

May 21, 2019, 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 7:06 p.m.

Mayor Rickman led the Pledge of Allegiance.

Pastor Diestler, Tracy Mission City Church offered the invocation.

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

Mayor Rickman recognized D.A.R.E. graduating students from South and Hirsh Elementary Schools.

Midori Lichtwardt, Interim City Manager presented the award for May 2019 to Kelly Murillo, Finance Department.

Mayor Rickman presented Certificates of Appointment to Transportation Advisory Commissioners Jacob Hunter and Gary Cooper.

Mayor Rickman presented a Certificate of Recognition to outgoing Measure V Residents' Oversight Committee Member Eleassia Davis.

Mayor Rickman presented a proclamation for National Poppy Day to Anne Marie Fuller, President of Tracy American Legion Auxiliary.

Mayor Rickman presented Certificates of Recognition to Saint Bernard's Daughters of the Cross, Sister Marlene Sylas, and Sister Cecilia D'Mello. Sister Ann Venita Britto was unable to attend.

1. CONSENT CALENDAR – Following the removal of Consent items 1.J by staff motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.

1.A ADOPTION OF APRIL 16, 2019, CLOSED SESSION, SPECIAL MEETING AND REGULAR MEETING MINUTES – **Minutes were approved.**

1.B APPROVE THE FIRST AMENDMENTS TO THE SUBDIVISION IMPROVEMENT AGREEMENTS FOR TRACT 3788 - TRACY HILLS VILLAGE 1A, TRACT 3889 - TRACY HILLS VILLAGE 3A, TRACT 3890 - TRACY HILLS VILLAGE 4A, TRACT 3891 - TRACY HILLS VILLAGE 5A, TRACT 3943 - TRACY HILLS VILLAGE 1B, TRACT 3945 - TRACY HILLS VILLAGE 3B, TRACT 3946 - TRACY HILLS VILLAGE 4B, TRACT 3948 - TRACY HILLS VILLAGE 5B, AND AUTHORIZE THE CITY CLERK TO FILE THE FIRST AMENDMENTS WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

Resolution 2019-087 approved amendment for Tract 3788, Tracy Villages 1A

Resolution 2019-088 approved amendment for Tract 3943, Tracy Villages 1B

Resolution 2019-089 approved amendment for Tract 3889, Tracy Villages 3A
Resolution 2019-090 approved amendment for Tract 3945, Tracy Villages 3B
Resolution 2019-091 approved amendment for Tract 3890, Tracy Villages 4A
Resolution 2019-092 approved amendment for Tract 3946, Tracy Villages 4B
Resolution 2019-093 approved amendment for Tract 3891, Tracy Villages 5A
Resolution 2019-094 approved amendment for Tract 3948, Tracy Villages 5B

- 1.C RATIFY THE SAN JOAQUIN COUNCIL OF GOVERNMENTS ANNUAL FINANCIAL PLAN FOR FISCAL YEAR 2019-2020 – **Resolution 2019-095** ratified the SJCOG Annual Financial Plan for FY 2019-2020.
- 1.D AUTHORIZE SUBMISSION OF THE ANNUAL CLAIM TO THE STATE OF CALIFORNIA, THROUGH THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG), FOR TRANSPORTATION DEVELOPMENT ACT FUNDS IN THE AMOUNT OF \$6,025,677 FOR FISCAL YEAR 2018-2019, AND AUTHORIZE THE FINANCE DIRECTOR TO EXECUTE THE CLAIM – **Resolution 2019-096** approved the submission of the annual claim to the State of California.
- 1.E FIND IT IS IN THE BEST INTEREST OF THE CITY TO FOREGO A COMPETITIVE PROPOSAL PROCESS AND APPROVE AN AGREEMENT WITH BARYALAI FEROZ AND LAMIA FEROZ TO SELL APPROXIMATELY 19,016 SQUARE FEET OF SURPLUS CITY REAL PROPERTY (A PORTION OF APN 212-040-67) LOCATED BETWEEN THE FEROZ REAL PROPERTY (APNS 212-270-20 AND 212-270-21) AND THE SOUTHERN BOUNDARY FENCE OF DETENTION BASIN 10 – **Resolution 2019-097** approved the agreement.
- 1.F APPROVE CHANGES TO THE CITY OF TRACY TRAVEL EXPENSE PROCEDURE FOR EMPLOYEES REGARDING PERMITTED EXPENSE RATES AND THE APPROVAL PROCESS FOR TRAVEL EXPENSES – **Resolution 2019-098** approved the changes to the City of Tracy Travel Expense Procedures.
- 1.G WAIVE SECOND READING AND ADOPT ORDINANCE 1268, AN ORDINANCE OF THE CITY OF TRACY AMENDING THE CORRAL HOLLOW WEST PLANNED UNIT DEVELOPMENT TO PERMIT HIGH DENSITY SINGLE-FAMILY RESIDENTIAL USES AND ESTABLISH DEVELOPMENT STANDARDS ON AN APPROXIMATELY 3.5-ACRE LOT LOCATED AT 2483 W. SCHULTE ROAD, ASSESSOR'S PARCEL NUMBER 240-660-37. THE APPLICANT IS BRIGHT DEVELOPMENT AND OWNER IS POND CREEK, LLC. APPLICATION NUMBER PUD18-0003 – **Ordinance 1268 was adopted**
- 1.H APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH HF&H CONSULTANTS, LLC TO PERFORM A SOLID WASTE RATE STUDY – **Resolution 2019-099** approved the agreement.
- 1.I APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RIDE RIGHT, LLC TO EXTEND THE CONTRACT FOR ONE YEAR – **Resolution 2019-100** approved the amendment.
- 1.J AUTHORIZE THE REMOVAL OF THE NO PARKING ZONE ON THE WEST SIDE OF MARIANI COURT AND AMEND RESOLUTION NO. 2004-387 – **Item was moved to the June 4, 2019 Council meeting.**

- 1.K APPROVE RESOLUTIONS: (1) INITIATING PROCEEDINGS FOR THE ANNEXATION OF MARIANI BUSINESS PARK (APN 250-260-09) INTO THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT (ZONE 10), (2) DECLARE INTENTION TO ANNEX MARIANI BUSINESS PARK (APN 250-260-09); ACCEPT AND APPROVE THE ENGINEER'S REPORT; CONDUCT A PROPERTY OWNER BALLOT OFFICIAL ASSESSMENT PROCEEDING, AND SET A DATE FOR A PUBLIC HEARING OF JUNE 4, 2019 – Resolution 2019-101 initiated proceedings for annexation of Mariani Business Park. **Resolution 2019-102** declared intention to annex the Mariani Business Park.
- 1.L ACCEPT TRAVEL REPORT FROM CITY ATTORNEY REGARDING ATTENDANCE AT LEAGUE OF CALIFORNIA CITIES CITY ATTORNEYS' CONFERENCE – Report accepted.
2. ITEMS FROM THE AUDIENCE – Richard Denman expressed his concerns regarding vehicles speeding on Starflower Drive. Mr. Denman requested that City Council look into the issue.
3. REGULAR AGENDA
- 3.A PUBLIC HEARING TO INTRODUCE AN ORDINANCE AMENDING SECTION 3.08.580 OF THE TRACY MUNICIPAL CODE TO UPDATE SPECIAL SPEED ZONES
- Robert Armijo, City Engineer provided the staff report.
- Mayor Rickman opened the public hearing.
- No one from the public wished to speak.
- Mayor Rickman closed the public hearing.
- City Council questions and comments followed.
- Adrienne Richardson, City Clerk read the title of proposed Ordinance 1269.
- ACTION:** Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to waive the reading of the full text and introduce **Ordinance 1269** amending Section 3.08.580 of Chapter 3.08 (Traffic Regulations) of Title 3 (Public Safety) of the Tracy Municipal Code. Roll call vote found all in favor; passed and so ordered. Council Member Ransom opposed to change on Western Pacific Way segment. (Council Member Ransom referred to Linne Road in error).
- Leticia Ramirez, Assistant City Attorney confirmed she would look into alternative methods of enforcement of the speed limit on Western Pacific Way, and provide an email to City Council.

3.B ADOPT THE CITY OF TRACY SHORT RANGE TRANSIT PLAN

Ed Lovell, Management Analyst II provided the staff report and introduced Steve Wilks, from IBI Group. Mr. Lovell responded to questions from members of the public and City Council during the item.

Mr. Wilks provided a powerpoint presentation of the proposed Tracy Short Range Transit Plan and responded to questions from members of the public and City Council during the item.

Jacob Hunter shared his concerns regarding issues with the report and the fixed route component.

Benjamin Hatfield asked what the cost would be per rider on destination circumstances if the program is changed.

Martin Evans expressed his concerns about transportation issues around the hospital.

Alvin Vaughn supported the creative approach.

Tim Silva did not support the proposed Short Range Transit Plan and shared his concerns.

Nancy Castro shared concerns regarding the transportation for the senior population and asked about services for residents out of town.

Richard Denman supported Tim Silva's comments and shared his concerns about safety of children using Uber or Lyft.

Mary Foshee also agreed with previous speakers, and asked about discounts and monthly passes for the City's transit.

City Council questions and discussion followed.

Mayor Rickman called a recess at 9:42 p.m.

Mayor Rickman reconvened the meeting at 9:49 p.m.

City Council questions and comments continued.

Consensus from City Council was to direct staff to return with information regarding the following items: conducting a pilot program to test proposed changes; identifying additional fixed routes covering areas that currently have less access to transit; generating revenue from advertising on the buses, providing public transit options for special events, time schedules, flex routes, relevant routes, budget information, discounts and monthly passes, and timeliness to point A to point B.

3.C APPROVE ONE OF FIVE DESIGN CONCEPTS FOR A NEW PARK ENTRY SIGN TO BE INCLUDED IN THE CITY OF TRACY DESIGN STANDARDS

Richard Joaquin, Parks Planning and Development Manager provided the staff report.

Lisa Roth stated she appreciated consistency and uniformity of signs in Tracy.

Dino Margaros stated on behalf of the Ritter family, Concepts #3 and #5 were preferred, in particular Concept #3.

Steve Nicolaou stated the Ritter name is on the land, so would like to see which option was Mr. Ritter's preference.

Paul Ritter responded the family preference is Concept #3, and added the family is donating money for landscaping around sign.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt Resolution **2019-103** approving Concept #3 of the five design concepts for a new park entry sign to be included in the City of Tracy Design Standards. The address and City of Tracy logo should be included on the sign. Roll call vote found all in favor; passed and so ordered.

3.D APPROVE THE TRANSFER OF FEDERAL USE RESTRICTIONS AND REVERSIONARY RIGHTS ON THE 150-ACRE SCHULTE ROAD PARCEL (APN 209-230-29 AND APN 209-230-29-30), TO 300 ACRES OF UNDEVELOPED LAND AT LEGACY FIELDS (APN 212-150-04) AND PUBLIC USE PLAN FOR THE SITE, AUTHORIZE THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS TO COMPLETE THE TRANSFER, AND AUTHORIZE THE CITY MANAGER TO TRANSFER (PURCHASE) THE LAND TO THE GENERAL FUND FROM THE WASTEWATER FUND

Brian MacDonald, Parks and Recreation Director provided the staff report. Mr. MacDonald noted that the property surrounding Legacy Fields is owned by the Wastewater Fund. Since the City is now putting restrictions on the acreage for park and recreational use only, it is no longer a viable use for wastewater enterprise purposes. Staff recommends exploring an interfund loan from Wastewater Fund to the General Fund to complete the purchase of the land and further recommends that Council determine the terms and structure of that interfund loan during the Measure V discussion on June 18th, 2019.

Lisa Roth stated the Tracy Nature Park Advocates are pleased with the transfer.

Steve Nicolaou, Attorney for Steve Arnaudo & Sons, stated his client currently leases 868 acres from City and requested communication and involvement with the City regarding the transition if the city puts deed restriction on the 302 areas.

Tim Silva expressed support for the Nature Park and a disc golf course.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt **Resolution 2019-104** approving the transfer of Federal Use Restrictions and Reversionary Rights on the 150-acre Schulte Road Parcel (APN 209-230-29 and APN 209-230-30), to 300 acres of undeveloped land at Legacy Fields (APN 212-150-04) and public use plan for the site, and authorizing the Mayor to execute any necessary documents to complete the transfer, and authorizing the City Manager to Transfer (purchase) the land from the Waste Water Fund to the General Fund. Roll call vote found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – Martin Evans reminisced about his father and City parks and spoke about Sutter Hospital.

Mary Mitracos suggested that the City never sell land it owns.

5. STAFF ITEMS – None

6. COUNCIL ITEMS

6.A APPOINT AN APPLICANT TO THE MEASURE V RESIDENTS' OVERSIGHT COMMITTEE FROM THE COMMITTEE'S ELIGIBILITY LIST

Adrienne Richardson, City Clerk provided the staff report.

No one from the public wished to speak.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to appoint Hector Jaimes to the Measure V Residents' Oversight Committee to serve a term which will commence on May 22, 2019, and expire on February 29, 2020. Roll call vote found all in favor; passed and so ordered.

Council Member Vargas requested discussion regarding a secondary exit at Legacy Fields for safety purposes. Mayor Pro Tem Young supported the request.

Council Member Arriola requested a proclamation for June as LGBT Gay Pride Month, and also putting a resolution on the next agenda recognizing the 50th anniversary of the Stonewall Rebellion which occurred on June 28, 1969, recognizing the instigating event that launched the LGBT movement, and to raise the pride flag over City Hall in recognition that day. Council Member Vargas supported the request.

Council Member Ransom requested an agenda item to discuss the speed concerns and lack of sidewalk on the County portion of Western Pacific Way. Council Member Vargas supported the request.

Council Member Ransom requested an information consent item containing a list of vacant City owned land, and addresses, in order to educate Council and the public about vacant properties the City owns. City Council supported the request.

Council Member Ransom requested a subcommittee report for the Homelessness Ad Hoc Subcommittee to provide an update and request support to apply for a technical support grant for a consultant to help with the strategic plan. Council Member Arriola supported the request.

Mayor Pro Tem Young followed up on the Emergency Preparedness Plan, and the Code of Conduct being brought back before Council. Mayor Pro Tem Young congratulated the Class of 2019.

Mayor Rickman congratulated the 2019 Graduates, and reminded everyone about the Memorial Day Service at 10:00 am at the cemetery followed by the War Memorial. Mayor Rickman announced the downtown block party on May 31, 2019.

Council Member Ransom wished her daughter a happy 19th birthday.

7. ADJOURNMENT – Time: 11:06 p.m.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Vargas to adjourn. Roll call vote found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on May 16, 2019. The above are action minutes. A recording is available at the office of the City Clerk.

ATTEST:

Mayor

City Clerk