

RESOLUTION 2005-076

AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS FOR AGREEMENTS WITH EXTERNAL ORGANIZATIONS AND REPEAL RESOLUTION 94-178 (CO-SPONSORSHIP GUIDELINES)

WHEREAS, The City currently has Council Policy E-3 - "Co-sponsorship Guidelines," and

WHEREAS, The City Council requested that staff review the guidelines, which was adopted in 1994, and

WHEREAS, Staff completed the evaluation of the guidelines and developed recommendations to be more reflective of current issues, practices and goals of the City as it relates to having agreements with external organizations for the purposes of providing programs/services to the community and the City, and

WHEREAS, Input was solicited and obtained from groups that could be impacted by this guideline at four different public meetings with one or both of the Parks and Community Services and the Community Cultural Arts Commissions;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby authorizes staff to enter into negotiations for Agreements with External Organizations and repeals Resolution 94-178 .

The foregoing Resolution 2005-076 was adopted by the Tracy City Council on the 15th day of March 2005, by the following vote:

AYES:	COUNCIL MEMBERS:	IVES, SUNDBERG, TOLBERT, TUCKER
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	BILBREY
ABSTAIN:	COUNCIL MEMBERS:	NONE



Mayor Pro Tem

ATTEST:



City Clerk

GUIDELINES: Agreement with External Organizations

Purpose: The City provides many recreational, cultural, leisure and community oriented programs and services to the Tracy community. The City recognizes the value of working in collaboration with other agencies and non-profit organizations to supplement these programs and services for the benefit of the community. In an effort to provide support for these local organizations, this document has been developed to guide the discussion and process by which the City of Tracy and external organizations will collaborate to provide community programs and services. The Agreement that results from the negotiations between City staff and organization representatives, the Memorandum of Understanding (MOU), will outline the exchange of services, the duration of the Agreement, insurance requirements and other areas of mutual concern.

Types of Support the City may provide:

- Marketing assistance such as guidance, advice, inclusion of program and service information in City marketing material
- A City-owned facility for operation, fund-raising, programming (e.g. Historical Museum)
- Use of City of Tracy name, including City logo and tagline
- City mobile stage
- Volunteer recruitment program (V.I.T.A.L.)
- Community Access Channel
 - Display of promotional slides
 - Minor video production
 - Use of video equipment (loaner equipment)
- Consultation with various City staff for support related to technical matters, marketing, events planning, box office services, etc.
- City website link
 - Links to organization
 - Community Calendar listing
- City facilities*
 - Reduced fees or deposits for use of rooms for organization meeting purposes and for use of other City facilities for programs
- Participant registration via City's registration software at City facilities where registration is taken (i.e., Parks and Community Services)

* Organizations wishing to use facilities of the Tracy Unified School District or Jefferson School District will need to contact the School District representatives directly.

This list is illustrative and not exhaustive as other support required by the organizations may be available, depending on the organization's specific needs and whether the City may meet those needs.

Organizations considering a Memorandum of Understanding with the City shall:

- Provide recreational, cultural, leisure and community oriented programs and services that
 - supplements and expands upon what the City offers, and which are of value to the community,
 - are open and available to the public, and in compliance with the City's non-discrimination policy, and
 - charge fair and reasonable fees
- Be able to demonstrate that the proposed programs and/or services are feasible and well planned
- Have non-profit status and exist for the sole purpose of conducting non-profit programs/services to the public
- Provide resources [e.g. volunteers and materials] needed to administer the programs and/or services being offered
- Have its' own insurance and be able to insure the City against liability
- Have the approval of the organization's authorizing entity (e.g. Board of Directors) for the Agreement with the City
- Be willing to provide appropriate recognition of the City for the programs and/or services for which the two parties enter into an Agreement
- Be willing to make periodic reports to the City on the terms and outcomes of the Agreement

Responsibilities of City and Organizations (Memorandum of Understanding):

The terms of the Agreement negotiated between the City and the organization will be memorialized in a Memorandum of Understanding (MOU). Through discussion and understanding of the needs of the organization and the City, the responsibilities of each party will be developed and incorporated in the MOU. The City representative will be responsible for drafting the MOU for the approval of the organization's authorizing entity and the City Council.

Duration of Agreement:

Depending on the type of program and/or service an organization wishes to provide, the duration of the Agreement may vary from a few months to a few years. Typically the term of the Memorandum of Understanding will extend over a period of 12 to 24 months, with the ability to renegotiate the Agreement at the end of the term. However, shorter terms may be appropriate for an organization that was recently created or offering new programs and/or services. Longer terms may also be approved; however, the maximum term of any Agreement shall be five (5) years.

Final Approval:

The final approval shall be the authorizing entity for the organization and the City Council for the City of Tracy. The City may decline to enter into an Agreement if it determines that the programs or services will result in a negative impact on the City in terms of facility or departmental activities, requires waiver of any current City policy or approved facility use fees, requires use of City proprietary information (e.g. mailing lists), use of City vehicles or office spaces, or for other similar reasons. If the City declines to enter into an Agreement with an organization, the organization may request the item be presented to the City Council.

PROVIDING COMMUNITY PROGRAMS AND/OR SERVICES In Conjunction With The City Of Tracy

Thank you for your interest in working with the City of Tracy to provide community programs and/or services to the Tracy community! If your organization is interested in exploring the possibility of entering into an Agreement with the City, please contact the City Manager's Office at the address, telephone number or email address on this letterhead. A representative from the appropriate department will be assigned to your organization and this individual will be your organization's primary contact for the purpose of developing the Agreement (known as the Memorandum of Understanding or MOU). The City representative will meet with members of your organization to understand the purpose and needs of your group, the programs and/or services being offered to the community, and how the City and the organization might formulate an Agreement that is mutually beneficial. The organization representatives will also have an opportunity to obtain information on the types of support the City might be able to provide your group, as well as the City's requirements (e.g. compliance with non-discrimination policy). Through an interactive process, each party will gain a better understanding of how the two parties may work collaboratively to benefit the community. Once the discussions have concluded and all relevant points negotiated, the City representative will prepare a draft Agreement (MOU) for the organization's review. Upon finalizing the MOU, the organization will have its authorizing entity sign the Agreement; it will then be brought before the City Council for final approval.

Request for Agreement Form:

After preliminary discussions between the City and the organization's representatives to determine that an Agreement is feasible, the organization should complete the Request for Agreement form. The form seeks the following information:

- Name and address of the organization.
- Contact information for the primary representative, including name, telephone number and email address.
- Date the organization was established.
- Proof of non-profit status (Copy of approved status from either state or federal records)
- Purpose and objectives of the organization. (Why was the organization established?)
- What recreational, cultural, leisure or community oriented programs and/or services is the organization proposing? (This is the primary reason for the Agreement between the City and the organization.)
- How do the proposed programs and/or services fit in with the organization's purpose and objectives?
- What type of support from the City is the organization seeking?
- How does the proposed program and/or service support and supplement the City's purpose and objectives? (City's services)

- Details on how the organization plans to implement the proposed programs and/or services, including staffing, materials and resources that will be devoted to the programs and/or services.
- Other services, events or programs offered by the organization.

Negotiations:

Once the completed form has been submitted to the City representative, negotiations on the support that the City may provide, and the responsibilities of both parties will follow. The City representative that is assigned to the organization will be available to work with the group on all the details regarding the Agreement. The primary objective will be to help the organization obtain the support it needs, within the parameters of what the City may provide and its guidelines.

Promoting the relationship between the City and organization:

An element that is included in the Agreement (MOU) will be the City's request for recognition for the proposed programs and/or services that is the subject of the Agreement (not for all aspects of the organization's work). The City will provide the organization with the appropriate City logo/tagline and publicity guidelines upon the finalization of the MOU. The organization will prepare their marketing material using the City guidelines and logo/tagline. It will then provide the City with a copy of the marketing material at its earliest convenience. If the organization would like assistance in preparing or distributing marketing materials, this should be included in the discussions and noted in the MOU.

Approval Process:

The City will make every effort to complete the approval process in 45 days. If the City representative determines that an Agreement with the organization is not feasible, the City representative will advise the organization representative. The organization may request the matter be presented to the City Council. The City representative will prepare a staff report for the Council agenda, and the organization will be advised of the date the City Council will consider the item.

Again, thank you for your interest in developing recreational, cultural, leisure and/or community oriented programs for the benefit of the Tracy community! Please contact the City Manager's Office with any questions. We look forward to working with you.

REQUEST FOR AGREEMENT WITH EXTERNAL ORGANIZATION

Name of Organization: _____

Organization Address: _____

Name of Contact Representative: _____

Telephone number: _____

E-mail address: _____

Information Regarding Organization and Proposed Program/Service

Type of Organization: 501(c)(3) - Charitable 501(c)(4) - Social Welfare

501(c)(6) - Business League 501 (c)(9) – Employee Associations

Date the organization was established: _____

Purpose and objectives of the organization. (Why was the organization established?)

(Please attach additional sheets if desired).

What recreational, cultural, leisure or community orientated programs and/or services is the organization proposing? (This is the primary reason for the Agreement between the City and the organization.)

(Please attach additional sheets if desired)

How do the proposed programs and/or services fit in with the organization's purpose and objectives?

(Please attach additional sheets if desired).

What type of support from the City is the organization seeking?

(Please attach additional sheets if desired).

How does the proposed program and/or service support and supplement the City's purpose and objectives? (City's services)

(Please attach additional sheets if desired).

Please provide details on how the organization plans to implement the proposed programs and/or services, including staffing, materials and resources that will be devoted to the programs and/or services.

(Please attach additional sheets if desired).

Please describe other services, events or programs offered by your organization.

(Please attach additional sheets if desired).

List of Current MOUs and Groups Receiving Benefits

Organization Name	Organization Type	Event	City Resources Provided	Services Provided to City of Tracy	Frequency of Events	Status of Agreement / MOU with City	Notes:
Arts Leadership Alliance	Non-Profit			Principal fundraiser for Grand Theatre Center for the Arts and its associated programming		MOU approved by City Council	Effective 2/1/02 for 5 years with extension option for additional 5 year terms.
Boy Scouts	Non-Profit Youth Organization	Scouting Event - Overnight Camp	City Facilities		Annual - 3 days	No Agreement	
Brighter Christmas	Non-Profit	Charity Sign-ups	City Facilities		Annual - several days	No Agreement	
Clutch Burners	Non-Profit	Car Show/Fund Raiser for Hospice	City Facilities		Annual	No Agreement	
Department of Agriculture	Government Agency	Farmer's Meeting	City Facilities		Annual	No Agreement	Possible reciprocal with other government agency; hosted for local constituents
Dept of Fishing & Game	Government Agency	Striped Bass Stamp Fund	City Facilities			No Agreement	
Devel Vocational Institution	Government Agency	Headstart Youth Christmas Party	City Facilities	Exchange of services to City for maintenance and construction projects using DVI crews	Annual	No Agreement	
Downtown Business Improvement Association [DTBIA]	Business Association	Wine Stroll, Car Show, Halloween Parade	City staff support for special event permit; road closures, PD and Fire Support		Ongoing	Agreement with City	

Exhibit
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Organization Name	Organization Type	Event	City Resources Provided	Services Provided to City of Tracy	Frequency of Events	Status of Agreement / MOU with City	Notes:
Golden Agers	Non-Profit Senior Organization	Hosted events and monthly meetings	City Facilities	Coordination of senior seminars and trips as a part of Lolly Hanson Senior Center programs		Recreation Program Services Contract	Short Term contract for services - current contract expires August 2005 and is for specific programs that group agrees to host and present
Golden State Corvette Club	Non-Profit	Class on the Grass Corvette Car Show	City Facilities		Annual	No Agreement	
Lions Club	Non-Profit	TUSD Awards Banquet	City Facilities		Annual	Under City/School Joint Use Agreement	Event hosted for TUSD students
Registrar of Voters	Government Agency	Training Class for poll workers	City Facilities	Benefit to City to host trainings locally in Tracy for election poll workers	As Needed	No Agreement	
San Joaquin County Agriculture Department	Government Agency	Meeting	City Facilities		Annual	No Agreement	
San Joaquin Mental Health	Non-Profit	Candidates debate	City Facilities		As Needed	No Agreement	In combination with Tracy Chamber of Commerce
Sister Cities Association	Non-Profit	Dinner	City Facilities	Represent City of Tracy to City's sister cities internationally		No Agreement	
Tracy African American Association	Non-Profit	Juneteenth Celebration	City Facilities - Park & stage		Annual	Originally approved by Cultural Arts Commission - no agreement	Cultural Arts Commission no longer co-sponsors or authorizes free or reduced use of city facilities

Organization Name	Organization Type	Event	City Resources Provided	Services Provided to City of Tracy	Frequency of Events	Status of Agreement / MOU with City	Notes:
Tracy Area Genealogical Society	Non-Profit	Monthly Meetings and Genealogy Services to public	City Facilities - Tracy Historic Museum; Senior Center for meetings	Provide volunteers to staff Museum facility to open to public for tours; provide genealogical services to public as extension of museum offerings	Ongoing operations	MOU approved by City Council	Effective 7/1/02 for 5 years with extension option for one additional 5 year term. Subject to review and evaluation July 1, 2007
Tracy Art League	Non-Profit	Expressions Art Show	City Facilities - Community Center; storage of display modules		Annual - 15 days	No Agreement	
Tracy Chamber of Commerce	Business Association	Job Fair, State of the City Luncheon, Bean Festival	City Facilities/City staff for events		Annual events	Approval of annual request for funding and authorization to use City resources approved by City Council during budget process; No formal agreement or MOU	
Tracy Civic Theater	Non-Profit	Meetings	City Facilities		Ongoing	MOU approved by City Council action under Co-Sponsorship Policy	MOU has expired - Currently working under special agreement with Community Cultural Arts Commission
Tracy Defense Depot	Government Agency	Employee Recognition Day	City Facilities	Air Force Band has performed at City events free of charge	Annual	No Agreement	Exchange of services between government agencies
Tracy Police Officers Association	Professional Association	Fund Raiser	City Facilities		Annual - occasional	No Agreement	

Organization Name	Organization Type	Event	City Resources Provided	Services Provided to City of Tracy	Frequency of Events	Status of Agreement / MOU with City	Notes:
Tracy Role Models	Non-Profit	Mentoring and Tutoring for Teens	City Facilities - Teen Center	Coordination of mentoring and tutoring services for teens as a part of Teen Center programs; recruitment, training and scheduling of volunteer tutors	Ongoing	Recreation Program Services Contract	Short Term contract for services - current contract expires August 2005 and is for specific tutoring and mentoring services that group agrees to coordinate
Tracy Woman's Forum	Non-Profit	Forum	City Facilities		Annual	No Agreement	Previously conducted by Tracy Chamber of Commerce
United Way	Non-Profit	Day of Caring	City Facilities - stage		Annual	No Agreement	City's LW Account is credited with value of fees
Veterans of Foreign Wars	Non-Profit	Veterans Day Event	City Facilities as part of Veterans Day service		Annual	No Agreement	
Vintage Productions	Non-Profit	Meetings	City Facilities		Ongoing - As Needed	MOU approved by City Council action under Co-Sponsorship Policy	Term of MOU expires January 2006
West Side Pioneers	Non-Profit	Monthly Meetings; Operations	Tracy Historic Museum; Lammersville Schoolhouse; Senior Center	Provide volunteers to staff Museum and Lammersville Schoolhouse facilities to open to public and school groups for tours; provide historical services to publicat museum. Provide supervision and services at City facility	Ongoing operations	MOU approved by City Council	Term of MOU expires January 2008