

October 19, 2021, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

Mayor Young called the meeting to order at 7:12 p.m.

Roll call found Council Members Arriola, Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young present.

Mayor Young led the Pledge of Allegiance.

Pastor Kevin James, New Creation Bible Fellowship offered the invocation.

1. CONSENT CALENDAR – Following the removal of consent item 1.C by Robert Tanner motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to adopt the consent calendar. Roll call found all in favor; passed and so ordered.
 - 1.A. ADOPTION OF OCTOBER 5, 2021 CLOSED SESSION, SPECIAL MEETING AND REGULAR MEETING MINUTES – **Minutes were adopted.**
 - 1.B. APPROVE AN AMENDMENT TO THE AGREEMENT WITH TYLER TECHNOLOGIES, INC. TO EXTEND THE TERM FOR THREE YEARS, WITH AUTOMATIC ONE-YEAR RENEWAL PERIODS THEREAFTER AND FIND THAT IT IS IN THE BEST INTEREST OF THE CITY TO FOREGO THE REQUEST FOR PROPOSALS PROCESS FOR THESE SERVICES– **Resolution 2021-143** approved an amendment to the agreement with Tyler Technologies, Inc.
 - 1.D. AUTHORIZE THE CITY OF TRACY TO BECOME AN ADDITIONAL MEMBER OF THE CALIFORNIA COMMUNITY HOUSING AGENCY (CalCHA); SUPPORTING CalCHA'S ISSUANCE OF TAX-EXEMPT BONDS FOR THE PRODUCTION, PRESERVATION, AND PROTECTION OF ESSENTIAL MIDDLE-INCOME HOUSING, AND AUTHORIZE THE CITY MANAGER TO ENTER INTO PUBLIC BENEFIT AGREEMENTS WITH CalCHA FOR MIDDLE-INCOME RENTAL HOUSING CREATED WITHIN CITY LIMITS– **Resolution 2021-144** authorized the City of Tracy becoming an additional member of the California Community Housing Agency.
 - 1.E. AUTHORIZE THE ACCEPTANCE OF \$20,000 FROM THE 2021 STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FOR FUNDING ALCOHOL RELATED PROGRAMS TO REDUCE YOUTH ACCESS TO ALCOHOL AND INCREASE SAFETY IN THE COMMUNITY AND APPROVE THE APPROPRIATION TO THE POLICE DEPARTMENT BUDGET FOR FISCAL YEAR 21/22 - **Resolution 2021-145** authorized the acceptance of \$20,000 from the 2021 State of California Department of Alcoholic Beverage Control.

- 1.F. AMEND CITY COUNCIL CODE OF CONDUCT TO ADD LANGUAGE REQUIRING COUNCIL REPRESENTATIVES ON EXTERNAL BOARDS TO RECEIVE POLICY DIRECTION PRIOR TO FISCALLY OBLIGATING THE CITY VIA BOARD ACTION – **Resolution 2021-146** approved the amendment to the City Council Code of Conduct.
- 1.G. APPROVE THE SUBMITTAL OF A COMMENT LETTER FOR THE I-205 MANAGED LANES PROJECT EXPRESSING SUPPORT FOR THE PROJECT AND RECOMMENDING LOCATIONS ALONG THE I-205 CORRIDOR TO BE CONSIDERED FOR THE FUTURE MOBILITY HUB FOR THE CITY OF TRACY – Council approved the submittal of a comment letter for the I-205 Managed Lanes Project.
- 1.H. ADOPT A RESOLUTION MAKING FINDINGS AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ALL BOARDS AND COMMISSIONS OF THE CITY OF TRACY FOR THE PERIOD FROM OCTOBER 19, 2021 THROUGH NOVEMBER 19, 2021 PURSUANT TO ASSEMBLY BILL 361 – **Resolution 2021-147** approved making findings and authorized remote teleconference meetings of the City Council and Boards and Commissions for the period of October 19, 2021 through November 19, 2021.
- 1.I. APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 4083 - TRACY HILLS VILLAGE 9A, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2021-148** approved the Final Subdivision Map and Subdivision Improvement Agreement for Tract 4083 – Tracy Hills Village 9A.
- 1.J. APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 4084 - TRACY HILLS VILLAGE 9B, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2021-149** approved the Final Subdivision Map and Subdivision Improvement Agreement for Tract 4084 – Tracy Hills Village 9B.
- 1.K. APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 4037 - KT PROPERTY II, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2021-150** approved the Final Subdivision Map and Subdivision Improvement Agreement for Tract 4037 – KT Property II.
- 1.L. APPROVE THE DEFERRED IMPROVEMENT AGREEMENT FOR TRACY HILLS - PHASE 1B, AND AUTHORIZE THE CITY CLERK TO FILE THE DEFERRED IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2021-151** approved the Deferred Improvement Agreement for Tracy Hills – Phase 1B.

- 1.M APPROVE THE DEFERRED IMPROVEMENT AGREEMENT FOR TRACY HILLS - KT, TRACT 4037, AND AUTHORIZE THE CITY CLERK TO FILE THE DEFERRED IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – Resolution 2021-152 approved the Deferred Improvement Agreement for Tracy Hills – KT, Tract 4037.
- 1.C. WAIVE SECOND READING AND ADOPT ORDINANCE 1318, AN ORDINANCE OF THE CITY OF TRACY AMENDING TRACY MUNICIPAL CODE SECTION 6.36 TO INCREASE THE NUMBER OF CANNABIS BUSINESS PERMITS FOR RETAILERS-STOREFRONT (DISPENSARIES) TO ONE DISPENSARY PER 10,000 RESIDENTS EXCEPT FOR PERMITS AWARDED AS PART OF THE 2020/2021 COHORT

Robert Tanner pulled the item to state Council is more concerned with the number of applicants for cannabis stores and the City does not need to go beyond four stores.

There were no comments from Council.

ACTION: Motion was made by Council Arriola and seconded by Mayor Pro Tem Vargas to adopt **Ordinance 1318**, an ordinance of the City of Tracy amending Chapter 6.36, Commercial Cannabis Activity, of the Tracy Municipal Code regarding retailer – storefront permits. Roll call found Council Members Arriola, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Bedolla opposed.

2. ITEMS FROM THE AUDIENCE – Wes Huffman suggested Council give \$20,000 to Tracy Tree from Measure V money and have them start planting as soon as they receive it.

Alex Monceaux asked if the non-competitive cannabis licenses process is still being looked at or is over.

Bill Dean, Interim Development Services Director responded an item will be coming back on November 2, 2021, to look at guidelines and present questions to Council on non-competitive.

Alice English spoke about the October 5, 2021 Economic Development workshop and staff was not forthcoming on some information, but overall it was good information. Ms. English shared concerns regarding Mayor Pro Tem Vargas having a personal vendetta with the Fire Department.

Mayor Pro Tem Vargas disagreed with the comments made and misinformation.

Robert Tanner shared concerns regarding pot holes in front of Tracy Hospital, Tracy Blvd caving in from Lowell to Eaton, and encouraged Council to have staff fix these issues and stop worrying about cannabis.

Dan Evans shared concerns about Department Heads resigning, old legacy governance, Mayor Young and Mayor Pro Tem Vargas supporting commercial development outside of our City, and the City needing leadership.

Mayor Young responded to Mr. Evan's comments and shared why she supported Mayor Pro Tem Vargas at the AMPM grand opening in Modesto, and stated the owner of that station was a supporter of the Tracy Mayor's Benefit.

3. REGULAR AGENDA

Bob Adams, Interim City Manager announced item 3.C. will be pulled and will come back to Council at a later date.

3.A PUBLIC HEARING TO CONSIDER APPROVING THE TRACY HILLS PHASE 2 PROJECT, WHICH INCLUDES APPROVING A GENERAL PLAN AMENDMENT, INTRODUCING AN ORDINANCE APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT, AND APPROVING A VESTING TENTATIVE SUBDIVISION MAP TO CREATE 1,470 SINGLE-FAMILY RESIDENTIAL LOTS AND VARIOUS OTHER PARCELS ON APPROXIMATELY 1,143 ACRES LOCATED SOUTH OF I-580, WEST OF CORRAL HOLLOW ROAD. THE APPLICANT IS JOHN PALMER. APPLICATION NUMBERS GPA21-0001, SPA21-0003, AND TSM20-0003

Scott Claar, Senior Planner provided the staff report.

Robert Armijo, Senior Engineer introduced Frederik Venter, Kimley-Horn and responded to Council's questions.

Frederik Venter, Kimley-Horn provided information regarding the Tracy Hills Phase 2 traffic study and responded to questions.

City Council questions followed.

John Palmer, Tracy Hills Project Manager provided a presentation on Tracy Hills Phase 2 and introduced the speakers on behalf of Tracy Hills.

Mike Souza, Project Manager, Tracy Hills provided information on phasing of traffic improvements along Corral Hollow and Lammers Road.

Michael Shrock, Urban Arena spoke about Tracy Hills open space and trails.

City Council comments and questions followed.

Gail, member of Tri Valley Cares shared concerns regarding how close Tracy Hills is to the Lawrence Livermore Laboratory Test Site 300. Tracy Hills and residents need to be proactive in stopping bomb blasts and provided a website address for information: TriValleyCares.org.

Alice English shared concerns about the use of roundabouts, heavy traffic, trucks using overpass for staging, could have got grants to widen the overpass, a Police substation in south Tracy, and the length of time it takes to go from one end of Tracy to another.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to adopt **Resolution 2021-153** approving a General Plan Amendment for Tracy Hills Specific Plan Area Application Number GPA21-0001. Roll call found Council Members Arriola, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Bedolla opposed.

Adrienne Richardson, City Clerk read the title of the proposed ordinance.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to waive the reading of the full text and introduce **Ordinance 1319**, an ordinance of the City of Tracy approving an amendment to the Tracy Hills Specific Plan for the Tracy Hills Phase 2 project – Application Number SPA21-0003. Roll call found Council Members Arriola, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Bedolla opposed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to adopt **Resolution 2021-154** approving a Vesting Tentative Subdivision Map for the Tracy Hills Phase 2 Project to create 1,470 single-family residential lots and various other parcels on approximately 1,143 acres located south of I-580, west of Corral Hollow Road, Application Number TSM20-0003. Roll call found Council Members Arriola, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Bedolla opposed.

3.B AUTHORIZE STAFF TO NEGOTIATE A DEVELOPMENT AGREEMENT WITH RIDGE CAPITAL RELATED TO PROPERTY AT THE SOUTHWEST CORNER OF I-205 AND PARADISE ROAD

Bill Dean, Interim Development Services Director provided the staff report and responded to questions.

Trevor Smith, Ridge Capital provided a presentation and responded to questions.

Council comments and questions followed.

Alice English stated no roundabouts because of all the trucks. Trucks and commute traffic are dangerous.

City Council comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to authorize staff to negotiate a Development Agreement with Ridge Capital. Roll call found Council Members Arriola, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Bedolla opposed.

3.C RECEIVE A PRESENTATION AND ACCEPT THE CITY-WIDE URBAN FOREST MANAGEMENT PLAN (UFMP) – Bob Adams, Interim City Manager pulled the item to return at a later date.

3.D RECEIVE AN UPDATE ON DOWNTOWN PARKLET DESIGN STANDARDS

Michael Nimon, Economic Development Manager provided the staff report, presentation and responded to questions.

Karen Moore asked if they were still going to have tents or awnings in the downtown area.

Council questions and comments followed.

Council accepted the update on Downtown Parklet Design Standards.

4. ITEMS FROM THE AUDIENCE – Karen Moore expressed concerns regarding a Council Member and staff attending Brews with Government Crews and stated the City needs to use Section 3 of the Code of Conduct and commence an investigation.

Bob Adams, Interim City Manager clarified staff's involvement and stated it was not advertised as a fundraiser, rally or support of a particular candidate, was strictly to talk to government officials about issues in the community and did not have a definition of political event.

Alice English stated last Saturday Southside, United Sikhs and DARE got together to support the DARE program, shared comments regarding the Economic Development meeting held on October 5, 2021, Mr. Sandhu bringing a college to south Tracy but in outside of Tracy city limits, and Council breaking Code of Conduct and Ethics.

5. STAFF ITEMS – Bob Adams, Interim City Manager provided an update on the following actions taken by the Interim City Manager during the COVID emergency:

- Accepted improvements for Tracy Hills Neighborhood Park 2 within the dedicated park site in Village 7A, Tract 3955, constructed by Tracy Phase 1, LLC.

6. COUNCIL ITEMS – Council Member Bedolla announced the Scouting for Food Drive. Until November 13, 2021, Troop 525 will have a donation container at City Hall for donations of non-perishable items especially canned food. Donations will stay local in Tracy so please donate as resources go to families in need.

Mayor Pro Tem Vargas requested support to see if land uses around industrial areas are being designated for truck staging, truck fueling and a discussion about assigning areas for the development of truck stops and truck uses. Council Member Arriola seconded the request.

Mayor Pro Tem Vargas addressed comments made by the public about Council not being forward thinking or planning ahead. It is not that this Council does not have a vision, sometimes initiatives do not pass, and it is up to us to go back to the drawing board. The public is being misinformed. Mayor Pro Tem Vargas spoke about her dedication to the community, concern about budget increases, public shaming elected

officials, and shared her appreciation of the Mayor and Council's leadership and working as a team.

Council Member Arriola wished everyone a happy Halloween and shared his concerns regarding redistricting. The Sacramento Bee did an article about the City of Tracy and the potential of being redistricted, the possibility for our Congressional, Assembly and State Senate seats to be redistricted more into the Bay Area. As elected officials we work with our regional partners and lobby in Washington D.C. to fight for things for this community and encouraged the community to get involved with the redistricting project. More information is available on the following website: www.wedrawtheline

Council Member Davis requested support for a discussion to consider creating and implementing a critical resources and infrastructural strategic plan to prioritize support for public safety, hospitals, libraries and things of that nature. Developers are our community partners but not necessarily the saving grace for every single infrastructural need the City has, and the City should be able to do some of those things without relying on the development of housing. Council Member Arriola supported the request.

Council Member Davis mentioned there are hearts all over the City, and she had attending the unveiling of the hearts and artists were there from the region, and encouraged the public to get out and view the public art, which will be auctioned on November 4, 2021, at the Grand Theatre.

Council Member Davis reported on the League of California Cities Annual Conference.

Council Member Davis congratulated Jordan Martinez who just graduated as an Army Infantryman and thanked him for serving the USA.

Mayor Young announced the Candy Crawl downtown on October 23, 2021, and a Halloween event at the Tracy Municipal Airport on October 30, 2021. Mayor Young reported on meetings and events she has attended.

7. ADJOURNMENT – Time: 10:30 p.m.

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

The above agenda was posted at the Tracy City Hall on October 14, 2021. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk