

February 7, 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 7:09 p.m.

Pastor Kal Waetzig, Saint Paul's Lutheran Church provided the invocation.

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

Michael Rogers, City Manager presented the Employee of the Month Award for February 2023 to Andrea Pedigo, Executive Assistant, Parks and Recreation Department.

Mayor Pro Tem Davis presented a Certificate of Appointment to new Parks and Community Services Commissioner Scott Arbogast.

Sekou Millington, Police Chief swore in Mitchell Van Dyk – New Lateral Officer, Octavio Lopez – Promoted to Captain, and Mario Ysit – promoted to Lieutenant.

Michael Rogers, City Manager pulled regular item 3.D from the agenda as there is more work to be done on the item.

1. CONSENT CALENDAR – Motion was made by Council Member Arriola and seconded by Council Member Bedolla to adopt the Consent Calendar. Roll call found all in favor; passed and so ordered.
 - 1.A Adoption of December 21, 2022 Special Meeting Minutes, January 17, 2023 Closed Session Minutes, January 17, 2023 Special Meeting Minutes, January 17, 2023 Regular Meeting Minutes, January 30, 2023 Closed Session Minutes and January 30, 2023 Special Meeting Minutes – **Minutes were adopted.**
 - 1.B 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 February 8, 2023 through March 9, 2023 pursuant to the Brown Act. – **Resolution 2023-019** authorized the remote teleconference meetings.
 - 1.C Approving a General Services Agreement with Mountain Cascade, Inc. for the Wastewater Treatment Plant Filter Valve Replacement for a term of three (3) months and a not to exceed amount of \$166,000. - **Resolution 2023-020** approved a General Services Agreement with Mountain Cascade, Inc.
 - 1.D Approving a Professional Services Agreement with CH2M HILL Engineers, Inc. to perform a high-level analysis of Tracy Wastewater Treatment Plant expansion to 16 million gallons per day for a period of three (3) months and a total not to exceed amount of \$110,000- **Resolution 2023-021** approved a Professional Services Agreement with CH2M Hill Engineers, Inc.

- 1.E Approving a Professional Services Agreement with Guidepost Solutions, LLC for the design of the Security System Implementation of the City's Water Facilities Project (CIP 75169) for a period of five (5) months and a total not-to-exceed amount of \$53,290..– Resolution 2023-022 approved a Professional Services Agreement with Guidepost Solutions, LLC.
 - 1.F Approving a General Services Agreement with Telstar Instruments for the Programmable Logic Controller and Primary Effluent Pumping Control Upgrade Project for a term of nine (9) months and a total not to exceed amount of \$293,250.– Resolution 2023-023 approved a General Services Agreement with Telstar Instruments.
 - 1.G Approve the Inspection Improvement Agreement between City and Lennar Homes of California, LLC for Corral Hollow Road Widening Improvements at Tracy Hills Phase 2 Frontage.– Resolution 2023-024 approved the Inspection Improvement Agreement with Lennar Homes of California, LLC.
 - 1.H Adopt two resolutions: (1) Approving a Professional Services Agreement with CH2M HILL Engineers, Inc. for the design of a recycled water booster pump station for the Recycled Water System Expansion Project (CIP 74168) for a term of five (5) months and a not to exceed amount of \$1,240,000; and (2) Approving a Professional Services Agreement with CH2M HILL Engineers, Inc. for the design of recycled water pipelines for the Recycled Water System Expansion Project (CIP 74168) for a term of five (5) months and a not to exceed amount of \$1,860,000.– Resolution 2023-025 approved a Professional Services Agreement with CH2M HILL Engineers, Inc. for design of a recycle water booster pump station. **Resolution 2023-026** approved a Professional Services Agreement with CH2M HILL Engineers, Inc. for design of recycled water pipelines.
2. ITEMS FROM THE AUDIENCE – Karen Moore stated this weekend Council had a workshop and asked if there is a video or minutes for the workshop to know if there was any decisions made and what was discussed.

Wes Huffman spoke about human behavior, saw an example at the Black History Month ceremony and hoped to see that every meeting. Mr. Huffman stated in two weeks he will wanted Council to vote yes or no to give poles to the American Legion for Memorial Day. Mr. Huffman also stated he is interested in changing the City campaign rules. The last campaign did not demonstrate good human behavior.

Vijay Pasapula, volunteer for Hindu Swyam Sevak Sangh USA, shared information regarding two activities recently conducted: SewaDiwali Food Donation Drive and the Health for Humanity Program, Surya Namaskar Yogathon and requested the City inform them of any volunteer opportunities as they are eager to get involved and offer support.

Sarah Wood, Board Member for Better World Rescue in Tracy stated she is a volunteer for the Tracy Shelter and shared information about the various programs she has worked with at the shelter. Ms. Wood requested a budget increase from \$15,000 to \$20,000 to help reduce the population of feral cats in Tracy and help the shelter neuter return program as the shelter is running out of funding.

Natasha Perez, Better World Rescue stated Tracy Animal Shelter is a role model for other shelters in this area and spoke about grants for community feral program. Ms. Perez suggested giving the shelter the requested \$15,000 - \$20,000 for the shelter neuter return program. The best thing to do is to fix them so they don't continue to reproduce and the City will have a decline in kittens.

Rehan Anwar spoke about a giant tree causing a nuisance on the corner of Byron Ave and Belconte. People are using the tree as a shelter and doing illegal activities. Kids want to enjoy their home but are not able to utilize that and are afraid to go out.

Tim Silva thanked Council for including the Transportation Advisory Commission in the LSRP special meeting, will produce more positive results and outreach to the community. Mr. Silva thanked Chief Millington for his efforts and the job he has done in community adding he is a great advocate to and for the community and he is proud of the Police Department.

Gotham spoke about the SewaDiwali in November and December and the Sun Salutation in January and requested the City Council inform Hindu Swayam Sevak Sangh (HSS) of any volunteering opportunity as the organization is eager to work with the community.

Robert Tanner stated in the last four days the City has had five meetings and on Saturday and Sunday paid money to Home2 Suites to hold a Council workshop. Mr. Tanner shared his concerns with not using City facilities for workshops and spending money for offsite meetings.

Gabriella Machucca stated she spoke at the last meeting regarding her food trailer and is now dealing with State Agency which is also based from the same miscommunication. The State Agency is stating the City of Tracy Planning only approved a CUP for temporary use permit. They are being misinformed and she is dealing with that right now.

A District Representative for Congressman Josh Harder reminded constituents of Tracy that they continue to represent them in Congress and can help them navigate Federal agencies and provided contact information.

3. REGULAR AGENDA

3.A Staff recommends that the City Council receive the annual informational report regarding the City of Tracy's Senior Services Program for 2022.

Amanda Jensen, Recreation Program Coordinator provided the staff report.

There was no public comment.

Council comments and questions followed.

Council received the annual informational report regarding the City of Tracy's Senior Services Program for 2022.

- 3.B Discuss and provide direction, by motion, that 1) the City not advance the establishment of a Government Accountability Commission at this time and 2) the City Manager return with an agenda item for the City Council to consider the establishment of an Environmental Sustainability Commission.

Karin Schnaider, Assistant City Attorney provided the staff report.

Karen Moore spoke about creating smart goals and achieving much of what is in the City's Sustainability Action Plan. Ms. Moore shared information regarding programs that include funding, goals to reduce greenhouse gas emissions, referred to the Inflation Reduction Act and shared information regarding two programs (HOMES and HEEHRA), and believed the City can benefit from an Environmental Sustainability Commission and reach goals set forth in the plan.

Robin Cole referred to the committees and stated staff has had 2.5 years to work on one program and a year to work on the other. If deadlines are not required when deliverables are due, then it won't happen. If staff does have to bring it back to do more work, she recommended it be a short timeline to return to citizens and Council as to what and how they are going to do it.

Dotty Nygard stated the City has been talking about a Sustainability Action Plan for years, and how vital this commission could be as a conduit to educate and inform to meet mandates with SB 375 and SB 1000. This would be a very vital compliment to all the hard work staff does and have a group that can focus on environmental issues and finding funding and opportunities.

Tim Silva stated he disagrees with the Government Accountability Commission. He does not see any racial components in the City where people are not being hired because of their race. Mr. Silva shared concerns regarding consultant Darlene Flynn who previously presented on race, equity, and local government.

Robert Tanner responded to Mr. Silva's comments stating the agenda item is to not establish a Government Accountability Committee.

A sophomore student expressed her strong belief of execution of the Environment Sustainability Action Committee and spoke about the benefits of the committee for the community. Shared support for the Environmental Committee.

Council questions and comments followed.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla for the City Manager to return with an agenda item for the City Council to consider the establishment of a Government Accountability Commission.

The motion was clarified and Council Member Bedolla withdrew his support of Council Member Arriola's motion.

Mayor Young seconded Council Member Arriola's motion for the City Manager to return with an agenda item for the City Council to consider the establishment of a Government Accountability Commission. Roll call found Council Member Arriola

and Mayor Young in favor. Council Members Bedolla, Evans and Mayor Pro Tem Davis opposed. Motion failed.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla for the City Manager to return with an agenda item for the City Council to consider the establishment of an Environmental Sustainability Commission. Roll call found all in favor; passed and so ordered.

3.C City Council 1) approve a resolution to form a standing committee of the Tracy City Council on Fiscal Sustainability (Committee) and 2) appoint, by motion, two members, to the Committee for an annual term, pursuant to the City Council's appointment procedures.

Karin Schnaider, Assistant City Manager provided the staff report.

There was no public comment.

Council questions and comments followed.

It was Council's consensus to form a standing committee and broaden the committee name to Finance Committee.

ACTION: Motion was made by Council Member Evans to 1) Adopt a resolution to form a standing committee of the Tracy City Council, the City Council Fiscal Sustainability Committee. 2) Appoint, by motion, two members to the Committee for an annual term.

Bijal Patel, City Attorney clarified there are two separate items/motions.

ACTION: Motion was made by Council Member Evans and seconded by Council Member Bedolla to adopt **Resolution 2023-027** to form a standing Finance Committee of the Tracy City Council. Roll Call found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Evans to appoint Council Member Evans and Council Member Bedolla to the Finance Committee for an annual term, pursuant to the City Council's appointment procedures.

ACTION: Mayor Young made a substitute motion to appoint Mayor Young and Council Member Arriola to the Finance Committee. Council Member Arriola seconded the motion. Roll call found Council Members Arriola, Evans, Mayor Pro Tem Davis and Mayor Young in favor; passed and so ordered. Council Member Bedolla opposed.

3.D Staff recommends that the City Council adopt a resolution approving a Professional Services Agreement with: (1) Tripepi Smith and Associates, Inc. for the performance of community engagement services related to the creation of City Council Districts for a term of ten (10) months and in a total not to exceed amount of \$90,000; and 2) National Demographics Corporation for the performance of demographic and mapping services related to the creation of City

Council Districts, for a term of ten (10) months and in a total not to exceed amount of \$60,000. – ITEM PULLED FROM AGENDA

DEVIATION

6. COUNCIL ITEMS – Council Member Bedolla stated he wanted to bring an important point to the attention of the Tracy Press adding several citizens have voiced their concerns as of late in regard to the integrity of the reporting specifically on our Council. Many in the community are relying on the Tracy Press to present Council discussion and decisions accurately. Consensus is while articles are written with a neutral tone there are often inconsistency of order and accuracy of events. This calls in question whether the journalist is truly neutral. It does favor senior Council Members. It simply frames votes as division when there is a simple disagreement. Council Member Bedolla thanked Council for understanding his urgency at last Monday's special meeting as being scheduled on short notice and as head coach for one of our City's Junior Warrior League basketball teams he was pressed for time as the meeting overlapped into the practice start time but was able to vote in support of a unanimous Council decision in favor of displaying the Pan African flag on an annual basis. Council Member Bedolla added it is mind-blowing to continue to make progress through unity and bring our communities together especially right now as we celebrate Black History Month. It was an incredible easy decision for him as well as his colleagues just like in 2021 when he voted to raise the LGBT+ and the Gold Star Flag. While small gestures, Council Member Bedolla looks forward with his Council colleagues to making Tracy continuously more inclusive for all walks of life. Council Member Bedolla wished everyone a great Super Bowl weekend.

Council Member Evans stated he received two calls and six complaint letters from the community about interactions happening at the warming center at the Sports Complex. Last Thursday he met with the City Manager and the Assistant City Manager to discuss this issue and have recommended the City get security out there immediately. Best of intentions but it is the wrong location, and we need to figure it out and protect our kids. Council Member Evans asked to keep thoughts and prayers with people in Turkey and Syria who have been affected by the disastrous 7.8 followed by a 7.5 earthquake.

Council Member Arriola wished everyone a happy Valentine's Day and Super Bowl, and happy and safe next couple of three-day weekends.

5. STAFF ITEMS - Michael Rogers, City Manager reported if there is anyone still in need of FEMA assistance with claims related to the winter storm the County has opened a Disaster Recovery Center at 2101 East Earhart Avenue in Stockton that is open from 9:00 a.m. to 7:00 p.m. daily. This is an opportunity to go there and find out about the different claim processes. Residents can also go to SJReady.org for more details on the resources that are available to support any claims.

City offices will be closed on Monday, February 20, 2023. This closure will not impact Tracer bus service or the overnight warming center.

Mr. Rogers encouraged anyone who is interested in serving in this community to apply for the vacancies on the Measure V Residents' Oversight Committee, Board of Appeals and Youth Advisory Commission. Visit Cityoftracy.org for more information.

7. ITEMS FROM THE AUDIENCE – Dotty Nygard stated the Tracy Earth project has started an environment educational series, first of four series will be held next Saturday. EBCE is doing a presentation (hybrid) and can be joined also in person at Workvine 209 on Saturday from 11:00 a.m. to 1:00 p.m. Council Member Arriola will share his accomplishments over the last two years and wanted to introduce Council Member Bedolla as EBCE representative. Contact tracyearthproject@gmail.com. City of Tracy is partnering with Tracy Earth project for the Earth Day event on April 29, 2023 from 9:00 a.m. to 3:00 p.m. downtown. The event will bring up lot of subject topics and lots more information and education for the public and the theme is Power of the Bike.

Council Member Bedolla responded to Ms. Nygard that he will be out of the state this weekend but looks forward to the next one.

Sarah Wood continued with her comments related to the Tracy Animal Shelter and shared her experience regarding trapping and neutering cats, statistics on feral cats survival, and stated Saving Feral is a wonderful organization in Tracy. Ms. Wood stated funding is needed along with the City's help.

Mayor Young wished everyone a happy Valentines and enjoy Super Bowl and Valentines. Great job Mayor Pro Tem Davis.

Mayor Pro Tem Davis wished everyone good night, thanked staff for their time, and good luck to Mayor Young's son being a newlywed.

7. ADJOURNMENT – Time: 9:18 p.m.

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

The above agenda was posted at the Tracy City Hall on February 2, 2023. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk