

July 1, 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, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola were present. City Council had no declarations of conflict.

Tracy Little League 10U All Stars Softball Team led the Pledge of Allegiance.

Pastor Scott McFarland, Journey Christian Church, offered the invocation.

Midori Lichtwardt, City Manager, presented the July 2025 Employee of the Month award to Badar Fayyaz, Detective, Tracy Police Department.

Mayor Arriola presented the Parks and Recreation Month Proclamation to Todd Lieberg, City of Tracy Parks Commissioner.

Mayor Arriola presented the National Health Center Week Proclamation to Yanet Guerrero from Community Medical Centers.

Mayor Arriola presented the Tracy Little League 10U All Stars Softball Team with a Certificate of Recognition.

Mayor Arriola presented Guillermo Aragon, Boxing Club Coach from the Tracy Police Activities League (PAL), with a Certificate of Appreciation.

Mayor Arriola presented Christian Perez Jr., Boxer from the Tracy Police Activities League (PAL), with a Certificate of Recognition.

1. CONSENT CALENDAR – Midori Lichtwardt pulled agenda item 1.D. Andrew Shen, Interim City Attorney, announced that a corrected version of the resolutions for Item 1.B and 1X were placed on the dais; noted that there were no substantive changes, minor corrections were needed, that this action did not require the item to be pulled from Consent Calendar; additionally the resolution for agenda item 1.K approving the on-call list and the amended salary schedule for agenda item 1.T, were both inadvertently omitted from the agenda upon publication (the missing items were placed on the dais for the City Council's review). Council Member Nygard pulled agenda items 1.C, 1.J, 1.M, and 1.Q from the Consent Calendar. Robert Tanner pulled agenda items 1.L and 1.V from the Consent Calendar.

Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt the Consent Calendar items, except Items 1.C, 1.D, 1.J, 1.L, 1.M, 1.Q and 1.V, with the resolutions for Items 1.B and 1.X amended as presented, and the addition of the resolution for Item 1.K and the amended salary schedule for Item 1.T as presented. Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor; passed and so ordered.

- 1.A Adoption of Minutes for the June 17, 2025, Closed Session and Regular Meeting Minutes – **Minutes Adopted**
- 1.B Staff recommends that the City Council adopt a Resolution:
 - (1) Authorizing an increase in the Not-to-Exceed scope Amount for Labor Relations Negotiations Consulting Services with Liebert Cassidy Whitmore, by \$100,000, for a total Not-to-Exceed Amount of \$325,000.
 - (2) Authorizing an increase in the Not-to- Exceed scope amount for IDR/Disability consulting services with Liebert Cassidy Whitmore by \$25,000 for a Not-to-Exceed amount of \$100,000
 - (3) Authorizing an increase in the Not-To Exceed scope amount for Litigation consulting services with Liebert Cassidy Whitmore by \$50,000 for a total Not-to-Exceed amount of \$100,000
 - (4) Authorizing an increase in the Not-To -Exceed scope amount for CalPERS Consulting services with Liebert Cassidy Whitmore by \$10,000, for a total Not-To-Exceed amount of \$50,000 - **Resolution 2025-147**
- 1.D. Staff recommends that the City Council adopt a resolution approving and authorizing recordation of three (3) Final Subdivision Maps, one (1) Conditional Subdivision Improvement Agreement, one (1) Offsite Improvement Agreement, one (1) Deferred Improvement Agreement, and one (1) Quit Claim Deed for The Avenues Residential Development Project. – **ITEM PULLED**
- 1.E. Staff recommends that the City Council adopt a resolution to temporarily suspend the City of Tracy Retail, Office, and Industrial Incentive Programs and City of Tracy Technology and Innovation Based Industry Incentive Program for a twelve (12) month period. – **Resolution 2025-148**
- 1.F. Staff recommends that the City Council adopt a resolution:
 - (1) making a determination that strict compliance with standard procurement procedures is not in the best interest of the city and dispensing these requirements for renewal of three subscription services with Cleargov, Inc.
 - (2) approving the execution and renewal of three subscription agreements with ClearGov, Inc. for the licensing of ClearGov Strategic Planning, ClearGov Capital Project Tracking, and ClearGov Digital Budget Book and Capital Budgeting subscriptions for a total not to exceed amount of \$86,000 per fiscal year, for an initial term of three years; and
 - (3) authorizing an administrative extension for an additional three-year term at the same annual cost for each subscription, contingent upon satisfactory performance and budget availability – **Resolution 2025-149**

- 1.G. Staff recommends that the City Council adopt a resolution (1) for partial acceptance of Tracy Hills Phase 1A Criseldo Mina Avenue Extension Improvements, constructed by Tracy BPS, LLC, a Delaware limited liability company, and assume responsibility for the future maintenance and repair, (2) authorizing the City Engineer to accept a ninety percent reduction in the faithful performance bond, and (3) authorizing the City Clerk to file an Acceptance of Irrevocable Offer of Dedication with the San Joaquin County Recorder's office – **Resolution 2025-150**
- 1.H. Staff recommends that the City Council, by resolution, (1) accept public improvements for Tract 3889 Tracy Hills Village 3A as complete, and assume responsibility for the future maintenance and repairs, (2) accept public improvements for Tract 3945 Tracy Hills Village 3B as complete, and assume responsibility for the future maintenance and repairs, (3) accept public improvements for Tract 3891 Tracy Hills Village 5A as complete, and assume responsibility for the future maintenance and repairs, (4) accept public improvements for Tract 3948 Tracy Hills Village 5B as complete, and assume responsibility for the future maintenance and repairs, (5) accept public improvements for Tract 3949 Tracy Hills Village 5C as complete, and assume responsibility for the future maintenance and repairs, (6) authorize the City Engineer to release the Developer furnished bonds in accordance with the Subdivision Improvement Agreements, and (7) authorize the City Clerk to file Notices of Completion for Tract 3889 Tracy Hills Village 3A as amended, Tract 3889 Tracy Hills Village 3A (for Parkway Landscaping), Tract 3945 Tracy Hills Village 3B as amended, Tract 3945 Tracy Hills Village 3B (for Parkway Landscaping), Tract 3891 Tracy Hills Village 5A as amended, Tract 3891 Tracy Hills Village 5A (for Parkway Landscaping), Tract 3948 Tracy Hills Village 5B as amended, Tract 3948 Tracy Hills Village 5B (for Parkway Landscaping), and Tract 3949 Tracy Hills Village 5C with the San Joaquin County Recorder's Office. – **Resolution 2025-151**
- 1.I. Staff recommends that the City Council adopt a resolution 1) approving two separate Master Professional Service Agreements for Roadway & Utility Design Services with Bellecci & Associates Inc., and with KSN for Utility Design Services, Inc. for an initial term of three years and for a total not-to-exceed amount of \$600,000 per fiscal year for each agreement, and 2) authorizing administrative option to extend each agreement up to two (2) one-year terms contingent upon satisfactory performance and budget availability
Resolution 2025-152 - Bellecci & Associates
Resolution 2025-153 - KSN
- 1.K. Staff recommends that the City Council adopt the following, each by separate resolution: (A) approving an On-Call List, for five years, of eight qualified consultants for Construction Management 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 \$300,000, with each of the listed qualified consultants: HDR Construction Control Corporation, 4Leaf, Inc., and Roebbelen Construction Management Services Inc. and (2) authorizing the City Manager to approve an administrative extension for up to two years at the same

annual not-to-exceed amount based on satisfactory performance for each Master Professional Services Agreement, if needed.

Resolution 2025-154 – Master On Call List

Resolution 2025-155– HDR Construction Control

Resolution 2025-156– 4-Leaf Inc.

Resolution 2025-157– Roebbelen Construction Management Services Inc.

- 1.N. Staff recommends that the City Council, by resolution, (1) accept the construction improvements for the Grand Theatre Center for the Arts, Phase 2 & 3 – Exterior Improvements Project, Capital Improvement Project 71111, constructed by Diede Construction Inc. as complete, (2) authorize the City Clerk to file the Notice of Completion with the San Joaquin County Recorder's Office, and (3) authorize the City Engineer to release the Improvement Security and Retention payment in accordance with the Project Contract and Tracy Municipal Code Section 12.36.080. – **Resolution 2025-158**
- 1.O. Staff recommends that City Council adopt six (6) separate resolutions authorizing amendments to six (6) separate Master Professional Service Agreements with consultants for CEQA analyses and planning assistance, modifying the not-to-exceed annual amount of \$500,000 for each consultant to be applied to City- funded projects only, and allowing developer-funded projects on a per-contract basis with no not-to-exceed cap, which will be funded through respective Cost Recovery Agreements.
Resolution 2025-159 - De Novo Planning Group
Resolution 2025-160 – EMC Planning Group
Resolution 2025-161 - First Carbon Solutions
Resolution 2025-162 - Land Logistics
Resolution 2025-163 - MIG
Resolution 2025-164 - Placeworks
- 1.P. Staff recommends that City Council adopt a resolution (1) approving Amendment No. 1 to the Subdivision Improvement Agreement for Tract 4037 KT Property II with Lennar Homes of California, LLC, to allow for partial acceptance of public improvements, and (2) accepting the public improvements for the Tracy Hills KT Property Sewer Lift Station, constructed by Lennar Homes of California, LLC, as complete and assuming all future operations and maintenance. – **Resolution 2025-165**
- 1.R. Staff recommends that the City Council adopt an Ordinance on second reading approving an amendment to the Industrial Areas Specific Plan to change the Land Use Designation from Limited Industrial to Village Center for three (3) parcels totaling approximately 9.26 acres located north of Valpico Road, east of Tracy Boulevard, Assessor's Parcel Numbers 246-130-25, 246-130-15, and 246-130-20, Application Number SPA24-0002 - **Ordinance 1357**
- 1.S. Staff recommends that the City Council adopt an Ordinance, 1) Amending Tracy Municipal Code Section 10.08.4440, adding a definition for "Fuel Pricing Sign" and amending Section 10.08.4500(G) to exclude fuel pricing signs from the standard limiting the number of monument signs to two (2) per parcel; and 2) Determining

that the zoning text amendment is exempt from the California Environmental Quality Act (CEQA) Pursuant To CEQA Guidelines Section 15061(b)(3), projects with no potential for causing a significant effect on the environment – **Ordinance 1358**

- 1.T. Staff recommends that the City Council adopt a Resolution: 1) approving the Memorandum of Understanding (MOU) between the City of Tracy and Tracy Technical and Support Services Association; 2) approving the MOU between the City of Tracy and the Tracy Police Managers' Association 3) approving the MOU between the City of Tracy and the Tracy General Teamsters Local No. 439, IBT, 4) approving the MOU between the City of Tracy and the Tracy Mid-Managers Bargaining Unit, and 5) authorizing an amendment to the City's Master Salary Schedule to reflect the terms of the agreement – **Resolution 2025-166**
- 1.U. Staff recommends that the City Council to adopt a resolution: 1) delegating authority to the city manager and city attorney, pursuant to Government Code Section 935.4, to allow, compromise, reject or settle claims against, or on behalf of the city, for a maximum amount of \$50,000 per claim; and 2) repeal Resolution 2022-163. – **Resolution 2025-167**
- 1.W. Staff recommends that the City Council adopt a resolution (1) conditionally accepting the public improvements on or after July 12, 2025, for Tracy Hills 1st Neighborhood Park of Phase 2 (Daniel Ray Schack Park), constructed by Lennar Homes of California, LLC, and assuming all future operations and maintenance, (2) authorizing the City Clerk to file the Notice of Completion for Tracy Hills 1st Neighborhood Park of Phase 2 with the San Joaquin County Recorder's Office, and (3) authorizing the City Engineer to release the improvement security in accordance with the terms of the Subdivision Improvement Agreement. – **Resolution 2025-168**
- 1.X. Staff recommends that City Council:
1. Adopt three separate resolutions ratifying the City Manager's emergency approval of interim General Services Agreements (GSAs) with the following vendors for the supply and delivery of chemicals necessary for the treatment and disinfection of water and wastewater and Not-to-Exceed (NTE) amounts for a retroactive term beginning March 1, 2025, and ending on July 15, 2025:
 - Hill Brothers Chemical Company – \$62,500
 - Sterling Water Technologies, LLC – \$62,500
 - Thatcher Company of California, Inc. – \$375,000; and
 2. Approve amendments to each of the above-referenced interim GSAs to extend the term through December 31, 2025, and increase the Not-to-Exceed total amounts as follows:
 - Hill Brothers Chemical Company – revised NTE: \$210,000
 - Sterling Water Technologies, LLC – revised NTE: \$210,000
 - Thatcher Company of California, Inc. – revised NTE: \$1,250,000

Resolution 2025-169 – Hills Brothers Chemical Company

Resolution 2025-170 – Sterling Water Technologies, LLC

Resolution 2025-171 – Thatcher Company of California, Inc.

- 1.C. Staff recommends that the City Council adopt a resolution authorizing the purchase of one (1) 2025 International HV607 dump truck from Peterson Trucks, Inc., through a competitively bid Sourcewell Cooperative Agreement in the amount of \$208,816 for the Public Works Department Roadway Maintenance Division; and 2) declaring the existing Freightliner M2-112 dump truck as surplus and approving its disposition pursuant to Tracy Municipal Code Section 2.20.310.

Jim Thompson, Operations Superintendent for the Public Works Department, responded to Council Member Nygard's questions.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Nygard to adopt **Resolution 2025-172** 1) authorizing the purchase of one (1) 2025 International HV607 Dump Truck from Peterson Trucks, Inc., through a competitively bid Sourcewell Cooperative Agreement in the amount of \$208,816 for the Public Works Department Roadway Maintenance Division; and 2) declaring the existing Freightliner M2-112 Dump Truck as surplus and approving its disposition pursuant to Tracy Municipal Code Section 2.20.310. Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor; passed and so ordered.

- 1.J. Staff recommends that the City Council adopt a Resolution authorizing the purchase of a 2024 Caterpillar 306 Compact Excavator from Holt of California through a competitively bid Sourcewell Cooperative Agreement in the amount of \$119,959 for the Utilities Division of Public Works.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Nygard to adopt **Resolution 2025-173** authorizing the purchase of a 2024 Caterpillar 306 Compact Excavator from Holt of California through a competitively bid Sourcewell Cooperative Agreement in the amount of \$119,959 for the Utilities Division of Public Works. Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor; passed and so ordered.

- 1.M. Staff recommends that the City Council adopt a resolution authorizing the purchase of one (1) new 2025 Ford F-450 from Rush Truck Centers through a competitively bid Sourcewell Cooperative Agreement in the amount of \$68,738 and Spraytec upfit in the amount of \$67,131 for the Streets Maintenance Department; and 2) declaring the existing F-450 as surplus and approving its disposition pursuant to Tracy Municipal Code Section 2.20.310.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Nygard to adopt **Resolution 2025-174** 1) Authorizing the purchase of one (1) new 2025 Ford F-450 from Rush Truck Centers through a Competitively Bid Sourcewell Cooperative Agreement in the amount of \$68,738 and Spraytec Upfit in the amount of \$67,131 for the Streets Maintenance Department; and 2) declaring the existing F-450 as surplus and approving its disposition pursuant to Tracy Municipal Code Section 2.20.310.

Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor; passed and so ordered.

- 1.Q. Staff recommends that the City Council adopt a resolution for the Clyde Bland Park BMX Pump Track, Capital Improvement Project 78190: 1) Awarding a construction contract to Frontline General Engineering Construction, Inc. of San Lorenzo, CA, in the amount of \$1,585,618.93; and 2) Authorizing the City Manager to approve change orders up to the contingency amount of \$126,849.51; and 3) Appropriating Parks Deferred Maintenance CIP 78193 in the amount of \$200,621 to CIP 78190; and 4) Granting authority to the City Manager to execute capital project-related documents and fee authorization necessary to support the Project within the overall Project not-to-exceed budget of \$2,200,621.

Richard Joaquin, Assistant Director of Parks, Recreation and Community Services; Jesus Pedroia, General Contractor from Frontline Engineering; and Aaron Spohn from Spohn Ranch Skate Parks responded to Council Member Nygard's questions.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt **Resolution 2025-176** 1) awarding a construction contract to Frontline General Engineering Construction, Inc. of San Lorenzo, CA, in the amount of \$1,585,618.93; and 2) authorizing the City Manager to approve change orders up to the contingency amount of \$126,849.51; and 3) appropriating Parks Deferred Maintenance CIP 78193 in the amount of \$200,621 to CIP 78190; and 4) granting authority to the City Manager to execute capital project related documents and fee authorization necessary to support the project within the overall project not-to-exceed budget of \$2,200,621.. Roll call found Council Members Bedolla and Evans; Mayor Pro Tem Abercrombie; and Mayor Arriola in favor; Council Member Nygard opposed. Motion passed and so ordered.

- 1.L. Staff recommends that the City Council adopt a resolution approving a professional services agreement with All City Management Services, Inc. for school pedestrian crossing guard services for a total not to exceed amount of \$2,447,615 and for a four-year term from July 15, 2025 to July 14, 2029.

Lieutenant Dan Garcia, Tracy Police Department Bureau of Special Investigations, provided the staff report.

Robert Tanner expressed concerns regarding the division of the cost of crossing guard services and suggested that the school district share be increased to seventy five percent.

Richard Williams expressed that more can be done rather than the 3-hour services and suggested that funds be allocated to increase signage and illuminate crosswalks.

Tim Silva echoed the sentiments of the previous speakers.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt **Resolution 2025-175** approving a Professional Services Agreement with all City Management Services, Inc. for School Pedestrian Crossing Guard Services for a total not-to-exceed amount of \$2,447,615 for a four-year term effective from July 15, 2025, to July 14, 2029. Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor; passed and so ordered.

- 1.V. Staff recommends that the City Council adopt a Resolution authorizing an increase in the total not to exceed amount for the existing scope of services with Olson Remcho LLP by \$10,000, for a total not to exceed amount of \$60,000, for advice on election and districting issues, including advice on the California Voting Rights Act.

Andrew Shen, Interim City Attorney, provided the staff report.

Robert Tanner expressed that the current City Council is a good representation of the City and opposed spending funds on districting.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Nygard to adopt **Resolution 2025-177** authorizing an increase in the total not-to-exceed amount for the existing scope of services with Olson Remcho LLP. by \$10,000, for a total not-to-exceed amount of \$60,000, for advice on election and districting issues, including advice on the California Voting Rights Act. Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor; passed and so ordered.

STAFF ANNOUNCEMENTS: Andrew Shen announced that this was his last meeting and thanked staff and in particular City Attorney staff.

City Manager Lichtwardt thanked Interim City Attorney Shen for his invaluable service as Interim City Attorney.

2. **ITEMS FROM THE AUDIENCE** – Gerald Jeffs shared the healthcare research that he had conducted and provided Neco Lopez, Deputy City Clerk, with a copy.

Jerrold Kirkpatrick, Vice President of Diverse Technology Industrial, requested transparency as to how the cannabis taxes are being used in Tracy and shared statistical data regarding the amount of taxes are being charged.

Adrian Bueno, Planetary Health Program Coordinator from Quest Science Center, and high school students from Tracy requested to collaborate with staff regarding data regarding heat in the City.

Robert Tanner expressed that the City should allocate additional funds to the roads and reduce the funds for the Temporary Emergency Shelter.

Denise from Tracy Dog Girls Rescue expressed concerns regarding the amount to pregnant animals in the City and indicated that the code regarding animals needs to be enforced.

Marcus Medina, business owner expressed frustration regarding the Parks and Recreation Department, noting he was told that he could not provide pizza to folks attending the block parties, and requested that there be a policy.

Cristina from Tracy Dog Girls Rescue expressed concerns regarding the architectural designs for phase 2 of the animal shelter.

A Community Member expressed concerns regarding the number of stray kittens and frustration with the Animal Shelter not accepting kittens under 4 months of age.

Alice English thanked staff for fixing Adams Park and Schwartz Park.

3. REGULAR AGENDA

- 3.A. Staff recommends that the City Council conduct a public hearing, and upon its conclusion, consider the following actions: 1) Introduce an ordinance (A) approving an amendment to the Tracy Hills Specific Plan related to maximum building height in the Light Industrial Zone and the addition of Appendix E – Design Guidelines for the Tracy Hills Commerce Center, Application Number SPA21-0004; and (B) determining that based on the Environmental Impact Report that was certified by the City Council on April 5, 2016, for the Tracy Hills Specific Plan, and the consistency analysis and environmental checklist prepared by the City for the Tracy Hills Commerce Center Project in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, no further environmental review is required, pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2); and 2) Adopt a resolution (A) approving a Development Review Permit for the Tracy Hills Commerce Center Project, which includes construction of seven (7) industrial warehouse buildings ranging in size from approximately 117,907 square feet to approximately 355,116 square feet, totaling approximately 1.73 million square feet, and associated parking and landscaping areas, located at 29592 S. Corral Hollow Road, on approximately 97.45 acres at the southwest corner of Corral Hollow Road and the Delta Mendota Canal, Assessor's Parcel Number 253-020-23, Application Number D21-0012; (B) approving a Vesting Tentative Subdivision Map to create 16 parcels and a designated remainder parcel located at the southwest corner of Corral Hollow Road and the Delta Mendota Canal, totaling approximately 193.72 acres, Assessor's Parcel Numbers 253-020-23, 253-020-22, 253-020-21, and 253-020-20, Application Number TSM21-0003; and (C) determining that based on the Environmental Impact Report that was certified by the City Council on April 5, 2016, for the Tracy Hills Specific Plan, and the consistency analysis and environmental checklist prepared by the City for the Tracy Hills Commerce Center Project in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, no further environmental review is required, pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2).

Scott Claar, Planner Manager for Community and Economic Development Department, and Steve Arthur, Ridgeline Property Group, provided the staff report.

Public Comment commenced at 8:45 p.m.

Mayor Arriola paused public comment at 11:00 p.m. to verify with Council that all agreed with the continuation of the Meeting. There was no opposition to continuing the Meeting.

Midori Lichtwardt, City Manager, provided information regarding the time sensitivity of the remaining items on the agenda.

Mayor Arriola confirmed the number of callers remaining and requested that staff evaluate options. Public comment resumed.

Upon City Manager Lichtwardt's request, the Mayor called a recess at 11:35 p.m.

The Meeting reconvened at 11:49 p.m. After conferring with staff, Mayor Arriola requested that Deputy Clerk Lopez verify whether the same individuals were calling into Webex. Deputy Clerk Lopez verified that the callers had been consistent at 29 to 35 callers. Mayor Arriola suggested that Public Comment be closed at midnight so that City business could resume.

Public Comment continued.

One hundred three (103) community members provided comments.

A total of 41 Community Members were in favor of the project and 62 Community Members were in opposition of the project.

Council Members offered comments and questions.

Forrest Ebbs, Director of Community and Economic Development, responded to Council Members' questions.

Deputy City Clerk Lopez read the title of proposed Ordinance aloud.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Nygard to waive full reading of text and introduce proposed ordinance 1) approving an amendment to the Tracy Hills Specific Plan related to maximum building height in the Light Industrial Zone and the addition of Appendix E – Design Guidelines for the Tracy Hills Commerce Center (Application Number SPA21-0004); and 2) determining that based on the Environmental Impact Report that was certified by the City Council on April 5, 2016, for the Tracy Hills Specific Plan, and the consistency analysis and environmental checklist prepared by the City for the Tracy Hills Commerce Center project in accordance with the California Environmental Quality Act (CEQA) and the CEQA guidelines, no further environmental document is required, pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2).

Roll call found Council Members Bedolla and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola in favor; Council Member Evans opposed. Motion pass and so ordered.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt **Resolution 2025-178** (1) approving a Development Review Permit for the Tracy Hills Commerce Center Project, which includes construction of seven (7) industrial warehouse buildings ranging in size from approximately 117,907 square feet to approximately 355,116 square feet, totaling approximately 1.73 million square feet, and associated parking and landscaping areas, located at 29592 S. Corral Hollow Road (Assessor's Parcel Number 253-020-23) on approximately 97.45 acres at the southwest corner of Corral Hollow Road and the Delta Mendota Canal, Application Number D21-0012; (2). approving a vesting tentative Subdivision Map to create sixteen (16) parcels and a designated remainder parcel located at the southwest corner of Corral Hollow Road and the Delta Mendota Canal, totaling approximately 193.72 acres, Assessor's Parcel Numbers 253-020-23, 253-020-22, 253-020-21, and 253-020-20, Application Number TSM21-0003; and (3) determining that based on the Environmental Impact Report that was certified by the City Council on April 5, 2016, for the Tracy Hills Specific Plan, and the consistency analysis and Environmental Checklist prepared by the City for the Tracy Hills Commerce Center Project in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, no further environmental document is required, pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2). Roll call found Council Member Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola in favor; Council Members Bedolla and Evans opposed. Motion passed and so ordered.

Mayor Arriola proposed that agenda Items 3.B and 3.D be continued to the next Council Meeting and requested that Council Members be polled for a potential special meeting.

ACTION: Motion was made by Mayor Arriola and seconded by Mayor Pro Tem Abercrombie to continue Items 3.B and 3.D to the next Council Meeting or a potential special Council Meeting. Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor, passed and so ordered.

- 3.B. The City of Tracy Planning Commission recommends the City Council hold a public hearing, and upon its conclusion, take the following actions:
- (1) Introduce an Ordinance (a) Approving a zoning text amendment adding Article 9.5, Small Lot Residential Zone, to Chapter 10.08 of Title 10 of the Tracy Municipal Code, Sections 10.08.1471 through 10.08.1479; and (b) Determining the zoning text amendment creating the Small Lot Residential (SLR) Zone is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(B)(3) pertaining to projects that do not have the potential for causing a significant effect on the environment;

- (2) Introduce an Ordinance (a) Approving a rezone from Light Industrial to Small Lot Residential Zone for the Triway Project site, consisting of four parcels totaling approximately 22.6 acres located at 200 Valpico Road, Assessor's Parcel Numbers 246-130-03, 04, 05, and 06; and (b) Determining the proposed rezone is exempt from CEQA pursuant to CEQA Guidelines Section 15183 pertaining to projects consistent with the General Plan Environmental Impact Report (EIR); and
- (3) Adopt a resolution (a) Approving a Vesting Tentative Subdivision Map for the Triway Project site to create 275 residential lots and several common area parcels; (b) Approving a development review permit for the architectural design of the Triway Project consisting of 324 homes of mixed housing types; and (c) Determining the proposed Triway Project Vesting Tentative Subdivision Map and Development Review Permit are exempt from CEQA pursuant to CEQA guidelines Section 15183 pertaining to projects consistent with the General Plan EIR. **ITEM WAS CONTINUED, BY MOTION, TO A FUTURE MEETING.**

- 3.C. The City of Tracy Planning Commission recommends the City Council hold a public hearing, and upon its conclusion, adopt a resolution: 1) Determining that the 2023-2031 Housing Element is exempt from review under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000, et seq.), pursuant to state CEQA regulation §15061(B)(3) (14 Cal. Code Regs. § 15061(B)(3)), the common-sense exemption covering activities with no possibility of having a significant effect on the environment; and 2) Adopting the 2023-2031 Housing Element.

Scott Hoffman, Senior Planner, and Scott Claar, Planning Manager for Community and Economic Development Department, provided the staff report.

Council Members offered comments and questions.

A Community Member shared technical information regarding the property and requested that the two single family lots that are land locked be removed from this plan.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adopt **Resolution 2025-179** (1) determining that the 2023-2031 Housing Element is exempt from review under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000, Et Seq.), pursuant to State CEQA Regulation §15061(b)(3) (14 Cal. Code Regs. § 15061(b)(3)), the common-sense exemption covering activities with no possibility of having a significant effect on the environment; and (2) adopting the 2023-2031 Housing Element. Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor; passed and so ordered.

- 3.D Finance Committee recommends that the City Council conduct a public hearing and upon conclusion adopt a resolution (1) adopting Development Impact Fee Nexus Studies for the following functions: Parks (Neighborhood and Community); Public Facilities; Water (Distribution, Supply, Treatment) and Recycled Water; Public Safety (Fire, Police, Communication Facilities); and Program Management (Master Plan areas of the City); (2) approving, increases in part, and decreases in part, in Development Impact Fees for each such function to become effective 60 days after final adoption, including annual adjustments on July 1st of each year, using the Engineering News Record Construction Cost Index for San Francisco; and (3) rescinding, as of the effective date of the new fees, the existing Development Impact Fees for each such function. **ITEM WAS CONTINUED, BY MOTION, TO A FUTURE MEETING.**
- 3.E. Staff recommends that the City Council approve a motion waiving attorney-client privilege for any written advice or findings provided to the City Council by the City's Special Counsel, DeeAnne Gillick, of Sloan Sakai Yeung & Wong LLP, at the Council's August 7, 2023, Special Meeting, or any written advice or findings provided by Ms. Gillick to the City Council pursuant to direction given at that same meeting.

Andrew Shen, Interim City Attorney, provided the staff report.

Mayor Arriola shared that he was contacted by the California State Bar Association regarding a potential investigation and/or prosecution of the former City Attorney and, with counsel from Mr. Shen, this item was being brought forth.

There was no public comment.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to waive attorney-client privilege for any written advice or findings provided to the City Council by the City's Special Counsel, DeeAnne Gillick, of Sloan Sakai Yeung & Wong LLP, at the Council's August 7, 2023, Special Meeting, or any written advice or findings provided by Ms. Gillick to the City Council pursuant to direction given at that same meeting. Roll call found Council Members Bedolla, Evans, and Nygard; Mayor Pro Tem Abercrombie; and Mayor Arriola all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – There were no Items from the Audience.
5. STAFF ITEMS – Midori Lichtwardt, City Manager, wished the community a Happy 4th of July; asked that the community visit the website for information regarding Safe and Sane Fireworks and the calendar of events; and urged residents to not call 911 and use the non-emergency line instead to report firework activities.
6. COUNCIL ITEMS – Mayor Pro Tem Abercrombie thanked Andrew Shen for his assistance during his tenure as Interim City Attorney.

Council Member Evans thanked Andrew Shen and wished everyone a Happy 4th of July.

Council Member Nygard requested that staff request information from the City of Fremont regarding their program that engages the community by allowing community members to “adopt” a park and hopes that Tracy can possibly develop a similar program. Mayor Arriola supported Council Member Nygard’s request.

7. ADJOURNMENT – The meeting adjourned at 12:50 a.m.

The above agenda was posted at the Tracy City Hall on June 26, 2025. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk