

March 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 7:00 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 Kevin James, New Creation Bible Fellowship offered the invocation.

Mayor Arriola presented a Certificate of Appointment to the Environmental Sustainability Commission to Gurdeep Shergill.

Midori Lichtwardt, City Manager presented to Cristian Cobian, Community and Economic Development Department, Employee of the Month for March.

1. CONSENT CALENDAR – Motion was made by Council Member Bedolla and seconded by Council Member Nygard to adopt the Consent Calendar. Roll call found all in favor; passed and so ordered.
 - 1.A. Adoption of February 4, 2025 Special Meeting, February 18, 2025 Closed Session, Special Meeting and Regular Meeting Minutes. Minutes were adopted.
 - 1.B. Staff recommends that the City Council adopt 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. – Ordinance 1352
 - 1.C. The Tracy Homelessness Advisory Committee recommend that the City Council adopt a Resolution approving Amendment No. 2 to the General Services Agreement with United Site Services of California, Inc. at the Temporary Emergency Housing Facility, Capital Improvement Project 71112, at 370 West Arbor Avenue to: (1) extend the term from June 30, 2025 to June 30, 2026 and (2) increase the total not-to- exceed amount to \$646,310 which would provide the additional funds needed for Fiscal Year 2024-2025 in the amount of \$135,183 and for Fiscal Year 2025-2026 in the amount of \$255,564 for additional sanitation services. – Resolution 2025-042
 - 1.D. 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 ARPA R allocation in the amount of \$18,282 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 2025-043

1.E. Staff recommends that the City Council adopt a resolution approving (1) making a determination that compliance with standard procurement process is not in the best interest of the City and dispensing with the procurement requirements for certain software services pursuant to Tracy Municipal Code Section 2.20.140; and (2) the execution of an amendment to an existing contract with Granicus adding services to redesign and modernize the City's website and extending the term for an additional 4 years for a total not-to exceed amount of \$102,400 annually. – Resolution 2025-044

1.F. Staff recommends that the City Council adopt resolutions:
1) authorizing: A) the execution of a Master Professional Services Agreement with West Yost & Associates, Inc, to provide report writing consulting for an initial term of two years and a not-to-exceed amount of \$200,000 per fiscal year; and B) the execution of a Master Professional Services Agreement with EKI Environmental & Water, Inc to provide report writing consulting for an initial term of two years and a not-to-exceed amount of \$200,000 per fiscal year, and C) the City Manager to administratively extend the length of one or both contracts for up to three additional years upon satisfactory performance and available budget authorization. – Resolution 2025-045 - West Yost & Associates, Inc.
Resolution 2025-046 - EKI Environmental & Water, Inc.

1.G. Staff recommends that the Tracy City Council (1) adopt a resolution amending the existing agreement with San Joaquin County Behavioral Health Services accepting the unused funding balance of \$206,406 for the Familiar Faces grant award received from the California Department of Health Services in partnership with the San Joaquin County Behavioral Health Services (2) extend the agreement to June 30, 2025, and (3) appropriate the remaining balance to the Police Department's operational budget. – Resolution 2025-047

1.H. Staff recommends that the City Council adopt a resolution 1) authorizing the increase of the annual Not to Exceed amount for fuel supply services at the Tracy Municipal Airport from \$500,000 per fiscal year to \$1,200,000 as part of the agreement with Avfuel Corporation for the remainder of the seven-year term and 2) appropriating \$700,000 to the Airport Operating fund (F561). – Resolution 2025-048

1.I. Staff recommends that the City Council adopt a resolution (1) awarding a construction contract to Tennyson Electric, LLC., of Livermore, CA, in the amount of \$797,850 for the Adaptive Traffic Signal System - Eleventh Street Project, Capital Improvement Project 72098, Federal Project Number STPCML-5192(051), (2) accepting the Surface Transportation Block Grant in the amount of \$379,161 (3) appropriating grant funds to project budget, and (4) authorizing the City Manager to approve change orders up to the contingency amount of \$79,785 and an overall project not-to-exceed budget of \$1,054,280. – Resolution 2025-049.

Staff Highlights: Midori Lichtwardt, City Manager shared that PG&E will be holding an open forum with the concerned citizens in the Tracy Hills Community to discuss the installation of the overhead powerlines, that meeting will be held March 5, 2025 and the hour of that meeting will be confirmed at the end of this meeting. Item 3.C will discuss the interim options for the animal shelter.

2. ITEMS FROM THE AUDIENCE – Gary Amata expressed his frustration with a City tree that is located between his and his neighbors home that has caused damage to their water main, filed a claim for reimbursement for the water main repairs, has submitted multiple claims to the Public Works Department and requested further action than just sidewalk repairs.

Robert Tanner wanted to bring awareness for the safe disposal of unused or expired medication including pet medication and shared that the Police Department has a box located in their lobby and an additional box that is utilized as a SHARPS Container where needles and syringes can be disposed of safely.

Denise from Tracy Dog Girls provided Council an update as to the activities that they are participating in rescuing dogs and cats. Shared that a location or warehouse is needed, asked Council for assistance, and that Tracy Dog Girls is open to discussing solutions with Council.

3. **REGULAR AGENDA**

3.A. The Planning Commission recommends that the City Council conduct a public hearing, and upon its conclusion:

1. Adopt a resolution that (A) certifies an Environmental Impact Report (“EIR”) and adopts a mitigation monitoring and reporting program (“MMRP”), findings of fact and a statement of overriding considerations for the annexation and development of the Tracy Costco Depot Annex project, which consists of approximately 104.46 acres located at 16000 West Schulte Road, (B) approves a Development Review Permit for the Property for construction of two industrial warehouse buildings totaling approximately 1,736,724 square feet, provided that the Development Review Permit will not be effective until the first day following the effective date of San Joaquin County Local Agency Formation Commission’s (“LAFCo”) approval of the annexation of the Property to the City, and (C) authorizes the City Manager to submit a petition to LAFCo to annex that certain 104.46 acres located at 16000 West Schulte Road bearing Assessor’s Parcel Number 209-230-02 (the “Property”) to the City of Tracy; and 2. Introduce an ordinance approving the pre-zoning of that certain 104.46-acre property located at 16000 West Schulte Road bearing Assessor’s Parcel Number 209-230-02 (“property”) to light industrial (M-1); and determining that the actions authorized by this ordinance were adequately evaluated by that certain Environmental Impact Report certified by the City Council on March 4, 2025, in full compliance with the California Environmental Quality Act (“CEQA”).

Mayor Opens Public Hearing

Genevieve Federighi, Associate Planner provided the staff report.
Elise Laws, Consultant – Senior Planner with De Novo Planning Group provided information regarding the Environmental Impact Report.

Karin Schnaider, Assistant City Manager clarified that in the fiscal section, staff is recommending that the property is not detached from the Tracy Rural Fire District, the income difference for property taxes is over \$600,000 that would go to the County if this practice was not followed, and those funds should stay with Tracy Rural Fire District.

Andrew Shen, Interim City Attorney noted that an amended version of the resolution is on the dais and is ready for Council approval.

Christine Lasley, Costco Real Estate Manager shared some of the contributions that Costco has made to the Tracy Community in their partnership over the last 30 years and highlighted that this new project will bring in over 400 construction jobs and over 250 careers.

Council comments and questions.

Liz Sutton, representative from the Sheet Metal Workers Local 104, urged that Council approve this project and highlighted the agreement with Costco that will be allowing the contractors employ apprentices which in turn will allow those individuals at an opportunity at a career.

Manuel Zapata, the political and public relations representative from the Sheet Metal Workers Local 104, urged that Council adopt this project and that the agreement that the hiring priority is a local workforce and that in turn it positively impact the local economy and shared that this project aligns with the City's General Plan.

Eric Parfrey, Sierra Club representative shared that they sent a letter expressing gratitude to Costco for entering into a settlement agreement and agreeing to accelerate the transition to electric heavy-duty trucks and hopes that this project sets a standard that will be applied as standard practices as to what the City will be approving in future when it comes to big projects and warehouses.

Kevin Carmichael, representative from San Joaquin Residents for Responsible Development, shared that the applicant will be implementing additional environmental measures that go above and beyond the mitigation items that were addressed in the agreement and these measures provide additional safeguards to the community regarding air quality, public health, reduction of fire hazards and the resolution of community concerns and prior objections.

Mayor Closed Public Comment

ACTION: Motion was made by Mayor Arriola and seconded by Council Member Nygard to adopt a Resolution that 1. certifying an Environmental Impact Report ("EIR"), adopting findings and a statement of overriding considerations, and adopting a Mitigation Monitoring And Reporting Plan ("MMRP") for the annexation and development of industrial buildings on a 104.46 acre property located at 16000 West Schulte Road bearing Assessor's Parcel Number 209-230-02 ("Property"), all in accordance with the requirements of the California Environmental Quality Act ("CEQA"); and 2. approving a development review permit for that certain 104.46-acre property located at 16000 West Schulte Road bearing Assessor's Parcel Number 209-230-02 ("the property") to take effect on the first day

following the effective date of the San Joaquin County Local Agency Formation Commission's ("LAFCo's") approval of the annexation of the property to the City Of Tracy ("City"); and approving the submittal of a petition to the San Joaquin County Local Agency Formation Commission ("LAFCo") for the annexation of the property to the City of Tracy ("City") without detachment from the Tracy Rural Fire District. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

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

ACTION: Motion was made by Council Member Bedolla and seconded by Mayor Pro Tem Abercrombie to waive full reading of text and introduce proposed ordinance approving the pre-zoning of that certain 104.46-acre property located at 16000 West Schulte Road bearing Assessor's Parcel Number 209-230-02 ("property") to light industrial (M-1); and determining that the actions authorized by this ordinance were adequately evaluated by that certain Environmental Impact Report certified by the City Council on March 4, 2025, in full compliance with the California Environmental Quality Act ("CEQA"). Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

3.B. Planning Commission and Staff recommend that the City Council conduct a public hearing, and upon its conclusion, take the following actions: 1. Introduce an ordinance approving a Zoning Text Amendment, Application Number ZA22-0004, removing Tracy Municipal Code (TMC) Section 10.08.800, "Service Station" definition, adding TMC Section 10.08.175, "Car Wash" definition, add TMC Section 10.08.375, "Fuel Station" definition, and amending TMC Section 10.08.1080, Permitted Uses, Use Group No. 44, removing and replacing "Automobile Service Stations" with "Car Washes" and "Fuel Stations;" 2. Adopt a resolution: (a) granting a Conditional Use Permit to allow a car wash to be located at 4600 S. Corral Hollow Road, Application Number CUP24-0006; and (b) approving a Development Review Permit for construction of a car wash facility and related site improvements located at 4600 S. Corral Hollow Road, Application Number D22-0044.

Mayor Opens Public Hearing

Genevieve Federighi, Associate Planner provided the staff report.

Council comments and questions.

There was no public comment.

Mayor Closed Public Comment

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

ACTION: Motion was made by Council Member Bedolla and seconded by Mayor Pro Tem Abercrombie to waive full reading of text and introduce proposed ordinance approving a zoning text amendment, Application Number ZA22-0004, to remove Tracy Municipal Code (TMC) Section 10.08.800, "Service Station" definition, add TMC Section 10.08.175, "Car Wash" definition, add TMC Section 10.08.375, "Fuel Station" definition, and amend TMC Section 10.08.1080, permitted uses, use group No. 44, to remove and replace "Automobile Service Stations" with "Car Washes" and "Fuel Stations". Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

ACTION: Motion was made by Council Member Bedolla and seconded by Mayor Pro Tem Abercrombie to Motion to adopt a Resolution (A) granting a Conditional Use Permit to allow a car wash to be located at 4600 S. Corral Hollow Road, Application Number CUP24-0006; and (B) approving a Development Review Permit for construction of a car wash facility and related site improvements located at 4600 S. Corral Hollow Road, Application Number D22-0044. Roll call found Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie and Mayor Arriola in favor; passed and so ordered.

3.C. Discuss interim solutions for Animal Services to address capacity and kennel space, and upon conclusion of such discussion, by motion, direct staff to proceed with specific solution(s).

Brittany Pasquale, Animal Services Supervisor, provided the staff report.

Council comments and questions.

Julie Selner from Tracy Animal Rescue expressed appreciation to the Animal Shelter staff and stated that unfortunately staff is impacted with meeting the growing needs of the City, there needs to be more outreach.

Denise from Tracy Dog Girls expressed concerns regarding free adoptions, shared that these pets can end up back in the shelter or as bait dogs for those that fight dogs, rehoming dogs for free would not be good practice.

Conrad Levoit asked about a dog that was adopted after being in the shelter for over 400 days and asked why and how that process took place, congratulated staff on that dog getting adopted.

Council discussion continued.

ACTION: Motion was made by Mayor Arriola and seconded by Council Member Nygard to incorporate option A, amended option B that would reduce adoption fees, option C increasing outreach and education and enhanced partnering with non-profit organizations.

Friendly amendment to motion was made by Mayor Arriola to include option C regarding incentives. Seconded by Council Member Nygard. 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 – Conrad Levoit shared a poem and asked if Council could present his son with a certificate of recognition for his enlistment in the United States Army and requested that Council acknowledge those that have enlisted in the Armed Forces.
5. STAFF ITEMS – Midori Lichtwardt, City Manager shared:
 - State of the City will be held on March 25, 2025 at 9:00 a.m. at the Grand Theatre as we reflect on our City progress and what is next
 - Student Government Day registration closes tomorrow (3/5/2025) it is an all-day event that gives High School students that live or attend school in Tracy the opportunity to get an insider look at how your local government, learn about our departments, participate in a mock Council Meeting and meet City Leaders
 - There is a vacancy on the Environmental Sustainability Commission – seeking a passionate youth representative, this role will help shape policies that will protect and enhance air, water, and land. This recruitment closes on Friday, March 28, 2025, at 5:00 p.m. and those that are interested can do so by visiting:
<https://www.cityoftracy.org/government/boards-and-commissions/environmental-sustainability-committee>
 - There are several vacancies on the Youth Advisory Commission, this recruitment closes on April 18, 2025, and those that are interested in applying can do so by visiting: <https://www.cityoftracy.org/government/boards-and-commissions/youth-advisory-commission>

Reminder that PG&E will be holding an open forum tomorrow, March 5, 2025, starting at 6:00 p.m. at the Tracy Hills Welcome Center located at 2230 Criseldo Mina Ave. in the Tracy Hills Community.

6. COUNCIL ITEMS – Council Member Nygard wished Conrad Levoit's son well in his enlistment in the Army and attended the following:
 - Advisory Water Commission on February 19, 2025, and participated in several presentations including one from a non-profit called River Partners, <https://riverpartners.org/>
 - AVA Energy and encouraged community to visit <https://avaenergy.org/> to see what incentives are available regarding lowering energy costs
 - San Joaquin Partnership on February 20, 2025
 - Stockton Chamber of Commerce REXPO recycling Event that is scheduled for March 12, 2025, for more information visit <https://stocktonchamber.org/>
 - Attended ribbon cutting for first ZERO emissions Taco Bell located on International Parkway
 - Acknowledged public comments that were received and looks forward to the expansion and openings of City amenities
 - Will be attending the NLC Congressional Conference from March 8-12, 2025 in Washington D.C.
 - Announced that Tracy Earth Project will be sponsoring Earth Day on April 26, 2025, <https://www.tracyearthproject.org/>.

Council Member Evans thanked Mr. Levoit and his son, requested to add a policy that during the presentations portion of a Regular Council Meeting, presentations be expanded to those individuals that enlist in the Armed Forces, seconded by Mayor Pro Tem Abercrombie, and attended the Tracy Police Department crab feed and the Youth Art Awards reception that was held at Menchie's.

Mayor Pro Tem Abercrombie thanked Mr. Levoit and his son, attended the Babe Ruth opening day ceremonies, Menchie's Art Show, THAC meeting, Tracy Police Department Crab Feed, and a Special Meeting of the JPA. Requested that the policy regarding the naming of the parks be brought back to Council, Council Member Evans seconded.

Mayor Arriola shared highlights from his Mayor's Report including his attendance at the San Joaquin County Rail Commission Meeting and adopted CEQA Addendum & Approved "Stockton Diamond Grade Separation Project" and attended the SJCOG Meeting on February 27, 2025 and learned about the introduction to "I-205 Managed Lanes" Project which features the potential to "Tolling Lanes" as concept, discussion of managed lanes "Addition" versus "Conversion" alternatives, along with potential following timelines:

- June 2026 -- Circulate draft environmental docs
- June 2027 – Complete documents
- 2032/2034 – Open to traffic

Safe Travel to all those attending the National League of Cities Conference, congratulated Mr. Levoit and his son, and wished everyone a Happy St. Patrick's Day.

7. ADJOURNMENT – Time: 9:32 p.m.

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

The above agenda was posted at the Tracy City Hall on February 27, 2025. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk