

June 18, 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 Deacon Jack Ryan.

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

Mayor Ives presented a Certificate of Appointment to Bruce George to the Transportation Advisory Commission.

Russ Ramirez, Vice President, AAA Northern California, and Jane Drymon, AAA Tracy Branch Manager, presented a \$5,000 check to Firefighters Jeremy Ward, Ben Moreno, and Senior Explorer Miguel Beltran, for the Tracy Fire Explorers program.

1. CONSENT CALENDAR

Following the removal of items 1-D and 1-E by staff; 1-C and 1-F by Council Member Young; and item 1-I by a member of the audience; it was moved by Council Member Rickman and seconded by Council Member Manne to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.

- A. Approval of Minutes – Special meeting minutes of April 8, 2013, and April 16, 2013, were approved.
- B. Authorize a Professional Services Agreement with MHD Group, Inc., for Graphic Design and Marketing Services for the Cultural Arts Division and the Grand Theatre Center for the Arts and Authorize the Mayor to Execute the Professional Services Agreement – Resolution 2013-087 approved the Agreement.
- G. Adoption of the Fiscal Years 2013/2014 and 2014/2015 Strategic Priorities Which Include Public Safety, Quality of Life, Governance and Economic Development - Resolution 2013-088 adopted the Strategic Priorities.
- H. Approve a Roadway Construction and Reimbursement Agreement (RCRA) with Prologis Logistics Services Incorporated for the Construction of Roadway Improvements on Skylark Avenue from the Prologis Park Tracy – Phase 2 Site to Grant Line Road, and Authorize the Mayor to Execute the Roadway Construction and Reimbursement Agreement - Resolution 2013-089 approved the Agreements.
- C. Approval of a Professional Services Agreement with Sycamore Landscaping Corporation for Landscape, Parks, and Channelways Maintenance and Authorize the Mayor to Execute the Agreement - Connie Vierra, Management Analyst, provided the staff report. On March 21, 2013, staff issued a Request for Proposals for Landscape, Parks, and Channelways Maintenance. The proposals were for maintenance of Fully Funded Zones, Under Funded Zones, and

Channelways within the Landscape Maintenance District (LMD) with the possibility of new landscaping being added to the agreement at a later date.

Previously, LMD maintenance had four separate contracts: Fully Funded, Under Funded, Eleventh Street, and Channelways. This new agreement will be combining all four contracts into one agreement. This agreement will have various Scopes of Work which will apply to all Zones, Fully Funded Zones, Under Funded Zones, and Channelways. By having only one agreement, it will provide the City with consistency in supervising differing maintenance levels commensurate with funding.

In addition to the landscape maintenance services in the LMD, additive bid items for landscape maintenance are included for the Fully Funded and Under Funded Zones. These additives are performed as requested and are for specific tasks that include dethatching of turf areas, aeration of turf areas, fertilizing, ground cover and shrub maintenance including pruning, median maintenance, and spraying of broadleaf weeds.

The City received proposals from four potential contractors: Sycamore Landscaping Corporation, Dominguez Landscape Services Inc., Marina Landscape Inc., and TerraCare Associates LLC. Staff reviewed all proposals submitted for Landscape, Parks, and Channelways Maintenance. In comparing the detailed costs submitted to the price per square foot submitted by each potential contractor, only two contractors were consistent in their pricing, which coincidentally were the two contractors with the lowest base proposals. Both of those contractors were contacted to discuss if there was a potential of adjusting the proposed prices. One contractor (Marina Landscape Inc.) was not able to adjust the price of the proposal. The other contractor (Sycamore Landscaping Corporation) was able to lower the proposal costs by 12%. This adjustment will bring the base price for Sycamore to \$500,000. The actual price for additives will vary based on the need of the City for various additives.

Upon approval, the initial term of the agreement will be from July 1, 2013 through June 30, 2016. In the event that the City determines that the contractor has satisfactorily performed all requirements in this agreement, and per recommendation from the Public Works Director to the City Manager, the City Manager may extend the agreement for two additional two year terms.

A majority of the funding for this agreement will come out of the LMD Fund. The remainder funding for the maintenance of Zone 38 will come from the General Fund. However, sufficient funds have been appropriated in the Fiscal Year 2013/2014 budget that Council adopted on June 4, 2013.

Staff recommended that Council approve a three year Professional Services Agreement with Sycamore Landscaping Corporation for services required for Landscape, Parks, and Channelways Maintenance and authorize the Mayor to execute the agreement.

Council Member Young asked why funding for Zone 38 comes from the General Fund instead of the LMD Fund. Ms. Vierra stated certain areas zoned as General Fund areas and not part of the LMD, receive funding from the General Fund. Anne Bell, Management Analyst, added that areas in the City that provide

a general overall benefit cannot be funded by assessment districts and must be paid for by another source.

Council Member Young asked who the current contractor was. Ms. Vierra indicated Sycamore Landscaping Corporation. Council Member Young commended staff for negotiating a lower contract.

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

Trina Anderson addressed Council stated she lives in zone 17 near the Sycamore Village Apartments. Ms. Anderson stated the area is poorly maintained, has broken sprinklers, and overgrown trees. Rod Buchanan, Interim Director Public Works, stated the new contract identifies specific performance measures that will allow the City to hold the contractor accountable.

Dave Anderson, 1940 Earl Way, asked that the Sycamore Village area be cleaned up. Mayor Ives clarified that the contract covered the entire City and not just the Sycamore Village area.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Resolution 2013-090 approving a three year Professional Services Agreement with Sycamore Landscaping Corporation for services required for Landscape, Parks, and Channelways Maintenance. Voice vote found all in favor; passed and so ordered. Mayor Ives abstained from voting on Zone 24, Council Member Manne abstained from voting on Zone 18; Council Member Young abstained from voting on Zone 3

- D. Receive Update on the Tracy Municipal Airport Pavement Project and Confirm Staff Direction on Runway Design – Leon Churchill, Jr., City Manager, prefaced that items 1-D and 1-E were inadvertently placed on the consent calendar. Rod Buchanan, Interim Public Works Director, provided the staff report.

On October 18, 2011, Council held a joint meeting with the Transportation Advisory Commission. During this meeting a list of items were presented to Council as potential improvement items for the Tracy Municipal Airport. One of those items was to confirm the length of Runway 12/30. Staff surveyed Runway 12/30 and found that the runway's physical length was actually 3,999 feet and if minor patching was completed, the runway could be calculated at 4,000 feet. Staff also found that Runway 12/30 had been mismarked during the past pavement slurry seal project. The actual marked distance was calculated at 3,996 feet. A NOTAM (Notice to Airmen) was immediately filed on January 19, 2012, to alert pilots to those conditions.

On January 17, 2012, staff presented an update on the Airport Improvement Options. At that meeting, Council was notified of the conditions and actions by staff relative to Runway 12/30.

On May 15, 2012, staff presented another update on the Airport Improvement Options. At this meeting, Council directed staff to work towards returning Runway 12/30 to 4,000 feet. On October 2, 2012, staff completed the necessary work to return the Runway 12/30 to 4,000 feet and cancelled the previous NOTAM.

Staff has been pursuing grant funding from the Federal Aviation Administration to permanently rehabilitate all pavement surfaces at the Tracy Municipal Airport.

Reinard W. Brandley, consulting Airport Engineer, was hired by the City as an airport consultant. A Pavement Evaluation Study for the Tracy Airport has been completed indicating the need for pavement rehabilitation and the design is currently underway for all pavement areas at the airport. The Airport Pavement Project is important to achieve the goal of a higher quality Airport to support commerce and recreational aviation needs.

Through the design process, the Federal Aviation Administration (FAA) has informed the City that the Airport's current runway and taxiway widths of 100 feet and 40 feet respectively, exceed the FAA standard widths that are available for funding for our airport classification. FAA grant funding will only cover a width of 75 feet for the runways and 35 feet for the taxiways. If the City wishes to keep the runways and taxiways at the current widths, the City would have to pay the difference. Staff recommends adjusting the pavement design to meet the FAA standards in order to achieve full funding from the FAA.

The runways are being completely reconstructed and brought up to current standards, including safety standards. It is anticipated that through the pavement design process, runway 12/30 will now be 75 feet wide and 3,997 feet long in the final design. The overall impact of the above runway changes to the airport operations is minimal. A runway length of 3,997 is compatible with existing operations and planned development at the airport. These changes will alter the land use surrounding the airport.

The 2011 California Airport Land Use Planning Handbook (CALUPH) designates different land use planning guidelines for development surrounding airports based in part on runway length as categorized below:

Less than 4,000': Small Airport
4,001' to 5,999: Medium Airport
6,000' or more: Long Airport

In 2009, the San Joaquin Council of Governments, acting as the Airport Land Use Commission (ALUC), determined that the Tracy Municipal Airport (TMA) did not meet the criteria for a "Medium" or "Small" Airport designation. The ALUC determined that a hybrid land use planning designation would be appropriate for the TMA. If the runway is changed, then the TMA would meet the length criteria for a Small Airport designation as outlined in the CALUPH instead of the existing hybrid from the ALUC. Such a designation would be pursued through a request to the ALUC, and if approved, would change the land use surrounding the airport to be in line with a Small Airport designation.

As part of the Fiscal Year 2013/14 CIP budget, Council approved matching funds for the first phase of the pavement project. A reduction in project costs may result from the width reduction. It is unknown at this time how much FAA grant funding, if any, will be available to the City. The City will receive notification of funding status in July or August.

Staff recommended that City Council receive the update on the Tracy Municipal Airport Pavement Project and confirm staff direction on runway design.

Mayor Ives stated supplemental information was received by Council from the Aircraft Owners and Pilots Association (AOPA) and Dave and Trina Anderson.

Council Member Manne asked if the matching funds allocated by Council was dependent on the FAA's funding. Mr. Buchanan stated if the FAA did not give the City funding, the matching funds would not be needed. Council Member Manne asked if the funding was based on a width of 140 feet versus 75 feet. Mr. Buchanan stated no, and it was possible that the FAA would come back with less funding because of the reduced runway width.

Mayor Pro Tem Maciel asked if there was a "Plan B" should the FAA not grant funding. Mr. Buchanan stated the project would be considered through the Capital Improvement Project (CIP) process.

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

John Favors addressed Council regarding the runway length and the need for it to remain at 4,000 feet. Mr. Favors asked Council and staff address some of the misinformation.

Steve Nicolau provided Council with a handout entitled "Instrument of Transfer" and provided a history of the document and the Airport. Mr. Nicolau suggested that the GSA may object to decreasing the airport runway length and recommended keeping the airport runway at 4,000 feet.

John Anderson addressed Council stating he understood the need to shorten the width of the runway to 75 feet, but was unclear why it was determined that the length needed to be decreased as well. Mr. Anderson stated he did not support shortening the runway length and stated safety buffers must be maintained.

Dave Helm addressed Council regarding incompatible uses surrounding the runway and voiced his support in keeping the runway length at 4,000 feet.

Chris Long, Surland Companies, 1024 Central Avenue, addressed Council indicating it was important to work together as good neighbors. Mr. Long stated they support the design of the Airport Pavement Project. Mr. Long indicated that all development standards of the Ellis project will comply with Federal and State guidelines.

George Riddle addressed Council noting his disappointment that runway length was being discussed again.

Trina Anderson indicated she believed they could work with the developer and develop a good working relationship. Ms. Anderson stated she did not believe there was a rush to approve this item suggesting a decision be postponed until a response from the FAA can be obtained.

Steve Stumer, Tracy Airport, indicated he was in support of harmony between the community, developers and the Airport Association. Mr. Stumer indicated funding was key, asking that Council do whatever was necessary to improve the runway.

Mayor Ives asked if there was a time constraint. Mr. Buchanan stated he anticipated funding in July or August 2013. Mr. Buchanan added that Council already approved the design of the pavement areas which are currently underway. Mr. Buchanan stated in order to obtain funding this year, the FAA would like the design complete. Mr. Buchanan added that the design consultant is waiting for direction on the final runway design, and that once funding is received, the City can begin work and improve runway conditions.

Mayor Ives asked if staff spoke with the FAA regarding the length of the runway as well. Mr. Buchanan stated staff has been in discussions with the FAA who approves leases, airport master plans and airport layouts to ensure the City's plans are consistent with the approved master plan.

Mayor Ives asked if the FAA voiced any objections when staff issued the NOTAM. Mr. Buchanan stated no.

Mayor Ives asked if the standard width for a runway length of approximately 4,000 feet was 75 feet. Mr. Buchanan stated the width has to do with the classification of airports; the City of Tracy is only eligible for Category B funding.

Mayor Ives asked for clarification regarding prospects for FAA funding relative to the length of the runway. Mr. Buchanan stated he has spoken with the FAA regarding design parameters, safety issues, object free areas, demarcation, and the available area within the airport. Mr. Buchanan stated based on those facts/conditions, was why the 3,997 length was being proposed.

Mayor Ives asked if there was any affect over the potential for receiving FAA grant funding relative to the length. Mr. Buchanan stated no. Mr. Buchanan stated if a problem arises, the City could act quickly.

Council Member Rickman asked if the length of the runway had anything to do with funding. Mr. Buchanan stated the FAA has not stated the length is an issue; they commented on the width.

Council Member Manne asked if the design consultant was on hold until the width of the runway was determined. Mr. Buchanan stated the length and width needed to be determined.

Mayor Pro Tem Maciel indicated he supports the Airport and has never heard anything from this Council or former Councils regarding closing the Airport. Mayor Pro Tem Maciel stated he was in support of staff's recommendation.

Council Member Young asked what the deficiencies were for the Airport falling into the designation of a hybrid airport. Mr. Buchanan stated the Airport was approximately 4,000 - 4,002 feet in length and at one point the Airport Land Use Commission decided they wanted to look at it in terms of compatibility. The

Airport Master Plan, done in 1998, also had the Airport listed as a hybrid and could have chosen a medium sized Airport then. Mr. Buchanan further stated an Airport that is right in the middle doesn't meet either small or medium which is why they decided to do a hybrid.

Council Member Young stated what seemed to be before the Council was to look at the Airport's operational use to ensure we have the best Airport possible and obtain the funding necessary to improve our Airport. Council Member Young indicated she was in support of staff's recommendation.

Council Member Rickman asked if there was any change in the type of plane that could land or take off. Mr. Buchanan stated in general, no. Council Member Rickman asked if corporate jets could land at the Tracy Airport. Mr. Buchanan stated yes.

Mayor Ives stated the best thing the City can do for the Airport is obtain funding.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to accept the report and direct staff to proceed with the necessary runway adjustment at the Airport to meet FAA standards in order to achieve full funding from the FAA. Voice vote found all in favor; passed and so ordered.

- E. Approve Amendment Number 1 to the Fuel Sales Operator and Fuel Facility Lease Agreement between the City of Tracy and Turlock Air Center, LLC. doing Business as Tracy Air Center, and Authorize the Mayor to Sign the Amendment - Ed Lovell, Management Analyst, provided the staff report. This amendment establishes a new increased fuel flowage fee, which is the rate for which the minimum annual payment of \$50,000 is based. This amendment also removes the City established requirement to have fuel prices at a certain level in relation to surrounding airports.

The amendment modifies the lease extension option so that the lessee has the option to extend the agreement so long as there is no uncured default. A deadline was also set for the lessee to pay for the recoverable fuel that was transferred from the City at the beginning of the lease. The language for returning a portion of the security deposit was also changed so that the lessee will get a portion of the deposit back as long as there is no uncured default by December 31, 2013. The portion of the security deposit returned back to the lessee will be used to pay for a portion of the recoverable fuel that was transferred at the beginning of the lease. The lessee will also have a deadline in which to pay the \$3,000 owed for installation of an electrical meter. Added to the amendment was a section stating that if the City decides to move the fuel facility to another location, that the City would be responsible for all costs of doing so. The changes in this agreement do not change the minimum annual payment of \$50,000 to the City which is part of the budgeted revenue for the Airport Fund.

Staff recommended that Council approve Amendment 1 to the Fuel Sales Operator and Fuel Facility Lease Agreement between the City of Tracy and Turlock Air Center, LLC doing business as Tracy Air Center, and authorize the Mayor to sign the Amendment.

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

Trina Anderson addressed Council stating a \$50,000 fee before you can begin business doesn't seem like a very good business plan. Ms. Anderson indicated there was an expensive fuel system in place and it didn't appear that the City was charging rent to use the system. Mr. Buchanan indicated consideration for the existing equipment which is approximately 12 years old, is that Mr. Stumer's business will take care of repairing the equipment as it disintegrates and replacing it at the end of its life cycle.

Ms. Anderson stated based on her research she did not believe Turlock Air Center had a valid hazardous permit or a Spill Prevention Control (SPC) plan on file and would like to have it added. Ms. Anderson also stated Mr. Stumer fails to keep adequate inventory of fuels on hand. Ms. Anderson indicated since January 1, 2012, Mr. Stumer has not paid any money to the City, nor has he paid anything for the \$40,000 worth of fuel he sold which belonged to the City.

Mayor Ives asked for clarification regarding a hazardous material permit. Mr. Buchanan indicated he could not speak regarding Turlock Air and invited Mr. Stumer to respond.

Mr. Stumer indicated they do have SPC plans and a hazmat certificate or the State would shut them down.

Mayor Ives asked about the City's fuel. Mr. Buchanan indicated staff believes they have come up with a viable plan to assist Mr. Stumer with his losses over the last year and one half and to secure long term funding for the Airport. Mr. Buchanan stated one of Council's major considerations was to have a balanced budget for the Airport. Mr. Buchanan stated this agreement represents a way to accomplish that task; it's sequential, in writing, and a term of the new lease.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Resolution 2013-091 approving Amendment 1 to the Fuel Sales Operator and Fuel Facility Lease Agreement between the City of Tracy and Turlock Air Center, LLC doing business as Tracy Air Center, and authorizing the Mayor to sign the Amendment. Voice vote found all in favor; passed and so ordered.

- F. Annual Review of City's Investment Policy and Recommendation to Accept this Policy with No Changes - Robert Harmon, Senior Accountant, provided the staff report. The City has an adopted investment policy that provides guidance regarding the investment of City funds which is consistent with the State. Annually the City Treasurer reviews this policy with support from its registered investment advisors for any changes that would require amendment to the investment policy.

At the January 28, 2013, meeting of the Investment Review Committee, the City Treasurer reviewed the City Investment Policy (Council Policy B-6) with the committee and recommended no changes.

Mr. Harmon indicated the City Treasurer recommends that Council accept the existing City Investment Policy (Council Policy B-6) with no changes.

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

Council Member Young referred to idle and surplus funds stating Council received monthly investment reports.

It was moved by Council Member Young and seconded by Council Member Rickman to adopt Resolution 2013-092 accepting the existing City Investment Policy (Council Policy B-6) with no changes. Voice vote found all in favor; passed and so ordered.

- I. Reject Non-Responsive Low Bid from BC Construction Company of Ceres, California, Award a Construction Contract for the Police Firearms Practice Range Restroom Building CIP 71072C to the Second Lowest Responsive Responsible Bidder, Southland Construction from Pleasanton, California, and Authorize the Mayor to Execute the Contract

Paul Miles asked if approval of a pre-fab building was required, and what the City was getting in exchange by going to the next higher bid at an additional cost of \$18,000. Kuldeep Sharma, City Engineer, indicated the bid documents required the contractor to provide an approved pre-fabricated building, and to comply with State and local bidding requirements. Mr. Sharma indicated the lowest bidder took an exception in order to receive approval, and by doing so their bid became non-responsive.

Mayor Ives asked if the proposed building had a physical difference or if it was a nuance. Mr. Sharma stated there was no physical difference; the difference was the approval process. Dan Sodergren, City Attorney, added the competitive bidding process set up by State law indicates if there is a variance in the bid documents, the City can waive certain variances, but if it creates an unfair advantage then the City has to declare the bid as non-responsive.

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

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Resolution 2013-093 rejecting the non-responsive low bid from BC Construction, awarding a construction contract for the Police Firearms Practice Range Restroom Building - CIP 71072C, to second lowest bidder, Southland Construction of Pleasanton, California, in an amount not-to-exceed \$156,425, and authorizing the Mayor to execute the contract. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Trina Anderson addressed Council regarding the last Young Eagle Flights event for youth ages 8-17 years. Ms. Anderson stated the next event was scheduled for July 13, 2013, and that interested individuals could contact her at dntanderson@email.com for more information.

Paul Miles addressed Council regarding previous comments provided at the March 5, 2013, Council meeting by Steve Abercrombie.

Mayor Pro Tem Maciel encouraged anyone who had concerns regarding Mr. Miles' complaints to visit his website.

John Favors provided Council with a handout entitled "Getting the Word Out", inviting residents to the Tracy Airport Open House 84th Anniversary and Independence Celebration to be held June 29, 2013, at the Tracy Municipal Airport.

3. ACCEPT ANNUAL REPORT OF THE MEASURE E RESIDENTS' OVERSIGHT COMMITTEE – Anne Bell, Management Analyst, introduced the members of the Oversight Committee.

Archie Bakerink, Chairperson, presented a summary of the Measure E Annual Report including a discussion on roles and responsibilities, financial analysis, and Committee conclusions and recommendations.

The Committee reported receipts of \$5,910,308 in Measure E revenue in fiscal year ending June 30, 2012. This amount was deposited in the City's General Fund. Chairperson Bakerink pointed out that official City income statements mask the extent of City's General Fund structural deficit which is bolstered by an average \$6 million annually in Measure E tax revenues. To align expenditures with revenues and achieve the goal of a structurally balanced General Fund budget by fiscal year 2016/17, the City needs to additionally reduce annual expenditures by an average of \$2.3 million.

For FY 2012/13, the City is projecting revenues of \$49.98 million and expenditures of \$50.89 million, resulting in a projected deficit of \$0.91 million. However, non-Measure E revenues of \$43.88 million and expenditures of \$50.89 million result in a projected structural deficit of \$7.01 million.

The Committee recommended Council: 1) In years of General Fund surplus, reserve surplus in special fund; 2) Prepare Non Measure E financial statements and forecasts; and 3) Continue to explore additional cost reduction and revenue enhancement strategies to align General Fund revenue and expenditure levels in anticipation of the expiration of Measure E in the year 2016.

Mayor Ives stated the Committee did a good job pointing out what Council knew and has ensure everyone knows the budget deficit has not been solved yet. Mayor Ives stated Council is clear at guiding Mr. Churchill in achieving a balanced budget.

Mayor Ives thanked the Committee for the report and their perspective.

Council Member Manne stated the report represented a fair assessment. Mayor Pro Tem Maciel added that information received from staff is consistent with what has been presented. Council Member Rickman thanked the Committee for their service and report.

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

Council Member Manne asked if it was possible to establish a special fund as recommended by the Committee. Leon Churchill, Jr., City Manager, indicated Measure E funds are general revenue. Mr. Churchill stated the Committee's recommendation has great bearing on a future Council discussion regarding revenues in excess of expenditures.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to accept the annual report of the Measure E Residents' Oversight Committee. Voice vote found all in favor; passed and so ordered.

4. APPROVE CONCEPT PLANS FOR THE PROPOSED ANIMAL SHELTER FACILITY, CIP 71064 – Kuldeep Sharma, City Engineer, provided the staff report. The City's existing Animal Shelter is located on Arbor Road between Holly Drive and MacArthur Drive east of the City's Waste Water Treatment Plant. The existing facility is approximately 4,200 square feet in covered area comprising a modular office, administrative space, and indoor and outdoor area for the animals. Tracy's new Animal Shelter will be located at the south west corner of Grant Line Road and Paradise Road on a City owned 2.19 acre parcel.

On April 2, 2013, Council approved a Professional Services Agreement with Indigo Hammond and Playle Architects of Davis, California to prepare plans, specifications and cost estimates for the first phase of the Animal Shelter Project. The consultant, after meeting with staff and stakeholders, discussed and prepared the project concept plans. Two meetings were held to solicit input and comments from the general public and various interest groups.

The proposed Animal Shelter Facility will be approximately 12,000 square feet at build out. This project is the first phase of the Animal Shelter Facility and will include approximately 6,000 square feet and will include an office area, animal holding areas, storage, a get acquainted area, restroom, laundry room, intake areas, euthanasia room, and other site improvements to provide a fully functional shelter facility. Phase 2 will expand the shelter by increasing the animal holding areas and by providing other animal care amenities as needed. The modular building concept used for this project provides the option to construct future expansions of this facility in one or multiple phases in a cost effective manner.

Mr. Sharma introduced the architectural team and Bruce Playle provided a power point presentation outlining features of the project.

There is no impact to the General Fund. The Animal Shelter Project - CIP 71064 is a fully funded approved Capital Improvement Project in the FY 2012-13 budget.

Staff recommended that Council approve the concept plans for the Animal Shelter Facility which will enable the consultant to proceed with detailed design and preparation of construction documents.

Council Member Manne indicated he would like to see veterinary services included in Phase 1. Mr. Sharma indicated that possibility had not been considered at this point.

Mayor Pro Tem Maciel asked if the veterinary services meant the City was providing the facility or paying for the veterinary services. Gary Hampton, Police Chief, indicated the

area in Phase 2 for veterinary services represents a move to bring services to the animals versus bringing animals to veterinary services. Police Chief Hampton indicated the City currently contracts with various veterinarians in the City for services to animals in the City's care. Police Chief Hampton stated the plan is to provide spay and neuter services at the new facility; how those services will be provided has not been studied. Police Chief Hampton further stated the items identified in Phase 1 have been considered essential to the operation of the facility.

Mayor Pro Tem Maciel asked if the plan would work for Mr. Miller and staff. Mr. Miller stated yes.

Council Member Manne asked what a "cattery" was. Mr. Playle stated a cattery is a place to hold cats.

Mayor Ives asked if there were other holding facilities for animals other than dogs or cats for emergency services. Mr. Playle stated other cages are available where they could be housed.

Mayor Ives asked what the budget for this item was. Mr. Sharma indicated the approved budget was \$4.6 million. Mayor Ives asked if Phase 2 had a breakdown of costs, and specifically how much would the veterinary service cost. Mr. Sharma indicated preliminary cost estimates are \$7.8 million for the entire project. Chief Hampton stated it appeared that the veterinary area could be added in Phase 1 for approximately \$400,000 - \$600,000 in construction costs which does not cover equipment and operational costs.

Council Member Rickman asked staff if there was an area that could hold a larger animal. Mr. Miller outlined various options available until an appropriate rescue agency could respond.

Council Member Rickman offered a couple of suggestions such as naming rights for various areas in the facility and a web site to feature animals at the shelter.

Mayor Ives invited members of the public to address Council.

Arlene Robbins stated the City has needed a new animal shelter for years and hopes that the new site won't be too noisy. Ms. Robbins asked that Council approve the animal shelter plans.

Cathryn Rush stated she was glad the City will have a shelter to be proud of. Ms. Rush voiced concern that the veterinary services were part of Phase 2, indicating she knew many individuals who would be willing to donate or fundraise for that portion of the shelter.

Ben Peterson, Prologis, addressed Council in support of the project. Mr. Peterson apologized for not being a part of the process, asking that they be given an opportunity to discuss the site plan with staff especially regarding to access points and driveways. Mr. Peterson introduced Ryan George, the new manager who will be representing Prologis in the Tracy area.

Police Chief Hampton indicated the design presented to Council takes advantage of existing curb cuts and approaches present at the site. Police Chief Hampton stated a significant amount of community outreach has taken place and staff was challenged with strict timelines to meet expectations of the community. Police Chief Hampton indicated they were certainly willing to work with Prologis as a neighbor, but in order to meet deadlines approval at this meeting keeps the City on schedule.

Pam Summers, Animal Rescue of Tracy, addressed Council stating she was happy to see a new shelter coming to Tracy. Ms. Summers urged Council to push for the veterinary option in Phase 1.

Anne Marie Fuller addressed Council stating the new design is wise and addresses many safety issues encountered at the current shelter. Ms. Fuller urged Council to approve the design.

An animal lover and volunteer at the shelter addressed Council recommending that a plan be developed to have veterinary services included in Phase 1.

Mayor Ives asked for an estimated timetable. Mr. Sharma indicated design completion is scheduled for December 2013, bidding January 2014, award of contract in February 2014; construction completion by the end of October 2014; and ribbon cutting in November 2014.

Council Member Rickman stated it was a great design and thanked everyone who provided input on the project.

Mayor Ives stated he was glad the City has the money to build the facility and urged staff to find ways to build the shell for the veterinary services.

It was moved by Council Member Rickman and seconded by Council Member Manne to adopt Resolution 2013-094 approving the concept plans for the proposed Animal Shelter Facility – CIP 71064. Voice vote found all in favor; passed and so ordered.

5. ITEMS FROM THE AUDIENCE – Manuel Alvarez addressed Council concerning the lack of activities for youth. Mr. Alvarez suggested Council consider a youth center or a place for youth to show their art.
6. STAFF ITEMS
 - A. Receive and Accept the City Manager Informational Update - Leon Churchill, Jr., City Manager, provided the staff report. Council accepted the report.
7. COUNCIL ITEMS – Council Member Rickman reminded everyone that the Parks summer guide was available and offers classes for all ages.

Mayor Pro Tem Maciel indicated he attended a Delta Coalition meeting on Monday, June 17, 2013, and provided Council with a packet that was presented to the legislators.

8. ADJOURNMENT - It was moved by Council Member Rickman and seconded by Council Member Manne to adjourn. Voice vote found all in favor; passed and so ordered.
Time: 10:25 p.m.

The above agenda was posted at the Tracy City Hall on June 13, 2013. The above are summary minutes. A recording is available at the office of the City Clerk.

Mayor

City Clerk