

September 18, 2018, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

Mayor Rickman called the meeting to order at 7:02 p.m.

Cub Sout Pack #525 presented an opening flag ceremony and led the Pledge of Allegiance

Invocation was offered by Deacon Ray Whitlock, Saint Bernard's Catholic Church

Roll call found Council Members Dement, Ransom, Young, Mayor Pro Tem Vargas and Mayor Rickman present

Mayor Rickman presented a Certificate of Recognition to Anne Marie Fuller for her national appointment to the American Legion Auxiliary 100th Anniversary Celebration Committee

Michel Bazinet, Measure V Residents' Oversight Committee Chair presented the Measure V Committee Annual Report.

1. CONSENT CALENDAR – Following the removal of items 1.I by Council Member Young and Robert Tanner and 1.J by Robert Tanner it was moved by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
 - A. Approval of September 4, 2018, Closed Session and Regular Meeting Minutes – Minutes were approved.
 - B. Approve a Two Year General Services Agreement with Stockton Petroleum Company, Inc., of Stockton, CA, for Gasoline and Diesel Fuel Supply Services and Authorize the City Manager to Execute the Agreement and Any Extensions or Minor Amendments to the Agreement – Resolution 2018-185 approved the General Services Agreement with Stockton Petroleum Company, Inc.
 - C. Approve the First Amendment to the Subdivision Improvement Agreement for Tracy Hills Phase 1A, Tract 3878, and Authorize the City Clerk to File the First Amendment with the Office of the San Joaquin County Recorder – Resolution 2018-186 approved the First Amendment to the Subdivision Improvement Agreement.
 - D. Approve a Professional Services Agreement for the Citywide Roadway, Transportation and Bikeways Master Plan Update (CIP 73173 & CIP 78171) and Approve an Appropriation of \$100,000 from Fund 363 for CIP 73173 for FY 2018-19 – Resolution 2018-187 approved the Professional Services Agreement.
 - E. Approve Amendment No.1 to Professional Services Agreement with IBI Group for the Boyd Service Center Renovation Phase 2 Project (CIP 71091) with a Not to Exceed Amount of \$24,500, and Authorize the City Manager to Execute the Agreement – Resolution 2018-188 approve Amendment No. 1 to the Professional Services Agreement with IBI Group.

- F. Approve Memorandum of Understanding (MOU) with Humphreys University for Use of City Facilities to Administer its Higher Education Programs – Resolution 2018-189 approved the Memorandum of Understanding with Humphreys University.
- G. Waive Second Reading and Adopt Ordinance 1262, an Ordinance of the City of Tracy Adopting the Avenues Specific Plan, Amending Title 10 of the Tracy Municipal Code to Include the Avenues Specific Plan Zone, and Rezoning the Avenues Project Site Consisting of Approximately 95 Acres in Unincorporated San Joaquin County Located at 12650 and 12500 W. Valpico Road (Assessor's Parcel Numbers 240-140-05 & 240-140-06) to the Avenues Specific Plan Zone, Application Numbers SPA16-0003, ZA16-0001, and A/P16-0001- Ordinance 1262 was adopted
- H. Waive Second Reading and Adopt Ordinance 1263, an Ordinance of the City of Tracy Amending Chapter 3.04 of the Tracy Municipal Code Pertaining to "Fireworks" – Ordinance 1263 was adopted
- K. Approve Responses to the San Joaquin County Grand Jury Final Report 2017-2018 – Resolution 2018-190 approved the responses to the Grand Jury Final Report.
- L. Award a Construction Contract to Teichert Construction of Stockton, California, for the Reconstruction of the Tracy Municipal Airport Tee-Hangar Taxilanes, CIP 77037, AIP No. 3-06-0259-19-2018, Approve Task Order No. 8 to R. W. Brandley Master Professional Services Agreement, and Authorize the Transfer of Funds in the Amount of \$2,982,100 from 77037 to CIP 77580 – Resolution 2018-191 awarded the Construction Contract to Teichert Construction.
- M. Award a Construction Contract to Central Valley Automated, Inc., of Fresno, California for the Construction of a New Airport Beacon Light on the Existing Tower at the Tracy Municipal Airport, CIP 77037, AIP NO. 3-06-0259-19-2018, Approve Task Order No. 7 TO R. W. Brandley Master Professional Services Agreement, and Approve the Transfer of Funds in the Amount of \$50,050 for this Project 77037 to CIP 77581 – Resolution 2018-192 awarded a Construction Contract to Central Valley Automated, Inc.
- I. Approve the Memorandum of Understanding Between the City of Tracy and the Tracy Police Officers Association, Authorize the City Manager to Increase Appropriations, and Authorize an Amendment of the City Master Salary Schedule

Council Member Young and Robert Tanner pulled the item.

Robert Tanner spoke about fiscal responsibility and added the increase should have been 2.5% or 3% to save money.

City Council questions followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Dement to adopt **Resolution 2018-193** approving the Memorandum of Understanding between the City of Tracy and the Tracy Police Officers Association, authorize the City Manager to increase appropriations, and authorize an amendment

of the City Master Salary Schedule. Roll call found Council Members Dement, Ransom, Mayor Pro Tem Vargas and Mayor Rickman in favor. Council Member Young opposed.

- J. Approve the Memorandum of Understanding Between the City of Tracy and the Tracy Technical Support Services Employee Association, Authorize the City Manager to Increase Appropriations, and Authorize an Amendment of the City Master Salary Schedule

Robert Tanner pulled the item to address the same concerns he had regarding Item 1.I.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Young to adopt **Resolution 2018-194** approving the Memorandum of Understanding between the City of Tracy and the Tracy Technical Support Services Employee Association, authorize the City Manager to increase appropriations, and authorize and amendment of the City Master Salary Schedule. Roll call vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE - Michael Maciel referred to the June 19 agenda item accepting the CAFR and questioned if amending and reassigning \$2.8 million within the budget was valid when the recommendation was to accept the report. Mr. Maciel requested per Council policy, responses to his complaint submitted against City Manager Randall Bradley and Transportation Commissioner Alice English being engaged in inappropriate political activity while representing the City of Tracy, and his complaint against Mayor Pro Tem Vargas and Mayor Rickman directing staff to address the San Joaquin Regional Rail Commission to oppose his appointment to the Tri-Valley San Joaquin Regional Rail Authority, which has no city interest.

Robert Tanner asked why the City has not taken possession of the aquatic center land and why money is being spent on land that the City does not own.

Martin Evans expressed concerns about Sutter Hospital, parking, and zoning in the medical zone. Mr. Evans stated Eaton to Carlton is stressful to live by because of trucks.

3. APPROVE THE RENAMING OF TRACY BALL PARK TO RITTER FAMILY BALL PARK

Brian MacDonald, Parks and Recreation Director presented the staff report.

Dan Schack stated the Tracy Friends for Parks Recreation Community Services Foundation submitted the request to rename the park and felt the community would be better served by renaming the park.

Paul Ritter, stated his grandfather had a fondness for Tracy and did a lot of things for the city. Mr. Ritter added he was honored that City Council is considering the item.

Sam Matthews provided historical information regarding the Ritter family and stated it is fitting for the park to be renamed Ritter Family Park.

Robert Tanner expressed his support for the renaming of the park to Ritter Family Ball Park.

City Council comments followed.

ACTION: Motion was made by Council Member Dement and seconded by Mayor Pro Tem Vargas to adopt **Resolution 2018-195** approving the renaming of the Tracy Ball Park to Ritter Family Ball Park. Roll call vote found all in favor; passed and so ordered.

4. CONSIDER STAFF'S RECOMMENDATION FOR AWARD OF MAYOR'S COMMUNITY YOUTH SUPPORT NETWORK (MCYSN) RECONNECTING OUR YOUTH (ROY) GRANT PROGRAM FUNDS FOR FISCAL YEAR 2018-2019 AND APPROVE THE FUNDING AGREEMENTS FOR THE PROGRAM, AUTHORIZE THE CITY MANAGER TO EXECUTE THE FUNDING AGREEMENTS, AND APPOINT TWO COUNCIL MEMBERS TO SERVE ON AN AD HOC SUBCOMMITTEE TO WORK WITH THE CITY STAFF TO UPDATE THE MCYSN GOALS AND OBJECTIVES FOR FISCAL YEAR 2019-2020

Vanessa Carrera, Public Information Officer presented the staff report.

No one from the public wanted to speak.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Young to adopt **Resolution 2018-196** awarding the Mayor's Community Youth Support Network Reconnecting our Youth Grant Program Funds for Fiscal Year 2018-2019. Roll call vote found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Young and seconded by Council Member Dement to appoint Council Member Ransom and Mayor Pro Tem Vargas to serve on the ad hoc subcommittee to work with staff to update the MCYSN goals and objectives for FY 2019-2020. Roll call vote found all in favor; passed and so ordered.

5. RECEIVE AND FILE ESTIMATED TOTALS FOR THE GENERAL FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2018 AND ADOPT THE RESOLUTION AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO INCLUDE APPROPRIATIONS FOR THE ADDITION OF TWENTY-ONE POSITIONS AND DELETION OF FOUR POSITIONS FROM THE POSITION CONTROL ROSTER

Thomas Hedegard, Budget Officer presented the staff report.

City Council questions and comments followed.

Robert Tanner asked about the changes from Airport Coordinator to Airport Manager and Media Coordinator to Media Supervisor.

City Council questions and comments continued.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adopt **Resolution 2018-197** receiving and filing estimated totals for the General Fund for the Fiscal Year ending June 30, 2018 and amending the Fiscal Year 2018-2019 budget to include appropriations for the addition of twenty-one positions and deletion of four positions from the Position Control Roster. Roll call vote found all in favor; passed and so ordered.

6. APPROVE AN AGREEMENT BETWEEN THE CITY OF TRACY AND GIANT PROPERTIES, INC. LLC, FOR THE LEASE OF A UNIT AT 1325. N. MACARTHUR DR. FOR THE PURPOSE OF STORAGE AND PROCESSING OF EVIDENCE AND PROPERTY AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE OPTIONS TO EXTEND AND MINOR AMENDMENTS TO THE AGREEMENT

Alec Neicu, Interim Police Chief and Karin Schnaider, Finance Director presented the staff report.

City Council questions and comments followed.

Mike Clazzy from Souza Realty responded to City Council questions.

ACTION: Motion was made by Council Member Dement and seconded by Mayor Pro Tem Vargas to adopt **Resolution 2018-198** approving the Lease Agreement between the City of Tracy and Giant Properties, LLC. for a unit in a retail/office shopping center to be used as a Police Department evidence facility and authorizing the City Manager to execute the options to extend and minor amendments. Roll call vote found Council Member Dement, Council Member Ransom, Mayor Pro Tem Vargas, and Mayor Rickman in favor. Council Member Young absent.

7. DISCUSS THE PROPOSED AMENDMENT TO CHAPTER 6.36 OF THE TRACY MUNICIPAL CODE (TMC) FOR CANNABIS (MARIJUANA) NON-STOREFRONT (DELIVERY ONLY) RETAILERS AND AMENDMENT TO SECTION 10.08.3196 OF THE TMC REGARDING ESTABLISHING ZONING AND LOCATION REQUIREMENTS, AND PROVIDE FEEDBACK TO STAFF

Karin Schnaider, Finance Director presented the staff report.

Yolanda Barial Knight asked for clarification regarding the amendment of the ordinance regarding a cannabis business (property) not being within half a mile of Gandy Dancer Drive.

City Council questions and comments followed.

There was no action taken.

8. ITEMS FROM THE AUDIENCE – Jennifer Rowell expressed concern regarding City Council's vote on the shelter crisis item at the September 4, 2018 Council meeting. Ms. Rowell stated the decision blocked all non-profits from access to funds and requested City Council revisit the item.
9. STAFF ITEMS – Thomas Watson, City Attorney requested an evaluation.

10. COUNCIL ITEMS - Mayor Pro Tem Vargas stated the MTC Programming and Allocations Committee voted unanimously to approve \$10.1 million that will fund 30% in environmental studies to continue efforts to build the commuter train and also pay for a staffing plan. Mayor Pro Tem Vargas sent a shout out to the chairman and supervisor of Alameda County who swayed the committee to approve the funds. Next steps include the MTC commission approval of the depot connection that connects ACE and Valley Link and Lathrop and Manteca, and to BART and ACE at Greenville and Pleasanton, Dublin, ordering 14 sets of trains and getting the project built within 5-7 years. Mayor Pro Tem Vargas thanked those who worked with the Council of Governments and supported the project. Mayor Pro Tem Vargas added if Council wishes, the chairman will attend a Council meeting and provide an update. Council Member Dement supported the update.

Council Member Ransom stated if there was support from Council, she would like to invite Adam Cheshire from the San Joaquin County to provide a presentation and County perspective regarding reconsidering the shelter crisis. Council Member Young supported the request.

Randall Bradley, City Manager and Thomas Watson, City Attorney clarified that staff will bring the item back as an action item for reconsideration with additional information.

Council Member Ransom reported on the trip to the League of California Cities Annual Conference. Council Member Ransom asked the City Attorney about the status of the alleged National Night Out incident. Mr. Watson responded he has completed the interviews and is formulating a report. Mr. Watson added it will also include policy suggestions.

Council Member Dement reported on the trip to the League of Californian Cities Annual Conference. Council Member Dement thanked everyone for attending the Mexican Independence Day on September 16, 2018, which is sponsored by the Southside Community Organization. A lot of the money raised goes towards scholarships for Tracy youth. Council Member Dement thanked people for attending the 911 event and stated a lot of money was raised that will benefit non-profits. Council Member Dement added she had an opportunity to hit a wall with a sledge hammer today at the Lolly Hansen Senior Center for ground breaking for renovation.

Council Member Young as a representative on the SJCOG spoke about the 511 call boxes along the freeway stating a new plan had been voted on and the 139 call boxes in San Joaquin County had been reduced by 41%. The original recommendation was to remove all of the boxes but Council Member Young fought to keep a number of them as not everyone has a cell phone and a cell phone can lose signal. Council Member Young reported on the trip to League of California Cities Annual Conference.

Mayor Rickman announced the following events: Lolly Hansen Senior Center expansion with a completion date April 2019; September 21 - Kids in a Box fund raiser for McHenry House Tracy Family Shelter at St. Bernard's; September 22 – Farmers Market, Downtown Art Walk at 6:00 p.m., and Wine Stroll at 6:00 p.m. September 28 – 38 Special coming to the Gand Theatre Center for the Arts.

11. ADJOURNMENT – Time: 9:18 p.m.

ACTION: Motion was made by Council Member Dement and seconded by Council Member Ransom to adjourn. Roll call vote found all in favor, passed and so ordered.

The above agenda was posted at the Tracy City Hall on September 13, 2018. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk