

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

City Hall, 333 Civic Center Plaza, Tracy

Web Site: [www.cityoftracy.org](http://www.cityoftracy.org)

Mayor Young called the meeting to order at 7:00 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.

Sheikh Abu Bakr, Islamic Youth Foundation offered the invocation.

Michael Rogers, City Manager presented the Employee of the Month Award for March to Octavio Lopez, Police Department.

Mayor Young proclaimed March as Women's History Month and March 8, 2022 as International Women's Day in the City of Tracy.

#### REGULAR MEETING – 7:00 P.M.

1. CONSENT CALENDAR – Following the removal of consent items 1.F by Robert Tanner and 1.D by Alice English 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 FEBRUARY 15, 2022 CLOSED SESSION, SPECIAL JOINT PLANNING COMMISSION AND CITY COUNCIL MEETING AND REGULAR COUNCIL MEETING MINUTES – **Minutes were adopted.**
  - 1.B APPROVE THE CITY OF TRACY 2022 REGIONAL TRANSPORTATION AND LOCAL PROJECT SUBMITTAL FOR CONGRESSIONAL APPROPRIATION REQUESTS DURING SAN JOAQUIN COUNCIL OF GOVERNMENTS' ONE VOICE TRIP TO WASHINGTON D.C. – **Resolution 2022-024** approved the 2022 regional transportation and local project submittal for Congressional appropriation requests during SJCOG One Voice trip.
  - 1.C AUTHORIZE THE APPLICATION FOR AND ACCEPTANCE OF UP TO \$200,000 FROM THE 2022 CALIFORNIA HIGHWAY PATROL CANNABIS TAX FUND GRANT PROGRAM TO FUND THE PURCHASE OF A POLICE RESPONDER VEHICLE AND APPROVE THE APPROPRIATION TO THE POLICE DEPARTMENT BUDGET FOR FISCAL YEAR 22/23 – **Resolution 2022-025** authorized the application for the acceptance of the 2022 California Highway Patrol Cannabis Tax Fund Grant Program.

- 1.E WAIVE SECOND READING AND ADOPT ORDINANCE 1326, AN ORDINANCE OF THE CITY OF TRACY AMENDING THE ZONING OF PROPERTY LOCATED NORTHWEST OF THE INTERSECTION OF THIRD STREET AND EVANS STREET, FROM LIGHT INDUSTRIAL TO MEDIUM DENSITY CLUSTER AND MEDIUM DENSITY RESIDENTIAL – Ordinance 1326 was adopted.
- 1.G REJECT ALL BIDS FOR THE LINCOLN BOULEVARD SEWER MAIN AND LATERAL REPLACEMENT PROJECT, CIP 74163, AND AUTHORIZE STAFF TO READVERTISE THE PROJECT – Resolution 2022-026 rejected all bids for the Lincoln Boulevard sewer main and lateral replacement project.
- 1.D ADOPT A RESOLUTION AMENDING THE CITY'S OPERATING AND CAPITAL IMPROVEMENT PROJECTS (CIP) BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2022, AS PROPOSED

Alice English pulled the item for clarification regarding proposed new projects: Tracy Hills for the 513-Water Capital, CIP 72095 -Traffic Signal at Corral Hollow and Valpico for \$300,000, Corral Hollow and Linne Road for almost \$1 million, Eleventh St and F Street for \$280,000.

Karin Schnaider, Finance Director provided the staff report.

Karen Moore stated Council had previously voted to put a bike park on the CIP list and at last week's meeting gave the Nature Park \$1 million and felt it was a shocking amount when a whole bike park could be built for \$250,000 or less. Ms. Moore asked if the bike park should be on this CIP list or a different one.

Mayor Young clarified on March 22, 2022 there will be an in-depth CIP discussion and that is the time Council will be looking at new items such as the bike park.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to adopt **Resolution 2022-027** amending the City's Operating and Capital Improvement Projects (CIP) budget for the Fiscal Year ending June 30, 2022, as proposed. Roll call found all in favor; passed and so ordered.

- 1.F ADOPT A RESOLUTION TO OPPOSE INITIATIVE 21-0042A1: STATE BALLOT MEASURE RESTRICTING VOTERS' INPUT AND LOCAL TAXING AUTHORITY

Robert Tanner pulled the item to state on the surface it seems like a good thing to do, it is more transparent and people have a say about taxes but would like to know why we need to do this.

Karin Schnaider, Finance Director provided the staff report.

Council questions and comments followed.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to adopt Resolution **2022-028** to oppose Initiative 21-0042A1. Roll call found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Robert Tanner shared his concerns regarding potholes and road conditions between 11<sup>th</sup> St and Lowell Ave on Tracy Blvd and stated the City needs to repair that road and spoke about the Police Department taking 15 minutes to get from I-205 to Tracy Hills and needing more Police and another car.

Burnell Shull asked if the City does the potholes repairs or is it done by another company and shared her experience with a pothole repair on her street and her concerns regarding the pothole repairs that have been done.

3. REGULAR AGENDA

- 3.A RECEIVE THE PROPERTY OWNERS REVISED LAND USE PLAN FOR THE WESTSIDE SPECIFIC PLAN PROJECT (FORMERLY TRACY GATEWAY) AND PROVIDE DIRECTION TO CITY STAFF

Alan Bell, Senior Planner provided the staff report and responded to Council questions.

Bill Wiseman, Kimley-Horn and Associates provided a presentation regarding the land use plan that is being considered and responded to Council questions.

Ali Harandi, Prologis Vice President Investment Officer and property owner representative provided a presentation describing the property proposal for the pan handle area of the Westside Specific Plan.

David Babcock, Architect and property owner representative continued with the presentation and responded to questions.

Council questions and comments followed.

Jason Lindsey, Iron Workers Local 378 advocated for the Westside Specific Plan stating it needs a balance industrial land use that produces R&D, manufacturing jobs and housing and spoke about job opportunities in the Westside Specific Plan.

Glenn Loveall, Iron Workers Local 378 spoke about consideration for workers and commitment for using apprentices, growth and local spending and tax revenue investing back in the community, reduction of vehicle miles travelled, urban sprawl and lack of environmental sustainability, and supported proceeding with the Westside Specific Plan.

Diego Hernandez, Labor International Union of North America spoke in favor of the Westside Specific Plan. There are a lot of members looking for these types of plans and requested Council move forward with the plan.

Justin DeNio, Iron Workers Local 378 stated by supporting good middle-class careers for local residents we are creating growth that works for everyone, shared the benefits of working locally and supported the Westside Specific Plan.

Ben Rivera, Sheetmetal Worker Local 104 spoke about Prologis committing to apprenticeships being a great career opportunity, opportunity to work in town, lot of time spent travelling and away from family. Mr. Rivera also spoke about the benefits and shared his support for the Westside Specific Plan.

Manny Chin stated the project allows a structure, good paying jobs and benefits which enables workers to stay local, a better work life balance, ability to pursue jobs in the trade and encouraged Council to approve the Westside Specific Plan.

Jose urged Council to move forward with the project and get residents employed, bring long term local jobs, and live and buy local. Each year gets harder with increasing traffic on I-580.

Sukhamrit Purewal spoke about public amenities that will be added with this project and asked if the public will be getting any trails or biking lanes along the corridor. Mr. Purewal also asked about the netting height and color that will be installed for the golf entertainment center, and wanted to see some highlights on what benefits we will get to promote an active community.

Zahra believed residents were clear that they do not want more industrial in the area and asked what it will take to get their voices heard. People want to see that entry point and first impression of our City as symbolic of our pride in Tracy. The City needs areas for youth and made suggestions of what to get in Tracy, asked what it takes to attract businesses to Tracy.

Burnell Shull asked the following: Why will it take 10 years to get a hospital, why are we stuck with Sutter, how many times do we have to say we don't want any more warehouses, why can't we put hospitals first and get traffic off the roads. Ms. Shull stated she is not for the Westside Specific Plan, trucks are tearing up roads and developers should be paying for school, water and amenities.

Victor Chao stated the Westside Specific Plan brings good paying middle-class jobs. Everything else will fall into place if we bring higher paying jobs. How do you enjoy any amenities if you don't have good paying jobs where you can work in town and requested Council approve the project.

Mayor Pro Tem Vargas asked Mr. Chao if this project brings good paying jobs.

Mr. Chao responded it depends on what kind of jobs they bring and he could never understand why Silicon Valley was not here. Bring robotics and factories like Heinz as they are good paying jobs.

Dan Evans stated he was concerned that what is being implied is community support for additional industrial. The City's own survey clarifies there was not an appetite for more industrial but there was support for bringing Silicon Valley companies like Facebook, Google etc. Mr. Evans added there is almost 10 million square feet of industrial in the Tracy permitting pipeline right now and suggested focusing on making it commercial like Trader Joe's, Sprouts, restaurants and not on what developers are pressuring us for.

Alice English spoke about 92 acres for industrial and 30 acres for mixed use commercial and wanting a hospital and amenities; golf entertainment is great. Economic Development has to do a better job reaching out and promoting the City, suggested putting something in writing to protect the rest of that development, and asked if we have to wait for Sutter to put in permits or bids.

Manual Zapata, resident and Sheet Metal Workers Local 104 stated it has been asked why the City has missed out on economic opportunities to other cities but every time a development is before Council people complain and ask for Trader Joe's, and Dave and Busters. Mr. Zapata shared that he worked at Costco in the ecommerce warehouse where there were head of household jobs which is what the City needs. Mr. Zapata stated he was loudly in support of the project.

Mike Souza, representative of the property owners spoke about the significant amount of inventory needed with a viable mix of uses that can support the infrastructure, so we have the areas for those people to be able to come to Tracy and build.

Dotty Nygard stated it is a well put together project. Ms. Nygard shared she has worked at Sutter for 27 years and spoke about Sutter promising a bigger hospital, have outgrown what we currently have in the City, stated Sutter can do better with hospital needs and broader capability on this end of the valley and the need to make sure they fulfill their obligation, and for a full-fledged acute care high quality healthcare system in this town, and wanted it to come sooner than 2030.

Council comments and questions followed.

Robert Armijo, City Engineer responded to Council questions.

Michael Nimon, Economic Development Manager responded to Council questions.

Greg Rubens, Interim City Attorney clarified what staff is looking for from Council is whether they are comfortable with categories of zoning and where they are laid out on the proposed land area or would Council like something different than what is proposed. The motion is what kind of mix of things Council would like as it has to come back to Council for final approval at a future date.

Alan Bell added Council is not formally approving anything tonight but looking for direction with respect to the land use plan focusing on the panhandle. Is this appropriate for staff to pursue.

Council comments continued.

**ACTION:** Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Vargas to adopt the proposed land use plan.

Mr. Rubens clarified that Council is not adopting the plan but is giving direction to staff based upon the plan that is before Council. Adoption happens at a future date.

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

3.B APPOINT TWO APPLICANTS TO SERVE ON THE BOARD OF APPEALS, TWO APPLICANTS TO SERVE ON THE MEASURE V RESIDENTS' OVERSIGHT COMMITTEE, AND THREE APPLICANTS TO SERVE ON THE PLANNING COMMISSION

Mayor Pro Tem Vargas stated because the Council subcommittee had 18 applicants including the meet and greet, requested Council to allow the subcommittee to reengage for a second interview so they can get more in-depth of things that have transpired that she learned after the interviews, things that are coming up that are very important to the City like the General Plan Amendment, Specific Plan and requested to allow herself and Council Member Bedolla to go back and reconvene and ask secondary questions to the applicants that we recommended.

Council Member Bedolla did not agree with Mayor Pro Tem Vargas's comments.

Mayor Young stated at the beginning of the meeting it was requested to pull item 3.B but she forgot so had to wait until item 3.A was finished and that is why she opened it up for Mayor Pro Tem Vargas to ask.

Greg Rubens, Interim City Attorney stated the item is whether or not the Council wants to appoint the applicants for the Board of Appeals, Planning Commission and the Measure V Residents' Oversight Committee. Those are decisions Council can make tonight. What Mayor Pro Tem Vargas is asking is whether we want to refer back to the committee to ask more questions or review it but that is not something you have to do but it is a request. To do that the whole Council has to make that decision.

Mayor Pro Tem Vargas left the meeting at 9:52 p.m.

Mr. Rubens clarified that three Council Members would have to decide whether to send any of the commissions back to the various subcommittees and it also takes a majority of the Council to approve the recommendations.

Council questions and comments ensued.

Mr. Rubens clarified procedurally there is not a motion before the Council, there is a suggestion because Mayor Pro Tem Vargas has left and does not have a motion that is pending that could be seconded. Council that is present could make a motion but there is no motion pending.

- ACTION:** Motion was made by Council Member Bedolla and seconded by Council Member Arriola to approve the following subcommittee recommendations:
- Reappoint Gerald Yerian and Hossein Ebrahimi to the Board of Appeals to serve a 4-year term beginning March 1, 2022 and ending on February 28, 2026.
  - Appoint Dan Evans to the Measure V Residents' Oversight Committee to serve the remainder of a vacated term commencing on March 2,

2022 and ending on February 28, 2023, and Jayden Sangha to serve a term commencing on March 2, 2022 and ending on February 28, 2025.

- Appoint Julius Augustus, Nasir Boakye-Boateng and reappoint Joseph Orcutt to the Planning Commission to serve a 4-year term beginning on April 1, 2022 and ending on March 31, 2026. The following candidates were placed on the 12-month eligibility list for the Planning Commission: Cynthia Lopez, Sabah Shaikh and Chad Wood.

Maurice Francis stated he was an incumbent who interviewed for the Planning Commission. He has known Council Member Bedolla since 2020, called him to talk to him but he said he was not comfortable, and conversation ended. Mr. Francis asked about the qualifications and selection criteria required to be on the Planning Commission, shared his qualifications, background and knowledge, believed he was a strong candidate for reappointment and was surprised he did not even make it to the eligibility list. Mr. Francis requested Council do another review of his application, thanked Council for the opportunity to speak and for his term on the Planning Commission.

Sukhamrit Purewal echoed the previous applicant's comments and was also a candidate interviewed, shared some of his qualifications and knowledge and stated 15 minutes is not enough interview time and agreed that Item 3.B should be delayed until Mayor Pro Tem Vargas is available. Mr. Purewal shared his concerns regarding not being considered on the 12-month eligibility list as a qualified candidate with experience with General Plan and zoning ordinances and public meetings.

Alice English stated she has been at numerous commission meetings with both Commissioner Francis and Wood and was surprised to see Chad Wood on the eligibility list – what disqualifies him from being reappointed. Ms. English shared her support for Commissioners Francis and Wood and stated she was surprised Mr. Francis was not selected or on the eligibility list.

Council questions and comments followed.

**ACTION:** Motion was made by Mayor Young that Council pull the Planning Commission appointments and take back to the original subcommittee, reinterview them, give more time, do follow up questions and be sure and confident as a subcommittee as to the names that are submitted to us in light of, in thought of the complexities of what we are looking for this commission.

Council Member Bedolla reaffirmed that the subcommittee did agree on the paper that was turned in to the City Clerk. Something happened in the last six days that is leading to political gamesmanship. Council Member Bedolla explained the Planning Commission interview process that occurred on that day.

**ACTION:** Mayor Young restated her motion to move forward on Item 3.B with the Board of Appeals and Measure V Residents' Oversight Committee recommendations and pull the Planning Commission to reconvene back to the subcommittee to reinterview the same applicants if any and all who are willing to be reinterviewed and come back at either the March 22 or March 29, 2022 Council meetings to

bring back subcommittee recommendations that the Council subcommittee agree upon. There was no second to the motion.

Mayor Young stated there was a motion on the floor by Council Member Bedolla and seconded by Council Member Arriola to accept the recommendations as is and asked Council Member Arriola if he still stood by his second to the motion. Council Member Arriola confirmed he still stood by his second to the motion.

Council comments ensued.

Roll call found Council Members Arriola, Bedolla and Davis in favor of the appointments to the Measure V Residents' Oversight Committee, Board of Appeals and Planning Commission; passed and so ordered. Mayor Young was in favor of the appointments to the Board of Appeals and the Measure V Residents' Oversight Committee but not in favor of the appointments to the Planning Commission. Mayor Pro Tem Vargas absent.

3.C APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE AND AN ALTERNATE TO INTERVIEW APPLICANTS TO FILL TWO TERM EXPIRATIONS ON THE TRANSPORTATION ADVISORY COMMISSION

Adrienne Richardson, City Clerk provided the staff report.

There was no public comment.

**ACTION:** Motion was made by Council Member Arriola and seconded by Council Member Davis to appoint Council Member Davis and Council Member Arriola to the subcommittee and Mayor Young to serve as alternate to interview applicants to fill two term expirations on the Transportation Advisory Commission. Roll call found Council Members Arriola, Bedolla, Davis and Mayor Young in favor; passed and so ordered. Mayor Pro Tem Vargas absent.

4. ITEMS FROM THE AUDIENCE – Adrienne Richardson, City Clerk stated an email was received from Dotty Nygard regarding the Tracy Earth Project and a number of emails thanking Council for the funding of the Aquatic Center.

Mayor Young announced the Tracy Earth Project event on Saturday, April 23, 2022 from 9:00 a.m. to 1:00 p.m. located at 9<sup>th</sup> Street adjacent to the Farmer's Market.

Alice English invited everyone to the South Side Community Organization new board member installation on Thursday, March 3, 2022 at 6:00 p.m. Ms. English recommended after what happened tonight that Mayor Pro Tem Vargas should not be making any committees for any commission as it is not the first time she has had to leave and leave a Council Member hanging which is a disservice. Thanked the two Council Members for supporting that decision. There is a reason why you selected the other two so respect that and appreciate supporting each other on this decision.

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



- Award of purchase to Weco Industries, LLC for CUEQ C550 Sewer main line camera.
6. COUNCIL ITEMS – Council Member Davis attended Bike Life and had a great time, met cool kids and parents and thanked all involved. It was great to see bikes donated through the Fire Department and the Stem program. Council Member Davis thanked the Police Department for addressing traffic complaints with speeding and red light runners.

Council Member Arriola stated the Bike Life event was incredible and a great opportunity for our young people. Council Member Arriola provided an update on the Homelessness Advisory Committee meeting and hoped the community has seen the biweekly update on social media. The ultimate summary is that the shelter itself because of several legal complications and financial reasons has been pushed back to Fall. Council Member Arriola added the two items he and Council Member Davis have moved forward will be a transition plan for moving people from El Pescadero Park to the shelter and also assessment of tiny homes project. Progress is being made but slower, but we are diligently working on this issue. Council Member Arriola also announced he and Mayor Young had attended the Statewide Cal Cities Board meeting and it was interesting to see tough conversations with a board of Mayors and Council Members throughout the state and the differences and challenges faced. The discussion included public safety and social equity and the City of Tracy is the most represented City on the board and are looking forward to continuing to be a strong voice.

Mayor Young submitted her Council reports for the month of February into the record. Next Tuesday 9:00 a.m. is the State of the City. The Tracy Chamber of Commerce is hosting.

7. ADJOURNMENT – Time: 10:44 p.m.

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

The above agenda was posted at the Tracy City Hall on February 24, 2022. The above are action minutes. A recording is available at the office of the City Clerk.

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Mayor

ATTEST:

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City Clerk