

April 19, 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 7:01 p.m.

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

Mayor Young announced the meeting was a joint meeting of the Tracy City Council and the Tracy Public Financing Authority and the Authority would vote on actions related to Consent Item 1.F and Regular Item 3.B.

Mayor Young led the Pledge of Allegiance.

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

Police Chief Sekou Millington swore in Officers Estefania Rodriguez, Brock DeWitt, John Hostetler, and Gabriel Silva.

Mayor Young presented Certificates of Congratulations to the San Joaquin County Mock Trial Winners from Tracy High School.

Mayor Young presented the Earth Day Proclamation to Dotty Nygard.

Mayor Young presented the National Child Abuse Prevention Month 2022 Proclamation to Pastor Kevin James, New Creation Bible Fellowship.

REGULAR MEETING – 7:00 P.M.

1. CONSENT CALENDAR – Necy Lopez, Deputy City Clerk noted that the Resolution for Consent Item 1.B should have included the Tracy African American Association also known as TAAA, in the “Now therefore be it resolved” section of the Resolution. The City Clerk’s Office will correct the Resolution prior to signing. Council Member Bedolla expressed his gratitude to staff for all the work in acquiring the funds for Item 1.K, the Recycled Water Expansion Project. 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 22, 2022 SPECIAL MEETING MINUTES, MARCH 29, 2022 SPECIAL MEETING MINUTES, APRIL 5, 2022 CLOSED SESSION AND APRIL 5, 2022 REGULAR MEETING MINUTES– **Minutes were adopted.**
 - 1.B APPROVE PERMITS FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY STREETS FOR VARIOUS SPECIAL EVENTS OF COMMUNITY-WIDE INTEREST OCCURRING IN 2022.– **Resolution 2022-045** approved permits for the

consumption of alcoholic beverages on City streets for various special events of community-wide interest occurring in 2022.

- 1.C APPROVE A RESOLUTION AUTHORIZING A FIXED BASED OPERATOR AND LEASED FACILITY AGREEMENT WITH RIYAS ENTERPRISES, LLC AT TRACY MUNICIPAL AIRPORT. – **Resolution 2022-046** authorized a Fixed Based Operator and Leased Facility Agreement with Riyas Enterprises, LLC at Tracy Municipal Airport.
- 1.D AUTHORIZE AMENDMENTS TO THE CITY’S CLASSIFICATION AND COMPENSATION PLANS, MASTER SALARY SCHEDULE AND POSITION CONTROL ROSTER RELATING TO THE PARKS PROJECT COORDINATOR – **Resolution 2022-047** authorized amendments to the City’s Classification and Compensation Plans, Master Salary Schedule and Position Control Roster relating to the Parks Project Coordinator.
- 1.E ADOPT A RESOLUTION MAKING FINDINGS AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ALL LEGISLATIVE BODIES OF THE CITY OF TRACY FOR THE PERIOD FROM APRIL 22, 2022 THROUGH MAY 22, 2022 PURSUANT TO THE BROWN ACT – **Resolution 2022-048** made findings and re-authorized remote teleconference meetings of the City Council and all Legislative Bodies of the City of Tracy for the period of April 22, 2022, to May 22, 2022, pursuant to the Brown Act.
- 1.F APPROVAL BY THE TRACY PUBLIC FINANCING AUTHORITY OF A DEBT MANAGEMENT POLICY – **Resolution TPFA-2022-001** approved a Debt Management policy for Tracy Public Financing Authority.
- 1.G AUTHORIZE THE CITY OF TRACY’S PARTICIPATION IN THE EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA) FOR EMPLOYMENT PRACTICES LIABILITY COVERAGE AND AUTHORIZE SUBMISSION OF APPLICATION TO ERMA – **Resolution 2022-049** authorized participation in the Employment Risk Management Authority (ERMA) for Employment Practices Liability Coverage and authorize submission of application to ERMA.
- 1.H AUTHORIZE GRANT APPLICATION, ACCEPTANCE AND EXECUTION FOR THE RECYCLED WATER EXPANSION PROJECT – **Resolution 2022-050** authorized grant application, acceptance and execution for the Recycled Water Expansion Project.
- 1.I WAIVE SECOND READING AND ADOPT ORDINANCE 1327, AN ORDINANCE OF THE CITY OF TRACY ADOPTING A MILITARY EQUIPMENT USE POLICY PURSUANT TO CALIFORNIA ASSEMBLY BILL 481 – **Ordinance 1327** adopted a Military Equipment Use Policy pursuant to California Assembly Bill 481.
- 1.J ADOPT A RESOLUTION AMENDING THE CITY’S OPERATING AND CAPITAL IMPROVEMENT PROJECTS (CIP) BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2022, AS PROPOSED AND AUTHORIZE THE BUDGET OFFICER TO AMEND THE CITY’S POSITION CONTROL ROSTER FOR FY2021-22 – **Resolution 2022-051**

amended the City's Operating and Capital Improvement Projects (CIP) Budget for the Fiscal Year ending June 30, 2022, as proposed.

- 1.K 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 – **Resolution 2022-052** awarded a construction contract to Grade Tech, Inc. for the Temporary Emergency Housing Project on Arbor Avenue.

2. ITEMS FROM THE AUDIENCE – Tim Silva expressed his concerns regarding the cell tower at Ritter Park not being aesthetically pleasing and or matching the surrounding aesthetics and asked what the disconnect is between the Council, staff, and the community.

Melinda Ramirez requested additional EV charging stations with a possible two-hour time limit and a potential charge.

Robert Wagner shared concerns regarding disrepair of roads, number of potholes near the hospital, decaying signs, and asked about an additional post office and what the Council can do to assist.

Maximilian Smereka shared what drew him to Tracy was aviation, but the roads are a major problem. Has had over \$5,000 of damage to his vehicle and requested that roads be addressed.

Dave Watson provided background information on competition aerobatics and announced a competition event will be held in Tracy on June 2nd – 4th, 2022 and requested Council approve a permit to allow the event planners to hold the event for public spectators. The event will be free to the public.

Richard Ortenheim spoke about expansion of roads in addition to the road repairs and that information should be discussed prior to construction.

Robert Tanner shared his concerns regarding the number of potential cannabis storefronts and his frustration regarding the lack of an option for a 35-gallon garbage can for those on a fixed income.

Justin Bethune, member of Chapter 38 National Aviator Club shared that the upcoming aerobatic competition would be a great event for the City of Tracy.

Dale Cose shared his frustrations in constructing affordable housing and the impact fees.

Tony Vase stated he would like to build affordable housing and shared the challenges and frustrations that he has faced with getting permits and fees paid.

Tim Silva expressed support for the aerobatics event at the Tracy Airport.

Karen Moore shared her frustration regarding the vote on the solid waste program.

Necy Lopez, Deputy City Clerk announced an email was also received from Karen Moore and provided to City Council.

3. REGULAR AGENDA

3.A RECEIVE A PRESENTATION AND ACCEPT THE CITY-WIDE URBAN FOREST MANAGEMENT PLAN (UFMP)

Don Scholl, Public Works Director, David Murphy, Street Superintendent and John Newman, Internal Services Superintendent provided the staff report and responded to questions.

Pete Mitracos, President of the Tracy Tree Foundation, shared historical information regarding the foundation and the importance of collaboration between non-profit organizations and City staff. Mr. Mitracos suggested there should be a department created within the City for just trees and agrees with the proposal of a sustainability commission.

Dotty Nygard shared that the sustainability action plan has been dormant and feels that a decision needs to be made to bring this back to Council and suggested there should be a committee that assists in executing an action plan that encompasses carbon sequestration, transportation, water and waste management. Ms. Nygard stated those plans should not only include tree planting but a plan or commitment to maintain tree health and tree canopy.

Mary Mitracos echoed the sentiments of the previous speakers and requested a heritage tree ordinance in place now to protect the trees.

Tim Silva would like to see indigenous trees from the valley planted in the City, and shared information about a software satellite system that can assist in the monitoring of tree health.

William Muetzenberg stated it would be great to see more trees in the City, supported a community driven sustainability committee, and shared his thoughts on being proactive on environmental sustainability when it comes to transportation and watershed.

Alice English stated the problems with the sidewalks are not being addressed because as trees are looking for water, the roots are coming up and damaging the sidewalks, and shared concerns regarding damages to homes, driveways all due to City trees. Ms. English added citizens that are cutting down trees that are damaging their homes should not be fined for doing something that the City is not.

Karen Moore, a member of Tracy Earth Project shared her excitement for this discussion and stated there should be some fine for people to stop cutting down City trees.

Council discussion followed.

Mayor Pro Tem Vargas requested that a subcommittee for environmental sustainability be formed, where it is Council appointed and potentially Council Members can serve on that committee alongside community members.

Council discussion continued.

Council Member Arriola seconded Mayor Pro Tem Vargas's request for an Environmental Sustainability Committee.

Council discussion continued.

Council Member Arriola asked if there has been outreach to local universities for a possible MOU with urban forestry programs to see about creating a pipeline for future arborists for the City. Mayor Pro Tem Vargas supported the request.

ACTION: City Council accepted the report of the City-Wide Urban Forest Management Plan (UFMP).

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

1. 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 provided the staff report and responded to questions.

There were no public comments.

There were no Council comments.

ACTION: Motion was made by Board Member Arriola and seconded by Board Member Vargas to adopt **Resolution TPFA-2022-001** by the Tracy Public Financing Authority Board of Directors authorizing the issuance and sale of Lease Revenue Bonds to provide financing for public improvements to be owned and operated by the City of Tracy, approving related documents and directing related actions. Roll call found all in favor; passed and so ordered.

3.C APPOINT TWO APPLICANTS TO SERVE ON THE TRANSPORTATION ADVISORY COMMISSION

Necy Lopez, Deputy City Clerk provided the staff report.

Council Subcommittee Members Arriola and Davis announced their recommendations for appointment to the Transportation Advisory Commission.

Tim Silva thanked Council for his re-appointment to the Transportation Advisory Commission. Mr. Silva shared some of the programs that have come to fruition since he has served on the Transportation Advisory Commission.

Alice English thanked Council for making their selection to the Transportation Advisory Commission.

William Muetzenberg congratulated the appointees to the Transportation Advisory Commission and thanked the Commission for the work that has been done. Mr. Muetzenberg shared his frustration on the lack of connection between some of the bike lanes and advocated safety for those that use bikes as a form of transportation.

There were no Council comments.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Davis to reappoint Tim Silva and appoint Rajpal Dhillon to the Transportation Advisory Commission to serve a 4-year term beginning May 1, 2022 and ending on April 30, 2026. Roll call found all in favor; passed and so ordered.

3.D ADOPT A RESOLUTION AMENDING THE 2022 CALENDAR OF REGULAR TRACY CITY COUNCIL MEETINGS BY REMOVING THE JULY 19, 2022, AND DECEMBER 20, 2022, REGULAR MEETINGS, RESCINDING RESOLUTION 2021-174 AND CANCELLING THE JANUARY 3, 2023 REGULAR CITY COUNCIL MEETING

Necy Lopez, Deputy City Clerk provided the staff report.

Karen Moore shared her support for the amendment to the 2022 calendar of regular Tracy City Council meetings.

There were no Council comments.

ACTION: Motion was made by Council Member Davis and seconded by Council Member Arriola to adopt **Resolution 2022-053** amending the 2022 calendar of Regular Tracy City Council Meetings by removing the July 19, 2022, and December 20, 2022, Regular Meetings, rescinding Resolution 2021-174 and cancelling the January 3, 2023 regular City Council meeting. 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, City Manager announced the following: The Tracy Homeless Advisory Committee meeting will be held on Thursday April 21, 2022 at 7:00 p.m., public comment period has been extended to May 2, 2022 at 5:00 p.m. for the Transportation Infrastructure Master Plan update, and that can be done by contacting

Veronica Child at veronica.child@cityoftracy.org or call 209-831-6487, the Transportation Infrastructure Master Plan Update virtual meeting will take place on Monday, April 25, 2022 from 7:00 p.m. to 9:00 p.m., cancellation of Planning Commission and School Liaison Committee Meetings, Economic Development Strategic Planning Survey, which is online, will close on June 29, 2022, and the intern program being offered to high school students and students can apply through the City website.

6. COUNCIL ITEMS – Council Member Davis requested support for the reevaluation of MOUs and how that looks moving forward and that future MOUs have checks and balances and fiduciary accountability when partnering with outside organizations and would like an audit of funds from 2018 to current year. Mayor Young asked if the question is specifically for the 4th of July or for the whole MOU. Mayor Pro Tem Vargas supported the request. Council Member Davis also requested annual reporting and would like to see the data that supports the decline in attendance to the 4th of July parade. Mayor Young asked for clarification as to what the role of the Council is within an MOU.

Michael Rogers, City Manager read a statement regarding the changes to the July 4th festivities.

Council Member Arriola shared that there will be a Homeless Advisory Committee Meeting on Thursday, April 21, 2022 at 7:00 p.m.

Mayor Pro Tem Vargas reported on Valley Link and potential upcoming grants, shared report on the discussions with Latino Caucus about scholarships that anyone is welcome to apply. Will be participating in the Delta College retreat to expand services into Tracy. Asked for support for bus services for students that participate in the Early Path to College Program held at Delta College. Council Member Arriola supported the request.

Council Member Bedolla asked if Legacy Fields can be open to the public on a regular basis, even if it is on a one-day trial basis and challenged staff to see if there is a way that the public can use Legacy Fields without a reservation.

Mayor Young requested a discussion to look at structured fees for affordable housing. The request was seconded by Mayor Pro Tem Vargas with a friendly amendment to look at RGA's. Mayor Young agreed to the friendly amendment. Mayor Young asked regarding roads widening and repairs, is there a way when plans are being put together that can clearly define what are City of Tracy roads and what are County roads. Is there a way that can show what has been done in the last five years. Mr. Rogers responded that it can be put in a memo. Mayor Pro Tem Vargas supported a memo.

Mayor Young stated the first Thursday of every month since the 1950's have been National Days of Prayer. On May 5, 2022 from noon to 1:00 p.m. community members are invited to City Hall by the fountain to pray.

Mayor Young asked why the fountain is off. Mr. Rogers explained that it was for the optics during this time of drought. Mayor Young clarified that it was recirculated water and asked if signs can be placed near the fountain expressing that information.

7. ADJOURNMENT – Time: 10:57 p.m.

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

The above agenda was posted at the Tracy City Hall on April 14, 2022. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk