

March 3, 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 7:11 p.m. and led the Pledge of Allegiance.

Invocation was offered by Pastor Scott McFarland, Journey Christian Church

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

Troy Brown, City Manager, presented the Employee of the Month award for March, 2015 to, Raquel Votaw, Administrative Services Department.

Mayor Maciel introduced Janet Anderson, Lori Souza, and Joyce Sheperd with Tracy Celebrates Children. Janet Anderson announced the upcoming Tracy Celebrates Children event taking place on March 6, 2015.

1. CONSENT CALENDAR

ACTION Motion made by Council Member Young, seconded by Council Member Vargas to adopt the Consent Calendar with the exception of item 1F. Roll call vote found all in favor; passed and so ordered. Motion carried 5:0

- A. Council Minutes – Regular Minutes for: January 6, 2015, January 20, 2015, and February 3, 2015, special meeting minutes for: June 3, 2014, August 19, 2014, November 5, 2014, and January 6, 2015, and closed session minutes for: February 3, 2015, and February 17, 2015 were approved.
- B. Approve an Offsite Improvement Agreement (OIA) for the Cordes Ranch Storm Drainage Detention Basin LW6 and Associated Storm Drainage Pipelines for the Medline Building and Federal Express Ground Facility Located Within the Cordes Ranch Business Park and Authorization for the Mayor to Execute the Agreement on Behalf of the City – Resolution 2015-029 approved the agreement.
- C. Approve an Offsite Improvement Agreement (OIA) for Cordes Ranch Phase 1C Roadway Improvements on Mountain House Parkway, the Modification of the Traffic Signal at the Intersection of Schulte Road and Mountain House Parkway (Intersection #34) and the Installation of Intelligent Transportation System Improvements on Schulte Road, Mountain House Parkway, and Intersection #34 for Cordes Ranch – Crossroads Building 1, and Authorization for the Mayor to Execute the Agreement – Resolution 2015-030 approved the agreement.

- D. Authorize the City Manager to Sign a Memorandum of Understanding Between the City of Tracy and the Lathrop-Manteca Fire Protection District for the Purchase of Public Safety Dual-Band Portable Radios and Associated Equipment Through a Regional Federal Emergency Management Administration (FEMA) Assistance to Firefighters Grant and Approve a General Fund Appropriation in the Amount of \$32,782.02 for the Purchase – Resolution 2015-031 authorized a memorandum of understanding between the City of Tracy and the Lathrop-Manteca Fire Protection District.
- E. Approve Resolution Authorizing a Leave of Absence for Tracy Transportation Advisory Commissioner John Favors – Resolution 2015-032 approved a leave of absence.
- F. Authorization of Agreement with the West Side Irrigation District for Sale of Treated Effluent and Authorize the Mayor to Execute the Agreement – Resolution 2015-033 authorized an agreement.

This item was pulled by Steve Nicolaou. Mr. Nicolaou inquired if it would be possible to add a provision in the contract to back up the indemnity requiring West Side Irrigation to name the city as an additional insured under their policy.

Council consensus was to pull this item and bring back an amendment at a future meeting.

Bob Sarvey inquired about last year's water allocation to West Side: What was the price last year; how much of that water did they utilize; and is there a figure for what it cost to produce the recycled water.

Dave Kaiser, General Manager from West Side Irrigation, stated that time is of the essence on this matter. West Side is serving farmers on the east and west side of Tracy, the drought has been catastrophic and the growers are at risk. Action on this is important, he urged the council to please reconsider.

Council comments and questions followed.

ACTION: It was motioned by Council Member Young and seconded by Council Member Mitracos to approve consent item 1F amended to ensure the insurance provision as discussed. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE –Jody Adams, returned to update the Council about his sister's rejected pothole claim stating he resubmitted the claim and was denied. He is disappointed with the way it was handled.

Paul Miles, 1397 Mansfield, expressed his concern about the Police Department's handling of the Traffic Collision Report which in his opinion damages the credibility of the police department.

Roger Birdsall announced the Notre Dame University play taking place on March 14, 2015 at 6:00 p.m. Tickets are still available and emphasized the importance of supporting and filling the Grand Theatre.

Mayor Maciel stated a change in the order of the agenda; Item 5 was moved up to be heard first.

DEVIATION

5. CITY COUNCIL TO PROVIDE DIRECTION ON LEGACY FIELDS OPTIONS

David Ferguson presented the staff report.

Council comments and questions followed.

The following were comments from the public:

Troy Camacho, President of Tracy Babe Ruth, commented on the need for fields. Mr. Camacho stated that as of three years ago there are ten less fields. There are 450 kids on the Tracy Babe Ruth League of which 97% are from Tracy. When the season is in full swing there will be zero practice fields for the season. Mr. Camacho referenced the Monte Vista fields which were basic fields and were utilized for 20 years and fulfilled the need.

Kevin Harris spoke about sports being an important component in a kid's life and added that there are life lessons that are learned through sports. Mr. Harris urged the Council to reevaluate and prioritize the construction of the fields higher on their agenda and allocate the necessary funds.

David Duncan, President of the Tracy Express Girls Softball commented that the league currently rents fields from Tracy Unified School District and that they are in the similar situation as other leagues that rely solely on the school districts. The league is also limited with maintenance capabilities causing some safety issues. The fields currently being rented will be taken away before phase II.

Walter Gouveia stated that the issue of sports has been ongoing for about 40 years; it is time to make a commitment. This is an investment to provide a facility for youth and mentor them in the right direction.

Dave Helm stated that the City does not have the money but that kids need fields. There needs to be a way to get it done at a minimal cost. A \$30 million dollar facility with amenities would be nice but it is not realistic.

Peter Holtz stated that sports are important to kids and the discussion cannot continue for another 20 years.

Council discussion ensued.

ACTION: It was motioned by Mayor Pro Tem Rickman and seconded by Council Member Vargas to approve a minimum of \$5 million dollars for construction and expansion of sports fields at Legacy fields. Voice vote found Council Member Mitracos, Vargas, Young, and Mayor Pro Tem Rickman in favor. Mayor Maciel opposed.

ACTION: It was motioned by Mayor Pro Tem Rickman and seconded by Mayor Maciel to rescind the \$100,000 consultant fee approved by the Council previously and put it toward the construction and expansion of sports fields at Legacy Fields. Voice vote found all in favor; passed and so ordered.

Council directed staff to engage in additional discussions with league representatives (Tracy Little League, Tracy Babe Ruth, etc.), and other stakeholders relating, but not limited to the following:

1. Design standards
2. Funding application
3. Look at current MOU's and may need to modify
4. Bond measure
5. How, when, what will be built

Council also directed staff to return within 30 days (April 7, 2015) with an update. In addition Mayor Maciel requested staff bring forward funding options-borrowing/leveraging.

3. ACCEPTANCE OF THE CITY OF TRACY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2014

Ray Durant, Interim Finance Director presented the staff report.

Council comments and questions followed

Steve Nicolaou commented that the City enters into many transactions with reimbursement agreements with developers who are obligated to reimburse the City for certain costs. Mr. Nicolaou inquired where in the CAFR does it show what the City spent and are the reimbursements accounted for.

ACTION: It was motioned by Mayor Pro Tem Rickman and seconded by Council Member Vargas to accept the report. Voice vote found all in favor; passed and so ordered.

4. ACCEPT THE FY14/15 MID-YEAR BUDGET PERFORMANCE REPORT; AUTHORIZE MID-YEAR SUPPLEMENTAL APPROPRIATIONS

Ray Durant, Interim Finance Director, presented the staff report.

Michel Bazinet congratulated the City on their operational surplus. Mr. Bazinet asked about the differences between FY 2013/14 actual expenditures and FY 2014/15 estimated expenditures. Mr. Bazinet indicated that FY 2014/15 estimates are higher than FY 2013/14 actual and asked why.

Council Member Vargas requested an informational memo explaining the increase in expenditures be forwarded to the Council.

ACTION: It was motioned by Mayor Pro Tem Rickman and seconded by Council Member Young to accept the report. Voice vote found all in favor; passed and so ordered.

6. INTRODUCTION OF AN ORDINANCE AMENDING SECTION 3.08.580, ARTICLE 12, OF THE TRACY MUNICIPAL CODE WHICH REGULATES THE ESTABLISHMENT OF SPECIAL SPEED ZONES

Kul Sharma, Interim City Engineer, presented the staff report.

Council comments and questions followed.

Bob Sarvey expressed his concern related to the seven accidents that have been reported on the stretch of Corral Hollow between Park Side Drive to Valpico because two of the seven accidents have occurred in his drive way, the speed limits has been a concern in that area. Mr. Sarvey inquired what speed limits are being set and for which segments on Corral Hollow.

Robert Tanner inquired when the reduction of speed would be posted.

Nora Pimentel, City Clerk read into the record the title of proposed Ordinance 1195.

ACTION: It was motioned by Mayor Pro Tem Rickman and seconded by Council Member Young to waive reading of text. Voice vote found all in favor; passed and so ordered.

ACTION: It was motioned by Mayor Pro Tem Rickman and seconded by Council Member Young to introduce Ordinance 1195. Voice vote found all in favor; passed and so ordered.

7. ITEMS FROM THE AUDIENCE

Byron Alvarez commented on the Tracy Boulevard and Larch Road annexation project. He submitted parcel maps to the City Clerk for distribution for the proposed annexation project. Mr. Alvarez urged the Council to direct staff to prioritize the project and have it completed in a reasonable timeframe as was instructed four years ago.

8. COUNCIL ITEMS

A. Appoint an Applicant to the Measure E Residents' Oversight Committee

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

Council Member Mitracos reported that she and Mayor Pro Tem Rickman interviewed applicants for the Measure E Residents' Oversight Committee and recommended appointing Eliassa Davis to serve as the member and to place Bryan Thompson on the eligibility list.

ACTION: It was motioned by Council Member Mitracos and seconded by Council Member Vargas to approve the subcommittee's recommendation. Voice vote found all in favor; passed and so ordered.

Mayor Pro Tem Rickman requested two discussion items to be brought back to the Council:

1. "two-step process" report
2. Lobbyist Ordinance report

The Council reached consensus to waive the two step process for both requests. Staff was directed to return with a staff report to discuss the "two-step process on March 17, 2015 and on April 28, 2015 with a staff report to discuss enacting a lobbyist ordinance.

Mayor Pro Tem Rickman announced a Blood Drive taking place on Friday, March 13, 2015 from 9:00 a.m. to 3:00 p.m. at the Tracy Police Department.

Council Member Young congratulated the West High Robotics Team for winning the regionals and wished them the best in the upcoming State competition in San Jose.

Council Member Vargas encouraged everyone to buy their ticket for the March 14th show at the Grand Theatre; Ms. Vargas also announced that softball season begins this weekend with Babe Ruth's official game.

Council Member Mitracos reported that she appreciated the Council retreat that was held and was time well spent.

9. ADJOURNMENT – It was motioned by Mayor Pro Tem Rickman and seconded by Council Member Young to adjourn the meeting. Voice vote found all in favor; passed and so ordered.
Time: 10:40 p.m.

The above agenda was posted at the Tracy City Hall on February 26, 2015. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk