

Items from the Audience

Keeping this Lockdown and so called color chart going is unconstitutional. This city should be standing up for its people, standing up for freedom , standing up for America .

As dreadful as Newsom's current orders are, something even larger is at stake: the very foundation of our constitutional form of government. Separation of powers, checks and balances, the rule of law – these are the gifts from our Founders and the safeguards for our God-given freedoms. Every generation has fought for them and passed them on to the next. The time for us to fight is now.

Court hearings regarding Newsoms over use of “power.” We are no longer in a State of Emergency!

<https://blog.electkevinkiley.com/newsom-and-the-path-of-rome/>

Newsom also under investigation for Treason.

<https://channel411news.com/2020/11/24/breaking-treason-ga-gov-kemp-and-ca-gov-newsom-bought-off-by-communist-china-in-covid-supplies-kickback-and-money-laundering-schemes-source/>

Claudia

Agenda Item 3.B

Tracy City Clerk
Mayor and City Council Members
333 Civic Center Plaza
Tracy, CA 95376

RECEIVED November 19, 2020
CITY CLERK'S OFFICE
2020 NOV 23 PM 6:14
CITY OF TRACY
TRACY, CA

Re: Detention Basin 3A Project
Site Address: 12501 W. Valpico Road
APN: 240-090-02

Mayor and City Council Members:

Members of the O'Connor family will be in attendance at your December 1, 2020 council meeting to be heard on the above item and your consideration of adopting a Resolution of Necessity regarding said property. We plan on participating remotely by WebEx and would appreciate it if you can provide us with the WebEx information.

The O'Connors met twice with city staff in 2019 and had a conference call with them last month expressing our objection to selling our property to the city for this detention basin. It is also our opinion, and that of our attorneys, that the City of Tracy does not have the legal authority to use an eminent domain action to acquire this property, which is both outside the city limits and outside the city's sphere of influence.

In October 2019, the O'Connors requested that the city provide the legal authority upon which an eminent domain action would be based; the city responded to that request by citing Cal. Code of Civ. Pro. 1240.125. This section allows the city to acquire property by eminent domain that is outside its jurisdiction only if the city is authorized to acquire the property by eminent domain; the city did not demonstrate that the taking of the O'Connor property would be the "most compatible with the greatest public good and the least private injury", as required by Cal. Code of Civ. Pro. 1240.030.

To be clear, the need for a detention basin in this area is driven by the housing development occurring in and around this section of the city, including the property directly across the street; the city certainly can accommodate this detention basin within its city limits, which could include locating it across W. Valpico Road where the development is occurring. The development of the property on the south side of W. Valpico Road is private; the use of eminent domain to accommodate private development, to the detriment of the O'Connors, is not necessary or compatible with the greatest public good and the least private injury. Instead, the proposed project favors private land developers over another private land owner.

The injurious decision to take private land, for the development and benefit of other private landowners, is not supported by the eminent domain laws.

Regards,

The O'Connor Family





Dear Mayor Rickman and Tracy City Councilmembers:

publiccomment@cityoftracy.org

Mayor Robert Rickman

Robert.Rickman@cityoftracy.org

Mayor Pro Tem

Nancy.Young@cityoftracy.org

Dan Arriola, Councilmember

Dan.Arriola@cityoftracy.org

Rhodesia Ransom, Councilmember

Rhodesia.Ransom@cityoftracy.org

Veronica Vargas

Veronica.Vargas@cityoftracy.org

My name is Tori Simpson. I am the President and founder of Modesto Executive Electric Inc. We are a Women owned business for 30 years in Modesto. We are an electrical contractor and have worked on many projects over the years for the City of Tracy, Tracy Unified School District and local business owners.

We are a merit shop contractor and support increasing opportunities for all workers regardless of their affiliation. We are highly respected in our field and provide our clients with quality of work, finishing our projects on time and on budget.

"I was disappointed to learn that, during the time of COVID-19, you are considering a discriminatory Project Labor Agreement for public works construction over \$2M.

The proposed Project Labor Agreement will drive up the price of construction for district taxpayers and deny opportunities for a majority of my local construction workforce and merit shop apprentices.

I support fair and open competition and freedom of choice for workers concerning union membership and training programs. Project Labor Agreements (PLAs) end open, fair and competitive bidding on public work projects, denying the vast majority of local contractors the opportunity to bid on work.

Just look to the recent example at the City of Sacramento. The City of Sacramento 2020 Street Seal Coat Phase II project bid in 2019 with an Engineers Estimate of \$1,227,000.00. Only **ONE** bid was received for **\$1,737,000.00 or 42% over the engineer's estimate.** The bid was rejected.

The same project rebid in 2020 for almost the same price at \$1,735,012.00. The result? The City received **ONE BID AGAIN** for **\$2,030,475.00** or **17% over the new Engineers Estimate which was 41% over the prior year's estimate.**

The PLA was removed and the results? **Three bidders received with the lowest bid coming in at \$840,000 or 10% under the new engineer's estimate of \$935,400.**

Time and Time again we see similar examples.

Tracy taxpayers deserve the best quality at the best price. The proposed Project Labor Agreement will deny citizens that right.

Please abandon your efforts for a discriminatory Project Labor Agreement and let the community continue build your quality projects as they have done so in the past.

Thank you for your time.

Tori Simpson, President

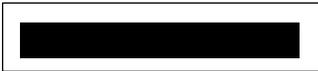
A handwritten signature in black ink, appearing to read 'Tori Simpson', with a stylized, cursive script.

Modesto Executive Electric Inc.

Mayor and Council Members,

Please vote in favor of a Project Labor Agreement. Thank you.

Pete Butler



Tracy City Council,

This is Robert Kuks, with the Sheet Metal Workers Union Local 104. I am in support of the CWTA and encourage you to approve the agreement to benefit the hard-working construction community in Tracy. This agreement will improve the lives of these members by providing well-paying jobs that are closer to their homes and families. The skilled and trained workforce requirements will ensure the continued education and training of these workers.

I grew up in Tracy and have watched it grow from 40,000 people to now more than 100,000. I believe this CWTA will help build the community and bring them together. I served in the United States Marine Corps honorably for more than five years and believe the best way to build friends and family is with time spent together. The time spent on the road traveling to the bay area for these workers can be more than 4 hours a day. That's 20 hours or more a week they could spend with their loved ones.

Once again, I encourage you to sign the agreement and give the CWTA a chance to be successful and improve the lives of your community. Thank you for your time.

Respectfully,

Robert Kuks
Business Representative
District 2
SMART, SMW Local Union No. 104



Agenda Item 3.C

From: Steve Growcock [REDACTED]
Sent: Tuesday, December 1, 2020 11:37 AM
To: Public Comment <publiccomment@cityoftracy.org>; Robert Rickman <Robert.Rickman@cityoftracy.org>; Nancy Young <Nancy.Young@cityoftracy.org>; Dan Arriola <Dan.Arriola@cityoftracy.org>; Rhodesia Ransom <rhodesia.ransom@cityoftracy.org>; Veronica Vargas <veronica.vargas@cityoftracy.org>
Subject: Tracy PLA

Dear Mayor Rickman and Tracy City Councilmembers:

My name is Steve Growcock. I am a longtime Tracy resident and taxpayer. I currently hold the Preconstruction Superintendent position at Helix Electric Construction Company. We do Electrical work for all municipalities and local governments.

We are a merit shop contractor/worker and support increasing opportunities for all workers regardless of their affiliation.

"I was disappointed to learn that, during the time of COVID-19, you are considering a discriminatory Project Labor Agreement for public works construction over \$2M. The proposed Project Labor Agreement will drive up the price of construction for district taxpayers and deny opportunities for a majority of my local construction workforce and merit shop apprentices. I support fair and open competition and freedom of choice for workers concerning union membership and training programs. Project Labor Agreements (PLAs) end open, fair and competitive bidding on public work projects, denying the vast majority of local contractors the opportunity to bid on work. Just look to the recent example at the City of Sacramento. The City of Sacramento 2020 Street Seal Coat Phase II project bid in 2019 with an Engineers Estimate of \$1,227,000.00. Only **ONE** bid was received for **\$1,737,000.00 or 42% over the engineer's estimate.** The bid was rejected. The same project rebid in 2020 for almost the same price at \$1,735,012.00. The result? The City received **ONE BID AGAIN** for **\$2,030,475.00 or 17% over the new Engineers Estimate which was 41% over the prior year's estimate.** The PLA was removed and the results? **Three bidders received with the lowest bid coming in at \$840,000 or 10% under the new engineer's estimate of \$935,400. Time and Time again we see similar examples.** Tracy taxpayers deserve the best quality at the best price. The proposed Project Labor Agreement will deny citizens that right. Please abandon your efforts for a discriminatory Project Labor Agreement and let the community continue build your quality projects as they have done so in the past. Thank you for your time.



STEVE GROWCOCK

Preconstruction Superintendent

[REDACTED]
[REDACTED]
[REDACTED]



Agenda Item 3.C

Hello, my name is Travis Dean Beckelman. I live in Tracy, CA. I am a state and federally approved apprentice and I am enrolled in the ABC NorCal Trade Electrical program. (Talk about your experience in the ABC NorCal program and some of the projects you have or are currently working on. Also mention if you participated in one of our Community Partnership Programs). If the City of Tracy approves a Project Labor Agreement with the proposed language tonight, I will not have the opportunity to work on projects in my community because of the “Joint” language that specifically excludes me and other local apprentices. Please remove this language and allow all apprentices to have the opportunity to build their community. I want to work in my community. Thank you for your time.

Agenda Item 3.C

Hello, my name is William Rodriguez I live in Tracy California . I am a state and federally approved apprentice and I am enrolled in the ABC NorCal electrical program.

ABC is a great appreciation program from the staff and instructors. I am a 4th year soon to journey out. I've worked in UC Davis, Sac State working on their dorms. I've also worked lone state prison on the electric fence. Learned a lot, worked with different companies met great people. I'm currently working with small company that works directly with the city of Pleasanton. We are currently work at a fire station installing a backup generator.

If the City of Tracy approves a Project Labor Agreement with the proposed language tonight, I will not have the opportunity to work on projects in my community because of the "Joint" language that specifically excludes me and other local apprentices. Please remove this language and allow all apprentices to have the opportunity to build their community. I want to work in my community. Thank you for your time.

Item 3.C – Duplicate Email Received from Alexander Faasisila and Ryan Henderson

Dear Tracy Mayor and City Council,

I am a Tracy resident and an electrical apprentice. I wake up early every morning and head out to work, outside of Tracy every day. As a Tracy resident, I respectfully request you please approve the citywide Community Workforce and Training Agreement that is ready to be executed.

To help the process of bringing local good sustainable paying construction jobs back to the Tracy economy, look no further than the city's public works projects. I was proud of my city council for moving our city forward with negotiations with the San Joaquin Building and Construction Trades Council. I am asking that you please solidify the Tracy Community Workforce and Training Agreement (CWTA) and vote to formally approve the CWTA. It's been over a year since the council voted unanimously 5-0 to support moving forward in negotiating a CWTA. The San Joaquin Building and Construction Trades Council has worked hard to negotiate in good faith with the city.

There is immense value in supporting a citywide CWTA. CWTAs uplift communities and people because they ensure that workers are highly skilled and trained, have steady jobs, sustainable family-supporting incomes, and the peace of mind that comes when a worker knows that they are providing their families with quality healthcare benefits. Throughout the Central Valley, we are seeing the benefits of local residents begin a career in the Building Trades thanks to public works projects being under a CWTA, such as with the city of Stockton and Delta Community College. What makes a community? Families, friends, neighborhoods, and good jobs with sustainable pay and benefits—all these things are essential for a strong, healthy, and happy community.

Having a local workforce on our city projects leads to a local monetary multiplier effect taking place. This means more money will stay and be spent in the City of Tracy supporting the local economy, which leads to a more vibrant and successful community top to bottom. Also, as a union construction worker, I can retire with dignity and will continue to contribute the city of Tracy long after I stop working.

The CWTA business model is epitomized by jobsite efficiencies and responsible contractors who play by the rules, follow the laws, and comply with existing ordinances to ensure that taxpayers and their clients get what they pay for: 1) quality work and 2) projects completed on-time and within budget.

We need to make sure there is accountability for every public dollar. CWTAs have a high return on every dollar, positively impacting the surrounding community by providing exceptional value with a substantial return on the taxpayer's investment.

A recent U.C. Berkeley Study clearly shows that CWTAs in no way restrict bidding or opportunities for non-union contractors and workers. They simply hold union and non-union bidders alike to the same negotiated and agreed-upon wages, benefits, quality standards and local hiring provisions.

Thank you for the hard work you put into our city. Please make the CWTA a reality for Tracy working families.