

JOINT MEETING OF THE TRACY CITY COUNCIL  
AND THE SUCCESSOR AGENCY TO THE CITY  
TRACY COMMUNITY DEVELOPMENT AGENCY

REGULAR

**February 2, 2016, 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 7:24 p.m. and led the Pledge of Allegiance.

Invocation was led by Pastor Tim Heinrich, Crossroads Baptist 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 February 2016, to Brittany Pasquale, Animal Services.

Troy Brown, City Manager, introduced new Parks and Community Services Director André Pichly.

Troy Brown, City Manager introduced the new Police Chief Larry Esquivel and Mayor Maciel administered the Oath of Office to Chief Esquivel.

Mayor Maciel presented Certificates of Reappointment to Parks and Community Services Commissioners Linda Jimenez, and Gloria Saltzman and Certificate of Appointment to Conrado Levoit III to a four-year term each ending January 31, 2020.

Youth Advisory Commissioners Pallavi Adpa and Sim Bhatia presented the YAC Annual Report.

1. CONSENT CALENDAR

**ACTION** Following the removal of item 1F, 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 – Closed session minutes of November 17, 2015, and January 19, 2016 were approved.
- B. The City Council of the City of Tracy Acting as the Governing Board of the Successor Agency for the Community Development Agency of the City of Tracy Approving the Recognized Obligation Payment Schedule (ROPS) – Resolution 2016-021 approved the ROPS.
- C. Approve Master Professional Services Agreement with Hinderliter, De Llamas & Associates for Tax Enhancement, Information, and Audit Services; Approve Funding Appropriation; Designate Hinderliter, De Llamas & Associates as City's Representative Authorized to Examine all Sales, Use, and Property Tax

Records of the State Board of Equalization and Other Applicable Government Agencies, and Certify that Consultant Meets the Conditions Set Forth in the Revenue and Taxation Code, Section 7056(B)(1) – Resolution 2016-022 approved a Master Professional Services Agreement.

- D. Authorize Letter of Agreement with the US Bureau Of Reclamation for Review and Consideration of Inclusion of Cordes Ranch into the City of Tracy Place of Use and Authorize the City Manager to Execute the Agreement – Resolution 2016-023 authorized letter of Agreement.
- E. Waive Second Reading and Adopt Ordinance 1206 an Ordinance of the City of Tracy Amending the Minimum Rear Yard Setback Established in the Concept Development Plan for the Southgate Planned Unit Development Located South of the Western Terminus of Schulte Road and East of Mabel Josephine Drive. The Applicant and Owner is Bright Development Application Number PUD12-0002 – Ordinance 1206 was adopted.
- G. Adoption of a Resolution Designating Megan A. Burke and Benjamin L. Stock from Burke, Williams & Sorensen, LLP as Authorized City Representatives to Examine Sales and Use Tax Records – Resolution 2016-024 designated Megan A. Burke and Benjamin L. Stock as authorized City Representatives.
- F. Approval of a Report Describing the Measures the City is Taking to Address Design and Land Use Concerns Along the I-205 Corridor which led to the Adoption of an Interim Ordinance Prohibiting the Issuance of any Land Use Entitlement or for Certain Warehouse and Distribution Uses Along the I-205 Corridor Between Tracy Boulevard to the Eastern City Limit

Troy Brown, City Manager pulled this item to walk the Council and the Community through the process which has lead up to this point. Andrew Malik, Development Services Director presented the staff report.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to accept the report. Voice vote found all in favor; passed and so ordered. Motion carried 5:0

2. ITEMS FROM THE AUDIENCE – Mercedes Silveira Gouveia spoke about an upcoming event and invited the Council to attend the first multicultural festival taking place at Kimball High in the theatre at 6:00 p.m. on February 3, 2016. Ms. Gouveia shared with the Council a newly adopted policy by the Tracy Unified School District, regarding a multicultural curriculum being taught at the schools.

Robert Tanner reiterated his comment from the previous Council meeting as there was no audio, that there is a need for a sidewalk from Lowell to Chester, it is dangerous for those that walk on that road.

Cherie Levasseur inquired when the Edgewood item would be heard.

Paul Miles spoke about a recent Police complaint regarding alleged false testimony in internal affairs.

Martin Evans expressed concern about the 400 watts, halogen bright lights in the medical zone.

3. RECEIVE AND DISCUSS ANNUAL REPORT ON SENIOR SERVICES

Jolene Jauregui, Recreation Services Supervisor, presented the staff report.

Cindy Gustafson member of the San Joaquin County Commission on Aging and President of the Tracy Seniors Association acknowledged the City for bringing in new programs and services but expressed concern that the senior center has reached its capacity and there is a need to expand the facility as many seniors are being turned away from participating in the activities. Ms. Gustafson also expressed a need for a Senior Advisory Committee to oversee plans that affect the senior community.

Linda Jimenez thanked staff for the report which outlined the services and programs which clearly demonstrates that staff continues to do outreach to the seniors to meet their needs. Ms. Jimenez mentioned that the majority of the Parks and Community Services Commission members are seniors who understand the needs of the seniors. Ms. Jimenez agreed with Ms. Gustafson on the need for a larger multipurpose center for the senior's and other use but is not clear why there is a necessity to have a separate Senior Commission.

Kathlyn Bergthold member of the Tracy Seniors Association mentioned that she conducts in home safety assessment for seniors. Ms. Bergthold expressed concern that there are many seniors that are not active and only have the senior center if they wanted to participate in some activity but stated that the senior center here in Tracy is not welcoming and does not provide multi-activities.

Council comments and questions followed.

Council Member Young requested a future agenda item to discuss, review and consider a separate Senior Commission. Mayor Maciel supported Council Member Young's request to agendize the item to a future date.

Council comments and questions ensued.

Gloria Saltzman expressed that the needs of the senior are being met and does not believe that there is a need to have a separate Senior Commission.

Upon consensus the Council accepted the annual report on senior services.

Mayor Maciel called for a recess at 8:41 p.m.

Mayor Maciel reconvened the meeting at 8:50 p.m.

4. ADOPTION OF STRATEGIC PRIORITIES, GOALS AND OBJECTIVES FOR FISCAL YEARS 2015/16 AND 2016/17

Troy Brown, City Manager, provided a brief overview of the agenda item and turned it over to staff to present the staff report. Lieutenant Alex Neicu, Police Department presented the portion related to the Public Safety Strategic Priority. Council comments and questions followed.

Council Member Vargas requested information on collisions related to road conditions from the Police Department.

Vanessa Carrera, Public Information Officer, City Manager's Office, presented the portion related to the Quality of Life Strategic Priority. Council comments and questions followed.

Ed Lovell, Management Analyst, Parks Department, presented the portion related to the Governance Strategic Priority.

Linda Jimenez acknowledged the excellent employees that work for the City and inquired about the personnel aspect. Ms. Jimenez commented when doing outreach for potential employees she encouraged staff seek people who will complement the current workforce.

Council comments and questions followed.

Andrew Malik, Development Services Director, presented the portion related to the Economic Development Strategic Priority. Council comments and questions followed.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Mitracos to adopt the Strategic Priorities, Goals and Objectives for FY 2015/16 and 2016/17. Voice vote found all in favor; passed and so ordered.

5. INTRODUCE ORDINANCE ESTABLISHING LOBBYING REGULATIONS IN THE CITY AND ADOPT A RESOLUTION ESTABLISHING REGISTRATION AND RENEWAL

Dan Sodergren, City Attorney presented the staff report.

Council comments and questions followed

Nora Pimentel, City Clerk read into the record the title of proposed Ordinance 1207.

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

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to introduce Ordinance 1207. Voice vote found Council Members Mitracos, Vargas, Mayor Pro Tem Rickman and Mayor Maciel in favor; Council Member Young was opposed; passed and so ordered.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-025 approving an amendment to the Master Fee Schedule regarding lobbyist registration and renewal fees. Voice vote found Council Members Mitracos, Vargas, Mayor Pro Tem Rickman and Mayor Maciel in favor; Council Member Young was opposed; passed and so ordered.

Council Member Young requested a follow up report within one year of implementation to see how many lobbyists have registered in the City.

6. CONDUCT A PUBLIC HEARING AND ADOPT A RESOLUTION ELECTING TO ESTABLISH THE CITY OF TRACY AS A GROUNDWATER SUSTAINABILITY AGENCY (GSA) FOR THAT PORTION OF THE TRACY SUB-BASIN WITHIN THE CITY OF TRACY – Resolution 2016-026

Steve Bayley, Project Specialist, Public Works, presented the staff report.

Mayor Maciel opened the public hearing, there were no speakers, and Mayor Maciel closed the public hearing. Council comments and questions followed.

**ACTION** Motion was made by Council Member Mitracos and seconded by Mayor Pro Tem Rickman to adopt Resolution 2016-026 electing to establish the City of Tracy as a Groundwater Sustainability Agency for that portion of the Tracy sub-basin within the City of Tracy.

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

8. COUNCIL ITEMS

Council Member Vargas announced the upcoming Fire Fighters Crab Feed on Friday and encouraged everyone to come out and support the local fire fighters. Council Member Vargas also announced a multicultural event taking place on Wednesday at Kimball High School at 6:30 p.m. Council Member Vargas also announced the Police Departments Crab Feed on the 20<sup>th</sup>.

Council Member Mitracos announced that she has been attending several D.A.R.E graduations and acknowledged all the fifth grade students who have gone through the D.A.R.E program.

Mayor Pro Tem Rickman announced the Knights of Columbus will have a crab feed at Saint Bernard's on Saturday and wished everyone a happy valentine.

Council Member Young announced an arts award ceremony at Menchie's from 5:00 p.m. to 5:30 p.m. on Wednesday.

Mayor Maciel requested to agendaize an item for June to discuss, review and consider adopting a Council Code of Conduct, Roberts Rules of Orders or Rosenberg's Rules of Order and Council Policies. Council Member Young supported Mayor Maciel's request.

Mayor Pro Tem Rickman announced the upcoming Pins for Pets event which benefits the animal shelter on February 27, 2016 at 2:00 p.m. at the Tracy bowl.

Council Member Young requested to agendaize a discussion to review all the commissions' roles and responsibilities and determine whether there may be room for other commissions. Mayor Maciel supported Council Member Young's request.

ADJOURNMENT – Time 10:19 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 January 26, 2016. 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