

**July 2, 2013, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

Mayor Ives called the meeting to order at 7:01 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.

Leon Churchill, Jr., City Manager, presented the Employee of the Month award for July to Christopher Davidson, Fire Department and Jonathan Henry, Police Department.

Mayor Ives presented Certificates of Recognition to Anne Marie Fuller and daughter Rebecca Fuller for being crowned Mrs. California – Beauty of The Nation, and Miss Teen California – Beauty of The Nation.

1. CONSENT CALENDAR - Following the removal of item 1-C by Council Member Young, it was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
  - A. Approval of Minutes – Regular meeting minutes of April 16, 2013, and Closed Session meeting minutes of May 7, 2013 were approved.
  - B. Approval of the Final Subdivision Map and Subdivision Improvement Agreement for Muirfield 7 – Phase 4, Tract 3779, and Authorize the Mayor to Execute the Agreement – Resolution 2013-095 approved the map and agreement.
  - D. Approve an Offsite Improvement Agreement with McDonald's USA, LLC, for the Construction of Street and Utility Improvements on Eleventh Street and "F" Street, and Authorize the Mayor to Execute the Agreement – Resolution 2013-096 approved the agreement.
  - C. Authorization to Award Chemical Bids for Water and Wastewater Treatment for Fiscal Year 2013-14 – Steve Bayley, Project Specialist, provided the staff report. The City of Tracy requires various chemicals for daily treatment of water at the John Jones Water Treatment Plant, production wells, and the Wastewater Treatment Plant.

Bid packages were sent to chemical firms that expressed interest in furnishing water and wastewater treatment chemicals. Nine bids were received and opened on Thursday, June 13, 2013. The bids are the lowest responsible bid for each chemical and comply with City specifications.

Chemical	Company	Bid Price
Liquid Cationic Polymer	Polydyne Inc.	\$0.4557/lb.
Non-ionic Liquid Poly-Acrylamide	Ecolab (Nalco)	\$0.99/lb.
Blended Liquefied Phosphate	Brenntag	\$0.441/lb.
Liquid Alum	General Chemical Corp.	\$343.00/ton
Liquid Chlorine, Bulk	Sierra Chemical Co.	\$499.80/ton
Liquid Sulfur Dioxide, Bulk	Sierra Chemical Co.	\$664.89/ton
Aqua Ammonia	Hill Bros. Company	\$0.148/lb.
Sodium Hypochlorite	Brenntag	\$0.964/gal

It is anticipated that the annual cost for chemicals will be approximately \$390,000.

Staff recommended that Council authorize the purchase of chemicals from the low bidders.

Council Member Young asked how much money was spent on chemicals last year. Mr. Bayley indicated approximately \$450,000. Council Member Young pointed out that the City saved over \$100,000 on one expense, reconfirming the City's commitment to lower costs.

It was moved by Council Member Rickman and seconded by Council Member Manne to adopt Resolution 2013-097 awarding chemical bids for water and wastewater treatment for fiscal year 2013-14. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – None.
3. PUBLIC HEARING DECLARING THE EXISTENCE OF WEEDS, RUBBISH, REFUSE AND FLAMMABLE MATERIAL ON EACH OF THE PARCELS LISTED IN EXHIBIT "A" TO THIS AGENDA ITEM A NUISANCE; CONSIDER OBJECTIONS TO ABATEMENT OF SAID NUISANCE, AND ADOPT A RESOLUTION AUTHORIZING FIRE DEPARTMENT STAFF TO ORDER CONTRACTOR TO ABATE SAID NUISANCES – Steve Hanlon, Fire Division Chief, provided the staff report. Pursuant to Tracy Municipal Code, a Public Hearing is required prior to the abatement of any parcels. Sections 4.12.250 through 4.12.340 of the Tracy Municipal Code set forth the procedure for the City to abate weeds, rubbish, refuse and flammable material on private property.

On June 10, 2013, pursuant to Tracy Municipal Code, Section 4.12.280, the Fire Department sent a notice to property owners that said owner was to abate weeds, rubbish, refuse and flammable material on his/her parcel within twenty days, and informed the property owner(s) that a public hearing would be conducted on July 2, 2013, where any protests regarding the notice to abate would be heard. The Tracy Municipal Code provides that upon failure of the owner, or authorized agent, to abate within 20 days from the date of notice, the City will perform the necessary work by private contractor and the cost of such work will be made a personal obligation of the owner, or become a tax lien against the property.

Under the provisions of Tracy Municipal Code Section 4.12.290, the Fire Department will proceed at Council's direction with instructing the City's contractor to perform weed, rubbish, refuse and flammable material abatement on the parcels listed. Per the Tracy

Municipal Code, property owners are liable for the cost of abatement and will be billed for the actual cost of the City contractor's services, plus a twenty-five percent administrative charge. All unpaid assessments will be filed with the San Joaquin County Auditor Controller's office to establish a lien on the property.

There is \$12,100 budgeted for Fiscal Year 2013-2014, Grounds and Maintenance account 211-52150-252-00000, that is used for contracting the abatement of weeds, rubbish, refuse and flammable material. There are sufficient funds at this time to accomplish abatement services.

Staff recommended that Council conduct a public hearing to hear and consider any and all objections to the proposed abatement, and by resolution, declare the weeds, rubbish, refuse, and flammable material located at the parcels listed to be a nuisance, and authorize the Fire Department to direct the City's contractor to abate such nuisance.

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 thanked Division Chief Hanlon for their enforcement efforts.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to adopt Resolution 2013-098 declaring the existence of weeds, rubbish, refuse and flammable material on the parcels listed in Exhibit "A" to the staff report a nuisance and authorizing Fire Department staff to order the contractor to abate. Voice vote found all in favor; passed and so ordered.

4. REVIEW AND DISCUSS THE POTENTIAL FORMATION OF A SENIOR COMMISSION AND PROVIDE STAFF DIRECTION – Leon Churchill, Jr., City Manager, provided introductory comments regarding the item. Kim Scarlata, Recreation Manager, provided the staff report. Vanessa Carrera, Management Analyst, provided the financial aspect of the proposal.

During the May 7, 2013 Council meeting, Council directed staff to explore the potential formation of a Senior Advisory Commission. The estimated operating expenses associated with creating a Senior Advisory Commission is estimated at \$27,650 annually.

Over 13 cities with Senior Advisory Commissions were reviewed to determine how the City of Tracy's Senior Advisory Commission might be structured. The California cities surveyed included: Davis, Dublin, Encinitas, Fremont, Lathrop, Loma Linda, Manteca, Mission Viejo, Patterson, Ripon, San Ramon, Santa Clara and Vista. The majority of these cities had similar models with regard to membership, purpose, and responsibilities.

The various components in the formation of a Senior Advisory Commission include purpose, commissioner responsibilities, membership guidelines, officer duties, and terms. Additionally, consideration to staffing needs, fiscal impact, and the length of time it would take to form the Senior Advisory Commission is also included.

Determining the relationship a Senior Advisory Commission would have with the Parks and Community Services Commission is critical, particularly given that the Parks and Community Services Commission has purview over parks and programming for youth,

adults and seniors. The Senior Advisory Commission could serve as an advisory group to the Parks and Community Services Commission and advise the Parks and Community Services Commission on senior activities, including recreational, social, educational, health and wellness programs held at the Lolly Hanson Senior Center or the Commission could advise Council directly.

A Senior Advisory Commission could consist of a five member commission with senior representatives that are a minimum of 55 years of age, currently working or have experience working in a senior related field, be a resident of Tracy, and not currently serving in any other City of Tracy Committee, Commission or Board. Staff liaison support would entail duties such as preparing and posting agendas, attending meetings, prepare meeting minutes, trainings and special projects. An estimated \$27,650 impact to the General Fund is anticipated annually.

If Council chooses to pursue the formation of a Senior Advisory Commission, the estimated timeline to form a Senior Advisory Commission is approximately six months.

In the process of researching the various cities' Commissions within their jurisdictions, staff found an emerging trend towards Commission consolidation. As staff developed two alternatives, four key points were considered; (1) Public engagement goal; (2) Community social trends; (3) Re-engineering of City service delivery and priorities undertaken over the last several years, and (4) Previous Board/Commission recruitment challenges.

The question of resident engagement and participation and the method by which public participation and engagement is elicited and encouraged varies depending on the public participation goal. The City has used various means to practice open government and encourage public participation, elicit community input, provide information or assess public perception. Some of these methods have included Resident Surveys, Community Conversations, Speakers Bureau, workshops, or establishing Resident Advisory Boards and Commissions. One consideration would be to clarify the goal and then determine the most appropriate method to pursue.

Tracy has become diverse in age, population and neighborhood composition. Tracy has a relatively young populace; 35% are under 20; the median age for the last 13 years average is 32; and 48% of households have children less than 18 years of age, while 60% of working adults commute. According to US Census figures, senior citizens, ages 65 and over make up 6.9% of the population. It is important to note that in 2010, federal guidelines define a senior citizen as 65 and older. Previous to 2010, census and other governmental data defined seniors as 55 and older. The community's social trends may also be a factor to consider.

The City of Tracy has re-engineered and consolidated various departments and divisions to create greater efficiency in its service delivery with a newer, leaner structure. The Council has also approved the 2013-2015 Quality of Life Strategic Priority which aims to match programming and services to the diversity and composition of the community.

Recruitment for replacing Commissioners has become more difficult in that, due to lack of applicants, recruitments have had to be completed several times, and in some cases, the single applicant has been appointed due to lack of interest. Challenges with previous

commissioner recruitment and maintaining a quorum is a perspective included as a consideration.

Alternative 1: Expanding the Parks and Community Services Commission - Given that the Parks and Community Services Commission currently oversees programming for youth, adults and seniors, Alternative 1 expands the composition of the Parks and Community Services Commission by adding three senior citizen seats and one youth seat. This appointment would expand the representation of the youth and senior population and increase the overall expertise of the Commission. The Youth Advisory Commission would remain, with the Youth Advisory Commission appointing a representative from the Youth Advisory Commission to the Parks and Community Services Commission.

Alternative 2: Consolidation of Three Existing Commissions into one Commission - Over the years the composition of some Boards and Commissions has changed based on the environmental trends occurring in the City. For example, at the March 19, 2007, Council retreat, Council expressed an interest in reviewing some existing Commissions and prospective new ones. These included the creation of a Transportation Commission, the creation of a Beautification Commission, and a review of the role and mission of the Tracy Tomorrow and Beyond (TT&B) Committee. Council ultimately determined to sunset the TT&B Committee, not pursue a Beautification Commission, and, given the various levels of connectivity between all modes of transportation outlined in the General Plan, that the best course of action was to eliminate the Airport Commission which focused on a specialized service area and replace it with a Transportation Commission (TAC). The TAC addressed broader issues including inter-City transit (TRACER, Paratransit, airports, Multi-model Station, taxis, limousines, Park-and Ride lots, bikeways, trails and passes) and intra-city transit (SJRTD, commuter-vanpools and ACE).

Similar to the creation of the Transportation Commission, Alternative 2 considers consolidating the Parks and Community Services Commission, the Tracy Arts Commission, and the Youth Advisory Commission into one Community Services Commission. The consolidation would result in an 11-member Community Services Commission that includes the appointment of three senior advisory members to ensure senior representation.

Staff reviewed this item with the Tracy Arts Commission (TAC), the Youth Advisory Commission and the Parks and Community Services Commission prior to bringing this item to Council.

The Parks and Community Services Commission met on June 19, 2013, to provide feedback on the possible formation of a Senior Advisory Commission. The Commission was in favor of adding a youth representative to the Parks and Community Services Commission, but were not in favor of creating a Senior Advisory Commission or consolidating three commissions into one.

Some Commissioners commented that senior representation already exists on the Arts and Parks Commissions, and adding a Senior Advisory board would be unnecessary, as the Parks Commission already outreaches to seniors in the community and provides staff with feedback related to programming and policy improvements.

Several Commissioners felt that consolidation would create lengthier meetings and the need to form additional subcommittees to complete special projects. The Parks Commission also expressed concern that topics specifically related to parks and recreation programming may become overshadowed by arts and youth topics. The Parks Commission further believes that the group dynamic may not be successful, as some topics may become highly political or controversial amongst the consolidated group.

The Tracy Arts Commission (TAC) discussed the various options at their June 11, 2013, Commission meeting and were in favor of adding a senior and youth representative to the Parks and Community Services Commission and in favor of a Senior Advisory Commission. The TAC was not in favor of eliminating the Tracy Arts Commission and felt artists, art groups and the Grand Theatre rely on the Arts Commission.

The TAC expressed apprehension about consolidating three commissions into one because of no significant cost savings: A new consolidated Commission would likely require more subcommittee meetings to meet the numerous goals. The TAC voiced their need to support the Grand Theatre Center for the Arts, and the numerous artists and arts groups in the community. In addition, Commissioners noted the complexity of the arts field, such as dance, drama, music, visual arts and literature, and indicated a dedicated Commission with such expertise is needed. The TAC feels their priorities, including the Civic Art Program, Music in the Park, and a newly-designed Multicultural Festival, might be lost in the goals of a larger Community Services Commission. Commissioners stated the TAC often and currently has senior Commissioners, and that youth and senior interests are normally discussed. The TAC feels they have historically represented both youth and seniors, and stated there is no need to create additional dedicated positions to serve the TAC.

The Youth Advisory Commission (YAC) met on Wednesday, June 12, 2013, stating they were in favor of appointing youth commissioners to the Parks and Community Services Commission and in favor of maintaining the Youth Advisory Commission. The YAC opposed a Commission consolidation from three to one primarily because adult commissioners may not support or consider youth ideas which would result in limited representation from each high school.

Their initial concern was that a larger commission comprised mostly of adults would not allow for the youth's ideas to be formalized, and feel that their issues may appear trivial and not wholly supported. They also stated that the current Youth Advisory Commission allows for each high school to be represented with at least two students per school, whereas a consolidated commission may only allow for one or two schools to be represented. Youth commissioners also stated they appreciate what they have learned about the government process by being on a commission and are concerned that experience may be taken away.

Formation of a new Senior Advisory Commission would have an annual impact to the General Fund of approximately \$27,650. If Council chooses to explore Alternative 1, a \$1,800 annual impact to the General Fund for commissioner salaries is estimated. If Council chooses to explore Alternative 2, an estimated \$3,200 General Fund savings would be realized. Additionally, staff hours dedicated to support and administer three commissions could be redirected to other City-related priorities.

Staff recommended that Council review provide direction to staff regarding formation of a Senior Commission.

Council Member Manne asked what was included in the \$27,000 cost. Ms. Scarlata referred Council Member Manne to Exhibit A to the staff report which provided an outline of the expenses.

Council Member Young indicated she did not see an alternative that included adding a Senior Commission. Ms. Carrera indicated staff did not explore the alternative of adding a Senior Commission, but did provide the logistics of how one could be formed.

Council Member Young stated she did not believe all senior concerns would be addressed if they were only represented on other commissions. Council Member Young stated she believed one senior commission was needed to address their concerns.

Council Member Manne asked if the \$27,000 was based on creating a new commission. Ms. Scarlata stated yes. Council Member Manne asked if there would be any savings from the Parks and Community Services Commission. Ms. Scarlata indicated there would be no cost savings.

Robert Tanner, indicated seniors are already represented on other commissions, and suggested consolidation would take away from other areas. Mr. Tanner suggested the commissioners not be compensated since they are considered volunteers for a savings to the City of approximately \$17,000 per year.

Terry Sonnefeld, appointee to the San Joaquin County Commission on Aging, stated the real need for a senior commission had nothing to do with the running of the Senior Center. Mr. Sonnefeld stated the current Senior Center runs well and outlined its many features. Mr. Sonnefeld indicated the City needs to concentrate on a larger facility, another facility, or a facility located more convenient to those who do not have transportation. Mr. Sonnefeld suggested switching the Community Center with the Senior Center. Mr. Sonnefeld further indicated seniors need a place where they can talk about nutrition, transportation, housing, and insurance. Mr. Sonnefeld stated more concern was needed regarding elder abuse, legal advice, counseling, employment, none of which would be made available by a Senior Commission. Mr. Sonnefeld recommended Council discuss what the needs are for seniors and how the needs can be met instead of adding bureaucracy.

Linda Jiminez, a senior Tracy resident, spoke regarding public engagement, community social trends, re-engineering a service priority, and previous recruitment issues. Ms. Jiminez stated she believed the needs of seniors are offered through programming at the Senior Center. Ms. Jiminez stated she agreed that a youth representative needed to be added to the Parks and Community Services Commission. Ms. Jiminez suggested it was an illogical approach to add senior representation on each existing commission. Ms. Jiminez requested that Council not combine the commissions.

Brent Riddle addressed Council indicating he has been serving the senior community for a number of years and that he joined the Tracy Senior Advocacy Association that began in January 2013. Mr. Riddle indicated the Association represents 20 businesses and organizations that serve seniors. Mr. Riddle stated the Association group would like to see the formation of a senior commission. Mr. Riddle indicated he disagreed with the

budget proposal and suggested it was a small price to pay to see that seniors are taken care of.

Council Member Rickman asked how a Senior Commission would operate versus what the Parks and Community Services Commission currently offered. Ms. Scarlata indicated a senior commission would oversee specific issues and programming. Ms. Scarlata added it was important to note that Council has had a long time commitment to seniors in the community with a budget of \$300,000 for the Senior Center. Ms. Scarlata indicated if a Senior Advisory Commission was established, the Parks and Community Services Commission would change slightly unless Council decided that the Senior Advisory Commission were to report to the Parks and Community Services Commission instead of reporting to Council.

Council Member Rickman asked about the availability of the Community Center. Ms. Carrera indicated the Community Center is booked 75% of the time, but when not in use, it is available for community events and programming.

Council Member Rickman asked about the availability of the Larch Clover Community Center. Ms. Carrera indicated she was not familiar with the facility, but would visit the site to see if there are any opportunities to work together.

Council Member Rickman asked if the City was losing any funds from the State or Federal Government. Mr. Churchill indicated in many cases those funds are delivered to the county to provide services for the aging. Ms. Scarlata stated she would work with Mr. Sonnefeld to see what the City needs to do to solicit funding.

Council Member Rickman asked if there was a way for the City to offer some of the programs Mr. Sonnefeld mentioned. Ms. Scarlata stated several programs mentioned are currently offered at the Senior Center. Ms. Scarlata added that the Senior Center is at capacity and at times has waiting lists for programs offered. Ms. Scarlata further stated that Mr. Sonnefeld volunteers and offers his services to our seniors.

Council Member Manne pointed out that the growing trend of baby boomers turning 60 has not been addressed and that the alternatives suggested go in the opposition direction. Council Member Manne indicated the senior population is growing and will require additional attention. Council Member Manne suggested consolidating the commissions would further deteriorate services of those commissions. Council Member Manne stated he believes Parks and Community Services has done a good job with the time and funding provided. Council Member Manne stated he supported a commission or group that individually addresses seniors.

Mayor Pro Tem Maciel stated he heard a myriad of needs and some of those needs are beyond the purview and the means of local government to address, but, the City can be a part of the solution. Mayor Pro Tem Maciel stated he was not in favor of combining the commissions. Mayor Pro Tem Maciel further stated some consideration should be given to ensure that seniors have a voice and are represented. Mayor Pro Tem Maciel voiced concerns with forming a separate commission, stating he believed a lot of the senior concerns were addressed by the Parks and Community Services Commission. Mayor Pro Tem Maciel suggested it might be appropriate to establish partnerships with other organizations for items that are beyond the City's expertise.



Council Member Young stated the seniors need to be more involved as a comprehensive voice that is focused on issues affecting the senior population. Council Member Young stated she believed there would be many interested individuals who have a passion for seniors to serve on a senior commission. Council Member Young indicated she was not in favor of the two options provided. Council Member Young suggested the limitations regarding programming and space shows the need for a senior commission.

Mayor Ives asked if the Capital Improvement Project budget identifies a project regarding an expanded senior center. Mr. Churchill stated in the Capital Improvement Program, there is a proposal for a very large community complex at a cost of approximately \$22 million which can be funded from a number of sources.

Mayor Ives asked if any funding scheme has been established. Mr. Churchill stated not at this point.

Mayor Ives indicated the contention is that seniors are being underserved and that the City is doing a good job, but is limited because of space. Mayor Ives indicated it was important to understand what kind of advice the Council would receive from a senior commission. Mayor Ives asked what type of actions or projects have been approved or built. Ms. Scarlata indicated a few years ago the City was able to use Community Development Block Grant (CDBG) funds to make internal improvements at the Senior Center and currently under construction is the outdoor area.

Mayor Ives asked how the City gathered senior perspective. Ms. Scarlata stated from focus groups or directly from seniors who provide staff with suggestions for programming. Ms. Scarlata indicated staff continually has dialogue with seniors. Ms. Scarlata stated the Senior Center is limited by budget constraints and reduced hours.

Mayor Ives stated he believed the Council has an opportunity to look at options during the budget process. Mayor Ives stated the question is what will be improved with the addition of a senior commission.

Council Member Rickman asked at what intervals a senior commission would meet. Ms. Scarlata indicated it was something for Council to consider if Council moved toward forming a senior commission.

Council Member Manne stated it seemed that a committee might be more appropriate which could meet semi-annually.

Council Member Young indicated seniors issues were more diverse and cannot be solved through programming. Council Member Rickman indicated he agreed with Council Member Young, that the City needs a commission that focuses on senior issues.

Mayor Ives asked if the structure varied between a committee and a commission. Dan Sodergren, City Attorney, stated one distinction is if the Council appoints the board, it would be subject to the Brown Act; if the board receives compensation, they would be subject to AB 1234 training; the frequency of meetings and where they take place are all covered in the bylaws.

Mayor Pro Tem Maciel asked if individuals with specific talents or backgrounds are sought to serve on the Parks and Community Services Commission. Ms. Carrera stated staff does seek a representative from the School District to serve on the Commission and that while some commissioners may have specific talents, it is not a requirement to serve on the Commission.

Mayor Pro Tem Maciel asked if a number of seats were reserved on the current Parks and Community Services Commission, could those individuals be tasked as a sub-committee which would act as a liaison to seniors. Mr. Churchill stated the staff recommendation tried to make the process of getting senior interests integrated as seamless as possible, whether the interests are related to art, cultural or park interests. Mr. Churchill indicated the administrative challenge is to get those concerns in front of the appropriate commission, and then to Council.

Mayor Ives stated the Parks and Community Services Commission has a senior element or conduit for seniors. Mayor Ives indicated the question is does the Council need to pull the senior piece out and make it stand on its own. Mayor Ives indicated one of the problems is that some of the issues that come up for seniors is not under the purview of the Parks and Community Services Commission.

Council Member Rickman stated it was not his intention to take away from any existing commission or committee, but to add resources for seniors.

Council Member Manne stated the fact that groups exist, such as the one that Mr. Riddle is a part of, should send Council a message that the needs of seniors are under-served. Also, comments from staff that the Senior Center is at maximum capacity and there are waiting lists for classes, indicates a demand for senior activities.

Council Member Manne further stated he has heard comments in the community such as "how do I get to the Senior Center", where is the Senior Center", and "what is there to do in Tracy", indicate to him that seniors' concerns are not adequately being addressed. Council Member Manne stated he has also heard that the Council was doing a fantastic job of addressing youth and recreation for youth. Council Member Manne indicated he has also heard comments that although there have been improvements at the Senior Center, that it was time for more improvements.

Mayor Ives asked Council Member Manne if steps should be taken prior to forming a commission. Council Member Manne suggested a committee may be able to serve the Council in determining whether a commission was needed.

Mayor Ives suggested a report be given to a joint meeting of the City Council and the Parks and Community Services Commission.

Mayor Pro Tem Maciel indicated the focus has been on the Parks and Community Services Commission and that perhaps the answer is to ensure that seniors are represented on the Parks and Community Services Commission and the Transportation Commission, which should be able to oversee a lion-share of senior concerns.

Council Member Young indicated she did not want to close the door on a group that focuses on seniors.

Mayor Ives outlined the options he heard from Council: 1) Appoint a senior delegate to each Commission; 2) Establish an ad-hoc committee that would provide the Council and the Parks and Community Services Commission a report on senior needs; or 3) Form a committee/ad-hoc commission that would be established for a definitive period of time and report to Council for a specific period of time.

Council Member Manne asked if staff knew how many seniors use the Senior Center. Ms. Scarlata indicated staff does know how many seniors participate in various activities and can provide that information to Council.

Mayor Ives asked if any of the three options identified were constrained and should not be considered. Mr. Churchill stated no options were constrained. Mr. Churchill added he has heard from the Council a desire to identify senior related issues and there were a number of ways that the information can be obtained.

Mayor Ives suggested a committee that would address a joint meeting of the City Council and Parks and Community Services Commission two times per year. Mayor Ives stated Council should allow staff to develop the concept and provide options on how that committee would be populated.

Council Member Manne stated he was in support of that recommendation. Council Member Young believed a six month interval was too long.

Mayor Ives stated the intention of the committee would be to present the needs of seniors before the Council. Mr. Churchill stated staff could return within one or two Council meetings with a specific plan.

Mayor Pro Tem Maciel indicated he still believed senior representation was needed on various commissions. Council decided senior representation on various commissions was a separate issue and would be addressed at another time.

Mayor Ives called for a recess at 9:06 p.m., reconvening at 9:15 p.m.

5. RECEIVE AN UPDATE ON THE STRUCTURE FOR FIRE SERVICE GOVERNANCE AND APPROVE THE FIRE SERVICE GOVERNANCE STEERING COMMITTEE'S RECOMMENDATION REGARDING THE FUTURE GOVERNANCE STRUCTURE— Al Nero, Fire Chief, provided the staff report. On May 15, 2012, staff provided a presentation to Council on the current structure of fire governance, which included an overview of the process to be employed over the succeeding months to evaluate the current structure and to identify alternatives to the existing structure. The goal was to identify a structure that streamlines decision-making and to identify existing barriers to governance efficiency related to the provision of fire services within the South County Fire Authority service area.

On June 5, 2012, Council appointed Steve Abercrombie to represent the Council on the Fire Governance Steering Committee. At the July 17, 2012 meeting of the South County Fire Authority (SCFA), the SCFA Board appointed Jim Thoming to represent the SCFA on the Fire Governance Steering Committee (Committee). The Tracy Rural Fire District (District) appointed John Vieira, the Mountain House Community Services District (MHCS) appointed Celeste Farron, IAFF Local 3355 appointed Ryan Gall, and Robert Sarvey and Dan Ball were appointed as community members at large. The Committee

has convened monthly meetings since January 2013; special meetings were scheduled as needed.

Staff provided the Committee with information about four options: (1) maintain the current structure, (2) dissolve the SCFA and form a new joint powers authority, (3) have all entities contract directly for fire services with the City, and (4) annex the City and MHCSO into the District to form one fire district. The MHCSO representative has indicated that MHCSO does not want to be annexed into the District.

Staff held three community workshops to receive input from the public and to hear any concerns that may need consideration. The meetings were held at the MHCSO Board room, New Jerusalem School, and the Tracy Transit Center. One person attended the Mountain House workshop, no one attended the workshop at New Jerusalem School, and three people attended the workshop at the Transit Center, two of those people were District Board members. No concerns were raised during any of the meetings. Staff reported the workshop results to the Committee.

Staff formed a task force of Fire Department employees to review the options, perform research, to gather information regarding each of the four options, and to advise of any concerns that employees may have regarding the options. Staff met with IAFF Local 3355 to discuss the options and identify any concerns related to them. The concerns raised through that process were security of employment for current employees and continuance of the current employee contract, should any option be implemented that changes the current employer.

Staff met with the Interim County Administrator to provide an overview of the options, requested that she touch base with the Board of Supervisors to determine any concerns, and asked the County to identify any fiscal concerns. Staff provided information that the County will use in making that determination. Staff also met with the County Auditor to get property tax information upon which to base analysis of fiscal considerations regarding the City being annexed into the District.

Staff's analysis of the four options indicates that two have merit: (1) maintaining the current structure, or (2) annexing the City into the District.

The following is an overview of each option based on information available to date:

Strengthen the Existing Joint Powers Authority - The South County Fire Authority is a Joint Powers Authority (JPA), organized in 1999 pursuant to California Government Code Sections 6500-6536. The JPA currently consists of two partners, the City of Tracy and the Tracy Rural Fire District. The service area covered by the JPA includes the jurisdictional areas of the City of Tracy, the adjacent rural areas, and the community of Mountain House. Services are provided to the community of Mountain House pursuant to a contract with the Tracy Rural Fire District. The JPA is governed by a four member board of directors, two from each partner. Services are provided through contract, by the City of Tracy. Costs, including indirect costs, are allocated through a formula based on the staffing needs within each member's jurisdictional area. Each member is responsible for the costs of replacement apparatus and major repair/renovation of facilities located within their respective jurisdictional boundaries.

Should this option be approved, staff recommended that the following changes be made to the JPA:

- Offer full membership in the JPA to the community of Mountain House.
- Expand the Board of Directors to five. If Mountain House accepts membership, they will be represented on the Board. If not, establish an “At Large” position be established with appointment determined by the member agencies.
- Incrementally move toward full autonomy for the JPA. This may begin with the establishment of a pool to cover capital costs for all member agencies, each member agency paying its “fair share.” During the next year, develop an implementation plan to achieve this goal. The implementation toward full autonomy will take several years to achieve.

Annexation of the City into the District - Annexations are subject to the Cortese-Knox-Hertzberg Local Government Reorganization Act and are subject to LAFCo procedures. The proceedings for annexation may be initiated by resolution of the affected local agency, the Tracy Rural Fire Protection District in this case. Parties are required to negotiate an exchange of property tax revenues to establish the revenue source(s) to fund the service. If the application proceeds, LAFCo will hold a public hearing and may either terminate the proceedings if a majority protest exists, order annexation subject to voter confirmation if the requisite number of protests are made, or order annexation without an election if the number of protests does not require an election.

All properties within the District’s jurisdiction are subject to a benefit assessment based on the type of structure. Services would be funded through property tax and the benefit assessment. Residential and most commercial structures are assessed three cents per square foot in addition to the base property tax. The County, acting on behalf of the District, and the City would negotiate a property tax sharing agreement to determine the property tax to be transferred to the District.

Staff analyzed the fiscal effect on the City making certain assumptions. Financial experts have not verified staff’s analysis so it is subject to change.

Upon completion of the annexation, the City would have no authority or responsibility for fire services. The delivery of all fire services would be the full responsibility of the District. To implement this option, the following would first need resolution:

- Agreement on how to resolve the District’s debt to the City.
- Employee transfer plan and implementation of current MOU.
- Agreement regarding ownership, use, and maintenance of facilities and apparatus/equipment.
- Implementation plan for the transfer of authority and responsibility.

Strengthen the Existing Joint Powers Agreement – No changes as long as existing share is intact; Annexation of the City into the District – Subject to negotiations.

Staff recommended that Council direct staff to advise LAFCo that the current governance structure will continue while the parties move toward a regional stand-alone fire agency, either one fire district or maintenance of the current JPA with the changes outlined in this report.

Council Member Rickman asked what LAFCo would do if the City continued with the current structure. Fire Chief Nero, stated the City will have satisfied LAFCo's concern which was to look at the current structure and alternatives to determine what works best, ensuring that the taxpayers receive the services they pay for. Council Member Rickman asked if that would be for maintaining the current structure. Chief Nero stated it would be for whatever the City brings to LAFCo.

Council Member Manne asked Fire Chief Nero if his recommendation was option two. Fire Chief Nero stated he was recommending the City continue its current practice while additional analysis is being completed. Fire Chief Nero indicated he was not in a position to make a firm recommendation until the fiscal analysis has been completed.

Council Member Rickman asked if option two would still include the City allocating 55.6%. Fire Chief Nero stated staff's recommendation was that the City not pursue that option.

Council Member Rickman indicated he was concerned the City may lose the majority voice. Fire Chief Nero stated if Mountain House chooses to remain as a contract member, they would not have a seat on the authority board.

Mayor Pro Tem Maciel asked if the option of annexing the City into the rural district would remove the City from fire service business. Fire Chief Nero stated yes.

Mayor Pro Tem Maciel asked if the City would still be represented on a governing board. Fire Chief Nero stated only through election and residents within the entire district would be eligible to compete for seats on the board and be able to vote.

Mayor Ives asked if a new special district was formed, is it possible that the structure by which the board is populated may change. Bill Sartor, Assistant City Attorney, indicated the same number of individuals would be on the board. The area from which the board is elected would increase by the amount of the annexation.

Mayor Ives asked if the message the Fire Chief wanted to send to LAFCo was that the City is moving to another governance structure and that we need time to do it right. Fire Chief Nero indicated he hoped to send a message to LAFCo that the City is committed to look at options to determine what is best for the majority of the people as it relates to fire service.

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 Rickman to approve the Fire Service Governance Steering Committee's recommendation regarding the future governance structure. Voice vote found all in favor; passed and so ordered.

6. AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE RESPONSIBLE BIDDER FOR THE TRANSIT STATION SECURITY CAMERAS - CIP 77545, AUTHORIZE ALLOCATION OF \$50,000 FROM TRANSIT CAPITAL F573 TO CIP 77545, AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT – Kuldeep Sharma, City Engineer, provided the staff report. The City and its Police Department fully respect the individual right to privacy and to conduct lawful activities without

interference. The City and Police Department have neither the right nor the desire to function as “Big Brother” in the lives of Tracy residents.

The City has a vested interest, however, in protecting its assets from vandals; thus enhancing the ability to prosecute persons responsible for malicious mischief, and gaining restitution where possible. Research around the country on surveillance cameras impact typically show a 24% reduction in criminal activity where cameras exist.

The Tracy Transit Station facility was completed from transit funds received from the Federal Transit Authority (FTA). The funding for security cameras at this facility was also provided from transit funds, which require that funding be spent for security purposes to protect the assets for which it has helped to pay. Currently, there are security cameras on all TRACER buses; footage is only viewed when an incident or complaint arises. The same protocol is used with other such cameras within the City of Tracy.

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by the voters as Proposition 1B at the November 7, 2006, General Election. This act authorizes the issuance of \$19,925,000,000 in general obligation bonds for specific purposes, including grants for transit system safety, security and disaster response projects.

The City of Tracy applied for two separate Proposition 1B grants through the San Joaquin Council of Governments (SJCOG) for a total amount of \$150,000. The grant applications have been approved and the grant funds will allow for installation of security cameras at the Tracy Transit Station.

Due to the large size of the facility and lack of sufficient staffing, the facility is vulnerable to graffiti and damages. Installation of security cameras will make the facility safer and more secure. Cameras will be installed to overlook interior and exterior locations around the building. An additive bid item is included for installation of cameras to oversee the main parking lot along Sixth Street.

Plans and specifications were prepared in-house. The project was advertised for construction bids on April 4 and 11, 2013, and three bids were received on May 23, 2013.

The lowest monetary bid is from Bockmon & Woody Electric of Stockton, California, in the amount of \$142,173. The bid documents state the contract will be awarded on the basis of the Base Bid. However, in order to complete the project in its entirety and make use of low cost bids, it is in the City of Tracy’s best interest to award the project for the Base Bid and Additive Alternate Bid. Bid analysis indicates that the bid is responsive and the bidder is responsible.

Additional funding of \$50,000 is needed to complete the project as recommended. Funding for this amount is available from the Transit Capital Fund F573 and needs to be allocated to CIP 77545.

There will be no impact to the General Fund. This is an approved Capital Improvement Program project in FY 2012/13. Funds are available in Transit Capital F573 for the additional \$50,000 needed for the additive bid item.

Staff recommended that Council award a construction contract to Bockmon & Woody Electric of Stockton, California, in the amount of \$142,173 for the Transit Station Security Cameras - CIP 77545, authorize allocation of \$50,000 from Transit Capital F573 to CIP 77545, and authorize the Mayor to execute the construction contract.

Council Member Manne asked staff to outline some of the graffiti problems or issues the Transit Station has experienced. Ed Lovell, Management Analyst, indicated the Transit Station has experienced issues with graffiti, broken glass, theft of brass, and windows being etched.

Council Member Rickman asked how videos applied to the Public Records Act. Dan Sodergren, City Attorney, stated it would be considered a public record, and would be subject to a retention schedule.

Council Member Rickman asked what safeguards have been put in place regarding video tapes. Mr. Lovell indicated the City currently has cameras on buses and the tapes are only viewed by staff if a complaint is filed. Council Member Rickman asked if the video goes on to a hard drive or was taped over. Mr. Lovell stated the electronic devices on buses can hold approximately one month of storage data before they are taped over. Mr. Lovell further stated recordings from the Transit Station would eventually be stored on a server at City Hall. Mr. Lovell added that the record retention for videos is one year.

Council Member Young asked what areas would be covered by video. Mr. Lovell stated cameras would be installed in the interior of the Transit Station primarily focused on the lobby area and ticket booth; outside focused on the roundabout area and bus bays on the south side of the building and in the parking lot on Sixth Street.

Council Member Manne asked what the lifecycle of the cameras were and the future maintenance costs. Mr. Lovell indicated the typical life of a camera is between five and ten years. Mr. Sharma added that the cameras may not have to be replaced, but due to technology may need to be upgraded.

Council Member Rickman asked if the videos from bus cameras have been used to catch criminal activity. Mr. Lovell indicated the videos have been used to catch individuals who have vandalized buses.

Council Member Rickman asked if the cameras proposed for the Transit Station included audio. Mr. Lovell stated he believed the cameras would capture video and audio.

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

Council Member Rickman stated he was concerned with cameras in public spaces; however, in this case the cameras were confined to City property. Council Member Rickman stated he wanted assurance that cameras will be used in the narrowest context as possible.

Mayor Pro Tem Maciel stated he was a strong proponent of cameras in public buildings. Mayor Pro Tem Maciel indicated cameras were a great tool for law enforcement and crime prevention.



Police Chief Gary Hampton stated cameras do not necessarily infringe on civil liberties of community members; it is how the cameras are used. Police Chief Hampton outlined the various ways the Police Department uses cameras and subsequent videos.

Council Member Rickman asked if there was a chain of custody, or a limit of who can view videos. Mr. Lovell indicated only he can view video from the buses. Council Member Rickman asked if there was a policy or procedure in place regarding viewing videos. Mr. Sodergren stated there was no policy established at this point.

Council Member Rickman asked if it would be beneficial to have a policy. Mr. Sodergren indicated staff could create an administrative or internal policy regarding videos and added that they would be subject to the Public Records Act.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to adopt Resolution 2013-099 approving a construction contract to the lowest responsive responsible bidder for the Transit Station security cameras – CIP 77545, authorizing the allocation of \$50,000 from the Transit Capital F573 to CIP 77545 and authorizing the Mayor to execute the contract. Voice vote found all in favor; passed and so ordered.

7. COUNCIL DISCUSSION ON COST ESTIMATE TO ANALYZE CITY-WIDE FEES AND DIRECTION ON WHETHER OR NOT TO COMMISSION A STUDY TO DETERMINE IF CURRENT FEES ARE COVERING COST OF SERVICE – Andrew Malik, Development Services Director, provided the staff report. On June 4, 2013, Council approved the City's Master Fee Schedule annual update based on the Consumer Price Index (CPI). The City's Master Fee Schedule includes various fees, ranging from recreational fees to police-related fees and various development permit fees.

During the June 4, 2013 Council meeting, Council asked several questions related to whether or not current fees represent the actual cost of service and requested a cost estimate for updating the 1998 study, as well as, evaluating the methodology for estimating annual fee increases.

The estimated cost to commission a cost of service study ranges between \$65,000 and \$75,000. The scope of the study would include a cost of service analysis to examine appropriate fee levels to achieve cost recovery or to better understand general fund subsidies for various fee programs. The analysis would also examine the activities that are provided to individual users and determine the appropriate fee to achieve cost recovery.

As stated at the June 4, 2013, Council meeting, without analyzing each specific fee and corresponding cost for that particular service, it is difficult to answer the questions of cost recovery relative to the City's current fees on an individual basis. There are indications from the FY 13/14 budget that the City currently subsidizes various fee programs at an estimated subsidy amount of approximately \$4.2 million.

An updated cost of service study may compel Council to alter the City's subsidy policies and practices to achieve similar results.

Staff recommended that Council discuss and provide direction relative to hiring a consultant to analyze and update the City's fees as identified within the Master Fee Schedule.

Council Member Rickman stated the problem he had with the raise in fees was that the reason given for the increase was the raise in the Consumer Price Index (CPI).

Mayor Pro Tem Maciel indicated another barometer that could be used is what neighboring cities are charging. Mayor Pro Tem Maciel stated he was concerned regarding the cost of conducting a survey.

Council Member Manne asked if this subject should be part of another discussion regarding CPI.

Leon Churchill, Jr., City Manager, stated he recently signed a contract with the University of the Pacific (UOP), to establish a local CPI. Mr. Churchill further stated this agenda item relates to what the City's services cost. Mr. Churchill added that in an ideal environment the City would do a cost of services analysis every 5-7 years and use the CPI in between.

Mayor Ives asked if Council chose, could a group of fees be reviewed instead of every single fee. Mr. Malik stated yes.

Council Member Young asked if the cost would still be \$50,000-\$60,000 if Council chose to just look at a few fees. Mr. Malik stated it could be as low as \$10,000-\$15,000. Council Member Young stated it would be good to get a sense of what it takes to run the City's business.

Council Member Rickman asked why the City could not do the study. Mr. Churchill responded there were two concerns with staff conducting the study; 1) the technical ability of current staff; and 2) the current demand on staff time.

Council Member Rickman asked Dan Sodergren, City Attorney, for input. Mr. Sodergren stated the City cannot charge more than the actual cost of providing the service, and that he was fairly confident that the City is charging less than actual costs because of the number of increases taken using the CPI.

Council Member Rickman asked about the City doing its own study. Mr. Sodergren stated as long as the City can justify, if challenged, the cost of providing the service it would not matter if the study came from staff or a consultant.

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

Robert Tanner asked if the Master Fee Schedule included developer fees. Mr. Malik stated not development impact fees, only building permit fees. Mr. Tanner asked for the dollar amount of the UOP study. Mr. Churchill stated \$2,500.

Mr. Tanner suggested waiting until the study is done by UOP to find out what the CPI will be for Tracy.

Mayor Pro Tem Maciel stated it might be good to wait until the study comes back from UOP to consider spending the money on a complete analysis.

Council Member Young stated two different items were being discussed: the base rate, and the rate of change.

Council Member Rickman stated he wanted to ensure that the City was not raising fees just because the CPI says we can. Council Member Rickman referred to program management fees and a 150% surcharge. Mr. Malik explained that the study completed by the San Joaquin Partnership addressed sewer, water, storm and road costs; a soft cost component was discussed that totaled approximately 40% of soft costs and was the industry standard.

Council Member Rickman asked Mr. Churchill what amount other communities charge. Mr. Churchill stated the City's use of 150% over administrative charges is not typical. However, the monetary value of what it represents is average and typical.

Council Member Rickman stated he would like staff to go back and look at the fees that were raised in June and justify them.

Council Member Manne stated it was embarrassing that the City does not have the information on what it costs to run a program. Council Member Manne stated he did not want to spend \$75,000 to conduct a study at this time.

Council Member Manne suggested UOP could look at fees for approximately \$2,500.

Council Member Young suggested a few fees be looked at to develop a base that other fees could be compared against. Mr. Malik stated staff could look at a specific set of fees of Council's choosing.

Mayor Ives asked staff if there was a set of fees that could act as a representation of all fees. Mr. Malik stated a few fees could be representative, especially if they are competitive in nature.

Council Member Manne asked if the City had a commission or group that is looking at other fees. Mr. Churchill stated only the overhead rate. Mr. Churchill clarified that if the goal was to find the cost of development related fees, then all fees have to be looked at; if you want to test that the CPI was a valid and reliable tool for the last 15 years, then only a random sample of fees would be needed.

Mayor Ives asked Council for direction on how to move forward. Council Member Manne indicated he would like to wait until the UOP study is complete on the CPI. Council Member Young indicated she was concerned that the City does not know its costs.

Mayor Ives stated he took exception with the impression that the City does not know what it cost to do business. Mayor Ives stated the cost of services was established a long time ago and has only been adjusted using the CPI. Mayor Ives suggested that Council or others not presume that there was not a lot of work that went into establishing the original cost.

It was Council consensus to wait until the study is completed by the University of the Pacific on the Consumer Price Index.

Mr. Churchill stated he believed Council had a healthy debate and discussion on the matter, and that administratively there may be isolated cases that staff can study. Mr. Churchill indicated he would discuss it with the management team.

8. COUNCIL UPDATE AND AFFIRMATION OF CONTINUED SUPPORT FOR THE DELTA COALITION LOBBYING EFFORTS RELATED TO THE BAY DELTA CONSERVATION PLAN AND THE DELTA PLAN – Andrew Malik, Development Services Director, provided the staff report. In November 2009, the California Legislature enacted Senate Bill X7 1 (The Delta Reform Act). It established the Delta Stewardship Council (DSC) as an independent State agency, and required that the DSC develop, adopt, and implement by January 1, 2012, the Delta Plan, a legally enforceable, comprehensive, long-term management plan for the Sacramento-San Joaquin Delta and the Suisun Marsh (Delta) that achieves the “coequal goals”. The coequal goals are the two goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem. The coequal goals are to be achieved in a manner that protects and enhances the unique cultural, recreational, nature resource and agricultural values of the Delta as an evolving place”. Achieving the coequal goals is a fundamental purpose of the Delta Plan.

The Final Draft Delta Plan was adopted by the DSC on May 28, 2013. The final Delta Plan generally covers five topic areas and goals: increased water supply reliability, restoration of the Delta ecosystem, improved water quality, reduced risks of flooding in the Delta, and protection and enhancement of the Delta as an evolving place. Although the DSC, through the Delta Plan, does not propose or contemplate constructing, owning, or operating any facilities related to these five topic areas, the Delta Plan sets the regulatory policies and recommendations that seek to influence the actions, activities and projects of cities, counties, State, Federal, regional and other local agencies toward meeting the goals in the five topic areas.

After the Delta Plan was adopted, a lawsuit was filed by the Westlands Water District and San Luis Delta Mendota Water Authority challenging the adequacy of the Plan’s Environmental Impact Report and the Delta Stewardship Council’s authority under, and compliance with, the Delta Reform Act.

Staff has monitored development of the Delta Plan over the years and provided comments and coordinated with San Joaquin and other affected parties. The City and other agencies were concerned with the scope and extent of proposed regulatory and review authority of the DSC. The proposed Delta Plan, in its final form, continues to threaten the ability of local communities to grow and prosper, takes away local decision making, and provides an appointed body with the authority to veto certain local land use and other decisions based upon subjective criteria. Staff is concerned with the policies in the Delta Plan (chapter 2) which requires certain “Covered Actions” to be consistent with the Delta Plan. Under the Plan, the term “Covered Action” is broadly defined and includes most land use and development applications that are considered to be “projects” for the purpose of CEQA.

For all Covered Actions, the City must submit a written certification to the Delta Stewardship Council, with detailed findings, demonstrating that the Covered Action is

consistent with the Delta Plan. Any person, including any member of the Delta Stewardship Council or its Executive Director, may file an appeal with regard to a certification of consistency submitted to the Council. The Council has final decision making authority if such an appeal is filed. If a Covered Action is found to be inconsistent, the project may not proceed until it is revised so that it is consistent with the Delta Plan. This process will likely lead to additional processing times for land use and development applications. Also, given that any person can file an appeal with the Council, this process could be abused and used simply to delay development projects.

This process is contrary to the City of Tracy's economic development efforts. Staff is concerned with the policies in the Delta Plan (Chapter 5) related to the location of future growth in areas within the Secondary Zone of the Delta (large portions of the City of Tracy and the City's Sphere of Influence). The Delta Plan limits development to the current Sphere of Influence (SOI) of cities. The City's recent SOI approval by LAFCo is significantly smaller than the LAFCo-approved SOI in 1994. This was due to new local LAFCo policies that required smaller SOIs. It is unclear how any potential future SOI update/expansion in areas within the Secondary Zone of the Delta would be received by the Delta Stewardship Council.

Staff has attended periodic meetings with representatives of San Joaquin County and the City of Stockton in the establishment and coordination of stakeholder meetings to facilitate a collaborative and uniform effort to address our mutual concerns with the adoption and implementation of the Delta Plan, the Program EIR, and related plans and programs such as the Bay Delta Conservation Plan (BDCP).

The Delta Plan addresses the broader issues facing the Delta (including urban development within the Secondary Zone of the Delta), the scope of the BDCP is within the Delta itself. Its specific purpose is to restore and protect ecosystem health and the SWP and CVP water supplies and water quality. The Delta Plan was adopted by the Delta Stewardship Council on May 28, 2013.

Mr. Malik introduced Steve Bayley, Project Specialist, who provided background information on the Bay Delta Conservation Plan (BDCP). Mr. Bayley indicated that Delta Coalition Stakeholders continue to provide comments on the BDCP which has yet to be adopted. Within the BDCP is the plan to utilize the much-publicized tunnels to ship water south of the Delta. Coalition Stakeholders have developed recommendations and a position statement related to the Delta Plan and the BDCP.

Mr. Bayley outlined the benefits to the City of Tracy including a higher reliability of water received from the Delta Mendota Canal as well as a higher quality water. The down-size is the users of the water have to pay for the \$14 billion cost of the tunnels, which is very expensive and in his opinion not warranted by the project.

Mr. Bayley indicated that staff agrees with the all of the statements highlighted within the Coalition's position statement and requested confirmation by Council to continue supporting Coalition recommendations as additional lobbying efforts continue.

Mayor Pro Tem Maciel indicated he represents the City on the Delta Coalition and asked that Council receive the updated report. Mayor Pro Tem Maciel indicated it was important to note that even though the tunnels would bring more water to Tracy, the project overall does not produce additional water.

Mayor Ives asked how the cost of the tunnels was shared. Mr. Bayley stated it was a 60/40 split; (40% for Delta Mendota users); the City share would be 1% of the 40% or ((\$14 billion x 40%) - 1%) would be the City's cost.

Mr. Bayley added that 60% of the cost would be borne by State water project users.

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 Mayor Pro Tem Maciel and seconded by Council Member Rickman to direct staff to support the Delta Coalition Stakeholders relative to the Delta Plan and Bay Delta Conservation Plan position statement. Voice vote found all in favor; passed and so ordered.

9. ITEMS FROM THE AUDIENCE – None.
10. STAFF ITEMS – None.
11. COUNCIL ITEMS - Council Member Rickman wished everyone a safe and fun Fourth of July and encouraged the public to support local non-profit organizations by purchasing approved fireworks from their booths.
12. ADJOURNMENT - It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to adjourn. Voice vote found all in favor; passed and so ordered.  
Time: 10:55 p.m.

The above agenda was posted at the Tracy City Hall on June 27, 2013. The above are summary minutes. A recording is available at the office of the City Clerk.

---

Mayor

---

City Clerk