drive-by shooting and it would
not be returned. She then contacted the Police Commander and was able to retrieve her car, but the inside was destroyed. Ms. Sison claimed that she encountered rude treatment during all these events.

Richard Christie called to speak (CM/PD to follow up)

Mr. Christie, a business owner near Lincoln Center, reported that within three weeks of moving into his office, he had a break-in so he subsequently installed a burglar alarm. His office was broken into again; and, due to the alarm, received quick response from the Police Department. This month, his office was again broken into and the alarm company was unable to contact him. When he contacted the police, he was told that the alarm company contacted the police and because he was unable to be reached, the call was canceled. His office remained vulnerable to entry and all his business equipment was stolen because there was no support from the Police Department. He said that lack of response by the Police encourages criminal activity.

Darcel Jackson called to speak

Mr. Jackson of District 1 announced that Sacramento has a new model for infill construction and builders are getting permits approved in two weeks. He noted that vacant lots cause problems and said that the City should look into Sacramento’s model.

Reverend Bob Hailey called to speak

Reverend Hailey said that there is still a lack of Affirmative Action when awarding contracts. He said that a lack of amenable employment leads to crime and that Good Faith Effort requirements in contracts do not solve the problem.

Nguyen To Can called to speak

Ms. Nguyen continued her complaints of crime, torture, and abuse by Mental Health Services and minorities, and repeated her demands for a complete physical examination. She expounded her political views.

Councilmember Bestolarides left the Chamber at 5:57 p.m.

Councilmember Bestolarides returned at 5:58 p.m.

Vice-Mayor Giovanetti left the Chamber at 5:58 p.m.

Vice-Mayor Giovanetti returned at 6 p.m.

Mayor Chavez asked that the City Attorney explore the nature of comments made during Citizens’ Comments and whether this involves any First Amendment issues.

City Attorney Ren Nosky counseled that the Council’s obligation under Citizens’ Comments is only to listen to comments that pertain to matters within the City’s jurisdiction. It is not a First Amendment issue.

Woody Alsophaugh called to speak

Mr. Alsophaugh voiced his opinions on the upcoming discussion to be held Thursday by the Council of Governments related to mass transportation. He said that an attempt is being made to put this issue on the November ballot so that the status quo can be maintained related to the present roadways and future highways. He said that the City should consider putting money aside for transportation. He said that he is distributing fliers and erecting billboards to promote his views on mass transit to combat pollution and congestion.

Fred Patterson called to speak

Mr. Patterson, Sales and Marketing Manager for Shred-it, Central California, the world’s largest on-site document destruction company, announced that on Saturday, April 29, the company will hold a community shred event where residents can bring material for shredding to the Wal-Mart parking lot from 10 a.m. to 2 p.m. This will prevent material from going into trash and being used for identity theft, one of the fastest growing crimes in North America. There is no cost for people to bring material to be shredded on-site.

Frank M. Lozano called to speak
Mr. Lozano recognized the Mayor’s annual golf tournament, which raises money for City youth. The tournament this year will be held on May 20 at Swenson Golf Course and the cost of $120 (not $100 was erroneously printed in the fliers) will include a steak dinner and a chance to win a Harley. He invited all to attend.

The Mayor, noting that Mr. Lozano also wished to speak on Consent Item 6.11, invited him to speak at this time, as the item is not being pulled.

Mr. Lozano, a Civil Engineer in Stockton, said he has extensive experience with architects and feels that improvements to the Hensry Apartments will not succeed without development of a plaza and full street development. He provided pictures of views of Stockton for people passing through. He said that staff and Council have been less than creative and were cool to his suggestions. Noting that the City is now requesting a study, Mr. Lozano said that he has already hired consultants for advice on rehabilitation and his evaluations on the Apartment. He said that he already has a structural engineering report available; and, although the City sent out twenty applications for development of the project, he did not receive one. He said that he would be glad to share his information.

Councilmember Martin called to speak and referring to Mr. Lozano’s comments; requested that Item 6.11 be pulled from the Consent Calendar for discussion.

Councilmember Naboris called to speak and expressed her concern about Item 6.11.

Councilmember Bestolarides called to speak, announcing that he is recusing himself from voting on Item 6.08.

Mayor Chavez, citing the request of Councilmembers Martin and Naboris for a discussion on Item 6.11, stated that the Item would be pulled from the Consent Calendar.

6. CC/RD CONSENT AGENDA (06:18 PM)

6.01) CC Schedule a public hearing for WESTLAKE VILLAGES COMMUNITY FACILITIES DISTRICT NO. 2006-2. (AS) (Pages 1-31)
It is recommended that the following three resolutions be adopted:
1. Resolution 06-0208 approving a Boundary Map of the Community Facilities District No. 2006-2 (Westlake Villages);
2. Resolution 06-0209 declaring Intention of the City Council of the City of Stockton to form a Community Facilities District and Authorizing the Levy of a Special Tax in the Community Facilities District No. 2006-2 (Westlake Villages) A public hearing of protest will be set for June 6, 2006; and
3. Resolution 06-0210 declaring the Necessity to Incur Bonded Indebtedness in Community Facilities District No. 2006-2 (Westlake Villages) in an amount not-to-exceed $35 million. (Hearing set for June 6, 2006.)

6.02) CC Resolution 06-0211 approving the appointment of the sitting Mayor, Vice Mayor, City Manager, Director of Administrative Services and City Clerk to serve as Chairperson, Vice Chairperson, Executive Director, Treasurer and Secretary respectively for the STOCKTON PUBLIC FINANCE AUTHORITY. (AS) (Pages 32-34)

6.03) CC Resolution 05-0212 authorizing the City of Stockton to continue to participate in the LOCAL AGENCY INVESTMENT FUND pursuant to Chapter 730 of the Government Code Section 16429.1 and authorizing the Director of Administrative Services, Finance Officer, and the City Purchasing Agent and Investment Officer to be empowered to deposit and withdraw funds from the Local Agency Investment Fund. (AS) (Pages 35-37)

6.04) CC Motion rescheduling interviews for two vacancies on the STOCKTON CIVIL SERVICE COMMISSION at a Special Council meeting on Tuesday, May 9, 2006, beginning at 4:20 p.m. (CM) (Pages 38-39)

6.05) CC NEW CLASSIFIED POSITIONS - HUMAN RESOURCES DEPARTMENT. (HR) (Pages 40-46) a) Resolution 06-0213 amending the Unrepresented Management/Confidential Employees’ Compensation Plan by abolishing the position of Workers’ Compensation Analyst and establishing and allocating the salary for the new classified position of Workers’ Compensation/Safety Coordinator; and establishing and allocating the salaries for the new classified positions of Human Resources Assistant I, Human Resources Assistant II,
Human Resources Specialist, Human Resources Technician, and Benefits Analyst.

6.06) **CC Resolution 06-0214** establishing a list of classes excluded from the Classified Service; adopting the class specifications for the positions of Budget Analyst I/II, Budget Analyst I/II (Confidential), Library Division Manager, Plant Operations Supervisor, Program Manager I/II, and Program Manager II (Confidential); and adopting the amended class specifications for Administrative Assistant and Senior Administrative Assistant. (HR) (Pages 47-71)

6.07) **CC Resolution 06-0215** authorizing an amendment to the Master Professional Services Contract for Design and Survey Services in the amount of $30,400 to CALLANDER ASSOCIATES LANDSCAPE ARCHITECTURE, for the preparation of construction documents and construction administration for the Feather River Drive Dog Park, located south of Fourteen Mile Slough on the west side of Feather River Drive. (P&R - ACCT) (Pages 72-77)

6.08) **CC Resolution 06-0216** authorizing the City Manager to execute a reimbursement agreement in the amount of $227,500 with WOODSIDE NORTHBROOK ESTATES, INC., a California Corporation, for the design of improvements for Lower Sacramento Road and authorize the City Manager to make all necessary appropriations as required by the resolution. (PW - ACCT) (Pages 78-88)

Note: The vote on this item was carried by a vote of 6-0 (Bestolarides recused himself on this matter).

6.09) **CC Resolution 06-0217** authorizing a facade improvement forgivable loan to ARVIND AND RAJI PATEL for the commercial property located at 241 NORTH SAN JOAQUIN STREET in the amount of $33,952. (RD) (Pages 89-94)

6.10) **CC Resolution 06-0218** authorizing a facade improvement forgivable loan to SAN JOAQUIN REAL ESTATE INC. for the commercial property located at 20 NORTH SUTTER STREET (aka The Kress Building) in the amount of $38,286. (RD) (Pages 95-100)

6.11) **RD Resolution R06** accepting a proposal received from REGENT DEVELOPMENT, INC., for the possible renovation of the HENRY APARTMENTS. Agency-owned property located at 119 South Sutter Street within the West End Urban Renewal Redevelopment Project Area; and authorizing the Executive Director of the Agency to execute a 365-day Exclusive Negotiating Rights Agreements with Regent for the possible renovation of the apartments. The Agreement includes commitments by Regent to retain an architect and structural engineer to perform certain studies. Based upon those studies, Regent will determine what, if any, alternative uses and proposed renovation work would be economically feasible. (RD) (Pages 101-109) (06:21 PM)

Agenda Item 6.11 was removed from consent and heard as item 7.01 New Business.

6.12) CC/ Approval of minutes of the Concurrent City Council/Redevelopment Agency RD meeting held on April 11, 2006. (CLERK) (Pages 110-117)

Motion: Approve 6. CC/RD CONSENT AGENDA absent agenda item 6.11 and Councilmember Bestolarides recusing himself from 6.08.

Moved by Councilmember Bestolarides, seconded by Councilmember Chapman.

Vote: Motion carried 7-0.

Yes: Councilmember Bestolarides; Councilmember Chapman; Councilmember Lee; Councilmember Martin; Councilmember Nabors; Vice Mayor Giovanetti; Mayor Chavez

7. **UNFINISHED BUSINESS (06:21 PM)**

Item 7.01 (formerly Item 6.11) **RD Resolution** accepting a proposal received from REGENT DEVELOPMENT, INC., for the possible renovation of the HENRY APARTMENTS. Agency-owned property located at 119 South Sutter Street within the West End Urban Renewal Redevelopment Project Area; and authorizing the Executive Director of the Agency to execute a 365-day Exclusive Negotiating Rights Agreements with Regent for the possible renovation of the apartments. The Agreement includes commitments by Regent to retain an architect and structural engineer to perform certain studies. Based upon those studies, Regent will determine what, if any, alternative uses and proposed renovation work would be economically feasible. (RD) (Pages 101-109) (06:21 PM)
Mayor Chavez asked about when the RFP was issued.

Redevelopment Director Steve Pinkerton gave the staff report with the aid of a PowerPoint presentation (filed). He answered questions from the following Councilmembers:

Councilmember Nabors called to speak and asked questions about the RFP deadline and notifying procedure to interested parties.

Councilmember Chapman called to speak and asked for clarification pertaining to the viability of Regent’s proposal. He also asked whether Mr. Lozano had ever been contacted. He asked Mr. Lozano to address this question.

Ronnie Lozano called to speak and stated Mr. Pinkerton never called him back and that Councilmember Giovanetti never met with him either. He stated that he does not believe the City of Stockton is interested in local investment in the downtown.

Councilmember Chapman suggested the possibility of continuing this item.

Councilmember Bestolarides called to speak and asked questions about why the Council is just now dealing with this issue when the RFP was issued last year. He also asked who was driving this project and about the possibility of reissuing the RFP.

Mayor Chavez called to speak and asked questions about whether the City specified the type of uses it wanted for this area, and about the timeframe if the RFP was issued again.

Vice Mayor Giovanetti called to speak and stated for the record that he had met with Frank and Ron Lozano and to state otherwise was disingenuous.

Councilmember Martin called to speak and asked about the submittal date of the RFP and support reviewing the RFP and perhaps reopening the process.

Councilmember Lee called to speak and stated he hadn’t heard anything to warrant changing the course.

Motion: Approve Item 7.01 (formerly Item 6.11) RD Resolution accepting a proposal received from REGENT DEVELOPMENT, INC., for the possible renovation of the HENERY APARTMENTS, Agency-owned property located at 119 South Sutter Street within the West End Urban Renewal Redevelopment Project Area; and authorizing the Executive Director of the Agency to execute a 365-day Exclusive Negotiating Rights Agreements with Regent for the possible renovation of the apartments. The Agreement includes commitments by Regent to retain an architect and structural engineer to perform certain studies. Based upon those studies, Regent will determine what, if any, alternative uses and proposed renovation work would be economically feasible.

Moved by Councilmember Lee, seconded by Vice Mayor Giovanetti.

 Vote: Motion failed 3-4.
Yes: Councilmember Lee; Vice Mayor Giovanetti; Mayor Chavez
No: Councilmember Bestolarides; Councilmember Chapman; Councilmember Martin; Councilmember Nabors

City Manager Palmer indicated this item will be reviewed and a new item will return to the Council.

8. NEW BUSINESS (06:41 PM)

8.01 CC STRONG NEIGHBORHOOD INITIATIVE:
Presentation by: Economic Development Director - Steve Carrigan (06:41 PM)

Mr. Carrigan gave the report with the aid of a PowerPoint presentation (filed) and responded to the following Councilmembers questions.

Councilmember Martin called to speak and asked about the project priorities and how business and job creation could be effected with the use of the bond money.

Councilmember Lee called to speak and asked if the Council will be asked to approve pools of money
without being project specific.

Councilmember Nabors called to speak and stated that she had similar sentiments as Councilmember Lee. She'd like to see business creation and job opportunities as priorities.

Darcel Jackson called to speak and asked that the local people be included when the projects go forth.

Bobby Bivens called to speak and asked questions about project implementation, the inclusion of African Americans for jobs. The African Chamber of Commerce and NAACP are making themselves available to assist in this process.

Frank M. Lozano called to speak and stated he is offering an olive branch. He is willing to help staff in any way and can assist in the bond issue or curbs, gutters, sidewalks because he has well rounded experience.

9. PUBLIC HEARINGS** (07:00 PM)

9.01) CC Hearing to consider public comments/testimony regarding one-year action plan and funding applications for the 2006-2007 COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP, and EMERGENCY SHELTER GRANT PROGRAMS. (HD) (Pages 118-209) (07:00 PM)

Mayor Chavez declared the public hearing opened.

Housing Director Laurie Montes gave the staff report with the aid of a PowerPoint presentation (filed) and answered the questions from the following Councilmembers.

Mayor Chavez asked how long 16-member committee has been in tact.

Councilmember Martin called to speak and asked about the district representation.

Councilmember Nabors called to speak and asked about the number of members in attendance at the meetings.

Bobby Bivens called to speak and asked about the presentations given to the Committee versus the City's Action Teams.

Joelle Gomez, Executive Director of the Women's Center, expressed her concern about the two new agencies for which staff is recommending support. She asked that Council reconsider this recommendation.

Mayor Chavez asked questions about whether the Haven of Peace has received funding.

Judith Odegard from McHenry House called to speak.

Mayor Chavez declared the public hearing closed.

Motion: Approve Resolution 06-0219 approving the 2006-2007 One-Year Action Plan, with any modifications deemed appropriate by the Council, and authorize the City Manager to execute all documents and forward the Action Plan to the U.S. Department of Housing and Urban Development (HUD) and to carry out the administrative actions necessary to implement the Council direction.

Moved by Councilmember Chapman, seconded by Councilmember Bestolarides.

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

9.02) CC Hearing to consider public comments/testimony regarding Moreing Road Sanitary Sewer Area of Benefit (PW) (Pages 210-218) (07:24 PM)

Mayor Chavez declared the public hearing opened.

Public Works Director Jim Giottonini introduced Development Services Manager Gregg Meissner who gave...
the staff report with the aid of a PowerPoint presentation (filed).

Vice Mayor Giovanetti called to speak and asked about the area of benefit and how this relates to annexation policies.

Jeff Sanguinetti, engineer for the Area of Benefit and also the design engineer, further clarified the proposal and gave background information on the project.

Mayor Chavez declared the public hearing closed.

Motion: Approve Resolution 06-0220 approving the establishment of the Moreing Road Sanitary Sewer Area of Benefit.

Moved by Councilmember Martin, seconded by Vice Mayor Giovanetti.

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

10. COUNCIL/REDEVELOPMENT AGENCY COMMENTS AND COMMITTEE REPORTS (07:33 PM)

Mayor Chavez

He wished Happy Birthday to Councilmember Bestolarides.

Councilmember Chapman

He congratulated Councilmember Bestolarides and wished him a Happy Birthday.

Councilmember Chapman announced the Lightning Football team will kick off their home season Saturday, April 29, 2006, at the Arena, playing the Bakersfield Blitz. He distributed Lightning caps to the councilmembers.

Councilmember Bestolarides

He stated he will be meeting with staff on Thursday, April 27, 2006 regarding the Request For Proposal (RFP) for the Henery Hotel. He noted he will be looking at "tightening up" the resolution based on performance.

Vice Mayor Giovanetti

He extended congratulations to the Asparagus Festival Committee for another successful event. He conveyed "a big thank you and pat on the back" to the volunteers who gave their time and toil that made this event possible.

Councilmember Lee

He observed the City is capable of hosting multiple events at the same time in the Downtown area despite public negativity.

He expressed his appreciation of Councilmember Bestolarides' comments regarding the Henery Apartments that "went crashing to defeat" and he hopes to see it "back on track."

Councilmember Lee stated we need to do everything we can to keep our CDBG Funds "at a good level". He stated that these few dollars are very important to local organizations.

Councilmember Lee noted that Richard Christie tried to enlist his help and he "dropped the ball" and is now happy he had an opportunity to be heard by the Council.

He stated his intentions to be involved in the City's contract projects regarding employing qualified local citizens and minority groups in accordance with guidelines.
Councilmember Lee reiterated the feasibility of change to the area's transit systems and the need to look at alternatives.

He expressed his former dislike of indoor soccer, hockey and football and that he now likes soccer and hockey. He stated he is looking forward to seeing the new indoor Lightning Football Team.

11. ADJOURNMENT (07:45 PM)

[Signature]

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