

**November 1, 2016, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

Mayor Maciel called the meeting to order at 7:00 p.m., and led the Pledge of Allegiance.

Pastor Kal Waetzig, Saint Paul's Lutheran Church, offered the invocation.

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

Troy Brown, City Manager, presented the Employee of the Month award for November 2016, to Adrienne Richardson, City Manager's Office.

Mayor Maciel recognized the D.A.R.E. graduating students from George Kelly, Art Freiler, and Wanda Hirsh Elementary Schools.

Mayor Maciel presented a proclamation to Danielle Watson, Pancreatic Cancer Action Network's Bay Area Affiliate, for Pancreatic Cancer Awareness Day.

Mayor Maciel presented a proclamation to Jennifer Bem, Domestic Violence Shelter Manager, for National Homeless Youth Awareness Month.

1. CONSENT CALENDAR

**ACTION** 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 – Closed Session Minutes for October 24, 2016 and October 18, 2016 were approved.
- B. Award a Construction Contract to the Lowest Responsive and Responsible Bidder for the Support Services Building ADA Modifications, CIP 71076, and Authorize the Mayor to Execute the Contract – Resolution 2016-227 awarded the Construction Contract.
- C. Approve an Off-Site Improvement Agreement for Roadway, Sewer, and Storm Drainage Improvements for the DCT Industrial Building on Arbor Avenue, and Authorize the Mayor to Execute the Agreement – Resolution 2016-228 approved the Off-Site Improvement Agreement.
- D. Approve an Off-Site Improvement Agreement for Water Line Improvements on Arbor Avenue and MacArthur Drive for the DCT Industrial Distribution Facility, and Authorize the Mayor to Execute the Agreement – Resolution 2016-229 approved the Off-Site Improvement Agreement.

- E. Approval of Professional Services Agreement with NBS Government Group to Perform Analyses of Finance Division Processes, Authorization for the Mayor to Execute the Agreement, and Appropriation of \$64,388 – Resolution 2016-230 approved the Professional Services Agreement.
  - F. Approve the Memorandum of Understanding Between the City of Tracy and Tracy Friends for Parks, Recreation and Community Services Foundation – Resolution 2016-231 approved the Memorandum of Understanding.
  - G. Nullify the October 4, 2016 Second Reading and Adoption of Ordinance 1225 Authorizing the Amendment to the California Public Employees' Retirement System Plan to Provide Section 20516 (Employees Sharing Additional Cost) of 3% for All Local Police Members in the Tracy Police Officers Association Due to an Administrative Error and to Comply with Government Code Section 20471 – Council approved nullifying the October 4, 2016 second reading and adoption of Ordinance 1225.
  - H. 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 1225 was adopted.
2. ITEMS FROM THE AUDIENCE – Robert Tanner encouraged everyone who is eligible and a registered voter to go out and vote. Mr. Tanner also reminded residents that the clocks change back this coming weekend.

William Moreno expressed his disappointment with the state of neighborhoods in Tracy. Mr. Moreno added that there are 20 homes on Renown Drive with cars on blocks, trash, and parked on lawns, which is not being addressed. Mr. Moreno stated he provided Council Member Mitracos with his contact information to give to the Police Chief, but has not heard from the Police Chief. Mr. Moreno suggested town hall meetings in each neighborhood to see what residents want. Mr. Moreno asked Council to look at rent control in Tracy. Mr. Moreno also expressed his concern about the money being spent on the ball fields.

Freddie Berna expressed concern regarding junk vehicles on blocks on driveways and basketball hoops in her court.

Richard English commended Council on doing a marvelous job. Mr. English attended the Legacy Fields ribbon cutting and was surprised that Council Members did not get acknowledgement.

Anne Marie Fuller and Jenese Borges-Soto invited Council, staff and the community to the 2<sup>nd</sup> Annual Community for Care Packages packing event on Saturday, November 19, 2016, at the American Legion Hall, 1916 Tracy Blvd, Tracy at 11:00 am. Care packages will be put together for deployed military members. Ms. Fuller read a wish list of items and provided drop off locations: American Legion Hall and Salon Centric. More information is available on Facebook.

3. RECEIVE AND DISCUSS THE GRAND THEATRE CENTER FOR THE ARTS ANNUAL REPORT, ACCEPT THE GRAND FOUNDATION'S FISCAL YEAR 2016-2017 ANNUAL UNDERWRITING SUPPORT IN THE AMOUNT OF \$20,000 AND APPROVE A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$20,000 FOR PROGRAMMING AND TECHNICAL SUPPORT AT THE GRAND THEATRE CENTER FOR THE ARTS

Kim Scarlata, Division Manager, presented the Grand Theater Center for the Arts Annual Report. Tiffany Heben and Kaylin Schack presented the Grand Foundation's Annual Report and presented Mayor Maciel with a check in the amount of \$20,000 for programming and technical support at the Grand Theatre.

Council comments followed.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-232 receiving the Grand Theatre for the Arts Annual Report and accepting the Grand Foundation's Fiscal Year 2016/2017 annual underwriting support of \$20,000 and approving a supplemental appropriation of \$20,000 in proceeds for programming and technical support at the Grand Theatre Center for the Arts. Voice vote found all in favor; passed and so ordered

4. ACCEPT REPORT REGARDING PUBLIC SAFETY EFFORTS IN ADDRESSING ILLEGAL FIREWORKS ON THE 4TH OF JULY OF 2016

Police Captain Mark Duxbury and Fire Division Chief Bramell presented the staff report.

Robert Tanner expressed concern that illegal fireworks got out of hand on July 4th. Mr. Tanner suggested Council review the legal fireworks and stop selling fireworks altogether and make it all illegal except for City sponsored fireworks at the high school.

Marla Israel supported Mr. Tanner's comments. Ms. Israel added that this past July 4<sup>th</sup> fireworks were the worst. Ms. Israel thanked Police and Fire for doing their best. Ms. Israel stated that the public needs to be educated in a better way and suggested having neighborhood watch meetings a week prior to July 4th and provide flyers. Ms. Israel added neighborhood watch people do not know the

difference between legal and illegal fireworks.

Council comments and questions followed.

Upon Council consensus, the report was accepted.

Mayor Maciel called for a recess at 9:00 p.m.

Mayor Maciel reconvened the meeting at 9:08 p.m.

5. PUBLIC HEARING TO APPROVE AN AMENDMENT TO THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN (SJMSCP) DEVELOPMENT FEE, RESULTING IN AN INCREASE IN FEES FOR 2017

Victoria Lombardo, Senior Planner, Development Services, presented the staff report.

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

Council comments and questions followed.

**ACTION** Motion was made by Mayor Pro Tem Rickman and seconded by Council Member Vargas to adopt Resolution 2016-233 amending Development Fees for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Voice vote found all in favor; passed and so ordered.

6. ITEMS FROM THE AUDIENCE – Martin Evans expressed his concern regarding vicious dogs and suggested sending flyers to residents each month to encourage registering and vaccinating pets.

7. COUNCIL ITEMS

Council Member Vargas referred to comments from William Moreno regarding blight in Tracy and how the City is addressing the issue. Council Member Vargas stated Council has addressed the blight issue at least three times over the last ten months and approved hiring more staff for Code Enforcement. Council Member Vargas added that a new ordinance is being looked at and receivership to address the issue in a more aggressive way. There is a process and the homeowners have legal rights. Staff is working hard to address blight issues in the community.

Council Member Young asked if updates regarding blight could be put on the website.

Troy Brown, City Manager, responded that staff has developed an implementation plan. Mr. Brown added a matrix can be put on the website so progress can be tracked.

Council Member Vargas thanked Mayor Maciel for acknowledging the Boy Scouts in the audience and announced that this month the Boy Scouts will be going door to door collecting food on November 19, 2016, which will go to Tracy Interfaith Ministries. Council Member Vargas added nonperishable food can also be delivered to Tracy Interfaith Ministries, 311 W. Grant Line Road, between noon and 3:00 p.m.

Council Member Vargas announced the following three events in the community on November 5, 2016. Mount Oso Lodge is celebrating their 100 years of masonry in Tracy, Polenta night at the family center at Saint Bernard's, and Dine by Design at Saint Bernard's down town. Council Member Vargas gave a shout out to the Tracy Buccaneers Football team who made it to the playoffs, and Amer who will be celebrating his 5<sup>th</sup> birthday on November 5, 2016.

Mayor Pro Tem Rickman announced there will be a Tracy Comic show on November 12 and 13, 2016, in Northgate Village, and also a reptile event. Mayor Pro Tem Rickman also gave a shout out to Tracy High Volley Ball team.

Mayor Pro Tem Rickman asked Council Member Young if she would like to participate in their annual bet between Tracy High and West High football teams. The loser will wear the winning team's jersey at the next Council meeting. Council Member Young accepted the bet.

Council Member Young announced the Tracy Unified School District 6<sup>th</sup> Annual Anti-Bullying Red Carpet Awards ceremony will be held on November 9, 2016, at Kimball High School from 6:00 – 7:00 p.m. The theme will be - Don't be mean behind the screen or on the scene.

Council Member Vargas reminded residents that there will be a Notre Dame de Namur College open house on November 9, 2016, at the Tracy Transit Station. Council Member Vargas also announced that on November 2, 2016, the Altamont Working Group is meeting in Oakland to interview nine applicants to work on a project connecting BART and ACE.

Mayor Maciel announced on Thursday, November 3, 2016, at 8:30 am, at the Nirvana Event Center, a Regional Economist will be hosting the 2016 State of the North San Joaquin Valley. They will be speaking about markets, business climates, economic trends, and what will have a huge impact on the City regionally.

8. ADJOURNMENT

**ACTION** Motion 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. Time: 9:37 p.m.

The above agenda was posted at the Tracy City Hall on October 25, 2016. The above are action minutes. A recording is available at the office of the City Clerk.

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Mayor

ATTEST:

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City Clerk