

## NOTICE OF REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular meeting of the **PARKS AND COMMUNITY SERVICES COMMISSION** is hereby called for:

**Date/Time:** **Thursday, May 2, 2019, 7:00 p.m.**  
*(or as soon thereafter as possible)*

**Location:** **City Hall Council Chambers**  
**333 Civic Center Plaza, Tracy**

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Commission on any item, before or during consideration of the item, however, no action shall be taken on any item not on the agenda.

### MEETING AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Items From The Audience - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2015-052, any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Commission Member to sponsor the item for discussion at a future meeting.*
5. Approval of Meeting Minutes
  - a. Regular Meeting Minutes for April 4, 2019
6. Old Business
  - a. Tracy Seniors Association update and Discuss to appoint a representative to Tracy Seniors Association
7. New Business
  - a. Review and Evaluate the Tracy Hills Specific Plan Amendment including Park Naming
  - b. Review and Discuss the Policy for Events in City Parks
  - c. Review and Provide input on the outlined schedule for Public Meetings to Discuss the Parks and Recreation 2019 Statewide Grant Application
8. Items from Staff
  - a. Receive, Discuss, and Accept the 2018-2019 Aquatics/Athletics Annual Report
9. Items from the Commission
10. Items from the Audience
11. Adjournment

AGENDA POSTED: April 25, 2019

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall at (209) 831-6000 at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Parks and Community Services Commission regarding any item on this agenda will be made available for public inspection in the Parks and Recreation Department located at 333 Civic Center Plaza, Tracy, during normal business hours.

**PARKS & COMMUNITY SERVICES COMMISSION  
REGULAR MEETING MINUTES  
April 4, 2019, 7:00 p.m.  
City Council Chambers, 333 Civic Center Plaza**

**1. CALL TO ORDER:**

Chair Levoit called the meeting to order at 7:02 p.m.

**2. ROLL CALL:**

- a. Present: Chair Levoit, Vice Chair Jimenez, and Commissioners Costa, Leiberg, Magana and Miller
- b. Absent: None
- c. Staff Present: Brian MacDonald, Director of Parks & Recreation; Richard Joaquin, Parks Planning and Development Manager; Jolene Jauregui, Recreation Services Supervisor; Thien Nguyen, Recreation Services Supervisor; Lauren Repetto, Recreation Coordinator; and Todd Rocha, Public Works Superintendent
- d. Recorded By: Andrea Pedigo, Executive Assistant

**3. PLEDGE OF ALLEGIANCE:**

A member of the audience led the Pledge of Allegiance

**4. ITEMS FROM THE AUDIENCE:**

None.

**5. APPROVAL OF MINUTES FROM THE REGULAR MEETING ON March 7, 2019**

**ACTION:** The Motion was made by Commissioner Leiberg and seconded by Commissioner Miller to approve the Regular Meeting minutes from March 7, 2019. Roll call vote found all in favor; passed and so ordered.

**6. OLD BUSINESS:**

- a. None

**7. NEW BUSINESS:**

- a. Review and Discuss Parks Master Plan Kick Off

John Gibbs and Peter Winch from WRT provided the presentation

Commission and audience questions and comments followed

- b. Public Works Report on Ballfield Conditions and the Process of Field Closures

Todd Rocha, Public Works Superintendent reviewed the Sports Field Closure Policy

Commission questions and comments followed

- c. Discussion to update goals and assign roles to New Commissioner Costa

Brian MacDonald, Parks & Recreation Director reported that the Commission needs to assign goals to New Commissioner, Jill Costa

**DISCUSSION:** Vice Chair Jimenez gave report on the Tracy Friends for Parks, Recreation & Community Services Foundation monthly meeting. Commissioner Costa was assigned goal 1.E.1 (Increase communications with local school district by attending monthly meetings).

- d. Appoint a representative from the Commission to attend the monthly Tracy Senior Association

Comments and questions from the audience regarding Tracy Senior Association

**DISCUSSION:** Commissioner Miller reported he would be willing to remain the representative, but still bring back the requested information asked by the audience.

**ACTION:** Chair Levoit tabled item (7d) to the next commission meeting on May 2, 2019

**8. ITEMS FROM STAFF:**

- a. Lauren Repetto, Recreation Coordinator presented the 2018-2019 Special Events Annual report.

Commission and Audience questions and comments followed

**ACTION:** Commissioner Levoit motion to approve and Commissioner Magana seconded the motion. Roll call vote found all in favor; passed and so ordered.

- b. Brian MacDonald, Director of Parks and Recreation along with Richard Joaquin, Parks Planning and Development Director gave report on the 2019-2020 CIP Process and Project updates

Commission questions and comments followed

**9. ITEMS FROM THE COMMISSION:**

- a. Commissioner Jimenez asked questions regarding the sidewalk project at Dr. Powers Park. Brian MacDonald, Director of Parks and Recreation followed up with project start date in June
- b. Commissioner Miller discussed that council two meetings ago reviewed our Commissions CDBG recommendations and had questions about our process and there was discussion on whether or not they should take back if it is not going well. Commissioner Miller would like to go to council to correct some misconceptions council had. Park Commission thought the process went well – Work session in May to discuss CDBG

Staff comments followed

- c. Commissioner Magana stated Earth Day fliers were available – She asked if we needed any booths – stated no, but public works will need some. Commissioner Magana mentioned that on April 27<sup>th</sup> is the Earth Day Event. #trash tag challenge was mentioned.

Staff comments followed

- d. Commissioner Leiberg requested more lawn mowing at the parks. In particular, Larsen Park

Staff comments followed

- e. Chair Levoit mentioned Taps on 10<sup>th</sup> – April 5<sup>th</sup>, TPAL (Tracy Police Activities League) hosting is pancake breakfast \$ 5.00 @ Moose Lodge – May 4<sup>th</sup>, and National Day of Prayer is at noon on May 2<sup>nd</sup> at City Hall

**10. ITEMS FROM THE AUDIENCE:**

None

**11. ADJOURNMENT:**

Time 9:39 p.m.

**ACTION:** The motion was made by Chair Levoit and seconded by Commissioner Miller to adjourn at the said time of 9:39 p.m. Roll call vote found all in favor, passed and so ordered.

The above agenda was posted at Tracy City Hall on March 28, 2019. The above are action minutes. A recording is available at the Parks and Recreation Department.

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Brian MacDonald, Staff Liaison

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**CITY OF TRACY**  
**PARKS & COMMUNITY SERVICES COMMISSION MEETING**  
**May 2, 2019**

**AGENDA ITEM 7.B**

REQUEST

**DISCUSS, PROVIDE INPUT, AND MAKE A RECOMMENDATION TO COUNCIL ON  
EVENTS IN CITY PARKS POLICY**

EXECUTIVE SUMMARY

The City Council expressed concern that members of the public may have improperly limited political speech at public events in City parks. As a result, the City Attorney's office and the Parks and Recreation Department have provided clarification with an Events in City Parks policy to avoid future confusion on the part of event sponsors or hosts.

Following discussion of the original, proposed policy at its March 19, 2019, regular meeting, City Council referred the policy to the Parks and Community Services Commission (Parks Commission) for further public discussion and comment, requesting a recommendation from the Parks Commission for a revised policy.

DISCUSSION

During the last City Council election period, there was an incident regarding a candidate being asked to leave a public event in a City park because of alleged political campaigning. Following a review of the situation, the City Attorney and Parks and Recreation Department staff have proposed clear language in the Events in City Parks Policy to eliminate any future confusion on this issue.

The governing Ordinances regarding the use of City parks are found in Chapter 4.16 of the Tracy Municipal Code. Regulations to provide further guidance are provided through Council-adopted policies. Following discussion of the original, proposed Events in City Parks Policy at its March 19, 2019 regular meeting, Council referred the item to the Parks Commission to provide an opportunity for further citizen and community perspective and input, and requested that the Commission recommend an updated policy for Council review and approval.

The attached Events in City Parks Policy draft provides specific definitions, requirements, and limitations for public and private events held in outdoor parks and spaces. Per Council direction, staff has updated the original policy draft in response to questions and concerns expressed at the March 19 Council meeting.

The proposed policy defines public and private events, and presumes that events in City parks are public, unless designated as a private event. Additionally, per the proposed policy, an event sponsor or host may need to provide security and/or site control as a condition of the park permit in order to host a private event in a City park.

In Section 3.3 of the policy, it is proposed that there "shall be no limitation on political, social commentary or religious speech, written or verbal, at any public event." The proposed language is consistent with the City Attorney's review of current case law regarding permission of Constitutional free speech at public events. This limitation does

not apply to private events as defined, but does provide guidance for event sponsors or hosts with regard to vendors and attendees.

Additionally, this policy is specific to events in City parks and is not intended to address events or free speech taking place within City buildings or in the public right-of-way, such as on public sidewalks and City streets.

### STRATEGIC PLAN

This agenda item is consistent with the Council approved Quality of Life Strategy to address City amenities and facility usage policies.

### FISCAL IMPACT

There is no fiscal impact in enacting the Policy for events in City parks.

### RECOMMENDATION

That the Parks and Community Services Commission discuss, provide input, and make a recommendation to the City Council on the Events in City Parks Policy.

Prepared by: Christine Mabry, Management Analyst I

Reviewed by: Thien Nguyen, Recreation Services Supervisor  
Brian MacDonald, Parks and Recreation Director

### ATTACHMENT

Attachment A – DRAFT Events in City Parks Policy

## POLICY FOR EVENTS IN CITY PARKS

DRAFT – PARKS COMMISSION 5/2/18

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SECTION 1: PURPOSE

The purpose of the Policy is to establish an effective mechanism for allowing events in City of Tracy (“City”) parks, while safeguarding the park and the rights of patrons to access and use the parks. The Policy sets forth requirements, restrictions, and conditions, in addition to those in Chapter 4.16 of the Tracy Municipal Code, under which events may be scheduled and held within parks consistent with the operation and protection of parks, public use of Tracy parks, and public health, safety and welfare.

Generally, any request to reserve a City Park for any activity organized by the City, any individual, group, or outside entity requires a permit. Permits or “Park Permit” may be obtained from the Parks and Recreation Department, Community Facilities Division.

SECTION 2: DEFINITIONS

"City Manager" means and refers to the City Manager or designee.

“City co-sponsored event” means any public event, program, or activity conducted in a City park for which the City of Tracy allows the use of its name and/or logo by another sponsoring organization with regards to conduct of the event as well as advertising, promotion, or general public awareness, and which may out of necessity require a level of public resources for its execution or conduct that is above the level provided under ordinary circumstances. Fees may be waived or reduced for City co-sponsored events.

“City-sponsored event” means any private or public event, program, or activity conducted in a City park which is initiated, and in major part financed, by the City of Tracy and is directly related to the operations of the City of Tracy’s government including, but not limited to: City Council, official commissions, advisory boards, task forces, and study committees, City departments and divisions, City programs and events. Fees are not charged for City reservations in City parks.

“Department” means the Parks and Recreation Department.

"Director" means and refers to the Director of the Department of Parks and Recreation or designee.

“Event vendor” means a person or legal entity which has been approved by the permittee to occupy a designated, commercial space at the permitted event. An event vendor may provide information, or sell a product, good or service. An event vendor selling at a permitted event must have a valid, current business license issued by the City of Tracy (TMC 6.04.320 - Business tax).



“Exclusive use” means the right to use a park, or area thereof, for any activity at a specified time, to the exclusion of all others (ref. Tracy Municipal Code section 4.16.030).

“Non-sponsored event” means any event, program or activity conducted in a City park or park for which the City of Tracy does not lend the use of its name and/or logo, in any manner, except as may be denoted for location or directional purposes for the public. City assistance shall be limited to permit processing, site and/or park reservation, and normal park/property maintenance. The sponsoring individual or organization shall pay all fees established for the use of parks and facilities including permit fees, rental charges, and the costs of additional public resources as determined through evaluation of the permit request.

"Park" means all City outdoor parks, picnic spaces, sports courts, and sports fields owned, operated, and designated by the City for park, recreation or open space purposes.

"Park permit" means written permission by the Director for a specified use of a park or area thereof.

"Permit application fee" means the nonrefundable fee to be paid by an applicant for a Park permit. The fee shall be set by the City Council and shall cover the full cost (or portion thereof) of processing and investigating the application, and administering the park and facility permit program (ref. Tracy Municipal Code section 4.16.030).

"Permittee" means the person or group which has been granted a Park permit (ref. Tracy Municipal Code section 4.16.030).

“Private event” means any event, program or activity that is executed by the City, an individual, group, outside entity, or organization by invitation only, where attendance is not open to the general public, and event access is exclusive and controlled by means of a ticketing or similar system, and/or by a physical barrier to entry.

“Public event” means a celebration, gathering, meeting, program, activity, or similar occasion, open to the general public, which involves the use of parks, park areas, facilities, or any part thereof, and which may include but not necessarily be limited to entertainment, dancing, music, dramatic productions, parades, exhibitions, sports competitions, sale of merchandise or food, or any combination thereof. Public events may be City-sponsored, City co-sponsored, or Non-sponsored events.

"Publicize" means to inform the public of a planned activity by means of newspaper articles, notices, radio or television notices, announcements at public places, leafletting, posting signs, electronic media or written notices in places used by the public, or by any other means calculated to notify the public of any activity.

### SECTION 3:

### POLICY

3.1. Public events are to be open to and allow the opportunity for access by the general public. Events in City parks are presumed to be public events unless the park or area thereof has been permitted as a private event and for exclusive use. Public events must allow access to all members of the public and may not be restricted unless such restriction is necessary for public health, safety, or welfare. Events that present questions about public safety will be reviewed on a case-by-case basis by the Chief of Police after conferring with the Director as outlined in section 4.16.090 - Grounds for permit denial. Public events may be City-sponsored, City co-sponsored, or non-sponsored.

3.2. The City of Tracy shall not sponsor or co-sponsor any public event, program, activity, gathering, procession, parade, or similar function, the primary purpose of which is a political demonstration or rally, or religious observance.

3.3. There shall be no limitation on political, social commentary or religious speech, written or verbal, at any public event. Specifically, at a public event, no person may be excluded for passing out literature, written material, cards or fliers.

3.4. Private events are not subject to section 3.3 of this Policy and may use the park or area thereof for exclusive use.

3.5. If a public event and a private event occur in the same park at the same time, the private event will not be subject to section 3.3. Passing out of literature, written materials, cards or fliers by event vendors may be restricted as a condition of a Park permit.

### SECTION 4:

### AUTHORITY

4.1. Chapter 4.16 – Regulations pertaining to the use of park areas in Chapter 4.16 of the Tracy Municipal Code outline the duty to regulate, manage, and permitting of all parks and park facilities by the Director, or designee.

4.2. As further defined in section 4.16.170 of the Tracy Municipal Code, a permittee “shall comply with all terms and conditions of the permit issued under this chapter.”

4.3. Nothing in this Policy is intended to be a limitation or restriction on the duties or powers vested in the Parks and Recreation Department, and the Director under Chapter 4.16 or other provisions of the Tracy Municipal Code, or granted to the Department and the Director under the Administrative Directives or Polices

### SECTION 5:

### PERMIT APPLICATION REQUIREMENTS

In addition to the requirements for a park permit, as provided in Chapter 4.16 of the Tracy Municipal Code, the following is required on a permit application:

5.1. Applications for Park permits must clearly indicate whether an event is open to the public by checking off the corresponding box. Applications that have the box left blank will be deemed incomplete and may be denied by the Director or designee.

5.2. For public events that will be or have been publicized, applicants must provide a copy of any flyers or printed ads with the application for the Park permit.

5.3. For private events exceeding 100 persons, fencing, controlled access, and/or security personnel or monitors may be required of the permit holder to ensure public safety, to secure the event from trespassing, and to ensure that other activities at the park will not be unduly disturbed by the proposed activity of the applicant as a condition of the permit.

5.4. Denials of Park permit applications and appeals shall be in accordance with TMC Chapter 4.16.

DRAFT

**CITY OF TRACY**  
**PARKS AND COMMUNITY SERVICES COMMISSION MEETING**  
**May 2, 2019**

**AGENDA ITEM 7.C**

REQUEST

**RECEIVE STAFF UPDATE AND SCHEDULE OF PUBLIC MEETINGS FOR THE  
PARKS AND RECREATION DEPARTMENT'S 2019 STATEWIDE PARK PROGRAM  
GRANT APPLICATION**

EXECUTIVE SUMMARY

The Statewide Park Development and Community Revitalization Program (SPP) is the largest park related grant programs in California's history. The program is funded with over \$1 billion with funding from the 2018 Proposition 68 and 2006 Proposition 84 Bond Acts. The program is administered by the Office of Grants and Local Services (OGALS) and the intent of the program is to "create new parks and new recreation opportunities in critically underserved communities across California". The Parks Commission is requested to review the proposed public meeting schedule and provide their feedback to staff.

DISCUSSION

As quoted from the Statewide Park Development and Community Revitalization Program (SPP) foreword:

*"Since 1965, statewide grants administered by OGALS created and improved over 7,400 parks. We [OGALS] look forward to continuing this legacy with grantees to improve the quality of life for communities throughout California.*

*Building successful parks in underserved communities is "a work of art." SPP embraces meaningful engagement with local residents where park designs represent each community's unique recreation needs and creativity."*

Based on the criteria found on the SPP Competitive Chart, projects that are eligible for Grant funding must have a ratio of less than 3 acres of parkland per 1,000 residents or be a site with a median household income below \$51,026 according to the Community Factfinder. There are other criteria and factors that impact project eligibility and application competitiveness that is further explained in the SPP Final Application Guide.

Staff has chosen Lincoln Park as the project site for this grant opportunity due to the park's eligibility as well as the park being a site with many opportunities for improvement. Staff will be hosting the following public meetings to receive community feedback.

7:00 PM, Thursday, May 2, Parks Commission Meeting, City Council Chambers  
6:00 PM, Thursday, May 16, Public Meeting, Tracy Library  
2:00 PM, Sunday, May 19, Public Meeting, Tracy Library  
6:00 PM, Monday, June 3, Public Meeting, Tracy Library  
7:00 PM, Thursday, June 6, Parks Commission Meeting, City Council Chambers

In addition, staff will be reaching out to various interested groups and scheduling additional meetings to solicit additional feedback from the community. Groups include but are not limited to the Tracy Friends of the Library, Tracy Friends for Parks,

Recreation and Community Service, community groups who host special events in the park, and the surrounding neighborhood of Lincoln Park.

RECOMMENDATION

That the Parks and Community Services Commission receive the staff update and schedule of public meetings for the Parks and Recreation Department's 2019 Statewide Park Program Grant Application.

Prepared by: Thien Nguyen, Recreation Services Supervisor

Approved by: Brian MacDonald, Parks & Recreation Department Director

# Athletics & Aquatics 2018-2019 Report



# Athletic Programs

- Junior Warriors Basketball
- Junior Giants Baseball
- Youth Softball Camp
- Youth Baseball Camp
- Adult Softball League



# Aquatics Program

Swim  
Lessons

Aquatic  
Classes

Aquatics  
Programs

Staffing

Special  
Events

New  
Programs





# Swim Lessons

- Lessons for all age groups and abilities
  - Parent/Tot
  - Tiny Tots
  - Swim Skills
  - Advanced Swim Skills
  - Adult & Teen Lessons
  - Private Lessons
  - Mentorship program
- Extended Swim Lessons August-September
- Tracy Friends for Parks, Recreation & Community Services Foundation “Swim Lesson Scholarships”



# Aquatics Programs

- Recreational Swim
  - Toddler Recreational Swim
  - Extended on Weekends through September
- Lap Swimming
- Water Exercise
  - Adult/High Intensity
  - Deep Water
  - Senior/Low Intensity



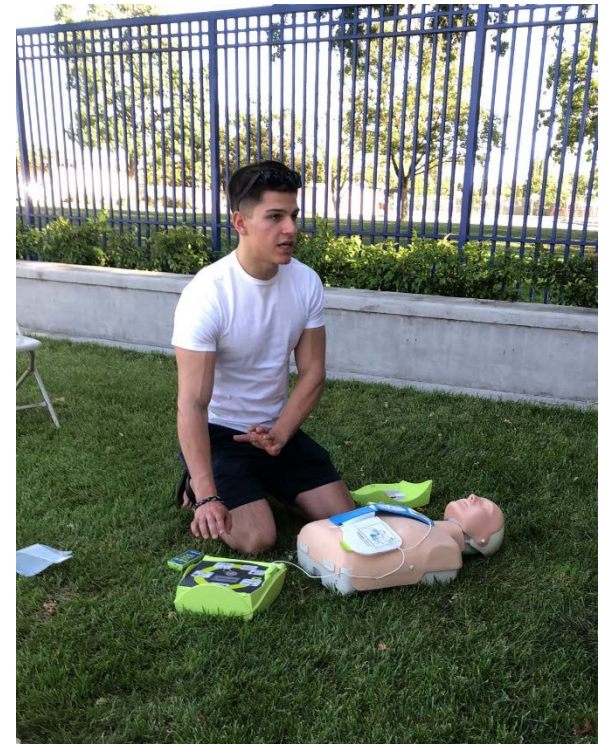
# Special Events

- Dive-In Movies
  - *Ralph Breaks the Internet* – June 7
  - *LEGO Movie 2* – September 6
- World's Largest Swim Lesson – June 20
- Teen Night & Pool Party – July 19
- Last Friday Recreational Swim – September 20



# Aquatics Classes

- Lifeguard Training Instructor Course
  - January 5-6
- Lifeguard Training
  - April 22-26 (Spring Break)
  - May 6-17 (M-W-F)
- New WSI (Water Safety Instructor) Class
  - May 24-26



# Staffing

- In-Service Staff Trainings
  - Offered every other Friday beginning June 16



# New Aquatic Programs

- Pool Safety Day – June 1
- Active Adult 50+ Swim



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Integrity  
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# THANK YOU!



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