

MINUTES

May 21, 2024, 7:00 p.m.

CONCURRENT REGULAR MEETING OF THE TRACY CITY COUNCIL AND SPECIAL MEETING OF THE TRACY PUBLIC FINANCING AUTHORITY

City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

Mayor Young called the meeting to order at 7:00 p.m.

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. City Council had no declarations of conflict.

Mayor Young announced that this is a concurrent regular meeting of the Tracy City Council and the Tracy Public Financing Authority. The Authority and City Council will be voting on actions related to regular item 3.D.

Mayor Young led the Pledge of Allegiance.

Deacon Jack Ryan offered the invocation.

Mayor Young presented Certificates of Achievement to D.A.R.E. graduating students.

Mayor Young presented a Key to the City to Steve Abercrombie.

Mayor Young presented Certificates of Appointment to Planning Commissioners Don Penning, and Gurtej Atwal.

Council Member Arriola presented a Proclamation for LGBTQ Month to Andrea Juarez-Smith, Tracy Pride.

1. CONSENT CALENDAR – Following the removal of Consent Item 1.D by Council Member Evans, 1.K by Alice English and 1.F by John Garren, motion was made by Mayor Pro Tem Davis and seconded by Council Member Evans to adopt the Consent Calendar. Roll call found all in favor; passed and so ordered.
 - 1.A. Adoption of April 30, 2024 Special Meeting and Closed Session Minutes.
– **Minutes were adopted.**
 - 1.B. Staff recommends that the City Council adopt a resolution ratifying the San Joaquin Council of Governments (SJCOG) Annual Financial Plan for Fiscal Year 2024-2025, as required by the Joint Powers Agreement between SJCOG and its member agencies. – **Resolution 2024-064** ratified the SJCOG Annual Financial Plan for Fiscal Year 2024-2025.

- 1.C. Staff recommends that the City Council adopt a Resolution (1) accepting an allocation of Fiscal Year 2023-2024 funds in the amount of \$86,815 from the California Low Carbon Transit Operation Program; (2) authorizing the City Manager, or designee, to execute requisite funding documents, certifications and assurances; and (3) appropriating all \$86,815 to the Transit Fund for free student fares. – Resolution 2024-065 accepted an allocation of Fiscal Year 2023-2024 funds from the California Low Carbon Transit Operation Program.
- 1.E. Staff recommends that the City Council adopt a resolution (1) accepting the construction for the Water Treatment Plant HVAC Replacement – Blower Building Project, Capital Improvement Project 75171 (Project), completed by B&M Builders Inc. of Rancho Cordova, California, (2) authorizing the City Clerk to File the Notice of Completion with the San Joaquin County Recorder’s Office, (3) authorizing the City Engineer to release the bonds and retention payment in accordance with State law; and (4) authorizing the Finance Department to close the Project. – Resolution 2024-066 accepted construction for the Water Treatment Plan HVAC Replacement – Blower Building Project, CIP 75171 completed by B&M Builders, Inc.
- 1.G. The Tracy Homelessness Advisory Committee recommend that the City Council adopt a Resolution approving Amendment No. 1 to the General Services Agreement with United Site Services of California, Inc. at the Temporary Emergency Housing Facility, Capital Improvement Project 71112, at 370 West Arbor Avenue, to increase the original scope of service, increase the total not-to-exceed amount to \$255,563.51, and extend the term from May 31, 2024 to June 30, 2025. – Resolution 2024-067 approved Amendment No. 1 to the General Services Agreement with United Site Services at the Temporary Emergency Housing Facility, CIP 71112.
- 1.H The Tracy Homeless Advisory Committee recommend that City Council adopt a Resolution (1) awarding a construction contract to Bockmon & Woody Electric Company, Inc. of Stockton, California for the 370 and 384 W. Arbor Road Power Supply Project at the Temporary Emergency Housing Facility Project, Capital Improvement Project (CIP) 71112, in the amount of \$614,275 and (2) authorizing the City Manager to approve construction contract change orders up to the contingency amount of \$61,428, if needed, pursuant to Tracy Municipal Code Section 2.20.090(b). – Resolution 2024-068 awarded a construction contract to Bockman & Woody Electric Company, Inc. for the 370 and 384 W. Arbor Road Power Supply Project at the Temporary Emergency Housing Facility Project, CIP 71112.
- 1.I. Staff recommends that the City Council adopt a Resolution: (1) approving, pursuant to Government Code Section 990.8, the execution of the Joint Powers Agreement with a consortium of public agencies to join an Insurance-Risk Pool Entity Collectively Known As Public Risk Innovation, Solutions (PRISM); and (2) approving the execution of a Memorandum of Understanding with PRISM to authorize the City to utilize PRISM to form an Owner-Controlled Insurance Program (OCIP) for use on future capital projects. – Resolution 2024-069 approved the execution of the Joint Powers Agreement with a consortium of

public agencies to join an Insurance-Risk Pool Entity collectively know as Public Risk Innovation Solutions.

- 1.J. Staff recommends that the City Council adopt a Resolution:
1) awarding a construction contract to Roebbelen Contracting, Inc. of El Dorado Hills, California for construction of the Multi-Generational Recreation Center Project, CIP 78178, for a contract amount of \$60,221,000;
2) authorizing the City Manager to approve change orders on the contract with Roebbelen Contracting, Inc. up to the maximum contingency amount of \$6,022,100, if needed, pursuant to Tracy Municipal Code Section 2.20.090(b);
3) approving the execution of a Gas and Electric Extension Agreement with Pacific Gas & Electric for the Project for a not-to-exceed amount of \$190,000.00;
4) authorize the City Manager, pursuant to Government Code Section 4420(b), to proceed with the proposal from Alliant for an Owner-Controlled Insurance Program (OCIP) to procure construction insurance for the Project for a not-to-exceed amount of \$1,796,052. – Resolution 2024-070 awarded the construction contract to Roebbelen Contracting, Inc. for construction of the Multi-Generational Recreation Center Project, CIP 78178.
- 1.D. Staff recommends that the City Council (1) approve a Professional Services Agreement with ETA Transit Systems, Inc., for the installation of intelligent transit system software and hardware for the TRACER bus system with a contract price not to exceed \$1,357,333, a five-year initial term, and an administrative option for the City Manager to extend the term one additional year, and (2) authorize the City Manager, or designee, to sign any ancillary support agreements.

Ed Lovell, Transit Manager provided the staff report and responded to questions.

Council Member Evans pulled the item to ask about data to see if buses are on time, cost offsets, does vendor charge for this service or will the City not be charged for this service going forward, is it going to be a tool to increase ridership, potential revenue, efficiency driver and smart phone use for riders.

There was no public comment.

ACTION: Motion was made by Council Member Evans and seconded by Mayor Pro Tem Davis to adopt **Resolution 2024-071** (1) Approving a Professional Services Agreement with ETA Transit Systems, Inc. for installation of intelligent transit systems software and hardware for the Tracer Bus System with a contract price not to exceed \$1,357,333, an initial five-year term, and administrative option to extend for one additional year and (2) Authorizing the City Manager, or designee, to sign any ancillary support agreements. Roll call found all in favor; passed and so ordered.

- 1.F. The Tracy Finance Committee recommends that the City Council adopt a Resolution amending the City's Operating and Capital Budget for Fiscal Year 2023-2024.

John Garren pulled the item to ask if the budget has money to fix the road on Tracy Blvd south of Linne around the airport.

Sara Cowell, Director of Finance provided the staff report and responded to questions.

Mr. Magee asked for clarification if the budget includes weed abatement or any adjustments to City landscaping, any requests for services from November 2023, no changes for land management districts specifically also for Zone 15.

Karin Schnaider, Assistant City Manager responded to the Mr. Magee's questions.

Council questions followed.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Evans to adopt **Resolution 2024-072** amending the City's Operating and Capital Budget for Fiscal Year ending June 30, 2024. Roll call found all in favor; passed and so ordered.

- 1.K. Staff recommends that the City Council take the following actions, pursuant to the California Landscape and Lighting Act of 1972 and California Streets & Highway Code § 22623 et seq.: (1) Adopt a Resolution Approving the Engineer's Report describing existing and/or proposed new improvements for the Tracy Consolidated Landscape Maintenance District for Fiscal Year 2024/2025; and (2) Adopt a Resolution of Intention: (A) to levy and collect annual assessments for the Tracy Consolidated Landscape Maintenance District for Fiscal Year 2024/2025 to be considered at a future public hearing; and (B) hold a public hearing on June 18, 2024, at 7:00 p.m. to consider the same in accordance with the Landscape and Lighting Act of 1972.

Alice English pulled the item to state there is a meeting coming up on June 18, 2024, and asked why the item is not coming to the public first. Will there be a notice in the paper for the residents as not everyone is on social media.

Nilo Velazquez, Management Analyst responded to questions.

Council questions followed.

Mr. McGee stated the City is paying a consultant to do an analysis, is the analysis vetted; keep on hearing about contractors and consultants and are paying staff to do things but there is no money to get a few weeds picked and lawn mowed and when not done correctly he has to contact staff. When not done correctly, who is doing the work, why is this such a difficult task and why do we waste so much money.

Anthony stated if the City keeps spending money on landscaping, he can do it for half the price.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Arriola to adopt **Resolution 2024-073** approving the Engineer's Report for the Tracy Consolidated Landscape Maintenance District pursuant to the provisions of

the Landscaping and Lighting Act of 1972 for Fiscal Year 2024/2025. Roll call found all in favor; passed and so ordered.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Arriola to adopt **Resolution 2024-074** declaring the City of Tracy's intention to levy annual assessments for the Tracy Consolidated Landscape Maintenance District for Fiscal Year 2024/2025 and set a public hearing on June 18, 2024, at 7:00 p.m. to consider the same in accordance with the Landscape and Lighting Act of 1972. Roll call found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Mr. Magee asked to get his park and landscape fixed, he has been dealing with this since November 2023, and is shocked to find out from staff that there is no budget for repair and replacement of current park infrastructure, no plan for maintenance for parks. The City pays for consultants to do staff's work. Mr. McGee shared concerns regarding not having resources for staff to do the job.

Matt McGibney shared that blades were found at Legacy Fields over the weekend. Appears to be some sort of mower blade and a lot of these blades were found on the B5 field. Whoever is taking care of the fields needs to do a better job.

Anthony Van Noy asked for City's bond number and bonding agency, spoke to Police Officers who claim they do not have bonds, so they are protected under a general bond for the City. Same officers have taken his truck, camper and are threatening to take his new RV. Intend to file against the City's bond because it is not right. He wants to be left alone.

Tim Silva announced Family Fun Day at the airport on June 1, 2024, from 9:00 a.m. to 2:00 p.m. There will be an aerobatics competition, promoted the event and stated he would love to see everyone out there. Mr. Silva also shared on Friday he came from OTB Disk Golf Open in Stockton which is a professional disk golf tournament. Is trying to bring to Tracy at Legacy Fields and would be great revenue and shared his support for Legacy Fields.

Dotty Nygard shared the Tracy Earth Day event on April 29, 2024, was an awesome event with over 60 vendors. Businesses networked, kids had a great time with lots of activities. City staff had activities for youth and our community. Helps showcase our community. Ms. Nygard asked Council to hurry up with the pump track so the community can enjoy recreating in our town.

Robert Tanner stated he finds it disheartening the City is pushing the MGRC as opposed to the Aquatic Park. We are going to spend \$60 million on a gymnasium type facility when we can have the Aquatics Park for the same price. Forget the Cadillac version we saw previously, we can still do it for \$55-\$65 million. Mr. Tanner shared his concerns regarding fireworks, should increase fines and make all fireworks illegal except for City sponsored event.

Sandy Taylor shared her disappointment with the City of Tracy. The City has a public reputation of being in chaos and being difficult to work with. An example is what was witnessed at the special meeting on April 30, 2024, was appalled to hear a Council Member say Ellis residents are tired of waiting for an Aquatic Park. Ms. Taylor continued to share her concerns regarding some Council Member comments at the April

30 special meeting regarding the Aquatic Center. If Council would use the design documents in their possession, the project could move forward.

Alice English spoke about Measure V being brought in by the voters and approved roughly \$140 million for 20 years to be used for public safety and many amenities and read out what Measure V is supposed to be used for, not \$160 million dollars for an Aquatics Park. Ms. English shared concerns regarding Council Members spending \$600,000 on containers for the homeless right before the election.

Mayor Young responded to Ms. English's comments.

Mayor Pro Tem Davis clarified Mayor Young's comment.

Council Member Arriola objected to the characterization.

3. REGULAR AGENDA

- 3.A. Staff recommends that the City Council (1) Continue the Public Hearing from April 2, 2024, pursuant to Tracy Municipal Code Section 4.12.320, to consider assessment of costs for the abatement of weeds, rubbish, refuse, and flammable materials on the following three parcels: 280 W. Mount Diablo Road, 302 W. Mount Diablo Road, 2480 W. Byron Road, and upon its conclusion, (2) By separate motion approve the final assessment of abatement costs on each of the three parcels.

Mayor Young opened the public hearing.

Tim Spears, Fire Marshal provided the staff report and presentation.

Council questions and comments followed.

Michele, representing property owners shared concerns regarding the weed abatement costs for 280 W. Mount Diablo Road and 302 W. Mount Diablo Road, being charged for four properties instead of two, not getting sufficient notification of abatement, and stated they have taken care of properties when asked.

Ramu, owner of 280 W. Mount Diablo Road also shared his concerns regarding the abatement costs and being charged for abatement on adjacent properties that do not belong to him.

Mayor Young closed the public hearing.

Randall Bradley, Fire Chief shared information regarding the abatement process, safety issues and responded to questions.

Heavy dialogue between Fire Marshal, Michele, Ramu and Council continued.

Bijal Patel, City Attorney reminded Council the action before them is to determine whether the abatement cost is correct and based on the TMC. Council can modify the cost and can reduce the cost if they so choose to.

Discussion continued.

There were no property owners in attendance for 2480 Byron Road.

ACTION: Motion was made by Council Member Evans and seconded by Mayor Pro Tem Davis to approve the final assessment of abatement costs for the abatement of weeds, rubbish, refuse, and flammable materials on 280 W. Mount Diablo Road.

Council comments continued.

ACTION: Mayor Young made a substitute motion to continue the hearing to July 2, 2024, so staff can come back with answers Council needs. Council Member Bedolla supported the substitute motion.

Staff to look at overcharge, making sure they are only being charged for abatement on their own property, comparative land, comparative to what it looked like versus what needed to be done and gross difference in price and number of hours for days charged.

Council comments continued.

Comments from Michele, property owner representative and Council continued.

Roll call on Mayor Young's substitute motion found Council Members Bedolla, Evans and Mayor Young in favor; passed and so ordered. Council Member Arriola and Mayor Pro Tem Davis opposed.

3.B Staff recommends that the City Council conduct a public hearing and, upon conclusion: 1) Adopt a resolution adopting an Initial Study/Negative Declaration, in accordance with the California Environmental Quality Act, for the Tracy Fire Training Facility, located south of Brichetto Road, and east of Chrisman Road, on a portion of Assessor's Parcel Number 250-030-07 (Property), Capital Improvement Project 71109 (Project); 2) Adopt a Resolution (a) Designating 5.13 acres of the City-owned property for the project; (b) Authorizing the execution of a Memorandum of Understanding with San Joaquin County for the award of \$2,599,234 of American Rescue Plan Act grant funds for Phase 1 of the Project costs; and (c) Appropriating the grant funds to the project.

Mayor Young opened the public hearing.

Sharat Bangdugala, Senior Civil Engineer and Karin Schnaider, Assistant City Manager provided the staff report and presentation.

Josh Smith, De Novo Consultants spoke about CEQA Initial Study/Negative Declaration.

Randall Bradley, Fire Chief provided information regarding the project.

Council questions and comments followed.

Robert Tanner stated this should have been done a long time ago. Should have a higher priority than the MGRC, asked what the delay is to get it done. The Fire

Department is just as important as the Police Department and need right training facility.

Mayor Young closed the public hearing.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Evans to adopt a **Resolution 2024-075** adopting an Initial Study/Negative Declaration, in accordance with the California Environmental Quality Act, for the Tracy Fire Training Facility Project, located south of Brichetto Road, and east of Chrisman Road, on a portion of Assessor's Parcel Number 250-030-07, Capital Improvement Project 71109. Roll call found all in favor; passed and so ordered.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Evans to adopt **Resolution 2024-076:** 1) Designating 5.13 acres of City-owned property on Chrisman Road and 11th Street (APN 250-030-07), as the site for the Fire Training Facility, Capital Improvement Project; 2) Authorizing the City Manager to enter into a Memorandum of Understanding for the award of funding \$2,599,234 of American Rescue Plan Act Funds for Phase 1 of project costs; and 3) Appropriating the grant funds to the project. Roll call found all in favor; passed and so ordered.

- 3.C. The Finance Committee recommends that (1) the City Council Conduct a public hearing to receive and consider comments on the proposed Citywide Master Fee Schedule, and upon conclusion, (2) adopt a resolution (a) approving and adopting, effective as of July 1, 2024, the proposed Citywide Master Fee Schedule and (b) rescinding, effective as of July 1, 2024, the existing Citywide Master Fee Schedule adopted by Resolution 2023-048.

Mayor Young opened the public hearing.

Sara Cowell, Finance Director provided the staff report.

Council questions and comments followed.

Robert Tanner stated although the City and Fire Department are separate, he would like to see the Fire Department fees.

Karin Schnaider, Assistant City Manager responded to questions.

Randall Bradley, Fire Chief supported publishing Fire Department fees as part of the City's fees.

Jolene Jauregui-Correll, Interim Parks and Recreation Director responded to Council questions.

Mayor Young closed the public hearing.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Evans to adopt **Resolution 2024-077** (A) Approving and adopting, effective as of July 1, 2024, the proposed Citywide Master Fee Schedule and (B) Rescinding, effective as of July 1, 2024, the existing Citywide Master Fee

Schedule adopted by Resolution 2023-048. Roll call found all in favor; passed and so ordered.

- 3.D Staff recommends that the Tracy City Council and the Tracy Public Financing Authority, concurrently, take actions as follows: A. That the Tracy City Council adopt a Resolution approving documents and actions related to the issuance and sale of lease revenue bonds in the aggregate principal amount not exceeding \$60,000,000 by the Tracy Public Financing Authority to provide financing for the acquisition and construction of the multi-generational recreation center, improvements to El Pescadero Park and related public improvements. B. That the Tracy Public Financing Authority adopt a Resolution approving documents and actions related to the issuance and sale of lease revenue bonds to provide financing for the acquisition and construction of the multi-generational recreation center, improvements to El Pescadero Park and related public improvements.

Sara Cowell, Finance Director provided the staff report.

Council questions and comments followed.

Robert Tanner stated Council previously approved \$80 million for the MGRC. Twenty million was to approve El Pescadero Park. The item asks for \$60 million, what happened to the \$20 million.

Tim Silva shared his concerns regarding bonds, they are not free and costly and could not see taking Measure V tax funds to pay off loans and does not want to borrow to build anything and did not support bonds.

Caller asked why El Pescadero Park is allowed to receive funding from General Funds but other parks maintenance and improvements are unable to receive General Funds. Also agreed with previous speaker about no bonds.

Council questions and comments followed.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla to adopt a **Resolution 2024-078** approving documents and actions related to the issuance and sale of Lease Revenue Bonds in the aggregate principal amount not exceeding \$60,000,000 by the Tracy Public Financing Authority to provide financing for the acquisition and construction of the Multi-Generational Recreation Center, improvements to El Pescadero Park and related public improvements. Roll call found all in favor; passed and so ordered.

ACTION: Motion was made by Board Member Arriola and seconded by Board Member Bedolla to adopt a **TPFA Resolution 2024-002** approving documents and actions related to the issuance and sale of Lease Revenue Bonds to provide financing for the acquisition and construction of the Multi-Generational Recreation Center, improvements to El Pescadero Park and related public improvements. Roll call found all in favor; passed and so ordered.

Mayor Young called for a recess at 10:55 p.m.

Mayor Young reconvened the meeting at 11:02 p.m.

- 3.E The Tracy Finance Committee recommends that the City Council Select, by motion, one or more of the following proposed amendments to Chapter 6.04 (Business Taxes) of the Tracy Municipal Code: reduction in gasoline sales tax rate; a raw material exemption for manufacturing; and an overall tax rate reduction of 25%.

Sara Cowell, Finance Director provided the staff report.

Council questions and comments followed.

Karin Schnaider, Assistant City Manager provided a history on the business tax and responded to questions.

Bijal Patel, City Attorney responded to questions.

Maria Valenzuela, Tracy Chamber of Commerce stated she was representing the business community. Big businesses and small businesses were affected and went from some paying \$2,000 to over \$400,000. It is affecting jobs and workforce are looking to relocate. Most of the serious conversations happened after when this was going to the voters giving limited time to fight this and asked Council to make an intellectual and informed decision, don't hurt the community.

Edgar stated we should not go back to 1984 with the maximum \$2,100 a year. Asking for \$50 on the gas maximum because on the gas there is lot of taxes. Everything else they can live with; need to pay our share. The gas, the margin is pennies. Last year it went up from \$600 to \$36,000. Stated he is in the paint business and the tax is killing them.

Robyn Lopez, Taylor Farms stated she was not at the meetings so did not understand the full impact of how much their business was going to pay. Is Taylor Farms expected to pay \$350,000 after paying \$2,000. Want to give back to nonprofits but asked to cut spending. Finance Committee did not agree to a cap; a cap is critical. Ten businesses are balancing the City's budget. Hoping that since the City got \$7 million instead of \$3.2 million additional revenue in this current fiscal year, need some of that money back, could apply to the future year.

Jivtesh Gill shared who they are as small business owners. Folks might look at us as gas stations, see revenues are strong but our margins on gasoline are razor thin and spoke about margins changing. Understand something that has not been changed in 39 years, it is prudent to take a look at it but everything is going up for small business as well. How do we create a perception that we welcome more businesses and create more revenue. Mr. Gill stated he also represents Small Business Owners Association in Central Valley and requested Council consider the bigger picture and show compassion for small businesses.

Tim Silva stated he hears two factors, amount of employees and gross revenues and that is what we are basing it on. Walmart and Home Depot provide services and we want to encourage and minimize the tax. Those that have negative impact should take most impact and that is warehouses. They provide traffic and pollution. There is 30,000 commercial traffic coming in and out of our community every day. Can't only look at gross revenues.

Robert Tanner stated the business tax is pushing businesses out of town. Asked what types of businesses are the 25 that are paying \$50,000 or more. What are the four categories that are paying the most. The City is not business oriented.

Alice English asked how Manteca and Lathrop keep getting businesses. Businesses have to pay insurance, property taxes and employees. Prices are increasing. Does not agree on 25% cap. We are losing so many businesses as it is. Will not have Measure V if we continue going down this path. Hope Council comes up with a cap because we can't take it back to the voters. Cannot give back the money but can pay ahead. The businesses help with nonprofits. Recommended no more adhoc committees and need to be transparent.

Michaela Toscas addressed Council as Government Relations Committee and board member of Tracy Chamber of Business and stated she appreciates consideration of 25% reduction of business taxes, must emphasize this is insufficient to provide relief. Businesses are considering leaving or scaling back unless high taxes addressed. Potential exodus poses threat to our economy. Increase in Measure V revenue, \$7 million, exceeded projections. We should not frame as additional gains that were never expected in the first place. Need to take action to lower tax rate. Urged Council to recognize the urgency.

Gabriela Machuca stated the City is chasing businesses away. If they leave, we will end up with zero revenue. Tracy is not business friendly. Ms. Machuca continued to share her concerns about the business tax increase. Temporary Use Permit has increased from \$95 to \$1,255. For nonprofit reducing it to \$600. Not a gain.

Germaine Clark stated back in 2022 when voted for Measure B she interpreted the small proposed increase to be a business license fee to help smaller businesses still struggling from COVID. If she had known negative impacts she would never have voted for the measure. Finance did not know the impacts of the Measure B in 2023. Businesses have been impacted and Ms. Clark continued to share her concerns regarding the increase.

Conrad Levoit shared his support for the previous speakers. Tracy is worth it. Need to get this right. Need a place where we have a voice and can thrive and that is what the Chamber is all about.

Council discussion continued.

Council questions and comments continued.

At the request of Midori Lichtwardt, City Manager a short recess was called at 12:55 a.m. for staff to talk about some procedural issues to help guide Council to get them to where they want to be. Meeting reconvened at 1:03 a.m.

Ms. Patel stated staff is recommending Council consider an urgency ordinance on June 4, 2024 establishing a moratorium for 45 days. It would require 4/5th vote to be adopted and would specifically say establish a moratorium on implementing the section of the code and that would give some time for staff to bring back some analysis for Council to deliberate further. If opportunity to

extend that we could, but there are special findings that have to be made to do that. We have enough for Council to consider an urgency ordinance on June 4. The other recommendation is because it is related to the budget and the committee's recommendations are already implemented in the proposed budget which has to be adopted by Council on June 18, 2024, the proposed budget will need to be revised. Ms. Patel suggested under Council items Council could consider not having the budget go to Finance Committee and go directly to Council and the budget could then be pushed to June 18.

Mayor Pro Tem Davis supported staff's suggestion.

Council questions and comments continued.

Ms. Schnaider confirmed the following: Bring back the analysis on June 4, 2024, that went to the Finance Committee. Council Members may want to put a pause on things, so the City Attorney is recommending an urgency ordinance. A third recommendation is that we would revert back to the 4.3 million number that was originally proposed in the ballot measure as our estimated revenue. May have to adjust depending on Council's direction but that gives the Finance Director a place to be able to tell Council what the fiscal impacts are if at 4.3 million.

Council comments continued.

Ms. Lichtwardt summarized the following: Bring back the urgency ordinance and the discussion on June 4, 2024.

Ms. Cowell stated she will send Council the two agendas from the prior Finance Committee meetings they can look at what might be in the June 4 item prior to the publishing of the June 4 agenda.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla for an urgency ordinance to be heard on the June 4, 2024 regular meeting agenda with budget to go straight to Council on June 18, 2024 and a Special meeting to be held on June 4, 2024 from 5:00 -7:00 p.m. to include the options.

Council Member Bedolla left the meeting at 1:24 a.m., Wednesday, May 22, 2024.

3.F. Staff recommends that the City Council consider a request by the Mayor to increase her travel budget for fiscal year 2023-2024 by an amount not to exceed \$3,000 for a total not to exceed \$33,000, and upon consideration, take, by motion, one of the following actions: 1) increase the Mayor's budget by \$3,000 and reduce an equivalent amount in other Councilmembers' budgets; 2) increase by \$3,000 and appropriate an equivalent amount of General Fund reserves; 3) deny the request; or 4) take other action regarding the Mayor's request.

Sara Cowell, Finance Director provided the staff report.

Council questions and comments followed.

Robert Tanner stated the City has the most expensive traveling Mayor that we have had in years. All four Council Members except for the Mayor are well under

\$10,000. Urged Mayor to start submitting mileage and see where it really stands. Individually it is a problem and Mayor wants to increase by \$3,000. Mr. Tanner disagreed increasing the budget.

Mayor Young responded to Mr. Tanner's comments.

Alice English stated the Mayor needs to recuse herself because the item is about her, should not vote on this as she is already over budget. Still owes us money from January, where she expended \$199 on our dime. Ms. English shared concerns regarding the Mayor's travel expenses. Ms. English stated she would provide copies of the documents to the Clerk tomorrow.

Mayor Young responded to Ms. English's comments.

Tim Silva agreed the Mayor should recuse herself from discussion on the item as personal financial benefit to her. The Mayor's \$30,000 travel budget is too high. \$115,000 is too much for Council. One trip to Washington is enough. Mr. Silva shared his concerns regarding the Mayor's budget and participating in the discussion. No to increasing budget.

James Young stated Nancy Young represents City of Tracy well. She is on many boards and constantly traveling and most she does not submit receipts. Has spoken to other Mayor's who look at us as laughingstock in the way our Mayor is treated. She represents Tracy to the State of California and other states. Will personally be glad when her term is over so she does not have to go through this.

Council comments followed.

Midori Lichtwardt, City Manager provided the options before Council.

Council comments continued.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Young to move to transfer \$3,000 from Council Member Arriola's travel budget to the Mayor's travel budget.

Ms. Lichtwardt clarified Council Member Arriola's ask would be to stay within the \$110,000 based on the number, Council Member Arriola's available budget is \$11,631.00. Council Member Arriola is proposing to move \$3,000 from his budget reducing it to \$17,000 and increasing the Mayor's budget to \$33,000 to compensate for any outstanding reimbursements or additional mileage reimbursements being incurred between now and June 30, keeping the \$110,000 Council budget static.

Roll call to Council Member Arriola's motion found Council Member Arriola and Mayor Young in favor. Council Member Evans and Mayor Pro Tem Davis opposed. Council Member Bedolla absent. Motion failed.

Council discussion continued regarding individual responsibility of their travel budgets.

Mayor Pro Tem Davis left the meeting at 2:11 a.m. on Wednesday, May 22, 2024.

Council Member Evans left the meeting at 2:12 a.m. on Wednesday, May 22, 2024.

The Council meeting was forced to be adjourned at 2:12 a.m. on Wednesday, May 22, 2024, due to lack of quorum.

The above agenda was posted at the Tracy City Hall on May 16, 2024. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk