

Tuesday, February 16, 2016, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

Americans With Disabilities Act - The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in Council meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6000) 24 hours prior to the meeting.

Addressing the Council on Items on the Agenda - The Brown Act provides that every regular Council meeting shall provide an opportunity for the public to address the Council on any item within its jurisdiction before or during the Council's consideration of the item, provided no action shall be taken on any item not on the agenda. Each citizen will be allowed a maximum of five minutes for input or testimony. At the Mayor's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Consent Calendar - All items listed on the Consent Calendar are considered routine and/or consistent with previous Council direction. A motion and roll call vote may enact the entire Consent Calendar. No separate discussion of Consent Calendar items will occur unless members of the City Council, City staff or the public request discussion on a specific item at the beginning of the meeting.

Addressing the Council on Items not on the Agenda – The Brown Act prohibits discussion or action on items not on the posted agenda. Members of the public addressing the Council should state their names and addresses for the record, and for contact information. The City Council's Procedures for the Conduct of Public Meetings provide that "Items from the Audience" following the Consent Calendar will be limited to 15 minutes. "Items from the Audience" listed near the end of the agenda will not have a maximum time limit. Each member of the public will be allowed a maximum of five minutes for public input or testimony. However, a maximum time limit of less than five minutes for public input or testimony may be set for "Items from the Audience" depending upon the number of members of the public wishing to provide public input or testimony. The five minute maximum time limit for each member of the public applies to all "Items from the Audience." Any item not on the agenda, brought up by a member of the public shall automatically be referred to staff. In accordance with Council policy, if staff is not able to resolve the matter satisfactorily, the member of the public may request a Council Member to sponsor the item for discussion at a future meeting. When members of the public address the Council, they should be as specific as possible about their concerns. If several members of the public comment on the same issue an effort should be made to avoid repetition of views already expressed.

Presentations to Council - Persons who wish to make presentations which may exceed the time limits are encouraged to submit comments in writing at the earliest possible time to ensure distribution to Council and other interested parties. Requests for letters to be read into the record will be granted only upon approval of the majority of the Council. Power Point (or similar) presentations need to be provided to the City Clerk's office at least 24 hours prior to the meeting. All presentations must comply with the applicable time limits. Prior to the presentation, a hard copy of the Power Point (or similar) presentation will be provided to the City Clerk's office for inclusion in the record of the meeting and copies shall be provided to the Council. Failure to comply will result in the presentation being rejected. Any materials distributed, including those distributed within 72 hours of a regular City Council meeting, to a majority of the Council regarding an item on the agenda shall be made available for public inspection at the City Clerk's office (address above) during regular business hours.

Notice - A 90 day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90 day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a City Council action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the City Council prior to or at the public hearing.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENTATIONS – D.A.R.E Presentations

– Recognition – Volunteer of the Year – Abby Hickman

– Recognition – 2015 Delta Youth Football League Super Bowl Champs

1. CONSENT CALENDAR

- A. Adopt Council Minutes – January 5, 2016 and January 19, 2016 regular meeting minutes and February 2, 2016, closed meeting minutes.
- B. Declaring and Approving the List of Surplus Equipment for Sale at Public Auction to the Highest Bidder
- C. Approve the Placement of a Bench and Plaque on the Corner of 6th Street and Central Avenue in Honor of the Late Arnold Barton Per City Standard Policy and Procedures
- D. Rejects Bids for the Airport Fuel Facility Repairs – CIP 77038
- E. Extend Terms of Measure E Residents' Oversight Committee Members
- F. Authorize the Interim Renewal Contract Between the United States Bureau of Reclamation and the City for Providing Central Valley Project Water Service and Authorize the City Manager to Execute the Contract
- G. Waive Second Reading and Adopt Ordinance 1207, an Ordinance of the City of Tracy Adding a New Chapter 6.32, Lobbying to the Tracy Municipal Code

2. ITEMS FROM THE AUDIENCE

- 3. INTRODUCTION AND ADOPTION OF AN ORDINANCE PROVIDING FOR A 10 MONTH AND 15 DAY EXTENSION OF THE INTERIM ORDINANCE OF THE CITY OF TRACY PROHIBITING THE ISSUANCE OF ANY LAND USE ENTITLEMENT FOR CERTAIN WAREHOUSE AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY BOULEVARD TO THE EASTERN CITY LIMIT (ORDINANCE 1205)
- 4. INTRODUCE ORDINANCE TO AMEND SECTIONS OF TRACY MUNICIPAL CODE CHAPTER 2.20, CONTRACTS AND PURCHASING, TO PROVIDE FOR A LOCAL BIDDER PREFERENCE FOR PUBLIC PROJECTS WITH A COST OF \$45,000 OR LESS, TO REMOVE NEWSPAPER PUBLICATION REQUIREMENTS FOR REQUESTS FOR CERTAIN BIDS FOR GENERAL SERVICES, EQUIPMENT AND COMMODITIES, AND TO MAKE MINOR CHANGES TO THE BIDDING PROCESS
- 5. RECEIVE AND FILE THE PRESENTATION ON THE SECOND QUARTER OPERATING REPORT

6. DISCUSS AND APPROVE UPCOMING COUNCIL TRAVEL, INCLUDING TRAVEL TO WASHINGTON, D.C. FOR SAN JOAQUIN COUNTY OF GOVERNMENT'S (SJCOG) ONE VOICE TRIP
7. APPROVE A MID-YEAR ADJUSTMENT TO THE FISCAL YEAR 2015/16 BUDGET IN THE AMOUNT OF \$90,400 TO FUND THE CITY'S SHARE OF THE TRANSITION AND OPERATIONAL COSTS REQUIRED TO MOVE FIRE DISPATCHING SERVICES FROM VALLEY EMERGENCY REGIONAL COMMUNICATIONS CENTER TO THE STOCKTON EMERGENCY COMMUNICATIONS DISPATCH CENTER.
8. ITEMS FROM THE AUDIENCE
9. COUNCIL ITEMS
 - A. Appointment of City Council Subcommittee to Interview for Upcoming Vacancies on the Planning Commission
10. ADJOURNMENT

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

January 19, 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 7:12 p.m. and led the Pledge of Allegiance.

Invocation was led by Pastor Kevin James, New Creation Bible Fellowship.

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

Troy Brown, City Manager presented Employee of the Year Award for 2015, to Grace Segura.

Mayor Maciel spoke about the 2015 iShop Tracy downtown promotional campaign and introduced Tracy City Center Association President, Dino Margaros and Tracy Chamber of Commerce Chief Executive Officer, Sofia Valenzuela who conducted a random drawing for three prize winners.

Mayor Maciel presented the National Mentoring Month Proclamation to Carolyn Brown-Blunt, Mentor Program Coordinator, Sow-A-Seed Foundation.

1. CONSENT CALENDAR

ACTION Following the removal of items 1B, 1D, 1J, 1M, 1L and 1N 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 – January 5, 2016, closed session meeting minutes and the November 17, 2015, and December 15, 2015 regular meeting minutes were adopted.
- C. Approve Standard Agreement Between the City of West Covina, through its Police Department, an Entity Organized Under the Laws of the State of California, and the City of Tracy for Data Processing Equipment and Services and Authorize the Mayor to Execute the Agreement – Resolution 2016-005 approved Standard Agreement.

- E. Approve Resolution Authorizing the Purchase of 50 Electronic Citation Devices and Related Equipment from Tyler Technologies through a General Services Administration Contract GSA, Contract Number GS-35F-0096X, Pursuant to Tracy Municipal Code Section 2.20.220 and Authorize the Mayor to Execute a One-Year Contract with Tyler Technologies and a Three-Year Factory Hardware Services Agreement and Appropriate \$255,447 from the Computer Aided Dispatch/Records Management System Replacement CIP Project (CIP 71063) to Complete the Purchase – Resolution 2016-006 authorized the purchase of 50 Electronic Citation Devices.
- F. Authorization to Award the Purchase of a Forensic 3-D Laser Scanner System, Manufactured by Leica Geosystems, Distributed by Precision Survey Supply, a Limited Liability Corporation, and Find in the Best Interest of the City of Tracy to Forego the Formal Bid Process Pursuant to Tracy Municipal Code Section 2.20.180(B)(2)- Sole Source Purchase and Request to Appropriate \$100,500 from the Equitable Sharing Funds to Complete the Purchase – Resolution 2016-007 authorized the purchase of a Forensic 3-D Laser Scanner System.
- G. Approve the Downtown Tracy Community Benefit District Management District Plan and Approve a Disbursement Agreement by and between the City of Tracy and the Tracy City Center Association, Authorizing the City Manager to Execute the Agreement on Behalf of the City – Resolution 2016-008 approved the Downtown Tracy Community Benefit District Management District Plan.
- H. Award a Construction Contract to Mozingo Construction of Oakdale, California, in the Amount of \$4,075,750 for the Larch Road Reconstruction and Hansen Road Wastewater Collection System Upgrade, CIPs 73125, 74097, 74106 & 74113; Authorize an Appropriation of \$800,000 from the Wastewater Enterprise Fund 523 to CIP 74097; Authorize the Mayor to Execute the Construction Contract; Authorize the City Manager to Approve Lee & Ro Professional Services Agreement to Provide Design Support During Construction in an Amount Not to Exceed \$40,000 – Resolution 2016-009 awarded a construction contract to Mozingo Construction.
- I. Approve the Final Subdivision Map and Subdivision Improvement Agreement for Primrose - Phase 2, Tract 3821, Authorize the Mayor to Execute the Agreement, Authorize the City Clerk to File the Subdivision Improvement Agreement with the San Joaquin County Recorder, and Approve the Street Name Change from “Kagehiro Court” to “Aurora Astorga Drive” – Resolution 2016-010 approved the Final Subdivision Map and Subdivision Improvement Agreement.
- K. Approve an Exclusive Negotiating Rights Agreement by and between the City of Tracy and Becker Commercial Properties for the Remainder of the City-Owned Property Located at the Southwest Corner of Naglee Road and Pavilion Parkway (APN 212-290-39), and Authorize the Mayor to Sign the Agreement – Resolution 2016-011 approved an Exclusive Negotiating Rights Agreement.

- B. Approve an Agreement Between the City of Tracy and Pacific Gas & Electric Company (PG&E) Regarding the Construction and Operation of a Gas Distribution Pipeline on the City's Proposed Utility Bridge Crossing the California Aqueduct Along Corral Hollow Road and Authorize the Mayor to Execute the Agreement

George Riddle pulled this item and expressed concern regarding the construction of a bridge and the elevation being in the flight path.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-012 approving an Agreement. Voice vote found all in favor; passed and so ordered.

- D. Authorization to Award the Purchase of Replacement Police Department 911 Telephone Equipment through the State of California 911 Branch Customer Premise Funding from AT&T, doing Business through a State of California Master Purchase Agreement (MPA), Contract Number 5-12-58-01, a Cooperative Purchase Agreement, per Tracy Municipal Code Section 2.20.220, and Authorize the Mayor to Execute a Five-Year Contract

Council Member Mitracos pulled this item to point out that all the 911 equipment will be updated.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Mitracos to adopt Resolution 2016-013 authorizing to purchase replacement of Police Department 911 Telephone Equipment. Voice vote found all in favor; passed and so ordered.

- J. Authorization to Establish a Capital Improvement Project (CIP) to Construct a Temporary Asphalt Concrete Sidewalk Along Lammers Road Between Kimball High School and the Redbridge Subdivision, and Approval of an Appropriation of \$25,000 From Gas Tax Fund 245 for Preliminary Design

Steve Nicolaou pulled this item to ask some clarifying questions and expressed a few concerns.

Robert Armijo, City Engineer, Development Services, presented the staff report.

Dave Helm expressed concern about the property split with the County. Mr. Helm stated that he was not sure what a temporary sidewalk means and does not understand why the County is not fixing the problem and why Stringer Bates is tasked with constructing a sidewalk on County property.

Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-014 authorizing to establish a Capital Improvement Project. Voice vote found all in favor; passed and so ordered.

L. Approve Request for Out-of-State Travel By Council Member

Council Member Young pulled this item to provide additional information on the National League of California Cities conference she requested to attend.

Troy Brown, City Manager, presented the staff report.

Steve Nicolaou inquired about the purpose of the conference.

Dave Helm inquired about the purpose and the benefit of this conference.

Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Young to adopt Resolution 2016-015 approving request for Out-of-State Travel. Voice vote found all in favor; passed and so ordered.

M. Adopt Resolution Approving an Employment Agreement Between Larry Esquivel and the City of Tracy to Serve as Police Chief

Steve Nicolaou pulled this item ask some questions.

Dave Helm inquired why the City is spending \$30,000 more when there is a current Acting Chief. Mr. Helm acknowledged Chief Hampton for his service with the City of Tracy.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Young to adopt Resolution 2016-016 approving an Employment Agreement. Voice vote found all in favor; passed and so ordered.

N. Approve Resolution Exercising the Option to Extend a Lease Agreement with Mizuno Farms, Inc., for One Additional Two-Year Period, for Farming Operations at Property Located at the Corner of Eleventh Street and Chrisman Road, and Authorize the Mayor to Execute Amendment No. 3

Council Member Vargas pulled this item for clarification.

Robert Tanner suggested postponing this item until the next meeting because he was concerned that the agenda did not include item N in the packet.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-017 exercising the option to extend a Lease Agreement. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Wes Huffman spoke on behalf of the Youth Advisory Commission advocating for \$3,000 being allocated and made accessible for the student projects that do not get accomplished due to lack of budget.

Robert Tanner expressed the need for a sidewalk on the corner of Chester Drive and Lowell and urged the Council to include it in the CIP.

Council Member Vargas suggested looking into a school grant to fund the sidewalk.

City employee Frank DeSousa represented the Teamsters Bargaining Unit and expressed concern for all the employees in this unit who have not received a wage increase in over 8 years and are paying 8 % of their pension. Mr. DeSousa stated that the City needs to recognize the sacrifices and what is being requested is a reasonable compensation to get closer in negotiations to make up for the losses and urged the Council that it is time to show that they are valued.

Dave Helm acknowledged the teamsters for their hard work.

Roger Birdsall announced an upcoming musical taking place on March 12, 2016 at the Grand Theatre, a Notre Dame De Namur production called "In the Heights", first floor tickets are available for \$18, and second floor tickets are \$15.

Council Member Vargas asked when Council will meet to discuss labor negotiations for the remaining three units. Troy Brown, City Manager responded that there is a labor negotiation closed session scheduled for February 2, 2016.

3. AUTHORIZE THE CITY MANAGER TO ENROLL THE CITY OF TRACY IN THE COMMUNITY FOUNDATION OF SAN JOAQUIN (CFOSJ), APPROPRIATE \$10,000 FROM THE GENERAL FUND TO BE USED AS INITIAL FUNDS IN THE CITY OF TRACY FUND WITHIN THE CFOSJ, AUTHORIZE RETURN OF THE \$10,000 TO THE GENERAL FUND WHEN THE CHARITABLE FUNDS FOR THE CITY REACH \$50,000, AND DESIGNATE THE CITY MANAGER AS THE FUND ADVISOR

Stephanie Garrabrant-Sierra, Assistant City Manager, presented the staff report.

Linda Philipp, Community Foundation of San Joaquin provided a brief overview of what the foundation does through philanthropy and charity.

Council comments and questions followed.

Rhodesia Ransom inquired about the fund.

Linda Jimenez asked how this information would be disseminated to the public.

Council discussion ensued.

- ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-018 authorizing the City Manager to enroll the City of Tracy in the Community Foundation of San Joaquin, appropriating \$10,000 from the General Fund to be used as initial funds in the City of Tracy fund within the Community Foundation of San Joaquin, authorize return of the \$10,000 to the General Fund when the charitable funds for the City reach \$50,000, designating the City Manager as the fund advisor, and authorizing the City Manager to create sub-funds within the City of Tracy Fund. Voice vote found all in favor; passed and so ordered.

Mayor Maciel called for a recess at 8:57 p.m.

Mayor Maciel reconvened the Council meeting at 9:07 p.m.

4. PUBLIC HEARING TO INTRODUCE AN ORDINANCE AMENDING THE CONCEPT DEVELOPMENT PLAN, AND ADOPTING A RESOLUTION AMENDING THE PRELIMINARY AND FINAL DEVELOPMENT PLAN, FOR THE 71-LOT SOUTHGATE RESIDENTIAL SUBDIVISION LOCATED SOUTH OF THE WESTERN TERMINUS OF SCHULTE ROAD AND EAST OF MABEL JOSEPHINE DRIVE. THE APPLICANT AND OWNER IS BRIGHT DEVELOPMENT – APPLICATION NUMBERS PUD15-0003 AND D14-0027

Kimberly Matlock, Assistant Planner, Development Service, presented the staff report.

Mayor Maciel opened the public hearing.

George Riddle, referenced a letter addressed to Bill Dean dated November 15, 2012 from the ALUC that there is no zone 7 that there is a zone 6 and urged the Council to ensure that they are not encroaching in a different area.

Council Member Vargas expressed a desire to see more color to add contrast in the Spanish Style Plan One and embellish the elevation.

ACTION Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Rickman to adopt Resolution 2016-019 approving a Preliminary and Final Development Plan Amendment to the architecture for the Southgate residential subdivision located south of the western terminus of Schulte Road and east of Mabel Josephine Drive. The applicant and owner is Bright Development – Application Number D14-0027. And to add architectural embellishment on the Spanish Plan One elevation as discussed. Voice vote found all in favor; passed and so ordered.

Nora Pimentel, City Clerk read the title of Proposed Ordinance 1206 into the record.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to waive reading of full text of ordinance. 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 Ordinance 1206. Voice vote found all in favor; passed and so ordered.

DEVIATION

6. COMPARATIVE ANALYSIS OF EXISTING 1998 TRACY HILLS APPROVALS TO THE PROPOSED 2016 PROJECT

Troy Brown, City Manager, provided some background information related to the proposed Tracy Hills project. Bill Dean, Development Services Assistant Director, presented the staff report.

Council comments and questions followed.

Drew Castle, reported working diligently with staff for the past three years, many things have been studied through the EIR mitigation process. Mr. Castle expressed his desire to assist the Council to better understand the project and address Council's concerns in a digestible way.

Council discussion ensued.

Linda Jimenez thanked staff for providing the comparison as it served as a refresher and expressed her comments and concerns related to the well water usage.

Alice English expressed concern about the drought and the proposed projects requiring water; Ms. English expressed a second concern related to the need for sidewalks in the City.

Steve Nicolaou agreed that the comparative analysis for the proposed 2016 project is better than the 1998 project. Mr. Nicolaou stated that water is a commodity, it can be bought and it is driven by economics.

DEVIATION

Mayor Maciel deviated to item 4 at 10:26 p.m. to continue the process to introduce ordinance 1206.

DEVIATION

The Council returned to Item 6 at 10:27 p.m. to continue their discussion on the comparative analysis of existing 1998 Tracy Hills approvals to the proposed 2016 project.

Upon consensus staff was directed to provide a response to the following Council comments:

- | | |
|---------------------------|--|
| Utilities/water: | Provide overview of water and recycled water. Summarize SB 610 and address reliability issues and use of wells. |
| Utilities/wastewater: | What is fiscal impact "ballpark" estimate of cost difference from 1998 to 2016 WW approach? |
| Utilities/storm drainage: | Explain differences in approach |
| Roadways: | More information needed on build-out requirements, triggers, and interchanges. What are costs today compared to 1998? |
| Fire: | Why only 1 fire station in 1998 approvals?
Where will fire station go?
What will be the cost?
What is the plan for build-out? |
| Police: | What is the cost for new officers? |
| Public Safety Tower: | Will there be a blind spot in the Corral Hollow Canyon once the PS Tower is operational? |

- PW Maintenance: Is the proposed CFD amount enough to cover PW costs?

- Development Concept: Who maintains the Open Space?
Is there a City water savings going from golf course to open space?

- Zoning: Can the specifics of the requested changes be summarized for CC?
Is there any benefit from the changes?

- Development Standards: How will Phase 1 compliment other Phases?
Are there future CC actions on later phases?

- Residential Growth Allotments/GMO: What is the average number of RGAs sought on average yearly?
How will other developers/projects be affected?
Is there a waiting list for RGAs?
Is Infill incentivized?
Is there a value that can be assigned to RGAs?

- Parks: What are the maintenance costs for the Community Park (land dedication)?

- Public Services Funding: Provide analytical data supporting CFD amount.

Mayor Maciel polled the Council if there was consensus to continue with the agenda. The consensus of the Council was to continue with the agenda.

Mayor Maciel called a recess at 11:24 p.m.

Mayor Maciel reconvened the meeting at 11:32 p.m.

DEVIATION

8. COUNCIL ITEMS

- A. Appoint Applicants to the Parks and Community Services Commission
Mary Mitracos presented the sub-committees report and announced the recommendation to re-appoint Gloria Saltzman and Linda Jimenez and appoint Conrado Levoit III and place Verica Elliott and Jennifer Dow-Rowell on the eligibility list.

ACTION Motion was made by Council Member Mitracos and seconded by Council Member Young to re-appoint Gloria Saltzman and Linda Jimenez to a term each ending January 21, 2020 and appoint Conrado Levoit III to a term ending January 21, 2020 and to place Verica Elliott in the first position and Jennifer Dow-Rowell in the second position on the eligibility list. Voice vote found all in favor; passed and so ordered.

5. APPROVE A LIST OF CITY OF TRACY PROJECTS FOR SAN JOAQUIN COUNCIL OF GOVERNMENT'S ONE VOICE TRIP TO WASHINGTON D.C., FOR CONGRESSIONAL FUNDING APPROPRIATION REQUESTS

Robert Armijo, City Engineer, Development Services, 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 adopt Resolution 2016-019 approving a list of City of Tracy projects San Joaquin Council of Government's One Voice trip to Washington D. C. for congressional funding appropriation. Voice vote found all in favor; passed and so ordered.

7. ITEMS FROM THE AUDIENCE – George Riddle, read into the record information for the Edgewood fill project, the ALUC response to local jurisdiction letter addressed to Bill Dean dated November 15, 2012 is flawed and ignores traffic pattern in zone 6 and is not in compliance with its own ALUC plan for the Tracy Airport, that's the 2009 plan. Mr. Riddle announced that the Tracy Airport Association is now a 501 3(C).

DEVIATION

8. COUNCIL ITEMS

B. Review Appointments to Council Committees

Nora Pimentel, City Clerk presented the staff report.

The following appointments were made:

City Chamber Liaison – Council Member Vargas and
Alt Mayor Pro Tem Rickman
City School Liaison- Mayor Maciel, Mayor Pro Tem Rickman
Investment review Committee – Council Member Vargas, Council Member
Mitracos
South County Fire – Mayor Maciel, Mayor Pro Tem Rickman
Tracy Area Public Facilities Financing Agency – Council Member Young,
Council Member Mitracos
City Selection Committee – Mayor Maciel
Community Development Block Grant – Vacant
Council of Governments – Mayor Maciel, Alt Council Member Young
Citizen's Advisory Committee – Council Member Young
San Joaquin Water Advisory Commission – Don Scholl,
Alt Council Member Mitracos
San Joaquin Partnership – Mayor Maciel
San Joaquin Rail Commission – Mayor Maciel
Solid Waste Management – Council Member Young
Special City Selection Commission – Council Member Mitracos,
Alt Council Member Vargas
League of California Cities, Central Valley – Council Member Vargas
Oversight Board of the Successor Agency – Mayor Maciel
Joint City/County Criminal Justice Task Force – Mayor Pro Tem Rickman,

Council Member Vargas, Alt Mayor Maciel
Altamont Regional Authority – Mayor Maciel
Tri-valley Regional Rail Advisory Group – Council Member Vargas
LAFco – Mayor Maciel

San Joaquin Council of Government’s One Voice Trip was pulled from the list for discussion and was voted upon – Roll Call vote found Council Members Mitracos, Vargas, and Mayor Pro Tem Rickman opposed to Mayor Maciel and Council Member Young attending the Washington One Voice Trip; Council Member Young and Mayor Maciel voted in favor.

Staff was directed to agendize a discussion about the inclusion of other interested Council Members in addition to member on the San Joaquin Council of Government’s attending the upcoming One Voice trip and consider scheduling a special Tracy specific trip to Washington D.C. for interested Council Members to attend or have all interested Council Members attend both trips.

Mayor Pro Tem Rickman congratulated all the Police Officers that received awards and acknowledged Officer Clayton who received the Officer of the Year award at the Tracy Police Awards banquet and recognized the police profession.

Council Member Vargas mentioned that the electrical outlet in her area at the dais was not working and requested to get that fixed.

Council Member Young announced the Tracy Unified Festival of Cultures Event at Kimball High on February 3, 2016 from 6:00 p.m. – 8:00 p.m.

9. ADJOURNMENT – Time: January 20, 2016 12:16 a.m.

ACTION Motion was made by Mayor Pro 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 12, 2016. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

February 2, 2016, 6:15 p.m.

Council Chambers, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Maciel called the meeting to order at 6:15 p.m. for the purpose of a closed session to discuss the items outlined below.
2. ROLL CALL – Roll call found Council Members Mitracos, Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel present.
3. ITEMS FROM THE AUDIENCE – There were no speakers.
4. CLOSED SESSION

Labor Negotiations (Gov. Code, § 54957.6)

Employee Organizations: Tracy Police Officers Association
Tracy Firefighters' Association
Teamsters Local 439, IBT

City's designated representatives: Troy Brown, City Manager
Stephanie Garrabrant-Sierra, Assistant City Manager
Rachelle McQuiston, Administrative Services Director
Midori Lichtwardt, Human Resources Manager
Dania Torres Wong, Esq.

5. MOTION TO RECESS TO CLOSED SESSION – Mayor Pro Tem Rickman motioned to recess the meeting to closed session at 6:16 p.m. Council Member Vargas seconded the motion. Voice vote found all in favor; passed and so ordered.
6. RECONVENE TO OPEN SESSION – Mayor Maciel reconvened the meeting into open session at 7:23 p.m.
7. REPORT OF FINAL ACTION – There was no report of final action.
8. ADJOURNMENT – Council Member Mitracos motioned to adjourn. Mayor Pro Tem Rickman seconded the motion. Voice vote found all in favor; passed and so ordered. Time: 7:24 p.m.

The agenda was posted at City Hall on January 26, 2016. The above are action minutes.

ATTEST:

Mayor

City Clerk

AGENDA ITEM 1.B

REQUEST

DECLARING AND APPROVING THE LIST OF SURPLUS EQUIPMENT FOR SALE AT PUBLIC AUCTION TO THE HIGHEST BIDDER

EXECUTIVE SUMMARY

The City periodically declares equipment and commodities that have been used beyond their economical and/or useful life as surplus for sale at public auction.

DISCUSSION

The equipment and commodities on the attached list have been removed from service and are no longer needed by the City. These items have been used beyond their economical and/or useful life and may be declared as surplus property.

The disposal of surplus equipment and commodities or other property no longer needed by any Department of the City is governed by Section 2.20.310 of the Tracy Municipal Code which identifies the method of disposition of surplus property.

These surplus items will be sold at public auction to the highest bidder. Items which are not sold at public auction will be reviewed for value, and if appropriate, sold for scrap value.

STRATEGIC PLAN

This agenda item is a routine operational item and does not relate to the Council's strategic plans.

FISCAL IMPACT

The proceeds from the sale of surplus property will be deposited in the appropriate City fund from which the property was originally purchased. The estimated value of this surplus property is approximately \$20,000.

RECOMMENDATION

That the City Council, by resolution, declares and approves the list of surplus equipment and commodities, and authorize the sale of said items at public auction to the highest bidder.

Prepared by: Robert Gravelle, Public Works Superintendent

Reviewed by: Don Scholl, Public Works Director
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

Attachment A: Surplus Equipment List

SURPLUS EQUIPMENT

<u>City Asset ID</u>	<u>Description</u>	<u>Serial #</u>
1. 148	2009 Ingersoll Rand	UQ0762U09152
2. 2017	2001 New Holland	001202539
3. 2034	2001 Dodge Ram 2500	3B7KC26Z71M534628
4. 2052	2002 Kustom Signals Radar	1K9BS08191K118240
5. 2053	2002 Kustom Signals Radar	1K9BS08121K118239
6. 2054	2002 Kustom Signals Radar	1K9BS08171K118236
7. 2055	2002 Kustom Signals Radar	1K9BS08101K118238
8. 2097	2003 Ford F-250	1FTNF20L63EB86791
9. 2108	2004 Ford Expedition	1FMPU15L64LA30163
10. 2127	2004 Global Electric Car	5ASAK27494F034262
11. 2150	2005 Ford Crown Victoria	2FAFP71W25X124190
12. 2165	2005 Exmark Mower	S65880
13. 2193	2006 Dodge Ram 1500	1D7HA18N76J193455
14. 2201	2007 Ford Ranger	1FTYR14U07PA00691
15. 2202	2007 Ford Ranger	1FTYR14U27PA00692
16. 2225	2007 Ford F-250	1FDSF20P37EA48116
17. 2218	2006 Brutus Roller	2310
18. 2246	2007 Toro Line Striper	260000556
19. 2289	2008 Ford Crown Victoria	2FAFP71V88X151812
20. 2293	2008 Ford Crown Victoria	2FAFP71V68X139318
21. 2296	1994 Kawasaki KZ1000	JKAKZCP21RB512059
22. 2298	2008 Broyhill Scooter	08-08-0034
23. 7001	1981 Chevrolet Grumman	1GBGP32T1B3300803
24. 9403	1994 Cushman Cart	94000742
25. 9405	1994 Cushman Cart	1CUMH3271RL000591
26. 9607	1996 Ford F-450	1FDLF47G8TEA63145
27. 9710	1997 Ford F-250	1FTHF25H4VEB07218
28. 9901	1999 TailLift Forklift	306162B
29. 9905	1998 Pace Trailer	4P2UB1425WU011805
30. N/A	Sweeper Attachment	N/A
31. N/A	Auger Attachment	N/A

RESOLUTION _____

DECLARING AND APPROVING THE LIST OF SURPLUS EQUIPMENT FOR SALE AT PUBLIC AUCTION TO THE HIGHEST BIDDER

WHEREAS, The City periodically declares equipment and commodities that have been used beyond their economical and/or useful life as surplus property, and

WHEREAS, The disposal of surplus equipment and commodities or other property no longer needed by any department in the City is governed by Section 2.20.310 of the Tracy Municipal Code which identifies the method of disposition of surplus property, and

WHEREAS, The listed surplus items will be sold at public auction to the highest bidder. Items which are not sold at public auction will be reviewed for value, and if appropriate, sold for scrap value, and

WHEREAS, The proceeds from the sale of the surplus property will be deposited in the appropriate City fund from which the property was originally purchased.

NOW, THEREFORE, BE IT RESOLVED, That the City Council declares and approves the list of surplus equipment and commodities, attached to the staff report accompanying this resolution, and authorizes the sale of said items at public auction to the highest bidder and the remaining items to be sold for scrap value, if appropriate.

The foregoing Resolution _____ was passed and adopted by the Tracy City Council on the 16th day of February 2016, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 1.C

REQUEST

APPROVE THE PLACEMENT OF A BENCH AND PLAQUE ON THE CORNER OF 6TH STREET AND CENTRAL AVENUE IN HONOR OF THE LATE ARNOLD BARTON PER CITY STANDARD POLICY AND PROCEDURES

EXECUTIVE SUMMARY

Family and friends of the late Arnold Barton have submitted an application per the City standard policy and procedures to the Public Works Director to place a bench and a plaque honoring Mr. Barton's legacy. Mr. Barton was a daily fixture on the corner of 6th Street and Central Avenue. Many members of the public have expressed strong support for this request. The applicant is requesting to provide the bench and plaque and asks that the City complete the installation and maintenance.

DISCUSSION

Mr. Barton was a Tracy resident who passed away on August 23, 2015. He spent more than 10 years volunteering at the Lolly Hansen Senior Center and was active in his multiple roles at the People of Christ Missionary Baptist Church. He was best known for spreading his positive message to pedestrians and motorists at the corner of 6th Street and Central Avenue. He influenced and inspired many people who crossed his path.

After his family and friends visited the City Council meeting on September 1, 2016, the Public Works Department met with the family to discuss the design and specifications of the bench and plaque, which is incorporated into the current proposal. The bench will match those benches that are located in the downtown area and the 8x10 bronze finish plaque will be placed under the bench. The bench will be located across from the Transit Station near the southwest corner of the intersection – the location at which Mr. Barton shared his positive message. The family has been engaged in fundraising for the purchase of the bench and the plaque (estimated at \$2,500) and is requesting that the City install and maintain the fixtures. The family agrees to pay for the repair and/or replacement of the bench and plaque in the event they are vandalized, stolen, or damaged. The proposal meets all of the Public Works Department's guidelines for Monuments in the Public Right-of-Way.

At the October 1, 2015, Parks and Community Services Commission meeting, after hearing from the public, family and friends, the request was reviewed and approved as per policy and procedures. The Commission recommended the item for approval of the City Council.

STRATEGIC PLAN

This is a routine operational item and is not related to one of the City Council's Strategic Plans.

FISCAL IMPACT

Approval of this item will have an estimated cost of \$1,500 in City staff time and materials. This amount includes the cost for Public Works staff to mount the bench and plaque. There will also be minor ongoing maintenance costs for items such as graffiti removal. These costs will be absorbed within the existing FY15-16 operating budget.

RECOMMENDATION

That the City Council, by resolution, approve placement of a bench and plaque on the corner of 6th Street and Central Avenue in honor of the late Arnold Barton.

Prepared by: Brian MacDonald, Management Analyst II

Reviewed by: Don Scholl, Public Works Director
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

ATTACHMENTS

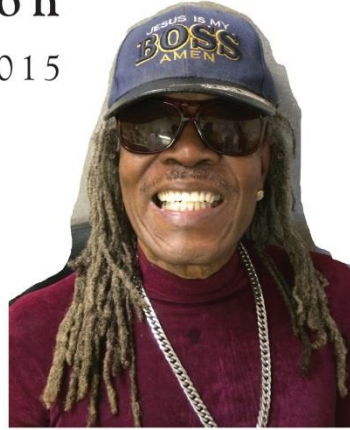
Attachment A – Draft of Arnold Barton Plaque and Sample Bronze Plaque

Plaque Draft

In Loving Memory of
Arnold Karl Barton

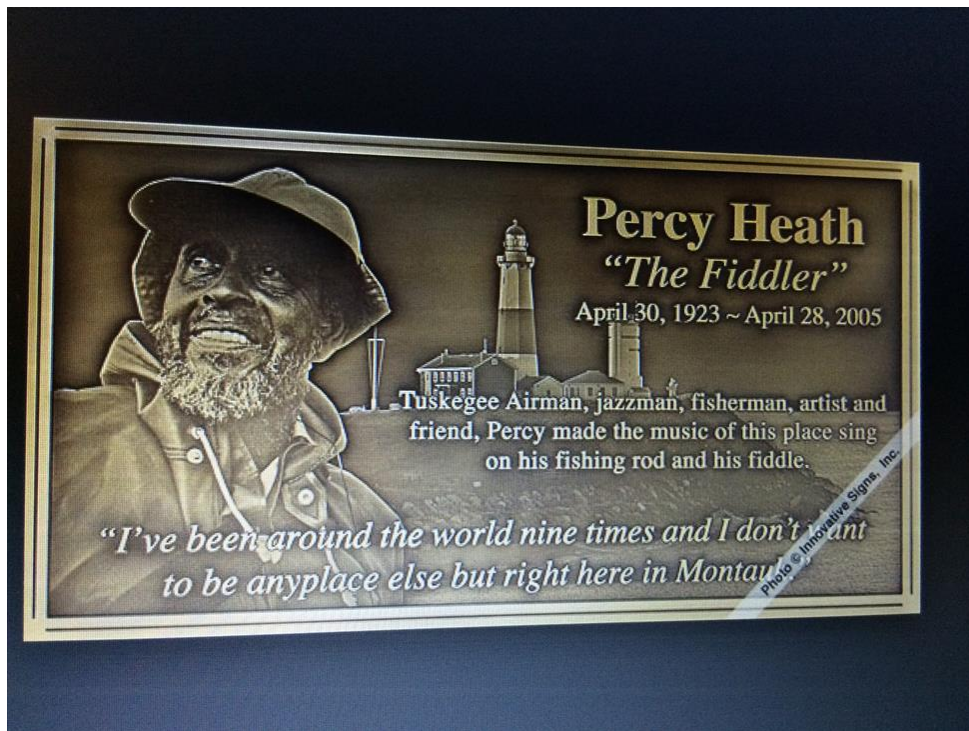
Oct. 6, 1943 - Aug. 23, 2015

Beloved son, brother, father,
grandfather, uncle, cousin and
friend. Always ready to share a
smile and a positive word,
Arnold was a passionate
motivator that encouraged
others to do their best in life.
He will be missed by many.



*“Do what you have to do,
so you can do what you want to do!”*

Sample Plaque



RESOLUTION _____

APPROVING THE PLACEMENT OF A BENCH AND PLAQUE ON THE CORNER OF 6TH STREET AND CENTRAL AVENUE IN HONOR OF THE LATE ARNOLD BARTON

WHEREAS, family and friends of the late Arnold Barton have submitted an application to the Public Works Director to place a bench and a plaque honoring Mr. Barton’s legacy, and

WHEREAS, Mr. Barton was a Tracy resident who spent more than 10 years volunteering at the Lolly Hansen Senior Center. He was active in his multiple roles at the People of Christ Missionary Baptist Church. He was best known for spreading his positive message to pedestrians and motorists at the corner of 6th Street and Central Avenue, and

WHEREAS, the family will fundraise for the purchase of the bench and the plaque and City staff will install and maintain the fixtures, and

WHEREAS, the family agrees to pay for the repair or replacement of the bench and plaque in the event they are vandalized, stolen, or damaged;

NOW, THEREFORE, BE IT RESOLVED, That City Council approves the placement of a bench and plaque on the corner of 6th Street and Central Avenue in honor of the late Arnold Barton.

The foregoing Resolution _____ was adopted by Tracy City Council on the 16th day of February 2016, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

MAYOR

CITY CLERK

AGENDA ITEM 1.D

REQUEST

REJECT BIDS FOR THE AIRPORT FUEL FACILITY REPAIRS - CIP 77038

EXECUTIVE SUMMARY

City Council is requested to reject all bids for repairs of the Tracy Municipal Airport Fuel Facility.

DISCUSSION

The City of Tracy currently operates a fuel facility for aircraft at the Tracy Municipal Airport. The fuel facility is approximately 17 years old, consists to two above ground fuel tanks, and is in need of repair. One tank is designated for Jet "A" fuel and has a capacity of 10,000 gallons. The other tank is designated for AvGas, has a capacity of 12,000 gallons and is split into a 4,000 gallon and 8,000 gallon tank. There are three fuel dispensers at the fuel island, two for AvGas and one for Jet "A" fuel.

Some repairs are required in order to bring the fuel facility into compliance with current codes, while other repairs are needed to due to the age of the system. A total of \$95,000 was allocated from the General Fund to this CIP to cover the cost of this project.

Staff prepared the specifications and advertised the project for competitive bids on January 1, and 8, 2016. One bid was received and publicly opened at 2:00 p.m. on Monday, January 25, 2016, with the following results:

Contractor	Base Bid
GEMS ENVIRONMENTAL MANAGEMENT SERVICES, INC., CONCORD, CA	\$ 117,504

The low bid received from GEMS Environmental Management Services, Inc. exceeds the available funds of \$95,000 for this project. Since the bid amount is higher than the available funding for this project, it is recommended that the bids be rejected. Staff will revise the scope of work and rebid the project.

STRATEGIC PLAN

The agenda item is a routine operational item and is not related to the Council's Strategic Plans.

FISCAL IMPACT

This is an approved FY 2015/16 CIP (77038); approximately \$95,000 was appropriated from the General Fund for this project. Given that the low bid received exceeds the CIP

balance, there is insufficient funding to complete the repair work on the Tracy Municipal Airport Fuel Station.

RECOMMENDATION

That City Council, by resolution, reject all bids for the Airport Fuel Facility Repairs - CIP 77038.

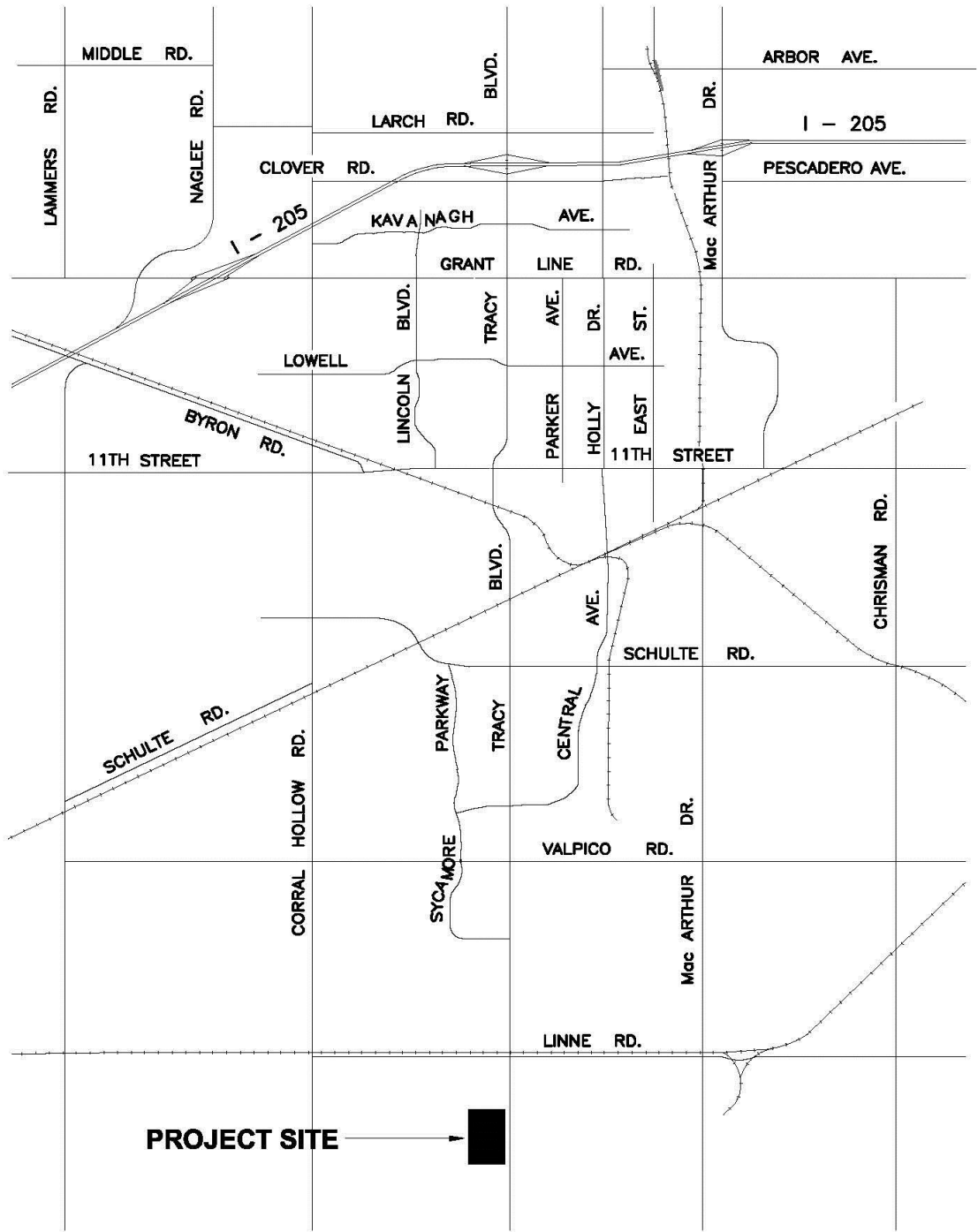
Prepared by: Ed Lovell, Management Analyst II

Reviewed by: Don Scholl, Public Works Director
Andre Pichly, Parks and Community Services Director
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

ATTACHMENT

Attachment A: Location Map



PROJECT SITE →

LOCATION MAP
(CITY OF TRACY)



NOT TO SCALE

RESOLUTION _____

REJECTING BIDS FOR THE AIRPORT FUEL FACILITY REPAIRS - CIP 77038

WHEREAS, The City of Tracy currently operates a fuel facility for aircraft at the Tracy Municipal Airport consisting of two above ground fuel tanks, and

WHEREAS, The fuel facility is approximately 17 years old and in need of repair due to the age of the system and to bring the fuel facility into compliance with current codes, and

WHEREAS, The project was advertised for competitive bids on January 1 and 8, 2016, and one bid was received and publicly opened on Monday, January 25, 2016, and

WHEREAS, The low bid received from GEMS Environmental Management Services, Inc. exceeds the available funds of \$95,000, and

WHEREAS, Since the bid amount is higher than the available funding for this project, it is recommended that the bids be rejected, and

WHEREAS, This is an approved FY 2015/16 CIP (77038); approximately \$95,000 was appropriated from the General Fund for this project;

NOW, THEREFORE, BE IT RESOLVED, That City Council rejects all bids for the Airport Fuel Facility Repairs - CIP 77038.

The foregoing Resolution _____ was adopted by the Tracy City Council on the 16th day of February, 2016, by the following votes:

- AYES: COUNCIL MEMBERS:
- NOES: COUNCIL MEMBERS:
- ABSENT: COUNCIL MEMBERS:
- ABSTAIN: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 1.E

REQUEST

EXTEND TERMS OF MEASURE E RESIDENTS' OVERSIGHT COMMITTEE MEMBERS

EXECUTIVE SUMMARY

With the passage of Measure E in 2010, an oversight committee was formed with the purpose of providing oversight of the revenues and expenditures pertaining to the portion of sales tax generated by Measure E. Measure E is sunsetting on March 1, 2016. At the same time, the term of two members is expiring and the remaining three members' terms expire in March, 2017.

Due to Measure E expiring in March 2016, it is requested that Council authorize the Committee's current members, all of whom are amenable to continue their service, to serve on the Committee until the final Measure E Annual Report is prepared and presented to Council.

DISCUSSION

The Measure E Residents' Oversight Committee, consisting of five members, was formed on March 1, 2011, to review revenue and expenditures (and other pertinent financial reports) related to Measure E, and to advise the City Council of its findings and make recommendations.

The Committee presents an annual written report documenting the findings to the City Council no later than August of each year. The annual reports focus on the *prior year's* special tax data (revenue and expenditures). Therefore, no later than August 2016, a report will be presented to Council focusing on *FY2014/2015* Measure E activity. No later than August 2017, a report will be presented to Council based on the Measure E Activity from July, 2015 through March, 2016 when Measure E ceases¹.

Of the five appointed Committee members, three serve a three-year term and two members serve a two-year term. If Council chooses to appoint new members to replace those two members whose terms expire in March, 2016, recruitment will be undertaken to fill the positions for a Measure that has already ceased to exist making for a challenging recruitment. Likewise, when the remaining three members' terms expire in March, 2017 their replacements will serve on a Committee for a Measure that expired a year earlier; and none of the five members will have served while the Measure existed.

Because the current volunteer Measure E Members have served only one term each but are amenable to serving until the final report is presented to Council (which the Committee's bylaws allows), staff recommends that the current members be automatically

¹ The report will also include any revenue that is reported after the Measure's expiration due to normal reporting lag.

reappointed by Council to serve on the Committee until its delivery of the final Annual Report to Council.

STRATEGIC PLAN

This item is in accordance with Council Governance Strategy, Goal 2: Ensure continued fiscal sustainability through budgetary and financial stewardship; Objective 3: Enhance Fiscal Transparency.

FISCAL IMPACT

There is no cost impact pertaining to this item.

RECOMMENDATION

That Council by motion waives the recruitment process and extends the term expiration for all five Committee Members to a date no later than August 31, 2017, or soon thereafter to allow completion and delivery of the FY 2016/17 Annual Report.

Prepared by: Nora Pimentel, City Clerk
Anne Bell, Management Analyst II

Reviewed by: Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

AGENDA ITEM 1.F

REQUEST

AUTHORIZE THE INTERIM RENEWAL CONTRACT BETWEEN THE UNITED STATES BUREAU OF RECLAMATION AND THE CITY FOR PROVIDING CENTRAL VALLEY PROJECT WATER SERVICE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT

EXECUTIVE SUMMARY

The City and the United States Bureau of Reclamation (Bureau) entered into a contract in 1974 for the delivery of 10,000 acre feet of Central Valley Project Water (CVP) per year from the Delta Mendota Canal to the City. This contract expired in December 2013, and since then, the City and the Bureau have entered into an interim renewal contract pending the execution of a long term contract. The interim contract expires at the end of February, 2016.

In addition, the Bureau authorized two contract assignments; one between the City and Banta Carbona Irrigation District (BCID) and the other between the City and West Side Irrigation District (WSID) for the supply of 7,500 acre feet of water per year to the City with the provision of an additional 2,500 acre feet of water from WSID.

The City and the Bureau have been working together to finalize a long term contract for the supply of a total of 20,000 acre feet of water which includes the option of the additional 2,500 acre feet of water from WSID when exercised. However, the contract cannot be finalized until the relevant environmental documents are completed; thus necessitating the need for the interim renewal contract until the long term contract is executed.

DISCUSSION

In 1974, the City entered into a long-term contract with the Bureau for water service from the Delta-Mendota Canal. This contract is for delivery of 10,000 acre-feet per year and expired on December 30, 2013. Since then the City and the Bureau have entered in to an interim renewal contract until the long term contract is executed. The interim renewal contract expires on February 29, 2016.

In 2004, the Bureau authorized contract assignments between the City and Banta Carbona Irrigation District (BCID), and the City and the West Side Irrigation District (WSID). The contract assignments provide for delivery of 7,500 acre-feet of water per year (5,000 acre-feet from the BCID contract and 2,500 acre-feet from the WSID contract) from the Delta-Mendota Canal. The City exercised its option with WSID in 2014.

In 2004, both BCID and WSID had interim renewal contracts with the Bureau and these agencies have subsequently renewed these contracts into long-term renewal contracts. The City, in turn, entered into interim renewal contracts with the Bureau

for such water in 2007, 2008, 2010, 2012 and 2014.

The City and the Bureau have been negotiating a new long-term renewal contract. The Bureau is currently unable to enter into long-term contracts until completion of appropriate environmental documentation for the Central Valley Project Improvement Act, which includes the operation of the Central Valley Project. Therefore, an interim contract is necessary. After completion of the appropriate environmental documents, the Bureau will enter into a long term renewal contract for a period of 40 years and may renew such contract for successive periods not to exceed 40 years each.

The Bureau has determined that the City has fulfilled all of its obligations under the existing contract and the Bureau intends to assure uninterrupted water service and continuity of the contract in accordance with the terms of the contract.

The Bureau and the City have also agreed to combine the 7,500 acre-feet contract assignments with the 10,000 acre-feet long-term contract for a combined interim renewal contract in the amount of 17,500 acre-feet of water, with a provision to increase to 20,000 acre-feet when the WSID optional contract is executed and approved. The Bureau has prepared the Interim Renewal Contract for execution by the City. This interim renewal contract has a term effective from March 1, 2016, through February 28, 2018.

STRATEGIC PLAN

This agenda item is a routine operational item and does not relate to the Council's Strategic Plans.

FISCAL IMPACT

There is no fiscal impact to the General Fund or the Water Fund for entering into this contract. The cost of the water received is already a budgeted item and is set by the Bureau every five years independently of the interim renewal contract.

RECOMMENDATION

That the City Council, by resolution, authorize the Interim Renewal Contract No. 14-06-200-7858A-IR2 between the United States Bureau of Reclamation and the City of Tracy providing for Central Valley Project Water Service and authorize the City Manager to execute the contract.

Prepared by: Kuldeep Sharma, Utilities Director

Reviewed by: Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

ATTACHMENTS

Attachment A - Interim Renewal Contract No. 14-06-200-7858A-IR2

1 UNITED STATES
2 DEPARTMENT OF THE INTERIOR
3 BUREAU OF RECLAMATION
4 Central Valley Project, California

5 INTERIM RENEWAL CONTRACT BETWEEN THE UNITED STATES
6 AND
7 THE CITY OF TRACY
8 PROVIDING FOR PROJECT WATER SERVICE
9 FROM THE DELTA DIVISION

10 THIS CONTRACT, made this _____ day of _____, 20____, in
11 pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or
12 supplementary thereto, including, but not limited to, the Acts of August 26, 1937 (50 Stat. 844), as
13 amended and supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented, June
14 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), October 27, 1986 (100 Stat. 3050), as
15 amended, and Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively
16 hereinafter referred to as Federal Reclamation law, between the UNITED STATES OF
17 AMERICA, hereinafter referred to as the United States, and the CITY OF TRACY, hereinafter
18 referred to as the Contractor, a public agency of the State of California, duly organized, existing,
19 and acting pursuant to the laws thereof, with its principal place of business in California;

20 WITNESSETH, That:

21 EXPLANATORY RECITALS

22 WHEREAS, the United States and the Contractor entered into the interim renewal
23 contract identified as Contract No. 14-06-200-7858A-IR1, hereinafter referred to as IR1, which
24 provided for the continued water service to the Contractor effective from January 1, 2014,
25 through February 29, 2016; and

26 WHEREAS, the United States and the Contractor have made significant progress
27 in their negotiations of a long-term renewal contract, believe that further negotiations on the
28 long-term renewal contract would be beneficial, and mutually commit to continue to negotiate to
29 seek to reach agreement, but anticipate that the environmental documentation necessary for
30 execution of any long-term renewal contract may be delayed for reasons beyond the control of
31 the parties; and

32 WHEREAS, the Contractor has requested a subsequent interim renewal contract
33 pursuant to Article 2 of IR1; and

34 WHEREAS, the United States has determined that the Contractor has to date
35 fulfilled all of its obligations under IR1; and

36 WHEREAS, the United States is willing to renew IR1 pursuant to the terms and
37 conditions set forth below;

38 NOW, THEREFORE, in consideration of the mutual and dependent covenants
39 herein contained, it is hereby mutually agreed by the parties hereto as follows:

40 RENEWAL AND REVISION OF
41 CONTRACT NO. 14-06-200-7858A-IR1

42 1. Except as specifically modified by this contract, all provisions of IR1 are renewed
43 with the same force and effect as if they were included in full text with the exception of Article 2
44 of IR1 thereof, which is revised as follows:

45 (a) The first sentence in subdivision (a) of Article 2 of IR1 is modified as
46 follows: “This Contract shall renew the Existing Contract, and replace Contract
47 Nos. 14-06-200-4305A-IR13B and 7-07-20-W0045-IR13B and shall be effective March 1, 2016
48 through February 28, 2018, and thereafter will be renewed as described in this Article.”

49 (b) Subdivision (b) of Article 2 of IR1 is amended by deleting the date
50 “December 31, 2013,” and replacing same with the date “February 28, 2018.”

51 IN WITNESS WHEREOF, the parties hereto have executed this Contract as of
52 the day and year first above written.

53 UNITED STATES OF AMERICA

54 By: _____
55 Regional Director, Mid-Pacific Region
56 Bureau of Reclamation

57 (SEAL)

58 CITY OF TRACY

59 By: _____
60 City Manager

61 Attest:

62 By: _____
63 City Clerk

RESOLUTION 2016-_____

AUTHORIZING THE INTERIM RENEWAL CONTRACT BETWEEN THE UNITED STATES BUREAU OF RECLAMATION AND THE CITY FOR PROVIDING CENTRAL VALLEY PROJECT WATER SERVICE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT

WHEREAS, The City and the United States Bureau of Reclamation (Bureau) entered in to a contract in 1974 for the delivery of 10,000 acre feet of Central Valley Project Water (CVP) per year from the Delta Mendota Canal to the City, and

WHEREAS, This contract expired at the end of December, 2013, and

WHEREAS, While working for the renewal of a long term contract, an interim contact for supply of CVP water to the City was executed in 2014 which expires on February 29, 2016, and

WHEREAS, The Bureau has determined that the City has fulfilled its obligations and the Bureau intends to enter into a longer term contract, and

WHEREAS, The long term contract cannot be executed until environmental documents are completed, and

WHEREAS, In 2004, the Bureau authorized two contract assignments; one between the City and Banta Carbona Irrigation District (BCID) and the other between the City and West Side Irrigation District (WSID) for the supply of 7,500 acre feet of water per year to the City with the provision of an additional 2,500 acre feet of water from WSID, and

WHEREAS, The Bureau has prepared the Interim Renewal Contract for the for execution by the City effective from March 1, 2016, through February 28, 2018, and

WHEREAS, A California Environmental Quality Act Categorical Exemption has been prepared by the City as there are no impacts to the environment;

NOW, THEREFORE, BE IT RESOLVED, That the Tracy City Council authorizes Interim Renewal Contract No. 14-06-200-7858A-IR2 between the United States Bureau of Reclamation and the City of Tracy providing for Central Valley Project Water Service and authorizes the City Manager to execute the contract.

* * * * *

The foregoing Resolution 2016-_____ was passed and adopted by the Tracy City Council on the 16th day of February, 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 1.G

REQUEST

WAIVE SECOND READING AND ADOPT ORDINANCE 1207, AN ORDINANCE OF THE CITY OF TRACY ADDING A NEW CHAPTER 6.32, LOBBYING, TO THE TRACY MUNICIPAL CODE

EXECUTIVE SUMMARY

Ordinance 1207 was introduced at the Council meeting held on February 2, 2016. Ordinance 1207 is before Council for adoption.

DISCUSSION

On November 3, 2015, City Council directed staff to bring back a draft lobbying ordinance for consideration. Ordinance 1207 was introduced at a regular City Council meeting held on February 2, 2016, to add a new Chapter 6.32, Lobbying Regulations, added to Title 6 (Businesses, Professions, and Trades) of the Tracy Municipal Code. Everyone engaged in compensated lobbying activities aimed at influencing City decisions must be subject to the same regulations, regardless of their background, training or other professional qualifications or licenses. The proposed ordinance would require each lobbyist in the City to register on an annual basis, including submitting a statement of the lobbyist's and client's contact information and the governmental decision that may be affected.

STRATEGIC PLAN

This agenda item does not relate to the Council's four strategic plans.

FISCAL IMPACT

None.

RECOMMENDATION

That Council adopt Ordinance 1207.

Prepared by: Adrienne Richardson, Deputy City Clerk

Reviewed by: Nora Pimentel, City Clerk
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

ATTACHMENTS:

Attachment A – Ordinance 1207

ORDINANCE 1207

AN ORDINANCE OF THE CITY OF TRACY ADDING A NEW CHAPTER 6.32, LOBBYING, TO THE TRACY MUNICIPAL CODE

WHEREAS, the City Council considered whether to propose lobbying regulations at its regular meetings on March 3, 2015, May 5, 2015, and November 3, 2015, and directed staff to prepare an ordinance for consideration.

The City Council of the City of Tracy does ordain as follows:

SECTION 1: A new Chapter 6.32, Lobbying Regulations, is added to Title 6 (Businesses, Professions and Trades) of the Tracy Municipal Code to read as set forth in the attached Exhibit A.

SECTION 2: The City Council finds that the adoption and implementation of this ordinance is exempt from the California Environmental Quality Act (CEQA) in that there is no possibility that the implementation of this ordinance may have a significant effect on the environment.

SECTION 3: This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 4: This Ordinance shall either (1) be published once in the TriValley Times, a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* * * * *

The foregoing Ordinance 1207 was introduced at a regular meeting of the Tracy City Council on February 2, 2016, and finally adopted on February 16, 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

**“Chapter 6.32
Lobbying**

Sections	
6.32.010	Purpose
6.32.020	Definitions
6.32.030	Registration and reporting
6.32.040	Prohibited acts
6.32.050	Enforcement
6.32.060	Expiration

6.32.010 Purpose.

City government serves all citizens. The citizens have a right to know the identity of people and interests that attempt to influence City government decisions. Everyone engaged in compensated lobbying activities aimed at influencing City decisions must be subject to the same regulations, regardless of their background, training or other professional qualifications or licenses. Complete public disclosure of the full range of activities by and financing of lobbyists, and those who employ them, is essential to maintaining citizen confidence in the integrity of local government.

6.32.020 Definitions.

In this chapter, terms have the meanings set forth below.

Attempting to influence means promoting, supporting, opposing or seeking to modify or delay a governmental decision.

City official means the Mayor, City Council Member, or Planning Commissioner.

Client means (a) the person who compensates a lobbyist for attempting to influence a governmental decision; and (b) the person on whose behalf a lobbyist attempts to influence a governmental decision, even if the lobbyist is compensated by another person for the representation. (If a lobbyist represents a membership organization, an individual member is not a client solely because the individual member is represented by the lobbyist unless the member makes a payment for such representation in addition to the usual membership fee.)

Compensation means money or anything of value that is received, or is to be received, in return for or in connection with lobbying services, including reimbursement for expenses incurred in lobbying.

Governmental decision means any legislative or administrative matter proposed or pending before the City, including but not limited to: the granting, denial, revocation, or modification of a license, permit or entitlement for use (including all land use permits); adoption of ordinances or resolutions. It does not include:

- (1) a ministerial action, not involving the exercise of discretion; or
- (2) an action related to a collective bargaining agreement or memorandum of understanding between the City and a recognized employee organization, or a management decision as to the working conditions of represented employees.

Lobbying means engaging in, either personally or through an agent, written or oral direct communication with a City official for the purpose of attempting to influence a governmental decision. *Lobbying* does not include a communication:

- (1) merely requesting information or inquiring about facts or status;
- (2) made by a public official or employee acting in his or her official capacity;
- (3) made in the course of preparing or disseminating news, information, or commentary to the public;
- (4) when appearing at or submitting documents for an open, public meeting;
- (5) made in a speech, publication or other material that is distributed and made available to the public, including a written public petition for a governmental decision;
- (6) which is a response to a request from the City, including a request for public bidding;
- (7) made by a person solely on behalf of that person or his or her relative. The term *relative* includes (biological or step-) spouse, child, father, mother, grandmother, grandfather, grandchild, brother, sister, aunt, uncle, cousin, father-in-law, mother-in-law, brother-in-law, sister-in-law;
- (8) made on behalf someone regarding his or her City employment or benefits; or
- (9) made by an attorney made solely in connection with his or her duties representing a party to an administrative or quasi-judicial proceeding;

Lobbyist means a person who is compensated in monetary or in-kind compensation and who engages in lobbying.

Person includes an individual or entity.

6.32.030 Registration.

(a) Registration. Except as provided in subsection (b), each lobbyist must register with the City Clerk by filing a written statement under penalty of perjury. The written statement must be submitted on the form provided by the City Clerk, and will include:

- (1) the lobbyist's full name, business address, telephone number, and email address. If the lobbyist is a firm, the information must include the information for the firm, and for each firm member who may be involved in the lobbying activity;
- (2) the client's name, business address, telephone number and email address; and
- (3) the governmental decision(s) that may be affected.

If there is a change to the written information, the lobbyist must submit an amended registration within 15 days of the change.

- (b) Timing. The registration must be filed or renewed on an annual basis during January of each year, or within 15 days of the initial employment, whichever occurs first. The initial registration period begins 30 days after this chapter takes effect.
- (c) Fees. When registering or renewing, the applicant must pay the registration or renewal fee in the amount established by City Council resolution.
- (d) Public information. The City will make registration information available to the public on its website.

6.32.040 Prohibited acts.

- (a) General. No person may act as a lobbyist in the City without having registered in compliance with section 6.32.030. No person may employ a person to act as a lobbyist in the City, if the lobbyist is not registered.
- (b) Other prohibited acts. No lobbyist may:
 - (1) do anything whose purpose is to place a City official under personal obligation regarding City business, or represent that the lobbyist can control the official action.
 - (2) deceive a City official or staff member regarding a material fact pertinent to pending or proposed governmental decision.

6.32.050 Enforcement

A person who violates this chapter is subject to civil or criminal penalties, or both, as set forth in Chapter 1.04.

6.32.060 Expiration

This chapter expires in five years from its effective date unless extended by ordinance.”

AGENDA ITEM 3

REQUEST

INTRODUCTION AND ADOPTION OF AN ORDINANCE PROVIDING FOR A 10 MONTH AND 15 DAY EXTENSION OF THE INTERIM ORDINANCE OF THE CITY OF TRACY PROHIBITING THE ISSUANCE OF ANY LAND USE ENTITLEMENT FOR CERTAIN WAREHOUSE AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY BOULEVARD TO THE EASTERN CITY LIMIT (ORDINANCE 1205)

EXECUTIVE SUMMARY

On January 5, 2016, the City Council adopted an interim ordinance prohibiting the issuance of any land use entitlement for certain warehouse and distribution uses along the I-205 Corridor between Tracy Boulevard to the eastern City limit while the City studies the I-205 corridor (Ordinance 1205). Staff recommends that the City Council introduce and adopt an ordinance providing for a 10 month and 15 day extension of Ordinance 1205.

DISCUSSION

On January 5, 2016, the City Council adopted an interim ordinance prohibiting the issuance of any land use entitlement for certain warehouse and distribution uses along the I-205 Corridor between Tracy Boulevard to the eastern City limit while the City studies the I-205 corridor (Ordinance 1205). A copy of the January 5, 2016, staff report, and Ordinance 1205, are attached as Attachment A.

State law authorizes a city to adopt, as an urgency measure, an interim ordinance prohibiting such uses that may conflict with a general plan, specific plan, or zoning proposal that the City is considering, without following the procedures otherwise required for adoption of a zoning ordinance. However, such an urgency measure requires a four-fifths vote of the City Council for adoption. An interim ordinance remains in effect for 45 days. However, after notice and hearing, the City Council may extend such interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for an additional one year. Any extension of the interim ordinance requires a four-fifths vote of the City Council.

On February 2, 2016, the City Council issued 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 Ordinance 1205. A copy of the February 2, 2016, staff report is attached as Attachment B. Because these measures are ongoing, staff is recommending that the City Council introduce and adopt an ordinance providing for a 10 month and 15 day extension of Ordinance 1205.

STRATEGIC PLANS

The proposal is a routine item and is not related to the Council's Strategic Plans.

FISCAL IMPACT

This agenda item will not require any specific expenditure from the General Fund.

RECOMMENDATION

Staff recommends that the City Council introduce and adopt an ordinance providing for a 10 month and 15 day extension of Ordinance 1205.

Prepared by: Bill Dean, Assistant Development Services Director

Reviewed by: Andrew Malik, Development Services Director
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

ATTACHMENTS

Attachment A – January 5, 2016 staff report and Ordinance 1205

Attachment B – February 2, 2016 staff report

January 5, 2016

AGENDA ITEM 4

REQUEST**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**EXECUTIVE SUMMARY

In response to City Council direction on December 15, 2015, this agenda item pertains to the 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 while the I-205 corridor is being studied by the City.

DISCUSSION

Over the last several months, City Council has conducted a series of discussions and a workshop related to the I-205 Corridor. On December 15, 2015, the City Council furthered those discussions and received new information from BAE Urban Economics (consulting firm commissioned by the City) related to demand for retail space and the Tracy retail market in general, as well as new draft design guidelines for architecture and landscaping (prepared by Kimley-Horn and Associates, consulting for the City). City Council considered the information and made the decision to continue to study the corridor, including options related to potential changes to development standards and zoning along portions of the I-205 Corridor. City Council also directed staff to bring back an interim ordinance for City Council consideration.

The area of study that would be subject to the interim ordinance is the I-205 Corridor from Tracy Boulevard east to the east City limit line (Attachment A is an aerial photograph of the area that would be subject to an interim ordinance).

Consideration of an Interim Ordinance

As a result of Council's direction, staff is recommending that the Council adopt a limited interim ordinance to preserve the status quo while this process is being undertaken.

State law authorizes a city to adopt, as an urgency measure, an interim ordinance prohibiting such uses that may conflict with a general plan, specific plan, or zoning proposal that the City is considering, without following the procedures otherwise required for adoption of a zoning ordinance. However, such an urgency measure requires a four-fifths vote of the City Council for adoption. An interim ordinance remains in effect for 45 days. However, after notice and hearing, the City Council may extend such interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for an additional one year. Any extension of the interim ordinance requires a four-fifths vote

of the City Council. Ten days before the expiration of the interim ordinance, or any extension of it, the City Council must issue a written report describing the measures taken to alleviate the condition that led to the adoption of the ordinance.

Attached is an interim ordinance for City Council consideration that is narrowly tailored to prohibit only warehouse and distribution type land uses in the I-205 Corridor from Tracy Boulevard to the eastern City limit. This ordinance does not preclude the approval of any other permitted land uses across the various zoning districts. If development applications were submitted to the City, those applications would be processed, but not approved until such a time that the interim ordinance is lifted.

STRATEGIC PLANS

The proposal is a routine item and is not related to the Council's Strategic Plans.

FISCAL IMPACT

This agenda item will not require any specific expenditure from the General Fund.

RECOMMENDATION

Staff recommends that the City Council introduce and adopt 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.

Prepared by: Bill Dean, Assistant Development Services Director

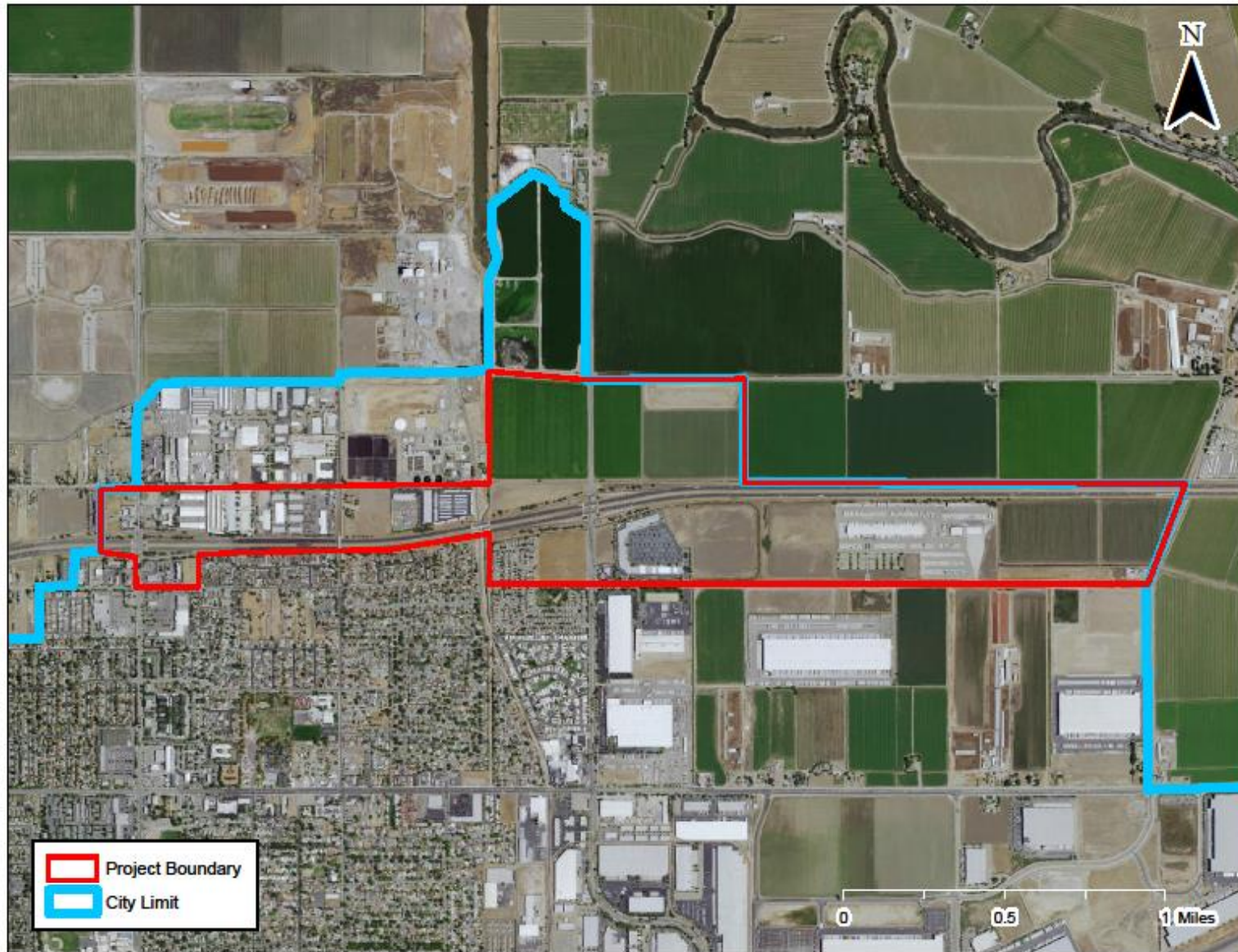
Reviewed by: Andrew Malik, Development Services Director
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

ATTACHMENTS

Attachment A – Air Photo of Study Area: I-205 Corridor from Tracy Boulevard East to the City Limit

Figure 1-1: Project Boundary



February 2, 2016

AGENDA ITEM 1.F

REQUEST

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

EXECUTIVE SUMMARY

In response to City Council introducing an interim ordinance on January 5, 2016, prohibiting the issuance of any land use entitlement for certain warehouse and distribution uses along the I-205 Corridor between Tracy Boulevard to the eastern City limit, the City is required to report on the steps being taken to ameliorate the conditions which led to the interim ordinance. This agenda item lists the steps being taken by the City.

DISCUSSION

Over the last several months, City Council has conducted a series of discussions and a workshop related to the I-205 Corridor. On December 15, 2015, the City Council furthered those discussions and received new information from BAE Urban Economics (consulting firm commissioned by the City) related to demand for retail space and the Tracy retail market in general, as well as new draft design guidelines for architecture and landscaping (prepared by Kimley-Horn and Associates, consulting for the City). City Council considered the information and made the decision to continue to study the corridor, including options related to potential changes to development standards and zoning along portions of the I-205 Corridor. City Council also directed staff to bring back an interim ordinance for City Council consideration. It was discussed that the area of study that would be subject to the interim ordinance is the I-205 Corridor from Tracy Boulevard east to the east City limit line (Attachment A is an aerial photograph of the area proposed to be subject to the interim ordinance).

As a result of Council's discussion and review of the information, on January 5, 2016, City council adopted, by four fifths vote, an interim ordinance limiting land use approvals along I-205 from Tracy Boulevard to the eastern City limit (Attachment B: interim ordinance). The interim ordinance remains in effect for 45 days. However, after notice and hearing, the City Council may extend such interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for an additional one year.

City steps being taken to address I-205 Corridor

The following is a list of steps that are being taken by the City to address the conditions which led to the adoption of the interim ordinance:

- 1) Review of the General Plan designations along the entire corridor, and specifically with in the study area identified in the interim ordinance;
- 2) Review of the zoning designations along the entire corridor, and specifically with in the study area identified in the interim ordinance;
- 3) Review of new, proposed Design Guidelines intended for properties within the study area identified in the interim ordinance;
- 4) Review of a consultant prepared Economic Forecast of Demand for retail land uses within the study area; and
- 5) Research and review of various land use regulations such as “overlay” zones and development standards used elsewhere in the City and in other cities for possible applicability and utility in the study area identified in the interim ordinance.

On February 16, 2016, City Council will conduct another workshop to further discuss what specific actions staff should pursue in order to meet City Council’s objectives for the corridor. At the workshop, a matrix of planning and zoning tools will be discussed which range from design guidelines, overlay zones, to policy and zoning changes. While the interim ordinance is in place for property along the eastern portion of I-205 through the City, City Council was clear in the last meeting that an explanation of the zoning of the whole corridor should also be included. Given that some of the area is not within the City limits, but included in future annexation areas (Sphere of Influence), staff will provide information on each area of the corridor, highlight relevant General Plan policy, explain the zoning and current design or overlay zones currently in place. City Council will further refine how any one of these planning and zoning tools should be applied to each of these areas.

STRATEGIC PLANS

The proposal is a routine item and is not related to the Council’s Strategic Plans.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

Staff recommends that the City Council accept the report describing the measures being taken to address design and land use concerns along the I-205 Corridor between Tracy Boulevard to the eastern City limit.

Prepared by: Bill Dean, Assistant Development Services Director

Reviewed by: Andrew Malik, Development Services Director

Stephanie Garrabrant-Sierra, Assistant City Manager

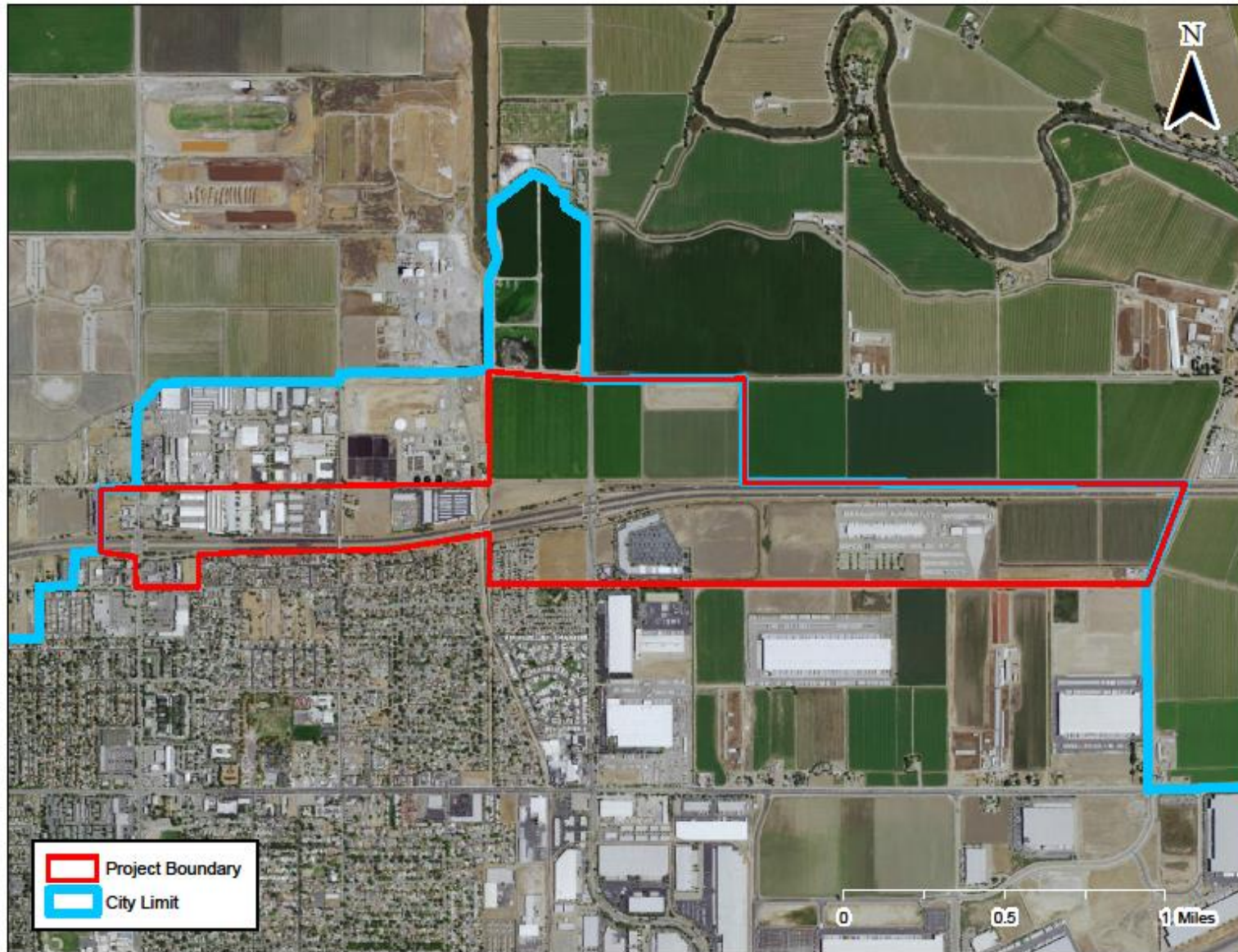
Approved by: Troy Brown, City Manager

ATTACHMENTS

Attachment A – Air Photo of Study Area: I-205 Corridor from Tracy Boulevard East to the City
Limit

Attachment B - Interim Ordinance adopted on January 5, 2016

Figure 1-1: Project Boundary



ORDINANCE 1205

AN INTERIM ORDINANCE OF THE CITY OF TRACY PROHIBITING THE
ISSUANCE OF ANY LAND USE ENTITLEMENT FOR CERTAIN WAREHOUSE
AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY
BOULEVARD TO THE EASTERN CITY LIMIT

The City Council of the City of Tracy does ordain as follows:

SECTION 1. FINDINGS

The City Council of the City of Tracy finds and declares that:

A. Interstate 205 ("I-205") runs through the northern-most part of the City and connects to Interstates 580 and 5. Areas that are adjacent to I-205 ("I-205 Corridor") are of vital importance to the City because they are visual entryways to the City and serve a significant function in preserving the City's economic vitality; and

B. Large buildings, particularly with long expanses, built along I-205, may lack aesthetic appeal, block views of the City and nearby scenic resources, or create an imposing presence, negatively affecting the impression of the City's image and character to people traveling along I-205; and

C. Some areas of the I-205 Corridor are governed by the I-205 Corridor Specific Plan. A major amendment to the I-205 Corridor Specific Plan was adopted by the City Council in 1999 (Resolution No. 99-240). Since that time, there have been a number of amendments to the I-205 Specific Plan; and

D. Other areas of the I-205 Corridor are governed by different specific planning areas and zoning districts, including: the Industrial Area Specific Plan; the Northeast Industrial Specific Plan; the Light Industrial Zone (M-1); the Highway Service Zone (HS); the Planned Unit Development Zone (PUD); the Medium Density Cluster Zone (MDC); and the Low Density Residential Zone (LDR); and

E. In 2011, the City adopted a major update of its General Plan; and

F. The General Plan recognizes the aesthetic importance of the I-205 Corridor; and

G. The Community Character Element of the General Plan provides in relevant part that:

Tracy is at the crossroads of three Interstate highways that carry many visitors, in addition to residents, through the city. Thus, aesthetically pleasing entryways and visual landmarks that signal a sense of arrival to Tracy are important components that contribute to the City's character. (Community Character Element, p. 3-5.); and;

H. The Land Use Element of the General Plan identifies parts of the I-205 Corridor

as "areas of special consideration" and provides in relevant part that:

Areas around I-205 off-ramps, including areas on Eleventh Street, Grant Line Road, Tracy Boulevard and MacArthur Drive, serve as entryways to the City. Special attention should be given to the types of uses and design of these areas to ensure that development is visually attractive.

5a. Entryway locations include, but are not limited to: Paradise Road, Chrisman Road, Lammers Road, MacArthur Drive, Grant Line Road and Eleventh Street, where these streets intersect I-205.

5c. Follow the guidance for entryways in the City's Civic Art Plan. (Land Use Element, p. 2-55.); and

I. The Economic Development Element of the General Plan also recognizes that the I-205 Corridor serves a significant function in preserving the City's economic vitality and sets forth the following objective and policies:

Objective ED-6.5 Support and expand the I-205 Specific Plan.

Policies

P1. The following types of businesses are encouraged in the I-205 Specific Plan area:

- ◆ Office or tech/flex office development to support the retail base with daytime customer clientele.
- ◆ Big box and regional destination/lifestyle retail development.
- ◆ Restaurants.

P2. The City shall support efforts to ensure that the I-205 Specific Plan area remains a regional retail destination. (Land Use Element, p. 4-15 – 4-16.)

J. The General Plan also calls for the City to "[t]ake actions necessary to ensure that Specific Plans are in conformance with the General Plan." (Land Use Element, p.2-34.); and

K. The City anticipates receiving land use applications for warehouse and distribution buildings on properties within the I-205 Corridor in the near future; and

L. The City believes that the General Plan's goals and policies related to preserving the visual and economic importance of the I-205 Corridor may be better furthered by incorporating updated development standards and the design standards in the existing specific plans and zoning districts that govern warehouse and distribution type uses in the I-205 Corridor; and

M. On July 21, 2015, the City Council directed City staff to begin studying options for

the land uses, development standards, and design standards along portions of the I-205 Corridor from Tracy Boulevard to the eastern City limit; and

N. On October 9, 2015, the City Council authorized funding and directed staff to create draft design guidelines for, and to conduct an economic analysis of, the I-205 Corridor; and

O. On December 15, 2015, the City Council reviewed the draft design guidelines and economic analysis of the I-205 Corridor, and directed staff to present options to the City Council related to possible zoning ordinance amendments to uses in the I-205 Corridor; and

P. Government Code section 65858 authorizes the City to adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City Council is considering or studying or intends to study within a reasonable time; and

Q. City staff has been informed that a developer will be submitting a land use application for a distribution use in the I-205 Corridor in the near future that may conflict with, and undermine, any new land uses, development standards, and design standards that the City may implement as a result of the current study of the I-205 Corridor which is being undertaken. This study is intended to better further the visual and economic goals and objectives of the City's General Plan. Therefore, there is a current and immediate threat to the public health, safety, or welfare.

R. The approval of this application, and additional subdivisions, use permits, variances, or development review permits, or preliminary or final development plans related to the warehouse and distribution uses listed below would be a threat to public health, safety, or welfare.

SECTION 2. INTERIM PROHIBITION

During the time this Ordinance is in effect, no approvals shall be given for any subdivisions, use permits, variances, development review permits, or preliminary or final development plans for property fronting, abutting, and/or located within 500 feet of I-205 from Tracy Boulevard to the eastern City limit and that relate to the following uses:

- a. "Warehouse and distribution facilities" in the Industrial Areas Specific Plan.
- b. "Warehouse and distribution" in the I-205 Corridor Specific Plan.
- c. "Warehouse and distribution facilities" in the Northeast Industrial Specific Plan.
- d. "Warehousing and storage (Use Group 53)" in the Light Industrial Zone (M-1).

SECTION 3. EFFECTIVE DATE AND DURATION

This Ordinance is an urgency ordinance enacted under Government Code sections 65858 and 36937 and takes effect immediately upon adoption. This Ordinance remains in effect for 45 days unless extended by the City in accordance with Government Code section 65858.

SECTION 4. WRITTEN REPORT

Pursuant to subdivision (d) of Government Code section 65858, ten days before the expiration of this Ordinance, or any extension of it, the City Council shall issue a written report describing the measures taken to alleviate the condition that led to the adoption of the ordinance.

SECTION 5. ENVIRONMENTAL REVIEW

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to sections 15606(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in section 15378) of the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3).

SECTION 6. PUBLICATION

This Ordinance shall be published once in the Tri-Valley Times, a newspaper of general circulation, within fifteen (15) days from and after its final passage and adoption.

* * * * *

The foregoing Ordinance 1205 was enacted as an interim, urgency ordinance on the 5th day of January, 2016, by the following vote, which is at least 4/5ths of the City Council:

AYES: COUNCIL MEMBERS: MITRACOS, VARGAS, YOUNG, RICKMAN


NOES: COUNCIL MEMBERS: MACIEL

ABSENT: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: NONE



MAYOR

ATTEST:


CITY CLERK

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY PROVIDING FOR A 10 MONTH AND 15 DAY EXTENSION OF THE INTERIM ORDINANCE OF THE CITY OF TRACY PROHIBITING THE ISSUANCE OF ANY LAND USE ENTITLEMENT FOR CERTAIN WAREHOUSE AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY BOULEVARD TO THE EASTERN CITY LIMIT (ORDINANCE 1205)

The City Council of the City of Tracy does ordain as follows:

SECTION 1. FINDINGS

The City Council of the City of Tracy finds and declares that

A. The findings contained in Ordinance 1205 remain in effect, with the exception of finding Q; and

B. On January 4, 2016, HPA, Inc. submitted a land use application on behalf of Industrial Property Trust for a warehouse/distribution use located at 1535 Pescadero Road in the I-205 Corridor. This application may conflict with, and undermine, any new land uses, development standards, and design standards that the City may implement as a result of the current study of the I-205 Corridor which is being undertaken. This study is intended to better further the visual and economic goals and objectives of the City's General Plan. Therefore, there is a current and immediate threat to the public health, safety, or welfare; and

C. On February 2, 2016, the City Council issued 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 Ordinance 1205.

SECTION 2. INTERIM PROHIBITION EXTENDED

Ordinance 1205 is extended for a period of 10 months and 15 days from its expiration date. All terms adopted under Ordinance 1205 shall continue with full force and effect as if re-stated here.

SECTION 3. EFFECTIVE DATE

This Ordinance is an urgency ordinance enacted under Government Code sections 65858 and 36937 and takes effect immediately upon adoption.

SECTION 4. ENVIRONMENTAL REVIEW

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to sections 15606(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in section 15378) of the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3).

SECTION 5. PUBLICATION

This Ordinance shall be published once in a newspaper of general circulation, within fifteen (15) days from and after its final passage and adoption.

* * * * *

The foregoing Ordinance _____ was enacted as an interim, urgency ordinance on the 16TH day of February, 2016, by the following vote, which is at least 4/5ths of the City Council:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 4

REQUEST

INTRODUCE ORDINANCE TO AMEND SECTIONS OF TRACY MUNICIPAL CODE CHAPTER 2.20, CONTRACTS AND PURCHASING, TO PROVIDE FOR A LOCAL BIDDER PREFERENCE FOR PUBLIC PROJECTS WITH A COST OF \$45,000 OR LESS, TO REMOVE NEWSPAPER PUBLICATION REQUIREMENTS FOR REQUESTS FOR CERTAIN BIDS FOR GENERAL SERVICES, EQUIPMENT AND COMMODITIES, AND TO MAKE MINOR CHANGES TO THE BIDDING PROCESS

EXECUTIVE SUMMARY

Staff is proposing that Council introduce an ordinance that would provide for a local bidder preference for public projects costing \$45,000 or less, that would replace, with publication on the City's website, the requirement for newspaper publication of certain notices inviting bids for general services, equipment and commodities, and to allow the City Clerk to designate other City staff for the purpose of opening those bids.

DISCUSSION

Mayor Pro Tem Rickman requested that staff place an item on the agenda to adopt local hiring preferences for public works contracts. Although public works contracts that exceed \$45,000 must be awarded to the lowest responsible and responsive bidder under the California Public Contracts Code, the City may adopt a local bidder preference for public projects that cost \$45,000 or less.

The City already provides for a local bidder preference for services, equipment, and commodities pursuant to Tracy Municipal Code (TMC) section 2.20.230. TMC section 2.20.230 provides, in relevant part, that if "not prohibited under State or Federal law, regulations, or funding restrictions, a bid or proposal from a local vendor, as defined in subsection 2.20.030(g), will be tabulated as if it were ten (10%) percent below the figure actually set forth in the bid or proposal bid or proposal price..." The section caps the total amount of the preference at \$3,000.

The proposed ordinance amendments would extend this existing local preference to public projects costing \$45,000 or less. Other proposed changes are to replace the newspaper publication requirement with publication on the City's website for general services, equipment and commodities costing in excess of \$50,000 and minor changes to the bidding procedures. Publication in the newspaper would be replaced with publication on the City's website. Most bidders for general services, commodities, and equipment would likely not look to a local newspaper to find out about bid opportunities but may look to the City's website. As such, eliminating the newspaper publication requirement for general services, commodities, and equipment would save both money and staff time with minimal to no effect on effective procurement. Requests for bids for large public works projects would still be published in the local newspaper under the California Public Contracts Code.

FISCAL IMPACT

Unknown at this time; anticipate minimal fiscal impact; general fund

STRATEGIC PLAN

This is a routine operational item and is not related to any of the council Strategic Plans.

RECOMMENDATION

Introduce an ordinance to amend sections of Tracy Municipal Code Chapter 2.20, Contracts and Purchasing, to provide for a local bidder preference for public projects with a cost of \$45,000 or less, to remove newspaper publication requirements for request for bids for general services, equipment and commodities, and to make minor changes to the bidding process.

Prepared by: Rachelle McQuiston, Administrative Services Director

Reviewed by: Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

Attachment: Proposed Ordinance
Redline of Portions of Existing Ordinance Showing Proposed Changes

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY AMENDING SECTIONS OF TRACY MUNICIPAL CODE CHAPTER 2.20, CONTRACTS AND PURCHASING, TO PROVIDE FOR A LOCAL BIDDER PREFERENCE FOR PUBLIC PROJECTS WITH A COST OF \$45,000 OR LESS, TO REMOVE NEWSPAPER PUBLICATION REQUIREMENTS FOR REQUESTS FOR CERTAIN BIDS FOR GENERAL SERVICES, EQUIPMENT AND COMMODITIES, AND TO MAKE MINOR CHANGES TO THE BIDDING PROCESS

The City Council of the City of Tracy does ordain as follows:

SECTION 1: Subsection (a)(1) of Tracy Municipal Code section 2.20.180 is hereby amended to read as follows:

“(1) *Notice inviting bids.* The notice inviting sealed bids shall include a general description of the articles or general services to be purchased, and shall state where bid forms and specifications may be secured, and the time and place for opening bids.

(i) *Published notice.* The notice inviting bids shall be posted on the City’s website at least ten (10) days before the date of the opening of the bids.

(ii) *Bidders’ list.* The City shall also solicit sealed bids from responsible prospective suppliers whose names are on the bidders’ list.”

SECTION 2: Subsection (a)(3) of Tracy Municipal Code section 2.20.180 is hereby amended to read as follows:

“(3) *Bid opening procedure.* Bidders shall submit sealed bids to the City Clerk or designee and shall identify them as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notices. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty (30) calendar days after the bid opening.”

SECTION 3: Subsection (a)(1) of Tracy Municipal Code section 2.20.260 is hereby amended to read as follows:

“(1) *Informal and formal bidding procedures.* Public projects, as defined by Public Contract Code section 22002 and in accordance with the monetary limits described in Public Contract Code section 22032 (as amended from time to time by the California Uniform Construction Cost Accounting Commission) shall be let to contract by procedures described in Public Contract Code section 22030 et seq. For negotiated contracts or purchase orders for public projects falling within the monetary limits of subsection (a) of Public Contract Code section 22032, the local vendor preference provisions of section 2.20.230 shall apply.”

SECTION 4: Subsection (b) of Tracy Municipal Code section 2.20.260 is hereby amended to read as follows:

“(b) *Uniform cost accounting procedures.* Whenever the City uses its own employees to perform a public project valued at or less than the monetary limit described in Public Contract Code section 22032 (as amended from time to time by the Commission) it must implement the Uniform Construction Cost Accounting Policies and Procedures described in Public Contract Code sections 22042 et seq. and the Commission’s Policies and Procedures Manual.”

SECTION 5: The City Council finds that the adoption and implementation of this ordinance is exempt from the California Environmental Quality Act (CEQA) in that there is no possibility that the implementation of this ordinance may have a significant effect on the environment.

SECTION 6: This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 7: This Ordinance shall either (1) be published once in the TriValley Times, a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* * * * *

The foregoing Ordinance _____ was introduced at a regular meeting of the Tracy City Council on February 16, 2016, and finally adopted on _____, 2016, by the following vote:

- AYES: COUNCIL MEMBERS:
- NOES: COUNCIL MEMBERS:
- ABSENT: COUNCIL MEMBERS:
- ABSTAIN: COUNCIL MEMBERS:

Mayor

ATTEST:

City Clerk

REDLINE OF RELEVANT PORTIONS OF CHAPTER 2.20

2.20.180 - Purchases of \$50,000 or more.

(a) *Formal contract procedures.* The City shall purchase commodities, equipment and general services of a value equal to or greater than Fifty Thousand and no/100ths (\$50,000.00) Dollars following the formal bid procedure prescribed below:

(1) *Notice inviting bids.* The notice inviting sealed bids shall include a general description of the articles or general services to be purchased, and shall state where bid forms and specifications may be secured, and the time and place for opening bids.

(i) *Published notice.* The notice inviting bids shall be posted published on the City's website at least ten (10) days before the date of the opening of the bids. ~~Notice shall be published at least once in a newspaper of general circulation.~~

(ii) *Bidders' list.* The City shall also solicit sealed bids from responsible prospective suppliers whose names are on the bidders' list.

...

(3) *Bid opening procedure.* Bidders shall submit sealed bids to the City Clerk or designee and shall identify them as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notices. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty (30) calendar days after the bid opening.

2.20.260 - Bidding requirement.

(a) The City Council authorizes and approves the following bidding procedures for public projects:

(1) *Informal and formal bidding procedures.* Public projects, as defined by Public Contract Code section 22002 and in accordance with the monetary limits described in Public Contract Code section 22032 (as amended from time to time by the California Uniform Construction Cost Accounting Commission) shall be let to contract by procedures described in Public Contract Code section 22030 et seq. For negotiated contracts or purchase orders for public projects falling within the monetary limits of subsection (a) of Public Contract Code section 22032, the local vendor preference provisions of section 2.20.230 shall apply.

...

(b) *Uniform cost accounting procedures.* Whenever the City uses its own employees to perform a public ~~works or maintenance~~ project valued at ~~more or less~~ than the monetary limit ~~on informal bidding~~ described in Public Contract Code section 22032 (as amended from time to time by the Commission) it must implement the Uniform Construction Cost Accounting Policies and Procedures described in Public Contract Code sections 22042 et seq. and the Commission's Policies and Procedures Manual.

AGENDA ITEM 5REQUEST**RECEIVE AND FILE THE PRESENTATION ON THE SECOND QUARTER OPERATING REPORT**EXECUTIVE SUMMARY

The City has completed the second quarter of the fiscal year (FY) 2015-16. This report summarizes the activities of the City's General fund from July thru December 2015, but is not meant to be inclusive of all finance and accounting transactions. It is intended only to provide the Council and the public with an overview of the state of the City's general fiscal condition. The General Fund is the primary operating fund of the City and is used to account for most operating activities.

DISCUSSION

On June 16, 2015, the City adopted the FY 15-16 budget which included \$55 million in revenue and \$50 million in expenditures, resulting in a \$5 million increase to general fund reserves. This budget incorporated the following assumptions:

- Measure E will sunset in March of 2016
- Sales Tax will increase 7%
- Property Taxes will increase 12%
- Budget Savings \$1 million

GENERAL FUND REVENUES

GENERAL FUND	FY 2014/ 2015			FY 2015/ 2016		
	Budget	Actual 2nd Quarter	% Received	Budget	Actual 2 nd Quarter	% Received
Property Tax	\$16,259,400	\$5,671,652	35%	\$18,239,650	\$6,087,179	33%
Sales Tax	16,078,080	4,172,003	26%	17,282,600	4,332,362	25%
Current Charges	10,074,050	4,259,521	42%	4,701,140	1,817,042	39%
Measure E	7,012,480	2,634,023	38%	6,314,900	2,801,710	44%
Licenses and Permits	4,046,280	1,525,923	38%	2,835,600	941,602	33%
Other Taxes	2,130,000	1,395,058	65%	2,455,000	1,395,659	57%
Other Revenue	1,530,200	1,578,085	103%	1,219,800	907,592	74%
Intergovernmental	1,170,250	770,416	66%	1,246,637	1,159,903	93%
Other Financing Sources				1,250,000		0%
TOTAL	\$58,300,740	\$22,006,681	38%	\$55,545,327	\$19,443,049	35%

Overall, the revenues reflected are on target based on payment schedules and past trends for the first quarter of the fiscal year. The City has adjusted for the expiration of Measure 'E' and continues to look to increase diversity in the portfolio to weather economic storms. Revenue is anticipated to come in as budgeted.

- Property Tax – At mid-year revenues are close to the same level as in the prior year. The majority of the City's property taxes are received in December and April. It is expected that this revenue category will be on target.
- Sales Tax – Revenue received through December 2015, and is trending similar to last year at this point. Sales Tax is received monthly, with a 3 month lag. Sales Tax is very sensitive to market fluctuations and seasonal spending. Due to the variability of Sales Tax, the City forecasts this revenue category will be on target, with further evaluation as the year progresses.
- Current Charges – Charges for service including recreation fees, building and facility rentals, and use charges. The City identified the December 8th election fees of \$275,780 to be reimbursed, and has been reflected in this category. The budgeted amount for this category will remain much lower in the current fiscal year due to the separation of community development fees and expenses to the community development special revenue funds in FY 2015/16. This revenue category is highly seasonal and is expected to be on target at year end.
- Measure E – This budgeted revenue is less than the previous year due to the sunset of this temporary tax in March 2016. Like Sales Tax, revenues are received monthly, with a 3 month lag. This percent received is artificially high due to the shortened receipt period and is expected to come in as budgeted
- Licenses and Permits – This revenue category consists of Franchise Fees, Business License Fees, and Animal License Fees. This fiscal year, building and permit fees are not reflected in the General Fund, but have been moved to the Community Development Special Revenue Funds. Payment for licenses and permits is inconsistent from year to year and is trending 5% lower than the previous fiscal year. Due to the sporadic nature of this revenue source, it is difficult to forecast based on prior year receipts. It is anticipated this revenue will come in as budgeted
- Other Taxes – This revenue category consists of Business License Tax, Real Property Transfer Tax and Transient Lodging Tax. These revenues are budgeted higher than last year with the anticipated economic recovery. Mid-year receipts are trending closely with last fiscal year, and lower as a percentage of budget. The City will continue to monitor collections as the year progresses.
- Other Revenue - This is the miscellaneous category for revenues. It includes fines & forfeitures, use of monies & property, the sale of property, contributions, refunds, and other income not classified elsewhere. This category was increased at mid-year to reflect an additional \$20,000 in cultural arts fees. With 50% of the year expired, the City has received 74% of estimated revenue and is expected to come in within budget.
- Intergovernmental Revenue – The revenue category includes grants, subventions, inter-fund transfers and reimbursements from other government entities. This revenue category can fluctuate greatly dependent on available grants and subventions.
- Other Financing Sources – Community Benefit Payments over four years to repay the \$5 million advance for Legacy Fields.

GENERAL FUND EXPENSES

Expenditures are tracking above budget, due to a one-time payment of State Department of Finance disallowance of RDA expenses of \$4,588,250. The Budget Stabilization reserve was \$5.8 million and will be used to absorb this one-time expense. Salary and Benefits savings are currently at \$1.7 million and this reflects the \$1 million in salary savings has been fully absorbed. Spending is consistent with this period last year.

GENERAL FUND	FY 2014/15			FY 2015/16		
Expenses By Division	Budget	Actual 2nd Quarter	% Expended	Budget	Actual 2nd Quarter	% Expended
Police	\$23,866,190	\$10,845,874	45%	\$24,131,970	\$11,206,869	46%
Fire	9,897,450	4,433,120	45%	9,461,780	4,846,420	51%
Public Works	4,165,480	1,611,488	39%	4,362,110	1,725,409	40%
Utilities	268,730	(42,890)	(16)%	204,510	188,491	92%
Development Services	8,131,270	3,465,455	43%	1,076,400	384,183	36%
Economic Development	542,530	205,690	38%	688,890	232,859	34%
General Government	2,896,220	1,266,289	44%	2,864,130	1,323,244	46%
Recreation & Cultural Arts	3,664,250	1,583,662	43%	3,769,630	1,527,362	41%
Administrative Services	3,332,440	1,346,862	40%	3,721,270	1,462,675	39%
Non-Departmental	1,476,180	3,393,914	230%	1,607,220	6,316,271	393%
Capital Projects	0	4,833		462,960	12,421	
Salary Savings				(1,000,000)	0	0
TOTAL	\$58,240,740	\$28,124,178	48%	\$51,350,870	\$29,226,205	57%

With 50% of the year completed, expenses are averaging as anticipated. Variances or anomalies are discussed below:

- Development Services included Community Development expenses in prior years, but has been separated into a special revenue fund.
- General Fund Utilities consists of the maintenance of street lights, traffic signals, and electrical systems in City Buildings and Parks. Because 70% of these costs are Street related, the Streets fund reimburses this budget unit for 70% of the incurred costs. The City is also anticipating savings from the LED street light project that is in progress. The reimbursement to the general fund for the second quarter has not been, but will be reflected in future quarterly reports.
- Administrative Services expenses are below the 50% mark with half the year gone. Spending is comparable to previous years and is expected to finish within budget, as in previous years.
- Non-Departmental Group – This expense group consists of equipment replacement (positive), interfund transfers (positive), and indirect cost reimbursements (negative) and

items that do not belong in the other categories. The one-time payment of State Department of Finance disallowance to repay RDA expenses of \$4,588,250 was issued at the end of the second quarter. The Budget Stabilization reserve of \$5.8 million will be used to offset this repayment

- Budget Savings quantifies the expense savings of employee turnover and temporary vacancies. Because the City cannot accurately forecast where the vacancies will occur, this is shown as a separate line item. As reflected in the Expenditures by Type table, the \$1 million in Salary Savings has been realized.

EXPENDITURES BY TYPE

GENERAL FUND		FY 2014/ 2015		FY 2015/ 2016		
Expenditure Type	Budget	Actual 2nd Quarter	% Expended	Budget	Actual 2 nd Quarter	% Expended
Salary & Benefits	\$36,938,940	\$16,359,176	44%	\$33,298,170	\$14,938,809	45%
Contracted Services	12,623,840	5,141,442	41%	10,937,070	4,586,602	42%
Commodities	1,505,810	486,348	32%	1,490,110	437,955	29%
Other Payments	1,098,830	588,015	54%	1,046,290	426,904	41%
Capital Outlays	465,660	112,567	24%	526,657	105,227	20%
Transfers & Reserves	5,607,660	5,436,630	97%	4,052,573	8,730,709	215%
TOTAL	\$58,240,740	\$14,757,046	48%	\$51,350,870	\$29,226,205	57%

- Salary and Benefits comprise 65% of the City's expenses. The \$1 million budget savings is netted into this account. With 50% of the year elapsed, Salary and Benefits are lower than budgeted, but due to bargaining unit agreements, it is expected that actuals will exceed budget and necessitate pulling from reserves to cover the cost.
 - Contracted Services are expenditures for service rendered in support of City operations and activities by external parties, such as telephone, internet, postage, repairs and consultants. This category is tracking closely with last year's activity.
 - Commodities are expenditures for goods and materials rendered in support of City operations and activities, such as office supplies, small equipment, safety equipment and lab supplies. Commodities are also tracking closely with prior year activity.
 - Other Payments is a miscellaneous category that consists of taxes and assessments, refunds, and subventions and is tracking a little lower than previous year's.
 - Capital Outlays include street, ground and building improvements. This category can fluctuate from month to month and is well within budget
 - Transfers and Reserves include transfers from other funds (negative) and transfers to reserves (positive), including debt transfers of \$4.5 million for RDA repayment debt. This is a one-time repayment and will be offset with a transfer from the budget stabilization reserve.
- This summary is based on detailed information produced by the City's Finance Division. If you would like additional information or have any questions about this report, please call (209) 831-6842.

STRATEGIC PLAN

Under Goal 2 of the Governance Strategy, the report “enhances fiscal transparency”.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the City Council accept this report and ask any questions they may have.

Prepared by: V. Rachele McQuiston, Administrative Services Director

Reviewed by: Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

AGENDA ITEM 6

REQUEST

DISCUSS AND APPROVE UPCOMING COUNCIL TRAVEL, INCLUDING TRAVEL TO WASHINGTON, D.C. FOR SAN JOAQUIN COUNTY OF GOVERNMENT'S (SJCOG) ONE VOICE TRIP

EXECUTIVE SUMMARY

On February 19, 2016, the City Council directed staff to agendize an item to discuss Council travel, specifically the "One Voice" trip to Washington D.C., with SJCOG.

DISCUSSION

On February 19, 2016, the City Council conducted their annual review of the Council subcommittee's appointments. In discussing the appointments, the topic of attendance of the annual San Joaquin Council of Government's (COG's) "One Voice" trip to Washington D.C. was addressed. In the past, Tracy representatives on the COG board, (currently, Mayor Maciel and Council Member Young), attend the One Voice trip to Washington, D.C. in April. During this year's discussion there was an interest by other Council Members to possibly attend this trip or other trips. Council directed staff to agendize a report allowing Council to discuss Council Travel, specifically, attendance of the One Voice trip.

The annual appropriation for Council Travel is \$14,620. The current balance available for FY15-16 travel is \$11,399.13. Because Mayor Maciel is the SJCOG Board Member he is not charged a registration fee and SJCOG reimburses the City for 50% of his lodging and airfare. The average expense incurred for the One Voice trip for two members is approximately \$6224.00, which takes into account Mayor Maciel's registration fee credit and other reimbursements, leaving a balance of \$5175.13.

On February 19, 2016, Council approved a resolution allowing Council Member Young to attend the National League of California Cities 2016 Congressional City Conference in Washington D.C. on March 5-9, 2016. The approximate expense for this travel is \$3,000 leaving a remaining balance of \$2175.13.

STRATEGIC PLAN

This item is a routine operational item and does not relate to any of the Council's Strategic Plans.

FISCAL IMPACT

There is no fiscal impact as a result of this report.

RECOMMENDATION

Discuss council travel; and by motion approve Council Members' attendance for the SJCOG One Voice trip to Washington D.C. in April, 2016 and appropriate funds, if necessary.

Prepared by: Nora Pimentel, City Clerk

Reviewed by: Stephanie Garrabrant-Sierra,
Assistant City Manager

Approved by: Troy Brown, City Manager

February 16, 2016

AGENDA ITEM 7

REQUEST

APPROVE A MID-YEAR ADJUSTMENT TO THE FISCAL YEAR 2015/16 BUDGET IN THE AMOUNT OF \$90,400 TO FUND THE CITY'S SHARE OF THE TRANSITION AND OPERATIONAL COSTS REQUIRED TO MOVE FIRE DISPATCHING SERVICES FROM VALLEY EMERGENCY REGIONAL COMMUNICATIONS CENTER TO THE STOCKTON EMERGENCY COMMUNICATIONS DISPATCH CENTER.

EXECUTIVE SUMMARY

Valley Regional Emergency Communications Center (VRECC), operated and owned by American Medical Response (AMR), provides emergency dispatch services to the South County Fire Authority as part of a Joint Powers Agreement with several fire districts in San Joaquin County. Due to service level concerns and numerous complaints from field personnel, staff evaluated other dispatch options and is recommending moving dispatch services from VRECC to San Joaquin Regional Fire Dispatch Joint Powers Agreement/Stockton Emergency Communications Dispatch Center for emergency dispatch services.

BACKGROUND

In April 2006, fourteen San Joaquin County fire districts created a Joint Powers Authority (JPA) establishing the formation of San Joaquin Joint Radio Users Group (SJJRUG).

SJJRUG subsequently entered into a contractual agreement with American Medical Response (AMR)'s Valley Regional Emergency Communication Center (VRECC) to provide emergency dispatch services to the participating agencies.

In 2007, SJJRUG approached the South County Fire Authority and offered an opportunity to decrease dispatching costs and streamline 911 call processing through participating in the SJJRUG JPA. In April 2007, the South County Fire Authority discontinued the dispatch contract with the City of Stockton. The South County Fire Authority is now the largest and busiest fire agency within VRECC dispatch services.

The governance structure of the SJJRUG JPA allows for one vote per member agency. This means when a decision is made to improve, repair, replace or enhance radio system infrastructure or dispatching protocols each agency has one vote of sixteen.

In mid-2014, a JPA formation group was formed with the fire chiefs from City of Stockton, City of Lodi, City of Manteca, Tracy Fire Department and the Lathrop-Manteca Fire Protection District. The concept behind the development of the JPA was to utilize the high performing Stockton Fire Dispatch Center while also providing a participatory governance model that allowed for service level and budgetary oversight by the participating agencies. The outcome was a formation of the Regional Fire Dispatch Joint Powers Authority in July 2015. The charter members were City of Stockton, City of Lodi, City of Manteca, and the Lathrop-Manteca Fire Protection District with an open invitation

for the South County Fire Authority to join and become the fifth and final member of the Board of Directors of the JPA.

DISCUSSION

VRECC and the Stockton Fire Dispatch Center have significant differences. The Stockton Fire Dispatch Center operates a fire based high volume system that serves urban/suburban (Stockton, Manteca, Lodi and Lathrop) areas that are similar to Tracy. Stockton Fire system has adopted and strives to meet national dispatch standards and monitors and reports performance on a monthly basis.

The Stockton Fire Dispatch Center and the associated JPA offers an enhanced level of emergency dispatching services offering state-of-the-art technology to participating agencies. South County Fire Authority's participation in the Stockton Center would improve service levels, and improve community and firefighter safety. Participation would also allow for a high degree of policy input, cost control, and more equitable participation in operational and governance considerations. Future planning includes pursuing a dropped boundary and move/cover resource deployment model that will also enhance service levels. This would be an automated process which continually monitors resources and recommends the closest units respond and provides for temporary movement of units to provide adequate and continuous coverage in all participating agency jurisdictions.

Fire administration has received numerous complaints from field personnel concerning safety concerns and the overall substandard dispatch service levels provided by VRECC. The LAFCO 2011 Municipal Service Report states that VRECC's average dispatch time for Emergency Medical Service and Fire calls is 4:07 ninety percent of the time. The Fire Department conducted a study in November 2015 comparing call processing times of both dispatch centers for fire emergencies. The analysis demonstrated VRECC processes fire calls within 2:39 ninety percent of the time. The Stockton Fire Dispatch Center processed calls within 1:49 ninety percent of the time. Since November, the Stockton Center has improved its call processing time and now processes calls within 1:00 ninety one percent of the time. The national standard is 1:00 ninety percent of the time

VRECC is a private business operating under contract with the County (for emergency medical dispatch) and the SJJRUG JPA for fire dispatch. VRECC adapted fire dispatch functions from an emergency medical service environment and while it serves more entities than Stockton, those other entities are primarily rural with low call volumes, with the Tracy Fire Department being the sole exception.

VRECC is less reliable than a municipal agency because employee turn-over is high, employees have the ability to strike (and have made threats to do so in the past), and agreements and contracts can be revoked based upon the ebb and flow of the business and financial climate.

Currently, the City's annual share for dispatch services is \$73,650 and the move to the Stockton center will increase the Fiscal Year (FY) 2016/17 Budget to \$229,600 which is an increase of \$155,950.

STRATEGIC PLAN

This agenda item relates to Council's Public Safety Strategy, Goal 3/Objective 1: Enhance Citywide Emergency Preparedness and better prepare and respond to man-made and natural disasters.

FISCAL IMPACT

Not budgeted: \$90,400 general fund; appropriate from fund balance (\$60,800 transition costs and \$29,600)

RECOMMENDATION

Staff recommends the City Council approve a mid-year adjustment to the FY 2015/16 Budget in the amount of \$90,400 to fund the transition and operational costs required to move fire dispatch services from Valley Emergency Regional Communications Center to the Stockton Emergency Communications Dispatch Center.

Prepared by: Andrew Kellogg, Fire Division Chief

Reviewed by: Randall Bradley, Fire Chief
Rachelle McQuiston, Administrative Services Director
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

RESOLUTION _____

APPROVE A MID-YEAR ADJUSTMENT TO THE FISCAL YEAR 2015/16 BUDGET IN THE AMOUNT OF \$90,400 TO FUND THE TRANSITION AND OPERATIONAL COSTS REQUIRED TO MOVE FIRE DISPATCHING SERVICES FROM VALLEY EMERGENCY REGIONAL COMMUNICATIONS CENTER TO THE STOCKTON EMERGENCY COMMUNICATIONS DISPATCH CENTER

WHEREAS, In April 2007 the South County Fire Authority discontinued the dispatch contract with the City of Stockton and entered into a contractual agreement with American Medical Response's Valley Regional Emergency Communication Center (VRECC) to provide emergency medical dispatch and the San Joaquin Joint Radio Users Group (SJRUG) Joint Powers Authority (JPA) for fire dispatch services, and

WHEREAS, In mid-2014, a Joint Powers Agreement formation group was formed with the fire chiefs from City of Stockton, City of Lodi, City of Manteca, Tracy Fire Department and Lathrop-Manteca Fire Protection District,

WHEREAS, The concept behind the development of the JPA was to utilize the high performing Stockton Emergency Communications Dispatch Center, while also providing a participatory governance model that allowed for service level and budgetary oversight by the participating agencies, and

WHEREAS, The Stockton Emergency Communications Dispatch Center and associated JPA offers an enhanced level of emergency dispatching services and state-of-the-art technology to participating agencies, and

WHEREAS, Participation in the JPA would allow for a high degree of policy input, cost control, improved service levels and firefighter safety, and

WHEREAS, The Tracy Fire Department conducted a study in November 2015 comparing call processing times of both dispatch centers for fire emergencies and the analysis demonstrated VRECC processes fire calls within 2:39 ninety percent of the time and Stockton Emergency Communications Dispatch Center processes fire calls within 1:49 ninety percent of the time, and

WHEREAS, VRECC is a private business operating under contract with the County for emergency medical dispatch and the SJJRUG JPA for fire dispatch, VRECC serves primarily rural entities with low call volumes, compared to Tracy Fire Department, and

WHEREAS, The Stockton Emergency Communications Dispatch Center operates a fire based high volume system that serves urban/suburban areas that are similar to Tracy, and

WHEREAS, VRECC is less reliable than a municipal agency because employee turn-over is high, employees have the ability to strike, and agreements and contracts can be revoked based upon the ebb and flow of the business and financial climate, and

WHEREAS, The Stockton Fire Emergency Communications Dispatch Center has adopted and strives to meet national dispatch standards and monitors and reports performance on a monthly basis, and

WHEREAS, The current annual City share of the budget for dispatch services is \$73,650, a move to the Stockton Emergency Communications Dispatch Center will increase the Fiscal Year 2016/17 by \$155,950; for a total cost of \$229,600, and

WHEREAS, The transitional costs of \$60,800 and additional operating costs of \$29,600 were not included in the Fiscal Year 2015/16 budget, a mid-year budget adjustment in the amount of \$90,400 will be required to implement the transition;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the approval of a mid-year adjustment to the FY 2015/16 Fire Department budget in the amount of \$90,400 to fund the transition and operational costs required to move fire dispatch services from Valley Emergency Regional Communications Center to the Stockton Emergency Communications Dispatch Center.

The foregoing Resolution _____ is hereby passed and adopted by the Tracy City Council this 16th day of February, 2016, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 9.A

REQUEST

APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS FOR UPCOMING VACANCIES ON THE PLANNING COMMISSION

EXECUTIVE SUMMARY

Request appointment of subcommittee to interview applicants to fill two upcoming vacancies on the Planning Commission.

DISCUSSION

On March 18, 2016, terms will expire for two of the Planning Commissioners. The upcoming vacancies have been advertised and the recruitment closed on January 26, 2016. The City Clerk's office received 11 applications.

In accordance with Resolution 2004-152, a two-member subcommittee needs to be appointed to interview the applicants and make a recommendation to the full Council.

STRATEGIC PLAN

This item is a routine operational item and does not relate to any of the Council's strategic plans.

FISCAL IMPACT

None.

RECOMMENDATION

That Council appoint a two-member subcommittee to interview applicants to fill two upcoming term expirations on the Planning Commission.

Prepared by: Adrienne Richardson, Deputy City Clerk

Reviewed by: Nora Pimentel, City Clerk
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager