

June 4, 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 7:03 p.m. and led the Pledge of Allegiance.

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

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

Mayor Ives presented a proclamation to Marshall Rose, President of Tracy Crime Stoppers, in recognition of Crime Stoppers Month.

Mayor Ives presented a proclamation to Sergeant Matthew McCracken in recognition of U.S. Army Week.

Mayor Ives presented a proclamation to Gene Hardin, Director of "The Lisa Project", Child Abuse Protection Council, recognizing the efforts of the Child Abuse Council in sharing the message of prevention and intervention of child abuse.

Mayor Ives recognized students from Bella Vista Christian Academy, Saint Bernard's Catholic School, and South/West Park Elementary Schools, in honor of their D.A.R.E. graduation.

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 February 21, 2013 and February 22, 2013, regular meeting minutes of April 2, 2013, and closed session minutes of April 16, 2013, were approved
 - B. Approve the Lathrop-Tracy Purchase, Sale and Amendment Agreement, Authorize a Supplemental Appropriation from the Wastewater Fund and Establishing a Loan to the Water Fund in the Amount of \$5 Million and Authorize the Mayor to Execute the Agreement – Resolution 2013-076 approved the Agreement.
 - C. Approval of Four Reimbursement Agreements with Urban Reserve 6 Property Owners for the Acquisition of Water Capacity and Supply – Resolution 2013-077 approved the Reimbursement Agreements.
 - D. Adoption of the Appropriations Limit for FY 2013-2014 for the City of Tracy – Resolution 2013-078 approved the appropriation limits.
 - E. Approval of an Inspection Improvement Agreement for Muirfield 7 – Phase 4, Tract 3779, and Authorization for the Mayor to Execute the Agreement on Behalf of the City – Resolution 2013-079 approved the Agreement.

- F. Accept Travel Report from City Attorney Regarding Attendance at League of California Cities City Attorneys' Conference – Report accepted.
- G. Authorize Staff to Send Notice Terminating the Professional Services Agreement with RBF Consulting, Inc.; Find that Compliance with the Formal Request for Proposal Procedure is not in the Best Interest of the City; and Approve a Professional Services Agreement with Kimley-Horn and Associates, Inc. Consulting to Provide California Environmental Quality Act ("CEQA") Documentation for Infrastructure Improvement and Development Permits within the Cordes Ranch Specific Plan Area; and authorize the Mayor to Execute the Agreement – Resolution 2013-080 approved terminating the PSA with RBF Consulting and approved the PSA with Kimley-Horn and Associates.
- H. Approval of the San Joaquin Council of Governments (SJCOG) Annual Financial Plan for FY 2013-2014 – Resolution 2013-081 approved the Annual Financial Plan.
- I. Approve a Professional Services Agreement (PSA) with Carollo Engineers for Design and Preparation of Improvement Plans and Construction Documents for Clearwell #3 CIP 75PP-106 at the John Jones Water Treatment Plant and Determine the Formal Request for Proposal Procedure is Not in the Best Interest of the City in this Instance – Resolution 2013-082 approved the Agreement.

2. ITEMS FROM THE AUDIENCE – A 16 year Tracy resident addressed Council requesting permission to keep the birds he has in his yard.

Paul Miles, 1397 Mansfield Street, addressed Council regarding concerns with City staff and police personnel. Mr. Miles provided Council with a letter and two magazine articles.

3. PUBLIC HEARING OF THE CITY COUNCIL TO CONSIDER ADOPTION OF THE ANNUAL BUDGET FOR THE CITY OF TRACY FOR FY 2013-2014 AND AUTHORIZE APPROPRIATIONS FOR FY 2013-2014 – Leon Churchill, Jr., City Manager, provided the staff report. The proposed operating budget for FY 2013-2014 was presented to Council at a budget workshop on May 21, 2013. The focus of the operating budget is the General Fund. As presented at the budget workshop the proposed General Fund expenditure budget was \$50,025,440. Revenues are sufficient to cover expenses, and an excess of \$604,920 is anticipated. The proposed City operating budget for FY 13-14 for all funds is \$117,724,750, including the General Fund.

The proposed capital budget has been reduced by \$327,750 since the workshop. This change was included in the proposed budget and requests \$57,464,300 in appropriations for the capital budget. The proposed City debt service budget for FY 13-14 for all funds is \$20,696,850 and proposed inter-fund transfers for FY 13-14 are \$2,251,800.

The annual City budget to be adopted for FY 13-14 will be as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>All Funds</u>
Operating Budget	\$50,025,440	\$67,699,310	\$117,724,750
Capital Budget	0	57,464,300	57,464,300
Debt Service	<u>1,204,000</u>	<u>19,492,850</u>	<u>20,696,850</u>
TOTAL	\$51,229,440	\$144,656,460	\$195,885,900

As projected, there will be sufficient resources to cover all proposed expenditures. Most funds have sufficient reserves and/or revenues to cover their expenditures. In a few cases, loans will be required for some funds.

Staff recommended that Council adopt the City of Tracy Budget and Appropriations Resolution for FY 2013-2014.

Council Member Rickman asked what the current reserves were. Allan Borwick, Budget Officer, indicated approximately \$29 million.

Mayor Ives opened the public hearing.

North School students thanked Council for their support to build the basketball court at El Pescadero Park.

Robert Tanner, 1371 Rusher Street, recommended Council save the excess reserves versus spending it until Measure E is no longer funding a majority of the spending.

Paul Miles, 1397 Mansfield Street, addressed Council echoing Mr. Tanner's comments.

As there was no one further wishing to address Council, the public hearing was closed.

Council Member Rickman asked where the City would be financially in 2015, when Measure E sunsets. Mr. Churchill indicated he was an optimist and stated the City has managed its resources well. Mr. Churchill indicated forecasts have shown that the City will have a \$3.6 million gap when Measure E ends. Mr. Churchill added that the full impact of Amazon and similar facilities on the City is unknown, as well as the amount of property tax revenue which is slowly increasing. Mr. Churchill further stated there would be other cost reduction proposals presented to Council for consideration.

Council Member Rickman thanked staff for their efforts regarding the increase in sales tax and new businesses and encouraged staff to continue cutting costs.

Council Member Manne referred to the presentation which indicated the outlook for sales tax was encouraging. Mr. Churchill stated that within a year the City will realize the impact of Amazon and other fulfillment centers, and cited a continuing increase in consumer spending as a basis for his optimism.

Mayor Ives asked if there were housing projects pending that would also help with property taxes. Mr. Churchill indicated housing prices will lead to property tax growth which should be realized next year and added additional rooftops mean additional consumers.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Resolution 2013-083 approving the annual budget and appropriations for the City of Tracy for FY 2013-2014. Voice vote found all in favor; passed and so ordered.

4. PUBLIC HEARING TO CONSIDER (1) APPROVING THE ENGINEER'S ANNUAL LEVY REPORT; (2) ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT FOR FY 2013-2014; AND (3) AUTHORIZING THE BUDGET OFFICER TO MAKE NECESSARY ADJUSTMENTS TO THE BUDGET – Anne Bell, Management Analyst II, provided the staff report. Since the formation of the Tracy Consolidated Landscape Maintenance District (TCLMD), Council has annually reviewed and approved assessments based on the Engineer's Annual Levy Reports. The Council preliminarily approved the annual assessments proposed in the Engineer's Report on May 7, 2013.

Maximum assessment rates were previously approved by the original TCLMD property owners for the daily and long-term cyclical maintenance of landscape and appurtenances within the District. Included as a part of their and Council's approval was approval of the formula for increasing assessments for each future fiscal year by the lesser of 3% or the increase in the Consumer Price Index (CPI), San Francisco-Oakland-San Jose region. The percentage difference for the CPI applicable for FY 2012/2013 was 2.20%. Therefore, the maximum assessment rates allowed for FY 2013/2014 are proposed to be increased by 2.20% to enable Zones to receive appropriate levels of maintenance services.

Although maximum rates were approved by property owners, assessments levied for the assessable Zones are based upon the needs of each Zone within the standard of maintenance supported by each Zone and will not exceed the maximum amount approved by property owners. Based upon the estimated costs to maintain improvements within the TCLMD, as more particularly described in the Engineer's Report, staff recommended the assigned assessment rates found in Section IV, Appendix A ("Budget Fiscal Year 2013/2014") of the Engineer's Report. Of the 41 Zones, 22 Zones would be assessed the maximum assessment rates allowed, 14 Zones would be assessed at a level below their maximum rate due to lower operating costs, and 5 Zones would not be assessed due to a Home Owners Association providing maintenance, adequate reserves, no improvements, or the Zone providing a general benefit to the City of Tracy (such as Zone 38, Eleventh Street which is funded by the General Fund).

Because the proposed assessment rates for FY 2013/2014 are less than or equal to the maximum rates previously approved by voters, no ballot proceedings are required. If Council approves the Engineer's Report, the total revenue from assessments will be \$2,640,190. The remaining revenues would be \$150,000 from the Drainage Fund to cover the costs of storm channel related improvements, \$242,734 from General Fund support for improvements that are largely general benefit, \$190,000 from Gas Tax to support Zones that have arterial, median and right-of-way landscaping, and \$940,159 from Zone Capital Reserves primarily for planned cyclical maintenance.

The total cost to maintain the TCLMD for FY 2013/2014 is estimated to be \$4,163,083.

Staff recommended that Council approve the final Engineer's Report, order the levy and collection of assessments for FY 2013/2014, and authorize the Budget Officer to make necessary changes to the City budget.

Mayor Ives opened the public hearing. As there was no one wishing to address Council on the item, the public hearing was closed.

Council Member Rickman stated using a consumer price index which is based out of San Francisco was not a fair comparison. Council Member Rickman asked if staff was reviewing another option. Mr. Churchill indicated staff has been in discussions with the University of Pacific who plan to participate in a cost of living index research project by the Council for Community and Economic Research at a modest cost to the City. Mr. Churchill stated he hoped that Tracy would soon have its own cost of living index.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to adopt Resolution 2013-084 approving the Engineer's Report regarding the proposed levy and collection of assessments for the Tracy Consolidated Landscape Maintenance District, FY 2013/2014, pursuant to the provisions of the Landscaping and Lighting Act of 1972; and authorizing the City's Budget Manager to make necessary adjustments to the City budget as necessary. Roll call vote found all in favor; passed and so ordered. Mayor Ives abstained from voting on Zone 24; Council Member Young abstained from voting on Zone 3; Council Member Manne abstained from voting on Zone 18.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to adopt Resolution 2013-085 ordering the levy and collection of assessments within the Tracy Consolidated Landscape Maintenance District for FY 2013/2014. Roll call vote found all in favor; passed and so ordered. Mayor Ives abstained from voting on Zone 24; Council Member Young abstained from voting on Zone 3; Council Member Manne abstained from voting on Zone 18.

5. CONDUCT A PUBLIC HEARING TO ADOPT A RESOLUTION APPROVING THE UPDATED MASTER FEE SCHEDULE – Anne Bell, Management Analyst II, provided the staff report. In order to provide for a record of fees in a single document, improve public information, and provide consistent updating of the fees, Council previously approved the consolidation and annual updating of City-wide fees through a Master Fee Schedule (Schedule), with an automatic cost-of-living adjustment. The Schedule reflects fees charged for City services. It does not include the following types of fees and charges:
 - Development Impact Fees adopted under the Mitigation Fee Act;
 - Mitigation Fees (i.e., habitat and agricultural mitigation fees);
 - Business License Fees (taxes);
 - Enterprise Fund charges (water, sewer, storm water, airport, transit);
 - Fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid and yard waste, and recycling under TMC Chapter 5.20);
 - Landscape Maintenance District (special assessments);
 - Fines (imposed as penalties);
 - Leases of City property; and
 - Rates established by separate agreements (i.e., Tracy Unified School District and performance artists).

The proposed, updated Schedule includes an automatic 2.4% adjustment, rounded to the nearest dollar (except where cents are already used) with the exception of: (1) Recreation fees (2) Cultural Arts and Grand Theatre fees; and (3) other fees indicated by an asterisk. Modifications to the Schedule also include the deletion of recreation fees due to program cancellations, the inclusion of Cultural Arts programs that were previously approved by Council but were inadvertently omitted from the prior Schedule update, and corrections of minor errors.

The fees set forth in the Schedule represent no more than the estimated reasonable cost, or actual cost, of the services or facilities provided. They do not exceed the City's cost and, in many cases, are far below the City's cost. The adoption of this Schedule is permitted under the California Constitution, Article XIII C, including the exceptions under Article XIII C, Section 1(e).

The City has given notice of the proposed Schedule update as required by Government Code Section 66016 to interested parties who filed a written request for such notice with the City. Notice has also been given by publication, pursuant to Government Code Sections 66018 and 6062a.

Adoption of the Schedule is not subject to the California Environmental Quality Act (CEQA) because it is not a project that has the potential for causing a significant effect on the environment (CEQA Guidelines, 14 California Cod of Regulations, §15061(b)(3)).

In the long-term, the annual updating of fees will continue to align fees more closely with the cost of the services being provided.

Staff recommended that Council adopt the resolution approving the updated Master Fee Schedule.

Council Member Manne asked for clarification regarding the differing Consumer Price Index (CPI) of 2.4% and 2.2%. Ms. Bell stated for consistency the landscape maintenance district was updated from December to December while other fees were updated from February to February and the percentage change represented the differential.

Council Member Manne indicated he would like to see the fees consistent with the changing of the CPI.

Council Member Rickman stated he was concerned with an automatic 2.4% increase in fees, versus the actual cost of service. Ms. Bell indicated the rates being increased are based on the index. Andrew Malik, Development Services Director, stated some fees do not recover the actual cost of service. Mr. Malik added that most of the Development Services fees were based on a time and motion study done some years ago, and are appropriate based on staff time needed to complete the particular task.

Council Member Rickman referred to a fee of \$248 for an appeal to Council asking if it really cost that much.

Mayor Ives asked for an example of an appeal and its associated cost. Mr. Malik stated most appeal applications are a result of an applicant appealing a decision by the Planning Commission to City Council.

Council Member Rickman asked if the City could have a fee study done without spending thousands of dollars on a consultant. Mr. Malik indicated it usually involves the use of a consultant to do a time and motion study.

Mayor Ives asked if the basis for all fees was to recover costs. Mr. Malik stated yes.

Council Member Rickman asked how long it would take to have a study completed on program management fees. Mr. Churchill clarified that the price increase was an attempt to place value on various activities of the City and was not a financial boon for the City.

Council Member Rickman stated he has not been given any proof that the City is in the red on any of the fees.

Mayor Pro Tem Maciel asked if the 2.4% CPI was used in lieu of or an alternative to doing a hard analysis on approximately 1,000 different fees. Mr. Churchill indicated the study can be done, but that he could not provide an accurate reply at the dais. Mr. Churchill asked Council if their concern was the cost of doing business or the use of the CPI for determining increases.

Council Member Rickman indicated he did not believe anyone had a problem with paying a fee, but he wanted to be sure the fee was fair and was correct.

Council Member Rickman stated he had not heard that if the fees are not increased, the City would not be in the black. Mr. Churchill stated historically the City has subsidized Development Services for many years.

Council Member Rickman asked what the implications were if the fee increase was not approved. Mr. Churchill stated staff would have to come back with an analysis to quantify the amount of general fund support that would be needed.

Council Member Rickman asked how long it would take to have the Tracy CPI established. Mr. Churchill stated he hoped to return to Council in September with a report.

Ms. Bell added that the CPI was approved as part of the methodology for determining landscape maintenance fees by the original property owners and any change to that methodology could require a ballot measure.

Mayor Ives indicated the City would benefit from a local CPI; however, the cost of updating fees via a fee study may need to be looked at next year.

Council Member Manne indicated the CPI is appropriate to use as a measure, but he was concerned about the timing. Council Member Manne stated since the base line has not been looked at for 15 years, it may be time to look at it again.

Council Member Young asked if the fees were looked at annually. Ms. Bell stated the fees were consolidated in 2011, and for consistency the intent was to look at the fees annually.

Council Member Young indicated the report states fees were being adjusted automatically, but not all fees were being considered. Ms. Bell stated some fees could not be adjusted annually and are governed by statute.

Council Member Young asked if the recreation committee reviews the fees and programs. Ms. Bell indicated the Parks and Community Services Commission does review the fees and makes recommendations.

Rod Buchanan, Interim Director of Public Works, stated on an annual basis all fees are taken to the Parks and Community Services Commission after vetting out other local agencies and their fees. Mr. Buchanan stated some fees have to be negotiated with contractors for services.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Resolution 2013-086 approving the updated Master Fee Schedule. Roll call vote found Council Member Manne, Young, Mayor Pro Tem Maciel and Mayor Ives in favor; Council Member Rickman opposed. Motion carried 4:1.

Mayor Ives asked Council if staff should look into the cost of a complete fee study.

6. CITY COUNCIL AUTHORIZATION TO NEGOTIATE A DEVELOPMENT AGREEMENT WITH PROLOGIS, L.P. FOR APPROXIMATELY 1,200 ACRES OF LAND WITHIN URBAN RESERVE 6 AS IDENTIFIED IN THE CITY'S GENERAL PLAN, LOCATED EAST OF MOUNTAIN HOUSE PARKWAY AND NORTH OF SCHULTE ROAD, AND DISCUSSION AND DIRECTION RELATED TO PROPOSED DEVELOPMENT AGREEMENT TERMS – Bill Dean, Assistant Development Services Director, provided the staff report. State Law authorizes the use of Development Agreements (DA) (Government Code §65864-65869.5), which states in part that a DA is a means to, “strengthen the public planning process, to encourage private participation in comprehensive, long-range planning, and to reduce the economic costs of development.”

In accordance with Council Resolution 2004-368, there are procedures and requirements for the consideration of Development Agreements. The City has entered into several DAs in the last 20 years for projects such as Tracy Gateway, the I-205 Specific Plan area, and residential projects including the Presidio and Ellis projects.

The benefit of a DA, from the City perspective, typically occurs when the City receives a defined public benefit, which it may not otherwise receive through standard conditions of project approval and implementation. Such benefits can take many forms. Benefits from the developer perspective may include, guaranteed land uses, provision of water and sewer utilities, and certainty that development requirements cannot be changed during the life of the agreement, e.g. zoning changes (unless one party defaults).

The first step in the DA process is to obtain Council authorization to negotiate, per Resolution 2004-368. Authorization for staff to negotiate a DA with property owners of the proposed Cordes Ranch Development occurred on September 6, 2011. Since that

time, the project changed owners and pursuant to the City's procedures, Council authorization to negotiate with the new owner is again required.

The principal drivers of negotiations have centered on strengthening the City's partnership with Prologis to facilitate implementation of the Specific Plan consistent with the City's vision and policies for Urban Reserve 6. The main concepts and terms in the proposed DA relate to creating an initial phase within the Specific Plan whereby Prologis would be able to utilize existing infrastructure, create an incentivized first phase, and benefit from increased flexibility related to participating in the City's development impact fee program and construction of infrastructure.

The DA would cover approximately 1,200 acres owned by Prologis. Original Council direction related to negotiating a DA was with the four main property owners of the approximately 1,780 acre Cordes Ranch Specific Plan area. Prologis purchased a majority of the property in the Specific Plan area (approximately 1,200 acres), and the remaining property owners have requested not to be parties to the DA, mainly because of the City's requirement that a DA be jointly and severally liable between all parties.

The DA is a contract that would last 25 years.

Prologis would obtain certainty that the land use rules and regulations in effect when the Specific Plan and DA are approved (such as the zoning) would not change during the life of the DA.

The City would agree to provide limited water supply to the Prologis property from existing water sources. Prologis' remaining water needs will be provided from new sources purchased by City units with all costs borne by Prologis.

The City would allow Prologis to use a portion of excess capacity from its existing 24-inch water transmission line to its property, subject to availability to ensure that the City can meet its commitments for use by other projects/developments. The temporary use of this capacity does not affect the requirement that Prologis fund its full water supply and conveyance obligation.

The City would allow Prologis to use a portion of the existing excess capacity in the City's Hansen Sewer line, which currently serves the Patterson Pass Business Park and other properties within the City limit and in its sphere of influence. The use of this existing capacity does not affect the requirement that Prologis fund its full wastewater conveyance obligation.

The City would make available to Prologis 0.145 million gallons per day of wastewater treatment capacity at the existing Wastewater Treatment Plant (WWTP) to enable the Specific Plan project to get started. The City would further allow Prologis to develop an amount of acreage within its holdings at Cordes Ranch served by this initial allocation as long as Prologis pays the wastewater development impact fees for each development in accordance with the ultimate land uses of that property. Prologis would provide the City with initial funding to expand the City's WWTP. The upfront funding will facilitate the construction of the next phases of the WWTP expansion. Once the purchased capacity has been allocated to proposed developments within the specific plan in accordance with the ultimate land uses, Prologis will be part of the next phase of WWTP expansion. The

use of this existing capacity does not affect the requirement that Prologis fund its full wastewater treatment obligation.

The first 600 acres of the specific plan project will pay a reduced negotiated development impact fee. The amount of this reduced fee will be added to development impact fees to be paid by the remainder developments within the DA area.

The DA would enable Prologis to satisfy its obligation for funding the construction of program infrastructure by permitting Prologis to construct certain program infrastructure, such as program roadways within its site, in lieu of paying the full amount of City Development Impact Fees. Prologis will provide guarantees and securities for such infrastructure to the satisfaction of the City. The City would still retain a portion of the fees under such a DA program in order to provide necessary plan check, construction management, and inspection services in order to ensure that all design and construction of infrastructure meets adopted City standards.

In exchange, Prologis would pay the City \$5 million within three years of annexation to fund community benefit projects, such as aquatics or other sports, of the Council's choice.

After Council input and direction on the main Cordes Ranch Specific Plan project and the proposed Prologis DA, a Draft DA will be published for Planning Commission review. A Draft Specific Plan and General Plan Amendment have also been prepared and reviewed with the Planning Commission in study session over the last two years and with the Council as part of regular Council agendas. An Environmental Impact Report (EIR) was prepared and circulated for review. Staff will respond to comments received which will be published prior to Planning Commission and Council hearings on the proposed Cordes Ranch Specific Plan project and the Prologis DA in late summer 2013.

The City entered into a Cost Recovery Agreement with the owners group in March, 2011, providing the mechanism for the City to recover all staff and consultant costs associated with the project applications.

Staff recommended that Council direct staff to negotiate a DA with Prologis, LP and provide any direction necessary to conclude DA negotiations.

Council Member Manne stated that in his role as a Planning Commissioner, he made recommendations on the application, and asked if it was appropriate for him to participate in these discussions. Dan Sodergren, City Attorney, indicated it was appropriate for Council Member Manne to participate.

Mayor Pro Tem Maciel asked if Council was only discussing 1,200 acres of the project. Mr. Dean stated property owners of the other parcels may approach staff for a development agreement, but staff did not anticipate receiving anything in the near future.

Dan Letter, responsible for development and investment property for the northwest region for Prologis, provided a background of the company. Mr. Letter stated cooperation from City staff was excellent.

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

Robert Tanner, 1371 Rusher Street, asked if there was a plan and timetable for the remaining 500 acres. Mr. Dean stated the concept of Cordes Ranch has not changed and that Prologis was only involved in the 1,200 acres. Mr. Dean added that the other property will not be subject to this agreement and those property owners may pursue development in the future. Andrew Malik, Development Services Director, added that staff was in active discussions with the remaining property owners.

Mayor Ives asked if the Prologis property was located at the Capital Park area of the map. Mr. Dean stated yes.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to direct staff to negotiate a Development Agreement with Prologis, LP for approximately 1,200 acres of land within Urban Reserve 6 as identified in the City's General Plan, located east of Mountain House Parkway and north Schulte Road. Voice vote found all in favor; passed and so ordered.

7. ITEMS FROM THE AUDIENCE – Dave Helm addressed Council regarding disparaging comments made by particular residents about the City and staff, indicating he found the comments offensive.
8. STAFF ITEMS
 - A. Receive and Accept the City Manager Informational Update – Leon Churchill, Jr., City Manager, provided the staff report. Council accepted the informational update.
9. COUNCIL ITEMS
 - A. Appoint an Applicant to the Transportation Advisory Commission – Council Member Manne indicated he and Council Member Rickman interviewed six applicants. It was moved by Council Member Manne and seconded by Council Member Rickman to approve the subcommittee's recommendation and appoint Bruce George to the Transportation Advisory Commission to fill the remainder of a vacated term, which will begin on June 5, 2013, and end on April 30, 2015. Voice vote found all in favor; passed and so ordered.
 - B. Consider Naming the Tracy Police Department Fire Arms Training Facility after Former Captain John Serpa – Maria Hurtado, Assistant City Manager, provided the staff report. At the April 16, 2013 Council meeting, Mayor Pro Tem Maciel requested and Council agreed to place an item on a future Council agenda to discuss naming the Tracy Police Department Fire Arms Training Facility after John Serpa.

John Serpa served with the Tracy Police Department and retired as Captain after 20 years of service. During his service with the Tracy Police Department, John Serpa single-handedly arranged to have the area now known as the Police Fire Arms Training Facility excavated and volunteered numerous hours to ensure completion of the facility.

Additionally, John Serpa was involved with various local organizations and personally helped found local groups. For example, John Serpa was an accomplished marksman and was instrumental in forming the Tracy Pistol Team. In 1962, John Serpa and fellow officers A. VanderMeer, A. Hall, C. Brooksher, and J. Cadle, competed and won the State Pistol Championship. John Serpa was instrumental in creating and training the shooting team in Tracy. In 1965, Tracy began hosting the State Championship one weekend per year until approximately 1975.

John Serpa was also a World War II Veteran and served as President of the Tracy War Memorial Association, which he helped found in 1987. John Serpa was often the key note speaker at Veterans Day and Memorial Day events held in Tracy.

John Serpa was a member of the Tracy Rotary. He was also Area, Regional, and Honorary National Past Commandant of the Marine Corps League. Mr. Serpa served on the San Joaquin County Civil Grand Jury, the County Board of Zoning Adjustments, and was President of the Interstate Highway Association for ten years.

Mayor Pro Tem Maciel added that he had the privilege of getting to know Mr. Serpa long after his service to the City.

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

Council Members Rickman and Young indicated they concurred with the recommendation.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to name the Tracy Police Department Fire Arms Training Facility after Former Captain John Serpa. Voice vote found all in favor; passed and so ordered.

Council Member Young invited everyone to the Juneteenth Celebration hosted by the Tracy African American Association, on Saturday, June 8, 2013, from 10:00 a.m., to 5:00 p.m. at Lincoln Park. Council Member Young stated the event was free and open to the public.

Council Member Rickman thanked the Costa family for their efforts in putting together the Portuguese Festival held June 1 and June 2, 2013.

Council Member Rickman asked when an item would return to Council regarding program management fees. Mr. Churchill stated community outreach was scheduled the week of June 10, 2013, and that he would update Council on the outcome of that outreach.

10. ADJOURNMENT - It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adjourn. Voice vote found all in favor; passed and so ordered. Time 9:07 p.m.

The above agenda was posted at the Tracy City Hall on May 30, 2013. The above are summary minutes. A recording is available at the office of the City Clerk.

Mayor

City Clerk