

February 3, 2015, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

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

Mayor Maciel presented Certificates of Achievement to the Tracy Cougar Junior Novice Football and Cheer for winning the Delta Youth Football League Super Bowl 2014 in the City Hall Lobby prior to beginning the City Council meeting.

Mayor Maciel called the City Council meeting to order at 7:15 p.m. and led the Pledge of Allegiance.

The invocation was offered by Pastor Tim Heinrich, Crossroads Baptist Church.

Roll call found Council Members Mitracos, Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel present.

Mayor Maciel stated a change for Council approval, agenda item 3 related to the proposed Sutter Gould building. There was a request by members of the neighborhood for more time to review the documents provided and applicant agreed to delay this item to February 17, 2015.

Council Member Mitracos recused herself from discussion and vote on item 3 related to Sutter and left the dais at 7:18 p.m.

It was moved by Mayor Pro Tem Rickman and seconded by Council Member Vargas to continue the item to February 17, 2015. Council Member Mitracos abstained.

Council Member Mitracos returned to the dais at 7:21 p.m.

Troy Brown, City Manager, presented the Employee of the Month award for February, 2015 to Kurt Tavares, Information Services.

1. CONSENT CALENDAR

ACTION Motion made by Mayor Pro Tem Rickman, seconded by Council Member Young to adopt the Consent Calendar with the exception of items 1B, 1D and 1H. Roll call vote found all in favor; passed and so ordered. Motion carried 5:0

A. Council Minutes – December 16, 2014, regular meeting minutes were approved.

C. Approve an Exclusive Negotiating Rights Agreement (ENRA) by and between the City of Tracy and Becker Commercial Properties for City-owned Property located at the Southwest Corner of Naglee Road and Pavilion Parkway (APN 212-290-39), and Authorize the Mayor to Sign the Agreement – Resolution 2015-013 approved the agreement.

- E. Approve an Offsite Improvement Agreement for the Cordes Ranch Storm Recycled Water Pipelines on Schulte Road and Mountain House Parkway and Associated Improvements for the Crossroads Building 1 Project and Authorization for the Mayor to Execute the Agreement – Resolution 2015-014 approved the agreement.
- F. Approve an Offsite Improvement Agreement (OIA) for the Cordes Ranch Storm Drainage Detention Basin LW10B and Associated Downstream Pipelines and the Interim Retention Basin (Detention Basin LW9) for the Crossroads Building 1 – Project to be Located at the Northeast Corner of Schulte Road and Mountain House Parkway and Authorize the Mayor to Execute the Agreement –Resolution 2015-015 approved the agreement.
- G. To Find that it is in the Best Interest of the City of Tracy to Dispense with the Formal Bidding Process Pursuant to Tracy Municipal Code Section 2.20.180(b)(4) and Authorize the Purchase of Sensus Water Meters and Related Parts and Equipment from Golden State Flow Measurement – Resolution 2015-016 authorized the purchase.
- I. Authorize Amendment of the City's Classification Plan by Approving Revisions to the Classification Specification for Equipment Mechanic II – Resolution 2015-017 authorized the amendment.
- J. The City Council of the City of Tracy Acting as the Governing Body of the Successor Agency for the Community Development Agency of the City of Tracy Approving the Recognized Obligation Payment Schedule (ROPS) – This item was pulled and moved to February 17, 2015
- B. Approve Professional Services Agreement No. HE-1 with Hanna Engineering, Inc., of Rancho Cordova, California, for Construction Management and Resident Engineer Services, Approve Amendment No. Five to the Professional Services Agreement (PSA) with Drake Haglan and Associates for Design Support Services during Construction for the Eleventh Street – East Tracy Overhead Bridge Replacement Project - CIP 73063, Federal Project No. HBLS – 5192(020), and Authorize the Mayor to Execute the Agreement and Amendment

Council Member Vargas pulled this item for discussion.

Kuldeep Sharma, City Engineer, presented the staff report.

Dave Helm commented on the two contracts being discussed and inquired about the hourly rate for the inspectors and how long it would take to build the bridge, and once the road is closed what are the alternative routes.

Council Member Vargas commented that the staff report stated \$1.2 million dollars was saved from the construction of the fire stations. Council Member Vargas wanted to know if the money went into the General Fund or CIP. Council Member Vargas requested fund breakdown since it was a split ownership. Dan Sodergren, City Attorney stated that Finance is in the process of working on the

fund breakdown and will figure out the final cost. Mr. Sodergren was not sure on the actual amount and stated that staff will follow up with this request.

ACTION Motion made by Mayor Pro Tem Rickman, seconded by Council Member Vargas to adopt Resolution 2015-018 approving the PSA with Hanna Engineering Inc, and to adopt Resolution 2015-019 approving Amendment No. 5 to the PSA with Drake Haglan & Associates. Voice vote found all in favor; passed and so ordered.

- D. Acceptance of the Fire Stations 92 and 96 Project - CIPs 71062 and 71061, Completed by Diede Construction Inc. of Woodbridge, California, Authorization for the City Clerk to File the Notice of Completion, and Authorization for the City Engineer to Release the Bonds and Retention Payment

Mayor Pro Tem Rickman pulled this item for discussion.

Dave Bramell, Interim Fire Chief, presented the staff report.

ACTION Motion made by Mayor Pro Tem Rickman, seconded by Council Member Young to adopt Resolution 2015-020 accepting Fire Stations 92 and 96 project. Voice vote found all in favor; passed and so ordered.

- H. Authorize Amendment of the City's Classification and Compensation Plans due to the Establishment of a New Classification Specification for Emergency Medical Services Manager

Council Member Mitracos pulled this item for discussion.

Arlene Roberts, Human Resources Analyst, presented the staff report.

Dave Helm inquired if the San Joaquin County Emergency Medical Agency requires this agreement with other cities or is this unique to the City of Tracy and was there an incident or issue that required this change or is it best practice. It would seem that the new Fire Chief should be allowed to weigh in on the hiring of this position.

Paul Miles, 1397 Mansfield Street, stated that his comments are similar to those of Mr. Helm and added that there appears to be duplication in services between what AMR and Fire provides. It may be better to sunset the whole ALS program if the City is still facing structural deficit instead of creating a new position.

ACTION Motion made by Council Member Mitracos, seconded by Council Member Young to adopt Resolution 2015-021 authorizing amendment of the City's Classification and Compensation Plans. Voice vote found Council Members Mitracos, Young and Mayor Maciel in favor; Council Member Vargas and Mayor Pro Tem Rickman opposed.

2. ITEMS FROM THE AUDIENCE - Freddie Berma commented on her concern about recent siting of raccoons in her neighborhood. Ms. Berma stated that they are vicious and dangerous animals. She has requested that the pound provide

traps and they will not. She would like to see the City do something about this problem.

Paul Miles commented about the recent incident related to the Police department K9 attack.

Arlene asked the City Council why Sutter delayed the matter being heard.

Xena Robbins inquired about requesting street lights and or speed bumps for a neighborhood.

3. PUBLIC HEARING FOR THE APPROVAL OF DEVELOPMENT REVIEW APPLICATION D14-0003 AND DETERMINATION OF A CATEGORICAL EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") FOR A 45,500 SQUARE FOOT MEDICAL OFFICE BUILDING LOCATED AT 445 WEST EATON AVENUE AND A PARKING LOT AT 418, 424, 432, AND 434 WEST EATON AVENUE AND 426 W. BEVERLY PLACE - APPLICANT IS DAVID O. ROMANO AND PROPERTY OWNER IS SUTTER GOULD MEDICAL FOUNDATION, APPLICATION NUMBER D14-0003 - This item was continued to February 17, 2015.

4. CITY MANAGER'S QUARTERLY REPORT-

Troy Brown, City Manager, presented the quarterly report.

By Council consensus the report was accepted.

5. ITEMS FROM THE AUDIENCE - Steve Nicolaou commented on two issues related to ethics and good government: 1) is there a policy or procedure in place that would allow Council to censure one of their own? Mr. Nicolaou requested that a discussion be placed on the agenda for discussion. 2) Consider enacting a lobbyist ordinance which has many benefits to the City.

Freddie Berma commented that she went to the animal shelter looking for her lost cat and was disappointed with the care of the animals being held there for adoption.

Kevin Tobeck commented on three things: 1) improvements on the west side, 2) 31 street lights in the downtown area off of 11th Street between Bessie and MacArthur should be repainted so they would look better, 3) the median out on Grant Line Road that runs in front of Costco is an eyesore. He urged the Council to look at getting some budget for those improvements. He provided pictures to be distributed to the Council.

Linda Jimenez commented on the recent council appointment process and how the community was dissatisfied with the process which was conducted.

Mayor Maciel called for a recess at 9:09 p.m.

Council reconvened the meeting at 9:18 p.m.

7. COUNCIL ITEMS

A. Appointment of City Council Subcommittee to Interview Applicants for a Vacancy on the Measure E Residents' Oversight Committee

Maria Hurtado, Assistant City Manager, presented the staff report.

Mayor Maciel asked for volunteers to serve on the subcommittee to interview Measure E Residents' Oversight Committee applicants. Council Member Mitracos and Mayor Pro Tem Rickman volunteered.

Mayor Pro Tem Rickman wanted to confirm that the Legacy Fields agenda item and the workshop will be on the March 3, 2015 City Council agenda. Troy Brown, City Manager, confirmed that both items are agendaized for March 3, 2015.

8. ADJOURNMENT

ACTION Motion made by Mayor Pro Tem Rickman, seconded by Council Member Young, to adjourn the meeting. Voice vote found all in favor; passed and so ordered. Time: 9:15 p.m.

The above agenda was posted at the Tracy City Hall on January 30, 2015. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk