

April 16, 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 7:02 p.m.

Mayor Rickman led the Pledge of Allegiance.

Pastor Tim Heinrich, Crossroads Baptist Church offered the invocation.

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

Mayor Rickman presented Certificate of Appointment to Nancy Castro, City of Tracy representative on the San Joaquin County Commission on Aging.

Mayor Rickman presented a proclamation for Older Americans Month to Senior Center participants Debbie Jones and Mary McGill.

Mayor Rickman presented a proclamation for Bike to Work Week to Yvette Davis, Dibs Senior Program Specialist.

Mayor Rickman presented a proclamation for National Prayer Day to Juana Dement.

Mayor Rickman presented a proclamation for National Public Works Day to Don Scholl, Public Works Director.

Mayor Rickman presented a proclamation for Earth Day to Karen Moore.

Mayor Rickman presented Certificates of Recognition to Oral Interpretation Fair Student Winners: 5-6th Grade: Lily Andish, Carly Abercrombie, 7-8th Grade: Cera Burns, Duos Category Participants: Caitlynne McNamara, and Cera Burns. Cera Burns presented an oral interpretation.

1. CONSENT CALENDAR – Following the removal of Consent items 1.E by Abdul Wahid and 1.R by Mayor Pro Tem Young motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.

- 1.A ADOPTION OF APRIL 2, 2019, SPECIAL MEETING AND REGULAR MEETING MINUTES – **Minutes were approved**

- 1.B APPROVE THE OFFSITE IMPROVEMENT AGREEMENT FOR INTERNATIONAL PARK OF COMMERCE FOR 16-INCH ZONE 2 WATERLINE IMPROVEMENTS AND 18-INCH RECYCLED WATERLINE IMPROVEMENTS – **Resolution 2019-066** approved the agreement.

- 1.C AUTHORIZE THE PURCHASE OF FIVE SELF-CONTAINED PRE-FABRICATED RESTROOM BUILDINGS IN THE AMOUNT OF \$365,000 FOR INSTALLATION AS A PART OF THE AIRPORT CDA IMPROVEMENTS CIP 77582 – **Resolution 2019-067** authorized the purchase of five restroom buildings.
- 1.D ADOPT THE LIST OF PROPOSED PROJECTS FOR FISCAL YEAR 2019-2020 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 – **Resolution 2019-068** adopted the list of proposed projects.
- 1.F APPROVE A PLAN AMENDMENT TO THE ICMA RETIREMENT CORPORATION (ICMA RC) 457 DEFERRED COMPENSATION PROGRAM; A PLAN RESTATEMENT FOR THE VARIABLE ANNUITY LIFE INSURANCE COMPANY (VALIC) 457 DEFERRED COMPENSATION PROGRAM AND THE ADDITION OF A 401A DEFERRED COMPENSATION PLAN OPTION; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENTS – **Resolution 2019-069** approved a plan amendment to the ICMA Retirement Corporation 457 Deferred Compensation Program. **Resolution 2019-070** approved plan restatement for the Variable Annuity Life Insurance Company (VALIC) 457 Deferred Compensation Program and the addition of 401A Deferred Compensation Plan.
- 1.G ACCEPT THE SUPPORT SERVICE MODULAR BUILDING SEWER REPAIR PROJECT, CIP 74122, COMPLETED BY LLTD DBA MR. ROOTER PLUMBING OF TRACY, CALIFORNIA, 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 PROJECT – **Resolution 2019-071** accepted the project.
- 1.H ACCEPT THE LARCH ROAD RECONSTRUCTION AND HANSEN ROAD WASTEWATER COLLECTION SYSTEM UPGRADE AS COMPLETE, CIPs 73125, 74097, 74106 & 74113, 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 PROJECT – **Resolution 2019-072** accepted the project.
- 1.I APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 3956, TRACY HILLS VILLAGE 7B, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2019-073** approved the final map and Subdivision Improvement Agreement.
- 1.J CONFIRMATION OF MATTERS RELATED TO ANNEXATION OF PROPERTY INTO IMPROVEMENT AREA NO. 2 OF THE CITY OF TRACY COMMUNITY FACILITIES DISTRICT NO. 2016-2 (ECFD) AND DIRECTION TO RECORD A CONSOLIDATED BOUNDARY MAP – **Resolution 2019-074** confirmed matters related to annexation of property.

- 1.K APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR ELLIS GARDENS PHASE 1, TRACT 3877, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2019-075** approved the final map and Subdivision Improvement Agreement.
- 1.L APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR ELLIS GARDENS PHASE 2, TRACT 3906, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2019-076** approved the final map and Subdivision Improvement Agreement.
- 1.M APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR ELLIS GARDENS PHASE 3, TRACT 3907, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2019-077** approved the final map and the Subdivision Improvement Agreement.
- 1.N APPROVE THE AGREEMENT FOR DEFERRAL OF CERTAIN IMPACT FEES FOR ELLIS GARDENS PHASE 1-3 (TRACT 3877, TRACT 3906, AND TRACT 3907), AND AUTHORIZE THE CITY CLERK TO FILE THE FEE DEFERRAL AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2019-078** approved the Agreement for Deferral of Certain Impact Fees.
- 1.O AUTHORIZE AN APPROPRIATION OF FUNDS FROM PLAN C STORM DRAINAGE FUND 322 TO CIP 76045 TO REIMBURSE SOUTH TRACY INDUSTRIAL PARK, LLC, FOR COMPLETING STORM DRAINAGE DETENTION BASIN IMPROVEMENTS – **Resolution 2019-079** authorized the appropriation of funds.
- 1.P APPROVE MASTER PROFESSIONAL SERVICES AGREEMENT AND TASK ORDER NO. 1 BETWEEN THE CITY OF TRACY AND ECIVIS, INCORPORATED FOR GRANT MANAGEMENT SOFTWARE LICENSE SUBSCRIPTION AND CONSULTING SERVICES AND AUTHORIZE THE CITY MANAGER AND FINANCE DIRECTOR TO EXECUTE FUTURE TASK ORDERS TO THE AGREEMENT - **Resolution 2019-080** approved the Master Services Agreement and Task Order No. 1.
- 1.Q AWARD A CONSTRUCTION CONTRACT TO GOODLAND LANDSCAPE CONSTRUCTION, INC., OF TRACY, CALIFORNIA, FOR CONSTRUCTION OF LEGACY FIELDS SPORTS COMPLEX PHASE 1D – CIP 78164 WITH BASE BID AND ADDITIVE BID ALTERNATE “A,” AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO A CONTINGENCY AMOUNT OF \$480,960, IF NEEDED – **Resolution 2019-081** awarded the construction contract.

- 1.E APPROVE THIRD AMENDMENT TO GRANICUS SERVICE AGREEMENT WITH GRANICUS, INC. FOR THE CITY OF TRACY WEBSITE CMS (CONTENT MANAGEMENT SYSTEM) FOR A TOTAL AMOUNT NOT TO EXCEED \$71,355 OVER A FIVE-YEAR TERM, AND APPROVE A SUPPLEMENTAL APPROPRIATION FROM THE GENERAL FUND FOR THE CONTRACT AMOUNT

Abdul Wahid pulled the item to request a Technology Overlay Committee.

Vanessa Carrera, Economic Development Analyst clarified the City has an IT Department.

There were no comments from City Council.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt **Resolution 2019-082** approving Third Amendment to Granicus Service Agreement with Granicus, Inc. for website CMS (Content Management System) services for the City of Tracy for a total amount not to exceed \$71,355 over a five-year term, and a supplemental appropriation from the General Fund for the contract amount. Roll call vote found all in favor; passed and so ordered.

- 1.R AWARD A CONSTRUCTION CONTRACT TO T&S INTERMODAL MAINTENANCE, INC., OF STOCKTON, CALIFORNIA, D/B/A T&S WEST, OF LINDEN, CALIFORNIA, IN THE AMOUNT OF \$5,497,230 FOR THE MACARTHUR DRIVE WIDENING AND RECONSTRUCTION PROJECT, CIPs 73126 & 72073, FEDERAL PROJECT NUMBER STPL-5192(033), WITH A NOT TO EXCEED BUDGET OF \$6,736,564, AUTHORIZE AN APPROPRIATION OF \$550,054 FROM ISP SOUTH FUND (F354), AUTHORIZE AN APPROPRIATION OF \$3,000,000 FROM TRANSPORTATION DEVELOPMENT ACT (TDA) FUND (F241) TO CIP 73126, AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$824,528, IF NEEDED

Mayor Pro Tem Young pulled the item to confirm that there will be clear communication with the community regarding timeframes for the road closures during the project.

Robert Armijo, City Engineer/Assistant Development Services Director provided the staff report.

No one from the audience wished to speak.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt **Resolution 2019-083** awarding a construction contract to T&S Intermodal Maintenance, Inc. of Stockton, California, D/B/A T&S West, of Linden, California, in the amount of \$5,497,230 for the MacArthur Drive widening and reconstruction project, CIP 73126 & 72073, Federal Project Number STPL-5192(033), with a not to exceed budget of \$6,736,564, authorize an appropriation of \$550,054 from ISP South Fund (F354), authorize an appropriation of \$3,000,000 from Transportation Development Act (TDA) Fund (F241) to CIP 73126, and authorize the City Manager to approve Change Orders up to

specified project contingency amount of \$824,528, if needed. Roll call vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Robert Tanner referred to candidate Forms 460 and 497 and suggested if a successful candidate receives a donation of \$4,000 or more from a developer, they should not vote on the developer’s project for 50% of their term.

Cindy Gustafson, Tracy Seniors Association expressed concerns related to crosswalks and safety issues for seniors at the following locations: 11th and F Street, East Street and 9th Street, and 10th and B Street. Ms. Gustafson urged Council to contact Calwalks for help for walkability projects.

Dotty Nygard, Katherine Pachaco, Carmen Noonan spoke about their concerns with unsafe staffing in Sutter Hospital and asked the community for support for more nurses in Tracy’s hospital.

Steve Abercrombie spoke about the nursing shortage at Sutter Hospital and requested support for the nurses.

3. REGULAR AGENDA

- 3.A PUBLIC HEARING TO INTRODUCE AN ORDINANCE TO AMEND THE CORRAL HOLLOW WEST PLANNED UNIT DEVELOPMENT TO PERMIT HIGH-DENSITY SINGLE-FAMILY RESIDENTIAL USES AND ESTABLISH DEVELOPMENT STANDARDS AND APPROVAL OF A 42-LOT VESTING TENTATIVE SUBDIVISION MAP AND DEVELOPMENT REVIEW PERMIT ON AN APPROXIMATELY 3.5-ACRE LOT LOCATED AT 2483 W SCHULTE ROAD, ASSESSOR’S PARCEL NUMBER 240-660-37, AND APPROVE AN AMENDMENT TO THE CITY’S DESIGN GOALS AND STANDARDS FOR RESIDENTIAL DESIGN

Kimberly Matlock, Associate Planner provided the staff report.

Mayor Rickman opened the public hearing.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

Mark Beisswanger, Bright Homes spoke about the project.

ACTION: Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Young to adopt **Resolution 2019-084** approving a 42-lot Vesting Tentative Subdivision Map and a Development Review Permit on an approximately 3.5-acre lot located at 2483 W. Schulte Road, Assessor’s Parcel Number 240-660-37. Roll call vote found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt **Resolution 2019-085** approving revised City of Tracy Design Goals and Standards. Roll call vote found all in favor; passed and so ordered.

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

ACTION: Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to waive the reading of the full text and introduce **Ordinance 1268** an Ordinance of the City of Tracy amending the Corral Hollow West Planned Unit Development to permit high density single-family residential uses and establish development standards on an approximately 3.5-acre lot located at 2483 W. Schulte Road, Assessor's Parcel number 240-660-37. The applicant is Bright Development and owner is Pond Creek, LLC. – Application Number PUD18-0003. Roll call vote found all in favor; passed and so ordered.

3.B DISCUSS HOMELESSNESS IN TRACY; FORM A CITY HOMELESSNESS COMMITTEE TO DEVELOP A HOMELESSNESS STRATEGIC PLAN AND APPOINT CITY COUNCIL MEMBERS TO THE COMMITTEE; AND PROVIDE DIRECTION TO STAFF

Midori Lichtwardt, Interim City Manager provided the staff report.

Barbara Pombo, Ameni Alexander, Benjamin Hatfield, Robert Tanner, Melinda, Patricia Valencia, Steven Thompson, Pete Claffey, Andrea Werse, Andrew, Patricia Alvarez, Dr. Vasudevan, Kerry Dowell, James Henderson, Greg Cose, Carols Villapudua, Joyce Claffey, Tiffanie Heben, Nathan Tran, Pete Mitracos, Carlos Ocampo, Cecily Ballungay, Erica Sandoval, Gerilyn Featherston, Holly Shewmaker, Mary Foshay, Richard English, Conrad Levoitt, Alison Quinteros, Jass Sangha, Eleassia Davis, Juana Dement, Robin Cole, Alice English, and Vecky Elliott spoke about the homeless issue in Tracy, finding solutions and resources, lack of affordable housing, forming a committee, and shared their experiences with homelessness.

Council Member Arriola responded to Alice English's comments regarding his position as Deputy District Attorney stating he does not prosecute Tracy cases so there is no conflict of interest.

Mayor Rickman called for a recess at 10:01 p.m.

Mayor Rickman reconvened the meeting at 10:16 p.m.

City Council discussion followed.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to form a City Homelessness Committee to develop a Homeless Strategic Plan and appoint Council Members Ransom and Council Member Arriola to the ad hoc committee.

City Council discussion continued.

ACTION: Council Member Vargas made a motion to amend the motion to include herself and make a subcommittee of three Council Members. Mayor Pro Tem Young, as motion proposer, denied the amendment.

ACTION: Roll call vote found Mayor Pro Tem Young, Council Member Arriola, and Council Member Ransom in favor of forming a City Homelessness Committee to develop a Homeless Strategic Plan and appoint Council Member Ransom and Council

Member Arriola to the ad hoc committee; passed and so ordered. Council Member Vargas opposed. Mayor Rickman abstained.

3.C APPROVE THE PRELIMINARY FY2019-20 FIRE DEPARTMENT BUDGET FOR THE SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY

Dave Bramell, Division Fire Chief provided the staff report.

No one from the public wished to speak.

Midori Lichtwardt, Interim City Manager announced Council Member Vargas recused herself from the item.

Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to adopt a **Resolution 2019-086** approving the FY2019-20 preliminary budget for the South San Joaquin County Fire Authority. Roll call vote found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas abstained.

4. ITEMS FROM THE AUDIENCE – Alison Quinteros stated enforcement is part of the solution to homelessness, but not the only solution.

Robert Tanner announced the annual Drug Take Back Event on April 27, 2019, from 10:00 a.m. to 1:30 p.m. and there are two drop off boxes in the Police Department for drugs and needles.

Eleassia Davis referred to a conversation with Mayor Pro Tem Young and asked for clarification about an ex officio position.

Alice English restated it is still a conflict of interest for Council Member Arriola to be on the homeless ad hoc committee because the homeless move around to different towns. Ms. English added Council Member Vargas should be included on the committee.

Council Member Arriola responded to Ms. English's comments stating there is no conflict of interest.

Heather Trueblood stated she was homeless and wanted to know where it is acceptable to sleep tonight.

5. STAFF ITEMS – Karin Schnaider, Finance Director provided an update on the Cannabis ordinance.

Leticia Ramirez, Assistant City Attorney announced the May 7, 2019, Council meeting will be cancelled and the next meeting will be held on May 21, 2019 at 7:00 p.m.

6. COUNCIL ITEMS

6.A APPOINT A NEW MEMBER TO SERVE ON THE PARKS AND COMMUNITY SERVICES COMMISSION

Council Member Ransom provided the staff report.

No one from the public wished to speak.

ACTION: Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to appoint Rajdeep Singh to the Parks and Community Services Commission for the remainder of a vacated term beginning on April 17, 2019 and ending on January 30, 2020. Christopher Miller and Mateo Bedolla were added to the eligibility list. Roll call vote found all in favor; passed and so ordered.

6.B APPOINT NEW MEMBERS TO SERVE ON THE TRANSPORTATION ADVISORY COMMISSION

Council Member Arriola provided the staff report.

Eleassia Davis asked for an explanation about an ex officio position. Ms. Davis spoke about not being considered for the commission.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Young to appoint Jacob Hunter to the Transportation Advisory Commission to serve a four year term beginning on May 1, 2019 and ending on April 30, 2023, and Gary Cooper to fill the remainder of a vacated term beginning on April 17, 2019 and ending on April 30, 2021. Gurtej Atwal and Scott Jacobson were added to the eligibility list. Roll call vote found Council Members Arriola, Ransom, Vargas, and Mayor Pro Tem Young all in favor; passed and so ordered. Mayor Rickman opposed.

Council Member Ransom invited everyone to a Homelessness town hall meeting that will be cohosted with Tracy Community Task Force and Congressman Harder to talk about solutions.

Mayor Pro Tem Young announced spring break and wished everyone Happy Easter.

Council Member Vargas reported on her four day participation in the American Planning Association's National Planning Conference in San Francisco. Council Member Vargas requested an update on the Cultural Arts Master Plan. Mayor Rickman supported the request.

Council Member Arriola announced various local events and stated he is looking forward to the lobbying trip to Washington D.C.

Mayor Rickman announced various local events in Tracy. Mayor Rickman requested discussion regarding the release of the Police and FBI reports concerning Mayor Pro Tem Young.

City Council discussion ensued.

Leticia Ramirez, Assistant City Attorney clarified Mayor Rickman's requests:

1. City Council agenda item to discuss a policy regarding disclosure of documents in response to Public Records requests.
2. Closed Session item regarding disclosure of the Police report involving Mayor Pro Tem Young.

Council Member Vargas supported both requests.

7. ADJOURNMENT – Time: 12:05 a.m. Wednesday, April 17, 2019.

ACTION: Motion was made by Mayor Rickman and seconded by Council Member Vargas to adjourn. Roll call vote found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on April 11, 2019. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk