

September 17, 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 7:08 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, Mayor Pro Tem Young and Mayor Rickman present. Council Member Vargas absent.

1. CONSENT CALENDAR – Motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to adopt the Consent Calendar. 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.

- 1.A APPROVAL OF SEPTEMBER 3, 2019, SPECIAL MEETING, CLOSED SESSION AND REGULAR MEETING MINUTES – **Minutes were approved.**

- 1.B AUTHORIZE AMENDMENT TO THE CITY'S CLASSIFICATION PLAN AND MASTER SALARY SCHEDULE BY APPROVING THE AMENDMENT OF VARIOUS EXISTING CLASSIFICATION SPECIFICATIONS INCLUDING: ACCOUNTING COORDINATOR, FIRE CAPTAIN, POOL MANAGER, SENIOR LIFEGUARD AND TREATMENT PLANT FACILITIES MAINTENANCE SUPERINTENDENT; APPROVING THE NEW CLASSIFICATION SPECIFICATION AND SALARY RANGE OF ANIMAL SERVICES MANAGER; AND AUTHORIZING AMENDMENT TO THE CITY'S POSITION CONTROL ROSTER TO REALLOCATE A FUNDED CORPORAL POSITION TO A SERGEANT AND REALLOCATE A FUNDED ANIMAL SERVICES SUPERVISOR TO ANIMAL SERVICES MANAGER WITHIN THE POLICE DEPARTMENT - **Resolution 2019-188** approved the amendment to the City's Classification Plan and Master Salary Schedule and authorized amendments to the City's Position Control Roster.

2. ITEMS FROM THE AUDIENCE – Three Tracy youth shared their concerns about the hazards of e-cigarette/vaping, and requested the City not allow vaping stores.

Linda Miller, President of East of Eden responded to comments made by a City employee at the August 20, 2019, Council meeting. Ms. Miller shared her concerns regarding the Animal Shelter. Ms. Miller provided handouts to the City Clerk.

Debra Allen expressed concerns regarding the speed of traffic from Brookview Drive to Glenbriar Circle. Ms. Allen asked how to get a speed bump at Christopher Michael and Oakridge.

Jan MacDonald spoke about Tracy Community Connection Center and provided the City Clerk with a copy of their impact report and newsletter.

Teresa English Soto asked City Council to postpone the Katterra appeal to October 15, 2019, to provide 30 days' notice to residents.

Ron requested the following: A sign approving parking on Tracy Blvd during ACE train pick up times, roundabout or flashing red light at Linne and Corral Hollow, replacing the traffic light at Tracy Hills and Corral Hollow with a roundabout or take out the light.

Jenny Haruyama, City Manager pulled item 3.C from the agenda.

3. REGULAR AGENDA

3.A PUBLIC HEARING FOR CONSIDERATION OF WATER RATE INCREASE

Kul Sharma, Utilities Director provided the staff report.

Shawn Koorn, HDR Engineering, Inc. provided a presentation on the water rate study update, and responded to questions.

Mayor Rickman opened the public hearing and announced when the City increases its water rate charges, it must follow the majority protest process under Proposition 218. Under this process, the City cannot increase charges if a majority of the parcel owners subject to the charges present written protests. At the conclusion of the public hearing, the City Clerk will determine whether a majority protest exists in this instance. Mayor Rickman invited residents who have a written protest to submit it to the clerk before the conclusion of the hearing.

Kathy Duarte spoke in opposition to the water rate increase, and expressed concerns regarding the phone system to pay utility bill.

Robert Tanner shared his concerns regarding a 25% water rate increase. Mr. Tanner added 10% might be doable, and suggested the City could use Measure V.

Abdul Wahid shared information regarding city water usage, and asked what numbers were used to conclude that the water rates should be increased by 25%.

Steve Perry asked about the cost to produce water and the sale of City water.

Steve Bayley, Project Specialist responded to questions and comments.

Michael Glenn asked if the 2017 study was based on actual spend or projected spend.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

Karin Schnaider, Finance Director responded to Council questions.

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

Adrienne Richardson, City Clerk announced as of the conclusion of the public hearing, the City of Tracy received 28 written protests to the proposed increase. The number of written protests does not amount to a majority of the identified parcel owners subject to the fee. Consequently, there is an insufficient number of written protests to constitute a majority protest under Proposition 218 and the City Council may proceed with considering the Resolution.

ACTION: Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to adopt **Resolution 2019-189** approving the revised water rates effective October 1, 2019. Roll call found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas absent.

3.B PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE IMPLEMENTING A COMMUNITY CHOICE AGGREGATION PROGRAM AND APPROVING A JOINT POWERS AGREEMENT WITH THE EAST BAY COMMUNITY ENERGY (EBCE) AUTHORITY TO PROVIDE ELECTRIC SERVICES TO THE CITY OF TRACY

Kul Sharma, Utilities Director provided the staff report.

Mayor Rickman opened the public hearing.

Robert Sarvey shared his concerns regarding the EBCE program.

Robert Tanner asked the City to review other energy providers.

Mayor Rickman closed the public hearing.

Nick Chaset, Chief Executive Officer for East Bay Community Energy responded to questions.

City Council questions and comments followed.

Jenny Haruyama, City Manager stated staff will come back to Council with an update regarding process and procedure at a future date.

Mayor Rickman requested the City Clerk read the title of the proposed ordinance.

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

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to introduce Ordinance 1272, an ordinance of the City of Tracy electing to implement a Community Choice Aggregation Program by and through the East Bay Community Energy Authority. Roll call found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas absent.

ACTION: Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to adopt Resolution **2019-190** approving a Joint Powers Agreement with the East Bay Community Energy (EBCE) Authority to provide electric services to the City of Tracy. Roll call found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas absent.

3.C RECEIVE A REPORT ON SENATE BILL 438, AN ACT TO AMEND SECTION 53110 OF AND TO ADD SECTION 53100.5 TO THE GOVERNMENT CODE, AND TO ADD SECTIONS 1797.223 AND 1798.8 TO THE HEALTH AND SAFETY CODE RELATING TO EMERGENCY SERVICES – **Agenda Item was pulled to be heard at a later date.**

4. ITEMS FROM THE AUDIENCE – Michele Shaw shared her concerns regarding how complaints are handled in the Police Department, and requested support to look at Police and create an external department to help people.

5. STAFF ITEMS – Jenny Haruyama, City Manager stated there is a survey on the City's website for public input regarding Affordable Workforce Housing. Ms. Haruyama announced various upcoming City events.

6. COUNCIL ITEMS - Council Member Arriola congratulated the South Side Association on their celebration of Mexican Independence Day, commended the launch of Community Medical Centers, and announced the success of Tracy Chamber annual lobster feast and upcoming One World Cultural Festival. Council Member Arriola requested a health and wellness initiative and partnering with local businesses. Council Member Ransom seconded the request to bring back more information about what the partnership would look like.

Mayor Pro Tem Young announced three family birthdays, ACE train Saturday services – two in the morning and evening, and spoke about the Police Department supplying retired bikes to DVI. Mayor Pro Tem Young asked about the status of the asset management system, and would like to understand citywide deferred maintenance and replacement cost.

Kul Sharma, Utilities Director and Don Scholl, Public Works Director provided a brief update on the asset management system.

Council Member Ransom spoke about the full services provided by the Community Medical Center (CMC) to the vulnerable population, and the old Sutter Medical Center on Grant Line being their larger facility. Council Member Ransom acknowledged the success of Tracy PAL poker run and Tracy Chamber lobster feast. Council Member Ransom requested an agenda item regarding banning e-cigarettes and cartridges in Tracy. Council Member Arriola seconded the request.

Mayor Rickman announced events at the Grand Theatre: Unveiling of old sign in Grand Theatre Lobby on September 13, Comedian Kevin Nealon on September 14, Blue Oyster Cult on September 27, and encouraged support of the Grand Theatre and the local community

7. ADJOURNMENT – Time: 9:40 p.m.

ACTION: Motion was made by Mayor Pro Tem Young 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 September 12, 2019. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk