

January 5, 2016 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 7:02 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.

Troy Brown, City Manager presented Employee of the Month Award for January 2016, to Robert Huff.

Mayor Maciel presented Certificates of Appointment to Anne Marie Fuller, Danette Poole, Jenese Borges-Soto and Lon Swanson and Certificate of Recognition to outgoing Commissioner Grace Paget.

Mayor Maciel presented the National Slavery and Human Trafficking Preventions Month Proclamation to Brian Pekari, Director and Founder of Tracy Unified to Make a Difference.

Troy Brown, City Manager, introduced Don Scholl the new Public Works Director.

1. CONSENT CALENDAR

ACTION It was moved by Mayor Pro Tem Rickman and seconded by Council Member Young to adopt the consent calendar. Roll call vote found all in favor; passed and so ordered. Motion carried 5:0

- A. Adopt Council Minutes – November 10, 2015, special meeting minutes was approved.
- B. Approve Amendment No. 1 to Professional Services Agreement WJM C&E 15-1 with WJM Consulting & Engineering for Additional Services Related to the Recycled Water Grant Application to the Department of Water Resources (DWR) for an Amount Not to Exceed \$26,500 – Resolution 2016-001 approved Amendment No. 1 to a Professional Services Agreement.
- C. Approve Amendment Number Seven 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 2016-002 approved Amendment Number Seven to a Professional Services Agreement.

2. ITEMS FROM THE AUDIENCE – Alison Wood expressed concern about a recent Planning Commission meeting on October 28, 2015, where the voices of the citizen were not heard.

Martin Evans talked about a proposal cutting out lots of the medical zone.

Paul Miles expressed concern about the comments made by Mayor Maciel at the last meeting related to the Police department. Mr. Miles asked Mayor Maciel to ensure that California law is followed and complaints investigated.

3. PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT (PUD) ZONE PRELIMINARY AND FINAL DEVELOPMENT PLAN TO CONSTRUCT AN APPROXIMATELY 6,300 SQUARE FOOT MULTI-TENANT RESTAURANT BUILDING WITH DRIVE THRU, PARKING AREA AND LANDSCAPING IMPROVEMENTS, LOCATED AT THE SOUTHEAST CORNER OF NAGLEE ROAD AND PARK-N-RIDE DRIVE, ASSESSOR'S PARCEL NUMBER 212-290-39. APPLICANT IS VMI ARCHITECTS INC. PROPERTY OWNER IS THE CITY OF TRACY. APPLICATION NUMBER D15-0009

Scott Claar, Associate Planner, Development Services, presented the staff report.

Mayor Maciel opened the public hearing.

Gerilyn Featherston expressed concern about the new Panera Bread and Chipotle location on Naglee Road as it is already saturated with retail. Ms. Featherston's concern is that there are communities that would appreciate retail in their neighborhoods.

John Becker, Becker Commercial Properties, spoke about the project and expressed his enthusiasm of being in Tracy. Mr. Becker addressed Ms. Featherston's concern related to location and stated that Chipotle and Panera were both looking in Tracy for a few years until this site became available.

Alice English expressed concern about rooftops supporting retail on Grant Line.

Richard English expressed concern about the traffic that already exists by the Home Depot area and inquired about the type of study the City has conducted. Mr. English expressed concern about the process as it relates to the developers choosing where to build their projects.

David Martinez shared his observations about the apartments across from Winco which has created a lot of people in that vicinity. Mr. Martinez voiced his dissatisfaction with the decisions that the Council has taken related to businesses in the city.

Mayor Maciel closed the public hearing.

City Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-003 approving a Planned Unit Development (PUD) Zone Preliminary and Final Development Plan for the construction of an approximately 6,300 square foot multi-tenant restaurant building with drive thru, parking area and landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009. Voice vote found all in favor; passed and so ordered.

4. INTRODUCTION AND ADOPTION OF AN INTERIM ORDINANCE PROHIBITING THE ISSUANCE OF ANY LAND USE ENTITLEMENT OR BUILDING PERMIT FOR CERTAIN WAREHOUSE AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY BOULEVARD TO THE EASTERN CITY LIMIT – Ordinance 1205

Troy Brown, City Manager provided some background of the I-205 corridor discussion, William Dean, Assistant Development Services Director presented the staff report.

Council comments and questions followed.

Tim Silva expressed not being in favor of warehouses on the corridor and sees an opportunity to create a beautiful corridor for the next generations. Mr. Silva does not want to leave empty warehouse boxes as the City's legacy and urged the Council to bring in diverse economic development which encourages people to shop.

Richard English urged the Council to reach out to the community for their input on this matter.

Gerilyn Featherston asked if developers put money towards updating Tracy's infrastructure. Ms. Featherston asked if there are any plans to update the library.

Greg Bain, Industrial Property Trust, stated that an application was recently submitted for an industrial project that would meet the demands in Tracy. Mr. Bain stated that the proposed location is in the industrial zone area and that this project can generate 150 jobs and great tax revenue.

Tom Davis, President of Lee and Associates Commercial Real Estate Services, expressed enthusiasm of having the privilege of being involved with the Industrial real estate market in the City of Tracy which has led to over a billion dollars in direct investment to the community for the last 30 years. Mr. Davis mentioned that some of the projects his company has been involved with were with Costco, Amazon, Crate and Barrel and Home Depot.

Steve Nicolaou expressed concern that a moratorium sends a bad message to the business community and is uncalled for. Mr. Nicolaou stated that there are landowners that will be affected and urged the Council to act judiciously with restraint in the development of the City as a whole and the image that is projected.

Mayor Maciel called a recess at 8:51 p.m.

Mayor Maciel reconvened the meeting at 9:00 p.m.

Council comments and questions followed.

Nora Pimentel, City Clerk read the title of the proposed Ordinance 1205 into the record.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to waive the reading of the full text of proposed Ordinance 1205. 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 introduce and adopt Ordinance 1205. Roll Call vote found Council Members Mitracos, Vargas, Young, and Mayor Pro Tem Rickman in favor; Mayor Maciel opposed; passed and so ordered.

During the 45 days staff will prepare a staff report with measures that are planned to remediate the issue related to land use on the corridor and will return to Council on February 2, 2016.

5. ADOPT A RESOLUTION DELCARING THE RESULTS OF THE DECEMBER 8, 2015, CITY OF TRACY SPECIAL ELECTION

Council Member Mitracos recused herself from discussion and vote due to a potential conflict of interest and left the dais at 10:09 p.m.

Nora Pimentel, City Clerk, presented the staff report

Jeff Schroeder, Ponderosa thanked Council and staff for their support and looks forward to moving the project forward.

City Council Comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-004 reciting the fact of the special election held on December 8, 2015, declaring the results and such other matters as provided by law. Voice vote found Council Members Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel in favor; Council Member Mitracos abstained; passed and so ordered.

Council Member Mitracos joined the Council at the dais again at 10:13 p.m.

6. ITEMS FROM THE AUDIENCE – Steve Nicolaou spoke about the incident that recently occurred to the Islamic church and expressed his concern that this type of conduct should be condemned. Mr. Nicolaou urged the Council to adopt a resolution condemning this act of violence in support of the Islamic community; Mr. Nicolaou stated that he would match the FBI's \$2,500 reward leading to the arrest in the mosque incident.

Judy urged the Council that if at any time there was an opportunity to improve the Ace train she suggested that a right turning lane be implemented because as it is today it creates a safety hazard for patrons exiting the parking lot.

7. COUNCIL ITEMS

A. Appointment of City Council Subcommittee to Interview Applicants for Upcoming Vacancies on the Parks and Community Services Commission

Nora Pimentel, City Clerk presented the staff report.

ACTION Council Member’s Mitracos and Young volunteered to serve as the subcommittee to interview applicants to the Parks and Community Services Commission.

Council Member Vargas requested a summary of metrics on the benefits and burdens of the new entitlement for Tracy Hills before the February hearing, Mayor Pro Tem Rickman seconded the request.

Council Member Vargas shared her recent experience trying to reach the Tracy Airport and requested that staff ensure the voice message at the Airport indicates that callers have reached the Airport.

Council Member Vargas noted requested that staff look into how to improve the bad smell at the waste water treatment plant. Council Member Vargas invited the public to attend the Rotary’s crab feed on Friday, January 8, 2016, and the Portuguese crab feed on January 9, 2016 both taking place at the Portuguese Hall.

Council Member Young asked if there will be an update on senior services. Troy Brown, City Manager responded a report is scheduled to be brought forward in February. Council Member Young expressed concern for the community and the current storms forecasted and asked if there is weather preparedness in case of an emergency. Don Scholl, Public Works Director mentioned the various things that the City has done in preparation to the storm to prevent and minimize flooding or other emergencies. Troy Brown, City Manager added that the City’s main web page provides information on storm preparation. Council Member Young also inquired about earthquake preparedness. Mr. Brown responded that the City is working on that and more information is to follow.

Council Member Young spoke about providing a citizens academy.

8. ADJOURNMENT – Time 10:42 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 December 29, 2015. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk