

September 19, 2023, 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.

Mayor Young led the Pledge of Allegiance.

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

There were no actions taken pursuant to AB 2449.

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

Mayor Young presented a proclamation for National Hispanic Heritage Month to South Side Community Organization.

1. CONSENT CALENDAR – Following the removal of consent items 1.D and 1.K by Council Member Evans and Robert Tanner, and items 1.M and 1.N by Hans Van Ligten motion was made by Mayor Pro Tem Davis 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 Consent Item 1.H.
 - 1.A. Adoption of September 5, 2023 Regular Meeting Minutes. – **Minutes were adopted.**
 - 1.B. Approve contract amendment to extend the term of the contract until June 30, 2024, for the IT Strategic Master plan contract with ClientFirst Consulting Group, LLC dba ClientFirst Technology Consulting. - **Resolution 2023-185** approved the contract amendment with ClientFirst Consulting Group.
 - 1.C. Adopt a resolution (1) awarding a construction contract to Tracy Grading & Paving, Inc., of Tracy, California in the amount of \$165,000 for the Sewer Connection at Lincoln and 11th Street Project, CIP 74162, (2) approving a project not-to-exceed budget of \$ \$222,000, and (3) authorizing the City Manager to approve change orders up to the contingency amount of \$33,000, if needed, pursuant to Tracy Municipal Code Section 2.20.090(b).– **Resolution 2023-186** awarded the construction contract to Tracy Grading & Paving, Inc., approved the not-to-exceed budget, and authorized the City Manager to approve change orders up to the contingency amount.
 - 1.E. Adopt a Resolution approving an additional one-year extension of the 2016-2021 Community Development Block Grant (CDBG) and HOME Program (HOME) Local Funding Priorities, up to the Fiscal Year 2024-2025.– **Resolution 2023-187** approved a one-year extension of the 2016-2021 CDBG and HOME Program local funding priorities for Fiscal Year 2024-2025.

- 1.F. Adopt a resolution (1) awarding a construction contract to DSS Company dba Knife River Construction of Stockton, California, in the amount of \$4,181,994 for the Pavement Rehabilitation Project FY 2020/21 (CIP 73178), (2) approving a project not-to-exceed budget of \$ \$4,829,293, (3) authorizing the City Manager to approve change orders up to the contingency amount of \$418,199, if needed, pursuant to Tracy Municipal Code Section 2.20.090(b), and (4) authorizing the transfer of \$715,000 (General Fund) from CIP 73196 - Deferred Maintenance to complete the Project. – **Resolution 2023-188** awarded a construction contract to DSS Company dba Knife River Construction, approved a project not-to-exceed amount, authorized the City Manager to approve change orders up to the contingency amount, and authorized the transfer of \$715,000 from CIP 73196.
- 1.G. Adopt a Resolution: 1) authorizing amendments to the City’s Classification and Compensation Plans and Master Salary Schedule to add the classifications of Cyber Security Officer and Construction Project Manager; 2) reallocating one vacant Senior Engineer in the Development Services Department to one Construction Project Manager in the Development Services Department; and 3) authorizing amendments to existing classifications to reflect modifications to job duties and clean up language and increase the bi-weekly salary range for the Environmental Compliance Analyst from \$ 3,246.98 - \$3,946.72 to \$3,733.94 - \$4,538.63. – **Resolution 2023-189** authorized the amendments to the Classification and Compensation Plans and Master Salary Schedule, reallocated on vacant position in Development Services, and authorized amendments to existing classifications.
- 1.H. Adopt a resolution 1) approving a Master Professional Services Agreement with Jacobs Engineering Group, Inc., for an initial term of one (1) year, and an annual not to exceed project budget of \$300,000 (total not to exceed amount of \$900,000); 2) authorize the Mayor to sign the agreement; and 3) authorize the City Manager to administratively extend the length of the contract annually, for an additional two years, to provide on-call engineering support services related to the wastewater treatment plant. - **Resolution 2023-190** approved an agreement with Jacobs Engineering Group, Inc., authorized the Mayor to sign the agreement, and authorized the City Manager to extend the length of the contract annually, for an additional two years. Council Member Evans recused himself from item 1.H.
- 1.I. Adopt a Resolution: 1) approving the Compensation and Benefits plan for the Limited Service Employees (LSE), and 2) authorizing an amendment to the City’s Master Salary Schedule to reflect the terms of the Compensation and Benefit Plan. – **Resolution 2023-191** approved the Compensation and Benefits Plan for LSE, and authorized an amendment to the Master Salary Schedule.
- 1.J. Adopt a Resolution:1) approving the award of the Mayor’s Community Youth Support Network Reconnecting Our Youth (ROY) Grants for fiscal year 2023-2024 in the total amount of \$175,000 to eight local non-profit organizations; 2) authorizing the Mayor to sign the funding agreements for each grant; and 3) finding that this action is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines. – **Resolution 2023-192** approved the award of the Mayor’s Community Youth Support Network Reconnecting our Youth Grants for FY 2023-2024.

- 1.L. City Council a) Adopt a resolution renewing a one-year agreement for the purchase of an enterprise subscription to Cisco FLEX for telephone services through Solid Networks for a term of one year and a not to exceed amount of \$31,800, b) Dispense the procurement requirements for this Agreement pursuant to Tracy Municipal Code Section 2.20.130(b). – Resolution 2023-193 adopted renewing a one-year agreement to Cisco FLEX.
- 1.D. Approve a Resolution adopting the City of Tracy's Economic Development Strategic Plan.

Council Member Evans pulled the item and recommended when hiring for Economic Development get someone that has private sector experience, not just government experience and can help local businesses through some of their pitfalls. Requested a schedule for staff with key milestones with a plan to accomplish the key milestones including building the department, new strategies and new pro-business policies and processes. Council Member Evans requested regular check in meetings, workshops, if possible, perhaps quarterly. An agenda item to discuss where we are with milestones. First one will be a schedule with a plan and specific dates for everything that is involved with building this department. Want engagement between staff and Council with regular feedback. See great studies being done, want assurance on a regular ongoing basis that progress is being made. Willing to do offline or publicly whichever staff suggests. Mayor Pro Tem Davis supported the recommendation.

Vanessa Carrera, Assistant to the City Manager responded there may be opportunities to come back on a quarterly basis in conjunction with Council's Strategic Priorities to provide updates on the goals and objectives outlined in the plan.

Robert Tanner believed a quarterly update is needed, referred to a 10-year plan previously presented, and requested a brief overview about what the plan is going to involve.

Ms. Carrera introduced Chris Brewer, AECOM Technologies Inc. who provided a presentation.

Robert Tanner stated with the handout that was given it said draft strategy but there was a slight change in the second draft. Item 3 had three paragraphs under it and the one provided to the public only has two. If done quarterly, we will find out what was missing from the handout.

Ram K stated we need to reimagine our city and make it pretty. Did not hear anything about bicycle lanes. Be careful before allocating City funding for small businesses because most people are working from home. Have a lot of warehouses, request companies put façade to give a nice look.

Pranay stated he is happy with the agenda item for economic development and asked if there are plans to make Tracy green including Tracy Hills.

Spoke about having a hiking place in Tracy, it will help bring people to Tracy and help economic development.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Arriola to adopt **Resolution 2023-194** adopting the City of Tracy's Economic Development Strategic Plan.

1.K. The Tracy Finance Committee recommends that the City Council adopt a resolution approving the allocation of the FY 2023-24 travel budget of the City Council body pursuant to the Council's Travel Policy.

Council Member Evans pulled the item to state the proposed \$125,000 travel budget is much too high. Council needs to hold themselves accountable for fiscal responsibility. All five do not need to go to Washington D.C. with staff. Shared comparison travel budgets and population of other cities. Tracy is way out of the ballpark and much higher than other regions. Would not support as is and suggested \$15,000 each as opposed to \$25,000 which would allow travel to D.C. twice if they wanted and still have money left over. Willing to grant Mayor \$5,000 for a membership which brings total to \$80,000.

Mayor Pro Tem Davis agreed it is prudent to look at funds, it is not necessary for everyone to go to Washington D.C. Need to be more considerate of how we are spending those travel dollars and supported what Council Member Evans was asking.

Robert Tanner pulled the item also and agreed with Council Member Evans to have \$15,000 and \$5,000 membership fee for the Mayor if the fee needs to be renewed. We are not like Stockton, \$15,000 is more than enough. Not all Council needs to go to Washington D.C. Three should stay behind and do City business.

Mayor Young also pulled the item and asked if membership fees were included in the total, asked if memberships and mileage were included in comparisons and shared the benefits of Council travel and the Mayor's memberships and travels.

Sara Cowell, Finance Director responded to questions.

Ram K stated every company's travel is being scrutinized and encouraged the City to have conversation among Council Members and Finance so there is a strategic plan of the goals and who goes where rather than doing \$15,000 per person. If there is a trip report written by all who travel, for the public to see it so they can see what was accomplished.

Burnell Shull stated at the last travel budget discussion was told Council had gone over budget, did not have money to send the Mayor to Washington D.C. and a Gofundme page was set up by citizens to send the Mayor to Washington D.C. Ms. Shull asked what the Mayor learned at the conference, where is a written report, why do five people have to go to one conference, and should report back to the residents so they know why this

money needs to be spent. Don't think \$125,000 needs to be spent. Asked if they get gas reimbursement.

Sara Cowell, Finance Director provided the staff report.

Council comments followed.

Mayor Pro Tem Davis requested postponement of consideration of the item to a later date and have the Finance Committee further look at real numbers. Council Member Evans supported the request.

Mayor Young supported the request but feels it should come back to Council.

Council Member Bedolla who serves on the Finance Committee supported the \$125,000 divided up equally and if adjustments are needed, Council can do that.

Council discussion continued.

Council Member Arriola who serves on the Finance Committee stated if Council does not have the needed votes for \$25,000, proposed \$20,000 for Council Members and \$30,000 for the Mayor which totals \$110,000.

Council comments continued.

Midori Lichtwardt, Interim City Manager suggested Council get consensus on a budget they can approve now, give staff time to recheck numbers, have discussion with Finance Committee and come back to Council with potential augmentation or changes but agree tonight on minimal amount to get through the next few months if there is going to be any travel or memberships due.

Motion was made by Council Member Arriola to adopt a Resolution approving the allocations of the FY 2023-24 Travel Budget of the City Council body per \$20,000 per Council Member and \$30,000 for Mayor for a total of \$110,000.

Council Member Arriola clarified the Finance Committee would get updates from the Council to see where the budget was at and if anything was going over they could flag it and bring it to the rest of Council.

Bijal Patel, City Attorney clarified the current resolution states it is \$25,000 allocation for Council Members and requested restating the motion to say with a resolution as amended.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla to adopt an adopted [sic] **Resolution 2023-195** approving the allocations of the FY 2023-24 Travel Budget of the City Council Body such that it would be \$20,000 per Council Member and \$30,000 for the Mayor for a total of \$110,000. Roll call found Council Members Arriola, Bedolla, Mayor Pro Tem Davis and Mayor Young in favor; passed and so ordered. Council Member Evans opposed.

- 1.M. Staff recommends that City Council adopt a resolution (1) approving the Subdivision Improvement Agreement (SIA) between the City and Lennar Homes of California, LLC, for the Public Park known as the Tracy Hills Phase 1B Public Park, located within an approximately 9.73-acre area comprised of parcels J, L, M and a portion of parcel K on the Final Subdivision Map for Tract 4084 – Tracy Hills Village 9B; and (2) authorizing the City Clerk to record the SIA with the Office of the San Joaquin County Recorder.

Items 1.M and 1.N were heard together.

Hans Van Ligten, Attorney representing the Tracy Hills Project pulled the item and stated they were happy the items are approved. Requested clarification on comments in both staff reports about various other improvements not being satisfied in Conditions of Approval. Only learned there were unsatisfied Conditions of Approval from the staff report. Asked staff to indicate what the unsatisfied Conditions of Approval are. Asked for clarification of statement in the staff report regarding City will be revoking or suspending building permits in both projects based upon the fact that the parks may not be done by the deadlines set forth in the Conditions of Approval. Do not understand where that authority exists specifically as to the Hillview map. Need clarification about what is intended.

Bijal Patel, City Attorney responded the City's position is reflected in the staff report and the developer does not agree and suggested coordinating a meeting to have further discussion to see if we can reach some consensus. Staff is still analyzing the conditions in the DIA to see what the current status is and the staff report reflects that and if there are additional actions that need to be taken they will be brought before Council. At this moment staff has not completed the analysis and is not relevant to Council's action for the item.

Mr. Hans Van Ligten stated he is happy to have a meeting with the City Attorney.

Ms. Patel confirmed she would set up a meeting with the developer.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Evans to adopt **Resolution 2023-196** (1) approving the Subdivision Improvement Agreement (SIA) between the City and Lennar Homes of California, LLC, for the public park improvements known as the Tracy Hills Phase 1B Public Park, located within an approximately 9.73-acre area comprised of Parcels J, L, M and a portion of Parcel K on the Final Subdivision Map for Tract 4084 – Tracy Hills Village 9B; and (2) authorizing the City Clerk to record the SIA with the office of the San Joaquin County Recorder. Roll call found all in favor; passed and so ordered.

- 1.N. Staff recommends that City Council adopt a resolution (1) approving the Subdivision Improvement Agreement (SIA) between the City and Lennar Homes of California, LLC, for the public park improvements known as the Hillview Public Park (also known as the Raymond P. Morelos Jr. Park), located within an approximately 4.07-acre area comprised of Lots A and D

(see Attachment B) on the Final Subdivision Map for Tract 4037 – KT Property II; and (2) authorizing the City Clerk to record the SIA with the Office of the San Joaquin County Recorder.

Items 1.M. and 1.N were heard together.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Evans to adopt **Resolution 2023-197** 1) Approving the Subdivision Improvement Agreement (SIA) between the City and Lennar Homes of California, LLC, for the Public Park Improvements known as the Hillview Public Park (also known as the Raymond P. Morelos Jr. Park), located within an approximately 4.07-acre area comprised of lots A and D on the Final Subdivision Map for Tract 4037 – KT Property II; and (2) Authorizing the City Clerk to record the SIA with the office of the San Joaquin County Recorder. Roll call found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Robert Tanner stated he brought up an issue about previous Mayor's allowing freedom of speech for citizens and this Mayor does not. Mr. Tanner asked what the mall still owes the City of Tracy. City has not yet put together a Council memo.

Burnell Shull shared concerns regarding the Mayor leaving the September 5 meeting early, spoke about a rally from the Ellis residents but instead of hearing the voice of the people the Mayor walked out before the people could speak. Attended the State of the County and noticed the Mayor was texting the whole time.

Amber Thang shared appreciation for work done on Bill Schwartz Park hockey rink renovation in Edgewood. Also shared the benefits of the park and requested restrooms, trash cans and take care of the infestation of black widows.

Rosario stated it was concerning to see that the Mayor left the meeting on September 5 right before public comments from the audience. Residents have the right to be heard and it is Council's responsibility to listen to our concerns. Residents came together to protest against Surland for not fulfilling their responsibilities regarding land for the Ellis School.

Ram K congratulated Council on the work they do for the homeless. Asked what the stench in Tracy is. At 8:15 a.m. Building Inspector Lugene Riley came to his house to inspect for a permit and first thing he asks is about the stench. Shared concerns regarding length of time Council spent on the travel budget item. Suggested putting agenda items after public comment. Meeting is for the residents and not for Council.

Anthony Pullano spoke on behalf of the skate group and shared concerns regarding deterioration and criminal activities of El Pesadero Park, spoke about violence, domestic disputes, trash, hazardous items, drug distribution, prostitution, arms dealing and gang activity centered in the camp known as the hub in the criminal underworld. Police do routine patrols but only puts activity on a brief pause. Property values have dropped. Promised a new park over a year ago and nothing has been done. Urged Council to take immediate action by either clearing the park or breaking ground on the park reservations as the situation is dangerous.

Jeff Moss on behalf of the skate group stated El Pasadero is overrun by homeless. Shared concerns regarding domestic disputes, people smoking meth, attacks and threats. Has seen people smoking meth in the skate park while there by himself and asked Tracy Police Department to remove them from the skate park, but they drove away leaving him by himself. His friend's cars have been broken in to and attacked. This park is no longer safe, and something drastically needs to change.

Logan Sumez, on behalf of the skate group stated they feel the City has abandoned its commitment to keeping youth safe. Drug use has got out of control and is close to the elementary school. Things they have seen and been subjected to at the skate park are atrocious. Domestic violence, fights, overdoses they have witnessed. Can't imagine what the kids see looking through the fence. To see this park deteriorating has been heartbreaking. Feel fully abandoned. This is Tracy's biggest embarrassment. Should do something for the children.

Blake Keys stated he walked to school today and witnessed two people doing drugs in the parking lot and last week two people sitting on bench in front of children's playground with a pipe. Every time there is something going on with the homeless people and it is a big problem.

Conrad Levoitt stated they need to learn and encouraged the skating community to get involved with the community as the voice of their own community. Urged Council to listen to the skating community, be there for them. He is doing what he can for them. Has a heart for parks.

A member of the skating group responded people at the park are people that have refused to take assisted living. They are homeless by choice, out there on their addiction and do not want government help. Something has to be done for the children. We need something now. These people look out for Police and it resumes after they leave. They are getting more embolden by the lack of action.

Steve Perry provided street corners – Valpico/Corral Hollow, Lammers/Valpico, and South Pacific/Lammers stating two deadly accidents in the last three weeks. Shared concerns regarding inadequate lighting, speeding, double trailers on a road they do not fit on, and accidents.

Dotty Nygard, CEO of Tracy Earth Project thanked the City for the award of the Mayor's grant. Put 200 kids through program which means they had 200 bikes they learned to refurbish. On behalf of small businesses downtown asked about the parklets, that was COVID relief money, and also requested an update on the pump track. Invited all to a tree event on September 30 at 9:00 am at Zanussi Park.

Sherie McKay, Tracy Youth Soccer League stated there are four bathrooms on one side of Legacy Fields for approximately 1,500 kids every Saturday. The designing of Legacy for the rest rooms was not thought out having them on one side of field. Suggested and proposed containers that are beautiful, can be locked, can't use vendor pads at Legacy. Need more restrooms out there, having 4 tournaments coming up.

3. REGULAR AGENDA

- 3.A The Planning Commission recommends that the City Council conduct a public hearing and, upon conclusion, adopt a resolution: (1) Approving a General Plan Map Amendment from Office to Commercial for an approximately 1.97-acre site, located at 2605 N. Corral Hollow Road, Assessor's Parcel Number 214-020-09 (Application Number GPA22-0004); (2) Approving a Development Review Permit for a four-story, 78-guest-room hotel development (Tru By Hilton), located at 2605 N. Corral Hollow Road, APN 214-020-09 (Application Number D22-0018); and (3) Adopting a Mitigated Negative Declaration for the General Plan Amendment and Development Review Permit Tru By Hilton Hotel Project in accordance with the California Environmental Quality Act. The applicant is Andy Kotecha for RAAD Hospitality Group

Mayor Young opened the public hearing.

Alan Bell, Senior Planner provided the staff report and presentation.

Andy Kotecha, Applicant provided information regarding the project.

There were no public comments.

Council questions and comments followed.

Mayor Young closed the public hearing.

ACTION: Motion made by Council Member Arriola and seconded by Mayor Pro Tem Davis to adopt **Resolution 2023-198** 1) Approving a General Plan Map Amendment from office to commercial for an approximately 1.97-acre site, located at 2605 N. Corral Hollow Road, Assessor's Parcel Number 214-020-09 (Application Number GPA22-0004); (2) Approving a Development Review Permit for a four-story, 78-Guest-Room Hotel development (Tru by Hilton), located at 2605 N. Corral Hollow Road, APN 214-020-09 (Application Number D22-0018); and (3) Adopting a Mitigated Negative Declaration for the General Plan Amendment and Development Review and Development Review Permit Tru By Hilton Hotel Project in accordance with the California Environmental Quality Act. Roll call found all in favor; passed and so ordered.

- 3.B Conduct a public hearing to consider declaring the existence of weeds, rubbish, refuse, and flammable materials on each of the parcels listed in Exhibit "A" to this Agenda Item a public nuisance; hear and consider objections to said declaration and to the potential abatement thereof; and a adopt a resolution authorizing the South San Joaquin County Fire Authority ("Authority") staff to abate said nuisances and directing Authority and City staffs to recover the costs of abatement in accordance with the requirements of the Joint Powers Agreement of the South San Joaquin County Fire Authority and the Tracy Municipal Code.

Mayor Young opened the public hearing.

Tim Spears, Fire Marshal provided the staff report.

There was no public comment.

There was no Council comment.

Mayor Young closed the public hearing.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Evans to adopt **Resolution 2023-199** 1) declaring the existence of weeds, rubbish, refuse, and flammable material on the parcels listed in Exhibit "A" a public nuisance; 2) authorizing the South San Joaquin County Fire Authority staff to direct its contractor to abate said public nuisance and 3) authorizing the South San Joaquin County Fire Authority staff and City of Tracy staff to recover costs of abatement from the property owners in accordance with the requirements of the Joint Powers Agreement of the South San Joaquin County Fire Authority and the Tracy Municipal Code. Roll call found all in favor; passed and so ordered.

3.C. Introduce an Ordinance amending Section 3.08.580 of the Tracy Municipal Code to update speed limits, as required by the California Vehicle Code.

Anju Pillai, Senior Civil Engineer provided the staff report.

There was no public comment.

Council comments followed.

Adrienne Richardson, City Clerk read the title of the proposed ordinance.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Arriola to introduce an Ordinance amending Section 3.08.580 of the Tracy Municipal Code to update speed limits, as required by the California Vehicle Code. Roll call found all in favor; passed and so ordered.

3.D. City Council, by motion, appoint four individuals to serve on the Board of Appeals.

Adrienne Richardson, City Clerk provided the agenda item.

The Council Subcommittee consisting of Council Members Bedolla and Evans announced their recommendation to the Board of Appeals.

Council comments followed.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Evans to appoint Harman Ratia to serve from September 20, 2023, and ending on September 30, 2026 and Dennis Alegre, James Caling and

James Damasco to serve from September 20, 2023 to September 30, 2027 to fill the vacancies on the Board of Appeals. Roll call found all in favor; passed and so ordered.

3.E. City Council, by motion, appoint two individuals to serve on the Planning Commission.

Adrienne Richardson, City Clerk provided the agenda item.

The Council Subcommittee consisting of Mayor Pro Tem Davis and Council Member Evans announced their recommendation to the Planning Commission.

Ram stated he would like to serve on the Planning Commission, asked how to find out about recruitments and feels he can contribute a lot to the City.

Rosario Arulappan supported Alice English for the Planning Commission.

Council comments followed.

ACTION: Motion was made by Council Member Evans and seconded by Mayor Pro Tem Davis to appoint to fill the remainder of two vacated terms on the Planning Commission: Alice English to serve from September 20, 2023, to March 31, 2026, and Don Penning to serve from September 20, 2023, to March 31, 2024. Raj Dhillion to be placed on the eligibility list for a period of 12-months. Roll call found all in favor; passed and so ordered.

3.F. City Council, by motion, appoint one individual to serve on the Tracy Arts Commission.

Adrienne Richardson, City Clerk provided the agenda item.

The Council Subcommittee consisting of Council Members Arriola and Bedolla announced their recommendation to the Tracy Arts Commission.

Council comments followed.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Arriola to appoint Debbie Jones to serve the remainder of a vacated term on the Tracy Arts Commission beginning September 20, 2023, and ending on December 31, 2025. Janessa Jimenez and Lindsey Humphrey to be placed on the eligibility list for a period of 12-months. Roll call found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – Ram stated the City needs to reimagine how we do things. Need to restructure meetings so Items from the Audience comes first. Spoke about three smells in Tracy and shared he had 60 people at his house and experienced the smell. Believes it is from the Water Treatment Plant. Need to have staff to monitor it

to measure odor. Suggested requesting a schedule so he can invite his guests accordingly.

Kevin Tobeck stated he smells farm odors when certain crops are being farmed, the other is the material recovery facility and when you get a south wind the green waste decomposing out there can cause impact.

Karin Schnaider, Assistant City Manager clarified Ram is referring to the Wastewater Treatment Plant and they have a system that provides notification when winds are up and certain processes are generating more odors than others. Will have the Assistant Director of Facilities reach out to Ram how they address odors at the plant.

John Stanec, Partner with Integral Communities, owner and developer of Tracy Hills stated he appreciated the approvals so they can build parks and requested help in keeping Tracy Hills moving forward. Have 30 agreements backlogged and is impairing development of Tracy Hills. Historically, the relationship between Tracy Hills and the City has been a partnership and part of the agreement was they were going to invest hundreds of millions of dollars of infrastructure and have built, but condition is to keep Tracy Hills moving forward. Behind on all that. No written explanation of what conditions have not been met. Asked Council to direct staff and the City Attorney's office to set time with them to go through these agreements that need to be approved. At a point they won't be able to build houses and don't know why. Spoke about entrances to Tracy Hills.

Mayor requested staff work with Tracy Hills with the backlog of agreements. Council Member Arriola seconded the request.

Kevin Tobeck shared concerns regarding landscaping throughout the City, provided some examples of the landscaping and maintenance that needs work. City needs to come up with a creative way to fund the LMD's. City Facilities – the Grand Theatre paint is chipping off. Do something temporarily. Westside Market – had for 12 years and was embarrassed about what it looks like. Still have old awnings on it. Spoke about the water tanks needing paint. Tracy Blvd and I-205, the traffic is over 22,000 cars a day. Lot of people going to food places, those two smaller islands were going to be improved and a welcome to Tracy put there but nothing was done.

Pranay referred to Corral Hollow across I-580, see private property on the hills, is there a place to make a hiking place with a parking lot with minimal charge, and also asked for running tracks open to the public. In Tracy Hills have walking trail and can it be made as loop. Spoke about going the green way.

Gabriella Rodriguez Machuco stated she went to Finance Committee meeting and staff worked hard before they sent it to Council. Have been advocating for food trucks since October of 2022. See a survey is out there. It is only online so will get limited responses. Don't know how people are going to find the survey.

5. STAFF ITEMS – Midori Lichtwardt, Interim City Manager provided the following updates:
 - In response to Robert Tanner's request, refer to Note 3D on page 84 of our Annual Comprehensive Finance Report he will get the answer to the auditing for West Valley Mall Macys.

- Invited everyone to celebrate the 100th anniversary of the Grand Theatre. The Grand Foundation is hosting the Centennial Gala this Saturday and there are still tickets available.
 - Caltrans Traffic Advisory - Expect overnight ramp closures on eastbound and westbound I-205 through Tracy for the I-205 Smart Corridor and Pavement Repair Projects this week – please look for roadside signage and check QuickMap.dot.ca.gov for current status.
 - Requested giving the City feedback on our short food truck survey that is linked on our homepage: CityOfTracy.org – the deadline has been extended to September 30th.
 - Rollin' Rec will be at Tracy Hills Park tomorrow from 3-5:30 PM – check the City's website calendar for all upcoming dates and locations through October.
 - Homecoming parades are scheduled for next Thursday and Friday, so expect restricted parking and street closures downtown, with possible delays on 11th Street.
6. COUNCIL ITEMS – Mayor Pro Tem Davis thanked Mr. Tobeck for bringing up many of the issues related to the appearance of our City and asked where staff is with addressing the trashiness of our City. Has brought it up at several Council meetings. Everything from the Westside Market and have talked about how it impacts moving that particular property as no one wants to do business in a dirty building. Have brought up landscaping issues continuously. Seems to be declining. Requested memo on what the City can do, have done and are doing. Mr. Tobeck brought up Pride and Beautification Task Force where the community gets together to keep the community clean. Hoped for support to look into getting something going to get an interest in community pride.

Mayor Pro Tem Davis stated she got an email regarding trash at Safeway, the encampment and buildup of trash. Has staff seen emails and is anything being done about it. It is a big problem esthetically.

Mayor Pro Tem Davis stated she loves the new development Tracy Lakes on Valpico but there does not appear to be any bike lanes with that development. Are they coming later or at all. Was told by engineer that every new development will have bike lanes.

Mayor Pro Tem Davis asked for support for the Housing Element to come back to Council for an update on October 3 or October 17. Concerned that Council has not had an update about what we are doing regarding Housing Element and defaulting into builder's remedy. Council Member Arriola seconded the request.

Mayor Pro Tem Davis congratulated students from Tracy Unified School District who participated in a contest with the Grand Theatre where they had to come up with art work within a 90 minute timeframe and she checked out the artwork today. The winner will be determined at the Gala on Saturday.

Mayor Pro Tem Davis referred to Ms. Thang's comments and asked if there were any garbage cans at Bill Schwartz Park and asked about the Go Request and who is manning them.

Brian MacDonald, Interim Assistant City Manager responded the City does have trash cans on the way tomorrow and black widows have been addressed and will be

addressed. Will take different approach for pest control. The Go Requests were addressed.

Mayor Pro Tem Davis commended the young men and lady from the skate park and asked staff with support of Council about addressing their safety concerns immediately. In June 2022 requested extra Police presence at El Pescadero Park until we got the interim shelter up and Chief sent over special enforcement team and requested support for that team or security back out there until we get this addressed. Council Member Bedolla supported the request and asked for an update from staff. How much Police presence is there and security.

Mayor Pro Tem Davis requested support for staff to look into drafting ordinance related to sensitive use areas and not being able to have people still living in tents day and night in our parks where there are children. What are the successes in other cities when addressing sensitive use areas like schools, parks, day cares and libraries where youth and children frequent. Council Member Bedolla supported the request.

Mayor Pro Tem Davis referred to Legacy Fields and asked if Council can help with temporary bathrooms on a long-term basis. We need more bathrooms at Legacy Fields.

Mr. MacDonald responded it is not on the radar but with renters who have a certain number of participants, the City is required to have porta potties to help capacity days. As far as a more permanent solution staff can look into that and let Council know what the cost would be. Could look into but it would require half million-dollar investment for something we could propose as part of our capital improvement program.

Mayor Pro Tem Davis stated she appreciated that staff made more of effort to put things on the calendar on the website but would like more things on social media. Some of our neighboring cities highlight their wins. Love what Parks and Rec does highlighting the successes of that department. Want to know more about what Public Works is doing, what our office administrators are doing to make things a little bit easier for our residents. We as a City do a lot of great things but the residents don't know about it. A lot of great things happening with THAC that don't get highlighted. Social media is a lot of the audience for Tracy.

Mr. MacDonald responded staff is working on making the Homelessness items visible on social media.

Mayor Pro Tem Davis thanked South San Joaquin Irrigation Water District for tour. Had great time at Mexican Independence parade and after activities. Wine Stroll was great. Thanked the Board of Supervisors for hosting the State of the County in Tracy.

Council Member Bedolla stated he was looking at City of Tracy Instagram and suggested adding the links for the retail survey if it is still open and the food truck survey.

Karin Schnaider, Assistant City Manager responded the food truck survey is still open, not sure on the retail one but will share those comments.

Council Member Evans stated Bruce Cleaver, President of Tracy War Memorial Association reached out to him and Mayor Pro Tem Davis to fly the Prisoner of War – Missing in Action flag (POW MIA) at the War Memorial and provided two options:

replace the California flag with the POW MIA flag or put under American Flag that is there now.

Mayor Young asked if it was the new poles or the current ones we have now. We are waiting for the new poles to be put up.

Mr. MacDonald responded he had talked to Mr. Cleaver also and he is requesting to use the existing pole. Would have to look at the flag policy and see if able to do without coming back to Council or if we need Council approval.

Mayor Young asked if the request is to fly permanently. Need to make sure we never take away the overall identity of US, California or Tracy and only from there do we do other.

Mayor Pro Tem Davis supported flying the POW MIA flag.

Council Member Evans was open to facilitating communications between Bruce Cleaver, Mayor Pro Tem Davis, staff and himself.

Mr. MacDonald stated Mr. Cleaver wanted the flag up by Veterans Day.

Council Member Evans has expressed frustration with staff regarding getting the Housing Element before Council. Cannot get a straight answer as to where we are at and have not seen an update. If it is not approved by the end of the year, will go into builder's remedy and will see ministerial approvals of high-density housing in places we do not want it. Asked staff to get Council an update.

Council Member Evans spoke about Bill Schwartz Park and restrooms. Was surprised how big that park is and would necessitate looking at a restroom and what it would take and if it would make sense. Mayor Pro Tem Davis supported the request.

Council Member Evans stated there was discussion with THAC about what we can do out there. Hearing comments from skate community. Before we change the rules with respect to committees, spoke with County District Attorney, City Attorney and Police Chief about this and there is something we can do and urged THAC to have a meeting asap. This can be affected tomorrow. Don't think need to wait for TMC change.

Council Member Evans referred to developers and transparency. Heard from some of our developers today. Want to hold them accountable but it is difficult when it is not clear about what is owed by either party. Want staff to look at a system to look at what is owed by developer and by City. Not sure how much can be public. Council Member Arriola seconded the request.

Council Member Evans spoke about the State of County address stating it was very well put together and thanked Robert Rickman and other folks that helped put that together.

Mayor Young thanked everyone who attended and supported the Tracy Mayor's Ball. The focus was behavioral and mental health. From that function had profits that benefited eight nonprofits within Tracy that gears towards their energy services for behavior and mental health. Three of the nonprofits were also beneficiaries of the third annual Tracy Connects event put on by the Tracy Chamber and received finances from

the profits. Mayor Young spoke about participants and information regarding the Tracy Connects event.

Mayor Young reported on various events and meetings she has attended: Regional Rail, West High's 911 event, Bloomberg Harvard class, 10th Anniversary of Amazon Oak4 Fulfilment Center, Industrial BBQ in Stockton that honored 3 Tracy businesses, Central Valley Division dinner, SJID Community Leaders tour, El Concilio California Community ribbon cutting, Dulceria Y Fruiteria La Familia ribbon cutting, and Hispanic Heritage Month and parade for 16th September.

Mayor Young stated one of the parks they went to on National Night Out was a small park that had one swing. Asked for an item to look at all public parks, having an assessment of what we have and conditions and update on upcoming parks.

Mr. MacDonald responded when we updated our Parks, Recreation Master Plan in October that is part of the plan. Have a park-by-park assessment and rates each park from poor to superior, rates the playgrounds and infrastructure and that is what we use to come back to Council when we do our Capital Improvement Programs. In April Council will prioritize funds and go to Parks Commission who will help us solidify those priorities and bring back to Council. Gives the opportunity to look at the whole picture.

Mayor Young asked if there was an item that can be discussed about El Pescadero Park.

Mr. MacDonald responded staff is coming back to Council with the Multi Gen project which also includes fully renovating El Pescadero Park and come back with CEQA hearing, once we go through CEQA results we are going out to bid. Have hired construction management firm to help us facilitate through that process. Can have discussion at that time. There are things on the safety side we can start today.

Mayor Young responded we need to have a conversation as to what we are doing safety wise not only at El Pescadero Park but all of our public places. Council Member Bedolla supported the conversation.

Mayor Young stated we were previously looking at a Citywide LMD and asked about the status.

Mr. MacDonald responded staff can do a memo, we can come back with a discussion item.

Council Member Bedolla asked how soon will staff plan on meeting with the Police Department and security contractor that is currently responsible for day-to-day security at El Pescadero Park. It is an enforcement issue and we need to figure out as a team. Council Members cannot go out there and clean out the park. Got to see who is doing what.

7. ADJOURNMENT – Time: 11:46 p.m.

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

The above agenda was posted at the Tracy City Hall on September 15, 2023. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk