

November 19, 2024, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

Mayor Young called the meeting to order at 7:19 p.m.

There were no actions taken pursuant to AB 2449.

Roll call and Declaration of Conflicts – Council Members Arriola, Bedolla, Evans, Mayor Pro Tem Davis and Mayor Young present. City Council had no declaration of conflicts.

Mayor Young led the Pledge of Allegiance.

Pastor Tim Heinrich, Crossroads Baptist Church offered the invocation.

Midori Lichtwardt, City Manager presented Employee of the Month Award to Veronica Nunez, Police Department.

Sekou Millington, Police Chief swore in Officer Jessica Codde.

Mayor Young presented Keys to the City to West High School Airforce JROTC, Mercedes Silveira-Gouveia and Brian Pekari.

Mayor Young presented a Proclamation for National Children's Grief Awareness Day to Bobby Jackson, Jackson 3 Foundation.

1. CONSENT CALENDAR – Following the removal of Consent Item 1.E by Robert Tanner motion was made by Council Member Arriola and seconded by Council Member Evans to adopt the Consent Calendar. Roll call found all in favor; passed and so ordered.
 - 1.A. Approval of October 15, 2024, Regular Meeting Minutes. – Minutes were adopted.
 - 1.B. The Tracy Finance Committee recommend 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 FY 2024-25, and 3) Authorizing amendments to the Master Salary Schedule. – Resolution 2024-190 amended the City's Operating and Capital Budget for FY ending June 30, 2025, authorized the amendment to the City's position control roster for FY 2024-25, and authorized amendments to the Master Salary Schedule.
 - 1.C. The Tracy Homelessness Advisory Committee recommend that the City Council adopt a resolution: (1) Authorizing the acceptance of a grant award from the Emergency Food and Shelter Program allocation in the amount of \$12,968 to support the cost of meals and shelter bed nights at the Temporary Emergency Housing Facility Project Capital Improvement Project CIP 71112; and (2) Appropriating the full grant funds to the Parks, Recreation and Community Services Department, Homeless Services Division for Fiscal Year 2024-2025. –

Resolution 2024-191 accepted a grant award from the Emergency Food and Shelter Program allocation in the amount of \$12,968 and appropriated the full grant funds to the Parks, Recreation and Community Services Division for Fiscal Year 2024-2025.

- 1.D. The Tracy Homelessness Advisory Committee recommend that the City Council adopt a Resolution: (1) Approving the execution of a Gas and Electric Extension Agreement with Pacific Gas and Electric, Inc., (PG&E) for new service activation at 370 W. Arbor Avenue for the Phase II Improvements at the Temporary Emergency Housing Facility, Capital Improvement Project 71112 (TEHF), in the amount of \$74,873; (2) Ratifying the previously executed Gas and Electric Extension Agreement with PG&E for new service activation at 384 W. Arbor Avenue for the Phase III and IV Improvements of the TEHF, in the amount of \$73,524.81. – **Resolution 2024-192** approved the Gas and Electric Extension Agreement with Pacific Gas and Electric, Inc. and ratified the previously executed Gas and Electric Extension Agreement with PG&E for new service activation at 384 W. Arbor Ave for the Phase III and IV improvements of the TEHF.
- 1.F. Staff recommends that the Mayor appoint, and the City Council approve through adoption of a resolution, the appointments of eleven youth Commissioners to the Youth Advisory Commission (YAC), as recommended by the interview and selection panel convened pursuant to the YAC Bylaws. – **Resolution 2024-193** approved the appointment of eleven youth commissioners to the Youth Advisory Commission.
- 1.G. Staff recommends that the City Council adopt a resolution (1) authorizing the acceptance of a dedication of a public waterline easement within West Parkway Village, and (2) authorizing the City Clerk to record the easement document with the San Joaquin County Recorder. – **Resolution 2024-194** accepted a dedication of a public waterline easement within West Parkway Village and authorized the City Clerk to record the easement document with the San Joaquin County Recorder.
- 1.H. Staff recommends that the City Council adopt a Resolution: (1) Appointing Gordon Anderson MacKay to serve as Interim Director of Public Works, effective November 20, 2024; and (2) Approving an employment agreement between Gordon Anderson MacKay and the City of Tracy for an hourly salary of \$119.76. – **Resolution 2024-195** appointed Gordon Anderson MacKay to serve as Interim Director of Public Works.
- 1.I. Staff recommends that the City Council adopt a Resolution: (1) Making a determination that compliance with standard procurement process is not in the best interest of the City and dispensing the bidding requirements for the action herein; (2) Authorizing the execution of a Professional Services Agreement with LeaderGov, LLC for facilitation of staff retreats and professional development services for an initial term of two years, with a retroactive effective date of January 1, 2024, and for a total not to exceed amount of \$49,800; and (3) Authorizing an administrative option to extend for an additional one year based on satisfactory performance and the City's continued need for such services. – **Resolution 2024-196** approved making a determination that compliance with standard procurement process is not in the best interest of the City and dispensing the bidding requirements, authorized a Professional Services Agreement with LeaderGov, LLC, and authorized an administrative option to

extend for an additional one year based on satisfactory performance and the City's continued need for such service.

- 1.J. Staff recommends that the City Council adopt a resolution: (1) Approving a Professional Services Agreement with Madill Enterprises, Inc. DBA Advanced Property Services for janitorial services of City facilities for an initial term of two years, with compensation not to exceed \$511,588 per fiscal year. (2) Authorizing an administrative option for additional five (5) one-year extensions upon satisfactory performance. – **Resolution 2024-197** approved an agreement with Madill Enterprises, Inc. DBA Advanced Property Services for janitorial services.

- 1.K. Staff recommends that the City Council adopt a Resolution 1) Approving the execution of Purchase Agreement with Holland Pump Company for the purchase of an Atlas Copco PAS F88 mobile dewatering pump utilizing the Sourcewell Cooperative Program in the amount of \$103,443.00 for the Wastewater Treatment Plant; 2) declaring the existing mobile dewatering pump as surplus pursuant to Tracy Municipal Code Section 2.20.310 and approving its disposition. – **Resolution 2024-198** approved a Purchase Agreement with Holland Pump Company for the purchase of an Atlas Copco PAS F88 mobile dewatering pump utilizing the Sourcewell Cooperative Program.

- 1.L. Staff recommends that City Council adopt a Resolution 1) Approving the execution of a General Services Agreement with Calgon Carbon, a Delaware Corporation for Capital Improvement Project No. 75126, for removal and replacement of granular activated carbon for the John Jones Water Treatment Plant for a sixteen-month term in a total not-to-exceed amount of \$1,206,478; and 2) Reject Carbon Activated Corporation's bid as non-responsive. – **Resolution 2024-199** approved a General Services agreement with Calgon Carbon for removal and replacement of granular activated carbon for the John Jones Water Treatment Plant.

- 1.M. Staff recommends that the City Council adopt a Resolution: (1) Making a determination that compliance with standard procurement process is not in the best interest of the City and dispensing the bidding requirements for the action herein; (2) Authorizing the execution of a Professional Services Agreement with GovInvest, Inc. for actuarial software services and technology for an initial term of two years, with a retroactive effective date of July 31, 2024, and for a total not-to-exceed amount of \$150,000; and (3) Authorizing an administrative extension of one year contingent upon satisfactory performance and budget availability. – **Resolution 2024-200** approved making a determination that compliance with standard procurement process is not in the best interest of the City and dispensing with bidding requirements, authorized an Professional Services Agreement with GovInvest, Inc. for actuarial software services and technology and authorized an administrative extension for one year upon satisfactory performance and budget availability.

- 1.N. Staff recommends that the City Council adopt a Resolution: (1) rescinding Resolution 2021-126; and (2) authorizing amendment No. 2 to the General Services Agreement with EPIC iO for certain services in City of Tracy's parks for an annual not-to-exceed amount of \$175,000 and making it effective retroactively from September 7, 2021. – **Resolution 2024-201** rescinded Resolution 2021-126, authorized amendment No. 2 to General Services Agreement with EPIC iO for certain services in City of Tracy's parks.

- 1.O. Staff recommends that the City Council adopt a resolution approving the execution of a Professional Services Agreement with the Jefferson School District effective retroactively from August 1, 2024, utilizing one (1) Tracy Police Officer to serve as a School Resource Officer for a contract term of one year. **Resolution 2024-202** approved a Professional Services Agreement with Jefferson School District retroactively from August 1, 2024, utilizing one Tracy Police Officer to serve as School Resource Officer.
- 1.E. Staff recommends that the City Council adopt the following Resolutions: 1) (A) Rescinding Resolution 2023-234 that approved the Regular Meeting Calendar of the Tracy City Council for 2024 (Calendar), and B) approving an amended Regular Meeting Calendar of the Tracy City Council for 2024, and 2) adopting the Regular Meeting Calendar of the Tracy City Council for Calendar Year 2025.

Robert Tanner pulled the item to confirm that the December 17, 2024, regular Council meeting is being reinstated and the new City Council will be sworn in on that date, and requested not to cancel the January 7, 2025, regular Council meeting.

Council questions and comments followed.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Evans to adopt Resolution **2024-203** 1) Rescinding Resolution 2023-234 that approved the regular meeting calendar of the Tracy City Council for 2024; and 2) approving an amended regular meeting calendar of the Tracy City Council for 2024 and adopt **Resolution 2024-204** adopting the regular meeting calendar of the Tracy City Council for calendar year 2025. Roll call found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – There was no public comment.

3. REGULAR AGENDA

- 3.A. Staff recommends that the City Council conduct a public hearing to discuss 2025 Development Fee for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan and, upon conclusion, adopt a Resolution adopting such fees.

Mayor Young opened the public hearing.

Forrest Ebbs, Community and Economic Development Director introduced Craig Hoffman, Senior Planner who provided the staff report and presentation.

Council questions and comments followed.

There was no public comment.

Mayor Young closed the public hearing.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Bedolla to adopt **Resolution 2024-205** adopting the 2025 Development Fee

for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan. Roll call found all in favor; passed and so ordered.

3.B. Staff recommends that the City Council receive an informational report for the newly developed Community Volunteer Beautification Program.

David Murphy, Assistant Director of Operations and Connie Lopes, Public Works Management Analyst provided the staff report and presentation and responded to questions.

There was no public comment.

Council comments followed.

City Council accepted the informational report for the newly developed Community Volunteer Beautification Program.

3.C The City Council 1) discuss the supplemental responses to the 2023-2024 San Joaquin County Civil Grand Jury's Report titled: "City of Tracy: Public Trust Still Not Restored" Case No. 0323 and, upon conclusion, 2) adopt a Resolution approving the final form of supplemental response letter and authorizing the City Manager and City Attorney to jointly execute and transmit the supplemental response letter to the Presiding Judge.

Midori Lichtwardt, City Manager and Bijal Patel, City Attorney provided the staff report and responded to questions.

Council questions and comments followed.

There was no public comment.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Evans to adopt **Resolution 2024-206** approving the supplemental response letter to the Civil Grand Jury's request for supplemental responses to the 2023-2024 San Joaquin Civil Grand Jury Report titled "City of Tracy: Public Trust Still Not Restored" Case No. 0323 and authorizing the City Manager and City Attorney to execute and transmit it to the Presiding Judge. Roll call found Council Members Bedolla, Evans, Mayor Pro Tem Davis and Mayor Young in favor; passed and so ordered. Council Member Arriola opposed.

4. ITEMS FROM THE AUDIENCE – There was no public comment.
5. STAFF ITEMS – Midori Lichtwardt, City Manager provided the following updates:
 - Reminder about the trash and recycling pickup schedule will not be picked up on Thanksgiving Day and pick up will move to Friday, and if Friday it moves to Saturday.
 - The fall leaf pick up is happening now until January 31, 2025. Go to recycleinsidethetriangle.com for more information.
 - City offices will be closed on Thanksgiving and the day after, November 28 and 29, 2024.
 - Road closure Saturday, November 23rd from 1:00 p.m. to 6:00 p.m. – 6th Street westbound from Central Ave to Tracy Moose Lodge for the Tracy City Center Association Ornament Stroll.

Mayor Young asked about an update on Bessie Road as it is open now.

Karin Schnaider, Assistant City Manager provided an update on the Bessie Road project. Next ribbon cutting is for the Fire Training Facility on December 3 and coordinating for the I-580 Diverging Diamond but due to location and pending weather have not been able to select a date.

Ms. Lichtwardt responded Bessie Road is open and completely rehabilitated.

Ms. Schnaider added the last part will be the tree planting. It is still part of the project and are working with each property to see if they would like a tree.

6. COUNCIL ITEMS – Council Member Bedolla provided an update on the commissions and committees he serves on.

Mayor Pro Tem Davis congratulated Families United for Equity and apologized for not receiving a certificate from the City of Tracy at their ribbon cutting. Mayor Pro Tem Davis attended the ribbon cutting to support them. The organization provides children and adults with special needs navigational services and resources to assist them and their families. Dominique Mellion-Smathers, Tracy resident is Founder and Executive Director of the organization and wanted to let her know we do support what she is doing and look forward to her expanding in the City of Tracy soon.

Mayor Young stated she was invited to the ribbon cutting but it got removed from her calendar, there was a certificate, and she will make sure to get it to the organization.

Council Member Evans asked when the Pavement Management Plan and conversation about a vacancy ordinance will be coming back to Council which has been asked for over the past three years.

Ms. Schnaider responded the pavement question will come back as part of the March CIP discussions and there has also been a request from the Finance Committee to have it return to them first, so they are working on a February timeline and being ready for the March discussion for Council. The vacancy ordinance is in the Strategic Plan. A consultant has been hired to evaluate the ordinance and all the different possibilities that have to deal with vacant properties - some do it by tax, some by ordinance. That will be an accumulative package that will be brought to Council next year. Does not have an ETA but will pass on to the City Manager to get to Council.

Council Member Arriola stated even though he was not in attendance at the National League of Cities, he was appointed as 2nd Vice President of the LGBTQ Caucus for the National League and wished everyone a happy Thanksgiving.

Mayor Young wished everyone a happy Thanksgiving.

7. ADJOURNMENT: Time: 9:09 p.m.

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

The above agenda was posted at the Tracy City Hall on November 14, 2024. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk