

**December 7, 2010, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

Mayor Ives called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

The City Clerk administered the Oath of Office and presented Certificates of Appointment to re-elected Mayor Ives, and newly elected Council Members Elliott and Rickman.

The invocation was offered by Pastor Jim Bush, Market Place Chaplains.

Roll call found Council Members Abercrombie, Elliott, Maciel, Rickman, and Mayor Ives present.

Mayor Ives asked for nominations for Mayor Pro Tem. Council Member Elliott nominated Council Member Maciel. Council Member Rickman nominated Council Member Abercrombie. Mayor Ives seconded the nomination for Council Member Maciel. Voice vote found all in favor; passed and so ordered.

Leon Churchill, Jr., City Manager, presented the Employee of the Month award for December 2010, to Linda Bower, Executive Assistant, City Manager's Office.

Gene Birk provided a presentation regarding Brighter Christmas.

1. CONSENT CALENDAR - Following the removal of item 1-A by a member of the audience and item 1-F by Council Member Elliott, it was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to adopt the consent calendar. Roll call vote found all in favor; passed and so ordered
  - B. Authorization to Establish a "No Parking Anytime" Zone on Both Sides of Acacia Street from Franklin Avenue and the East End of Acacia Street – Resolution 2010-192 authorized the no parking zone.
  - C. Award a Construction Contract to GSE Construction Co., Inc., of Livermore, California for the Tracy Wastewater Treatment Plant Solids Handling Facilities Improvement Project – CIP Nos. 74072, 74079 And 74087, in the Amount of \$3,867,000, Authorize Task Order No. CH01-12 to the Master Professional Services Agreement with CH2MHill for Design Support Services During Construction and Services for Air Permit for New Boiler, Authorize the Transfer of Funds in the Amount of \$600,000 from CIP 74004, and \$220,000 from CIP 74085 to CIP 74072, Authorize a Supplemental Appropriation in the Amount of \$1,284,951 from Wastewater Capital Fund 523 to CIP 74072 and Authorize the Mayor to Execute the Agreement and the Contract – Resolution 2010-193 awarded the construction contract, authorized the task order and the supplemental appropriation, and authorized the Mayor to execute the agreement and contract.

- D. Acceptance of the Eleventh Street Median Revitalization Project Phase 2 (Between Alden Glen Drive and Tracy Boulevard) - CIP 73096, Completed by Silicon Valley Paving, Inc., of San Jose, California, and Authorization for the City Clerk to File the Notice of Completion – Resolution 2010-194 accepted the project.
- E. Approve Change Order No. 1 to the Construction Contract with A. Teichert & Sons, Inc., dba Teichert Construction, for the Emergency Storage Pond and Drying Beds Improvement Project - CIP 74004, 74080, and 74077, in the Amount of \$123,697.10 for Additional Paving of Drying Beds – Resolution 2010-195 approved the change order.
- A. Acceptance of the Tracy Airport Main Entrance Improvements Project - CIP 77032, Completed by Garrett Thompson Construction of Modesto, California, and Authorization for the City Clerk to File the Notice of Completion – John Favre, President of the Tracy Airport Association, thanked Council for the fine job done on the airport entrance project. Mr. Favre asked if there was a warranty on the project. Mr. Sharma, City Engineer, indicated there was a one year warranty for all repairs completed on the project.

It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to adopt Resolution 2010-196 accepting the Tracy Airport Main Entrance Improvements Project, completed by Garrett Thompson Construction of Modesto, California, and authorizing the City Clerk to file the notice of completion. Voice vote found all in favor; passed and so ordered.

- F. Authorize Amendment of the City's Classification and Compensation Plans and Position Control Roster by Approving the Re-Titling and Revision of a Classification Specification and Salary Range for Supervising Communications Operator to Communications Unit Supervisor; and Reclassification of the Incumbent to Communications Unit Supervisor – Council Member Elliott asked what happened to two of the positions eliminated. Chief Thiessen responded that elimination of the position was due to the right-sizing measures and explained the change in responsibilities.

Council Member Elliott asked if the reclassification warranted additional pay. Maria Olvera, Director of Human Resources, indicated the classification required a change due to responsibilities which lead to a change in designation and a slight change of 2% was recommended.

Council Member Elliott indicated the City has been looking at reducing costs, and asked how many of these reclassifications were in the pipeline over the next year. Ms. Olvera indicated there were no re-classifications pending. Mr. Churchill stated there were no proposed reclassifications at this time, but that it was reasonable to expect that those individuals who have had their duties changed may warrant additional compensation. Mr. Churchill indicated any changes would be brought to Council for their consideration.

It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to adopt Resolution 2010-197 authorizing amendment of the City's classification and compensation plans and position control roster by approving

the re-titling and revision of a classification specification and salary range for supervising communications operator to communications unit supervisor; and reclassification of the incumbent to communications unit supervisor. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE - Brian Van Lehn, 540 Winston Court, addressed Council regarding noise issues with Leprino Foods. Mr. Van Lehn indicated he has been taking independent noise readings at the site.
3. AUTHORIZATION TO AWARD THE PURCHASE OF SECURITY CAMERA SYSTEMS FOR THIRTEEN BUSES AND TWO MINIVANS FOR TRACER BUS SERVICE IN AN AMOUNT NOT TO EXCEED \$80,000 TO APOLLO VIDEO TECHNOLOGY UNDER THE KING COUNTY DIGITAL VIDEO RECORDER CONTRACT - Ed Lovell, Management Analyst, presented the staff report. Mr. Lovell stated that on June 17, 2008, the Council previously authorized application of Proposition 1B funds through the Governor's Office of Homeland Security (Resolution 2008-103) for the purchase of bus security cameras. Additionally, on August 19, 2008, the Council authorized application of Federal Transportation Administration (FTA) 49 U.S.C. Section 5307 Grant Funding (Resolution 2008-163) for the purchase of bus security cameras. FTA 5307 Grant funding requires certain assurances from the City that funds will be used in a manner which complies with all federal statutes, regulations, executive orders and administrative procedures applicable to the grant.

The Tracy Municipal Code (TMC) Chapter 2.20, Contracts and Purchasing, allows the City to participate in cooperative purchasing agreements with other public agencies instead of using the formal request for proposal process. King County, Washington, has entered into a contract with Apollo Video Technology for the purchase of bus security cameras and section 1.14 of said contract allows for other federal, state, county and local entities to contract under the terms and conditions. This form of procurement is a "joint procurement" as defined in the Federal Transit Administration's (FTA) Circular 4220.1F Chapter V, Part 3. It allows two or more purchasers to enter into a single contract with a vendor for the delivery of property or services. The FTA encourages recipients to procure goods and services jointly with other recipients to obtain better pricing through larger purchases.

Each bus will be outfitted with four cameras with the ability to record both video and audio in addition to a Digital Video Recorder (DVR) with a one TeraByte Hard Drive. This will allow approximately 50 days of recording per bus. Each minivan will have two cameras with the ability to record both video and audio in addition to a DVR with a 250 GigaByte Hard Drive which will allow approximately 25 days of recording per minivan. All systems will include a Global Positioning System (GPS) receiver and Interactive Speed and Mapping (ISM) interface which will allow the user to see details such as location and speed of the vehicle when playing back video. The total cost for the security camera system for 13 buses will be \$64,948.76. The total cost for the security camera system for two minivans will be \$5,015.55. Staff also proposes purchasing an extended five-year warranty on all the equipment (cameras, DVRs, hard drives) for \$8,139.94. The total cost will be \$78,104.25. The additional \$1,895.75 will be used as contingency for additional parts or equipment that may be required during installation. Policies will be put into place prior to the installation and utilization of the cameras.

Funding is available in the approved Fiscal Year 2010/2011 budget (Transit Fund), and by previous Council Resolutions 2008-103 (Proposition 1B Funding) and 2008-163 (FTA 5307 grant approval). The security camera system will be purchased using existing CIP 77533.

Staff recommended that the Council authorize the award of an amount not to exceed \$80,000 to Apollo Video Technology for the purchase of security camera systems for 13 buses and two minivans for TRACER Public Transit Service under the King County Digital Video Recorder Contract.

Mayor Pro Tem Maciel asked if the units were stand alone units. Mr. Lovell stated yes. Mayor Pro Tem Maciel asked if the purpose was to go in after the fact and check the recording. Mr. Lovell stated they wouldn't be checked unless there was an incident.

Mayor Pro Tem Maciel asked if this system would have an integrated video system. Mr. Lovell stated the system can be expanded to include live feeds.

Council Member Rickman asked if the bus operator would operate the recording or if it was a continuous feed. Mr. Lovell stated the system will begin when the bus starts. Council Member Rickman asked if policies and procedures have been established. Police Chief Thiessen stated staff is currently working with the City Attorney to adopt policies and procedures for Council consideration.

Council Member Rickman asked about access to recordings. Chief Thiessen outlined the current procedure.

Council Member Abercrombie asked if staff has explored any other federal grants. Chief Thiessen stated staff is continually exploring grant funding.

Mayor Pro Tem Maciel asked about the types of existing cameras. Chief Thiessen stated the camera located at Gretchen Talley Park was a stand alone unit that is integrated into the dispatch system while the other two are accessible to police employees via the web.

Council Member Elliott asked if any cameras were currently on the busses. Mr. Lovell stated currently each bus is equipped with a drive cam system that records but does not save data. Mr. Lovell added if there was an incident, a driver could push a button and the camera will record and save 10 seconds before and after the button was pushed.

Mayor Ives asked if the project was completely grant funded. Mr. Lovell stated yes.

It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to adopt Resolution 2010-198 authorizing the award of the purchase of security camera systems for 13 buses and two minivans for Tracer Bus Service in an amount not to exceed \$80,000 to Apollo Technology under the King County digital video recorder contract. Voice vote found all in favor; passed and so ordered.

4. APPROVE EXPANSION OF THE SAN JOAQUIN COUNTY ENTERPRISE ZONE BOUNDARIES - Amie Parker, Management Analyst, presented the staff report. Ms. Parker stated that on June 22, 2008, the State announced the final designation of the San Joaquin County Enterprise Zone (SJCEZ). The California Enterprise Zone Program

targets economically distressed areas using special state and local incentives to promote business investment and job creation. By encouraging entrepreneurship and employer growth, the program strives to create and sustain economic expansion in California communities. Each zone designation is in effect for 15 years.

The current SJCEZ is approximately 656 square miles and includes properties within the cities of Tracy, Stockton, Lodi, Manteca and Lathrop, as well as unincorporated areas of the County. On occasion, business and property owners, as well as local government representatives request that additional areas within the County be added to the SJCEZ. These inclusion requests are reviewed by City and County officials for eligibility before being considered for the expansion process. To be eligible a property must be zoned for industrial or commercial use and have basic infrastructure available. The State allows enterprise zones to expand up to 15% during the life of the zone.

The first expansion of the SJCEZ boundaries is being pursued by San Joaquin County. The expansion will add approximately 5.5 square miles (a 0.85% increase) and encompasses areas of Escalon and Ripon along with additional areas in other county cities. The Tracy properties to be added into the SJCEZ include the Tracy Gateway project area, the I-205 Specific Plan area and property owned by GWF Energy where the Tracy Peaker Plant is located. All municipal partners in the SJCEZ must approve the expansion area before it is submitted to the State for final approval.

In Fiscal Year 2010-11 the City's share of the annual SJCEZ operating cost was \$33,869. The City's share is expected to increase to \$46,929 as a result of the expansion.

Staff recommended that Council approve the Expansion of the San Joaquin County Enterprise Zone Boundaries.

Mayor Ives invited members of the public to address Council on the item.

Robert Tanner, 1371 Rusher Street, asked if the financial impact came from the General Fund or another source. Ms. Parker indicated it came from the General Fund. Mr. Tanner asked if the City was increasing the deficit because the sales tax measure passed. Mayor Ives responded it was viewed as an investment to attract business to Tracy.

It was moved by Council Member Abercrombie and seconded by to Mayor Pro Tem Maciel to adopt Resolution 2010-199 approving the expansion of the San Joaquin County Enterprise Zone Boundaries. Voice vote found all in favor; passed and so ordered.

5. SECOND READING AND ADOPTION OF ORDINANCE 1155 AN ORDINANCE OF THE CITY OF TRACY, AMENDING SECTION 3.08.580, OF CHAPTER 3.08 (TRAFFIC REGULATIONS) OF TITLE 3 (PUBLIC SAFETY) OF THE TRACY MUNICIPAL CODE

The Clerk read the title of proposed Ordinance 1155.

It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to waive the reading of the text. Voice vote found all in favor; passed and so ordered.

It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to adopt Ordinance 1155. Roll call vote found all in favor; passed and so ordered.

6. ITEMS FROM THE AUDIENCE – None.
7. COUNCIL ITEMS – None.
8. ADJOURNMENT - It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to adjourn. Voice vote found all in favor; passed and so ordered. Time: 7:59 p.m.

The above agenda was posted at the Tracy City Hall on November 24, 2010. The above are summary minutes. A recording is available at the office of the City Clerk.

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Mayor

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City Clerk