

February 1, 2022, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

Mayor Young called the meeting to order at 7:35 p.m.

Mayor Young asked for a moment of silence to recognize the recent loss of two dedicated public servants - Michael Scriven, who was a construction Inspector in the Developments Services Department, tragically lost his life on January 18. Captain Max Fortuna, the Stockton Fire Captain who was killed in the line of duty on January 31, 2022.

Mayor Young led the Pledge of Allegiance.

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

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

Michael Rogers, City Manager presented the Employee of the Month Award for February to Carissa Lucas, City Manager's Office.

Mayor Young presented a proclamation for Black History Month to Yolande Barial Knight, President of Tracy African American Association.

Gurneel Boparai, Field Representative from Assemblymember Carlos Villapudua's office provided a legislative update.

1. CONSENT CALENDAR – Following the removal of consent item 1.D by Council Member Davis 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 JANUARY 18, 2022 CLOSED SESSION AND REGULAR MEETING MINUTES – Minutes were adopted.
 - 1.B ADOPT A RESOLUTION AMENDING THE CITY'S CONFLICT OF INTEREST CODE FOR DESIGNATED CITY OFFICERS AND EMPLOYEE CLASSIFICATIONS AS REQUIRED BY THE POLITICAL REFORM ACT - Resolution 2022-009 approved the amendment to the City's Conflict of Interest Code.
 - 1.C AUTHORIZE THE APPROPRIATION OF \$760,000 FROM AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE AND STORM DRAIN ARREARAGES – Resolution 2022-010 authorized the appropriation from ARPA funds for the arrearages.
 - 1.D AUTHORIZE AMENDMENTS TO THE CITY'S CLASSIFICATION AND COMPENSATION PLANS AND MASTER SALARY SCHEDULE RELATING TO THE HOMELESS SERVICES MANAGER

JoAnn Weberg, Human Resources Manager provided the staff report and responded to questions.

Council Member Davis pulled the item to state she would have liked a conversation with the Homeless Advisory Committee about the rate and job duties and asked if the position requires outside help from consultants, who did staff compare this with (agencies and cities), would the person be responsible for writing and seeking grants and how would they have any oversight with the opening of the facility.

Midori Lichtwardt, Assistant City Manager responded to Council questions.

Alice English asked what City the one comparison was from, what warrants having \$120,000 a year for this position, is it a permanent position, and stated Police Officers deserve more and are under paid.

Dan Evans stated the Homeless Services Manager is a position 27% higher than starting for Police Officer. The City has a crime issue that needs to be addressed, and place public safety as a priority. The City has money available to go into Police salaries and for training. Homelessness is a problem, and we need to get a handle on the homeless shelter project now.

Burnell Shull suggested the position should not be paid over \$80,000 a year because it is unknown what they can produce, should not be a permanent position, and give the rest of the money to Police. Someone needs to work on crime in Tracy.

Council questions and comments followed.

Council Member Davis requested the record reflect her support of the Homeless Services Manager position, but she feels the pay is too much for right now.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla to adopt **Resolution 2022-011** authorizing amendments to the City's Classification and Compensation Plans and Master Salary Schedule relating to the Homeless Services Manager. Roll call found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Mary Mitracos announced the Tracy Tree Foundation has received a donation of \$20,000 from the California Foundation for Stronger Communities and intends to use the money to foster trees to plant at the Nature Park.

Dotty Nygard, Director of Tracy Earth Project stated they have partnered with Tracy Bike Rides, HUD and Trips for Kids and spoke about a youth program and a bike repair program they will be launching. Ms. Nygard added they have been advocating for the last six months for the need for a bike park and in the past three weeks have petitioned 550 signatures from the community asking that we look at our community improvement projects addressing the refurbishing of a park and to designate for a pump track for our youth. Ms. Nygard submitted the Bike Park Proposal Packet and petition to the Clerk and announced that Tracy Earth Day will be celebrated April 23, 2022.

Mitchell Harnett supported the Tracy Bike Life and Ms. Nygard's initiatives. Mr. Harnett provided statistics on the growing cycling industry, shared the benefits of bike parks, and asked Council to hear their voice.

Mayor Pro Tem Vargas asked if staff has received information about the cost of a bike park. Mayor Pro Tem Vargas clarified Mr. Harnett's comment from the audience that the cost of a bike park is approximately \$50,000.

Robert Tanner referred to a letter to the Editor regarding a resident calling the Police Department to do enforcement of masks in church and the response by Police was they do not work for the Governor. This City said they were not going to enforce mask mandates, so Police should have said they work for the City Manager and Council and if they desire to enforce it they should have said something. Mr. Tanner shared his concerns regarding fireworks, seven cannabis consortiums looking downtown without restrictions, Council approving a \$200,000 fence to put on CIP list as did not have funds but in the first quarter update it was announced the City has \$5 million in sales tax.

Mayor Young responded to Mr. Tanner's comments regarding the fence.

Alex Monceaux stated on December 13, 2021, cannabis applicants had to submit what their community benefit was going to be and was told they would hear back on January 24, 2022 but have not heard back yet. Mr. Monceaux asked about the updated time regarding the community benefit.

Michael Rogers, City Manager stated he would get that information and report back and also when CUP applications will be accepted as requested by Mayor Pro Tem Vargas.

Alice English stated there is still time for input on the State Route 239 project and shared information regarding the project and route. There may be one more workshop through NEPA and encouraged input by February 4, 2022 under website: SR239project.net.

Burnell Shull shared her concerns regarding the scheduled 7:00 p.m. regular meetings starting late due to earlier meetings. Ms. Shull suggested giving the homeless new tents on that land, bring them food and portapotties. It would cost less money per month and find out who really wants to live out there. Also, there is no reason the City cannot have transportation for those who want counselling.

Mayor Young responded to Ms. Shull's comments and clarified the agenda process.

Karen Moore, Tracy Earth Project stated she supported creating a CIP for one of the parks that is slated for an upgrade for a bike park. Ms. Moore explained the difference between a bike park and trail. The cost depends on the amenities and size and provided some cost examples. Ms. Moore also provided a website address for more information: Tracyearthproject.com.

Kyle Surkovich stated he builds bike parks, and shared the benefits of a bike park, and added regarding the cost there is a lot the City can do to get grants and donations to build a bike park. It is a great investment for the City.

3. REGULAR AGENDA

3.A RECEIVE THE ANNUAL REPORT ON SENIOR SERVICES FOR THE 2020 AND 2021 CALENDAR YEARS

Amanda Jensen, Recreation Coordinator and Jolene Jauregui-Correll, Recreation Services Manager provided the staff report.

There was no public comment.

Council accepted the report.

Council questions and comments followed.

Michael Rogers, City Manager stated staff will summarize a list of senior issues and provide to Council as requested by Council Member Arriola and Mayor Pro Tem Vargas.

Jolene Jauregui-Correll, Recreation Services Manager responded to Council questions regarding the process for seniors that have issues and the ability to get information/notifications in Spanish and English. Ms. Jauregui-Correll also stated Exhibit B to the staff report contains the summary of the current senior needs, concerns, and recommendations.

Council accepted the Annual Report on Senior Services for the 2020 and 2021 calendar years.

3.B RECEIVE THE ANNUAL REPORT OF THE YOUTH ADVISORY COMMISSION

Amanda Jensen, Recreation Coordinator introduced Youth Advisory Commissioners Manasvini Kala and Sashank Kala who provided the staff report and responded to questions.

There was no public comment.

Council questions and comments followed.

Council accepted the Youth Advisory Commission Annual Report.

3.C RECEIVE THE ANNUAL REPORT OF THE TRANSPORTATION ADVISORY COMMISSION

Gary Cooper, Transportation Advisory Commissioner provided the staff report and responded to questions.

There was no public comment.

Council questions and comments followed.

Council accepted the Transportation Advisory Commission Annual Report.

3.D RECEIVE THE ANNUAL REPORT OF THE PARKS AND COMMUNITY SERVICES COMMISSION

Todd Lieberg, Parks and Community Services Commission Chair and Vice Chair Jacy Krogh provided the staff report and responded to questions.

There was no public comment.

Council questions and comments followed.

Karen Moore clarified her previous comment about the bike park stating it was \$3.5 million for San Jose. This Commission has been helpful in directing us on what to do and how to get support, and hoped the bike park ends up in a CIP this year.

Council accepted the Parks and Community Services Commission Annual Report.

3.E APPOINTMENT OF CITY COUNCIL SUBCOMMITTEES AND AN ALTERNATE TO INTERVIEW APPLICANTS TO FILL TWO TERM EXPIRATIONS ON THE BOARD OF APPEALS, THREE TERM EXPIRATIONS ON THE PLANNING COMMISSION AND ONE VACANCY AND ONE TERM EXPIRATION ON THE MEASURE V RESIDENTS' OVERSIGHT COMMITTEE

Adrienne Richardson, City Clerk provided the staff report.

William Muetzenberg requested that whoever is on the subcommittee consider what kind of qualities the City is looking for in a Planning Commissioner – are they going to look at sustainability, walkability, alternatives to car use as the City expands. The current model of master plan communities affects the daily lives of our community members, and urged Council to think about the questions they ask applicants and are they looking to advance equity, advance sustainability and environmental justice.

Mayor Pro Tem Vargas asked if staff could develop interview questions that are unique to each board and include equity, connectivity as it is time to update. Michael Rogers, City Manager agreed.

Mayor Young responded maybe there is an opportunity to also send the questions to Council to weigh in on.

Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to appoint the following Council subcommittees and alternates to interview applicants for the following Board/Commissions/Committee: **Board of Appeals** – Council Member Arriola and Council Member Davis. Council Member Bedolla as alternate. **Planning Commission** – Mayor Pro Tem Vargas and Council Member Bedolla. Council Member Arriola as alternate. **Measure V Residents' Oversight Committee** – Council Member Davis and Mayor Young. Mayor Pro Tem Vargas as alternate. Roll call found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – There was no public comment.
5. STAFF ITEMS – Michael Rogers referred to agenda item 3.B on the January 18, 2022 agenda and stated he was proud to report back that both developers have been reimbursed.

Michael Rogers, City Manager stated there are five draft infrastructure master plans open for public comment period. Virtual public meeting for Water and Storm Drainage Master Plans will be held on February 14, 2022, 4:00 p.m. – 5:30 p.m. and virtual public meeting for Parks Public Facilities, and Public Safety Master Plans will be held on February 16, 2022, 4:00 p.m. – 5:30 p.m. Additional information available on the City's website.

6. COUNCIL ITEMS – Council Member Davis paid respects to the family of Mr. Almason who was killed on his ranch and asked for an update or report on statistics for violent crimes and plans for addressing violent crimes as the City grows. Council Member Davis attended the vigil on Saturday at St. Paul's Church, and thanked the Police Chief and Police officers that attended to show respect and support for the family. The update on statistics for violent crimes could be through memo or discussion. Mayor Pro Tem Vargas supported the request.

Council Member Davis stated there was a Point-In-Time count in Tracy on January 27, 2022 which was facilitated through multiple agencies and was particularly happy to participate in the outreach and learned a lot. There is more work to do to address needs including mental health and substance abuse services. Great job by everyone who participated and community members who came out to support.

Council Member Davis stated she supported the bike park and hoped a Council Member would support a conversation. Mayor Pro Tem Vargas stated she has it on her list.

Council Member Davis asked for clarification regarding delaying the temporary housing facility and asked to be addressed by staff to keep the citizens and Council first, abreast of what is happening with the housing facility. Is it being delayed, can staff do a better job keeping the public informed via the City's website. Council Member Arriola supported the request.

Council Member Davis stated it is Black History Month and she hoped everyone has an opportunity to learn about Black History.

Council Member Davis also gave condolences to the family of the firefighter who lost his life.

Mayor Young confirmed with Michael Rogers, City Manager that the violent crime statistics will be included in the Police Department's Annual Report on March 15, 2022. Council Member Davis agreed that would suffice.

Mayor Young stated Council received an updated email from Ms. Carrera regarding the timing for the temporary shelter but did not know what has been done for the public and a homelessness update on the website.

Council Member Arriola wanted to commemorate Black History Month and stated it is great the City raised the Pan-African flag. In regard to the shelter, Council Member Arriola requested some kind of PR notice or update on the website. Biweekly or monthly updates were previously requested which Council has not yet seen. Council Member Arriola added the website was updated to have a section about the homelessness strategic plan but was hoping to get updates on the shelter space as well. Council Member Arriola requested adding to the CIP list the bike park and pump track park. Council Member Bedolla seconded the request.

Mayor Pro Tem Vargas referred to the Mayor's written report regarding all meetings she has attended over the past month and asked about the Megaregional Transportation meeting adding it was interesting reading the notes and highlights of projects in Tracy.

Mayor Young spoke about the I-205 expansion. Included is the I-205 off ramp at IPC. It was brought up about how to interlink Valley Link within the megaregion, how to include and involve Valley Link.

Mayor Pro Tem Vargas asked Mayor Young about the summary on the South San Joaquin County Fire Authority special meeting and the meeting topic.

Mayor Young responded it was a special closed session on personnel issues. Nothing City Council should know at this time. Whenever anything comes up, she will start including in the report and is trying to make it simpler and consolidate to monthly instead of every Council meeting.

Mayor Pro Tem Vargas stated she reconvened with the City Attorney to seek advice on how to word her previous request and requested support to agendize a review of options to regulate groups attempting to influence legislation in the City. This covers our employees and how they could be affected by statements made on social media that are not true and influence on how people can do their work.

Mayor Young asked the City Attorney if the policy we have regarding people registering as lobbyist, is something that could be expanded on.

Greg Rubens, Interim City Attorney responded that is part of it - influencing the legislation. The reason it is described that way is to make it broad enough to look into the different areas that might encompass and report back to Council. Mr. Rubens added he wanted to look at what other cities are doing and see if there is a way to include in that definition some of the activities that Mayor Pro Tem Vargas is talking about. It may not be possible to do that because there are some significant issues involving media organizations where there might be limitations. Mayor Young supported looking into it.

Mayor Pro Tem Vargas supported the bike park and asked the City Manager about trees being removed and not replaced stating there were a bunch of non-fruiting pear trees being cut and removed at City Hall. The same request happened a couple of years ago in Ritter Park where they cut all the eucalyptus trees and Plascencia Fields where all the redwoods were cut due to not watering during the drought. Mayor Pro Tem Vargas wanted a memo or discussion to understand why they are being cut and if there is any kind of replacement. Council Member Arriola seconded the request.

Mayor Pro Tem Vargas sent condolences to Eric Almason's family and friends and loved ones, shared the sentiment of Council about the passing of the senseless killing of Stockton firefighter adding her heart goes to Stockton community, family and loved ones, and wished everyone a happy Valentine's Day and celebration of love.

Council Member Bedolla stated the open Council item #468 about a proposal for permanent support of housing to see if there are property owners who are interested in selling to the City or to a development partner. If it gets approved by Council, could one of the respondents to that be the City (city owned land). From what he read the answer is yes, could tiny homes count as permanent supportive housing. Is that Council item broad enough to include the City responding if there are opportunities and if it could be tiny homes.

Midori Lichtwardt, Assistant City Manager asked for clarification if there is City owned land and if the City could build tiny homes and have that qualify as permanent supportive housing.

Council Member Bedolla responded eventually yes that is what he would be asking. There is an open Council item and wanted to see if that is broad enough to get the process going to see if there are private parties willing to work with the City. If it goes out to proposal could the City be one of the respondents and do tiny homes count as permanent supportive housing. Mayor Pro Tem Vargas supported clarification.

Michael Rogers, City Manager responded based on the open item, what you are saying is clarification. This is very important as it is another item that is on the list to make sure that staff has clear direction on many of these items, so you have helped staff to get to a good rapport that is meaningful for this body.

Council Member Bedolla asked if Council has the policy discretion to prevent or divest funds managed by the Treasurer from fossil fuel companies that is their main business, not like conglomerates. Council Member Arriola seconded a memo to investigate that.

Mr. Rubens responded we could start with a memo to look at what kind of authority or discretion we have to direct some investments or prohibit investments in fossil fuel companies.

Council Member Bedolla requested support to agendaize a discussion for the City's residential power supplier to the City of Tracy switched to Brilliant 100 program with a grace period for businesses. Council Member Arriola supported the request.

Council Member Arriola added there are multiple options the City can do for public properties. Right now we are set at the lowest one that has more renewable energy than PG&E. There is a higher option that costs a few dollars more and it provides all carbon free energy. It is an option for cities, commercial and residential and confirmed with Council Member Bedolla that was what he wanted. Council Member Arriola seconded that request.

Mayor Young stated she will be providing her report in written form and can be attached to the agenda and planned to put links in the electronic copy and people can go online to see the agendas of the meetings she is a part of.

Mayor Young acknowledged Black History Month and raising of the Pan-African flag. Mayor Young also offered condolences to Eric Almason's family and spoke about not receiving information regarding his vigil. Mayor Young also offered condolences to the many other ones that are in between the cracks that someone did not put out there and a number of people have passed from various things over the past month including the ones we did a moment of silence for at the beginning of the meeting.

Mayor Young wished everyone a happy Valentines and her daughter a happy 25th birthday for February 7, 2022.

7. ADJOURNMENT – Time: 10:29 p.m.

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

The above agenda was posted at the Tracy City Hall on January 27, 2022. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk