

**Tuesday, February 4, 2020, 7:00 P.M.**

City Council Chambers, 333 Civic Center Plaza, Tracy

Web Site: [www.cityoftracy.org](http://www.cityoftracy.org)

**Addressing the Council on Items on the Agenda** - The Brown Act provides that every regular Council meeting shall provide an opportunity for the public to address the Council on any item within its jurisdiction before or during the Council's consideration of the item, provided no action shall be taken on any item not on the agenda. To facilitate the orderly process of public comment and to assist the Council to conduct its business as efficiently as possible, members of the public wishing to address the Council are requested to, but not required to, hand a speaker card, which includes the speaker's name or other identifying designation and address to the City Clerk prior to the agenda item being called. Generally, once the City Council begins its consideration of an item, no more speaker cards will be accepted. An individual's failure to present a speaker card or state their name shall not preclude the individual from addressing the Council. Each citizen will be allowed a maximum of five minutes for input or testimony. In the event there are 15 or more individuals wishing to speak regarding any agenda item including the "Items from the Audience/Public Comment" portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes. When speaking under a specific agenda item, each speaker should avoid repetition of the remarks of the prior speakers. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak. At the Presiding Officer's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

**Consent Calendar** - All items listed on the Consent Calendar are considered routine and/or consistent with previous City Council direction. One motion, a second, and a roll call vote may enact the items listed on the Consent Calendar. No separate discussion of Consent Calendar items shall take place unless a member of the City Council, City staff or the public request discussion on a specific item.

**Addressing the Council on Items not on the Agenda** – The Brown Act prohibits discussion or action on items not on the posted agenda. The City Council's Meeting Protocols and Rules of Procedure provide that in the interest of allowing Council to have adequate time to address the agenda items of business, "Items from the Audience/Public Comment" following the Consent Calendar will be limited to 15-minutes maximum period. "Items from the Audience/Public Comment" listed near the end of the agenda will not have a maximum time limit. A five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council. When members of the public address the Council, they should be as specific as possible about their concerns. If several members of the public comment on the same issue an effort should be made to avoid repetition of views already expressed.

**Notice** - A 90 day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90 day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a City Council action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the City Council prior to or at the public hearing.

CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
INVOCATION  
ROLL CALL  
PRESENTATIONS

1. Opening Flag Ceremony – Cub Scout Pack #525
2. Life Saving Awards
3. Police Officer Swearing-In
4. Police Chief Swearing-in
5. Certificates of Appointment – Tracy Arts Commission
6. Employee of the Month

1. CONSENT CALENDAR

- 1.A. APPROVAL OF JANUARY 21, 2020, CLOSED SESSION AND REGULAR MEETING MINUTES, AND JANUARY 27, 2020, CLOSED SESSION MINUTES
- 1.B. APPROVE PERMITS FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY STREETS FOR THE FOLLOWING SPECIAL EVENTS: TRACY CITY CENTER ASSOCIATION'S TAPS ON TENTH ON APRIL 4, 2020; CITY OF TRACY'S DOWNTOWN BLOCK PARTIES ON MAY 1, MAY 29, JUNE 12, JULY 10, AND AUGUST 7, 2020; TRACY CHAMBER OF COMMERCE'S 4TH OF JULY DAY IN THE PARK ON JULY 4, 2020; TRACY CITY CENTER ASSOCIATION'S DOWNTOWN TRACY WINE STROLL ON SEPTEMBER 19, 2020; TRACY CHAMBER OF COMMERCE'S TRACY'S ONE WORLD FESTIVAL ON SATURDAY, SEPTEMBER 26, AND SUNDAY, SEPTEMBER 27, 2020; CITY OF TRACY'S BLUES, BREWS & BBQ ON OCTOBER 3, 2020; AND CITY OF TRACY'S GIRLS' NIGHT OUT-WITCHES AND BROOMSTICKS ON OCTOBER 23, 2020
- 1.C. AWARD A CONSTRUCTION CONTRACT TO KNIFE RIVER CONSTRUCTION OF STOCKTON, CALIFORNIA, IN THE AMOUNT OF \$846,419 FOR THE STREET OVERLAY AND SLURRY SEAL PROJECT 2018-2019 (PHASE 2) CIP 73166 AND 78182, WITH A NOT-TO-EXCEED BUDGET OF \$978,380, AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$84,860, IF NEEDED
- 1.D. APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND TRACY CHAMBER OF COMMERCE
- 1.E. APPROVE PUBLIC OFFICIAL BOND AMOUNTS FOR THE CITY MANAGER, ASSISTANT CITY MANAGERS, FINANCE DIRECTOR, CITY TREASURER, AND CITY CLERK AND APPROVE GOVERNMENT CRIME POLICIES IN LIEU OF BONDS IN ACCORDANCE WITH STATE LAW AND THE TRACY MUNICIPAL CODE
- 1.F. AWARD A CONSTRUCTION CONTRACT TO G & G BUILDERS, INC. OF LIVERMORE, CALIFORNIA, IN THE AMOUNT OF \$389,777 FOR THE CONSTRUCTION OF SULLIVAN PARK AND LESTER HUCK PARK RENOVATION PROJECT – CIP 78149, WITH A NOT-TO-EXCEED BUDGET AMOUNT OF \$472,733; AUTHORIZE AN APPROPRIATION OF \$25,000 FROM THE LANDSCAPE MAINTENANCE DISTRICT (LMD) FUND (F271); AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$58,467, IF NEEDED

- 1.G. AWARD A CONSTRUCTION CONTRACT TO COMMUNITY PLAYGROUND, INC. OF VALLEJO, CALIFORNIA, IN THE AMOUNT OF \$252,291 FOR THE CONSTRUCTION OF THE WILLIAM LARSEN PARK RENOVATION PROJECT – CIP 78157, WITH A NOT-TO-EXCEED BUDGET OF \$307,750; AUTHORIZE A TRANSFER OF \$77,750 FROM CIP 78177 (F301) TO THIS PROJECT; AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$37,844, IF NEEDED
2. ITEMS FROM THE AUDIENCE
3. REGULAR AGENDA
  - 3.A. RECEIVE THE ANNUAL REPORT ON SENIOR SERVICES
  - 3.B. RECEIVE THE ANNUAL REPORT OF THE YOUTH ADVISORY COMMISSION
  - 3.C. RECEIVE THE ANNUAL REPORT OF THE TRANSPORTATION ADVISORY COMMISSION
  - 3.D. RECEIVE REPORT AND RECOMMENDATIONS FROM PLACEWORKS, INC. REGARDING WORKFORCE AND AFFORDABLE HOUSING AND PROVIDE DIRECTION TO STAFF
  - 3.E. DISCUSS UPCOMING CITY COUNCIL TRAVEL TO WASHINGTON D.C. FOR LOBBYING EFFORTS FOR THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG) ONE VOICE TRIP; TRAVEL TO WASHINGTON, D.C. FOR LOBBYING EFFORTS FOR THE CITY OF TRACY (PRE-ONE VOICE); AND TRAVEL TO SACRAMENTO FOR STATE LOBBYING EFFORTS; AND APPROVE PRE-ONE VOICE TRIP TRAVEL
  - 3.F. DISCUSS AND PROVIDE DIRECTION ON THE ADOPTION OF EMERGENCY MEASURES REGARDING HEALTH AND SAFETY CONCERNS RELATED TO HOMELESSNESS
4. ITEMS FROM THE AUDIENCE
5. STAFF ITEMS
6. COUNCIL ITEMS
7. ADJOURNMENT

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

**January 21, 2020, 6:00 p.m.**

Council Chambers, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Rickman called the meeting to order at 6:00 p.m. for the purpose of a closed session to discuss the items outlined below.
2. ROLL CALL – Roll call found Council Members Arriola, Ransom, Vargas, Mayor Pro Tem Young, and Mayor Rickman present.
3. ITEMS FROM THE AUDIENCE – None
4. CLOSED SESSION
  - a. Real Property Negotiations (Gov. Code § 54956.8)

Property Location:	APN: 246-130-05, Northeast End of (Proposed) Mission Court, Tracy, CA.
Negotiators for the City:	Zabih Zaca, Senior Civil Engineer Todd Amspoker, Price, Postel & Parma LLP
Negotiating Parties:	Stanley & Geurtje J. Boersma Wahid & Julie Tadros
Under Negotiation:	Price and terms of payment for the purchase of the property
  - b. Conference with Legal Counsel – Existing Litigation (Gov. Code § 54956.9(d)(1))
    - i. *City of Tracy v. BBS Adventures, LLC* (San Joaquin County Superior Court Case No.: STK-CV-URP-2018-0009827)
    - ii. *Tracy Rural County Fire Protection District v. LAFCo of San Joaquin (City of Tracy, Real Party in Interest)* (San Joaquin County Superior Court Case No. STK-CV-UWM-2019-9687)
    - iii. *Mitracos v. City of Tracy* (San Joaquin County Superior Court Case No.: STK-CV-UWM-2018-5531)
    - iv. *City of Tracy v. California State of Water Resources Control Board,* (Sacramento County Superior Court Case No.: 34-2009-80000392)
    - v. *Munroe v. City of Tracy* (San Joaquin County Superior Court Case No.: STK-CV-UAT-2018-0006183)
    - vi. *Santana v. City of Tracy, et al.* (San Joaquin County Superior Court Case No.: STK-CV-UAT-2018-0011978)



vii. *Rubio (Jesus) and Hermila Martinez v. City of Tracy, County of San Joaquin, et al.* (San Joaquin County Superior Court Case No. STK-CV-UCP-2019-0004799)

viii. *Olmos, Ma de Jesus v. City of Tracy* (San Joaquin County Superior Court Case No.: STK-CV-UPI-2019-15001)

c. Conference with Legal Counsel – Anticipated Litigation (Gov. Code § 54956.9)

Significant exposure to litigation pursuant to § 54956.9(d)(2). (One case).

5. RECESS TO CLOSED SESSION - Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Young to recess the meeting to closed session at 6:00 p.m. Roll call vote found all in favor; passed and so ordered.
6. RECONVENE TO OPEN SESSION – The meeting reconvened to open session at 6:53 p.m.
7. REPORT OF FINAL ACTION – There was no report of final action.
8. ADJOURNMENT – Motion was made by Council Member Ransom and seconded by Council Member Arriola to adjourn. Roll call vote found all in favor; passed and so ordered. Time: 6:53 p.m.

The agenda was posted at City Hall on January 16, 2020. The above are action minutes.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

TRACY CITY COUNCIL AND THE SUCCESSOR  
AGENCY TO THE CITY OF TRACY COMMUNITY  
DEVELOPMENT AGENCY

REGULAR MEETING MINUTES

**January 21, 2020, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

Mayor Rickman called the meeting to order at 7:00 p.m.

Mayor Rickman led the Pledge of Allegiance.

Pastor Scott McFarland, Journey Christian Church offered the invocation.

Roll call found Council Members Arriola, Ransom, Vargas, Mayor Pro Tem Young and Mayor Rickman present.

Jenny Haruyama, City Manager presented the Employee of the Month award for January 2020 to Robert Harman, Finance Department.

Mayor Rickman presented a proclamation for National Slavery and Human Trafficking Prevention Month to Brian Pekari and the Student Social Media Team from the San Joaquin County Human Trafficking Task Force.

Mayor Rickman presented Certificates of Recognition to outgoing Tracy Arts Commissioners Jenese Borges-Soto and Anne Marie Fuller.

1. CONSENT CALENDAR – Following the removal of agenda items 1. E by Council Member Vargas and 1.M by Council Member Vargas and Council Member Ransom motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
  - 1.A APPROVAL OF DECEMBER 17, 2019 CLOSED SESSION AND REGULAR MEETING MINUTES - **Minutes were approved.**
  - 1.B DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS AND APPROVE THEIR SALE – **Resolution 2020-001** declared certain vehicles and equipment as surplus and approved their sale.
  - 1.C WAIVE SECOND READING AND ADOPT ORDINANCE 1281, AN ORDINANCE OF THE CITY OF TRACY AMENDING THE I-205 CORRIDOR SPECIFIC PLAN, APPENDIX A, TABLE A-2, PERMITTED AND CONDITIONALLY PERMITTED COMMERCIAL AND INDUSTRIAL USES, TO ALLOW BREWERIES, WINERIES, AND DISTILLERIES, APPLICATION NUMBER SPA19-0005 – **Ordinance 1281 was adopted.**
  - 1.D WAIVE SECOND READING AND ADOPT ORDINANCE 1282, AN ORDINANCE OF THE CITY OF TRACY AMENDING ARTICLE 18, CENTRAL BUSINESS DISTRICT (CBD) ZONE, OF CHAPTER 10.08 OF THE TRACY MUNICIPAL CODE TO PERMIT HIGH DENSITY RESIDENTIAL USES, INCLUDING

SINGLE-FAMILY DWELLINGS, TWO-FAMILY DWELLINGS, AND MULTI-FAMILY DWELLINGS, APPLICATION NUMBER ZA17-0003 - Ordinance 1282  
**was adopted.**

- 1.F THAT THE CITY COUNCIL OF THE CITY OF TRACY, ACTING AS THE GOVERNING BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF TRACY, APPROVE THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) 20-21-  
**Resolution 2020-002** approved the Recognized Obligation Payment Schedule (ROPs).
- 1.G ADOPT A RESOLUTION ACCEPTING THE CITY OF TRACY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2019 – Resolution 2020-003 accepted the Comprehensive Annual Financial Report (CAFR).
- 1.H APPROVE PROFESSIONAL SERVICES AGREEMENTS WITH KIMLEYHORN, FIRST CARBON SOLUTIONS, DE NOVO PLANNING GROUP, LAND LOGISTICS, AND PLACEWORKS FOR ON-CALL ENVIRONMENTAL ANALYSIS (CEQA) SERVICES AND PLANNING ASSISTANCE FOR VARIOUS PROJECTS BEGINNING IN JANUARY 2020 THROUGH JUNE 2024, WITH A NOT-TO-EXCEED AMOUNT OF \$500,000 PER CONTRACT PER FISCAL YEAR– Resolution 2020-004 approved the agreement with Kimley Horn, First Carbon Solutions, De Novo Planning Group, Land Logistics, and Placeworks.
- 1.I APPROVE A NEW CAPITAL IMPROVEMENT PROJECT (CIP 74161) FOR THE REPLACEMENT OF SANITARY SEWER LATERALS ALONG HIGHLAND AVENUE BETWEEN EL PORTAL STREET AND HOLLY DRIVE, AND EL PORTAL STREET FROM ELEVENTH STREET TO THE END, AND AUTHORIZE AN APPROPRIATION OF \$180,000 FROM THE WASTEWATER CAPITAL FUND (F523) TO THE NEW PROJECT– Resolution 2020-005 approved a new CIP 74161 and appropriation of funds.
- 1.J ADOPT CITY COUNCIL STRATEGIC PRIORITIES, GOALS AND OBJECTIVES THROUGH CALENDAR YEAR 2020, WHICH INCLUDE QUALITY OF LIFE, ECONOMIC DEVELOPMENT, PUBLIC SAFETY, AND GOVERNANCE –  
Council Strategic Priorities, Goals and Objectives through Calendar Year 2020 were adopted.
- 1.K AUTHORIZE THE PURCHASE OF TWO NEW FIRE ENGINES FROM PIERCE MANUFACTURING, INC. PURSUANT TO SECTION 2.20.220 OF THE TRACY MUNICIPAL CODE; (2) APPROPRIATE \$1,391,574 FROM VEHICLE REPLACEMENT FUND 606 AND \$252,064 FROM THE EQUIPMENT REPLACEMENT FUND 605 FOR THE PURCHASES; (3) APPROVE THE BUDGET APPROPRIATIONS FROM FUND BALANCE FOR THE PURCHASES – Resolution 2020-006 authorized the purchase of two new fire engines, and appropriation of funds.
- 1.L APPROVE MASTER PROFESSIONAL SERVICES AGREEMENTS (MPSA) WITH BSK ASSOCIATES, OF LIVERMORE, CALIFORNIA AND RIVER CITY GEOPROFESSIONALS, INC. DBA WALLACE KUHL & ASSOCIATES OF

STOCKTON, CALIFORNIA, WITH AN ANNUAL NOT TO EXCEED AMOUNT OF \$200,000 TO PROVIDE MATERIALS TESTING SERVICES FOR 2020-2023 WITH THE OPTION TO EXTEND THE AGREEMENTS AN ADDITIONAL TWO YEARS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE EXTENSIONS IF NEEDED– **Resolution 2020-007** approved the MPSA with BSK Associates. **Resolution 2020-008** approved the MPSA with River City Geoprofessionals, Inc. dba Wallace Kuhl & Associates.

- 1.N AMEND COUNCIL POLICY REGARDING SELECTION PROCESS FOR COUNCIL APPOINTEE BODIES SUCH AS BOARDS AND COMMISSIONS – **Resolution 2020-009** amended the Council policy regarding the selection process for Council appointee bodies.
- 1.E WAIVE SECOND READING AND ADOPT ORDINANCE 1283, AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 2.04 (CITY COUNCIL ORGANIZATION AND PROCEDURE) OF TITLE 2 (ADMINISTRATION) OF THE TRACY MUNICIPAL CODE TO ADD SECTION 2.04.060 “COUNCIL MEMBER AND ELECTED MAYOR COMPENSATION”

Council Member Vargas pulled the item to announce she would not be approving the item.

No one from the audience wished to speak.

**ACTION:** Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to adopt **Ordinance 1283** an ordinance of the City of Tracy amending Chapter 2.04 (City Council Organization and Procedure) of Title 2 (Administration) of the Tracy Municipal Code to add Section 2.04.060 “Council Member and Elected Mayor Compensation”. Roll call found Council Members Arriola, Ransom, and Mayor Pro Tem Young in favor; passed and so ordered. Council Member Vargas and Mayor Rickman opposed.

- 1.M RECEIVE UPDATE REGARDING THE ACTIVITIES OF THE TRACY HOMELESSNESS COUNCIL AD HOC COMMITTEE AND DEVELOPMENT OF THE HOMELESS STRATEGIC PLAN

Council Member Vargas pulled the item and shared the concerns and comments from members of the community regarding addressing the homelessness issue and the task force. Council Member Vargas read the community concerns into the record.

Council Member Ransom responded to the public’s concerns shared by Council Member Vargas and stated the task force will address issues under their purview.

Robert Tanner stated he would like the outcome of the Boise’s Supreme Court challenge added into the report that comes before Council.

Deborah Polk spoke about the homelessness issues and offered suggestions for the City to help the homeless. Ms. Polk stated she would like to see the City take action now instead of waiting for March for finalizing the strategic plan.

Barbara Pombo provided information regarding Tracy Community Connection Center. Ms. Pombo suggested the City could quickly identify properties that might be used for seasonal shelter and could find partners to roll out nightly services.

Wayne Templeton spoke about the possibility of the City working with Tracy Community Connection Center to fix low hanging fruit in the short term such as a warming center, and a safe place for those who live in their cars to park.

City Council questions and comments followed.

Leticia Ramirez, City Attorney responded to Mr. Tanner's question about the Supreme Court's decision regarding Boise's challenge.

**ACTION:** Motion was made by Mayor Pro Tem Young and seconded by Council Member Ransom to accept the update on the Tracy Homelessness Council Ad Hoc Committee and development of the Homeless Strategic Plan. Roll call found all in favor; passed and so ordered.

Council Member Ransom requested that item 3.D be heard before Item 3.A.

2. ITEMS FROM THE AUDIENCE – Sam Tavake spoke on behalf of Jeff and Kimberly Elwood, 798 South Bird Street and requested the City's help regarding the County threatening to take their property and force four generations of a family to be homeless.

3. REGULAR AGENDA

#### **DEVIATION**

3.D APPOINT THREE APPLICANTS TO SERVE ON THE PARKS AND COMMUNITY SERVICES COMMISSION

Council Member Vargas and Council Member Arriola provided the staff report.

Taranjit Sandhu expressed his concerns regarding the Council subcommittee's appointment recommendation to the Parks and Community Services Commission. Mr. Sandhu spoke in support of Rajdeep Singh, and requested the subcommittee to re-discuss and allow Mr. Singh to continue for another term.

Conrad Levoit, Parks and Community Services Commissioner since 2016, spoke about his achievements and contributions while on the commission.

Alice English spoke in support of Rajdeep Singh and Conrad Levoit being reappointed to the Parks and Community Services Commission.

City Council discussion ensued.

Brian MacDonald responded to questions regarding the Community Development Block Grant (CDBG) process.

**ACTION:** Motion was made by Council Member Vargas and seconded by Council Member Arriola to approve the Council subcommittee's recommendations and appoint

Jacy Krogh and Joe Taylor, and reappoint Linda Jimenez to the Parks and Community Services Commission to serve four year terms beginning February 1, 2020, and ending January 31, 2024, and place Rajdeep Singh on the 12 month eligibility list. Roll call vote found Council Members Arriola and Vargas in favor. Council Member Ransom, Mayor Pro Tem Young and Mayor Rickman opposed. Motion failed.

City Council discussion continued.

**ACTION:** A second motion was made by Council Member Vargas and seconded by Council Member Arriola to approve the Council subcommittee's recommendations and appoint Jacy Krogh and Joe Taylor, and reappoint Linda Jimenez to the Parks and Community Services Commission to serve four year terms beginning February 1, 2020, and ending January 31, 2024, and place Rajdeep Singh on the 12 month eligibility list. Roll call vote found Council Members Arriola and Vargas in favor. Council Member Ransom, Mayor Pro Tem Young and Mayor Rickman opposed. Motion failed.

City Council discussion continued.

**ACTION:** Motion was made by Council Member Ransom and seconded by Mayor Pro Tem Young to reappoint Linda Jimenez, Rajdeep Singh and Conrad Levoit to the Parks and Community Services Commission and place Jacy Krogh as No. 1 on the eligibility list. Roll call vote found Council Members Ransom and Mayor Pro Tem Young in favor. Council Member Arriola and Vargas opposed. Mayor Rickman abstained. Motion failed.

**ACTION:** Motion was made by Council Member Arriola and seconded by Council Member Ransom to suspend the current rules and bring back all applicants for a public appointment process on February 4, 2020, at a special meeting beginning at 6:00 p.m. Roll call found all in favor; passed and so ordered.

Mayor Rickman called a recess at 8:57 p.m.

Mayor Rickman reconvened the meeting at 9:07 p.m.

3.A REVIEW AND DISCUSS DRAFT CANNABIS BUSINESS PERMIT APPLICATION PROCEDURES AND GUIDELINES AND PROVIDE DIRECTION TO STAFF

Bill Dean, Assistant Development Services Director provided the staff report.

Kimberly Cargile, owner of A Therapeutic Alternative dispensary suggested choosing applicants prior to requiring them to secure a building, and shared her concerns regarding lottery.

Michele True, employee of A Therapeutic Alternative dispensary in Sacramento, provided information about the dispensary.

Michaela Toscas, Community Connection Center suggested the following: Prioritizing locals and granting store front permits to 75% of the preference pool and 25% for out of town, three year residency requirement, would like not

considering Juvenile convictions and looking at records for owners and employees to put in writing since it is not clarified in the application process.

Alex Monceaux stated he would like the following: All four dispensaries to go to locals, applicant to get store front location after approval, local requirement go up from one year, 60% Tracy residency, a limit length of ownership, locals to have for three years or more, and one equity for a local equity from Tracy.

Leticia Moran supported speaker comments regarding allowing residents longer than a year to allow for residents that are more vested in the community. Ms. Moran asked about equity programs that focus on women in business.

City Council questions and comments followed.

City Council provided the following direction to staff regarding the Cannabis Business Permit Procedures and Guidelines:

- No Lottery, preferred Merit/Evaluation System
- Preferences in application selection should include the following:  
Local Preference: 51% local ownership
- Residency Requirement: 5 years
- Community Benefits should become a component of the process (possibly DA)
- Social Equity should be addressed by emphasizing women in leadership roles, employee benefits, opportunities for seniors
- Retain requirements for Business Plan, Security Plan, Community Relations Plan
- Location disclosure should not be a requirement at this stage of the process
- Future implementation could include a larger social equity program

Jenny Haruyama, City Manager confirmed the item will come back to Council on March 17, 2020.

3.B PROVIDE DIRECTION TO STAFF REGARDING CO-SPONSORING OF HEALTH AND WELLNESS EVENTS WITH TRACY CHAMBER OF COMMERCE

Kimberly Murdaugh, Director of Human Resources provided the staff report.

No one from the public wished to speak.

City Council questions and comments followed.

**ACTION:** Motion was made by Council Member Ransom and seconded by Council Member Arriola to move forward with co-sponsoring of health and wellness events with the Tracy Chamber of Commerce. Roll call found all in favor; passed and so ordered.

3.C REVIEW AND DETERMINE APPOINTMENTS TO COUNCIL COMMITTEES AND OTHER COMMITTEES, BOARDS AND COMMISSIONS

Adrienne Richardson, City Clerk provided the staff report.

No one from the audience wished to speak.

City Council reviewed the Council subcommittees and made the following changes:

- Mayor Pro Tem Young replaced Council Member Vargas as alternate on the South San Joaquin County Fire Authority
- Council Member Vargas was added as alternate on the San Joaquin Partnership
- Mayor Pro Tem Young replaced Council Member Arriola as alternate on the League of California Cities, Central Valley Division Executive Committee
- Council Member Ransom added as alternate on the Tri-Valley-San Joaquin Valley Region Rail Authority (Valley Link)
- Jenny Haruyama, City Manager (or designee) replaced Council Member Vargas on the Tracy Chamber of Governmental Affairs Committee
- Council Member Arriola appointed to represent the City on the East Bay Community Energy (EBCE), and Council Member Vargas as alternate

City Council discussion continued regarding Sister Cities.

Jenny Haruyama, City Manager stated staff will contact the Sister Cities organization, and bring back to Council through a memo the City's role in the whole process, and provide advance notice to allow for planning in order to be ready for our guests.

Staff to update the information regarding the Local Transportation Authority Citizens Advisory Committee, and going forward, provide notification to all Council members when a change occurs to the citizen appointed by the Mayor to the committee.

**ACTION:** Motion was made by Council Member Arriola and seconded by Council Member Vargas to approve the appointments to the Council Committees and other Committees, Boards and Commissions for 2020. Roll call found all in favor; passed and so ordered.

3.E APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS TO FILL THREE TERM EXPIRATIONS ON THE MEASURE V RESIDENTS' OVERSIGHT COMMITTEE

Adrienne Richardson, City Clerk provided the staff report.

Robert Tanner asked what would happen if no one applied for the Measure V Residents' Oversight Committee.

**ACTION:** Motion was made by Mayor Rickman and seconded by Council Member Arriola to appoint Council Member Ransom and Mayor Pro Tem Young to interview applicants to fill three term expirations on the Measure V Residents' Oversight Committee. Roll call found all in favor; passed and so ordered.



4. ITEMS FROM THE AUDIENCE – None

5. STAFF ITEMS – Jenny Haruyama, City Manager announced the selection of Sekou Millington as Tracy Police Chief. Ms. Haruyama also provided a brief update on the Aquatic Park stating staff is continuing to work with the developer and will come back to Council in mid-March or early April.

6. COUNCIL ITEMS

Council Member Vargas provided an update on her participation at the League of California Cities winter retreat for the Latino caucus. The Latino caucus is celebrating their 30<sup>th</sup> anniversary. Council Member Vargas was appointed by the executive board to be their parliamentarian.

Council Member Arriola announced the annual Chamber Gala on Friday, January 24, 2020. Council Member Arriola proposed consideration of alternatives for the commission appointment process. Mayor Rickman seconded the request.

Mayor Pro Tem Young amended the request to re-evaluate the entire process for commissions to look at set up, term expirations, reappointments, number of commissioners and look at commissions overall and overhaul.

Council Member Arriola stated he was not opposed to an entire review of commissions but was concerned due to the hesitation during item 3.D. Council Member Arriola added that if commission appointments are going to be contentious in the future, he was interested in providing an option that could be done quickly and fixing that small problem.

Council Member Ransom made a friendly amendment and suggested overall and overhaul are two separate things. Council Member Ransom also suggested looking at an alternative for what happens when there is rejection of the subcommittee's proposal.

Mayor Rickman agreed it needs to be split.

Council Member Arriola responded to look at options for the appointment process and look for a Plan B.

Council Member Ransom seconded Mayor Pro Tem Young's request for process review particularly the overhaul evaluation process – removal process, and to make the process more reliable.

Council Member Ransom announced the following: Wished everyone a Happy New Year, and welcomed everyone back, there will be a Partnership meeting this week. Council Member Ransom added the only thing that has happened is the movement with the homelessness strategic plan.

Mayor Pro Tem Young announced the following: ACE meeting was cancelled and had special closed session, Doctor Martin Luther King Junior Day – TUSD annual breakfast at Tracy High, 2020 Tracy African American Association Martin Luther King Jr. Image Award was awarded to Mary McGill, and wished everyone a Happy New Year!

Mayor Rickman wished everyone a Happy New Year and announced that Tracy Historical Museum is accepting new members and volunteers, and encouraged people to go and learn about history of Tracy.

7. ADJOURNMENT – Time: 11:00 p.m.

**ACTION:** Motion was made by Council Member Ransom and seconded by Council Member Arriola to adjourn. Roll call vote found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on January 16, 2020. The above are action minutes. A recording is available at the office of the City Clerk.

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Mayor

ATTEST:

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City Clerk

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

**January 27, 2020, 5:00 p.m.**

Council Chambers, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Rickman called the meeting to order at 5:00 p.m. for the purpose of a closed session to discuss the items outlined below.
2. ROLL CALL – Roll call found Council Members Arriola, Ransom, Vargas, Mayor Pro Tem Young, and Mayor Rickman present.
3. ITEMS FROM THE AUDIENCE – None
4. CLOSED SESSION
  - a. Conference with Legal Counsel – Anticipated Litigation (Gov. Code § 54956.9)

Initiation of litigation pursuant to § 54956.9(d)(4). (One case).
5. RECESS TO CLOSED SESSION - Motion was made by Council Member Vargas and seconded by Council Member Arriola to recess the meeting to closed session at 5:00 p.m. Roll call vote found all in favor; passed and so ordered.

Council Member Vargas left the meeting at 5:30 p.m.
6. RECONVENE TO OPEN SESSION – The meeting reconvened to open session at 5:50 p.m.
7. REPORT OF FINAL ACTION – City Council directed the City Attorney to initiate litigation.
8. ADJOURNMENT – Time: 5:50 p.m. All in favor; passed and so ordered. Council Member Vargas absent.

The agenda was posted at City Hall on January 24, 2020. The above are action minutes.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

AGENDA ITEM 1.B

REQUEST

**APPROVE PERMITS FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY STREETS FOR THE FOLLOWING SPECIAL EVENTS: TRACY CITY CENTER ASSOCIATION'S TAPS ON TENTH ON APRIL 4, 2020; CITY OF TRACY'S DOWNTOWN BLOCK PARTIES ON MAY 1, MAY 29, JUNE 12, JULY 10, AND AUGUST 7, 2020; TRACY CHAMBER OF COMMERCE'S 4<sup>TH</sup> OF JULY DAY IN THE PARK ON JULY 4, 2020; TRACY CITY CENTER ASSOCIATION'S DOWNTOWN TRACY WINE STROLL ON SEPTEMBER 19, 2020; TRACY CHAMBER OF COMMERCE'S TRACY'S ONE WORLD FESTIVAL ON SATURDAY, SEPTEMBER 26, AND SUNDAY, SEPTEMBER 27, 2020; CITY OF TRACY'S BLUES, BREWS & BBQ ON OCTOBER 3, 2020; AND CITY OF TRACY'S GIRLS' NIGHT OUT-WITCHES AND BROOMSTICKS ON OCTOBER 23, 2020**

EXECUTIVE SUMMARY

The Tracy Municipal Code allows the City Council, by resolution, to issue a permit allowing the consumption of alcohol on public streets and the like at an organized event of community-wide interest. The Parks & Recreation Department is coordinating several requests for alcohol permits in conjunction with community events and is seeking Council approval.

DISCUSSION

Tracy Municipal Code Section 4.12.1190(d) states: "The Council, by resolution, may issue a permit under Chapter 4.40 allowing the consumption of intoxicating beverages on public property at an organized event of community-wide interest. The consumption of intoxicating beverages shall be restricted to the perimeters of the event as described in the permit."

Additionally, Tracy Municipal Code Chapter 4.40 governs special event permits occurring on or within the public right-of-way.

For many years, the City of Tracy has successfully coordinated special community events that have community-wide interest with various local non-profit organizations, including the Tracy Chamber of Commerce (Chamber) and Tracy City Center Association (TCCA). Many of these events have received City approval for the consumption of alcoholic beverages within the boundary of the events, with most of the approved events taking place within the Downtown Tracy Business District.

At the present time, the Parks & Recreation Department is coordinating several requests for alcohol permits to allow alcoholic beverages to be served as a component of the following community events:

- 4th of July (Day in the Park) and Tracy's One World Festival hosted by the Chamber;

- Taste of Downtown Tracy, Taps on Tenth, and Downtown Tracy Wine Stroll hosted by TCCA; and
- Girls' Night Out – Witches & Broomsticks, Blues, Brews & BBQ, and a series of five Downtown Block Parties hosted by the City of Tracy.

The City and TCCA entered into a Memorandum of Understanding (MOU) on October 7, 2014, providing TCCA exclusive rights for purchase and resale of alcoholic beverages associated with any co-presented or City-sponsored event held within the downtown TCCA district boundaries, in exchange for a revenue share with the City, under Resolution 2014-166. This MOU was renewed by authority of the City Manager according to the terms of the agreement, effective October 7, 2019. Therefore, for 2020 City events hosted in the downtown area, TCCA is requesting the alcohol permit.

Staff is requesting that City Council approve permits for the consumption of alcohol on City streets for the following special events:

*Taps on Tenth:* TCCA has requested a permit to serve alcoholic beverages at its event on Saturday, April 4, 2020, from 4:00 p.m. to 8:00 p.m. on 10<sup>th</sup> Street between Central Avenue and A Street and on B Street between Grunauer and Gillett Alleys.

*Downtown Block Parties:* TCCA has requested a permit to serve alcoholic beverages at the City of Tracy's five (5) block party events on Fridays, May 2, May 29, June 12, July 10, and August 7, 2020, from 6:00 p.m. to 9:00 p.m. on east- and west-bound 6<sup>th</sup> Street between Central Avenue and D Street and at Front Street Plaza.

*4th of July Day in the Park:* Chamber has requested a permit to serve alcoholic beverages at its event on Wednesday, July 4, 2020, from 10:00 a.m. to 6:00 p.m., at Lincoln Park located on Eaton Avenue between Holly Drive and East Street.

*Downtown Tracy Wine Stroll:* TCCA has requested a permit to serve alcoholic beverages at its event on Saturday, September 19, 2020, from 5:00 p.m. to 8:00 p.m., on Central Avenue from 11<sup>th</sup> Street to 6<sup>th</sup> Street, on 10<sup>th</sup> Street from A Street to Central Avenue, and on B Street from Gillett Alley to Grunauer Alley.

*Tracy's One World Festival:* Chamber has requested a permit to serve alcoholic beverages at its event on Saturday, September 26, and Sunday, September 27, 2020, from 10:00 a.m. to 6:00 p.m., at Lincoln Park located on Eaton Avenue between Holly Drive and East Street.

*Blues, Brews and BBQ:* TCCA has requested a permit to serve alcoholic beverages at the City of Tracy's event on Saturday, October 3, 2020, from 12:00 p.m. to 6:00 p.m. on east- and west-bound 6<sup>th</sup> Street and the Downtown Plaza.

*Girls' Night Out – Witches and Broomsticks:* TCCA has requested a permit to serve alcoholic beverages at the City of Tracy's event on Friday, October 23, 2020, from 6:00 p.m. to 10:00 p.m. on east- and west-bound 6<sup>th</sup> Street and in the Downtown Plaza.

## STRATEGIC PLAN

This agenda item supports the Council's Quality of Life Strategic Priority to provide an outstanding quality of life by enhancing the City's amenities, business mix and services and cultivating connections to promote positive change and progress in our community, and specifically implements the following goal:

**Goal 2:** Improve current recreational, cultural arts and entertainment programming and services to reflect community interests and demands.

## FISCAL IMPACT

ABC license fees shall be paid by the event hosts. Costs for City of Tracy events are included in each City event budget.

## RECOMMENDATION

That the City Council approve permits for the consumption of alcoholic beverages on City streets for the following special events: Tracy City Center Association's Taps on Tenth on April 4, 2020; City of Tracy's Downtown Block Parties on May 1, May 29, June 12, July 10, and August 7, 2020; Tracy Chamber of Commerce's 4<sup>th</sup> of July Day in the Park on July 4, 2020; Tracy City Center Association's Downtown Tracy Wine Stroll on September 19, 2020; Tracy Chamber of Commerce's Tracy's One World Festival on Saturday, September 26, and Sunday, September 27, 2020; City of Tracy's Blues, Brews & BBQ on October 3, 2020; and City of Tracy's Girls' Night Out-Witches and Broomsticks on October 23, 2020.

Prepared by: Christine Mabry, Management Analyst I

Reviewed by: Thien Nguyen, Recreation Services Supervisor  
Jolene Jauregui-Correll, Recreation Services Supervisor  
Brian MacDonald, Parks & Recreation Director  
Karin Schnaider, Finance Director  
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

RESOLUTION \_\_\_\_\_

APPROVING PERMITS FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY STREETS FOR THE FOLLOWING SPECIAL EVENTS: TRACY CITY CENTER ASSOCIATION'S TAPS ON TENTH ON APRIL 4, 2020; CITY OF TRACY'S DOWNTOWN BLOCK PARTIES ON MAY 1, MAY 29, JUNE 12, JULY 10, AND AUGUST 7, 2020; TRACY CHAMBER OF COMMERCE'S 4<sup>TH</sup> OF JULY DAY IN THE PARK ON JULY 4, 2020; TRACY CITY CENTER ASSOCIATION'S DOWNTOWN TRACY WINE STROLL ON SEPTEMBER 19, 2020; TRACY CHAMBER OF COMMERCE'S TRACY'S ONE WORLD FESTIVAL ON SATURDAY, SEPTEMBER 26, 2020 AND SUNDAY SEPTEMBER 27, 2020; CITY OF TRACY'S BLUES, BREWS & BBQ ON OCTOBER 3, 2020; AND CITY OF TRACY'S GIRLS' NIGHT OUT-WITCHES AND BROOMSTICKS ON OCTOBER 23, 2020

WHEREAS, Tracy City Center Association (TCCA) has requested permits to conduct its special events in the City of Tracy on April 4 and September 19, 2020, that require approval of City Council to permit the consumption of alcoholic beverages in public places, and

WHEREAS, City of Tracy has requested permits to conduct special events in the City of Tracy on May 1, May 29, June 12, July 10, August 7, October 3, and October 23, 2020, that require approval of City Council to permit the consumption of alcoholic beverages in public places, and

WHEREAS, Tracy Chamber of Commerce has requested a permit to conduct special events in the City of Tracy on July 4 and September 26, 2020, that require approval of City Council to permit the consumption of alcoholic beverages in public places, and

WHEREAS, Subject to City Council approval, the Tracy Municipal Code allows such activities and permits under Section 4.12.1190(d) and Chapter 4.40;

NOW, THEREFORE, BE IT RESOLVED, That City Council approves the issuance of a permit to the Tracy City Center Association, City of Tracy, and the Tracy Chamber of Commerce, for the possession and consumption of alcoholic beverages within the boundaries and timeframes of the special events listed above, to be conducted in Lincoln Park and the Downtown Area of Tracy.

\* \* \* \* \*

The foregoing Resolution \_\_\_\_\_ was adopted by City Council on the 4<sup>th</sup> day of February, 2020, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 1.C

REQUEST

**AWARD A CONSTRUCTION CONTRACT TO KNIFE RIVER CONSTRUCTION OF STOCKTON, CALIFORNIA, IN THE AMOUNT OF \$846,419 FOR THE STREET OVERLAY AND SLURRY SEAL PROJECT 2018-2019 (PHASE 2) CIP 73166 AND 78182, WITH A NOT-TO-EXCEED BUDGET OF \$978,380, AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$84,860, IF NEEDED**

EXECUTIVE SUMMARY

City staff requests that City Council award a construction contract for the Street Overlay and Slurry Seal Project 2018-2019 (Phase 2) CIP 73166, 78182 on El Portal Street, 12<sup>th</sup> Street between El Portal Street to Adam Street, Highland Avenue between El Portal Street to Holly Drive, and Duncan Drive between Lincoln Boulevard to Chester Drive. The Project also includes the grind and overlay of the American Legion Parking Lot on Tracy Boulevard.

DISCUSSION

This Project is part of the City's annual street improvement program and consists of asphalt concrete overlay on El Portal Street, 12<sup>th</sup> Street between El Portal Street to Adam Street, Highland Avenue between El Portal Street to Holly Drive, and Duncan Drive between Lincoln Boulevard to Chester Drive, including pavement repair, signage and striping. The Project also includes the grind, overlay and striping of the American Legion Parking Lot on Tracy Boulevard.

Street selections were based on life-cycle and cost-benefit analysis using the City's Pavement Management Program and coordination with the City's Public Works Department Street, Maintenance Division.

Engineering staff prepared the plans and specifications and advertised the Project for competitive bids on October 11, and October 18, 2019.

Bids were received and publicly opened at 2:00 p.m. on Tuesday, November 12, 2019, with the following results:

<u>Contractor</u>	<u>Base Bid</u>
Knife River Construction, Stockton, CA	\$846,419
T&S Intermodal Maintenance, Inc., Stockton, CA	\$1,044,000
Tri-Valley Excavating Co., Inc., Sunol, CA	\$1,027,056
United Pavement Maintenance, Inc., Hughson, CA	\$1,074,448
Tom Mayo Construction, Inc., Stockton, CA	\$1,140,999
Tracy Grading and Paving, Tracy, CA	\$1,051,478

Staff's bid analysis indicates that the lowest monetary bid is responsive and the bidder, Knife River Construction, of Stockton, California, is responsible. The bidder has the



appropriate contractor's license in active standing with the State of California, and has completed similar projects for other public agencies.

The total estimated cost of this Project, if awarded to the low bidder, is as follows:

Construction Bid	\$846,419
Construction Management (5%)	\$42,321
Design Support During Construction	\$5,000
Contingency @ 10%	<u>\$84,640</u>
<b>Total Project Cost</b>	<b>\$978,380</b>

Tracy Municipal Code Section 2.20.090(b) authorizes the City Manager to approve change orders up to the contingency amount approved by Council. City staff recommends the contingency amount for this Project to be \$84,640, which is 10% of the construction contract cost.

### STRATEGIC PLAN

The agenda item is a routine operational item and is not related to the Council's Strategic Plans.

### FISCAL IMPACT

The estimated project cost is \$978,380 and will be funded by CIP 73166 Street Patch & Overlay Program FY19 and CIP 78182 American Legion Parking Lot. CIP 73166 has an available budget of \$3,096,968, of which the balance will be utilized for the future Slurry Seal phase of this program and CIP 78182 has an available budget of \$30,000 for this Project.

### RECOMMENDATION

Staff recommends that City Council, by resolution, award a construction contract to Knife River Construction, of Stockton, California, in the amount of \$846,419 for the Street Overlay and Slurry Seal Project 2018-2019 (Phase 2) CIP 73166 and 78182, and authorize the City Manager to approve change orders up to the contingency amount of \$84,640 if needed.

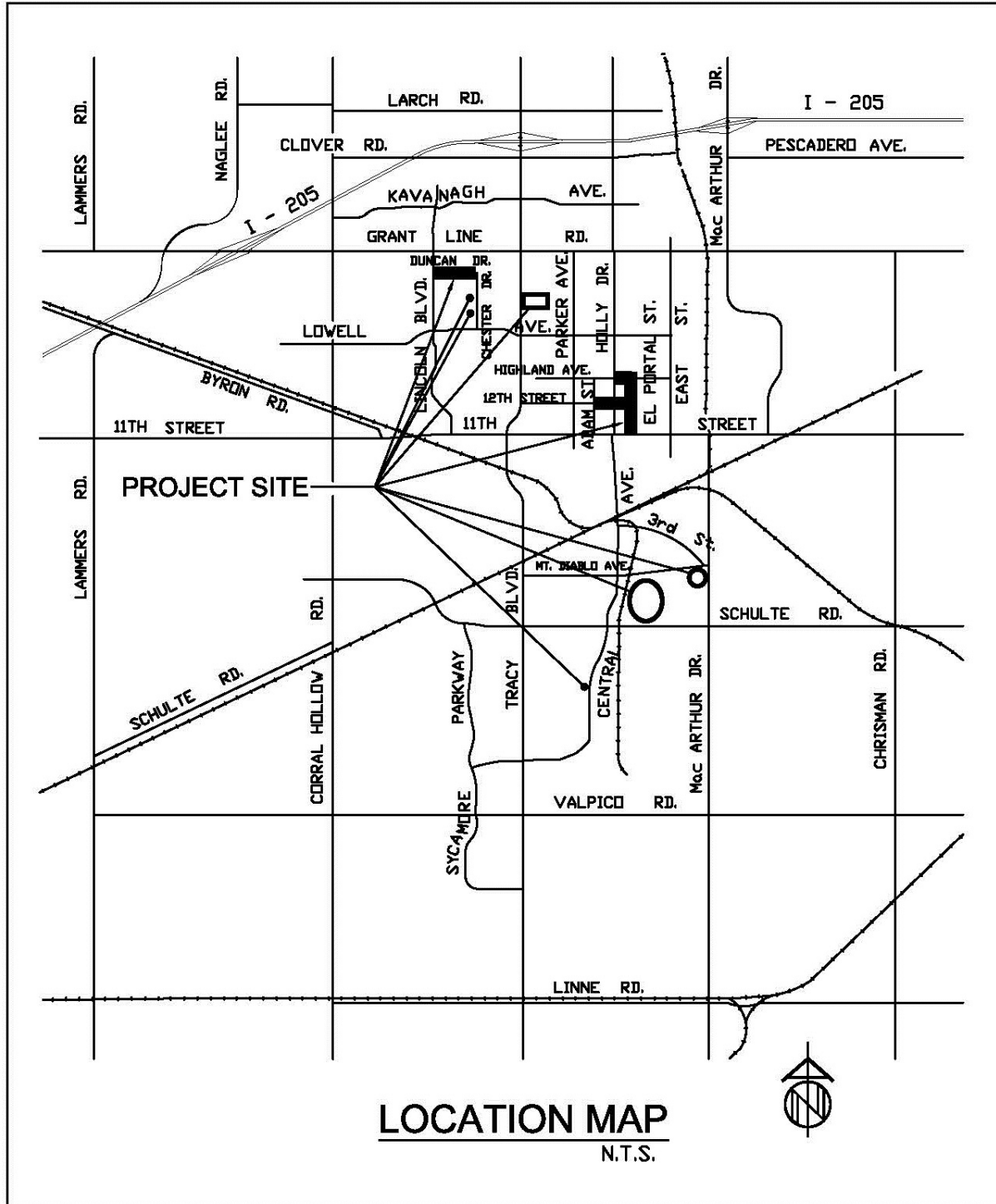
Prepared by: Anju Pillai, PE, Associate Civil Engineer  
Zabih Zaca, PE, Senior Civil Engineer

Reviewed by: Robert Armijo, PE, City Engineer/Assistant Development Services Director  
Karin Schnaider, Finance Director  
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

### ATTACHMENTS

Attachment A – Location Map



RESOLUTION 2020-\_\_\_\_\_

AWARDING A CONSTRUCTION CONTRACT TO KNIFE RIVER CONSTRUCTION, OF STOCKTON, CALIFORNIA, IN THE AMOUNT OF \$846,419 FOR THE STREET OVERLAY AND SLURRY SEAL PROJECT 2018-2019 (PHASE 2) CIP 73166 AND 78182, WITH A NOT-TO-EXCEED BUDGET OF \$978,380, AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$84,860, IF NEEDED

WHEREAS, This Project is part of the City's annual street improvement program and consists of asphalt concrete overlay on El Portal Street, 12<sup>th</sup> Street between El Portal Street to Adam Street, Highland Avenue between El Portal Street to Holly Drive, and Duncan Drive between Lincoln Boulevard to Chester Drive, including pavement repair, signage and striping, and

WHEREAS, The Project also includes the grind, overlay and striping of the American Legion Parking Lot on Tracy Boulevard, and

WHEREAS, The street selections were based on life-cycle and cost-benefit analysis using the City's Pavement Management Program and coordinated with the City's Public Works Department Street, Maintenance Division, and

WHEREAS, The Project was advertised for competitive bids on October 11, and October 18, 2019, and bids were received and publicly opened at 2:00 p.m., on November 12, 2019, and

WHEREAS, Knife River Construction, is the lowest monetary bidder in the amount of \$846,419, staff's bid analysis indicates their bid is "responsive" and the bidder is "responsible," and

WHEREAS, The anticipated cost to complete the project if awarded to the low bidder is as follows:

Construction Bid	\$846,419
Construction Management (5%)	\$42,321
Design Support During Construction	\$5,000
Contingency @ 10%	<u>\$84,640</u>
<b>Total Project Cost</b>	<b>\$978,380</b>

WHEREAS, The estimated Project cost is \$978,380 and will be funded by CIP 73166 Street Patch & Overlay Program FY19 and CIP 78182 American Legion Parking Lot. CIP 73166 has an available budget of \$3,096,968, of which the balance will be utilized for the future Slurry Seal phase of this program and CIP 78182 has an available budget of \$30,000 for this Project, and

WHEREAS, Tracy Municipal Code Section 2.20.090(b) authorizes the City Manager to approve change orders up to the contingency amount approved by City Council, and

WHEREAS, The recommended contingency amount for this Project is \$84,640;

NOW, THEREFORE BE IT RESOLVED, That City Council of the City of Tracy hereby awards a construction contract to Knife River Construction, of Stockton, California in the amount

of \$846,419 for the Street Overlay and Slurry Seal Project 2018-2019 (Phase 2) CIP 73166 and CIP 78182, and authorizes the City Manager to approve change orders up to the contingency amount of \$84,640 if needed.

\* \* \* \* \*

The foregoing Resolution 2020-\_\_\_\_\_ was adopted by the Tracy City Council on the 4<sup>th</sup> day of February 2020, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 1.D

REQUEST

**APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND TRACY CHAMBER OF COMMERCE**

EXECUTIVE SUMMARY

The Tracy Chamber of Commerce is a non-profit organization that represents and supports Tracy businesses through various programs and initiatives and improves the economic vitality of the City through promotion of regional tourism and planning and hosting large community events.

The Chamber works in partnership with the City of Tracy through a Professional Services Agreement (PSA) administered by the City's Economic Development Division. The City is providing additional, complementary in-kind services to the Chamber to support the programs, initiatives, and events outlined in the PSA through this Memorandum of Understanding (MOU).

DISCUSSION

The Tracy Chamber of Commerce (Chamber) is a non-profit organization that represents Tracy businesses by supporting local business through various programs and initiatives. The Chamber has worked in partnership with the City through an annual Professional Services Agreement (PSA) to provide essential services to the Tracy community in the areas of Economic Development, Community Information Services, Workforce Development, and Community Events.

The Chamber also improves the economic vitality of the City through regional tourism by planning and hosting large community events in the City. The Chamber produces two of the largest community events held within the City: the 4th of July Parade and Day in the Park, with annual fireworks, and Tracy's One World Festival, which has replaced the Tracy Dry Bean Festival and Taste of the Valley as the Chamber's annual signature event, as well as the Annual Citizen Awards and State of the City events

In 2008, the City entered into a Memorandum of Understanding (MOU) with the Chamber to outline the exchange of services provided by each organization. The MOU was amended in 2014 to replace the Tracy Dry Bean Festival Event with the Taste of the Valley event, and it has not been updated since.

This updated MOU formalizes facility use, fee waivers, and in-kind services and support provided to the Chamber by multiple City departments and covers the following annual

events and activities: 4<sup>th</sup> of July Parade and Day in the Park with annual fireworks, Tracy's One World cultural event, Real Estate Development (RED) Tour, State of the City event, Latino Leadership & Scholarship Awards Ceremony, Annual Citizen Awards, Tracy Leadership Program, Youth Leadership Academy, and Mariachi event. These updates better reflect services provided to the Chamber from the City, excludes items that are no longer provided or needed, and is formatted to provide transparency to the partnership and exchange of services between the Chamber and the City.

This MOU also includes a requirement for the Chamber to submit periodic reports to the City on the terms and outcomes of this MOU.

All in-kind services previously provided for the Hire Me First program have been removed from the MOU, as the program is funded through the Tracy Chamber Foundation and supported by a competitive grant through the Mayor's Community Youth Support Network (MCYSN) Reconnecting Our Youth (ROY) Grant Program.

City staff is amenable to the negotiated terms and exchange of services included in the MOU and is able to fund support through existing operating budgets. Staff recommends that City Council approve by resolution the MOU with the Tracy Chamber.

### STRATEGIC PLAN

This agenda item supports the City Council Quality of Life Strategic Priority and specifically implements the following goal and objective:

**Goal 1:** Address City amenities and facility usage with an emphasis on community demand, accessibility, and cost recovery

### FISCAL IMPACT

Approval of this MOU will have a fiscal impact to the General Fund as a loss of revenue related to the use of City facilities. The estimated annual loss of facility use and permit fee revenue is \$18,378 under the current Master Fee Schedule, which includes \$19,232 in waived fee charges, less \$854 in fee payments made by the Chamber.

Costs related to providing staffing and equipment support to Chamber events and programs, under the current Salary Schedule and Subrogation Fee Schedule, will be absorbed by their respective Department annual operating budgets.

The total estimated annual net liability to the City is \$43,064, which includes expenditures for staff and equipment, plus loss of facility and permit fee revenue, as demonstrated in the chart below:

Event Name	(Staff Costs)	(Equipment Costs)	(Waived Fee Charges)	Chamber Payment	ANNUAL NET CITY LIABILITY
4th of July (Parade, Event, Fireworks)	(11,225)	(2,495)	(2,325)	277	(15,768)
One World Event	(9,262)	(810)	(781)	277	(10,576)
RED Tour Kickoff	(66)	0	(215)	0	(281)
State of the City	0	0	(5041)	150	(4891)
Latino Awards	(239)	0	(1,025)	0	(1,264)
Annual Citizen Awards	(277)	0	(1,157)	0	(1,434)
Tracy Leadership Program	(104)	0	(1,242)	0	(1,346)
Youth Leadership Program	(104)	0	(1,242)	0	(1,346)
Mariachi Event	0	0	(5041)	150	(4,891)
Business Workshops	(104)	0	(1,163)	0	(1,267)
	<b>(21,381)</b>	<b>(3,305)</b>	<b>(19,232)</b>	<b>854</b>	<b><u>(43,064)</u></b>

#### RECOMMENDATION

That City Council, by resolution, approve the Memorandum of Understanding between the City of Tracy and Tracy Chamber of Commerce.

Prepared by: Christine Mabry, Management Analyst I

Reviewed by: Barbara Harb, Economic Development Analyst  
Thien Nguyen, Recreation Services Supervisor  
Brian MacDonald, Parks & Recreation Director  
Don Scholl, Public Works Director  
Karin Schnaider, Finance Director  
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

#### ATTACHMENTS

Attachment A – MOU between the City of Tracy and Tracy Chamber of Commerce

## MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF TRACY AND TRACY CHAMBER OF COMMERCE

- I. **PARTIES:** This Memorandum of Understanding (MOU) is made by and between the City of Tracy (**City**), a municipal corporation, and Tracy Chamber of Commerce (**Chamber**), a non-profit public benefit California Corporation.
- II. **RECITALS:** Chamber is a non-profit organization that represents Tracy businesses by supporting local business through various programs and initiatives. The Chamber also improves the economic vitality of the City through regional tourism by planning and hosting large community events in the City, including the annual 4<sup>th</sup> of July Parade and Day in the Park celebration and Tracy One World Cultural Festival.

The Tracy City Council recognizes the Chamber as a valuable partner to the City in providing these services and supporting the economic growth within the City of Tracy.

- III. **RESPONSIBILITIES:** It is agreed by and between the parties hereto that each party has the following responsibilities:

**A. CITY shall:**

1. For the 4<sup>th</sup> of July Parade and Day in the Park annual event, upon submission of a facility use application and event layout map from the Chamber, waive all City fees and charges, except as noted herein, to provide:
  - a. Pending event review and approval by Special Event Review Team, facility use and special event permit for parade (pre-approved "Long Parade Route") held on July 4 on City streets, and for the Day in the Park event, held on July 4 at Lincoln Park, including set up on July 3.
  - b. City park alcohol permit for Day in the Park event on July 4.
  - c. Electrical outlet access at Lincoln Park, as available.
  - d. Pending availability and approval of requested location, provide use of the City's mobile stage, with delivery on July 3 and pickup on or after July 4.
  - e. City staff printing and posting of "no parking" signage for the parade and at Lincoln Park, as required.
  - f. City staff and equipment to execute street and parking lot closures and re-openings.
  - g. City staff and equipment to provide vehicle ramps (including \$250 in materials costs) on the west and east ends of the Lincoln Park access pathway along the south perimeter of the park.
  - h. Power outlet access on Central Avenue for Parade judges' station.
  - i. City Public Works staff support at Lincoln Park on July 4 to assist Chamber staff and volunteers, not to exceed 16 hours of staff overtime, with coverage to be determined at the discretion of the Public Works Director or designee.
  - j. City Public Works staff support for all other tasks associated with the 4<sup>th</sup> of July Parade and Day at the Park event, not to exceed a total number of 90 regular work hours and 40 overtime hours on years in which July 4 falls on a weekday, and not to exceed a total number of 60 regular work



- hours and 70 overtime hours on years in which July 4 falls on a weekend, with scheduling to be determined at the discretion of the Public Works Director or designee.
  - k. City Facility Attendant support at Lincoln Park to assist Chamber staff and volunteers with trash and bathroom service, not to exceed 20 hours of staff overtime, with coverage to be determined at the discretion of the Parks & Recreation Director or designee.
  - l. Tracy Police Department event support on July 4, with coverage to be determined at the discretion of the Police Chief or designee.
  - m. Up to 20 vehicle access passes at Lincoln Park for vendor unloading/loading purposes only.
  - n. Overnight and all-day vehicle access passes at Lincoln Park for generator trucks used by carnival rides vendor.
  - o. Post banners (provided by the Chamber) at 10<sup>th</sup> and East Streets, and at East Street and Eaton Avenue near Lincoln Park monument.
  - p. Damage deposit, as required by the facility use permit, shall not be waived.
  - q. Provide funding in the amount of \$20,000 to the Chamber specifically for purchase of July 4 fireworks and accompanying insurance.
2. For the One World annual cultural event (or comparable Chamber signature event), upon submission of a facility use application and event layout map from the Chamber, waive all City fees and charges, except as noted herein, to provide:
- a. Pending event review and approval by Special Event Review Team, facility use and special event permit for up to 3 days, including setup, at Lincoln Park or comparable location.
  - b. City park alcohol permit for One World event at Lincoln Park.
  - c. Electrical outlet access at Lincoln Park, as available.
  - d. Use of the City's mobile stage, pending availability and approval of requested location.
  - e. City staff printing and posting of "no parking" signage at Lincoln Park and on Eaton Avenue, or comparable location, as required.
  - f. City staff and equipment to execute street and parking lot closures and re-openings.
  - g. City staff and equipment to provide vehicle ramps (including \$250 of materials) on the west and east ends of the Lincoln Park access pathway along the south edge of the park.
  - h. City Public Works staff support for all other tasks associated with the One World event (including but not limited to: printing and posting street closure and no parking signage, executing street and parking lot closures, and building and removing vehicle ramps on the west and east ends of the Lincoln Park access road on the south perimeter of the park, on-site support during the event, etc.) not to exceed a total number of 15 regular work hours of staff time and 5 overtime hours, with scheduling to be determined at the discretion of the Public Works Director or designee.
  - i. City Facility Attendant support at Lincoln Park to assist Chamber staff and volunteers with trash and bathroom service, not to exceed 20 hours

- of staff overtime, with coverage to be determined at the discretion of the Parks & Recreation Director or designee.
  - j. Tracy Police Department event support at One World event, with coverage to be determined at the discretion of the Police Chief or designee.
  - k. Up to 20 vehicle access passes at Lincoln Park, or comparable location, for vendor unloading/loading purposes only.
  - l. Overnight and all-day vehicle access passes at Lincoln Park, or comparable location, for generator trucks used by carnival rides vendor.
  - m. Post banners (provided by the Chamber) at 10<sup>th</sup> and East Streets, and at East Street and Eaton Avenue, near Lincoln Park monument.
  - n. Post 11<sup>th</sup> Street banner (provided by the Chamber) for One World event for a maximum of two weeks, subject to schedule availability.
  - o. Damage deposit, as required by the facility use permit, shall not be waived.
3. For the Real Estate Development (RED) annual City tour event upon submission of a facility use application and event layout map from the Chamber, waive all City fees and charges, except as noted herein, to provide:
- a. One-day facility use permit for use of the City Hall Lobby, or comparable facility, subject to availability, to host the pre- or post-tour gathering.
  - b. Damage deposit, as required by the facility use permit, shall not be waived.
4. For the State of the City annual event, upon submission of the Rental Application located at [www.atthegrand.org/rental-information](http://www.atthegrand.org/rental-information) from the Chamber, waive all City fees and charges (excluding fees to be paid by Chamber listed in section B.4.e.) to provide:
- a. One-day Rental Agreement for use of the Grand Theater Center for the Arts Downstairs Lobby, ETK Theatre & Studio Theatre, plus additional 8-hour day for load-in and rehearsals.
  - b. Box Office Staff, Front of House staff & Technical Staff on the day of the event, as specified in the Rental Agreement.
  - c. Use of City-owned equipment as agreed upon in writing in the Rental Agreement.
5. For the Committee of the Hispanic Business Group (CHBG) annual Latino Leadership & Scholarship Awards Ceremony, upon submission of a facility use application and event layout map from the Chamber, waive all City fees and charges, except as noted herein, to provide:
- a. One-day facility use permit for the Tracy Community Center (or comparable location), subject to availability, typically held in April.
  - b. City Facility Attendant to set up and take down chairs and tables for event.
  - c. City staff on-site for event, if required at facility.
  - d. Damage deposit, as required by the facility use permit, shall not be waived.
6. For the Annual Citizens Awards annual event ("Winter Gala"), upon

- submission of a facility use application and event layout map from the Chamber, waive all City fees and charges, except as noted herein, to provide:
- a. One-day facility use permit for the Tracy Community Center (or comparable location), subject to availability, typically held in January.
  - b. City Facility Attendant to set up and take down chairs and tables for event.
  - c. City staff on-site for event, if required at facility.
  - d. Damage deposit, as required by the facility use permit, shall not be waived.
7. For the Tracy Leadership Program, upon submission of facility use applications and event layout maps from the Chamber, waive all City fees and charges, except as noted herein, to provide:
- a. One-day facility use permit for a City facility, subject to availability, to host a Tracy Leadership Program class.
  - b. One-day facility use permit for Council Chambers, or comparable location, to host the Tracy Leadership Program graduation ceremony.
  - c. Damage deposit, as required by the facility use permit, shall not be waived.
8. For the Youth Leadership Academy, upon submission of facility use applications and event layout maps from the Chamber, waive all City fees and charges, except as noted herein, to provide:
- a. One-day facility use permit for a City facility, subject to availability, to host a Youth Leadership Academy class.
  - b. One-day facility use permit for Council Chambers, or comparable location, to host the Youth Leadership Academy graduation ceremony.
  - c. Damage deposit, as required by the facility use permit, shall not be waived.
9. For the Mariachi annual event, upon submission of the Rental Application located at [www.atthegrand.org/rental-information](http://www.atthegrand.org/rental-information) from the Chamber, waive all City fees and charges(excluding fees to be paid by Chamber listed in B.8.e.) to provide:
- a. One day Rental Agreement for use of the Grand Theater Center for the Arts- Downstairs Lobby, ETK Theatre & Studio Theatre.
  - b. Box Office Staff, Front of House staff & Technical Staff, on the day of the event, as specified in the Rental Agreement.
  - c. Use of City-owned equipment as agreed upon in the Rental Agreement.
10. For each of four (4) Business Workshops, upon submission of a facility use application and event layout map from the Chamber, waive all City fees and charges, except as noted herein, to provide:
- a. One-day facility use permit for a City conference room, subject to availability, provided the attendance is confirmed to be greater than 15 participants.
  - b. Damage deposit, as required by the facility use permit, shall not be waived.

11. Provide in-kind facility use in support of the City's Economic Development effort as outlined in the annual Professional Services Agreement (PSA) with the Chamber.
12. Provide clean facilities in good repair.

**B. Chamber shall:**

1. Plan and host the 4th of July Parade and Day in the Park annual event at Lincoln Park and fireworks display:
  - a. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application and layout map in writing no later than 5 business days prior to the event date.
  - b. Submit permit applications for all required safety inspections from the City and South San Joaquin County Fire Authority, with fee payment as required, a minimum of 10 business days in advance of event date.
  - c. Submit a Temporary Use Permit (TUP) application and fee payment, as required, according to the current City Master Fee Schedule, for any use of private property for event fireworks, a minimum of 30 days, up to 90 days prior to the event date.
  - d. Purchase and arrange execution of fireworks display and purchase required additional liability and property insurance, at current levels per occurrence and aggregate as recommend the Risk Management Association (RMA) (see section III.B.15.b.).
  - e. Conduct regular meetings with Chamber staff, volunteers, and City staff to coordinate event details, and adhere to the final, City-approved event and parade schedules and layout maps.
  - f. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the 4<sup>th</sup> of July community event, and have a Chamber representative on site during all permitted reservation times.
  - g. Provide a minimum of 10 supplemental portable toilets, 20 supplemental trash and recycling receptacles, and a minimum of two, 40 yard dumpsters on site for event, at Chamber's expense. Coordinate with City staff for delivery.
  - h. Clean and restock portable toilets and empty trash receptacles during event.
  - i. Adequately clean any City facilities and public right-of-way to acceptable condition after permitted use, and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.
  - j. May provide banners for posting by City at 10<sup>th</sup> and East Streets, and at East Street and Eaton Avenue near Lincoln Park monument. Banners must adhere to all City specifications attached as Exhibit A.
  - k. Submit written notice to City of any request to change the event venue or fireworks location for 4th of July Parade and Day in the Park. Chamber agrees that such a request will require an Amendment to this MOU, in

accordance with Section VI, which will also include a reassessment of City costs.

2. Plan and host the One World annual cultural event (or comparable Chamber signature event):
  - a. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application and layout map in writing no later than 5 business days prior to the event date.
  - b. Submit permit applications for all required safety inspections from the City and South San Joaquin County Fire Authority, with fee payment if required, a minimum of 10 business days in advance of event date.
  - c. Conduct regular meetings with Chamber staff, volunteers, and City staff to coordinate event details, and adhere to the final, City-approved event schedule and layout map.
  - d. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the One World community event, and have a Chamber representative on site during all permitted reservation times.
  - e. Provide supplemental portable toilets, trash receptacles, and dumpster on site for event, at Chamber's expense. Coordinate with City staff for delivery.
  - f. Adequately clean any City facilities and public right of way to acceptable condition after permitted use and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.
  - g. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the One World event, and have a Chamber representative on site during all permitted reservation times.
  - h. May provide banners for posting by City at 10<sup>th</sup> and East Streets, and East Street and Eaton Avenue, near Lincoln Park monuments. Banners must adhere to all City specifications attached as Exhibit A.
  - i. May provide banner to post at 11<sup>th</sup> Street banner location. Banner must adhere to all City specifications attached as Exhibit A.
3. Plan and host the Real Estate Development (RED) annual City tour event:
  - a. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application in writing no later than 5 business days prior to the event date.
  - b. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the RED tour event, and have a Chamber representative on site during all permitted reservation times.
  - c. Adequately clean any City facilities to acceptable condition after permitted use, and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage

deposit..

4. Plan and host the State of the City annual event:
  - a. Submit the Rental Application located at [www.atthegrand.org/rental](http://www.atthegrand.org/rental)-information and event layout map with all required supplemental materials, prior to January 31, in advance of the requested event date. Communicate any and all changes to the event layout map in writing no later than 7 business days prior to the event date.
  - b. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the State of the City event, and have a Chamber representative on site during all permitted reservation times.
  - c. Submit all marketing and promotional materials to be reviewed and approved by City staff prior to public distribution.
  - d. Adequately clean any City facilities to acceptable condition after permitted use and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.
  - e. Reimbursement of:
    - i. Ticketing fee at \$1 per ticket fee for General Admission or \$3 fee for reserved seating per ticket including consignment & comp tickets.
    - ii. Costs of Janitorial and/or security services, as those services may be required and approved by City
5. Plan and host the Committee of the Hispanic Business Group (CHBG) annual Latino Leadership & Scholarship Awards Ceremony:
  - a. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application in writing no later than 5 business days prior to the event date.
  - b. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the annual Latino Leadership & Scholarship Awards Ceremony, and have a Chamber representative on site during all permitted reservation times.
  - c. Adequately clean any City facilities to acceptable condition after permitted use and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.
6. Plan and host the Annual Citizens Awards annual event ("Winter Gala"):
  - a. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application in writing no later than 5 business days prior to the event date.
  - b. Provide the necessary staff, volunteers, equipment, and promotions to

- successfully conduct the Annual Citizens Awards event, and have a Chamber representative on site during all permitted reservation times.
  - c. Manage nomination process with Executive Committee to select five individuals for annual citizens awards.
  - d. Provide a ticket to each award recipient and their guest for the awards dinner.
  - e. Provide 10 tickets (one table) for City use. The City shall distribute the tickets in accordance with the City's Tickets and Passes Distribution Policy.
  - f. Coordinate certificates from City and legislative officials.
  - g. Adequately clean any City facilities to acceptable condition after permitted use, and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.
7. Plan and host an annual Tracy Leadership program:
- a. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application in writing no later than 5 business days prior to the event date.
  - b. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the Tracy Leadership Program, and have a Chamber representative on site during all permitted reservation times.
  - c. Adequately clean any City facilities to acceptable condition after permitted use, and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.
8. Plan and host an annual Youth Leadership Academy:
- a. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application in writing no later than 5 business days prior to the event date.
  - b. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the Youth Leadership Academy, and have a Chamber representative on site during all permitted reservation times.
  - c. Adequately clean any City facilities to acceptable condition after permitted use, and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.
9. Plan and host the annual CHBG Mariachi event, or comparable event:
- a. Submit the Rental Application located at [www.athegrand.org/rental](http://www.athegrand.org/rental)-information and event layout map with all required supplemental materials, prior to January 31, in advance of requested event date.

Communicate any and all changes to the event layout map in writing no later than seven (7) business days prior to the event date.

- b. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the Mariachi event, and have a Chamber representative on site during all permitted reservation times
- c. Submit all marketing and promotional materials to be reviewed and approved by City staff prior to public distribution.
- d. Adequately clean any City facilities to acceptable condition after permitted use, and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.
- e. Reimbursement of:
  - i. Ticketing fee at \$1 per ticket fee for General Admission or \$3 fee for reserved seating per ticket including consignment and comp tickets.
  - ii. Costs of Janitorial and/or security services, as those services may be required and approved by City.
  - iii. Box Office Service fees, as indicated by facility fee schedule.
  - iv. Wireless microphones and projector fees, as indicated by facility fee schedule.

10. Plan and host four (4) Business Workshops for the Tracy business community:

- a. If expected attendance is greater than 15 participants, submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application in writing no later than 5 business days prior to the event date.
- b. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the Business Workshops, and have a Chamber representative on site during all permitted reservation times.
- c. Adequately clean any City facilities to acceptable condition after permitted use, and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit.

11. Provide programs and services in support of Economic Development efforts as outlined in the annual Professional Services Agreement with the City.

12. Submit quarterly reports to the City on the terms and outcomes of this MOU.

13. Adhere to the City's established facility rental policies and processes outlined in the City's Facility Reservation Handbook attached as Exhibit B.

14. To the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold harmless the City from and against any claims arising out of Chamber's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole,



active negligence or willful misconduct of the City. In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "Chamber" means Tracy Chamber of Commerce, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses in connection therein) and any allegations of these; and "Arising out of" includes "pertaining to" and "relating to."

15. Throughout the duration of this Agreement, maintain insurance to cover Chamber, its agents, representatives, and employees in connection with the performance of services under this Agreement at the minimum levels set forth here.
  - a. Commercial General Liability (with coverage at least as broad as ISO form CG 00 01 01 96) coverage shall be maintained in an agreement not less than \$4,000,000 general aggregate and \$2,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.
  - b. Additional general liability, bodily injury and property damage coverage of \$5,000,000 per occurrence is required for pyrotechnic and/or fireworks events.
  - c. Notice of Cancellation. Chamber shall notify City if the policy is cancelled before the expiration date. For the purpose of this notice requirement, any material change in the policy is considered a cancellation. Chamber shall immediately obtain a replacement policy.
  - d. Authorized Insurers. All insurance companies providing coverage to Chamber shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.
  - e. Insurance Certificate. Chamber shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City Attorney, no later than five days after the execution of this Agreement.
  - f. Additional Insured Endorsement. Chamber shall provide an Additional Insured Endorsement page naming the City of Tracy as an additional insured.
  - g. Substitute Certificates. No later than 30 days before the policy expiration date of any insurance policy required by this Agreement, Chamber shall provide a substitute certificate of insurance.
  - h. Chamber's Obligation. Maintenance of insurance by Chamber as specified in this Agreement shall in no way be interpreted as relieving Chamber of any responsibility whatsoever (including indemnity obligations under this Agreement), and Chamber may carry, at its own expense, such additional insurance as it deems necessary.

**C. The parties shall agree that:**

1. This Agreement shall be subject to any and all policies, regulations and ordinances of the City of Tracy.

2. Under no circumstances shall this Agreement be interpreted as creating a partnership, joint venture or employment between the parties. Each party acknowledges and agrees that it neither has, nor will give the appearance of having, any legal authority to bind or commit the other party in any way other than adherence to the terms of this Agreement. Chamber and the City agree that each party shall be responsible for the payment of wages and benefits of each of their respective employees and agents.

- IV. **TERMINATION:** Either party may terminate this Agreement by providing thirty (30) days prior written notice to the other party of its intention to terminate.
- V. **TERM:** This Agreement shall take effect on February 4, 2020 and shall expire on December 31, 2021. City, at the sole discretion of the City Manager or designee, may extend the term of this Agreement in two-year increments.
- VI. **AMENDMENTS:** This Agreement may be amended in writing and the amendment must be approved by mutual Agreement of both parties.
- VII. **DESIGNATED REPRESENTATIVES:** For the purposes of administering the Agreement, the Chief Executive Officer of Chamber and the City Manager of the City of Tracy shall act as representatives for their respective organizations.
- VIII. **NOTICES:**

**City**

City of Tracy  
Parks and Recreation Director  
333 Civic Center Plaza  
Tracy, CA 95376

**Chamber**

Tracy Chamber of Commerce  
Tamra Spade, CEO  
223 10th Street  
Tracy, CA 95376

With a copy to:

City Attorney  
333 Civic Center Plaza  
Tracy, CA 95376

- IX. **ENTIRE AGREEMENT:** This Agreement constitutes the entire Agreement between the City and Chamber. The Parties further agree that any agreements, written or oral, or MOUs entered into by the Parties, prior to the effective date of this Agreement, shall have no further force or effect. Any amendment to this Agreement, including oral modification, must be reduced to a writing and signed by both the City and Chamber.
- X. **SIGNATURES:** The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of Chamber and the City. This Agreement shall inure to the benefit of and be binding upon the parties thereto and their respective successors and assigns.

**City of Tracy**

\_\_\_\_\_  
Jennifer D. Haruyama  
City Manager

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Adrianne Richardson  
City Clerk

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia Ramirez  
City Attorney

**Tracy Chamber of Commerce, a  
501(c)(6) nonprofit corporation**

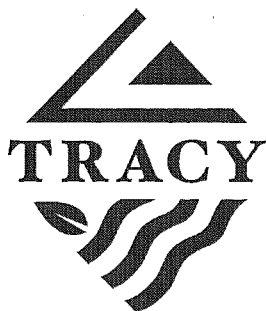
  
\_\_\_\_\_  
Tamra Spade  
Chief Executive Officer

Date: January 24, 2020

Federal Tax ID No.: 68-0449108  
City Business License #06000046

**Exhibits:**

- A – City of Tracy Banner Guidelines
- B – City of Tracy Facility Reservation Handbook



Think Inside the Triangle™

## City of Tracy Banner Guidelines

Tracy Municipal Code Section 10.08.4465

Approved by DES Director on 2-9-2011

Initials: DL

These Banner Guidelines are adopted to implement Tracy Municipal Code Section 10.08.4465, Banner signs on public property. Definitions are as set forth in the Municipal Code.

### A. General requirements.

1. Applicability; City priority. These banner guidelines apply only to banners for co-sponsored community events, and not to City-sponsored banners.

The City has priority for City-sponsored banners placed in the public right of way, whether street light banners or over-the-street banners.

2. Scheduling and reservations; Fees. Scheduling and reservations are accomplished through the Special Event permit process (Tracy Municipal Code Chapter 4.40) through the Parks and Community Services Department reservation system. The Director of that department is authorized to approve the placement of banners and their conformance to these guidelines.

The applicant shall pay the special event application fee of \$35.00 at the time of application.

A separate installation fee is also due, to cover the City's installation and removal costs, in the amount set forth in Section B below.

All reservations are scheduled on a first-come, first-serve basis. A reservation may be made up to 12 months before the date of the event.

3. Timing; duration. No co-sponsored community event banners are allowed three weeks before a local, state, or federal election.

A banner may remain in place for a maximum of three weeks in any one year period.

4. Installation and removal. Banners may only be installed and removed by the City Public Works Department staff. The City will not adjust banners which have shifted from winds unless they pose a safety hazard. The banner shall be delivered to the Public Works Department one week before the date of installation, and must be retrieved from the City within two weeks after the event.

**B. Fees.** The applicant shall pay the installation and removal fees at the time of submitting a special event application. The fees are to reimburse the City for staff time, for traffic control during installation and removal, and for the use of City vehicles required in the installation. There are no fees for City-sponsored banners. The fees are:

1. For each over-the-street banner location: \$200 per banner.
2. For each street light banner zone (see Section D below):
  - Zone 1: \$4,000
  - Zone 2: \$1,000
  - Zone 3: \$1,000
3. The fees reflect the cost of both installation and removal. If removal of a set of banners happens to occur simultaneously with installation of other non-City banners in the same location, then each of the applicants may apply to the Parks and Community Services Department for a 25% refund of the fees.

**C. Over-the-street banners.**

1. Locations. An over-the-street banner may be placed in one, two or three of the following locations (set forth in Section 10.08.4465):

- a. In the center median of Eleventh Street between Lammers Road and Crossroads Drive
- b. On Central Avenue between Eleventh Street and Tenth Street
- c. At Sixth Street and Central Avenue, upon completion of the Downtown Plaza.

Only one over-the-street banner is allowed at each of the above locations. The banner may only be attached to City designated and installed pole structures.

2. Banner specifications.

- a. The banner must be associated with a community-wide public event co-sponsored by the City.
- b. An over-the street banner must:
  - (i) be material of 13-ounce woven vinyl fabric with wind relief holes. The text and graphics must be permanently adhered to the surface of the fabric, except when interchangeable panels are used, which firmly attach with Velcro.

(ii) be sized according to dimension requirements to be established by the Public Works Director, and attached to these guidelines, once the City has installed the appropriate pole structures.

(iii) contain a sewn-in sleeve across both the top and bottom edges of the banner for the ropes to run through. The applicant must provide a minimum of 80 feet of ½-inch diameter rope for each sleeve.

**D. Street light banners.**

1. Locations. A street light banner may be placed in one, two or three of the zones set forth in Section 10.08.4465:

- a. Zone 1: Eleventh Street between Lammers Road and Corral Hollow Road;
- b. Zone 2: Tenth Street between A and East Streets; and
- c. Zone 3: Central Avenue between Eleventh and Sixth Streets.

These three zones do not include the four street corners at Tenth Street and Central Avenue, which are reserved for City banners.

An applicant must apply for an entire zone (or more), and not parts of zones. The banners may only be installed on light poles with City installed brackets.

2. Banner specifications.

- a. The banner must be associated with a community-wide public event co-sponsored by the City.
- b. Zone 1. A street light banner in Zone 1 must meet the following specifications:
  - 48" x 24" double-sided 15oz. blockout outdoor banner vinyl with pole pockets top and bottom
  - 1" 600# webbing sewn into hem
  - double stitched edges and pockets with single-side grommets every 2-3 feet
  - outdoor life 3 to 4 years
- c. Zones 2 and 3. A street light banner in Zone 2 or 3 must meet the following specifications:
  - 35" x 18" double sided 15oz. blockout outdoor banner vinyl with pole pockets top and bottom
  - 1" 600# webbing sewn into hem
  - double stitched edges and pockets with single-side grommets every 2-3 feet
  - outdoor life 3 to 4 years

CITY OF TRACY

# Facility Reservation Handbook

*Effective July 1, 2016*



Think Inside the Triangle™

**City of Tracy Parks & Recreation Department  
Community Facilities Division**

333 Civic Center Plaza, Tracy, CA 95376

Phone: (209) 831-6201

Fax: (209) 831-6218

Email: [facilityreservations@cityoftracy.org](mailto:facilityreservations@cityoftracy.org)

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## **INTRODUCTION**

Thank you for considering the City of Tracy for your next business, family, or personal gathering or event. The City's Parks & Recreation Department, through its Community Facilities Division, administers the allocation and reservation of City-owned and operated indoor facilities and outdoor, park and picnic areas.

The City of Tracy recognizes the importance of providing safe, well-maintained and aesthetically appealing facilities to all users. The policy provided herein reflects this philosophy, as well as the City's desire to provide an outstanding quality of life through park amenities and facilities.

Please carefully review this handbook prior to submitting your request for facility usage, and sign the Acknowledgement Form on the last page of the Handbook to signify that you (and/or the representing organization) have read and understood the information and policy herein.

Contact information for the Community Facilities Division is as follows:

Tracy City Hall  
333 Civic Center Plaza  
Tracy, CA 95376

City Hall Business Hours:

Monday – Thursday      8:00 am – 6:00 pm  
Friday\*                      8:00 am – 5:00 pm

*\*City offices are closed every other Friday. Please call ahead for office availability.*

Phone (209) 831-6201  
Fax (209) 831-6218  
Email [facilityreservations@cityoftracy.org](mailto:facilityreservations@cityoftracy.org)

City website: [www.thinkinsidethetriangle.com](http://www.thinkinsidethetriangle.com)

Online facility reservations (picnic areas only): [www.TracyArtsandRec.com](http://www.TracyArtsandRec.com)

## GENERAL FACILITY RESERVATION PROCEDURES

### Reservation Requests

Reservation requests must be submitted no later than 30 calendar days prior to the event date. Applications for reservations that do not require further review (see **Special Permits & Requirements**, p. 13) may be accepted within the 30-day window. An **Approved** Facility Use Permit is required for all indoor facility reservations, or for exclusive use of a reservable outdoor facility. Additional activities requiring a Facility Use Permit are detailed in TMC 4.16.050.

To hold an available date for a facility reservation or special event on public property, the following must be submitted:

- ☐ **APPLICATION:** Completed Facility Use Application. Application must be submitted by a person twenty-one (21) years of age or older (TMC 4.16.060(b)).
- ☐ **POLICIES ACKNOWLEDGMENT:** Signed Facility Reservation Handbook Acknowledgment Form
- ☐ **APPLICATION FEE:** *Non-refundable* Permit Application Fee (\$35) or Special Event Application Fee (\$77 non-profit/\$153 private or commercial)
- ☐ **SECURITY/ALCOHOL DEPOSITS:** Payment of security and alcohol deposits, if applicable

The following requirements are due **no later than 30 calendar days prior** to the reservation date:

- ☐ **USE FEES:** Payment of use fees, usually a per-hour rental fee
- ☐ **INSURANCE:** Provide Certificate outlined in insurance requirements
- ☐ **ADDITIONAL REQUIREMENTS:** Submit additional requirements, or supplemental permits, required as conditions of your permit (e.g., copies of City of Tracy business license, ABC license, County Health Permit, security guard contract, vendor contract for inflatable, etc.).

When all requirements have been met, the City will approve and issue a:

- ☐ **FACILITY USE PERMIT:** An **Approved** Facility Use Permit status indicates that all reservation requirements and full payment have been submitted and approved.

If the above obligations are not met, the City reserves the right to consider the event cancelled and subject to the stated **Cancellation & Refund Policy**. The City also reserves the right to cancel the contract and release the facility. **Submittal of an application does not guarantee that the reservation request has been authorized.**

### Hours of Use

- Reservations may be requested during the following hours. Exceptions may be approved by the Director, or his/her designee, as a condition of the Permit.
  - **Indoor facility hours:** 8:00 am-1:00 am (excluding Transit Station Lobby, Civic Center Lobby)
  - **Outdoor park/facility hours:** 8:00 am to Dusk
- If requesting to set up the night prior to the event in an indoor facility, the reservation will be booked and charged up until 10:00 pm that evening (or the reservation end time, whichever is later), and then starting at 8:00 am the morning of the reservation.
- Reservations on City Holidays are contingent upon staff availability and shall be charged Weekend Rates.

### Facility Tours

Facility tours are available during business hours, respecting the privacy of other facility users and renters using the facility, and are based upon staff availability. Contact the Community Facilities Division at (209) 831-6201 or [facilityreservations@cityoftracy.org](mailto:facilityreservations@cityoftracy.org) to schedule a 15-minute appointment.

## FACILITY BOOKING POLICIES

### Rental Classifications

The City has established the following rental classifications:

- **City of Tracy-Sponsored Programs:** Activities organized by the City of Tracy
- **Non-Profit:** Groups that have obtained 501(c)3 status as a charitable organization.
- **Government-Sponsored Events:** A governmental function, which benefits the city of Tracy residents
- **Private:** Individuals or groups holding private events not open to the public.
- **Commercial:** Companies, groups, or individuals holding events (social, business, educational, or profit making) for their own private use.

### Allocations & Scheduling

- Requests for use of facilities are addressed on a first-come, first-served and as-available basis according to the following, maximum booking windows:
  - **City-Sponsored Programs:** 18 months prior to event
  - **Non-Profit Organizations & Government Agencies:** 12 months prior to event
  - **Private Groups and Individuals & Commercial Uses:** 10 months prior to event
- Only the designated organization representative(s) listed on the City reservation account or in the Memorandum of Understanding (MOU), or other legal agreement with the City, will be permitted to book facilities for their affiliated organization. Other individuals must receive permission in writing from the organization representative to reserve facilities for the organization, or under the organization's name (see **Authorized Agent**, p. 10).
- The City reserves the right to cancel any event as deemed necessary for the safety of all participants and in the best interest of the facility.
- The City of Tracy will not grant use of its facilities to any individual or group, political or otherwise, that advocates the overthrow of the government of the United States of America or the State of California by force, violence or any other unlawful means; or to any individual or group, political or otherwise, that discriminates because of race, religious creed, color, national origin, ancestry or sex.

### Consecutive Booking Policy

- Bookings of large rooms, 1,500 square feet or greater (Tracy Community Center, Civic Center Lobby, Council Chambers, Tracy Transit Station Lobby) and large parks (Dr. Powers, Lincoln, and Veterans Parks) may not to exceed nine (9) bookings within a three (3) month period. Renters are required to complete their first set of bookings prior to renting for an additional period.
- Bookings of small meeting rooms, less than 1,500 square feet, are allowed for as many dates as needed, within a calendar year, for either groups or individuals. Renters may book on a monthly or weekly basis.

### Non-Profit Status

An organization's non-profit status must be on file and current in order to qualify for a non-profit priority classification and rental rate. Proof of non-profit status must be submitted no later than 30 days prior to the reservation date. An organization must demonstrate its non-profit status by:

- Being registered as a non-profit business or corporation with the State of California **or** an acknowledged IRS 501(c) organization, **and**
- Maintaining good standing (business entity status "Active") with the State of California Secretary of State's office (<http://kepler.sos.ca.gov>).

## FACILITY USE PERMIT REQUIREMENTS

### Facility Use Permit Conditions

- Reservations may not be transferred, assigned, or sublet.
- Applicant is subject to all conditions listed on the Facility Use Permit.
- Requests for activities beyond the scope of a traditional facility reservation must be included as part of the Facility Use Application, and approved activities must be listed as conditions of the Facility Use Permit (see **Special Permits & Requirements**, p. 13).
- Facility users must have a copy of their Facility Use Permit on hand during each reservation and must be prepared to present it to City staff on demand. Facility users without permits may be asked to vacate the facility.
- The City reserves the right, on a case-by-case basis, to add conditions or modifications to the Facility Use Permit.

### Permitted Hours

- **Permitted reservation hours must include set-up and clean-up time. Set-up and clean-up are the renter's responsibility.** Users may not access a facility prior to their permitted reservation time, and the facility must be cleaned and vacated by the end time specified in the Facility Use Permit.
- The applicant is responsible to meet all facility clean-up requirements.
- The applicant must be present during the entire reservation. If unavailable, the applicant may authorize another individual, in writing, to act as their representative.
- Fees will not be refunded if actual use time is less than the rental period agreed upon in the Facility Use Permit.
- Supplies and equipment may not be stored in City facilities overnight without prior arrangement and approval, conditions of which shall be listed on the Facility Use Permit. Any items left in or on the property will be held for two (2) business days, after which time, said items will be disposed of at the discretion of City staff. Additional rental, staff, and disposal fees may apply and may be deducted from the security deposit.

### Amending the Permit

- Changes to the reservation must be made in writing, a minimum of 3 business days in advance, but in no case later than 12:00 noon on the Wednesday prior to the reservation.
- Changes to a rental date may be considered as a cancellation and re-booking if amendments are made within the ranges of when cancellation fees would be assessed. (See **Cancellation & Refund Policy**, p. 9.)

### Insurance Requirements

Insurance must provide protection from claims arising from injuries or damage to other people or property. The following items are required on the insurance certificate, and the endorsement page must be included:

- The certificate of insurance must be submitted no later than 30 calendar days prior to the reservation date.
- Insured's name is the same as listed on the Facility Use Application.
- Minimum of \$1,000,000 General Liability Insurance, and \$2,000,000 Aggregate.
- Naming of the City of Tracy as "Additional Insured."
- Date, time and location of event.
- If serving and/or selling alcohol, a liquor liability endorsement to the user's general liability is required.
- If selling items of any kind, a product liability endorsement to the user's general liability is required.

*continued, next page*

## ***City of Tracy Facility Reservation Handbook (July 1, 2016)***

- Certificate Holder: City of Tracy/Community Facilities Division  
333 Civic Center Plaza  
Tracy, CA 95376

### **Grounds for Permit Denial or Revocation**

- The City reserves the right to deny an allocation request in order to accommodate a City-sponsored/co-sponsored program or special event.
- The City of Tracy reserves the right to refuse to grant the use of its facilities to any person or group if such use is deemed to be contrary to the best interest of the City and/or its residents.
- A request may be denied, or a permit cancelled, on the grounds that the applicant has previously had a Facility Use Permit revoked in the City of Tracy or another jurisdiction for violation of permit conditions, or failure to fulfill any use requirement by the established deadline, including, but not limited to, the payment of facility fees or extra fees.
- Permits may be cancelled for failure to adhere to policies outlined in the Facility Reservation Handbook, as presented herein, or as contained in the Tracy Municipal Code. **Failure to uphold conditions of an approved Permit may result in immediate revocation of the Permit, with no refund of use fees.**

### **Appealing Permit Denial or Revocation**

Applicants shall have the right to appeal to the Parks and Community Services Commission a permit denial, permit condition, the Director's refusal to waive the filing deadline, or the Director's decision pertaining to fees or insurance coverage. Notice of appeal shall be filed with the Director stating the grounds for appeal.

The appeal must be filed no later than 12:00 noon on Thursday, a week preceding the Parks and Community Services Commission meeting, to be placed on the next regular meeting's agenda. Regular meetings of the Parks and Community Services Commission are scheduled on the first Thursday of each month, at 7:00 p.m. inside of City Hall Council Chambers. The decision of the Parks and Community Services Commission may be appealed to the City Council which has final authority.

**FACILITY DEPOSITS & USE FEES** (Adopted July 1, 2016)

**Security and Alcohol Deposits**

A Security Deposit is required to reserve any indoor City facility and is due at time of booking. An additional Alcohol Deposit is required to reserve an indoor or outdoor City facility when alcohol will be served/ sold.

All deposits are fully refundable three to four weeks after the event if the following criteria are met:

- There is no damage to the facility.
- There is no additional City staff time required to clean or repair the facility as a result of the event.
- The cleaning of the facility is completed per the checklist.
- The hours of use do not exceed those paid for and agreed upon in the rental contract.
- Only the rooms designated on the rental contract were used.
- Police or City staff intervention was not required as a result of the event.

Facility security deposits may be waived by the department for membership, public or business meetings conducted by local non-profit organizations or other governmental agencies, when no other activities are being conducted in association with said meeting.

**Indoor Facility Fees**

See individual facility information sheets for user fees, amenities, and requirements. Reservations on City Holidays are contingent upon staff availability and shall be charged Weekend Rates. Weekend rates begin on Fridays at 5:00 pm. If requesting to set up the night prior to the event, the reservation will be charged up until 10:00 pm that evening (or the reservation end time, whichever is later), and starting at 8:00 am the morning of the reservation.

	<b>Security Deposit</b>	<b>Additional Alcohol Deposit</b>
<b>Entire Community Center/ Main Rooms</b>	\$472	\$472
<b>Conference/Meeting Rooms</b>	\$236	\$472

Extra Dumpster Disposal Fee (required for crab feeds)	\$100 / rental / dumpster
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**Park & Picnic Area Fees**

For information on reserving sports fields, request a copy of the **Sports Field Reservation Handbook**. For information on reserving sports courts, including tennis courts, see the Sports Courts information sheet.

A security deposit is required for any event with alcohol, approved inflatable(s), and non-traditional activities. Fees related to supplemental permit applications, such as tent and generator permits, may also apply.

<b>Estimated Attendance</b>	<b>Security Deposit</b>
Fewer than 50 + traditional picnic activities	N/A
50-100; or less than 50 + non-traditional picnic activities	\$112
101 to 200 attendees	\$224
201 to 300 attendees	\$336
301 or more attendees	\$559

Inflatable Structures Administrative Fee	\$50 / day / structure
Mobile Stage Rental Fee (non-profits only)	\$350 / day

## City of Tracy Facility Reservation Handbook (July 1, 2016)

Group Classification	Hourly Rate (minimum booking hours apply)		
	1-50 People	51-100 People	101+ People
Non-Profit (Max \$108/day)	\$15	\$21	\$28
Private	\$26	\$37	\$49
Commercial	\$37	\$54	\$70

### Facility Use Fee Classifications

Non-profit/government, private, and commercial rates are available. "Commercial" rates apply for any activity conducted in or on a City facility where monies are collected for the specific purpose to financially benefit an individual, business, or organization; non-profit corporations are excluded.

### Payments

- Non-refundable Permit Application Fee, refundable Security Deposit, and Alcohol Deposit (if applicable) are due upon submittal of Facility Rental Application.
- The balance of all use fees is due no later than thirty (30) calendar days prior to reservation.
- Payments accepted include: American Express, Discover, MasterCard, Visa, check, cash.
- Personal checks will **not** be accepted on behalf of a non-profit, for-profit, or commercial organizations. Checks must be issued by the associated organization.
- Payment plans are available by request, as approved by the Director or his/her designee.
- **If payments are not made on time, facilities may be released, and the reservation may be subject to the Cancellation and Refund Policy.**

### Cancellation & Refund Policy

Cancellation fees are determined by the date the City receives written notification by the responsible party listed on the Facility Rental Permit of their intent to cancel the event. Upon receipt of the written cancellation request, the refund, if applicable, will be processed as follows:

	NUMBER OF DAYS PRIOR TO EVENT				
	90 Days or More	89-61 Days	60-31 Days	30-15 Days	14 Days or Less
Entire Community Center/ Main Rooms	No penalty	50% of fees held	75% of fees held	100% of fees held	100% of fees held
Conference/Meeting Rooms	No penalty	No penalty	No penalty	50% of fees held	50% of fees held
Park & Picnic Areas	No penalty	No penalty	No penalty	50% of fees held	50% of fees held

Cancellation fees and designated percentages are calculated from the rental fee listed in the Facility Use Permit. Any fees assessed on cancelled events will be deducted from the security deposit, if fees have not been paid. Deposits and rental fees will be refunded in the same form of payment (cash payments are refunded by check), within four (4) weeks of the final permit date.

**Exception:** If the event is cancelled by the permit holder or the City due to inclement or extreme weather conditions, a full credit will be issued to the permit holder's account to apply to another park/picnic area use within 12 months of the permitted date.

## GENERAL FACILITY USE POLICIES & PROCEDURES

### Audio/Visual Equipment

The following audio/visual amenities are included with the facility reservation. The permit holder is responsible for all A/V system set-up during the reservation and must provide additional equipment, including but not limited to: laptop, speakers, and connector cables.

#### Tracy Civic Center (City Hall)

- Council Chambers: Projector and screen
- Room 203: Projector and screen

#### Tracy Community Center

- Main Hall: Lectern with microphone, projector screen

#### Tracy Transit Station

- Room 103: Portable projector (subject to availability only) and screen
- Room 104: Portable projector (subject to availability only) and screen
- Room 105: Projector and screen

### Authorized Agent

An applicant representing an organization renting a City facility is required to provide a letter from the agency or organization, on official letterhead, specifically authorizing the individual to conduct business with the City of Tracy to reserve a facility on the organization's behalf, and signed by the individual listed on the business license, a titled officer, or designated signatory.

### Cleaning Requirements

See **Cleaning Checklist** at end of this Handbook.

### Damages

The applicant agrees to reimburse the City for all costs incurred in repairing damages including, but not limited to, the facility, furnishings, fixtures, grounds, and/or additional cleaning required outside of the normal scope for said facility maintenance, including sidewalk steam cleaning and street sweeping if needed, which occurred in connection with the permitted activity and caused by the renter, sponsoring organizations and/or attendees. Reimbursement for such expenses that are in excess of the security deposit will be invoiced to the renter. Said costs must be paid to the City within thirty (30) days of receipt of the invoice. Failure to meet this deadline may be cause for legal action. The renting party will be responsible for any costs incurred by the City for such legal action and/or any costs to collect on any judgment against that party.

### Decorations

- Tacks, nails, screws, duct tape and scotch tape are not permitted on walls, tables, trees, park poles and amenities, standards, etc. Painter's tape and removable, self-stick hooks are permissible.
- No decorations are allowed which would damage or discolor the facility or grounds.
- Any special decorations, activities, or amenities must have the written approval of the Parks & Recreation Department.
- All decorations must be non-combustible or non-flammable material, or shall be treated or maintained in a flame-retardant condition.
- Open flames or candles (with the exception of small birthday candles) are not allowed inside any facility.



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- All streamers, balloons, signage and other decorations must be removed from the facility and properly disposed of immediately after the event. Fees may be withheld from the deposit if City staff time is required to remove or dispose of any remaining decorations.
- Decorations may not be hung from the room dividers at the Tracy Community Center.

### **Event Promotion**

City staff will not distribute or promote information on rentals and uses held in City facilities. Therefore, ensure fliers, advertisements and other promotional materials list the renter's contact phone number. Applicant must provide copies of all event fliers and/or advertisements, as well as website links for events held at City facilities.

### **Floor Layout Plan**

Applicants with indoor facility reservations with 50 attendees or greater must submit a floor layout plan for approval, including decorations plan and extra amenities, to ensure all safety codes and regulations are adhered to. The City reserves the right to place additional requirements on the Facility Use Permit.

### **Food Preparation and Warming**

Where applicable, the kitchens are to be used for the warming of food and minor preparation only. Per State and County Health Code regulations, full meal preparation is not allowed. Any food/beverage items left on site will be disposed of immediately following the rental period as indicated on the contract. Fees may be withheld from the deposit if City staff time is required to dispose of any leftover food or trash.

The use of chafing dishes for the warming of food will be approved provided the following conditions are met:

- Paper and plastic table coverings shall not be used.
- There are no combustible decorations within 10 feet of the food warming table, including wall hung curtains, drapes or decorations.
- There are no combustible napkins, plates, cups (paper, plastic or cloth) placed on the serving table or within 10 feet of the chaffing dishes.
- All open flame canisters for the chafing dishes must be firmly affixed to the chaffing dish and supported above the serving table surface.
- No open flame for cooking is to take place within the occupancy.
- NOTE: Additional conditions apply and shall be imposed for food preparation and warming in proximity to tents and other membrane structures. (See **Tents / Booths / Canopies**, p. 15.)

### **Good Neighbor Policy**

Please arrive quietly and depart in the same manner to avoid disrupting the neighborhood. Balls and /or any other equipment thrown, batted, kicked, or otherwise propelled that land on private property are not to be retrieved without permission of property owner. Do not climb walls or enter gates to gain access onto private property. For assistance, contact the Facility Attendant.

### **Inappropriate Behavior**

Any type of indecent exposure including public urination or any other inappropriate exposure will not be tolerated. The Tracy Police Department will be contacted immediately should individuals become unruly and further enforcement is needed.

### **Live Animals**

Live animals are not allowed inside City buildings with the exception of service animals and Police canines. Owners are responsible for cleaning up after their service animals. Permit holders must indicate a designated waste area for service animals attending their event.

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Animals must be leashed at all times at City parks and sports fields. Animals may not access sports fields while games are in play. Farm animals of any type are not allowed on/in public facilities to include public buildings, grounds and parking lots. This includes, but is not limited to, horses and ponies.

### **Parking & Overnight Policy**

Parking is restricted to designated areas only. Parking large vehicles such as RVs, moving trucks and tractor-trailer trucks on City property is prohibited. Vehicles are not permitted to be parked on the grass or sidewalks. Damage done to City property or a facility as a result of a vehicle will be charged against the Security Deposit.

Unless the Permit expressly allows it, no overnight parking of vehicles in City parking lots is allowed at any time (this includes RVs and other camper vehicles). Individuals or organizations cannot charge or collect revenue for the use of public parking.

### **Police Enforcement**

If a renter refuses to comply with City Facility Reservation Policies or follow the request of a City staff member, the Tracy Police Department Dispatch will be notified for assistance. For your own convenience, in the case of an emergency, the Tracy Police Department Dispatch can be reached at (209) 831-4552.

### **Smoking**

Smoking is not permitted inside City facilities. State Law GC 7597(a) states: "No public employee or member of the public shall smoke any tobacco product inside a public building, or in an outdoor area within 20 feet of a main exit, entrance, or operable window of a public building, or in a passenger vehicle, as defined by Section 465 of the Vehicle Code, owned by the state."

### **Temperature Control**

Temperature at the Tracy Community Center and Civic Center (City Hall) are centrally controlled and can only be adjusted 2 degrees in either direction from the thermostat at the location. Thermostat control is not available at the Transit Station. Contact the on-duty Facility Attendant for assistance or concerns.

## **SPECIAL PERMITS & REQUIREMENTS**

The following items may require further review and approval from multiple City departments, and therefore require an advanced written request to process. Upon approval, City staff will add approved item(s) as a condition(s) of the Facility Use Permit.

### **Alcohol Permit/ABC License**

Possession or consumption of alcohol is prohibited in all City parks and facilities without a Facility Use Permit and Alcohol Deposit on file. Tracy Municipal Code 4.16.050(f) provides guidelines regarding the possession of or consumption of any alcoholic beverage in designated City parks and facilities. The following criteria have been established by the Parks and Community Services Commission by which permits will be granted or denied:

- Not allowed in locations that are adjacent to schools (TMC 4.16.180(s))
- Restricted to sites with restroom facilities on site
- Not to exceed six (6) hours total facility usage
- Glass beverage containers are not allowed within the boundaries of any park (TMC 4.16.180(r))
- Restricted to beer and wine; distilled spirits are not permitted at any time
- Must have a park permit and alcohol deposit on file

Alcohol served and/or sold at a function held in a City facility requires an Alcohol Deposit and a Host Liquor Liability endorsement to the user's General Liability insurance.

Alcohol sold by any means (selling tickets, cost in admission price, donations, or charging a sponsor fee) also requires the user to obtain a City of Tracy Business License and an Alcoholic Beverage Control (ABC) Liquor License. Both requirements must be on file with the Community Facilities Division prior to the renter being issued an Approved Facility Use Permit with alcohol permit condition. Security guards are required as a condition of an ABC license, 1 security guard per 100 guests. (See **Security Guards**, p. 15.)

### **Amplified Sound**

A permit is required for use of amplified sound in a park. The Director, upon granting a permit for use of any amplified sound system, may impose reasonable restrictions concerning the location of the sound system, and the maximum decibel level for the sound system (TMC 4.16.150). (See **Facility Electrical Access**, p. 14.)

### **BBQ Grills / Cooking Trailers**

BBQs are designated and supplied by the City, and are located near the Picnic Areas. Use of private BBQs is not permitted. Requests to use a larger BBQ cooking trailer must be submitted in writing or on the rental application. Such requests will require a detailed Event Map, including trailer location and description of fuel source, size and type. Approved BBQ cooking trailers must be placed in an approved designated area at least 20 feet from the nearest tent or structure and supervised at all times to prevent injury to bystanders. BBQs and cooking trailers are not permitted on the premises of the Tracy Transit Station.

### **Channel 26 Filming**

Requests for Channel 26 to film an event must be noted on the facility application and are subject to staff availability and additional fees. To discuss your specific filming needs and obtain a quote for services, contact Channel 26 directly at (209) 831-6220 or [channel26@ci.tracy.ca.us](mailto:channel26@ci.tracy.ca.us).

### **Concessions & Merchandise Sales**

The sale of items in any City park is prohibited without a permit from the Community Facilities Division. Facility

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users interested in selling merchandise or food and beverage items at their event held at a City park or facility must request authorization to do so in writing, obtain a permit from the Community Facilities Division, obtain a City of Tracy Business License (TMC 4.16.140), and obtain a product liability endorsement as part of the insurance certificate. (See **Vendors**, p. 15.)

The City may deny a permit application if the sole purpose of the activity is advertising or sale of any product, goods, wares or merchandise and is designed to be held for private profit and not for First Amendment expression (TMC 4.16.090(i)).

### **County Health Permit**

If you are selling or serving food to the general public, and you are not cooking in an approved kitchen, including the Tracy Community Center, you may be required to obtain a County Health Permit. A Temporary Event Health Permit Application can be obtained from the San Joaquin County Environmental Health Department website: <http://www.sjcehd.com/docs/TEMPORARY%20EVENT%20APPLICATION.pdf>

### **Event Map**

If an event is expected to have more than 100 attendees and/or is intended to utilize areas of the Park, not considered to be the picnic area, an event layout map is required, which requires additional time to process. The City reserves the right to place additional requirements on the event use permit.

### **Facility Electrical Access**

Any and all access to City electrical units must be requested in writing from the Community Facilities Division. The City reserves the right to impose restrictions on electrical access due to outlet load capacities. Approved access and capacity will be noted on the Facility Use Permit.

### **Generators**

Applicant must specify the size, type, and intended location of each generator to be used. The City reserves the right to impose restrictions on use and placement of equipment. Some generators may require an additional permit application and fees.

### **Inflatable Structures**

The Parks and Community Services Commission has established that the erection or placement on park property of portable and inflatable structures is allowed by permit and at the following, designated parks only: Dr. Powers Park, Galli Family Park, Hoyt Park, Lincoln Park, Veterans Park, and Zanussi Park. Applicant must use a vendor from the City's Approved Provider List only to reserve inflatable play equipment, and shall provide written proof of contract. Inflatable shall not remain in the park past the approved, permitted time. Applicant must sign additional **Inflatable Structures Policy**.

### **Mobile Stages**

Size, type, and placement of any mobile stage or platform must be approved by the City as a condition of the permit. Rental of the City's Mobile Stage is available to non-profit organizations only, and is subject to availability.

### **Recycling Program/Bins**

The City of Tracy has adopted a Special Events Recycling program to assist the city to meet mandatory recycling goals. Groups conducting large public events in city parks are requested to contact the City's Recycling Coordinator at (209) 831-6300 to obtain a copy of the program and develop a recycling plan for their event. The City can also provide portable recycling bins to be used during special events and/or park rentals. The applicant agrees to reimburse the City for all costs incurred by it due to damage or replacement of equipment. It is the

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renter's responsibility to dispose of the recyclables, and any and all proceeds received from such disposal are the property of the renter.

### **Security Guards**

Security guards may be required as a condition of a Facility Use Permit at the discretion of the Tracy Police Department. Events requiring an ABC license for alcohol must have one security guard per 100 attendees. Applicant must include a copy of the security guard contract with facility application packet.

### **Street Closures**

Street closures are not permitted for private events on public streets. Requests for street closure for parades, fun runs, and other special events will be considered on a case-by-base basis, are contingent upon Transit schedule and needs, and may be subject to additional fees and conditions as determined by the City. There are three City-approved, downtown parade routes: Short, Standard, and Long. Processions generally do not require street closures but require a permit and may be subject to additional permit conditions.

### **Tents / Booths / Canopies**

All Events with tents or canopies are required to complete an additional form. Tents are defined as having walls; canopies are defined as having no walls. Tents larger than 400 square feet, and canopies larger than 700 square feet will require a Tent Permit and inspection by Tracy Building and Fire Prevention on the day they are set up (additional permit application and fees may apply). Tents and canopies must be adequately weighted; no grass stakes permitted. Tents must be 20 feet from permanent buildings and structures, parking areas, lot lines, generators, and BBQs.

### **Vehicle Access**

No vehicles may be driven on sports fields or parks without a City-issued Vehicle Access Permit, including golf cart or mule-type vehicles. Additionally, it is unlawful to ride or drive any horse or other animal or any motorized vehicle, cycle, go-cart or scooter other than on the roads or drives provided for such purpose (TMC 4.16.180(l)).

A request must be submitted in writing to the Community Facilities Division, and upon approval, specific conditions of vehicle access and applicable fees will be added to your permit. **Approved requests will be restricted to loading and unloading ONLY**, and a limited number of "Temporary Access Passes" will be issued for the event. The pass must be displayed on the dashboard of the vehicle at all times while in the park or open space and is valid only for the date, time, location and event as indicated on the pass. Violators will be cited and fined appropriately.

### **Vendors**

If you would like to host a vendor(s) during your rental, submit a written request to the Community Facilities Division. Each vendor must be in possession of a business license and liability insurance. Additional conditions may apply to food vendors. **Tents/Booths/Canopies** policy applies. (See **Concessions & Merchandise Sales**, p. 13.)

The City may deny a permit application if the sole purpose of the activity is advertising or sale of any product, goods, wares or merchandise and is designed to be held for private profit and not for First Amendment expression (TMC 4.16.090(i)).

## **RESERVABLE CITY FACILITIES**

### **Indoor Facilities**

See individual facility information sheets for fees, amenities, and requirements.

Tracy Civic Center (City Hall), 333 Civic Center Plaza

- Lobby (additional conditions and restrictions apply)
- Council Chambers
- Conference Room 109
- Conference Room 203

Tracy Community Center, 950 East St.

- Entire Facility (required for weekend rentals)
- Main Hall
- Conference Rooms A and B

Tracy Sports Complex, 955 Crossroads Dr.

- Meeting Room

Tracy Transit Station, 50 E. Sixth St.

- Entire Facility
- Room 103 or Room 104
- Combo Room 103/104
- Room 105
- Lobby (hour restrictions apply)
- Outside Patio

### **Outdoor, Park & Picnic Areas**

Large Parks and Outdoor Areas:

- Civic Center Outdoor Area (Park/Amphitheatre/Fountain/Patio), 333 Civic Center Plaza
- Dr. Powers Park\*, 900 W. Lowell Ave.
- Lincoln Park\*, East St. & Eaton Ave.
- Veterans Park\*, 238 Glenhaven Dr.

Other Reservable Parks:

- Bland Park, 1753 Blandford Ln.
- Cecilian Park, Cypress & Hickory
- Galli Park\*, 2341 W. Lowell Ave.
- Hoyt Park\*, 300 3<sup>rd</sup> St.
- Kenner Park, 1850 Kavanagh Rd.
- Larson Park, Central & Ferdinand
- Talley Park, 1551 Dove Ct.
- Thoming Park, 100 Cambridge Place
- Zanussi Park\*, 1500 Promenade Cir.

\* Inflatable Play Structures/Jump Houses permitted at these locations only. Additional fee, security deposit and insurance requirements apply.

## CLEANING CHECKLIST – INDOOR FACILITIES\*

Check off each item completed, and give list to Facility Attendant at check-out time.

Facility/Room: _____ Permit # _____		Renter (✓)	City Staff (✓)
<b>ALL MAIN ROOMS AND MEETING ROOMS</b>			
Decorations removed from all walls and ceilings and properly disposed of at the completion of the function.			
Balloons removed from ceilings.			
Tables and chairs free of all tape and strings, wiped off, stacked neatly, and returned to storage area.			
	Tracy Community Center: Maximum 5 chairs per rack, 8 stacked tables, stored according to posted diagram.		
	Tracy Sports Complex Meeting Room: Chairs and tables stored according to posted diagram.		
	Tracy Transit Station: 103 and 104: Return 10 tables, 32 chairs to EACH; 105: 11 tables, 60 chairs. Refer to back of check-in/out sheet for current amenities.		
A/V equipment returned to proper location, if applicable.			
Floor dust mopped, and wet mopped (hot water only) where needed.			
Hallways and lobby cleaned of all food and trash.			
Carpets vacuumed.			
All personal items, supplies and equipment removed from the facility.**			
All debris around exterior of building (walkways and planted areas) disposed of properly.			
All trash bagged and placed <u>inside</u> the dumpster located outside of the facility.			
Return thermostat to neutral position or original temperature.			
Storage closets locked and secured.			
All lights turned off.			
ALL doors to outside locked and secured.			
<b>RESTROOMS</b>			
Restrooms cleaned of all trash; toilets flushed.			
<b>KITCHEN FACILITY</b>			
All dishes/utensils/tableware removed from facility.			
Stovetop and ovens cleaned.			
Stove and oven turned OFF.			
All food removed from oven and refrigerator.			
Refrigerator wiped clean, inside and out.			
Microwave wiped clean, inside and out.			
All sinks scrubbed and cleaned; disposal sink emptied. NOTE: The garbage disposal should not be used to discard large quantities of waste food but just the food remnants that remain when the container is rinsed after it has been emptied into the trash or storage container.			
All counter tops cleaned.			

Rev. 063016

**\* The renter is expected to provide their own cleaning supplies to clean the facility.** The City will furnish paper towels, bathroom tissue, plastic garbage bags, broom, mop, vacuum and bucket. If emergency maintenance or other assistance is required during non-business hours, call the Facility Attendant on duty at (209) 640-2733.

**\*\* Any items left in or on the property will be held for (2) business days, after which time, said items will be disposed of at the discretion of City staff. Additional facility use, staff, and/or disposal fees may apply.**

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## CITY OF TRACY FACILITY RESERVATION HANDBOOK ACKNOWLEDGEMENT FORM

I, \_\_\_\_\_, have read and understood the policies and procedures contained in the City of Tracy Facility Reservation Handbook, and agree to abide by them. I understand that failure to adhere to these policies may result in forfeiture of the deposit and any fees that I have paid. I have retained a copy of the Handbook for my reference and will share the information contained in the Handbook with the individuals and/or organization that I represent.

In addition to the policies and procedures listed in this Handbook, all functions conducted on/in City facilities must abide by the Tracy Municipal Codes as listed in Sections 4.16 and 4.40. A complete list of Municipal Codes is located on the City of Tracy web site at [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us).

I understand that the City of Tracy cannot anticipate every situation that may occur, nor can it anticipate all questions regarding a particular policy and that the City reserves the right to amend these policies as necessary. I have clarified any questions I have regarding these policies prior to executing this Acknowledgement.

I understand that the City of Tracy has the right to stop all usage, cancel and/or revoke my Facility Use Permit, if a violation of the policies and procedures contained in the Handbook are made by me, another organization representative(s), or an event or meeting attendee.

---

Event Title

---

Event Date

---

Printed name of facility user

---

Signature of facility user

---

Today's Date

---

Name of organization (if applicable)

RESOLUTION 2020-\_\_\_\_\_

APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY  
AND TRACY CHAMBER OF COMMERCE

WHEREAS, The Tracy Chamber of Commerce (Chamber) is a non-profit organization that represents and supports Tracy businesses through various programs and initiatives, and

WHEREAS, The Chamber improves the economic vitality of the City through regional tourism by planning and hosting large community events in the City, including the annual 4<sup>th</sup> of July Parade and Day in the park and fireworks celebration and the Tracy One World Cultural Festival, and

WHEREAS, The Tracy City Council recognizes the Chamber as a valuable partner to the City in providing these services and supporting the economic growth within the City of Tracy, and

WHEREAS, To formalize the responsibilities of both the Chamber and the City in regards to business services and community events, and to be transparent about the exchange of services and use of City facilities, Chamber has requested to enter into a Memorandum of Understanding (MOU) with the City;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy does hereby approve the Memorandum of Understanding (MOU) between the City of Tracy and the Tracy Chamber of Commerce.

\* \* \* \* \*

The foregoing Resolution 2020-\_\_\_\_\_ was adopted by Tracy City Council on the 4<sup>th</sup> day of February 2020, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

\_\_\_\_\_  
MAYOR

ATTEST

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 1.E

REQUEST

**APPROVE PUBLIC OFFICIAL BOND AMOUNTS FOR THE CITY MANAGER, ASSISTANT CITY MANAGERS, FINANCE DIRECTOR, CITY TREASURER, AND CITY CLERK AND APPROVE GOVERNMENT CRIME POLICIES IN LIEU OF BONDS IN ACCORDANCE WITH STATE LAW AND THE TRACY MUNICIPAL CODE**

EXECUTIVE SUMMARY

California Government Code sections 36518, 36519, and 37209 and Tracy Municipal Code sections 2.08.030 and 2.08.04 require designated City positions to execute a public official bond to the City of Tracy in an amount established by Council resolution. This item requests that Council repeal Resolution No. 1995-065 and establish revised penal sum bond amounts for all five positions required to provide public official bonds to the City. The item further requests that Council approve the use of government crime insurance policies in lieu of bonds.

DISCUSSION

A public official or surety bond serves as a financial guarantee that the employee will perform their duties in accordance with the law. A review of bonds executed in accordance with California Government Code sections 36518, 36519, and 37209 and Tracy Municipal Code section 2.08.030 revealed a need to repeal Resolution No. 1995-065 and update the required penal sum of the bonds for the Finance Director, City Clerk, and City Treasurer to reflect the current fiscal climate. Council also needs to establish penal sum bond amounts for the City Manager and Assistant City Managers.

***Bond Requirements under the California Government Code***

Section 36518 requires that before entering upon the duties of their offices, the City Clerk and City Treasurer each execute a bond to the City except as otherwise provided, the bonds shall conform to the provisions of the Government Code relating to bonds of public officers. The penal sum of the bond shall be in a reasonable amount recommended by the City Attorney and fixed by the City Council, by resolution, and may be changed during their terms in office. Section 36519 further states that the City Council may require bonds of any other officer or employee of the City. Section 37209 requires that a Finance Director who is responsible for certain duties such as presenting paid warrants or checks to a legislative body for ratification and approval in an audited comprehensive financial report must also execute a public official bond.

***Tracy Municipal Code section 2.08.030***

Section 2.08.030 requires that the City Manager, the Assistant City Manager, and Manager Pro Tempore, if different from Assistant City Manager, furnish a surety bond, in a sum determined by resolution of the Council. The bond "shall be conditioned upon the

faithful performance of the duties imposed upon the City Manager. Any premium for such bond shall be a proper charge against the City.”

Based on the penal sum limits previously established by Resolution No. 1995-065, adopted in 1995, the City Attorney recommends an amendment to the fixed penal sum limits to reflect the current City budget. Staff recommends that the City Council adopt a resolution approving the following recommendations to the public officials and fixed penal sum bond limits, as recommended by the City Attorney, in the following amounts:

City Manager	\$790,000
Finance Director	\$790,000
Assistant City Manager	\$250,000
City Treasurer	\$250,000
City Clerk	\$50,000

State law allows the use of a government crime insurance policy as an alternative to an official bond for public officials. Staff recommends that Council approve the use of a government crime insurance policy in lieu of a bond due to cost effectiveness. The limit of the Government Crime Policy shall be \$3,000,000 per occurrence for employee theft with a deductible of not more than \$2,500 per occurrence with sub-limits for other forms of loss covered by the policy as deemed appropriate. The Government Crime Policy premiums for the positions stated above shall be paid by the City.

#### STRATEGIC PLAN

This agenda item is a routine operation item and is not related to the City Council's Strategic Plans.

#### FISCAL IMPACT

Based upon the aggregate policy limit of \$3,000,000 the annual premium is \$6,548 which will be absorbed in the current operational budget for each position respectively.

#### RECOMMENDATION

That the City Council approve, by resolution, public official bond amounts for the City Manager, Assistant City Managers, Finance Director, City Clerk, and City Treasurer as stated below and in accordance with state law and the Tracy Municipal Code and the use of a government crime insurance policy as an alternative to public official bonds.

City Manager	\$790,000
Finance Director	\$790,000
Assistant City Manager	\$250,000
City Treasurer	\$250,000
City Clerk	\$50,000

Prepared by: Kim Dunniway, Human Resources/Risk Analyst II

Reviewed by: Kimberly Murdaugh, Human Resources Director  
Karin Schnaider, Finance Director

Approved by: Jenny Haruyama, City Manager

**REPEALING RESOLUTION NO. 1995-065; ESTABLISHING FIXED PENAL SUM LIMITS  
FOR PUBLIC OFFICIALS SURETY BONDS AND APPROVING GOVERNMENT CRIME  
POLICIES FOR THE PURPOSE OF BONDING CITY OFFICERS AND EMPLOYEES**

WHEREAS, Pursuant to Government Code sections 36518 and 36519 of the State of California and Tracy Municipal Code sections 2.08.030 and 2.08.04, certain positions shall execute a bond to the City, and

WHEREAS, City Council may require these bonds of any officer or employee of the City in a sum recommended by the City Attorney and determined by resolution of the City Council.

WHEREAS, The City desires to repeal Resolution No. 1995-065 and adopt this resolution to establish new penal sum limits for surety bonds for the following public officers: City Manager, Assistant City Manager, Finance Director, City Treasurer and City Clerk, and

WHEREAS, The City Attorney recommends an amendment to the fixed penal sum limits of the public officials' surety bonds to reflect the current City budget, and

WHEREAS, California Government Code sections 1463 and 1481 allows local agencies to accept a government crime insurance policy or employee dishonesty insurance policy, including faithful performance as an alternative to the official bond upon approval of the legislative body;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby:

1. Repeals Resolution No. 1995-065, establishes the fixed penal sum of the public officials' bonds for the City Manager, Assistant City Manager, Finance Director, City Treasurer and City Clerk as follows:

City Manager	\$790,000
Finance Director	\$790,000
Assistant City Manager	\$250,000
City Treasurer	\$250,000
City Clerk	\$50,000

2. Deems it expedient that the bonding requirements for public officers and employees required by California Government Code and Tracy Municipal Code shall be in the form of a Government Crime Insurance Policy that provides coverage for the City of Tracy officers and employees;
3. That the limits of the Government Crime Policy shall be \$3,000,000 per occurrence for employee theft, with a deductible amount of not more than \$2,500 per occurrence, with sub-limits for other forms of loss covered by the policy as deemed appropriate; and
4. That the premiums shall be paid by the City.

\* \* \* \* \*

The foregoing Resolution 2020 - \_\_\_\_\_ was adopted by the Tracy City Council on the 4<sup>TH</sup> day of February, 2020 by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 1.F

REQUEST

**AWARD A CONSTRUCTION CONTRACT TO G & G BUILDERS, INC. OF LIVERMORE, CALIFORNIA, IN THE AMOUNT OF \$389,777 FOR THE CONSTRUCTION OF SULLIVAN PARK AND LESTER HUCK PARK RENOVATION PROJECT – CIP 78149, WITH A NOT-TO-EXCEED BUDGET AMOUNT OF \$472,733; AUTHORIZE AN APPROPRIATION OF \$25,000 FROM THE LANDSCAPE MAINTENANCE DISTRICT (LMD) FUND (F271); AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$58,467, IF NEEDED**

EXECUTIVE SUMMARY

City staff requests that City Council award a construction contract to renovate the Sullivan Park and Lester Huck Park playgrounds including construction of ADA curb ramps to comply with the Americans with Disabilities Act, approve the contingency amount, and approve an appropriation of \$25,000 from Landscape Maintenance District (F271) for the Project (CIP 78149).

DISCUSSION

The scope of work for this Project includes demolition and removal of existing playground equipment, installation of new playground equipment, new playground safety surfacing, and construction of curb ramps to comply with the American with Disability Act (ADA).

The Project plans and specifications were prepared in-house. The Project was advertised for competitive bids on November 8, 2019, and November 15, 2019. The following four bids were received and publicly opened on December 17, 2019:

<u>Contractor</u>	<u>Bid Amount</u>
• G & G Builders, Inc.	\$389,777
• Goodland Landscape Construction, Inc.	\$426,400
• Suarez & Munoz Construction	\$465,400
• McNabb Construction, Inc.	\$498,323

G & G Builders, Inc. of Livermore, California is the lowest monetary responsible bidder. Bid analysis indicates that the bid is responsive. The contractor has good references and has completed similar projects for other agencies. The contractor will be required to comply with all federal entitlement program standards.

Staff recommends that this contract be awarded to the low bidder for their bid amount of \$389,777.

The anticipated cost of construction of this Project, if awarded to the low bidder, is estimated as follows:

Construction Bid	\$389,777
Construction Management (5%)	\$ 19,489
Design Support During Construction	\$ 5,000
Contingency @ 15%	<u>\$ 58,467</u>
<b>Total Project Cost</b>	<b>\$472,733</b>

Tracy Municipal Code Section 2.20.090(b) authorizes the City Manager to approve change orders up to the contingency amount approved by the City Council. City staff recommends the contingency amount of for this Project to be \$58,467, which is 15% of the construction contract cost.

Construction is anticipated to start by May 2020 with completion expected in July 2020.

#### STRATEGIC PLAN

The agenda item is a routine operational item and is not related to the Council's Strategic Plans.

#### FISCAL IMPACT

The estimated Project cost is at \$472,733 and the current available budget is \$450,531. An additional appropriation of \$25,000 from LMD (F271) into CIP 78149 is needed to complete this Project.

#### RECOMMENDATION

Staff recommends that City Council, by resolution, award a construction contract to G & G Builders, Inc., of Livermore, California, in the amount of \$387,777 for the Sullivan Park and Lester Huck Park Playground Renovation Project – CIP 78149; authorize the City Manager to approve change orders up to the contingency amount of \$58,467, if needed; and appropriate \$25,000 from the Landscape Maintenance District Fund (F271) to this Project.

Prepared by: Zabih Zaca, PE, Senior Civil Engineer  
Lyle Campbell, Landscape Architect

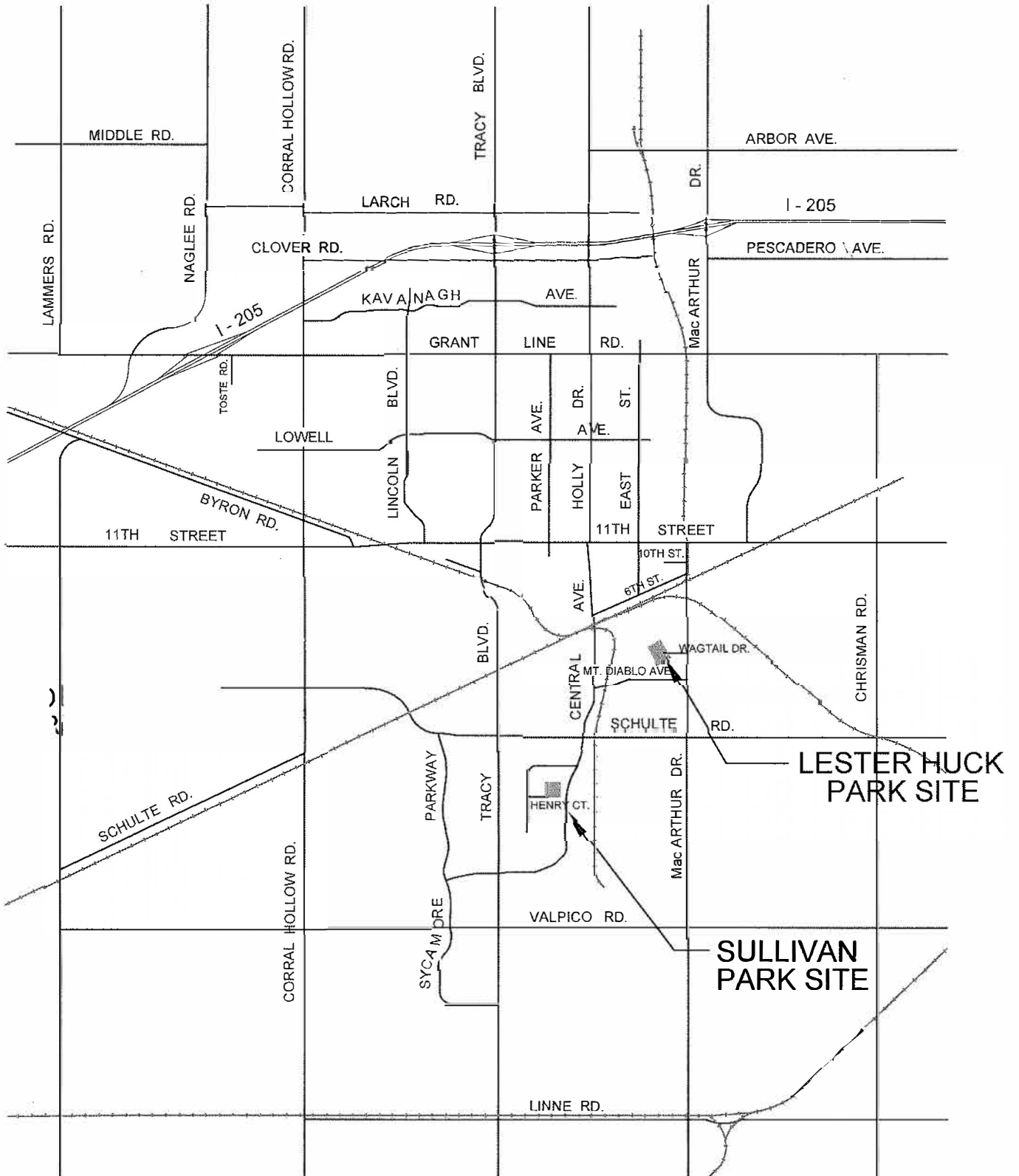
Reviewed by: Robert Armijo, PE, City Engineer  
Brian MacDonald, Park and Recreation Director  
Karin Schnaider, Finance Director  
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

#### ATTACHMENTS

Attachment A – Location Map





# **LOCATION MAP**

NOT TO SCALE



RESOLUTION 2020-\_\_\_\_\_

AWARDING A CONSTRUCTION CONTRACT TO G & G BUILDERS, INC. OF LIVERMORE, CALIFORNIA, IN THE AMOUNT OF \$389,777 FOR CONSTRUCTION OF SULLIVAN PARK AND LESTER HUCK PARK RENOVATION PROJECT – CIP 78149, WITH A NOT-TO-EXCEED BUDGET OF \$472,733; AUTHORIZING AN APPROPRIATION OF \$25,000 FROM THE LANDSCAPE MAINTENANCE DISTRICT (LMD) FUND (F271); AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$58,467, IF NEEDED

WHEREAS, The Renovation of Sullivan Park and Lester Huck Park Renovation Project requires demolition and removal of existing playground equipment, installation of new playground equipment, including construction of curb ramps to comply with the American Disability Acts (ADA), and

WHEREAS, The Project plans and specifications were prepared in-house, and

WHEREAS, The Project was advertised for competitive bids on November 8, 2019, and November 15, 2019; Four bids were received and publicly opened on December 17, 2019, and

WHEREAS, The lowest monetary bid is from G & G Builders, Inc. of Livermore, California, in the amount of \$389,777, and

WHEREAS, The anticipated cost to complete the Project if awarded to the low bidder is as follows:

Construction Bid	\$389,777
Construction Management (5%)	\$ 19,489
Design Support During Construction	\$ 5,000
Contingency @ 15%	<u>\$ 58,467</u>
<b>Total Project Cost</b>	<b>\$472,733</b>

WHEREAS, The estimated Project cost is at \$472,733 and the current available budget is \$450,531; An additional appropriation of \$25,000 from LMD (F271) into CIP 78149 is needed to complete this Project, and

WHEREAS, Tracy Municipal Code 2.20.090(b) authorizes the City Manager to approve change orders up to the amount approved by City Council. The recommended contingency amount for this Project is \$58,467;

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Tracy hereby awards a construction contract to G & G Builders, Inc. of Livermore, California, in the amount of \$389,777 for the construction of Sullivan Park and Lester Huck Park Playground Renovation Project – CIP 78149; authorizes the City Manager to approve change orders up to the contingency amount of \$58,467, if needed; and authorizes an appropriation of \$25,000 from the Landscape Maintenance District Fund (F271) to this Project.

\* \* \* \* \*

The Tracy City Council adopted the foregoing Resolution 2020-\_\_\_\_\_ on the 4<sup>th</sup> day of February 2020, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 1.G

REQUEST

**AWARD A CONSTRUCTION CONTRACT TO COMMUNITY PLAYGROUND, INC. OF VALLEJO, CALIFORNIA, IN THE AMOUNT OF \$252,291 FOR THE CONSTRUCTION OF THE WILLIAM LARSEN PARK RENOVATION PROJECT – CIP 78157, WITH A NOT-TO-EXCEED BUDGET OF \$307,750; AUTHORIZE A TRANSFER OF \$77,750 FROM CIP 78177 (F301) TO THIS PROJECT; AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$37,844, IF NEEDED**

EXECUTIVE SUMMARY

City staff requests that City Council award a construction contract to renovate the William Larsen Park playgrounds, including construction of ADA curb ramps to comply with the Americans with Disabilities Act, approval of the contingency amount, and appropriation of \$77,750 from Community Center Expansion Phase 2 – CIP 78177 for the Project.

DISCUSSION

The scope of work for this Project includes demolition and removal of existing playground equipment, installation of new playground equipment, new playground safety surfacing, and construction of curb ramps to comply with the American with Disability Act (ADA).

The Project plans and specifications were prepared in-house. The Project was advertised for competitive bids on October 26, 2019, and November 1, 2019. The following four bids were received and publicly opened on November 19, 2019:

<u>Contractor</u>	<u>Bid Amount</u>
• Community Playgrounds, Inc.	\$252,291
• G & G Builders, Inc.	\$258,766
• McNabb Construction, Inc.	\$264,957
• Goodland Landscape Construction, Inc.	\$275,900

Community Playgrounds, Inc. of Livermore, California is the lowest monetary responsible bidder. Bid analysis indicates that the bid is responsive. The contractor has good references and has completed similar projects for other agencies. The contractor will be required to comply with all federal entitlement program standards.

Staff recommends that this contract be awarded to the low bidder for their bid amount of \$252,291.

The anticipated cost of construction of this Project, if awarded to the low bidder, is estimated as follows:

Construction Bid	\$252,291
Construction Management (5%)	\$ 12,615
Design Support During Construction	\$ 5,000
Contingency @ 15%	<u>\$ 37,844</u>
<b>Total Project Cost</b>	<b>\$307,750</b>

Tracy Municipal Code Section 2.20.090(b) authorizes the City Manager to approve change orders up to the contingency amount approved by the City Council. The estimated construction contingency amount for this Project is \$37,844, which can be approved by the City Manager, on an as-needed basis, in accordance with the above provisions.

Construction is anticipated to start by May 2020 with completion expected in July 2020.

#### Community Center Expansion Phase 2

Staff is recommending that additional funding needed for this Project be transferred from the existing Community Center Expansion Phase 2 – CIP 78177 Project. Current available funds in CIP 78177 are \$200,000. This report seeks to transfer \$77,750 of those funds to CIP 78157.

Staff believes the improvements included in the scope for the Community Center Expansion Phase 2 Project are not an immediate need and deferring them will not be a detriment to the facility or its users. However, the playground equipment at Larsen Park is the original equipment installed when the park was initially built and is at the end of its life.

#### STRATEGIC PLAN

The agenda item is a routine operational item and is not related to the Council's Strategic Plans.

#### FISCAL IMPACT

The estimated Project cost is \$307,750 and the current available budget is \$230,000. Additional funding in the amount of \$77,750 is needed to complete the Project. The funding will be transferred from previous Council approved appropriations for the Community Center Expansion Phase 2 – CIP 78177 (F301).

#### RECOMMENDATION

Staff recommends that City Council, by resolution, award a construction contract to Community Playgrounds, Inc. of Vallejo, California, in the amount of \$252,291 for the William Larsen Playground Renovation Project – CIP 78157 with a not-to-exceed budget of \$307,750; authorize a transfer of \$77,750 from CIP 78177 (F301) to this Project; and

Agenda Item 1.G  
February 4, 2020  
Page 3

authorize the City Manager to approve change orders up to the contingency amount of \$37,844, if needed.

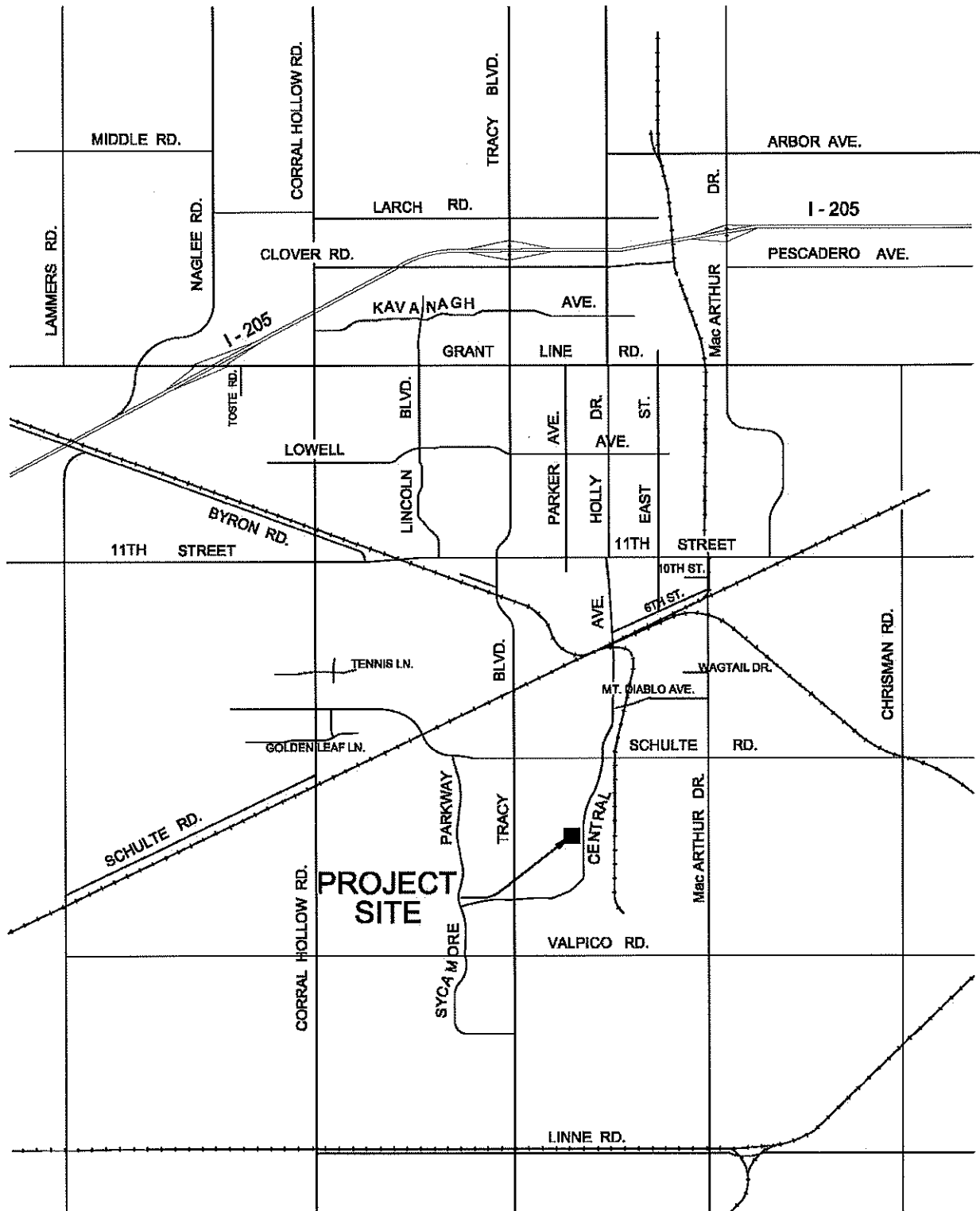
Prepared by: Zabih Zaca, PE, Senior Civil Engineer  
Lyle Campbell, Landscape Architect

Reviewed by: Robert Armijo, PE, City Engineer / Assistant Director of Development Services  
Brian MacDonald, Park and Recreation Director  
Karin Schnaider, Finance Director  
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

#### ATTACHMENTS

Attachment A – Location Map



# LOCATION MAP

NOT TO SCALE



RESOLUTION 2020-\_\_\_\_\_

AWARDING A CONSTRUCTION CONTRACT TO COMMUNITY PLAYGROUND, INC. OF VALLEJO, CALIFORNIA, IN THE AMOUNT OF \$252,291 FOR CONSTRUCTION OF WILLIAM LARSEN PARK RENOVATION – CIP 78157, WITH A NOT-TO-EXCEED BUDGET OF \$307,750, AUTHORIZING A TRANSFER OF \$77,750 FROM CIP 78177 (F301) TO THIS PROJECT, AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF \$37,844, IF NEEDED

WHEREAS, The Renovation of William Larsen Park Playground Project requires demolition and removal of existing playground equipment, installation of new playground equipment, including construction of curb ramps to comply with the American Disability Acts (ADA), and

WHEREAS, The project plans and specifications were prepared in-house, and

WHEREAS, The Project was advertised for competitive bids on October 26, 2019, and November 1, 2019; four bids were received and publicly opened on November 19, 2019, and

WHEREAS, The lowest monetary bid is from Community Playground, Inc. of Vallejo, California, in the amount of \$252,291, and

WHEREAS, The anticipated cost to complete the Project if awarded to the low bidder is as follows:

Construction Bid	\$252,291
Construction Management (5%)	\$ 12,615
Design Support During Construction	\$ 5,000
Contingency @ 15%	<u>\$ 37,844</u>
<b>Total Project Cost</b>	<b>\$307,750</b>

WHEREAS, Tracy Municipal Code 2.20.090(b) authorizes the City Manager to approve change orders up to the amount approved by City Council. The recommended contingency amount for this Project is \$37,844, and

WHEREAS, An additional \$77,750 is needed to be transferred from Community Center Expansion Phase 2 – CIP 78177 to this Project;

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Tracy hereby awards a construction contract to Community Playground, Inc. of Vallejo, California, in the amount of \$252,291 for the construction of William Larsen Park Playground Renovation Project, CIP 78157, with a not-to-exceed budget of \$307,750; authorizes the City Manager to approve change orders up to the contingency amount of \$37,844, if needed; and authorizes the transfer of \$77,750 from Community Center Expansion Phase 2 (CIP 78177) to this Project (CIP 78157).

\* \* \* \* \*



The Tracy City Council adopted the foregoing Resolution 2020-\_\_\_\_\_ on the 4<sup>th</sup> day of February 2020, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 3.A

REQUEST

**RECEIVE THE ANNUAL REPORT ON SENIOR SERVICES**

EXECUTIVE SUMMARY

This report discusses the activities of the Senior Services Program during the previous year, including program highlights and increases in attendance. The report includes an update on senior needs and concerns based on the findings from the annual senior forum and also summarizes the efforts of the Parks and Community Services Commission, which has an active role within the senior community.

DISCUSSION

The Lolly Hansen Senior Center provides a wide variety of programs, services and activities for seniors including educational programs, health and wellness classes and presentations, recreational programs, special events, senior related seminars, including volunteer and intergenerational opportunities. Additionally, the senior center continues to partner with the Parks and Community Services Commission, local senior related nonprofit groups and county programs to provide various senior services to the Tracy Community. The senior center also serves as a resource hub to connect seniors and their families to services and referrals in coordination with various local, county and state agencies. It also offers a daily nutritional lunch offered through the San Joaquin County Department of Aging and Community Services. Most importantly, the senior center is a place for older adults in the Tracy community to gather and socialize.

The City Council named "Quality of Life" as a strategic priority for those living and working in Tracy and the senior center operates with that priority in mind. Staff strives to improve efficiencies, increase satisfaction and uphold the community's values and expectations through its work with the Tracy senior community.

**Programming at Lolly Hansen Senior Center**

Currently 5,220 seniors are registered with the senior center, a 17% increase from last year. In 2019, the senior center provided approximately 45,199 services for these seniors and 938 unique program offerings for the year. However, due to the renovation of the Senior Center and relocation from September 2018 to June 2019 to the Tracy Community Center there was a decrease in services. Some of the classes were modified due to space. Over the past year due to senior participant requests, staff has added the following new activities: three new Health and Wellness classes, four recreational classes, three programs and four social events. "Exhibit A" to this report outlines the senior center's improved program impact numbers through increased offerings for 2018 and 2019. Recently the senior center partnered with Tracy Golden Agers to offer two new senior presentations on the topic of health & wellness, co-host one new senior related event and to offer two new Casino Trips a year. Tracy Golden Agers is a local nonprofit group that was established to create activities to unite seniors to support and encourage each other to stay active and involved. Based on feedback from the various

community forums and senior comment cards, staff is continually researching new partnerships, activities and events to increase programming at the newly renovated Senior Center.

On November 18, 2014, Council supported staff's recommendation to create "Senior Link-Tracy" to address an alternative way to outreach to seniors regarding their needs and concerns. The Senior Link-Tracy program provides an opportunity for senior citizens in Tracy to voice their concerns, share their needs, and identify resources that will assist them in living full, vibrant and independent lives. In 2019 approximately 186 seniors used this service. Council also supported the Local Senior Resource Guide, which assists seniors and caregivers in connecting with a wide variety of local resources and non-profit agencies, as well as to City Council and Commissions. The guides can be found at the senior center, City facilities, City website and throughout the community. With this service approximately 432 inquiries were made to connect people to various resources.

### **Lolly Hansen Senior Center Renovation**

The Senior Center renovation was completed in June 2019. The facility increased in size by approximately 2,100 square feet. Improvements included an expanded multi-purpose room to the existing room, a new classroom, expanded storage area, a remodeled kitchen, covered outdoor patio, new furniture, PA system, computers and other needed improvements.

On Monday, June 10, 2019 the Senior Center officially began offering programming out of the newly renovated and expanded Lolly Hansen Senior Center. A Ribbon Cutting Ceremony was held on Tuesday, June 18<sup>th</sup> for all community members to tour the facility and enjoy lunch. During the annual budget process, staff will be recommending to extend the Senior Center hours and add additional classes and events based on the new expansion of the center and feedback from the senior community.

### **Parks & Community Services Commission**

The Parks and Community Services Commission (The Commission) acts as an advisory body to the Council in the areas of parks and programming for youth, adults and seniors. The Commission has made it a priority to actively engage seniors in the Tracy community. Staff from the Recreation Division provides a monthly recreation report as well as a quarterly update on senior comments and concerns to the Commission. Staff also meets with the various subcommittees that have been established to meet the Commission's goals for FY's 2018/2019.

On May 8, 2019, the yearly "Community Conversation" forum was held with two sessions throughout the day at the Tracy Community Center. There were approximately 26 seniors and community members in attendance. "Exhibit B" to this report outlines the needs and concerns expressed at the forum, with staff responses.

On November 6, 2019, the Commission held a special meeting at the Lolly Hansen Senior Center to provide seniors the opportunity to address the Commission regarding their needs and concerns. The meeting was held in the early afternoon and approximately 18 seniors were in attendance. "Exhibit B" to this report outlines the senior concerns expressed at the gathering, with staff responses.

Marketing efforts for both outreach meetings include: advertisement on the City website, social media, outreach to the various senior living facilities and apartments, community service clubs and churches, Chamber of Commerce website, local newspaper, in all City facilities, TRACER buses, Channel 26, city booth at community events & Farmers Market, local business throughout the City of Tracy and the Lolly Hansen Senior Center.

Informally, the Commission has also attended senior center activities and events, Summer Downtown Block Parties, Farmers Market and various other community events that provide the Commissioners the opportunity to interact with the community and engage with seniors regarding the Commission and services provided by the City of Tracy. The Commissioners are available upon request to provide presentations to various community groups in Tracy where they provide information regarding the various senior services and the role of the Commission, including how to connect to City services, the Local Senior Resource Guide, the Senior Link-Tracy program, the Recreation Activity Guide and the Arts Education Catalog.

Lastly, a Commissioner, along with City staff, regularly attend the Tracy Senior Association monthly meeting, where they listen to seniors' needs and concerns and provide information to the group.

The Commission will continue to increase their visibility in the senior community by attending community events and senior center events and will continue to outreach to the various neighborhood groups, service clubs and the Tracy Senior Association.

Recreation staff and the Commission will continue to outreach to the senior community and provide an opportunity for seniors to address their needs and concerns by:

- Reporting to the Commission on a quarterly basis on current and future needs for seniors in the Tracy community.
- Using the senior center as a resource hub to inform the senior community on how to connect with City services and other senior-related agencies.
- Marketing the Senior Link-Tracy program and Local Senior Services and Resources guide at locations including the Lolly Hansen Senior Center, City facilities and other locations where seniors gather. Marketing efforts will also include reaching out to non-profits and other organizations that provide services to seniors.
- Hosting the annual Community Conversations in May 2020, and a special meeting in November 2020, at the Senior Center to gather the needs and concerns from seniors to report back to City Council in February 2021.
- Attending the Tracy Senior Association and Golden Agers meetings.

### STRATEGIC PLAN

1. This agenda item supports the Quality of Life Strategy, specifically:

**Goal 1:** Address City Amenities and Facility Usage with an Emphasis on Community Demand, Accessibility, and Cost Recovery.

**Goal 5:** Improve Current Recreational, Cultural Arts and Entertainment Programming and Services to Reflect Community Interests and Demands.

### FISCAL IMPACT

Costs related to support the senior services are included in the Parks and Recreation budget.

### RECOMMENDATION

Staff recommends that Council accept the Annual Report on Senior Services.

Prepared by: Amanda Jensen, Recreation Coordinator I  
Jolene Jauregui, Recreation Services Supervisor

Reviewed by: Brian MacDonald, Parks & Recreation Director  
Karin Schnaider, Finance Director  
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

### ATTACHMENTS

Exhibit A – Summary of the Senior Center program impact numbers and offerings  
Exhibit B – Status of senior needs and concerns from two Senior Forums  
Exhibit C – Annual Report on Senior Services 2020 PowerPoint

# PROGRAM IMPACT

## LIFE ENRICHMENT & WELLNESS PROGRAMS

**PURPOSE:** To promote health and wellness by providing access to activities, programs, and services.

### **2018 STATISTICS & SIGNIFICANT INFORMATION:**

- Yearly attendance = 44,997
- Average daily attendance = 187
- Average weekly attendance = 937
- Average monthly attendance = 3,749
- 1,007 Educational opportunities, activities, recreational programs and services were offered.
- New events = 2
- New programs = 11
- New classes = 8
- Information & Assistance appointments = 3,419
- Average number of meals served:
  - 21/day
  - 103/week
  - 416/month
  - 4,991/year
- Number of meals delivered = 9,840
- AARP Tax Assistance appointments = 198

### **2019 STATISTICS & SIGNIFICANT INFORMATION:**

- Yearly attendance= 45,199
- Average daily attendance = 188
- Average weekly attendance = 942
- Average monthly attendance = 3,767
- 938 Educational opportunities, activities, recreational programs and services were offered.
- New events = 4
- New programs = 3
- New classes = 4
- Information & Assistance appointments = 3,696
- Average number of meals served:
  - 22/day
  - 109/week
  - 437/month
  - 5,239/year
- Number of meals delivered = 9,840
- AARP Tax Assistance appointments = 262

## **VOLUNTEER SUPPORT**

### **2018/2019 Hours of Volunteer Support:**

The number of unduplicated volunteers that reported volunteer hours = 44

Total of reported volunteer hours = 4,049.75

We continue to work at increasing the number of volunteers who record their hours in our database.

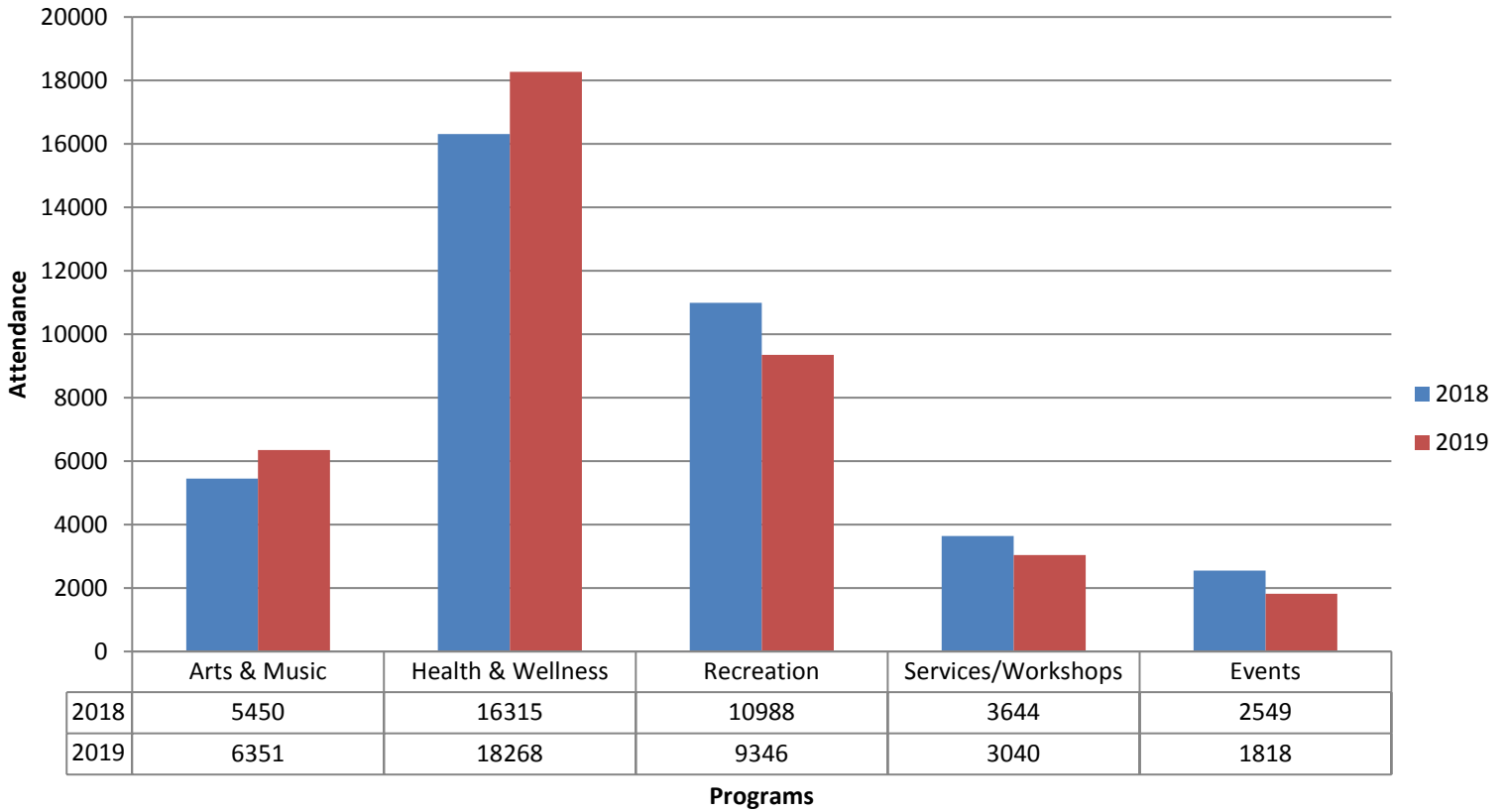
We appreciate all volunteer service, whether formally recorded or not.

## **SERVICE RELATED OFFERINGS:**

- AARP Driver Safety Classes
- AARP Driver Refresher Course
- AARP Tax Assistance
- Brown Bag
- Daily Nutrition Lunch
- Drive Well, Age Smart
- Flu Shot Clinics
- HICAP (Health Insurance Counseling & Advocacy Program)
- Meals on Wheels
- Mobile Farmer's Market
- Paralegal
- Senior Link – Tracy Program
- University of Pacific Health Fair for Seniors & Medicare Beneficiaries

\* Decrease in services due to relocation to the Tracy Community Center. Some of the classes were modified due to space.

## Lolly Hansen Senior Center Attendance for Programs

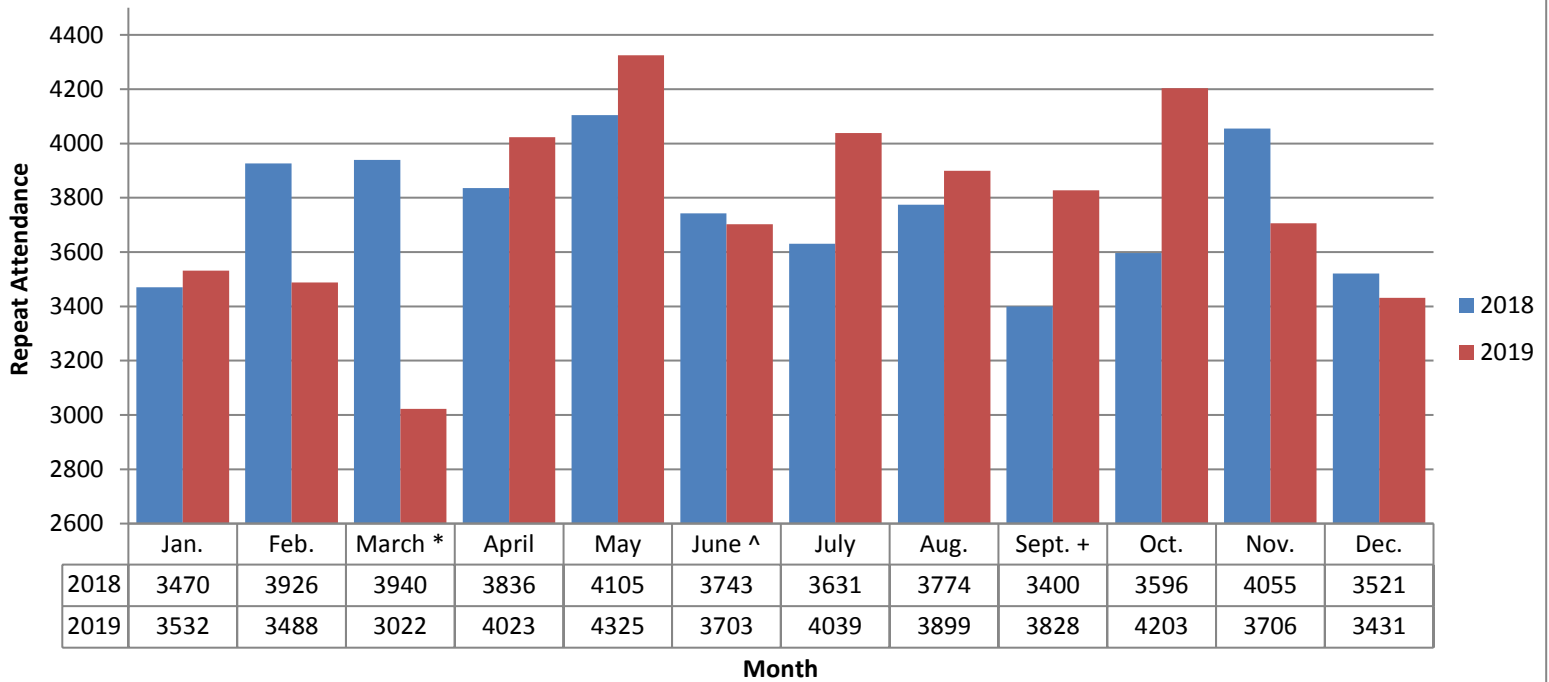


## Programs and Activities Offered at the Lolly Hansen Senior Center



\* Decrease in services due to relocation to the Tracy Community Center. Some of the classes were modified due to space.

## Lolly Hansen Senior Center Monthly Total - Repeat Senior Attendance



+ Relocation to the Tracy Community Center due to Senior Center Renovation (September 2018)

\* Art Expressions (Programming temporarily relocated to the Tracy Transit Station) (March 2019)

^ Moved back into the Senior Center (June 2019)

\* Decrease in services due to relocation to the Tracy Community Center. Some of the classes were modified due to space.



## Organizations Present:

**AM**

- Department of Aging
- Catholic Charities
- Brookdale Tracy
- Tracy Golden Agers

**PM**

- Tracy Senior Association

**Senior Community Conversation Meeting 2019  
Current Senior Citizen Needs and Concerns**

**May 8, 2019**

**Attendance: 17 AM Session**

**9 PM Session**

**What's Working:**

- |                                       |  |
|---------------------------------------|--|
| • Fitness                             | • Safe place                             |
| • Lunch                               | • Bingo                                  |
| • Staff                               | • Lunch & a Movie                        |
| • Zumba                               | • Grandparents Day                       |
| • Connecting Seniors without Facebook | • Thank you to Tracer for Van GO Program |

**Department: Parks & Recreation – Senior Division**

Senior Concern	Recommendation	By When
More classes and programs utilizing volunteers and possibly teens. <ul style="list-style-type: none"> <li>• Computer</li> <li>• Technology</li> <li>• Fitness class varieties, times and different instructors</li> <li>• Gift wrap help</li> </ul>	Staff will look into finding instructors or volunteers who are interested in teaching the suggested classes. With the expansion of the Senior Center, staff will also look into offering a wider variety and afternoon fitness classes. The Senior Center currently offers 6 morning and 3 afternoon fitness classes. <b>Update as of September 2019:</b> The Senior Center now offers 8 morning and 4 afternoon fitness classes.	Ongoing
Senior Employment <ul style="list-style-type: none"> <li>• Suggested to work with AARP Workforce</li> </ul>	Staff will research the AARP Workforce to see how the program works and how it can be offered at the Senior Center. Staff will also reach out to the Tracy Chamber of Commerce to see if they currently offer any programs.	Fall 2019
More comments and concerns collected throughout the City – Location suggestions <ul style="list-style-type: none"> <li>• TRACER buses</li> <li>• Mail in (included with Utility Bill)</li> <li>• Coffee Shops</li> <li>• Downtown Businesses</li> </ul>	Staff will continue collecting comments and concerns from participants. However, Tracy residents can submit a request for service, complaint, question or track their existing request online using Government Outreach. In addition, they also have access to the GOREquest app, the main phone line for City Hall and City email address to report comments and concerns as well.	Winter/Spring 2020

Market flyers to more locations	<p>Staff will continue to utilize the following marketing strategies and efforts:</p> <ul style="list-style-type: none"> <li>• Facebook (City, Parks &amp; Recreation and Senior Page)</li> <li>• Instagram</li> <li>• Farmer's Market</li> <li>• City Website</li> <li>• Local Newspapers (Ads)</li> <li>• Flyers</li> <li>• Senior table at City Events</li> <li>• Recreation Activity Guide (3x year – Winter/Spring, Summer, Fall)</li> <li>• Channel 26</li> <li>• Door-to-Door</li> <li>• Announcement Boards at the Senior Center (4)</li> <li>• Various Community Events</li> <li>• Tracy Press Datebook</li> <li>• Announcements (Daily)</li> <li>• Mailers - Periodically</li> <li>• Flyers on City buses</li> <li>• Banner</li> <li>• Email Distribution Blasts to Participants</li> <li>• Email to Service Clubs</li> </ul> <p>The Senior Center targets locations which seniors frequently visit. The current distribution includes locations such as: Pharmacies, restaurants, doctor's offices, senior living facilities, churches, service clubs and city facilities. Staff will continue to research more locations and research other marketing methods.</p>	Ongoing
More benches in the City Hall Plaza area	Two new benches will be installed in the City Hall Plaza area once the Senior Center renovation has been completed.	Completed August 2019

**Department: Aquatics Division**

Senior Concern	Recommendation	By When
More availability of water aerobics at the new aquatics center	Staff shared the information with the coordinator of aquatics programming. As of Summer 2019, new Sunday, Monday and Wednesday evening water exercise classes were added for the extended season based on community feedback. Staff will continue to work with the Aquatics Division to offer senior related classes at the Joe Wilson Pool.	Completed June 2019

**Department: Public Works**

<b>Senior Concern</b>	<b>Recommendation</b>	<b>By When</b>
Sidewalks that need to be fixed – Examples given: <ul style="list-style-type: none"> <li>• 6<sup>th</sup> St. and Central Ave.</li> <li>• Near the Post Office</li> </ul>	Staff notified the participant of how to contact the Public Works Department to share their issues. Staff also shared the information with the Public Works director.	Completed May 8, 2019
Street lights that turn off and on	Staff was able to speak with the participant and notified them of how to contact Public Works Department for assistance. Ex. Phone, email and the GoRequest App.	Completed May 8, 2019

**Department: Development Services**

<b>Senior Concern</b>	<b>Recommendation</b>	<b>By When</b>
More low income & senior housing	General Statement. Information shared with the Development Service/City Planner.	Completed August 2019

**General Comment**

<b>Senior Concern</b>	<b>Recommendation</b>	<b>By When</b>
More availability of meals for Tracy residents needing to use the Meals on Wheels program	Senior Center staff shared the information with the coordinator of Meal on Wheels at the San Joaquin County Department of Aging.	Completed May 8, 2019

**Organizations Present:**

- Brookdale Tracy
- Tracy Golden Agers
- Tracy Senior Association
- Visiting Angels

**PARKS & COMMUNITY SERVICES COMMISSION  
SPECIAL MEETING NOVEMBER 6, 2019**

**Attendance: 18**

**What's Working:**

- Newly renovated facility
- Staff
- New classes
- Ping Pong

**Department: Parks & Recreation – Senior Division**

Senior Concern/Comments	Recommendation	By When
<p>Marketing</p> <ul style="list-style-type: none"> <li>• Color Ad in newspaper once a month</li> <li>• Downtown bulletin board</li> <li>• Text messages for children of seniors</li> <li>• Direct mailers</li> </ul>	<p>Staff will continue to utilize the following marketing strategies and efforts:</p> <ul style="list-style-type: none"> <li>• Facebook (City, Parks &amp; Recreation and Senior Page)</li> <li>• Instagram</li> <li>• Farmer's Market</li> <li>• City Website</li> <li>• Local Newspapers (Ads)</li> <li>• Flyers</li> <li>• Senior table at City Events</li> <li>• Recreation Activity Guide (3x year – Winter/Spring, Summer, Fall)</li> <li>• Channel 26</li> <li>• Door-to-Door</li> <li>• Announcement Boards at the Senior Center (4)</li> <li>• Various Community Events</li> <li>• Tracy Press Datebook</li> <li>• Announcements (Daily)</li> <li>• Mailers - Periodically</li> <li>• Flyers on City buses</li> <li>• Banner</li> <li>• Email Distribution Blasts to Participants</li> <li>• Email to Service Clubs</li> </ul> <p>The Senior Center targets locations which seniors frequently visit. The current distribution includes locations such as: Pharmacies, restaurants, doctor's offices, senior living facilities, churches, service clubs and city facilities. Staff will continue to research more locations and research other marketing methods.</p>	<p>Ongoing</p>
<p>Transportation (Van GO)</p> <ul style="list-style-type: none"> <li>• Issues leaving</li> <li>• Church on Sundays</li> </ul>	<p>Staff will ask the Transportation Division staff to share the information with San Joaquin County who operates Van GO. Staff will also work with Transportation Division staff to offer bi-annual workshops on transportation services.</p>	<p>November 19, 2019</p>

New Class/Program Recommendations: <ul style="list-style-type: none"> <li>Chess Club</li> <li>Spades/Phase 10</li> </ul>	Staff will look into finding an instructor or volunteer who is interested in teaching the suggested classes. Phase 10 has been added to the Winter/Spring 2020 Activity Guide.	Ongoing
Workshop Recommendation for Seniors and their Adult Children: <ul style="list-style-type: none"> <li>Transitioning</li> <li>Downsizing</li> <li>Emergency Preparedness</li> <li>Family Support</li> <li>Navigating Care</li> </ul>	Staff will look into businesses/organizations that would be interested in partnering to offer the suggested workshops.	Fall 2020
Congregate Lunches <ul style="list-style-type: none"> <li>Have to sign up day of in person</li> </ul>	Staff has tried various options for allowing participants to sign up for lunches including allowing reservations made the day before. Staff will speak with other congregate meal program sites to see how lunch sign-ups are taking at their facilities.	Ongoing
Ping Pong Extended Hours <ul style="list-style-type: none"> <li>Extended Monday through Friday Hours</li> <li>Pay additional fees</li> </ul>	Ping pong currently plays three days a week, Monday 2:30pm-5:30pm, Wednesday 11:00am-3:00pm, and Friday 1:15pm-4:00pm. For a total of approximately 9.75 hours a week. Should the Senior Center hours be extended, additional hours may be considered.	Fall 2020
Thanksgiving Dinner <ul style="list-style-type: none"> <li>Another Location</li> <li>Transportation</li> </ul>	A representative from Tracy Rotary, who organizes the Senior Thanksgiving Dinner, was present at the Special Meeting and heard the suggestion.	Completed November 6, 2019
Survey for needs and concerns <ul style="list-style-type: none"> <li>Offer incentives</li> </ul>	Staff will work on creating a survey to offer an additional ways to hear needs and concerns.	Summer 2020
Extended Senior Center Hours <ul style="list-style-type: none"> <li>Extended Monday through Friday Hours</li> <li>Open on the weekends</li> </ul>	Staff will continue to research the cost associated with both extending the hours of the Senior Center and having weekend hours and see what additional programming could be added. Recommendation: Extend the Senior Center hours from 8:30am-4:00pm to 8:00am-5:30pm to maxims current program offerings with onsite staff. Staff is researching other senior centers to see operating hours.	"Potentially" Fall 2020
Fitness participants cannot see the instructor <ul style="list-style-type: none"> <li>Project instructor onto TV</li> </ul>	Staff is currently working with a non-profit agency who will be donating/purchasing a platform to be used by instructors. Staff will also research AV equipment that would allow for the instructor to be visible on the TV.	Ongoing
Senior Center to be a Cooling Center after hours	Staff addressed the concern with the participant and explained that the Senior Center was a cooling center in the past but had no attendance. The	Completed November 6, 2019

	Senior Center is now a cooling center for active adults 50+ during operating hours. However, we will continue to keep it on the list.	
Install railing to the ramp outside of Classroom 2	Staff has notified the participant that the outside door to Classroom 2 is not designed to be an entrance point into the facility.	Ongoing

**Department: Development Services**

<b>Senior Concern/Comments</b>	<b>Recommendation</b>	<b>By When</b>
Parking Lot <ul style="list-style-type: none"> <li>Not enough parking for participants</li> </ul>	Staff currently monitors the parking lots for non-participants. Staff will also share the information with Development Services to see if and how any additional parking can be added.	Ongoing
Better Sidewalks <ul style="list-style-type: none"> <li>Flashing Lights</li> <li>Re-stripped crosswalk</li> <li>“Senior Crossing” sign</li> </ul>	Staff shared the information with Development Services and Public Works. Staff will continue to work with Development Services on researching “Senior Crossing” signs to help with the crosswalk located between the Lolly Hansen Senior Center and the Village Garden Apartments.	November 25, 2019



# RECEIVE THE ANNUAL REPORT ON SENIOR SERVICES





# HIGHLIGHTS

- ▶ Activities provided by the Senior Services Program
- ▶ Current and future needs of seniors in Tracy
- ▶ Update on the efforts of the Parks & Community Services Commission





# LOLLY HANSEN SENIOR CENTER

- ▶ Activities, programs & services
- ▶ Resource hub
  - ▶ SJ County Services
  - ▶ AARP, HICAP, Paralegal
  - ▶ Local Non-profits
  - ▶ Tracy Golden Agers & Tracy Senior Association
- ▶ Gather and socialize

### Health Services

*Behavioral Health Services of Tracy*  
(209) 831-5941  
www.sjshhs.org

*Tracy Family Resource Center*  
(209) 229-4922

*Poison Control Hotline*  
(800) 222-1222

*Suicide Prevention Hotline*  
(800) 273-8255

*Tracy Volunteer Center*  
(209) 835-2772  
www.tracyvolunteercenter.org

*Disability Insurance*  
(800) 480-3287  
Spanish: (866) 658-8846  
(209) 470-7812  
Email: hicap@linc.net

*HICAP*  
(209) 468-1000  
www.sjgov.org/health/medi-cal

*Medi-Cal*  
(209) 468-1104  
www.sjchea.org/Assistance/In-Home-Care

*In-Home Supportive Services (IHSS)*  
(209) 467-0703  
www.atracyadiningroom.org

*St. Mary's Dining Room*  
(209) 946-7404

*UCDP Dental Hygiene Clinic*  
(209) 444-5900

*Catholic Charities*  
www.ccstockton.org

### Get Connected

**City Council**  
1st & 3rd Tuesday of each month at 7:00pm  
City Hall, 333 Civic Center Plaza  
council@cityoftracy.org

**Parks and Community Services Commission**  
1st Thursday of each month at 7:00pm  
City Hall, 333 Civic Center Plaza  
parks@cityoftracy.org

**Planning Commission**  
2nd & 4th Wednesday of each month at 7:00pm  
City Hall, 333 Civic Center Plaza  
development@cityoftracy.org

**Tracy Arts Commission**  
2nd Tuesday of each month at 7:00pm  
Grand Theatre Center for the Arts  
715 Central Avenue  
laoallice@cityoftracy.org

**Transportation Advisory Commission**  
2nd Thursday of each month at 7:00pm  
Tracy Transit Station  
50 East 6th Street  
parks@cityoftracy.org

**San Joaquin County Commission on Aging**  
1st Monday of each month at 1:00pm  
Human Services Agency  
107 S. San Joaquin Street, Stockton  
aging\_da@csn-san-joaquin.ca.us

\*Information Subject to Change\*  
Various Services Subject to Fees

\*\* The City of Tracy only provides information for non-profit organizations.

### Local Senior Services & Resources



**Lolly Hansen Senior Center**  
**Hours of Operation**  
Monday - Friday  
8:30am to 4:00pm  
375 East 9th Street  
(209) 831-6240



Parks & Recreation Department  
333 Civic Center Plaza  
(209) 831-6702  
Monday-Thursday 8:00am to 6:00pm  
Every other Friday 8:00am to 5:00pm  
www.cityoftracy.org

### Discounted Services

*AARP - Driver Safety Classes & Tax Aid*  
(209) 831-6240

*California Lifeline Program*  
English: (866) 272-0349  
Spanish: (866) 272-0350

*City of Tracy (Program Scholarships)*  
(209) 831-6240

*City of Tracy Finance Department*  
(209) 831-6800  
customerservice@cityoftracy.org  
Ask for LIRA Application

*Low Income Home Energy Assistance Program (LIHEAP)*  
(209) 468-1988

*Utility Payment Assistance*  
(209) 468-1500

### Senior Link - Tracy

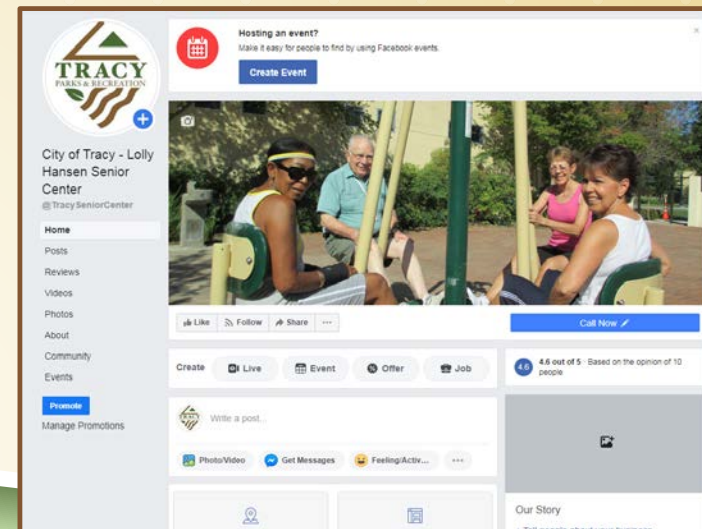
Need help finding Services?  
• Senior Housing • Transportation Services  
• Health Services • In-Home Care  
• Discounted Services • Volunteer Opportunities

Please call to schedule your appointment with the Senior Link Specialist  
(209) 831-6240  
Monday, Wednesday and Friday  
12:00pm to 3:00pm  
Morning appointments available upon request

Senior Link - Tracy is assisting Senior Citizens in living a full, vibrant and independent life by providing information of local agencies and services providers.

# PROGRAMMING HIGHLIGHTS

- ▶ 5,220 registered seniors
- ▶ 753 new seniors
- ▶ New programs
  - ▶ Chair Exercise, water color painting, AARP refresher course
- ▶ Savvy Seniors
- ▶ Senior Center Facebook



# MARKETING EFFORTS

## Flyers & Posters



### Fitness with Hayat

**Cardio Dance and Strength**  
Monday 9:30am - 10:30am  
\$1 per class  
Cardiovascular exercise followed by strengthening with weights, very low to no impact.

**Mind & Muscle**  
Tuesday & Thursday 9:30am - 10:30am  
\$1 per class  
Explore breathing, balance, and flexibility with and without chairs.

**Barre for Active Aging**  
Wednesday 9:30am - 10:30am  
\$1 per class  
B.A.A. mixes elements of pilates, yoga, and ballet in one exercise tailored to the needs of seniors.

**Chair Exercise**  
Wednesday 8:45am - 9:15am  
Friday 10:45am - 11:15am  
\$1 per class  
Seated exercise for beginners and those with limited disabilities.

**Interval Training**  
Friday 9:30am - 10:30am  
\$1 per class  
20 Seconds of workout followed by 10 seconds of rest... and start again! Weights, resistance bands, and balls are used in the class.






Pay \$20 for a 25-Day pass valid on \$1 drop-in classes!




Lois Hansen Senior Center  
475 E. 5th Street  
Tracy, CA 95376  
(209) 811-4246  
Creating Community through People, Parks and Programs

## Tracer Buses



## Social Media Outlets Facebook & Instagram








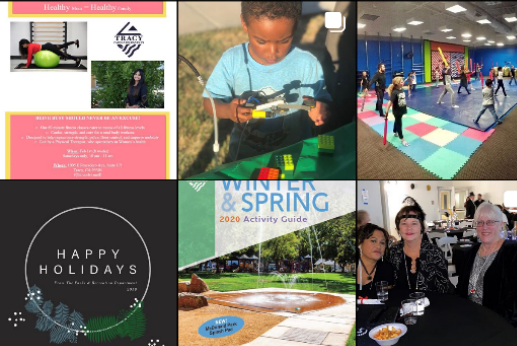
90 Posts   1,106 Followers   205 Following


**Tracy Parks & Recreation**  
Government Organization

When you recreate like us - the possibilities are endless. We'll keep you in the know of all things to do, see and explore in this Tracy triangle!  
[www.tracyartsandrec.com](http://www.tracyartsandrec.com)  
Followed by amber.lynnw, elisaderas and 39 others

[Follow](#)
[Message](#)
[Contact](#)

 Parks Fam  
  Programs  
  Active Adults  
  Parks  
  Aquatics






City of Tracy - Lolly Hansen Senior Center  
@TracySeniorCenter

Home  
Posts  
Reviews  
Videos  
Photos  
About  
Community  
Events  
Promote  
Manage Promotions

**Reach More People with Events**  
Pages like yours reach an average of 528 people per event. Events are a great way to get the word out about your business.

[Create Event](#)



Like Follow Share ...

[Call Now](#)

Create Live Event Offer Job

4.6 out of 5 Based on the opinions of people

Write a post...



@tracyseniorcenter



@playinsidethetriangle



# MARKETING EFFORTS

- ▶ Daily updates @ Senior Center
- ▶ City Facilities & Parks
- ▶ City Website
- ▶ Recreation Activity Guide
- ▶ Channel 26
- ▶ Email Blasts
- ▶ Tracy Press Newspaper
  - ▶ Online & Ads
- ▶ Chamber of Commerce
- ▶ Community Events
- ▶ Farmers Market
- ▶ Outreach to:
  - ▶ Senior Community & Living Facilities
  - ▶ Churches
  - ▶ Local organizations
  - ▶ Doctor offices



@tracyseniorcenter



@playinsidethetriangle

# PARKS & COMMUNITY SERVICES COMMISSION

- ▶ Engaging in the Senior Programming
- ▶ Monthly Recreation Reports
- ▶ Quarterly update on Senior Comments and Concerns



# PARKS & COMMUNITY SERVICES COMMISSION

## Commission's FY 2019/2020 Goal

- ▶ 1.B. – Ensure representation with the Tracy Senior Association
- ▶ 1.D. – Public outreach to senior community
  - ▶ Conduct a special meeting at the Lolly Hansen Senior Center
  - ▶ Reach out and meet with other senior organizations





# NEXT STEPS

Parks & Community  
Services Commission:



Recreation Staff &  
Park Commission:





# SENIOR CENTER RENOVATION



Social Room



Restrooms



Outdoor Covered Patio



Multipurpose Room



# SENIOR CENTER RENOVATION



Computer/Resource Lab



Classroom 1 & 2



Reception Area



Kitchen

# THANK YOU!



AGENDA ITEM 3.B

REQUEST

**RECEIVE THE ANNUAL REPORT OF THE YOUTH ADVISORY COMMISSION**

EXECUTIVE SUMMARY

The Youth Advisory Commission was formed by the City Council for the purpose of advising the Council and the Parks and Community Services Commission on providing opportunities for youth to lead and plan recreation and community service activities, with emphasis on youth development, to enhance leadership skills and self-esteem of people, ages 12 to 18 years. This report is an accounting of the Youth Advisory Commission for calendar year 2019 as well as projected goals for calendar year 2020.

DISCUSSION

The Youth Advisory Commission (YAC) was formed with the purpose of providing youth with an opportunity to make a positive impact in their communities and advising the City Council, Parks and Community Services Commission and staff on matters relating to the welfare of youth in Tracy.

Currently the YAC has fourteen youth Commissioners and one adult Commissioner. Each youth Commissioner represents one of the local high schools. The City is currently in the recruitment process for adult Commissioners and youth Commissioners to fill vacancies that will exist after current youth Commissioners graduate from high school in May and whose terms will be expiring in July. Marketing efforts include: City website, social media, outreach to the various high school and community service clubs, online and print ads in the local newspaper and any interest cards that have been completed with the City Clerk.

- Tracy High School (7 Commissioners)
- West High School (4 Commissioners)
- Kimball High School (2 Commissioners)
- Millennium High School (1 Commissioners)

In 2019, YAC had two primary goals as listed below. Under each goal is the status on how successful the commissioners were in completing their objective.

1. Support new events and programs to connect youth, teens and seniors in the community.
  - The Commission participated and proposed new programs for teens to interact with youth and seniors in the community. The teen camps included: Girl Talk, So, You Think You Can Cook, Creative Space, Siblings Watching Siblings and Ready, Set, Bake! The Commissioner also implemented a new activity focusing on teen issues by hosting Vaping Awareness booths at four high schools during their lunch period and participated with the Rollin' Rec Program. The Commissioners

participated at the Lolly Hansen Senior Center with the Intergenerational Program, where they participated in recreation activities with the seniors. YAC also assisted with the senior Forever Young Prom, Tinsel n' Treats and Black and White Ball event.

2. Participate in opportunities to nurture community involvement through community service projects.
  - A primary focus of the Commission is to participate with local organizations and service clubs throughout the community and outreach to teens for participation. The Commission participated in community service projects which included partnering with local organizations for a neighborhood beautification project on the National Day of Service and participating in the annual Arbor Day event on Make a Difference Day. YAC also held park clean-ups at their adopted park, the Dry Climate Park at Hoyt Park.

The Youth Advisory Commission created new goals for 2020 as follows:

1. Program Enhancement  
Look for ways to enhance Recreation Programs that will provide benefits to teens.
  - Select one new teen event, program or camp focusing on teen trends or issues
  - Develop ideas for new intergenerational programming or events
  - Support the revitalization of the Rollin' Rec Program
2. Community Outreach  
Look for ways to make the Commission more visible; to participate with local organizations and service clubs throughout the community; and to widen participation of teens
  - Host three park clean up events
  - Implement one new community service project
  - Work with downtown businesses to help expand their outreach to the community

## STRATEGIC PLAN

This agenda item supports to the Council's Strategic Plan and specifically is in alignment with the following goals and objectives:

### Quality of Life:

**Goal 5:** Improve current recreational, cultural arts and entertainment programming and services to reflect community interests and demands.

**Objective 1:** Develop recreational, cultural arts and entertainment programs and services that reflect community demographics, evaluation feedback, and trends.

Public Safety Strategy:

**Goal 1:** Partner with and engage the community to address public safety concerns.

**Objective 4:** Enhance community engagement through volunteer opportunities.

FISCAL IMPACT

Staff costs related to support of the Youth Advisory Commission are included in the Parks and Recreation Teen Division budget.

RECOMMENDATION

That the City Council accept the annual report of the Youth Advisory Commission.

Prepared by: Amanda Jensen, Recreation Coordinator I  
Jolene Jauregui, Recreation Services Supervisor

Reviewed by: Brian MacDonald, Parks & Recreation Director  
Karin Schnaider, Finance Director  
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

Attachments

Attachment A: Youth Advisory Commission Annual Report PowerPoint





# Youth Advisory Commission 2019-2020 Annual Report



# Purpose of the Commission

- ▶ The Youth Advisory Commission was established in 1998 with the purpose of involving local teens in the community.
- ▶ Helps teens make a positive impact in the community through volunteer opportunities.
- ▶ Offers teens safe and fun social activities.
- ▶ Gives teens a voice in the local government.

# Youth Advisory Commission

- ▶ The Youth Advisory Commission currently has fourteen youth Commissioners and one Adult Commissioner
- ▶ Each Commissioner represents one of the local high schools:
  - ▶ Tracy High School (7 Commissioners)
  - ▶ West High School (4 Commissioners)
  - ▶ Kimball High School (2 Commissioners)
  - ▶ Millennium High School (1 Commissioners)
  - ▶ 1 Adult Commissioner





# Youth Advisory Commission

## Goals 2019

1. Support new events and programs to connect youth, teens, and seniors in the community.

*~ Participate and propose new programs or events for teens to interact with youth and seniors in the community.*

2. Participate in opportunities to nurture community involvement through community service projects.

*~ Participate with local organizations and service clubs throughout the community and outreach to teens for participation.*

# Youth Advisory Commission

## Goals 2019

### 1. Support new events and programs to connect youth, teens, and seniors in the community.

#### Summer Camps

- Siblings Watching Siblings
- Ready, Set, Bake!
- Girl Talk!
- Creative Space, Camp
- So, You Think You Can Cook



#### Year Round Programs/Events

- Rollin' Rec Program
- Intergenerational Program
- Seniors - Forever Young Prom
- Seniors - Tinsel n' Treats
- Seniors - Black & White Ball



# Youth Advisory Commission

## Goals 2019

### 2. Participate in opportunities to nurture community involvement through community service projects.

- Dry Climate Park Clean-up: April 6<sup>th</sup>, 2019
- National Day of Service: September 21<sup>st</sup>, 2019
- Arbor Day/Make a Difference Day: October 26<sup>th</sup>, 2019



# Youth Advisory Commission

## Goals 2019

### Continue Goal #2

- Vaping Awareness Booth

Kimball High



Millennium High



Tracy High



West High



# Youth Advisory Commission

## 2020 Goals

### 1. Program Enhancement

*~ Look for ways to enhance Recreation Programs that provide benefits to teens.*

- Select one new teen event, program or camp focusing on teen trends or issues
- Develop ideas for new intergenerational programming or events
- Support the revitalization of the Rollin' Rec Program

# Youth Advisory Commission

## 2020 Goals

### 2. Community Outreach

*~ Look for ways to make the Commission more visible; to participate with local organizations and service clubs throughout the community; and to widen participation of teens.*

- Host three park clean up events
- Implement one new community service project
- Work with downtown businesses to help expand their outreach to the community



Thank you all for your time!

We would not be able to do this without your support. We are looking forward to another successful year!



AGENDA ITEM 3.C

REQUEST

**RECEIVE THE ANNUAL REPORT OF THE TRANSPORTATION ADVISORY COMMISSION**

EXECUTIVE SUMMARY

The Transportation Advisory Commission was formed by the City Council in 2007 for the purpose of advising the Council on the planning and development of public transportation related improvements and delivery of various public transportation service programs. At the February 7, 2017 regular City Council meeting, the Council expressed the desire to receive an annual report from all of the City's Commissions to be placed on the consent calendar. This report is an accounting of the Transportation Advisory Commission for Fiscal Year (FY) 18/19 as well as projected goals for FY 19/20.

DISCUSSION

The Transportation Advisory Commission (TAC) was formed in 2007 after Council expressed the need for a commission with a diverse member composition in order to advise the Council on various public transportation issues. The original commission was comprised of nine members with background in transit, aviation, rail, and bikeways. Since the TAC was formed, they have worked on setting their own goals to work on in one to two-year increments.

In FY 18/19, the TAC had four focus areas and eleven goals as listed below. Under each goal is the status on how successful the commissioners were in completing their objective.

**Focus Area: OUTREACH**

- Public Outreach at the Farmers Market
  - A primary focus of the commission is to get feedback from the public on issues related to transportation. In order to achieve this, the commission decided that it would be beneficial to be out in the public where there are already crowds of people. The Farmer's Market was the best choice as a place where there are plenty of citizens weekly and the City staff already had a booth set up there periodically. Although the goal was to try and be at the Farmer's Market every month, the schedules of the commissioners did not always lend them to be available during the weeks that the City staff has a booth set up. The commission representatives were able to attend four Farmer's Markets during FY 18/19 providing information about the commission and other transportation items.
  - **GOAL STATUS: COMPLETE**
- Public Outreach at Block Party Events
  - Another way that the commission wanted to try and receive feedback from the community was through the City's Block Party Events. Since City staff already had a booth set up for those events, the Transportation



Commissioners would be able to easily have a location from which they could interact with the attendees, hand out information, and gather feedback. As was the same with the Farmer's Market, the schedules of the commissioners did not always allow them to be available at all of the Block Party events. The commission representatives were able to attend two of the Block Party events during FY 18/19.

- **GOAL STATUS: COMPLETE**
- Participate in Tracy Police Department's Safety Fair with Bicycle Safety Information
  - In previous years, the Transportation Commission has participated in the Tracy Police Department's Safety Fair by having a booth focused on bicycle safety, information on Bike to Work Month, and information about the TAC. The Police Department did not hold the Safety Fair in FY 18/19 and therefore, the commission could not participate. Should the Police Department decide to hold another Safety Fair in the future, the Commission will participate.
- **GOAL STATUS: NOT COMPLETE**
- Develop promotional materials to be used at public outreach events
  - In addition to the usual transit information brochures that were given out at events, the commission wanted to use additional promotional materials at the various public outreach events they attended. The additional promotional items that were created included: a stress relief bus with the Tracer logo and contact information, a pencil with the Tracer logo, a pen that doubles as a cell phone stand with the Tracer logo and contact information, a sheet with information about the Transportation Advisory Commission, and a bag with the Tracer logo to hold all of the items being handed out.
- **GOAL STATUS: COMPLETE**
- Create domain names for easier access to online information
  - In order to make it easier for the public to find information related to the airport, transit and bikeways, the commission wanted to explore creating additional domain names to easily access information on the City's website. Currently the City uses [www.ridetracer.com](http://www.ridetracer.com) for easy access to transit information. This item was put on hold until after the City's website update took place.
- **GOAL STATUS: ON HOLD**

#### **Focus Area: TRANSIT**

- Provide Input on Updated Short Range Transit Plan
  - The Short Range Transit Plan was approved by the City Council in August of 2019. This item was a priority of the Commission and the end result was a document that was agreed upon by the entire Commission through many hours of input and discussion. Through this process, a sub-committee was created to review and provide input on the working papers that have been created by the consultants. In addition the commission participated in the multiple public outreach meetings and held discussions at two of their regular meetings providing comments and input on the plan.
- **GOAL STATUS: COMPLETE**

- Improve promotion of public transportation within and connecting to Tracy
  - This item was put on hold pending the development of the Short Range Transit Plan. This may become a future goal of the commission.
- **GOAL STATUS: ON HOLD**

**Focus Area: BIKEWAYS**

- Identify high priority bike lane rehab areas
  - The commission recognized various bike lane segments that were faded and needed to be re-striped. Areas were identified and provided to the Public Works Department to be included as part of their city-wide re-striping process.
  - **GOAL STATUS: COMPLETE**
- Provide Input on Updated Bikeways Master Plan
  - City staff are currently working on including the Bikeways Master Plan update as part of the larger Roadways Master Plan update. A consultant has been selected for this process, but was not started during FY18/19. The commission will begin providing input as part of this goal for FY19/20.
  - **GOAL STATUS: IN PROCESS**
- Recommend high priority bike/ped projects to City Council through the CIP process
  - The commission discussed high priority bike/ped projects that they felt needed to be addressed immediately. This information was sent to Council in a memo for consideration during the CIP approval process.
  - **GOAL STATUS: COMPLETE**

**Focus Area: EDUCATION**

- Receive presentations on areas related to the purpose of the commission
  - The commission recognized the need to stay informed on various items related to the commission's purpose. A list of areas of interest were identified to receive presentations on as availability allowed. Some of these presentations included SJCOG's role, RTD's Van Go Service, the Congested Corridor plan, and Valley Link. Future areas of interest will continue to be scheduled by staff to further the education of the commission.
  - **GOAL STATUS: ONGOING**

The TAC has already created and begun working on additional goals for FY 19/20. Their new goals as a commission for FY 19/20 are as follows:

**Focus Area: OUTREACH**

- Public Outreach at Farmer's Market
- Public Outreach at Block Party Events
- Participate in City Sponsored Airport Events

**Focus Area: TRANSIT**

- Provide Input on Short Range Transit Plan Implementation
- Provide Fare Policy Recommendation to City Council

- Provide Input on Transit App Implementation

**Focus Area: AIRPORT**

- Provide Input on Hangar Lease Agreement updates

**Focus Area: BIKEWAYS**

- Provide Input on Green Bikeway Implementation Plan
- Provide Input on Updated Bikeways Master Plan

**Focus Area: EDUCATION**

- Receive presentations on areas related to the purpose of the commission

**STRATEGIC PLAN**

This agenda item is a routine operational item and does not relate to the Council's Strategic Plans.

**FISCAL IMPACT**

There is no impact to the General Fund, Airport Fund, or Transit Fund for this item.

**RECOMMENDATION**

That the City Council receive the annual report of the Transportation Advisory Commission.

Prepared by: Ed Lovell, Management Analyst II

Reviewed by: Brian MacDonald, Parks & Recreation Director  
Karin Schnaider, Finance Director  
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

AGENDA ITEM 3.D

REQUEST

**RECEIVE REPORT AND RECOMMENDATIONS FROM PLACEWORKS, INC.  
REGARDING WORKFORCE AND AFFORDABLE HOUSING AND PROVIDE  
DIRECTION TO STAFF**

EXECUTIVE SUMMARY

This agenda item is to receive a report from PlaceWorks, Inc., hired by the City, to evaluate workforce and affordable housing issues that includes various recommendations for actions the City can take to address these issues. This item requests that Council also provide direction to staff in regard to what recommendations, if any, they wish to have staff pursue further and include in a work plan.

DISCUSSION

The City Council conducted a workshop on workforce and affordable housing on June 4, 2019. The workshop, led by David Early, of PlaceWorks, Inc., reviewed Tracy area housing costs and wages, existing affordable housing incentives, and potential projects or programs to help address housing affordability in Tracy.

Following the City Council workshop, PlaceWorks elicited input to help identify challenges and potential solutions to create workforce and affordable housing in Tracy through two community workshops and an online survey. Additionally, PlaceWorks conducted a workshop with residential builders and investors who have developed housing in Tracy and conducted one-on-one interviews with for-profit and non-profit affordable housing developers.

The focus of the workshops, online survey, and developer interviews was to obtain input and help identify alternatives the City could consider to support the creation of housing affordable to workers in the City of Tracy.

Tonight's presentation will include a summary of PlaceWorks' report and recommendations by David Early. Recommendations include the following:

***Increase Density***

*These measures would amend City development standards to allow a greater number of dwelling units, particularly multi-family and smaller homes. These could be near-term items to be completed by City staff or with consultant help.*

- 1. Increase maximum densities in the higher density residential zones, particularly in the Downtown and Bowtie areas, but also in other places with higher density residential zoning.*
- 2. Consider removing minimum lot sizes in favor of FAR and/or units per net acre.*
- 3. Adjust zoning requirements to allow higher buildings, greater lot coverage and reduced setbacks in moderate- and higher-density zones.*

4. *Increase minimum densities in medium density residential zones so as to preclude the use of these zoning designations for development of more expensive stand-alone single family homes.*
5. *Consider regulations to encourage or require that a certain percentage of homes in new subdivisions include Accessory Dwelling Units (ADUs) and that new subdivisions include fourplexes that are designed to look cohesive with adjacent single-family homes.*
6. *Change the City's existing regulations, which already do a good job of encouraging ADUs, to lessen setback and parking requirements in some areas.*
7. *Identify one or more sites in the City that can be zoned with an overlay that allows clusters of tiny homes.*

#### ***Increase Rate of Construction***

*These items would allow a greater rate of residential development. They are longer-term items that would require a change to Measure A with voter approval.*

8. *Provide additional market-rate Residential Growth Allocations (RGAs) for projects that include a specified percentage of affordable units.*
9. *Consider amending the Growth Management Ordinance to allow the issuance of RGAs on a per-building basis instead of a per unit basis (current practice), so that buildings with multiple units do not require as many RGAs.*

#### ***Direct Developer Support***

*These items would include an ongoing financial commitment from the City through budget appropriations or research and analysis by City staff to market property and development opportunities to developers and builders. These are long-term items that would require a General Fund commitment and could include on-going work on individual properties or a large number of sites at a time – with analysis conducted by staff or with consultant help.*

10. *Study changes to the development system that would lessen fees for multi-family and/or affordable units as compared to single-family and market rate units.*
11. *Identify an existing staff member or establish a new position to serve as a housing champion to further the production of affordable housing. Duties would include maintaining an inventory of available sites, recruiting developers, packaging funding for affordable housing projects, and providing technical assistance to homeowners and landowners who seek to build affordable housing and ADUs.*
12. *Among other duties, direct that this staff member prioritize capturing funds for affordable housing projects such as tax credit programs, California's Cap-and-Trade-Funded Affordable Housing and Sustainable Communities Program, State TOD funds, Senate Bill 2, and the Governor's other new and evolving housing programs.*
13. *Complete a City-sponsored and -funded CEQA analysis of available affordable housing sites so as pre-clear sites for affordable housing development.*
14. *Complete an analysis of available land in the City, looking at vacant, underutilized and low-density parcels, in-depth. For vacant parcels, analyze the development scenarios that would be feasible under current zoning. Analyze underutilized parcels to identify opportunity sites for redevelopment. Evaluate*

*low-density properties to identify opportunities for intensifying development, such as with ADUs.*

15. *Conduct market studies and feasibility analyses to determine what lot sizes and development patterns would most likely result in an affordable by design product. Compare this with the land inventory.*
16. *Conduct a tax credit analysis to determine appropriate scenarios for tax credit projects, the amounts of subsidies the most promising scenarios would require and available resources to ensure a strong tax credit application.*

### STRATEGIC PLAN

This agenda item is related to the City Council's Strategic Priorities, namely Quality of Life, Goal Number 2, promote public health, safety and community welfare throughout the community.

### FISCAL IMPACT

This is a routine operational item; staff and consultant work to prepare this report are included in the Development Services Department operational budget.

### RECOMMENDATION

Staff recommends that the City Council receive the report from PlaceWorks, Inc., identify recommendations the Council wishes to pursue, and direct staff to return to City Council with a proposed work plan, including any fiscal impact for items prioritized by the Council.

Prepared by: Alan Bell, Senior Planner

Reviewed by: Bill Dean, Assistant Development Services Director  
Karin Schnaider, Finance Director  
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

### ATTACHMENTS

Attachment A – January 2020 Affordable/Workforce Housing Study, by PlaceWorks, Inc.



January 28, 2020 | Summary Report

# **AFFORDABLE/WORKFORCE HOUSING STUDY**

**City of Tracy**

*Prepared for:*

**City of Tracy**

Contact: Alan Bell, Senior Planner  
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*Prepared by:*

**PlaceWorks**

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# 1. *Executive Summary*

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Due to increased housing prices in Tracy and throughout Northern California, the City of Tracy is interested in supporting additional development of housing that is affordable to Tracy's workforce, moderate- and lower-income households. In recent years, housing prices in Tracy have risen significantly due to general market conditions, as well as the increasing trend of commuting to higher-paying employment opportunities in the Bay Area. Salaries of jobs in Tracy are unaligned with market rents and home sale prices. Today, Tracy's median rental price is \$2,350, which is affordable to households at the high end of the moderate income range but is unaffordable for low- and very-low-income households. The situation is even more severe when looking at sale prices. While the median home prices are listed at \$575,184 and selling at \$485,600, a moderate-income household can afford a maximum home purchase of only \$413,000, and low- and very-low-income households can afford even less.

To study this issue, the City of Tracy asked PlaceWorks to engage in a study that would consider a host of approaches to provide additional affordable housing. PlaceWorks first evaluated data on incomes, housing costs and commute patterns. Next, existing City policies and practices were analyzed to identify the incentives intended to promote affordable and workforce housing and the key features that may be the reason these incentives haven't been utilized, as well as other City policies and practices that may be inadvertently discouraging the development of affordable and workforce housing. PlaceWorks also compiled a list of strategies that might work to provide additional affordable and workforce housing, including changes to zoning and other regulations, infill development, Accessory Dwelling Units (ADUs), tiny homes and other City efforts.

Once this list was in place, City and PlaceWorks staff engaged the community to discuss challenges and identify potential solutions to creating affordable and workforce housing in Tracy, using both an online survey and two community workshops. In addition, the City invited local housing developers to a developer-specific workshop to hear their perspective on the challenges to creating affordable and workforce housing, and to gather potential solutions, and PlaceWorks also conducted approximately a dozen one-on-one interviews with non-profit and for-profit affordable housing developers to gather similar information. Topics covered during the community and developer engagement activities included accessory dwelling units (ADUs), tiny homes, off-street parking requirements, zoning requirements, the City's Growth Management Ordinance (GMO), the California Environmental Quality Act (CEQA), development fees and funding.

Based on the outcomes from this process, and on PlaceWorks' own expertise in affordable and workforce housing provision, this report makes the following recommendations:

## **Increase Density**

These measures would amend City development standards to allow a greater number of dwelling units, particularly multi-family and smaller homes. These could be near-term items to be completed by City staff or with consultant help.

1. Increase maximum densities in the higher density residential zones, particularly in the Downtown and Bowtie areas, but also in other places with higher density residential zoning.
2. Consider removing minimum lot sizes in favor of FAR and/or units per net acre.
3. Adjust zoning requirements to allow higher buildings, greater lot coverage and reduced setbacks in moderate- and higher-density zones.
4. Increase minimum densities in medium density residential zones so as to preclude the use of these zoning designations for development of more expensive stand-alone single-family homes.
5. Consider regulations to encourage or require new subdivisions to include fourplexes that are designed to look cohesive with adjacent single-family homes.
6. Consider regulations to encourage or require that a certain percentage of homes in new subdivisions include ADUs.
7. Change the City's existing regulations, which already do a good job of encouraging ADUs, to lessen setback and parking requirements in some areas.
8. Identify one or more sites in the City that can be zoned with an overlay that allows clusters of tiny homes.

### **Increase Rate of Construction**

These items would allow a greater rate of residential development. They are longer-term items that would require a change to Measure A with voter approval.

9. Provide additional market-rate Residential Growth Allocations (RGAs) for projects that include a specified percentage of affordable units.
10. Consider switching from counting RGAs on a per unit basis to counting them on a per-building basis, so that buildings with multiple units do not require as many RGAs.

### **Direct Developer Support**

These items would include an ongoing financial commitment from the City through budget appropriations or research and analysis by City staff to market property and development opportunities to developers and builders. These are long-term items that would require a General Fund commitment and could include on-going work on individual properties or a large number of sites at a time – with analysis conducted by staff or with consultant help.

11. Study changes to the development system that would lessen fees for multi-family and/or affordable units as compared to single-family and market rate units.

12. Identify an existing staff member or establish a new position to serve as a housing champion to further the production of affordable housing. Duties would include maintaining an inventory of available sites, recruiting developers, packaging funding for affordable housing projects, and providing technical assistance to homeowners and landowners who seek to build affordable housing and ADUs.
13. Among other duties, direct that this staff member prioritize capturing funds for affordable housing projects such as tax credit programs, California's Cap-and-Trade-Funded Affordable Housing and Sustainable Communities Program, State TOD funds, Senate Bill 2, and the Governor's other new and evolving housing programs.
14. Complete a City-sponsored and-funded CEQA analysis of available multi-family housing sites so as pre-clear sites for affordable housing development.
15. Complete an analysis of available land in the City, looking at vacant, underutilized and low-density parcels, in-depth. For vacant parcels, analyze the development scenarios that would be feasible under current zoning. Analyze underutilized parcels to identify opportunity sites for redevelopment. Evaluate low-density properties to identify opportunities for intensifying development, such as with ADUs.
16. Conduct market studies and feasibility analyses to determine what lot sizes and development patterns would most likely result in an affordable by design product. Compare this with the land inventory.
17. Conduct a tax credit analysis to determine appropriate scenarios for tax credit projects, the amounts of subsidies the most promising scenarios would require and available resources to ensure a strong tax credit application.

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## 2. *Introduction*

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Due to increased housing prices in Tracy and throughout Northern California, the City of Tracy is interested in supporting the development of housing that is affordable to workforce and moderate- and lower-income households. In recent years, housing prices in Tracy have risen significantly due to general market conditions, as well as the increasing trend of commuting to higher-paying employment opportunities in the Bay Area. Salaries of jobs in Tracy are unaligned with market rents and home sale prices. Today, Tracy's median rental price is \$2,350, which is affordable to households at the high end of the moderate income range, but is unaffordable for low- and very-low-income households. The situation is even more severe when looking at sale prices. While the median home prices are listed at \$575,184 and selling at \$485,600, a moderate-income household can afford a maximum home purchase of only \$413,000, and low- and very-low-income households can afford even less.

While the City already has mechanisms in place to encourage affordable and workforce housing, very little of it has been developed in Tracy in recent years. With this in mind, the City of Tracy engaged PlaceWorks to consider a range of options that might lead to increased affordable and workforce housing production. This report, which results from PlaceWorks' efforts, assess how the City might encourage multi-family residential projects, infill development, and other creative solutions like Accessory Dwelling Units (ADUs) and tiny homes. As a whole, these solutions are sometimes referred to as "affordable by design," since they result in housing that is affordable due to the way it is constructed rather than through subsidy. This report also considers steps the City might take to generate additional affordable housing using more traditional models using subsidies.

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## **3. Methodology**

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To study issues surrounding production of affordable and workforce housing, the City of Tracy retained PlaceWorks to consider additional approaches that might result in additional construction of these important housing types in Tracy. PlaceWorks staff first evaluated data on incomes, housing costs and commute patterns. Next, existing City policies and practices were analyzed to identify the incentives intended to promote affordable and workforce housing and the key features that may be the reason these incentives haven't been utilized, as well as other City policies and practices that may be inadvertently discouraging the development of affordable and workforce housing. Next, City and PlaceWorks staff engaged the community to discuss challenges and identify potential solutions to creating affordable and workforce housing in Tracy. The City engaged the community to solicit feedback through multiple avenues to reach different segments of the population. The outreach included the events listed below. The findings and common themes are described later in this report.

### **3.1 CITY COUNCIL**

Staff hosted a meeting with the City Council in June 2019 to initiate a conversation about workforce and affordable housing. The discussion included a review of important topics including affordable housing incentives, incomes and affordability, commute patterns, and potential housing tools such as city policies and funding. The City Council direction from this meeting, described later in the report, narrowed the area of focus for further study.

### **3.2 DEVELOPER WORKSHOP**

The City of Tracy invited local housing developers to a developer-specific workshop in August 2019 to hear their perspective on the challenges to creating both affordable and workforce housing, and to gather potential solutions. The meeting was open to both non-profit and for-profit housing developers and covered topics including incomes, housing costs, and affordability, to potential solutions such as ADUs, tiny homes, zoning requirements and development fees.

### **3.3 COMMUNITY MEETING #1**

Staff facilitated a public meeting in Tracy in September 2019 to discuss the topic. This meeting included a presentation that featured a live polling exercise where audience members provided answers to questions. The results of each question were displayed and prompted further discussion. These questions were included in the online survey for community members who could not attend the meeting.

### **3.4 COMMUNITY MEETING #2**

Following the first community meeting, the City opted to host a second community meeting in Tracy in November 2019 to solicit feedback from meeting participants who were unable to attend Community Meeting #1. This meeting followed the same format and used the same questions.

### **3.5 ONLINE SURVEY**

The City opened an online survey in September 2019 and invited Tracy community members to share input on their preferences for affordable and workforce housing development. The survey was posted on the City's website, social media, and advertised on various flyers. The survey was available in English and Spanish and ran through the end of November 2019 to provide ample time for online input from all interested parties.

### **3.6 DEVELOPER INTERVIEWS**

The City conducted phone interviews with non-profit and for-profit developers with experience developing affordable or workforce housing in the Bay Area, Sacramento, and Stockton regions in November 2019 to gather additional input, while also making these developers more aware of the opportunities available in Tracy. A dozen interviews with housing developers were completed to understand their perspectives on the topic.

## **4. *Incomes, Housing Affordability, Commute Patterns and Regulatory Environment***

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This chapter provides information on several important background conditions that affect affordability in Tracy.

### **4.1 INCOMES AND HOUSING AFFORDABILITY**

Income is an important factor when determining a household's ability to pay for housing. The California Department of Housing and Community Development (HCD) annually publishes income data for all California counties. It is common practice to apply this county-level data to the cities within the county. These are the datasets that are applicable under Housing Element law and are published more frequently than other data sources that are available at the city level such as the American Community Survey (ACS). The HCD data is representative of 4-person households, while the ACS data is an aggregate of all household sizes. However, since the average household size in Tracy is 3.64 persons (California Department of Finance (DOF), 2019), the HCD data on 4-person households is comparable for the purposes of evaluating the affordability of market-rate housing.

Despite these differences, it is useful to look at both HCD and ACS data for this study because incomes in the City are higher than the County as a whole. The 2018 Area Median Income (AMI) for San Joaquin County, as determined by HCD was \$66,300 and the AMI for the same year for the City of Tracy, as determined by ACS was \$84,330. At the time this study was conducted, 2019 ACS data was not available. However, HCD's data was available so Tracy's 2019 AMI was estimated by applying the same percent increase in incomes between 2018 and 2019 that were experienced countywide. The County's AMI, as determined by HCD in 2019, was \$71,400, which is an increase of 7.7%. Applying the same 7.7% increase to Tracy results in an estimated \$90,823 AMI in 2019. This number was used for calculating the estimated maximum affordable rents and mortgage costs at the various income levels in Table 1.

Table 2 displays the median list price, median sales price, and median rental price for homes in Tracy as surveyed on Zillow. These are compared in the table with the household income that is needed to afford those costs. As shown in this table, median rents in Tracy are slightly more affordable than median for-sale housing. However, rents and sale prices across the board remain unaligned with incomes. For example, as shown in Table 1, a moderate-income household, earning \$108,988 annually (120% of median) can afford rent that is \$2,475 per month, so the median rent price of \$2,350 is affordable, while a rent at 120% of the median rent price would be unaffordable. These conditions create increasing pressure on the market as moderate-income households rent median-priced homes, rather than moderately-priced homes, median-income households rent below median-priced homes, and so on. This indicates that there is a significant deficit of housing stock at an affordable price point for these households. The trend is even more severe when looking at sale prices. A moderate-income household can afford a maximum home purchase of \$413,000, while the median home prices are listed at \$575,184 and selling at \$485,600. As shown in Table 2, homes selling at median prices are only affordable to households earning above moderate-incomes.

**TABLE 1 ESTIMATED MAXIMUM RENT OR MORTGAGE IN TRACY, 2019**

Income Category <sup>a</sup>	Maximum Household Income <sup>a</sup>	Maximum Affordable Rent <sup>b</sup>	Maximum Affordable Purchase Price <sup>c</sup>
Very Low: 50%	\$45,412	\$885	\$163,900
Low: 80%	\$72,658	\$1,566	\$270,600
Moderate: 120%	\$108,988	\$2,475	\$413,000
Above-Moderate: 150%	\$136,235	\$3,156	\$519,800
Above-Moderate: 180%	\$163,481	\$3,837	\$626,500

a. Percent categories and limits based on Tracy Median Income, \$90,823; (2018 American Community Survey Data with 7.7% increase)

b. Assumes 30% of household income spent on rent and utilities (assumes \$250 per month for utilities)

c. Housing Payment Assumptions: 5% down payment, 30 year fixed mortgage at 4.5%; homeowner's insurance at \$90/month, private mortgage insurance (PMI) at 0.4%, property tax at 1.25% of sales price; maximum 30% of income spent on principal, interest, insurance and taxes.

Source: PlaceWorks, 2019

**TABLE 2 MEDIAN HOMEOWNER AND RENTER COSTS IN TRACY, 2019**

Sales and Rentals	Cost <sup>a</sup>	Household Income Needed	Income Category Needed to Afford Median Costs
Median list price	\$575,184	\$150,400	Above-Moderate: 180%
Median sale price	\$485,600	\$127,500	Above-Moderate: 150%
Median rent price	\$2,350	\$104,300	Moderate: 120%

a. As averaged from all Zillow listings in 2019.

Source: Zillow, 2019.

To provide context for the data on incomes, several typical salaries were compiled, including entry-level positions listed by the Tracy Unified School District and the City of Tracy, as well as a sampling of job postings in the private sector on widely used web sites (Indeed.com and Glassdoor.com). An entry-level credentialed teacher in the Tracy Unified School District in 2019 had an annual income of \$52,942 and an entry-level Administrative Assistant had an annual income of \$45,994. Workforce incomes in Tracy identified through an online job search ranged from a Pest Control Sales Professional making between \$35,000 and \$85,000 to a Process Development Engineer II making \$61,000 to \$87,000. In comparison, representative Bay Area annual salaries include \$65,000 for an entry-level Credentialed Teacher, \$85,000 to \$120,000 for a Structural Engineer and \$60,000 to \$150,000 for Sales Professionals in chemical, technology and painting industries.

## 4.2 COMMUTE PATTERNS

The significant difference in incomes in Tracy, as compared with countywide data is at least partially attributable to higher Bay Area incomes and commute patterns. Tracy residents are closer to the Bay Area than residents in other areas of San Joaquin County, so they are more likely to commute there for work. Incomes for jobs available in Tracy are still relatively lower than comparable jobs offered in the Bay Area, encouraging trips outside the City for work and creating an income and housing imbalance. Long-time Tracy residents indicate that it is unaffordable to live and work in the same city as the cost of housing continues to rise without similar increases to income, or vice versa.

According to a study by Newmark Knight Frank in 2018, US Census data from 2015 showed that 84% of Tracy's employed residents commute out of Tracy; while 78% of Tracy's workers commute into Tracy. The most frequent locations for out- and in-commuting are shown in Table 3. These locations show that, of the 84% of Tracy's residents that out-commute, Bay Area cities are frequent places of employment, while the 78% of workers that are employed in Tracy and live elsewhere tend to live in Central Valley communities where incomes and housing costs tend to be lower than Tracy.

**TABLE 3 MOST FREQUENT LOCATIONS FOR OUT AND IN COMMUTING**

Out-Commute	People	In-Commute	People
Livermore	2,780	Stockton	2,534
Stockton	1,885	Manteca	1,420
Pleasanton	1,536	Modesto	1,068
San Jose	1,486	San Jose	605
Modesto	1,094	Lathrop	500
Oakland	900	Livermore	384
Fremont	870	Mountain House	345
San Francisco	658	Lodi	318
Sacramento	608	Patterson	293

## 4.3 GROWTH MANAGEMENT ORDINANCE

A unique condition in Tracy is the existing residential growth management program, which is comprised of three principal policy and implementation documents: the General Plan, the Growth Management Ordinance (GMO), and the GMO Guidelines. Each of these has a role in establishing growth areas, types of development desired by the community, and the rate and sequencing of residential development. The GMO, which was adopted by the City Council in 1987 and amended by Tracy's voters through Measure A in 2000, limits the number of residential units that can be approved in a year. Under the GMO, builders must obtain a Residential Growth Allotment (RGA) in order to secure a residential building permit. One RGA equals the public services and facilities required to serve one residential dwelling unit. The GMO establishes requirements for RGAs and the annual limits on the number of RGAs and building permits the City can annually issue. In general, the maximum is 750 and the annual average is 600; these numbers were set by Measure A in 2000.

The GMO includes five existing exemptions to the requirement that new residential units must receive RGAs. These exemptions are for the following categories of homes:

- Remodels or conversion of existing homes
- Replacement of existing homes
- Model homes
- Projects consisting of four or fewer units on a single lot
- Accessory Dwelling Units

Additionally, the GMO contains an affordable-housing exception for deed-restricted very low-, low-, and moderate-income housing units. Although some affordable housing projects have been developed since 1987, this affordable-housing exception has never been used by developers to obtain RGAs since the GMO was first adopted in 1987.

While some have stated that the City's growth management program acts as a constraint to the creation of housing that is affordable to moderate- and lower-income households, altering the program requires a vote of City residents. Measure M in 2018 sought to modify the program which would have set aside land for affordable housing. However, the initiative lost, having only received 33% votes in its favor.

## 5. City Council Engagement

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City staff from the Development Services Department and PlaceWorks staff held a workshop with the City Council to discuss workforce and affordable housing topics, including existing housing incentives, housing affordability and local incomes, commute patterns, and potential City tools and funding sources. The goal of the meeting was to narrow areas of focus moving forward with City Council direction.

Six community members from the audience provided comment following the presentation. Items noted included:

- Concern surrounding a limited supply of:
  - Affordable housing for young people
  - Housing for the “missing middle”
  - Housing for people with mental health issues
- Favor for:
  - Rent control,
  - Affordable by design homes,
  - Sweat equity projects,
  - Fixing ineffective existing housing incentives
  - Effectively marketing retooled incentives

The City Council provided direction on the following items as they relate to affordable housing, divided by topic:

### Incentives and Tools

- Explore ways to recollect the RGAs that have been issued to apartment units versus buildings and consider changing the way Tracy issues and counts RGAs. (*See introduction for an explanation of RGAs.*)
- Consider a modified or differential development impact fee structure, potentially allowing lesser fees for smaller or multi-family unit types.
- Devise an improved incentive to encourage creation of affordable units as part of market rate development. The Density Bonus Ordinance has not been effective in generating this type of housing.
- Learn more about tiny homes and their affordability for use in Tracy.
- Ensure the housing stock is diverse, considering affordable by design housing and modified parking regulations near public transit.
- Augment zoning opportunities for additional multi-family or tiny houses in existing development.
- Expedite the CEQA process for housing, potentially pre-planning by obtaining CEQA clearance on affordable housing sites to expedite housing creation.

- Alter the 150 RGA exception to be applicable to smaller units and mixed-income units, rather than just for deed-restricted housing.
- Incentivize ADUs as part of new subdivisions, especially on large lots.
- Encourage development of missing middle housing in Tracy.

#### **Partnerships**

- Consult the Building Industry Association (BIA) and development community for input.
- Partner with sweat equity organizations such as Habitat for Humanity to develop infill housing.
- Consult the League of California Cities to identify bills that could be used to address differentiating development fees.

#### **Funding**

- Review rental rates but beware of using HOME funds in the event that the outcome results in higher rents.
- Issue an RFP with affordable housing funds.
- Use Senate Bill (SB) 2 non-competitive planning grant funds for multiple projects.



## **6. Challenges and Potential Solutions**

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After the City Council meeting described in Chapter 5, PlaceWorks used input from that meeting and its own expertise to create a set list of challenges facing the City of Tracy as it works toward additional production of affordable and workforce housing, as well as potential solutions to these challenges.

This chapter documents the identified challenges and potential solutions, which served as the basis for the remainder of the work in this project.

In the end, the recommendations that resulted from this study were based to a large degree on some of the potential solutions outlined in this chapter. However, not all of the potential solutions became recommendations, and some recommendations in this study were derived separately.

### **6.1 ACCESSORY DWELLING UNITS (ADUS)**

Despite State changes to ADU laws in recent years to encourage ADU creation, between 2017 and 2019, only 11 permits had been issued for ADUs in Tracy. Challenges to ADU development may be partially attributed to the cost of construction and the lack of available financing to support ADU construction and permitting costs. Offering resources to available grants or loans to lower up-front costs to develop ADUs may foster housing creation. Alternatively, the City could require incorporating ADUs into new subdivisions to reduce overall construction costs by pairing ADU construction with other construction.

The Tracy Municipal Code development standards on ADUs include limitations on size, the number of units, parking requirements, height, setbacks, lot coverage, and other zoning requirements. These various requirements increase time and development costs, limiting the flexibility of ADU development. Lessening setbacks and minimum distances required between the primary dwelling unit may increase opportunities for ADU creation. In addition, allowing more ADUs per lot, or on lots with two or more units, or diminishing parking requirements may foster interest in ADU development.

The City could consider offering design templates or another local- or State-approved template to save developers money otherwise spent creating designs from scratch. Tracy could also examine options like the CalHFA pilot financing program, the City of Clovis' Cottage Home Program, or the City of Oakland's consolidated ADU application format to create a City program to encourage ADU construction. In addition, Tracy homeowners may not be aware of the development potential on their property. Further marketing ADU development opportunities to residents may increase their awareness and familiarity with ADUs overall. Developers may not see a market for adding ADUs to new subdivisions; however more information on ADUs marketability may change developers' perspectives.

### **6.2 TINY HOMES**

The City currently regulates tiny homes in various sections of the Tracy Municipal Code including Article 14 in which tiny homes are categorized under the Residential Mobile Home Zone (RMH) as transportable in one or more sections, but are 320 or more square feet when built on a permanent chassis as a single-

family dwelling with required utilities. The Residential Estate (RE) Zone explicitly states that tiny homes are not allowed permanently and may only be located in the rear yard and occupied while a primary dwelling is under construction. The limited zoning designations that allow tiny homes, essentially just the RMH zone, could be an insufficient amount of land to accommodate tiny home potential in Tracy. There are no vacant parcels currently with RMH zoning designation. Designating certain areas for tiny home development or allowing their location and occupation in other residential zones, when space allows, could spur housing creation.

## **6.3 OFF-STREET PARKING REQUIREMENTS**

The Tracy Municipal Code regulates off-street parking requirements by land use type, requiring up to three off-street parking spaces per unit in some residential zones. The City allows parking standard reductions to encourage affordable housing projection, but this incentive has never been used. Currently, the City allows residential off-street parking for low- or very low-income housing to be located in the side, rear, or front-yard setback, where parking is not otherwise permitted. The City also allows one of the two required spaces for single-family homes be uncovered for low- or very low-income households. It may be that the savings that would result from the more permissive parking standards for single-family homes are too limited to generate affordability.

The City could consider further lessening off-street parking requirements for affordable housing developments or for multi-family housing projects near transit or neighborhood-serving retail and commercial areas. In addition, the City could consider allowing developers to provide creative solutions to parking reductions with supplemental transit passes, increased bicycle parking, or a shared vehicles program.

## **6.4 ZONING REQUIREMENTS**

The City's Zoning Code regulates density, lot size, lot dimensions, and lot coverage by land use category and zoning district. The minimum densities in the Traditional Residential-Ellis (TR-Ellis), Residential High (RH), and Village Center (VC) categories are 12.1 and 15 units per acre. These densities may be too low to achieve any significant production of affordable by design housing. If developers were required to build more units per acre, the result would be a greater number of smaller units versus fewer, larger homes, which could help create lower-priced units. In lower-density residential zones, such as the Residential Very Low (RVL), Residential Low (RL), and Residential Medium (RM) categories, the maximum densities are 2, 5.8 and 12 units per acre, respectively. These densities may be too low to allow for townhomes, apartments, tiny homes, or other creative housing solutions that can be sold at a lower cost than detached, single-family homes. Requiring higher minimum densities in the TR-Ellis, RH, and VC land use categories and conversely increasing maximum densities in the RVL, RL, and RM land use designations may spur affordable and workforce housing development.

The City allows increases to housing density in the Municipal Code largely following the State law for density bonus requirements. Based on a sliding scale, the amount of the density bonus and the number of incentives provided vary according to the amount of affordable housing or senior units provided in a

project. This incentive has never been employed by a developer in Tracy, so increasing allowances beyond State requirements may be needed to entice developers to consider the density bonus beneficial.

The height, lot size, lot coverage, and setback limits might also be housing prohibitive in some residential zones. Increasing height or lot coverage maximums in more urbanized residential zones of Tracy may facilitate affordable and workforce housing development. In addition, allowing smaller homes on smaller lots or requiring them as a certain percentage of some projects, potentially in clustered locations, may increase opportunities for developers to budget for affordable and workforce housing.

## **6.5 GROWTH MANAGEMENT ORDINANCE**

As described in Section 4.3, the Tracy Municipal Code controls growth in the city limits through the Growth Management Ordinance (GMO) to regulate the rate and timing of new residential development and encourage growth that minimizes use of existing and future public services and infrastructure. However, the GMO sets aside 150 Residential RGAs annually for very low-, low-, and moderate-income housing developments. These exceptions have not yet been utilized by a housing developer, potentially due to the way RGAs are counted by unit rather than by building. Changing the RGA methodology to count exceptions by building rather than by unit in multi-family affordable or workforce housing complexes may adequately incentivize these exceptions. In addition, the City could create an incentive program that gives more RGAs to market rate housing projects that include affordable units. The program could either impose a global change to the RGA exceptions or designate a portion of RGAs to deed-restricted affordable or affordable by design units.

## **6.6 CEQA**

The California Environmental Quality Act (CEQA) requires environmental analysis of new development, unless the project is ministerial or categorically exempt, to identify and mitigate significant environmental impacts. Depending on the size and anticipated impacts of the project, the CEQA process can become expensive, further increasing development costs. Developers may be unaware of the full cost the CEQA process will incur based on unexpected environmental impacts. Performing the initial CEQA analysis to clear a site for development may be a barrier to developer investment due to the risks associated with uncertainty in the environmental review's outcome. The City could consider initiating their own CEQA analysis of affordable housing sites by creating an inventory of available sites and conducting a CEQA review of preliminary designs to pre-clear sites for affordable housing development. The City could employ SB 2 funds to perform the analysis.

## **6.7 DEVELOPMENT FEES**

Development fees imposed on housing projects in Tracy are based on land use type rather than affordability, number of bedrooms, or square footage. Adjusting fees to reflect project affordability, number of bedrooms, or square footage would decrease development fees in favor of affordable or workforce housing projects. Alternatively, the City could consider adjusting water and wastewater fees to charge by meter size or affordability. This strategy may incentivize construction of affordable or workforce housing projects due to the nature of their development.

## **6.8 FUNDING**

The City of Tracy's current funding sources for affordable housing primarily consist of Community Development Block Grants (CDBGs) and the Home Investment Partnership Program (HOME). CDBG funds must benefit very low- or low-income residents but may be applied across a variety of housing activities from housing rehabilitation to special economic development. The City is awarded HOME funds annually and typically applies it to rehabilitation improvements on residences and residential shelters. The City lacks other adequate funding sources to subsidize affordable housing development. To supplement funding to support housing creation, the City could apply for SB 2 funds, State Cap-and-Trade-Funded Affordable Housing and Sustainable Communities Program funds, State TOD funds, or issue an affordable housing bond.

## 7. *Stakeholder Engagement*

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### 7.1 DEVELOPER WORKSHOP

Local conventional developers and non-profit and for-profit affordable, multi-family and workforce housing developers in the surrounding Bay Area, Sacramento, and Stockton regions were invited to attend the Housing Developers' Workshop to discuss perspectives on the potential challenges to creating affordable and workforce housing and how those challenges can be overcome. As described in the previous section, the City's efforts to encourage the development of affordable and workforce housing have not had the desired result, while some of the City's other policies and practices may be inadvertently discouraging the development of affordable and workforce housing stock. The workshop included an interactive presentation that covered the content in the section above and was interspersed with discussion to learn what the developers perceived to be the biggest challenges and most feasible and impactful potential solutions. Meeting attendees were primarily developers that have built conventional housing in Tracy and provided the following feedback, separated by topic below.

#### Accessory Dwelling Units

- ADUs are low-hanging fruit for easy development and focus on this type of housing would be effective to increasing the stock of affordable housing.
- The biggest impediment to ADU creation is conformity with the requirements, especially the setback requirements, in the underlying residential zone.
- Most of Tracy's land meets the proximity to transit threshold to be exempt from parking requirements, if enacted.
- There is a greater need for more technical assistance for homeowners, including template designs that can be approved quickly by the City.
- ADUs in new construction are effective in a suburban setting such as Tracy.
- Market penetration for ADUs is not there yet because homeowners want their ADU residents to be relatives, they want a private backyard, or they aren't interested in being landlords. There is a perception in Tracy that adding ADUs, tiny homes, or other structures to side or back yards will lower property values. Tracy Hills features popular models with attached separate suites, and the CC&Rs allow renting as long as the owner occupies the primary dwelling unit.

#### Tiny Homes

- San Joaquin Housing Authority is currently doing a grant-funded project in Stockton. Due to the nature of this project, it has been effective in Stockton and could be mirrored in the City of Tracy.
- Tiny homes often suffer from the same cost as other housing types, up to \$200 per square foot. Therefore, homeowners or developers still need subsidies or lower land costs to construct a tiny home affordably.

- The “Park Model” tiny home, which is less mobile but larger and more permanent, is gaining popularity in resort areas and as senior communities. This option may be an avenue to market.
- There is currently no vacant land in the RMH zone where tiny homes are permitted. The City should designate additional land for the RMH zone, possibly as a flexible overlay.
- It would be helpful if the City provides a suite of template designs for tiny homes that can be approved quickly.
- The process of design review and required “niceties” with permitting bodies drives up costs for developers unnecessarily.
- There is a local perception that there isn’t a market for new mobile home parks. The “Not-In-My-Backyard” people typically don’t want mobile home parks, and the City of Tracy is not getting requests to create this kind of housing.

#### **Off-Street Parking Requirements**

- There is a general sentiment that requirements are reasonable, and any reduction would not change developers’ approaches.
- Reductions to parking requirements would be most effective in the Downtown and the Bowtie area.
- It is important to note that reductions in parking can cause negative spill-over impacts for the community.

#### **Zoning Requirements**

- Some developers feel it would be helpful to:
- Decrease minimum lot sizes and setbacks in all zones and consider removing minimum lot sizes in favor of FAR and/or units per net acre.
- Retool Medium Density Residential zone to more closely match the types of projects currently being permitted through Planned Unit Development Districts.
- Increase the allowed density in the High-Density Residential zone.
- The City should build more flexibility into the Zoning Code to facilitate development.

#### **Growth Management Ordinance**

- An incentive program that gives additional RGAs to market rate units in housing projects that include affordable units would be helpful. Developers would need to run the numbers to see what percent of their project would need to be designated as affordable and at what level. Further determination of how the project would be maintained over time would make it feasible for developers to then implement. They would need a formula supported by citizens and the City Council to go ahead with this incentive program due to the use of RGAs.
- Developers need more buildable land.
- The City should change the system of counting RGAs to one RGA per building rather than one per unit as a means to encourage multi-unit buildings.

- Ponderosa Homes, a California-based housing developer, got around an RGA requirement with senior housing in Tracy in the past.
- Developers acknowledged the added level of risk and additional processing time inherent in the RGA system.

#### **CEQA**

- It would be helpful to identify a series of affordable housing sites and complete a blanket project-level EIR in order to expedite future permitting.

#### **Development Fees and Other Costs**

- Developers acknowledge that many fees are out of control of the City.
- The San Joaquin Council of Governments (SICOG) fees are a stumbling block for developers. It would be helpful if the City worked with SICOG to ensure that infill and non-greenfield units can avoid paying habitat mitigation fees.
- Developers suggest adjusting the fee schedule to lower fees for infill housing or smaller units.
- Allowing fee deferrals or fee forgiveness for affordable housing projects would help developers remain stable.

#### **Funding**

- The City should conduct a tax credit analysis to determine the level of local subsidy needed to support Low-Income Housing Tax-Credit projects.
- The community could vote on a City-enacted bond measure to create an affordable housing fund.
- California's Cap-and-Trade-Funded Affordable Housing and Sustainable Communities Program funding is competitive with other jurisdictions. The State is focused on providing funding for very low-income and extremely low-income households, so local leverage is important to emphasize when pursuing this funding.

#### **City Assistance**

- The City should reduce development uncertainty by providing more technical assistance for small, independent developers and homeowners interested in developing an ADU. Developers indicate that there can be a stigma of fear to come to the planning counter.
- The City should fund one or more staff positions specifically to further the production of affordable housing. Duties would include maintaining an inventory of available sites, recruiting developers, packaging funding for affordable housing projects, and providing technical assistance to homeowners and landowners who seek to build affordable housing and ADUs.

#### **Miscellaneous comments**

- The loss of the labor market is a challenge to developers.
- Building a smaller home doesn't result in significant cost savings due to other costs, so advocating for smaller housing footprints as affordable is a misconception.

- There needs to be a stronger density bonus, more development incentives, and affordable housing subsidizes to make affordable and workforce housing cost-effective.
- Incentives and reducing barriers are preferred over mandates.
- Developers perceive lower-income buyers as pursuing the resale market, so they tend to gear new construction to higher incomes and larger profits. They also perceive a market preference towards bigger homes in Tracy.

Based on the feedback generated from this meeting, PlaceWorks developed the engagement topics for the online survey and community workshops to learn about the community's propensity towards various affordable and workforce housing incentives and tools.

## 7.2 DEVELOPER INTERVIEWS

As described in the previous section, a workshop was held at the City in August 2019 to gain input from the development community. While some useful feedback was gathered at that event, the participants were primarily for-profit developers who do not typically build multi-family or affordable housing. Subsequently, PlaceWorks conducted approximately a dozen one-on-one interviews with non-profit and for-profit developers who typically develop housing that is affordable to moderate- and lower-income households, through either deed-restricted pricing or a multi-family design approach.

Interviewees spoke candidly about their perceptions of challenges to creating affordable and workforce housing and provided insight on what they perceived to be the most promising solutions. Most interviewees were enthusiastic about building a relationship with the City and expressed a desire to be contacted about future development opportunities in Tracy. Questions and common themes are described below.

### Questions

The first thing asked was whether or not the interviewee was familiar with Tracy and if they had considered developing in Tracy previously. For developers who had not considered building in Tracy, the interviewer gave a brief description of the City. The description characterized Tracy as a strong job center that has historically been affordable, which has attracted people to live there and commute to the Bay Area. Interviewees were told that housing prices in Tracy have been rising and that the market is pricing out residents. Interviewees were also educated about Tracy's location. While several developers had the perception that Tracy was out of the area they typically consider, they were interested to learn that the City is actually located much closer to the Bay Area than they had thought.

If the interviewee had considered developing in Tracy but ultimately did not, the interviewer asked for the reasons why and then those factors were discussed. Interviewees were asked about their perceived challenges to creating affordable and workforce housing and their ideas for solutions by drawing from the same list of topics that was discussed at the August 2019 developer's workshop (*see previous section*). While there was not always time to discuss each item during each interview, developers were asked to speak about what they perceived as the biggest challenges and most feasible and impactful potential solutions.



## Common Themes

The interviews with non-profit and for-profit developers with experience developing affordable or workforce housing in the Bay Area, Sacramento, and Stockton regions in Northern California revealed the following common themes:

- Many of the developers specialize in tax-credit projects. This type of project can have a high impact on the provision of affordable housing and comes with a unique set of considerations:
  - Tax credit funding is competitive, so a developer's application must be strong and evidence the project's feasibility.
  - Typically, a project must be at least 40 or 50 units.
  - Matching funds (or free land) are needed to be competitive. There are methods for analyzing the amount of funds needed, however a minimum of \$100,000 is presently a good benchmark. The City can seek to collaborate with San Joaquin County or other potential partners to pool resources.
  - There are time limits associated with the funding, so preventing delays is crucial. Delays can be prevented when a jurisdiction identifies suitable sites free of contamination and entitlement issues, ensures that they are zoned properly, gains the support of the community and implements a smooth, predictable entitlement process.
  - In a market like Tracy, a tax credit project aimed at lower-income designations (rather than moderate-income) is more likely to be successful due to the relatively small differential between the median price of available rentals and the price that a moderate-income household can afford. If a moderate-income household can find a rental in their price range on the open market, that is likely to be preferable to them due to the certification process requirements associated with renting a restricted unit. One developer suggested that permanent supportive housing may be more feasible, especially due to the greater availability of subsidies for that type of project. Collaborating with the Housing Authority to complete a project-based voucher project could be effective.
- As an alternative to tax credit projects which require a large amount of resources, one developer suggested focusing on scattered sites to complete individual rehabilitation, adaptive reuse or new development of duplexes, triplexes, fourplexes or townhomes. One potential way to fund these types of projects would be to institute a tax on vacant or blighted property.
- When asked if they had considered developing affordable or workforce housing in Tracy, many developers had misconceptions about Tracy's location. Developers were interested to learn that Tracy is located closer to where they typically build than they had thought. This suggests that more outreach could be done by City staff to build relationships with developers who specialize in the type of development the City is interested in.
- Many developers stated that they were unaware that the City is interested in affordable housing development and that demand for affordable housing had grown in Tracy. Multiple developers indicated interest in working with knowledgeable City staff to facilitate the development process. All developers agreed that it would make a huge impact on housing production if there were a

City staff member who was dedicated to identifying suitable sites and facilitating housing development. Having a liaison to help shepherd a project through entitlement would provide developers with a clear, streamlined process to help lessen entitlement risks and the project timeline. A developer suggested that the City reach out to the Non-Profit Housing Association of Northern California (NPH).

- Common feedback from non-profit and for-profit developers surrounded increasing allowable densities and other, related modifications to the zoning code, such as increasing allowable heights. Developers indicated that zoning should be more flexible or upzoned. Many developers noted that it is fiscally impractical to construct an affordable housing development that is less than 50 units, but many zones in Tracy do not have sites that would make this type of development feasible, even with a density bonus. Allowing more flexibility in the zoning code with smaller units or ADUs, reduced parking requirements, increased height limits, or higher density bonuses could improve development feasibility.
- Many developers indicated that projects could be feasible in Tracy if construction costs were reduced through funding support. Developers were in strong support of State or local subsidies, free land dedication or long-term ground leases from the City, tax-exempt bonds, or fund matching from the local government. In addition, any reduction or elimination of fees help to offset development costs.
- Some developers cited the CEQA environmental review process to be time-consuming, cost-prohibitive, and risky. Discovering environmental issues on a project site puts developers and landowners in debt and makes the project fiscally infeasible. The developers suggested that pre-clearing sites with CEQA analysis by the City would reduce project uncertainty and increase their proclivity to develop.
- Development by nature comes with uncertainty, but the different requirements that must align to develop affordable or workforce housing is often higher and less attainable than market rate housing projects, making them riskier. Developers appreciate any opportunity to minimize uncertainty in their projects to ensure they break even and suggest that the City reduce risk by shortening development timeframes for approval or offering timing certainty. Developers cannot afford to wait through long processing timelines on affordable developments, so any permit streamlining is welcome. Creating a dedicated staff position to ease uncertainty and guide the project through to entitlement would help minimize potential delays to construction.

## 7.3 COMMUNITY ENGAGEMENT

The community was invited to provide input about affordable and workforce housing and potential challenges and solutions at two community workshops and through an online survey. Recommended potential solutions were cultivated through the City Council and developer engagement processes, where both groups provided input on the most practical and impactful actions Tracy could take to facilitate affordable housing development. Community responses to these solutions revealed local perceptions about these solutions and how palatable they may be for implementation. Community feedback indicated opposition to most of the proposed approaches. While the concerns were varied and complex, many

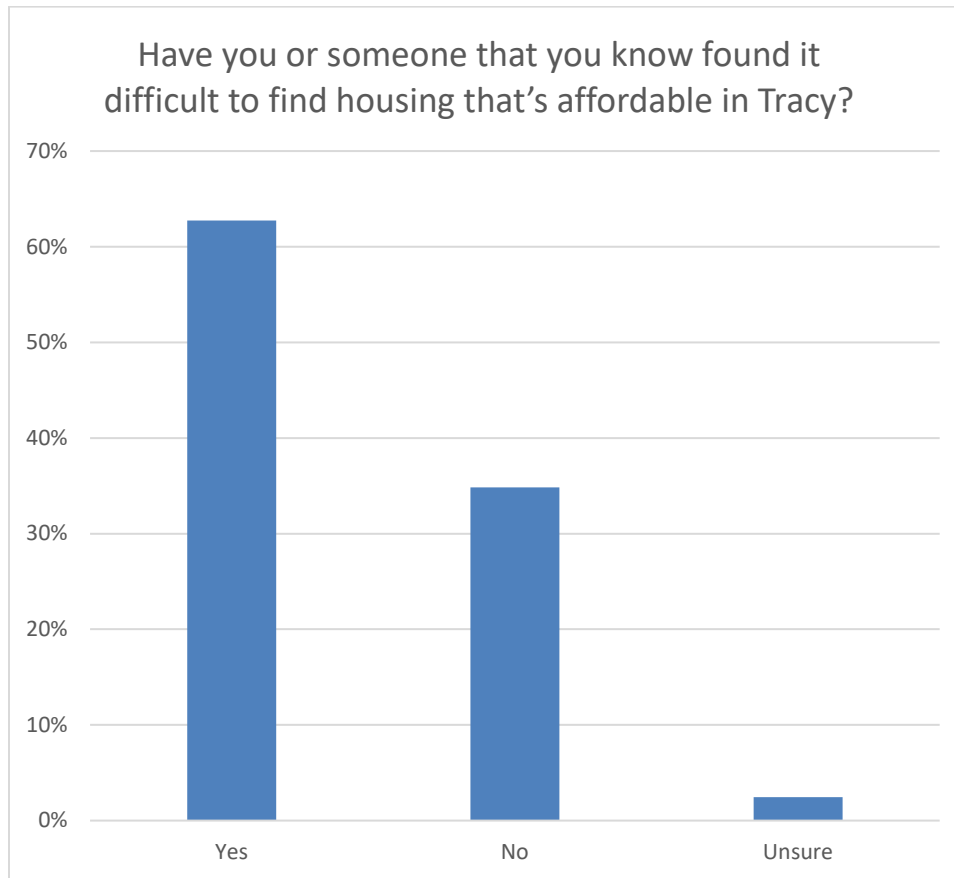
participants were concerned about preserving community character, infrastructure maintenance and improvements and reliance on taxpayers to subsidize new housing development.

The same set of questions was asked at the workshops and in the online survey. The responses at each workshop were gathered via a live poll from 15 participants total, while the online survey gathered feedback from 436 participants total. A combined dataset that includes results from both the online survey and the live poll are presented in the charts below. Respondents were not required to answer every question.

General trends, discussed in more depth in the following sections, are summarized below.

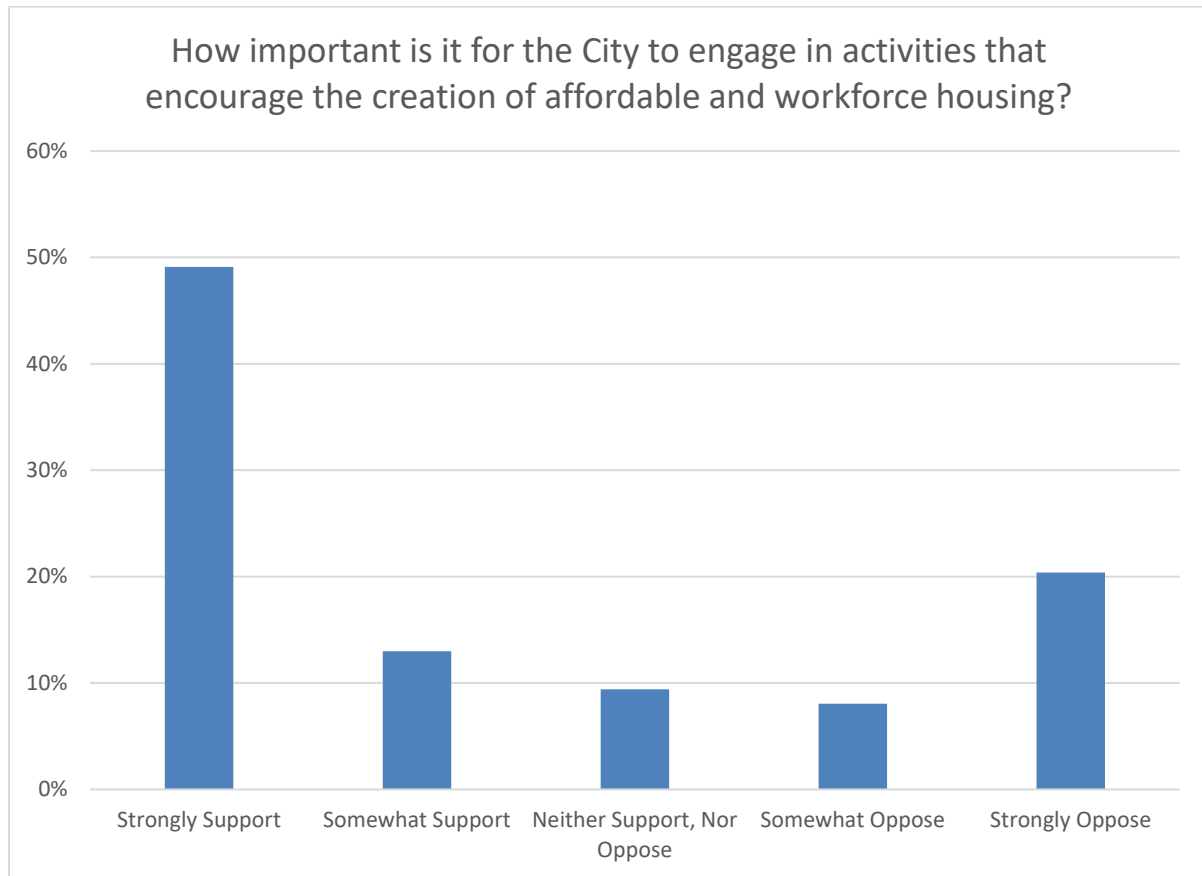
- The community generally supports the City's active role encouraging affordable and workforce housing, but there are mixed opinions about creating a new City staff role for this purpose.
- The community has mixed opinions on both ADUs and tiny homes, but there is slightly more support for ADUs than tiny homes. Furthermore, there is more support for ADUs in new developments over new ADUs in existing housing developments.
- While available land for a new tiny home community may be most available on the outskirts of town, potential future residents are likely to require greater proximity to transit, services and neighborhood-serving retail.
- Most homeowners are strongly opposed to constructing tiny homes on their property.
- The community strongly opposes reducing off-street parking space requirements.
- While the community is generally opposed to increasing densities to lower housing development costs, there is slightly more opposition to increasing residential densities in the Downtown than in medium density residential areas.
- While the community is generally opposed to increasing lot coverage maximums to lower housing development costs, there is more support for increasing lot coverage allowances in high-density residential areas, the Downtown, or the Bowtie area instead of all residential zones.
- The community generally opposes increasing building height limits in high-density residential areas, the Downtown, and the Bowtie area. Participants note they prefer increases to the Bowtie area if increases become necessary.
- The majority of the community is opposed to decreasing RGA requirements in all multi-family developments or in market rate developments containing Below Market Rate units. There are more mixed opinions on pre-clearing some affordable housing sites with CEQA analysis.
- There is strong opposition to reducing development fees for affordable housing developments by allocating additional funds from the General Fund, and a majority of the community also opposes revising the development fee structure to reduce fees for affordable housing developments while increasing them for market rate projects.
- The community is strongly opposed to a bond measure to fund affordable housing.

Question 1



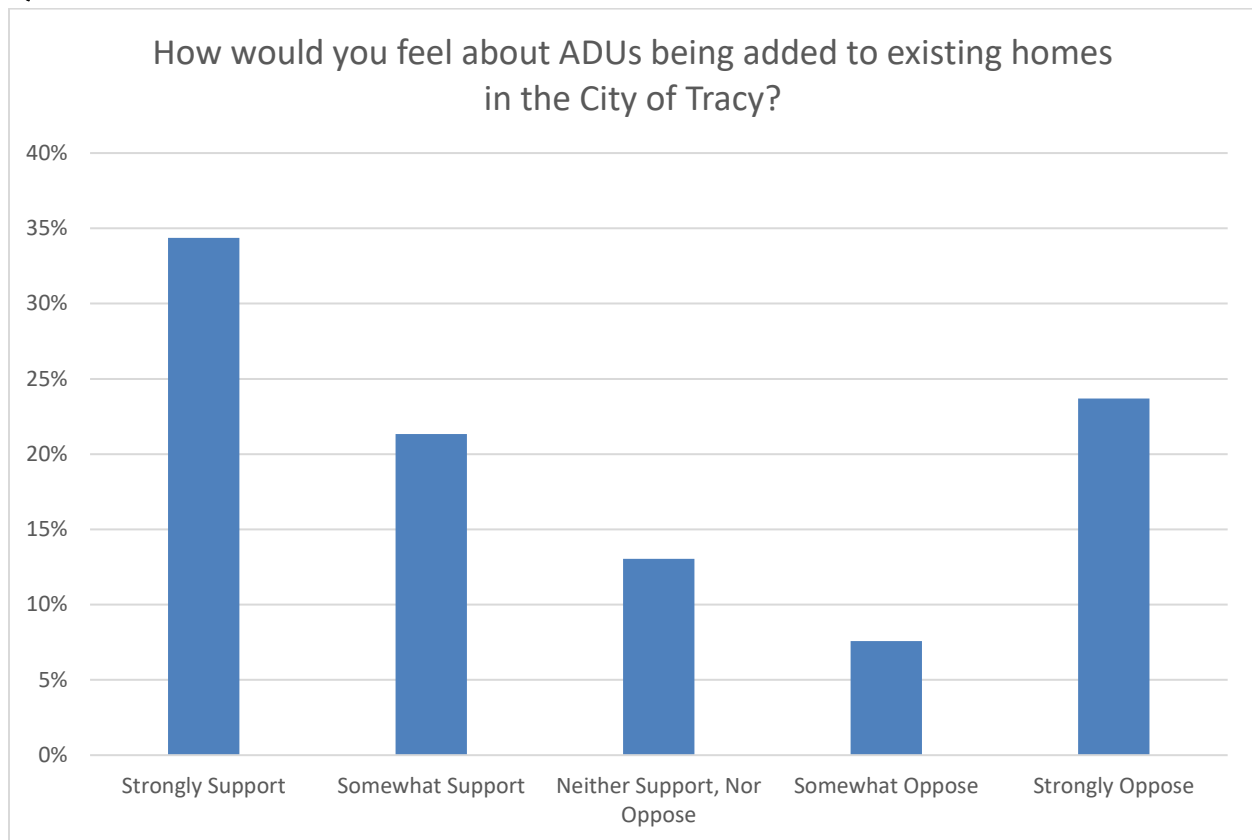
Over 62 percent of participants agreed that they found it difficult or knew someone who encountered difficulty finding affordable housing in Tracy. An additional 35 percent of participants did not find it difficult or know someone who found it difficult to find affordable housing. The remaining 3 percent of respondents were unsure.

Question 2



Almost half of the respondents indicated strong support for the City to encourage the creation of affordable and workforce housing, and an additional 13 percent of respondents somewhat supported the City's engagement. Conversely, about 20 percent of respondents strongly opposed the City's engagement in activities to encourage affordable and workforce housing with an additional 8 percent somewhat opposing the City's active role. The remaining 9 percent of respondents had no opinion on the City's role in encouraging the creation of affordable and workforce housing.

### Question 3

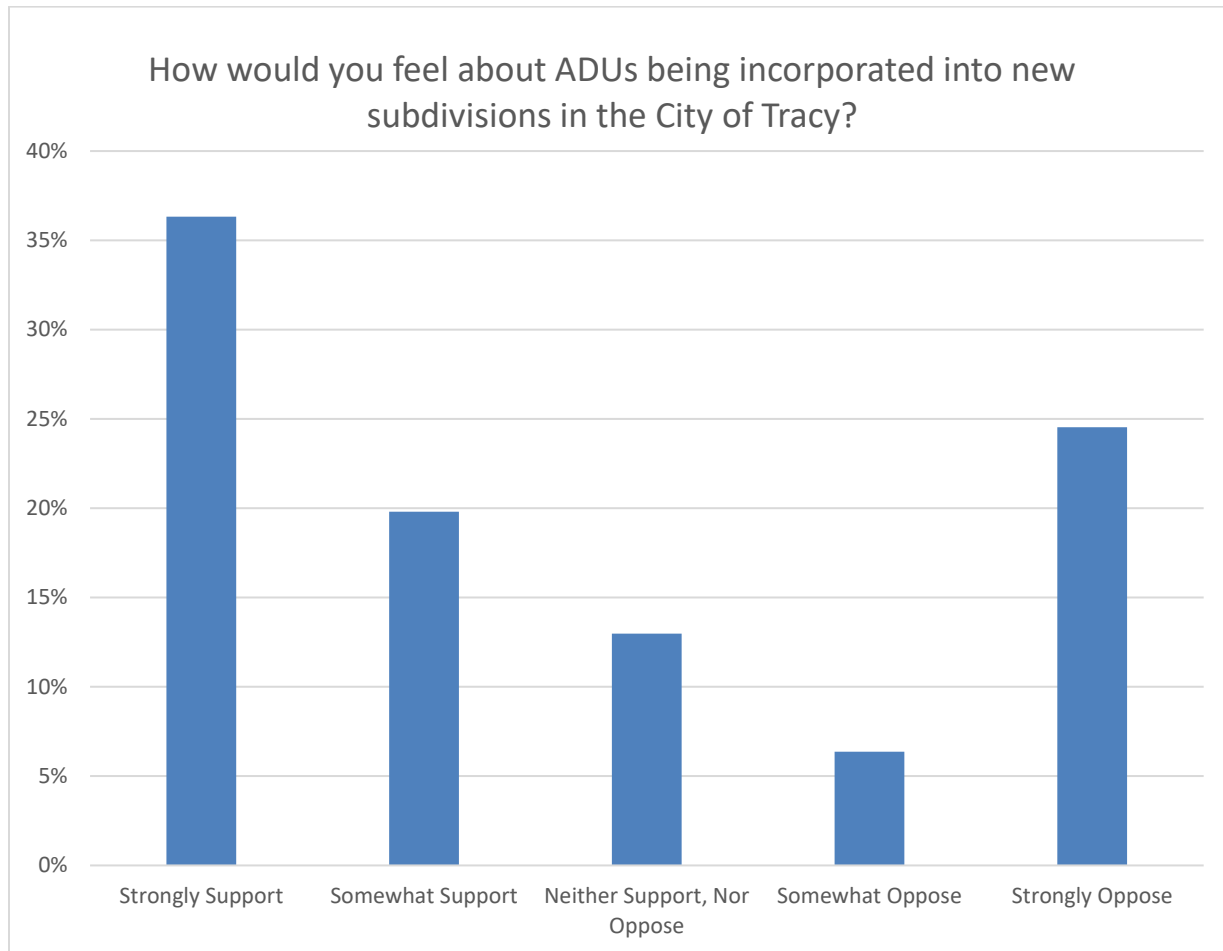


Approximately 34 percent of participants strongly support ADUs being added to existing homes in the City of Tracy, and an additional 21 percent somewhat support these ADUs. In contrast, 24 percent of respondents strongly opposed ADUs in existing homes with almost 8 percent somewhat opposed. The remaining 13 percent of participants neither supported nor opposed the proposal.

Other comments collected during the September 9<sup>th</sup> live polling exercise about this topic are listed below:

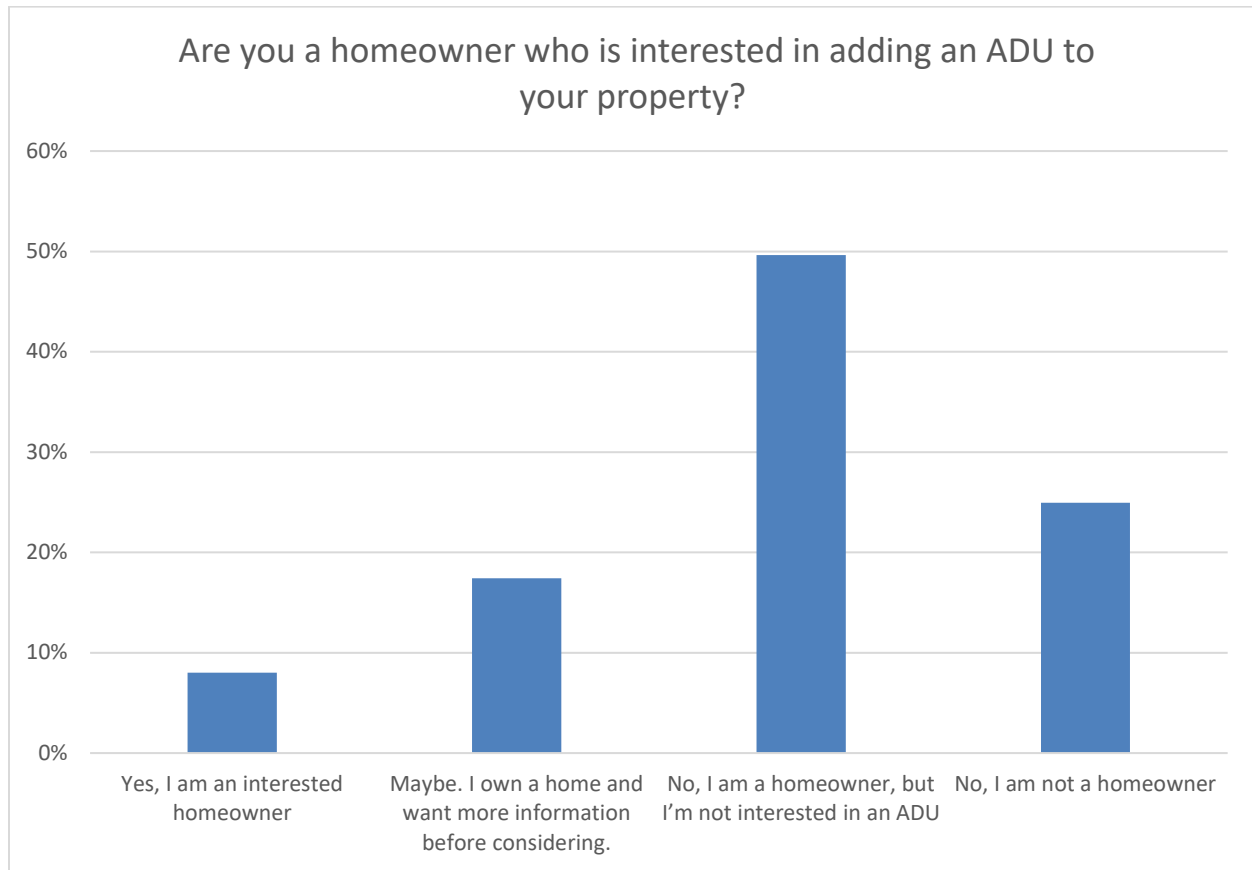
- Some are not as comfortable with adding ADUs in developed areas that have existing infrastructure designed for a certain amount of traffic, density, and utility needs. Consideration should be given to adequate infrastructure for schools, hospitals, and roads before ADUs are allowed in developed areas.
- There is support for adding ADUs to existing homes because construction costs are lowered with infrastructure already in place. Homes are still needed, and if they are instead added to undeveloped areas, new developments incur a higher infrastructure cost.
- Infrastructure concerns, such as traffic, related to ADU creation in existing developments can be addressed in other ways, such as making it more appealing to walk to schools.
- Appropriate developer fees should be set.

Question 4



When asked how they would feel about ADUs being incorporated into new subdivisions in the city, about 34 percent of participants were in strong support and an additional 21 percent were somewhat in support. Approximately 24 percent of participants strongly opposed the incorporation of ADUs into new Tracy subdivisions with an additional 8 percent somewhat in opposition. Approximately 13 percent of participants neither supported nor opposed the issue.

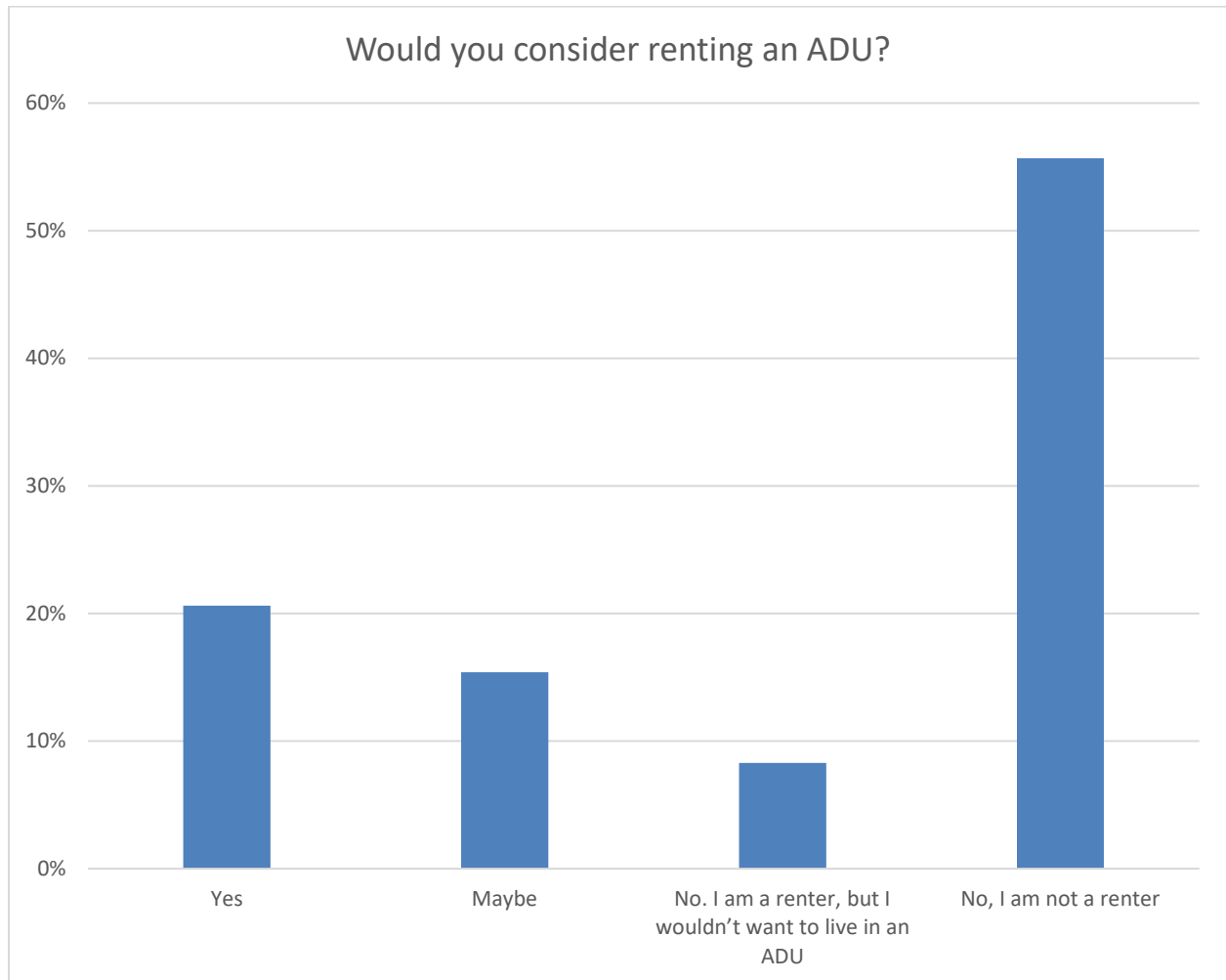
Question 5



About half of all respondents indicated that they are homeowners but are not interested in constructing an ADU on their property. Approximately 8 percent of the participants were homeowners interested in adding an ADU to their property while an additional 17 percent were homeowners wanted more information about adding an ADU for further consideration. The remaining quarter of participants were not homeowners.

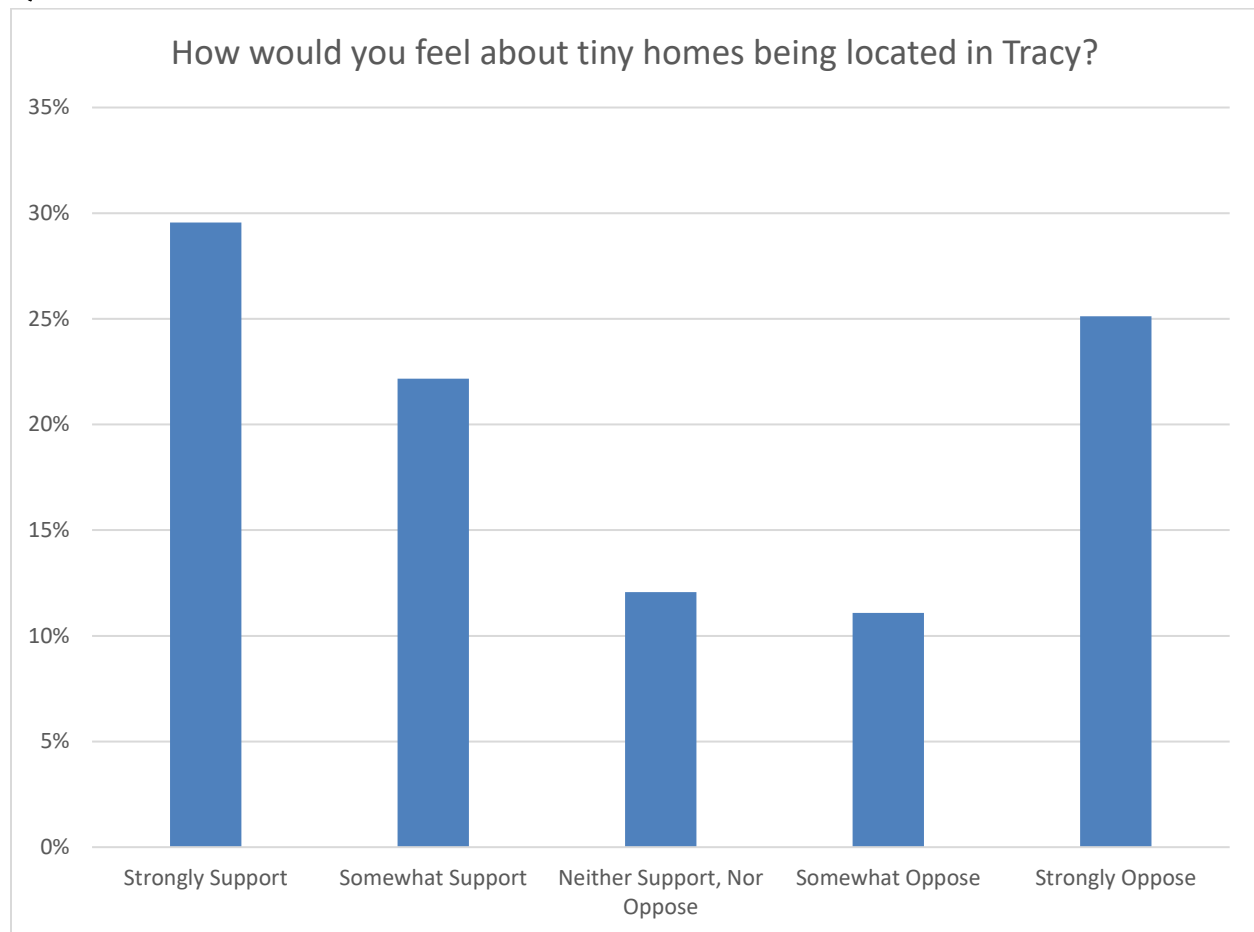


Question 6



Approximately 21 percent of participants indicated they would consider renting an ADU and an additional 16 percent might consider renting an ADU. Over 8 percent of participants responded that they are currently but would not want to live in an ADU. The other 56 percent of participants indicated that they were not renters.

Question 7



When asked for opinions on tiny homes being located in Tracy, participants had varied opinions. Over half of the participants had strong opinions on the issue, with almost 30 percent supporting and 25 percent opposing tiny homes in Tracy. An additional 22 percent somewhat supported tiny homes in Tracy, while 11 percent of participants somewhat opposed tiny homes in Tracy. The remaining 12 percent were indifferent to the topic.

Other comments collected during the September 9<sup>th</sup> live polling exercise about this topic are listed below:

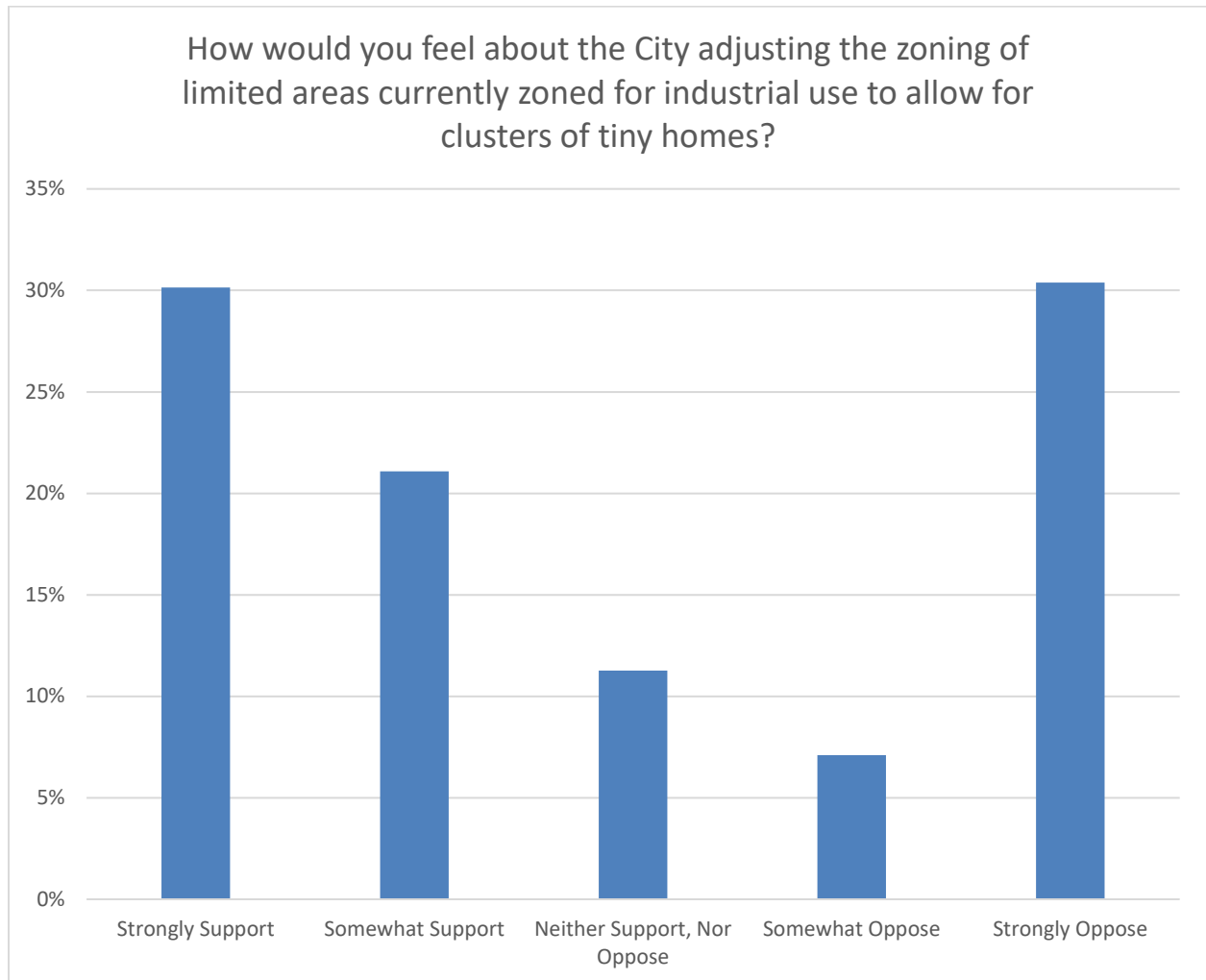
- One local RV park resident reports that tiny homes have an unfair stigma, stating that the RV park is quiet and crime-free, and residents are all employed.
- Tiny homes are viewed as a temporary solution by some residents. There need to be options for the working poor and homeless with a compassionate approach.
- There is concern about citing new tiny homes on the periphery of town. Even though this may be where land is available, tiny homes are likely to serve people without cars so consideration of adding transit or considering more accessible locations is important. Adding transit to increase accessibility for far-flung units would likely become a taxpayer expense. Furthermore, creating an

isolated tiny home community could reinforce the sense of separation for lower income households. The City should do a better job of mixing affordable and market rate homes.

- New subdivision design should accommodate space for tiny homes.
- City Council should use the plan approval process to add fourplexes in areas with single-family homes. This might better target new development to locals because the project would have less visibility than a whole new tiny home community, which could bring non-residents from out of the area to Tracy and defeat the purpose of trying to provide more affordable housing for current Tracy residents.
- With tiny homes and ADUs being examined, co-housing should also be considered. Co-housing would be a good model, allowing elder and childcare can facilitate building of communities that can help each other.

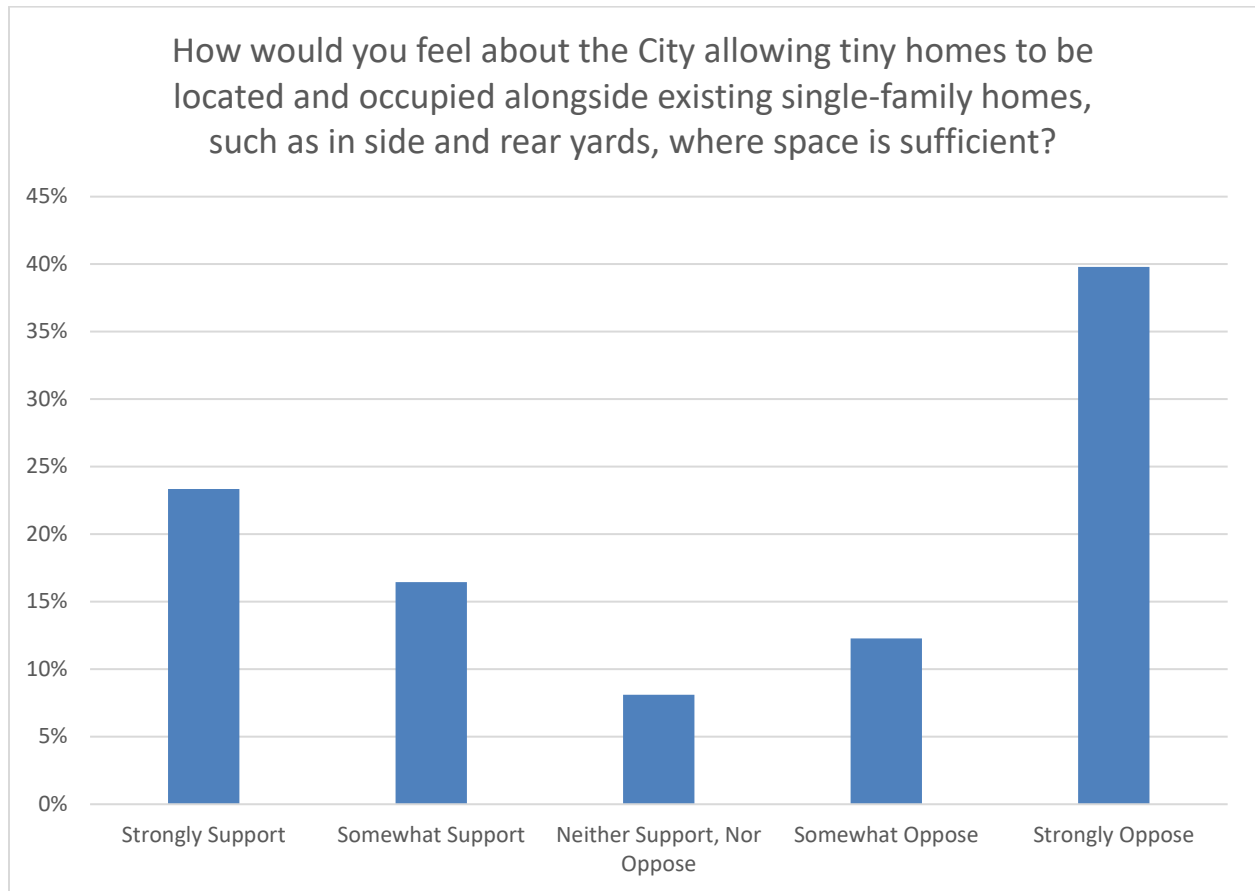


Question 8



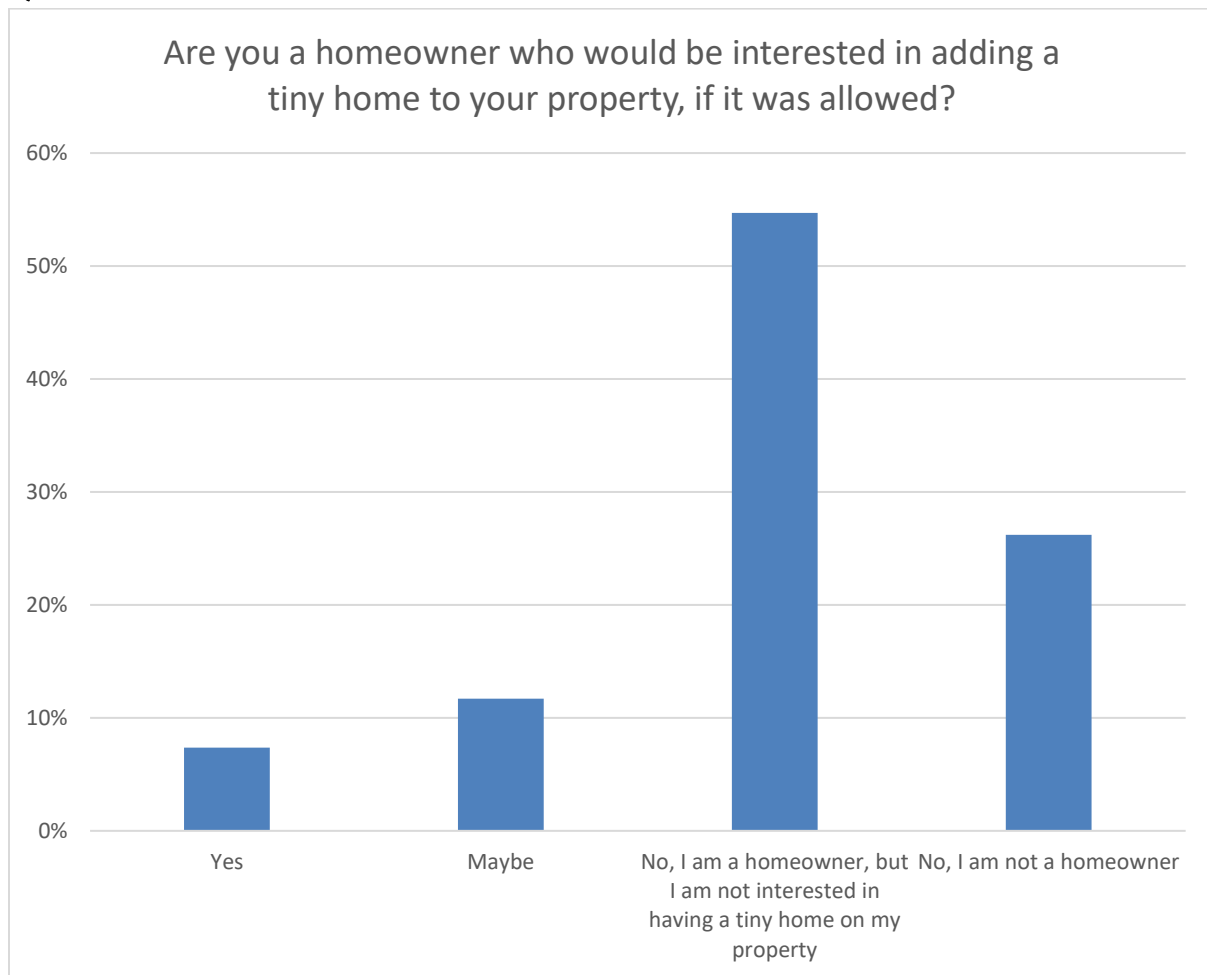
When participants were asked about the City adjusting the zoning of limited areas currently zoned for industrial use to allow for clusters of tiny homes, feedback was somewhat polarizing. Participants were equally divided in strong opinions, with 30 percent strongly supporting zoning adjustments and 30 percent strongly opposing them. About 20 percent of respondents somewhat supported zoning changes in limited industrial areas to allow for tiny homes clusters, while 7 percent somewhat opposed the idea. Approximately 11 percent of participants had no opinion on the issue.

Question 9



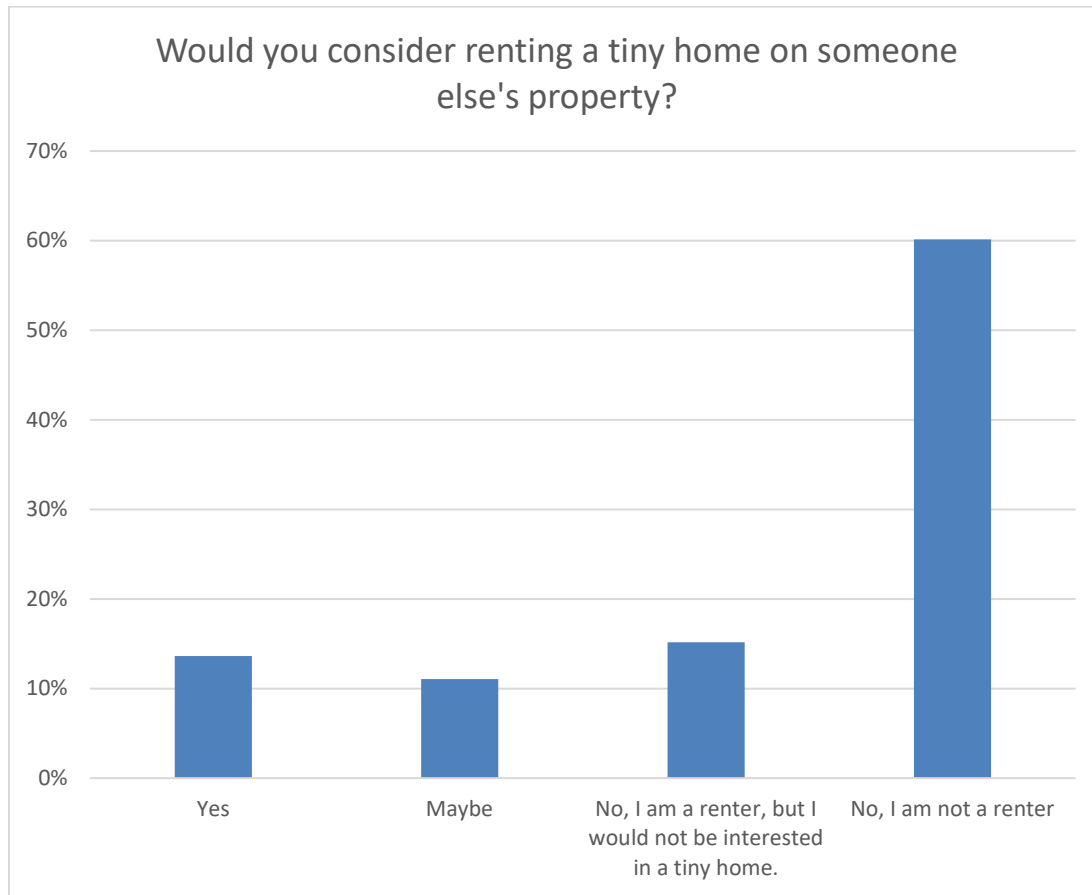
Almost 40 percent of takers were in strong opposition of allowing tiny homes to be located and occupied alongside existing single-family homes where space is sufficient. About 23 percent of participants strongly supported the idea, and an additional 16 percent somewhat supported tiny homes alongside appropriate single-family homes. About 12 percent of respondents somewhat opposed the idea, and the remaining 8 percent were impartial.

Question 10



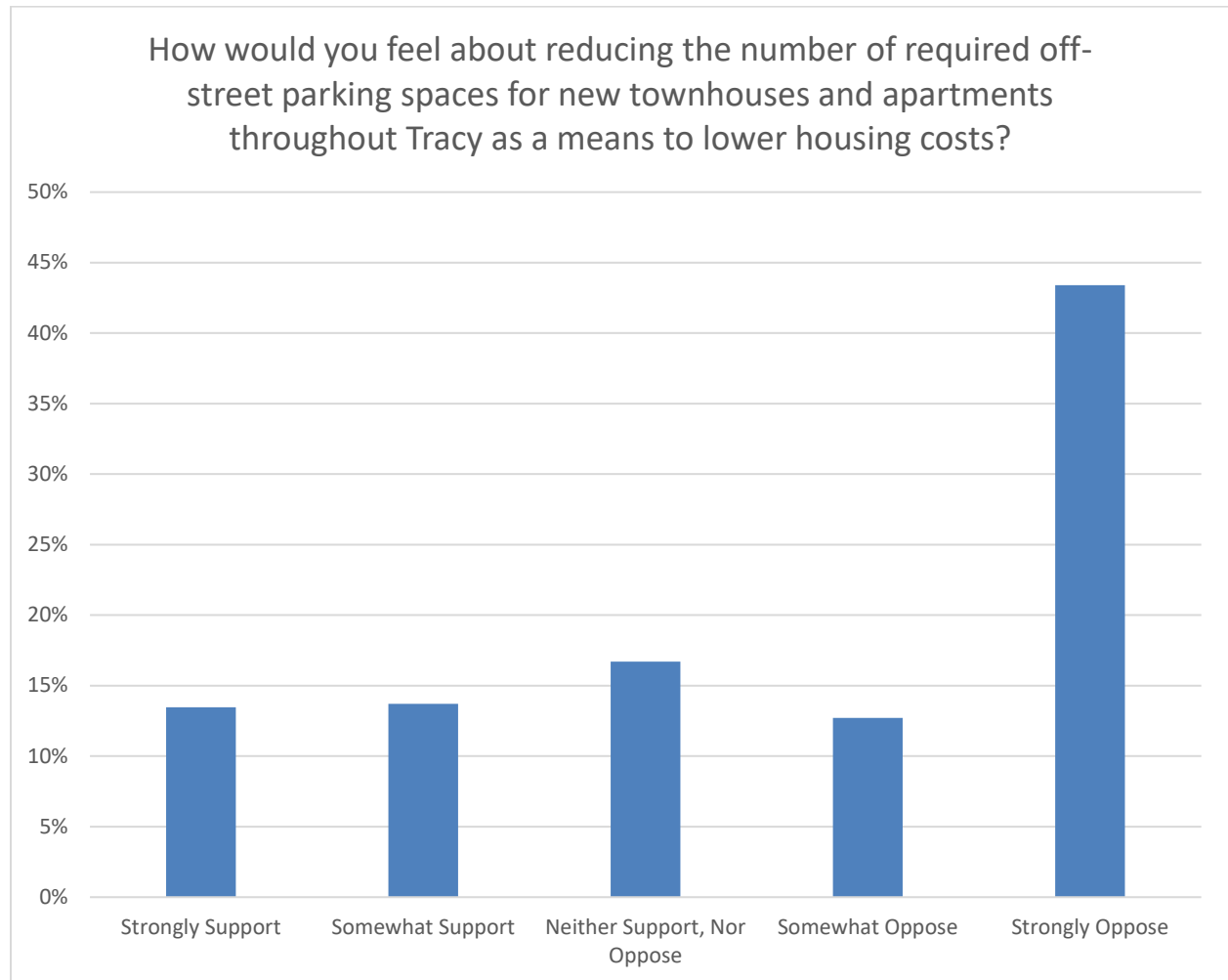
Almost 55 percent of participants indicated that, while they are homeowners, they are not interested in adding a tiny home on their property if legally allowed. The next 26 percent of respondents indicated that they were not homeowners. About 12 percent of residents noted that they may be interested in adding a tiny home, and about 7 percent would be interested.

Question 11



Approximately 60 percent of participants indicated they would not consider renting a tiny home on someone else's property because they are not renters. An additional 15 percent of respondents indicated that while they are a renter, they would not be interested in a tiny home. Almost 14 percent of participants would consider renting a tiny home on someone else's property, and the remaining 11 percent might consider renting a tiny home.

Question 12



When asked about reducing the number of required off-street parking spaces for new townhomes and apartments throughout Tracy, people mainly opposed or were indifferent to the idea. Over 43 percent of participants were strongly opposed, and an additional 13 percent were somewhat opposed. Over 13 percent of responses were in strong support of this off-street parking reduction across Tracy and an additional 13 percent somewhat supported this idea. The other 17 percent of participants did not have an opinion.

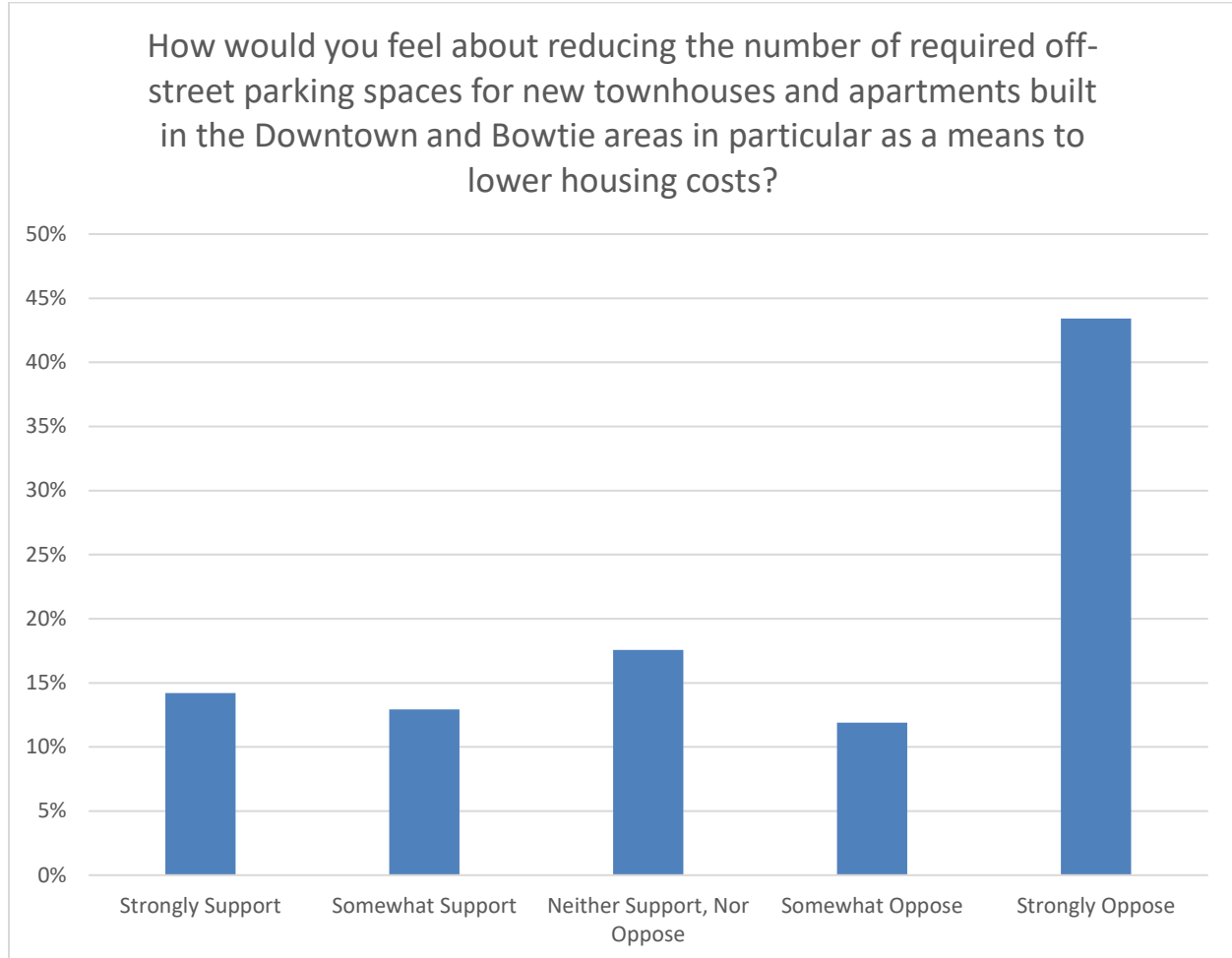
Other comments collected during the September 9<sup>th</sup> live polling exercise about this topic are listed below:

- Reducing off-street parking requirements would be a disaster in Tracy because:
  - It already takes too long to ride the bus.
  - People will still have cars and parking would further spill into the streets in the nearby neighborhoods.



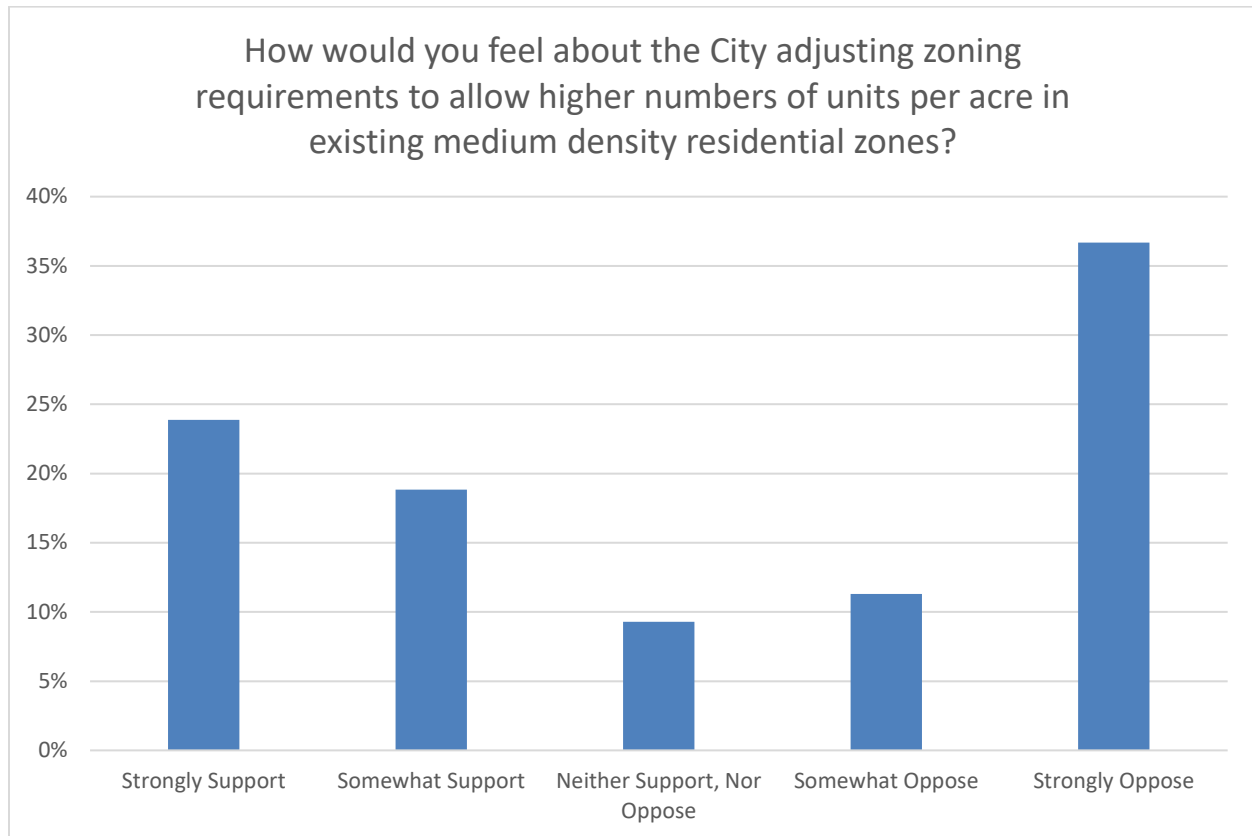
- There are already too many cars on the street because people use their garages for storage or homes are overcrowded, leading to too many cars per house.
- In general, urban design could be improved to ensure that curb cuts between homes allow for parking between them.

### Question 13



When asked about reducing the number of required off-street parking spaces for new townhomes and apartments in the Downtown and Bowtie areas, people mainly opposed or were indifferent to the idea. Over 43 percent of participants were strongly opposed, and an additional 12 percent were somewhat opposed. Over 14 percent of responses were in strong support of this off-street parking reduction across Tracy and an additional 13 percent somewhat supported this idea. The other 18 percent of participants did not have an opinion.

Question 14

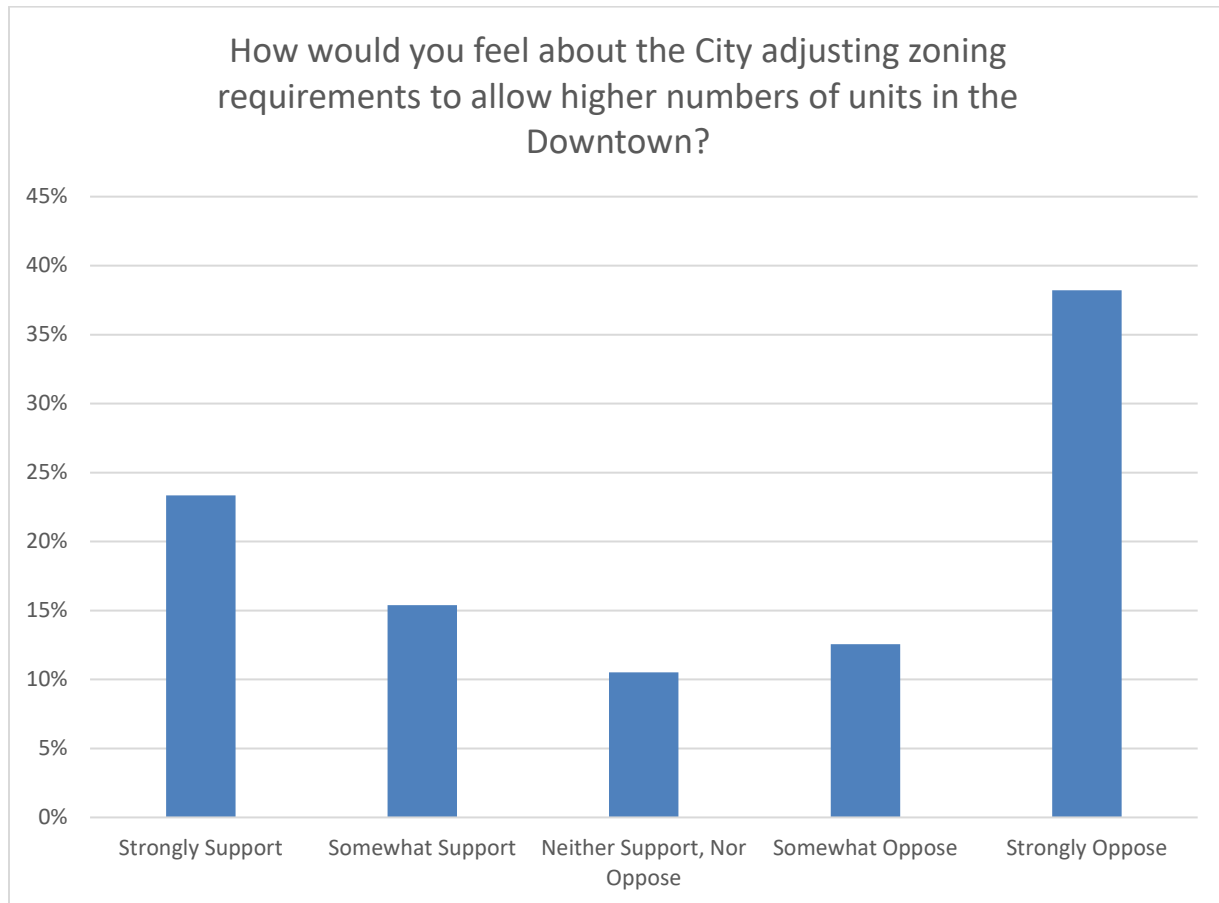


When participants were asked about the City adjusting the zoning requirements to allow higher numbers of units in existing medium density residential zones, feedback varied. Participants were somewhat divided, with almost 37 percent in strong opposition and 24 percent in strong support. An additional 19 percent were somewhat in support of allowing higher numbers of units in medium density residential zones, while approximately 11 percent somewhat opposed the idea. The remaining 9 percent neither supported nor opposed the idea.

Other comments collected during the September 9<sup>th</sup> live polling exercise about this topic are listed below:

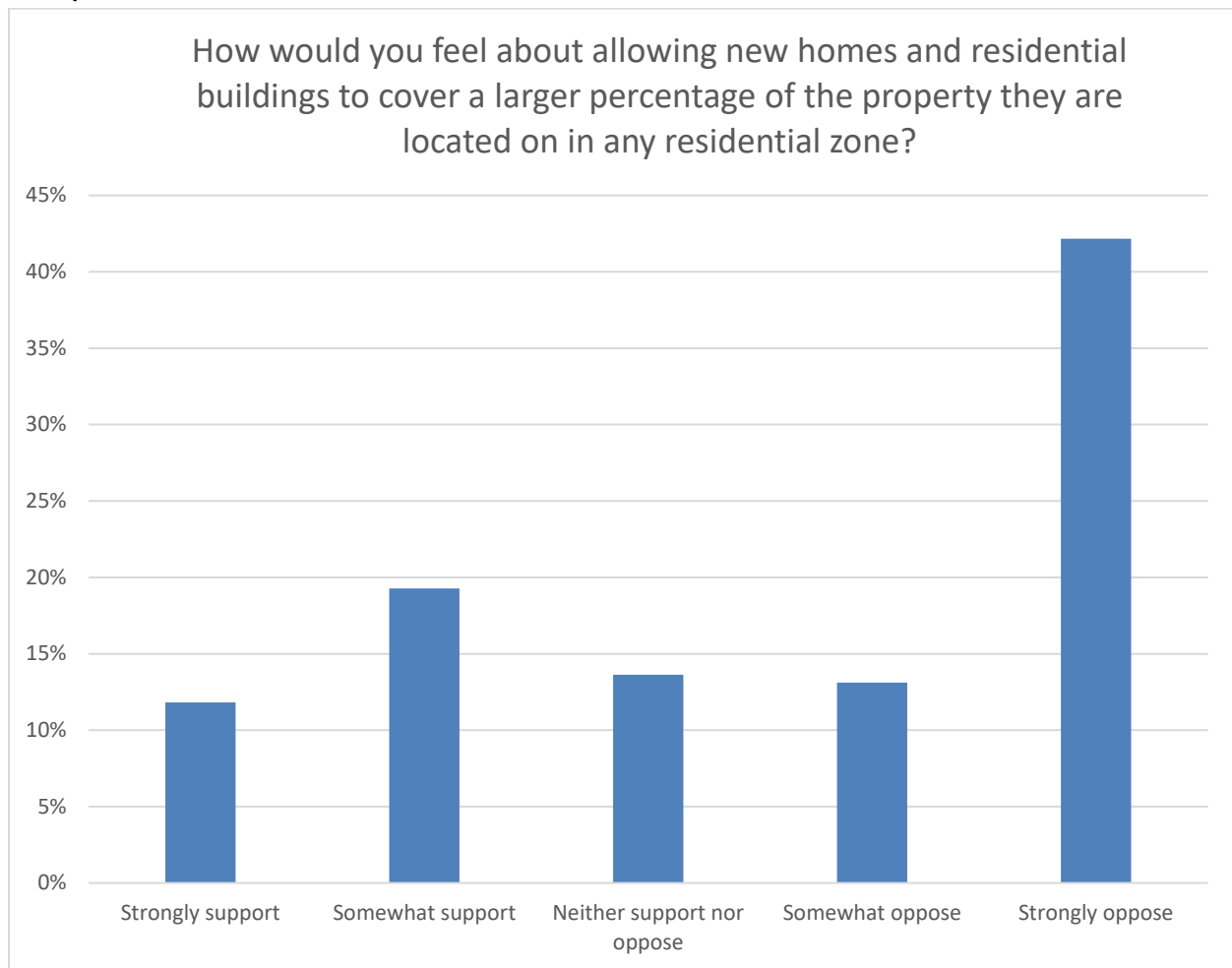
- Adjusting the zoning requirements to allow higher numbers of units in existing medium density residential zones would not guarantee affordability.
- Would developers still be willing to put in mid-grade finishes with higher density zoning requirements?
- The City should reconsider inclusionary zoning as opposed to this recommendation.

Question 15



When participants were asked about the City adjusting the zoning requirements to allow higher numbers of units in the Downtown, feedback was varied. Participants were divided, with over 38 percent in strong opposition and 23 percent in strong support. An additional 15 percent were somewhat in support of allowing higher numbers of units in the Downtown, while approximately 13 percent somewhat opposed the idea. The remaining 11 percent neither supported nor opposed the idea.

Question 16

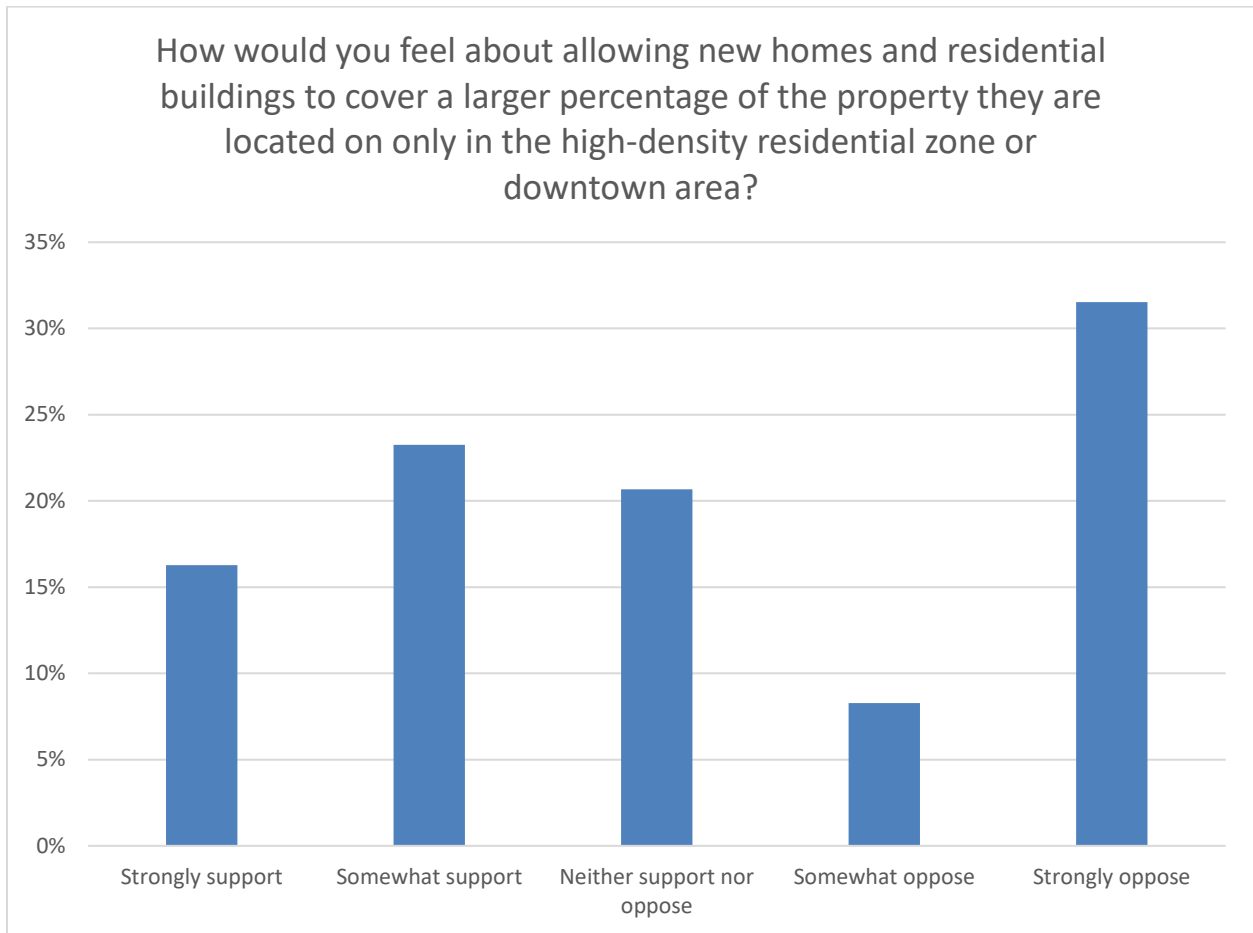


When participants were asked about the City adjusting the lot coverage requirements to allow buildings to cover a greater percentage of the property in all residential zones, feedback was most often in opposition. While participants were divided, over 42 percent were in strong opposition with an additional 13 percent somewhat opposed. For those in favor of the idea, about 12 percent were in strong support and 19 percent were somewhat in support of allowing buildings to cover a greater area in all residential zones. The remaining 14 percent neither supported nor opposed the idea.

One comment collected during the September 9<sup>th</sup> live polling exercise about this topic is listed below:

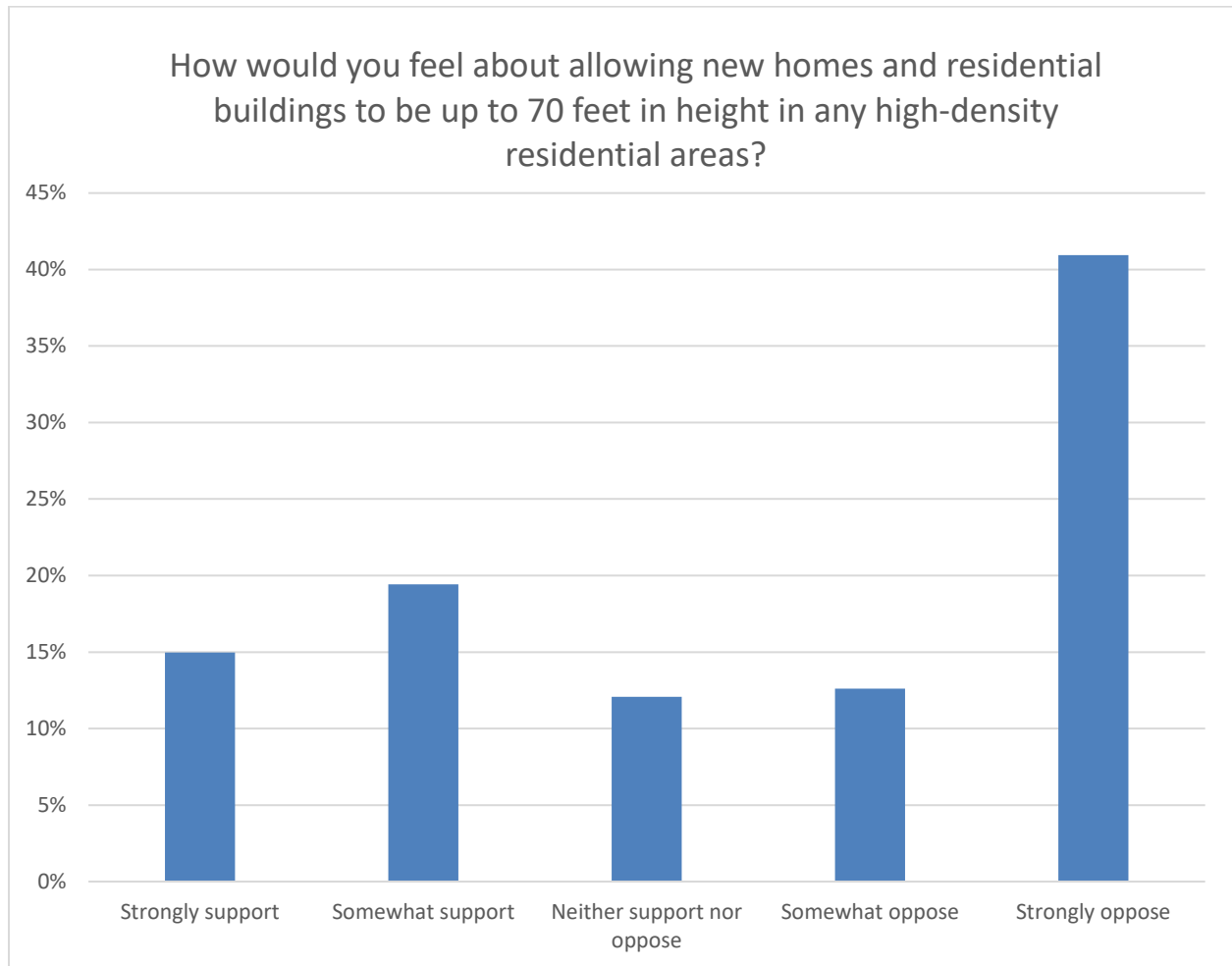
- If this allowance is approved, it should be coupled with requirements to include well-designed landscaping including play areas and small outdoor areas.

Question 17



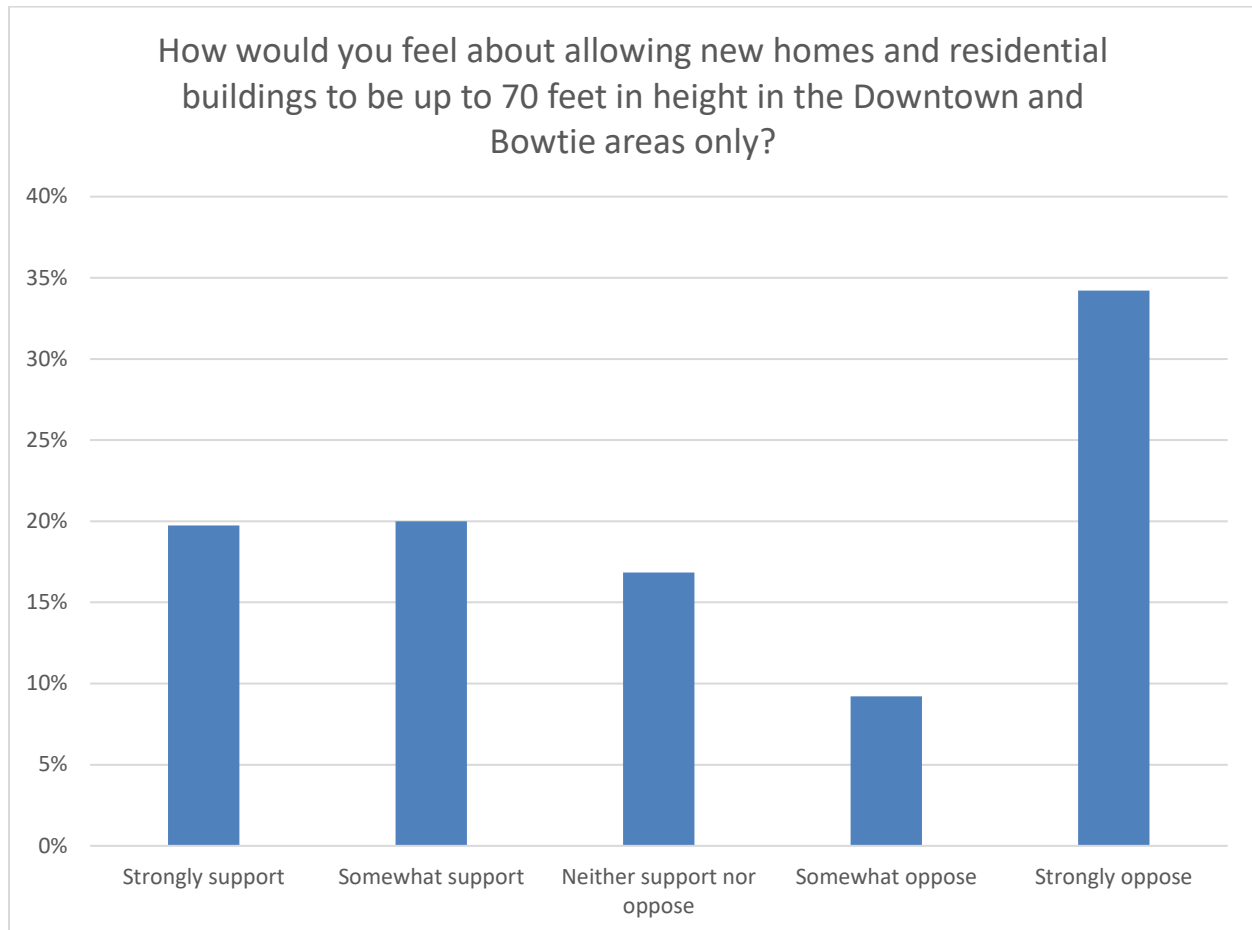
While the previous question about adjusting the lot coverage to allow buildings to cover a greater proportion of sites was in reference to any residential zone, this question asked participants how they would feel about allowing greater lot coverage in just the high-density residential zones or the Downtown. Participants were slightly more favorable to allowing greater lot coverages in just the high-density residential zones or the Downtown, as opposed to any residential zone. While participants were divided among other responses, over 31 percent were in strong opposition. An additional 8 percent of participants somewhat opposed the idea. For those in favor of the idea, almost 17 percent were in strong support and approximately 23 percent were somewhat in support of allowing larger lot coverage in the high-density residential zones or the Downtown. The remaining 21 percent were indifferent.

Question 18



Approximately 41 percent of participants strongly opposed allowing new homes and residential buildings to be up to 70 feet in height in all high-density residential areas. Over one third of the respondents either strongly supported (15 percent) or somewhat supported (19 percent) the idea. The remaining responses were relatively equally divided, with 13 percent somewhat opposing and 12 percent indifferent to the 70-foot height limit in high-density residential areas.

Question 19

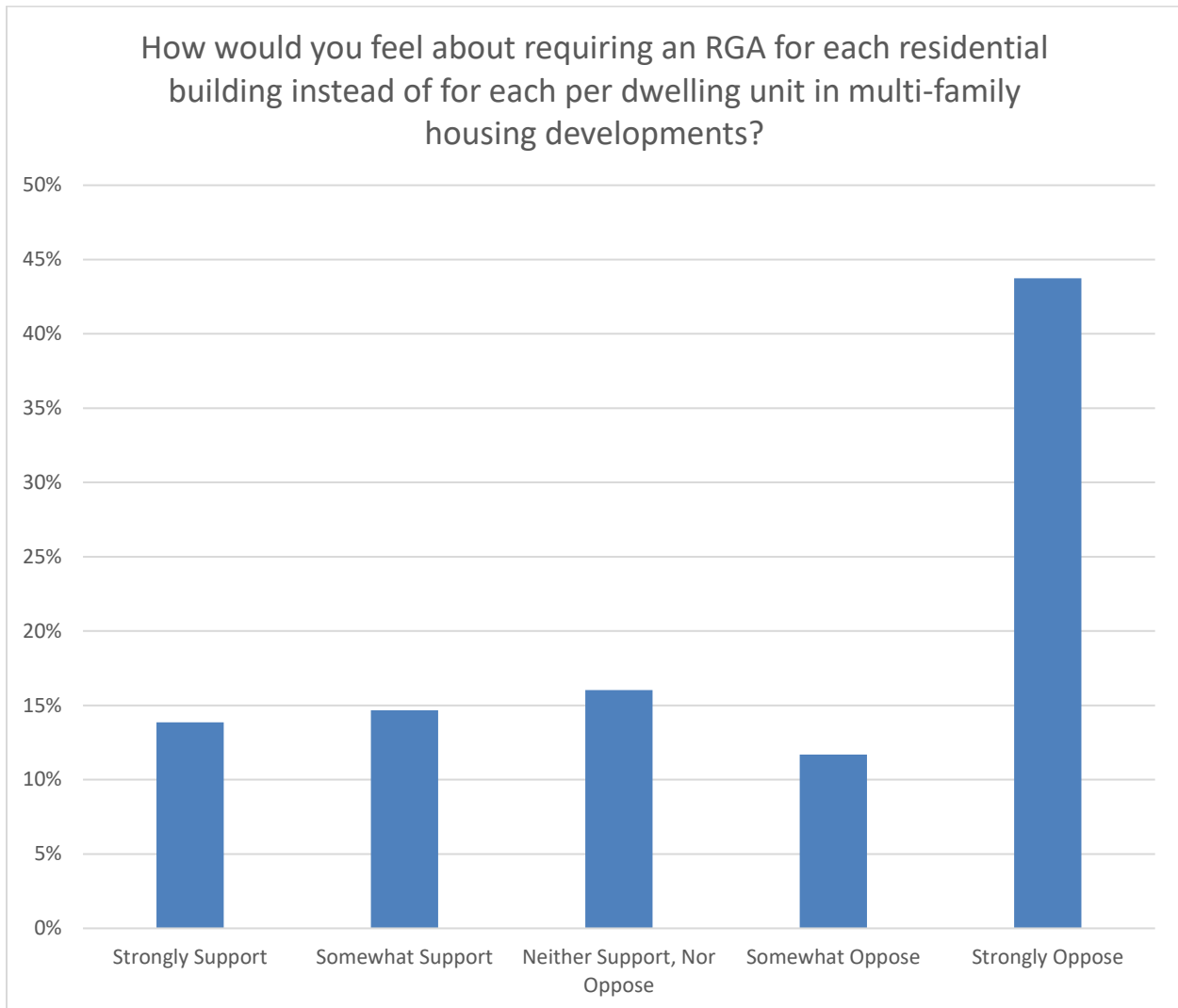


Over 34 percent of participants were in strong opposition of allowing new homes and residential buildings to be up to 70 feet in height in the Downtown and Bowtie areas only. An additional 9 percent were in somewhat opposition of the 70-foot height limits in the Downtown and Bowtie areas. An equal number of participants (20 percent each) were either strongly supportive or somewhat supportive of the idea. The remaining 17 percent of respondents neither supported nor opposed the height limit change.

Other comments collected during the September 9<sup>th</sup> and September 20<sup>th</sup> live polling exercises about this topic are listed below:

- Would increased building heights require new fire trucks? What expense would this incur to the City or taxpayer?
- Allowing buildings to be up to 70 feet in the Downtown would not be okay, while it would be okay in the Bowtie area.
- Allowing taller buildings may cause a loss of views.

Question 20



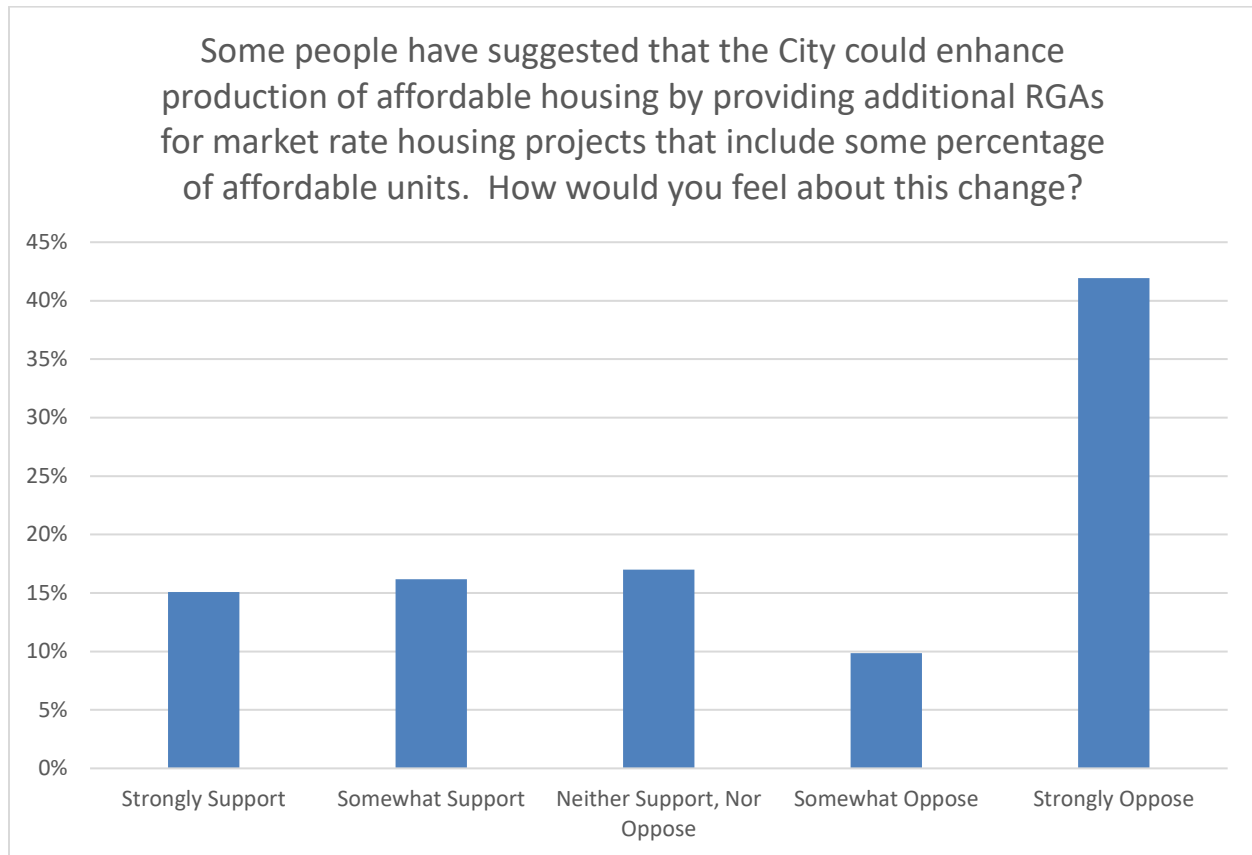
This question discussed the idea that requiring a RGA for each residential building in multi-family housing, instead of for each dwelling unit, might encourage development of multi-unit buildings. Over 43 percent of participants strongly opposed this recommendation, and an additional 12 percent were somewhat in opposition. In comparison, over 13 percent strongly supported the idea, and an additional 15 percent were somewhat supportive. Approximately 16 percent of participants were neither supportive nor opposed to the idea.

One comment collected during the September 20<sup>th</sup> live polling exercise about this topic is listed below:

- The effect of repealing RGA system versus requiring mixed market rate and below market rate units is different. Repealing the RGA requirements, while reducing a barrier to housing development, will not guarantee affordability.



## Question 21

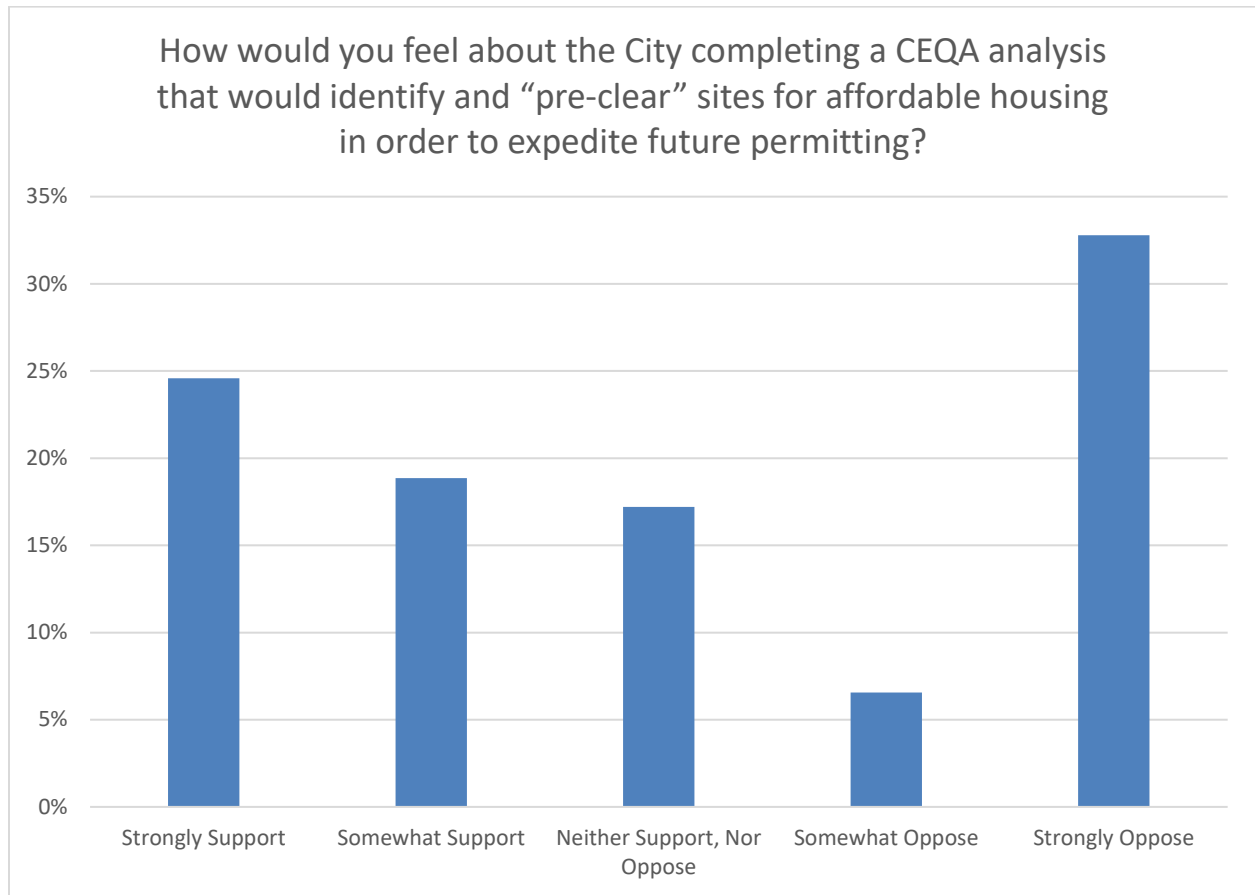


This question introduced the idea that affordable housing production would increase by providing additional RGAs for market rate housing projects with a percentage of affordable units. Many participants (42 percent) were strongly opposed to the idea, while 15 percent were in strong support and an additional 16 percent were somewhat in support of providing additional RGAs for market rate housing projects with affordable units. The remaining 17 percent were impartial to the proposed change.

Other comments collected during the September 9<sup>th</sup> live polling exercise about this topic are listed below:

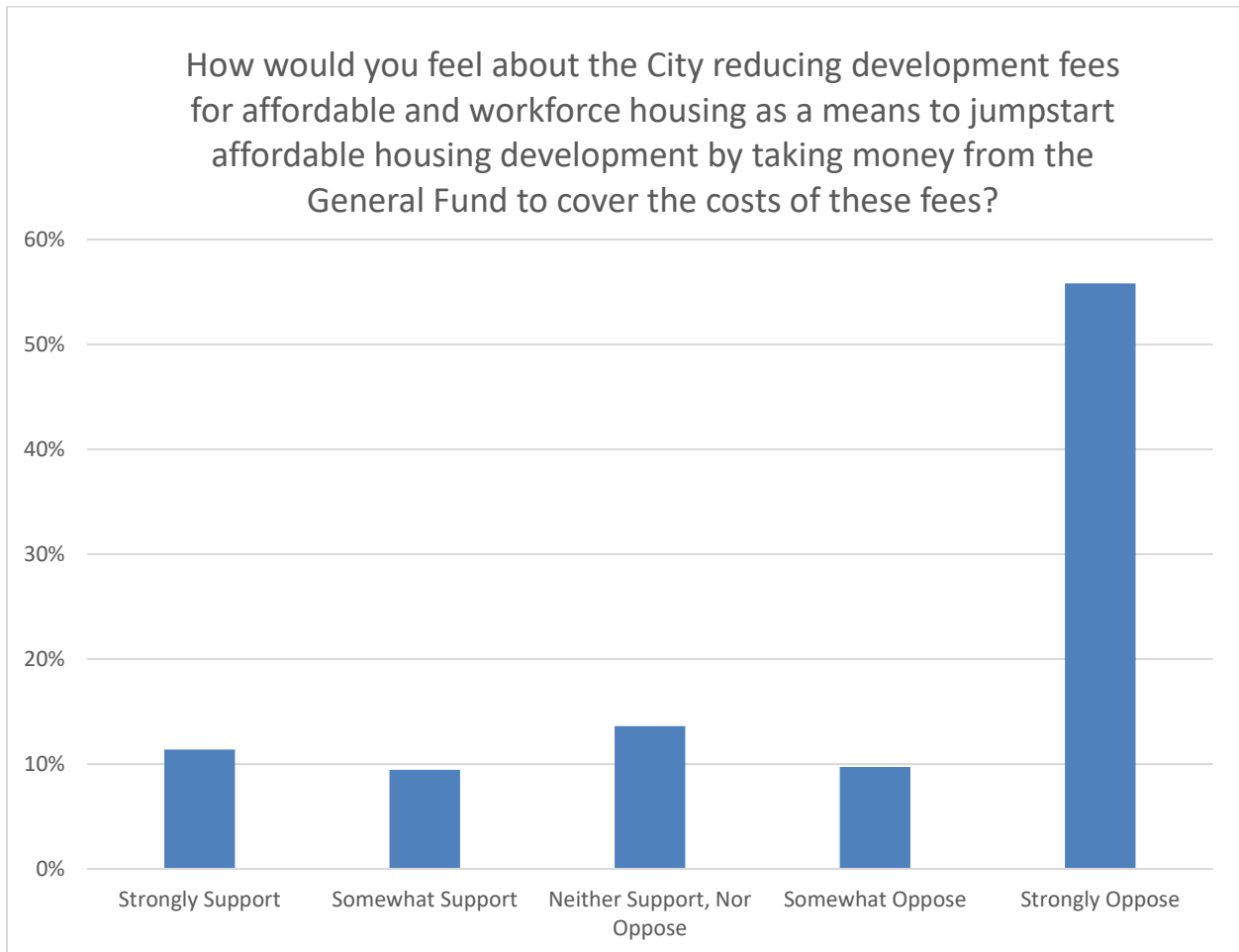
- Can the City instead require that affordable units be built as part of receiving any RGAs?
- Changing the GMO to allow the change proposed for RGAs would require a vote of the people.
- Applying an in-lieu fee to developers for to forgo the creation of affordable housing could be a good alternative solution.
- City Council should consider an inclusionary housing ordinance.

Question 22



Approximately 33 percent of respondents indicated that they would be strongly opposed to the City completing a CEQA analysis that would identify and “pre-clear” sites for affordable housing to expedite future permitting. A quarter of participants strongly supported the proposal for pre-cleared sites, and an additional 19 percent were somewhat supportive. Approximately 17 percent were neither in favor or opposition of the proposal, and the remaining 7 percent were somewhat opposed.

Question 23

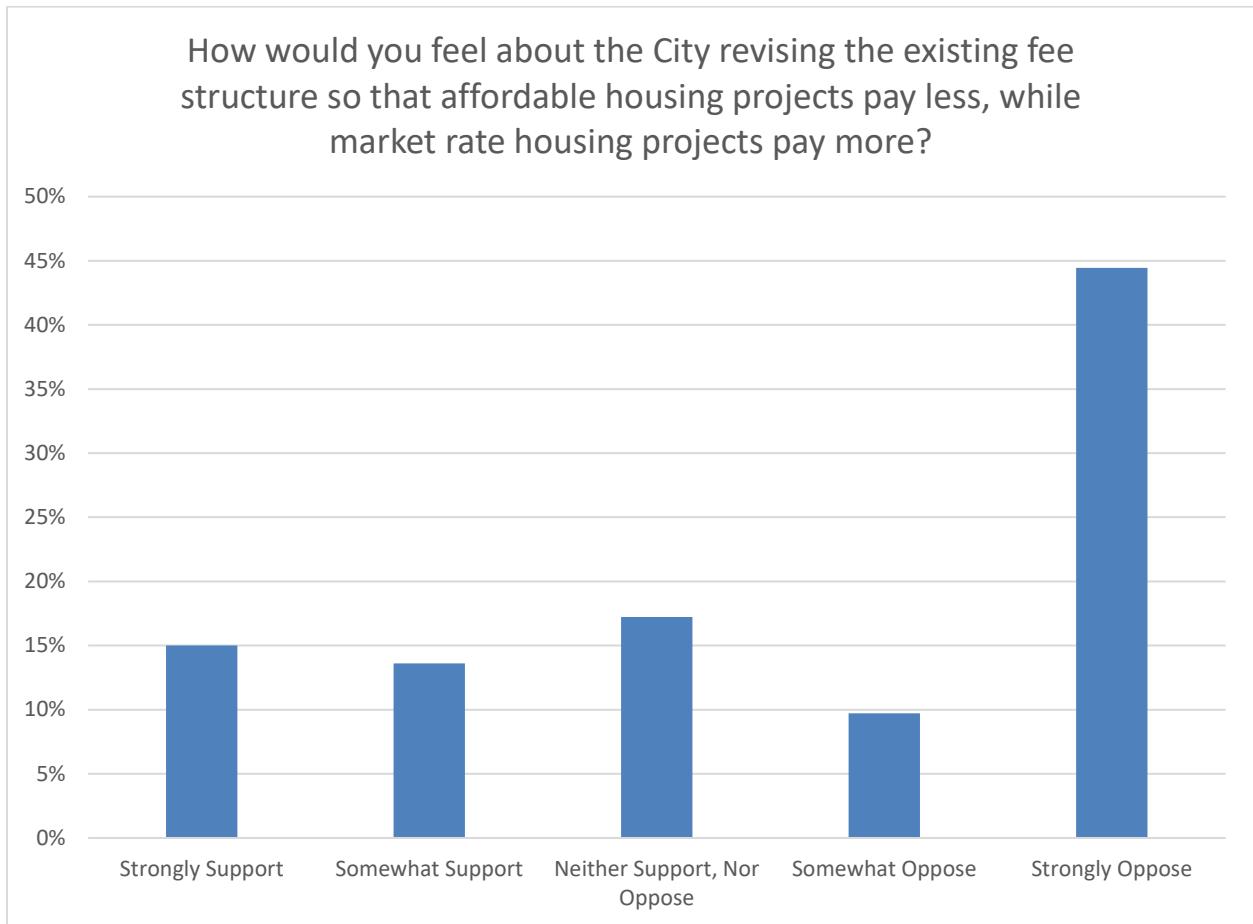


Over half of participants (56 percent) strongly opposed the reduction of development fees for affordable and workforce housing as a means to jumpstart affordable housing development by taking money from the General Fund to cover the fee costs. The remaining opinions were divided relatively similarly. Approximately 11 percent were in support of this fund reallocation to support affordable housing development, while 9 percent were somewhat supportive, and 10 percent were somewhat opposed. The remaining 14 percent were indifferent to the idea.

One comment collected during the September 9<sup>th</sup> live polling exercise about this topic is listed below:

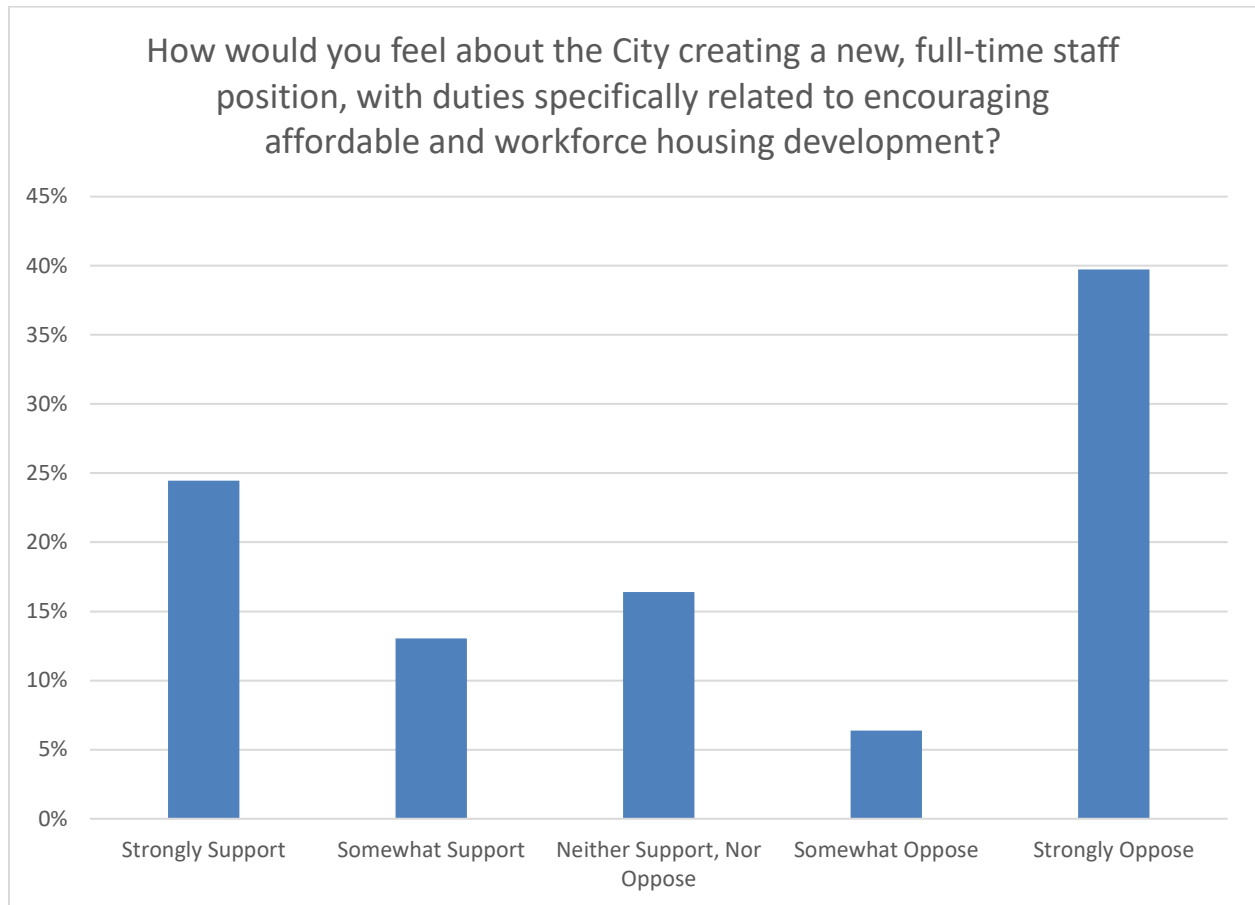
- Some participants don't have a problem with development fee reductions for nonprofit developers or through grant funding if homes would be guaranteed to be reserved for low- and very low-income households. However, they would feel differently if taxpayers were subsidizing the cost for future owners that would be of moderate or above moderate incomes.

Question 24



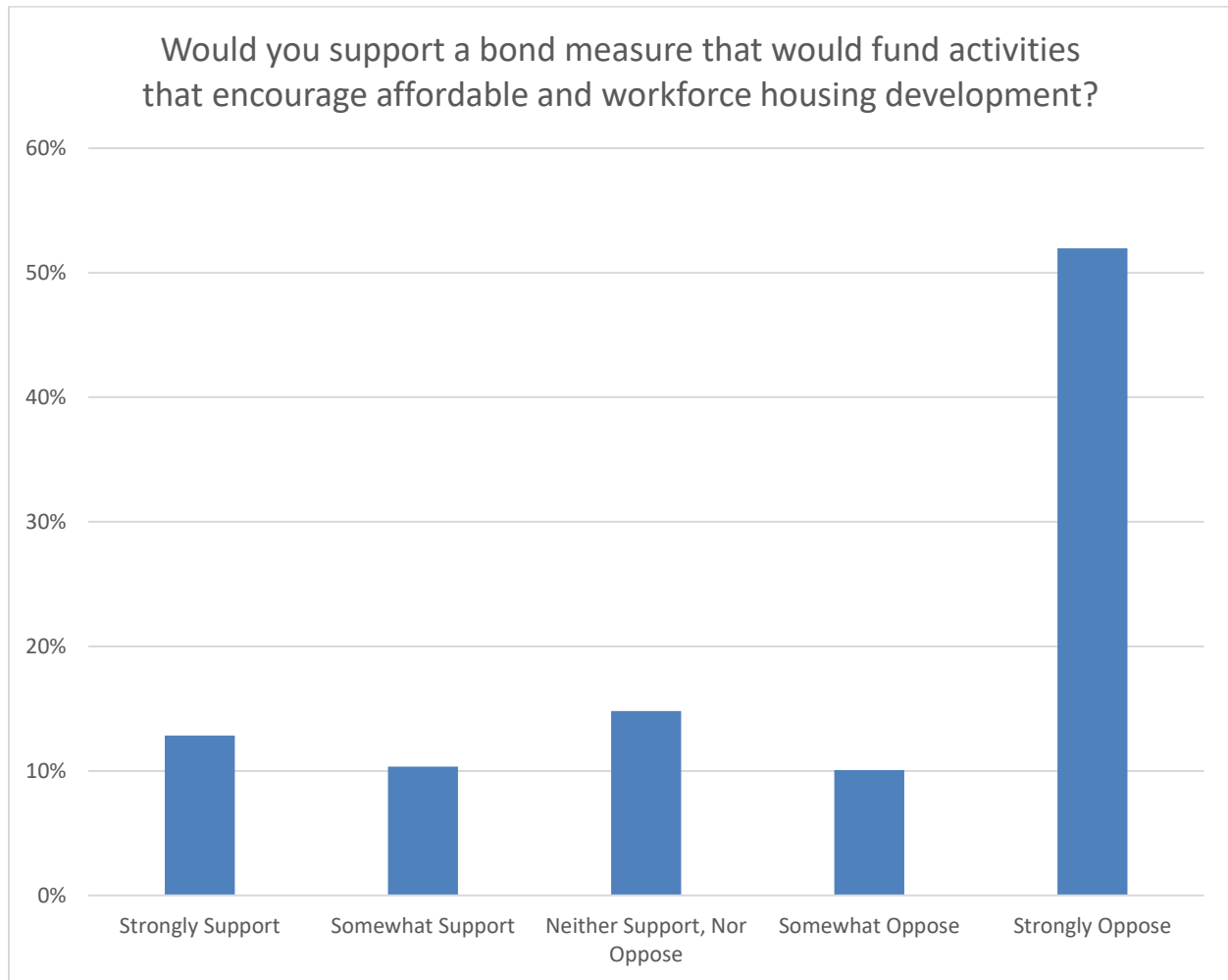
Approximately 44 percent of participants were strongly opposed to reducing development fees for affordable and workforce housing by revising the existing fee structure to reduce affordable housing project fees in comparison to market rate housing project fees. The other feedback was fairly equally divided, with 17 percent of respondents indifferent, 15 percent in strong support, and 14 percent somewhat in support. The remaining 10 percent of participants were somewhat opposed to revising the existing fee structure to favor affordable housing projects.

Question 25



Almost 40 percent of participants were strongly opposed to the City creating a new, full-time staff position with duties related to encouraging affordable and workforce housing development. In contrast, almost a quarter of participants strongly supported a new City staff position. Approximately 16 percent of respondents were neither supportive or opposed to the idea, and 13 percent were somewhat supportive. The remaining 6 percent of participants were somewhat opposed.

Question 26



The majority of participants (52 percent) were strongly opposed to a bond measure that would fund activities to encourage affordable and workforce housing development. The next most common response was indifference to the idea, comprising 15 percent of answers. Approximately 13 percent of respondents strongly supported the bond, and an additional 10 percent were somewhat supportive. The remaining 10 percent of responses were somewhat opposed to an affordable housing development bond.

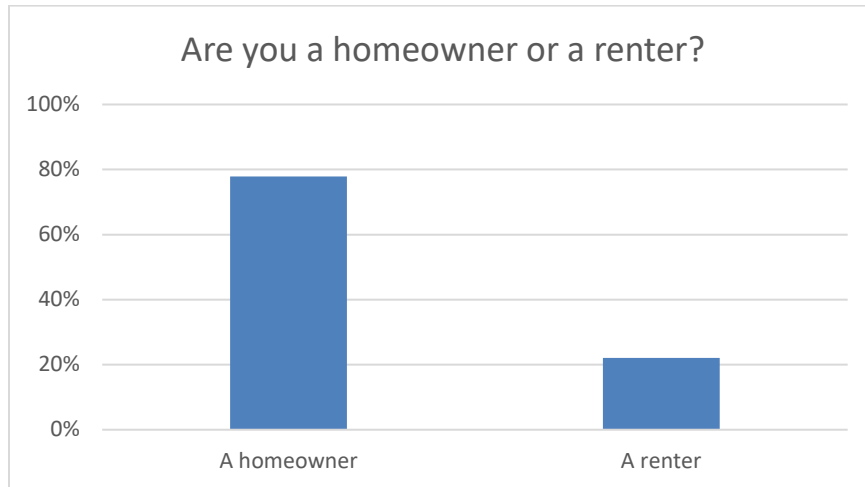
One comment collected during the September 9th live polling exercise about this topic is listed below:

- Would there be a way to limit the beneficiaries of the funds to local residents?

## Demographic Questions

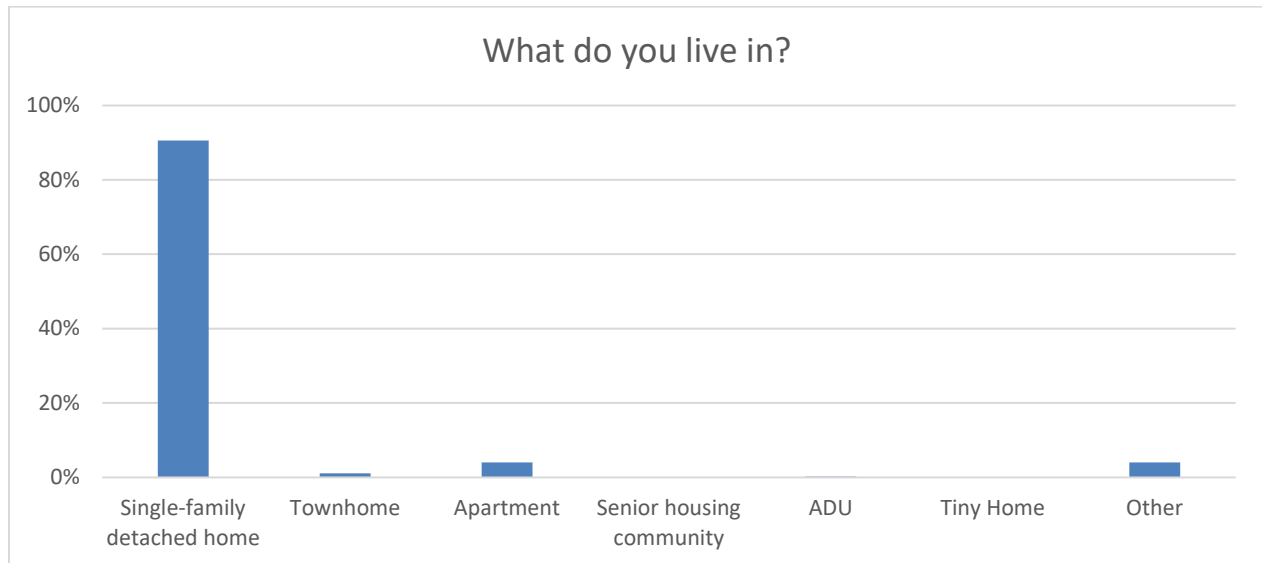
Survey participants at the community workshops or online were primarily homeowners, female, and are between 30 and 70 years old. Survey participants were also likely to make over \$109,000 per year and live in a single-family detached unit. More information about the demographics of participants are discussed below.

### Question 27



Of the 348 responses to this question, approximately 78 percent were homeowners while the other 22 percent were renters.

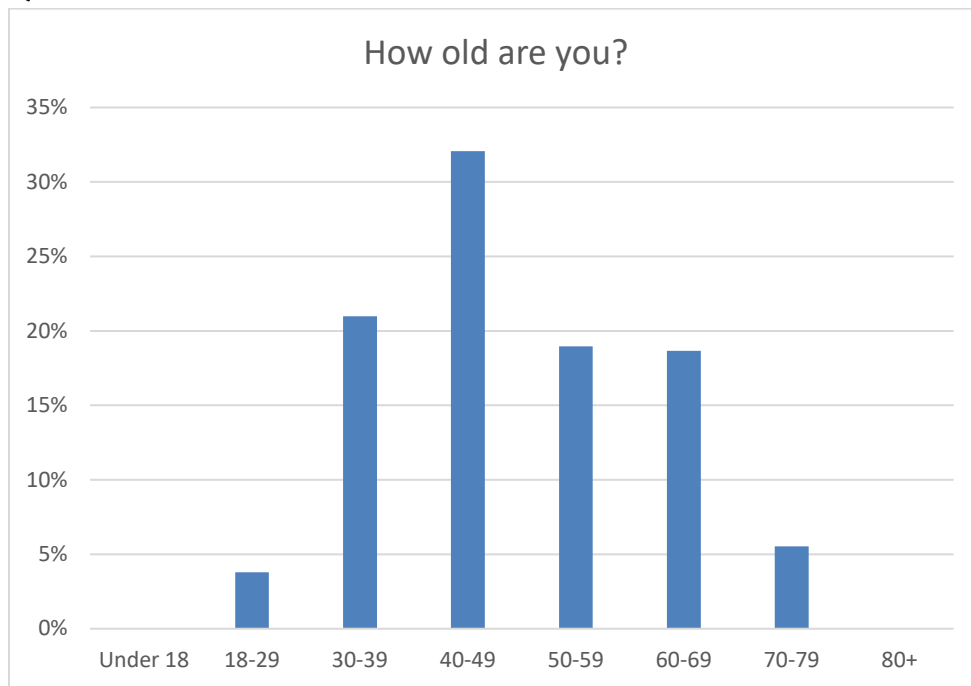
Question 28



Of the 349 responses to the residence type question, over 90 percent of participants indicated they live in a single-family detached home. About 4 percent of participants live in an apartment, and one percent live in a townhome. Less than one percent of participants live in any of the other housing types that were listed, including senior housing communities, ADUs, and tiny homes. Participants had the option to select an undefined “other” response and 4 percent did so.

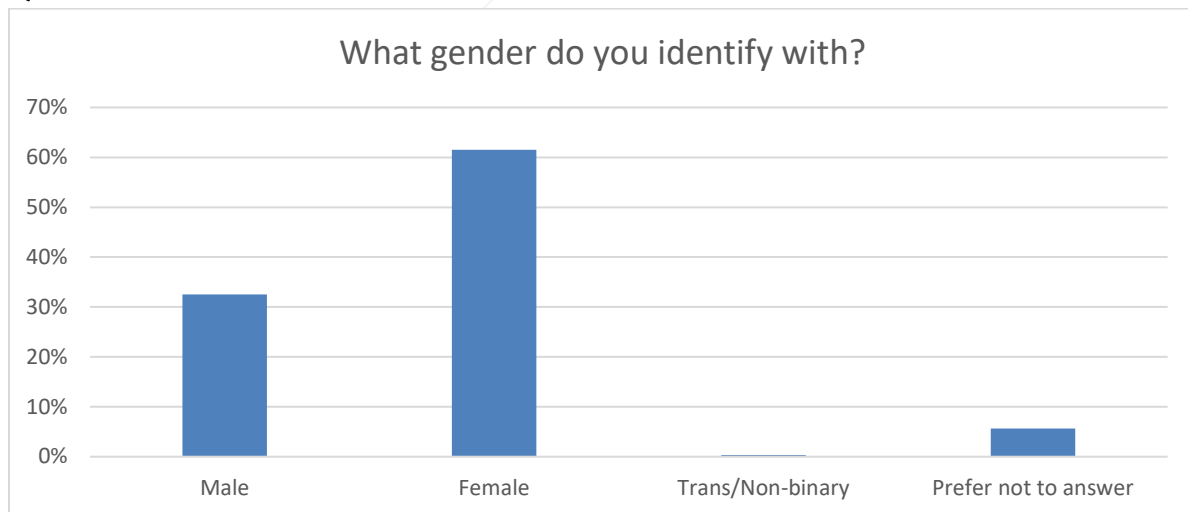


### Question 29



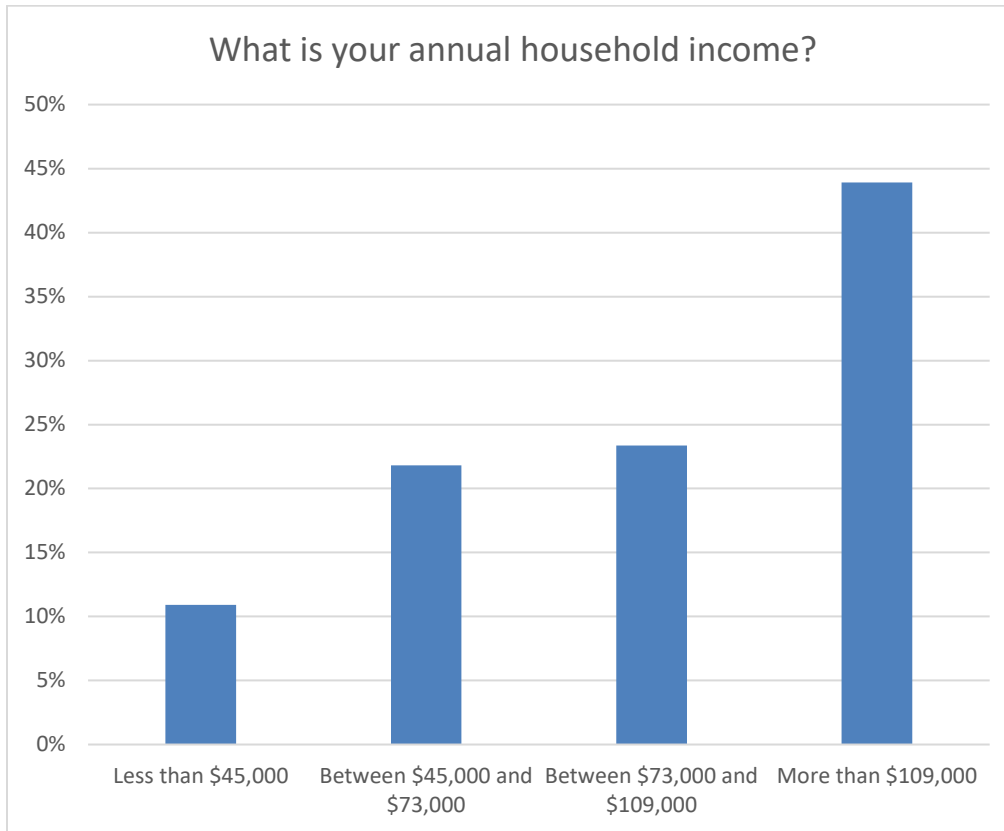
Of the 343 responses to the age question, approximately 32 percent were in their 40s, 21 percent were in their 30s, 19 percent were in their 50s, and 19 percent were in their 60s. This captures the general age categories assumed to be the middle-aged working group. An additional 6 percent of participants were over 70 years old, which generally includes the retired population. The remaining 4 percent of participants were between 18 and 29 years old. There were no participants under 18 or over 79 years old.

### Question 30



With 338 answers to the gender question, approximately 62 percent of participants identify as female and 33 percent identify as male. Approximately 6 percent declined to answer, while less than one percent of participants identify as trans or non-binary.

**Question 31**



Approximately 321 people answered the question about annual household income. Approximately 44 percent make more than \$109,000 per year. A similar number of participants make between \$73,000 and \$109,000 per year (23 percent) and between \$45,000 and \$73,000 per year (22 percent). The remaining 11 percent of participants reported that they make less than \$45,000 per year.

## 8. *Conclusions*

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Outreach with various segments of the community provides the City with a better understanding of community perceptions surrounding affordable and workforce housing and potential incentives to encourage housing creation. While the majority of community members agreed that housing affordability is an issue and indicated that they think the City should engage in activities that encourage the creation of affordable housing, the feedback also indicated significant opposition to most of the proposed approaches. While the concerns were varied and complex, many participants were concerned about preserving community character, infrastructure maintenance and improvements, and reliance on taxpayers to subsidize new housing development.

The City Council's initial direction provided a focus for housing policies or tools that may be most applicable and conducive to the local housing climate. The City Council recommended using SB 2 funds for multiple housing initiatives to create a multi-dimensional approach to increasing affordable housing. The tools used to create an affordable housing-friendly market should follow the Council's direction to be diverse to address multiple challenges to housing creation. However, while a diversity of approaches is needed to address the multiple challenges, it is also important to establish a clear strategy for the type of housing projects that the City is most interested in encouraging. With limited resources, pursuing and successfully implementing every idea will not be feasible. For example, a strategy to facilitate increased production of more, smaller, for-sale units on scattered vacant sites as an affordable by design approach will look different than a strategy to collaborate with a tax credit developer on a large project to create 40-60 deed-restricted affordable rental units. In weighing these options, more analysis would be beneficial. Market studies and feasibility analyses can help determine what lot sizes and development patterns would most likely result in an affordable by design product. An analysis of potential tax credit scenarios and identification of matching resources would lay the groundwork for an approvable application.

Developer input provided feedback on the pool of potential approaches to encourage housing development. Developers agreed that most suggestions would be helpful for encouraging housing production. However, the community generally opposed most of these ideas. Developers at the workshop expressed perceptions that the Tracy community is primarily interested in suburban style, large lot single-family homes, which may partially account for general community opposition to the ideas presented to them. However, data on incomes and housing costs, as well as many of the write-in responses to the online survey evidences a significant need for affordable housing. This indicates a need to provide affordable housing that is designed to be compatible with existing community character. An innovative and promising idea to create multifamily homes that are more likely to be affordable by design, while also maintaining visual compatibility with Tracy's existing suburban character is to include fourplexes in areas with single-family homes and use architectural design to create a cohesive appearance. A fourplex with a single exterior entry and interior individual unit entries can look nearly identical to a single-family home. A potential advantage of this approach is that it may be more likely that the new residents of the fourplexes would be existing Tracy residents. A new, large development, such as townhomes or apartments may have a higher visibility when being marketed, attracting non-residents from out of the area with Bay Area jobs.

Several of the developers that were interviewed who have deep experience with tax credit projects noted that deed-restricted affordable moderate rents are fairly close to average, current market rate rents. This indicates that a tax credit project aimed towards lower income households may be the most effective. Many developers noted that it is fiscally impractical to construct an affordable housing development that is less than 50 units, but many zones in Tracy do not have sites that would make this type of development feasible, even with a density bonus.

Developers were generally open and interested in most of the tools or incentives presented, but they provided constructive feedback to hone the tools for more effective, realistic application. For example, as an incentive to build affordable housing, currently a project with all affordable units would not need any RGAs. However, presently, there are no incentives related to the RGA system offered for a project with a mix of affordable and market-rate units. Developers' input also provided context for the varying levels of impact on the housing market that different tools would generate upon implementation. For example, while reducing costs by eliminating off-street parking requirements could help save some money, it wouldn't be as impactful as other approaches. Non-profit affordable housing developers that were interviewed highlighted the great impact that could be made by the City analyzing vacant parcels to determine development feasibility, ensuring those sites were ready to be developed with the desired type of project and having a contact at the City who could work with them to navigate the process.

Lack of community support for new affordable housing is a disincentive to developers because it can cause financial and operational strains throughout the process. For example, a housing project generally accepted by the community will likely encounter fewer obstacles from public commenters and at public hearings. Similarly, approaches that the City can take to spur housing development without needing a vote from residents to either change the GMO system or pass a bond measure are more likely to be effective.

When it comes to incentives or the investment of City staff time or subsidies, different approaches will require varying levels resources from the City to effectively create affordable housing. For example, it is far less expensive and time-intensive to initiate a scattered site rehabilitation, adaptive reuse or vacant lot development program. In comparison, far greater resources would be needed from the City to conduct a tax credit analysis and provide matching resources, to determine the level of local subsidy that would be needed to support tax-credit projects, but the outcome would likely generate more affordable units than the spot-development program. The level of investment from these different housing creation tools must be matched with proportional impacts. Therefore, a more costly and long-term investment should spur affordable housing creation more significantly. Each housing tool or incentive is analyzed for relative impact to generating affordable housing, financial feasibility, community, developer, and City Council perceptions, and potential drawbacks in Table 4 below.

**TABLE 4 POTENTIAL SOLUTION COMPARISON SUMMARY**

Tool or Incentive	Impact on Housing	Cost to the City	Community Acceptance	City Council Acceptance	Developer Acceptance	Potential Benefits	Potential Drawbacks
ADUs	Medium to High	Low	Mixed	Yes	Yes	Low-cost strategy, some community support, supported by State housing law, can be used in new and existing neighborhoods, design templates are available	Increased infrastructure needs and impacts, strong community opinions may impair application of this strategy
Tiny Homes	Medium	High if done without grants or partners	No	Mixed	Yes	Low-cost strategy, some community support, supported by State housing law	Increased infrastructure needs and impacts, negative community perceptions may impair application of this strategy, few places that currently allow this type of development
Adjusting zoning for tiny home clusters	Medium	Low	Mixed	Unknown	Yes	Low-cost strategy, clustering increases development and operation efficiency	Increased infrastructure needs and impacts, negative community perceptions may impair application of this strategy
Off-street parking requirement reductions	Low	Medium	No	Mixed	Mixed	Flexible standards decrease development costs, decreased development costs minimize sales/rental price, supplements such as transit passes, bike share, or otherwise encourages alternative transportation	Increased parking issues, potentially inadequate incentive for community blowback it may incur, strong community opposition may impair application of this strategy
Higher densities	High	Medium	Mixed	Mixed	Yes	Flexible standards decrease development costs, decreased development costs minimize sales/rental price, diversifies housing stock, increased numbers of market rate units in a project can defray the cost of affordable units in the same project	Zoning changes may be time-intensive for City staff and take longer to implement with due process needed to amend the General Plan, strong community opinions may impair application of this strategy

**TABLE 4 POTENTIAL SOLUTION COMPARISON SUMMARY**

Tool or Incentive	Impact on Housing	Cost to the City	Community Acceptance	City Council Acceptance	Developer Acceptance	Potential Benefits	Potential Drawbacks
Lot coverage increases/Setback decreases	Medium	Medium	Mixed	Unknown	Yes	Flexible standards decrease development costs, decreased development costs minimize sales/rental price, diversifies housings stock	Zoning changes may be time-intensive for City staff and take longer to implement with due process needed to amend the General Plan, strong community opinions may impair application of this strategy
Building height increases	Medium	Medium	Yes	Unknown	Yes	Flexible standards decrease development costs, decreased development costs minimize sales/rental price, diversifies housings stock	Zoning changes may be time-intensive for City staff and take longer to implement with due process needed to amend the General Plan, strong community opinions may impair application of this strategy
RGA changes/GMO	High	Medium	No	Yes	Yes	Increased units provided per development, flexible standards decrease development costs, decreased development costs minimize sales/rental price	Strong community opposition to RGA changes may discourage developers
Pre-Clear Sites for CEQA	High	High if done without grants or partners	Mixed	Yes	Yes	Minimizes project uncertainty, reduces development time and costs, reserves sites for affordable housing development	Costly for the City to implement, may take longer for the City to identify funding for this effort, if sites ultimately left undeveloped, could be a waste of resources
Revised development fee structure	Medium	Medium	No	Yes	Yes	Reduces development costs, encourages market-rate housing developments to provide affordable units	Strong community opposition may impair application of this strategy

**TABLE 4 POTENTIAL SOLUTION COMPARISON SUMMARY**

Tool or Incentive	Impact on Housing	Cost to the City	Community Acceptance	City Council Acceptance	Developer Acceptance	Potential Benefits	Potential Drawbacks
Bond measure or General Fund resources	High	High	No	Unknown	Yes	Provides funds to offset development costs, reduces need to search for grants or other funding sources, may help support a wider collection of affordable housing development efforts	Strong community opposition may impair application of this strategy, uncertainty around the level of local subsidy needed to support projects, encourages a pro-developer sentiment not echoed by the general public
Dedicated housing-specific City staff	Medium	Medium	Mixed	Unknown	Yes	Facilitate development by identifying sites, liaising project in entitlement process, reduce development uncertainty, permit times and potential construction	Costly to hire and staff the City with an additional full-time employee

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## 9. Recommendations

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Based on the outcomes from this process, and on PlaceWorks' own expertise in affordable and workforce housing provision, this report makes the following recommendations:

### **Increase Density**

These measures would amend City development standards to allow a greater number of dwelling units, particularly multi-family and smaller homes. These could be near-term items to be completed by City staff or with consultant help.

1. Increase maximum densities in the higher density residential zones, particularly in the Downtown and Bowtie areas, but also in other places with higher density residential zoning.
2. Consider removing minimum lot sizes in favor of FAR and/or units per net acre.
3. Adjust zoning requirements to allow higher buildings, greater lot coverage and reduced setbacks in moderate- and higher-density zones.
4. Increase minimum densities in medium density residential zones so as to preclude the use of these zoning designations for development of more expensive stand-alone single-family homes.
5. Consider regulations to encourage or require new subdivisions to include fourplexes that are designed to look cohesive with adjacent single-family homes.
6. Consider regulations to encourage or require that a certain percentage of homes in new subdivisions include ADUs.
7. Change the City's existing regulations, which already do a good job of encouraging ADUs, to lessen setback and parking requirements in some areas.
8. Identify one or more sites in the City that can be zoned with an overlay that allows clusters of tiny homes.

### **Increase Rate of Construction**

These items would allow a greater rate of residential development. They are longer-term items that would require a change to Measure A with voter approval.

9. Provide additional market-rate Residential Growth Allocations (RGAs) for projects that include a specified percentage of affordable units.

10. Consider switching from counting RGAs on a per unit basis to counting them on a per-building basis, so that buildings with multiple units do not require as many RGAs.

### **Direct Developer Support**

These items would include an ongoing financial commitment from the City through budget appropriations or research and analysis by City staff to market property and development opportunities to developers and builders. These are long-term items that would require a General Fund commitment and could include on-going work on individual properties or a large number of sites at a time – with analysis conducted by staff or with consultant help.

11. Study changes to the development system that would lessen fees for multi-family and/or affordable units as compared to single-family and market rate units.
12. Identify an existing staff member or establish a new position to serve as a housing champion to further the production of affordable housing. Duties would include maintaining an inventory of available sites, recruiting developers, packaging funding for affordable housing projects, and providing technical assistance to homeowners and landowners who seek to build affordable housing and ADUs.
13. Among other duties, direct that this staff member prioritize capturing funds for affordable housing projects such as tax credit programs, California’s Cap-and-Trade-Funded Affordable Housing and Sustainable Communities Program, State TOD funds, Senate Bill 2, and the Governor’s other new and evolving housing programs.
14. Complete a City-sponsored and-funded CEQA analysis of available multi-family housing sites so as pre-clear sites for affordable housing development.
15. Complete an analysis of available land in the City, looking at vacant, underutilized and low-density parcels, in-depth. For vacant parcels, analyze the development scenarios that would be feasible under current zoning. Analyze underutilized parcels to identify opportunity sites for redevelopment. Evaluate low-density properties to identify opportunities for intensifying development, such as with ADUs.
16. Conduct market studies and feasibility analyses to determine what lot sizes and development patterns would most likely result in an affordable by design product. Compare this with the land inventory.
17. Conduct a tax credit analysis to determine appropriate scenarios for tax credit projects, the amounts of subsidies the most promising scenarios would require and available resources to ensure a strong tax credit application.

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AGENDA ITEM 3.E

REQUEST

**DISCUSS UPCOMING CITY COUNCIL TRAVEL TO WASHINGTON D.C. FOR LOBBYING EFFORTS FOR THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG) ONE VOICE TRIP; TRAVEL TO WASHINGTON, D.C. FOR LOBBYING EFFORTS FOR THE CITY OF TRACY (PRE-ONE VOICE); AND TRAVEL TO SACRAMENTO FOR STATE LOBBYING EFFORTS; AND APPROVE PRE-ONE VOICE TRIP TRAVEL**

EXECUTIVE SUMMARY

San Joaquin One Voice® (One Voice) is an annual trip in which representatives from San Joaquin County address topics of regional concern to Federal elected officials and staff in Washington D.C. This year, One Voice will be held from May 10 through May 14, 2020. This trip typically includes the City's representative on the San Joaquin Council of Governments (SJCOG) Board and an alternate. Additionally, members of Council have conducted a separate lobbying shortly before the SJCOG trip to Washington D.C. to address the specific needs of the City of Tracy. Lastly, staff is proposing a State lobbying effort to augment and support the City's federal outreach. The purpose of this discussion is to address Council travel to these lobbying events and approve travel for the Pre-One Voice trip.

DISCUSSION

In the past, Tracy's representatives on the SJCOG Board have attended the One Voice trip to Washington D.C., normally held in the spring each year, to join other elected officials from San Joaquin County to discuss issues of regional concern with their Federal representatives. The 2020 dates are May 10 through May 14, 2020. The SJCOG encourages their City Board Members and their alternates to attend the lobbying event. The SJCOG waives the registration fee for the Board member and pays 50% of their lodging and airfare. In the past, the City's expense has averaged approximately \$6,500 for the One Voice trip for two members, which took into account the credit for one registration and other reimbursements.

In 2019, all Council Members and the Mayor attended the SJCOG One Voice Trip. The cost associated with this trip was \$14,549. While COG does not have a policy regarding the size of a jurisdiction's delegation, COG staff encourages agencies to limit the number of participating representatives to a Board Member, alternate and staff member. This approach helps to ensure a better managed lobbying event.

As such, this year staff is recommending that the City limit their attendees to the current Board Member, the alternate, and appropriate staff. Per Section A of Council Resolution No. 2007-075, the Policy for Reimbursement for Travel and Expenses for Elected and Appointed Officials (Attachment A), the One Voice trip does not require prior approval by the City Council.

In addition to and in advance of the One Voice trip, the City Council has previously chosen to travel to Washington D.C separately (Pre-One Voice). This has allowed

the Council to hold lobbying meetings with Federal officials and staff members to discuss concerns more specific to the City of Tracy. The trips to and from Washington D.C. average three to four days and the expense is approximately \$3,500 per person. In the past, four Council Members attended this lobbying effort. If three or more Council members attend the trip, the City will be required to post the necessary public notices in conformance with the Brown Act. In order to avoid any potential conflicts with the Brown Act, ensure a well-managed lobbying experience, and reduce travel expenses, staff recommends that a maximum of two Council Members attend the Pre-One Voice lobby effort.

Staff has contacted the City's federal lobbyist for potential travel dates. Suggested travel weeks are yet to be determined.

To further enhance the City's lobbying efforts, staff proposes a state lobbying effort to take place in Sacramento in 2020. Townsend Public Affairs, the City's state lobbyist, can assist in coordinating meetings with the appropriate State Representatives and agencies. Travel dates have yet to be decided. Staff recommends that two Council Members attend with staff.

The purpose of this report is to allow Council to discuss Council travel, related to the SJCOG One Voice trip, the earlier City Pre-One Voice lobbying trip and the State lobbying trip and approve Council Members' travel for the Pre-One Voice trip.

### STRATEGIC PLAN

This item is a routine operational item and does not relate to any of the Council's Strategic Plans.

### FISCAL IMPACT

The FY 19/20 annual appropriation for Council travel and meals is \$35,391. The current balance available is approximately \$27,206.

The estimated cost for both the SJCOG One Voice trip and the Pre-One Voice trip is approximately \$3,500 per person. Therefore, if the Mayor and Council, and City Manager attend the One Voice trip, the cost would be approximately \$18,334 with SJCOG's reimbursement.

The estimated cost of the Pre-One Voice trip, with four Council members and two staff in attendance would be approximately \$21,000 (\$3,500 per person).

Currently, staff does not have a budget for the proposed State lobbying effort.

If all Council members attend the SJCOG One Voice trip and four members attend the Pre-One Voice trip, total cost would be \$39,334. Under this scenario, there are insufficient funds in the current Council travel budget.

However, should Council consider reducing the One Voice delegation (Mayor,

COG Alternate, Staff), the total cost would be \$7,000. Similarly, the Pre-One Voice cost would also be \$7,000 for a 3-member delegate (2 Councilmembers, one staff). The combined cost for both delegations would be approximately \$14,000.

#### RECOMMENDATION

Discuss upcoming City Council travel to Washington D.C. for lobbying efforts for the San Joaquin Council of Governments (SJCOG) One Voice trip; travel to Washington, D.C. for lobbying efforts for The City of Tracy (Pre-One Voice); travel to Sacramento for state lobbying efforts; and approve Pre-One Voice trip travel.

Prepared by: Karin Schnaider, Finance Director  
Andrew Malik, Assistant City Manager

Reviewed by: Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

#### ATTACHMENTS

Attachment A – Council Resolution No. 2007-075: the Policy for Reimbursement for Travel and Expenses for Elected and Appointed Officials

Resolution No. 2007-075

**REVISING THE POLICY AND PROCEDURES  
FOR TRAVEL AND EXPENSES REIMBURSEMENT  
FOR ELECTED AND APPOINTED OFFICIALS**

WHEREAS, the City Council finds that it is in the best interests of the City that elected and appointed officials remain informed and trained in activities, developments and professional trends affecting the affairs of the City and that attendance at institutes, hearings, meetings, conferences, or other gatherings is of value to the City and its citizens; and

WHEREAS, appointed officials include Planning Commission, Parks and Recreation Commission members, and other non-employee members of boards, commissions, and committees; and

WHEREAS, the City of Tracy takes its stewardship over the use of its limited public resources seriously; and

WHEREAS, public resources should only be used when there is a substantial benefit to the City; and

WHEREAS, such benefits include:

- a. The opportunity to discuss the community's concerns with state and federal officials;
- b. Participating in regional, state and national organizations whose activities affect the City;
- c. Attending educational seminars designed to improve officials' skill and information levels; and
- d. Promoting public service and morale by recognizing such service; and

WHEREAS, a) legislative and other regional, state and federal agency business is frequently conducted over meals; b) sharing a meal with regional, state and federal officials is frequently the best opportunity for a more extensive, focused and uninterrupted communication about the City's policy concerns; and c) each meal expenditure must comply with the limits and reporting requirements of local, state and federal law; and

WHEREAS, this Policy provides guidance to elected and appointed officials on the use and expenditure of City resources, as well as the standards against which those expenditures will be measured; and

WHEREAS, Government Code section 36514.5 allows council members to be reimbursed for actual and necessary expenses incurred in the performance of their official duties; and

WHEREAS, On April 17, 2007, Council revised the policy to include a remedy for non-compliance by Board and Commission members; and

WHEREAS, this Policy satisfies the requirements of Government Code sections 53232.2 and 53233.3.



NOW, THEREFORE, the Tracy City Council does resolve, declare, determine and order as follows:

SECTION 1: Resolution No. 2007-023 is hereby repealed. The Travel and Expenses Reimbursement Policy and Procedures for Elected and Appointed Officials in the City of Tracy, attached hereto as Exhibit "A", is hereby adopted.

SECTION 2: This resolution shall take effect immediately upon adoption.

\*\*\*\*\*


The foregoing Resolution 2007-075 was passed and adopted by the Tracy City Council on the 17th day of April, 2007, by the following vote:

AYES: COUNCIL MEMBERS: SUNDBERG, TOLBERT, TUCKER, IVES

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: ABERCROMBIE

ABSTAIN: COUNCIL MEMBERS: NONE

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

EXHIBIT "A" TO RESOLUTION NO. 2007-075

POLICY FOR REIMBURSEMENT  
FOR TRAVEL AND EXPENSES  
FOR ELECTED AND APPOINTED OFFICIALS

The City Council of the City of Tracy believes that it is important that elected and appointed officials (including Planning Commissioners, Parks and Recreation Commissioners, and other volunteer members of boards, commissions, and committees) remain informed and trained in issues affecting the affairs of the City and that attendance at institutes, hearings, meetings, conferences, or other gatherings is of value to the City and its citizens. The benefits include:

- a. The opportunity to discuss the community's concerns with state and federal officials;
- b. Participation in regional, state and national organizations whose activities affect the City;
- c. Attending educational seminars improve officials' skill and information levels; and
- d. Promoting public service and morale by recognizing such service.

In order to promote these endeavors, to protect public resources and foster public trust in the use of those resources, as well as comply with state law requirements regarding reimbursement of expenses, the City Council hereby sets forth the travel and expense reimbursement policies for the City of Tracy.

All anticipated conferences, conventions and professional meetings shall be budgeted for in the current operating budget. As the trip is being paid for with public funds, it shall be the responsibility of the official undertaking the trip to make every effort to attend the entire conference and/or as many sessions as possible.

All elected officials and appointed officials (including the City Manager and City Attorney) who receive compensation for their service or reimbursement for their expenses shall comply with this Policy. This shall include Planning Commissioners, Parks and Community Services Commissioners, and Cultural Arts Commissioners.

**A. AUTHORIZED EXPENSES**

City funds, equipment, supplies (including letterhead), titles, and staff time must only be used for authorized City business. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this Policy are met:

- 1. Communicating with representatives of regional, state and national government on City adopted policy positions;
- 2. Attending educational seminars designed to improve officials' skill and information levels;
- 3. Participating in regional, state and national organizations whose activities affect the city's interests;

4. Recognizing service to the City (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);

5. Attending City events;

6. Implementing a City-approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member;

7. Meetings such as those listed above for which a meeting stipend is expressly authorized under this Policy, and

8. City council members may be reimbursed for Internet and/or Cable TV expenses related to, and used in connection with, their official duties.

All other expenditures require prior approval by the City Council.

Expenses for international and out-of-state travel, other than the annual "One-Voice" trip to Washington D.C. coordinated through the San Joaquin County Council of Governments, require prior City Council approval.

For the purposes of this Policy, if the City pays directly for the expenses it is not considered a reimbursement (e.g. conference fees).

#### **B. EXPENSES NOT ELIGIBLE FOR REIMBURSEMENT**

Examples of personal expenses that the City will not reimburse include, but are not limited to:

1. The personal portion of any trip;

2. Political or charitable contributions or events;

3. Family expenses, including partner's expenses, when accompanying official on agency-related business<sup>1</sup>, as well as children- or pet-related expenses;

4. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf related expenses), or other cultural events;

5. Alcohol/personal bar expenses;

6. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and

7. Personal losses incurred while on City business.

8. Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred.

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<sup>1</sup> If trip arrangements are made, as a convenience, for spouse or family members, reimbursement to the City for any advanced expenses must be received by the City prior to the trip.

### **C. COMPENSATION FOR ATTENDANCE AT MEETINGS**

Compensation for meeting attendance, for elected and appointed members of city boards and commissions, shall be as follows:

1. City Council members' salaries shall be set and enacted as mandated by the California Government Code.
2. Compensation for meeting attendance for members of the Planning Commission, Parks and Community Services Commission, and the Community Cultural Arts Commission, shall be established by resolution of the City Council.

### **D. TRANSPORTATION**

When attending conferences or meetings that are of such distance that it is more economical to take commercial transportation, if an official proposes to drive his/her car in those cases, commercial air fare will be paid and not automobile mileage. Government and group rates must be used when available.

1. **Airfare.** Airfares that are reasonable and economical shall be eligible for reimbursement.
2. **Automobile.** Automobile mileage is reimbursed at Internal Revenue Service ("IRS") rates in effect at the time of travel. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable.
3. **Car Rental.** Rental rates that are reasonable and economical shall be eligible for reimbursement.
4. **Taxis/Shuttles.** Taxis or shuttles fares may be reimbursed, including a fifteen (15%) percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

### **E. LODGING**

Lodging expenses will be reimbursed, or paid for, when travel on official city business reasonably requires an overnight stay. If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. Travelers must request government rates, when available. If the group rate is not available, reimbursement at the IRS rate in effect at the time of travel shall apply (IRS Publication 463).

### **F. MEALS**

A local expense reimbursement policy identifying a "per diem" of reasonable rates for meals is not adopted. Receipts for expenses for meals shall be required. Actual expenses shall be reimbursed subject to the maximum per diem for the meal as set by the IRS rate in effect at the time of travel. (See Cal. Gov't Code §53232.2(c) and Publication 1542 at [www.irs.gov](http://www.irs.gov) or [www.policyworks.gov/perdiem](http://www.policyworks.gov/perdiem).) The City will not pay for alcohol/personal bar expenses.

#### **G. MISCELLANEOUS EXPENSES**

Officials will be reimbursed for actual telephone, fax, and parking expenses incurred on City business. Telephone bills should identify which calls were made on City business.

#### **H. CASH ADVANCE POLICY**

From time to time, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf. Such request for an advance should be submitted to the City Manager ten (10) working days prior to the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of City;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

Any unused advance must be returned to the City within five (5) working days of the official's return, along with an expense report and receipts documenting how the advance was used. In the event the City Manager is uncertain as to whether a request complies with this Policy, such individual must seek resolution from the City Council.

#### **I. CREDIT CARD USE POLICY**

City does not issue credit cards to individual office holders but does have an agency credit card for selected City expenses. City office holders may use the city's credit card for such purposes as airline tickets and hotel reservations by following the same procedures for cash advances. Receipts documenting expenses incurred on the City credit card and compliance with this Policy must be submitted within five (5) working days of use. Except as allowed under Section B(3), city credit cards may not be used for personal expenses, even if the official subsequently reimburses the City.

#### **J. EXPENSE REPORT CONTENT AND SUBMISSION DEADLINES**

All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the city. This form shall include the following advisory:

"All expenses reported on this form must comply with the city's policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the city's policies include loss of reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability."

Expense reports must document that the expense in question met the requirements of this Policy. Officials must submit their expense reports within thirty (30) calendar days of an

expense being incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation.

Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.

In the event the official does not attend the trip and non-refundable expenses have been incurred for registration, lodging and/or travel, the non-attending official shall submit a written explanation of the reasons for non-attendance to the City Manager. The City Manager shall determine if the public funds advanced must be reimbursed to the City. Any decision of the City Manager may be appealed to the City Council.

All expenses are subject to verification that they comply with this Policy.

#### **K. REPORTS TO CITY COUNCIL, BOARD OR COMMISSION**

At the next regular City Council (or Board or Commission) meeting, each official shall make a brief report (written or oral) on meetings attended at City expense. If multiple officials attended, a joint report may be made.

#### **L. COMPLIANCE WITH LAWS; VIOLATION**

City officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act and other applicable laws. Use of public resources or falsifying expense reports in violation of this Policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

Failure of an appointed Board or Commission member, after forty-five (45) days written notice, to complete the training required by AB1234 and this Policy shall result in the automatic removal of the member from their Board or Commission position.

February 4, 2020

## AGENDA ITEM 3.F

### REQUEST

#### **DISCUSS AND PROVIDE DIRECTION ON THE ADOPTION OF EMERGENCY MEASURES REGARDING HEALTH AND SAFETY CONCERNS RELATED TO HOMELESSNESS**

### EXECUTIVE SUMMARY

At the January 21, 2020 City Council meeting, Council Member Arriola asked that the Council Homelessness Ad Hoc Subcommittee discuss an urgency ordinance at its January 29, 2020 meeting given community comments regarding the health and safety needs of the homeless community during cold weather. Council Member Arriola with the support of Council Member Ransom wish to present a report to Council for their discussion and consideration.

### DISCUSSION

Based on the discussions arising out of the subcommittee meeting, Ad Hoc Subcommittee members Council Member Arriola and Council Member Ransom requested to have an item placed on the February 4, 2020 agenda to discuss emergency measures that the City may take to address health and safety issues related to homelessness, including but not limited to adopting an urgency ordinance, establishing warming centers and authorizing safe parking sites. The Council Members evoked Section 4.3.1 of the Council Protocols, which allows two Council Members to place a time-sensitive item on the agenda outside of a Council meeting. While it was noted that the protocols policy does not clearly define what is meant by time-sensitive, the Council Members believe that this item should be considered urgent given impending health and safety needs affecting the homeless population in Tracy.

### FISCAL IMPACT

None

### STRATEGIC PLAN

This agenda item is a routine operational item that does not relate to the Council's Strategic Plans.

### RECOMMENDATION

Discuss and provide direction on the adoption of emergency measures regarding health and safety concerns related to homelessness.

Prepared by: Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager