

July 28, 2020, 6:00 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy

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

Due to the COVID-19 emergency, the regular meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act. Residents participated remotely via email, phone and WebEx during the meeting.

1. Mayor Rickman called the meeting to order at 6:00 p.m.
2. Roll call found Council Member Vargas, Mayor Pro Tem Young, and Mayor Rickman present. Council Members Arriola and Ransom absent.

Council Member Ransom arrived at 6:03 p.m.

Council Member Arriola arrived at 6:09 p.m.

3. ITEMS FROM THE AUDIENCE – There were no comments from the public.
4. COUNCIL DISCUSSIONS

4.A. AUTHORIZE THE SUBMISSION OF A BALLOT MEASURE SEEKING VOTER APPROVAL OF AN ORDINANCE EXEMPTING TRANSIT-ORIENTED DEVELOPMENT THAT INCLUDES WORKFORCE HOUSING FROM THE CITY'S GROWTH MANAGEMENT ORDINANCE (CHAPTER 10.12 OF THE TRACY MUNICIPAL CODE) ON THE NOVEMBER 3, 2020 GENERAL ELECTION BALLOT AND OTHER ELECTION RELATED ACTIONS INCLUDING THE SUBMISSION OF AN ARGUMENT FOR THE MEASURE, IF APPROVED, AND DESIGNATION OF AN AUTHOR

Andrew Malik, Assistant City Manager and Leticia Ramirez, City Attorney provided the staff report.

Dino Margaros, Tracy City Center Association spoke in favor of the TOD measure and evolution of the downtown.

Robert Tanner shared his concerns regarding having over 6,000 homes for three TOD's, and over and above the GMO without any details is a lot to ask the voters of Tracy. Mr. Tanner suggested Council take their time to see what the TOD looks like and then vote on it.

Pete Mitracos shared his support for the TOD stating it is important for downtown. Mr. Mitracos added he did not want to see anyone pay an in-lieu fee and avoid having to meet the workforce housing.

City Council discussion followed.

John Barna, Transportation Consultant for Prologis supported the pursuit of this approach to TOD and spoke about being a willing state partner for TOD funding and development of workforce housing at state level, and attracting workforce tenants to make it easier to live and work in Tracy.

City Council discussion continued.

Mayor Rickman called for a recess at 8:30 p.m.

Mayor Rickman reconvened the meeting at 8:40 p.m.

City Council discussion continued.

It was Council's consensus to include the following in the proposed ordinance:

- 20 year deed restriction (in ordinance)
- For sale: Affordability based on median to moderate, which is 100% to 120% City AMI
- For rental: Affordability based on median to moderate, which is 80% to 100% City AMI

It was City Council's consensus to present the following ballot question to the City of Tracy voters at the November 3, 2020, General Election:

Shall the City of Tracy adopt an ordinance making development projects in transit oriented development areas near commuter rail (e.g. ValleyLink) that designate at least 10% of dwelling units for rent or sale as affordable workforce housing based on City of Tracy area median income (adjusted for household size) exempt from the City's Growth Management Ordinance, with the exemption limited to 2,200 units per TOD area, to preserve and maintain community character?

Council Member Arriola made a friendly amendment to include in the recital of the proposed ordinance to include reference to Chapter 10.12 – Residential Growth Management Plan related to infrastructure.

**ACTION:** Motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt **Resolution 2020-138** ordering the City Clerk to submit a measure to the voters at the General Municipal Election on November 3, 2020 to approve an ordinance exempting Transit-Oriented Development that includes workforce housing from the City's Growth Management Ordinance (Chapter 10.12 of the Tracy Municipal Code); and providing for submittal of ballot arguments and rebuttals, authorizing the submission of an argument in favor of the ballot on behalf of the City Council, and directing the City Attorney to prepare an impartial analysis of the measure, as amended. Roll call found Council Members Arriola, Vargas, Ransom, Mayor Pro Tem Young in favor; passed and so ordered. Mayor Rickman opposed.

Jenny Haruyama, City Manager clarified that the intent on the in-lieu is that it is for developments less than 19 units that are subject to the in-lieu fee.

**ACTION:** Motion was made by Council Member Arriola and seconded by Council Member Ransom to appoint Council Member Ransom and Council Member Vargas to author the argument in support of the measure. Roll call found all in favor; passed and so ordered.

Mayor Pro Tem Young left the meeting at 9:20 p.m.

4.B. AUTHORIZATION TO NEGOTIATE A COMMUNITY BENEFIT AGREEMENT WITH PROLOGIS, LP REGARDING A REQUEST TO AMEND THE NORTHEAST INDUSTRIAL SPECIFIC PLAN APPLICATION SPA20-0005 AND PROVIDE DIRECTION TO STAFF

Andrew Malik, Assistant City Manager provided the staff report.

Michael Mark, San Joaquin County Building Trades spoke about a community benefit agreement, local hire to keep residents working on construction projects – will increase local tax base.

Ali Harandi, Prologis provided information about Prologis including their investments and contributions to the community. Mr. Harandi requested to seek permission to start negotiations for a Community Benefit Agreement to amend the NEI Specific Plan.

City Council comments followed.

It was Council's consensus to proceed with negotiations with Prologis, LP regarding an amendment to the Northeast Industrial Specific Plan. Mayor Pro Tem Young absent.

4.C. ADOPT AN URGENCY ORDINANCE AMENDING ORDINANCE NO. 1285 OF THE CITY OF TRACY, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1289, EXTENDING CERTAIN DEADLINES AND THE DURATION OF TEMPORARY USE PERMITS, AND AUTHORIZING THE CITY MANAGER TO ISSUE SPECIAL EVENT PERMITS AND WAIVE CERTAIN FEES DURING THIS LOCAL EMERGENCY

Leticia Ramirez, City Attorney provided the staff report.

Chris Dutra shared support for wine and craft beer vendors to participate in the downtown Tracy Farmers Market.

Gabriela Rodriguez Machuca requested City Council accept staff's recommendation on the item, and shared her experiences and concerns about price increases during this COVID time.

City Council questions and comments followed.

Adrienne Richardson, City Clerk read the title of the ordinance into the record.

**ACTION:** Motion was made by Council Member Vargas and seconded by Council Member Ransom to waive the reading of the full text and adopt Urgency Ordinance 1297

amending Ordinance 1285 of the City of Tracy, as previously amended by Ordinance No. 1289, extending certain deadlines, waiving certain fees and authorizing the City Manager to take certain actions regarding public improvement agreements, accepting improvements, grant applications and professional and general services agreements, extending temporary use permits, and issuing special event permits during this local emergency. Roll call found Council Members Arriola, Ransom, Vargas and Mayor Rickman in favor; passed and so ordered. Mayor Pro Tem Young absent.

Leticia Ramirez, City Attorney requested City Council consider a motion to reconsider regarding the resolution for submitting the ballot measure (item 4.A) to clearly authorize her to do editorial changes.

**ACTION:** Motion was made by Council Member Ransom and seconded by Council Member Arriola to reconsider agenda item 4.A. Roll call found Council Members Arriola, Ransom, Vargas, and Mayor Rickman in favor; passed and so ordered. Mayor Pro Tem Young absent.

**ACTION:** Motion was made by Council Member Ransom and seconded by Council Member Arriola to allow the City Attorney the authority to make small minor editorial changes to the ballot measure. Roll call found Council Members Arriola, Ransom, Vargas, and Mayor Rickman in favor; passed and so ordered. Mayor Pro Tem Young absent.

5. **COUNCIL ITEMS AND COMMENTS:** Council Member Vargas sent well wishes to Mayor Pro Tem Young's mother who is ill. Council Member Vargas requested support to agendaize discussion regarding a citywide policy to have an affordable housing component for any future developments to apply to have a percentage of affordable housing. Seconded by Council Member Arriola.

6. Adjournment – Time: 10:08 p.m.

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

The above agenda was posted at the Tracy City Hall on July 27, 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