

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

February 22, 2022, 6:00 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy

1. Mayor Young called the special meeting to order at 6:06 p.m.
2. Roll call found Council Members Arriola, Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young present.
3. ITEMS FROM THE AUDIENCE – Robert Tanner stated the City needs ten more Police Officers and another squad car and shared his concerns regarding Police response time. Mr. Tanner spoke about regular Council meetings starting later than the scheduled 7:00 p.m. start time and suggested adding the language used on special meetings to the agenda.

Mayor Pro Tem Vargas asked if that can be adjusted going forward.

Michael Rogers, City Manager responded when it comes to the agenda Council sets the language in the agenda. That would need to come from Council.

Greg Rubens, Interim City Attorney referred to Tracy Municipal Code Section 2.04.020 which states the regular meetings start at 7:00 p.m. There is not technically a violation arriving a little late, but as a courtesy in the future we could announce when we will come back.

Karen Moore spoke about a sustainability park she had visited in Las Vegas that showed how to be sustainable in their climate, how they process water and provide drinking water for their City. Ms. Moore sent an email to Council with the idea for Tracy along with grant money for California.

4. DISCUSS AND PROVIDE DIRECTION RELATED TO THE CURRENT CONDITION AND POTENTIAL RENOVATION OF RITTER FAMILY BALL PARK

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

Council questions and comments followed.

Dotty Nygard spoke about two aspects to look at for grant writing, one being in underserved area and the other sustainability, solar, shade structures, trees, and compostable toilets. Ms. Nygard also spoke about showcasing part of Tracy off I-205, an opportunity to shine, hit key ideas for a sustainable park, making it multi-use and also for parking lots, make permeable services and not always having to using slurry seal.

Alice English stated the project is overdue, quality of life has been a priority along with amenities and infrastructure and all falls in public safety including lighting, parking. Gives an opportunity to redesign the ballpark to neighborhood park type and better to serve all the residents. Tracy does deserve better and for this park to be redesigned.

Robert Tanner hoped Council would put Ritter Ball Park at the top of the list, only park that kids can play football, has been run down and suggested putting it ahead of some of the other items, not necessarily the Aquatics Park, and spend the money on the park.

Dino Margaros, Tracy Friends Foundation stated it is a legacy facility, important for our youth, no other facility for football, it's infill and not sprawl. Without a plan or design the City can't apply for grants. There was talk about bonding but need funding from somewhere to get things operational. Great facility but is past its time and prime. Tracy Friends is willing to help Parks and Community Services with what they need to do.

Karen Moore stated grant money is out there and shared example sent to Council which had a link to the City of Fremont who received \$8.5 million through the grant system through public park, their website shows the community meetings and input and final drawings. Ms. Moore added there needs to be outreach and she would love to see this park revitalized for the community.

A caller stated she is a part of the youth sports in Tracy, has used Ritter for practices and agreed with previous speakers. It is a park infill that needs to be put to the top of list and shared concerns regarding homeless people, sewer and bathroom problems, parking lots where kids have to run across the street, fixing and maintaining the field and making it a priority.

Council comments and questions followed.

It was Council's consensus to do something with the park. Council supported renovating the Ritter Park facility and making it a priority and supported funding the design.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Vargas to add Ritter Family Ballpark as a Measure V amenity.

Karin Schnaider, Finance Director clarified it is an unfunded Measure V and tonight we are seeking funding for design and not construction. It was added in 2017. It was moved to the back of the line as unfunded.

Council Member Arriola tabled his motion until the next item.

Brian MacDonald, Parks and Recreation Director clarified Council's consensus was all support renovating Ritter Family Ballpark and also support making it a priority to fund the design and add sustainability.

Michael Rogers, City Manager clarified this is not the appropriate time for this particular action. This item is Council direction. Staff wanted to hear this is a priority and the funding piece will be discussed at another time whether it is Measure V or General Fund or any other types of funds, but it puts staff on notice it is a priority for us and we need to be ready to go once the funding is determined however the funding is determined.

Mayor Young responded we have given information, and input and said it is a priority but have not voted as to where that will come from.

Greg Rubens, Interim City Attorney responded that is correct Council is not making final decisions but is giving direction on how to proceed to make sure that it is included in future decisions regarding how the Measure V project and this

particular park improvement. Council has given direction that they want this to become a priority and staff will be working to bring that back for Council to make the funding decisions that they would make in the future.

ACTION: Motion was made by Council Member Bedolla and seconded by Mayor Pro Tem Vargas to direct staff to bring funding on this issue back to Council for the improvements at Ritter Park. Roll call vote found all in favor; passed and so ordered.

Mayor Young clarified bringing back the funding for Ritter Park at a later time but could still be discussed as part of the Measure V discussion.

Council Member Davis stated out of an abundance of caution because there is a lot of information about the Aquatic Center, she recused herself from Item 5 and also the remainder of the meeting. Time: 7:33 p.m.

5. RECEIVE AN UPDATE ON MEASURE V REVENUE PROJECTIONS AND CURRENT SPENDING PLAN AND PROVIDE DIRECTION TO STAFF REGARDING PROJECT PRIORITIES AND PROJECT DELIVERY OPTIONS

Karin Schnaider, Finance Director provided the staff report regarding projected cash flow and inflationary impacts.

Richard Joaquin, Parks Planning and Development Manager provided an update of each of the funded and unfunded projects.

Council questions and comments followed.

Mary Mitracos referred to the Comprehensive Financial Report and requested \$1 million for the Nature Park for construction documents and spoke about the need for the construction documents to get grants. Ms. Mitracos shared her surprise that Council is negotiating with Surland regarding the Aquatics Center. On the presentation it looks like negotiations are going on with developer for the Aquatics Center.

Todd Lieberg stated he did not hear staff address the ongoing litigation and lawsuit that has been filed regarding Surland, the acquisition of land or the \$10 million Surland promised, \$2 million has been paid but what is the status of outstanding \$8 million. Mr. Lieberg encouraged the City to retake the Aquatic Center project to have control, continue to ensure aquatics are a priority for the City. Everyone loves idea of renovating Ritter Family Ball Park – great project but there is not enough to fund everything and advocated for the Aquatics Park.

Robert Tanner shared his support for the Aquatic Center and putting the Multi-Gen Rec Center on hold and use the funds for Ritter Park.

Dotty Nygard advocated for a bike park adding it is an unfunded project but reiterated the high need and desire in this community for that park. There are partnerships that can bring this to fruition and transportation grant money as well as Measure K money.

Sandy Taylor thanked Council for moving the Aquatic Center project forward. Aquatics is still a priority and top amenity that is desired and felt they have a seat at the table.

Prabh spoke about schools overflowing and asked if schools and roads are planned. Corral Hollow Road is cramping in peak times.

Terri Goularte spoke about Ritter Sports Park needing much attention to the parking, restrooms, field and lighting. It's a perfect location, and there are no other football fields in Tracy where the kids can play.

Michel Bazinet spoke about projected Measure V funds in excess of \$200 million to build ball fields, Aquatic Center and Rec Center, the improvement of the City's financial situation due to increase in tax revenues and having funds to fully build in a single phase in the next few years as well as Nature Park and Ritter Park. High quality amenities lead to higher quality life which attract higher quality employers.

Karen Moore supported going out for funding and moving projects so that they would be completed faster, looks forward to utilizing the facilities and regarding the bike park suggested, much like Ritter Park, the City finds a park that needs updating and go out for grant money to get conceptual designs.

Denise Kanner spoke about Tracy Tomorrow committee back in the 1990's to build an Aquatic Center. Have been waiting for Aquatic Center for generations and think getting this complete would be a great thing and requested making the Aquatic Center a top priority.

Rebekah Martin stated her children swim for the Tracy Titans and the Aquatic Center has been talked about for the 17 years they have lived in Tracy and shared support for a steady and consistent place for them to practice and have meets and requested making the Aquatic Center a top priority.

Frank Morelos stated the City needs to build the Aquatic Center so kids can compete and be a viable part of the community by learning how to safely be around water. Older generations and Tracy Titans will use it, and bring in five different communities on event days. The costs continue to rise every year and this should not to be tabled any longer.

Marsha McCray stated it has been a long time getting the Aquatic Center designed by the community for the community and reiterated all projects before Council are worthy but the Aquatic Center has been put aside in favor of other projects and hoped Council would take advantage of the opportunity to allocate and approve funding to get it built in one phase and follow through with their commitment to get the project completed.

Tiffanie Heben spoke in support of moving forward with funding and construction of a Multi-Generation Center that will include Library space as part of its amenities. Ms. Heben provided a brief history regarding the Tracy Library Branch and stated it is time to add another Library to our community. Ceilani park is a great location for a library.

Edward Graham stated he has been a longtime proponent for completion of Legacy Fields and thanked Council for getting that done last year. Mr. Graham spoke in favor of getting the Aquatic Center and gymnasium done. Time to make Tracy the envy of surrounding communities.

Ram stated he wanted to stand corrected on his email he had sent Council and requested deleting the email. Ram stated it is a good thing to have an Aquatic Center and requested before starting the project to do plan of a self-sustaining water source.

Money was talked about, but no one talked about the fundamental requirement which is water. Ram shared Dublin's experience with their Aquatic Center and opening during a drought. Ram also requested having one bicycle loop in the City.

Council comments and questions followed.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Vargas to add Ritter Family Ball Park as a Measure V amenity, adopt three recommendations by staff and commit \$1 million of Measure V Funds for the design of phase 1 of the Nature Park. Use Measure V funds.

1. Allocating \$40 million (\$31 million from Measure V and \$9 million other sources) to the Multi-Generational Recreation Center project and proceed with one phase only of construction.
2. Expansion of debt financing to include the Rec Center for \$31 million and commit Measure V reserves to the Aquatic Center's \$55 million (City) budget and avoid phasing of the project.
3. Commit \$3 million in Measure V funds to begin the feasibility and design study of Ritter Family Ball Park.

Ms. Schnaider requested clarification of whether all of the recommendations remain Measure V or the \$1 million dollars recommending a different funding source.

Council Member Arriola responded he is asking to use Measure V funds. As long as it does not affect the timelines of the other projects, his intent was to use \$1 million of Measure V funds for the Nature Park. Mayor Pro Tem Vargas seconded the clarification.

Roll call found all in favor; passed and so ordered.

6. **COUNCIL ITEMS AND COMMENTS** – Mayor Pro Tem Vargas referred to the memo sent by staff regarding cannabis which triggered her memory about the state licenses closing in March. In order for applicants to be eligible to be registered, they need to have the process through CUP on the books already. Mayor Pro Tem Vargas did not believe the City is moving fast with the permitting and asked staff to look into allowing the applicants to move forward with the CUP permitting and have the permitting parallel and if they don't pass the LiveScan then they do not move forward. Council Member Arriola seconded the request.

Mayor Young said that was seconded at the last meeting.

Greg Rubens, Interim City Attorney responded that the recollection of the direction was to look into that.

Mayor Pro Tem Vargas said she did not want the applicants to be missing the deadline.

Mr. Rubens responded there is a policy that has been adopted that is referred to in the ordinance and he would look to see if there is some language staff can work with.

Michael Rogers, City Manager stated a briefing memo just came out today.

Mayor Pro Tem Vargas responded she had seen the memo but it does not speak about permitting and state license. Still missing information.

Mr. Rogers responded staff will have a follow up memo to answer specifically the questions that Mayor Pro Tem Vargas put forward.

Mayor Pro Tem Vargas proposed to instruct the editing of our process of meeting start time. It could be a 7:00 p.m. or soon after and would leave it to the Attorney or City Manager to draft that language. Mayor Pro Tem Vargas asked for support to change that language on our agenda so people understand when Council is in Closed Session it may be running late, as they are doing City business and sometimes cannot stop.

Mayor Young asked to alter her request stating there are a number of items that she has regarding the agenda and how it is to be written out, and maybe there are some things that can be done automatically and administratively by the City Manager for agenda layout.

Mayor Pro Tem Vargas responded to comments made by Council Member Davis at the last meeting stating she did not intend to accuse any Council Members of participating with Transparent Tracy. Her intention was to ask Council Member Davis if she knew who is managing a website. Council Member Davis denied any involvement with Transparent Tracy and explained she owns another website named Tracy Triangle News. At the February 15, 2022 meeting Council Member Davis said on three separate occasions that she filed a formal complaint with the City Manager's office. The complaint basis was violation of Section 3.3.1 and 3.3.2 of the Council Code of Conduct. Mayor Pro Tem Vargas stated she is in opposition of Council Member Davis's opinion and invited Ms. Davis to follow through with her unwarranted threats, and will not be bullied by a fellow Council Member or websites whose intent is to spread misinformation with the purpose of harming our employees or anyone in the community. However, Mayor Pro Tem Vargas acknowledged Council Member Davis's remarks concerning the adverse impact and erosion of the public's trust and welcomed Council Member Davis to join in uncovering who is behind this slandering website.

Council Member Arriola thanked staff for the efforts made today adding this is the brunt of our local government. Council Member Arriola announced he received notice from Assistant City Manager Midori Lichtwardt that there is a freeze warning in affect from 2:00 a.m. Wednesday, February 23 to Friday, February 25, 2022 at 9:00 a.m., and reiterated that we do have a warming center available at the Good Shephard Church on the corner of Parker and Eaton and is open from 7:00 p.m. to 7:00 a.m. For additional information for that or other area call 211.

Council Member Bedolla stated he was glad we are hearing conversation about cold weather, moving projects forward and doing everything we can for the community. Council Member Bedolla stated he had community members reach out with an interest in aluminum tiny homes and they are in a position where they have offered to donate approximately 50 aluminum framed tiny homes that are easily transportable, easily stored and can be set up almost everywhere. Communities throughout California have used them with great success. Council Member Bedolla was looking for support for the City to work with those interested in providing aluminum framed tiny homes at the shelter site in time for the Fall 2022 opening. Mayor Pro Tem Vargas seconded the request.

Council Member Bedolla clarified some community members told him that they are concerned that some type of housing that provides some type of privacy, a locking door is not going to be there at the time of the shelter opening and his intent is to make the shelter a success, so we stop hearing there is a shelter on the edge of town and people are not going to go there. Let's make this a success.

Mayor Pro Tem Vargas confirmed that she seconded the request for staff to work with the group to see if they can facilitate or donate those units.

Council Member Arriola stated that did come up during the last Homelessness Advisory Subcommittee meeting so Council Member Arriola's intent was to give an update at a regular meeting not a special meeting but essentially staff was directed and has been given information related to tiny homes and they are currently assessing it.

Mayor Young announced the next meeting is March 1, 2022, the March 15, 2022 meeting is being moved to March 29, 2022, and a special meeting on March 22, 2022 for CIP. Mayor Young thanked everyone for making the meeting successful and announced that she, along with Council Member Arriola will be attending the California Cities Board Meeting training in Walnut Creek.

7. ADJOURNMENT: Time: 9:21 p.m.

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

The agenda was posted at City Hall on February 17, 2022. The above are action minutes.

ATTEST:

Mayor

City Clerk