

# NOTICE OF REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular Meeting of the **TRACY ARTS COMMISSION** is hereby called for:

**Date/Time:** **Tuesday, October 14, 2025, 7:00 p.m.**  
(or as soon thereafter as possible)

**Location:** **Grand Theatre Center for the Arts, Visual Arts 1**  
**715 Central Avenue, Tracy, CA 95376**

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

1. Call to Order
2. Roll Call
3. *Items from the Audience - In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2019-240, 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 Tracy Arts Commission member to sponsor the item for discussion at a future meeting.*
4. Receive Tracy Arts Commission Training from the City Attorney
5. Approval of Minutes from the Meeting of September 9, 2025
6. New Business
  - A. Discuss City of Tracy Arts Planning
7. Old Business
  - A. Continue Discussion of New Allocations for Funding and Programming Recommendations in 2025-26
  - B. Continue Discussion of 2024 Annual Report for City Council
8. Items from the Commission
9. Items from Staff
10. Adjournment

**POSTED: Friday, October 10, 2025**

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 Tracy Arts Commission regarding any item on this agenda will be made available for public inspection in the Cultural Arts Division located at 715 Central Avenue, Tracy, CA during normal business hours.



# City of Tracy

# Tracy Arts Commission Training

L. David Nefouse, City Attorney

October 14, 2025

# Objectives / Overview

- Review basic role of Tracy Arts Commission (i.e., what is your purpose as outlined in by-laws, municipal code, or state law);
- Introduction to the Brown Act
- Introduction to the California Public Records Act
- Meeting Management / Best Practices
- Relevant City Policies and Procedures



# Role of the Tracy Arts Commission

- Ordinance 1031 and Council Resolution 2009-198 are collectively administered by the City Council, Tracy Arts Commission, and the Department Director, with specific roles delegated to each.





# Scope of the Commission

- The TAC:
  - Serves as the decision-making authority on preserving and cultivating the expression and appreciate of the arts in Tracy;
  - Serves as the recommending authority on community arts interest to the City Council, who has ultimate authority; and
  - The TAC is not a “JV City Council”;
- Reiterate: the above mentioned laws, ordinances, and by-laws are your “wheelhouse”



## What is Not Our “Wheelhouse”?

- Relevant Examples for Your Commission:
- Remember, make your votes on facts & findings, *not feelings*.



# Examples of Authority

- The Art Deco Designed Building;
- The Industrial Warehouse;
- The Fast-Food Chicken Restaurant.

# The Ralph M. Brown Act

- California's "Government in Sunshine" law
  - *"All public meetings of a legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided by this chapter"* (Cal. Gov't. Code §54953(a)).
- What is a **meeting**?
  - Same time, place (including teleconferencing/online), regarding any item within the subject matter jurisdiction of the Commission where a quorum is present.
  - TAC is a Legislative Body
  - Does not include ad hoc committees or "2x2"s





# A Meeting or Not a Meeting?

## **YES, A MEETING!**

- Any time a quorum is gathered within the scope of the subject matter jurisdiction of the body;
  - State of the City Address?
  - Service Club Meeting?

## **NOT a Meeting**

- Individual Contacts;
- Conferences & Seminars (LOCC Conference, PC Academy);
- Community Meetings
- Another body of the agency when it is in an open & noticed meeting of that other body (i.e., City Council)
- Social or Ceremonial Event (be proactive!)

# Serial Meetings

- Captain Crunch, Count Chocula & Lucky the Leprechaun walk into chambers...
- Serial Meetings are:
  - A series of communications
  - Direct or indirect (intermediaries, technology (i.e., comments on a FB post);
  - Employed by a majority to discuss, deliberate, or take action on potential business
  - BEWARE: Social Media & Reply All
- **SERIAL MEETINGS ARE ILLEGAL**  
(Govt'. Code 54952.2)



Think Inside the Triangle™

# More Brown Act Basics...

- Meetings generally must be within the local jurisdiction (exceptions: legal proceedings, site inspection)
- Teleconferencing OK if a quorum participates from the regular location and teleconference site is identified on the agenda, notice is posted at site, site provides for public participation –check with Staff!!!
- Agenda must be posted 72 hours in advance (regular meetings); 24 hours in advance (special meetings)
- Brief description of items of business
- Freely accessible to public
- Agendas must be publicly accessible and distributed in advance to those who request copies



# Brown Act Meetings Cont'd.

- No discussion or decision on items not on the posted agenda, **EXCEPT:**
  - Clarification / Reference to Staff
  - Brief Announcements / Report on Activities
  - Requests for Future Items / Future Report
  - Placement of Items on Future Agenda consistent with City Policies and Procedures applicable to Brown Act Bodies



Think Inside the Triangle™

# Your Brown Act Top 10 List!

10. Remember that the public has the right to speak and criticize the body.

9. Enforce speaking time limits consistent across ALL speakers and consistent with applicable City policy & procedure.

8. Avoid texting from the dais!

7. Avoid debate between public comment speakers and the Commission.

6. **STICK. TO. THE. AGENDA.**



# Your Brown Act Top 10 List!

5. Disclose any conflicts and/or potential conflicts about agenda items to Staff (Department Contact and City Attorney) *before* the meeting starts (and not 5 minutes before!)
4. Avoid sidebar conversations during a break.
3. Abide by City Policy & Procedure for putting future items on an Agenda.
2. Do not disclose privileged/confidential communications with Staff.
1. **STICK. TO. THE. AGENDA.**



# The Public Records Act (PRA)

- State equivalent of the Freedom of Information Act (FOIA)
- What is a “public record?”
  - *“Any writing containing information relating to the conduct of the people’s business prepared, owned, or retained by any state or local agency regardless of physical form or characteristics.” (Gov’t. Code 7920.530(a).)*



# Prepared, Owned, or Retained?

- Writings not need always be in the physical custody of, or accessible to a local agency to be considered public records.
- This applies to records in the possession of a local agency's consultants because they are in the "constructive possession" of the agency by the terms of its agreement with the consultant.
- This also applies to information contained in personal devices and accounts not maintained by the City.



# Text Messages & Emails?

- But I do not have a separate City cell phone, how does that work?
  - If your personal cell phone, personal text messages, and personal email address are being used to conduct the people's business, those communications are subject to disclosure pursuant to the PRA.

# What is a Public Record?

- Agenda Materials Distributed to a Legislative Body relating to an Open Session Item
- Contracts
- Settlement Agreements
- Property Information, such as Selling Assessed Value, Square Footage, Number of Rooms
- Appraisals and Offers to Purchase Property
- Form 700 on file with the City
- Text Messages and Emails!



## What is NOT a Public Record?

- PRA recognizes exemptions to the disclosure of a record “which is exempted or prohibited from disclosure pursuant to federal or state law” (Gov’t Code 7927.705)

# What is Exempt?

- Attorney-Client Communications
- Attorney Work-Product
- Deliberative Process Privilege
- Drafts
- Voter Registration Information
- IT Systems and Security Records (in certain circumstances)
- Certain Law Enforcement Records
- Certain Library Records
- Licensee Financial Information
- Medical Records
- Official Information Privilege
- Pending Litigation
- Personal Contact Information
- Personnel Records (in certain circumstances)
- Public Contract Documents (in certain circumstances)





# Public Interest Exemption

- Allows Public agencies to withhold a record if the agency can demonstrate that, on the facts of the particular case, the public interest served by not making the record public clearly outweighs the public interest served by the disclosure of the record” (Gov’t Code 7922.000).
- This process is performed by the City Clerk, as advised by the City Attorney’s Office.

# Meeting Management

- City of Tracy abides by Rosenberg's Rules of Order.
- Per City Policy & Procedure members of the body are limited to 5 minutes for their comments.
- No commissioner can speak twice until all Commissioners have spoken once!
- Who Administers Meeting Management? Your Chair (or Vice Chair) as assisted by Staff.

# Meeting Management— Making A Motion

- When can I make a Motion?
  - After deliberation by all Commissioners; Chair will usually ask for a motion.
- What are the “Magic Words” to make a Motion?
  - **Best** practice is to re-read the item title and include any amendments made & agreed upon by Commissioners
- Can I amend my motion?
  - Yes! And staff can help you clarify if you have questions!



# What If We Change Our Minds?

- Motions for Reconsideration!
  - When: Must be made at the same meeting the item was first voted upon.
  - Who: Must be made by a member who voted in majority on original motion.
  - How: Requires a majority vote to pass.



# Roll Call Votes

- When is it acceptable to simply ask for “all in favor, any objections” votes?
  - Straightforward items such as approval of the minutes or directing staff to place a non-controversial item on a future agenda (i.e., talk about recent changes to laws, municipal code updates, etc.)

# What Happens If It's A 2-2 Vote?

## TIE VOTES

- Results in no action taken and a new motion may be made that results in a majority vote.

## NOT FINAL AUTHORITY?

- If there is a tie vote on an item with final authority, it is considered a denial.
- If there is a tie vote where the Commission recommends to City Council, it is considered no recommendation.



# How Can I Make a Better Motion?

- No. 1 Tip for Commissioners: **BE. CLEAR.**
- Good Examples:
  - “I make a motion that we adopt Resolution No. 1234 approving\_\_\_\_\_.”
  - “I make a motion that we recommend that City Council approve \_\_\_\_\_.”
  - “I make a motion that we approve Item 2 as agendized.”
    - Good for very complex items without amendments.
- Bad Examples:
  - “Motion to approve!” (What are we approving?)

# Absent Members

- For public hearing items continued from a prior meeting, a Commissioner who was absent from the prior meeting may vote as long as:
  - (1) The Commissioner has read the staff report, reviewed any other materials submitted, and listened to the audio/video of the prior meeting; and
  - (2) Affirms having done so at the present meeting for the record.
- Also applies to minutes from a missed meeting.





Think Inside the Triangle™

# Relevant Policies

- Council Legal and Ethical Standards
  - Norms and Values Statement
  - Council Conduct Policy
  - Conflict of Interest Policy
  - Censure Policy
  - Nepotism Policy
  - Civility Policy
  - *Ex Parte* Communications Policy
- Questions on a Policy? Contact CAO!
  
- Because these were adopted by City Council, **All of them Apply to TAC!**



Thank you!  
Any Questions?



October 14, 2025

TRACY ARTS COMMISSION  
MEETING MINUTES  
September 9, 2025, 7:00 p.m.

Grand Theatre Center for the Arts, 715 Central Avenue

Chair Lees called the meeting to order at 7:00 p.m.

Roll call found Commissioners Dhugga, Lees, Reis and Sandhu present. Commissioner Jones was absent.

Staff Present: William Wilson, Cultural Arts Supervisor  
Robert Tombari, Cultural Arts Division Manager

Recorded By: William Wilson, Cultural Arts Supervisor

1. ITEMS FROM THE AUDIENCE

Barbara McVeigh of Tracy advised the Tracy Arts Commission that she is working to present a project entitled Tracy's Two-Day Textile Blitz in the spring of 2026. The public event is envisioned to include textile creation, classes and a festival-like celebration with a fashion show and vendors. Ms. McVeigh inquired about funding sources. CAM Wilson advised the 2025 Re-Granting Program Call for Applications will be released soon, and invited to Ms. McVeigh to meet and discuss further as needed. Steve Abercrombie of Tracy was present to speak about Item 6.A., Discuss and Approve Participation in the Recyclable Art Project Contest.

2. ELECTION OF CHAIR AND VICE CHAIR FOR 2025-26

Commissioner Dhugga nominated Commissioner Lees for Chair in 2025-26. Commissioner Lees accepted the nomination.

**ACTION** Voice vote found all in favor; 4:0 to elect Commissioner Lees as Chair for 2025-26

Commissioner Dhugga nominated Commissioner Reis for Vice Chair in 2025-26. Commissioner Reis accepted the nomination.

**ACTION** Voice vote found all in favor; 4:0 to elect Commissioner Reis as Vice Chair for 2025-26

3. APPROVAL OF MINUTES FROM THE MEETING OF JULY 8, 2025

**ACTION** Motion by Commissioner Dhugga, seconded by Commission Sandhu to approve the minutes as submitted. Voice vote found all Commissioners in favor; motion carried 4:0

4. DISCUSS AND APPROVE PARTICIPATION IN THE RECYCLABLE ART PROJECT CONTEST

CAS Wilson provided the Staff Report and a draft Project Outline. Mr. Abercrombie advised he is collaborating with community members and local schools to present the Recyclable Art Project Contest in 2026. Project goals include encouragement of

recycling, repurposing, trash removal and artmaking, as well as increasing student awareness about environmental impact.

Commissioners discussed and agreed to support the project, serving as the jurors of the contest submissions and the selection of three contest winners. Commissioners agreed to serve in this capacity as a full Commission, rather than a function of the Civic Art Subcommittee.

**ACTION**

Motion by Vice Chair Reis, seconded by Commissioner Dhugga for the Tracy Arts Commission to participate, serving as jurors, in support of the Recyclable Art Project Contest. Voice vote found all Commissioners in favor; motion carried 4:0

5. DISCUSS NEW ALLOCATIONS FOR FUNDING AND PROGRAMMING RECOMMENDATIONS IN 2025-26

CAS Wilson provided the Staff Report. Commissioner Dhugga asked if there was a replacement event for the July Artwalk. CAS Wilson advised Staff is considering an art corner concept at Central Ave. and 7<sup>th</sup> St. at the Grand Theatre Center for the Arts.

Commissioners discussed and agreed to allocate \$2,500 for participation in Arts Month – April 2026, fund two \$2,000 grants for the 2025 Re-Granting Program, allocate \$250 participant hospitality at the upcoming Artwalk on October 25 with event vendors, allocate \$1,200 to present six Emerging Artists at the Artwalk in June 2026, and remove the Youth Arts Festival from active projects. Discussion will continue as needed to form complete recommendations for FY25-26.

6. DISCUSS AND PROVIDE RECOMMENDATIONS FOR THE TRACY TRANSIT STATION MOBILITY HUB PUBLIC ART PROJECTS

CAS Wilson provided the Staff Report and Project Outline from the San Joaquin Council of Governments (SJCOG) and design consultants. Commissioners discussed the implementation of additional public art into the surrounding plaza of the Tracy Transit Station, and the Staff recommendation to use a Request for Qualifications (RFQ) to identify qualified artists, who would then be invited to develop proposals and/or commissioned to create projects.

Commissioners agreed to the following recommendations:

- Priority locations for additional public art are at the existing the flower fountain and in/on the cast concrete planters.
- Artists should be permitted to address each location separately or as one connected project, supported by the total working budget of \$150,000.
- Elimination of the building facade as a potential project location.
- Projects could incorporate the re-integration of new plantings.
- Working with artists who are interested in engaging the community in their creative process and approach to the project.



- Use of an RFQ to support project timeline and goals.

**ACTION** Motion by Vice Chair Reis, seconded by Commissioner Sandhu to provide these recommendations to Staff, SJCOG and designs consultants working in collaboration in support of Tracy Transit Station Mobility Hub Public Art Projects. Voice vote found all Commissioners in favor; motion carried 4:0

7. ITEMS FROM THE COMMISSION

Commissioners gave brief summaries of their activities relating to arts and culture within the last month.

8. ITEMS FROM STAFF

CADM Tombari introduced himself to the Commission, speaking about his background in arts and excitement to be a Tracy Resident. CADM Tombari invited Commissioners to attend the Opening Reception for *Refuge – Paintings by Caleb Dowdell*, on Saturday September 13 from 11 am to 1 pm.

CAS Wilson advised the Tracy Arts Commission’s 2024 Annual Report to City Council is scheduled for Tuesday, October 7 at 7 pm. Vice Chair Reis volunteered to lead the presentation.

9. ADJOURNMENT – Time: 9:08 p.m.

**ACTION** Motion by Vice Chair Reis, seconded by Commissioner Sandhu to adjourn. Roll call vote found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on September 4, 2025. The above are action minutes. Materials distributed to the majority of the Tracy Arts Commission, staff records and/or audio recording is available in the Cultural Arts Division located at 715 Central Avenue.

**CITY OF TRACY  
TRACY ARTS COMMISSION MEETING  
OCTOBER 14, 2025**

**AGENDA ITEM 6.A.**

REQUEST

**DISCUSS CITY OF TRACY ARTS PLANNING**

DISCUSSION

The Tracy Arts Commission (TAC) was formed by the City Council for the purpose of preserving and cultivating the expression and appreciation of the Arts in Tracy. The Tracy Arts Commission (previously known as the Cultural Arts Commission and Community Cultural Arts Commission) was established in 1991 for the purposes of: maintaining the Civic Art Plan (adopted by City Council, Reso 2003-002), contributing to the quality of life of the residents of Tracy through the high quality civic spaces and access to a broad array of artistic experiences, expanding the knowledge and understanding of the community's history and culture, supporting the economic vitality of the City through increased property values and cultural tourism, and reinforcing downtown as a cultural destination.

The Tracy Arts Commission (TAC) advises the City Council on the subjects of Citywide public art including private development and public/private partnerships, fosters public/private partnerships for the creation of civic art, supports individuals and organizations involved in the arts by promoting their events, offering resources, educational tools, and advising on policies to City Council that will support those endeavors, and commits to nourishing artistic vision, honoring diversity, supporting creativity and promoting cooperative partnerships through the Re-Granting Program.

The City Manager's Office has requested the TAC begin a discussion in consideration of the City of Tracy's arts planning. The TAC should consider a wide range of arts assessments, ideas, topics and goals such as, but not limited to, arts and cultural events, amenities and facilities, arts funding, creative community collaboration, the concept of a Cultural Arts Department and the vision of a Downtown Arts District.

Staff anticipates continued discussion will continue as needed for several months, with a goal to create recommendations in 2026 that can be utilized in City planning.

FISCAL IMPACT

Staff costs related to support of the Tracy Arts Commission are included in the Cultural Arts Division Administrative General Fund budget.

RECOMMENDATION

Begin Discussion of City of Tracy Arts Planning

Prepared By: William Wilson, Cultural Arts Supervisor

Reviewed By: Robert Tombari, Cultural Arts Division Manager

Approved By: Robert Tombari, Cultural Arts Division Manager

**CITY OF TRACY  
TRACY ARTS COMMISSION MEETING  
OCTOBER 14, 2025**

**AGENDA ITEM 7.A.**

REQUEST

**CONTINUE DISCUSSION OF NEW ALLOCATIONS FOR FUNDING AND PROGRAMMING RECOMMENDATIONS IN 2025-26**

DISCUSSION

The Tracy Arts Commission's (TAC) programming funding resides in the administrative accounts of the Cultural Arts Division (CAD) budget. The TAC meets annually to discuss funding and programming, forming recommendations in effort to best meet goals. CAD Staff reviews and approves the expenditures.

The TAC FY25-26 allocation is \$15,000. The TAC has already committed to provide \$3,150 to continue the co-presentation of Open Mic Nights as part of the Grand Theatre Center for the Arts' 2025-26 Presenting Season. The TAC began discussion of this item at the meeting of September 9, 2025

The approved, amended FY24-25 Funding and Programming Recommendations, supported with funding in the amount of \$12,000, are provided below for reference.

- **Co-Present Open Mic Nights in the Studio:** **\$3,150**  
 As part of the Grand Theatre Center for the Arts' 2024-25 Presenting Season, supporting featured performers at nine events.
- **2024 Annual Report:** **N/A**  
 Develop and present the Annual Report to City Council, as an overview of activities and projects in calendar year 2024, and include goals for 2025.
- **Participation in Arts Month – April 2025:** **\$2,500**  
 Hands-on, community programming to be developed and presented at the Grand Theatre Center for the Arts.
- **2024 Re-Granting Program:** **\$2,000**  
 Provide one grant award of \$2,000 (original allocation of two \$2,000 awards)
- **Downtown Tracy Artwalk 2024-25:** **\$4,140**  
 Provide participant hospitality in July 2024 **\$190**  
 Provide participant hospitality in October 2024 **\$250**  
 Provide participant hospitality in June 2025 **\$1,300**  
 Present Emerging Artists (six first time participants @ \$200 ea.) June 2025 **\$1,200**  
 Follow your heART interactive mural project **\$1,200**

- **Youth Arts Festival:** **N/A**  
 Resume stakeholder communications and meetings in order to form a Community Project Committee with participation of two Tracy Arts Commissioners.
- **Civic Art Program & Projects Contingency:** **\$210**  
 Incidental Civic Art Program expenses and approved programming.

The TAC began discussion at the September meeting with the following draft recommendations:

- **Co-Present Open Mic Nights in the Studio:** **\$3,150**  
 As part of the Grand Theatre Center for the Arts' 2024-25 Presenting Season, supporting featured performers at nine events.
- **2024 Annual Report:** **N/A**  
 Develop and present the Annual Report to City Council, as an overview of activities and projects in calendar year 2024, and include goals for 2025.
- **Participation in Arts Month – April 2025:** **\$2,500**  
 Hands-on, community programming to be developed and presented at the Grand Theatre Center for the Arts.
- **2024 Re-Granting Program:** **\$2,000**  
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 Present Emerging Artists (six first time participants @ \$200 ea.) June 2025 **\$1,200**  
 Follow your heART interactive mural project **\$1,200**
- **Youth Arts Festival:** **N/A**  
 Resume stakeholder communications and meetings in order to form a Community Project Committee with participation of two Tracy Arts Commissioners.
- **Civic Art Program & Projects Contingency:** **\$210**  
 Incidental Civic Art Program expenses and approved programming.

FISCAL IMPACT

Tracy Arts Commission funding in the Cultural Arts Division FY2025-26 budget is \$15,000.

RECOMMENDATION

Continue Discussion of New Allocations for Funding and Programming Recommendations in 2025-26.

Prepared By: William Wilson, Cultural Arts Supervisor

Reviewed By: Robert Tombari, Cultural Arts Division Manager

Approved By: Robert Tombari, Cultural Arts Division Manager

**CITY OF TRACY  
TRACY ARTS COMMISSION MEETING  
OCTOBER 14, 2025**

**AGENDA ITEM 7.B.**

REQUEST

**CONTINUE DISCUSSION OF 2024 ANNUAL REPORT FOR CITY COUNCIL**

DISCUSSION

The Tracy Arts Commission (TAC) has presented Annual Reports to the City Council since 2022. The TAC will present the 2024 Annual Report featuring programming highlights from calendar year 2024, as well as goals for 2025. CAD Staff will prepare a Staff Report and presentation in the form of a slide show. The TAC Chair, and/or other designated representative(s), will present the information at the City Council meeting to be scheduled in 2025.

2024 Annual Report content has been identified through TAC discussion beginning in November 2024, and continuing through February 2025. The Annual Report was reviewed and approved in March 2025, previously schedule for presentation on October 7, and is now re-scheduled for the City Council meeting of November 4. Vice Chair Reis will lead the presentation.

FISCAL IMPACT

Staff costs related to support of the Tracy Arts Commission are included in the Cultural Arts Division Administrative General Fund budget.

RECOMMENDATION

Continue Discussion of 2024 Annual Report for City Council

Prepared By: William Wilson, Cultural Arts Supervisor

Reviewed By: Robert Tombari, Cultural Arts Division Manager

Approved By: Robert Tombari, Cultural Arts Division Manager