

February 2, 2021, 7:00 p.m.

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.

Mayor Young called the meeting to order at 7:02 p.m.

Mayor Young led the Pledge of Allegiance.

Pastor Scott McFarland, Journey Christian Church offered the invocation.

Roll call found Council Members Arriola, Bedolla, Davis, Mayor Pro Tem Vargas, and Mayor Young present.

1. CONSENT CALENDAR – Following the removal of Consent items 1.C by Mayor Pro Tem Vargas and 1.A by Adrienne Richardson, City Clerk motion was made by Council Member Davis and seconded by Mayor Pro Tem Vargas to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.

1.B AUTHORIZE THE APPOINTMENT OF THIRTEEN YOUTH COMMISSIONERS AND TWO ADULT COMMISSIONERS TO THE YOUTH ADVISORY COMMISSION – **Resolution 2021-009** authorized the appointment of commissioners to the Youth Advisory Commission.

1.D APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH GRANICUS, LLC FOR THE CITY OF TRACY WEBSITE CMS (CONTENT MANAGEMENT SYSTEM) FOR A TOTAL AMOUNT NOT TO EXCEED \$92,000 OVER A FIVE YEAR TERM, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT – **Resolution 2021-010** approved the Professional Services Agreement with Granicus.

1.A APPROVAL OF JANUARY 19, 2021, CLOSED SESSION AND REGULAR MEETING MINUTES

Adrienne Richardson, City Clerk pulled the minutes to announce there are a couple of typographical errors that need to be corrected in Council Member Bedolla's comments under Council items in the January 19, 2021, regular meeting minutes.

There was no public comment.

There was no further comment from Council.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt the January 19, 2021, closed session and regular meeting minutes. Roll call found all in favor; passed and so ordered.

1.C APPROVE REAL PROPERTY PURCHASE AGREEMENT BETWEEN THE CITY OF TRACY AND JTTT ENTERPRISES, L.P. TO ACQUIRE A PORTION OF APN 248-020-17 AND APN 248-030-05, ON THE EAST SIDE OF TRACY BOULEVARD, TO CONNECT THE SIDEWALK BETWEEN LINNE AND VALPICO ROADS AS PART OF CIP 73175

Mayor Pro Tem Vargas pulled the item to thank the property owner (Jim Tracey) for the dedication of frontage for the sidewalk and staff for their efforts in making the connectivity between shopping center, Edgewood, and ACE station.

There was no public comment.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt **Resolution 2021-011** approving Real Property Agreement between the City of Tracy and JTTT Enterprises, L.P. for a portion of APN 248-020-17 and APN 248-030-05 on the East Side of Tracy Boulevard, to connect the sidewalk between Linne and Valpico Roads as part of CIP 73175. Roll call found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Robert Tanner stated Legacy Fields should be a priority, and Council should look at infrastructure and road conditions instead of worrying about a multi-generational facility that has no land.

Alice English thanked Council for recognizing Ray Morelos who passed away, and spoke about the following: Council meetings and workshops, that involve public input should always be televised, including Planning Commission, cautioned Council about TOD and Valley Link, need for low income has nothing to do with TOD, need larger hospitals that bring jobs, and revisit infrastructure.

Jonathon Haws commented via email about a \$10 million embezzlement from the El Monte Promise Foundation scholarship fund, and requested City Council to call out these crimes and protect the vulnerable residents.

Mayor Pro Tem Vargas stated she did not agree with the misinformation that was given by Ms. English.

3. REGULAR AGENDA

3.A DISCUSS CITY'S RESPONSE TO COVID-19 (VERBAL REPORT)

Jenny Haruyama, City Manager provided an update and presentation on the City's response to COVID-19.

There was no public comment.

City Council comments and questions followed.

City Council accepted the report.

3.B RECEIVE A PRESENTATION AND ADOPT THE NATURE PARK CONCEPTUAL MASTER PLAN AND ADDENDUM TO THE 2010 HOLLY SUGAR SPORTS PROJECT ENVIRONMENTAL IMPACT REPORT

Brian MacDonald, Park and Recreation Director introduced the item.

Richard Joaquin, Parks Planning & Development Manager, provided the staff report.

John Gibbs and Peter Trio, WRT Consultants continued with the presentation on the Tracy Nature Park Draft Master Plan.

City Council clarifying questions for staff followed.

Pete Mitracos representing the Tracy Tree Foundation shared support for the Nature Park Master Plan and stated the foundation is here to volunteer to plant trees.

Robert Tanner stated he was in favor of the Nature Park and suggested completing Legacy Fields first, getting the homeless shelter up and running, and starting phase 1 of the Nature Park.

Alice English shared her support for the Nature Park and thanked past Council for continued support and hoped to get support from the new Council, thanked staff, and urged support for conceptual plan.

Todd Lieberg recommended that Council approve the Nature Park plan and provide the citizens of Tracy something to be proud of.

Lisa Roth stated by adopting the Nature Park Conceptual Master Plan, the City of Tracy is taking a key next step which makes the project more competitive for grant opportunities, donations and partnership opportunities and requested Council vote to adopt the project.

Adem Cooper expressed his support for having a nature park in Tracy.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Vargas, to adopt **Resolution 2021-012** to adopt the Nature Park Conceptual Master Plan and Addendum to the 2010 Holly Sugar Sports Project Environmental Impact Report. Roll call vote found all in favor; passed and so ordered.

3.C APPROVE THE REVISED POLICY FOR THE NAMING OF PUBLIC BUILDINGS, PARKS AND FACILITIES

Brian MacDonald, Parks and Recreation Director introduced the item.

Jolene Jauregui, Recreation Program Manager, provided the staff report.

There was no public comment.

Council Member Davis motioned to approve the revised policy for naming of public buildings, parks and facilities. Council Member Arriola seconded the motion.

Mayor Pro Tem Vargas requested a friendly amendment to add language - 1.D to include a short list of three choices for final consideration to be forwarded to City Council for approval for naming of the park.

Council Member Bedolla supported the formal friendly amendment. Council Member Davis and Council Member Arriola accepted the friendly amendment.

City Council questions and comments followed.

Ms. Jauregui clarified to include the ranking of the three choices from the Parks Commission to the language.

ACTION: Motion was made by Council Member Davis and seconded by Council Member Arriola to adopt **Resolution 2021-013** approving amending of Council Policy D-2, Naming Public Buildings, Parks and Facilities with an amendment adding that the top three ranked choices will be brought to City Council for approval. Roll call vote found all in favor; passed and so ordered.

3.D INTRODUCE AN ORDINANCE AMENDING MULTIPLE SECTIONS OF CHAPTER 9.06 "FIRE PROTECTION AND PREVENTION" OF THE TRACY MUNICIPAL CODE REGARDING ASSIGNING THE SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY AS THE AUTHORITY HAVING JURISDICTION AND SETTING GEOGRAPHIC LIMITS FOR CERTAIN HAZARDOUS MATERIALS STORAGE WITHIN THE CALIFORNIA FIRE CODE.

Timothy Spears, Fire Marshal, provided the staff report.

Pete Mitracos shared concerns about fees from South San Joaquin Fire District.

City Council questions and comments followed.

Council Member Davis made a motion to approve the ordinance. Council Member Bedolla seconded the motion. Motion was not voted on as the City Clerk had not read the title into the record.

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

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to waive the reading of the full text and introduce **Ordinance 1304** an ordinance approving the amendment of multiple sections of Chapter 9.06 "Fire Protection and Prevention" of the Tracy Municipal Code regarding assigning the South San Joaquin County Fire Authority as the authority having jurisdiction and setting geographic limits for certain hazardous materials storage within the California Fire Code. Roll call vote found all in favor; passed and so ordered.

Mayor Young called for a recess at 9:14 p.m.

Mayor Young reconvened the meeting at 9:19 p.m.

3.E APPROVE NEW CLASSIFICATION SPECIFICATIONS AND SALARY RANGES FOR MULTIPLE POSITIONS AND AMEND MULTIPLE EXISTING SPECIFICATIONS AND AUTHORIZE AMENDMENTS TO VARIOUS DOCUMENTS TO IMPLEMENT THESE CHANGES

Kimberly Murdaugh, Human Resources Director introduced the item.

JoAnn Weberg, Human Resources Manager, provided the staff report.

Christine Mabry shared her concerns regarding her City of Tracy position being demoted from a Management Analyst I to a Recreation Program Coordinator and requested Council consider amending approval of the item. Ms. Mabry provided a memo to City Council.

Barb Harb, President of Tracy Mid Managers Bargaining Unit stated she was in support of Christine Mabry and was available to answer any questions.

Adrienne Richardson, City Clerk announced a memo with attachments was received by Christine Mabry and provided to Council by email an on the dais.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Vargas to adopt **Resolution 2021-014** approving new classification specifications and salary ranges for several classifications and authorize amendments to various documents to implement these changes with the review of recourse for the three demoted reclassified employees. Roll call vote found Council Members Arriola, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Bedolla abstained.

3.F PROVIDE UPDATE ON EAST BAY COMMUNITY ENERGY PUBLIC OUTREACH AND IMPLEMENTATION PLAN

Michael Nimon, Economic Development Manager, provided the staff report.

Alex DiGiorgio, East Bay Community Energy (EBCE) provided a presentation.

Robert Tanner stated he would like to see mailers be extended to June so people would see a full month of mid-April to mid-March (four weeks) to see the difference between PG&E versus EBCE. One percent is not a big savings.

Alice English asked when EBCE is sending out the letters, what is the identification regarding PG&E because people will think it is junk mail, can the City make an announcement that the letter is going to be coming to let residents know what EBCE is and the decision you are going to make on that so they have an opportunity to opt out.

City Council questions and comments followed.

Update on East Bay Community Energy public outreach and implementation plan was accepted.

4. ITEMS FROM THE AUDIENCE – Alice English shared concerns regarding Mayor Pro Tem Vargas initiating conversations with Council Members on the dais during the Council meeting. Ms. English stated it is a public forum, and the public has right to know what the discussion is, and there should be no over talking.

Mayor Pro Tem Vargas responded she disagreed with Ms. English, stating Council Members are allowed to have brief conversation and consult about things Council are doing together.

Council Member Bedolla responded to Ms. English's comments and identified his discussion with Mayor Pro Tem Vargas regarding the park naming policy.

5. STAFF ITEMS – Jenny Haruyama, City Manager provided an update on the following actions taken by the City Manager during the COVID emergency:
 - Amendment No. 1 to Legal Services Agreement Between City of Tracy and Renne Public Law Group LLC. in the amount of \$20,000.
 - Amendment No. 2 to Legal Services Agreement Between City of Tracy and the Law Office of Daniel P. Doporto in the amount of \$20,000.
 - Approve and Award Contract to Grover Landscape Services, Inc. of Modesto, California for base bid alternate in the amount of \$38,255 for Cherry Blossom Court Pedestrian and Landscape Improvements Project CIP 73172.
6. COUNCIL ITEMS – Council Member Arriola wished everyone a happy Valentine's Day and encouraged the community to visit City Hall and look at the Pan-African flag in celebration of Black History Month.

Mayor Pro Tem Vargas asked for timing regarding looking into the arts fee or policy.

Jenny Haruyama, City Manager responded she could shoot for spring, but an opportunity could be when staff brings forward a fee study.

Mayor Pro Tem Vargas asked when will Council be hearing about the opportunity to create an affordable housing policy.

Ms. Haruyama responded she will work with staff to get an idea when it will come back, and will get background information to Council Members that have requested it. Ms. Haruyama added she has a goal item to bring to Council to clarify short and long-term goals and one includes affordable housing. Ms. Haruyama stated she would like to present Council with a timeline, which shows deliverables that staff is confident we can provide within the next 12-18 months, and remind Council about long-term goals and that short-term goals support your long-term planning. That will be coming in the next meeting or so.

Mayor Pro Tem Vargas asked if the fee schedule will have housing fees for apartments and RGA's for apartments that are in a cluster in a single building, and how that works.

Will the fee schedule be reflective of the opportunity for those fees to create more affordable housing.

Ms. Haruyama responded that may be impact fees, and not master fee schedule which is more program related fees. Staff is finalizing a fee study that is going to drive adjustments to fees so will be talking with Council about that shortly. Ms. Haruyama added with the timing in which staff brings that to Council, she did not know if that will affect the fiscal year 21-22 fee schedule. These are likely impact fees you are talking about, they are not on the horizon right now.

Mayor Pro Tem Vargas commented when we have apartment units and one building has 7 – 9 units that apartment equals one RGA for that building. Mayor Young stated this is an addition to the other discussion that is going to come back to Council, and she supported that.

Mayor Pro Tem Vargas stated she participated in the League of California Cities meetings, reported on the mid-year Latino Caucus retreat, and wished everyone a happy Valentine's Day.

ADJOURNMENT – Time: 11:01 p.m.

ACTION: Motion was made by Council Member Davis 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 28, 2021. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk