

November 20, 2012, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

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

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

The invocation was offered by Pastor Kevin James of New Creation Bible Fellowship.

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

Fire Chief Al Nero and Firefighter Jeremy Ward to introduced Cody Mantor, and Dylan McCrary who have reached the rank of Senior Fire Explorer.

Mike Souza, President, Grand Foundation Board, presented a check in the amount of \$30,000 to Mayor Ives for the 2012-2013 Grand Foundation Underwriting Support for the Grand Theatre.

1. CONSENT CALENDAR

Following the removal of item 1-G from a member of the audience, it was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt the consent calendar. Roll call vote found all in favor, passed and so ordered.

- A. Minutes Approval – Special meeting minutes of November 7, 2012, were approved.
- B. Accept Grand Foundation's Fiscal Year 2012-2013 Annual Underwriting Support and Approve Supplemental Appropriation of Proceeds for Programming and Technical Support at the Grand Theatre Center for the Arts - Resolution 2012-228 accepted a check for \$30,000 and approved the supplemental appropriation.
- C. Reject Bid Protest from Broward Builders and Award a Construction Contract to Diede Construction Inc. of Woodbridge, California, for the Fire Stations 92 and 96 Project - CIPs 71062 And 71061, Authorize Approval of Amendment 3 to the Professional Services Agreement with Shah Kawasaki Architects, and Authorize the Mayor to Execute the Contract and Amendment – Resolution 2012-229 rejected the bid protest from Broward Builders and awarded the construction contract to Diede Construction.
- D. Adopt a Resolution Authorizing a Professional Services Agreement with the Boys and Girls Club of Tracy to Perform Services Under the Reconnecting our Youth Grant Program, Authorizing the Mayor to Sign the Agreement, and Authorizing the City Manager to Sign Minor Amendments for Purposes of Administrative Efficiency – Resolution 2012-230 approved the agreement.

- E. Approval of Amendment 2 to the Professional Services Agreement (PSA) with Drake Haglan and Associates of Sacramento, California, for Additional Design Services for the Eleventh Street – East Tracy Overhead, Bridge #29C-0126 – CIP 73063, Federal Project No. BHLS-5192(020), Authorize the City Manager to Execute the Amendment – Resolution 2012-231 approved the amendment.
- F. Approve a List of City of Tracy Projects for San Joaquin Council of Government's One Voice Trip to Washington D.C., for Congressional Funding Appropriation Requests – Resolution 2012-232 approved the list.
- H. Approval of Amendment 1 to the Professional Services Agreement (PSA) with West Yost and Associates to Provide Additional Services to Complete the Cordes Ranch Specific Plan and Authorize the Mayor to Execute the Amendment – Resolution 2012-233 approved the amendment.
- I. Approve a Termination and Release Agreement with Angelo Tsakopoulos, Vassilis Constan Tsakopoulos and Tsakopoulos Family Partnership, a California General Partnership and the City of Tracy, a California Municipal Corporation, for Design, Construction, Operation, Maintenance and Decommissioning of the Interim Wastewater Reclamation Facility and the Timing of Design and Construction of Permanent Wastewater Reclamation Facility Recorded with the San Joaquin County Recorder Per Instrument Number 2003-032227 on February 12, 2003, and Authorize the Mayor to Execute the Agreement – Resolution 2012-234 approved the termination and release agreement.
- J. Approve Amendment Two to the Professional Services Agreement with Design, Community and Environment, Inc. for the Preparation of an Environmental Impact Report, Assistance with the Preparation of a Specific Plan and Annexation for the Cordes Ranch Specific Plan Project – Resolution 2012-235 approved the amendment.
- K. Approve a Master Professional Services Agreement (MPSA) with Associated Right of Way Services, Inc. (AR/WS) of Pleasant Hill, California, to Provide Right of Way Acquisition Services for Various Projects, Authorize the Mayor to Execute the Agreement, and Authorize the City Manager to Execute Task Order 1 – Resolution 2012-236 approved the Master Professional Services Agreement.
- G. Approve a \$473,000 Supplemental Appropriation from the General Fund for Building and Fire Safety Plan Review and Inspection Services in the Development Services Department - Andrew Malik, Development Services Director, presented the staff report. On January 18, 2011, Council authorized the Mayor to sign Professional Service Agreements (PSAs) with various consulting firms for the purpose of providing plan review and inspection services for the Building and Fire Safety Divisions of the Development Services Department. With reduced staffing levels in the City's Building and Fire Safety Division, the City must rely on consultant assistance to complement staff's efforts to meet the demands of the City's development customers.

