

September 1, 2015, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

Mayor Maciel called the City Council meeting to order at 7:15 p.m. and led the Pledge of Allegiance.

Roll call found Council Members Mitracos, Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel present.

Troy Brown, City Manager presented Lupe Torres, Utilities Division, with the August 2015 Employee of the Month award and Kami Ysit, Police Department with the September 2015 Employee of the Month award.

1. CONSENT CALENDAR

ACTION Following the removal of item 1C and 1F; it was moved by Mayor Pro Tem Rickman and seconded by Council Member Young to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered. Motion carried 5:0

- A. Adopt Council Minutes – Special meeting minutes of June 16, 2015, and July 21, 2015, and regular meeting minutes from July 21, 2015 were approved.
- B. Authorize the Appointment of Five Youth Commissioners to the Youth Advisory Commission – Resolution 2015-139 authorized appointment of commissioners.
- D. Approve Amendment One to the Master Professional Services Agreement (HA 13-01) with Harris and Associates for Development Program Management Services and Authorize the Mayor to Execute the Amendment – Resolution 2015-140 approved amendment one to a Master Professional Services Agreement.
- E. Authorize Federal Fiscal Year 2015 Grant Application for Section 5307 U.S. Department of Transportation Federal Transportation Administration Funds in the Amount of \$2,499,648 for Tracer Public Transportation Services. Bus Radio Replacement and for Replacement Fixed Route Buses, Certification of Application Assurances; and Authorize the City Manager or Designee to Execute the Grant Documents – Resolution 2015-141 authorized Federal Fiscal Year 2015 grant application.
- C. Authorize the Purchase of Five Patrol Vehicles from Folsom Chevrolet of Folsom, California

This item was pulled by Mr. Anderson who expressed his concern that the City did not use the dealership in town to purchase the vehicles.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-142 authorizing the purchase of patrol vehicles. Voice vote found all in favor; passed and so ordered.

F. Approve the Final Subdivision Map, Subdivision Improvement Agreement, and Deferred Improvement Agreement for Ellis Phase 1A, Tract 3764, Authorization for the Mayor to Execute the Subdivision Improvement Agreement and Deferred Improvement Agreement, and Authorization for the City Clerk to File the Agreements with San Joaquin County Recorder

This item was pulled by Mr. Anderson who inquired that after all the controversy regarding Ellis over the past 13 years, why the adoption of the final map was on the Consent Calendar instead of a regular item. Mr. Anderson indicated the map still identifies the area for the swim center in the northeast area. Mr. Anderson added the end of a runway is not a place to put houses and the map does not clarify what happens in Airport Safety Zone.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-143 approving the Final Subdivision Map, Subdivision Improvement Agreement, and Deferred Improvement Agreement for Ellis Phase 1A. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Timothy Parker, former Public Safety Committee Member for the League of California Cities, requested a proclamation on behalf of the 100 Black Men of America, an organization who believe in mentoring African American youth education, health and wellness and economics.

Roger Birdsall provided an update on the Notre Dame De Namur ribbon cutting and announced that classes are in session. Mr. Birdsall provided his cell phone number for anyone who would like more information.

Priscilla Hilton spoke about the residence abandoned on Grant Line Road and inquired when would the City move forward on the future Chrisman interchange and coordinate efforts with Cal Trans and the County of San Joaquin.

Craig Saalwaechter spoke about the loss to the community with the passing of Arnold Barton who was known and seen every day at the corner of 6th and Central. Mr. Saalwaechter acknowledged the “Are You Okay Program” through the Police Department and encouraged the community to become involved.

Mr. Barton’s sons Jeff and Anthony Barton thanked the Police Department and the community which made Tracy a good place for their father to live in.

Marcus Savage, Ygrene Energy Fund, Property Assessed Clean Energy (PACE) provider, spoke about a mortgage refinancing program for the City which increases revenue that benefits property owners in Tracy.

3. UPDATE AND DISCUSS RESPONSE TO COUNCIL'S REQUEST REGARDING THE HOMELESS ISSUE IN THE CITY OF TRACY

Ana Contreras, Code Enforcement Manager, presented the staff report.

Council comments and questions followed.

Marvin Rothschild stated that the staff report was a good one; Mr. Rothschild shared his personal endeavors in assisting the homeless and provided suggestions to reduce the homeless problem.

Steven Thompson shared with the Council the 2015 San Joaquin County Sheltered Homeless Report. Mr. Thompson stated that the City has limited resources to address the homeless issue. He suggested that the City provide a facility that the city has already which is being used as storage to provide services.

Rhonda Henderson shared her personal experience feeding the homeless and suggested turning the old animal shelter on Larch Road into something where the homeless could shower and provide them with other resources. Ms. Henderson stated that the report was good but not accurate there are more than everyone realizes.

Earl Barries, Licensed Therapist, talked about the different categories of homeless that the staff report mentioned and made some clarifications.

Sue Miller representative of the Seventh Day Adventist Church spoke about the effort the Church makes to feed the homeless on the 2nd Thursday of each month and they partner with the First Presbyterian Church who feed the homeless on the 1st Thursday of the each month. Ms. Miller emphasized the need for a centralized location to feed the homeless.

Conrad Levoit shared an article that was recently in the Tracy Press related to the homeless issue at Dr. Powers Park. Mr. Levoit urged the Council that now is the time to make something happen.

Chad Wood, Board Member of the Boys and Girls Club, shared his observation of how the community has changed and the problem is that the City does not have the proper tools to address the issue. Mr. Wood suggested the City add another tool to help make the environment safe. One thing not talked about in the report is what activities take place in the parks during the day. Next step to consider is what can be done with the nonprofits to help clean up the parks.

Lisa Balogh agreed with most of the report but did not agree with the statement about putting the homeless on a bus to go to another city to receive assistance, they are citizens of Tracy and that is not right. Ms. Balogh voiced her concern about arresting the homeless for being in the park; this is not how to gain trust. Ms. Balogh urged the Council to think about the use of the fire station.

Robert Tanner inquired about the 122 inventoried referenced in the staff report include mobile homeless; also of the 10-12 people who are panhandling in the city are they being sent back to their city.

James Young stated that resources are much needed and shared a personal story about how services helped his nephew turn his life around who once was homeless.

Randy Smith shared a few suggestions to address the needs of the homeless.

Mayor Maciel called a recess at 9:15 p.m.

Mayor Maciel reconvened the meeting at 9:26 p.m.

Council comments and questions ensued.

Mayor Maciel acknowledged an email submitted to the Council by Desiree related to the homeless issue.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas directing staff to continue with Operations Helping Hands outreach efforts and to amend ordinance from infraction to misdemeanor for panhandling and sleeping in parks and bring back a staff report related to a potential day camp ordinance. Voice vote found all in favor; passed and so ordered.

4. ACCEPT THE REPORT OF THE CITY CLERK DECLARING SUFFICIENCY OF ADULT RESIDENTIAL ALLOTMENT INITIATIVE PETITION; AND DISCUSS AND PROVIDE DIRECTION ON WHETHER TO (1) PREPARE AN INFORMATIONAL REPORT ON THE PROPOSED INITIATIVE MEASURE AND, IF THE DIRECTION IS TO PREPARE THE REPORT, APPROPRIATE \$20,000 FROM THE CITY'S GENERAL FUND; OR (2) ORDER A SPECIAL ELECTION AND APPROPRIATE \$275,776 FROM THE CITY'S GENERAL FUND AND, IF THE SPECIAL ELECTION IS ORDERED, DIRECT THE CITY ATTORNEY REGARDING PREPARATION OF AN IMPARTIAL ANALYSIS, SET THE DATES FOR SUBMITTAL OF BALLOT ARGUMENTS, AND DETERMINE WHETHER TO ALLOW REBUTTAL ARGUMENTS

Council Member Mitracos recused herself from discussion and vote due to a conflict of interest.

Dan Sodergren, City Attorney, provided a brief summary. William Dean, Assistant Development Services Director, provided a brief overview of what the 9212 report would include.

City Council comments and questions followed.

Jeff Schroeder representative of Ponderosa Homes urged the Council to move forward without the 9212 report and call the election and offered to reimburse the City for the election cost.

The following residents expressed being in favor of calling the election and moving forward: Mary Hawkins, Michael Lucciani, Dale Drare, Wayne Schneider, Mickey Wallin, Roger Birdsall, Roy Hawkins, and Gene Birk.

Robert Tanner expressed concern regarding the cost of the election but was pleased to hear that there is an offer to pay for the cost.

Dave Anderson reiterated that it doesn't make sense to give \$20,000 to a consultant.

Council comments and questions continued.

ACTION Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Rickman to adopt Resolution 2015-144 directing that a proposed ordinance be submitted to the voters at a special election to be held on December 1, 2015 and appropriating \$275,776 from the City's General Fund for the costs associated with verifying signatures and holding the special election. Council voted not to prepare an informational report. Voice vote found Council Member's Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel in favor. Council Member Mitracos abstained; passed and so ordered.

ACTION Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Rickman to adopt Resolution 2015-145 directing the preparation of an impartial analysis. Voice vote found Council Member's Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel in favor. Council Member Mitracos abstained; passed and so ordered.

The consensus of the Council was not to file an opposing argument.

ACTION Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Rickman to adopt Resolution 2015-146 providing for the filing of arguments and rebuttal arguments. Voice vote found Council Member's Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel in favor. Council Member Mitracos abstained; passed and so ordered.

5. CITY COUNCIL DISCUSSION AND DIRECTION REGARDING A REQUEST FROM TRACY CITY CENTER ASSOCIATION (TCCA) RELATED TO DOWNTOWN PARKING REQUIREMENTS AND PARKLETS

Scott Claar, Associate Planner, Development Services presented the staff report.

Council comments and questions followed.

Dino Margaros, Tracy City Center Association provided a brief presentation.

Council comments and questions continued.

The consensus of the Council was to move forward with the pilot and add a three-year check in point.

6. RECEIVE PRESENTATION AND PROVIDE INPUT ON CITY OF TRACY, OPEN GOV WEBPAGE

Vanessa Carrera, Management Analyst, City Manager's Office presented the staff report. Robert Harmon, Senior Accountant provided a demo of the interactive portal.

Council comments and questions followed.

The Council was pleased with the Open Gov Webpage presentation, no formal action was required.

7. APPROVE CITY'S RESPONSES TO THE 2014-2015 SAN JOAQUIN COUNTY GRAND JURY REPORT ON DONATION BINS (CASE NO. 1410)

Scott Claar, Associate Planner, Development Services, presented the staff report.

Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Mitracos to adopt Resolution 2015-147 approving the City's responses to the Grand Jury Report. Voice vote found all in favor; passed and so ordered.

8. CITY MANAGER'S QUARTERLY REPORT

Troy Brown, City Manager, presented the quarterly report.

By consensus the Council accepted the quarterly report.

9. ITEMS FROM THE AUDIENCE – There were no speakers

10. COUNCIL ITEMS

A. APPOINT FIVE APPLICANTS TO THE BOARD OF APPEALS TO HEAR AN APPEAL ON AN ADMINISTRATIVE DECISION PERTAINING TO ENFORCEMENT RELATED TO REGULATIONS LISTED IN THE TRACY MUNICIPAL CODE

Nora Pimentel, City Clerk presented the staff report.

Action Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to appoint Phillip Aubin, Dennis Alegre, Jerry Yerian, James Caling and John Davis to the Board of Appeals. Voice vote found all in favor; passed and so ordered.

Council Member Vargas requested staff look into the possibility of installing a sidewalk from Kimball school going south to the Redbridge community. Mayor Pro Tem Rickman supported the request. Staff was directed to return in November with a staff report of what it would entail to install a sidewalk and when.

Council Member Young reported that she attended the 2nd Women's Symposium hosted by the California Black Chamber Foundation "Women Changing the Political Landscape" in Sacramento. Council Member young requested erecting a commemorative plaque in honor of Mr. Arnold Barton's memory. Mayor Maciel supported the request. Staff was directed to bring back a staff report related to plaque installation.

Mayor Maciel requested information on the Schulte and Chrisman properties. Mayor Maciel would like to know what the feasibility and potential revenue is if the properties were sold. Council Member Young supported the request. Staff was directed to return within a year with this information.

Mayor Maciel would like to revisit the term limits ordinance and discuss amending the section that relates to Council Member appointments to fill an unexpired term. Unexpired terms should not be considered a full term and should allow Council Members to have the opportunity to serve two full terms if elected. Mayor Maciel also would like to discuss amending the Mayor's term from two-years to four-years. Council Member Vargas supported the request. Staff was directed to return within a year with this information.

11. ADJOURNMENT- Time 11:50 p.m.

ACTION Motion made by Mayor Pro Tem Rickman and seconded by Council Member Young, to adjourn the meeting. Voice vote found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on August 25, 2015. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk