

April 2, 2013, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

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

Mayor Pro Tem Maciel called the meeting to order at 7:14 p.m. and led the Pledge of Allegiance.

The invocation was offered by Chaplain Jim Bush.

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

Leon Churchill, Jr., City Manager, presented the Employee of the Month award for April to Larry Marques, Public Works.

Mayor Pro Tem Maciel presented a proclamation to Lisa Jordan, Sexual Assault Prevention Education Services Coordinator, The Women's Center – Youth and Family Services, in recognition of Sexual Assault Awareness Month.

Mayor Pro Tem Maciel presented a proclamation to Larry Hite, Tracy D.A.R.E. President, in recognition of National D.A.R.E. Day.

1. CONSENT CALENDAR - Following the removal of item 1-G by a member of the audience, it was moved by Council Member Young and seconded by Council Member Manne to adopt the consent calendar. Roll call vote found Council Members Manne, Rickman, Young, and Mayor Pro Tem Maciel in favor; Mayor Ives absent.
 - A. Approval of Minutes – Special meeting minutes of January 22, 2013, and closed session minutes of March 19, 2013 were approved.
 - B. Authorize the Establishment of a Right Turn Only Lane on Southbound Lincoln Boulevard at the Intersection of Eleventh Street – Resolution 2013-044 authorized establishment of the right turn only lane.
 - C. Approval of a Agreement with Gems Environmental in the Amount of \$71,483 for Compliance Upgrades to Above Ground Storage Tank, Fuel Dispensers and Hirt System and Authorization for the Mayor to Execute the Agreement – Resolution 2013-045 approved the agreement.
 - D. Acceptance of the Grand Theater Entry Doors Replacement - CIP 78135, CDBG Grant Number TRA-11-10 , Completed by RQI, Inc., of Modesto, California, and Authorization for the City Clerk to file the Notice of Completion – Resolution 2013-046 accepted the project.
 - E. Approve an Amendment of the FY 2012/13 Master Fee Schedule to Include Updated City, Department of Justice (DOJ) and Other State-Mandated Fees – Resolution 2013-047 approved the amendment.
 - F. Approval of Task Order No. 2 to Master Professional Services Agreement with R.W. Brandley, Consulting Airport Engineer, for Design and Engineering

Services Required for Implementation of a Federal Aviation Grant, Authorize the Mayor to Execute the Task Order, Authorize Use of \$659,000 from the Airport Fund for the Completion of the Task Order, and Authorize the use of \$65,900 from the General Fund to pay the City's 10% Matching Requirement – Resolution 2013-048 approved the Task Order.

- H. Consider Approval of An Appropriation not to exceed \$76,607.67 for the Purchase of Furniture for the Public Works Boyd Service Center Renovation (Phase 1) from Entrada Design and Authorize the Interim Public Works Director to Approve Amendments for Additional Work up to a Contingency amount of \$10,000 if Needed – Resolution 2013-049 approved the appropriation.
- I. Approve Resolution Authorizing a Leave of Absence for Tracy Arts Commissioner Mercedes Silveira - Resolution 2013-050 approved the leave of absence.
- J. Consider Adopting a Resolution Urging Members of the California State Legislature to Pass AB 690, the California Jobs Act, and Authorize the Mayor to Write a Letter on Behalf of the City Council in Support of AB 690 - Resolution 2013-051 authorized the Mayor to write the letter on behalf of the City Council.
- G. Adopt a Resolution Approving the Assignment and Assumption Agreement between Sutter Ville SJC Holding Company LLC, Mountain View Townhomes Associates, and the City of Tracy for the Loan Obligation Secured by Mountain View Townhomes - Robert Tanner, 1371 Rusher Street, asked if the item needed to be reviewed or receive approval by the Oversight Committee before it goes to the State. Andrew Malik, Development Services Director, stated the City took over the housing assets of the Redevelopment Agency which is why the item was before the Council and not the Oversight Committee.

It was moved by Council Member Young and seconded by Council Member Manne to adopt Resolution 2013-052 approving the Assignment and Assumption Agreement between Sutter Ville SJC Holding Company LLC, Mountain View Townhomes Associates, and the City of Tracy for the loan obligation secured by Mountain View Townhomes. Voice vote found Council Members Manne, Rickman, Young, and Mayor Pro Tem Maciel in favor; Mayor Ives absent.

2. ITEMS FROM THE AUDIENCE – Craig Saalwachter, 4083 Peyton Lane, addressed Council regarding the Spirit of California. Mr. Saalwachter indicated Mayor Ives discussed “clarity of expectations” indicating that was needed by, Council, staff, and the residents in Tracy who are investing in the project.

3. AWARD A CONSTRUCTION CONTRACT TO A.TEICHERT & SONS, INC., DBA TEICHERT CONSTRUCTION OF STOCKTON, CALIFORNIA, FOR THE GRANT LINE ROAD WIDENING BETWEEN EAST OF MACARTHUR DRIVE TO THE EASTERN CITY LIMIT – CIPS 73048, 75046, 76028, 76036, 72025, 72PP040 AND 72PP070, APPROPRIATION OF FUNDS IN THE AMOUNT OF \$3.6 MILLION FROM NEI FUND 351 TO CIPS 76028, 76036, 72PP040 AND 72PP070, AUTHORIZE TRANSFER OF \$2.4 MILLION FROM NEI FUND 357 TO NEI 351, AUTHORIZE TASK ORDER NO. 6 OF MASTER PROFESSIONAL SERVICES AGREEMENT (MPSA) NUMBER HA17 WITH HARRIS AND ASSOCIATES TO PROVIDE DESIGN SUPPORT DURING CONSTRUCTION AND AUTHORIZE THE MAYOR TO EXECUTE THE CONSTRUCTION CONTRACT AND TASK ORDER NO. 6 TO THE MPSA - Mayor Pro Tem Maciel indicated the item had been pulled from the agenda.
4. APPROVE A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH INDIGO HAMMOND + PLAYLE ARCHITECTS FOR COMPLETION OF THE DESIGN FOR THE ANIMAL SHELTER FACILITY CIP 71064 AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT – Kuldeep Sharma, City Engineer, provided the staff report. Mr. Sharma stated that the City's existing Animal Shelter is located on Arbor Road between Holly Drive and MacArthur Drive east of the City's Wastewater Treatment Plant. The existing facility is approximately 4,200 square foot in area comprising of modular office space and indoor and outdoor area for the animals.

The proposed new Animal Shelter will be constructed on a City owned 2.19 acre parcel located at the southwest corner of Grant Line Road and Paradise Avenue. The shelter will be approximately 12,000 square foot at build out, however the first phase of the Animal Shelter will be approximately 6,000 square feet in built up area and required parking. Phase one will be comprised of office area, adoption area and animal holding areas and other site improvements to provide a fully functional shelter facility. The second phase will expand the shelter to include increased animal holding areas and other animal care amenities.

Request for proposals for the design of the Animal Shelter Project were solicited in accordance with Tracy Municipal Code, Section 2.20 and nine proposals were received from various consultants. Development Services staff and Police Department staff reviewed the proposals and interviewed the top four consultants on March 6, 2013, as follows: Indigo Hammond & Playle Architects - Davis, CA; LDA Partners – Stockton, CA; RFA Architects – Laguna Hills, CA; WR&D Architects - Monterey, CA.

The interview team found Indigo Hammond + Playle Architects of Davis, CA, to be the most qualified consultant to complete the required work. Indigo has completed animal shelter projects for several other communities.

Staff negotiated an agreement and fees for the design of Tracy Animal Shelter on a time and expense basis, for a not to exceed amount of \$402,400. The scope of services include initial planning for the full build out and completion of design, improvement plans, specifications, and contract documents for the first phase only.

There is no impact to General Fund. The project is an approved Capital Improvement Project in the FY 2012-13 budget.

Staff recommended that Council approve a Professional Services Agreement with Indigo Hammond + Playle Architects of Davis, CA, for design related services associated with the design of Tracy Animal Shelter – CIP 71064, in an amount not to exceed \$402,400, and authorize the Mayor to execute the Agreement.

Mayor Ives invited members of the public to address Council on the item. There was no one wishing to address Council.

It was moved by Council Member Rickman and seconded by Council Member Manne to adopt Resolution 2013-053 approving a Professional Services Agreement with Indigo Hammond + Playle Architects for completion of design for the Animal Shelter Facility - CIP 71064, and authorizing the Mayor to execute the Agreement. Voice vote found Council Members Manne, Rickman, Young, and Mayor Pro Tem Maciel in favor; Mayor Ives absent.

5. SECOND READING AND ADOPTION OF ORDINANCE 1184 AN ORDINANCE OF THE CITY OF TRACY AMENDING TRACY MUNICIPAL CODE SECTIONS 10.12.060 AND 10.12.080 AND ADDING A NEW SECTION 10.12.065 RELATING TO COMPLIANCE WITH REGIONAL HOUSING NEEDS ALLOCATIONS AND STATE AND FEDERAL LAW RELATING TO DEED RESTRICTIONS WITHIN THE RESIDENTIAL GROWTH MANAGEMENT PLAN - The Clerk read the title of proposed Ordinance 1184.

It was moved Council Member Rickman and seconded by Council Member Young to waive reading of the text. Voice vote found Council Members Manne, Rickman, Young, and Mayor Pro Tem Maciel in favor; Mayor Ives absent.

It was moved by Council Member Rickman and seconded by Council Member Young to adopt Ordinance 1184. Roll call vote found Council Members Manne, Rickman, Young, and Mayor Pro Tem Maciel in favor; Mayor Ives absent.

6. ITEMS FROM THE AUDIENCE – None.

7. STAFF ITEMS

- A. Receive and Accept the City Manager Informational Update - Leon Churchill, Jr., City Manager, provided an informational report on various items, including upcoming special events, status on key projects, and other items of interest.

Mayor Pro Tem Maciel invited members of the audience to address Council. There was no one wishing to address Council on the item.

Council Member Rickman asked where the public could find out what events are scheduled downtown. Mr. Churchill indicated the information was available on the City's website or by calling the City Manager's office.

Mayor Pro Tem Maciel asked if fliers for the various events were available in city facilities. Mr. Churchill stated yes.

Council Member Manne asked if the City has a centralized place to connect individuals looking for jobs in contact with new employers. Mr. Churchill stated

not at the current time, but that the City was working with Amazon on their hiring efforts.

Council Member Rickman thanked staff for their hard work which was reflected in the City Manager's report. Council Member Young thanked staff for their creativity on the upcoming block parties.

Mayor Pro Tem Maciel stated the City Manager's report was a very good addition to the agenda.

8. COUNCIL ITEMS

- A. Appointment of City Council Subcommittee to Interview Applicants for a Vacancy on the Parks & Community Services Commission - Council Member Young and Mayor Pro Tem Maciel were appointed to interview applicants for a vacancy on the Parks & Community Services Commission.

Council Member Rickman reminded everyone that the summer Tracy Parks and Community Services Recreation Guide was coming out, and would be filled with great activities for all ages.

9. ADJOURNMENT - It was moved by Council Member Manne and seconded by Council Member Young to adjourn. Voice vote found Council Members Manne, Rickman, Young and Mayor Pro Tem Maciel in favor; Mayor Ives absent. Time 7:48 p.m.

The above agenda was posted at the Tracy City Hall on March 28, 2013. The above are summary minutes. A recording is available at the office of the City Clerk.

Mayor

City Clerk