

March 10, 2020, 6:00 p.m.

Council Chambers, 333 Civic Center Plaza, Tracy

Web Site: www.ci.tracy.ca.us

1. The meeting was called to order at 6:00 p.m.
2. Roll call found Council Members Arriola, Ransom, Vargas, Mayor Pro Tem Young, and Mayor Rickman present.
3. Items from the Audience - Conrad Levoit thanked Jenny Haruyama, City Manager for the publication of the new City newsletter.
4. CONSENT CALENDAR – Following the removal of consent items 4.I and 4.P by Council Member Vargas, 4.C, 4.D, 4.F, and 4.L by Mayor Pro Tem Young, 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.
 - 4.A. APPROVAL OF DECEMBER 19, 2019, AND FEBRUARY 25, 2020 SPECIAL MEETING MINUTES, AND FEBRUARY 18, 2020, REGULAR MEETING MINUTES – Minutes were approved
 - 4.B. ACCEPT THE CORRAL HOLLOW ROAD FRONTAGE IMPROVEMENTS FOR THE TRACY HILLS PHASE 1A PROJECT, CONSTRUCTED BY TRACY PHASE I, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ASSUME RESPONSIBILITY FOR THE FUTURE MAINTENANCE AND REPAIR, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AND AUTHORIZE THE CITY ENGINEER TO RELEASE BONDS – Resolution 2020-034 accepted the Corral Hollow Road Frontage Improvements for the Tracy Hills Phase 1A project.
 - 4.E. ACCEPT THE CONSTRUCTION OF THE POLICE COMMUNICATIONS TOWER EQUIPMENT SHELTER CIP 71050A, COMPLETED BY RADCO CONSTRUCTION, OF CARSON CITY, NEVADA, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION WITH THE SAN JOAQUIN COUNTY RECORDER, AUTHORIZE THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AND AUTHORIZE THE FINANCE DEPARTMENT TO CLOSE THE PROJECT – Resolution 2020-035 accepted the construction of the Police Communications Tower Equipment Shelter.
 - 4.G. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH THE KPA GROUP, OF PLEASANTON, CALIFORNIA FOR AN UPDATE TO THE PUBLIC FACILITIES MASTER PLAN (CIP 71107) FOR A NOT-TO-EXCEED AMOUNT OF \$380,280 – Resolution 2020-036 approved the agreement with the KPA Group.
 - 4.H. ACCEPT OFFSITE IMPROVEMENTS FOR THE INDUSTRIAL PROPERTIES TRUST BUILDING 2 LOCATED AT 1207 EAST GRANT LINE ROAD, CONSTRUCTED BY IPT TRACY DC IV LLC, A DELAWARE LIMITED LIABILITY COMPANY, ASSUME RESPONSIBILITY FOR THEIR FUTURE MAINTENANCE AND REPAIR, ACCEPT ALL OFFERS OF DEDICATION OF PUBLIC RIGHTS OF WAY, AUTHORIZE THE CITY CLERK

TO FILE NOTICE OF COMPLETION, AND AUTHORIZE THE CITY ENGINEER TO RELEASE BONDS – Resolution 2020-037 accepted the improvements for the Industrial Properties Trust Building 2.

- 4.J. AUTHORIZE THE SUBMISSION OF A UNITED STATES DEPARTMENT OF JUSTICE (DOJ) COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT APPLICATION FOR A PROJECTED AMOUNT OF \$1,607,287 FOR THE HIRING OF THREE POLICE OFFICERS, WITH THE PROJECTED CITY MATCH FUNDS OF \$1,232,287, APPROVE AN ADDITIONAL \$90,000 FOR PROJECTED OVERTIME AND OTHER COSTS NOT COVERED BY THE GRANT FUNDS; AND AUTHORIZE THE CITY MANAGER TO ACCEPT THE \$375,000 GRANT, IF AWARDED – Resolution 2020-038 authorized the submission of a United States Department of Justice Community Oriented Policing Services Grant Application.
- 4.K. APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF TRACY AND NBS GOVERNMENT FINANCE GROUP FOR THE ANALYSES OF FINANCE PROCESS INCREASING THE NOT TO EXCEED AMOUNT BY \$20,000 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$140,500 – Resolution 2020-039 approved Amendment No. 2 to the Professional Services Agreement with NBS Government Finance Group.
- 4.M. AUTHORIZE A LEAVE OF ABSENCE FOR TRACY TRANSPORTATION ADVISORY COMMISSIONER JACOB HUNTER – Resolution 2020-040 authorized the leave of absence.
- 4.N. ACCEPT THE CONSTRUCTION OF A PARTIAL DEMOLITION OF THE EXISTING WESTSIDE MARKET LOCATED AT 729/741 N. CENTRAL AVENUE FOR THE DOWNTOWN RESTAURANT/BREW PUB PROJECT, CIP 79364, COMPLETED BY CENTRAL VALLEY ENVIRONMENTAL OF FRESNO, CALIFORNIA, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AND AUTHORIZE THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT – Resolution 2020-041 accepted the construction of a partial demolition of the existing Westside Market completed by Central Valley Environmental.
- 4.O. ACCEPT THE STREET LIGHT INSTALLATION AND CONDUIT REPAIR PROJECT, CIP 72112, COMPLETED BY PACIFIC EXCAVATION, INC., OF ELK GROVE, CALIFORNIA, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION WITH THE SAN JOAQUIN COUNTY RECORDER, AUTHORIZE THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AND AUTHORIZE THE FINANCE DEPARTMENT TO CLOSE THE PROJECT – Resolution 2020-042 accepted the Street Light Installation and Conduit Repair Project completed by Pacific Excavation, Inc.
- 4.Q. APPROVE THE PLACEMENT OF A PLAQUE COMMEMORATING THE THIRTY YEAR ANNIVERSARY OF THE PARTNERSHIP BETWEEN SISTER CITY ASSOCIATION OF TRACY AND MEMURO, JAPAN IN KEN YASUI PARK PER CITY STANDARD POLICY AND PROCEDURES – Resolution 2020-043 approved the placement of a plaque.

- 4.C. ACCEPT THE CONSTRUCTION OF THE SIDEWALK, CURB & GUTTER REPAIRS FY 16-17 PROJECT – CIP 73157, COMPLETED BY SUNRISE GRADING & PAVING OF BRENTWOOD, 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

Mayor Pro Tem Young pulled the item to ask about the City's liability if billed, since the organization is no longer in existence, and the \$32,938 amount for expenses.

Leticia Ramirez, City Attorney, and Karin Schnaider, Finance Director responded to Mayor Pro Tem Young's questions.

No one from the public wished to speak.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Vargas to adopt a **Resolution 2020-044** accepting the construction of the sidewalk, curb & gutter repairs FY 16-17 Project CIP 73157 completed by Sunrise Grading & Paving of Brentwood, California; authorizing the City Clerk to file the notice of Completion; authorizing the City Engineer to release the bonds and retention payment; and authorizing the finance department to close the project. Roll call found all in favor, passed and so ordered.

- 4.D. ACCEPT THE SENIOR CENTER ENTRANCE DOORS REPLACEMENT PROJECT, CIP 71093 (PHASE 1), COMPLETED BY CAPITOL DOOR SERVICE, INC., OF SACRAMENTO, 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

Mayor Pro Tem Young pulled the item for clarification regarding the budget remaining line item (\$4,000) for Phase 1 – Entrance door replacement at the Senior Center, stating it is unclear that the funds transferred from item 4.D. to item 4.F., and requested consistency.

Council Member Ransom clarified with Mayor Pro Tem Young, that she is requesting an amendment to item 4.D. to show how much money was left and identify that it will be allocated to Phase 2 of project.

No one from the public wished to speak.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Young to amend item 4.D. to reflect the balance of \$4,000 be returned from Phase 1 to Phase 2 of CIP 71093.

Council Member Ransom made a friendly amendment to the motion to correct the CIP as 78155. Mayor Pro Tem Young accepted the friendly amendment.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to adopt **Resolution 2020-045** accepting the Senior Center entrance door replacement project CIP 71093 (Phase 1) completed by Capitol Door Service Inc., of Sacramento, California, authorizing the City Clerk to file the Notice of Completion, authorizing the City Engineer to release the bonds and retention payment and authorizing the finance department to close the project, and amend the item to reflect the balance of \$4,000 be moved from Phase 1 to Phase 2 of CIP 78155. Roll Call found all in favor; passed and so ordered.

(Item 4.D. was reopened following Consent Item 4.P.)

4.F. ACCEPT THE CONSTRUCTION OF THE SENIOR CENTER UPGRADE/EXPANSION CIP 71093 (PHASE 2) AND CIP 78155, COMPLETED BY DIEDE CONSTRUCTION, OF LODI, 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

Mayor Pro Tem Young pulled the item to ask for clarification as to where the unused funds will be utilized, considering that the funds came from four different sources.

Karin Schnaider, Finance Director responded to Mayor Pro Tem Young's questions.

No one from the public wished to speak.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Young to adopt a **Resolution 2020-046** accepting the construction of the Senior Center Upgrade/Expansion Project CIP 71093 (Phase2) and CIP 78155, completed by Diede Construction of Lodi, California, authorizing the City Clerk to file the Notice of Completion, authorizing the finance department to close the project. Roll call found all in favor, passed and so ordered.

4.I. RECEIVE AND AUTHORIZE STAFF TO SUBMIT THE ANNUAL PROGRESS REPORT FOR 2019 AND ANNUAL ELEMENT PROGRESS REPORT FOR 2019 TO THE OFFICE OF PLANNING AND RESEARCH, AND STATE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT REGARDING THE IMPLEMENTATION OF THE GENERAL PLAN AND THE HOUSING ELEMENT

Council Member Vargas pulled the item to ask how the City is doing with RHNA numbers, building permits, are there more needs for development, and are there more needs than supply.

Kimberly Matlock, Associate Planner 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 Vargas and seconded by Council Member Arriola to adopt a **Resolution 2020-047** authorizing staff to submit the annual progress report and the annual element progress report for calendar year 2019 to the Office of Planning and Research and State Housing and Community Development Department regarding the implementation of the general plan and housing element. Roll call found all in favor, passed and so ordered.

- 4.L. APPROVE AN APPROPRIATION OF \$150,000 FROM THE TRANSPORTATION DEVELOPMENT ACT FUND 241; AUTHORIZE AN INCREASE OF THE CONTINGENCY AMOUNT TO \$974,528 FOR THE MACARTHUR DRIVE WIDENING AND RECONSTRUCTION PROJECT, CIPs 73126 AND 72073, FEDERAL PROJECT NUMBER STPL-5192(033); AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE APPROVED AMOUNT

Mayor Pro Tem Young pulled the item to ask if the striping is causing additional time.

Robert Armijo, City Engineer responded to Mayor Pro Tem Young's questions.

No one from the public wished to speak.

There were no comments from City Council.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt **Resolution 2020-048** approving an appropriation of \$150,000 from the Transportation Development Act Fund 241; authorizing an increase of the contingency amount \$974,528 for MacArthur Drive Widening and Reconstruction Project, CIP 73126 and 72073, Federal Project Number STPL 5192(033); and authorizing the City Manager to approve change orders up to the approved amount. Roll call vote found all in favor, passed and so ordered.

- 4.P. APPROVE A THIRD EXTENSION TO THE AGREEMENT FOR PROPERTY TAX ALLOCATION UPON ANNEXATION BETWEEN THE COUNTY OF SAN JOAQUIN AND THE CITY OF TRACY

Council Member Vargas pulled the item to confirm that the tax sharing extension would last for the next seven years.

Karin Schnaider, Finance Director responded to questions.

Robert Tanner asked if the City was going to renegotiate the tax allocation annexation or wait seven years.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Young to adopt a **Resolution 2020-049** approving a third extension to the

Agreement for Property Tax Allocation Upon Annexation Between the County of San Joaquin and the City of Tracy. Roll call vote found all in favor, passed and so ordered.

Mayor Pro Tem Young requested to revisit Consent Item 4.D. to amend the CIP which should be 71093 Phase 2, and striking the friendly amendment.

Karin Schnaider, Finance Director clarified that both Phase 1 and Phase 2 are CIP 71093, and the funds are not moving to CIP 78155.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Arriola to reopen Consent Item 4.D. Roll call found all in favor; passed and so ordered.

No one from the public wished to speak

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to amend the resolution for Item 4.D. to include budget remaining in CIP 71093 Phase 1 (\$4,000) to transfer to CIP 71093 Phase 2. Roll call found all in favor; passed and so ordered.

5. PUBLIC HEARING TO CONSIDER CITY'S RECOMMENDATION FOR AWARD OF LOCAL PRIORITY FUNDING ALLOCATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS FOR FISCAL YEAR 2020-2021 AND AUTHORIZE THE ASSISTANT CITY MANAGER TO EXECUTE THE FUNDING AGREEMENTS FOR THE PROGRAM

Vanessa Carrera, Economic Development Management Analyst provided the staff report and presentation.

Mayor Rickman opened the public hearing.

Barbara Pombo spoke about transitional housing services and some of the benefits that have been provided to individuals by Tracy Community Connections.

Clara Stiles commended commissioners on reading and scoring of all the applications and being fair and equitable. Ms. Stiles requested an explanation on why left over funding was sent to McHenry House.

Conrad Levoit stated the scoring sheet used in the past was different from the current one and referred to Attachment A of the staff report. Mr. Levoit commended staff and commissioners on their professionalism.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

ACTION: Motion made by Council Member Vargas and seconded by Council Member Ransom to adopt a **Resolution 2020-050** recommending the award of Local Priority Funding Allocations for Community Development Block Grant (CDBG) and Home Investment

Partnerships Program (HOME) funds for fiscal year 2020-2021. Roll call vote found all in favor; passed and so ordered.

6. ACCEPT THE CITY OF TRACY POLICE DEPARTMENT'S ANNUAL REPORT FOR 2019

Alex Neicu, Police Captain presented the staff report.

Robert Tanner asked about the following: DUI breakdown by age, narcotic destruction and if that includes the containers inside the Police Department; unsafe building demolition; and status of the Great Plate.

City Council questions and comments followed.

Council Member Ransom requested a memo clarifying youth and DUI correlation. Council Member Vargas seconded the request.

Council Member Vargas requested adding to the memo what the Police Department or City can do to increase the prosecution rate. Mayor Rickman seconded the request.

Mayor Rickman requested adding to the memo a breakdown of prosecution rates by type of crime going back five years. Mayor Pro Tem Young seconded the request.

ACTION: Motion made by Council Member Arriola and seconded by Council Member Vargas to adopt **Resolution 2020-051** accepting the City of Tracy Police Department's Annual Report for 2019. Roll call vote found all in favor; passed and so ordered.

7. CONSIDER DECLARING A SHELTER CRISIS PURSUANT TO GOVERNMENT CODE 8698 ET SEQ. TO FACILITATE THE ESTABLISHMENT OF A TEMPORARY WARMING CENTER FOR THE HOMELESS AND RECEIVE UPDATE ON REQUESTS FOR PROPOSALS FOR WARMING CENTER AND SAFE PARKING SERVICES

Midori Lichtwardt, Assistant City Manager presented the staff report.

Robert Tanner asked the City to take time to develop a long range plan for a warming center for the coming winter.

Arch Bakerink requested City Council adopt a resolution declaring a shelter crisis.

Mary Mitracos requested City Council adopt a resolution declaring a shelter crisis.

Wayne Templeton requested City Council adopt a resolution declaring a shelter crisis.

City Council questions and comments followed.

ACTION: Motion made by Mayor Pro Tem Young and seconded by Council Member Arriola to adopt **Resolution 2020-052** declaring a shelter crisis pursuant to Government Code Section 8698 ET SEQ. to facilitate the establishment of a temporary warming center to provide shelter to the homeless. Roll call vote found Council Members Arriola,

Ransom, Vargas and Mayor Pro Tem Young in favor; passed and so ordered. Mayor Rickman abstained from voting on the item.

8. ADJOURNMENT – Time: 8:37 p.m.

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

The above agenda was posted at the Tracy City Hall on March 5, 2020. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk