

June 7, 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 7:05 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 Month Award for June 2016, to Erin Knight, Cultural Arts.

Mayor Maciel presented the National Alzheimer's and Brain Awareness Month Proclamation to Terri Simmons, Volunteer, Alzheimer's Association.

1. CONSENT CALENDAR

ACTION Following the removal of Item 1C by George Riddle, 1H, 1K and 1N by Council Member Vargas, it was moved by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt the Consent Calendar. Roll call found all in favor; passed and so ordered. 5:0

- A. Adopt Council Minutes – Special meeting minutes of May 10, 2016 were approved.
- B. Authorization to Submit the Annual Claim to the State of California, Through the San Joaquin County Council of Governments, for Transportation Development Act Funds in the Amount of \$4,563,477 for Fiscal Year 2015-2016, and for the Administrative Services Director to Execute the Claim – Resolution 2016-100 authorized submitting the annual claim to the State of California.
- D. Approval of the San Joaquin Council of Governments (SJCOG) Annual Financial Plan for Fiscal Year 2016-2017 – Resolution 2016-101 approved the SJCOG Annual Financial Plan for FY 2016/2017.
- E. Waive Second Reading and Adopt an Ordinance of the City Council of the City of Tracy Authorizing an Amendment to the Contract Between the City Council of the City of Tracy and the Board of Administration of the California Public Employees' Retirement System – Ordinance 1217 was adopted.

- F. Waive Second Reading and Adopt an Ordinance of the City of Tracy Amending Section 10.08.1310 of the Tracy Municipal Code Relating to Minimum Front and Rear Yards and Rear Yard Open Space Requirements in the Medium Density Cluster (MDC) Zone Application Number ZA15-0002 – Ordinance 1218 was adopted.
- G. Waive Second Reading and Adopt an Ordinance of the City of Tracy Rezoning the Property Located at 2774 W. Byron Road, 2850 W. Byron Road, and 12920 W. Byron Road (Assessor's Parcel Numbers 238-080-04, 238-080-03, and 238-050-01) from Medium Density Residential Zone to Medium Density Cluster Zone Application Number R14-0002 – Ordinance 1219 was adopted.
- I. Approve a Letter Supporting the Fire Department's Application for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant Under the Federal Assistance to Firefighters Grant Program – Letter of support was approved.
- J. Authorize Adoption of a Resolution to Adopt Safe Harbors Under the Patient Protection and Affordable Care Act (ACA) and Delegate Authority to the City Manager or His/Her Designee to Implement the Details of Safe Harbors Through an Administrative Policy – Resolution 2016-102 adopted Safe Harbors Under the Patient Protection and Affordable Care Act.
- L. Authorize Amendment of the City's Classification and Compensation Plans and Position Control Roster by Approving the Establishment of Two (2) New Classification Specifications and Salary Ranges for Media Services Coordinator and Receptionist – Resolution 2016-103 amended the City's Classification and Compensation Plans and Position Control Roster.
- M. Accept Travel Report from City Attorney Regarding Attendance at League of California Cities City Attorneys' Conference – Travel report was accepted.
- O. Adopt Resolutions Regarding the Election Process for the General Municipal Election to be Held on November 8, 2016 – Resolution 2016-104 called to hold a General Municipal Election. Resolution 2016-105 requested the consolidation of the General Municipal Election to be held with the Statewide General Election.
- P. Find it is in the Best Interest of the City to Forego the Formal Request for Proposal Process and Authorize Professional Services Agreement WY-U1 with West Yost and Associates for the Design of an Interim Pump Station for the City's Zone 3 Water System to Serve the Ellis Development and Authorize the Mayor to Execute the Agreement – Resolution 2016-106 authorized a Professional Services Agreement.
- C. Award a Construction Contract to Gems Environmental Management Services, Inc. of Concord, California, in the Amount of \$128,902.88 for Tracy Municipal Airport Fuel System Repairs, CIP 77038, Appropriate an Additional \$63,402 from the General Fund to the CIP, and Authorize the Mayor to Execute the Construction Contract

George Riddle pulled this item and on behalf of the Tracy Airport Association acknowledged staff for boosting the funding for CIP 77038 to cover this item.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-107 awarding a Construction Contract to Gem Environmental Management Services Inc. Voice vote found all in favor; passed and so ordered.

H. Approval to Purchase Motorola Irrigation Field Controllers, Enclosures and Central Irrigation Control Systems from Central Control Systems Ltd. for \$265,123.05 –

Council Member Vargas pulled this item for clarification.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Vargas to adopt Resolution 2016-108 approving purchase of Motorola Irrigation Field Controllers. Voice vote found all in favor; passed and so ordered.

K. Authorize Amendment Number Two to the Master Professional Services Agreement (MPSA) With Renne Sloan Holtzman Sakai LLP for Special Counsel to Conduct Labor Negotiations and Contract Implementation with Multiple Employee Groups and Authorize the Mayor to Execute the Amendment

Council Member Vargas pulled this item to encourage staff to do in-house labor negotiations for the next cycle in order to save money.

City Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-109 authorizing Amendment Number Two to a Master Professional Services Agreement. Voice vote found all in favor; passed and so ordered.

N. Approve the Tracy Fire Station 95 Acquisition Agreement Between The City Of Tracy and Tracy Hills Project Owner, LLC And Tracy Phase 1, LLC and Authorize the Mayor to Execute the Agreement

Council Member Vargas pulled this item for clarification.

Randall Bradley, Fire Chief, presented the staff report.

City Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Young to adopt Resolution 2016-110 approving the Tracy Fire Station 95 Acquisition Agreement. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Alice English, acknowledged and commended Mr. Harett, new owner of the market on the corner of Tracy Blvd and Linne Road for cleaning and maintaining the market, it is more appealing and attracting customers. Ms. English expressed concern that not many people are aware of the new information related to the water conservation in the City. Ms. English asked if there is literature the City can send out in different languages to get the information disseminated.

Cynthia Camacho, spoke on behalf of a concerned group of neighbors from the Elissagaray subdivision. Ms. Camacho expressed that they have recently been victims of mail theft. The community mailboxes that were placed to save time and money have made it easy for thieves to steal out of multiple mailboxes. Ms. Camacho urged the Council to support them as they petition the postmaster while pursuing their goal to have individual mailboxes at their residences.

3. APPROVAL OF ACTIONS NECESSARY TO INITIATE PROCEEDINGS TO FORM COMMUNITY FACILITIES DISTRICT NO. 2016-1 (TRACY HILLS), IMPROVEMENT AREA NO. 1 AND A FUTURE ANNEXATION AREA; AUTHORIZE RELATED INDEBTEDNESS, AND AUTHORIZE THE CITY MANAGER TO ENTER INTO JOINT FACILITIES AGREEMENTS WITH ANY ENTITY THAT WILL OWN OR OPERATE ANY OF THE FACILITIES

Anne Bell, Management Analyst, Administrative Services presented the staff report.

Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Young to adopt Resolution 2016-111 initiating proceedings to form Community Facilities District No. 2016-1 (Tracy Hills), Improvement Area No. 1 and a future annexation area; authorize related indebtedness, and authorize the City Manager to enter into joint facilities agreements with an entity that will own or operate any of the facilities within City of Tracy Community Facilities District No. 2016-1 (Tracy Hills). Voice vote found all in favor; passed and so ordered.

4. PUBLIC HEARING OF THE CITY COUNCIL TO CONSIDER ADOPTION OF THE CITY OF TRACY PROPOSED FISCAL YEAR 2016/17 AND 2017/18 ANNUAL CITY BUDGETS, ADOPTION OF THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2016/17, AUTHORIZE APPROPRIATIONS FOR FISCAL YEAR 2016/17, AND ADOPTION OF THE REVISED BUDGET PRINCIPLES

Troy Brown, City Manager, provided opening remarks to the proposed financial plan.

Rachelle McQuiston, Administrative Services Director, presented the staff report.

Council comments and questions followed.

Mayor Maciel opened the public hearing. There was no testimony to be heard, and Mayor Maciel closed the public hearing. Council discussion ensued.

Council Member Mitracos inquired about fund augmentation for education and training for the Planning and Parks and Recreation Commissioners.

Troy Brown, City Manager stated that staff will bring an item to Council to appropriate sufficient education funding for the entire body.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Vargas to adopt Resolution 2016-112 approving the annual budget for the City of Tracy for FY 2016-17. 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 adopt Resolution 2016-113 establishing the appropriations limit for the City of Tracy for FY 2016-17. 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 adopt Resolution 2016-114 approving the City of Tracy budget principles. Voice vote found all in favor; passed and so ordered.

5. REPEAL RESOLUTION 2004-368 AND ADOPT A NEW RESOLUTION TO ESTABLISH REVISED PROCEDURES AND REQUIREMENTS FOR THE CONSIDERATION OF DEVELOPMENT AGREEMENTS

Andrew Malik, Development Services Director, presented the staff report.

Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Young to adopt Resolution 2016-115 repealing Resolution 2004-368 and establish revised procedures and requirements for the consideration of development agreements. Voice vote found all in favor; passed and so ordered.

6. CONSIDER CANCELLATION OF AUGUST 2, 2016, REGULAR CITY COUNCIL MEETING – Upon a unanimous vote the City Council cancelled the first meeting in August.

Troy Brown, City Manager, presented the staff report.

ACTION Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Vargas to cancel the August 2, 2016, regular City Council meeting. Voice vote found all in favor, passed and so ordered.

7. INTRODUCTION OF AN ORDINANCE AMENDING SECTION 3.08.580, ARTICLE 12, OF THE TRACY MUNICIPAL CODE WHICH REGULATES THE ESTABLISHMENT OF SPECIAL SPEED ZONES

Ripon Bhatia, Senior Engineer, Development Services, presented the staff report.

Nora Pimentel, City Clerk read text of proposed ordinance 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 proposed 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 1220. Voice vote found all in favor; passed and so ordered.

8. ITEMS FROM THE AUDIENCE – Martin Evans shared his observations and concerns related to the medical zone.

9. COUNCIL ITEMS

A. APPOINT FIVE APPLICANTS TO THE BOARD OF APPEALS TO HEAR AN APPEAL ON AN ADMINISTRATIVE DECISION PERTAINING TO ENFORCEMENT RELATED TO REGULATIONS LISTED IN THE TRACY MUNICIPAL CODE

Nora Pimentel, City Clerk presented the staff report.

ACTION Motion was made by Mayor Pro Tem Rickman, seconded by Council Member Vargas to appoint Philip Aubin, Dennis Alegre, Jerry Yerian, James Caling, and John Davis to the Board of Appeals to hear an appeal by a person regarding an administrative decision in the City's application of the California Building and Fire Code. Voice vote found all in favor passed and so ordered.

Council Member Vargas requested an update on the sidewalk construction and asked when that will begin. Council Member Vargas requested that a letter of support from the Council be drafted in support of the Elissagaray Community related to the recent mail theft. Bill Sartor, City Attorney said that staff will return to Council with a staff report.

Council Member Mitracos suggested that it is time for the City to begin thinking about becoming a gigabyte City, providing high speed internet access to the entire City; this could be a utility and generate revenue. Troy Brown, City Manager, stated that staff will provide an update in September related to this request.

Council Member Young announced the upcoming Philippine American Association event on Saturday, June 11, 2016 from 10:30 a.m. to 3:00 p.m.

ADJOURNMENT– Time: 9:15 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 June 1, 2016. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk