

**November 3, 2015, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

Mayor Maciel called the City Council meeting to order at 7:07 p.m. and led the Pledge of Allegiance.

Invocation was led by Pastor Scott McFarland, Journey Christian Church.

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

Mayor Maciel recognized the D.A.R.E. graduate students from Art Freiler, George Kelly, and Gladys Poet Christian Elementary Schools.

Troy Brown, City Manager, presented Employee of the Month Award for November 2015, to Police Officer Scott Muir.

Mayor Maciel presented the Pancreatic Cancer Awareness Day Proclamation to Danielle Mintz, Pancreatic Cancer Action Network's Bay Area Affiliate.

Mayor Maciel presented the Arbor Day Proclamation to Don Scholl, Interim Public Works Director.

Mayor Maciel presented the Runaway Homeless Youth Awareness Month Proclamation to Joelle Gomez, CEO of Women's Center – Youth & Family Services.

#### 1. CONSENT CALENDAR

**ACTION** Following the removal of item 1C it was moved by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered. Motion carried 5:0

- A. Adopt Council Minutes – Special Meeting minutes of July 28, 2015, September 1, 2015. Closed Session Meeting minutes of October 13, 2015 and October 20, 2015 were adopted.
- B. Authorize Amendment of the City's Classification and Compensation Plans and Position Control Roster By Approving the Establishment of a New Class Specification and Salary Range for Environmental Compliance Technician in the Water Resources Section of the Utilities Department – Resolution 2015-181 authorizing amendment of the City's Classification and Compensation Plans and Position Control Roster.

- D. Accept Travel Report for City Manager Troy Brown's Attendance at the International City/County Management Association (ICMA) Annual Conference in Seattle, Washington - Report was accepted.
- E. Waive Second Reading and Adopt Ordinance 1201 an Ordinance of the City of Tracy Amending Tracy Municipal Code Sections 10.12.065 Relating to Compliance with Regional Housing Needs Allocations within the Residential Growth Management Plan – Ordinance 1201 was adopted
- C. Adopt the Memorandum of Understanding Between the City of Tracy and the Tracy Police Managers Association (TPMA)

Mayor Pro Tem Rickman pulled this item to congratulate the TPMA unit on reaching an agreement. The Council requested a progress report at the next closed session regarding labor negotiations of the other units.

**ACTION** Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Rickman to adopt Resolution 2015-182 approving a new Memorandum of Understanding between the City of Tracy and TPMA. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Alice expressed not being in favor of having the Edgewood apartments consideration on the next agenda. Alice urged Council to allow the residents 30 days to discuss with neighbors who were not notified. Alice expressed disappointment with how the Planning Commission handled the consideration of the Edgewood item at a recent meeting. Staff informed Alice that the item would not come back at the next meeting.
3. APPROVAL OF RESOLUTIONS (1) INITIATING PROCEEDINGS FOR THE ANNEXATION OF TERRITORY (“TRACY GATEWAY CROSSINGS TRACY PROJECT”) TO THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT (TCLMD); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO; (2) DECLARING THE CITY’S INTENTION TO ANNEX TERRITORY TO THE TCLMD AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO COMMENCING FISCAL YEAR 2016/2017; CALLING FOR A PROPERTY OWNER PROTEST PROCEEDING; AND ESTABLISHING AN ASSESSMENT RANGE FORMULA FOR SAID ANNEXATION TERRITORY

Brian McDonald, Management Analyst, Public Works Department, presented the staff report.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-183 initiating proceedings for the annexation of territory (Tracy Gateway Crossing) to the Tracy Consolidated Landscape Maintenance District; and the levy and collection of annual assessments related thereto commencing with Fiscal Year 2016/2017, pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code. Voice vote found all in favor; passed and so ordered.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2015-184 declaring the City's intention to annex territory to the Tracy Consolidated Landscape Maintenance District; and to levy and collect annual assessments related thereto commencing Fiscal Year 2016/2017, pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code, and calling for a property owner protest proceeding, to submit to the qualified property owners the question of levying such assessments and establishing an assessment range formula for said annexation territory pursuant to the provisions of the California Constitution, Article XIII D. Voice vote found all in favor; passed and so ordered.

- 4. COUNCIL UPDATE, DISCUSSION, AND DIRECTION REGARDING THE TRANSFER OF FEDERAL USE RESTRICTIONS AND REVERSIONARY RIGHTS FROM THE SCHULTE ROAD PROPERTY, APNs 209-230-29 AND 30, TO 300 UNDEVELOPED ACRES AT LEGACY FIELDS AND ADJACENT CITY OWNED PROPERTY, APNs 212-150-02, 03, AND 04

Andrew Malik, Development Services Director, and Josh Ewen, Management Analyst, presented the staff report.

Council comments and questions followed.

Upon Council consensus staff was directed to move forward with the transfer of Federal use restrictions and reversionary rights from the Schulte Road Property.

- 5. 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 the City adopting a Lobbying Ordinance.

Council comments and questions followed.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Mitracos to direct staff to draft a lobbying ordinance and return to Council for introduction. Voice vote found Council Member Mitracos, Vargas, Young and Mayor Pro Tem Rickman in favor; passed and so ordered.  
Mayor Maciel-Opposed

Council Members Mitracos and Vargas asked that the proposed ordinance have a five year sunset.

- 6. APPOINT A REPRESENTATIVE TO THE TRI-VALLEY REGIONAL RAIL ADVISORY GROUP

Ed Lovell, Management Analyst, Public works, presented the staff report.

Council comment and questions followed.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Young to appoint Council Member Vargas to serve on the Tri-Valley Regional Rail Advisory Group.

7. ITEMS FROM THE AUDIENCE- There were no speakers.

COUNCIL ITEMS

Council Member Mitracos acknowledged Pete Mitracos birthday and Mayor Pro Tem Rickman’s upcoming birthday.

Mayor Pro Tem Rickman announced the following upcoming events: 20<sup>th</sup> Cross Town Classic between Tracy High and West High, Diwali Festival at the Grand Theatre; Texas Roadhouse free meals to active, former and retired military personnel from 11:00 a.m. to 2:00 p.m. Mayor Pro Tem Rickman acknowledged and expressed appreciation to all the veterans who have served and their families.

Council Member Vargas announced that on November 7<sup>th</sup> the Veterans All American is hosting a BBQ and encouraged everyone to attend. Ms. Vargas also announced the Tracy Annual Veterans Day Ceremony at the Tracy War Memorial at 11:00 a.m. on November 11, 2015.

Mayor Pro Tem Rickman expressed concern about Gary Hampton’s work related injury.

Mayor Maciel announced the following November 11, 2015 Veterans Day activities: Annual Veterans Day Ceremony at the Tracy War Memorial following refreshments at the American Legion; Texas Roadhouse will be offering free meals to veterans between 11:00 a.m. to 2:00 p.m.; at 1:00 p.m. a free showing of Private Ryan at the Grand Theatre; and following the movie Congressman Jeff Denham (CA-10<sup>th</sup> District) in collaboration with the Consul General of the Republic of Korea will be hosting a ceremony where recipients will be issued special “Ambassador for Peace” medals from 4:00 p.m. to 6:00 p.m.

8. ADJOURNMENT- Time 8:27 p.m.

**ACTION** Motion was 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.

The above agenda was posted at the Tracy City Hall on October 27, 2015. The above are action minutes. A recording is available at the Office of the City Clerk.

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Mayor

ATTEST:

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City Clerk