

February 16, 2016 7:00 p.m.

Council Chambers, 333 Civic Center Plaza, Tracy

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 Kal Waetzig, Saint Paul's Lutheran Church.

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

Mayor Maciel recognized the D.A.R.E. graduates from Hirsh, Jacobson, McKinley, North and Villalovoz Elementary Schools.

Mayor Maciel presented Certificate of Commendation to Abigail Hickman for the 2015 Police Volunteer of the Year.

Mayor Maciel recognized the Tracy Raider Junior Novice Football team as the winner of the 2015 Delta Youth Football League Super Bowl.

1. CONSENT CALENDAR

ACTION Following the removal of items 1D 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 and January 19, 2016 regular meeting minutes and February 2, 2016, closed meeting minutes were approved.
- B. Declaring and Approving the List of Surplus Equipment for Sale at Public Auction to the Highest Bidder – Resolution 2016-027 declared and approved the list of surplus equipment.
- 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 – Resolution 2016-028 approved the placement of a bench and plaque per City Standards.
- E. Extend Terms of Measure E Residents' Oversight Committee Members – Council approved extension of terms.
- 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 – Resolution 2016-029 authorized and interim renewal 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 – Ordinance 1207 was adopted.

D. Rejects Bids for the Airport Fuel Facility Repairs – CIP 77038

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

This item was pulled by George Riddle who stated to add money to the CIP to cover the increase.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Vargas to adopt Resolution 2016-030 rejecting bids. Voice vote found all in favor, passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Anthony Barton son of the late Arnold Barton expressed his gratitude and appreciation to City staff for assisting with the placement of the bench and plaque in honor of his father.

Paul Miles addressed Council regarding the Brown Act and Councils responses to Items from the Audience. Mr. Miles stated Mayor Maciel has previously announced that Items from the Audience are not addressed by Council. Mr. Miles provided dates where a response was provided by the Mayor.

Agnes Cha, Tracy resident of over 20 years spoke about how Tracy has developed over the past 20 years; she expressed concern about what was said during the workshop earlier related to overlay on the I-205 and how that may discourage developers.

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)

William Dean, Development Services Assistant Director, presented the staff report.

Lance Collins, YRC Freight, stated that YRC has operated a business on the I-205 for over 25 years and has remained a successful and ongoing business through good times and bad times. Mr. Collins expressed his opposition to the moratorium and does not agree that it is the right tool for aesthetics. Mr. Collins urged the Council not to extend the moratorium.

Steve Cassidy, representing YRC, summarized a few points from his letter submitted earlier to the Council which opposed the extension of the moratorium.

Tom Davis, Lee and Associates, made a few clarifying comments from the workshop prior to the Council meeting.

Greg Boehm, Industrial Property Trust, reported that an application has been submitted to the City for a project within the plan. Mr. Boehm urged the Council to vote against the moratorium and against the set back because it would kill the project.

Paul Miles urged the Council to have a substantive rebuttal prepared by the City Attorney.

Council comments and questions followed.

Nora Pimentel, City Clerk read title of proposed Ordinance 1208 into the record.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Young 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 Mayor Maciel to adopt Interim Ordinance 1208. Voice vote found Council Members Vargas, Mitracos and Mayor Pro Tem Rickman in favor, Council Member Young and Mayor Maciel were opposed, motion failed as it required a 4/5 vote.

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

Dan Sodergren, City Attorney, presented the staff report.

Council comments and questions followed.

Nora Pimentel, City Clerk, read the title of the proposed Ordinance 1209 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 1209. Voice vote found all in favor, passed and so ordered.

5. RECEIVE AND FILE THE PRESENTATION ON THE SECOND QUARTER OPERATING REPORT

Rachelle McQuiston, Administrative Services Director, presented the staff report. Ms. McQuiston noted for the record a change on page 3 which should read \$10,855,755.

Council comments and questions followed.

ACTION Upon Council consensus the second quarter report was accepted.

Staff was directed to provide the Council with fund balances of the various reserves and to provide information on the City's salary savings for vacant positions.

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

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

Council comments and questions followed.

ACTION Motion was made by Council Member Mitracos and seconded by Council Member Young to approve Mayor Maciel and Council Member Young to attend the San Joaquin Council of Government One Voice trip to Washington D.C. Voice vote found Council Members Mitracos, Vargas, Young and Mayor Maciel in favor, Mayor Pro Tem Rickman opposed; passed and so ordered.

ACTION Motion was made by Council Member Mitracos and seconded by Council Member Young to approve a separate trip to Washington D.C. in late March, 2016, with Mayor Maciel and Council Member Vargas, with one staff member to attend. Voice vote found all in favor; passed and so ordered.

- 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

Randall Bradley, Fire Chief, presented the staff report.

Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Vargas to adopt Resolution 2016-031 approving 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. Voice vote found all in favor; passed and so ordered.

- 8. ITEMS FROM THE AUDIENCE – Alice English inquired if the Edgewood item would be on the March 1, 2016 Council agenda because she had not received a fifteen day notice yet.

- 9. COUNCIL ITEMS

- A. Appointment of City Council Subcommittee to Interview for Upcoming Vacancies on the Planning Commission

Mayor Maciel and Council Member Young volunteered to be the subcommittee to interview the Planning Commission applicants.

Mayor Pro Tem Rickman announced the following upcoming events: the Police Officer's Crab Feed on February 20, 2016 at Saint Bernard's; Pins for Pets at Tracy Bowl from 2:00 p.m. on February 27, 2016.

Council Member Vargas announced the upcoming Rotary Shrimp Dinner event taking place on February 27, 2016 at the Portuguese Hall at 6:00 p.m.

Council Member Young announced the upcoming annual Celebration of Black History Month hosted by West High on February 26, 2016 in the library. The event is free and open to the public to attend.

Council Member Mitracos announced the upcoming open house of the Tracy Islamic Center Saturday, February 20, 2016.

10. ADJOURNMENT – Time: 9:28 pm

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 February 9, 2016. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk