

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

RESOLUTION NO. 2023-085

**ADOPTING THE BYLAWS FOR THE (A) TRACY HOMELESSNESS
ADVISORY COMMITTEE AND (B) FINANCE COMMITTEE**

WHEREAS, On March 16, 2021 the Tracy City Council voted to approve Resolution 2021-033 form a standing Council committee entitled Tracy Homelessness Advisory Committee (THAC); and

WHEREAS, On February 7, 2023, the City Council approved Resolution 2023-027 establishing the Finance Committee; and

WHEREAS, Committees are essential to the effective operation of legislative bodies; and

WHEREAS, Committee membership enables members to develop specialized knowledge of the matters under their jurisdictions; and

WHEREAS, Committees monitor on-going governmental operations, identify issues suitable for legislative review, gather and evaluate information, and recommend courses of action for the Council; and

WHEREAS, Neither the THAC nor the Finance Committee have adopted bylaws; and

WHEREAS, On May 2, 2023, staff presented a draft of the proposed bylaws for both the THAC and the Finance Committee, attached hereto as **Attachments 1 and 2**; and

WHEREAS, The proposed bylaws include Section B, which define the role of these two Committees as subject matter Committees, and establish clear procedures for their actions to be recognized by the City Council; and

WHEREAS, The Committees are authorized and directed to ascertain, study, and analyze all facts relating to any subjects or matters within their jurisdiction, and shall report

to and submit recommendations to the City Council for action; and

WHEREAS, By separate agenda item, the City Council will consider whether to amend the Meeting Protocols and Rules of Procedure to reflect the roles and responsibilities that are set forth in the proposed Bylaws for these two Committees; and now, therefore, be it

RESOLVED: That the City Council of the City of Tracy hereby finds and determines that the foregoing recitals are true and correct and are hereby incorporated herein as findings and determinations of the City; and be it further

RESOLVED: That the City Council hereby adopts the Bylaws set forth in **Attachment 1** as the Bylaws for the THAC (THAC Bylaws); and be it further

RESOLVED: That the City Council hereby adopts the Bylaws set forth in **Attachment 2** as the Bylaws for the Finance Committee (Finance Committee Bylaws); and be it further

RESOLVED: The THAC Bylaws shall govern the conduct of the Tracy Homelessness Advisory Committee meetings and the transaction of its affairs; and be it further

RESOLVED: The Finance Committee Bylaws shall govern the conduct of the Finance Committee meetings and the transaction of its affairs; and be it further

RESOLVED: To the extent that either the THAC Bylaws or the Finance Committee Bylaws conflict with the City Council's Meeting Protocols and Rules of Procedure, the latter shall prevail; and be it further

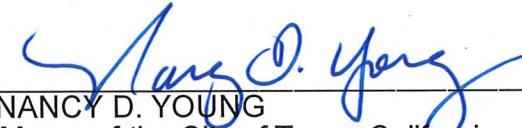
RESOLVED: That the City Attorney, solely, shall have the authority to interpret and render a final determination, in the event of ambiguity, the THAC Bylaws and the Finance Committee Bylaws; and be it further

RESOLVED, That the actions taken herein do not constitute a "project" under the California Environmental Quality Act.

* * * * *

The foregoing Resolution 2023-085 was adopted by the Tracy City Council on May 16, 2023, by the following vote:

AYES: COUNCIL MEMBERS: ARRIOLA, BEDOLLA, EVANS, DAVIS, YOUNG
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE
ABSTENTION: COUNCIL MEMBERS: NONE


NANCY D. YOUNG
Mayor of the City of Tracy, California

ATTEST: Nancy Lopez for
ADRIANNE RICHARDSON
City Clerk and Clerk of the Council of the
City of Tracy, California

ATTACHMENTS

- 1) Bylaws for the Tracy Homelessness Advisory Committee
- 2) Bylaws for the Finance Committee

**BYLAWS OF THE
TRACY HOMELESSNESS ADVISORY
COMMITTEE BYLAWS
CITY OF TRACY, CALIFORNIA**

WHEREAS, The City desires to form a standing committee of the Tracy City Council to continue the work begun by the previous Ad Hoc Homelessness Advisory Committee, to be named the Tracy Homelessness Advisory Committee (Committee); and

WHEREAS, Committees are essential to the effective operation of legislative bodies; and

WHEREAS, Committee membership enables members to develop specialized knowledge of the matters under their jurisdictions; and

WHEREAS, The City Council recognize that a shelter crisis exists and forming a Council Homelessness advisory committee will facilitate an opportunity to evaluate options to address the current homelessness crisis; and

WHEREAS, On February 16, 2021 the Tracy City Council voted to approve the Tracy Homelessness Strategic Plan; and

WHEREAS, On March 16, 2021 the Tracy City Council voted to approve Resolution 2021-033 form a standing Council committee entitled Tracy Homelessness Advisory Committee; and

WHEREAS, the Committee is authorized and directed to ascertain, study, and analyze all facts relating to any subjects or matters within their jurisdiction, and shall report to and submit recommendations to the City Council for action.

NOW, THEREFORE, these Bylaws govern the conduct of the Tracy Homelessness Advisory Committee meetings and the transaction of its affairs.

1. PURPOSE

The stated purpose of the committee is as follows:

- 1.1. To implement the Tracy Homelessness Strategic Plan including the possible amendment of such plan
 - 1.1.1. This Strategic Plan provides a framework to target resources to manage and decrease homelessness
 - o GOAL 1: Increase Housing Options in Tracy
 - o GOAL 2: Increase Access to Coordinated Support Services for People Experiencing Homelessness

- GOAL 3: Develop Action Plans for Engaging with People Experiencing Homelessness
- GOAL 4: Enact Specific Strategies for Vulnerable Subpopulations Experiencing Homelessness

1.2. To address homelessness in the City of Tracy

1.3. The Tracy Homeless Advisory Committee shall have initial jurisdiction over any item assigned to it by the City Council as well as any items being advanced by the City Manager that implement or relate to overall jurisdictional purpose of the Committee.

2. Action by Subject Matter Committees -

The assigned subject matter Committee shall have initial jurisdiction over any item assigned to it by the City Council as well as any items being advanced by the City Manager that implement or relate to the overall jurisdictional purpose of such Committee and may take any of the following actions with respect to the assigned item:

The Committee may, by a vote of the consensus, decide to postpone, continue, or table an item on the agenda. On any item on an agenda, the Committee may allow for an informational presentation by City staff relating to the item. With respect to an action item, and after discussion and consideration of the item, the Committee may take one of the following actions:

1. Vote by consensus to approve the recommendation of staff or the originator of the proposed action item and forward the recommendation onto the full Council. The Committee may, as a condition of approval, request additional information to be presented for consideration when the full Council hears the item.
2. Fail to approve any recommended action, in which case the item shall not be forwarded to the full City Council; provided that the City Council shall have jurisdiction to place the item on the agenda for a future City Council meeting, in accordance with the requirements of the Meeting Protocols for agenda setting, if no action was taken on the item due to any one of the following reasons:
 - 2.1. Due to the cancellation of a Committee meeting or
 - 2.2. Due to lack of a quorum, or
 - 2.3. The Committee was not able to approve any recommended action
3. Propose by a consensus vote one or more alternative recommendation(s) be forwarded to the full City Council for consideration and final action. The Committee may request additional information to be presented for consideration when the full Council hears the item.
4. Reject by a consensus vote, jurisdiction over the action item and refer the action item back to the City Council with a recommendation for reassignment to another appropriate subject-matter committee.

5. Request, by consensus vote, additional, specified information from staff or the originator of the proposed action item. The action item may be continued or rescheduled for further consideration at the soonest feasible date available, allowing time for appropriate notice pursuant to the Meeting Protocols and Brown Act.
6. With respect to an informational item, following discussion and consideration, Committee shall take one of the following actions:
 - 6.1. Receive the informational report by consensus vote without forwarding the report to the full City Council;
 - 6.2. Receive the informational report and forward the report onto the full City Council by consensus vote;
 - 6.3. Request by consensus vote from staff or the originator of the proposed informational item. The item may be continued or rescheduled for further consideration at the soonest feasible date available, allowing time for appropriate notice pursuant to the Meeting Protocols.

3. ROLE AND RESPONSIBILITIES

The role of the Tracy Homelessness Advisory Committee is to provide input on the development of the Tracy Homelessness Strategic Plan initiatives and work to prevent and end homelessness in Tracy. This would ideally be done after receiving public deliberation and achieving consensus through partnering with staff.

4. MEMBERSHIP GUIDELINES

1. **Membership.** The Tracy Homelessness Advisory Committee shall consist of two (2) City Councilmembers.
2. **Term.** Each member shall serve a one-year term; selected as part of the City Council's annual appointment process outlined in the Council's Code of Conduct.
3. **Attendance.** If a member of the Tracy Homelessness Advisory Committee fails to attend four (4) regular meetings in any calendar year, his or her position on the Tracy Homelessness Advisory Committee shall automatically become vacant. For quorum confirmation, a member who is unable to attend a meeting shall inform the staff liaison designated by the relevant City Department at least 48 hours before the next meeting. This would not include meetings that were canceled due to technical difficulties, City emergencies, or other staff related reasons.

5. QUORUM

A quorum of the Tracy Homelessness Advisory Committee shall consist of a majority of the members (including any vacancies). A quorum must be present in order for the Tracy Homelessness Advisory Committee to hold a meeting.

Meetings of the Committees may be noticed as a Special Meeting of the City Council if a majority of the members of the Council plan to attend and participate as part of the Committee.

6. OFFICERS

1. The officers of the Tracy Homelessness Advisory Committee shall be:
 - 1.1. The Chairperson and
 - 1.2. The Vice-Chairperson.
2. The Chairperson shall:
 - 2.1. Preside at all regular and special meetings.
 - 2.2. Rule on all points of order and procedure during the meetings.

7. DUTIES OF THE COMMITTEE

1. Review, discuss, and provide direction to facilitate in the preparing and presenting of accurate, timely, and meaningful information and recommendations to address homelessness within Tracy to the Council from City staff
2. Monitor the finances related the Homeless Division
3. Develop an annual work plan and presentation to the City Council
4. Review and update from time to time, as necessary policies related to addressing the unsheltered population
5. The following key metrics should be used to evaluate the effectiveness of this Plan:
 - 5.1. Increase in the number of affordable housing units dedicated to people who are experiencing homelessness
 - 5.2. Decrease in homelessness in the community—including in key subpopulations such as families, veterans, and people who are chronically homeless
 - 5.3. Decrease in the number of persons who become homeless for the first time
 - 5.4. Decrease in the average and median length of time persons remain homeless

- 5.5. Decrease in the percentage of persons who return to homelessness
- 5.6. Increase in the percentage of adults who gain or increase employment or nonemployment cash income over time
- 5.7. Increase in the percentage of persons who exit to or retain permanent housing

8. MEETINGS

1. Regular meetings of the Tracy Homelessness Advisory Committee shall be held on the 3rd Thursday of each month and shall begin at 7:00 p.m.
2. If the scheduled date of a regular meeting conflicts with a holiday period, staff shall reschedule that meeting to be conducted within that month.
3. Any regular meeting may be adjourned, or any item on the agenda continued to the next or any subsequent regular meeting of the Tracy Homelessness Advisory Committee, by a majority of the quorum. If a meeting is adjourned or an item is continued to a special meeting to be held on a date other than a regular meeting date, the time, place, and date of such special meeting shall be specified in the motion for adjournment or continuance.
4. All meetings are subject to the Brown Act as set forth in Government Code Sections 54950 and following. Accordingly, all meetings shall be noticed and agendas for all meetings shall be prepared and distributed in accordance with the current City Council meeting procedures and the Brown Act.
5. All meetings shall be conducted in accordance with the current City Council meeting procedures.

9. FUNDING

Any funding necessary for operation of the Tracy Homelessness Advisory Committee shall be included in the City of Tracy budget, which shall be approved by the City Council.

10. ADMINISTRATIVE PROCEDURES AND POLICIES

City Boards and Committees shall follow all applicable City administrative policies and procedures.

11. STAFF LIAISON

The Tracy Homelessness Advisory Committee shall have a staff liaison designated by the relevant City Department. The staff liaison shall:

1. Receive and record all exhibits, petitions, documents, or other material

presented to the Committee in support of, or in opposition to, any question before the Committee.

2. Sign all meetings minutes and resolutions upon approval.
3. Prepare and distribute agendas and agenda packets.

12. ADOPTION

This document, as adopted by City Council, on May 16, 2023, by Resolution 2023-XX, and shall serve as the Bylaws for the Tracy Homelessness Advisory Committee.

**BYLAWS OF THE
FINANCE COMMITTEE BYLAWS
CITY OF TRACY, CALIFORNIA**

WHEREAS, The City desires to form a standing committee of the Tracy City Council to continue the work begun by the previous Ad Hoc Fiscal Sustainability Subcommittee, to be named the Finance Committee (Committee); and

WHEREAS, Committees are essential to the effective operation of legislative bodies; and

WHEREAS, Committee membership enables members to develop specialized knowledge of the matters under their jurisdictions; and

WHEREAS, Committees monitor on-going governmental operations, identify issues suitable for legislative review, gather and evaluate information, and recommend courses of action for the Council; and

WHEREAS, the Finance Committee is authorized and directed to ascertain, study, and analyze all facts relating to any subjects or matters within their jurisdiction, and shall report to and submit recommendations to the City Council for action.

NOW, THEREFORE, these Bylaws govern the conduct of the Finance Committee meetings and the transaction of its affairs.

A. PURPOSE

1. The purpose of the Finance Committee is to provide policy guidance as it relates to the development of a multi-year fiscal sustainability plan to address the City's fiscal health and long-term planning.
2. The Finance Committee shall have initial jurisdiction over any item assigned to it by the City Council as well as any items being advanced by the City Manager that implement or relate to the overall jurisdictional purpose of the Finance Committee.
3. The Finance Committee may develop and recommend budget strategies and fiscal policies related to: revenue enhancement, cost containment, and use of other revenue sources, such as Measure V and/or General Fund Reserves, keeping in mind planned recreational amenities.
4. The Finance Committee will aid the City Council in fulfilling its fiduciary responsibilities to oversee the financial activities and financial condition of the City of Tracy and its jurisdiction may include the review, discussion, and input on the following areas:
 - 4.1.1. Annual audits and compliance reporting
 - 4.1.2. Annual and quarterly budget updates, augmentations, and forecast
 - 4.1.3. Long-term planning, including but not limited to
 - 4.1.3.1. City revenues and expenses, including related fee and tax studies

- 4.1.3.2. Deferred maintenance and capital planning
- 4.1.3.3. Long-term liabilities, debt, and other finance planning

5. The Finance Committee will not have jurisdiction to discuss any budget approaches that would require good faith bargaining with labor groups.

B. Action by Subject Matter Committees -

The assigned subject matter Committee shall have initial jurisdiction over any item assigned to it by the City Council as well as any items being advanced by the City Manager that implement or relate to the overall jurisdictional purpose of such Committee and may take any of the following actions with respect to the assigned item.

The Committee may, by a vote of the consensus, decide to postpone, continue, or table an item on the agenda. On any item on an agenda, the Committee may allow for an informational presentation by City staff relating to the item. With respect to an action item, and after discussion and consideration of the item, the Committee may take one of the following actions:

- 1. Vote by consensus to approve the recommendation of staff or the originator of the proposed action item and forward the recommendation onto the full Council. The Committee may, as a condition of approval, request additional information to be presented for consideration when the full Council hears the item.
- 2. Fail to approve any recommended action, in which case the item shall not be forwarded to the full City Council; provided that the City Council shall have jurisdiction to place the item on the agenda for a future City Council meeting, in accordance with the requirements of the Meeting Protocols for agenda setting, if no action was taken on the item due to any one of the following reasons:
 - 2.1. Due to the cancellation of a Committee meeting or
 - 2.2. Due to lack of a quorum, or
 - 2.3. the Committee was not able to approve any recommended action
- 3. Propose by a consensus vote one or more alternative recommendation(s) be forwarded to the full City Council for consideration and final action. The Committee may request additional information to be presented for consideration when the full Council hears the item.
- 4. Reject by a consensus vote, jurisdiction over the action item and refer the action item back to the City Council with a recommendation for reassignment to another appropriate subject-matter committee.
- 5. Request, by consensus vote, additional, specified information from staff or the originator of the proposed action item. The action item may be continued or rescheduled for further consideration at the soonest feasible date available, allowing time for appropriate notice pursuant to the Meeting Protocols and the Brown Act.
- 6. With respect to an informational item, following discussion and consideration, Committee shall take one of the following actions:
 - 6.1. Receive the informational report by consensus vote without forwarding the report to the full City Council;
 - 6.2. Receive the informational report and forward the report onto the full City Council

by consensus vote;

- 6.3. Request by consensus vote from staff or the originator of the proposed informational item. The item may be continued or rescheduled for further consideration at the soonest feasible date available, allowing time for appropriate notice pursuant to the Meeting Protocols.

C. **ROLE AND RESPONSIBILITIES**

The role of the Finance Committee is to provide oversight and guidance through policy level direction and input on financial items such as the operating budget, review of financial reporting documents, Capital Improvement Program, long-term financing, or other items requiring fiscal policy direction and input. This would ideally be done after receiving public deliberation and achieving consensus through partnering with staff.

D. **MEMBERSHIP GUIDELINES**

1. **Membership.** The Finance Committee shall consist of two (2) City Councilmembers.
2. **Term.** Each member shall serve a one-year term; selected as part of the City Council's annual appointment process outlined in the Council's Code of Conduct.
3. **Attendance.** If a member of the Finance Committee fails to attend four (4) regular meetings in any calendar year, his or her position on the Finance Committee shall automatically become vacant. For quorum confirmation, a member who is unable to attend a meeting shall inform the staff liaison designated by the relevant City Department at least 48 hours before the next meeting. This would not include meetings that were canceled due to technical difficulties, City emergencies, or other staff related reasons.

E. **QUORUM**

A quorum of the Finance Committee shall consist of a majority of the members (including any vacancies). A quorum must be present in order for the Finance Committee to hold a meeting.

Meetings of the Committees may be noticed as a Special Meeting of the City Council if a majority of the members of the Council plan to attend and participate as part of the Committee.

F. **OFFICERS**

1. The officers of the Finance Committee shall be:
 - 1.1. The Chairperson and
 - 1.2. The Vice-Chairperson.
2. The Chairperson shall:
 - 2.1. Preside at all regular and special meetings.

2.2. Rule on all points of order and procedure during the meetings.

G. DUTIES OF THE COMMITTEE

1. Review, discuss, and provide direction to facilitate in the preparing and presenting of accurate, timely, and meaningful financial statements to the Council from City staff
2. Monitor the finances of the City
3. Develop an annual work plan and presentation to the City Council
4. Review and update from time to time, as necessary the financial policies
5. Be familiar with, approve, and review periodically the organization's annual budget; Ensuring that the financial elements of the City are in accord with the City Council's Strategic Priorities
6. Set long-range financial goals along with financial strategies to achieve them
7. Develop policies and plans for financial awareness in cooperation with other public and private agencies
8. Provide recommendations to the City Council on such matters that may be referred to the City Council by the community

H. MEETINGS

1. Regular meetings of the Finance Committee shall be held on the 3th Wednesday of each month and shall begin at 7:00 p.m.
2. If the scheduled date of a regular meeting conflicts with a holiday period, staff shall reschedule that meeting to be conducted within that month.
3. Any regular meeting may be adjourned, or any item on the agenda continued to the next or any subsequent regular meeting of the Finance Committee, by a majority of the quorum. If a meeting is adjourned or an item is continued to a special meeting to be held on a date other than a regular meeting date, the time, place, and date of such special meeting shall be specified in the motion for adjournment or continuance.
4. All meetings are subject to the Brown Act as set forth in Government Code Sections 54950 and following. Accordingly, all meetings shall be noticed and agendas for all meetings shall be prepared and distributed in accordance with the current City Council meeting procedures and the Brown Act.
5. All meetings shall be conducted in accordance with the current City Council meeting procedures.

I. FUNDING

Any funding necessary for operation of the Finance Committee shall be included in the City of Tracy budget, which shall be approved by the City Council.

J. ADMINISTRATIVE PROCEDURES AND POLICIES

City Boards and Committees shall follow all applicable City administrative policies and procedures.

K. STAFF LIAISON

The Finance Committee shall have a staff liaison designated by the relevant City Department. The staff liaison shall:

1. Receive and record all exhibits, petitions, documents, or other material presented to the Committee in support of, or in opposition to, any question before the Committee.
2. Sign all meetings minutes and resolutions upon approval.
3. Prepare and distribute agendas and agenda packets.

L. ADOPTION

This document, as adopted by City Council, on May 16, 2023, by Resolution 2023-XX, and shall serve as the Bylaws for the Finance Committee.