

NOTICE OF A REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular meeting of the **Measure V Residents' Oversight Committee** is hereby called for:

Date/Time: Monday, October 19, 2020 at 5:30 p.m.
(or as soon thereafter as possible)

Location: Tracy City Hall
Conference Room 203
333 Civic Center Plaza, Tracy

THIS SPECIAL MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT

RESIDENTS ARE STRONGLY ENCOURAGED TO PARTICIPATE REMOTELY AT THE OCTOBER 19, 2020 MEETING

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

Remote Access to Measure V Residents' Oversight Committee Meeting:

In accordance with the guidelines provided in Executive Order N-29-20 on social distancing measures, the City of Tracy will allow for remote participation at the upcoming Measure V Residents' Oversight Committee meeting on Monday, October 19, 2020.

Remote Public Comment:

Public comment, limited to 250 words or less, may be submitted via email publiccomment@cityoftracy.org

Identify the item you wish to comment on in your email's subject line. Emails that exceed the 250 word limit will not be read in their entirety during a meeting, however, they will be included in the record.

During the upcoming Committee meeting public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:

- *Comments via:*
 - **Phone** by dialing 209-425-4338, Conference ID 760-731-185#
 - **In writing before the meeting** by sending written statements to publiccomment@cityoftracy.org

- *Protocols for submitting comments by **phone**:*
 - *Comments received by phone for the "Items from the Audience/Public Comment" portion of the agenda must be received by the time the Chairman opens that portion of the agenda for discussion.*
 - *Comments received by phone on each "Agendized Item" will be accepted until the Chairman announces that public comment for that item is closed.*
 - *Comments for the "Items from the Audience/Public Comment" will be accepted until the public comment period is closed.*

- *The total allotted time for public comment under "Items from the Audience/Public Comment" will be 15 minutes:*
 1. Call to Order
 2. Roll Call
 3. Items from the Audience - Items from the audience - *In accordance with Council Meeting Protocols and Rules of Procedure, adopted by Resolution 2019-240, 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, Committee 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 the Committee.*
 4. Approval of the Minutes
 5. Review of Unaudited Actuals Fourth Quarter for Fiscal Year 2019-20 and First Quarter Fiscal Year 2020-21
 6. Adjournment

Posting Date Friday, October 16 2020

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 (209-831-6000), at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Measure V Residents' Oversight Committee regarding any item on this agenda will be made available for public inspection in the Finance Department located at 333 Civic Center Plaza, Tracy, during normal business hours.

SPECIAL MEETING MINUTES
MEASURE V RESIDENTS' OVERSIGHT COMMITTEE
January 23, 2020, 5:30 p.m.
City Hall Conference Room 109, 333 Civic Center Plaza
City Website: <http://www.ci.tracy.ca.us>

1. CALL TO ORDER: Michel Bazinet, Chairperson, called the meeting to order at 5:31 p.m.

2. ROLL CALL:

Present: Chairperson Michel Bazinet, Vice-Chairperson Abdul Wahid, Committee Member Allan Borwick

Absent: Committee Members Ameni Alexander and Hector Jamies

Staff Present: Robert Harmon, Acting Budget Officer
Karin Schnaider, Finance Director
Jenny Haruyama, City Manager
Leticia Ramirez, City Attorney
Carol Zandona, Executive Assistant

Recorded By: Carol Zandona

3. ITEMS FROM THE AUDIENCE

None

4. APPROVAL OF MINUTES

Motion: Vice-Chairperson Wahid made a motion to approve the October 21, 2019 minutes
Second: Committee Member Borwick
All in Favor: Chairperson Bazinet, Vice-Chairperson Wahid, Committee Member Borwick.
Oppose: None

5. RECEIVE PRESENTATION REGARDING CITY CODE OF CONDUCT AND COUNCIL MEETING PROTOCOLS AND RULES OF PROCEDURES

City Manager Jenny Haruyama and City Attorney Leticia Ramirez provided a training to the Committee on the City Code of Conduct and Council Protocols.

The training provided an overview of the background and the purpose of the Measure V Residents' Oversight Committee, Code of Conduct, and Council Meeting Protocols and Rules of Procedure.

Background on Measure V was provided, and Ordinance 1223, Section 6.28.170 was discussed regarding the formation of the Residents' Oversight Committee and Resolution No. 2017-026 that established Bylaws regarding the purpose and roles and responsibilities of the committee.

The Council Code of Conduct was recommended by San Joaquin County Civil Grand Jury and was adopted by City Council on October 15, 2019. The Council Code of Conduct includes a Council Advisory Body Norms and Values Statement and a form will be signed by each advisory body member affirming that they have read and understand the City of Tracy City Council Code of Conduct.

Council Protocols were reviewed. The committee was informed that the protocols apply to all City Boards and Commissions. Meetings will be conducted in accordance with the Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century unless otherwise specified.

6. SELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

Annually a Chairperson and Vice-chairperson are selected within the first quarter of the calendar year. The terms shall commence as of the date of the meeting selected and will continue until the annual meeting in the following year.

Motion: Chairperson Bazinet made a motion to nominate Vice-Chairperson Wahid as the Chairperson of the Measure V Committee.

Second: Committee Member Borwick

All in Favor: Chairperson Bazinet, Vice-Chairperson Wahid, Committee Member Borwick.

Oppose: None

Motion: Chairperson Bazinet made a motion to nominate Committee Member Borwick as the Vice-Chairperson of the Measure V Committee.

Second: Vice-Chairperson Wahid

All in Favor: Chairperson Bazinet, Vice-Chairperson Wahid, Committee Member Borwick.

Oppose: None

After completion of voting, Chairperson Wahid presided over the meeting.

7. REVIEW 4TH QUARTER MEASURE V REPORT AND APPROVE ANNUAL COUNCIL PRESENTATION

Finalizing the annual report was discussed and each draft page was reviewed.

Finance Director Schnaider provided an overview of the 4th Quarter Measure V Report:

- Senior Center has been completed coming in at budget of the Measure V funding.

- Legacy Fields - Still underway and has approximately 3.3 million left in the budget that will go into future quarters/reporting.
- Aquatic Center - Council has provided a new not exceed amount and discussions continue with the developer.
- Multigenerational Facility - Costs shown are the original planning phase expenditures.

An update of the quarterly report was discussed. Current report format is not tied to any formulas and/or Munis information and the values are typed into the report. The Acting Budget Officer will be proposing changes to the report.

Motion: Committee Member Bazinet made a motion to approve the Annual Report as is, subject to the financial information staff will provide.
 Second: Vice-Chairperson Borwick
 All in Favor: Chairperson Wahid, Vice-Chairperson Borwick, Committee Member Bazinet
 Oppose: None

8. REVIEW 1ST QUARTER MEASURE V REPORT

Acting Budget Officer Harmon presented the 1st Quarter Measure V Report to the committee. In the 1st quarter there were very few expenditures to report. Report was discussed by the committee members and changes will be updated.

The committee unanimously accepted to receive and file the report.

9. ITEMS FROM THE AUDIENCE

None

10. ADJOURNMENT

Motion to Adjourn: Vice-Chairperson Borwick
 Second: Committee Member Bazinet
 All in Favor: Chairperson Wahid, Vice-Chairperson Borwick, Committee Member Bazinet
 Adjournment: 7:20 p.m.

The above Special meeting agenda was posted at the Tracy City Hall on January 22, 2020. The above are action minutes. A recording is available at the Finance Director's office.

CITY OF TRACY
MEASURE V RESIDENTS' OVERSIGHT COMMITTEE MEETING
October 19, 2020

AGENDA ITEM 5.A

REQUEST

**REVIEW OF UNAUDITED ACTUALS FOURTH QUARTER FOR FISCAL YEAR
2019-20 AND FIRST QUARTER FISCAL YEAR 2020-21**

BACKGROUND

The Measure V Resident's Oversight Committee meets quarterly to review actuals from the prior quarters. The scope of this discussion is "to review the expenditure of the revenue from this transactions and use tax" in accordance with the Committee's scope in Section 6.28.170 of the Tracy Municipal Code (TMC). Due to the Governor's Stay at Home orders related to COVID-19, which delayed this Committee from meeting over the last year, this meeting will cover the prior two quarters, fourth quarter of FY 2019-20 and first quarter FY 2020-21.

DISCUSSION

The City's fiscal year is from July 1 through June 30. The City conducts an annual audit at the close of the fiscal year. Section 6.28.160 of the TMC states "...no later than December 31st of each year, the City's independent auditors shall complete a financial audit report to include the revenue raised and expended by this tax."

*****CONTINUE TO NEXT PAGE*****

Below is a summary of the unaudited June 30, 2020 Measure V sales tax, which encompasses the fourth quarter financials for FY 2019-20. Prior year is presented for comparison.

<u>Project</u>	<u>FY 18/19</u>	<u>FY 19/20 Adopted</u>	<u>FY19/20 Amended</u>	<u>FY 19/20 (Unaudited)</u>
<u>REVENUES</u>				
Measure V Sales Tax	10,853,130	9,478,871	8,475,146	10,735,036
Interest Earnings	85,175	0	(85,175)	128,619
TOTAL REVENUES	10,938,305	9,478,871	8,389,971	10,863,655
<u>EXPENSES</u>				
Staffing	170,809	224,977	246,498	243,513
Land Purchase	1,833,600			
78054-Aquatic Center	0	1,000,000	56,500	36,392
78155-Senior Center	733,633	0	216,306	216,306
78163-Legacy Fields	483,417	0	0	0
78164-Legacy Fields	3,075,820	0	2,811,881	2,419,552
78178-MultiGen Rec Center	0	3,917,443	0	0
TOTAL EXPENSES	6,297,279	5,142,420	3,331,185	2,915,764
INCREASE/(DECREASE)	4,641,025	4,336,451	5,058,786	7,947,891

Below is a summary of the unaudited September 30, 2020 Measure V sales tax, which encompasses the first quarter financials for FY 2020-21. Prior year is presented for comparison.

<u>Project</u>	<u>FY 19/20 Q1</u>	<u>FY 20/21 Adopted</u>	<u>FY20/21 Amended</u>	<u>FY20/21 Q1</u>
<u>REVENUES</u>				
Measure V Sales Tax	841,684	7,966,637	7,966,637	868,754
Interest Earnings	(51,652)	(80,146)	(80,146)	(96,847)
TOTAL REVENUES	790,032	7,886,491	7,886,491	771,907
<u>EXPENSES</u>				
Staffing	49,165	268,114	268,114	45,193
78054-Aquatic Center	0	0	20,108	3,306
78155-Senior Center	0	0	0	0
78163-Legacy Fields	0	0	0	0
78164-Legacy Fields	10,592	0	393,234	8,609
78178-MultiGen Rec Center	0	0	0	0
TOTAL EXPENSES	59,756	268,114	681,456	57,108
INCREASE/(DECREASE)	730,276	7,618,377	7,205,035	714,799

Attached is the accumulated totals of Measure V revenues and expenditures including committed fund balance as of June 30, 2020.

The following table outlines dates and actions Council to commit Measure V funds:

Date	Action
October 30, 2017	<ul style="list-style-type: none"> ▪ Council prioritized Measure V projects <ul style="list-style-type: none"> ○ Aquatics Center, ○ Legacy Fields, ○ Multi-Generational Recreation Center (“Multi-Gen Rec Center”), ○ Library ○ Ritter Family Ball Park ▪ Committed 50% of all Measure V funds for debt to finance these amenities (Legacy Fields \$10 million; Aquatic Center \$30 million; Multi-Gen Rec Center \$40 million), 25% to pay-as-you-go amenities and 25% to operating and maintaining these amenities,
December 19, 2017	<ul style="list-style-type: none"> ▪ Approve Measure V funding for Senior Accountant (0.5 FTE) (<i>Resolution 2017-273</i>)
March 6, 2018	<ul style="list-style-type: none"> ▪ Council approved major community amenity projects to be funded by Measure V and allocated Measure V funds in the following amounts (<i>Resolution 2018-043</i>) <ul style="list-style-type: none"> ○ \$4 million (planning and design for the Multi-Gen Rec Center), ○ \$1 million (design for Aquatics Center) ○ \$1.5 million (design contract to complete Phase 1 at Legacy Fields). ○ Approve Measure V funding for Parks Planning & Development Manager (1 FTE) ▪ Council approved a construction contract to construct Phase 1C of Legacy Fields. This included an appropriation of \$3.6 million from Measure V funds. (<i>Resolution 2018-044</i>)
July 17, 2018	<ul style="list-style-type: none"> ▪ Council awarded construction contract to renovate the Lolly Hansen Senior Center, which included over \$950,000 in committed Measure V funds. (<i>Resolutions 2018-021 and 2018-141</i>)
April 16, 2019	<ul style="list-style-type: none"> ▪ Council approved a construction contract to construct Phase 1D of Legacy Fields. This included an appropriation of \$4.9 million from Measure V funds. (<i>Resolution 2018-146</i>)
September 18, 2018	<ul style="list-style-type: none"> ▪ Approve Measure V funding for Senior Maintenance Worker-Parks (1 FTE) (<i>Resolution 2018-197</i>)
March 5, 2019	<ul style="list-style-type: none"> ▪ Council directed staff to fund the City amenities (Aquatic Center and Multi-Generational Recreation Center) through a “pay-go” approach; in lieu of debt financing, funds would be accumulated over time.
May 21, 2019	<ul style="list-style-type: none"> ▪ Council approves land purchase from Wastewater Fund for expanded park land at Legacy Fields, \$1.8M (<i>Resolution 2019-104</i>) ▪ Ratified, by motion, August 18, 2020

Date	Action												
November 5, 2019	<ul style="list-style-type: none"> ▪ Developer presented Aquatic Center Final Conceptual Plan funding scenarios of \$54M, \$80M and \$130M. ▪ Council, by motion, established a total not-to-exceed budget of \$65M (\$55M in Measure V and \$10M in Developer’s Contribution) for the Aquatic Center 												
November 19, 2020	<ul style="list-style-type: none"> ▪ Council confirms Measure V project priorities and approves funding allocations. (<i>Resolution 2019-232</i>) <table border="1" data-bbox="657 543 1401 789" style="margin-left: 40px;"> <thead> <tr> <th>Project</th> <th>Amount</th> <th>Timeline</th> </tr> </thead> <tbody> <tr> <td>Aquatic Center</td> <td>\$55M</td> <td>2019-2024</td> </tr> <tr> <td>Multi-Gen Rec Center</td> <td>\$40M</td> <td>2024-2028</td> </tr> <tr> <td>Operations & Maintenance</td> <td>\$40M</td> <td>2024-2037</td> </tr> </tbody> </table> <p>Note: Timelines may shift based on future Council direction regarding pay-go projects.</p>	Project	Amount	Timeline	Aquatic Center	\$55M	2019-2024	Multi-Gen Rec Center	\$40M	2024-2028	Operations & Maintenance	\$40M	2024-2037
Project	Amount	Timeline											
Aquatic Center	\$55M	2019-2024											
Multi-Gen Rec Center	\$40M	2024-2028											
Operations & Maintenance	\$40M	2024-2037											
June 16, 2020	<ul style="list-style-type: none"> ▪ Council approves one-time use of Measure V to fund General Fund deficit resulting from the COVID-19, \$2.2M. Council directs staff to repay the funds within three years. (<i>Resolution 2020-105</i>) 												
August 18, 2020	<ul style="list-style-type: none"> ▪ Council approved the Aquatic Center Final Conceptual Plan with a not-to-exceed budget of \$65 million, including contingency and soft costs, \$55M from Measure V and \$10M from Developer’s Contribution. (<i>Resolution 2020-154</i>) 												

RECOMMENDATION

Staff recommends that Committee receive the FY 2019-20 Fourth Quarter, June 30, 2020 unaudited actuals and FY 2020-21 First Quarter, September 30, 2021, for Measure V.

Prepared by: Karin Schnaider, Finance Director

Reviewed by: Richard Joaquin, Parks Planning & Development Manager
 Brian MacDonald, Parks Director

ATTACHMENTS

Measure V cumulative totals as of June 30, 2020

MEASURE V RESIDENTIAL OVERSIGHT COMMITTEE MEETING
10/19/2020
ACCUMULATED TOTALS FOR MEASURE V AS OF 06/30/2020 (UNAUDITED)

Council Action	Timeline	Committed	Program Funded	Actual FY 2017	Actual FY 2018	Actual FY 2019	Actual (unaudited) FY 2020	Accumulated Fund Balance 6/30/2020
Revenue								
Measure V Local Sales Tax				\$ (32,562,822)	\$ 1,952,527	\$ 9,022,126	\$ 10,853,130	\$ 10,735,039
Interest Earnings				\$ (213,798)			\$ 85,175	\$ 128,623
Total				\$ (32,776,620)	\$ 1,952,527	\$ 9,022,126	\$ 10,938,305	\$ 10,863,662
Expense								
	Council Reso #	Fiscal Years						
.50 Senior Accountant	2017-273	2018-2037	\$ 1,500,000				\$ -	\$ -
1.0 Parks Planning Development Manager	2018-043	2019-2037	\$ 5,000,000	\$ (339,560)			\$ 170,809	\$ 168,751
1.0 Senior Maintenance Worker Parks	2018-197	2019-2037	\$ 2,500,000	\$ (74,766)			\$ -	\$ 74,766
Operations and Maintenance for amenities	2019-232	2024-2037	\$ 40,000,000					
*staffing cost have a moderate 2% inflation; actuals reflect current MOU contracts				\$ (515,143)				\$ (515,143)
Aquatic Center (CIP 78054A)	2018-043	2018-2026	\$ 1,000,000	\$ (1,000,000)				\$ 36,392
Aquatic Center (CIP 78054B)	2019-232	2018-2026	\$ 55,000,000	\$ (14,000,000)				\$ (14,963,608)
Borrow for COVID	2020-154	2021	\$ 2,200,000					
Legacy Fields land purchase	2019-104	2020	\$ 1,833,600	\$ (1,833,600)			\$ 1,833,600	
Legacy Fields Sports Complex (CIP 78163)	2018-044	2018-2021	\$ 3,662,068	\$ (3,662,068)		\$ 3,178,651	\$ 483,417	
Legacy Fields Sports Complex (CIP 78164)	2018-043; 2018-146	2018-2020	\$ 6,400,000	\$ (6,400,000)		\$ 20,205	\$ 3,075,820	\$ 2,419,552
MutiGen Recreation Center (CIP 78178)	2018-043	2018-2026	\$ 4,000,000	\$ (4,000,000)		\$ 110,056		
MutiGen Recreation Center (CIP 78178)	2018-232	2026-2030	\$ 36,000,000					\$ (3,889,944)
Senior Center Construction Contract (CIP 78155)	2018-141; 2018-021	2018	\$ 951,483	\$ (951,483)			\$ 733,633	\$ 216,306
Total			\$ 160,047,151	\$ (32,776,620)	\$ -	\$ 3,308,912	\$ 6,297,279	\$ 2,915,768
Cummulative Measure V Fund Balance			\$ (160,047,151)	\$ 0	\$ 1,952,527	\$ 5,713,213	\$ 4,641,026	\$ 7,947,894

	Actual FY 2017	Actual FY 2018	Actual FY 2019	Actual (unaudited) FY 2020
Fund balance 107	\$ 1,952,527	\$ 7,550,251	\$ 3,811,306	\$ 302,831
Fund Balance 307	\$ 115,491	\$ 8,495,461	\$ 19,951,830	\$ 19,951,830
	<u>\$ 1,952,527</u>	<u>\$ 7,665,741</u>	<u>\$ 12,306,767</u>	<u>\$ 20,254,661</u>
	\$ 0	\$ (1)	\$ 0	\$ (1)