

February 17, 2015, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

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

Mayor Maciel called the City Council meeting to order at 7:35 p.m. and led the pledge of Allegiance.

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

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

Mayor Maciel acknowledged the D.A.R.E. Graduates from Villalovoz Elementary School and North Elementary School.

Mayor Maciel acknowledged Pacific Coast Khalsa Diwan and presented a certificate of recognition to Rick Uppal.

Mayor Maciel stated a change in the sequence of order for Council approval, agenda item 3 related to the proposed Sutter Gould Building.

Mr. Romano spoke on behalf of Sutter requesting to continue this item to March 17, 2015 to work on a few small matters.

Council Member Mitracos recused herself from discussion or vote on item 3 related to Sutter and left the dais at 7:48 p.m.

Council comments and questions followed.

Comments from the public related to this item were as follows – Arlene Robbins stated that the applicant should go back to the Planning Commission; the Planning Commission's decision was not respected or acknowledged. This is all in the interest of money and not in the interest of Tracy and the community. Ms. Robbins urged the Council to consider the people of Tracy.

Dave Helm, expressed concern that it is not fair to the residents who come to the meeting and the item gets cancelled or pushed out. It is also not fair to have staff move forward and work with Sutter and change things again which will not include community input. Mr. Helm suggested that all changes be made and formulated into one final product which staff and Sutter are okay with and which would include community input, then it would go before the Planning Commission as a fresh product for review and then for final approval or denial by the City Council.

Pete Mitracos commented that it is evident that when Sutter went before the previous City Council they made changes to the application which should require them to start the process over again. Mr. Mitracos expressed concern that no questions were asked about the findings which led to the denial of the project. The process seemed rushed and pointed out that the CEQA analysis should be of the entire Sutter campus.

Sherry Bruno inquired about the environmental study related to traffic and urged the Council to look into how their traffic assessment was made.

Bethany Hill commented that there was a misconception at the last September council meeting she attended that the overwhelming resistance of this project was based on the lack of desire to grow as a community and lack of business comprehension and understanding of the medical needs of the community, the truth is quite the opposite, Tracy is ripe with potential but it must be done the right way and built in a medical zone.

Kyle Miller stated that he was the person that requested the last extension on the Sutter item due to lack of information available. Sutter has a revised plan that has not been pushed out to the public and it is imperative that the public have a piece in this and provide their input. Since there are new members on the Council Mr. Miller strongly urged that this be returned to the Planning Commission for review.

Bill Corral requested that the project be returned to the Planning Department to remedy the original issues which caused the denial of the project. Should the Council move forward with this the following items are being requested: the building be relocated to the corner of Eaton and Bessie and that the CEQA exemption be denied based on several criteria already presented by the EIR. As a condition of approval future studies must be done for noise and traffic and property value impact if not in compliance Sutter must negate.

Xena Robbins agreed with the previous speakers and added CEQA results are not accurate and does not understand why the EIR would be done after the building is built. With a decision of this magnitude the community should be considered as they would be mostly impacted, Ms. Robbins urged the Council to deny this travesty that might occur to the neighborhood and community.

Corrine Acosta urged the Council to do the right thing and support the older neighborhood which would be greatly affected by allowing this building to be built. It is an inappropriate site and would impose on the character of the neighborhood and would impact the surrounding traffic and create traffic congestion on the smaller neighborhood streets.

Paul Miles stated that he was confused about the process followed related to the Sutter item.

Steve Nicolaou stated that this project deserves to be heard from both sides from a clean slate. Mr. Nicolaou suggested that Sutter file a new application to clear everything up and show transparency.

City Council discussion continued.

ACTION Upon motion by Mayor Pro Tem Rickman, and seconded by Council Member Vargas that the City Council directed agenda item 3 be returned to city staff for a full review of conditions set forward by the applicant during the September 2014 Council meeting and according to policy and procedures set forth by the City and bring back to the City Council at a later date. Voice vote found Council Members Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel in favor; Council Member Mitracos abstained.

1. CONSENT CALENDAR

ACTION

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

- A. Council Minutes –Council member Mitracos requested an amendment to the minutes of January 20, 2015 item 5 to reflect that the estimate for the maintenance cost was high. Minutes will be brought back for approval on March 3, 2015.
 - B. Acceptance of the Police Firearms Practice Range Container Project CIP – 71072G, Completed by S.R.P. Company of Brentwood, 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 – Resolution 2015-022 accepted the Police Firearms Practice Range Container Project.
 - C. Approve the Sale of an approximately 42-Foot-Wide, City-Owned, Strip of Property (approximately 7,120 Square Feet) to Armin Ghorbani and Lori A. Ghorbani, Developers of the Adjacent Tracy Collision Site – Resolution 2015-023 approved the sale of property.
 - D. 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) – Resolution 2015-024 approved the ROPS.
 - E. Approve Appropriating and Expending Asset Forfeiture Funds Received in the Amount of \$64,000 from the Department of Justice Equitable Sharing Program – Resolution 2015-025 approved Asset Forfeiture Funds received.
 - F. Approving the Budget for the Operation of the Tracy Material Recovery Facility and Solid Waste Transfer Station in the Amount of \$3,579,040 for the Period January 1, 2015 Through April 30, 2015 – Resolution 2015-026 approved budget for the operation of the Tracy Material Recovery Facility and Solid Waste Transfer Station.
2. ITEMS FROM THE AUDIENCE – Abby announced the upcoming Pins for Pets Bowling fundraiser that benefits the Tracy Animal Shelter taking place on February 28, 2015 from 11:00 a.m. – 4:00 p.m. at the West Valley Bowl in Tracy; tickets are \$10 for 2 hours of bowling. Abby personally invited the community and their families to come out and support the cause.

Jody Adams commented on the road condition and potholes west bound on Valpico. His sister hit a large pothole which damaged her vehicle; she went through the claim process and was denied.

Marvin Rothchild spoke on behalf of citizens working with the homeless and low income families in Tracy. Mr. Rothchild stated that in order to really help the homeless the following needs to be addressed: shower facilities, mail boxes, hygiene products, and a warming center.

Stephen Thompson commented on the need to house the homeless services that are currently being provided. He urged Council to direct management to work with him and Mr. Rothchild to work something out to establish a Community Connections Center at the Fire Station in Pescadero Park.

Debra Allen, 4236 Oakridge Drive, stated that the traffic from Brookview to Glen Briar Circle has increased and drivers are not observing the speed limits. Ms. Allen is concerned for the safety of the children in the neighborhood. Ms. Allen estimated that from 8-10 a.m. and from 3-6 p.m. is when there is the most traffic.

Trisha Fong, Regional Outreach Manager for Rising Sun Energy Center presented a program being offered to Tracy residents, home energy assessment at no cost for energy saving measures. They hire local youth and provide them with summer jobs. For more information www.risingsunenergy.org

Paul Miles submitted a formal written public records request to the City Clerk.

Steve Nicolaou submitted a draft lobbyist ordinance to the City Clerk.

Mayor Maciel called a recess at 9:16 p.m.

The meeting was reconvened at 9:24 p.m.

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 has been continued to a future date.
4. PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT PRELIMINARY AND FINAL DEVELOPMENT PLAN TO CONSTRUCT A 21,300 SQUARE FOOT, AUTO BODY REPAIR FACILITY ON AN APPROXIMATELY 1.66-ACRE SITE LOCATED ON THE NORTH SIDE OF AUTO PLAZA DRIVE (AT 2705 AUTO PLAZA DRIVE) ADJACENT TO AND EAST OF THE DEPARTMENT OF MOTOR VEHICLES BUILDING (APNS 212-270-15 AND A PORTION OF APN 212-040-11.) APPLICANT IS SCHACK AND COMPANY, INC. FOR ARMIN AND LORI A. GHORBANI REVOCABLE TRUST

Alan Bell, Senior Planner, Public Works, presented the staff report.

Mayor Maciel opened the public hearing.

Dan Shack spoke about the project and acknowledged staff for their collaborative effort.

Mayor Maciel closed the public hearing.

ACTION Motion by Mayor Pro Tem Rickman, and seconded by Council Member Vargas the Council adopted resolution 2015-027 approving a planned unit development preliminary and final development plan (d14-0021) for Tracy Collision – a 21,300 square foot auto body repair facility located at 2705 Auto Plaza Drive. Voice vote found all in favor; passed and so ordered.

5. PUBLIC HEARING TO HEAR OBJECTIONS TO AND APPROVE THE FINAL COSTS OF WEED ABATEMENT AND AUTHORIZE A LIEN ON THE LISTED PROPERTIES IN THE COSTS OF ABATEMENT AMOUNT PLUS 25 PERCENT

Steve Hanlon, Fire Captain, presented the staff report.

Mayor Maciel opened the public hearing.

There were no speakers for public testimony.

Mayor Maciel closed the public hearing.

ACTION Motion by Mayor Pro Tem Rickman, and seconded by Council Member Young the Council adopted Resolution-2015-028 approving the final costs of weed abatement and authorizing a lien on the properties for which the City conducted weed abatement. Voice vote found all in favor; passed and so ordered.

6. ACCEPT RESULTS OF 2015 RESIDENT SURVEY

Troy Brown, City Manager, presented the staff report.

Damema Mann, National Research Center, presented a Powerpoint presentation delivering the 2015 Resident Survey results.

Council accepted the results for the 2015 Resident Survey report.

7. ITEMS FROM THE AUDIENCE – Conrad Lapoint, inquired about the resident survey and inquired if he could have participated. Mr. Lapoint announced an event taking place on Saturday, February 21, 2015 at 6:00 p.m. Tickets are available for \$15 per person.

8. COUNCIL ITEMS

A. Consider Whether an Item to Discuss Implementation of the Communication Towers should be placed on a Future City Council Agenda

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

The consensus of the Council was to return with a staff report at a future date.

Council Member Mitracos expressed how much she enjoyed the Breakfast in the Neighborhood Event.

Council Member Young announced the following upcoming events: Law and Order Dinner, taking place on Saturday at the American Legion Building; the Social hour begins at 6:00 p.m. and dinner at 7:00 p.m. West High will be presenting a Black History Month Program on February 27, 2015 at 6:00 p.m. in the West High Library, there is no cost to attend and refreshments will be served.

9. ADJOURNMENT – Motion made by Mayor Pro Tem Rickman, seconded by Council Member Vargas, to adjourn the meeting. Voice vote found all in favor; passed and so ordered.
Time: 10:07 p.m.

The above agenda was posted at the Tracy City Hall on February 13, 2015. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk