

April 7 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 7:00 p.m. and led the Pledge of Allegiance.

Invocation was offered by Chaplain Jim Bush.

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

Mayor Maciel presented the Sexual Assault Awareness Month proclamation to Ana Blanco, Sexual Assault Program Specialist, Women's Center – Youth and Family Services.

Mayor Maciel presented Justin Geibig, Program Coordinator, with the National Volunteer Week Proclamation.

1. CONSENT CALENDAR

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

- A. Council Minutes – Regular meeting minutes of October 7, 2014, November 18, 2014, and February 17, 2015, special meeting minutes of February 17, 2015, and closed session minutes of March 17, 2015 were approved.

Steve Nicolaou requested to pull item 1A to amend the minutes of November 18, 2015.

ACTION Motion made by Council Member Young and seconded by Council Member Mitracos to adopt the Council minutes as written. Voice vote found all in favor; passed and so ordered.

- B. Approve Amendment Number Five to the Professional Services Agreement with Kimley-Horn and Associates for the Tracy Hills Specific Plan Amendment Subsequent Environmental Impact Report and Technical Analysis Related to Tentative Maps – Resolution 2015-044 approved amendment number five to agreement.

- C. Award a Construction Contract for the 2014-2015 Overlay Project – CIP 73138A to the Lowest Responsive Bidder, and Authorize the Mayor to Execute the Contract, and Authorize the City Manager to Execute Change Orders Up to the Maximum Amount Permitted for this Project if Needed – Resolution 2015-045 awarded construction contract.
- E. Set a Public Hearing Date and Adopt A Resolution Related to the City’s Intent to Vacate a Portion of Right-of-Way for North MacArthur Drive, South of I-205 – Resolution 2015-046 adopted intent to vacate.
- F. Approve Amendment Number 2 to the Master Professional Services Agreement With SNG & Associates, Inc., for Staff Support and Plan/Map Review Services - Resolution 2015-047 approved amendment number two to agreement.
- H. Authorization to Submit the Annual Claim to the State of California, through the San Joaquin County Council of Governments, for Transportation Development Act Funds in the Amount of \$4,166,722 for Fiscal Year 2014-2015, and for the Administrative Services Director to Execute the Claim – Resolution 2015-048 authorized submission of annual claim to the State.
- I. Approve a Memorandum of Understanding (MOU) Between the City of Tracy and the West Side Pioneer Association for the Placement of a Historic Marker on City Property and Authorize the Mayor to Execute the MOU – Resolution 2015-049 approved MOU. Council Member Mitracos abstained from the vote.
- J. Approve Amendment Two to the Specialized Aeronautical Services Operator and Leased Facility Agreement Between City of Tracy and Skyview Aviation, LLC to Allow Use of Fuel Trucks for Flight School Purposes, and Authorize the Mayor to Sign the Amendment – Resolution 2015-050 approved amendment two to agreement.
- K. Authorization for the Submittal of a Grant Application to the California Department of Water Resources (DWR) and Approval of a Supplemental Appropriation in the Amount of \$48,000 from the TAMP Water Fund 365 - Resolution 2015-051 authorized the submission of a grant application.
- L. Approve an Amendment to the City Council Procedures for Preparation, Posting and Distribution of Agenda and the Conduct of Public Meetings to Establish a New Policy for Council Member Requests for Matters to be Discussed by Council – Resolution 2015-052 approved an amendment to Council policy.
- D. Approve Task Orders No. 6 and 7 to the Master Professional Services Agreement (MPSA) with Associated Right of Way Services, Inc., to Provide Right of Way Services for the I-205/Eleventh Street Interchange Project (CIP 73084 and Federal Project No. Demo- 5192(021), the MacArthur Drive Widening Between Valpico Road and Schulte Road Project (CIP 73126, and Federal Project No. STPL 5192(033), Authorize the Mayor to Execute Both Task Orders and Authorize the City Manager to Execute Future Amendments to these Task Orders if Needed

Council Member Vargas pulled this item to disclose that she previously worked with Associated Right of Way Services and recused herself from the vote to avoid any potential conflict of interest.

ACTION Motion made by Mayor Pro Tem Rickman and seconded by Council Member Young to adopt Resolution 2015-053 approving Task Order No. 6 to MPSA and Resolution 2015-054 approving Task Order No. 7 to MPSA. Voice vote found Council Members Mitracos, Young, Mayor Pro Tem Rickman and Mayor Maciel in favor; passed and so ordered. Council Member Vargas abstained.

G. Adopt a Resolution Approving the Third Amendment to the Employment Agreement Between Gary Hampton and the City of Tracy to Serve as Police Chief to Extend the Term of the Agreement and Make Adjustments to the Compensation and Benefits Provisions Contained in the Agreement

Robert Tanner pulled this item to inquire about the adjustments to the compensation provisions to the amended agreement .

ACTION Motion made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-055 approving third amendment to agreement. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – There were no speakers.

Mayor Maciel announced a change in which order agenda items would be heard: Item #5 (Sutter) to be heard first, Item #6 (Legacy Fields) to be heard second and #7 (Joe Wilson pool) to be heard last.

DEVIATION

5. PUBLIC HEARING FOR THE CONSIDERATION 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 –

Council Member Mitracos recused herself from discussion and vote on this item. Council Member Mitracos left the dais at 7:20 p.m.

Kimberly Matlock, Assistant Planner, presented the staff report.

Dave Thompson presented a report on behalf of Sutter Gould. Jacob Beury Sutter Building Architect, presented a PowerPoint presentation.

City Council comments and questions followed.

Dave Helm expressed concern about the process which was followed.

Rodger Birdsall expressed being in favor of the Sutter project.

Arlene Robbins expressed not being in favor of the Sutter project.

Steve Nicolaou agreed with Mr. Birdsall about the positive aspect of having a medical facility in town but Mr. Nicolaou expressed his concern about the process which was followed.

Dr. Tim Quackendol expressed being in favor of the Sutter project.

Mayor Maciel called a recess at 8:58 p.m.

Mayor Maciel reconvened the meeting at 9:08 p.m.

Mayor Maciel announced that the Legacy Fields item would be heard next and Item 3 Joe Wilson report will be rescheduled to the April 21, 2015 Council meeting.

ACTION Motion made by Council Member Young and seconded by Council Member Vargas to move Item 3 Joe Wilson Pool to April 21, 2015

Robert Tanner agreed that a new medical facility is needed but does not agree with the manner in which Sutter has proceeded.

Xena Robbins, Jane Devlin, each expressed their concerns and are not in favor of the Sutter project.

Mr. Baker expressed being in support of the Sutter project.

Pete Mitracos expressed concern with the Sutter building size and location.

Linda Jimenez expressed concern with the process which has been followed.

Council comments and questions continued related to the process that has been followed.

Bethany Neal expressed concern with the location of the proposed medical building. Ms. Neal urged Council to support the Planning Commission's original decision.

Mayor Maciel closed the public hearing.

Council discussion ensued.

ACTION Motion by Council Member Young and seconded by Council Member Vargas to adopt Resolution 2015-056 to include architectural changes to be integrated minus condition B.4.2. Voice vote found Council Member

Vargas, Young and Mayor Maciel in favor. Passed and so ordered. Council Member Mitracos Abstained and Mayor Pro Tem Rickman Opposed.

Council Member Mitracos returned to the dais at 10:18 p.m.

4. RECEIVE PROGRESS UPDATE ON LEGACY FIELDS PHASE I AND IDENTIFY A FUNDING SOURCE FOR THE \$5,100,000 COUNCIL COMMITTED ON MARCH 3, 2015 TOWARDS CONSTRUCTION OF FIELDS

Brian McDonald, Management Analyst, Public Works Department, presented the staff report. Don Scholl, Ray Durant, Dave Ferguson, Andrew Malik were present to respond to Council questions.

Council comments and questions followed.

Chris Hewitt, Vice President of Tracy Little League, briefly mentioned working closely with City staff and Odyssey Landscaping. Mr. Hewitt mentioned that there are two fields that are close to completion and will be ready for use in a couple of weeks. Mr. Hewitt shared some quotes for building 8 baseball diamonds and 8 soccer fields.

Matthew Madeira, Executive Director, Cal North Youth Soccer, provided a brief background about the organization and expressed interest for an opportunity to build a field complex in a location with multiple fields to do a myriad of different things. Mr. Madeira mentioned that an opportunity has yet to be found but seems that there may be an opportunity with the City of Tracy.

Council comments and questions followed.

Joe Simas representing Tracy Youth Soccer expressed being in favor of this project with Cal North and look forward to working with them.

Robert Tanner spoke about a previous Council authorizing the sale of Chrisman property and Schulte property. Mr. Tanner mentioned that he has not heard about those sales decisions being reversed and requested an update on those property sales.

Linda Jimenez expressed her enthusiasm about hearing that the City has an offer from an organization to develop a partnership to build fields.

Council comments and questions continued.

ACTION

Motion made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-057 accepting the progress report on Legacy Fields, identifying the General Fund Balance as the source for \$5 million and to be paid back incrementally when Cordes Ranch Development Agreement funds become available. Voice vote found all in favor; passed and so ordered.

Council directed staff to continue working with the leagues and to provide Council with an update within the next five days and to include next steps.

Council also directed staff to address issues discussed related to monies spent on consultant for this project, detailed possibilities to fund leagues and repayment plan in the upcoming staff report to Council in June.

3. RECEIVE STATUS REPORT ON THE (1) JOE WILSON POOL RECONSTRUCTION SCHEDULE AND (2) CITY'S SUMMER AQUATICS PROGRAMMING USING THE WEST HIGH SCHOOL POOL – Item to be rescheduled to April 21, 2015.

6. ITEMS FROM THE AUDIENCE – There were no speakers.

7. COUNCIL ITEMS

A. APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS FOR VACANCIES ON THE TRANSPORTATION ADVISORY COMMISSION

Mayor Maciel and Council Member Vargas volunteered to serve as the subcommittee to interview Transportation Advisory Commission applicants.

Mayor Maciel requested the scheduled Annual Police Update for April 21, 2015 to be rescheduled to the May 5, 2015 Council meeting.

Mayor Pro Tem Rickman announced Taps on Tenth event on Friday, April 17, 2015 from 6:00 p.m. -9:00 p.m., tickets available at eventbright.com

8. ADJOURNMENT

ACTION Motion made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adjourn the meeting. Voice vote found all in favor; passed and so ordered. Time: 11:45 p.m.

The above agenda was posted at the Tracy City Hall on April 2, 2015. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk