

March 19, 2019, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

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

Mayor Rickman led the Pledge of Allegiance.

Deacon Jack Ryan offered the invocation.

Roll call found Council Members Arriola, Ransom, Vargas, Mayor Pro Tem Young and Mayor Rickman present.

Mayor Rickman recognized D.A.R.E. graduating students from Saint Bernard's Catholic School, Jacobson, Bella Vista Christian Academy, West Valley Christian Academy, Delta Charter, Art Freiler, McKinley, and Lammersville Elementary Schools.

Mayor Rickman presented Certificates of Appointment to new Measure V Residents' Oversight Committee members Allan Borwick, Abdul Wahid and Ameni Alexander.

1. CONSENT CALENDAR – Following the removal of Consent items 1.E by Abdul Wahid and 1.F by Council Member Vargas, motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
 - 1.A. ADOPTION OF FEBRUARY 18, 2019 CLOSED SESSION AND MARCH 5, 2019 CLOSED SESSION AND REGULAR MEETING MINUTES - **Minutes were approved.**
 - 1.B. APPROVE AN IMPROVEMENT AND INSPECTION AGREEMENT FOR TRACT 3958, TRACY HILLS VILLAGE 8B – **Resolution 2019-047** approved the agreement.
 - 1.C. APPROVE THE OFFSITE IMPROVEMENT AGREEMENT FOR THE HARVEST IN TRACY MULTI-FAMILY RESIDENTIAL DEVELOPMENT – **Resolution 2019-048** approved the agreement.
 - 1.D. ACCEPT THE CORRAL HOLLOW ROAD WIDENING AND SANITARY SEWER PROJECT BETWEEN BYRON ROAD AND I-205 – CIPs 73102 AND 74118, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AUTHORIZE THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AND AUTHORIZE THE FINANCE DEPARTMENT TO CLOSE THE PROJECTS – **Resolution 2019-049** accepted the project.

- 1.G. APPROVE THE PARK IMPROVEMENT AND REIMBURSEMENT AGREEMENT FOR TRACY HILLS NEIGHBORHOOD PARK 3, AND AUTHORIZE THE CITY CLERK TO FILE THE AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2019-050** approved the agreement.
- 1.H. APPROVE THE FIRST AMENDMENT TO THE SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 3957, TRACY HILLS VILLAGE 8A, AND AUTHORIZE THE CITY CLERK TO FILE THE FIRST AMENDMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2019-051** approved the amendment to the agreement.
- 1.I. ACCEPT THE TRACY HILLS ZONE 3 WATER MAIN IMPROVEMENTS FROM THE WESTERN BOUNDARY OF THE JOHN JONES WATER TREATMENT PLANT TO THE DELTA MENDOTA CANAL, THE CITY ZONE 3 WATER MAIN IMPROVEMENTS FROM THE WESTERN BOUNDARY OF THE JOHN JONES WATER TREATMENT PLANT TO THE INTERSECTION OF CORRAL HOLLOW ROAD AND MIDDLEFIELD DRIVE, AND THE WHIRLWAY DRIVE ZONE 3 WATER MAIN IMPROVEMENTS CONSTRUCTED BY CALATLANTIC GROUP, INC., ASSUME RESPONSIBILITY FOR THEIR FUTURE MAINTENANCE AND REPAIR, AND AUTHORIZE THE CITY ENGINEER TO RELEASE BONDS – **Resolution 2019-052** accepted the improvements.
- 1.E APPROVE A SITE LEASE AGREEMENT WITH T-MOBILE WEST TO UPDATE ONE LIGHT STANDARD AT RITTER FAMILY BALL PARK, PLACE TELECOMMUNICATION DEVICES ON THE LIGHT STANDARD AND LEASE GROUND SPACE FOR AN INITIAL TERM OF FIVE YEARS, NOT TO EXCEED TWENTY YEARS

Abdul Wahid pulled the item to ask about franchise fees.

Robin Kloepfer, Management Analyst provided the staff report.

City Council questions followed.

Staff to bring back information regarding safety/health issues related to cell towers.

ACTION: Motion was made by Council Member Ransom and seconded by Council Member Vargas to continue the item. Roll call found all in favor; passed and so ordered.

- 1.F APPROVE POLICY FOR EVENTS IN CITY PARKS

Council Member Vargas pulled the item to request continuation of the item for discussion.

Thomas Watson, City Attorney provided the staff report.

City Council questions followed.

Mary Mitracos, Juana Dement, Eleassia Davis, Alice English and Ray Morelos requested the item be tabled and the policy rewritten.

Patricia Alvarez shared her concerns about events being used as political platforms.

City Council discussion continued.

ACTION: Motion was made by Mayor Rickman and seconded by Council Member Vargas directing the City Attorney's office to make amendments and corrections to the Policy for Events in City Parks, present the policy to the Parks and Recreation Commission, and bring back to Council for consideration. Roll call found Council Member Arriola, Vargas and Mayor Rickman in favor; passed and so ordered. Council Member Ransom and Mayor Pro Tem Young opposed. Motion carried 3:2.

2. ITEMS FROM THE AUDIENCE - Robert Tanner expressed concerns regarding not having pedestrian crossings with sound for blind people.

Gerilyn Featherston shared her experience related to the 2018 National Night Out.

Murphy Riddle-Plyon shared her concerns regarding homeless issues by her house.

Rene Riddle spoke about homeless issues in Tracy.

Mark Miller, Parks and Community Services Commissioner commented about the CDBG process presented at the March 5, 2019 meeting.

Martin Evans spoke about not being on television, fences on bridge at Holly Drive and blowing up Holly Sugar towers.

Jim Miller, Private Public Infrastructure Group stated they are still interested in exploring a project to monetize the wastewater stream with the City.

3. REGULAR AGENDA

- 3.A APPROVE AN EMPLOYMENT AGREEMENT BETWEEN JENNY HARUYAMA AND THE CITY OF TRACY TO SERVE AS CITY MANAGER

Kimberly Murdaugh, Human Resources Director provided the staff report.

There were no comments from the audience.

City Council questions followed.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt **Resolution 2019-053** approving the Employment Agreement between Jenny Haruyama and the City of Tracy to serve as City Manager. Roll call vote found all in favor; passed and so ordered.

3.B RECEIVE AND AUTHORIZE STAFF TO SUBMIT THE ANNUAL PROGRESS REPORT FOR 2018 AND ANNUAL ELEMENT PROGRESS REPORT FOR 2018 TO THE OFFICE OF PLANNING AND RESEARCH AND STATE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT REGARDING THE IMPLEMENTATION OF THE GENERAL PLAN AND THE HOUSING ELEMENT

Kimberly Matlock, Associate Planner provided the staff report.

There were no questions from the public.

There were no questions from City Council.

ACTION: Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Young to adopt **Resolution 2019-054** authorizing staff to submit the Annual Progress Report and the Annual Element Progress Report for Calendar Year 2018 to the office of Planning and Research and State Housing and Community Development Department regarding the implementation of the General Plan and Housing Element. Roll call found Council Members Ransom, Vargas, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Arriola absent.

3.C RECEIVE PRESENTATION AND DISCUSS ANIMAL SHELTER SERVICES PROVIDED BY THE CITY OF TRACY'S ANIMAL SERVICES STAFF

Alex Neicu, Interim Police Chief provided the staff report, and Beth Lyons-McCarthy, Support Operations Manager responded to questions.

Michele Valleros shared her first experience with the Tracy Animal Shelter and her attempts to adopt a rescue dog.

Kris Tucker shared her support for the Tracy Animal Shelter and shared her suggestions to help the Animal Shelter.

Susan Manning, President of Humane Society from Amador County urged Council to cooperate with Trish Johnson regarding feral cats return to field program. Ms. Manning provided the Clerk with statistics and intake forms.

Trish Johnson provided information on the Trap, Neuter Return to Field Program, and provided handouts to the Clerk.

Linda Miller, President and Founder of East of Eden provided reforms for the Tracy Animal Shelter.

Ann Guzman spoke in support of the Animal Shelter and staff.

Robert Tanner provided suggestions for updating the Animal Service Manual.

Catherine Hansen-Rush spoke about reporting lost animal reports by telephone.

Ms. Butch addressed concerns regarding animal assessments. Ms. Butch requested Council get back to her regarding not being able to present their powerpoint presentation at the meeting.

Sarah Heinrich spoke about poor outreach to rescue from the Animal Shelter. Ms. Heinrich provided a handout to the Clerk for Council.

Ricky Butch spoke about updating the Animal Service Manual statistics, outreach, and encouraged the Animal Shelter to work with the rescue groups.

Sheri Savage expressed concerns about the Animal Shelter and stated a progressive shelter management program needs to be in place that meets the desire of the community.

Martin Evans spoke about vicious dogs.

Kristina Darling and Cordell Darling shared their experience about taking a dog to the shelter, and expressed support for the Animal Shelter and staff.

Lisa Kirk spoke about free spay and neuter services, backyard breeders and suggested doing a commission or advisory board.

Caroline Gracon shared her experience and concerns regarding harassment from Tracy Animal Shelter staff.

City Council questions and discussion followed.

Council Member Vargas left the meeting at 11:01 p.m.

Benjamin Miller, Animal Services Supervisor answered City Council's questions.

City Council directed staff to coordinate with stakeholders to get feedback and bring an updated Animal Services Manual to Council as soon as possible for consideration. Also meet to discuss the benefits and potentially utilize grants. The report to include whether staff is complying with best practices, costs and pros and cons, and operational assessment on Trap, Neuter and Release. Staff to keep Council apprised on when the item will be returning to Council for discussion. Council Member Vargas absent.

4. ITEMS FROM THE AUDIENCE – Abdul Wahid spoke about hatred and the incident at the Mosques in Christchurch, New Zealand. Mr. Wahid asked what safe guards are in place to stop this from happening in Tracy.

5. STAFF ITEMS - None

6. COUNCIL ITEMS

- 6.A APPOINT APPLICANT TO THE TRACY ARTS COMMISSION

Council Member Ransom provided the staff report.

No one from the public wished to speak.

City Council comments followed.

ACTION: Motion was made by Council Member Ransom and seconded by Council Member Arriola to appoint Jill Taylor to the Tracy Arts Commission and place Rajdeep Singh to the eligibility list serve the remainder of a vacated term beginning March 20, 2019, and ending on December 31, 2019. Roll call vote found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas absent.

6.B APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS FOR ONE VACANCY AND ONE UPCOMING TERM EXPIRATION ON THE TRANSPORTATION ADVISORY COMMISSION

Adrienne Richardson, City Clerk provided the staff report.

No one from the public wished to speak.

ACTION: Motion was made by Mayor Rickman and seconded by Council Member Ransom to appoint Council Member Arriola and Mayor Pro Tem Young to interview applicants to fill one vacancy and one upcoming term expiration on the Transportation Advisory Commission. Roll call vote found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas absent.

6.C APPOINT ONE CITY COUNCIL MEMBER TO SERVE AS A LIAISON ON THE TRACY HOMELESS TASK FORCE

Adrienne Richardson, City Clerk provided the staff report.

City Council questions and comments followed.

Vecki Elliott spoke about Homeless Task Force meetings and funding opportunities and encouraged City participation.

Juana Dement spoke about Council appointing a Homeless Task Force stating policy needs to come through Council.

Alice Eversol spoke about the homeless issue stating the City needs to face reality about the situation.

Barbara Sassa described the Task Force, spoke about the homeless issues and urged Council to partner with the Task Force.

City Council discussion followed.

ACTION: Motion was made by Council Member Young and seconded by Council Member Ransom to appoint Council Member Ransom to serve as the liaison on the Tracy Homeless Task Force and Council Member Arriola as alternate. Roll call vote found Council Member Arriola, Ransom, and Mayor Pro Tem Young in favor; passed and so ordered. Mayor Rickman opposed and Council Member Vargas absent.

Council Member Arriola requested a report regarding any ramifications of Measure A Slow Growth Initiative on SB50. Council Member Arriola also requested an agenda item to discuss a City homeless subcommittee with the intent of developing a strategic plan. Council Member Ransom supported the request.

Council Member Ransom spoke about various bills discussed at the League of California Cities dinner. Council Member Ransom requested bringing back discussion on workforce and affordable housing as a community workshop. Council Member Arriola supported the request.

Mayor Pro Tem Young requested looking into sound for crosswalks, and asked when the item regarding monetizing of the City's waste storm drain would return to Council.

Mayor Pro Tem Young requested bringing back the following to Council: A policy regarding city vehicle use and car allowance, and an all inconclusive report on all commissions regarding purpose, liaisons, make up, if we need to keep or dissolve, dealing with schools, roles and functions. Council Member Ransom supported the requests. Mayor Pro Tem Young spoke about residents that have passed away that could have been honored at the State of City including Barbara Fitzpatrick.

Mayor Rickman asked for the report from Mr. Helm's public records' request to be released for discussion in open session. Mayor Rickman's request was not supported. Mayor Rickman thanked everyone for attending and participating in the State of the City. Mayor Rickman requested time limits on Council speaking be included in the Code of Conduct item on April 2, 2019.

7. ADJOURNMENT – Time: 12:27 a.m. Wednesday, March 20, 2019.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Ransom to adjourn. Roll call vote found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas absent.

The above agenda was posted at the Tracy City Hall on March 14, 2019. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk