

January 21, 2014, 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 provided by Pastor Kevin James, New Creation Bible Fellowship

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

Mayor Ives and Police Chief Hampton swore in Mark Duxbury - Police Captain, Chad Bankston and Ryan Miller – Police Officers.

Mayor Ives presented Certificates of Appointment to new Tracy Arts Commissioners Nila Dhugga, and reappointed Commissioners Marlene Jones and Taranjit Sandhu.

Council Member Young and Council Member Manne presented Council Member Rickman with a West High Basketball Jersey.

Christina Frankel provided a presentation regarding CalRecycle.

Rhodesia Ransom, on behalf of Sow A Seed Foundation, provided a presentation regarding mentoring.

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 Young to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
 - A. Approval of Minutes – Regular meeting minutes and special meeting minutes of December 3, 2013, were approved.
 - B. Adoption of a Resolution of the City of Tracy, California Consenting to Inclusion of Properties within the City's Jurisdiction in the California Hero Program to Finance Renewable Energy Distributed Generation Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure, and Approving an Amendment to a Certain Related Joint Powers Agreement – Resolution 2014-012 consented to the inclusion of properties within the City's jurisdiction in the California Hero program.
 - D. Authorization to Purchase Four Trucks Plus Equipment from Tracy Ford in the Amount of \$139,336.80 - Resolution 2014-013 authorized the purchase. Council Member Manne abstained.

- C. Authorize the City Engineer to Negotiate with the San Joaquin County Public Works Department to Enter Into an Agreement to Construct and Maintain Portions of Corral Hollow Road between Parkside Drive and Linne Road – Kuldeep Sharma, City Engineer, provided the staff report. San Joaquin County voters approved the Measure K sales tax initiative in 1989, and approved its renewal in 2010. Sales tax generated from this measure funds various transportation projects in the County. Widening Corral Hollow Road from Parkside Drive to Linne Road is a Measure K approved project eligible for such funding.

San Joaquin Council of Government (COG) is planning to secure bond financing to fund certain Measure K approved projects for various jurisdictions within the county. In the COG technical advisory committee, City staff has proposed inclusion of the Corral Hollow Road widening project for this round of funding. After reviewing various requests from other agencies for projects competing for this limited funding, Corral Hollow Road widening has been recommended by the COG staff to its board for one of the projects approved for this funding.

Since portions of Corral Hollow Road are located within the County jurisdiction, a construction and maintenance agreement needs to be entered into between the City and the County. The agreement will allow the City to purchase additional right of ways, design and construction of the street improvements. After completion of construction, the cost of maintenance will be shared between the City and the County.

Approval of this agenda item will have no impact on the General Fund. Most of the construction cost for widening Corral Hollow Road will be paid from Measure K funds and a portion of funding will come from the development impact fees collected from various developments. The maintenance and operational costs of the street and signals will be paid from gas tax funds.

Staff recommended that Council authorize the City Engineer to negotiate with the San Joaquin County Public Works Department to enter into an agreement to construct and maintain portions of Corral Hollow Road between Parkside Drive and Linne Road.

Council Member Young asked about the time frame between negotiation and construction. Mr. Sharma stated funding is expected in May or June 2014, with negotiations to follow within the next couple of months.

Council Member Young stated she wanted to highlight the item because many residents have voiced concerns with this stretch of road.

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 Manne to adopt Resolution 2014-014 authorizing the City Engineer to negotiate with the San Joaquin County Public Works Department to enter

into an Agreement to construct and maintain portions of Corral Hollow Road between Parkside Drive and Linne Road. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Abbie Hickman, founder of Pins for Pets, provided information on Pins for Pets, an event that raises funds for the Tracy Animal Shelter. Ms. Hickman indicated a fundraising event will be held on Saturday, February 15, 2014, from noon to 6:00 p.m., at Tracy Bowl with the goal of raising \$10,000. Ms. Hickman stated Chili's Restaurant is donating 15% of their proceeds for those who present a flyer and purchase food Monday, February 10, through Wednesday, February 12, 2014; these proceeds will also go to the Animal Shelter. Ms. Hickman indicated she would like to hang a banner in City Hall announcing the events and asked for a sponsor to cover the cost of advertising in the Tracy Press. Ms. Hickman asked Council to support her in her efforts.

Lisa DiPasquale and neighbors of the Mt. Oso area addressed Council regarding the condition of their neighborhood. Ms. DiPasquale provided pictures of the area depicting garbage, weeds, unkempt properties, and the lack of sidewalks, curbs and gutters. Ms. DiPasquale stated children are forced to walk or peddle bicycles in the street on their way to school, requesting that Council create a Capital Improvement Project and apply for grants to alleviate the conditions that exist in this neighborhood. Ms. DiPasquale requested that these issues be placed on a future agenda to discuss the City's progress in remedying the situation.

Ray Morelos addressed Council regarding Mt. Diablo and Mt. Oso Roads and the lack of curbs, gutters, lights, storm drains or sewer line on these roads. Mr. Morelos asked Council to not ignore the older neighborhoods in town and to not use Code Enforcement as a tool to remedy the situation.

Paul Miles stated his concerns regarding privacy rights have stalled, asking when he could expect to receive information regarding the surreptitious recording of individuals. Mr. Miles responded to remarks Mayor Pro Tem Maciel made regarding individuals having "agendas".

Mayor Ives stated Police Chief Hampton provided Council with a report regarding surreptitious recording. Mr. Miles asked if that report could be made available. Mayor Ives stated the report could be made available.

Dave Helm addressed Council regarding the City of Tracy's credit card policy which he had been provided a copy. Mr. Helm noted evidence of personal use of a credit card occurring in September 2013, indicating it appeared there was a change in policy but not a change in behavior. Mr. Helm provided the Clerk with a copy of the Policy and Procedure for Use of City Issued Credit Cards dated January 1, 2013.

3. CONDUCT A PUBLIC HEARING AND ADOPTION OF AN ORDINANCE ADOPTING, BY REFERENCE, THE 2013 CALIFORNIA BUILDING AND RELATED CODES, SPECIFYING WHICH APPENDICES APPLY TO THE CITY OF TRACY, RE-ADOPTING CERTAIN EXISTING SECTIONS OF TITLE 9 OF THE TRACY MUNICIPAL CODE, ADOPTING STANDARDS RELATED TO EXTERIOR PALLET STORAGE, RADIO AMPLIFICATION SYSTEMS, AUTOMATIC SPRINKLER

SYSTEMS AND OTHER EMERGENCY RESPONDER REQUIREMENTS – Kevin Jorgensen, Building Official, provided the staff report. New versions of the various California codes related to building design and construction are adopted by the State of California every three years.

Ordinance 1192 was introduced at the Council meeting held on January 7, 2014, to consider the 2013 California Codes that will replace the 2010 versions as set forth in Title 24 of the California Code of Regulations. Proposed Ordinance 1192 will adopt, by reference, the 2013 California Building (including appendices C, F, H, and K), Electrical, Mechanical, Plumbing (including appendices A, B, C, D, E, F, G, H, I and K), Residential (including appendix H), Fire (including appendices B, BB, C, CC, D, F, H and K), Existing Building, Historical Building (including appendix A), Energy (including appendix 1-A), and Green Building Standards, Code.

The ordinance makes local amendments to the California Fire Code. The ordinance will require: an operational permit for Christmas tree lots, haunted houses and corn mazes; a re-inspection fee for failing to be ready for a fire inspection; new requirements for outside pallet storage, fencing, water supply; false alarm charges; emergency access through gates and into buildings; containment boxes where hazardous materials are stored and/or used; fire control rooms for all new buildings protected with an automatic fire extinguishing system; Automatic sprinkler systems for all new buildings greater than 6,000 square feet three or more stories in height, when a building is remodeled within a three-year period and the cost of improvements requiring permits exceeds an adjusted valuation threshold of \$100,000 based on the ENR US20 Cities Average Construction Cost Index and area cost factors, when a building changes to a higher occupancy hazard and the building is greater than 6,000 square feet and when an existing building's size is increased by 50% or more within a three-year period and the total building area exceeds the minimum code limits for that occupancy group, with some minor exceptions; and radio coverage for certain applications in existing buildings where the occupancy has changed to a more hazardous use, where the addition of metal racking systems, equipment or interior walls utilizing metal, masonry or concrete materials interfere with emergency responder radio coverage within a building and when a building is increased in size by 50% or more within a three-year period and the total square footage of the building exceeds 6,000 square feet with some exceptions.

The California Residential Code will require automatic sprinkler systems for all newly installed manufactured homes.

Addressing buildings will be modified to include rear access points to multiple tenant buildings, to require the use of Arabic numbers or alphabetical letters and that the addressing be maintained, and, when required by the fire code official, address numbers will be required to be provided in additional approved locations to facilitate emergency response.

Staff recommended that Council adopt Ordinance 1192 following its second reading.

Council Member Rickman asked if any regulations or ordinances that go beyond State law were included in this amendment. Mr. Jorgensen stated Chapter 903 in the Fire Code has been added that modifies requirements regarding existing buildings. For

example, buildings that are 6,000 square feet or larger will be required to have automatic fire sprinklers installed. Council Member Rickman asked if there were any buildings over 6,000 square feet that will be grandfathered in. Mr. Jorgensen stated there were provisions that address existing buildings.

Council Member Rickman stated he was concerned regarding existing buildings over 6,000 square feet and the cost of automatic sprinklers for those buildings. Council Member Rickman asked if the ordinance would hinder individuals who want to retrofit their building. Mr. Jorgensen stated he did not think so; the valuation has changed to account for the increase in construction costs.

Council Member Rickman asked what the State mandate was for commercial buildings for fire sprinkler systems. Mr. Jorgensen provided an explanation including valuations and thresholds.

Council Member Rickman asked if the State had a cost threshold. Mr. Jorgensen stated no.

Council Member Rickman stated he was concerned that non-profits would not be able to afford required improvements. Mr. Jorgensen referred to the 1946 Uniform Building Code which affects the building Council Member Rickman referred to.

Council Member Rickman stated there has been some discrepancy regarding the year the building was erected. Council Member Rickman asked if the threshold, prior to today, was \$100,000 and was now going to \$250,000. Mr. Jorgensen stated that was correct, and that the threshold will increase every year.

Council Member Rickman asked if other cities have this requirement. Mr. Jorgensen stated no. Council Member Rickman asked if Mr. Jorgensen was concerned that this action would prevent individuals from upgrading their properties. Mr. Jorgensen explained the process that staff went through including meeting with a number of local business owners, contractors, and residential developers, who reviewed the ordinance. Mr. Jorgensen added that no issues were raised by anyone from these meetings.

Mayor Ives opened the public hearing.

Robert Tanner asked what the threshold was for disability access. Mr. Jorgensen stated \$143,000.

George Riddle stated the residential sprinkler for manufactured homes sounds like it is retroactive. Mr. Riddle asked what Title 25 was and if anybody read it in association with retrofitting manufactured homes.

Mayor Ives asked staff to clarify the language. Mr. Jorgensen stated the change only applied to newly manufactured homes placed in the City of Tracy. Mr. Jorgensen added Title 25 relates to manufactured homes which are homes that are pre-manufactured under a state process, state inspected, set on a foundation and utilities are connected thereto.

Mr. Riddle asked if there were going to be retrofit requirements on solar cells. Mr. Jorgensen stated the codes are ever increasing, and that a lot of new code requirements that the State is mandating all jurisdictions adopt and enforce. Mr. Jorgensen added that jurisdictions can modify State mandated codes and referred to a local ordinance that addresses non-ferrous piping because of the corrosive soil which is a local condition.

Mayor Ives asked when the State codes change, is there retroactivity involved. Mr. Jorgensen stated no. However, lawmakers do enact legislation that involves retroactivity, citing smoke detectors and carbon monoxide detectors.

Mayor Ives closed the public hearing.

Council Member Rickman asked if the City was going beyond State requirements, referring to green codes or energy codes. Mr. Jorgensen stated no. Mr. Jorgensen added that there are other instances where local ordinances go beyond what was required locally that are in the ordinance before Council.

Council Member Rickman stated he did not want the City to over regulate and hinder new businesses and non-profits.

A discussion ensued between Council Member Rickman and Mr. Jorgensen regarding the Portuguese Hall, the year the building was erected, retrofits, steps to gain compliance, and protection for the community.

Mayor Ives asked if staff discussed a phased in approach with members of the Portuguese Hall. Mr. Jorgensen stated yes.

Fire Chief Al Nero added that one of the reasons California has such an admirable fire death rate is because California has some of the most stringent safety codes. Fire Chief Nero added that one of the main reasons for deaths because of fire is attributed to lax fire codes, lack of sprinklers, lack of appropriate exits and over-crowding.

Mayor Pro Tem Maciel asked if there were questions about whether the Portuguese Hall was built under the 1940 or 1946 Building Code. Mr. Jorgensen stated he did not believe there was a question; he was told the building opened in August 1949.

Mayor Pro Tem Maciel asked how this item now became an issue. Mr. Jorgensen stated an annual inspection is completed at the premises because of the assembly use. Mr. Jorgensen added that this is not a new issue, that staff has been working on this project for many years.

Council Member Rickman asked Mr. Jorgensen to research the date that the building was built and advise Council via e-mail. Council Member Rickman stated he needed to ensure that non-profits are given time to come into compliance and not shut down.

Mayor Ives stated he would rather close the doors than be unsafe. Mayor Ives stated he did not believe that was the approach staff was taking.

Council Member Manne asked if approving the ordinance affects or escalates anything referred to with the Portuguese Hall. Mr. Jorgensen stated no.

Council Member Young asked if it will become voluntary for the Portuguese Hall to install sprinklers. Mr. Jorgensen stated if the building was built under the 1940 Uniform Building Code, then technically it should be built under that code. However, if the building was built under the 1946 Uniform Building Code which requires sprinklers for a building of its size, then the City would do everything it can to meet the intent of the code.

Council Member Young asked for information regarding how long a person is given to come into compliance. Mr. Jorgensen provided various scenarios. Mr. Jorgensen added that staff always works with residents to come into compliance.

The Clerk read the title of proposed Ordinance 1192.

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

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Ordinance 1192. Roll call vote found all in favor; passed and so ordered.

4. ACCEPT INFORMATION REGARDING SURLAND COMMUNITIES, LLC APPLICATION WITHDRAWAL – Bill Dean, Assistant Development Services Director, provided the staff report. As mentioned at the City Council meeting on October 15, 2013, Surland Communities LLC (Surland) submitted an application to amend the Ellis Specific Plan and the City's General Plan in July, 2013. Surland recently submitted a letter requesting revisions to their application and is no longer seeking land use changes to the Ellis Specific Plan that would require consideration of an overrule. A revised application would be processed in accordance with normal application processing requirements including SJCOG review similar to any land use application in the airport influence area.

There is no impact to the General Fund. Work on the Ellis project is recovered through the Cost Recovery Agreement between the City and Surland.

Staff recommended that Council accept the information related to the Surland application.

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

Dave Anderson, President of the Tracy Airport Association, asked for clarification regarding Council directing staff to pursue an overrule.

Steve Nicolaou thanked Mr. Dean for his professionalism in dealing with him and asked for clarification regarding the agenda description regarding withdrawal of the application. Mr. Dean stated the request is an amendment to their application. Mr. Dean added that Ellis submitted an application to amend their Specific Plan removing everything related to land use changes that would require an overrule.

Mr. Nicolaou asked if any work on the overrule was now moot. Mr. Dean stated yes. Mr. Nicolaou asked if the process includes the item returning to the San Joaquin Council of Government. Mr. Dean stated yes.

Council accepted the information related to the Surland Communities, LLC., application.

5. INTRODUCTION OF AN ORDINANCE ADDING A NEW CHAPTER 3.12, PREFERENTIAL PARKING, TO THE CITY OF TRACY MUNICIPAL CODE – Kuldeep Sharma, City Engineer, provided the staff report. Residents from the neighborhoods surrounding Tracy High School have been raising concerns for the past several years regarding students parking on residential streets fronting their properties. Due to the close proximity of the school grounds and school campus, students from Tracy High School routinely park their vehicles in these streets during school hours and during school events such as football games. At times most of the street parking is occupied by students parking, thereby leaving very few or no parking spaces for residents. The majority of the houses on both sides of the street have garages except a few who have converted garages into residential uses. Such residents rely on street parking only. In addition to parking concerns, residents have indicated there are other issues such as noise, loitering and littering.

Development Services and the Tracy Police Department have worked with Tracy High School to educate the students, and the School Resource Officer has patrolled the area to improve traffic conditions. In 2008, City Council approved establishment of a three foot red zone on both sides of all driveways on Berverdor Avenue and Twelfth Street. In spite of these measures, residents continue to feel inconvenienced as parking challenges still exist during schools hours.

Staff conducted several neighborhood meetings with residents of these streets to develop alternatives or solutions to resolve their concerns. Since all other options have been exhausted, the residents have requested establishment of permit parking on these two streets that would restrict parking to residents only.

The School District has been kept aware of the City's efforts to resolve this issue with the residents. The school was consulted at the time of street improvements establishing red zones on both sides of the driveways. A letter from School Superintendent Dr. James Franco was received on October 29, 2013 objecting to the proposed permit parking on these streets indicating that the school believes the situation has not changed substantially since the school was constructed in 1917. He further stated that offsite parking has been available to school students since that time; long before the neighborhood was developed and, therefore, should continue to be available. The school has also resolved to work with the City toward a mutually acceptable solution to the issue.

Staff believes that the condition can be improved if additional parking is provided on the school site. The school can acquire certain properties located east of the school and convert the properties to parking spaces. However, the school does not have any short term plans towards acquisition of such properties. After exhausting this and other options, staff believes that resident/property owner concerns can best be addressed by establishing permit parking.

Staff reviewed permit parking programs adopted by other cities and developed an ordinance aimed at establishing permit parking in the affected neighborhood area. Staff developed a process similar to other cities after coordinating with the residents.

For a request to be considered for preferential/permit parking, property owners would need to submit a petition to the City Engineer, which is signed by 60% of the property owners in the proposed area. The application request should include language describing general requirements and constraints of the permit parking. Following the receipt of the completed application, engineering staff would follow the steps listed below for the request to be approved.

1. Staff holds an informational meeting for the residents/property owners explaining the process, costs, requirements, limitations, etc.
2. Staff completes a mail-in ballot to ensure support from 70% of the property owners of the neighborhood within the designated area.
3. Neighborhood property owners are informed of the ballot results. If the measure is supported by 70% of the property owners they will be requested to collect and provide funds payable to the City for the acquisition and installation of the required signage.
4. Engineering staff will inform Police Department staff of the mail-in ballot results.
5. After the receipt of funds from the residents and property owners, City Engineering staff will designate the permit parking boundary area and request the acquisition and installation of the signs.
6. Thirty days after the designation of the permit parking area, the parking zone will be established.
7. The Police Department will issue parking permits.
8. Parking enforcement will be performed on "Call for Service" by the Police Department parking interns or community service officers. If neither is available a police officer will respond.

Following the approval of permit parking, the Police Department will issue, manage and enforce the permit parking program. At this time, the Police Department staff has determined it will provide permits at no cost to the residents or property owners as a pilot program. Depending upon future requests, Council may determine that annual permit fees would be required in the future.

Based on the interest from the neighborhood community it is anticipated that property owners from only two streets, Twelfth Street and Beverdor Avenue between Mae Avenue and East Street, will pursue this program. If approved by the property owners there is potential of issuing 120 total permits. Therefore the fiscal impact is minimal. No major operation impact is anticipated at this time.

The existing City code does not allow permit or preferential parking. In order to allow permit parking within the City, Council must approve the addition of a new chapter in the ordinance that provides a tool to resolve citizen's concerns and provides a mechanism to install preferential/permit parking.

There will be minimal impact to the General Fund. No major operational impact is anticipated by the Police Department at this time. However, if preferential parking is extended to other areas of the City, further impact studies will need to be performed. The

establishment of a preferential parking/permit parking zone will be implemented by engineering staff. The cost for acquisition and installation of signs will be collected from the property owners requesting the preferential/permit parking. Issuance of parking permits will be performed by Police Department staff.

Staff recommended that Council introduce an ordinance adding Chapter 3.12, Preferential Parking to the Tracy Municipal Code.

Mayor Pro Tem Maciel asked if the process described was a best practice versus a statutory requirement. Mr. Sharma stated it was a hybrid of the City's existing traffic calming policy and the proposed permit parking program.

Mayor Pro Tem Maciel asked how staff would assess the cost of the signs. Mr. Sharma stated they estimated eight signs would be needed, including installation costs divided between the 34 property owners.

Mayor Pro Tem Maciel asked if the cost information would be made available to the property owners. Mr. Sharma stated yes.

Council Member Young asked if introducing the ordinance can transition to other neighborhoods throughout the City. Mr. Sharma stated that was correct; it allows the establishment of permit parking in the City. Mr. Sharma added that staff would work with residents to resolve issues before considering permit parking.

Council Member Young stated she was concerned that all property owners will pursue this option. Council Member Young asked if there were opportunities for the residents and the school to discuss the situation.

Council Member Manne asked if any consideration was given regarding a shared use with the West Side Irrigation District (WSID). Mr. Sharma stated the WSID lines go east to west behind some of the houses that back up to the park. Mr. Sharma added that in order to create public parking, a driveway would be needed along with other improvements. Mr. Sharma stated parking on the school site has been explored.

Council Member Rickman asked for clarification regarding 60 stalls not being used at Tracy High. Mr. Sharma stated construction had occurred on site which blocked some of the parking stalls. Mr. Sharma added that since construction has ended, staff has not seen a decrease of parking on Berverdor Avenue and Twelfth Street.

Council Member Rickman asked if the ordinance can be site specific. Dan Sodergren, City Attorney, stated it was possible to limit the ordinance to a location or locations.

Council Member Rickman stated his understanding was that the ordinance was a trial and included a sunset. Mr. Sharma stated that could be done.

Mayor Ives asked if the neighbors on Highland Avenue have complained. Mr. Sharma stated only residents on Berverdor Avenue and Twelfth Street have complained.

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

Melissa Furtado, a resident of Twelfth Street, discussed daily struggles she encounters including entering and exiting her home, foul language, garbage, and students smoking and hanging out in the neighborhood. Ms. Furtado provided Council with a copy of pictures of her neighborhood since the last Council meeting.

Mayor Ives asked Ms. Furtado if she liked the ordinance. Ms. Furtado stated she was in favor of the ordinance.

Robert Tanner asked if the ordinance was citywide and could be done anywhere by 70% of the voters. Mr. Sharma stated the ordinance could be used anywhere in the City and that the sunset clause only dealt with the fees.

Robert Tanner asked what would be done when the students begin to park in the City parking lot. Captain Watney indicated there are municipal code violations regarding parking at City Hall during business hours.

Curtis Brown, a resident of Twelfth Street, stated he would happily give his free space to the Superintendent. Mr. Brown stated he has replaced four car mirrors that have been hit during school hours.

A resident explained that the Police Department conducted a survey regarding violations occurring on Twelfth Street. The resident explained that she has to leave 30 minutes early to be able to exit her driveway to avoid being late.

Dave Anderson stated if the City implements permit parking on these two streets, it will only move the problem, suggesting the City needed to look at a larger area.

Ms. Furtado asked Council to visit the neighborhood.

Dr. Christina McDougall, a resident of Berverdor Avenue, shared the problems she encounters including trash, parents using profanity, and blocked access to her home. Dr. McDougall asked what time frame was covered by the permits. Mr. Sharma stated weekdays.

Mayor Ives closed the public hearing.

Council Member Young asked about the 60 parking spaces on the school site. Captain Watney stated he conducted a survey and on average found 17 student parking spaces and 22 teacher parking spaces available at various times during the day.

Council Member Young stated she was concerned that the parking issue will not change. Council Member Young stated some of the other concerns noted such as litter, dropping off students, smoking, and hanging out will not be eliminated with permit parking; that it was a character issue. Council Member Young stated she did not believe permit parking will address all the issues.

Mayor Pro Tem Maciel stated this has been a longstanding issue. Mayor Pro Tem Maciel stated he disagrees with Dr. Franco on this issue stating the community has grown, lifestyles have changed, and there is a higher percentage of teenagers driving.

Mayor Pro Tem Maciel stated the school needs to be more proactive. Mayor Pro Tem Maciel stated this action may be a step in the right direction.

Council Member Manne stated he was a little disappointed that the School District has let the concerns get this far. Regarding an ordinance, Council Member Manne stated he was hesitant to add more rules to the books. Council Member Manne added that this was not the end of the conversation; students have their reasons for why they park where there do. Council Member Manne stated this was an opportunity to fix the problem on Berverdor Avenue and Twelfth Street and is in favor of the ordinance.

Council Member Rickman stated the ordinance has to be specific to these two areas (Twelfth Street and Berverdor Avenue); it should not be city-wide. Council Member Rickman stated he would like to see a sunset provision added.

Mayor Ives stated he was not in favor of an ordinance, but was in favor of a pilot project which calls for the city to set up signs and after a set time, determine if the program worked. Mayor Ives stated he believed the number of parking spaces have decreased due to the various campus improvements.

Council Member Young stated she agreed with the Mayor's approach, but added she was concerned that many of the issues will remain.

Mayor Ives stated this action will put the School District on notice and added that the school district has to come to the table.

Mayor Pro Tem Maciel asked if what was being proposed would have to come back to Council. Mr. Sodergren stated preferential parking would have to be adopted by resolution or ordinance. Mr. Sodergren added that if Council wanted to pursue a pilot program, they would need to provide staff with specific direction.

Mayor Pro Tem Maciel stated he supported a city-wide ordinance that creates a mechanism to approach the problem as has been laid out and would consider it on an interim basis.

Mayor Ives proposed 18 months for the pilot program. Mayor Ives recommended putting the School District on notice that they need to work on enforcement for on-site parking and notification to students and parents to not park in the residential neighborhoods.

Mr. Sodergren clarified Council direction was to limit the pilot program to Berverdor Avenue and Twelfth Street, return after 18 months, and that the City would cover the costs of the signs.

Council Member Young asked how soon the pilot program could begin. Mr. Sharma stated the signs could be installed within three weeks.

It was moved by Council Member Manne and seconded by Council Member Rickman to direct staff to bring back a resolution for Council consideration regarding a pilot program addressing parking concerns on Berverdor Avenue and Twelfth Street. Voice vote found all in favor; passed and so ordered.

Mayor Ives called for a recess at 9:54 p.m., reconvening at 10:02 p.m.

6. DISCUSS AND PROVIDE DIRECTION ON A COUNCIL COMMUNICATIONS POLICY – It was Council consensus to move discussion of the item to the February 18, 2014 Council meeting.
7. SECOND READING AND ADOPTION OF ORDINANCE 1190 AN ORDINANCE OF THE CITY OF TRACY AMENDING THE EASTLAKE PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AMENDING THE ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AND CREATING A NEW PLANNED UNIT DEVELOPMENT FOR THE TOTAL TEN-ACRE SITE KNOWN AS THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-50-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBER PUD12-0003 - Mayor Ives excused himself from consideration of the item.

The Clerk read the title of proposed Ordinance 1190.

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

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

It was moved by Council Member Rickman and seconded by Council Member Manne to adopt Ordinance 1190. Roll call vote Council Members Manne, Rickman, Young and Mayor Pro Tem Maciel in favor; Mayor Ives abstained.

8. SECOND READING AND ADOPTION OF ORDINANCE 1191 AN ORDINANCE OF THE CITY OF TRACY, AMENDING SECTION 3.08.580, OF CHAPTER 3.08 (TRAFFIC REGULATIONS) OF TITLE 3 (PUBLIC SAFETY) OF THE TRACY MUNICIPAL CODE

The Clerk read the title of proposed Ordinance 1191.

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 Manne to waive the reading of the text. Voice vote found all in favor; passed and so ordered.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Ordinance 1191. Roll call vote found all in favor; passed and so ordered.

9. ITEMS FROM THE AUDIENCE – None.
10. STAFF ITEMS

- A. Receive and Accept the City Manager Informational Update – Leon Churchill, Jr., City Manager, provided the staff report.

Council accepted the City Manager Informational Update.

11. COUNCIL ITEMS

- A. Appoint Applicants to the Parks and Community Services Commission - Council Member Manne reported that he and Mayor Pro Tem Maciel interviewed 17 applicants.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to reappoint Gene Birk and Alexander Holguin, and appoint Janice Johnson to the Parks and Community Services Commission with terms expiring January 1, 2018. Leslie Douglas, Patrick O'Brien, and William Helpley were placed on the eligibility list. Voice vote found all in favor; passed and so ordered.

- B. Review Appointments to Council Committees – Maria A. Hurtado, Assistant City Manager, provided the staff report. Appointments to Council subcommittees are reviewed on an annual basis. The appointments were last reviewed on January 15, 2013.

Some committees may need to be deleted from the list if they are no longer active or if Council participation is no longer required. Likewise, active committees not on the list may need to be added. Council members may be reappointed to the same committees on which they are currently serving, or new assignments can be made upon request.

There were no changes to the existing Council appointments.

Council Member Rickman reminded everyone that the Parks Activity Guide still had opportunities for individuals to get involved. Council Member Rickman invited those with any special skills that would be willing to teach to please contact the Parks Department.

12. ADJOURNMENT - It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adjourn. Voice vote found all in favor; passed and so ordered. Time: 10:17 p.m.

The above agenda was posted at the Tracy City Hall on January 16, 2014. The above are summary minutes. A recording is available at the office of the City Clerk.

Mayor

City Clerk