

June 18, 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.

Rabbi Shalom Bochner, Congregation Beth Shalom offered the invocation.

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

Mayor Rickman presented a proclamation for Parks and Recreation Month to Yolanda Magana, Parks and Community Services Commissioner.

Mayor Rickman presented a Certificate of Appointment to new Parks and Community Services Commissioner Rajdeep Singh.

1. CONSENT CALENDAR – Following the removal of consent items 1.J by Robert Tanner and 1.M by Mark Miller motion was made by Council Member Vargas and seconded by Mayor Pro Tem Young to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
 - 1.A ADOPTION OF JUNE 4, 2019, CLOSED SESSION, SPECIAL MEETING AND REGULAR MEETING MINUTES – Minutes were adopted.
 - 1.B APPROVE A SECOND EXTENSION TO 1998-1 AMENDMENT TO THE WASTEWATER TREATMENT DISCHARGE AGREEMENT WITH LEPRINO FOODS – Resolution 2019-119 approved the second extension with Leprino Foods.
 - 1.C APPROVE A MEMORANDUM OF AGREEMENT FOR THE DEVELOPMENT OF THE SAN JOAQUIN COUNTY GROUNDWATER SUSTAINABILITY PLAN FOR THE TRACY GROUNDWATER SUB-BASIN – Resolution 2019-120 approved the Memorandum of Agreement.
 - 1.D APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH KANEKO AND KRAMMER CORPORATION DBA KOFF & ASSOCIATES TO CONDUCT A WALL-TO-WALL CLASSIFICATION AND BASE SALARY STUDY OF FULL-TIME CLASSIFICATIONS FOR A NOT-TO-EXCEED AMOUNT OF \$175,000 AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT – Resolution 2019-121 approved the Profession Services Agreement with Kaneko and Krammer Corporation.
 - 1.E APPROVE AN AGREEMENT WITH AVFUEL CORPORATION FOR FUEL SUPPLY SERVICES AT THE TRACY MUNICIPAL AIRPORT FOR A TERM OF SEVEN YEARS WITH A NOT TO EXCEED AMOUNT OF \$500,000 PER FISCAL YEAR – Resolution 2019-122 approved the agreement with Avfuel Corporation.

- 1.F APPROVE SETTLEMENT AND RELEASE AGREEMENT BETWEEN THE CITY OF TRACY AND TRACY LITTLE LEAGUE – **Resolution 2019-123** approved the Settlement and Release Agreement with Tracy Little League.
- 1.G APPROVE AN OFFSITE IMPROVEMENT AGREEMENT WITH PROLOGIS FOR INTERNATIONAL PARK OF COMMERCE – PHASE 1i PROGRAM IMPROVEMENTS FOR PROMONTORY PARKWAY – **Resolution 2019-124** approved the Offsite Improvement Agreement with Prologis.
- 1.H ADOPT ANNUAL ADJUSTMENT TO APPROPRIATIONS LIMIT (GANN LIMIT) PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA STATE CONSTITUTION ESTABLISHING THE LIMIT FOR FISCAL YEAR 2019-20 – **Resolution 2019-125** adopted the annual adjustment to appropriations Limit (Gann Limit).
- 1.I WAIVE SECOND READING AND ADOPT ORDINANCE 1270, AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE TRACY HILLS SPECIFIC PLAN TO ADDRESS MINOR REVISIONS AND CLARIFICATIONS RELATED TO THE IMPLEMENTATION OF PHASE 1A DEVELOPMENT, APPLICATION NUMBER SPA18-0002 – **Ordinance 1270 was adopted.**
- 1.K APPROVE A MASTER SERVICES AGREEMENT WITH AXON ENTERPRISE, INCORPORATED FROM JULY 1, 2019 TO JUNE 30, 2024, NOT TO EXCEED \$1,254,000, FOR THE PURCHASE, USAGE, AND ON-GOING MAINTENANCE OF THE DEPARTMENT'S TASERS, BODY WORN CAMERAS, AND CLOUD BASED EVIDENCE SYSTEM, EVIDENCE.COM, AND FIND IT IS IN THE BEST INTEREST OF THE CITY TO FORGO THE FORMAL BID PROCESS – **Resolution 2019-126** approved a Master Services Agreement with Axon Enterprises.
- 1.L APPROVE AMENDMENT No. 4 TO THE MASTER PROFESSIONAL SERVICES AGREEMENT WITH WEST YOST ASSOCIATES FOR WATER PRESSURE AND CAPACITY ANALYSES AND ENGINEERING ASSISTANCE FOR VARIOUS PROJECTS TO EXTEND THE TERM, UPDATE BILLING RATES, AND INCREASE COMPENSATION BY AN ADDITIONAL \$350,000 FOR A TOTAL CONTRACT NOT-TO-EXCEED AMOUNT OF \$2,000,000 THROUGH FY 2019-20 – **Resolution 2019-127** approved Amendment No. 4 to the Master Professional Services Agreement with West Yost Associates.
- 1.N APPROVE AN OFFSITE IMPROVEMENT AGREEMENT WITH PROLOGIS FOR INTERNATIONAL PARK OF COMMERCE - PHASE 1H NON-PROGRAM STREET IMPROVEMENTS AND OTHER ASSOCIATED IMPROVEMENTS FOR HOPKINS ROAD AND STORM DRAIN LINE "A" – **Resolution 2019-128** approved an Offsite Improvement Agreement with Prologis.
- 1.O APPROVE AN OFFSITE IMPROVEMENT AGREEMENT WITH PROLOGIS FOR THE INTERNATIONAL PARK OF COMMERCE - PHASE 1i NON-PROGRAM IMPROVEMENTS ON PROMONTORY PARKWAY – **Resolution 2019-129** approved an Offsite Improvement Agreement.

- 1.P APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ICF JONES AND STOKES, INC., ON A TIME AND EXPENSE BASIS, FOR AN AMOUNT OF NOT-TO-EXCEED \$442,371 FOR ADDITIONAL SERVICES RELATED TO THE TRAFFIC FORECASTING AND OPERATIONS ANALYSIS FOR THE LAMMERS ROAD / I-205 NEW INTERCHANGE PROJECT, CIP 73084, FEDERAL PROJECT NO. HPLU03LN-9152(021) – Resolution 2019-130 approved Amendment No. 2 to the Professional Services Agreement with ICF Jones and Stokes, Inc.
- 1.Q APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH DENOVO PLANNING GROUP TO PERFORM TRANSIT-ORIENTED DEVELOPMENT PLANNING FOR AREAS NEAR THE PLANNED VALLEY LINK STATION IN DOWNTOWN TRACY FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$208,020 – Resolution 2019-131 approved a Professional Services Agreement with DeNovo Planning Group.
- 1.J APPROVE THE COMMITTED FUND BALANCES FOR FISCAL YEAR ENDING JUNE 30, 2019

Robert Tanner pulled the item to ask about the approximate dollar value being carried over.

There were no comments from City Council.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt **Resolution 2019-132** approving the Committed Fund balances for Fiscal Year ending June 30, 2019. Roll call found all in favor; passed and so ordered.

- 1.M APPROVE RESOLUTIONS: (1) INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT, (2) APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT, AND (3) DECLARING THE INTENTION TO LEVY ANNUAL ASSESSMENTS AND SETTING THE DATE FOR A PUBLIC HEARING.

Mark Miller pulled the item and referred to a memo sent to Council regarding using the Park Master Plan to map out landscaping goals, a consultant to define cost and vision, replacement of the current Landscape Assessment Districts for one uniform zone to cover City, and create citizen advisory group.

There were no comments from City Council.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt **Resolution 2019-133** initiating proceedings for the annual levy of assessments and ordering the preparation of an engineer's report for the Tracy Consolidate Landscape Maintenance District, pursuant to the provisions of the Landscaping and Lighting Act of 1972 for Fiscal Year 2019/2020. **Resolution 2019-134** approving the preliminary engineer's report regarding the proposed

levy and collection of assessments for the Tracy Consolidated Landscape Maintenance District, pursuant to the provisions of the Landscaping and Lighting Act of 1972 for Fiscal Year 2019/2020 **Resolution 2019-135** declaring the intention to levy annual assessments for the Tracy Consolidated Landscape Maintenance District, Fiscal Year 2019/2020 and setting a public hearing on July 16, 2019 at 7:00 p.m. to consider same in accordance with the Landscaping and Lighting Act of 1972. Roll call found all in favor; passed and so ordered.

Jenny Haruyama pulled agenda item 3.A at the request of the consultant. The consultant will review their scope and may pursue a \$50,000 proposal, which would be under the City Manager's authority.

2. ITEMS FROM THE AUDIENCE – Robert Tanner requested that the City make it a priority to not sell fireworks, and Police track down those letting off illegal fireworks.

Yolande Barial Knight, Tracy African American Association thanked the City, Parks Commission, and sponsors for their support of the Juneteenth event. Eight scholarships were given away to local high school students.

Alice English spoke about the community center for seniors, American Gold Star Mothers fundraiser breakfast for Wreaths Across America on June 29, 2019 from 8:00 am to 10:00 a.m. at Applebees, the Grand Jury Report, and urged the Mayor to run for Board of Supervisors.

Yolanda Magana thanked Council Member Ransom for her graduation message to Tracy Area Home School Academy, supported reinstating former Police Chief Larry Esquivel, neighborhoods funding their own National Night Out events, and thanked the City for having splash pads open.

Roger Birdsall suggested the City Manager write the Code of Ethics, and was pleased with the sidewalk repairs by Dr. Power's park (Tanner walk).

Ray Moreles shared his concerns regarding the Grand Jury Report, and stated ethical standards are important.

Bill Aragon shared his concerns regarding the Grand Jury Report, and added Tracy has an outstanding Police Department and property and evidence room.

Mercedes Silveira shared her observation of the Grand Jury Report, and stated the community needs to trust this government again.

3. REGULAR AGENDA

- 3.A DISCUSS FEDERAL GOVERNMENT AFFAIRS SERVICES CONTRACT AND CONSIDER APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH PATRICIA JORDAN & ASSOCIATES, INC. OR DIRECTING STAFF TO REQUEST PROPOSALS FOR GOVERNMENT AFFAIRS SERVICES – **Agenda Item was pulled by Jenny Haruyama at the request of the consultant.**

3.B ADOPT AN ADDENDUM TO THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE CORRAL HOLLOW ROAD WIDENING PROJECT FROM WEST SCHULTE ROAD TO LINNE ROAD (CIP 73144) TO INCLUDE CERTAIN CHANGES TO PACIFIC GAS & ELECTRIC COMPANY'S ELECTRIC UTILITY INFRASTRUCTURE AND RATIFY APPROVAL OF THE CORRAL HOLLOW ROAD WIDENING PROJECT, CIP 73144

Kul Sharma, Utilities Director provided the staff report.

Robert Tanner asked how the widening of Corral Hollow will occur.

There were no comments from City Council.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt a **Resolution 2019-136** approving an addendum to the Initial Study and Mitigated Negative Declaration for the Corral Hollow Road Widening Project from West Schulte Road to Linne Road (CIP 73144) to include certain changes to Pacific Gas & Electric Company's electric utility infrastructure and ratifying approval of the Corral Hollow Road widening project CIP 73144. Roll call found all in favor; passed and so ordered.

3.C APPROVE REVISED CITYWIDE DESIGN GOALS AND STANDARDS TO INCLUDE RESIDENTIAL FRONT YARD LANDSCAPE STANDARDS

Victoria Lombardo, Senior Planner provided the staff report.

Robert Tanner asked what kind of change to someone's landscaping would require them to comply with these news standards.

Bill Aragon asked if new residential development has a home owner association involved, which policy takes precedence. Mr. Aragon added he struggles under current city standards, that properties are not held accountable for their upkeep.

City Council questions and comments followed.

It was City Council's consensus to add to the third bullet under Section 5.4.4 of the Citywide Design Goals and Standards a sentence stating when yards are less than 10 feet, the Development Services Director can modify the standard as necessary due to space.

ACTION: Motion was made by Council Member Ransom and seconded by Council Member Vargas to adopt **Resolution 2019-137** approving the Citywide Design Goals and Standards to include residential front yard landscape standards, including the revision requested by City Council. Roll call vote found all in favor; passed and so ordered.

3.D ADOPT A POLICY REGARDING THE DISPLAY OF FLAGS AT CITY FACILITIES

Leticia Ramirez, Interim City Attorney, provided the staff report.

City Council questions and comments followed.

Alice English commended the City for declaring LGBT Pride month, expressed concerns regarding alleged comments made by Council Member Arriola during election cycle, and stated if the City raises flags for one, it should raise flags for everyone.

Manual Zapata thanked Council for acknowledging LBGT Pride month stating it will go down in history as the Council on behalf in LGBT community.

Council Member Arriola provided a brief response to Ms. English's comments.

City Council questions and comments followed.

It was City Council consensus to amend Section 2.3.1 to include authorization by resolution approved by a supermajority (four-fifths) vote of the City Council.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Vargas to adopt **Resolution 2019-138** approving a Council policy regarding the display of flags at City facilities to include change to Section 2.3.1 to include authorization by resolution approved by a supermajority (four-fifths) vote of the City Council. Roll call vote found all in favor; passed and so ordered.

3.E APPROVE POLICY FOR EVENTS IN CITY PARKS

Brian MacDonald, Parks and Recreation Director provided the staff report.

Mishelle Neverason referred to Section 3.4 of the policy and asked how to handle outsiders who approach private events to sell items.

Alice English referred to comments made by Council Member Ransom at the August 21, 2018 Council meeting, and provided her account of issues at the 2018 National Night Out event.

Robert Tanner asked if National Night Out events are private parties.

John Arrington asked if the City co-sponsors an event does it automatically become a public event, and if not why is the City sponsoring private events in public parks with City's law enforcement.

Council Member Ransom provided a brief response to Ms. English's comments.

City Council questions and comments followed.

It was City Council consensus to add Director or designee under "Park permit" and Chief of Police or designee to Sections 3.1 and 3.3 of the policy.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Ransom to adopt **Resolution 2019-139** establishing City policy for events in City parks with amendments. Roll call vote found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – A Tracy resident expressed concerns regarding large trees on Alden Glen Drive and asked if it is up to homeowners to maintain the trees.
5. STAFF ITEMS – Jenny Haruyama, City Manager provided an update on the following items:
 - Potential of a PG&E power shut off.
 - Status of the Police Chief recruitment.
 - Regional Rail Authority's release of the Valley Link Project feasibility report.
 - LGBT Pride flag raising ceremony at City Hall on Friday June 28, 2019 at 8:00 am.

6. COUNCIL ITEMS

6.A CONSIDER CANCELLING AUGUST 6, 2019 REGULAR CITY COUNCIL MEETING

Adrienne Richardson, City Clerk provided the staff report.

There were no comments from the public.

There were no comments from City Council.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to cancel the August 6, 2019 Council meeting. Roll call vote found all in favor; passed and so ordered.

6.B RECEIVE UPDATE FROM THE HOMELESSNESS AD HOC COMMITTEE AND AUTHORIZE STAFF TO EXPLORE AND SUBMIT APPLICATIONS FOR GRANTS TO FUND A HOMELESSNESS STRATEGIC PLAN

Jenny Haruyama, City Manager provided the staff report.

Council Member Ransom and Council Member Arriola provided an update on the Tracy Homelessness ad hoc committee's activities and recommended applying for grants to assist with the development of a Tracy Homeless Strategic Plan.

Alice English asked if the City uses staff for grants, would grants go directly to City to distribute funds.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to adopt **Resolution 2019-140** authorizing staff to explore and submit applications for grants to fund the development of a strategic plan to address homelessness in Tracy. Roll call vote found all in favor; passed and so ordered.

Mayor Pro Tem Young gave a shout out to long time Tracy resident Arlene Robbins on her 81st birthday.

Council Member Vargas thanked Council for supporting the Valley Link project and invited everyone to a meeting on June 27, 2019 at 4:00 p.m. 555 Weber Street, Stockton where the feasibility study will be presented.

Council Member Arriola announced Crowns and Cases Pageant on June 29, 2019 at 6:00 p.m. at the Grand Theatre, and invited the community to the LGBT Pride flag raising ceremony on June 28, 2019, at 8:00 a.m. at City Hall. Council Member Arriola commended the City Council for speaking as a powerful united voice at the Local Agency Formation Commission (LAFCo) meeting on June 13, 2019, which ended up allowing Tracy to retain local control.

Mayor Rickman announced the next 80's night Downtown Block Party in August, wished his daughter Allison's soccer team good luck while competing in a regional soccer tournament in Idaho. Mayor Rickman also announced the 95th Portuguese Festa parade downtown on 10th Street and Central Ave this weekend, and bloodless bullfights on June 28, 2019.

Council Member Ransom thanked the City Manager for addressing the PG&E issue, and spoke about the importance in participating in the Census.

7. ADJOURNMENT – Time: 9:19 pm

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

The above agenda was posted at the Tracy City Hall on June 13, 2019. The above are action minutes. A recording is available at the office of the City Clerk.

ATTEST:

Mayor

City Clerk