

May 5, 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 7:10 p.m. and led the Pledge of Allegiance.

The 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 Brian Wilmhurst, Police Department, with the May 2015 Employee of the Month award.

Mayor Maciel presented a proclamation to David Ferguson, Public Works Director, for National Public Works Week.

Mayor Maciel presented a proclamation to Yvette Davis, Commute Connection, for Bike to Work Week.

Mayor Maciel presented a proclamation to Nora Pimentel, City Clerk, for Municipal Clerk's Week.

1. CONSENT CALENDAR

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

- A. Adopt Council Minutes – Regular meeting minutes of March 3, 2015, March 17, 2015, special meeting minutes of March 3, 2015, April 7, 2015 and closed session minutes of April 7, 2015 were adopted.
- B. Adopt a Resolution Related to the City's Intent to Vacate Right-of-Way for Chabot Court South of Grant Line Road – Resolution 2015-062 approved Intent to Vacate Right-of-Way.
- C. Acceptance of the El Pescadero and McDonald Park Renovation Project - CIP 78141, 78143, 78144, 78146, Completed by Hobbs Construction of Fresno, 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 2015-063 accepted renovation project.

- E. Approval of the San Joaquin Council of Governments (SJCOG) Annual Financial Plan for Fiscal Year 2015-2016 – Resolution 2015-064 approved the SJCOG Annual Financial Plan.
- F. Authorize Amendment of the City's Classification and Compensation Plans and Position Control Roster by Approving the Establishment of a New Classification Specification and Salary Range for Geographic Information Systems Technician – Resolution 2015-065 authorized amendment of classification and compensation plans.
- H. Approval of Professional Services Agreement with Rising Sun Energy Center and Authorize the Mayor to Execute the Agreement – Resolution 2015-066 approved professional services agreement.
- D. Approve Appropriating and Expending Asset Forfeiture Funds Received in the Amount of \$101,136 from the Department of Justice Equitable Sharing Program and Authorize an on-going Appropriation of all Asset Forfeiture Funds Received by the City

Council member Vargas pulled this item to ask follow up questions.

ACTION Motion made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-067 approving appropriation and expending asset forfeiture funds. Voice vote found all in favor; passed and so ordered.

- G. Adopt a Resolution Authorizing the Mayor to Execute a Grant Agreement with the California Department of Transportation for a Matching Grant for Federal Aviation Administration Approved Project Under Airport Improvement Program No. 3-06-0259-016-2014 in the Amount of \$320,682

Ed Lovell, Management Analyst, Public Works Department, presented the staff report.

Dave Helm inquired about the anticipated date of completion and if runway 1230 is going to be repaved. Mr. Helm also asked if the City is adhering to the 4000 ft. runway length.

ACTION Motion made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-068 authorizing the Mayor to execute a grant agreement. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE

Robert Tanner mentioned that the state is voting on water restrictions and inquired what the City is doing about water conservation restrictions due to the drought.

Jeffrey Taylor spoke about coming together with the City to create food truck friendly policies and procedures.

3. ACCEPTANCE OF THE CITY OF TRACY'S POLICE DEPARTMENT'S ANNUAL REPORT FOR 2014

Gary Hampton, Public Safety Director, presented the staff report.

Council comments and questions followed.

Public comment:

Conrad LaVouit spoke about attending the Citizens Academy and encouraged the community to get involved with the academy. Mr. LaVouit inquired about total crime and asked if the individuals committing the crimes are from out of town or from within.

Steve Nicolaou inquired about the six hate crime incidents reported in 2013. Mr. Nicolaou inquired if there were any arrests or convictions of the perpetrators and if the feds had released the status of the investigation.

Dave Helm expressed concern about the radio system and inquired if the Police Department can communicate directly with the Fire Department. Mr. Helm talked about staff levels and suggested that the Police Department look at over hiring to minimize the impact when staff is lost due to retirements or departures.

Council discussion continued.

ACTION Motion made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-069 accepting the Police Department's 2014 Annual Report. Voice vote found all in favor; passed and so ordered.

4. APPROVE AN AMENDMENT TO THE EXISTING PG&E PRODUCTS AND SERVICES AGREEMENT WITH PG&E TO REPLACE 3,775 STREET LIGHTS; APPROVE FINANCING FOR THE STREET LIGHT RETROFIT PROGRAM; AND AUTHORIZE THE MAYOR TO EXECUTE ANY ASSOCIATED AGREEMENTS AND APPLICATIONS

Connie Vieira, Management Analyst, Public Works Department, presented the staff report.

Council comments and questions followed.

ACTION Motion made by Mayor Pro Tem Rickman and seconded by Council Member Young adopted Resolution 2015-070 approving an amendment to a service agreement. Voice vote found all in favor; passed and so ordered.

The Mayor called a recess at 8:57 p.m.

The Mayor reconvened the meeting at 9:04 p.m.

5. CITY MANAGER'S QUARTERLY REPORT

Troy Brown, City Manager, presented the staff report.

Council comments and questions followed.

Robert Tanner provided some dates to the upcoming summer block parties, one on June 5, two in July and two in August, 2015.

Upon Council consensus the quarterly report was accepted.

6. ITEMS FROM THE AUDIENCE

Steve Nicolaou spoke about Council Member Young's comment made earlier regarding trust. Mr. Nicolaou encouraged Council Member Young to consent to the release of the investigation findings related to the incidents which occurred in July 2013.

7. COUNCIL ITEMS

A. DISCUSS AND PROVIDE DIRECTION ON WHETHER TO HAVE STAFF BRING BACK A DRAFT LOBBYING ORDINANCE FOR POSSIBLE INTRODUCTION AND ADOPTION

Dan Sodergren, City Attorney, presented the staff report.

Roger Birdsall expressed being in favor of enacting a lobbying ordinance.

Steve Nicolaou shared the catalyst that brought the lobbying ordinance forward. Mr. Nicolaou expressed being in favor of enacting a lobbying ordinance and suggested to have a sunshine provision of five years.

Council comments and questions followed.

Mayor Maciel and Council Member Young expressed concern and were both opposed to enacting a lobbying ordinance.

Council Member Vargas and Mayor Pro Tem Rickman were in favor of enacting a lobbying ordinance

ACTION Motion made by Council Member Mitracos and seconded by Council Member Vargas to table this discussion and solicit public input and revisit this subject in six months. Voice vote found Council Member Mitracos, Vargas, Mayor Pro Tem Rickman and Mayor Maciel in favor; passed and so ordered. Council Member Young opposed.

B. RECEIVE VERBAL UPDATE ON LEGACY FIELDS AND DISCUSS AND PROVIDE DIRECTION TO LEGACY FIELDS CITY AD HOC COUNCIL SUB COMMITTEE

Mayor Maciel and Mayor Pro Tem Rickman provided an update to the Council.

Council comments and questions followed.

Staff will return as soon as possible with either a regular or special Council meeting to provide a progress report update on Legacy Fields.

C. APPOINT APPLICANTS TO THE TRANSPORTATION ADVISORY COMMISSION

Council Member Vargas presented the subcommittee’s recommendation to the Council.

- Re-appoint John Favors
- New Appointments – Larry Gamino and Noel Varela
- Eligibility List – James Franco

ACTION Motion made by Council Member Vargas and seconded by Mayor Maciel to approve the recommendation by the subcommittee. Voice vote found all in favor; passed and so ordered.

Council Member Vargas expressed her concern about the current vacancies and asked what the City’s plan is for filling department head vacancies.

Council Member Young welcomed Andrew Malik as the Interim Assistant City Manager and wished everyone a Happy Cinco de Mayo. Council Member Young announced that the 64th National Day of Prayer event will take place on Thursday, May 7, 2015, on the steps of City Hall by the fountain between 12:00 p.m. – 1:00 p.m.

Mayor Pro Tem Rickman wished all moms a Happy Mother’s Day.

Council Member Mitracos reported attending the Chamber of Commerce Hispanic Business Group Scholarship Dinner which was an impressive event.

Council Member Vargas announced National FEMA Week.

ACTION Motion made 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: 10:51 p.m.

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

Mayor

ATTEST:

City Clerk