

February 4, 2025, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

Mayor Arriola called the meeting to order at 7:01 p.m.

There were no actions taken pursuant to AB 2449.

Roll Call and Declaration of Conflicts – Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola present. City Council had no declarations of conflict.

Mayor Arriola led the Pledge of Allegiance.

Pastor Scott McFarland, Journey Christian Church offered the invocation.

Mayor Arriola announced Certificate of Appointment to Transportation Advisory Commissioner: Raj Dhillon.

Mayor Arriola presented a proclamation for Black History Month to Yolande Barial-Knight representing the Tracy African American Association.

Mayor Arriola presented a proclamation for Random Acts of Kindness Day to Kevin Tobeck.

Midori Lichtwardt, City Manager presented to Lilia Perez, Code Enforcement, Employee of the Month for February.

Midori Lichtwardt, City Manager presented to Austin Fox, Public Works Department, Employee of the Month for January.

1. CONSENT CALENDAR – Andrew Shen, Interim City Attorney announced that Item 1.C required some conforming changes to the title and clarified that there was no change to the body of the resolution and that the title needed to conform to the three recommendations that staff requested: 1) approving the proposed report; 2) making the required findings and, 3) renewing Tracy Ordinance 1327, this action does not require this item to be pulled from agenda.

Motion was made by Council Member Bedolla seconded by Mayor Pro Tem Abercrombie to adopt the Consent Calendar. Tamera Bartlett pulled Item 1.C, Robert Tanner pulled Item 1.D and Mayor Pro Tem Abercrombie pulled Item 1.F. Roll call found all in favor; passed and so ordered.

- 1.A. Adoption of January 21, 2025 Closed Session and Regular Meeting Minutes. – **Minutes were adopted.**

- 1.B. Staff recommends that the City Council adopt a Resolution approving a General Services Agreement with Cornerstone Environmental Contractors, Inc., for on-call irrigation booster pump troubleshooting, repair, and replacement services for a not-to-exceed amount of \$400,000 per fiscal year and authorizing the City Manager to grant up to four, one-year extensions. – **Resolution 2025-019**

- 1.E. Staff recommends that the City Council adopt a Resolution: 1) amending the City's Operating and Capital Budget for the Fiscal Year (FY) ending June 30, 2025 to reflect actual expenses and revenues and requested augmentations to fund various departmental needs; 2) authorizing the Budget Officer to amend the City's position control roster for FY2024-25. – Resolution 2025-020
- 1.G. Staff recommends that the City Council adopt a resolution approving Amendment No. 2 to the Professional Services Agreement with Michael Baker International for the Housing Element Update. – Resolution 2025-021
- 1.H. Staff recommends that the City Council adopt a resolution (1) accepting offsite improvements for Tracy Lakes Offsite Recycled Water Line Public Improvements, ENG23-0002, as complete and assuming all future operations and maintenance, (2) authorizing the City Engineer to release improvement security in accordance with the Offsite Improvement Agreement, and (3) authorizing the City Clerk to file the Notice of Completion with the San Joaquin County Recorder's Office. – Resolution 2025-022
- 1.C. Staff recommends that the City Council adopt a resolution (1) Approving the City's Annual Military Equipment Report (2) Adopting findings required under Government Code Section 7071(e)(2) for each item of military equipment identified in such report; and (3) Approving the renewal of City Ordinance 1327 authorizing the continued use of specified military equipment as required by Government Code Section 7071(e)(2).

Tamera Bartlett voiced concerns regarding the use of military grade equipment and is in opposition of the use of these weapons and requested information as to frequency of use and hopes that all options have been exhausted before the militarization of the police force.

Lieutenant Craig Kootstra provided clarification.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt **Resolution 2025-023** a Resolution (1) Approving the Annual Military Equipment Report; (2) adopting findings that each type of military equipment identified in the Annual Report complies with the standards set forth in Government Code Section 7071(D); and (3) renewing, pursuant to Government Code Section 7071(E), Ordinance 1327 authorizing the continued use of the military equipment specified in Tracy Police Department Policy 708 – Military Equipment. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

- 1.D. Staff recommends that the City Council adopt a resolution approving Amendment No. 1 to the Professional Services Agreement with Willdan Engineering for Interim City Engineer and support services increasing compensation to a not-to-exceed amount of \$450,000, expiring on December 31, 2025.

Mariann Stolte, Executive Assistant to Assistant City Manager Karin Schnaider, provided the staff report.

Robert Tanner requested clarification if this was for the Civil Engineering position and when the last Civil Engineer left the City and expressed concerns regarding the cost of the agreement in relation to the hiring of an engineer.

Karin Schnaider, Assistant City Manager provided clarification.

Council Member Bedolla asked if the contract was due to a vacancy and requested clarification as to the last day of the City Engineer.

Midori Lichtwardt, City Manager shared that a resignation was received in December and explained the necessity of the contract since a City Engineer is the signer for various City projects.

Council Member Bedolla requested clarification to the continuity of City Engineer services between the contract signing and the City Engineer's last day.

Midori Lichtwardt, City Manager clarified that the contract was signed in early January and the former City Engineer's last day was in mid-January.

ACTION: Motion was made by Council Member Evans and seconded by Mayor Pro Tem Abercrombie to adopt **Resolution 2025-024** approving Amendment No. 1 to the Professional Services Agreement with Willdan Engineering for Interim City Engineer and Support Services increasing compensation to a not-to-exceed amount of \$450,000, expiring on December 31, 2025. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

1.F. Staff recommends that the City Council accept an informational report on Credit Card Convenience Fees and affirm that the City will not charge Credit Card Convenience Fees on utility payments.

Mayor Pro Tem Abercrombie requested that staff bring back these fees when the fee schedule is presented in May and requested that this be included for Council discussion, Council Member Nygard supported.

Council Member Evans requested possibly waiving this fee for residential or providing a 6-month to 1-year grace period. Mayor Pro Tem Abercrombie clarified intent of specific item.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Nygard to accept an informational report on Credit Card Convenience Fees and affirm that the City will not charge Credit Card Convenience Fees on utility payments. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

DEVIATION: STAFF ITEMS - Mayor Arriola announced the receipt of multiple emails and requested that Midori Lichtwardt, City Manager provide a statement regarding the concerns of the Tracy Hills residents regarding the PG&E poles and facilitate communication between the community, Integral, the property owners, and announced that Eric Alvarez, PG&E Government Affairs Representative will facilitate the collection of contact information so that a town hall style meeting can be coordinated.

Eric Alvarez PG&E Government Affairs Representative shared that he would be collecting contact information from the Tracy Hills residents that were present for PG&E to contact and schedule a town hall meeting.

2. ITEMS FROM THE AUDIENCE – Denise Snider expressed concern regarding the changes in the Federal Government and concern for the marginalized community members and requested information regarding the actions that the City is doing.

Melissa Watkins expressed frustration regarding an over 2-year long dispute with her neighbors and the lack of action on the part of the Police Department.

Dr. Nancy Young thanked the Mayor for continuing to acknowledge Black History Month and shared historical information regarding Black History Month and the impacts of education and contributions of the African American Community within the City of Tracy.

Robert Tanner congratulated new City Council and congratulated the Mayor on the report provided and encouraged the rest of Council to follow and expressed frustration that the Pledge of Allegiance was not said at the beginning of the meeting.

Mayor Arriola clarified that the Pledge of Allegiance was done right before the invocation.

Alice English congratulated Adrienne Richardson, City Clerk, on 20 years of dedication to the City of Tracy and congratulated her on her professionalism, integrity and retirement.

Tracy Hills Community Member shared her continued concerns and expressed frustration in lack of response from anyone including the developer and wanted clarification as to what the City has done and is the project paused.

Sara Wood expressed appreciation to the Animal Shelter in being a no-kill shelter and shared concerns for the animal population in the City and shared historical information regarding a grant that offers low-cost spay/neuter program and funds are halfway gone and only applicable to German Shepherds, Huskies and Pit Bulls. and requested that Council expand funding for the program.

June Yasemsky requested that the completion of the second phase be finalized and shared information regarding the vital services that the Animal Services Department provide and provided the Clerk with a handout.

Gabriela Rodriguez-Machuca wanted to introduce herself to the Council and shared history regarding her advocacy for the mobile food ordinance and will reach out to Council, did receive feedback from staff and thanked staff for responding and is open to one-on-one discussions with Council.

Community Member expressed concerns regarding the amount of stray dogs, current shelter limitations and shared statistics regarding puppy mills and provided the Clerk with a handout.

Tracy Hills Community Member shared concerns regarding the installation of power poles and the potential for fires with the poles and high grasses in the area, requested clarification as to why 15 homes are being affected.

Barbara McVey expressed frustration regarding the animal problem especially the amount of feral cats and the cost that Community Members are incurring to care for these animals, shared that her mother has spent over \$10,000 over a five-year span and that most of those that do the work are on limited incomes.

Community Member shared concerns regarding dogs out loose and if the dogs are chipped, the owner should be held liable, unfair to the animals and to the citizens.

Multiple Tracy Hills Community Members expressed frustration and fear regarding the power poles, lack of response and information and asked for the project to stop or be paused.

Gerald Jeffs, Project Manager Consultant would like to pilot a program with the City of Tracy and submitted a handout to the Clerk.

Ray shared frustrations regarding the shelter and the resources that were promised were not provided and people are being exited without resources for life skills or education.

Claudia from Tracy Dog Girls Rescue shared concerns for the safety of the stray animals and community, proud that the animal shelter is a no kill shelter and requested that more spay and neuter education be made available.

Multiple Tracy Hills Community Members expressed fears and concerns regarding the high voltage power lines, citing last year's summer temperatures and the fears of potential fires.

Arturo Sanchez, Assistant City Manager updated the community regarding the concerns that were raised during public comment.

3. REGULAR AGENDA

- 3.A. Staff Recommends that the City Council 1) adopt a Resolution amending the Tracy Finance Committee Bylaws to combine the Finance Committee with the Investment Review Committee and 2) rescinding Tracy City Resolution No. 95-087.

Sara Castro, Finance Director, provided the staff report.

Council comments and questions.

There was no public comment.

Andrew Shen, Interim City Attorney noted that the title required a minor modification to the resolution and specified that the title should also refer to the rescinding of the past resolution that was mentioned in the staff report.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt **Resolution 2025-025** amending the Finance Committee Bylaws to combine the Finance Committee with the Investment Review Committee and 2) rescinding Tracy City Resolution No. 95-087. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

- 3.B. Staff recommends that the City Council receive an informational report regarding the City of Tracy Police Department's Annual Report for 2024.

Chief Sekou Millington, Lt. Miguel Contreras, Captain Luis Mejia, Captain Octavio Lopez, Lt. Craig Kootstra, Manager Beth Lyons-McCarthy, provided the staff report.

Council comments and questions.

There was no public comment.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to receive City of Tracy Police Department's Annual Report for 2024. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – Sara Wood, a volunteer at the animal shelter, provided statistical information regarding the animals that are not spayed or neutered, neonatal kits for kittens and the education required to bottle feed kittens, would like expansion on the Teen Ambassador Program, identified staffing shortages, requested additional funding for shelter expansion and additional staff.
5. STAFF ITEMS – Midori Lichtwardt, City Manager stated that in compliance with Council Policy regarding travel, along with Council Member Nygard and Mayor, attended the Mayor and Council Members Academy sponsored by the California League of Cities and shared information in the sessions that they participated in.

6. COUNCIL ITEMS – Council Member Nygard attended several events including welcoming the Korean delegation, met with all department heads to understand roles, responsibilities, vision, and needs for their departments, sworn in as a Board Member of AVA and for South San Joaquin County Consolidated Fire, participated in welcoming the firefighters that were deployed to aid in Southern California, and toured the Grand Theatre and encouraged the community to visit.

Council Member Evans thanked Tracy Dog Girls Rescue for their work in the community, attended the South San Joaquin Fire Authority badge pinning ceremony and crab feed, also requested staff to bring back an update on an ordinance regarding vacant buildings. Mayor Arriola and Council Member Nygard supported.

Midori Lichtwardt, City Manager shared that there is an ordinance that is currently being worked on and that information will be reported out by Karin Schnaider, Assistant City Manager, at a future meeting.

Council Member Evans requested that staff look into tumble weed abatement and if there is an agreement with Union Pacific Railroad to clean those up considering that those are not only a nuisance but can potentially create a hazard for drivers.

Mayor Pro Tem Abercrombie requested that two items scheduled to go to the Tracy Homeless Advisory Committee (THAC) go directly to Council due to the time sensitive nature of the kitchen construction item and the report regarding the need for a Request for Proposal (RFP) for the operations management of the shelter site and requested that these items come back to Council in the form of a Special Meeting or a Workshop.

Council Member Bedolla asked if there could be considerations made to hold a Special THAC meeting for those items before they go to Council and expressed support for the kitchen item to go directly to Council so that time sensitive deadlines can be met.

Mayor Pro Tem Abercrombie shared that both items relate to the completion of Phase 2.

Arturo Sanchez, Assistant City Manager clarified that there is a potential for a price increase and shared that a more robust policy discussion related to the completion of Phase 2 that need to be heard by the full Council and how the outcome of that discussion will potentially affect the RFP that is due no later than November 1, 2025, funding impacts, and potential changes to who and how services will be provided at the shelter. These discussions should be held in front of full Council and may take several meetings to resolve.

Council Member Bedolla expressed concern over the potential cancellation of several THAC meetings and asked if there would be potential adverse effects if these discussions were to bypass the standing committee.

Arturo Sanchez, Assistant City Manager clarified that there would not be a cancellation of the THAC meeting as there are additional items that will be discussed.

Mayor Arriola expressed support for the original request made by Mayor Pro Tem Abercrombie.

Council Member Bedolla requested a timeframe as to when the special meeting or workshop would take place.

Arturo Sanchez Assistant City Manager clarified that the special meeting would be held on February 18, 2025 between 5:00 p.m. and 7:00 p.m.

Council Member Bedolla commended the Tracy Dog Girls organization and shared his longstanding support for the organization in previously requesting information regarding the shelter and potential expansion, shared discussion item with the City Manager regarding unhoused youth regarding how services are being provided to that population, expressed concerns on items bypassing the THAC committee and urged staff to follow the proper processes and supported the kitchen item being expedited to Council.

Mayor Arriola shared that a written report was provided and ask that Council provide information regarding committee meetings that they participate in during Council Items, highlighted various events that were attended including the JPA Board Meeting with local dignitaries, a meeting with San Joaquin Council of Governments (SJCOG) regarding Measure K Strategic Plan and One-Voice Project Submission List. Updated that the City of Tracy withdrew funding application because the Department of Transportation selected Tracy to receive a grant, would like to agendize a future item for Council to take a position or action regarding the power poles in Tracy Hills and stated that this meeting can take place after the Town Hall Meeting that has been proposed by PG&E, Council Member Bedolla supported.

Mayor thanked Adrienne Richardson, City Clerk for her 20 years of service to the City of Tracy and congratulated her on her retirement. Happy Valentines Day and Happy Black History Month.

7. ADJOURNMENT – Time: 10:00 p.m.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Evans to adjourn. Roll call found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on January 30, 2025. The above are action minutes. A recording is available at the office of the City Clerk

Mayor

ATTEST:

City Clerk