

February 5, 2013, 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 Chaplain Jim Bush.

Roll call found Council Members Manne, Rickman, Young, Mayor Pro Tem Maciel and Mayor Ives present.

Mayor Ives presented a Certificate of Appointment to Council Member Manne.

Leon Churchill, Jr., City Manager, presented the Employee of the Month award for February 2013, to Steven M. Clayton, Police Department.

1. CONSENT CALENDAR - It was moved by Mayor Pro Tem Maciel and seconded by Council Member Young to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
 - A. Approval of Minutes – Special meeting minutes of December 4, 2012, regular meeting minutes of December 4, 2012, and closed session minutes of January 22, 2013, were approved.
 - B. Approving the 2013 Calendar Year Budget For the Operation of the Tracy Material Recovery Facility and Solid Waste Transfer Station – Resolution 2013-013 approved the budget.
 - C. Approval of the Water Supply Assessment for the Cordes Ranch Specific Plan – Resolution 2013-014 approved the assessment.
 - D. Authorization of a Supplemental Appropriation of \$190,000 from the Water Enterprise Fund for Water Purchase – Resolution 2013-015 authorized the appropriation.
 - E. 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 2013-016 approved the Recognized Obligation Payment Schedule.
2. ITEMS FROM THE AUDIENCE - Paul Miles, 1397 Mansfield Street, provided Council with a letter dated February 5, 2013, and a DVD. Mr. Miles outlined a longstanding dispute he has had with the City of Tracy.

Francesca Shelton, 4215 Tropaz Lane, addressed Council regarding her track teams' inability to practice on a field in the City of Tracy due to unreasonable costs. Ms. Shelton indicated Tracy Unified School District charges between \$120 and \$150 per hour of practice on their fields and asked why a public facility was not available for their use.

3. INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 11.30 "RECYCLED AND NON-POTABLE WATER" OF THE TRACY MUNICIPAL CODE - Steve Bayley, Deputy Director Public Works, provided the staff report. Mr. Bayley stated Council adopted Ordinance 1035 on April 2, 2002, which established Chapter 11.30 of the Tracy Municipal Code, Recycled and Non-Potable Water. Use of recycled water has the potential to reduce potable water demand, especially where potable water is used for landscape irrigation and industrial processes such as evaporative cooling.

Recent legislative actions include: the California Water Conservation Act of 2009 (SBx7-7; Water Code section 10608 and following); State Water Resources Control Board Resolution No. 2009-0011 (Adoption of Recycled Water Policy); the 2010 California Green Building Standards Code; the California Department of Water Resources Model Water Efficient Landscape Ordinance; and the City's Sustainability Action Plan.

The California Water Conservation Act of 2009 (SBx7-7) requires municipalities to reduce per capita water consumption by 20% by the year 2020. Use of recycled water for landscape irrigation in lieu of potable water reduces the per capita consumption of potable water. Use of recycled water will assist in meeting the 20% per capita reduction requirement.

The Tracy Municipal Code allows the use of untreated surface water as non-potable water. There are no users of untreated surface water for landscape irrigation within the City. In the future, untreated surface water will be used for irrigation at the new Holly Sugar sports fields. Use of untreated surface water would be included in the City's per capita water consumption whereas recycled water would not. In order to meet the timeframe for compliance with SBx-7-7, use of untreated surface water for landscape irrigation would need to be switched to recycled water by 2020. The proposed ordinance contains the requirement that use of untreated surface water supplies in lieu of recycled water supplies is not permitted after 2020.

The proposed ordinance is statutorily exempt from California Environmental Quality Act, as an action by a regulatory agency for the protection of the environment and natural resources.

There is no fiscal impact to the General Fund, Water Enterprise Fund or Wastewater Enterprise Fund resulting from preparation of this ordinance. Implementation and use of recycled water will result in future expenditures.

Staff recommended that Council introduce and adopt an ordinance amending Chapter 11.30 of the Tracy Municipal Code, Recycled and Non-Potable Water.

Mayor Ives invited members of the public to comment on the item.

Robert Tanner, 1371 Rusher Street, asked if untreated water could include contaminants that might affect the health of park users. Mr. Bayley indicated untreated water would come from the Delta where people swim and play, which is also used for drinking water after being treated. Mr. Bayley added that the same water was currently being used for irrigation.

The Clerk read the title of proposed Ordinance 1183.

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

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to introduce Ordinance 1183. Voice vote found all in favor; passed and so ordered.

4. SECOND READING AND ADOPTION OF ORDINANCE 1182 AN ORDINANCE OF THE CITY OF TRACY APPROVING A MODIFIED AND RESTATED DEVELOPMENT AGREEMENT WITH THE SURLAND COMMUNITIES APPLICATION DA11-0002

The Clerk read the title of Proposed Ordinance 1182.

Mark Connolly, 121 E. Eleventh Street, representing TRAQC, provided Council with a letter dated February 5, 2013, indicating the Development Agreement did not include Exhibit A, which was a description of the property.

Mr. Sodergren indicated the item could return at the next Council meeting and a description of the property would be included.

It was Council consensus to have the item return for consideration on February 19, 2013.

5. ITEMS FROM THE AUDIENCE - None

6. COUNCIL ITEMS

A. APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS FOR VACANCIES ON THE MEASURE E RESIDENTS' OVERSIGHT COMMITTEE - Mayor Pro Tem Maciel and Council Member Young were appointed to interview applicants for the upcoming term expirations on the Measure E Residents' Oversight Committee.

B. APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS FOR VACANCY ON THE TRACY PLANNING COMMISSION - Council Member Rickman and Council Member Manne were appointed to interview applicants for the vacancy on the Planning Commission.

C. CONSIDER WHETHER AN ITEM TO DISCUSS THE TRACY BALLPARK SHOULD BE PLACED ON A FUTURE CITY COUNCIL AGENDA - Mayor Pro Tem Maciel indicated discussion at the previous meeting concerning the park, centered on what was not going to happen to the park. Mayor Pro Tem Maciel stated there should be discussion about future use of the property. Mayor Pro Tem Maciel suggested Council should begin discussions and obtain input from users so that the site can compete for Capital Improvement Projects in the future.

Council Member Rickman stated Council should ensure that individuals in the neighborhood are notified and the boundaries expanded for noticing.

Mayor Ives clarified that the site would be used for recreational purposes. Council Member Rickman indicated he would like to see as many people as possible involved in the process.

Mayor Ives invited members of the public to comment on the item.

Robert Tanner, 1371 Rusher Street, asked if the process Mayor Pro Tem Maciel contemplated for this park would have naturally come up when talking about Capital Improvement Projects. Mayor Ives indicated it was important enough to merit its own process. Mr. Tanner asked if other parks might warrant the same level of review before this park was placed on a Capital Improvement Project list. Mayor Ives stated this park warranted its own discussion.

Joe Silveria 455 Loma Verde Drive, stated he supported anything that can be done to promote athletics for youth.

Leon Churchill, Jr., City Manager, indicated the item would have to return soon since proposed Capital Improvement Projects were scheduled for Council review in March.

Council Member Young announced that February was Black History Month and invited the community to an event sponsored by Tracy Unified School District being held on February 22, 2013, 6:30 p.m. at West High School.

7. ADJOURNMENT - It was moved by Council Member Rickman and seconded by Mayor Pro Tem Maciel to adjourn. Voice vote found all in favor; passed and so ordered.
Time: 7:31 p.m.

The above agenda was posted at the Tracy City Hall on January 31, 2013. The above are summary minutes. A recording is available at the office of the City Clerk.

Mayor

City Clerk