

## Town Council Meeting Agenda

October 10, 2023, 5:00 PM

Town Hall – Administrative Center | 10183 Truckee Airport Road, Truckee, CA

Comments sent through the public comment form before 2:00 p.m. will be sent to Councilmembers and Town Department Heads as well as uploaded to public view by 2:30 p.m. [Click here to submit Public Comment to Council.](#)

1. **Call to Order**

2. **Roll Call**: Council Members; Zabriskie, Klovstad, Henderson, Vice Mayor Polivy, and Mayor Romack.

3. **Pledge of Allegiance**

4. **Public Comment** - This is an opportunity for members of the public to address the Council on items that are not on this agenda. Please state your name for the record. Comments are limited to three minutes. Under state law, the Council cannot take action on an item not on the agenda. The Council may choose to acknowledge the comment or, where appropriate, briefly answer a question, refer the matter to staff, or set the item for discussion at a future meeting.

5. **Presentations**

5.1 Truckee River Day Proclamation.

5.2 Breast Cancer Awareness Month (Pink Patch) Proclamation.

5.3 National Hispanic Heritage Month Proclamation.

5.4 Tahoe Truckee Media Presentation.

5.5 Town Manager Report.

6. **Consent Calendar**

**6.1** Minutes from September 26, 2023, Regular Meeting.

**Recommended Action:** Approve the Minutes.

**6.2** Mills Act Historic Preservation Contract Agreements.

**Recommended Action:** That Council authorize the Town Manager to execute one Mills Act Historic Preservation contract, for the following property: 10270 Donner Pass Road (APN 019-080-028). The contract is required to be executed no later than Tuesday, October 17, 2023.

**6.3** Amendment to the Gann Appropriations Limit for Fiscal Year 2023-2024.

**Recommended Action:** That Council approve the attached Resolution 2023-58 authorizing an amendment to the Gann Appropriations Limit for the 2023-2024 fiscal year to \$31,009,658.

**6.4** Adoption of Ordinance Update for Board and Commission Appointment Process and Attendance.

**Recommended Action:** Adopt Ordinance 2023-07 modifying Title 2 of the Truckee Municipal Code regarding the appointment process and attendance for the Town's board and commission members.

**6.5 Approval of Contract with Equity and Wellness Institute for Diversity, Equity and Inclusion Action Plan Project.**

**Recommended Action:** (1) Authorize the Town Manager to execute a contract with Equity and Wellness Institute (EqWI) in the amount of \$99,000 to develop a Diversity, Equity and Inclusion Action Plan; and (2) Amend CIP C2403 to increase the budget for a Diversity, Equity and Inclusion Action Plan by \$49,000 to \$99,000.

**6.6 Grant Award to the Town of Truckee from the California Department of Parks and Recreation, Division of Boating and Waterways.**

**Recommended Action:** That Council authorize the Town Manager to execute a grant agreement from the California Department of Parks and Recreation Division of Boating and Waterways in the amount of \$113,086 with a matching amount of \$36,914 for a total \$150,000.

**6.7 Appointment of Council Member Zabriskie as Council Representative to the Tahoe Truckee Homeless Advisory Committee.**

**Recommended Action:** That Council appoint Council Member Zabriskie as Council Representative to the Tahoe Truckee Homeless Advisory Committee.

**6.8 Letter of Support on Behalf of the Truckee Donner Land Trust to Utilize Land and Water Conservation Funding for Acquisition of Martis Valley Headwaters Property.**

**Recommended Action:** That Council authorize the Town Manager to provide a letter of support to the United States Forest Service on behalf of Truckee Donner Land Trust to utilize Land and Water Conservation funding for the acquisition of Martis Valley headwaters property.

**7. Discussion Items**

**7.1 Short-Term Rental Ordinance Clean-up.**

**Recommended Action:** Introduce Ordinance 2023-12 amending Chapter 5.02 (Transient Rental of Residential Units) of the Truckee Municipal Code.

**7.2 Truckee Home Access Program (THAP) Local Business Application and Guideline Revisions.**

**Recommended Action:** 1) Approve changes to the Truckee Home Access Program (THAP) Guidelines; and 2) Approve the THAP for Local Business Application from The Greeno Revocable Trust and authorize a payment of \$105,600.

**7.3 Transportation Public Opinion Survey Update.**

**Recommended Action:** That Council receive an update on the results of the Transportation Public Opinion Survey and provide direction to staff.

**8. Council Reports**

**9. Adjournment**

To the regular meeting of the Truckee Town Council October 24, 2023, 5:00 p.m. at Town Hall, 10183 Truckee Airport Road, Truckee, CA.

**Town of Truckee Redevelopment Successor Agency – Notice of Cancellation**

The October 10, 2023 regular meeting of the Redevelopment Successor Agency is hereby cancelled. Regular meetings are scheduled for the second and fourth Tuesday of each month, immediately following the Town of Truckee Council meeting.

## Town of Truckee Public Financing Authority – Notice of Cancellation

The October 10, 2023 regular meeting of the Truckee Public Financing Authority is hereby cancelled. Regular meetings are scheduled for the second and fourth Tuesday of each month, immediately following the Town of Truckee Council meeting.

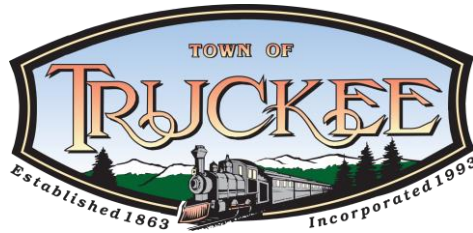
**Posting:** I declare a copy of this agenda was posted at Town Hall, 10183 Truckee Airport Road, Truckee, CA, on October 5, 2023, by 5:00 p.m. Agenda packets will be available for public review on October 5, 2023, after 5:00 p.m. at Town Hall, and online at [www.townoftruckee.com](http://www.townoftruckee.com).

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Kelly Carpenter, Town Clerk

**Note:** As a sustainable practice, a separate agenda for the Truckee Redevelopment Successor Agency and Public Financing Authority will be provided only if there are items to consider. If the meeting is cancelled, the agenda will be combined with the Council Agenda. If there are items for the Truckee Redevelopment Successor Agency and Public Financing Authority to consider a separate agenda for that body will be produced.

**Note:** Public participation is encouraged. In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and in compliance with the Ralph M. Brown Act, If you plan on attending the public meeting and need a special accommodation because of a sensory or mobility impairment/disability, or have a need for an interpreter, please contact Kelly Carpenter, Town Clerk, at 530- 582-2924, 48 hours in advance of the meeting to arrange for those accommodations to be made. For information on recent changes to the Ralph M. Brown Act (effective January 1, 2003) with regard to ADA requirements please see Government Codes 54953.2, 54954.1, 54954.2, and 54957.5.



## Town Council Meeting Minutes

September 26, 2023, 5:00 PM

Town Hall – Administrative Center | 10183 Truckee Airport Road, Truckee, CA

1. **Call to Order** - Mayor Romack called the meeting to order at 5:02 p.m.
2. **Roll Call**: Council Members; Zabriskie, Klovstad, Henderson, Vice Mayor Polivy, and Mayor Romack.

**Staff Present**: Hilary Hobbs, Assistant to the Town Manager; Nicole Casey, Administrative Services Director; Becky Bucar, Assistant Public Works Director; Dan Wilkins, Public Works Director/Town Engineer; Danny Renfrow, Chief of Police; Andy Morris, Town Attorney; Denyelle Nishimori, Community Development Director; Erin Brewster, Sustainability Program Manager; Lynn Baumgartner, Administrative Analyst II; Mike Ross, Chief Building Official; Robert Womack, Emergency Services Coordinator; Alfred Knotts, Transportation Program Manager; Chris Hardy, Chief Information Security and Technology Officer; Riley Morrison, Street Maintenance Manager; Justin Fiddymont, Street Maintenance/Equipment Operator II, Darryl Hogan, Street Maintenance/Equipment Operator II, Dave Dombroski, Street Maintenance/Equipment Operator II; Nicole Postlewaight, Accountant I; Anika Kimme, CivicSpark Fellow; Carmen Lopez, Program Analyst I; Alex Workman, CivicSpark Fellow; Trisha Baird, Administrative Technician; Dustin McAlonan, Building Inspector/Plans Examiner; Cindy Peterson, Finance Manager; Kyle Vickers, Police Lieutenant; Sarah Ring, Administrative Technician; Jen Callaway, Town Manager; and Kelly Carpenter, Town Clerk.

3. **Pledge of Allegiance** – Recited in unison.

4. **Public Comment** -

Written Comment received from: Emilie Kashtan (x4), Jack Kashtan, John Kenley, Linda Barrenchea, Mike Cooke, Patrick Taylor, and Sally Widenmann.

Verbal Comment received from Emilie Kashtan.

5. **Presentations**

- 5.1 **Andy Morris, Town Attorney, administered the Oath of Office to Kelly Carpenter, Town Clerk.**

- 5.2 **Riley Morrison, Street Maintenance Supervisor, introduced Justin Fiddymont, Street Maintenance/Equipment Operator II, Darryl Hogan, Street Maintenance/Equipment Operator II, and Dave Dombroski, Street Maintenance/Equipment Operator II.**

**Nicole Casey, Administrative Services Director, introduced Nicole Postlewaight, Accountant I.**

**Lynn Baumgartner, Administrative Analyst II, introduced Anika Kimme, CivicSpark Fellow.**

Erin Brewster, Sustainability Program Manager, introduced Carmen Lopez, Program Analyst I, and Alex Workman, CivicSpark Fellow.

Mike Ross, Chief Building Official, introduced Trisha Baird, Administrative Technician, and Dustin McAlonan, Building Inspector/Plans Examiner.

Kelly Carpenter, Town Clerk, introduced Taylor Crouch, Office Assistant.

5.3 Jen Callaway, Town Manager, presented the Town Manager Report.

Mayor Romack requested comments from Council Members.

Mayor Romack opened the presentation items to public comment.

Seeing none, Mayor Romack closed public comment.

## 6. Consent Calendar

It was moved by Council Member Zabriskie, and seconded by Council Member Henderson, to approve the Consent Calendar Items 6.1 through 6.5 as follows:

- 6.1 Approved the Minutes from September 12, 2023, Town Council Meeting.
- 6.2 Adopted Ordinance 2023-09 amending Chapter 6.01 of the Truckee Municipal Code regarding Solid Waste and Recycling Management and found the adoption of the ordinance exempt from CEQA pursuant to CEQA guidelines sections 15061(b)(3), 15307, and 15308.
- 6.3 Adopted Ordinance 2023-11, removing section 2.04.130(a) from Title 2 of the Truckee Municipal Code.
- 6.4 Authorized the Town Manager to award and execute the Budget Software Consultation contract to Avero Advisors in the amount of \$79,800.
- 6.5 Adopted Ordinance 2023-13, amending the Truckee Municipal Code, Chapter 10.21, with recommended changes for alternative transportation devices on multi-use trails.

The Consent Calendar carried with the following vote:

**Ayes:** Council Member Klovstad, Vice Mayor Polivy, Mayor Romack, Council Member Zabriskie, and Council Member Henderson.

**Noes:** none.

**Absent:** none.

**Abstained:** none.

The motion passed unanimously.

## 7. Discussion Items

7.1 **After-Action Report from the July 4th, 2023, Fireworks Event.**

**Recommended Action:** That Council receive 4th of July fireworks event review and accept the After-Action Report from the July 4th, 2023, fireworks event.

Robert Womack, Emergency Services Director, presented from the Staff Report (presentation on file with Town Clerk).

### **Council Discussion:**

- Staff has no information on the amount of pollution from the fireworks to Donner Lake.
- The future of 4<sup>th</sup> of July events will be discussed during the Special Events Permit Policy which is scheduled to be on the Town Council agenda for the fall.

- For future 4<sup>th</sup> of July events the bike valet location could be located closer to Donner Lake or there could be two locations, one at the east end of Donner Lake and another at the west end of the lake.
- Provide education and messaging to the public in advance of the event.
- Enforce the “No Parking” zones earlier in the day.

**Mayor Romack opened the item for public comment.**

Written comment received from Richard Harper.

Verbal comment received from Sven Leff, Truckee Donner Recreation and Park District.

Mayor Romack closed public comment.

**Council Direction:**

**Council accepts the After-Action Report from the July 4th, 2023, fireworks event.**

**7.2 Public Art Commission of Truckee (PACT) Annual Work Plan and Funding.**

**Recommended Action:** That Council review and provide direction on the 2023 Public Art Commission of Truckee’s Annual Work Plan and Art Donation and Gifting Policy.

Becky Bucar, Assistant Public Works Director, presented from the staff report (presentation on file with Town Clerk).

**Council Discussion:**

- Art in roundabouts is currently lower on the list of potential public art sites.
- Sidewalk art can be considered an inlay on the sidewalk, or printed words on the sidewalk. The idea is that sidewalks are a canvas which provides opportunity for additional options for public art. Staff will look into the definition of streetscape art.
- Funding strategies should be the focus.
- The Work Plan was prepared with the Truckee 2040 General Plan in mind.

**Mayor Romack opened the item for public comment.**

Written comment received from Patricia Eagan.

Verbal comment received from Troy Corliss and Kelly Cutler.

Mayor Romack closed public comment.

**Council Direction:**

- The priority is funding strategies that do not include extra taxes on the development community or require additional funding from private construction.
- The second priority is to continue with the art installation.
- Promotion and outreach, and new ongoing programs would be lower priorities for the current Work Plan.
- The Art Donation and Gifting Policy is supported.
- Look to consultants for broader funding strategies.
- Add corresponding images to the art descriptions on the Town’s GIS map.
- Additional staffing resources should wait until funding strategies have been determined.

**Mayor Romack adjourned for a recess at 7:34 p.m.**

Mayor Romack reconvened at 7:49 p.m.

### 7.3 Truckee Home Access Program Update and Budget Amendment.

**Recommended Action:** That Council 1) Receive the Truckee Home Access Program Update; and 2) Approve a budget amendment for C2014 (Truckee Home Access Program) for fiscal year (FY) 23/24 to increase the budget by \$500,000 to a total of \$1,749,250.

Lynn Baumgartner, Administrative Analyst II, presented from the Staff Report (presentation on file with Town Clerk).

#### Council Discussion:

- To date, 18 people and six houses have closed through the Truckee Home Access Program.
- The average Lease to Local's cost is \$6,717 per unit per year. Staff can provide a comparison of the present value between the Lease to Locals program and the Truckee Home Access Program.
- Current high interest rates have not affected the Truckee Home Access Program. Mortgage lenders are interested in the program as an alternative option to get people into homes.

**Mayor Romack opened the item for public comment.**

Written comment received from Nova Lance-Seghi

Mayor Romack closed public comment.

#### Council Direction:

- **Add a third Recommended Action item so that when the program is reaching the budget limits prior to the next budget adoption, staff should return to Council with a similar agenda item to avoid running out the budget.**

The staff recommendation, with Council Direction above, was moved by Vice Mayor Polivy, seconded by Council Member Klovstad, and adopted with the following vote:

**Ayes:** Council Member Klovstad, Vice Mayor Polivy, Mayor Romack, Council Member Zabriskie, and Council Member Henderson.

**Noes:** none.

**Absent:** none.

**Abstained:** none.

The motion passed unanimously.

### 7.4 Introduction of Ordinance Update for Board and Commission Appointment Process and Attendance.

**Recommended Action:** Introduce Ordinance 2023-07 modifying Title 2 of the Truckee Municipal Code to address the appointment process and attendance for the Town's board and commission members.

Kelly Carpenter, Town Clerk, presented from the Staff Report (presentation on file with Town Clerk)

**Mayor Romack opened the item for public comment.**

Seeing none, Mayor Romack closed public comment.

#### Council Direction:

The staff recommendation was moved by Council Member Henderson, seconded by Vice Mayor Polivy, and adopted with the following vote:

**Ayes:** Council Member Klovstad, Vice Mayor Polivy, Mayor Romack, and Council Member Henderson.

**Noes:** none.

**Absent:** none.

**Abstained:** Council Member Zabriskie

The motion passed 4-1.

## **8. Council Reports**

### **Vice Mayor Polivy**

- Attended a Visit Truckee Tahoe board meeting.

### **Mayor Romack**

- Attended a Community Circle Meeting at Truckee Donner Public Utility District.
- Attended the Truckee 2040 General Plan celebration.
- Participated in the Truckee Railroad Society train ride.
- Attended the Mexican Heritage Festival.
- Attended the final Mountain Housing Council wrap-up meeting.
- Attended the Truckee community Wildfire Forum.
- Rode electric bikes with Good Morning Sacramento.
- Attended the subcommittee meeting for the River Revitalization Steering Committee (R2SC).
- Attended the Mayor-Manager meeting.

### **Council Member Klovstad**

- Watched Good Morning Truckee.
- Met with the developer of Jibboom Street project.
- Attended the Truckee Chamber of Commerce Awards Ceremony.
- Attended the Truckee community Wildfire Forum.
- Attended a Tahoe Biomass meeting.
- Watched Tahoe Truckee Unified School District presentation on sustainability.
- Attended a Community Circle Meeting at Truckee Donner Public Utility District.
- Attended the Truckee 2040 General Plan celebration.

### **Council Member Zabriskie**

- Attended a Community Circle Meeting at Truckee Donner Public Utility District.
- Attended Good Morning Truckee.
- Attended a Nevada County Transportation Commission meeting.
- Attended a budget meeting for LAFCO.
- Attended the Truckee community Wildfire Forum.
- Attended the Chief's Advisory Committee.
- Attended a meeting on transportation polling.
- Attended the Truckee Chamber of Commerce Awards Ceremony.
- Attended the Truckee 2040 General Plan celebration.
- Met with the developer of Jibboom Street project.
- Met with representatives of the Citizen's Climate.
- Attended a meeting with the Truckee River Legacy foundation.



**Council Member Henderson**

- Participated in several community listening sessions.
- Attended a Community Circle Meeting at Truckee Donner Public Utility District.
- Attended the Truckee Chamber of Commerce Award Ceremony.
- Attended the Truckee 2040 General Plan celebration.
- Attended parent’s night at Truckee Elementary.

**9. Adjournment – 8:29 p.m.**

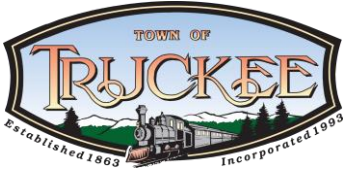
To the regular meeting of the Truckee Town Council October 10, 2023, 5:00 p.m. at Town Hall, 10183 Truckee Airport Road, Truckee, CA.

Respectfully submitted by:

Approved:

\_\_\_\_\_  
Kelly Carpenter, Town Clerk

\_\_\_\_\_  
Lindsay Romack, Mayor



Date: October 10, 2023

Honorable Mayor and Council Members

Author and title: Laura Dabe, Associate Planner

Title: Mills Act Historic Preservation Contract Agreements

Approved By: \_\_\_\_\_ Jen Callaway, Town Manager

**Recommended Action:** That the Town Council authorize the Town Manager to execute one Mills Act Historic Preservation contract, for the following property: 10270 Donner Pass Road (APN 019-080-028).

The contract is required to be executed no later than Tuesday, October 17, 2023.

**Discussion:** The Town of Truckee Planning Division has received one Mills Act application for 2023. The Mills Act is a state sponsored legislative historic preservation program that allows a local government to enter into a contract with a property owner; the property owner then receives reduced property taxes in exchange for a long-term contract to preserve their historic building. The purpose of the Mills Act is to protect, preserve, and rehabilitate historic buildings by providing property tax savings to property owners who can reinvest the property tax savings money back into the property. Any property owner that has a Category A, B, or C building identified in the Town Historic Preservation Program is eligible to participate in the Town's Mills Act Historic Preservation Program.

Since the Town Council's approval of the Mills Act Historic Preservation Program in August 2004 via Ordinance 2004-05, the Town Council has approved the following 40 contracts (all of which have been recorded and are currently in effect):

1.	<b>Carole Sesko</b>	<b>10326 High Street</b>	<b>Category A Building</b>
2.	<b>Diana Alouise</b>	<b>10037 S.E. River Street</b>	<b>Category A Building</b>
3.	<b>Mark Waters</b>	<b>10211 E. River Street</b>	<b>Category A Building</b>
4.	<b>David Kean</b>	<b>10144 High Street</b>	<b>Category A Building</b>
5.	<b>Michael &amp; Gretchen Kydd</b>	<b>10114 E. Jibboom Street</b>	<b>Category B Building</b>
6.	<b>Jeff Bender</b>	<b>10037 East River Street</b>	<b>Category B Building</b>
7.	<b>Yvette Durant</b>	<b>10049 East River Street</b>	<b>Category A Building</b>
8.	<b>Hawks Peak, LLC</b>	<b>10035 Church Street</b>	<b>Category B Building</b>
9.	<b>Dorothy Carlo</b>	<b>10117 East River Street</b>	<b>Category B Building</b>
10.	<b>Luthea Thomas</b>	<b>10021 Riverside Drive</b>	<b>Category B Building</b>
11.	<b>Luthea Thomas</b>	<b>10106 Church Street</b>	<b>Category B Building</b>
12.	<b>Luthea Thomas</b>	<b>10132 High Street</b>	<b>Category C Building</b>
13.	<b>Truckee Star Hotel, LLC</b>	<b>10015 West River Street</b>	<b>Category A Building</b>
14.	<b>Anthony J. Hardy</b>	<b>10230 Donner Pass Road</b>	<b>Category A Building</b>
15.	<b>Deforest Fox, LLP</b>	<b>10154 High Street</b>	<b>Category A Building</b>
16.	<b>Claus &amp; Alison Pratt Shelling</b>	<b>10069 West River Street</b>	<b>Category A Building</b>
17.	<b>Julie Guarnotta</b>	<b>10069 Riverside Drive</b>	<b>Category A Building</b>
18.	<b>William Kenny/Nancy Costello</b>	<b>10145 West River Street</b>	<b>Category C Building</b>
19.	<b>Il Trovatore, LLC</b>	<b>10089 West River Street</b>	<b>Category A Building</b>
		<b>10090 West River Street</b>	<b>Category B Building</b>

20.	<b>Wergland House, LLC</b>	<b>10178 Donner Pass Road</b>	<b>Category B Building</b>
21.	<b>The Gadow Rafferty Family Revocable Trust</b>	<b>10031 West River Street</b>	<b>Category A Building</b>
22.	<b>Gasser Family Trust</b>	<b>10144 East Jibboom Street</b>	<b>Category B Building</b>
23.	<b>Eric Seel</b>	<b>10118 Church Street</b>	<b>Category B Building</b>
24.	<b>H Peter Werbel</b>	<b>10019 Bridge Street</b>	<b>Category A Building</b>
25.	<b>Sharon and David Freeman</b>	<b>10083 East River Street</b>	<b>Category A Building</b>
26.	<b>Zachary Cowan</b>	<b>10101 West River Street</b>	<b>Category B Building</b>
27.	<b>Valeria Kelly and George Cano</b>	<b>10260 Donner Pass Road</b>	<b>Category B Building</b>
28.	<b>Mountain Vibe, LLC</b>	<b>10187 West River Street</b>	<b>Category A Building</b>
29.	<b>Megan R. Olson</b>	<b>10098 High Street</b>	<b>Category B Building</b>
30.	<b>Brian Biega</b>	<b>10016 Keiser Avenue</b>	<b>Category A Building</b>
31.	<b>Daniel &amp; Suzanne Cockrum</b>	<b>10016 High Street</b>	<b>Category B Building</b>
32.	<b>Michelle Casagrande and Canute Sweeney</b>	<b>10305 East River Street</b>	<b>Category B Building</b>
33.	<b>Yvette Durant Trustee and Jeff C Bender Trustee</b>	<b>10017 East River Street</b>	<b>Category B Building</b>
34.	<b>Jibboom LLC</b>	<b>10129 Jibboom Street/ 10130 Donner Pass Road</b>	<b>Category A Building</b>
35.	<b>Zachary N Cowan</b>	<b>10131 West River Street</b>	<b>Category B Building</b>
36.	<b>Patricia Ramacciotti Trustee and R Ramacciotti</b>	<b>10107 East River Street</b>	<b>Category B Building</b>
37.	<b>Durant-Bender Family Trust</b>	<b>10335 East River Street</b>	<b>Category B Building</b>
38.	<b>Xinyi McKinny and Reed McKinny</b>	<b>10199 West River Street</b>	<b>Category B Building</b>
39.	<b>Mountain Trail LLC</b>	<b>10124 E Street</b>	<b>Category B Building</b>
40.	<b>Massif Ventures LLC</b>	<b>10236 Donner Pass Road</b>	<b>Category B Building</b>

For 2023, the Town has received the following application, which is listed in Table 1 below.

**Table 1. 2023 Mills Act Applications**

<b>Property</b>	<b>Owner Name(s)</b>	<b>Historic Inventory Rating</b>
10270 Donner Pass Road (APN 019-080-028)	Donner Pass Road LLC	Category B

A copy of the Historic Architectural Inventory and Supplemental Sheet, which summarizes the key property features, is included in Attachment #2. The property is developed with one historic structure at the front of the property and a nonhistoric structure at the back of the property. The Mills Act would apply only to the historic structure on the property.

***Background on Mills Act Contracts***

Existing Mills Act regulations allow an owner of a qualified property to contract with a city to restrict the use of the property in exchange for lowered assessment values. Under these regulations, periodic inspections by representatives of the County Assessor, California Department of Parks and Recreation—Office of Historic Preservation, California Board of Equalization, and/or the local jurisdiction are required. The Planning Division has been conducting informal property inspections since the Town’s Mills Act Program’s creation in 2004. No fees have been collected for these informal inspections. Fees will be collected when a more formal inspection program is implemented.

In 2011, Assembly Bill No. 654 was adopted which changed the standards for any new or renewed Mills Act agreement. This law requires an inspection of the interior and exterior of the building every five years.

As part of the application process, the applicants are required to submit photos of the interior and exterior of the historic resource for reference. The Town may charge a fee equal to the reasonable cost of the inspection and may appoint someone to conduct the inspection to ensure the inspections are completed. Once a formal inspection program is implemented, inspections will be based on staff's actual time, which will be tracked and charged to the applicant unless an inspection fee is adopted by the Council as part of a fee schedule update. Contract modifications to address AB 654 are reflected in the attached draft contract (Attachment #1). The Town Attorney has reviewed the draft contract language for compliance with AB 654 and finds the revisions to be consistent; it is the Town Attorney's opinion that specifying the Town representative within the contract is not necessary.

**Priority:**

- |                          |                           |                          |                                      |                                     |              |
|--------------------------|---------------------------|--------------------------|--------------------------------------|-------------------------------------|--------------|
| <input type="checkbox"/> | Enhanced Communication    | <input type="checkbox"/> | Climate and Greenhouse Gas Reduction | <input checked="" type="checkbox"/> | Housing      |
| <input type="checkbox"/> | Infrastructure Investment | <input type="checkbox"/> | Emergency and Wildfire Preparedness  | <input checked="" type="checkbox"/> | Core Service |

**Fiscal Impact:** The estimated loss of revenue to the Town's General Fund for the one residential property is approximately \$1,520.664 for fiscal year 2023/2024. This estimate is based on Town revenue of approximately 15% of County collected property taxes (which are approximately 1% of the assessed property value), and includes a reduction for Mills Act assessed value. This is an ongoing loss of revenue for a minimum of 10 years (the minimum contract term).

Staff notes that the fiscal impacts were considered by the Council when the Mills Act Ordinance was adopted and it was determined by Council that the fiscal impacts related to the Mills Act were acceptable in order to further historic preservation goals. The exception is that the Town is now obligated to perform annual inspections for new contracts in effect as of December 2013. Due to ongoing high workloads, priority projects, and staffing constraints, annual inspections have not been performed to date. Staff anticipates that the Planning Division will begin inspections on the properties once staffing vacancies have been filled. The purpose of the inspections is to ensure that owners are investing their property tax saving in their historic building consistent with the contract requirements..

**Public Communication:** Except for standard noticing of this Council meeting and agenda, there has been no public notice regarding this item; the property owners were notified individually.

**Attachments:**

1. Draft Mills Act Contract
2. Architectural Resources Inventory and Supplemental Sheet

**Recording Requested By:**  
**and**

**Return to: Town of Truckee**  
**Judy Price, Town Clerk**  
**10183 Truckee Airport Road**  
**Truckee, CA 96161**

**Not Subject to Fees: GCS 27383**

**HISTORIC PROPERTY PRESERVATION (MILLS ACT) CONTRACT**  
**(10270 Donner Pass Road; APN 019-080-080-000)**

THIS CONTRACT is made and entered into on this \_\_\_\_ day of \_\_\_\_\_ 2023 by and between the TOWN OF TRUCKEE, a municipal corporation (hereinafter referred to as “TOWN”), and DONNER PASS ROAD LLC, a California limited liability company (hereinafter referred to as “OWNER”).

WHEREAS, the Town Council of the Town of Truckee is authorized by California Government Code Sections 50280 et seq. (known as “The Mills Act”) to enter into contracts with the owners of qualified historical properties to provide for the use, maintenance, and rehabilitation of such historic properties so as to retain their characteristics and integrity as properties of historic significance; and

WHEREAS, on September 2, 2004, the Town Council adopted Ordinance No. 2004-05 implementing the Mills Act, thereby vesting the Town with authority to enter into historic property preservation contracts with property owners; and

WHEREAS, the OWNER possesses fee title in and to that certain real property, together with associated structures and improvements thereon, located on Assessor’s Parcel Number 019-080-080-000 at 10270 Donner Pass Road, Truckee, California, also described as Resource Number KEC-134-U-12 and THRI-038 (hereinafter referred to as the “Property”); and

WHEREAS, the Town Council determined the Property to be a qualified historic property as defined in Government Code Section 50280.1 pursuant to the terms and provisions of Chapter 3.36 of the Truckee Municipal Code; and

WHEREAS, TOWN and OWNER, for their mutual benefit, now desire to enter into this agreement to ensure that the historically significant and character-defining features and characteristics of the Property are protected and preserved, to carry out the purposes of California Government Code Sections 50280 et seq. and Chapter 3.36 of the Truckee Municipal Code, and to qualify the Property for an assessment of valuation pursuant to the provisions of Article 1.9 of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.

NOW, THEREFORE, TOWN and OWNER, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

1. Recitals. The recitals set forth above are true and accurate and are an integral part of this agreement.

2. Effective Date and Term of Agreement. This agreement shall be effective and commence on January 1, 2024, and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such initial term shall automatically be extended as provided in Paragraph 3 below.

3. Renewal. Each year on the anniversary of the effective date of this agreement (hereinafter referred to as the “renewal date”), a year shall automatically be added to the initial term of this agreement unless notice of nonrenewal is served as provided herein. If either TOWN or OWNER desires in any year not to renew the agreement, TOWN or OWNER shall serve written notice of nonrenewal of the agreement on the other party in advance of the annual renewal date of the agreement. Unless such notice is served by OWNER to TOWN at least ninety (90) days prior to the annual renewal date, or served by TOWN to OWNER at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the term of the agreement as provided herein. Upon receipt by OWNER of a notice of nonrenewal from TOWN, OWNER may make a written protest of the notice. TOWN may, at any time prior to the annual renewal date of the agreement, withdraw its notice to OWNER of nonrenewal. If either TOWN or OWNER serves notice to the other of nonrenewal in any year, the agreement shall remain in effect for the balance of the term then remaining, either from its original execution or from the last renewal of the agreement, whichever may apply, subject to the provisions of Paragraph 4 herein.

4. Cancellation. TOWN, following a duly noticed public hearing as set forth in California Government Code Sections 50280 et seq., may cancel this agreement if it determines that OWNER breached any of the standards and conditions of this agreement and has failed to cure said breach after notice, as set forth in Paragraph 7 below, or has allowed the property to deteriorate to the point that it no longer meets the criteria for a qualified Property. TOWN may also cancel this agreement if it determines that the OWNER has failed to maintain and preserve the Property in accordance with the terms and provisions of this agreement. If the agreement is cancelled for any of these reasons, the OWNER may be subject to payment of those cancellation fees set forth in California Government Code Section 50286.

5. Standards and Conditions. During the term of this agreement, the Property shall be subject to the following standards, conditions, requirements, and restrictions:

a. OWNER shall preserve, maintain, and, where necessary, renovate or rehabilitate the historically significant and character-defining features and characteristics of the Property including, but not limited to, general architectural form, style, materials, design, scale, details, mass, roof line, porch, and other aspects of the appearance of the exterior and ensure the Property retains its historic resource category rating as set forth in the TOWN’S Truckee Historic Resources and Architectural Inventory, adopted by Town Council Resolution No. 2003-18.

b. All work on and changes to the Property shall comply with the Truckee Municipal Code and conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code.

c. OWNER shall allow reasonable periodic examinations, by prior appointment, of the interior and exterior of the Property by representatives of the County Assessor, California Department of Parks and Recreation – Office of Historic Preservation, California Board of Equalization, and/or TOWN, prior to a new agreement, and every five years thereafter, to determine OWNER's compliance with the terms and provisions of this agreement. TOWN may collect fees not exceeding the cost of providing the service, as set by the Town Council.

d. OWNER shall notify the Community Development Director of the TOWN of changes to the exterior features of the Property prior to their execution.

6. Provision of Information of Compliance. OWNER hereby agrees to furnish TOWN with any and all information requested by TOWN which may be reasonable and necessary to determine compliance with the terms and provisions of this agreement.

7. Enforcement of Agreement. In lieu of and/or in addition to any provisions to cancel the agreement as referenced herein, TOWN may specifically enforce or enjoin the breach of the terms and provisions of this agreement. In the event of a breach by OWNER under the terms and provisions of this agreement, TOWN shall give written notice to OWNER by registered or certified mail to the address stated in this agreement, which notice shall specifically identify the breach. If such breach is not corrected to the reasonable satisfaction of the TOWN within thirty (30) days of the date of the notice, or within such a reasonable time as may be required to cure the breach (provided that acts to cure the breach are commenced within thirty (30) days and thereafter diligently pursued to completion), then TOWN may, without further notice, declare a default under the terms and provision of this agreement and bring any action necessary to specifically enforce the obligations of OWNER arising out of the terms and provisions of this agreement, including, but not limited to, applying to any court, state or federal, for injunctive relief against the OWNER or applying for such other relief as may be appropriate.

TOWN does not waive any claim of default by OWNER if TOWN does not enforce or cancel this agreement. All other remedies at law or in equity which are not otherwise provided for in this agreement or in the TOWN's regulations governing historic properties are available to the TOWN to pursue in the event that there is a breach of this agreement. No waiver by the TOWN of any breach or default under this agreement shall be deemed to be a waiver of any other subsequent breach thereof or default hereunder.

8. Binding Effect of Agreement. OWNER hereby subjects the Property to the covenants, reservations, and restrictions as set forth in this agreement. TOWN and OWNER hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land shall pass to and be binding upon the OWNER's successors and assigns in title or interests to the Property. Each and every agreement, deed, or other instrument hereinafter executed covering or conveying the Property, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject

to the covenants, reservations, and restrictions expressed in this agreement regardless of whether such covenants, reservations, and restrictions are set forth in such agreement, deed, or other instrument. The obligations set forth in this agreement shall be joint and several obligations of each person or entity holding any ownership interest in the property.

TOWN and OWNER hereby declare their understanding and intent that the burden of the covenants, reservations, and restrictions set forth herein touch and concern the land in that OWNER's legal interest in the Property is rendered less valuable thereby. TOWN and OWNER hereby further declare their understanding and intent that the benefit of such covenants, reservations, and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Property for the benefit of the public and OWNER.

9. General Provisions.

a. None of the terms, provisions, or conditions of this agreement shall be deemed to create a partnership between the parties hereto nor any of their heirs, successors, or assigns, nor shall such terms, provisions, or conditions cause them to be considered joint ventures or members of any joint enterprise.

b. OWNER agrees to and shall hold TOWN and its elected officials, officers, agents, and employees harmless from liability for damage or claims for damage for personal injuries, including death, and claims for property damage which may arise from the direct or indirect use or operations of OWNER or those of his contractor, subcontractor, agent, employee, or other person acting on his behalf which relate to the use, operation, and maintenance of the Property. OWNER hereby agrees to and shall defend the TOWN and its elected officials, officers, agents, and employees with respect to any and all actions for damages caused by, or alleged to have been caused by, reason of OWNER's activities in connection with the Property. This hold harmless provision applies to all damages and claims for damages suffered, or alleged to have been suffered, by reason of the operations referred to in this agreement whether or not the TOWN prepared, supplied, or approved the plans, specifications, or other documents for the Property.

c. All of the agreements, rights, covenants, reservations, and restrictions contained in this agreement shall be binding upon and inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns, and all persons acquiring any part or portion of the Property, whether by operation of law or in any manner whatsoever.

d. In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservation, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorney's fees to be fixed by the court, in addition to court costs and other relief ordered by the court.

e. In the event that any of the provisions of this agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.



f. This agreement shall be construed and governed in accordance with the laws of the State of California.

10. Amendments. This agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

11. Notice. Any notice required to be given by the terms and provisions of this agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

TO TOWN: Denyelle Nishimori, Community Development Director  
Town of Truckee Community Development Dept.  
10183 Truckee Airport Rd  
Truckee, CA 96161

TO OWNER: Donner Pass Road LLC  
11775 Alder Drive  
Truckee, CA 96161

12. Notice to Office of Historic Preservation. TOWN shall provide written notice of this agreement to the California Department of Parks and Recreation – Office of Historic Preservation within six (6) months of the effective date of this agreement.

13. Recordation. No later than twenty (20) days after the parties execute and enter into this agreement, TOWN shall cause this agreement to be recorded in the Nevada County Office of the Recorder.

14. Signatures. This agreement shall not take effect unless and until the agreement is signed by the OWNER and the Town Manager of the TOWN, which signatures shall be notarized by a notary public. Furthermore, if an agent or representative of OWNER signs this agreement on behalf of OWNER, the agent or representative must furnish proof, to the satisfaction of the TOWN, that the agent or representative has authority to act on OWNER’s behalf.

IN WITNESS WHEREOF, TOWN and OWNER have executed this agreement on the day and year first written above.

This agreement is hereby approved as to form and legality this \_\_\_\_ day of \_\_\_\_\_, 2023.

Approved as to Form:

By \_\_\_\_\_  
Andrew Morris, Town Attorney

TOWN OF TRUCKEE

DATED: \_\_\_\_\_

By \_\_\_\_\_  
Jennifer Callaway, Town Manager

OWNER

DATED: \_\_\_\_\_

By \_\_\_\_\_  
Daniel Fraiman as Trustee of the Daniel  
Fraiman Family Trust, Sole Member  
Donner Pass Road LLC

State of California - The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Item 6.2

Primary # \_\_\_\_\_  
 HRI # \_\_\_\_\_  
 Trinomial \_\_\_\_\_  
 NRHP Status Code 3D

Other Listings \_\_\_\_\_  
 Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date    /    /   

Page 1 of 3 \*Resource Name or #: THRI - 38 (1998: KEC-134-U-12)

P1. Other Identifier: Goielli Jewelry & Gifts Bead Store

\*P2. Location:  Not for Publication  Unrestricted

\*a. County Nevada

\*b. USGS 7.5' Quad Truckee, CA Date 1992 T 17N; R 16E; NE 1/4 of NW 1/4 of Sec 15; Mt. Diablo B.M.

c. Address 10270 Donner Pass Road City Truckee Zip 96161

d. UTM: (Give more than one for large and/or linear feature) Zone 10; mE/ mN

e. Other Locational Data: (e.g., parcel #, legal description, directions to resource, elevation, additional UTM's, etc. as appropriate)  
 Parcel No. 19-080-27 (1998: Parcel No. 19-081-28)

\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

This building appears to have two gabled masses joined end to end with the rear mass having a roofline that is slightly elevated above the fore (south) mass. It is a two story, vernacular, gable-front with a small, narrow cross-wing and minimal stick detailing. The foundation is modern concrete. The wood-frame building has a plain, coursed wood shingle covering with plain end corner boards. The steep, gable-front roof has composition shingles and three, interior metal vent pipes. The roof has wide, overhanging eaves with enclosed rafters. There are decorative trusses in the gables and fishscale-patterned wood shingles in the south (front) gable peak. The primary (south) elevation has a full-width, hipped roof porch, that wraps around the full length of the east elevation. The porch is fully enclosed with multiple 15-light, fixed, replacement windows and a shingled balustrade. There is a small, gabled projection over the slightly off centered entry steps with a decorative truss and turned spindlework. Stairs to this entry have a turned spindlework balustrade and box posts capped with a ball. The entry door is full-light with plain, wood surround and casing. A twelve-light, metal slider window is centered on the second level of the south elevation. The west elevation has asymmetrically positioned windows, including one oriel window to the south (front). The east elevation has two centered, clapboard sided, shed-roof wall dormers with modern, replacement metal sliders flanked by full height side-lights. The east elevation also has the continuation of the enclosed, south (front) porch. The porch is full-length of the east elevation, with two doors offset to the north (rear). The doors are under small, gabled peaks atop a hipped roof porch extension. On all these elevations, windows are a mix of historic (but not original) and modern replacements, including one-over-one, four-over-four, and nine-over-nine, double-hung, metal sash, a three-part with large, fixed rectangular, modern 15-part divided-light, and two small arched windows inside the porch and offset west of the primary entry. There are two shed roof dormers on the east slope. The yard is enclosed with a low picket fence.

\*P3b. Resource Attributes: (List attributes and codes): (HP6) - Commercial (office, specialty retail)

\*P4. Resources Present:  Building  Structure  Object  Site  District  Element of District  Other (Isolates, etc.)

\*P5. Description of Photo: (View, date, etc.) West and south (primary) elevations; north-northwest view; 12/09/98; Acc. #134-22-23.



\*P6. Date Constructed/ Age and Sources:  
 Prehistoric  Historic  Both  
Building, c.1880. Date estimated by evaluator, Truckee Sanborn Map (1885).

\*P7. Owner and Address:  
Valeria Kelly  
P.O. Box 148  
Truckee, CA 96160

\*P8. Recorded by: (Name, affiliation, address):  
M. Hufstetler & T.H. Christensen  
Kautz Environmental Consultants, Inc.  
5200 Neil Road, Suite 200  
Reno, NV 89502

\*P9. Date Recorded: 12/07/98; 11/05/2003  
 \*P10. Survey Type: Architectural inventory for CLG and historic district consideration.

\*P11. Report Citation: Christensen et al. 2004. Town of Truckee: Historic Resources and Architectural Inventory. Kautz Environmental Consultants, Inc., Reno, Nevada.

\*Attachments:  NONE  Location Map  Sketch Map  Continuation Sheet  Building, Structure, and Object Record  
 Archaeological Record  District Record  Linear Feature Record  Milling Station Record  Rock Art Record  
 Artifact Record  Photograph Record  Other (List)

# BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 3

\*NRHP Status Code 3D

\*Resource Name or # (Assigned by Recorder) THRI - 38

**B1. Historic Name:**

**B2. Common Name:** Goielli Jewelry & Gifts Bead Store

**B3. Original Use:** DOMESTIC/Residence

**B4. Present Use:** COMMERCE/Specialty store and offices

\***B5. Architectural Style:** LATE 19TH CENTURY/Folk (Vernacular) House/Gable-front

\***B6. Construction History** (Construction date, alterations, and date of alterations) The design, historic features, materials, and overall appearance suggest that the building was constructed by c. 1880. The building appears on the Truckee Sanborn Maps of 1885, 1890, 1898, and 1907, indicating a construction date of pre-1885. The 1885 building had a square mass, rear addition that was wider than the primary, front portion. This addition was replaced by 1898 with a rear mass of the same width as the main mass. Additional changes occurred to the rear of the building by 1907. None of these rear additions are present today. The full length porch along the east elevation has been in existence since at least 1885. An undated photograph (c.1902-1906; TDHS) shows the building in its original, Italianate appearance. [see continuation sheet]

\***B7. Moved?**  No  Yes  Unknown

**Date:**

**Original Location:**

\***B8. Related Features:** None

**B9a. Architect:** Unknown

**b. Builder:** Unknown

\***B10. Significance: Theme** Architecture (Residential), Community Development

**Area** Truckee / Brickelltown Area

**Period of Significance** Boomtown Years (1863-1889) **Property Type** Domestic/Single dwelling/Residence **Applicable NRHP Criteria** District Contributor  
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

This building appears to have been constructed in the peak of the Boomtown Years, a period of economic growth and prosperity. The lumber industry was in full operation, and the railroad continued to be a driving force in the local economy. Housing construction was on the rise, including the emergence of some of the town's finer homes. Though some parts of Truckee were considered 'lawless,' other parts, like this area, were beginning to take the appearance of a respectable, prosperous community. The Brickelltown neighborhood was witness to some of the earliest residential development in town. It was subdivided by the Truckee Lumber Company in the 1870s following a disastrous fire that moved Coburn's Station from this block slightly east to become Truckee. Residences in the neighborhood reflected the mixed economic status of worker's modest housing, and owner's and manager's finer homes.

Though of a modest scale, this was once a fine example of Folk Victorian architecture. The building remains in excellent condition, and its original Victorian, minimal stick detailing has been nicely restored. It retains fair integrity of design, materials, location, workmanship, and feeling. Based on a historic photograph, the building has undergone significant modifications to its original form and character. The porch has been enclosed, and the roof altered, the west elevation fenestration is altered, and the rear of the building has been completely removed. The upper story window on the primary elevation was originally an arched, Italianate design. The replacement window is in-kind with the historic fabric, but this single element loss is a large distraction from the building. Lord (1981a) uses the arched, upper window as a significant identifier of the Brickelltown neighborhood and architectural influences by the Truckee Lumber Company. Combined with the other alterations, the integrity as a whole is only fair, and it no longer embodies the original characteristics of type and method of construction, and is not recommended as individually eligible for the NRHP. It does retain some of the essential physical features of its historic period of significance, and partially reflects the period of early Victorian development in the Brickelltown area. As such, it is recommended to be a marginal contributor to the proposed Truckee National Register District.

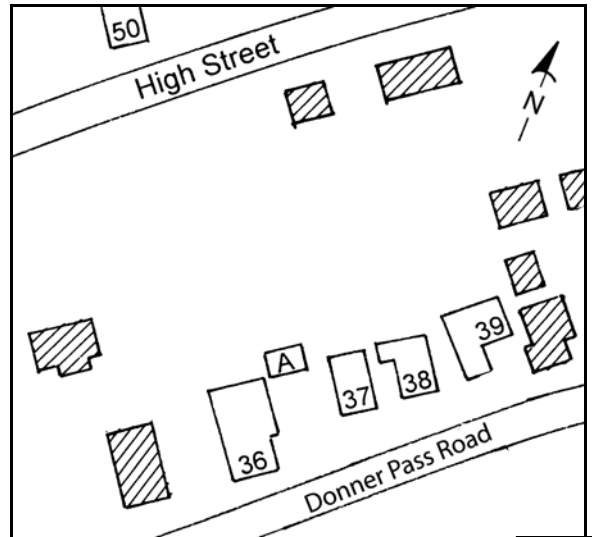
**B11. Additional Resource Attributes:** (Listed attributes and codes) (HP2)--Residence

\***B12. References:** Lord, Paul A., Jr. 1981a. *DPR, Historic Resources Inventory, Town of Truckee, California.*  
Sanborn Map Company. v.d. *Truckee, Nevada County, Cal.* On file at the Truckee Donner Historical Society, Truckee, California.  
Truckee Donner Historical Society. Photograph Collection. Truckee, California.

**B13. Remarks:** Truckee Supplemental Data - Local Historic Rating for this resource is *Contributing (Category B).*

\***B14. Evaluator:** Mark Hufstetler and Teri H. Christensen (c/o Kautz Environmental Consultants, Inc.)

**Date of Evaluation:** 11/18/98; Revisited 11/5/2003 (T.H Christensen)



(This space reserved for official comments.)

State of California -- The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_

Page 3 of 3

\*Recorded by M. Hufstetler & T.H. Christensen

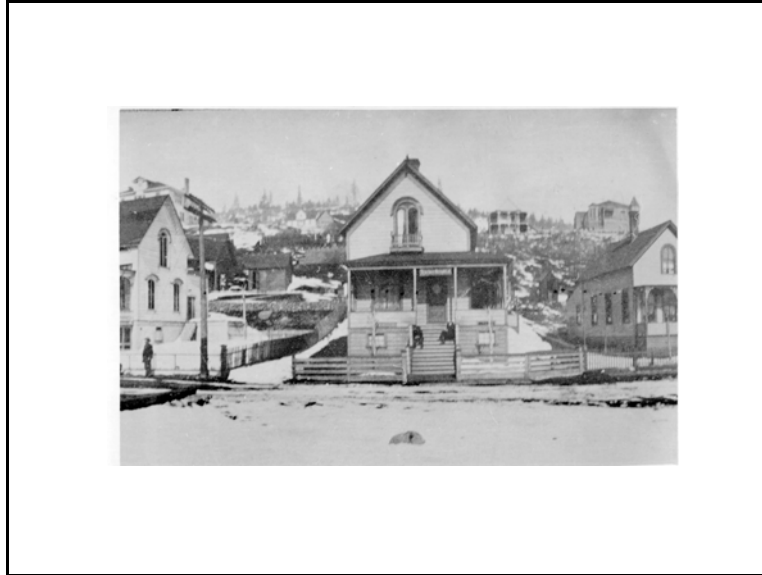
\*Date 12/07/98; 11/2003

Continuation

Update

\*Resource Name or #: THRI - 38

**\*B6. Construction History: (continued)** There is a brick chimney on the west gable near the ridgeline (in the area of the modern metal vent pipe), and a single sash, four-part,divided-light, arched, Italianate window in the gable end. Lord (1981a) considers this arched window proof of construction by the Truckee Lumber Company. The flat roof, front porch is open, with what appears to be a simple, square pillar balustrade, although support posts have lace-like or jigsaw cut brackets. There are three tall, rectangular windows along the west elevation, and a shed-roof addition extends back of the rear elevation, also with a single tall window.



South elevation - subject building is at right, c. 1902-1906. (Courtesy of TDHS)

## Town of Truckee Architectural Inventory Supplemental Data Form

**Please Note:** This form is intended to supplement data that was previously noted on the Primary Record (DPR 523A) and Building, Structure and Object Record (DPR 523B) as provided in the *Town of Truckee: Historic Resources and Architectural Inventory* (Christensen *et al.* 2004), and should be used only with reference to that document.

Resource Name or #: THRI - 38 (KEC-134-U-12) Other Identifier: \_\_\_\_\_  
 Address: 10270 Donner Pass Road Local Historic Rating: Contributing (Category B)  
 Parcel No.: 19-080-27 Recorded By: M. F. Kimball Date: 1/2002; 11/2003

### 1. Key Existing Historic Features/Resource Attribute(s):

- Folk House (Late 19th Century)
- Front-gable with narrow crosswing (historic addition); wide overhanging eaves with enclosed rafters
- Dropped hipped roof, full-width, wrap-around porch (south and east elevations)
- 
- 

**2. Potential Restoration Opportunities:** If the intent is to restore this building to its original 1900s appearance, then consider the following:

- Restore porch to original open form with simple square pillar balustrade and support posts with lace-like or jigsaw cut brackets (see historic c. 1902-1906 photograph - *Primary Record*)
- Restore original fenestration pattern (windows and doors), surrounds, and forms, particularly arched, Italianate window in south gable peak
- Restore interior chimney
- Remove decorative trusses (unless present in an earlier photograph than one noted above)

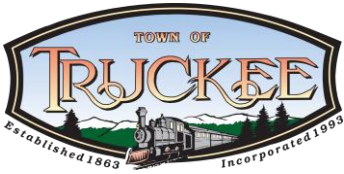
### 3. Notes Regarding Context:

This section of Donner Pass Road is comprised of buildings that have exhibited nominal to moderate alterations through time. This building has undergone several major changes, both historic and modern, including the loss of a signature window (see *Building, Structure, and Object Record*, entry B10. *Significance*). However, it retains enough essential features to reflect the historic character of the period in which it was constructed.

### 4. Additional Local Historical Information, Revised Building Data and/or Comments:

Construction date, c. 1880 (estimated/historic maps/historic photographs). No additional data has been provided to date.

Comment: Historic photographs of this building would assist in assessing possible restoration opportunities.



Date: Tuesday, September 26, 2023

Honorable Mayor and Council Members

Author and title: Nicole Casey, Administrative Services Director

Title: **Amendment to the Gann Appropriations Limit for FY2023-2024**

Jen Callaway, Town Manager

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**Recommended Action:** Council approve the attached Resolution 2023-58, authorizing an amendment to the Gann Appropriations Limit for the 2023-2024 fiscal year to \$31,009,658.

**Discussion:** Proposition 4, more commonly known as the Gann Initiative, was approved by the California electorate in November 1979. It created Article XIII B in the California Constitution and is intended to restrict growth of tax-funded programs and services by limiting the appropriation of the proceeds of taxes to the 1978/79 base year limit, as adjusted annually for changes in population (population factor) and inflation (price factor). Proceeds of taxes in excess of the appropriations limit, with some exceptions, must be returned to the taxpayers by refund or reduction in tax rates, unless an extension of the limit is approved by majority popular vote. Proceeds of taxes include tax revenues and investment earnings related to those tax revenues, proceeds from licenses and users/charges to the extent that they exceed the cost to cover those services, and discretionary tax funds used for contingency, emergency, unemployment, reserve, and retirement sinking funds, trust, or similar funds.

To ensure there is capacity within the Town's Gann Limit to collect appropriations sufficient to pay the necessary costs to provide the level and quality of service required by its citizens, staff took a deep dive into the Town's Gann limit to ensure it was being calculated correctly and that the appropriations subject to the limit (the amount that the Town is taking in as revenue) was being calculated appropriately. Based on this review, staff is recommending that the Council authorize an amendment to the Gann Appropriations Limit for the 2023-2024 fiscal year.

*Gann Appropriations Limit Calculation -*

The limit is based on the appropriations that were collected in the 1978-79 "base" year, as adjusted each year for population growth and cost-of-living factors. Because the Town did not incorporate until 1993, the Town's original base limit was created by adoption of the voters after the Town's first full year of operations. In fiscal year 2001-2002, the Town entered into a settlement agreement with Nevada County for an increase in the allocation of property taxes owed to the Town. The Nevada County Supreme Court adjusted the Town's appropriations limit to account for this reallocation of property tax.

Each year, the Town adjusts its Gann Limit by a population growth factor and cost-of-living factor. The Town has typically used the factors provided to the Town by the California Department of Finance. There are, however, some alternative options that the Town can utilize in calculating its limit. Proposition 111, which was approved by the California voters in June of 1990, amended the Gann Initiative in the California constitution to provide local agencies with the option of using either the city or county population change percentage (whichever is greater). There was one year in which the county population change percentage was greater than the limit for just the Town, in fiscal year 2011-2012. In that year, the Town's population increased by 0.310%, whereas the county-wide population increase

was 0.430%. Staff is recommending that Council utilize the countywide population increase in a recalculation of the Gann Limit for fiscal year 2011-2012.

For purposes of the cost of living factor, Proposition 111 added to Article XIII B: “Change in the cost of living for an entity of local government, other than a school district or a community college district, shall be either (A) the percentage change in California per capita personal income from the preceding years, OR (B) the percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local non-residential new construction, whichever is greater.”

The Town first used the alternative factor to recalculate the limit for fiscal year 2006-2007 which can be viewed in Attachment E, but has not reviewed this alternative factor since that year. Staff worked with HdL, a consultant the Town uses for sales tax auditing, to understand the changes in the assessed value from local non-new residential construction. HdL was able to provide records from fiscal year 2006-2007 through fiscal year 2022-2023. The attached reports (Attachment F) detail the percentage change for the years in which the Town is proposing to utilize the alternative calculation utilizing the assessed value change verse the per capita change in personal income.

Attachment B contains the details of the recalculation of Appropriations Limit Calculation from fiscal year 2009-2010 through 2023-2024. The price factor and population factor that was used for each year in the calculation, is highlighted in yellow.

Government Code subdivision 7910(a) states: “Fifteen days prior to the meeting, documentation used in the determination of the appropriations limit and other necessary determinations shall be available to the public. The determinations made pursuant to this section are legislative acts.” Staff prepared the documentation related to the calculation and made it available on the Town’s website on Monday, September 11, 2023, located here: <https://www.townoftruckee.com/government/administrative-services/budget/gann-appropriations-limit/-fsiteid-1#!/>

Staff are requesting that Council approve the attached resolution, Resolution 2023-58, authorizing a recalculation of the Gann Appropriations Limit for fiscal year 2009-2010 through fiscal year 2023-2024, for an adjusted limit of \$31,009,658 for fiscal year 2023-2024.

#### *Appropriations Subject to the Limit -*

Article XIII B also requires that the Town review the appropriations subject to the limit against the proposed Gann limit. This is essentially reviewing the budgeted revenues and comparing it against the limit. Not every revenue source is subject to the limit. Only amounts that are defined as “proceeds of taxes” must be considered and include property taxes, sales taxes, transient occupancy taxes, interest earned in those taxes, and user fees in excess of the amount needed to provide the services.

Proposition 111, mentioned above, added some exclusions that the Town can use in determining appropriations subject to the limit, including qualified capital outlay and qualified debt service. Proposition 111 defined qualified capital outlay as “an appropriation for a fixed asset (including land and construction) with a useful life of 10 years or more and a value which equals or exceed one hundred thousand dollars (\$100,000)”. This includes the annual debt service on such purchases (qualified debt service).

Staff have adjusted the calculation of appropriations subject to the limit (e.g., the revenue budget) to make considerations for these exemptions, as well as considering all Town funds instead of just the General Fund, as has been done in previous year’s reviews. Because the Town’s fiscal philosophy is to be conservative, staff recommend that the Town only use 90% of the budgeted qualified capital outlay as a reduction to the appropriations subject to the limit. Because the capital budget is the Town’s best guess of capital spending for the year, and the timing of capital projects often ends up being different than budgeted, using a conservative 90% will help ensure that there is sufficient capacity in the appropriations limit to cover all appropriations collected against the limit.



In fiscal year, 2007-2008 appropriations subject to the limit were adjusted to exclude state-mandated costs from the Town’s budgeted expenditures. The Town’s then Town Attorney, Dennis Crabb provided the Town with research in regard to the allowed exceptions to the Gann Limit. His research determined that the debt limitation applies only to debts the Town has voluntarily incurred, not obligations imposed by law. Specifically, based on a case known as City of La Habra v. Pellerin 216 Cal. App. 2d 99 (1963), the provision of police and fire protection is an obligation imposed by law and therefore these costs can be excluded from the calculations.

Similar to qualified capital outlay, staff recommend that the Town use only 90% of the budgeted police costs in excess of police services charges as a reduction to the appropriations subject to the limit in excess of police revenues for fiscal year 2023-2024. This reduction ensures that there is sufficient capacity in the appropriations limit for all expected appropriations. The Town does not always spend 100% of its police budget because the budget assumes full staffing for the full year and a conservative (high) level of overtime.

In accordance with the provisions of Article XIII B of the California Constitution, this recalculation of appropriations subject to the limit will open up a 60-day challenge period to the appropriations subject to the limit for any fiscal year that has been recalculated.

Attachment C includes the details of the appropriations subject to the limit for fiscal year 2023-2024. Staff have calculated the appropriations subject to the limit for fiscal year 2023-2024 as \$13,960,701, or 45% of the adjusted annual limit. Additional years’ calculations of appropriations subject to the limit can be found on the Town’s website at <https://www.townoftruckee.com/government/administrative-services/budget/gann-appropriations-limit/-fsiteid-1#!/> Due to the cyber event that occurred in the fall of 2021, the Town only had data back to fiscal year 2015-2016 with which to recalculate prior year’s appropriations subject to the limit. Prior to fiscal year 2015-2016, the Town was in a different financial system that was not recoverable.

**Priority:**

<input checked="" type="checkbox"/> Enhanced Communication	<input checked="" type="checkbox"/> Climate and Greenhouse Gas Reduction	<input checked="" type="checkbox"/> Housing
<input checked="" type="checkbox"/> Infrastructure Investment	<input checked="" type="checkbox"/> Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/> Core Service

**Fiscal Impact:** The Town’s Fiscal Policies state that the Town will maintain its long-term ability to pay the necessary costs to provide the level and quality of service required by its citizens. The recalculation of the Gann Limit ensures that the Town will be able to collect appropriations sufficient to meet its long-term service obligations to its citizens.

**Public Communication:** The data related to the recalculation was posted to the Town website on Monday, September 11, 2023. The re-calculation can be accessed by visiting this <https://www.townoftruckee.com/government/administrative-services/budget/gann-appropriations-limit/-fsiteid-1#!/>

**Attachments:**

Attachment A: Resolution No. 2023-58

Attachment B: Recalculation of the Gann Appropriations Limit from Fiscal Year 2009-2010 through Fiscal Year 2023-2024

Attachment C: Calculation of Appropriations Subject to the Limit for fiscal year 2023-2024

Attachment D: Staff Report from June 27, 2023 where Council adopted an initial limit for fiscal year 2023/24

<https://portal.laserfiche.com/Portal/DocView.aspx?id=59656684&repo=r-6a91ddbc>

Attachment E: Staff Report from June 5, 2007 where Council first employed the option to use the Assessed Value Change in Non-residential New Property

<https://portal.laserfiche.com/Portal/DocView.aspx?id=38047&repo=r-6a91ddbc>

Attachment F: Reports from HdL on the Change in Assessed Value from Local Non-Residential New Construction

**Additional Resources:**

Resource 1 - California Municipal Revenues Sources Handbook -

<http://californiacityfinance.com/MRSHBch10GannLimit.pdf>

Resource 2 – Gann Limit Presentation by Riverside County

Resource 3 – Article XIII B Government Spending Limitation -

[https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=CONS&division=&title=&part=&chapter=&article=XIII%20B](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=CONS&division=&title=&part=&chapter=&article=XIII%20B)

**TOWN OF TRUCKEE  
California**

**RESOLUTION 2023-58**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TRUCKEE ESTABLISHING  
AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-2024 PURSUANT TO ARTICLE  
XIIIB OF THE CALIFORNIA CONSTITUTION**

**WHEREAS;** Article XIIIB of the California Constitution provides that the total annual appropriations subject to limitation of each government entity, including this Town, shall not exceed the appropriations limit of each entity of government for the prior year adjusted for changes in population and inflation mandated by Proposition 4 passed in November 1979, and Proposition 111 in June 1990, except as otherwise provided for in said Article XIIIB and implementing State statutes; and

**WHEREAS;** pursuant to said Article XIIIB of said California Constitution, and Section 7900 et seq. of the California Government Code, the Town is required to set its appropriations limit for each fiscal year; and

**WHEREAS;** the Town Manager has interpreted the technical provisions of said Propositional computations and has caused a technical review to be made of the documentation for the Town's said appropriations limitation, and has caused the numbers upon which the Town's appropriation limit was and is based to be calculated, and in the process has relied on the temporary base limit approved by the voters upon incorporation on November 3, 1992, to prior fiscal year of 2001-2002; and

**WHEREAS;** the calculation of the Revised Appropriations Limit from the Base Fiscal Year of 1993-1994 through each of the intervening fiscal years to Fiscal Year 2001-2002 was made based upon the Town's claim for increased property taxes filed against the County of Nevada in Superior Court and based upon the Settlement Agreement and Mutual General Release signed in May of 2001; and

**WHEREAS;** nothing in Article XIIIB prohibits the recalculation of the annual Appropriations Limit so long as any recalculations are carried through from the originally modified year through the subsequent annual Appropriations Limit through to the current year; and

**WHEREAS;** based on such calculations the Town Manager has determined the appropriations limit and, pursuant to Section 7910 of the California Government Code, has made available to the public the documentation used in the determination of said appropriation limit.

\*\*\*\*\*

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TRUCKEE**

1. That the appropriations limit for fiscal year 2009-2010 shall be and is set in the amount of \$15,364,165; and
2. That each subsequent years' appropriations limit be adjusted as provided in Attachment B – Recalculation of the Gann Appropriations Limit; and
3. That the appropriations limit for fiscal year 2023-2024 shall be and is set in the amount of \$31,009,658.

The foregoing resolution was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_, at a regular meeting of the Truckee Town Council, held on the \_\_\_ day of \_\_\_\_\_, 2023 and adopted by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**Lindsay Romack, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kelly Carpenter, Town Clerk**

**TOWN OF TRUCKEE**  
**APPROPRIATIONS LIMIT DOCUMENTATION**  
**FISCAL YEAR 2023/24**

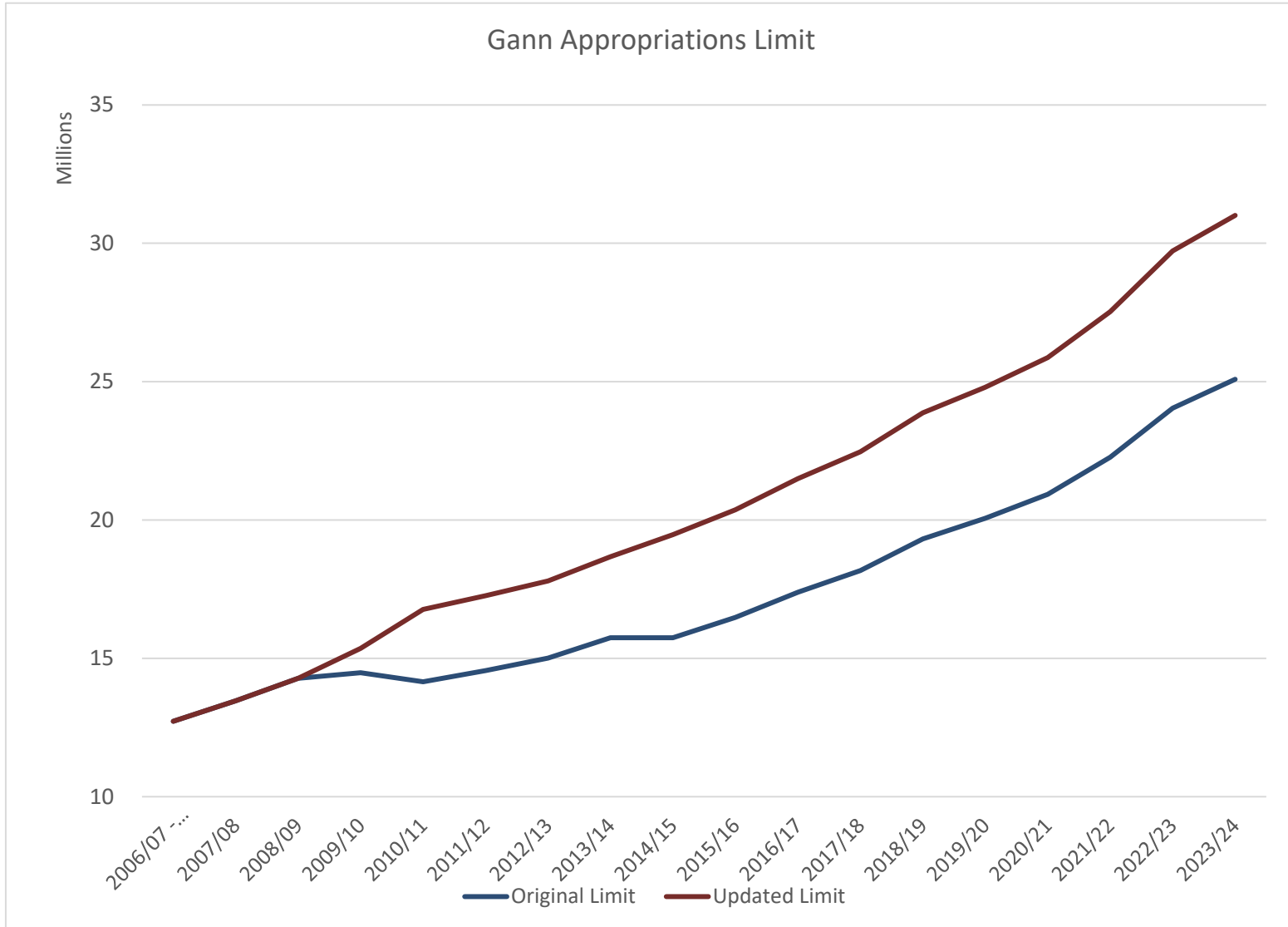
Selected Factor for Recalculation

Fiscal Year	California PCPI Change <sup>2</sup>	NonRes	Increase Factor	Truckee Population Change <sup>3</sup>	County Population Change <sup>3</sup>	Population Factor	Original Limit	Updated Limit	Resolution
1994/95 - Base year of calculation							5,155,997		94-53
1995/96							5,772,654		95-26
1996/97							6,123,631		96-29
1997/98							6,563,308		97-20
1998/99							7,018,145		98-24
1999/00							7,451,165		99-34
2000/01							8,043,533		2000-39
2001/02							8,911,032		2001-31
2002/03							9,282,301		
2002/03 - New base				Due to settlement of suit with Nevada County			10,192,257		2002-44
2003/04							10,517,376		2003-25
2004/05							11,070,903		2004-23
2005/06							11,937,571		2005-27
2006/07							12,543,089		2006-38
2006/07 - Adjusted				Used the alternative calculation			12,725,731	12,725,731	2007-30
2007/08	4.420%	3.500%	<b>4.420%</b>	1.350%	0.360%	<b>1.350%</b>	13,467,598	13,467,598	2007-30
2008/09	4.290%	2.900%	<b>4.290%</b>	1.660%	0.170%	<b>1.660%</b>	14,278,512	14,278,512	2008-36
2009/10	0.620%	6.760%	<b>6.760%</b>	0.790%	-0.160%	<b>0.790%</b>	14,480,538	15,364,165	2009-27
2010/11	-2.540%	8.780%	<b>8.780%</b>	0.310%	0.040%	<b>0.310%</b>	14,156,482	16,764,949	2010-19
2011/12	2.510%	-1.890%	<b>2.510%</b>	0.310%	0.430%	<b>0.430%</b>	14,556,796	17,259,648	2011-26
2012/13	3.770%	-0.860%	<b>3.770%</b>	-0.640%	-0.760%	<b>-0.640%</b>	15,008,911	17,795,711	2012-25
2013/14	5.120%	4.170%	<b>5.120%</b>	-0.190%	-0.350%	<b>-0.190%</b>	15,747,391	18,671,308	2013-20
2014/15	-0.230%	4.020%	<b>4.020%</b>	0.240%	0.050%	<b>0.240%</b>	15,748,879	19,468,507	2014-32
2015/16	3.820%	0.310%	<b>3.820%</b>	0.770%	0.390%	<b>0.770%</b>	16,476,384	20,367,838	2016-40
2016/17	5.370%	0.410%	<b>5.370%</b>	0.160%	0.070%	<b>0.160%</b>	17,388,944	21,495,930	2016-40
2017/18	3.690%	1.310%	<b>3.690%</b>	0.790%	0.220%	<b>0.790%</b>	18,173,038	22,465,214	2017-28
2018/19	3.670%	0.720%	<b>3.670%</b>	2.520%	0.550%	<b>2.520%</b>	19,314,756	23,876,587	2019-40
2019/20	3.850%	1.130%	<b>3.850%</b>	0.010%	-0.120%	<b>0.010%</b>	20,060,380	24,798,315	2019-40
2020/21	3.730%	0.460%	<b>3.730%</b>	0.570%	0.300%	<b>0.570%</b>	20,927,241	25,869,915	2020-41
2021/22	5.730%	4.370%	<b>5.730%</b>	0.650%	-0.280%	<b>0.650%</b>	22,270,194	27,530,051	2021-40
2022/23	7.550%	2.310%	<b>7.550%</b>	0.380%	-0.670%	<b>0.380%</b>	24,042,609	29,721,083	2022-34
2023/24	4.44%	0.340%	<b>4.440%</b>	-0.10%	-0.26%	<b>-0.100%</b>	25,084,991	31,009,658	2023-47

**TOWN OF TRUCKEE**  
APPROPRIATIONS LIMIT DOCUMENTATION  
FISCAL YEAR 2023/24 - RECALCULATION

**Amended Gann Limit Calculation**

Adjusted 2022/23 Limit:	29,721,083
Adjustment Factors:	
(1) Population	-0.100%
(2) Inflation (CPCPI)	4.440%
Total Adjustment % Factor:	4.336%
Annual Adjustment:	1,288,575
<b>Amended 2023/24 Limit</b>	<b>31,009,658</b>



Calculation of Appropriations Subject to the Limit  
Fiscal Year 2023-2024

Item 6.3

Fund	FY Total	Proceeds of Taxes	Non-Proceeds of Taxes	Check
Property taxes	\$ 14,783,014	\$ 14,783,014		\$ -
Other taxes:				
Sales & Use Taxes	11,705,500	11,705,500		-
Transient Occupancy tax	6,000,000	6,000,000		-
Franchises	1,300,000	-	1,300,000	-
Other Taxes	3,250,000	3,250,000		-
Fees for Services	10,911,095	82,364	10,828,731	-
Revenue from other agencies:				
Intergovernmental funding	500	500		-
State subventions	2,108,000	2,108,000		-
State/County grants	38,879		38,879	-
Federal grants	-		-	-
Mandated Cost Reimbursement	2,000	2,000		-
Use of money and property:				
Interest	388,369	214,998	173,371	-
Rent	350,520		350,520	-
Fines and Forfeitures	145,300		145,300	-
Parking Fees	782,000		782,000	-
Other revenues	18,500	18,500		-
<b>Subtotal</b>	<b>\$ 51,783,677</b>	<b>\$ 38,164,875</b>	<b>\$ 13,618,802</b>	<b>\$ -</b>
Less: Exclusions				
Police Services (less portion covered by fees)	8,331,471	(8,331,471)		
Qualified Debt Services	951,397	(951,397)		
Qualified Capital	14,921,307	(14,921,307)		
<b>Total Appropriations Subject to Limit</b>		<b>\$ 13,960,701</b>		
Check Revenues	53,022,649			
Less: Excluded	1,238,972			
Adjusted Total	51,783,677			
Difference	-			



**From CIP Budget for FY2023-2024**

Qualified Capital Outlay #####  
90% #####

REVENUE SOURCE	CIP #	DESCRIPTION	Sum of FY 23/24	Include
Developer Funding	C1712	I-80/Donner Pass Road/Coldstream Road Roundabout	(574,605)	Y
Developer Funding	C2405	West River Street Park Frontage Improvements	50,650	Y
Drainage	C1804	Church Street Extension/Trout Creek Restoration Reach 4 ar	30,000	Y
General Fund	C1703	West River Street Streetscape Improvement Project	2,596,000	Y
General Fund	C1817	West River Street Site Redevelopment	402,748	Y
General Fund	C1820	Truckee Railyard Mobility Hub - Phase 1	816,474	Y
General Fund	C2021	2022 Public Service Center Renewable Diesel Fueling Station	388,079	Y
General Fund	C2312	Fencing and Security Gates at Town Hall	176,370	Y
General Fund	C2404	Public Services Center - Transit Facility Expansion	50,000	Y
General Fund	C2406	Truckee Railyard Mobility Hub - Phase 2	36,038	Y
Intergovernmental Contributions	C0702	Truckee River Legacy Trail Phase 4A	415,000	Y
Intergovernmental Contributions	C2021	2022 Public Service Center Renewable Diesel Fueling Station	276,892	Y
Intergovernmental Contributions	C2305	Truckee River Legacy Trail Phase 4B	250,000	Y
Measure R/U Sales Tax Fund	C0702	Truckee River Legacy Trail Phase 4A	3,800,000	Y
Measure R/U Sales Tax Fund	C2305	Truckee River Legacy Trail Phase 4B	250,000	Y
Measure R/U Sales Tax Fund	C2318	Joerger Drive - Riverview Sports Park Trail Connection	850,000	Y
Private Contributions	C0702	Truckee River Legacy Trail Phase 4A	2,460,000	Y
Property Sale	C2405	West River Street Park Frontage Improvements	50,000	Y
State Transit Assistance (STA)	C1820	Truckee Railyard Mobility Hub - Phase 1	250,000	Y
State Transit Assistance (STA)	C2404	Public Services Center - Transit Facility Expansion	50,000	Y
Traffic Impact Fees Fund	C1503	Pioneer Trail and Bridge Street Extension	550,000	Y
Traffic Impact Fees Fund	C1712	I-80/Donner Pass Road/Coldstream Road Roundabout	574,605	Y
Traffic Impact Fees Fund	C1804	Church Street Extension/Trout Creek Restoration Reach 4 ar	580,979	Y
Traffic Impact Fees Fund	C1805	Reimagine Bridge Street	1,650,000	Y
Traffic Impact Fees Fund	C2315	SR 267/Brockway Road/Soaring Way Roundabout	600,000	Y

Calculation of Appropriations Subject to the Limit  
Fiscal Year 2023-2024

Item 6.3

## Regulatory Fees, User Fees & Charges

	a	i	ii	b=i+ii	c=b-a	d	
<u>Program Area</u>	<u>Fee Revenue</u>	<u>Direct Costs</u>	<u>Allocated Overhead</u>	<u>Total Costs</u>	<u>Costs minus Revenues</u>	<u>Revs &gt; Costs? C=negative</u>	
1 Short-term Rental	432,975	540,637	115,141	655,778	222,803	-	
2 Police - Law Enforcement	179,233	7,409,698	2,026,724	9,436,423	9,257,190	-	
3 Planning and Development	780,000	1,513,895	537,881	2,051,776	1,271,776	-	
4 Animal Services	53,500	572,946	171,623	744,569	691,069	-	
5 Building and Safety	1,443,500	2,439,900		2,439,900	996,400	-	OH Included in costs
6 Solid Waste	5,446,037	5,594,117		5,594,117	148,080	-	OH Included in costs
7 Engineering	238,180	2,123,212	626,004	2,749,216	2,511,036	-	
8 Transit	2,232,670	2,150,306		2,150,306	(82,364)	82,364	OH Included in costs
9 Snow Removal	105,000	3,931,673	648,428	4,580,101	4,475,101	-	
10 Trails	-	227,369	121,878	349,247	349,247	-	
11				-	-	-	
12				-	-	-	
13				-	-	-	
14				-	-	-	
<b>Total</b>	10,911,095	26,503,754	4,247,679				

Proceeds of Taxes => 82,364  
= sum of column d

Non-Proceeds of taxes => 10,828,731

Check -  
(10,911,095)

Check -

Interest Allocation		
	Amount	Source
a) Non-interest Tax Proceeds	37,949,878	
b) Minus Exclusions	9,282,868	
c) Net invested proceeds from taxes	28,667,010	a-b
d) Total revenue plus reserve withdrawals	51,783,677	
e) Proceeds of taxes as a percentage of revenues	0.553591622	c / d
f) Interest earnings - Total	388,369	
g) Amount of interest earned from "proceeds of taxes"	214,998	e * f

Calculation of Appropriations Subject to the Limit  
Fiscal Year 2023-2024

Org Code	Description	Exclude?	If excluded, why?
100	Pooled Cash	Yes	Cash holding only, revenue accounted for in other funds
101	General Fund		
200	Capital Projects Fund		
201	Asset Forfeiture Federal Justice	Yes	Fines & Penalties shouldn't be included and these funds were seized as part of a legal proceeding
202	Abandoned Vehicle Abatement Fund		
203	Affordable Housing In-Lieu Fund		
204	Air Quality Mitigation Fund		
205	Downtown In-Lieu Parking Fund		
206	Town Housing Fund		
207	Town Bond Reserve Fund	Yes	This only accounts for the interest earned on bond funds, the funding for which was accounted for under a previous year's appropriations limit
208	PEG Fund		
209	Infrastructure In-Lieu Fund		
210	Tahoe Donner TSSA Fund	Yes	Excluded by statute. Assessments on real property or persons for special benefit conferred.
211	Glenshire TSSA Fund	Yes	Excluded by statute. Assessments on real property or persons for special benefit conferred.
212	Brickelltown Maintenance Fund	Yes	Excluded by statute. Assessments on real property or persons for special benefit conferred.
213	Joerger Ranch Maintenance Fund	Yes	Excluded by statute. Assessments on real property or persons for special benefit conferred.
214	Railyard CFD	Yes	Excluded by statute. Assessments on real property or persons for special benefit conferred.
215	COPS Fund		
216	Asset Forfeiture State Enforcemt	Yes	Fines & Penalties shouldn't be included and these were seized as part of a legal proceeding
217	Asset Forfeiture State Gang/Juv	Yes	Fines & Penalties shouldn't be included and these were seized as part of a legal proceeding
218	Donner Pass Road CFD	Yes	Excluded by statute. Assessments on real property or persons for special benefit conferred.
219	Coldstream CFD	Yes	Excluded by statute. Assessments on real property or persons for special benefit conferred.
250	Gas Tax Fund	Yes	Gas Taxes were exempted from the Gann Limit by Proposition 111
252	Measure V Road Maint. Fund		
253	Measure R Trails Fund		
254	Measure K TOT Fund		
270	Traffic Impact Fees Fund		
271	Facility Impact Fees - Law		
272	Facility Impact Fees - Animal		
273	Facility Impact Fees - Storm Drn		
274	Facility Impact Fees - Gen Gov		
275	American Rescue Plan Act (ARPA)	Yes	
298	Debt Service Fund	Yes	This fund is used to track debt service payments, the funding for which originates in the General Fund which is counted in the appropriations limit.
299	Fleet Replacement Fund	Yes	This is just a savings fund, The funds for which are counted as expenses in the General Fund where they originate. Excluding to prevent double counting
301	BEGIN Re-use Program Income	Yes	Nondiscretionary Grant Funding
302	BEGIN Housing Reimb Grant Fund	Yes	Nondiscretionary Grant Funding
308	HOME Misc Income	Yes	Nondiscretionary Grant Funding
309	HOME Re-Use Fund	Yes	Nondiscretionary Grant Funding

Calculation of Appropriations Subject to the Limit  
Fiscal Year 2023-2024

Org Code	Description	Exclude?	If excluded, why?
310	CalHome Re-use Program Income	Yes	Nondiscretionary Grant Funding
311	06-HOME-2452 Fund	Yes	Nondiscretionary Grant Funding
312	06-CalHome-183 Fund	Yes	Nondiscretionary Grant Funding
313	04-HOME-0761 Fund	Yes	Nondiscretionary Grant Funding
314	00-CalHome-023	Yes	Nondiscretionary Grant Funding
315	Home-0402 Sierra Village Apts	Yes	Nondiscretionary Grant Funding
320	CDBG - Misc Income Fund	Yes	Nondiscretionary Grant Funding
321	CDBG - Program Income Fund	Yes	Nondiscretionary Grant Funding
322	CDBG 01-STBG-1614 Fund	Yes	Nondiscretionary Grant Funding
323	CDBG 10-STBG-6741 Fund	Yes	Nondiscretionary Grant Funding
324	15-CDBG-10566 Fund	Yes	Nondiscretionary Grant Funding
325	CDBG-CV Funds 00095 ME	Yes	Nondiscretionary Grant Funding
326	CDBG-CV Funds 00096 BA	Yes	Nondiscretionary Grant Funding
330	Boulders Moderate Housing Fund	Yes	Nondiscretionary Grant Funding
331	HCD Railyard Grant	Yes	Nondiscretionary Grant Funding
501	Parking Fund		
502	Transit Fund		
503	Solid Waste Fund		
504	Building and Safety Fund		
599	Successor Agency Fund	Yes	Redevelopment agency or successor agency property tax increment funds (such agencies do not have the power to levy a property tax).
900	General Capital Assets	Yes	Financial Reporting fund only
902	GASB 34	Yes	Financial Reporting fund only
None	None		

**THE TOWN OF TRUCKEE**  
**NONRESIDENTIAL NEW CONSTRUCTION**

2007/08 TO 2008/09 TAX YEARS - IN PARCEL NUMBER ORDER

Parcel	Use Category	Owner	Prior Year Improvements	Current Year Improvements	Percent Change
017-150-048-000	Commercial	Serrano Tino R And Mary L	602,614	620,386	+ 2.9%
018-362-006-000	Commercial	Mendoza Will And Jacqueline Trstes	208,066	390,000	+ 87.4%
018-570-017-000	Commercial	Lucking Aprile L Trste Etal	1,002,106	1,037,146	+ 3.5%
018-570-033-000	Commercial	Gateway At Donner Pass Lp	777,016	2,647,920	+ 240.8%
018-570-035-000	Commercial	Safeway Inc	4,508,400	6,098,567	+ 35.3%
018-570-040-000	Commercial	Gateway At Donner Pass Lp	590,383	1,659,540	+ 181.1%
018-610-024-000	Commercial	Barth Frank Etal	405,252	900,000	+ 122.1%
018-760-006-000	Commercial	Williams Joel P And Diana M Trstes	172,274	185,719	+ 7.8%
018-760-008-000	Commercial	Lyon Et Al	87,393	208,978	+ 139.1%
018-760-019-000	Commercial	Donner Gate Properties	319,054	382,345	+ 19.8%
019-030-008-000	Industrial	Truckee-Tahoe Lumber Company	1,191,655	1,216,835	+ 2.1%
019-030-010-000	Industrial	Truckee-Tahoe Lumber Company	613,940	649,187	+ 5.7%
019-080-013-000	Commercial	Truckee High Street Property Llc	656,880	1,255,000	+ 91.1%
019-080-028-000	Commercial	Grant Galen G And Cynthia M Trstes	310,791	402,900	+ 29.6%
019-090-018-000	Commercial	Porter Simon Llc	899,090	966,030	+ 7.4%
019-090-045-000	Commercial	West River Properties Llc	453,900	621,978	+ 37.0%
019-100-011-000	Commercial	Historic Truckee Land Company Llc	123,704	136,178	+ 10.1%
019-130-003-000	Industrial	Flyers Llc	35,292	771,961	+ 2,087.4%
019-150-005-000	Commercial	West River Llc	759,229	781,613	+ 2.9%
019-410-033-000	Commercial	Village At Gray S Crossing Lp The	564,000	1,504,000	+ 166.7%
019-450-049-000	Commercial	Kamenetsky M D Llc	676,520	780,050	+ 15.3%
019-450-050-000	Commercial	Perliss Herbert And Cheryl E Trstes	1,694,698	1,987,891	+ 17.3%
019-460-033-000	Commercial	Gateway East Of Truckee Llc	2,287,416	2,446,384	+ 7.0%
019-670-017-000	Commercial	Hidden Lake Properties Inc	936,360	1,108,087	+ 18.3%
019-700-014-000	Commercial	Stone Robert E	0	1,352,000	+ 99,999.9%
019-700-015-000	Commercial	Mancuso Ciro W Trste	366,000	590,000	+ 61.2%
019-760-002-000	Recreational	Tahoe Club Company Llc	1,781,551	2,463,982	+ 38.3%
019-920-008-000	Commercial	Ritchie S E Corporation	0	1,470,000	+ 99,999.9%
019-920-014-000	Commercial	13 Pioneer Llc	0	1,170,000	+ 99,999.9%
019-950-024-000	Commercial	267 Partners	315,000	840,000	+ 166.7%
019-950-025-000	Commercial	267 Partners	890,000	1,195,800	+ 34.4%
019-950-026-000	Commercial	267 Partners	369,648	2,300,000	+ 522.2%
019-950-027-000	Commercial	267 Partners	896,000	2,027,760	+ 126.3%
019-950-028-000	Commercial	267 Partners	777,000	4,080,000	+ 425.1%
049-330-006-000	Industrial	Tahoe-Truckee Sanitation Agency	150,000	653,000	+ 335.3%
<b>35 Parcels Listed</b>			<b>25,421,232</b>	<b>46,901,237</b>	<b>+ 84.5%</b>

This calculation reflects the 2008/09 increase in taxable values for this city due to non-residential new construction as a percentage of the total taxable value **Increase** (as of the 2008/09 lien year roll date). This percentage may be used as an alternative to the change in California per-capita personal income for calculating a taxing agency's annual adjustment of its Appropriation Limit pursuant to Article XIII B of the State Constitution as Amended by Proposition 111 in June, 1990.

Total Change in Non-Residential Valuation Due to New Development	21,480,005
Less Automatic 2.000% Assessors's Inflation Adjustment	-508,425
<u>Actual Change in Non-Residential Valuation</u>	<u>20,971,580</u>
<u>Change in Total Assessed Value</u>	<u>310,422,863</u>
= Alternate 2009/10 Appropriations Limit Factor	<b>6.76%</b>

**THE TOWN OF TRUCKEE**  
**NONRESIDENTIAL NEW CONSTRUCTION**

2008/09 TO 2009/10 TAX YEARS - IN PARCEL NUMBER ORDER

Parcel	Use Category	Owner	Prior Year Improvements	Current Year Improvements	Percent Change
017-160-007-000	Commercial	Truckee Nw Ii Llc	92,006	118,846	+ 29.2%
018-363-011-000	Commercial	Mccarthy Robert E And Sylvia J	71,839	938,400	+ 1,206.3%
018-570-042-000	Commercial	Gateway At Donner Pass Lp	1,321,724	1,589,898	+ 20.3%
018-760-008-000	Commercial	Lyon Et Al	208,978	875,389	+ 318.9%
019-030-008-000	Industrial	Truckee-Tahoe Lumber Company	1,216,835	1,262,522	+ 3.8%
019-090-018-000	Commercial	Porter Simon Llc	966,030	1,082,249	+ 12.0%
019-100-001-000	Commercial	Dk Joseph Building Llc	69,761	1,765,620	+ 2,431.0%
019-100-015-000	Commercial	Mcmanus John R Trste	293,020	1,632,000	+ 457.0%
019-101-004-000	Commercial	Dk Joseph Building Llc	2,935	32,640	+ 1,012.1%
019-102-020-000	Commercial	Mcmanus John R Trste	816,000	928,200	+ 13.8%
019-120-016-000	Commercial	Ritchie David K And Haven M	300,000	445,230	+ 48.4%
019-300-054-000	Industrial	Baywest Properties Iii	1,896,340	2,038,265	+ 7.5%
019-440-078-000	Industrial	Al Pombo Inc	47,228	48,779	+ 3.3%
019-450-029-000	Commercial	Rossi Rhonda M Trste	172,973	902,954	+ 422.0%
019-450-063-000	Commercial	Cedar House Of Truckee The	3,240,325	3,320,131	+ 2.5%
019-620-040-000	Commercial	B And G Group Inc	0	1,701,000	+ 99,999.9%
019-650-024-000	Commercial	Gateway East Of Truckee Llc	248,335	294,301	+ 18.5%
019-650-026-000	Commercial	Gateway East Of Truckee Llc	248,335	294,301	+ 18.5%
019-700-007-000	Commercial	Three R S Llc	4,034,671	4,996,364	+ 23.8%
019-700-018-000	Commercial	Mancuso Ciro Trste	3,220,000	3,600,600	+ 11.8%
019-920-009-000	Commercial	Holland Ryan R And Judy A	0	792,000	+ 99,999.9%
019-950-024-000	Commercial	267 Partners	840,000	1,052,000	+ 25.2%
019-950-026-000	Commercial	267 Partners	2,300,000	5,429,520	+ 136.1%
019-950-028-000	Commercial	267 Partners	4,080,000	4,293,600	+ 5.2%
019-950-033-000	Commercial	Truckee Tahoe Hotel Llc	10,536,739	11,302,548	+ 7.3%
<b>25 Parcels Listed</b>			<b>36,224,074</b>	<b>50,737,357</b>	<b>+ 40.1%</b>

This calculation reflects the 2009/10 increase in taxable values for this city due to non-residential new construction as a percentage of the total taxable value **Increase** (as of the 2009/10 lien year roll date). This percentage may be used as an alternative to the change in California per-capita personal income for calculating a taxing agency's annual adjustment of its Appropriation Limit pursuant to Article XIII B of the State Constitution as Amended by Proposition 111 in June, 1990.

Total Change in Non-Residential Valuation Due to New Development	14,513,283
Less Automatic 2.000% Assessors's Inflation Adjustment	-724,481
<u>Actual Change in Non-Residential Valuation</u>	<u>13,788,802</u>
<u>Change in Total Assessed Value</u>	<u>157,022,084</u>
= Alternate 2010/11 Appropriations Limit Factor	<b>8.78%</b>

**THE TOWN OF TRUCKEE**  
**NONRESIDENTIAL NEW CONSTRUCTION**

2012/13 TO 2013/14 TAX YEARS - IN PARCEL NUMBER ORDER

Parcel	Use Category	Owner	Prior Year Improvements	Current Year Improvements	Percent Change
018-740-015-000	Commercial	Longs Drug Stores California Inc	2,113,394	4,658,385	+ 120.4%
018-760-002-000	Commercial	American Petroleum Llc	347,000	386,890	+ 11.5%
019-130-003-000	Industrial	Flyers Llc	807,276	1,284,990	+ 59.2%
019-420-015-000	Industrial	Pombo Alfred J And Karla S Trust	82,371	95,018	+ 15.4%
019-650-003-000	Commercial	Gateway East Of Truckee Llc	443,719	550,593	+ 24.1%
<b>5 Parcels Listed</b>			<b>3,793,760</b>	<b>6,975,876</b>	<b>+ 83.9%</b>

This calculation reflects the 2013/14 increase in taxable values for this city due to non-residential new construction as a percentage of the total taxable value **Increase** (as of the 2013/14 lien year roll date). This percentage may be used as an alternative to the change in California per-capita personal income for calculating a taxing agency's annual adjustment of its Appropriation Limit pursuant to Article XIII B of the State Constitution as Amended by Proposition 111 in June, 1990.

Total Change in Non-Residential Valuation Due to New Development	3,182,116
Less Automatic 2.000% Assessors's Inflation Adjustment	-75,875
<u>Actual Change in Non-Residential Valuation</u>	<u>3,106,241</u>
<u>Change in Total Assessed Value</u>	<u>77,276,414</u>
= Alternate 2014/15 Appropriations Limit Factor	<b>4.02%</b>



# GANN LIMIT

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GENERAL ACCOUNTING DIVISION CHIEF  
RIVERSIDE COUNTY

# GANN LIMIT AGENDA

Item 6.3

- History of the GANN Limit
- Proposition 98
- Proposition 111
- GANN Limit Summary
- What Local Government Funds are Covered?
- Determining Your Appropriations Limit
- Irregular Alternation to an Appropriations Limit
- Modifying A Limit
- Appropriations Subject to Limitation
- Appropriation Limit Exclusions
- Annual Adjustments to the Appropriation Limit
- Exceeding the Appropriation Limit
- Adoption Procedures and Annual Review
- Appropriation Limit Worksheets

# GANN LIMIT - HISTORY

California Proposition 4, the "Gann Limit" Initiative, was on the November 6, 1979 statewide special election ballot in California as an initiated constitutional amendment. It was sponsored by Paul Gann and is sometimes referred to as the 'Spirit of 13' Initiative in reference to Proposition 13, which was approved the previous year. It has also been referred to as SAL for State Appropriations Limit.

The Gann Limit was approved by a whopping 74 percent of California voters. That was during the height of the tax revolt, as just 18 months beforehand Golden State residents enacted Proposition 13, granting themselves some much-needed property tax relief. However, after the passage of Proposition 13, fiscal conservatives were concerned that state spending increases would prompt California lawmakers to increase other taxes to compensate for the reduction in property tax revenues. As such, the Gann Limit was proposed as a mechanism to limit state spending.

# GANN LIMIT - HISTORY

Proposition 4 created Article XIII B of the California Constitution which provides a formula for calculating spending limit and also serves to :

- ✓ Places annual limits (or ceilings) on the appropriations of tax proceeds that can be made by the state, school districts, and local governments in California. These limits are based on the amount of appropriations in the 1978-79 "base" year, as adjusted each year for population growth and cost-of-living factors.
- ✓ Require state and local governments to return any funds to taxpayers in excess of the amount appropriated for a given fiscal year.
- ✓ Require the state to reimburse local governments for the cost of complying with state mandates.

# GANN LIMIT - HISTORY

Admittedly, the Gann Limit had some flaws. It only limited appropriations of tax revenue and, as a result, the legislature reacted by raising more revenue from non-tax sources. Still, the Gann Amendment proved to be relatively effective at keeping spending in check. Between 1980 and 1991, California's rank in state per-capita expenditures fell from 7th to 16th. Its rank in per-capita revenues showed a similar decline during the same time period. Furthermore, when tax receipts exceeded the Gann Limit in 1987, the state refunded \$1.1 billion in surplus revenues to the taxpayers

# GANN LIMIT – PROPOSITION 98

However, the 1987 rebate may have led to the downfall of the Gann Limit. The rebate angered education interests who wanted a portion of the money to be used to increase school spending. California's education lobby responded by working for the 1988 passage of **Proposition 98**, which required that public schools receive a share of any revenues that exceeded the Gann Limit. Perhaps more importantly, Proposition 98 required the state to compensate for any decreases in education spending that occurred when revenues declined.

Proposition 98 specified that the first portion of excess revenues be allocated to schools, up to 4 percent of the minimum funding guarantee. Excess revenues above the 4 percent level (equal to about \$400 million in 1988) continued to be rebated to taxpayers.

# GANN LIMIT – PROPOSITION 111

The increases in education spending came at the expense of other state programs and generated more hostility toward the limit. As a result, the transportation lobby was able to enact **Proposition 111** in 1990, which exempted gasoline taxes from the Gann limit. More importantly, Proposition 111 raised the spending limit by tying it to per-capita personal income growth instead of inflation. That set a considerably higher limit. Ever since, the Gann Limit has ceased to be a meaningful constraint on the size of state government in California.

# GANN LIMIT – PROPOSITION 111

On June 5, 1990, California voters approved Proposition 111, amending Article XIII B.

In addition to imposing additional taxes on gasoline and modifying Proposition 98's minimum funding formulas, Proposition 111 made several significant changes to the SAL. Chief among these were its changes to (1) the GANN Limits allowed local jurisdictions to choose among measures of inflation and population growth to compute the adjustment factor, and (2) how excess revenues are to be calculated and allocated among school spending and taxpayer rebates.

- **Annual Adjustment Factors.** Proposition 111 modified the statewide population factor to take into account growth in K-14 average daily attendance, instead of just overall statewide population growth. It also modified the cost-of-living factor, basing it strictly on the percent change in California per-capita personal income (instead of the lesser of the percent changes in California per-capita personal income or the U.S. Consumer Price Index). These changes, which were made retroactive to 1986-87, have had the effect of increasing the state's limit by about \$6 billion in 1999-00 from what it would have been had the original factors remained in place.
- **Excess Revenues.** Article XIII B originally required that excess revenues received by the state and local governments be rebated to taxpayers in the following year. Proposition 111 instead provides that excess revenues be established over a two-year period, and that they be divided equally between rebates to taxpayers and Proposition 98 educational spending.



# GANN LIMIT – CHANGES MADE BY PROP 98 & 111

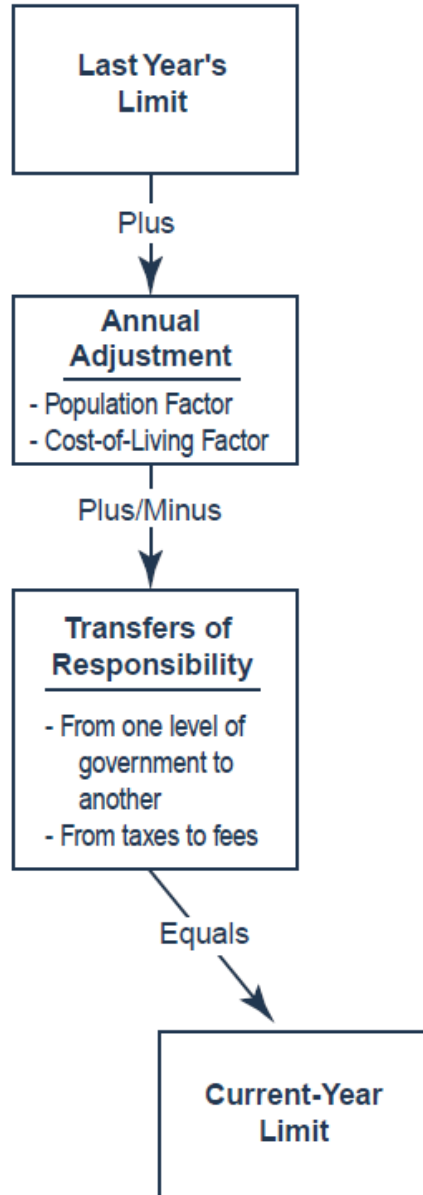
Item 6.3

## Article XIII B: Changes Made by Propositions 98 and 111

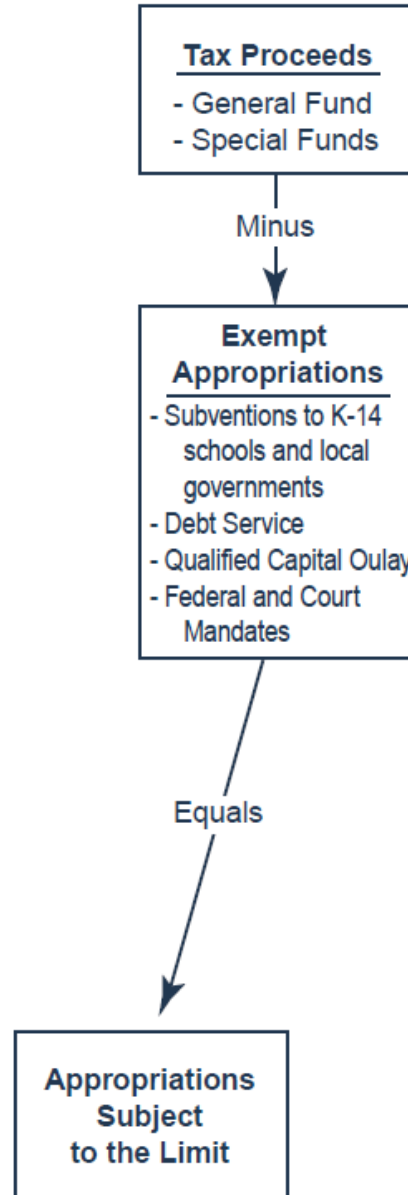
Type of Provision	Original Provisions in Proposition 4	Changes Made by:	
		Proposition 98	Proposition 111
<b>Annual Adjustments to Spending Limit</b>	Statewide population growth plus lesser of U.S. CPI or California per-capita personal income growth.	No changes.	Population growth based on weighted average of population and K-14 school enrollment growth.  Cost-of-living based solely on California per-capita personal income growth.
<b>Exempt Appropriations</b>	Includes subventions, debt service, retirement costs, and unemployment insurance compensation.	No changes.	Added qualified capital outlay spending, appropriations supported by increased gas taxes, and appropriations resulting from natural disasters.
<b>Allocation of Excess Revenues</b>	Returned to taxpayers in the following year.	First portion to Proposition 98 (up to 4 percent of the minimum guarantee), with remainder to taxpayers.	Excess revenues determined over a two-year period.  Total to be split between taxpayer rebates and Proposition 98 funding.

# How the State's Spending Limit Works

## Calculation of the Appropriations Limit (SAL)



## Calculation of Appropriations Subject to the Limit



# GANN LIMIT - SUMMARY

The Appropriations Limit applies only to those revenues defined as “**proceeds of taxes.**” Certain expenditures of tax proceeds do not count as Appropriations Subject to Limit including those for voter approved debt, qualified capital outlay, and the costs of complying with court orders and federal mandates.

In order to ensure that taxes are counted in the Appropriations Limit of one but only one agency of government, the law requires that if the State provides funds to a local government for general purposes, the funds are to be counted as “state subventions” and included in the Appropriations Subject to Limit of the local agency. However, if the Legislature restricts the funds to specific purposes, then the funds are counted in the State – rather than local – Appropriations Subject to Limit.

During any fiscal year, a government entity may not appropriate any proceeds of taxes received in excess of the Appropriations Limit of the entity. If a local government receives excess funds in any one year, it may “carry those excess funds into the subsequent year” for use. Any excess funds remaining after the second year must be returned to taxpayers by reducing tax rates or fees. As an alternative, a majority of the voters may approve an “override” to increase the Appropriations Limit. The law allows such an override to last for a maximum of four years

# GANN LIMIT – WHAT LOCAL GOVERNMENT FUNDS ARE COVERED?

Article XIII B attempted to restrict spending at all levels of government in California. The Appropriations Limit applies to **“all taxes levied by and for”** a government entity.

The law applies to the State, as well as to all local governments including “any city, county, city and county, school district, special district, authority, or other political subdivision of or within the State.”

The following local governments are not subject to Appropriations Limit requirements:

- Special districts which did not, as of fiscal year 1977-78, levy a property tax in excess of \$0.125 per \$100 of assessed value.
- Any special district which is entirely funded by other than the proceeds of taxes.
- Redevelopment agency or successor agency property tax increment funds (such agencies do not have the power to levy a property tax).

For most local governments, the funds constrained by Article XIII B will include the General Fund, the Capital Outlay Fund, and Special Revenue Funds. The source of revenues will determine whether a fund requires a separate Appropriations Limit.

# GANN LIMIT – DETERMINING YOUR APPROPRIATIONS LIMIT

*The total annual appropriations subject to limitation of the State and of each local government shall not exceed the appropriations limit of the entity of government for the prior year adjusted for the change in the cost of living and the change in population, except as otherwise provided in this article.*

– CAL. CONST. ART XIII B SEC 1

## The Appropriations Limit is:

- The calculated dollar amount which restricts the ability to appropriate proceeds of taxes.
- The Appropriations Subject to Limitation may not exceed the Appropriations Limit.
- The Appropriations Limit for any year is the Appropriations Limit from the previous fiscal year increased for inflation and population growth.
- The Appropriations limit in a given year depends on the Appropriations Limit for the Base Year (first year of calculation) adjusted annually according to specified factors.

# GANN LIMIT – BASE YEAR

The appropriations limit for the Article XIII B base year is the sum of the Appropriations Subject to Limitation for that year.

Proposition 111 (1989) established Fiscal Year 1986-87 as the Base Year for all governments, rather than the original 1978-79 base year established by Proposition 4 (1979).

The base year of a local government entity formed or incorporated on or after January 1, 1980 is the Appropriations Subject to Limitation for the first full year of operation of that entity.

Other than the annual adjustment, the Appropriations Limit of a local government entity must be altered for any transfer of financial responsibility, and any event of a declared emergency or if voters approve an override temporarily increasing the Appropriations Limit.

## **Transfer of Financial Responsibility**

In addition to the annual inflation and population adjustments, the Appropriations Limit must be adjusted in the event that the financial responsibility for providing services is transferred in whole or in part from:

- One entity of government to another.
- One entity of government to a private entity.
- Proceeds of taxes to licenses or fees.

# GANN LIMIT – TRANSFER OF FINANCIAL RESPONSIBILITY

The drafters of Proposition 4 wanted to ensure that public agencies did not **evade** the Appropriations Limit by **shifting programs** to other governments or from tax support to user fees.

Article XIII B requires that a public agency's Appropriations Limit be adjusted whenever there is a transfer of financial responsibility:

1. **Between two or more government agencies** (such as through an annexation or incorporation). Whenever financial responsibility for all or some part of a service is transferred between government agencies, the agencies must increase or decrease their limits “by such reasonable amount as the said entities shall mutually agree....” The amounts adjusted should be the same for the two agencies.



# GANN LIMIT – TRANSFER OF FINANCIAL RESPONSIBILITY

2. From the public sector to the private sector. A public agency's Appropriations Limit is to be reduced if the financial responsibility for all or part of services transferred to a private entity. For example, if a city that had been funding refuse collection services all or in part from tax revenues instead issued a franchise contract to a private company for providing the service, the Appropriations Limit would be reduced by the amount of tax/ subvention saved commencing in the year of the transfer.

*However, if the service had been funded entirely from user fees, which are not Appropriations Subject to Limit, then the calculations are unaffected and there is no requirement to alter the Appropriations Limit.*

# GANN LIMIT – TRANSFER OF FINANCIAL RESPONSIBILITY

3. **From other funding to user fees.** A public agency's Appropriations Limit must be decreased whenever “the financial responsibility of providing services is transferred in whole or in part from other revenues of an entity of government to proceeds from regulatory licenses, user charges, or user fees....”

The adjustment need only be made “when the dollar amount allocated from other revenues ... to the provision of such services is decreased.” That is, if the service funding is maintained (e.g., with a “maintenance of effort”, etc.) with other revenues, then the Appropriations Limit does not have to be reduced.

Consistent with the intent and other provisions of Article XIII B, “other revenues” referred to in this section means proceeds of taxes and/or state subventions.

# GANN LIMIT – LOCALLY DECLARED EMERGENCY

Article XIII B allows an entity to exceed its Appropriations Limit by declaring an emergency. In such a case, **the Appropriations Limit in the following three years must be sufficiently reduced so as to recover, in aggregate, the excess spending.**

“An emergency” must reflect an extraordinary occurrence or combination of circumstances that was unforeseen and unexpected at the time a governmental entity adopted its budget...and which requires immediate and sudden action of a drastic but temporary nature.

# GANN LIMIT – EMERGENCY DECLARED BY THE GOVERNOR

Article XIII B provides **different rules** for an emergency declared by the Governor. In the event that an emergency is declared by the Governor, the local agency may, by a two-thirds vote of the governing board, appropriate funds into an emergency fund with such appropriations not being subject to limitation.

For this criteria to be met, the emergency, as declared by the Governor, must reflect conditions of disaster or extreme peril to people or property. In an emergency declared by the Governor, **there is no requirement to reduce future year Appropriations Limits to recover the amount spent.**

# GANN LIMIT – VOTER OVERRIDE

*The appropriations limit imposed on any new or existing entity of government by this Article may be established or changed by the electors of such entity, subject to and in conformity with constitutional and statutory voting requirements. The duration of any such change shall be as determined by said electors, but shall in no event exceed four years from the most recent vote of said electors creating or continuing such change.*

– CAL. CONST. ART XIII B SEC 4

The voters of a jurisdiction may, by majority approval, increase the Appropriations Limit of a local government. The override may not exceed four years. (See “Exceeding the Limit” below)

# GANN LIMIT - MODIFYING A LIMIT – PRIOR YEAR EFFECT

Item 6.3

Nothing in the law prohibits a government entity from revising its Appropriations Limit; for example, to correct a computational error or to employ a different valid interpretation of Appropriations Subject to Limit.

However, any such modifications must be applied consistently to both the Limit and the Appropriations Subject to Limit from the base year (1986-87) onward. Any such modification should:

- ✓ modify the base year Appropriations Limit accordingly and recalculate the subsequent annual Appropriations Limits up through the current year,
- ✓ modify the Appropriations Subject to Limit for the base year and each subsequent year, and
- ✓ compare the Appropriations Limit and Appropriations Subject to Limit in each year.

**Any modification opens a 60-day public challenge period for the recalculated years.**

# GANN LIMIT - APPROPRIATIONS SUBJECT TO LIMITATION

*“Appropriations subject to limitation” of an entity of local government means any authorization to expend during a fiscal year the **proceeds of taxes** levied by or for that entity and the proceeds of **state subventions** to that entity (other than subventions made pursuant to Section 6)\* exclusive of refunds of taxes.*

– CAL. CONST. ART XIII B SEC 8(B)

*\*state mandate reimbursement*

The Appropriations Subject to Limitation of an entity of local government are those specified appropriated revenue sources to which the Article XIII B limit applies. The particular categories and definitions of revenues included in an entity's Appropriations Subject to Limitation should be consistent across all years and the Base Year.

# Step by Step:

## Determining Appropriations Subject to Limit

Item 6.3

1. Assign each revenue account (other than interest earnings) into either proceeds of taxes or non-proceeds. (Worksheet 1)
2. Determine whether any user fees exceed the cost of services. (Worksheet 2. Enter results on Worksheet 1)
3. Determine all allowable exclusions, including debt service, qualified capital outlay, court orders and federal mandates. (Worksheet 3)
4. Pro-rate interest earnings.
  - a. Deduct the exclusions identified in step 3 from the total proceeds of taxes computed in steps 1 and 2.
  - b. Divide the amount determined in step 4 by the total non-interest revenue on Worksheet 1. Multiply this by the total estimated interest earnings to compute the amount of interest earned from the investment of proceeds of taxes. (Worksheet 4) An alternate method of computing interest earned from the investment of proceeds of taxes may be used with adequate justification and documentation.
3. Allocate the interest earnings between proceeds of taxes and non-proceeds on Worksheet 1 and total the columns. Transfer the total proceeds of taxes from Worksheet 1 and the exclusions from Worksheet 3 to Worksheet 8.



# GANN LIMIT – PROCEEDS OF TAXES

## Proceeds of taxes include:

- All taxes levied by or for a public agency.
- Any revenue from regulatory licenses, user charges, and user fees to the extent that the proceeds exceed the cost of providing the regulation, product, or service.<sup>13</sup>
- State subventions for general purposes.
- Any interest earned from the investment of the proceeds of taxes.

# GANN LIMIT – STATE SUBVENTIONS

*“State subventions” shall include only money received by a local agency from the state, the use of which is unrestricted by the statute providing the subvention.*

– GOV CODE SEC 7903

For the purposes of Article XIII B, state subventions to a local government is money received from the state which is unrestricted as to use. Discretionary funding to local governments from the state has dwindled dramatically since the passage of Proposition 4 in 1979. Consider:

- Motor Vehicle License Fees (VLF) In Lieu funds that are not designated as to use.
- Homeowners Property Tax Relief.

# GANN LIMIT – STATE SUBVENTIONS

State moneys provided to local governments with **restricted uses are to be included by the State in its Appropriations Limit computations.**

State subventions provided to local governments **without restriction as to use are excluded from the State’s Appropriations Limit computations.** The same proceeds of taxes may not be included in the Appropriations Limit computations of more than one local jurisdiction or the State.

Motor Vehicle Fuel Tax (Gasoline Tax) revenues allocated to a local government **are not a state subvention** for the purposes of Article XIII B because these **funds are restricted as to use.** The State includes these funds in its calculations.

**State mandate reimbursements are specifically excluded from “state subventions.”**

# GANN LIMIT – USER FEES

Revenue received from regulatory licenses, user charges, and user fees are not considered as proceeds of taxes unless the proceeds exceed the costs reasonably borne in providing the regulation, service, or product.

Note that the following are **NOT** considered “regulatory licenses, user fees or charges” for the purpose of this Article XIII B requirement, nor are they “proceeds of taxes”:

- Rents, concessions, entrance fees, franchise fees such as facility room rentals; equipment rentals; park, museum and zoo entrance fees, golf greens fees, on and off-street parking, and tolls.
- Fines, forfeitures, penalties such as late payment fees, citations, parking fines, code enforcement fees and penalties, interest charges and other charges for violation of the law.
- Assessments on real property or persons for special benefit conferred.

# GANN LIMIT – USER FEES

Item 6.3

In order to make this determination under Article XIII B, the regulatory license (fees), user charges and fees of the entity should be examined in comparison with the costs of providing the regulation services or products. The analysis may aggregate reasonably related services for this analysis. For example, you may

- group planning and zoning fees and charges for comparison with the costs of providing services for which those fees are charged;
- group building inspection, fire safety inspection, public works inspection, and construction permit fees and charges for comparison with the costs of providing services for which those fees are charged;
- group police department fees and charges for comparison with the costs of providing services for which those fees are charged;
- group parks and recreation fees and charges for comparison with the costs of providing services for which those fees are charged.

If a determination is made that the proceeds from an aggregated group of regulatory licenses, user charges, or user fees exceeds costs, then any such excess is to be considered “proceeds of taxes” under Article XIII B. Such a case requires further analysis to determine compliance of each user fee, regulatory license, and user charge in the aggregated group with Proposition 26 (Cal Const art XIII C, section 1(e)); or, in the case of property-related fees, Proposition 218 (Cal Const art XIII D, section 6). All taxes require voter approval (Cal Const art XIII C, section 2).

# GANN LIMIT - EXCLUSIONS

The following are excluded from the Appropriations Subject to Limitation:

- Certain types of debt service costs.
- Qualified capital outlay.
- The costs of complying with court orders and federal mandates which, without discretion, require an expenditure for additional services or which unavoidably make the providing of existing services more costly.
- Appropriations required to refund taxes.
- Local agency loan funds or indebtedness funds, or investment funds in bank accounts.

# GANN LIMIT – EXCLUSIONS

## Debt Service.

Certain types of debt service costs are not subject to the Appropriations Limit. Excludable debt service is limited to “appropriations required to pay the cost of interest and redemptions charges...on indebtedness existing or legally authorized as of January 1, 1978 or on bonded indebtedness thereafter approved...by a vote of the electors...”

Under certain conditions, a public entity’s contribution to a pension fund may be an “indebtedness” exempt from the Appropriations Limit. Non-voter approved debt used to purchase qualified capital outlays may also be exempted.

# GANN LIMIT - EXCLUSIONS

## Qualified Capital Outlay

Qualified Capital Outlay is an appropriation for a fixed asset (including land and construction) with a useful life of 10 years or more and a value which equals or exceeds one hundred thousand dollars (\$100,000). This may include:

- ✓ Annual debt service and other financing costs.
- ✓ Certificates of participation.
- ✓ Lease-purchases.
- ✓ Periodic contributions into a capital reserve fund, provided that the funds are used to purchase a qualified capital asset.
- ✓ Purchases or rehabilitation which enhances the value of or extends the life of existing property, provided that the equipment, land, facility, and/or construction costs meet the dollar and life expectancy criteria (ten years and \$100,000). An example would be the addition of \$100,000 sprinkler improvements to enhance an existing park sprinkler system. Another example would be the reconstruction of a deteriorated roadway.
- ✓ Lease of a qualified capital asset.



# GANN LIMIT - EXCLUSIONS

Items which are *not* considered Qualified Capital Outlay include:

- Collections of lower-priced assets which, when aggregated total more than \$100,000
- Regular maintenance of assets.

Count only that portion of the asset(s) which are purchased with tax proceeds. An asset with multiple funding sources should be prorated in order to determine how much is exempt from the Appropriations Limitation.

Income from the rent or sale of a qualified capital asset may need to be counted as proceeds of taxes. If the asset was originally obtained using funds which would have been above the Appropriations Limit were it not for the qualified capital outlay exclusion, any revenue gained from the asset under these circumstances should be treated as proceeds of taxes.

# GANN LIMIT - EXCLUSIONS

## Court Orders

If a court orders a public entity to spend money without discretion for additional services or if a court order unavoidably makes the provision of existing services more costly, the expenditures are not counted as Appropriations Subject to Limitation.

In making a determination, in this area, one should consult legal counsel and consider the meaning of the terms “unavoidably,” “without discretion,” and “additional service.” Some additional cost areas include:

- Costs incurred to comply with court interpretation of an existing state statute or constitutional provision.
- Costs incurred to comply with court mandates imposed on a separate entity of local government to which other entities of government are subject.

# GANN LIMIT - EXCLUSIONS

Federal Mandates. The costs of compliance with a federal mandate which, like a court order, unavoidably and without discretion requires an additional service or makes an existing service more expensive may also be exempt from the Appropriations Limit. A federal mandate exists whenever failure to comply with the mandate “would result in substantial monetary penalties of loss of funds to public or private persons.”

## Examples of Federal Mandates

- Americans With Disabilities Act
- Clean Air Act
- Clean Water Act and Water Pollution Control Act
- Comprehensive Environmental Response Compensation and Liability Act
- Drug-Free Workplace Act
- Emergency Planning and Community Right-to-Know Act
- The Fair Labor Standards Act
- Family and Medical Leave Act
- Flood Disaster Protection Act
- Health Insurance Portability and Accountability Act
- Help America Vote Act and Voting Rights Language Assistance Act
- Immigration Reform and Control Act
- Job Training Partnership Act
- Justice for All Act (collection of DNA samples from persons convicted of felonies)
- National Historic Preservation Act
- Occupational Safety and Health Act
- Omnibus Transportation Employee Testing Act
- Public Health Service Act
- Residential Lead-Based Paint Hazard Reduction Act
- Resource Conservation and Recovery Act (hazardous wastes sites)
- Safe Drinking Water Act
- Stewart B. McKinney Homeless Assistance Act
- Surface Transportation and Uniform Relocation Assistance Act
- Telecommunications Act (Wireless Antennas)
- Water Quality Act

# GANN LIMIT - EXCLUSIONS

## Reserve Funds.

Whenever tax proceeds are appropriated *into* a reserve fund (contingency, emergency, unemployment, reserve, retirement, sinking fund, trust, or similar fund) **they are to be counted as Appropriations Subject to Limitation in the year of appropriation.** However, such funds are not included in the computation when they are *withdrawn* (or authorized to be withdrawn). Transfers among eligible reserve funds are also not counted as Appropriations Subject to Limitation.

**There are two exceptions to this rule: Reserves created to fund**

- 1) the future costs of qualified capital outlay or
- 2) the damages of an eligible emergency may be created and financed outside of the Appropriations Limit. The specific capital outlay project should be clearly stated prior to funding the reserve, and strict accounting should be used for expenditure of the funds.

# GANN LIMIT - EXCLUSIONS

*Each entity of government may establish such contingency, emergency, unemployment, reserve, retirement, sinking fund, trust, or similar funds as it shall deem reasonable and proper. Contributions to any such fund, to the extent that such contributions are derived from the proceeds of taxes, shall for purposes of this Article constitute appropriations subject to limitation in the year of contribution. Neither withdrawals from any such fund, nor expenditures of (or authorizations to expend) such withdrawals, nor transfers between or among such funds, shall for purposes of this Article constitute appropriations subject to limitation.*

– CAL. CONST. ART XIII B SEC 5

# GANN LIMIT – CONSISTENCY IS THE KEY

There may be some variance among local governments as to interpretation of the specific funds to be included as Appropriations Subject to Limitation.

The important thing is that those categories of revenues treated as proceeds in the Base Year are consistently treated as such in subsequent years.

Any modification of the treatment of specific revenues must also make that revision in the Base Year (1986- 87) and re-adjust each subsequent year's Appropriations Limit.

# GANN LIMIT

## Step by Step: Determining Appropriations Subject to Limit

1. Enter the Appropriations Limit for the entity for the prior year on Worksheet 7.
2. Determine the changes in population on Worksheet 5 and select the larger figure for the year. Enter this on Worksheet 7.
3. Determine the change in cost of living under each of the two formulas and select the large figure for the year. Enter this on Worksheet 7.
4. Compute factors and Limits and enter on Worksheet 8.

# GANN LIMIT –

## ANNUAL ADJUSTMENT OF THE APPROPRIATIONS LIMIT

*The total annual appropriations subject to limitation of the State and of each local government shall not exceed the appropriations limit of the entity of government for the prior year adjusted for the change in the cost of living and the change in population, except as otherwise provided in this article. – CAL. CONST. ART XIII B SEC 1*

Each year, a local government must adjust its Appropriations Limit for two factors:  
1) the change in the cost of living, and 2) the change in population

### Annual Adjustment of Appropriations Limit

$$L = L_{py} * (1 + C) * (1 + P)$$

L – Appropriations Limit of a local government for a fiscal year

$L_{py}$  – Appropriations Limit of the public entity for the prior fiscal year

C – Change in cost of living as defined in law and chosen by the public entity for that year

P – Change in population as defined in law and chosen by the public entity for that year



# GANN LIMIT –

# ANNUAL ADJUSTMENT OF THE APPROPRIATIONS LIMIT

Item 6.3

The law allows a number of choices to the public entity for each of these factors.

A local government that is not a school or college district may make a choice each year to define the change in the cost of living in either of two ways:

- The change in California per capita personal income, or
- The percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local nonresidential new construction.

Local governments also have multiple options for defining the change in population. A city may choose either

- The percentage change in population within the city, or
- The percentage change in population within the county in which the city is located (i.e., total population in county meaning incorporated and unincorporated combined).

# GANN LIMIT -

Special districts and counties have other choices for adjusting the Appropriation Limit.

	Change in Population <sup>19</sup>	Change in the Cost of Living <sup>20</sup>
<b>City</b>	<p>(1) The percentage change in population within the city, or</p> <p>(2) the percentage change in population within the county in which the city is located. (total in county: incorporated and unincorporated combined)</p>	<p>(A) the percentage change in California per capita personal income from the preceding year, or</p> <p>(B) the percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local nonresidential new construction.</p>
<b>Special District</b>	<p>(1) The percentage change in population within the district, or</p> <p>(2) the percentage change in population within the county in which the district is located.</p> <p>(3) For a special district located in two or more counties, the district may use the percentage change in population in the county in which the portion of the district is located which has the highest assessed valuation.</p>	
<b>County</b>	<p>(1) The percentage change in population within the county, or</p> <p>(2) the percentage change in population within the county, combined with the change in population within all counties having borders that are contiguous to that county, or</p> <p>(3) the percentage change in population within the incorporated portion of the county.</p>	

# GANN LIMIT – SOURCES AND CALCULATION METHODS

**Percentage changes in population** for each year - including for a city, special district, county, or county incorporated area - are available from the California Department of Finance Demographics Unit.

**The percentage change in California per capita personal income** is defined in law as *California personal income divided by the civilian population of the state...divided by the similarly determined quotient for the next prior year.*” The Department of Finance is required to make this calculation and notify each local agency of the figure no later than May 1 of each year.

**The percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local nonresidential new construction** is properly defined as the dollar change in locally assessed non-residential valuation due to new construction from the prior year assessment roll to the most recent assessment roll divided by the total secured and unsecured assessment roll in the prior year.

# GANN LIMIT

*“Change in the cost of living” for an entity of local government, other than a school district or a community college district, shall be either (A) the percentage change in California per capita personal income from the preceding year, or (B) the percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local nonresidential new construction. Each entity of local government shall select its change in the cost of living pursuant to this paragraph annually by a recorded vote of the entity’s governing body.*

– CAL. CONST. ART XIII B SEC 8(E)(2)

## Change in assessment roll due to addition of local nonresidential new construction

$$C_{ar} = \frac{NRAV}{AR_{py}}$$

$C_{ar}$  - Percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local nonresidential new construction.

$NRAV$  - the dollar value of new nonresidential construction in the jurisdiction during the year following the prior-year assessment roll.

$AR_{py}$  - the total secured and unsecured assessment roll in the jurisdiction in the prior year.

*Check with your County Assessor for the elements of this calculation.*

# GANN LIMIT – EXCEEDING THE LIMIT

*All revenues received by an entity of government, other than the State, in a fiscal year and in the fiscal year immediately following it in excess of the amount which may be appropriated by the entity in compliance with this article during that fiscal year and the fiscal year immediately following it shall be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years.*

– CAL. CONST. ART XIII B SEC 2(B)

# GANN LIMIT – EXCEEDING THE LIMIT

If a government entity ends a fiscal year having **more Appropriations Subject to Limit than its Appropriation Limit allows**, the **entity must return the excess either by reducing taxes or fees**.

Excess revenues in a year may be **carried over for one year**. That is, if a government entity exceeds its Appropriations Limit in a fiscal year, it can avoid a refund if it is below its Appropriations Limit in the next succeeding year by at least as much.

The effect of this one year carry-over provision is that the amount of the combined Appropriations Subject to Limit over a two year period in excess of the combined Appropriations Limits for those two years must be returned.

**The government entity must return the excess amount by a revision of tax rates or fee schedules within the next two subsequent fiscal years.** Alternatively, the electors of a government entity may increase the appropriations limit of the entity. Such a change in an Appropriations Limit **may not exceed four years** from the most recent vote of the electors.

# GANN LIMIT – EXCEEDING THE LIMIT

## Overrides

An Appropriations Limit override does not have to specify how the excess proceeds of taxes will be used by the entity (although it may). The amount of increase requested may be in the form of an absolute dollar amount, a percentage increase, an unspecified amount tied to increased revenue from a specific source, or any combination or amount desired by the government entity.

The override may be held any time within the two years allowed to refund the excess funds. However, is risky to wait too long before submitting an override to the voters. The four-year maximum period commences from the date of passage of the override.



# GANN LIMIT – ADOPTION PROCEDURES

The law stipulates that each year each local government shall:

- By resolution of the governing board at a regularly scheduled meeting or noticed special meeting, establish its Appropriations Limit and make other necessary determinations pursuant to Article XIII B.
- Fifteen days prior to the meeting establishing the Limit, make available to the public, documentation used in the determination of the Appropriations Limit and other necessary determinations.
- Publish the Appropriations Limit and the Appropriations Subject to Limitation in the annual budget of the government entity.
- Provide the Appropriations Limit and the Appropriations Subject to Limitation to the State Controller's Office on forms included with the filing of the Annual Statement of Financial Transactions.

There is no requirement that a public entity disclose the final amount of proceeds of taxes or Appropriations Subject to Limit. However, some public entities choose to document the actual amount of tax proceeds received and publicly provide notice that the Appropriations Limit has not (or has) been exceeded.

# GANN LIMIT – ANNUAL REVIEW AND ENFORCEMENT

*The annual calculation of the appropriations limit under this article for each entity of local government shall be reviewed as part of an annual financial audit.*

– CAL. CONST. ART XIII B SEC 1.5

The annual calculation of the Appropriations Limit must be reviewed as part of an annual financial audit. The League of California Cities interprets this requirement as follows:

- An annual financial audit of the entity shall include a review of the adjustments made to the Appropriations Limit from the prior year.
- If the government entity alters or modifies its Appropriations Limit, the review will address those changes including any related revision of base year and intervening year calculations.
- The review will evaluate the accuracy of the computations and the adequacy of documentation. Completion of the worksheets in these guidelines or other alternative computations, along with required council motions will provide adequate documentation needed for the review.
- A local government need not conduct an annual audit of its “proceeds of taxes.”

# GANN LIMIT – ANNUAL REVIEW AND ENFORCEMENT

Item 6.3

The review will include the following procedures:

- ✓ Appropriations Limit was adopted by the governing board of the entity, and that the population and inflation options were selected by a recorded vote of the governing board.
- ✓ The computations correctly compute the current year Appropriations Limit, taking into account the prior year Appropriations Limit, adjustments for the change in the cost of living and the change in population as defined, and any alterations or modifications.
- ✓ Supporting schedules or worksheets that the computations of the components used in the calculation of the Appropriations Limit are correctly calculated.
- ✓ Agree the prior year Appropriations Limit used in this computation to the prior year Appropriations Limit adopted by the governing board during the prior fiscal year.
- ✓ Determination of whether actual revenues exceeded the Appropriations Limit should take place pursuant to other responsibilities of the financial auditor.
- ✓ Review of the Article XIII B computations must be conducted even if an entity does not normally conduct a full financial audit.
- ✓ The auditor should issue an “agreed-upon procedures” report to the governing board of the entity.

Article XIII B was intended by the drafters and the Legislature to be locally enforced by concerned citizens. There is no formal enforcement agency. The law limits challenges to the Appropriations Limitation calculation to a 45-day period, and the complainant must seek remedies in civil court.



May 2015

Dear Fiscal Officer:

**Subject: Price and Population Information**

**Appropriations Limit**

The California Revenue and Taxation Code, section 2227, mandates the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2015, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2015-16. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2015-16 appropriations limit. Attachment B provides city and unincorporated county population percentage change. Attachment C provides population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

**Population Percent Change for Special Districts**

Some special districts must establish an annual appropriations limit. Consult the Revenue and Taxation Code section 2228 for further information regarding the appropriations limit. Article XIII B, section 9(C), of the State Constitution exempts certain special districts from the appropriations limit calculation mandate. The Code and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this issue should be referred to their respective county for clarification, or to their legal representation, or to the law itself. No state agency reviews the local appropriations limits.

**Population Certification**

The population certification program applies only to cities and counties. Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. Finance will certify the higher estimate to the State Controller by June 1, 2015.

**Please Note:** Prior year's city population estimates may be revised.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

MICHAEL COHEN

Director

By:

KEELY M. BOSLER  
Chief Deputy Director

Attachment

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2015-16 appropriation limit is:

Per Capita Personal Income	
Fiscal Year (FY)	Percentage change over prior year
2015-16	3.82

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2015-16 appropriation limit.

2015-16:

Per Capita Cost of Living Change = 3.82 percent  
 Population Change = 0.93 percent

Per Capita Cost of Living converted to a ratio:  $\frac{3.82 + 100}{100} = 1.0382$

Population converted to a ratio:  $\frac{0.93 + 100}{100} = 1.0093$

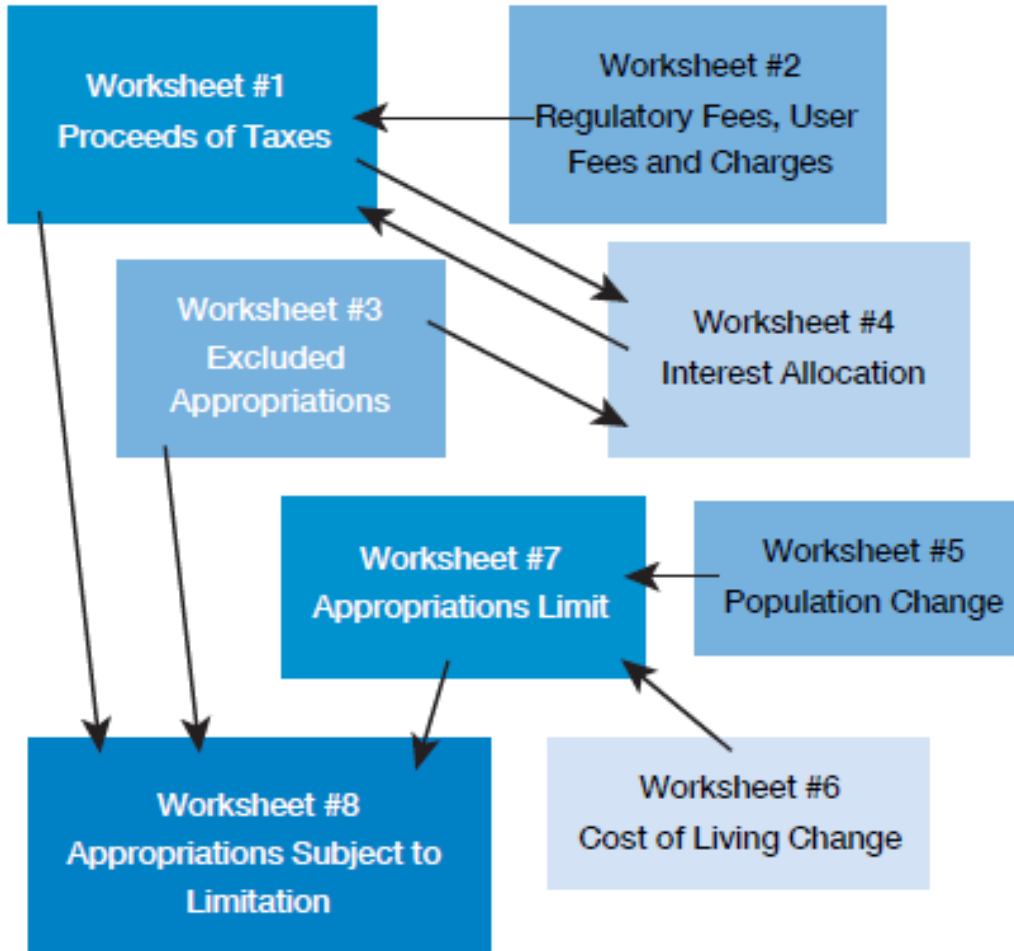
Calculation of factor for FY 2015-16:  $1.0382 \times 1.0093 = 1.0479$

**Attachment B**  
**Annual Percent Change in Population Minus Exclusions\***  
**January 1, 2014 to January 1, 2015 and Total Population, January 1, 2015**

Item 6.3

County City	Percent Change 2014-2015	--- Population Minus Exclusions ---		Total Population
		1-1-14	1-1-15	1-1-2015
Riverside				
Banning	0.61	30,306	30,491	30,491
Beaumont	3.99	40,853	42,481	42,481
Blythe	0.52	13,522	13,592	18,909
Calimesa	1.56	8,225	8,353	8,353
Canyon Lake	0.78	10,817	10,901	10,901
Cathedral City	0.64	52,519	52,854	52,903
Coachella	0.72	43,601	43,917	43,917
Corona	0.74	159,109	160,287	160,287
Desert Hot Springs	0.53	27,986	28,134	28,134
Eastvale	2.51	59,151	60,633	60,633
Hemet	0.90	81,520	82,253	82,253
Indian Wells	1.19	5,133	5,194	5,194
Indio	2.22	82,375	84,201	84,201
Jurupa Valley	1.17	97,738	98,885	98,885
Lake Elsinore	3.07	56,543	58,281	58,426
La Quinta	1.72	39,023	39,694	39,694
Menifee	2.03	83,686	85,385	85,385
Moreno Valley	0.71	199,257	200,670	200,670
Murrieta	0.83	106,393	107,279	107,279
Norco	0.53	23,295	23,418	25,891
Palm Desert	1.25	50,424	51,053	51,053
Palm Springs	1.03	46,135	46,611	46,611
Perris	1.17	72,063	72,908	72,908
Rancho Mirage	0.85	17,739	17,889	17,889
Riverside	0.98	314,162	317,248	317,307
San Jacinto	0.79	45,537	45,895	45,895
Temecula	2.51	106,256	108,920	108,920
Wildomar	1.34	33,696	34,148	34,148
Unincorporated	1.29	363,736	368,441	368,823
County Total	1.29	2,270,800	2,300,016	2,308,441

## Gann Limit Calculations Worksheet Information Flow



## Worksheet #1 Proceeds of Taxes

City  FY

Item 6.3

Revenue Source	a	b	c
Revenue Source	Proceeds of Taxes	Non-Proceeds of Taxes	Total
<b>Taxes</b>			
Property Tax			-
Sales and Use Tax			-
Transactions and Use Tax			-
Business License Tax			-
Utility User Tax			-
Transient Occupancy Tax			-
Documentary or Real Property Transfer Taxes			-
Parcel Taxes			-
Other Taxes			-
<b>Fees</b> <span style="color: red;">from Worksheet #2 =&gt;</span>	-	-	-
Benefit Assessments			-
Franchises (Cable/Video, Solid Waste, Electric/Gas, etc.)			-
Fines, Forfeitures and Penalties			-
Rents, Royalties and Concessions			-
Gifts			-
<b>Licenses and Permits</b>			
<i>Include regulatory licenses and permits as regulatory fees in Worksheet 2.</i>			
<i>Include public property, facility or equipment rental licenses/permits in "rents" above.</i>			
<i>Include business license taxes in "taxes" above.</i>			
<b>From State</b>			
Motor Vehicle License Fee			-
Homeowners Property Tax Relief Reimb.			-
Williams on Act			-
Motor Vehicle Fuel (gasoline) Tax			-
Proposition 42 Gasoline Sales Tax			-
Citizens Option for Public Safety (COPS)			-
Proposition 172 Public Safety Sales Tax			-
State Mandate Reimbursements			-
Other discretionary state grants and aid			-
Other non-discretionary state grants and aid			-
<b>Repealed Subventions</b>			
Criminal Justice Fee (Booking Fee) Relief			-
Discretionary Local Assistance (1999-00, 2000-01)			-
Police Technology Grants (CLEEP)			-
Liquor License Fees			-
Highway Carriers Uniform Business Tax			-
Financial Aid to Local Agencies			-
Business Inventory Exemption Reimbursement			-
Trailer Coach / Mobile Home VLF			-
1978-79 Bailout Funds			-
<b>Other Governments</b>			
Federal General Revenue Sharing			-
Federal CDBG			-
Housing (HUD)			-
Disaster Reimbursement			-
Other			-
<b>Other Miscellaneous</b>			
Sale of property (See "Qualified Capital Outlays")			-
Interfund transfers			-
	To Worksheet 4		
<b>1 Sub-Total non-interest revenues</b>	-	-	-
<b>2 Interest Earnings</b> <span style="color: red;">from Worksheet #4 =&gt;</span>		-	-
<b>3 Reserve Withdrawals</b>			-
	To Worksheet 8		
<b>4 Total</b>	-	-	-
			To Worksheet 4
<b>Total revenue plus reserve withdrawals (1c + 3c)</b>			-



Worksheet #2

Item 6.3

# Regulatory Fees, User Fees & Charges

City

FY

	a	i	ii	b=i+ii	c=b-a	d
Program Area	Fee Revenue	Direct Costs	Allocated Overhead	Total Costs	Costs minus Revenues	Revs > Costs? C=negative
1 General Gov't - Management/Support				-	-	-
2 Police - Law Enforcement				-	-	-
3 Transportation - Public Works				-	-	-
4 Planning and Development				-	-	-
5 Building, Construction and Fire Safety				-	-	-
6 Parks and Recreation, museums, etc.				-	-	-
7 Water				-	-	-
8 Sewer				-	-	-
9 Solid Waste				-	-	-
10 Other				-	-	-
11				-	-	-
12				-	-	-
13				-	-	-
14				-	-	-
15				-	-	-

16 Proceeds of Taxes =>  To Worksheet 1  
 = sum of column d

Non-Proceeds of taxes =>  To Worksheet 1  
 = a16-d16

*Do not include: rents, entrance fees, royalties, concessions, franchises, fines, forfeitures, penalties, or assessments on real property.*

*light blue shaded cells are computed*

"limit"

# Worksheet #3 Excluded Appropriations

City  - FY  -

### Amount

#### Court Orders

sub-total	-

#### Federal Mandates

sub-total	-

#### Qualified Capital Outlay

sub-total	-

#### Qualified Debt Service

sub-total	-

To Worksheets 4 and 8

**Total Exclusions**

-

*light blue shaded cells are computed*

4

# Worksheet #4 Interest Allocation

City  -

FY  -

	<u>Amount</u>	<u>Source</u>
a) Non-interest Tax Proceeds	-	from Worksheet #1
b) Minus Exclusions	-	from Worksheet #3
c) Net invested proceeds from taxes	-	a-b
d) Total revenue plus reserve withdrawals	-	from Worksheet #1
e) Proceeds of taxes as a percentage of revenues	<input type="text"/>	c / d
f) Interest earnings - Total	<input type="text"/>	To Worksheet 1
g) Amount of interest earned from "proceeds of taxes"	<input type="text"/>	e * f

*light blue shaded cells are computed*

# Worksheet #5 Population Changes

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City <input style="width: 300px;" type="text" value="-"/>								
For Fiscal Year	Jan 1	City Population	Countywide Population	Jan 1	City Population	Countywide Population	City % Change	County % Change
1986-87	1985			1986				
1987-88	1986	-	-	1987				
1988-89	1987	-	-	1988				
1989-90	1988	-	-	1989				
1990-91	1989	-	-	1990				
1991-92	1990	-	-	1991				
1992-93	1991	-	-	1992				
1993-94	1992	-	-	1993				
1994-95	1993	-	-	1994				
1995-96	1994	-	-	1995				
1996-97	1995	-	-	1996				
1997-98	1996	-	-	1997				
1998-99	1997	-	-	1998				
1999-00	1998	-	-	1999				
2000-01	1999	-	-	2000				
2001-02	2000	-	-	2001				
2002-03	2001	-	-	2002				
2003-04	2002	-	-	2003				
2004-05	2003	-	-	2004				
2005-06	2004	-	-	2005				
2006-07	2005	-	-	2006				
2007-08	2006	-	-	2007				
2008-09	2007	-	-	2008				
2009-10	2008	-	-	2009				
2010-11	2009	-	-	2010				
2011-12	2010	-	-	2011				
2012-13	2011	-	-	2012				
2013-14	2012	-	-	2013				
2014-15	2013	-	-	2014				
2015-16	2014	-	-	2015				
2016-17	2015	-	-	2016				
2017-18	2016	-	-	2017				
2018-19	2017	-	-	2018				
2019-20	2018	-	-	2019				
2020-21	2019	-	-	2020				

Select highest population factor for the year (column e or f) to Worksheet 7

*light blue shaded cells are computed*

# Worksheet #6 Cost of Living Adjustment Factors

Item 6.3

City

Factors for Fiscal Year	a	published	b	from ...	c	for ...	d
	<u>Percentage Change in Per Capita Personal Income</u>		<u>NRAV Dollar value of New Nonresidential Construction in the jurisdiction</u> <small>Source: County Assessor</small>		<u>AR<sub>py</sub> Total</u> <u>secured and unsecured assessment roll in the jurisdiction</u> <small>Source: County Assessor</small>		<u>Change in assessment roll due to addition of local nonresidential new construction</u>
	<small>Source: Calif Dept of Finance</small>						
1987-88	3.47%	May 1, 1987		1988 to 1987		1988	
1988-89	4.66%	May 1, 1988		1987 to 1988		1987	
1989-90	5.19%	May 1, 1989		1988 to 1989		1988	
1990-91	4.21%	May 1, 1990		1989 to 1990		1989	
1991-92	4.14%	May 1, 1991		1990 to 1991		1990	
1992-93	-0.64%	May 1, 1992		1991 to 1992		1991	
1993-94	2.72%	May 1, 1993		1992 to 1993		1992	
1994-95	0.71%	May 1, 1994		1993 to 1994		1993	
1995-96	4.72%	May 1, 1995		1994 to 1995		1994	
1996-97	4.67%	May 1, 1996		1995 to 1996		1995	
1997-98	4.67%	May 1, 1997		1996 to 1997		1996	
1998-99	4.15%	May 1, 1998		1997 to 1998		1997	
1999-00	4.53%	May 1, 1999		1998 to 1999		1998	
2000-01	4.91%	May 1, 2000		1999 to 2000		1999	
2001-02	7.82%	May 1, 2001		2000 to 2001		2000	
2002-03	-1.27%	May 1, 2002		2001 to 2002		2001	
2003-04	2.31%	May 1, 2003		2002 to 2003		2002	
2004-05	3.28%	May 1, 2004		2003 to 2004		2003	
2005-06	5.26%	May 1, 2005		2004 to 2005		2004	
2006-07	3.96%	May 1, 2006		2005 to 2006		2005	
2007-08	4.42%	May 1, 2007		2006 to 2007		2006	
2008-09	4.29%	May 1, 2008		2007 to 2008		2007	
2009-10	0.62%	May 1, 2009		2008 to 2009		2008	
2010-11	-2.54%	May 1, 2010		2009 to 2010		2009	
2011-12	2.51%	May 1, 2011		2010 to 2011		2010	
2012-13	3.77%	May 1, 2012		2011 to 2012		2011	
2013-14	5.12%	May 1, 2013		2012 to 2013		2012	
2014-15		May 1, 2014		2013 to 2014		2013	
2015-16		May 1, 2015		2014 to 2015		2014	
2016-17		May 1, 2016		2015 to 2016		2015	
2017-18		May 1, 2017		2016 to 2017		2016	
2018-19		May 1, 2018		2017 to 2018		2017	
2019-20		May 1, 2019		2018 to 2019		2018	
2020-21		May 1, 2020		2019 to 2020		2019	

Select highest factor for the year (column a or d) to Worksheet 7

light blue shaded cells are computed

# Worksheet #7 Appropriations Limit

Item 6.3

City  - FY  -

		<u>Amount</u>	<u>Source</u>
a) Prior Year Appropriations Limit		<input style="width: 150px;" type="text"/>	Prior year schedules
b) Adjustment Factors		percent	ratio
1) Population Change	<input style="width: 80px;" type="text"/>	1.000	<b>Select from Worksheet 5</b> "city" or "county"
Population in city or county?	<input style="width: 150px;" type="text"/>		
2) Cost of Living	<input style="width: 80px;" type="text"/>	1.000	<b>Select from Worksheet 6</b> "CPI" or "%new non-resid AV"
State CPI or % New non-residential?	<input style="width: 150px;" type="text"/>		
3) Combined adjustment factor		1.000	b1 * b2
c) Adjusted Limit		-	a * b3
d) Alterations			
Transfer of Financial Responsibility	<input style="width: 150px;" type="text"/>		
Transfer to Fees	<input style="width: 150px;" type="text"/>		
Emergency	<input style="width: 150px;" type="text"/>		
Voter Override	<input style="width: 150px;" type="text"/>		
Total Alterations		-	sum of d
e) Appropriations Limit - Current Year		-	c + d

*light blue shaded cells are computed*

## Worksheet #8 Appropriations Subject to Limitation

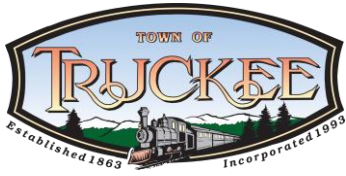
City  FY

	<u>Amount</u>	<u>Source</u>
a) Proceeds of Taxes	-	Worksheet #1
b) Exclusions	-	Worksheet #3
c) Appropriations Subject to Limitation	-	a-b
d) Appropriations Limit (current year)	-	Worksheet #7
e) Under (Over) Limit	-	d-c

*light blue shaded cells are computed*







Date: October 10, 2023

Honorable Mayor and Council Members:

Author and title: Kelly Carpenter, Town Clerk.

Title: **Adoption of Ordinance Update for Board and Commission appointment process and attendance.**

Jen Callaway, Town Manager

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**Recommended Action:** Adopt Ordinance 2023-07 modifying Title 2 of the Truckee Municipal Code regarding the appointment process and attendance for the Town’s board and commission members.

**Discussion:** At the August 22, 2023, Town Council meeting, Council provided direction to staff to modify the Truckee Municipal Code regarding the attendance and appointment of board and commission members. Council’s direction included to continue the historical method of each Council member appointing one member to the Planning Commissioners. For appointments to all other boards and commissions, unless otherwise specified by resolution or ordinance, each member shall be appointed by majority vote of Town Council. Staff addressed this difference in the amended proposed Ordinance 2023-07.

Ordinance 2023-07, which includes the modifications identified below, was introduced on September 12, 2023 (Attachment 1).

- Modified language in sections 2.04.010 and 2.04.020 to include “in consultation with Council”.
- Deleted section 2.06.040 applying retention period to applications. (Retention periods are tracked, modified and adopted through the Town’s retention schedule.)
- Modified section 2.06.020 to include “Unless otherwise specifically provided in a resolution,”
- Identified in section 2.06.050 the difference between how members are appointed to the Planning Commission from all other boards and commissions.
- Clarified section 2.06.060 regarding the term of office and Council member(s) right to replace board and commission members.
- Modified language in section 2.06.070 for board and commission vacancies to refer back to section 2.06.050.
- Modified language in section 2.06.080 to clarify that many board and commissions are larger than five members and that the meeting schedule is often set by the board or commission.
- Modified section 2.06.090 to clarify the attendance policy for board and commission members.

**Priority:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Enhanced Communication    | <input type="checkbox"/> Climate and Greenhouse Gas Reduction | <input type="checkbox"/> Housing                 |
| <input type="checkbox"/> Infrastructure Investment | <input type="checkbox"/> Emergency and Wildfire Preparedness  | <input checked="" type="checkbox"/> Core Service |

**Fiscal Impact:** none.

**Public Communication:** This staff report. A summary of the Ordinance was published in the Sierra Sun after the introduction and will be again after the adoption of the Ordinance.

**Attachments:** Attachment 1 - Ordinance 2023-07

Attachment 2 – Truckee Municipal Code, Title 2, redlined to show changes from August 22, 2023 Council Meeting.

Attachment 3 - Truckee Municipal Code, Title 2, redlined to show changes from current version of the Municipal Code.

**TOWN OF TRUCKEE  
California**

**ORDINANCE 2023-07**

**AN ORDINANCE AMENDING SECTION 2.04 and 2.06 OF THE  
TRUCKEE MUNICIPAL CODE REGARDING  
BOARD AND COMMISSION MEMBER APPOINTMENTS AND ABSENCES FROM  
MEETINGS**

**WHEREAS**, the Truckee Town Council directed staff to address the attendance and appointment method for the Town’s legislative bodies; and

**WHEREAS**, a Council committee of Mayor Romack and Council Member Zabriskie reviewed and provided feedback and edits to chapters 2.04 and 2.06 of the Truckee Municipal Code addressing attendance and appointments; and

**WHEREAS**, staff reviewed the policies of other California Cities and chose one that reflected the direction of Council;

*The Town Council of the Town of Truckee Does Ordain as Follows:*

**Section 1.** Sections 2.04.010, 2.04.020, 2.06.020, 2.06.050, 2.06.060, 2.06.070, 2.06.080, and 2.06.090 of the Truckee Municipal Code are hereby amended to read as set forth in Exhibit 1, attached hereto.

**Section 2.** Section 2.06.040 of the Truckee Municipal Code is hereby deleted.

**Section 3.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The Town Council of the Town of Truckee hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

**Section 4.** The Town Clerk is hereby directed to publish this ordinance in accordance with the law.

\* \* \* \* \*

**The foregoing Ordinance was introduced at a regular meeting of the Truckee Town Council held on the 26<sup>th</sup> day of September 2023, and adopted at a regular meeting of the Truckee Town Council, on the \_\_ day of \_\_ 2023; \_\_\_\_, moved for the adoption, the motion was seconded by \_\_\_\_, and was carried by the following vote:**

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**Lindsay Romack, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Kelly Carpenter, Town Clerk**

\_\_\_\_\_  
**Andy Morris, Town Attorney**

## **CHAPTER 2.04 COUNCIL MEETINGS AND APPEALS**

### **2.04.010 Time of Regular Meetings.**

The regular meetings of the Truckee Town Council shall be held on the second and fourth Tuesday of each month at the time of 5:00 p.m., unless otherwise directed by the Town Manager, in consultation with the Town Council.

### **2.04.020 Place of Regular Meetings.**

The regular meetings of the Town Council shall be held at the Town Administrative Center, 10183 Truckee Airport Road, Truckee, California, unless otherwise directed by the Town Manager, in consultation with the Town Council.

## **CHAPTER 2.06 BOARDS & COMMISSIONS: GENERAL PROVISIONS**

### **2.06.020 Number of Members**

Unless otherwise specifically provided in a resolution establishing the board or commission or as set forth herein, each board of commission shall consist of five (5) members.

### **2.06.050 Appointment.**

Each Council member shall appoint one member to the Planning Commission. which shall serve at the pleasure of the appointing Council member. For appointments to all other boards and commissions, unless otherwise specified by resolution or ordinance, each member shall be appointed by majority vote of the Town Council.

### **2.06.060 Term.**

Unless otherwise specified by resolution or ordinance, each board or commission member shall serve a term of four (4) years, or for an expired term if appointed to fill a vacancy subject to removal at any time at the pleasure of the appointing Council member (for members of the Planning Commission) or the Town Council (for members of all other boards and commissions). If one or more new Council members have been appointed or elected, but have not yet taken office, appointments to boards and commissions shall be suspended until the new council members have taken office.

### **2.06.070 Vacancies.**

If vacancies in any board or commission occur, other than by expiration of term, such vacancies shall be filled by appointment for the unexpired portion of the term as soon as reasonably possible in accordance with section 2.06.050.

### **2.06.080 Meetings/Quorum.**

Unless otherwise specified by resolution or ordinance, the Town Council shall establish meeting schedules for each board and commission. A quorum of a simple majority of the membership shall be required for the transaction of any business (except where law specifies a super majority vote is required).

**2.06.090 Absence From Meetings.**

If a board or commission member is absent from: (i) three consecutive meetings of the board or commission, or (ii) one-fourth of all meetings of the board or commission in a 12-month period, that member shall automatically vacate the member's seat on the board or commission, unless otherwise directed by the Council.

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that member shall automatically vacate the member's seat on the board or commission, unless otherwise directed by the Council.



**CHAPTER 2.04 COUNCIL MEETINGS AND APPEALS**

**2.04.010 Time of Regular Meetings.**

The regular meetings of the Town Council shall be held on the second and fourth Tuesday of each month at the ~~hourtime~~ of 5:00 p.m., unless otherwise directed by ~~motion of the Town Manager, in consultation with~~ the Town Council.  
(ORD 93-34-12-02-93; 2001-01-1-18-01; 2012-04-04-19-2012; 2020-06-07-14-2020)

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Style Definition: Header

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(ORD 2001-01-01-18-01)

**CHAPTER 2.06 BOARDS & COMMISSIONS: GENERAL PROVISIONS**

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**2.06.020 Number of Members~~—~~**

Unless otherwise specifically provided ~~in a resolution establishing the board or commission or as set forth herein~~, each board or commission shall consist of five (5) members.

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**2.06.040 ~~Applications.~~**

~~The Town Manager shall maintain all applications submitted to the Town for board or commission positions for a period of two (2) years.~~

**2.06.050 ~~Appointment~~—~~~~**

Each Council member shall appoint one ~~board or commission member which shall serve at the pleasure of the Council Member. — member to the Planning Commission. For appointments to all other boards and commissions, unless otherwise specified by resolution or ordinance, each member shall be appointed by majority vote of the Town Council.~~  
(ORD 95-01-01-05-95)

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**2.06.060 Term.**

~~Each~~Unless otherwise specified by resolution or ordinance, each board or commission member shall serve a term of four (4) years, or for an expired term if appointed to fill a vacancy. ~~Terms~~

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Title 2-1

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~~shall expire 90 days after the term of office of the appointing Council Member expires, or at any time members leave office, subject to removal at any time at the pleasure of the appointing Council member (for members of the Planning Commission) or the Town Council (for members of all other boards and commissions). If one or more new Council members have been appointed or elected, but have not yet taken office, appointments to boards and commissions shall be suspended until the new Council members have taken office.~~

~~(ORD 95-01-01-05-95)~~

**2.06.070 Vacancies.**

If vacancies in any board or commission occur, other than by expiration of term, such vacancies shall be filled by appointment for the unexpired portion of the term. ~~The Town Council member who appointed the vacating board or commission member shall appoint a replacement, as soon as reasonably possible in accordance with section 2.06.050.~~

~~(ORD 95-01-01-05-95)~~

**2.06.080 Meetings/Quorum.**

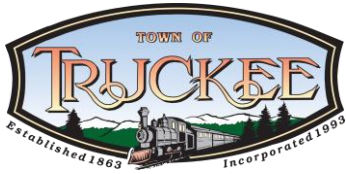
~~The~~Unless otherwise specified by resolution or ordinance, the Town Council shall establish meeting schedules for each board and commission ~~by resolution.~~ A quorum of ~~three~~ simple majority of the membership shall be required for the transaction of any business: ~~(except where law specifies a super majority vote is required).~~

**2.06.090 Absence From Meetings.**

~~Should any~~If a board or commission member ~~be~~ absent from ~~(i)~~ three consecutive meetings ~~for~~of the board or commission; ~~or (ii) one-fourth of all meetings of the board or commission in a 12-month period,~~ that member shall automatically vacate the member's seat on the board or commission. ~~The vacancy shall be filled in the same manner as any other vacancy.~~ ~~, unless otherwise directed by the Council.~~

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Title 2-2



Date: October 10, 2023

Honorable Mayor and Council Members:

Author and title: Erica Mertens, Diversity Equity and Inclusion Program Manager

Title: **Approval of contract with Equity and Wellness Institute for Diversity, Equity & Inclusion Action Plan Project**

Jen Callaway, Town Manager

---

**Recommended Action:**

- (1) Authorize the Town Manager to execute a contract with Equity and Wellness Institute (EqWI) in the amount of \$99,000 to develop a Diversity, Equity & Inclusion Action Plan.
- (2) Amend CIP C2403 to increase the budget for a Diversity, Equity and Inclusion Action Plan by \$49,000 to \$99,000.

**Discussion:**

One of Town Council's strategic focus areas for 2023-2025 is to *Enhance communication and public outreach to facilitate community cohesion*. The Diversity, Equity and Inclusion (DEI) Action Plan is one component of the Town's workplan to support this effort, which will institutionalize new programs and policies to create a more equitable, diverse and inclusive place for all people to live and work in Truckee.

Three main tasks for this project were outlined in a request for proposal (RFP):

**Task 1: An Environmental Justice (EJ) Analysis**

Staff included an EJ analysis into this project per Town Council direction given to staff during the adoption of the Truckee 2040 General Plan. The EJ analysis will be performed in a qualitative and quantitative fashion, looking at the traditional data sources, while also interviewing community members and stakeholders to help identify the vulnerable communities in Truckee. While the CalEnviroScreen tool does not identify Truckee as a disadvantaged community, we understand that there are many underserved communities in Truckee. The EJ analysis will help inform the policies to be developed in Task 3.

**Task 2: Organizational Assessment**

The consultant will conduct an organizational assessment to identify equity gaps in our current internal and external organizational practices. This will entail extensive review of key documents including Town hiring & promotion policies, procurement policies, housing programs, and the general plan. The process may also involve surveys of both public and Town staff, as well as interviews with community members. The organizational assessment will be used to inform the development of the DEI Action Plan.

**Task 3: DEI Action Plan**

The development of a DEI Action Plan will contain a guiding DEI statement for the Town of Truckee, a strategic plan with recommended policies, identifiable actions to achieve, measurable metrics and implementation guidelines. This process will include robust public engagement of both internal and external stakeholders.

The key deliverable of the DEI Action Plan will be the comprehensive plan itself that has clearly delineated actions, implementation measures and measurable outcomes for accountability. The plan itself will reflect the key findings from the EJ analysis and organizational assessment from Tasks 1 and 2.

In response to the Town’s RFP, we received thirty (30) project proposals, making the selection process extremely competitive. The project team selected four firms to provide a brief presentation and participate in an interview with staff regarding their project approach. The review team recommended EqWI as the best fit for the project because of their breadth of experience in leading DEI initiatives for government agency clients, inclusive approach to community-driven processes, their nuanced understanding of our mountain community, and long-standing DEI industry acumen. The cost of EqWI’s proposed Scope of Work is not to exceed \$99,000. The anticipated project duration is approximately 8-9 months.

Town Staff are working to draft a separate staff training plan with EqWI, which will be brought forward as a budget amendment at a future date. Staff initially planned to write a training plan as an outcome of the DEI Action Plan, but per the advice of EqWI would like to hold trainings concurrently to ensure staff are equipped with an equity toolkit to be able to speak to these concepts during the DEI Action Plan drafting process.

**Summary:** Staff recommend that Council authorize the Town Manager to execute a contract with Equity and Wellness Institute in the amount of \$99,000 for the Town’s DEI Action Plan project.

**Priority:**

- Enhanced Communication       Climate and Greenhouse Gas Reduction       Housing
- Infrastructure Investment       Emergency and Wildfire Preparedness       Core Service

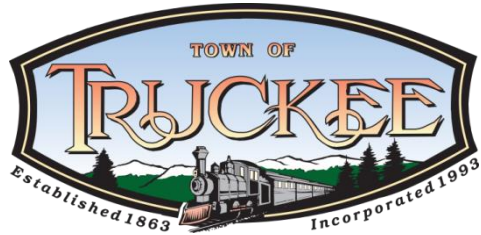
**Fiscal Impact:** CIP C2403 budgeted \$50,000 in FY23/24 to develop a Diversity, Equity and Inclusion Action Plan. After the final draft C2403 budget had been drafted, during the General Plan adoption process in May 2023 Town Council committed to completing an Environmental Justice Analysis. This General Plan action has been added to the DEI Action Plan scope of work, requiring a budget amendment. Staff recommends that Council approve a budget amendment to increase the C2403 budget by \$49,000 to \$99,000, to be funded by the General Fund.

**Public Communication:** Agenda Posting.

The project will include opportunities for stakeholder engagement throughout the development process, including public workshops.

**Attachments:**

- (1) DEI Action Plan RFP
- (2) Equity and Wellness Institute Scope of Work



## REQUEST FOR PROPOSALS

Town of Truckee  
Diversity, Equity & Inclusion Action Plan

Town of Truckee  
10183 Truckee Airport Rd.  
Truckee, CA 96161

Date of Issuance: July 3, 2023

**PROPOSALS DUE 12:00 PM PST AUGUST 7, 2023**

Proposals to be delivered via electronic format to: [truckee@townoftruckee.com](mailto:truckee@townoftruckee.com)

## Introduction

The Town of Truckee, hereinafter referred to as “the Town,” is seeking proposals from qualified consultants to guide the development of a Diversity, Equity, and Inclusion (DEI) Action Plan. This process will include an environmental justice analysis of vulnerable communities in Truckee that may not be identified as disadvantaged by the CalEPA CalEnviroScreen.

## Background and Objectives

The Town of Truckee is a small mountain town, situated in the Sierra Nevada of California, near the Tahoe Basin. Truckee has a population of 17,000, but has many unique challenges due to its natural environment, tourism driven economy, and large second-home owner population. The Town is the local government agency that provides community services including emergency management, police services, snow removal and road maintenance, land use planning, transit services, economic development, sustainability programs, and housing programs.

Truckee Town Council adopted five strategic focus areas in 2022, which included a goal to “enhance communication and public outreach to facilitate community cohesion.” As a result of this Town Council goal, and the identified need to improve engagement with underserved populations within the community, the Town formed the community engagement division comprised of the Communications Program Manager and its first DEI program manager. In March 2023, Truckee Town Council readopted this same council strategic focus areas, reaffirming its commitment to improving communications and creating an equitable and inclusive Truckee. At this priority setting meeting, four other council goals—all of equal importance—were adopted, which are: workforce housing development; reducing GHG gas emissions and being a leader in sustainability; investing in key infrastructure and community connectivity; and enhancing partnerships and investments for emergency preparedness.

The Town is looking to develop an ambitious DEI Action Plan to implement institutional and structural change, so that Truckee can be a place where all people can live, work, and thrive. The DEI Action Plan will include actions the Town can enact to improve the organization’s practices and culture, both with external community stakeholders and internally. It will also provide insight and actions the Town can take to improve how it engages with community members, particularly those in underserved communities. In Truckee underserved communities include our Latinx/Hispanic population, people with disabilities and ambulatory challenges, senior citizens, LGBTQ+, and low income individuals.

Examples of the existing DEI efforts that the Town has undertaken include the following practices:

- Hired DEI Program Manager in October 2022
- DEI Program Manager actively participates in regional and national professional groups (i.e. Tahoe Truckee Community Collaborative DEI Subcommittee member; USDN Equity Foundations Training 2023 cohort)
- Town contracts with interpreters/translators to provide Spanish translation and interpretation of key materials and workshops
- Partnering with local Latinx/Hispanic community leaders—Sierra Community House Promotores—to help strengthen community ties within our Latinx community and to provide better information and services to our Spanish-speaking residents

- Hosting community events at local multi-family complexes, mobile home parks, and rec centers to change the venue away from Town Hall and provide services directly where people are located

### **Proposed Tasks**

The Town anticipates working with a single firm or consultant team but reserves the right to bifurcate the scope of work based on proposals received. The selected consultant(s) will be responsible for conducting all tasks which may include but are not limited to: material preparation, research, surveys, community engagement, facilitation of meetings, information gathering, draft plan development, plan editing, meetings with stakeholders, and presentation of materials including the final plan.

#### **Task 1: Environmental Justice Analysis**

Conduct an environmental justice analysis to identify vulnerable communities in Truckee that may not be identified as disadvantaged by the California Environmental Protection Agency (CalEPA). The consultant will utilize California Office of Planning and Research (OPR) guidance on community-specific data to identify underserved communities, the CalEnviroScreen tool as a resource for data, and any other methodology as identified to be appropriate by the consultant. Findings from this analysis will inform the DEI Action Plan policies and programs.

##### ***Key Deliverables***

1. At least one in-person meeting or workshop with key stakeholders.
2. An analysis of the environmental justice issues in Truckee that will be used to inform policy actions in the DEI Action Plan.
3. An executive summary of the environmental justice analysis to inform leadership, Town Council, and the public about the vulnerable communities in Truckee.

#### **Task 2: Organizational Assessment**

Conduct research, collect qualitative and quantitative information, and synthesize a summary of assessment of racial equity gaps that exist in current practices, both with external community stakeholders and internally, to inform the development of the DEI Action Plan. This assessment may be done by the following practices, but not limited to: reviewing key documents (such as the recently adopted Truckee 2040 General Plan, hiring practices, financial practices, housing programs, the representation of elected and appointed officials, etc), conducting surveys internally and externally, and interviews with community stakeholders.

##### ***Key Deliverables***

1. At least one in-person meeting or workshop with key stakeholders.
2. An organizational assessment that will be used to inform the development of the DEI Action Plan.
3. An executive summary of the organizational assessment to be used to inform leadership and Town Council, and the public about the diversity, equity & inclusion baseline gaps and opportunities.

### Task 3: DEI Action Plan

Development of a DEI Action Plan includes creation of a guiding racial equity, diversity and inclusion statement for the Town of Truckee, a framework and a strategic plan with recommended policies, identifiable actions to achieve key outcomes, measurable metrics, and accountability mechanisms. As part of the development of the DEI Action Plan, the selected consultant will be expected to conduct a robust public engagement process, including internal and external stakeholders. These stakeholders may include, but are not limited to: Town staff, Town elected or appointed officials, special district staff, non-profit partners, and the general public. The consultant will work alongside Town DEI staff, but the consultant will be responsible for leading all efforts related to the DEI Action Plan development.

The plan should focus on the following key areas:

- Community Engagement
- New recommended actions to address findings of the organizational assessment and the environmental justice analysis, including internal practices (ie. Contracting and procurement practices, HR hiring and retention practices) and community programs
- Town workforce culture and an internal DEI training plan (*this contract does not include staff trainings, but the same consultant may be considered to conduct future trainings upon successful completion of the DEI Action Plan*)
- Meaningful collaboration with the Washoe Tribe

We recognize that we are near the beginning of our journey in racial equity, diversity, and inclusion, and are seeking a consultant who can be a learning partner to provide guidance along the way. If there are elements and processes not currently identified in this Scope of Work that your firm identifies as important to this work, please include these in your proposal.

#### **Key Deliverables**

1. At least one in-person meeting with internal Town staff.
2. At least one in-person meeting with community stakeholders.
3. A written guiding Racial Equity, Diversity, and Inclusion statement.
4. A written comprehensive DEI Action Plan that has clearly delineated actions, implementation measures, and measurable outcomes. The DEI Action Plan will include strategies to address the findings in Tasks 1 and 2 and any others as identified by the consultant.
5. An executive summary of the DEI Action Plan and a presentation slide deck that will be used to present the DEI Action Plan to Town stakeholders.
6. A minimum of one presentation to Town Council or community stakeholders on the final DEI Action Plan (in-person preferable).

#### **Timing**

The expected timeframe for this project is six to nine months from the contract start date. Staff would like to begin immediately upon the contract initiation, with community engagement commencing during the fall, during non-peak visitor season, with the final DEI Action Plan presented in 2024.



## Budget

The budget is not predetermined but is anticipated to be within the range of \$50,000 to \$100,000. **Desired Qualifications and experience**

The ideal consultant(s) will exemplify the following:

- Strong community-minded public engagement experience
- Expertise and experience in developing racial equity or DEI action plans in similar settings, focused on both internal policies and external audiences
- Sensitivity to navigating an organization and community with cross-cultural backgrounds

## Proposal Submittal

Proposals are due to Town of Truckee, by 12:00 PM PST Monday, August 7, 2023. Proposals shall be submitted electronically to Truckee@TownofTruckee.com, or by mail to: Attn: Town Clerk, Truckee Town Hall, 10183 Truckee Airport Road, Truckee, CA 96161.

Joint proposals from a consultant and subcontractor team are acceptable. If a consultant is proposing to utilize a subcontractor, they must clearly identify which Scope of Work task(s) are to be performed by the subcontractor.

Submitted proposals should not exceed ten (10) pages in length, including attachments, and should include the following:

- 1) Description of your firm's experience and qualifications in performing similar work, including tasks detailed in the Proposed Tasks.
- 2) An itemized Scope of Work summarizing your proposed approach and methodology, and project timeline. The Scope of Work should include the tasks and sub-tasks listed above in the Proposed Tasks section, as well as any additional tasks not identified above that you believe to be important components of the proposed project. Three (3) references for consultant's work on related projects or programs. For each reference, please include reference organization, contact information, and brief project description. If the proper is utilizing a subcontractor, three (3) references shall also be included for the subcontractor.
- 3) A proposed itemized budget for the project including all expenses and an hourly rate and the estimated number of hours required to complete each of the work tasks and sub-tasks listed in the Scope of Work.

## Selection Criteria

The Town anticipates working with a single firm or consultant team but reserves the right to bifurcate the scope of work based on proposals received.

The proposal will be reviewed utilizing the information submitted with the Request for Proposal. The selection process may include an interview of top candidates, or the Town may waive interviews, at its sole discretion. A formal scoring methodology will not be used; The Town Manager will make the final decision based on the following criteria (not necessarily in order of importance):

- Understanding of the work required;

- Experience with emphasis on completing similar projects in a satisfactory manor, within budget and on schedule;
- Quality and responsiveness of proposal;
- Demonstrated ability to lead community-minded public engagement and stakeholder engagement
- Demonstrated competence and professional qualifications necessary for satisfactory performance of the work required;
- Recent experience in successfully performing similar services, especially for similar types of organizations;
- Proposed approach in completing the work;
- References;
- Background and related experience of the specific individuals to be assigned to this project; and
- Cost of the proposal.

### **RFP Questions**

Please direct any questions related to the RFP, by August 7, 2023, to Erica Mertens, DEI Program Manager, at [emertens@townoftruckee.com](mailto:emertens@townoftruckee.com) or 530-582-2909. Responses to all questions received will be posted with the RFP at [www.townoftruckee.com](http://www.townoftruckee.com).



*Equity and Wellness Institute*  
Cultivating Well-Being in Communities

## EXPERIENCE AND QUALIFICATIONS

It is with great pleasure that the [Equity and Wellness Institute](#) (EqWI) submits this proposal in response to the Town of Truckee's need for a Diversity, Equity & Inclusion (DEI) Action Plan to implement citywide institutional and structural change so that Truckee can be a place where all people can live, work, and thrive. We would welcome the opportunity to improve the Town's internal and external practices and culture so that its underserved communities' needs are met. These populations have been identified as the local Latinx/Hispanic population, people with disabilities and ambulatory challenges, senior citizens, LGBTQ+, and people facing multiple financial barriers.

With over 25 years of experience advancing social justice in communities throughout California, EqWI is uniquely qualified to perform all aspects of the work listed in the RFP, including: 1) an Environmental Justice Analysis; 2) Organizational Assessment, and 3) a DEI Action Plan. To complement these tasks, we would also provide your Leadership Team with ongoing, monthly consultations that will support the scope of services. Please see the accompanying work plan and budget for our detailed proposal.

### Background & Team

EqWI is an outgrowth of Nolfo Consulting, Inc. and Mitchell Consulting, firms that Dr. Tamu Green has led since 1996. We envision equitable and just systems, achieved through our mission to **cultivate well-being for public and private institutions and the communities they serve**. With a community-centric approach to systems change through an equity lens, we have provided comprehensive research and data collection and analyses, evaluation, strategy development, and advising services to numerous agencies and service providers.

Based out of Sacramento, we are a **woman of color-owned and operated California Certified Small Business/ Micro Business** (DGS SB/MB# 2016214) and are in good standing and qualified to conduct business in California. Our Founder and CEO, Dr. Tamu Green, is a mixed-race woman from a working-class background with decades of experience as a leader in Diversity, Equity, and Inclusion (DEI). Her lived experience has served her well to lead [EqWI's team](#) on this project, which includes: Jillyan Sylvia McKinney, M.A.Ed (Project Manager, Trainer, Tribal liaison, Community Outreach); Fabian Perez-Gove, MPH (Health and Racial Equity, Community Based Participatory Research); and Beth Waitkus, M.S. Organizational Development (Environmental Justice, Community Outreach, Data Analyst, Strategy Planner). Together, the team brings a breadth and depth of experience in issues of antiracist practices, racial and gender equity, social and environmental justice, and community engagement.

### EqWI's Related Work Experience

EqWI's business model has been predicated on agility. With flexible project staffing, we ensure that our clients are paired with the processes and expertise that will best serve them. For the Town of Truckee, we would integrate the experience and insights of our team's collective background as mentioned above. Additionally, our team has experience working in the Truckee/Tahoe area, is already familiar with local demographics (with Spanish speakers on staff), and has worked collaboratively with the Washoe Tribe, other California Rancherias, and Truckee/Tahoe based non-profit organizations.

Over the years, Dr. Green and EqWI have enjoyed working on numerous projects that have ignited organizational, regional, and statewide change with a focus on community engagement and racial equity. The examples mentioned below offer insights into how we incorporate and integrate aspects of the Town's qualifications for this project.

### ***DEI/Racial Equity Action Plans***

- ***Homelessness [Racial Equity Action Plan](#)***: we spearheaded the effort to create the Sacramento region's first racial equity action plan to address homelessness. Over a 7-month timeframe, this involved creating a Racial Equity Committee of the Sacramento Continuum of Care Board (governed/managed by Sacramento Steps Forward) and providing a racial equity 3-part training series for them and the broader community. The work included outreach to local communities, integrating a community-based participatory research (CBPR) interview approach, holding multiple stakeholder forums and other community report-outs, and ultimately producing a very clear set of actionable findings and recommendations that the Board adopted. The racial equity action plan derived its findings from the intersections of public health, environmental justice, and those communities that were disproportionately impacted by homelessness.
- ***CA Tahoe Conservancy and the Tahoe Basin***: we are currently working alongside the [California Tahoe Conservancy](#) to develop their racial equity action plan, to be completed by October 2024. Our initial findings have indicated that a relational approach to community engagement is best to serve rural communities that have influxes of seasonal visitors – creating both benefits and challenges to the environment, norms, culture, housing, and economy. We have conducted research to identify communities experiencing the most disparities with an equitable and focused approach to community engagement. This has allowed our team to develop deep and meaningful relationships with the monolingual Spanish-speaking and Indigenous communities in the Basin.

### ***Outreach and Community-Based Action Plans***

- ***Office of Health Equity (OHE) in the California Department of Public Health***: for this project, stakeholders from around the state were brought together to create and implement [Portrait of Promise: The California Statewide Plan to Promote Health and Mental Health Equity](#). Interactive meetings, webinars, and community forums were conducted, and survey data and recommendations were compiled and sent to OHE and incorporated into the plan. This effort focused attention on the social determinants shaping the health of California's people and places, including income security, food security and nutrition, child development and education, and housing, among others. It has served as a model for states around the country.
- ***Sacramento County Public Health***: for this project, EqWI is currently working closely with their Health and Racial Equity Team (HRE) to identify environmental exposures that impact health disparities among Sacramento County residents. These environmental justice factors will serve as the base for the development of the health and racial equity action plan to be completed in May 2024. Guided by our detailed work plan, we work collaboratively with the leadership and its entire division, keeping the HRE team apprised of our efforts. To date, we have conducted a thorough internal document review, completed staff and stakeholder interviews, researched best and promising practices statewide and nationally, initiated a unit/program resources assessment, engaged the division in an interactive town hall meeting, and scheduled focus groups with community partners. Based on our initial success and momentum, our contract has just been extended to include a community based participatory process, a community engagement training series, and a racial equity summit.

## ***Creating Organizational Accountability Structures***

- ***Sacramento Steps Forward, Linc Housing, Oakland Family Resource Center Network, Education Insights Center, US Fish and Wildlife Service***: For these projects, we established the equitable mechanisms through which the organizations’ work could shift and grow over time while receiving critical input from diverse internal and external stakeholders. Often these mechanisms included formal committees that engaged those most impacted by the problem, leading to clear and concise action plans, regular report-outs in plain language and through accessible venues, paid staff positions to ensure timely, culturally and linguistically appropriate implementation, and tiered options for funders and other decision-makers to be able to support the communities’ aspirations.
- ***Tahoe-Truckee Future Without Drug Dependence Coalition***: Additionally, we have cultivated strong relationships in the Truckee area through a 10-year evaluation contract with the Coalition. Through this work, we lowered youth substance use by 20 percentage points (which is virtually unheard of), speaking to the power of thoughtful, steady collaboration with community partners. We look forward to utilizing our existing relationships to continue our work with the Town.

## **2. SCOPE OF WORK**

### **EqWI’s Overall Approach**

Having consulted on multiple projects over the years, we have collectively developed tools, techniques and gained new vantage points that can be applied to this project. We have built an excellent reputation for being attentive and responsive to our clients’ needs - the people with whom we work feel comfortable, welcome, and heard. This is not by accident, but rather as a result of caring deeply about creating organizations, systems and institutions that support healing in our communities that face the greatest inequities. We are accustomed to navigating spaces and groups where we may share very little or a tremendous amount with the people who are present. This strength has served our clients well with all of our planning, coalition, and evaluation projects over the past three decades, as each one has relied on conducting outreach and authentic engagement with a variety of diverse communities. This practice is built on transparency and the knowledge that we must “move at the speed of trust.”

For this project, we intend to work closely with the Leadership Team and the Town’s DEI program manager to leverage your existing community connections – including the Latinx community, as well as the Town’s ADA coordinator and other selected members of the Town’s staff, the Town’s elected or appointed officials, special district staff, non-profit partners, and the general public. We also intend to combine several tasks for most efficient use of time, including external stakeholder interviews and community meetings in Tasks 1 and 2. Key community meetings will be held in-person, weather and COVID permitting. The Town will support the technology for hybrid meetings as necessary, as well as ADA accessibility and translation services.

### **TASK 1 | Environmental Justice (EJ) Analysis**

***Approach:*** EqWI has a time-tested approach to qualitative and quantitative research, data collection and analysis through an equity lens. For this EJ Analysis, we will gather data from as many sources as possible, including from sources above and beyond what is listed in the RFP. With a scan of available data, combined with community stakeholder interviews and meetings (to be combined with Task 2 efforts), we will be able to identify the most vulnerable communities in Truckee, surface their deeper concerns, barriers, and the inequities they face to ultimately inform the DEI action plan. Since our team already has familiarity with the local community’s demographics and has established community connections, we will leverage those resources with the support of the Town and its Leadership Team.

The term “environmental justice” generally refers to the injustices that people experience in relation to environmental and climate change impacts, and those intersectionalities with work, health, and economic prosperity. Since underserved communities generally face the brunt of climate change impacts globally – and people in Truckee live with particular climate extremes – questions about how the rapidly changing environment specifically affects Truckee’s most underserved communities will be integrated into our external stakeholder interviews as well.

Task   Methodology	Timeline	Outcome   Deliverable
<p><b>1.1 EJ   Data collection</b> could include scans from the following resources:</p> <ul style="list-style-type: none"> <li>• Data sets the Town has suggested (e.g, CalEnviroScreen - EqWI will be attending CalEnviroScreen Trainings in August)</li> <li>• Income/poverty statistics   Income disparities</li> <li>• Housing - What is the housing stock comprised of? How many are second homes?</li> <li>• <a href="#">School data for Truckee Unified School District</a></li> <li>• Number of nonprofits in Truckee and which communities they serve (for potential outreach). Request data from them as appropriate.</li> <li>• Substance use disorder/mental health outcomes</li> </ul> <p>Data will be collected and analyzed for findings and recommendations in a data tracker chart. Outcomes from external stakeholder interviews and the community meeting below will be incorporated as well.</p>	<p>Months 1-2</p>	<p>Analysis of the EJ issues in Truckee that will be used to inform policy actions in the DEI Action Plan.</p>
<p><b>1.2 External Stakeholder Interviews (to be done in conjunction with Task 2.2)</b> Up to 10 interviews.</p> <ul style="list-style-type: none"> <li>• Work with DEI program manager, ADA coordinator and Leadership Team to identify key community partners, networks, and key influencers that will be leveraged throughout all phases of the project.</li> <li>• Design and development of stakeholder interviews that incorporate questions pertaining to demographics as well as questions about the Town’s services (Task 2.2 below), and environmental impacts.</li> <li>• Once stakeholders are identified, EqWI will do outreach.</li> <li>• Conduct key stakeholder interviews with underserved community members and synthesize findings.</li> </ul>	<p>Month 3</p>	<p>Analysis of the EJ issues in Truckee that will be used to inform policy actions in the DEI Action Plan.</p>
<p><b>1.3 Community Meeting:</b> 1 meeting day (to incorporate with Task 2.3 below).</p> <ul style="list-style-type: none"> <li>• Leverage schools, libraries, nonprofit and faith-based organizations, associations, and other entities that have relationships with the identified underserved groups and have them invite their connections to the meetings.</li> <li>• Analyze data from EJ issues – review emerging findings and recommendations.</li> <li>• Present initial findings in a community meeting (combined with community meeting in Task 2).</li> </ul>	<p>Months 3-4</p>	<p>At least 1 in-person community meeting or workshop with key stakeholders to include an analysis of the EJ issues in Truckee that will be used to inform policy actions in the DEI Action Plan.</p>

Task   Methodology	Timeline	Outcome   Deliverable
<ul style="list-style-type: none"> <li>Receive community feedback to be integrated into a 1-2 page executive summary.</li> </ul>		
<p><b>1.4   EJ Executive Summary</b></p> <ul style="list-style-type: none"> <li>Develop key findings and recommendations to be integrated into the EJ executive summary, based on information gathered.</li> <li>1-2 reviews of a draft executive summary with the Leadership Team, with feedback incorporated.</li> <li>Ensure the executive summary is distributed to the stakeholders listed in the deliverables.</li> </ul>	Month 5	An executive summary of the EJ analysis to inform leadership, Town Council, and the public about the vulnerable communities in Truckee.

**TASK 2 | Organizational Assessment**

**Approach:** Task 2 activities will include a document analysis as well as additional surveys and conversations with internal and external stakeholders to provide a systemic view of the organization’s functioning and recommended interventions. In doing assessments, we generally review the organization’s strategy, structures, processes, culture and leadership through an equity lens to surface key themes that will be critical to developing a DEI Action Plan. The document review will be a crucial step in Task 2 to identify measurable racial disparities that are relevant to the Town’s mission and internal goals they could work to address. Additionally, the voices of community stakeholders and staff will more deeply and broadly inform findings and recommendations.

Task   Methodology	Timeline	Outcome   Deliverable
<p><b>2.1 Documents Review:</b> Work with the Town to gather critical documents for review (up to 150 pages), including but not limited to: recently adopted Truckee 2040 General Plan, hiring practices, financial practices, housing programs, the representation of elected and appointed officials, mission, vision, values, etc.</p> <ul style="list-style-type: none"> <li>List and review documents, looking for findings that will inform the recommendations.</li> <li>Collect findings in the data tracker with source information.</li> </ul>	Months 1-2	Will inform the organizational assessment that will be used for the development of the DEI Action Plan.
<p><b>2.2 Information Gathering:</b> Work with the Town to select staff from all levels of the organization to interview.</p> <p><b>Online Survey</b></p> <ul style="list-style-type: none"> <li>In conjunction with the Leadership Team, design and develop an online survey to be distributed to people working for the Town.</li> <li>Collect and assess data, looking for emergent themes that can inform the DEI Action Plan.</li> </ul> <p><b>Internal Stakeholder Interviews (up to 10)</b></p> <ul style="list-style-type: none"> <li>In collaboration with the Leadership Team, design</li> </ul>	<p>Months 2-4</p> <p>Month 3</p> <p>Month 3</p>	<p>Will inform the organizational assessment that will be used for the development of the DEI Action Plan.</p>

Task   Methodology	Timeline	Outcome   Deliverable
<p>questions for interviews to capture data needed for this phase.</p> <ul style="list-style-type: none"> <li>Conduct internal stakeholder interviews with select staff.</li> </ul> <p><i>External Stakeholder Interviews (to be done in conjunction with Task 1.2)</i></p> <ul style="list-style-type: none"> <li>Conduct external stakeholder interviews to determine effectiveness of Town services, how they are delivered, etc. (to be integrated into the final plan). These will be combined with the questions from Task 1.2 (for one set of interviews). Incorporate findings into a data tracker.</li> <li>Summarize findings into the executive summary.</li> </ul>	<p>Month 4</p>	
<p><b>2.3 Community Meeting</b> - 1 meeting (with 2 separate portions combined with Task 1.3, above)</p> <ul style="list-style-type: none"> <li>Present initial findings in the community meeting.</li> <li>Receive community feedback to be integrated into a 1-2 page executive summary.</li> </ul>	<p>Month 4-5</p>	<p>At least 1 in-person meeting or workshop with key stakeholders. Any outcomes from this meeting will help inform the development of the DEI Action Plan</p>
<p><b>2.4 Organizational Assessment Executive Summary</b></p> <ul style="list-style-type: none"> <li>Develop a draft executive summary from this phase, noting key themes and strategic directions.</li> <li>1-2 reviews of the draft executive summary with the Leadership Team, with feedback incorporated into the final version.</li> </ul>	<p>Month 5</p>	<p>An executive summary of the organizational assessment to be used to inform leadership, the Town Council, and the public about the DEI baseline gaps and opportunities.</p>

**TASK 3 | DEI Action Plan**

**Approach:** Over the course of this project, EqWI will guide and support the Town to focus on strategies to dismantle structural racism. The DEI Action Plan will address how the Town can champion racial equity, improve health and community well being, and emphasize a culture of continuous quality. The plan will be a compilation and integration of the findings from Tasks 1 and 2, including the development of a Racial Equity, Diversity and Inclusion Statement, as well as feedback sessions with the staff and community to present initial findings and recommendations. These will include measurable racial disparities that are relevant to the Town’s mission and that the Town will have aspirations to address. The final plan will be presented to the Town Council and community stakeholders to: 1) build consensus for the final DEI Action Plan and 2) prioritize activities depending on community needs and the Town’s capacity.

Task   Methodology	Timeline	Outcome   Deliverable
<p><b>3.1 Draft initial DEI Action Plan</b></p> <p>Continue to review and synthesize all data collected in the first two phases to refine initial findings and recommendations through a racial equity lens. This includes but is not limited to: internal data and documents review, informational interviews, and previous meetings.</p>	<p>Month 6</p>	<p>A written comprehensive DEI Action Plan that has clearly delineated actions, implementation measures, and measurable outcomes, including strategies to address the findings in</p>



Task   Methodology	Timeline	Outcome   Deliverable
<ul style="list-style-type: none"> <li>Review initial findings and recommendations with the Leadership Team for alignment. Work to determine goals and assessments throughout the year.</li> <li>Synthesize executive summaries from Phases 1 and 2 into a full executive summary to be incorporated into the DEI Action Plan.</li> <li>Develop a PowerPoint Presentation slide deck for staff and public feedback/listening sessions with key findings and recommendations (see below).</li> </ul>		<p>Tasks 1 and 2 and any others as identified by EqWI.</p> <p>An executive summary and a presentation slide deck that will be used to support the presentation of the DEI Action Plan to Town stakeholders.</p>
<p><b>3.2 Racial Equity, Diversity and Inclusion Statement</b></p> <ul style="list-style-type: none"> <li>Based on data collected from stakeholder assessments (as well as decades of DEI experience), work collaboratively with the Leadership Team to draft a Racial Equity, Diversity and Inclusion Statement (included in monthly Leadership Team meetings).</li> <li>This Racial Equity, Diversity, and Inclusion Statement will be shared with the Town (in the meetings below) for feedback to be incorporated into the final plan.</li> </ul>	Month 6	A written guiding Racial Equity, Diversity and Inclusion Statement.
<p><b>3.3 Internal Town Feedback Meeting</b> (adjacent to Community Feedback Meeting below)</p> <ul style="list-style-type: none"> <li>Develop, design, and facilitate an interactive 2-hour meeting with Town staff to present Draft Findings and Recommendations.</li> <li>The Town’s team sends out invites to selected staff and handles meeting logistics.</li> <li>Meetings will include review of Themes and Recommendations for feedback.</li> <li>Information and feedback will be integrated into the final DEI Action Plan.</li> </ul>	Month 7	At least 1 in-person meeting with internal Town staff.
<p><b>3.4 Community Stakeholder Feedback Meeting</b> (adjacent to Internal Staff Meeting above)</p> <ul style="list-style-type: none"> <li>Develop and design a 2-hour meeting with key community stakeholders to present Draft Findings and Recommendations.</li> <li>Meet with the Town’s team to review key aspects of design for sign-off.</li> <li>The Town’s team sends out invitations to key community members and stakeholders.</li> <li>Facilitated 2-hour meeting in Truckee. Information and feedback will be integrated into the final DEI Action Plan.</li> </ul>	Month 7	At least 1 in-person meeting with community stakeholders, presenting initial findings and recommendations to the community for feedback.
<p><b>3.5 Final draft of DEI Action Plan, including full Executive Summary</b></p> <ul style="list-style-type: none"> <li>Align with the Leadership Team on draft findings and recommendations.</li> <li>Provide the Leadership Team with a DEI Action Planning</li> </ul>	Months 6-8	A written comprehensive DEI Action Plan that has clearly delineated actions, implementation measures, and measurable outcomes.

Task   Methodology	Timeline	Outcome   Deliverable
<p>template and assist in the process of completion.</p> <ul style="list-style-type: none"> <li>Develop a full plan, including but not be limited to: Project Background, Executive Summary (that encompasses Tasks 1 &amp; 2), Racial Equity, Diversity and Inclusion Statement, Methodology, and Action-Based Findings and Recommendations with Measurable Outcomes.</li> <li>Write the plan, incorporating all aspects of the work through Phases 1-3 with up to 3-4 Leadership Team review sessions incorporated into monthly meetings with the Leadership Team.</li> <li>The DEI Action Plan will include strategies to address the findings in Tasks 1 and 2 and any others as identified by EqWI. This will include, but is not limited to, helping identify categories, tasks, and topics where ongoing community engagement may be necessary.</li> </ul>		<p>An executive summary of the DEI Action Plan and a presentation slide deck that will be used to present the DEI Action Plan to Town stakeholders.</p>
<p><b>3.6 Final Presentation for Town Council and/or Community Stakeholders</b></p> <ul style="list-style-type: none"> <li>Work with the Leadership Team to design a 2-hour Listening Session for Town Council and/or community stakeholders.</li> <li>The Leadership Team will do outreach to those community members who have been involved from the start, as well as to the Town Council. EqWI will do the first draft of outreach materials and will handle meeting logistics.</li> <li>With the Leadership Team, develop a slide deck that highlights project phases, methodology, and strategic findings and recommendations.</li> <li>Hold a presentation for the community to learn about the final project outcomes.</li> </ul>	<p>Month 8-9</p>	<p>A minimum of 1 presentation to the Town Council and/or community stakeholders on the final DEI Action Plan (in-person preferable).</p>

**TASK 4 | Project Management and Administrative Support**

Throughout the duration of the project, EqWI anticipates having regular and collaborative meetings with the Town’s Leadership Team so they can gain a firm understanding of the work plan. Throughout the project, EqWI will provide ongoing guidance, as well as review of materials, approvals, and troubleshooting. EqWI’s team members will meet regularly internally for ongoing, seamless coordination of the project.

Task   Methodology	Timeline	Outcome   Deliverable
<ul style="list-style-type: none"> <li>Meet and Coordinate with the Leadership Team.</li> <li>EqWI team members will meet and coordinate internally.</li> </ul>	<p>Months 1-9</p>	<p>EqWI will schedule and attend monthly meetings with the Leadership Team to provide monthly work plan status updates.</p>

## REFERENCES

**Kirbee Brooks-Gomez, MPH (she/her) | Sacramento County Public Health Health and Racial Equity Unit Manager | Health Education and Racial Equity Section (916) 809-6252 | [Brooks-Gomezk@saccounty.gov](mailto:Brooks-Gomezk@saccounty.gov)**

**Project Overview:** Description can be located in EqWI's Related Work Experience Section.

**Marina Augusto (she/her) | California Department of Aging Equity Officer | Division of Policy, Research, and Equity (707) 685-6559 | [Marina.Augusto@aging.ca.gov](mailto:Marina.Augusto@aging.ca.gov)**

**Project Overview:** Description can be located in EqWI's Related Work Experience Section for the California Department of Public Health's Office of Health Equity, where Marina Augusto previously served as the Section Chief for Community Development and Engagement.

**Jane Freeman (she/her) | California Tahoe Conservancy Deputy Director (530) 543-6038 | (530) 307-9490 | [jane.freeman@tahoe.ca.gov](mailto:jane.freeman@tahoe.ca.gov)**

**Project Overview:** Description can be located in EqWI's Related Work Experience Section.

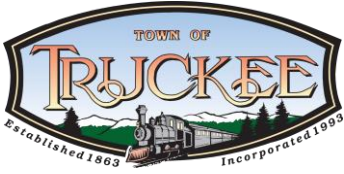
*Additional references for all past and current projects available upon request.*

## 3. ITEMIZED BUDGET

**EqWI's Hourly Rate: \$250**

Activities/Deliverables	EqWI Hours	Budget
<b>Task 1: Environmental Justice Analysis</b>		
<b>1.1 EJ Data Collection</b>	20	\$5,000.00
<b>1.2 External Stakeholder Interview Questions</b>		
1.2 a. Develop External Stakeholder Interview Questions	5	\$1,250.00
1.2 b. Perform External Stakeholder Interviews (these will be developed to inform both the EJ and Organizational Assessment components of the interview process) (up to 10)	22.5	\$5,625.00
<b>1.3 Community Meeting (combined with Task 2.3)</b>	6	\$1,500.00
1.3 a. Prep for meeting (agenda, notes, materials)	3	\$750.00
1.3 b. Travel for Community Meeting (includes hours and mileage)	6	\$1,950.25
<b>1.4 EJ Executive Summary</b>		
1.4 a. An analysis of the EJ issues in Truckee that will be used to inform policy actions in the DEI Action Plan.	20	\$5,000.00
1.4 b. An executive summary of the environmental justice analysis to inform the Leadership Team, the Town Council, and the public about the vulnerable communities in Truckee.	5	\$1,250.00
<b>Total</b>	<b>87.5</b>	<b>\$22,325.25</b>
<b>Task 2: Organizational Assessment</b>		

<b>2.1 Documents Review</b>		
2.1 a. Internal Document Review and Analysis (up to 150 pages)	19	\$4,750.00
<b>2.2 Information Gathering</b>		
2.2 a. Develop online survey	5	\$1,250.00
2.2 b. Interviews of Staff (up to 8)	18	\$4,500.00
2.2 c. Summarize findings into Executive Summary	3	\$750.00
<b>2.3 Community Meeting (combined with Task 1.3)</b>		
<b>2.4 Organizational Assessment Executive Summary</b>	5	\$1,250.00
<b>Total</b>	<b>50</b>	<b>\$12,500.00</b>
<b>TASK 3   DEI Action Plan</b>		
<b>3.1 Draft initial DEI Action Plan</b>	80	\$20,000.00
3.1 a. Develop a PowerPoint Presentation for staff and public	4	\$1,000.00
<b>3.2 Racial Equity, Diversity and Inclusion Statement</b>	5	\$1,250.00
<b>3.3 Internal Town Feedback Meeting</b>	4	\$1,000.00
3.3 a. Develop and design the Town Feedback Meeting	4	\$1,000.00
<b>3.4 Community Stakeholder Feedback Meeting</b>	4	\$1,000.00
3.4 a. Develop and design the Stakeholder Feedback Meeting	4	\$1,000.00
3.4 b. Travel for the Town and Stakeholder Feedback Meetings	6	\$1,950.25
<b>3.5 Final draft of DEI Action Plan, including an Executive Summary</b>	20	\$5,000.00
<b>3.6 Final Presentation for the Town Council and Community Stakeholders</b>	4	\$1,000.00
3.6 a. Design and prepare for the final presentation	6	\$1,500.00
3.6 b. Travel	6	\$1,950.25
<b>Total</b>	<b>147</b>	<b>\$37,650.50</b>
<b>Task 4: Project Management and Admin Support</b>		
EqWI to meet with the Leadership Team once every month via Zoom	18	\$4,500.00
Internal EqWI meetings, including preparation for the Leadership Team meetings	36	\$9,000.00
<b>Total</b>	<b>54</b>	<b>\$13,500.00</b>
<b>Total without Overhead</b>	<b>338.5</b>	<b>\$85,975.75</b>
<b>Overhead Costs 15%</b>		<b>\$12,896.36</b>
<b>Total Contract Cost</b>		<b>\$98,872.11</b>



Date: October 10<sup>th</sup>, 2023

Honorable Mayor and Council Members:

Author and title: Danny Renfrow – Chief of Police

Title: **Grant award to the Town of Truckee from the California Department of Parks and Recreation, Division of Boating and Waterways**

Jen Callaway, Town Manager

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**Recommended Action:** Authorize the Town Manager execute grant agreement from the California Department of Parks and Recreation Division of Boating and Waterways in the amount of \$113,086 with a matching amount of \$36,914 for at total \$150,000.00.

**Discussion:** Our current patrol boat is a 21-year-old vessel manufactured by a company that is no longer in business. Our current boat has logged over 1200 hours of engine runtime on Donner Lake with its large displacement inboard V8 and inefficient jet drive propulsion. Jet propulsion allows the unique ability to operate in shallow water which is an infrequent need for our application.

### **Modern Patrol Boat Grant-Funded**

A modern patrol vessel equipped with new engines, electronics and safety systems will significantly outperform our current boat in its multiple tasks and responsibilities. New outboard, propeller drive engines are significantly more fuel efficient by design and are up to date with modern emissions standards. Modern marine electronics will be a massive improvement compared to the basic sonar depth-finders from 2002. A hull and console layout design with an emphasis on utility and versatility will be more compatible with our most frequent boating-related tasks.

### **Uses**

The TPD Patrol Boat is primarily kept on Donner Lake during the summer months and is commonly the only emergency vessel capable of a timely emergency response. A modern patrol vessel will enable boating officers to more efficiently handle their responsibilities which include but are not limited to: enforcement and education of recreational boaters and users of Donner Lake, emergency response to an investigation of vessel accidents, providing assistance to stranded vessels and swimmers, search and rescue operations, special event coordination, dive team deployment, ROV deployment, response to medical emergencies, neighboring agency assistance.

This grant is designed for vessel purchase only and does not include other accessories needed for a patrol-ready boat. An example of additional accessories would be police radio for communications, emergency lighting equipment, and/or sonar electronics, to name a few. Those additional expenses will be absorbed in future annual operating budgets.

If these grant funds are approved, the build time and delivery for this vessel would likely take 3-4 years.

**Priority:**

<input type="checkbox"/>	Enhanced Communication	<input type="checkbox"/>	Climate and Greenhouse Gas Reduction	<input type="checkbox"/>	Housing
<input type="checkbox"/>	Infrastructure Investment	<input type="checkbox"/>	Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/>	Core Service

**Fiscal Impact:** The total awarded grant amount is \$150,000.00. Of that, the Town has a required matching contribution of \$36,914 due at the time of vessel delivery (3 to 4 years). Staff propose using the Citizens' Option for Public Safety (COPS) fund for the Town's matching contribution. The Town gets \$100,000 annually from the state in COPS funding that is restricted for use on frontline municipal police services. The fund has sufficient balance to provide for this grant match.

**Public Communication:** Normal agenda posting.

**Attachments:**

Grant Agreement #C23L0621

State of California – Natural Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
 DIVISION OF BOATING AND WATERWAYS

**GRANT AGREEMENT**

**GRANTEE:** Town of Truckee Police Department  
**GRANT TITLE:** Boating Safety and Enforcement Equipment Grant - FY 2023 / 24  
**GRANT NUMBER:** C23L0621  
**GRANT AMOUNT:** \$113,086.00  
**GRANT AGREEMENT TERM:** \_\_\_\_\_ through September 30, 2039  
**GRANT PERFORMANCE PERIOD:** \_\_\_\_\_ through September 30, 2024.

The Grantee agrees to the terms and conditions of this contract, hereinafter referred to as Agreement, and the State of California, acting through its Director of the Department of Parks and Recreation, and pursuant to the State of California agrees to fund the total state grant amount indicated below. The GRANTEE agrees to complete the SCOPE OF WORK as defined in the Agreement.

The following are attached and made a part of and incorporated into this grant agreement: Exhibit A Grant Terms and Conditions, Exhibit B General Terms and Conditions, Exhibit C Contractor Certification Clauses, Exhibit D Doing Business with California, Exhibit E Darfur Contracting Act, Exhibit F Recycled Content Certification, and Exhibit G Scope of Work/Budget (Application).

This grant award is funded by the U.S. Coast Guard from the Sport Fish Restoration and Boating Trust Fund CFDA 97.012, administered by California Department of Parks and Recreation, Division of Boating and Waterways. The Federal FY 22 award, 70Z02323M0000497 to California; \$6,500,733. This is not a research and development grant.

Grantee: Town of Truckee Police Department Address: 10183 Truckee Airport Rd, Truckee, CA 96161  Name of Authorized Representative:  Title of Authorized Representative:  Authorized Signature:  Date:	Agency: Department of Parks and Recreation Division of Boating and Waterways  ATTN: Johanna Naughton  Address: 4940 Lang Ave., Dock H, Administration, Floor 12 McClellan, CA 95652  Authorized Signature:  Printed Name:       Keren Dill Title:                   Staff Services Manager II  Date:
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**CERTIFICATE OF FUNDING  
(FOR STATE USE ONLY)**

**GRANTEE:** Town of Truckee Police Department

**GRANT AGREEMENT TERM :** \_\_\_\_\_ through September 30, 2039

**GRANT TITLE:** BOATING SAFETY EQUIPMENT AND ENFORCEMENT GRANT PROGRAM

**GRANT NUMBER:** C23L0621

**PURCHASE ORDER NUMBER:**

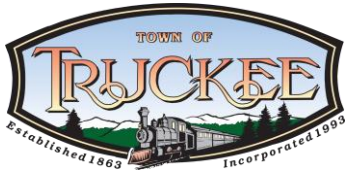
NO C23L0621	AMENDMENT NO	SUPPLIER ID 0000005988		PROJECT NO 379065600200
AMOUNT ENCUMBERED BY THIS DOCUMENT \$113,086.00	FUND DESCRIPTION Federal Trust Fund #0890		AGENCY BILLING CODE NO 053706	
REPORTING STRUCTURE 37900706	ITEM 3790-101-0890	CHAPTER 12	STATUTE 23	FISCAL YEAR 2023/24
BUSINESS UNIT 3790	ACCOUNT 5432000	ALT ACCOUNT	ACTIVITY CODE 68800	

Name of Project Representative:

Phone:

Email:





Date: October 10, 2023

Honorable Mayor and Council Members:

Author and title: Jen Callaway, Town Manager

Title: **Appointment of Councilmember Zabriskie as Council Representative to the Tahoe Truckee Homeless Advisory Committee**

Jen Callaway, Town Manager

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**Recommended Action: Town Council appoint Councilmember Zabriskie as Council representative to the Tahoe Truckee Homeless Advisory Committee.**

**Discussion:**

In May, 2023 the Town was asked to participate in consultant selection interviews in response to an Request for Proposal (RFP) issued by Tahoe Truckee Community Foundation (TTCF) entitled “Tahoe Truckee Homeless Advisory Committee.” Per this request, Town Manager Jen Callaway participated in the selection process with members of the TTCF staff, Cathie Foley, Jazmin Breaux and Ted Owens. The RFP sought a project manager/facilitator to help the newly formed Tahoe Truckee Homeless Advisory Committee (TTHAC) in assessing homeless services needs and collaborative homeless services plans. Agnew Beck was selected as the preferred consultant coming out of the interview process and per the scope of work in the RFP, is responsible for coordinating, planning and facilitating the TTHAC for a 2-year period and facilitating the group to develop a shared vision, implementation strategies, and Homeless Services Action plan for homeless services in Tahoe Truckee Region.

TTCF executed a contract with Agnew Beck for facilitation and support services, and subsequently, the Town has been asked to participate as a member of the TTHAC. Town Manager Jen Callaway and Police Chief Danny Renfrow will be participating from the Town, with a request that Councilmember Zabriskie co-chair the committee with Supervisor Bullock. This request is in alignment with goals outlined in the Truckee 2040 General Plan, including the Community Character Element policy 6.6: Services for Underserved Populations.

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**CC-6.6**

**Services for Underserved Populations**

Collaborate with partner agencies and nonprofit organizations to provide mental health and homeless services and programs, including access to resources and emergency housing options.

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It is important to note that participation in this advisory committee is not part of the Town’s workplan. However, this is an important community issue and therefore, staff recommends participating in the work of the committee to better understand the amount of staff support required going forward and where this may or may not fit into the Town’s workplan going forward. Staff intends to include this work in our first quarterly workplan update in November and advise as to other tasks that may be delayed or adjusted as a result.

Therefore, staff recommends that the Town Council appoint Councilmember Zabriskie to the Tahoe Truckee Homeless Advisory committee as the Council representative and liaison.

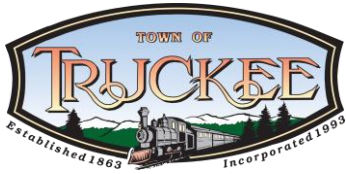
**Priority:**

<input checked="" type="checkbox"/> Enhanced Communication	<input type="checkbox"/> Climate and Greenhouse Gas Reduction	<input checked="" type="checkbox"/> Housing
<input type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input type="checkbox"/> Core Service

**Fiscal Impact:** No fiscal impact other than staff time.

**Public Communication:** Posting of this agenda item.

**Attachments:**



Date: October 10, 2023

Honorable Mayor and Council Members:

Author and title: Jen Callaway, Town Manager

Title: **Letter of Support on behalf of the Truckee Donner Land Trust to utilize Land and Water Conservation Funding for Acquisition of Martis Valley Headwaters Property**

Jen Callaway, Town Manager

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**Recommended Action:** The Town Council authorize the Town Manager to provide a letter of support to the United States Forest Service on behalf of Truckee Donner Land Trust to utilize Land and Water Conservation funding for the acquisition of Martis Valley headwaters property.

**Discussion:**

Truckee Donner Land Trust reached out to the Town in late September asking for a letter of support which would be included in a grant funding application from the Land and Water Conservation fund for Martis east and west (Map of property provided as Attachment 2). This grant would provide funding to acquire the Martis Valley Headwaters property, with the property then being included within the Tahoe National Forest. Public ownership of this property would protect the land and its resources in perpetuity. Acquisition of this property is also in direct alignment with the recently adopted Truckee 2040 General Plan. While open space preservation, access to open space for recreation and enhancement of community character is shared throughout the Truckee 2040 General Plan, the guiding principles for the Conservation and Open Space Element specifically states: "Increase the amount of permanently protected, connected, and publicly accessible open space in and around Truckee for the use and enjoyment of all Truckee residents," while policy goal 6.1 speaks specifically with the US Forest Service ensure forestland is preserved.

Policies

**COS-6.1**

**Preservation of Forestland**

Work closely with the US Forest Service and private property owners to ensure that forestland within and adjacent to the town are preserved, to the extent feasible, for continued managed resource, recreation, scenic, or biological resource open space uses.

Understanding the Town's interest in and dedication to supporting preservation of open space, staff recommends that the Town Council authorize the Town manager to provide a letter of support, provided as Attachment 1, to the United State Forest Service, on behalf of the Truckee Donner Land Trust, to utilize Land and Water Conservation funding for the acquisition of Martis Valley Headwaters property.

**Priority:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Enhanced Communication    | <input type="checkbox"/> Climate and Greenhouse Gas Reduction | <input type="checkbox"/> Housing                 |
| <input type="checkbox"/> Infrastructure Investment | <input type="checkbox"/> Emergency and Wildfire Preparedness  | <input checked="" type="checkbox"/> Core Service |

**Fiscal Impact:** No fiscal impact.

**Public Communication:** Publication of this staff report.

**Attachments:**

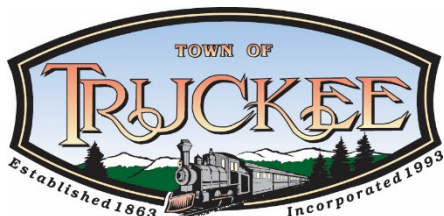
Attachment 1 – Letter of Support for Martis Valley Headwater Acquisition

Attachment 2 – Map of proposed property acquisition

Lindsay Romack, Mayor

David Polivy, Vice Mayor

Anna Klovstad, Council Member  
Jan Zabriskie, Council Member  
Courtney Henderson, Council Member



Jen Callaway, Town Manager  
Andy Morris, Town Attorney  
Danny Renfrow, Chief of Police  
Daniel Wilkins, Public Works Director/Town Engineer  
Denyelle Nishimori, Community Development Director  
Nicole Casey, Administrative Services Director  
Kelly Carpenter, Town Clerk  
Hilary Hobbs, Assistant to the Town Manager

October 5, 2023

Eli Ilano  
Tahoe National Forest Supervisor  
631 Coyote St.  
Nevada City, CA 95959

RE: Acquisition of Martis Valley Headwaters Property

Dear Supervisor Ilano:

On behalf of the Town of Truckee, we write to you in support of Land and Water Conservation (LWCF) funding being used to acquire these lands from willing sellers for final placement within the Tahoe National Forest. This acquisition is important for the economy, quality of life, and protection of the very resources that give Truckee and the surrounding area its identity.

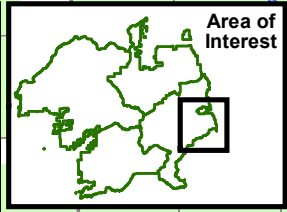
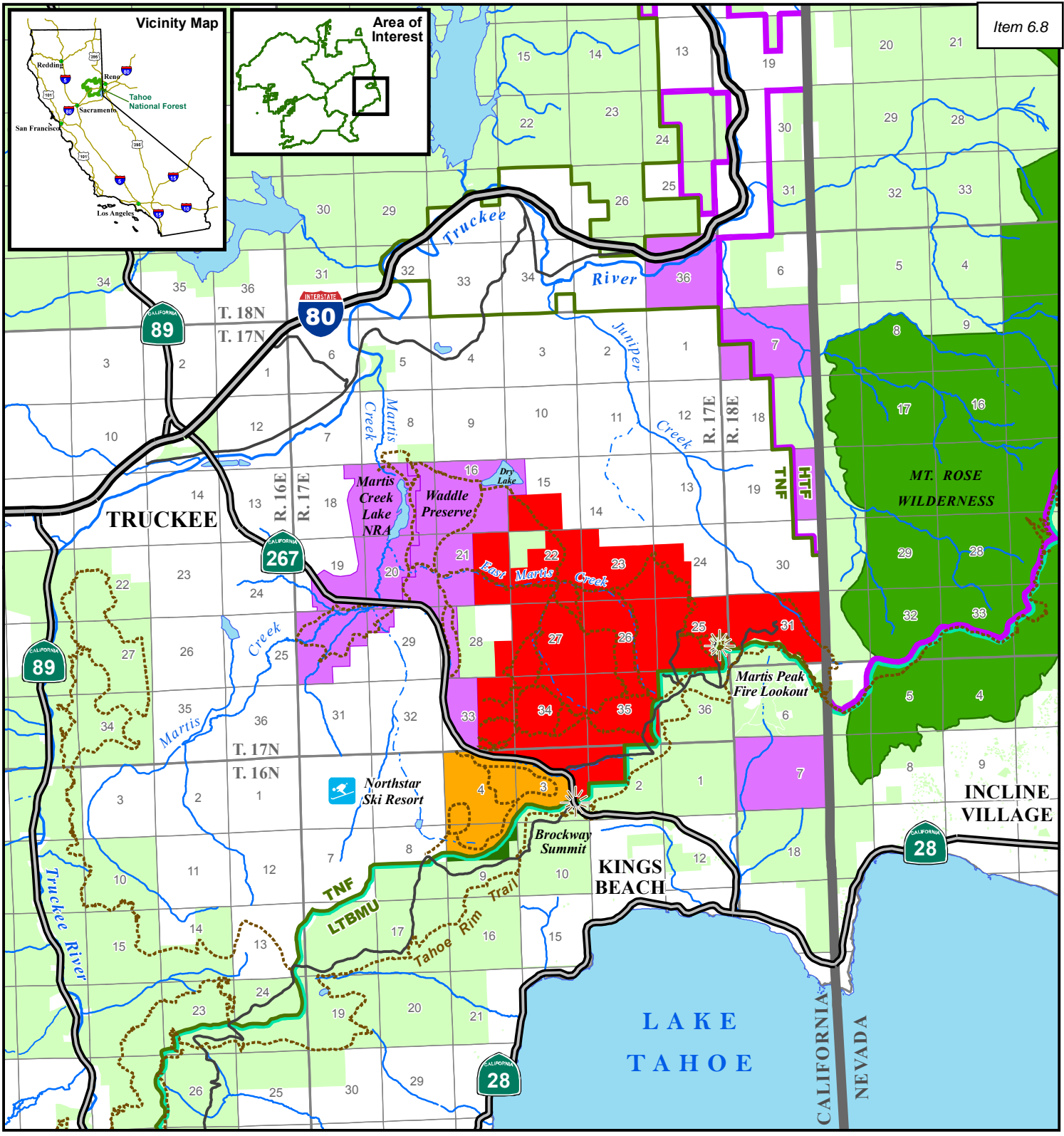
The economy of Truckee benefits greatly from the recreational amenities created on our public lands. Numerous local retailers and those in the tourism industry rely upon our public lands to attract visitors and outdoors enthusiasts to the region.

Public ownership of this property, particularly by the U.S. Forest Service, will protect this land and its resources into perpetuity, create the opportunity for the land to be managed with an emphasis on protecting and enhancing the resources of this landscape and preserve public access and recreational opportunities to the community and frequent visitors to the Truckee area.

The Town of Truckee strongly supports LWCF funding going toward the acquisition of Martis Valley Headwaters by USFS. The benefits of these actions today are certain to further enhance the lives of Nevada County residents for generations to come.

Sincerely,

Jen Callaway  
Town Manager

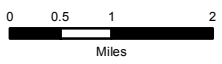


**References**

Data acquired from a variety of sources of differing accuracy, precision, and reliability. Features represented by these data may not represent the actual geographic location.

**Disclaimer**

The USDA Forest Service makes no warranty, expressed or implied regarding the data displayed on this map, and reserves the right to correct, update, modify, or replace this data without notification.



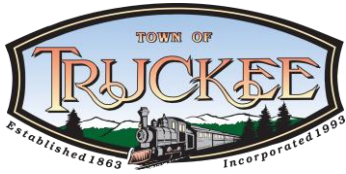
- Proposed LWCF 2022 Purchase
- Proposed Partner Acquired Lands
- Protected Lands (Land Trust, Other Federal, and State)
- Newly Acquired National Forest System Land
- National Forest System Land - Public Domain
- Wilderness Area
- Other Private
- Tahoe NF Boundary
- Lake Tahoe Basin Management Unit Boundary
- Humboldt-Toiyabe NF Boundary
- Interstate & State Highway
- Road
- Trail

**Martis Valley Headwaters  
LWCF - 2022**

Portions of T17N, R17E, Sec 15, 21-28, 33-35;  
 Portions of T17N, R18E, Sec 31;  
 Portions of T16N, R 17E, Sec 2-4, 9;  
 Mount Diablo Meridian, Placer and Nevada Counties, CA

U.S.D.A. Forest Service - Pacific Southwest Region  
 Tahoe National Forest, Lake Tahoe Basin Management Unit  
 U.S. Congressional District 4

Copies of this map are available for public inspection in the Office of the Regional Forester, Pacific Southwest Region, Vallejo, CA



Date: October 10, 2023

Honorable Mayor and Council Members:

Author and title: Rosie Johnson, Program Analyst II

Title: **Short-Term Rental Ordinance Clean-up**

Jen Callaway, Town Manager

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**Recommended Action:** Introduce Ordinance 2023-12 amending Chapter 5.02 (Transient Rental of Residential Units) of the Truckee Municipal Code.

**Discussion:** Staff have identified a few areas of the municipal code that warrant minor changes. The intent of these changes is not to introduce significant policy changes to the Short-Term Rental program. Rather, the proposed updates are intended to further expand on requirements and clean-up aspects of the short-term rental ordinance by improving clarity and consistency. The recommended amendments are provided below as Attachments 1 and 2 and the changes are summarized below.

### **Chapter 5.02: Transient Rentals of Residential Units**

#### 5.02.020 – Definitions:

The intention of a transient occupancy registration certificate is for one renter (which may be an individual or a group) to rent the whole unit, which may be a whole home or portion of a home. Additionally, if the residence is the owner's primary dwelling and they are renting only one bedroom while the owner is present, they may do so under a "Bed & Breakfast Inn" hosted rental registration certificate.

A scenario recently presented itself where an individual who holds an active transient occupancy registration certificate was advertising multiple rooms in the home to be individually short-term rented to multiple individual renters at one time, instead of renting the entire STR to one renter. The rental of individual rooms to multiple parties falls within the definition of a commercial Bed and Breakfast, which is governed by section 18.58.070 of the Development Code, such use requires a Use Permit. For consistency and to provide clarification on the use of a transient occupancy registration certificate, staff recommends adding to the short-term rental definition by distinguishing that a short-term rental is to be rented by one renter and not multiple renters at any given time, which would render the use of a Bed and Breakfast.

#### 5.02.030(A) – Registration Certificate Required, 5.02.030(E)(2)(c) – Administration of the Cap & 5.02.050(A) – Prohibited Short-Term Rentals:

In the Short-Term Rental Ordinance, mobile homes and manufactured homes that are not fixed to a permanent foundation but rather are attached to a chassis and are located in a mobile home park or in a mobile home subdivision are prohibited from short-term renting. Staff became aware that further moveable units can be housed in a mobile home park or in a mobile home subdivision. These moveable units include tiny homes, and recreational vehicles (RV) (e.g., motor home, travel trailer, truck camper, or camping trailer).

Staff recommend modifying the list of prohibited property types to add recreational vehicles and homes as types of properties where short-term rentals are not allowed. Furthermore, outside of a mobile home park and mobile home subdivision the property types listed above can also be housed at a recreation vehicle RV park so as to expand on the location staff suggests adding a special occupancy park as defined in California Health & Safety Code Section 18862.43 to the definition as well, so all potential park titling's are covered.

5.02.030(C) – Application to Join Waitlist:

During the waitlist application review process staff verifies if the property being applied for has any active violations with the Town and should a violation remain uncured staff can proceed with denial of the waitlist application. Should a waitlist application be approved and then after approval the property in question receives a violation (such as listing the property without a Transient Occupancy Registration Certificate), currently staff is unable to deny or void the application due to non-compliance. Staff proposes expanding language in this section to specify that if the waitlist applicant is approved to the waitlist but then found to be in violation of any local, state, or federal laws, statues, ordinances, rules or regulations the waitlist application spot will be voided. Then the waitlist applicant can only reapply to the waitlist one year from when the violation is remedied. The one-year waiting period to re-apply for the waitlist mirrors the regulation of a revoked transient occupancy registration certificate which requires that a new certificate shall not be issued and any application to join the waitlist will be denied, for a period of 12 months from the date of the certificate revocation.

5.02.040(B) – Local Contact Person:

It is a requirement when a complaint is received in association with a short-term rental that the local contact person affiliated with the rental discontinues the potential violation within 60 minutes of the complaint being reported. As a part of this process, the local contact person must reach out to Short-Term Rental Division Staff and provide the steps taken to resolve the complaint. Staff recommends enhancing the language in this section to clearly state that the local contact person shall provide an explanation of the steps taken to resolve the complaint to Town staff. Should resolution notes not be provided, this amendment empowers staff to follow up on enforcement efforts with the STR Operator to further instill the requirements and expectations of the local contact person.

5.02.040(N) – Sleeping Spaces:

Active transient occupancy registration certificate holders are required on their registration to list the number of permitted bedrooms present at the property. Staff then compare the self-reported permitted bedroom count with building public records to make sure we are approving the correct permitted number. The permitted bedroom count then determines the maximum occupancy for the short-term rental, which is two guests per bedroom, plus two additional people, excluding children under thirteen (13) years of age. The maximum occupancy is listed on the annual transient occupancy registration certificate that is required to be posted in the interior of the property and is required to be listed within the advertisement for the short-term rental.

Often the advertisement will list the appropriate approved permitted bedroom count and associated maximum occupancy, but the pictures listed in the advertisement will include further rooms (e.g., common area, rec rooms or offices) that are being offered as sleeping spaces and provide beds. Generally, these further rooms are marketed for overflow sleeping for occupancy that is not included in the maximum occupancy cap; children under thirteen (13) years of age. In Ordinance 2021-05 a revised bedroom definition was adopted into the short-term rental ordinance to be consistent with Development Code Section 18.220.020. The bedroom definition clearly states that a bedroom means an enclosed habitable room planned and intended for sleeping and the construction of the room shall have been authorized by a building permit. Using a space as it is intended/permitted is an important life safety issue since Building Code requires separate standards for review and means of egress (exit access) for sleeping rooms.

Currently the short-term rental ordinance does not relay that beds cannot be located in a room that is not permitted as a bedroom or intended for sleeping. Staff recommends adding a new operational standard that defines sleeping spaces as a permitted bedroom and specifies that a room not permitted as a



bedroom cannot be used for sleeping and is unable to accommodate beds of any nature due to potential life safety concerns.

**5.02.050(D) – Grills and Barbeques:**

When Ordinance 2022-02 was adopted on April 12, 2022, amending Chapter 5.02, the short-term rental regulation prohibiting charcoal grills of any type at short-term rentals was inadvertently deleted from the ordinance. Staff recommend adding the regulation back into the short-term rental ordinance to maintain the fire safety standard.

The proposed updates are reflected in Ordinance 2023-12 attached to this staff report as Attachment 1 (clean copy) and Attachment 2 (track changes).

**Priority:**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Enhanced Communication | <input type="checkbox"/> Climate and Greenhouse Gas Reduction | <input checked="" type="checkbox"/> Housing      |
| <input type="checkbox"/> Infrastructure Investment         | <input type="checkbox"/> Emergency and Wildfire Preparedness  | <input checked="" type="checkbox"/> Core Service |

**Fiscal Impact:** There are no fiscal impacts associated with the proposed short-term rental ordinance updates.

**Public Communication:**

Ordinance 2023-12: Notification was published as part of the regular Town Council agenda packet.

**Attachments:**

1. Ordinance 2023-12 – clean copy
2. Municipal Code Chapter 5.02 – track changes from current STR ordinance

TOWN OF TRUCKEE  
California

ORDINANCE 2023-12

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TRUCKEE, AMENDING  
CHAPTER 5.02 OF THE TRUCKEE MUNICIPAL CODE PERTAINING TO TRANSIENT  
RENTALS OF RESIDENTIAL UNITS**

**WHEREAS**, the Truckee Town Council has previously adopted Chapter 5.02 of the Truckee Municipal Code, establishing a regulatory structure for properties used as short-term rentals; and

**WHEREAS**, the Town Council wishes to amend various provisions of these ordinances in order to clarify them, make the Municipal Code more internally consistent, and facilitate the implementation of the ordinances by Town staff; and

*The Town Council of the Town of Truckee Does Ordain as Follows:*

**Section 1.** The recitals above are incorporated herein.

**Section 2.** Chapter 5.02 of the Truckee Municipal Code is hereby amended to read as set forth in Exhibit A, attached hereto and incorporated herein by reference.

**Section 3.** If any provision of this ordinance or the application thereof to any person or circumstances is held by a court of competent jurisdiction to be invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

**Section 4.** The Town Clerk is hereby directed to publish this ordinance or a summary thereof in accordance with the law.

\* \* \* \*

The foregoing ordinance was introduced at a regular meeting of the Truckee Town Council held on the 10<sup>th</sup> day of October, 2023, and adopted at a regular meeting of the Truckee Town Council, on the \_\_\_ day of \_\_\_\_, 2023; \_\_\_\_\_ moved for the adoption, the motion was seconded by \_\_\_\_\_ and was carried by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**Lindsay Romack, Mayor**

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**Andy Morris, Town Attorney**

\_\_\_\_\_  
**Judy Price, MMC, Town Clerk**

## “EXHIBIT A”

### CHAPTER 5.02 TRANSIENT RENTALS OF RESIDENTIAL UNITS

#### 5.02.010 Purpose

Truckee is known for its scenic beauty and recreational opportunities. Short-term rentals have existed in Truckee for many years, but a surge in popularity of this type of lodging in Truckee has created a need to protect the health and safety of residents and guests and to protect the environment, by establishing a registration system, operating procedures, standards and limitations for short-term rentals in Truckee. All requirements, regulations and standards imposed by this chapter are intended to apply in addition to any other applicable requirements, regulations and standards imposed elsewhere in the Truckee Municipal Code, state and federal law.

#### 5.02.020 Definitions

The following words, phrases and terms as used in this chapter shall have the following meanings:

“Bedroom” means an enclosed habitable room planned and intended for sleeping, separated from other rooms by a door, and accessible without crossing another bedroom, closet space, or bathroom. A bedroom will have a built-in closet, emergency escape and rescue opening(s), and a minimum floor area of seventy (70) square feet, exclusive of a closet. Additionally, the construction of the room shall have been authorized by a building permit, and the room shall comply with all codes in effect at the time of construction or conversion into a bedroom.

"Guest" or "Guests" means the individual or individual(s) occupying the short-term rental for the purpose of staying overnight.

"Local contact person" means an individual who is personally available by telephone on a twenty-four (24) hour basis and who maintains the ability to be onsite within sixty (60) minutes and who has access and authority to assume management of the short-term rental. An agent or professional property management company that meets the availability requirements can serve as the local contact person.

“Multi-family dwelling unit” is defined in Title 18 of the Truckee Municipal Code, Section 18.220.020.D (Definitions, Dwellings, Multi-Family).

“Operator” means any and all of the following: (i) the person who is a legal owner of a short-term rental; (ii) a person who has the legal right to possession of a short-term rental; (iii) a person who has a legal right to receive or collect any monies as rent for the occupancy of a short-term rental; and (iv) any manager, agent, representative or other similar person acting under the authority or at the direction of the owner or other operator of a short-term rental.

"Short-term rental" means a single-family dwelling, an accessory dwelling unit, multi-family dwelling unit, studio, condominium, townhouse, duplex, guesthouse, bedroom within an existing residential unit, tiny home, cabin, multi-person dwelling, or yurt, constructed with a building permit, rented to one person or group in a single transaction and not rented to multiple people in multiple transactions for the purpose of continuous overnight lodging for a period of not less than one night and not more than thirty (30) consecutive days.

"Transient occupancy registration certificate" means the certificate described in Chapter 3.24 of this code.

### 5.02.030 Registration Certificate Requirements

- A. Registration certificate required. It is unlawful for any person to advertise, maintain, operate or use a short-term rental within the Town of Truckee without a transient occupancy registration certificate, or in violation of the terms and conditions of the certificate or of this chapter (including without limitation the occupancy restrictions set forth in the certificate). No person may advertise, maintain, operate, or use as a short-term rental an accessory dwelling unit or junior accessory dwelling unit, as those terms are used in California Government Code Sections 65852.2 and 65852.22, as they may be amended from time to time. Notwithstanding the foregoing, this prohibition shall not apply in the event that Town staff or the Town Council determine that the prohibition is in conflict with state law. No transient occupancy registration certificate shall be issued for any accessory dwelling unit or junior accessory dwelling unit created without a building permit or for which a building permit was issued on or after January 1, 2020, in accordance with state law. No transient occupancy registration certificate shall be issued for any detached living area rented separate from the main dwelling, even if it is approved as a “bedroom,” per Development Code Section 18.58.100 which prohibits the rental of a detached living area separate from the main dwelling. Each rental occurring without a transient occupancy registration certificate, and each rental of an accessory dwelling unit or junior accessory dwelling unit, shall be a separate violation. Additionally, no transient occupancy registration certificate shall be issued for any mobile home, manufactured home, recreational vehicle or tiny home that is not fixed to a permanent foundation but rather is attached to a chassis, and/or which is located in a mobile home park, special occupancy park as defined in California Health & Safety Code Section 18862.43 as it may be amended or in a mobile home subdivision. Transient occupancy registration certificates shall be renewed annually, and separate certificates are required for each short-term rental unit. The certificate requirements for short-term rentals are set forth below. The issuance of any certificate pursuant to this chapter does not relieve the owner of the obligation to comply with the other provisions of this code pertaining to the use and occupancy of the short-term rental or the property in which it is located. Short-term rentals are allowed in all zone districts that allow residential use with approval of a transient occupancy registration certificate, subject to the provisions of this chapter establishing eligibility for transient occupancy registration certificates.
- B. Exemptions. The provisions of this chapter shall not apply to the operation of: (i) a “Bed and Breakfast Inn”, as that term is defined in Title 18 of this code, Section 18.58.070 (Bed and Breakfasts), provided the Bed and Breakfast Inn is allowed in the zone in which it is located; or (ii) units located in non-residential zones and for which 24-hour onsite management is provided; provided that nothing herein shall relieve the operator of such units or of a Bed and Breakfast Inn from the requirements of Chapter 3.24 of this code, including without limitation the requirement to obtain a transient occupancy registration certificate and to collect and remit transient occupancy tax. Units within developments that were originally approved as “lodging units” rather than dwelling units are subject to all provisions of this chapter except that such units will not be subject to the prohibition of new transient occupancy registration certificates in multi-family dwellings set forth below.
- C. Application to join waitlist. A person wishing to obtain a transient occupancy registration certificate shall submit an application to join the waitlist maintained pursuant to subsection E below. No application shall be submitted, and no application shall be granted if submitted, for a property within 365 days of the most recent transfer of ownership of the property. No application shall be submitted, and no application shall be granted if submitted, for a property that is vacant land or currently under construction and has yet to receive its Certificate of Occupancy. No application shall be submitted if the waitlist applicant is in violation of, or has

been found to be in violation of, any local, state or federal laws, statutes, ordinances, rules or regulations the Town may deny the application to join the waitlist while the violation remains uncured. Additionally, if the waitlist applicant is approved to join the waitlist but is then found to be in violation of any provision of this chapter, the waitlist application will be voided. The waitlist applicant can reapply to the waitlist one year from when the violation is cured. A nonrefundable application fee in an amount established by the Town Council shall be remitted with the application. The application shall be on a form to be furnished by the Town, and shall include:

1. Operator name and contact information.
  2. Address and assessor's parcel number for the property at which the short-term rental is located.
  3. Rental unit type (e.g., home, condominium). The application must identify if the rental unit is the property owner's or owners' primary or secondary dwelling.
  4. Number of permitted bedrooms on the property.
  5. Date of most recent sale or other transfer of the property, including a copy of the grant deed effectuating such transfer.
- D. Application for certificate. An application for a transient occupancy registration certificate shall be submitted by the operator to the Town of Truckee's Administrative Services Department. No application shall be submitted, and no application shall be granted if submitted, for a property within 365 days of the most recent transfer of ownership of the property. No application shall be submitted, and no application shall be granted if submitted, for a property that is vacant land or currently under construction and has yet to receive its Certificate of Occupancy. Should the property be in violation of any local, state or federal laws, statutes, ordinances, rules or regulations at the time the application is submitted the Town shall deny the application for certificate. Each transient occupancy registration certificate application shall be accompanied by a nonrefundable transient occupancy registration certificate fee. The fee schedule for certificate applications and waitlist applications shall be established by resolution of the Town Council following a public hearing and may be adjusted by resolution of the Town Council following a public hearing. Permits and fees required by this chapter are in addition to any license, permit, certificate or fee required by any other chapter of this code. Each application shall, at a minimum, include the following:
1. Operator name and contact information.
  2. The name of the local contact person, if different from the operator, and a telephone number at which the local contact person may be reached within 30 minutes.
  3. Address and assessor's parcel number for the property at which the short-term rental is located.
  4. Rental unit type (e.g., home, condominium). The application must identify if the rental unit is the property owner's or owners' primary or secondary dwelling.
  5. Maximum occupancy. The maximum occupancy of a short-term rental shall be two guests per bedroom, plus two additional people, excluding children under thirteen (13) years of age. Occupancy limits shall apply between the hours of 10:00 pm and 7:00 am.
  6. Total number of on-site parking spaces. Within the Downtown Mixed Use (DMU) zone, if on-site parking is not available, an alternative parking plan must be provided designating the location of off-site parking.
  7. Proof of existing garbage service, with a total number of trash receptacles satisfying the requirements of Section 5.02.040 of this chapter and proof of bear box

8. Number and location of fire extinguishers, smoke detectors, and carbon monoxide alarms, and certification of compliance with Fire Code and fire safety requirements, including those pertaining to fire extinguishers, smoke detectors, and carbon monoxide alarms.
9. Date of the most recent inspection (if any) of the short-term rental conducted by the Truckee Fire Protection District pursuant to this chapter.
10. Acknowledgment that the operator has read and understood this chapter, and the Town's noise, parking, garbage collection, guest safety and operational standards.
11. If the information supplied by the operator on the application for a transient occupancy registration certificate is not consistent with Town records, an inspection may be required prior to or after the issuance of the transient occupancy registration certificate. An inspection fee shall be charged for the inspection.

E. Transient Occupancy Registration Certificate Cap.

1. Cap. Effective May 12, 2022, the total number of transient occupancy registration certificates issued shall be capped at 1,255 ("overall cap inventory"), subject to the Town Council's authority to authorize the issuance of additional certificates as set forth in subsection 2. Units listed in subsection B as not being subject to this chapter are not subject to this cap.
2. Administration of the Cap.
  - a. Transient Occupancy Registration Certificate Renewal. Provided that an application for renewal of a transient occupancy registration certificate in good standing is submitted prior to the expiration date of the registration certificate, that registration certificate application will be processed, and the certificate issued and included in the cap. Timely submitted transient occupancy registration certificate renewal applications will be given priority in processing. For certificates for calendar year 2022, renewal applications from calendar year 2021 certificate holders shall be due no later than May 15, 2022. If a property owner or agent fails to submit an application for renewal prior to the May 15, 2022, deadline, the application will be treated as an application for a new registration certificate and will be placed on the waitlist described herein.
  - b. New Transient Occupancy Registration Certificates. New transient occupancy registration certificate applications received prior to reaching the overall cap inventory will be processed as they are received, except as described in subsection c below. At such point that the overall cap inventory is reached, all outstanding registration certificate applications, either in process or received, will be placed on a waitlist as set forth below. For the 2022 registration certificate cycle, applications for new registration certificates will open on June 13, 2022, and applications will be processed in the order in which they are received.
  - c. New Transient Occupancy Registration Certificates Prohibited for Accessory Dwelling Units, Multi-family Dwelling Units, Mobile homes, Manufactured Homes, Recreational Vehicles and Tiny Homes. No new transient occupancy registration certificates will be issued for accessory dwelling units or junior accessory dwelling units, except in the event that Town staff or the Town Council determine that this prohibition is in conflict with state law. No new transient occupancy registration certificates will be issued for multi-family dwellings except as permitted under subsection B above. No transient occupancy registration certificate shall be issued for any mobile home, manufactured home, recreational vehicle or tiny home that is not fixed to a permanent foundation but rather is attached to a chassis, and/or which is

located in a mobile home park, special occupancy park as defined in California Health & Safety Code Section 18862.43 as it may be amended or in a mobile home subdivision.

- d. Change of Ownership. A transient occupancy registration certificate shall expire upon the change of ownership of property for which the certificate was issued, regardless of whether the buyer or any other person has informed the Town of the change of ownership. The new owner may apply for a new transient occupancy registration certificate after 365 days have elapsed from the purchase or other transfer of the property, unless otherwise prohibited, and subject to the cap and waitlist.
  - e. Revoked Transient Occupancy Registration Certificates. An application for a transient occupancy registration certificate for a property the registration certificate for which has been revoked will be treated as a new application and will be subject to the cap and waitlist.
  - f. For purposes of this chapter, a transient occupancy registration certificate in good standing shall mean a certificate issued for a property with no unpaid fines, taxes, or assessments.
  - g. Workforce Housing Program Certificates. Notwithstanding any provision of this chapter to the contrary, the Town Council may authorize withholding a certain number of transient occupancy registration certificates from issuance to applicants on the waitlist, and subsequently issuing transient occupancy registration certificates to developers of housing for the Truckee workforce, upon such terms as the Town Council may determine. Among other measures, the Town Council may authorize the issuance of such certificates such that the cap described herein will be exceeded, and/or the issuance of certificates prior to awarding certificates to applicants on the waitlist.
3. Waitlist. The Town will maintain a waitlist for transient occupancy registration certificate applications received or in process. The Town will continually maintain the overall cap inventory as registration certificates are not renewed or revoked. The application process will open up to those on the waitlist on a quarterly basis commencing on July 1, 2022. Applications for certificates from applicants on the waitlist will be processed as registration certificates become available based on the date of receipt of the application, starting with the oldest date, subject to the Town Council's authority to authorize the issuance of certificates in connection with the development of workforce housing prior to issuing certificates to applicants on the waitlist.
- F. Term and scope of certificate. A transient occupancy registration certificate issued under this chapter shall expire at the end of the calendar year for which it is issued, unless revoked, suspended, or expiring earlier. The certificate authorizes the operator to operate the short-term rental only in accordance with the terms and conditions of the certificate. Subject to the provisions of Section 5.02.060 herein, a registration certificate will be renewed if prior to expiration, the following is provided: updated application information (if changes have occurred), new certifications and acknowledgments required in subsection D above, and payment of the registration fee. Renewal applications may be submitted commencing on November 1st of each year. Renewals for which applications are received after November 30th in a given year might not be received by applicants prior to January 1st, and the advertisement or operation of a short-term rental for which a renewed certificate has not been received shall constitute a violation of this chapter. Beginning with the 2023 registration cycle, if a property owner or agent fails to submit an application for renewal prior to January



1st of the calendar year, the application will be treated as a new permit and will be subject to being placed on the waitlist as set forth herein.

- G. Acceptance of registration certificate; no vested rights. Acceptance by an operator of a transient occupancy registration certificate shall constitute acknowledgment and acceptance of, and consent to: (i) the requirements and provisions of this chapter; (ii) the lack of any vested right to operate a short-term rental; and (iii) the Town's right to adopt or amend at any time restrictions on the operation of short-term rentals, including without limitation a complete prohibition on short-term rentals.

#### **5.02.040 Operational Standards**

All short-term rentals shall comply with the following standards at all times, regardless of whether a property registered as a short-term rental is being used as such on a given day and shall not generate other potential disturbances which may disrupt the peace, safety, and general welfare of the neighborhoods in which they are located.

- A. Operator responsibilities and recordkeeping. The operator shall inform guests that they must not violate the standards of this chapter. The operator shall be responsible for taking any action necessary to ensure that guests abide by the terms of this chapter and other applicable provisions of this code. The operator shall collect and maintain for each guest registration the name and contact information of the registered guest, the number of guests, and the amount of rent paid (including all ancillary charges such as cleaning charges). All such records shall be maintained for a period of three years and shall be furnished to the Town within five days upon request.
- B. Local contact person. A local contact person shall be personally available by telephone on a twenty-four (24) hour basis and shall respond by phone within thirty (30) minutes of contact by Town of Truckee employees or agents or the guest(s). Notwithstanding the foregoing, a local contact person shall be physically present at the short-term rental within sixty (60) minutes of contact, for a period of one year following any citation, notice of violation, or fine issued in connection with the operation of the short-term rental. Upon receiving a call or complaint about physical conditions or circumstances that constitute an immediate threat to the public health and safety, the local contact person shall immediately contact the appropriate law enforcement, fire, or other authority. Upon receiving any other call or complaint about the short-term rental, the local contact person shall cause the discontinuance of any violation of this chapter within sixty (60) minutes and provide an explanation to Town of Truckee staff the steps taken to resolve the complaint.
- C. Parking. On-site parking shall be provided for each short-term rental, except as provided in an alternative parking plan approved pursuant to section 5.02.030.D.6 of this chapter. No vehicle parked at a short-term rental (including without limitation boat trailers and recreational vehicles) may be parked on the street, in an unpaved area, or in a location or manner that does not comply with the parking plan approved by the Town for the short-term rental.
- D. Noise. All short-term rental guests shall comply with the standards of Chapter 9.20 of this code regarding noise, which provides that the standard for what constitutes prohibited unreasonable noise is stricter between the hours of 10:00 pm and 7:00 am. The nighttime noise restrictions shall be posted inside the short-term rental in a location readily visible to all guests.

- E. Trash collection. With the exception of trash properly deposited in trash collection receptacles, accumulation of trash and debris outside of a short-term rental at any time is prohibited. Weekly trash collection must be provided for each short-term rental. A minimum service level of two trash cans shall be maintained for each short-term rental, in addition to recycling service. If two trash cans is insufficient to accommodate all trash generated by occupants of the short-term rental, the operator shall arrange for whatever increased level of service is required to accommodate all trash. Except for: (i) short-term rentals for which solid waste collection is maintained at a central location operated by a homeowners association or property owners association; and (ii) short-term rentals located in a neighborhood in which trash collection service from garages or other indoor locations is required by a homeowners association or property owners association and maintained by the operator, each short-term rental shall be equipped with one or more bear-resistant trash can enclosures meeting the requirements of Section 6.01.040.E of this code and large enough to hold a minimum of two trash cans, or such larger number of cans as is required pursuant to this paragraph.
- F. Interior posting requirements. The following information shall be posted within the interior of the rental unit in a visible location: the maximum number of guests permitted, notification that trash and recyclable materials must be placed into cans provided for that purpose and where such cans are located, a summary of the Town's dog ordinance, notification that all vehicles must be parked on paved areas on the property or in a manner consistent with an alternative parking plan approved pursuant to Section 5.02.030.D.6, contact information for the local contact person, emergency evacuation information, and a notice to guests of potential financial penalties for violating the provisions of this chapter. For short-term rentals with wood-burning fireplaces or woodstoves, instructions on the safe operation of such appliances and the safe disposal of ashes shall be posted.
- G. Smoke alarms. Smoke alarms, in good working order, shall be installed at a minimum in each bedroom, and at least one alarm on every level of the short-term rental, including basements and habitable attics.
- H. Carbon monoxide alarms. Carbon monoxide alarms, in good working order, shall be installed in accordance with current California Building Code requirements, and shall be installed in accordance with the manufacturer's installation instructions.
- I. Fire extinguisher and ash can. Each short-term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short-term rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order. Each short-term rental with a wood-burning fireplace or woodstove shall be equipped with a metal container at least five gallons in size with a tight-fitting lid, which shall be clearly labeled for ash disposal.
- J. Visible address. Each short-term rental shall have an address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short-term rental unit will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street. Address identification characters shall contrast with their background and conform to the minimum size requirements of the California Fire Code, Section 505.1 of the 2019 edition of which requires numbers four inches tall with a minimum

stroke thickness of one-half inch. A short-term rental in a condominium building that does not have an individual address may utilize the condominium building address and need not comply with these requirements.

- K. Emergency communications. If located in an area with inadequate cellular service, each short-term rental unit shall contain a working landline phone or Voice Over Internet Protocol phone.
- L. Fire inspections and other inspections. The operator of each short-term rental shall allow Truckee Fire Protection District staff to conduct an inspection once every three years, and more often upon request by the Truckee Fire Protection District or the Town of Truckee, to ensure the short-term rental complies with: (i) the requirements of this chapter, including without limitation those pertaining to smoke detectors, carbon monoxide alarms, fire extinguishers, visible address, emergency communications, outdoor fireplaces and fire pits, and grills and barbecues; and (ii) Truckee Fire Protection District defensible space requirements. Each operator shall respond within 30 days to a request from Truckee Fire Protection District or Town staff to schedule an inspection. In addition, the operator of each short-term rental shall allow Town of Truckee staff to inspect any short-term rental upon request to ensure that the short-term rental complies with the requirements of this chapter and that the information contained in a transient occupancy registration certificate application is correct. The inspections, including reinspection's due to non-compliance and inspections prompted by complaints, are subject to the applicable Truckee Fire Protection District or Town of Truckee fees for inspections. Records of such inspections conducted by Truckee Fire Protection District shall be provided by the Truckee Fire Protection District to the Town of Truckee.
- M. Advertisements. Each advertisement for a short-term rental shall list the maximum number of occupants (excluding children under thirteen (13) years of age) permitted by the transient occupancy registration certificate or a lesser number if desired by the operator, the maximum number of parking spaces onsite or allowed offsite by an approved alternative parking plan, and the number of the transient occupancy registration certificate.
- N. Sleeping Spaces. A sleeping space is a bedroom as defined in Section 5.02.020 of this code and in Development Code Section 18.220.020. If a room is not permitted as a bedroom the room cannot be used for sleeping or contain beds of any kind.

### **5.02.050 Prohibitions**

- A. Prohibited short-term rentals. A structure or property with a recorded covenant, deed restriction or agreement restricting its use, including without limitation dwelling units with affordability restrictions, and dwelling units for which short-term rentals are prohibited, shall not be used for short-term rentals. Short-term rentals are not allowed in structures not intended for residential occupancy under the California Building Code Standards and this code. Further, transient rentals are prohibited for certain accessory dwelling units, junior accessory dwelling units, detached living areas, mobile homes, manufactured homes, recreational vehicles or tiny homes as described in Subsections 5.02.030.A (Registration Certificate Required) and 5.02.030.E.2.c (New Transient Occupancy Certificates Prohibited) above.
- B. Incidental camping. A transient occupancy registration certificate does not authorize incidental camping, which means any overnight camping, sleeping in tents or on decks

attached to the short-term rental unit, or sleeping in travel trailers or recreational vehicles parked on the short-term rental property.

- C. Outdoor fireplaces. No wood burning pits, bonfires, or campfires are permitted to occur at short-term rentals. Natural gas/propane burning fireplaces and fire pits with twenty (20)-pound tanks or smaller are acceptable outside provided the device is at least ten (10) feet from a structure and any flammable materials. Notwithstanding the foregoing: (i) reduced clearance for natural gas/propane burning fireplaces and fire pits will be allowed in accordance with the manufacturer's recommendations for products listed with UL, CSA or ANSI; and (ii) reduced clearance is allowed for a built-in outdoor fireplace if construction of the built-in outdoor fireplace was authorized by a building permit.
- D. Grills and barbeques. Grills and barbeques are not permitted beneath a potentially flammable source including trees, umbrellas, decks, or other appurtenant structures. All grills and barbecues shall be no less than ten (10) feet away from a structure and any flammable materials, such as a woodpile. Notwithstanding the foregoing: (i) reduced clearance for gas grills, and barbeques will be allowed in accordance with the manufacturer's recommendations for products listed with UL, CSA or ANSI; and (ii) reduced clearance is allowed for a built-in outdoor grill or barbecue if construction of the built-in outdoor grill or barbecue was authorized by the issuance of a building permit. Charcoal grills of any type are prohibited at short-term rentals.
- E. Subletting. Guests are prohibited from subletting a short-term rental. Only operators with a valid transient occupancy registration certificate may advertise and rent a residential unit as a short-term rental.
- F. Special events. Weddings, corporate events, commercial functions, and any other similar events are prohibited from occurring at a short-term rental property, unless such events comply with all requirements of this chapter and this code generally, including without limitation requirements pertaining to occupancy limits, traffic, parking, and noise. The occurrence of any such event which violates any such requirements shall be a separate violation of this chapter, in addition to the violation created by noncompliance with such requirements.

#### **5.02.060 Penalties; certificate denial, suspension, and revocation**

It is a misdemeanor and a public nuisance that poses a threat to public health and safety, to violate any of the provisions of this chapter. Violations of this chapter are subject to the administrative citation provisions set forth in Chapter 1.03 of this code, provided that fines for violations of this chapter shall be as set forth below. Any person violating the provisions of this chapter, including without limitation guests, operators, and local contact persons may be subject to administrative and/or judicial remedies as set forth herein. The owner of a short-term rental shall be deemed responsible for all violations of this chapter occurring at the short-term rental or in connection with its operation, provided that this shall not preclude the Town from issuing fines or citations to guests, or exercising other remedies against guests, if the guests are deemed to have committed the violation. In addition, the Town shall have the authority to suspend or revoke the transient occupancy registration certificate, or to maintain an action for injunctive relief. Unless otherwise expressly provided, the remedies, procedures and penalties provided by this section are cumulative as to each other and to any others available under state law or this code. In the event of any conflict between the penalties set forth in this chapter and any penalties set forth in state law, the maximum penalties allowable under state law shall govern. Each day or portion of a day during which a violation of this chapter exists shall constitute a separate violation.

- A. Enforcement. An administrative fine not to exceed one thousand, five hundred dollars (\$1,500) may be imposed for the violation or violations of this chapter contained in a first administrative citation, a fine not to exceed three thousand dollars (\$3,000) for each violation contained in a second violation of this chapter or Chapter 3.24 within one year, and a fine not to exceed five thousand dollars (\$5,000) for each additional violation of this chapter or Chapter 3.24 within one year of the first violation. A prior citation for purposes of this section shall be an earlier administrative citation for violation of this chapter on the same property that occurred less than one year prior to the current citation, provided that a previous citation issued to a guest shall not be deemed a prior citation for purposes of calculating the penalty for a subsequent citation issued to a guest at the same property.
1. Notwithstanding Chapter 1.03 and subsection A of this section, and pursuant to the Town's authority as a charter town, the administrative fine for the operation of any transient rental without a valid transient occupancy registration certificate shall be five hundred dollars (\$500) for the first violation.
  2. Notwithstanding subsection A of this section, the \$1,500, \$3,000, and \$5,000 fines set forth therein shall not apply to: (i) a first-time offense of failing to obtain a transient occupancy registration certificate or paying a fee for that certificate; or (ii) violations committed in connection with the transient rental of a commercially operated hotel, motel, bed and breakfast inn, time-share property as defined by subdivision (aa) of Section 11212 of the Business and Professions Code, lodge, inn, camping site, space where camping or remaining overnight on a transient basis is permitted at a campground or recreational vehicle park, or the rental of anything that is not a "hotel" as defined in Section 3.24.020.
  3. Town staff shall establish a process for granting a hardship waiver to reduce the amount of the fine upon a showing by the responsible party that the responsible party has made a bona fide effort to comply after the first violation and that payment of the full amount of the fine would impose an undue financial burden on the responsible party.
- B. Denial, suspension or revocation of a transient occupancy registration certificate. An expiration of a transient occupancy registration certificate upon sale or other transfer of the property for which the certificate has been issued shall not be governed by this subsection. The Town may deny, suspend or revoke a transient occupancy registration certificate for any of the following reasons:
1. The transient occupancy registration certificate application is incomplete, the applicant is not eligible to receive a certificate pursuant to this chapter, or the unit for which the certificate is sought is not eligible to receive a certificate pursuant to this chapter;
  2. The transient occupancy registration certificate application contains a false or misleading statement or omission of a material fact;
  3. The short-term rental, operator or guest is currently in violation of, or has been found to be in violation of, any local, state or federal laws, statutes, ordinances, rules or regulations pertaining to the operation of a short-term rental, and the violation has not been cured or the property otherwise brought into compliance, for a period of at least 30 days after the Town has notified the operator of the violation. Additionally, the holder of a suspended transient occupancy registration certificate(s) shall not be permitted to apply for a renewal of the transient occupancy registration certificate for

the following year during any period in which the basis for the suspension has not been cured, remedied, or brought into compliance.

4. The transient occupancy registration certificate of a short-term rental for which three citations have been issued for violations of this chapter within a 12-month period and not overturned on appeal, including without limitation citations issued to guests and citations issued to operators, shall be revoked, a new certificate shall not be issued and any application to join the waitlist will be denied, for a period of 12 months from the date of the certificate revocation.
  5. The operator is delinquent on any payment to the Town of any fees, penalties, taxes, or any other monies related to any short-term rental including, but not limited to, transient occupancy taxes;
  6. A transient occupancy registration certificate application may be denied due to prior revocation or suspension of a transient occupancy registration certificate;
  7. The operation of a short-term rental is a threat to the public health, safety, or welfare;
  8. The lack of a fire inspection within the preceding three years, a failed fire inspection unless documentation is provided that the conditions causing the failure were corrected and the short-term rental passed a subsequent fire inspection, or a refusal to allow a fire inspection or other inspection of the short-term rental;
  9. Absence/expiration of a transient occupancy registration certificate;
  10. Any required application fee or renewal fee has not been paid; or
  11. The overall cap on transient occupancy registration certificates has been reached.
- C. Appeal. Any operator or guest may appeal a penalty imposed pursuant to this chapter, or a denial, suspension, or revocation of a transient occupancy registration certificate, to the Town's tax administrator by filing a notice of appeal with the tax administrator within 10 calendar days of the serving or mailing of notice of the action taken. Following receipt of a notice of appeal, the tax administrator shall give not less than five days' written notice to the appellant, and to the complainant, if any, of an appeal hearing at a time and place fixed in the notice. At such hearing, the operator or guest may appear and offer evidence why the action being appealed should be overturned or modified. After such hearing the tax administrator shall determine whether the action should be sustained, overturned, or modified and shall thereafter give written notice to the appellant in the manner prescribed herein of such determination. An operator or guest aggrieved by the tax administrator's decision regarding such appeal may appeal to the Town Council by filing a notice of appeal with the Town Clerk within 10 calendar days of the serving or mailing of notice of the tax administrator's decision and tendering a deposit for the cost of the appeal in an amount established by the Town Council. The Town Clerk shall fix a time and place for hearing such appeal, and the Town Clerk shall give notice in writing to such operator at the last known place of business or to such guest at the guest's address as set forth in the appeal. At the hearing, the appellant shall have the right to testify, to be represented by counsel, to present witnesses on the appellant's behalf, to cross-examine all other witnesses and to present oral and written documents and evidence on the issues. The findings of the Town Council are final and conclusive and shall be served upon the appellant in the manner prescribed above for service of notice of hearing. Any fine or penalty found to be due is immediately due and payable upon the service of notice.

- D. Costs of enforcement. All money and assets collected in payment of penalties for violations of this chapter and all money and assets collected for recovery of costs of enforcement of this chapter shall be used to offset the cost of enforcement of this chapter.
- E. No duty to enforce. Nothing in this chapter shall be construed as imposing on the Town of Truckee or any employee thereof any duty to issue a warning notice, administrative or judicial citation, or notice to abate, nor to abate any violations of this chapter, and neither the Town nor any employee thereof shall be held liable for failure to issue an order to abate any violation of this chapter.

#### **5.02.070 Changes in ownership**

Transient occupancy registration certificates do not provide a vested interest in or entitlement to the continued operation of a short-term rental upon a change of property ownership, and any outstanding certificate issued for a short-term rental shall expire upon the change of ownership. The new owner of a property for which a transient occupancy registration certificate has been issued shall notify the Town upon a change of ownership of the short-term rental. Transient occupancy registration certificates shall not run with the land and shall expire upon any partial or complete transfer of ownership of a short-term rental, whether or not notice of the change in ownership has been provided to the Town.

#### **5.02.080 Severability**

The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, phrase, sentence, paragraph, subdivision, section or portion of this chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.

(Ord 2020-07 10-13-2020; 2022-02 04-12-2022; 2023-01 02-14-2023)

## CHAPTER 5.02 TRANSIENT RENTALS OF RESIDENTIAL UNITS

### 5.02.010 Purpose

Truckee is known for its scenic beauty and recreational opportunities. Short-term rentals have existed in Truckee for many years, but a surge in popularity of this type of lodging in Truckee has created a need to protect the health and safety of residents and guests and to protect the environment, by establishing a registration system, operating procedures, standards and limitations for short-term rentals in Truckee. All requirements, regulations and standards imposed by this chapter are intended to apply in addition to any other applicable requirements, regulations and standards imposed elsewhere in the Truckee Municipal Code, state and federal law.

### 5.02.020 Definitions

The following words, phrases and terms as used in this chapter shall have the following meanings:

"Bedroom" means an enclosed habitable room planned and intended for sleeping, separated from other rooms by a door, and accessible without crossing another bedroom, closet space, or bathroom. A bedroom will have a built-in closet, emergency escape and rescue opening(s), and a minimum floor area of seventy (70) square feet, exclusive of a closet. Additionally, the construction of the room shall have been authorized by a building permit, and the room shall comply with all codes in effect at the time of construction or conversion into a bedroom.

"Guest" or "Guests" means the individual or individual(s) occupying the short-term rental for the purpose of staying overnight.

"Local contact person" means an individual who is personally available by telephone on a twenty-four (24) hour basis and who maintains the ability to be onsite within sixty (60) minutes and who has access and authority to assume management of the short-term rental. An agent or professional property management company that meets the availability requirements can serve as the local contact person.

"Multi-family dwelling unit" is defined in Title 18 of the Truckee Municipal Code, Section 18.220.020.D (Definitions, Dwellings, Multi-Family).

"Operator" means any and all of the following: (i) the person who is a legal owner of a short-term rental; (ii) a person who has the legal right to possession of a short-term rental; (iii) a person who has a legal right to receive or collect any monies as rent for the occupancy of a short-term rental; and (iv) any manager, agent, representative or other similar person acting under the authority or at the direction of the owner or other operator of a short-term rental.

"Short-term rental" means a single-family dwelling, an accessory dwelling unit, multi-family dwelling unit, studio, condominium, townhouse, duplex, guesthouse, bedroom within an existing residential unit, tiny home, cabin, multi-person dwelling, or yurt, constructed with a building permit, rented [to one person or group in a single transaction and not rented to multiple people in multiple transactions](#) for the purpose of continuous overnight lodging for a period of not less than one night and not more than thirty (30) consecutive days.

"Transient occupancy registration certificate" means the certificate described in Chapter 3.24 of this code.



### 5.02.030 Registration Certificate Requirements

- A. Registration certificate required. It is unlawful for any person to advertise, maintain, operate or use a short-term rental within the Town of Truckee without a transient occupancy registration certificate, or in violation of the terms and conditions of the certificate or of this chapter (including without limitation the occupancy restrictions set forth in the certificate). No person may advertise, maintain, operate, or use as a short-term rental an accessory dwelling unit or junior accessory dwelling unit, as those terms are used in California Government Code Sections 65852.2 and 65852.22, as they may be amended from time to time. Notwithstanding the foregoing, this prohibition shall not apply in the event that Town staff or the Town Council determine that the prohibition is in conflict with state law. No transient occupancy registration certificate shall be issued for any accessory dwelling unit or junior accessory dwelling unit created without a building permit or for which a building permit was issued on or after January 1, 2020, in accordance with state law. No transient occupancy registration certificate shall be issued for any detached living area rented separate from the main dwelling, even if it is approved as a “bedroom,” per Development Code Section 18.58.100 which prohibits the rental of a detached living area separate from the main dwelling. Each rental occurring without a transient occupancy registration certificate, and each rental of an accessory dwelling unit or junior accessory dwelling unit, shall be a separate violation. Additionally, no transient occupancy registration certificate shall be issued for any mobile home, ~~or~~ manufactured home, [recreational vehicle or tiny home](#) that is not fixed to a permanent foundation but rather is attached to a chassis, and/or which is located in a mobile home park, [special occupancy park as defined in California Health & Safety Code Section 18862.43 as it may be amended](#) or in a mobile home subdivision. Transient occupancy registration certificates shall be renewed annually, and separate certificates are required for each short-term rental unit. The certificate requirements for short-term rentals are set forth below. The issuance of any certificate pursuant to this chapter does not relieve the owner of the obligation to comply with the other provisions of this code pertaining to the use and occupancy of the short-term rental or the property in which it is located. Short-term rentals are allowed in all zone districts that allow residential use with approval of a transient occupancy registration certificate, subject to the provisions of this chapter establishing eligibility for transient occupancy registration certificates.
- B. Exemptions. The provisions of this chapter shall not apply to the operation of: (i) a “Bed and Breakfast Inn”, as that term is defined in Title 18 of this code, Section 18.58.070 (Bed and Breakfasts), provided the Bed and Breakfast Inn is allowed in the zone in which it is located; or (ii) units located in non-residential zones and for which 24-hour onsite management is provided; provided that nothing herein shall relieve the operator of such units or of a Bed and Breakfast Inn from the requirements of Chapter 3.24 of this code, including without limitation the requirement to obtain a transient occupancy registration certificate and to collect and remit transient occupancy tax. Units within developments that were originally approved as “lodging units” rather than dwelling units are subject to all provisions of this chapter except that such units will not be subject to the prohibition of new transient occupancy registration certificates in multi-family dwellings set forth below.
- C. Application to join waitlist. A person wishing to obtain a transient occupancy registration certificate shall submit an application to join the waitlist maintained pursuant to subsection E below. No application shall be submitted, and no application shall be granted if submitted, for a property within 365 days of the most recent transfer of ownership of the property. No application shall be submitted, and no application shall be granted if submitted, for a property that is vacant land or currently under construction and has yet to receive its Certificate of Occupancy. ~~Additionally, No application shall be submitted~~ if the waitlist applicant is in

violation of, or has been found to be in violation of, any local, state or federal laws, statutes, ordinances, rules or regulations the Town may deny the application to join the waitlist while the violation remains uncured. Additionally, if the waitlist applicant—applicant is approved to join the waitlist but is then found to be in violation of any provision of this chapter, the waitlist application will be voided. The waitlist applicant can reapply to the waitlist one year from when the violation is cured. A nonrefundable application fee in an amount established by the Town Council shall be remitted with the application. The application shall be on a form to be furnished by the Town, and shall include:

1. Operator name and contact information.
  2. Address and assessor's parcel number for the property at which the short-term rental is located.
  3. Rental unit type (e.g., home, condominium). The application must identify if the rental unit is the property owner's or owners' primary or secondary dwelling.
  4. Number of permitted bedrooms on the property.
  5. Date of most recent sale or other transfer of the property, including a copy of the grant deed effectuating such transfer.
- D. Application for certificate. An application for a transient occupancy registration certificate shall be submitted by the operator to the Town of Truckee's Administrative Services Department. No application shall be submitted, and no application shall be granted if submitted, for a property within 365 days of the most recent transfer of ownership of the property. No application shall be submitted, and no application shall be granted if submitted, for a property that is vacant land or currently under construction and has yet to receive its Certificate of Occupancy. Should the property be in violation of any local, state or federal laws, statutes, ordinances, rules or regulations at the time the application is submitted the Town shall deny the application for certificate. Each transient occupancy registration certificate application shall be accompanied by a nonrefundable transient occupancy registration certificate fee. The fee schedule for certificate applications and waitlist applications shall be established by resolution of the Town Council following a public hearing and may be adjusted by resolution of the Town Council following a public hearing. Permits and fees required by this chapter are in addition to any license, permit, certificate or fee required by any other chapter of this code. Each application shall, at a minimum, include the following:
1. Operator name and contact information.
  2. The name of the local contact person, if different from the operator, and a telephone number at which the local contact person may be reached within 30 minutes.
  3. Address and assessor's parcel number for the property at which the short-term rental is located.
  4. Rental unit type (e.g., home, condominium). The application must identify if the rental unit is the property owner's or owners' primary or secondary dwelling.
  5. Maximum occupancy. The maximum occupancy of a short-term rental shall be two guests per bedroom, plus two additional people, excluding children under thirteen (13) years of age. Occupancy limits shall apply between the hours of 10:00 pm and 7:00 am.
  6. Total number of on-site parking spaces. Within the Downtown Mixed Use (DMU) zone, if on-site parking is not available, an alternative parking plan must be provided designating the location of off-site parking.
  7. Proof of existing garbage service, with a total number of trash receptacles satisfying the requirements of Section 5.02.040 of this chapter and proof of bear box

8. Number and location of fire extinguishers, smoke detectors, and carbon monoxide alarms, and certification of compliance with Fire Code and fire safety requirements, including those pertaining to fire extinguishers, smoke detectors, and carbon monoxide alarms.
9. Date of the most recent inspection (if any) of the short-term rental conducted by the Truckee Fire Protection District pursuant to this chapter.
10. Acknowledgment that the operator has read and understood this chapter, and the Town's noise, parking, garbage collection, guest safety and operational standards.
11. If the information supplied by the operator on the application for a transient occupancy registration certificate is not consistent with Town records, an inspection may be required prior to or after the issuance of the transient occupancy registration certificate. An inspection fee shall be charged for the inspection.

E. Transient Occupancy Registration Certificate Cap.

1. Cap. Effective May 12, 2022, the total number of transient occupancy registration certificates issued shall be capped at 1,255 ("overall cap inventory"), subject to the Town Council's authority to authorize the issuance of additional certificates as set forth in subsection 2. Units listed in subsection B as not being subject to this chapter are not subject to this cap.
2. Administration of the Cap.
  - a. Transient Occupancy Registration Certificate Renewal. Provided that an application for renewal of a transient occupancy registration certificate in good standing is submitted prior to the expiration date of the registration certificate, that registration certificate application will be processed, and the certificate issued and included in the cap. Timely submitted transient occupancy registration certificate renewal applications will be given priority in processing. For certificates for calendar year 2022, renewal applications from calendar year 2021 certificate holders shall be due no later than May 15, 2022. If a property owner or agent fails to submit an application for renewal prior to the May 15, 2022, deadline, the application will be treated as an application for a new registration certificate and will be placed on the waitlist described herein.
  - b. New Transient Occupancy Registration Certificates. New transient occupancy registration certificate applications received prior to reaching the overall cap inventory will be processed as they are received, except as described in subsection c below. At such point that the overall cap inventory is reached, all outstanding registration certificate applications, either in process or received, will be placed on a waitlist as set forth below. For the 2022 registration certificate cycle, applications for new registration certificates will open on June 13, 2022, and applications will be processed in the order in which they are received.
  - c. New Transient Occupancy Registration Certificates Prohibited for Accessory Dwelling Units, Multi-family Dwelling Units, Mobile homes, ~~and~~ Manufactured Homes, Recreational Vehicles and Tiny Homes. No new transient occupancy registration certificates will be issued for accessory dwelling units or junior accessory dwelling units, except in the event that Town staff or the Town Council determine that this prohibition is in conflict with state law. No new transient occupancy registration certificates will be issued for multi-family dwellings except as permitted under subsection B above. No transient occupancy registration certificate shall be issued for any mobile home, ~~or~~ manufactured home, recreational vehicle or tiny home that is not fixed to a permanent foundation but rather is attached to a chassis, and/or which is

located in a mobile home park, [special occupancy park as defined in California Health & Safety Code Section 18862.43 as it may be amended](#) or in a mobile home subdivision.

- d. Change of Ownership. A transient occupancy registration certificate shall expire upon the change of ownership of property for which the certificate was issued, regardless of whether the buyer or any other person has informed the Town of the change of ownership. The new owner may apply for a new transient occupancy registration certificate after 365 days have elapsed from the purchase or other transfer of the property, unless otherwise prohibited, and subject to the cap and waitlist.
  - e. Revoked Transient Occupancy Registration Certificates. An application for a transient occupancy registration certificate for a property the registration certificate for which has been revoked will be treated as a new application and will be subject to the cap and waitlist.
  - f. For purposes of this chapter, a transient occupancy registration certificate in good standing shall mean a certificate issued for a property with no unpaid fines, taxes, or assessments.
  - g. Workforce Housing Program Certificates. Notwithstanding any provision of this chapter to the contrary, the Town Council may authorize withholding a certain number of transient occupancy registration certificates from issuance to applicants on the waitlist, and subsequently issuing transient occupancy registration certificates to developers of housing for the Truckee workforce, upon such terms as the Town Council may determine. Among other measures, the Town Council may authorize the issuance of such certificates such that the cap described herein will be exceeded, and/or the issuance of certificates prior to awarding certificates to applicants on the waitlist.
3. Waitlist. The Town will maintain a waitlist for transient occupancy registration certificate applications received or in process. The Town will continually maintain the overall cap inventory as registration certificates are not renewed or revoked. The application process will open up to those on the waitlist on a quarterly basis commencing on July 1, 2022. Applications for certificates from applicants on the waitlist will be processed as registration certificates become available based on the date of receipt of the application, starting with the oldest date, subject to the Town Council's authority to authorize the issuance of certificates in connection with the development of workforce housing prior to issuing certificates to applicants on the waitlist.
- F. Term and scope of certificate. A transient occupancy registration certificate issued under this chapter shall expire at the end of the calendar year for which it is issued, unless revoked, suspended, or expiring earlier. The certificate authorizes the operator to operate the short-term rental only in accordance with the terms and conditions of the certificate. Subject to the provisions of Section 5.02.060 herein, a registration certificate will be renewed if prior to expiration, the following is provided: updated application information (if changes have occurred), new certifications and acknowledgments required in subsection D above, and payment of the registration fee. Renewal applications may be submitted commencing on November 1st of each year. Renewals for which applications are received after November 30th in a given year might not be received by applicants prior to January 1st, and the advertisement or operation of a short-term rental for which a renewed certificate has not been received shall constitute a violation of this chapter. Beginning with the 2023 registration cycle, if a property owner or agent fails to submit an application for renewal prior to January

1st of the calendar year, the application will be treated as a new permit and will be subject to being placed on the waitlist as set forth herein.

- G. Acceptance of registration certificate; no vested rights. Acceptance by an operator of a transient occupancy registration certificate shall constitute acknowledgment and acceptance of, and consent to: (i) the requirements and provisions of this chapter; (ii) the lack of any vested right to operate a short-term rental; and (iii) the Town's right to adopt or amend at any time restrictions on the operation of short-term rentals, including without limitation a complete prohibition on short-term rentals.

#### **5.02.040 Operational Standards**

All short-term rentals shall comply with the following standards at all times, regardless of whether a property registered as a short-term rental is being used as such on a given day and shall not generate other potential disturbances which may disrupt the peace, safety, and general welfare of the neighborhoods in which they are located.

- A. Operator responsibilities and recordkeeping. The operator shall inform guests that they must not violate the standards of this chapter. The operator shall be responsible for taking any action necessary to ensure that guests abide by the terms of this chapter and other applicable provisions of this code. The operator shall collect and maintain for each guest registration the name and contact information of the registered guest, the number of guests, and the amount of rent paid (including all ancillary charges such as cleaning charges). All such records shall be maintained for a period of three years and shall be furnished to the Town within five days upon request.
- B. Local contact person. A local contact person shall be personally available by telephone on a twenty-four (24) hour basis and shall respond by phone within thirty (30) minutes of contact by Town of Truckee employees or agents or the guest(s). Notwithstanding the foregoing, a local contact person shall be physically present at the short-term rental within sixty (60) minutes of contact, for a period of one year following any citation, notice of violation, or fine issued in connection with the operation of the short-term rental. Upon receiving a call or complaint about physical conditions or circumstances that constitute an immediate threat to the public health and safety, the local contact person shall immediately contact the appropriate law enforcement, fire, or other authority. Upon receiving any other call or complaint about the short-term rental, the local contact person shall cause the discontinuance of any violation of this chapter within sixty (60) minutes and provide an explanation to Town of Truckee staff the steps taken to resolve the complaint.
- C. Parking. On-site parking shall be provided for each short-term rental, except as provided in an alternative parking plan approved pursuant to section 5.02.030.D.6 of this chapter. No vehicle parked at a short-term rental (including without limitation boat trailers and recreational vehicles) may be parked on the street, in an unpaved area, or in a location or manner that does not comply with the parking plan approved by the Town for the short-term rental.
- D. Noise. All short-term rental guests shall comply with the standards of Chapter 9.20 of this code regarding noise, which provides that the standard for what constitutes prohibited unreasonable noise is stricter between the hours of 10:00 pm and 7:00 am. The nighttime noise restrictions shall be posted inside the short-term rental in a location readily visible to all guests.

- E. Trash collection. With the exception of trash properly deposited in trash collection receptacles, accumulation of trash and debris outside of a short-term rental at any time is prohibited. Weekly trash collection must be provided for each short-term rental. A minimum service level of two trash cans shall be maintained for each short-term rental, in addition to recycling service. If two trash cans is insufficient to accommodate all trash generated by occupants of the short-term rental, the operator shall arrange for whatever increased level of service is required to accommodate all trash. Except for: (i) short-term rentals for which solid waste collection is maintained at a central location operated by a homeowners association or property owners association; and (ii) short-term rentals located in a neighborhood in which trash collection service from garages or other indoor locations is required by a homeowners association or property owners association and maintained by the operator, each short-term rental shall be equipped with one or more bear-resistant trash can enclosures meeting the requirements of Section 6.01.040.E of this code and large enough to hold a minimum of two trash cans, or such larger number of cans as is required pursuant to this paragraph.
- F. Interior posting requirements. The following information shall be posted within the interior of the rental unit in a visible location: the maximum number of guests permitted, notification that trash and recyclable materials must be placed into cans provided for that purpose and where such cans are located, a summary of the Town's dog ordinance, notification that all vehicles must be parked on paved areas on the property or in a manner consistent with an alternative parking plan approved pursuant to Section 5.02.030.D.6, contact information for the local contact person, emergency evacuation information, and a notice to guests of potential financial penalties for violating the provisions of this chapter. For short-term rentals with wood-burning fireplaces or woodstoves, instructions on the safe operation of such appliances and the safe disposal of ashes shall be posted.
- G. Smoke alarms. Smoke alarms, in good working order, shall be installed at a minimum in each bedroom, and at least one alarm on every level of the short-term rental, including basements and habitable attics.
- H. Carbon monoxide alarms. Carbon monoxide alarms, in good working order, shall be installed in accordance with current California Building Code requirements, and shall be installed in accordance with the manufacturer's installation instructions.
- I. Fire extinguisher and ash can. Each short-term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short-term rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order. Each short-term rental with a wood-burning fireplace or woodstove shall be equipped with a metal container at least five gallons in size with a tight-fitting lid, which shall be clearly labeled for ash disposal.
- J. Visible address. Each short-term rental shall have an address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short-term rental unit will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street. Address identification characters shall contrast with their background and conform to the minimum size requirements of the California Fire Code, Section 505.1 of the 2019 edition of which requires numbers four inches tall with a minimum

stroke thickness of one-half inch. A short-term rental in a condominium building that does not have an individual address may utilize the condominium building address and need not comply with these requirements.

- K. Emergency communications. If located in an area with inadequate cellular service, each short-term rental unit shall contain a working landline phone or Voice Over Internet Protocol phone.
- L. Fire inspections and other inspections. The operator of each short-term rental shall allow Truckee Fire Protection District staff to conduct an inspection once every three years, and more often upon request by the Truckee Fire Protection District or the Town of Truckee, to ensure the short-term rental complies with: (i) the requirements of this chapter, including without limitation those pertaining to smoke detectors, carbon monoxide alarms, fire extinguishers, visible address, emergency communications, outdoor fireplaces and fire pits, and grills and barbecues; and (ii) Truckee Fire Protection District defensible space requirements. Each operator shall respond within 30 days to a request from Truckee Fire Protection District or Town staff to schedule an inspection. In addition, the operator of each short-term rental shall allow Town of Truckee staff to inspect any short-term rental upon request to ensure that the short-term rental complies with the requirements of this chapter and that the information contained in a transient occupancy registration certificate application is correct. The inspections, including reinspection's due to non-compliance and inspections prompted by complaints, are subject to the applicable Truckee Fire Protection District or Town of Truckee fees for inspections. Records of such inspections conducted by Truckee Fire Protection District shall be provided by the Truckee Fire Protection District to the Town of Truckee.
- M. Advertisements. Each advertisement for a short-term rental shall list the maximum number of occupants (excluding children under thirteen (13) years of age) permitted by the transient occupancy registration certificate or a lesser number if desired by the operator, the maximum number of parking spaces onsite or allowed offsite by an approved alternative parking plan, and the number of the transient occupancy registration certificate.

N. [Sleeping Spaces. A sleeping space is a bedroom as defined in Section 5.02.020 of this code and in Development Code Section 18.220.020. If a room is not permitted as a bedroom the room cannot be used for sleeping or contain beds of any kind.](#)

### **5.02.050 Prohibitions**

- A. Prohibited short-term rentals. A structure or property with a recorded covenant, deed restriction or agreement restricting its use, including without limitation dwelling units with affordability restrictions, and dwelling units for which short-term rentals are prohibited, shall not be used for short-term rentals. Short-term rentals are not allowed in structures not intended for residential occupancy under the California Building Code Standards and this code. Further, transient rentals are prohibited for certain accessory dwelling units, junior accessory dwelling units, detached living areas, mobile homes, ~~and~~ manufactured homes, [recreational vehicles or tiny homes](#) as described in Subsections 5.02.030.A (Registration Certificate Required) and 5.02.030.E.2.c (New Transient Occupancy Certificates Prohibited) above.
- B. Incidental camping. A transient occupancy registration certificate does not authorize incidental camping, which means any overnight camping, sleeping in tents or on decks

attached to the short-term rental unit, or sleeping in travel trailers or recreational vehicles parked on the short-term rental property.

- C. Outdoor fireplaces. No wood burning pits, bonfires, or campfires are permitted to occur at short-term rentals. Natural gas/propane burning fireplaces and fire pits with twenty (20)-pound tanks or smaller are acceptable outside provided the device is at least ten (10) feet from a structure and any flammable materials. Notwithstanding the foregoing: (i) reduced clearance for natural gas/propane burning fireplaces and fire pits will be allowed in accordance with the manufacturer's recommendations for products listed with UL, CSA or ANSI; and (ii) reduced clearance is allowed for a built-in outdoor fireplace if construction of the built-in outdoor fireplace was authorized by a building permit.
- D. Grills and barbeques. Grills and barbeques are not permitted beneath a potentially flammable source including trees, umbrellas, decks, or other appurtenant structures. All grills and barbecues shall be no less than ten (10) feet away from a structure and any flammable materials, such as a woodpile. Notwithstanding the foregoing: (i) reduced clearance for gas grills, and barbeques will be allowed in accordance with the manufacturer's recommendations for products listed with UL, CSA or ANSI; and (ii) reduced clearance is allowed for a built-in outdoor grill or barbecue if construction of the built-in outdoor grill or barbecue was authorized by the issuance of a building permit. [Charcoal grills of any type are prohibited at short-term rentals.](#)
- E. Subletting. Guests are prohibited from subletting a short-term rental. Only operators with a valid transient occupancy registration certificate may advertise and rent a residential unit as a short-term rental.
- F. Special events. Weddings, corporate events, commercial functions, and any other similar events are prohibited from occurring at a short-term rental property, unless such events comply with all requirements of this chapter and this code generally, including without limitation requirements pertaining to occupancy limits, traffic, parking, and noise. The occurrence of any such event which violates any such requirements shall be a separate violation of this chapter, in addition to the violation created by noncompliance with such requirements.

### **5.02.060 Penalties; certificate denial, suspension, and revocation**

It is a misdemeanor and a public nuisance that poses a threat to public health and safety, to violate any of the provisions of this chapter. Violations of this chapter are subject to the administrative citation provisions set forth in Chapter 1.03 of this code, provided that fines for violations of this chapter shall be as set forth below. Any person violating the provisions of this chapter, including without limitation guests, operators, and local contact persons may be subject to administrative and/or judicial remedies as set forth herein. The owner of a short-term rental shall be deemed responsible for all violations of this chapter occurring at the short-term rental or in connection with its operation, provided that this shall not preclude the Town from issuing fines or citations to guests, or exercising other remedies against guests, if the guests are deemed to have committed the violation. In addition, the Town shall have the authority to suspend or revoke the transient occupancy registration certificate, or to maintain an action for injunctive relief. Unless otherwise expressly provided, the remedies, procedures and penalties provided by this section are cumulative as to each other and to any others available under state law or this code. In the event of any conflict between the penalties set forth in this chapter and any penalties set forth in state law, the maximum penalties allowable under state law shall govern. Each day or portion of a day during which a violation of this chapter exists shall constitute a separate violation.



- A. Enforcement. An administrative fine not to exceed one thousand, five hundred dollars (\$1,500) may be imposed for the violation or violations of this chapter contained in a first administrative citation, a fine not to exceed three thousand dollars (\$3,000) for each violation contained in a second violation of this chapter or Chapter 3.24 within one year, and a fine not to exceed five thousand dollars (\$5,000) for each additional violation of this chapter or Chapter 3.24 within one year of the first violation. A prior citation for purposes of this section shall be an earlier administrative citation for violation of this chapter on the same property that occurred less than one year prior to the current citation, provided that a previous citation issued to a guest shall not be deemed a prior citation for purposes of calculating the penalty for a subsequent citation issued to a guest at the same property.
1. Notwithstanding Chapter 1.03 and subsection A of this section, and pursuant to the Town's authority as a charter town, the administrative fine for the operation of any transient rental without a valid transient occupancy registration certificate shall be five hundred dollars (\$500) for the first violation.
  2. Notwithstanding subsection A of this section, the \$1,500, \$3,000, and \$5,000 fines set forth therein shall not apply to: (i) a first-time offense of failing to obtain a transient occupancy registration certificate or paying a fee for that certificate; or (ii) violations committed in connection with the transient rental of a commercially operated hotel, motel, bed and breakfast inn, time-share property as defined by subdivision (aa) of Section 11212 of the Business and Professions Code, lodge, inn, camping site, space where camping or remaining overnight on a transient basis is permitted at a campground or recreational vehicle park, or the rental of anything that is not a "hotel" as defined in Section 3.24.020.
  3. Town staff shall establish a process for granting a hardship waiver to reduce the amount of the fine upon a showing by the responsible party that the responsible party has made a bona fide effort to comply after the first violation and that payment of the full amount of the fine would impose an undue financial burden on the responsible party.
- B. Denial, suspension or revocation of a transient occupancy registration certificate. An expiration of a transient occupancy registration certificate upon sale or other transfer of the property for which the certificate has been issued shall not be governed by this subsection. The Town may deny, suspend or revoke a transient occupancy registration certificate for any of the following reasons:
1. The transient occupancy registration certificate application is incomplete, the applicant is not eligible to receive a certificate pursuant to this chapter, or the unit for which the certificate is sought is not eligible to receive a certificate pursuant to this chapter;
  2. The transient occupancy registration certificate application contains a false or misleading statement or omission of a material fact;
  3. The short-term rental, operator or guest is currently in violation of, or has been found to be in violation of, any local, state or federal laws, statutes, ordinances, rules or regulations pertaining to the operation of a short-term rental, and the violation has not been cured or the property otherwise brought into compliance, for a period of at least 30 days after the Town has notified the operator of the violation. Additionally, the holder of a suspended transient occupancy registration certificate(s) shall not be permitted to apply for a renewal of the transient occupancy registration certificate for

the following year during any period in which the basis for the suspension has not been cured, remedied, or brought into compliance.

4. The transient occupancy registration certificate of a short-term rental for which three citations have been issued for violations of this chapter within a 12-month period and not overturned on appeal, including without limitation citations issued to guests and citations issued to operators, shall be revoked, a new certificate shall not be issued and any application to join the waitlist will be denied, for a period of 12 months from the date of the certificate revocation.
  5. The operator is delinquent on any payment to the Town of any fees, penalties, taxes, or any other monies related to any short-term rental including, but not limited to, transient occupancy taxes;
  6. A transient occupancy registration certificate application may be denied due to prior revocation or suspension of a transient occupancy registration certificate;
  7. The operation of a short-term rental is a threat to the public health, safety, or welfare;
  8. The lack of a fire inspection within the preceding three years, a failed fire inspection unless documentation is provided that the conditions causing the failure were corrected and the short-term rental passed a subsequent fire inspection, or a refusal to allow a fire inspection or other inspection of the short-term rental;
  9. Absence/expiration of a transient occupancy registration certificate;
  10. Any required application fee or renewal fee has not been paid; or
  11. The overall cap on transient occupancy registration certificates has been reached.
- C. Appeal. Any operator or guest may appeal a penalty imposed pursuant to this chapter, or a denial, suspension, or revocation of a transient occupancy registration certificate, to the Town's tax administrator by filing a notice of appeal with the tax administrator within 10 calendar days of the serving or mailing of notice of the action taken. Following receipt of a notice of appeal, the tax administrator shall give not less than five days' written notice to the appellant, and to the complainant, if any, of an appeal hearing at a time and place fixed in the notice. At such hearing, the operator or guest may appear and offer evidence why the action being appealed should be overturned or modified. After such hearing the tax administrator shall determine whether the action should be sustained, overturned, or modified and shall thereafter give written notice to the appellant in the manner prescribed herein of such determination. An operator or guest aggrieved by the tax administrator's decision regarding such appeal may appeal to the Town Council by filing a notice of appeal with the Town Clerk within 10 calendar days of the serving or mailing of notice of the tax administrator's decision and tendering a deposit for the cost of the appeal in an amount established by the Town Council. The Town Clerk shall fix a time and place for hearing such appeal, and the Town Clerk shall give notice in writing to such operator at the last known place of business or to such guest at the guest's address as set forth in the appeal. At the hearing, the appellant shall have the right to testify, to be represented by counsel, to present witnesses on the appellant's behalf, to cross-examine all other witnesses and to present oral and written documents and evidence on the issues. The findings of the Town Council are final and conclusive and shall be served upon the appellant in the manner prescribed above for service of notice of hearing. Any fine or penalty found to be due is immediately due and payable upon the service of notice.

- D. Costs of enforcement. All money and assets collected in payment of penalties for violations of this chapter and all money and assets collected for recovery of costs of enforcement of this chapter shall be used to offset the cost of enforcement of this chapter.
- E. No duty to enforce. Nothing in this chapter shall be construed as imposing on the Town of Truckee or any employee thereof any duty to issue a warning notice, administrative or judicial citation, or notice to abate, nor to abate any violations of this chapter, and neither the Town nor any employee thereof shall be held liable for failure to issue an order to abate any violation of this chapter.

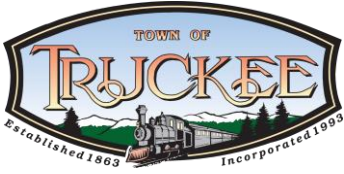
#### **5.02.070 Changes in ownership**

Transient occupancy registration certificates do not provide a vested interest in or entitlement to the continued operation of a short-term rental upon a change of property ownership, and any outstanding certificate issued for a short-term rental shall expire upon the change of ownership. The new owner of a property for which a transient occupancy registration certificate has been issued shall notify the Town upon a change of ownership of the short-term rental. Transient occupancy registration certificates shall not run with the land and shall expire upon any partial or complete transfer of ownership of a short-term rental, whether or not notice of the change in ownership has been provided to the Town.

#### **5.02.080 Severability**

The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, phrase, sentence, paragraph, subdivision, section or portion of this chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.

(Ord 2020-07 10-13-2020; 2022-02 04-12-2022; 2023-01 02-14-2023)



Date: October 10, 2023

Honorable Mayor and Council Members:

Author and title: Lynn Baumgartner, Program Analyst II

Title: **Truckee Home Access Program (THAP) Local Business Application and Guideline Revisions**

Jen Callaway, Town Manager

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**Recommended Action:** 1) Approve changes to the Truckee Home Access Program (THAP) Guidelines 2) Approve the THAP for Local Business Application from The Greeno Revocable Trust and authorize a payment of \$105,600.

**Discussion:**

**INTRODUCTION**

Increasing the inventory of rental and ownership homes available to community members living and working in Truckee is a Town Council priority. Growing the inventory of housing that is legally deed restricted for full-time occupancy by income qualified local workers is an important strategy used in many jurisdictions to ensure the long-term availability of workforce housing.

The Truckee Home Access Program (THAP) is the Town's deed restriction purchase program launched in November 2022. Since that time, the program has closed on six deed restriction purchases with individual buyers, providing long term housing to eighteen individuals.

The Town has received our first application from a local business wishing to purchase workforce housing. Under the Program Guidelines, approval of business and developer applications for the THPA program are at Town Council's discretion. The purpose of this agenda item is to review the local business application. Additionally, in the course of working through the details of this application, staff identified a few areas where cleanup amendments to the Program Guidelines are recommended, to provide additional flexibility and clarity within the program.

**PROPOSED PROGRAM GUIDELINES CHANGES**

In the process of implementing the program, staff and Housing Inc. have found opportunities for necessary Program Guideline corrections and clarifications and have drafted several clean-up revisions to the Program Guidelines for Council consideration. The following program updates are included in the revised Program Guidelines (Attachments 1 & 2).

**Section 2 Program Definitions**

*Owners:* Changed the definition of "Owners" to be "Persons, Local Businesses or Developers who acquires an ownership interest in a property, subject to the conditions contained herein, and may include either a Qualified Owner or Non-Qualified Owner, as the context requires" to be aligned with the definition of Owner in the Deed Restriction.

Definitions of Non-Qualified Owner and Qualified Owner were added.

*Non-Qualified Owner:* Persons who do not meet the definition of Qualified Owner including persons who originally qualified as a Qualified Owner but whose circumstances change and who no longer meet the definition of Qualified Owner.

*Qualified Owner:* The Owner of the residence where at least one member of the Owner's household is currently employed 30 or more hours per week at an employment site within the Tahoe Truckee Unified School District geographical boundary and whose total household income does not exceed 245% AMI.

### **Section 3.2 Funding/Payment for Deed Restrictions**

Language was added that states, an individual that owns a Local Business, a family trust with a trustee that owns a Local Business, or an entity that is in common ownership of any amount with a Local Business can apply for THAP as a Local Business.

This was added to provide additional flexibility for Local Businesses to participate in THAP, recognizing that in some situations (i.e. for insurance, liability, or financing reasons), it may be beneficial for the individual business owner, or a separate legal entity in common ownership with the business, to make the real estate purchase, rather than purchasing the home in the name of the Local Business. Staff recommend that such a purchase would fit the spirit of the program in providing workforce housing.

### **Section 4.5 Tenant Eligibility**

Initially, the Program Guidelines allowed rental tenant households to qualify with one qualified tenant. Language was added to require at least 50% of the people over 18 who are not full time students to meet the local employment qualification. This is in line with the requirements in our other rental programs and ensures that more workforce members are being housed with this program.

### **Section 6.2 Title Requirements**

Language was added that states "The requirement for all adult members to be listed on the title may be evaluated on a case-by-case basis." This was added to provide additional flexibility for situations where it may not make sense for all adults to be on the title.

### **Section 7.2 Renting**

Language was changed to mirror the tenant eligibility requirement in Section 4.5. Additionally, language was added to clarify tenant eligibility requirements if individual bedrooms are leased individually.

### **Section 7.6 Owners – Selling a THAP Unit**

In the currently approved Program Guidelines, THAP Owners (individuals, Local Businesses, and Developers) may only resell to qualified individual buyers. Staff is seeking Council direction on whether THAP homes purchased under one THAP category should be able to sell the unit to a buyer in a different category. For example, should an individual Qualified Owner be permitted to sell to a qualified Local Business? Staff have identified the following options:

(1) *Staff recommendation, included in program guideline proposed edits:* Update section 7.6 to allow that a THAP Owner may sell to any THAP-qualified buyer or qualified Local Business. This option would provide the most flexibility.

Alternatives:

(2) Modify section 7.6 to allow Local Businesses and Developers to sell to individuals and Local Businesses, but require individuals to sell only to individuals. This option provides some flexibility, but ensures that a portion of units will remain reserved for individual home buyers; or

(3) Modify section 7.6 to allow that an individual owner may only sell to a THAP-qualified buyer, that a business may only sell to a qualified Local Business, and that a developer may sell to either category.

## **THAP FOR LOCAL BUSINESSES APPLICATION**

While deed restriction purchase programs are a tool that jurisdictions often use to preserve local housing, THAP offers the unique opportunity for Local Businesses to participate as well. Local Businesses can be compensated to sell or rent homes to THAP eligible households. Funding amounts are to be determined by Town Council based on how a project meets Truckee housing goals and are not to exceed 16% of the appraised value of the home.

Application Evaluation

THAP has received its first application from a Local Business, William Greeno at Quality Automotive Servicing. Quality Automotive Servicing is a Truckee business located at 11500 Donner Pass Rd. Unit D, Truckee and has 11 employees.

The applicant has applied for \$105,600 in THAP funding (16% of the purchase price of \$660,000) for a 3-bedroom, 2-bathroom home at 10945 Whitehorse Road in Truckee. The home would be purchased by the business owner’s existing family trust, The Greeno Revocable Trust.

The home is located in the Glenshire neighborhood and within 0.5 mile of Glenshire Elementary. The buyer plans to house three tenants at a planned rate of \$1,000 per bedroom with a lease length of 1-3 years. This is below the maximum rent of \$6,981 for a 3-bedroom home allowed under the THAP program (which is calculated as 30 percent of the maximum annual area median income level of the THAP property’s deed restriction divided by 12 months adjusted for bedroom size). This planned rent price is also below market rate for home rentals in Truckee. The tenant household would be required to meet the local employment and income qualifications in the Program Guidelines. The applicant is already under contract for the home and financing is secured. An appraisal is currently under way. Should the home appraise for less than the purchase price of \$660,000, the THAP funding amount would be reduced to 16% of the appraised value.

**CONCLUSIONS & NEXT STEPS**

This application meets the intent of THAP for Local Businesses and therefore, staff recommends that Council approve the THAP for Local Businesses Application from The Greeno Revocable Trust for 16% of the appraised value of the home, not to exceed \$105,600.

Additionally, staff recommends that Council review and approve the attached revised THAP Program Guidelines.

**Priority:**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Enhanced Communication    | <input checked="" type="checkbox"/> Climate and Greenhouse Gas Reduction | <input checked="" type="checkbox"/> Housing |
| <input type="checkbox"/> Infrastructure Investment | <input type="checkbox"/> Emergency and Wildfire Preparedness             | <input type="checkbox"/> Core Service       |

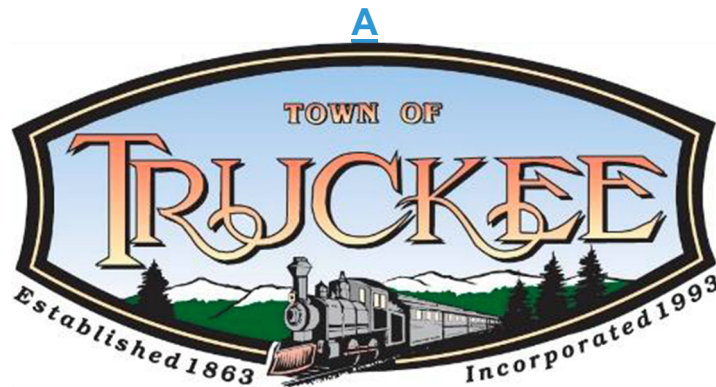
**Fiscal Impact:** C2014 has \$125,000 in the Deed restriction purchase – businesses line item which will cover the payment of \$106,500.

**Public Communication:** Agenda posting

**Attachments:**

Attachment 1 – Updated THAP Guidelines – Redline Version

Attachment 2 – Updated THAP Guidelines – Clean Version



## TOWN OF TRUCKEE

### Program Guidelines

#### Town of Truckee Home Access Program (THAP)

APPROVED BY: Truckee Town Council [January 24, 2023](#) [October 10, 2023](#)

# Town of Truckee THAP Guidelines

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## SECTION 1 - GENERAL PROGRAM INFORMATION

### 1.1 Background

The Town of Truckee Home Access Program (THAP) preserves, produces, and protects homes to create places for people who work full-time in the Truckee region to live locally. THAP pays buyers, sellers, businesses, and Developers to reserve homes for income qualified local workers using a fifty-five-year deed restriction.

- **Buyers** can apply for funding up to \$150,000 for a maximum \$937,500 home purchase price.
- **Sellers** can sell at a reduced price and apply for funding to make up the difference between the reduced price and the appraised value.
- **Local Businesses** can apply for funding to rent or sell homes to local workers, including their own.
- **Developers** can apply for funding to build homes for sale or rent to local workers.

THAP buyers and renters must work locally, not exceed household income limits, and live in the homes as their primary residence.

The information provided in this document describes guidelines for buyers, sellers, businesses, and Developers to apply for and participate in THAP.

The Town, at its discretion, may update funding amounts, maximum household income guidelines, initial purchase prices, and rent rates from time to time. The Town will review and update these guidelines from time to time to reflect changes in the market and better meet the community's needs.

The Town of Truckee will contract with an independent organization to administer the day-to-day operation of the Program.

### 1.2 Non-discrimination Policy

The Program will be implemented consistent with the Town's commitment to non-discrimination. No person shall be excluded from participation in, denied the benefit of, or be subject to discrimination under any program or activity on the basis of his or her religion or religious affiliation, age, race, color, creed, gender, sexual orientation, marital status, familial status (children), physical or mental disability, nation origin, ancestry, or any other arbitrary cause.

### 1.3 Program Outreaching and Marketing

The THAP Administrator will coordinate with the Town, local Realtor groups, lenders, and housing groups to share and implement a marketing plan to provide broad awareness and equitable access to THAP. Program information will also be shared on the Town's THAP website and the Town's social media channels and made available at request in hard copy at Town Hall and the local library. All marketing and educational materials and applications will include the Fair Housing logo and marketing materials will be translated and available in Spanish. The Town will issue a press release. The THAP Administrator and the Town will periodically re-market the program.

## SECTION 2 - PROGRAM DEFINITIONS

- A. Applicant - Buyer(s)/Renter/Tenants(s): The primary individual(s) applying for the Program and all persons 18 years and older who will reside in the unit.
- B. Area Median Income (AMI): The median income for Nevada County as defined by the California Department of Housing and Community Development (HCD) and adjusted for household size are published annually. The amounts are further adjusted and calculated by the Town and are available on the Town's THAP website.
- C. Buyers: Households purchasing a single-family THAP unit (includes condominiums, townhomes, duplexes, and single-family residences) home as their primary residence.
- D. Funding Amount: The payment buyers, sellers, Local Businesses, and Developers receive from the Town in exchange for a 55year Deed Restriction to reserve homes for people who work in the Truckee Region and earn below the program's maximum household income.
- E. Deed Restrictions: The binding agreement signed by each Owner of a THAP unit. The Deed Restriction places permanent restrictions on the THAP unit, or 55year term based on agreed uses, including owner occupancy and income.
- F. Developer: A person or business entity that buys land and builds new single family or multifamily housing units for sale or lease.
- G. Fair Market Value: The value of a unit based upon the determination of an authorized appraisal report acceptable to the Town.
- H. Local Business: A corporation, LLC, sole proprietorship, governmental entity, mutual benefit corporation or non-profit business that has a minimum of three (3) employees working at a physical office location, within the Tahoe Truckee Unified School District boundary.
- I. Local Worker/Employee: A household must have at least one member who is currently employed 30 or more hours per week, meets full-time employment equivalency with employer verification, or has a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. In the case of a written offer, the THAP Administrator will verify employment following the employment start date.
- ~~J.~~ Non-Qualified Owner: [Persons who do not meet the definition of Qualified Owner including persons who originally qualified as a Qualified Owner but whose circumstances change and who no longer meet the definition of Qualified Owner.](#)
- ~~J.K.~~ Owners: [Households who purchase a single family THAP unit \(includes condominiums, townhomes, duplexes, and single family residences\) home as their primary residence. Persons, Local Businesses or Developers who acquires an ownership interest in a property, subject to the conditions contained herein, and may include either a Qualified Owner or Non-Qualified Owner, as the context requires.](#)
- ~~K.L.~~ Program Administrator: The Town of Truckee will contract with an independent organization to administer the day-to-day operation of the Program.

**Truckee Home Access Program Guidelines – [October 10](#)[January 24](#), 2023**

M. Program Application: The THAP Program application with required supporting documents submitted by Applicants to determine program eligibility.

L.N. Qualified Owner: The Owner of the residence where at least one member of the Owner's household is currently employed 30 or more hours per week at an employment site within the Tahoe Truckee Unified School District geographical boundary and whose total household income does not exceed 245% AMI.

M.O. Sellers: Households selling a single-family THAP unit (includes condominiums, townhomes, duplexes, and single-family residences) home as their primary residence.

N.P. Term: 55 years

O.Q. Unit: Housing unit that is priced to be affordable to households making no more than 245% AMI for existing units and 180% AMI for new homes.

## SECTION 3 – PROGRAM SUMMARY

### 3.1 Purchase/Sales/Rent Rates

#### *Buyers and Sellers*

In 2022 and 2023, Buyers' initial purchase price cannot exceed \$937,500 and Sellers' sales price cannot exceed \$787,500.

#### *Local Businesses and Developers*

Initial purchase prices for Local Businesses and Developers will be determined on a case-by-case basis. Rent rates are calculated at 30 percent of the area median income (245%-existing properties/180%-new construction) adjusted for bedroom size.

### 3.2 Funding/Payment for Deed Restrictions

The THAP Funding Amount for Buyers, Sellers, Local Businesses, and Developers in exchange for a 55 year Deed Restriction on the property will be reviewed on a case-by-case basis and evaluated based on such factors as location, access to services, home age, etc.

THAP Funding Amount is based on the final purchase price or fair market value, whichever is less.

Payments will be made upon signing and recording the Deed Restriction.

#### *Buyers and Sellers*

The amount paid for each deed restriction will not exceed the lesser of 16% of the value of a home, as determined by a Fair Market Value Appraisal; or \$150,000.

#### *Funding Scenarios – Buyers and Sellers*

Buyer Example	Seller Example
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Initial Purchase Price: \$937,500	Appraised Value: \$937,500
THAP Payment to Buyer Used as Down Payment Assistance: \$150,000	Sales Price: \$787,500
Buyer's 4% Down: \$37,500	THAP Payment to Seller: \$150,000
Buyer's First Mortgage: \$750,000	Buyer's 20%: \$157,500
	Buyer's First Mortgage: \$630,000

### *Local Businesses and Developers*

Local Businesses and Developers can be compensated to sell or rent homes to THAP eligible households. Funding amounts for Local Businesses to deed restrict housing units to 245% AMI or below are to be determined by Town Council based on how a project meets Truckee housing goals and are not to exceed 16% of the appraised value. [An individual that owns a Local Business, as defined by the Program Guidelines, a family trust with a trustee that is the owner of a Local Business, or an entity that is in common ownership of any amount with a Local Business as defined in the Program Guidelines can apply for THAP as a Local Business.](#)

Funding amounts for Developers to deed restrict housing units to 180% AMI or below are generally not to exceed 16% of the appraised value. Additional funding amounts will be considered in exchange for lower income targeting. Income limits and funding amount terms will be determined by Town Council based on how a project meets Truckee housing goals. Funding will be allocated with approval by Town Council and distributed at sale.

### **3.3 Eligible Use of Funds and Distribution**

THAP funds may only be used on properties within the Town limits of Truckee and may but are not required to be used towards a down payment.

Non-arm's length transactions are prohibited, including without limitation a purchase of a property owned by an applicant's spouse, family members, or a business in which the applicant has any ownership interest, with the exception of a landlord to a tenant. An example of a non-arm's length transaction is the purchase of a property owned by the applicant's family members.

THAP funds are not allowed to be used for the purchase of any properties with known code violations or open code violation cases.

THAP will consider applications that combine THAP funds with other sources of housing assistance funds, and the THAP Deed of Trust (but not the Deed Restriction) may be subordinate to the Deed of the Trust of another housing assistance program if required by that program and if approved by Town Staff. However, THAP cannot be combined with any housing assistance funding that requires equivalent deed restrictions (eg 55-year term or renewal upon sale) that restrict ownership and/or occupancy based on a local employment or income requirement.

### **3.4 Partnering with Realtors and Lenders**

THAP partners with local Realtors and lenders to invite their clients to apply. THAP will list partner lenders and local Realtors on the Town's THAP website. THAP Applicants are not required to use a partner lender or realtor.

**Table 1: Program Requirement Chart**

This chart summarizes funding amounts, applicant, and participant requirements

	<b>Individual Home Buyers</b>	<b>Sellers</b>	<b>Local Businesses</b>	<b>Developers</b>
<b>Funding Amount</b>	The lesser of \$150,000 or 16% of appraised value/ <a href="#">sales price</a>	The lesser of \$150,000 or 16% of appraised value/ <a href="#">sales price</a>	Up to 16% of appraised value/ <a href="#">sales price</a>	Up to 16% of the appraised value/ <a href="#">sales price</a> . Additional funding will be considered for lower income targeting
<b>Maximum Initial Purchase/Sales Price</b>	\$937,500 purchase price	\$787,500 sales price	Local businesses can rent homes for THAP maximum rent rate	Developers can sell their homes priced for 180% AMI buyers or rent homes for THAP rent rate
<b>Local Employment</b>	Buyer must meet local employment criteria	Buyer must meet local employment criteria	Occupants must meet local employment criteria	Occupants must meet local employment criteria
<b>Occupancy</b>	Home must be occupant's principal residence 10 out of 12 months per year	Home must be occupant's principal residence 10 out of 12 months per year	Home must be occupant's principal residence 10 out of 12 months per year	Home must be occupant's principal residence 10 out of 12 months per year
<b>Mortgage/Lease Readiness</b>	Buyer must qualify for a first mortgage and submit a lender pre-approval letter	Buyer must qualify for a first mortgage and submit a lender pre-approval letter	As applicable, Buyer must qualify for a first mortgage and submit a lender pre-approval letter/Tenant must qualify for lease	As applicable, Buyer must qualify for a first mortgage and submit a lender pre-approval letter/Tenant must qualify for lease
<b>Income Limits</b>	Buyer must meet 245%/180% AMI requirement	Buyer must meet 245% AMI requirement	Occupants must meet 245%/180% AMI requirement	Occupants must meet AMI requirement (180% AMI or lower, as negotiated)
<b>Asset Limits</b>	Buyers' liquid assets must not exceed 30% of sales price of home	Buyers' liquid assets must not exceed 30% of sales price of home	N/A	N/A

#### **SECTION 4 – ELIGIBILITY REQUIREMENTS: INDIVIDUAL HOME BUYERS**

Individual Home Buyers program applicants must meet specific minimum THAP eligibility requirements:

Truckee Home Access Program Guidelines – [October 10](#)[January 24](#), 2023

- At least one household member is employed full-time or will be employed within the Tahoe Truckee Unified School District boundary before close of escrow or execution of the lease.
- Annual gross household income, including the income of all household members 18 years of age and older, must not exceed 245% AMI for existing homes and 180% for new construction homes;
- Buyer assets do not exceed THAP maximum;
- Buyer Applicants must be able to obtain primary mortgage financing

#### **4.1 Local Employment**

A household must have at least one member who is currently employed 30 or more hours per week, meets fulltime employment equivalency with employer verification, or has a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. A paystub from the qualifying employer will be required prior to close of escrow to verify employment.

Continuous local employment will not be required by the THAP Program after close of escrow or execution of the lease.

#### **4.2 Household Income and Size**

Applicant(s) must not exceed THAP's income eligibility limits. Annual income limits adjusted by household size are based on the California Department of Housing and Community Development (HCD) Area Median Income (AMI) for Nevada County. Current income limits are available on the Town's THAP website.

Household income and size is considered at application only.

#### **4.3 Asset Limits**

Liquid assets must not exceed 30% of the sales price of the home the Applicant intends to purchase.

#### **4.4 Mortgage Readiness**

THAP homebuyer applicants must qualify for first mortgage financing. Applicants must submit a lender pre-approval letter with their application with a maximum loan amount. In the case of a seller carry back, a signed acknowledgement from the seller/buyer indicating potential seller carry back with terms, if available may be submitted in the place of a pre-approval letter. Verification of final loan terms will be required prior to final approval for program compensation. The first mortgage loan must be a 30-year fixed rate, fully documented, conventional loan. The mortgage payment must be fully amortizing. Prohibited loan types include stated income, adjustable rate, interest-only, negative amortizing, private loans and loans with balloon payments.

Applicants may not use a cosigner or guarantor when qualifying for the first mortgage. All loan signers must be household members who are included on the Application and total household income of all loan signers shall be included as part of the Applicant's total income when determining the Applicant's income eligibility level.

A list of lenders who are able to lend on the THAP units is provided on the Town's THAP website. Applicants can work with any lender that has reviewed the THAP Program documents and confirmed in writing that they are able to lend on the THAP, including having the lender's interest be subordinate to the THAP deed restriction.

#### 4.5 Tenant Eligibility

THAP unit renters, which includes roommate tenants that occupy the THAP unit alongside Owners, must be income and credit qualified by the THAP property owner in advance of completing a THAP Renter Verification Form on the THAP website. [In a household of one, the tenant must work at least 30 or more hours per week, meets full-time employment equivalency with employer verification, or have a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. If the household has more than one tenant, at least 50% of the people over 18 who are not full-time students in the household must work at least 30 or more hours per week, meet full-time employment equivalency with employer verification, or have a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. In the case of a written offer, the THAP Administrator will verify employment following the employment start date.](#)

### SECTION 5 – APPLYING TO THAP: BUYERS AND SELLERS

Buyers and Sellers participate in similar, but separate application processes for 1) conditional approval; and 2) final approval. They are both first conditionally approved for the program before applying to approve their unit for final approval and distribution of funds.

Funds are not reserved with conditional approval. The Town reserves funds for the transaction on a first come first served basis, based on order of receipt of an executed sales contract and approval from the Town's loan committee.

#### 5.1 Buyers

Buyer households apply for THAP approval participate in a three-step application process.

##### *Step 1 Program Education Workshop*

Potential applicants are required to attend a mandatory THAP orientation workshop. The application portal will open shortly after the application workshops begin and interested applicants will be invited to submit a complete THAP Program application with all required supporting documents. The THAP orientation workshop will be offered periodically as a live training and will also be offered as a pre-recorded video.

##### *Step 2 THAP Buyer Application and Supporting Documents*

The THAP Buyer application can be found on the Town's THAP website and applications are accepted on a rolling basis. Applicants must submit a complete THAP application package with a lender pre-approval letter with a maximum loan amount and supporting documentation to verify local worker status and household income and size. Applicants will be notified of their



conditional approval or denial status in writing after application review by the Town's loan committee in order that it is received.

Incomplete applications will not be considered. Applicants will have up to two opportunities over 10 business days to supply additional missing or clarifying documents. If the application is still missing information or documentation after two attempts over 10 business days, it will result in Program disqualification.

THAP will issue Buyers conditional Program approval letters valid for 9 months that allows them to submit a Property Application (explained further below) to calculate funding amount. Conditional Program Approval is not a guarantee or reservation of funds.

An additional 90-day extension to the Conditional Program Approval letter expiration may be granted by the Town in the event of hardship. The Applicant will be required to demonstrate hardship and evidence of actively making offers on homes.

### *Step 3 Property Application*

The applicant must submit a Property Application within 3 days of executing a purchase contract. It is critical for applicants to submit the Property Application in a timely manner because funding availability and final approval is not guaranteed. If the Property Application is not submitted within 3 days of executing a purchase contract, it will result in Program disqualification.

The Property Application requires

- Purchase and Sale Agreement
- Program Acknowledgement Form
- Preliminary Title Report
- Loan Officer and Real Estate Contacts
- An affidavit certifying that there are no known code violations on the property.

The Town will confirm in writing that the property is eligible for THAP participation and the THAP Administrator will coordinate with Applicant and their realtor, loan officer and title company to collect required documentation.

## **5.2 Sellers**

The Town encourages Sellers to contact the THAP Administrator to either market their home to existing conditionally approved buyers or work with the Seller's potential buyers to seek THAP approval.

THAP Seller application forms can be found on the Town's THAP website, and applications are accepted on a rolling basis. Incomplete applications will not be considered.

### *Step 1 THAP Seller Application and Supporting Documents*

THAP Seller Applicants must submit a complete THAP application package with supporting documents including a property tax bill, current bank statements and personal identification and a Fair Market Value appraisal. The THAP Administrator will review the Seller's Application package for conditional approval or denial status.

THAP will issue conditionally approved Sellers letters valid for 9 months that allow them to submit a Property Application (explained further below) and apply for funding. Conditional Approval is not a guarantee or reservation of funds. The Town reserves funds for the transaction on a first come first served basis, based on order of receipt of an executed contract and approval from the loan committee.

### *Step 2 Property Application*

The Seller applicant must submit a Property Application within 3 days of executing a purchase contract. It is critical for applicants to submit the Property Application in a timely manner because funding availability and final approval is not guaranteed. If the Property Application is not submitted within 3 days of executing a purchase contract, it will result in Program disqualification.

The Seller's Property Application requires:

- Notice of Intent to Proceed (Form will be provided to applicants upon conditional Program approval)
- Program Acknowledgement Form
- Funding Request Date
- Acknowledgment that all fees associated with the origination of the THAP program will be paid by the Seller
- An affidavit certifying that there are no known code violations on the property.

The Town will confirm in writing that the property is eligible for THAP participation.

## **5.3 Local Businesses and Developers**

THAP Program proposals from Local Businesses or builders and Developers must be approved by Town Council on a case-by-case basis. The THAP Administrator will consult with each applicant on the application and deed restriction process.

The application process is as follows:

1. Complete Local Business & Developer Interest Form, along with a proposal for how THAP funds can be used. The Developer Interest Form is available on the Town's THAP website.
2. THAP proposals will be reviewed by the THAP Administrator to ensure the proposal meets the qualifications and goals of the THAP.
3. The Town and THAP Administrator will meet with applicant to finalize the THAP proposal.
4. Proposals that meet the qualifications and goals of the THAP Program will be presented to Town Council with the applicant in attendance.

## **5.4 Renters/Tenants**

The THAP program does not rent or lease THAP units directly to tenants or credit check tenants on behalf of landlords. The THAP Administrator is not a landlord or property manager.

The THAP Administrator coordinates with THAP property owners who are interested in renting a THAP property to confirm the owner's selected tenants, which includes roommate tenants that occupy the THAP unit alongside Owners, qualify for the program before the lease agreement is signed. Owners are responsible for ensuring their tenants meet their lease criteria (e.g., credit

score, eviction history, pets, number of people in household, etc.) before the THAP Administrator verifies program eligibility.

The THAP Renter Verification Form can be found on the THAP website.

## **SECTION 6 – PURCHASE PROCESS: BUYERS AND SELLERS**

The THAP Administrator will shepherd Buyers, Sellers, Realtors, lenders, and title companies through the THAP purchase process – including coordinating document reviews and execution.

The THAP Administrator will conduct a formal pre-funding phone appointment with Buyers and Sellers to answer questions about the funding process, Program requirements, and execution of legal documents.

### **6.1 Realtor Representation**

Buyer Applicants must identify a Realtor to represent them in the homebuying process. A list of local Realtors familiar with the Program is provided on the Town's THAP website. Applicants may work with a Realtor not listed.

### **6.2 Title Requirements**

All adult household members must appear as an owner or co-owner on the unit title at the time of purchase with the following exceptions:

- 1) Legal dependents of titleholders as claimed on the most recent federal income tax returns. Spouses or domestic partners are not considered dependents.
- 2) Household members younger than age 24 who are the child of a titleholder who will reside in the housing unit as their primary residence, regardless of being named as a dependent on the federal tax form of a titleholder.

3) All adult household members are not required to be added to the loan.

3)4) [The requirement for all adult members to be listed on the title may be evaluated on a case-by-case basis.](#)

### **6.3 Purchase/Sales Contract**

Applicant's realtor must submit a complete offer package with a residential purchase contract on behalf of the applicant to the listing agent via email by 5pm on the offer due date. Close of escrow cannot be sooner than 30 days and, in most cases, escrow will need to be at least 30 but as long as 45 days.

The Applicant has three (3) calendar days from the date of an executed purchase contract to submit the fully executed contract to the THAP Administrator. The purchase contract must include at least a 30-day close of escrow period. The Applicant or their agent will send a copy of the fully executed purchase contract to the Program Administrator. The lender and Realtor are responsible for keeping the Applicant/Buyer informed of key timelines.

### **6.4 Fair Market Value Appraisal**

## Buyers

The Buyer's loan agent shall ensure the ordering of the fair market value appraisal within five (5) days of seller acceptance of the Buyer's offer. The THAP Administrator will be provided a copy and will review to ensure the appraisal is appropriately performed by a qualified appraiser and that no THAP units are used as comparisons. Buyer Applicants are responsible for all fees associated with the appraisal. Final THAP funding will be based on the appraisal. Appraisals must be dated no later than 90 days from the application request.

## Sellers

THAP requires a copy of the buyer's Fair Market Appraisal. Applicants are responsible for all fees associated with the appraisal.

## **6.5 Submission of First Loan Package**

### Buyers

Fifteen (15) business days prior to close of escrow Buyers will submit to THAP:

- First Residential Mortgage Loan Application- Form 1003
- Underwriting Transmittal Summary- Form 1008
- Loan Estimate
- Fair Market Value appraisal dated within 90 days from the date of application
- Preliminary Title Report
- Confirmation of receipt of general and pest inspections of property dated within 90 days
- Confirmation of Buyers' names and vesting

## **SECTION 7 – PROGRAM PARTICIPATION REQUIREMENTS FOR OWNERS AND RENTERS/TENANTS**

### **7.1 Occupancy**

All household members must occupy the THAP home as their principal residence a minimum of 10 out of 12 months out of a calendar year. Under specific conditions specified in section 7.2 the Town may grant approval for a homeowner to rent their unit to a program eligible tenant.

### **7.2 Renting**

The Town and THAP Administrator will permit THAP owners to rent their homes under certain conditions. Proposed leases and tenants/ sub-tenants, including roommate tenants, shall meet the following criteria:

- ~~At least one household member is employed full-time or will be employed within the Tahoe Truckee Unified School District. Household member may show proof of current eligible employment or a written offer for full-time employment. In the case of a written offer, the THAP Administrator will verify employment following the employment start date. In a household of one, the tenant must work at least 30 or more hours per week, meet full-time employment equivalency with employer verification, or have a written offer for~~

**Truckee Home Access Program Guidelines – October 10January 24, 2023**

full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. If the household has more than one tenant, at least 50% of the people over 18 who are not full-time students in the household must work at least 30 or more hours per week, meet full-time employment equivalency with employer verification, or have a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. In the case of a written offer, the THAP Administrator will verify employment following the employment start date.

- Annual gross household income, including the income of all household members 18 years of age and older, must not exceed the maximum AMI level of the property's deed restriction (245%-existing properties/180%-new construction).
- Monthly rent charged must not exceed 30 percent of the maximum annual area median income level of the THAP property's deed restriction (245%-existing properties/180%-new construction) divided by 12 months adjusted for bedroom size.
- The initial lease period must be a minimum of 12 months and can be month-to-month thereafter with the same tenant. All leases must be in writing.
- If leasing individual bedrooms on separate leases, each lessee must meet all tenant qualifications.

THAP Owners will be charged an annual leasing fee, as specified in the Town's adopted fee schedule, to be paid to the Town of Truckee upon lease execution to cover a portion of the administrative costs associated with monitoring the rental of the THAP home.

Any proposed lease and each tenant or sub-tenant must be approved in advance by the Town and THAP Administrator. Short-term renting or renting a THAP unit as a bed and breakfast Inn is not allowed under any circumstances.

### **7.3 Title Transfer Restrictions**

Title transfers are permitted under limited circumstances – see Deed Restriction for more information.

### **7.4 Refinancing**

#### Approval

Owners are permitted to refinance up to 75% of the property's current fair market value. If an Owner chooses to refinance their first mortgage, they must contact the THAP Administrator for approval. Refinance requests are considered for a lower interest rate and/or better loan term, or to a restricted amount of cash-out.

Local Businesses and Developers should contact the Town at [housing@townoftruckee.com](mailto:housing@townoftruckee.com) for a consultation on requests to refinance.

#### Refinance Fee

Owners will be charged a refinance fee, as specified in the Town's adopted fee schedule, to be paid to the Town of Truckee upon closing in order to cover a portion of the costs associated with eligibility screening and preparation of subordination documents. This refinance fee can be financed and paid at closing. A copy of the check shall be sent to the THAP Administrator with the final closing documents. The check will be issued and sent directly to:

Town Of Truckee  
Attn: Finance Department

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Home Equity Line of Credit, Home Equity Loans, and Reverse Mortgages

Home equity lines of credit (HELOC), home equity loans, or reverse mortgages are not permitted. Owners who use such programs are in violation of their Deed Restrictions and will not be allowed to refinance their loan.

Cash Out Refinance Policy

The Town has approved a limited Cash Out Refinance Policy allowing homeowners to consolidate debt or receive cash at closing. This policy is subject to termination at any time. The new first loan amount will be restricted to an amount not to exceed 75% of the current Fair Market Value.

In order to qualify for a cash out loan, Owner must meet the following requirements:

- a. Current on HOA dues (if applicable)
- b. Current and in compliance with most recent annual monitoring of THAP program requirements
- c. Not in default on first mortgage and has no recorded Notice of Default (NOD) in the past 12 months
- d. Not otherwise in default under the Program requirements

**7.5 Annual Monitoring – Owners and Renters**

The Town will coordinate with Owners and Renters once a year to ensure Program Guidelines are adhered to. For Owner-occupied properties, the Town will verify occupancy. For tenant-occupied properties, the Town will verify rent rates and tenant/ sub-tenant eligibility.

The Town will work with the Owner on a remedy if participants are found to be in default.

**7.6 Owners – Selling a THAP Unit**

THAP Owners may only sell their Unit to a THAP-qualified buyer [or Local Business](#). Subsequent buyers of the THAP unit will be subject to current program qualification requirements.

The following table describes the major steps and approximate processing times THAP Owners can expect for most sales. All processing times listed are estimates and no specific timeline is guaranteed.

<b>Resale Processing Timeline</b>	
<b>Steps</b>	<b>Time Estimate</b>
Notice of Intent to Sell Packet Submittal	5 days
Visual Inspection and Preparation of Unit for Sale	10 days
Marketing	TBD, depending on market conditions
Application Review - Issuance of Conditional Approval	10 days

Sales Contract Ratification (30-day closing)	5 days
First Loan Approval - Lender Package Submittal	15 days
Final Review - Issuance of Final Approval & Program Documents	10 days
Closing	3 days
<b>Total Calendar Days</b>	<b>~ 70 days</b>

**A. Notice of Intent to Sell**

Once an Owner has decided to sell their Unit, the owner must contact the THAP Administrator and submit a Notice of Intent to Sell. The THAP Administrator will provide the Owner with a formal response and consult with the Owner on how to proceed. The Owner may furnish their own program-eligible buyer or may request that the THAP Administrator share the listing with all pre-approved THAP Applicants.

**B. Approval**

The THAP Administrator will coordinate with the Buyer to complete a THAP Program Application with updated supporting documents to determine Program eligibility. Upon approval, the THAP Administrator will issue an approval letter to the Buyer and Seller.

**C. Escrow**

The THAP Administrator will coordinate with the Buyer, Realtor, lender, and title company to complete all escrow steps outlined in Section 6.

**D. Resale Fee**

Upon sale or transfer of any THAP unit, regardless of the cause of sale, The Seller will be responsible to pay a resale fee as specified in the Town’s adopted fee schedule, payable to the Town of Truckee.

Local Businesses and Developers should contact the Town at [housing@townoftruckee.org](mailto:housing@townoftruckee.org) for consult on re-sale requests.

**SECTION 8 – UNDERWRITING GUIDELINES: BUYERS AND RENTERS**

**8.1 Local Worker/Employee Status**

A household must have at least one member who is currently employed 30 or more hours per week, meets fulltime employment equivalency with employer verification, or has a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. In the case of a written offer, the THAP Administrator will verify employment following the employment start date.

**8.2 Income Limits**

Annual gross household income, including the income of all household members 18 years of age and older, must not exceed 245% AMI for existing homes, 180% AMI for new construction homes, or less than 180% AMI as negotiated with the Developer.

### 8.3 Asset Limits

For Buyer Applicants, Applicant(s) liquid assets must not exceed 30% of the sales price of the home the Applicant intends to purchase.

#### Determining Assets

*Liquid Assets Inclusions:* When calculating an Applicant's assets, all liquid assets are to be considered, including, but not limited to, the following: savings accounts, checking accounts, certificates of deposit, the total balance of any joint accounts, money market or mutual fund accounts, accounts held in trust for the Applicant (amount accessible), stocks or bonds, equity in real estate currently owned (current market value less the original price of the home, with current market value determined by broker price option or comparative market analysis), one-time lump sum gifts, cash on hand, amount used or borrowed (from a life insurance policy, IRA or retirement accounts) and other investments held by any household member of the Applicant's household age 18 or older.

*Liquid Assets Exclusions:* The cash surrender value of life insurance policy, the value of an IRA account, the value of retirement accounts (including but not limited to 401(k) and 403(b) accounts), the value of annuities not being withdrawn, and the value of a special needs trust or the value of a 529 college savings plan may be excluded from an applicant's liquid assets.

#### Withdrawal of Retirement Accounts

Withdrawal of retirement account dollars towards down payment and closing costs is allowed. However, it is recommended that the Applicant consider all of his/her/their options before using retirement accounts and consult with a tax advisor to fully understand the potential tax consequences of such withdrawal in addition to the applicable early withdrawal penalty, if any. Any funds withdrawn from retirement accounts shall be counted towards the liquid assets inclusions.

### 8.4 Household Size Determination

The size of the household is determined by counting together every person who intends to live in the unit, regardless of age or dependency status. All spouses or registered domestic partners must be included in the household and must appear on the application.

In order to count household members who are under 18 years of age in the composition of the household, they must be the legal dependent of an adult household member or an adult household member must have at least partial (50%) custody of the child/children, except in the case of emancipated minors, as claimed on the most recent federal income tax return.

Divorced or separated Applicants who have joint custody of their children should include the children in their household count if they have at least 50% custody of the children. Applicants who do not have custody should not include the children in their household count.

Temporarily absent household members who plan to live in the unit upon return must appear on the application for the unit and provide all supporting documents. Such household members include but are not limited to household members serving temporarily in the armed forces, those who are temporarily institutionalized, or those who are enrolled full-time at a college or university.

All members of the Applicant's household that are 18 years or older must submit supporting documents. Applicants must ensure the completeness and accuracy of their application before



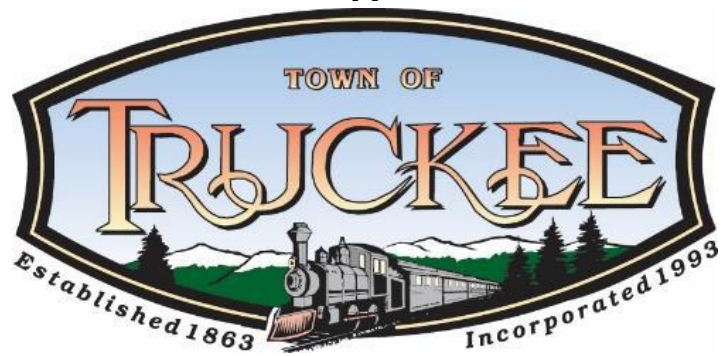
submission. Applications with known false, misleading or inaccurate information will be disqualified from consideration. Changes to applicant household members after submission are not allowed.

## **8.5 Mortgage Readiness**

An Applicant's Lender Pre-Approval letter must meet the requirements set forth in Section 4.4.

Applicants may not use a cosigner or guarantor when qualifying for the first mortgage. All loan signers must be household members who are included on the Application and the total household income of all loan signers shall be included as part of the Applicant's total income when determining the Applicant's program income eligibility level.

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## TOWN OF TRUCKEE

### Program Guidelines

#### Town of Truckee Home Access Program (THAP)

**APPROVED BY: Truckee Town Council October 10, 2023**

# Town of Truckee THAP Guidelines

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## SECTION 1 - GENERAL PROGRAM INFORMATION

### 1.1 Background

The Town of Truckee Home Access Program (THAP) preserves, produces, and protects homes to create places for people who work full-time in the Truckee region to live locally. THAP pays buyers, sellers, businesses, and Developers to reserve homes for income qualified local workers using a fifty-five-year deed restriction.

- **Buyers** can apply for funding up to \$150,000 for a maximum \$937,500 home purchase price.
- **Sellers** can sell at a reduced price and apply for funding to make up the difference between the reduced price and the appraised value.
- **Local Businesses** can apply for funding to rent or sell homes to local workers, including their own.
- **Developers** can apply for funding to build homes for sale or rent to local workers.

THAP buyers and renters must work locally, not exceed household income limits, and live in the homes as their primary residence.

The information provided in this document describes guidelines for buyers, sellers, businesses, and Developers to apply for and participate in THAP.

The Town, at its discretion, may update funding amounts, maximum household income guidelines, initial purchase prices, and rent rates from time to time. The Town will review and update these guidelines from time to time to reflect changes in the market and better meet the community's needs.

The Town of Truckee will contract with an independent organization to administer the day-to-day operation of the Program.

### 1.2 Non-discrimination Policy

The Program will be implemented consistent with the Town's commitment to non-discrimination. No person shall be excluded from participation in, denied the benefit of, or be subject to discrimination under any program or activity on the basis of his or her religion or religious affiliation, age, race, color, creed, gender, sexual orientation, marital status, familial status (children), physical or mental disability, nation origin, ancestry, or any other arbitrary cause.

### 1.3 Program Outreaching and Marketing

The THAP Administrator will coordinate with the Town, local Realtor groups, lenders, and housing groups to share and implement a marketing plan to provide broad awareness and equitable access to THAP. Program information will also be shared on the Town's THAP website and the Town's social media channels and made available at request in hard copy at Town Hall and the local library. All marketing and educational materials and applications will include the Fair Housing logo and marketing materials will be translated and available in Spanish. The Town will issue a press release. The THAP Administrator and the Town will periodically re-market the program.

## SECTION 2 - PROGRAM DEFINITIONS

- A. Applicant - Buyer(s)/Renter/Tenants(s): The primary individual(s) applying for the Program and all persons 18 years and older who will reside in the unit.
- B. Area Median Income (AMI): The median income for Nevada County as defined by the California Department of Housing and Community Development (HCD) and adjusted for household size are published annually. The amounts are further adjusted and calculated by the Town and are available on the Town's THAP website.
- C. Buyers: Households purchasing a single-family THAP unit (includes condominiums, townhomes, duplexes, and single-family residences) home as their primary residence.
- D. Funding Amount: The payment buyers, sellers, Local Businesses, and Developers receive from the Town in exchange for a 55year Deed Restriction to reserve homes for people who work in the Truckee Region and earn below the program's maximum household income.
- E. Deed Restrictions: The binding agreement signed by each Owner of a THAP unit. The Deed Restriction places permanent restrictions on the THAP unit, or 55year term based on agreed uses, including owner occupancy and income.
- F. Developer: A person or business entity that buys land and builds new single family or multifamily housing units for sale or lease.
- G. Fair Market Value: The value of a unit based upon the determination of an authorized appraisal report acceptable to the Town.
- H. Local Business: A corporation, LLC, sole proprietorship, governmental entity, mutual benefit corporation or non-profit business that has a minimum of three (3) employees working at a physical office location, within the Tahoe Truckee Unified School District boundary.
- I. Local Worker/Employee: A household must have at least one member who is currently employed 30 or more hours per week, meets full-time employment equivalency with employer verification, or has a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. In the case of a written offer, the THAP Administrator will verify employment following the employment start date.
- J. Non-Qualified Owner: Persons who do not meet the definition of Qualified Owner including persons who originally qualified as a Qualified Owner but whose circumstances change and who no longer meet the definition of Qualified Owner.
- K. Owners: Persons, Local Businesses or Developers who acquires an ownership interest in a property, subject to the conditions contained herein, and may include either a Qualified Owner or Non-Qualified Owner, as the context requires.
- L. Program Administrator: The Town of Truckee will contract with an independent organization to administer the day-to-day operation of the Program.

- M. Program Application: The THAP Program application with required supporting documents submitted by Applicants to determine program eligibility.
- N. Qualified Owner: The Owner of the residence where at least one member of the Owner's household is currently employed 30 or more hours per week at an employment site within the Tahoe Truckee Unified School District geographical boundary and whose total household income does not exceed 245% AMI.
- O. Sellers: Households selling a single-family THAP unit (includes condominiums, townhomes, duplexes, and single-family residences) home as their primary residence.
- P. Term: 55 years
- Q. Unit: Housing unit that is priced to be affordable to households making no more than 245% AMI for existing units and 180% AMI for new homes.

## SECTION 3 – PROGRAM SUMMARY

### 3.1 Purchase/Sales/Rent Rates

#### *Buyers and Sellers*

In 2022 and 2023, Buyers' initial purchase price cannot exceed \$937,500 and Sellers' sales price cannot exceed \$787,500.

#### *Local Businesses and Developers*

Initial purchase prices for Local Businesses and Developers will be determined on a case-by-case basis. Rent rates are calculated at 30 percent of the area median income (245%-existing properties/180%-new construction) adjusted for bedroom size.

### 3.2 Funding/Payment for Deed Restrictions

The THAP Funding Amount for Buyers, Sellers, Local Businesses, and Developers in exchange for a 55 year Deed Restriction on the property will be reviewed on a case-by-case basis and evaluated based on such factors as location, access to services, home age, etc.

THAP Funding Amount is based on the final purchase price or fair market value, whichever is less.

Payments will be made upon signing and recording the Deed Restriction.

#### *Buyers and Sellers*

The amount paid for each deed restriction will not exceed the lesser of 16% of the value of a home, as determined by a Fair Market Value Appraisal; or \$150,000.

Buyer Example	Seller Example
Initial Purchase Price: \$937,500	Appraised Value: \$937,500
THAP Payment to Buyer Used as Down Payment Assistance: \$150,000	Sales Price: \$787,500
Buyer's 4% Down: \$37,500	THAP Payment to Seller: \$150,000
Buyer's First Mortgage: \$750,000	Buyer's 20%: \$157,500
	Buyer's First Mortgage: \$630,000

*Funding Scenarios – Buyers and Sellers*

*Local Businesses and Developers*

Local Businesses and Developers can be compensated to sell or rent homes to THAP eligible households. Funding amounts for Local Businesses to deed restrict housing units to 245% AMI or below are to be determined by Town Council based on how a project meets Truckee housing goals and are not to exceed 16% of the appraised value. An individual that owns a Local Business, as defined by the Program Guidelines, a family trust with a trustee that is the owner of a Local Business, or an entity that is in common ownership of any amount with a Local Business can apply for THAP as a Local Business.

Funding amounts for Developers to deed restrict housing units to 180% AMI or below are generally not to exceed 16% of the appraised value. Additional funding amounts will be considered in exchange for lower income targeting. Income limits and funding amount terms will be determined by Town Council based on how a project meets Truckee housing goals. Funding will be allocated with approval by Town Council and distributed at sale.

**3.3 Eligible Use of Funds and Distribution**

THAP funds may only be used on properties within the Town limits of Truckee and may but are not required to be used towards a down payment.

Non-arm’s length transactions are prohibited, including without limitation a purchase of a property owned by an applicant’s spouse, family members, or a business in which the applicant has any ownership interest, with the exception of a landlord to a tenant. An example of a non-arm’s length transaction is the purchase of a property owned by the applicant’s family members.

THAP funds are not allowed to be used for the purchase of any properties with known code violations or open code violation cases.

THAP will consider applications that combine THAP funds with other sources of housing assistance funds, and the THAP Deed of Trust (but not the Deed Restriction) may be subordinate to the Deed of the Trust of another housing assistance program if required by that program and if approved by Town Staff. However, THAP cannot be combined with any housing assistance funding that requires equivalent deed restrictions (eg 55-year term or renewal upon sale) that restrict ownership and/or occupancy based on a local employment or income requirement.

**3.4 Partnering with Realtors and Lenders**

THAP partners with local Realtors and lenders to invite their clients to apply. THAP will list partner lenders and local Realtors on the Town’s THAP website. THAP Applicants are not required to use a partner lender or realtor.



**Table 1: Program Requirement Chart**

This chart summarizes funding amounts, applicant, and participant requirements

	<b>Individual Home Buyers</b>	<b>Sellers</b>	<b>Local Businesses</b>	<b>Developers</b>
<b>Funding Amount</b>	The lesser of \$150,000 or 16% of appraised value/sales price	The lesser of \$150,000 or 16% of appraised value/sales price	Up to 16% of appraised value/sales price	Up to 16% of the appraised value/sales price. Additional funding will be considered for lower income targeting
<b>Maximum Initial Purchase/Sales Price</b>	\$937,500 purchase price	\$787,500 sales price	Local businesses can rent homes for THAP maximum rent rate	Developers can sell their homes priced for 180% AMI buyers or rent homes for THAP rent rate
<b>Local Employment</b>	Buyer must meet local employment criteria	Buyer must meet local employment criteria	Occupants must meet local employment criteria	Occupants must meet local employment criteria
<b>Occupancy</b>	Home must be occupant's principal residence 10 out of 12 months per year	Home must be occupant's principal residence 10 out of 12 months per year	Home must be occupant's principal residence 10 out of 12 months per year	Home must be occupant's principal residence 10 out of 12 months per year
<b>Mortgage/Lease Readiness</b>	Buyer must qualify for a first mortgage and submit a lender pre-approval letter	Buyer must qualify for a first mortgage and submit a lender pre-approval letter	As applicable, Buyer must qualify for a first mortgage and submit a lender pre-approval letter/Tenant must qualify for lease	As applicable, Buyer must qualify for a first mortgage and submit a lender pre-approval letter/Tenant must qualify for lease
<b>Income Limits</b>	Buyer must meet 245%/180% AMI requirement	Buyer must meet 245% AMI requirement	Occupants must meet 245%/180% AMI requirement	Occupants must meet AMI requirement (180% AMI or lower, as negotiated)
<b>Asset Limits</b>	Buyers' liquid assets must not exceed 30% of sales price of home	Buyers' liquid assets must not exceed 30% of sales price of home	N/A	N/A

#### **SECTION 4 – ELIGIBILITY REQUIREMENTS: INDIVIDUAL HOME BUYERS**

Individual Home Buyers program applicants must meet specific minimum THAP eligibility requirements:

**Truckee Home Access Program Guidelines – October 10, 2023**

- At least one household member is employed full-time or will be employed within the Tahoe Truckee Unified School District boundary before close of escrow or execution of the lease.
- Annual gross household income, including the income of all household members 18 years of age and older, must not exceed 245% AMI for existing homes and 180% for new construction homes;
- Buyer assets do not exceed THAP maximum;
- Buyer Applicants must be able to obtain primary mortgage financing

#### **4.1 Local Employment**

A household must have at least one member who is currently employed 30 or more hours per week, meets fulltime employment equivalency with employer verification, or has a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. A paystub from the qualifying employer will be required prior to close of escrow to verify employment.

Continuous local employment will not be required by the THAP Program after close of escrow or execution of the lease.

#### **4.2 Household Income and Size**

Applicant(s) must not exceed THAP's income eligibility limits. Annual income limits adjusted by household size are based on the California Department of Housing and Community Development (HCD) Area Median Income (AMI) for Nevada County. Current income limits are available on the Town's THAP website.

Household income and size is considered at application only.

#### **4.3 Asset Limits**

Liquid assets must not exceed 30% of the sales price of the home the Applicant intends to purchase.

#### **4.4 Mortgage Readiness**

THAP homebuyer applicants must qualify for first mortgage financing. Applicants must submit a lender pre-approval letter with their application with a maximum loan amount. In the case of a seller carry back, a signed acknowledgement from the seller/buyer indicating potential seller carry back with terms, if available may be submitted in the place of a pre-approval letter. Verification of final loan terms will be required prior to final approval for program compensation. The first mortgage loan must be a 30-year fixed rate, fully documented, conventional loan. The mortgage payment must be fully amortizing. Prohibited loan types include stated income, adjustable rate, interest-only, negative amortizing, private loans and loans with balloon payments.

Applicants may not use a cosigner or guarantor when qualifying for the first mortgage. All loan signers must be household members who are included on the Application and total household income of all loan signers shall be included as part of the Applicant's total income when determining the Applicant's income eligibility level.

A list of lenders who are able to lend on the THAP units is provided on the Town’s THAP website. Applicants can work with any lender that has reviewed the THAP Program documents and confirmed in writing that they are able to lend on the THAP, including having the lender’s interest be subordinate to the THAP deed restriction.

**4.5 Tenant Eligibility**

THAP unit renters, which includes roommate tenants that occupy the THAP unit alongside Owners, must be income and credit qualified by the THAP property owner in advance of completing a THAP Renter Verification Form on the THAP website. In a household of one, the tenant must work at least 30 or more hours per week, meet full-time employment equivalency with employer verification, or have a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. If the household has more than one tenant, at least 50% of the people over 18 who are not full-time students in the household must work at least 30 or more hours per week, meet full-time employment equivalency with employer verification, or have a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. In the case of a written offer, the THAP Administrator will verify employment following the employment start date.

**SECTION 5 – APPLYING TO THAP: BUYERS AND SELLERS**

Buyers and Sellers participate in similar, but separate application processes for 1) conditional approval; and 2) final approval. They are both first conditionally approved for the program before applying to approve their unit for final approval and distribution of funds.

Funds are not reserved with conditional approval. The Town reserves funds for the transaction on a first come first served basis, based on order of receipt of an executed sales contract and approval from the Town’s loan committee.

**5.1 Buyers**

Buyer households apply for THAP approval participate in a three-step application process.

*Step 1 Program Education Workshop*

Potential applicants are required to attend a mandatory THAP orientation workshop. The application portal will open shortly after the application workshops begin and interested applicants will be invited to submit a complete THAP Program application with all required supporting documents. The THAP orientation workshop will be offered periodically as a live training and will also be offered as a pre-recorded video.

*Step 2 THAP Buyer Application and Supporting Documents*

The THAP Buyer application can be found on the Town’s THAP website and applications are accepted on a rolling basis. Applicants must submit a complete THAP application package with a lender pre-approval letter with a maximum loan amount and supporting documentation to verify local worker status and household income and size. Applicants will be notified of their

conditional approval or denial status in writing after application review by the Town's loan committee in order that it is received.

Incomplete applications will not be considered. Applicants will have up to two opportunities over 10 business days to supply additional missing or clarifying documents. If the application is still missing information or documentation after two attempts over 10 business days, it will result in Program disqualification.

THAP will issue Buyers conditional Program approval letters valid for 9 months that allows them to submit a Property Application (explained further below) to calculate funding amount. Conditional Program Approval is not a guarantee or reservation of funds.

An additional 90-day extension to the Conditional Program Approval letter expiration may be granted by the Town in the event of hardship. The Applicant will be required to demonstrate hardship and evidence of actively making offers on homes.

### *Step 3 Property Application*

The applicant must submit a Property Application within 3 days of executing a purchase contract. It is critical for applicants to submit the Property Application in a timely manner because funding availability and final approval is not guaranteed. If the Property Application is not submitted within 3 days of executing a purchase contract, it will result in Program disqualification.

The Property Application requires

- Purchase and Sale Agreement
- Program Acknowledgement Form
- Preliminary Title Report
- Loan Officer and Real Estate Contacts
- An affidavit certifying that there are no known code violations on the property.

The Town will confirm in writing that the property is eligible for THAP participation and the THAP Administrator will coordinate with Applicant and their realtor, loan officer and title company to collect required documentation.

## **5.2 Sellers**

The Town encourages Sellers to contact the THAP Administrator to either market their home to existing conditionally approved buyers or work with the Seller's potential buyers to seek THAP approval.

THAP Seller application forms can be found on the Town's THAP website, and applications are accepted on a rolling basis. Incomplete applications will not be considered.

### *Step 1 THAP Seller Application and Supporting Documents*

THAP Seller Applicants must submit a complete THAP application package with supporting documents including a property tax bill, current bank statements and personal identification and a Fair Market Value appraisal. The THAP Administrator will review the Seller's Application package for conditional approval or denial status.

THAP will issue conditionally approved Sellers letters valid for 9 months that allow them to submit a Property Application (explained further below) and apply for funding. Conditional Approval is not a guarantee or reservation of funds. The Town reserves funds for the transaction on a first come first served basis, based on order of receipt of an executed contract and approval from the loan committee.

### *Step 2 Property Application*

The Seller applicant must submit a Property Application within 3 days of executing a purchase contract. It is critical for applicants to submit the Property Application in a timely manner because funding availability and final approval is not guaranteed. If the Property Application is not submitted within 3 days of executing a purchase contract, it will result in Program disqualification.

The Seller's Property Application requires:

- Notice of Intent to Proceed (Form will be provided to applicants upon conditional Program approval)
- Program Acknowledgement Form
- Funding Request Date
- Acknowledgment that all fees associated with the origination of the THAP program will be paid by the Seller
- An affidavit certifying that there are no known code violations on the property.

The Town will confirm in writing that the property is eligible for THAP participation.

## **5.3 Local Businesses and Developers**

THAP Program proposals from Local Businesses or builders and Developers must be approved by Town Council on a case-by-case basis. The THAP Administrator will consult with each applicant on the application and deed restriction process.

The application process is as follows:

1. Complete Local Business & Developer Interest Form, along with a proposal for how THAP funds can be used. The Developer Interest Form is available on the Town's THAP website.
2. THAP proposals will be reviewed by the THAP Administrator to ensure the proposal meets the qualifications and goals of the THAP.
3. The Town and THAP Administrator will meet with applicant to finalize the THAP proposal.
4. Proposals that meet the qualifications and goals of the THAP Program will be presented to Town Council with the applicant in attendance.

## **5.4 Renters/Tenants**

The THAP program does not rent or lease THAP units directly to tenants or credit check tenants on behalf of landlords. The THAP Administrator is not a landlord or property manager.

The THAP Administrator coordinates with THAP property owners who are interested in renting a THAP property to confirm the owner's selected tenants, which includes roommate tenants that occupy the THAP unit alongside Owners, qualify for the program before the lease agreement is signed. Owners are responsible for ensuring their tenants meet their lease criteria (e.g., credit

score, eviction history, pets, number of people in household, etc.) before the THAP Administrator verifies program eligibility.

The THAP Renter Verification Form can be found on the THAP website.

## **SECTION 6 – PURCHASE PROCESS: BUYERS AND SELLERS**

The THAP Administrator will shepherd Buyers, Sellers, Realtors, lenders, and title companies through the THAP purchase process – including coordinating document reviews and execution.

The THAP Administrator will conduct a formal pre-funding phone appointment with Buyers and Sellers to answer questions about the funding process, Program requirements, and execution of legal documents.

### **6.1 Realtor Representation**

Buyer Applicants must identify a Realtor to represent them in the homebuying process. A list of local Realtors familiar with the Program is provided on the Town's THAP website. Applicants may work with a Realtor not listed.

### **6.2 Title Requirements**

All adult household members must appear as an owner or co-owner on the unit title at the time of purchase with the following exceptions:

- 1) Legal dependents of titleholders as claimed on the most recent federal income tax returns. Spouses or domestic partners are not considered dependents.
- 2) Household members younger than age 24 who are the child of a titleholder who will reside in the housing unit as their primary residence, regardless of being named as a dependent on the federal tax form of a titleholder.
- 3) All adult household members are not required to be added to the loan.
- 4) The requirement for all adult members to be listed on the title may be evaluated on a case-by-case basis.

### **6.3 Purchase/Sales Contract**

Applicant's realtor must submit a complete offer package with a residential purchase contract on behalf of the applicant to the listing agent via email by 5pm on the offer due date. Close of escrow cannot be sooner than 30 days and, in most cases, escrow will need to be at least 30 but as long as 45 days.

The Applicant has three (3) calendar days from the date of an executed purchase contract to submit the fully executed contract to the THAP Administrator. The purchase contract must include at least a 30-day close of escrow period. The Applicant or their agent will send a copy of the fully executed purchase contract to the Program Administrator. The lender and Realtor are responsible for keeping the Applicant/Buyer informed of key timelines.

### **6.4 Fair Market Value Appraisal**

## Buyers

The Buyer's loan agent shall ensure the ordering of the fair market value appraisal within five (5) days of seller acceptance of the Buyer's offer. The THAP Administrator will be provided a copy and will review to ensure the appraisal is appropriately performed by a qualified appraiser and that no THAP units are used as comparisons. Buyer Applicants are responsible for all fees associated with the appraisal. Final THAP funding will be based on the appraisal. Appraisals must be dated no later than 90 days from the application request.

## Sellers

THAP requires a copy of the buyer's Fair Market Appraisal. Applicants are responsible for all fees associated with the appraisal.

## **6.5 Submission of First Loan Package**

### Buyers

Fifteen (15) business days prior to close of escrow Buyers will submit to THAP:

- First Residential Mortgage Loan Application- Form 1003
- Underwriting Transmittal Summary- Form 1008
- Loan Estimate
- Fair Market Value appraisal dated within 90 days from the date of application
- Preliminary Title Report
- Confirmation of receipt of general and pest inspections of property dated within 90 days
- Confirmation of Buyers' names and vesting

## **SECTION 7 – PROGRAM PARTICIPATION REQUIREMENTS FOR OWNERS AND RENTERS/TENANTS**

### **7.1 Occupancy**

All household members must occupy the THAP home as their principal residence a minimum of 10 out of 12 months out of a calendar year. Under specific conditions specified in section 7.2 the Town may grant approval for a homeowner to rent their unit to a program eligible tenant.

### **7.2 Renting**

The Town and THAP Administrator will permit THAP owners to rent their homes under certain conditions. Proposed leases and tenants/ sub-tenants, including roommate tenants, shall meet the following criteria:

- In a household of one, the tenant must work at least 30 or more hours per week, meet full-time employment equivalency with employer verification, or have a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. If the household has more than one tenant, at least 50% of the people over 18 who are not full-time students in the household must work at least 30 or more hours per week, meet full-time employment equivalency with employer

verification, or have a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. In the case of a written offer, the THAP Administrator will verify employment following the employment start date.

- Annual gross household income, including the income of all household members 18 years of age and older, must not exceed the maximum AMI level of the property's deed restriction (245%-existing properties/180%-new construction).
- Monthly rent charged must not exceed 30 percent of the maximum annual area median income level of the THAP property's deed restriction (245%-existing properties/180%-new construction) divided by 12 months adjusted for bedroom size.
- The initial lease period must be a minimum of 12 months and can be month-to-month thereafter with the same tenant. All leases must be in writing.
- If leasing individual bedrooms on separate leases, each lessee must meet all tenant qualifications.

THAP Owners will be charged an annual leasing fee, as specified in the Town's adopted fee schedule, to be paid to the Town of Truckee upon lease execution to cover a portion of the administrative costs associated with monitoring the rental of the THAP home.

Any proposed lease and each tenant or sub-tenant must be approved in advance by the Town and THAP Administrator. Short-term renting or renting a THAP unit as a bed and breakfast Inn is not allowed under any circumstances.

### **7.3 Title Transfer Restrictions**

Title transfers are permitted under limited circumstances – see Deed Restriction for more information.

### **7.4 Refinancing**

#### Approval

Owners are permitted to refinance up to 75% of the property's current fair market value. If an Owner chooses to refinance their first mortgage, they must contact the THAP Administrator for approval. Refinance requests are considered for a lower interest rate and/or better loan term, or to a restricted amount of cash-out.

Local Businesses and Developers should contact the Town at [housing@townoftruckee.com](mailto:housing@townoftruckee.com) for a consultation on requests to refinance.

#### Refinance Fee

Owners will be charged a refinance fee, as specified in the Town's adopted fee schedule, to be paid to the Town of Truckee upon closing in order to cover a portion of the costs associated with eligibility screening and preparation of subordination documents. This refinance fee can be financed and paid at closing. A copy of the check shall be sent to the THAP Administrator with the final closing documents. The check will be issued and sent directly to:

Town Of Truckee  
Attn: Finance Department  
10183 Truckee Airport Road  
Truckee, CA 96161



### Home Equity Line of Credit, Home Equity Loans, and Reverse Mortgages

Home equity lines of credit (HELOC), home equity loans, or reverse mortgages are not permitted. Owners who use such programs are in violation of their Deed Restrictions and will not be allowed to refinance their loan.

### Cash Out Refinance Policy

The Town has approved a limited Cash Out Refinance Policy allowing homeowners to consolidate debt or receive cash at closing. This policy is subject to termination at any time. The new first loan amount will be restricted to an amount not to exceed 75% of the current Fair Market Value.

In order to qualify for a cash out loan, Owner must meet the following requirements:

- a. Current on HOA dues (if applicable)
- b. Current and in compliance with most recent annual monitoring of THAP program requirements
- c. Not in default on first mortgage and has no recorded Notice of Default (NOD) in the past 12 months
- d. Not otherwise in default under the Program requirements

## **7.5 Annual Monitoring – Owners and Renters**

The Town will coordinate with Owners and Renters once a year to ensure Program Guidelines are adhered to. For Owner-occupied properties, the Town will verify occupancy. For tenant-occupied properties, the Town will verify rent rates and tenant/ sub-tenant eligibility.

The Town will work with the Owner on a remedy if participants are found to be in default.

## **7.6 Owners – Selling a THAP Unit**

THAP Owners may only sell their Unit to a THAP-qualified buyer or Local Business. Subsequent buyers of the THAP unit will be subject to current program qualification requirements.

The following table describes the major steps and approximate processing times THAP Owners can expect for most sales. All processing times listed are estimates and no specific timeline is guaranteed.

<b>Resale Processing Timeline</b>	
<b>Steps</b>	<b>Time Estimate</b>
Notice of Intent to Sell Packet Submittal	5 days
Visual Inspection and Preparation of Unit for Sale	10 days
Marketing	TBD, depending on market conditions
Application Review - Issuance of Conditional Approval	10 days
Sales Contract Ratification (30-day closing)	5 days
First Loan Approval - Lender Package Submittal	15 days
Final Review - Issuance of Final Approval & Program Documents	10 days

Closing	3 days
<b>Total Calendar Days</b>	<b>~ 70 days</b>

#### A. Notice of Intent to Sell

Once an Owner has decided to sell their Unit, the owner must contact the THAP Administrator and submit a Notice of Intent to Sell. The THAP Administrator will provide the Owner with a formal response and consult with the Owner on how to proceed. The Owner may furnish their own program-eligible buyer or may request that the THAP Administrator share the listing with all pre-approved THAP Applicants.

#### B. Approval

The THAP Administrator will coordinate with the Buyer to complete a THAP Program Application with updated supporting documents to determine Program eligibility. Upon approval, the THAP Administrator will issue an approval letter to the Buyer and Seller.

#### C. Escrow

The THAP Administrator will coordinate with the Buyer, Realtor, lender, and title company to complete all escrow steps outlined in Section 6.

#### D. Resale Fee

Upon sale or transfer of any THAP unit, regardless of the cause of sale, The Seller will be responsible to pay a resale fee as specified in the Town's adopted fee schedule, payable to the Town of Truckee.

Local Businesses and Developers should contact the Town at [housing@townoftruckee.org](mailto:housing@townoftruckee.org) for consult on re-sale requests.

## SECTION 8 – UNDERWRITING GUIDELINES: BUYERS AND RENTERS

### 8.1 Local Worker/Employee Status

A household must have at least one member who is currently employed 30 or more hours per week, meets fulltime employment equivalency with employer verification, or has a written offer for full-time employment at an employment site within the Tahoe Truckee Unified School District geographical boundary. In the case of a written offer, the THAP Administrator will verify employment following the employment start date.

### 8.2 Income Limits

Annual gross household income, including the income of all household members 18 years of age and older, must not exceed 245% AMI for existing homes, 180% AMI for new construction homes, or less than 180% AMI as negotiated with the Developer.

### 8.3 Asset Limits

For Buyer Applicants, Applicant(s) liquid assets must not exceed 30% of the sales price of the home the Applicant intends to purchase.

### Determining Assets

*Liquid Assets Inclusions:* When calculating an Applicant's assets, all liquid assets are to be considered, including, but not limited to, the following: savings accounts, checking accounts, certificates of deposit, the total balance of any joint accounts, money market or mutual fund accounts, accounts held in trust for the Applicant (amount accessible), stocks or bonds, equity in real estate currently owned (current market value less the original price of the home, with current market value determined by broker price option or comparative market analysis), one-time lump sum gifts, cash on hand, amount used or borrowed (from a life insurance policy, IRA or retirement accounts) and other investments held by any household member of the Applicant's household age 18 or older.

*Liquid Assets Exclusions:* The cash surrender value of life insurance policy, the value of an IRA account, the value of retirement accounts (including but not limited to 401(k) and 403(b) accounts), the value of annuities not being withdrawn, and the value of a special needs trust or the value of a 529 college savings plan may be excluded from an applicant's liquid assets.

### Withdrawal of Retirement Accounts

Withdrawal of retirement account dollars towards down payment and closing costs is allowed. However, it is recommended that the Applicant consider all of his/her/their options before using retirement accounts and consult with a tax advisor to fully understand the potential tax consequences of such withdrawal in addition to the applicable early withdrawal penalty, if any. Any funds withdrawn from retirement accounts shall be counted towards the liquid assets inclusions.

## **8.4 Household Size Determination**

The size of the household is determined by counting together every person who intends to live in the unit, regardless of age or dependency status. All spouses or registered domestic partners must be included in the household and must appear on the application.

In order to count household members who are under 18 years of age in the composition of the household, they must be the legal dependent of an adult household member or an adult household member must have at least partial (50%) custody of the child/children, except in the case of emancipated minors, as claimed on the most recent federal income tax return.

Divorced or separated Applicants who have joint custody of their children should include the children in their household count if they have at least 50% custody of the children. Applicants who do not have custody should not include the children in their household count.

Temporarily absent household members who plan to live in the unit upon return must appear on the application for the unit and provide all supporting documents. Such household members include but are not limited to household members serving temporarily in the armed forces, those who are temporarily institutionalized, or those who are enrolled full-time at a college or university.

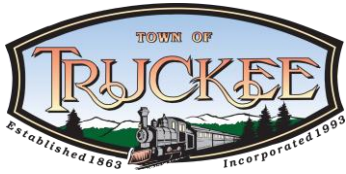
All members of the Applicant's household that are 18 years or older must submit supporting documents. Applicants must ensure the completeness and accuracy of their application before submission. Applications with known false, misleading or inaccurate information will be disqualified from consideration. Changes to applicant household members after submission are not allowed.

## **8.5 Mortgage Readiness**

Item 7.2

An Applicant's Lender Pre-Approval letter must meet the requirements set forth in Section 4.4.

Applicants may not use a cosigner or guarantor when qualifying for the first mortgage. All loan signers must be household members who are included on the Application and the total household income of all loan signers shall be included as part of the Applicant's total income when determining the Applicant's program income eligibility level.



Date: October 10, 2023

Honorable Mayor and Council Members:

Author and title: Alfred Knotts, Transportation Program Manager

Title: Transportation Public Opinion Survey Update

Jen Callaway, Town Manager

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**Recommended Action:** Staff recommends Council receive an update on Transportation Public Opinion Survey results and provide direction to Staff as presented in the Staff Report.

**Discussion:**

**Background:**

In 2008, the Town of Truckee voters voted to approve the Measure V - ½ % sales tax dedicated to “paving, repairing and improving our Town’s roads to enhance safety for drivers, bicyclists and pedestrians including regular upgrades to drainage to protect water quality.” This measure passed by 84.5% with a 20-year authorization that is scheduled to expire in 2028. The FY 2023/2024 budget included a public opinion survey to evaluate voter interest in extending Measure V at a higher (1%) rate and making its uses more flexible to include a wider array of transportation services including microtransit.

To perform this survey, the Town entered into a contract with Team CivX in August of 2023. Staff also convened the Transit Working Group that has been involved in the planning and implementation of the TART Connect micro transit pilot program as well as other transit services. The Transit Working Group provided input on the public opinion survey as did a smaller working group that consisted of Councilmembers Romack and Zabriskie and community members Paco Lindsay and Steve Teshara and Town staff. Public opinion surveys were then initiated on September 5th and concluded on or around September 14<sup>th</sup> resulting in the survey being completed by approximately 587 registered voter respondents with a margin of error of +/- 3.9% and an overall confidence level of 95%.

The critical path within this timeline was completion of the public opinion surveys by mid-September as to provide staff time to review the results and return to Council in October with recommendations on how to proceed.

**Public Opinion Survey Key Findings:**

Below are some high-level key findings summarized from the survey effort.

- More than eight-in-ten voters (82%) shared favorable opinions of the quality of life in Truckee, with 36% reporting it as excellent and 46% stating it is good. Approximately 14% of voters surveyed said the quality of life in the Town is fair, whereas about 3% used poor or very poor to describe the quality of life in the Town of Truckee while the remainder were “Not Sure.”
- Voters in Truckee consider “maintaining local streets, and roads, reducing traffic congestion, protecting the environment and natural open space, creating local housing that is affordable to low- and middle-income workers and families, and making it easier to get around Truckee and to

nearby areas without having to drive a car” to be among the most important issues facing community.

- When asked to rate the importance of eight issues, “maintaining local streets and roads” and “reducing traffic congestion” was either extremely or very important to 87% of the survey respondents. This was followed by protecting the environment (84%), creating local housing that is affordable to low- and middle-income workers and families (83%), and making it easier to get around Truckee and to nearby areas without having to drive a car (58%).
- Presented with a list of 12 projects and services that could be funded by the measure, voters expressed the most interest in using the money to:
  - Fix potholes.
  - Repair, maintain, and improve local streets and roads.
  - Install and maintain stormwater improvements that capture pollutants before they enter our local streams and rivers.
  - Provide transit services to seniors and people with disabilities so they can remain independent even if they can’t drive.
  - Improve roadway safety for drivers, bicyclists and pedestrians.
  - Continue to provide free microtransit services like TART Connect
- Approximately 80% of voters indicated a willingness to renew Measure V at the current ½% tax rate.
- Approximately 60%-65% of voters surveyed indicated that they would support renewing the current ½% at a tax rate of 1% for roads AND “provide local transit and shuttle services that reduce traffic and congestion and protect the environment”.

While the key findings above provide a high-level summary of the survey, they do not provide a full picture of the information and the related perspectives of potential voters. For this reason, the consultant team of Team CivX and True North Research will provide a presentation to the Council at the October 10, 2023 Town Council meeting on the methodology, topline data, and conclusions of the survey to assist Council in making an informed decision on how to proceed with this information.

### **Council Direction**

The following are items that are suggested for Council to provide direction on at the October 10 Council meeting:

- **Whether or not to pursue a renewal of Measure V for March 2024 or to wait for a future election cycle?** Measure V, as currently authorized, is not set to expire until 2028. Based upon the polling results, support to maintain Measure V at its current level beyond that time frame is at approximately 80%. Support to increase the Measure from ½% to 1% with expanded eligibility of uses is at approximately 60-65%. This level of support would be adequate to pass a general tax (which requires a 50% positive voter threshold) but would need to increase by approximately 2-7 percentage points to obtain a 2/3rd super majority, which would be necessary for passage as a special tax. Given that the current measure is not set to expire for another 4+ years; there are a number of topics identified by the community as priorities (both in this current polling and the previous polling completed for library facilities which are both included hereinto as Attachment A and Attachment B, respectively); because the possibility of a general tax has not been given significant consideration up to this point, staff would suggest that renewal of Measure V in March of 2024 would be premature and would recommend that a March, 2024 renewal or increase not be pursued.

- **Give consideration to a general tax?** With the recent adoption of the 2040 General Plan supporting 2023-2025 Work Plan, Council has identified a range of programs, projects, services, and initiatives that require funding and that could be implemented by a more flexible funding source such as a general tax. In addition, recent community polling, including polling completed for library facilities, identified a number of priority areas such as environmental stewardship, housing, etc. Council may wish to consider this option for future voter consideration to advance not only community transportation services, but also other community and Council priorities that are currently underfunded. Should this be of interest, Council could direct that staff return to Council in the upcoming December/January time frame with an agenda item to discuss this possibility further. Staff would suggest that Council provide Staff with that direction at this time.
- **Ongoing TART Connect Pilot Funding beyond Fiscal Year (FY) 23/24.** The current TART Connect microtransit program is not funded beyond FY 23/24. Absent additional funding allocated as part of the FY 24/25 budgeting process, this program would cease to operate in its current form beyond June 30, 2024. Should Council decide to pursue a future special tax renewal/increase, or a future general tax, this could provide the funding stream necessary for future TART Connect services. Staff is not recommending Council provide specific direction to staff on this issue at this time, but rather remain aware of this issue as it will most likely be necessary to provide significant community communication during the Spring of next year to inform the community of the suspension of that service should funding not be identified for the service into the following fiscal year.

Staff would like to note that the above list is not inclusive of all possibilities that Council may wish to contemplate and discuss. For this reason, this item has been placed on agenda as a “Discussion” item with staff seeking direction from Council.

**Priority:**

<input checked="" type="checkbox"/> Enhanced Communication	<input checked="" type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input checked="" type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input type="checkbox"/> Core Service

**Fiscal Impact:** An additional ½% sales tax increment would generate approximately \$3.5 million annually to fund municipal services to Truckee residents. Not pursuing that increment would result in maintaining existing Town revenue streams as is but will limit the Council’s ability to fund new programs and to continue funding the existing TART Connect program.

**Public Communication:** August 8, 2023 Staff Report authorizing Town Contract with Team CivX. August 16, 2023 Transit Working Group meeting held at Town Council. Polling of 587 registered voters conducted between approximately September 5<sup>th</sup> and September 14<sup>th</sup>.

**Attachments:**

- Attachment A: Team CivX Transportation Survey Summary
- Attachment B: Previous Polling Results for Library facilities

# VOTER OPINION SURVEY

CONDUCTED FOR TOWN OF  
TRUCKEE

PRESENTED BY  
TIMOTHY McLARNEY PH.D.

10/4/2023





# PURPOSE OF STUDY

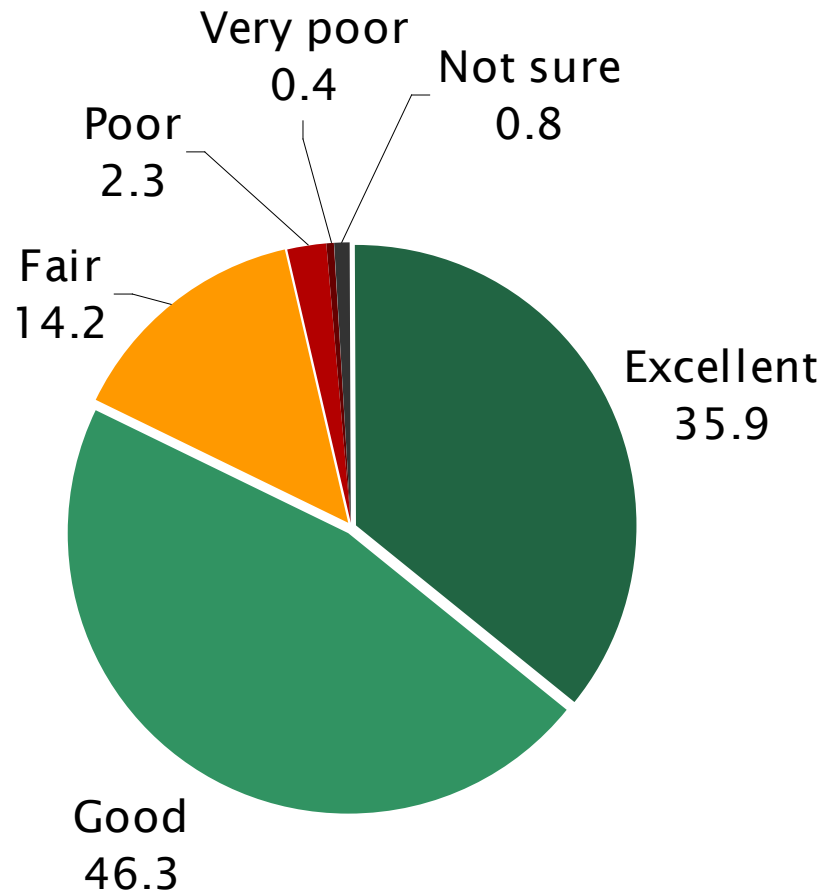
- Determine if renewing Truckee's Measure V transportation sales tax is feasible
- Identify how to create a measure consistent with community priorities
- Gather information needed for communications & outreach



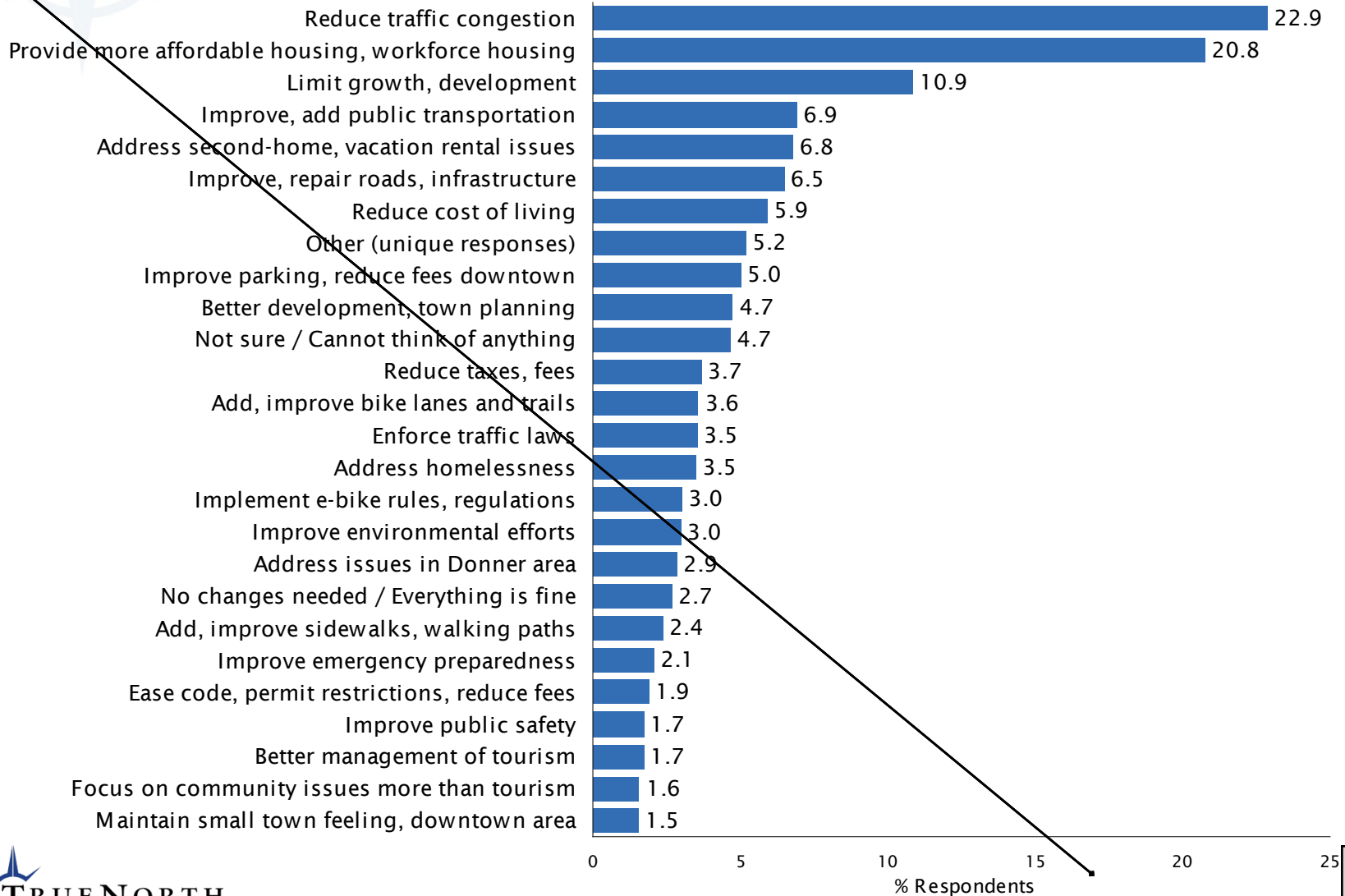
# METHODOLOGY OF STUDY

- **How did we select voters to survey?**
  - Stratified & Clustered Random Sample of likely November 2024 voters, with March 2024 subset
  - Ensures balanced, representative sample of likely voters
- **How did we recruit participation?**
  - Personalized email, text, and telephone calls
  - PINs to restrict access and ensure one complete per respondent
- **How were voters able to share their opinions?**
  - Secure, PIN-protected website that scales to the device
  - Telephone (land line or mobile)
- **What was the sample size?**
  - 587 completed interviews
  - Overall margin of error of  $\pm 3.9\%$  @ 95% level of confidence

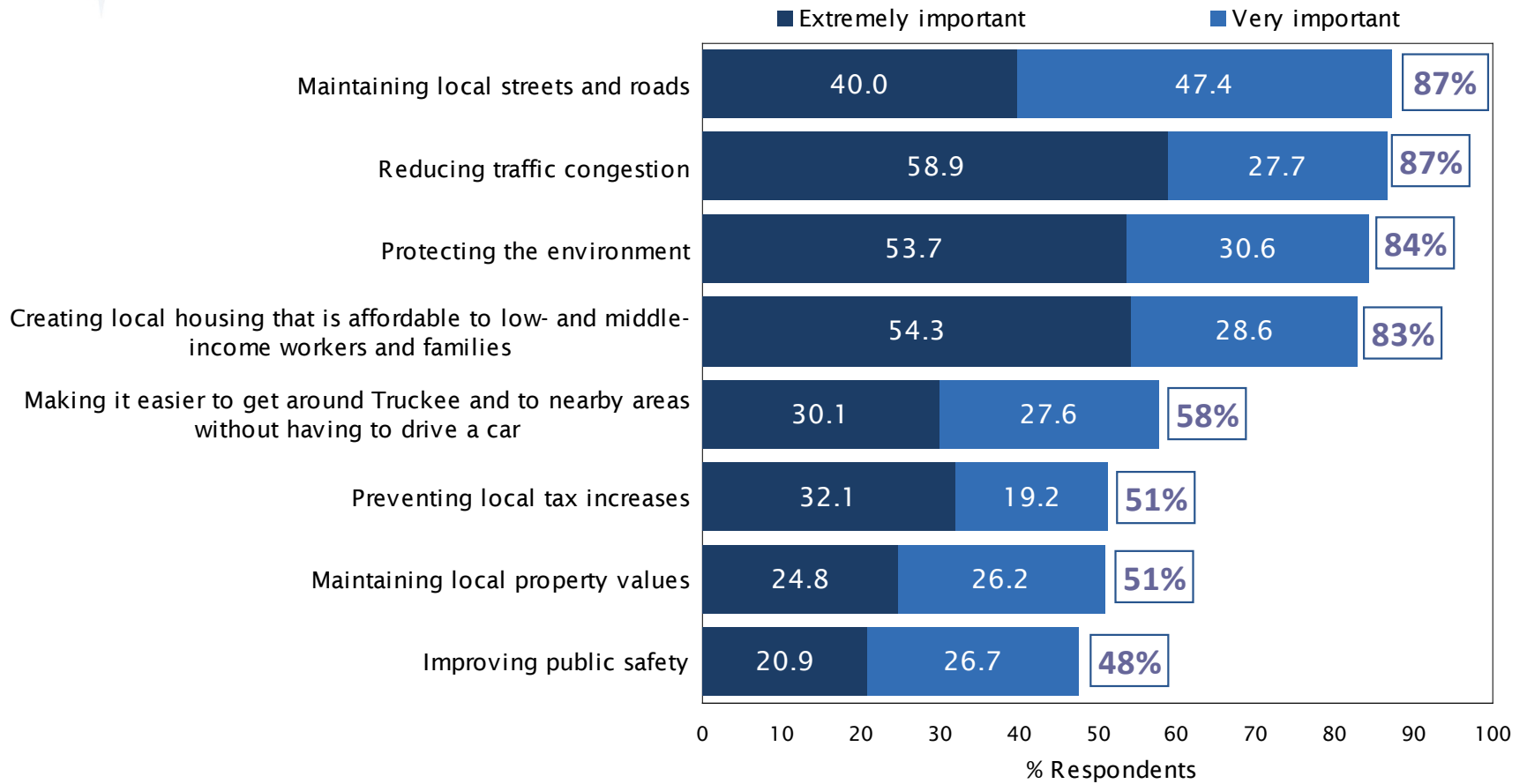
# QUALITY OF LIFE



# CHANGES TO IMPROVE TRUCKEE



# IMPORTANCE OF ISSUES





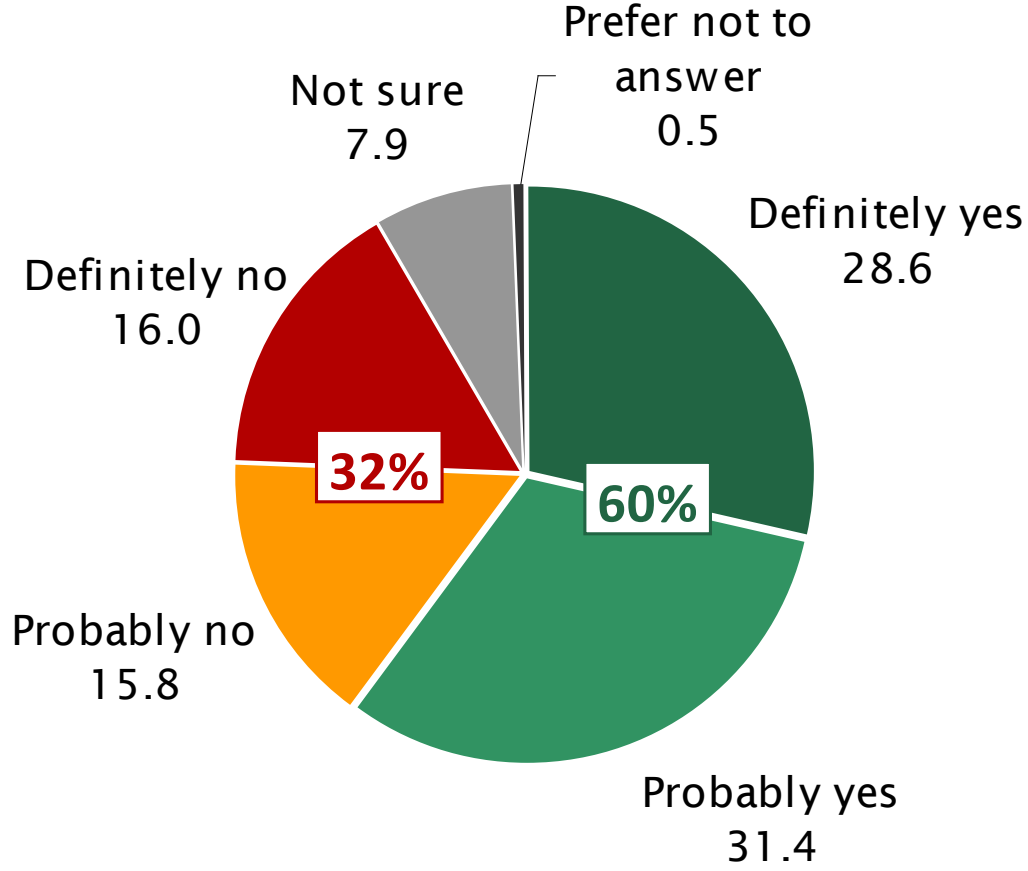
# INITIAL BALLOT TEST – FLAT RATE

In order to:

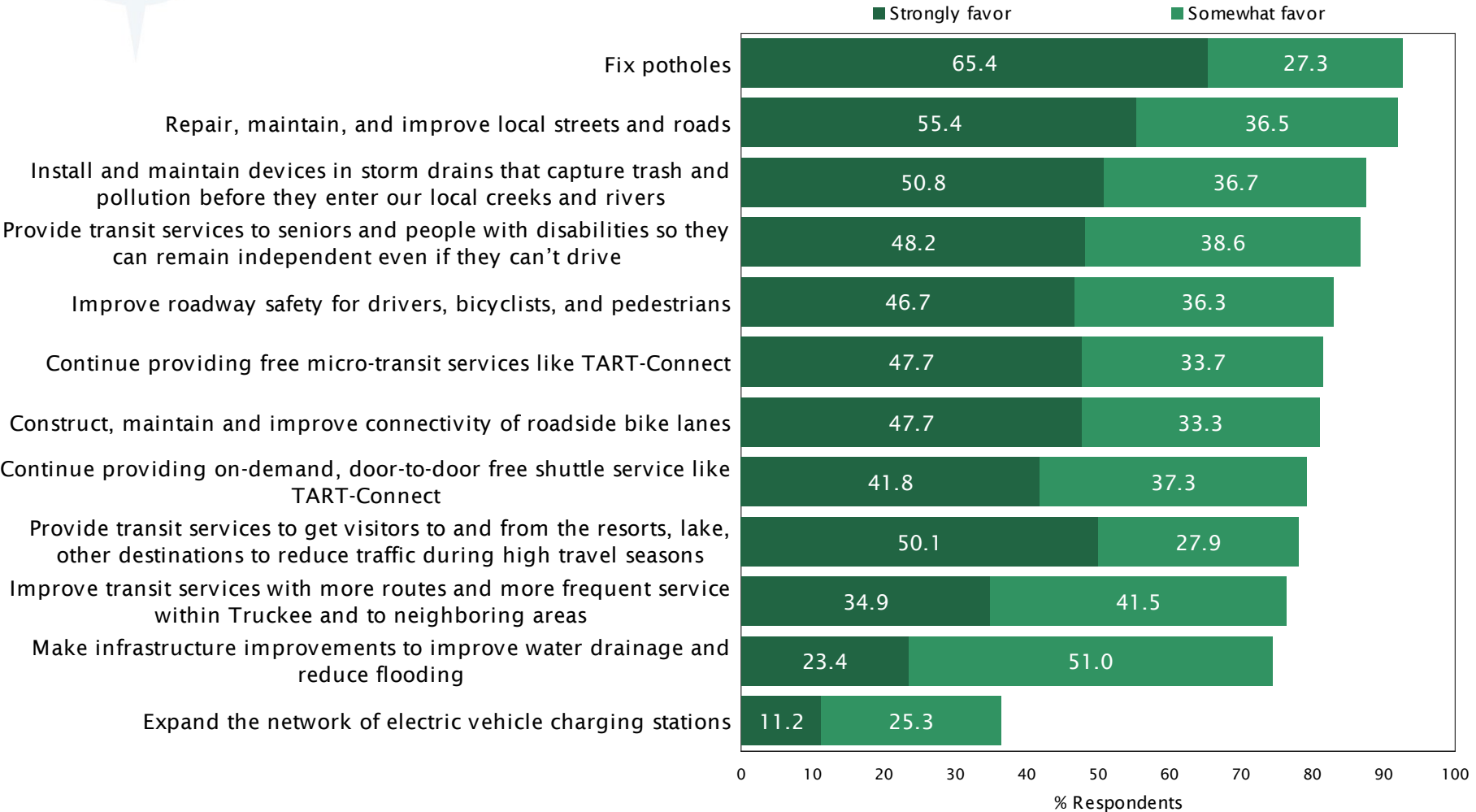
- Fix potholes
- Repair, maintain, and improve local streets and roads
- Improve roadway safety for drivers, bicyclists, and pedestrians
- And provide local transit and shuttle services that reduce traffic congestion and protect the environment

Shall the Town of Truckee ordinance renewing the existing ½% (one-half percent) transportation sales tax at a rate of 1% (one percent) be adopted, providing approximately 7 million dollars annually until ended by voters, raising the Town's appropriations limit by the tax's revenue, with independent oversight and all funds staying local? If the election were held today, would you vote yes or no on this measure?

# INITIAL BALLOT TEST



# PROJECTS & SERVICES





# POSITIVE ARGUMENTS

Every penny raised by measure will stay in Truckee to maintain roadways and reduce traffic congestion; it can't be taken away by State or used for other purposes

More people are using Truckee roads than ever before, we need to improve transportation system, transit services to keep pace, reduce gridlock

Rain, snow melt that flows off streets carries trash, toxic pollutants directly into local creeks, rivers; stormdrain capture devices funded by measure are among the best ways to protect local water quality, watershed habitats

Because it is a sales tax, measure will make sure that tourists, second homeowners pay their fair share for road maintenance

Measure essential for public safety; by keeping roads in good condition, reducing congestion, allows firefighters, police, ambulances to respond quickly to emergencies

Measure requires a clear system of accountability including a detailed list of projects, services to be funded, annual independent audits, public disclosure of how all funds are spent

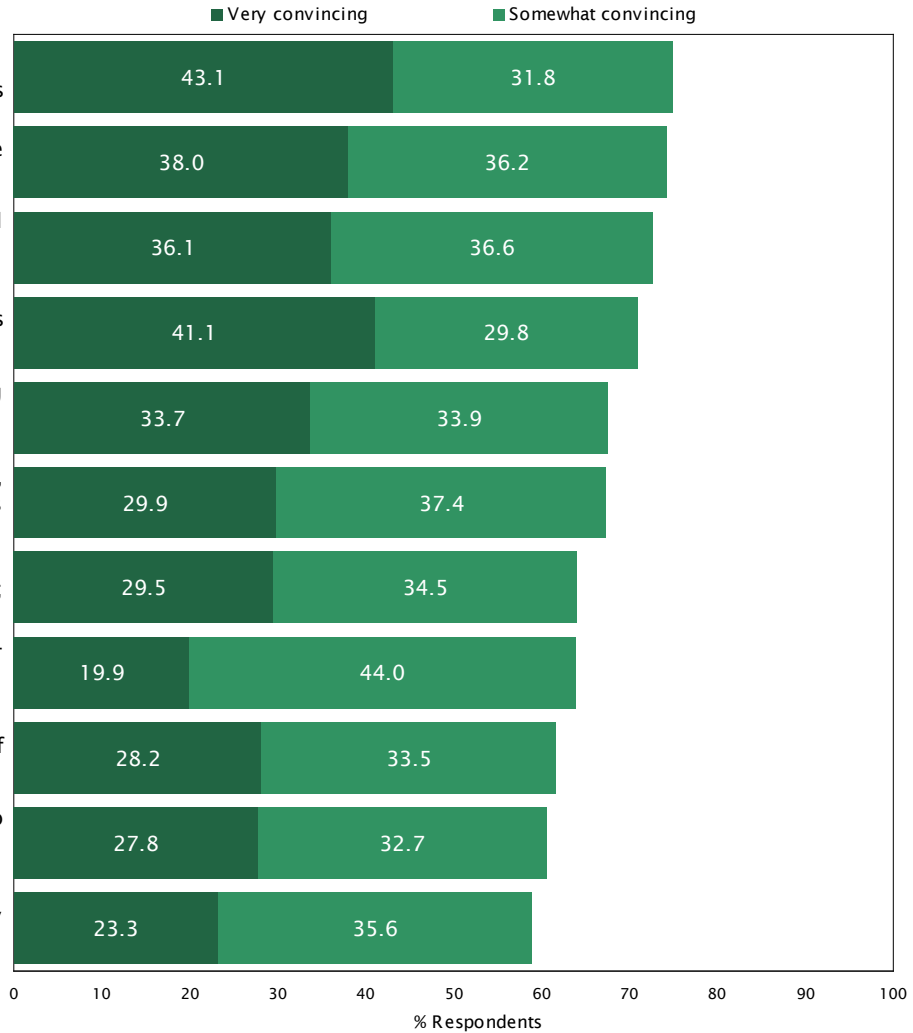
We need to improve local transit, shuttle services in Truckee to make it easier for residents, workers, visitors to get around Town without having to drive their car; this is the key to reducing traffic congestion in Truckee

Measure will increase Town's appropriations limit so it can continue utilizing locally-controlled funding for road, transportation improvements, prevent these funds from being taken away by State

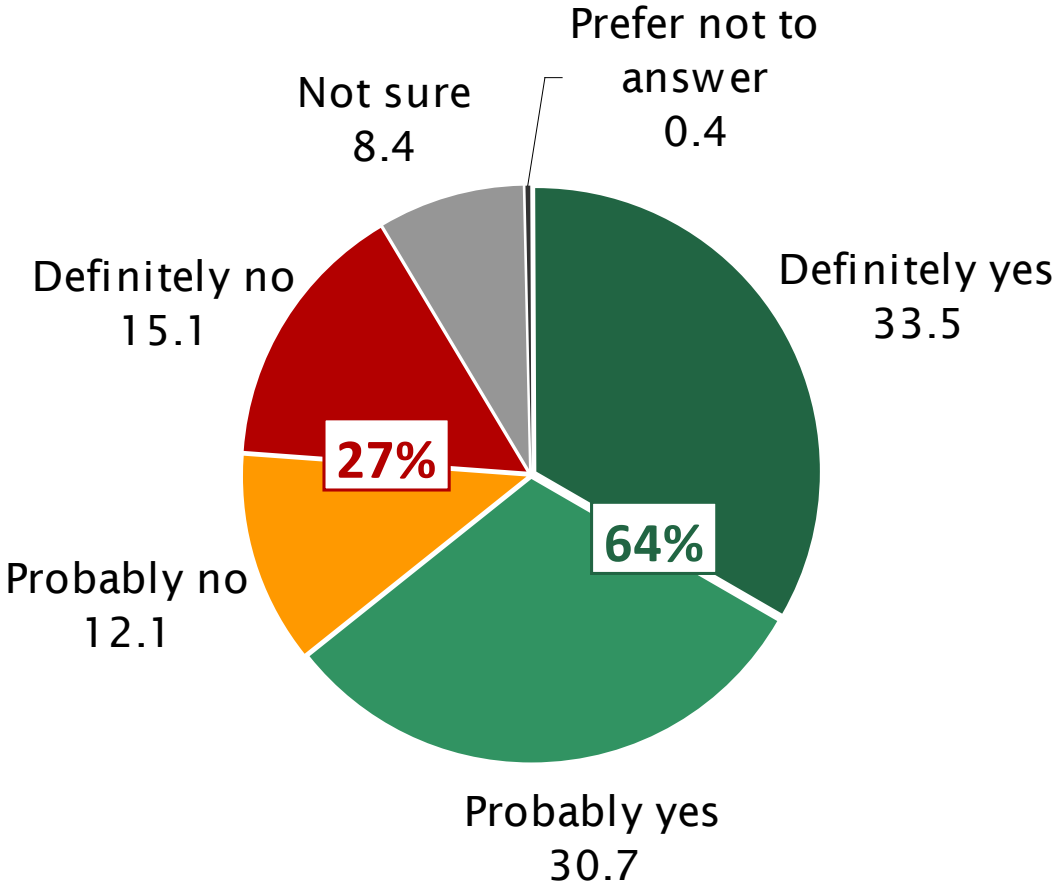
For 25 years, Town has depended on this sales tax to keep roads in good shape; if measure is not renewed, roads throughout Truckee will fall into disrepair

If we want to address climate change, reduce greenhouse gas emissions, we need to make it easier for people to get places using transit, walking, biking; measure will make it easier, safer to walk, bike, use transit in Truckee

Measure will cost just \$1 for every \$100 purchased - and food, medicine, many other essential items are excluded from the tax



# INTERIM BALLOT TEST



# NEGATIVE ARGUMENTS

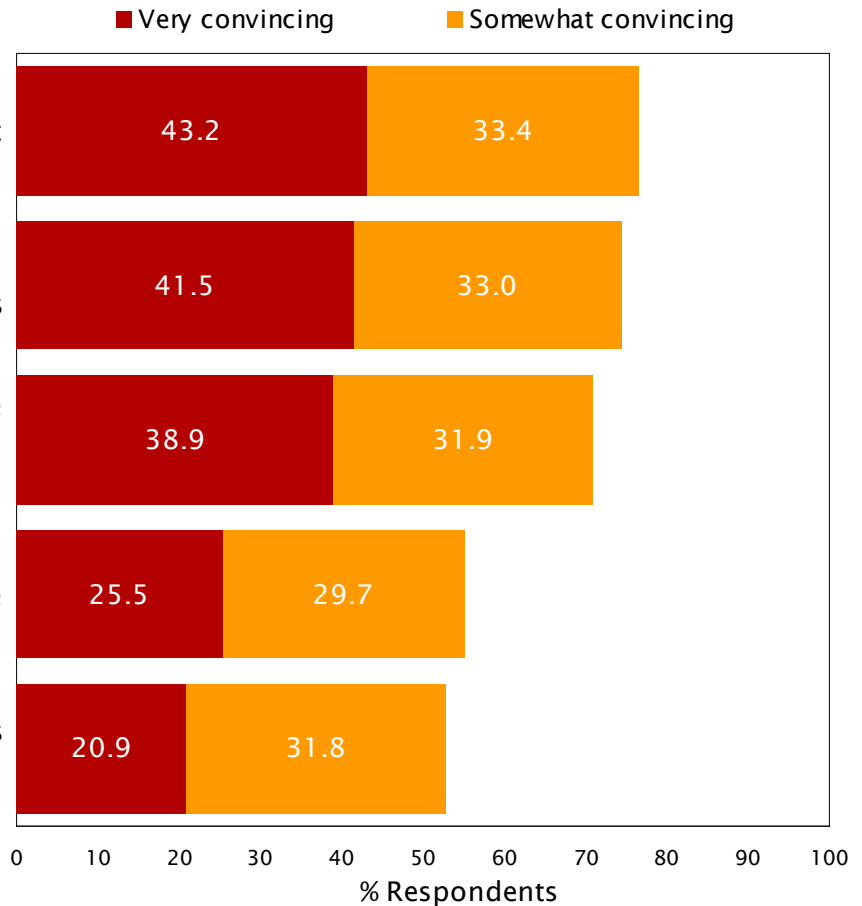
Measure isn't going to solve traffic congestion problem; we've been paying this tax for more than 20 years, traffic congestion continues to get worse

Community is already an expensive place to live, especially for young families, essential workers, seniors, those on fixed incomes; passing tax will make it even less affordable

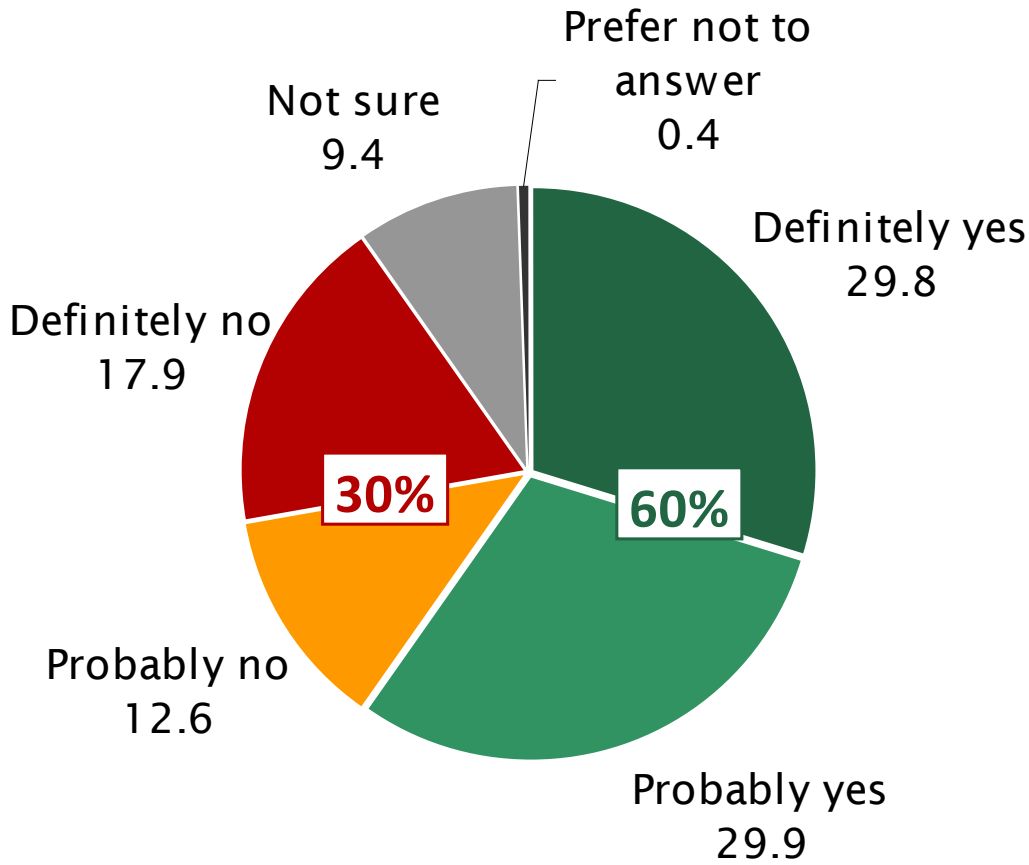
Over past three years Truckee has increased trails tax, fire tax, hotel tax; now they want to increase roads tax too? Enough is enough; we can't afford to keep raising taxes

If approved, this tax will last forever. It will never expire

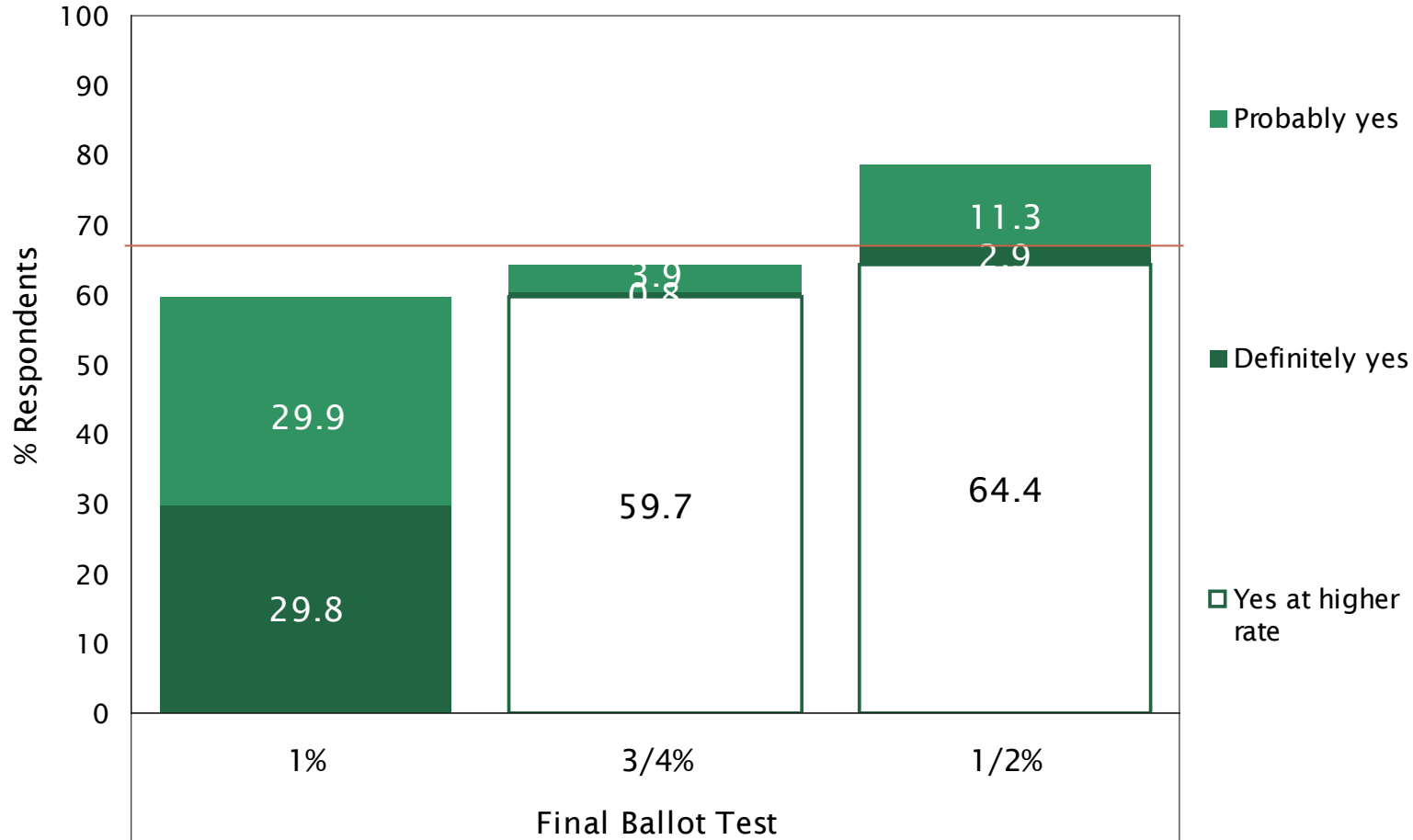
We're going to waste millions of dollars on transit services that nobody will use



# FINAL BALLOT TEST



# FINAL BALLOT TEST @ 1%, 3/4%, & 1/2%





# KEY CONCLUSIONS

**Does a Measure V renewal appear to be feasible for a 2024 ballot? Yes.**

## Positive Signs

- Voters rank transportation issues among the *most* important issues facing the community
- Strong support (79%) for a Measure V renewal at ½% rate
- Popular projects and improvements
- Strong positive arguments

## Challenges

- Tax rate sensitivity – support for increasing rate to 1% or ¾% falls short of the required two-thirds supermajority
- Receptiveness to potential opposition arguments
- Unknowns: trajectory of economy, inflation, other measures
- Electoral climate: Hyper-partisanship & statewide initiatives



# OBSERVATIONS & RECOMMENDATIONS

- **Snapshot in time, not a crystal ball**
- **ACA1:** Could be a game changer that makes renewing at 1% feasible (55% threshold)
- **Election Date:** If moving forward in 2024, choose November ballot to align with ACA1
- **Project Priorities:** Fix potholes, pave/maintain roads, trash capture devices in stormdrains, roadway safety, microtransit, bike lanes
- **Town Communications:** Begin a conversation with the community to build awareness of transportation needs and consensus on a proposal.
- **Independent Campaign:** Need to have solid independent campaign to navigate through the election cycle, communicate key messages, turn out supporters, and weather uncertainties.



# Potential Strategies

- ✓ Renew Measure V at the current 1/2 cent rate but expand uses to incorporate transit services
- ✓ Consider placing a General Purpose sales tax increase on the November 2024 ballot that can be approved at a simple majority to fund transit/other needs and keep sales tax increment local
- ✓ Place a Special Purpose sales tax increase on the November 2024 ballot (or later) and take advantage of Assembly Constitutional Amendment 1 if approved by statewide voters





# ACA 1 - 66.7% → 55%

- ✓ State constitutional amendment – requires approval from a majority of statewide voters
- ✓ Will appear on the November 5, 2024 ballot and applies to measures on that same ballot and subsequent elections
- ✓ Reduces the passage threshold from 66.7% to 55%
- ✓ Applies to county, city and special district bond and special tax measures
- ✓ Additional fiscal accountability protections are required, including mandatory annual audits and an independent oversight committee
- ✓ Proceeds must be used to "fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes."



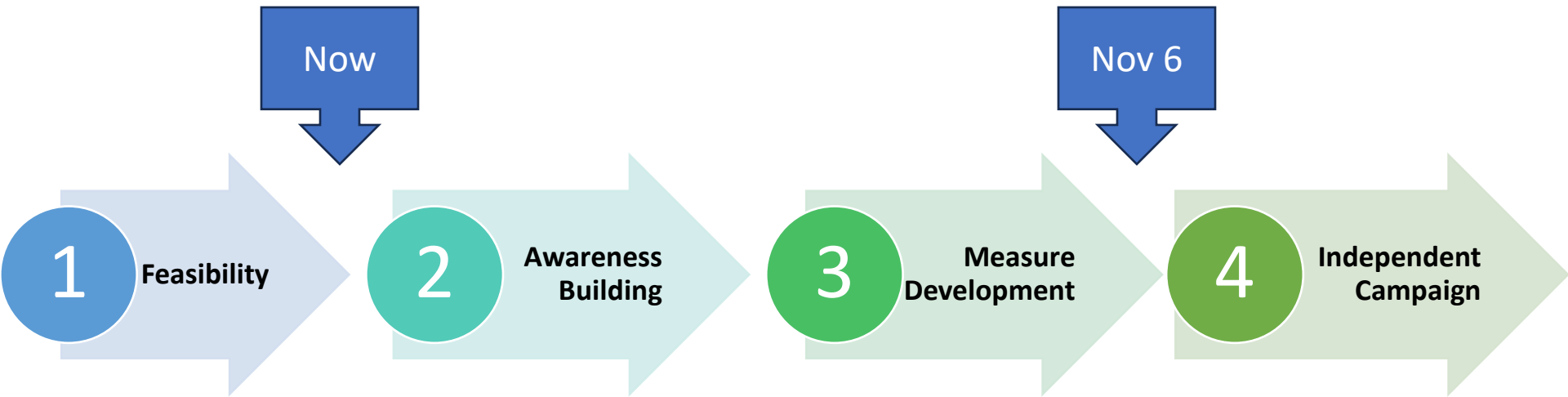
# ACA 1 - 66.7% → 55%

## Public infrastructure defined as:

- ✓ Water or protect water quality
- ✓ Sanitary sewer
- ✓ Treatment of wastewater or reduction of pollution from stormwater runoff
- ✓ Protection of property from impacts of sea level rise
- ✓ Parks and recreation facilities
- ✓ Open space
- ✓ **Improvements to transit and streets and highways**
- ✓ Flood control
- ✓ Broadband Internet internet access service expansion in underserved areas
- ✓ Local hospital construction
- ✓ Public safety buildings or facilities, equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police or sheriff personnel
- ✓ Public library facilities



# March 5, 2024 Election Timeline



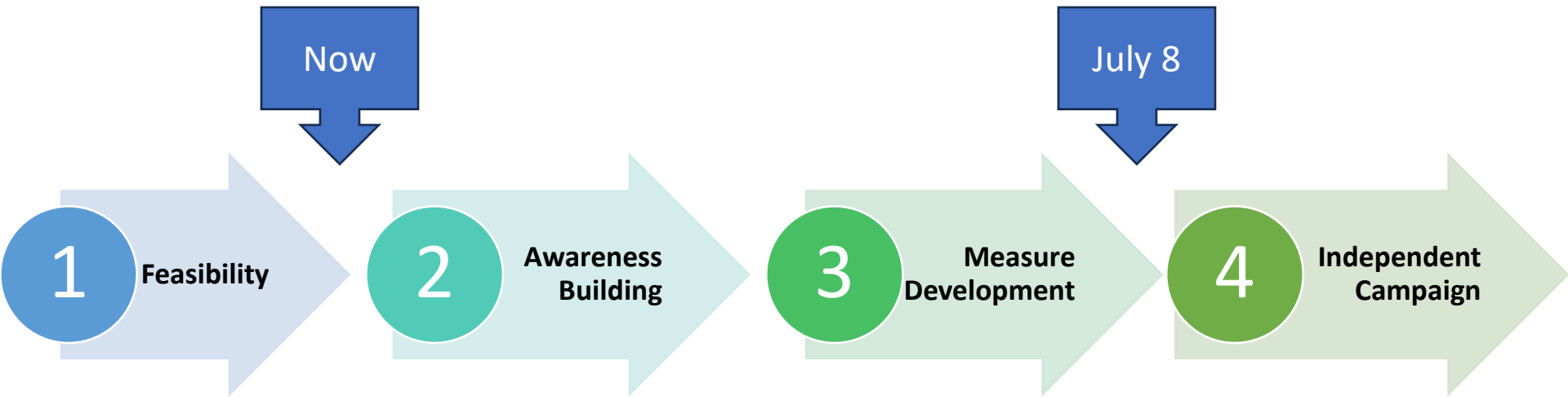
- Voter Survey
- Election Timing
- Tax Rate
- Duration
- Political Landscape

- Non-advocacy Communications
- Services List
- Ballot Question
- Consensus Building
- Resolution

- Fundraising
- Mail/Advertising
- Website
- Endorsements
- Lawn Signs
- Get Out The Vote



# November 5, 2024 Election Timeline



- Voter Survey
- Election Timing
- Tax Rate
- Duration
- Political Landscape

- Non-advocacy Communications
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- Ballot Question
- Consensus Building
- Resolution

- Fundraising
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**VOTER OPINION SURVEY**  
SUMMARY REPORT

PREPARED FOR  
**TOWN OF TRUCKEE, NEVADA COUNTY,  
PLACER COUNTY, & THE FRIENDS OF  
TRUCKEE LIBRARY**



MAY 2023



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ENCINITAS CA 92024  
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## INTRODUCTION

Residents of Truckee and neighboring communities in Nevada County and Placer County are currently served by a single public library located at 10031 Levon Avenue in Truckee, adjacent to the Joseph Government Center and Tahoe Truckee Hospital. Originally built nearly 50 years ago to serve a population of approximately 2,000 residents, the facility is outdated, undersized (maximum capacity of 54 people), and simply not up to the task of serving a population that is now ten times larger. Recognizing the need for a larger, modern facility that serves the needs of residents in multiple jurisdictions, the Town of Truckee, Nevada County, Placer County, and The Friends of Truckee Library have partnered to actively work toward designing and building a new 20,000 square foot Regional Library. In addition to providing traditional library services, the facility would also provide spaces for workforce training, certification, and small business programs, provide a central community gathering place where residents can meet, learn, and collaborate, and serve as an emergency operations center, resource center, and community shelter for disaster response. To make this vision a reality, however, funding will be needed from private sources as well as a voter-approved revenue measure in the future.

**MOTIVATION FOR RESEARCH** The primary purpose of this study was to produce an unbiased, statistically reliable evaluation of voters' interest in supporting a local parcel tax measure to fund the construction of the proposed Regional Library. Additionally, should a measure be placed on a future ballot, the survey data can guide how best to structure a measure so that it is consistent with the community's priorities and expressed needs. Specifically, the survey was designed to:

- Gauge current, baseline support for a local parcel tax measure to fund all or a portion of the construction and operation of a new Regional Library,
- Identify the tax rate that is within voters' comfort zone and what portion of a new Regional Library voters are willing to fund,
- Identify the features, amenities, and operations that voters are most interested in funding, should the measure pass,
- Expose voters to arguments in favor of—and against—the proposed parcel tax measure to gauge how information affects support for the measure, *and*
- Estimate support for the measure once voters are presented with the types of information they will likely be exposed to during the election cycle.

It is important to note at the outset that voters' opinions about tax measures are often somewhat fluid, especially when the amount of information they initially have about a measure is limited. How voters think and feel about a measure today may not be the same way they think and feel once they have had a chance to hear more information about the measure in the months leading up to election day. Accordingly, to accurately assess the feasibility of passing a parcel tax measure, it was important that in addition to measuring *current* opinions about the measure (Questions 2 & 4), the survey expose respondents to the types of information voters are likely to encounter in future months—including arguments in favor of (Question 10) and opposed to (Question 13) the measure—and gauge how this information ultimately impacts their voting decision (Questions 14 & 15).

**SPLIT-SAMPLE FOR FLAT RATE VS SQUARE FOOTAGE RATE** A parcel tax can be structured as a flat rate per parcel (e.g., \$93 per parcel) or a rate that is based on the square footage of taxable buildings on a parcel (e.g., 6 cents per square foot). To test both options, the survey employed a split-sample approach in which half of respondents received a measure based on a flat rate and half received a measure with a rate per square foot.

**OVERVIEW OF METHODOLOGY** For a full discussion of the research methods and techniques used in this study, turn to *Methodology* on page 32. In brief, the survey was administered to a random sample of 497 registered voters in the study area who are likely to participate in the November 2024 general election, with a subset who are also likely to participate in the lower turnout March 2024 primary election. The survey followed a mixed-method design that employed multiple recruiting methods (email, text, and telephone) and multiple data collection methods (telephone and online). Administered between March 9 and March 30, 2023, the average interview lasted 16 minutes.

**ORGANIZATION OF REPORT** This report is designed to meet the needs of readers who prefer a summary of the findings as well as those who are interested in the details of the results. For those who seek an overview of the findings, the section titled *Key Findings* is for you. It provides a summary of the most important findings of the survey and a discussion of their implications. For the interested reader, this section is followed by a more detailed question-by-question discussion of the results from the survey by topic area (see *Table of Contents*), as well as a description of the methodology employed for collecting and analyzing the data. And, for the truly ambitious reader, the questionnaire used for the interviews is contained at the back of this report (see *Questionnaire & Toplines* on page 35) and a complete set of crosstabulations for the survey results is contained in Appendix A.

**ACKNOWLEDGMENTS** True North thanks the Town of Truckee, Nevada County, Placer County, and The Friends of Truckee Library for the opportunity to design and conduct the survey. The collective expertise, local knowledge, and insight provided by staff and representatives improved the overall quality of the research presented here. A special thanks also to Charles Heath (TeamCivX) for assisting in the design of the study.

**DISCLAIMER** The statements and conclusions in this report are those of the authors (Dr. Timothy McLarney and Richard Sarles) at True North Research, Inc. Any errors and omissions are the responsibility of the authors.

**ABOUT TRUE NORTH** True North is a full-service survey research firm that is dedicated to providing public agencies with a clear understanding of the opinions, perceptions, priorities, and concerns of their residents and voters. Through designing and implementing scientific surveys, focus groups, and one-on-one interviews, as well as expert interpretation of the findings, True North helps its clients to move with confidence when making strategic decisions in a variety of areas—such as planning, policy evaluation, performance management, establishing fiscal priorities, passing revenue measures, and developing effective public information campaigns.

During their careers, Dr. McLarney and Mr. Sarles have designed and conducted over 1,200 survey research studies for public agencies, including more than 400 revenue measure feasibility studies. Of the measures that have gone to ballot based on Dr. McLarney’s recommendation, more than 95% have been successful. In total, the research that Dr. McLarney has conducted has led to over \$35 billion in voter-approved local revenue measures.



## KEY FINDINGS

As noted in the *Introduction*, this study was designed to provide a statistically reliable understanding of voters' interest in funding the construction of a new Regional Library. Whereas subsequent sections of this report are devoted to conveying the detailed results of the survey, in this section we attempt to 'see the forest through the trees' and note how the collective results of the survey answer some of the key questions that motivated the research. The following conclusions are based on True North's and TeamCivX's interpretations of the survey results and the firms' collective experience conducting revenue measure studies for public agencies throughout the State.

*To what extent are voters interested in funding a Regional Library?*

A majority of voters in the Greater Truckee Area consider improving the quality of local library facilities and services to be an extremely or very important issue. Although this issue does not rank as high as several other issues that also compete for tax dollars—including reducing traffic congestion, protecting the environment and natural open space, improving the quality of education in local schools, and improving public safety—the survey results nevertheless indicate that many voters are interested in the creation of a Regional Library and the various improvements that would come with. When it comes to *funding* the construction of a modern 20,000 square foot Regional Library, voters appear willing to support a proposal provided that the cost of the measure is within their comfort zone.

The survey tested a range of tax rates to identify the level at which the requisite two-thirds of voters would be willing to support a measure to fund the construction of a Regional Library. At the highest tax rates tested (\$93 per parcel or 6 cents per square foot) which would fully fund the construction of a new Regional Library, support ranged between 55% to 63%, short of the two-thirds supermajority required for passage of a special tax. However, the survey also found that support for the proposal climbed significantly as the tax rate declined, with approximately two-thirds of respondents willing to support the measure at 2 cents per square foot (66%) or \$31 per parcel (65%), which would provide approximately one-third (\$10,000,000) of the funding needed to construct a Regional Library.

*Which projects and services do voters identify as priorities for funding?*

One of the goals of this study was to identify voters' preferences with respect to how the proceeds of a successful measure should be spent. This information can be used to ensure that the expenditure plan for a future Regional Library measure is well-aligned with voters' priorities.

Voters in the Greater Truckee Area area were attracted to the features and improvements that would be possible with a modern Regional Library that is large enough to serve the needs of the community, now and in the future. In fact, all projects and improvements tested in the survey were favored by at least two-thirds of voters surveyed. That said,

voters expressed the *greatest* interest in using parcel tax proceeds to provide dedicated spaces for children's programming and story time (79% strongly or somewhat favor), enable the library facility to also serve as an emergency operations center for disaster response, as well as a community shelter and resource center during incidents such as fires, earthquakes, extreme weather, and power outages (78%), provide group study rooms and dedicated spaces for students to study, be tutored, and work on group projects (77%), and provide dedicated areas for adult and senior programs, activities, and work spaces (76%). For more on how voters rated various library improvements and services, see *Projects & Services* on page 16.

*How might a public information campaign affect support for a Regional Library measure?*

As noted in the body of this report, individuals' opinions about revenue measures are often not rigid, especially when the amount of information presented to the public on a measure has been limited. Thus, in addition to measuring current support for the measure, one of the goals of this study was to explore how the introduction of additional information about the measure may affect voters' opinions about a Regional Library measure.

It is clear from the survey results that voters' opinions about the proposed measure are somewhat sensitive to the nature—and amount—of information that they have about the measure. Information about the specific improvements that could be funded by the measure, as well as arguments in favor of the measure, were found by many voters to be compelling reasons to support the measure. However, voters also exhibited sensitivity to opposition arguments, and there is a risk they could be swayed by divisive and hyper-partisan campaigning during an election cycle. Accordingly, one of the keys to building and *sustaining* support for an eventual Regional Library measure will be the presence of an effective, well-organized public outreach effort, as well as an independent campaign that focuses on the need for the measure as well as the many benefits that it will bring.

*Which approach do voters prefer—a flat rate measure or a measure based on square footage?*

A parcel tax can be structured as a flat rate per parcel (e.g., \$93 per parcel) or a rate that is based on the square footage of taxable buildings on a parcel (e.g., 6 cents per square foot). To test both options, the survey employed a split-sample approach in which half of respondents received a measure based on a flat rate and half received a measure with a rate per square foot.

When tested in the context of a 75 word ballot statement, the square footage approach (6 cents per square foot) initially enjoyed higher support (63% Initial Ballot Test) when compared to a comparable flat rate of \$93 per parcel (57% Initial Ballot Test). Over the course of the interview, however, this advantage largely faded. At the Final Ballot Test, support

for the measure at 6 cents per square foot (57%) was similar to that found for a flat rate measure at \$93 per parcel (55%).

The lack of a clear preference for *how* the tax was applied was also evident when respondents' attention was focused on a range of tax rates that could be associated with the measure (see *Tax Threshold* on page 13). At *each* comparable level of taxation (e.g., \$93 per parcel vs 6 cents per square foot) support for the measure varied by just 1% between the square footage and flat rate option.

*How might changes to the economic or political climate alter support for the measure?*

A survey is a snapshot in time—which means the results of this study and the conclusions noted above must be viewed in light of the current economic and political climates. This should provide some reassurances that a Regional Library measure may be feasible in the future. Although support for a measure in the current environment falls short of the required two-thirds threshold, the current environment is also a particularly challenging one with stubborn inflation, concerns about supply chain disruptions and the economy, and hyper-partisanship. As some of these conditions improve or fade, the prospects for a successful measure will likely improve as well.



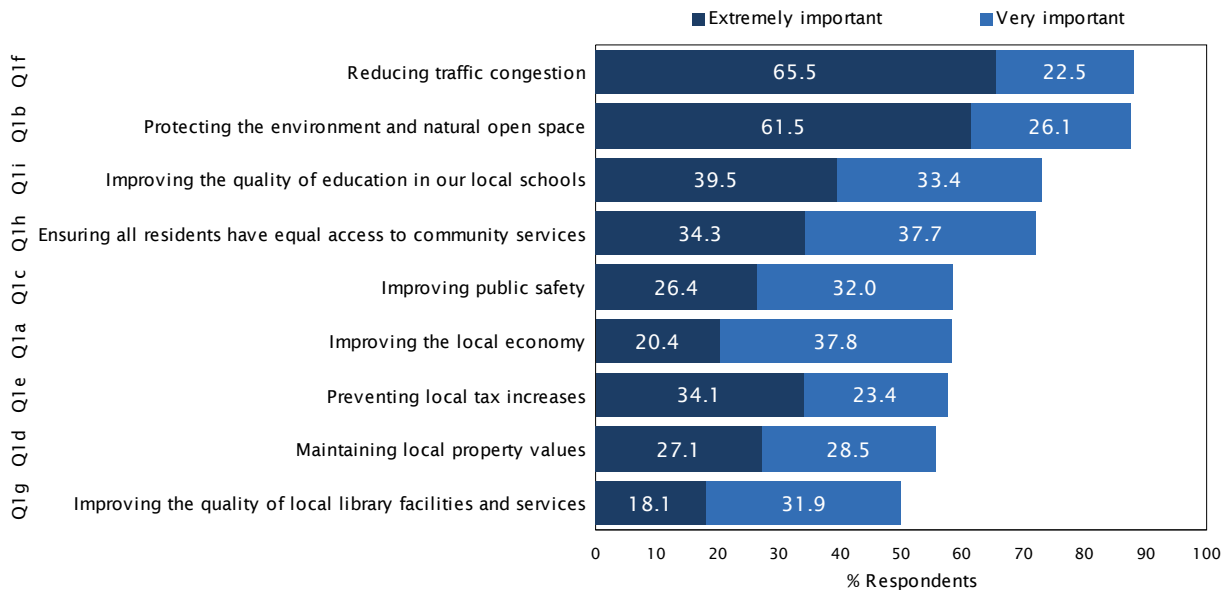
# IMPORTANCE OF ISSUES

The first substantive question of the survey presented respondents with several issues facing residents in their community and asked them to rate the importance of each issue. Because the same response scale was used for each issue, the results provide insight into how important each issue is on a scale of importance *as well as* how each issue ranks in importance relative to the other issues tested. To avoid a systematic position bias, the order in which the issues were presented was randomized for each respondent.

Figure 1 presents the issues tested, as well as the importance assigned to each by survey participants, sorted by order of importance. Overall, reducing traffic congestion received the highest percentage of respondents indicating that the issue was either extremely or very important (88%), followed by protecting the environment and natural open space (88%), improving the quality of education in local schools (73%), and ensuring all residents have equal access to community services (72%). Given the purpose of this study, it is instructive to note that improving the quality of local library facilities and services was rated lower in importance (50%) than the issue of preventing local tax increases (58%).

**Question 1** *To begin, I'm going to read a list of issues facing your community and for each one, please tell me how important you feel the issue is to you, using a scale of extremely important, very important, somewhat important or not at all important.*

**FIGURE 1 IMPORTANCE OF ISSUES**





## INITIAL BALLOT TEST

The primary research objective of this survey was to estimate voters' support for a measure that would construct a modern 20,000 square foot Regional Library to serve the Greater Truckee Area, with dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations. To this end, questions 2 and 4 were designed to take an early assessment of voters' support for the proposed measure.

The motivation for placing questions 2 and 4 up-front in the survey is twofold. First, voter support for a measure can often depend on the amount of information they have about a measure. At this point in the survey, the respondent has not been provided information about the proposed measure beyond what is presented in the ballot language. This situation is analogous to a voter casting a ballot with limited knowledge about the measure, such as what might occur in the absence of an effective education campaign. Questions 2 and 4, also known as the Initial Ballot Tests, are thus a good measure of voter support for the proposed measure *as it is today*, on the natural. Because the Initial Ballot Test provides a gauge of 'natural' support for a measure, it also serves a second purpose in that it provides a useful baseline from which to judge the impact of various information items conveyed later in the survey on voter support for the measure.

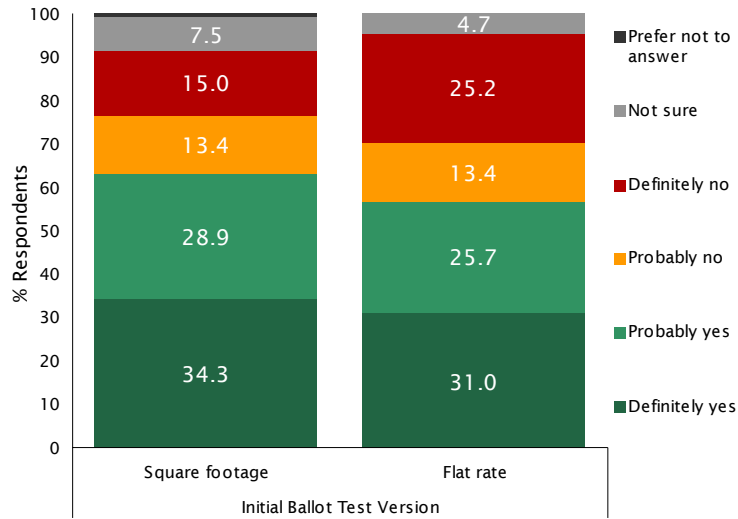
**SPLIT SAMPLE TO TEST FLAT RATE VS. SQUARE FOOTAGE** A parcel tax can be structured as a flat rate per parcel or a rate that is based on the square footage of taxable buildings on a parcel. To reliably estimate voter support for the proposed measure for each approach, a split-sample methodology was employed in which half of the sample received a square footage-based tax (Question 2) and half received a flat rate tax (Question 4). Once selected for a particular version of the proposed measure, the respondent continued with that version for the remainder of the interview.

**Question 2** *Next year, voters in your area may be asked to vote on a local ballot measure. Let me read you a summary of the measure. In order to construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area; with dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations; shall the Truckee Regional Library Community Facilities District measure be adopted levying 6 cents per building square foot annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local? If the election were held today, would you vote yes or no on this measure?*

**Question 4** *Next year, voters in your area may be asked to vote on a local ballot measure. Let me read you a summary of the measure. In order to construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area; with dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations; shall the Truckee Regional Library Community Facilities District measure be adopted levying \$93 per parcel annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local? If the election were held today, would you vote yes or no on this measure?*

As shown in Figure 2 below, both measures received support above a simple majority, but short of the required two-thirds threshold at the Initial Ballot Test. Among those who received the flat rate version (\$93 per parcel), 57% supported the proposal, 39% opposed, and 5% were unsure or unwilling to share their opinion at the Initial Ballot Test. The results were somewhat stronger for the square-footage version (6 cents per square foot), with 63% in support of the proposal, 28% opposed, and 8% unsure or unwilling to share their opinion.

**FIGURE 2 INITIAL BALLOT TEST**



**SUPPORT BY SUBGROUPS** For the interested reader, the following tables show how support at the Initial Ballot Test for the parcel tax using a square footage approach (Table 1) and flat rate approach (Table 2) varied by key demographic traits. The blue column (Approximate % of Universe) indicates the percentage of the likely November 2024 election voter universe that each subgroup category comprises. Patterns of support for the measures at the subgroup level were strikingly similar overall, with the strongest support for both measures found among those whose household had visited the Truckee Library during the past 12 months, Democrats, those in dual Democrat households, voters under the age of 40, renters, voters who are likely to participate in the November 2024 election (but not the March 2024 primary), and females.

TABLE 1 DEMOGRAPHIC BREAKDOWN OF SUPPORT AT INITIAL BALLOT TEST: SQUARE FOOTAGE

		Approximate % of Voter Universe	% Probably or Definitely Yes	% Not sure
Overall		100.0	63.2	7.5
Child in Hsld (Q16)	Yes	31.4	65.3	5.7
	No	68.6	63.7	8.0
Hsld Truckee Library Visit in Past 12 Mos (Q17)	Yes	45.6	75.3	6.0
	No	54.4	53.3	8.8
Frequency of Hsld Truckee Library Visits (Q18)	Not in past 12 mo	54.7	53.3	8.8
	>1x per mo	11.6	85.6	1.8
	1x per mo	11.9	69.8	4.2
	<1x per mo	21.8	71.9	9.5
Party	Democrat	51.2	74.5	5.2
	Republican	17.3	37.1	10.3
	Other / DTS	31.5	55.2	10.3
Household Party Type	Single dem	28.4	70.2	5.1
	Dual dem	14.2	83.4	6.8
	Single rep	7.8	35.8	15.4
	Dual rep	5.4	31.4	0.0
	Other	22.8	47.0	16.3
	Mixed	21.5	67.1	3.0
Age	18 to 29	12.4	84.5	6.3
	30 to 39	17.5	77.1	3.2
	40 to 49	20.5	47.0	10.5
	50 to 64	26.4	52.6	7.5
	65 or older	23.3	63.3	9.6
Registration Year	Since Nov '18	19.1	77.4	5.5
	Jun '12 to <Nov '18	22.9	76.6	7.5
	Jun '06 to <Jun '12	11.7	57.7	13.9
	Before Jun '06	46.2	51.3	6.8
Homeowner on Voter File	Yes	62.5	61.4	7.4
	No	37.5	66.0	7.6
Likely to Vote by Mail	Yes	85.4	64.6	8.5
	No	14.6	55.4	1.7
Likely Mar 2024 Voter	Yes	69.9	56.6	8.2
	No	30.1	78.3	5.9
Area of Residence	Town of Truckee	89.8	62.8	8.1
	Unincorp	10.2	66.6	2.3
Gender	Male	46.1	58.2	6.4
	Female	53.9	69.7	8.7

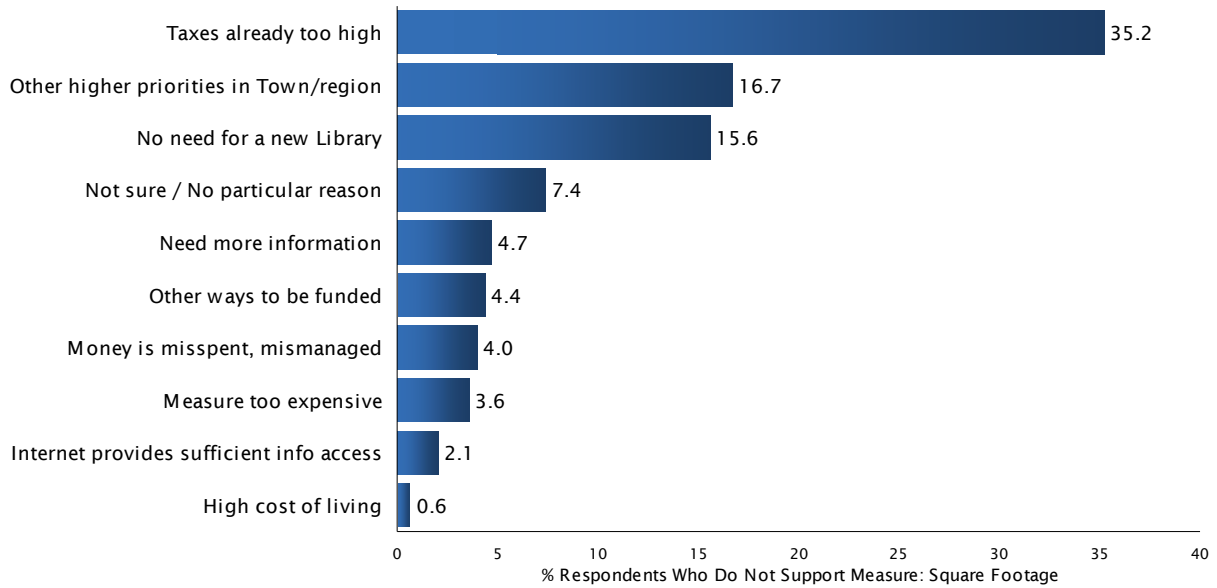
TABLE 2 DEMOGRAPHIC BREAKDOWN OF SUPPORT AT INITIAL BALLOT TEST: FLAT RATE

		Approximate % of Voter Universe	% Probably or Definitely Yes	% Not sure
Overall		100.0	56.7	4.7
Child in Hsld (Q16)	Yes	31.4	56.6	3.6
	No	68.6	58.6	5.3
Hsld Truckee Library Visit in Past 12 Mos (Q17)	Yes	45.6	73.1	1.9
	No	54.4	43.2	7.1
Frequency of Hsld Truckee Library Visits (Q18)	Not in past 12 mo	54.7	43.2	7.1
	>1x per mo	11.6	68.4	0.0
	1x per mo	11.9	81.6	0.0
	<1x per mo	21.8	70.7	4.0
Party	Democrat	51.2	66.7	5.8
	Republican	17.3	38.4	4.0
	Other / DTS	31.5	53.3	3.5
Household Party Type	Single dem	28.4	66.3	7.1
	Dual dem	14.2	68.9	3.5
	Single rep	7.8	53.1	4.5
	Dual rep	5.4	20.0	5.3
	Other	22.8	51.7	2.4
	Mixed	21.5	57.6	5.8
Age	18 to 29	12.4	88.4	0.0
	30 to 39	17.5	78.9	0.0
	40 to 49	20.5	51.6	6.2
	50 to 64	26.4	43.0	6.0
	65 or older	23.3	49.8	6.7
Registration Year	Since Nov '18	19.1	87.7	4.2
	Jun '12 to <Nov '18	22.9	62.1	4.5
	Jun '06 to <Jun '12	11.7	49.5	0.0
	Before Jun '06	46.2	44.5	6.2
Homeowner on Voter File	Yes	62.5	54.3	5.4
	No	37.5	60.6	3.5
Likely to Vote by Mail	Yes	85.4	58.2	4.9
	No	14.6	47.4	3.4
Likely Mar 2024 Voter	Yes	69.9	54.1	4.6
	No	30.1	62.7	5.0
Area of Residence	Town of Truckee	89.8	56.5	3.9
	Unincorp	10.2	58.3	11.9
Gender	Male	46.1	48.7	3.3
	Female	53.9	63.8	6.0

**REASONS FOR NOT SUPPORTING MEASURE** Respondents who did not support the measure at the Initial Ballot Test were asked if there was a particular reason for their position. Questions 3 and 5 were posed in an open-ended manner, allowing respondents to mention any reason that came to mind without being prompted by or restricted to a particular list of options. True North later reviewed the verbatim responses and grouped them into the categories shown in Figure 3 for the square footage version, Figure 4 for the flat rate version. Although the percentages varied between the two versions, the top three reasons for not supporting the measure were the same: a perception that taxes are already too high, a belief that there are other higher priorities, and the opinion that a new library isn't needed.

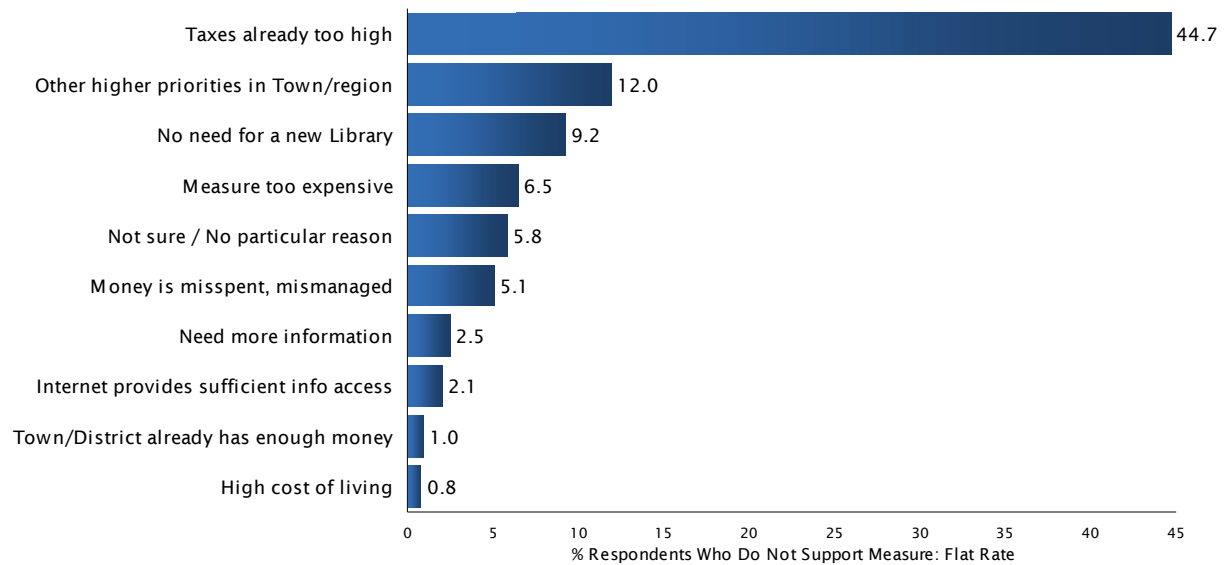
**Question 3** *Is there a particular reason why you do not support or are unsure about the measure I just described?*

**FIGURE 3 REASONS FOR NOT SUPPORTING MEASURE: SQUARE FOOTAGE**



**Question 5** *Is there a particular reason why you do not support or are unsure about the measure I just described?*

**FIGURE 4 REASONS FOR NOT SUPPORTING MEASURE: FLAT RATE**



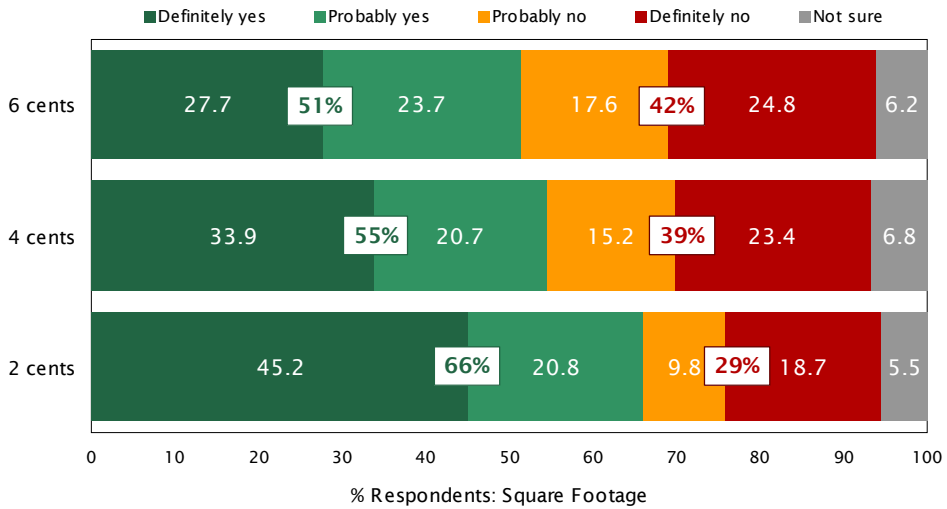
# TAX THRESHOLD

Naturally, voter support for a revenue measure is often contingent on the cost of the measure. The higher the tax rate, all other things being equal, the less likely a voter is to support the measure. One of the goals of this study was thus to gauge the impact that changes in the tax rate can be expected to have on voter support for the proposed Regional Library measure.

**SQUARE FOOTAGE VERSION** Question 6 was designed to do just that for the square footage version. Respondents were first instructed that the measure would raise money through annual property taxes paid by residential and commercial property owners, and that the amount to be charged was not yet finalized. They were then presented with the highest additional tax rate (6 cents per square foot of taxable buildings) and asked if they would support the proposed measure at that rate. If a respondent did not answer ‘definitely yes’, they were asked whether they would support the measure at the next lowest tax rate. The three tax rates tested and the percentage of respondents who indicated they would vote in favor of the measure at each rate are shown in Figure 5.

**Question 6** *The measure I just described would raise money through annual property taxes paid by residential and commercial property owners. However, the amount to be charged has not been finalized yet. If you heard that your household would pay \_\_\_\_\_ per square foot of taxable buildings on your property per year, would you vote yes or no on the measure?*

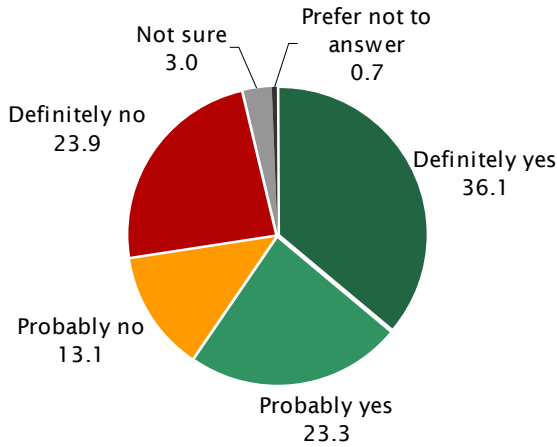
**FIGURE 5 TAX THRESHOLD: SQUARE FOOTAGE**



The most obvious pattern revealed in Figure 5 is that some voters are price sensitive when it comes to their support for the proposed Regional Library measure, especially when their attention is focused on the price tag as it is in Question 6. As the cost of the measure to their household increases, support for the measure decreases. At the highest tax rate tested (6 cents per square foot), 51% of voters indicated that they would support the measure. Incremental reductions to the tax rate resulted in incremental increases in support, with 66% stating they would support the measure at a rate of 2 cents per square foot.

**Question 7** *Let me put it another way: If you knew that this measure would cost the typical home owner about \$118 per year, would you vote yes or no on the library measure?*

**FIGURE 6 TAX THRESHOLD OF \$118 PER YEAR**

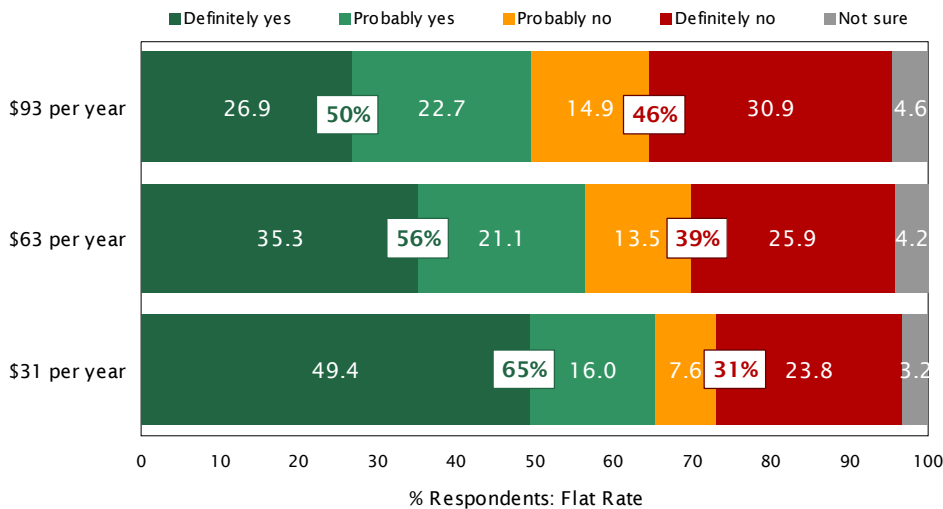


Recognizing that the square footage rate can leave some respondents uncertain about exactly how much they may pay annually if the measure passes, Question 7 informed voters in this subgroup that the typical home owner would pay about \$118 per year. Knowing this, 59% of respondents indicated they would support the measure, which is significantly higher than the 51% who indicated they would support the measure at the underlying rate of 6 cents per square foot of taxable buildings.<sup>1</sup>

**FLAT RATE VERSION** In a manner similar to that described above, respondents who received the flat rate version of the proposed measure were initially asked if they would support the measure if the rate were set at \$93 per parcel. Those who were not ‘definitely’ in support of the measure at the highest rate were subsequently asked about their support at lower rates of \$63 and \$31 per parcel, respectively (see Figure 7).

**Question 8** *The measure I just described would raise money through annual property taxes paid by residential and commercial property owners. However, the amount to be charged has not been finalized yet. If you heard that your household would pay \_\_\_\_\_ per year for your property, would you vote yes or no on the measure?*

**FIGURE 7 TAX THRESHOLD: FLAT RATE**



1. The \$118 annual total for the typical home owner was calculated assuming a rate of 6 cents per square foot.



At an annual rate of \$93 per parcel, 50% of voters indicated they would support the proposed Regional Library measure, 46% were opposed, whereas 5% were unsure or unwilling to state their opinion. Reducing the tax rate resulted in significant increases in *overall* support, with 65% of voters indicating they would support the measure at the lowest rate tested (\$31 per parcel).

It's worth noting that support for the Regional Library measure did not vary significantly based on *how* the tax was applied—square footage *or* flat tax. Indeed, at *each* comparable level of taxation (e.g., \$93 per parcel vs 6 cents per square foot) support for the measure varied by just 1%.

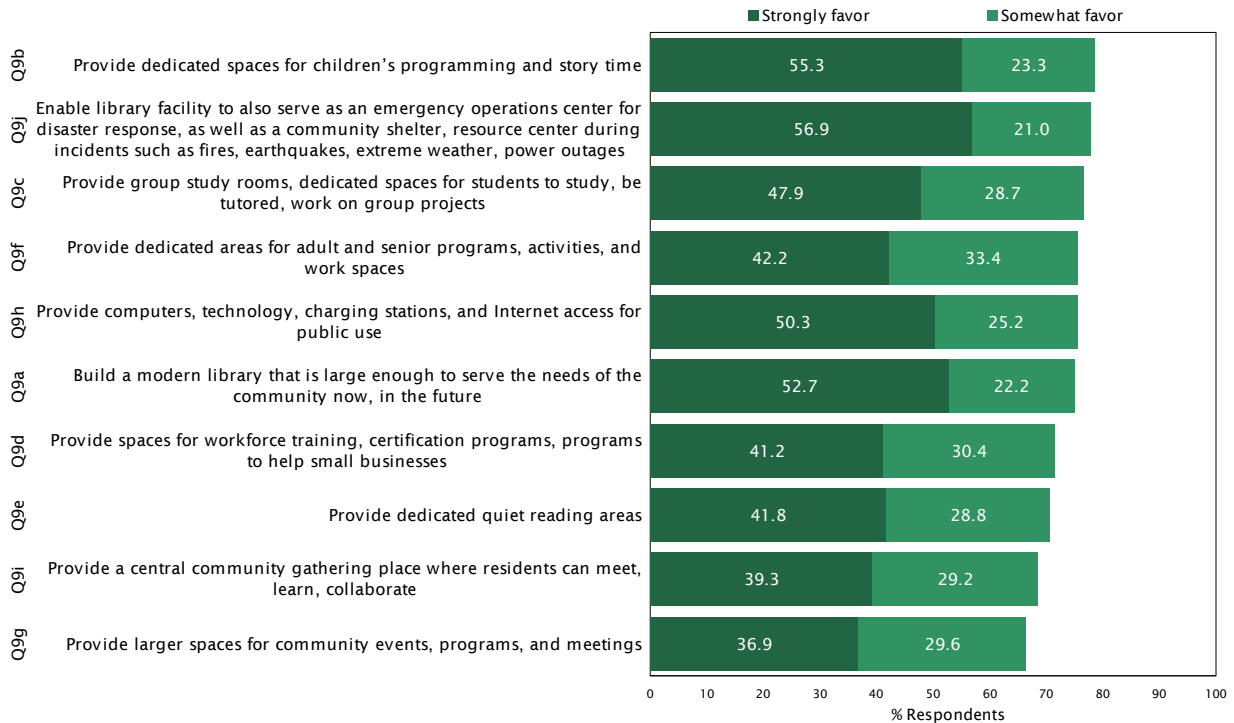
## PROJECTS & SERVICES

The ballot language presented in questions 2 and 4 indicated that the proposed parcel tax measure would be used to construct a modern 20,000 square foot Regional Library to serve the Greater Truckee Area, with dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations. The purpose of Question 9 was to provide respondents with the full range of projects and services that may be funded by the proposed measure, and to identify which of these items voters most favored funding with parcel tax proceeds.

After reading each item that may be funded by the measure, respondents were asked if they would favor or oppose spending some of the money on that particular item assuming that the measure passes. Descriptions of the projects and services tested, as well as voters' responses, are shown in Figure 8 below.

**Question 9** *The measure we've been discussing will provide funding for a variety of library improvements and services in your community. If the measure passes, would you favor or oppose using some of the money to: \_\_\_\_\_, or do you not have an opinion?*

**FIGURE 8 PROJECTS & SERVICES**



Although all potential uses of parcel tax proceeds tested in Question 9 were favored by at least two-thirds of voters surveyed, the items that resonated with the largest percentage of respondents were providing dedicated spaces for children's programming and story time (79% strongly or somewhat favor), enabling the library facility to also serve as an emergency operations center for disaster response, as well as a community shelter and resource center during incidents such as fires, earthquakes, extreme weather, and power outages (78%), providing group study rooms

and dedicated spaces for students to study, be tutored, and work on group projects (77%), and providing dedicated areas for adult and senior programs, activities, and work spaces (76%). Given the intensity of the response, it's worth noting that more than half of respondents (53%) *strongly* favored the item: Build a modern library that is large enough to serve the needs of the community, now and in the future.

**PROJECT & SERVICE RATINGS BY INITIAL SUPPORT** Table 3 presents the top five items (showing the percentage of respondents who *strongly* favor each) by position at the Initial Ballot Test. Not surprisingly, individuals who initially opposed the measure were generally less likely to favor spending money on a given item when compared to supporters. Nevertheless, initial supporters, opponents, and the undecided were in agreement on three of the five top priorities for funding.

**TABLE 3 TOP PROJECTS & SERVICES BY POSITION AT INITIAL BALLOT TEST**

Position at Initial Ballot Test (Q2/Q4)	Item	Project or Services Summary	% Strongly Favor
Probably or Definitely Yes (n = 298)	Q9a	Build a modern library that is large enough to serve the needs of the community now, in the future	79
	Q9b	Provide dedicated spaces for children's programming and story time	77
	Q9j	Enable library facility to also serve as an emergency operations center for disaster response, as well as a community shelter, resource center during incidents such as fires, earthquakes, extreme weather, power outages	74
	Q9c	Provide group study rooms, dedicated spaces for students to study, be tutored, work on group projects	69
	Q9h	Provide computers, technology, charging stations, and Internet access for public use	68
Probably or Definitely No (n = 167)	Q9j	Enable library facility to also serve as an emergency operations center for disaster response, as well as a community shelter, resource center during incidents such as fires, earthquakes, extreme weather, power outages	28
	Q9h	Provide computers, technology, charging stations, and Internet access for public use	20
	Q9b	Provide dedicated spaces for children's programming and story time	17
	Q9c	Provide group study rooms, dedicated spaces for students to study, be tutored, work on group projects	12
	Q9d	Provide spaces for workforce training, certification programs, programs to help small businesses	12
Not Sure (n = 30)	Q9b	Provide dedicated spaces for children's programming and story time	47
	Q9j	Enable library facility to also serve as an emergency operations center for disaster response, as well as a community shelter, resource center during incidents such as fires, earthquakes, extreme weather, power outages	42
	Q9h	Provide computers, technology, charging stations, and Internet access for public use	39
	Q9g	Provide larger spaces for community events, programs, and meetings	37
	Q9a	Build a modern library that is large enough to serve the needs of the community now, in the future	34

## POSITIVE ARGUMENTS

If the decision is made to place a Regional Library measure on a future ballot, voters will be exposed to various arguments about the measure in the ensuing months. Proponents of the parcel tax will present arguments to try to persuade voters to support a measure, just as opponents may present arguments to achieve the opposite goal. For this study to be a reliable gauge of voter support for the proposed measure, it is important that the survey simulate the type of discussion and debate that will occur prior to the vote taking place and identify how this information ultimately shapes voters' opinions about the measure.

The objective of Question 10 was thus to present respondents with arguments in favor of the proposed measure and identify whether they felt the arguments were convincing reasons to support it. Arguments in opposition to the measure were also presented and will be discussed later in this report (see *Negative Arguments* on page 24). Within each series, specific arguments were administered in random order to avoid a systematic position bias.

**Question 10** *What I'd like to do now is tell you what some people are saying about the measure we've been discussing. Supporters of the measure say: \_\_\_\_\_. Do you think this is a very convincing, somewhat convincing, or not at all convincing reason to SUPPORT the measure?*

**FIGURE 9 POSITIVE ARGUMENTS**

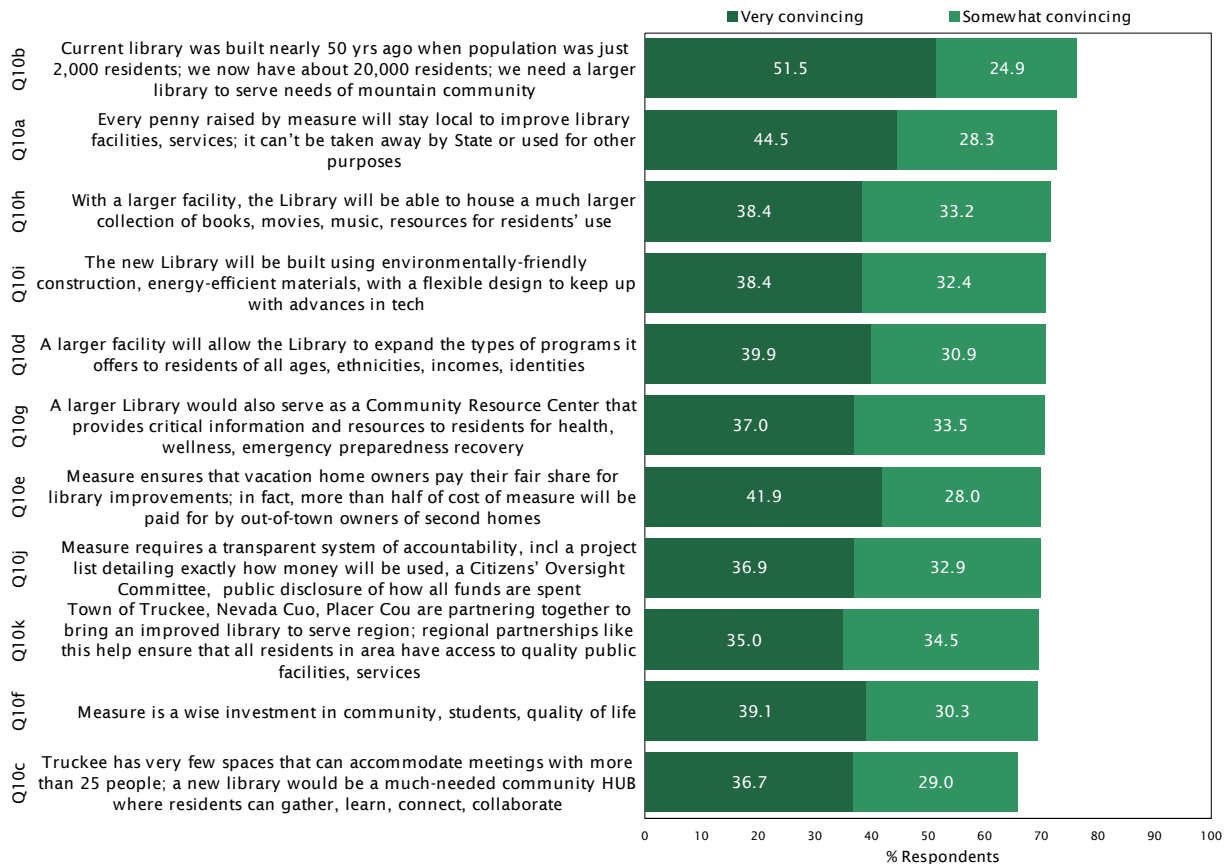


Figure 9 presents the truncated positive arguments tested, as well as voters' reactions to the arguments. The arguments are sorted from most convincing to least convincing based on the percentage of respondents who indicated that the argument was either a 'very convincing' or 'somewhat convincing' reason to support the measure. Using this methodology, the most compelling positive arguments were: *The current library was built nearly 50 years ago when our population was just two thousand residents. We now have about twenty thousand residents. We need a larger library to serve the needs of our mountain community* (76% very or somewhat convincing), followed by *Every penny raised by the measure will stay local to improve our library facilities and services. It can't be taken away by the State or used for other purposes* (73%), and *With a larger facility, the Library will be able to house a much larger collection of books, movies, music, and resources for residents' use* (72%).

**TOP POSITIVE ARGUMENTS BY INITIAL SUPPORT** Table 4 on the next page lists the top five most convincing positive arguments (showing the percentage of respondents who cited it as *very convincing*) according to respondents' vote choice at the Initial Ballot Test. The most striking pattern in the table is that the positive arguments resonated with a much higher percentage of voters who were initially inclined to support the measure when compared to voters who initially opposed the measure or were unsure. Nevertheless, two arguments were ranked among the top five most compelling by supporters, opponents, and the undecided.

TABLE 4 TOP POSITIVE ARGUMENTS BY POSITION AT INITIAL BALLOT TEST

Position at Initial Ballot Test (Q2/Q4)	Item	Project or Services Summary	% Strongly Favor
Probably or Definitely Yes (n = 298)	Q10b	Current library was built nearly 50 yrs ago when population was just 2,000 residents; we now have about 20,000 residents; we need a larger library to serve needs of mountain community	74
	Q10a	Every penny raised by measure will stay local to improve library facilities, services; it can't be taken away by State or used for other purposes	66
	Q10f	Measure is a wise investment in community, students, quality of life	60
	Q10d	A larger facility will allow the Library to expand the types of programs it offers to residents of all ages, ethnicities, incomes, identities	59
	Q10e	Measure ensures that vacation home owners pay their fair share for library improvements; in fact, more than half of cost of measure will be paid for by out-of-town owners of second homes	58
Probably or Definitely No (n = 167)	Q10e	Measure ensures that vacation home owners pay their fair share for library improvements; in fact, more than half of cost of measure will be paid for by out-of-town owners of second homes	15
	Q10b	Current library was built nearly 50 yrs ago when population was just 2,000 residents; we now have about 20,000 residents; we need a larger library to serve needs of mountain community	13
	Q10h	With a larger facility, the Library will be able to house a much larger collection of books, movies, music, resources for residents' use	12
	Q10a	Every penny raised by measure will stay local to improve library facilities, services; it can't be taken away by State or used for other purposes	9
	Q10i	The new Library will be built using environmentally-friendly construction, energy-efficient materials, with a flexible design to keep up with advances in tech	9
Not Sure (n = 30)	Q10b	Current library was built nearly 50 yrs ago when population was just 2,000 residents; we now have about 20,000 residents; we need a larger library to serve needs of mountain community	37
	Q10c	Truckee has very few spaces that can accommodate meetings with more than 25 people; a new library would be a much-needed community HUB where residents can gather, learn, connect, collaborate	35
	Q10e	Measure ensures that vacation home owners pay their fair share for library improvements; in fact, more than half of cost of measure will be paid for by out-of-town owners of second homes	33
	Q10a	Every penny raised by measure will stay local to improve library facilities, services; it can't be taken away by State or used for other purposes	32
	Q10g	A larger Library would also serve as a Community Resource Center that provides critical information and resources to residents for health, wellness, emergency preparedness recovery	29

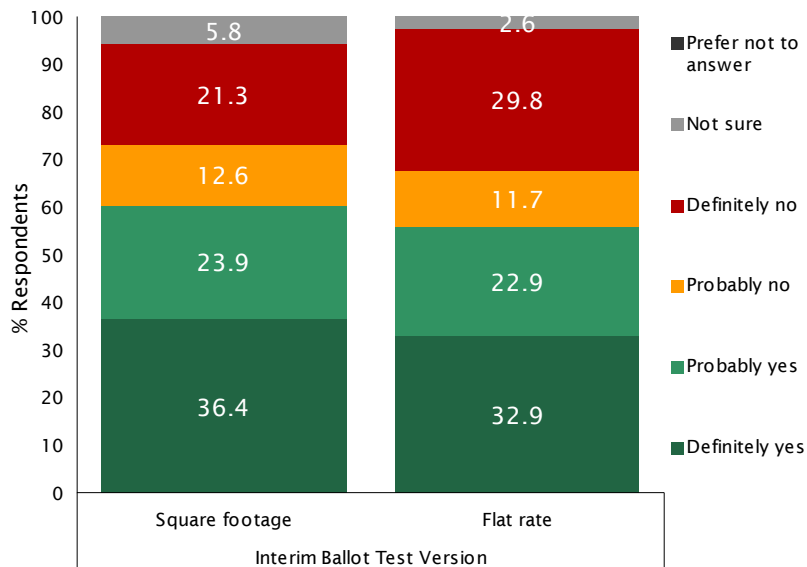
# INTERIM BALLOT TEST

After informing respondents about the potential tax rates associated with the Regional Library measure, projects and services that could be funded, as well as exposing them to positive arguments they may encounter during the election cycle, the survey again presented voters with the ballot language used previously to gauge how their support for the proposed measure may have changed.

**Question 11** *Sometimes people change their mind about a measure once they have more information about it. Now that you have heard a bit more about the measure, let me read you a summary of it again. In order to construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area; with dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations; shall the Truckee Regional Library Community Facilities District measure be adopted levying 6 cents per building square foot annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local? If the election were held today, would you vote yes or no on this measure?*

**Question 12** *Sometimes people change their mind about a measure once they have more information about it. In order to construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area; with dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations; shall the Truckee Regional Library Community Facilities District measure be adopted levying \$93 per parcel annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local? If the election were held today, would you vote yes or no on this measure?*

FIGURE 10 INTERIM BALLOT TEST



As shown in Figure 10 on the previous page, overall support for the flat rate \$93 parcel tax measure among likely November 2024 voters dipped slightly to 56%, with 42% of respondents opposed to the measure at this point in the survey, and an additional 3% being unsure or unwilling to state their vote choice. Support for the square footage version at 6 cents per square foot of taxable buildings declined to 60% at the Interim Ballot Test, with 34% opposed and 6% unsure or unwilling to share their opinion.

**SUPPORT BY SUBGROUPS** For the interested reader, tables 5 (square footage) and 6 (flat rate) display how support for the measures at this point in the survey varied by key demographic subgroups, as well as the percentage change in subgroup support when compared to the Initial Ballot Test. Positive differences appear in green, whereas negative differences appear in red. When compared to the flat rate version, there were much larger reductions in support for the measure among select subgroups (e.g., dual Democrat households) for the square footage version in response to the information shared after the Initial Ballot Test.

**TABLE 5 DEMOGRAPHIC BREAKDOWN OF SUPPORT AT INTERIM BALLOT TEST: SQUARE FOOTAGE**

		Approximate % of Voter Universe	% Probably or Definitely Yes	Change From Initial Ballot Test (Q2)
Overall		100.0	60.3	-2.8
Child in Hsld (Q16)	Yes	31.4	62.7	-2.6
	No	68.6	60.6	-3.1
Hsld Truckee Library Visit in Past 12 Mos (Q17)	Yes	45.6	71.4	-3.8
	No	54.4	51.3	-2.0
Frequency of Hsld Truckee Library Visits (Q18)	Not in past 12 mo	54.7	51.3	-2.0
	>1x per mo	11.6	85.3	-0.3
	1x per mo	11.9	62.5	-7.3
	<1x per mo	21.8	68.0	-3.9
Party	Democrat	51.2	67.2	-7.3
	Republican	17.3	26.2	-10.9
	Other / DTS	31.5	63.9	+8.7
Household Party Type	Single dem	28.4	65.9	-4.3
	Dual dem	14.2	63.6	-19.8
	Single rep	7.8	23.5	-12.3
	Dual rep	5.4	31.4	No change
	Other	22.8	61.2	+14.2
	Mixed	21.5	63.7	-3.5
Age	18 to 29	12.4	90.8	+6.3
	30 to 39	17.5	69.3	-7.8
	40 to 49	20.5	42.8	-4.1
	50 to 64	26.4	55.4	+2.8
	65 or older	23.3	53.1	-10.1
Registration Year	Since Nov '18	19.1	78.6	+1.2
	Jun '12 to <Nov '18	22.9	75.2	-1.3
	Jun '06 to <Jun '12	11.7	51.8	-5.8
	Before Jun '06	46.2	46.6	-4.7
Homeowner on Voter File	Yes	62.5	59.4	-2.0
	No	37.5	61.9	-4.2
Likely to Vote by Mail	Yes	85.4	61.8	-2.8
	No	14.6	52.3	-3.0
Likely Mar 2024 Voter	Yes	69.9	53.5	-3.1
	No	30.1	76.1	-2.1
Area of Residence	Town of Truckee	89.8	60.2	-2.6
	Unincorp	10.2	61.6	-5.0
Gender	Male	46.1	57.1	-1.1
	Female	53.9	65.2	-4.4



TABLE 6 DEMOGRAPHIC BREAKDOWN OF SUPPORT AT INTERIM BALLOT TEST: FLAT RATE

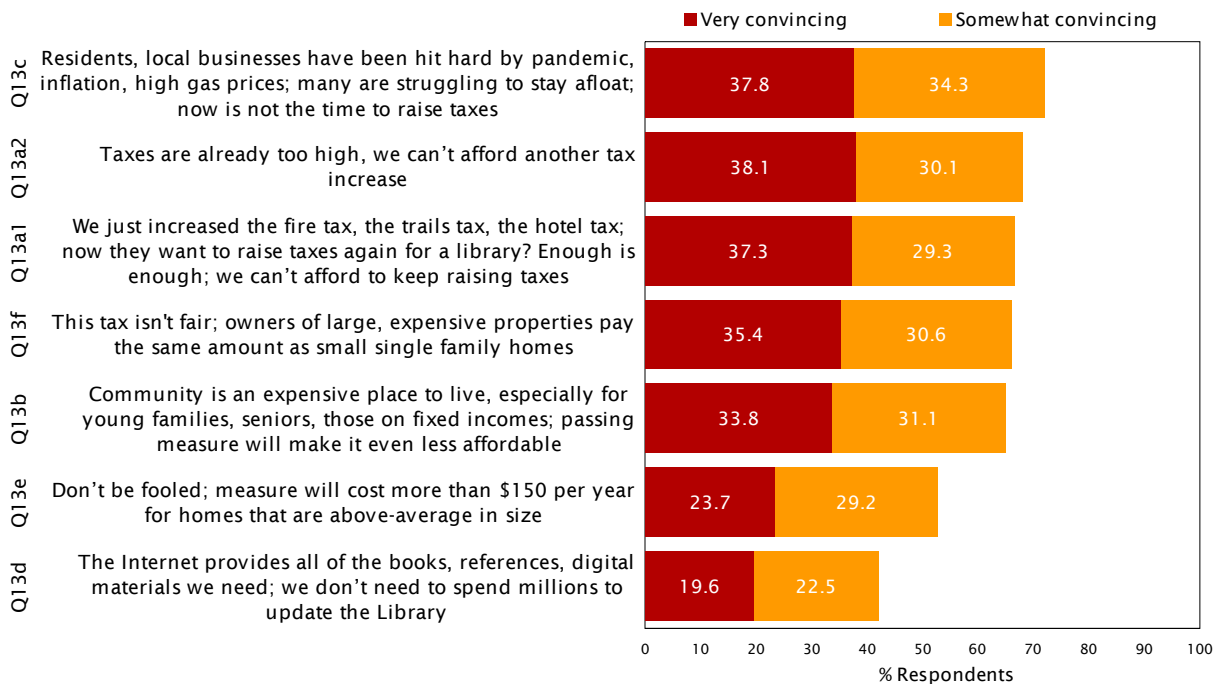
		Approximate % of Voter Universe	% Probably or Definitely Yes	Change From Initial Ballot Test (Q4)
Overall		100.0	55.8	-0.8
Child in Hsld (Q16)	Yes	31.4	52.4	-4.2
	No	68.6	59.2	+0.6
Hsld Truckee Library Visit in Past 12 Mos (Q17)	Yes	45.6	70.4	-2.7
	No	54.4	43.9	+0.7
Frequency of Hsld Truckee Library Visits (Q18)	Not in past 12 mo	54.7	43.9	+0.7
	>1x per mo	11.6	60.3	-8.2
	1x per mo	11.9	81.6	-0.0
	<1x per mo	21.8	69.4	-1.3
Party	Democrat	51.2	65.0	-1.7
	Republican	17.3	37.3	-1.1
	Other / DTS	31.5	53.9	+0.6
Household Party Type	Single dem	28.4	66.1	-0.3
	Dual dem	14.2	67.1	-1.8
	Single rep	7.8	50.8	-2.3
	Dual rep	5.4	20.0	No change
	Other	22.8	51.7	No change
Age	Mixed	21.5	56.1	-1.5
	18 to 29	12.4	88.4	-0.0
	30 to 39	17.5	78.9	-0.0
	40 to 49	20.5	45.9	-5.7
	50 to 64	26.4	43.6	+0.7
Registration Year	65 or older	23.3	50.5	+0.7
	Since Nov '18	19.1	89.0	+1.3
	Jun '12 to <Nov '18	22.9	59.4	-2.7
	Jun '06 to <Jun '12	11.7	40.9	-8.6
Homeowner on Voter File	Before Jun '06	46.2	45.8	+1.3
	Yes	62.5	54.6	+0.2
Likely to Vote by Mail	No	37.5	57.9	-2.6
	Yes	85.4	57.2	-1.0
Likely Mar 2024 Voter	No	14.6	47.5	+0.1
	Yes	69.9	52.6	-1.5
Area of Residence	No	30.1	63.3	+0.6
	Town of Truckee	89.8	55.6	-0.9
Gender	Unincorp	10.2	58.3	-0.0
	Male	46.1	46.7	-2.0
	Female	53.9	64.0	+0.1

# NEGATIVE ARGUMENTS

Whereas Question 11 presented respondents with arguments in favor of the measure, Question 13 presented respondents with arguments designed to elicit opposition to the measure. In the case of Question 13, however, respondents were asked whether they felt that the argument was a very convincing, somewhat convincing, or not at all convincing reason to *oppose* the measure. The arguments tested, as well as voters’ opinions about the arguments, are presented in Figure 11.

**Question 13** *Next, let me tell you what opponents of the measure are saying. Opponents of the measure say: \_\_\_\_\_. Do you think this is a very convincing, somewhat convincing, or not at all convincing reason to OPPOSE the measure?*

FIGURE 11 NEGATIVE ARGUMENTS



Among the negative arguments tested, the most compelling were: *Residents and local businesses have been hit hard by the pandemic, inflation, and high gas prices. Many are struggling to stay afloat. Now is not the time to raise taxes* (72% very or somewhat convincing), *Taxes are already too high - we can't afford another tax increase* (68%), and *We just increased the fire tax, the trails tax, and the hotel tax. Now they want to raise taxes again for a library? Enough is enough. We can't afford to keep raising our taxes* (67%).<sup>2</sup>

**NEGATIVE ARGUMENTS BY INITIAL SUPPORT** Table 7 on the next page ranks the negative arguments (showing the percentage of respondents who cited each as very convincing) according to respondents’ vote choice at the Initial Ballot Test.

2. Because of their similarity, the latter two arguments were tested using a split-sample whereby half received Q13a1 and half received Q13a2.

TABLE 7 TOP NEGATIVE ARGUMENTS BY POSITION AT INITIAL BALLOT TEST

Position at Initial Ballot Test (Q2/Q4)	Item	Negative Argument Summary	% Very Convincing
Probably or Definitely Yes (n = 298)	Q13f	This tax isn't fair; owners of large, expensive properties pay the same amount as small single family homes	24
	Q13a1	We just increased the fire tax, the trails tax, the hotel tax; now they want to raise taxes again for a library? Enough is enough; we can't afford to keep raising taxes	22
	Q13c	Residents, local businesses have been hit hard by pandemic, inflation, high gas prices; many are struggling to stay afloat; now is not the time to raise taxes	20
	Q13b	Community is an expensive place to live, especially for young families, seniors, those on fixed incomes; passing measure will make it even less affordable	14
	Q13e	Don't be fooled; measure will cost more than \$150 per year for homes that are above	13
Probably or Definitely No (n = 167)	Q13a2	Taxes are already too high, we can't afford another tax increase	79
	Q13a1	We just increased the fire tax, the trails tax, the hotel tax; now they want to raise taxes again for a library? Enough is enough; we can't afford to keep raising taxes	69
	Q13c	Residents, local businesses have been hit hard by pandemic, inflation, high gas prices; many are struggling to stay afloat; now is not the time to raise taxes	69
	Q13b	Community is an expensive place to live, especially for young families, seniors, those on fixed incomes; passing measure will make it even less affordable	66
	Q13f	This tax isn't fair; owners of large, expensive properties pay the same amount as small single family homes	52
Not Sure (n = 30)	Q13a2	Taxes are already too high, we can't afford another tax increase	54
	Q13a1	We just increased the fire tax, the trails tax, the hotel tax; now they want to raise taxes again for a library? Enough is enough; we can't afford to keep raising taxes	54
	Q13b	Community is an expensive place to live, especially for young families, seniors, those on fixed incomes; passing measure will make it even less affordable	49
	Q13e	Don't be fooled; measure will cost more than \$150 per year for homes that are above-average in size	47
	Q13c	Residents, local businesses have been hit hard by pandemic, inflation, high gas prices; many are struggling to stay afloat; now is not the time to raise taxes	42

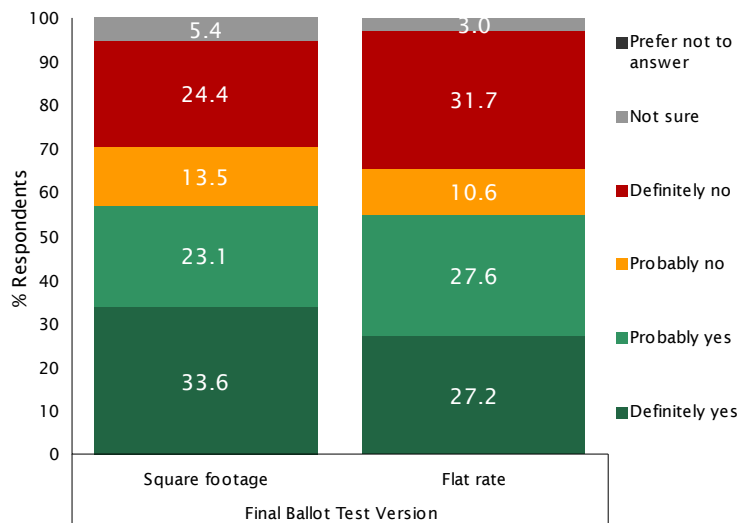
# FINAL BALLOT TEST

Voters' opinions about ballot measures are often not rigid, especially when the amount of information presented to the public on a measure has been limited. An important goal of the survey was thus to gauge how voters' opinions about the proposed measure may be affected by the information they could encounter during the course of an election cycle. After providing respondents with the wording of the proposed measure, potential tax rates, projects and services that could be funded, and arguments in favor of and against the proposal, the survey again asked voters whether they would vote 'yes' or 'no' on the proposed Regional Library measure.

**Question 14** *Now that you have heard a bit more about the measure, let me read you a summary of it one more time. In order to construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area; with dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and underserved populations; shall the Truckee Regional Library Community Facilities District measure be adopted levying 6 cents per building square foot annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local? If the election were held today, would you vote yes or no on this measure?*

**Question 15** *Now that you have heard a bit more about the measure, let me read you a summary of it one more time. In order to construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area; with dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and underserved populations; shall the Truckee Regional Library Community Facilities District measure be adopted levying \$93 per parcel annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local? If the election were held today, would you vote yes or no on this measure?*

FIGURE 12 FINAL BALLOT TEST



At this point in the survey, support for the \$93 flat rate measure was found among 55% of voters, with 42% opposed and 3% unsure or unwilling to state their vote choice (see Figure 12). Support for the 6 cent per square foot version of the parcel tax checked-in at 57% at the Final Ballot Test, with 38% opposed to the measure and 5% unsure or unwilling to state their vote choice.

## CHANGE IN SUPPORT

Tables 8 (square footage) and 9 (flat rate) provide a closer look at how support for the proposed Regional Library measure changed over the course of the interview by calculating the difference in support between the Initial, Interim, and Final Ballot Tests within various subgroups of voters. The percentage of support for the measure at the Final Ballot Test is shown in the column with the heading *% Probably or Definitely Yes*. The columns to the right show the difference between the Final and the Initial, and the Final and Interim Ballot Tests. Positive differences appear in green, negative differences in red.

As expected, most groups responded to the negative arguments with a reduction in their support for the parcel tax measure when compared with the levels recorded at the Interim Ballot Test. For the square footage version, the general trend over the course of the entire survey (Initial to Final Ballot Test) was modestly negative, averaging -6%. At the Final Ballot Test, support was approximately 10% below the required two-thirds threshold required for passage when the rate was set at 6 cents per square foot of taxable buildings on the parcel (see Table 8).

**TABLE 8 DEMOGRAPHIC BREAKDOWN OF SUPPORT AT FINAL BALLOT TEST: SQUARE FOOT RATE**

		Approximate % of Voter Universe	% Probably or Definitely Yes	Change From Initial Ballot Test (Q2)	Change From Interim Ballot Test (Q11)
Overall		100.0	56.7	-6.4	-3.6
Child in Hsld (Q16)	Yes	31.4	57.3	-7.9	-5.4
	No	68.6	57.8	-5.9	-2.8
Hsld Truckee Library Visit in Past 12 Mos (Q17)	Yes	45.6	68.9	-6.4	-2.6
	No	54.4	46.8	-6.5	-4.5
Frequency of Hsld Truckee Library Visits (Q18)	Not in past 12 mo	54.7	46.8	-6.5	-4.5
	>1x per mo	11.6	87.2	+1.5	+1.8
	1x per mo	11.9	62.1	-7.6	-0.3
	<1x per mo	21.8	61.8	-10.1	-6.2
Party	Democrat	51.2	66.0	-8.5	-1.2
	Republican	17.3	26.2	-10.9	No change
	Other / DTS	31.5	54.5	-0.7	-9.4
Household Party Type	Single dem	28.4	64.0	-6.2	-1.9
	Dual dem	14.2	63.3	-20.1	-0.3
	Single rep	7.8	23.5	-12.3	No change
	Dual rep	5.4	31.4	No change	No change
	Other	22.8	50.1	+3.1	-11.1
	Mixed	21.5	60.6	-6.5	-3.0
Age	18 to 29	12.4	84.5	+0.0	-6.3
	30 to 39	17.5	55.8	-21.4	-13.6
	40 to 49	20.5	42.9	-4.0	+0.1
	50 to 64	26.4	55.4	+2.8	No change
	65 or older	23.3	53.2	-10.1	+0.0
Registration Year	Since Nov '18	19.1	74.3	-3.1	-4.4
	Jun '12 to <Nov '18	22.9	63.2	-13.4	-12.0
	Jun '06 to <Jun '12	11.7	52.0	-5.7	+0.2
	Before Jun '06	46.2	46.6	-4.7	+0.0
Homeowner on Voter File	Yes	62.5	56.9	-4.5	-2.5
	No	37.5	56.4	-9.6	-5.4
Likely to Vote by Mail	Yes	85.4	57.5	-7.0	-4.2
	No	14.6	52.3	-3.0	No change
Likely Mar 2024 Voter	Yes	69.9	52.3	-4.4	-1.3
	No	30.1	67.1	-11.1	-9.0
Area of Residence	Town of Truckee	89.8	56.2	-6.6	-4.0
	Unincorp	10.2	61.6	-5.0	+0.0
Gender	Male	46.1	52.2	-6.0	-4.9
	Female	53.9	62.6	-7.0	-2.6

The flat rate version witnessed a smaller decline in support over the course of the interview (-2% on average), but it also started with lower support than the square footage version—the result being that support for the flat rate version at the Final Ballot Test was approximately 12% below the two-thirds requirement (see Table 9).

**TABLE 9 DEMOGRAPHIC BREAKDOWN OF SUPPORT AT FINAL BALLOT TEST: FLAT RATE**

		Approximate % of Voter Universe	% Probably or Definitely Yes	Change From Initial Ballot Test (Q4)	Change From Interim Ballot Test (Q12)
Overall		100.0	54.7	-2.0	-1.1
Child in Hsld (Q16)	Yes	31.4	52.4	-4.2	No change
	No	68.6	57.6	-1.1	-1.7
Hsld Truckee Library Visit in Past 12 Mos (Q17)	Yes	45.6	68.5	-4.6	-2.0
	No	54.4	43.5	+0.2	-0.5
Frequency of Hsld Truckee Library Visits (Q18)	Not in past 12 mo	54.7	43.5	+0.2	-0.5
	>1x per mo	11.6	60.3	-8.2	No change
	1x per mo	11.9	79.5	-2.1	-2.1
	<1x per mo	21.8	66.4	-4.3	-3.0
Party	Democrat	51.2	64.5	-2.2	-0.5
	Republican	17.3	37.3	-1.1	-0.0
	Other / DTS	31.5	51.1	-2.2	-2.8
Household Party Type	Single dem	28.4	66.1	-0.2	+0.0
	Dual dem	14.2	65.5	-3.4	-1.6
	Single rep	7.8	50.8	-2.3	No change
	Dual rep	5.4	20.0	No change	No change
	Other	22.8	49.3	-2.4	-2.4
	Mixed	21.5	54.6	-3.1	-1.5
Age	18 to 29	12.4	88.4	No change	+0.0
	30 to 39	17.5	78.9	No change	+0.0
	40 to 49	20.5	45.9	-5.7	No change
	50 to 64	26.4	40.4	-2.5	-3.2
	65 or older	23.3	49.6	-0.3	-1.0
Registration Year	Since Nov '18	19.1	89.0	+1.3	-0.0
	Jun '12 to <Nov '18	22.9	57.2	-4.9	-2.1
	Jun '06 to <Jun '12	11.7	40.9	-8.6	No change
	Before Jun '06	46.2	44.4	-0.0	-1.3
Homeowner on Voter File	Yes	62.5	54.2	-0.2	-0.4
	No	37.5	55.6	-4.9	-2.3
Likely to Vote by Mail	Yes	85.4	56.3	-1.9	-0.9
	No	14.6	44.9	-2.5	-2.6
Likely Mar 2024 Voter	Yes	69.9	51.0	-3.1	-1.6
	No	30.1	63.3	+0.6	No change
Area of Residence	Town of Truckee	89.8	54.4	-2.0	-1.1
	Unincorp	10.2	57.0	-1.3	-1.3
Gender	Male	46.1	45.6	-3.1	-1.1
	Female	53.9	62.8	-1.1	-1.2

Whereas tables 8 and 9 display change in support for the measure over the course of the interview at the group level, tables 10 and 11 display the individual-level changes that occurred between the Initial and Final Ballot Tests for the respective measures. On the left side of the tables is shown each of the response options to the Initial Ballot Test and the percentage of respondents in each group. The cells in the body of the tables depict movement within each response group (row) based on the information provided throughout the course of the survey as recorded by the Final Ballot Test. For example, in the first row of Table 10 we see that of the 34.3% of respondents who indicated that they would definitely support the square footage parcel tax measure at the Initial Ballot Test, 27.1% also indicated that they would definitely support the measure at the Final Ballot Test. Approximately 4.0% moved to the probably support group, 1.2%

moved to the probably oppose group, 1.4% moved to the definitely oppose group, and 0.4% percent stated they were now unsure of their vote choice.

To ease interpretation of the tables, the cells are color coded. Red shaded cells indicate declining support, green shaded cells indicate increasing support, whereas white cells indicate no movement. Moreover, within the cells, a white font indicates a fundamental change in the vote: from yes to no, no to yes, or not sure to either yes or no.

**TABLE 10 MOVEMENT BETWEEN INITIAL & FINAL BALLOT TEST: SQUARE FOOTAGE**

Initial Ballot Test (Q2)		Final Ballot Test (Q14)				
		Definitely support	Probably support	Probably oppose	Definitely oppose	Not sure
Definitely support	34.3%	27.1%	4.0%	1.2%	1.4%	0.4%
Probably support	28.9%	6.0%	15.8%	2.9%	1.2%	2.9%
Probably oppose	13.4%	0.0%	1.2%	6.4%	5.5%	0.3%
Definitely oppose	15.0%	0.0%	0.0%	0.7%	14.3%	0.0%
Not sure	8.4%	0.5%	2.1%	2.2%	1.9%	1.7%

**TABLE 11 MOVEMENT BETWEEN INITIAL & FINAL BALLOT TEST: FLAT RATE**

Initial Ballot Test (Q4)		Final Ballot Test (Q15)				
		Definitely support	Probably support	Probably oppose	Definitely oppose	Not sure
Definitely support	31.0%	23.9%	5.8%	0.4%	0.9%	0.0%
Probably support	25.7%	2.8%	20.3%	1.8%	0.3%	0.6%
Probably oppose	13.4%	0.0%	0.3%	7.1%	5.8%	0.3%
Definitely oppose	25.2%	0.0%	0.2%	1.1%	23.9%	0.0%
Not sure	4.7%	0.4%	1.0%	0.3%	0.9%	2.1%

As one might expect, the information conveyed in the survey had the greatest impact on individuals who either weren't sure about how they would vote at the Initial Ballot Test or were tentative in their vote choice (probably yes or probably no). Moreover, the tables make clear that although the information did impact some voters, it did not do so in a consistent way for all respondents. Some respondents found the information conveyed during the course of the interview to be a reason to become more supportive of the measure, whereas a larger percentage found the same information to be a reason to be less supportive.

Despite 18% of respondents making a *fundamental*<sup>3</sup> shift in their opinion about the square footage measure over the course of the interview, the net impact is that support for the measure at the Final Ballot Test was approximately 6% lower than support at the Initial Ballot Test. There was less movement among those who received the flat rate version (7% made a fundamental shift in their opinion), although most of the movement was in the negative direction such that support at the Final Ballot Test was approximately 2% lower than at the Initial Ballot Test.

3. That is, they changed from a position of support, opposition or undecided at the Initial Ballot Test to a different position at the Final Ballot Test.





# BACKGROUND & DEMOGRAPHICS

**TABLE 12 DEMOGRAPHICS OF SAMPLE**

<b>Total Respondents</b>	497
<b>Child in Hsld (Q16)</b>	
Yes	30.6
No	66.8
Prefer not to answer	2.6
<b>Hsld Truckee Library Visit in Past 12 Mos (Q17)</b>	
Yes	45.2
No	54.0
Prefer not to answer	0.8
<b>Frequency of Hsld Truckee Library Visits (Q18)</b>	
Not in past 12 mo	54.0
>1x per mo	11.5
1x per mo	11.8
<1x per mo	21.5
Prefer not to answer	1.2
<b>Gender</b>	
Male	45.2
Female	52.9
Prefer not to answer	1.8
<b>Party</b>	
Democrat	51.2
Republican	17.3
Other / DTS	31.5
<b>Age</b>	
18 to 29	12.4
30 to 39	17.5
40 to 49	20.5
50 to 64	26.4
65 or older	23.3
<b>Registration Year</b>	
Since Nov '18	19.1
Jun '12 to <Nov '18	22.9
Jun '06 to <Jun '12	11.7
Before Jun '06	46.2
<b>Household Party Type</b>	
Single dem	28.4
Dual dem	14.2
Single rep	7.8
Dual rep	5.4
Other	22.8
Mixed	21.5
<b>Homeowner on Voter File</b>	
Yes	62.5
No	37.5
<b>Likely to Vote by Mail</b>	
Yes	85.4
No	14.6
<b>Likely Mar 2024 Voter</b>	
Yes	69.9
No	30.1
<b>Area of Residence</b>	
Town of Truckee	89.8
Unincorp	10.2

In addition to questions directly related to the proposed measure, the study collected basic demographic information about respondents and their households. Some of this information was gathered during the interview, although much of it was collected from the voter file. The profile of the likely November 2024 voter sample represented in this report is shown to the left in Table 12.



## M E T H O D O L O G Y

The following sections outline the methodology used in the study, as well as the motivation for using certain techniques.

**QUESTIONNAIRE DEVELOPMENT** Dr. McLarney of True North Research worked closely with the Town of Truckee, Nevada County, Placer County, and Friends of the Truckee Library to develop a questionnaire that covered the topics of interest and avoided possible sources of systematic measurement error, including position-order effects, wording effects, response-category effects, scaling effects, and priming. Several questions included multiple individual items. Because asking items in a set order can lead to a systematic position bias in responses, items were asked in random order for each respondent.

Some questions asked in this study were presented only to a subset of respondents. For example, only individuals who did not support the parcel tax at the Initial Ballot Test (Questions 2 and 4) were asked the follow-up open-ended questions (Questions 3 and 5) regarding their reasons for not supporting the measure. The questionnaire included with this report (see *Questionnaire & Toplines* on page 35) identifies the skip patterns used during the survey to ensure that each respondent received the appropriate questions.

**PROGRAMMING & PRE-TEST** Prior to fielding the survey, the questionnaire was CATI (Computer Assisted Telephone Interviewing) programmed to assist interviewers when conducting telephone interviews. The CATI program automatically navigates skip patterns, randomizes the appropriate question items, and alerts the interviewer to certain types of keypunching mistakes should they occur. The survey was also programmed into a passcode-protected online survey application to allow online participation for sampled voters. The integrity of the questionnaire was pre-tested internally by True North and by dialing into voter households in the district prior to formally beginning the survey.

**SAMPLE** The survey was administered to a random sample of 497 likely voters in the study area, which consisted of the Town of Truckee and neighboring communities in Nevada County and Placer County.<sup>4</sup> Consistent with the profile of this universe, the sample was stratified into clusters, each representing a combination of age, gender, and household party-type. Individuals were then randomly selected based on their profile into an appropriate cluster. This method ensures that if a person of a particular profile refuses to participate in the study, they are replaced by an individual who shares their same profile.

To accommodate the study's interest in obtaining a statistically reliable gauge of voter support for a flat rate parcel tax *and* a parcel tax based on square footage, the sample was divided into two representative subsamples. Half received questions related to a flat rate tax, while the other half received questions related to a tax based on square footage of buildings on a parcel.

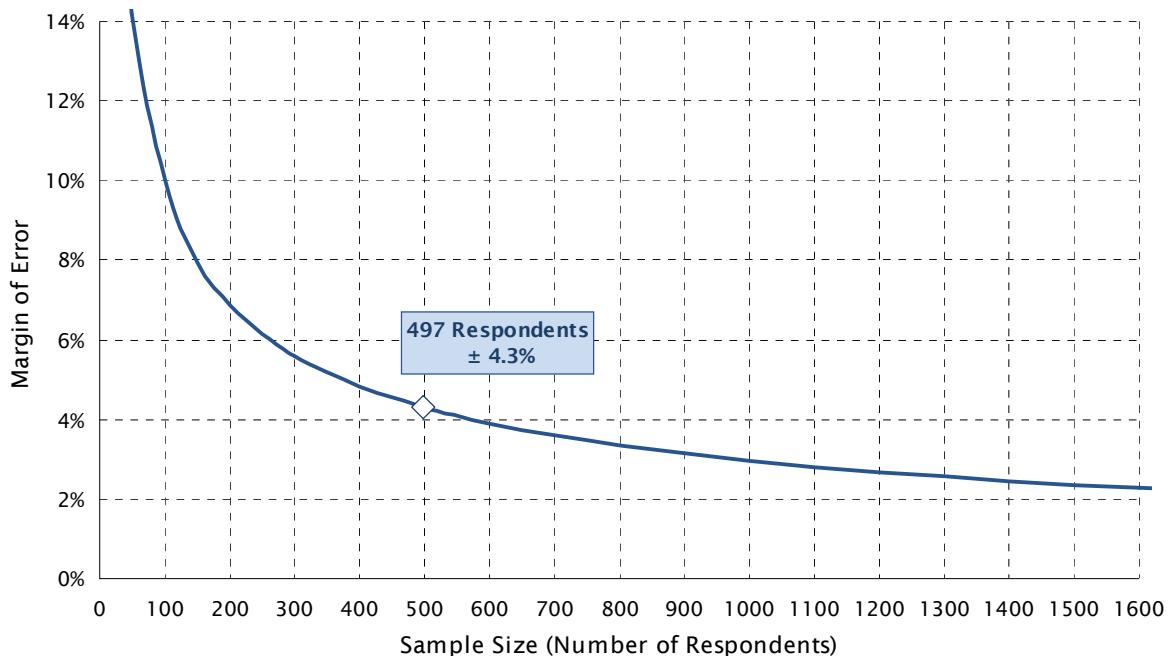
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4. The boundary in Nevada County was consistent with the Truckee Fire Protection District boundary. In Placer County, residents of Martis Valley were included in the study.

**STATISTICAL MARGIN OF ERROR** By using the probability-based sampling design noted above, True North ensured that the final sample was representative of voters in the study area who are likely to participate in the November 2024 election, with a subset who are also likely to participate in the lower turnout March 2024 primary. The results of the sample can thus be used to estimate the opinions of *all* voters likely to participate in these elections. Because not all voters participated in the study, however, the results have what is known as a statistical margin of error due to sampling. The margin of error refers to the difference between what was found in the survey of 497 voters for a particular question and what would have been found if all 11,738 likely voters identified had been surveyed for the study.

Figure 13 provides a graphic plot of the *maximum* margin of error in this study. The maximum margin of error for a dichotomous percentage result occurs when the answers are evenly split such that 50% provide one response and 50% provide the alternative response. For this survey, the maximum margin of error is  $\pm 4.3\%$ .

**FIGURE 13 MAXIMUM MARGIN OF ERROR DUE TO SAMPLING**



Within this report, figures and tables show how responses to certain questions varied by age, gender, party affiliation, and other subgroup categories. Figure 13 is thus useful for understanding how the maximum margin of error for a percentage estimate will grow as the number of individuals asked a question (or in a particular subgroup) shrinks. Because the margin of error grows exponentially as the sample size decreases, the reader should use caution when generalizing and interpreting the results for small subgroups.

**RECRUITING & DATA COLLECTION** The survey followed a mixed-method design that employed multiple recruiting methods (email, text, and telephone) and multiple data collection methods (telephone and online). Telephone interviews averaged 16 minutes in length and were conducted during weekday evenings (5:30PM to 9PM) and on weekends (10AM to 5PM). It is stan-

standard practice not to call during the day on weekdays because most working adults are unavailable and thus calling during those hours would likely bias the sample.

Voters recruited via email and text were assigned a unique passcode to ensure that only voters who received an invitation could access the online survey site, and that each voter could complete the survey only one time. During the data collection period, an email reminder notice was also sent to encourage participation among those who had yet to take the survey.

**DATA PROCESSING** Data processing consisted of checking the data for errors or inconsistencies, coding and recoding responses, weighting, and preparing frequency analyses and cross-tabulations.

**ROUNDING** Numbers that end in 0.5 or higher are rounded up to the nearest whole number, whereas numbers that end in 0.4 or lower are rounded down to the nearest whole number. These same rounding rules are also applied, when needed, to arrive at numbers that include a decimal place in constructing figures and charts. Occasionally, these rounding rules lead to small discrepancies in the first decimal place when comparing tables and charts for a given question.

# QUESTIONNAIRE & TOPLINES



Town of Truckee  
Regional Library Survey  
Final Toplines (n=497)  
March 2023

## Section 1: Introduction to Study

Hi, may I please speak to \_\_\_\_\_. My name is \_\_\_\_\_, and I'm calling from TNR on behalf of the Town of Truckee, Nevada and Placer Counties. These agencies are conducting a survey of voters who live in Truckee or in nearby communities, and I'd like to get your opinions.

*If needed:* This is a survey about important issues in your community. I'm NOT trying to sell anything and I won't ask for a donation.

*If needed:* Your survey responses will be confidential.

*If needed:* The survey should take about 12 minutes to complete.

*If needed:* If now is not a convenient time, can you let me know a better time so I can call back?

*If the person asks why you need to speak to the listed person or if they ask to participate instead, explain:* For statistical purposes, at this time the survey must only be completed by this particular individual.

## Section 2: Importance of Issues

Q1 To begin, I'm going to read a list of issues facing your community and for each one, please tell me how important you feel the issue is to you, using a scale of extremely important, very important, somewhat important or not at all important.

Here is the (first/next) issue: \_\_\_\_\_. Do you think this issue is extremely important, very important, somewhat important, or not at all important?

	<i>Randomize</i>	Extremely Important	Very Important	Somewhat Important	Not at all Important	Not sure	Prefer not to answer
A	Improving the local economy	20%	38%	31%	10%	1%	0%
B	Protecting the environment and natural open space	61%	26%	11%	1%	0%	0%
C	Improving public safety	26%	32%	33%	8%	1%	0%
D	Maintaining local property values	27%	29%	30%	13%	1%	0%
E	Preventing local tax increases	34%	23%	31%	11%	1%	0%
F	Reducing traffic congestion	66%	23%	10%	1%	0%	0%
G	Improving the quality of local library facilities and services	18%	32%	35%	13%	1%	0%
H	Ensuring all residents have equal access to community services	34%	38%	21%	6%	1%	0%
I	Improving the quality of education in our local schools	40%	33%	19%	5%	2%	1%

**Section 3: Initial Ballot Test**

Next year, voters in your area may be asked to vote on a local ballot measure. Let me read you a summary of the measure.

*Split Sample. Only Sample A (square footage rate) gets Q2 & Q3.*

Q2	In order to:			
	<ul style="list-style-type: none"> <li>o Construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area</li> <li>o With dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations</li> </ul>			
	shall the Truckee Regional Library Community Facilities District measure be adopted levying <b>6</b> cents per building square foot annually (raising <b>3</b> million dollars annually) for 30 years, authorizing bonds/appropriation limit of <b>30</b> million dollars with independent oversight and all funds staying local?			
	If the election were held today, would you vote yes or no on this measure? <i>Get answer, then ask:</i> Would that be definitely (yes/no) or probably (yes/no)?			
	1	Definitely yes	34%	Skip to Q6
	2	Probably yes	29%	Skip to Q6
	3	Probably no	13%	Ask Q3
4	Definitely no	15%	Ask Q3	
98	Not sure	7%	Ask Q3	
99	Prefer not to answer	1%	Skip to Q6	
Q3	Is there a particular reason why you do <u>not</u> support or are unsure about the measure I just described? <i>If yes, ask:</i> Please briefly describe your reason. <i>Verbatim responses recorded and later grouped into categories shown below.</i>			
	Taxes already too high		35%	
	Other higher priorities in Town/region		17%	
	No need for a new Library		16%	
	Not sure / No particular reason		7%	
	Need more information		5%	
	Money is misspent, mismanaged		4%	
	Other ways to be funded		4%	
	Measure too expensive		4%	
	Internet provides sufficient info access		2%	
	High cost of living		1%	

Split Sample. Only Sample B (flat rate) gets Q4 and Q5.				
Q4	In order to:			
	<ul style="list-style-type: none"> <li>○ Construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area</li> <li>○ With dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations</li> </ul>			
	shall the Truckee Regional Library Community Facilities District measure be adopted levying \$93 per parcel annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local?			
	If the election were held today, would you vote yes or no on this measure? <i>Get answer, then ask:</i> Would that be definitely (yes/no) or probably (yes/no)?			
	1	Definitely yes	31%	<i>Skip to Q6</i>
	2	Probably yes	26%	<i>Skip to Q6</i>
	3	Probably no	13%	<i>Ask Q5</i>
4	Definitely no	25%	<i>Ask Q5</i>	
98	Not sure	5%	<i>Ask Q5</i>	
99	Prefer not to answer	0%	<i>Skip to Q6</i>	
Q5	Is there a particular reason why you do not support or are unsure about the measure I just described? <i>If yes, ask:</i> Please briefly describe your reason. <i>Verbatim responses recorded and later grouped into categories shown below.</i>			
	Taxes already too high		45%	
	Other higher priorities in Town/region		12%	
	No need for a new Library		9%	
	Measure too expensive		6%	
	Not sure / No particular reason		6%	
	Money is misspent, mismanaged		5%	
	Need more information		3%	
	Internet provides sufficient info access		2%	
	Town/District already has enough money		1%	
	High cost of living		1%	

Section 4: Tax Threshold								
<i>Split Sample. Only Sample A (square footage rate) gets Q6 and Q7.</i>								
Q6	The measure I just described would raise money through annual property taxes paid by residential and commercial property owners. However, the amount to be charged has not been finalized yet. If you heard that your household would pay _____ per square foot of taxable buildings on your property per year, would you vote yes or no on the measure? <i>Get answer, then ask: Is that definitely (yes/no) or probably (yes/no)?</i>							
<i>Read in sequence starting with the highest amount (A), then the next highest (B). If respondent says 'definitely yes' to (A), record 'definitely yes' for (B) and go to Q7.</i>								
	<i>Ask in Order</i>	Definitely Yes	Probably Yes	Probably No	Definitely No	Not Sure	Prefer not to answer	
A	6 cents	28%	24%	18%	25%	5%	1%	
B	4 cents	34%	21%	15%	23%	6%	1%	
C	2 cents	45%	21%	10%	19%	5%	1%	
Q7	Let me put it another way: If you knew that this measure would cost the <b>typical</b> home owner about \$118 per year, would you vote yes or no on the library measure? <i>Get answer, then ask: Is that definitely (yes/no) or probably (yes/no)?</i>							
	1	Definitely yes					36%	
	2	Probably yes					23%	
	3	Probably no					13%	
	4	Definitely no					24%	
	98	Not sure					3%	
	99	Prefer not to answer					1%	
<i>Split Sample. Only Sample B (flat rate) gets Q8.</i>								
Q8	The measure I just described would raise money through annual property taxes paid by residential and commercial property owners. However, the amount to be charged has not been finalized yet.  If you heard that your household would pay _____ per year for your property, would you vote yes or no on the measure? <i>Get answer, then ask: Is that definitely (yes/no) or probably (yes/no)?</i>							
<i>Read in sequence starting with the highest amount (A), then the next highest (B). If respondent says 'definitely yes' to (A), record 'definitely yes' for (B) and go to Q9.</i>								
	<i>Ask in Order</i>	Definitely Yes	Probably Yes	Probably No	Definitely No	Not Sure	Prefer not to answer	
A	93 dollars	27%	23%	15%	31%	4%	0%	
B	63 dollars	35%	21%	14%	26%	4%	0%	
C	31 dollars	49%	16%	8%	24%	3%	0%	



Section 5: Projects & Services							
The measure we've been discussing will provide funding for a variety of library improvements and services in your community.							
Q9	If the measure <u>passes</u> , would you favor or oppose using some of the money to: _____, or do you not have an opinion? <i>Get answer, if favor or oppose, then ask: Would that be strongly (favor/oppose) or somewhat (favor/oppose)?</i>						
	<i>Randomize</i>	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose	Not sure	Prefer not to answer
A	Build a <b>modern library</b> that is large enough to serve the needs of the community now and in the future	53%	22%	7%	11%	5%	2%
B	Provide dedicated spaces for <b>children's</b> programming and story time	55%	23%	6%	9%	5%	2%
C	Provide group study rooms and dedicated spaces for <b>students</b> to study, be tutored, and work on <b>group projects</b>	48%	29%	7%	10%	5%	2%
D	Provide spaces for <b>workforce</b> training, certification programs, and programs to help small businesses	41%	30%	10%	11%	6%	2%
E	Provide dedicated <b>quiet reading</b> areas	42%	29%	11%	11%	6%	2%
F	Provide dedicated areas for <b>adult and senior</b> programs, activities, and work spaces	42%	33%	6%	10%	6%	2%
G	Provide larger spaces for <b>community</b> events, programs, and meetings	37%	30%	14%	12%	6%	2%
H	Provide <b>computers, technology, charging stations, and Internet</b> access for public use	50%	25%	8%	10%	5%	2%
I	Provide a central <b>community gathering place</b> where residents can meet, learn, and collaborate	39%	29%	12%	11%	6%	2%
J	Enable the library facility to also serve as an <b>emergency operations center</b> for disaster response, as well as a community shelter and resource center during incidents such as fires, earthquakes, extreme weather, and power outages	57%	21%	8%	8%	4%	2%

Section 6: Positive Arguments							
What I'd like to do now is tell you what some people are saying about the measure we've been discussing.							
Q10	Supporters of the measure say: ----- Do you think this is a very convincing, somewhat convincing, or not at all convincing reason to <b>SUPPORT</b> the measure?						
	<i>Randomize</i>	Very Convincing	Somewhat Convincing	Not At All Convincing	Don't Believe	Not Sure	Prefer not to answer
A	Every penny raised by the measure will stay local to improve our library facilities and services. It can't be taken away by the State or used for other purposes.	45%	28%	17%	8%	2%	1%
B	The current library was built nearly 50 years ago when our population was just two thousand residents. We now have about twenty thousand residents. We need a larger library to serve the needs of our mountain community.	52%	25%	15%	5%	2%	1%
C	Truckee has very few spaces that can accommodate meetings with more than 25 people. A new library would be a much-needed community HUB where residents can gather, learn, connect, and collaborate.	37%	29%	22%	10%	2%	1%
D	A larger facility will allow the Library to expand the types of programs it offers to residents of all ages, ethnicities, incomes, and identities.	40%	31%	19%	7%	2%	1%
E	This measure ensures that vacation home owners pay their fair share for library improvements. In fact, more than half of the cost of this measure will be paid for by out-of-town owners of second homes.	42%	28%	21%	6%	2%	1%
F	This measure is a wise investment in our community, our students, and our quality of life.	39%	30%	19%	8%	2%	1%
G	A larger Library would also serve as a Community Resource Center that provides critical information and resources to residents for health, wellness, and emergency preparedness and recovery.	37%	34%	20%	7%	2%	1%
H	With a larger facility, the Library will be able to house a much larger collection of books, movies, music, and resources for residents' use.	38%	33%	20%	5%	3%	1%
I	The new Library will be built using environmentally-friendly construction, energy-efficient materials, and with a flexible design to keep up with advances in technology.	38%	32%	19%	7%	3%	1%

J	This measure requires a transparent system of accountability, including a project list detailing exactly how the money will be used, a Citizens' Oversight Committee, and public disclosure of how all funds are spent.	37%	33%	17%	10%	2%	1%
K	The Town of Truckee, Nevada County and Placer County are partnering together to bring an improved library to serve our region. Regional partnerships like this help ensure that all residents in our area have access to quality public facilities and services.	35%	34%	21%	6%	3%	1%

**Section 7: Interim Ballot Test**

Sometimes people change their mind about a measure once they have more information about it. Now that you have heard a bit more about the measure, let me read you a summary of it again.

*Split Sample. Only Sample A (square footage rate) gets Q11.*

Q11	In order to:		
	<ul style="list-style-type: none"> <li>o Construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area</li> <li>o With dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations</li> </ul>		
	shall the Truckee Regional Library Community Facilities District measure be adopted levying 6 cents per building square foot annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local?		
	If the election were held today, would you vote yes or no on this measure? <i>Get answer, then ask: Would that be definitely (yes/no) or probably (yes/no)?</i>		
	1	Definitely yes	36%
	2	Probably yes	24%
	3	Probably no	13%
	4	Definitely no	21%
98	Not sure	6%	
99	Prefer not to answer	0%	

*Split Sample. Only Sample B (flat rate) gets Q12.*

Q12	In order to:	
	<ul style="list-style-type: none"> <li>o Construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area</li> <li>o With dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations</li> </ul>	
	shall the Truckee Regional Library Community Facilities District measure be adopted levying \$93 per parcel annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local?	
	If the election were held today, would you vote yes or no on this measure? <i>Get answer, then ask: Would that be definitely (yes/no) or probably (yes/no)?</i>	
	1	33%
	2	23%
3	12%	
4	30%	
98	3%	
99	0%	

Section 8: Negative Arguments							
Next, let me tell you what opponents of the measure are saying.							
Q13	Opponents of the measure say: _____. Do you think this is a very convincing, somewhat convincing, or not at all convincing reason to OPPOSE the measure?						
	<i>Randomize. Split Sample A1/A2 using odd/even clusters.</i>	Very Convincing	Somewhat Convincing	Not At All Convincing	Don't Believe	Not Sure	Prefer not to answer
A1	We just increased the fire tax, the trails tax, and the hotel tax. Now they want to raise taxes again for a library? Enough is enough. We can't afford to keep raising our taxes.	37%	29%	26%	5%	1%	1%
A2	Taxes are already too high - we can't afford another tax increase.	38%	30%	26%	4%	0%	1%
B	Our community is an expensive place to live, especially for young families, seniors, and those on fixed incomes. Passing this measure will make it even less affordable.	34%	31%	25%	8%	1%	1%
C	Residents and local businesses have been hit hard by the pandemic, inflation, and high gas prices. Many are struggling to stay afloat. Now is not the time to raise taxes.	38%	34%	21%	5%	1%	1%

D	The Internet provides all of the books, references, and digital materials we need. We don't need to spend millions to update the Library.	20%	23%	41%	14%	2%	1%
<i>Split Sample. Only Sample A (square footage rate) gets item E.</i>							
E	Don't be fooled. This measure will cost more than \$150 per year for homes that are above-average in size.	24%	29%	33%	8%	5%	2%
<i>Split Sample. Only Sample B (flat rate) gets item F.</i>							
F	This tax isn't fair. Owners of large, expensive properties pay the same amount as small single family homes.	35%	31%	27%	5%	1%	1%

**Section 9: Final Ballot Test**

Now that you have heard a bit more about the measure, let me read you a summary of it one more time.

*Split Sample. Only Sample A (square footage rate) gets Q14.*

Q14	In order to:	
	<ul style="list-style-type: none"> <li>o Construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area</li> <li>o With dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations</li> </ul>	
	shall the Truckee Regional Library Community Facilities District measure be adopted levying 6 cents per building square foot annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local?	
	If the election were held today, would you vote yes or no on this measure? <i>Get answer, then ask:</i> Would that be definitely (yes/no) or probably (yes/no)?	
	1	Definitely yes 34%
	2	Probably yes 23%
	3	Probably no 13%
4	Definitely no 24%	
98	Not sure 5%	
99	Prefer not to answer 0%	

*Split Sample. Only Sample B (flat rate) gets Q15.*

Q15	In order to:		
	<ul style="list-style-type: none"> <li>○ Construct a modern, 20,000 square foot regional library to serve the Greater Truckee Area</li> <li>○ With dedicated and enhanced spaces, technology, programs, books, and digital collections for children, teens, adults, seniors, community groups, and under-served populations</li> </ul>		
	shall the Truckee Regional Library Community Facilities District measure be adopted levying \$93 per parcel annually (raising 3 million dollars annually) for 30 years, authorizing bonds/appropriation limit of 30 million dollars with independent oversight and all funds staying local?		
	If the election were held today, would you vote yes or no on this measure? <i>Get answer, then ask: Would that be definitely (yes/no) or probably (yes/no)?</i>		
	1	Definitely yes	27%
	2	Probably yes	28%
3	Probably no	11%	
4	Definitely no	32%	
98	Not sure	3%	
99	Prefer not to answer	0%	

Section 10: Background & Demographics			
Thank you so much for your participation. I have just a few background questions for statistical purposes.			
Q16	Do you have children under the age of 18 living in your household?		
1	Yes	31%	
2	No	67%	
99	Prefer not to answer	3%	
Q17	In the past 12 months, have you or another member of your household visited the Truckee Library?		
1	Yes	45%	<i>Ask Q18</i>
2	No	54%	<i>Skip to end</i>
99	Prefer not to answer	1%	<i>Skip to end</i>

Truckee Regional Library Survey

March 2023

Q18	How often does a member of your household visit the Truckee Library - at least once per week, two to three times per month, once per month, or less often than once per month?		
	1	At least once per week	7%
	2	Two to three times per month	19%
	3	Once per month	26%
	4	Less often than once per month	48%
	99	Prefer not to answer	1%
Those are all of the questions that I have for you. Thanks so much for participating in this important survey.			

#### Post-Interview & Sample Items

S1	Gender		
	1	Male	45%
	2	Female	53%
	99	Prefer not to answer	2%
S2	Party		
	1	Democrat	51%
	2	Republican	17%
	3	Other	10%
	4	DTS	21%
S3	Age on Voter File		
	1	18 to 29	12%
	2	30 to 39	18%
	3	40 to 49	20%
	4	50 to 64	26%
	5	65 or older	23%
S4	Registration Date		
	1	Since Nov 2018	19%
	2	Jun 2012 to before Nov 2018	23%
	3	Jun 2006 to before Jun 2012	12%
	4	Before June 2006	46%

Truckee Regional Library Survey

March 2023

S5 Household Party Type		
1	Single Dem	28%
2	Dual Dem	14%
3	Single Rep	8%
4	Dual Rep	5%
5	Single Other	17%
6	Dual Other	5%
7	Dem & Rep	4%
8	Dem & Other	13%
9	Rep & Other	4%
0	Mixed (Dem + Rep + Other)	<1%
S6 Homeowner on Voter File		
1	Yes	63%
2	No	37%
S7 Likely to Vote by Mail		
1	Yes	85%
2	No	15%
S8 Likely March 2024 Voter		
1	Yes	70%
2	No	30%
S9 Likely November 2024 Voter		
1	Yes	100%
2	No	0%
S10 Household Party Type		
1	Town of Truckee	90%
2	Nevada County unincorporated	3%
3	Placer County unincorporated	7%