

August 16, 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 7:18 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.

Pastor Timothy Heinrich, Crossroads Baptist Church offered the invocation.

Michael Rogers, City Manager presented the Employee of the Month Award for August to Steve Abercrombie, Police Department.

1. CONSENT CALENDAR – Following the removal of Consent Items 1.C by Robert Tanner, 1.N by Council Member Davis, and 1.O by the City Manager motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt the consent calendar. Roll call found all in favor, passed and so ordered.
 - 1.A ADOPTION OF MAY 21, 2022 SPECIAL MEETING MINUTES, JULY 5, 2022, SPECIAL AND REGULAR MEETING MINUTES, JULY 12, 2022, SPECIAL MEETING MINUTES, AND AUGUST 2, 2022, SPECIAL MEETING MINUTES – **Minutes were adopted.**
 - 1.B ADOPT A RESOLUTION APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF TRACY AND HF&H CONSULTANTS, LLC TO PERFORM A SOLID WASTE RATE STUDY, INCREASING THE NOT TO EXCEED AMOUNT BY \$64,000 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$211,720 – **Resolution 2022-108** approved Amendment No. 2 to Professional Services Agreement with HF&F Consultants, LLC.
 - 1.D WAIVE SECOND READING OF FULL TEXT AND ADOPT AN ORDINANCE APPROVING A REZONE OF THE PROPERTY LOCATED AT 205 W. 9th STREET, ASSESSOR'S PARCEL NUMBER 235-052-08, FROM MEDIUM DENSITY RESIDENTIAL ZONE TO CENTRAL BUSINESS DISTRICT ZONE. APPLICATION NUMBER R22-0001 – **Ordinance 1329** was adopted.
 - 1.E ADOPT A RESOLUTION MAKING FINDINGS AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ALL LEGISLATIVE BODIES OF THE CITY OF TRACY FOR THE PERIOD FROM AUGUST 17, 2022 THROUGH SEPTEMBER 16, 2022 PURSUANT TO THE BROWN ACT – **Resolution 2022-109** adopted the findings and re-authorized remote teleconference meetings.

- 1.F ADOPT A RESOLUTION APPROVING A COMMUNITY SERVICE AGREEMENT WITH SAN JOAQUIN COUNTY TO RECEIVE A FUNDING ALLOCATION IN THE AMOUNT OF \$213,000 AND APPROPRIATION TO THE POLICE DEPARTMENT'S OPERATIONAL BUDGET TO SUPPORT THE HOMELESS OUTREACH "FAMILIAR FACES" PROGRAM – **Resolution 2022-110** approved a Community Service Agreement with San Joaquin County to receive funding allocation to support the Homeless Outreach "Familiar Faces" Program.
- 1.G ADOPT A RESOLUTION AUTHORIZING THE ACCEPTANCE OF \$13,777 FROM THE 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR FUNDING EQUIPMENT, TECHNOLOGY, AND OTHER MATERIAL DIRECTLY RELATED TO BASIC LAW ENFORCEMENT FUNCTIONS, APPROVING THE APPROPRIATION TO THE POLICE DEPARTMENT BUDGET FOR FISCAL YEAR 22/23, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AWARD ACCEPTANCE – **Resolution 2022-111** authorized the acceptance of the 2022 Edward Byrne Memorial Justice Assistance Grant.
- 1.H REJECT ALL BIDS FOR THE FIRE TRAINING TOWER APPARATUS AT NEI RESERVOIR, CIP 71109, AND AUTHORIZE STAFF TO RE-ADVERTISE THE PROJECT AFTER THE COMPLETION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW PROCESS FOR THE PROJECT SITE – **Resolution 2022-112** rejected all bids for the Fire Training Tower Apparatus at NEI Reservoir and authorized readvertising the project.
- 1.I ADOPT A RESOLUTION DECLARING "GENE BIRK PARK" AS THE NAME OF THE NEW TRACY HILLS 1B NEIGHBORHOOD PARK – **Resolution 2022-113** approved the naming of the Gene Birk Park.
- 1.J AUTHORIZE APPLYING FOR AND ACCEPTING AN UP-TO-AMOUNT OF \$5,000,000 TO THE UNITED STATES BUREAU OF RECLAMATION WATER AND ENERGY EFFICIENCY GRANT TO INSTALL A CITY-WIDE ADVANCED METERING INFRASTRUCTURE AND METER CONVERSION PROJECT AND APPROPRIATING FUNDS FROM THE WATER ENTERPRISE FUND IN THE AMOUNT OF \$2,500,000 FOR COST SHARE OBLIGATION – **Resolution 2022-114** authorized applying for and accepting an up-to-amount of \$5,000,000 to the United States Bureau of Reclamation Water and Energy Efficiency Grant and appropriated funds for cost share obligation.
- 1.K ADOPT A RESOLUTION APPROVING A MASTER SERVICES AGREEMENT WITH AXON ENTERPRISE, INC. FOR A TOTAL NOT TO EXCEED AMOUNT OF \$75,000 AND A TERM OF FIVE YEARS FOR THE PURCHASE, INSTALLATION, AND MAINTENANCE OF CAMERA AND AUDIO EQUIPMENT AND CLOUD BASED EVIDENCE SYSTEM FOR THE POLICE DEPARTMENT'S INTERVIEW ROOMS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT – **Resolution 2022-115** approved a Master Services Agreement with Axon Enterprise, Inc.
- 1.L ADOPT A RESOLUTION APPROVING THE SUBMISSION OF A CLAIM TO THE SAN JOAQUIN COUNCIL OF GOVERNMENTS FOR STATE OF GOOD REPAIR PROGRAM FUNDS IN THE AMOUNT OF \$17,528 FOR THE FISCAL

YEAR 2017-2018 PROJECT AND \$43,844 FOR THE FISCAL YEAR 2018-2019 PROJECT, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE CLAIM – **Resolution 2022-116** approved the submission of a claim to the San Joaquin Council of Governments for State of Good Repair Program Funds.

- 1.M ADOPT A RESOLUTION APPROVING AMENDMENT NO. 2 TO THE MASTER PROFESSIONAL SERVICES AGREEMENT (MPSA) FOR PROFESSIONAL LAND DEVELOPMENT SERVICES WITH SNG AND ASSOCIATES, INC. FOR A NOT-TO-EXCEED AMOUNT OF \$500,000 AND EXTENDING THE TERM TO OCTOBER 31, 2022 – **Resolution 2022-117** approved Amendment No. 2 to the Master Professional Services Agreement with SNG and Associates, Inc.
- 1.P RECOMMENDING THE ADOPTION OF A RESOLUTION 1) GRANTING AN EASEMENT FOR PUBLIC UTILITY PURPOSES TO PACIFIC GAS & ELECTRIC COMPANY ON CITY OWNED PROPERTY LOCATED AT 9251 WEST ARBOR AVENUE, AND 2) AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE GRANT DEED FOR SUCH EASEMENT **Resolution 2022-119** adopted granting an easement for public utility purposes to PG&E and the City Manager to negotiate and execute the Grant Deed.
- 1.C RECEIVE AN INFORMATIONAL REPORT REGARDING THE POLICE DEPARTMENT'S RESPONSE TO FIREWORKS COMPLAINTS AND OFFICIAL CITY EVENTS DURING THE JULY 4TH WEEKEND

Robert Tanner pulled the item to request that a staff report be provided. Captain Luis Mejia provided the staff report.

Luis Lenny with TNT Fireworks shared that the City's use of drones is cutting edge technology and fines for illegal use are low, shared that City has been a model for Safe and Sane Fireworks and thanked Council for support of Non-Profits and thanked Police and Fire for all their efforts.

Mayor Young commended Police for progress made.

- 1.N RECEIVE AN INFORMATIONAL UPDATE REGARDING THE IMPLEMENTATION OF THE FISCAL YEAR 2021-2023 MULTI-YEAR AND SHORT-TERM CITY COUNCIL STRATEGIC PRIORITIES AND WORK PLAN

Council Member Davis pulled the item to request a staff report. The staff report was provided by Vanessa Carrera, Assistant to the City Manager, Sara Cowell, Interim Finance Director, Captain Alex Neicu, and Richard Joaquin, Parks, Planning and Development Manager.

Karen Moore thanked Council Member Davis for asking for the report and stated it seems the City is heavy on the warehouses and regarding elements to the general plan and environmental justice. Tracy Alliance building that is being built close to Banta, the community should be aware that Banta is a California Disadvantaged Community that should have Environmental Justice Protection. This should be updated and enforceable within the General Plan.

- 1.0 ADOPT A RESOLUTION AUTHORIZING 1) AMENDMENTS TO THE CITY'S CLASSIFICATION AND COMPENSATION PLANS AND MASTER SALARY SCHEDULE RELATING TO THE DIRECTOR OF HOUSING AND MOBILITY, ASSISTANT CITY ENGINEER, MARKETING COORDINATOR, SENIOR PROPERTY AND EVIDENCE TECHNICIAN, POLICE CAPTAIN, POLICE LIEUTENANT, 2) REALLOCATION OF A VACANT PROPERTY AND EVIDENCE TECHNICIAN TO A SENIOR PROPERTY AND EVIDENCE TECHNICIAN, EFFECTIVE FISCAL YEAR 2022-23, AND 3) CLERICAL AMENDMENTS TO THE MASTER SALARY SCHEDULE FOR THE ASSISTANT DIRECTOR OF OPERATIONS, ASSISTANT DIRECTOR OF UTILITIES, DIRECTOR OF PUBLIC WORKS AND DIRECTOR OF UTILITIES PREVIOUSLY APPROVED BY RESOLUTION 2022-076

Michael Rogers, City Manager pulled the item. Staff Report was provided by Kimberly Murdaugh, Director of Human Resources. Ms. Murdaugh clarified that there was a correction to the Master Salary Schedule. The positions of Director of Public Works and Director of Utilities have been converted to Assistant Director for Public Works and Assistant Director for Utilities, this action also corrects the salaries listed for those positions.

There was no public comment.

There was no Council comment.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt **Resolution 2022-118** authorizing 1) Amendments to the City's Classification and Compensation Plans and Master Salary Schedule relating to the Director of Housing and Mobility, Assistant City Engineer, Marketing Coordinator, Senior Property and Evidence Technician, Police Captain, Police Lieutenant, 2) Reallocation of a Vacant Property and Evidence Technician to a Senior Property and Evidence Technician, effective Fiscal Year 2022-23, and 3) Clerical Amendments to the Master Salary Schedule for the Assistant Director of Operations, Assistant Director of Utilities, Director of Public Works and Director of Utilities previously approved by Resolution 2022-076. Roll call found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Wes Huffman, representing the American Legion and VFW, stated the replacement flag poles from the City were aluminum, come in four separate pieces and hoped to have those replaced with wooden poles that secure in two pieces, and requested that the appropriate staff member contact him or the American Legion.

Dale Cose shared the following concerns: Demolition at 714 Central Ave also known as The Great Plate and a light safety problem that took place due to demolition, called for the San Joaquin County Sheriff's Office, District Attorney or Grand Jury to conduct an investigation of Tracy Police and City staff, shared information regarding Regional Housing Numbers Allocation, shared concerns regarding impact fees, asked Council to look into issues with Amazon, and shared his opinion regarding current Council not taking the taxpayers and voters into account.

Mayor Young called for a recess at 8:15 p.m.

The meeting resumed at 8:17 p.m.

Alex Heredia, Field Representative of the Carpenters Union, shared the following: over 500 members of Union live in Tracy and travel to the Bay Area for job opportunities, member belief that there should be responsible contractors that pay area standard wages, benefits and fair share of taxes and there are some youth that have a passion for hands on physical labor and should be mentored to the benefits of what a great field construction can be and came to the City looking for a partnership on how to put the citizens of Tracy back to work in Tracy.

Fatima Ureno, Representative from Josh Harder's Office, thanked Council for the work that they are doing, shared that their office assists with issues with Federal Agencies such as USCIS, Social Security, IRS, and Veterans Affairs. If anyone is applying for a federal grant there is assistance available and encouraged everyone in attendance to subscribe to Representative Harder's newsletter: harder.house.gov or call at 209-579-5458.

Robert Tanner expressed his concerns regarding accessibility of handicap ramps for the citizens that require the use of motorized mobility scooters, requested that Council take more care for the citizens in the handicap area, and provided the City Clerk a copy of an article that was in the Tracy Press eight years ago for the record.

Andrea Brown shared her disappointment with ongoing issues at Pescadero Park and the lack of action from the Mayor when it comes to protecting the children that live near the park. Expressed that there are other locations where the homeless population can be moved to, where there are no schools, daycare centers, residential apartments, senior residential housing, or tax paying homeowners. Children that live near the school are exposed to aggressive individuals, individuals who are naked, drug use and dogs running around off their leashes.

Amber Tang representing Tracy Skates stated there is currently no safe access to the skate park. Bill Schwartz Park has an outdoor event arena but it's badly cracked and is poorly maintained, and the current meeting place is Henry Barbosa Park, but the space is too small. Events are family friendly, and asked Council to repave Bill Schwartz Park and the trails around the City.

Damian Grey thanked Council for selecting Pescadero Park for the Multi-Gen Rec Center but not optimistic about homeless encampment relocation. Neighbors in the Pescadero area have met with Police and City staff and feel that community has been told what they want to hear. The City should not be putting the homeless before the tax paying citizens and requested the City find a better place suited for this encampment and Council should have compassion for everyone not just the homeless.

Jennifer Owens expressed frustration over the following: speeders, red light runners and recent multiple accidents, overall disregard for the law, homeless shelter construction delay, the security of the children, elderly and neighbors that are tax paying law-abiding residents, should come first. The population in Pescadero Park has gotten bigger despite receiving assistance and outreach, the handouts need to stop and please move them to another location.

William Muetzenberg shared concerns from a post on the Next-Door app regarding road work and road paint on Lammers Road between 11th St and Byron. People are doing donuts on the streets, requested a report from the Police Department regarding this item, and requested how the City can look at staying cooler and reducing the Heat Island Effect when looking into a future sustainability plan.

Alice English stated that there was a complaint that there was a conflict of interest, that defamation against her is taking place, and questioned the City Attorney about Tracy Connect.

Dan Evans shared that the Emergency Housing Shelter has been discussed for two (2) years and that the facility was set to open in January 2022, March 2022, Summer 2022 then Fall 2022 now it's getting pushed again. Residents have been asking for interim solutions but now close to elections it's being discussed. Incumbents that have been up here for years are not doing what is needed to find a solution.

Bernal Shull expressed frustration about: the special meeting held on August 2nd during National Night Out and that it was held during commuting hours, and requested the City Manager to look into repeated Brown Act violations and grandstanding by the Mayor and Mayor Pro Tem. Mayor Pro Tem Vargas disagreed with the comments.

3. REGULAR AGENDA

- 3.A STAFF RECOMMENDS THAT THE CITY COUNCIL INTRODUCE THE FOLLOWING TWO ORDINANCES TO COMPLY WITH THE JUDGMENT AND PEREMPTORY WRIT OF MANDATE IN MITRACOS V. CITY OF TRACY, ET AL., SAN JOAQUIN COUNTY SUPERIOR COURT CASE NO. STK-CV-UWM-2018-5531: (1) AN ORDINANCE RESCINDING ORDINANCE 1253 APPROVING SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC, AND (2) AN ORDINANCE RESCINDING SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC.

Council Member Davis recused herself from this item due to proximity of real property.

Bijal Patel, City Attorney provided the staff report.

Council questions and comments followed.

There was no public comment.

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

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to waive the reading of the full text and introduce an **Ordinance** rescinding Ordinance 1253 approving Second Amendment to Amended and Restated Development Agreement by and between the City of Tracy and Surland

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

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

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to waive the reading of the full text and introduce an **Ordinance** rescinding Second Amendment to Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC. Roll call found Council Members Arriola, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Davis abstained.

3.B 1) REJECT ALL BIDS FOR THE TEMPORARY EMERGENCY HOUSING PROJECT ON ARBOR AVENUE, SITE IMPROVEMENTS CONSTRUCTION PACKAGE 2, CIP 71112, AND 2) AUTHORIZE STAFF TO RE-ADVERTISE THE PROJECT, WITH MODIFICATIONS AS DEEMED NECESSARY BY THE CITY MANAGER

Lauren Gonzales, Management Analyst, and Robert Armijo, City Engineer/Assistant Development Services Director and Matt Evans, Consultant from KPA, provided the staff report.

Karen Moore shared the project is being used politically, Council has faced things that no other Council has seen such as pandemic, supply chain issues, labor shortages and all these things are out of their hands and an election is not going to change that no matter who is going to be voted in.

Dan Evans shared that he is a project manager and expressed that this is a spectacular failure on the City's part and that a root cause analysis needs to be done immediately in order to be successful moving forward.

Alice English shared Dan Evan sentiments and that Council not only failed the residents of Tracy but the unsheltered population as well, asked why the security company bid is taking so long to be presented to Council, requested Council stand for all the community, the unsheltered and the residents that are around that area, and there are not enough Police to protect the area and the rest of the City.

Robert Tanner asked about the funding and clarification on what has been spent, asked about September 2023 timeline for the shelter, Council has failed the City, homeless people and the handicap crosswalks that need to be fixed. City Engineer Robert Armijo and Assistant City Manager, Midori Lichtwardt provided clarification.

Bernal Schull expressed her frustration about the homeless situation, asked about the bid and how it got to this situation, asked how the Boise Act is applied, expressed that maybe the funds that are set aside for the shelter should be used to build a mental hospital rather than a tent and for the homeless folks to be moved out of Pescadero Park and that it is a safety issue, how many people need to get hurt before the City takes action.

Dotty Nygard reminded everyone that in the past the City passed over a \$3-million grant and that these are still human beings that may be suffering from mental health issues, addiction issues or other health issues. It is important that we come together with solutions rather than finger pointing and blame.

Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to adopt **Resolution 2022-120** 1) rejecting all bids for the Temporary Emergency Housing Project on Arbor Avenue, site improvements construction package 2, CIP 71112, and 2) authorizing staff to re-advertise the project, with modifications as deemed necessary by the City Manager. Roll call found all in favor; passed and so ordered.

3.C ADOPT A RESOLUTION AWARDED A SERVICE CONTRACT TO INNER CITY ACTION AS THE CITY'S OPERATOR FOR THE FUTURE TEMPORARY EMERGENCY HOUSING FACILITY, PURSUANT TO A COMPLETED REQUEST FOR PROPOSALS PROCESS, WITH AN INITIAL TERM OF TWO (2) YEARS, AND AN OPTION TO EXTEND, ADMINISTRATIVELY, FOR AN ADDITIONAL TWO (2) YEARS, AT A NOT-TO-EXCEED ANNUAL COST OF \$1.2 MILLION – ITEM PULLED

3.D ADOPT A RESOLUTION: (1) REAFFIRMING THE DECLARATION MADE BY RESOLUTION 2020-052 OF A SHELTER CRISIS IN THE CITY OF TRACY; (2) MAKING FINDINGS THAT A SIGNIFICANT NUMBER OF PERSONS ARE WITHOUT SHELTER, AND SUCH SITUATION HAS RESULTED IN A THREAT TO THE HEALTH AND SAFETY OF THOSE PERSONS; (3) DIRECTING THE CITY MANAGER TO TAKE IMMEDIATE AND EMERGENCY ACTIONS NECESSARY TO IMPLEMENT INTERIM HOUSING SOLUTIONS FOR TRACY'S UNSHELTERED UNTIL THE COMPLETION AND OPENING OF THE TEMPORARY EMERGENCY HOUSING FACILITY PLANNED AT 370 WEST ARBOR AVENUE, INCLUDING NEGOTIATING WITH POTENTIAL SERVICE PROVIDERS AND IDENTIFYING POTENTIAL SITES FOR SUCH INTERIM HOUSING SOLUTIONS; AND (4) WAIVING THE REQUIREMENT TO CONDUCT REQUEST FOR PROPOSAL PROCESSES PURSUANT TO SECTION 2.20.140(b)(6) OF THE TRACY MUNICIPAL CODE

Karin Schnaider, Assistant City Manager, provided the staff report and responded to questions.

Karen Moore supported approving this resolution.

Robert Tanner supported all four (4) items and asked if the City Manager can sign off on contracts regardless of cost or will this be coming back to Council and for clarification on the homeless counts because they seem low and the Aquatic Center as well as the Multi-Generational Use Gym. City Manager, Michael Rogers clarified that approvals will not take place without

transparency and knowledge of policy makers. Virginia Carney, Homeless Services Manager provided information on the current homeless counts.

Alice English shared that Mr. Sandhu wanted to do tiny homes and her frustration at the crime that is taking place at Pescadero Park, asked why the security contract has been delayed and why is the upcoming ordinance going to be enforced after 30 days. Lieutenant Miguel Contreras responded.

William Muetzenberg requested action be taken now to remove the homeless folks out of the parks and reclaim those spaces for the community, complimented the work the TCCC and Community Action Services are doing with the homeless folks, and asked Council to take steps to allow opportunity to move this process along without further bureaucracy.

Mr. Landerfield shared his perspective on the situation as a caregiver of a resident at Pescadero Park, asked the City to open the bathrooms, provide water and power, explained some of the steps that he has taken to assist some park residents, and spoke to the use and availability of meth, fentanyl, and heroin beyond tobacco and alcohol use and fires that have been caused due to such activity.

Bubba Paris stated that he is encouraged by what City Manager, Michael Rogers shared.

Barbara Pombo shared that she was the founding member of TCCC and currently sits on the board for TCCC, also assists with laundry services that are provided to individuals that are staying in Pescadero Park.

Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt **Resolution 2022-121** (1) Reaffirming the declaration made by Resolution 2020-052 of a shelter crisis in the City of Tracy; (2) Making findings that a significant number of persons are without shelter, and such situation has resulted in a threat to the health and safety of those persons; (3) Directing the City Manager to take immediate and emergency actions necessary to implement interim housing solutions for Tracy's Unsheltered until the completion and opening of the Temporary Emergency Housing Facility planned at 370 West Arbor Road, including negotiating with potential service providers and identifying potential sites for such interim housing solutions; and (4) waiving the requirement to conduct Request for Proposal processes pursuant to section 2.20.140(b)(6) of the Tracy Municipal Code. Roll call found all in favor; passed and so ordered.

3.E ADOPT A RESOLUTION (1) AWARDED A PUBLIC WORKS CONTRACT TO TRACY GRADING AND PAVING, INC. FOR THE EL PESCADERO PARK SOUND WALL EXTENSION PROJECT CIP 71116, WITH A NOT TO EXCEED AMOUNT OF \$543,080; (2) AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO \$44,840; AND (3) AUTHORIZING A BUDGET AUGMENTATION IN THE AMOUNT OF

\$372,000 FROM GENERAL FUND-CAPITAL RESERVES TO CIP 71116 –
ITEM PULLED

3.F ADOPT A RESOLUTION DESIGNATING A VOTING DELEGATE AND UP
TO TWO ALTERNATE VOTING DELEGATES FOR THE LEAGUE OF
CALIFORNIA CITIES 2022 ANNUAL CONFERENCE BUSINESS MEETING
AND DETERMINE CITY COUNCIL'S POSITION ON THE RESOLUTIONS
TO BE CONSIDERED AT THE ANNUAL CONFERENCE BUSINESS
MEETING

Karin Schnaider, Assistant City Manager, provided the staff report.

There was no public comment.

Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to adopt **Resolution 2022-122** designating Council Member Bedolla as voting delegate and Council Member Arriola and Council Member Davis as the two alternate voting delegates for the League of California Cities 2022 Annual Conference Business Meeting and determine City Council's position on the resolutions to be considered at the Annual Conference Business Meeting. Roll call found all in favor; passed and so ordered.

3.G APPROVE BY MOTION OUT-OF-STATE TRAVEL FOR CITY COUNCIL
MEMBERS TO MIAMI, FLORIDA FOR 2022 RAIL VOLUTION
CONFERENCE PURSUANT TO CITY COUNCIL TRAVEL POLICY

Karin Schnaider, Assistant City Manager, provided the staff report.

William Muetzenberg expressed his excitement about the Rail Volution Conference as a supporter of Valley Link and is looking forward to hearing from the Council what they learn.

Robert Tanner asked if the entire Council will be attending and shared that it would be unwise for the City to send Mayor Pro Tem Vargas since she will be terming out unless Valley Link is willing to carry that cost and supported other Council Members attending.

Alice English shared that Mayor Pro Tem Vargas should not be selected to go to this conference and shared that the need for some one that is transparent and a good representative of Tracy and expressed frustrations over the Valley Link project.

Dotty Nygard shared her excitement for hearing what takes place at Rail Volution and has been following their organization, hopes that Council can bring back information that will benefit the City and that everyone on the dais is part of the council and representatives of the City until elections.

Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to approve Out-of-State travel for Council Members Bedolla, Davis and Mayor Pro Tem Vargas to Miami Florida for 2022 Rail Volution Conference pursuant to City Council Travel Policy. Roll call found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young all in favor; passed and so ordered. Council Member Arriola was absent from roll call.

3.H APPOINT RENU MILES TO THE SAN JOAQUIN COUNTY MOSQUITO ABATEMENT DISTRICT BOARD TO SERVE THE REMAINDER OF THE VACATED TERM BEGINNING AUGUST 17, 2022 AND ENDING JUNE 30, 2024

Necy Lopez, Deputy City Clerk provided the staff report.

Council Subcommittee Members Davis and Mayor Young announced their recommendations for appointment to the San Joaquin County Mosquito Abatement District Board.

There was no public comment.

There was no Council comment.

ACTION: Motion was made by Council Member Davis and seconded by Council Member Bedolla to appoint Renu Miles to the San Joaquin County Mosquito Abatement District Board to serve the remainder of the vacated term beginning August 17, 2022 and ending June 30, 2024. Roll call found Council Members Arriola, Bedolla, Davis, Mayor Young in favor; passed and so ordered. Mayor Pro Tem Vargas absent from roll call.

4. ITEMS FROM THE AUDIENCE – Dotty Nygard requested an update for the need of an environmental committee to address sustainability action plan, asked about educational information to the public for the food waste program, announced California Clean Air Coalition will be hosting an event in October and Tracy Tree Foundation event on October 8th to plant trees in Tracy and will be starting a community garden at the Housing Authority on West Street.

Alice English continued speaking on the earlier topic from “Items From The Audience” about an incident regarding donations solicited by Mayor Young, thanked Council Members Bedolla and Davis for their conduct on the August 2nd meeting, and urged Council Members to stop the grandstanding and stick to the agenda and follow the Brown Act.

William Muetzenberg echoed sentiments from Ms. Nygard regarding the formation of an environmental committee, expressed the importance of housing and building smart housing that provides more accessibility to bungalow, apartment, or condominium type homes rather than single family homes. This will encourage community building and encourage smart growth and development.

5. STAFF ITEMS – City Manager, Michael Rogers shared that the City was awarded a 2023 Cities for Workforce Health Program Grant that will be awarded at League of California Cities Annual Conference and Expo during their September 8th general session. Mr. Rogers provided information about nearby cooling stations. For further information on cooling stations community members are encouraged to call 211. Encouraged community members to visit atthegrand.org to see what programming will be available this season.
6. COUNCIL ITEMS – Council Member Arriola stated he testified before the State Legislature regarding Monkey Pox. Based on this San Joaquin County now has received an additional 750 vaccine doses up from 10 doses. Council Member Arriola testified against Anthony Waiters child torture case and thanked community and police for having their voices heard. Reminded community about the Homeless Advisory Committee Meeting on Monday, August 22nd at 7:00 p.m.

Mayor Pro Tem Vargas shared Valley Link information and there will be a meeting held here at the City in September. Mayor Pro Tem Vargas announced she will be traveling in September to attend the Latino Caucus of the California League of Cities Conference.

Council Member Bedolla requested staff to analyze Senate Bill 1338 by Umberg and Eggman and supported by Assembly Member Carlos Villapudua and implement those tools for housing and mental health assistance as soon as possible. Council Member Arriola seconded the request.

Council Member Davis requested clarification regarding security delays in getting this implemented at Pescadero Park and what can be done for that to happen sooner rather than later. Assistant City Manager Midori Lichtwardt clarified that there was an RFP that went out and now there is a contract that is in the process of being finalized.

Council Member Davis asked about the food waste program education. Ms. Lichtwardt responded that a memo can be provided since there is not an update at this time.

Council Member Davis shared information on cooling centers, asked individuals to check on their elderly neighbors and on pets during this heatwave and shared ADA concerns regarding the sidewalks and asked how the City is addressing these issues and how can citizens report these issues. City Manager Michael Rogers responded community members can report any issues such as these on an app called Go Request.

Council Member Davis asked for clarification regarding Lammers Area Road being repaved and not repainted. Mr. Rogers clarified that this issue has been corrected.

Council Member Davis requested an update to the General Plan and asked what is happening with that. Mr. Rogers clarified that this is currently in process.

Council Member Davis asked about damaged seating area in front of City Hall and when is that expected to be fixed. Mr. Rogers clarified the incident that caused the damage, and that Public Works is currently awaiting more information from the vendor for the completion of repairs.

Council Member Davis complimented staff on parking lot work done at Legacy Fields.

Mayor Young stated that she provided copies by email of her Council Report to staff and fellow Council Members. Wished everyone a safe and happy Labor Day.

7. ADJOURNMENT – Time: 11:50 p.m.

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

The above agenda was posted at the Tracy City Hall on August 19, 2022. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk