

October 20, 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 Pro Tem Rickman called the City Council meeting to order at 7:11 p.m. and led the Pledge of Allegiance.

Invocation was led by Pastor Kal Waetzig, Saint Paul's Lutheran Church.

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

#### 1. CONSENT CALENDAR

**ACTION** Following the removal of item 1D and 1G it was moved by Council Member Young and seconded by Council Member Vargas to adopt the Consent Calendar. Roll call vote found Council Members Mitracos, Vargas, Young and Mayor Pro Tem Rickman in favor; passed and so ordered. Motion carried 4-0-1 (Mayor Maciel Absent)

- A. Adopt Council Minutes – Regular meeting minutes of October 6, 2015, closed session minutes of October 6, 2015, and special meeting minutes of October 9, 2015 were approved.
- B. Award a Construction Contract to the Lowest Responsive Responsible Bidder for Installation of a Traffic Signal at Valpico Road and Sycamore Parkway - CIP 72082, Federal Project No. CML 5192 (040), Authorize an Appropriation of \$30,000 from Fund 354 to this Project, and Authorize the Mayor to Execute the Contract – Resolution 2015-170 awarded a construction contract.
- C. Acceptance of the 2014-2015 Overlay Project – CIP 73138A, Completed by DSS Company, DBA Knife River Construction of Stockton, California, Authorization for the City Clerk to File the Notice of Completion, and Authorization for the City to Release the Bonds and Retention Payment - Resolution 2015-171 accepted the 2014-15 Overlay project.
- E. Acceptance of the Corral Hollow/Kavanagh Storm Drain Lift Station rehabilitation - CIP 76065, Completed by Howk Systems of Modesto, California, Authorization for the City Clerk to File the Notice of Completion, and Authorization for the City to Release the Bonds and Retention Payment – Resolution 2015-172 accepted the Corral Hollow/Kavanagh Storm Drain Lift Station rehabilitation.

- F. Acceptance of the Sewer and Storm Drain Replacement Project (FY/13/14) - CIP 74098, 74104, 74111, 76062, and 76063, Completed By Tracy Grading & Paving, Inc., of Tracy, California, Authorization for the City Clerk to File the Notice of Completion, and Authorization for the City to Release the Bonds and Retention Payment – Resolution 2015-173 accepted the Sewer and Storm Drain Replacement project.
- H. Authorize an Agreement With Denali Water Solutions, LLC, for the Purposes of Loading, Hauling and Disposing of Wastewater Treatment Bio Solids and Authorize the Mayor to Execute the Agreement – Resolution 2015-174 authorized an agreement with Denali Water Solutions, LLC.
- D. Adoption of Resolutions of the City of Tracy, California Consenting to Inclusion of Properties Within the City's Jurisdiction in Property Assessed Clean Energy Programs Including AllianceNRG, CaliforniaFIRST, Figtree, and Ygrene, to Finance Renewable Energy Distributed Generation Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure, and Approving Amendments to Certain, Related Joint Powers Agreements –

Council Member Mitracos pulled this item for clarification from Ygrene, Figtree and CaliforniaFirst further discussion.

Council comments and questions followed.

Dave Konesky, property owner and broker in the City of Tracy asked various questions about the Property Assessed Clean Energy programs.

Josh Ewen, Management Analyst, Development Services, presented the report.

- ACTION** Motion was made by Council Member Vargas and seconded by Council Member Young to adopt the following resolutions: (1) Resolution 2015-175 consented to the inclusion of properties within the territory of the City in the CSDA Open PACE Programs. (2) Resolution 2015-176 approved associate membership by the City in the California Enterprise Development Authority. (3) Resolution 2015-177 consented to the inclusion of properties within the City's jurisdiction in the California Home Finance Authority Community Facilities District No. 2014-1. (4) Resolution 2015-178 consented to inclusion of properties within the City's jurisdiction in the California Home Finance Authority Program. Voice vote found Council Members Mitracos, Vargas, Young and Mayor Pro Tem Rickman in favor; passed and so ordered. (Mayor Maciel Absent)

- G. Approve Memorandum of Understanding (MOU) With Delta Charter School for Use of City Facilities at the Grand Theatre Center for the Arts to Administer its Arts, Media and Entertainment Program; and Authorize the Mayor to Execute the MOU

Mayor Pro Tem Rickman pulled this item to acknowledge the Delta Charter Students.

Jeff Tilton with New Jerusalem Elementary School District acknowledged City staff and expressed looking forward to this initiative and invited the Council to attend the Delta Charter Jazz Band concert at the Grand Theatre on Thursday, October 7 at 6:00 p.m.

Council comments followed.

**ACTION** Motion was made by Council Member Vargas and seconded by Council Member Young to adopt Resolution 2015-179 approving a Memorandum of Understanding (MOU) with Delta Charter School for use of City Facilities at the Grand Theatre Center for the Arts to administer its Arts, Media and Entertainment Program; and authorize the Mayor to execute the MOU. Voice vote found Council Members Mitracos, Vargas, Young and Mayor Pro Tem Rickman in favor; passed and so ordered. (Mayor Maciel Absent)

2. ITEMS FROM THE AUDIENCE - Wanda Henderson expressed her concern about the citations being given to the homeless and how are they supposed to pay for them.

Linda Jimenez commented on the cancellation of this year's downtown Halloween parade and invited everyone to attend Micke Grove Zoo annual Halloween event taking place on Friday, October 23 and Saturday, October 24 from 5:00 p.m. – 8:00 p.m. both days at the Micke Grove Zoo.

3. APPROVAL OF AN AMENDMENT TO THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN (SJMSCP) DEVELOPMENT FEE, RESULTING IN AN INCREASE IN FEES FOR 2016

Vicki Lombardo, Senior Planner, Development Services, presented the staff report.

Council comments and questions followed.

**ACTION** Motion was made by Council Member Young and seconded by Council Member Mitracos to adopt Resolution 2015-180 approving the amended development fees for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Voice vote found Council Member Mitracos, Vargas, Young and Mayor Pro Tem Rickman in favor; passed and so ordered. (Mayor Maciel Absent)

4. PUBLIC HEARING TO INTRODUCE AN ORDINANCE AMENDING TRACY MUNICIPAL CODE SECTION 10.12.065(c) RELATING TO COMPLIANCE WITH STATE HOUSING AND COMMUNITY DEVELOPMENT REGIONAL HOUSING NEEDS ALLOCATIONS – THE APPLICATION IS INITIATED BY THE CITY OF TRACY – APPLICATION NUMBER ZA15-0001

Vicki Lombardo, Senior Planner, Development Services, presented the staff report.

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

**ACTION** Motion was made by Council Member Young and seconded by Council Member Mitracos to waive reading of the text. Voice vote found Council Members Mitracos, Vargas, Young and Mayor Pro Tem Rickman in favor; passed and so ordered. (Mayor Maciel Absent)

**ACTION** Motion was made by Council Member Young and seconded by Council Member Mitracos to introduce Ordinance 1201. Voice vote found Council Members Mitracos, Vargas, Young and Mayor Pro Tem Rickman in favor; passed and so ordered. (Mayor Maciel Absent)

5. RECEIVE PUBLIC TESTIMONY FROM PUBLIC HEARING FOR ANNUAL UNMET TRANSIT NEEDS, CITY OF TRACY, FISCAL YEAR 2015-16

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

Mayor Pro Tem Rickman opened the public hearing.

Debbie Wells expressed her concerns and frustration about getting around town through the transportation system.

Council comments and questions followed.

Upon consensus Council accepted the report.

Council Member Young suggested improving location of advertisement for Transit, consider alternate routes and schedule to maximize use.

6. RECEIVE STATUS REPORT, APPROVE AN AGREEMENT FOR LAND EXCHANGE WITH SAN JOAQUIN COUNTY, AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT, AND PROVIDE DIRECTION ON POTENTIAL CITY/SAN JOAQUIN COUNTY COLLABORATION FOR DEVELOPMENT OF A SOUTH COUNTY REGIONAL PARK SOUTH OF LEGACY FIELDS AND NORTH OF I-205

Don Scholl, Interim Public Works Director, presented the staff report.

Council comments and questions followed.

Duncan Jones expressed looking forward to working with the City in providing a recreational opportunity in this region.

Robert Tanner expressed not being in favor of the City paying for any maintenance for a regional park in Tracy.

Linda Jimenez urged that Bob Elliott represent the City of Tracy at the County level in restoring funds to the County Recreation and Parks Department to continue to maintain the regional parks. Ms. Jimenez expressed its unfair and unjust for the residents of Tracy to pay for the maintenance of a regional park that other cities in the county are able to use and not have to pay for.

Rhodesia Ransom expressed concern that there was not enough information in the staff report for this agenda item.

Steve Nicolaou agreed with Ms. Ransom and the previous speakers that the City should negotiate a maintenance agreement as a contingency mutually accepted to the parties before doing the exchange.

Council discussion ensued.

Upon consensus Council directed staff to return on November 3, 2015 with protective language in the Land Exchange Agreement with terms and conditions if deal with the County falls through. Staff will return with a follow-up report in 60 days with a project timeline and further information.

7. ITEMS FROM THE AUDIENCE – Rhodesia Ransom urged the Council to be more diligent and accountable in their decision making and do what is right and in the best interest of the community.

8. COUNCIL ITEMS

- A. Appoint an Applicant to the Measure E Residents' Oversight Committee From the Committee's Eligibility List

Troy Brown, City Manager, presented the staff report.

Council comments and questions followed.

- ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Mitracos to approve the subcommittee's recommendation to appoint Bryan Thompson to the Measure E Residents' Oversight Committee to serve the remainder of a term, which will commence on October 21, 2015, and expire on March 1, 2017. Voice vote found Council Members Mitracos, Vargas, Young and Mayor Pro Tem Rickman in favor; passed and so ordered. (Mayor Maciel Absent)

Mayor Pro Tem Rickman announced the Make a Difference Day taking place on Saturday, October 24 beginning with opening ceremony at 8:00 a.m. at the Downtown Farmers Market located at Central and 10<sup>th</sup> street. There will be Storytime from 11:00 a.m. to noon at the Play House. On October 22, 2015 there will be an event called "Tip a Cop" at Red Robin on Naglee from 5:00 p.m. - 7:00 p.m. Mayor pro Tem Rickman announced that it is Football season and the annual bet time between Tracy High and West High, they play on November 6, 2015, loser is to wear the winning teams jersey.

9. ADJOURNMENT- Time 10:25 p.m.

- ACTION** Motion was made by Council Member Young seconded by Council Member Mitracos to adjourn the meeting. Voice vote found Council Members Mitracos, Vargas, Young, and Mayor Pro Tem Rickman in favor; passed and so ordered. (Mayor Maciel absent).

The above agenda was posted at the Tracy City Hall on October 13, 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