

March 1, 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 7:08 p.m. and led the Pledge of Allegiance.

Invocation was led by Pastor Rob Krenik, Calvary Chapel.

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 March 2016, to Vanessa Carrera.

Mayor Maciel introduced the new Tracy Librarian, Stella Beratlis.

Mayor Maciel presented the Multiple Sclerosis Awareness Proclamation to Rose Chin, Member of the Multiple Sclerosis Society.

1. CONSENT CALENDAR

ACTION Following the removal of items 1H, 1I and 1L 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 – February 9, 2016, Closed Session minutes, and February 16, 2016, Special meeting minutes were approved.
- B. Approval of a Two Year General Service Agreement, with a Possible One Year Extension, with Van De Pol Petroleum Diesel Fuel Supply Services and Authorization for the Mayor to Execute the Agreement – Resolution 2016-032 approved a two year General Service Agreement.
- C. Increase Fees Charged by Towing Service Operators for Services Rendered, Effective March 2, 2016, to Equal Fees Charged by the Tracy Office of the California Highway Patrol - This item was pulled by staff and will be brought back on March 15, 2016.
- D. Approve an Offsite Improvement Agreement (OIA) for International Park of Commerce - Phase 1D Non-Program Roadway Improvements and Other Associated Improvements on Promontory Parkway (New Schulte Road), and Hopkins Road (Road "E") for International Park of Commerce - Building 6, and Authorize the Mayor to Execute the Agreement – Resolution 2016-033 approved an Offsite Improvement Agreement for International Park of Commerce.

- E. Approve an Offsite Improvement Agreement with Prologis L.P., a Delaware Limited Partnership, for the International Park of Commerce, Phase 1D Roadway Improvements on Promontory Parkway (New Schulte Road) Approximately 2,000 Feet West of Hansen Road, a 16-Inch Diameter Potable Water Main on Hopkins Road (Road "E"), and a Recycled Water Line on Promontory Parkway from the Existing Drainage Canal to Hansen Road and Associated Improvements, for Building 6 and Authorization for the Mayor to Execute the Agreement – Resolution 2016-034 approved an Offsite Improvement Agreement with Prologis.
- F. Approve a Professional Services Agreement (PSA) With VVH Design Group Inc. DBA VVH Consulting Engineers (VVH Consulting Engineers) of Modesto, California to Provide Technical Support Services for Multiple Capital Improvement Projects, Authorize the Mayor to Execute the Agreement, and Authorize the Development Services Director to Extend the Agreement for Another Year if Needed – Resolution 2016-035 approved a Professional Services Agreement with VVH Design Group Inc.
- G. Approve First Amendment to Agreement for Purchase and Sale of Real Property, Extending the Scheduled Close of Escrow Date by 90 Days, for Real Property Between the City of Tracy and BCP Tracy LLC on a Portion of City-Owned Property Located at the Southwest Corner of Naglee Road and Park & Ride Drive Referred to as Parcel "A" (APN# 212-290-39) – Resolution 2016-036 approved first amendment to agreement for purchase and sale of real property.
- J. Approve an Appropriation of an Additional \$50,000 from the General Fund to the Cultural Arts Budget – Resolution 2016-037 approved an appropriation.
- K. Waive Second Reading and Adopt Ordinance 1209, 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 – Ordinance 1209 was adopted.
- H. Authorize Amendment of the City's Position Control Roster by Adding a New Position of Executive Assistant in the Parks and Community Services Department and Approve a General Fund Appropriation in the Amount of \$27,717

David Helm pulled this item to ask questions.

André Pichly, Parks and Community Services Director, presented the staff report.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Vargas to adopt Resolution 2016-038 authorizing amendment of the City's Position Control Roster. Voice vote found all in favor; passed and so ordered.

- I. Authorize Appropriation to the Public Works Department and Amend the City's Classification and Compensation Plan and Position Control Roster by the Addition of a Full-Time Recreation Coordinator I, 3 Part Time Pool Managers, 6 Part Time Senior Lifeguards and 25 Part Time Lifeguards to the Parks & Community Services Department to Operate the Joe Wilson Pool

David Helm pulled this item to ask some clarifying questions.

Brian McDonald, Management Analyst and Jolene Jauregui, Management Analyst, Public Works Department, 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 2016-039 authorizing appropriation to the Public Works Department. Voice vote found all in favor; passed and so ordered.

- L. Adopt the Memorandum of Understanding Between the City of Tracy and the Tracy Police Officers Association (TPOA)

Robert Tanner pulled this item to ask some clarifying questions related to costs associated with this item.

Midori Lichtwardt, Human Resources Manager, presented the staff report.

Paul Miles expressed concern that not enough information was presented to the Council to make a decision.

Dave Helm expressed concern that it took too long to get a Memorandum of Understanding in place and expressed his support to the police department.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Vargas to approve Resolution 2016-040 adopting Memorandum of Understanding with the TPOA. Voice voted found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Martin Evans shared his concerns and observations in the medical zone on Bessie Avenue.

Roger Birdsall announced the upcoming play presented by the students of Notre Dame de Namur on March 12, 2016 at the Grand Theatre at 6:00 p.m., tickets are available from \$15 to \$18.

Paul Miles spoke about receiving a denial response to his public records request from the City Attorney related to the subject of the urgency moratorium.

Dave Helm acknowledged Chief Hampton for his exemplary service to the City of Tracy and inquired if there were any plans for recognizing Chief Hampton.

3. UPDATE ON STATUS OF TRACY VILLAGE DEVELOPMENT PROPOPSAL AND REQUEST FOR CITY COUNCIL DIRECTION ON RELATED ANNEXATION ISSUES

Council Member Mitracos recused herself from discussion on this item due to a potential conflict of interest.

Victoria Lombardo, Senior Planner and Robert Armijo, City Engineer, presented the staff report.

Jeff Schroeder, representing Ponderosa Homes, stated that the preference is not to make things complicated but in the best interest to the City to conduct an orderly process and include Corral Hollow and Valpico properties in the annexation. Mr. Schroeder stated that he is willing to work through the CEQA process and pointed out a few other issues that still need to be addressed.

Steve Nicolaou, expressed concern that LAFCO in the past couple years has had issues with annexation because of fire governance issues associated with South County Fire Authority, and asked if the City is looking to do annexation before those issues have been resolved or after.

Troy Brown, City Manager responded that the current direction from LAFCO is to process applications as they are submitted.

Paul Miles stated that he did not hear anything on the opportunity costs of using this recycled water, so if this water is used for these lakes what does it imply for other potential users who might be pumping out of the aquafer instead. Mr. Miles encouraged the Council moving forward to do careful analysis and understand what the costs are for this.

Jason Watrous reported attending a few discussions over the past year with Kul Sharma related to the widening of Corral Hollow Road. Mr. Watrous expressed that since the other development has come in to play it sounds that the conceptual drawings have been changed and it would be beneficial to see the new drawings of the frontage road to clear up some confusion which has been created. Mr. Watrous stated that the widening was initially a project between the City and the County and now it's a project with this new development. Mr. Watrous stated that there is City water on Corral Hollow Road and the City is expanding the waste water facility for two large developers not the home owners and it's preposterous that home owners have to pay a \$20,000 fee to hook up to City services.

Perpetua Comstock-Fritchie reported attending a meeting with the developer related to the proposed project, the majority of the people she spoke with were against being annexed. Ms. Comstock-Fritchie mentioned that she recently had a new well; pump and septic tank installed and does not want to be forced to be connected to the City's water or sewage. These issues need to be discussed before any annexation decisions are made.

Beth Osorio provided a different perspective and voiced concern about the florin fauna and the destruction thereof with the development. Ms. Osorio expressed concern about the colony of feral cats that live on those grounds as well as the nesting questo and red

tail hawks that won't be considered and relocated. Ms. Osorio expressed concern about century old trees that are on the farm which may be cut down.

Alice English expressed concern about option 2 in the staff report related to cost to residents.

Council comments and questions followed.

Jim Gwerder asked for clarification about replacement of septic tanks and wells if home owners are not annexed.

Council discussion continued.

ACTION Upon Council consensus staff was directed to proceed with option 1 as outlined in the staff report "Annex the parcels as part of the current development entitlement effort underway for Tracy Village. This effort would take the form of including the parcels in the Specific Plan for Tracy Village. An appropriate zoning district similar to the existing County zoning would be identified, and the environmental analysis would be folded into the EIR underway currently for the Specific Plan. The petition to LAFCO for annexation could be split, leaving flexibility for LAFCO to act on annexing the developers parcel as one action and the "outparcels" as a separate action."

Council Member Mitracos abstained from consensus.

4. ITEMS FROM THE AUDIENCE – There were no speakers

5. COUNCIL ITEMS

Mayor Pro Tem Rickman wished his daughter Alison Happy Birthday and announced an upcoming event taking place at the Grand Theatre on April 9, 2016 from 6:00 p.m. to 9:00 p.m. "A Moment in Tracy" a fundraiser in service of veterans; tickets are on sale for \$25 tickets.

Council Member Vargas announced an upcoming event at the Grand Theatre on March 12, 2016 at 6:00 p.m. presented by Notre Dame de Namur "In the Heights"; tickets on sale from \$15 to \$18. Council Member Vargas requested that basketball nets be replaced for next season.

6. ADJOURNMENT – Time 8:59 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 February 24, 2016. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk