

July 5, 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 7:20 p.m. and led the Pledge of Allegiance.

Invocation was led by Pastor Tim Heinrich, Crossroad Baptist Church.

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

Mayor Maciel presented a proclamation to André Pichly, Parks and Community Services Director in recognition of Parks and Recreation Month.

1. CONSENT CALENDAR

ACTION Following the removal of Item 1A by Steve Nicolaou, 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 June 7, 2016 and June 21, 2016

Mr. Nicolaou pulled the June 21, 2016 Closed Session minutes to make a clarification to his comments under Items from the Audience. The clarification was that Tracy Little League has spent over \$400,000 towards the project. The \$18,000 was a down payment for equipment, and \$30,000 was the total cost for the equipment. Mr. Nicolaou's written communication is on file in the Office of the City Clerk.

The City Council approved the Special Meeting minutes of June 7, 2016 and the June 21, 2016 Closed Session minutes as amended.

- B. Designate Operation of the Public Transit System a Professional Service; Approve a Resolution Awarding a Three-Year Professional Services Agreement with Ride Right, LLC, for Services Relating to the City of Tracy's Tracer Public Transit System; Authorize the Mayor to Execute the Agreement; and Appropriate an Additional \$1,100,000 to the Transit Fund to Cover the Cost of the Agreement – Resolution 2016-128 awarded a three-year Professional Services Agreement.
- C. Adopt a Resolution of the Successor Agency to the Tracy Community Development Agency Approving the Long-Range Property Management Plan and Authorizing Staff and the Board of the Successor Agency to Execute all documents and Instruments and to do any and all Other Things Which they May Deem Necessary or Advisable to Effectuate the Long-Range Property Management Plan, authorizing a Purchase and Sale Agreement Between the City

- of Tracy (City), the Successor Agency to the Community Development Agency of the City of Tracy (Agency), and Becker Commercial Properties; and Authorize the Mayor on Behalf of the City and the Chairman on Behalf of the Agency to Execute the Agreement and Related Documents – This item was removed to be considered at a later date.
- D. Approval of a Deferred Improvement Agreement (DIA) for the Federal Express Ground Facility Project at the Cordes Ranch Business Park (AKA International Park of Commerce), Authorization for the Mayor to Execute the DIA, and Authorization for the City Clerk to Record the DIA with the San Joaquin County Recorder – Resolution 2016-129 approved a Deferred Improvement Agreement.
- E. Authorize the Public Works Director to Execute all Documents Necessary to Allow the County to Apply for Various CalRecycle Programs and Grants on Behalf of the City – Resolution 2016-130 authorized the Public Works Director to execute necessary documents.
- F. Approve a Resolution Authorizing a Leave of Absence for Tracy Parks and Community Services Commissioner Gloria Saltzman – Resolution 2016-131 authorized a leave of absence.
- G. Authorization for a General Services Agreement With Delta Wireless, Inc. for Police Communications Equipment Maintenance and Authorization for the Mayor to Sign the Agreement – Resolution 2016-132 authorized for a General Services Agreement.
- H. Authorize the Purchase of Four Patrol Vehicles (2017 Ford Explorer PPV) from Downtown Ford of Sacramento, California – Resolution 2016-133 authorized the purchase of four patrol vehicles.
- I. Waive Second Reading and Adopt Ordinance 1221 an Ordinance of the City of Tracy Amending Chapter 9.52 (Floodplain Regulations), Sections 9.52.050 and 9.52.060 of the Tracy Municipal Code – Ordinance 1221 was adopted.
- J. Approve Professional Services Agreements (PSA) with Kleinfelder Inc., of Stockton California, River City Geoprosessionals, Inc., DBA Wallace Kuhl & Associates of Stockton, California, and BSK Associates, of Livermore, California, for a not to Exceed Amount of \$200,000 Per Year for Each Consultant, to Provide Materials Testing and Geotechnical Services for Fiscal Years 2016-2018 with the Option to Extend the Agreements an Additional Two Fiscal Years; Authorize the Mayor to Execute the Agreements; and Authorize the City Manager to Execute the Extensions if Needed – Resolution 2016-134 approved PSA with Kleinfelder; Resolution 2016-135 approved PSA with River City Geoprosessionals and Resolution 2016-136 approved PSA with BSK Associates.
2. ITEMS FROM THE AUDIENCE – Robert Tanner addressed the Council regarding the illegal fireworks on the Fourth of July. Mr. Tanner suggested that a more aggressive effort be enforced by the police department, and perhaps consider banning the use of safe and sane fireworks during a drought. The City Council requested an update on the Fourth of July fireworks enforcement activities in the City at an upcoming Council meeting.

3. PUBLIC HEARING TO CONSIDER A STREET NAME CHANGE FROM MOUNTAIN HOUSE PARKWAY TO "INTERNATIONAL PARKWAY" BETWEEN I-205 AND I-580 WITHIN THE CITY'S JURISDICTION

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

Mayor Maciel opened the public hearing, there was no public testimony received, 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 2016-137 authorizing a street name change from Mountain House Parkway to International Parkway between I-205 and I-580 within the City's jurisdiction. Voice vote found all in favor; passed and so ordered.

4. PUBLIC HEARING TO DECLARE THE EXISTENCE OF WEEDS, RUBBISH, REFUSE AND FLAMMABLE MATERIAL ON EACH OF THE PARCELS LISTED IN EXHIBIT "A" TO THIS AGENDA ITEM A NUISANCE; CONSIDER OBJECTIONS TO ABATEMENT OF SAID NUISANCES, AND ADOPT A RESOLUTION AUTHORIZING FIRE DEPARTMENT STAFF TO ORDER CONTRACTOR TO ABATE SAID NUISANCES

Randy Bradley, Fire Chief, presented the staff report.

Mayor Maciel opened the public hearing, there was no public testimony received, 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 2016-138 declaring the existence of weeds, rubbish, refuse and flammable material on the parcels listed in Exhibit "A" a nuisance authorizing Fire Department staff to order contractor to abate. Voice vote found all in favor; passed and so ordered.

Staff was directed to include information related to administrative citations to repeat offenders and also the possibility of raising the administrative fee percentage in the upcoming staff report regarding boarded up buildings coming to Council in the near future.

5. PUBLIC HEARING TO AUTHORIZE IMPLEMENTATION OF PHASE II WATER RESTRICTION IN TRACY MUNICIPAL CODE 11.28 WATER

Stephanie Reyna-Heistand, Water Resources Coordinator, Utilities Department, presented the staff report.

Mayor Maciel opened the public hearing.

Alice English acknowledged staff for the prompt response to her request made at the last month's Council meeting.

Robert Tanner asked staff to confirm that the cost savings is 0 to 10%.

Paul Miles expressed his concern about the City imposing regulations on the people rather than having total usage per household as the regulation.

City Council comment and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-139 authorizing implementation of Phase II Water Restriction in Tracy Municipal Code 11.28 Water Management. Voice vote found all in favor; passed and so ordered.

After Council deliberation, it was agreed that the splash pad features be set to operate once temperatures reach 90 degrees or above for certain periods of time depending on the temperature with the intent to conserve water, at staff's discretion.

6. PUBLIC HEARING TO CONSIDER APPROVING A PLANNED UNIT DEVELOPMENT PRELIMINARY AND FINAL DEVELOPMENT PLAN TO CONSTRUCT AN APPROXIMATELY 16,900 SQUARE FOOT AUTOMOTIVE REPAIR FACILITY WITH ASSOCIATED PARKING AND LANDSCAPING LOCATED ON THE NORTH SIDE OF AUTO PLAZA DRIVE BETWEEN THE VOLKSWAGEN DEALERSHIP AND THE TRACY COLLISION AUTO BODY SHOP

Kimberly Matlock, Senior Planner, Development Services, presented the staff report.

Mayor Maciel opened the public hearing, there was no testimony heard, Mayor Maciel closed the public hearing.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-140 approving a Planned Unit Development Preliminary and Final Development Plan for an approximately 16,900 square foot automotive repair facility with associated parking and landscaping on an approximately 2.5 acre site located on the north side of Auto Plaza Drive between the Volkswagen Dealership and the Tracy Collision Auto Body Shop. Voice vote found all in favor; passed and so ordered.

7. AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE CIVIC CENTER WATER TOWER REPAINTING PROJECT CIP 71080, AUTHORIZE A SUPPLEMENTAL APPROPRIATION OF BETWEEN \$9,800 AND \$59,850 FROM GENERAL FUND 301, AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT

Binh Nguyen, Associate Civil Engineer, Development Services Department, presented the staff report.

Steve Nicolaou referenced that on June 17, 2014 the previous City Council voted to approve the tower upgrade which at the time was going to cost \$75,000, now the cost has tripled. Mr. Nicolaou expressed being in favor of the upgrade as the tower represents part of Tracy history. Mr. Nicolaou added that he agrees with enhancements

within the City for quality of life but reminded Council to keep in mind when considering revenue enhancements on June 19 that it takes money to have beautiful things.

Robert Tanner expressed being in favor of the \$10,000 logo option with no lights.

Alice English expressed not being in favor of the lighting.

City Council comments and questions followed.

ACTION Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas, to adopt Resolution 2016-141 awarding a construction contract for the Civic Center Water Tower Renovation, CIP 71080, including bid alternate A, authorizing a contingency amount of \$19,500, authorizing the Mayor to execute the contract, and authorizing a supplemental appropriation for the existing logo of \$23,500 from Fund 301 to CIP 71080. Voice vote found Council Member Mitracos, Vargas, and Mayor Pro Tem Rickman were in favor; Council Member Young and Mayor Maciel were opposed; passed and so ordered.

8. INTRODUCE AN ORDINANCE AMENDING AND UPDATING THE PURCHASING ORDINANCE (CHAPTER 2.20) REGARDING (1) ASSISTANT CITY MANAGER AUTHORITY, (2) CITY ATTORNEY AUTHORITY, (3) AUTHORIZING THE CITY ENGINEER TO APPROVE PUBLIC IMPROVEMENT PLANS AND SPECIFICATIONS AND (4) REVISING SECTION 2.20.180 RELATING TO PUBLICATION – Ordinance 1222 was introduced.

Bill Sartor, City Attorney and Robert Armijo, Senior Planner, presented the staff report.

City Council comments and questions followed.

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

9. REPORT REGARDING THE CITY OF TRACY'S BOARDS AND COMMISSIONS

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

City Council comment and questions followed.

Upon City Council consensus the staff report was accepted.

After Council deliberation staff was directed to poll the City of Tracy Boards and Commissions and provide them the option of providing an annual report to the City Council and return to Council with a staff report reporting the results of the poll.

10. ITEMS FROM THE AUDIENCE – Martin Evans expressed his opinions and observations related to converting homes into medical clinics in the medical zone on Bessie.

11. COUNCIL ITEMS

Council Member Vargas requested a report related to each Department Heads' budget on a quarterly or bi-annual basis that would list contracts under \$25,000 for services using general fund monies. Mayor Pro Tem Rickman supported Council Member Vargas' request. It was discussed that this could be made part of the quarterly finance report.

Mayor Maciel requested an informational memo on any plans for the old water tower. Mayor Maciel requested that staff reach out to the City of Tracy appointees serving on County Boards and Commissions and advise them that they are welcome to address the City Council if they chose to do so. Mayor Maciel concluded his comments by announcing the DCT groundbreaking on Wednesday.

Mayor Pro Tem Rickman announced the upcoming 2nd Annual Art walk on Friday and the Concert in the Park on Thursday night.

Council Member Young reported that she was invited to represent the San Joaquin County and participated on the Bay Area Council Economic Institute panel for the Northern California Mega Region.

12. ADJOURNMENT – Time 9:46 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 28, 2016. The above are action minutes. A recording is available at the Office of the City Clerk.

Mayor

ATTEST:

City Clerk