

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

Tracy City Hall, 333 Civic Center Plaza, Tracy

Web Site: 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 Arriola, Mayor Pro Tem Young, and Mayor Rickman present. Council Member Ransom arrived at 6:18 p.m. Council Member Vargas joined the meeting remotely after roll call.
3. ITEMS FROM THE AUDIENCE – Robert Tanner congratulated the future Council and shared concerns from residents about how bad fireworks were on Halloween night. Mr. Tanner hoped the future Council will stop the selling of all fireworks in the City of Tracy, and make all fireworks illegal.
4. DISCUSSION ITEMS
 - 4.A PUBLIC HEARING TO CONSIDER APPLICATIONS FOR AN AMENDMENT TO THE NORTHEAST INDUSTRIAL SPECIFIC PLAN AND A DEVELOPMENT REVIEW PERMIT FOR AN INDUSTRIAL BUILDING AND ASSOCIATED SITE IMPROVEMENTS ON AN APPROXIMATELY 86-ACRE AREA SOUTH OF E. GRANT LINE ROAD, EAST OF SKYLARK WAY, AND WEST OF CHRISMAN ROAD (ASSESSOR'S PARCEL NUMBERS 250-020-93, 250-020-80, 250-020-81, AND 250-020-95). APPLICANT IS HPA, INC. AND PROPERTY OWNER IS PROLOGIS, L.P. – APPLICATION NUMBERS SPA20-0005 AND D20-0017; AND A COMMUNITY BENEFIT MEMORANDUM OF UNDERSTANDING BETWEEN PROLOGIS, L.P. AND THE CITY OF TRACY

Kimberly Matlock, Associate Planner, and Andrew Malik, Assistant City Manager provided the staff report and Powerpoint presentation.

Randall Bradley, Fire Chief stated the Fire Department is supportive of the project but wanted to go on record as saying that this building is tall and exceeding 75 feet changes it from a suburban fire protection model to an urban fire protection model and goes into high-rise. The amount of personnel required for high-rise firefighting exceeds the capability of most suburban fire agencies. If we continue down this path and have buildings that exceed 75 feet it will change the fire protection. Chief Bradley responded to questions from Council.

Al Harandi, Investment Officer at Prologis provided a presentation and responded to questions.

Mayor Rickman opened the public hearing.

The following speakers from various labor unions shared their experiences, the positive effects of the project and expressed their support for the project: Victor Chao – retired union electrician, Pete Butler – National Electrical Contractors Association, Luis Hernandez – Labor Local 73, Juan Orozo – Operating Engineers Local 3, Gorgina Halaufia – IBW Local 595, Ron Green – Sheetmetal Worker Local 104 and veteran, Connie Viera – Sheetmetal Worker, Manny Chin – Local 73 International Union of North America and veteran, and Carlos Bedolla Jr. – Labors Local 73.

Jason Lindsey, Ironworkers Local 378 stated it was time Council adopted a policy that will support careers with benefits, adding Council has the ability to set the tone of the conversation when developers come to town.

Jason Gallia, Ironworkers Local 378 spoke about the apprenticeship program and requested giving the chance for the developer to make it an even better project just by reaching out to some of the other trades that are not involved.

Glenn Loveall, Ironworkers Local 378 encouraged a continuance of this project to a future date as applicants have not completely lived up to their commitment to work closely with all interested parties to develop a project that is reflective of our community's priorities.

Nichole Geohring, Associated Builders and Contractors encouraged the developer to allow all workers to have the opportunity to work on the project.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

Mayor Pro Tem Young referred to the Community Benefit Memorandum of Understanding and wanted to make sure that the funds that are earmarked go towards the multi purpose gymnasium and not to be for other use. Mayor Pro Tem Young stated it is important to lock down the intent so it does not become challenged in the future. Council Member Ransom seconded the request.

City Council questions and comments continued.

Council Member Vargas requested the records of last 12 months of training for Fire to make sure that this Council is assured that our personnel is able and ready to attend to the needs of a building of this magnitude. Council Member Vargas also requested staff follow up with the Fire Department to see what our Fire Department is working on to be able to assist buildings of this height and because the Fire Chief put on the record their concerns. Council Member Arriola seconded the request.

Adrienne Richardson, City Clerk read the title of proposed Ordinance 1299.

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 1299**, an ordinance of the City of Tracy approving an amendment to the

maximum building height and the minimum building setback in the Northeast Industrial Specific Plan. Roll call found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Ransom and seconded by Council Member Arriola to adopt **Resolution 2020-184** to approve a Development Review Permit for an approximately 99-foot tall, 1,355,618 square foot industrial building and associated site improvements on an approximately 86-acre area south of E. Grant Line Road, East of Skylark Way, and West of Chrisman Road (Assessor's Parcel Numbers 250-020-93, 250-020-80, 250-020-81, and 250-020-95). Roll call vote found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Ransom and seconded by Council Member Arriola to adopt **Resolution 2020-185** to approve a Community Benefit Memorandum of Understanding (MOU) between the City of Tracy and Prologis, L.P. for the Development of or funding for a Multi-Use Gymnasium or similar recreational amenity.

Mayor Pro Tem Young requested a friendly amendment to remove the language from the resolution: *similar recreational amenity*. Council Member Ransom seconded the amendment. Council Member Arriola opposed the amendment. The friendly amendment did not pass.

City Council discussion continued.

Council Member Ransom changed her vote to no.

Council Members Arriola, Vargas and Mayor Rickman in favor of approving a Community Benefit Memorandum of Understanding (MOU) between the City of Tracy and Prologis L.P. for the development of or funding for a Multi-Use Gymnasium or similar recreational amenity; passed and so ordered. Council Member Ransom and Mayor Pro Tem Young opposed.

4.B PUBLIC HEARING TO CONSIDER INTRODUCING AN ORDINANCE APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH TRACY HILLS PROJECT OWNER, LLC AND TRACY PHASE I, LLC FOR THE TRACY HILLS PROJECT LOCATED AT THE SOUTHWEST CORNER OF CORRAL HOLLOW ROAD AND TRACY HILLS DRIVE, APPLICATION NUMBER DA20-0001

Andrew Malik, Assistant City Manager provided the staff report.

Mike Souza, Project Manager, Tracy Hills provided a presentation and responded to Council questions.

Mayor Rickman opened the public hearing.

There was no public comment.

Mayor Rickman closed the public hearing.

City Council comments and questions followed.

Frederik Venter, Kimley Horn Consultant responded to Council's questions regarding traffic analysis.

Robert Armijo, City Engineer responded to Council's questions.

City Council discussion and questions continued.

ACTION: Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to end discussion in order to call for the question. Council Member Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Members Arriola and Vargas opposed.

Adrienne Richardson, City Clerk read the title of proposed Ordinance 1300.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to waive the reading of the full text and introduce **Ordinance 1300**, an ordinance of the City of Tracy approving the First Amendment to that certain Development Agreement Amendment by and between The City of Tracy and the Tracy Hills Project Owner, LLC and Tracy Phase 1, LLC, Application Number DA20-0001. Roll call found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas did not vote.

4.C PUBLIC HEARING TO CONSIDER APPROVING THE TRACY HILLS PHASE 1B/1C PROJECT, WHICH INCLUDES APPROVING A GENERAL PLAN AMENDMENT, INTRODUCING AN ORDINANCE APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT, APPROVING A LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP, AND APPROVING A SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP TO CREATE 432 SINGLE-FAMILY RESIDENTIAL LOTS AND 74 OTHER PARCELS LOCATED ON APPROXIMATELY 310 ACRES IN THE VICINITY OF TRACY HILLS DRIVE, WEST OF PHASE 1A. THE APPLICANT IS JOHN PALMER. APPLICATION NUMBERS GPA19-0001, SPA19-0002, TSM18-0007 AND TSM18-0006

Scott Claar, Senior Planner, provided the staff report and responded to City Council questions.

John Palmer, Tracy Hills Project Manager provided information about rezoning and land use.

Mayor Rickman opened the public hearing.

There was no public comment.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to adopt **Resolution 2020-186** to approve a General Plan Amendment for Tracy Hills Phase 1B/1C Application Number GPA19-0001. Roll call found Council Members Arriola, Ransom, Vargas and Mayor Pro Tem Young in favor; passed and so ordered. Mayor Rickman opposed.

Adrienne Richardson, City Clerk read the title of proposed Ordinance 1301.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to waive the reading of the full text and introduce **Ordinance 1301**, an ordinance of the City of Tracy approving an amendment to the Tracy Hills Specific Plan for the Tracy Hills Phase 1B/1C Project Application Number SPA19-0002. Roll call found all in favor; passed and so ordered.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to adopt **Resolution 2020-187** to approve a Large Lot Vesting Tentative Subdivision Map for the Tracy Hills Phase 1B/1C Project to create 69 parcels and 9 lots of various sizes on approximately 310 acres located West of Phase 1A in the vicinity of Tracy Hills Drive, Application Number TSM18-0007. Roll call found Council Members Arriola, Ransom, Vargas and Mayor Pro Tem Young in favor; passed and so ordered. Mayor Rickman opposed.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to adopt **Resolution 2020-188** to approve a Small Lot Vesting Tentative Subdivision Map for the Tracy Hills Phase 1B Project to create 432 single-family residential lots, a park site, and approximately 70 other parcels on approximately 310 acres located West of Phase 1A in the Vicinity of Tracy Hills Drive, Application Number TSM18-0006. Roll call found Council Members Arriola, Ransom, Vargas and Mayor Pro Tem Young in favor; passed and so ordered. Mayor Rickman opposed.

4.D PUBLIC HEARING TO CONSIDER APPROVING A REVISION TO THE TRACY HILLS KT PROJECT, WHICH INCLUDES INTRODUCING AN ORDINANCE APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT AND APPROVING A VESTING TENTATIVE SUBDIVISION MAP TO INCREASE THE NUMBER OF LOTS IN THE TRACY HILLS KT PROJECT FROM 185 TO 214, LOCATED ON APPROXIMATELY 45 ACRES EAST OF CORRAL HOLLOW ROAD IN THE VICINITY OF TRACY HILLS DRIVE

Scott Claar, Senior Planner provided the staff report.

John Palmer, Tracy Hills Project Manager provided information regarding the project.

Mayor Rickman opened the public hearing.

There was no public comment.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

Adrienne Richardson, City Clerk read the title of the proposed Ordinance 1302.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Ransom to waive the reading of the full text and introduce **Ordinance 1302**, an ordinance of the City of Tracy approving an amendment to the Tracy Hills Specific Plan for the Tracy Hills KT Project Application Number SPA20-0008. Roll call found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Ransom to adopt **Resolution 2020-189** to approve a Vesting Tentative Subdivision Map for the Tracy Hills KT Project to create approximately 214 single-family residential lots, two commercial parcels, and various other parcels, including a linear park and HOA recreation area, consisting of approximately 45 acres located east of Corral Hollow Road in the vicinity of Tracy Hills Drive, Application Number TSM20-0002. Roll call found all in favor; passed and so ordered.

4.E PUBLIC HEARING TO INTRODUCE AN ORDINANCE RESTRICTING THE LOCATION OF TOBACCO RETAILERS

Bill Dean, Assistant Development Services Director and Leticia Ramirez, City Attorney, provided the staff report

Mayor Rickman opened the public hearing.

Robert Tanner did not support “grandfathered in” and spoke about a smoke shop that has opened near Tracy High stating he has received calls requesting that the smoke shop be closed and not be so close to the high school.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

Leticia Ramirez, City Attorney stated staff would explore signage issues.

Adrienne Richardson, City Clerk read the title of the proposed Ordinance 1303.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Ransom to waive the reading of the full text and introduce **Ordinance 1303**, an ordinance of the City of Tracy, to amend Chapter 10.08 “Zoning Regulations” of the Tracy Municipal Code to add a new Section 10.08.3194 “Tobacco Retail Uses” to establish location restrictions on tobacco retailers. Roll call found all in favor; passed and so ordered.

5. COUNCIL ITEMS – Mayor Pro Tem Young wished veterans a happy Veterans Day, thanked veterans for their service, and announced that November 10 is the 245th birthday for the Marine Corp.

Council Member Ransom wished veterans a happy Veterans Day.

Council Member Arriola thanked veterans as we celebrate Veterans Day, and asked about the PLA item. Jenny Haruyama, City Manager responded the PLA item is scheduled for November 17, 2020.

Council Member Vargas sent good wishes to our veterans. Council Member Vargas requested an item for discussion early next year regarding a Civil Search program – Community Emergency Response Team, create an Adhoc Committee that will educate people about disasters, impact of environmental or natural disasters, and an opportunity to have civil participation. Council Member Arriola seconded the request.

Mayor Rickman thanked veterans for their service and announced there will be a video for Veterans Day at 11:00 a.m. on November 11, 2020. Mayor Rickman wished happy Birthday to the Devil Dogs and his mother-in-law.

6. ADJOURNMENT – Time: 10:09 p.m.

ACTION: Motion was made by Mayor Pro Tem Young 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 November 5, 2020. The above are action minutes. A recording is available at the office of the City Clerk.

ATTEST:

Mayor

City Clerk