

August 20, 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 7:01 p.m.

Mayor Rickman led the Pledge of Allegiance.

Pastor Scott McFarland, Journey Christian Church offered the invocation.

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

Mayor Rickman introduced Akira Teshima, Mayor of Memuro Town, Japan and his wife Atsuko Teshima, Yutaka Sanae, President of Memuro Town Council, and his wife Satomi Sanae, Eiko Fukui, President of the Sister City Exchange Association in Memuro Town, Midori Sugimoto and Naomi Fukuda Association members, Masaki Nishida Memuro Town office staff, and presented a Certificate of Recognition in commemoration of the 30-Year Sister City relationship between Memuro, Japan and the City of Tracy.

Mayor Rickman presented Certificates of Appointment to incoming Youth Advisory Commissioners: Kritika Singh, Nicole Hamilton, Meredith Hagler, Lesli Licea, Reyva Dhillon, Dalton Young, Hannah Green, Philip Ha, Laasya Gadamsetti, Alondra Camarena, Adriana Delapza, and Wes Huffman, and Certificates of Recognition outgoing commissioners Alex Klassen, Josjot Kaur and Richard Smith

Mayor Rickman presented Certificates of Recognition to Tracy Heat 14U Baseball Team, 2019 All World Series Champions – Players: Christian Montoya, Joshua Celestine Jr., Brandon Garcia, Trevor Jennings, A.J. Vasquez, Julian Mejia, Anthony Vasquez, Diego Ruiz, Aidan Terry, William Palacios, Alexzander Murrietta, Preston Carrillo, Chris Voss, Jacob Jones, and Coaches: Adam DeHaro, Joshua Celestine, Raul (Rudy) Garcia

Jenny Haruyama, City Manager presented Employee of the Month award for August 2019 to Walter Hayley, Public Works.

1. CONSENT CALENDAR – Following the removal of consent item 1.D by staff 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 JULY 16, 2019 CLOSED SESSION AND REGULAR MEETING MINUTES - Minutes were adopted.
 - 1.B ACCEPT THE WATER FILTER MEDIA REPLACEMENT PROJECT AT THE JOHN JONES WATER TREATMENT PLANT (CIP 75126) COMPLETED BY CALGON CARBON CORPORATION, AUTHORIZE THE FINANCE DEPARTMENT TO CLOSE CIP 75126, AND AUTHORIZE THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE COUNTY– Resolution 2019-165 accepted the project.

- 1.C APPROVE AMENDMENT NO.1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WOOD RODGERS, INC. FOR THE CITYWIDE STORM DRAIN MASTER PLAN UPDATE, CIP 76086, FOR A NOT-TO-EXCEED AMOUNT OF \$130,000 – **Resolution 2019-166 approved Amendment No. 1 to the Professional Services Agreement.**
- 1.E APPROVE AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH RUGGERI JENSEN AZAR FOR DESIGN OF CORRAL HOLLOW ROAD WIDENING (WEST SCHULTE/PARKSIDE DRIVE TO LINNE ROAD) PROJECT, CIP 73144 WITH A TOTAL REVISED NOT TO EXCEED AMOUNT OF \$1,219,500 – **Resolution 2019-167 approved the Amendment No. 1 to the Professional Services Agreement.**
- 1.F ACCEPT CONSTRUCTION OF THE TRACY HILLS BOOSTER PUMP STATION AT THE JOHN JONES WATER TREATMENT PLANT CIP 75158 (75121B), PROJECT COMPLETED BY STEVE P. RADOS, INC., OF SANTA ANA CALIFORNIA, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AND AUTHORIZE THE UTILITIES DIRECTOR TO RELEASE THE BONDS AND RETENTION PAYMENT – **Resolution 2019-168 accepted the project.**
- 1.G DECLARE CERTAIN EQUIPMENT AS SURPLUS AND APPROVE THEIR SALE AND/OR DISPOSAL - **Resolution 2019-169 declared certain equipment surplus and their sale and/or disposal.**
- 1.H APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF TRACY AND TOWNSEND PUBLIC AFFAIRS, INC., FOR THE PERFORMANCE OF GOVERNMENT RELATIONS AND STATE LOBBYING SERVICES TO INCLUDE GRANT WRITING AND FUNDING APPLICATION REVIEW SERVICES, TO EXTEND THE TERM OF THE AGREEMENT, AND PROVIDE FOR AN ANNUAL INFLATIONARY FEE ADJUSTMENT; AND AUTHORIZE THE CITY MANAGER OR FINANCE DIRECTOR TO EXECUTE EXTENSIONS AND ANY MINOR AMENDMENTS TO THE AGREEMENT – **Resolution 2019-170 approved the Amendment No. 1 to the Professional Services Agreement.**
- 1.I APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RIDE RIGHT, LLC TO INCREASE THE NOT TO EXCEED AMOUNT FOR FY18/19 TO \$2,649,456 – **Resolution 2019-171 approved Amendment No. 2 to the Professional Services Agreement.**
- 1.J DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS AND APPROVE THEIR SALE AND AUTHORIZE THE PURCHASE OF MULTIPLE VEHICLES AND EQUIPMENT IN THE AMOUNT OF \$905,808.13 – **Resolution 2019-172 approved the sale of vehicles and equipment. Resolution 2019-173 authorized the purchase of multiple vehicles and equipment.**
- 1.K APPROVE AN IMPROVEMENT AND INSPECTION AGREEMENT AND AN AGREEMENT REGARDING COMMUNITY FACILITIES DISTRICT ANNEXATION AND PARCELS A (EMERGENCY VEHICLE ACCESS) AND B (PRIVATE OPEN SPACE AREA) FOR TRACT 3856, BERG ROAD

PROPERTIES – Resolution 2019-174 approved an Improvement and Inspection Agreement.

- 1.D AUTHORIZE A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF TRACY (CITY), ACTING AS THE GOVERNING BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF TRACY (AGENCY), AND MANTECA HOSPITALITY, INC., AND AUTHORIZE THE MAYOR ON BEHALF OF THE CITY AND THE CHAIRMAN ON BEHALF OF THE SUCCESSOR AGENCY TO EXECUTE THE AGREEMENT AND RELATED DOCUMENTS – **This item was pulled from the agenda.**
2. ITEMS FROM THE AUDIENCE – Ted Guzman, Tracy United Way Community Council and Kristin Birtwhistle, CEO and President of San Joaquin United Way invited Council to a dinner on September 27, 2019 at City Hall to showcase local nonprofits and produce grown in Tracy. Mr. Guzman submitted a United Way packet to the Clerk for City Council.
- Carolyn Grayson expressed her concerns regarding Animal Shelter processes and euthanasia of dogs. Ms. Grayson read an email into the record regarding Diesel.
- Robyn Krock, Sacramento–San Joaquin Delta Conservancy provided information regarding a Community Economic Enhancement Program. Ms. Krock also spoke about a nutria problem in the delta.
- Bernel Scholl expressed her concerns about landscaping maintenance issues in Tracy.
- Susan Bryant also expressed concerns about landscaping maintenance, and indicated there are dead trees on Tracy Blvd between Raley's and Central Ave.
- Alice English thanked Parks and Public Works for cutting trees and bushes at Adams Park. Ms. English asked about the return of \$10,000 appropriated from the General Fund in January 19, 2016, for initial funds in the City of Tracy fund within the CFOSJ, which was to be returned to the General Fund when charitable funds for the City reach \$50,000.
- Lisa Parker spoke about the safety issues due to lack of a sidewalk on MacArthur by the cemetery.
- Mark Jobe requested a four way stop at the intersection of Reids Way and Brookview Drive.
3. REGULAR AGENDA
- 3.A CONSIDER AND INTRODUCE AN ORDINANCE AMENDING SECTION 2.28.470 OF THE TRACY MUNICIPAL CODE REGARDING LEASES OF CITY-OWNED AIRPORT HANGARS AND GROUND LEASES AT THE TRACY MUNICIPAL AIRPORT AND NEW JERUSALEM AIRPORT

Paula Jessup, Airport Manager provided the staff report.

Tim Silva shared his support for the item.

There were no comments for City Council.

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

ACTION: Motion was made by Council Member Ransom and seconded by Council Member Arriola to waive the reading of the full text and introduce **Ordinance 1271**. Roll call found all in favor; passed and so ordered.

3.B ACCEPT PRESENTATION BY EAST BAY COMMUNITY ENERGY (EBCE) AUTHORITY AND PROVIDE DIRECTION WHETHER TO PARTICIPATE IN EBCE, A COMMUNITY CHOICE AGGREGATION (CCA) ENERGY PROGRAM

Kul Sharma, Utilities Director provided the staff report.

Alex Digiorgio, Public Engagement Manager for East Bay Community Energy provided a presentation and responded to questions regarding East Bay Community Energy (EBCE), Alameda County's local power supplier.

Robert Tanner asked if the City opts out of the program, will they be able to return in the future.

City Council comments and questions followed.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Ransom to participate in the EBCE Community Choice Aggregation Program. Roll call found all in favor; passed and so ordered.

3.C ADOPT THE CITY OF TRACY SHORT RANGE TRANSIT PLAN

Ed Lovell, Management Analyst provided the staff report.

Jacob Hunter, Transportation Advisory Commissioner supported the plan and stated there will be check points for Council between each change of service.

Cindy Gustafson, Tracy Seniors Association requested Larch, Clover and Chrisman Roads be included in the pilot program, and to consider a low income program.

Alice English supported the plan and added the discontinuation of Route D will be evaluated each year.

Tim Silva supported the proposed plan and explained micro and macro transit system routes.

Shirley Rodriguez asked for support for seniors and disabled people and requested a half day service on Sundays.

City Council questions and comments followed.

Mayor Rickman requested more information/update regarding the RTD VanGo service.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt **Resolution 2019-175** approving the Short Range Transit Plan. Roll call vote found all in favor; passed and so ordered.

3.D RECEIVE REPORT ON ANIMAL SERVICES PROGRAM COMPREHENSIVE ASSESSMENT AND PROVIDE DIRECTION ON RECOMMENDED POLICY CHANGES

Alex Neicu, Interim Police Chief provided the staff report.

Sharie Hollister shared her concerns regarding mismanagement and conditions of the Animal Shelter.

Robert Tanner requested a bar chart indicating the percentages of animal intake and euthanasia.

Christine McGovern shared her story regarding her dog that was euthanized, and expressed concerns regarding the Animal Shelter.

Sarah Henrich read information from a records requests, and shared her frustrations regarding dogs being euthanized for no reason.

Michelle Jimmerson spoke in support of the Animal Shelter staff, shared negative social media posts, and provided a handout to the Clerk.

Sheri Savage, East of Eden stated they have no control over social media comments, spoke about their role as one of the major stakeholders as far as rescuing animals, and shared experiences with the Animal Shelter.

City Council questions and comments followed.

Cynthia Karsten, Outreach Veterinarian for U.C. Davis responded to questions.

It was City Council's consensus to approve the following:

1. Upgrade the supervisor position to Animal Services Manager
2. Animal Services to provide preventative medical care
3. Animal Services to provide ongoing veterinarian care
4. Animal intake approach be modified to "managed admission"
5. Return to Field Program for cats to be implemented

4. ITEMS FROM THE AUDIENCE – Robert Tanner stated Measure V funding can be used anywhere.
5. STAFF ITEMS – There were no staff items.
6. COUNCIL ITEMS

6.A DISCUSS PROPOSED AMENDMENTS TO THE COUNCIL POLICY FOR THE DISPLAY OF FLAGS AT CITY FACILITIES AND PROVIDE DIRECTION TO STAFF

Leticia Ramirez, Interim City Attorney provided the staff report.

Robert Tanner stated as requested at a previous meeting the Merchant Marine flag should also be displayed.

City Council questions and comments followed.

Staff will check into the possibility of flying the military flags at the war memorial, and work with the VFW and American Legion to explore options.

City Council agreed with the proposed changes to the flag policy.

Council Member Arriola announced he was struck by a vehicle on July 26, 2019, and thanked the community for their concern.

Council Member Ransom asked about the status of the homeless policy update. Council Member Ransom referred to a resident's question about using staff instead of contractors for landscape maintenance. Jenny Haruyama, City Manager responded staff will look into service issues and how it is funded, and connecting with residents.

Mayor Pro Tem Young requested looking at landscaping maintenance zones, out sourcing, funding gaps, taxes, drought restrictions. Council Member Vargas seconded the request.

Mayor Pro Tem Young provided an ACE train update including Saturday service coming in Fall 2019, bringing two daily round trips from Stockton to San Jose, reduction of delays due to positive train control upgrades, and addressed the train horn noise complaint stating decibel levels are meeting the standards.

Council Member Vargas added to the landscaping maintenance request to look into removal and replacement of dead trees. Council Member Vargas also requested an item to discuss bike path connectivity by implementing a continuous bike path, and an update on painting the bike paths green for visibility. Council Member Arriola seconded the request.

Mayor Rickman thanked staff for representing the City during the Memuro, Japan Sister City visit to Tracy. Mayor Rickman requested everyone slow down in school zones, and an agenda item regarding an update on the 9th Circuit Court of Appeals decision related to the Idaho case Martin v. City of Boise. Mayor Pro Tem Young seconded the request.

7. ADJOURNMENT – Time: 11:25 p.m.

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

ATTEST:

Mayor

City Clerk