

October 3, 2023, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy

Web Site: [www.cityoftracy.org](http://www.cityoftracy.org)

Mayor Young called the meeting to order at 7:15 p.m.

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

Mayor Young led the Pledge of Allegiance.

Pastor Tim Heinrich, Crossroads Baptist Church offered the invocation.

There were no actions taken pursuant to AB 2449.

Mayor Young presented proclamations for National Domestic Violence Awareness and Prevention Month to Jessica Alfaro from Chest of Hope and Elizabeth Sanchez from PREVAIL.

1. CONSENT CALENDAR – Following the removal of consent items 1.G by Mayor Young and 1.K by Mike Souza motion was made by Council Member Arriola and seconded by Mayor Pro Tem Davis to adopt the Consent Calendar. Roll call found all in favor; passed and so ordered.
  - 1.A. Approve September 19, 2023, Closed Session and Regular Meeting Minutes. – **Minutes were approved.**
  - 1.B. Adopt a resolution approving amendments to the City of Tracy Investment Policy. - **Resolution 2023-200** approved the amendment to the Investment Policy.
  - 1.C. Adopt a Resolution retroactively adopting an amended Operating and Capital Budget for the Fiscal Year ending June 30, 2023.– **Resolution 2023-201** adopted an amended Operating and Capital Budget.
  - 1.D. Waive the second reading and adopt an Ordinance amending Section 3.08.580 of the Tracy Municipal Code to update speed limits, as required by the California Vehicle Code.– **Ordinance 1341 was adopted.**
  - 1.E. Adopt a Resolution (1) accepting the Federal Aviation Administration’s Airport Infrastructure Grant, in the amount of \$220,100; (2) appropriating the full grant amount to Capital Improvement Project 77589 - Crack Seal and Slurry Seal, and Minor Pavement Patching Entrance Road and Parking Lot; and (3) appropriating an additional \$6,806 of General Funds to CIP 77589 to meet the grant’s requisite 10% match requirement. - **Resolution 2023-202** accepted the Federal Aviation Airport Infrastructure Grant, appropriated the full grant amount to CIP 77589, and appropriated General Funds to CIP 77589 to meet the grant’s requisite match requirement.

- 1.F. Amend Resolution 2023-006 to include a 10% contingency amount of \$108,688 on the previously awarded lowest bid construction cost of \$1,086,684 for the Ammonia Storage/Feed Systems at Park & Ride Well No. 6 and Ball Park Well No. 7, CIP 75162, consistent with Public Contract Code Section 10126.– **Resolution 2023-203** amended Resolution 2023-006 to include the 10% contingency amount on the previously awarded lowest bid construction cost.
- 1.H. The Tracy Homelessness Advisory Committee recommend that the City Council adopt a Resolution to (1) approve the Professional Services Agreement with Roebbelen Construction Management Services, Inc. for construction management services for Phase II Site Improvements at the Temporary Emergency Housing Facility, CIP 71112, located at 370 W. Arbor Avenue, with a total not-to-exceed amount of \$450,185.– **Resolution 2023-204** approved the agreement with Roebbelen Construction Management Services, Inc.
- 1.I. Adopt a Resolution: (1) accepting public improvements as complete for Tracy Hills Phase 1A School Site Street Modifications, constructed by Tracy Phase 1, LLC, a Delaware Limited Liability Company, (2) authorizing the City Engineer to release bonds in accordance with the Offsite Improvement Agreement and Tracy Municipal Code section 12.36.080, (3) authorizing the City Clerk to file the Notice of Completion with the San Joaquin County Recorder's Office, (4) accepting an Irrevocable Offer of Dedication of land from Jefferson Elementary School District, and (5) accepting a grant deed of land dedication from Tracy Hills Phase 1 Community Association.– **Resolution 2023-205** accepted the public improvements as complete for Tracy Hills Phase 1A School Site Street Modifications, constructed by Tracy Phase 1, LLC, authorized City Engineer to release bonds, authorized City Clerk to file Notice of Completion, accepted an Irrevocable Offer of Dedication of land from Jefferson Elementary School District, and accepted the grant deed of land dedication from Tracy Hills Phase 1 Community Association.
- 1.J. City Council, by resolution, (1) accept improvements for Tracy Hills Village 2, Tract 3888 as complete, (2) authorize the City Engineer to release the Subdivider furnished bonds in accordance with State law and pre-existing Agreements, and (3) authorize the City Clerk to file a Notice of Completion with the San Joaquin County Recorder's Office.– **Resolution 2023-206** accepted improvements from Tracy Hills Village 2, Tract 3888, authorized the City Engineer to release bonds, and authorized the City Clerk to file a Notice of Completion.
- 1.G. The Tracy Homelessness Advisory Committee recommend that the City Council adopt a resolution awarding a professional service agreement to The Salvation Army to serve as the City's shelter operator for the Temporary Emergency Housing Facility, with an initial term of one (1) year and a not-to-exceed annual cost of \$2.6 Million.

Mayor Young pulled the item and stated since committees have changed from adhoc it has narrowed down to a specific appointment or assignment.

The Council is not a part of the decision and are encouraged not to attend committee meetings so it would be good to have a brief report.

Virginia Carney, Homeless Services Manager provided the staff report and responded to questions.

Tracy Homelessness Advisory Committee members consisting of Council Member Bedolla and Mayor Pro Tem Davis provided comments supporting the item.

Brad Fieldhouse, City Net stated they support the motion, did not apply for the RFP and have worked with the Salvation Army. As an agency their primary focus is non congregate shelters and have learned it is not a model for shelter operations. As this project has developed, the commitment to have a flexible space and a sprung structure is the reason they did not apply. They do not do those shelters statewide.

Captain Oregel, Salvation Army stated they do volunteer and partner up with people from Tracy and will continue to establish that and always welcome volunteers.

Robert Tanner shared in Southern California the Salvation Army had the facilities for preschool and kindergarten for his son and he dealt with them for the first six years of his sons' life. They are the right group to run the facility.

Cynthia Camacho asked why the amount is over double. Is it going to be for hiring nonprofits to help with services. If it is just for shelter, she requested an explanation, it is a large jump.

Joanne Gregonis stated she serves the homeless in Tracy and asked when people are taken from the park where do they go. A man passed away behind Food Maxx last night who was homeless. He couldn't go to the shelter because the shelter was full. He was from Plascencia Field and was kicked out one week ago.

Dotty Nygard asked about the summary of the provisions for the clients at the shelter, there is no reference to workforce development and hoped the need for workforce development would be addressed.

Captain Gastro from Salvation Army talked about the job component and the various programs they have in the area. They have a program called Next Step where it is housing for those who have completed programs. Goal is to have a job already waiting for them. Believe workforce development is key, have a lot of resources for those interested in bettering their lives and partnerships are important.

Alice English shared support for the Salvation Army. Used to go to adhoc committee and Salvation Army was one of the models.

Council comments continued.

**ACTION:** Motion was made by Mayor Pro Tem Davis and seconded by Council Member Bedolla to adopt **Resolution 2023-207** awarding a Professional Services Agreement to the Salvation Army to serve as the City's Operator for the Temporary Emergency Housing Facility, with an initial term of one year and a not to exceed annual cost of \$2.6 million. Roll call found all in favor; passed and so ordered.

- 1.K. Adopt a Resolution: 1) approving the Offsite Improvement Agreement (OIA) between the City and Tracy Phase I, LLC for the Corral Hollow Road Widening Improvements required as part of the Conditions of Approval for the Final Map for Tract 4037 for the KT Project; and 2) directing the City Manager to terminate the Inspection Improvement Agreement dated August 30, 2021 for a subset of the work approved under the OIA.

Mike Souza pulled the item to share his concerns regarding changes in their relationship with the City and are working to better that relationship. Cannot get anything accomplished with the City right now. Spoke about language put into staff reports regarding conditions not met in the KT Project and problems with the Deferred Improvement Agreement. Shared concerns regarding lack of response when asking what it is they are not doing. Communication is lacking in the City.

Karin Schnaider, Assistant City Manager responded to Mr. Souza's comments and confirmed staff will be meeting with Tracy Hills on October 12, 2023.

Council questions followed.

Koosun Kim, City Engineer responded to questions.

Tim Silva stated roads have been discussed during the Transportation Commission meeting, have never seen a master plan of what the City wants to do with Corral Hollow and shared his concerns regarding Corral Hollow. This Council does not know what past Councils agreed with.

**ACTION:** Motion was made by Mayor Pro Tem Davis and seconded by Council Member Arriola to adopt **Resolution 2023-208** 1) Approving the Offsite Improvement Agreement (OIA) between the City and Tracy Phase I, LLC for the Corral Hollow Road widening improvements required as part of the conditions of approval for the Final Map for Tract 4037 for the KT Project; and 2) Directing the City Manager to terminate the Inspection Improvement Agreement dated August 30, 2021 that allowed a subset of the work now approved under the OIA. Roll call found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Robert Tanner spoke about the City needing to have second thoughts regarding MGRC, as there is a stronger need for a Police substation for south Tracy. Found where the money was for the mall, as of last June it was \$1.7 million. If the mall closes, that is what they owe us. Mr. Tanner asked about the balance of the weed abatement account.

Wes Huffman requested for the fourth time for Council to agendaize changing election rules for the City of Tracy. Talked with friends who helped plant trees recently and stated they had to have insurance before bringing organizations here to do work for free and suggested the City review the policy for insurance for nonprofits.

Jenny Wood representing the trees on Bessie Ave presented Council with a petition that received support from 119 people that want to save the trees on Bessie. Was told that two arborists were in the process of deciding about the trees. Ms. Wood shared the benefits of trees and urged Council to save all Bessie trees.

Ajay spoke about Lammers Road in extension with the Corral Hollow Road discussion with Ellis and Tracy Hills residents and all the trouble they are facing. Supposed to extend to Tracy Hills and I-205 in the future, learn from mistakes that happened with Corral Hollow. Expand the road to Ellis and look to extend it to Tracy Hills and the freeway as soon as possible.

Karin Schnaider, Assistant City Manager responded to the previous speaker's comments.

Rosario Arulappan stated the Lammers Road exit on I-580 is a critical project. There is no school in Ellis and Tracy Hills so everyone goes for all the various Jefferson School District schools. People have trouble on Lammers Road, lot of trucks. This area needs an exit on I-580 and spoke about having another exit on the backside of Tracy Hills.

Dotty Nygard thanked those that participated in tree planting. Had over 90 volunteers. The trees were donated by community organizations and residents in memory of loved ones. Thanked Heirloom Carbon, Prologis, Tracy Tree Foundation, Sikhs of Tracy, Sunrise Rotary and Delta Disposal for purchasing trees, and thanked the Parks and Recreation Department for their support.

Alice English shared support for the State of the County event, bringing elected officials to Tracy and County Supervisor Robert Rickman. Heard a rumor from a lot of seniors that Mayor Young was supposed to speak at event, but that is incorrect. Was not the State of the City. No Mayors were supposed to speak.

Logan Sumez stated the decision to remove the security team from El Pescadero Park was a mistake. Within a week we have seen all kinds of negative activity increase. Shared he witnessed a lady getting into a fight and get beaten in front of two children today. The Police show up for a short time and leave. Looked into laws that Sacramento passed about protecting land and making it so we can take homeless encampments away from schools within 100 yards and referred to SB 31. Having homeless encampments near these schools is a massive problem.

Jeff Moss asked what the plan is since the removal of the security team from the skate park and keeping the skate park regulated as they witnessed someone being dragged in the field and beaten and the same truck drove through the park three times unloading stuff. Police go through very slow past the skate park and leave.

Sekou Millington, Police Chief responded to questions by the previous speaker and Council.

Cynthia Camacho stated there was a retail grant we did not get and asked if the City had applied.

Ms. Schnaider responded to the question regarding the grant and confirmed that the City did apply and did not get it.

### 3. REGULAR AGENDA

- 3.A Adopt a resolution, in accordance with Sections 4.2 and 4.3 of the Development Agreement between the City of Tracy and Tracy Hills Project Owner, LLC and Tracy Hills Phase 1, LLC, recorded on June 9, 2016 (Development Agreement): 1) Approving the Conceptual Design for 15-Acres of the Tracy Hills Community Park; 2) Approving a High-Level Concept for an additional 15-Acres of the Tracy Hills Community Park and delegating to the City Manager the authority to further advance a conceptual design that complies with the Development Agreement and City standards; and 3) Approving the Tracy Hills Open Space Improvements Proposal.

Richard Joaquin, Parks Planning and Development Manager and responded to questions.

John Palmer stated they are excited to embrace the development obligations to provide the 30-acres of parks which is the 15 acres of park to meet the Tracy Hills community park requirement and additional 15 acres they are gifting as part of the DA, in addition 150 acres of open space which is above and beyond the Quimby Act requirement. The presentation duplicates what was presented in 2021. If any assertion that they are not complying in the DA or circumventing process, they disagree and shared frustration with the amount of work that is in the queue to get to Council. Perplexed why looking back instead of forward and want to look forward to the design process.

Tim Silva stated he was told by Tracy Hills and staff that the potential of a disc golf course may be going to Tracy Hills even though one is being developed at Veterans Park. Hopefully we get a disc golf course as one of the amenities. Dr. Powers Park disc golf course is used frequently.

Council questions and comments followed.

Mike Souza responded to the Mayor's question stating they are going back and looking for a smoking gun on something they may not have done. Not a lot of communication from staff on that assertion and shared frustration with the amount of work in the queue trying to get to Council for approval to build infrastructure. Asked for the same approval they got from Council in 2021. Council is not here tonight to approve the design of the park, but here to approve that they are providing the 30 acres with the requirements and reserving 150 acres and spoke about their commitments.

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

**ACTION:** Motion was made by Council Member Bedolla and seconded by Mayor Pro Tem Davis to adopt **Resolution 2023-209** in accordance with Sections 4.2 and 4.3 of the Development Agreement between the City of Tracy and Tracy Hills Project Owner, LLC and Tracy Hills Phase 1, LLC, recorded on June 9, 2016 (Development Agreement): 1) Approving the Conceptual Design for 15-Acres of the Tracy Hills Community Park; 2) Approving a High-Level Concept for an additional 15-Acres of the Tracy Hills Community Park and delegating to the City Manager the authority to further advance a conceptual design that complies with the Development Agreement and City standards; and 3) Approving the Tracy Hills Open Space Improvements Proposal. Roll call found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – John Stanec, partner with Integral Communities owner of Tracy Hills stated he sent all a letter today asking for help in scheduling the meeting about getting clarifications on conditions they may or may not have met on the maps. When talked about two parks last week, two separate conditions, Corral Hollow Road and KT are separate conditions. Specifically, to our phase 2 development and administrative recordation of the seven Final Maps we need to have recorded to start building houses there. Put in \$85 million dollars of infrastructure in Phase 2 but can't build houses because they cannot get approval of Final Maps because told conditions that have not been met. Met with staff in June asking for the same clarification of what they have not done that the Final Maps cannot be recorded. Requested Council figure out with staff to have those seven Final Maps on the agenda for the October 17 meeting. The presentation done in 2021 is exactly the same as the one presented tonight.

Tim Silva stated there are a hodge podge of developments on Corral Hollow. Hear all the time they only build certain areas that front Corral Hollow. We need to get all the players involved and meet on how to develop Corral Hollow in the views we see and conceptual designs. Have not seen a master plan on how that thoroughfare is going to look from I-580 to I-205. Focus energy on how it can be done.

Joanne Gregonis stated there was a fire at Drainage Basin 4 in August and the homeless were kicked out due to a hazardous material situation and asked was the EPA involved and where was the waste taken to. A member of maintenance said they had not taken classes to deal with hazardous material and the days they were kicked out not one person had any protective equipment. What is being done about that.

Mayor Young went back to the request by Mr. Stanec to be able to have the meeting to make sure whatever conditions need to be met, request was for seven Final Maps and having a meeting with staff.

Ms. Schnaider confirmed the meeting is on October 12 and Final Maps are not ready and will discuss with Tracy Hills on October 12. Several agreements are still outstanding.

Mayor Young asked for an adjustment to meet this week.

Ms. Schnaider responded when we met ahead of time still more questions needed to be answered and they were not ready to present that information and this week the Interim City Manager is out at training, so the meeting is scheduled for next week.

Council Member Bedolla stated the meeting on the 12<sup>th</sup> only gives six workdays to prepare.

Ms. Schnaider responded that is correct and do not know we are going to resolve everything because there are outstanding agreements we have to agree upon.

Mayor Young stated it was already scheduled last week so should have already had things in place. Understand Ms. Lichtwardt is at a conference now but that is not going through next week. Think it is good to see what we can do that is not further hindering when our side cancelled the meeting last week. Perhaps becomes more of a priority for the beginning of the week.

Bijal Patel, City Attorney responded that is an administrative action so not sure if Council has purview to direct a meeting. We have heard it loudly and clearly. We are working long hours trying our best, complex work and trying to get coordination, there are a lot of details on these maps. It is scheduled for October 12 and we need a few more internal meetings and want to have a productive meeting on October 12.

Mayor Young stated there has to be something between June and now.

Ms. Schnaider responded she has been in communication with the developer and have communicated what she has been working on and research. When she has needed questions answered they have been forthcoming. Don't have all of the answers or questions ready today. Have more than one meeting between now and the 12<sup>th</sup> to get ready for the 12<sup>th</sup> and that is what we are here to do as good administrators of the City. Ms. Schnaider assured Council if she can move up anything or have questions, she feels she can reach out to the developer and have those conversations on or before and beyond the 12<sup>th</sup>. There are a lot of moving parts staff is working on.

5. STAFF ITEMS – Karin Schnaider, Assistant City Manager provided the following updates:
- Caltrans Traffic Advisory: Expect overnight (11:00 p.m. – 7:00 a.m.) I-205 lane and ramp closures from Mountain House Parkway to Hansen Road.
  - The Bessie Ave. project is under way. Click the “Construction Updates” shortcut on our homepage to learn more about the project and work to be done. In response about the trees, there are no trees planned for removal during the construction. Some trimming occurred already and will be ongoing health monitoring of the trees to determine the safety of the trees during the construction and project.
  - New, split-phase temporary traffic advisory signals have been activated at the Valpico and Corral Hollow Road intersection. Commended Engineering and Police Departments for going out daily to work on checking the timing during peak hours. Will continue until the permanent one is complete in Spring of 2024.
  - The results of the 2023 Retail Survey are in and available on our homepage: [CityOfTracy.org](http://CityOfTracy.org).
  - Classes started today for South County Fire's Community Emergency Response Team (CERT) program – send a message to [cert@sjcfire.org](mailto:cert@sjcfire.org) if you are interested in signing up for their next CERT session [also an old Council Follow-Up Item].



- Tracy Police Department invites the community to Coffee with a Cop at Raley's tomorrow from 10:00 -11:00 a.m.

6. COUNCIL ITEMS – Council Member Bedolla gave a shout out to the Grand Theatre for their combined Chamber mixer and their 100 years of Disney Show. Hoping we can market our shows better. Felt there was a lot of people that would have gone to the show and could have done better on marketing.

Council Member Bedolla stated this past Thursday he had the opportunity on behalf of the City to speak at the San Joaquin Council of Governments to advocate for Tracy's Valley Link station. We still have to get to the point to find out the City's preferred location for the station but between logistics and safety it is making more sense to be positioned on the north side of the City with a bus route that will make our cities TOD plan. One thing announced during COG's presentation is that the plans are further in the works for Tracy's hydrogen, solar and energy storage facility and we were there to support as a City.

Council Member Bedolla stated when we come up against holidays like Thanksgiving and Christmas, there is usually not an intent to have a controversial item during those days but if it happens to be an item where the public wishes there was more input and wanted to check with Council to see if there is any appetite to skip the second meetings in November and December because they are heavy holiday weeks. Looking for support to entertain the discussion. Mayor Pro Tem Davis supported the request.

Council Member Bedolla stated at the last board meeting for EBCE was proud to be part of the board that voted to give residents a 5% total discount from their PG&E bill. It is hard to see that prices are continually going up for PG&E, proportionally EBCE prices are going up but compared to PG&E it is a 5% decrease and while the agency is not changing their name, it is still going to be East Bay Community Energy Authority, the doing business as name that the residents will see is going to be AVA.

Council Member Bedolla noted he will be out of Tracy on Saturday, October 7, 2023.

Mayor Young confirmed the 2<sup>nd</sup> meeting in December is already cancelled.

Mayor Pro Tem Davis reported on her attendance at the League of California Cities as the voting delegate and there was nothing to vote on, continued education as required for ethics and harassment training and attended City Manager/City Council relationship session. Hoped for support to bring the ethics training to the City of Tracy as what was taught at LOCC was outstanding. Council Member Arriola seconded the request.

Mayor Pro Tem Davis spoke about a powerful presentation by Brandon during open session at LOCC and one thing he talked about was love first and lead second and think our Council could use more of that and intend to hold herself to that standard.

Mayor Pro Tem Davis stated the light worked for one day and is not working on Corral Hollow Road and Valpico and whether we are running some test with it.

Mayor Pro Tem Davis gave a shout out to The Grand and the Grand Foundation who did a fantastic job of the Gala and attended the Grand mixer also.

Mayor Pro Tem Davis congratulated Carina Diaz for expanding her business for Kids Place 2 Explore and Learn.

Bijal Patel, City Attorney asked for clarification whether Mayor Pro Tem Davis was requesting that particular vendor for ethics training as the City just had ethics training a few months ago.

Mayor Pro Tem Davis responded the lady was fantastic and can get her name, she was an attorney. It would be great to have that come here to City of Tracy.

Ms. Patel clarified that an attorney come to the City of Tracy and provided virtual and in person AB1234 training through the City Attorney's office and will also be providing Brown Act Training. Ms. Patel asked Mayor Pro Tem Davis if she was requesting that specific vendor or just to provide the training.

Mayor Pro Tem Davis responded she cannot compare as she did not know about the training at the City. Was phenomenal experience at LOCC and Council could benefit but don't want to step on toes if someone is doing a great job.

Council Member Arriola reported on the League of California Cities and attended a variety seminar and workshops including public service ethics, mobile crisis response teams, meeting decorum, issues related to hate crimes and hate speech, issues related to diversity, equity and inclusion services, public affective communication strategies. Attended networking events related to the Latino Caucus Young Professionals Meeting, and LGBTQ Caucus and re-elected to the LGBTQ Caucus board.

Council Member Arriola requested an update on the status of an agenda item regarding voluntary transition to District Elections for 2024. Had asked our former City Attorney back in September 2019 and February 2021 and requested from Ms. Patel and did get a memo in June 2023 and requested it as a Council item with a second on June 27, 2023. We are about a year away from elections and have not seen any progress and liked to know how we can get it on an agenda item sooner such that it will be effective by the next election.

Ms. Patel responded she did provide a comprehensive legal opinion with a third-party opinion on this issue.

Council Member Arriola responded one of the outcomes of Ms. Patel's memo was a voluntary transition and did request it with a second.

Ms. Patel responded that has always been an option but the question is what are the pros and cons of doing that so did specific analysis related to that. Council Member Arriola had made a motion and there was a second but putting all of that together in a package if there is not going to be a majority support from Council to move forward is a pretty significant step to take.

Council Member Arriola responded Council has never had it as an agenda item so does not know how we would know whether there would be a majority support for it.

Ms. Patel responded before we start the trigger, we will need to make sure there is a majority support to move down that path and stated she will go back to the motion made and legal opinion and see what we can move forward with.

Council Member Arriola stated we are asking for an agenda item where we would get the majority opinion, it sounds like you are asking for a majority opinion behind the scenes.

Ms. Patel responded she is not asking for a majority opinion behind the scenes and had not received comments back from anyone else as to if there was any interest moving forward on that voluntary path.

Council Member Arriola responded he did not understand what that feedback question would be because he has gone through the procedure via the Code of Conduct and got a second. Council Member Arriola asked Ms. Patel if it is not done quickly, we will not be able to do it by the 2024 election. That is why he asked for it in June and again in 2021 and 2019. Council Member Arriola confirmed he received Ms. Patel's memorandum, reviewed the possible outcome one of which is a voluntary transition and have asked for it as a policy item to be discussed.

Ms. Patel responded a policy item is different from asking for an action item to proceed with the implementation and confirmed she would go back to specific request and make sure we get something on the agenda.

Mayor Young stated she is doubly seconding that as it is time sensitive and was the will of the entire Council when we first brought this before. Mayor Young stated she is giving her feedback as the seconder of the request.

Ms. Patel responded she could have something back by the end of this year, was not here in 2019 or 2021 and did not know what the prior Council decided or discussed.

Council Member Arriola stated this appears to be something different than the Code of Conduct Protocols that we have implemented related to a second Council Member bringing something on to an agenda item.

Ms. Patel responded she was not here in August, is scrambling without any staff in the office, has been a thousand items between May and this month that she has handled by herself and can only take on so much. If it is believed that she is delaying it, she apologized and will get something on the agenda before the end of the year.

Council Member Arriola invited everyone to Tracy Pride this weekend at 10:00 a.m. at Lincoln Park.

Mayor Young asked for clarity of when the City Attorney was going to get something on the agenda as election is in March and is concerned that we are being consistent with the Code of Conduct.

Ms. Patel responded she is trying her best and we have three meetings left. There was no date specific so in terms of priorities as Council has been hearing from developers today, have had so many items on the agenda and try to fit as much as staff can. The City Manager has a huge list of priorities. Ms. Patel added she is trying to accommodate

everyone's need and has committed to bring something for Council's discussion before the end of the year.

Council Member Evans gave a shout out to Bruce Cleaver, President of Tracy War Memorial Association as he brought a proposal to Council Member Evans and Mayor Pro Tem Davis to fly the MIA POW flag at the war memorial and worked with Brian MacDonald and thanked him for his efforts. The POW MIA flag will be posted permanently at the War Memorial Monument and will be there on Veterans Day. The POW MIA flag is in recognition of our armed forces who have been prisoners of war or missing in action.

Council Member Evans stated there was an attempted kidnapping today at Poet School and gave a huge shout out to Tracy Police Department and any other law enforcement agencies.

Council Member Evans attended the Grand Theatre Gala, 100-year celebration of our Grand Theatre, was amazing event and gave shout out to the Grand Foundation and donors in Tracy, they raised over \$200,000 for our Grand Theatre. Gave shout out to Jay's Gourmet and The Press for the food.

Mayor Young reported she was notified by Kaiser that the labor strike will commence as of 6:00 a.m. on October 4, 2023, and scheduled to conclude on Saturday, October 7 at 6:00 a.m. Be patient as you may have longer call volume. Good news is the hospitals and emergency services are still open during the strike. Lab and radiology and optical may be temporarily closed for these days.

Mayor Young announced on October 4<sup>th</sup> there is a Quick Draw Art Contest reception at the Grand Theatre put on by the Grand Foundation and on October 7<sup>th</sup> the Blues, Brews and BBQ event will be Saturday from noon to 6:00 p.m. downtown.

Mayor Young provided a summary of events and meetings she has attended.

7. ADJOURNMENT – Time: 10:20 p.m.

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

The above agenda was posted at the Tracy City Hall on September 28, 2023. The above are action minutes. A recording is available at the office of the City Clerk.

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Mayor

ATTEST:

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City Clerk