For fiscal year 2012-2013, the City budgeted \$50,000 for contracting assistance for plan review and inspection services within the Building and Fire Safety Divisions. For the past two years, the amount of contract services needed within

these two divisions was no more than \$60,000. Over the past six months, the level of development activity has increased and building and fire safety staff are finding it difficult to keep up with the workload while maintaining the City's new plan review and inspection performance timelines and quality.

Staff requested a supplemental appropriation of \$473,000 from the General Fund be transferred to the fund numbers listed below, to cover the costs associated with a higher demand for building and fire safety contract services through the end of Fiscal Year 2012-13. These funds will be fully recovered at the time plan check and building permit fees are paid.

Fire Prevention	211-52150-242-00000	\$ 25,000
Plan Check	111-56410-242-00000	\$350,000
Building Inspection	111-56420-242-00000	\$ 98,000

The General Fund will have a \$398,000 increase in budgeted expenditures which will be offset by building fee revenues. The Fire Prevention portion of \$25,000 will cause an increase in the South County Fire Authority budgeted expenditures. This amount also will be offset by fee revenues. Fees for plan review services are collected per Section 113 and Section 109 of the California Fire Code and Building Code respectively, and are payable at time of submittal. Fees for building and fire inspection services are payable at time permit issuance. These fees are based on the 1997 Uniform Administrative Code Tables 3-A through 3-D Section 304, as adopted by City Council Resolution 2012-111. The building permit applicants pay for these fees. If contract staff is assigned various plan review or inspection tasks, they are paid from the applicant fees collected at time of plan submittal and or permit issuance.

Staff recommended Council, by resolution, approve a \$473,000 supplemental appropriation from the General Fund for building and fire safety plan review and inspection services in the Development Services Department.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2012-327 approving a \$473,000 supplemental appropriation from the General Fund for Building and Fire Safety plan review and inspection services in the Development Services Department. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE - A member of the public addressed Council voicing her disappointment with Animal Control.

Paul Dahliwal addressed Council regarding the proposed expansion of the Montessori School. Mr. Dahliwal expressed his disappointment with the proposed impact fees required for expansion of the school. Mr. Dahliwal asked that the impact fees be used to defray the costs of the infrastructure.

A resident spoke on behalf of the parents of the Montessori School, asking that the City help with the cost of the impact fees.

Ali McIntosh, Assistant Director, Montessori School, addressed Council regarding the proposed expansion. Ms. McIntosh indicated she hoped the school and the City could work together on the fees.

Rodger Birdsall, addressed Council regarding the process to be followed to fill the upcoming vacancy on the City Council. Mr. Birdsall indicated the person who received the third highest number of votes should be seated on the Council.

3. AUTHORIZE STREET NAME CHANGES FOR NAGLEE ROAD TO WEST VALLEY AUTO MALL ROAD WITHIN THE CITY LIMIT AND MACARTHUR DRIVE BETWEEN I-205 AND PESCADERO AVENUE TO OUTLET CENTER DRIVE, AUTHORIZE AN APPROPRIATION OF FUNDS TO CIP 73136 TO INSTALL NEW STREET NAME SIGNS ON I-205 - Kuldeep Sharma, City Engineer, presented the staff report. Mr. Sharma indicated that for the past several years, the Auto Mall businesses, West Valley Mall, and the Outlet Center management located on MacArthur Drive and Pescadero Avenue have been pursuing installation of new directional signs on I-205 identifying exits to the Auto Mall, West Valley Mall, and the Outlet Center. Staff has worked closely with these business entities and the California Department of Transportation (Caltrans) to provide such signs on I-205. The City Council established a Capital Improvement Project – 73136, to install such directional signs with funding of \$450,000 available from RSP funds in FY 2013-14.

After numerous discussions and extensive coordination with both Caltrans and proponents of new signs, it was established that the new directional signs can only be allowed on I-205 if the names of the access streets to these business establishments are changed first. After further review of traffic circulation in these areas, it was established that the following street names need to be changed to accomplish the desired goals:

<u>Change Existing Street Name From:</u>	<u>To New Street Name:</u>
<ul style="list-style-type: none"> Naglee Road (within existing City limits only) 	<ul style="list-style-type: none"> West Valley Auto Mall Road (within existing City limits only)
<ul style="list-style-type: none"> MacArthur Drive (between I-205 and Pescadero Ave.) 	<ul style="list-style-type: none"> Outlet Center Drive (between I-205 and Pescadero Ave.)

The name for the remaining portions of Naglee Road and MacArthur Drive can remain unchanged.

In addition to the Auto Mall, West Valley Mall, and the Outlet Center, the proposed street name changes will also impact other businesses whose addresses are listed on these streets. For example, all businesses in the Home Depot Center have Naglee Road address and the existing Chevron Gas Station east of the Outlet Center has a MacArthur Drive address.

To address any concerns of the business community which may be impacted by the proposed street name changes, two meetings were held. Separate notices (hand fliers) for both the meetings were delivered to individual businesses informing them of the date, time and place of these meetings.

A total of six businesses within the Home Depot Shopping Center area and one business from MacArthur Drive east of the Outlet Center attended the first meeting held at City Hall. No one showed up to the second meeting which was scheduled at the West Valley Mall. During the meeting it was explained that the intent of the street name

change is to provide additional visibility to key retail areas, i.e., Auto Mall, West Valley Mall and the Outlet Center. It is expected that additional signage will bring driving customers to the West Valley Mall, Auto Mall and Outlet Center will also bring new customers to the neighboring shopping centers.

Staff received a letter of support from the West Valley Mall representing all businesses within the Mall area and a telephone message for support was received from the Outlet Center representing multiple businesses. A total of four letters of opposition including one from Home Depot were received from businesses around the Naglee Road area. In addition, all of the businesses present at the first meeting were against the proposed street name changes due to possible loss of customers and the cost of printing new stationary, business cards, etc.

At present, the Council of Governments (COG) is completing the I-205 auxiliary lane improvements for Caltrans from MacArthur Drive to Mountain House Parkway. The new directional signs identifying the proposed street name can be installed within the on-going I-205 auxiliary lane project areas. It is cost effective and expeditious to construct and install these signs under the existing construction contract for I-205 auxiliary lanes.

In order to accomplish installation of the new directional signs on I-205 for the City's Auto Mall, West Valley Mall, the name changes need to be approved by resolution and an appropriation of \$450,000 authorized from the RSP Fund.

Previously the Council has received presentation on a "way finding" and other directional signing program. Such a signage program can consist of two elements, small decorative type of signs placed on City street locations to direct people to places like "historical downtown" and "Grand Theatre Center for the Arts", and large freeway signs (i.e. Cal Trans green signs) directing people off the freeway. The smaller way finding signs are included in an approved CIP for \$435,000. An additional cost of \$450,000 has been identified for the large freeway signs but this amount was not included in the adopted CIP for FY 12/13. However, the project was listed for FY 13/14 anticipating several million dollars would remain in RSP funds that could be used for this purpose.

Since adoption of the FY 12/13 CIP, the Council has appropriated \$1.2 million in CIP funds for a roadway in the Northeast Industrial Area (NEI) and has authorized an RFP for possible uses of the Schulte Road property ("Antenna Farm") should the City decided to acquire this property from the federal government. The City has received a 6 month extension to finalize this decision. In the meantime, RSP funds in the amount of \$1,105,250 must be reserved for this purpose.

Funding for the freeway directional signs would require an appropriation of \$450,000 leaving \$250,000 in the RSP fund. Because of the subsequent actions regarding the NEI access road and the possible purchase of the Schulte Road property from the federal government, it is appropriate to determine whether freeway directional signs should be funded at this time.

By early Spring, 2013, the Council should have responses to the RFP for possible alternative energy proposals for the Schulte Road property. It is possible that the selected proposer could upfront the acquisition costs of the property thereby releasing the RSP funds that have been reserved. It is also possible that a selected proposer could want the City acquire the property up front with the selected proposer paying the

capital cost of the land through a lease on the property over a number of years. City Council has also directed the sale of the Chrisman Road site (see related Agenda Item) and it is possible that the sale of this property could direct the sale proceeds to the RSP fund. Sale of this property is likely over a year away.

Staff presented three options for the Council to consider:

- Option 1: Appropriate \$450,000 for freeway directional signs resulting in a balance of \$250,000 in the RSP fund
- Option 2: Defer the decision to fund the freeway direction signs until adoption of the FY 13/14 CIP at which time a decision on the Schulte Road property acquisition will have been made.
- Option 3: Eliminate the freeway directional signs as a CIP because the City Council does not desire to rename the necessary street segments to accomplish the new signage.

There is no fiscal impact to the General Fund. Option 1 would appropriate \$450,000 from the RSP fund. Option 2 and 3 would not have any fiscal impact and there would be no expenditure of funds at this time. It should also be noted that the \$450,000 is the maximum costs of the freeway signs, it is anticipated that this cost could be less depending upon negotiations with Cal Trans.

Staff recommended that City Council:

- 1) Select Option 1 and authorize an appropriation of \$450,000 from the RSP Fund to CIP 73136 to complete the street name change signs on I-205.
- 2) Authorize street name changes for Naglee Road to West Valley Auto Mall Road within the City limit, and Macarthur Drive between I-205 and Pescadero Avenue to Outlet Center Drive.

Council Member Abercrombie asked staff for clarification regarding the letter received from a resident wanting to preserve the street name and the letter from Outlet Center management. Mr. Malik indicated staff would be coming to Council for a special meeting on the Transportation Master Plan and may present an opportunity for roads later. Mr. Sharma indicated the name Naglee Road would still exist outside the City limits.

Council Member Elliott asked why renaming the streets was a prerequisite to getting the freeway signs. Mr. Malik indicated staff has worked with Caltrans for several years to have the freeway signs and that this was a Caltrans requirement.

Council Member Elliott asked why the City can't put up a sign. Mr. Malik indicated staff had suggested naming an off ramp as an alternate and all options were resisted by Caltrans.

Council Member Rickman stated he was concerned about the RSP fund and its impact on economic development. Leon Churchill, City Manager, indicated the RSP fund has been dwindling and it is appropriate to research how the fund can be replenished. Mr. Churchill stated it may be part of the financial strategy that Council needs to consider.

Council Member Rickman asked if West Valley Mall and the Outlet Centers would be willing to help pay for the signs. Mr. Malik indicated at this point it is City funded. The property owners could be asked to contribute but there was still a timing issue.

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

Mike Donahoe, General Manager of the West Valley Mall, indicated they support the name change and anything that can be done to identify a strong retail presence will benefit the businesses.

Leonard Alegre, President of the Naglee Burk Irrigation District, stated that the area was developed by Mr. Naglee and Mr. Lammers and the name means a lot to the residents. Mr. Alegre indicated they opposed any action to change the name of Naglee Road.

Greg Wright, a resident of Naglee Road, addressed Council and provided signatures of those opposed to the road name change.

Dennis Alegre, 21763 S. Lammers Road, addressed Council regarding the proposed name change. Mr. Alegre suggested the businesses which are not auto related might not appreciate having Auto Mall in their address.

Mr. Sangha, representing the Chevron Station on MacArthur Boulevard, stated he had attended the meetings and was opposed to the street name change. Mayor Ives stated the Council was not considering changing the name of MacArthur Drive.

John Vierra, 19700 S. Lammers Road, addressed Council indicating there is a lot of history in the naming of these roads and that it should be respected.

Breann Northcutt, 20008 N. Naglee Road, addressed Council indicating none of the homeowners were notified of the proposed name change. Ms. Northcutt asked Council to not approve the name change.

Mary Mitracos, 363 W. Eaton Avenue, addressed Council regarding community character. Mrs. Mitracos stated to have an off-ramp named Auto Plaza Mall Road does not adhere to Tracy's character. Mrs. Mitracos asked Council to not approve the name change.

Donna Binder, 1200 Doubles Court, addressed Council stating she concurred with the other residents and asked the Council to not approve the road name change.

Ray Morelos addressed Council and provided a brief history of the time when the mall came to the City. Mr. Morelos indicated the proposal was not a good idea.

Eric Strickland, representing Tracy Toyota, expressed his support for the name change. Mr. Strickland stated the name change would benefit all merchants in the mall area and added income to the City from sales was an important piece of its revenue.

Ray Malgrowdy, representing Tracy Auto Group, addressed Council in support of the name change indicating it needed to be done.

Council Member Abercrombie asked for clarification regarding the Naglee Road name change and how the residents were notified. Mr. Malik indicated the name change only affects businesses within the City limits and not residents of Naglee Road.

Council Member Rickman asked why a Naglee/West Valley Auto Mall Road name couldn't be considered. Mr. Malik indicated the interchange is currently named Grant Line/Naglee Road.

Mayor Ives asked if the name change were approved then would it be Grant Line Road/West Valley Auto Mall Road. Mr. Malik stated yes.

Mayor Pro Tem Maciel stated the Council has previously been interested in signs to help build businesses and the message to Caltrans was that it was crucial for economic development in Tracy which helps the residents. Mayor Pro Tem Maciel stated the City should go forward with this proposal while doing everything it can to keep the name Naglee in the forefront.

Council Member Elliott referred to priorities for RSP monies and a discussion which included the City adding signs that would direct people to attractions in the City. Council Member Elliott asked if the City could put up signs and pay for them. Mr. Malik explained wayfinding signs, monuments, and their placement. Mr. Malik stated the City can place a monument sign on the City's right-of-way, but not on Caltrans right-of-way (the freeway).

Council Member Rickman stated he was concerned about the RSP fund dropping down to \$250,000. Mr. Churchill indicated the City is certainly at some risk, however; as soon as January, he would propose deliberations for other funding options.

Council Member Rickman asked Mr. Malgrowdy and Mr. Donahoe if they would be willing to contribute funds toward purchasing the signs. Mr. Aldrate indicated he could not say. Mr. Strickland indicated he would like to address that as they look toward 2013/2014. Mr. Stickman indicated they had proposed an expansion, but because of the economic downturn those plans had been tabled.

Council Member Rickman addressed the history of Tracy and added he would like to see signs directing traffic to Naglee Road and the other locations.

Mayor Ives stated the Council has been looking at this for years and it has been a great need for those businesses. Because of the recession it is even more important. Mayor Ives stated it was difficult to try to balance all this; but the fact remains that the City has the blessing of having a sales tax generator in our City. Sales tax is critical to the City and we know the signs help. Council and staff have worked with Caltrans and this is the only way they will deal with signs now. Mayor Ives indicated he supported the proposal.

It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to adopt Resolution 2012-238 authorizing a street name change for Naglee Road to West Valley Auto Mall Road within the City limit, and authorizing an appropriation of funds to CIP 73136 to install new street name signs on I-205.

Dan Sodergren, City Attorney, asked if the motion referred to the revised resolution removing MacArthur Drive. Council Member Abercrombie stated yes.

Voice vote found all in favor; passed and so ordered.

4. COUNCIL DISCUSSION AND DIRECTION RELATIVE TO THE SALE AND DISPOSITION OF THE CHRISMAN ROAD PROPERTY - Andrew Malik, Development Services Director, presented the staff report. On September 18, 2012, Council directed staff to proceed with the sale of the Chrisman Road property. The property is located near the northeast corner of Chrisman Road and Eleventh Street. The property is bounded by Chrisman Road to the west, Bischette Road to the north and Eleventh Street to the South, and is approximately 108 acres.

The property is currently designated as Public Facilities and as an Area of Special Consideration within the Land Use Element of the City's General Plan (GP). Under those GP designations, the property was envisioned to develop as a public-private educational focused project with mixed use commercial, public and private educational facilities, recreational, hospitality, and office elements enhancing and complementing the educational experience. The current zoning for the property is Agricultural (AG). It was envisioned that a master developer for the site would have entitled the property, which would have included a GP Amendment, rezone, etc.

In 2007 the City pursued the sale and or lease of the property by selecting a Master Developer to entitle and assist in the recruitment of Educational and Commercial uses. By 2009, the national economy was in free fall and prospects for new commercial or educational facilities on the site disappeared.

In 2010, the local charter school, Tracy Learning Center (TLC), engaged the City to see if they could develop 25 of the 108 acres for a new charter school facility. After lengthy negotiations for bond funds and site approval with Tracy Unified School District (TUSD), TLC is no longer interested in the location and is currently analyzing other site options.

In order to maximize the property value, there are certain entitlement steps that would need to be completed before the property could be sold or developed, beyond the currently approved AG uses. Those steps include:

- General Plan Amendment / Rezone
- Infrastructure Analyses (wastewater, water, roadways, storm drainage) site specific
- Environmental Review (including project description and infrastructure analyses)
- Adopt a Finance and Implementation Plan (FIP) and Impact Fee Adoption
- Approve Development Review (site plan, architecture) for specific users
- Building permits

In order to proceed with the sale of the property, staff has identified three options:

Option 1: Sell the property with land use designation and zoning

This approach would provide for a quick sale but would result in the least amount of sales proceeds. Given the current market for AG land, this option may result in a sales price of \$2,000,000.

Option 2: Release a Request for Proposals (RFP) to entitle and sell the property

Under this option, the City would send out an RFP to potential developers (industrial, commercial, office etc.). Once the City identifies an interested party, the City would work with the developer to entitle the property. This option would require the developer to pay all of the entitlement costs (GPA, Rezone, Environmental, Infrastructure analyses etc.). Once these steps are complete, the City could then sell the property at Fair Market Value to the developer. This option would likely result in a greater sales price, but would take longer to complete the sales transaction since all Environmental work would need to be complete before the City could sell the land.

Option 3: City spends General Fund monies to Entitle Property for Future Sale

In this option, the City would pay the up-front entitlement work and would then sell the property once those steps are complete. This option would require the City to pay to entitle the property which is estimated at approximately \$300,000. There would be some risk in this option in that it is unknown what interest there is for development of the site, i.e., industrial, commercial, retail, or any combination. It is unclear whether this option would result in any greater net sales price compared to Option 2. The timing to complete the sale could be accelerated in that the City would be driving the entitlement process without negotiating with a development partner, i.e., ENRAs, MOUs etc.

There will not be an impact to the General Fund as it relates to the amount of staff time spent on any of the three options identified. Option 3 will have an impact on the City's General Fund by approximately \$300,000 for the advanced entitlement work.

Staff recommended that Council direct staff to pursue option 2 as it will maximize the land value of the property and would not require the City to spend General Fund money in advance of selling the property.

Council Member Abercrombie asked staff if they have any interested parties. Mr. Malik stated the developers have been very specific and the City has pushed the envelope as to the use. Mr. Malik indicated NEI development has put in a lot of the infrastructure, and now may be a better time.

Council Member Rickman asked if staff has gotten any bites on the property. Mr. Malik stated not at this point.

Council Member Elliott asked if Council pursued option 3 is there anyway to entitle the property. Mr. Malik stated in order to do the environmental and infrastructure, the uses do need to be identified.

Mayor Ives invited members of the public to address Council.

Robert Tanner, 1371 Rusher Street, indicated he was under the impression that the sale would replenish the RSP fund and asked what the purchase price was. Mr. Malik stated the property was purchased for approximately \$2 million in the 80's.

Mayor Ives indicated RSP yes; but there was nothing to preclude this Council or further Councils to use RSP funds for educational purposes.

Council Member Abercrombie referred to Council's concern about the RSP fund dropping so low and the fund not being reimbursed for over a year. Mr. Churchill indicated the RSP fund was remnants of impact fees from development and that when this fund is exhausted the City has to think about recreating a fund for economic development, especially in light of the demise of redevelopment.

Mayor Ives elaborated on the history of the RSP fund.

Council Member Rickman asked if staff was looking at retail, office, etc., and not just industrial. Mr. Malik indicated the hope is for highest and best use.

Council Member Elliott stated it was a good thing to look at the gap in time if the City spends this money and how long it could take to replenish it. Council Member Elliott stated he supported option 2.

Council Member Rickman also indicated he was in support of option 2.

It was moved by Council Member Abercrombie and seconded by Council Member Elliot to direct staff to pursue option 2. Voice vote found all in favor; passed and so ordered.

5. SECOND READING AND ADOPTION OF ORDINANCE 1176 AN ORDINANCE OF THE CITY OF TRACY AMENDING SECTIONS 9.02.050, 9.06.050 AND CHAPTER 9.44, BOARD OF APPEALS, AND DELETING SECTION 9.44.050, OF THE TRACY MUNICIPAL CODE

The Clerk read the title of proposed Ordinance 1176.

It was moved by Council Member Abercrombie and seconded by Council Member Elliot 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 Council Member Elliot to adopt Ordinance 1176. Roll call vote found

6. ITEMS FROM THE AUDIENCE – None.
7. COUNCIL ITEMS

- A. Appoint City Council Subcommittee to Interview Applicant(s) for One Vacancy on the San Joaquin County Mosquito Abatement District Board - There will be one vacancy on the San Joaquin County Mosquito Abatement District Board due to a term that will expire on December 31, 2012. The vacancy has been advertised and the five week recruitment period closed on November 20, 2012. To date only one application has been received from the incumbent. In accordance with Resolution 2004-152, a two-member subcommittee needs to be appointed to interview the applicant(s) and make a recommendation to the full Council. Mayor Pro Tem Maciel and Council Member Rickman volunteered.

Council Member Abercrombie thanked the organizers and volunteers who made the Senior Thanksgiving dinner a success.

Council Member Rickman indicated the new Parks and Community Services activity guide includes fencing as a new activity. Council Member Rickman encouraged anyone with a specific skill who was willing to share their talents, to consider contacting the Parks Department.

The Council wished everyone a Happy Thanksgiving.

8. ADJOURNMENT - It was moved by Council Member Abercrombie and seconded by Council Member Rickman to adjourn. Voice vote found all in favor; passed and so ordered. Time: 8:52 p.m.

The above agenda was posted at the Tracy City Hall on November 14, 2012. The above are summary minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk