

February 18, 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 7:08 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 Kal Waetzig, St. Paul's Lutheran Church offered the invocation.

Mayor Arriola presented a proclamation for National Cancer Prevention Month to Jass Sangha.

Mayor Arriola presented Certificates of Achievement to D.A.R.E. students that earned 500 community service points – Kailyn Gardner, Deliah Olsen, Owen Price, Ximena Soto-Garcia, and to the students that earned 1000 community service points - Thomas "Zay" Poole, Julienna Silva, Owen Castro were also recognized by Congressman Josh Harder's Office.

1. CONSENT CALENDAR – Andrew Shen, Interim City Attorney announced that the corrected resolution for Item 1.B was placed on the dais and clarified that the correction was specifically to the citation of the Tracy Municipal Code from 2.20.270 to 2.20.180.

Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt the Consent Calendar. Council Member Evans pulled Item 1.B and 1.G, Council Member Nygard pulled Item 1.C. Roll call found all in favor; passed and so ordered.

- 1.A. Adoption of February 4, 2025 Closed Session and Regular Meeting Minutes. – Minutes were adopted.

- 1.B. Staff recommends that the City Council adopt a resolution by a four-fifths vote (1) making a determination that compliance with standard procurement process is not in the best interest of the City and dispense the bidding requirements for the purchase of a fully self-contained pre-manufactured commercial kitchen, from McGrath RentCorp, Inc., dba Kitchens To Go by Mobile Modular, pursuant to California Public Contract Code Section 22050 and Tracy Municipal Code Section 2.20.270(a); and (2) approving a Purchase Agreement with McGrath RentCorp, Inc., dba Kitchens To Go by Mobile Modular, of Livermore, California, a California Corporation, for the fully self-contained pre-manufactured commercial kitchen, comprised of a twelve (12) foot by thirty-eight (38) foot premanufactured structure with an attached eight (8) foot by ten (10) foot dual temperature walk in cooler, to be installed as part of the Phase II 2024 Site Improvements at the Temporary Emergency Housing Facility Project, CIP 71112, at 370 W. Arbor Avenue, for a Not-To-Exceed amount of \$859,891.

Brian MacDonald, Parks and Community Services Director provided the staff report.

Council comments and questions followed.

Robert Tanner asked if the budget that includes the Federal grant has been spent and if that is what is happening at the Federal level and asked about the use of redevelopment funds as they relate to the shelter.

Brian MacDonald, Parks and Community Services Director shared that the funding received was from the County and the funds are being spent on the current Phase 2 construction and explained how redevelopment funds were allocated to shelter.

ACTION: Motion was made by Council Member Evans and seconded by Council Member Bedolla to adopt **Resolution 2025-036** (1) determining that compliance with standard procurement process is not in the best interest of the city and dispensing with bidding requirements for the purchase of a fully self-contained pre-manufactured commercial kitchen, from McGrath RentCorp, dba Kitchens To Go by Mobile Modular, pursuant to Tracy Municipal Code Section 2.20.180(b)(4); and (2) approving a purchase agreement with McGrath RentCorp, Inc., dba Kitchens To Go by Mobile Modular, of Livermore, California, a California corporation, for the purchase of a fully self-contained pre-manufactured commercial kitchen, comprised of a twelve (12) foot by thirty-eight (38) foot pre-manufactured structure with an attached eight (8) foot by ten (10) foot dual temperature walk in cooler, to be installed as part of the Phase II 2024 site improvements at the Temporary Emergency Housing Facility project, CIP 71112, at 370 W. Arbor Avenue, for a not-to-exceed amount of \$859,891. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

1.C. Staff recommends that the City Council adopt a Resolution 1)authorizing the purchase of one new, unused MY 2023 Ford F-350 from Rush Truck Centers utilizing Sourcewell Cooperative Program in the amount of \$72,114 for the Building Maintenance Department and 2) declaring the existing F -250 as surplus and approving its disposition pursuant to Tracy Municipal Code Section 2.20.310.

David Murphy, Assistant Director of Operations, and Jim Thompson, Operations Fleet Manager provided the staff report.

Council comments and questions followed.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Bedolla to adopt **Resolution 2025-037** 1) authorizing the purchase of one new 2023 Ford F-350 from Rush Truck Centers utilizing a competitively bid Sourcewell Cooperative Program in the amount of \$72,114 for the Building Maintenance Department; and 2) declaring the existing F-250 as surplus and approving its disposition pursuant to Tracy Municipal Code Section 2.20.310. 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: 1) Approving the General Services Agreement with Imperial Bag & Paper Co. LLC for the janitorial supplies and delivery services for an initial term of two-years with compensation not to exceed \$39,000 annually. 2) Authorizing an administrative extension up to an additional five (5) years contingent upon satisfactory performance and budget availability. – Resolution 2025-026

1.E. Staff recommends that the City Council adopt a Resolution authorizing the execution of a Purchase Agreement with Public Restroom Company for the purchase of a premanufactured restroom building utilizing the Sourcewell Cooperative Program in the amount of \$363,496 pursuant to Tracy Municipal Code Section 2.20.220 for CIP 78170, Gretchen Talley Park – Phase III. – Resolution 2025-027

1.F. Staff recommends that the City Council adopt a resolution: 1) Approving the General Services Agreement with Pacific Star Chemical for the supply and delivery of swimming pool chemicals for an initial term of two-years with compensation not to exceed \$42,000 per fiscal year. 2) Authorizing an administrative extension up to an additional five (5) years contingent upon satisfactory performance and budget availability. – Resolution 2025-028

1.G. Staff recommends that the City Council adopt the following, each by separate resolution: (A) approving an On-Call List, for five years, of six qualified consultants for Entitlements and Land Development Plan Checking Engineering Services; and (B) approving (1) the execution of three separate Master Professional Services Agreements, each with an initial term of three years and a not-to-exceed fiscal year amount of \$600,000, with each of the listed qualified consultants: SNG & Associates, Inc., HALEY & ALDRICH, Inc., and NV5, Inc., and (2) an administrative extension for up to two years based on satisfactory performance for each Master Professional Services Agreement, if needed.

Sharat Bandugula, Acting Assistant City Engineer provided the staff report.

Council comments and questions followed.

Karin Schnaider, Assistant City Manager responded to Council questions regarding vacancies in the Engineering Department and the need of consultants.

Tim Silva shared his disagreement with staff recommendation, would rather those funds be utilized to fully staff City Hall, need to figure out how to retain staff and expressed concerns over use of community tax dollars and cited Capital Improvement Projects that are left undone, urged Council to focus on finding quality engineers and completing Capital Improvement Projects.

Alice English shared that staff needs to work better with the qualified people that are hired, urged Council to look into employee retention, expand the search for consultants rather than using the same group of consultants and expressed concerns about consultants getting paid for what needs to be done rather than what staff wants them to do.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt approving an On-Call List, for five years, of six qualified consultants for Entitlements and Land Development Plan Checking Engineering Services **Resolution 2025-038**; and (B) approving (1) the execution of three separate Master Professional Services Agreements, each with an initial term of three years and a not-to-exceed fiscal year amount of \$600,000, with each of the listed qualified consultants: SNG & Associates, Inc. - **Resolution 2025-039**, HALEY & ALDRICH, Inc. – **Resolution 2025-040**, NV5, Inc. – **Resolution 2025-041** and (2) an administrative extension for up to two years based on satisfactory performance for each Master Professional Services Agreement, if needed. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

Council comments and questions continued.

Midori Lichtwardt, City Manager clarified that there will always be a need for consultants, the consultant for this on-call list is for specialized projects and are for an as-needed basis.

Karin Schnaider Assistant City Manager clarified that the consultants are paid for from fees and/or full cost recoverables, that would be paid for by the developers, if the consultants are working on a general fund project or a City project, general fund dollars may be used.

- 1.H. Staff recommends that the City Council adopt a Resolution (1) accepting public improvements required pursuant to the Subdivision Improvement Agreement for Tract 3788 Tracy Hills Village 1A as complete and assume responsibility for the future maintenance and repairs, (2) authorizing the City Engineer to release the Developer furnished bonds in accordance with the Subdivision Improvement Agreements, and (3) authorizing the City Clerk to file Notices of Completion for Tract 3788 Tracy Hills Village 1A as amended, and Tract 3788 Tracy Hills Village 1A (for Parkway Landscaping) with the San Joaquin County Recorder's Office. – Resolution 2025-029

- 1.I. Staff recommends that the City Council adopt a resolution (1) accepting public improvements required pursuant to the Subdivision Improvement Agreement for Tract 3943 Tracy Hills Village 1B as complete and assume responsibility for the future maintenance and repairs, (2) accepting additional public improvements for Parkway Landscaping for Tract 3943 Tracy Hills Village 1B as complete and assume responsibility for the future maintenance and repairs, (3) accepting public improvements for Tracy Hills Phase 1A Palmer Street Extension as complete and assume responsibility for the future maintenance and repairs, (4) authorizing the City Engineer to release the Developer furnished bonds in accordance with the Improvement Agreements, and (5) authorizing the City Clerk to file Notices of Completion for Tract 3943 Tracy Hills Village 1B, as amended, Tract 3943 Tracy Hills Village 1B (for Parkway Landscaping), and Tracy Hills Phase 1A Palmer Street Extension with the San Joaquin County Recorder's Office. – Resolution 2025-030

1.J. Staff recommends that the City Council adopt a Resolution 1) approving permits under Tracy Municipal Code Chapter 4.40, to allow the consumption of alcoholic beverages on City streets for the following special events of community-wide interest occurring in 2025: 1) Downtown Block Parties (May 2, June 6, July 11, August 1, and September 5); 2) Brews and BBQ (October 4); (3) Girls Night Out – Witches and Broomsticks (October 24); (4) Tracy City Center Association Events (Taps on Tenth on April 5, Downtown Tracy Wine Stroll on September 20, and Car Show on September 27); (5) South Side Community Organization Event (September 13); and 2) delegating the authority to the City Manager to put required time and other restrictions on each permit. – Resolution 2025-031

1.K. Staff recommends that City Council adopt a resolution approving Amendment No 1. to Professional Services Agreement with West Yost & Associates, Inc. for Program Management for CIP No. 74168 Recycled Water Expansion Project and authorizing: 1) the City Manager to grant extensions up to an additional two-years, if requested, 2) billing rates may be increased annually in January of each year by the lesser of 3% or the annual increase in the Cost-of-Living Index – All Items, for the Sacramento Metropolitan Region; and 3) new billing rates retroactive to January 1, 2025. – Resolution 2025-032

1.L. Staff recommends that the City Council adopt a resolution (1) accepting public improvements in accordance with the Subdivision Improvement Agreement for Tract 3944, Tracy Hills Village 1C as complete, and assume responsibility for the future maintenance and repairs, (2) accepting additional public improvements for Parkway Landscaping for Tract 3944, Tracy Hills Village 1C as complete, and assume responsibility for the future maintenance and repairs, (3) authorizing the City Engineer to release the Developer furnished bonds in accordance with the Subdivision Improvement Agreement, and (4) authorizing the City Clerk to file Notices of Completion for Tract 3944 Tracy Hills Village 1C and Tract 3944 Tracy Hills Village 1C (for Parkway Landscaping) with the San Joaquin County Recorder's Office. – Resolution 2025-033

1.M. Staff recommends that the City Council adopt a Resolution approving and authorizing the execution and the recordation of two Subdivision Improvement Agreements, and three Offsite Improvement Agreements with Lennar Homes of California, LLC for the Residential Development Project commonly known as Phase 2 of the Tracy Hills Specific Plan. – Resolution 2025-034

1.N. Staff recommends that the City Council adopt a resolution: 1) Determining that compliance with the standard procurement processes is not in the best interests of the City pursuant to Tracy Municipal Code 2.20.140(b)(6) and dispensing such requirement for the procurement of security and alarm services for City facilities. (2) Reinstating the existing General Services Agreement with B.I.C SEC Security (Contractor) and authorizing execution of Amendment No. 2 to be effective retroactively from July 1, 2024; and (3) Authorizing payment in the amount of \$64,200 for security and alarm services, including equipment, monitoring, and inspections. (4) Authorizing an administrative option to extend the agreement on a month-to-month basis for up to an additional six (6) months. – Resolution 2025-035

DEVIATION: STAFF ITEMS

Midori Lichtwardt, City Manager shared updates regarding PG&E, at this point no date has been scheduled and the City has offered options to rent the Transit Center for their community meeting and provided PG&E with information to reach out to the school district for the potential use of a school district facility that might be a little easier for the affected community to attend.

For the animal control issues, planning on coming back on 3/18/2025 but staff is working to possibly bring back on 3/4/2025, still waiting on more information from the UC Davis staff.

Mike Souza, Project Manager from Tracy Hills provided an update regarding developer commitment to address concerns.

Chief Randall Bradley, South County Fire Authority shared the collaboration that has taken place with Tracy Hills developer, PG&E, and the Tracy Hills Community.

2. **ITEMS FROM THE AUDIENCE** –Robert Tanner expressed frustration regarding ongoing fireworks activities, urged Council to make all fireworks including the Safe and Sane Fireworks illegal, and the only fireworks should be the annual City sponsored event.

Alice English invited the community to the installation dinner for the Southside Community Organization, the Chamber will be having their mixer on Thursday from 5 to 7 p.m. that will be held at Southside Community Center and inquired about the low-income housing for seniors and requested a status.

Kristina from Tracy Dog Girls Rescue stated that the intake number from UC Davis may not be accurate since the dogs that they rescue were not accounted for and shared concerns regarding pregnant dogs and puppies being dumped and provided a handout to the Clerk.

Denise from Tracy Dog Girls Rescue shared the importance of having pets microchipped.

Several Community Members from Tracy Hills thanked Council for being proactive in the communication with PG&E, requested that PG&E, the developer, community and City staff all meet, shared their ongoing frustration regarding the high transmission lines and installation of the power poles, the impacts to their homeowners insurances and shared that if City approvals are pending, urged City to expedite those approvals.

Kathleen Bichtold expressed frustration on the conditions of the buildings on 11th Street and the impression that visitors may get if they take the route that is from freeway to freeway, urged Council to look into making the area look nicer and hold property owners accountable.

Community Member from Tracy Hills thanked the City and developer, expressed concerns regarding past and future potential fires and urged developer to put the power lines underground.

3. REGULAR AGENDA

3.A. Introduce an Ordinance adding Section 1.24.040 to Chapter 1.24 of the Tracy Municipal Code establishing an administrative remedies procedure for challenges to fees, charges, and assessments.

Karin Schnaider, Assistant City Manager, provided the staff report.

Council comments and questions.

There was no public comment.

Andrew Shen, Interim City Attorney noted a correction to the formatting of the Ordinance but that there were no substantive changes to the Ordinance proposed.

Necy Lopez, Acting City Clerk read the title of proposed Ordinance.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to waive full reading of text and introduce proposed ordinance of the City of Tracy adding Section 1.24.040 to Chapter 1.24 of the Tracy Municipal Code establishing an Administrative Remedies Procedure for challenges to fees, charges, and assessments. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

3.B. Receive the annual report of the Parks and Community Services Commission for Fiscal Year 2023-2024.

Matt Shrout, Parks and Community Services Commissioner 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 Nygard to receive the annual report of the Parks and Community Services Commission for Fiscal Year 2023-2024. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

3.C. Staff recommends that the City Council receive the annual informational report regarding the City of Tracy's Senior Services Program for 2024.

Justin Geibig, Recreation Program Coordinator 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 the annual informational report regarding the City of Tracy's Senior Services Program 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 - Tracy Hills Community Member shared that the poles that PG&E have placed are obstructing the sunlight that reaches the solar panels on the roof of his home and urged that the City to enforce solar access laws and protect the safety of the community.

Kevin Tobeck shared his experience and background as a former City employee specifically as Maintenance and Operations Director, shared his frustration over the conditions of the parks and the City owned building next to the Grand Theatre and how nothing has been done with it and the second water tower, shared some historical information and hopes that the City can find some funding to fix that.

5. STAFF ITEMS – Midori Lichtwardt, City Manager shared that in November 2024, Council approved Resolution 2024-204 that approved the 2025 year, which included a cancellation of the second Council Meeting in May, in consideration of the One Voice travels that some Council Members will be participating. Recommended that Council is polled for a replacement Council meeting, specifically a special meeting, on May 13, 2025 at 7:00 p.m., this is in lieu of the May 20, 2025.

Announced that the Corral Hollow Zero Capacity Upgrades are continuing, and on Friday, February 21, 2025, Northbound Corral Hollow and Schulte Rd. Intersection will be partially closed from 8:00 a.m. to 6:00 p.m., Eastbound Schulte Rd. will be open but delays should be expected, Northbound Schulte and Golden Leaf Lane Intersection will be closed to through traffic, Golden Leaf to Western Pacific will also be affected between the hours of 8:00 a.m. to 6:00 p.m. and one lane will be open during non-working hours.

March 14, 2025, high school age students that reside or attend school in Tracy, will have the opportunity to participate in Student Government Day, can sign up at; <https://www.cityoftracy.org/our-city/departments/human-resources/student-government-day>

6. COUNCIL ITEMS – Council Member Nygard reported out on the various meetings attended including, AVA Energy, Valley Link Board of Directors Meeting and the South San Joaquin County Fire Authority Meeting and met with Tracy Hills and Animal Services and looks forward to receiving those updates. Requested that Council bring back the following items to discuss or negotiate:

- a Community Workforce Training Agreement for the City, Mayor Arriola supported
- Requested that Fire Chief Bradley come and present to City Staff and Council regarding the expansion of services, specifically the Ambulance Services, Council Member Evans supported
- Requested that staff work with the Environmental Sustainability Commission to draft a policy addressing the transition of the current vehicle fleet to clean energy fleet for the future, Mayor Arriola supported

Council Member Evans shared condolences to the loved ones of Tracy Soccer League Director Sherry McKay who passed on February 11, 2025, requested a status on the

low-income senior units and requested an update on that item, status on the Animal Shelter.

Karin Schnaider, Assistant City Manager shared that it has been roughly 6-months since the grant funding that was applied for was not received for 2024 and will reapply for the 2025 grant allocation for the low-income senior units.

Council Member Evans requested when the stray pet population item will come back to Council and requested the status on empty store front mitigation.

Midori Lichtwardt, City Manager shared that the animal population is scheduled to come back to Council March 18, 2025 if not March 4, 2025 and clarified the store front mitigation discussion will also come back on March 18, 2025.

Mayor Pro Tem Abercrombie requested that staff put a park bench in Legacy Fields in honor of Sherry McKay, seconded by Council Member Evans, and met with Tracy Hills and the Animal Shelter.

Council Member Bedolla recognized Maria Valenzuela from the Tracy Chamber of Commerce, best of luck on her professional journey after 23 years of service to the Tracy Community..

6. ADJOURNMENT – Time: 9:05 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 February 13, 2025. The above are action minutes. A recording is available at the office of the City Clerk

Mayor

ATTEST:

City Clerk