



TRACY CITY COUNCIL
REGULAR MEETING AGENDA

Tuesday, December 17, 2024, 7:00 P.M.

Tracy City Hall Chambers, 333 Civic Center Plaza, Tracy
Web Site: www.cityoftracy.org

THIS MEETING WILL BE OPEN TO THE PUBLIC FOR IN-PERSON AND REMOTE PARTICIPATION PURSUANT TO GOVERNMENT CODE SECTION 54953(e).

MEMBERS OF THE PUBLIC MAY PARTICIPATE REMOTELY IN THE MEETING VIA THE FOLLOWING METHOD:

As always, the public may view the City Council meetings live on the City of Tracy's website at CityofTracy.org or on Comcast Channel 26/AT&T U-verse Channel 99. To view from the City's website, open the "Government" menu at the top of the City's homepage and select "[City Council Meeting Videos](#)" under the "City Council" section.

If you only wish to watch the meeting and do not wish to address the Council, the City requests that you stream the meeting through the City's website or watch on Channel 26.

Remote Public Comment:

During the upcoming City Council meeting public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:

- *Comments via:*
 - **Online by visiting** <https://cityoftracyevents.webex.com> and using the following **Event Number: 2550 043 3391** and **Event Password: TracyCC**
 - **If you would like to participate in the public comment anonymously**, you may submit your comment in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.
 - Join by phone by dialing +1-408-418-9388, enter 25500433391#8722922# Press *3 to raise the hand icon to speak on an item.
- *Protocols for commenting via WebEx:*
 - *If you wish to comment on the "Consent Calendar", "Items from the Audience/Public Comment" or "Regular Agenda" portions of the agenda:*
 - 1) *Listen for the Mayor to open that portion of the agenda for discussion, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.*
 - 2) *If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.*
 - *Comments for the "Consent Calendar" "Items from the Agenda/Public Comment" or "Regular Agenda" portions of the agenda will be accepted until the public comment for that item is closed.*
 - *Comments received on Webex outside of the comment periods outlined above will not be included in the record.*

Americans With Disabilities Act - The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in Council meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6105) 24 hours prior to the meeting.

Addressing the Council on Items on the Agenda - The Brown Act provides that every regular Council meeting shall provide an opportunity for the public to address the Council on any item within its jurisdiction before or during the Council's consideration of the item, provided no action shall be taken on any item not on the agenda. To facilitate the orderly process of public comment and to assist the Council to conduct its business as efficiently as possible, members of the public wishing to address the Council are requested to, but not required to, hand a speaker card, which includes the speaker's name or other identifying designation and address to the City Clerk prior to the agenda item being called. Generally, once the City Council begins its consideration of an item, no more speaker cards will be accepted. An individual's failure to present a speaker card or state their name shall not preclude the individual from addressing the Council. Each citizen will be allowed a maximum of five minutes for input or testimony. In the event there are 15 or more individuals wishing to speak regarding any agenda item including the "Items from the Audience/Public Comment" portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes. When speaking under a specific agenda item, each speaker should avoid repetition of the remarks of the prior speakers. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak. At the Presiding Officer's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Consent Calendar - All items listed on the Consent Calendar are considered routine and/or consistent with previous City Council direction. One motion, a second, and a roll call vote may enact the items listed on the Consent Calendar. No separate discussion of Consent Calendar items shall take place unless a member of the City Council, City staff or the public request discussion on a specific item.

Addressing the Council on Items not on the Agenda – The Brown Act prohibits discussion or action on items not on the posted agenda. The City Council's Meeting Protocols and Rules of Procedure provide that in the interest of allowing Council to have adequate time to address the agenda items of business, "Items from the Audience/Public Comment" following the Consent Calendar will be limited to 15-minutes maximum period. "Items from the Audience/Public Comment" listed near the end of the agenda will not have a maximum time limit. A five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council. When members of the public address the Council, they should be as specific as possible about their concerns. If several members of the public comment on the same issue an effort should be made to avoid repetition of views already expressed.

Notice - A 90 day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90 day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a City Council action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the City Council prior to or at the public hearing.

Full copies of the agenda are available on the City's website: www.cityoftracy.org

Date Posted: December 16, 2024

CALL TO ORDER

ACTIONS, BY MOTION, OF CITY COUNCIL PURSUANT TO AB 2449, IF ANY

ROLL CALL AND DECLARATION OF CONFLICTS

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS

1. Proclamation – National Slavery and Human Trafficking Prevention Month
2. Proclamation – Focusing on Children Under Stress (FOCUS)

ORDER OF BUSINESS

1. CONSENT CALENDAR

- 1.A. Approval of December 3, 2024, Special Meeting and Regular Meeting Minutes.
- 1.B. Staff recommends that the City Council adopt a Resolution 1) authorizing the execution of a Purchase Agreement with Municipal Maintenance Equipment, Inc. for the purchase of a Vac-Con VX312Ihe/100 Hydro-Excavation Truck utilizing the Sourcewell Cooperative Program in the amount of \$689,097; and 2) declaring the existing Vac-Con as surplus and approving its disposition pursuant to Tracy Municipal Code Section 2.20.310.
- 1.C. Staff recommends that City Council adopt a resolution approving and authorizing the execution of a Lease Agreement with SAS Farms, LLC, a California Limited Liability Corporation, with a term of ten years and initial annual rent beginning on January 1, 2025, in the amount of \$115,200, adjusted at a three percent (3%) increase annually beginning on January 1, 2026.
- 1.D. Staff recommends that the City Council adopt a resolution approving the execution of a Freeway Maintenance Agreement with the California Department of Transportation for the Interstate 580/Lammers Road Undercrossing Project.
- 1.E. Staff recommends that the City Council adopt a resolution delegating to the City Manager, for the International Parkway Bridge Replacement and Expansion Project, Capital Improvement Project 73148, the authority to pay fees and execute related agreements for design engineering and relocation costs for various utility relocations, including an Actual Cost Contract with Pacific Gas and Electric, up to a total not to exceed amount of \$500,000.
- 1.F. Staff recommends that the City Council adopt a resolution (1) accepting public improvements for Grant Line Apartments as complete in accordance with the Offsite Improvement Agreement and assume responsibility for their future maintenance and repair, (2) authorizing the City Engineer to release improvement security in accordance with the Offsite Improvement Agreement, (3) authorizing the City Clerk to file the Notice of Completion with the San Joaquin County Recorder's Office, (4) authorizing the City Clerk to accept a Public Utility Easement along the frontage of Grant Line Road, contingent upon Developer removing existing encumbrances and providing evidence of clean title, and (5) authorizing City Clerk to sign a quitclaim deed releasing City interest in a storm drainage easement across the Developer's property, as recorded in Book 2, page 360, Official Records, across Developer's property.

2. ITEMS FROM THE AUDIENCE

3. REGULAR AGENDA

3.A. Adopt a Resolution reciting the facts of the General Municipal Election held in the City of Tracy on November 5, 2024, and declaring the results of the Election and such other matters as provided by law.

3.B. Presentations to Outgoing Council Members

- City of Tracy presentation to outgoing Council Member
- City of Tracy presentation to outgoing Mayor Pro Tem
- City of Tracy presentation to outgoing Mayor
- Democratic Party presentation to outgoing Mayor
- Tracy African American Association presentation to outgoing Mayor
- San Joaquin Regional Rail Commission to outgoing Mayor

3.C. Administer Oath of Office and seating of new Council Members

3.D. City Council appoint the third highest vote-getter in the last most recent General Municipal Election, Mateo Bedolla, to fill a vacancy on the City Council occurring during the vacant position's term, based on the results of the General Municipal Election creating the vacancy, and administer Oath of Office.

3.E. The City Council, by Motion, appoint a Council Member as the Mayor Pro Tempore of the Tracy City Council for a two-year term ending in December 2026.

4. ITEMS FROM THE AUDIENCE

5. STAFF ITEMS

6. COUNCIL ITEMS

7. ADJOURNMENT