

JOINT MEETING OF THE TRACY CITY COUNCIL  
AND THE TRACY INDUSTRIAL DEVELOPMENT AUTHORITY

REGULAR MEETING MINUTES

**October 16, 2018, 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 Rickman called the meeting to order at 7:00 p.m.

Mayor Rickman led the Pledge of Allegiance.

Pastor Tim Heinrich, Crossroads Baptist Church offered the invocation.

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

Suzu Daveluy, City of Stockton Librarian, introduced Jamie Turner, new Tracy Librarian.

Mayor Rickman presented a proclamation for Make a Difference Day to Brian Pekari, Director of Tracy United to Make a Difference.

Mayor Rickman announced that the meeting is a joint meeting of the City Council and the Tracy Industrial Development Authority and both the Council and the Authority will be voting on actions related to item 5.

1. CONSENT CALENDAR – Motion was made by Council Member Young and seconded by Mayor Pro Tem Vargas to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
  - A. Adoption of October 2, 2018 Closed Session and Regular Meeting Minutes – Minutes were approved
  - B. Receive the Annual Report of the Transportation Advisory Commission – Annual Report was accepted.
  - C. Approve a New Capital Improvement Project (CIP) for a Nature Park, Defund and Close the South County Park North Tracy CIP 78176, and Re-Allocate \$100,000 in Funding to the New Nature Park CIP 78180 – **Resolution 2018-206** approved a new CIP for a Nature Park
  - D. Approve a General Services Agreement with Environmental Logistics Inc., of California for On-Call Services for Removal of Fats, Oil and Grease at Various Locations for a Not to Exceed Amount of \$200,000 Per Year for a Period of Three Years, and Authorize an Appropriation from Fund 521 – **Resolution 2018-207** approved the General Services Agreement with Environmental Logistics, Inc.
  - E. Approve a General Services Agreement with Jim Brisco Enterprises, Inc. for the Purposes of Loading, Hauling and Disposing of Wastewater Treatment Biosolids – **Resolution 2018-208** approved the General Services Agreement with Brisco Enterprises, Inc.

- F. Authorize Establishment of a Four-Way Stop at the Intersection of Clover Road and Buthmann Avenue – Resolution 2018-209 authorized the establishment of a four-way stop at the intersection of Clover Road and Buthmann Ave.
- G. Approve the Results of 2017 Speed Survey – Resolution 2018-210 approved the results of the speed survey.
- H. Adopt the Compensation and Benefits Plan for Limited Service Employees (LSE), Authorize the City Manager to Increase Appropriations, and Authorize an Amendment of the City Master Salary Schedule – Resolution 2018-211 adopted the Compensation and Benefits Plan for Limited Service Employees.
- I. Approve the Final Subdivision Map and Subdivision Improvement Agreement for Tracy Hills Village 1C, Tract 3944, and Authorize the City Clerk to File the Subdivision Improvement Agreement with the Office of the San Joaquin County Recorder – Resolution 2018-212 approved the Final Subdivision Map and Subdivision Improvement Agreement with Tracy Hills Village 1C, Tract 3944.
- J. Approve Amendment No. 2 to Master Professional Services Agreements with Kimley-Horn & Associates and Black Water Consulting Engineers, Inc. for Engineering Analyses Services and Engineering Assistance – Resolution 2018-213 approved Amendment No. 2 to Master Professional Services Agreements with Kimley-Horn & Associates, and Black Water Consulting Engineers, Inc.
- K. Accept the Construction of the Slurry Seal & Microsurface Project, CIP 73142, Completed by American Pavement Systems, Inc., of Modesto, California, Authorize the City Clerk to File the Notice of Completion, and Authorize the City Engineer to Release the Bonds and Retention Payment – Resolution 2018-214 accepted the construction of the Slurry Seal & Microsurface Project, CIP 73142 completed by American Pavement Systems, Inc.
- L. Approve the Offsite Improvement Agreement for Industrial Property Trust (IPT) Building 2 at 1207 East Grant Line Road – Resolution 2018-215 approved the Offsite Improvement Agreement with Industrial Property Trust.
- M. Approve a Professional Services Agreement with Engineering Firm Mark Thomas and Company of Sacramento, California, to Provide Environmental Documents, Planning, Engineering, Right of Way Acquisition Assistance, and Engineering Support During Construction Services for I-205 and I-580 / Mountain House Interchange Improvements – CIP 73146 & 73147 and Find it is in the Best Interest of the City to Forego the Formal Selection Process for the Plans, Specifications and Engineer's Estimates, Right of Way Acquisition and Construction Support Services – Resolution 2018-216 approved a Professional Services Agreement with Mark Thomas and Company.
- N. Award a Construction Contract to Mountain Cascade, Inc. of Livermore, CA. with a Contingency Amount, Approve a Professional Services Agreement with Jacobs Project Management Company, a Texas Corporation to Provide Construction Management and Inspection Services, Approve Amendment No. 2 to the Professional Services Agreement with CH2M Hill Inc., to Provide Engineering

Services During Construction for the Tracy Recycled Water Mains and Wastewater Treatment Plant Pump Station Project, CIP 74091, Approve Amendment 1 to Professional Services Agreement with West Yost and Associates for Design Services Related to the Next Phase of the Recycled Water Project and Approve a Resolution Declaring Intention to Reimburse Expenditures from the Proceeds of Obligations to be issued by the City and Directing Certain Actions – Resolution 2018-217 awarded the construction contract to Mountain Cascade Inc. **Resolution 2018-218** authorized the PSA with Jacobs Project Management Company. **Resolution 2018-219** authorized Amendment No. 2 to the PSA with CH2M Hill Inc. **Resolution 2018-220** authorized Amendment No. 1 to PSA with West Yost and Associates. **Resolution 2018-221** declared intention to reimburse expenditures from the proceeds of obligations to be issued by the City and directing certain actions.

2. ITEMS FROM THE AUDIENCE – Mike Maciel stated he has still not been contacted by staff regarding his follow-up complaint related to activities at a Regional Rail meeting by City Manager Randall Bradley and Transportation Commissioner Alice English, and Mayor Pro Tem Vargas and Mayor Rickman for influencing city staff, \$2.3 million transferred on an information only agenda item, and Mayor Rickman's comment regarding deaths occurring because of slow EMS response.

Robert Tanner announced the Voter Mail-In ballot box is again at City Hall located on the first floor. Mr. Tanner also expressed his concerns regarding Measure M.

Roger Birdsall stated prior to the election he views candidate campaign statements on the City of Tracy website and believes in following where the money is coming from. Mr. Birdsall added campaign statements also reflect expenses and referenced an amount on Ms. Vargas's campaign statement for attorney fees.

Trish Johnson, Linda Miller, Sherry Savage, Bethany Neal, Caroline Gracon expressed their concerns regarding the Animal Shelter policies and procedures, conditions at the Animal Shelter, lack of communication between shelter staff and the rescue organization, lack of exposure to the public, action needs to be taken now and the shelter needs reform. Ms. Johnson spoke about the return to field program for roaming cats,

Martin Evans spoke about Tracy Police attacking people in unmarked cars, Sandra Cantu, blood tests, breathalyzers, hospital zone back to residential, and returning Carlton and Bessie back to medical zone.

3. RECEIVE PUBLIC TESTIMONY FROM PUBLIC HEARING FOR ANNUAL UNMET TRANSIT NEEDS, CITY OF TRACY, FISCAL YEAR 2018-19

Ed Lovell, Management Analyst II, presented the staff report.

Mayor Rickman opens the public hearing.

Cindy Gustafson provided the following transit need suggestions: Service on Sundays, a bench at the temporary stop at Village Gardens Apartments, or remove temporary stop so the seniors will go to the covered stop, adding the Tracer that goes to Larch Clover Community Center on a regular route, and a bench at Target.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Dement to accept the public testimony from public hearing for annual unmet transit needs, City of Tracy, Fiscal Year 2018-19. Roll call found all in favor; passed and so ordered.

4. PUBLIC HEARING TO CONSIDER RENAMING WEST SCHULTE ROAD BETWEEN CORRAL HOLLOW ROAD AND LAMMERS ROAD TO WESTERN PACIFIC WAY

Robert Armijo, City Engineer presented 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.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Young to adopt **Resolution 2018-222** authorizing renaming of West Schulte Road between Corral Hollow Road and Lammers Road to Western Pacific Way. Roll call found all in favor; passed and so ordered.

5. APPROVAL BY THE TRACY INDUSTRIAL DEVELOPMENT AUTHORITY OF ORGANIZATIONAL MATTERS

APPROVAL BY THE CITY OF TRACY AND THE TRACY INDUSTRIAL DEVELOPMENT AUTHORITY OF AN AMENDMENT AND RESTATEMENT OF THE JOINT EXERCISE OF POWERS AGREEMENT FOR THE TRACY PUBLIC FINANCING AUTHORITY

Karin Schnaider, Finance Director introduced Temidayo Odusolu, Jones Hall Bond Counsel, and presented the staff report.

There was no one from the public wishing to speak.

City Council questions and comments followed.

**ACTION:** Motion was made by Board Member Young and seconded by Board Member Vargas to adopt **TIDA Resolution 2018-001** of the Tracy Industrial Development Authority regarding organizational matters. Roll call vote found all favor; passed and so ordered.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adopt **Resolution 2018-223** a resolution of the City Council of the

City of Tracy approving Amended and Restated Joint Exercise of Powers Agreement establishing the Tracy Public Financing Authority for the purpose of acknowledging the dissolution of the South County Fire Authority and adding the Tracy Industrial Development as a member. Roll call found all in favor; passed and so ordered.

**ACTION:** Motion was made by Board Member Vargas and seconded by Board Member Ransom to adopt **TIDA Resolution 2018-002** a resolution of the Tracy Industrial Development Authority approving Amended and Restated Joint Exercise of Powers Agreement establishing the Tracy Public Financing Authority for the purpose of acknowledging the dissolution of the South County Fire Authority and adding the Tracy Industrial Development as a member. Roll call found all in favor; passed and so ordered.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adjourn the joint meeting of the City Council and the Tracy Industrial Development Authority. Roll call vote found all in favor; passed and so ordered.

**ACTION:** Motion was made by Board Member Vargas and seconded by Board Member Ransom to adjourn the joint meeting of the City Council and the Tracy Industrial Development Authority. Roll call vote found all in favor; passed and so ordered.

6. RECEIVE UPDATE ON CITY COUNCIL STRATEGIC PRIORITIES, GOALS AND OBJECTIVES FOR FISCAL YEARS 2017/18 AND 2018/19 WHICH INCLUDE PUBLIC SAFETY, QUALITY OF LIFE, GOVERNANCE, AND ECONOMIC DEVELOPMENT

Randall Bradley, City Manager provided an overview of the agenda item.

Alex Neicu, Interim Police Chief informed City Council about the possibility of moving Code Enforcement under the umbrella of the Police Department.

Octavio Lopez, Police Sergeant presented the Public Safety Strategic Priority.

Thien Nguyen, Recreation Services Supervisor presented the Quality of Life Strategic Priority.

Ed Lovell, Management Analyst II, presented the Governance Strategic Priority.

Shelley Burcham, Economic Development Manager, presented the Economic Development Strategic Priority.

Bill Wahid stated he is a technologist and offered to help bring technology to the City and solve technology problems.

City Council questions and comments followed.

Karin Schnaider, Finance Director provided an update on the safety plan and goals.

Amy Ray, Fire Marshal provided an update about the Fire Department operation alignments.

Chief Neicu provided an overview of the objectives of the Police Department 30-60-90 day plan.

Staff to provide City Council with a memo containing information on what to do in case of an emergency.

Ms. Burcham provided an update on the SkyRyse project.

**ACTION:** Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Vargas to accept the report. Roll call vote found all in favor; passed and so ordered.

7. APPROVE AN AMENDMENT TO THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEE TO DECREASE IN FEE FOR 2019

Victoria Lombardo, Senior Planner presented the staff report.

Mayor Rickman opened the public hearing.

No one from the audience wished to speak.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adopt **Resolution 2018-224** approving the amended development fees for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan. Roll call vote found all in favor; passed and so ordered.

8. APPROVE FINANCING PLAN FOR THE CONSTRUCTION OF FIRE STATIONS 94, 95, 97, AND 99; ADOPT POLICY FOR INTERFUND LOANS; AND APPROVE INTERFUND LOANS FROM THE GENERAL FUND AND INTERNAL SERVICES-EQUIPMENT REPLACEMENT FUND TO THE MASTER PLAN-PUBLIC SAFETY (FIRE) FUND

Karin Schnaider, Finance Director presented the staff report.

Thomas Watson, City Attorney announced that the City Manager recused himself from the item due to an ongoing relationship he has with the Rural District.

Mike Souza, representing Tracy Hills Project stated they are supportive of staff's recommendation and would like as much commitment as they can from Council. The Intent is to repay the public benefit money to go to the community park in Tracy Hills. Tracy Hills has agreed to give 30 acres to the City for community parks, improvement of 15 acres is the responsibility of Tracy Hills Project and 15 acres will be the City's responsibility.

City Council questions and comments followed.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Dement to adopt **Resolution 2018-225** approving Financing Plan for the construction of Fire Stations 94, 95, 97, and 99; and the purchase of apparatus and equipment for Stations 95 and 99. Roll call found all in favor; passed and so ordered.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adopt **Resolution 2018-226** approving Policy for Interfund Loans for community benefit parks with the intent to prioritize the community parks. Roll call found all in favor; passed and so ordered.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adopt **Resolution 2018-227** approving Interfund Loans from the General Fund and Internal Services-Equipment Replacement Fund to the Tracy Master Plan-Public Safety (Fire) and approve the terms and amortization schedule to repay the Interfund Loans. Roll call found all in favor; passed and so ordered.

9. ITEMS FROM THE AUDIENCE - None

10. STAFF ITEMS – Thomas Watson, City Attorney announced the Institute of Local Government will conduct AB1234 training for commissioners on December 5, 2018.

11. COUNCIL ITEMS

A. PROVIDE DIRECTION TO STAFF ON WHETHER TO CANCEL THE CITY COUNCIL MEETING SCHEDULED FOR TUESDAY, JANUARY 1, 2019

There was no one from the public wishing to speak.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Young to cancel the City Council meeting scheduled for Tuesday, January 1, 2019.

Mayor Pro Tem Vargas requested an item return to Council for discussion regarding the Animal Shelter issues raised by members of the audience. City Council unanimously supported the request.

Council Member Ransom requested that information regarding the Animal Shelter manual and how it is being utilized and what is working or not working, be included in the staff report.

Randall Bradley, City Manager stated staff will bring back an update on the Animal Shelter and work with folks that spoke under items from the audience.

Mayor Pro Tem Vargas stated the JPA - Valley Link has determined how to spend the \$10.1 million allocated by MTC. Eight million will go toward the contract for 30% design of project and completion of environmental document with completion by June 2019. The goal is to have the train on the tracks by 2024. Remaining funds will go toward

hiring and contracting of employers. Mayor Pro Tem Vargas wished her daughter a happy birthday.

Council Member Dement thanked the City Manager for making sure a monument will be placed in front of the Animal Shelter.

Council Member Young requested the Animal Shelter staff report also include information regarding other entities, MOU, and non-profits. Council Member Young stated Halloween is coming up and many people will be out in community and told people to be careful out there.

Mayor Rickman announced the following events: October 19, 2018 – Girls' Night out – Witches and Broom Sticks, October 20, 2018 – Maharani Jindan at the Grand Theatre, The Portuguese Kids - Saint Bernard's Church, October 26 at 9:30 p.m. Mayor Rickman wished his eldest daughter a happy birthday.

Council Member Young wished her son a happy birthday.

12. ADJOURNMENT – Time: 9:39 p.m.

**ACTION:** Motion was made by Council Member Dement and seconded by Mayor Pro Tem 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 October 11, 2018. The above are action minutes. A recording is available at the office of the City Clerk.

ATTEST:

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Mayor

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City Clerk