

January 17, 2023, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

Mayor Pro Tem Davis called the meeting to order at 7:00 p.m.

Scout Troop and Pack 525 led the Pledge of Allegiance.

Tim Heinrich, Crossroads Baptist Church provided the invocation.

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

Mayor Pro Tem Davis presented Certificates of Appointment to incoming Youth Advisory Commissioners.

1. CONSENT CALENDAR – Following the removal of Consent Item 1.A by Adrienne Richardson, City Clerk and 1.E by Council Member Evans motion was made by Council Member Bedolla and seconded by Council Member Arriola to adopt the Consent Calendar. Roll call found all in favor; passed and so ordered. Council Member Evans recused himself from voting on Item 1.G.

Arial Harris asked for clarification whether Council Member Evans pulled Item 1.G from the Consent Calendar or recused himself from Item 1.G. Adrienne Richardson, City Clerk confirmed Council Member Evans recused himself from Item 1.G.

- 1.B Waive second reading of full text and adopt an ordinance: 1) repealing the 2019 edition of the California Building Code, Fire Code, Mechanical Code, Plumbing Code, Energy Code, Residential Code, Existing Building Code, Green Standards Building Code, and the Historic Building Code, all codified under Tracy Municipal Code Title 9; 2) making findings to substantiate modifications to the 2022 California Building Codes and Standards, due to local climatic, geological or topographical conditions; 3) adopting, with local amendments, the 2022 California Building Codes and Standards, and codifying the same as Tracy Municipal Code Title 9; 4) adopting Appendices C, F, H, I, K, P under the California Building Code, Appendices D and G under the Mechanical Code, Appendices A, B, C, D, E, G, H, I, J and K under the Plumbing Code, Appendices H, I, O, R, S, W, Y, Z under the Residential Code, Appendix A under the Historical Building Code, and Appendices B, BB, C, CC, D, F, H, L, N, and O under the Fire Code, and codifying the same as Tracy Municipal Code Title 9; and 5) adopting California Environmental Quality Act Exemption Findings. – **Ordinance 1335 was adopted.**
- 1.C City Council adopt a resolution 1) approving the AB1600: Development Impact Fee Annual Report & Five-Year Report for Fiscal Year 21-22 regarding Development Impact Fee revenues and expenditures, and 2) making findings regarding unexpended funds in accordance with the Mitigation Fee Act.– **Resolution 2023-002** approved the AB1600: Development Impact Fee Annual

Report & Five-Year Report for Fiscal Year 21-22 and made findings regarding unexpended funds.

- 1.D City Council: (1) accept the demolition work of the structure at 2399 E. Grant Line Road, Tracy, California, a non-CIP project, which was completed by CVE Contracting Group, Inc. dba Central Valley Environmental, of Fresno, California; (2) authorize the City Clerk to File the Notice of Completion with the San Joaquin County Recorder's Office; (3) authorize the City Engineer to release the bonds and retention payment; and (4) authorize the Finance Department to close the project. - **Resolution 2023-003** accepted the demolition work completed by CVE Contracting Group, Inc. dba Central Valley Environment.
- 1.F City Council: 1) adopt a resolution approving a Quitclaim Deed for the conveyance of a twenty (20) foot wide temporary water line easement to Wright Family Holdings, LLC, and 2) authorize the City Clerk to sign the Quitclaim Deed. - **Resolution 2023-004** approved a Quitclaim Deed for conveyance of a twenty foot wide temporary water line easement to Wright Family Holdings, LLC.
- 1.G Council 1) approve the Final Subdivision Map and the Subdivision Improvement Agreement between City and Bright Homes, Inc, for Tract 3804 Larkspur Estates Unit 4, and 2) authorize the City Clerk to file the Subdivision Improvement Agreement with the San Joaquin County Recorder. - **Resolution 2023-005** approved the Final Subdivision Map and Subdivision Improvement Agreement with Bright Homes, Inc. for Tract 3804 Larkspur Estates Unit 4. Council Member Evans recused himself from voting on the item.
- 1.H City Council adopt two resolutions: (1) Awarding a construction contract to TNT Industrial Contractors, Inc. for the construction of the Ammonia Storage/Feed Systems (CIP 75162 - Well Improvements) in the amount of \$1,086,684 at Park & Ride Well No. 6 and Ball Park Well No. 7; and (2) Approving a Professional Services Agreement with Carollo Engineers, Inc. to provide design support services during construction of the Ammonia Storage/Feed Systems (CIP 75162 - Well Improvements) for a term of seven (7) months and a total not to exceed amount of \$137,651. - **Resolution 2023-006** awarded the contract to TNT Industrial Contractors, Inc. **Resolution 2023-007** approved a Professional Services Agreement with Carollo Engineers.
- 1.I City Council adopt a resolution (1) accepting improvements for Kagehiro Phase 2, Tract 3882, constructed by Taylor Morrison of California, LLC, a California Limited Liability Company, and assume responsibility for the future maintenance and repair, and (2) authorizing the City Engineer to release performance and payment, and monumentation bonds, and (3) authorizing the City Clerk to file the Notice of Completion with the San Joaquin County Recorder's Office. - **Resolution 2023-008** accepted improvements for Kagehiro Phase 2, Tract 3882 constructed by Taylor Morrison of California, LLC.
- 1.J City Council adopt a resolution approving (1) a Public Right-of-Way Dedication of Fee Interest for existing Paradise Road; (2) a grant of a Public Utility Easement adjacent to Paradise Road, and (3) authorizing the City Clerk to file the Dedication and Easement documents with the San Joaquin County Recorder. - **Resolution 2023-009** approved a Public Right-of-Way Dedication of Fee Interest

for existing Paradise Road and grant of a Public Utility Easement adjacent to Paradise Road.

- 1.K City Council 1) approve the Final Subdivision Map and Subdivision Improvement Agreement between City and Lennar Homes of California, LLC for Tract 4112 – Tracy Hills Villages 10A and 10B, and 2) authorize the City Clerk to file the Subdivision Improvement Agreement with the Office of the San Joaquin County Recorder. – **Resolution 2023-010** approved the Final Subdivision Map and Subdivision Improvement Agreement with Lennar Homes of California, LLC., for Tract 4112 – Tracy Hills Villages 10A and 10B.
- 1.L City Council 1) approve the Final Subdivision Map and Subdivision Improvement Agreement between City and Lennar Homes of California, LLC for Tract 4114 – Tracy Hills Village 11B, and 2) authorize the City Clerk to file the Subdivision Improvement Agreement with the Office of the San Joaquin County Recorder. – **Resolution 2023-011** approved the Final Subdivision Map and Subdivision Improvement Agreement with Lennar Homes of California, LLC., for Tract 4114 – Tracy Hills Village 11B.
- 1.M City Council approve the Interstate 580/Patterson Pass Road/International Parkway Interchange Improvement project as the City of Tracy regional transportation project for congressional appropriation requests during San Joaquin Council of Governments’ One Voice trip to Washington D.C.– **Resolution 2023-012** approved the Interstate 580/Patterson Pass Road/International Parkway Interchange improvement project as the City of Tracy regional transportation project for congressional appropriation request during the San Joaquin Council of Governments’ One Voice trip to Washington D.C.
- 1.N City Council approve a one-year extension of the 2016-2021 Community Development Block Grant (CDBG) and HOME Program local funding priorities, previously extended on November 16, 2021 up to the fiscal year 2022-2023, for use in scoring of the fiscal year 2023-2024 CDBG and Home Program applications. - **Resolution 2023-013** approved a one-year extension of the 2016-2021 CDBG and HOME Program local funding priorities.
- 1.O City Council adopt a resolution: (1) accepting improvements for Tracy Hills Phase 1A/1B At Grade Water Tank and Pump Station and assuming responsibility for the future maintenance and repair; (2) authorizing the City Engineer to release performance and payment bonds; and (3) authorizing the City Clerk to file the Notice of Completion with the San Joaquin County Recorder’s Office.– **Resolution 2023-014** accepted improvements for Tracy Hills Phase 1A/1B At Grade Water Tank and Pump Station and assuming responsibility for future maintenance and repair.
- 1.P City Council 1) approve the Subdivision Improvement Agreement for Ellis Western Park and Ellis Orchard Park between City and LS-Tracy, LLC, located within Ellis Phase 3 – Town and Country Tract 4007, and 2) authorize the City Clerk to file the agreement with the Office of the San Joaquin County Recorder. – **Resolution 2023-015** approved the Subdivision Improvement Agreements for Ellis Western Park and Ellis Orchard Park with LS-Tracy, LLC., located within Ellis Phase 3 – Town and Country Tract 4007.

- 1.Q City Council adopt a resolution approving a Professional Services Agreement with Tripepi Smith and Associates, Inc. for economic development marketing and communication services for a three-year term and a total not-to-exceed amount of \$106,000. – Resolution 2023-016 approved a Professional Services Agreement with Tripepi Smith and Associates, Inc.
- 1.A Adoption of December 13, 2022, Special Meeting Minutes, December 21, 2022 Closed Session Minutes, December 21, 2022 Special Meeting Minutes and January 9, 2023 Special Meeting Minutes

Adrienne Richardson, City Clerk pulled the item to request Council adopt the minutes minus the December 21, 2022, special meeting minutes due to those minutes being incomplete. The December 21, 2022, special meeting minutes will be brought back to Council for adoption on the February 7, 2023, agenda.

There was no public comment.

There were no Council comments.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla to adopt Consent Item 1.A. Roll call found all in favor; passed and so ordered.

- 1.E City Council: (1) accept the demolition work of the structure at 714 N. Central Avenue, Tracy, California, a non-CIP project, which was completed by Unlimited Environmental, Inc., of Long Beach, California; (2) authorize the City Clerk to File the Notice of Completion with the San Joaquin County Records Office; (3) authorize the City Engineer to release the bonds and retention payment; and (4) authorize the Finance Department to close the project.

Council Member Evans pulled the item to ask about the approved change orders. Ten percent is not a lot but for a demo project it is a lot and asked what the reason for the change order cost was.

Koosun Kim, Interim City Engineer responded to the question. Mr. Kim also stated he would provide more information to Council Members.

Robert Tanner stated it was the Great Plate that was torn down; project cost was \$82,000 but with change orders was \$106,000 plus and asked what the owners of the property will be charged and when will the City collect the fees.

Karin Schnaider, Assistant City Manager and Bijal Patel, City Attorney responded to the questions.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla to adopt **Resolution 2023-017** 1) Accepting the demolition work of the structure at 714 N. Central Avenue, Tracy, California, a non-CIP project, which was completed by Unlimited Environmental, Inc. of Long Beach, California; 2) Authorizing the City Clerk to file the Notice of Completion with the San Joaquin County Records Office; 3) Authorizing the City Engineer to release the bonds

and retention payment; and 4) Authorizing the Finance Department to close the project. Roll call found all in favor; passed and so ordered.

Michael Rogers, City Manager announced Item 3.E will be pulled from the agenda. Due to some inconsistent language which needed to be corrected and staff will bring back the item at the next meeting.

2. ITEMS FROM THE AUDIENCE – Karen Moore thanked Council for moving fast and creating a warming center.

Dotty Nygard encouraged Council to create an Environmental Sustainability Action Plan Ad Hoc committee to guide the development, implementation, communication, and future community engagement to meet the environmental regulatory needs of our community. Ms. Nygard stated Tracy Earth Project is proud to partner with the City in April for Tracy Earth Day to educate the public to address our climate change crisis. The event is on April 29 from 9:00 a.m.-3:00 p.m.

Ms. Wood spoke in favor of an Environmental Sustainability Action Committee, urged Council to move to create a committee tonight or on the next agenda and spoke about benefits the committee would bring to the City.

Dustin Smith-Salinas stated he lives at the corner of Reddington at Belconte in Tracy. New Years Eve was hit by rainstorm and the channel way behind their house overflowed causing multiple cars to be stuck in the road and ultimately the road was closed. Mr. Smith-Salinas felt the flooding in the neighborhood could have been prevented if channel ways were properly maintained and asked Council to evaluate channel ways, upkeep schedules, create an updated maintenance plan, and present at a Council meeting sometime this year and ensure maintenance is proactive and not reactive.

William Muetzenberg spoke on behalf of Public Health Advocates (PHA), shared information on PHA and asked Council to bring forward the creation of an Environmental Accountability Committee for discussion.

Alice English congratulated the following 2022 nomination and elected officials: Council Member Evans, Mayor Pro Tem Davis for her nomination to Mayor Pro Tem, Ron Freitas as District Attorney, Assembly Member Villapudua, and Robert Rickman as Chair on the Board of Supervisors. Ms. English also congratulated Fire Chief Bradley and Robert Rickman for working together during the storm and shared her appreciation for first responders. Has confidence this Council will get the needs of the City done.

Ram Kedlaya echoed what other citizens talked about regarding an Environmental Sustainability Committee. Ram spoke about the effects of composting and shared examples of what can and cannot be composted and suggested using the website: whatbin.com.

Council Member Arriola asked staff when the Environmental Committee item will be coming to Council.

Karin Schnaider, Assistant City Manager responded two additional committee requests will be brought back with the Environmental Committee on March 7 for Council consideration.

3. REGULAR AGENDA

- 3.A Approve by motion, after discussion, out-of-state travel for designated City Council Members to 1) Washington, D.C. for the following conference and lobbying trips: 2023 National League of Cities Congressional City Conference, a Federal Lobby Trip by the City of Tracy, and the San Joaquin Council of Governments Lobby Trip Known As The One Voice®; and 2) Dallas, Texas for the 2023 Public-Private Partnership Conference and Expo.

Karin Schnaider, Assistant City Manager provided the staff report.

There was no public comment.

Council comments and questions followed.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Arriola to approve out-of-state travel for designated City Council Members to 1) Washington, D.C. for the following conference and lobbying trips: 2023 National League of Cities Congressional City Conference, a Federal Lobby Trip by the City of Tracy, and the San Joaquin Council of Governments Lobby Trip known as The One Voice®, and 2) Dallas, Texas for the 2023 Public-Private Partnership Conference and Expo.

Mayor Young requested to attend the National League of Cities in March and the Annual African American Mayor's Association Conference will be just prior to the lobbying trip in April and asked to leave a few days earlier to be able to attend that as well.

Council Member Bedolla made a friendly amendment to include the National League of Cities trip and the Annual African American Mayor's Association Conference. Council Member Arriola seconded the friendly amendment to the motion. Roll call found all in favor; passed and so ordered.

Bijal Patel, City Attorney asked if the Mayor included a conference that was not on the agenda because that cannot be included in the friendly amendment. Ms. Patel asked for clarification if Mayor Young's request was for all Council to attend or just for the Mayor and confirmed a request to bring back the item can be made under Council items.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Arriola to approve out-of-state travel for all City Council Members to 1) Washington, D.C. for the following conference and lobbying trips: 2023 National League of Cities Congressional City Conference, a Federal Lobby Trip by the City of Tracy, and the San Joaquin Council of Governments Lobby Trip known as The One Voice®, and 2) Dallas, Texas for the 2023 Public-Private Partnership Conference and Expo. Roll call found all in favor; passed and so ordered.

- 3.B City Council appoint, by motion, Lori Souza and Scott Arbogast to serve the remainder of two (2) vacated terms beginning January 18, 2023 and ending

January 31, 2024 to the City of Tracy Parks and Community Services Commission.

Adrienne Richardson, City Clerk provided the staff report.

Mayor Young and Mayor Pro Tem Davis spoke about their recommendation.

There was no public comment.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Young to appoint Lori Souza and Scott Arbogast to serve the remainder of two (2) vacated terms beginning January 18, 2023 and ending January 31, 2024 to the City of Tracy Parks and Community Services Commission. Roll call found all in favor; passed and so ordered.

3.C City Council appoint, by motion, a subcommittee of two Council Members, and an alternate, to interview applicants to fill three-term expirations on the Building Board of Appeals.

Adrienne Richardson, City Clerk provided the staff report.

Council questions and comments followed.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Arriola to appoint Council Member Bedolla and Council Member Evans to the subcommittee and Council Member Arriola to serve as alternate to interview applicants to fill three term expirations on the Building Board of Appeals. Roll call found all in favor; passed and so ordered.

3.D City Council appoint, by motion, a subcommittee of two Council Members, and an alternate, to interview applicants to fill two-term expirations on the Measure V Residents' Oversight Committee.

Adrienne Richardson, City Clerk provided the staff report.

Council questions and comments followed.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Arriola to appoint Council Member Evans and Mayor Pro Tem Davis to the subcommittee and Council Member Bedolla to serve as alternate to interview applicants to fill two term expirations on the Measure V Residents' Oversight Committee. Roll call found all in favor; passed and so ordered.

3.E City Council approve a resolution to extend for one-year the term of the City Council Ad-Hoc Fiscal Sustainability Subcommittee. – ITEM PULLED FROM AGENDA

3.F City Council review and determine appointments to Council committees and other committees, boards and commissions.

Adrienne Richardson, City Clerk provided the staff report.

Council questions followed.

Karen Moore asked to appoint a Council Member in addition to staff to the Solid Waste Management Advisory Commission.

Pat Howell requested Council Member Arriola remain on the East Bay Community Energy Committee and the City/School Liaison Committee.

Dotty Nygard recommended keeping committee members on committees where they are already serving to continue their hard work they have already initiated, and recommended Council Member Arriola stay on East Bay Community Energy and the City/School Liaison Committee.

Alice English shared her reasons for recommending the Council Members to various following committees: EBCE - Council Member Arriola, South San Joaquin County Fire Authority - Mayor Pro Tem Davis and Council Evans, Homeless Advisory Committee – Mayor Pro Tem Davis, Tri Valley Rail Authority – Council Member Bedolla and Mayor Pro Tem Davis as alternate.

Council questions and comments followed.

Bijal Patel, City Attorney responded to Mayor Pro Tem Davis's question regarding information related to the validity of Valley Link being a Mayoral appointment stating she has been in communication with the outside Counsel for Valley Link and also got a copy of the By-laws as well as the State Enabling Legislation. For clarity the legislation notes the member agencies would have appointments to the Valley Link Board and it says that those directors are to be appointed by the Governing Board/Mayor or Supervisor of each entity. That language is flexibly noting these are all differently formed entities and is recognizing the entities may have their own processes. Section 2.4 of the Council Code of Conduct governs how this Council body appoints its members to the different committees whether they are Council formed advisory boards/commissions or committee or third-party committees and they need to be approved by a majority of the Council.

Council Member Arriola asked if our protocols are in contrast with State Law would not the State Law be the fulfilling agency by which we would have to comply.

Ms. Patel referred to the State Enabling Legislation, it's not dictating how the local entity appoints, it is indicating they can be appointed in one of those three forms by the Mayor, Supervisor or governing board. These are all special districts which had its own set of enabling legislation and other special districts and enabling means it's the actual legislation that was adopted by the State Legislature when those special districts were formed. Ms. Patel explained she reached out to outside Valley Link Counsel who indicated that this is the

language, but suggested the City have clarity in any resolution adopted by this Council as to who is the appointed member by this Council as well as the alternate. It is not inconsistent with the State Enabling Legislation for Valley Link Board.

Council comments continued.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Evans to appoint Mayor Pro Tem Davis and Council Member Bedolla to the Tracy Homelessness Advisory Committee and appoint Council Member Bedolla as the representative and Council Member Arriola as the alternate to East Bay Community Energy (EBCE) and Council Member Bedolla as representative and Mayor Pro Tem Davis as alternate to Tri-Valley-San Joaquin Valley Regional Rail Authority (Valley Link).

Council discussion continued.

Mayor Young made a substitute motion to approve the slate as presented with fill ins that have already been done and then fill in section by section with the vacancies. There was no second for the motion.

ACTION: Council Member Arriola made a separate substitute motion to appoint Council Member Arriola to EBCE and Council Member Bedolla as alternate. Mayor Young seconded the motion. Roll call found Council Member Arriola and Mayor Young in favor. Council Members Bedolla, Evans and Mayor Pro Tem Davis opposed. Motion failed.

Council comments continued.

ACTION: Council Member Bedolla repeated the following original motion. Motion was made by Council Member Bedolla and seconded by Council Member Evans to appoint Mayor Pro Tem Davis and Council Member Bedolla to the Tracy Homelessness Advisory Committee and appoint Council Member Bedolla as representative and Council Member Arriola as the alternate to the EBCE board and Council Member Bedolla as representative and Mayor Pro Tem Davis as the alternate to Tri-Valley-San Joaquin Valley Regional Rail Authority (Valley Link). Roll call found Council Members Bedolla, Evans and Mayor Pro Tem Davis in favor. Council Member Arriola opposed.

Mayor Young requested to invoke suspending the item at this time.

Ms. Patel responded there is a motion on the floor that has already started counting and needs to be finalized as the final voting did not occur.

Mayor Young responded it can be suspended at any time.

Ms. Patel confirmed with Mayor Young that she was referencing the Rules of Procedure and requested a pause in the meeting to research and understand the authority by which the Mayor may suspend the item.

Mayor Pro Tem Davis called for a break at 8:36 p.m.

Mayor Pro Tem Davis reconvened the meeting at 8:42 p.m.

Ms. Patel confirmed that Mayor Young can make a motion to table any item however there is a timing requirement. The voting process for the motion on the floor has to be completed. After the voting has been completed a motion can be made and could be heard if there is a second to the motion. The current motion cannot be stopped because the voting has already started and needs to be finished in terms of voting.

Mayor Young asked Council to reconsider and bring back the item in its entirety and bring it all back together as it should be.

Ms. Patel reiterated the motion has already been approved and there is the majority vote, but it needs for formality to finish the full roll call vote and then that motion gets passed and in order to change the occurrence you have to do a motion for reconsideration.

Mayor Young disagreed with the City Attorney and felt Council has the ability to stop it now and bring back the whole item in its entirety because if there is something found legally unstable it would have to come back.

Ms. Patel confirmed Council Member Bedolla's question regarding the only way a motion to reconsider can be brought up is if the person making the motion is in the affirmative. Mayor Young would have to vote in the affirmative right now to then pursue a course of motion to reconsider.

Ms. Patel clarified the motion made by Council Member Bedolla is being voted on and needs to be completed. After the conclusion of that roll call vote a motion can be made to table the remainder of the item. That motion like any other motion will require a second and under Rosenberg's Rules that motion to table is just a majority vote not a super majority vote. A motion for reconsideration can only be made by someone who voted for the original motion in the affirmative.

Mayor Young stated she would vote in the affirmative so that she can bring it back for reconsideration. Mayor Young moved that and asked to table the entire item until the next Council meeting when Council can get answers and the correct procedure for this.

Mayor Pro Tem Davis asked Mayor Young if her vote was in the affirmative in support of Council Member Bedolla's slate.

Mayor Young confirmed it is in the affirmative so she can technically bring it back.

Ms. Patel stated in order to make this current motion undone a motion needs to be made for reconsideration. That motion for reconsideration needs to be done before the conclusion of this meeting. Ms. Patel believed that separately Mayor Young wished to table the consideration of the remainder of the items and that is definitely a motion that can be made and a second is needed along with a vote.

ACTION: Mayor Young made a motion to table the item and bring it back at the next Council meeting. There was no second to the motion.

Council continued on with reviewing the appointments to the Council Committees/Boards/Commissions/Agencies.

City/Chamber Liaison Committee

Motion was made by Council Member Bedolla and seconded by Council Member Evans to appoint Council Member Arriola to the City/Chamber Liaison Committee and Council Member Bedolla as alternate. Roll call found all in favor; passed and so ordered.

ACTION: City/School Liaison Committee
Motion was made by Council Member Evans and seconded by Council Member Bedolla to appoint Council Member Evans and Mayor Young to the City/School Liaison Committee. Roll call found Council Member Bedolla, Evans, Mayor Pro Tem Davis and Mayor Young in favor. Council Member Arriola opposed.

Mayor Young requested a friendly amendment to the motion to include Council Member Arriola as the alternate. Council Member Evans and Council Member Bedolla supported the friendly amendment. Roll call vote found Council Members Bedolla, Evans, Mayor Pro Tem Davis and Mayor Young in favor; passed and so ordered. Council Member Arriola opposed.

Mayor Young motioned to reconsider the previous motion to appoint Council Member Evans and Council Member Arriola to the City/School Liaison Committee and Mayor Young as alternate. Council Member Arriola seconded the motion. Roll call found all in favor; passed and so ordered.

ACTION: South San Joaquin County Fire Authority
Motion was made by Council Member Bedolla and seconded by Council Member Evans to appoint Council Member Evans and Mayor Pro Tem Davis to the South San Joaquin County Fire Authority and Council Member Bedolla as the alternate.

Mayor Young made a substitute motion to appoint Mayor Pro Tem Davis and Mayor Young to serve on the board and Council Member Bedolla as alternate. Roll call vote found Council Member Arriola and Mayor Young in favor. Council Members Bedolla, Evans and Mayor Pro Tem Davis opposed. Motion failed.

Roll call for the original motion for appointment to South San Joaquin County Fire Authority found Council Members Arriola, Bedolla, Evans, Mayor Pro Tem Davis in favor; passed and so ordered. Mayor Young opposed.

ACTION: Investment Review Committee
Motion was made by Mayor Young and seconded by Council Member Evans to appoint Council Member Bedolla and Council Member Evans to serve on the Investment Review Committee. Roll call found all in favor; passed and so ordered.

ACTION: Solid Waste Management Plan Advisory Task Force
Motion was made by Council Member Bedolla and seconded by Council Member Arriola to appoint Council Member Arriola to serve on the Solid Waste Management Plan Advisory Task Force and Council Member Bedolla as alternate. Roll call found all in favor; passed and so ordered.

ACTION: League of California Cities Central Valley Division Executive Committee
Motion was made by Council Member Evans and seconded by Council Member Bedolla to appoint Mayor Pro Tem Davis and Council Member Evans as alternate to the League of California Cities Central Valley Division Executive Committee. Roll call found all in favor; passed and so ordered.

ACTION: San Joaquin Partnership
Motion was made by Council Member Arriola and seconded by Council Member Bedolla to appoint Mayor Young to serve on the San Joaquin Partnership and Council Member Arriola as alternate. Roll call found all in favor; passed and so ordered.

ACTION: San Joaquin Valley Pollution Control District Special City Selection Committee
Motion was made by Council Member Bedolla and seconded by Council Member Evans to appoint Council Member Bedolla to the San Joaquin Valley Air Pollution Control District.

Mayor Pro Tem Davis asked about an alternate and Council Member Evans volunteered to serve as alternate. Council Member Bedolla and Council Member Evans accepted the friendly amendment. Roll call found all in favor; passed and so ordered.

ACTION: Tracy Chamber Governmental Affairs Committee
Motion was made by Council Member Bedolla and seconded by Council Member Evans to appoint Mayor Pro Tem Davis to the Tracy Chamber Governmental Affairs Committee and Council Member Bedolla to serve as alternate.

Council Member Bedolla made a friendly amendment to the motion to include the City Manager or designee as a City representative. Council Member Evans seconded the friendly amendment. Roll call found all in favor; passed and so ordered.

Altamont Regional Traffic Authority (ARTA) JPA
The Mayor of the City of Tracy is appointed by the legislation for ARTA.

City Selection Committee
The Mayor of the City of Tracy is appointed by the legislation for the City Selection Committee.

ACTION: San Joaquin Council of Governments
Motion was made by Mayor Young and seconded by Council Member Bedolla to appoint Mayor Young to serve on the San Joaquin Council of Governments and Mayor Pro Tem Davis as alternate. Roll call found all in favor; passed and so ordered.

ACTION: San Joaquin County Water Advisory Commission
Motion was made by Mayor Young and seconded by Council Member Bedolla to appoint Council Member Bedolla to serve on the San Joaquin County Water Advisory Commission along with staff. Roll call found all in favor; passed and so ordered.

San Joaquin Regional Rail Commission
Appointed by SJCOG and the Mayor is in that seat.

Mayor Pro Tem Davis confirmed that the appointments to the Ad Hoc Fiscal Sustainability Subcommittee will not be done at this time.

Mayor Young announced there was a public comment received via email from Margo Praus in support of an Environmental Committee.

4. ITEMS FROM THE AUDIENCE – Alice English apologized to staff for leaving out Public Works acknowledging their hard work through the storms, added she saw that MacArthur Blvd is closed in the County due to a road cave in and asked if the City is working with the County.
5. STAFF ITEMS – Michael Rogers, City Manager thanked staff at City of Tracy and South San Joaquin County Fire Authority for all their hard work throughout the storm. Mr. Rogers provided the following updates:
 - Tracy Material Recovery Facility – roads are impacted, and the garbage trucks cannot drop off the waste so they are going to Manteca. Waste pickup is continuing to happen. There may be some delays however they will pick up each day. We are trying to make sure to give as much support to the County as possible as there are a lot of roads impacted throughout the county.
 - For those looking for road closures and things of that nature, go to SJReady.org and it is important for residents who have suffered private property damage to report to the County at SJReady.org as well. The information is also on the City website.

Bijal Patel, City Attorney shared that she recently travelled to India and visited a village in her home state and there is a charitable foundation that does tremendous work that started in the late 70's by a women who wanted to provide better access to health care and education to the indigenous people in that area. Ms. Patel met the Chairman of Board of that massive facility, who has large donors in Tracy and visits Tracy twice a year. In the middle of this village that has limited infrastructure the City of Tracy is known.

6. COUNCIL ITEMS – Council Member Evans thanked first responders, there is a lot going on with this storm event and those that are affected, his heart and prayers are with you. Has been reading reports from Tracy Press and South San Joaquin County Fire Authority who have been keeping us on top of what is going on. Tracy River Club, Kasson Road was closed, was a potential evacuation. Lot of boots on ground doing great work. Thank you and be safe.

Council Member Arriola thanked our first responders, been incredible work. Continue to be safe and continue to look for alerts.

Council Member Bedolla stated there is a website called whatbin.com that gives information about what can be put in what bin, and asked staff to look into this if it fits within their operational procedures and to see if worth sharing with residents.

Council Member Bedolla asked for support for the request by Mayor Young to attend the Mayor's African American Association conference from April 19 – 21, 2023. Mayor Pro Tem Davis supported the request.

Council Member Bedolla thanked all public servants for the warming center that was put up in a short amount of time during the new year and the response to the flash rains experienced in the new year also. Council Member Bedolla provided an update on Valley Link and the Cal Cities Transportation Communication and Public Works Policy Committee. Council Member Bedolla thanked Mayor Young for her advocacy in Washington D.C. she is doing on behalf of the City and Mayor Pro Tem Davis for filling in for Mayor Young today. Council Member Bedolla thanked everyone for coming out today and tuning in and urged all as a Council that it is important to understand our basic Rosenberg Rules of Orders. As a Council we are elected and trusted by citizens, and it is great to have the passion and energy, but it is a disservice and disrespectful to people when actions by Council Members are called in an attempt to sink the ship especially when that charge is a blatant misunderstanding of how City appointments work. Always in favor of full transparency and expeditious process and that requires our Council to work together. As we have seen today, it was not pretty but this is democracy in action.

Mayor Young thanked Mayor Pro Tem Davis for running the meeting. Mayor Young asked for clarification of when Agenda Item 3.E will be coming back.

Karin Schnaider, Assistant City Manager responded the ad hoc is coming back on the next agenda and the environmental, DEI and one on governmental accountability are the three she is working on for March 7.

Mayor Young announced February 1 is the first day of Black History Month and at 10:00 am that day the flag will be raised and there will be a special ceremony honoring the very first African American Council Member which is Evelyn Tolbert and will be inside the lobby.

Mayor Pro Tem Davis expressed gratitude to first responders, OES team, Public Works, and staff. Mayor Pro Tem Davis mentioned the Black Student Union pancake breakfast was outstanding and congratulated them on the event. Council Member Arriola was also in attendance. Thanked staff for getting the homeless warming center up for unhoused members of our community.

Mayor Pro Tem Davis asked again about Prologis road improvements and when they are going to be done and also Corral Hollow widening. Have asked four times and would like an update sooner than later. The weather is getting worse and people are driving and we need to get our roads done. Council Member Bedolla supported the request.

Mayor Pro Tem Davis thanked Mayor Young for trusting her with the responsibility and thanked the community for coming out and bearing with her during this time.

7. ADJOURNMENT – Time: 9:49 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 January 12, 2023. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk