

JOINT MEETING OF THE TRACY CITY COUNCIL
AND THE SUCCESSOR AGENCY TO THE CITY OF
TRACY COMMUNITY DEVELOPMENT AGENCY

REGULAR MEETING
MINUTES

September 15, 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 7:26 p.m. and led the Pledge of Allegiance.

Invocation was led by Pastor Kal Waetzig, Saint Paul's Lutheran Church.

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

Mayor Maciel announced that item three was pulled to a future date.

Mayor Maciel presented Certificate of Recognition to outgoing Youth Advisory Commissioner Serena Cho.

Mayor Maciel presented Certificates of Appointment to incoming Youth Commissioners Sim Bhatia, Yash Taneja, Connie Chan, Michelle Cho, and Joseph Sales.

Darren Kumar, Regional Manager, Rising Sun Energy Center provided an update on the first Rising Sun Energy Center's California Youth Energy Services Program in partnership with PG&E who provided to a limited number of Tracy residents no-cost energy and water conservation services.

1. CONSENT CALENDAR

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

- A. Accept City Treasurer's Annual Review and Approve Revised City Investment Policy – Resolution 2015-148 approved revised City Investment Policy.
- B. The City Council of the City of Tracy Acting as the Governing Body of the Successor Agency for the Community Development Agency of the City of Tracy Approving the Recognized Obligation Payment Schedule (ROPS) – Resolution 2015-149 approved the ROPS.
- C. Authorize Amendment of the City's Position Control Roster by Approving the Reclassification and Reallocation of a Part-Time Clerical Position to Full-Time Accounting Assistant and Adding a New Position of Executive Assistant in the

- Administrative Services Department and Approve a General Fund Appropriation in the Amount of \$117,800 for the Changes – Resolution 2015-150 authorized amendment of the City’s Position Control Roster.
- E. Authorize the Purchase of Three Vehicles (Ford Taurus) from Tracy Ford of Tracy, California – Resolution 2015-151 authorized the purchase of vehicles.
- G. Authorization to Award the Purchase of Five 35-Foot Low Floor Buses For Tracer Fixed Route Service to Gillig Corporation Under the Central Contra Costa Transit Authority Contract 2012-MA-02, Authorize a Supplemental Appropriation to CIP 77550 in the Amount of \$2,000,000, and Approve a Contingency amount of \$50,000 for any Change Orders Needed During Production – Resolution 2015-152 authorized the purchase of five 35-foot low floor buses, a supplemental appropriation to CIP 77550 and a contingency amount of \$50,000 for change orders needed.
- H. Approve Amendment No. 1 to Memorandum of Understanding Between the City of Tracy and the Girl Scouts Heart of Central California and Authorize the Mayor to Execute the Amendment – Resolution 2015-153 approved amendment No. 1 to Memorandum of Understanding.
- I. Approval for Renewed Support of the Recycling Market Development Zone (RMDZ) Program and Activities in San Joaquin County – Resolution 2015-154 approved Recycling Market Development Zone Program.
- J. Acceptance of the Animal Shelter Project - CIP 71064, Completed by D. G. Granade Inc. of Shingle Springs, California, and Authorization for the City Clerk to File the Notice of Completion – Resolution 2015-155 accepted the animal shelter project.
- K. Acceptance of the Asphalt Concrete Pavement Reconstruction of the Northern Half of Grant Line Road from Holly Drive to Approximately 600 Feet East of MacArthur Drive, Constructed by Pacific Gas and Electric (PG&E) – Resolution 2015-156 accepted the asphalt concrete pavement reconstruction.
- L. Acceptance of the Police Radio Equipment Room Cooling System Project - CIP 71050A, Completed by Comfort Air, Inc. of Stockton, California, Authorization for the City Clerk to File the Notice of Completion, and Authorization for the City Engineer to Release the Bonds and Retention Payment – Resolution 2015-157 accepted the police radio equipment room cooling system project.
- M. Acceptance of Trinity Lane Subdivision Improvements, Tract 3820, Completed by Pulte Homes Corporation, a Michigan Corporation – Resolution 2015-158 accepted the Trinity Lane subdivision improvements.
- O. Authorize Amendment Number One to the Master Professional Services Agreement with Renne Sloan Holtzman Sakai LLP for Special Counsel to Conduct Labor Negotiations with Multiple Employee Groups and Authorize the Mayor to Sign the Agreement – Resolution 2015-159 authorized amendment number one to a Master Professional Services Agreement.

- D. Authorize the Purchase of Emergency Equipment and Installation from Lehr Auto Electric of Sacramento, California

Robert Tanner pulled item 1D and asked for clarification on the purchase of equipment as stated in the resolution.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Mitracos to adopt Resolution 2015-160 authorizing the purchase of emergency equipment and installation. Voice vote found all in favor; passed and so ordered.

- F. Approval of a General Services Agreement, Not To Exceed \$285,000, with Contract Sweeping Services, for Services Required for Street, Alley, and Parking Lot Sweeping; Authorize the City Manager to Execute Extensions and any Minor Amendments Associated with this Agreement; and Authorize the Mayor to Execute the Agreement

Council Member Young pulled this item for clarification and suggested that staff find ways to notice residents regarding the street sweeping schedule.

Trina Anderson spoke about the airport needing sweeping services and inquired if the airport was included in this agreement.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-161 approving a General Services Agreement. Voice vote found all in favor; passed and so ordered.

- N. Adopt a Resolution Rescinding Resolution 2015-144 and Directing that a Proposed Ordinance be Submitted to the Voters at a Special Election to be Held on December 8, 2015 and Appropriating \$275,776 from the City's General Fund for the Costs Associated with Verifying Signatures and Holding the Special Election

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

Robert Tanner pulled this item to inquire about the fiscal impact related to the upcoming special election and to ask for some clarification on the measure to be voted on come December 8. Jeff Schroeder, Ponderosa Homes, restated that the offer to reimburse the City at the appropriate time for the full election cost still stands.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-162 rescinding Resolution 2015-144 and directing to hold a special election on December 8, 2015. Voice vote found Council Members Vargas, Young Mayor Pro Tem Rickman and Mayor Maciel in favor. Council Member Mitracos abstained from the vote; passed and so ordered.

- P. Award a Construction Contract to Tracy Grading and Paving of Tracy, Ca for 11th Street Gateway Fountain Renovation Project – CIP 73151, Authorize an Appropriation of Funds From Gas Tax Fund 245 and Authorize the Mayor to Execute the Contract

Council Member Vargas pulled this item for further discussion related to branding. The Council requested that the fountain reflect the City colors and City seal.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-163 awarding construction contract for 11th Street Gateway Fountain renovation project. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE

Ann Marie Fuller, Chair and Danette Poole, Vice Chair of the Tracy Arts Commission, reported that the first Tracy Arts Cultural Festival which took place in August 2015, at Lincoln Park was a success and thanked all those who came out in support. Ms. Fuller mentioned a few locations where folks could make donations to the victims affected by the Valley fire.

Marvin Rothschild stated that his inquiry about the homeless situation and his request to utilize the Fire Station has not been formally addressed and requested that it be agendized for the next meeting for discussion.

3. CITY COUNCIL DISCUSSION AND DIRECTION REGARDING LAND USE, DEVELOPMENT STANDARDS, AND DESIGN GUIDELINES ALONG INTERSTATE 205 (I-205) FROM TRACY BOULEVARD TO THE EAST CITY LIMIT, AND INTRODUCTION AND ADOPTION OF AN INTERIM ORDINANCE PROHIBITING THE ISSUANCE OF ANY LAND USE ENTITLEMENT OR BUILDING PERMIT FOR CERTAIN WAREHOUSE AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY BOULEVARD TO THE EASTERN CITY LIMIT – This item was pulled to be brought back at a future date.

4. RECEIVE STATUS REPORT ON THE CITY'S AQUATIC CENTER DESIGN

Ed Lovell, Management Analyst, Public Works, presented the staff report.

Dennis Berkshire, Aquatics Design Group provided an update on the aquatic center conceptual design.

David Anderson inquired if the consultant has been informed that the potential site for the pool is under the Tracy Airport flight path. Mr. Anderson suggested that this item be presented to the Transportation Commission and Airport Land Use Commission.

Michell Bazinet expressed gratitude to see that there is a detailed plan for the project and to see it move forward.

Marsha McCray was pleased to hear that the City has continued to move forward with the project but voiced her concern about going through the process again and ending up

in square one again as occurred 10 years ago. Ms. McCray looks forward to hearing that there is a concept and dollar amount six months from now for the project.

Council comments and questions followed. Upon consensus the Council accepted the report.

Mayor Maciel called for a recess at 8:50 p.m.

Mayor Maciel reconvened the meeting at 9:00 p.m.

5. AWARD A CONSTRUCTION CONTRACT FOR THE JOE WILSON POOL RECONSTRUCTION PROJECT - CIP 78152, TO THE LOWEST RESPONSIVE BIDDER, AUTHORIZE AN ALLOCATION OF FUNDS FROM THE GENERAL FUND 301, AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT

Kul Sharma, Utilities Director, presented the staff report.

David Anderson expressed being in favor of approving the project.

Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-164 awarding construction contract for the Joe Wilson Pool reconstruction project with the addition of additives A1, A3, A4 and A5. Voice vote found Council Members Mitracos, Vargas, and Mayor Pro Tem Rickman in favor. Council Member Young and Mayor Maciel opposed; passed and so ordered.

6. AUTHORIZATION FOR THE CITY TO ENTER INTO AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH AGRA TRADING FOR THE LEASE OF THE HOLLY SUGAR SOUTHERLY PAVED DRYING BED AND AUTHORIZE THE MAYOR TO EXECUTE THE AMENDMENT

Steve Bayle, Project Specialist, Public Works, presented the staff report.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Mitracos to adopt Resolution 2015-165 authorized the City to enter into amendment No. 1 to Lease Agreement. Roll call vote found all in favor; passed and so ordered.

7. INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 9.52, FLOODPLAIN REGULATIONS, OF THE TRACY MUNICIPAL CODE

Kevin Jorgensen, Floodplain Administrator, Development Services presented the staff report.

Nora Pimentel, City Clerk read the title of the Ordinance into the record.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Young to waive reading of the full text of the ordinance. Voice vote found all in favor; passed and so ordered.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Young to introduce Ordinance 1199. Voice vote found all in favor; passed and so ordered.

8. INTRODUCTION OF AN ORDINANCE ADOPTING A NEW CHAPTER 9.66 OF THE TRACY MUNICIPAL CODE ENTITLED "SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS"

Kevin Jorgensen, Chief Building Official, presented the staff report.

Council comments and questions followed. Council Member Mitracos wanted to be assured that the application and checklist are on the website.

Nora Pimentel, City Clerk read the title of the Ordinance into the record.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Young to waive reading of the full text of the ordinance. Voice vote found all in favor; passed and so ordered.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Young to introduce Ordinance 1200. Voice vote found all in favor; passed and so ordered.

9. ITEMS FROM THE AUDIENCE – There were no speakers.

10. COUNCIL ITEMS

Mayor Pro Tem Rickman announced the following upcoming events: September 26, 2015 the Downtown Tracy Wine Stroll from 6:00 p.m. – 9:00 p.m. presale tickets are \$25 and \$35 at the door; St. Bernard's Harvest Festival September 25-27, 2015. Mayor Pro Tem Rickman mentioned that there are some great upcoming attractions at the Grand Theatre.

Council Member Vargas expressed that there are deficiencies that need to be addressed related to the level of public safety services which are not being met. The City is projected to grow and the impact to public safety is a concern. Council Member Vargas asked the City Manager when this item would be brought to Council's attention

Troy Brown, City Manager, responded that over the next several weeks Council will be inundated with consultants, meetings, and reports from staff on what the City is going to do with the Fire Governance Structure and develop ways for Standard of Cover.

Council Member Vargas added she had reviewed the information and did not see a succession plan for replacement of stations or major ticket items.

Mr. Brown responded that there will be heavy discussions regarding the implementation of the Facilities Master Plan which was not included in the Council packet and there would be more extensive discussions on the Fire Standard of Cover.

Council Member Mitracos reported that there was a fire on her street over the weekend and expressed her gratitude to the Fire Department who responded quickly, Council Member Mitracos also expressed her gratitude to the Public Works Department and Police Department.

Council Member Young announced an upcoming event taking place on Saturday, September 19, 2015 from 7:00 p.m. to 11:00 p.m. at the Tracy Community Center, tickets are \$50.

11. ADJOURNMENT- Time 10:12 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 September 8, 2015. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk