

April 5, 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 7:05 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.

Rabbi Levi Meijers, Chabad of Tracy Jewish Center offered the invocation.

Michael Rogers, City Manager presented the Employee of the Month Award for April to Eileen Solario, Human Resources.

Mayor Young presented the Volunteer of the Month Proclamation to John Giel.

Mayor Young presented the California's Arts, Culture and Creativity Month Proclamation to Anna Cross, Cultural Arts Manager, Arts Commission Vice Chair Cynthia Reis, and Arts Commissioner Trevor Skinner.

Mayor Young acknowledged the passing of former Mayor Michael Maciel by issuing a proclamation honoring his service to the City of Tracy.

Mayor Young presented Certificates of Appointment to new Planning Commission appointees, Julius Augustus and Nasir Boakye-Boateng.

#### REGULAR MEETING – 7:00 P.M.

1. CONSENT CALENDAR – Following the removal of consent item 1.C by Michael Rogers, City Manager 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 MARCH 29, 2022, CLOSED SESSION MINUTES – **Minutes were adopted.**
  - 1.B APPROVAL OF STEELCASE FURNITURE FOR THE TRACY TRANSIT STATION AND AUTHORIZATION FOR THE PURCHASE OF FURNITURE FROM ONE WORKPLACE, OF SANTA CLARA, CALIFORNIA, IN AN AMOUNT NOT TO EXCEED \$225,000 UNDER THE CALIFORNIA MULTIPLE AWARD SCHEDULES PROGRAM.  
– **Resolution 2022-038** approved steel case furniture for the Tracy Transit Station and authorizing the purchase from One Workplace of Santa Clara, California
  - 1.C AWARD A CONSTRUCTION CONTRACT TO GRADE TECH, INC. OF SAN RAMON, CALIFORNIA, IN THE AMOUNT OF \$1,978,480 FOR THE TEMPORARY EMERGENCY HOUSING PROJECT ON ARBOR AVENUE,

DEMOLITION, ROUGH GRADING AND UNDERGROUND UTILITIES CONSTRUCTION PHASE 1, CIP 71112, WITH A NOT-TO-EXCEED BUDGET OF \$2,473,100, AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$197,848, IF NEEDED – ITEM WAS PULLED FROM AGENDA

2. ITEMS FROM THE AUDIENCE – Dottie Nygard shared concerns regarding the current drought situation and asked Council to establish an Environmental Committee, we are facing a critical time, and requested the City share a plan with the community on best possible practices to conserve water. Ms. Nygard invited everyone to Earth Day activities on April 23, 2022.

Mayor Pro Tem Vargas asked when environmental committee would be coming back and requested an update in memo form. Michael Rogers, City Manager responded that there are water items planned for May.

Mayor Young clarified that this was regarding a commission or committee. Mr. Rogers responded that he would provide that information in memo form.

Dan Evans shared concerns about clean up on the drainage canal on Schulte Road stating the debris left is a fire hazard. Mr. Evans thanked Tracy City Center Association for organizing Taps on 10<sup>th</sup>, thanked the Tracy Sikh Festival organizers, and thanked Tracy Police Department for being visible during downtown activities over the weekend and making citizens feel safe.

Mr. Rogers clarified that there is ongoing clean-up efforts in the drainage ditches. The City is still working with getting trucks to remove debris and stated staff will do better in communicating with the community.

3. REGULAR AGENDA

3.A APPROVE A COMMUNITY BENEFITS AGREEMENT TEMPLATE FOR COMMERCIAL CANNABIS BUSINESSES

Victoria Lombardo, Senior Planner provided the staff report and responded to questions.

Deanna Garcia thanked Council for bringing safe access and use of cannabis to the City of Tracy.

Michelle Trew thanked Council for bringing the item back and shared support for agreement template.

Dotty Nygard asked about a projected timeline of the process and thanked the City for being a progressive community.

Mayor Young asked staff if a timeline can be shared at this time. Ms. Lombardo responded that it is all on a case-by-case basis and the City responds to each application within 30 days.

Council discussion continued.

**ACTION:** Motion was made by Council Member Arriola and seconded by Council Member Davis to adopt **Resolution 2022-039** approving template for Community Benefits Agreement for Cannabis Businesses. Roll call found Council Members Arriola, Bedolla, Davis and Mayor Young in favor; passed and so ordered. Mayor Pro Tem Vargas opposed; passed and so ordered.

3.B APPROVE AN EMPLOYMENT AGREEMENT BETWEEN BIJAL PATEL AND THE CITY OF TRACY TO SERVE AS CITY ATTORNEY

Kimberly Murdaugh, Director of Human Resources provided the staff report.

There was no public comment.

There were no Council comments.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to adopt **Resolution 2022-040** approving an employment agreement between Bijal Patel and the City of Tracy to server as City Attorney. Roll call found all in favor; passed and so ordered.

3.C CONTINUATION OF THE PUBLIC HEARING TO CONSIDER A PROPOSED INCREASE TO SOLID WASTE RATES AND APPROVAL OF RATE STUDY, DISCUSS OTHER FUNDING OPTIONS, AND ADOPT THE PROPOSED RESOLUTION INCREASING SOLID WASTE RATES AT THE CONCLUSION OF THE PUBLIC HEARING

Connie Vieira, Management Analyst II and Marva Sheehan with HF&H Consultants, LLC. provided the staff report and presentation and responded to questions.

City Council questions and comments followed.

Mayor Young opened the public hearing.

Dotty Nygard shared her concerns for the seniors and fixed-income residents during these trying times, asked about utilizing the cost savings and revenue to offset some of the costs for the residents and requested the City put together a good plan and do its due diligence for a better solution.

Robert Tanner asked why Delta is not offering a 35 gallon can since other cities are doing so.

Raj Singh shared concerns over financial difficulties that all are facing regarding pandemic, rising gas costs.

Karen Moore shared concerns that this is not a well thought out process, if done correctly costs should not be so high and that the disposal company should be prepared with all the needed equipment.

Mayor Young closed the public hearing.

Council questions and comments followed.

Council Member Arriola shared his appreciation to staff, and concerns regarding Option 3 but supported Options 1 and 2 and wanted a parallel education program so that those that are in need get assistance.

Mayor Pro Tem Vargas supported Options 1 and 2 but did not support Option 3. Mayor Pro Tem Vargas asked about apartment complexes.

Council Member Davis supported Options 1, 2 and 5, shared concerns over the rates, and asked about potential application of grants.

Mayor Young shared concerns about container sizes, supported Options 1 and 2 and asked about bulk pick-ups.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to adopt **Resolution 2022-041** approving the proposed increase to Solid Waste Rates with the recommendation of Option 1 and 2.

Council Member Arriola requested a friendly amendment to also increase access for low-income program enrollment. Mayor Pro Tem Vargas agreed with the friendly amendment.

Mayor Young clarified that will specify the education. Council Member Arriola seconded specifying the education.

Roll call found Council Members Arriola, Bedolla, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Davis opposed.

Mayor Young requested a recess at 9:53 p.m.

Mayor Young reconvened the meeting at 10:06 p.m.

3.D PUBLIC HEARING TO CONSIDER A TIME EXTENSION OF THE DEVELOPMENT REVIEW PERMIT FOR THE TRACY ASSISTED LIVING AND MEMORY CARE FACILITY (D19-0019) LOCATED ON APPROXIMATELY 2.73 ACRES AT THE NORTHWEST CORNER OF CORRAL HOLLOW ROAD AND ALEGRE DRIVE (2050 W. GRANT LINE ROAD) – THE APPLICANT IS RACHEL MARQUIZ, MEDCORE, LLC, FOR TRACY ASSISTED LIVING, LLC; APPLICATION NUMBER EXT21-0003

Alan Bell, Senior Planner provided the staff report.

Rachel Marquiz, Development Manager from Medcore Partners LLC. representing the owner provided additional information regarding the project and request for extension.

Mayor Young opened the public hearing.

There was no public comment.

Mayor Young closed the public hearing.

Council comments followed.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to adopt **Resolution 2022-042** approving a three-year time extension of the Development Review Permit for Tracy Assisted Living and Memory Care Facility located on approximately 2.73 acres at the Northwest Corner of Corral Hollow Road and Alegre Drive, (2050 W. Grant Line Road, Assessor's Parcel Numbers 238-190-25 and-26) application number EXT21-0003. Roll call found all in favor; passed and so ordered.

3.E WITH RESPECT TO THE PROPOSED FINANCING OF LEGACY FIELDS SPORTS COMPLEX, PHASE 1E:

1. CITY COUNCIL HOLD A PUBLIC HEARING RELATING TO THE ISSUANCE OF LEASE REVENUE BONDS BY THE TRACY PUBLIC FINANCING AUTHORITY
2. CITY COUNCIL ADOPT A RESOLUTION APPROVING THE ISSUANCE OF LEASE REVENUE BONDS BY THE TRACY PUBLIC FINANCING AUTHORITY AND RELATED DOCUMENTS AND ACTIONS
3. TRACY PUBLIC FINANCING AUTHORITY BOARD OF DIRECTORS ADOPT A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF LEASE REVENUE BONDS, AND APPROVING RELATED DOCUMENTS AND ACTION

Karin Schnaider, Finance Director announced due to some noticing that needed to occur we will not be taking action on #3 which will come back to Council on April 19, 2022. Ms. Schnaider provided the staff report.

Mayor Young opened the public hearing.

Robert Tanner asked if the leasing revenue bonds end when Measure V ends or does it continue after.

Mayor Young closed the public hearing.

There were no Council comments.

**ACTION:** Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Vargas to adopt **Resolution 2022-043** approving documents and actions relating to the issuance and sale of bonds in the Aggregate Principal Amount of Not-To-Exceed \$22,000,000 by the Tracy Public Financing Authority to provide financing for public improvements to be owned and operated by the City, approving related documents, and directing related actions. Roll call found all in favor; passed and so ordered.

3.F ADOPT RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL TAX BONDS FOR THE PURPOSE OF FINANCING AUTHORIZED

FACILITIES, AND APPROVING AND AUTHORIZING RELATED DOCUMENTS AND ACTIONS

Karin Schnaider, Finance Director provided the staff report.

Mayor Young opened the public hearing.

There was no public comment.

Mayor Young closed the public hearing.

There were no Council comments.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to adopt **Resolution 2022-044** authorizing the issuance and sale of Special Tax Bonds for the purpose of Financing Authorized Facilities and approving and authorizing related documents and actions. Roll call found all in favor; passed and so ordered.

3.G INTRODUCE AN ORDINANCE OF THE CITY OF TRACY ADOPTING A MILITARY EQUIPMENT USE POLICY PURSUANT TO CALIFORNIA ASSEMBLY BILL 481

Sekou Millington, Police Chief provided a brief history regarding the item.

Trevin Freitas, Police Lieutenant provided the staff report.

Mayor Young opened the public hearing.

Robert Tanner urged Council to approve this item.

Mayor Young closed the public hearing.

Council expressed appreciation to Tracy Police Department for sharing information with Council.

Necy Lopez, Deputy City Clerk read the title of proposed ordinance.

**ACTION:** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to waive the reading of the full text and introduce **Ordinance 1327** an ordinance of the City of Tracy adopting a Military Equipment Use Policy pursuant to California Assembly Bill 481. Roll call found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – There was no public comment.

5. STAFF ITEMS – There were no staff items.

6. COUNCIL ITEMS – Council Member Davis announced the following: Attended an event at the Sikh Temple, also attended the United Sikhs Community clean up and wanted to acknowledge the 5<sup>th</sup> graders that came out to assist. Taps on 10<sup>th</sup> and Tower of Power

concert were both great successes. Congratulated Tracy Resident and Gold Star Mom Julia Conover for being honored as Woman of the Year by Assembly Member Carlos Villapudua. Attended California Memorial Monument Fundraiser breakfast raising money to erect a monument to honor veterans. Council Member Davis requested a memo regarding what is happening with construction regarding widening at Linne and Corral Hollow Roads. Mayor Pro Tem Vargas seconded the request.

Council Member Arriola asked for the study of the viability of the Measure W Cannabis Tax reduction for businesses. Mayor Pro Tem Vargas supported the request. Wished everyone a Happy Easter.

Mayor Pro Tem Vargas shared updates on the following: Valley Link, attendance at the Well Water Education for Latino Leaders adding she will share findings with Council and emailed City Manager regarding upcoming bills regarding water, hosted a meeting with Union Pacific Railroad and discussed potential collaboration of resources regarding blight, homelessness, Valley Link, and the Bow Tie. Will be participating at the Delta College annual retreat and Valley Link will participate at Earth Day activities. Requested an ADHOC committee for one year period that focuses on environmental issues. Wished everyone a Happy Easter.

Council Member Bedolla shared his experience and his takeaway from the League of Cities and seminars that shared information on office and retail that is not currently being used and converting that into permanent supportive housing. Had an opportunity to speak with Senator Feinstein's staff and thanked them for the hard work, asked for support on funding for broadband and more reliable water supplies. Council Member Bedolla reported on his attendance at the Well Water Education for Latino Leaders and will be sharing some resources for conservation.

Mayor Young announced the following meetings and special events she has attended: Ribbon cutting event for the Visionary Home Builders affordable housing for Veterans in Stockton, Tracy Chamber hosted the State of the City, attended an Endo-American Federation Unity dinner in Fremont, P3 Conference in Dallas Texas and will share with Council later this week, celebrated the 100<sup>th</sup> Anniversary for the Kiwanis in Stockton and Celebration of Life for Reverend Dr. Zacchaeus Dunham Jr. Mayor Young also wished everyone a Happy Easter and a safe spring break, and thanked Tracy Police Department for arresting the suspects in the murder of Justin Peoples.

7. ADJOURNMENT – Time: 11:07 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 March 31, 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