

**January 21, 2020, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

Mayor Rickman called the meeting to order at 7:00 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.

Jenny Haruyama, City Manager presented the Employee of the Month award for January 2020 to Robert Harman, Finance Department.

Mayor Rickman presented a proclamation for National Slavery and Human Trafficking Prevention Month to Brian Pekari and the Student Social Media Team from the San Joaquin County Human Trafficking Task Force.

Mayor Rickman presented Certificates of Recognition to outgoing Tracy Arts Commissioners Jenese Borges-Soto and Anne Marie Fuller.

1. CONSENT CALENDAR – Following the removal of agenda items 1. E by Council Member Vargas and 1.M by Council Member Vargas and Council Member Ransom motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
  - 1.A APPROVAL OF DECEMBER 17, 2019 CLOSED SESSION AND REGULAR MEEING MINUTES - **Minutes were approved.**
  - 1.B DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS AND APPROVE THEIR SALE – **Resolution 2020-001** declared certain vehicles and equipment as surplus and approved their sale.
  - 1.C WAIVE SECOND READING AND ADOPT ORDINANCE 1281, AN ORDINANCE OF THE CITY OF TRACY AMENDING THE I-205 CORRIDOR SPECIFIC PLAN, APPENDIX A, TABLE A-2, PERMITTED AND CONDITIONALLY PERMITTED COMMERCIAL AND INDUSTRIAL USES, TO ALLOW BREWERIES, WINERIES, AND DISTILLERIES, APPLICATION NUMBER SPA19-0005 – **Ordinance 1281 was adopted.**
  - 1.D WAIVE SECOND READING AND ADOPT ORDINANCE 1282, AN ORDINANCE OF THE CITY OF TRACY AMENDING ARTICLE 18, CENTRAL BUSINESS DISTRICT (CBD) ZONE, OF CHAPTER 10.08 OF THE TRACY MUNICIPAL CODE TO PERMIT HIGH DENSITY RESIDENTIAL USES, INCLUDING

SINGLE-FAMILY DWELLINGS, TWO-FAMILY DWELLINGS, AND MULTI-FAMILY DWELLINGS, APPLICATION NUMBER ZA17-0003 - Ordinance 1282 was adopted.

- 1.F THAT THE CITY COUNCIL OF THE CITY OF TRACY, ACTING AS THE GOVERNING BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF TRACY, APPROVE THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) 20-21- **Resolution 2020-002** approved the Recognized Obligation Payment Schedule (ROPs).
- 1.G ADOPT A RESOLUTION ACCEPTING THE CITY OF TRACY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2019 – Resolution 2020-003 accepted the Comprehensive Annual Financial Report (CAFR).
- 1.H APPROVE PROFESSIONAL SERVICES AGREEMENTS WITH KIMLEYHORN, FIRST CARBON SOLUTIONS, DE NOVO PLANNING GROUP, LAND LOGISTICS, AND PLACEWORKS FOR ON-CALL ENVIRONMENTAL ANALYSIS (CEQA) SERVICES AND PLANNING ASSISTANCE FOR VARIOUS PROJECTS BEGINNING IN JANUARY 2020 THROUGH JUNE 2024, WITH A NOT-TO-EXCEED AMOUNT OF \$500,000 PER CONTRACT PER FISCAL YEAR– Resolution 2020-004 approved the agreement with Kimley Horn, First Carbon Solutions, De Novo Planning Group, Land Logistics, and Placeworks.
- 1.I APPROVE A NEW CAPITAL IMPROVEMENT PROJECT (CIP 74161) FOR THE REPLACEMENT OF SANITARY SEWER LATERALS ALONG HIGHLAND AVENUE BETWEEN EL PORTAL STREET AND HOLLY DRIVE, AND EL PORTAL STREET FROM ELEVENTH STREET TO THE END, AND AUTHORIZE AN APPROPRIATION OF \$180,000 FROM THE WASTEWATER CAPITAL FUND (F523) TO THE NEW PROJECT– Resolution 2020-005 approved a new CIP 74161 and appropriation of funds.
- 1.J ADOPT CITY COUNCIL STRATEGIC PRIORITIES, GOALS AND OBJECTIVES THROUGH CALENDAR YEAR 2020, WHICH INCLUDE QUALITY OF LIFE, ECONOMIC DEVELOPMENT, PUBLIC SAFETY, AND GOVERNANCE – Council Strategic Priorities, Goals and Objectives through Calendar Year 2020 were adopted.
- 1.K AUTHORIZE THE PURCHASE OF TWO NEW FIRE ENGINES FROM PIERCE MANUFACTURING, INC. PURSUANT TO SECTION 2.20.220 OF THE TRACY MUNICIPAL CODE; (2) APPROPRIATE \$1,391,574 FROM VEHICLE REPLACEMENT FUND 606 AND \$252,064 FROM THE EQUIPMENT REPLACEMENT FUND 605 FOR THE PURCHASES; (3) APPROVE THE BUDGET APPROPRIATIONS FROM FUND BALANCE FOR THE PURCHASES – Resolution 2020-006 authorized the purchase of two new fire engines, and appropriation of funds.
- 1.L APPROVE MASTER PROFESSIONAL SERVICES AGREEMENTS (MPSA) WITH BSK ASSOCIATES, OF LIVERMORE, CALIFORNIA AND RIVER CITY GEOPROFESSIONALS, INC. DBA WALLACE KUHL & ASSOCIATES OF

STOCKTON, CALIFORNIA, WITH AN ANNUAL NOT TO EXCEED AMOUNT OF \$200,000 TO PROVIDE MATERIALS TESTING SERVICES FOR 2020-2023 WITH THE OPTION TO EXTEND THE AGREEMENTS AN ADDITIONAL TWO YEARS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE EXTENSIONS IF NEEDED– **Resolution 2020-007** approved the MPSA with BSK Associates. **Resolution 2020-008** approved the MPSA with River City Geoprosessionals, Inc. dba Wallace Kuhl & Associates.

- 1.N AMEND COUNCIL POLICY REGARDING SELECTION PROCESS FOR COUNCIL APPOINTEE BODIES SUCH AS BOARDS AND COMMISSIONS – **Resolution 2020-009** amended the Council policy regarding the selection process for Council appointee bodies.
- 1.E WAIVE SECOND READING AND ADOPT ORDINANCE 1283, AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 2.04 (CITY COUNCIL ORGANIZATION AND PROCEDURE) OF TITLE 2 (ADMINISTRATION) OF THE TRACY MUNICIPAL CODE TO ADD SECTION 2.04.060 “COUNCIL MEMBER AND ELECTED MAYOR COMPENSATION”

Council Member Vargas pulled the item to announce she would not be approving the item.

No one from the audience wished to speak.

**ACTION:** Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to adopt **Ordinance 1283** an ordinance of the City of Tracy amending Chapter 2.04 (City Council Organization and Procedure) of Title 2 (Administration) of the Tracy Municipal Code to add Section 2.04.060 “Council Member and Elected Mayor Compensation”. Roll call found Council Members Arriola, Ransom, and Mayor Pro Tem Young in favor; passed and so ordered. Council Member Vargas and Mayor Rickman opposed.

- 1.M RECEIVE UPDATE REGARDING THE ACTIVITIES OF THE TRACY HOMELESSNESS COUNCIL AD HOC COMMITTEE AND DEVELOPMENT OF THE HOMELESS STRATEGIC PLAN

Council Member Vargas pulled the item and shared the concerns and comments from members of the community regarding addressing the homelessness issue and the task force. Council Member Vargas read the community concerns into the record.

Council Member Ransom responded to the public’s concerns shared by Council Member Vargas and stated the task force will address issues under their purview.

Robert Tanner stated he would like the outcome of the Boise’s Supreme Court challenge added into the report that comes before Council.

Deborah Polk spoke about the homelessness issues and offered suggestions for the City to help the homeless. Ms. Polk stated she would like to see the City take action now instead of waiting for March for finalizing the strategic plan.

Barbara Pombo provided information regarding Tracy Community Connection Center. Ms. Pombo suggested the City could quickly identify properties that might be used for seasonal shelter and could find partners to roll out nightly services.

Wayne Templeton spoke about the possibility of the City working with Tracy Community Connection Center to fix low hanging fruit in the short term such as a warming center, and a safe place for those who live in their cars to park.

City Council questions and comments followed.

Leticia Ramirez, City Attorney responded to Mr. Tanner's question about the Supreme Court's decision regarding Boise's challenge.

**ACTION:** Motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to accept the update on the Tracy Homelessness Council Ad Hoc Committee and development of the Homeless Strategic Plan. Roll call found all in favor; passed and so ordered.

Council Member Ransom requested that item 3.D be heard before Item 3.A.

2. ITEMS FROM THE AUDIENCE – Sam Tavake spoke on behalf of Jeff and Kimberly Elwood, 798 South Bird Street and requested the City's help regarding the County threatening to take their property and force four generations of a family to be homeless.

3. REGULAR AGENDA

#### **DEVIATION**

3.D APPOINT THREE APPLICANTS TO SERVE ON THE PARKS AND COMMUNITY SERVICES COMMISSION

Council Member Vargas and Council Member Arriola provided the staff report.

Taranjit Sandhu expressed his concerns regarding the Council subcommittee's appointment recommendation to the Parks and Community Services Commission. Mr. Sandhu spoke in support of Rajdeep Singh, and requested the subcommittee to re-discuss and allow Mr. Singh to continue for another term.

Conrad Levoit, Parks and Community Services Commissioner since 2016, spoke about his achievements and contributions while on the commission.

Alice English spoke in support of Rajdeep Singh and Conrad Levoit being reappointed to the Parks and Community Services Commission.

City Council discussion ensued.

Brian MacDonald responded to questions regarding the Community Development Block Grant (CDBG) process.

**ACTION:** Motion was made by Council Member Vargas and seconded by Council Member Arriola to approve the Council subcommittee's recommendations and appoint

Jacy Krogh and Joe Taylor, and reappoint Linda Jimenez to the Parks and Community Services Commission to serve four year terms beginning February 1, 2020, and ending January 31, 2024, and place Rajdeep Singh on the 12 month eligibility list. Roll call vote found Council Members Arriola and Vargas in favor. Council Member Ransom, Mayor Pro Tem Young and Mayor Rickman opposed. Motion failed.

City Council discussion continued.

**ACTION:** A second motion was made by Council Member Vargas and seconded by Council Member Arriola to approve the Council subcommittee's recommendations and appoint Jacy Krogh and Joe Taylor, and reappoint Linda Jimenez to the Parks and Community Services Commission to serve four year terms beginning February 1, 2020, and ending January 31, 2024, and place Rajdeep Singh on the 12 month eligibility list. Roll call vote found Council Members Arriola and Vargas in favor. Council Member Ransom, Mayor Pro Tem Young and Mayor Rickman opposed. Motion failed.

City Council discussion continued.

**ACTION:** Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to reappoint Linda Jimenez, Rajdeep Singh and Conrad Levoit to the Parks and Community Services Commission and place Jacy Krogh as No. 1 on the eligibility list. Roll call vote found Council Members Ransom and Mayor Pro Tem Young in favor. Council Member Arriola and Vargas opposed. Mayor Rickman abstained. Motion failed.

**ACTION:** Motion was made by Council Member Arriola and seconded by Council Member Ransom to suspend the current rules and bring back all applicants for a public appointment process on February 4, 2020, at a special meeting beginning at 6:00 p.m. Roll call found all in favor; passed and so ordered.

Mayor Rickman called a recess at 8:57 p.m.

Mayor Rickman reconvened the meeting at 9:07 p.m.

3.A REVIEW AND DISCUSS DRAFT CANNABIS BUSINESS PERMIT APPLICATION PROCEDURES AND GUIDELINES AND PROVIDE DIRECTION TO STAFF

Bill Dean, Assistant Development Services Director provided the staff report.

Kimberly Cargile, owner of A Therapeutic Alternative dispensary suggested choosing applicants prior to requiring them to secure a building, and shared her concerns regarding lottery.

Michele True, employee of A Therapeutic Alternative dispensary in Sacramento, provided information about the dispensary.

Michaela Toscas, Community Connection Center suggested the following: Prioritizing locals and granting store front permits to 75% of the preference pool and 25% for out of town, three year residency requirement, would like not

considering Juvenile convictions and looking at records for owners and employees to put in writing since it is not clarified in the application process.

Alex Monceaux stated he would like the following: All four dispensaries to go to locals, applicant to get store front location after approval, local requirement go up from one year, 60% Tracy residency, a limit length of ownership, locals to have for three years or more, and one equity for a local equity from Tracy.

Leticia Moran supported speaker comments regarding allowing residents longer than a year to allow for residents that are more vested in the community. Ms. Moran asked about equity programs that focus on women in business.

City Council questions and comments followed.

City Council provided the following direction to staff regarding the Cannabis Business Permit Procedures and Guidelines:

- No Lottery, preferred Merit/Evaluation System
- Preferences in application selection should include the following:  
Local Preference: 51% local ownership
- Residency Requirement: 5 years
- Community Benefits should become a component of the process (possibly DA)
- Social Equity should be addressed by emphasizing women in leadership roles, employee benefits, opportunities for seniors
- Retain requirements for Business Plan, Security Plan, Community Relations Plan
- Location disclosure should not be a requirement at this stage of the process
- Future implementation could include a larger social equity program

Jenny Haruyama, City Manager confirmed the item will come back to Council on March 17, 2020.

3.B PROVIDE DIRECTION TO STAFF REGARDING CO-SPONSORING OF HEALTH AND WELLNESS EVENTS WITH TRACY CHAMBER OF COMMERCE

Kimberly Murdaugh, Director of Human Resources provided the staff report.

No one from the public wished to speak.

City Council questions and comments followed.

**ACTION:** Motion was made by Council Member Ransom and seconded by Council Member Arriola to move forward with co-sponsoring of health and wellness events with the Tracy Chamber of Commerce. Roll call found all in favor; passed and so ordered.

3.C REVIEW AND DETERMINE APPOINTMENTS TO COUNCIL COMMITTEES AND OTHER COMMITTEES, BOARDS AND COMMISSIONS

Adrienne Richardson, City Clerk provided the staff report.

No one from the audience wished to speak.

City Council reviewed the Council subcommittees and made the following changes:

- Mayor Pro Tem Young replaced Council Member Vargas as alternate on the South San Joaquin County Fire Authority
- Council Member Vargas was added as alternate on the San Joaquin Partnership
- Mayor Pro Tem Young replaced Council Member Arriola as alternate on the League of California Cities, Central Valley Division Executive Committee
- Council Member Ransom added as alternate on the Tri-Valley-San Joaquin Valley Region Rail Authority (Valley Link)
- Jenny Haruyama, City Manager (or designee) replaced Council Member Vargas on the Tracy Chamber of Governmental Affairs Committee
- Council Member Arriola appointed to represent the City on the East Bay Community Energy (EBCE), and Council Member Vargas as alternate

City Council discussion continued regarding Sister Cities.

Jenny Haruyama, City Manager stated staff will contact the Sister Cities organization, and bring back to Council through a memo the City's role in the whole process, and provide advance notice to allow for planning in order to be ready for our guests.

Staff to update the information regarding the Local Transportation Authority Citizens Advisory Committee, and going forward, provide notification to all Council members when a change occurs to the citizen appointed by the Mayor to the committee.

**ACTION:** Motion was made by Council Member Arriola and seconded by Council Member Vargas to approve the appointments to the Council Committees and other Committees, Boards and Commissions for 2020. Roll call found all in favor; passed and so ordered.

3.E APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS TO FILL THREE TERM EXPIRATIONS ON THE MEASURE V RESIDENTS' OVERSIGHT COMMITTEE

Adrienne Richardson, City Clerk provided the staff report.

Robert Tanner asked what would happen if no one applied for the Measure V Residents' Oversight Committee.

**ACTION:** Motion was made by Mayor Rickman and seconded by Council Member Arriola to appoint Council Member Ransom and Mayor Pro Tem Young to interview applicants to fill three term expirations on the Measure V Residents' Oversight Committee. Roll call found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – None
5. STAFF ITEMS – Jenny Haruyama, City Manager announced the selection of Sekou Millington as Tracy Police Chief. Ms. Haruyama also provided a brief update on the Aquatic Park stating staff is continuing to work with the developer and will come back to Council in mid-March or early April.
6. COUNCIL ITEMS

Council Member Vargas provided an update on her participation at the League of California Cities winter retreat for the Latino caucus. The Latino caucus is celebrating their 30<sup>th</sup> anniversary. Council Member Vargas was appointed by the executive board to be their parliamentarian.

Council Member Arriola announced the annual Chamber Gala on Friday, January 24, 2020. Council Member Arriola proposed consideration of alternatives for the commission appointment process. Mayor Rickman seconded the request.

Mayor Pro Tem Young amended the request to re-evaluate the entire process for commissions to look at set up, term expirations, reappointments, number of commissioners and look at commissions overall and overhaul.

Council Member Arriola stated he was not opposed to an entire review of commissions but was concerned due to the hesitation during item 3.D. Council Member Arriola added that if commission appointments are going to be contentious in the future, he was interested in providing an option that could be done quickly and fixing that small problem.

Council Member Ransom made a friendly amendment and suggested overall and overhaul are two separate things. Council Member Ransom also suggested looking at an alternative for what happens when there is rejection of the subcommittee's proposal.

Mayor Rickman agreed it needs to be split.

Council Member Arriola responded to look at options for the appointment process and look for a Plan B.

Council Member Ransom seconded Mayor Pro Tem Young's request for process review particularly the overhaul evaluation process – removal process, and to make the process more reliable.

Council Member Ransom announced the following: Wished everyone a Happy New Year, and welcomed everyone back, there will be a Partnership meeting this week. Council Member Ransom added the only thing that has happened is the movement with the homelessness strategic plan.

Mayor Pro Tem Young announced the following: ACE meeting was cancelled and had special closed session, Doctor Martin Luther King Junior Day – TUSD annual breakfast at Tracy High, 2020 Tracy African American Association Martin Luther King Jr. Image Award was awarded to Mary McGill, and wished everyone a Happy New Year!



Mayor Rickman wished everyone a Happy New Year and announced that Tracy Historical Museum is accepting new members and volunteers, and encouraged people to go and learn about history of Tracy.

7. ADJOURNMENT – Time: 11:00 p.m.

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

The above agenda was posted at the Tracy City Hall on January 16, 2020. The above are action minutes. A recording is available at the office of the City Clerk.

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Mayor

ATTEST:

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City Clerk