

FPPC Complaint number COM-06072023-01663

From: Brandi Marotta

To: complaint@fppc.ca.gov

Date: Wednesday, June 14, 2023 at 12:39 PM PDT

To Whom it may concern:

Re: FPPC Complaint number COM-06072023-01663

Dear Sir or Madam:

I filed the above referenced complaint against Eleassia Davis, a Tracy City Council member.

The basis of the complaint is that Ms. Davis is recused from participating in certain proposed projects due to an established conflict of interest. After a two year period of constant and repeated recusal she suddenly participated in one of the matters.

As additional information I have attached is a list of ever instance when she has publicly announced she had a conflict of interest and could not participate in the matter. Between December 2021 and April 2023 Ms. Davis on publicly announced on sixteen occasions that a conflict was present and recused herself from the item. On several occasions she indicated she “needed” to recuse herself (that is her recusal was compelled) based on advice from legal counsel.

This constant and repeated practice only makes the recent participation even more egregious.



DAVIS COUNCIL RECUSAL.pdf
146.5kB

COUNCIL RECUSAL

2020

No Meeting recusals. First Council Meeting for Council Member Davis was December 15, 2020

2021

-CITY COUNCIL MEETING - SPECIAL MEETING - 12/21/2021-

ITEM 4A. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

Click on “REQUEST TO CONDUCT CLOSED SESSION” or Timestamp 02:32

https://tracy-ca.granicus.com/player/clip/932?meta_id=25940

Council Member Davis: “Out of an abundance of caution, based on advice from council. I will be recusing myself from the “Item A”. Pending determination of FPPC”

2022

-CITY COUNCIL MEETING - SPECIAL MEETING - 1/18/2022-

ITEM 4B. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

Click on “REQUEST TO CONDUCT CLOSED SESSION” or Timestamp: 02:21

https://tracy-ca.granicus.com/player/clip/942?meta_id=26265

Council Member Davis: “Out of an abundance of caution, I will be recusing myself from “Item B”. Pending FPPC Determination”

2022 (CONT)

-CITY COUNCIL MEETING - SPECIAL MEETING - 2/01/2022-

ITEM 4A. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

Click on “REQUEST TO CONDUCT CLOSED SESSION” or Timestamp: 01:36

https://tracy-ca.granicus.com/player/clip/956?meta_id=26507

Council Member Davis: “I’d like to also mention that I need to recuse myself from this item. Once again. Pending determination from FPPC”

-CITY COUNCIL MEETING - SPECIAL MEETING - 2/22/2022-

ITEM 5. RECEIVE AN UPDATE ON MEASURE V REVENUE PROJECTIONS AND CURRENT SPENDING PLAN AND PROVIDE DIRECTION TO STAFF REGARDING PROJECT PRIORITIES AND PROJECT DELIVERY OPTIONS

Click on “5. RECEIVE AN UPDATE ON MEASURE V REVENUE PROJECTIONS AND CURRENT SPENDING PLAN” or Timestamp: 1:25:46

https://tracy-ca.granicus.com/player/clip/968?meta_id=26713

Council Member Davis: “I’ll be recusing myself out of an abundance of caution. I have spoken with legal counsel just because there is a lot of information in here that the Aquatic Park is probably going to dominate the conversation and I will be recusing myself for that reason”

Council Member Davis also left the remainder of the Council Meeting @ 7:33 PM

-CITY COUNCIL MEETING - SPECIAL MEETING - 3/29/2022

ITEM 3A: 3.A PUBLIC HEARING TO CONSIDER APPROVING A VESTING TENTATIVE SUBDIVISION MAP FOR THE AVENUES NEIGHBORHOOD CONSISTING OF 480 RESIDENTIAL LOTS, A PARK, AND ASSOCIATED ROADS ON APPROXIMATELY 95.83 ACRES, LOCATED SOUTH OF VALPICO ROAD AND APPROXIMATELY 1,500 FEET WEST OF CORRAL HOLLOW ROAD, ASSESSOR’S PARCEL NUMBERS 240-140-49, 240-140-05, 240-700-13, & 240-700-14. THE APPLICANT IS THE SURLAND COMPANIES AND THE

2022 (CONT)

PROPERTY OWNER IS GREYSTONE LAND INVESTMENT PARTNERS, LLC. APPLICATION NUMBER TSM21-0001

Click on “3A. A PUBLIC HEARING TO CONSIDER APPROVING” or Timestamp: 20:08
https://tracy-ca.granicus.com/player/clip/984?meta_id=27048

Council Member Davis: “I will be recusing myself, I have had an opportunity to refer with counsel and out of an abundance of caution to the proximity of my real property. I will be recusing myself from this item.”

-CITY COUNCIL MEETING - SPECIAL MEETING - 6/7/2022-

ITEM 4B: B. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

Click on “4. REQUEST TO CONDUCT CLOSED SESSION” or Timestamp: 2:06
https://tracy-ca.granicus.com/player/clip/1010?meta_id=27823

Council Member Davis: “Mayor at this time, I would like to make sure that the public is aware that I will be recusing myself out of abundance of caution for “Item 4B”. Due to the proximity of real property”

-CITY COUNCIL MEETING - REGULAR MEETING - 8/16/2022-

ITEM 3A: 3.A STAFF RECOMMENDS THAT THE CITY COUNCIL INTRODUCE THE FOLLOWING TWO ORDINANCES TO COMPLY WITH THE JUDGMENT AND PEREMPTORY WRIT OF MANDATE IN MITRACOS V. CITY OF TRACY, ET AL., SAN JOAQUIN COUNTY SUPERIOR COURT CASE NO. STK-CV-UWM2018-5531: (1) AN ORDINANCE RESCINDING ORDINANCE 1253 APPROVING SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC, AND (2) AN ORDINANCE RESCINDING SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC.

Click on “3A. STAFF RECOMMENDS THAT THE CITY COUNCIL..” or Timestamp: 1:23:58
https://tracy-ca.granicus.com/player/clip/1033?meta_id=28337

2022 (CONT)

Council Member Davis: *"I need to recuse myself from the next item. Legal Counsel has conferred with me and stated that I need to recuse myself due to proximity of real property. So, I will be recusing myself at this time."*

-CITY COUNCIL MEETING - SPECIAL MEETING - 8/16/2022-

ITEM 4B: 4B. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT ii. Case Title: City of Tracy v. Ronnoco Properties of Tracy II, L.P., et al., San Joaquin Superior Court Case No. STK-CV-UED-2020-0010706.

Click on "4: REQUEST TO CONDUCT CLOSED SESSION" or Timestamp 3:15
https://tracy-ca.granicus.com/player/clip/1034?meta_id=28263

Council Member Davis: *"Mayor, I would also want to mention that I will be recusing myself from "ITEM B". Out of an abundance of caution, due to the proximity of my real property."*

-CITY COUNCIL MEETING - SPECIAL MEETING - 9/6/2022-

ITEM 4A: A. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

Click on "4: REQUEST TO CONDUCT CLOSED SESSION" or Timestamp 2:02
https://tracy-ca.granicus.com/player/clip/1040?meta_id=28453

Council Member Davis: *"Mayor Pro Tem [Vargas], with regard to "ITEM 4". I will be recusing myself per legal counsel due to the proximity of real property, close to the property here, mentioned here"*

-CITY COUNCIL MEETING - REGULAR MEETING - 9/20/2022

ITEM 3B: 3.B ADOPT THE FOLLOWING RESOLUTIONS TO FURTHER COMPLY WITH THE JUDGMENT AND PEREMPTORY WRIT OF MANDATE IN MITRACOS V. CITY OF TRACY, ET AL., SAN JOAQUIN COUNTY SUPERIOR COURT CASE NO. STK-CV-UWM-2018-5531: (1) A RESOLUTION RESCINDING RESOLUTION NO. 2020-154 APPROVING FINAL AQUATIC CENTER CONCEPTUAL PLAN WITH A NOT-TOEXCEED AMOUNT OF \$65

MILLION INCLUDING CONTINGENCY AND SOFT COSTS; (2) A RESOLUTION
RESCINDING
2022 (CONT)

RESOLUTION NO. 2019-78 APPROVING THE AGREEMENT FOR DEFERRAL OF CERTAIN
IMPACT FEES FOR ELLIS GARDENS PHASE 1- 3 (TRACT 3877, TRACT 3906, AND TRACT
3907); AND (3) A RESOLUTION RESCINDING RESOLUTION NO. 2021-116 APPROVING
THE AGREEMENT FOR DEFERRAL OF CERTAIN IMPACT FEES FOR ELLIS TOWN AND
COUNTRY (TRACT 4007)

Click on “3B. ADOPT THE FOLLOWING RESOLUTIONS...” or Timestamp: 1:04:22
https://tracy-ca.granicus.com/player/clip/1053?meta_id=28793

*Council Member Davis: “Thank you Mayor. I am going to be recusing myself from
this Item. Based on counsels advice due to proximity of real property”*

-CITY COUNCIL MEETING - SPECIAL MEETING - 10/4/2022-

ITEM 4A: 4A. Conference with Legal Counsel – Existing Litigation (Gov. Code Section
54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND
COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT

Click on “4. REQUEST TO CONDUCT CLOSED SESSION” or Timestamp: 2:03
https://tracy-ca.granicus.com/player/clip/1062?meta_id=28925

*Council Member Davis: “As a point of information, Mayor. I will be recusing
myself from this item. Due to proximity of real property.”*

-CITY COUNCIL MEETING - REGULAR MEETING - 11/15/2022-

ITEM 1G: 1.G City Council 1) approve the Final Subdivision Map for Tract 3900 – Ellis Estate
Lots and Limited Use Area, and 2) authorize the City Clerk to file the approved Final Map with
the San Joaquin County Recorder. – Resolution 2022-174 approved the Final Subdivision Map
for Tract 3900 – Ellis Estate Lots and Limited Use Area.

Click on “1. CONSENT CALENDAR” or Timestamp: 13:43
https://tracy-ca.granicus.com/player/clip/1086?meta_id=29365

*Council Member Davis: “I’d like not to pull anything but I’d like to say I am
recusing myself from”1G ”.*

2023

-CITY COUNCIL MEETINGS - SPECIAL MEETING - 1/30/2023

ITEM 4A. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

Click on “4. REQUEST TO CONDUCT CLOSED SESSION” or Timestamp: 2:19

https://tracy-ca.granicus.com/player/clip/1122?meta_id=30040

Mayor Pro Tem Davis: “Mayor, I just want to make note that I will need to recuse myself on “ITEM 4A” and I will be doing that until I receive formal advice from the FPPC”

-CITY COUNCIL MEETING - REGULAR MEETING - 4/4/2023-

ITEM 3A: 3.A Adopt a resolution 1) authorizing the issuance and sale of special tax bonds for the purpose of financing authorized facilities and 2) approving and authorizing related documents and actions for Improvement Area No. 3 of the City of Tracy Community Facilities District No. 2016-2.

Click on “3A. ADOPT A RESOLUTION..” or Timestamp: 37:58

https://tracy-ca.granicus.com/player/clip/1163?meta_id=30608

Mayor Pro Tem Davis: “Mayor, at this time I will be recusing myself due to own, proximity of owned real property”

From: Brandi Marotta <brandi.marotta@yahoo.com>
Sent: Tuesday, April 30, 2024 11:10 AM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Discussion Item 7A

Some people who received this message don't often get email from brandi.marotta@yahoo.com. [Learn why this is important](#)

Caution: This is an external email. Please take care when clicking links or opening attachments.

Dear Tracy City Council,

I am writing to you both as a supporter of the Tracy Aquatic Park project's community-driven design plans, which it appears this body may consider ignoring tonight, and as a complainant to the Fair Political Practices Commission regarding Eleassia Davis' exclusion from participation in Council matters related to the project.

Let me be clear: all eyes in the Tracy community are on Councilmember Eleassia Davis. Her history of recusal on matters related to the project, due to her statutorily-defined conflict of interest on January 20, 2023, and March 2, 2023, should once again preclude her from participating in tonight's Agenda Item 7.A.

I would like to remind this body, and all those watching tonight's meeting, that Davis' sudden and inexplicable participation in Council discussions surrounding the project on March 7, 2023, and April 4, 2023, became the subject of my sworn complaint to the Fair Political Practices Commission last year. It is no surprise that the state's ethics watchdog opened an investigation into Davis' actions during those meetings (see FPPC's "open and pending" case against Davis, ID #2023-00575).

For the sake of full transparency, I am attaching the contents of my complaint to this email. The people of Tracy are watching and will not tolerate flagrant violations of state ethics laws governing the conflicts of interest of our local elected officials.

Sincerely,

Brandi Marotta

FPPC Complaint number COM-06072023-01663

From: Brandi Marotta

To: complaint@fppc.ca.gov

Date: Wednesday, June 14, 2023 at 12:39 PM PDT

To Whom it may concern:

Re: FPPC Complaint number COM-06072023-01663

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As additional information I have attached is a list of ever instance when she has publicly announced she had a conflict of interest and could not participate in the matter. Between December 2021 and April 2023 Ms. Davis on publicly announced on sixteen occasions that a conflict was present and recused herself from the item. On several occasions she indicated she “needed” to recuse herself (that is her recusal was compelled) based on advice from legal counsel.

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-CITY COUNCIL MEETING - SPECIAL MEETING - 12/21/2021-

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Council Member Davis: “Out of an abundance of caution, based on advice from council. I will be recusing myself from the “Item A”. Pending determination of FPPC”

2022

-CITY COUNCIL MEETING - SPECIAL MEETING - 1/18/2022-

ITEM 4B. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

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https://tracy-ca.granicus.com/player/clip/942?meta_id=26265

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2022 (CONT)

-CITY COUNCIL MEETING - SPECIAL MEETING - 2/01/2022-

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Council Member Davis: “I’d like to also mention that I need to recuse myself from this item. Once again. Pending determination from FPPC”

-CITY COUNCIL MEETING - SPECIAL MEETING - 2/22/2022-

ITEM 5. RECEIVE AN UPDATE ON MEASURE V REVENUE PROJECTIONS AND CURRENT SPENDING PLAN AND PROVIDE DIRECTION TO STAFF REGARDING PROJECT PRIORITIES AND PROJECT DELIVERY OPTIONS

Click on “5. RECEIVE AN UPDATE ON MEASURE V REVENUE PROJECTIONS AND CURRENT SPENDING PLAN” or Timestamp: 1:25:46

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Council Member Davis: “I’ll be recusing myself out of an abundance of caution. I have spoken with legal counsel just because there is a lot of information in here that the Aquatic Park is probably going to dominate the conversation and I will be recusing myself for that reason”

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-CITY COUNCIL MEETING - SPECIAL MEETING - 3/29/2022

ITEM 3A: 3.A PUBLIC HEARING TO CONSIDER APPROVING A VESTING TENTATIVE SUBDIVISION MAP FOR THE AVENUES NEIGHBORHOOD CONSISTING OF 480 RESIDENTIAL LOTS, A PARK, AND ASSOCIATED ROADS ON APPROXIMATELY 95.83 ACRES, LOCATED SOUTH OF VALPICO ROAD AND APPROXIMATELY 1,500 FEET WEST OF CORRAL HOLLOW ROAD, ASSESSOR’S PARCEL NUMBERS 240-140-49, 240-140-05, 240-700-13, & 240-700-14. THE APPLICANT IS THE SURLAND COMPANIES AND THE

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PROPERTY OWNER IS GREYSTONE LAND INVESTMENT PARTNERS, LLC. APPLICATION NUMBER TSM21-0001

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-CITY COUNCIL MEETING - SPECIAL MEETING - 6/7/2022-

ITEM 4B: B. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

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https://tracy-ca.granicus.com/player/clip/1010?meta_id=27823

Council Member Davis: “Mayor at this time, I would like to make sure that the public is aware that I will be recusing myself out of abundance of caution for “Item 4B”. Due to the proximity of real property”

-CITY COUNCIL MEETING - REGULAR MEETING - 8/16/2022-

ITEM 3A: 3.A STAFF RECOMMENDS THAT THE CITY COUNCIL INTRODUCE THE FOLLOWING TWO ORDINANCES TO COMPLY WITH THE JUDGMENT AND PEREMPTORY WRIT OF MANDATE IN MITRACOS V. CITY OF TRACY, ET AL., SAN JOAQUIN COUNTY SUPERIOR COURT CASE NO. STK-CV-UWM2018-5531: (1) AN ORDINANCE RESCINDING ORDINANCE 1253 APPROVING SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC, AND (2) AN ORDINANCE RESCINDING SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC.

Click on “3A. STAFF RECOMMENDS THAT THE CITY COUNCIL..” or Timestamp: 1:23:58
https://tracy-ca.granicus.com/player/clip/1033?meta_id=28337

2022 (CONT)

Council Member Davis: *"I need to recuse myself from the next item. Legal Counsel has conferred with me and stated that I need to recuse myself due to proximity of real property. So, I will be recusing myself at this time."*

-CITY COUNCIL MEETING - SPECIAL MEETING - 8/16/2022-

ITEM 4B: 4B. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT ii. Case Title: City of Tracy v. Ronnoco Properties of Tracy II, L.P., et al., San Joaquin Superior Court Case No. STK-CV-UED-2020-0010706.

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https://tracy-ca.granicus.com/player/clip/1034?meta_id=28263

Council Member Davis: *"Mayor, I would also want to mention that I will be recusing myself from "ITEM B". Out of an abundance of caution, due to the proximity of my real property."*

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ITEM 4A: A. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

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-CITY COUNCIL MEETING - REGULAR MEETING - 11/15/2022-

ITEM 1G: 1.G City Council 1) approve the Final Subdivision Map for Tract 3900 – Ellis Estate
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for Tract 3900 – Ellis Estate Lots and Limited Use Area.

Click on “1. CONSENT CALENDAR” or Timestamp: 13:43
https://tracy-ca.granicus.com/player/clip/1086?meta_id=29365

Council Member Davis: *“I’d like not to pull anything but I’d like to say I am
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2023

-CITY COUNCIL MEETINGS - SPECIAL MEETING - 1/30/2023

ITEM 4A. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

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https://tracy-ca.granicus.com/player/clip/1122?meta_id=30040

Mayor Pro Tem Davis: “Mayor, I just want to make note that I will need to recuse myself on “ITEM 4A” and I will be doing that until I receive formal advice from the FPPC”

-CITY COUNCIL MEETING - REGULAR MEETING - 4/4/2023-

ITEM 3A: 3.A Adopt a resolution 1) authorizing the issuance and sale of special tax bonds for the purpose of financing authorized facilities and 2) approving and authorizing related documents and actions for Improvement Area No. 3 of the City of Tracy Community Facilities District No. 2016-2.

Click on “3A. ADOPT A RESOLUTION..” or Timestamp: 37:58

https://tracy-ca.granicus.com/player/clip/1163?meta_id=30608

Mayor Pro Tem Davis: “Mayor, at this time I will be recusing myself due to own, proximity of owned real property”

Public Comment – Agenda Item 7.A

From: City of Tracy, CA <webmaster@cityoftracy.org>

Sent: Tuesday, April 30, 2024 4:22 PM

To: + Webmaster <webmaster@cityoftracy.org>

Subject: Feedback for City of Tracy, CA

Caution: This is an external email. Please take care when clicking links or opening attachments.

You have received this feedback from Denece Vincent [REDACTED] > for the following page:

<https://www.cityoftracy.org/government/city-council>

For Pete's sake, let's get SOMETHING built of the Aquatic Center. But make sure it's not just affordable to build but also to staff, maintain and insure. I suggest starting with the long delayed competition pool. Also figure out how to keep Joe Wilson pool open more than 10 weeks a year. Parks and Rec has an obligation to provide a pool for the full summer, not just the period when high school life guards are available. It's great that we can provide summer jobs for a lucky few, but it's sweltering long past the start of classes!

PUBLIC COMMENT - AGENDA ITEM 7.A

-----Original Message-----

From: Dustin Smith-Salinas <[REDACTED]>
Sent: Monday, April 29, 2024 1:51 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Say No to \$55mil Aquatic Project

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I'm writing to provide feedback against the proposed use of \$55 million for the aquatic project. I'm all in favor of a new public pool, but a \$55 million project is absurd. This amount for one project should not be approved. Tone down the plans and use some of these funds for other projects the community could use.

-Dustin Smith-Salinas

Reading thru the staff report, I was stuck by several items.

1. The project amount of 55 million established by city staff for a public amenity with the ability to serve more people recreationally than any other in Tracy. Legacy Fields just finished their first phase, and they are already at approximately 70 million. This is not a dig at Legacy Fields, just pointing out the disparity. I believe the multi-gen center is also higher and cannot accommodate nearly the number of patrons the swim center can.
2. The language that attempts to negate the contributions from certain community members who have been consistently showing up for nearly 20 years trying to move the swim center project forward, by citing a resolution to disband the Tracy Tomorrow and Beyond Committee.
3. And on Page 7, titled Coordination, which included the Project Management team for Griffin Structures who are being paid \$750,000 to consult with city staff on the project and would be tasked with creating their own design. I'm sure there was no bias there, right?

The staff report also shows a reduction of the cost by eliminating the indoor pool and activity center, neither of which have been part of the community designed plan for many years, and were not included in the plans Surland submitted to the city.

The characterization of Luxury Cabanas, also known shade structures which can be used for family parties, is meant to imply “this is just too much luxury for Tracy”. It’s important to recognize this is a facility that will be owned by the city. They can set whatever prices they want. They don’t have to even charge for a cabana, it could be based on an online reservation.

The Surland plans are ready to go to construction documents. The alternate use of Base Program option B lists a project completion of May 2027

Start building the Surland plans now, before the price of construction goes up even more and further erodes the number of swim center elements that can be built.

PUBLIC COMMENT - AGENDA ITEM 7.A

From: Ponsankar Shanmugam <[REDACTED]>
Sent: Monday, April 29, 2024 8:28 AM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Discussion Item 7A

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I am writing to express my strong support for discussion item 7a proposed by the Tracy Parks & Community Services Commission regarding the Aquatic Center Capital Improvement Project 78054.

After careful consideration, I fully endorse the recommendation to reject the use of Developer's Design Development Plans and authorize staff to plan the Project with Base Program – Option B, with a \$55 million project budget for the ultimate City-led development of the Project.

This decision aligns with the best interests of our community for several reasons. First and foremost, opting for the City-led development of the Project ensures that it remains under local jurisdiction and control, thereby safeguarding the interests and needs of Tracy residents. Additionally, by rejecting the Developer's Design Development Plans, we can ensure that the Aquatic Center is tailored to the unique requirements and aspirations of our community, rather than adhering to external standards or priorities.

Furthermore, selecting Base Program – Option B with a \$55 million project budget provides a prudent balance between fiscal responsibility and the necessity to deliver a high-quality facility that meets the diverse recreational needs of our residents. This approach demonstrates a commitment to effective resource management while simultaneously investing in the long-term vitality and well-being of our community.

I urge the City Council to support discussion item 7a and take the recommended actions proposed by the Tracy Parks & Community Services Commission. By doing so, we can advance the development of the Aquatic Center Capital Improvement Project in a manner that reflects the values and aspirations of our community.

Thank you for your attention to this matter, and I trust that you will make the decision that best serves the interests of Tracy residents.

Sincerely,
Sankar

PUBLIC COMMENT - AGENDA ITEM 7.A

From: Saravanan Muthusamy <[REDACTED]>
Sent: Monday, April 29, 2024 8:36 AM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Aquatic Center

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Caution: This is an external email. Please take care when clicking links or opening attachments.

Hi,

Good morning

I am writing to express my strong support for discussion item 7a proposed by the Tracy Parks & Community Services Commission regarding the Aquatic Center Capital Improvement Project 78054.

After careful consideration, I fully endorse the recommendation to reject the use of Developer's Design Development Plans and authorize staff to plan the Project with Base Program – Option B, with a \$55 million project budget for the ultimate City-led development of the Project.

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I urge the City Council to support discussion item 7a and take the recommended actions proposed by the Tracy Parks & Community Services Commission. By doing so, we can advance the development of the Aquatic Center Capital Improvement Project in a manner that reflects the values and aspirations of our community.

Thank you for your attention to this matter, and I trust that you will make the decision that best serves the interests of Tracy residents.

Regards
Saravanan M
Tracy Ellis

Public Comment – Agenda Item 7.A

-----Original Message-----

From: sunil mareddy <[REDACTED]>

Sent: Tuesday, April 30, 2024 2:56 PM

To: Tracy City Council <tracycitycouncil@cityoftracy.org>

Subject: Aquatic park design

Hello,

I request city council to not accept the design from the builder which costs more, instead i would put the money on building the infrastructure. I am writing to support the city plan to build the aquatic park.

Thank you,
Sunil

PUBLIC COMMENT - AGENDA ITEM 7.A

From: Suresh Rajagopal <[REDACTED]>
Sent: Monday, April 29, 2024 12:25 AM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Discussion Item 7A

Dear City Council Members,

I am writing to express my strong support for discussion item 7a proposed by the Tracy Parks & Community Services Commission regarding the Aquatic Center Capital Improvement Project 78054.

After careful consideration, I fully endorse the recommendation to reject the use of Developer's Design Development Plans and authorize staff to plan the Project with Base Program – Option B, with a \$55 million project budget for the ultimate City-led development of the Project.

This decision aligns with the best interests of our community for several reasons. First and foremost, opting for the City-led development of the Project ensures that it remains under local jurisdiction and control, thereby safeguarding the interests and needs of Tracy residents. Additionally, by rejecting the Developer's Design Development Plans, we can ensure that the Aquatic Center is tailored to the unique requirements and aspirations of our community, rather than adhering to external standards or priorities.

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I urge the City Council to support discussion item 7a and take the recommended actions proposed by the Tracy Parks & Community Services Commission. By doing so, we can advance the development of the Aquatic Center Capital Improvement Project in a manner that reflects the values and aspirations of our community.

Thank you for your attention to this matter, and I trust that you will make the decision that best serves the interests of Tracy residents.

Sincerely,
Suresh Rajagopal